

**TOWN & VILLAGE OF WESTON  
JOINT EXTRA-TERRITORIAL ZONING COMMITTEE MINUTES  
5500 SCHOFIELD AVENUE  
WESTON, WI 54476**

**WEDNESDAY, NOVEMBER 29, 2006 - 7:00 P.M.**

**I. CALL TO ORDER**

Town of Weston Chairman Milt Olson, called the meeting to order at 7:05 p.m. Randy Christiansen, Mark Thompson, also representing the Town of Weston, were present. Mary Hancock and Mark Strobel representing Village of Weston, were present. George Oberlander was excused. Village Community Development Director, Jennifer Higgins and Recording Secretary, Valerie Parker were present. Tom Salzman & Rita Kasten, representing the Town of Weston, were also present.

Town of Weston Chairman Milt Olson, also called the Town of Weston Planning Commission meeting to order at 7:05 p.m. Those members present were Olson, Thompson, Kasten, & Salzman.

**II. CONSIDERATION OF MINUTES FROM OCTOBER 25, 2006**

Olson pointed out a correction to be made to page 2, paragraph 2: "...annexing the area from the City." It should state "...annexing the area from the Town".

***\*M/S/P Hancock/Thompson: to approve the October 25, 2006, Joint Extra-Territorial Zoning Meeting Minutes, as corrected.***

**III. UPDATE AND DISCUSSION OF LOT SIZE OPTIONS FOR TOWN ZONING CODE & MAP**

Higgins stated that Kirk Skoog is still working on drafting the ordinance, and it should be ready for review at the upcoming December 13, 2006, meeting. Higgins stated that if she receives the draft in advance of the December meeting, she will forward copies to the members. Otherwise, it should be available at the meeting.

Olson discussed the Town of Weston Acreage Map that was handed out to all present. This map showed all Town parcels broken down by five acreage ranges (0.01 – 2.75 acres, 2.75 – 4.99 acres, 5.00 to 9.99 acres, 10.00 – 19.99 acres, & 20.00 – 215.49 acres), and showed the percentage breakdowns of the parcels and total areas within each of those five ranges. Olson explained that at our last meeting, a possible 10-acre minimum lot size was discussed, but we wanted to see this data to see what all would be affected by changing this. Olson commented that if the Home Sweet Home Addition and the area around Greenwood Hills were omitted from this map, the percentages for the areas less than 5 acres would probably drop significantly.

Thompson stated we would only be affecting a small percentage of the total Town area with the 10-acre minimum, that 65% of the residents in the Town live on less than 10 acre lot sizes.

Higgins confirmed that they still want the AG district available and that they would like a new district created, which would be a 10-acre minimum district.

Thompson confirmed that there are no Town parcels in the AG district. He is in favor of a new district being created versus changing the language of the AG district. He would like the new district to have similar land uses as the RR district, but with a minimum lot size of 10 acres. Thompson then questioned if a new zoning map could be created to show the parcels within the two bottom acreage ranges (10.00 – 19.99 acres and 20.00 – 215.49 acres) in the new proposed zoning district. There was discussion that the other three acreage ranges would stay as they are. Higgins stated that the lots that are in the 5.00 – 9.99 acreage range (if they were to remain in the RR district) could be split by CSM yet. She stated that if we were to put the 5.00 – 9.99 acreage range into the new 10-acre minimum district, they would become non-conforming and would have to be rezoned prior to being split. Higgins pointed out that some of the lots may not meet the minimum, due to their current lot widths (being narrow and long). The members discussed which lots those may be and if we may need to change the district those are in.

Thompson explained to the members that we could put the parcels that are 10.00 acres and larger into that new proposed district "RR10" (Rural Residential use, but with a 10-acre minimum), and they would then have to rezone if they want to make their lots smaller than 10 acres. He then explained that the parcels that are in the 5.00 – 9.99 acre range (if they stay in the current RR district) have the potential for subdividing up to 3 lots, if they have the right frontage. He pointed out that Higgins is suggesting that we put those parcels (5.00 – 9.99 acre range) into the RR10 district as well, become legally non-conforming, so that we force them (if they plan to develop their parcel) to go into a rezoning and a platting process, rather than allow them to CSM one or two lots.

