



**MINUTES**  
**CITY OF WAUPUN PLAN COMMISSION**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Wednesday, October 16, 2019 at 4:45 PM**  
**Approved 11/20/19**

**CALL TO ORDER**

The Waupun Plan Commission met at 4:45 pm in the Council Chambers, City Hall, Waupun.

**ROLL CALL**

Members Present: Julie Nickel, Fred Lueck, Mike Matoushek, Elton TerBeest, Jerry Medema, and Jeff Daane

Member Excused: Derek Drews

Staff Present: Kathy Schlieve, Sara VanBuren, and Susan Leahy

**PERSONS WISHING TO ADDRESS THE PLAN COMMISSION--**

Chairman Nickel asked if there were any persons wishing to address the committee on any items not included on today's agenda. Hearing nothing, Chairman Nickel proceeded to address the items listed for consideration and action on today's committee agenda.

**FUTURE MEETINGS AND GATHERING INVOLVING THE PLAN COMMISSION**

Mayor Nickel indicated the next meeting of the Plan Commission will be November 20, 2019 at 4:45 pm. Daane will be excused.

**CONSIDERATION - ACTION**

1. Approve the minutes of the September 18, 2019 meeting. Motion by TerBeest, seconded by Matoushek to approve the minutes of the September 18, 2019 meeting as presented. Motion carried, unanimously.
2. Notice to Halt Spirit Fields Plat and repeal zoning petition to rezone said plat to the R-2 Zoning District. Chairman Nickel read the call of the hearing and its purpose.

City Administrator Schlieve gave a brief overview of the request to halt the Spirit Fields Plat and the rezoning petition. Kathy said the City of Waupun solicited developers through an RFP process for Spirit Fields with the goal of attracting single-family contractors to complete the build out of the proposed Spirit Fields Plat. The RFP expressly stated that the City reserved the right to consider alternative developments for the site. During that process, a developer submitted a proposal for multi-family development on the site. As part of the proposal, the City would no longer be responsible for installation and ongoing maintenance of infrastructure on the site, which would yield an initial cost savings of approximately \$175,000. Longer-term there would be additional cost savings for long-term maintenance needs. The developer's proposal will result in the addition of single-story, fully accessible, zero-barrier, 2 bedroom, 2 bath units on the site that are designed for but not exclusive to senior living. The City Council accepted the proposal from this developer.

The City is hereby notifying the Plan Commission that we have notified the State of Wisconsin to stop the recording of the Spirit Fields Plat. The City will maintain the parcel as original proposed Lot 1 of Mayfair Estates. As an aside, City Staff have worked with the Brittain House owner and resolved the parking lot issue on this site to make way for the development. The parking lot will relocate to the west edge of Lot 1 and the City will do a certified survey map to address that move. As a result of this change, the rezoning petition for the site will also be halted. The lot will remain as a PCD, which permits multi-family development. A site plan for the multi-family development will appear on a future agenda for Plan Commission review and approval.

No further facts were presented so Chairman Nickel declared the hearing closed.

Motion by Matoushek, seconded by TerBeest to inform the Council that the Spirit Fields Plat is hereby halted and the rezoning petition to the proposed R-2 Zoning District for the same lot is also halted and the lot will remain in the PCD Zoning District which permits a multifamily development which is now proposed for this lot.

Motion carried, unanimously, 6/0.

3. Public Hearing - Ordinance Amendment to include safety covers in the Swimming Pool ordinances. Chairman Nickel read the call of the hearing and its purpose.

Scott Roffers and Jodi Mallas, owners of the pool/cover in question appeared and submitted nine more local swimming pool ordinances that allow pool safety covers in lieu of a barrier fence. Lueck indicated he submitted a memo to the City Attorney suggesting some minor alterations to the proposed amendment. He also feels it is very unusual to amend an ordinance for a single person when they can comply with the present ordinance but do not want to because of aesthetic reasons. He also noted that the 2018 fence barrier exemption for certain pools suggests that the City's ordinance should be upgraded to comply with the changing codes.

No further information was provided, so Chairman Nickel closed the hearing and called for a motion on the proposed amendment.

Motion by Nickel, seconded by Matoushek to submit a favorable recommendation to the City Council on the proposed swimming pool ordinance amendment.

Vote: Daane, TerBeest, Medema - "NAY"

Matoushek, Lueck, Nickel - "AYE"

3/3 tie.

Motion failed on a tie vote, so the Committee will not submit a recommendation to the City Council on the proposed swimming pool amendment.

Chairman Nickel indicated she will submit the new nine pool ordinances dropped off today to the City Attorney to see if the proposed ordinance can be tweaked before the Council review.

4. Extraterritorial Zoning Review of Certified Survey Map for Edwin & Alene A. Hull Life Estate in the Town of Waupun, Fond du Lac County. The committee reviewed a CSM (Lot 1) which contains a home and accessory garage. Lot 1 will contain 1.633 acres and is the original farm residence. The remaining lands, Outlot 2 - 26.162 acres and Outlot 1 - 37.280 acres will remain an Agriculture use and are zoned A-1 Prime Farmland Preservation. Lot 1 contains an existing P.A.T.W.S. system, therefore no soil test will be required.

Susan Leahy, Zoning Administrator, referenced the City's Subdivision ordinance and that the jurisdiction of these regulations include all lands within the City limits and those lands within 1 1/2 miles of the City limits. These lands lie within 1 1/2 miles of the City limits and the intended use will comply with the City's Land Use Plan.

Motion by Daane, seconded by Medema to provide a favorable recommendation to the City Council on the proposed CSM under the City's Extraterritorial zoning jurisdiction to create a CSM and 2 Outlots on the Edwin Hull Etal Life Estate and referenced as a re-division of Lot 1 CSM 468, Vol 4, Pg 68 and a pt of the SE 1/4 of the SW 1/4 and a pt of the SW 1/4 of the SW 1/4 Section 28, and part of the SE 1/84 of the SE 1/4, Section 28, T14N, R15E, Town of Waupun, Fond du Lac County, Wisconsin subject to any conditions and or requirements of the Fond du Lac County Code.

Vote: Daane, TerBeest, Medema, Matoushek, Lueck, Nickel - "AYE"

Motion carried, unanimously 6/0

**ADJOURNMENT**

Motion by Matoushek, seconded by TerBeest to adjourn the meeting. Motion carried, meeting adjourned at 5:03 pm.

Fred Lueck,  
Secretary