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## **MEETING NOTICE**

Planning Commission Agenda

**Thursday, November 29, 2018 – 5:00 PM**

Council Chambers – New London Municipal Building

1. Call to Order
2. Adopt Agenda
3. Roll Call
4. Approval of the November 8, 2018 meeting minutes
5. Discussion of Fence Ordinance – Street Side Setbacks / Reply from Attorney Luaders
6. Proposed Sub-division – Carl Romenesko
7. Other Matters
8. Adjournment

\*Agenda items are listed so as to accurately describe the actions or issue being considered instead of simply the document listing title or the parties to a contract. This is done as such titles or a list of parties to a contract conveys insufficient information to the public on whether a topic or project they are interested in is being considered. It is the policy of the City of New London to comply in good faith with all applicable regulations, guidelines, etc. put forth in the Americans with Disabilities Act (ADA). To that end, it is the City's intent to provide equal opportunity for everyone to participate in all programs and/or services offered, to attend every public meeting scheduled, and to utilize all public facilities available. Any person(s) in need of an alternative format (i.e. larger print, audio tapes, Braille, readers, interpreters, amplifiers, transcription) regarding information disseminated by the City of New London should notify the City 48 hours prior to a meeting, etc., or allow 48 hours after a request for a copy of brochures, notices, etc. for delivery of that alternative format. Contact ADA Co-Coordinators Paul Hanlon or Chad Hoerth by telephone through: (Relay Wisconsin) – 920/ 982-8500 or (Voice) – 920/982-8500 and in person/letter at 215 N. Shawano Street, New London, WI 54961.

**City of New London  
Planning Commission Minutes  
November 8, 2018**

**Call to Order:**

The November 8, 2018 Special Planning Commission meeting was called to order by Chairman Steinhorst at 7:30 A.M.

**Roll Call:**

Those in attendance were Henke, Gabert, Steingraber, Steinhorst, Goller, Noel, Spilman and Thompson.

Others in attendance: Kent Hager, City Administrator, Paul Hanlon – Zoning Administrator, Mike Huzzar – Museum Board and Mike Barrington – Council member

**Request by City of New London for a Planned Unit Development for Land South of the Wolf River to W Wolf River Ave and lying between Hilker Warehousing and S Pearl Street:**

Hanlon explained the Planned Unit Development (PUD) is an overlay zoning which allows all of the permitted uses in the underlying zoning and also any other use approved in the Planned Unit Development. This specific PUD is a mixed use development as described in Chapter 17.07-5(9):

- (9) Proposed Mixed Use Developments:
  - A. That the proposed mixture of uses produces a unified composite which is compatible within itself and which, as a total development entity, is compatible with the surrounding neighborhood and consistent with the general objectives of the City Plan.
  - B. That the various types of uses conform to the general requirements as hereinbefore set forth, applicable to projects of such use character.

Hager commented the site design as proposed may not be the final design. He also noted the timing of creating the PUD is important because it must be in place when the developer submits the WHEDA housing grant.

Steingraber asked about the existing buildings in the area where the PUD is being created. Those buildings are not affected by creating the district and may continue to operate as they currently are.

Motion by Gabert, second by Goller to recommend the creating of a Planned Unit Development overlay for Land South of the Wolf River to W Wolf River Ave and lying between Hilker Warehousing and S Pearl Street. Motion carried. 8/0

**Other Matters:**

Next meeting will be November 29, 2018 at 5:00 pm.

**Adjournment:**

Motion by Goller and second by Gabert to adjourn. Motion carried 8/0. Meeting adjourned at 7:42 am.

# Memo

To: New London Planning Commission  
From: Paul Hanlon  
CC:  
Date: 11/19/2018  
Re: Fence setbacks

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At the September 27, 2018, the Planning Commission discussed an issue regarding the setback requirements for a fence in the “street side” setback of a corner property.

Prior to the meeting it was determined this would be something a variance could not be used for.

After the meeting I submitted the following question to Attorney Luaders regarding whether or not a Conditional Use could be granted for a setback.

His opinion follows: “It would seem to me that this would not be something that would be appropriate for a conditional use. Conditional use is the use of a person’s property such as a home occupation where the Planning Commission could put restrictions on parking, hours, of operation, signage, lighting, etc. A fence is not “use” of the property so I really don’t think the ordinance could be amended to add a type of fence as a conditional use.”

It appears the only way to allow a fence in the “street side” setback, other than a picket fence, would be to amend the ordinance. Doing this would allow construction of fences in the street side setback for all properties.

I strongly recommend the Planning Commission take no action on this and leave the ordinance as is.

Thanks  
Paul



