

**JOINT MEETING OF THE
TOWN & VILLAGE OF WESTON JOINT EXTRATERRITORIAL ZONING COMMITTEE,
TOWN OF WESTON PLAN COMMISSION AND VILLAGE OF WESTON PLAN COMMISSION
MEETING MINUTES
5500 SCHOFIELD AVENUE
WESTON, WI 54476
TUESDAY, DECEMBER 11, 2007 - 6:00 P.M.**

I. CALL TO ORDER

Town of Weston Chairman Milt Olson, called the Town Plan Commission and the Town & Village Joint Extraterritorial Zoning Committee meeting to order at 6:00 p.m.

Members present: Chairman, Milt Olson (Town Plan Commission & ETZ Committee), DJ Freeman (Town Plan Commission), Mark Thompson (Town Plan Commission & ETZ Committee), Mary Hancock (Village Plan Commission & ETZ Committee), Mike Stenstrom (Village Plan Commission & ETZ Committee), Kim Fischer (Village Plan Commission & ETZ Committee), and Supervisor, Tom Salzman (Town Plan Commission).

Members excused: Randy Christiansen (Town Plan Commission & ETC Committee) and Rita Kasten (Town Plan Commission).

Staff present: Community Development Director, Jennifer Higgins, Recording Secretary, Valerie Parker, and Town Clerk-Treasurer, Joan Erdman

Other Village officials present: President Vilas Machmueller, Trustee Loren White, Trustee Fred Schuster, DPW Keith Donner (Plan Commission), and John Evans (Plan Commission).

Other Town officials present: Supervisor Robert Wesenick and Supervisor Walter John Chilsen.

There were about 20 audience members present. Kirk Skoog, of MSA Professional Services, was also present.

II. CONSIDERATION OF MINUTES FROM NOVEMBER 8, 2007

A. NOVEMBER 8, 2007

**M/S/P Hancock/Stenstrom: to approve the November 8, 2007, Joint Extraterritorial Zoning Meeting Minutes. Q: Thompson noted a correction to be made to page 1, last sentence under item IV., where it states "Thompson feels that there may be issues along the Camp Phillips Road corridor". Thompson clarified that it should read "Thompson feels that if there are any issues it would likely be along Camp Phillips Road". Motion to approve as amended.*

III. PUBLIC HEARINGS – 6:00 PM

A. PUBLIC TESTIMONY AND DISCUSSION ON PROPOSED CHAPTER 94, TOWN OF WESTON EXTRA-TERRITORIAL ZONING CODE

Olson explained to the audience the differences between the Town and the ETZ areas.

1. ACTION BY JOINT ETZ COMMITTEE

No one spoke in support or opposition.

Higgins explained revisions (mostly typos, duplicates, etc.) to be made (see attached) to the draft zoning code. She stated that all changes for the Town code are being proposed here also.

**M/S/P Stenstrom/Hancock: to approve the proposed Chapter 94, Town of Weston Extra-Territorial Zoning Code, and to send to the Village Board for approval.*

B. PUBLIC TESTIMONY AND DISCUSSION ON PROPOSED TOWN OF WESTON EXTRA-TERRITORIAL ZONING MAP

1. ACTION BY JOINT ETZ COMMITTEE

Thompson stated that there are a number of parcels that were shown on the map as RR and are less than 2.7 acres, so they should be SR or RE? Do we leave them RR or change district. Olson stated that if the parcels are less than 2.7 acres they should be changed to SR. Hancock stated the parcels should be zoned to reflect what they are. Thompson stated that the uses may not be different though.

No one spoke in support or against.

****M/S/P Stenstrom/Hancock: to adopt the proposed Town of Weston Extra-Territorial zoning map with the following recommendation: that staff review the map as published and mark all parcels smaller than 2.7 to be zoned SR. This only applies to parcels that are currently zoned RR, and send this map on to Village Board for approval. Q: Thompson stated the intent is to put parcels in their appropriate district by their lot size. An audience member questioned if this means their lots would be changed from AG to RR. Higgins clarified that there are no parcels in the Town that are currently zoned AG. She explained that we do not want to have any legal non-conforming lots. She stated to that resident that the taxes are based on the use, not the zoning. Salzman questioned the size of the RE district, which Higgins stated about ½ acre. She discussed the recent changes to the code in the RE district to Salzman. A resident questioned why we are dropping the AG district terminology when the use is AG. Olson stated the same agricultural uses are allowed in RR. Motion carried.***

