

**MAYVILLE PLANNING COMMISSION**  
Mayville City Hall, 15 S. School Street, Mayville, WI  
June 24, 2009

**MINUTES**

**1.) Call to Order and Roll Call.**

Meeting called to order by Chairman Heron at 7:00 PM.

Members Present: Smith, Henkel, Kahlhamer, Heron, Engel

Members Absent: Luce, Benter

Others Present: Sal Okon, Vern Hilker, Jim & Cheryl Congdon, Al Voss, Don Hilgendorf, Gary Freund

**2.) Approve Agenda.**

Motion by Henkel seconded by Kahlhamer to approve the agenda.

Unanimously Carried.

**3.) Approve the Minutes of the May 27, 2009 meeting.**

Motion by Smith seconded by Henkel to approve the minutes of 5/27/09.

Unanimously Carried.

**4.) Discuss / recommend to Council an Ordinance revision as requested by Gary Freund, N7651 CTH "TW", Horicon, WI 53032. The requested change would revise the sliding scale density chart contained in Section 425-20 of the Subdivision Ordinance of the City of Mayville as it applies to Extraterritorial Plat Approval Jurisdiction to allow additional non-farm parcels.**

Handouts that were given to the Commission by staff included the portion of the Comprehensive Plan applicable to Extraterritorial Zoning and a letter which was submitted by James and Cheryl Congdon. Both were reviewed. (Copies attached as part of the minutes)

Okon presented the request for an ordinance change and reviewed the written proposal he had submitted. (Copy attached as part of the minutes)

Henkel stated that a lot of time had been spent during the preparation of the Comprehensive Plan and in the preparation of the Land Division Ordinance to be sure that it was workable. We received no input from the Town. It essentially matches the County requirements. There is no reason to change a good tool and guideline at this time.

Smith indicated that the County Ordinance didn't change, and we can only be more restrictive not more liberal.

Okon stated that there already is a cluster development there.

Heron stated that exceptions to ordinances have a continued affect on the quality of development in the future.

Okon stated that the City is holding the Town hostage, and affecting the Friends retirement. The City needs to think about Town people also.

Heron indicated that he had talked to a number of property owners in the area and the majority of them are against further sprawl and growth. To use a property owners retirement circumstances as a reason for a decision affecting future planning for an entire area is faulty.

Smith said her agreed with the Mayor and is against passing an ordinance that is not the same as the County.

Hilgendorf said it is not about retirement, and the problem will come up more and more. Neighbors have distributed letters only to certain people. He agrees with Okon stating that a development already exists there. It doesn't affect the area to add these few lots.

Heron questioned that if we approve this, where do we stop?

Smith said the Town has had a no growth policy and did not choose to do its planning with everyone else, but the City has a responsibility to see that things are in compliance with the Comprehensive Plan. The City has no zoning there and considers it farmland.

Cheryl Congdon said that they were in attendance at the County meeting and that this did not meet their criteria and their staff recommended denial, but the Committee went against staff recommendations.

Freund stated that people in the area moved there on their own free will. His retirement is affected but development anywhere generates complaints. The County passed the lot split subject to City of Mayville approval. The law is a little bit in left field, and he is just caught in the middle and is trapped and is looking for a way to make everyone happy. He would like the Commission to consider helping the situation out.

Engel asked why the County staff disapproved. Hilker then read the report on their action. (Attached as part of the minutes) Hilker also read section 425-20 of the Subdivision Ordinance as it relates to the number of years that need to be waited until further splits are allowed – either 15 years or 5 years depending on circumstances. Engel went on to question if people living there are against the division.

Heron stated that the consensus he got was that the people living in the area did not want more density.

Engel stated that he doubted if 4 more homes would make much of a difference, and was torn in his opinion of that vs. the rules in place.

Smith stated that it would have been nice if the Town cooperated with earlier planning, but they have chosen to make farmland preservation their #1 priority. The worst case scenario is to wait 5 years to get to more lots considered according to the land division ordinance.

Motion by Henkel seconded by Kahlhamer to forward to Council with no recommendation.

Aye: Henkel, Kahlhamer, Smith, Heron

Nay: Engel

Motion Carried.

**5.) Adjournment**

Motion by Henkel seconded by Engel to adjourn.

Unanimously Carried.

Meeting adjourned at 7:50 PM

Vern Hilker, Director of Public Works / Secretary to the Planning Commission