

VILLAGE OF WINDSOR
PLAN COMMISSION MEETING

 APPROVED
1-19-16

Minutes

December 15, 2015

1. Call Meeting To Order And Roll Call.

Meeting convened by Chairperson Wipperfurth at 6:00 p.m. Commissioners present: Al Davis, Barry Eichinger, Dave Gaustad, Kay Hoffman, Bill LeGore, Bruce Stravinski, and Bob Wipperfurth.

Others present: Planning and Development Coordinator Amy Anderson Schweppe, Village Attorney Connie Anderson, and Village Planner Jamie Rybarczyk.

2. Recitation Of The Pledge Of Allegiance.

The Pledge of Allegiance was led by Commissioner Eichinger.

3. Minutes From November 24, 2015, And December 3, 2015.

A motion was made by Commissioner Davis, seconded by Commissioner Eichinger, to approve the Minutes of the November 24 and December 2, 2015, meetings as presented. Motion carried with a 7-0 vote.

4. Announcements.

The Plan Commission of the Village of Windsor will hold a Public Hearing at 6:00 p.m. to consider the rezoning of 114 parcels within both the Windsor Agricultural Preservation/ Agricultural Enterprise Area and the former Sun Prairie Extra-Territorial Jurisdiction Area (ETJ).

Chairperson Wipperfurth read the above announcement.

5. Appearances.

None.

6. Plan Commission Resolution 2015-02: Recommending Approval Of Blanket Rezones Of 114 Parcels That Meet The Requirements For A-1(EX), A-4 And A-B Zoning Districts And Are Located In Windsor's Agriculture Preservation Zoning District And Agriculture Enterprise Area.

a. Public Hearing.

Chairperson Wipperfurth opened the public hearing at 6:02 p.m. Village Planner Rybarczyk led the discussion on what was being proposed.

Windsor is looking at a blanket rezone of 114 parcels. The reason is because the lands under the former Windsor-Sun Prairie ETJ lost their farmland preservation certification in 2014. Windsor has been trying to find the most efficient way of getting those eligible parcels back to eligibility for certification. They were working with Sun Prairie to get their AG(EX) 35 certified. However, in working with DATCP, it was determined the Sun Prairie code would require a significant amount of rework to meet state statutes. On November 9 the town of Windsor became the village of Windsor and will now be administering its own zoning code. There was another series of meetings. Windsor knew that it was a village and it was comfortable with the AG districts that Dane County had been using. They took the eligible parcels that were in the former Windsor-Sun Prairie areas and had identified them as to which ones would be eligible for A-1(EX) in Dane County or A-4 in Dane County. Those are the two, along with AG Business, that qualify for AG credits. The A-1 and A-4 areas were identified, and this has been submitted to DATCP. As of December 14, the village got confirmation back from DATCP that it is waiting for signature and all requirements have been met. The property owners will be eligible to receive tax credits in 2015. That is significant. There were lots that did not qualify for A-1 that were put in A-4. Windsor will be looking at rezoning other parcels later in the year.

Planning and Development Coordinator Anderson Schweppe showed the affected areas on a map.

Commissioner Hoffman had a question regarding existing zoning in areas and how that would be affected.

Commissioner Eichinger asked for clarification regarding districts.

Rod Schneider, 6793 County Road C, indicated that several of his neighbors are shown in white. Are we going by acreage? Why is his land shown in white?

Village Planner Rybarczyk responded that A-1 has to be 35 acres or greater. If the parcel was created by a CSM, it would not qualify.

The question was asked what is the difference between A-1 and A-1(EX).

Village Planner Rybarczyk answered that A-1(EX) is eligible for farmland tax credits. A-1 does not allow for farmland tax credits.

Luanna Schneider, 6793 County Road C, asked how the acreage was determined.

Village Planner Rybarczyk answered that it was taken from Dane County statistics.

Discussion followed on the Schneiders' ability to construct farmland buildings in the past, such as their shed.

