

Town of Frankfort Plan Commission July 6, 2023 Minutes

Commission Chair Don Gisch called the meeting to order at 6:30 p.m. Remote attendance for this meeting was an option.

Commission members Don Gisch, Bryce Black, Deb Fisher and Maureen Manore were present in the Town Hall and were signed into the meeting by Zoom.

Mike Roberts and Kasey Kolve were also present in the Town Hall. No others were present in person or remotely.

Preliminary Review: Conditional Use Permit Application – Kasey Kolve, Gun Repair Shop

The Plan Commission reviewed the conditional use application and maps provided by Kasey Kolve. Town Zoning Administrator Dan Fedderly did the preliminary work with the applicant and was satisfied that all the documents needed were supplied.

The Plan Commission had a few questions that included security of the workplace, size of the work area, hours of operation and firing of weapons. Kolve answered that the shed would be locked when not in use, 10' x 14' would be large enough, the work would be done part time and customers seen by appointment only and no live ammo testing onsite.

Motion by Debra Fisher, seconded by Bryce Black, to set a public hearing date for August 3rd, 6:30 p.m. A voice vote was held, motion carried with no negative votes.

Approve Minutes – 6-15-2023

The draft minutes stood as written.

Review of Town Zoning Ordinance Proposed Changes

The Plan Commission proposed a few possible changes for the draft revision. In the Conditional Use Permits section, the titles for numbers 8 and 9 were changed to say “All Districts” instead of “AG, AR and RR”. In the definition section: “usually 33 feet from the road centerline” was added to #112; under #116 Substantial Improvement, we discussed what cost figure to use to define “substantial improvement” and agreed we need to further research the UDC and “or (3) repairing damage from accident or acts of God, such as, but not limited to, vehicle collision, storm damage, falling trees, etc.” added; #127, under Use Variance, the last sentence was changed to “A change of use may be possible if use is permitted in that zone.”

In the Board of Adjustment section, under 4) Powers, “Chairman” was changed to “Chairperson” and under 5) Appeals and Applications, “Secretary” to “Town Clerk”. In the Rezoning section, “Any hardship alleged must be unique to the property and cannot be self-created. The burden of demonstrating unnecessary hardship is that of the property owner.” was added to 3)e.

Discuss: Open Meeting Law and Plan Commission Adherence

Following up on a citizen’s accusation that the Plan Commission was violating the open meeting laws, Maureen Manore contacted the Wisconsin Town’s Association. When asked if the agenda needs to be more specific than “Review of Town Zoning Ordinance Proposed Changes” and if a motion needs to be made for every proposed change while working on the draft Lara Carlson, WTA Legal Counsel replied:

I don't think the agenda needs to be more specific than that if you are changing the entire ordinance and not just one or two particular sections. However, the individual changes do need to be notated somehow so that members of the public can see exactly what is changing from the

previous version of the ordinance o the newly proposed version. That doesn't necessarily mean voting on every individual change to every individual word, but any language that is changing (even just grammatically) needs to be highlighted or made to stand out so it's clear specifically what is being approved whenever a motion to approve the amended ordinance is ultimately made.

The Plan Commission concluded from this that there were no violations. There will be a motion to recommend the proposed changes when the draft is ready to move forward and all proposed changes have been color coded since the beginning of the process.

Future Meeting Date and Agenda

The next Plan Commission meeting was set for August 3, 2023, following the Conditional Use Public Hearing which begins at 6:30 p.m. The agenda may include: Conditional Use Permit Application Recommendation to Town Board; Minutes from 7-6-2023; Review Proposed Revisions of the Zoning Ordinance/Possible Vote on Sending Draft Document to Town Board for Review.

The Chair adjourned the meeting at 8:05 p.m.

Maureen Manore
Town of Frankfort Clerk