

**VILLAGE OF WINDSOR
RESOLUTION 2019-118**

**APPROVAL OF A
CERTIFIED SURVEY MAP FOR PROPERTY
LOCATED AT 4651 & 4655 MAPLE STREET,
VILLAGE OF WINDSOR**

WHEREAS, William Lapp and David Lapp (the “Petitioners”) have requested approval of: (1) a Certified Survey Map to adjust the property line between two (2) lots located at 4651 and 4655 Maple Street, in the Village of Windsor (the “Subject Property”), and; (2) a Rezone of Lot 1 of the Subject Property; and

WHEREAS, the Village Director of Planning / Zoning Administrator has reviewed the Petitioner’s request and prepared a Staff Report dated November 1, 2019 (the “Staff Report”) recommending approval, subject to certain conditions specified in the Staff Report; and

WHEREAS, the Village of Windsor Plan Commission held a public hearing regarding the request on October 10, 2019; and

WHEREAS, the Plan Commission recommended approval of the Certified Survey Map and Rezone request in Plan Commission Resolution 2019-17; and

WHEREAS, following review of information presented at the Plan Commission meeting, Public Hearing, and the Staff Report, the Village Board approves the Certified Survey Map, subject to the conditions specified in the Staff Report and as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Windsor as follows:

The Village of Windsor Board Approves of the Certified Survey Map request for William Lapp & David Lapp located at 4651 & 4655 Maple Street, subject to the following conditions:

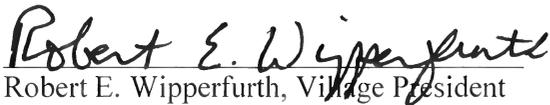
1. The Petitioner shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
2. The Petitioner shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed’s Office.
3. The Petitioner shall prepare and record an access easement for the gravel driveway that straddles the lot line between Lots 1 & 2.
4. The Village of Windsor shall waive the Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lots 1 and 2. The Certified Survey Map does not create any new residential lots.
5. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Certified Survey Map and Rezone request, including, but not limited to, the cost of professional services

incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.

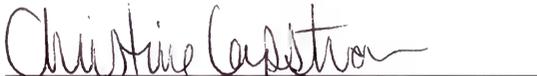
6. The Village of Windsor Board's approval of the Certified Survey Map request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, the approval shall be null and void and the matter will need to be resubmitted to the Village for review as an initial application

The above and foregoing Resolution was duly adopted at a meeting of the Village Board of the Village of Windsor held on November 07, 2019, by a vote of 5 in favor and 0 opposed.

VILLAGE OF WINDSOR


Robert E. Wipperfurth, Village President

Attested by:


Christine Capstran, Village Clerk

INCORPORATED BY REFERENCE:

Staff Report
Petitioner Application
Plan Commission Resolution 2019-17
Ordinance 2019-29



Windsor

Growing Forward

To: Village of Windsor Board
Cc: Robert Wipperfurth, Tina Butteris, Christine Capstran, William Cole, Jerry Groth
From: Amy Anderson Schweppe, Jamie Rybarczyk
Rpt Date: November 1, 2019
Mtg Date: November 7, 2019
Submtl Date: August 16, 2019
Aprvl Date: November 14, 2019
Re: Lapp Certified Survey Map and Rezone

BACKGROUND:

Petitioner: William Lapp & David Lapp
Property Owner: William Lapp & David Lapp
Location / Address: 4651 & 4655 Maple Street, Morrisonville
Taxkey Number: 196/0910-062-9822-0 & 196/0910-062-9817-0
Area: 0.66ac & 0.21ac
Existing Zoning: R-2, Single Family Residential District
Proposed Zoning: R-2, Single Family Residential District & R-3, Single Family Residential District
Future Land Use: Mixed Residential

REQUEST:

The Petitioners request approval of a Certified Survey Map and Rezone to adjust the property line between 4651 Maple Street and 4655 Maple Street in Morrisonville.
See Exhibit A for additional information regarding the Petitioners' request.

OVERVIEW:

Lot 1 of the proposed CSM includes an existing, legal non-conforming principal structure on an existing, non-conforming lot. The area of Lot 1 will be decreased from 0.28 acres to 0.21 acres in size and Rezoned from R-2, Single Family Residential District to R-3, Single Family Residential District. The status of the existing, legal non-conforming structure will continue; however, the status of the existing, legal non-conforming lot will become conforming with the Rezone.

Lot 2 of the proposed CSM includes an existing principal structure on a lot. The area of Lot 2 will be increased from 0.59 acres to 0.66 acres in size. Lot 2 will remain zoned R-2, Single Family Residential District.

VILLAGE STAFF COMMENTS:

The Planning, Zoning and Development Department provides the Village Board with the following **planning, zoning and development** comment(s):

Village of Windsor Code of Ordinances: Chapter 38 Planning and Development & Wisconsin State Statutes: Chapter 236

1. Include a Village of Windsor Plan Commission Certificate.
2. On Sheet 3, add the “Dane County Certified Survey Map No. _____” and legal description to the top of the page.
3. The Petitioners shall prepare and record an access easement for the gravel driveway that straddles the property line between Lots 1 & 2 of the CSM.

Village of Windsor Code of Ordinances: Chapter 52 Zoning Districts

1. The Rezone request of Lot 1 is consistent with the requirements of the R-3, Single Family Residential District.

Village of Windsor Comprehensive Plan: 2035

1. The Certified Survey Map and Rezone request are consistent with the requirements of the Village of Windsor Comprehensive Plan: 2035.

The DeForest Windsor Fire & EMS District provides the Village Board with the following **fire and emergency services** comment(s):

1. The DeForest Windsor Fire & EMS District have no objections to the Certified Survey Map and Rezone request.

VILLAGE POLICY COMMENTS/CONCERNS:

The Village Staff provides the Village Board with the following policy comments/concerns that require further discussion and action:

1. The Village of Windsor shall waive the Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lots 1 and 2. The Certified Survey Map does not create any new residential lots.

VILLAGE PLAN COMMISSION RECOMMENDATION:

On October 10, 2019 the Village Plan Commission recommended to the Village Board Approval of the Certified Survey Map and Rezone request for William Lapp & David Lapp located at 4651 & 4655 Maple Street, Morrisonville by Plan Commission Resolution 2019-17.

Exhibit B provides the unofficial meeting minutes for the Village Plan Commission regarding the Petitioner’s request.

