

**MINUTES of PLAN COMMISSION MEETING  
FEBRUARY 13, 2017 @ 6:30 P.M.**

Members Present: Attorney Alex Sickel, Michael Calewarts, Steve Olsen, Kathy Janssen, Keith Brunner, Melissa Trepanier, Michael Gaworek, Bill Krueger, Ralph Witte, Zoning Administrator, Clerk – Michelle Wallerius. Meeting called to order by Bill Krueger at 6:30 p.m.

**PLAN COMMISSION AGENDA**

1. Approve Minutes from December 13, 2016 Plan Commission Meeting: Motion by Steve Olsen and seconded by Melissa Trepanier to approve Minutes from December 13, 2016. MC.
  
2. Rezoning request from Travis Kane (ND-743-2) to rezone from Ag-1 to Ag-R.  
This property is located at S. County Highway T: Application to rezone 9.687 acres of land from single parent parcel. Located south of 20<sup>th</sup> Century Bar and Bowl, before Cooperstown Road. Parcel is existing parcel /buildable without rezoning, but property owner following proper procedure as to zoning requirement. Parcel also is within the Town's future development area in the Comprehensive Plan and surrounded by approximately 12 residential homes. No issues from Zoning Administrator standpoint. Motion by Melissa Trepanier and seconded by Steve Olsen to recommend rezoning request of Travis Kane and to rezone 9.687 acres to Ag-R from Ag-1. MC 7-0
  
3. Review and recommend Sexual Offender Ordinance to Town Board: Attorney Sickel provides update as to proposed changes recommended by Plan Commission at last meeting and updates the Commission as to recommendation he received from colleague who has experience in drafting such ordinances. Some municipalities that are designating the entire municipality as restricted and they are finding their ordinances being challenged and found unconstitutional. Under State law, only 10% of total available parcels must be made available for registered sex offenders or the municipality will run the risk of being unconstitutional. A public review board is not recommended. The Town could run the risk of litigating every single petition. A Grandfather clause to the ordinance is also required, as anyone who currently resided in the municipality, cannot have their residency restricted.

Recommendation to create a map of the Town in which areas would be designated restricted areas that offenders could not reside, such as: park, school, playgrounds, church, etc. Attorney Sickel would recommend using Brown County Planning to draft the official map, set the matter on for a public hearing – by a Class II publication notice and then provide notice for review of the revised ordinance and official map of restricted areas and then have the Town Board review / approve. Plan Commission to designate distance from restricted areas, 2,000 ft – 5,000 ft? Could use 5,000 ft since the Commission can take into account the size of the parent parcel 35 acres requirement) Kathy Janssen inquires if the Town should be the policeman of this, as they are registered and restrictions are already in place with the Department of Correction. Steve Olsen inquires if stores/business such as Langes Corners grocery store could be designated as restricted area as children can maybe present in this area. Melissa Trepanier inquires about reaching out to private state licensed in-home daycare centers in the Town. The Plan Commission may not be aware of state licensed centers and should

reach out to the community so they can petition with proof they are a state licensed facility so they can be noted on the restricted area map. Melissa feels what the Town currently has is sufficient and by creating a new ordinance that is more restrictive, it will not be effective. A map of restricted areas may be beneficial. Steve Olsen inquires as to distance – State uses 1,500 feet, some municipalities use 2,000. Discussion of designated trail that runs from the Village to the south through New Denmark. Kathy Janssen states she has no issues with adding a map to the ordinance. Mike Calewarts feels Sterletske Store should be added to the restricted areas. Clerk to include information in the March newsletter that any state licensed daycare / childcare center in New Denmark can petition the town to have their address included in the restricted areas, with proof it is a licensed childcare / daycare center.

4. Any other business of the Commission may deem appropriate: None

Motion by Steve Olsen and seconded by Keith Brunner to adjourn at 7:10 pm. MC

Prepared by: Michelle Wallerius, Clerk

Approved: