

# **TOWN OF UNION**

## **MONTHLY TOWN BOARD MEETING Minutes of Wednesday, September 11, 2024**

The Town of Union Monthly Board meeting was called to order by Supervisor Rich Templeton at 6:34 p.m.. on Wednesday, September 11, 2024 at the Town of Union Town Hall, 15531 W. Green Bay Rd., Evansville, WI. Town Supervisors Rich Templeton, Don Templeton, Aaron Tachon and Mason Barber were in attendance. Clerk Regina Riedel, Treasurer Jessica Nellen, Road Patrolman Jeff Wethal, and Plan Commission members Derek Blume, Larry Meier, Alvin Francis, and Ray Legris were also in attendance. Town Board Chairman Kendall Schneider and Building Inspector Bob Fahey were absent. The Pledge of Allegiance was recited.

### **Clerk's Minutes (August 14, 2024)**

Motion to approve the minutes of the August 14, 2024 Board meeting as written made by Barber/Don Templeton. Motion carried by unanimous voice vote.

### **Treasurer's report**

Treasurer Jessica Nellen reported the Town has received the August tax settlement. Balances as of 8/31/24 were reported (attached).

### **Building Inspector's report**

Building Inspector Bob Fahey was not in attendance; report of permits issued during August was read in by Rich Templeton (attached).

### **Clerk Update**

Evansville Community School District Administrator Nate Perry has requested the use of the Town Hall for a public informational meeting on the upcoming school district referendum on Saturday, September 21 from 10-11 am. Board approved; Riedel will coordinate with Perry.

Ridel reported the air conditioning in the Town Hall has been repaired, it was necessary to replace the entire unit. New unit should have a 10-year warranty.

Riedel distributed copies of the route that the Bike the Barns bike ride will be taking through the Town on Sunday, September 15.

Mail in absentee ballots for the November election have begun to be sent out, and may be requested at any time either by phone, mail, email or online at MyVoteWI.gov.

### **Recycling Center Update**

Ray Legris reported operations have been running smoothly.

### **Fire District Updates**

Barber reported the joint meeting for all municipalities has been scheduled for September 24, 6 p.m.

### **Emergency Management Update**

No update. Barber recently attended a Fire Chief meeting at the new Emergency Management facility at the Rock County Sheriff's Department.

### **Roadwork Update**

Wethal has been working on brushing, shouldering, and patching. He recently finished work on the new sidewalk to the pavilion at Wayne Disch Park. Sealcoating has been completed.

Nellen noted that the easement funds received from ATC were more than what was required for the sidewalk project at Wayne Disch Park, and asked if the remaining funds should be moved to the parks account. Board agreed to place unused funds in the parks fund.

**Public Comment (5 min max per item, no action will be taken on any issues)**

No comments.

**Update/Board Action: Ordinance Violations**

Fahey not in attendance, no update.

**Public Hearing: Request by Templeton Farms, LLC, 9808 N. Evansville Brooklyn Rd., Evansville, WI for a land division and zoning change for parcels 6-20-34 & 6-20-59, located at 11026 N. Crocker Rd., Evansville. The applicants request the separation of existing house and 5 acres, rezoning the newly created parcel A3 and retaining A2 zoning on the parent parcel.**

Chairman Kendall Schnieder participated via phone.

Public hearing opened at 6:45 p.m.

Ryan Combs in attendance representing the applicants. The property was just divided, and the parcels in question were purchased by Templeton Farms. The Templetons would like to divide off the buildings and 5 acres for Rich Templeton's son to purchase. Nellen noted that Lot 1 will be two parcels because it crosses a section line, and will have two tax bills.

Public hearing closed at 6:48 p.m.

Plan Commission recommended approval at their August 29 meeting; however Francis voted against the request as he felt a smaller lot would be more appropriate.

Barber and Tachon voiced no objections to the request. Motion to approve request by Templeton Farms, LLC, 9808 N. Evansville Brooklyn Rd., Evansville, WI for a land division and zoning change for parcels 6-20-34 & 6-20-59, located at 11026 N. Crocker Rd., Evansville to separate existing house and 5 acres, rezoning the newly created parcel A3 and retaining A2 zoning on the parent parcel made by Barber/Tachon.

Roll call vote: Schneider – yes; Tachon – yes; Barber – yes. Don Templeton and Rich Templeton abstain. Motion carried 3-0.

