

**Town Board Meeting  
And  
Land Use Planning Committee  
Town of Buffalo  
November 19, 2014  
6 p.m.**

The Chairman called the meeting to order with the Pledge of Allegiance.

Town Board Present: Charles Corso, Mary-Anne Raab, Jan Banicki, Donna Seddon

Absent: Jean Rataczak

Land Use Present: Fred Wollenburg, David Rieckmann, Wesley Buss, David Larkin, Charles Church

Others: John Goetz

*Charles Church recuses himself as he is hired as the Town's Attorney in this matter.*

Agenda

David Rieckmann, second by Fred Wollenburg, made a motion to approve the agenda as read.

Motion carried.

Land Division, Donald F. Launder & Leonard C. Eiler, County Rd. O and 13<sup>th</sup> Rd., Bankruptcy with The National Bank of Waupun

Jan Banicki, second by Mary-Anne Raab, made a motion to send this land division issue to the Land Use Planning Committee. Motion carried.

Charles Corso, Town Board Chairman, turned the meeting over to Fred Wollenburg, Land Use Planning Committee Chairman.

The chairman asked for verification of the posting of the agenda for this meeting. The meeting agendas were posted in three places on 11/18/14 and time stamped at 1:30 p.m. The chairman gave everyone directions for discussion at this meeting.

Documentation was presented at the meeting that this bankruptcy was expected by the Bankruptcy Court to be in compliance with the Town ordinances. Further investigation showed that this is approximately 53 acres, has two tax parcel numbers assigned to it, is zoned AG-1, and has never been divided. No formal request was received by the Town for a land division or rezoning. The land was divided and Lot #2 was sold.

This land division is inconsistent with our ordinances and no Certified Survey Map was created. The surveyor was obligated to check the Town rules and ordinances. The title company was obligated to ensure that this was a clear title.

Discussion and questions followed. The question was asked of the Committee—What do you propose we should do to right this issue?

David Rieckmann—Go by the ordinances.

Jan Banicki—Go by the ordinances.

Wesley Buss—Go by the ordinances.

Charles Church—The Bankruptcy Court could have ordered this land division. We can ask for a CSM, application, and the \$100 application fee.

David Larkin—We should ask the lawyer and bank to offer the rest of the property to the owner of Lot 2.

Fred Wollenburg—Letters should be sent to the lawyer, bank, title company, new owner of lot #2, Bette Krueger, and Tom Onofrey.

Our Ordinance #10 allows a penalty of no permits on land divisions that do not comply with the ordinance.

David Larkin, second by Wesley Buss, made a motion to write a letter to Attorney Mann with copies to the Bank, Title Company, the buyer of Lot #2, and Tom Onofrey explaining the problem, suggest they sell the rest of the land to the new owner of Lot #2, and asking them for a solution. The letter to Attorney Menn will be sent via e-mail and receipt required mail. Yes—5; No—0 Motion carried.

#### Business Concluded

Mary-Anne Raab, second by David Rieckmann, made a motion to adjourn the meeting. Motion carried. Meeting adjourned at 7:06 p.m.

Submitted by Donna Seddon, Town Clerk