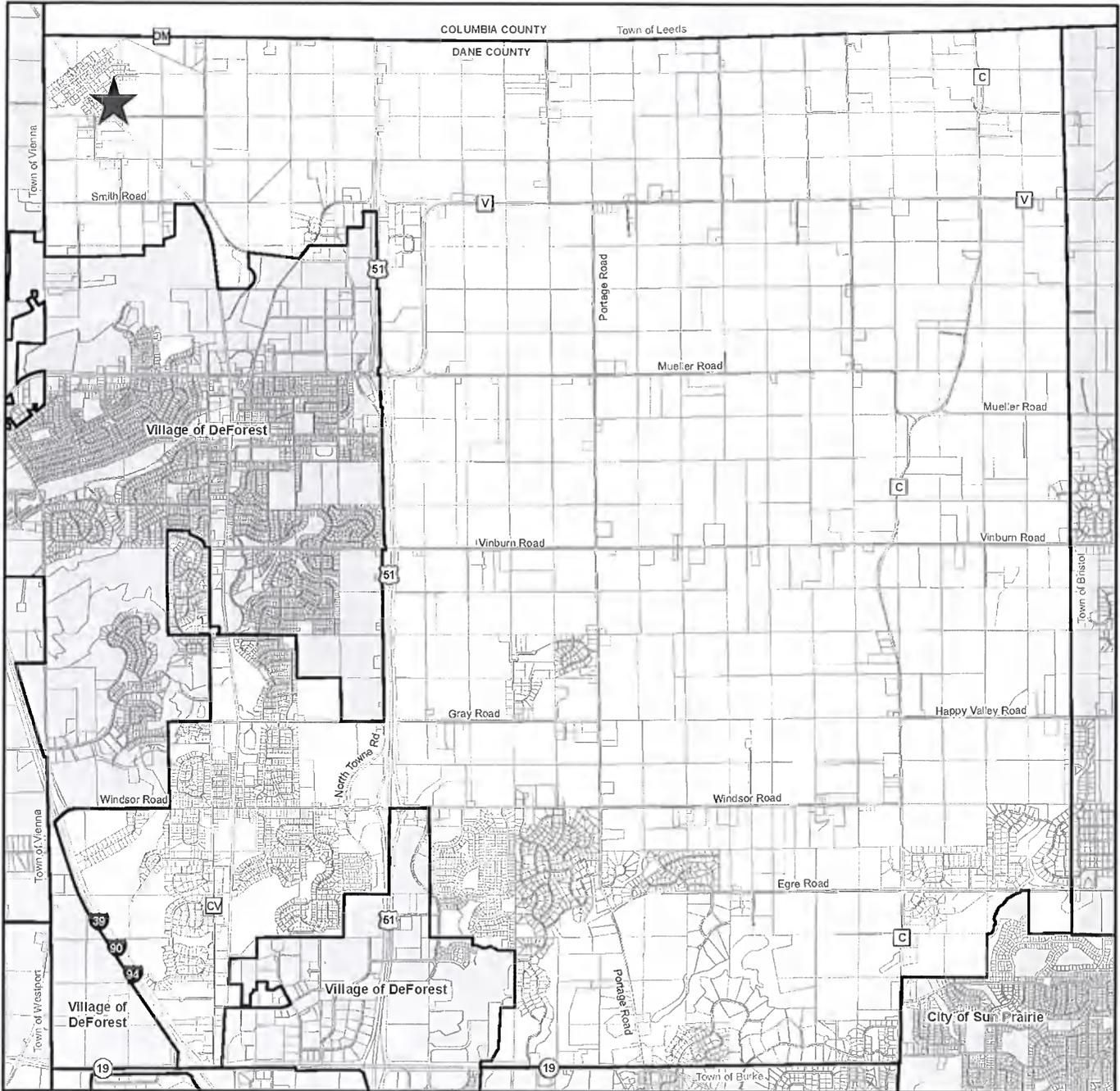
VILLAGE STAFF RECOMMENDATION:

Depending on confirmation by the Village of Windsor Board of the above described comments, the Village of Windsor Board may take the following action:

The Village of Windsor Board **Approves** the Certified Survey Map and Rezone request for William Lapp & David Lapp located at 4651 & 4655 Maple Street, Morrisonville, subject to the following conditions:

1. Rezone
 - a. Lot 1 of the Certified Survey Map shall be rezoned from R-2, Single Family Residential District to the R-3, Single Family Residential District.
 - b. Lot 2 of the Certified Survey Map shall remain zoned R-2, Single Family Residential District.
 - c. The Rezone request shall have a delayed effective date and shall take effect at such time as the accompanying Certified Survey Map has been recorded in the Dane County Register of Deed's Office.
2. Certified Survey Map
 - a. The Petitioners shall address the technical comments set forth in the Village Staff Comments section of the Staff Report to the satisfaction of the Director of Planning/Zoning Administrator.
 - b. The Petitioners shall satisfy all conditions of approval by the Village of Windsor and any other approving authorities and shall thereafter promptly record the Certified Survey Map with the Dane County Register of Deed's Office.
 - c. The Petitioners shall prepare and record an access easement for the gravel driveway that straddles the lot line between Lots 1 & 2.
 - d. The Village of Windsor shall waive the Fees in Lieu of Parkland and Fees for Initial Improvement of Parkland for Lots 1 and 2. The Certified Survey Map does not create any new residential lots.
3. The Petitioner shall promptly reimburse the Village of Windsor for all costs and expenses incurred by Windsor in connection with the review and approval of the Certified Survey Map and Rezone request, including, but not limited to, the cost of professional services incurred by the Village of Windsor for the review and preparation of required documents, attendance at meetings or other related professional services.
4. The Village of Windsor Board's approval of the Certified Survey Map and Rezone request expires one hundred-eighty (180) days from the date of adoption of this Resolution. Time is of the essence. If the Petitioner encounters an unforeseen development delay, as determined by the Zoning Administrator, the Zoning Administrator is authorized to extend the one hundred-eighty (180) day expiration, one time, up to an additional one hundred-twenty (120) days. If the Petitioner has not complied with all of the conditions prior to expiration, the approval shall be null and void and the matter will need to be resubmitted to the Village for review as an initial application.

LOCATION MAP:



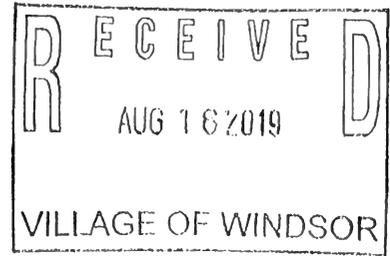
EXHIBITS:

- A. Petitioner Application
- B. Unofficial Plan Commission Meeting Minutes of October 10, 2019



Windsor

Growing Forward



Development Review Application *Acknowledgement of Understanding*

The Petitioner, Property Owner, and Agent have reviewed and understand the Village of Windsor Code of Ordinances as it relates to the Development Review Application, Supplemental Information, and Technical Specifications required for the Development Review Request.

The Petitioner, Property Owner, and Agent understand that an Administrative Fee and Escrow Fee will be charged for review of the Development Review Request by the Village staff and professional consultants, and payment must be submitted with the Development Review Request.

Property Information	
Location / Address:	4651 & 4655 Maple Street, Morrisonville
Taxkey Number:	0910-062-9822-0 & 0910-062-9817-0
Area:	37,420 SF

Petitioner	
Name:	William Lapp & David Lapp
Address:	4651 & 4655 Maple St
City, State, Zip Code:	Morrisonville, WI 53571
Phone:	(608) 216-3974 (William) Residence / Business <input checked="" type="checkbox"/> Cell
Email:	WLapp@AmFam.com
Signature:	W. Lapp D. Lapp

Property Owner	
Name:	Same as Petitioner
Address:	
City, State, Zip Code:	
Phone:	Residence / Business / Cell
Email:	
Signature:	W. Lapp D. Lapp

Agent	
Name:	Paulson & Associates LLC Daniel A. Paulson
Address:	136 W. Holm St
City, State, Zip Code:	DeForest WI 53532
Phone:	(608) 846-2523 Residence <input checked="" type="checkbox"/> Business <input checked="" type="checkbox"/> Cell
Email:	Dan@PaulsonLLC.net
Signature:	Daniel A. Paulson

Development Review Application

Development Review Request

The Petitioner must submit one electronic file (PDF format) of the Development Review Application and Supplemental Application Information to the Director of Planning/Zoning Administrator at amy@windsorwi.gov no less than thirty (30) days prior to the Village of Windsor meeting. The Village Plan Commission typically meets the second Thursday of every month, the Village Board typically meets the first Thursday of every month, both at 5:00 p.m. at the Village Municipal Building, 4084 Mueller Road, DeForest, WI 53532.

