

**Sherwood Plan Commission**  
**Special Meeting MINUTES**  
**April 15, 2019**

- 1) Call to Order/Roll Call: Chairman Stephen Summers called the meeting to order at 5:30 pm. Commissioners present were Bob Gillespie, Joyce Laux, Jean Dekeyser, Kathy Salo. Commissioners absent were Brad Schmidt and Scott Sheppard. Also in attendance was Jeff Rustic of Schuler and Associates, Administrator Randy Friday, and Clerk/Treasurer Jo Ann Lesser.
- 2) Pledge of Allegiance: Those present stood to recite the pledge of allegiance.
- 3) Approval of the Agenda: Commissioner Salo made a motion to approve the agenda as presented. Commissioner Dekeyser seconded the motion. Motion carried, 5-0.
- 4) Approval of Minutes: None.
- 5) Citizen comments on agenda items: None
- 6) Officer's Report
  - a. Plan Commission – Chair: Chairman Summers relayed that he has reviewed the open burning ordinance and will have a write-up for the next meeting. Summers also noted that he researched other municipalities and found that Sherwood is of the minority who allow open burning.
  - b. Zoning Administrator: None
- 7) Old Business:
  - a. *Calendar*: Review of annual Comprehensive Plan obligations (May and Dec.): None
  - b. Zoning Code updates: Commissioner Salo stated that she had a conversation with Commissioner Schmidt and he is in the process of reviewing his section. Chairman Summers indicated that Board Trustee Roger Kaas was questioning the village's building standards and wasn't sure if it regarded residential or commercial, Summers responded he would find out.
  - c. *PUD #2019-01 ('Pond View Estates')*: Review '*Restrictive Covenants*' regarding a 39-lot residential subdivision development on 20.06 acres lying between Pigeon and Stommel Roads: Administrator Friday relayed to the commission that through Clerk/Treasurer Lesser's research it was found that the public hearing is to be held by the Plan Commission and in following those guidelines, the date for the hearing will be on Monday, May 6<sup>th</sup> at 6:30 pm.

Chairman Summers went page by page of the by-laws for the Pond View Estates Subdivision Pond Owners Association Inc. asking if there were any comments from the commission.

Chairman Summers listed concerns about the 67% of affirmative voters in order to change the by-laws.

It was mentioned to have 8.3 removed from the by-laws with regards to it being required to obtain village or county approval to modify sections 5.3, 5.4, and 5.5. It was determined to leave this section in the document.

Commissioner Dekeyser made a motion to approve the by-laws of the Pond View Estates Subdivision Pond Owners Association. Commissioner Laux seconded the motion. Motion carried, 5-0.

The commissioner next reviewed the restrictive covenants, Chairman Summers went page by page asking for any questions or comments.

Some discussion was held regarding the height maximum of the homes which Jeff Rustic was able to offer clarification for the commission.

It was mentioned that item #8 was titled Parking of Vehicles and in the description it talks about storage. The discussion was regarding if the title should include the word storage as well.

Chairman Summers had concerns about #32 regarding that it only takes 50% of the owners to change the rules. His concern was with the developer owning the majority of the property and therefore having the ability to vote and use their majority status to change the covenants. After reading the complete item it was determined to remove the last portion of item #32. Chairman Summers made a motion to change item #32 to end after the words Calumet County Register of Deed's Office in the first sentence. Commissioner Gillespie seconded the motion. Motion carried, 5-0.

Chairman Summers stated the Village Board suggested after their review that a sentence in item #33 be removed. The third sentence should be removed, "The Village of Sherwood and Calumet County may enforce this Declaration". Commissioner Gillespie made a motion to remove the sentence authorizing the Village of Sherwood or Calumet County to enforce the Declaration. Chairman Summers seconded the motion. More discussion ensued and it was thought that the POA (Pond Owners Association) should be listed as the enforcer. Commissioner Dekeyser amended the motion to substitute the Village of Sherwood and Calumet County with Pond Owners. Commissioner Salo seconded the amended motion. After this amended motion it was mentioned that the POA is the only entity to enforce the rules and regulations. Commissioner Salo motions to rescind the amended motion. Commissioner Dekeyser seconded to rescind the amended motion. Motion carried, 5-0. Commissioner Gillespie made a motion to approve his original motion to remove the Village of Sherwood and Calumet County as enforcers of the Declaration. Commissioner Salo seconded the motion. Motion carried, 5-0.

Commissioner Dekeyser made a motion to include the work "storage" in the title of #8 in the Declaration. Commissioner Salo seconded the motion. Motion carried, 5-0.

Commissioner Dekeyser made a motion to allow a maximum of 120 square feet for a storage or utility building to match with the village ordinances. Commissioner Salo seconded the motion. Motion carried, 5-0.

The Commission reviewed the Articles of Incorporation. The only issue that was found is Article X had a grammatical error. Commissioner Gillespie made a motion to approve the articles of incorporation. Commissioner Dekeyser seconded the motion. Motion carried, 5-0.

8) New Business: None.

9) Correspondences: None.

10) Adjourn: The meeting adjourned at 6:14 pm.

Respectfully, submitted,

Jo Ann Lesser, CMC, WCMC

Clerk/Treasurer