

## Sherwood Plan Commission Meeting Minutes

January 4, 2016

- 1) Call to Order/Roll Call. – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie  
Joe Hennlich  
Kathy Salo  
John Sharer  
Scott Sheppard  
Steve Summers*

***Absent***

*Jim Rath, excused*

***Others Present***

*Randy Friday, Administrator  
Susan Williams, Clerk-Treasurer*

- 2) Pledge of Allegiance. – *Recited.*
- 3) Approval of the Agenda. – ***Hennlich moved to approve the agenda as presented. Sheppard 2<sup>nd</sup>. Motion carried unanimously.***
- 4) Approval of Minutes: Dec. 7 (Regular Meeting). – ***Sharer moved to approve the minutes of the regular meeting of the Plan Commission of December 7, 2015 as presented. Sheppard 2<sup>nd</sup>. Motion carried unanimously.***
- 5) Citizen comments on agenda items.

Tom Sanderfoot, N8045 State Park Road, Sherwood – regarding agenda item 9) a), presented the process he has experienced with his proposal to the Village Utility Commission and Village Board meetings since October, 2015.

Dave Schmalz, W5884 Sweet William Dr., Appleton – regarding agenda item 9) a), presented details of the Certified Survey Map submitted for approval.

- 6) Officer's Report  
a. Plan Commission Chair

*Summers reported the revision to the signage code was adopted, he will not be in attendance at the next two (2) Plan Commission meetings, Sheppard will preside as chairman in his absence, requested the Commission to contemplate work items to be undertaken and to think about the plan for revision of the zoning code.*

- b. Zoning Administrator

*Friday informed the Commission the Certified Survey Map CSM #2016-01 was received December 30, 2015 and the Village has 60 days for a decision, if no decision is made after that time, it is considered approved if no other agreement by the parties is made.*

*Friday stated the signage code revision went through and the Community Development Authority is in possession of a request for funding of a digital sign for Head Insurance in Castle Square.*

*Friday reported the Village President called earlier in the day to say item 8) b) needs to be reviewed.*

7) Extraterritorial Review: None.

8) Old Business:

a. *Calendar*: Annual Review of Comprehensive Plan obligations (Newsletter).

*Sharer reported the Village newsletter was distributed and that is a calendar item in the Plan and thanked Village Staff.*

b. *Ordinance Review – Lawn maintenance (grass)*: Consider any needed modifications following first year of implementation.

*Summers stated Sharer, Hennlich and himself met with Village Public Works Supervisor to discuss and their recommendation is included in the packet; the ordinance is fine as is, the implementation needs to be touched a little with flexibility in the spring of the year.*

***Sharer moved to approve the recommendations of the Nuisance/Weed Review as presented. Sheppard 2<sup>nd</sup>.***

*Sharer questioned Friday and requested his input on the language of the recommendation specifically the term flexibility.*

*Friday replied that common sense along with a reduction of available lots from housing starts will assist in the implementation.*

*Sharer stated that flexibility must be consistently applied.*

*Sharer reported the discussion did encompass different heights for different times of the season and that was found to be unmanageable.*

***Summers requested consent of forwarding the recommendations as presented to the Village Board and the Commission agreed.***

9) New Business:

a. CSM #2016-01: CSM Request (Sanderfoot; W5409 Mielke Road – Harrison): Request to divide out and create Lot #1 (7.188 ac.) from a 15.09 ac. parcel (N8045 State Park Road – Sherwood; Tax ID #31250).

*Sheppard questioned Sanderfoot's proposed development distributed at the meeting and Sanderfoot responded that he "could do that" and the building that was erected was placed in a manner to not damage future development.*

*Salo stated and Sanderfoot confirmed that he is 6 years into a farming contract.*

Schmalz stated the development concept was presented due to the Village's Subdivision Code.

*Sheppard questioned Schmalz about the length to depth ratio presented in the potential development document distributed being in alignment with Village Standards (2.5).*

Schmalz replied that the proposed development document is in substantial compliance with the Village Subdivision Code; the depth to width ratio of 3.9. Schmalz suggested taking the depth to the square footage and that would result in a ratio of 3.3 which isn't much in his opinion.

***Gillespie moved to approve the CSM #2016-01: CSM Request (Sanderfoot; W5409 Mielke Road – Harrison): Request to divide out and create Lot #1 (7.188 ac.) from a 15.09 ac. parcel (N8045 State Park Road – Sherwood; Tax ID #31250). Sheppard 2<sup>nd</sup>.***

*Sheppard questioned Friday if all of Schmalz's comments were accurate as to being in compliance with the Village Subdivision Code.*

*Friday replied that he did not recalculate the figures, but Schmalz did report the depth to width ratio being 3.9; the Village Standard is 2.5.*

*Salo inquired as to the number of parcels where this could set a precedent.*

*Friday replied the Strandwitz property and Sanderfoot properties were annexations for development. Friday stated the property north of Hwy 55/114 going to the railroad tracks could be construed as the same thing.*

*Salo questioned if the CSM was approved, and ten years down the road a subdivision was proposed if another CSM was required for lot division.*

*Friday responded that either a plat or CSM would be required, but it would not be approved as it is; there are cul de sacs, which are no longer allowed in the Village, there are large lots which are in conflict with the future land use map and it is lacking an additional outlet road for emergency purposes.*

*Salo stated the lots along State Park Road would require curb cuts, which may not be allowed/permitted. Salo suggested that the layout of the concept would not be taken into consideration, as it is.*

*Sharer asked and Sanderfoot confirmed it is not his intent is to make the property residential.*

*Sharer inquired if it was Sanderfoot's intent to break down the property and leave some of it agricultural.*

*Sharer stated if the CSM is approved, it does not come with any indication of the appropriateness of water and sewer connections.*

*Sharer further stated that he is in not in favor with it due to the Comprehensive Plan and the current rules of the Village.*

*Summers asked Sanderfoot why the CSM is done now when he is under contract for farming for another 6 years with no intention of development.*

Sanderfoot replied he wants to connect to water and sewer.

*Summers stated if Sanderfoot presented a plan for development he would have his vote for approval on the CSM, but Summers voiced concern that this is a work around for utilities and that is not an issue for the Plan Commission.*

*Hennlich restated Sharer's comment that the CSM is separate from the utility extension issue/request and the Comprehensive Plan clearly states that agricultural properties are not serviced by Village Utilities.*

*Salo stated that this all began when the Utility Commission denied the private well drilling.*

Sanderfoot replied he is trying every option he can. Sanderfoot stated extending services all the way to Mielke Road at his expense is unacceptable, unfair and believes everyone has not been treated this way.

*Gillespie questioned what is the objection to the CSM?*

*Summers replied why do a CSM if there is no intent to develop.*

Schmalz stated the Village Subdivision Code allows for a larger parcel to be broken down into a smaller parcel via CSM in order to connect to services.

Sanderfoot questioned why if services are available across the street from his parcel that he is not allowed to connect directly at that point.

Sanderfoot questioned if any agricultural properties have Village Water and Sewer.

*Friday replied that the Brantmeier farm on Hwy 55//114 annexed the home parcel into the Village in 2012 for services and another farm home property (Brantmeier) connected to services is on Hwy M.*

***Summers called for the vote, verified by a hand vote, Gillespie – aye, Sheppard – aye, Hennlich – nay, Salo – nay, Sharer – nay, Summers – nay.***

- b. Request to release *Drainage Easement* – State Park Estates IV (Lots #110 thru 114; RBH Development).

*Summers stated the topic will be tabled until the February meeting and information distributed at the meeting was not available at the time of meeting packet preparation.*

10) Correspondences: None.

- 11) Adjournment. – ***Sheppard moved to adjourn at 7:20 p.m. Sharer 2<sup>nd</sup>. Motion carried unanimously.***

Respectfully submitted for review and approval by Susan Williams, Clerk.

## Sherwood Plan Commission Meeting Minutes

February 1, 2016

- 1) Call to Order/Roll Call. – Acting *Chairman Sheppard* called the meeting to order at 6:30 p.m. with roll call:

**Present**

*Bob Gillespie*  
*Joe Hennlich*  
*Kathy Salo*  
*Scott Sheppard*

**Absent**

*Jim Rath, excused*  
*John Sharer, excused*  
*Steve Summers, excused*

**Others Present**

*Randy Friday, Administrator*  
*Susan Williams, Clerk-Treasurer*

- 2) Pledge of Allegiance. – *Recited.*
- 3) Approval of the Agenda. – ***Hennlich moved to approve the agenda as presented. Salo 2<sup>nd</sup>. Motion carried unanimously.***
- 4) Approval of Minutes: Jan. 4 (Regular Meeting). – ***Gillespie moved to approve the minutes of the regular meeting of the Plan Commission of January 4, 2016, as presented. Salo 2<sup>nd</sup>. Motion carried unanimously.***
- 5) Citizen comments on agenda items.