Development Review Request	Application		
	Fee	Escrow (Min)	Escrow (Max)
<input type="checkbox"/> Comprehensive Plan Amendment	\$300	\$1,000	N/A
<input type="checkbox"/> Buildings and Building Regulations			
<input type="checkbox"/> Standard Site Plan Review	\$300	\$2,500	N/A
<input type="checkbox"/> Limited Site Plan Review	\$150	N/A	N/A
<input type="checkbox"/> Planning and Development			
<input type="checkbox"/> Concept Plan	\$150	N/A	N/A
<input type="checkbox"/> Preliminary Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Final Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Replat	\$300	\$1,000/lot	\$10,000/lot
<input checked="" type="checkbox"/> Certified Survey Map	\$150	\$1,000/lot	\$5,000/lot
<input type="checkbox"/> Condominium Plat	\$300	\$1,000/lot	\$10,000/lot
<input type="checkbox"/> Zoning Districts			
<input checked="" type="checkbox"/> Zoning Map and/or Ordinance Amendment	\$150	\$1,000	N/A
<input type="checkbox"/> Conditional Use Permit	\$150	\$1,000	N/A
<input type="checkbox"/> Planned Unit Development	\$300	\$2,500	N/A
<input type="checkbox"/> Sign	\$100	N/A	N/A
<input type="checkbox"/> Zoning Variance	\$150	\$1,000	N/A
<input type="checkbox"/> Other	\$150	T.B.D.	T.B.D.

Development Review Application
Supplemental Application Information

The Petitioner must submit one electronic file (PDF format) of the Supplemental Application Information per the below stated requirements. All questions regarding the Supplemental Application Information shall be directed to the Director of Planning/Zoning Administrator at amy@windsorwi.gov or (608) 888-0066.

The Windsor Code of Ordinances is located at www.windsorwi.gov/ordinances.

Development Review Request	Supplemental Application Information
<input type="checkbox"/> Comprehensive Plan Amendment	<input type="checkbox"/> Refer to Windsor Comprehensive Plan: 2035 <input type="checkbox"/> Refer to Wis. Stats. 66.1001
<input type="checkbox"/> Buildings and Building Regulations	
<input type="checkbox"/> Standard Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input type="checkbox"/> Limited Site Plan Review	<input type="checkbox"/> Refer to Ch 10, Art IX <input type="checkbox"/> Refer to Ch 52, Sec 52-101(3)
<input type="checkbox"/> Planning and Development	
<input type="checkbox"/> Concept Plan	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 2, Sec 38-128
<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 3
<input type="checkbox"/> Final Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 4
<input type="checkbox"/> Replat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 5
<input checked="" type="checkbox"/> Certified Survey Map	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 6
<input type="checkbox"/> Condominium Plat	<input type="checkbox"/> Refer to Ch 38, Art IV, Div 10
<input type="checkbox"/> Zoning Districts	
<input checked="" type="checkbox"/> Zoning Map and/or Ordinance Amendment	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(4)
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(5)
<input type="checkbox"/> Planned Unit Development	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(6)
<input type="checkbox"/> Sign	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(7)
<input type="checkbox"/> Zoning Variance	<input type="checkbox"/> Refer to Ch 52, Art V, Sec. 52-101(8)

DANE COUNTY CERTIFIED SURVEY MAP NO. _____

LOTS 1 & 2, C.S.M. NO. 10621; LOCATED IN THE SE 1/4 OF THE NW 1/4, SECTION 6, T09N, R10E, VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN

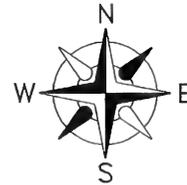
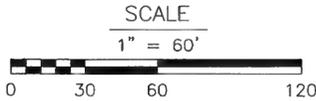
TOTAL AREA = 37,920 S.F. (0.87 AC.)

NW COR SECTION 6 (ALUM MON) (4-TIES FOUND)

S89°39'36"E 2310.82'

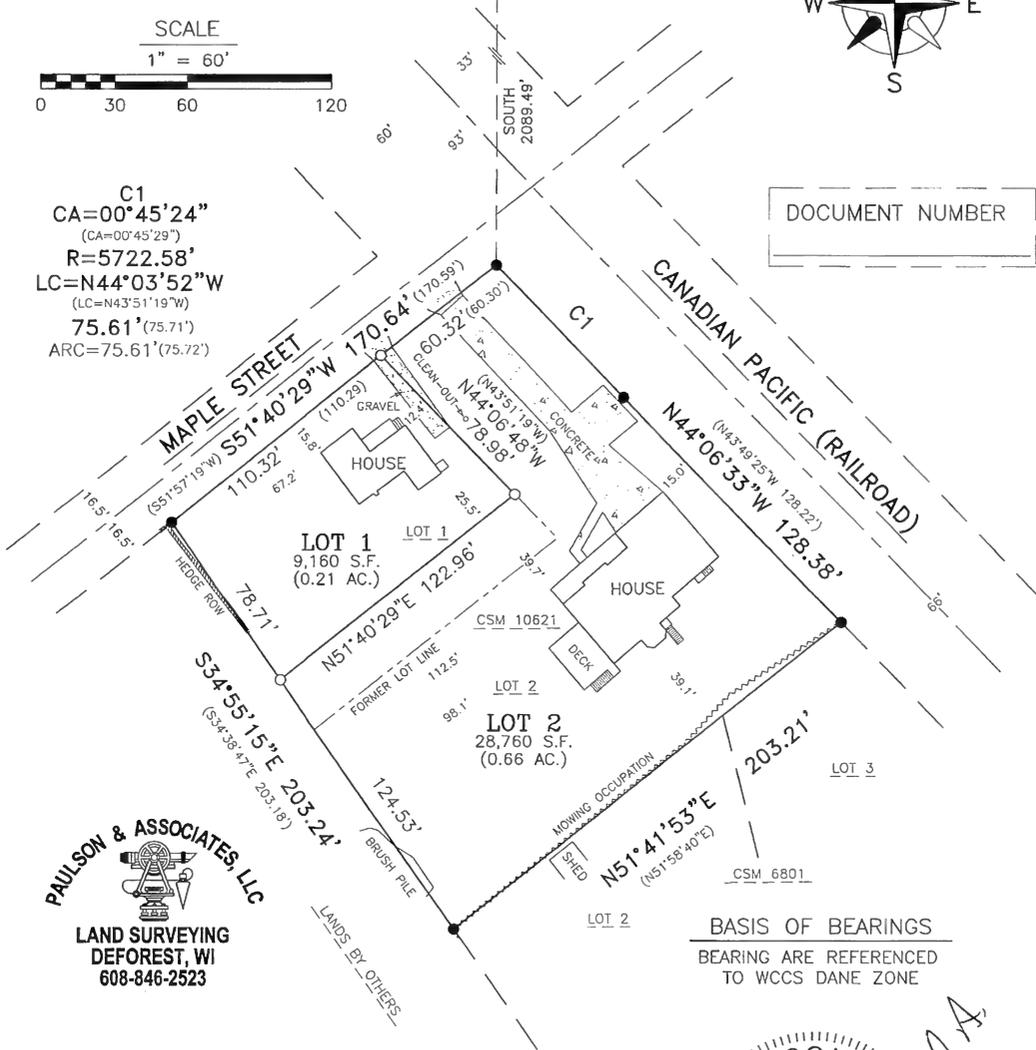
N 1/4 COR SECTION 6 (ALUM MON) (4-TIES FOUND)

