

Town of McMillan

Plan Commission Meeting

23 October 2023, 6:00 p.m. (1800)

- Call to Order:
- Roll Call: Dorothy Olson – Present; Debbie Davis - Present; Bruce Wineman – Present; Tammy Wenzel – Present; Russ Kollmansberger – Present.
- Visitor Comments: None
- **Approval of 26 June 2023 and 25 September 2023 Minutes:** Move to Approve – Debbie Davis; Second – Russ Kollmansberger. Voice vote – In favor: All Aye; Opposed – None.
- **Motion Requested to move item 8 to item 5:** Moved to change order – Bruce Wineman; Second – Tammy Wenzel. Voice Vote: Those in favor – All Aye; Opposed – None.
- **Discuss email from the County Planning and Zoning and consider action and move to the Town Board:** There was a letter distributed to the Members of the Plan Commission from Shad Harvey at County Zoning and Planning. This pointed out that some of the Surveyors that submit a Certified Survey Maps go to the County first, bypassing the Plan Commission and then the Town Board. This results in some items not getting to the Township in a timely fashion. The result of this can be that a timeline starts, such as the one that begins when a Subdivision is proposed. Once that “timer” starts, if the details aren’t worked out, the process defaults to the methods that may not be in the best interest to the Town of McMillan. It was suggested by Shad Harvey that, if any Surveyor doesn’t want to follow the rules that the Town Board has placed, via the Township Ordinances, don’t approve the CSM until sufficient information to approve what has been submitted. This particular issue has come up more than once, recently. One of the Surveyors that has come up frequently is Mr. Timothy G. Vreeland. There were some suggestion that Realtors be informed that such a path needed to be followed for things to run smoothly. The comment that followed was that this had been tried in the past to no avail. It seems the Surveyor(s) needed to be encouraged by not giving them a “pass” and allowing the circumvention of the process. Part of the discussion centered around the fact that even though the notification of the Town is a courtesy, due to the fact that the Town of McMillan has county Zoning and Planning. The County considers the Township participation most important so everyone in the process is aware of what is happening. It was emphasized that the Rules that apply are for the Surveyor notify the Township before the issue comes before the County and that is what we are discussing. One of the way that Mr. Harvey suggested the issue be resolve would be to make some changes in the letter to the Surveyor making it clear that the Town needed to be the first “Individual” that needed to be contacted. That such changes that may be needed, particularly those related to the Township Comprehensive plan be made clear and resolved, if need be.
- **Approve/Disapprove CSM of a parcel for Leroy Kroening (Lot 1 and Lot 2):** The only issue that required discussion was that there was one driveway. Since this issue was not associated with a sale but a breaking out of the single Lot and preserving the needed minimum of 35 acres for Farmland Preservation, there would be no issue. Move to approve the Leroy Kroening CSM – Bruce Wineman; Second – Debbie Davis. Voice Vote: Those in favor – All Aye; Opposed – None.

- **Approve/Disapprove CSM for Michael Nikolai Property:** Looking at the maps we possess, all the property is in Farmland Preservation. It was pointed out that the proposed lot (Lot 1) is 4.573 acres, sufficient to comply with the Ordinances for the Town of McMillan. The first question asked was the existence of a dotted line closest to the East side of the map and what it designated. This is not in the legend of the CSM. There is no explanation of what this means and one of the stakes on the property refers to a "Lot 2" which doesn't exist on the map. The discussion was whether to Table the CSM or Deny Approval. If we don't pass this on to the Town Board the County will never see it since that is the process that is required. It was decided to consider Tabling the request until complete information was received. The decision was to Table the issue and send a letter to Mr. Timothy G. Vreeland explaining the need for more information, with a copy to the Town Board. If he wished a Special Meeting one could be arranged, at his expense, or the issue would be brought up at the next Plan Commission meeting and a decision made if sufficient information were made available. Move to Table the CSM and direct the Chair to send a letter to Mr. Vreeland about the decision and the recommendations – Russ Kollmansberger; Second – Bruce Wineman. Voice Vote: Those in Favor – All Aye; Opposed – None.
- **Discuss any change to Chapter 17 as well as comments on Chapters 15, 21 and 22:** Issues concerning Chapter 12 were discussed. The discussion, exclusively, about Chapter 12. The first item discussed was Sec. 12.04.9. Following this was 12.04.10.a.iii. The next was 12.04.12.vi.2, an asterisk, and whether or not it was a "typo". 12.04.13.a addressed the issue indemnifying the County but not the Township, etc. Should we suggest that the Township(s) be included? 12.04.13.b that addresses the issue of the County being covered by specific insurance. It was proposed that the Township(s) be included. Moved by Russ Kollmansberger to suggest the following changes: Recommend to the Town Board to approve Chapter 12 with the following changes. 12.04.9 – unless otherwise restricted by local ordinance. 12.04.11.b – **Remove** – and, in the case of a corporation, a certified copy of the articles of incorporation, together with the name, residence and mailing address of each person holding ten percent or more of the stock of said corporation. 12.04.13.a **Include** – the townships and their agents in the Agreement. 12.04.13.b **Include** – the Townships and their agents in the insurance Policy. 12.04.12.b.vi.2 **what is the purpose of the "*"?** Second – Bruce Wineman. Amend the Motion – Russ Kollmansberger; Second – Bruce Wineman. **Include – 12.04.10.a.iii to Say – this section shall apply to governmental sponsored events, but the fees shall be waived.** Note: This section does not exempt organizations from any other local regulations or any zoning ordinances in effect where the event is taking place. Voice Vote: Those in Favor – All Aye; Opposed – None.
- **Adjourn:** Move to adjourn – Russ Kollmansberger; Second – Tammy Wenzel. Voice Vote – Those in Favor – All Aye; Opposed – None.
- **Prepared by** Bruce Wineman, Secretary.