Gary Zahringer, 1377 Midway Rd., Menasha – regarding agenda item 9) c).

Tom Sanderfoot, N8045 State Park Road, Sherwood – regarding agenda item 8) b).

Dave Schmalz, W5884 Sweet William Dr., Appleton – regarding agenda item 8) b).

Bruce Laughrin, N7774 Sundown Ct., Sherwood – regarding agenda item 9) d).

- 6) Officer's Report
- a. Plan Commission Chair
  - b. Zoning Administrator

*Friday stated Sharer's addition to the calendar review is the 4 times a year Village newsletter.*

- 7) Extraterritorial Review: None.
- 8) Old Business:
- a. *Calendar: Annual Review of Comprehensive Plan obligations – None.*
  - b. ***CSM #2016-01: CSM Request (Sanderfoot; W5409 Mielke Road – Harrison): Request to divide out and create Lot #1 (7.188 ac.) from a 15.09 ac. parcel (N8045 State Park Road – Sherwood; Tax ID #31250).***

*Friday reminded the Commissioners that once a CSM petition is received, the municipality has 60 days to act and if no action takes place the CSM is automatically approved.*

Schmalz requested a 60 day extension on the CSM Petition.

***Gillespie moved to grant a 60 day extension to the CSM #2016-01: Request to divide out and create Lot #1 (7.188 ac.) from a 15.09 ac. parcel (N8045 State Park Road – Sherwood; Tax ID #31250). Salo 2<sup>nd</sup>. Motion carried unanimously.***

9) New Business:

- a. *Developer Agreement: Consider proposed terms for water and sewer lateral extension on in conjunction with RP #2016-01 (N8045 State Park Road; Sanderfoot).*

*Friday distributed red-lined agreement that Sanderfoot sent earlier in the day. Friday informed the Commissioners that a rezoning application form was sent to Sanderfoot the week before and as of the meeting time had not been returned completed or the \$350 fee.*

Sanderfoot stated that the equipment he would house in the shed would be his personal use, his business equipment is kept in Neenah.

*Sheppard went through the proposed changes to the developers' agreement with the Commissioners and Sanderfoot and all agreed to the following;*

*Page 1 – adding equipment washing to 6<sup>th</sup> paragraph after bathroom/restroom*

*Page 1 – adding including grease trap, sump and other equipment to meet State and Local code(s) including Village Fats, Oils and Grease (FOG) policies to 8<sup>th</sup> paragraph after municipality,*

*Page 2 – adding from floor drains used in vehicle/equipment or related cleaning activities after and, and removing from no other source or activity both in 1<sup>st</sup> paragraph,*

*Page 2 – removing at time of connection, anytime and retaining as per local ordinances in 2<sup>nd</sup> paragraph,*

*Page 2 – removing 1/2 of the, along the entirety of and five year (5), retaining running along the developers, adding side of after developers in 5<sup>th</sup> paragraph and,*

*Page 3 – removing at it's current rate, retaining as per agricultural usage ....agricultural land in 1<sup>st</sup> paragraph,*

*Page 3 – removing 5 year (five) from 2<sup>nd</sup> paragraph,*

*Page 4 – section VI subsection 2, remove Developer insert Village at Developers cost.*

*(Technical clarification from Administrator Friday item discussed during the meeting Section IV. Subsection 2, addition of appropriate after pay and addition of [ex. single-family appurtenances] after \$4,500)*

*Commissioners stated agreement with modifications to developers' agreement and requested return of agreement with rezoning application.*

*Hennlich suggested the rezoning application and developers' agreement should be presented together.*

*Sheppard requested Sanderfoot/Schmalz to walk the Commission through the rezoning application.*

Schmalz responded none was filled out. Schmalz voiced concerns of Sanderfoot that the rezoning application being approved and the developers agreement not being approved.

*Friday reported that the application form was sent out to Sanderfoot the week before and Schmalz/Sanderfoot are requesting approval of a document that is not completed or presented for approval.*

*Salo inquired if the Commission could consider a motion to approve the developers' agreement per the changes with an acceptable rezoning petition.*

*Friday stated he could, time is not of the essence, the Commissioners could ask for the application to be filled out and turned in tomorrow and does not believe the Commissioners have a problem with the rezoning.*

*Sheppard asked if the property is rezoned if it could still be used as agricultural and Friday stated assessor and zoning have two different compasses and the use trumps zoning.*

*Sheppard inquired if additional agricultural improvements could be added after the rezoning. Friday replied no.*

***Gillespie moved to recommend approval of developers' agreement as modified based on approval of a rezoning petition.***

*Salo asked if it has to be submitted and approved by the Plan Commission or Village Board and Friday responded that it goes to the Village Board with the Plan Commission's recommendation.*

*Friday stated the only thing holding this up is the rezoning petition application. Friday informed the Commission that he gave Sanderfoot a packet with a questionnaire in order to have everything in order.*

*Salo asked Schmalz/Sanderfoot if the approval of the developers' agreement language changes is enough for them to return with a completed rezoning petition application and Schmalz responded that the rezoning petition at the Board's*

*discretion is non-revocable once submitted, where the developers' agreement can be tossed.*

***Motion failed for lack of second.***

*Hennlich stated the Commission concurs on the developer agreement language.*

*Sheppard asked if the statement of the petition being non-revocable and the agreement could be discarded and Friday replied yes.*

*Sanderfoot asked if he sat down and filled out the rezoning petition application and handed it in if the Commission could it be recommended it to the Village Board.*

*Friday requested and the Commission agreed to go through the rezoning checklist.*

***Sheppard moved contingent upon the rezoning petition application being filled out to the approval of the Village Administrator that the developers agreement as modified be recommended to the Village Board with along with the rezoning application. Hennlich 2<sup>nd</sup> with the amendment that it has to be done by noon Wednesday so to be ready for the Village Board packet. Sheppard agreed to the amendment. Motion carried unanimously.***

- b. *RP#2016-01: Rezoning Petition (Sanderfoot; W5409 Mielke Road – Harrison): Request to rezone 15.09 ac. parcel (N8045 State Park Road – Sherwood; Tax ID #31250) from Agri. to Residential (R-1; single-family).*

*Recommended approval only in conjunction with approved Developer Agreement (see action in agenda item 9) a) above).*

- c. *Request to release Drainage Easement – State Park Estates IV (Lots #110 thru 114; RBH Development).*

*Friday distributed e-mail from Martenson & Eisele Inc. representative Zahringer with input from Cedar Corporation Engineer and explained to the Commission that the request is to modify the berm, reducing it by 1 (one) foot in height and remove the stormwater easement of State Park Estates IV lots 110 – 114 in order to make the lots buildable.*

*Friday inquired of Zahringer if the Railroad was approached.*

***Sheppard moved to recommend to the Village Board vacation of the Drainage Easement, per the request, pending the public notification required. Salo 2<sup>nd</sup>.***

*Friday suggested the developer be charged the costs related to the vacation.*

***Sheppard and Salo agreed to the addition. Motion carried unanimously.***

- d. *Request to change approved Site Plan:* Consider request to place drive-thru service at *Castle Square Condos Association* (Laughrin).

Laughrin identified on the map projected on the Board Room wall the potential project layout of the drive through service. Laughrin stated he would be the owner dependent on if the site plan could be changed,

*Friday stated the plan presented would require asphaltting of the driveway coming off of Knight Drive potentially within 24 months of business opening. Friday stated the Plan Commission would require a letter of credit to cover the cost of the driveway.*

*Gillespie inquired as to what was being requested of the Commission.*

*Friday and Laughrin replied that preliminary agreement would requested for change to the original site plan and anticipated traffic changes with the understanding a formal plan would be submitted later.*

*Commissioners voiced agreement of a conceptual nod to the proposed plan.*

10) Correspondences: None.

Sanderfoot presented the completed rezoning petition application to the Village Clerk and Administrator with the fee to be delivered the next day.

11) Adjournment. – *Gillespie moved to adjourn the meeting at 8:15 p.m. Hennlich 2<sup>nd</sup>. Motion carried unanimously.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

## Sherwood Plan Commission Meeting Minutes

March 7, 2016

- 1) Call to Order/Roll Call. – Acting *Chairman Sheppard called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie  
Joe Hennlich  
John Sharer  
Scott Sheppard*

***Absent***

*Jim Rath, excused  
Kathy Salo, excused  
Steve Summers, excused*

***Others Present***

*Randy Friday, Administrator  
Susan Williams, Clerk-Treasurer*

- 2) Pledge of Allegiance. – *Recited.*
- 3) Approval of the Agenda. – ***Hennlich moved to amend the agenda to move agenda item 9) a) to follow 9) c). Sharer 2<sup>nd</sup>. Motion carried unanimously.***
- 4) Approval of Minutes: Feb. 1 (Regular Meeting). – ***Gillespie moved to approve the minutes of the Regular Meeting of February 1, 2016 as presented. Hennlich 2<sup>nd</sup>. Motion carried unanimously.***
- 5) Citizen comments on agenda items.

