



VILLAGE OF WEBSTER

# PLANNING COMMISSION MEETING MINUTES

Monday, July 26, 2021 @ 6:00 p.m.  
Webster Village Office  
7505 Main Street West, Webster, WI

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- I. **CALL TO ORDER** – Village President, Jeff Roberts called the meeting to order at 5:45 p.m.
- II. **PRESENT** – Village President, Jeff Roberts; Village Trustee, Greg Widiker; Village Public Works Director, Jay Heyer; Village Surveyor, Mark Krause; Village Citizen Member, Gaelyn Sears; Village Citizen Member, Brenda Bentley; Village Clerk-Treasurer, Debra Doriott-Kuhnly. Others present: Village Residents Connie Bushey and Dennis Ernst. Village Business Owner, Bruce Gibbs.
- III. **PUBLIC NOTICE OF AGENDA, DELETIONS/CORRECTIONS** – Motion made Trustee, Widiker to approve the agenda as presented; seconded by Member, Bentley. **Motion carried 6-0.**
- IV. **PROPERTY SETBACKS AND EASEMENT** – Village President, Roberts gave the floor to Village Surveyor, Mark Krause. Mark stated that there are three different requests to have work done in the Village that include splitting up lots, adjusting lots, and new buildings. Decisions have to be made on setbacks and easements issues. Mark handed out maps showing the current properties of the three requests: Connie Bushey (7551 Main St W), Bruce Gibbs (7496 Main St W/Minnow St) and Dennis Ernst (7464 Fir St W). Both the Gibbs' and Ernst's property abut the Gandy Dancer Trail. The trail, which is fifty feet wide and centered around the old center of the railroad tracks, is like a village street but considered a public walkway and determination needs to be made on setback. Ernst is looking at putting up an additional house and Gibbs is looking at an additional shed. Mark suggests between thirty (setback for street) and ten feet (setback for walkway) and then the decision would set precedence for any future plans along the Gandy. Regarding Bushey request, there is an easement that another party owns part of and the potential buyer for part of Bushey property. The decision needs to be made on what the easement width should be, what the future use will be, make it compatible and approve the division of her property. Ernst is also requesting division of his property. Discussion took place on the current and potential ownership rights of where the easements and right of ways are on the Bushey, Dedman and Village properties at the end of Main Street West. Motion made by Village Trustee, Widiker to approve splitting the Bushey property from one lot to two; seconded by Member, Bentley. **Motion carried 6-0.** Motion made by Member, Krause for President, Roberts to contact Mr. Dedman about clarifying easements and trading right of way properties with the Village and document long term with the mapping; seconded by Public Works Director, Heyer. **Motion carried 6-0.** Bruce Gibbs and Dennis Ernst's requests were then discussed. Jay reiterated current setbacks. Mark provided a map showing the old building location and this is where Bruce would like to put up a new shed. President, Roberts would like to set a standard setback so consistent for the whole length of the Gandy through the Village. Mark explained particulars of land abutting the Gandy, previously leased land (from the County), commercial land and residential uses. Mark said at a minimum, needs to be a ten foot side yard setback and he thinks it should be more than that. Thirty feet is typical for a street. Setbacks, center line and prior uses of Minnow Street was discussed. Heyer asked if the County would need to get involved, Mark said no since it is in the Village zoning. Widiker asked what other municipalities have done about setbacks with the Gandy. Mark didn't know but knows North States, in

Siren, bought leased land right up against the Gandy. Bentley asked about the Mobile Home Park and how close to the Gandy. Mark said about twenty-five feet and some of land from old Coop North is still owned by the County. Dennis Ernst to clarify the feet from the center of Gandy. Mark said forty-five feet from the center of the Gandy (twenty-five from center to property line and twenty feet setback from property line.) Mark said no barricade type fences along Gandy. Motion made by Trustee, Widiker for a standard setback of twenty-foot setback for structures along the Gandy Dancer Trail (both east and west side) though out the Village; seconded by Member, Bentley. **Motion carried 6-0.** Heyer asked if Dennis Ernst needs to split his lot due to outlot on his property. Mark pointed the proposed lot configuration as illustrated on the map he handed out previously. Motion made by President, Roberts to reconfigure (combine) the outlot and the lot owned by Dennis Ernst; seconded by Member, Bentley. **Motion carried 6-0.** President, Roberts stated that Dennis will still need to bring this in front of the village board.

- V. **EXTRATERRITORIAL ZONING** – Copies of Wisconsin Statute 62.23 (7a) Extraterritorial Zoning was provided to all board members. Village Trustee, Widiker provided background on the topic of extraterritorial zoning. The Village of Webster wrote a letter of opposition to the proposed campground along the north border of the Yellow River (and one for North of County Road A on Devils Lake.) One of the reasons, of opposition, was this area is within the village’s extraterritorial zone. Extraterritorial zoning is a state statute, and the extraterritorial zoning jurisdiction is the area within one and a half miles beyond the village borders. This is so the village can be a part of any discussions about zoning or planning in that zone. The village can exercise extraterritorial power and the statute requires forming an Extraterritorial Joint Committee. Regarding the letters of opposition, the village did not exercise any power, the village just stated that the area is within the extraterritorial zoning area and would like a ‘seat at the table’ in any discussions pertaining to that area. First step is bringing in front of the planning committee/commission and then form an extraterritorial joint committee before exercising any power. As the statute indicates, “the village can adopt an interim zoning ordinance to preserve existing zones or uses for two years while a comprehensive zoning plan is being prepared.” § 62.23(7a) The long-term vision of the village board is to work with the townships around us (Meenon and Oakland) and form this Joint Planning Commission and create a long-term plan in terms of zoning and future planning. Village Clerk, Kuhnly stated this commission (the Village Planning Commission) was instrumental in drafting the current Comprehensive Plan 2030. This plan was adopted July 2010. Littered through out the Comprehensive Plan speaks to extraterritorial zoning in the village. She then reiterated the steps Widiker spoke to earlier, added the village board would adopt the interim zoning ordinance and then brought to the Extraterritorial Joint Committee. The Joint Committee would be made up of three members from the village and three members of each of the townships. Mark provided examples of other municipalities’ extraterritorial zoning and reasons for it. Motion made by Member, Bentley for the Village of Webster to discuss and possibly approve an interim zoning resolution for Extraterritorial Zoning and to proceed with establishing a Joint Committee with neighboring townships; seconded by Members, Sears. Mark asked clarifying questions and figure out if village wants to exercise the entire mile and half that is allowed. The Joint Committee will discuss the specifics. **Motion carried 6-0.** Mark brought up that the Township of Lincoln is on the west side of the extraterritorial zone and include the county in discussions. From the Village Planning Commission, the following members will represent the village on the Extraterritorial Joint Committee: Village President, Jeff Roberts; Village Trustee, Greg Widiker and Citizen, Gaelyn Sears. Widiker also hopes that the County will also be part of the discussions and the committee. Roberts will talk to the Chairmans for Meenon and Oakland to establish membership from their townships.

**VI. ADJOURNMENT.** Motion was made by Village Trustee, Widiker to adjourn at 7:20 p.m., seconded by Member, Bentley. **Motion carried 6-0.**

Respectfully submitted,

*Debra Doriott-Kuhnly*

Debra Doriott-Kuhnly, Clerk-Treasurer

July 26, 2021

\*\*\*These minutes are subject to approval at next month's Regular Meeting.