

**In attendance:**

Mayor S. Bierce, Alderman B. Bergman, T. Janka, D. Linsmeier, K. Salituro, S. Sullivan and C. Wunder.

**Also in attendance:**

City Planner & Community Development Director N. Fuchs, Administrator S. Klein and Deputy Clerk A. Hurd.

1. Call to Order and Pledge of Allegiance

Chairman Bierce called the meeting to order at 7:00pm and requested everyone stand for the Pledge of Allegiance.

2. Discussion and Action Regarding Approval of Meeting Minutes Dated June 20, 2019 and July 18, 2019

**A motion was made and seconded (C. Wunder, T. Janka) to approve the June 20<sup>th</sup>, 2019 and July 18<sup>th</sup>, 2019 Plan Commission minutes.** Motion Passed: 6-For, 0-Against, 1-Abstain (Linsmeier).

3. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Gary Klatt to Rezone Property Located at N40 W27535 Glacier Road (PWC 0890999002) From Rs-2 Single-Family Residential District To Rs-3 Single-Family Residential District and Property Bearing Tax Key No. 0890999007 From Rs-2 Single-Family Residential District and UC Upland Conservancy District To Rs-3 Single-Family Residential District and UC Upland Conservancy District

Mr. Fuchs stated this was a reconfiguration of three existing lots and three existing outlots. Lots one and two abut Glacier Road and are proposed to be rezoned to Rs-3 to accommodate for the lot size. The applicant is requesting that lot three be considered a double frontage lot and considering the south property line the front yard due to the lake. The Hillside Grove property line would be a side yard. If the Plan Commission does not agree with the owner's interpretation, then it would be a front yard as well, since it is abutting the public right-of-way. The applicant is requesting the side yard on the west property line be 25 feet to allow for a proposed home. If it is considered just front yard off Hillside Grove, that would make the west side a rear yard with a 35 foot setback.

Chairman Bierce opened the public hearing at 7:05pm.

The applicant, Mr. Bill Russo, stated the western side of the lot is the only buildable space.

Cory Prah (N40 W27575 Glacier Road) stated she owns the property from Glacier Road down to the lake to the west side of the Klatt and Russo properties. She stated lot three is in the upland conservancy and is within 1,000 feet of the lake, and is heavily wooded with priority trees. She stated she was objecting to a variance to get closer to her lot and questioned who the authority would be for cutting the trees on the lot.

Discussion took place regarding the removal of trees as relates to the various governing bodies.

The applicant, Ms. Tusca Russo, stated they have no interest in displacing any trees, and the area that they are going to build in is treeless. The driveway would not even be near Ms. Prah's site.

Chairman Bierce closed the public hearing at 7:20pm.

Mr. Fuchs mentioned that there may be a requirement to build turnaround at Hillside Grove Road, and the applicant will have to work with the Engineering Department to look at the grading.

Discussion then took place regarding the placement of the driveway.

Paul Galganski, representing Gary Klatt, questioned when the decision is made for what the setback is. He questioned if it was at the time the CSM was approved, or if it was when the rezoning was approved.

Mr. Fuchs felt it was a question of interpretation. He stated setbacks should be shown on the CSM the way the applicant wanted and the Plan Commission and Common Council could make the interpretation as to whether they see it as a double frontage lot because of the linkage with the outlot or not.

Mr. Klein stated he had discussed this lot in the past and this is the only spot on this lot that a home could be constructed on. The way this was subdivided, the only access is off of Hillside Grove Road, and it is oriented the way the property owner is saying it is, so this is the only way it would work.

Commissioner Bergman mentioned that he did not see some of the setbacks listed on the CSM and would like any motion for approval to require the surveyor to clearly mark all setbacks.

Mr. Fuchs clarified that because they were pushing the north property line of the proposed lot three 40 feet north, lots one and two are dropping under two acres.

**A motion was made and seconded (K. Salituro, B. Bergman) to approve the rezoning from Rs-2 to Rs-3.** Motion Passed: 7-For, 0-Against.

4. Discussion and Action Regarding a Certified Survey Map Application for Gary Klatt for Property Located at Approximately N40 W27535 Glacier Road for the Purpose of Reconfiguring Property Boundaries of Lots 1 and 2 and Outlots 1 and 3 of CSM No. 8822 (PWC 0890999002, PWC 0890999007)

**A motion was made and seconded (B. Bergman, T. Janka) to approve the certified survey map conditioned on the surveyor defining all four setbacks for each lot.** Motion Passed: 7-For, 0-Against.

5. Discussion and Action Regarding a Certified Survey Map Application for William and Tosca Russo for Property Located on Glacier Road for the Purpose of Reconfiguring Lot 3 and Outlot 2 of CSM No. 8822 (PWC 0890999004)

**A motion was made and seconded (K. Salituro, D. Linsmeier) to approve the certified survey map with a 45 foot front yard setback from the east and south property lines, and a 25 foot side yard setback from the north and west property lines, with the appropriate notes made on the map.** Motion Passed: 7-For, 0-Against.

6. Discussion and Action Regarding a Petition for a Rezoning Public Hearing for Dennis Carlson to Rezone Property Located at N47 W22391 Weyer Road From Rs-6 Single-Family Residential to Rs-

4 Single-Family Residential for the Purpose of Combining the Lots Into One Parcel (PWC 0865995004, Formerly 0865997004)

Mr. Fuchs stated this was a land combination and rezoning. There was a 66 foot remnant parcel that was reserved for potential access for subdivision development but it was not used so the developer is selling it. It will be combined with the adjacent homeowner's existing lot.

Chairman Bierce opened the public hearing at 7:48pm. There were no requests to speak and Chairman Bierce closed the public hearing at 7:48pm.

**A motion was made and seconded (T. Janka, S. Sullivan) to approve the rezoning from Rs-6 to Rs-4.** Motion Passed: 7-For, 0-Against.

7. Discussion and Action Regarding a Certified Survey Map for the Dennis Carlson Property Located at N47 W22391 Weyer Road for the Purpose of Combining Two Parcels (PWC 0865995004, Formerly 0865997004 & 0865994)

**A motion was made and seconded (T. Janka, C. Wunder) to approve the certified survey map.** Motion Passed: 7-For, 0-Against.

8. Discussion and Action Regarding a Certified Survey Map for the Still River Subdivision Outlot 10 Located on Still River Drive Owned by Outlot 10 LLC for the Purpose of Converting the Lot Into Two Single-Family Lots (PWC 0950102)

Mr. Fuchs stated this was an existing outlot in the Still River subdivision and was always planned to be either subdivided, built as one lot or subdivided as two lots as the applicant is proposing. There is a wetland on the land, and they recently received DNR approval to fill it. The CSM will remove the outlot designation and subdivide the property into two buildable lots.

Craig Caliendo, owner of the outlot and developer of the subdivision, noted that when this was developed, they did run the water and sewer laterals there.

**A motion was made and seconded (B. Bergman, T. Janka) to approve the certified survey map.** Motion Passed: 7-For, 0-Against.

9. Adjournment

**A motion was made and seconded (K. Salituro, C. Wunder) to adjourn the meeting at 7:54pm.** Motion Passed: 7-For, 0-Against.

Respectfully Submitted,

Ami Hurd  
Deputy Clerk