

**Minutes of the Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, June 14, 2018
6:30 PM**

Chairman Osterman called the Plan Commission meeting to order at 6:31 P.M.

Roll Call: Present: Chairman Joseph Osterman, Supervisor Plotecher, Plan Commission Members Ed Nelson, Mark Meyer, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Attorney Kathy Gutenkunst, Engineer John Stigler and Planner Dan Lindstrom. Absent: Clerk Gina Gresch.

Comments from citizens present pertaining to items on the agenda. None.

Discussion and necessary action on April 12, 2018 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Nelson to approve the April 12, 2018 Plan Commission minutes. Seconded by Commissioner Oelhafen. Motion carried, 7-0.

Discussion and necessary action on May 10, 2018 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Nelson to approve the May 10, 2018 Plan Commission minutes. Seconded by Commissioner Meyer. Motion carried, 7-0.

New Business

Discussion and necessary action on the Barnwood Conservancy, LLC Developer's Agreement and Related Exhibits, and recommendation to the Town Board of the same.

Attorney Gutenkunst stated she and staff have been working with the developer and his attorney but there are some items the Plan Commission and/or Town Board need to make determinations on.

FINAL LIFT: Traditionally the final lift is installed when a large percentage of construction is completed. The developer has requested the Town take ownership of the road earlier than normal in the process. Attorney Gutenkunst suggests the Town continue current practice which is to take ownership of the road after 75% of the homes have been constructed. Planner Lindstrom, Engineer Stigler and Plan Commission members agreed.

TRAIL DESIGN: Planner Lindstrom stated the development package didn't include a trail design and recommends adding language about Town's typical trail standards from Chapter 12, that the trail be built to specification. Chris Miller agrees with the Town's trail standard. There was discussion about how the trail will be designed, whether it complies with state DOT trail standards or the Town standards. The meandering in neighborhood complies with town, the one along the street meets DOT and is 10' wide. Internal trails will be paved. Staff will work on identifying the correct sections of the code for insertion in the document.

HOA: Each lot owner has a 1/52nd interest in the homeowners association and outlots. The developer will retain architectural control and further information regarding this in the Declaration of Restrictions.

STORM WATER: The Town has reviewed the Storm Water Management Plan and during construction there will be temporary storm water management in place in case of a big storm. The developer would like verbiage added, regarding the Town, requiring the developer to fix other lot's storm water management if the original plan does not work; does not want the language to apply to individual lots. Attorney Gutenkunst confirmed the language will not address individual lots. The Plan Commission directed the attorney to finalize this verbiage.

DITCHES: Engineer Stigler stated the binder will be in place and ditches will be done to final grade and seed (matted is sufficient), which is a contingency to getting a building permit.

FIRE TANK: The applicant submitted a quote based on the Town's requirements, which also allows for a donation to the Fire Department rather than installing the tanks. Engineer Stigler feels the quote is too low for two tanks, however Chris Miller confirmed the quote is for one tank and the price is to be doubled.

STREET TREES: The Town ordinance requires one street tree for every 60 feet of road frontage, which wasn't included in the developer's landscaping plan. Chris Miller stated the subdivision covenants requires everyone to plant four trees; two in the back, two in the front. He will change the covenants so that it requires two of the trees the property owner will plant meet the street tree requirements. The other two required trees will be cited in the Developer's Agreement.

SNOWPLOWING AFTER FIRST BINDER COURSE: Attorney Gutenkunst stated the Town doesn't normally start plowing the street until after the final lift is installed and accepted by the Town. There was a discussion about why the Town would or would not want to plow the street after the first binder course is in. There are many homes to be built and the Town doesn't want the heavy construction equipment damaging the street. Chris Miller stated if he is to plow the street, he wouldn't get to it as fast as the Town will. It also might be easier for the plows to get through since they won't have to turn around in the adjoining subdivision. He will be building a model house but that won't be done until spring so he can plow this winter, but once one occupancy is issued, the Town will plow. Attorney Gutenkunst stated she doesn't recommend the Town plow the roads until final acceptance. If the plow causes damage before final acceptance, the developer will be responsible. It was negotiated that the Town agrees to plow only the through streets after one occupancy is issued, subject to Town Board approval.