Bob Dhein, N491 Margaret Ct., Sherwood – regarding agenda item 9) b), distributed a handout of pictures of two designs of solar panels and informed the Commission that their intention was to place the panels in the rear yard along the northern property line.

- 6) Officer's Report
- a. Plan Commission Chair
  - b. Zoning Administrator

*Friday requested Sheppard to inform the Commission about a meeting they attended the week before. Sheppard stated they attended the Homeowners Association of the 2<sup>nd</sup> Addition to Sherwood Forest Golf Village Subdivision. Sheppard reported Les Stumpf donated 4 lots along the outlot to the Village, making the Village a part of the association.*

- 7) Extraterritorial Review: None.
- 8) Old Business:
- a. *Calendar:* On-going Review of (annual) Comprehensive Plan obligations.

9) New Business:

- a. *DRAFT – Chapt. 7; Article IV – Property Maintenance Standards:* Village Board request for Plan Commission to develop property maintenance standards language for incorporation into Municipal Code of Ordinances.

*Friday presented the document included in the packet. Friday stated the document was developed using examples from Hilbert and Wisconsin Rapids in addition to his own language.*

***Sheppard moved to table the topic until April 4, 2016 Commission meeting. Gillespie 2<sup>nd</sup>.***

*Sharer suggested making the fines stiffer.*

***Motion carried unanimously.***

- b. *Request to place solar panel array in rear yard (Dhein; N491 Margaret Court).*

*Friday presented the application and the current Village Codes. Friday voiced support of the technology, but informed the Commission the current Code does not address this type of request.*

*Friday stated this application is different than existing panels in the Village which are roof mounted whereas this application is for a ground mount installation.*

*Friday suggested more applications could come forth with the advancement of technology and reduction of costs.*

*Sharer stated support, but current Code does not support, and voiced concern of setting precedent if action is taken. Sharer suggested considering the size of the yard, the size of the panel.*

*Dhein reported that his initial design is being reworked since he will need fewer panels and voiced uncertainty of height and square footage until the contractor revises the original design.*

*Sheppard inquired and Friday reported that there are no references to solar panels in the current Code and the Commission may want to address this topic.*

*Sharer suggested if subdivision covenants do not allow this that should be taken into account when making decisions.*

*Gillespie commented that this topic should be approached similarly to the lengthy process of the Sign Code revision and the Commission must do due diligence.*

*Sharer stated the Commission must do its homework.*

*Friday suggested as in the process of a public hearing, that the applicant gets the sign off of adjoining property owners, but that may not apply to other areas in the Village.*

Dhein reported that WE Energies will restrict the size since they do not want individuals selling power back to the grid.

*Sheppard stated that currently individuals no longer receive an attractive rate for selling the excess.*

*Hennlich suggested installing the system on the roof of the garage.*

Dhein replied that his garage roof has 10 more years before replacement is needed.

*Sharer reported not seeing panels, asked if usually installed in agricultural areas or cities.*

*Sharer warned the Commission that more time is needed for consideration of the size of the lot and the size of the array to be installed. Sharer stated support but the Commission needs to control it.*

*Friday stated the Village does not want to pit one neighbor against another and suggested to make sure the lot size is appropriate and include as a percentage the size of the array of the size of the lot.*

*Gillespie suggested coming up with parameters to be discussed at the next Commission meeting.*

*Sharer requested from Dhein a better representation of the design from the contractor.*

*Sheppard inquired and Friday confirmed revision to the Code would require a public hearing.*

*Sharer questioned Dhein if Friday's discussion would be offensive to him (to bring in the neighbors).*

Dhein replied he would not be offended.

*Friday requested the footprint for the array and Dhein replied 16 panels of 3 x 5 ft. potential 240 sq. ft. and Friday suggested a size cap is established.*

***Hennlich moved to table topic until April 4, 2016 Plan Commission meeting.  
Sharer 2<sup>nd</sup>.***

*Sharer stipulated Dhein needed to provide revised design and Hennlich asked Dhein to find out if his installer was aware of ordinances that the Village could use.*

*Dhein and the Commission discussed different locations for the array.*

***Motion carried unanimously.***

- c. *Request to change approved Site Plan and remodel: Consider request to place drive-thru service at Castle Square Condos Association (drive-thru travel lane and service window, reduce customer parking space(s); Laughrin).*

*Friday reported discussing the topic with Laughrin that afternoon and Laughrin will be requesting grant funds from the CDA. Friday identified on the map displayed on the Board Room wall the revisions intended without losing the handicap parking space and potential traffic flow.*

***Sheppard moved to approve the revised site plan, to include blacktop driveway, drive through window, keeping the ADA required parking space, pending the approval of the CDA and written agreement of approval from the other property owners/tenants.***

*Friday asked if Sheppard wanted a timeframe stipulated.*

***Sharer suggested amending that the drive through window would not open before the driveway is paved.***

***Sheppard agreed to the amendment.***

***Sharer 2<sup>nd</sup>. Motion carried unanimously.***

*Friday requested direction on discussion with Head Insurance and sign representative March 8, 2016. Friday projected on the Board Room wall the intersection under discussion (Hwy 114/55 & Castle Drive). Commission agreed to 50 feet off the highway and centerline of Castle.*

10) Correspondences: None.

11) Adjournment. – ***Gillespie moved to adjourn the meeting at 7:55 p.m. Sharer 2<sup>nd</sup>. Motion carried unanimously.***

Respectfully submitted for review and approval by Susan Williams, Clerk.

# Sherwood Plan Commission Meeting Minutes

April 4, 2016

- 1) Call to Order/Roll Call. – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Joe Hennlich*

*Jim Rath*

*Kathy Salo*

*John Sharer*

*Scott Sheppard*

*Steve Summers*

***Absent***

*Bob Gillespie, excused*

***Others Present***

*Randy Friday, Administrator*

*Susan Williams, Clerk-Treasurer*

- 2) Pledge of Allegiance. . – *Recited.*
- 3) Approval of the Agenda. – ***Hennlich moved to approve the agenda as presented. Sharer 2<sup>nd</sup>. Motion carried unanimously.***
- 4) Approval of Minutes: March 7 (Regular Meeting). – ***Sharer moved to approve the minutes of the Regular Meeting of the Plan Commission for March 7, 2016 as presented. Sheppard 2<sup>nd</sup>. Motion carried unanimously.***
- 5) Citizen comments on agenda items.
- 6) Officer's Report
- a. Plan Commission Chair

*Summers thanked Sheppard for his taking on the responsibility of Chairman for the meetings he was recently absent for.*

b. Zoning Administrator

*Rath introduced audience member Brad Schmidt, W5077 Cherrywood Ct., Sherwood, who is a candidate for the Citizen Member of the Plan Commission with the resignation of Sharer.*

Schmidt addressed the Commission sharing his background; educationally bachelor degree from UW-Oshkosh, Iowa State for graduate degree and professionally currently serving as Neenah Community Development Deputy with a total of 8 years in planning and expressed interest in the Plan Commission role.

*Friday reported the application under 9) a) will require homework and possibility of requiring legal advice.*

*Summers inquired if the Community Development Authority (CDA) approved the 50/50 Matching Grant funds for the restaurant/coffee shop. Friday replied yes, and*

*the owner agreed to millings next to the building where the drive-thru will be placed. Summers asked if the funds will be held until the millings are in place and Friday replied that the owner will do what is needed and the CDA will review the paid invoices prior to release of funds.*

7) Extraterritorial Review: None.

8) Old Business:

a. *Calendar: On-going Review of (annual) Comprehensive Plan obligations.*

*Sharer stated the two April calendar items requires (1) the Village to annually assess the availability of parcels for residential development and (2) the bi-annual review of cost effectiveness of existing departments/offices or agencies, which are independent of other government entities or where no intergovernmental agreements exist. Friday replied the status quo has not changed on either point, he potentially expects a new development within the next year and the Village of Harrison President has reached out to Sherwood and that will be discussed under item 10) a).*

b. *Request to place solar panel array in rear yard (Dhein; N491 Margaret Court).*

*Dhein provided additional neighbor correspondence, updated the Commission to the design modification, that the footprint is reduced to 18 ft. by 26 ft., with moving the array further away from the house.*

*The Commission questioned and Friday reported the Village Code is outdated and the only reference found by Sharer was to the State Statutes indicating local municipalities are unable to restrict than previously thought. Friday stated per current Village Code an accessory use structure can be placed within 3 feet of the lot line. Sharer stated one of the restrictions he found is a 1.5 foot rule from the property line/easement for height and shading or the removal of shade/trees if already in place.*

*Rath suggested Dhein to make sure the cost savings stated by the companies they are dealing with, have given them a guarantee.*

*Summers stated there must be a process to be followed, and voiced concern of acting upon the application if current Code does not address.*

