

**TOWN & VILLAGE OF WESTON
JOINT EXTRATERRITORIAL ZONING COMMITTEE MINUTES
5500 SCHOFIELD AVENUE
WESTON, WI 54476
WEDNESDAY, OCTOBER 10, 2007 - 5:30 P.M.**

I. CALL TO ORDER

Town of Weston Chairman Milt Olson, called the meeting to order at 5:40 p.m. Randy Christiansen and Mark Thompson, also representing the Town of Weston, were present. Mary Hancock and Mike Stenstrom representing Village of Weston, were present. Kim Fischer was excused. Village Community Development Director, Jennifer Higgins and Recording Secretary, Valerie Parker were present. Village Trustee Loren White, was also present.

II. CONSIDERATION OF MINUTES FROM AUGUST 14, 2007

**M/S/P Stenstrom/Thompson: to approve the August 14, 2007, Joint Extraterritorial Zoning meeting Minutes.*

**III. DISCUSSION OF CHRISTIANSEN SAND & GRAVEL PIT STATUS
SEPTEMBER 7, 2007, LETTER FROM FORREST TAPPE BUILDERS**

B. SEPTEMBER 21, 2007, LETTER FROM ATTORNEY CHARLES SWEENEY

Table this issue until after the October 18th meeting with attorneys to work out the details. Higgins stated that we may have to discuss this issue at the ETZ committee. She stated that since this was just brought up for discussion, no action needs to be taken to table this issue.

IV. REVIEW AND DISCUSSION OF DRAFT EXTRATERRITORIAL TOWN ZONING MAP

Olson stated that the map shows Christiansen pit in the wrong location. Higgins stated that she will make the change to the map.

**V. REVIEW AND DISCUSSION OF DRAFT EXTRATERRITORIAL ZONING CODE
CONSERVATION DISTRICT**

Higgins stated that Attorneys Weber & VanderWaal have been reviewing this. We will be meeting with Attorney VanderWaal next week on any changes.

Olson stated that the Town is concerned about the Village Comprehensive Plan versus the Town's Comprehensive Plan. He stated that the Town has no jurisdiction over the Village. They are worried about not having control. Higgins stated that the Village has no problems, but that it should actually be an Extraterritorial Comprehensive Plan, but there is not enough time right now to create that. She stated that she will check with the attorney. Stenstrom questioned if by calling it an ETZ Comp. Plan, would it give the Town enough power over that. There was some discussion on having both a Town Comp. Plan & an ETZ Comp. Plan. Stenstrom thinks the ETZ committee should have a plan. Olson does not see any amendments coming up in the near future. It was agreed to wait for Attorney VanderWaal to review and comment on this.

**M/S/P Stenstrom/Hancock: to ask the Town Attorney VanderWaal to make a recommendation on which Comprehensive Plan the ETZ Committee should follow (Village, Town, or ETZ) and for him to provide the best course of action.*

Stenstrom brought up the RV parking issue that was heard before the Village Planning Commission on October 8th. After some discussion, it was stated that this is not an issue for the Town.

Higgins read the e-mail (attached) she received from Kirk Skoog on his definition of "nominal 10 acres", The members agreed to state only "nominal" and not use "nominal 10".

Higgins then read a definition of land trust (attached). The members agreed that this definition should contain "scenic", but to stop the definition at "...generations.", and cross off last sentence.

There was lengthy discussion of a conservancy district and whether a land trust should be shown as a separate conservation overlay district. It was discussed that we just want to be able to define it or show

it as being different from the surrounding properties around it, not necessarily how the land can be used. It was clarified that a land trust is just an organization.

Using the Village of Bellevue Zoning Conservation District Ordinance (attached), the members read through the permitted uses and conditional uses. With the permitted uses, the members agreed that they would allow the following: stream bank protection and hunting, trapping, & fishing where not otherwise prohibited. With the conditional uses, the members agreed that they would allow the following: bridle & hiking paths, parks & other open recreation areas, roads, and accessory structures, provided the structures will not be designed for human habitation and will be constructed to offer minimum encroachment on the resource.

The members then read through their draft zoning code and pointed out changes or corrections to be made. Some of the changes or corrections consisted of the following:

Thompson brought up swimming pools. Higgins stated that the Village may be changing the pools section in the near future. Insert in depth. He stated that we will need to verify with the attorney as to whose ordinances we would refer to – Village or Town. He pointed out the permitted uses in RR10 needs to allow AG or be similar to the AG district and to allow animal husbandry. He pointed out the RR section allows agricultural signs, but does not allow AG uses or animal husbandry. He pointed out the RTF permitted uses by right allows animal husbandry. Thompson stated that he does not like the “refer backs” and prefers everything to be spelled out in each district. He pointed out other conflicting permitted uses described in RR, RE, and SR districts. Thompson pointed out that the last paragraph on page 150 needs to have the word “nominal” inserted before “10 acres”. There was some discussion on the OME section, which we will have Attorney VanderWaal help us with this section. Higgins commented that we are just asking for operational plans. Thompson also questioned if the Town expands if the ETZ expands also? Would the expansion have to be published or at a hearing? We will find out from the attorney.

Olson stated that there is a reference on page 55 that states “Town engineer” and should read “Village engineer”. He brought up that we need to find out from Attorney VanderWaal on if the Comprehensive Plan should refer to the Town, Village, or ETZ.

Christiansen questioned where the draft code refers to spreading of sewage and sludge, where it states anything up to RR10 cannot have that. Higgins stated this is already allowed in AG and RR10. Olson stated that the DNR regulates this, and that people have to get a permit through the DNR. It was decided that we will leave this the way it is.

Hancock stated there were some grammatical errors that occurred when changing from Village to ETZ.

Higgins is going to wait until after meeting with the attorney, prior to making these changes. She will get copies to the members then.

VI. DISCUSSION ON NEED FOR AN EXTRATERRITORIAL AREA COMPREHENSIVE PLAN

Olson stated this will be up to the attorney.

VII. SET NEXT MEETING AGENDA DATE

A. POSSIBLE PUBLIC HEARING FOR VARIANCE REQUEST

It was pointed out that a resident wants to build about 10 feet closer to the road. Right now the ETZ would act as the Zoning Board of Appeals on this until the code is done. Higgins stated in the future this would be a rezone, right now it would be a variance on the existing Town code. Olson stated this resident is not in a hurry so we can wait until code is done.

VIII. SET NEXT MEETING AGENDA TOPICS

Olson stated that his new clerk (Joan Erdman) suggested a bike path on River Road.

Christiansen brought up a newly surveyed piece of land that has 66' one side and 72' on the other side in the Town.

They plan to meet on November 6, 2007, to meet again at 6:00 pm.

IX. SET PUBLIC HEARING DATE

They will meet in November with the attorney on this document and plan to hold a hearing in early December (11th or 20th).

X. ADJOURN

**M/S/P Thompson/Stenstrom: to adjourn at 7:20 p.m.*

Respectfully,

Valerie R. Parker,
Recording Secretary