

TOWN OF SCOTT, BROWN COUNTY, WISCONSIN
PLAN COMMISSION MEETING MINUTES
September 15, 2011

1. Call to order/Role Call.

Meeting called to order by Chairman Bill Roskams at 6:00pm at the Scott Town Hall. Present: Jeff Zlatohlavek, Bill Roskams, Dale Herold, Mike Van Lanen. Beth Fritsche. Excused: Bob Fuhr and Paul VandenPlas.

Also present was Economic Development Coordinator/Planner Dave Cerny, Mike Soletski, landowner/applicant, John Bunker landowner, and Attorney Kristine Pihlgren.

2. Approve Plan Commission Minutes of May 19, 2011 Meeting.

Motion by Zlatohlavek, seconded by Herold to approve, as submitted, the minutes of the Town of Scott Plan Commission from May 19, 2011. All in favor, motion carried.

3. Review/Take Action on a request to remove 20 acres of Sewer Service Area (SSA) from the western portion of Parcel SC-32. Parcel is located east of Nicolet Drive at the end of Circle Ridge Road.

Cerny directed the attention of the Plan Commission to the information provided to them in their mailing, specifically: Attachment 1 – Staff Report and Attachment – 3 Sewer Service Area Map. Cerny reviewed the request and summarized his Staff Report. Soletski distributed information pertaining to the request (Attachment 5 – Sewer Service Area Removal Map, Attachment 6- Property Location Map, Attachment 8 – 2002 Parcel Map).

Discussion pursued regarding the history of how SSA was applied in the area. The Sewer Service Area Map (Attachment 3) illustrates the last changes made by the Town in 2005.

Discussion included specific concerns on how the SSA boundaries are laid out in this area. The 2005 SSA Map illustrates how the Town needed to remove SSA from a portion of the Zeise property in order to honor a request by Wequiock Creek Development LLC for 47.2 acres of SSA. Cerny explained that the County will not allow the Town to create a 'donut hole' when applying SSA so un-serviced land needs to be contiguous.

Further discussion on how the sewer system in the area was designed and how the system could function now and in the long term.

Concerns were expressed that a lot of thought and effort went into the current SSA Map and that this request would not be in the Town's best interest and would also go against policies that the Town had expressed to area landowners when working on the SSA Map in 2005.

Soletski presented a detailed map illustrating the proposed land to be removed from SSA (Attachment 5). He explained that if they (Wequiock Creek Development LLC) had their original parcel lines still in place they would not have to go thru this cumbersome and expensive process. When asked when or why the lines were removed he stated that he didn't know and directed the Plan Commission's attention to Attachment 8 – 2002 Parcel Map. He explained that if he had the parcels as illustrated he would be able to shift the lines to satisfy the buyer's demands and just record the changes to the lot size.

Cerny explained that if there were lines as illustrated the developers could just shift the parcel lines without Town approval. It would also eliminate the Town's ability to review and address concerns which are specifically identified in the next Agenda Item.

Soletski further explained that he had discussed this with Jim Wallen, the Brown County Property Lister. He stated that Wallen informed him that the changes were brought about by requests from the Town of Scott.

Lengthy discussion on how parcel lines are 'erased' and who is responsible.

Cerny stated that he had also discussed this with the Brown County Property Lister and that Wallen had informed him that these changes came about by request of the developers / property owners.

Comment from Bunker that all they want to do is to sell a piece of land and is hoping for the easiest way to do so.

Plan Commission discussion on the need for clarification on the parcel line issue.

Motion by Van Lanen, seconded by Fritsche to deny the request for removal of 20 acres of Sewer Service Area from Parcel SC-32. All in favor, motion carried.

Motion by Herold, seconded by Zlatohlavek to recommend to the Town Board that, if possible, the original parcel lines and numbers would be re-established to the area south of Wequioc Creek. All in favor, motion carried.

4. Review/Take Action on a request for a single lot Certified Survey Map (CSM). The request is for a new 20 acre lot divided off of Parcel SC-32. The Parcel is located east of Nicolet Drive at the end of Circle Ridge Road.

