

**VILLAGE OF NEW GLARUS
VILLAGE PLAN COMMISSION MEETING MINUTES
October 10, 2019**

ROLL CALL:

PRESENT: Roger Truttman, Kevin Budsberg, Suzi Janowiak, Chuck Phillipson, Beth Alderman, Mike Marty (recused due to conflict of interest). ABSENT: Denise Anton Wright.

ALSO PRESENT: Attorney Gregory Collins, Axley Brynelson LLP; Mike Slavish, Wisconsin Housing Preservation Corp; Dan O'Connell, Wisconsin Housing Preservation Corp; Dawn Hahn; Mary Anne Oemichen; Administrator Drake Daily; Deputy Clerk Wendy Tschudy.

CALL REGULAR MEETING TO ORDER: Chair Roger Truttman called the regular meeting to order at 6:00 p.m.

ANNOUNCEMENT: All cell phones shall remain off during the meeting.

APPROVAL OF AGENDA: Kevin Budsberg moved to approve the agenda as presented, seconded by Chuck Phillipson. Motion carried unanimously.

APPROVAL OF July 18, 2019 MINUTES: Suzi Janowiak moved to approve the minutes of July 18, 2019, seconded by Chuck Phillipson. Motion carried unanimously.

DISCUSSION: Discussion/Consideration: Variance and Exception Application to the Fee in Lieu of Parkland Dedication and the Park Improvement Fee.

Drake Daily explained the variance request by the applicant, Wisconsin Housing Preservation Corp., which is seeking an exception to fees in lieu of parkland dedication fees of \$1,000 per dwelling unit and park improvement fees of \$100 per bedroom.

Greg Collins, attorney for the applicant, explained that the position of the applicant is that 1) the 5.9 acres in Valle Tell already dedicated to parks is sufficient to cover their development of 40 dwelling units in a portion of Lot 42, and 2) statutes allow for ordinances to exempt fees due to the nature of the development, which is for low cost housing. He also indicated that the fees were not brought up during the planning process.

Dan O'Connell explained that low income and affordable housing projects are difficult to make feasible in rural areas due to limitations in costs for rural vs. urban development, and this project already bumps the ceiling of their cost capacity without the park fees included. Rock on the building site and construction during winter conditions are increasing the project costs so that cuts already need to be made elsewhere so the budget isn't exceeded.

Kevin Budsberg asked for the total project costs, and \$9 million was the answer given.

Dan O'Connell explained that initially, the project asked for financial support by the village, but were told nothing was available so they had to look for grants. He stated that most communities do something such as waiving impact fees, etc. to help support projects such as this.

Roger Truttmann stated that he doesn't want to see the project stalled any longer, and that what the village gives up on the front end will be far better on the back end in taxes, etc.

Dan O'Connell stated that the current property taxes on Lot 42 are \$400, and when done, they will be \$30,000. In addition, Phase 1 of the project will include a walking trail to connect to the state trail. Additional costs included in their Phase 1 budget are 1,000 lineal feet of trail at a cost of \$20,000.

Chuck Phillipson stated that he saw no reason not to grant the variance. He doesn't think that the fee was intended for a project like this, and noted there has been no prior project like this. The benefits far outweigh imposing the fee, and that the project should move forward.

Beth Alderman stated that the commission has struggled to adhere to variance requirements, and looked for a hard fast rule for variance approvals. Not that the project doesn't merit a variance, but what does the commission do the next time?

Kevin Budsberg stated that this is not a free project for the village, that the village had three responsibilities laid out in the motions made in November 2018: the condition of the Elmer Road/Kubly Road intersection, the Kubly Road bridge safety with regard to pedestrians, and the inset parking along Elmer Road.

Drake Daily said that the village engineers have looked at the intersection and the bridge, and have the opinion that condition of neither will stand in the way of the project and not halt development. In the future, they will need work. For the inset parking, the village will retain ownership and will maintain and plow, with the applicant developing the parking area.

Beth Alderman is not concerned about the structural safety of the bridge, but rather the viability of pedestrian traffic on the bridge, and feels it is not safe for pedestrian traffic with increased vehicular traffic. The project will house families with children who will walk more, and that could impact the bridge, but it is not a deal breaker.

Roger Truttmann stated that the land for parkland isn't a question, and Suzi Janowiak asked if we could confirm that land isn't a question. She is concerned about a precedent and that not knowing about fees isn't a compelling reason to grant a variance. Is there a compromise?

Mike Slavish stated that the fees were a surprise to them, the land for parks had already been dedicated, so they assumed that the requirement had already been met. Dan O'Connell stated that nothing about impact fees had been brought up, so they weren't expected, that there had been no prior discussions about fees.

