



Village of Hobart

Village Office 2990 S. Pine Tree Rd, Hobart, WI
www.hobart-wi.org - www.buildinhobart.com

Notice is hereby given according to State Statutes that the VILLAGE BOARD of the Village of Hobart will meet on Tuesday September 17th 2019 at 6:00 P.M. at the Hobart Village Office. NOTICE OF POSTING: Posted this 13th of September, 2019 at the Hobart Village Office, 2990 S. Pine Tree Rd and on the village's website.

MEETING MINUTES – VILLAGE BOARD (Regular)

Date/Time: Tuesday September 17th 2019 (6:00 P.M.)

Location: Village Office, 2990 South Pine Tree Road

ROUTINE ITEMS TO BE ACTED UPON:

1. Call to order/Roll Call. Rich Heidel called the meeting to order at 6:00pm. Roll call: Tim Carpenter, David Dillenburg, Rich Heidel, Ed Kazik and Debbie Schumacher were present. Tim Carpenter attended the meeting by telephone.
2. Certification of the open meeting law agenda requirements and approval of the agenda. Motion made by Ed Kazik second by Debbie Schumacher, to approve the agenda as presented. The motion passed unanimously.
3. Pledge of Allegiance: Those present recited the Pledge of Allegiance.

4. PUBLIC HEARINGS:

A. PUBLIC HEARING - Consider rezoning request (HB-683, HB-688, & HB-689 located in the 600-770 Block of Trout Creek Road) from R-2 to R-2-R:

The Village has received a request to rezone these three parcels totaling 57.659 from R-2 to R-2-R for a proposed new 30 lot subdivision. A similar request was submitted for review and consideration back in May/June 2019, however, that request was to rezone to R-1 and was denied by the Village Board allowing this new request to be submitted. The request to rezone to R-2-R would be consistent with the adjoining Trout Creek Estates Subdivision that was constructed in 2018 as that was also rezoned to the R-2-R zoning prior to development. The R-2-R zoning requires minimum lot size of one acre and 150 feet of lot frontage. Additionally, these lots will not have public sewer and water is still being discussed between the developer and the Village. The Trout Creek Estates Subdivision has private septic with public water and the public water line was stubbed out along Trout Creek with the thought of extending to this area if the developer so chose. Rich Heidel opened the public hearing and called for any comments for or against this rezoning. Comments included the following:

- Are the parcels the size required? Yes, the ordinance is being followed.
- Will the buildings be kept back from the waterway? Yes, DNR, County and Village ordinances will be followed.
- The speed on Trout Creek needs to be reduced because with the new road being so close to the crest of the hill, there will be accidents.
- Is the lake being made a conservancy? No, it will be privately owned by whomever purchases the parcel that includes the lake.
- Will the well be abandoned? No, it will stay.
- The road should be moved more to the west and the speed lowered.

Being no further comments, Rich Heidel closed the hearing at 6:20pm.

B. ACTION on aforesaid agenda item - Ordinance 2019-08 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN). The Planning & Zoning Commission recommended approval of this change. Motion made by Debbie Schumacher second by Ed Kazik, to approve Ordinance 2019-08 amending the zoning code for parcels HB-683, HB-688 & HB-389. The motion passed unanimously.

C. PUBLIC HEARING - Consider rezoning parcel HB-1491-F-46 from ER-Estate Residential to R-2-Residential District (4660 Wedgestone Ct., HB-1491-F-46):

The 4.159-acre parcel is proposed to be split in the future into separate parcels and the R-2 zoning does allow for a percentage of parcels within a subdivision to be less than the 2.5 acre minimum. The current zoning of ER also requires the 2.5 acre minimum, but does not allow for any exceptions. The possible split of the parcel is not part of this request as this is only reviewing the rezoning at this time. When this this 12 lot subdivision was approved, three of the lots were zoned ER while the other 9 lots were zoned R-2 so this request would be consistent with other properties already zoned R-2 in the neighborhood. (Applicant: Kevin Vandenhouten). Rich Heidel opened the hearing and called for any comments for or against this rezoning. Comments received are as follow:

- Concerns over the parcel becoming a “party shack”, not opposed, just want to be sure Ordinances will apply to this parcel as they do to all parcels in the village.
- Does the frontage meet the requirements? Yes.

