

1 A regular monthly meeting of the Newbold Plan Commission was held at the Newbold Town
2 Hall on Thursday, April 1, 2010, beginning at 4:30 PM.
3

4 **Members in attendance:** Chmn. Bob Metropulos, Vice-Chmn. Mike Sueflohn, Dan Chronister
5 Sr., Bob Estabrook, John Granger, Richard Guidinger, and Ed Hammer

6 **Members absent: None**

7 **Audience:** David Schmitz, Leonard Hyke
8

9 **Call the meeting to Order:** Chmn. Metropulos called the meeting to order at 4:30 PM. An
10 Amended Agenda for this meeting was properly noticed by posting on March 30, 2010 a copy
11 on each of the three (3) Town bulletin boards. For informational purposes, the Amended
12 Agenda was also posted on the Town website.
13

14 **1.0 Approve Agenda:** Bob Estabrook moved to approve the Agenda for the meeting; Mike
15 Sueflohn seconded the motion; motion passed without negative vote.
16

17 **2.0 Review and approve revised minutes for January 7 and January 14, 2010 meetings,**
18 **revised minutes for February 4, 2010 meeting and draft minutes for March 4, 2010**
19 **meeting:**

20 **2.1 January 7, 2010 Revised Regular Meeting Minutes –**

21 **Discussion** – None

22 **Action** -- Bob Estabrook moved to approve the subject minutes with approved
23 corrections; Ed Hammer seconded the motion; motion passed without negative vote.
24

25 **2.2 January 14, 2010 Revised Special Meeting Minutes –**

26 **Discussion** – None

27 **Action** – Dan Chronister moved to approve the subject minutes with approved
28 corrections; Ed Hammer seconded the motion; motion passed without negative vote.
29

30 **2.3 February 4, 2010 Revised Regular Meeting Minutes –**

31 **Discussion** – none

32 **Action** - Bob Estabrook moved to approve the subject minutes with approved
33 corrections; Mike Sueflohn seconded the motion; motion passed without negative vote.
34 Dan Chronister abstained from voting as he was not present at the Feb. 4th meeting.
35

36 **2.4 March 4, 2010 Draft Regular Meeting Minutes –**

37 **2.4.1 Discussion regarding an erroneous motion** – Ed Hammer commented that his
38 motion regarding adoption of the proposed “Plan Commission Meeting Rules of
39 Conduct” was improper, as no action should have been taken on Agenda Item 3.0 that
40 was posted as only a “Continued Discussion” item.

41 **2.4.1 Action regarding an erroneous motion** – As a correction to the subject minutes,
42 Mr. Hammer moved to withdraw his erroneous motion; Dan Chronister, who seconded
43 the original motion, agreed with the request to withdraw the motion; motion to withdraw
44 passed without negative vote.
45

46 **2.4.2 Discussion regarding correction to the content of the March 4, 2010 draft**
47 **minutes** – Chmn. Metropulos commented that the Town Chmn. has requested
48 elimination of lines 74-75 of the draft minutes regarding comments pertaining to “the

49 *history and validity of using an outlot as a method for describing ownership and access*
50 *rights to a private road”.*

51 **2.4.2 Action regarding correction to the content of the March 4, 2010 draft**
52 **minutes** – the Members agreed with this requested correction. The subject minutes will
53 be revised and resubmitted for approval at a later date.
54

55 **3.0 Review for discussion and recommendations, Kirsch/Smith land divisions for**
56 **comparison with the December 17, 2009 revision of the Quincy Acres Major Land**
57 **Division plat as presented to the Newbold Town Board on March 11, 2010:**

58 **Background** -- Chmn. Metropulos explained for the Members that at the March 11, 2010
59 Town Board meeting, Mr. Schmitz reviewed with the Board an August 2006 revision of a July
60 2006 land division of Kirsch/Smith property located in the SE NW qtr-qtr of Sect. 22, T37N,
61 R8E. This land division illustrates the use of a reserve strip of land to separate a parcel from a
62 private road.

63 The July 2006 Kirsch/Smith minor land division split an approx. fifteen (15) acre parcel into
64 two lots; one (1) lot of approx. ten (10) acres (shown as Lot 1 on the CSM) and the other of
65 approx. five (5) acres (shown as Lot 2 on the CSM). The original westerly boundary of both
66 Lots 1 and 2 was shown to include a part of the right-of-way of a proposed private road.

