

Unless specifically noticed otherwise, this meeting and all other meetings of this body are open to the public. Proper notice has been posted and given to the media in accordance with Wisconsin Statutes so that citizens may be aware of the time, place and purpose of the meeting.

MEETING NOTICE

Planning Commission Agenda

Thursday, July 25, 2019 - 5:00 PM

Council Chambers - New London Municipal Building

1. Call to Order
2. Adopt Agenda
3. Roll Call
4. Approval of the June 27, 2019 meeting minutes
5. London Acres Subdivision –preliminary Platt Documents
 - a. Preliminary platt approval request discussion
 - b. Proposed covenant discussion
6. Action on Above, if any
7. Letter from Schewe's requesting a variance for secondary driveway
8. Other Matters
9. 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-Coordinator 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
June 27, 2019**

Call to Order:

The June 27, 2019 Planning Commission meeting was called to order by Chairman Steinhorst at 5:05 PM.

Adopt Agenda:

Motion by Gabert, second by Steingraber to adopt the agenda. Motion carried 6/0.

Roll Call:

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

Others in attendance: Paul Hanlon – Zoning Administrator, Wayne Buskirk and Dawn Buskirk.

Approval of the May 23, 2019 Planning Commission Minutes:

Motion by Thompson, second by Spilman to approve the May 23, 2019 meeting minutes as presented. Motion carried 6/0

Public Hearing – Board of Appeals – Buskirk Variance for Fill Around a Dwelling:

Chairman Steinhorst opened the Public Hearing at 5:03 pm.

No one from the audience had any comments.

Chairman Steinhorst closed the Public Hearing at 5:04 PM

Action on Above if Any:

Hanlon explained the variance request to the Planning Commission. This request was to reduce the required 15 feet of fill at 1 foot above the 100 year flood fringe on one side of the dwelling. The remaining fill will be in compliance with the ordinance and place per FEMA Technical Bulletin 10. Supporting documents had been sent to the DNR for comment prior to the meeting, however; no response had been received at the time of the meeting.

Motion by Gabert, second by Steingraber to approve the variance request upon the approval of the DNR. Motion carried 6/0.

Request for a Garage in Excess of 1100 Sq. Ft.:

Wayne and Dawn Buskirk requested permission to construct an 1800 sq. ft. garage attached to their new home on Wood Lane. The maximum size limit without Planning Commission Approval is 1100 sq. ft. Motion by Henke, second by Gabert to allow the larger garage as requested. Motion carried. 6/0

Amendment to Municipal Code 10.055:

Per Attorney Luader's request, the Planning Commission reviewed a proposed amendment to Municipal Code 10.055. This amendment removes the "public nuisances" from the ordinance along with the statement "the accumulation of which has an adverse effect upon neighborhood or City property values, health, safety or general welfare"

Motion by Thompson, second by Gabert to recommend this amendment to Council for approval. Motion carried 6/0

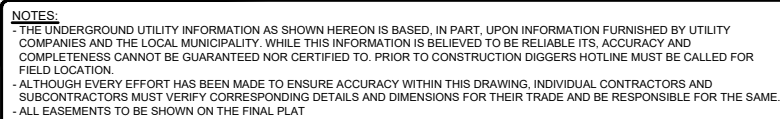
Other Matters:

Next meeting will be July 25, 2019 at 5:00 pm.

Adjournment:

Meeting adjourned by Steinhorst at 5:22 pm.


BEING PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 22 NORTH, RANGE 14 EAST,
CITY OF NEW LONDON, WAUPACA COUNTY, WISCONSIN,



Know what's **below**.
Call before you dig.

DESCRIPTION:

A PARCEL OF LAND BEING PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 22 NORTH, RANGE 14 EAST, CITY OF NEW LONDON, WAUKESHA COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH 1/4 CORNER OF SECTION 23; THENCE N89°32'21"E, 376.81 FEET ALONG THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 23; THENCE S00°21'55"E, 576.61 FEET; THENCE N89°32'21"E, 288.00 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 23; THENCE S00°21'55"E, 740.64 FEET ALONG SAID EAST LINE TO THE NORTH RIGHT-OF-WAY LINE OF C.T.H. "W"; THENCE S87°05'13"E, 170.23 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE; THENCE S88°31'08"W, 400.12 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO S84°13'20"W, 82.07 FEET ALONG SAID NORTH RIGHT-OF-WAY LINE TO THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 23; THENCE N00°29'44"W, 1340.19 FEET ALONG SAID WEST LINE TO THE NORTH 1/4 CORNER OF SECTION 23 AND THE POINT OF BEGINNING SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD. SAID PARCEL CONTAINS 714,360 SQUARE FEET (16.394 ACRES) OF LAND MORE OR LESS.

