

# APPROVED MINUTES

## TOWN OF WILSON PLAN COMMISSION

July 13, 2015 Meeting

### **CALL TO ORDER & DECLARATION OF OPEN MEETING:**

Meeting was called to order by Commissioner Jim Kummer at 6:30 PM and declared an open meeting.

**PRESENT:** Commissioners MaryAnn Bergin, Fred Goebel, Jim Kummer, Dave Schleicher, and Rich Ternes.

**Absent:** Chair Doug Fuller, Vice Chair June Spoerl, and Guy Jones. **Others:** Ray & Genevieve Ten Pas, Brian and Diane Dunton, John Ehmann, Tom Stoelb, and Dan Rostollan.

### **PUBLIC HEARING:**

- 1.) Town of Wilson Plan Commission will conduct a public hearing on a proposed amendment to the Sign Ordinance Section 29. The purpose of the proposed amendment is to change Section 29.02 (1), Section 29.02 (3), Section 29.02 (5), and Section 29.10 (4) (d).

Both Ray and Genevieve TenPas spoke with their issues.

Public Hearing was closed at 6:40 PM.

### **NEW BUSINESS:**

- 2.) Approval of Draft Minutes

Motion by Goebel; seconded by Schleicher to approve the June 8, 2015 draft minutes as amended; motion carried with no nay votes and no abstentions.

- 3.) Proposed Amendment to the Sign Ordinance Section 29. The purpose of the proposed amendment is to change Section 29.02 (1), Section 29.02 (3), Section 29.02 (5), and Section 29.10 (4) (d).

Motion by Goebel, seconded by Ternes to approve amendments to Sign Ordinance Section 29 and send to the Town Board as follows:

- Approve Section 29.02 (1)
- Approve Section 29.02 (3)
- Approve Section 29.02 (5)

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- Changes to Section 29.10 (4) (d) as follows:
  - Page 2, Line 7, the letter “S” in the word “Said” should be lower case.
  - Page 2, Line 4, remove all of the following sentences of Section 29.10(4)(d) and move to Section 29.14(3)(a):

Except for signs located within a radius of three hundred (300) feet from the center point of the intersection of Hwy. I-43 and County Hwy. V, said signs shall also not exceed thirty (30) feet in height from the centerline if more than one highway is involved, and not contain more than one such face per direction of travel from the viewing highway. The maximum height of signs located within three hundred (300) feet of the center point of the intersection of Hwy. I-43 and County Hwy. V shall not exceed thirty (30) feet when measured in this manner. In all other respects the provisions of this ordinance and the district regulations in which the sign is located shall apply.

A Public Hearing is required.

- 4.) Sign Me Up of Wisconsin, LLC; Paul Rademacher, Sign Permit Application for Sheboygan Powersports & Marine.

Motion by Goebel; seconded by Schleicher to approve sign permit application; motion carried with no nay votes and no abstentions.

- 5.) Review of the tax exempt parcels annexation to the City of Sheboygan.

Motion by Goebel; seconded by Ternes recommending the Town Board not give concurrence for the Alliant parcel annexation; motion carried with no nay votes and no abstentions.

### OLD BUSINESS:

- 6.) Park and Forestry; Proposed Changes to Ordinance, Chapter 30 Public Parks. June Spoerl had the Town Clerk send the final version to Park and Forestry for their final review.

Motion by Goebel; seconded by Bergin to schedule a Public Hearing for the proposed changes to Ordinance Chapter 30 Public Parks; motion carried with no nay votes and no abstentions.

