

REVISED MINUTES PER 11/17/2015 MEETING

Public Hearing

On Tuesday, October 20, 2015 at 6:45 p.m. Town Board Chair Greg Anderson called the first Public Hearing to order. Other Supervisors present were Jim Kusler, Eugene Stoeckel, Mark Riverblood and John Roxbury, Jr.

The purpose of the Public Hearing was a request for a Variance from Vicky Rosen – Section 23.

There were no residents who wished to speak.

Chair Greg Anderson closed the Public Hearing at 7:00

Public Hearing

Town Board Chair Greg Anderson called the second Public Hearing to order at 7:00 p.m.

The purpose of the Public Hearing was to discuss the rezoning of Rural Residential back into Agricultural.

Mr. Anderson read a letter from Dean Hanson. (Exhibit A) The letter stated that he and his brother, Allan Hanson, are against the proposed zoning change

Mr. Anderson also read a letter from Cathy Stevens. (Exhibit B.) The letter expressed her opposition of the possible rezoning of Rural residential to Agricultural. Greg Anderson responded with some answers to the questions that were asked from Ms. Stevens. Mr. Anderson stated that he did not know when the zoning changed from Agricultural to Rural residential because it was a long time ago. He explained that the basis to rezone was to protect the residents from becoming an overdeveloped township, and to protect the agricultural environment. Mr. Anderson stated that he did not know of any complaints regarding any farming practices. He said there have been a couple of developments in that area after a rezoning. Mr. Anderson stated that the Town Board hopes that the Township does not explode with development in the current Rural Residential area. Mr. Anderson also stated that housing does not pay its way for tax purposes. Mr. Anderson stated that the Comprehensive Plan says that the Township would like to stay rural and agricultural and a possible rezone would not deny all economically viable or beneficial use of the area.

Daryl Goetz asked if the developer is responsible for paying for the new roads that are needed in a development. Mr. Anderson said yes they are, however the cost of maintaining those roads are the Township's responsibility and are hugely expensive.

Mr. Goetz was opposed to the rezoning because he feels its makes his property worthless.

Curtis Strombeck stated that he feels the farming is good in that area and is in favor of the rezoning.

Josh Lee stated he would not exactly like to see developing in his area but would still like the option to be able to sell it to a developer when he retires. There is a development across the street from him and he has no issues with it.

Larry Ziebarth stated that the Planning Commission recommended not to do anything with rezoning and wanted to know why the Board was proceeding anyway. Mr. Ziebarth also referenced the Township Comprehensive Plan and how it pertains to maintaining the farming areas, not increasing it. He also stated that the Comp Plan states that the intent is not to control a persons' rights to the land but to promote the general welfare of the public. Mr. Ziebarth stated that he feels the Town Board is taking away the building rights of the people that own Rural Residential land. Mr. Ziebarth also pointed out the differences in the two zones where it pertains to Use Permits.

Karen Tix stated that she would like her property to remain Rural Residential.

Kevin Lee stated that it is hard to make any money farming in the sand where he is located and would like to see the area remain Rural Residential.

Mark Riverblood asked the Chairman to extend the Public Hearing beyond 7:30 p.m. in order to hear everything that the residents had to say.

Mr. Ruble stated that he is looking to split his property and wanted to know if this rezone would prevent him from even applying for that. The Board indicated that it would not prohibit him from applying.

Cindy Amarie stated that she enjoys her property the way it is and would not like to see the nature and wildlife removed for farm fields, which she already believes the Township has enough of.

Joe Bergeron stated that he believes the area is not beneficial zoned as Agricultural.

Judy Bergeron stated that she enjoys her property now but if she decides to sell one day, it would be the decision of whoever buys it as to what they would like to do with it.

Cheryl Lessarre stated that she would like to build on a parcel that she owns and wanted to know if this rezone would prohibit that. Mr. Anderson stated that it depends on the density in her area, since there are only 2 homes per quarter quarter. Mrs. Lessarre stated that she would like the zone to remain as it is now.

