

1. **CALL TO ORDER.** Chair Schnelle called the regular Planning Commission meeting to order on Thursday, November 5, 2009 at 6:31 p.m.
2. **ROLL CALL:** Present: Scott Meier, Phil Harms, John Bieno, Greg Schnelle, Doug Brethauer (Alternate), Patrick Molzahn, Jeff Groenier, and Larry Mahr. Also present: Village Administrator Mike Gracz, Public Works Director Mark Below, Village Planner Mike Slavney, and Clerk Assistant III Peggy Haag.
3. **APPROVAL OF MINUTES.**
 - a) September 3, 2009 - Mahr moved to approve the Planning Commission minutes of September 3, 2009. Second by Meier. Motion carried 7-0.
 - b) October 1, 2009- Molzahn moved to approve the Planning Commission minutes of October 1, 2009. Second by Bieno. Motion carried 7-0.
4. **PUBLIC APPEARANCES.**
 - a) Conceptual Discussion with Chamber of Commerce regarding Billboard Sign on HWY 138. Marechiel Santos Lang of the Chamber of Commerce and Jason Saari Adams Outdoor Advertising appeared to discuss the Oregon welcome sign. Saari checked with the WI DOT on what can be done with the existing sign. The existing sign is classified as the official sign and it can be included into the backside of the new sign structure. The handout shows a picture of a possible new sign created by Adams Advertising. It will have one message on a vinyl sheet. The sign would be surrounded by brick and landscaping with lighting built in. The dimensions are approximately 10'6" by 22'8". The other side would be no larger than 150 sq. ft. which is what is allowed by the WI DOT including the metal frame behind the message. There would be a vinyl message that can be reprinted and changed. WI DOT did inform Saari other messages can be written on the sign besides "Welcome to Oregon", for example the Oregon Farmer's Market information could be added or any Village event. Private enterprise can't be advertised. It is approximately \$200.00 to change the message. Adams Advertising would provide that service free of charge. The rendering is very accurate to what the sign would be. Meier is very pleased with the changes as well as Molzahn. Bieno liked the brick planter in the Charlotte sign because it screens the lighting and he would like to see that added to the Oregon sign. Brethauer asked how long vinyl will last before it starts to crack. Jason said it depends on the color scheme, but it can last up to 3 years. Bieno does not want to see anything with liquor or tobacco on the sign. Saari said tobacco advertising is not done anymore but yes, Adams Advertising does not accept advertising of adult products such as liquor and this can be written right in the lease of the sign. Below said if this moves forward the zoning will need to be changed to a PUD. Also if there is anything Planning Commission wants to ban he said it should be part of the GDP or SIP. Slavney added except for free speech, restrictions have to be imposed by the applicant on themselves and not suggested or controlled by the Village. Schnelle said the next step would be to go back through rezoning request and move forward. Meier would like to make sure lawn care would be maintained. Molzahn asked if the top of the sign can be framed. Saari said that can be looked at. There was more discussion.
 - b) Conceptual Discussion with Jim Lease regarding Merri- Hill 4th Addition. Eric Sands with Royal Oak Engineering and Jim Lease appeared regarding Merri-Hill 4th Addition. Since last meeting Lease and Sands met with staff and the Park Board. They handed out a new conceptual drawing. In the meeting with staff it was requested they find a way to work a street into the design and have it intersect at North Perry Parkway and still meet the intersection spacing requirements. There is 300 feet between intersections on Perry Parkway. The Park Board did not have issues. They do not want any park lands in the southwest quarter. There has also been discussion of possible cemetery land purchased by the Village on the west side, but since Lease

is only looking to plat the south half he is still open to negotiations on what will happen with the cemetery land. After meeting all of staffs requests Lease would like to move into a preliminary plat phase. Schnelle said this is what we have asked for and Slavney agreed. It was asked what the average lot size would be and the standard will be 80' by 120' except for corner lots which are up to 90' so anywhere from 125' to 135' in depth and 80' to 85' in width right now. There was discussion about duplexes being put intermittently between houses. This is not generally done in Oregon but after discussion it was decided it may be okay on corner lots. Slavney said zoning can be planned out ahead of time and just stick to that pattern for zoning purposes. There will be 10-15 lots per phase which would make about 3-4 phases.

