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

MINUTES
TOWN OF ROME PLAN COMMISSION PUBLIC HEARING
AND REGULAR MEETING

TUESDAY, JANUARY 10, 2023 **4:00 PM** **ROME MUNICIPAL BUILDING**
1156 Alpine Drive
Nekoosa, WI 54457

1. Call to Order
   The meeting was called to order by Chairman Mike Baker at 4:00 p.m.

2. Roll Call
   Plan Commissioners present: Mike Baker, Daniel Gohmann, Jeffrey Williams, Paul Janczak, Diana Duelge and Lori Djumadi. Commissioner Jerry Wiessinger was excused. Also present: Attorney Nicholas Flanagan, Town Administrator Jami Gebert and Zoning Administrator Emily Zeddies. Troy Weichelt regarding items 7a & 10; Stephany Niles from Vacasa regarding 7b & 11, 7c & 12; John Kastner from Vierbicher (by phone) regarding item 14.

3. Certify Posting of Meeting
   Emily Zeddies certified the agenda was posted at the following locations:

   Rome Municipal Building at 4:56 p.m. on December 27, 2022
   Kwik Trip at 5:05 p.m. on December 27, 2022
   Nekoosa Port Edwards State Bank at 5:13 p.m. December 27, 2022
   The agenda was emailed to the Wisconsin Rapids Daily Tribune on December 27, 2022 at 10:17 a.m.
   The agenda was emailed to Town web services on December 27, 2022 at 4:21 p.m.
   The public hearing notice was printed in the Wisconsin Rapids Daily Tribune for publication in the legal section on December 27, 2022 and January 3, 2023.

4. Approve the Agenda
   Motion by Djumadi/Williams to approve the agenda. 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

   David Osman of 382 & 386 Epson Ct submitted a Citizen Comment card regarding Ordinance 360-62F, pertaining to Outdoor Storage. He is requesting permission to leave his trailer on his property at 386 Epson Ct. Chairman Baker indicated that Attorney Flanagan stated this is not a Planning Commission issue, it should be handled directly with the Zoning Administrator. Attorney Flanagan indicated to Mr. Osman what his options would be for appeal.

   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.

Commissioner Djumadi made an announcement that the Rome Sno-Bandits were having their Ice Fisheree & Raffle at The Lure Bar & Grill, on Saturday, January 14th, from 7 a.m. to 3 p.m. Many great raffles & prizes. Administrator Gebert announced the Farmers' Market would be held at the Rome Town Hall on Friday, January 13th, from 12:30 p.m.- 3:30 p.m. The CDA will be kicking off a town beautification project with a mural to be painted on the Highway Department building. Many other projects are planned for the future. Also noted, Commissioner Diana Duelge has returned to the Plan Commission.

7. Open Public Hearing
There were 4 members of the public present.

   a. Consideration of a final plat for the Alpine Estates subdivision to be located on a 79-acre parcel owned by T & S Land Investments, described as follows: Parcel numbers 030-00631-0000 and 030-00632-0000, all parcels also described as part of Section 07, Town 20N, Range 06E, Town of Rome, Adams County, WI
   Zoning Administrator Zeddies stated that the soil test has been submitted and the legend added to the final plat. Applicant has asked to consider that house construction could start prior to the completion of the roads to prevent deterioration of road conditions. Roads would be constructed but not paved until a majority of homes are constructed; this requirement would not pertain to Lots 1-6 as they do not require the new roads for access since they are off 13th Ave. All road maintenance would be handled through T & S Land Investments until the new roads are paved and dedicated to the Town of Rome. After a staff review of the applicant's request, the Director of Public Works indicated he was comfortable with this plan with the suggested condition that the grade of the roads be inspected prior to paving. The suggestion was made that a definite timeline be established for the completion of the roads. Since the length of a building permit is 24 months it was suggested to use that as a timeline for road completion. There was also discussion on ensuring emergency equipment being able to be brought in if needed.
   Troy Weichelt representing T & S Land Investments was in attendance to answer any questions. Troy discussed the problems and cost concerns relating to paving the proposed new roads prior to new home construction. Until final paving, which could be in 2-3 years, the roads would be prepped as far as shouldering and road base.
   Questions from commissioners and public as follows:
   Q: Is the timeline for road completion in 2 years workable?
   A: Troy indicated that he would prefer the timeline for completion be 3 years.
   Q: Would T & S Land Investments be allowed an extension on the timeline completion if development is delayed?
   A: T & S Land Investments could return to the Plan Commission in the future to modify the timeline if needed.
   Q: Have you established an asking price for these properties?
   A: At the present time we are getting quotes back from all the utilities involved.
   Q: Do you intend to build any homes in this proposed subdivision?
   A: It's possible. If a lot doesn't sell, I might be interested in building a home to flip.
   Q: In regard to Lots 1-6 along 13th Ave, what if damage occurs due to the homes being constructed?
   A: Attorney Flanagan recommended the Director of Public Works establish pre-construction conditions of the roads. He also noted that there are statutory provisions in place, so that if there is damage to the existing road the developer would be responsible. Administrator Gebert also noted that the Building Inspector identifies any damage done to the road, takes photos and forwards them to the Director of Public Works. The contractor would then get an invoice for any repair costs.
   No further questions from Commissioners or public.

b. Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 1068 E Queens Way, owned by Robert Bonebright, also described as lot 2 of CSM 0967, located in SE ¼, SW ¼, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02384-0000
Chairman Baker read an e-mail to be entered into the meeting record. The e-mail received from David & Shirley Binius of 1072 E Queens Way was in opposition to the short-term rental request. Zoning Administrator noted that through the inspection process it was determined that permits were not pulled for the basement remodel. Non-compliance with this requirement will affect the maximum occupancy.
Stephany Niles of Vacasa was in attendance to represent the property owner and to answer any questions.
Town Administrator Gebert requested that in completing future short-term rental applications, that the property owner's e-mail address be included.
Questions from commissioners and public as follows:
Q: Is the property owner aware that a permit needs to be pulled for the basement?
A: Yes, it was included on the list received from the Building Inspector.
Town Administrator Gebert stated that the Building Inspector found several issues that need to be addressed.
Q: How long would it take to correct the issues that were found by the Building Inspector?
A: Some of the work depends on how long it takes to find contractors. Stephany stated that the owner has started working on the list but does not know how far he's gotten.
Commissioner Gohmann stated that a Conditional Use Permit could be approved but would not be issued until all requirements are met.
No further questions or comments.

c. Consideration of the issuance of a Conditional Use Permit for the following purpose: the short-term rental at the property located at 307 Short Sword Ct, owned by Jared and Alison Richert, also described as lot 11 of Excalibur Addition to Lake Camelot, located in NW ¼, NW ¼, Section 15 and NE ¼, NE ¼, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-05485-0000
Chairman Baker read a letter to be entered into the meeting record. The letter received from Kenneth & Dana Gillett of 315 Short Sword Ct was in opposition to the short-term rental request.
Stephany Niles of Vacasa was in attendance to represent the property owner and to answer any questions.
Questions from commissioners and public as follows:
Q: If there is an issue at one of the short-term rentals that you manage, what is the response time of your property manager?
A: Usually within an hour.
No further questions or comments.

d. Consideration of proposed amendments to Chapter 360 (Zoning), Article XXV Signs and Billboards § 360-126 Regulations in Certain Zoning Districts and Article XXXI § 360-162 Standards in Gateway Overlay District
Commissioners were given updated draft language for Article XXXI Gateway Overlay District and § 360-126 Regulations for certain zoning districts as well as a picture description for each sign type. Attorney Flanagan reviewed the proposed draft language pertaining to Chapter 360, Zoning Article XXV Signs and Billboards § 360-126 Regulations for certain zoning districts as follows:
   - *Permitted permanent sign designs in the RTC District to include **monument signs***
   - *Ground signs and monument signs shall be placed to ensure a clear vision triangle/clearance area*
   - *Gateway Overlay Corridor changed to Gateway Overlay **District***
   - *Permitted signs in Gateway Overlay District to include **ground signs***
   - *Gateway Overlay District – Area Restrictions: The maximum sign area per business of all permanent signs in the Gateway Overlay District shall not exceed 80 square feet. No*

individual permanent sign in the Gateway Overlay District shall exceed: Single-tenant ground signs and monument signs shall not exceed 40 square feet and Multi-tenant ground signs and monument signs shall not exceed 60 square feet.

- *Height restrictions. Ground signs to be included in this restriction*
- *Setbacks. Ground signs to be included in this restriction*

Draft language for Article XXXI Gateway Overlay § 360-162 Standards as follows:

- *A. (2) add: Signage requirements shall be per the standards set forth in Article XXV of this chapter*

8. Close Public Hearing
   Motion by Gohmann/Williams to close the public hearing. Motion carried.

DISCUSS AND POSSIBLE ACTION ON THE FOLLOWING ITEMS:

9. Discussion and possible action - Meeting minutes from Tuesday, December 13, 2022
   Motion by Gohmann/Janczak to approve the minutes as printed. Motion carried.

10. Discussion and possible recommendation to the Town Board - Consideration of a final plat for the Alpine Estates subdivision to be located on a 79-acre parcel owned by T & S Land Investments, described as follows: Parcel numbers 030-00631-0000 and 030-00632-0000, all parcels also described as part of Section 07, Town 20N, Range 06E, Town of Rome, Adams County, WI
    Motion by Janczak/Gohmann to recommend to the Town Board approval of the final plat for the Alpine Estates subdivision and to approve the findings of fact. The following conditions were placed on approval:
    a. *Lots 1-6 can proceed with permits, paving not needed, properties located on 13th Ave.*
    b. *Road grades approved by Director of Public Works prior to final paving.*
    c. *Paving to be completed 24 months following Director of Public Works inspection and approval of completed sub-grade and final finish grade of road base.*
    d. *Emergency services approval of paving plan.*

    Motion carried with Commissioner Djumadi opposed.