Bob asked if Greentree zoning applies to this rezone. Mr. Anderson stated that he has never heard of that. Even if he was referring to Green Acres, that would not have any effect. Bob also asked why the Board was not listening to the Planning Commission. Mr. Anderson stated that this was a public hearing to hear how the residents feel about the issue. Bob asked if there would be a vote or if the Board could just go ahead and do whatever they want. Mr. Anderson stated that since this was a zoning change, it would be up to the Board to change it if necessary.

Carl Sanford stated that he currently owns 29 acres in Rural Residential and is currently able to build on it. If the land is rezoned, he could not do that. He was wondering why the Board was not listening to the Planning Commissions' recommendations. Greg Anderson stated that the Board is concerned about not letting the Township go to extremes. Mr. Sanford stated that he did not feel like the Planning Commission was heard. Greg Anderson stated that they have been heard. He has read every page, every word from this and every issue the Commission meets on. Mr. Sanford stated that he thought the initial suggestion was to rezone north of Hwy 95 not the entire Rural Residential Zone. Larry Ziebarth stated that the Planning Commission suggested they look at rezoning areas on a case by case basis.

Linda Strunge asked if someone does not have 40 acres would they be affected. Mr. Anderson stated that if doesn't matter how many acres you have, it is the fact that there can only be 2 homes per quarter quarter. She asked if the property could be developed. Mr. Anderson stated that there are no subdivisions in the Agricultural zone.

Daryl Goetz asked if the Board would take a vote instead of feeling like the Board is shoving something down their throats. Greg Anderson stated that they are no way shoving it down any throats and that is why they are having a public hearing.

Cindy Amarie stated that she hopes they can continue to work together to be a community everyone is proud of.

Eric Reynolds stated that he owns property in the Rural Residential zone and although he understands both sides, he would not want a development right next door because he would not be able to enjoy his property the way he has been. He stated that he is in favor of rezoning to Agricultural.

Someone wanted to clarify that the tax base on a house is the same as Agricultural. Greg Anderson stated that a house draws more from society, more demands like fire, police, and road maintenance, than a bare piece of

land. He explained that what the Township receives from a home for property tax is minimal considering the demand on the roads, and maintaining a blacktop road is hugely expensive compared to gravel.

Cindy Amarie asked if the Board would be making a decision tonight. Greg Anderson stated that he does not know if the Board would like to do that.

Cheryl Lessarre asked if the Board was trying to comply with the Heritage Act in trying to keep the land as it is. The Board stated that they had never heard of that.

Judy Bergeron stated that she thinks her property is not saleable because of the moratorium for Rural Residential that is on. Mr. Anderson stated her property is saleable the way it is.

Daryl Goetz stated that he hopes the Board will give the residents some time to talk and think about it before making a decision. He stated that the property in question is not farm land. Mr. Anderson stated that it is not just to protect the farm land, it is to protect the people that want to stay here without it being over developed. Daryl Goetz suggested doing a referendum.

Jeanette Oakes stated that she feels the Township already has a tight control on developing and the Board is scaring the residents about overdeveloping. She stated that she is in favor of leaving it the way things are but still continue to have everyone work together.

Mr. Riverblood wanted to thank the residents and the Planning Commission members for attending the meeting. He stated that the two primary reasons the Board is looking at the issue. One is at the request of the majority of the Township residents and the next is economic reasons. Mr. Riverblood stated the Comp Plan supports the issue, which the Planning Commission reviewed and recommended. He quoted an excerpt from the Comp Plan under land use which states the residents enjoy the underdeveloped, low density, Agricultural based appearance of the Township. He also stated how Agricultural is the predominant business in the area.

Mr. Riverblood also cited the following information about a survey where 81% of Princeton residents should preserve working Agricultural lands. **'In a Wilder Research survey published in 2010, 81% of Princeton area residents felt that the "community [should] work to preserve working agricultural lands." However, less than half felt that this was actually occurring.'**

Mr. Riverblood stated that the Town Boards responsibility to the Electorate is to manage the Township in a sustainable, long term, fiscally smart and responsible way. Every survey relative to residential subdivisions and the cost of providing services in comparison to Commercial/Industrial and working land is more expensive.

Mr. Riverblood stated that the Township engineer presented the Board with a plan for road maintenance and every year there were projects that needed to be done, mostly in residential areas. In three years, the Board has not raised the levy. The Board was informed that the average price to maintain those roads was just over \$382,000, even though the road budget is only \$110,000. That is one of the reasons that led to this discussion.