*Friday replied that the application can be treated as an application subject to Calumet County, State Statutes and Village Code. Friday stated the Village Code would need to be addressed, using legal counsel if needed, scheduling a public hearing.*

*Sharer stated if the Village does not do anything, Dhein has the right after 45 days of date of application to proceed with the County and State regulations. Sharer reported in State Statutes allowing the Village 4 months to review and proceed.*

*Friday reported three applications during his tenure have been received by the Village, one in front of the Commission presently, two roof mounted previously approved one on a home and one on a commercial business. Friday stated the possibility of these type of applications coming forward is high and the Code should be changed.*

*Sheppard questioned as to the amendment to the Code needed and Friday replied that outdated language such as the 12' large satellite dishes should be removed and appropriate language added (renewables).*

*Salo inquired given the photos presented of the design if the applicant could add walls and would there be an issue with it becoming a structure.*

*Friday stated as long as it does not become an example of what will be controlled in item 8) c).*

*Rath commented with the 4 month window that legal counsel should be consulted for proper change to the Code. Summers asked what legal counsel would be consulted for and Rath responded that the changes to the Code should work for the Village of Sherwood. Rath questioned Friday if the change can take place without legal counsel. Friday replied that since we would not expect another application quickly, that the applicant proceed on day 45 according to County and State requirements.*

*Salo questioned addressing it now and Friday stated that would be the second part of the process.*

*Sheppard inquired if the application could be approved under conditional use.*

*Summers asked what was the first day of the 45 day period for the application and Friday replied that since the specifics of the application changed since being originally submitted, day one would be April 4, 2016.*

*Rath suggested when Dhein signs with their contractor, they (Dheins) should make sure they (Dheins) will be protected.*

*Sheppard asked due to his work/employer, if he should abstain and Friday said no.*

***Sharer moved to approve permit as modified for the structure identified in meeting packet with reduction of size to 18 ft. by 26 ft. per discussion and per compliance with all State and Calumet County statutes. Salo 2<sup>nd</sup>.***

*Friday stated that the Village does not need to be subjugated to.*

*Sharer stated the language of his motion was such since the Village Code currently does not cover it all.*

***Motion carried unanimously.***

*Summers questioned the second part of the process, modifying the Village Code and asked Friday to work through it as soon as possible. Friday stated construction season has begun. Summers requested the topic to be continued to be carried on future agendas.*

- c. ***DRAFT – Chapt. 7; Article IV – Property Maintenance Standards:*** Village Board request for Plan Commission to develop property maintenance standards language for incorporation into Municipal Code of Ordinances.

***Hennlich moved to amend 7-27 b) i) include and/or any other exterior surface covering materials. Sheppard 2<sup>nd</sup>.***

*Rath questioned a dumpster placed in the Village and Friday replied that the road weight limits are restricting its removal until the limits are lifted.*

***Motion carried unanimously.***

*Sharer asked if there was any language in the document that would stop a resident from being able to remodel, requiring a dumpster accumulating garbage that could sit and Friday replied no.*

*Summers stated the fines are not severe enough.*

***Sharer moved to change the fine amounts to \$250 from \$50 and \$1,000 from \$500. Summers 2<sup>nd</sup>. Motion carried unanimously.***

***Hennlich moved to approve Chapter 7 Article IV and Chapter 40 Article II as amended. Salo 2<sup>nd</sup>. Motion carried unanimously.***

9) New Business:

- a. *Request to place telecommunications pole in Clifton Road right-of-way (Wisconsin Technology Networking, LLC).*

***Rath moved to table the topic to receive legal counsel and adequate time to gather information to address the application. Sheppard 2<sup>nd</sup>.***

*Sharer stated he could not connect the topic to the FCC issues.*

*Sheppard commented that it appears the applicant is trying to work around leasing/owning the property.*

*Rath suggested determining if this could be a revenue source.*

*Hennlich asked why not by the water tower.*

*Sharer stated the proposed tower is 120 ft. and what will happen when it falls.*

*Rath responded that Village Code is currently 100 ft.*

***Summers restated the motion with the Village Administrator as the Village designated point of contact.***

***Motion as amended carried unanimously.***

10) Correspondences:

- a. *Request to discuss potential cooperative work items (Village of Harrison – Jim Salm – President; March 8).*

*Rath presented the letter with a summary from the discussion of the Sherwood Village Board. Rath stated his suggestion of 2 Sherwood Board members chosen by Harrison Officials and 2 Harrison Board members chosen by Sherwood Officials to meet to discuss cost saving and cooperative opportunities.*

- b. *Resignation of Plan Commission Member John Sharer (March 20).*

*The Commission reluctantly accepted Sharer's resignation and unanimously thanked Sharer for his dedication and service.*

11) Adjournment. – ***Sheppard moved to adjourn the meeting at 7:59 p.m. Salo 2<sup>nd</sup>. Motion carried unanimously.***

Respectfully submitted for review and approval by Susan Williams, Clerk.

# Sherwood Plan Commission Meeting Minutes

May 2, 2016

- 1) Call to Order/Roll Call. – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie*

*Joe Hennlich*

*Joyce Laux*

*Kathy Salo*

*Scott Sheppard*

*Steve Summers*

***Absent***

*Brad Schmidt, excused*

***Others Present***

*Randy Friday, Administrator*

*Susan Williams, Clerk*

*Jim Rath, Village President*

- 2) Pledge of Allegiance. – *Recited.*
- 3) Approval of the Agenda. – ***Hennlich moved to approve the agenda as presented. Salo 2<sup>nd</sup>. Motion carried unanimously.***
- 4) Approval of Minutes:
- April 4 (Regular Meeting).
  - April 20 (Special Joint Meeting of the Village Board and Plan Commission).

*Sheppard stated he has been advised by his employer to avoid a conflict of interest and will not participate in the discussion or action of agenda item 9) a) and b).*

***Hennlich moved to approve both the minutes of the Regular Meeting of April 4, 2106 and the Special Joint Meeting of Village Board and Plan Commission of April 20, 2016 as presented. Salo 2<sup>nd</sup>. Motion carried unanimously.***

- 5) Citizen comments on agenda items.
- 6) Officer's Report
- Plan Commission Chair.

*Summers welcomed Joyce Laux and Brad Schmidt to the Plan Commission. Summers stated that the current seated Village President will also be an "Ex-Officio" Member at Plan Commission meetings per approval at the April 25, 2016 Organizational Meeting. Summers reminded the Commissioners of the request to revise the Zoning Ordinance and would like to bring a process back to the June meeting for a framework to begin that project. Summers requested Commissioners to submit potential work items via e-mail to himself and Friday.*

- Zoning Administrator.

*Summers requested the revision to the Municipal Code for “Renewable Technology” to be included on future agendas. Friday reported an e-mail received for Zoning Setbacks request for an applicant to bring a business selling adult novelty items, magazines, etc. Friday stated the Code Ordinance does not address this type of request and needs review for potential change.*

***Sheppard moved to recommend to the Village Board to modify the Public Nuisance Offending Moral Decency Code, by taking into consideration setting restrictions of location/zoning district from schools, churches and homes. Gillespie 2<sup>nd</sup>. Motion carried unanimously.***

*Friday reported spending time at N7924 Creekside property with nature preserve covenants where the resident is clearing brush/trees away within the 75 foot setback of the creek. Friday stated giving the contractor and resident a copy of the covenants/maps and let them know if they have questions to contact him.*

*Friday stated he spoke with Alden Ferguson, W5281 Natures Way Dr. about approval to tap into a stormwater drain not on his property. Friday reported that Village regulations does not allow, and expects to receive a request from him*

- 7) Extraterritorial Review:
- a. CSM Request for W3637 CTH B (Halbach): Request to split 36.99ac. (Parcel ID #12637; Town of Woodville) into two lots creating Lot #1 (1.37ac.) with home and Lot #2 (35.75ac) of unimproved agricultural land.

***Hennlich moved to recommend not to object to CSM Request for W3637 CTH B (Halbach): Request to split 36.99ac. (Parcel ID #12637; Town of Woodville) into two lots creating Lot #1 (1.37ac.) with home and Lot #2 (35.75ac) of unimproved agricultural land. Laux 2<sup>nd</sup>. Motion carried unanimously.***

- 8) Old Business:
- a. *Calendar:* On-going Review of (annual) Comprehensive Plan obligations.