C. PUBLIC TESTIMONY AND DISCUSSION ON PROPOSED CHAPTER 94, TOWN OF WESTON ZONING CODE

1. ACTION BY TOWN OF WESTON PLAN COMMISSION

Olson explained the differences in the two codes (ETZ versus the Town). He stated that changes that Higgins gave earlier also apply here. Fischer questioned that on pg. 147 “regarding” will be changed to “re-grading”. Thompson questioned what happens if other typos or changes need to be made. Would it be the legislative intent or do we go through hearing again. Salzman commented that on page 189 we need to change “ETZ” to “Town”. Chilson questioned the difference if zoned RR10 versus AG. Higgins stated that the only difference would be if they want to subdivide. She discussed the Town’s concerns with the RR minimum lot size being 2.75 acres, and how they came about the RR10 district. Chilson stated that the RR gives the property owners more flexibility over the AG district.

Sue Riedel, 8310 Kersten Road, questioned doing farmland preservation. It was explained to her that farmland preservation is a State program, not a local zoning district. Olson stated you do not have to go through conservation subdivision to divide your land, you could just do a certified survey map to split the lot.

Wesenick confirmed that a 40-acre parcel would now be in the RR10 district and they now would have a 10-acre minimum. It was explained that you can create one lot that is less than 1 acre.

A resident questioned the difference between RR & RR10, which it was explained that it was just the size of parcel. If the current parcel is over a nominal 10 acres, then it becomes RR10. If the current parcel is less than 10 acres they stayed the same. Anything zoned other than RR was also left the same. It was discussed that the land in section 12 is now subdivided.

Gloria Degner, 10111 Gusman Road, questioned if they could sell their house separate from their acreage. Olson stated one parcel could be less than 1 acre.

Olson questioned if we could change the 2.7 to 3 acres. The committee agreed to leave it at 2.7 acres.

****M/S/P Thompson/Freeman: to recommend the proposed Chapter 94 Town of Weston Zoning Code for approval to the Town Board.***

D. PUBLIC TESTIMONY AND DISCUSSION ON PROPOSED TOWN OF WESTON ZONING MAP**1. ACTION BY TOWN OF WESTON PLAN COMMISSION**

Olson explained the area that this affects (which may change in year 2013). He explained the differences in the approvals.

****M/S/P Freeman/Thompson: to recommend approval of the proposed Town of Weston Zoning map to the Town Board, with the same changes on ETZ map previously discussed.***

E. PUBLIC TESTIMONY AND DISCUSSION ON PROPOSED TOWN OF WESTON OFFICIAL MAP**1. ACTION BY TOWN OF WESTON PLAN COMMISSION**

Olson pointed out the official road map. He explained that the Plan Commission felt it would be beneficial to come up with ideas on where possible roads may go in the next 20+ years when properties develop. He stated this way when a property is going to be developed, the developer will have to show the Plan Commission where a future road would go to get access through there or how to get over to County Road J. He explained that there is only one main road that goes through the town, which is Old Highway "SS" (Ross Avenue to Kramer Lane to Kersten Road to Lester Street). Otherwise you can go east and west, but if you want north, that is the only road out. He stated that road will be designated as a major corridor through the Town, we would like to see that be an 80-foot corridor versus a 66-foot corridor, which it presently is. This would allow for some turning lanes on some of the corners and intersections, if development takes place, along one of those intersections, there will be a place for people to get off and traffic to keep moving. This will be an additional 7 feet. That land would not be added to the road right-of-way until that land was subdivided or developed with a developer's agreement. At that time, they would have to dedicate that 7 feet on that side of the road to the Town, probably in lieu of a parkland dedication. If for some reason we need the road right-of-way prior to that, it would have to be purchased from the landowner. He clarified that the Town would not be taking any land, we are just saying that if you build a house along that corridor, the setbacks would be greater, than it would be on some of the other roads, an additional 7 feet. He stated that this could be for a turning lane, or a sidewalk, etc.

Riedel stated that she thought this was going down Kramer Lane to the south also. Olson stated that we could make the change where it goes down Kramer Lane to Gusman Road. Olson stated once you get across the intersection to the south on Kramer Lane at Ross Avenue, the west side of the road then is the Village's, and the east side of the road is the Town's. He said that we do not have any authority over that. He stated that we could look at including that east half, and perhaps the Village could include the west half in the future. Riedel then questioned why we do not make this widened roadway a straight shot from Kersten Road out to County Road J, instead of taking it up Lester Street and out to County Road N. Olson stated that once you get to County Road J, if you are a pedestrian, there is no place to go. Whereas up to County Road N (Colonial Ballroom – now Tangos), you can get over to 93rd Street. He stated that maybe we can talk to the County about more right-of-way when they decide to redo County Road N.