Attorney Gutenkunst also updated the Plan Commission with new state law changes which will affect the development. The Town cannot hold the Letter of Credit for more than 14 months after the binder course is down. Also, we can no longer prohibit a private person working on a job site of a construction project on a Saturday. The Developer's Agreement verbiage will remain the same; this only applies to a person building the house themselves. Planner Lindstrom and Attorney Gutenkunst are comfortable with the Declaration of Restrictions; the Town can't change or enforce them, they are between the property owner and developer.

Commissioner Meyer is concerned that the HOA could lose interest in enforcing these restrictions and the amendment procedure in the restrictions could allow the HOA to vote to eliminate them. Attorney Gutenkunst stated the Town shouldn't get involved in a contract between private property owners. Commissioner Stadler doesn't think the Town wants to have to enforce these restrictions, the Town can't protect against everything. There was further discussion about how the restrictions are enforced if the property owner does something the Town allows but the HOA doesn't. Attorney Gutenkunst recommended against the Town becoming involved and Plan Commission members agreed.

Motion by Commissioner Nelson to approve the Barnwood Conservancy, LLC Developer's Agreement and Related Exhibits, subject to the modifications and edits to presented and finalized by Professional Staff and the Developer and recommendation to the Town Board of the same. Seconded by Commissioner Stadler. Motion carried, 7-0.

Discussion and necessary action on Resolution 04-18, Resolution to Approve the Specific Development Plan for Barnwood Conservancy, LLC, for the property located at the Northeast corner of Lake Five Road and Silver Spring Drive (CTH "VV"), LSBT 0217.998, and recommendation to the Town Board of the same.

Planner Lindstrom stated this Resolution incorporates the changes the Plan Commission just made into the overall General Development Plan. Includes all items the Town has required and what the Town has reviewed.

Motion by Chairman Osterman to adopt Resolution 04-18, Resolution to Approve the Specific Development Plan for Barnwood Conservancy, LLC, for the property located at the Northeast corner of Lake Five Road and Silver Spring Drive (CTH "VV"), LSBT 0217.998, and recommendation to the Town Board of the same. Seconded by Commissioner Nelson. Motion carried, 7-0.

Report on Site Inspections of Mining Operations

Plan Commission members who conducted inspections didn't have any concerns with the locations they inspected. Commissioner Samanske has to conduct his inspection for Payne and Dolan and will report at the next meeting.

Town Clerk & Town Planner

Overview of May Planning Appointments & Current Task/Project list.

Planner Lindstrom reviewed the May planning appointments and indicated which appointment may come before the Plan Commission. He also reported the Town is working with Waukesha County on best Plan Commission practices.

Discussion and update on the Plan Commission application process, including but not limited to planner's appointments, application timing, fees, forms, review reports, etc.

Planner Lindstrom stated he and Clerk Gresch have been working on the fees and trying to figure out why some simple procedures cost more than they should. She contacted her clerk community to see what other municipalities in Waukesha County charge. He will let her speak to this at the next meeting.

Commissioner Stadler stated she appreciates the information but the Plan Commission is meeting and deciding on things. She doesn't need to know about that unless it comes before them on the agenda. She wants to know how the Plan Commission feels about this. Planner Lindstrom stated we already have to do this. Commissioner Samanske enjoys the involvement and what is happening in the Town. Commissioner Meyer likes the updates as well, it's good to know what people are asking us about. Supervisor Plotecher also likes it and finds it interesting. Commissioner Oelhafen stated he already knows about these items since he is invited to all of the Planner appointments. Commissioner Nelson is this a substantial cost? Planner Lindstrom commented again it only takes him a couple of minutes to take a screenshot of the tracking sheet. Commissioner Nelson asked Planner Lindstrom to bold his recommendation; he said he can do that.

Request from members to request items on future agendas.

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, June 14, 2018 Plan Commission Meeting at 8:08 P.M. Seconded by Chairman Osterman. Motion carried, 7-0.

Respectfully submitted,

Gina Gresch, MMC/WCPC
Town of Lisbon Clerk