

TOWN OF DOVER

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JOINT DOVER TOWN BOARD AND PLAN COMMISSION PUBLIC MEETING MINUTES WEDNESDAY, JULY 10, 2024 – 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, and Richard Goetsch. Fire Department Justin Ehrhart, Stormwater President Karen Dubiel and Building Inspector Ben Peters. Absent with prior notice: Plan Commissioner Michael Newholm.
- 4. Review of Previous June 12, 2024 Plan Commission/Joint Town Board Meeting Minutes:** Richard Goetsch made the motion to accept the June 12th minutes as presented, seconded by David Dubiel. VOTE: 6/0 Motion carried.
- 5. Short Term Rental Application Thea Lavin 24312 Peninsula Drive:** Chairman Stratton noted that Thea Lavin was the second to apply and work through this new process. Discussion took place that no parking is allowed on the road. It was decided that ample parking spaces for two cars are available. Thea explained that there is a two-night minimum stay. There is 939 square footage with two bedrooms which means that occupancy will be four maximum. Thea explained that her family lives in Switzerland throughout the school year and in the summer, they return to live in this house. Thea's sister is the twenty-four-hour property manager while they are in Switzerland. The home is being inspected by Racine County Health Department next week. Thea agreed to scan her updated Health Department renewal to the clerk. Richard Goetsch made the motion to recommend approval of the Lavin Short Term Rental Application, seconded by Bill Shenkenberg. Vote 6/0. (Bill yes, Audrey yes, David yes, Richard yes, Mike yes, Sam yes) Motion carried. Mike Shenkenberg made the motion to accept the recommendation of the Plan Commission, seconded by Jared Guillien. Vote 3/0. (Jared yes, Mike yes, Sam yes) Motion carried.
- 6. Short Term Rental Application Vinh Nguyen 2717 N. Beaumont Avenue:** Mr. Nguyen discussed that this house should be used as more of a retreat and that a two-night minimum is needed with twenty-nine days maximum. Mr. Nguyen actually lives in Skokie which is approximately an hour away. He will provide a property manager which will be closer to the house. He has been inspected by Racine County Health already this year which also checks the fire and carbon monoxide detectors. He has not, nor does he see a need for any added lighting. The maximum capacity is twelve people based on the five bedrooms and 1,086 square footage. Mr. Nguyen hires cleaners to come in after each stay. Richard Goetsch made the motion to recommend approval of the Nguyen Short Term Rental Application, seconded by Bill Shenkenberg. Vote 6/0. (Bill yes, Audrey yes, David yes, Richard yes, Mike yes, Sam yes) Motion carried. Mike Shenkenberg made the motion to accept the recommendation of the Plan Commission, seconded by Jared Guillien. Vote 3/0. (Jared yes, Mike yes, Sam yes) Motion carried.
- 7. Discussion of Resolution 2024-05 Imposing a Temporary Moratorium on Development and Construction of Large Solar Energy Systems in the Town of Dover:** A copy of the Dover Moratorium Resolution was made available. The Chairman explained that this is a temporary moratorium, put in place until a County or

Dover municipality's solar ordinance can be completed. It is Dover's understanding that Racine County Corporate Counsel is reviewing the Racine County (RC) draft ordinance. A discussion took place that if Dover can create a more detailed Ordinance there should be A) a solar application fee to offset attorney and clerical fees. B) no topsoil may be removed from the property, conduit to the pedestal should be used on top of the soil. Without topsoil the land will not be productive farmland after the solar is removed. Also noted if the topsoil is stripped, then no septic can be installed as the ground is not considered virgin any longer. If a house is wanted the only building choice would be to connect to a sewer. C) As discussed in the Racine County draft ordinance a fence will need to be installed around the perimeter, Dover's Fire Department (FD) is requesting Knox Box access for easier entry and engine turnaround areas. D) A FD target hazard plan should be developed since lithium-ion batteries storage will be on site. E) Can Dover limit the amount/size of solar developments based on our 2035 or 2050 Comprehensive Plan? F) Does Dover's assessor have any concerns? It is noted in the RC Ordinance that the Town will receive nothing in tax revenue but there is some kind of school compensation. What does that entail? G) Should Dover's ordinance specifically address that a Dover road bond is needed throughout the solar farm construction? H) What happens when the solar company goes out of business, or the resident dies during the solar contract time? Who holds the cleanup responsibility? Historically Dover has had a problem when subdivision developers die etcetera. The clerk will reach out to Dover's attorney for answers.

8. **Development of a Thirty-Five Acre Solar Farm on Sharp Road 006-032-008010000 Requested by Peter Murphy One Energy Renewables:** Tabled due to Dover's moratorium that was signed on Monday, July 8th, 2024.
9. **Public Comments:** A) WI 75 & Highway A (Plank Road) Noise Reduction Request was received from the DOT asking if they could begin work before 7am. The road work is scheduled to begin Monday, July 15th. Residents who live close to the intersection were asked for their opinion and it was agreed that they could start at 6am. B) A resident noted that he appreciates the moratorium on solar. Chairman Stratton noted that he personally has a hard time limiting what people can do with their land, but long-term legal considerations should be explored. This individual also inquired into the Radius Bend project. It was explained that Wally Haag had come before the Commission with his project, outlined in earlier Plan Commission/Joint Town Board minutes. C) David Dubiel inquired about the mud/dirt overflowing from the ditch and onto Vandeenboom Road after hard rains. It was discussed and a certified letter will be created asking for the necessary work to be completed to amend the improper flow from the field. D) Chairman Stratton noted that ATV/UTV road signs are being installed by the Dover Roads Department on Dover roads. E) A moment of silence was observed for Racine County Executive Jonathan Delagrave, Marie Frederick put it best "he transcended politics and worked both sides of the aisle".
10. **Building Inspectors Report for June 2024 by Inspector Ben Peters:** June's monthly permit total collected was \$8,940.99 year-to-date collected total was \$45,720.24. Ben was asked what he will have to do for solar farm's inspections. Ben noted that he didn't think he would have anything to inspect.
11. **Stormwater Commission Updates by President Karen Dubiel:** Karen noted that there was nothing to report.
12. **Updates from David Dubiel on Chapter 16 :** David reported that he and Audrey Van Dyke have been trying to recreate the appendices that appear to be missing from the ordinances, such as the Preliminary Plat Subdivision Checklist, the CSM (certified survey map) Checklist etcetera. A discussion occurred that these forms would aid in ensuring control of large projects. These forms could be used in-house as opposed to online. If an ordinance was to change then the attachments/checklists would not need immediate updates.
13. **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 was held.
14. **Motion to Enter into Open Session:** No closed session was held.
15. **All Business of Closed Session:** No closed session was held.
16. **Adjournment:** Motion to adjourn was made by Richard Goetsch at 7:44 pm., seconded by David Dubiel.
VOTE: 6/0 All were in favor. Motion carried.