



## TOWN OF SAUKVILLE

Ozaukee County

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### PLAN COMMISSION MEETING MINUTES

6:30 p.m. - Tuesday, April 10th, 2007

Ed Brzezinski property

3073 Hwy. 33

Saukville, WI 53080

**Present:** Jim Kadow, Bill Niehaus, Terry Hoffman, Todd Korb, & Tom Uttech. Ginny Pierson joined the meeting at Town Hall.

**Also Present:** Debra Walls, Zoning Administrator, Frank Mayer, Building Inspector

**Excused:** Kathryn Golsteyn

1. **Call to Order.** Chairman Kadow called the Plan Commission meeting to order at 6:30 p.m. Members viewed the Brzezinski property with special attention to the new foundation laid on the foundation footprint of the 20' x 32' building. Mr. Brzezinski said he knew he should not have installed the foundation without a permit. The building inspector said the depth and construction of the foundation could be properly determined only if the fill is removed at each footing before the inspection. The 20' x 30' building would be permitted as a new accessory structure as the existing historical farmstead buildings are exempt from the maximum total area of accessory building allowed in the zoning district.

Next, the members viewed the remains of the 40' x 70' stone barn foundation. Building Inspector Mayer noted that the east wall of the foundation was leaning out of plumb by about 5". Mr. Brzezinski said he planned to cap the foundation with about two feet of new concrete and roof the foundation to create an area for storage and possibly a home archery range. Brzezinski said his plan might include removing a portion of the foundation to create sliding doors. Mr. Niehaus has experience with stone foundation repair. Mr. Niehaus said the foundation could be stabilized by a qualified stone mason who was used to working with historic foundations. Mr. Niehaus said that in his experience roofing a foundation was not necessarily required to preserve it.

**The Chairman adjourned the meeting at 6:50 p.m. to reconvene in ten minutes at the Saukville Town Hall.**

### PLAN COMMISSION MEETING MINUTES

7:00 p.m. - Tuesday, April 10th, 2007

Saukville Town Hall

3762 Lakeland Rd.

Saukville, WI 53080

**The meeting was reconvened at 7:00 p.m.**

2. **Pledge of Allegiance.** The assembly rose and recited the pledge of allegiance
3. **Approval of the March 13<sup>th</sup>, 2007 Plan Commission minutes.** Mr. Hoffman made a motion to accept the March 13<sup>th</sup>, 2007 minutes as presented. The motion seconded by Mr. Niehaus. All in favor.
4. **Discussion/possible action on release of a permit for an accessory structure at 3073 Hwy 33 (R-2) brought by property owner Ed Brzezinski.** Mr. Niehaus said that it was appropriate to attempt to save the existing historic buildings in the township but that it is not always easy. Mr. Niehaus noted that this was the first time that the Plan Commission had invoked the amendment to the zoning ordinance that allowed designated farmstead buildings to be exempted from the total area of accessory structure allowed on a parcel and as a result this decision was somewhat precedent setting. Mr. Uttech asked if the Town had any liability if it permitted a building that was later found to be unsafe or not up to code. Mr. Korb, an attorney, spoke in general terms on this question. Mr. Korb said it was his opinion that the Town's liability in those circumstances was not clear. Mr. Korb said that liability was not the real issue. Mr. Niehaus said that whatever was done to the foundation it had to be safe. Chairman Kadow said an engineer's report on the stability of the stone foundation should be required before any further weight is added to the structure. Chairman Kadow said that he was completely against allowing a large part of one of the stone foundation walls to be razed so that sliding doors could be installed. He suggested that a licensed contractor do the work and

that the contractor would assume the responsibility for a safe structure. Chairman Kadow said that accurate building plans were a necessity before any decision could be made on adding structure to the foundation. Chairman Kadow said he would table the request until Mr. Brzezinski returned with clear building plans and an expert determination of the stability of the foundation.

5. **Discussion/possible action on a request for a 2500 sq. ft. accessory building at 3401 Hwy I brought by property owners Jeffery and Sandra Henke.** Chairman Kadow made a motion to approve the site plan with Mr. Hoffman adding the second. All in favor.
6. **Standing item to discuss items related to Plan Commission member education.** Chairman Kadow distributed Ozaukee Press newspaper clippings concerning the discontinuation of boundary agreement talks with the Village of Saukville. Chairman Kadow explained that when the intent of the Village to change the jurisdiction of some Town property from the Township to the Village became clear, he saw that as an irreconcilable issue. Chairman Kadow said that he has learned that it may be legal for the Village to expand its boundaries in this way; but even so, he did not feel it was moral to force Town property owners into the Village against their own desire to remain in the Town. Chairman Kadow said the Village “freeze” expires in a few months and the Town JETZCO would not participate in renewing it. Mr. Niehaus and Mr. Korb who also attended a recent Village Plan Commission meeting where the boundary agreement was discussed echoed what Chairman Kadow said concerning the lack of progress in the JETZCO process. Chairman Kadow said that he welcomed the opportunity offered by the outgoing Fredonia Village President Bill Hamm to have regular meetings with the Village of Fredonia to discuss planning in Fredonia’s extra-territorial area.
7. **Any other business as may properly come before the Plan Commission.** Examples of the handouts available at Town Hall describing Conservation Easements were distributed to the members for review.
8. **Adjourn.** Chairman Kadow moved to adjourn. Second by Mr. Niehaus. Meeting adjourned at 7:48p.m.

**Jim Kadow, Chairman**

**Respectfully submitted by Debra Walls**