

MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, April 13, 2016

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, April 13, 2016 at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors Doug Noble, Erin Decker, Michael J. Skalitzky, Michael Goebel, and Greg Retzlaff

UW-Extension Staff Present: Tedi Winnett and Amy Greil

Also in Attendance for the public hearings on land use items:

Andy M. Buehler, Director, Division of Planning Operations

April A. Webb, Senior Administrative Assistant

Youth In Governance Representatives: Michael Hertel and Tyler McCarthy

The meeting was called to order at 6:00 p.m. by Chairman Noble.

1. **Certification of Compliance with Wisconsin Open Meetings Law:** The committee certified that all requirements of the Wisconsin Open Meetings Law had been met
2. **Feature Program “Wilmot-Trevor Elementary STEM Afterschool Program”:** Tedi explained that Kenosha County UW-Extension received a grant from the John J. and Ruth F. Kloss Charitable Trust for a STEM afterschool program with Trevor-Wilmot Elementary School last spring. The program kicked off last spring and has been very successful. The primary goals of the program were to (1) increase students’ interest and curiosity in science, technology, engineering, and math, (2) increase student’s perceptions of social support, and (3) facilitate their life and creative/critical thinking skills development. The program emphasizes “21st Century Skills” learning, with a focus on teaching communication, collaboration, critical thinking, and creativity skills.

Tedi introduced Pam Lee, the Computer Teacher at Trevor-Wilmot School District. Ms. Lee has been coordinating the STEM afterschool program. Ms. Lee explained the development of the program and how successful the program has become. Four youth from the program demonstrated their abilities with creating robots to accomplish several maneuvers.

3. **Youth In Governance Review:** Tedi reported that Sarah Klimisch, resigned from Youth In Governance (YIG). She was serving on the Human Services committee. Tedi also reviewed the current attendance record of all YIG members.

Chairman Noble led a discussion regarding the ranking of youth who interviewed for Youth In Governance. He recommended that the same process be followed for future interviews – have only 3 supervisors interview with two YIG members and the Chairperson compile the results of the interviews. There is much more consistency in the process with the same five individuals doing interviews both nights. Discussion was held.

Supervisor Retzlaff made a motion to recommend to the new County Board Chairperson the following youth be appointed to the county board committees. The motion was seconded by Supervisor Skalitzky. Discussion was held and the motion passed unanimously.

Finance/Admin	Dutkiewicz, Henry
	Koroly, Andrew
Public Works	Hertel, Michael
	Romanowski, Andrew
PDEEC	Desimoni, Felix
	Miles, Mikelle
Human Services	Sorenson, Hannah
	McCarthy, Tyler
Judiciary & Law	Lacroix, Madeline
	Robson, Syndey
Joint Services	Pollock, Katie
	Kolimaga, Morgan
Legislative	Heller-Cavener, Emma
	Harrah, Alexandra
Alternates	Gentz, Cody
	Nixon, Christian

Mentors for the YIG members will need to be determined after the new committee assignments are made by the new County Board Chairperson.

Tedi asked if the supervisors who served on the interview committee had any recommendations for the interviews or the interview rating form. Discussion was held.

Tedi reported that County Clerk Mary Schuch-Krebs asked if there was a way to have YIG members participate as poll workers for the elections. Discussion was held.

Tedi reminded supervisors that the YIG Orientation and Appointment Ceremony will be Tuesday, May 17th.

4. **UW-Extension Educator/Program updates:** Amy Greil, Community Natural Resources and Economic Development (CNRED) Educator, reported that she had attended a

Sustainability Conference in Portland, Oregon. The Sustainable Kenosha County Team has contracted with Cool Choices for an online interactive activity that will be launched with all county employees.

5. **UW-Extension Director's Report:** Tedi reported that the call for nominations to the nExt Generation workgroups for the reorganization closed yesterday. The workgroups will meet in May to establish the structure and functions for the Cooperative Extension reorganization.

Chairman Noble called for a brief recess prior to reconvening for the Public Hearing portion of this meeting.

After a brief recess, the Public Hearing was called to order at 7:00 p.m. in the Public Hearing Room (Recording #2 of 2).

Chairman Noble called for introductions of committee members, youth in governance, and staff.