11. 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 1068 E Queens Way, owned by Robert Bonebright, also described as lot 2 of CSM 0967, located in SE ¼, SW ¼, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-02384-0000
    Motion by Gohmann/Williams to grant the request for conditional use permit for short-term rental at the address of 1068 E Queens Way 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 eight.*
    c. *Maximum number of vehicles shall be set at four. Vehicles to be parked on hard surfaces, not on the lawn/grass, at the property.*
    d. *Property Manager within 25 miles of the property and contact information on file with the Town.*

    Commissioner Gohmann rescinded this motion.

    Motion by DuelgeWilliams to grant the request for conditional use permit for short-term rental at the address of 1068 E Queens Way 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 eight.*
    c. *Maximum number of vehicles shall be set at four. Vehicles to be parked on hard surfaces, not on the lawn/grass, at the property.*

d. *Property Manager within 25 miles of the property and contact information on file with the Town.*
e. *Require permits to be pulled for basement remodel*

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 307 Short Sword Ct, owned by Jared and Alison Richert, also described as lot 11 of Excalibur Addition to Lake Camelot, located in NW ¼, NW ¼, Section 15 and NE ¼, NE ¼, Section 16, Town 20N, Range 06E, Town of Rome, Adams County, WI, with a parcel number of 030-05485-0000
Motion by Williams/Duelge to grant the request for conditional use permit for short-term rental at the address of 307 Short Sword Ct 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 three. Vehicles to be parked on hard surfaces, not on the lawn/grass, at the property.*
    d. *Property Manager within 25 miles of the property and contact information on file with the Town.*

Motion carried.

13. Discussion and possible recommendation to the Town Board - Consideration of proposed amendments to Chapter 360 (Zoning), Article XXV Signs and Billboards § 360-126 Regulations in Certain Zoning Districts and Article XXXI § 360-162 Standards in Gateway Overlay District
Motion by Baker/Djumadi to recommend to the Town Board that the proposed amendments be adopted with the modification of the word "permanent" being removed from the ground sign zoning requirement.
Motion carried.

14. Discussion and possible recommendation to the Town Board - Proposal for an Expanded Use of a Certified Survey Map to Divide Land into Greater than Four Parcels, Pursuant to Wis. Stat. Sec. 236.34(1)(ar)(1)
Attorney Flanagan stated this item relates to a request from Sand Valley to allow the sub-division of land by CSM, expanded beyond the standard limitations that exist under statute and town code. Generally, under statute and town code land division by CSM is limited to four lots in a five-year period. Since 2014, state law has allowed local governments to permit the expanded use of CSM's to be able to increase the maximum number of parcels beyond the four in a five-year period. A municipality can accomplish this by either an ordinance or a resolution.
On March 14, 2019, Sand Valley's request for an expanded CSM for 10 lots was approved. They are now requesting an additional CSM for 10 lots.
Attorney Flanagan instructed the commission that they would only be making a recommendation for a resolution to the Town Board at this time. Any resolution made would require a public hearing in front of the Town Board.
Motion by Williams/Djumadi to propose Town Board recommendation for a resolution that would allow for an additional expanded CSM to be capped at 10 lots.
Motion carried.

15. Discussion and possible referral to future agenda – Review zoning district requirements regarding Accessory Structures
Attorney Flanagan reviewed the updated draft language proposed by the Joint CDA and Plan Commission Sub-Committee as it pertains to zoning district requirements for Accessory Structures, Chapter 360, Zoning, § 360-5 Rules of construction; definitions.

- ***Canopy.*** *A freestanding structure, with a roof supported by collapsible columns or posts embedded in the ground and usually used to shelter a picnic table or outdoor furniture. A canopy may have unenclosed sides or its sides may be covered by an opaque, translucent or transparent fabric of natural or synthetic material.*
- ***Carport (Land Use).*** *A roofed structure used for the purpose of providing shelter for one or more motorized vehicles that is attached to the principal structure and that has at least 2 sides completely unenclosed and subject to all applicable UDC requirements.*
- ***Carport (Freestanding/Detached.*** *A roofed structure made of canvas, aluminum, or similar materials, or any combination thereof, on movable framing for the shade and shelter of one or more motorized vehicles.*
- ***Gazebo.*** *A detached, freestanding , open-air, roofed structure supported by non-collapsible columns or posts and intended to be used for outdoor living activities. Such gazebo shall meet height, setback and ground area coverage for accessory structures as set forth elsewhere in this code and shall not contain any of the following: sleeping facilities, rest rooms, shower facilities, or kitchen.*
- ***Pergola.*** *A horizontal trellis or framework, supported on posts, and having at least fifty percent of its roof open to the sky.*

Draft language for Article III. General Regulations, § 360-10 Accessory uses and structures.

