

CITY OF BERLIN PLAN COMMISSION MINUTES
JULY 28TH, 2020
CITY OF BERLIN
BERLIN, WISCONSIN

The July 28th, 2020 City Plan Commission meeting was called to order at 6:00 p.m. by acting chairman Erdmann. Roll call present were: Ed Marks, Bobbie Erdmann, Dave Secora, Victoria Hill and Mary Kubiak. Also present was Lindsey Kemnitz. Due to COVID pandemic, Dick Schramer and Attorney Chier attended via zoom.

First item on the agenda was to seat any virtual attendees. Mayor Schramer was attending via zoom. Hill made a motion to seat Mayor Schramer; Secora seconded the motion which was carried by voice vote.

Second item was approval of the June 30th, 2020 Plan Commission minutes. Kubiak moved to approve the June 30th, 2020 Plan Commission minutes as presented. Marks seconded the motion, which was carried by a voice vote.

Next item was annexation petition and ordinance for parcels 002-00260-0000, 002-00261-0000, and 002-00264-0000. Kemnitz provide the Plan Commission overview of the project stating that staff and City Council has been working with Bruce Bohn and Ducks Unlimited on the land donation. Prior to the City accepting the land donation, it required the land to be annexed in the City.

Secora stated this is only 80 acres, where is the additional land that is being dedicated. Kemnitz explained the remaining land is within the City, it is adjacent to these parcels. Schramer asked the timeline of the donation; Bruce stated the earliest would be mid-October. Marks recommended the annexation petition and ordinance for approval to Common Council for the parcels 002-00260-0000, 002-00261-0000, and 002-00264-0000. Kubiak seconded the motion, which was carried by a voice vote.

The following item was permanent rezone for annexed parcels above. The zoning would be C-1 due to the intended use of the property. Marks made a motion to schedule public hearing for next meeting if approved by City Council. Secora seconded the motion, which was carried by a voice vote.

The next item was to review official street map in regards to Kettle Street and the proposed CSM. Jerry Wick at 216 S. Hunter Street stated he would like to see Kettle Street 66 feet wide and extended to his lots in the rear. He stated the City has been collecting tax on the street so it should be a street. Kittenhole is willing to donate the land with no expense for the City.

Karen Moriarty representing Kittenhole 336 N. Washington Street is willing to donate the land to make 66 feet right of way. Richard Moriarty of 336 N. Washington Street would like to be consistent with other city streets and have it 66 feet wide and a legal street.

Joe & Ann Hoppa stated they have used Kettle Street over 70 years for farming. Joe had a couple of questions: Who owns Kettle Street, who put up barricade on Kettle, and who excavated land between barricade and his land?

Kemnitz provided the plan commission an overview on the purpose of the agenda item. Kemnitz stated she did not get an answer from Green Lake Title about who owns Kettle Street. She recommended not making a decision until the City legally knows who owns it. Erdmann and Marks agreed to wait on a decision until further information. Secora made a motion to postpone until legal information was provided. Marks seconded the motion, which was carried by voice vote.

Next item was rezone request for parcels 206-01275-0000, 206-01277-0000, and 206-01763-0000 from R-1 to A-1. Kubiak made a motion to schedule public hearing for the next plan commission meeting. Marks seconded the motion, which was carried by voice vote.

Following item on the agenda was rezone 206-00323-0000, 206-00321-0000, 206-00320-0000, 206-00325-0000, 206-00326-0000, 206-00315-0000, and 206-00314-0000 from R-2 to R-3. Marks made a motion to schedule public hearing for rezone for the property above for next month. Kubiak seconded the motion, which was carried by voice vote.

Next item was review proposed chicken ordinance amendments. Erdmann explained that this request came in front of Council and directed Attorney Chier to draft changes. Marks had a couple of questions regarding the amount of chickens in the city. Andi Rogers the resident requesting the changes was able to answer the questions. Catrina Burgees was present and expressed how the chickens have impacted her family. Hill asked about the sound of the chickens. Catrina stated not any louder than a dog. Secora asked who enforces it and have there been any issues. Kemnitz stated she does and there has only been on complaint in the three years. Secora made a motion to approve the chicken ordinance amendments and recommend to Common Council. Hill seconded the motion, which was carried by voice vote.

Next item was review of the fence ordinance due to request from resident. Kemnitz explained that full privacy fences are currently not allowed in residential districts and would recommend allowing them in the rear and side yard and still requiring openings in the front yard. Hill asked why it was that way; no one could speak for it. Kubiak questioned if this would be an issue with American Disabilities Act if we don't change the ordinance. Secora expressed could a closed fence be allowed up conditional use permit. Attorney Chier stated the board could do that, the requirements need to be objective. Hill recommended Attorney Chier to draft changes to the fence ordinance to allow closed fences in the rear and side yard. Secora seconded the motion which was carried by a voice vote.

The Plan Commission discussed allowing virtual meeting until December 31, 2020 per ordinance 05-20. Kubiak made a motion to allow anyone to attend virtually to December 31, 2020 for Plan Commission meetings. Secora seconded the motion; voice vote was taken 5 ayes, 1 nay. Motion passed.

The Commission reviewed the daycare changes that Attorney Chier drafted. Hill suggested a maximum amount of kids in the residential districts. Marks suggested a sliding scale for minimum lot size based on the number of kids. They questioned the hours of operations, Kemnitz stated per state regulations night care is considered 10pm to 5am. Marks made a motion to postpone and review once Attorney Chier drafts the changes. Hill seconded the motion, which was carried by voice vote.

No new or old business.

Next meeting date is August 25, 2020

Hill moved to adjourn at 8:17p.m. Marks seconded the motion, which carried by voice vote.

Lindsey Kemnitz, Community Development Director