SHEET NO.	SCALE 1" = 60'	ROMENESKO DEVELOPMENTS, INC. 1818 E. WISCONSIN AVENUE APPLETON, WISCONSIN 54911 PROJECT: PRELIMINARY PLAT "LONDON ACRES", CITY OF NEW LONDON, WAUPACA COUNTY, WISCONSIN	DESIGNED		CAROL LAND SURVEYING CO., INC. 615 N. LYNNDALE DRIVE APPLETON, WISCONSIN 54912-1297 PHONE: (920)731-4168 FAX: (920)731-5673	DATE	REVISIONS	
	DATE 5-23-2019		DRAWN RDD			RDD	5-23-2019	PLAT ENTRIES ADDED
	PROJECT NO. C1808.19-19PP		CHECKED RFR					

DECLARATION OF RESTRICTIVE COVENANTS

London Acres Subdivision New London, Wisconsin

Romenesko Developments, Inc. (hereinafter RDI) being the owner (subject to mortgage of land located in the City of New London and being the owner of the above-named Subdivision, recorded _____, Cabinet ____ of Plats, Page _____ Document # _____, hereby makes the following declarations as to limitations, restrictions and uses to which the lots in said Subdivision may be put and hereby specifies that such declarations shall constitute covenants to run with the land, as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of and the limitations of all future owners and persons claiming under them.

1. Purpose. The purpose of these covenants is to ensure the use of property for attractive residential purposes only, to prevent nuisances, to prevent the impairment of the attractiveness of the property, to seek the use of quality materials and workmanship, and to maintain the desired atmosphere and appearance of the community, and thereby to secure in each site owner the full benefit and enjoyment of their home, with no greater restriction on the free and undisturbed use thereof that is necessary to ensure the same advantages to the other site owners.

2. Land Use and Building Type. No lot, whether alone or in combination with one or more other lots in this Subdivision, shall be used except for single-family residential purposes and restricted as follows:

A. All dwellings shall have not less than a two-car garage attached therein, provided that the total garage as attached therein may not exceed a use for three cars.

B. All dwellings shall have a roof pitch of not less than 6/12.

C. One storage building shall be allowed per lot. Building shall be located to the rear of the dwelling on said lot, shall have a maximum storage area not to exceed 225 square feet and shall be constructed in a style and of materials that are similar to those used in the construction of the dwelling located on said lot. A minimum of 3 ft. rear and side setbacks is required.

3. Architectural Control. As long as RDI owns 75% of the lots in the subdivision, no dwelling or other house or structure or fence may be erected on any lot in the Subdivision until the plans and specifications have been submitted and approved by RDI.

4. Lot Type. Lots numbered 1 through 16 shall be used for the purpose of single-family residences only. Lots numbered 17 through 30 shall be used for two-family residences.

5. Minimum Floor Area and Design. All Structures to be erected in the Subdivision shall be of a pleasing and harmonious external design and shall conform with all established setback lines; and any dwelling which fails to conform to the specified minimum areas shall not be permitted on any lot, except with prior written approval of RDI. The square footage of the main structure, exclusive of open porches, breezeways and garages shall not be less than:

Single-Family		Two-Family	
<u>Dwelling Type</u>	<u>Size</u>	<u>Dwelling Type</u>	<u>Size</u>
One Story	1,400 square feet	One Story	1,300 square feet
Story and a half	1,800 square feet*	Story and a half	1,500 square feet***
Two Story	1,800 square feet*	Two Story	1,500 square feet***
Bi or Tri Level	1,600 square feet**	Bi or Tri Level	1,300 square feet****

*Minimum of 1,100 square feet for first floor with total of not less than 1,800 square feet.
**Minimum of 1,600 square feet in the top two floors.
***Minimum of 1,000 square feet on the first floor and 500 square feet on the second level.
****Minimum of 1,300 square feet in the top two floors.
(A four-foot separation still constitutes first floor)

No dwelling shall exceed two stories in height above finished grade level.

All residential homes, except for 2-story homes, shall be required, at a minimum, to have 1/3 masonry on the front of the home.

6. Signs and Antennas. No sign or antenna, including outside earth stations (satellite dishes) shall be displayed or exposed to the public view except as follows: one sign of not more than six (6) square feet advertising the property as being for sale or rent or erected by a builder, to advertise the property the builder owns and is seeking to sell, during the construction and sales period, except that RDI as developer, may utilize signs of any size for advertising properties in said Subdivision for sale. Satellite dishes less than 24", mounted on the principal structure, and not visible from the street shall be permitted. All other TV antennas must be contained within the home and not mounted on the roof.

7. Basement. All homes shall have either basements or standard four-foot footing walls.

8. Used Buildings. No used buildings shall be moved on to any lot.

9. Completion of Home. Construction of all residential buildings shall be completed on the outside before occupancy and the inside shall be completed within twelve (12) months of-visible commencement of work. Lawns shall be completed within one (1) year of occupancy. All driveways shall be installed, final concrete or blacktop, within one (1) year of occupancy of a then constructed residential home.

10. Construction Site. At all times during construction, the site shall be maintained in a neat and orderly manner. All trash and waste shall be kept in sanitary containers and out of public eye.

11. Temporary Structures, Outbuildings or Trailers. No structures of a temporary nature, nor trailers, tents, shacks, barns or similar structures shall be permitted on any lot either temporarily or permanently. No structure other than a completed residence shall be occupied. Recreational vehicles, motor homes, snowmobiles, boats, trailers, motorcycles, minibikes, fishing shanties, etc., must be stored inside buildings.

