**TOWN OF BARTON**Official Minutes

**Minutes from Public Hearing and Plan Commission Meeting**

**Barton Town Hall, 3482 Town Hall Rd, Kewaskum, WI 53040**

**Monday, July 1, 2024 – 7:00 P.M.**

1. Chairman Turner called the meeting to order at 7:00 P.M.

Prior to the Public Hearing, Notice was properly posted at the Transfer Station and Town Hall Bulletin Boards, the Town of Barton Website.

The Pledge of Allegiance was said by all present.

PLAN COMMISSION MEMBERS PRESENT: Zoning Administrator Steve Wendelborn, Chairman Kris Turner, Commissioners Clayton Eggie, Vicky Hopp, Lea Blake, Ryan Treleven, Dave Jacak and Kim Mueller.

Members of the public: seven

1. Motion by Jacak to approve the minutes of June3, 2024, seconded by Eggie. Motion carried.
2. From the Floor (Ten Minutes): None
3. Chairman opened Public Hearing at 7:03 p.m. by reading the Notice of Public Hearing called to consider the application Georgianna Dee to amend the Comprehensive Plan Map for the Town of Barton. The applicant seeks approval to rezone Tax Key Number T2-003500A Residential-6 (R6) to Light Manufacturing (LM) described as follows: Part of the northeast ¼ of the southwest ¼ of Section 2, Town 11 north, Range 19 east in the town of Barton recorded as Certified Survey Map 6793 Lot 1 and document 1555151, more commonly known as 7065 Cty Hwy D. Turner asked for any comment from the public.

Wendelborn stated that they want a rezone R6 to LM what is contiguous to the property there. This is against our 2025 Plan. There was previously a different plan which fell through.

Hopp made a motion to close the public hearing, seconded by Blake. Hearing closed 7:05 pm.

1. Blake made a motion seconded by Eggie to approve the application of Georgianna Dee to amend the Comprehensive Plan Map for the Town of Barton. The applicant seeks approval to rezone Tax Key Number T2-003500A Residential-6 (R6) to Light Manufacturing (LM) described as follows: Part of the northeast ¼ of the southwest ¼ of Section 2, Town 11 north, Range 19 east in the town of Barton recorded as Certified Survey Map 6793 Lot 1 and document 1555151, more commonly known as 7065 Cty Hwy D. Motion Carried.

Eggie questioned the traffic. Turner stated that there were turn lanes and the County handles Hwy D. LM can have two accesses. This will be something that will be reviewed. Hopp stated that the fire sign was missing. It was in front of home, and they will place it where it needs to be.

1. Chairman opened public hearing at 7:10 p.m. by reading the Notice of Public Hearing called to consider the application Georgianna to rezone a parcel per section 500-38 and 500-47. The applicant seeks approval to rezone Tax Key Number T2-003500A Residential-6 (R6) to Light Manufacturing (LM) described as follows: Part of the northeast ¼ of the southwest ¼ of Section 2, Town 11 north, Range 19 east in the town of Barton recorded as Certified Survey Map 6793 Lot 1 and document 1555151, more commonly known as 7065 Cty Hwy D. Turner asked for any comment from the public.

Hopp made a motion to close the public hearing with Jacak seconding. All agreed. The hearing closed at 7:13 p.m.

1. Jacak made a motion, seconded by Blake to approve application Georgianna Dee to rezone a parcel per section 500-38 and 500-47. The applicant seeks approval to rezone Tax Key Number T2-003500A Residential-6 (R6) to Light Manufacturing (LM) described as follows: Part of the northeast ¼ of the southwest ¼ of Section 2, Town 11 north, Range 19 east in the town of Barton recorded as Certified Survey Map 6793 Lot 1 and document 1555151, more commonly known as 7065 Cty Hwy D. All agreed.
2. Turner opened the Public Hearing to consider the application of Mark Foyse for a Special Use Permit under the Town of Barton Zoning Ordinance. This hearing is to allow the applicant to allow the development of a “Business Condominium” under SIC 4226 “Special warehousing and storage, not elsewhere classified” at: Tax Key T2-0075-00A, described as the property in the northwest ¼ of the northeast ¼ of Section 3, Town 11 north, Range 19 east in the town of Barton. The property is more generally known as the property at the southwest corner of the Hwy D and Hwy 45 interchange. Turner asked for any comment from the public.

Wendelborn stated that this is continuation of Foyse project that a special use permit SPU is needed for the business condo. Grafton did a PUD. Wendelborn did not think this was necessary as a SPU would allow more flexibility to Foyse and the Town for amendments.

Hopp made a motion to close the public hearing seconded by Eggie. All agreed. The hearing closed at 7:21 p.m.

1. Discussion and action: to consider the application of Mark Foyse for a Special Use Permit under the Town of Barton Zoning Ordinance. This hearing is to allow the applicant to allow the development of a “Business Condominium” under SIC 4226 “Special warehousing and storage, not elsewhere classified” at: Tax Key T2-0075-00A, described as the property in the northwest ¼ of the northeast ¼ of Section 3, Town 11 north, Range 19 east in the town of Barton. The property is more generally known as the property at the southwest corner of the Hwy D and Hwy 45 interchange.

Wendelborn presented a PUD document. This is what Grafton used in their project. He would like the PC to review and consider for the SUP. Turner stated that the SUP is a winning situation for both sides as if there is something that must change on either side, we would have that opportunity. There would be a timeline linked to the SPU. Foyse stated that he has all numbers except for one. He has been collaborating with his attorney for condominium documents. He is close. All test holes were dug last week. Surveyor was out with study on Hwy D. So that this can be presented to the County. He would like to see 2-3 slabs before winter. Wendelborn stated that the plan commission will have discussions as to what would be and would not be allowed.

Wendelborn made a comment as to annual inspection of units with business arrangements.

Eggie questioned the possibility of someone not abiding by allowed usage. Wendelborn stated that this would be something that could be addressed in documents in the way of fines. Turner stated that it would be managed by bringing in an association board and they would handle it. Mike Dricken made comment that verbiage in documents should read that if there are violations that the owner is responsible for any costs incurred to rectify. Wendelborn reiterated that with the SUP anytime there is something not being followed the Town Board could review. Foyse stated that the name would be Barton Business Condos.

Eggie made a motion, seconded by Blake, to table the SUP until the review of other professional’s review of the SUP. All agreed.

1. Discussion and action re: Shane Pionkowski Sketch plan review regarding sleeping area and plumbing in the proposed detached building.

Wendelborn stated that Shane is putting up a home with a large accessory building on Kettleview and Beaver Dam. This is zoned AT. This is contingent that the lot would not get any smaller than it is. Pionkowski presented the barn plan and the site plan.

Wendelborn mentioned that stated in our ordinance there is no allowance for a kitchen. Based on the size of the property, there is no need for a SUP. Turner mentioned that there is no need for a special use as this is zoned AT. He can proceed without a kitchen and by following the Uniform Dwelling Code. The Plan Commission plans to review barndominiums and when a text amendment is approved, he can revisit that. He needs to eliminate the stove before presenting plans to the building inspector.

1. Discussion review and text updates of existing ordinances was tabled to next meeting.
2. Announcements: None.
3. Adjournment: Motion to adjourn at 8:40 PM by Hopp. Seconded by Jacak. Motion carried.

Respectfully submitted,

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Sherry Eckert  
Secretary of the Plan Commission