**Public Hearing: Request by Randall Shotliff, 9341 Vista Meadow Dr., Verona, WI 53593 for a land division for parcels 6-20-210, 6-20-211 and 6-20-212 located in the NW ¼ of the NW ¼ of Section 24. The purpose of the land division is to create a subdivision, the first phase of which will consist of 15 lots.**

Public hearing opened at 6:51 p.m.

Ryan Combs was in attendance representing the applicant. Zoning change has been approved; the request is back before the Board for action on the land division request.

Derek Blume noted that the request had been tabled waiting for traffic study, which has been completed. The study showed no real concerns about traffic increases related to the development. One road will exit the subdivision onto Cty. Rd. M on the north side at this time. Combs stated that they have received communication from the ECSD Administrator stating that the District can accommodate additional students that may result from the development.

Sarah Tachon, Territorial Rd.: would like the issue resolved tonight, as it has been ongoing for some time. Reminded the Board that over 100 residents signed the petition against the request.

Public hearing closed at 6:58 p.m.

Don Templeton agrees that action should be taken by the Board tonight. In his opinion, the location of the initial lots has the least impact on neighbors.

Barber understands that residents do not want a development of this size in their neighborhood. However, the land has been designated future residential growth for years. If the land were to be annexed, the City could put in far more lots than what is currently being proposed. Agrees that locating lots on the north side is a reasonable concession to those impacted by it.

Tachon agrees that request has been in limbo for too long. Appreciates the patience of the applicant. Has considered all the variables related to the request including public comment, which has been overwhelmingly against. Regarding annexation, City Administrator Jason Sergeant attended meeting and stated that the City would not annex the land; bringing in infrastructure in that area is too cost prohibitive to be realistic. Stated that the Town's comp plan states that development needs to occur on the south side of Territorial Rd. before it occurs on the property in question.

Motion to approve request by Randall Shotliff, 9341 Vista Meadow Dr., Verona, WI 53593 for a land division for parcels 6-20-210, 6-20-211 and 6-20-212 located in the NW ¼ of the NW ¼ of Section 24 to create a subdivision, the first phase of which will consist of 15 lots made by Don Templeton/Rich Templeton.

Roll call vote: Don Templeton – yes; Rich Templeton – yes; Tachon – no; Barber – yes. Motion carried 3-1.

**Public Hearing: Request by Grove Partners, LLC, 5 Maple St., Evansville, WI for a land division and zoning change for parcel 6-20-218.B, located in the NW and NE ¼ of Section 25 on Territorial Rd. The applicants request the creation of three parcels, sized 12.5 acres, 13.1 acres and 11.5 acres and rezoned A2.**

Public hearing opened at 7:12 p.m.

Ryan Combs was in attendance representing the applicants. The Town approved their previous request for the Conifer Hills 4<sup>th</sup> addition, consisting of 17 lots, which was not approved by the City. The applicants were required to revise the size of the lots to over 10 acres each for City approval, which is where they are at with the current request.

A number of neighboring landowners were in attendance and expressed concerns with the request. It was noted that green space was to be set aside and maintained as communal space. Some were concerned that the required retention pond will be part of a private lot and not properly maintained.

Blume asked if the current lots have been designed such that no additional roads or other infrastructure would be required? Combs stated that was correct.

Rich Templeton read in a letter received from resident Dave Schlepper, expressing concerns with the request.

Public hearing closed at 7:26 p.m.

Don Templeton feels badly for the neighboring homeowners, as it sounds like they were taken advantage of by Joe Rohloff, who sold greenspace that they were promised would not be sold. Would like to get a legal opinion regarding covenants and how they apply to current situation, thinks the request should be tabled. Board agrees. Tachon will discuss with attorney, feeling it would be irresponsible to proceed without legal review and opinion. Combs believes any legal issue related to covenants is outside the purview of the Town.

Motion to table request by Grove Partners, LLC, 5 Maple St., Evansville, WI for a land division and zoning change for parcel 6-20-218.B until legal opinion is received made by Rich Templeton/Tachon.

Motion carried by unanimous voice vote.

**Public Hearing: Request by Tennyson Farms, LLC, 2810 Tennyson Place, Hermosa Beach, CA for a Conditional Use Permit for parcel 6-20-117.1, located at 14904 W. Bullard Rd., Evansville. The applicants are requesting the CUP to allow for the construction of mini-storage buildings.**

Public hearing opened at 7:31 p.m.