12. Trash. All trash and waste shall be kept in sanitary containers. No sanitary container is to be put in front of any dwelling sooner than the day before regularly scheduled pick-up, except as may be otherwise authorized by applicable ordinance.

13. Fill. RDI reserves the right to direct the disposition of any fill, including excess excavation fill, which is to be removed from the lot at the lot owner's expense. However, such disposition as directed by RDI shall be within a ten (10) mile radius of the lot from which it is being removed.

14. Zoning, Health and Other Laws and Regulations. All zoning, health and other laws, ordinances and regulations promulgated by the Municipality having jurisdiction over the Subdivision, Outagamie County, or the State of Wisconsin, which pertain to said Subdivision shall be strictly observed and complied with.

15. Unlicensed Vehicles and Salvage Materials. No unlicensed vehicles or junk yards or storage area for cars or other salvage materials of any nature shall be permitted on any lot or combination of lots within the Subdivision.

16. Commercial Business. Except as may be permitted by local zoning regulations, no commercial business shall be allowed or conducted at any time from any lot or combination of lots within the Subdivision.

17. Setback Lines. Setback lines shall conform to local zoning regulations.

18. Term. These covenants and restrictions herein contained shall be in effect for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall automatically be extended for successive periods of ten (10) years, unless an instrument termination or reducing this term shall be executed and recorded in accordance with the requirements and procedures set forth in paragraph 18.

19. Amendment. These covenants may be amended, waived or removed by the execution and recordation in the Office of the Register or Deeds for Outagamie County, Wisconsin, of an Instrument executed by not less than two-thirds (2/3) of the lot owners, provided that so long as RDI is the owner of any lot or property affected by these covenants, or amendment thereof, no such amendment, waiver or removal will be effective without RDI's prior written consent, in recordable form. Further, so long as RDI shall own any property in the Subdivision, RDI by itself alone, shall be entitled to amend, waive, or remove said covenants.

20. Animals. No animals, except as normal household pets, shall be kept, bred, or raised on any lot in this Subdivision.

21. Fences. No wall, fence (excluding hedge fences) of any kind whatsoever shall be constructed upon any lot within the Subdivision unless the height, type, design and location thereof have theretofore been approved by the City of New London.

22. Enforcement. If any lot or person(s) in possession of any lot or dwelling on any lot within the Subdivision shall violate or attempt to violate any of these covenants, it shall be lawful for any other person(s) owning any lot or owning or occupying any dwelling on any lot in the Subdivision to prosecute and/or commence proceedings at law or in equity against the person(s) violating or attempting to violate any such covenant, either to prevent such person(s) from doing so or to recover damages for such violation or to restrain the violation.

23. Invalidity of any Covenants. Should any one of these covenants for any reason be declared invalid, such declaration shall not affect the validity of the remaining covenants, which remaining covenants shall remain in full force and effect as if these covenants had been executed with the invalid portion thereof eliminated.

24. Benefit. These Restrictions shall be binding on and inure to the benefit of RDI all subsequent owners, or any other persons with an interest in any property in this Subdivision, their heirs, personal representatives, successors and assigns.

Drafted by Romenesko Developments, Inc.

Dated this _____ day of _____, _____.

Romenesko Developments, Inc.
President

Dear Members of the New London Planning Commission,

7-17-19

I am writing this letter requesting a variance to allow a concrete apron to be poured on the south end of my property at 1709 Division street where there is currently a drive opening.

During the construction of the Division St project my husband and I requested a secondary driveway be added so that we would always have access to load and unload our handicap child who is in a wheelchair during the construction. This request was granted by Paul Hanlon with the understanding that we could not make a permanent paved or gravel driveway in this location due to city ordinances. We would be allowed the cutout in the curb only. The work crew originally filled in this "apron" area with gravel. However with the slope of the sidewalk above this area the rain water flows like a river down the sidewalk and exits this opening washing out all the gravel into the street. When the work crew came back this spring to do some re-seeding we addressed this issue with them and they removed the little remaining gravel and added fill with grass seed. Unfortunately with the amount of rain we have had this year the same issue is happening. The rain flows down the sidewalk and out this curb opening and washes away. My husband and I have added more fill several times but the grass can't grow fast enough to hold the soil in place. While our main driveway is usually open and accessible there are times that my son's caregivers or I will use this entrance to park on the grass to load and unload his wheelchair. Even though Division is a posted 25 mph speed limit the speed of the vehicles traveling this street and the semi traffic in and out of New London Engineering makes loading and unloading on the street dangerous.

In addition there is a safety concern to the public if the apron area is left the way it is. Any person using the street or the sidewalk that would decide to enter or exit using this curb opening could potentially trip and fall or twist an ankle. There is a large gap between the top of the curb and where the ground is. I also feel that by pouring a concrete apron in this area it would keep the strength and integrity of the new curb and sidewalk.

Thank you for your consideration

A large black rectangular redaction box covering the signature area.

Mike and Becky Schewe