

**Town Board of Bristol/Plan Commission Meeting
and Public Hearing
Bristol Town Hall 19801 83rd Street, Bristol, WI 53104
Monday, July 18, 2005
7:00 p.m.
Minutes**

1. The meeting was called to order by Chairman John Boldt at 7:00 pm. Commissioners Ruth Atwood, Scott Davis, Jim Eckhart, Joan Peterson and Guy Thayer were present, Larry Kelley was absent. Also present, Planner Pat Meehan, Town Attorney Sue Sager, Administrator Randy Kerkman, Town Chairman Rich Gossling, Supervisor's Shirley Davidson, Colleen Murphy-Fisch, William Glembocki, Clerk/Treasurer Amy Klemko and 39 constituents.

2. Chairman Boldt stated that the Plan Commission and Town Board were holding this Public Hearing to consider a Potential Development Moratorium Ordinance. Town Planner Pat Meehan explained what the ordinance would entail and he gave a brief history of what the town has done so far for Land Use Planning. Jim Eckhart asked if the moratorium area was not going to cover the areas in the sewer system. John Boldt asked what a hardship exception and a compelling public interest and circumstances of necessity or fairness and equity would be. He also asked how much of George Lake would be exempt. Administrator Kerkman said nothing would be exempt and that hardship cases would be evaluated on a case by case basis. Joan Peterson asked what are viable alternatives if any for making this ordinance less restrictive. John Boldt asked what would be considered a rural cluster. Pat Meehan read the RC Overlay District from the Kenosha County Zoning Ordinances. Joan Peterson asked what the majority of a vote would be for the hardship cases. Pat Meehan stated that it would be a typical vote. Atty. Sue Sager stated that per Town Ordinance 3.13 a 2/3 vote by the members present at the Plan Commission meeting is needed.

At 7:31 John Boldt opened the floor to public comments.

Randall Rossi asked about the people who have started plans before this moratorium and if they would be able to proceed with there plans. He also asked whether he would be in the moratorium area. He stated that he didn't think it was fair to the people who have already done a lot of work. Randy Kerkman said that the Rossi property is in the moratorium area.

Tony Kordecki asked who authored the moratorium ordinance and stated that he feels no action should be taken. Pat Meehan stated that staff drafted the ordinance along with atty. Bill White, he also stated that the Town Administrator, Attorney and Town Planner created the map to bring before the public.

Duane Steihr asked how many members of the combined boards own 40 or more acres of land in Bristol. He also questioned why a portion of the property on the north side of HWY C is included in the moratorium area. Pat Meehan stated that it looked like an

area for growth bounded by an environmental area.

Anna Geraci questioned Bristol Meadows applying to the moratorium even if it isn't on the map. Pat Meehan said that it isn't included because we are already planning for that area.

Audrey VanSlochteren commented on who gets what notices regarding items brought before the plan commission.

Amy Fockler questioned where notices for meetings are posted. Clerk Klemko stated the locations that notices are posted as well as on the town website. She also stated that for variances the adjoining neighbors are notified by mail and for zoning and Land Use Plan changes parcels within 300 ft. of the property are notified by mail.

Amy Fockler also stated that she empathizes with the man who spoke on trying to develop his land and is excluded because of the moratorium. She said why pick and choose what areas are in the moratorium, do it for the whole town.

Sue Sager commented on process and procedure stating that the Town Board and Plan Commission need to act on these matters in public and that the decision making is Done by the Town Board.

Joan Peterson asked what the cutoff date for the moratorium would be. Randy Kerkman stated that it is July 31, 2006.

Robert Jacobsen asked if the town administrator dreamt up the moratorium or did someone ask him to do it.

Carolyn Owens questioned whether anyone can get revision for Bristol Meadows, that it appears that they are getting preferential treatment.

Karen Deets questioned where the Pleasant Prairie agreement falls on the moratorium map. Pat Meehan stated that the areas by Kenosha and Pleasant Prairie are excluded because of their boundary areas. Bristol Meadows is excluded because their application has been visited before.

Tony Kordecki wanted to know who asked the staff members to draft a moratorium.

John Boldt stated that he suggested looking at the Land Use Plan again and the town thought a moratorium was the best way to do this. It would give them the time they need to carefully exam the plan.

Jim Cameron asked what you gain by having a moratorium.

Ken Avalino asked why a moratorium, is this so that the town can pass Bristol Meadows and make people happy and they will go away.

Pat Meehan said that there was a public outcry at the meetings and this was why the moratorium was brought before the public.

Joan Peterson said she feels we need to do better planning and if we don't have a moratorium how could we do a better plan change.

Randy Kerkman stated that the moratorium gives the Plan Commission more time to look at the Land Use Plan.

Pat Meehan cited State Statue 62.23(2) the duties and functions of the Plan Commission.

Audrey VanSlochteren feels that this is a good idea to give the Town Board and Plan Commission the time to study the Land Use Plan.

Fred Ekornaas also feels the plan is a good idea so that the Town Board and Plan Commission have the breathing room to look at the plan.

JoAnn Bolton asked how much input do citizen's have regarding the Land Use Plan changes.

John Boldt stated that staff and consultants will bring the plans to the Plan Commission and then another Public Hearing will be held.

Jim Eckhart questioned the $\frac{3}{4}$ vote on the Land Use Plan. Sue Sager stated that the Town Ordinance authorized the $\frac{2}{3}$ vote.

Jim Eckhart also feels the moratorium is necessary.

Joan Peterson also feels the moratorium is necessary but would like to see it less restrictive.

John Boldt closed the public comments at 8:37 p.m.

3. A motion was made by Scott Davis and was seconded by Jim Eckhart to approve the moratorium and recommend it to the town for approval. The motion was carried unanimously.

At 8:43 p.m. Chairman Richard Gossling called the Town Board to order.

A motion was made by Supervisor Davidson and seconded by Supervisor Glembocki to approve the moratorium as written.

Supervisor Murphy-Fisch stated that she would like to see the moratorium changed so that it is less restrictive regarding agricultural land.

Chairman Gossling asked for clarification about if someone wants to replace a house, could they do it. Randy Kerkman said that if they do not need a variance they can go ahead with it.

An amendment to the motion was made by Supervisor Murphy-Fisch and was seconded by Supervisor Atwood to approve the amendment to the original motion.

The motion was carried unanimously.

The original motion was then voted on and carried unanimously.

4. A motion was made by Supervisor Glembocki and was seconded by Supervisor Davidson to adjourn the meeting at 8:57 p.m. The motion was carried unanimously.

Minutes submitted by

Amy Klemko, acting secretary