

**CASTLE ROCK TOWNSHIP
PLANNING COMMISSION REGULAR MEETING
December 16, 2019**

The regular monthly meeting of the Planning Commission of Castle Rock Township was held on Monday, December 16, 2019. Those present were Jeff Partington, Chairman; Jennifer Wegner, Vice-Chair, Jim Heiman, and Barbara Lang. Mary Ann Enggren was not present. Also in attendance were Alex Conzemius, Kelly Elvestad, Tom Harstad, Mark Henry, and Cole Empey.

Jeff Partington called the meeting to order at 7:00 pm and led the assembly in the Pledge of Allegiance.

APPROVE AGENDA:

Resident Tom Harstad was present and asked to be added to New Business to review building rights on some of his property.

Jennifer Wegner/ Jim Heiman made a motion to approve the amended agenda. 4 ayes. Motion carried.

CONSENT AGENDA:

1. 11-25-19 PC Regular Meeting Minutes

Jim Heiman/Jeff Partington made a motion to approve. 4 ayes. Motion carried.

PUBLIC COMMENT: None

NEW BUSINESS:

- Review Tom Harstad property in Section 2 in the NW and SW quarter-quarter sections to determine if they are to be buildable areas. The updated maps were available since Alex Conzemius, Bolton & Menk, was in attendance for his presentation. Mr. Harstad is in the process of applying for a permanent Conservation Easement in the portions of this land that are in floodplains. According to the most current maps, some of the property is in a 500-year flood plain area, which is considered to be buildable, according to the guidance provided by the town planner.

Barbara Lang/Jim Heiman made a motion that there are buildable areas in Section 2 in the NW and SW quarter-quarter sections based on the information provided on the most recent maps and guidance from the town planner. There may be conditions required to transfer building rights from the NW section to the SW section if that situation ever arises. 4 ayes. Motion carried.

UNFINISHED BUSINESS:

- Presentation of “Final Draft” maps and report of buildable inventory for Castle Rock Township by Alex Conzemius, Bolton & Menk

Alex Conzemius, Bolton & Menk, gave his presentation for the building rights inventory study and had the “final draft” maps printed in a smaller scale, as well as having the digital files presented on a larger scale on a screen so they were visible for all in attendance. He explained that the review was done based on lots of record. Based on the language in Castle Rock Township’s Zoning Ordinance, a decision should be made taking these three items into consideration when considering if a lot is a buildable property.

1. Must own the entire 40 acre quarter-quarter section?
2. If there are multiple owners within a quarter-quarter section, is the buildable right used on a first come-first served basis?
3. A collaborative process would be developed creating some kind of a document that all property owners within the quarter-quarter section would need to sign agreement before any residence could be built.

Mr. Conzemius also posed the suggestion that the township might want to consider updating the Zoning Ordinance to identify the process to follow when there are multiple owners within the same quarter-quarter section.

There were several specific situations where there are special circumstances that were pointed out that could be noted that an owner would need to provide proof that a lot of record exists in order to confirm that they qualify for a buildable lot.

In preparing the buildable inventory, the general rule used was that if multiple residences had previously been built within a quarter-quarter section, then the building rights have been exhausted for that quarter-quarter section. More details were provided in the written report provided by Mr. Conzemius at the meeting. It was determined that rather than reviewing those at this meeting, the Planning Commission will read through this material and will continue the review and comments at their January meeting. In addition, there was a lengthy e-mail from the township attorney that was just received today with his comments on some of the areas in question which was just provided at tonight’s

meeting, so the Commission members will also review those comments and recommendations for review at the January meeting.

Mr. Conzemius summarized some issues to consider to be added to the Zoning Ordinance as a result of this study:

- Require street frontage in order to be buildable
- Consider increasing minimum lot size to 2.5 acres. It is currently listed as 1 acres, but with updates especially on SSTS (septic) system requirements, the small lot size is no longer adequate.
- When applying for a residential building permit, owner will be required to provide proof of a lot of record or establishing policies that make this clear.

One other comment/question from the town planner was if the township priority is to preserve agriculture and limit density as it has been in the past?

Kelly Elvestad, Castle Rock Township Board Chair was present, and expressed that before this inventory be accepted a full presentation should be made to the Board of Supervisors and some policy decisions need to be made by the Board. There was some discussion about the purpose of it being the Planning Commission's job to review this study for conformance to the Ordinances and make recommendations to the Board. She feels that this study should eliminate all gray areas and this report should be adopted as an authoritative document of record, while both the town planner and the Planning Commission members present expressed that this study was being created as a guideline to use going forward, and any questionable areas would be reviewed more thoroughly as building permits come up. Ms. Elvestad indicated that the final study presentation should be made to the Board of Supervisors, and they shouldn't rely on recommendations from the Planning Commission.

Planning Commission Chair Partington indicated that the Planning Commission members should still review the additional materials provided at tonight's meeting, but since the Board Chair wants the Board of Supervisors to have the final presentation, there is no need at this time for the Planning Commission to make any further recommendations.

Town Clerk was instructed to provide packets provided by Bolton & Menk to the Board Supervisors in their information packets at the January Board meeting so they will have adequate time to read all the recommendations. Mr. Conzemius will attend the February 10 Board of Supervisors to make his presentation.

ADJOURN:

Jim Heiman /Jeff Partington made a motion to adjourn. 4 ayes. Motion carried.

Meeting adjourned at 9:08 p.m.

Respectfully submitted,

Barbara M. Lang

Barbara Lang, Secretary

Attest:

Jeff Partington

Jeff Partington, Chairman - Castle Rock Planning Commission