

OFFICE OF  
*Town of New Glarus*

**MINUTES  
TOWN OF NEW GLARUS  
Plan Commission Meeting  
Tuesday November 25, 2014**

ATTENDING: Keith Seward, John Ott, John Freitag, Bob Elkins and Susan McCallum, Deputy Clerk

ALSO ATTENDING: Chris Nass, Michelle Nass and Craig Galhouse

ABSENT: Dean Streiff and Reginald Reis

1. Call Meeting to Order: Chair Seward called the meeting to order at 6:37pm.
2. Review Proof of Posting: Deputy Clerk Susan McCallum attested to proper posting.
3. Approve Minutes from October 6 and October 23, 2014: J. Ott moved to approve the October 6 minutes, 2<sup>nd</sup> by K. Seward. Motion carried. J. Freitag moved to approve the October 23 minutes, 2<sup>nd</sup> by B. Elkins. Motion carried. No objection to adding Dean Streiff to the October 23 minutes as present.
4. Public Comments: K. Seward stated Craig Galhouse has expressed interest in being a Plan Commission member and he will be appointed at the December Town Board meeting. He asked for any objections. J. Freitag asked if it was a conflict of interest as he is the Town's Assessor. K. Seward stated he has resigned as the Town's Assessor as of September 1, 2014.
5. Discuss parcel 0206.1200, Nass: C. Nass presented CSM 2385 map of his parcel. His plans are to split the parcel; one parcel of 6 acres including his house and pole barn and the second parcel of 18 acres, reserving this lot for future residential development. He is on a shared private driveway off of Hwy H. Commission members reviewed the location of other features and owners in and around his parcel. He also pointed out a slip of land he sold to the property owner north of him whom had built his septic on Nass's land. B. Elkins asked how many properties are on this shared driveway. K. Seward stated the definition of a parcel per land division ordinance, including density requirements, which gives him one residential site. C. Nass presented the information regarding his purchase of land in August of 1997 and the Paul Chapman's land purchase in 1998 and the division and development of "Hidden Knoll" by Chapman, that split a parcel into six residential lots with only 24 acres and a 12 acre park, which did not comply with the land division ordinance. Nass presented a CSM for Chapman with an October 1998 date signed by the Town. He also presented a CSM in November of 2001 for Gmurs that split land south and west of his property that he says did not comply with the ordinance because it split a 35 acre parcel into a 13 (lot 1) and 22 acre lot. J. Ott said as he recalls the Gmur farm was bigger than that, we made him tear a house down and the other house was not part of that split. Nass stated that there was a lot owned by Elmer that was added to with the 22 acre lot. K. Seward read that this was a neighbor exchange as indicated on face of CSM. J. Freitag questioned why the county filed a CSM without a local signature. The commission members felt that during this time when the land division ordinance was first adopted and implemented there were things done that was unusual. Commission members reviewed the presented documents and past actions. General question do we have the supporting documents in the files for these divisions, S. McCallum accessed the Chapman file and reviewed with all present and made a copy of Nass's CSM 2385 for all present, this shows Lot 1(Nass) and Lot 2(Chapman), signed by surveyor 9/11/1997, recorded 11/16/1997. Nass continued with the fact that Chapman originally built a shop on the part of Lot 2 of CSM 916 (1987), that he did not buy, but Chapman did. This CSM was filed prior to the land division ordinance by Wilde Real Estate. K. Seward felt if there was a mistaken interpretation of the

