

Minutes
Meeting of the Village of Spring Green Plan Commission
And Joint Extraterritorial Zoning Committee
Wednesday, February 16, 2022
Meeting held via Zoom & Teleconference due to COVID 19 Health Emergency
7:00 p.m.

1. Prem called meeting to order at 7:07 p.m. as a Meeting of the Spring Green Plan Commission, and Joint Extraterritorial Zoning Committee.
Members present: Greg Prem (JEZC), Patrick Hagen, Brad Hutnik (JEZC), Ed Lilla (JEZC), David Saperstein, Michael Broh, and Jason Frazier.
Town JEZC members present: Fred Iausly, Jason Falteisek, and Irv Snyder.
Others present: Wendy Crary, Vikki Stingley, Michelle Richardson, Erik Hagen, Todd Deibert, Jackson Hall, Robin Reid, Nils Richardson, Roger Hoffman, Mike Stoddard, Linda Schwanke, Sam Robbins, Clinton Kane, Mike Curran, Chad Hunter, David Bruce, Keefe Keeley, Janice Crook, Nate Bethel, Nate Robson, Vicki Terpstra, and two unidentified call-in/zoom participants. JoAnn (unknown) – 8:45 pm. Michelle (unknown) – 8:48 pm. Dave Terpstra – 10:10 pm.
2. Crary appointed minute taker.
3. Motion by Iausly, second by Snyder, to approve meeting agenda. Motion passed with all in favor.
4. Approve minutes from the January 19, 2022 Spring Green Plan Commission Hearing. Motion by Hagen, second by Saperstein, to approve minutes from the January 19, 2022 Spring Green Plan Commission Hearing. Motion passed with all in favor.
5. Approve minutes from the January 19, 2022 Spring Green Plan Commission and Joint Extraterritorial Zoning Committee Hearing and Meeting. Motion by Snyder, second by Iausly, to approve minutes from the January 19, 2022 Spring Green Plan Commission and Joint Extraterritorial Zoning Committee Hearing and Meeting. Motion passed with all in favor.
6. Convene as the Plan Commission. Motion by Saperstein, second by Lilla, to convene as the Plan Commission at 7:10 p.m. Motion passed with all in favor.
7. Discussion and possible action on a Certified Survey Map (CSM) submitted by Nathan & Therese Bethel to join parcel #182-0365-00000 with parcel #182-0365-001, located at 461 N. Winsted Street, Village of Spring Green. Prem stated, “We held a preliminary consultation late last year and the consensus was that the applicant should proceed with the CSM”. Motion by Lilla, second by Broh to recommend approval to the Village Board for Certified Survey Map (CSM) submitted by Nathan & Therese Bethel to join parcel #182-0365-00000 with parcel #182-0365-001, located at 461 N. Winsted Street, Village of Spring Green.
8. Discussion and possible action on the consideration of a request by Land Restoration Services LLC/Jackson Hall to rezone parcel #182-0510, located on S. Peterson Street, Village of Spring Green from AT Village Agricultural Transition District to R-3 Village Multiple-Family Residential District. Prem said, “This initial request came before the Plan Commission in October of last year, following the Technical Review there are several additional documents pertaining to storm water drainage”. Prem informed everyone that after the meeting in October it was discovered that there isn’t adequate right-of-way for the Peterson Street extension. Deibert provided information regarding preliminary stormwater analysis for the parcel. The preliminary analysis indicates that development of the parcel is possible but it would require a storm management plan with drainage to the stormwater inlets on Peterson Street. Prem stated, “The photos included corroborate the information neighbors provided at the October meeting”. Deibert used 10-year storm event data for calculating and compared it with 100-year storm event data. Prem inquired about levels and if they are comparable to the 2008 flood levels. Lilla asked, “Is this building plan what’s proposed or is it only conceptual?” Deibert explained that Jackson Hall submitted a few conceptual drawings and this was the one that was selected. Deibert stated, “This is conceptual only and development would require a full zoning review and approval”. Prem stated, “The site in it’s current condition is not developable and it would require a stormwater management plan, the improvements need to take place prior to any development”. Prem suggested that a Developers Agreement may be needed prior to rezoning. Lilla said, “The agreement would have to be transferrable to whomever develops the parcel”. Lilla suggested looking at the requirements of a PUD. Prem read Section 2.07 of the Zoning Ordinance regarding the suitability of development. Prem said, “We heard testimony during the hearing

from neighboring property owners and the pictures confirm there are water drainage issues on the site”. Motion by Saperstein, second by Hutnik to deny the original rezoning request pursuant to Section 2.07 of the Village of Spring Green Zoning Ordinance and to prepare a Developers Agreement to ensure adequate stormwater improvements for the parcel are completed prior to development. Motion passed with all in favor. Hall inquired about the action and what it means. Prem explained that prior to the parcel being rezoned a Developers Agreement will be required. Prem also explained that the consensus of the Plan Commission is that the parcel is only developable with a complete engineering analysis of the stormwater drainage issues. Prem will initiate the process with the applicant and a preliminary agreement will need to be reviewed by the Plan Commission.

