

Village of Fall Creek
Minutes of Plan Commission Meeting
April 6, 2023

1. **Call to Order:** 4:31 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Chairperson Tim Raap, William Boettcher, John Kuehn, Evan Nyberg, Curt Strasburg, Curt Van Auken. Members Absent: Chester Goodman. Staff Present: Village Administrator/Public Works Director Jared McKee, Deputy Clerk Joan Drehmel. Also Present: Gareth Shambeau Village Engineer, Jeremy Skaw of Real Land Surveying, Jeff Seward and Sean Bohan of Advanced Engineering Concepts, Aaron Wilhelm, 1 citizen.
3. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and an agenda was posted at the three public places and local newspapers were notified.
4. **Adopt Agenda:**
 - MOTION (Strasburg/Nyberg) to adopt the agenda as printed. PASSED, without negative vote.
5. **Consider Final Plat for Creekside Estates:** Chairperson Tim Raap explained the steps for the Plan Commission in reviewing a final plat, adding that their recommendation will go on to the Village Board. The village engineer submitted his review of the plat using Village Code Chapter 267 Subdivision of Land as a guide. One of the points in the engineer's review recommended a variance for the proposed street grade of 7.7% at the steepest point, as it exceeds the ordinance maximum of 7%. The engineer's review also recommended a variance to allow private utility easements to be located in the front yard of the lots instead of the back yard which is required by village ordinance. Administrator/Public Works Director Jared McKee noted the Plan Commission could include variances in the motion as a condition for approval. Discussion followed on disposal of construction soil, remaining surveyor storm sewer and utility easements, waiver of greenspace requirement, future street name, and the authority of village staff to close out the general housekeeping items noted in the engineer's review.
 - MOTION (Boettcher/Strasburg) to recommend approving the final plat pending staff review closure of engineer recommendations, approving variances for the street grade to be set at 7.7% and the placement of private utility easements in the front yard, placing construction soil in the location of pond #1, and waiving the greenspace requirement. PASSED, roll call vote: Kuehn-yes, Nyberg-yes, Raap-yes, Strasburg-yes, Van Auken-yes, Boettcher-yes.
6. **Discussion on Potential CSM, Aaron Wilhelm:** Aaron Wilhelm explained he is in the process of securing a loan to remodel his house. The 21 acre-lot the house sits on includes crop land. He was looking for direction from the Plan Commission for a way to redraw the lot to keep the crop land out of the home loan to be used for future collateral. Administrator/Public Works Director McKee noted the 40 acre-property had previously been divided by CSMs into 4 lots, with a 25' wide dedicated private street connecting to Lincoln Ave/Hwy 12. Later, the lots were rezoned from R1-Single Family Residential to A1-Agricultural, and a conditional use permit was obtained for the business of selling chemicals and fertilizer on the lot containing the house and other buildings. Per village ordinance the two ways to divide land is by a CSM or by a plat. A plat is appropriate when dividing a property into 4 or more lots, but that is not the case here. A CSM does not apply because a lot zoned A1-Agricultural has a minimum size requirement of 20 acres. Discussion followed on possible solutions. Wilhelm will do more research and come back to the Plan Commission with a more defined plan.
7. **Adjourn @ 5:41 p.m.**