Concord Town Planning Committee Agenda/Minutes 2012

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January 24, 2012 - Agenda

MEETING AGENDA

January 24, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER

W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- **1.** Roll Call
- **2.** Verify compliance with open meetings law
- 3. Review and approval of minutes from October 25, 2011
- **4.** Tom Hein is requesting review of a proposed Fireworks Ordinance for the town.
- **5.** New business
- **6.** Adjournment

January 24, 2012 - Minutes (Meeting Canceled)

TUESDAY February 28, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER
W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- **1.** Roll Call
- **2.** Verify compliance with open meetings law
- 3. Review and approval of minutes from October 25, 2011
- **4.** Tom Hein is requesting review of a proposed Fireworks Ordinance for the town.
- **5.** Jay Leiblang, 6075 Grey Fox Trail, is requesting a conditional use permit for Extensive Onsite Storage to construct an outbuilding which will exceed maximum height restrictions.
- **6.** New business
- 7. Adjournment

TOWN OF CONCORD PLAN COMMISSION MINUTES

February 28, 2012

The meeting was called to order at 7:00 p.m. by Chairman Dave Janquart with Jim Gilbert, Carole Hoffmeister, Sally Williams, and Laura Callison present. Town Chairman Bill Ingersol was also present. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the October 25, 2011 meeting seconded by Carole Hoffmeister and carried.

- 1. Jay Leiblang, 6075 Grey Fox Trail, requested a conditional use permit for Extensive Onsite Storage to construct an outbuilding which will exceed maximum height restrictions for R-2 zoning. The building will be 20ft at the peak. Jim Gilbert made a motion to recommend approval of the conditional use permit seconded by Carole Hoffmeister and carried.
- 2. Tom Hein of Eagle requested review of a Fireworks ordinance which he proposed for the Town's consideration. Mr. Hein had sold fireworks in the Town over 10 years ago at the location of the Concord General Store on the northwest corner of I-94 and CTH F. When the property was sold, there was an agreement that no fireworks would be sold from the property for a period of 10 years. That 10 years is now past. Mr. Hein said he has spoken to the owner of the property and the owner would be willing to allow him to sell fireworks at that location.

Mr. Hein proposed that if he were allowed to sell fireworks in the Town, he could also handle the sale of fireworks possession permits at that location. Under the authorization of the Town Chairman, Mr. Hein would issue the possession permit to any person purchasing fireworks at his location who does not already have such a permit. A possession permit would be required before the buyer would be allowed to purchase fireworks. If a resident of the Town of Concord already has a fireworks user's permit issued by the Town, that person would not need to obtain a possession permit from Mr. Hein in order to purchase fireworks. The cost of the permit would be set by the Town - Mr. Hein recommended \$3 to \$5. Purchasers of a permit would be tracked electronically and all revenue from sale of the permits would go to the Town.

About 10 years ago, the Town adopted Wis. stat. 167.10 "Regulation of Fireworks" as the Town fireworks ordinance. This ordinance does not explicitly impose a fee for the issuance of a fireworks possession/ user's permit. It does allow the Chairman to designate a separate party who could issue the permit. Currently there is no fee and the user's/ possession permit is obtained directly from the Town Chairman. Mr. Hein's proposed ordinance also does not address the establishment of a fee to obtain the possession permit.

It was also noted that if the Town wishes to issue possession permits for a fee as per Mr. Hein's proposal, this could be achieved by amending the current ordinance rather than adopting the new ordinance as proposed by Mr. Hein. The Plan Commission was unsure if a fee could be imposed for the purchase of a fireworks possession

permit if that fee is not explicitly stated in the ordinance. Dave Janquart will check with the Towns Association attorney on the following questions: 1) Would we need to amend our current ordinance in order to impose a fee to obtain a fireworks possession permit. 2) Would we need to amend the current ordinance to charge a fee to issue a vendor's permit? Under the current ordinance – what would a vendor need to do to be able to legally sell fireworks in the Town? 3) What liability may the Town incur by issuing possession permits to persons who are not Town residents.

Bill Ingersol stated that an additional issue is that there were many complaints surrounding the selling of fireworks in the Town by Mr. Hein in the past. This is what had prompted the adoption of a fireworks ordinance by the Town. The general consensus at that time was that the Town citizens did not want fireworks sold within the Town. Bill will check with Sheriff Mibrath regarding past concerns with the sale of fireworks in the Town.