9. Convene as the Plan Commission & Joint Extraterritorial Zoning Committee. Motion by Saperstein, second by Hagen, to convene as the Plan Commission & Joint Extraterritorial Zoning Committee at 8:10 p.m. Motion passed with all in favor.
10. Preliminary consultation with Savanna Institute/David Bruce for proposed Certified Survey Map (CSM) for parcel #032-0914-00000 located at E5219 Jones Road, Town of Spring Green. Iausly inquired about Savanna Institutes objective. Keeley explained that the Savanna Institute is a non-profit that focuses on agricultural research and education. The Savanna Institute recently purchased the property and they are looking to sell to another individual for the Savanna Institute to lease from. The private buyer doesn’t want to own the building located on the northwest corner of the property. Iausly inquired about the irrigation center pivot and the potential for unintended trespassing situation. The Plan Commission and JEZC discussed reducing the size of the land division to 1 acre instead of 5 acres. The consensus of the Plan Commission and JEZC is that the division is acceptable as long as the central pivot point for irrigation does not create a trespassing situation. No action necessary regarding this item.
11. Discussion and possible action on the consideration of a request by Clinton Kane & Jill Janssen Kane for a conditional use permit for “Commercial Kennel & Dog Boarding” on parcel #032-0658-1, S12904 Pearl Road, Town of Spring Green. Prem stated, “Patrick has opted to recuse himself from this item and is attending as a member of the public”. Crary reviewed correspondence submitted and forwarded regarding this item. Prem said, “The consensus last meeting was that further work is needed regarding the conditions”. Motion by Saperstein, second by Broh to refer the original conditions from 2019 to the Joint Extraterritorial Zoning Committee for further review. Plan Commission Vote: Motion passed with all in favor. Prem inquired with Iausly if would like to direct the proceedings. Iausly requested Prem continue with directing the proceedings. Saperstein gave his recollection from the last meeting. Saperstein reviewed proposed conditions he submitted. The Plan Commission and JEZC reviewed and revised each potential condition. Falteisek suggested that if the property should change ownership the CUP should be relinquished. Falteisek reviewed information he found in regards to acceptable decibel levels from DePere and Madison. Iausly asked, “How do you measure and evaluate property values?”. Saperstein reviewed the zoning ordinance as it pertains to the approval of Conditional Use Permits. Iausly inquired about an annual review of the CUP and if it should be required. The Plan Commission and JEZC discussed the annual review as a condition or potentially striking the condition entirely. Snyder inquired about Federal and State guidelines and regulations. Prem stated, “I would advocate approving a list of conditions that can be reviewed by legal counsel”. Motion by Iausly, second by Snyder, to recommend the following list of draft conditions to present to legal counsel for review:

1. *The applicant’s conditional use permit for the residential garage kennel located at S12904 Pearl Road is approved only as long as the primary kennel facility located on Big Hollow Road is approved and continues to comply to applicable County, State and Federal permits, license, laws and regulations.*
2. *The kennel will also comply with current applicable County, State and Federal permits, licenses, laws, regulations, and conditions described here in.*
3. *The use shall be limited to the current enclosed garage structure for whelping females and their litters.*
4. *The maximum capacity of the kennel will be limited to seventy (70) total dogs.*
5. *Waste from the kennel shall not be spread, applied or left on the property except temporarily awaiting proper disposal, and must be kept in a sealed, waterproof, and leak proof container while temporarily stored on the property. Storage containers must be located no closer than one hundred (100) feet to any property line. A copy of the applicant’s waste management plan shall be provided to the Village of Spring Green.*

6. *In order to limit noise impact to neighboring residents, applicants will ensure that noise reasonably believed to be associated from the kennel shall be mitigated to 57 decibels or less as measured from the property line during the hours of 8 am – 8 pm, and shall be mitigated to 52 decibels or less as measured from the property line during the hours of 8 pm – 8 am.*
7. *The conditional use permit will be deemed to have been terminated if the use, for which the conditional use permit has been issued, ceases or is abandoned for a period of one (1) year.*

JEZC Vote: Motion passed with all in favor.

Motion by Broh, second by Frazier, to accept the JEZC recommendation of draft conditions to present to legal counsel for review. Plan Commission Vote: Hagen recused himself. Motion passed.

12. Discussion and possible action on review and enforcement of Section 7.0 Signs of the Spring Green Zoning Ordinance. Motion by Falteisek, second by Broh, to defer discussion and any possible action on items #12 - #16 until next meeting. Joint Vote: Motion passed with all in favor.
13. Discussion and possible action regarding definition for mobile or manufactured home. No discussion and no action, item will be on future agenda.
14. Discussion and possible action regarding definition for shipping container home. No discussion and no action, item will be on future agenda.
15. Discussion and possible action regarding objectives and future of the Extraterritorial Zoning Area. No discussion and no action, item will be on future agenda.
16. Discussion and possible action regarding complete revision of the Village of Spring Green Zoning Ordinance. No discussion and no action, item will be on future agenda.
17. General Public Comment: Michelle Richardson said, "Thank you for all of your time and your consideration of our concerns regarding the request for rezoning from Jackson Hall". Richardson continued by saying, "Not only is the site unsuitable for development but also the adverse effects since it's in the middle of a single-family residential neighborhood". "A 16 Unit Apartment Complex will have adverse effects". There was no additional general public comment at this time.
18. Adjourn. Motion by Snyder, second by Iausly, to adjourn at 10:48 p.m. Motion passed with all in favor.