

Town of Winchester
8522 Park Way, Larsen, WI 54947
Land Use Planning Commission
Minutes
October 10, 2017

A. CALL TO ORDER and PLEDGE OF ALLIGIENCE

B. ROLL CALL

Present were Ben Joas, Dave Pavlik, Andy Miller, Mark Severson, Rob Nelson, Randy Strohmeier, and Holly Stevens, Clerk. Isaiah Tate was absent.

Also present were 1 community member.

C. APPROVAL OF MINUTES

September 12, 2017 Plan Commission Meeting Minutes were presented by the Clerk. The Commissioners clarified the title of the UDC as the Uniform Dwelling Code.

MOTION:

Commissioner Severson made a motion to approve the Minutes as corrected.

Second by Commissioner Pavlik

Motion carried by unanimous voice vote

D. PUBLIC COMMENT—NONE

E. OLD BUSINESS

SOME OF THE BUSINESS ITEMS WERE TAKEN OUT OF ORDER.

1. Definition of Terms—"Site Preparation"

Chairman Joas presented the definition as proposed at the last meeting:

"Site Preparation includes any earth moving, excavating, grading or landscaping activities, clearing or razing of any other structures on the site, the laying of any base or foundation for a structure, and removal of vegetation from the site."

Commissioner Nelson stated the Commission needs to be careful that the definition is not so restrictive that it prevents people from trying to improve the visual aspects of their lots. He noted that the subdivision on CTR II recently did some work to make the available lots look more appealing to potential buyers. The definition as proposed might limit the owner's ability to do that type of clean-up work

Commissioner Severson said he feels there are certain activities which need to occur in order to allow for proper planning, specifically referencing staking, clearing, or clean-up activity.

Commissioner Pavlik stated the determination of what constitutes the start of construction is a key element of the discussion. He stated that someone who owns property and clears an area of it, may find that while cleaning/clearing the land, it is a great place for a structure. Has that person started construction by clearing the site?

Commissioner Nelson said it is more when digging begins is more of a "construction start point."

Commissioner Severson stated that not all structures require excavation. The issue with the property on North Loop Road which the commission recently dealt with was started by dumping gravel and spreading it as a foundation for the structure. No digging occurred.

Chairman Joas stated that creating a foundation for a structure is actually beyond the classification of site preparation, and actually the beginning of construction. He suggested striking landscaping activities and removal of vegetation from the site from the definition. He re-stated the definition as edited:

"Site Preparation includes any earth moving, excavating, or grading, clearing or razing of any other structures on the site, and / or the laying of any base or foundation for a structure. Staking of the site is allowed."

Commissioner Severson stated there are still gray areas within the definition. He noted that having a definition which would apply to all circumstances is almost impossible. The commission may want to deal with projects on a case by case basis.

Chair Joas stated the definition would be a guideline and the Commission would have to continue to review each project on a case by case basis, but having the definition will prompt the evaluation of future projects.

Commissioner Pavlik questioned the point of developing the definition of site preparation. The Commission reviewed the circumstance when a resident was building a primary residence, and had not been issued a Certificate of Occupancy. That resident had an approved Conditional Use Permit (CUP) for an accessory structure which stated no site preparation may begin until the Certificate of Occupancy for the residence was issued. Yet, the resident dumped and leveled gravel for the foundation of his accessory structure, claiming he did not consider that site prep. Commissioner Pavlik stated the intent of the CUP was to restrict any construction of the accessory structure until the residence was complete. He feels the site preparation definition is a good guideline, but the Commission should focus more on restricting the beginning of construction.

Clerk Stevens presented a circumstance of a property owner building a residence and then an accessory structure. The resident comes to the Commission stating his excavator is onsite digging the foundation for the residence and would like to have the foundation for the accessory structure prepared while the excavator is onsite in order to save on costs. She asked if that would be allowed.

The Commissioners stated that the definition will have to be used as a guideline and each project will have to be dealt with on an individual basis. It was determined that if a reasonable case is made for an exception to the rule, the Commission has the authority and flexibility within the definition to allow for exceptions.

Chair Joas re-read the definition as the Commission had edited it:

“Site Preparation includes any earth moving, excavating, grading, clearing or razing of any other structures on the site, and / or the laying of any base or foundation for a structure. Staking of the site is allowed. Exceptions to the above information may be reviewed on a case by case basis by the Plan Commission.”

Commissioner Pavlik asked how the average person will know that this definition exists. Commissioner Severson stated this information should be included on the How-to Checklist and the Commission cannot micro-manage residents. They must take some responsibility for seeking out the requirements for building within the Town. Chair Joas stated it could be added to the Fee schedule as another place to provide the basic information.