Ryan Combs was in attendance representing the applicant. DNR permitting for stormwater management has been submitted to the Clerk and forwarded to Board. The current request fits CHI zoning district requirements. Green space issues have been addressed, drainage plan developed. Noted that the other Big Barn Storage site is well kept, and this request would be a major improvement to this parcel and build the Town's tax base.

Public hearing closed at 7:35 p.m.

Tachon spoke to Ed Arnold a few days ago regarding the request and plans. DNR permit and stormwater management plan should address any concerns. Neighbors seemed to have more concerns regarding runoff than having a commercial operation near them. The proposed pond should handle all water on the property and will handle a 100+ year flood. Believes having some commercial buildings there instead of a tractor junkyard will be an improvement.

Don Templeton has concerns regarding the request, and noted that although he made the motion to approve the original CUP request, within that motion he stated no future expansion and no outside storage. There has been outside storage at this location continually since original approval, as well as at their other facility from time to time.

Legal counsel representing the applicant stated he believes the current request and any issues with adhering to the previously approved CUP are separate issues. It is the responsibility of the Town to address any violations of the previous CUP.

Motion to approve request by Tennyson Farms, LLC, 2810 Tennyson Place, Hermosa Beach, CA for a Conditional Use Permit for parcel 6-20-117.1, located at 14904 W. Bullard Rd., Evansville to allow for the construction of mini-storage buildings made by Barber/Tachon.

Discussion: Rich Templeton has concerns about the applicants historically not adhering to CUP restrictions, although he realizes enforcement is the responsibility of the Town. Anticipates there will be more enforcement in the future.

Don Templeton would prefer to approve the development in phases rather than as one large project.

Roll call vote: Don Templeton – no; Rich Templeton – no; Barber – yes; Tachon – yes. Motion failed 2-2.

Motion to reconsider original motion, adding the restrictions that there shall be no outdoor storage and building permits will be issued only if no zoning violations exist made by Rich Templeton/Tachon.

Roll call vote: Don Templeton – yes; Rich Templeton – yes; Barber – yes; Tachon – yes. Motion carried 4-0.

**Public Hearing: Request by Paul & Fern Maas Revocable Trust, 10218 N. Tolles Rd., Evansville, WI for a land division and zoning change for parcel 6-20-50, located at 17816 & 17802 W. Evansville Brooklyn Rd., Evansville. The applicants request the separation of existing buildings from the parent parcel, creating one 11.5 acre lot and one 25.5 acre lot, both rezoned A2.**

Public hearing opened at 8:05 p.m.

Ryan Combs was in attendance representing the applicants. Splitting parcels to settle estate. Recommended approval by Plan Commission.

Public hearing closed at 8:07 p.m.

Tachon spoke with Jim Cornwell, sounds like it is a 600 acre farm, and they would like to keep as much in the family as possible. Has no questions or issues.

Motion to approve request by Paul & Fern Maas Revocable Trust, 10218 N. Tolles Rd., Evansville, WI for a land division and zoning change for parcel 6-20-50, located at 17816 & 17802 W. Evansville Brooklyn Rd., Evansville to separate existing buildings from the parent parcel, creating one 11.5 acre lot and one 25.5 acre lot, both rezoned A2 made by Don Templeton/Rich Templeton.

Motion carried by unanimous voice vote.

**Public Hearing: Request by Paul & Fern Maas Revocable Trust, 10218 N. Tolles Rd., Evansville, WI for a land division and zoning change for parcel 6-20-62, located at 17227 & 17339 W. Evansville Brooklyn Rd., Evansville. The applicants request the separation of existing buildings from the parent parcel, creating a 6.8 acre lot rezoned A3.**

Public hearing opened at 8:09 p.m.

No public comments.

Public hearing closed at 8:11 p.m.

Motion to approve request by Paul & Fern Maas Revocable Trust, 10218 N. Tolles Rd., Evansville, WI for a land division and zoning change for parcel 6-20-62, located at 17227 & 17339 W. Evansville Brooklyn Rd., Evansville to separate existing buildings from the parent parcel, creating a 6.8 acre lot rezoned A3 made by Tachon/Don Templeton.

Motion carried by unanimous voice vote.

### **Pay Bills**

Motion to adjourn and pay bills made by Don Templeton/Tachon. Motion carried by unanimous voice vote. Meeting adjourned at 8:11 p.m.