

**TOWN OF CEDARBURG  
PLAN COMMISSION MEETING MINUTES  
May 17, 2017**

Present: David Salvaggio, Ralph Luedtke, Wayne Pipkorn, Mark Wittenberg, Rick Goeckner, Dan Wundrock, Edward Downey

Also Present: Tim Rhode, Town Administrator, Eric Ryer, Asst. Administrator/Clerk

**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 April 19, 2017 Plan Commission Meeting Minutes\***

Commissioner Wundrock moved and Commissioner Pipkorn seconded a motion to approve the minutes from April 19, 2017. The motion passed unanimously.

**3. PUBLIC HEARING**

**a. Public hearing to take comment on a conditional use permit application by Bethany and Sue Berger for dog kennel for the property located at 2145 Granville Road [Owner: Sue Berger, SE ¼ Sec. 6, 12.23 acres, zoned A-1 Agricultural and C-1 Conservancy District]**

Bethany and Sue Berger would like to gain approval for a kennel license to allow for the keeping of up to fifteen dogs on their property located at 2145 Granville Road. § 95-22. Limitation on number of dogs, of the Town Code notes that agricultural properties are limited to five dogs.

With no comment from the public, Commissioner Pipkorn moved to close the public hearing. Commissioner Downey seconded, and the motion passed unanimously.

**4. OLD BUSINESS**

**a. Discussion and possible recommendation on an amended minor land division application by Venture Space for the property located at 8611 STH 60 [Owner: Lynnwood Properties, LLC, NW ¼ Section 21, 62.66 acres total, zoned B-3 Business, M-2 Planned Industrial and Mixed Use, and C-1 Conservancy]\***

Following Board approval of the minor land division and rezone of 8611 STH 60 on March 1<sup>st</sup>, Catalyst Construction submitted a conditional use permit application to construct what will now be 298 self-storage units. The units would be located on Lot #2 of the certified survey map, which is the northeast 10.941 acres. Due to site plan changes on the self-storage property necessitated by comments from the Plan Commission at their April meeting requiring the east building be oriented north/south, and the location of a pocket of delineated wetlands, the driveway easement had to be shifted slightly. This requires the CSM to again be considered by the Plan Commission and Town Board to approve the amended driveway easement and wetland locations as they are changes to the CSM.

Administrator Rhode summarized the road easement shifted to avoid wetland, causing the CSM to be amended. Following discussion, Commissioner Downey moved the Plan Commission recommend the Town Board approve the amended minor land division application by Venture Space for the property located at 8611 STH 60. Commissioner Pipkorn seconded, and the motion passed unanimously.

- b. **Discussion and possible recommendation on a conditional use permit application by Matt Burrow (Catalyst Construction) to construct self-storage units on lot #2 of the Certified Survey Map approved by the Town Board on May 17, 2017 for the property located at 8611 STH 60 [Owner: Lynnwood Properties, LLC, NW ¼ Sec. 21, 10.941 acres, zoned M-2 Planned Industrial and Mixed Use District]\***

This item continues from item #4a. Administrator Rhode explained this application was considered by the Plan Commission at their April meeting, with the Commission asking the applicant to orient the easternmost buildings in a north/south fashion instead of east/west. The applicant so amended the plans, with the revised project before the Commission tonight. The project now includes 298 self-storage units. Following discussion, Commissioner Pipkorn moved the Plan Commission recommend the Town Board approve the conditional use permit application by Matt Burrow (Catalyst Construction) to construct self-storage units on lot #2 of the Certified Survey Map approved by the Town Board on May 17, 2017 for the property located at 8611 STH 60. Commissioner Wittenberg seconded, and the motion passed unanimously.

## 5. NEW BUSINESS

- a. **Discussion and possible recommendation on a conditional use permit application by Bethany and Sue Berger for dog kennel for the property located at 2145 Granville Road [Owner: Sue Berger, SE ¼ Sec. 6, 12.23 acres, zoned A-1 Agricultural and C-1 Conservancy District]\***

This item continues from item #3a. Bethany Berger noted she has five dogs, but will be taking in the three dogs her mother has for a total of eight. She also cares for additional dogs in the short-term periodically when she shows them. She may also have a litter from time to time, which would increase her total until she sells the pups. Following discussion, Commissioner Wundrock moved the Plan Commission recommend the Town Board approve the conditional use permit application by Bethany and Sue Berger for dog kennel for the property located at 2145 Granville Road. Commissioner Goeckner seconded, and the motion passed unanimously.

- b. **Discussion and possible motion on an Ordinance regarding accessory structure height\***

The Buchholz family has submitted a text amendment application to amend the Town Code to increase permitted accessory structure height in the R-2 district. Their home is on Flagstone Drive with R-2 single-family zoning. Accessory structures in this zoning district are capped at 15 feet in height for a single story residence, and 25 feet in height for a 1.5 story or two story residence. All detached accessory structures shall not exceed the height of the principle structure. Since they have a ranch home, they are limited to 15 feet in height.

Mrs. Buchholz explained they have an exposed basement ranch, and asked the Commission take into account the elevation and pitch of the roof to allow for a higher building. It was clarified this would pertain to detached buildings. Chairman Salvaggio noted roof pitch comes into play for appearance, noting the pitch on roofs of newer ranch homes is different than roof pitch of older ranch homes.

Administrator Rhode noted the Town does not have architectural review boards, just the Town Code that sets requirements for structures. He noted things get complicated when residents come in with applications that have unique circumstances. He noted that the grade of the yard must be taken into account, as some backyards fall off in the back and some go up, making locating buildings complicated. He further noted that an alternative to the text amendment route is to appear before the Zoning Board of Appeals for a variance from the height requirement to allow them to construct their outbuilding and avoid a text amendment to the Town Code.

Commissioner Wundrock did not prefer the Plan Commission to amend the Code stating he thought more problems would result from a change. He felt this was a unique situation. The possibility of a

conditional use permit would not apply in this situation. Commissioner Goeckner felt they should apply for variance before the Zoning Board of Appeals and the Commission should not move forward with a text amendment at this time.

The Plan Commission did not make a recommendation on the matter at this time, but directed staff to allow the applicant to apply their text amendment application fee toward a Zoning Board of Appeals application.

**6. ADJOURNMENT**

Commissioner Wundrock then moved to adjourn the meeting. Commissioner Wittenberg seconded, the motion carried unanimously and the meeting was adjourned at 7:54 p.m.

Respectfully Submitted,

Eric Ryer  
Assistant Administrator/Clerk