*Friday reported that past Commissioner Sharer had set up the annual calendar and the current item to be addressed is the Comprehensive Plan Update (every 10 years previously adopted in 2008). Hennlich inquired if this would be handled in house or by the use of a professional firm. Rath suggested finding out what North East Wisconsin Central Planning Commission (NEWCPC) could assist with. Friday reported that he will contact NEWCPC and let them know the Village must go through the update and ask for consideration of the project. Gillespie asked about the funds for the update, if the Village has the funds. Friday replied that it would be a request from the Plan Commission to the Village Board at budget time. Friday reported that he attended a County Meeting and found out that aerial updates will be done by end of 2016 or in 2017 and the County is considering oblique imagery (3D).*

- 9) New Business:

- a. *Municipal Ordinance Amendment #2016-02: Regulating local Rights-of-Way (R-O-W).*

*Sheppard stepped down to the audience seating to recuse himself.*

*Williams reported the Village Attorney approved the document and provided a copy of the Wisconsin PSC130 for their review.*

*Friday guided the Commissioners through the memo, (previously presented to the Commission) by the Wisconsin League of Municipalities counsel.*

***Gillespie moved to approve the Municipal Ordinance Amendment #2016-02: Regulating local Rights-of-Way (R-O-W), as presented. Laux 2<sup>nd</sup>.***

*Summers asked if Friday thought there are other locations for this and Friday responded yes.*

*Summers stated the intent of the Village is to get the applicants to the table to discuss better location options.*

*Salo asked if a location is set for future road construction if the applicant can be required to consider other and Friday responded the Village can try and must be reasonable.*

***Sheppard abstain. Motion carried.***

- b. *Request to place telecommunications pole in Clifton Road right-of-way (Wisconsin Technology Networking, LLC).*

***Salo moved to deny the Request to place telecommunications pole in Clifton Road right-of-way (Wisconsin Technology Networking, LLC) due to restrictions of the location identified in the application (narrow road right of way and steep elevation fall off), lack of plans to address the elevation/area of land required, lack of stormwater considerations coming down off the property and to request applicant to meet with Plan Commissioners and/or Village Staff to discuss possible locations. Laux 2<sup>nd</sup>. Sheppard abstain. Motion carried.***

10) Correspondences: None.

*Laux asked if there were changes to the grass/weed cutting program and Friday replied that the same company is being contracted by the Village and it will be handled the same way, with discretion in April and May and have Village Staff to inform the properties involved that if not taken care of their properties will be cut on Tuesday (5/10/16).*

11) Adjournment. – *Salo moved to adjourn the meeting at 7:38 p.m. Hennlich 2<sup>nd</sup>. Motion carried unanimously.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

# Sherwood Plan Commission Meeting Minutes

June 6, 2016

- 1) Call to Order/Roll Call. – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie*

*Joe Hennlich*

*Joyce Laux*

*Kathy Salo*

*Brad Schmidt*

*Scott Sheppard*

*Steve Summers*

***Absent***

*none*

***Others Present***

*Randy Friday, Administrator*

*Susan Williams, Clerk*

*Jim Rath, Village President*

- 2) Pledge of Allegiance. – *Recited.*

- 3) Approval of the Agenda. –

***Hennlich moved to approve the agenda as presented. Sheppard 2<sup>nd</sup>. Schmidt abstained. Motion carried.***

- 4) Approval of Minutes:

- a. May 2 (Regular Meeting).

***Gillespie moved to approve the minutes of the Regular Meeting of the Plan Commission of May 2, 2016 as presented. Salo 2<sup>nd</sup>. Schmidt abstained. Motion carried.***

- 5) Citizen comments on agenda items.

- 6) Officer's Report

- a. Plan Commission Chair

*Summers welcomed new Commissioner Brad Schmidt and informed the Commission that the draft to address the Zoning Ordinance update will be presented at the July 2016 meeting.*

- b. Zoning Administrator – Updates (*Downtown Redevelopment RFP and Municipal Lot Sale(s)* pending in August).

*Friday stated that he and Summers had discussed recently a few new businesses using pennant flags and that he approached those businesses and informed them that type of sign is forbidden. Friday inquired how long he is to wait before consequences would be charged.*

*Gillespie responded that the signs should go.*

*Sheppard stated if the violators are new businesses that a short period can be allowed but gone within a reasonable time.*

*Hennlich suggested new businesses be sent a copy of the sign ordinance right away so that they will not violate it.*

*Summers questioned if the Commission was in agreement that the businesses have until July 1, 2016 and they concurred.*

*Laux inquired if new businesses are allowed a 30 day grace period and the Commission concurred.*

*Summers questioned Friday how businesses are notified of the change of the sign ordinances and Friday replied that he will be researching and give proper notification.*

*Laux inquired of the temporary signs along Hwy 114/55 and Friday replied that he attempted contacting the in home health care business and has not been successful yet.*

*Friday updated the Commission on the Request For Proposals distributed by the Village; Housing and Commercial Development and Residential Lot Development. Friday projected both RFPs on the Board Room and identified details for the Commissions..*

*Friday stated the Village road paving for the year has begun, removing curbs, re-milling began the week prior to this meeting and culvert replacement on Stommel Road during the week to come.*

- 7) Extraterritorial Review: None.
- 8) Old Business:
  - a. *Calendar:* On-going Review of (annual) Comprehensive Plan obligations.
  - b. *Ordinance Update:* Consider Code amendment regarding placement of Renewable Energy components (e.g. ground-mounted solar panels).
- 9) New Business:
  - a. *Request to place additional fill material at lot(s) along STH 55/114 from Big Lake Court.*

*Friday introduced the topic, projected pictures of the lot and property owner Randolph Moore's request, W4706 Parkway Ct., placing excessive materials from Big Lake Court lots to extend berm from properties along STH 55/114.*

*Friday suggested if the Commission wants to approve the project, the approval be contingent upon the berm being placed outside of the State Right of Way on the property owner's lot.*

*Salo questioned if there would be an issue with water movement. Friday replied he did not think so. Sheppard suggested a gap at the corner point so that it can drain out to the road.*

*Rath inquired if the Village Engineer should review at the property owner's expense and Friday said yes.*

***Salo moved to approve the berm, matching the existing berm on adjacent lots with maximum of 10 feet, placement on the owner's property, contingent upon the Village Engineer approval at the property owners expense. Schmidt 2<sup>nd</sup>. Motion carried unanimously.***

b. *Pond at Jim Aschenbrenner's residence – Does the Code allow, prohibit, or is it silent on this issue?*

*Friday presented the topic and projected the lot on the Board Room wall. Friday stated the current zoning code addresses small or stormwater ponds not 'swimming holes'. Friday reported not having any experience with this and suggested the Commission respond that it is his pond and let him do what he wants.*

*Sheppard suggested Aschenbrenner would have all liability and that there would not be a problem if he goes through the planning process.*

*Friday stated Aschenbrenner should contact the Wisconsin Department of Natural Resources (WDNR).*

*Summers questioned why he did not present a plan. Friday reported it may have been a timing issue. Summers suggested he consult his neighbors.*

*Hennlich asked if the ground level pond would require a fence as do in ground swimming pools.*

*The Commission directed Friday to inform Aschenbrenner of the requirement of an actual plan with the consultation of the WDNR.*

c. *Consideration of re-naming 'Condon Road'.*

*Friday requested the Commission consider if the new road should be renamed.*

*Laux reported receiving phone calls about the Condon Road name.*

*Summers polled the Commission and Rath and the responses were a combination of leave it as it is, conduct a name the road contest, rename it something more appropriate to the Village, selling naming rights or waiting until the extension is completed.*

*Summers asked the Commission and they concurred to wait until the rest of the road is completed and review the name at that time.*

d. *Future Code Update: Request for input by Members to update Zoning Code.*

*Friday presented the list from the meeting packet of items submitted by Commissioners to date.*

*Summers stated that he will provide a process to address the Zoning Code update at the July Plan Commission meeting.*

*Gillespie questioned if the Commission has a budget to engage a professional to assist with the update process. Summers requested Friday to include funds for this type of work for at least the next two years budget.*

10) Correspondences:

- a. *Robinhood Outlot Homeowner's Association Meeting – Minutes (March 1).*
- b. *'Appleton Officials give Green Light to Cell Tower' (Post Crescent; May 11).*

11) Adjournment. – ***Sheppard moved to adjourn the meeting at 7:53p.m. Gillespie 2<sup>nd</sup>. Motion carried unanimously.***

Respectfully submitted for review and approval by Susan Williams, Clerk.