Kevin Budsberg asked if fees were ever laid out by the village? Dan O'Connell replied that while fees including permitting fees and utility connection fees were laid out, there was no indication of impact fees. Kevin Budsberg asked if the responsibility was on us, and did they ask if that was all fees? Dan O'Connell was not informed in all discussions, so is unsure.

Greg Collins stated that it was not mentioned because sufficient land was already dedicated, and the fee shouldn't need to be paid because the land is already dedicated.

Mike Slavish stated that Wisconsin Housing is a not for profit looking at developing a facility for special needs and those in need of affordable housing, and this is different from other variances.

Drake Daily indicated that other communities have set precedent to waive fees such as these impact fees for projects such as this one.

Suzi Janowiak stated that we have not formally adopted a waiver of the impact fees in the ordinance.

Chuck Phillipson stated that yes, the commission can waive by variance. Can we just do the per bedroom fee for park improvement?

Dan O'Connell indicate that the project calls for 68 bedrooms at \$100 each for a total of \$6800, and their preference is to waive that fee.

Mike Marty stated that fees are usually noted on the plat, and language is included on the plat and the covenants. There is no reference to park land, and it appears that the requirements are met, so that should be considered in the decision.

Chuck Phillipson moved approval to grant the variance as requested. Kevin Budsberg seconded to continue discussion.

Kevin Budsberg stated that his preference is to direct village staff to review the covenants to see if there is an issue with parkland fees, that doesn't then set a precedent if it is not an issue.

Drake Daily explained that the applicant has a short timeline and would like the issue wrapped up by the end of the month, and there is the option to take it to the Village Board next week.

Beth Alderman indicated that on Tuesday night, it could be clarified if conditions have already been met.

Chuck Phillipson stated that the commission has always granted variances and will continue to grant variances, there is no legal precedent, that all variances are considered on their own merits and the facts at the time. We need growth in the community, and this is an opportunity for growth and a higher purpose.

Beth Alderman stated that by Village Board making a final decision, it isn't kicking the entire project down the road.

Mary Anne Oemichen spoke on behalf of the group of families who specifically chose a non-profit developer for developing the project, and they have exceeded their goal of raising money for these special needs residents.

Roll call vote on the motion:

Ayes: Chuck Phillipson, Suzi Janowiak, Roger Truttman

Nay: Beth Alderman, Kevin Budsberg

Drake Daily declared the motion failed, that the recusal counts as a no, and the matter will proceed to the Village Board meeting on Tuesday.

Beth Alderman asked if it could be verified that the parkland issue is taken care of, and the only current issue if the \$100 per bedroom park improvement fee, and Drake Daily will have an answer before Tuesday night.

BUILDING INSPECTOR'S REPORT: Chair Roger Truttman noted that the Building Inspector's Report was included in the packet. Chuck Phillipson moved for approval of the report. Beth Alderman seconded. Motion carried unanimously.

ADJOURNMENT: Chair Roger Truttman noted that all business being completed, the meeting stood adjourned at 6:58 p.m.

Minutes taken by: Wendy Tschudy

**VILLAGE OF NEW GLARUS
VILLAGE PLAN COMMISSION MEETING
July 18, 2019**

ROLL CALL:

PRESENT: Roger Truttman, Kevin Budsberg, Suzi Janowiak, Mike Marty, Chuck Phillipson.
ALSO PRESENT: Administrator Drake Daily.

PUBLIC HEARING: Kevin and Alicia Duerst for Variance per § 305-15(D)(4)(a) [re: Request a Variance of 16 feet from the Required 25 foot Front Yard Setback], of the Municipal Code of the Village of New Glarus. Property located at 306 7th Avenue, being tax parcel 23-161-130. Roger Truttman opened the public hearing at 6:45 PM. No members of the public appeared to make a comment. Kevin Budsberg moved to closed the public hearing. Chuck Phillipson seconded the motion. Motion carried unanimously.

CALL REGULAR MEETING TO ORDER: Chair Roger Truttman called the regular meeting to order at 6:50 p.m.

ANNOUNCEMENT: All cell phones shall remain off during the meeting.

APPROVAL OF AGENDA: Kevin Budsberg moved to approve the agenda as presented, 2nd by Suzi Janowiak. Motion carried.

APPROVAL OF March 21, 2019 MINUTES: Kevin Budsberg moved to approve the minutes of March 21, 2019, 2nd by Chuck Phillipson seconded. Motion carried unanimously.

DISCUSSION: Discussion/Consideration: Variance Request for Kevin and Alicia Duerst. The Commission inquired as to why the property line was not at the curb. Administrator Daily confirmed the additional space between the property line and the curb was Village right of way. Chuck Phillipson moved approval of the variance request. Kevin Budsberg seconded.

Ayes: Chuck Phillipson, Kevin Budsberg, Roger Truttman, Suzi Janowiak

Nay: Mike Marty

BUILDING INSPECTOR'S REPORT: Chair Roger Truttman noted that the Building Inspector's Report was included in the packet.

