



AGENDA  
PLAN COMMISSION MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN  
APRIL 5, 2018  
7:00 P.M.

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Richfield Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: "Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.")

1. Call to Order/Determination of quorum
2. Verification of Open Meetings Law compliance
3. Pledge of Allegiance
4. PUBLIC HEARING
  - a. Discussion regarding a petition to rezone a portion of property identified by Tax Key: V10\_008800D from A-1, Exclusive Agricultural District to Rs-1, Country Estates District – **THIS PUBLIC HEARING WILL BE CANCELED AND IS ANTICIPATED TO BE RESCHEDULED TO MAY 3<sup>rd</sup> at 7PM**
  - b. Discussion regarding a petition to rezone property identified by Tax Key: V10\_091800C, as Rs-2, Single Family Residential District, property identified by Tax Key: V10\_0918 as A-1, Exclusive Agricultural District and property identified by Tax Key: V10\_091900B as Rs-1, Country Estates District – **THIS PUBLIC HEARING WILL BE CANCELED AND IS ANTICIPATED TO BE RESCHEDULED MAY 3<sup>rd</sup> at 7PM**
5. DISCUSSION ONLY
  - a. Discussion only regarding a proposed Two-Lot Certified Survey Map for Steven Schmidt involving Tax Keys: V10\_008800D, V10\_008800C, V10\_0106039001, V10\_0106038001
6. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at [www.richfieldwi.gov](http://www.richfieldwi.gov). Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.



# VILLAGE OF RICHFIELD

## PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: April 5, 2018

SUBJECT: Proposed Two-Lot CSM, Conceptual Review (Tax Keys: V10\_008800D, V10\_008800C, V10\_0106039001, V10\_0106038001)

DATE SUBMITTED: March 29, 2018

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: NONE, DISCUSSION ONLY.*



### *ISSUE SUMMARY:*

The proposed land division is being brought forward by Mr. Steven Schmidt who owns this subject property on the west side of STH 164, between Pleasant Hill Road and Pioneer Road. The proposal, to divide part of Lot 2 of CSM No. 5572, is to conduct a boundary line relocation with the adjacent property owner to the north, create a new Two-Lot CSM, and potentially rezone Lots 1 & 2. Please note, that the rezoning petition or the merits of the same are not on the agenda for tonight's discussion. There was a scheduled Public Hearing, but there was an error in the legal notice, so the matter will have to be published again. As a courtesy, a copy of the agenda was sent to all adjacent property owners to give them notice that the Hearing will be rescheduled. The purpose of the proposal tonight is to obtain feedback from the Plan Commission on the proposed land division, only.

The graphic above is a snapshot of the "Official Map" for the subject property. The "Official Map" is intended to provide the public with an idea of where planned roads could be constructed. As a best practice, land divisions should be consistent with the Map or it should be amended to fit a petitioner's plans. More importantly, roads must be installed as part of any land division to ensure an interconnected road system. At the very least, if this proposal were to move forward, a cul-de-sac should be constructed similar to how we've handled these land divisions in the past. Simply extending the road is not an option, nor is creating a t-turnaround. The road will need to be constructed to Village standards, bonded, and formally dedicated to the Village.

Lot 2 of the proposed CSM includes land that is now part of the Steeple View Estates subdivision. Specifically, a part of Outlot 2 and Outlot 3 of Steeple View Estates are now part of Lot 2. Steeple View Estates was approved as a cluster/open space subdivision as set forth in the RS-1B zoning requirements, where 40 percent of a subject property must be set aside as open space. It is the contention of the Village's Consultant Planner that any reduction and/or reconfiguration in the open space is not permissible in that the open space constitutes a tangible benefit for the lot owners in the subdivision. The entity owning the open space is a moot point. The petitioner is of the belief that in the



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end, there will be 40 percent open space with the various land transfers, so the intent is still met. Attorney John Macy is currently analyzing that aspect of this proposal. However, potentially more problematic is that the transfer of land from Outlots 2 and 3 would essentially block the route that exists now (from one open space area to the next). This land is one contiguous tract of land. Again, the configuration of the open space when the land was platted is a tangible benefit to those who bought their property. As a result, Lot 2 does not have direct physical access to a public road. It is proposed to have access via a 30' easement. Village Staff is unaware at this time if this type of access easement over an outlot exists anywhere else within the Village.

As previously noted by the Village Engineer, the configuration of Lot 2 is clearly being gerrymandered to make a buildable area. They can't claim it is "unavoidable." The Village should carefully consider whether or not this is a good public policy decision. Additionally, it is unclear to Staff why they omitted platting what would be considered Lot 3 of this proposed area. The petitioner will need to explain this to the Plan Commission so we have a better understanding of the intent of the proposal.

