

Approved
12-3-15

VILLAGE OF WINDSOR

SPECIAL BOARD MEETING JOINT WITH PLAN COMMISSION

Minutes

November 24, 2015

1. Call Meeting To Order And Roll Call.

Village Board meeting convened by President Wipperfurth at 6:00 p.m. Trustees present: Alan Buchner, Don Madelung, Monica Smith, Bruce Stravinski, and Bob Wipperfurth. Plan Commission meeting convened by Chairperson Wipperfurth at 6:00 p.m. Commissioners present: Alvin Davis, Barry Eichinger, Kay Hoffman, Bill LeGore, Bruce Stravinski, and Bob Wipperfurth. Commissioner David Gaustad was absent. Others present: Village Clerk Christine Capstran, Village Planning and Development Coordinator Amy Anderson Schweppe, Village Attorney Connie Anderson, Village Planner Jamie Rybarczyk, and Village Engineer Kevin Richardson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Don Tierney.

3. Announcements.

President Wipperfurth noted that this was a joint meeting between the Village Board and the Village Plan Commission.

4. Appearances.

None.

5. Introduction And Review Of Chapter 52 – Zoning And Administration Of The Windsor Code Of Ordinances And Adoption Schedule.

Village Planner Jamie Rybarczyk explained that before the village members was a new zoning ordinance. He provided a general overview of the framework. Article I is General. Article II is Definitions. Article III is General Provisions, Regulations, and Standards. Article IV is Districts. Article V is Administration and Enforcement and Procedures. The village has pulled together the Dane County Code and the Sun Prairie ETZ Code. The Farmland Preservation

Zoning District is being added to accomplish recertification. The Village Board will incrementally go through and amend the Code beginning in 2016 with residential districts. The main goal at this time is to get the Farmland Preservation certification done.

Article V is a full administration and enforcement procedures section listing all of the rules and responsibilities for the Zoning Administrator, Plan Commission, and Board of Appeals. There will be policy discussions with regard to permanent uses, conditional uses, and creating new districts.

Trustee/Commissioner Stravinski discussed his comments and questions.

Page 11: There are definitions for Use, permitted, and Use, principal. He thought it would be a good idea to have a definition for Use, conditional.

Page 14: It is noted C-2 Commercial District and NC Neighborhood Commercial (Sun Prairie). Those two classifications are missing on page 27.

Page 17: Is it the Zoning Administrator or the Village Board who makes the decisions under (5)(b)? Village Attorney Connie Anderson responded that that issue can be decided.

Page 16: He discussed the permitted conditional uses in the A-2 District.

Page 21 (3): The word “permitted” was confusing. He would re-write the paragraph to read Conditional uses in the A-3 Agriculture District. All conditional uses listed in the A-1(EX) Exclusive Agriculture District.

Page 22 (3): Should be consistent with the others.

Page 22 (4): He thought that the Zoning Administrator recommends and then it goes to the Plan Commission. The Zoning Administrator does not approve a CUP.

Page 24 (3): Should be consistent with the others.

Page 25 (4): He questioned the Zoning Administrator.

Page 32 (5): He questioned the word “potential” in the third line from the top of page 33. He changed the wording to read “Conditional uses also have the potential to create undesirable impacts on nearby properties which possibly cannot be determined except with a binding site plan and on a case by case basis. Therefore, all conditional uses are required” He also added that all conditional use permits are required to have a public hearing.

Page 35 (j): Earlier it stated that the conditional use ended with the sale of the property. It could be the owner of the property or an agent applying for a conditional use.

Page 45 (12): This should be consistent. Are there timelines? Expiration of the development agreement?

Commissioner LeGore noted that page 33 does not reference operator.

Alan Harvey had a couple of thoughts regarding procedural matters. It would be helpful if the village could agree on some meeting dates two months in advance. He realized there was a sense of urgency getting this on the books and farmland preservation. It would be helpful to have Village Planner Jamie Rybarczyk's draft materials on the website a week in advance. He also suggested that there be a few hard copies for the people that do not use websites.

Attorney Mike Lawton asked whether residential setbacks would be changed.