6. **HOLY CROSS PARISH (OWNER), BILL MELLEN (AGENT) – REZONING – SALEM (10:52)**

Holy Cross Parish, 18700 116th St., Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd St., Trevor, WI 53179 (Agent) requesting a rezoning from I-1 Institutional Dist. & PR-1 Institutional Dist. to I-1 Institutional Dist. on Tax Parcel #67-4-120-304-0630 located in the SE ¼ of Section 30, T1N, R20E, Town of Salem.

Bill Mellen was in attendance to speak to this item.

- Supervisor Retzlaff made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Holy Cross Parish (Owner), Bill Mellen (Agent). The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

7. **HOLY CROSS PARISH (OWNER), BILL MELLEN (AGENT) – CONDITIONAL USE PERMIT – SALEM (17:27)**

Holy Cross Parish, 18700 116th St., Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd St., Trevor, WI 53179 (Agent) requesting a conditional use permit to allow an expansion of an existing cemetery in the I-1 Institutional Dist. on Tax Parcel #67-4-120-304-0630 located in the SE ¼ of Section 30, T1N, R20E, Town of Salem.

Bill Mellen was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit request of Holy Cross Parish (Owner), Bill Mellen (Agent), subject the following conditions:
 1. Subject to the application stamped received by the office of Planning and Development on January 19, 2016.

2. Subject to that approved by the Town of Salem at their March 14, 2016 Town Board meeting (Exhibit A, attached).
3. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)22 a through g; Cemeteries in the I-1 District (shown below):

- a. The site proposed for a cemetery shall not interfere with the development of a system of collector and arterial streets in the vicinity. In addition, the site shall have direct access to a public roadway.

Note: No interference is proposed. However let it be known that the submitted plat document suggests the creation of an additional easterly driveway access to CTH "C" (Wilmot Road). Subsequent conversation with the applicant has determined that it is their intent to move/re-locate the existing driveway access to the easterly location depicted on the submitted plat document. Said parcel/cemetery shall have only one driveway access to CTH "C" and language on the cemetery plat shall be revised to accurately reflect this (see condition #5).

- b. Any new cemetery shall be located on a site containing at least twenty (20) acres.

Note: Not applicable as this is an expansion to an existing cemetery (appx. 6.70-acre parcel).

- c. All burial buildings and crematoriums shall meet the yard requirements of the District. A burial building is any building used for the interment of bodies or other remains of persons who have died, including mausoleums, vaults or columbaria.
 - d. All graves or burial lots shall be set back at least thirty (30) feet from any street bounding the cemetery and there shall be two (2) side yards and a rear yard of at least twenty-five (25) feet each.
 - e. Existing cemeteries may continue to operate in a manner consistent with the existing development in the area presently covered by a conditional use permit. Any expansion to land not covered by an existing conditional use permit must comply with the requirements of this section.
 - f. Adequate parking shall be provided on the site, and no cemetery parking shall be permitted on any public street.
 - g. Nothing in these provisions, however, shall prohibit the issuance of a conditional use permit for a pet cemetery.
4. The following items shall be added to the face of the cemetery plat:

- ◆ A signature block for the Town Board approval shall be added containing a signature line for the Town of Salem Clerk. Said signature block should read as follows:

Town Board Approval:

“Resolved that the plat of Fifth Addition to Holy Name Cemetery, in the Town of Salem, is hereby approved by the Town Board of the Town of Salem”.

I hereby certify that the forgoing is a copy of a resolution adopted by the Town Board of the Town of Salem.

Dated this ____ day of _____, 2016

Cynthia Ernest, Town Clerk

- ◆ A signature block for the County Board approval shall be added containing a signature line for the Kenosha County Clerk. Said signature block should read as follows:

County Board Approval:

“Resolved that the plat of Fifth Addition to Holy Name Cemetery, in the Town of Salem, is hereby approved by the Board of Supervisors of Kenosha County”.

I hereby certify that the forgoing is a copy of a resolution adopted by the Board of Supervisors of Kenosha County.