- *A. add: All accessory buildings and structures shall be maintained structurally and kept in good repair. Outside appearance shall be maintained so as not to become a nuisance to the neighborhood.*
- *B. add: The following items **and structures**, are not permitted in nonagricultural zoning districts prior to construction of a principal structure: **gazebos exceeding 150 square feet in area, pergolas**…*
- *D. Canopies (1) Temporary use. In all districts, a canopy may be erected **on** a temporary (10 **consecutive** days or less) **basis**…*
- *E. Freestanding and detached carports are not permitted in any zoning district*

Draft language for Article VI, R-1, § 360-35, Permitted uses and Article VII, R-1C, § 360-39 Permitted uses.

- *C. change to **Permitted Accessory Structures**.*
- *C (1) add: Accessory structures including detached garages, gazebos, swimming pool, greenhouse, and play structures not larger than 100 square feet in footprint area or at any point taller than 15 feet and incidental to residential use of the property. The number of accessory structures under this provision shall be limited to two structures.*
- *C (2) add: One Shed*

Draft language for Article VI, R-1, § 360-37, Height, setbacks, area and other requirements and Article VII, R-1C, § 360-41 Height, setbacks, area and other requirements.

- *E. Area. add: (2) Lot coverage by buildings. Impervious building and ancillary surfaces, excluding driveways, shall not occupy more than 20% of a total lot area. An applicant for a zoning permit shall provide a diagram that includes lot dimensions, total area and the location, dimensions and area of all buildings together with computations that demonstrate compliance with this section.*

Draft language for Article VIII, § 360-45, Height, setbacks, area and another requirements and Article IX, § 360-50, Height, setbacks, area and other requirements.

- *D. (5) Sheds add: Building used primarily for storage of an area up to and including 150 square feet and a maximum of a ten-foot height from **the finished floor**…*

- *E. Area. add: (2) Lot coverage by buildings. Impervious building and ancillary surfaces, excluding driveways, shall not occupy more than 20% of a total lot area. An applicant for a zoning permit shall provide a diagram that includes lot dimensions, total area and the location, dimensions and area of all buildings together with computations that demonstrate compliance with this section.*

Draft language for Article XII, § 360-60, Permitted uses.

- *A. add: Single-family dwellings, constructed to the standards of the Wisconsin Uniform Dwelling Code and accessory structures.* ***The number of accessory structures under this provision shall be limited to two structures.***

Draft language for Article XII, § 360-62, Height, setbacks, area and other requirements.

- *D. (6) Shed, add: Building used primarily for storage of an area up to and including 150 square feet and a maximum of a ten-foot height from* ***the finished floor****…*

Further discussion on this agenda item set for next meeting.

16. Discussion and possible referral to future agenda – Review zoning district requirements regarding Roof Pitch
Zoning Administrator Zeddies indicated that she provided commissioners a list of communities with their roof pitch requirements for comparison. A request has been made to change our present roof pitch requirement of 4/12 to 3/12 to provide for more architectural creativity when building houses. It was suggested that this item be placed on the next agenda for a public hearing.

17. Discussion and possible referral to future agenda – Review the zoning code requirements regarding Short-term Rental Licensing Procedure
Zoning Administrator Zeddies stated that commissioners were provided a comparison sheet describing the options for the short-term rental licensing procedure, specifically regarding the involvement of a conditional use permit and the Plan Commission. Also provided is an updated Short-Term Rental Application if the "modified process" in put in place. As an example, if the modified process was in place for 2022, there would have been only 16 conditional use permits for short-tern rental instead of 43. The Modified Process would be as follows:

- *STR Application*
- *Room Tax Applications*
- *Inspections*
  - *Police*
  - *Fire*
  - *Building*
- *Tour Rooming House License*
- *Conditional Use Permit*
  - *Must have #1-4 submitted and paid prior to submitting a Conditional Use Permit Application and being assigned to a Plan Commission agenda*

Motion by Williams/Baker to adopt the modified process for short-term rentals.
Motion carried

DATES AND ITEMS FOR FUTURE AGENDA/MEETINGS

18. Next agenda items
    a. *CUP for Short-term rental*
    b. *Roof Pitch*
    c. *Accessory structures*
    d. *Site plan/plan of operation- Kevin Cole*

19. Next meeting date and time: *February 14, 2023 at 4:00 PM*

ADJOURMENT

Motion by Chairman Baker to adjourn. Motion carried at 6:12 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.