

SPECIAL MEETING
PLANNING & ZONING COMMISSION
HELD JOINTLY WITH THE TOWN BOARD
AUGUST 12, 2009
APPROVED MINUTES

Chairman Kwiatkowski called the meeting to order at 7:00 p.m. and led the Pledge of Allegiance.

Present: Chairman Kwiatkowski; Supervisors Davis, Rasmussen, and West; Commissioners Lewis, Olsen, Rudy, and Samuels. Supervisor Malek was excused. Also present: Town Clerk Lynn Pepper and Town Planner Brian Pionke.

Public Hearing to consider the tentative adoption of Chapters Four, Five, Six, Seven, and Eight of the Comprehensive Plan – Chairman Kwiatkowski opened the public hearing and Clerk Pepper read the official notice. Chairman Kwiatkowski explained that the focus of tonight's public hearing is Chapters 4, 5, 6, 7, & 8. Public comment will be taken and the input received will be reviewed. At this time, Chairman Kwiatkowski introduced Supervisor Dan West and Supervisor John Davis, who have been working on the Advisory Committee on a bi-monthly basis.

Smart Growth Advisory Committee Chairman Supervisor John Davis presented the Agricultural, Natural, and Cultural Resources Chapter 4 Summary. This chapter presents an inventory and analysis of the agricultural, natural, and cultural resource base of the Town of Eagle. Included is descriptive information pertaining to climate, air quality, physiography, bedrock geology, topography, soils, groundwater resources, surface-water resources, wetlands, woodlands, natural areas and critical species habitat sites, park and open space sites, environmental corridors, historic and cultural resources, and agricultural lands. The agricultural and natural resource base of the Town of Eagle influences the development potential of the Town, as well as adding recreational, aesthetic and economic value. Preserving and protecting these important assets is key in supporting various forms of suburban and rural development, without deterioration or destruction of that underlying and sustaining base. Supervisor Davis explained that this chapter identifies the seven significant geological sites in the Town of Eagle, the soils that are predominately found in the Town, agricultural resources which are critical to the Town's Comprehensive Plan, ground water resources, surface water resources, and environmental, natural resource and wildlife, and cultural resources, such as Old World Wisconsin.

Supervisor Davis read the objectives of Chapter 4 as follows: Objective No. 1, The preservation of productive agricultural land; Objective No. 2, A distribution of the various land uses which maintains biodiversity and which will result in the preservation and sustainable use of the natural resources of the Town, including inland lakes and streams, groundwater, wetlands, woodlands, prairies, and wildlife; Objective No. 3, A distribution of land uses and specific site development designs which protects or enhances the surface and ground water resources of the Town; Objective No. 4, The preservation and provision of open space to enhance the total quality of the Town environment, maximize essential natural resource availability, give form and structure to suburban development, and provide opportunities for a full range of outdoor recreational activities; Objective No. 5, A distribution of the various land uses which maintains biodiversity, and clean air, and will result in the protection and wise use of the natural resources of the Town, including its soils; and Objective No. 6, Encourage an appreciation and

understanding of the importance of historic sites, which will result in the preservation, maintenance, and sustainable use of existing historical sites.

Supervisor Davis read the summary implementation recommendations as follows: Address groundwater supply and recharge issues; Review the river and watershed planning objectives when the Mukwonago River Watershed Protection Plan is completed; Assure that land use categories direct development away from areas with seasonally high groundwater and discourage development of below grade structures on soils with groundwater limitations; Apply more stringent site design and enforce storm water management requirements; Provide lists of historical sites that are eligible for historic designation to the Eagle Historical Society; Assure that the planned land use map and appropriate zoning codes and maps reflect lands identified as prime agricultural areas; and Encourage the preservation of high quality agricultural and environmental lands, maintain the rural character of the Town, and discourage residential development on agriculturally productive and environmentally sensitive areas.

At this time, Chairman Kwiatkowski opened the floor for public comment on Chapter Four.

Town of Eagle resident and Smart Growth Committee Member Mr. Mike Bolan, W352 S10355 Tuohy Road questioned the language of objective 1 in regards to the word “productive”.

Smart Growth Committee Member Mr. Tom Day, W350 S10115 Highview referred to Table 4-2 on page 4-20 of the full version of Chapter 4. Mr. Day disagreed that the length of the river is only 2.2 miles. Ms. Barb Holtz, Town of Mukwonago resident added that the table should clarify if the river length stated is the portion of the river that lies within the Town of Eagle or is it the length of the entire river.

