

Town of Black Earth
Minutes of Plan Commission Meeting
Tuesday, March 28, 2023

1. Meeting call to Order. Plan Commission Chair Steve Parrell called the meeting to order at 6:30 PM. Plan Commission members Don Ripp, Peter Weil, Chuck Bruhn, Paul Wilichowski, Tony Danz, and Clerk Stephanie Zwettler were present. Also in attendance: Barb Parrell, Tom Turk, and Peter Wood.
2. Proof of Posting. An affidavit of posting was provided.
3. Approval of the Agenda. Don Ripp moved and Peter Weil seconded a motion to approve the agenda. Motion carried. 6-0
4. Minutes of Previous Meeting – February 28, 2023. Peter Weil moved and Don Ripp seconded the motion to approve the minutes as presented. Motion carried. 6-0
5. Transfer of Development Rights Program – review draft amendment of Land Use Plan. The Plan Commission discussed setting limitations on the number of transfers allowed per resident in a year or to a particular receiving area for the consideration of neighbors.

Peter Weil moved and Chuck Bruhn seconded the motion to amend part “c” of Policy 11, Transfer of Development Rights, to read:

c. Sales are private agreements between landowners, and receiving areas are limited to one (1) transfer per year, with a lifetime limit of two (2).

Motion carried. 6-0

Don Ripp moved and Peter Weil seconded the motion to recommend approval of the Transfer of Development Rights program, Policy 11 in the Land Use Plan, and to include the amendment to part “c” of Policy 11, as amended. Motion carried. 6-0

6. Land Use Plan amendments. The Plan Commission reviewed the proposed draft changes to the Land Use Plan. The Commission developed additional recommended changes.

Paul Wilichowski moved and Chuck Bruhn seconded the motion to recommend adding “whenever possible” in the second sentence of the description paragraph of Policy 10, Conservation Design and Development Siting Standards, and deleting “whenever possible” from the first sentence of the description paragraph to read:

Policy 10. Conservation Design and Development Siting Standards:

The Town recognizes that, ~~whenever possible~~, ridgetops, wetlands, floodplains, steep and/or wooded slopes, wildlife, and agricultural lands are resources that need to be preserved and that conservation and protection of these resources are essential in defining the distinctive character and scenic beauty of the Town. Consequently, the Town’s guiding principle for new

development is that building should, whenever possible, be limited to those areas that are not capable of supporting agricultural practices within the Town and do not have a negative impact on preserving the rural character of the Town.

Motion carried. 6-0

Paul Wilichowski moved and Chuck Bruhn seconded the motion to recommend deleting the last two sentences in Policy 12, Rezoning for Non-Farm Residential Use, j. Determination of Density, vii. Substandard Parcels, “Existing Lot with Residence,” to read:

Policy 12. Rezoning for Non-Farm Residential Use.

j. Determination of Density.

vii. Substandard Parcels.

Existing Lot with Residence – Allow for a total of one (1) additional dwelling unit on all substandard parcels that are over 4 acres that contained an existing residence before June 3, 1981, provided the proposed development can satisfy the Town’s siting criteria. ~~No parcel divided to add a dwelling unit shall be re-divided in the future. When permitted divisions of an original substandard parcel are exhausted, the Town will recommend to the County Board that a deed notice be recorded as a condition of the rezone.~~

Motion carried. 6-0

Paul Wilichowski moved and Chuck Bruhn seconded the motion to recommend approval of the amended Land Use Plan and to include the additional amendments to Policies 10 and 12, as recommended. Motion carried. 6-0

7. Discussion of future agenda items.

8. Adjourn. Don Ripp moved and Paul Wilichowski seconded a motion to adjourn. Motion carried. The meeting adjourned at 7:48 PM.

Respectfully submitted,
Stephanie Zwettler, Town Clerk