

TOWN OF DOVER

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JOINT DOVER TOWN BOARD AND PLAN COMMISSION PUBLIC MEETING MINUTES

WEDNESDAY, FEBRUARY 16, 2022 – 7:00 P.M.

4110 SOUTH BEAUMONT AVENUE (DOVER TOWN HALL)
KANSASVILLE, WI 53139 RACINE COUNTY

1. **Call to Order:** Chairman Sam Stratton called the Plan Commission Meeting to order at 7:00pm.
2. **Pledge:** The Pledge of Allegiance was recited.
3. **Roll Call:** Present: Chairman Sam Stratton, Supervisor #1 Mike Shenkenberg, Supervisor #2 Jared Guillien. Plan Commissioners: Audrey Van Dyke, Bill Shenkenberg, David Dubiel, Michael Newholm, and Richard Goetsch. Fire Department Colleen Devaney. Stormwater President Karen Dubiel. Absent with prior notice: Building Inspector Ben Peters.
4. **Review of Previous January 12, 2022, Plan Commission/Joint Town Board Meeting Minutes:** Jared Guillien made the motion to accept the January 12th minutes as presented, seconded by Michael Newholm. VOTE: 7/0 Motion carried.
5. **Commercial Property at 21021 Durand Avenue Update from John Funk:** Tabled as Mr. Funk was not in attendance.
6. **Division of 41.62 Acres on Mealy Road Parcel #00603200502000 Requested by Seth Fields:** Chairman Stratton explained that he requested this item on the agenda as he has been working with Seth Fields for several months, trying to move this project along. The Plan Commissioners packets contained questions from Mr. Fields. Answer/discussion of the questions are in no particular order:
 - a) Seth Fields asked a question comparing Sherwood Forest which is a subdivision, to this Mealy Road project. The board noted that the question is irrelevant as these are two totally different projects unless Seth Fields wants to move forward with a true subdivision situation.
 - b) Seth Fields questioned if a deed restriction is necessary, and discussion occurred that future boards can remove the deed restriction if requested. The current Plan Commission/Town Board feels the Deed Restriction on the back lot of the proposed Mealy Road land division is required.
 - c) Discussion of the various division plans that Seth Fields has submitted to date occurred. The 3.4 to 1 ratio with six parcels was the most agreeable division to date. However, that still is a violation of Dover's division of property. Dover has never permitted more than one CSM (Certified Survey Map) with more than four divisions to date. Discussion occurred that the Dover specification of one CSM with a maximum of four divisions should not be violated for this division. It was noted that a future split/division can be completed after five years of completing the first split. Racine County land divisions does not specifically state about the number of CSM's but it does state that there is a limit of up to four land divisions or the project must become a subdivision.
 - d) Racine County does require a passing perk test on divisions before approval.
 - e) If adding that number of parcels on the road, traffic volume will certainly be impacted.
 - f) Drainage concerns were noted. The reply was that there is an ordinance that states that no more storm water can reach the neighboring property than there is now. If field tiles are damaged the owner of property would need to fix the tiles. The Building Inspector should be able to see if tiles are damaged during the foundation inspection and tiles should be fixed before occupancy is given. An additional follow-up question was asked, and the reply was that if there are water issues between neighbors, then that dispute is between the neighbors to work out, it is not the Town's responsibility. The town will not provide an attorney to fight drainage issues.Final decision of the Dover Joint Plan Commission & Town Board for the division of the 41.62 acres: The maximum of four parcels including Mr. Fields' home site will be allowed. In five years, another split can be requested again. Frontage, perk test, etcetera, requirements still must be met. While Chairman Stratton is on vacation, Mike Shenkenberg will be the contact for Seth Fields.