Cerny handed out the rebuttal he had received via e-mail on September 13, 2011 at 5:51 pm (Attachment 4). The Plan Commission paused to read the 2 page rebuttal.

Cerny again directed the attention of the Plan Commission to the information provided to them in their mailing, specifically: Attachment 1 – Staff Report concerning this item, Attachment 2 – the proposed Certified Survey Map (CSM). Soletski also provided information to the Plan Commission: Attachment 7 – Area Development Map, and Attachment 9 – an e-mail from Cerny dated July 22, 2011 and miscellaneous tax and parcel information printed from Brown County's Land Records web site.

With the number of contingencies in the Staff Report and Soletski's rebuttal it was agreed that the comments would be reviewed and discussed one at a time. (See Attachment 1 – Staff Report and Attachment 4 – Soletski's rebuttal)

Cerny read his staff report and comment was provided based on Mr. Soletski's written rebuttal. Discussion ensued regarding each of the points in the Staff Report and rebuttal. Specific discussion included the following (the following numbering matches that of the Staff Report and rebuttal).

- 1) How the original Area Development Plan was designed, where future roads were planned, and how the planned road network would allow connection of interior lands to both Nicolet Drive and Van Lanen Road.
- 2) Debate on how important it was to provide for future access to lands which are currently inaccessible.
- 3) Discussion on how to extend Circle Ridge Road and to provide legal frontage to the existing home (Parcel # SC-30-5).
- 4) In conjunction with the item above (#3) the Plan Commission considered methods of how to improve the end of Circle Ridge Road.
- 5) Consideration for using different methodology when conducting the Phase I Archeological Inventory.
- 6) Discussion on the preservation and future trail location in and along the Wequioc Creek corridor as described in the Town of Scott's Comprehensive Plan.
- 7) Extensive dialog on how the sewer system is designed in this area and how the area could be serviced by future sewer lines.

During the discussion consensus was reached between the landowners and the Plan Commission that an updated Area Development Plan would be provided by the applicant, the right-of-way for Circle Ridge Road needed to be extended to provide legal access to the existing home, a temporary gravel cul-de-sac would be installed at the applicants expense, and that an archeological inventory only needed to be completed on that portion of the property which will be disturbed during construction.

Van Lanen clarified the Town's position on the requirement that sewer hook-up be required if it were to come within 250 feet of a home. He stated that this has been a Town policy and a requirement of the Scott 1 Sanitary District for many years and the Town will respect this position of the Sanitary District. He also asked Soletski if he understood that this parcel would require sewer, water and full subdivision improvements if further lot division was to be considered in the future. Soletski stated that he understood that requirement.

Motion by Herold, seconded by Van Lanen to recommend approval to the Town Board for the request for a single lot Certified Survey Map (CSM) for Parcel SC-32, contingent on the following points:

- An updated Area Development Plan (ADP), satisfactory to the Town, be provided by the developer.
- The ROW to be extended at the end of Circle Ridge Road, providing legal frontage to SC-30-5, and a temporary gravel cul-de-sac be installed, to the satisfaction of the Town's Engineer.
- A Phase 1 Archeological Inventory be conducted on the area to be disturbed by construction.
- A 20 foot wide trail easement be recorded on the CSM, currently illustrated as the 20 foot setback identified on the proposed CSM.
- Sewer and water be required should it come within 250' of the building improvements.

All in favor, motion carried.

5. Communications

None

6. Next meeting is scheduled for October 20, 2011, at 6:00 pm.

Cerny informed the Plan Commission that he would not be able to attend this meeting. Consensus was to wait to see if a meeting was necessary and the preference is to have the meeting held on October 13, 2011.

7. Adjourn.

Motion by Zlatohlavek, seconded by Van Lanen to adjourn. All in favor, motion carried.

Meeting adjourned at 8:26 pm

Respectfully submitted

Dave Cerny, Economic Development Coordinator, Town of Scott