

**VILLAGE OF MARSHALL
PLAN COMMISSION MINUTES
MARCH 27, 2013**

Chairperson Hensler called the Plan Commission meeting to order at 7:00 p.m. Members present; Vick-Peck, Krebs, Shepler, Arnold and Hensler. Blaschka and Riley were absent. Others present: Darrell Klompmaker, William Behnke, Jackie Heinemann, Diane Graff-Courier, Dan Lieske, Jeff Korab and Sue Peck-Clerk/Treasurer.

Recognize Members & Others Present

Pledge of Allegiance

1. Consideration and recommendation on an annexation map for Lee Merrick Estate-Agent Darrell Klompmaker for a portion of land this is part of the property located at 5675 Box Elder Road, Marshall. Mr. Klompmaker said the reason for the annexation is to correct a property line at the south end of the park. Part of the amusement park amenities are on this portion of land. This is to correct the park boundary line to what is actually being utilized by the park. **A motion was made by Arnold and seconded by Krebs to recommend the annexation request and map to annex .777 acres, as presented for 5675 Box Elder Road, be approved for annexation into the Village of Marshall. Motion carried unanimously.**
2. Consideration and recommendation on a certified survey map for Little Amerricka-Agent Darrell Klompmaker for property known as 700 E Main Street, adding land to the exiting parcel. Once the annexation is approved the .777 proposed annexed parcel would be added to the Little Amerricka certified survey map; creating one parcel. **A motion was made by Arnold and seconded by Vick-Peck to recommend approval of the Certified Survey Map for 700 E Main Street as presented upon completion of the annexation of the .777 acres that was presented. Motion carried unanimously.**
3. Consideration and recommendation on a plat of survey-rezoned application for Daniel Lieske, property located on Missouri Road; rezone of 2.366 acres. Property is within the Village's extraterritorial boundaries. Mr. Hensler said the property being proposed for land division is near the $\frac{3}{4}$ mile mark from the Village's boundaries. He further noted that the Village was in negotiations with the Town to draft a boundary agreement. The negotiations were close to be completed and then Mr. Jacobson resigned from the Town and it has been at a standstill. Without the boundary agreement being in place the Village would need to rely on their extraterritorial zoning code which requires 40 acres for a land division. What Mr. Lieske proposed is something other than 40 acres. Mr. Hensler said if we aren't going back into negotiations everything goes back to the 40 acres as outlined in our ordinances. He wasn't sure where everything stands with the Town and Village. Mr. Lieske stated his proposed lot division is at the end of the farm lot. The farm is part of the Merrick estate and has about 270 + acres on it. The Town of Medina's rules allow for up to two buildable sites or that property. Mr. Lieske wishes to purchase only 2.366 acres; not 40 acres. He noted the Town would deed restrict the number of buildings and the number of animals. Mr. Lieske also stated that the certified survey map was changed due to the lay of the land. The majority of the frontage will be on Missouri Road. The Town could deed restrict 38 acres and his two acres would make the 40 acres. Mr. Arnold said he would be comfortable with a deed restriction on the other 38 acres to not be buildable; and if the owner would approve such. **A motion was made by Arnold and seconded by Shepler to recommend approval of a land division for Mr. Lieske, contingent upon him showing proof that it follows the Village's ordinance 14-1-137(1); by meeting the 40 acre requirement through deed restricting a total of 40 acres. (2.366 acres he**

is purchasing plus an additional 38 acres restricting no further residential structures other than the one for Mr. Lieske will be constructing.) Motion carried unanimously.

IDENTIFICATION OF TOPICS FOR FUTURE DISCUSSION AND/OR ACTION

1. Next regular meeting 4/24/13.
2. FS Expansion project. Mr. Korab stated he has had his property for sale on Lewellen Street, across from FS. He had an interested buyer. FS told the buyer's realtor that there will be up to a 100 trucks a day. This scared the potential purchaser off. Mr. Korab said he would like discussion on moving the new second entrance to Best Built Parkway. Mr. Hensler said there will be increased traffic at the site. Mr. Korab asked how those entrances work for Best Built versus FS. Mr. Hensler said during the Spring both entrances will be busy.

Mr. Arnold asked if the Realtor asked about what type of trucks they were referring to; they are doing more traffic. They also will get stuff via rail. Mr. Korab felt their properties will be devalued. Mr. Arnold asked how that devalued their house by having semis drive by. Mr. Korab said there isn't an entrance by his house now.

Mr. Korab said he is hearing something different from what they proposed a couple months back. Mr. Hensler said there were no restrictions on the number of vehicles that can access their property. Mr. Hensler said properties change hands. Ms. Vick-Peck said it won't be 365 days a year. Mr. Korab said it is during times when children will be outside and playing in the front yards. Ms. Vick-Peck there will be a few weeks there will be concentrated traffic and then weeks of nothing. Mr. Hensler said they have the right to grow. Mr. Hensler said if every time we have a problem we can't change; we need to keep business also. We're not in the business to hinder their business. Mr. Korab asked why can't the second entrance be moved to Best Built Parkway and keep it away from the houses.

Mr. Arnold asked how much they were increasing the traffic. Either way they would be coming by the houses. Mr. Arnold would be willing to go and talk to FS. Mr. Hensler said he is also willing to talk to them about a different location for the second entrance/exit. Mr. Hensler said he would investigate further and put it on the next Village board agenda.

Adjournment

Having no further discussion a motion was made by Arnold and second by Shepler to adjourn at 7:37 p.m. Motion carried unanimously.

Respectfully submitted,

Sue Peck
Clerk/Treasurer