1650.86'



DOCUMENT NUMBER

C1
 CA=00°45'24"
 (CA=00°45'29")
 R=5722.58'
 LC=N44°03'52"W
 (LC=N43°51'19"W)
 75.61'(75.71')
 ARC=75.61'(75.72')



PAULSON & ASSOCIATES, LLC
 LAND SURVEYING
 DEFOREST, WI
 608-846-2523

BASIS OF BEARINGS
 BEARING ARE REFERENCED
 TO WCCS DANE ZONE

- LEGEND**
- ⊕ DANE COUNTY SECTION CORNER (FOUND AS NOTED)
 - 3/4" X 18" ROUND IRON RE-BAR WEIGHING 1.50 LBS/LF (SET)
 - 3/4" IRON RE-BAR (FOUND)
 - () "RECORDED OR SHOWN AS" INFORMATION

WISCONSIN
 DANIEL A. PAULSON
 S-1699
 DEFOREST, WI
 LAND SURVEYOR
Daniel A. Paulson
 8-20-19

OWNER/SUBDIVIDER
 William G. Lapp
 4651 Maple Street
 Morrisonville, WI 56571

OWNER/SUBDIVIDER
 David K. Lapp
 4655 Maple Street
 Morrisonville, WI 56571

SURVEYOR
 PAULSON & ASSOCIATES, LLC
 Daniel A. Paulson
 136 W. Holum Street
 DeForest, WI 53532

DANE COUNTY CERTIFIED SURVEY MAP NO. _____
LOTS 1 & 2, CSM NO. 10621; LOCATED IN THE SE ¼ OF THE NW, SECTION 06,
T.09N., R.10E., VILLAGE OF WINDSOR, DANE COUNTY, WISCONSIN

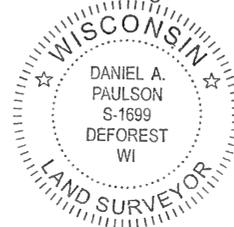
SURVEYOR'S CERTIFICATE

I, Daniel A Paulson, Professional Land Surveyor DO HEREBY CERTIFY that by the direction of William G. Lapp, I have surveyed, divided, monumented, and mapped **Lots 1 & 2, CSM No 10621**, recorded in Volume 63 of Certified Survey Maps of Dane County on Pages 63 – 64, as Document Number 3617320; located in the SE ¼ of the NW ¼, Section 6, Town 9 North, Range 10 East, Village of Windsor, Dane County, Wisconsin. Containing 37,920 square feet, (0.87 acres).

Subject to all recorded and unrecorded easements.

I do hereby certify that to the best of my information, knowledge and belief this survey is a correct representation of the boundaries of land surveyed and the division of that land and that I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Village of Windsor Code of Ordinances in surveying and mapping the same.

Daniel A. Paulson
Daniel A. Paulson PLS-1699
8-20-19
Date:



CERTIFICATE OF THE DANE COUNTY REGISTER OF DEEDS

Received for recording this _____ day of _____, 2019, at _____ o'clock ____ M. and recorded in Volume _____ of Certified Survey Maps of Dane County, Pages _____.

DOCUMENT NO. _____
Dane County Register of Deeds

VILLAGE OF WINDSOR APPROVAL CERTIFICATE

Approved for recording by the Windsor Village Board this _____ day of _____, 2019.

Christine Capstran, Village of Windsor Clerk

OWNERS CERTIFICATE

We, William G. Lapp & David K. Lapp, as owners, hereby certify that we caused the land described to be surveyed, divided, and mapped as represented on the map. We do further certify that this Certify Survey map is required to be submitted to the Village of Windsor for approval.

William G. Lapp Date

David K. Lapp Date

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2019, the above William G. Lapp & David K. Lapp to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____

CONSENT OF MORTGAGEE

I, _____, as mortgagee of the above described land, do hereby consent to the surveying, dividing and mapping of the land described on this map.

Dated this _____ day of _____, 2019.

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2019, the above _____ to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____

CONSENT OF MORTGAGEE

I, _____, as mortgagee of the above described land, do hereby consent to the surveying, dividing and mapping of the land described on this map.

Dated this _____ day of _____, 2019.

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2019, the above _____ to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public _____, Wisconsin
My commission expires: _____



Legal Description

for
Zoning Change

R-2 Residential to R-3 Residential

David Lapp Properties:

Being part of Lot 1, CSM No. 10621; located in the SE ¼ of the NW ¼ of Section 06, T.09N., R.10E., Village of Windsor, Dane County, Wisconsin, described as follows

BEGINNING at the westerly corner of Lot 1, CSM No. 10621;
thence S34°55'15"E (recorded as S34°38'47"E), 78.71 feet along the southwest line of Lot 1, CSM No. 10621;
thence N51°40'29"E, 122.96 to the northeasterly line of Lot 1, CSM No. 10621;
thence N44°06'48"W (recorded as N43°51'19"W), 78.98 feet along the northeasterly line of Lot 1, CSM No. 10621 to the northerly corner of said Lot 1;
thence S51°40'29"W, 110.32 feet (recorded as S51°57'19"W, 110.29 feet) along the northwesterly line of Lot 1, CSM No. 10621 to the **POINT OF BEGINNING**.

Containing 9,160 square feet (0.021 acres)

Subject to all recorded and unrecorded easements.

SEE ZONING CHANGE MAP

This description Prepared by:

Paulson & Associates, LLC
Daniel A. Paulson
Professional Land Surveyor

August 12, 2019

DRIVEWAY EASEMENT AND MAINTENANCE
AGREEMENT



The undersigned (collectively, the “Owners”), constituting all of the owners of the below described real property located in the Village of Windsor, Dane County, Wisconsin (the “Property”), hereby declare the Property to be subject to the below stated restrictions.

Property: Lots 1 & 2, Certified Survey Map _____, recorded in the Dane County Register of Deeds as Document # _____.

1. Establishment of Access Driveway Easement. The Owners hereby grant and establish a permanent easement (the “Access Driveway Easement”) over, under and across Lot 2 (the “Servient Parcel”) for the benefit of Lot 1 (the “Dominant Parcel”) for vehicular and pedestrian ingress and egress to and from the Dominant Parcel and Maple Street by the owner of the Dominant Parcel, and their employees, agents, visitors, guests, licensees, lessees, sublessees, tenants and invitees (the “Authorized Persons”).

2. Location of Access Driveway Easement. The Access Driveway Easement shall be located as depicted on Exhibit A.

3. Maintenance of Access Driveway Easement. The Dominant Owner shall be responsible, at their sole cost, for all construction, maintenance, replacement and repairs for the access drive upon the Access Driveway Easement, except to the extent due to the negligent acts or omissions of the Servient Owner, or its Authorized Persons. All work done by the Dominant Owner shall be performed in a good, workmanlike and lien-free manner, in compliance with all governmental requirements and without unreasonable interference to the Servient Owner. Except in an emergency situation, the Dominant Owner shall provide the Servient Owner not less than 48 hours prior notice of any such work. The Dominant Owner shall be responsible, at their sole cost, for removing all litter, ice and snow, mud and sand, debris and refuse from the Access Driveway Easement to the extent reasonably necessary to keep the surfaces in a reasonably clean condition, and placing salt or sand thereon when reasonably necessary; all of which shall be performed in a manner and within a time period which is consistent with generally accepted standards for the maintenance of residential driveways in the Village of Windsor, Dane County, Wisconsin.