Being no further comments, Rich Heidel closed the Hearing at 6:25pm.

D. ACTION on aforesaid agenda item – Ordinance 2019-09 (AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE MUNICIPAL CODE OF THE VILLAGE OF HOBART, BROWN COUNTY, WISCONSIN). The Planning & Zoning Commission recommended approval of this amendment. Todd Gerbers, Director of Planning & Code Compliance, discussed the fact with the Board that the request is consistent with other homes. Motion made by Rich Heidel second by Ed Kazik, to approve Ordinance 2019-09 amending the Municipal code of the Village of Hobart for parcel HB-1491-F-46. The motion passed unanimously.

E. PUBLIC HEARING - Consider Conditional Use Permit, HB-84-1, 860 Florist Dr. – 1,152 square foot accessory building on property. The current property owners are proposing to remove their existing detached accessory building do to its poor structural condition and replace it with a new structure. The existing structure is 768 square feet (24’x32’) and the proposed building would be 1,152 square feet (32’x36’). Based on the square footage of the lot, this property is limited to 864 square feet of accessory building, therefore the property owner is requesting review of a Conditional Use Permit to increase the size of the proposed building. The existing residential dwelling on this property does not have an attached garage, so this proposed accessory building would serve as both the vehicle garage as well as an accessory building. (Applicants: Phillip Smith and Beth Schirck-Smith) Rich Heidel opened the hearing at 6:26pm to consider the CUP for 860 Florist Drive. There were no comments from the public regarding this CUP. With no comments from those attending, the hearing was closed 6:27pm.

F. ACTION on aforesaid agenda item. Motion made by David Dillenburg second by Ed Kazik, to approve the CUP for 860 Florist Drive. The motion passed unanimously.

G. PUBLIC HEARING - Consider Conditional Use Permit, Between HB-2274 & HB-2272, Ponce De Leon Blvd. – Amend Existing Planned Development Overlay For The Polo Point, Polo Point 1st Addition, and Polo Point 2nd Addition Subdivision Plats Relating To A Common Element Private Park: Rich Heidel opened the public hearing for the CUP and to amend the Existing Planned Development Overlay for the Polo Point, Polo Point 1st Addition and 2nd addition.

The current PDD overlay lists this particular parcel as “a private park located on Ponce De Leon Blvd. as further identified as Polo Point Condominium Private Park”. The condominium association has expressed interest in selling this parcel to a private buyer with the intent to have it developed into an additional residential property, however, the three adjoining property owners wish to see it remain as undeveloped and as a result are proposing to buy it from the association and split the parcel three ways and attach portions to their respective lots. The petitioners have no intention of building on this parcel and wish to have it remain as open area with the amenities remaining onsite at this time (paved walking trail, a few benches, and some other landscaping). This parcel is not a public park and therefore not part of the Village’s park inventory or program. It is currently owned and maintained by the condo association. The three abutting property owners would take over ownership and maintenance should this CUP be approved and after any real-estate transfer. (Applicants: Charles & Claudia Ziefle, Kathleen Fitzgerald, Felipe & Evelyn Puerto).

Comments were as follow:

- Keep it as a green space.
- No development will be undertaken
- No structures are to be built on the parcel

Rich Heidel called for any further comments, hearing none, he closed the public hearing at 6:34pm.

H. ACTION on aforesaid agenda item: Motion made by Ed Kazik second by Debbie Schumacher, to approve the CUP and amendment of the overlay for Polo Point, Polo Point 1st and 2nd additions relating to the common element park, with the condition that no structures will be built on the property and it will remain as open space. The motion passed unanimously.

5. CONSENT AGENDA: Motion made by David Dillenburg second by Ed Kazik, to approve the items on the Consent Agenda. The motion passed unanimously.