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- 7.) Revision of Subdivision Ordinance Chapter 4, Section 4.01 Improvements. Previously Rick Meyer, Maintenance/Road Supervisor, brought this issue to the attention of the Town Board and they recommended it come before the Plan Commission. Previously Rick Meyer also brought this issue before the Plan Commission. The reason Rick brought up this issue is that there has always been an issue for the Maintenance Department when doing any work within any of these easements identifying where exactly they are and felt it may be helpful in the future to have the developer provide above grade monuments for the town's drainage easements and retention ponds. The maps do not always tell much when they are in the field. This would help the Maintenance Department with brush removal, tree trimming, and ditch cleaning knowing they are not on private property. Maintenance should be doing more work in some of these areas, but are not getting them done because of this. Rick has been working with Joe Bronoski from Abacus on amending our ordinance. Rick's request would include drainage easements, wet or dry ponds, utility easements, and town easements as necessary. The town's property could then be monitored. Drainage tiles are another concern for developing subdivisions. Going forward this all would be the developer's responsibility of a subdivision and part of the Developer's Agreement. His first step would be to go back into developed subdivisions and the second step would be new development with developer agreements for town easement and right of ways. Previously it was recommended that Rick come back and submit to the Plan Commission what he wants to change, why he wants to change it, and include the developers agreement issue. The Plan Commission would then submit to the Town's Legal Counsel for legal language. Once Legal has reviewed, a Public Hearing by the Plan Commission would be required and then a recommendation could be made to the Town Board. This agenda item was tabled again to next month for Rick Meyer's recommendations.
  
- 8.) Review to Determine Rental Language in R-1 Zoning. This agenda item was the result of a complaint filed with the Town by Phil Mersberger on March 25, 2015. Per the Town Board's meeting minutes from May 4, 2015, their motion was to refer R-1 zoning to this Plan Commission to review for the purpose to determine if we should or should not have rental language in R-1 zoning stating either for or against and/or how it would be allowed. Our Town Chairman, John Ehmann also provided some background information and clarification on this subject. From his memorandum an issue was raised because our ordinances list what is permitted and the Town Board dismissed this complaint as they were unable to determine if our R-1 zoning language prohibited such rental activity. It was noted that this problem may come up more often with Airbnb (a website to rent out lodging worldwide). This is happening everywhere in the U.S. You can go online and people have their homes and rooms in their homes for rent. This agenda item was previously tabled for June Spoerl to contact Legal Counsel to find out how other municipalities of our size are handling this matter. Concern was raised that this violates our ordinance and we need to protect our neighborhoods. A Room Tax Ordinance was another issue. Further discussions took place regarding all this matter. This agenda item was again tabled to next month as we are awaiting Legal's input. A Public Hearing is required.

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- 9.) Review of Animals Kept in R-1 Zoning. Previously Town's Legal Counsel, Matt Parmentier, responded to June Spoerl's request for samples of towns that have new animal control ordinances. Of the two sent, the Town of Williamstown was more specific. Further discussions occurred from reviewing their ordinance. It was also noted that R-1 zoning should have a restriction. This agenda item was tabled for input as to what should be incorporated into our current ordinance. This agenda item was tabled again in order to prepare a reasonable list of what animals we can have with any other animals requiring a CUP. A Public Hearing is required.
- 10.) Section 8 of the Zoning Ordinance, Conditional Uses, Section 8.15, Review and possible recommendation of change. Jim Kummer had suggested this change because, at present, the Town Board can change a CUP without a Public Hearing which is not right and better language is also required. June Spoerl submitted Page 3 "Proposed Change to 8.15 Modify or Revoke Conditional Use" to Town Clerk for submittal to Legal Counsel for review. A Public Hearing is required to change this ordinance.

Motion by Goebel; seconded by Schleicher to have the Town Board review our recommended changes and return back to the Plan Commission in order to hold our Public Hearing; motion carried with no nay votes and no abstentions.

Agenda Items 3, 7, 8, 9, and 10 above all contain ordinance changes and still require a Public Hearing.

### CORRESPONDENCE:

- 11.) Approved Plan Commission Minutes (May 11, 2015)
- 12.) Approved Town Board Minutes (None).

The next Plan Commission Meeting will be held Monday, August 10, 2015, at 6:30 PM.

### ADJOURN:

Motion by Ternes; seconded by Schleicher to adjourn; motion carried with no nay votes and no abstentions; and meeting adjourned at 7:30 PM.

Minutes Submitted By: MaryAnn Bergin, Secretary  
Not Reviewed By Georgene Lubach, Clerk