**Sherwood Plan Commission Meeting Minutes**  
**July 5, 2016**

- 1) Call to Order/Roll Call – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

<b>Present</b>	<b>Absent</b>
<i>Bob Gillespie</i>	<i>Kathy Salo, excused</i>
<i>Joe Hennlich</i>	<b>Others Present</b>
<i>Joyce Laux</i>	<i>Randy Friday, Administrator</i>
<i>Brad Schmidt</i>	<i>Kathy Mader, Finance/Utility Clerk</i>
<i>Scott Sheppard</i>	<i>Jim Rath, President</i>
<i>Steve Summers</i>	
  
- 2) Pledge of Allegiance – *Recited*
  
- 3) Approval of the Agenda – ***Hennlich moved to approve the agenda. Sheppard seconded. Motion carried.***
  
- 4) Approval of Minutes:
  - a. June 6 (Regular Meeting) – ***Gillespie moved to approve the June 6, 2016 meeting minutes as presented. Laux seconded. Motion carried.***
  
- 5) Citizen comments on agenda items
  - *Dean Daebler, Nolan Sales, 306 N Main St, Marion, WI re item 9) a.*
  
- 6) Officer’s Report
  - a. Plan Commission Chair – *In addition to the list of ‘Items of Change for consideration as part of Zoning Code update(s)’ (provided in the packet), Summers suggested adding fire pits.*
  
  - b. Zoning Administrator – *Friday suggested omitting asphalt vs. concrete driveway aprons from the list of the zoning code.*
  
- 7) Extraterritorial Review: *None*
  
- 8) Old Business:
  - a. Calendar: On-going Review of (annual) Comprehensive Plan obligations – *Friday stated there will be continued April and November updates.*
  
  - b. Ordinance Update: Consider Code amendment regarding placement of Renewable Energy components (e.g. ground-mounted solar panels) – *Friday suggests wording, ‘Defer to State Statutes’.*
  
  - c. Zoning Code update: Request for Member input

9) New Business:

- a. Strandwitz parcel subdivision: Consider preliminary plan to subdivide 37.5 ac. parcel (N8144 State Park Road; Strandwitz), including potential rezoning and providing utility services. ***Sheppard moved to TABLE discussion until conceptual development plan is received and it addresses the following points:***

- ***Agriculture Zoning – minimum 5 acre lots***
- ***Roadway pattern to all lots – Public R.O.W. – Commission suggests conceptual East-West road plan for this parcel***
- ***Water/Sewer study review with Engineer – Plan for review***
- ***Road frontage and/or Rezone “Home” lot to R-1 with no “spot” zoning and no “Flag” lots (2:1)***

***Schmidt seconded. Motion carried.***

*Daebler introduced himself as a representative of Nolan Sales, sent on behalf of Tim Nolan, and is seeking pre-approval of the proposed parcel division so the parcels can be sold at auction.*

*Friday stated that no CSM has been requested for the division of the current 37.5 acre parcel; therefore, this discussion is only preliminary.*

*Rath requested Friday to place this item on the next Village Board agenda as a closed session item to discuss possible options for the Village.*

- b. Planning Document Review(s) and Update(s): Consider process to update Zoning Code (Chapt. 22) and Village Comprehensive Plan (2008) - *Commission was in agreement to first review Comprehensive Plan (2008) review and update in FY2017 prior to Zoning Code review and update. Friday was asked to contact East Central Planning regarding assistance with Comprehensive Plan update.*

10) Correspondences – *None*

11) Adjournment – ***Sheppard moved to adjourn at 7:32 p.m. Laux seconded. Motion carried.***

Respectfully submitted for review and approval by Kathy Mader, Finance/Utility Clerk

## Sherwood Plan Commission Meeting

Aug. 1, 2016

- 1) Call to Order/Roll Call. – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie*

*Joe Hennlich*

*Joyce Laux*

*Kathy Salo*

*Brad Schmidt*

*Scott Sheppard*

*Steve Summers*

***Absent***

*none*

***Others Present***

*Randy Friday, Administrator*

*Susan Williams, Clerk*

*Jim Rath, Village President*

- 2) Pledge of Allegiance. – *Recited*
- 3) Approval of the Agenda. – *Sheppard moved to approve the agenda, as presented. Salo 2<sup>nd</sup>. Motion carried unanimously.*
- 4) Approval of Minutes:  
July 5 (Special Meeting). – *Hennlich moved to approve the Special Meeting July 5, 2016 minutes, as presented. Laux 2<sup>nd</sup>. Motion carried unanimously.*
- 5) Citizen comments on agenda items:  
Steve White, N7756 State Park Rd., Sherwood – regarding agenda item 9) b) i) regarding the Village enforcing the 72 hour rule of trailers in the Village and voiced concerns of the appearance in the Village if not enforced.  
Perry Tesch, N5075 Golf Course Rd., Sherwood – regarding agenda item 9) b) ii) regarding the High Cliff Public Course mowing lawn outside of the nuisance ordinance hours and requested the Village to enforce.  
Duane Feustel, N5075 Golf Course Rd., Sherwood – regarding agenda item 9) b) ii) regarding the High Cliff Public Course mowing lawn outside of the nuisance ordinance hours and requested the Village to enforce.
- 6) Officer's Report
- a. Plan Commission Chair
- i. *Planning Document Update(s): Review final document regarding Comp. Plan and Zoning Code (Chapt. 22 of Municipal Code) updates.*

*Summers directed the Commission to the draft review document in the packet and requested feedback from them, hearing no changes requested Friday to contact WECRPC. Friday replied he had reached out to them already and is waiting to hear back.*

b. Zoning Administrator

- i. *FY2017 New home building permits: Update.*

*Friday reported on the document in the packet of the last seven years of home starts, from 9 in 2009 to 39 in 2016 with the related home values.*

*Hennlich inquired of the Residential RFP and Friday replied one proposal was received and will be presented in Closed Session to the Village Board.*

7) Extraterritorial Review: None.

8) Old Business:

a. *Calendar: On-going Review of (annual) Comprehensive Plan obligations.*

*Friday reported at budget time will review.*

b. *Zoning Code updates: Request for Member input – Chapt. 22 items.*

*Summers directed the Commission to the on-going list for update to the Zoning Code and requested any other suggestions be directed to Friday.*

*Friday informed the Commission of an item presented by a resident that was added to the list, corner lot fencing, and provided background of the specific parcel and the basic request to consider.*

*Hennlich inquired if the Village allows outdoor wood burning furnaces. Friday replied it was brought up and the response was that if it was in violation would be under nuisance. Hennlich requested it be added to the list.*

9) New Business:

a. *CSM #2016-02: Request by Jedar Development, LLC (2339 N. Cloudview Drive, Appleton) to combine Lots #4 & #5 (W4920 [0.34ac.] and W4924 [0.26ac.] Carrington Court) of the Sherwood Estates subdivision creating Lot #1 (0.60ac. [26,097 sq. ft.]).*

***Sheppard recommended approval of CSM #2016-02: Request by Jedar Development, LLC (2339 N. Cloudview Drive, Appleton) to combine Lots #4 & #5 (W4920 [0.34ac.] and W4924 [0.26ac.] Carrington Court) of the Sherwood Estates subdivision creating Lot #1 (0.60ac. [26,097 sq. ft.]). Schmidt 2<sup>nd</sup>. Motion carried unanimously.***

b. *Village Board request for items of consideration:*

i. *Municipal Code – Chapt. 7-14: Loud & Unnecessary Noise.*

*Summers stated the complaint of lawn mowing is not a nuisance per the definitions in the Code. Friday concurred and stated the section referenced is for home construction/remodel. Friday reminded the Commission the Village was developed around the golf course/TIF and the golf course needs to maintain the grass, so that it*

*but up against the business' needs. Friday stated no other Code section addresses mowing.*

*Schmidt inquired if there has been a conversation with the golf course and Friday replied yes and they requested an exemption.*

*Friday stated the Code is antiquated and should be updated (remove jake break, weekday work only, etc.).*

***Sheppard moved to update Chapter 7-14 Nuisances to bring the language to be in alignment with today's standards.***

*Friday stated he could draft language for the update.*

***Gillespie 2<sup>nd</sup>. Motion carried unanimously.***

*Summers suggested and Friday agreed to have a conversation with the golf course to stay away from the residences in the very early mornings.*

ii. *Zoning Code – Chapt. 22-18: Off-Street Storage of Vehicles.*

*Summers directed the Commission to the packet materials and suggested the Code needs to be updated due to antiquated language.*

*Friday directed the Commissioners to the Code classification of vehicles, definitions of passenger vehicles and other language to identify inconsistencies and antiquated language.*

*Sheppard questioned if a construction trailer can be allowed if there is an open permit. Friday replied the home in question is a remodel that is taking time and has a valid permit.*

*Summers informed the Commission that the permit for the home expires August 1, 2016. Friday stated he is interested in the construction being done and the property owner can request an extension or be allowed temporary storage for an additional 72 hours.*

*Summers suggested seasonal language. Friday presented survey data from 2009 and the overwhelming response was against seasonal trailers longer than 7 – 14 days.*

*Salo stated the language needs to be looked at (satellite dish, etc).*

*Schmidt asked if the trailer definition would be updated and Friday agreed.*

*Friday suggested directing the Administrator to propose to the Village Board changes; review satellite dishes if appropriate or remove, amend 18 to segregate out*

*motor vehicles and insert trailers if possible otherwise add another section identified as trailers.*

*Sheppard requested removing the 72 hour rule and replace it with something more in line with the survey; within 1 to 2 weeks and Friday replied he would do as directed.*

***Gillespie moved to direct Friday to draft language to update trailers. Laux 2<sup>nd</sup>.***

*Summers restated the motion is for Friday to update language to break out trailers.*

