Town of Rome
Nekoosa, WI 54457
www.romewi.com

MINUTES
TOWN OF ROME PLAN COMMISSION PUBLIC HEARING AND REGULAR MEETING

TUESDAY, MARCH 8, 2022 **4:00 PM** **ROME MUNICIPAL BUILDING**
1156 Alpine Drive
Nekoosa, WI 54457

1. Call to Order
   The meeting was called to order by Commissioner Ron Fregien at 4:00 p.m.

2. Roll Call

   Plan Commissioners present: Ron Fregien, Jerry Wiessinger, Daniel Gohmann, Larry Halverson, Paul Janczak and Jeffrey Williams. Chairman Mike Baker excused. Also present: Attorney Flanagan, Town Administrator Jami Gebert and Zoning Administrator Emily Zeddies. John Ames regarding items 7a & 10, Brandon Miller regarding 7c & 12, Deb Kawleski from Cottage Keeper regarding items 7d & 13, John Kastner from Vierbicher regarding items 7e & 14.
   Motion by Wiessinger/Halverson to appoint Commissioner Gohmann as the acting Chairman for the meeting. Motion carried.

3. Certify Posting of Meeting
   Jami Gebert certified the amended agenda was posted at the following locations:

   Rome Town Hall at 12:44 p.m. on February 18, 2022
   Lester Public Library of Rome at 8:28 a.m. on February 18, 2022
   Nekoosa Port Edwards State Bank at 9:16 a.m. on February 18, 2022
   The agenda was emailed to Town web services at 3:12 p.m. on February 18, 2022 and to the Wisconsin Rapids Daily Tribune on February 18, 2022 at 2:48 p.m.
   The public hearing notice was emailed to the Wisconsin Rapids Daily Tribune for publication in the legal section on February 22, 2022 and March 1, 2022.
   The Comprehensive Planning legal notice appeared in the Wisconsin Rapids Daily Tribune on February 7, 2022.

4. Approve the Agenda
   Motion by Halverson/Wiessinger to approve the agenda as printed. Motion carried.

5. Citizen Comments – During the Citizen Comment period of the agenda the Plan Commission welcomes comments from any town resident, not a member of the Commission, on any item not on the agenda. Please know that pursuant to State law the Commission cannot engage in conversation with you but may ask questions. The Commission may refer the item to staff, a standing committee or a future Plan Commission agenda for discussion and action. Each person wishing to speak will have up to 3 minutes to speak. Speakers are asked to submit a card to the Chair providing their name, address and topic for discussion

a. The Commission will also take comment from the public on agenda items as called by the Chair, but not during Citizen Comment. Please note that once the Commission begins discussion on an agenda item no further comment will be allowed from the public on that issue

NO ACTION CONTEMPLATED EXCEPT POSSIBLE REFERRAL TO FUTURE AGENDA:

6. Information Updates, Recent Correspondence, Current Events, Announcements.
Administrator Gebert introduced the town's new Zoning Administrator Emily Zeddies to the commission members.

7. Open Public Hearing
There were 8 members of the public present.

a. Consideration of the proposed Comprehensive Plan map 9 amendment from Forestry to Rural Residential and zoning map amendment from FR (forest & outdoor recreation) to R-5 (Rural Estate Residence District) relating to the property owned by John Ames, described as follows: Parcel number 030-00536-0000 also described as the NW ¼, SW ¼, Section 03, Town 20N, Range 06E, Town of Rome, Adams County, WI, total area 40 acres
John Ames owner of the property was present to answer any questions. He also requested an amendment of zoning from FR (Forest & Outdoor recreation) to R-4 (Rural Residence District) which he requested on his application. The reason for the change is because of the size of the home being constructed; R-5 requires a 1500 square foot residence, whereas R-4 requires only 760 square feet. There is no intent to make this parcel any smaller than the 40-acres that it is currently.
Questions from Commissioners and public as follows:
Jon Erdmann of 188 W Walden Way questioned what the zoning of this property would be and if the intent was to break the parcel up into half acre parcels.
Commissioner Wiessinger stated that he was against changing anything in FR (forest & outdoor recreation) to R-4. The commission has encouraged R-5's to keep the parcels larger and not be sub-divided into smaller parcels.
Q: What happens in the future if the owner wants to sub-divide this property?
The process would still have to go through the land sub-division ordinance. However, this proposal does have a findings of fact, and the commission could add the condition that any future land division would have to go through the Plan Commission.
Q: Could a condition to the findings of fact be added to state that this parcel remain 40-acres?
Potentially, if the condition wasn't met, it could not go back to the original zoning.
Q: Could the commission leave this property as R-5 and add a variance that would allow the residence to be 760 square feet?
A variance would have to go through the Board of Zoning appeals.

