

**TOWN OF SAUKVILLE
PUBLIC HEARING & PLAN COMMISSION MINUTES
TUESDAY, December 9, 2003
7:00 P.M.**

Present were: Town Board Chairman Terry Hoffman; Kate Smallish; Kathryn Golsteyn, Bill Niehaus and Jim Kadow.

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Saukville Plan Commission on Tuesday, December 9, 2003 at 7:00 p.m. or shortly thereafter at the Town Hall, 3762 Lakeland Drive to consider the following:

1. A request for a conditional use permit for Mark Lubner, 1351 E. E. Hawthorne Road, (08-012-05-005.00) to erect and operate a wind-powered electric generator.
2. Discussion/action on 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 brought by property owners, Amy & Stan Lubner.
3. Discussion/action on proposed land division and 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.

All individuals having an interest in this matter are invited to address the town board.

Chairman Hoffman called the Public Hearing to order at 7:00 p.m. **1.)** Mr. Hoffman asked for public comment on a request for a conditional use permit for Mark Lubner, 1351 E. Hawthorne Road, (08-012-05-005.00) to erect and operate a wind-powered electric generator. There was no response. **2.)** Mr. Hoffman asked for public comment on a proposed 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 brought by property owners, Amy & Stan Lubner. Mr. Hoffman said he had received a written objection from Mr. Mark Burns who was concerned about a sub-division development. **3.)** Mr. Hoffman asked for public comment on the proposed land division and 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. There was no response. Mr. Hoffman moved to close the Public Hearing. Second by Ms. Smallish. All in favor. The Public Hearing was adjourned at 7:04 p.m.

1. **Call to Order.** Mr. Hoffman called the regular meeting of the Plan Commission to order at 7:05 p.m.
2. **Pledge of Allegiance.** The assembly rose and recited the Pledge.
3. **Approval of the November 11, 2003 Plan Commission Minutes.** Mr. Hoffman asked that the draft of the November 11, 2003 minutes be changed to remove the first sentence of Item 8. Mr. Hoffman moved and Ms Smallish seconded a motion to approve the minutes as corrected. All in favor
4. **Discussion of Tendick Park/Citizen Complaints with Mr. Bill Knight, County Park Commissioner.** Mr. Hoffman thanked Mr. Knight for his attendance. Mr. Hoffman said that the Town had received a citizen safety concern regarding the vehicles parked along both sides of Hwy O creating a potential obstruction of emergency vehicles during a recent track and field event at held Tendick Park. Mr. Knight said that the Park Commission had a similar complaint from a resident. Mr. Knight said that the County Park Commission had decided to encourage off-road parking and limit street

parking to one-side of the County highway and the county sheriff department would be asked to send an officer to monitor traffic for similar events in the future.

5. **Discussion/action on 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 brought by property owners, Amy & Stan Lubner.** Mr. Hoffman made and Ms Smallish seconded a motion to recommend approval of the land division and re-zoning to the next Town Board meeting. All in favor.

6. **Preliminary discussion of re-zone of a 20-acre parcel on Willow Road (08-012-15-002.00) from A-2 to A-1 brought by property owners Amy and Stan Lubner.** Mr. Hoffman made and Mr. Kadow seconded a motion to move this item to a Public Hearing immediately preceding the January Plan Commission meeting. All in favor.

7. **Discussion/action on proposed land division and 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 made and Ms Smallish seconded a motion to recommend approval of the land division and re-zone to the Town Board. All in favor.

8. **Discussion/action on request for a conditional use permit for Mark Lubner, 1351 E. Hawthorne Road, (08-012-05-005.00) to erect and operate a wind-powered electric generator.** Mr. Hoffman made and Mr. Niehaus seconded a motion to recommend approval of the conditional use permit with the conditions set forth at the November Plan Commission meeting. All in favor.

9. **Discussion/possible action on 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).** Mr. Kadow said that the request could be creating a sub-division of the entire parcel irregardless of Mr. Last's intent at this time only to gift one 5 acre lot to a family member. There was a question about where the parcel had been divided for tax purposes in the past. Mr. Hoffman suggested that before moving forward with his request Mr. Last consult with Mr. Kison and lay out a sub-division plot according to code. Mr. Hoffman made and Mr. Niehaus seconded a motion to table this request until the January Plan Commission meeting with the hope that more information would be brought forth at that time. All in favor.

10. **Preliminary discussion of a possible town ordinance to regulate berm construction.** Ms Smallish spoke concerning the reasons for the Town adopting an ordinance to regulate berms. Mr. Hoffman asked that the item be placed on the January Plan Commission agenda for discussion and possible action.

11. **Discussion/possible action proposed non-metallic mining ordinance.** Mr. Hoffman made and Mr. Niehaus seconded a motion to pass the proposed non-metallic mining ordinance to a Public Hearing held prior to the January Town Board meeting. All in favor.

12. Any other business as may properly come before the Plan Commission. Mr. Ken Hypki said that he was concerned about the noise created by the number of dogs kept by one of his neighbors on Hawthorne Drive. Mr. Hoffman said that the constable had been asked to check into this situation and would be reporting to the Town Board next week.

Mr. Kadow said that he had spent some time going over the land division ordinance and that he felt there was a need for the Plan Commission to review the definitions in the document to reach a consensus that would facilitate discussion of land division matters in the future. Mr. Kadow suggested that a discussion limited to a few definitions each meeting. Mr. Hoffman agreed that this would be a good practice and that a time for this type of discussion would be included on future agendas.

13. Adjourn. Mr. Hoffman made and Mr. Niehaus seconded a motion to adjourn. All in favor Meeting was adjourned at 8:01 p.m.

**Terry Hoffman
Chairman**

Respectfully submitted by Debra Walls