

TOWN OF CLAYTON

Town Plan Commission Regular Meeting Meeting Minutes

February 9, 2011
7:00 p.m. – 8:54 p.m.

8358 County Road T Larsen, WI 54947

I. Call to Order

Called to order at 7:00 p.m. by Chairperson Knapinski
Present: Commissioners Adler, Geise, Hamblin, Haskell, and Van Airsdale
Absent: Brucks (Excused)
Staff Present: Town Administrator Johnston, Treasurer Bowen
Pledge of Allegiance recited.
Meeting properly posted; three locations in the Town.

II. Approval of Minutes

- Regular Plan Commission – January 12, 2011
- No corrections

MOTION: (Geise, Haskell) Approve Regular Plan Commission meeting minutes of January 12, 2011, as written.
CARRIED by unanimous voice vote.

III. Open Forum – Non-Agendized Town-related Matters

- None

IV. Correspondence

- Extension (received 2/2/2011) – 2011 Winnebago County Plan Commissioner Network Kick Off Celebration (February 23, 2011, 6:00pm-8:00pm, J.P. Coughlin Center, Oshkosh, WI)

V. Business Items

- A. **Discussion / Recommendation:** – Plan Commission review and recommendation on a Conditional Use Application for a wind turbine on a 120-foot freestanding lattice tower with a maximum blade height of 141 feet for Timothy A. Pociask, to be located at 9020 North Center Road, Neenah, WI 54956, Tax ID #006-0295-02

Site Location: 9020 Center Road, Neenah, WI 54956, Tax ID #006-0295-02

Applicant: Randall E. Faller
Kettle View Renewable Energy, LLC
N544 Silver Creek Cascade Road
Random Lake, WI 53075

Property Owner: Timothy A. Pociask
9020 Center Road
Neenah, WI 54956

Prepared for: Timothy A. Pociask
9020 Center Road
Neenah, WI 54956

Property Status:

1. The property Tax ID # is 006-0295-02
2. The property consists of approximately 12.00 acres.
3. The property is in the Department of Natural Resources Special Well Casing Area.
4. The property is currently Zoned A-2 GENERAL FARMING DISTRICT.
5. The property is out of the County's Floodplain Zoning Area.
6. The property is not in the County's Wetland Identifier.

- 7. The land use is consistent with the Town’s adopted Land Use Plan.
- 8. The County Zoning Code of Ordinances requires a Conditional Use Permit for the proposed wind-generating device because it back feeds the public electrical grid.

Application Details:

The petitioner has applied for approval of a wind turbine on a 120-foot freestanding lattice tower with a maximum blade height of 141 feet for Timothy A. Pociask, to be located at 9020 Center Road, Neenah, WI 54956, Tax ID #006-0295-02.

Site Details:

The site is located at 9020 Center Road, Neenah, WI 54956, Tax ID #006-0295-02. The property is owned by Timothy A. Pociask. The site consists of approximately 12.00 acres of land with the wind turbine tower to be located in the center of the site. The proposed wind turbine tower will be approximately 660 feet from the nearest non-participating (neighboring) residence. The wind turbine tower will be approximately 160 feet from the Pociask residence. The wind turbine is located a minimum of 155 feet from the nearest property line and a maximum of 550 feet from the furthest property line.

Access Details:

Access to the wind turbine tower site is made possible by the access driveway to the residence located at 9020 Center Road. Specific maintenance access to the wind turbine tower will presumably be by means of a gravel drive. This is not specified in the Conditional Use Application; however, access to the tower site will be needed for maintenance of the facility.

Facility Details:

The facility consists of a wind turbine mounted on a 120-foot freestanding lattice tower. The combined maximum height of the tower and the wind turbine blade is approximately 141 feet. The lattice work tower will be mounted on concrete piers installed approximately six feet into the ground (see tower installation details). The site has little security because it is on private property and serves a private function. Given the location of the wind turbine tower on the property it is not likely to be subject to vandalism or any other type of deliberate acts of destruction.

