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I. Call meeting to Order

- A. The meeting was called to order at 7:00PM by Chairman Schulteis. The Pledge of Allegiance was recited.
- B. Official Meeting Notification was read by Chairman Schulteis. The notice of the meeting was sent to the West Bend Daily News, WTKM, Milwaukee Journal Sentinel, and posted at the Town Hall website and bulletin board; and to the Roskopf RV Center, and Cedar Lake Hills bulletin boards. Class 2 Notification was sent for the Public Hearing.
- C. Roll Call. Present: Chairman Albert Schulteis, Mark Peters, Charles Nehm, Tim Wiedmeyer, Randy Rothman, Rodney Bartlow; and Zoning Administrator Tracy Groth, Zoning Secretary Kelly Eschenfelder. Guest: Supervisor Robert Roecker. Excused Absence: Supervisor Dennis Sang. Jeffrey Sanders, Community Planning and Consulting, and Mitch Leisses, Kunkel Engineering attended via Zoom.
- D. Moment of Silent Prayer.
- E. Approval of Plan Commission Meeting Minutes:
 - Plan Commission Meeting – June 1, 2021
Rodney Bartlow moved to approve the Minutes as written. Mark Peters seconded the motion. All voted in favor and the motion carried.

II. Public Hearing

Chairman Schulteis reviewed the Public Hearing Procedures.

- A. **Petition by RNH Land Company, LLC to amend the Town of Polk Zoning Map** by changing the zoning district of a parcel of land from M-1 Light Industrial District to M-2 Heavy Industrial District. Parcel located Section 20, Town of Polk. Parcel Number T9-066200A. Parcel zoned M-1 Light Industrial District.

Presentation:

- Rick Hanke provided a brief presentation on behalf of RNH Land Company, LLC. They are looking to re-zone the parcel from M-1 Light Industrial District to M-1 Heavy Industrial District because M-2 fits the business use better than the M-1 zoning designation. Once approval is given, they will then present a preliminary Site Plan at a future meeting.
- Tracy Groth, Zoning Administrator, reviewed the reasons for the M-2 Heavy Industrial District zoning designation.
 - The Town wanted to create a zoning district that accommodate some heavy industrial use.
 - This will help developers, Plan Commission and Town Board make a determination on appropriate uses based on where they are located in the Town.

Public Comment:

- A statement from Russ and Cecelia Nehm was read into the record by Zoning Administrator Groth (see Exhibit A).
- Zoning Administrator Groth also was asked to let the Plan Commission know that Gary Zurn, owner of an abutting property at 4442 Arthur Road, has no objections to the re-zoning.

The Chairman called three times for additional comment. There being none, the Chairman closed this portion of the Public Hearing.

- 45 **B. Petition by Town of Polk Plan Commission to Amend Town of Polk Chapter 17 Zoning Ordinance, to**
46 **correct a scrivener’s error within Ordinance 09.2021 adopted 11 May, 2021.**

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48 Presentation:

49 Zoning Administrator Groth presented the Staff Recommendation from the Staff Report (see Exhibit B).

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51 Public Comment:

52 Chairman Schulteis called three times for comment. There being none, the Chairman closed the Public
53 Hearing.

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55 **III. Unfinished Business: Review/Action**

- 56
57 **A. Application to Amend the Town Zoning Map** by RNH Land Company, LLC by changing the zoning district
58 of parcel of land from M-1 Light Industrial District to M-2 Heavy Industrial District. Parcel located Section
59 20, Town of Polk. Parcel Number T9-066200A. Parcel zoned M-1 Light Industrial District. RNH Land
60 Company, LLC, Property Owners.

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62 Presentation/Discussion:

- 63 • Mr. Hanke had no additional information to present aside from what was presented during the Public
64 Hearing.
- 65 • Plan Commission expressed support for this being the right type of site for the new M-2 Heavy
66 Industrial District zoning use.
- 67 • Zoning Administrator Groth reviewed the following:
- 68 ○ The land owner will be required to come before the Plan Commission to apply for a
69 Conditional Use Permit, which includes a Site Plan.
 - 70 ○ It will be determined by the Plan Commission how much time the land owner has to apply for
71 that permit. At the previous month’s meeting, 90 days was suggested.
 - 72 ○ Concerns would be addressed in the Site Plan review.

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74 Action:

75 Motion by Tim Wiedmeyer to recommend approval of the re-zoning as laid out in the Application to
76 Amend the Town Zoning Map by RNH Land Company, LLC from M-1 Light Industrial District to M-2 Heavy
77 Industrial District. Mark Peters seconded the motion. Commissioners Schulteis, Wiedmeyer, Bartlow,
78 Rothman and Peters voted in favor of the motion. Commissioner Nehm voted in opposition. The motion
79 carried by majority vote.

