

TOWN OF OTTAWA PLAN COMMISSION

Meeting Minutes – February 3, 2014

Chairman Arrowood called the meeting of the Ottawa Plan Commission to order. Roll call attendance was taken and Commissioners Hausser and Weber were present, as well as Supervisor Goodchild. Also present was Town Planner Sandy Scherer.

The first item on the Agenda was for a Site Plan/Plan of Operation (SPPO) for AT&T for a co-location on the tower owned by U.S. Cellular located on Ottawa property owned by Leslie Otto, W370S4835 Pineview Lane, Dousman.

Planner Scherer read from her staff report and recommendation regarding the request to install twelve additional antennas on the tower at 160', an 11.5' x 28' x 10.5' high equipment shelter at the tower base, and other related equipment as necessary in accordance with the plans submitted. As part of Planner Scherer's report there were 37 conditions recommended. Planner Scherer stated that the reports intent was to implement Attorney Macy's new telecommunications law wording and conditions.

Supervisor Goodchild asked if there was a site address for the tower? Planner Scherer stated that, at the County, we would ask the Town Clerk about a separate address or tax bill. Supervisor Goodchild added that there should be no easement, just a separate address. Chairman Arrowood stated that a separate address would also help with delivery of equipment to the location. Supervisor Goodchild said that we should request the Town Building Inspector, Tom Marks, to look into this and provide address tiles on the fence.

Planner Scherer recommended approval of the SPPO, and that it would help improve cellular communications. Supervisor Goodchild added that this is exactly what the town asked for. Planner Scherer stated that the conditions of approval are generally all from Macy's condition examples.

Supervisor Goodchild made a motion to approve the request from AT&T to co-locate in accordance with Planner Scherer's recommendations. Commissioner Weber seconded the motion and it carried.

The next item on the Agenda was the Payne & Dolan request for a Conditional Use extension and approval of the Well Agreement letter. Planner Scherer explained that Payne & Dolan requested additional time until March 1, 2014, to comply with all the conditions of approval of the Conditional Use as required. If the Town approves of the Well Agreement letter included herein, there will be one outstanding item left to satisfy and that is approval of the Restoration

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Agreement. Therefore, P&D is requesting a small amount of additional time until May 15, 2014, to get the Restoration Agreement approved by all required parties so that their permits can be issued. It was recommended the Plan Commission approve the extension as requested, as well as approve the Well Agreement letter as submitted.

Commissioner Weber made a motion to approve the request of Payne & Dolan for an extension as requested. Commissioner Hauser seconded the motion and it carried.

Chairman Arrowood discussed the Well Agreement letter. He stated it was very generous. It is quality water. He asked how it would be determined who receives a letter? Planner Scherer answered that the letter would go to adjoining properties. Commissioner Hausser made a motion to accept the Well Agreement letter as submitted. Supervisor Goodchild seconded the motion and it carried.

The next item on the Agenda was the Badger Kart Club Conditional Use Annual Report and approval of the 2014 Racing Schedule. Planner Scherer read from her memorandum. In accordance with their recent Conditional Use approval, Badger Kart Club (BKC) presented a verbal report of their 2013 activities and requesting approval of their 2014 racing schedule.

After reviewing the 2014 schedule, Planner Scherer noted the following changes needed to be made and the following approvals were necessary from the Plan Commission:

1. The date of May 26th shall be added to the days the track is closed for Memorial Day weekend.
2. The date of September 1st shall be added to the days the track is closed for Labor Day weekend.
3. The special race weekend requested for July 11th-13th includes a Friday which is not considered a regular racing day. Therefore the Town Plan Commission must approve of this extra day of racing on this special race weekend. Further, the Club is requiring a 9:00 a.m. start all three days that weekend whereas the normal start time on a regular race weekend is 10:00 a.m. Therefore, the Town Plan Commission must approve of this earlier start time on all three racing days.
4. The final item is that the track is supposed to be closed one additional weekend in July, in addition to the 4th of July holiday weekend. The 2014 schedule does not reflect that. However, the track is closed an additional weekend in August, so the Town Plan Commission could consider substituting an additional weekend of closure in August in order to allow the track to remain open an additional weekend in July.

Bingo Emmets, a representative from the BKC, was present. In response to being closed one additional weekend in July, he stated that they are closed July 31, 2014. Planner Scherer

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responded that July 31, 2014 is a Thursday, and that a weekend is considered a Saturday and Sunday.