Renee Radcliffe, 3115 Tamarack Lane, stated that she thought at the last Town Plan Commission meeting that Thompson made a motion to include Gusman Road in this. Thompson stated that he did not make a motion on that, but that the discussion came up and there was not much support on that idea. Salzman stated that he personally feels it would make more sense to make Gusman Road wider and not go out to County Road N. There was a comment that there is a lot of traffic on Gusman Road. Olson stated that properties along Gusman Road will probably be developed long before properties along Kersten Road. Olson stated that a motion could be made tonight to include Gusman Road and the east half of Kramer Lane.

Phil Valichka, 1301 Washington Street, Wausau, spoke in favor of the 80-foot right-of-way proposal. He also is in favor of us including Gusman Road and the east half of Kramer Lane. He stated that he enjoys bicycling on the Town roads. He stated that he serves on the Metropolitan Plan Commission Bicycle/Pedestrian Committee, which is preparing a bicycle/pedestrian plan for all of the Townships, Villages, and Cities (Wausau, Weston, Rothschild, Schofield, etc.). He encourages municipalities to

take advantage of opportunities like this to reserve, for their public interest and safety, road right-of-ways where they can accommodate the pedestrian and bicycle facilities for their residents as well as the neighboring townships to use.

Machmueller introduced himself (and commented that he also serves on the same committee as Valichka) and stated that he feels the 80 feet on old "SS" is necessary. He also supports including Gusman Road and the eastern half of Kramer Lane as 80-foot right-of-way on the map.

Radcliff stated that she is against the proposed 80-foot right of way. She stated that at an annual Town Board meeting, a few years ago, when this was brought up, she and others who own property along the proposed 80-foot right-of-way, at that time, were opposed to this plan. She does not see the necessity for the additional right-of-way. She feels the 66-feet is fine. She stated there is less traffic on this road now then there ever has been and does not see a need for bike paths or sidewalks.

Dana Degner, 10111 Gusman Road, stated that he does not want a road (proposed from River Road to Gavitt Street) going through the center of his property. Higgins explained to him that these are just looked at as possible spots to connect roads. She stated that the only time that road would be dedicated as right-of-way and built was if he wanted to subdivide his land. If he were to come in with a plan for a subdivision, staff would look at the map and request a point where these people can get out to a major road. She stated that this proposed map can be amended. She stated that studies have not been done, where there may be wetlands there (where a proposed road is drawn in) where we could not cross those areas. This just gives an idea to whoever is serving here 10-15 years down the road, letting them know that we were thinking that there should be another way out of that subdivision or that is maybe where a road should go if someone wants to develop. Olson clarified that the town is not in the business to build roads, only developers build roads.

Gloria Degner explained that they live right on the Weston/Ringle border. If someone in Ringle wants to develop, would they have to let them put a road through their property? Higgins explained our extraterritorial review with Ringle and then stated that we would just suggest that the developer leave enough right-of-way at the edge of their property line. Then someday in the future if Degners decided to develop they would add to that right-of-way out towards the next main road.

Sandy Kozlowski, 7612 Kozlowski Street, stated that there is no need to widen the road. She feels that in the future if we need the additional right-of-way, we should then go to each property owner and ask for it, rather than putting it on the map now as the right-of-way. She explained that back in 1958, when Clearview Drive was put in, there was a proposed road to go out to County Road J from there. She questioned why we did not take Clearview Road out through Budleski's subdivision (as it was previously proposed), and instead we made this road go down to Skryzpchak Lane. Higgins stated that road was vacated a long time ago. It has not been on a map for a while. Kozlowski questioned why wouldn't we go that way (straight out the County Road J), instead of directing all of the traffic to Gusman Road (through another neighborhood). Higgins stated that we have requested that they leave a road stub, so that as the development moves outward, they can keep connecting and go out to County Road J. Higgins stated that we are not going to require that the developer build a road all the way out to County Road J. She said that there is still a lot of land in between where that subdivision is going to end and County Road J. Right now there is no plans for any more of that land to be developed out towards County Road J. She explained that the Village Plan Commission requested that there be an access out to Skryzpchak Lane, because they were essentially dead-ending a lot away from where the end of Skryzpchak Lane is now. She stated that coming from Clearview Drive, it is a mile and a half, or two miles, in which was the only access in to that subdivision. She stated that the Village truck/plow drivers requested that this not be that long of a cul-de-sac. They could essentially come through Skryzpchak Lane out onto Gusman Road that way. So, for safety purposes, the Village Plan Commission requested that the Town work with the landowners to find a connection point. Kozlowski questioned, as far as safety purposes, isn't it safer to go to a main highway, than to take another subdivision road through Gusman Road? Higgins stated that the Fire Department likes to have two ways in to fight a fire. Kozlowski stated that if the road went straight out to County Road J, there would still be two ways in to fight a fire. Higgins explained that the parcels off of County Road J are not planned to be developed yet, and it would be about three-quarters of a mile from County Road J, whereas it would only be a quarter of a mile up Skryzpchak Lane. Olson stated that cul-de-sacs are not