b. Consideration of the proposed Comprehensive Plan map 9 amendment from Forestry to Outdoor Recreation and zoning map amendment from FR (forest & outdoor recreation) to PSP (Public/Semi-Public) relating to the property owned by Town of Rome described as follows: Parcel numbers 030-00977-0000, 030-00978-0000, 030-00998-0015, 030-00998-0020, 030-00998-0025, 030-01032-0000, 030-01033-0000, 030-01039-0000, 030-01066-0000 all parcels also described as part of Sections 28, 29, 32, 33, Town 20N, Range 06E, Town of Rome, Adams County, WI, total area 388.95 acres
This proposed Comprehensive Plan map 9 is being done to complete the zoning amendment for property owned by the Town of Rome that is a part of Dyracuse Recreational Park.

c. Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 341 Spring Trail, owned by Miller Nekoosa Investments, LLC, also described as lot 72 of Northwater addition to Lake Arrowhead, SE ¼, NW ¼, Section 18, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-03680-0000
Brandon Miller owner of the property was present to answer any questions. Mr. Miller stated that he and his family live in the Milwaukee area and plan to rent the residence when they are not using it.

Questions from Commissioners as follows:
Q: Do you have a property manager within 25 miles of this property?
A: Owner stated he would be the property manager, but it was pointed out to him that he is not within the required 25 miles. He wasn't aware that was a requirement and stated he would work on getting a property manager that was available 24/7 and within the required 25 miles.
Q: Are you asking that the conditional use permit remain in effect for the duration of 5 years?
A: Mr. Miller wasn't aware that his conditional use permit could remain valid indefinitely as long as the homeowner holds a short-term rental license from the Town of Rome. He agreed to that term.
Q: Is this property located on the lake, and if so, would renters be able to use your boat?
A: No, not at this time but would like to keep the option open.
Commissioners advised him that if use/non-use of his boat was made a condition of his findings of fact, and if in the future he changed his mind, he would have to appear before the Plan Commission.

d. Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 407 St. Andrews Trail, owned by Brian & Vicki Oakes, also described as lots 33, 34, 35 of St. Andrews addition to Lake Arrowhead, SW ¼, NW ¼, Section 20, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-04550-0010
Deb Kawleski from Cottage Keeper was present to represent the property owners and to answer any questions.
Questions from commissioners and public as follows:
Jennifer & Thor Hansen of 404 St. Andrews Trail had questions regarding how often the owners of the property would be on-site, and how many vehicles and pets would be allowed.
A: Owners live in Ohio and would only be on-site 20% of the time. Vehicles are restricted to four and need to be parked on hard surfaces only and no pets.
Jerome Noll of 451 Sir Winston Trail wanted to know when zoning regulations in the town changed to allow short-term rentals.
Commissioner Gohmann advised Mr. Noll that the state took away the town's ability to prohibit short-term rentals in 2017. Attorney Flanagan gave additional information on the regulations and restrictions on short-term rentals.
Q: Mr. Noll questioned the fact that property owner's associations prohibit running a business out of your home so why isn't a short-term rental considered a business?
A: Due to litigation cities, towns, villages and counties cannot prohibit short-term rentals. However, an active property owner's association with a covenant that prohibits running a business out of the home could challenge a short-term rental but the courts have determined it is not specific enough.

e. Consideration of a preliminary plat for Sedge Village subdivision to be located on a 288.42-acre parcel owned by Wisconsin Dunes LLC described as Section 26, Town 20N, Range 5E, Town of Rome, Adams County, WI, parcel numbers of 030-00327-0000, 030-00328-0000, 030-00330-0000, 030-00331-0000, 030-00332-0000, 030-00333-0000, 030-00340-0000, 030-00334-0000, 030-00335-0000, 030-00339-0010
John Kastner, Civil Engineer from Vierbicher was present to represent the property owners and to answer any questions.
Questions from commissioners and public as follows:
Q: Thor Hansen of 404 St Andrews Trail wanted to know what the plan is for this preliminary plat; plans to subdivide the property, cut down trees, and how it pertains to the nature in the area.
A: Area to be similar to the Lido site, 33 lots, ranging in size from 1 ½ to 20 acres. Plans to allow for natural design.
Q: There is no golf course associated with this subdivision?
A: No golf course associated with this subdivision.
Q: In earlier review of the preliminary plat, the commission had concerns about providing a possible secondary access, do you have an update?
A: We are planning on having a secondary access. There are three different areas that we are presently evaluating. It may not be indicated in the final plat, but it would be noted be in the engineering drawings.

8. Close Public Hearing

Motion by Wiessinger/Halverson to close the public hearing. Motion carried.

DISCUSS AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

9. Discussion and possible action - Meeting minutes from Tuesday, February 8, 2022
   Motion by Halverson/Wiessinger to approve the minutes as printed.
   Motion carried.