ADJOURNMENT: Chair Roger Truttman noted that all business being completed, the meeting stood adjourned at 7:20 p.m.

Minutes taken by: Drake Daily

**VILLAGE OF NEW GLARUS
VILLAGE PLAN COMMISSION MEETING
March 21, 2019**

ROLL CALL:

PRESENT: Roger Truttman, Kevin Budsberg, Suzi Janowiak, and Denise Anton Wright.
ABSENT: Mike Marty, Chuck Phillipson, and Beth Alderman. ALSO PRESENT: Mark Roffers (MDRoffers Consulting) and Deputy Clerk Barb Roesslein.

CALL REGULAR MEETING TO ORDER: Chair Roger Truttman called the regular meeting to order at 6:30 p.m.

ANNOUNCEMENT: All cell phones shall remain off during the meeting.

APPROVAL OF AGENDA: Kevin Budsberg moved to approve the agenda as presented, 2nd by Suzi Janowiak. Motion carried.

APPROVAL OF FEBRUARY 21, 2019 MINUTES: Kevin Budsberg moved to approve the minutes of February 21, 2019, 2nd by Denise Anton Wright. Motion carried.

DISCUSSION: ZONING ORDINANCE AMENDMENTS: At the Plan Commission's February 21st meeting, the Commission began reviewing proposed amendments to the zoning and subdivision ordinances prepared by Village Planning Consultant Mark Roffers. At tonight's meeting the Commission completed their review of the proposed amendments. Mr. Roffers will now incorporate the recommendations received from the Commission, and will forward a revised draft to the newly appointed Village Administrator for his review prior to setting the public hearing before the Plan Commission. The Commission requested that they be included to receive the revised draft via email as well.

BUILDING INSPECTOR'S REPORT: Chair Roger Truttman noted that the Building Inspector's Report was included in the packet.

ADJOURNMENT: Chair Roger Truttman noted that all business being completed, the meeting stood adjourned at 7:23 p.m.

Minutes taken by: Barbara Roesslein

**VILLAGE OF NEW GLARUS
VILLAGE PLAN COMMISSION MEETING
February 21, 2019**

ROLL CALL:

PRESENT: Roger Truttmann, Kevin Budsberg, Beth Alderman, Chuck Phillipson, Suzi Janowiak, and Denise Anton Wright. ABSENT: Mike Marty. ALSO PRESENT: Mark Roffers (MDRoffers Consulting) and Deputy Clerk Barb Roesslein.

CALL REGULAR MEETING TO ORDER: Chair Roger Truttmann called the regular meeting to order at 6:32 p.m.

ANNOUNCEMENT: All cell phones shall remain off during the meeting.

APPROVAL OF AGENDA: Suzi Janowiak moved to approve the agenda as presented, 2nd by Kevin Budsberg. Motion carried.

APPROVAL OF NOVEMBER 15, 2018 MINUTES: Suzi Janowiak moved to approve the minutes of November 15, 2018 to include correcting the spelling of her first name on the Roll Call, 2nd by Kevin Budsberg. Motion carried.

DISCUSSION: ZONING ORDINANCE AMENDMENTS: Mark Roffers, the Village's Planning Consultant appeared before the Commission to present a draft of proposed amendments to the Village's zoning and subdivision ordinances. The purpose of tonight's meeting is to obtain feedback and suggested changes from the Commission. Mr. Roffers will then rewrite the first draft of the proposed amendments to include the recommendations received from the Commission. Once the amendments to the ordinance are finalized, the next steps would be for a public hearing before the Plan Commission to include a Class 2 notice. The Plan Commission would then make a recommendation to the Village Board, with final approval on the updated ordinances at the Village Board.

Mr. Roffers explained that a majority of the proposed revisions to the ordinances are to comply with state and federal law changes. The 2016 Comprehensive Plan also identified a list of zoning changes to § 305-45 "Off-street parking spaces" and § 305-46 "Highway access", which are included. Amendments to the sign ordinance have also been included in part to comply with a U.S. Supreme Court ruling that invalidates most regulations that are based on the content of the sign. Issues that have arisen in regards to the quantity, sizes, and types of signs in the different zoning districts are also being addressed.

After lengthy discussion and providing comments on a portion of the proposed amendments, the Commission asked Mr. Roffers if he could please return for the March 21, 2019 Plan Commission meeting to continue with the review of the draft.

BUILDING INSPECTOR'S REPORTS: Chair Roger Truttmann noted that the Building Inspector's Reports was included in the packet.

ADJOURNMENT: Chair Roger Truttmann noted that all business being completed, the meeting stood adjourned at 8:31 p.m.

Minutes taken by: Barbara Roesslein

MINUTES ARE NOT OFFICIAL UNTIL APPROVED AT SUBSEQUENT MEETING