

Town of Black Earth
DRAFT Minutes of Plan Commission Meeting
Thursday, April 9, 2026

1. Meeting call to Order. Plan Commission Chair Steve Parrell called the meeting to order at 6:00 PM. Plan Commission members Joann Bennett, Tom Ripp, Bruce Johnson, Pat Helmenstine, Chuck Bruhn, and Clerk Stephanie Zwettler were present. Also in attendance: Eliot Butler, Rene Heiden, Jason Schluter, Devon Van Ess, Tommy Van Ess, Anna Kraft, Kristi Lemanski, Terry Frey, Jeremy Lang, Tom Turk, Barb Parrell, Brenda Kahl, and Bill and Brenda Pulvermacher. William Dooley attended via teleconference.
2. Proof of Posting. An affidavit of posting was provided.
3. Approval of the Agenda. Joann Bennett moved and Bruce Johnson seconded a motion to approve the agenda. Motion carried.
4. Minutes of Previous Meeting – March 9, 2026. Tom Ripp moved and Pat Helmenstine seconded the motion to approve the minutes from February 3, 2026, as presented. Motion carried.
5. Eliot Butler and Rene Heiden, approx. 9525 Blackberry Rd – driveway construction permit. Plan Commission members reviewed the written objection to the proposed driveway location that was submitted by adjoining property owner William Dooley prior to the site visit. William Dooley spoke via teleconference at the meeting and confirmed that the concern had been resolved, and he no longer had an objection. Plan Commission Chair Steve Parrell and Joann Bennett expressed no concerns with the proposed driveway. Tom Ripp noted that the CSM indicated a 66-foot easement for lots 2 and 3 and suggested that the new driveway connect to the existing shared driveway, avoiding the addition of another driveway in an area that already has two other driveways. Applicants Eliot Butler and Rene Heiden expressed a preference for using the existing agricultural road as proposed in the application because it would be a shorter distance. It was noted that a culvert would be needed if the driveway is shared, but not if it directly accesses the town road. However, builder Jason Schluter and Eliot Butler replied that a shared driveway could be achieved if the other landowners agreed to have an additional driveway.

Pat Helmenstine moved and Chuck Bruhn seconded the motion to recommend approval of the driveway construction permit and to require that the driveway be shared with the existing driveway, pending agreement by the other two property owners. Motion carried.
6. GV Blackberry LLC, west and south of 9554 Turkey Rd – zoning changes to create two residential lots: 6.22 acres from FP-35 to RR-4, and 11.8 acres from FP-35 to RM-8. Applicant representative Tommy Van Ess explained that the property owner has six density units and proposes two residential lots on this application. Tom Ripp noted limited opportunities to build on both lots, with Lot 1 a cornfield and Lot 2 wooded. Adjoining property owners to Lot 2 presented email correspondence and objected to rezoning the wooded lot to Rural Mixed-Use, citing that a potential buyer indicated they would remove the trees. Plan Commission members discussed the permitted uses of RM (Rural Mixed-Use) versus RR (Rural Residential) zoning districts. Members agreed that the RR zoning district would be more appropriate for Lot 2.

Joann Bennett moved and Tom Ripp seconded the motion to recommend approval of the zoning changes for 6.22 acres from FP-35 to RR-4 and for 11.8 acres from FP-35 to RR-8, as amended. Motion carried.

7. Turk Living Trust, 9533 Kahl Rd – zoning change for existing residence, 30.86 acres from FP-35 to RM-16. Attorney Kristi Lemanski explained the proposed land division for the estate. The land east of Kahl Rd is Lot 1 on the proposed survey, totaling 30.86 acres, and includes the existing residence; the land west of Kahl Rd will remain zoned FP-35. Plan Commission members had no concerns with the application. Tom Ripp moved and Bruce Johnson seconded the motion to recommend approval of the zoning change for 30.86 acres from FP-35 to RM-16, as submitted. Motion carried.
8. Dane County Towns Association – review proposal to amend the Dane Co. Zoning Code regarding CUPs. Clerk Stephanie Zwettler presented the Dane County Towns Association’s request for feedback on the CUP Working Group’s initial recommendations, which propose removing conditional uses in agricultural zoning districts that are not directly related to agriculture. The Plan Commission had no comments to submit.
9. Land Use Plan amendments – updating language for Conditional Use Permits and Accessory Dwelling Units (postponement for revisions to the Transfer of Development Rights program). The discussion was postponed until the next meeting.
10. Discussion of future agenda items. Land Use Plan amendments.
11. Adjourn. Joann Bennett moved and Tom Ripp seconded a motion to adjourn. Motion carried. The meeting adjourned at 6:46 PM.

Respectfully submitted,
Stephanie Zwettler, Town Clerk