Dave Janquart made motion to table the issue until the next Plan Commission meeting on March 27, seconded by Sally Williams and carried. Mr. Hein will attend the next meeting and present an example of the possession permit process and electronic tracking.

With no further business, Dave Janquart made a motion to adjourn, seconded by Jim Gilbert and carried.

Respectfully submitted,

TOWN OF CONCORD PLAN COMMISSION MEETING AGENDA TUESDAY March 27, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER

W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- 1. Roll Call
- **2.** Verify compliance with open meetings law
- **3.** Review and approval of minutes from February 28, 2012
- **4.** Pete Gross of Lots and Land Real Estate, N5921 Jefferson Rd, Johnson Creek, is requesting review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel from existing parcel nos. 006-0716-1244-000 & 006-0716-1311-000.
- **5.** Nina Barnes, W2076 County Road B, is requesting a conditional use permit for a home occupation to run a family owned and operated Country Store on her property.
- **6.** Review of Town Fireworks Ordinance.
- 7. New business
- **8.** Adjournment

March 27, 2012 - Minutes TOWN OF CONCORD PLAN COMMISSION MINUTES

March 27, 2012

The meeting was called to order at 7:00 p.m. by Chairman Dave Janquart with Jim Gilbert, Carole Hoffmeister, and Sally Williams. Laura Callison was absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the February 28, 2011 meeting seconded by Carole Hoffmeister and carried.

- 1. Pete Gross of Lots and Land Real Estate, N5921 Jefferson Rd, Johnson Creek, requested review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel from existing parcel nos. 006-0716-1244-000 & 006-0716-1311-000. A previous lot split and rezoning was approved for this property but never finalized. Jim Gilbert made a motion to approve the farm consolidation seconded by Carole Hoffmeister and passed.
- 2. Nina and Rodney Barnes, W2076 County Road B, are requesting a conditional use permit for a home occupation to run a family owned and operated business on their property. The Barnes have 7 acres which is zoned A-1 and currently have ~ 5 animal units on the property (2 horses, a donkey, a pony, and some chickens). Mr. Barnes raises meat (beef and pigs) off the property on land which he rents. He then sells the meat currently the butcher. The Barnes explained that they would like to have a store which would sell products such as farm produce, meat products (beef, chicken, pig), locally made honey, and country crafts. These products would be produced by them and by other area residents/ farmers. The pork and beef would be produced off the premises. They would operate the business in an existing shed which is ~ 22' x 24'. Under the newly revised Jefferson County Zoning, a home occupation under a conditional use permit may only deal in stock in trade produced on the premises. As the Barnes' proposal would entail sale of a significant amount of stock in trade produced off the premises, the proposal would not be allowable under the definition of home occupation. There was some discussion as to whether or not rezoning to A-2 would be possible to allow such a venture on the property. The suggestion was made for the Barnes to write up a more detailed business plan and to discuss this plan with Rob Klotz at the Jefferson County Zoning Office to get his opinion as to what avenues they could pursue or what changes may be necessary to the business plan to comply with the zoning restrictions. The issue was tabled until the April meeting.
- **3.** Dave Janquart had talked to the Towns Association Attorney regarding the proposed fireworks ordinance. Under our current ordinance, the town could allow Mr. Hein to sell fireworks without requiring the buyer to purchase a possession permit. Her opinion was that the purchase of a possession permit by a person buying fireworks as proposed by Mr. Hein would not be necessary unless the purchaser was going to remain in the town for more than 12 hours. Additionally, the permit would only allow possession within the Town of Concord and nowhere else and the purchaser would need to get another possession permit at his/ her destination. For town residents who would be remaining in the township, the permit could be issued directly to them from the Town Chairman. She recommended against the sale of the possession permits to non-residents by the town and against designation a third party to handle the sale of the permits. As Tom Hein was unable to attend tonight's meeting,

further discussion of the proposed fireworks ordinance was tabled until the April meeting.

With no further business, Jim Gilbert made a motion to adjourn, seconded by Dave Janquart and carried.

