

VB Approved 7-7-16

PC Approved 7-27-16

VILLAGE OF WINDSOR

JOINT MEETING OF THE VILLAGE BOARD AND PLAN COMMISSION

Minutes

June 21, 2016

1. Call Meeting To Order And Roll Call.

- a. The Village Board meeting convened by President Wipperfurth at 5:00 p.m. All Trustees were present.
- b. The Plan Commission meeting was convened by Chairperson Wipperfurth at 5:00 p.m. All Commissioners were present.

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

2. Recitation Of The Pledge Of Allegiance.

The flag pledge was led by Commissioner Hoffman.

3. Minutes From May 17, 2016.

A motion was made by Commissioner Eichinger, seconded by Commissioner Gaustad, to approve the Minutes of May 17, 2016, as presented.

The Minutes had previously been approved by the Village Board.

4. Announcements.

- a. Public Hearing For An Ordinance Amendment To Chapter 38, Article IV Of The Windsor Code Of Ordinances To Adopt A Definition Of "Subdivision" Consistent With Wisconsin Statutes.

President Wipperfurth read the above announcement.

He also noted that the next Plan Commission meeting would be moved to Wednesday, July 27, at 5:00 p.m. President Wipperfurth anticipated that this may be the last joint Village Board/Plan Commission meeting.

5. Appearances.

There were no appearances.

6. Ordinance Amendment To Chapter 38, Article IV Of The Windsor Code Of Ordinances To Adopt A Definition Of "Subdivision" Consistent With Wis. Stat. 236.02(12(am)), And To Exercise Regulatory Authority Regarding Division Of Land Into 5 Or More Parcels Or Building Sites By A Certified Survey Pursuant To Wis. Stat. 236.02(12(bm)).

a. Public Hearing.

President Wipperfurth opened the public hearing at 5:03 p.m.

It was noted that a few minutes before the meeting began everyone received Exhibit A to Village Ordinance 2016-17. For this particular agenda item, Windsor has been updating subdivision ordinances as they come forward. If land divisions were coming forward, surveyors were defaulting to a state section. They did not look at the local land division ordinances where Windsor was more restrictive. State statutes have changed over the years, while the village land division ordinances had not. Windsor is bringing its land division ordinances to be more consistent with the state statutes. What the Village Board and Plan Commission members have before them is only focusing on definitions of a certified survey map and subdivision.

Paragraphs (7)a. and b. are statutory language for what constitutes a CSM. This would be the definition put into effect in the land division ordinance.

Village Planner Rybarczyk explained paragraph (7)b. regarding the creation of a maximum of ten parcels, excluding the division of land prepared in accordance with Sec. 38-89 (7)a and Wis. Stats. § 236.34, where zoned for commercial, industrial, or mixed-use development.

This new provision allows more divisions in the five-year period for commercial, industrial, and mixed-use. It has to be part of a neighborhood plan or a development plan. A subdivision is the opposite of a CSM. This follows state statute.

Commissioner Eichinger asked for clarification regarding the creation of more than one lot and less than five lots. Village Planner Rybarczyk explained.

President Wipperfurth closed the public hearing at 5:20 p.m.

b. Action Item / Plan Commission Resolution 2016-23.

A motion was made by Commissioner Eichinger, seconded by Commissioner Davis, to approve Plan Commission Resolution 2016-23 Recommending Approval Of Amendments To The Windsor Code Of Ordinances For Chapter 38 – Land Division, Article IV – Land Division To Define Subdivision And Establish Maximum Number Of Parcels For Land Division By Certified Survey Map. Motion carried with a 7-0 vote.

c. Action Item / Village Board Ordinance 2016-17.

A motion was made by Trustee Smith, seconded by Trustee Buchner, to approve Ordinance 2016-17, Adoption Of Amendments To The Windsor Code Of Ordinances For Chapter 38 – Land Division, Article IV – Land Division To Define Subdivision And Establish Maximum Number Of Parcels For Land Division By Certified Survey Map. Motion carried with a 5-0 vote.

