

PLAN COMMISSION MINUTES

January 6, 2018

6:30 PM

Town Hall

The meeting was called to order by Chair Rang and the statement of public notice read.

Roll Call: Anton Rang, Steve Balfanz, Chris Matter, Theresa Schousek, Dan Lynch, Carolyn Barrette, (alt). Joy Packard, Jason Coyle, Laurie DeRosier, alt. exc. Others: Don & Judy Kadidlo, Ty Dodge, Chris Kath, John Ringhofer, Mary Tyson, Bill Dunn, Doug Mueller, Joanne & Peter Kocik, Kelly & Mark Anderson, Lee & Sue Brown, Craig Oevering, Dan Kugel, Tom Schottler.

Agenda adopted on motion by Lynch, second Balfanz, passed.

Public Comment: Bill Dunn requested that the Town consider a guard rail at the intersection of 50th and Valley View.

Items for Discussion and/or Action:

1. Christopher Kath- a) Waiver to TOSJ Subdivision Ordinance 168.7.C to reduce a lot at 607 Old Mill Rd, Burkhardt, to less than 3 ac; b) rezone .37 ac from rural residential to commercial (county).
- A. Kath owns a 3 acre residential parcel at 607 Old Mill Rd and a 3.42 acre commercial parcel at 1106 Co Rd A, in Burkhardt. He wishes to divide off a .37 acre parcel from 607 and attach to 1106 for the purpose of adding a pavilion to the commercial lot, and meeting the County's required 20' lot line set back between structure and lot lines in different zoning districts. The pavilion would be a permanent structure for 1106 events and would not use parking spots in the lot. Dodge (surveyor) said options had been to extend parking to the west, not possible as the septic system is there; swap land between parcels for additional parking, slope prevents; rezone the residential parcel to commercial, not desirable; request variance to County's 20 ft. setback between zoning district boundaries, County refused. Other lots, residential and commercial, in Burkhardt are less than 3 acres. The 607 lot had been less than 3 acres, but additional property had been added to make it a 3 acre parcel in 70s. The exchange of land would not require approval of a CSM since it is considered a sale to adjoining land owner.

Lynch pointed out the waiver is for 607 Old Mill Rd, but comments were referring to the commercial property. Land had been added to 607 Old Mill Rd, and now could not be taken away. Kadidlo asked that the Plan Commission refer to portions of 168.25 referring to waiver criteria. Rang pointed out that 168.7 minimum lot standards provides for minimum lot areas for non-residential development existing prior to August 2003, and the smaller lot had existed prior to 1976 and 2008. The Town's ordinance would permit a 5 ft. side yard set back for an accessory building in the villages of Burkhardt and Houlton. The Town's Plan and ordinances recognize the smaller lots in Burkhardt and Houlton. The Town's Plan calls for mixed use development in the area, and parcels along Co. Rd. A are commercial. Rang will consult with Town's attorney.

Schousek moved that the Plan Commission recommend to the Town Board to approve the waiver to move .37 acres from residential property at 607 Old Mill Road and attach it to the commercial property at 1106 County Rd A, Burkhardt since, in accordance with TOSJ Ordinance 168.7.C, the

results of the exchange of property would be within the Town's existing ordinance, the waiver would not be required, and with the condition that the Town's attorney approve of the concept. Lynch seconded, passed.

Comments from audience suggested a requirement that some sort of noise abatement be required.

- B. Kath Rezoning Application for .37acre parcel to be rezoned from residential to commercial for the purpose of rezoning the land added to the commercial site from the residential property that he also owns. A pavilion for events held by the Willow River Saloon will be built on the new parcel. There would be essentially no change in use of the property. The effect would be to improve parking safety during events. No additional residential development is planned. No impact on shoreland or wildlife is anticipated. The above waiver for purchase of land, and the rezoning request is to allow conformance with a setback requirement in a commercial district from a residential district as required by St Croix County.