Respectfully submitted,

April 24, 2012 - Agenda

TOWN OF CONCORD PLAN COMMISSION MEETING AGENDA TUESDAY April 24, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER
W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- 1. Roll Call
- 2. Verify compliance with open meetings law
- 3. Review and approval of minutes from March 27, 2012
- **4.** Ray Rausch, W525 CTH B, is requesting review and approval of a preliminary CSM to create (2) 1 acre A-3 parcels from A-1 parent parcel #006-0716-1411-009.
- **5.** Nina Barnes, W2076 County Road B, is requesting a conditional use permit for a home occupation to run a family owned and operated Country Store on her property.
- **6.** Review of Town Fireworks Ordinance.
- 7. New business
- 8. Adjournment

TOWN OF CONCORD PLAN COMMISSION MINUTES April 24, 2012

The meeting was called to order at 7:00 p.m. with Jim Gilbert, Carole Hoffmeister, Sally Williams, and Laura Callison present. Chairman Dave Janquart was absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the March 27, 2012 meeting seconded by Laura Callison and carried.

- **1.** Ray Rausch, W525 CTH B, requested review and approval of a preliminary CSM to create (2) 1 acre A-3 parcels from A-1 parent parcel #006-0716-1411-009. Sally Williams motioned to recommend approval of the preliminary survey, seconded by Jim Gilbert and carried.
- 2. Tom Hein of Eagle presented a revised version of his proposed fireworks ordinance. The revised version includes wording allowing the Town to charge a fee & designate a third party for the sale of possession permits to anyone purchasing fireworks in the town. Mr. Hein gave a demonstration of the program he uses to issue possession permits to purchasers of Fireworks. The program acquires information from the purchaser's drivers license and generates a permit pre-signed by the Town supervisor.

According to the Towns Association attorney, the Town can issue a permit for Mr. Hein to sell fireworks under our current ordinance. Also, the purchaser would not need a possession permit unless he/ she remained in the Town for over 12 hours. A possession permit issued by the Town would be of no use to the purchaser outside the township – the purchaser would still need to obtain a user/ possession permit at his/ her destination. She recommended against the sale of the possession permits to non-residents by the town and against designation a third party to handle the sale of such permits.

Tom Hein indicated that he would not want to sell fireworks to an individual unless they had a possession permit. If an individual had such a permit from another municipality, he would have no way of insuring its validity. After further discussion, Sally Williams made a motion to recommend to the Town board that no changes be made to the current fireworks ordinance, seconded by Jim Gilbert and carried.

With no further business, Sally Williams made a motion to adjourn, seconded by Jim Gilbert and carried.

Respectfully submitted,

TOWN OF CONCORD PLAN COMMISSION MINUTES August 28, 2012

The meeting was called to order at 7:00 p.m. with Chairman Dave Janquart, Jim Gilbert, Carole Hoffmeister, Sally Williams, and Laura Callison present. was absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the July 24, 2012 meeting seconded by Carole Hoffmeister and carried.

- **1.** Barb Reinke, on behalf of Violet Chartier, requested review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at W1536 CTH B from a 29 acre A-1 parent parcel #006-0716-1631-000. Dave Janquart made a motion to recommend approval of the farm consolidation, seconded by Jim Gibert and carried.
- **2.** Gary Hartling, on behlf of the Kenneth Meyer Estate, requested review and approval of a preliminary CSM to create a 2 acre farm consolidation parcel at W140 USH 18 from a 58 acre A-1 parent parcel # 006-0716-3641-000. Jim Gilbert made a motion to recommend approval of the farm consolidation seconded by Laura Callison and carried.
- **3.** Steve Knoebel requested review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at N4982 CTH P from A-1 parent parcels #006-0716-3412-001 & 006-0716-3413-000. Dave Janquart made a motion to recommend approval of the farm consolidation, seconded by Jim Gilbert and carried.a

With no further business, Sally Williams made a motion to adjourn, seconded by Jim Gilbert and carried.

Respectfully submitted,

July 24, 2012 - Minutes

TOWN OF CONCORD PLAN COMMISSION MEETING AGENDA TUESDAY August 28, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER

W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- **1.** Roll Call
- 2. Verify compliance with open meetings law
- **3.** Review and approval of minutes from July 24, 2012
- **4.** Barb Reinke, on behalf of Violet Chartier, is requesting review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at W1536 CTH B from a 29 acre A-1 parent parcel #006-0716-1631-000.
- **5.** Gary Hartling, on behlf of the Kenneth Meyer Estate, is requesting review and approval of a preliminary CSM to create a 2 acre farm consolidation parcel at W140 USH 18 from a 58 acre A-1 parent parcel # 006-0716-3641-000.
- **6.** Steve Knoebel is requesting review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at N4982 CTH P from A-1 parent parcels #006-0716-3412-001 & 006-0716-3413-000.a
- 7. New business
- **8.** Adjournment

