

**APPROVED MINUTES
PLAN COMMISSION MEETING
Thursday, June 15, 2023 at 7:00 p.m.
Jackson Municipal Complex
Village Board Room
N168W19851 Main Street
Jackson, WI 53037**

1. Call to Order and Roll Call

President Heckendorf called the meeting to order at 7:00 p.m.

Members Present: Ryan Ganshow, Tr. Kruepke, Jon Molkentin, Dan Reik, and Doug Wilcox

Member Excused: Tr. Emmrich

Staff Present: Director of Inspections Collin Johnson, Administrator Jen Keller, and Deputy Clerk/Treasurer Pamela Wolf

2. Approval of Minutes for the Plan Commission Meeting of May 18, 2023

Motion by Doug Wilcox, second by Jon Molkentin to approve the Plan Commission minutes of May 18, 2023.

Vote: 6 ayes, 0 nays. Motion carried.

3. One-Lot Certified Survey Map for Tax Parcels: V3_019700N, V3_019700T, V3_019700U, and part of tax parcel V3_019700K – Jackson Townhomes – James Kupfer

Motion by Doug Wilcox, second by Pres. Heckendorf to recommend to the Village Board approval of the One-Lot Certified Survey Map (CSM) for Tax Parcels: V3_019700N, V3_019700T, V3_019700U and a portion of tax parcel V3_019700K from applicant Jackson Townhomes.

Vote: 6 ayes, 0 nays. Motion carried.

4. Preliminary Plat – Phase III (addition No. 2), Morning Meadows Subdivision-Home Path Financial, LP

Motion by Pres. Heckendorf, second by Doug Wilcox to recommend to the Village Board approve Preliminary Plat Phase III Morning Meadows Subdivision (addition No. 2) owned by Home Path Financial, LP, conditioned upon the following:

General Conditions (1-4)

1. **Staff and Governmental Approval.** Prior to the Village signing the final plat/CSM, the commencement of any construction of any improvement, whether public or private, or any site development, the developer shall satisfy all comments, conditions and concerns of the Village engineer, the Village planner and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Administration per ch. 236, Wisconsin Statutes and ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per ch. 236, Wisconsin Statutes; and Washington County.
2. **Professional Fees.** Petitioner shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.

3. **Payment of Charges.** Any unpaid bills owed to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.
4. **Surveyor's responsibility.** Although the Village of Jackson has reviewed the subdivision plat/certified survey map, the surveyor is entirely responsible for the thoroughness and accuracy of the survey and related matters and compliance with all state and local codes, ordinances, and procedures. Modifications to the survey may be required should errors or changed conditions be found at a future date.

Specific Conditions (1-9) Editor's note – due to a numbering issue this is 1-9, not 1-11 as in original.

1. The subdivider must obtain the approval of the Village engineer.
2. The Village will confirm the proposed street names are acceptable with Final Plat review and approval.
3. The subdivider must obtain all necessary approvals as specified in s. 236.34(1), Wis. Stats.
4. The subdivider must prepare and submit deed restrictions to the Village and obtain approval of the same within the Developer's Agreement.
5. Prior to any (1) land-altering activity of (2) the execution of the final plat, the subdivider must enter into a Development Agreement with the Village, upon such terms as determined by the Village Board, and obtain approval of the same. In addition to general provisions in a developer agreement, the agreement must address the following special circumstances:
 - a. Phasing of the development.
 - b. A description of those improvements that are needed to the Village's water and sewer infrastructure, if any, that may be needed to provide service to the subdivision and any cost recovery mechanisms needed to fund such required work.
 - c. Prior to any land-altering activity, the subdivider shall submit all required plans (e.g., construction plans, stormwater management, and erosion control) to the Village Engineer and obtain approval of the same.
 - d. Prior to any land-altering activity, the subdivider shall submit a stormwater management agreement to the Village and obtain approval of the same. Any necessary access easements shall be described with a legal description.
 - e. The subdivider must submit a land management plan for Outlots 4 and 5 and obtain approval of the same. Such plan must describe vegetation management objectives and permissible uses of such lands within the Developer's Agreement.
 - f. Any maintenance of cul-de-sac or boulevard areas shall be included as a developer's responsibility in the Developer's Agreement.
 - g. Any other conditions determined by the Village Planner, Engineer, or Attorney.
6. Notwithstanding any approval of the Final Plat, the parties agree that any roads designated for dedication on the plat are not accepted by the Village until specifically accepted in the manner set forth in the Development Agreement.
7. A Notice of Intent permit is required by NR 216.42, Wis. Stats. for construction sites of one acre or more of land disturbance. The subdivider must provide a copy of the same to the Village Engineer as soon as that has been issued.

