

APPROVED

**PLAN COMMISSION MEETING
Town of Troy
June 1, 2017
Hudson Wisconsin 54016**

Members Present: Dan Pearson, Lowell Enerson, Joe Radlinger, Paul Mahler, David Wolf, Jennie Boeder, Jan Cuccia

Members Absent:

Staff Present: Rob Jones, Wendy Sander

Recording Secretary: Amanda Randall

Others present: Steve McFarland, Daniel Koepke, Ron Derrick, Matt Hieb, Perri Schiltgen, Louie Filkins

AGENDA:

1. Call to order;
2. Approve minutes;
3. Acknowledgment of applications for actions as regulated by SDO;
4. Cracked Barrel Winery-Review of Special Exception/Conditional Use Permit conditions;
5. Rohl Construction, Inc.-Review of Special Exception/Conditional Use Permit conditions;
6. 1-lot CSM-Parcel #040-1318-00-994 (Outlot 3, Hills of Troy) – Idea Inception, Inc.
7. Final Plat, Meadow Valley-DCCI Investments, Inc.
8. Building Permits;
9. Committee Reports & Correspondence
10. Adjourn.

AGENDA:

1. Call to order;

Dan Pearson called the meeting of the Troy Plan Commission to order at 7:00 p.m. followed by the Pledge of Allegiance.

2. Approve minutes;

The minutes of the March 2, 2017 Plan Commission were previously distributed.

Paul Mahler moved to approve the minutes of the March 2, 2017 Plan Commission. Lowell Enerson seconded. Motion carried.

3. Acknowledgment of applications for actions as regulated by SDO;

Paul Mahler moved that the Plan Commission accept the applications for Idea Inception, Inc. and DCCI Investments. David Wolf seconded. Motion carried.

4. Cracked Barrel Winery – Review of Special Exception/Conditional Use Permit conditions;

This review to ensure the Cracked Barrel Winery is meeting all the conditions of their permit was set up when they got their Conditional Use Permit from the County four years ago. Now that the Town has their own zoning, this review process has been inherited from the County. In December 2016, The Town amended their permit to add new conditions changing the hours of operation, ceasing on-site sales a half hour before closing, allowing the sale of accessory items, and adding limited beer sales. The Commission went out to the site, reviewed the conditions, and will report to the Town Board. Staff is recommending reviewing only if there's a complaint or issues and not on a set schedule.

Jennie Boeder moved that the Plan Commission report to the Town Board that the conditional use permit for Cracked Barrel Winery need be reviewed only in the event the applicant requests it or if others within Town request review. Jan Cuccia seconded. Motion carried.

5. Rohl Construction, Inc. – Review of Special Exception/Conditional Use Permit Conditions;

This review was also inherited from the County process. The review is also required for their non-metallic mining permit from the County. The County had a 5-year review for this permit. The Town has not heard of any issues. The Plan Commission went to the property for a site visit.

Jan Cuccia moved that the Plan Commission report to the Town Board that we reviewed the conditional use permit for Rohl's and we find them to be in compliance and we will review again in approximately five years when they make application with the County. Lowell Enerson seconded. Motion carried.

6. 1-lot CSM – Parcel 040-1318-00-994 (Outlot 3, Hills of Troy) – Idea Inception, Inc. Steve McFarland, owner of Idea Inception, Inc. explained that he wants to split off a 3.1-acre lot from a parcel he owns for his son to build a house on. He owns one of the undeveloped outlots, Outlot 3, in Hills of Troy, off County Road U.

Rob Jones explained that the 2005 Hills of Troy subdividing activity saw: the approval of a Farm Plan; transfer of development rights; rezoning; and placement of this acreage under a conservation easement. The current owner has since acquired the property and is proposing to create 1 lot at this time. Outlot 3 is encumbered by the July 20, 2005 Conservation Easement. The easement is currently a Tier 1 easement, which places the most restrictive conditions across all of the farm plan property not identified in the 60% area of the final plat (Phase 1). The easement contains language restricting changing lot sizes, densities, or uses of the property so it is Staff's opinion that any proposed deviation from what was approved would require an addendum to the conservation easement. Lot 1 on the proposed CSM is a variation from the lots

shown in the Farm Plan. However, if the applicant were to propose creating a lot shown in the approved Farm Plan, the minor subdivision could potentially be approved without modifying the existing conservation easement. In either case, the Town should verify that the current owner is the legal holder of all the development rights required for the proposed subdividing activity.