Staff Comments:

The Conditional Use Application as presented is complete and accurate. Based upon a review of the Town’s Ordinance, the application meets the requirements of the Town’s Codes and, with some conditions, merits approval. Staff has the following comments on the application as it relates to the Town’s Ordinances:

- 1. The site is hidden from view by its location in the middle of the property and should not need any security fencing. However, all the electrical connections should be in secure boxes that are located and generally not accessible to anyone but the owner or maintenance contractors.
- 2. The specific location of the site allows for a fall distance from nonparticipating properties of a minimum of 155 feet. This will allow for a setback distance that has minimal impact on adjoining property owners. The distance from the nearest nonparticipating residents is approximately 660 feet. Given the side yard setbacks required by the County’s Zoning Code of Ordinances (minimum of 15 feet) and the minimum distance between the wind turbine tower and the property line (155 feet) the likelihood of the turbine unit, including the blade, and the tower falling on any non-participating structures is remote.
- 3. Given the commercial function of the proposed wind turbine (the unit back-feeds the public power grid when it is producing surplus power) it could be argued that the site should be subject to the Town’s Site plan Approval Ordinance. The Administration has not taken that position; however, the Plan Commission may want to see some landscaping or buffer plantings on the site.

The Administration recommends approval of the Conditional Use Application for a wind turbine on a 120-foot freestanding lattice tower with a maximum blade height of 141 feet for Timothy A. Pociask, to be located at 9020 Center Road, Neenah, WI 54956, Tax ID #006-0295-02, with the following conditions:

1. That the Plan Commission and the Board agree that the project does not need a Site Plan Approval pursuant to the Town's Site Plan Approval Ordinance.
2. An owner shall take appropriate measures to ensure that a wind turbine is not readily climbable except by authorized personnel.
3. That the Applicant installs any and all lighting (on the tower or the turbine) required by the Wisconsin Bureau of Aeronautics and/or the Federal Aviation Administration.
4. That the applicant has all Town and County permits, including building permits, in place prior to the start of construction.
5. That the wind turbine and related tower have a setback of 1.1 times the 141-foot maximum height of the fully-extended blade tip of the turbine. The setback shall be measured from the base of the turbine tower to the nearest non-participating structure.
6. That the project owner agrees to a 540-day, no use, decommission clause in the Conditional Use Document.
7. The owner may not construct wind energy system facilities within existing line-of-sight communication paths that are used by government or military entities to provide services essential to protect public health and safety.
8. The owner may not display advertising material or signage other than warnings, equipment information, or indication of ownership on a wind turbine.
9. The owner may not attaché any flag, decorative sign, streamers, pennants, ribbons, spinners, fluttering, or revolving devices to a wind turbine.
10. The owner shall ensure that a wind turbine has a conventional or unobtrusive finish.
11. The owner shall ensure that all wind turbine access panels and electrical equipment are locked when authorized personnel are not present.
12. The owner shall place appropriate warning signage on or at the base of the wind turbine.
13. The owner shall construct, operate, repair, maintain, and replace wind energy system facilities as needed to keep the wind energy system in good repair and operating condition and in a manner that protects individuals from injury.
14. That the project is approved by any and all units of government having jurisdiction prior to the start of construction.

Discussion:

Tim Pociask 9020 N Center Road, Neenah, WI

Mr. Pociask assured the Committee that the wind turbine was for personal use only. Mr. Pociask also discussed the safety features of the wind turbine, the location on his property, the liability insurance requirements, the FAA requirements and the WPS requirements that need to be met.

Jeff Witkowski 9068 N Center Road, Neenah, WI

Mr. Witkowski, a neighbor, was concerned with the noise of the wind turbine.

Randy Faller N544 Silver Creek Cascade Rd, Random Lake, WI

Mr. Faller is representing the installation company for the wind turbine. Mr. Faller answered questions covering the lattice/climbing apparatus, the Public Service Commission regulations, delivery safety/weight of the turbine, noise levels, safety features, warranty and preventative maintenance services that are offered, and installation of the concrete base. Rome products are wind turbine manufacturers.

Steve Kueck 3534 W Fairview Neenah, WI

Mr. Kueck, a neighbor, expressed opposition of the wind turbine installation.

MOTION: (Adler, VanAirdale) Motion to approve the recommendation of the application for a wind turbine on a 120-foot freestanding lattice tower with a maximum blade height of 141 feet for Timothy A. Pociask, to be located at 9020 Center Road, Neenah, WI 54956, Tax ID #006-0295-02 with the recommendations included by the administrator/staff and forward to the Town Board for approval with the clarification that this application is not subject to the Town's Site Plan Approval Ordinance.

Terry Klingenberger 3637 Larsen Rd, Neenah, WI

Mr. Klingenberger, a Town Board Supervisor, expressed the need of the Committee's motion to include the clarification of the application not being subject to the Town's Site Plan Approval Ordinance.

CARRIED by unanimous voice vote.

