

TITLE: Town of Berry Plan Commission Meeting Minutes
DATE: August 2, 2021
TIME: 7:00 – 7:49 p.m.
PLACE: Town Hall, 9046 State Road 19, Mazomanie, WI 53560
POSTINGS: Town Hall and Town of Berry website

I. CALL TO ORDER

The meeting was called to order at 7:00 p.m. Members present: Anthony Varda, Christine Molling, and Mike Theis. Robert Agee and Joe Kruchten were excused.

II. APPROVE MINUTES OF JULY 5, 2021

Motion Theis/Molling to approve the July 5, 2021 minutes. Motion carried.
Vote 3-0.

III. PUBLIC COMMENTS: You may address the Commission on any item not on the agenda. A discussion item may be placed on a future agenda. Public comment may be heard on any agenda either now, or at the time the agenda items is to be discussed, or at the discretion of the Chair at the time the agenda item is discussed.

IV. PUBLIC HEARING, FOLLOWED BY DISCUSSION/ACTION RE:

A. (R-2021-5) David Kiefer, 9284 Spring Valley Road, zoning change of 6.11 acres from A-1Ex to AG , creating 1 lot, and 9.36 acres from A-1Ex to RC, creating 2 lots

Public hearing started at 7:01 pm

Mike Theis commented about the existing acreage and proposed acreage difference shown on the zoning administrator review report

Public hearing closed at 7:02 pm

Motion Varda/Theis to recommend approval of David Kiefer's zoning change of 6.11 acres from A-1Ex to AG , creating 1 lot, and 9.36 acres from A-1Ex to RC, creating 2 lots. Motion carried. Vote 3-0

V. DISCUSSION/ACTION RE:

A. (D-2021-8) Elaine Anderson, Scherbel Road, driveway permit application

Motion Molling/Varda to recommend approval of Elaine Anderson's driveway permit application, Option A with a culvert. Motion carried. Vote 3-0

B. (D-2021-9) Indian Trail Farms LLC, Indian Trail, driveway permit application

Motion Molling/Theis to recommend approval of Indian Trail Farms LLC's driveway permit application. Motion carried. Vote 3-0

VI. PUBLIC HEARING ON AMENDMENTS TO THE TOWN OF BERRY ZONING ORDINANCE

Public hearing started at 7:05 pm.

Typo in section (4), the ~~\$1500,000~~ should be \$4500,000. Discussion about animal units.

Public hearing closed at 7:13 pm.

VII. DISCUSSION/ACTION RE: AMENDMENTS TO THE TOWN OF BERRY ZONING ORDINANCE

A. Amending the text of the Town Zoning Ordinance Related to Livestock Harvest Facilities

Motion Varda/Molling to recommend approval of amending the text of the Town Zoning Ordinance Related to Livestock Harvest Facilities. Motion carried. Vote 3-0

VIII. DISCUSSION/ACTION RE: SOLAR ENERGY SYSTEM LICENSE
ORDINANCE 500.10

Motion Varda/Molling to recommend approval of the Solar Energy System License Ordinance 500.10

Motion Varda/Molling to amend the ordinance by adding the following:

Section VII, add “9. The operator shall submit a maintenance plan to the Town for approval and thereafter comply with the Town approved maintenance plan.”

Section VIII, 2. Violations, add “f. Failure to maintain the premises in accordance with the Town approved maintenance plan.”

Section VIII, 6. Penalties, add “b. If power is generated in violation of a court injunction or without licensure the operator has an additional forfeiture and shall forfeit the then current commercial value of the power so generated.”

Motion to recommend approval of the Solar Energy System License Ordinance 500.10 as amended. Motion carried. Vote 3-0

IX. DISCUSSION/ACTION RE: REVISING DRIVEWAY, FIELD ROAD AND
RIGHT-OF-WAY ORDINANCE 301.1

Motion Varda/Theis to recommend revising Driveway, Field Road and Right-of-Way Ordinance 301.1 by adding to Section V “M. Paving a Driveway. Concrete pavement may only come to the right-of-way and not to the road edge, unless a written, signed waiver has been approved by the Town Board and filed with the Clerk. The Town will not be responsible for replacement of concrete pavement when it is disturbed or removed in the course of reconstruction or repair of Town roads, or by snowplowing or other maintenance of the road by the Town.” Motion carried. Vote 3-0

X. ADJOURN

Motion Varda/Molling to adjourn until the next regular meeting or the call of the Chair. Motion carried. Vote 3-0