

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
NOVEMBER 2, 2015 @ 5:30 PM
APPROVED/OFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chairman Hincz. Present: Commissioners Schmidt, Luick, Wenck, Smith, Konczal, Hardy, Atty. Dubis and residents of the Town.
2. Chairman Hincz led the Pledge of Allegiance.
3. Commissioner Hardy motioned to approve the October 5, 2015 meeting minutes as presented, seconded by Commissioner Luick. Vote taken: 7-0. Motion carried.
4. Correspondence- None
5. Rezone-Hall/Smikowski, Property Id #0419-01-072-000, located between 8422 Big Bend Rd and 28424-28440 Melody Ln.- Applicants, Renee and Adam Smikowski, present. Chairman Hincz stated he understands that they wish to build a single-family residence with an outbuilding, but inquired what the applicant's intentions were for the rest of the property. Applicants replied they have three children and want to keep the property as 'grass'. Chairman Hincz asked if the property was sewered. Adam Smikowski replied that only part of it was and that it was a complicated situation and that they have been meeting with WRCSD and WSD #1. Adam stated that WRCSD was trying to move the line so the entire property was in WSD #1 boundary. Renee Smikowski stated that one of the current residents is allowing a permanent easement through his property to bring the sewer to the property. Applicant stated that the easement was at one time intended for a road and that it is on the WRCSD side, so WRCSD is submitting a proposal, to SEWRPC, to allow them to move the line to allow the entire property into the sanitary district (WSD#1). Applicants stated they have no issues deed restricting the property to one single family residence only. Chairman Hincz indicated that the deed restriction was a very big factor considering the road issues going in and out. Applicants stated they were aware of the road situation and that they cannot access their property from Hwy. 164. Renee Smikowski stated that they would be accessing their property from Jensen Pkwy. Chairman Hincz informed the applicants that if they rezone from A-3 to R-2 or R-2S, they would be limited to having certain animals. Applicants were not aware of the restrictions. Chairman Hincz also indicated that since they are keeping the property as one parcel, the outbuilding will not be an issue. Attorney Dubis stated that since this was not a CSM, the applicants will have to let the lender know that there is a deed restriction and that the Town will have to see the deed before it is recorded. Chairman Hincz stated that he would have the following conditions: 1.) The lot would be sewered and the Town would receive confirmation of such from WSD #1. 2.) The applicants would deed restrict the property to one (1) single-family residence. 3.) The understanding that R-2 and R-2S have animal restrictions. 4.) The applicants purchase the property. Commissioner Hardy motioned to approve the rezone based upon Chairman Hincz's conditions, seconded by Commissioner Luick. Vote taken: 7-0 Motion carried. Applicant inquired about if they do not get approval from SEWRPC and have to rezone to R-2 vs. R-2S and have a mound system if they are still ok. Chairman Hincz indicated that a mound system was ok with him.
6. CSM- Himebauch, 7123 Caldwell Rd.- Dale Himebauch, 34449 Hill Valley Rd., present. Chairman Hincz indicated that he reviewed and is very similar to what was just done recently with separating the residence from the surrounding farm land. Commissioner Hardy indicated that he was unable to locate with the GPS. Dale Himebauch stated it is Hwy. O, and is up the road from the fire station. Chairman Hincz confirmed that the Himebauch's purchased the property to farm and that they just wanted to split the house off to sell. Applicant stated that he didn't want to be a landlord and that they only wanted the open ground. Attorney Dubis indicated that there was a bill pending in legislature regarding Town's and requiring them to follow their master plan. Attorney Dubis stated that an exception would be if it's being sold to a family member. Chairman Hincz directed the Commission to a letter from Julie Anderson indicating the separation being in compliance with Racine County zoning ordinances. Commissioner Luick motioned to approve the CSM, seconded by Commissioner Wenck. Vote taken: 7-0. Motion carried.

7. CSM-Rausch, lot located in between 6831 and 6911 Big Bend Rd. – Chairman Hincz indicated there were several things that he and Supervisor Gauerke had looked into and that they were puzzled by the rezone to P-2, but wanting to build a residence which will need a residential zoning without being split apart. Chairman Hincz asked if Supervisor Gauerke had anything to add. Supervisor Gauerke stated he had spoken with Brian Jensen, Racine County, about lot 1 having two zonings. Jensen indicated that the R-3 portion can have a home, but not the P-2 portion. Gauerke stated that he felt it odd that they were separate parcels, but yet not. Gauerke indicated that Brian Jensen stated that it has been done on other occasions in Racine Co. and that the parcel does have separate tax key numbers and separate zoning and the reason is the sanitary service as well as the zoning line. Susan Rausch 6831 Big Bend Rd., arrived at the meeting. Chairman Hincz asked if in future, if a residence could be built on the lot that's part of the other P-2. Rausch indicated it was her son's land, but felt they couldn't as it was deed restricted. Commissioner Luick motioned to approve the CSM, seconded by Commissioner Konczal. Vote taken: 7-0. Motion carried.
8. Ordinance pertaining to private access culver/ditch procedures- Chairman Hincz requested to know what he was being proposed vs what the Town already has. Director of Public Works, Ken Hinz, replied that the current ordinance does not spell anything out when it pertains to driveways. Hinz explained that some residents have stamped or concrete driveways and will get very sensitive if they get asphalt in replacement. Attorney Dubis asked what projects would come up. Hinz replied that future projects like reconstructing ditches where they will have to cut some driveways off. Dubis indicated he did not have a problem with the wording, but feels Town surveyor and/or Town engineer should look at. Discussion took place about the right-of-way and how some right-of-ways are "all over the place". Hinz stated that they may not need a new ordinance, that possibly 2 (a) of the current ordinance will cover, but want to protect the Town. Chairman Hincz suggested taking the existing ordinance and make sure the Town is covered when replacing a culvert in the right of way.
9. Shoreland Contract Report-None
10. Announcements/Discussion- Chairman Hincz announced County Executive will be at December Town Board meeting to present his County budget to the Town. Chairman Hincz also updated the Commission on the Doering property and the pier permit.

Commissioner Luick motioned to adjourn the meeting at 6:10 PM, seconded by Commissioner Hardy: Vote taken: 7-0. Motion carried.

Respectfully submitted,

Heather Stratton, Deputy Clerk/Treasurer