



## MEETING MINUTES

Monday, October 11, 2021, 6:30 P.M.  
Town Board Meeting

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

Chair Jim Pulvermacher called the meeting to order at 6:30 p.m.

Roll call shows Chair Pulvermacher and Supervisors Dave Laufenberg, Matt Wright, Art Meinholz, and Dan Dresen present.

Also present were Clerk-Treasurer Dianah Fayas, Deputy Clerk-Treasurer Doreen Jackson, Steve and Joanne Dodge, Sam Simon, Aaron Otto, Janice Faga, Marilyn and Mark Danz, Orlin Danz, Brad Meinholz, Ryan Pulvermacher, Eric Dorweiler, Don Pertzborn Jr., Tonya Pertzborn, John Pulvermacher, John Pertzborn, Pat Buechner, Eric Smith, Kristin Smith, Tyler Olszewski, John Docter, Steve and Debbie Marx, Roger Ripp, Bob and Angie Hellenbrand, and Jeff Endres.

Pledge of Allegiance was recited.

2. CONFIRMATION OF COMPLIANCE WITH OPEN MEETINGS LAW

The Clerk confirmed that the agenda was posted at town hall and on the Town website. The meeting is being recorded for use during the drafting of the meeting minutes.

3. INFORMAL PUBLIC COMMENT TIME – None.

4. PC RECOMMENDATION - REZONE, CONTINGENT ON SUCCESSFUL PLAT APPLICATION: MEIER FARM, 5827 HWY. P

**PC ACTION: MOTION BY COMMISSIONER WRIGHT, SECONDED BY COMMISSIONER ACKER TO RECOMMEND THE TOWN BOARD REJECT THE REZONE REQUEST BASED ON THE ENTIRETY OF THE ITEMS DISCUSSED TONIGHT\*. MOTION CARRIED, 6-0.** \*AREA HYDROLOGY; PONDS' OWNERSHIP AND MAINTENANCE; STORMWATER RETENTION LOCATIONS; A NEW TOWN ROAD THROUGH FARM FIELD, WHICH IS 1,200' LONG BEFORE IT MEETS A DRIVEWAY; STEEP SLOPES; CONSTRUCTING AND PLACING HOME ENVELOPES AND DRIVEWAYS WITHOUT IMPACTING THE STEEP SLOPES; LONG, COMPLEX SHARED DRIVEWAYS; DRIVEWAYS THAT CAN'T MEET 12% GRADE &/OR VERTICAL RISE REQUIREMENTS; PUBLIC ROAD FRONTAGE PER LOT; LIKELIHOOD OF MEETING LAND DIVISION ORDINANCE REQUIREMENTS WITHOUT WAIVERS/VARIANCES; COMMUNITY OPPOSITION BASED ON EXPERIENCE AND OPINION; THE AMOUNT OF GRADING REQUIRED FOR THE SITE; THE APPROXIMATE HEIGHT OF RETAINING WALLS NEEDED DUE TO STEEP SLOPES ON VARIOUS LOTS; PRECEDENCE SET BY ALLOWING DEVELOPMENT IN AREAS OF STEEP SLOPES; IMPACT TO NEIGHBORHOOD CHARACTER AND THE AESTHETICS OF LAND DISTURBANCE/MANIPULATION TO CREATE TERRAIN ADEQUATE FOR HOME SITES.

Chairperson Pulvermacher opened the floor to the applicant for a statement which summarized the 8 new lot proposal, which places the home lots in non-farmed area and retains a lot of Ag zoned land, Exclusive Ag land, and a considerable amount of land zoned Nature Based Recreation. The new town road will eliminate the existing driveway on Highway P, and while the new town road crosses farmland, it preserves farmland by not placing lots on productive farmland and preserves farmland elsewhere in town by way of the TDR program.

Supervisors reviewed the compilation of Plan Commission and Town Board meeting minutes pertaining to the subject property. Plan Commission Chairperson, Jeff Endres stated the Clerk captured the concerns of the Plan Commission in the detail of the motion. Chairperson Endres reviewed the town plan again regarding slopes

and development and sees some good and bad with the proposal, but the challenges outweigh the positives. He noted the area isn't slated for transition; Chairperson Pulvermacher noted most farms aren't in Agricultural Transition because they would lose their farm credits if planned for future non-farm development.

The applicants noted their engineers confirmed the slope limitations could be met in concept, and had developed the stormwater retention basin plans, which supervisors questioned the location and effectiveness of. Supervisors noted concern with the length of the private driveways and the complexity of their shared nature, while pointing out the driveways appear to be as long, or longer than the road.

Sup. Wright consulted his notes to question the applicant to address concerns. Sup. Wright doesn't believe the applicant meets seven of the siting standards in the comp plan and points out that none of the lots connect to a public street; a number of the lots could be considered flag lots, which are not allowed; there's no radial access to a street; and, one of the lots is larger than 5 acres. Sup. Wright pointed out that driveways over 100' need town board approval and must meet 12% grade: four of the lots are over 12%, two or three just barely make 12%, and the amount of grading to the land surface is significant and with the steep slopes that would be infringed on to make 12% grades is unjustifiable. The Town would need to grant too many variances to approve the proposal. Town road ditches are to be no greater than 10% slopes; the ditches would infringe on prime ag land to grade. Foresee future problems between residential and farm use water maintenance and run off. Four of the stormwater basins are in 15-20% slopes; they should be put where the water drains to. Two of the basins will need a lot of dirt work and major retaining walls to hold any volume. Sup. Wright reminded the board that there was no support from the Plan Commission which is his first criterion.

The applicants reminded the board that they are deciding on a rezone only, not a subdivision plat; a lot of the objections raised were plat related and would be addressed during development and approval of the plat.

Sup. Laufenberg objected to the disturbance of the delicate hillside, and doesn't want to rezone and open the door for potential problems and future development proposals in the area.

Chairperson Pulvermacher is not happy with the length of the town road because it creates long driveways, although he understands why it was designed that way, he would rather a longer town road.

Attorney Hazelbaker noted it's up to the board with the input from the community. Engineers will tell you anything can be engineered, but it is concerning that there isn't a good solution for road access and through road access and that the private drives are this long. The site is an unwieldy layout.

Pumping of the pond was discussed; the developer would like to work with the town on a joint solution, perhaps a drainage district in the area. Control of the pond would likely be in the hands of the HOA, but those details could be made in conjunction with the town's vision. Access to the 10-acre farm field to the north would be through the northern shared driveway was raised as a concern with residential neighbors.

**Motion by Sup. Wright, seconded by Sup. Laufenberg to reject the appeal of the rezone recommendation and reject the rezone for reasons the Plan Commission rejected and the entirety of the discussion tonight, including: the number of future variances required, public opposition, stormwater and environmental impacts, we don't have to approve, technical issues at play in the future that contribute to the undesirability. Roll call vote: Sup. Dresen – AYE; Sup. Meinholz – AYE; Sup. Wright – AYE; Sup. Laufenberg – AYE; Chairperson Pulvermacher – ABSTAIN. Motion passed.**

Chairperson Pulvermacher explained he can see the pros and cons of the project but can't support it in its present form.

## 5. ADJOURN

**Motion by Sup. Meinholz, seconded by Sup. Wright to adjourn the meeting at 7:55 p.m. Motion carried, 5-0.**