Jim Kusler stated that it is a constant struggle with funding in order to just maintain all the black topped roads that are already in the Township. He stated that the gravel roads are easy to maintain however the paved roads are extremely difficult to fund without raising the levy to serve the few developments that are existing. He stated that there is no way they will even be able to keep up with those roads.

Daryl Goetz stated that if it costs more to maintain paved roads, then the residents will just have to pay for it. He feels that a rezone will deteriorate the worth of that area. He stated that he hopes the Board does not decide that this will go through in a week or so. Greg Anderson stated that the soonest they could do anything would be at the next monthly Board meeting.

Greg Anderson stated that if the Township keeps adding developments, they will have to drastically increase their taxes, just in order to maintain. Jeanette Oakes stated that she doesn't like anyone scaring anyone else.

Mr. Anderson stated it was not scaring, the Town Board has taken efforts to keep the Township taxes reasonable without raising them.

Eugene Stoeckel stated they cannot do zoning on a case by case basis because they cannot spot zone.

Eugene Stoeckel motioned to close the public hearing at 8:18 p.m. John Roxbury, Jr. seconded the motion. Motion Carried.

Regular Monthly Meeting

Town Board Chair Greg Anderson called the regular monthly Town Board meeting to order at 8:20 p.m.

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to approve the minutes of the September 15, 2015 regular monthly meeting as printed. Motion Carried.

Approve Financial Report

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to approve the Financial Report for September 2015 as submitted. Beginning Balance of Township funds was \$577,515.96; total receipts of \$5,823.37; total disbursements of \$29,543.86; leaving a balance of \$553,795.47. Motion Carried Unanimously.

Old Business

The only item under Old Business was a CUP Request for Shipwreck Boat Repair to operate a commercial business, boat repair, Section 32.

Greg Anderson stated that they have received all the necessary information from Shipwreck and that Loren Kohnen, Zoning Administrator, is good with everything.

The Board discussed limiting the number of boats that could be for sale up front but decided that wasn't necessary as long as it was in an orderly fashion and they were not badly damaged. They could also review that in a year if they felt necessary.

Scott McGinnis stated that they are in the process of cleaning up the lot and putting up a fence in the back area.

John Roxbury, Jr. motioned to approve the CUP for Shipwreck Boat Repair, Section 32, with the condition that it will be reviewed in one year in case there are any issues. Eugene Stoeckel seconded the motion. Motion Carried.

New Business

The first item on the agenda was the Variance Request – Vicky Rosen, Section 23.

John Roxbury, Jr. motioned to approve the Variance Request for Vicky Rosen based on the historical and documented evidence that this was agreed to by the Township Board on more than one occasion. Mark Riverblood stated that the applicant requested to have the Variance fee waived and he is in favor because previous Town Boards continued to affirm, in her words, the error. John Roxbury, Jr. amended his motion to include waiving the application fee. Mark Riverblood seconded the motion. Mr. Riverblood would like the minutes to reflect that this in no way sets precedence for any similar action or communication with any previous Board members or Commission.

Eugene Stoeckel stated that he does not like going against the ordinance because of past promises made.

Motion Carried with Eugene Stoeckel opposed. Because a 4/5 vote is needed, Greg Anderson voted in favor, although he stated that he does not like it but feels there was just no other way around it.

The next item on the agenda was an Ordinance Violation – Doug Marshall, Section 32.

Mr. Marshall explained that he collects the wood to burn and intended to build a fence as a screen. Greg Anderson stated that he needs to clean up the area because it is creeping closer and closer to the road and they have been getting complaints. Mr. Anderson asked if he could move the wood behind the barn so it is not so visible. Mr. Marshall said that he would take care of the issue.

The next item up for discussion was to Discuss the Public Hearing for the Rezoning of Rural Residential to Agricultural. John Roxbury, Jr. motioned to table the discussion until next month's meeting. Eugene Stoeckel seconded the motion. Motion Carried.

The next item on the agenda was to Discuss the Road Maintenance Agreement with the City of Princeton. John Roxbury, Jr. stated that it would be nice for the City to acknowledge that they own 17th Street. Mr. Anderson stated that when he talked to Bob Gerold, Bob stated that he would like to keep going as they have been, where the Township can call the City anytime we need them. Greg Anderson stated that our road grader takes care of that road because he does such a good job and could maybe only suggest that the City chip in some for the cost of fuel to maintain that road.

