

Minutes
Meeting of the Village of Spring Green Plan Commission,
Downtown Design Committee, and
Joint Extraterritorial Zoning Committee
Wednesday, October 18, 2017
Held at Village Office
154 N. Lexington Street
7:00 p.m.

1. Marcus called meeting to order at 7:04 p.m. as a Meeting of the Spring Green Plan Commission, Downtown Design Committee, and Joint Extraterritorial Zoning Committee.
Members present: Joel Marcus, Greg Prem (JEZC), Eugene Hausner, Ed Lilla (JEZC), and Jane Hauser. Michael Broh and Brad Hutnik (JEZC) were absent.
Downtown Design members present: Paul Kardatzke. Shannon Radel and Yvonne Notbohm were absent. JEZC members present: Fred Iausly and Jim Sprecher. Kevin Lins attended in Kolby Hirth's absence. Others present: Wendy Crary, Mel Levy, Mark Levy, Matt Snow, Joanne Finn, and Dave Hardyns.
2. Crary appointed minute taker.
3. Motion by Hausner, second by Iausly, to approve meeting agenda. Motion passed with all in favor.
4. Approve minutes from the August 16, 2017 Plan Commission and Joint Extraterritorial Zoning Committee Hearing, and the Plan Commission, Downtown Design Committee, and Joint Extraterritorial Zoning Committee Meeting. Crary made the changes requested by Kolby Hirth at the last meeting. Iausly requested that the spelling of his last name be corrected. Motion by Hausner, second by Prem, to approve the hearing and meeting minutes from August 16, 2017 with amendments. Motion passed with all in favor.
5. Approve minutes from the September 20, 2017 Plan Commission Hearing, and the Plan Commission and Joint Extraterritorial Zoning Committee Meeting. Motion by Prem, second by Iausly, to approve the hearing and meeting minutes from September 20, 2017. Motion passed with all in favor.
6. Motion by Prem, second by Hauser, to convene as the Plan Commission and Downtown Design Committee at 7:07 p.m. Motion passed with all in favor.
7. Discussion and possible action on a sign permit for Brewhaha Roasters, located at 176 S. Washington Street located within the Downtown Design District. The application submitted was reviewed by the Plan Commission and Downtown Design Committee. Snow inquired about doing a mural on one side of the building. The consensus of the Plan Commission and Downtown Design Committee is that a mural is not part of the sign and can be done, but the design will have to be reviewed prior to being completed. Crary clarified that both proposed signs can be approved but that the mural design would have to be submitted for review. Crary informed Snow that the mural would not require a permit and could be placed on an agenda whenever he has a proposed design. Motion by Kardatzke, second by Lilla, to approve the sign permit for Brewhaha Roasters, located at 176 S. Washington Street located within the Downtown Design District. Motion passed with all in favor.
8. Motion by Iausly, second by Prem to convene as the Plan Commission and Joint Extraterritorial Zoning Committee at 7:17 p.m. Motion passed with all in favor.
9. Discussion and possible action on revised Zoning Permit Application Form. Iausly asked, "Is this all that is happening as a result of all our discussions?" It was explained to Iausly that the change to the application included the following notation "In addition to a Building Permit the Township may require a Driveway Permit in the extraterritorial area". Prem said, "This was a simple change that could be made relatively fast informing applicants about the fact that a town driveway permit may be required". Iausly stated, "If this isn't a permanent solution, then it's okay for now". The Plan Commission and JEZC discussed the form and possible changes that could be made in the future. Motion by Prem, second by Iausly, to approve the revised Zoning Permit Application Form. Motion passed with all in favor.
10. Discussion and possible action regarding an additional requirement for a township driveway permit prior to issuance of a zoning permit for the Extraterritorial Zoning Districts. The Plan Commission and JEZC were informed that Allan Peckham's legal opinion isn't ready yet. Iausly said, "If Allan has questions he can call me". Lilla stated, "If amendments are made to the zoning ordinance I would like a driveway permit card issued by the town along with a card when a driveway permit is not needed". Lilla explained

his concerns about the deadlines listed in the zoning ordinance that requires approval or denial within a certain number of days after an application is submitted. The Plan Commission and JEZC discussed zoning authority versus town ordinance authority. Iausly said, "What we get caught with is this problem where people find out at the end of the process they can't get access from the highway or road". Lilla reiterated that if a driveway permit is needed a permit card must be provided and if it is not, documentation from the town stating a driveway permit is not needed. Prem asked, "Is the Town Plan Commission a zoning authority?" Iausly replied, "No, we make recommendations to Sauk County and the Town Board". Marcus said, "We've clarified some of the issues but we're not ready to take action without the legal opinion". No action was taken regarding this item.

11. Discussion and possible action regarding property maintenance / unlivable structure complaints within the Extraterritorial Zoning Area. Lilla went over the Town of Spring Green Ordinances that reference property maintenance that he found researching this item. An email Lilla prepared was distributed to all in attendance. Iausly informed all in attendance that Sauk Counties Ordinances regarding these issues fall under Zoning and Public Health & Safety. Crary read statement from October 21, 2009 minutes which included the following - *Prem stated, "If I understand correctly, this type of activity is covered by the Sauk County Zoning Ordinance, where as the Village of Spring Green handles this under Municipal Ordinance."* *Prem continued by saying, "Municipal Ordinances do not apply to the Extraterritorial Zoning Area".* *Gaalswyk said, "There are two properties, one is outside of the village and one is within the village, the village needs to enforce this similarly to how the Pifer property was handled."* *Lilla said, "In the Extraterritorial Area we still have this issue, where the zoning ordinance does not address this matter."* *Gaalswyk replied, "I'm asking you to change the laws and enforce the laws."* *Jones commented that it's definitely a problem on Rainbow Road. Prem informed Gaalswyk that the village does not intend to change the zoning laws to include this matter and that the township should look into including them in their ordinances for this issue in the Extraterritorial area.* The Plan Commission and JEZC discussed the difference between zoning ordinances and general code of ordinances. Marcus said, "I think the town should create its own ordinance regulating nuisances and property maintenance". Iausly said, "I would like to see a similar approach as the county zoning ordinance". Iausly will research how the county handles these issues and bring further information to the next meeting. No action was taken regarding this item.
12. Discussion and possible action regarding Accessory Uses and Structures within the Village of Spring Green Zoning Ordinance. Lilla will continue to work on proposed amendments for the zoning ordinance; no action was taken regarding this item.
13. General Public Comment: There was no general public comment at this time.
14. Adjourn. Motion by Hausner, second by Lilla, to adjourn at 8:44 p.m. Motion passed with all in favor.