

**Village of Lily Lake
Plan Commission Minutes
Monday January 8, 2018**

1. Roll Call:

The Plan Commission was called to order at 7:03 PM by Chairperson, Steve Zahn. Dan Turner, Tim Dell and Glenn Bork were present.

Guests

See Public Comment

2. Approve Agenda:

Motion to approve the agenda for January 8th Plan Commission meeting by Tim Dell, second by Dan Turner, all in favor. Motion passes.

3. Approve the Meeting Minutes from the December 4th Meeting

Motion to approve the meeting minutes from the December 4th Plan Commission meeting by Dan Turner, second by Tim Dell, all in favor. Motion passes. (Chairperson voting)

4. Public Comment:

Mike Florian:

Mr. Florian stated that upon creation of the Cochise Subdivision, a residential subdivision was envisioned and that storage/parking of business and recreational items should be managed to protect property values for those desiring an exclusively residential setting. Business activities that involve parking commercial vehicles should be done in appropriately zoned areas.

Karl Pollak:

Mr. Pollak commented that commercial vehicles and activity be conducted in commercially zoned areas but is concerned with maintaining the option to park sport vehicle trailers for recreational use.

Fred Landmesser:

Mr. Landmesser moved to the Village in 2015 and selected the location based on the option to park event trailers for utility and recreational use on his property.

Robert Lemieux:

Mr. Lemieux sees no issues with the present use of parking one or more trailers on residential property as long as the property is maintained. Rules should not be imposed that prohibit this right.

Mary Damisch:

Mrs. Damisch finds the present and proposed zoning for trailers on residential property as too restrictive. Changes are required to permit more liberal use of the property to permit the parking of trailers.

Randy Vincent:

Mr. Vincent located to Lily Lake in 1988 and enjoys sport racing as a family activity. Mr. Vincent has 2 trailers and as long as the vehicles are maintained, one should be permitted to park them on residential property.

Lori Vincent:

Mrs. Vincent has no issues with neighbors having trailers parked on residential property as long as conditions are maintained.

Jarred Hedlund:

Mr. Hedlund noted that as long as trailers are properly registered, commercial or recreational trailers pose not issue among property owners. Mr. Hedlund comments that in some cases, size limits on trailers

imposes impractical restrictions on their use. Mr. Hedlin owns 4 small utility trailers and has not received complaints from neighbors concerning trailer parking.

Joe Raviola:

Mr. Raviola has lived in the Village for three years and owns one motor home, one trailer, and one car trailer. Mr. Raviola would like to continue parking his trailers at his property without issue.

Mae Strobel:

Mrs. Strobel favors no rules concerning the trailers parked on residential property. The present use of one's property for trailer parking should continue without restrictions by the Village. The proposed zoning for residential trailer parking is too restrictive.

Clara Mae Locascio:

Owner of land tract along Route 64.

Anastasia Xinos:

Representing Clare Locascio in obtaining conforming land use for a tract along Route 64.

Missy Barton:

Mrs. Barton is a small business owner and owns a several types of trailers including a boat and snowmobile trailer. In addition, a dump trailer is parked at the property for business use. The proposed zoning ordinance would significantly degrade a family business.

Tom Barton:

Mr. Barton commented that with no reported complaints concerning trailers, number of trailers or type of trailers parked at residential properties, why is it necessary to impose restrictions upon residents for an activity that has no negative impact upon the neighborhood?

Ken Hood:

Mr. Hood has 2 small utility trailers for recreational use. Mr. Hood has lived in Lily Lake for 20 years without complaint of trailers parked on neighboring properties that are purposed for recreational activity. Mr. Hood also noted that a neighbor's motor home parked for an extended period of time caused no offense.

Charles Delong:

Mr. Delong requires and RV trailer and several trailers for business. The proposed ordinance would negatively impact his ability to conduct a home business.

Cheyenne Delong:

Ms. Delong commented that there is considerable cost to store trailers and considering the property tax costs associated with living in Lily Lake, a property owner should have the option to park a business or recreational trailer on their property.

