

**APRIL 6, 2022 PLAN COMMISSION MEETING MINUTES
CITY OF EDGERTON**

Commission Chair Chris Lund called the meeting to order at 6:00 p.m.

Present: Chris Lund, Jim Burdick, Paul Davis (arrived at 6:01), Theran Springstead, Jim Kapellen, Julie Hagemann and Ron Webb.

Also present: City Administrator Ramona Flanigan and a few of citizens.

City Administrator Ramona Flanigan confirmed the meeting agendas were properly posted on Friday, April 1st at the Post Office, Edgerton Library, City website and City Hall.

PUBLIC HEARING: The Plan Commission held a public hearing to take comments regarding a request by the Edgerton retirement Apartments/Judith Fischer for the approval of a Planned Development/General Development Plan to bring the existing development in conformance with zoning regulations for the property located at 505 Stoughton Rd (parcel 6-26-931.3).

Flanigan stated the upgrades for this property do not involve any changes to the land use or the structure, therefore both public hearings will be held at the same time. This structure is currently a legal nonconforming use. The petitioner is requesting approval of a Planned Development/General Development Plan to bring the existing development in conformance with the current zoning regulations.

Hearing no other comments, Mayor Christopher Lund closed the public hearing.

CONSIDER REQUEST BY EDGERTON RETIREMENT APARTMENTS/JUDITH FISCHER FOR THE APPROVAL OF A PLANNED DEVELOPMENT/GENERAL DEVELOPMENT PLAN FOR 505 STOUGHTON RD. Jim Kapellen/Ron Webb moved to approve the General Development Plan/Planned Development for the Edgerton Apartments at 505 Stoughton Rd.

The motion passed on a 6/0/1 roll call vote. Mayor Lund abstained

PUBLIC HEARING: The Plan Commission held a public hearing to take comments regarding a request by the Edgerton Retirement Apartments/Judith Fischer for the approval of a Planned Development/Precise Implementation Plan to bring the existing development in conformance with zoning regulations for the property located at 505 Stoughton Rd (parcel 6-26-931.3).

Hearing no other comments, Mayor Christopher Lund closed the public hearing.

CONSIDER REQUEST BY EDGERTON RETIREMENT APARTMENTS/JUDITH FISCHER FOR THE APPROVAL OF A PLANNED DEVELOPMENT/PRECISE IMPLEMENTATION PLAN FOR 505 STOUGHTON RD. Jim Burdick/Jim Kapellen moved to approve the Planned Development/Precise Implementation Plan for the Edgerton Retirement Apartments/Judith Fischer at 505 Stoughton Rd.

The motion passed on a 6/0/1 roll call vote. Mayor Lund abstained.

PUBLIC HEARING: The Plan Commission held a public hearing to take comments regarding a request by Lee Larsen/Bug Tussel Wireless for approval of a conditional use permit to allow the construction of a communication tower on Elm High Drive approximately 400' west of Edgerton Middle School on parcel 6-26-930.2.

City Administrator Ramona Flanigan stated the petitioner is seeking approval to construct a communication tower on Elm High Dr west of the Edgerton Middle School. State Statutes have severely limited a municipality's authority over the siting of communication towers. The petitioner must provide a sworn statement attesting that the collocation withing the applicant's search ring would not result in the same mobile service functionality, coverage and capacity. They must also provide an engineering certificate showing the structure is designed to collapse within a smaller area than the setback or fall zone.

Lee Larson, Representative for Bug Tussel Wireless stated they have exhausted all other options for this project. He reported this project will provide wireless internet to the area and it will also expand the First Responder Network and AT&T's mobile phone network in the county.

Larson stated they tried to limit the impact as much as possible. They lowered the height to 199' which would eliminate the light on the tower.

Paul Zellmer, 407 Colonial Cir, inquired if this tower is needed for emergency response. Mr. Larson stated during Covid there was a strain on communications. With more people teaching and working from home, the strain became greater. Mr. Zellmer was concerned about the tower being close to a school and the health repercussions.

Patricia Sund, 1111 Stoughton Rd inquired about the structure being constructed in a wetland. She is concerned about the tower being structurally sound. She also inquired about how far service from the tower will reach. Mr. Larson stated there were other locations considered but were turned down by AT&T for various reasons and that it will serve approximately a 5 mile radius.

Hearing no other comments, Mayor Christopher Lund closed the public hearing.

CONSIDER REQUEST BY LEE LARSEN/BUG TUSSEL WIRELESS FOR THE APPROVAL OF A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A COMMUNICATION TOWER ON ELM HIGH DR: Jim Kapellen/Ron Webb moved to approve a conditional use permit to allow the construction of a communication tower on Elm High Dr approximately 400' west of Edgerton Middle School on parcel 6-26-930.2.

The motion passed on a 7/0 roll call vote.

PUBLIC HEARING: The Plan Commission held a public hearing to take comments regarding a request by Ilir Banushi for the approval of a Planned Development/Precise Implementation Plan to allow the construction of a 42-unit apartment building located south of Lake Drive and west of Dairyland Drive (parcel 051234481982).

City Administrator Ramona Flanigan stated this is the last step in the Planned Development process.