This recommendation will go before Town Board Wednesday, February 16, 2011.

- B. **Discussion / Recommendation:** – Plan Commission review and recommendation on a Site Plan Approval Application made by AT&T Mobility, 930 National Parkway, Schaumburg, IL 60173, for property leased from Terry & Nancy Pieper of 9198 Oakwood Avenue, Neenah, WI 54956, Tax ID #006-0311, for a 120-foot monopole cell tower

Site Location: 9198 Oakwood Avenue, Neenah, WI 54956, Tax ID #006-0311

Applicant: R. Shane Begley
Begley Wireless Consulting Services, LLC
14114 South Country Circle
Gordon, WI 54838

Property Owner: Terry & Nancy Pieper
9198 Oakwood Avenue
Neenah, WI 54956

Prepared for: AT&T Mobility
930 National Parkway
Schaumburg, IL 60173

Property Status:

The statements on the status of the property are specific to the proposed project site.

1. The property Tax ID is #006-0311.
2. The property consists of approximately 38.68 acres.
3. The property is in the Department of Natural Resources Special Well Casing Area.
4. The property has an intermittent navigable stream on it.
5. The property is currently Zoned A-2 GENERAL FARMING DISTRICT.
6. The property is in the Outagamie County Airport Overlay Zoning District.
7. The property is out of the County’s Floodplain Zoning Area.
8. The property is in the County’s 300-foot Shore land Jurisdiction Zoning Buffer.
9. The property is not in the County’s Wetland Identifier.
10. The land use is consistent with the Town’s adopted Land Use Plan.
11. Pursuant to Section 2.0, General Provisions, of the Town Site Plan Ordinance the project is subject to the Town’s Site Plan Ordinance.
12. The Architectural Zones section of the Town’s Site Plan Ordinance makes reference to the “Attachment C Town of Clayton Architectural Design Zones”. The architectural design of a building and site shall meet the requirements set forth in the “Attachment B – Town of Clayton Architectural Design Standards”.

Application Details:

The petitioner has applied for approval of a 120-foot monopole cell tower antenna on a leased land located at 9198 Oakwood Avenue, Neenah, WI 54956, Tax ID #006-0311.

Site Details:

The leased property is located behind a number of farm outbuildings and consists of an 80’ x 80’ square creating a usable site of 6,400 square feet (see pages 1-3 of the Titled Lease Exhibit). The site is substantially screened from Oakwood Avenue by the farm buildings and only the north view of the site and the upper portion of the antenna should be visible from a public right-of-way.

Access Details:

Access to the cell tower site is made possible by a 30-foot wide utility and ingress/egress easement. Access to the west side of the cell tower site is possible over a connected 15-foot wide ingress/egress easement. Access roads are to be made of compacted gravel (see C-4). Access to Oakwood Avenue is obtained over an existing farm access.

Facility Details:

The facility consists of a 120-foot monopole cell tower with a small equipment shelter in the southwest corner of the antenna site. The entire antenna site will be enclosed by a 6-foot chain link fence with barbed wire on top of the fence (see Site Plan C1 through C4 and other supporting documentation). Entry to the site is through two gates; the north gate provides both individual and vehicular access to the site while the west gate provides individual access to the site.

Staff Comments:

The Site Plan Approval Application as presented is complete and accurate. Based upon a review of the Town Site Plan Ordinance, the application meets the requirements of the Code and with some minor conditions merits approval. Staff has the following comments on the application as it relates to the Town’s Site Plan Ordinance:

1. The site is hidden from view by the farm structures on the property making any landscaping, visual screening, and buffer screening of the site required by the Ordinance unnecessary. Additionally, the Town’s Ordinance uses a 4,500 square foot threshold for landscaping design and the entire cell tower site is only 6,400 square feet.
2. Given the location of the site, the fencing is intended to provide security for the equipment located at the site, not to screen the site, making the barbed wire and chain link fencing the most practicable way to achieve the security goal of the fence.
3. The access from Oakwood Avenue is from an existing agricultural access point. The access point is still going to be used for agricultural purposes; however, at a minimum the access culvert on Oakwood Avenue should meet the Town Access Ordinance (minimum of 18 inches in diameter with end walls).