John Roxbury, Jr. stated that if they find that the city traffic becomes excessive on 33rd, the City will agree that they can revisit the issue.

Greg Anderson asked the Clerk to speak with Bob Gerold regarding these issues and the Board can discuss the issue again at next months' meeting.

Open Forum

Larry Ziebarth stated that he will not be able to attend the next couple meetings because of surgery but he had some comments that he would like to make. He stated that not one of the Board members lives in Rural Residential and whatever decision they make, especially if they change it to Ag, they are going to change a lot of lives. He also stated that if it does pass, the Township will be creating a lot of non-conforming properties.

Mr. Ziebarth asked why a paragraph was added to the notice that was sent out to the affected property owners. (Note: This proposed change does not affect your property taxation rate. It also does not prevent land splits otherwise permitted, but simply reduces the ability to create a new residential subdivision in your area.) He felt it was a misleading statement that keep residents away. Mark Riverblood stated that he was the one that recommended that because he wanted to add clarity for people that do not understand zoning. He was trying to signal that the change was not a cost issue. Larry Ziebarth thought it stated something about property values and said that it would affect the values. Mark Riverblood stated that it would prevent property values (Mr. Riverblood meant to say taxes), township wide, from continuing to creep up. Greg Anderson stated that he does not feel that the rezoning would affect property values at all. Jim Kusler stated that it did not address property values but stated the proposed change would not affect your property taxation rate, which is true.

Carl Sanford stated that the 29 acres he owns in Rural Residential, regarding previous meeting minutes, which he has copies of, says the property is buildable. If they change the zoning to Ag, there is already 2 per quarter quarter and would not be buildable. He stated that he would come in with the minutes proving that the Board said it was buildable and with the new zoning it would not be. The Board felt that the property would still be just as valuable.

Carl Sanford stated that a board member said they could not spot zone a property, however, he wanted to point out that a property could be rezoned if it was contiguous to that zone.

Larry Ziebarth and Carl Sanford wanted to know why the public hearing was not held in front of the Planning Commission instead of the Town Board. There was some discussion regarding public hearings. Mr. Anderson stated that they will all have some time to think about it and address the issue again at the next meeting.

Supervisor's Reports

Eugene Stoeckel gave an update on the Airport and Fire Advisory Board.

Jim Kusler gave an update on the City of Princeton's Planning Commission.

Clerks Business

The Clerk stated that there were some ambiguous lines discovered on the Kettelhodt property which needed to be corrected. She spoke with the County regarding the issue, and the property and adjoining properties descriptions can just be re-described based on a current survey and the Township just needs to acknowledge that they are aware of it by means of a letter.

The Clerk explained that she gave the Board some more information about a new copier and the cost differences between buying and leasing. Jim Kusler motioned to purchase a new copier for the office. Mark Riverblood seconded the motion. Motion Carried.

The Clerk informed the Board that all of the graveling was done and since West Branch came in under budget, they were able to do some extra roads and not exceed the amount that was approved.

The Clerk stated that the yearly review for the Old Log Liquor sign was up and wanted to know if they were good with removing the condition. Eugene Stoeckel motioned to remove the condition from the CUP for Old Log Liquor. Mark Riverblood seconded the motion. Motion Carried.

Approve Payment of the Bills

A motion was made by Eugene Stoeckel and seconded by Mark Riverblood to approve payment of the bills, Check numbers 10956-10986. Motion Carried.

Adjourn

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to adjourn the meeting at 8:54 p.m. Motion Carried.

Respectfully submitted,

Connie Wubben
Clerk/Treasurer

Attendees: Carl Sanford, Daryl Goetz, Josh & Kevin Lee, Larry Ziebarth, Jeanette Oakes, Cindy Amarie, Eric Reynolds, Curtis Strombeck, Cheryl & Tim Lasserre, Grace Clasen, Genny Reynolds, Steve Ruble, Doug Marshall, Robin Hvidston, Karen Tix, Dan & Linda Strunge, Judith & Joe Bergeron