7. Review Proposed Amendments To Chapter 52 Of The Windsor Code Of Ordinances For Planned Unit Development District And Procedures; Governmental And Institutional District; And General Provisions.

Village Planner Rybarczyk explained that what was before the members was Version 10 of Chapter 52 of the Zoning Ordinances. The main focus at this meeting is the general provision section of the code. Village Planner Rybarczyk provided a general overview of what was done and where it came from. There is another level of regulation that is more for village-wide use, the “General Restrictions, Provisions and Exceptions.” No regulations are placed on agricultural accessory buildings. President Wipperfurth added that some of the larger buildings that are for livestock expansion are reviewed by Dane County.

Village Planner Rybarczyk will look at DeForest’s sign ordinance.

A planned unit development section has been created. A new zoning district has been created – governmental and institutional district. This will be on the July agenda for public hearing and approval.

Village Planner Rybarczyk will also look at commercial vehicle and motorhome parking.

President Wipperfurth indicated that Windsor should look at the length of a building permit. Now it is two years, and he suggested reducing it to one year.

Something will be prepared to address temporary structures.

No action is necessary. Action will be taken at the July 27 meeting.

8. Review Proposed Blanket Rezones To Village Of Windsor Zoning Map For Existing AG-35AC Agricultural District Properties.

Village Planner Rybarczyk explained the blanket rezones. Windsor has gone through what is mainly south of Windsor Road and east of Highway 51. There are also a few parcels north of that area. Staff has reviewed all of the former Sun Prairie AG 35 parcels and has now given them a village of Windsor zoning designation. He explained the reasoning as to how the properties were rezoned. There are still a few properties that are A-1 Exclusive Dane County zoning that are outside the AG Enterprise areas but are still zoned A-1. Do we leave them A-1 Exclusive now or do we look at rezoning them as part of this blanket rezone to a more appropriate district?

This will be on the July 27 meeting agenda.

9. Adjournment Of The Windsor Plan Commission.

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

10. Resolution 2016-91 A Resolution Approving An Amendment To Exhibit 6 – Standards For Future Development Of Windsor Crossing Of The Village Of DeForest And Village Of Windsor Cooperative Plan Pursuant To Wis. Stats. 66.0307.

Village Attorney Anderson explained that this item was on the agenda for an update. Windsor is not in a position to take action on it. It is also on the village of DeForest's agenda for discussion. If we agree on an amendment, a Class 3 notice will be needed. If there is no objection after the last notice, it can be submitted to the DOA for action. Village Attorney Anderson stated that Attorney Al Reuter, for the village of DeForest, wants Exhibit 6 to be binding. There may be some minor drafting issues. Windsor will look at Exhibit 6 carefully. Approval needs to be given at the July 7 meeting.

11. Resolution 2016-92 Approval Of Amendments To The Bear Tree Multi-Family Restrictive Covenants.

Village Attorney Anderson explained that this is a very similar situation. Windsor is looking at getting approval of these amendments from Windsor and for the village of DeForest to approve them. No action will be taken at this meeting. No input has been received from the developers.

Village Planner Rybarczyk explained the changes to the covenants.

A representative of T. Wall indicated they are still 100 percent interested.

12. Windsor Crossing Status Update To Village Board And Resolution 2016-93 Approval Of Developers Agreement For Replat Of Windsor Crossing, Multi-Family Covenants And Related Documents For Sale And Conveyance Of Portions Of Windsor Crossing To Windsor Crossing, LLC.

Village Attorney Anderson explained. In talking with Director of Planning and Development Anderson Scheweppe, she stated it would be great to have this resolution serve as a punch list. Village Attorney Anderson indicated that was not possible at this point.

Discussion followed regarding the two CSMs and new plat. Windsor has the fundamental background documents. It does not have some of the documents that it felt that JSD would be preparing. We should be able to close by the end of July. They do not have the financing approved yet.

A motion was made by Trustee Buchner, seconded by Trustee Madelung, to extend the purchase agreements for all three phases of this development to the end of July. Motion carried with a 5-0 vote.

13. Adjournment Of The Windsor Village Board.

At 6:50 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