4. Indemnification/Liens. The Dominant Owner hereby agrees to indemnify, defend, and hold harmless, the Servient Owner and the Servient Parcel against any and all loss, liability or damage arising from any of the following, except to the extent due to the negligent acts or omissions of the Servient Owner, or its Authorized Persons:

- (1) any and all work performed by the Dominant Owner pursuant to section 3 above;

RETURN TO:

DRAFTED BY:
William S. Cole, Village Attorney
Axley Brynelson, LLP
2 E. Mifflin Street, Suite 200
Madison, WI 53703

PARCEL IDENTIFICATION NUMBERS:
196/0910-062-9817-0
196/0910-062-9822-0

(2) use of the Access Driveway Easement by the Dominant Owner or its Authorized Persons.

In the event any lien is recorded against the Servient Parcel arising out of the work permitted under section 3 above, the Dominant Owner shall take all reasonable action to promptly discharge said lien of record.

5. Dedication. Nothing contained in this instrument will be deemed to be a gift or dedication of any portion of any driveway easement referred to herein to the general public or to any public purpose whatsoever. The owners of either the Servient Parcel or the Dominant Parcel shall have the right to temporarily close all or any portion of the Access Driveway Easement, to such extent as may, in the opinion of their counsel, be legally sufficient to prevent a dedication thereof or the accrual of any rights to any person or to the public therein. In the event of any such closure, temporary access to the Dominant Parcel over the Servient Parcel shall be provided by Servient Owner to the same extent provided in this Access Driveway Easement.

6. Successors and Standing to Enforce. This instrument shall be binding upon and shall inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns. All of the terms and provisions of this instrument are intended to be and shall be construed as perpetual easements and as covenants running with the land, and shall be binding upon, to the benefit of and be enforceable by the Servient Owner and the Dominant Owner, and all subsequent owners of such parcels or any parts thereof.

7. Successor Owners. In each instance in which the Servient Owner or the Dominant Owner conveys all or any part of its interest in their respective parcel to a grantee, said grantee shall be deemed to be a new party hereto. On recording of any such conveyance with the Register of Deeds of Dane County, Wisconsin, which conveys the grantor's interest referred to herein, the conveying party shall be released from any obligation under this instrument arising thereafter with respect to such parcel, and the grantee shall become liable for any obligations arising thereafter, but nothing herein shall invalidate or cancel any maintenance lien which has previously accrued or arisen.

IN WITNESS WHEREOF, the Owners have caused this instrument to be executed as of the last date of signature below.

VILLAGE OF WINDSOR
PLAN COMMISSION MEETING

Minutes

October 10, 2019

1. CALL MEETING TO ORDER AND ROLL CALL.

Meeting convened by Chairperson Wipperfurth at 5:00 p.m. Commissioners present: Dave Gaustad (arrived at 5:02 p.m.), Jeff Heisig, Kay Hoffman, Tim Lange, Bill Letourne, Brad Mueller, and Bob Wipperfurth.

Others present: Director of Planning and Development Amy Anderson Schweppe, Village Deputy Administrator/Director of Economic Development Janice Rybarczyk, Village Engineer Jerry Groth, and Village Attorney Bill Cole.

2. RECITATION OF THE PLEDGE OF ALLEGIANCE.

The flag pledge was led by Commissioner Heisig.

3. ANNOUNCEMENTS.

The Plan Commission had a full agenda, and Chairperson Wipperfurth asked that everyone be efficient.

4. APPEARANCES BEFORE THE PLAN COMMISSION.

None.

5. MINUTES FROM SEPTEMBER 12, 2019.

A motion was made by Commissioner Heisig, seconded by Commissioner Hoffman, to approve the Minutes of September 12, 2019, as presented. Motion carried with a 6-0 vote.

6. PUBLIC HEARING.

- a. William And David Lapp Request A Two Lot Certified Survey Map And Rezone Of The Newly Created Lot 1 From R-2 Residential Zoning District To The R-3 Residential Zoning District Located At 4651 And 4655 Maple Street, Morrisonville, In The Village Of Windsor.

Chairperson Wipperfurth opened the public hearing at 5:02 p.m.

Director of Planning and Zoning Anderson Scheppe provided a staff report indicating that petitioners request approval of a certified survey map and rezone to adjust the property line between 4651 Maple Street and 4655 Maple Street in Morrisonville. Lot 1 of the proposed CSM includes an existing, legal non-conforming principal structure on an existing, non-conforming lot. The area of Lot 1 will be decreased from 0.28 acres to 0.21 acres in size and Rezoned from R-2, Single Family Residential District to R-3, Single Family Residential District. The status of the existing, legal non-conforming structure will continue; however, the status of the existing, legal non-conforming lot will become conforming with the Rezone. Lot 2 of the proposed CSM includes an existing principal structure on a lot. The area of Lot 2 will be increased from 0.59 acres to 0.66 acres in size. Lot 2 will remain zoned R-2, Single-Family Residential District.

Regarding Chapter 38 of the Windsor Code of Ordinances, there were some minor comments. The rezone is consistent with the requirements of the R-3 Single-Family Residential District and the Village of Windsor Comprehensive Plan: 2035. DeForest Windsor Fire & EMS District have no objections. Windsor will waive the Fees In Lieu Of Parkland and Fees For Initial Improvement Of Parkland for Lots 1 and 2.

Petitioner Bill Lapp was present and had nothing additional to add. There were no comments from the audience or Plan Commission.

Chairperson Wipperfurth closed the public hearing at 5:05 p.m.

- b. The DeForest Area School District Requests A Four Lot Certified Survey Map, A Rezone Of The Newly Created Lots 1, 2 & 3 From A-3 Agriculture District To GI Government And Institutional District, A Conditional Use Permit For A New School And Site Plan Review Of A New School. All Located At The Northwest Corner Of Windsor Road And North Towne Road (Including Windsor Elementary School) In The Village Of Windsor.

Chairperson Wipperfurth opened the public hearing at 5:06 p.m.

Director of Planning and Zoning Anderson Scheppe provided a staff report indicating that the petitioner requests approval of a Site Plan/Plan of Operation Review, Certified Survey Map, Rezone, and Conditional Use Permit for the DeForest Intermediary School on the subject property.

The DeForest Intermediary School is a 200,000 square foot, two-story building, that will accommodate 1,200 students for 4th, 5th and 6th grade. The DeForest Intermediary School will be accessed from North Towne Road. The north access is dedicated for school bus drop-off and parking. The site plan illustrates 12 school bus parking spaces located to the north of the building. The south access is dedicated to vehicular drop-off and parking. The site plan illustrates 126 vehicular parking spaces for staff, parents, and visitors located to the east of the building. The bus drop-off and parking and the vehicular drop-off and parking will be connected

by a vehicular cross-access drive. The vehicular cross-access drive will have a 26-foot wide security gate allowing cross-access circulation to only school and public safety personnel. The District Facilities Building is a 5,000 square feet, one-story building, located south of the DeForest Intermediary School. The District Facilities Building will be accessed from North Towne Road via the south access. The District Facilities Building will accommodate semi-truck loading and unloading. The Windsor Elementary School (Lot 1) and DeForest Intermediary School (Lot 2) will be connected by a vehicular cross-access drive. This vehicular cross-access drive will have a 30-foot wide security gate allowing cross-access circulation to only school and public safety personnel. The DeForest Intermediary School and District Facilities Building will be constructed of brick and metal panels intended to be architecturally harmonious with Windsor Elementary School.

