

Approved
1.7.16

VILLAGE OF WINDSOR

SPECIAL BOARD MEETING JOINT WITH PLAN COMMISSION

Minutes

December 17, 2015

1. Call Meeting To Order And Roll Call.

- a. The Village Board meeting convened by President Wipperfurth at 6:00 p.m. All Trustees were present.
- b. The Plan Commission meeting was convened by Chairperson Wipperfurth at 6:00 p.m. All Commissioners were present.

Others present: Village Finance Director/Deputy Clerk Tina Butteris, Village Director of Planning and Development Amy Anderson Schweppe, Village Attorney Connie Anderson, Village Planner Rybarczyk, and Village Engineer Kevin Richardson.

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Commissioner Eichinger.

3. Announcements.

- a. 6:00 p.m. Public Hearing To Obtain Public Input On Proposed Ordinance Amendments To Land Division Section Of Chapter 38 Planning And Development Of The Windsor Code Of Ordinances.

President Wipperfurth read the above announcement.

4. Consideration And Action On Ordinance To Amend Land Division Section Of Chapter 38 – Planning And Development Of The Windsor Code Of Ordinances.

- a. Public Hearing.

The public hearing was opened at 6:03 p.m.

Village Planner Rybarczyk gave a general overview of the changes. References to town were changed to village. References to Dane County and Sun Prairie ETZ were changed to Windsor's zoning code. References to the village of DeForest or Sun Prairie were removed in that Windsor

will be operating under its own zoning. Section 38.88 was added. Windsor went through its land division code and made sure it was up to date with statutory changes and timing of recording of land divisions and subdivision plats. Language was also added regarding PUDs. When Windsor was a town, it tried to use its land division ordinance to provide the rules and regulations. Now that Windsor will be administering its own zoning and zoning code, PUDs will be addressed in zoning. The PUD language was removed from the land division ordinance. Sanitary districts are now utility districts. The Village Administrator is the Planning Director.

Village Attorney Anderson advised there is a version 4 which incorporates the Plan Commission's comments made on December 15, comments made by Alan Harvey, and discussions with Mike Lawton and Don Tierney. What is being provided is only Article IV of the chapter. Another section deals with standards and specifications. Article IV needs to be addressed in order for the village to have authority to act, and it will state that all land divisions have been consistent with the town's Comprehensive Plan. Land division is now controlled by the village, and all land divisions will have to be consistent with the Comprehensive Plan. Windsor will be moving from the town plan to a village plan in January or February.

Trustee Stravinski had several suggestions, and those editorial items will be changed.

Windsor is not going to state specific dollar amounts for application fees. They will be in a separate schedule.

Financial guarantees and extended warranties were discussed on items not covered by statutory restrictions. They can be addressed when appropriate and lawful. They would be put in the development agreement.

When a building permit is issued, people will be referred back to Ch. 10. Once a building permit is issued, it does expire. Windsor is now responsible for address assignments.

There were no questions from the Board or Plan Commission members.

Alan Harvey, 3900 Vinburn Road, stated that Village Attorney Anderson, Village Planner Rybarczyk, Village Director of Planning and Development Anderson Schweppe, and the village staff have done a terrific job. He was looking at the ordinance in a fail-safe capacity. He was pleased to see that the Comprehensive Plan language was being added at the beginning. Mr. Harvey also added that the Village Board and Plan Commission may find some items in the memorandum he provided to be useful. It is now up to the applicant regarding a letter of credit. Mr. Harvey provided a sample regarding homeowners' or property owners' associations. He also took a look at the definitions section. They are helpful in resolving issues such as the meaning of abutting vs. adjacent. He provided some additions that may make the definitions stronger.

Attorney Mike Lawton asked whether Windsor was really going to exercise ETJ review in the southwest part of Bristol. Sun Prairie disclaims this area. Matching Sun Prairie would be beneficial.

President Wipperfurth addressed this. What Windsor is doing at this meeting is to enact the Ordinance. He has told all of Windsor's bordering towns that Windsor will deal with this through boundary agreements. It is Windsor's intention to sit down with its neighbors and talk.

Attorney Lawton noted there were communities where staff approvals are allowed of some CSMs, *i.e.*, adjusting a boundary line that does not create any additional parcels.

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

- b. Consideration/Action Item For Plan Commission: Plan Commission Resolution 2015-03 – Recommending Adoption Of Chapter 38 Planning And Development Of The Windsor Code Of Ordinances Section On Land Division.

A motion was made by Commissioner Eichinger, seconded by Commissioner LeGore, to approve Resolution 2015-03 regarding Adoption Of Amendments To Land Division Section Of Chapter 38: Planning And Development Of The Windsor Code Of Ordinances. Motion carried with a 7-0 vote.

- c. Consideration/Action Item For Village Board: Village Ordinance 2015-06 – Adoption Of Amendments To Land Division Section Of Chapter 38 Planning And Development Of The Windsor Code Of Ordinances.

A motion was made by Trustee Buchner, seconded by Trustee Madelung, to approve Ordinance 2015-06 regarding Adoption Of Amendments To Land Division Section Of Chapter 38: Planning And Development Of The Windsor Code Of Ordinances.

Trustee Stravinski had some comments regarding the definitions the village received.

Staff can look at them.

Alan Harvey asked about the moratorium and when it will be lifted.

President Wipperfurth responded that it was important to get the critical elements out there and then determine if there are any holes before the moratorium is lifted.

Mr. Harvey stated the ordinance needs to be in place so that when applications come in those are the rules. He was concerned about the homeowners' and property owners' associations.

Village Attorney Anderson responded to Mr. Harvey's comments.

Motion carried with a 5-0 vote.

President Wipperfurth thanked the staff for the excellent work done on a tight timeline – great quality of work and the best work product available. Windsor is off to a great start.

5. Adjournment.

a. Village Of Windsor Plan Commission.

At 6:40 p.m., a motion was made by Commissioner LeGore, seconded by Commissioner Davis, to adjourn the meeting. Motion carried with a 7-0 vote.

b. Village Board Of Windsor.

At 6:40 p.m., a motion was made by Trustee Smith, seconded by Trustee Madelung, to adjourn the Village Board meeting. Motion carried with a 5-0 vote.

Respectfully submitted,



Ellen G. Teed
Recording Secretary