

## Sherwood Plan Commission Meeting Minutes

Monday October 7, 2024 – 6:30 pm

- 1) Call to Order/Roll Call—Chairperson Summers called the meeting to order at 6:30pm with roll call:

**Present:**

Tom Herrmann  
Roger Kaas  
David Miller  
Kathy Salo  
Scott Sheppard  
Steve Summers

**Absent:**

Brad Schmidt

**Others Present:**

Padrick Dunn, Administrator  
Sadie Slotke, Clerk/Treasurer  
Kris Moscinski, Deputy Clerk/Treasurer  
Diane Wessel, MSA (virtual)

- 2) Pledge of Allegiance—*Recited.*
- 3) Approval of the Agenda—***Salo moved to approve the agenda. Sheppard Seconded. Motion carried without dissent.***
- 4) Approval of Minutes: September 3—***Salo moved to approve the minutes. Miller Seconded. Sheppard and Herrmann abstain. Motion carried without dissent.***

Citizen comments on agenda items.

*Carol Solberg, N403 Robinhood Drive. Questions where proposed road will be. After seeing map she no longer has questions regarding the location.*

*Ted Parsons, N423 Robinhood Drive. The proposed cul-de-sac and private road would begin about 5 feet from the edge of his property line. Has been in contact with Jesse Troestler about possibly purchasing property to increase distance between cul-de-sac and his property line. Questions whether this is best practice in proper planning when considering PUD in general and the Village's own guidelines. Asks the commission if the PUD is approved, to allow for possible revisions to the original CSM to accommodate for changes depending on the outcome of his discussions with Jesse Troestler.*

*Tony Genisot, N489 Robinhood Drive. Is not opposing PUD. Has questions regarding where the water will be coming down from the hills. Understands there are some ditches on both sides, a culvert and that one is between his lot and the far north parcel. He has no issue with that. Questions if there is any clarification on that issue. Kaas believes this is a question for the engineers.*

*Stuart McCoy, N431 Robinhood Drive. Expressed concerns about wetlands and configuration of the private drive which would take a near his backyard. Concerned about the angle or the relief of the hill. Questions if they are going to excavate or bring in fill. Also questions if the houses are going to be where circles are on the map. States concerns that there is a lot of water that runs down there and there are wetlands down below. He does not like this plan at all.*

*Holly McCoy, N431 Robinhood Drive. Concerned they are going to have to rip out their landscaping. The proposed road will be about 10 – 15 feet from their door. Also concerned about removing trees, damage to wetlands and water runoff.*

*Jesse Troestler, W5031 Cherrywood Drive. The wetlands are marked on the map. There has been some mention of wetland delineation that was done. The plan for this would be to build a ditch before you get to the road and the road will be built up with fill as opposed to dug in. Engineers will determine how the drainage is handled.*

*Jesse Troestler stated his original plan was for 16 houses. Now the plan is for 3 houses behind 9 houses which will be less disruptive. Everyone will still have a view of the marsh over the top of it. He feels it should raise property values because they will be nice houses on big lots. When he bought the property, he gave property owners the opportunity to buy ½ acre from behind their house to the wetlands. That offer was declined. States people have not stuck to the lot lines and have been mowing and landscaping property outside their parcel lines. He is open to negotiating with the property owners to purchase property and move the cul-de-sac back a little bit to preserving their back yards.*

*Summers indicated a lot of the comments probably should have been made during the Public Hearing which means they can still comment during the public hearing.*

- 5) **Public Hearing: Rezone Request; PUD Overlay-Robinhood Drive. *Salo moved to approve the motion to open public hearing. Miller Seconded. Motion carried without dissent.***

*Jesse Troestler commented that the CSM is already approved. The PUD is only about the fact that there is going to be an approximately 500-foot road. All lots will meet the Village's standards in all regards. They do not want to build a 66-foot-wide road which will be even more disruptive to the residents than the 20 feet they are proposing. The road will be very much like the Cottage Lane Road. It meets all street frontage and set back requirements.*

*Herrmann voiced that his only concern is that the infrastructure they are going to be putting in for sewer and water will be owned by the developer and does not get transferred over to the Village through a PUD development. Therefore it would not be considered an asset on the Village's books for showing they have that type of infrastructure there for borrowing and lending on. Herrmann states that is the main reason he is against PUDs.*

*Jesse Troestler states the road is just the way to access those three lots. The question is if it will be a Village Road or private drive.*

*Mary Miller, lives on Robinhood Drive. States there is one access in and out of the subdivision and questions if there is a limit on the number of homes that can be built because of that.*

*Sheppard explains based on his professional experience dealing with larger municipalities, he knows the fire department and other entities within the City of Appleton and other larger cities*

*look at the number of egress points vs. the number of houses. Does not know if Harrison Fire Department provides that service.*

*Steve Bishop, W4292 County B, Bishop Brothers Trust. Asks if moving forward the commission could explain what the top four reasons would be for it or against it.*

