

## **TOWN OF NEPEUSKUN**

### **WINNEBAGO COUNTY, WISCONSIN**

#### **PROCEEDINGS OF THE NEPEUSKUN TOWN PLAN COMMISSION MEETING HELD ON SEPTEMBER 14, 2015, AT 7:00PM AT THE TOWN HALL, 1475 COUNTY ROAD E.**

Chairman Robert Sillanpaa called the meeting of the Nepeuskun Town Plan Commission to order at 7:00pm at the Nepeuskun Town Hall, 1475 County Road E. Other members present; Karen Bartels, Michelle LaPorte, Paul Resop, and Andy Seaman. Jim Heise and Dennis Miller excused.

Secretary LaPorte certified that official notice of the meeting was posted within the Town on Saturday, September 12, 2015, at 9:00am.

Andy Seaman moved to approve the Agenda as printed. Second by Paul Resop. Motion carried unanimously.

Paul Resop moved to approve the August 3, 2015, Regular Monthly Meeting Minutes as read and printed. Second by Andy Seaman. Motion carried unanimously.

Public Participation: Bruce Bohn requested a copy of the August 3, 2015 Regular Monthly Meeting Minutes. Secretary LaPorte provided Bruce with a copy of the minutes. Bruce also requested that his comments made at this meeting be documented into public record.

Report on Town Board Action: Approval of Special Events Permit for Wayne Kaufman and approval of amendments made to Certified Survey Map and Land Division Consolidation Application for Tews Acres LLC.

A discussion was held on the Board of Appeals decision to approve the Delores and Donald Bohn Revocable Trust Land Division/Consolidation Application #04-15 for property tax parcels #014001201.

Town Zoning Administrator, Jerry Trochinski, explained to members how the Board of Appeals established their decision to grant the variance subject to the following three conditions: First, the property is unique as there is an existing home on it with over 23 acres. Second, there would be no harm to the public interest or safety if the variance was granted. Third, if the Common Open Space requirement of 5.6.1 were imposed at this time, would create unnecessary hardship and be burdensome to the Bohn Estate. Therefore, the

subdivision would be granted and the Certified Survey Map would identify that the Open Space would be defined at a later date if given fact there are further divisions to the property. The Common Open Space would be granted into the two acre parcel being requested for the land to be divided out, giving the owner of the property the same rights to Common Open Space as the other owners who have over 20 acres. Chairman Sillanpaa moved to recommend approval of the Land Division/Consolidation Application # 04-15 for the Donald and Delores Bohn Revocable Trust to follow the Findings of Fact and the Order of Determination of the Board of Appeals decision to include detailed wording to the Certified Survey Map from Findings of Fact that are currently being considered between attorneys, surveyor, zoning administrator, and Bruce Bohn. Second by Paul Resop. Motion carried unanimously.

Bruce Bohn commented that Jerry Trochinski may have made some errors in his statements concerning subdividing or subdivision of property. Bruce reported that the Certified Survey Map Plats are referred to CSM Platted Divisions, rather than subdivisions and that there is a clerical determination between the two of them. Bruce suggested using the appropriate terms in regards to land division of one or two lots in a rural setting in R-1 with open space and how it is applied in the future. Ron Bahn responded by clarifying that a CSM having one to four new lots created was considered a minor subdivision and more than four lots would be a major subdivision. Ron stated that both terminologies would be appropriate to use.

Bruce explained that a subdivision is often implied as being large while the CSM Platt is more of an individualized segment.

Bruce reported that he was not against the decision of the Board of Appeals, as he only had one option at the time. Bruce expressed concern with what he feels are problematic situations with Open Space in the R-1. Bruce came before the Town in 2007 requesting R-1 zoning in Open Space and pointed out that the zoning ordinances have changed since then. In the future, Bruce plans to request that the Town re-examine Open Space in reference to the Bohn property. Bruce stated that 66 feet from the property line, lies 2,000-3,000 acres of open space. Bruce requested that his comments be noted in public record.

Paul Resop moved to post-pone review and consideration of approval of the Land Division/Consolidation Application for Agnes Johnson. Property tax parcels #0140323, 0140324, and #014032304, due to the County rejecting the

Certified Survey Map for having too many lots on the map. Second by Karen Bartels. Motion carried unanimously.

Future Agenda Items: Land Division/Consolidation Application for Agnes Johnson.

Set October 2015 Meeting Date: October 5, 2015, at 7:00pm. Chairman Sillanpaa will contact members if meeting is rescheduled or cancelled.

Andy Seaman moved to adjourn the meeting. Second by Karen Bartels. Motion carried unanimously.

Respectfully submitted,

Michelle LaPorte

Secretary

Robert Sillanpaa

Chairman

Jim Heise

Vice-Chairman