- c) Discussion and Possible Recommendation to the Village Board regarding Final Plat Approval for Rolling Meadows. Ross Michaels of Notbohm Michaels surveying appeared to represent Rolling Meadows Homes. Schnelle is happy this is getting cleaned up. Ruckert Mielke suggested approving the plat and then it will be reviewed by the Village Attorney. **Motion by Groenier to recommend the Village Board approve the final plat for Rolling Meadows as set forth in Ruckert Mielke's letter dated October 19, 2009 with the Village Board deciding if the Village Attorney be involved. Second by Bieno. Motion carried 7-0.**

- d) Conceptual Discussion regarding possible amendment to the zoning code to allow for harvesting of crops. Schnelle said this is dealing with platted areas under development and whether the developer will be allowed to grow a certain crop. It was discussed last month this was a good idea. Below said zoning districts are in question and asked if it should be allowed in single family, multi-family, commercial, PUD? If it is allowed in residential does the Planning Commission want a separation between the last existing house and where it can start? Below's recommendation would be to add language in the zoning code whether it be residential, commercial or both that it is permitted only as a conditional use then there is not a change in the zoning of the parcel itself. Schnelle said a person can come in and request a conditional use permit to allow growing of crops and Planning can stipulate what is acceptable like hay crops. Meier thinks there should be a set list of standards considered on the conditional use. Slavney likes the idea of conditional use permit because the Village can set time limits. There was more discussion. A grass crop would be acceptable with direct till only. Slavney and Below will continue working on this.

- e) Continuing Conceptual discussion regarding Foxboro Creekside Project – Darrell Wild. *Jeff Groenier stood down during this discussion.* Darrell Wild appeared to discuss the Foxboro Creekside project. He handed out a floodplain study by KD Engineering. A study was done as if there was a 100 year flood to show where the water would go. Wild said there were three cross sections done to see what would happen with the creek and it shows it doesn't do anything or affect anybody. Wild also wanted to discuss building a building with geothermal HVAC which takes heat out of the earth and put it through heat pumps to heat and cool the building on lot 1 property. Wild said he doesn't have room to do this on lot 1. He asked to put the retention pond in but it is too narrow and steep to hold it. He did say however the lot next door is nothing but a dry retention pond he would like to have perpetual usage of for the purpose of transferring heat into his HVAC but he needs it perpetually for it to be approved by FEMA as the heat source. Schnelle said the process is to talk to staff or Village Board, they would talk to Village Attorney and he determines what kind of arrangement can be made and until that is determined Planning Commission can't do much. Below asked if the Planning Commission is opposed to the filling area because the Village will need to take action by motion and Wild can send the motion along with his request to FEMA. He also asked if the Plan Commission is opposed to the retention pond because if the Plan Commission is opposed it needs to be known now. Meier would like input from the Village Engineer. Wild said it was already approved when the idea of the water/sewer, curb and gutter and roads were approved or Wild would not have allowed the retention pond. Below will have Eberle look at this.

5. **MISCELLANEOUS BUSINESS.**

- a) Letter from Village Planner Mike Slavney re: Reducing Billing Rate in 2010 (FYI Only).
Members of the Planning Commission expressed their appreciation to Slavney.
- b) Discussion with Village Planner Mike Slavney re: Timeline for Completing Update to Comprehensive Plan. There is a 3-4 month time frame in the entire cycle. Right now there is a plan that is fully compliant with Wisconsin State Statutes to continue to zone property and approve plan divisions. The Village of Oregon is not under the gun and this was approved by Board. Meier asked if the new plan would look at the new FEMA Map and it would.
- c) Letter from City of Fitchburg re: Adoption of Southdale Neighborhood Plan (FYI Only).
- d) Status of AB-239 regarding limiting Village's use of direct annexation and AB-260 regarding Extraterritorial Plat Approval. Gracz does not have info from State Representative Brett Davis on this. There was discussion regarding Boucher Lincoln Mercury vs. the City of Madison Extraterritorial Zoning. Slavney explained in that case and some since, cities and villages have used their extraterritorial powers to not only review and improve plats or CSM but also to regulate land use. What this bill does is prohibit this. Generally it's strange to use the subdivision powers to regulate land use but it's essential in some instances to keep town subdivisions from boxing in a city or village. It is to the village or city's benefit to have the ability to choose to use that power.

6. **UNFINISHED BUSINESS.**

- a) Possible Joint meeting with the Village Board at the December meeting regarding the Stormwater Ordinance – pending staff preparation of material. This will be scheduled for December if everything is ready.

7. **NEW BUSINESS.** None

8. **STAFF REPORT:**

- a) Planning Staff Meeting of September 15th.
- b) Status of Developments/Projects.
 - 1) Alpine Meadows, Bergamont & Oregon Parks Neighborhood.
 - 2) Alpine Business Park.
 - 3) Update on the status of the Downtown Project.

9. **ITEMS FOR FUTURE MEETINGS:**

- a) Extraterritorial Zoning.
- b) Review of Conditional Use Permit at 101 S. Main Street regarding Outdoor Dining in February, 2010.

10. **ADJOURNMENT.** Bieno moved to adjourn the meeting at 7:20 p.m. Second by Mahr. Motion carried 7-0.

Respectfully submitted,
Peggy Haag,
Clerk Assistant III