***Motion carried unanimously.***

***Hennlich moved to limit trailers to seasonal activities. Sheppard 2<sup>nd</sup>.***

*Laux asked what is done with construction vehicles. Gillespie stated many areas have covenants. Salo agreed that Laux's point is valid, that the property in question has a construction trailer which has not moved in sometime and it is construction season, between recreational use verses business use is the Village going to be pointed. Sheppard stated it is tied into the building permit if it is a construction trailer. Rath suggested having a conversation with the property owner.*

*Summers questioned Hennlich if his motion is to amend the 72 hour rule to seasonal, what is the definition of seasonal. Hennlich stated in winter recreational vehicles are snowmobiles and ice shanties. Sheppard offered boats and campers are May to September. Friday stated it is interesting that the Commission is trying to solve a question that was answered 2 to 1 the other direction.*

*Hennlich voiced his concern of inconsistent enforcement.*

*Schmidt stated his concern is the enforcement of seasonal trailers and the use of trailers for other than the intended purpose.*

*Friday stated Windswept Shores covenants allow trailers during construction and remodeling. Sheppard stated that the property in question is allowed until the permit expires. Sheppard questioned the detail of the survey, how trailer was defined. Schmidt suggested Friday could review the difference between recreational vehicle versus trailer.*

*Friday stated in his tenure with the Village (9 years) it has all been 72 hours, and questioned the Commission how many times this issue has come up.*

***Hennlich withdrew his motion and Sheppard withdrew his 2<sup>nd</sup>.***

10) Correspondences:

- a. Request for construction trailer to be removed from N7755 State Park Road (White–N7756 State Park Road; July 27).

*Gillespie questioned and Friday confirmed communicating with the property owner and that owner intends to complete the project as soon as possible and has a valid permit.*

*Schmidt questioned when a property is in violation if Friday sends out a notice and Friday replied 'no', no harm no foul. Sheppard concurred that the Plan Commission a few years ago had directed Friday to handle it as such. Friday stated the Village would react strongly.*

*Summers questioned Friday if he would contact the property owner again and Friday responded he would.*

11) Adjournment. – *Sheppard moved to adjourn at 8:06 p.m. 2<sup>nd</sup>. Motion carried.*

Respectfully submitted for review and approval by Susan Williams, Clerk.

**Sherwood Plan Commission  
Special Meeting Minutes  
September 6, 2016**

- 1) Call to Order/Roll Call – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

<b>Present</b>	<b>Absent</b>
<i>Bob Gillespie</i>	<i>None</i>
<i>Joe Hennlich</i>	<b>Others Present</b>
<i>Joyce Laux</i>	<i>Randy Friday, Administrator</i>
<i>Kathy Salo</i>	<i>Kathy Mader, Finance/Utility Clerk</i>
<i>Brad Schmidt</i>	
<i>Scott Sheppard</i>	
<i>Steve Summers</i>	
  
- 2) Pledge of Allegiance – *Recited*
  
- 3) Approval of the Agenda – ***Hennlich moved to approve the agenda. Laux seconded. Motion carried.***
  
- 4) Approval of Minutes:
  - a) July 5 (Special Meeting) – ***Gillespie moved to approve the July 5, 2016 minutes, as presented. Salo seconded. Motion carried.***
  
- 5) Citizen comments on agenda items –
  - *Ryan Propson, W4878 Escarpment Terrace, Sherwood re item 8)b)ii*
  
- 6) Officer’s Report
  - a) Plan Commission Chair – *Summers reported he had received an email from fellow Plan Commissioner, Gillespie, since the last meeting, in regard to possible discussion of a Wheel Tax policy and AirBnbs/short-term rentals. Summers stated that he, Friday, and Village President, Rath, and Village Board Trustee, Kaas, had met with Eric Fowle, East Central Wisconsin Regional Planning Commission, to discuss how to move forward with preparation of the 2040 Comprehensive Plan, “Zoning Look” (Village preference) or “Parcel Look” (ECWRPC suggests) and related contract costs.*
  
  - b) Zoning Administrator – *In response to possible discussion regarding Wheel Tax policy and AirBnbs, Friday said it’s the Village Board’s responsibility to create and uphold policies that are defensible.*
  
- 7) Extraterritorial Review: *None*
  
- 8) Old Business:
  - a) Calendar: On-going Review of (annual) Comprehensive Plan obligations – *None*

- b) Zoning Code updates: Request for Member input – Chapt. 22 items.
  - i) Weekly home rentals – *Commission was in agreement to have further discussion regarding short-term rentals and possible related code updates. Commission discussed other communities, such as Oshkosh and Neenah, which are, also, discussing what if anything can be done about the AirBnbs and short-term rentals if the properties are properly zoned.*
  - ii) Concrete vs. Asphalt driveway connections to roadways – ***Salo moved to recommend the Village Board make an exception to the current code, and to allow Ryan Propson, W4878 Escarpment Terrace, to immediately complete his driveway apron in concrete. Laux seconded. Motion carried.***  
*Propson requests to connect to the roadway with concrete rather than asphalt. He noted that two other neighbors have already poured concrete to the roadway. He isn't sure if the others are in violation but he'd prefer to receive permission.*  
*Friday stated that the current zoning code does not allow for concrete aprons on driveways of a "rural-setting" roadway. Commission would like the code to be updated to allow concrete aprons of driveways on a "rural-setting" roadway.*
- 9) New Business:
  - a) Comprehensive Plan Update: Consider East Central Wisconsin Regional Planning Commission as Plan Update provider. Discuss/Approve methodology, timeframe, cost, membership, etc. – ***Hennlich moved to recommend Summers and Friday continue negotiations with East Central Wisconsin Regional Planning Commission. Schmidt seconded. Motion Carried.*** *Friday will schedule a joint meeting of the Plan Commission and the Village Board at 6:00 p.m. on October 10, 2016 to meet with Eric Fowle of ECWRPC.*
- 10) Correspondences:
  - a) Technical Assistance Project Requests (Sept. 1; East Central Wisconsin Regional Planning Commission) – *Reviewed.*
- 11) Adjournment – ***Salo moved to adjourn at 7:27 p.m. Laux seconded. Motion carried.***

Respectfully submitted by Kathy Mader, Finance/Utility Clerk, for review and approval.

**Village of Sherwood Plan Commission**

**MEETING NOTICE AND AGENDA**

**Monday, October 3, 2016 – 6:30 pm**

Sherwood Village Hall – W482 Clifton Road; Sherwood, WI.

**NOTICE OF  
MEETING CANCELLATION**

There will be no October *Regular Meeting* of the Plan Commission due to a lack of business at this time.

Welcome to the Village of Sherwood Plan Commission Meeting

To assist the Commission in conducting its business, we ask that you observe the following:

1. Please speak only to items on the agenda.
2. Please limit your presentation to three (3) minutes.
3. Please do not address the Commissioners during deliberations unless requested to do so.
4. Any item listed on the Agenda may be acted upon by the Commission.
5. Requests from persons w/ disabilities who need assistance to participate should be made to the Clerk's Office (989-1589).
6. A quorum of Village Board members and a quorum of Utility Commission members may be present at this meeting. Their presence is for informational purposes only, and no business or action of the Village Board or Utility Commission will be transacted.

**Sherwood Plan Commission Meeting Minutes**  
**Nov. 7, 2016**

- 1) Call to Order/Roll Call – *Chairman Summers called the meeting to order at 6:30 p.m. with roll call:*

***Present***

*Bob Gillespie*

*Joe Hennlich*

*Joyce Laux*

*Kathy Salo*

*Brad Schmidt*

*Steve Summers*

***Absent***

*Scott Sheppard (Excused)*

***Others Present***

*Randy Friday, Administrator*

- 2) Pledge of Allegiance – *Recited.*
- 3) Approval of the Agenda – ***Hennlich moved to approve. Salo seconded. Motion carried.***
- 4) Approval of Minutes:
- a. Oct. 10 (Special Joint Plan Commission & Village Board Meeting) – ***Salo moved to approve the Minutes as presented. Gillespie seconded. Motion carried.***
- 5) Citizen comments on agenda items: None.
- 6) Officer's Report
- a. Plan Commission Chair – *Summers stated Village Board approved setting aside current fiscal year's \$10,000 and additional money in FY2017 to fund Comprehensive Plan Update and possible code updates next year.*
- b. Zoning Administrator – *Friday stated 47 new, single-family home permits have been issued since Jan. 1.*
- 7) Extraterritorial Review: None.
- 8) Old Business:
- a. Calendar: On-going Review of (annual) Comprehensive Plan obligations. *Friday stated there will updates following adoption of the Annual Budget on November 14.*
- b. Ordinance Update: Consider Code amendment regarding *Subdivision Development* to include: *(Friday) When placed, stormwater inlets shall be placed at lot line intersections in the front and/or rear of new lots allowing the maximum number of abutting properties access to structures for the purpose of accepting sump pump water (only) from new dwellings.*

9) New Business:

- a) Comprehensive Plan Update: ***Motion by Hennlich, seconded by Laux to recommend approval of 'Ad Hoc Membership' to the Comprehensive Plan Review and Update beginning in FY2017, to include eleven total members, including the seven Plan Commission members and:***

- ***Two citizen members appointed by Village Board President (Rath).***
- ***One member from CDA, appointed by CDA Chair (Kaas).***
- ***One member from PRUT Board, appointed by PRUT Chair (Jack).***

- a. ***Motion carried unanimously.***

- b. Request to allow principal parcel entry/exit to Lot #183–*Windswept Shores II* subdivision via Pigeon Road (66') on double-fronting lot with State Park Road (88' frontage).