Dated this ____ day of _____, 2016

Mary T. Schuch-Krebs, County Clerk

5. The following items shall be revised on the face of the cemetery plat:
 - ◆ A note shall be placed on the face of the plat document labeling the existing driveway access to CTH “C” and explaining that this existing driveway access is to be removed and re-located to the easterly driveway location shown on the plat.
 - ◆ Subject to revising the sheet count in the lower-left hand corner, if necessary. Note: the plat document submitted for review only contained one page.
6. Subject to stabilizing with vegetation and/or retaining walls the steep slopes that exist along the northern, eastern, southern, and western edges of the proposed access drive. Adequate safety measures should be taken to prevent vehicle traffic from leaving the perched driveway through the use of curbs, guardrails, signs,

pavement separation, etc... Any new driveway shall be constructed at least two feet from any side or rear property line.

7. Burial sites shall be located only in the area as shown on the proposed cemetery plat for Fifth Addition to Holy Name Cemetery.
8. Any additions to the platted fifth addition or other areas of Holy Name Cemetery will require an amendment to the general Conditional Use Permit being approved for the existing cemetery and the proposed expansion.
9. Subject to receiving a permit for any and all proposed access points to the abutting County Trunk Highway including any incidental items proposed to be located within the right-of-way of the abutting County Trunk Highway. The permit must be fully executed prior to commencing any preliminary grading work.
10. Subject to the cemetery plat meeting all requirements of Wisconsin state statute 157.07.
11. Subject to sending an electronic copy of the revised cemetery plat showing the aforementioned changes to the Kenosha County Department of Planning and Development office for approval prior to the surveyor preparing the recordable platting document for signatures. The county contact is Ben Fiebelkorn who can be contacted at the following e-mail address: Ben.Fiebelkorn@kenoshacounty.org.
12. No changes or expansion of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing principal building(s) or proposed new principal building(s) shall take place without the petitioner reapplying for a Conditional Use Permit to the Planning, Development and Extension Education Committee for its review and approval.
13. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
14. If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

8. **HOLY CROSS PARISH (OWNER), BILL MELLEEN (AGENT) – CEMETERY PLAT ADDITION – SALEM (19:45)**

Holy Cross Parish, 18700 116th St., Bristol, WI 53104 (Owner), Bill Mellen, 26500 122nd St., Trevor, WI 53179 (Agent) requesting a cemetery plat addition in the I-1 Institutional Dist. on Tax Parcel #67-4-120-304-0630 located in the SE ¼ of Section 30, T1N, R20E, Town of Salem.

Bill Mellen was in attendance to speak to this item.

- Supervisor Decker made a motion to **approve** the cemetery plat addition of Holy Cross Parish (Owner), Bill Mellen (Agent), subject the following conditions:

1. Subject to the application stamped received by the office of Planning and Development on January 19, 2016.
2. Subject to that approved by the Town of Salem at their March 14, 2016 Town Board meeting (Exhibit A, attached).
3. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)22 a through g; Cemeteries in the I-1 District (shown below):
 - a. The site proposed for a cemetery shall not interfere with the development of a system of collector and arterial streets in the vicinity. In addition, the site shall have direct access to a public roadway.

Note: No interference is proposed. However let it be known that the submitted plat document suggests the creation of an additional easterly driveway access to CTH "C" (Wilmot Road). Subsequent conversation with the applicant has determined that it is their intent to move/re-locate the existing driveway access to the easterly location depicted on the submitted plat document. Said parcel/cemetery shall have only one driveway access to CTH "C" and language on the cemetery plat shall be revised to accurately reflect this (see condition #5).

- b. Any new cemetery shall be located on a site containing at least twenty (20) acres.

Note: Not applicable as this is an expansion to an existing cemetery (appx. 6.70-acre parcel).

- c. All burial buildings and crematoriums shall meet the yard requirements of the District. A burial building is any building used for the interment of bodies or other remains of persons who have died, including mausoleums, vaults or columbaria.
 - d. All graves or burial lots shall be set back at least thirty (30) feet from any street bounding the cemetery and there shall be two (2) side yards and a rear yard of at least twenty-five (25) feet each.
 - e. Existing cemeteries may continue to operate in a manner consistent with the

existing development in the area presently covered by a conditional use permit. Any expansion to land not covered by an existing conditional use permit must comply with the requirements of this section.