Smart Growth Committee Member Supervisor Dan West presented the Community Facilities & Utilities Chapter 5 Summary. Within the Town of Eagle and the County, Community Facilities and Utilities are important in providing high quality services to enhance the safety and welfare of its citizens. The major Community Facilities & Utilities within the county include: telecommunications infrastructure, public and private utilities, school districts, libraries, cemeteries, healthcare facilities, childcare facilities, senior housing, and public safety. The Advisory Committee for the Town of Eagle reviewed the update of the County Community Facilities & Utilities Element, and the community survey results, which details the Town of Eagle strengths, concerns, and weaknesses. The details can be found in Appendix A, or on the Waukesha County Comprehensive Plan website under Public Involvement. Supervisor West explained that this chapter addresses public utilities, gas and electric utilities, communication utilities, education, local government departments, healthcare facilities, childcare facilities, and cemeteries.

Supervisor West read the objectives of Chapter 5 as follows: Objective No. 1, To provide police, fire and other emergency service facilities necessary to maintain high-quality protection throughout the Town; Objective No. 2, To support joint library services in a facility with accessibility for all citizens throughout the Town; Objective No. 3, To cooperate with appropriate school districts so that educational services are focused on the education of all students throughout the Town; and Objective No. 4 To coordinate the government and institutional lands used by the School Districts, Village of Eagle, Waukesha County, the State of Wisconsin and other public or non-profit bodies with the Town's land use needs.

Supervisor West read the summary implementation recommendations as follows: The Town should work with the County and the Southeastern Wisconsin Regional Planning Commission (SEWRPC) as part of

the regional water supply planning process to identify and protect groundwater aquifers that can sustain planned development; The Town should cooperate with development of any County-wide plan for the future placement and current use of emergency service facilities, to optimize emergency response times, and to eliminate overlap of service areas and equipment; Since watershed boundaries rarely follow municipal boundaries, the Town should work with the County and nearby municipalities to develop storm water system plans to protect watershed areas. Where unique surface water resources exist in the Town, local and County Planning efforts should combine land use and storm water planning together with a review of related local regulatory and educational efforts to prepare watershed protection plans; The Town, in cooperation with Waukesha County and SEWRPC, should develop a long-range wireless facilities plan to enhance business competitiveness, public safety, and government communications; The Town should make available demographic data and any land use changes contained in this plan for facility and school district planning. The Town should also communicate with the school districts about new developments, and cooperate with any long-range school district planning, so that excellence in education is encouraged; The Town should work with municipalities within each School District to develop some type of growth control mechanisms for development; The Town should work with the Village of Eagle and the Village of North Prairie to address transportation and infrastructure issues; The Town of Eagle and the Waukesha County Towns Association should work with the State Legislature on legislation to protect the groundwater and the installation of any adjacent community wells within their boundaries; The Town should maintain the existing level of services, and should monitor future population increases in order to plan for future service level requirements; and The Town should continue to work together with the Village to provide joint operations of the Library, Fire Department, Park and Recreation Department, and Historical Society Museum.

At this time, Chairman Kwiatkowski opened the floor for public comment on Chapter Five.

Mr. Tom Day referred to the date of the draft document, stating that he has a more current version. Chairman Kwiatkowski added that once the meeting was set, these documents needed to be available and that these are the documents that are being worked on tonight. The committee has been making adjustments and modifications since the meeting was posted and published. Chairman Kwiatkowski explained that the final adoption will have the final changes and the latest revisions.

Smart Growth Advisory Committee Chairman Supervisor John Davis presented the Housing Chapter 6 Summary. The housing element will establish and discuss the objectives, policies, goals, maps, and programs the Town has available to provide an adequate housing supply which meets the existing and forecasted housing demand over a twenty-five year planning period. The Town shall assess the age, structural type, value, and occupancy characteristics of the existing housing stock, and should provide a range of housing choices which meet the needs of all income levels, age groups and persons with special needs. Policies and programs should be analyzed, which promote the availability of land for development of a range of housing, and maintenance or rehabilitation the Town's existing housing stock.

Supervisor Davis explained that this chapter inventories the housing supply, including the value, monthly housing costs, unit structure type, affordability, projections, and household income. This chapter generally contains statistical information that was received from Waukesha County. Supervisor Davis read the objective of Chapter 6 as follows: The Town will encourage an adequate housing supply which balances the demand for housing with the rural character and resources of the Town, and will encourage a mix of housing suitable for people in various stages of life and various economic levels.