The DeForest Intermediary School will be open from 6:00 a.m. to 11:30 p.m. Hours for school staff are generally 7:30 a.m. to 4:00 p.m. Hours for students are generally 8:00 a.m. to 3:30 p.m. The total number of school staff is approximately 95.

The Certified Survey Map illustrates four lots. Lot 1 includes the Windsor Elementary School. Lot 2 is the future site of the DeForest Intermediary School and District Facilities Building. Lots 3 and 4 are future developable sites. Lots 1, 2 and 3 will be rezoned from A-3, Agriculture District, to GI, Government and Institutional District. Lot 4 will remain zoned A-3, Agriculture District. A “school and educational facility” is permitted in the GI, Government and Institutional District as a Conditional Use. The Conditional Use Permit for the DeForest Intermediary School and District Facility Building will apply to Lot 2.

Per Sec. 52-22, an elementary or middle school is required to have two parking spaces per classroom and one parking space per four seats in an auditorium or gymnasium. The Intermediary School is required to have 108 parking spaces for the 54 classrooms and 90 parking spaces for the auditorium or gymnasium, for a total of 198 parking spaces. The site plan illustrates a total of 126 designated parking spaces and 80 non-designated (overflow) parking spaces.

The certified survey map, rezone, and conditional use permit are consistent with the Village of Windsor Comprehensive Plan: 2035. The Public Works Department provided comments which are addressed in the staff report.

The DeForest Windsor Fire & EMS provided comments.

Village Deputy Administrator/Director of Economic Development Rybarczyk went over the comments from the Fire & EMS prior to the Village Board meeting. The Fire Chief indicated he had to look at this further.

The School District employees had nothing additional to add.

Chairperson Wipperfurth stated there may be a discrepancy in parking stalls.

Chairperson Wipperfurth read an e-mail from Ronald Marks, 4307 Windsor Road, in which he indicated he opposed the application due to the increase in traffic and the effect it may have on the value of his property.

The Fire Chief indicated he would like to address additional traffic patterns out of the parking lot during drop-off and pick-up times which will become a problem. There is a traffic issue. He indicated North Towne Road is the issue.

Chairperson Wipperfurth indicated Windsor may have to look at flashing lights.

The Chief had no comment on the number of parking stalls.

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

Commissioner Hoffman asked how many parking stalls they were short.

Village Deputy Administrator/Director of Economic Development Rybarczyk responded they actually are not. He indicated the 126 designated stalls are all they need. The play lot can be used as overflow on the site for a total of 206 stalls. The parking lot by the Windsor Elementary School could also be used by opening up the gate.

Chairperson Wipperfurth asked how they would handle parking for grandparents' day.

District Superintendent Runez responded this will likely be infrequent. They could do one grade at a time. They have ways to control that.

Commissioner Hoffman asked about the pick-up pattern.

Parking was discussed.

Commissioner Lange asked if there was a bike path that connected the two schools.

The response was "yes."

Commissioner Mueller discussed his left-turn concerns. They will be a problem.

The response was to reduce the speed to 25 miles per hour.

Commissioner LeGore discussed the speed limit reduction. There could be signs indicating a school zone with children present. He suggested flashing lights or speed bumps.

Chairperson Wipperfurth responded that speed bumps are hard for snow plows.

Additional parking was discussed.

The urban service area application has to be approved as well.

Commissioner Hoffman suggested looking at stop signs when turning left from the north.

Commissioner Heisig discussed the south driveway.

Chairperson Wipperfurth asked Engineer Groth if he had ever seen signalization during certain time of the day – stop-and-go lights only used at certain times of the day.

He responded they would have to be flashing lights.

Commissioner LeGore asked whether there would be any additional area lights.

Commissioner Mueller had a question regarding pick-up of children and wrapping the sidewalk.

Chairperson Wipperfurth said the Plan Commission's options were to pass the Resolution as presented without any other conditions. His suggestion was to pass what was before the Plan Commission but for staff to work with the School District on some of the things discussed: street lighting, potential signalization, making sure that the pedestrian movement is correct, striping the back parking lot.

Village Deputy Administrator/Director of Economic Development Rybarczyk added to the approval the urban service area, which is not in the Resolution.

Chairperson Wipperfurth responded that the School District will put together the urban service area application which would be granted to the village of Windsor. It could take up to six months for approval.

- c. Central States Tower IV, LLC Requests A Conditional Use Permit For A Cellular Tower Located At 6472 Portage Road. In The Village Of Windsor.

Chairperson Wipperfurth opened the public hearing at 5:50 p.m.

Director of Planning and Zoning Anderson Schweppe provided an overview indicating that petitioner requests approval of a conditional use permit for construction of a telecommunication tower and associated equipment on the subject property.

The petitioner proposes to construct within a 100' x 100' leased area:

- 75' x 75' square fenced compound with entry gate;
- 155' high monopole telecommunication tower;
- 20' x 36' rectangular pad for Verizon Wireless telecommunication equipment; and
- Access and utility easements.

The 100' x 100' leased area can accommodate up to four collocations. Verizon Wireless will be the first collocate. Within the 100' x 100' leased area will be a 75' x 75' fenced compound securing the 155' high monopole telecommunication tower and equipment. The fence will be a total of 7' high; a 6' high chain link fence with 1' high barbed wire. The telecommunication equipment will be located in cabinets fixed to multi-meter utility racks.

The conditional use permit request complies with Windsor's Code of Ordinances. It also complies with Windsor's requirements for a Class 1 collocation.

Bryan Donley of Oakbrook Terrace, Illinois, representing the petitioner, had no additional comments.

Susan Fredlund, 6435 Portage Road, asked, with so many open areas, why was it being located at this site.

Mr. Donley said Verizon would be approved for coverage somewhere in this area. This area was chosen to comply with state statutes. They need something in this general area and to have a willing landlord. This is the best option area.

Village Attorney Cole discussed siting of cell phone towers. As long as they meet the requirements, Windsor has very little authority to regulate them. Section 66.0404 is the statute created by the state because municipalities were trying to keep them out.

Rose Lockman, 4302 Gray Road, had a question regarding the tower.

Chairperson Wipperfurth closed the public hearing at 6:00 p.m.

Commissioner LeGore asked whether there was anything Windsor would want to have access to.

Village Deputy Administrator/Director of Economic Development Rybarczyk responded Windsor used to have that right. Now it cannot do that because this is a private transaction.

Commissioner Mueller asked if there were any practices that the petitioner intended to incorporate to make it visually "go away"? Painting it gray or blue? He would like to see some consistency about how this is constructed – ways to make it a consistent color.

Mr. Donley responded the pole would be galvanized. The cabling would be white. This cabling will run inside the tower.

Village Attorney Cole stated that, under state statutes, Windsor has the inability regulate this.

Commissioner Mueller stated, in his personal opinion, he would like to see some consistency as far as colorization. He also asked how long the lease was.

Mr. Donley responded it was for an initial five years, with five-year renewals.

Commissioner Mueller asked if there was maintenance in place to not have a rusty tower.

Mr. Donley responded, “yes.”

Commissioner Lange mentioned the tower on Gray Road and asked whether this could be used.

Mr. Donley responded it was a long way away.