- f. Adequate parking shall be provided on the site, and no cemetery parking shall be permitted on any public street.
 - g. Nothing in these provisions, however, shall prohibit the issuance of a conditional use permit for a pet cemetery.
4. The following items shall be added to the face of the cemetery plat:
- ◆ A signature block for the Town Board approval shall be added containing a signature line for the Town of Salem Clerk. Said signature block should read as follows:

Town Board Approval:

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I hereby certify that the forgoing is a copy of a resolution adopted by the Town Board of the Town of Salem.

Dated this ____ day of _____, 2016

Cynthia Ernest, Town Clerk

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I hereby certify that the forgoing is a copy of a resolution adopted by the Board of Supervisors of Kenosha County.

Dated this ____ day of _____, 2016

Mary T. Schuch-Krebs, County Clerk

5. The following items shall be revised on the face of the cemetery plat:

- ◆ A note shall be placed on the face of the plat document labeling the existing driveway access to CTH "C" and explaining that this existing driveway access is to be removed and re-located to the easterly driveway location shown on the plat.
 - ◆ Subject to revising the sheet count in the lower-left hand corner, if necessary.
Note: the plat document submitted for review only contained one page.
6. Subject to stabilizing with vegetation and/or retaining walls the steep slopes that exist along the northern, eastern, southern, and western edges of the proposed access drive. Adequate safety measures should be taken to prevent vehicle traffic from leaving the perched driveway through the use of curbs, guardrails, signs, pavement separation, etc... Any new driveway shall be constructed at least two feet from any side or rear property line.
 7. Burial sites shall be located only in the area as shown on the proposed cemetery plat for Fifth Addition to Holy Name Cemetery.
 8. Any additions to the platted fifth addition or other areas of Holy Name Cemetery will require an amendment to the general Conditional Use Permit being approved for the existing cemetery and the proposed expansion.
 9. Subject to receiving a permit for any and all proposed access points to the abutting County Trunk Highway including any incidental items proposed to be located within the right-of-way of the abutting County Trunk Highway. The permit must be fully executed prior to commencing any preliminary grading work.
 10. Subject to the cemetery plat meeting all requirements of Wisconsin state statute 157.07.
 11. Subject to sending an electronic copy of the revised cemetery plat showing the aforementioned changes to the Kenosha County Department of Planning and Development office for approval prior to the surveyor preparing the recordable platting document for signatures. The county contact is Ben Fiebelkorn who can be contacted at the following e-mail address: Ben.Fiebelkorn@kenoshacounty.org.
 12. No changes or expansion of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing principal building(s) or proposed new principal building(s) shall take place without the petitioner reapplying for a Conditional Use Permit to the Planning, Development and Extension Education Committee for its review and approval.
 13. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

14. If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

9. **AMTUL LLC (OWNER), DAN MCMAHON (AGENT) – CONDITIONAL USE PERMIT – SALEM (22:05)**

AMTUL LLC, PO Box 26, Trevor, WI 53179 (Owner), Dan McMahon, Interstate Pump & Tank, 901 Niagra St., Waukesha, WI 53186 (Agent) requesting a conditional use permit to allow an expansion of an existing gasoline service station in the B-2 Community Business Dist. on Tax Parcel #66-4-120-273-0810 located in the SW ¼ of Section 27, T1N, R20E, Town of Salem.

Dan McMahon was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit request of AMTUL LLC (Owner), Dan McMahon (Agent), subject to the revisions to the conditions as discussed and the signature of the Owner on the following conditions:

1. Subject to the application stamped received by the office of Planning and Development on February 3, 2016.
2. Subject to that approved by the Town of Salem at their March 14, 2016 Town Board meeting (Exhibit A, attached).
3. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)49 a through e; Gasoline Service Stations in the B-2 District (shown below):
 - a. A detailed site plan shall be submitted showing all structures and their distances including canopies, pump islands, lightpoles, tower signs, storage tank locations, etc.

Note: Existing pole-top flood lighting does not meet current lighting standards. No revisions to the existing lighting infrastructure is required at this time, however any subsequent modifications to said light fixtures (repair/replacement, etc.) shall be made in accordance with Kenosha County site plan review lighting standards requiring full cutoff fixtures with light shields parallel to yard grade.