67 The August 2006 revision of the land division created a one (1) foot-wide reserve strip of
68 land extending from Lot 2, to approximately the northwestern boundary of Lot 1. This creation
69 of a reserve strip with an origin in Lot 2 changed the westerly boundary of Lot 1 (the ten (10)
70 acre parcel). Future residents of Lot 1 would not be able to access the proposed road without
71 crossing the reserve strip separating the westerly boundary of Lot 1 from the right-of-way of
72 the proposed road.

73 The primary purpose of the reserve strip was to eliminate the westerly boundary of Lot 1
74 from adjoining the right-of-way of the private road and to restrict the access/use of the private
75 road to four (4) parcels.

76 **Discussion** – Mr. Schmitz commented that this previously approved use of a reserve strip to
77 separate a private road right-of-way from an another parcel in a land division was the same as
78 he has used in his December 2009 revised plat of Quincy Acres.

79 Considerable discussion among the Members and with Mr. Schmitz followed. It was pointed
80 out that Kirsch/Smith also own the property between Hwy 47 and the northern border of Lot 1.

81 Therefore, providing access to Lot 1 via the proposed private road to avoid a “land locked
82 parcel” was not required. If and when Kirsch/Smith would sell Lot 1, access could be provided
83 by a driveway/roadway crossing the Kirsch/Smith property. Therefore, providing access to Lot
84 1 via the proposed private road to avoid a “land locked parcel” was not required.

85 The consensus of the Members was that the background, details and approval of the
86 Smith/Kirsch land division(s), which includes a reserve strip to limit access to a proposed road,
87 was a unique situation; i.e., a land division not directly comparable with the December 17th
88 revised plat of the Quincy Acres land division.

89 Prior to this meeting, Mr. Schmitz mailed to individual Plan Commission Members a memo
90 detailing examples of private roads in other Newbold Major Land Divisions that are not
91 constructed to Ordinance standards. Mr. Schmitz was told that discussion of these examples
92 was not appropriate as the Agenda was very specific in limiting the discussion to the
93 Kirsch/Smith land divisions.

94 **Action** -- Bob Estabrook moved to affirm the applicability of the March 4, 2010 Plan
95 Commission motion regarding recommendations to the Town Board for rejection of the

96 December 17 2009 revised plat of the Quincy Acres Major Land Division with proposed
97 alternatives; motion seconded by Dan Chronister; motion passed without negative vote with
98 Mr. Granger requesting that it be noted that he abstained from voting.
99

100 **4.0 Continued discussion on Chapter 13 Land Division Ordinance revisions for**
101 **recommendation to the Town Board:** No discussion
102

103 **5.0 Administrative matters for review, discussion and/or action by Commission**
104 **Members concerning general Plan Commission activities, Town Board**
105 **discussions/actions, County Planning and Zoning Dept. activities, project updates,**
106 **correspondence, set next meeting date and future agenda items:**
107

108 **5.1 Chairpersons report – None**
109

110 **5.2 Correspondence, if any –** Mr. Hammer gave the Members copies of a “Commission
111 Guidelines” document he had prepared. Review of the suggested Guidelines will be the
112 subject of a future meeting.
113

114 **5.3 Suggested Future Agenda items –**

115 **5.3.1** Continued discussion regarding review/update of the Land Division Ordinance
116 focusing on developing density standards for on-water multiple-family developments;

117 **5.3.2** Review/discussion “Commission Guidelines”;
118

119 **5.4 Future scheduled meeting dates --** A regular monthly meeting on May 6 at 4:30 PM
120 at the Town Hall.
121

122 **6.0 Public comment/communication period as per Wis. Stats. 19.83(2) and 19.84(2):**

123 At 6:15 PM Chmn. Metropulos opened the meeting to Public Comment. Leonard Hyke
124 spoke at length about his concerns regarding the requirement that a private road serving
125 the Quincy Acres Subdivision must be constructed in a “clear cut” manner. He commented
126 that this requirement of “clear cutting” a private road that is in reality simply a driveway
127 serving four (4) or five (5) residences is not in sync with the Mission Statement included in
128 the Comprehensive Plan; i.e., “preserving forest integrity”.
129

130 **7.0 Adjournment:** Ed Hammer moved to adjourn the meeting; motion seconded by Dan
131 Chronister; motion passed without negative vote.
132

133 Chmn. Metropulos adjourned the meeting at 6:30 P.M.
134

135 *John P. Granger, Secretary*