

**MINUTES OF THE VILLAGE PLANNING COMMISSION MEETING**  
**August 17, 2016**

The meeting of the Planning Commission of the Village of Slinger was called to order by Chairman Brandt at 300 Slinger Road, Slinger, WI, at 6:30 pm on Wednesday, August 17, 2016 in accordance with the Notice of Meeting delivered to the members on Friday, August 12, 2016.

**1. Roll Call & Notice of Meeting:**

<b>Planning Commission Members</b>	<u>Present</u>	<u>Absent</u>
Russell Brandt, Chairman	x	
Craig Bolt	x	
Chris Cagle	x	
Elida Erovick	x	
Lee Fredericks	x	
Bryant Moritz		x, excused
Robert Stuetgen	x	
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**Also Present:** Jessi Balcom, Village Administrator  
Marty Marchek, Village Planner  
Jim Haggerty, Village Engineer  
Margaret Wilber, Treasurer

Chairman Brandt informed the members present that the open meeting law had been complied with in connection with the meeting. Notice of the meeting was sent to all that requested same and posted in three public locations.

**2. Approval or Correction of Minutes:**  
**A. Planning Commission Minutes From 6-15-2016**

Motion Fredericks/Stuetgen to approve Planning Commission minutes from 6-15-2016 as presented; carried unanimously.

**3. Unfinished Business, Review & Action Thereon:**  
**A. Conceptual Review No. 3 of Expanding the Dairyland Commercial Condominiums at 120-126 Commerce Boulevard/STH 60 by Adding 3 Parcels and Constructing New Mixed-Use Commercial/Residential Buildings (Representative is Julian Laufer)**

Julian Laufer presented his latest draft plans for the Dairyland Commercial Condominium development and stated they included the feedback and comments he received at the previous Planning Commission meeting. He pointed out that the number of buildings proposed for the parcel was reduced from 8 to 5. He also presented a drawing showing the potential building layout. Mr. Laufer stated that his plan is to build one building at the south end of the parcel and continue building as demand presents itself.

Chairman Brandt reminded the Commission that a concept review is not the time to discuss possible approval or denial or any project but is only used to provide suggestions and questions concerning a proposed project.

Planner Marchek asked about the roadway shown along the northeast end of the parcel and stated it appears to encroach onto a neighboring property. Mr. Laufer stated he intends to use the existing 30-foot utilities easement for the roadway. He stated he will have to work with the neighboring property owner to gain authorization to place part of this roadway on the abutting property.

Engineer Haggerty discussed the setback from the designated wetland area of the parcel and stated from what he could determine based on the limited plan provided, this plan would not meet the Department of Natural Resources (DNR) restrictions. He read from NR Chapter 151 and explained that DNR requires a 50-foot setback from any wetland area. Planner Marchek stated this is twice the size of the setback required by the Village and Engineer Haggerty stated that DNR restrictions would overrule the Village's code. Mr. Laufer stated he believed he would be able to get a letter from DNR authorizing a smaller setback and Engineer Haggerty stated the Village would consider any authorizations that DNR may grant in compliance with Village code.

Mr. Laufer stated he would have his designer contact Engineer Haggerty to clarify the DNR requirements and after they had spoken, he would have the plans redrawn to present at a future meeting.

#### **4. New Business, Review & Action Thereon:**

##### **A. Consider Draft No. 1 of Proposed Ordinance to Amend Article 8.00 of the Village Zoning Code to Update Nonconforming Use and Nonconforming Structure Regulations to Conform with State Statutes Related Thereto**

Planner Marchek informed the Commission that while researching another question, he discovered that the Village code regarding nonconforming structures has not been updated to reflect recent changes in State statutes. He stated that State law has eliminated the 50% valuation limit on improvements that can be made to nonconforming structures and the Village code needs to be changed to eliminate any reference to that limit.

Planner Marchek stated that since an update was already needed, staff looked at the rest of the code to see if any other changes were needed. He presented a copy of the current code and staff's recommended changes. Planner Marchek discussed the proposed changes and stated that in addition to removing the 50% valuation limit, this would also create more distinction between nonconforming structures and nonconforming uses. He explained that it was his opinion that limits could still be used to reduce nonconforming uses within the Village, but this would have to be reviewed by the Village Attorney as well.

Commission members reviewed the proposed changes and agreed that the draft changes should be forwarded to the Village Attorney for his review. Planner Marchek stated that if the changes recommended by the Village Attorney were minimal, staff could proceed with setting up the public hearing required for an ordinance change.

Motion Stuetgen/Fredericks to direct staff to proceed with forwarding the ordinance change for attorney review and initiating the public hearing process as proposed; carried unanimously.

## **B. Review Fencing Regulation to Determine if Any Changes are Necessary**

Chairman Brandt informed the Commission that a resident had brought this matter to his attention. Nick Dobberstein, 736 Hidden Lake Court S, appeared before the Commission and stated that a number of questions have come up in his subdivision regarding the Village's fence regulations. He stated that after looking through the Village's code, he has observed a few areas he considers to be deficient and asked the Commission to consider reviewing the code to address these concerns. Mr. Dobberstein stated the areas in question were the lack of a definition for a front yard, the lack of standards and definitions for opacity and height requirements for front yard fencing, and the lack of examples for acceptable materials. Chairman Brandt stated that after speaking with Mr. Dobberstein, he agreed that there are some areas of this code that need clarification. Commission members reviewed the current code in Article 5.00 "Traffic, Loading, Parking & Access" and in Article 7.00 "Modifications".

Administrator Balcom stated that Village code uses the term "street yard" instead of front yard, and this is defined as the side of yard closest to the street, extending to both sides of the property. Commission members stated that Section 7.02(C) "Residential Fences" needs to be reworded since it does not include a defined height limit for any fence in the street yard. Commission members agreed that only decorative fences no higher than 3 feet should be allowed in street yards. After reviewing Section 7.02(D) "Decorative Fences", they agreed that picket fences should be allowed as a decorative fence and the open percentage limit should be changed to 50%.

Planner Marchek stated that staff would prepare these changes for review at the September Planning Commission meeting.

### **5. Status Reports: None**

### **6. Adjourn Meeting:**

Motion Erovick/Bolt to adjourn at 7:45pm; carried unanimously.

Approved By:

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Russell E. Brandt, Chairperson

Drafted by: Margaret Wilber, Village Treasurer