Last, but certainly not least, the Village Staff has concerns regarding the contours of the Floodplain throughout this area. It may behoove the petitioner to survey the elevations surrounding this area to ensure it is not in the Floodplain. Situations do exist where the contours may not match up with the ground conditions and although not shown, an area can indeed be in the Floodplain. The Village Engineer is recommending a wetland delineation be performed on Lot 2 to ensure that there is truly a buildable area.

Please refer to the communication from our Village Engineer, Ron Dalton, for additional considerations.

**FUTURE IMPACT AND ANALYSIS:**

REVIEWED BY:

Village Deputy Clerk

Forward to Village Board: No  
Additional Approvals Needed: No  
Signatures Required: No

**ATTACHMENTS:**

- Proposed concept CSM, prepared by Don Thoma, RLS
- Correspondence from Village Engineer Ron Dalton, dated March 21, 2018

**STAFF RECOMMENDATION:**

None, discussion only.

APPROVED FOR SUBMITTAL BY:

Village Staff Member

Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_



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Cedarburg, WI 53012

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March 21, 2018

Mr. James Healy, Village Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, Wisconsin 53033

RE: Preliminary Certified Survey Map (CSM) Review, North of Steeple View Estates

Dear Mr. Healy,

We have completed our review of the above referenced preliminary CSM received on March 16, 2018. The preliminary CSM was prepared by Accurate Surveying & Engineering LLP, Donald J. Thoma, R.L.S. The Map is dated February 7<sup>th</sup>. We have the following comments and recommendations:

- Section 330-42 of the Village Code requires that every lot abut a public street a minimum distance of 50 feet. Proposed Lot 2 does not abut an accessible public street.
- Section 330-42 of the Village Code suggests a depth to width ratio of no greater than two to one. Both of the proposed lots exceed this recommended ratio.
- Section 330-42 of the Village Code suggests that lots with more than 5 sides should be avoided. Both of the proposed lots have more than 5 sides.
- Lot 1 has 70 feet of proposed width on Whitetail Run. Section 70.191.E.2 requires 350 feet of frontage at the building setback line.
- RS-1 Zoning requires a minimum lot area of 10 acres, of which 60% of the area can be counted from F-1 area. The lot area for Lot 2 equals approximately 7.6 acres including 60% of area within F-1.

If the Village is in agreement with the proposed land division we will need additional information to evaluate the proposed CSM such as:

- The location of the water course and associated 300 foot setback across Lot 2.
- Topographic information to determine the amount of area above the 100 Year Flood Elevation.
- A wetland delineation.



Please contact me at our Cedarburg office (phone 262-204-2341) if you require any additional information or if you have any questions.