Rod Schneider added that they assumed in the past they could never build another residence on their property. He noted that there is now a reference to new construction.

Village Planner Rybarczyk responded that they would be unable to construct another residence on their property.

The public hearing was closed at 6:25 p.m.

b. Action/Plan Resolution 2015-02.

A motion was made by Commissioner Davis, seconded by Commissioner Gaustad, to approve Resolution 2015-02 Recommending Approval Of Blanket Rezones Of 114 Parcels Located In Windsor's Agriculture Preservation Zoning District And Agriculture Enterprise Area To A-1(EX), A-4 and A-B Zoning Districts. Motion carried with a 7-0 vote.

7. Review Draft Amendments To Chapter 38 – Planning And Development Of The Windsor Code Of Ordinances Section On Land Division.

Chairperson Wipperfurth advised that this will be a review of the draft amendments at this meeting. On Thursday, there will be a joint meeting between the Village Board and Plan Commission.

Village Planner Rybarczyk provided highlights. This is the second version of the Land Division Ordinance. Changes have been made from town to village. References to Sun Prairie zoning have been changed to Windsor zoning. The references to the Sun Prairie ETZ have been removed. Section 38-88 was added. State statute references were verified and updated. Timelines were revised with regard to recording of plats. There was a lot of language in the Land Division Ordinance that talked about PUDs. As part of the village code, Windsor will be having a PUD District. Changes were made from Sanitary District to Utility Commission.

Village Planner Rybarczyk met with Commissioner Stravinski earlier in the day. Commissioner Stravinski had some changes that made it read easier.

Village Attorney Anderson added a couple of points. One is that this relates to the jurisdiction within ETJ areas. In Section 38-88 she pulled a sentence that had been included in definitions and included it in this section where Windsor will be describing what the jurisdiction really means. Village Attorney Anderson explained Section 38-88. The language states what is in the statutes. It does not state policy. The Village Clerk has now been changed in part to Director of

Planning and Development. Amy Anderson Schweppe is now Director of Planning and Development.

Windsor now has the ability to assign addresses. There is flexibility with escrow accounts.

Chairperson Wipperfurth stated that he has been contacted by a number of people. What he has been telling them is that Windsor will enact a mile-and-a-half radius. Windsor will work with its neighboring towns. Windsor will follow through on what it had promised to its neighboring towns.

Jerry Derr of the town of Bristol was concerned with the ETJ. Bristol has a waiver with Sun Prairie on affected sections.

Village Attorney Anderson added that Attorney Mike Lawton provided her with the Sun Prairie agreement. Windsor wants something in writing that will guide development.

Commissioner Eichinger had a question regarding committees and commissions. The Park Commission became a committee. What is the difference?

Village Attorney Anderson responded that she had an article from the League that describes them. Commissions tend to be a little more independent – committees a little less. The Park Commission was really dealing with parks and recreation issues. It is a normal committee and never really was a commission.

Commissioner LeGore had a question regarding Village Planner Rybarczyk's comments concerning PUDs.

Village Planner Rybarczyk stated that, in the new village Zoning Code, there will actually be a district for Planned Unit Development. The land will be required to be rezoned to the PUD District.

Commissioner Hoffman stated that this document is basically just changing so it complies with being a village. The landowners still have rights. Nothing has been changed for what people can do.

Village Planner Rybarczyk responded that nothing of substance has changed. References were changed. It was updated with amendments to the state statutes.

Chairperson Wipperfurth noted that Windsor will have to change its Comprehensive Plan.

Windsor will be sending out a mailing regarding post-incorporation to explain the process the village is going through.

8. Adjournment.

At 6:57 p.m., a motion was made by Commissioner Eichinger, seconded by Commissioner Davis, to adjourn the Plan Commission meeting. Motion carried with a 7-0 vote.

Respectfully submitted,

Ellen G. Teed

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Recording Secretary