Robert Cox:

Mr. Cox is a 24 years resident of Lily Lake and desires the country-like setting of the area. Mr. Cox asks if no one has complained about trailers, why is the Village spending time and perhaps money to create an unenforceable ordinance?

Matt Mingal:

Mr. Mingal has no issues with trailer parking as it is today within his subdivision. Mr. Mingal feels that restrictions to trailer parking are not the answer for managing trailers within the neighborhood.

Mary Wokas:

Ms. Wokas resides in Sunset Views 1 and is present in community support of no trailer parking restrictions.

Nicole Dulski:

Ms. Dulski has resided in Lily Lake for 2 years and enjoys the freedom to use her property as desired. Restrictions imposed upon trailer parking erode freedoms people have when purchasing property and paying taxes. If one pays their taxes, should one not be permitted to use their property as desired? Ms. Dulski has 1 utility trailer and one boat trailer. Ms. Dulski anticipates purchasing another trailer and possibly offering storage for a friend's trailer.

Mark Lindborg:

Mr. Lindborg reports that he is selling his home and will leave Lily Lake.

Nancy Cox:

Ms. Cox is a realtor and notes that properties within a less restrictive location are desired and are difficult to find within the County.

Brian Thompson:

Mr. Thompson favors no limits concerning trailers parked at residential property. Trailers should be allowed to exist as they do today without the threat of imposed restrictions. Mr. Thompson would like to see no limited placed specifically on RV and boat trailer parking.

Jason Yeager:

Mr. Yeager owns one enclosed racing trailer and favors no rule that limits or regulates personal trailer parking at his property.

Katie Schneider:

Ms. Schneider has no issues with neighbors' parking of trailers on residential property.

Brian Schneider:

Mr. Schneider favors the open space of the neighborhood that permits him a large garage, utility trailers, business and recreational trailers at his property.

Rick Overstreet:

Mr. Overstreet had a trailer stored at this property for a period of time.

5. New Business

a. Tim Polz of Sunvest Solar Inc.

Mr. Polz presented an introduction to Sunvest Solar Inc. Sunvest is develops small-scale (non-utility scale, under 2 megawatts) often called "community solar" projects. Community solar systems offer energy credits to subscribers that buy interests in projects. Community solar systems sell energy to the utility and therefore provide subscribers with reduced energy costs.

Sunvest is seeking potential solar producing sites of approximately 20 acres in size for development. The ideal location offers a level topography with proximity to a 12.4 KVA or 34.5 KVA utility infrastructure. Potential sites must be free of wetlands and sensitive areas while having suitable subsoil for solar panel frame construction.

Mr. Florian asked if the rise of solar energy was politically based given the present Governmental administration and the availability of energy credits for small projects? Karl Pollak noted concerns about the type of fencing that would be required for a solar farm. Tim Polz commented that the selection of perimeter fencing is generally based on local ordinances however there is a minimum level of protection required for the solar farm. Chris Vaughn asked of the production of solar systems on cloudy days. Tim Polz noted that solar systems will produce some energy on the cloudiest of days but of course not as much as in full sunlight. Glenn Bork asked of the nature of agreements between landowner and solar developer. Mr. Bork cited personal experience with Florida Light and Power concerning several wind turbines on a

family land tract in DeKalb. Mr. Bork also noted that a Committee be formed to specifically address solar farm proposals within the Village. Mr. Polz noted that a de-commissioning agreement is part of development and generally, solar systems have a productive life span of 25 years.

Tim Polz thanked the Commission for an opportunity to present and encouraged questions from all in attendance.

6. Old Business

c. B1 Special Use, Expanded Use and Zoning Amendments Review

Anastasia Xinos opened a presentation on behalf of Clara Mae Locascio, owner of the property at 44W300 Route 64. Ms. Xinos stated that Ms. Locascio would like to continue use in the present manor and suited to the needs of the present tenant. The Village had notified Ms. Lacascio that present use of the tract was non-compliant under B1 zoning. Ms. Xinos reported that the present use of the property is consistent with its former use and that no laps of use had occurred between the former and present tenant. Ms. Xinos noted that the former use of the property has “grandfathered” present use per Village ordinance. Furthermore, Ms. Locascio has made substantial improvements to the property since the former tenant and this has improved the overall appearance of the property.