8. The final plat will not be recorded if any portion or part of the subject property has any unpaid taxes or outstanding special assessments per s. 236.21(3), Wis. Stats.
9. The final plat must show all required features listed in the Village's land division regulations and comply with all required standards and procedures. In particular the final plat needs to address the following items:
 - a. Any maintenance of cul-de-sac or boulevard areas
 - b. The area of land being dedicated to the public for street purposes must be stated on the face of the plat per s. 236.20(2)(i), Wis. Stats.
 - c. Include the following note(s) on the face of the final plat substantially as follows:
 - i. The titleholders of Lots 52 through 113 own a 1/62nd undivided and nontransferable interest in Outlots 1 and 2. The use and maintenance of the outlots is governed by a land management plan approved by the Village of Jackson as contained within the Developer's Agreement.
 - ii. The titleholders of Lots 52 through 113 are responsible for the maintenance of the stormwater facilities in the subdivision consistent with the stormwater management plan contained in the Developer's Agreement recorded for this subdivision in the Washington County register of deeds office.
 - iii. Stormwater management practices are located in one or more of the outlots in the subdivision. There are one or more separate documents recorded on the property title through the Washington County register of deeds entitled "stormwater management practice maintenance agreement" ("maintenance agreement") that apply to outlots. The maintenance agreement subjects this subdivision plat, and all lot owners therein, to covenants, conditions, and restrictions necessary to ensure the long-term maintenance of the storm water management practice. The agreement also outlines a process by which the Village of Jackson may levy and collect special assessments or charges for any services the community might provide relating to enforcement of the maintenance agreement.
 - iv. Vision corner easements are granted to the Village of Jackson to ensure sight lines are maintained at street intersections. The owner of any lot with such an easement must comply with Section 46-54 of the municipal code.
 - v. Deviation from Village Code Sec. 38-179 "Sidewalks" and in leu of sidewalks shall construct a walking path in Outlot 4 and 5.
 - vi. Deviation from Village Code Sec. 38-149 "Street Trees" and shall place trees on Outlot 4 and/or incorporated in the landscaping plan for a berm to be constructed along CTH P in leu of the required amount of trees that would have otherwise been placed along the public street in an amount equivalent to one tree per 60 lineal feet of lot frontage.
 - vii. Deviation from Village Code Sec. 38-181 "Street lamps". (*Village to install street lamps at a future date with reimbursement of all costs to come from the Developer.*)
 - viii. Deviation from Village Code Sec. 38-173(c)&(d), Storm Sewer Facilities. (*Sump pumps to discharge to grade.*)
 - ix. Deviation from Village Code Sec. 38-174, Curb and Gutter. (*Roadways to be constructed in accordance with Sec. 38-175 "Rural street sections".*)
 - d. Show any existing easements and include the document number of the instrument of origin.
 - e. If the property is currently mortgaged, a consent of mortgage certificate with a notary is required because land is being dedicated to the public for street purposes.

Tr. Kruepke questioned whether Morning Meadows is a private subdivision, with no curb. Director Johnson responded the development was public, and the road standards proposed for the Phase III plat were consistent with standards approved in Phase I & II. Administrator Keller also spoke regarding the deviations from subdivision standards and were noted in the specific conditions.

Vote: 6 ayes, 0 nays. Motion carried.

5. Development Agreement-Phase III (addition No. 2), Morning Meadows Subdivision – Home Path Financial, LP

Motion by Doug Wilcox, second by Pres. Heckendorf to recommend to the Village Board the approval of addition No. 2, Phase III Development Agreement, Morning Meadows Subdivision by Home Path Financial, LP, conditioned upon Staff review.

Vote: 6 ayes, 0 nays. Motion carried.

6. Citizens to Address the Plan Commission

None

7. Adjourn

Motion by Pres. Heckendorf, second by Tr. Kruepke to adjourn.

Vote: 6 ayes, 0 nays. Meeting adjourned at 7:10 p.m.

Respectfully submitted,

Pamela Wolf
Village Deputy Clerk/Treasurer