

**TOWN OF LODI
PLAN COMMISSION MEETING MINUTES
OCTOBER 25, 2017**

1. Call to order & roll call: Meeting called to order by Chairman Krause at 5:00 p.m. Commission members present: Kris Krause, Terry Martindale, Robert Robbins, Jack Pfister, Tom Marx, James Bechen, James Matras. Also present: Town Atty. Lawrence Bechler, Town Engineer Dan Schrum, Scott Hewitt (Grothman Associates), Atty. Paul Johnson.

2. Certified Survey Map involving Parcels 11022-267.01 & 11022-267.B, at W11527 CTH V, owned by the Virgil E. & Wanda L. Wetzel Living Trust, c/o Steve Wetzel: Hewitt – I sent a revised CSM to you earlier today that “removed the boat house parcel, and Lot 1 is now the existing parcel of land owned by Roger and Donna Wetzel, and Lot 2 is owned by the Wetzel Trust”. I spoke with Steve Wetzel and he is willing to work with the County in relation to County Highway purchasing some of the boat house parcel, noting that that parcel most likely will eventually be deeded to Martin & Mary Kay Wetzel. All these and adjacent properties have been in the Wetzel property for many years (early 1960’s). Bechler – Hewitt and I have been talking since the last Plan Commission meeting (Oct. 9th) and this revised CSM solves all previous legal issues. There are 2 issues that need addressing: (1) these parcels do not have frontage on a town or county road; (2) both parcels are accessed via a shared driveway, and thus there should be a shared driveway agreement. Hewitt – that agreement is being worked on with Atty. Johnson. Krause – so given the fact that this CSM is correcting many old issues relating to these properties, I’m sure that we’d approve 2 parcels with no road frontage, only a shared driveway. Bechler – there does need to be something from the town requiring a shared driveway agreement. Krause – these properties have been developed for years as they are, and a shared driveway agreement would memorialize the shared access they use. Goeske – the property w/home owned by Roger Wetzel also does not have any road access, and uses this same shared driveway. Krause – a shared driveway agreement might need to have something in it stating that maintenance of that driveway may not be able to stay within the shared driveway agreement area. Atty. Johnson – Martin & Mary Kay Wetzel also would be included in this shared driveway agreement since the driveway does abut his property, even though they gain access to their property via a separate driveway off of CTH V. Marx – could there be issues in the future if someone wants to do some construction with equipment that would not be able to stay within the shared driveway. Bechler – if we were ready to approve this CSM it would become effective only upon a shared driveway agreement. Marx – I think that is an issue between the owners of these properties. Krause – the reality is that if these were new properties we wouldn’t approve it as it is, but because it’s properties that have existed for a long time and are developed, that changes things. Bechler – the town has a driveway ordinance; does it have a minimum width based on how many homes are on it? Krause – the shared driveways we’ve approved recently we’ve required it to be the minimum road width so that 2 cars can pass each other, and so emergency vehicles can get to the homes. Schrum (with ordinances available) – there is nothing in the town ordinances that states a minimum width based on # of homes, but there is a section (5.12(h)) in the ordinance that states "*Clearance for Emergency Vehicles: An area 20 feet in width and 14 feet in height shall be cleared along the entire driveway right-of-way in order to permit the safe passage of emergency vehicles to the structures served by the driveway*". Roberts – it’s not perfect, the driveway is narrower than I’d like to see, but since it’s been used and paved for years it seems to be working, so I’m okay with this CSM.

Roberts/Bechen motion to recommend approval of revised CSM (Drafted by: A. Mast, Checked by TLG, Project 608-3267, Drawing 516-255, dated 10-25-17, conditioned upon submission of a joint driveway agreement signed by all parties utilizing the shared driveway, in a form approved by the Town Attorney; MC 6-0.

3. Certified Survey Map involving Parcels 11022-258.42, owned by Cave Bluff LLC/Tim & Teresa Escher, N2378 Summerville Park Road; Lodi, WI 53555, and Parcel 11022-258.37, owned by Noel & Laura Mattei, W11288 Cactus Acres Road: Krause – since our last meeting (10/9/17) we needed to clean up a north easement. Bechler – these documents accomplish what the Town needs. Schrum – on page 6 of 7 there’s been a line added regarding that states “4.) *Through Section 823.08 of the Wisconsin Statutes, the Wisconsin Legislature has adopted a right to farm law. This statute limits the remedies of owners of later established residential property to seek changes to pre-existing agricultural practices in the vicinity of the residential property. Active agricultural operations are now taking place and may continue on lands in the vicinity of this certified survey map. These active agricultural operations may produce noises, odors, dust, machinery traffic, or other conditions during the daytime and evening hours.*” Atty. Johnson – I believe it was probably added due to the Residential lots 3 and 4 next to it. Goeske – could it be for future logging? Marx – logging would “produce noises, dust, machinery traffic, or other conditions...”. Atty. Johnson – that could be why it was added to the CSM. Atty. Bechler – the Conservation document limits what can and cannot be done on this property; and it states that conservation of trees can be done but must comply with all applicable laws and approved by the Land Trust. Atty. Johnson – my feeling is this was added to err on the side of safety because of future logging that might be done on this property. There are 3 future, currently undeveloped, residential lots in this CSM.

Bechen/Marx motion to recommend approval of this CSM with the understanding that the Release of Access and Utility Easement will be recorded prior to filing of the CSM; MC 6-0.

4. Minutes of May 23, 2017 meeting: Marx/Pfister motion to approve minutes as prepared by Goeske and edited by Krause; MC 6-0.

5. Adjourn: Pfister/Robbins motion to adjourn at 5:55 p.m.; MC 6-0.

*April D. Goeske
Clerk-Treasurer*