

**TOWN OF SAUKVILLE
PLAN COMMISSION MINUTES
TUESDAY, November 14, 2003
7:30 P.M.**

Present were: Town Board Chairman Terry Hoffman; Kate Smallish; Curt Rutkowski; Ginny Pierson Kathryn Golsteyn and Jim Kadow.

- 1. Call to Order.** Mr. Hoffman called the regular meeting of the Plan Commission to order at 7:30 p.m.
- 2. Pledge of Allegiance.** The assembly rose and recited the Pledge.
- 3. Approval of the October 14, 2003 Plan Commission Minutes.** Mr. Hoffman moved to approve the minutes as submitted. Second by Ms. Smallish. Motion carried.
- 4. Discussion concerning buffer areas of Rolling Meadows Subdivision.** Mr. Steinke and his attorney, Mr. Paul Dimick appeared before the commission. Mr. Steinke said that the DNR determination of wetlands on a portion of the buffer area and the placement of a POWTS mound on some of the buffer area precludes Mr. Steinke from placing plantings in some parts of the buffer land. Mr. Steinke said that some of the buffer land is now under till. Mr. Steinke said he has \$5,000 remaining of the \$10,000 that was set aside to do seeding and planting in the subdivision and he would be happy to turn those funds over to the Homeowners' Association of Rolling Meadows or to the Town if they were willing to undertake the planting. Mr. Steinke said he intends to place the plantings with some boulders in the buffer area this spring. Mr. Steinke agreed to consult with Mr. David Weir soon. Mr. Weir is a landscape designer and neighbor who offered to assist with the placement of the planting. Mr. Hoffman said that he would like to see the plan that Mr. Steinke puts together and he invited Mr. Steinke to return to the commission in a few months to show the plan to the members. Mr. Steinke asked if a portion of the buffer area may continue to be farmed. Mr. Hoffman said yes and thanked Mr. Steinke for coming.
- 5. Discussion / action on an application for conditional use to erect and operate a wind-powered generator on property at 1351 E. Hawthorne (08-001-05-005.00) brought by the landowner Mr. Mark Lubner.** Mr. Hoffman presented a list of possible conditions that could be attached to the conditional use if it was granted. Each item on the list was discussed with Mr. Lubner. They are as follows: **1.** Building Inspector or engineering firm to inspect the initial condition of the tower and turbine to insure a safe operation of the device. The engineering firm must also supply the town with the engineering specifications for proper anchoring and pedestal dimensions. **2.** All nuts, bolts and any other fastening hardware must be new with proper specifications during set-up and installations. **3.** Wind turbine must maintain a distance of at least three times its height away from residential dwellings and lot lines. **4.** Tower and all other components must be inspected on an annual basis for safe operations. Report must be filed with the Town no later than May 1st of each year. **5.** If the wind turbine is not operational or producing electricity for a period of 6 months, the structure must be brought down in its entirety unless arrangements are made with the Town for an extension. Mr. Lubner said that he was willing to meet the conditions if the permit was granted. Mr. Hoffman moved forward

Mr. Mark Lubner's request for a conditional use permit to public hearing to be held immediately prior to the December Plan Commission meeting. Second by Mr. Rutkowski. Motion carried.

- 6. Preliminary discussion of possible land division of a 55 acre parcel and re-zone of 20 acre portion of the property at 1346 E. Hawthorne 08-001-09-002.00 from A-2 to A-1 brought by property owners, Amy & Stan Lubner.** Mr. Hoffman noted that the agenda had incorrectly stated the size of the parcel that was under consideration for rezoning. Mr. Hoffman said that the land division as presented did not fit the definition of a flag lot. Ms. Smallish said that she had no objection to the land division and rezone now that the lot under consideration had been increased in size to 20 acres to meet the A-1 zoning minimum. Mr. Hoffman moved to forward the request for re-zone to a public hearing to be held immediately prior to the December Plan Commission meeting. Second by Ms. Smallish. Motion carried. Mr. Lubner asked if a Certified Survey Map would be required. Mr. Hoffman answered that the CSM would be needed.
- 7. Discussion/possible action on proposed land division and possible re-zone dividing a 15.91 acre parcel zoned A-4 at 3600 Blue Goose Rd. tax key #08-017-11-002.00 owned by Jay & Rebecca Fisher.** Mr. Hoffman asked if the lot was five acres if the easement was not included. Mr. Kison, the zoning administrator, presented math that showed that even without the driveway easement included the lot would be more than a 5 acre parcel. Mr. Hoffman said that dedicated easement for the shared driveway needed to be at least 33'. Mr. Kison said that the dedicated easement as it stands now is wider than the required 33'. Mr. Hoffman moved to move the proposed land division and re-zoning forward to a public hearing before the December Plan Commission meeting. Ms Pierson seconded the motion. Motion carried. Ms. Fisher was asked to bring a CSM of the property to the next meeting.
- 8. Preliminary discussion of request brought by the owner for land division and review of existing zoning (A-1 to A-5) of a parcel located west and north of 2070 W. Center Road owned by Mr. Fred Last (tax key #08-015-09-000.00).** Some of the commission members asked for more time to look into the particulars of the request. Mr. Hoffman said that the request would be moved forward to the December Plan Commission meeting for discussion and possible action. No motion was needed.
- 9. Preliminary discussion of possible land division and re-zone of a 25 acre parcel now zoned A-1 at the SW corner of Hwy 33 and Blue Goose Road (08-018-13-000.00) brought by landowner Mr. Ed Beimborn and Mr. Donald Beimborn.** Mr. Ed Beimborn said that he and his brother own parcels of land on Blue Goose Road. Mr. Beimborn asked if the Town of Saukville allows land to be divided so that the lots in the land division average 5 acres or more even though some of the lots would be less than 5 acres. Mr. Hoffman said that this would not be permitted. That each lot would have to meet the minimum 5 acre size if the parcel was re-zoned to A-5. Mr. Kadow said that he would be willing to take a look at conventional 5 acre lots with at minimum of 250' road frontage for that parcel of land. Mr. Hoffman said he could offer no guarantees but he would be willing to take a look at what Mr. Beimborn was proposing so long as the lots were conventional size and the averaging formula was not used in the land division plan.
- 10. Discussion/possible action proposed non-metallic mining ordinance.** Mr. Hoffman said that he had attended a meeting with the County regarding the administration of the state non-metallic mining

statutes. He said it is his understanding that a Town ordinance regulating non-metallic mining, would supercede the County authority in this matter provided that the ordinance was set up to reflect State statute on the matter. Mr. Hoffman said that the draft ordinance was prepared to reflect State statute. He asked members to review the draft and said that the draft ordinance should appear on the December Plan Commission agenda for discussion and possible action.

11. Any other business as may properly come before the Plan Commission. Mr. Kison said that the Town should consider defining a berm ordinance at a future meeting. He said he would bring in an ordinance from the Town of Cedarburg to the next meeting to show what other communities doing to regulate the construction of berms.

12. Adjourn. Mr. Hoffman made a motion to adjourn. Second by Ms. Smallish. Motion carried. Meeting adjourned at 8:52 p.m.

**Terry Hoffman
Chairman**

Respectfully submitted by Debra Walls