Olson stated that at their last Board meeting, it was decided not to put a freeze on land divisions in the Town. Higgins stated they just have to decide what district to put the 5.00 – 9.99 acre range. Olson questioned if it would be easiest to make put them in the new proposed district. Higgins stated it does not matter a whole lot which way they go. She stated that we may run into more problems if we make them non-conforming. Higgins feels it may be best to leave the 5.00 – 9.99 acre parcels where they are at. Higgins stated the goal is to be sure there are no non-conforming lots.

Thompson feels that we are looking too much at conservation subdivisions and stated that the consultants were proposing a larger lot size more for a better control over growth. That going to a larger lot size minimum should just be to make people look harder on how they are developing their land, whether it is with conservation subdivision or some other zoning district. That should be the goal of the lot size change, not to force the market of conservation subdivisions.

Thompson requested that Nathan Crowe, Village GIS Technician, make a proposed zoning map (showing the proposed new district) for our December meeting. There was discussion on the current zoning district classifications, and although the code includes the AG district, there currently are no parcels within that classification. It was discussed that if someone wanted to change their use to AG, that they would need to come in for a rezone.

There was discussion on the appeal process, whether an appeal would go before the Town Board of Appeals or Village Board of Appeals. Higgins was not sure. Olson is waiting for an answer on this question from Kirk Skoog.

Higgins stated that she will have Crowe create a map based on what was discussed. It was stated that the new zoning code will use the term "nominal" for minimum acreages.

Higgins discussed that the Village's revised the RE district lot size from 20,000 square foot minimum to a 25,000 square foot minimum, due to setback problems that we were facing. They pointed out a few lots within the Town that are in the RE district. There was discussion on if we should put a wellhead protection area in on this map. Higgins will talk to Donner and have Crowe show this on the map.

There was discussion on what this 10-acre minimum lot size-zoning district will do. Thompson stated to reduce the 2.7-acre lots that are going to be around the fringe of the Village, where conceivably they could see sewer and water, and then you have a large parcel that is going to cost a fortune for sewer and water. Unfortunately, most people would put their house in the middle so they would have trouble subdividing it to pay for the sewer and water. Thompson stated that the one of the big issues is to trying to make the parcel big enough so that you do not get these small (bigger than typical urban lots but fairly small) lots that are going to be un-economical for the resident when sewer and water comes.

Olson questioned if it would be possible to include language for case where you have a landowner who has 40-80 acres that is being farmed on, and he wants to build a house for a family member on this land. Olson stated that under Farmland Preservation they are allowed to have one parcel broken off. He wondered if this could be a possibility here, for a family member, to do this without going through the rezone. Thompson stated this could possibly be added to the new RR10 district. He stated this is currently permitted by right in the AG district. The members discussed different options on how to allow this and it was decided to add to the proposed RR10 district all the language from Section 94.175(b)(2), except for the portion that reads "provided the remaining portion of the 870,000 square feet is not being counted as the density for another dwelling,". Thompson clarified that this way if you have a farm on a

40-acre parcel that did have a farmhouse, and there is 20 acres that did not have a house on it, they could put a house there.

**IV. SET NEXT MEETING AGENDA TOPICS**

It was stated that a draft of the proposed zoning code and map will be presented before or by the next meeting, where we can discuss the high points, and take the next month or two then to review the draft on our own. He said that we could look at having a hearing in April or May. Higgins stated the book can be put on our website for residents to view. Strobel questioned if we should have something available showing the differences from current to new. There was discussion on changes that have occurred from the Village zoning code. Milt will put something in an upcoming newsletter notifying the town residents. There will be a revision date on the document and it marked draft.

**V. NEXT MEETING DATE – DECEMBER 13, 2006, 6:00 PM – IF NEEDED**

The next meeting will be December 13, 2006, 6:00 p.m.

**VI. ADJOURN**

*\*M/S/P Thompson/Christiansen: to adjourn at 8:05 p.m.*

*\*M/S/P Thompson/Salzman: to adjourn the Town of Weston Planning Commission at 8:05 p.m.*

Respectfully,

Valerie R. Parker  
Recording Secretary