Supervisor Davis read the summary implementation recommendations as follows: The Town should, after receipt of the 2010 census data and the SEWRPC “2035 Regional Housing Plan for Southeastern Wisconsin”, re-evaluate the need for low to moderate cost housing based upon updated income, housing values, information on the disabled and aging population, and whether it is necessary to revisit the need for a broader range of housing for citizens; The Town of Eagle should identify the number of additional housing units anticipated to fulfill future planned housing development. Land that can accommodate additional housing units will be identified on the planned land use map; The Town should consider an allocation system to provide for incremental growth in a fashion that supports this Comprehensive Plan; The Town should try to maintain a reasonable overall level of its housing stock in the affordable range; Based upon the anticipated population, the Town of Eagle Plan Commission and Town Board should review the number of residential development permits it allots each year to new developments under the provisions of the Land Division Ordinance; and It is recommended that in the area around Eagle Spring Lake, or any area where a concentration of older housing stock exists, any of the non-conforming and substandard housing units be upgraded or reconstructed when the opportunity arises.

Chairman Kwiatkowski opened the floor to public comment on Chapter 6 of the plan.

In response to Waukesha County Supervisor, Town of Eagle resident, and Smart Growth Committee Member Ms. Pamela Meyer, S101 W34849 CTH LO, Supervisor Davis explained that using the figures from Waukesha County, it was determined that the affordable housing value in the Town of Eagle is approximately \$208,000, excluding the cost of the land.

Mr. Mike Bolan raised the issue of the additional 330 dwelling units’ projection for the year 2035. In response, Supervisor Davis explained that Waukesha County used the overall land area within the Town of Eagle when calculating the anticipated additional dwelling units needed by 2035. The Town used the forest areas for factoring the overall density, but excluded it when calculating anticipated growth. Mr. Bolan argued that the language used is not clear.

Smart Growth Committee Member Supervisor Dan West presented the Economic Development Chapter 7 Summary. Economic development is vital for communities in Waukesha County and the Town of Eagle. In order to maintain the highest quality of life for its residents, the Town of Eagle needs to work with other communities to foster job growth and new business development. This is especially true because the Town of Eagle has recently designated lands for new development of commercial and industrial use, and needs to work with the Village of Eagle and Village of North Prairie to address area needs. The Town is working with the Village of Eagle and adjacent communities in Waukesha County to determine the future demand for land, which both the Town and the County Plan must consider relative to future population, household and employment levels. Future population, household, and employment levels must therefore, be forecasted with land use and supporting facility plans taking forecast conditions into consideration. This chapter will provide an overview of the methodology and assumptions that underlie the economic and employment projections of southeastern Wisconsin, Waukesha County and the Town of Eagle. Supervisor West explained that this chapter includes statistical and historical information including economic development history, workforce analysis, workforce demographics and labor availability, overall employment projections, and local, county, regional, and state programs and initiatives and organization.

Supervisor West read the objectives and principles as follows: Objective No. 1 - Commercial Development: Commercial development should be accessible to residents, meet the needs and desires of Town residents, and fit the Town's rural character; Principle A: The existing number and type of business services already serving the Town's residents will be considered in making decisions, with regard to any new business enterprises; Principle B: New commercial development benefits the Town through additions to the tax base, additional job opportunities, minimal impact on community services, and will cost less tax revenue to support than that of other types of development; Objective No. 2 - Manufacturing Development: Manufacturing development in the Town will be encouraged to the extent possible, so long as it does not significantly change the Town's rural character; Principle - New light manufacturing benefits the Town through additions to the tax base, additional job opportunities, minimal impact on community services, and will cost less tax revenue to support than that of other types of development.

Supervisor West read the implementation recommendations as follows: In order to enhance the viability of existing or proposed retail, office and industrial areas, objectives and standards shall be included in the Land Use Chapter of this Plan, to guide the placement of new uses; To address cyclical overdevelopment of commercial space or buildings, particularly office space, the Town should avoid pre-zoning lands. The Town will zone for present use, and designate land use for future uses; The Town should periodically review and consider the use of other comprehensive land development tools and techniques in advising developers, regarding planning and zoning actions and decisions; Officials in the Town should annually review capital improvement plans or programs in an effort to coordinate transportation and other improvements that aid in the delivery of goods, services, and employment; The Town should review and revise the zoning ordinance to regulate future manufacturing development standards; In anticipation of projected employment sector growth the Town should promote and facilitate an adequate supply of new housing of sufficient quantity and density within reasonable proximity to new and existing employment centers; The Town should enhance higher paying jobs, the Town would support local and County initiatives to increase development of a diverse business sector; The Town should encourage the creation of partnerships between local economic development organizations, colleges, and universities to promote entrepreneurial programs, industry collaborations, technology transfer, and opportunities to generate in seed capital; and The Town should, in an effort to reduce the future property tax burden in the Town, consider consolidations, mergers, shared services, or legislative measures to reduce waste and provide for more efficient services.