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newly enacted ordinance that does not mean we would allow a violation. There was continued discussion regarding the Chapman shop being converted into a residence. Nass stated that the Town has made an error twice that allowed splits that were in violation of the ordinance. He said he is not asking to split into 6 lots, only split for one house. K. Seward stated he could split off land anytime, just couldn't build a residence. She also looked up the split calculations for Eleanor Gmur property, it shows a cluster development for the property. B. Elkins moved that parcel 0206.1200; Lot 1 CSM 2385 has only one building site per Ordinance 110, 2<sup>nd</sup> by J. Freitag. J. Freitag felt under discussion that the record should show that C. Nass agrees with the statement. C. Nass answered "that is correct". Motion carried. J. Freitag asked S. McCallum does the file, "Chapman" have CSMs and minutes from meetings, she said yes there are minutes and other CSMs and that she would need to research it as that file has other properties included and she would also need to research the Eleanor Gmur property file, to the south. K. Seward stated that the record should show that C. Nass has questions because of further history from date of ordinance adoption and this parcel. C. Nass said there are three parcels adjoining his that have been split. C. Galhouse addressed the commission stating that there should be an extensive file on Hidden Knoll. At the time, the ordinance was in the process of adoption, he was called as assessor to report on parcel density requirements. He recalls the concept was for a conservation subdivision and the county was involved in the development and approval including looking at a common area. C. Nass stated he felt that is not true, that the ordinance was already in place before Hidden Knoll was a concept. There was continued discussion regarding past events and owners, regarding parcels in the Nass parcel area. J. Freitag asked C. Nass what happened with the Gmur property. C. Nass stated that there are only 35 acres, needing 70 to split for two buildable lots. The 13 acre parcel has the old house/barns with the adjoining piece next to me. They knocked down the old house and built a new house and also at that time they split off 22 ½ acres which included a piece across Gmur Lane in 2001. In 2005 that piece formally 22 ½ acres was made smaller into a 21 acre parcel and combined with Ruth Elmer's 2 or 3 acre parcel and a new lot of 2.32 acres across the road (Hwy NN). He also stated that Paul Schiro, whom he works with, believes he has a buildable lot. J. Ott said you have to start with the full original acres as of 1997 of the Gmur farm and he remembers the third lot was situated across the road. K. Seward asked S. McCallum to check the records regarding Gmur history. The commission members discussed the fact that at past meetings there was discussion regarding the land across the road and whether that would be a buildable lot. S. McCallum briefly looked at the Eleanor Gmur split calculations and it appears they did a three lot cluster on the original 41.55 acres and they were to deed restrict 34 acres.

6. Discuss and consider mailbox ordinance: K. Seward presented the process to review and develop the proposed ordinance. S. McCallum explained why it is presented as part of Ordinance 110 under street improvements, as an example, the commission may want it to be a standalone ordinance. J. Freitag questioned why the box should be on the right side as you leave the driveway. J. Ott explained that it is due to plowing issues for clearing the box and they will be pushing less snow into the box because the driveway is plowed. K. Seward said this is for new subdivisions and installations, he felt it should be included in the tax bill mailings etc. S. McCallum suggested to be handed out with building permits. Question was should there be an item #6 stating this doesn't apply to county roads, as we don't have jurisdiction for maintenance. No objection to including this language into Ordinance 110. K. Seward suggested in #1 to remove "from a curb" and replace with "from the pavement" also remove "apply". He also suggested to add "mailbox" after replace in #2. J. Freitag asked is it the land owner's responsibility to fill in the land to comply with #2, 24" requirement. The members responded yes, and they did evaluate how this could cause a ditch to be filled in. B. Elkins stated the box itself needs to be at least 24" from the pavement. K. Seward suggested in #3 remove "of" before a driveway. J. Freitag asked would he be in violation if he placed his box on the left side exit of his driveway due to his driveway located on a corner and the safety of the postal carrier. B. Elkins asked wouldn't it be up to the mail carrier to decide this issue. K. Seward suggested adding to the end of #4 the wording "after the time of ordinance adoption". B. Elkins and J. Freitag felt the addition was not necessary, all agreed. There was additional discussion regarding the issues in cul de sacs, fining people for improper installation, multiple box placement and

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who directs location. K. Seward suggested adding a disclaimer to #4 that specifies the damage only applies to Town roads, all agreed. J. Freitag moved to recommend the changes and ordinance to the Town Board, 2<sup>nd</sup> by B. Elkins. Motion carried.

7. Discuss Ordinance 110 update process: K. Seward presented the review of 110 done by himself, other commission members and the Deputy Clerk. He pointed to specific sections and the need to update per the adoption of new Acts 74, 272 and 280. It was discussed whether this should be done as a committee of the whole or a sub group. There was no objection to Seward, Galhouse and McCallum working on the review and implementation.

8. Discuss growth planning process and pending revision of Comprehensive Plan: K. Seward informed the commission that the board has approved an expense to hire a planner due to the comprehensive plan needing to be updated, it is about 10 years old. He directed the members to review the Land Use Tracker newsletter that has the current trends, as this body may become involved. He reviewed concepts the planner Ken Jaworski suggested at the Town board meeting in November and during a meeting with him. J. Freitag suggested that there are smart people in the town who would think of things we wouldn't or it may not make sense to us, but he would like to see a way for input. J. Ott felt that we should be getting younger people on the board to get these new ideas.

9. Set Next Meeting Date and Agenda: Thursday December 11 at 6:30pm, tentative to agenda.

B. Elkins moved to adjourn at 8:39 pm, 2<sup>nd</sup> by J. Ott. Motion carried.