On the preliminary plat, Outlot 3 is shown as Lot 79. Town Attorney Gwen Kuchevar said they could create Lot 79 showing the Farm Plan and then they could move forward without changing the conservation easement. Lot 79 is about 6 acres. There would be a requirement on those 6 acres that it could only be split this one time due to the conservation easement. Lot 79 does already have an Exception to Design Standards for a reduced front setback and has a shared driveway easement with Lot 80. Louie Filkins assured the Plan Commission that he would have the CSM submitted to Rob Jones 48 hours before the Town Board meeting.

Paul Mahler moved that the Plan Commission recommend to the Town Board approval of the 1-lot CSM to create a lot consistent with the previously platted lot 79, including: the shared driveway access easement and a note on the CSM that it is subject to the existing conservation easement on the subdivision; the draft CSM is provided to the Town Engineer for review at least 48 hours prior to the Town Board meeting and that staff reviews, approves, and reports to the Town Board prior to submittal; and that the applicant provides evidence they are the legal holder of development rights for the subdivision. Jan Cuccia seconded. Motion carried.

7. Final Plat, Meadow Valley – DCCI Investments, Inc.;

Rob Jones explained that this is a 40/60 Farm Plan. This plat would legally create the remaining 11 lots and right-of-way for Meadow Valley Path and Meadow Valley Lane in the location, size, and density approved in the Farm Plan. The road right-of-way of Meadow Valley Path has been platted but not constructed because it doesn't serve any houses and the Town would have to maintain it.

The following is a summary of the subdividing activity for this project:

1. 2013: Farm Plan with TDR and rezoning approved for the 75.70-acre project proposed to create the 35 residential lots and 4 commonly-owned outlots.
2. 2014: the Meadow Valley of Troy plat was approved creating: 23 residential lots, 4 permanent outlots, and the right of way for Meadow Valley Trail and Meadow Valley Bay.
3. 2016: a CSM created 1 residential lot (a 15-acre farmette) along with the addendum to the Developer's Agreement.

Rob Jones noted that the applicant should verify that the Preliminary Plat has not expired and that the proposed final plat is legally recordable. He went on to say it appears the Preliminary Plat expired in April of this year. The Town should also review the turn-around that needs to be constructed on Meadow Valley Lane prior to the Town accepting it as a public road. In addition, the covenants should be recorded and attached to the deeds on the newly created lots and the Town may consider reverting the Tier 1 conservation easement to a Tier II.

Matt Hieb reported that the final plat will go to the County next month and the plat needs to be recorded before covenants can be recorded. The HOA has been created and is run by Derrick. The letter of credit has been released. He also mentioned they would like a lesser front setback on Lot 28, from 75' to 40' or 50'. A request for an Exception to Design Standards was not part of their application and therefore was not on the agenda. After much discussion, the applicant requested that the final plat be tabled and they will come back next month with it including an Exception to Design Standards. This will allow them to also tie up the other loose ends.

Lowell Enerson moved that the Plan Commission table the Final Plat of Meadow Valley for DCCI Investments, Inc. David Wolf seconded. Motion carried.

8. Building Permits;

Building permits were reviewed.

9. Committee Reports & Correspondence;

Lowell Enerson reported he attended 2 zoning workshops put on by UW-Stevens Point at River Falls and they were well done. He also attended a meeting where Hudson's mayor spoke and suggested that the Town talk more about the plans for the Highway 35 corridor since the City is out of land. Dan Pearson noted that the Rohl property tower easement is not done yet but should be on next month's agenda. He also reported that the Town's lawsuit against the City of River Falls is set for oral arguments on June 6 at 11:00 a.m. He also reported that the Town has offered to sell the City of Hudson a liquor license but is waiting to hear back from the business owner who would be buying it. He suggested the Town further discuss liquor licenses.

10. Adjourn

Lowell Enerson moved to adjourn the meeting of the June 1, 2017 Plan Commission at 9:07 p.m. David Wolf seconded. Motion carried.