Planner Scherer also added that their Memorial Weekend closing on the schedule should include Monday, May 26th. Mr. Emmets stated that the BKC is closed every Monday and Tuesday. Chairman Arrowood inquired as to the 9:00 a.m. start time for the July 11-13th race weekend, if it was warming up at 9:00 a.m. or does that mean “start engines”? Mr. Emmets responded it was “start engines” at 9:00 a.m. Chairman Arrowood asked if the Plan Commission had any problems with the 9:00 a.m. start? Commissioner Weber responded that we have had no complaints. Supervisor Goodchild agreed, and stated that it isn’t an issue until complaints come in. Commissioner Weber pointed out that the schedule listed BKC at the Wisconsin State Fair on July 31st, and the schedule should state they are closed on that date. Planner Scherer also added that at the bottom of the schedule it says the Track Hours are Weekdays 10:00 am – 7:00 pm. She asked if that could be amended to say Wednesday – Friday? Mr. Emmets stated “yes”, they can make that clearer. Supervisor Goodchild agreed, adding that it would also make it clearer on the website.

Commissioner Hauser made a motion to approve the 2014 schedule as requested, adding that they will need to be closed for two (2) weekends in July of 2015. Also, that the amendments, as discussed and listed above, will be made to the BKC schedule. Commissioner Weber seconded the motion and it carried.

Mr. Emmets presented a plaque of appreciation to the Town for all of their support. The Plan Commission thanked the BKC for the plaque.

The next item on the agenda was the Town of Ottawa Assessor Report. The Town Assessor, Jud Schultz, was present. Mr. Schultz passed out a copy of the Towns request for information on properties that are land transfer, conveyances, splits, etc. He also handed out information that he had compiled for this request. He stated that he only gets this information second hand from the County. Mr. Schultz stated that he felt the County Planner would likely have the information before he received it, but he would share whatever information he had. Planner Scherer said that these items go to the Register of Deeds, and not through her office. Mr. Schultz added that he does not approve any recorded property information, that what he receives is already recorded. Planner Scherer said that it is state law; whatever is brought before the ROD must be recorded. Attorney VanHollen had looked at the zoning to see about possibly requiring a CSM for land division. The problem is getting things recorded. Commissioner Weber explained that this causes problems, because savvy land owners can record documents between themselves for transfer and get a deal done before anything can be done by the County or Town. Supervisor Goodchild added that this creates problems by creating illegal lots. We still would like the Assessor to give us any information, even if it is late. Mr. Schultz said that was fair. Commissioner Weber recommended that Mr. Schultz contact Candy White in Tax Listing at the County and ask her to have her staff forward recorded documents in real time to his office, rather than waiting for it monthly or annually. Mr. Schultz stated that he has asked, but ultimately gets

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a monthly (printed) report such as the one handed out today. He will make the request again to get reports submitted (electronically) to him in real time.

Chairman Arrowood stated that this still doesn't solve the problem with land splits taking place without any type of approval process at the Town level. Supervisor Goodchild said that the first step would be to contact County Executive Dan Vrakas and then the Register of Deeds to bring this before the County Board. Commissioner Weber added that the Town Assessor is not at all responsible for this. Planner Scherer said that we can't solve this problem; it would take a legislative change in the land division regulations. Commissioner Weber asked if County Executive Vrakas was aware of this problem? She added that it would be important to approach him and ask for a legislative fix, as we are not the only municipality facing this problem. Chairman Arrowood stated that he would be more than willing to give him a call. Planner Scherer said she would e-mail some legal background information on this topic to the Chairman. Chairman Arrowood thanked Assessor Schultz for his report. Mr. Schultz responded that he would get ahold of Candy White and see what information he could acquire.

The list of zoning violations in Ottawa that are currently pending with Waukesha County was reviewed.

There was no correspondence to discuss.

Commissioner Hausser made a motion to accept the minutes from the December 2, 2013, Plan Commission meeting as revised. Commissioner Weber seconded the motion and it carried.

Supervisor Goodchild made a motion to adjourn. The motion was seconded by Commissioner Hausser and it carried.

Respectfully submitted,

Lori Geyman
Deputy Clerk/Treasurer, Town of Ottawa