Supervisor Davis explained that, under Business and Industrial, item 2, the committee added the language "the Town will zone for present use". Also, under Government Services and Taxes, the line now reads "...should consider consolidations..."

Chairman Kwiatkowski opened the floor to public comment on Chapter 7 of the plan.

There were no public comments on this chapter.

Smart Growth Advisory Committee Chairman Supervisor John Davis presented the Transportation Facilities Element Chapter 8 Summary. The transportation system of Waukesha County benefits all County and Town of Eagle residents by providing for the movement of goods and people into, out of, through, and within the Town. An efficient, durable, cost-effective transportation system is essential to the sound social, community, and economic development of the Town, County and of the Region. The

term transportation system describes several different aspects including: Transportation options used to move people and products; Levels of jurisdictional authority; and Facilities that a user might access to begin, change, or end a trip. When people hear the term transportation system, they often think only of roads. While roads account for the majority of the transportation system, they are not the only component. A transportation system includes: roads, transit services, rail services, bicycle lanes, paths, trails, airports, pedestrian ways, ports, and harbors. The Eagle Advisory Committee has identified a number of strengths, weaknesses and concerns about the current status of transportation facilities which are detailed within Chapter 8. In summary, the Town road system is in good condition and has a strong road maintenance plan, but there is a lack of a safe pedestrian and bicycle system and a lack of transportation opportunities for seniors, disabled persons, and other non-drivers. Supervisor Davis explained that this chapter addresses Town of Eagle street inventory, interregional public transportation, specialized transportation, pedestrian and bicycle facilities, other transportation facilities and services, and state transportation programs.

Supervisor Davis read the objective as follows: A multi-modal transportation system which, establishes appropriate types and choices of transportation modes, that through its location, capacity, and design, will effectively serve the existing Town and County land use pattern and promote the implementation of the regional land use plan and the County comprehensive development plan, meeting and managing the anticipated travel demand generated by the existing and proposed land uses.

Supervisor Davis read the implementation recommendations as follows: The Town of Eagle should support Waukesha County's work with the Southeastern Wisconsin Regional Planning Commission (SEWRPC) to conduct a major review and reevaluation of the jurisdictional transfer recommendations in the year 2035 Regional Transportation System Plan; The Town of Eagle should participate in any of Waukesha County's work to refine the proposed system of off street bicycle paths and surface arterial streets and highway system accommodation of bicycles contained in the 2035 Regional Transportation System Plan. In addition, the Town should consider integrating bikeway accommodations into planning for upgrades and modifications to the Town roadway system consistent with the refined County Plan, and facilitate communication with local municipalities to address bikeway linkages and connectivity; The Town should implement the transportation system development planning objectives, principles, and standards contained in Chapter 2 of the Waukesha County Comprehensive Development Plan; The Town should support County evaluation of dedicated funding sources for county wide shared taxi service to meet the needs of a growing elderly population in all 37 municipalities; As a consequence of increasing rail freight traffic, the Town should support County establishment of additional rail quiet zones and their investment in railroad grade separations as a safety priority at county trunk highway crossings; The Town should continue to evaluate for implementation any public transit recommendations contained in the 2035 Regional Transportation System Plan for Southeastern Wisconsin that are possible at the local level; The Town should continue to update the Official Transportation Map using the PAZER Program; The Town should continue to work to upgrade the Town's street system with the necessary improvements; and The Town should look for possible State and Federal funding sources or grants for road improvements. The 2035 Regional Transportation System Plan for Southeastern Wisconsin is multi-modal in nature, dealing with public transit, bicycle and pedestrian, travel demand management, transportation systems management, and arterial streets and highways. The plan is designed to serve, and be consistent with the Year 2035 Regional Land Use Plan.

Planner Pionke explained that it was the committee's recommendation to place the Town of Eagle's plan prior to the regional plan.

Chairman Kwiatkowski opened the floor to public comment on Chapter 8 of the plan.

Smart Growth Committee Member Mr. Sandy Campbell, W309 S4860 Commercial Drive, North Prairie questioned if the Town is requiring sidewalks and bike trails in new developments and who would be responsible for the associated cost. In response, Chairman Kwiatkowski explained that these issues will be addressed as part of Land Division. Mr. Campbell recommended that the committee hold an additional meeting, if needed, to not rush through the remaining chapters to meet the deadline.

