

**TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
December 20, 2017**

Present: David Salvaggio, Dan Wundrock, Anne Lewandowski, Mark Wittenberg, Wayne Pipkorn
Excused: Ralph Luedtke, Rick Goeckner
Also Present: Tim Rhode, Town Administrator, Eric Ryer, Assistant Administrator/Clerk, Brad Hoeft,
Town Attorney

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chairman Salvaggio called the regular meeting to order at 7:00 pm. The meeting began with the Pledge of Allegiance.

2. MINUTES OF PREVIOUS MEETING:

a. Approval of November 15, 2017 Plan Commission Meeting Minutes*

Commissioner Wundrock moved and Commissioner Pipkorn seconded a motion to approve the minutes from November 15, 2017. The motion passed unanimously.

3. PUBLIC HEARING

a. None

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Discussion and possible recommendation on an Ordinance to rezone 43.55 acres of land with tax key # 030070600000 from A-2 Prime Agricultural to M-3 Quarrying District, and rezone 22.60 acres of land with tax key # 030071000000 from A-1 Agricultural and C-1 Conservancy to M-3 Quarrying District [Petitioner: Dawson Trust, NW & SW ¼ Sec. 7]*

The Dawson Trust has submitted a series of applications including a petition to rezone 43.55 acres (of the total 45.55 acre parcel) with tax key #03-007-06-000.00 located south of Pleasant Valley Road from A-2 to M-3, while leaving a depth of 208.80' of property adjacent to Pleasant Valley Road unchanged at A-2. They are also seeking to rezone 22.60 acres of property on the south parcel (25.6 acres total) abutting Cedar Creek from A-1 and C-1 to M-3 Quarrying; they would leave a buffer of 125' unchanged at A-1 and C-1.

Attorney Hoeft clarified Town Code also requires the applicant to submit a conditional use permit application for the quarrying activity. He noted the applicant and their Attorney Don Levy have agreed the best way to proceed would be to have the applicant submit the conditional use permit application for the quarrying operation, and have the Commission table all applications at tonight's meeting so that all applications can be considered together at the January 17th Plan Commission meeting. Administrator Rhode noted there is a public hearing scheduled before the Town Board on January 3rd regarding the rezoning and text amendment applications.

Following discussion, the consensus of the Commission was to follow the advice of Attorney Hoeft and consider all applications at the January 17th Plan Commission meeting after a conditional use permit for the quarrying operations has been submitted.

Attorney Hoeft then also clarified that the applicant has submitted a joint petition to the Towns of Cedarburg and Jackson starting the process to vacate a portion of Wausaukee Road. Seeing they submitted this petition, and a resolution by the Town Board is not required. The Boards of the Towns of Cedarburg and Jackson will be meeting to consider the application.

- b. Discussion and possible recommendation on an Ordinance to amend Chapter 320-24 of the Town Code to require berms in the M-3 district be constructed via a conditional use permit and that such berm slope shall not exceed one foot vertical to three feet horizontal***

As noted under item 5a, this item was tabled at the request of the applicant.

- c. Discussion on an application by the Dawson Trust for a conditional use permit to construct a 23 foot tall and 150 wide berm on 66.15 acres with tax keys #0300710000000 and #030070600000 [NW & SW ¼ of Section 7]***

As noted under item 5a, this item was tabled at the request of the applicant.

- d. Discussion regarding a Notice of Public Hearing and Lis Pendens Notice to Discontinue a Portion of Wausaukee Road [Petitioners: Virgil Dawson and Edward Thomas]***

An update regarding this was provided under item 5a.

6. ADJOURNMENT

Commissioner Wundrock moved to adjourn the meeting. Commissioner Pipkorn seconded, the motion carried unanimously and the meeting was adjourned at 7:05p.m.

Respectfully Submitted,

Eric Ryer
Assistant Administrator/Clerk