

NEW BERLIN PLAN COMMISSION  
NEW BERLIN CITY HALL COUNCIL CHAMBERS  
FEBRUARY 17, 2005  
MINUTES

The Plan Commission Meeting was called to order by Mayor Wysocki at 6:10 P.M.

In attendance were Mayor Wysocki, Alderman Ament, Mr. Gihring, Mr. Sisson, Mr. Barnes. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Olofu Agbaji, Associate Planner; Amy Bennett, Associate Planner. Mr. Teclaw and Mr. Felda were excused.

3. PG-936 Conservation Forum – Subdivision and Zoning Code Amendments

Mayor Wysocki - I would like to alert the Plan Commission that I feel that forwarding the amendments to the Council tonight would be too fast. The concern is working under a six month moratorium being up in March. We had hoped at the time when the motion went forward to Council for the moratorium that the Council would allow us some additional time if necessary. I would suggest in view of the legitimate constructive criticism of the public still needing time to take in all the time we have spent on these codes, that we would not move forward with a formal recommendation tonight. I suggest we keep open the opportunity for any other written comments on the code. I think it is in our best public policy interest to make a request to extend the time of the moratorium.

**Chapter 235**

**Amendment #6**

Motion by Mr. Gihring to repeal and recreate Amendment #6 replacing “lands” with “areas”.  
Seconded by Mr. Sisson. Motion carried unanimously.

**Amendment #9**

Motion by Mr. Gihring to repeal and recreate Amendment #9 adding the words “Staff shall have the authority to require a high intensity soil survey for specific soil surveys that are clearly above or below threshold for septic systems.” on Page 16, Line 25, 26, 27.

Seconded by Mr. Sisson. Motion carried unanimously.

**Amendment #11**

Motion by Mr. Barnes to repeal and recreate Amendment #11 changing to words “water systems” to “POWTS”, change “is” to “in”, and change “begins” to “being” on Page 18, Line 27.

Seconded by Mr. Sisson. Motion carried unanimously.

**Amendment #12**

Motion by Mr. Barnes to move priority (5) up to make it (2). Seconded by Alderman Ament.  
Motion carried unanimously.

Motion by Mr. Gihring to move priority (7) to the bottom. Seconded by Mr. Sisson. Motion passes with Mayor Wysocki, Mr. Gihring, Mr. Barnes, Mr. Sisson voting Yes and Alderman Ament voting No.

Motion by Mr. Barnes to repeal and recreate Amendment #12 as above. Seconded by Mr.

Gihring. Motion carried unanimously.

**Amendment #13**

Motion by Mr. Gihring to repeal and recreate Amendment #13 by striking the word “will” and “recommend” becomes plural in addition to shifting and adjusting all sections, letters and numbers to be consistent within the Code.

Seconded by Mr. Barnes. Motion carried unanimously.

**Amendment #15**

Motion by Mr. Barnes to repeal and recreate Amendment #15 by changing “district” to “section”. Seconded by Mr. Sisson. Motion carried unanimously.

Amendment #15 to be included in the March 7<sup>th</sup> meeting for further comments.

**Chapter 275**

**Amendment #4**

Motion by Mr. Sisson to repeal and recreate Amendment #4 by changing Page 7, Line 13 to read 95%.

Seconded by Mr. Barnes. Motion carried unanimously.

**Amendment #5**

Motion by Alderman Ament to replace “respect” with “avoid to extent practicable” on Page 8, Line 35.

Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Barnes to repeal and recreate Amendment #5 as above. Seconded by Mr. Gihring. Motion carried unanimously.

**Amendment #6**

Motion by Mr. Barnes to adopt the addition of Lines 3,4,5 on Page 11 and change “an” to “and”. Line 6 change “City” to “Common Council”.

Seconded by Mr. Sisson. Motion carried unanimously.

Page 11, Line 12 (3) – Staff to reintroduce at March 7<sup>th</sup> meeting.

**Amendment #7**

Motion by Mayor Wysocki to change Page 13, Item #9 to read: “Off lot POWTS areas shall be identified through survey markers/monuments. In addition, as built drawings shall be submitted to the City and/or the grantee of the conservation easement for the area.”

Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Barnes to repeal and recreate Amendment #7 as above. Seconded by Mr. Gihring. Motion carried unanimously.

**Amendment #8**

Motion by Alderman Ament to add 4(c): The holder of the conservation easement shall be as permitted pursuant to Wisconsin State Statutes Sec. 700.40 (1)(b) as amended.

Page 15, Line 13, change “City” to “Common Council” and Line 21- eliminate “it’s”

Seconded by Mr. Sisson. Motion carried unanimously.

Motion to repeal and recreate Amendment #8 as above. Seconded by Alderman Ament. Motion carried unanimously.

**Amendment #12**

Motion by Mr. Gihring to change “unless” to “if” on Page 19, Line 27. Seconded by Alderman Ament. Motion carried unanimously

Motion by Mr. Gihring to repeal and recreate Amendment #12 as above. Seconded by Mr. Barnes. Motion carried unanimously.

**Amendment #14**

Motion by Alderman Ament change “City” to “Plan Commission” on Page 22, Line 22 and add “which” on Page 22, Line 10.

Seconded by Mr. Sisson. Motion carried unanimously.

Amendment #14 to be included in the March 7<sup>th</sup> meeting to reconcile uses in C-1 District.

**Amendment #15**

Motion by Mr. Barnes to add “for subdivisions” on Page 25, Line 14, add the sentence “The Adjusted Tract Acreage shall not apply to land divisions (CSM’s). A Conservation Easement shall be used to protect the C-1, C-2 or conservation area.” at the end of Section G, Line 20 and 21, Page 25.

Seconded by Mr. Sisson. Motion carried unanimously.

Motion by Alderman Ament to change “that” to “the” in Line 29 on Page 24, strike “shall not be” in Line 30 on Page 24, add “shall be determined” after the word “district” in Line 1 on Page 25.

Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Barnes to repeal and recreate Amendment #15 as above. Seconded by Mr. Gihring. Motion carried unanimously.

**Amendment #19**

Staff to review this in the context of Amendment #14.

**Amendment #21**

Motion by Alderman Ament to add “under a single ownership” on Line 2, Page 29, add “of” on Line 8, Page 29, add “(Use Approval through Administrative Permit Process?)” on Lines 10 and 11 on Page 29, Line 9, Page 29 should read “The Plan Commission may issue a zoning permit after review...”, Line 12 and 13 on Page 29 can be eliminated.

Seconded by Mr. Sisson. Motion carried unanimously.

Motion by Alderman Ament to repeal and recreate Amendment #21 as above. Seconded by Mr. Sisson. Motion carried unanimously.

**Amendment #20**

Staff to review.

**Amendment 2**

Motion by Mr. Barnes to have 32,670 sq. ft. the minimum lot area for R-1/R-2 if POWTS is on the lot and to have 20,000 sq. ft. the minimum lot area for R-1/R-2 if POWTS is in open space or conservancy area.

Seconded by Alderman Ament. Motion carried unanimously.

Motion by Mr. Barnes to have 110 ft. as minimum lot width for R-1/R-2 Districts with 130 ft. minimum for side car entry width.

Seconded by Alderman Ament. Motion carried unanimously.

Motion by Mr. Barnes to have 130 ft. as minimum lot width for side car entry for R-2E

Districts.

Seconded by Alderman Ament. Motion carried unanimously.

Motion by Alderman Ament to change the minimum lot width to 200 ft. for R-1/R-2 Conventional Subdivisions.

Seconded by Mr. Barnes. Motion carried unanimously.

Motion by Mr. Sisson to change minimum street frontage to 60 ft. on Line 13, Page 5 and minimum street frontage is 60 ft on Line 32, Page 5.

On Line 8, Page 4 the minimum lot size is 20,000 sq. ft. if POWTS is located off lot or 32,670 sq. ft. if the POWTS is located on the lot. Eliminate "on average within the subdivision". Change "land" to "area" on Line 11, Page 4.

Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to change 50 to 65 percent on Line 20, Page 5. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to repeal and recreate Amendment #2 as above. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to adjourn the Plan Commission meeting at 10:17 P.M. Seconded by Mr. Sisson. Motion carried unanimously.