

**PLAN COMMISSION MEETING MINUTES  
of APRIL 25, 2022 at 7 PM**

Members Present: Kathy Janssen, Pete Dewar, Mike Calewarts, Bill Krueger, Chair, Melissa Trepanier, Francis Rabas, Bill Hafs, Zoning Administrator, Alex Sickel, Michelle Wallerius, Clerk

1. Meeting called to order by Chairman Krueger at 7:00 p.m. Motion by Mike Calewarts and seconded by Pete Dewar to approve the Minutes of February 22, 2022.
2. Rezoning request of Mike Seidl for parcel ND-345-4 to rezone 2.44 acres from Ag-1 to B-1 as proposed in the Rezone Exhibit of Mau & Associates dated 10/6/2020. This parcel is located at 5334 Shady Acres Lane, Denmark. Administrator Hafs recommends approval as the AG-1 property is non-conforming as it is less than 35 acres and it would be reasonable to have entire parcel zoned B-1 to match existing zoning. Kathy Janssen inquires about the history of the sport zoning on the parcel. Mike Androschke states the buyer of the property is looking to utilize the parcel for an electrical business and requesting remaining Ag-1 be zoned B-1. Motion by Mike Calewarts and seconded by Melissa Trepanier to recommend the rezoning of 2.44 acres to B-1 for ND-345-4. MC Public hearing to be held May 9, 2022 at 6:45 pm.
3. GAP parcel located off Hope Lane: Brown County land records has a 10 ft strip of land that runs adjacent to property on Hope Lane. Bill Hafs looking to purchase some neighboring property and Brown County identified a strip of land that looked like it was owned by the Town or an old snow mobile trail. Melissa Trepanier states the Tile Company confirmed the GAP is not showing on any titles and they will contact Brown County Property Listing to update the map.
4. Cell Tower Siting Ordinance: Attorney Sickel states the Town currently has two mobile cell tower ordinances on file which contradicts the other and State guidelines. Recommendation to repeal the Chapter 7 siting ordinance and could revise the existing Town zoning ordinance for Class I towers to include relevant information such as requiring a conditional use permit for all new applications, impose setback and height requirements, but cannot be greater than the height of the structure and only enforceable next to parcels that “permit single family residencies” in the Ag-R, Ag-1, Ag-FP or R zoning districts and impose a surety bond of \$20,000 or less. Class II modifications or updating cover updating of equipment or changes to an existing tower and include a fee of \$500. Currently the Town’s Chapter 7 ordinance is not enforceable by State guidelines. Issue arose with Bug Tussel request for tower and setback question. Motion by Kathy Janssen and seconded by Melissa Trepanier to recommend repeal of Chapter 7 mobile siting ordinance. MC Attorney Sickel to revise Town zoning ordinance to include language about a required conditional use permit, which will allow the Town/Plan Commission to review and add specific conditions specific to each request as to height or setback requirements when reviewing. Mike Calewarts inquires if the surety bond can be higher than \$20,000 for removal costs. Attorney Sickel states only if the

Town had a bid or proof of the actual cost to removal, it could be based off an estimate if requiring more than the State mandated surety bond amount.

5. Any other business of the Commission may deem appropriate: Discussion of de-annexing a property on Petersen Lane. Request to see if property can be removed from the Village and be part of the Town as no municipal services are being provided to resident. Attorney Sickel to provide resident with statutory information and would need to petition Village and follow requirements to de-annex. Discussion of land for sale by owner off Hager Road. Parcels fall within the Village and the Town. Property owner believes they could obtain an easement off Big Sky Development roadway and develop lots off cul-du-sac. Attorney Sickel states if they are proposing 4 or more homes, the Town's subdivision would be need to followed and they could not legally obtain access from that existing road. Recommendation that a letter be sent to the land owner advising that any land division needs approval by the Plan Commission / Board per Town ordinance.

Motion by Mike Calewarts and seconded by Francis Rabas to adjourn at 8:06 pm. MC