Matter moved, Balfanz seconded, the Plan Commission recommend to the Town Board to recommend to St Croix County the approval of the rezonement application for the .37 acre divided off 607 Old Mill Road and added to 1106 County Rd A in Burkhardt. Passed. The Plan Commission recognizes that approval of the minimum lot size issue is contingent on the Town Attorney's opinion. They also recommended that the County require noise abatement with planting trees, fencing, etc., as appropriate.

2. Tom Schottler, 4 lot CSM 1491 60th St, Somerset WI. Dan Kugel, surveyor, represented. The concept map for the four lots was reviewed by the Plan Commission at earlier meetings. Questions were raised regarding sight lines from the driveway on lot 3 and a new well will be drilled for lot 5. **Balfanz moved, Lynch seconded that the Plan Commission recommend to the Town Board the approval of the four lot CSM for Tom Schottler at 1491 60th St, Somerset WI 54025. Passed.**

3. Donna Seim, 4 lot CSM, at 529 County Rd E, Hudson. Four lots including original house and three new lots extending south on the west side of 54th St. Ty Dodge represented. The four lots are the first of a planned major subdivision according to Craig Oevering, the potential developer; he anticipated presentation of a formal concept in a month or two for the balance of the 40. Questions raised about covenants, location of homes on three of the four lots, future road connections to Birch Lane and others. **Rang moved, Balfanz seconded that the Plan Commission recommend to the Town Board the approval of the 4 lot CSM for Donna Seim, at 529 County Rd E, Hudson, contingent on the driveways being changed to meet the 200' distance separation required by ordinances, and the driveway shown south of the CSM be deleted. Passed.**

Residents attending the meeting asked that the intersection of 54th and E be reviewed as they feel it is unsafe. They would like the Town to discuss with the county the possibility of adding a turn lane.

4. Non Residential Design Guidelines – Eric Anderson, West Central Wisconsin Regional Planning Commission

Chris Matter explained the background of Subcommittee activities on NRDS, and that with the use of St Joseph MOU monies, the Town was able to contract with WCWRPC to further develop the standards into something enforceable. Anderson explained WCWRPC activities, what they could do and his activities talking with WCW staff, St Croix County Community Development, Brian Ohm and Anna Hayes at the UW level, and Catherine Munkittrick, the Towns attorney. Options include:

- any standards need to be Town-wide (not applying to particular areas);

- wording could be added to the subdivision ordinance and include design standards, but that may not include anyone who does not need to apply through the subdivision process;
- it may be better to put standards in existing ordinances where applicable, i.e. add new sign standards to the sign ordinance;
- A commercial subdivision ordinance is desirable;
- Our official road map should be updated with future ROWs, bike paths, etc. through the public hearing process;
- need to be careful about 'zoning' language.

Specific items covered:

- There needs to be a 'definitions' section – he'll review the county's also
- Fee Structure for reviews – a flat fee, increasing fees depending on complexity, a pre-review or pre-submittal fee, pre-audit fee
- Who reviews and at what point? Town Clerk, Plan Commission, A pre-audit needs a check list and process, perhaps a small group (e.g. a town board representative & plan commission representative)
- Don't list exemptions
- Existing commercial development
- Use of cul de sacs
- Village mixed use – see how it fits into future county ordinance

In next couple weeks the Subcommittee could meet (Jan 24?) Eric will send a outline and maybe a rough draft.

5. Ordinance Updates – A work sheet was distributed.
6. Commission membership. John Ringhofer volunteered to be an alternate.

Recommendations to Town Board: Kath Waiver, Kath Rezoning recommendation to County; Tom Schottler and Donna Seim CSMs. Requests from citizens re: 50th and Valley View, 54th and E, noise at Willow River Saloon.

Minutes of December 6 and 27 approved on motion by Schousek, second Matter. Passed.

Meeting adjourned on motion by Matter, second Balfanz, passed.

Carolyn Barrette
Secretary

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