TOWN OF CONCORD PLAN COMMISSION MEETING AGENDA TUESDAY August 28, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER
W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- **1.** Roll Call
- **2.** Verify compliance with open meetings law
- **3.** Review and approval of minutes from July 24, 2012
- **4.** Barb Reinke, on behalf of Violet Chartier, is requesting review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at W1536 CTH B from a 29 acre A-1 parent parcel #006-0716-1631-000.
- **5.** Gary Hartling, on behlf of the Kenneth Meyer Estate, is requesting review and approval of a preliminary CSM to create a 2 acre farm consolidation parcel at W140 USH 18 from a 58 acre A-1 parent parcel # 006-0716-3641-000.
- **6.** Steve Knoebel is requesting review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at N4982 CTH P from A-1 parent parcels #006-0716-3412-001 & 006-0716-3413-000.a
- 7. New business
- **8.** Adjournment

TOWN OF CONCORD PLAN COMMISSION MINUTES August 28, 2012

The meeting was called to order at 7:00 p.m. with Chairman Dave Janquart, Jim Gilbert, Carole Hoffmeister, Sally Williams, and Laura Callison present. was absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the July 24, 2012 meeting seconded by Carole Hoffmeister and carried.

- **1.** Barb Reinke, on behalf of Violet Chartier, requested review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at W1536 CTH B from a 29 acre A-1 parent parcel #006-0716-1631-000. Dave Janquart made a motion to recommend approval of the farm consolidation, seconded by Jim Gibert and carried.
- **2.** Gary Hartling, on behlf of the Kenneth Meyer Estate, requested review and approval of a preliminary CSM to create a 2 acre farm consolidation parcel at W140 USH 18 from a 58 acre A-1 parent parcel # 006-0716-3641-000. Jim Gilbert made a motion to recommend approval of the farm consolidation seconded by Laura Callison and carried.
- **3.** Steve Knoebel requested review and approval of a preliminary CSM to create a 3 acre farm consolidation parcel at N4982 CTH P from A-1 parent parcels #006-0716-3412-001 & 006-0716-3413-000. Dave Janquart made a motion to recommend approval of the farm consolidation, seconded by Jim Gilbert and carried.a

With no further business, Sally Williams made a motion to adjourn, seconded by Jim Gilbert and carried.

Respectfully submitted,

November 27, 2012 - Agenda

TOWN OF CONCORD PLAN COMMISSION MEETING AGENDA TUESDAY November 27, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER

W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- 1. Roll Call
- 2. Verify compliance with open meetings law
- 3. Review and approval of minutes from August 28, 2012
- **4.** Ernest Bankert, W1360 Homeview Rd., is requesting review and approval of a preliminary CSM to create a 1 acre farm consolidation parcel. He is also requesting a variance to allow buildings within the allowable setbacks.
- **5.** a
- **6.** Review Town of Concord Mobile Home Park Ordinance
- 7. New business
- 8. Adjournment

TOWN OF CONCORD PLAN COMMISSION MINUTES November 27, 2012

The meeting was called to order at 7:00 p.m. with Jim Gilbert, Carole Hoffmeister, Sally Williams, and Laura Callison present. Town Chairman Bill Ingersol was also present. Dave Janquart was absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the August 28, 2012 meeting seconded by Laura Callison and carried.

1. Ernest Bankert, W1360 Homeview Rd., presented a preliminary CSM to create a 1 acre farm consolidation parcel. The 1 acre parcel and another home on the property would share an existing driveway. The driveway would be part of the 1 acre farm consolidation parcel and an easement is proposed to allow access

through the same driveway to the other home. A suggestion was made to have a separate driveway access to the new parcel so that an easement would not be needed. The driveway access could go from the north side of the lot, to the north of the existing home, and then to the roadway. Mr. Bankert will check with the county about this possibility. Sally Williams made a motion to recommend approval of the farm consolidation and variance with the possibility of moving the driveway access to the north. Seconded by Jim Gilbert and carried.

2. Discussion of Mobile Home Park Ordinance

About 12 years ago the Park was purchased by a corporation which owns about 60 other such parks. Background checks are done by the corporation prior to allowing a resident to move in to the Park. However, the Park cannot discriminate against a potential tenant unless the applicant is a sex offender, a habitual criminal, or has a history of violence or domestic abuse. Applicants also must meet certain credit rating criteria. The Park has 182 spaces with room for 28 more. Permits for new building, electrical, and plumbing are issued by the Building inspector. The septic system is inspected yearly by the DNR.