Administration recommends approval of the Site Plan for an AT&T Mobility cell tower to be located on leased land at 9198 Oakwood Avenue, Neenah, WI 54956, Tax ID #006-0311, with the following conditions:

1. That the Plan Commission recommends and the Town Board agrees on the exception to the chain link material.
2. That the Plan Commission recommends and the Town Board agrees to waive the minimal buffer screening required for the site. As an alternative, the Applicant could be required to place any required screening on the Oakwood Avenue frontage of the landlord’s property.
3. That the Applicant applies for and installs a new culvert on the Oakwood Avenue access to the ingress/egress easement for the site.
4. That the Applicant installs any and all lighting on the cell tower required by the Outagamie County Airport Overlay Zoning Ordinance, the Wisconsin Bureau of Aeronautics, and the Federal Aviation Administration.
5. That the applicant has all Town and County permits, including building permits, in place prior to the start of construction.
6. That the project is approved by any and all units of government having jurisdiction prior to the start of construction.

Discussion:

R. Shane Begley, AT & T, 14114 S. Country Circle, Gordon, WI

Mr. Begley stated that the structural support information will be submitted with permit application. Mr. Begley discussed the airport overlay height restrictions, the height of other towers in the area, and the possibility of interference with other electronics. Mr. Begley assured the Commission that the frequencies are different from home electronics.

MOTION: (Geise, VanAirdale) Motion to approve the recommendation of a Site Plan Approval Application made by AT&T Mobility, 930 National Parkway, Schaumburg, IL 60173, for property leased from Terry & Nancy Pieper of 9198 Oakwood Avenue, Neenah, WI 54956, Tax ID #006-0311, for a 120-foot monopole cell tower antenna with no buffering required to be submitted to the Town Board for approval.

CARRIED by unanimous voice vote.

This recommendation will go before Town Board Wednesday, February 16, 2011.

- C. **Discussion / Recommendation:** – Plan Commission review and recommendation on a Zoning Change from A-2 (General Farming District) to R-1 (Single Family non-subdivided) for Martin and Suzette Nikodem, 4069 Winnegamie Drive, Neenah, WI 54956, Tax ID #006-0095(p), for property described as Part of the Northwest ¼ of the Northwest ¼ Section 4, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin

Site Location: Part of the Northwest ¼ and the Northwest ¼ of Section 4, Township 20 North, Range 16 East, Town of Clayton, Winnebago County, Wisconsin

Applicants: Martin and Suzette Nikodem

Property Owners: Martin and Suzette Nikodem
4069 Winnegamie Drive
Neenah, WI 54956

Consultant: Tom Halverson, Wisconsin Registered Land Surveyor
Carow Land Surveying Co., Inc.
615 North Lyndale Drive
P.O. Box 1297
Appleton, WI 54912-5673

Prepared for: Martin and Suzette Nikodem
4069 Winnegamie Drive
Neenah, WI 54956

Property Status:

The statements on the status of the property are specific to the proposed project site.

1. The property Tax ID is #006-0311.
2. The property consists of approximately 38.68 acres.

Staff Comments on the Rezoning:

The proposed rezoning from A-2 (GENERAL FARMING DISTRICT) to R-1 (SINGLE FAMILY NON-SUBDIVIDED) for Tax ID #006-0095-00(p) was one of the conditions of approving the recent Certified Survey Map (CSM) for the same property. The recent CSM created a conforming lot for the newly-constructed home of Laura Dueitt (4063 Winnegamie Drive). The house was built on tax parcel number 006-0095-00. The construction was legal and in conformance with the County Zoning Code of Ordinance, however, in order to have title to the property and to be able to finance the construction of the house, a separate parcel was needed. The recent CSM created the separate parcel in compliance with the County’s Code of Zoning Ordinances and the Town’s Comprehensive Plan. The rezoning completes the process of creating a compliant parcel for the newly-constructed home on this site.

Property Conditions for Tax ID #006-0095:

1. The property consists of approximately 6.52 acres.
2. The property is in the Neenah School District.
3. The property is in the Department of Natural Resources Special Well Casing area.
4. The property is currently Zoned A-2 GENERAL FARMING DISTRICT.
5. The property is in the County’s Floodplain Zoning Area.
6. The property is in the County’s Shore Land Jurisdiction Zoning. Shore Land zoning is extended by the floodplain.
7. A portion of the property is in the County’s Wetland Identifier and there are hydric soils present on the property.

Staff Comments on Zoning Issues:

1. The Town of Clayton does have an adopted Land Use Plan.
2. The proposed rezoning from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT NON-SUBDIVIDED) is compliant with the Town’s Future Land Use Plan as adopted.
3. The proposed rezoning satisfies one of the Conditions of approval of the recent CSM creating a Zoning Code compliant lot.
4. The rezoning correctly identifies the use of the land for residential purposes and should allow for consistency in the Town’s zoning versus use identification.