MOTION:

Commissioner Nelson made a motion to approve the definition as stated

Second by Commissioner Pavlik

Motion carried by unanimous voice vote

2. Capital Improvement Fee

Chair Joas reported he spoke with consultant Jeff Sanders of Community Planning and Consulting, LLC, who suggested road work be added to the uses for the Capital Improvement Fee making the fee usable for Parks, Fire Department, Municipal Buildings and Grounds, and road work. Chair Joas said those four categories specify the uses allowable for the fee but also provide the Town Board with the flexibility to direct its allocation where needed.

Commissioner Severson asked if the Commission was going to specify dollar values or percentages for each category. Chair Joas stated he would like to avoid that degree of specificity in order to allow the Board some flexibility in the use of the fee. Commissioner Severson was not comfortable with that because he feels the Board will pull the entire fee and apply it to road work while the other categories get ignored because they are not as high a priority. He stated he feels the road work should not be included as one of the uses for the fee.

The Commission suggested the fee uses be better defined to include Parks in addition to Municipal Building and Grounds because both of those categories are tracked separately in the Town Board’s finances.

MOTION:

Commissioner Nelson made a motion to define the purpose of the Capital Improvement Fee for allocation for use for Parks, Fire Department, and / or Municipal Buildings and Grounds.

Second by Commissioner Miller

Motion carried by unanimous voice vote

3. Neil and Roger Pergande—Representative: Craig Keach, Meridian

Tax Parcels: 028-0214, 028-0215, 028-0216, 028-0211, 028-0206 Zoning: A-2 (Shoreland)

7250 County Road II, Larsen, WI 54947

CSM Review—3-Lot CSM

The Pergande’s submitted a 2-Lot CSM for review at the September 12, 2017 Plan Commission Meeting After receiving the Town’s approval, Winnebago County caught an issue with the map. Lot 1 of the formerl approved CSM was partially within the New London School District and partially in the Winneconne School District. The

CSM submitted for review is a 3-Lot CSM which eliminates the need to re-draw school district lines by splitting the acreage in each district onto separate lots.

MOTION:

Commissioner Miller made a motion to recommend approval of the 3-Lot CSM to the Town Board
Second by Commissioner Nelson
Motion carried by unanimous voice vote

F. NEW BUSINESS

1. Permitting Process—How-to Checklist

Clerk Stevens presented a draft of a How-to Checklist which is intended to identify and clarify the pre-construction processes required by the Town. She noted she would like to edit the draft to also include information regarding access / culvert permits. The draft includes basic information regarding Zoning Permits, Site Plans, Building Plans, Erosion Control Permits, Sanitary Permits, Stormwater Management Permits, Building Permit Issuance, Inspections, and Certificate of Occupancy.

The Commission requested Clerk Stevens add the “Site Preparation” limitations as defined earlier in the meeting. They requested the Clerk make the edits as noted and provide a modified draft for review at the next Plan Commission meeting.

2. Comprehensive Plan Implementation Actions for 2018

Clerk Stevens provided a list of comprehensive plan implementation actions along with the cost to complete each. The items included:

- a) Development of an effective presence on social media—no cost applicable
- b) Implements of Husbandry Ordinance: \$950
- c) Personal Energy Systems Ordinance: \$1,700
- d) Capital Improvements Plan: \$4,500
- e) Market Trade Analysis: \$5,000 to \$7,500
- f) Pedestrian and Bicycle Plan: \$2,300 to \$3,150

The Commission noted that the Implements of Husbandry Ordinance is already in place. Additionally, the Capital Improvements Plan is not needed as the Town Board already has an adopted Road Project Plan and no other capital improvements are needed at this time or in the near future. The Commission determined that the Town is not ready for a Market Trade Analysis, nor the Pedestrian & Bicycle Plan.

The Commission requested that Chair Joas contact Mr. Sanders to get more detail regarding the scope of the Personal Energy Systems Ordinance and to report that information to the Commission at its next meeting for consideration.

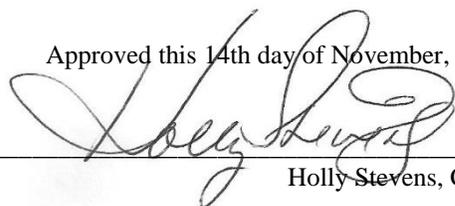
G. NEXT MEETING AND AGENDA ITEMS

The next Plan Commission meeting will be held on Tuesday, November 14, 2017 at 6:30 p.m. Agenda items to include the How-to Checklist for Permitting, Comprehensive Plan Implementation consideration of the development of a Personal Energy Systems Ordinance, and any other business which may arise.

H. ADJOURNMENT

Commissioner Severson made a motion to adjourn at 7:58 p.m.
Second by Commissioner Nelson
Motion carried by unanimous voice vote

Approved this 14th day of November, 2017



Holly Stevens, Clerk