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MINUTES OF THE PLANNING & ZONING COMMISSION September 22, 2021

Present were Richard Grant and Commissioners, Tim Healy, Eric Peterson, Dawn Peetz, Dan Purcell, Frank Olah and Doug Hill. Also in attendance was Tim McCumber, Town Administrator and Deputy Clerk-Treasurer Jeremy Bowers, and Town Planner Mike Slavney.

Chairman Grant called to order **PUBLIC HEARING** regarding an amendment to an existing Conditional Use Permit (CUP) for Park Place MHC LLC located at S7175 Bluff Road on tax parcels 026-0641-00000 & 026-0641-20000 in the Town of Merrimac; application by Richard Dubois Investments LLC, 1119 Edington PI, Marco Islands, FL 34145-2000. McCumber reported that when the town revised the development plan that the ordinance strictly prohibited manufactured homes which is discriminatory so the town adopted an ordinance to regulate manufactured home developments which would require all manufactured homes be placed in a manufactured home park. McCumber went on to explain the details of the proposed CUP to the public adding that under state statute if the applicant can meet the conditions of the ordinance, the board cannot deny the permit. Chairman Grant asked who wanted to speak in favor. There were none. He then asked for those who wanted to speak in opposition. Teasha Reppenhagen Edward Wedelstadt, Claire Walmer, Alan Heimann, Candy Hanson, and Todd Henderson all spoke in opposition to the project. No other persons spoke on the matter. Grant moved to close the public hearing, second by Healy. Motion passed.

Grant called the zoning commission meeting to order. McCumber certified compliance with the open meetings law. A motion to approve the minutes of the July 21, 2021 with an amendment to include that Frank Olah was in attendance. Motion was made by Hill, seconded Peetz. There was no **OLD BUSINESS** as the matter regarding Coves Court was withdrawn and will be on the October agenda. Under **NEW BUSINESS**, the commission considered a Certified Survey Map (CSM) combining tax parcels 026-0789-00000 and tax parcel 026-0788-00000 into one (1) parcel; application by Spencer & Gail Hoyt, 1298 N 63rd St., Wauwatosa, WI 53213. McCumber reported they are combining two lots into one lot. Motion to recommend approval to the town board, seconded by Healy. Motion passed. The commission then considered an amendment to an existing conditional use Permit (CUP) for Park Place MHC LLC located at S7175 Bluff Road on tax parcels 026-0641-00000 & 026-0641-20000 in the Town of Merrimac; application by Richard Dubois Investments LLC, 1119 Edington PI, Marco Islands, FL 34145-2000. McCumber stated that the park was not issued a variance but because it was a legal non-conforming property before the ordinance was adopted the original CUP waived several of the ordinance requirements. There were exceptions made because of the preexisting conditions regarding foliage screen and the issue with the roads setbacks on Horseshoe Court. Mike Slavney stated the conditional use law that was changed by the legislature has tied the hands of local municipalities when it comes to conditional uses. Rick DuBois reported the property is well managed and that the property has improved since he acquired it noting he has done everything the town board has requested of him. Hill asked about price difference from a manufactured home vs a double wide and how it affects the people a consumer. Grant stated he is unfamiliar with the term doublewide and asked Dubois

for clarification. Dan Purcell asked about foliage barrier and the 5% green space requirement. Dubois said he is willing to meet these conditions of the ordinance for the expansion areas. Grant recommended the matter be tabled until the next commission meeting so the developer can address these issues. Seconded by Hill. Motion passed. The commission then considered a pre-application meeting for a Planned Area Development (PAD) concept plan in accordance with Town of Merrimac Zoning Ordinance Section 2.26 (II)(A) for Lakestone Estates subdivision; located on tax parcels 026-0202-00000 and 026-0204-10000. Application by Sauk Corn Company, LLC., Attn: Matt Elsing, E11989 Lorena Ave., Prairie du Sac, WI, 53578. McCumber stated that DOT is not willing to grant a rode off the highway. McCumber also stated that the Wisconsin Department of Transportation (WisDOT) will not allow the developer to add an entrance into the subdivision off of Hwy. 78 because it of the existing Ruthe Badger Lane and Kilpatrick Point entrances. McCumber stated the developer has two proposed entrances off of Ruthe Badger which may be acceptable if they consider adding a fire easement that would connect to an existing fire easement at Lakeview Estates for fire and rescue. McCumber also added that the personal storage should be located behind the Kassner storage. Brian Simmert from Sauk County commented about slopes greater than 20% and that emergency access on Lakeview easement should be improved. The commission provided some general guidance for next steps.

Under the **ADMINISTRATOR'S REPORT**, McCumber reported that there have been 58 permits issued for 2021 totaling \$5,859,121. There is a permit pending approval for a new home valued over \$1 million. The town's net new construction value based of 2020 construction increase 4.04% which is used to determine the tax levy limit and is a record since levy limits began. This is compared to 56 permits issues at this point in 2020 totaling \$5,865,932. There ten new homes started this year compared to nine new home starts last year.

Motion to adjourn Hill, second by Peetz. Motion passed.