Staff Recommendation:

Staff recommends approval of the proposed rezoning subject to the following condition(s):

1. Documentation of the approval for the proposed rezoning from A-2 (GENERAL FARMING DISTRICT) to R-1 (RURAL RESIDENTIAL DISTRICT NON-SUBDIVIDED) by any overlying unit of government having jurisdiction.

MOTION: (Hamblin, Geise) Motion to approve the proposed rezoning from A-2 (GENERAL FARMING DISTRICT) to R-1 (SINGLE FAMILY NON-SUBDIVIDED) for Tax ID #006-0095-00(p) with the recommendations included by the staff and forward to the Town Board for approval.

CARRIED by unanimous voice vote.

This recommendation will go before Town Board Wednesday, February 16, 2011

D. **Discussion / Recommendation:** – Staff review of a Draft CY 2011 Town of Clayton Minimum Road Design Standards Policy

- The Town Engineer has recommended changes to the Town’s Draft Minimum Road Design Standards Policy. The Administration does not have a problem with the Engineer’s recommendations or the logic presented. Should the Commission agree with the changes to the document, a motion to forward the draft to the Board would be in order. As an alternative, the Commission could hold the document until it has completed the review of the Town’s development-related Policies and Ordinances.
- Discussed driveway aprons and other concrete structures in the right of way. Staff recommendations were included in the discussion

MOTION: (Adler, VanAirsdale) Motion to approve the Minimum Road Design standards policy with staff recommendations. Commissioner Adler amended the motion to include the 4 to 1 side slope for ditching and Commissioner VanAirsdale found amendment acceptable.

Commissioner Hamblin expressed concern with the issues stated in the documents. The discussion with Administrator Johnston and Town Engineer Madsen continued on a variety of subjects including storm sewers, cul-de-sacs vs. t-turn around, drive way/private entrance culverts, DOT approved standards for binder materials, ditching standards and Town Engineer construction staking involvement with private subdivision development.

CARRIED by voice vote with Commissioner Hamblin voting no.

E. **Discussion / Recommendation:** – Plan Commission review and recommendation to the Town Board and possible changes to the Town’s Access Ordinance

The Town’s Access Control Ordinance is divided into 19 sections. The comments following each section represent the Administration’s understanding of (and problems with) the Ordinance as drafted.

1. **Authority:**

- a. The Town is well within its authority to control access points to public roads within its jurisdiction. Documentation providing the Statutory Authority used by the Board was included with the Board meeting packet.

2. **Purpose and Intent:**

- a. Certain Town roads
- b. “Certain Town Roads” implies that the Town has categorized its road network into a system of arterial, collector, and local roads.
 - i. To the best of my knowledge, the Town has not categorized its road network.
- c. Function obsolescence:
 - i. How does allowing access to Town Roads create functional obsolescence? The only way the Administration can explain functional obsolescence is with a road classification system. Increased traffic could cause the classification of a road to change, thus making it functionally obsolete.
- d. Point of access:
 - i. How can points of access be poorly designed if the design is controlled by the Town?

3. Jurisdiction:

- a. The Ordinance applies to all Town Roads except all roads in subdivisions, Umland Road, Green Meadow Road, and Hillcrest Road
 - i. Subdivision roads have a 25 MPH speed limit and serve to access housing units.
 - ii. With the exception that two of the following roads are dead-end roads, Umland Road, Green Meadow Road, and Hillcrest Road are no different from any other Town Road, why are they exempt?
4. Compliance with Ordinances, Regulations, and Plan:
 - a. Listed Town roads:
 - i. This section requires compliance with all other Town Ordinances; the only issue is that, other than the enumerated exceptions, all Town Roads are listed.
5. Right of Access:
 - a. The first element of this section deals with lots existing prior to the enactment of the Ordinance
 - i. Lots existing when the Ordinance was enacted are entitled to access, provided they meet the conditions of the Ordinance. The Administration believes that the intent of this element was to create lots of record that would be entitled to access even if they did not meet the conditions of the new Ordinance.
 - b. Lots created after the enactment of the Ordinance do not have the right of access by easement.
 - i. This element does several things; it says that lots created after the enactment of the Ordinance must comply with the provisions of the Ordinance. This is a common and customary application of a new Ordinance.
 - ii. The other function of this element is the restriction on access by easement. This would effectively eliminate the ability of a property owner to gain access to a lot by means of an easement. The only way to access multiple lots with a single driveway would be to place the driveway on a common property line. Additionally, the language used would make the use of a private road impossible.
6. **Approval Necessary for Obtaining Access:**
 - a. This section is fairly straightforward as far as the approval process is concerned, however, the Administration has the following concerns:
 - i. The approval process should be consistent, the Plan Commission should recommend and the Town Board should approve.
 - ii. Given the requirements of the approval process, the standard for revocation should be far more specific. Specificity of standards and findings of fact would make a legal challenge to an access permit revocation far more difficult.
7. **Vacation of Access Control:**
 - a. This section allows, and specifies how, the Town Board can revoke access control on a Town Road.
 - i. The implication is that Town Roads are categorized, they are not. Removing the access control from a Town Road would require an amendment to the Ordinance.
8. **Addition of Access Control:**
 - a. This section specifies the statutory authority that allows the Town Board to invoke access control on additional roads in the Town.
 - i. Without a categorized road system all new town roads will fall into one of the two categories where subdivision roads will not have access control and Town roads will have access control; the only way to change the access control process would be to amend the existing Ordinance.
9. **Existing Points of Access:**