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81 **IV. New Business: Review/Action**

- 82
83 **A. Request to Amend Town of Polk Chapter 17 Zoning Ordinance, to correct a scrivener’s error within**
84 **Ordinance 09.2021 adopted 11 May, 2021.**

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86 Presentation/Discussion:

87 No additional presentation on this item.
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Action:

Motion made by Mark Peters to recommend approval to the Town Board of amendment to Town of Polk Ordinance 09.2021. Rodney Bartlow seconded the motion. All voted in favor and the motion was carried.

- B. **Preliminary Subdivision Plat Review for Cedar Creek Estates Phase I/Kevin and Amy Zimmer.** Parcels located Section 15, Town of Polk. Parcel numbers: T9-057000Z, T9-057200A, T9-057300W, T9-057100Z, T9-0585 and T9-056900E. Parcels zoned A-1 General Agricultural District and R-1 Single Family Residential Zoning District. Kevin and Amy Zimmer and Peil Farm, LLC, Property Owners.

Presentation/Discussion:

BJ Dereszynski appeared on behalf of Kevin Zimmer and Cedar Creek Estates. Also appearing, via Zoom, was Mitch Leisses, Kunkel Engineering.

- Mr. Dereszynski indicated they were presenting the Preliminary Plat, which they have reviewed with Mr. Sanders over the past several weeks.
- The Plan Commission expressed concern about “making sure we get this right, because what we do with this plan will act as a model for other plans that come before us in the future”. Concerns about this plan include:
 - A substantial portion of the property is in primary environmental corridor. We define primary environmental corridor in our Comprehensive Plan. We indicate development in primary environmental corridor should be avoided. But not seeing any serious attempt to do that in the proposal.
 - There is a notation of 20% like all other plans. And one dwelling per 5 acres, which is in the Town’s Comp Plan.
 - Would like to see land set aside for conservation and recreation purposes, like walking trails. Northeast corner of the property (lots 1, 2 & 4) could be put into a permanent conservation easement. That could eliminate the cul de sac and Lots 24 and 25 could be reconfigured.
 - Would like to see access off of County Hwy C for Lot 25.
- Mr. Leisses reviewed the Kunkel Engineering report, including the conclusions and recommendations (see Exhibit C). There was not a complete civil review done at this time.
 - He would add a recommendation for easements regarding stormwater.
- Mr. Sanders reviewed his Staff Report – focusing on the Recommendations (see Exhibit D). Some revisions were discussed as follows:
 - Item C – remove Lot 25 as it is zoned R-1.
 - Item E – Change Lot 25 to Lot 1.
 - Item L4 – Change STH 60 to CTH C.
 - Item N – should be Town Board, not Plan Commission approval.
- Zoning Administrator Groth presented a document to combine/revise all recommendations and conditions from the Kunkel Engineering report and Mr. Sanders’ Staff Report. Each condition in this document was reviewed by the Plan Commission. The final document is titled “Conditions of Preliminary Plat Approval – Cedar Creek Estates As Required by Town of Polk Plan Commission 7.6.2021” (see Exhibit E).

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Action:
Motion made by Tim Wiedmeyer to approve the Preliminary Subdivision Plat for Cedar Creek Estates and Kevin and Amy Zimmer including the conditions and contingencies set forth. Chuck Nehm seconded the motion. Commissioners Roecker, Nehm, Rothman, Peters, Wiedmeyer and Schulteis voted in favor of the motion. Commissioner Bartlow voted in opposition. The motion carried by majority vote.

C. **Draft Petition to Amend Chapter 17 Town of Polk Zoning Ordinance:** Document reformatting and various amendments to clarify or correct text.

Presentation/Discussion:
Zoning Administrator presented the Staff Report, including the revisions being recommended (see Exhibit F). These amendments were discussed and the Plan Commission had the following comments:

- Home Business and Home Occupation might need to be better defined. This will be revisited at a later date.

Action:
Motion made by Rodney Bartlow to petition the Town Board to amend Chapter 17 Town of Polk Zoning Ordinance for reformatting and various amendments as defined. Randy Rothman seconded the motion. Commissioners Roecker, Nehm, Rothman, Peters, Bartlow and Schulteis voted in favor of the motion. Commissioner Wiedmeyer voted in opposition. The motion carried by majority vote.

IV. **Report of the Zoning Administrator:**

- Strategic Plan Report – to be presented by Jeffrey Sanders at Special Plan Commission meeting on July 19, 2021, 7:00 PM, Polk Town Hall.

VI. **Other Business**


A. Correspondence. None

B. Informational Items. None.

C. Zoning Board of Appeals Report. None - the Zoning Board of Appeals did not convene.

VII. **Adjournment**

Mark Peters moved to adjourn the meeting. Chuck Nehm seconded the motion. All voted in favor and the motion carried. The meeting adjourned at 9:11 pm.

Respectfully submitted,

Kelly Eschenfelder, Zoning Secretary