*Sheppard explains this will be discussed during the agenda item.*

*Stewart McCoy questions what has been done and what is still up for approval.*

*Summers explains it is the PUD overlay they are discussing this evening. The plan commission is a recommending body. They consider the planning issues involved, but they only make a recommendation to the Village board and the Village board has the final decision on what steps to take.*

***With no other comments, Salo moved to close the public hearing at 6:58 p.m. Miller Seconded. Motion carried without dissent.***

- 6) Officer's Report. *Summers explained after 8 years on the Plan Commission, Brad Schmidt is resigning. He has agreed to stay on until a replacement is found. If anyone has names of potential replacements they are to let Summers or Joyce Laux know.*
  - a. Zoning Administrator. – *no updates*
- 7) Old Business: none
- 8) New Business:
  - a. *Rezone Request; PUD Overlay-Robinhood Drive*

*Salo does not see a problem with this primarily because it such an odd piece of property. It is being utilized the best way possible. Does not think anyone was interested in the 16 houses that were originally proposed. Reducing this down to three lots with a private road is a little more palatable.*

*Wessel, previous interim administrator, indicates the homes will have to meet set back regulations and that will dictate where the homes have to be. The current property owner has the right to remove landscaping that other property owners have put over their lot lines.*

*Herman challenges comments about set back regulations. His understanding of a PUD is that the setbacks the Village adheres to are no longer valid in a private PUD. That is the reason the cottages went into a PUD.*

*Wessel explains the underlying zoning is still in place. The only reason they are putting the PUD in is because the road would not otherwise be allowed. PUD is an overlay district which means the underlying zoning, IR-2 in this case, those setbacks are still in place. This is just an overlay to give them the ability to put in that road.*

*Kaas asks if the cul-de-sac is also 20 feet wide. Jesse Troestler thinks it is larger, 33 feet with ditches. He believes it is the same as Cottage Lane. He is willing to negotiate with adjacent property owners if they are interested in purchasing additional property to keep the road away from their property.*

*Wessel recommends they have in writing that the road is going to be jointly owned by those property owners. She knows this is in Jesse Troestler's email and that is the intent, but she has not seen anything that is actually binding and that there is a maintenance agreement and it is owned by those property owners.*

*Dunn commented they already spoke with the Village's attorney about this and it will be in writing. The Village will not be liable for any construction, re-construction, repair or maintenance of that private road.*

*Jesse Troestler confirmed there will be a homeowner's association for the three lots, with equal ownership. He confirmed that lot 3 is connected to the cul-de-sac making it a legal conforming lot by any standard in IR-2.*

***Salo moves to recommend approval of the PUD overlay on Robinhood Drive for the rezoning request. Motion carried 4-1-1. Sheppard-Nay; Herrmann-abstain.***

***b. IR-2 Zoning of Sherwood Forest Golf Village Subdivision***

*Salo is in favor of changing the lots to what they are. If this subdivision Jesse Troestler is proposing tonight is going to be residential, it should be rezoned to R-1 or R-2. Initially her intent was not to rezone the entire Sherwood Forest. She knows there are a lot of non-conforming zoning in the Village and thinks they should look at other non-conforming lots eventually. She was proposing changing the lots Jesse Troestler is proposing for the PUD to IR-2.*

*Tony Genisot expressed that IR-2 is a very desirable zoning district. The golf course went away, but that does not mean the zoning is not valid. Over 100 lots in Sherwood have the same zoning without a golf course.*

*Sheppard commented that this is an agenda item and questioned for zoning to change if there would have to be a public hearing. Dunn stated he believes so.*

*Herrmann questions how this was added to the agenda. Slotke states she misunderstood Salo's request to add this item to the agenda if she only intended to discuss Jesse Troestler's lots. Discussion ensues regarding if a zoning change needs to come from a property owner.*

***Sheppard makes a motion to table it until they know what the proper avenue is. Herrmann does not think it should be on the agenda. Motion dies. Kaas makes a motion to table until such time as the property owner requests a change. Seconded by***

**Herrmann. Sheppard suggests verifying what ordinances say before we limit it to what is in the minutes.**

**Kaas amends his motion to table until such time as they have reviewed ordinances and determined whether or not it needs to be initiated by the landowner. Seconded by Sheppard. Motion carried without dissent.**

*Dunn states they need to speak with the Village's attorney regarding the regulations and how this was brought up. Any property that has the opportunity to bring in as much development as possible is his goal.*

c. *Zoning Code update estimate*

*Dunn obtained pricing from MSA of \$30,000 and Cedar Corporation of \$22,500 - \$32,500.*

**Sheppard moves to recommend approval of \$40,000 for the zoning re-write to make sure we are in accordance with state law. Herrmann seconded. Motion carried without dissent.**

**Herrmann suggests motion is amended to recommend the board budgets \$40,000 for re-zoning.**

d. *FY2025 Budget*

9) *Adjourn.*

**Sheppard moved to adjourn at 7:30 pm. Kaas seconded. Motion carried without dissent.**

*Respectfully submitted for review and approval by Kris Moscinski, Deputy Clerk.*