

**Minutes
Village of East Troy
Plan Commission & Architectural Review Board
July 14, 2014**

President Timms called the meeting to order at 6:30 pm

Present: President Timms, Trustee Kaplan, Commissioners Arendt, Grudnowski,
Hansen, Nelson and Seager

Excused:

Others: Clerk-Treasurer Suhm and Zoning Administrator Tim Schwecke

Approve Plan Commission Minutes – 6/9/14

Motion by Commissioner Arendt, second by Commissioner Hansen to approve the minutes dated 6/9/14. Motion carried.

Citizen Participation

None

Public Hearings

President Timms opened the public hearing at 6:32 p.m.

Public Hearings for proposed amendments to the Village's Zoning Code (Chapter 13, Recodification Chapter 70). The proposed amendments may affect allowable uses within the Village. Proposed amendments are as follows:

- **Relating to shoreland zoning and to adopt a new zoning map**

Steve Rostkowski of East Troy Lake Association questioned if the changes are following the County's shoreland zoning guidelines. Zoning Administrator Schwecke responded the Village was previously required to have a shoreland zoning district, but it did not so this was added to the zoning map. In 2013, new State legislation made it easier to consolidate County regulations which the Village now enforces on all land annexed since 1980. The same regulation will apply to all land in the new shoreland overlay district. Mr. Rostkowski expressed concerns regarding restrictions associated with removing vegetation at the County level versus Village. Zoning Administrator Schwecke stated all rules and regulations regarding the shoreland vegetation are from the State. The County has had these regulations since roughly 1980 when it became a requirement from the State. The rules and regulations in place at the time land was annexed into the Village carried forward with the land. The new regulations do not apply to the area surrounding East Troy Lake because it was within the Village prior to 1980. The adoption of this ordinance will apply to any new annexations going forward and four areas depicted on the zoning map as shoreland overlay district (annexed since 1980).

- **Relating to sign regulations, Article L of the Village's zoning code**

No comments

- **Relating to swimming pools, temporary uses, indoor commercial entertainment and personal or professional services**
In response to a question from Commissioner Nelson, Clerk-Treasurer Suhm clarified temporary shelter structures are seasonal tents and considered a temporary use. This does apply to the seasonal produce stand.

President Timms closed the public hearing at 7:49 p.m.

Items for Consideration

1. **Recommendation to Village Board on Ordinance 2014-07, an amendment to Section 13-1-87 of the Village of East Troy zoning code related to shoreland zoning regulations and new zoning map.**

Motion by Trustee Kaplan, second by Commissioner Arendt to recommend adoption of Ordinance 2014-07 and the new zoning map to the Village Board. Motion carried.

Commissioner Nelson asked if anything had been modified from the previous meeting. Zoning Administrator Schwecke explained the only change was the inclusion of the new zoning map.

2. **Recommendation to Village Board on Ordinance 2014-08 , an amendment to Article L of chapter 13 of the Village of East Troy zoning code related to sign regulations.**

Zoning Administrator Schwecke suggested potential amendments to the draft which had been identified since the last Plan Commission meeting. The amendments included a provision to allow projecting signs, addition of section 13-1-174(a)(2A), and providing exemptions for signs such as scoreboards and banners for sponsorship of sports teams in association with athletic fields, addition of section 13-1-171AA.

Discussed enforcement of the new sign code and grandfathering of nonconforming signs that received previous approval and permits.

Motion by President Timms, second by Commissioner Seager to recommend to the Village Board adoption of 2014-08, incorporating sections 13-1-174(a)(2A) and 13-1-171AA into the ordinance and modifying item number five of section 13-1-171AA to include rigid or fabric signage as well as including the word sponsorship. Motion carried.

3. **Recommendation to Village Board on Ordinance 2014-06, amendments to: 13-1-129(i) Pools, 13-1-44(d) Temporary Shelters and Structures, 13-1-38(f) Indoor Commercial Entertainment and 13-1-38(b) Personal and Professional Services.**

Motion by President Timms, second by Commissioner Arendt to recommend to the Village Board approval of Ordinance 2014-06. Motion carried.

4. Discussion regarding floodplain code amendments

a. Possible action to set a public hearing date for floodplain amendments

Zoning Administrator Schwecke explained the Village needs to adopt this to be in compliance with the DNR model ordinance. There are new floodplain maps that need to be brought in to the ordinance as well. President Timms questioned if the Village was previously in compliance the DNR model. Zoning Administrator Schwecke explained with adoption of the new zoning code in 2011 it appears the model ordinance was not incorporated.

Motion by President Timms, second by Commissioner Arendt to hold a public hearing for floodplain regulations ordinance at the next Plan Commission meeting scheduled for August 11, 2014. Motion carried.

5. Discussion of recent legislation and potential code amendments regarding land divisions, chapter 14 of the Village of East Troy Municipal Code

Motion by Commissioner Arendt, second by Commissioner Grudnowski to direct the Zoning Administrator Schwecke to prepare a draft ordinance for review and consideration. Motion carried.

Zoning Administrator Schwecke explained the new legislation could have financial ramifications on the Village. It does not give the Village the option to require a letter of credit from developers to insure all infrastructure is complete. A letter of credit is essentially money at the bank. The legislation allows for a performance bond. However, receiving the money from a performance bond is more problematic and can be brought to court. The proposed amendment would state developers are required to complete all infrastructure including the first and second lift of asphalt before final plat approval. If the developer does not want to do the final lift, they can then offer to give a letter of credit in lieu of installing the final lift before final plat approval.

Adjourn

Motion by Trustee Kaplan second by Commissioner Arendt to adjourn at 7:17 p.m.
Motion carried.