Chairperson Wipperfurth closed the public hearing at 6:08 p.m.

- d. Ordinance Amendment To Chapter 52, Section 52-22(8), Off Street Parking And Storage Of Vehicles And Trailers Of The Windsor Code Of Ordinances Regarding Restrictions For Off Street Parking In The Village Of Windsor.
- e. Ordinance Amendment To Chapter 52, Section 52-22(4)(h), Off Street Parking And Storage Of Vehicles And Trailers Of The Windsor Code Of Ordinances Regarding Restrictions For Setbacks In The Village Of Windsor .

Chairperson Wipperfurth opened the public hearing at 6:10 p.m.

The above two items were discussed together.

Chairperson Wipperfurth provided background. The Village Board and Plan Commission addressed these issues a year and a half ago. An Ad Hoc Committee was created in March and met for six months. The Committee passed recommendations to go to the Village Board. Chairperson Wipperfurth did not want to start nitpicking this and opening it up again.

Village Deputy Administrator/Director of Economic Development Rybarczyk went over the Ordinance. Linda Parks, a member of the Ad Hoc Committee was present at the meeting.

Village Deputy Administrator/Director of Economic Development Rybarczyk indicated no one left happy at the last meeting, so it must have been a good compromise. This is a living, breathing document. If there are issues, it will be brought back to the Plan Commission or Village Board or possibly reconvene the Ad Hoc Committee.

Windsor’s Ordinance now indicates that vehicles over 12,000 gross pounds are prohibited. It does not address quantity.

The Ordinance would apply to passenger motor vehicles, trailers, recreational vehicles, and commercial vehicles.

It would apply to lots one acre in size or less.

Definitions were created.

A passenger motor vehicle is a motorized vehicle with no more than two axles and used primarily for the transportation of persons.

A trailer is a non-motorized, open or enclosed structure built on a chassis and on wheels, designed to be towed by a passenger motor vehicle or commercial motor vehicle.

A recreational vehicle is a motorized vehicle or non-motorized structure with one of the following characteristics: (a) a motorized vehicle that is designed and/or used as a temporary dwelling for travel, recreation, vacation, or other temporary use; or (b) a non-motorized, folding or rigid structure, built on a chassis and on wheels, designed to be towed by a passenger motor vehicle, and used as a temporary dwelling for travel, recreation, vacation, or other temporary use; or (c) a non-motorized, folding or rigid structure, mounted on or within the bed of a pick-up truck, and used as a temporary dwelling for travel, recreation, vacation, or other temporary use.

A commercial motor vehicle is a motorized vehicle with one of the following characteristics: (a) a vehicle with a gross weight rating or gross combination weight rating of 10,001-lbs. or more, whichever is greater; or (b) a vehicle designed or used to transport more than eight passengers, including the driver, for compensation; or (c) a vehicle designed or used to transport more than fifteen passengers, including the driver, and is not used to transport passengers for compensation; or (d) a vehicle used in transporting material found by the Secretary of Transportation to be hazardous and transported in a quantity requiring placarding.

The Ordinance only pertains to vehicles outside of an enclosed structure.

The provisions of this subsection shall not apply to passenger motor vehicles, trailers, recreational vehicles, and commercial motor vehicles that are parked or stored within a fully enclosed building or structure, which complies with the requirements of the applicable zoning district.

The provisions of this subsection shall not supersede more restrictive standards as established by a Declaration of Covenants, Conditions, and Restrictions, or similar legal instrument, recorded with the Dane County Register of Deeds for a specific subdivision or development.

The provisions of this subsection shall not supersede more restrictive standards as established by the following sections: (a) Sec. 34-150 Storage and accumulation junk and debris; (b) Sec. 42-336 Roads; (c) Sec. 52-20(8) Earth-Disturbing Activities; (d) Sec. 52-22(4)(b) Surfacing (must be parked on a hard surface, *i.e.*, concrete, asphalt, or concrete pavers); and (e) Sec. 52-32 Vision Clearance Triangles.

There are general provisions.

All passenger motor vehicles, trailers, recreational vehicles, and commercial motor vehicles parked or stored on the subject premises shall be registered with the State of Wisconsin Department of Transportation to a person residing at the subject premises or operated by a person residing at the subject premises.

All passenger motor vehicles, trailers, recreational vehicles, and commercial motor vehicles shall display current vehicle registration tags as required by State law.

All parked or stored passenger motor vehicles, trailers, recreational vehicles, and commercial motor vehicles shall not be used for the storage of goods, materials, or equipment, other than those items considered to be part of the vehicle or essential for its immediate use.

Specific provisions included:

1. Passenger motor vehicles shall comply with the following:
 - a. All passenger motor vehicles shall be completely parked or stored on a surface as described in Sec. 52-22(4)(b) of the Code of Ordinances.
2. Trailers shall comply with the following:
 - a. The total number of trailers parked or stored on the subject premises shall not exceed two (2).
 - b. All trailers, required by State law to have vehicle registration tags, shall be completely parked or stored on a surface as described in Sec. 52-22(4)(b) of the Code of Ordinances.
 - c. All trailers, not required by State law to have vehicle registration tags, may be parked or stored on the side or rear yard lawns.
3. Recreational vehicles, shall comply with the following:
 - a. The total number of recreational vehicles parked or stored on the subject premises shall not exceed one.
 - b. The maximum length of recreational vehicles parked or stored on the subject premises shall not exceed twenty-four feet, as measured from bumper to bumper or trailer tongue to bumper.
 - i. A recreational vehicle exceeding the maximum length may obtain an exemption from the provisions of this subsection if the recreational vehicle is registered with the State of Wisconsin Department of Transportation to a person residing at the subject property, and is registered with the Village prior to January 31, 2020.
 - ii. A recreational vehicle, with exemption status, may be replaced with a newer classification or model, of equal to or lesser in total length, and maintain the exemption status.

- c. Recreational vehicles exceeding the maximum length may be temporarily parked or stored on the subject premises, not to exceed a total of seven (consecutive days prior to and subsequent to an overnight trip or vacation with the recreational vehicle, for the purpose of maintenance, service, charging, loading and unloading.
 - d. Recreational vehicles are prohibited from use as dwellings, except for incidental overnight sleeping of visitors for periods not exceeding three consecutive nights and not more than twelve nights in any one calendar year. (This would be equivalent to four stays.)
 - e. All recreational vehicles shall be completely parked or stored on a surface as described in Sec. 52-22(4)(b) of the Code of Ordinances.
4. Commercial motor vehicles, shall comply with the following:
- a. The total number of commercial motor vehicles parked or stored on the subject premises shall not exceed one (1).
 - b. All commercial motor vehicles with a gross vehicle weight rating or gross combination weight rating of 20,001-lbs. or more are prohibited.
 - c. All commercial motor vehicles shall be completely parked or stored on a surface as described in Sec. 52-22(4)(b) of the Code of Ordinances.

The Village Board may grant a special exemption from the provisions of this subsection upon application by the owner of the subject premises demonstrating such a special exemption will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this subsection will result in practical difficulty, so that the spirit of this subsection shall be observed, public safety and welfare secured, and substantial justice done.

Any special exemption granted herein shall be limited as follows:

- 1. It shall be granted only to the subject premises and not transferable to another premises.
- 2. It shall not run with the land and apply to any subsequent owner of the subject premises.

If one sells their property and moves to another area in the village, they will no longer have grandfather status.