Friday stated the lot is likely a hold-over from the 1970s/80s when roadway frontage requirements were either non-existent, or less, such as in the case of neighboring Lower Cliff Drive which has 60' frontages. Water and sewer laterals lie along Pigeon Road.

According to today's development standards in the Local Ordinances, minimum front yard dimensions call for the roadway frontage of not-less-than 75' in the R-1 District, which means the opening should be along State Park Road. The Pigeon Road access versus State Park road access frontage is 60' vs. 88'.

Friday noted he has been contacted by a potential buyer requesting access from Pigeon Road. Caller also noted the current owner (Dan Stein) is trying to sell only one acre of the 2 acre lot at this time, meaning this could come forward as a 'CSM' in the future.

Friday asked Commission Members to think about these circumstances in advance of the CSM or lot sale and/or any request for a building permit.

The Commission asked Friday to research the lot division/platting and Stein's ownership versus pre-existing zoning for future consideration. (No action taken.)

- c. CSM #02-2016: Consider certified survey map reconstituting boundaries of the following parcels in advance of sale from the Village of four parcels for single-family residential development in the Sherwood Forest – Second Addition subdivision.
- (No changes) N536 Robinhood Way (Lot #48) retains original boundaries (Village sale of Lot #48 to Otto), for future single-family dwelling.
  - (new Lot #1) Adjust northern boundary of N591 Robinhood Way (Lot #64) by adding 27'34", subtracted from southern boundary of N583 (Lot #65), for future single-family dwelling (Village sale of Lot #65 to Otto; Adjustment between Genisot and Otto).
  - (new Lot #2) Combine (revised) N583 Robinhood Way (Lot #65) and (revised) N571 (Lot #66), for future single-family dwelling (proposed Village sale to Genisot).

- (new Lot #3) Adjustment (slight) of westerly parcel line from N561 Robinhood Way (existing Genisot residence) to gain square footage from N571 creating new Lot #3 via a minor property boundary revision.

***Motion to recommend approval by the Village Board made by Gillespie, seconded by Schmidt. Unanimously approved.***

10) Correspondences – *None.*

11) Adjournment – ***Gillespie moved to adjourn at 7:08p.m. Salo seconded. Motion carried.***

Respectfully submitted for review and approval by acting-Clerk, Randy Friday.

**Park, Recreation and Urban Tree Board Meeting Minutes**  
**December 19, 2016**

- 1) Call to Order and Roll Call – *Chairman Jack called the meeting to order at 6:30 p.m. with roll call:*
- |                       |   |
|-----------------------|---|
| <b>Present</b>        | <b>Absent</b>                               |
| <i>Julie Brinkman</i> | <i>Stacy Gedman</i>                         |
| <i>Matt Gehl</i>      | <b>Others Present</b>                       |
| <i>Tom Jack</i>       | <i>Brenda Stumpf, Contr.Rec Coordinator</i> |
| <i>Susan Jungen</i>   | <i>Jim Rath, Village President</i>          |
| <i>Ruth Sprangers</i> | <i>Kathy Mader, Finance/Utility Clerk</i>   |
| <i>Rich Storey</i>    |   |

*Mader informed the PRUT board that Mr. Gedman had resigned from the Village Board, effective after the December 12, 2016 meeting and, therefore, will no longer be a PRUT board member. According to Rath, the position will be appointed by the incoming Village Board president in April.*

- 2) Pledge of Allegiance – *Recited*
- 3) Approval of the Agenda – ***Gehl moved to approve the agenda as presented. Jungen seconded. Motion carried.***
- 4) Approval of Minutes: October 17, 2016 (Regular Meeting) – ***Sprangers moved to approve the minutes of the October 17, 2016 meeting. Brinkman seconded. Motion carried.***
- 5) Registered Citizen Comments on Agenda Items – *None*
- 6) Chair’s Report – *Jack stated that he heard several positive remarks regarding the Winter Solstice and apologized that he was unable to attend.*
- 7) Recreation Coordinator Report: Updates.
- a) Event Recap: Halloween (10-29), Winter Solstice (12-17) – *Stumpf recapped the Halloween event, sponsored with the Sherwood Lions, by saying the good weather encouraged great participation and positive feedback, especially the “find-it” game along the trail way, along with the pumpkin carving and costume contest. Considering the weather forecasted for the Winter Solstice, Stumpf said participation was very good. Many compliments on the pictures with Santa, keepsake frame and decorating the cutout cookies. Stumpf requested the PRUT Board suggest where to take the donated food items. The PRUT suggested to take them to St. Joe’s Pantry in Menasha.*
- b) 2017 New Events – *Stumpf stated she would like to expand the Wednesdays in the Park Series that was introduced last year to seven or eight times through the summer. The hours would possibly be different than last year.*

*Stumpf is planning on at least two bus trips next fall. The first bus trip is planned for the Warren Cranberry Festival which will be Saturday September 23, 2017. The second bus trip is planned for the first Saturday in December 2017 to the Gurnee Mills Outlet Mall.*

c) Upcoming Events

- i) Easter Egg Hunt (4-15) – *Stumpf explained the non-resident cost will increase to \$4 per participant and the resident cost will remain at \$2 per participant.*
- ii) Summerfest (8-20) – *Stumpf stated she has a tentative agreement with Spicy Tie to return at a cost of \$3,000. Stumpf shared that the band is, again, willing to provide the stage, sound equipment, and are building a canopy for the stage.*

*Rath stated that he had been approached by Mike Bailey of the Vic Ferrari Band to play at the 2017 Summerfest and the 2018 – Village of Sherwood- 50 Years celebration. Rath said no cost has been established for either proposed performance by Vic Ferrari. Stumpf informed the PRUT board that she budgeted \$6000 for the 2017 Summerfest bands and that we should get a confirmed contract from Vic Ferrari as soon as possible if we are to go this route. Rath volunteered to solicit donations, if needed.*

*Stumpf expressed her desire to have whatever additional band is booked to go on as the first act.*

*Rath suggested Stumpf contact Mike Bailey regarding the possibility of booking the Vic Ferrari Band for the 2017 and 2018 celebrations and get signed quotes for each performance, if applicable.*

8) Old Business:

- a) Security Systems – *Stumpf explained that her attempts to contact someone from the Fox Valley Technical College and Heartland Business Systems were not successful. Stumpf, however, found a third party that created a hand-out (to be included in file) of questions for Stumpf to put forth to Martin System and Sentinel Security regarding their quotes. Responses from Martin and Sentinel will be discussed at the next meeting.*
- b) Signage for Wanick Park and Grilling Areas – ***Jungen moved to recommend the Village Board approve three “Welcome to the Village of Sherwood Park System” signs, one for the Legion Park and two for the Wanick Choute Park, to be placed at each parking lot, and two “Designated Grilling Area” signs for Wanick Choute Park. Storey seconded. Motion carried.***  
*PRUT board was in consensus of removing the word “molesting” from the proposed “Welcome” sign; add a white border; high gloss lettering.*

9) Trail Maintenance Update: B-16 Nuthatch Trail – *Stumpf received update from Cedar Corp that MCC would be attempting to resume work today or tomorrow and should be done in approximately two days. The work consisted of excavating and applying the base course material in advance of the Spring thaw.*

10) New Business:

a) YMCA – 2017 – *Email correspondence received from Brandon Vanderhoof, YMCA Sports and Recreation Director, explains that the program will no longer include baseball or t-ball due to decline in Sherwood participants; this year the In-town Soccer program will be held during the summer instead of spring for 4K-2<sup>nd</sup> grade; Grades 3-8 will, again, have the Lake to Lake Soccer program during spring.*

b) Trails-Winter Maintenance – ***Jack moved to recommend replying that the trails are intended to remain in their natural state i.e. do not remove snow. It can be noted, however, that Wanick Choute Park Trail will be maintained during the winter months. Sprangers seconded. Motion carried.***

*Stumpf reminded the PRUT that the Big Lake Ct/Lane area trail will need to be addressed in the future as more houses are constructed in the subdivision. Current residents have already approached the Village regarding the potential trail flooding issues.*

11) Correspondences:

a) *None*

12) Adjournment – ***Sprangers moved to adjourn at 7:37 p.m. Jungen seconded. Motion carried.***

*Respectfully submitted for review and approval by Kathy Mader, Finance/Utility Clerk*