



Notice of Public Hearing

Zoning and Land Regulation Committee

Public Hearing: **August 22, 2017**

Zoning Amendment:
**A-1EX Agriculture District TO A-2
Agriculture District, A-1EX
Agriculture District TO RH-2
Rural Homes District**

Petition: **Petition 11172**

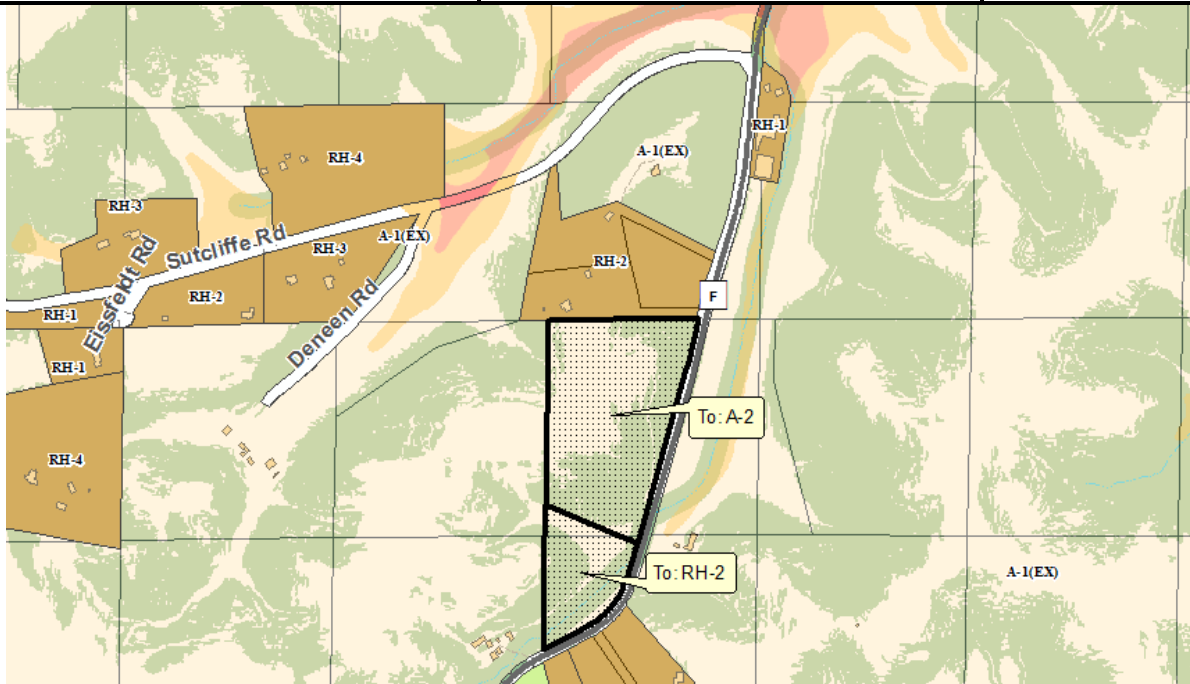
Town/sect:
**BLACK EARTH,
Section 33**

Acres: 22.4,7.5
Survey Req. Yes

Applicant
**THE PEOPLES
COMMUNITY BANK**

Reason:
Creating two residential lots

Location:
**WEST OF 4952
COUNTY HIGHWAY F**



DESCRIPTION: The applicant is proposing to create 2 residential lots for sale. The lots would be separated from 100+ acre farm that is mainly on the other side of the road.

OBSERVATIONS: There is an intermittent stream that runs across the proposed southerly lot. The southern property will be subject to Shoreland Regulations. There is an existing agricultural drive which provides access from County Highway F. The drive may only be used for agricultural purposes. The topography is extremely steep (40 -50% grade) along Highway F, however, there is an existing field road graded at 10% to provide access to the northwest field which has fairly flat.

TOWN PLAN: The property is located in the Town's Agricultural Preservation Area. The property is subject to the Town's 1 per 35 density policies. The density study indicates a 3 possible Housing Density Rights (HDR) available to the farmstead.

COUNTY HIGHWAY DEPARTMENT: The agricultural drive will not be permitted to be used for residential purposes. A new residential access will need to be approved by the County Highway Department. County Highway F is not a controlled access highway.

RESOURCE PROTECTION: The property is located in an area with some steep slopes, maximum allowable slope in the Town of Black Earth is 15% for new buildings (2016 Town Plan Amendment – shown in green) Additionally there are some resource protection areas on the southern lot related to an intermittent stream that may interfere with road access.

STAFF: The proposal meets the dimensional standards of the zoning district. There is sufficient buildable area on each parcel but driveway access and complying with Shoreland Regulations may be a bit of an issue.

TOWN: The Town approved the petition without conditions.