7. **Discussion/Approval of Engineer Involvement with Site Review:** Chairman Stratton recapped the concern with the new houses on Highway 75 being built in the lowland area, North of Durand, on the right-hand side of the road by Lavin's farm. Mr. Bratz was checking on the sewer laterals and noted that with the amount of fill that is being brought in, water will be blocked on the back half of land as the natural flow to the ditch line has been terminated. To alleviate this problem, Chairman Stratton contacted Applied Technologies Engineer, Will Hein, to see if he would be willing to provide services to future land developers regarding storm water control. Ben Peters, Building Inspector, would contact Will whenever he notes a potential concern. The owner of the property would be charged a \$170 permit fee for the engineer to investigate the situation. If further investigation is required, then that would be an additional charge to the homeowner. Mike Shenkenberg made the motion to charge the initial engineer fee of \$170 and additional fees to the developer/homeowner, seconded by Richard Goetsch. Vote 7/0 Bill yes, Audrey yes, David yes, Michael yes, Richard yes, Mike yes, Sam yes. Jared Guillien made a motion to accept the recommendation of the Plan Commission, seconded by Mike Shenkenberg. VOTE: 3/0 (Jared yes, Mike yes, Sam yes) Motion carried.
8. **Public Comments:** Mr. Pagel appeared at the Dover Plan Commission meeting last month and now he is scheduled to reappear at the Racine County Zoning meeting for a variance to the driveway. Dover approved division and rezoning for the business but apparently the driveway off Highway 45 runs through different zoning portions and requires a variance. The clerk wanted to know if Mr. Pagel should be invited back to discuss the driveway situation as well. After discussion, Richard Goetsch made the motion to approve the driveway variance based on the county's acceptance, seconded by Michael Newholm. Vote 7/0 Bill yes, Audrey yes, David yes, Michael yes, Richard yes, Mike yes, Sam yes. Jared Guillien made a motion to accept the recommendation of the Plan Commission, seconded by Mike Shenkenberg. VOTE: 3/0 (Jared yes, Mike yes, Sam yes) Motion carried.
9. **Shoreland Contract Review by Richard Goetsch for Michael/Elizabeth Turner 23907 Oakwood:** Richard Goetsch provided a project overview stating that there is a small house that will be tore down and a new house built. The traditional storm water policy was requested to be added to the county acceptance.
10. **Building Inspectors Report for January 2022 by Inspector Ben Peters:** In Ben's absence, Sam Stratton read the report: January 2022 monthly total was \$1,428.00 Monthly Valuation was \$18,800.00.
11. **Software Purchase Requested by Building Inspector Ben Peters:** Per the Town Board request: 1)the Clerk recontacted Gardiner Appraisal and spoke directly to the owner, Linda Gardiner. Linda stated that just as long as they had their own personal login and full access to the house plans and permits, she would be okay with logging into the system to retrieve the info. She will also need to continue to receive the monthly recap report of all permits so they can determine which to look at. She stated there would be no price increase on their part to utilize the system. 2)the Clerk spoke with Beth, Norway Permit Specialist, who said that after Ben documents his visits to the permit sites, she uploads his information to the main data base. She also scans in any house plans and special documentation, such as info from Racine County, heat calculations, etcetera. I asked Beth to verify with Tom Kramer to determine if there would be a price increase for Beths role in uploading Dover's site visits. Beth currently processes the paperwork by hand and sends the paperwork over to Dover's Clerk for scanning/filing of plans. Tom stated that yes there would need to be a price increase from the current 45% of permit sales to compensate for Beth's role. No price was determined in Beth and Tom's discussion. 3). Liability could be a selling point or not if there was an error in the inspection process. After Dover board discussion, there is no perceived cost savings. The Board is opposed to having to pay for the software investment, additional software yearly fees, and labor fees to scan/upload documentation which would reduce Norway's paper flow and assist Ben in documenting his job/work process.
12. **Stormwater Commission Updates by President Karen Dubiel:** Karen stated that the ground is still frozen, so it has been quiet.
13. **Review/Approval of Dover's Chapter 16 Ordinance Enhancements/Table of Contents Presented by David Dubiel:** David proposed adding clarification of what the Plan Commission is already asking regarding lot size less the right-of-way, shape, depth, frontage, minor land divisions, drainage tiles if existing on CSM's, shared driveway clarification, etcetera. Currently Chapter 16 is one-hundred pages long. David Dubiel made a motion to approve the current version of Chapter 16 on Dover's website until this one-hundred-page version of Chapter 16 is reviewed/adopted, seconded by Bill Shenkenberg. Vote 7/0 Bill yes, Audrey yes, David yes, Michael yes, Richard yes, Mike yes, Sam yes. Jared Guillien made a motion to accept the recommendation of the Plan Commission, seconded by Mike Shenkenberg. VOTE: 3/0 (Jared yes, Mike yes, Sam yes) Motion carried. David will email out or work on producing copies of the final Chapter 16 for review.
14. **Motion to Enter into Closed Session Under Wisconsin State Statute 19.85(g) Concerning Legal Advice Related to Litigation. Estimated Time of Closed Session will be Approximately One-Half Hour.:** No closed session held.

15. **Motion to Enter into Open Session:** None.
16. **All Business of Closed Session:** No closed session held.
17. **Adjournment:** Motion to adjourn was made by Richard Goetsch at 8:00pm., seconded by Michael Newholm.
VOTE: 8/0 All were in favor. Motion carried.

Dated this 9th day of March 2022 Camille Gerou Clerk/Treasurer