The Fire Chief had a question regarding the seven days to load and unload a trailer. In theory someone could have their vehicle on their property all season. Active campers would not really be affected by this.

Joan Johnston, 6518 Chestnut Drive, was not clear if one had a relatively large mobile home in their driveway from April to November and then goes to Florida and it still runs but it looks terrible.

Chairperson Wipperfurth stated Windsor does not have a regulation on appearance. The Committee was not willing to take that up. Property owners will be transitioned out.

Linda Parks, 6838 Valient Drive, a member of the Ad Hoc Committee, stated this had been a difficult process. No one was particularly happy in the end. Overall, they came up with a workable solution.

Rose Lockman asked the Village Board members if they had driven around Windsor. Is this a problem?

Village Deputy Administrator/Director of Economic Development Rybarczyk responded that it depended on where you reside in Windsor. All subdivisions have restrictive covenants, but there are not homeowner associations to enforce them.

Commissioner Mueller noted that Windsor's current ordinance is virtually unenforceable.

Rose Lockman asked if there would be a ticket.

Village Deputy Administrator/Director of Economic Development Rybarczyk said this would be part of Windsor's zoning ordinances. There would be a ticket.

Chairperson Wipperfurth stated this was a compromise in the truest sense.

Luana Schneider, 6793 County Road C, said she attended all of the Ad Hoc meetings except one. It was a give-and-take. She complimented the Committee for how this was worked out. She did see a problem with having to register an RV prior to January 31. It should say on or before January 31.

Jim Johnston gave kudos to the Ad Hoc Committee.

Chairperson Wipperfurth closed the public hearing at 6:42 p.m.

Commissioner LeGore said this was a detailed process. The Committee was represented by a diverse group of people. It was a very good compromise result. He commended all who participated in the process.

Commissioner Mueller asked for clarification. The grandfathering does not carry with the house. When someone dies, what happens?

Village Attorney Cole responded that the vehicle is registered to a person.

What about a surviving spouse who could have a nonconforming vehicle on their property.

Commissioner Heisig asked if marital property would work into this.

Ownership would vest in the wife. It is separate from the regulation of the village.

Commissioner Mueller said this is going to happen. What about people sleeping in the homeowner's RV. Is that prohibited?

Village Deputy Administrator/Director of Economic Development Rybarczyk responded, "Yes."

The Fire Chief said from a fire standpoint it is illegal for anything more than a couple of nights.

Commissioner LeGore stated if someone owned an RV can grandma and grandpa stay in the RV for a couple of nights?

Chairperson Wipperfurth said the intent was not to allow visitors to come in and sleep in the RV.

Chairperson Wipperfurth indicated the Plan Commission can make recommendations to the Village Board.

Commissioner Lange thought this was a good step moving forward.

Commissioner Heisig disliked the classification of people -- two lots next door to each other and paying the same taxes. How many is Windsor talking about grandfathering in?

Chairperson Wipperfurth responded Windsor does not know the number. The Department of Transportation would not give this information.

Chairperson Wipperfurth stated, as far as creating different classifications of people, he did not want to do that.

Commissioner Heisig asked how many complaints had been received.

Village Deputy Administrator/Director of Economic Development Rybarczyk said, formally, Windsor has received less than ten. Now Windsor's process requires people to submit a complaint in writing, and they do not want people to know they squealed on them.

Commissioner Heisig said this was something that should be dealt with within the HOA. Regarding the three-day limit, someone comes and there is a medical emergency or death in the family. That could take five days.

Chairperson Wipperfurth stated this will be complaint-driven. If there is no complaint, Windsor probably will never know about it.

Commissioner Heisig thought this was a good step.

Chairperson Wipperfurth stated there were some Committee members who wanted the grandfather clause to have a sunset provision. It was decided to leave it as is.

Discussion followed regarding the grandfather clause.

There could be an exemption when a husband dies and he is the only one on the registration.

Chairperson Wipperfurth closed the public hearing at 7:05 p.m.

7. OLD BUSINESS.

None.

8. NEW BUSINESS.

- 8.a. William And David Lapp Request A Two Lot Certified Survey Map And Rezone Of The Newly Created Lot 1 From R-2 Residential Zoning District To The R-3 Residential Zoning District Located At 4651 And 4655 Maple Street, Morrisville, In The Village Of Windsor.

A motion was made by Commissioner Gaustad, seconded by Commissioner Mueller, to approve Resolution 2019-17, Recommending Approval Of A Certified Survey Map And Rezone For Property Located At 4651 & 4655 Maple Street, Village Of Windsor. Motion carried with a 7-0 vote.

- 8.b. The Deforest Area School District Requests A Four Lot Certified Survey Map, A Rezone Of The Newly Created Lots 1, 2 & 3 From A-3 Agriculture District To GI Government And Institutional District, A Conditional Use Permit For A New School And Site Plan Review Of A New School, All Located At The Northwest Corner Of Windsor Road And North Towne Road (Including Windsor Elementary School). In The Village Of Windsor.

A motion was made by Chairperson Wipperfurth, seconded by Commissioner Hoffman, recommending approval of Resolution 2019-18, Recommending Approval Of A Site Plan/Plan Of Operation Review, Certified Survey Map, Rezone, And Conditional Use Permit For The

DeForest Intermediary School And District Facilities Building, Located At The Northwest Corner Of Windsor Road And North Towne Road, Village Of Windsor with the additional that staff work together with the School District on some of the items discussed earlier. Motion carried with a 7-0 vote.

- 8.c. Central States Tower IV, LLC Requests A Conditional Use Permit For A Cellular Tower Located At 6472 Portage Road, In The Village Of Windsor.

A motion was made by Commissioner Gaustad, seconded by Commissioner Hoffman, to approve Resolution 2019-19 Recommending Approval Of A Conditional Use Permit For Property Located At 6472 Portage Road, Village Of Windsor. Motion carried with a 6-1 vote, with Commissioner Lange voting “no.”

- 8.d. Ordinance Amendment To Chapter 52, Section 52-22(8), Off Street Parking And Storage Of Vehicles And Trailers Of The Windsor Code Of Ordinances Regarding Restrictions For Off Street Parking In The Village Of Windsor.

A motion was made by Commissioner Hoffman, seconded by Commissioner LeGore, to approve Resolution 2019-20, Recommending Amendment To Selection 52-22 Of The Code Of Ordinances Regarding Off-Street Parking and Storage Of Vehicles And Trailers, including directing staff to look at the items discussed and take into consideration: surviving spouse, whether or not a visitor comes and owns an RV, and having registration or before January 31.

Motion carried with a 7-0 vote.

- 8.e. Ordinance Amendment To Chapter 52, Section 52-22(4)(h), Off Street Parking And Storage Of Vehicles And Trailers Of The Windsor Code Of Ordinances Regarding Restrictions For Setbacks In The Village Of Windsor.

A change is being made from a minimum of three feet to five feet from all property lines.

A motion was made by Commissioner Mueller, seconded by Commissioner Lange, to approve Ordinance 2019-21, Recommending Amendment To Section 52-22(4)(h) Of The Code Of Ordinances Regarding Setbacks For Off-Street Parking And Loading. Motion carried with a 7-0 vote.

9. ADJOURNMENT.

At 7:10 p.m., a motion was made by Commissioner Mueller,, seconded by Commissioner Lange, to adjourn the Plan Commission meeting. Motion carried with a 7-0 vote.

Respectfully submitted,

Ellen G. Teed

Ellen G. Teed
Recording Secretary