Sincerely,

CEDAR CORPORATION



Ron Dalton, P.E.  
*Director/Office Manager*

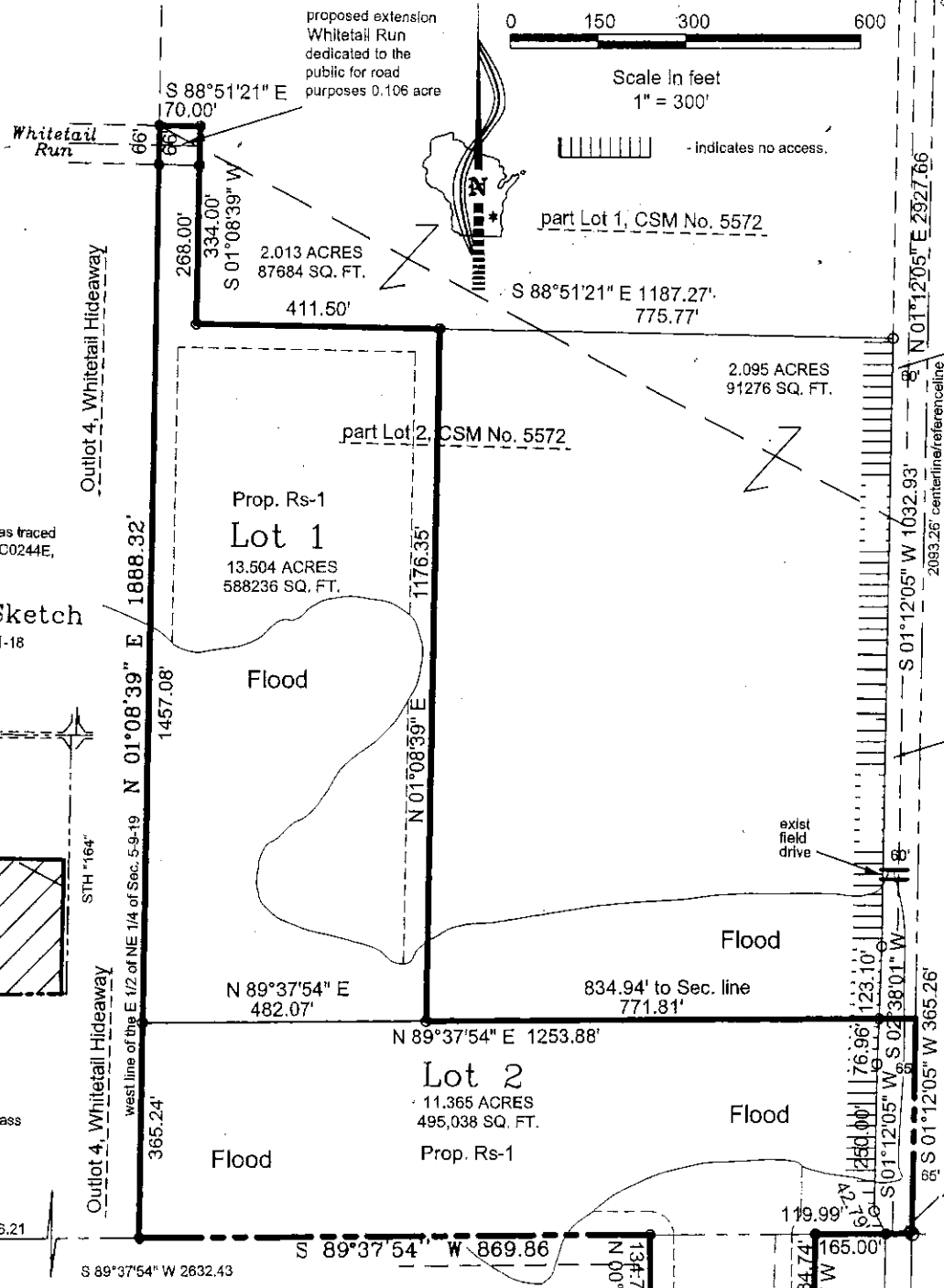
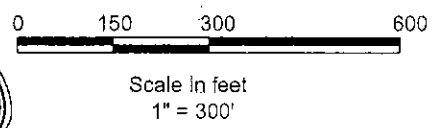
RD/cv

Enclosure(s): As Noted

cc: Donald J. Thoma, R.L.S., Accurate Surveying & Engineering LLP, w/encl., via email

# Rezone Map

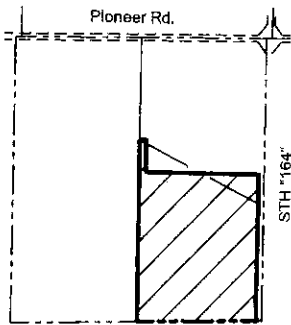
Part of Lot 1 and part of Lot 2 of Certified Survey Map No. 5572 as recorded in Volume 40 of Certified Survey Maps on pages 95-97, as Document No. 968308, part of Parcel 136 of Transportation Project Plat 2703-03-20 - 4.17, recorded as Document 1383167 and part of Outlot 2 and Outlot 3 of Steeple View Estates, being part of the NE Fractional 1/4 of the NE 1/4, part of the SE 1/4 of the NE 1/4, and part of the NE 1/4 of the SE 1/4 all in Section 5, Township 9 North, Range, 19 East, Town of Richfield, Washington County, Wisconsin.



The floodplain boundary was traced from FIRM Map No. 55131C0244E, dated 11-16-2015.

## Location Sketch


NE 1/4 Frac' - Sec. 18-11-18  
Scale: 1" = 200'



Center  
Sec. 5-9-19  
3" iron pipe/brass  
cap found

1316.21

S 89°37'54" W 2632.43

Accurate   
Surveying & Engineering<sub>LLP</sub>

Land Surveying, Consulting, Developing

2911 Wildlife Lane  
Richfield, WI 53076

262 677-2120

This instrument was drafted by Donald J. Thoma, S-2470

Parcel 136, TPP No. 2709-03-20-4.17

Parcel 137, TPP No. 2709-03-20-4.17

S.T.H. "164"  
(formerly C.T.H. "J")

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(formerly C.T.H. "J")

Lot 30  
Steeple View Estates

Outlot 2  
Outlot 3

0.097 ACRES  
4231 SQ. FT.

North Star  
Place

Outlot 2  
Steeple View Estates