

1. Call to order/determination of quorum

Chairman Jim Otto called the meeting to order at 7:01 p.m.

In attendance were Chairman Otto, Vice-Chairman Berghammer, Commissioners Bartel, Coté, Melzer, Lalk, Trustee Collins, and Village Administrator Jim Healy.

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. February 2, 2017– Regular Meeting

Motion by Commissioner Melzer to approve the minutes of the regular February 2, 2017 Plan Commission meeting; Seconded by Vice-Chair Berghammer; Motion passed without objection.

5. PUBLIC HEARING

a. Discussion regarding a petitioned Conditional Use Permit application from Mr. and Mrs. Dwight Mayer for property located at 4811 Pioneer Road (Tax Key: V10_009500Z) pursuant to Section 70.188(D)(12)

b. Discussion regarding a petitioned Rezoning from Mr. and Mrs. Glen Siegmann for property identified by Tax Key: V10_087100B to rezone the property from LC, Lowland Conservancy to UC, Upland Conservancy

c. Discussion regarding a petitioned Rezoning from Rasmus Nagel and Donna M. Nagel Living Trust for properties identified by Tax Keys: V10_1313 and V10_1314 to be rezoned from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District and A-2, General Agricultural District

Motion by Commissioner Lalk to open the public hearings for agenda items 5a., 5b., and 5c.; Seconded by Trustee Collins; Motion passed without objection.

Agenda item 5a.

Gil Frank, 4156 Elmwood Rd., expressed concern about parking on the property.

Danah Zoulek, 609 Scenic Rd., questioned the zoning on the property and asked the Plan Commission to consider properties equally.

Agenda item 5b.

Danah Zoulek, 609 Scenic Rd., cited common law and supported the rezoning which was based on the Future Land Use Map.

Gil Frank, 4156 Elmwood Rd., believed the Plan Commission should support the rezoning but wished the projector screen was working.

Agenda item 5c.

Gil Frank, 4156 Elmwood Rd., wanted to know if the Nagel's dedicated the right of way which was 33'.

Danah Zoulek, 609 Scenic Rd., asked if "ratification" for the rezoning was always required.

Motion by Vice-Chair Berghamer to close the public hearings for agenda item 5a., 5b., and 5c; Seconded by Commissioner Bartel; Motion passed without objection.

6. DISCUSSION/ACTION

- a. Discussion and possible recommendation to the Village Board regarding a petitioned Conditional Use Permit application from Mr. and Mrs. Dwight Mayer for property located at 4811 Pioneer Road (Tax Key: V10_009500Z) pursuant to Section 70.188(D)(12)**

Discussion was had by the Plan Commission members regarding the specifics of the proposed business operations. For example, where cars would be parked, hours of operations, types of agricultural operations the property will still have on it, the types of events the site will hold etc.

Staff remarked that they advised the property owner to see if the Plan Commissioners were interested in making this type of a policy decision before putting together a comprehensive business plan.

Chairman Otto requested that in the future all Conditional Use Permits be accompanied with the Site, Building and Plan of Operations reports as has been traditionally done in the past.

Motion by Commissioner Lalk to table the proposed Conditional Use Permit for Mr. and Mrs. Dwight Mayer for their property located at 4811 Pioneer Road (Tax Key: V10-009599A) until April 6, 2017 at 7PM; Seconded by Commissioner Bartel; Motion passes 6-1.

- b. Discussion and possible recommendation to the Village Board regarding an Ordinance Amendment for Rezoning from Mr. and Mrs. Glen Siegmann for property identified by Tax Key: V10_087100B to rezone the property from LC, Lowland Conservancy to UC, Upland Conservancy**

Motion by Commissioner Lalk to recommend to the Village Board the approval of Ordinance 02017-03-02, an ordinance to rezone Tax Key: V10-087100B from LC, Lowland Conservancy to UC, Upland Conservancy; Seconded by Vice-Chair Berghammer; Motion passed without objection.

- c. Discussion and possible recommendation to the Village Board regarding an Ordinance Amendment for Rezoning from Rasmus Nagel and Donna M. Nagel Living Trust for properties identified by Tax Keys: V10_1313 and V10_1314 to be rezoned from A-1, Exclusive Agricultural District to Rs-1b, Single Family Cluster/Open Space Residential District and A-2, General Agricultural District**

Motion by Commissioner Melzer to recommend to the Village Board the approval of Ordinance O2017-02-01, an ordinance to rezone Tax Keys: V10-1313 and V10-1314 as described therein subject to the following General and Specific Conditions of Approval:

Specific Conditions of Approval:

1. Proposed Certified Survey Map must be approved by the Village Board and filed at the Washington County Register of Deeds.
2. Within 12 months of the approval of the proposed CSM, the subdivider must file a Preliminary Plat for the proposed subdivision.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85,

Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.

2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed 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, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. 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 this approval.

Seconded by Trustee Collins; Motion passed without objection.

d. Discussion and possible recommendation to the Village Board regarding the approval of a land division to create a One Lot Certified Survey Map (CSM) for the property with Tax Key: V10_1313, Donna M. Nagel Survivors Trust

Motion by Trustee Collins to recommend to the Village Board the approval of the Certified Survey Map for the property indicated by Tax Key: V10_1313, subject to the General and Specific Conditions of Approval listed below:

Specific Conditions of Approval:

1. That the comments addressed by Village Engineer Michael Rubendall on his November 21, 2014 correspondence be addressed to his satisfaction.
2. On page 2 of the CSM, the signature block for "Interim Clerk" be replaced with "Administrator/Clerk".
3. That the subject property, indicated by Tax Key: V10_1313, be rezoned by ordinance to A-2, General Agricultural District.

General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed 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, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. 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 this approval.

Seconded by Commissioner Melzer; Motion passed without objection.

e. Discussion and possible recommendation to the Village Board regarding an extraterritorial CSM review in the Town of Polk for property identified by Tax Key: T9_1063

Motion by Vice-Chair Berghammer to approve the proposed Certified Survey Map in the Town of Polk, as prepared by Donald J. Thoma, RLS, with a revision date of December 19, 2016, provide they receive all other necessary approvals; Seconded by Commissioner Bartel; Motion passed without objection.

f. Discussion/Action regarding a proposed landscaping plan at Hawk's Point Shopping Center, generally located at 1717 Wolf Road (Tax Key: V10_034400E)

Motion from Commissioner Bartel to approve the proposed landscaping plan for Hawk's Point Shopping Center, located at 1717 Wolf Road (Tax Key: V10_034400E) as proposed by Design 2 Construct upon written confirmation from Developer or his representative that the shrubs will be planted in 5gal pots and the shade tree will have no less than a 2.5" caliper pursuant to Village Code; Seconded by Vice-Chair Berghammer; Motion passed without objection.

g. Discussion/Action regarding a proposed event at the Holy Hill Art and Farm Market, located at 4958 STH 167 (Tax Key: V10_0152)

The Plan Commission advised Village Staff that they appreciated the opportunity to review and comment on the proposed country dinner event at the Holy Hill Art Farm but believed Staff could administratively review and approve the same. In the future they remarked that they would like to review these types of dinner and music events.

7. ADJOURNMENT

Motion by Vice-Chair Berghammer to adjourn; Seconded by Commissioner Melzer; Motion passed without objection at 8:06 p.m.

Respectfully Submitted,

Jim Healy
Village Administrator