

TOWN OF RHINE PLAN COMMISSION MINUTES
with public hearing
Wednesday, June 9, 2021 at 6:30 PM

Held at Town Hall and Virtually
W5250 County Road FF, Elkhart Lake, WI 53020

Present: Bill Jacob, Mark Pfaller, Joanie Fiorenza, Larry Eberle, Paul Booher (alternate)
Also present: Jon Rost, Lexann Hoogstra, and Amy Weber

1. **Call to Order and Compliance with Open Meeting Requirements:** Called to order at 6:30 pm by Bill Jacob. The meeting was posted and published as required by law, and the media was notified.
2. **Pledge of Allegiance:**
3. **Approve Minutes of the April 14, 2021 meeting:** Motion to approve minutes as approved by Fiorenza. 2nd by Eberle. All in favor, except Booher, who abstained.
4. **Public Comments (general nature):** None.
5. **Public Hearing - discuss and possibly act on:**

Public Hearing – *discuss and possibly act on: the request of Ronald and Mary Book of W5076 Gerber Lake Road, Plymouth, WI 53073 to rezone part of the property at that address from A-2 to R-1. Parcel # is 59018260220. The new parcel would be approximately 4.18 acres.*

Ron Book summarized his application and request. He wanted to split the land into 2 A-2 lots, but the land is just barely too small to do that. He would like to keep the main lot as A2 and rezone the new one to R1 so that there would be 2 buildable lots. He chose his line of division partially due to the location of a septic system and fence on the property.

Discussion and deliberation:

Alternative solutions were suggested and discussed.

His concern with rezoning to R1 would allow a future owner to split the lot into 5 lots, which goes against the LRP to protect ag land.

Pfaller suggested Book try to purchase a small sliver of land from a neighbor so that he would have 10 full acres to split, not just 9.93.

Booher suggested moving the pink dividing line a bit, and make the main property with the house on it to make it 5 acres. The new parcel would then be 4.93 acres. He feels that the town might approve

leaving the new parcel as A2, and make it legal non-conforming due to the fact that it would only be .07 acres short of 5 acres.

Boocher moved to deny the request as presented. 2nd by Fiorenza. Roll call vote:

Boocher – yes. Fiorenza – yes. Eberle – yes. Pfaller – yes. Jacob – yes. Request as presented was denied.

Boocher motioned that the plan commission recommend to the TB to accept approximately 4.93 acres as an acceptable area for A2 zoning, and Book would not have to come back to the Plan Commission a 2nd time. 2nd by Fiorenza. It would become a legal, non-conforming lot. The lot with the house would then be 5 acres. Discussion followed. Roll call vote: Boocher – yes. Eberle – no. Fiorenza - yes. Pfaller - no. Jacob - no. Motion denied.

Discuss new Rezone and Conditional Use permit applications: Review of new proposed forms ensued. Fiorenza noted that the proposed application packet is meant to help the applicant find information more easily and to provide a more complete application.

Larry, Joanie, and Amy have spent many hours putting these forms together. The clerk has reviewed them. It was decided to start using the forms, after Paul Dirkse reviews and approves them.

Continue working on chapter 4 of the ordinances: Since the last revision, Jacob has received 4 more requests to makes changes to this chapter. Jacob noted this has been worked on for almost 5 years. He suggests acting on the changes made to date, but to postpone requests for new changes until a later date.

The building inspector would like to add a requirement for a swimming pool permit.

Boocher noted that the town's legal counsel has to approve the changes before it becomes final.

Motion by Boocher that the Plan Commission recommend to the Town Board to accept chapter 4 as presented (5/24 version) for consideration and possible advancement to the attorney for his approval. 2nd by Fiorenza. Roll call vote: Boocher – yes. Eberle – yes. Fiorenza – yes. Pfaller – yes. Jacob – yes.

Eberle and Fiorenza noted the need to have a “tickler” file to keep track of when CUP’s need to be reviewed

7. **Next meeting date:** As needed.

8. **Adjournment:** Motion to adjourn at 8:08 pm by Eberle. 2nd by Fiorenza. All in favor.