



**MINUTES (APPROVED 8/20/19)**  
**CITY OF WAUPUN PLAN COMMISSION**  
**Waupun City Hall – 201 E. Main Street, Waupun WI**  
**Wednesday, July 17, 2019 at 4:45 PM**

**CALL TO ORDER**

The Plan Commission met at 4:45 pm in the Council Chambers, City Hall on July 17, 2019.

**ROLL CALL**

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

Members Excused: Elton TerBeest and Derek Drews

Staff Present: Susan Leahy, Zoning Administrator, Sarah VanBuren, and Mike Beer

**PERSONS WISHING TO ADDRESS THE PLAN COMMISSION**

Chairman Nickel asked if there were any persons wishing to address the committee on any issue 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**

**CONSIDERATION - ACTION**

**Minutes from the June 19, 2019 meeting.**

Chairman Nickel called for a motion to approve the minutes of the June 19, 2019 meeting. Motion by Medema, seconded by Matoushek to approve the minutes of the June 19, 2019 meeting as presented. Motion carried, minutes approved, unanimously.

**Discussion on changing the fencing requirements around swimming pools. Referred to Plan Commission from the Zoning Board of Appeals.**

Zoning Administrator Leahy, and Chairman Nickel noted that Scott Roffers and Jodi Mallas, 910 Taft Ln. have previously filed a variance request with the City Zoning Board of Appeals, to install an auto safety cover over their proposed pool in lieu of a fence around the pool as required by the City's Zoning Code. They felt a fence would be unsightly, unsociable, and because they are in a new subdivision they don't want a fence. The Board of Appeals felt they did not have the power to approve the variance request because the request is a safety issue. Therefore, they made a motion to refer this matter to the Plan Commission for discussion of an amendment to the fencing requirements for pools under the Zoning Code.

Today's discussion centered on whether the City should proceed with an amendment to the present ordinance that requires fencing of pools in the City and to allow hydraulic pool covers in lieu of the required fence. Daane and Lueck had several concerns with the covers, mainly the potential loss of electrical power for a short time or possibly days due to a storm or other event, or just forgetting to close the cover. The Roffers/Mallas reasons for not having a fence are that they are unsocial and unsightly really are not good reasons for not having a fence for safety purposes, among other reasons. Roffers/Mallas said the cost of their cover would be around \$9800 plus shipping. Daane said he contacted the California firm that sells these covers and they recommend fences in addition to the cover. Copies of some town and village ordinances that allows pool covers in their municipalities were provided for committee review. Lueck notes that most of the pictures of pools with covers appear to be on fairly large lots and town ordinances usually cover more rural areas with larger lots where as many new lots in Waupun Subdivisions are less than 100' wide.

Chairman Nickel thought that the Baraboo Ordinance looked the best and suggested the committee move forward on an ordinance amendment.

Motion by Matoushek, seconded by Nickel to recommend the City Staff/City Attorney look into amending Section 16.01(11)(g) of the City Zoning Code to allow pool covers in lieu of a security fence around a swimming pool under the present ordinance.

Vote: Matoushek and Nickel - "AYE"  
Daane, Medema, and Lueck - "NAY"  
Motion fails 3/2

Matoushek then asked to amend his previous motion to now recommend that the City Staff/City Attorney look into amending Section 16.01(11)(g) of the Zoning Code to allow a pool cover in lieu of a fence around a pool on the condition that the owner first get approval from the abutting property owners and that the verbiage of the amendment be patterned after the Baraboo pool ordinance.

Vote: Matoushek, Nickel, and Medema - "AYE"  
Daane and Lueck - "NAY"  
Motion carried 3/2

The proposed amendment will come to the Plan Commission at a future date for review and public hearing and the committee will then make a recommendation to the City Council to approve or disapprove the amendment.

#### **ADJOURNMENT**

Motion by Matoushek, seconded by Medema to adjourn the meeting. Motion carried, meeting adjourned at 5:08 pm.

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