Steve Zahn acknowledged the improved appearance and asked Ms. Locascio to consider the options in B1 Special Uses as perhaps a variant to the present business. Ms. Xinos noted that none of the Special Uses is remotely close to the present business at the property. Ms. Xinos also noted that communications are in process with Mr. McTavish concerning the non-confirming use in question. Mr. Zahn commented that at this juncture, the Commission can only advise Ms. Lacascio as to possible options as she continues her communications with Mr. McTavish.

Glenn Bork asked if Ms. Locascio would produce a site sketch of the existing business use of the property. Mr. Bork noted a past effort by JD Trailer in their success with conforming practice by including a site plan of proposed use at their property. While perhaps not required at the present level of communications with the Village and Mr. McTavish, the site plan or sketch will help the Commission review the existing use at the property.

Mr. Zahn encouraged Ms. Locascio to consider a simple site plan or sketch for presentation to the Commission at the February Plan Commission meeting while communications continue with Mr. McTavish and the Village.

Ms. Xinos stated that she would discuss the proposal with Ms. Locascio and thanked the Commission for their time this evening.

Return to Review of Trailers Parked on Residential Property

Discussion continues with trailers at residential property. Steve Zahn asked that all attending to remain respectful of individual comments and permit only one person to speak at a time in an effort to record all comment. Mr. Zahn suggested that the process advance with the thought of a maximum number and type of trailer permitted in residential areas. Karl Pollak suggested that like accessory buildings, perhaps a maximum area allowed for trailers.

Attendee comments again noted the continuing effort by the Village to control and extract land use from residents. Attendees argued that existing use has remained free of issue and the Village has created issue with proposed changes to zoning.

Mr. Zahn stated that based on a sample of the attendee comments made this evening, perhaps one or two residents are compliant with the present trailer parking ordinance and therefore the existing ordinance must be amended or have no validity among the majority in the residential area.

Tom Barton commented that this is clearly an unusable ordinance and cannot be enforced. Therefore what is the point of having an ordinance that cannot be enforced? Mike Florian noted that in his years of service to the Village, considerable money and time were expended to create ordinances that were ultimately unenforceable. Therefore after frustration, Mr. Florian left Village service after a number of years.

Mr. Bork suggested that a trailer registration within the Village would be one way to manage trailer parking at residential properties. The proposed registration would include a fee to cover expenses associated with enforcing the trailer parking ordinance. Mr. Florian again challenged how registration of trailers would be enforced.

Nicole Dulski insisted that freedoms now being enjoyed are being taken by municipal intrusion. Ms. Dulski questioned the need for any trailer parking ordinance or similar rulemaking when the neighborhood historically has self-managed property use and generated no complaints by landowners.

Dan Turner asked that if one ignores an ordinance and no one complains, is that in fact acceptable to the majority of residents within the Village? Would that not encourage more residents to ignore other ordinances?

Tim Dell suggested that HOA covenants will manage trailer parking in adjacent subdivisions and that perhaps the ordinance can be amended for the Cochise Subdivision. Mr. Zahn cautioned that an ordinance should be considered managerial throughout the Village and could create conflict with HOAs if not consistent with present subdivision restrictions.

Mr. Zahn again asked the Commission and attendees to move forward with the process by defining trailer type, number of permitted trailers, and type of registration. The attendees could not determine a trailer quantity and were concerned with registration limitations. While RV registration is among the majority of trailers parked in residential areas, some residents were concerned that commercial vehicles would not be compliant by an amended ordinance and therefore prevent residents from income generating activity.

Mr. Zahn commented upon the late hour of the meeting and asked the attendees to consider the following and return to the February meeting:

- An amended ordinance must be created and it must define the number and type of trailer to be parked within residential districts.
- Trailer quantity as determined by a fraction of the square area of the property may be considered but will also require definition of trailer type.
- Commercial vehicles considered for parking in residential districts will require a definition by type and weight.

7. Adjourn:

Chairperson Steve Zahn motioned to adjourn the meeting. Dan Turner and Tim Dell second the motion. All in favor. Motion passes. Meeting adjourns at 10:05 PM.