TOWN OF CEDARBURG
PLAN COMMISSION MEETING MINUTES
July 15, 2026

Present: David Salvaggio (Via Zoom), Presiding Commissioner Don Borgwardt, Larry Lechner, Kerry Carmichael, Tom Gaertig, Anne Lewandowski
Also Present: Eric Ryer, Administrator, Sara Jacoby, Assistant Administrator/Clerk, Amanda Schaefer, Consulting Planner, Troy Hartjes, Town Engineer
Excused: Steve Wolf

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Presiding Commissioner Borgwardt called the regular meeting to order at 7:00 pm. The meeting began with the pledge of allegiance.

2. MINUTES OF PREVIOUS MEETINGS

a. Approval of June 17, 2026 Plan Commission Meeting Minutes*

Commissioner Gaertig made a motion to approve the meeting minutes from June 17, 2026. Commissioner Carmichael seconded the motion, and it passed unanimously.

3. PUBLIC HEARING

a. Public hearing to take comment on a pond permit application by Ryan Sberna for the construction of an approximate 0.4 acre man-made recreational pond mainly for fishing and swimming located at 156 Green Bay Road [SE 1/4 SEC 35, 9.85 acres, zoned E-1 Estate District & C-1 Conservancy, owners Ryan & Elizabeth Sberna]

Commissioner Lechner made a motion to open the public hearing at 7:03pm. Commissioner Lewandowski seconded, and the motion carried unanimously.

With no comment from the public, Commissioner Lechner made a motion to close the public hearing. Commissioner Carmichael seconded, and the motion carried unanimously. The Public Hearing closed at 7:03.

4. OLD BUSINESS

a. Discussion and possible recommendation on a preliminary plat for a major land division by Charlie Hutchinson for Horns Corners Preserve for property located at 461 Horns Corners Road [Owner: Horns Corners Preserve, LLC, NE ¼ Sec. 32, 7.46 acres, zoned R-2 Single-Family Residential District]*

The applicant is requesting approval of a preliminary plat that includes six buildable lots and one outlot on a 7.46 acre parcel zoned R-2 Single-Family residential just north of the Greystones neighborhood. The access to the site would be off Horns Corners Road. The subdivision is proposed to be serviced by a new private shared driveway. There is no proposed rezoning required for this project. Concept review took place at the August 27, 2025, Special Plan Commission Meeting, where the applicant received unanimous, positive feedback on the initial concept plan design. Plan Commission discussed the preliminary plat at their June 17th meeting, requesting the applicant address engineering comments, revise the private shared driveway width to 20' wide per the Fire Department, submit a landscaping plan for the planting strip, work to eliminate the retaining walls if possible, and return to Plan Commission in July. Of note is State Statute which requires the Town to approve, conditionally approve, or reject the preliminary plat within 90 days after submission, unless the subdivider agrees to an extension. Working from a May 20th submittal date, the 90-day period appears to be August 18th. The August Board meeting is August 3rd, so that remains within that time window.

Consulting Planner Schaefer summarized the application and outstanding punch list items. Engineer Hartjes discussed the findings of his engineering letter and comments, and did not believe his comments should delay the application from proceeding to the Town Board.

Commissioner Lechner made a motion the Plan Commission recommend the Town Board approve the preliminary plat for a major land division by Charlie Hutchinson for Horns Corners Preserve for property located at 461 Horns Corners Road.

Commissioner Lewandowski requested the motion be amended to include the six conditions listed in the staff report and found below be addressed for the Town Board meeting. Commissioner Lechner amended his motion to include that addition.

1. All Staff Report outstanding punch list items are resolved and legal documents are approved by the Town Attorney. The legal instruments must be clear in that they reference a private shared driveway, not a private road.
2. Mailbox location shown.
3. Submittal of financial security acceptable to the Town for the public ROW improvements; estimated at $5,500.
4. All necessary permits must be secured from the proper entities.
5. All Objecting and Approving agency questions, comments, and/or concerns are resolved.
6. If the developer cannot address all comments and resubmit by July 20th, staff recommends the developer agree to an extension of the timeline to allow for that work to be completed and submitted, Town review to be completed, and return to a future Town Board agenda.

Commissioner Gaertig seconded the amended motion, which carried unanimously. The developer verbally indicated he would agree to an extension of the application timeline should updated materials not be ready for the August Town Board meeting.

b. Verbal update on the Zoning Code Update project

Administrator Ryer reported that the draft of the new Zoning Code has been forwarded to Town Legal for review. Once review is completed, the next steps include an open house for public comment, required public notice and hearing, and adoption of the Zoning Code. The details of the process will be verified, with the preference of the Plan Commission to complete the update in the most efficient manner possible.

5. NEW BUSINESS

a. Discussion and possible recommendation on a pond permit application by Ryan Sberna for the construction of an approximate 0.4 acre man-made recreational pond mainly for fishing and swimming located at 156 Green Bay Road [SE 1/4 SEC 35, 9.85 acres, zoned E-1 Estate District & C-1 Conservancy, owners Ryan & Elizabeth Sberna]*

Ryan and Lyzz Sberna have submitted an application seeking approval of a pond permit for a new 0.4 acre man-made recreational pond used mainly for fishing and swimming on a 9.85-acre parcel located at 156 Green Bay Road. The property is zoned E-1 Estate and C-1 Conservancy and is designated as Historic District - Hamilton on the Comprehensive Plan Future Land Use Map, which allows for E-1 zoning. The application was reviewed with the Landmarks Chair, Town staff, and the Wisconsin State Historic Preservation Office regarding evaluation criteria and Town precedent related to pond projects that did not appear before the Landmarks Commission. After review and confirmation with the Town Attorney, it has been determined that this pond does not have to appear as an item in front of the Landmarks Commission.

Engineer Hartjes noted the plan set had one change of which the Commission should be aware; some fill was removed, which would reduce the overall fill impact on the site. He also noted the pond is dug into the ground, with no embankment. He noted it would not serve as a stormwater

pond, and that it would be filled with an existing well and garden hose. He also clarified that it was his recommendation that a stormwater maintenance agreement was not needed in this instance since it is not a stormwater pond, and considering the smaller size of the pond.

It was noted John Bishop of 243 Hamilton Road submitted a written comment stating not to object but rather to be complimentary regarding the erection of a pond at 156 Green Bay Road.

Commissioner Gaertig made a motion the Plan Commission recommend the Town Board approve the pond permit application by Ryan Sberna for the construction of an approximate 0.4 acre man-made recreational pond mainly for fishing and swimming located at 156 Green Bay Road, contingent on the completion of the following punchlist items:

1. Erosion control and stormwater permits shall be obtained from the Town. A maintenance agreement is not recommended in this instance.
2. Resolve all engineering comments in the attached engineering letter.
3. Provide copies of the following to the Town prior to construction commencing: Notice of Intent from Wisconsin DNR (greater than 1 acre of disturbance); Chapter 30 Permit from DNR (working within 500' of a navigable waterway). Note the applicant already recognized this and said this permit is required. A shoreland zoning permit from the County has already been obtained and provided.
4. An as-built survey must be provided to the Town upon completion of construction for the Town Engineer or Director of Public Works to verify construction compliance with the approved plans.

Commissioner Lechner seconded, and the motion carried unanimously.

6. ADJOURNMENT

Commissioner Lechner made a motion to adjourn at 7:35 pm. Commissioner Carmichael seconded and the motion passed unanimously.

Respectfully Submitted,

Sara Jacoby
Assistant Administrator/Clerk