

**MINUTES OF THE HAVERHILL TOWNSHIP PLANNING COMMISSION MEETING AND PUBLIC
HEARINGS OF MAY 3rd, 2022**

Members Present:

Dave Borst
Mark Delehanty - Chair
Daryl Felt
Andy Danielsen
Jay Brinkman
Nathan Gregor

Pledge of Allegiance – The Chair led attendees in the Pledge of Allegiance

Application for Zone Change A1 to A2 – C. Penz

The Chair invited Mr. Dave Meyer, TCPA staff, to provide background on the application.

Mr. Penz is requesting a zoning change from A1 to A2 for a 136-acre parcel

A request for a zoning change from A1 to A2 for this same parcel was denied in 2018

Neighbors expressed concerns with the zoning change for the 2018 request

Changes made in the current application vs the 2018 application were reviewed

48th Street is now a county road

Owner of the property is now C. Penz

The applicant has restructured the request for less buildable parcels (3) than 2018 (6)

The Chair invited the applicant to speak who in turn deferred to his representative Mr. Geoff Griffin.

Mr. Griffin reviewed the changes made in the current application vs the 2018 application

The proposed parcels would allow for farmland to abut farmland from adjacent parcels

The applicant will commit to only 3 buildable parcels as part of the plan (incorporate into the deed for the property)

Road concerns are addressed with 48th street now being a county road

Reminded the Board that the original recommendation from TCPA staff in 2018 was for approval

The City of Rochester has moved the area to an Urban Service Area – A2 zoning would prevent the risk of a much larger expansion (e.g. 40 homes)

The Chair then invited the applicant to speak. Mr. Penz mentioned the following

He had spoken with all neighbors about the application

He had made changes based on the 2018 application to address concerns

He wants to preserve the rural nature of the area and does not want to see a large subdivision (e.g. 40 homes)

The Chair then asked if the Board had any questions

Board member Felt asked Mr. Meyer if most of the surrounding area was zoned A1 or A2. Mr. Meyer mentioned that most of the surrounding area was A1 but there was A2 zoned land directly to the south

At 7:19pm the Public Hearing was opened

Ryan Hegland spoke – He preferred the 3 additional home sites vs the risk of 40 as part of a subdivision, he likes that this would allow those who would like to live in the country an affordable way to do so, he likes the commitment not to go beyond the 3 buildable parcels, he does not feel the road/traffic is an issue, he feels the request is reasonable

Josh Kaus spoke – Support the request, wants to preserve the country atmosphere and feels this request would do so, feels the Oakridge facility has much more traffic than would 3 additional single-family homes

John Kriesel spoke – Commented on what resource protection means, he fears allowing this A1 to A2 change would have a domino effect on other parcels, mentioned we was worried about water tables/water quality with this change, he suggested the Board follow the guidance of Duane Kroening and deny the request in order to preserve valuable farmland and keep the rural/agricultural heritage of Haverhill township

The Chair called 3 times for any further public comment – there were no further comments and the Public Hearing was closed at 7:31pm

The Board then held a discussion

Mr. Meyer was asked how to ensure that the 85-acre section was not further sub divided – the answer was that would need to be done as part of a request to the Town Board

Mr. Meyer was asked if approving this request would set precedence for future requests – the answer was it does not and each request can and should be looked at separately and examine the unique aspects involved

It was commented that the change from 6 buildable parcels to 3 was not a significant change from the standpoint of securing approval

The Chair decided to re-open the Public Hearing at 8:02pm to allow for further discussion

Don Kroening spoke and asked if it can be assured that none of the proposed parcels can be

subdivided further. Mr. Meyer answered that yes, it could be assured through the deed

Board member Danielsen suggested that weight be given to the preferences of the neighbors as they are the ones most affected by the change

Steve Pollack spoke and stated that he felt the preferences of the neighbors should not be given weight but instead land use policies be followed

Josh Kaus spoke and mentioned that he did not feel traffic/safety was an issue with the request as the Oakridge facility caused more traffic and safety concerns

Board member Danielsen asked if any land in Haverhill Township had previously been rezoned to A2 from A1 – none in attendance could recall that occurring

The Chair called 3 times for any further comments, there were no further comments and the Public Hearing was closed at 8:21pm

The Board held a discussion and views on land management, preferences of the neighbors, the history of preservation of Haverhill as an agricultural area were shared

Board Member Danielsen made a motion to support the findings of TCPA staff and deny the request to rezone the parcel from A1 to A2

Board Member Gregor seconded the motion

The motion passed on a vote of 5 – 1

Adjourn - The Chair adjourned the meeting at 8:33pm

Minutes prepared by Andy Danielsen, Secretary