an ideal situation. Kozlowski's opinion is that rather than the Town making the developer go through the expense of building a road out to County Road J, she feels that we took someone else's land (Skryzpchak) to make a public road go through. She feels that the same thing will happen the next time. Olson clarified that the Town did not take any land, that we negotiated the land price with the landowner that she is speaking of.

Chuck Richards, 1410 Lester Street, stated that he does not see the need for the widened right-of-way on Lester Street. He stated that it appears the current traffic is coming from the Wausau area down to the Village.

Dana Degner questioned if he could make a request to have proposed road that is planned to go from River Road to Gavitt Street omitted from this map. Gloria Degner questioned if a person could still build a house where the proposed road is located. Olson stated that this is just a guideline that shows a road should be put in there somewhere. She questioned if they wanted to build a house in the center of the parcel, where a proposed road is, and not develop the land, what would happen. Higgins stated that they would just need to come in and let us know where they want to build and would need to request a map amendment to move that road. Stenstrom clarified that the proposed roads do not come in to play until someone decides to develop the land around it.

There was further discussion on the Skryzpchak development and how it came about. Thompson questioned Donner on the recent construction of the right-of-way along Ross Avenue, with the 66-foot right-of-way, if there were increased costs to that development because of the limited right-of-way. Donner stated that we had to put drainage underneath that sidewalk, which we would have needed that drainage or ditching regardless. He does not know if there were really any material cost difference. Thompson commented that the Village had to install the storm sewer at a rate of \$20-\$30 per foot because of the limited right-of-way, because the Village did not have the area for a rural ditch. Donner stated that he would not be able to answer whether it costs more for the earthwork or the ditching. Donner clarified that the Town is not saying that it is taking the additional right-of-way right now, just that in the future when people develop, there will be a requirement of the additional 7 feet on either side of the road.

Higgins explained that when people along this planned corridor come in for a certified survey map, at that time the Town would request that you add that 7 feet to your certified survey map. She stated that if the property owner farms the land for the next 50 years, it would stay that way. Kozlowski questioned why, if she were to divide her land, should she have to give that 7 feet up, when there are already people's houses along there that may never subdivide. She questioned why can't the owners keep that 7 feet and the Town can come and get it when they need it? Olson stated because by then, the new house might be too close to the road. Kozlowski questioned what about the white Christiansen house? Olson stated that this will get figured out when the time comes. Stenstrom stated that if that land were to get developed, chances are that house would get moved. Olson stated that if the house were there and if a sidewalk went in there, the sidewalk may just have to be closer to the roadway.

****M/S/P Thompson/Freeman: to approve the Town of Weston Official (Road) Map, but to amend it to include (in the 80-foot right-of-way) the east half of Kramer Lane from Ross Avenue to Gusman Road, Gusman Road from Kramer Lane all the way out to County Road J, and Kersten Road from Lester Street all the way out to County Road J. Salzman voted opposed. Motion carried.***

****M/S/P Thompson/Salzman: to recommend the Official Street Map to the Town Board for their approval.***

It was pointed out that the ETZ will meet on an as needed basis for any future meetings.

IV. **ADJOURN**

****M/S/P Stenstrom/Fischer: to adjourn the Town & Village of Weston Joint Extra-Territorial Zoning Committee meeting at 7:25 p.m.***

****M/S/P Freeman/Thompson: to adjourn the Town Plan Commission meeting at 7:25 p.m.***

Respectfully,

Valerie R. Parker,
Recording Secretary