10. Discussion and possible recommendation to the Town Board – Consideration of the proposed Comprehensive Plan map 9 amendment from Forestry to Rural Residential and zoning map amendment from FR (forest & outdoor recreation) to R-5 (Rural Estate Residence District) relating to the property owned by John Ames, described as follows: Parcel number 030-00536-0000 also described as the NW ¼, SW ¼, Section 03, Town 20N, Range 06E, Town of Rome, Adams County, WI, total area 40 acres
    Motion by Williams/Wiessinger to recommend to the town board the approval of the comprehensive plan map amendment from forestry to rural residential and the zoning map amendment from FR to R-4 and adopt the findings of fact with adjustment of R-5 to R-4 and make the recommendation for a condition be placed that the property owner enter into an agreement to limit the ability to sub-divide the property.
    Motion carried.

11. Discussion and possible recommendation to the Town Board – Consideration of the proposed Comprehensive Plan map 9 amendment from Forestry to Outdoor Recreation and zoning map amendment from FR (forest & outdoor recreation) to PSP (Public/Semi-Public) relating to the property owned by Town of Rome described as follows: Parcel numbers 030-00977-0000, 030-00978-0000, 030-00998-0015, 030-00998-0020, 030-00998-0025, 030-01032-0000, 030-01033-0000, 030-01039-0000, 030-01066-0000 all parcels also described as part of Sections 28, 29, 32, 33, Town 20N, Range 06E, Town of Rome, Adams County, WI, total area 388.95 acres
    Motion by Williams/Fregien to recommend to the Town Board the proposed Comprehensive Plan map 9 amendment and the zoning map amendment and to adopt the findings of fact as presented.
    Motion carried.

12. Discussion and possible action – Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 341 Spring Trail, owned by Miller Nekoosa Investments, LLC, also described as lot 72 of Northwater addition to Lake Arrowhead, SE ¼, NW ¼, Section 18, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-03680-0000
    Motion by Wiessinger/Williams to grant the request for conditional use permit for short-term rental at the address of 341 Spring Trail and to approve the findings of fact. The following term and conditions were placed on approval:
    a. The conditional use permit shall remain valid indefinitely provided the homeowner holds a short-term rental license from the Town of Rome.
    b. Maximum rental occupancy shall be set at sixteen.
    c. Maximum number of vehicles shall be set at six. Vehicles to be parked on hard surfaces only.
    d. Property Manager within 25 miles of the property and contact information on file with the Town.

    Motion carried. Commissioner Fregien was opposed to allowing occupancy to be set at sixteen.

13. Discussion and possible action – Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 407 St. Andrews Trail, owned by Brian & Vicki Oakes, also described as lots 33, 34, 35 of St. Andrews addition to Lake Arrowhead, SW ¼, NW ¼, Section 20, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-04550-0010
    Motion by Fregien/Wiessinger to grant the request for conditional use permit for short-term rental at the address of 407 St. Andrews Trail and to approve the findings of fact. The following term and conditions were placed on approval:
    a. The conditional use permit shall remain valid indefinitely provided the homeowner holds a short-term rental license from the Town of Rome.

b. Maximum rental occupancy shall be set at six.
c. Maximum number of vehicles shall be set at four. Vehicles to be parked on hard surfaces only.
d. Property Manager within 25 miles of the property and contact information on file with the Town.

Motion carried.

14. Discussion and possible recommendation to the Town Board – Consideration of a preliminary plat for Sedge Village subdivision to be located on a 288.42-acre parcel owned by Wisconsin Dunes LLC described as Section 26, Town 20N, Range 5E, Town of Rome, Adams County, WI, parcel numbers of 030-00327-0000, 030-00328-0000, 030-00330-0000, 030-00331-0000, 030-00332-0000, 030-00333-0000, 030-00340-0000, 030-00334-0000, 030-00335-0000, 030-00339-0010
    Motion by Wiessinger/Williams to recommend to the Town Board the preliminary plat for Sedge Village subdivision, to include the recommendation that the final plat include the location of a secondary access point for emergency vehicles.
    Motion carried.

15. Discussion and possible referral to future agenda – Review the zoning district requirements regarding allowed number of Accessory Structures and lot coverage by buildings
    Attorney Flanagan reviewed the current regulations pertaining to Accessary Structures. Looking for input on possible amendments to the current ordinance as it pertains to the number and size of buildings and lot coverage. Commissioners proposed several changes to be made to the current ordinance that will be outlined for the next meeting.

DATES AND ITEMS FOR FUTURE AGENDA/MEETINGS

16. Next agenda items
    a. 1 final plat
    b. 4 CUPs for STR
    c. 2 Site Plan/plan of operation
    d. Discuss overview of regulations for number of accessory structures ad lot coverage in residential districts.
    e. Review of Sand Valley condominium documents

17. Next meeting date and time: April 12, 2022 at 4:00 PM

ADJOURMENT

Motion by Fregien/Halverson to adjourn. Motion carried at 5:25 p.m.

"Speak Your Peace" Commitment – A reminder that the Town Board Members have adopted the Nine Tools of Civility which commits the Board Members and Public to be mindful of how we treat each other at meetings.
Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin.

The Plan Commission may take action on any item on the agenda. It is possible that the members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the Plan Commission.