There have been no reported problems currently with the Park, but the Town may want to take a more active role in overseeing the Park to ensure there are no problems in the future. Some areas which could be addressed in the Town Mobile Home Park Ordinance include: Sanitation, quality of life, street maintenance, wells, sewer, garbage pick-up, tree trimming, leaf pick-up, etc. The Town may want to

consider limiting the number of persons per household. While some of these issues are addressed in the current Town ordinance, there has been no active oversight by Town officials on any of these issues. Oversight, and a fine for non-compliance with certain standards, would help to ensure that the Park remains problem free. The current ordinance does state that the Town Board must inspect the premises prior to renewing the Park's license each year. An inspection of this type, however, has not been routinely performed.

Plan Commission members will continue to research the ordinance and the Town's ability to oversee the Park. Discussion will continue at the next meeting on Dec. 18.

With no further business, Jim Gilbert made a motion to adjourn, seconded by Laura Callison and carried.

Respectfully submitted, Sally Williams, secretary

MEETING AGENDA TUESDAY December 18, 2012

LOCATION: TOWN OF CONCORD COMMUNITY CENTER

W1089 CONCORD CENTER DRIVE

TIME: 7:00 P.M.

AGENDA

- 1. Roll Call
- 2. Verify compliance with open meetings law
- 3. Review and approval of minutes from November 27, 2012
- **4.** Review Town of Concord Mobile Home Park Ordinance
- **5.** New business
- **6.** Adjournment

TOWN OF CONCORD PLAN COMMISSION MINUTES December 18, 2012

The meeting was called to order at 7:00 p.m. with Jim Gilbert, Carole Hoffmeister, and Sally Williams, present. Dave Janquart and Laura Callison were absent. The meeting was opened with the Pledge of Allegiance.

Sally Williams stated that the meeting had been properly posted.

Jim Gilbert made a motion to accept the minutes from the November 27, 2012 meeting seconded by Carole Hoffmeister and carried.

Discussion of the Mobile Home Park Ordinance: Members present received a copy of the *Guidelines for Living* and the *Rental Agreement* for the Spacious Acres Mobile Home Park.

The committee proceeded to discuss the Town Ordinance 12.06.

Section (1) Definitions & Section (2) Location Outside Parks. No changes were suggested.

Section (4) Temporary Parking Permit. There was a consensus that the temporary parking permit fee should be increased. A monthly fee should be considered with a minimum one month fee.

Section (5) Limitations on Length of Stay and Number of Occupants. The ordinance does not currently limit the number of occupants in a mobile home. These are limited by the current state and HUD regulations. We should consider referencing those limits in the ordinance or further limiting them if we feel it necessary. A limit of 2 persons per bedroom was suggested.

Section (6) License for Mobile Home Park.

- (a) No changes suggested
- (b) Application fees. The fee for renewal seems fair. The Park needs to renew its state license each year as well. The current fee for transfer of a license is \$10. There is no current mechanism to prevent the transfer of the Park license to an entity which the Town would not approve. ie. a company with a historically poor record of performance in the running of such Parks. The Town should research its ability screen potential purchasers of the Park and to deny transfer of the license in the company does not meet/ comply with certain standards. The Town may want to prohibit transfer of a license and require reapplication for a license instead in the event that the property is sold.
- (c) & (e) When application/ renewal of the license is submitted, the Park owners must provide a plan which contains certain elements listed in these sections. These elements include a plan

for sewer, spaces, emergencies, garbage disposal, water supply, lighting, roadways, etc. The Town may want to be much more specific in these sections, particularly section (e).

The document entitled *Guidelines for Living* has been prepared by the current park ownership and approved by the State of Wisconsin. This document contains many specific guidelines regulating the activities of the residents of the Park. As this document is subject to change, stipulations contained in it which the Town Board desires to remain in place should be included in the Town ordinance. One such stipulation would be to prohibit the subleasing of Mobile homes within the Park. Discussion will continue at the January Plan Commission meeting regarding more specific requirements the Town may want to include in its ordinance.

Sally Williams made a motion to adjourn, seconded by Carole Hoffmeister and carried.

Respectfully submitted, Sally Williams, secretary