

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
April 23rd, 2014

Chairman Tom Muellner called the meeting of the Planning Commission to order at 7:00 p.m. Members present included Jim Hampton, Laura McGucken, Kevin Mataczynski, Christine Nykiel and Tom Steele. Also present was Assistant Zoning Administrator Jeff Kussow. Lee Benes was excused.

MINUTES:

Motion by Tom Steele to approve the April 9th, 2014 regular planning commission meeting minutes. Seconded by Jim Hampton. Motion carried 4-0 with Kevin Mataczynski not voting.

PUBLIC HEARINGS: NONE

CERTIFIED SURVEY MAP APPROVALS: NONE

NEW BUSINESS: NONE

OLD BUSINESS:

- a) *Active & Passive Outdoor Public Recreational Land Use Draft Zoning Text Amendment Discussion; PC Docket 2014-04*

Mr. Kussow reintroduced this topic which was discussed at the previous Planning Commission meeting. He explained that Town Board stated they would prefer the originally proposed zoning text amendment to go to a public hearing. Mr. Kussow presented three different options for the zoning text amendment. He explained that Option 1 is the zoning text amendment preferred by Town Board. He explained changes that would allow 3 or less full playcourts, and playgrounds less than 5,000 square feet as a permitted "Passive Outdoor Public Recreational" land use. He explained that Option 1 is drafted to permit "Active Outdoor Public Recreational" land uses in all agricultural and residential zoning districts through conditional use approval. He explained the bufferyard requirements, setbacks, and street access standards that would be subject to the conditional use approval. The commission questioned and commented on bufferyard requirements, zoning district minimum lot sizes, parking requirements, and existing characteristics of Town Parks. Kevin Mataczynski questioned what Town Board is seeking to get accomplished. Mr. Kussow stated that Town Board would like to see active uses be permitted through the conditional use process in all zoning districts. The commission questioned and commented the conditional use notification requirements. Mr. Kussow stated that all properties within 300 feet of the property would be notified for a public hearing. Scott Turner, Rib Mountain Street & Parks Superintendent, stated that in his previous experiences, properties further than the 300 foot minimum requirements were noticed for various projects. The commission commented on noticing requirements for various projects. Jim Hampton suggested specifying a minimum distance of 1,000 feet for noticing nearby residences.

Mr. Kussow explained Option 2, which he stated is similar to Option 1. He explained that Option 2 requires special use approval for "Active Outdoor Public Recreational" uses in the 35 acre minimum agricultural and residential zoning districts, and conditional use approval in all other residential zoning districts.

Mr. Kussow explained Option 3. He stated that this is the preferred Plan Commission option discussed at the April 9th meeting. He stated that this option would only permit "Active Outdoor Public Recreational" land uses in the 35 acre minimum agricultural and residential zoning districts.

Laura McGucken questioned if there could be a minimum acreage requirement for any properties with active uses. Mr. Kussow stated that a minimum area requirement could be required within the ordinance.

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Ms. McGucken also stated that the parking requirements are too vague. She specifically expressed parking concerns at Doepke Park and Liberty Park. Ms. Nykiel questioned what the trigger to modify the ordinance is. Mr. Kussow stated that this issue started with the bike pump track proposal, but staff also found that many of the parks within the Town are non-conforming due to playcourts and playgrounds. He stated that there is no process to allow active uses within zoning districts that are less than 35 acres. Mr. Mataczynski questioned if the parks would become passive or active if Option 1 was approved. Mr. Kussow stated that all parks, except Liberty & Doepke Park, would become conforming passive use parks with any of the three amendment options due to redefining passive uses to include 3 or less full playcourts and playgrounds consisting of less than 5,000 square feet. The commission questioned and commented on neighborhood parks, intensity park use in various residential areas, and various options. The commission questioned who initiates the development of a park within a residential development. Mr. Turner explained developer agreements and other factors/requirements. Mr. Turner expressed that permitting "Active Outdoor Public Recreational" land uses through conditional use in all districts allows for the Town more flexibility for implementing new parks or updating old ones. The commission questioned and commented on the various amendment options, and not changing the ordinance at all regarding Passive and Active Outdoor Public Recreational uses. Chairman Muellner expressed the commission's consensus that they are comfortable with how the ordinance currently exists. The commission expressed concern with making Liberty Park into a "destination hub" by allowing active outdoor public recreational land uses.

Motion by Laura McGucken to make no amendments to the existing ordinance; Seconded by Christine Nykiel. Motion Carried 5-0.

b) *Husbandry, Intensive Agriculture, & Private Residential Stable Land Uses Ordinance Modifications Discussion; Docket #2014-01*

Mr. Kussow explained the proposed changes to the animal unit table which uses the county definition of livestock to become more in line with the County ordinance. He also explained the proposed changes to the husbandry land use sections. He explained the changes in the "husbandry, low density" land use which included both agricultural zoning districts as permitted by right, and removing CR-5 & ER-1 as conditional uses to prohibit this use in those zoning districts. He explained that there are minimal clarifying changes to "husbandry, high density" and "Intensive Agriculture" land uses. He explained the changes to the "Private Residential Stable" land use. He stated that one proposed change is to change the title to "Private Residential Husbandry" to make the section less exclusive to horses and include other livestock type of animals. The commission questioned and commented on the permitted zoning districts for "Private Residential Husbandry" districts. The commission's consensus was to restrict this use in the CR-5 zoning district and only in the OR-35ac & RR-35ac zoning districts. The commission agreed that horses and livestock animals should only be allowed in 35 acre zoning districts. Ms. McGucken suggested removing farm-raised deer from the animal unit table. Chairman Muellner suggested restricting all exotic or non-typical animals. The commission questioned and commented. Mr. Kussow explained a related future proposal in which Town residents are seeking to rezone a 10 acre property from ER-1 to CR-5 for the purpose of raising cattle on the site and having an outdoor wood burning unit. The commission questioned and commented.

c) *Planning Commission Roles/Rules Discussion*

Mr. Kussow stated that his item was tabled from the last meeting for discussion. The commission discussed the two articles that were included with the packet, specifically regarding public hearing procedure at controversial hearings.

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CORRESPONDENCE / QUESTIONS:

a) *Planning Commission 1st & 2nd Vice Chair*

Mr. Kussow explained the ordinance section for appointing Planning Commission members. The commission questioned and commented. The commission's consensus was that appointing Vice Chairs is a Town Board decision.

b) *Planning Commission Re-Appointments***

Mr. Kussow explained that Tom Muellner's and Lee Benes' Planning Commission terms end at the end of the month.

ADJOURN:

Motion by Tom Steele and seconded by Kevin Mataczynski to adjourn. Motion Carried 5-0.
Meeting Adjourned at 8:25 p.m.

Respectfully Submitted,
Jeff Kussow, Assistant Zoning Administrator