

PLAN COMMISSION

Minutes

May 7, 2018

Chairwoman Claire Barnett called the Plan Commission meeting to order at 6:00PM and noted compliance with the open meeting law.

Present: Chairwoman Claire Barnett, Pat Witter, James Allen, Mike Wetak and Don Larson

Also present: Atty. Julia Potter, Zoning Admin. Tim Mikonowicz, John Traxler, Aaron Benson, Dep. Clerk Carol Cox

Absent: Dennis Parsons, Gary Kowalke

The Pledge of Allegiance was recited.

Motion by Mike Wetak, second by Pat Witter to adopt the Agenda. Motion carried.

Motion by Don Larson, second by Pat Willter to adopt the previous Plan minutes of April 5, 2018. Motion carried.

Deputy Clerk Cox asked for nominations from the floor for Chairperson of the Plan Commission. James Allen nominated Claire Barnett. There being no other nominations, Pat Witter asked that the nominations be closed. Moved by Larson, second by Wetak and carried that Clair Barnett is the Chairperson.

REPORTS

Zoning Administrator update: Tim Mikonowicz mentioned that he had sent letters to the owners of temporary tents and garages. He also mentioned that U-haul had applied for a new 70 foot high sign to be installed on their property near the bypass which is not within the ordinance height restriction.

Village Board update: James Allen noted that Festival Foods new Agent is Travis Pitts. He also reported that the Village Board passed the Ordinance 18.03 regarding the all-terrain vehicles but the county and the city did not pass theirs.

Village Attorney update: Atty. Potter gave an update on the School Forest.

The Economic Development/Tourism Commission update: No report.

NEW BUSINESS:

PUBLIC HEARING:

Chairwoman Barnett opened the hearing regarding the conditional use permit application of John Traxler, 1000 Terrytown Rd., seeking a conditional use permit under sections 17.14 and 17.21(4) of the Village of West Baraboo Municipal Code to allow the installation of free standing solar panels at D.L. Gasser Construction and that this is the time and place for the purpose of giving an opportunity to any interested person to be heard in regard to the request for a conditional use permit.

Deputy Clerk Cox swore in the Zoning Administrator, Tim Mikonowicz.

Mikonowicz gave the background of the conditional use applicant and that D.L. Gasser Construction, a Division of Mathy Construction Company, is requesting approval to construct and operate a free-standing solar panel field on their property located at 1575 W Pine Street (Tax Parcel ID 191-0002-31030). The property currently falls within the Commercial Zoning District. Chapter 17, Section 17.21(4), in the Village's Code of Ordinances indicates that solar energy systems are considered conditional uses when detached from the principal building. The application submitted includes a detached solar panel installation. Upon review, there are no other discretionary approvals required in conjunction with this conditional use.

An on-site review of the proposed work was conducted on Wednesday April 25, 2018 and thanked John Traxler for accompanying him on the site tour.

In his Memo to the Plan Commission, dated May 2, 2018, Mikonowicz listed pursuant to Municipal Code Section 17.14(7) the standards to be considered in approving or disapproving the conditional use application.

Mikonowicz recommended that the village grant the conditional use request by D.L. Gasser Construction; that the project shall be constructed and maintained in accordance with the final approved site and electrical plan on file in the office of the Village Clerk; and, that the applicant shall be responsible for all commercial electrical permits and fees required as well as notifications of inspections to the Village Building Inspector.

Atty. Potter gave a summary of hearing procedure and legal standards which was given to the Commission in a Memo dated May 1, 2018.

Deputy Clerk Cox swore in John Traxler of D.L. Gasser Construction and Aaron Benson of Mathy Construction Company.

Benson gave an overview of the proposed solar panel and the location and that it could be seen from Hwy 12 Terrytown Rd.

James Allen asked if a reflection would interfere with flight at the airport. Benson indicated that there was a cover sheet so there would be no glare. He also asked if extra feed back goes back on the grid and Benson said yes.

Pat Witter asked if the surrounding addresses notified within the 100 feet area were all businesses. Mikonowicz explained that they were not.

Traxler stated the application was for D.L. Gasser Construction and not John Traxler himself.

Chairwoman Barnett declared the hearing closed.

Meeting Deliberations: Attorney Potter recapped the legal standard and asked that the Commission review the standards that Mikonowicz listed in his memo. There was discussion and agreed that the applicant shall be responsible for commercial electrical permits and fees as required as well as notification of inspections to the Village Building Inspector in addition to the ordinance standards that apply.

Recommended Motion: It was moved by James Allen, second by Don Larson and unanimously approved to recommend that the Village Board approve the conditional use permit for the reasons stated on the record, with the following conditions: (1) the solar panels shall be constructed and maintained in accordance with the Final approved Site Plan on file in the office of the Village Clerk; (2) Applicant shall be responsible for all commercial electrical permits and fees as required as well as notifications of inspections to the Village Building Inspector; (3) No other permit or approval is waived or deemed satisfied except as provided in the conditional use permit; (4) The Applicant shall pay for the Conditional Use Permit to be recorded with the Sauk County Register of Deeds. Direct the Village Clerk to provide the entire hearing record, including comprehensive minutes of the hearing and deliberation, to the Village Board. Direct the Village Attorney to prepare a draft written decision for consideration by the Village Board.

Recommended Motion: After much discussion reviewing other communities fee schedules, it was moved by Mike Wetak, second by Don Larson to recommend to the Village Board an increase in annexation fee from \$200 to \$300 per petition, not per parcel.

OLD BUSINESS:

None

Adjourn: Motion by James Allen, second by Don Larson to adjourn at 7:10 PM. Motion carried.

Respectfully submitted,
Carol Cox, Deputy Clerk/Treasurer

It is possible that members of, and possibly a quorum of, governmental bodies of the Village of West Baraboo may be in attendance at the above stated meeting to gather information. However, no formal action will be taken by any governmental body at the above stated meeting.