- a. This is a sunset clause for existing access points with specifications on how to vacate an existing access point that has not been used for a year.
 - i. Without specificity on what constitutes abandonment of an access point, there is no clearly defensible way to require that an access point be discontinued.

10. **Change of Use:**

- a. This section allows the Board to review a permitted access point and require improvements to the access point based upon changes in traffic counts and types of vehicles using the access point.
 - i. The issue is a lack of specificity on what constitutes a change in use, an increase in traffic counts, and changes in the types of vehicles using the access point.

11. **Spacing and Frequency:**

- a. This section defines the separation between access points on access-controlled roads.
 - i. This section is problematic because it refers to minor roads; this is a road classification that does not exist.
 - ii. The other problem is the use of “no other way to provide access to an existing parcel”. What constitutes “no other way”?

12. **Design:**

- a. This section has the appropriate standards and a set of references defining the standards that create a quantifiable unit of measure for the design and approval of an access point.

13. **Permits:**

- a. This section lays out the standards for the application for an access permit, the inspection process for constructing an access point on a town road, and the construction term of the approved access permit.
 - i. The only real problem with the section is the requirement that a violation of the conditions results in a revocation of the permit. There is no remedy short of the revocation of a permit.

14. **Variances:**

- a. The appeal process for a permit that is denied under this Ordinance requires that a petitioner appeal the decision of the Town Board to the Town’s Plan Commission.
 - i. This places the responsibility for a decision on an appeal with a body that has already rendered its opinion on the application.
 - ii. Additionally, it places the responsibility for acting on an appeal on a subordinate unit of the Town government that is appointed by the Board.
 - iii. An appeal is a judicial process that should be judged by an impartial body not subject to the possibility of political pressure. An example of this is a Board of Adjustments where the appeal is to Circuit Court.

15. **Fees:**

- a. The fees are subject to periodic revision by the Board.
 - i. The Ordinance should indicate the Board’s authority to adjust the fees.

16. **Access Control Maps:**

- a. This section requires that the Town keep access maps for all controlled access roads designated by the Town Board.
 - i. The Town has no such maps.

17. **Violations and Penalties:**

- a. This section refers to the statutory reference for violations of the Ordinance (see attached copy of 61.34 of the Wisconsin Statutes).

18. **Definitions:**

- a. This section defines the specific language of the Ordinance.
 - i. The definitions are reasonable and relate to the common use of the word. The only definitions that are missing relate to the classification system for town roads, i.e., arterial, collector, and neighborhood roads.

To find the inconsistencies in the Ordinance as drafted, it takes a detailed review of the document. Correcting the internal inconsistencies in the document should be relatively easy; however, a significant amount of work will be needed to generate the documentation needed to implement the Ordinance. The Commission and the Board will also need to rationalize the inconsistencies between the Town's Access Ordinance and the County's Zoning Code of Ordinances, Minimum Lot Size.

- Jon Bartz, the Town Engineer, suggests that the ordinance comes from a safety stand point not a growth perspective.

NO MOTION

VI. Upcoming Meeting Attendance

VII. Adjournment – 8:54p.m.

MOTION: (Adler, Haskell) Motion to Adjourn.
CARRIED by unanimous voice vote.

Respectfully Submitted, Tori Bowen, *Treasurer*