

NEW BERLIN PLAN COMMISSION
NEW BERLIN CITY HALL COUNCIL CHAMBERS

March 16, 2005

MINUTES

The Plan Commission Meeting was called to order by Mayor Wysocki at 6:00 P.M.

In attendance were Mr. Gihring, Mr. Barnes, Mayor Wysocki, Mr. Sisson, Mr. Teclaw, and Alderman Ament. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Olofu Agbaji, Associate Planner; and Amy Bennett, Associate Planner. Excused was Mr. Felda.

3. PG-936 Conservation Forum – Subdivision and Zoning Code Amendments.

Chapter 275

Amendment #6

Motion by Alderman Ament to adopt the following friendly amendments:

- Page 23, Line 11 – Cross out “open agriculture, R-1, R-2”, change to “A-1, A-2, R-1/R-2”.
- Page 12, Line 21 – Cross out “open agriculture, R-1, R-2”, change to “10 acres of A-1, A-2, R-1/R-2”.
- Page 12, Line 30 – Cross out “maximum development potential”, change to “buildable area”.
- Page 13, Lines 6, 30, and 32 – Cross out “dwelling units”, change to “lots”.
- Page 14, Lines 4 and 9 – Cross out “dwelling units”, change to “lots”.

Seconded by Mr. Sisson. Motion passed unanimously.

Motion by Alderman Ament to adopt Amendment #6 as amended. Seconded by Mr. Sisson. Motion carried unanimously.

Amendment #14

Motion by Mr. Sisson to amend Amendment #14 by adding a “P” in the Use Table 275-37-1 under the C-1 column under the use “Silviculture” to correspond with the amendments.

Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Sisson to adopt Amendment #14 as amended. Seconded by Mr. Barnes. Motion carried unanimously.

Amendment #19

Motion by Mr. Barnes to adopt Amendment #19. Seconded by Mr. Sisson. Motion carried unanimously.

Amendment #20

Motion by Mr. Barnes to adopt Amendment #20. Seconded by Mr. Sisson. Motion carried unanimously.

Amendment #21

Motion by Mr. Barnes to amend Amendment #21 by adding a “P” in all the Use Tables

under the use "Silviculture" except for the use table 275-33-1 for R-2E, R-3, R-4, R-4.5, R-5, Rm-1, and Rd-1. If tables do not have Silviculture as a "use", add to table. A note should be placed in the "Additional Regulations Refer to Section" Column add "per Section 275-54 and 275-54.1". Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Sisson to adopt Amendment #21 as amended. Seconded by Mr. Barnes. Motion carried unanimously.

Chapter 235

Amendment #3

Motion by Mr. Barnes to amend Amendment #3 by deleting "Sketch Plan (voluntary)" text and replacing with the following text "Certified Survey Map. After review and recommendation from the Plan Commission, the Common Council shall hold a public meeting or direct the Plan Commission to hold a public meeting to review and take final action to approve, conditionally approve, or deny such Certified Survey Maps."

Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Mr. Barnes to adopt Amendment #3 as amended. Seconded by Mr. Gihring. Motion carried unanimously.

Amendment #15

Motion by Mr. Barnes to repeal Amendment #15. Seconded by Mr. Sisson. Motion carried unanimously.

Definitions

Add to Article VIII- Section 235-47 Definitions Subdivision of Land Code and Article XI 275-70 Definitions of the Zoning Code in alphabetical Order

- ✓ **Adjusted Track Acreage Density Approach** - The determination of the maximum number of permitted dwelling units on any given property shall be determined by multiplying the acreage classified as being in the categories of constrained land as described in Section 275-33-G (2)(a) by the numerical "density factor" for that category of constrained land.
- ✓ **Yield Plan Approach** - The determination of density, or maximum number of permitted dwelling units, shall be based on an actual Yield Plan. See Section 275-33 G (3).
- ✓ **Constrained Lands** – Constrained Lands are identified as lands within the right-of-way, all land under existing private streets, wetlands, floodways, flood fringe, steep slopes, extensive rock outcroppings, and moderately steep slopes.
- ✓ **Conservation Areas** – That portion of a track of land that is set aside for the protection of sensitive natural features, farmland, scenic views, and other unique features. Conservation areas may be accessible to the residents of the development and/or the municipality. It may also contain areas of conservancy lots that are not accessible to the public.
- ✓ **Conservation Lot** – A large, privately owned lot constituting part of an area of open land. The purpose of the conservancy lot is to provide surrounding residents with visual access to conservation area while keeping the land under private ownership and maintenance. Only a small portion of such lots may be developed, the remainder must be protected through conservation easements and used in conformance with standards for conservation areas. Public access to conservancy lots is not required.
- ✓ **City's Map of Potential Conservation Areas** – The Map of Potential Conservation Areas for the City of New Berlin consists of Wetlands (The DNR Bureau of Fisheries Management and

Habitat Protection), Flood plains (Federal Emergency Management Agency (FEMA)), Moderate and steep Slopes (The slopes were calculated from the spot elevations within the City of New Berlin), Agriculturally zoned lands (City of New Berlin GIS data), Conservancy Zoned Lands (City of New Berlin GIS data), Environmental Corridors (SEWRPC), and scenic vistas (City of New Berlin Master Plan). (Reference sources of information)

- ✓ **Existing Resources and Site Analysis Map** – This map identifies, locates, and describes noteworthy features to be designed around sensitive subdivision layouts. The purpose of this key submission is to familiarize officials with existing conditions on the applicant's tract and to provide complete and factual reference for them in making a site visit. This map should include an orthophoto, the topography, locations of ponds, streams, ditches, and other drainage ways, vegetation cover features (including cultivated lands, permanent grass, meadow, pasture, old fields, hedgerow, wetlands, woodland) also soils, ridge lines, scenic views, geologic formations, man made features, proposed streets, trails, parks easements etc. See Section 235-38.
- ✓ **Voluntary Sketch Plan** – A sketch plan is a simple and inexpensive drawing illustrating conceptual layouts of house lots, streets, and conservation areas. They should ideally be based upon the Existing Resources and Site Analysis Map and comments received from local officials during the pre-sketch conference and on-site visit.
- ✓ **Site Context Map** – A map showing the location of the proposed subdivision within its neighborhood context. This map is prepared at a more general scale and is based on existing published data. The features that shall be shown on the Site Context Maps include the following: Topography (from New Berlin or Waukesha County maps), stream valleys, wetlands complexes, primary and secondary environmental corridors & natural resource areas, woodlands, ridge lines, public roads and right-of-ways, trails, utility easements, public land, land protected under conservation easements, and floodplains.
- ✓ **POWTS** – Private Owner Waste Treatment Systems, which can be located off lot or on lot.
- ✓ **High Intensity Soil Survey** – A Class A soil survey, conducted by a Certified Soil Scientists and prepared according to the standards of the National Cooperative Soil Survey, resulting in a soils map in which the mapping units are single phases of soils series and the mapping units delineated are contrasting soils of one eighth (1/8) acre or less in size.
- ✓ **Medium Intensity Soil Survey** – A Class C soil survey, conducted by a Certified Soils Scientist and prepared according to the standards of the National Cooperative Soil Survey, resulting in a soils map in which the mapping units are single phases of soils series and the mapping units delineated are contrasting soils of three (3) acres or less in size.

Motion by Mr. Gihring to adopt the Amended Definitions. Seconded by Alderman Ament. Motion carried unanimously.

Amendment #11

Motion by Mr. Teclaw to repeal Amendment #11. Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Teclaw to amend Amendment #11 to remove from Line 4 "in the Master Plan". Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to adopt the amended Amendment #11. Seconded by Mr. Teclaw. Motion carried unanimously.

Motion by Alderman Ament to forward the Adopted Amendments dealing with Chapters 235 and 275 to Common Council. Seconded by Mr. Barnes. Motion passes, with Mr. Teclaw

voting "no".

- 4 (4)NJ U-12-05 Nichola Komater – 6161 S. Linnie Lac Dr. – Add a detached garage.

Motion by Alderman Ament to Approve the Request for Use Approval to allow Mr. Komater to construct a Detached Accessory Structure (Garage) on his property located at 6161 S. Linnie Lac Drive, subject to the application, plans on file, and the following:

- 1) Applicant requests a waiver from Plan Commission from the Zoning Code Chapter 275-33 E. Building Area (1)(d), which states "An attached garage is required in the residential districts. The attached garage shall have a minimum floor area of 400 square feet." The applicant would then be required to construct a detached garage.
- 2) Applicant shall combine the three parcels into one tax key and one property since the home is on all 3 properties.
- 3) Applicant shall indicate on a site plan submitted to the Building Inspection Department the specific location of the detached garage and the associated setbacks. Locate well on the site plan.
- 4) Applicant shall adhere to Section 275-42 accessory uses and structures.
- 5) Building plans shall be stamped by a registered architect or engineer (Comm. 61.20 responsibilities).

Seconded by Mr. Barnes. Motion carried unanimously.

5. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
Re: Letter dated March 4, 2005 from Michael Roman, 18715 W. Greenfield Avenue.

Plan Commission acknowledged receipt of this communication.

Motion by Mr. Barnes to adjourn the March 16, 2005 Plan Commission Meeting at 10:09 P.M. Seconded by Mr. Gihring. Motion carried unanimously.