Village Planner Jamie Rybarczyk responded that the village wants to limit nonconforming lots as much as possible.

Planning and Development Coordinator Anderson Schweppe responded to the website comments. The materials for this meeting were on the website. The next meeting will be on December 3.

6. Ordinance 2015-04 – An Ordinance To Impose A Moratorium On Rezones, Issuance Of Conditional Use Permits, Land Divisions, Subdivisions And The Expansion Of Existing And/Or Creation Of New Nonmetallic Mining Operations Within The Village Of Windsor Pending The Study Of Possible Legislative Action.

Village Attorney Connie Anderson explained the Ordinance. There was the referendum vote on November 3. On November 9, Windsor became a village. The Village Board's first meeting was regarding its organizational structure. Now the Village Board's attention is turning to land use issues. The village is getting requests for certain things for which a process is not currently in place. This is to try to make sure the village can proceed in a methodical basis. The word "moratorium" is a difficult word. This is not a general development moratorium, it is only for those items listed in the Ordinance. The village does not want someone to come in for a rezone if it has not defined it and wants to make sure there is a process available for review. The Comprehensive Plan was approved in May. However, it had not been approved by Dane County when Windsor became a village. The village has to look to the old Comprehensive Plan. All areas regarding ETZ do not apply. The moratorium is necessary to get the ordinance in place. There is a commitment to promptly update the ordinances. Land division and subdivision will not need a lot of work. The village intends to peel them away in a logical sequence part-by-part. The moratorium is a pause button. Blanket rezone of agriculture will be excepted. The moratorium expires in 180 days and can be modified as issues are addressed by the adoption of Village Ordinances.

Trustee Buchner asked persons in attendance if this was workable and whether the 180 days was realistic.

Village Planner Jamie Rybarczyk responded that the work load before the Board and staff would typically take a year to a year and a half. The village will work to get it done in a four-month timeframe.

Attorney Lawton added that he is aware of applications that will be coming in soon. The Comprehensive Plan will need one or two tweaks, and it would be nice to get that updated and into effect. Single-family, detached residential is more critical.

Village Attorney Connie Anderson responded and discussed sequencing. The Board will move into residential, which will be complicated. Working through the Comprehensive Plan should not be as difficult. The zoning code will be more difficult. The village has a sequence that will allow the village to proceed in a logical manner and that is responsive to local needs.

- a. Consideration/Action Item: Plan Commission Recommendation To The Village Board Of Windsor On Ordinance 2015-04.

A motion was made by Commissioner Davis, seconded by Commissioner Eichinger, to recommend Ordinance 2015-04 to the Village Board. Motion carried with a 6-0 vote.

- b. Consideration/Action Item: Village Board Ordinance 2015-04 An Ordinance To Impose A Moratorium On Rezones, Issuance Of Conditional Use Permits, Land Divisions, Subdivisions And The Expansion Of Existing And/Or Creation Of New Nonmetallic Mining Operations Within The Village Of Windsor Pending The Study Of Possible Legislative Action.

A motion was made by Trustee Madelung, seconded by Trustee Smith, to approve Ordinance 2015-04 to Impose A Moratorium On Rezones, Issuance Of Conditional Use Permits, Land Divisions, Subdivisions And The Expansion Of Existing And/Or Creation Of New Nonmetallic Mining Operations Within The Village Of Windsor Pending The Study Of Possible Legislative Action. Motion carried with a 5-0 vote.

7. Adjournment Of Village Board.

At 6:57 p.m., a motion was made by Trustee Smith, seconded by Trustee Stravinski, to adjourn the Village Board meeting. Motion carried with a 5-0 vote.

8. Minutes From October 20, 2015.

A motion was made by Commissioner Eichinger, seconded by Commissioner Hoffman, to approve the Minutes of the October 20, 2015, meeting as presented. Motion carried with a 6-0 vote.

9. Adjournment.

At 6:58 p.m., a motion was made by Commissioner LeGore, seconded by Commissioner Davis, to adjourn the Plan Commission meeting. Motion carried with a 6-0 vote.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ellen G. Teed". The signature is written in black ink and is positioned above the printed name.

Ellen G. Teed
Recording Secretary