

**VILLAGE OF DRESSER  
PLAN COMMISSION MEETING  
TUESDAY, SEPTEMBER 25, 2012  
7:00 PM**

The meeting was called to order by Rick Flandrena at 7:00 PM. Roll Call was taken: Rick Flandrena, Greg Andrie, Ann Mikl, Paul Koski – Absent(Arrived Late see notation in the minutes) and Wayne Riba. Tony Havranek Absent. One position on the Plan Commission currently vacant. Also present Jodi A. Gilbert Clerk, Attorney Tim Laux, and William Greene. No public or press was in attendance.

Discussion took place regarding the request from William Greene (WTG Investments LLC) to subdivide the lot located at 104 Clark Road – PID #116-00261-0000. Flandrena asked if there were any legal comments. Laux stated I think it is a minor subdivision and chapter 236 needs to be followed and the surveyors are going to eventually sign off on the plat stating that they did that. On the plat it should have a place for the Signature of the Plan Commission Chairman. Andrie asked how do we know that Bill's building on Lot 5 meets all of the setbacks. Greene stated that the existing building is 33 feet from the back and it complies very easily. Andrie stated good but who is responsible to check. Laux stated the building inspector. Andrie stated that would work but by the time he takes a look at it the property will already be subdivided and things will be done. Laux stated I would believe that the existing building meets all setbacks. Andrie stated yes I agree, but whose job is it to verify that? Laux stated at this point it is water over the dam. Andrie stated in this case we are taking his word for it and that is OK. Laux stated I don't believe that issue is why he is here tonight. He needed to measure in order to figure out where he wanted to draw the line in relation to the building. Greene stated your requirement is 30 feet or 10 feet, but the building is 35 feet on the east side and the south side is 33 feet. Laux stated as long as that is legal. Andrie stated but these requirements should be in the Ordinance and on a CSM before it comes to Plan Commission for approval. 18.06(1)(b) states that all subdivisions within corporate limits must be filed for approval with the Plan Commission. We need a place for signatures on the map – Rick Flandrena as Village President and Plan Commission Chair and Jodi as Clerk. Laux stated technically that is all. The Plan Commission does have approval authority on any subdivision. This could go to the board for informational purposes and not for approval Laux stated. Hetfeld will need to do a final map before filing. Koski arrived at this point in the meeting. Andrie stated a person can approve this pending all of the legal setbacks are in place. At this point we are taking his word for it. On the CSM why not draw in the building and put in the setbacks. Laux stated that wouldn't be anything strange for Carl Hetfeld to do. Andrie stated that should be required from the board. Laux stated it is for major subdivisions, but there is nothing wrong with requiring it. If there are any concerns from the Plan Commission it should be part of the requirements. Could ask the surveyor to draw in the existing building to scale and to show all of the distances to the lot lines. Laux stated on major subdivisions they do it all the time. Andrie stated I don't want him to have to pay to have it done, but at the same time I don't want to have bad lot – someone has to take responsibility. He could also locate the existing driveways and buildings in relation to the setbacks. Andrie stated

## **Page 2 of 2 – Plan Commission Meeting September 25, 2012**

when can we go forward? Koski stated if we don't have what we need we will have to wait. Andrie stated I am using Greene for a scapegoat on this, but we need to make things a lot cleaner. Flandrena asked how do we put this in the form of a motion. Greene stated it is not part of your requirements right now. Laux stated what is in a CSM is all up for debate. The requirements are far less than a major subdivision. What we are talking about here is very doable. Laux stated we already know the lay of that land. Koski stated we could do an approval contingent that all of the setbacks apply. I don't think it would be necessary to measure everything. Andrie stated it would only be fair to whomever he sells the property to that the setbacks are right. Can we somehow make it contingent with no more costs? Laux stated there are no liability issues here and Andrie has brought up a common sense concern. We don't know if the building on Lot 5 meets the current set backs. Greene's letter says that it does. One way for this group to do its job is to move forward with the approval of the CSM. Laux stated the sale doesn't matter. That is not our job. Greene owns Lot 4 and he wants to divide it into 2 lots as long as the two lots meet the zoning code. Another issue is that lot 6 may need a driveway out onto Kelly Avenue and do you require him to have that driveway penciled in on the map. The problem I have in regards to that is who ever buys lot 6 we don't know where the building would go and the driveway may change. Maybe requiring the driveways on lot 5 would be responsible, but on lot 6 we can't see into the future. Flandrena stated how do we put this into a motion with the concerns listed in regards to setbacks and the CSM map. Laux stated I think you approve the proposed subdivision of lot 4 subject to the final version of the proposed CSM containing a place for Village of Dresser Plan Commission and Village President to sign and also the Clerk/Treasurer and that the final map depicts the building on lot 5 its existing set backs including the set back to the proposed lot 6 and depiction of existing driveways accessing the proposed lot 5. Flandrena stated I make that motion. Koski stated doesn't that require a resurvey. This is a preliminary subdivision do we need to do this? Andrie stated I guess we don't have it in our paperwork in order to require this right now. Greene stated they want to close ASAP on the property. Laux stated we are trying to accommodate your request and your information has been brought up some concerns. In a minor subdivision it lays out the basic steps, but we follow Chapter 236 of the State Statutes. The motion includes a minimal amount of information and legitimately in Chapter 236 there is vastly more information required. Koski stated OK so where does this go from here? Flandrena stated we could approve it or we do have a board meeting next week. I think we should approve it tonight and have it be informational for the board. We do have a motion on the table. Andrie asked do we wait for the final to get done. Laux stated Carl just needs to draw it up. Flandrena asked Gilbert to read motion again. Koski stated I don't want him to go through a lot of extra work. Won't he have to come back? Flandrena stated he needs to do it for us. Are there any other questions? Mikl seconded it. All in Favor. Motion Carried.

Public Comments – Nothing Stated.

Motion Flandrena/Andrie to adjourn at 7:30 PM. All in Favor. Motion Carried.

*Jodi A. Gilbert, Clerk/Treasurer*

*These minutes have not been approved.*