

**TOWN OF WILSON PLAN COMMISSION**  
**January 10, 2011 Plan Commission FINAL Meeting Minutes**

**CALL TO ORDER & DECLARATION OF OPEN MEETING:**

Meeting was called to order by Chair Fuller at 7 PM and declared an open meeting.

**PRESENT:** Chair Doug Fuller, Commissioners MaryAnn Bergin, Fred Goebel, Guy Jones, Jim Kummer, Dave Schleicher, June Spoerl, and Rich Ternes. **Also Present:** Robert Verhelst, Lynda Verhelst, Gary Kolste, Kelly Jordan, and Dave Senkbeil.

**APPROVAL OF DRAFT MINUTES:**

- 1.) December 13, 2010 Minutes

Motion by Schleicher; seconded by Goebel to approve December 13, 2010 minutes as submitted; motion carried with no nay votes and abstentions.

**HEARING:**

- 2.) Provisions in Town of Wilson Zoning Ordinance to permit and regulate the location, spacing, size, and operation of adult family homes and community living arrangements in R1, R2, and R3 residential zoning districts and A1, A2, A3, and A4 agricultural zoning districts.

Kelly Jordan, 7316 Shircel Road – This is relative to me as I have a project in process of opening an adult family home. Wants to listen to what is being said. Wants to know what her rights are.

Chair Fuller stated we were addressing it because it was her that came up and when looking at our ordinances, found there was nothing governing it, unlike the State. The State has governing rules and regulations. The City of Sheboygan does too. This was found out in our research. This is the main reason we are addressing it now. Chair Fuller also stated that he wanted to make it very clear that this is the one and only opportunity there is for public input on this item.

Robert Verhelst, 7232 Shircel Road – My property is right next door to this planned facility and we are against it as well as several other neighbors. Reasons being increased traffic flow--wheelchair taxis, nurses, shifts of people coming and leaving, and this is a quiet, dead-end road and will bring a lot of activity to it. This is what we are worried about. Noise factor is another issue.

Chair Fuller stressed we are not here to address Kelly Jordan's specific situation, but here to put something into the Town zoning to regulate as the State allows us to. Your input for this is what we are here for.

Kelly Jordan then states that if there are complaints and neighbors wanting to stop this project, she wants to know what her rights and opportunities are as she wants to protect her project. A lot of time and money has been spent by her on planning this project so far.

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Chair Fuller noted that in the future if this project requires rezoning of the parcel, there would then be another hearing for rezoning the parcel which allows another opportunity for public input. Public input is to let your neighbors voice their opinion and for this body to listen to and sift through, but our ordinances are our guide. Our problem now is there is nothing in our ordinances. That is why we are trying to get something in the ordinance to address the situation and make it known where community based facilities can be placed, under what restrictions whether conditional use or permitted uses, and depends on the type of zoning where, under what conditions, do we allow it. We cannot not allow it. State allows us. We are looking at different size facilities and where it makes sense to place them with minimal or no impact on the general area. The number of residents would come up at the time the application comes in. For our ordinances, we are looking at Group Homes of 8 or less or 8 to 15. What we are trying to do is get input from the general public and then we will have a discussion relative to what we think we need to do.

Gary Kolste, N2941 Huibregtse Heights – I am here on behalf of Kelly Jordan. She asked me to come as I tentatively will be the builder who will be building her project. The way I understand it, the State is set up that if the facility is 4 or less, it falls under the Uniform Dwelling Code which is considered to be residential structure; 4 to 8 is Commercial Code 90; and anything over 8 is totally commercial. This may or may not be relevant. What she is after would fall under residential facility as far as the State building code.

Lynda Verhelst, 7232 Shircel Road – That would be classified a business, not a residential facility.

Chair Fuller did not agree with this statement, not according to the State, because it is a community based residential facility and it's not commercial.

Commissioner Schleicher stated his son lives in a Group Home in Sheboygan and it is his understanding it just has to be residential. The reasoning is that the State is trying to get these kids to blend in the community and not put them in institutions. In setting up our ordinances, we do not want to group them all in one area. Tonight we are dealing with writing the ordinance. A public hearing is always required when it pertains to an ordinance. Tonight what we will probably do is create an ordinance and recommend it to the Town Board. You can again address this at the Town Board Meeting. They have a public forum at the beginning of each Town Board Meeting where people can address items on their agenda. We are drafting this ordinance tonight and wanted public input. The State also gives us guidelines. We have to allow it in a residential area, but have control of where we can place them and their distances. The Town Board approves the ordinance.

Chair Fuller stated this body comes up with a recommendation and the Town Board acts on it. Generally the Board acts within a week of our recommendation. They do not always concur with our recommendation. We will be drafting an ordinance that is fair.

Lynda Verhelst asked if the ordinance could be posted on the internet.

Chair Fuller stated he would make this noted.

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Chair Fuller also emphasized items not relevant to our discussions tonight can be brought up at the time of the application is submitted. For clarification, tonight this body will be looking at amending each ordinance individually, meeting State criteria for conditional use versus permitted use.

Commissioner Kummer brought up the topic of filing a nuisance complaint. Residents would have some protection.

Kelly Jordan stated that would be opinion of what nuisance is.

Chair Fuller stated that it would require the Constable or Sheriff's Department to come out there and actually hear what is going on.

Gary Kolste questioned what this body's timeline is for drafting this ordinance.

Chair Fuller stated my goal, speaking for this body, is drafted and finalized tonight, so it goes to the Town Board next week Monday at 6 PM. The Town Board should then act on it.

Lynda Verhelst questioned whether the ordinance would have a specified amount of acreage that a facility needs to be put up on.

Chair Fuller noted every one of our zoning classifications has square footage requirements.

Public Hearing closed at 7:30 PM

**NEW BUSINESS:**

- 3.) Recommendation to Town Board for provisions in Town of Wilson Zoning Ordinance to permit and regulate the location, spacing, size, and operation of adult family homes and community living arrangements in R1, R2, and R3 residential zoning districts and A1, A2, A3, and A4 agricultural zoning districts.

Motion by Goebel; seconded by Spoerl to recommend approval of these additions to the zoning as hashed out tonight; motion carried with no nay votes and no abstentions.

**OLD BUSINESS:**

- 4.) Setbacks in Highway Commercial Areas – Last month's motion was to increase side setbacks from 10 Ft. to 25 Ft. in Highway Commercial areas. The Public Hearing did not get scheduled for this month's meeting. Chair Fuller will now have Town Clerk schedule the Public Hearing for setbacks for February 14<sup>th</sup>.

**CORRESPONDENCE:**

- 5.) December 20, 2010 Approved Town Board Meeting Minutes

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**FUTURE AGENDA TOPICS:**

No Future Agenda Topics

**\*The next Plan Commission Meeting will be held February 14, 2011, at 7 PM.**

**ADJOURN:**

Motion by Spoerl; seconded by Kummer to adjourn; motion carried with no nay votes and no abstentions; and meeting adjourned at 8 PM.

Minutes Submitted By: MaryAnn Bergin, Secretary  
Cheryl Rostollan, Clerk

APPROVED