

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Plan Commission Meeting Minutes, February 6, 2020
7:00 PM

1. Call to Order/Determination of quorum

Chairman Jim Otto called the meeting to order at 7:01 PM, noting there was a quorum present.

In attendance were Chairman Otto, Commissioners Bartel, Coté, Lalk, and Melzer

Also Present: Administrator Healy, Deputy Clerk Cox and Village Planning Consultant Tim Schwecke

Excused Absent: Vice-Chairman Berghammer and Trustee Collins

2. Verification of Open Meetings Law compliance

Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

3. Pledge of Allegiance

4. Approval of Minutes

- a. November 7, 2019 – Regular Meeting
- b. December 5, 2019 – Regular Meeting

Motion by Commissioner Lalk to approve the November 7, 2019 Regular Meeting Minutes; Seconded by Commissioner Melzer; Motion passed without objection.

Motion by Commissioner Melzer to approve the December 5, 2019 Regular Meeting Minutes; Seconded by Commissioner Bartel; Motion passed without objection.

5. DISCUSSION/ACTION

- a. **Discussion/Action regarding the expansion of a legal, non-conforming building and a Site and Building review for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z) – Pleasant Hill Management LLC, Petitioner**

Architectural Design Plan:

Motion by Commissioner Cote to accept the recommendation of the Architectural Review Board for the approval of the design elevations, as presented, for Pleasant Hill Pub and Grill, located at 2102 STH 164 (Tax Key: V10_008200Z) and to allow the expansion of the legal, non-conforming building subject to Village Code Section 70.161A relating to Special Exceptions and Ordinance O2016-10-01; Seconded by Commissioner Lalk; Motion passed without objection.

Site, Grading and Erosion Control Plan:

Motion by Commissioner Cote to accept the recommendation of the Village Engineer per his letter dated January 23, 2020 for Pleasant Hill Pub and Grill located at 2102 STH 164 (Tax Key: V10_008200Z); Seconded by Commissioner Lalk; Motion passed without objection.

- b. **Discussion and possible recommendation to the Village Board regarding a One-Lot Certified Survey Map (CSM) for property located at 4167 Pioneer Road (Tax Key: V10_0066) – Lofy Asset Trust, Petitioner**
- c. **Discussion and possible recommendation to the Village Board regarding a Rezoning petition for property located at 4167 Pioneer Road (V10_0066) from A-1, Exclusive Agricultural District to A-2, General Agricultural District – Lofy Asset Trust, Petitioner**

(Items b and c were discussed together)

CSM

Motion by Commissioner Lalk to recommend to the Village Board the approval of the proposed One-Lot CSM for Lofy Asset Trust for property located at 4167 Pioneer Road (Tax Key: V10_0066) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The Plan Commission Signature Block be removed from page 3 of the CSM.
2. The Village Board approve the proposed Rezoning of the subject property from A-1 to A-2.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

Seconded by Commissioner Cote; Motion passed without objection.

Rezoning

Motion by Commissioner Lalk to recommend to the Village Board the approval of the petitioned rezoning for Lofy Asset Trust for property located at 4167 Pioneer Road (Tax Key: V10 0066) from A-1, Exclusive Agricultural District to A-2, General Agricultural District; Seconded by Commissioner Melzer; Motion passed without objection.

- d. **Discussion and possible recommendation to the Village Board regarding a One-Lot CSM for property located at 2207 Hillside Road (Tax Key: V10_008400B) – David W Lofy, Mary J Lofy, Petitioners**
- e. **Discussion and possible recommendation to the Village Board regarding a Rezoning petition for a portion of property identified by Tax Key: V10_008400Z and V10_008700Z from A-1, Exclusive Agricultural District to Rs-3, Single Family Residential District – Lofy Asset Trust, Petitioner**

(Items d and e were discussed together)

CSM

Motion by Commissioner Melzer to recommend to the Village Board the approval of the proposed One-Lot CSM for David W Lofy and Mary J Lofy for property located at 2207 Hillside Road (Tax Key: V10_008400B) subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

- 1. The Plan Commission Signature Block be removed from page 3 of the CSM.
- 2. The Village Board approve the proposed Rezoning of the subject property from A-1 to Rs-3.

General Conditions of Approval:

- 1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per Ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per Ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
- 2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
- 3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

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Seconded by Commissioner Bartel; Motion passed without objection.

Rezoning

Motion by Commissioner Melzer to recommend to the Village Board the approval of the petitioned rezoning for David W. Lofy and Mary J. Lofy for property located at 2207 Hillside Road (Tax Key: V10 008400B) from A-1, Exclusive Agricultural District to Rs-3, Single Family Residential District; Seconded by Commissioner Bartel; Motion passed without objection.

f. Discussion regarding Chapter 70 Zoning Code Recodification

Administrator Healy and Consultant Planner Tim Schwecke discuss the “homework” to be considered by the Plan Commission in March which is related to processes and procedures for applications in the Village’s Zoning Code. The Plan Commission reviewed the proposed Zoning Map and several proposed Sections of the Zoning Code. Discussion ensued regarding the merits of the same.

6. ADJOURNMENT

Motion by Commissioner Lalk to adjourn; Seconded by Commissioner Bartel; Motion passed without objection at 9:50 p.m.

Respectfully Submitted,

Jim Healy
Village Administrator