

NEW BERLIN PLAN COMMISSION
NEW BERLIN CITY HALL COUNCIL CHAMBERS
SEPTEMBER 10, 2003
MINUTES

The Plan Commission meeting of September 10, 2003 was called to order by Mayor Wysocki at 6:03 P.M.

In attendance were Mayor Wysocki, Alderman Ament, Mr. Barnes, Mr. Sisson, Mr Gihring. Also present were Greg Kessler, Director of Community Development, David Haines, Planning Services Manager. Mr. Felda and Mr. Teclaw were excused.

Plan Commission Secretary's Report - none

Motion by Mr. Sisson to approve the August 20, 2003 Plan Commission minutes. Seconded by Mr. Barnes. Motion carried unanimously.

NEW BUSINESS

5. DH PG-921 Amendments to the Zoning and Subdivision Ordinance – Updates to Chapter 275(Zoning) and Chapter 235 (Subdivision of Land)

Amendment 59

Discussion about increasing security within subdivisions and the idea that standards saying that lights have to be on at a certain time or a certain brightness should be up to the individual homeowner.

Motion by Mr. Gihring not to adopt Amendment #59. Seconded by Alderman Ament. Motion carried unanimously.

Amendment 62

Commissioners felt that changing the distance for non-metallic mining public notice to 300 ft. is not far enough for this type of operation since the non-metallic mining operations we have in New Berlin are not as rural as they used to be and residential areas are getting closer to them.

Motion by Mr. Barnes not to adopt Amendment 62. Seconded by Mr. Gihring. Motion carried unanimously.

Amendment 64

Motion by Mr. Barnes to approve Amendment 64. Seconded by Mr. Sisson. Motion carried unanimously.

Chapter 235

Amendment 1

Motion by Mayor Wysocki to amend Amendment 1, 235-26(G) to add the word “any” of the following criteria. Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Barnes to approve amended Amendment 1. Seconded by Mr. Sisson.

Motion by Mayor Wysocki to amend the amendment to Amendment 1 to indicate within the phrase “within the block” to read “within the subdivision excluding unbuildable lots”. Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Barnes to approve the amended, amended Amendment #1. Seconded by Mr. Gihring. Motion passes unanimously.

Amendment 2

Motion by Alderman Ament to amend Amendment 2 to remove “recommended”. Seconded by Mr. Barnes. Motion carried unanimously.

Discussion about the minimum lot size. Mr. Kessler said the only thing that minimum lot size number effects is the calculation for open space in the plan. Mr. Gihring said it would be easy to misunderstand the lot size and confuse that with density. Mr. Gihring questioned if the County specified minimum lot size based on what kind of septic there is. Mr. Kessler said the concern of the County is if the lot percs and meets the requirments of a buildable lot. Mr. Gihring did not like the idea of tying the lot size in with type of septic and felt it should be regulated separately. Mayor Wysocki said that $\frac{3}{4}$ acres is a minimum that should be in a conservation subdivision whether septic systems or not. Mr. Kessler said the types of homes built in these subdivisons are sizeable homes and are engineered for $\frac{3}{4}$ acre lots.

Motion by Mr. Barnes to amend Amendment 2 to change the minimum lot size to $\frac{3}{4}$ acre. Seconded by Mr. Sisson. Motion passes with Mayor Wysocki, Alderman Ament, Mr. Barnes, Mr. Sisson voting Yes and Mr. Gihring voting No.

Motion by Mr. Barnes to approve the amended Amendment 2. Seconded by Mr. Sisson. Motion carried unanimously.

Amendment 3

Discussion of Option A and Option B.

Motion by Mr. Barnes to table Amendment 3. Seconded by Mr. Sisson. Motion passes unanimously.

COMMUNICATION

6. Communication To: Plan Commission
Communication From: Alderman Gallagher
Communication Re: Minimum 300' Front Yard Width in R1/R2 Zoning

Mr. Haines explained that there was an exception to the 300' requirement in the old R-2 district in the prior zoning code. It allowed for 200' width for infield development. In the new zoning code the 200' lot dimension was removed. Because the minimum lot size for the R-1/R-2 district is 5 acres, having a 200' lot width would make it a 1000' long lot which is an abnormally shaped lot.

Mayor Wysocki suggested we add this for discussion to the list of potential amendments to the zoning code. Alderman Ament felt we should not be bringing it into our code revisions because it should be an exception to be handled on a case by case basis.

Mayor Wysocki directed staff to determine the number of lots that would fall under this situation.

7. Communication To: Plan Commission
Communication From: Paul Gihring
Communication Re: Letter dated August 18, 2003 from Ecology Association of New Berlin

Plan Commissioners acknowledged receipt of this communication

ADDENDUM ITEMS

8. (1)OA CU-9-03 Susan Kannegiesser – 1428 S. River Rd. – Construct a Deck in the Floodplain.

Motion by Mr. Sisson to approve the request by Susan Kannegiesser to construct a deck in the floodplain located at 1428 S. River Road subject to:

- 1) A letter of approval or “no-objection” with specific conditions from the DNR is required prior to issuance of Conditional Use Permit. Must meet all FEMA & DNR criteria for approval when building within the flood fringe areas.
- 2) Removal of new unpermitted accessory building located within the 100-year floodway of Deer Creek. Onsite verification of removal required prior to issuance of building permit.
- 3) The posts of the deck shall be supported by reinforced concrete piers.
- 4) No skirting or lattice shall be applied to the deck. Only natural vegetation shall be located adjacent to the deck.
- 5) No storage of materials underneath the deck.
- 6) A building stakeout survey, which includes the deck, required prior to issuance of the building permit.

Seconded by Alderman Ament. Motion carried unanimously.

9. (6)BM U-47-03 New Berlin Associates LLP – 3550 S. Moorland Rd. - Six Trash Enclosures.

Motion by Mr. Sisson to remove this item from the table. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to approve the request by New Berlin Associates LLP for six western red trash enclosures subject to:

- 1) Enclosures will be stained or painted to match the work already completed in that area.

Seconded by Mr. Sisson. Motion passes with Mayor Wysocki, Mr. Gihring, Alderman Ament Mr. Sisson voting Yes and Mr. Barnes voting present.

10. () PG-921 Amendments to the Zoning and Subdivision Ordinance – Repealing of the PUD Zoning District.

No discussion.

Motion by Mr. Sisson to adjourn the Plan Commission meeting at 7:49 P.M. Seconded by Alderman Ament. Motion carried unanimously.