Hearing no other public comment, a motion was made by Chairman Kwiatkowski, seconded by Supervisor Davis to close the public hearing at 7:58 P.M. Upon voice vote, motion carried.

A motion was made by Supervisor Rasmussen, seconded by Supervisor West to accept the recommendation of the Planning & Zoning Commission. Upon voice vote, motion carried.

In response to Commissioner Rudy, Supervisor Davis explained that Waukesha County does not have any intention to address future by-passes for municipalities in their plan. County Board Supervisor Meyer explained that the Southeastern Wisconsin Regional Planning Commission is responsible for the regional transportation plan. Chairman Kwiatkowski explained that in Chapter 8's implementation recommendations, item #3, when the topic comes up, the Town of Eagle will be working with Waukesha County Plan. Discussion followed regarding possible alternative language. Commissioner Rudy suggested that Waukesha County initiate discussion with all Waukesha municipalities on this topic.

Chairman Kwiatkowski reminded the Board and Commission that the finalized Smart Growth Plan must be finished and adopted no later than January 1, 2010 or the Town will resort back to County zoning until the plan is completed. In addition, Commissioner Samuels stated that Waukesha County would not review the plan until the following year.

Supervisor Davis explained that the Advisory Committee presents to the Commission and Board what the majority of the members agree on. Unless there is a major element which has to be reviewed, the Advisory Committee have moved this forward to the Commission and Board for them to make any necessary changes. It was the consensus of the Board and Commission that item #3 was adequate in addressing the issue.

At this time, the Board and Commission reviewed the discussion points brought forward by the public comments.

In regards to the term "productive", in relation to the preservation of agricultural land, Planner Pionke explained that it is "one that provides food and fiber." Commissioner Samuels questioned what would happen if land were not farmed for one or two years. Discussion followed regarding prime versus productive agricultural land. Commissioner Lewis explained that these lands have the potential to be productive, thus fulfilling the principle. Preservation of these areas should be considered.

Supervisor Davis and Supervisor West explained that the language used was meant to be general and focused and meant as a directional guide, allowing future commissions to make their own decisions. Commissioner Samuels suggested removing the word “productive” from the sentence and it was the consensus of the Board and Commission to make said change.

In regards to the length of the Mukwonago River, County Board Supervisor Meyer suggested that Planner Pionke contact the Southeastern Wisconsin Regional Planning Commission for their data. Chairman Kwiatkowski added that “Mukwonago” should also be removed from the table.

In regards to Chapter 5, Chairman Kwiatkowski stated that Emergency Medical Technicians (EMT) be added to the third bullet point on page 5-1 and that the department be referred to as “Eagle Fire & Emergency Services Department.”

Supervisor Davis explained that on page 5-7, 2nd paragraph, the words “Municipal Water Tower” were removed and replaced with “free-standing tower in the industrial park.” Supervisor Davis pointed out other minor changes in the document.

Discussion ensued regarding the projection in Chapter 6 of 330 additional dwelling units in the Town of Eagle. Planner Pionke explained that the Town is using the state forests in order to determine density. The housing numbers did not use the state forests. Mr. Bolan stated that the sentence used is not clear. Discussion followed. It was the consensus of the Board and Commission to delete the words “not take into account” and replace them with “include.”

Commissioner Samuels raised the question of the figure used for affordable housing, excluded the cost of the land. Discussion followed regarding median versus affordable. Planner Pionke explained that this number was determined by Waukesha County, using the Housing and Urban Development’s definition and formula.

In regards to Chapter 7 and in response to Chairman Kwiatkowski, Planner Pionke explained that housing development is referenced in the economic chapter because of the employment sector growth.

In regards to Chapter 8 and the public comment regarding the bike trails, Chairman Kwiatkowski explained that bike trails and walking trails are addressed as part of the zoning text, Land Division Ordinance, and Developer’s Agreements.

A motion was made by Commissioner Lewis, seconded by Commissioner Olsen to conditionally approve Chapters 4, 5, 6, 7, & 8 of the Comprehensive Plan, with consideration of the comments and changes from tonight’s public hearing. Upon voice vote, motion carried.

A motion was made by Supervisor Rasmussen, seconded by Supervisor West to accept the recommendation of the Plan Commission. Upon voice vote, motion carried.

A motion was made by Commissioner Samuels, seconded by Supervisor West to adjourn the meeting at 8:55 P.M. Upon voice vote, motion carried.

Respectfully Submitted,
Lynn M. Pepper, Eagle Town Clerk