

Monday March 23, 2023

Belle Plaine Community Center

Special Meeting

07:00 pm

At 7:00 pm Alvin Bartz called to order a Special Town Meeting with the Zoning Commission members.

Alvin Bartz appointed Richard Pahlow as Chairman for the Zoning Commission meeting which was held first.

Attorney Rich Carlson stated the purpose of our meeting was to discuss reclassifying parcel number 010-223200021 from Residential to Commercial.

He then asked for comments from the floor from residents that were in favor of having this property be amended to be Commercial. Scott Rouse from W8445 Belle Plaine Avenue who is the owner of the property stated that he has his shed already up and has been parking up to eight semi's on this property.

Brad Schmidt stated that since Scott's business has been running it appears that there are no problems.

Wade Wisnefske stated that in most areas, bringing in new business is a good thing.

With no other comments from the floor, Attorney Carlson asked for comments opposing changing this to Commercial.

Joan Sousek asked why she feels the town does not have to follow state statutes or our own zoning ordinance? She said things were not done correctly using a "whereas, whereas" attitude and we think we can change things however we want. According to our Zoning of Commercial properties they should use to provide services or housing not a trucking terminal. She also asked how would this business improve the neighborhood when it is actually going to make the residents property values go down.

Alvin Bartz then talked, he stated the original map showed this parcel more in Agriculture than Residential, but it had gotten squared off from the County when

reprinting. Alvin said that he and Dick Hesse had gone to look at Rouses driveway and putting a culvert in was not recommended.

He said that Rouses did not have a state plan when first applying for a building permit they had a hand drawn plan because it costs between 4 and 5 thousand dollars to get a state plan drawn up , why would you spend that before knowing if it is a possibility or not?

Ann Bartz asked what did it mean in the proposed ordinance that this business was located on the outskirts of Belle Plaine? She didn't think it is located in the outskirts of town. She also asked what it meant by saying it promoted the public health, safety and welfare of the town? She said no one would listen to her health issues from the semi's running and the neighbor kids cannot ride their bikes due to trucks coming and going.

Attorney Carlson said that these comments are overall speech used in putting together ordinances, referring to what good it will do the town.

With no other comments from the floor, Richard Pahlow closed the comment session.

Attorney Carlson stated that the ordinance presented to Rouse's is something they can reject, change, revise or delete it and start over, it was just a suggestion of something to start with. The same thing with the Declaration of Restrictions if it is signed by Rouse's it needs to be added to their property by the Register of Deeds.

Alvin talked about the "sunset time limit " for 20 years that is mentioned in the ordinance . He said that 20 years is a long time and if Rouse's decide that they want to retire or sell that piece of property it is difficult to get out of that agreement.

Alvin also stated that the Declaration of restrictions is not enforceable by the town.

Becky Jepson stated that any extra trucks that are currently on their property will be sold, they will be staying with eight. It was also mentioned that her parents Dennis and Beverly needed to be added and to sign the Declaration of Restrictions.

With no other comments Richard Pahlow asked for a motion to recommend ordinance approval for the zoning change for this property. A motion was made by Aaron Retzlaff, seconded by Bonnie Utke. The votes are as follows:

Greg Reisenberg: yes

Richard Pahlow: Yes

Aaron Retzlaff: Yes

Dick Hesse: No

Bonnie Utke: Yes

At 8:00pm Richard Pahlow asked for a motion to adjourn, Greg made a motion to adjourn, seconded by Dick Hesse, all in favor, none opposed, motion carried.

At this time Alvin Bartz called to order the Special Board meeting, present for roll call were Wade Wisnefske Supervisor #1 and Cory Retzlaff Supervisor #2.

Attorney Carlson said the Zoning Commission was to present to the board their recommendation for Ordinance number 03-23 and if they would want to amend plans for changing the zoning map to reclassify lot one CSM No. 2878 tax parcel 010-223200021 from Residential to Commercial District.

Richard Pahlow presented the ordinance to the board and asked if there were any changes they may have or would they accept it? If it is accepted it will take affect once it is published. Cory made a motion to accept the ordinance as presented, seconded by Wade, all in favor, none opposed, motion carried.

Cory made a motion to adjourn, seconded by Wade, all I favor, none opposed, motion carried.

Adjourned: 8:15p.m.

Kristine Vomastic Clerk



