

TOWN OF WINDSOR
PLAN COMMISSION MEETING

 APPROVED
10/20/2015

Minutes

July 21, 2015

1. Call Meeting To Order.

Meeting convened by Chairperson LeGore at 6:05 p.m.

2. Roll Call.

Commissioners present: Al Davis, Barry Eichinger, Dave Gaustad, Jeff Heisig, Kay Hoffman, and Bill LeGore. Beth Trotter had an excused absence.

Others present: Planning and Development Coordinator Amy Anderson Schweppe, Town Engineer Kevin Richardson, Town Attorney Connie Anderson, and Town Board Liaison Bruce Stravinski. Town Planner Jamie Rybarczyk was stranded in Sun Prairie due to car problems.

3. Recitation Of The Pledge Of Allegiance.

The Pledge of Allegiance was led by Commissioner Heisig.

4. Minutes From June 16, 2015.

A motion was made by Commissioner Eichinger, seconded by Commissioner Davis, to approve the Minutes of the June 16, 2015, meeting as presented. Motion carried with a 6-0 vote.

5. Report From Bruce Stravinski, Liaison To The Town Board.

Supervisor Stravinski advised that on June 16 the Plan Commission approved the conditional use permit for ZARN Properties. This was an easy approval, and two days later it went to the Town Board and the Town Board also approved the conditional use permit. At its June 18 meeting, the Town Board voted to reconsider the Hoffman Quarry. The Town Board will be taking a look as to which Comprehensive Plan – Comprehensive Plan: 2025 or Comprehensive Plan: 2035 – is the proper Comprehensive Plan to use. The town used Comprehensive Plan: 2035. The town has approved Comprehensive Plan: 2035; however, it has not been approved by Dane County so it does not go into effect until Dane County approves it. There were also some items brought up by Alan Harvey concerning the quarry, and the town wants its recommendation to Sun Prairie to

be total and complete when it makes it, so the Town Board voted for reconsideration. The only other item is Bear Tree. The town is still working on Bear Tree and is awaiting a couple of documents from the developer.

6. Update On Windsor Incorporation.

Good news. Town Attorney Anderson stated that the legislation was signed into law which allows for the electors of the town of Windsor to decide whether the town should become a village or stay a town. At the next Town Board meeting, the Town Board will review the statutory language and consider a resolution indicating that Windsor meets all the requirements and would like to go forward and have its own referendum. The referendum would be held on November 2. If the majority of the residents voted to turn to a village, that is what will happen. Windsor's current ordinances would stay in place. Current representatives on the Town Board would stay in place until there is a new election. All boundary agreements and intergovernmental agreements that have been executed by the town of Windsor would be enforced by the village of Windsor. The village of Windsor is specified as the town's successor. The town wanted to make sure the entire town would be able to incorporate as a village. This is a very exciting time for the town. It is up to the electors as to the form of governance they would like to have.

There will be meetings, materials sent out, and items in the newspaper.

A question was raised as to whether all trustees would be elected at the same time.

Town Attorney Anderson responded that she would have to research that question. It was her thought that the trustees would have staggered terms. The terms remain the same, but there will be elected village trustees and a village president.

7. Appearances.

None.

8. Cyril Feiner Requests Approval Of A Certified Survey Map And Rezone In Order To Separate The Farm Residence From The Existing Agriculture Property. The Location Of The Property Is 3178 County Highway V, In The Town Of Windsor.

Scott Feiner appeared before the Town Board on behalf of his parents, Cyril and Loraine Feiner.

Due to Town Planner Rybarczyk's absence, Planning and Development Coordinator Anderson Schweppe provided the staff report.

The applicant is proposing to create one lot. The property is split between the town of Windsor and the town of Bristol. There are 40 acres in the town of Windsor. There are 27 acres in the

town of Bristol. The petitioner proposes to consolidate the principal residence and the three agricultural buildings into a two-acre parcel, which would be rezoned to A-2(2) Agricultural District. The remnant 38-acre parcel will remain A-1(EX) Exclusive Agricultural District.

Comments provided by Town Planner Rybarczyk included the 33.03 foot right-of-way of County Trunk Highway V should be identified right-of-way dedicated to the public. Per the A-1(EX) Exclusive Agriculture District, the petitioner is allowed one land split per 35 acres. The petitioner shall record a deed restriction acknowledging that the remnant 38-acre parcel retains one development right per the Town of Windsor Comprehensive Plan: 2025 and that Lot 1 shall be restricted from any further land division. Also, per the A-2(2) Agricultural District, agricultural buildings not housing livestock shall have a minimum setback of ten feet. Agricultural buildings housing livestock shall have a minimum setback of 50 feet. Based on the Certified Survey Map, staff is assuming the agricultural buildings on Lot 1 will not house livestock.

Town Planner Rybarczyk's recommendation was to approve the CSM as proposed with the request that the applicant submit a two-lot CSM.

Town Engineer Richardson and Town Attorney Anderson explained why the town wanted a two-lot CSM. The CSM would show both lots. The town ordinances do not require that both be shown, but it would much easier and cleaner in the long-run.

Commissioner Eichinger had questions regarding the agricultural buildings setback and agricultural buildings with livestock.

Town Attorney Anderson responded.

Commissioner Hoffman asked for clarification for the Feiner family. If someone bought Lot 1, there could not be any livestock on the property. If someone bought Windsor Lot 1 and the remaining land that is in Bristol, they could potentially have livestock in the barn but not in the shed. For the potential for something being in the shed, the west lot line would need to be extended 30 feet to get the setback.

Discussion followed.

Chairperson LeGore asked what effect would a recommendation of a two-lot CSM have on the Plan Commission's action at its meeting.

Town Attorney Anderson responded that a two-lot CSM could be part of the Plan Commission's action. That would be the Plan Commission's recommendation and someone would confirm that the CSM submitted meets the standards showing the single lot for the residents and the remnant.

Commissioner Hoffman asked about the parkland fee and why does there have to be a parkland fee when selling off the farm buildings.

Town Engineer Richardson explained that it is because there is a new residential lot, because it is not an existing lot at this time. When the owner comes in for a building permit, the fee will be due. Any new residential unit is obligated to pay the park facility fee. If someone on the remnant parcel applies for a building permit, they would have to pay a park fee.

Commissioner Davis noted a typographical error on the proposed Resolution.

A motion was made by Commissioner Eichinger to approve Plan Resolution 2015-14 Recommending Approval Of A Certified Survey Map And Rezone In Order To Create A Two Acre Parcel From Lands Owned By Petitioner At 3178 County Highway V, Town of Windsor, Dane County with the editing corrections and that the Plan Commission authorize Town Engineer Richardson or Town Planner Rybarczyk to complete the Lot 2 approval. The motion was seconded by Commissioner Hoffman. Commissioner Eichinger went on to state that the petitioner submit a two-lot CSM and that the Plan Commission authorize Town Engineer Richardson or Town Planner Rybarczyk to complete it. Motion carried with a 6-0 vote.

9. Staff Announcements.

There were none.

10. Adjournment.

At 7:15 p.m., a motion was made by Commissioner Eichinger, seconded by Commissioner Davis, to adjourn the Plan Commission meeting. Motion carried with a 6-0 vote.

Respectfully submitted,



Ellen G. Teed
Recording Secretary