The city has not received detailed engineering plans indicating how they will handle the accessibility from the curbed parking lot to the main sidewalk to the apartment building. There should be accessible ramps or the main walk should be depressed for accessibility. The petitioner will also need to submit more detailed grading and stormwater control plans. Flanigan discussed a need to address mail/package delivery and screening of ground floor apartments from the parking lot. The Committee agreed to leave the public hearing open to allow the petitioner and the engineer to submit completed plans that address the concerns.

CONSIDER REQUEST BY ILIR BANUSHI FOR THE APPROVAL OF A PLANNED DEVELOPMENT/PRECISE IMPLEMENTATION PLAN TO ALLOW THE CONSTRUCTION OF A 42-UNIT APARTMENT BUILDING: Ron Webb/Theran Springstead moved to continue the public hearing for the Planned Development/Precise Implementation Plan for Ilir Banushi to allow for complete plans to be submitted.

The motion passed on a 7/0 roll call vote.

PUBLIC HEARING: The Plan Commission held a public hearing to hear comments regarding a request by the City of Edgerton to amend Sections 22.102 Definitions; 22.304(5) Accessory Land Uses; 22.304(f) In Vehicle Sales and Service; and 22.404(6) Off-Street Parking and Traffic Circulation to regulate electric vehicle charging stations.

City Administrator Ramona Flanigan stated the draft ordinance addresses the definition of charging stations and charging facilities; allows for Level 1 and 2 charging stations in all districts as a special use; allows Level 3 charging stations as a conditional use in nonresidential districts; allows charging facilities in the same locations where gas stations are allowed; and requires new multi-family development with 10 or more units to install electric vehicle charging stations in 10% of the required stalls, and new or reconstructed parking lots having 20 or more cars install EV charging stations.

Hearing no comments, the Mayor closed the public hearing.

CONSIDER AMENDMENT TO SECTIONS 22.102 DEFINITIONS; 22.304(5) ACCESSORY LAND USES; 22.304(F) IN VEHICLE SALES AND SERVICES; AND 22.404(6) OFF STREET PARKING AND TRAFFIC CIRCULATION: Theran Springstead inquired about the enforcement of excessive time parked in a stall reserved for charging electric vehicles after the vehicle is fully charged. Flanigan stated the police department would need to be notified. Springstead also suggested the ordinance should give a definition of “electric vehicle”.

The Committee debated the requirement for expanded and reconstructed parking areas to be converted to charging stalls. Springstead and Burdick felt the existing properties should not be required to follow this requirement. This should be enforced for new construction. Amendments were made to the draft ordinance for consideration by Council.

A Jim Burdick/Theran Springstead motion to approve the draft ordinance to regulate electric vehicle charging stations with amendments passed on a 7/0 roll call vote.

MINUTES: A Ron Webb/Jim Kapellen motion to approve the minutes from the March 21, 2022 Plan Commission meeting passed on a 7/0 roll call vote.

PRELIMINARY AND FINAL 2 LOT CSM ON LADD LANE AND THRONSON RD FOR KEINBAUM: City Administrator Ramona Flanigan stated the petitioner plans to divide the lot into 2 separate lots. The petitioner would develop lot 1 and sell off lot 2.

A Ron Webb/Chris Lund motion to approve a preliminary and final 2 lot CSM on Ladd Ln and Thronson Rd for Keinbaum passed on a 7/0 roll call vote.

CONSIDER VACATION OF MAPLE CT NORTH OF RAILROAD TRACKS: City Administrator Ramona Flanigan reported IKI Manufacturing has requested the city vacate the Maple court right of way in its entirety. Their interest is to improve security fencing. IKI owns all of the numerous lots that front on Maple Ct. Staff is recommending approval of the vacation with the following conditions.

Jim Kapellen/Ron Webb moved to approve the vacation of Maple Ct north of the railroad tracks with the following conditions:

1. Easements are recorded for all public utilities that are located in the current Maple Court right of way.
2. An access easement is recorded for the house on the SE corner of Stoughton Rd and Maple Ct which has a driveway that accesses Maple Court.
3. Emergency access is granted to owners of all public utilities that are or may be located behind any fence that is installed across the current Maple Court right of way.

The motion passed on a 7/0 roll call vote.

EXTRATERRITORIAL LAND DIVISIONS: A Jim Burdick/Ron Webb motion to approve a two-lot extraterritorial CSM in Section 8 of the Town of Fulton on the SW corner of Dallman Rd and Hwy 59 for Feggstad passed on a 7/0 roll call vote.

A Jim Kapellen/Paul Davis motion to approve a one-lot extraterritorial CSM in Section 15 of the Town of Fulton on E Dalby Rd for Schuette passed on a 7/0 roll call vote.

A Ron Webb/Jim Burdick motion to approve a five-lot extraterritorial plan of Olson's Bliven Rd Addition in Section 21 of the Town of Albion on Bliven Rd for Olson passed on a 7/0 roll call vote.

Being no other business before the Commission, a Ron Webb/Julie Hagemann motion to adjourn passed, all voted in favor.

Ramona Flanigan/wl
City Administrator