A. Payment of Invoices; B. VILLAGE BOARD: Minutes of September 3rd 2019; C. PLANNING AND ZONING COMMISSION: Minutes of August 14th 2019 meeting; D. ALCOHOL AND OPERATORS LICENSES (none)

6. ITEMS REMOVED FROM CONSENT AGENDA: None.

7. CITIZENS’ COMMENTS, RESOLUTIONS AND PRESENTATIONS: No comments were given.

8. VILLAGE ADMINISTRATOR’S REPORT/COMMUNICATIONS: Aaron Kramer, Administrator, reported that the Site Review Committee would meet September 18th to discuss the Windom Lake Office building, signage for a building I Centennial, and the corporate building for Lexington Homes. He also spoke about the bike/pedestrian committee meeting which will be Wednesday Sept. 18th. The 2020 Shared Revenue will remain the same, no increase. Green Bay New Water is planning on an increase to the water rate of 5%.

9. COMMITTEE REPORTS AND ACTIONS:

A. DISCUSSION AND ACTION - Consider 2 Lot CSM dividing 4.159-acre parcel into two separate parcels of 2.386- and 1.772-acre parcels (4660 Wedgestone Ct., HB-1491-F-46) (Planning and Zoning Commission)

This 4.159-acre parcel was before the Planning & Zoning Commission back in August to be rezoned from ER: Estate Residential to R-2: Residential District and received a recommendation for approval. This CSM request will be utilizing the exception clause for both the lot size and the lot frontage permitted within the R-2 zoning district. Lots located within the R-2 zoning are typically required to be a minimum of 2 ½ acres, however, ordinance allows not more than 12 ½% of the total lots within the subdivision to be between 1 acre and 2 acres and not more than 25% of the total lots

to be less than 2 ½ acres. These two lots would be the first in this subdivision of 12 total lots to meet these exceptions. Additionally, Lot 2 will be 106.90 feet in lot width at the right-of-way line which would comply with the exception noted for lot width where not more than 25% of the total lots within the subdivision shall not be less than 200 feet in width. The current owner is proposing to downsize and sell off the newly created Lot 1 and needs this CSM to be able to accurately market the lot for sale. (Applicant: Kevin Vandenhouten). Motion made by David Dillenburg second by Debbie Schumacher, to approve the CSM at 4660 Wedgestone Ct. HB-1491-F-46. The motion passed unanimously. The CSM will be signed once the park fee has been paid.

10. OLD BUSINESS:

11. NEW BUSINESS (Including items for future agenda consideration or Committee assignment)

A. DISCUSSION AND ACTION – Approval of the Brown County Municipal Recycling Agreement. The execution of this amendment will ensure the Village’s eligibility for the 2020 Wisconsin Recycling Consolidation Grant. Aaron Kramer, Administrator reviewed the amendment with the Board. Motion made by Ed Kazik second by Debbie Schumacher, to approve the 2020 Recycling Agreement. The motion passed unanimously.

B. DISCUSSION - Items for future agenda consideration or Committee assignment. None.

Short Break at this time 6:50pm and Tim Carpenter left the meeting.

C. ADJOURN to CLOSED SESSION: Motion made by Rich Heidel second by Ed Kazik, to move into Closed Session pursuant to the following:

1) Under Wisconsin State Statute 19.85 (1) (g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved. RE: Fee-to-trust issues, Abandoned railroad R-O-W, and Special event permit litigation

2) Under Wisconsin State Statute 19.85 (1) (e): Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session RE: TID Projects/Development Agreements

Roll call vote: David Dillenburg, aye, Rich Heidel, aye, Ed Kazik, aye, and Debbie Schumacher, aye. the Board moved into Closed session at 8:01pm.

D. CONVENE into open session: Motion made by Ed Kazik second by Debbie Schumacher, to return to open session. The motion passed unanimously. Board moved into open session at 9:08pm.

E. ACTION from closed session: None.

12. ADJOURN: Motion made by David Dillenburg second by Ed Kazik, to adjourn. The motion passed unanimously. The meeting adjourned at 9:09pm.