

JOINT PLAN COMMISSION & TOWN BOARD
Meeting Minutes - Sept. 14, 2020 @ 7:30 p.m.
via teleconference & video conference

1. CALL TO ORDER, ROLL CALL

Chair Jeff Endres called the meeting to order at 7:30 p.m. Roll call shows Chair Jeff Endres, Commissioners Bill Acker, Steve Beglinger, Ron Wolfe, and Matt Wright present and appearing in person. Commissioner Cox is excused. Mr. Jim Pulvermacher was in attendance but did not sit on the commission.

Present for the Town Board were Chairperson Pulvermacher, Sup. Laufenberg, Sup. Statz, Sup. Meinholz and Sup. Dresen.

Also present and appearing in person were Clerk-Treasurer Fayas, Town Attorney Mark Hazelbaker and numerous applicants and interested parties, including Julie Esser, Brian Buechner, Dustin O'Connell, Will Hensen, Dale Maly, Pam McSherry, Michael & Jaclynn Olson, and Pat Buechner.

Among the applicants and interested parties appearing remotely were Kris Cook, Tobin Jansenberger, Karen Wayda, Philip Shultz, Charlie Saeman, Joe Kuhn and Dan Fargen.

2. CONFIRMATION OF POSTINGS FOR OPEN MEETING LAWS

The Clerk confirmed that the agenda was posted at town hall and on the Town website and that the meeting is being recorded.

There were significant technology challenges, with people in attendance remotely unable to hear the meeting.

3. PUBLIC COMMENT TIME – A resident questioned the accumulation of construction equipment and material at the corner of Riles Road and County Highway P. Staff was directed to send the property owner a letter directing clean up &/or removal.

4. APPROVAL OF PREVIOUS PC MINUTES BY THE PC: AUG. 3, 2020

Motion by Commissioner Beglinger, seconded by Commissioner Wright to approve the minutes. Motion carried, 4-0; Commissioner Acker abstained.

4.5 PUBLIC HEARING(S) - **MOTION TO RECESS REGULAR MEETING AND ENTER PUBLIC HEARING.**

Motion by Commissioner Acker, seconded by Commissioner Beglinger to recess the regular meeting and start the public hearing. Roll call vote: Wolfe AYE, Acker AYE, Endres AYE, Beglinger AYE, Wright AYE. Motion carried.

a. WAYDA & SNYDER, 7300 CLOVER HILL DR. FROM R-1 TO SFR

The applicant was not able to participate in the discussion by video conference due to technical difficulties; the Plan Commission and public in attendance reviewed the application, noting the rezone was requested to accommodate a taller accessory building. The applicant appeared in person later in the meeting and confirmed those details.

b. COOK, 7798 AUTUMN POND TRAIL FROM R-1A TO SFR

The zoning administrator and residents in attendance reported that the proposed application was in violation of HOA covenants. The Town zoning administrator advised postponing any recommendation by the Plan Commission until those issues had been resolved and the Commission received notification of such in writing.

c. MEINHOLZ LLC, 6771 CTH K FROM A-2 TO COM

The agenda incorrectly titled this as a rezone from A-2; the parcel is LC-1, as was properly posted and noticed to neighboring property owners. The applicant representative explained the rezone request was to accommodate a Conditional Use Permit application for outdoor storage during the non-growing season. Commissioners suggested confirming with County officials that a change of use would not impact the property's access to County Highway K due to its proximity to U.S. Highway 12. Commissioners informed the applicant that screening would be required as a condition of approval.

MOTION TO EXIT PUBLIC HEARING AND RECONVENE REGULAR MEETING.

Motion by Commissioner Beglinger, seconded by Commissioner Acker to close the public hearing and continue the regular meeting. Roll call vote: Wolfe AYE, Acker AYE, Endres AYE, Beglinger AYE, Wright AYE. Motion carried.

5. REZONE APPLICATIONS:

- a. WAYDA & SNYDER, 7300 CLOVER HILL DR. FROM R-1 TO SFR

Motion by Commissioner Wolfe, seconded by Commissioner Wright to recommend approval of the rezone request for 7300 Clover Hill Drive. Motion carried, 5-0.

- b. COOK, 7798 AUTUMN POND TRAIL FROM R-1A TO SFR

Motion by Chairperson Endres, seconded by Commissioner Wolfe to add this to Old Business to give the HOA time to discuss and the Commission will revisit again within 60 days. Motion carried, 5-0.

- c. MEINHOLZ LLC, 6771 CTH K FROM A-2 TO COM

Motion by Commissioner Beglinger, seconded by Commissioner Wolfe to table the CUP and rezone applications while the applicant considers the options. Motion carried, 5-0.

6. CUP APPLICATION FOR OUTDOOR STORAGE – MEINHOLZ LLC, 6771 CTH K

See 5c above.

7. PROSPECTIVE DEVELOPMENT – OLSON, 5487 CTH P

- a. DISCUSSION: AMENDMENT TO THE FUTURE LAND USE MAP

- b. FEEDBACK FROM PLAN COMMISSION

The Commission advised looking at alternate sites on the property to create lots; land that isn't productive, high quality, active farmland. The goal of the TDR program and the comp plan is to preserve farmland and the agricultural feel of the Town; this area is not planned for residential development. Rolling Acres Lane is not a town road, it is a single purpose road, which is not constructed to regular road dimensions and standards. The neighboring property owner would like to pursue discontinuation of the road by the town, having the road revert to abutting property owner(s) as determined by survey.

A site visit of the property was scheduled for September 21, 2020 at 5:30 p.m.

8. PROPOSED TDR TRANSACTION: MALY & ACKER-MALY, KOPP ROAD, PARCEL 0808-012-9500-1

The Malys are working with Will Henson on a recently renewed TDR transaction. The Town is finalizing the conservation easement template so it can be used as required. The applicant was advised to start the CSM process as soon as the Town Board adopts said template.

9. IGA WITH WAUNAKEE

Motion by Commissioner Wolfe, seconded by Commissioner Beglinger to approve the Intergovernmental Agreement as a template. Motion carried, 5-0.

10. OLD BUSINESS

- a. CUP & REZONE: JAR EXPRESS, INC., 6434 STATE HWY. 19, PARCEL NO. 0808-121-8790-0

Motion by Commissioner Wright, seconded by Commissioner Wolfe to reject the applications based on recommendation by the attorney, incomplete and non-compliance with stormwater permitting, historical disregard for zoning and non-compliance with current zoning; and to not allow resubmission of application until the County has signed off on the stormwater improvements and the property is brought back into compliance with current zoning. Motion carried, 4-0; Commissioner Acker abstained.

- b. TDR SENDING AREA REQUIREMENTS—3RD PARTY HOLDER, UNLOCK TRIGGERS IN CONSERVATION EASEMENTS

Commissioner Acker noted the extensive and involved legal review that has gone into the numerous iterations of this document, from its inception based on other municipal templates to its review during development by the town attorney

and planner and potential applicant attorneys. Commissioners need to rely on the advice and recommendation of town professionals such as their attorney and planner.

Motion by Commissioner Beglinger, seconded by Commissioner Wright to approve the TDR conservation easement and recommend to the Town Board for approval. Motion carried, 5-0.

- c. ZONING ORDINANCE AMENDMENT: VARIANCES
- d. ZONING ORDINANCE AMENDMENT: KENNEL SETBACKS

11. COMMUNICATIONS/ANNOUNCEMENTS

12. ADJOURN

Motion by Commissioner Wright, seconded by Commissioner Acker to adjourn the meeting at 9:15 p.m. Motion carried, 5-0.