

**TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
July 19, 2017**

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

Also Present: Tim Rhode, Town Administrator, 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 May 17, 2017 Plan Commission Meeting Minutes*

Commissioner Wundrock moved and Commissioner Pipkorn seconded a motion to approve the minutes from May 17, 2017. The motion passed unanimously.

3. PUBLIC HEARING

a. None

4. OLD BUSINESS

a. None

5. NEW BUSINESS

a. Discussion and possible direction regarding a concept plan application by Mark and Lisa Perelshtein of Golden Pearl LLC for a text amendment to the Town Code to allow for daycare in the B-1 Neighborhood Business District, or to rezone the property at 2110 Washington Avenue from B-1 to B-3 Business district*

The applicant was not present. Commissioner Pipkorn made a motion the Plan Commission take items 5b and 5c ahead of item 5a to allow the applicant time to arrive to the meeting. Commissioner Wundrock seconded, and the motion passed unanimously. The Plan Commission then moved to item #5b.

Following item #5c, the Commission briefly discussed #5a. Administrator Rhode noted the applicants were still not present. Chairman Salvaggio noted the building used to be a fireplace shop, and was more recently an auto shop. Commissioner Downey then made a motion to table the item seeing the applicant was not present. Commissioner Wundrock seconded. Commissioner Wittenberg pointed out the applicant was asking for a second driveway off of Pleasant Valley Road. Chairman Salvaggio noted that intersection has many access points which causes for concern. Commissioner Goeckner suggested getting a traffic/accident report for the intersection. Commissioner Downey then called the question, and the motion passed unanimously. The Commission then moved to item #6.

b. Discussion and possible direction on an ordinance to update Article VI of Chapter 320 Zoning of the Town Code regarding nonconforming uses, structures and land*

Town Code is not currently consistent with State Statutes in regards to nonconforming uses. 2011 Wisconsin Act 170, which became effective April 17, 2012, amended the nonconforming use section of the general zoning enabling statutes for counties, cities, villages, and towns and the nonconformity provisions in the state shoreland zoning program. The proposed ordinance would make Town Code once again consistent with State Statutes.

Attorney Hoeft noted that if a nonconforming use is discontinued for a specified period of time, the Town ordinance would not allow that nonconforming use to start back up, and any new use must conform to current Town Code.

Following discussion, Commissioner Pipkorn made a motion that the Plan Commission recommend the Town Board approve an ordinance to update Article VI of Chapter 320 Zoning of the Town Code regarding nonconforming uses, structures and land. Commissioner Wundrock seconded, and the motion passed unanimously.

c. Discussion on the Zoning Map update*

Administrator Rhode explained the Town is working with GRAEF to bring the Zoning Map up-to-date regarding recent zoning changes and land divisions. No motion was made on the matter. The Commission then moved back to item #5a.

6. ADJOURNMENT

Commissioner Downey moved to adjourn the meeting. Commissioner Wundrock seconded, the motion carried unanimously and the meeting was adjourned at 7:24 p.m.

Respectfully Submitted,

Eric Ryer
Assistant Administrator/Clerk