In addition to the site improvements shown on the submitted site plan document, the parking lot pavement shall be re-located to a distance no less than 10 feet from the west property line. The westerly driveway location does not need to be re-located, and a minimal taper to make the connection to the access point would be acceptable.

- b. All canopy posts shall be at least 30 feet from any property line. No canopy shall exceed 20 feet in height.

Note: Existing canopy posts were approved to be located no closer than 22 feet from the right-of-way line by a variance approval granted by the Kenosha County Board of Adjustments on March 18, 1993. Additional canopy posts as part of the proposed canopy expansion shall be located no closer than 22 feet from the right-of-way of Wilmot Road (CTH "C").

- c. Canopies shall not be permitted to overhang past the property line.
- d. All pumps shall be set back at least 30 feet from any property line.

Note: Existing canopy posts were approved to be located no closer than 22 feet from the right-of-way line by a variance approval granted by the Kenosha County Board of Adjustments on March 18, 1993. Pumps (pump islands) were located 20 feet from the existing right-of-way line. Additional pump islands as part of the proposed canopy expansion shall be located no closer than 20 feet from the right-of-way of Wilmot Road (CTH "C").

- e. Gasoline service stations for semi-trailers shall have their ingress and egress located in such a fashion as to give due regard to topography and public road and pedestrian traffic taking into consideration hills, curves, speed limits and vision clearance.

Note: Pursuant to a recommendation by the Kenosha County Division of Highways, the existing middle driveway access shall be removed prior to completion and operation of the additional pump capacity (anything over the four existing pumps located on the property).

4. Subject to Section 12.08-2 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance; Site Plan Review.
5. Subject to Section III. G. of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance; General Land Use Regulations, Traffic, Parking and Access.
6. For the purposes of this conditional use permit review the proposed gas station addition is approved. However let it be known that pursuant to section 12.28-7 of the Kenosha County Zoning & Shoreland/Floodplain Zoning Ordinance regarding existing non-conforming structures the building proposed to be expanded is not meeting at least 50% of the required side yard setback from the east property line. Therefore, a variance application must be submitted to and approved by the Kenosha County Zoning Board of Adjustments prior to the applicant being able to be issued a zoning permit for said building addition.
7. Subject to receiving a permit for any and all proposed access points to the abutting County Trunk Highway including any incidental items proposed to be located within

the right-of-way of the abutting County Trunk Highway. The permit must be fully executed prior to commencing any preliminary grading work.

8. No changes or expansion of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing principal building(s) or proposed new principal building(s) shall take place without the petitioner reapplying for a Conditional Use Permit to the Planning, Development and Extension Education Committee for its review and approval.
9. It has been recognized that the repetitive and subsequent incremental increase of impervious surface area through the construction of multiple small projects can act as bypass to the overall goal of undergoing a site specific stormwater review pursuant to section 17.06-1 of the Kenosha County Stormwater Management, Erosion Control and Illicit Discharge Ordinance.

Let it be known that the net gain of 2,576 sq. ft. of impervious surface proposed with this project will count against the ½ acre threshold to trigger a stormwater management plan pursuant to section 17.06-1 of the Kenosha County Stormwater Management, Erosion Control and Illicit Discharge Ordinance. Any future building additions, new building construction or increases in impervious surface area (e.g. parking lot expansions) to the site, will be counted cumulatively towards triggering the submittal of a comprehensive stormwater plan to the Kenosha County Planning and Development for review and approval.

10. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
11. If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

10. **REQUEST FOR AN AMENDMENT OF FINAL PLAT OF WOODHAVEN MEADOWS SUBDIVISION - WOODHAVEN MEADOWS LLC – SALEM (32:54)**

Request for Amendment of Final Plat of Woodhaven Meadows Subdivision, Kevin J. Deaton, Woodhaven Meadows, LLC, 1202 60th St., PO Box 10, Kenosha, WI 53141 (Agent) to reduce the rear yard setback to 25' from 50' on lots 1 – 45 (Tax Parcels #65-4-120-134-0207 through #65-4-120-134-0209, #65-4-120-134-0222 through #65-4-120-134-0245, #66-4-120-241-0201 through #66-4-120-241-0206 and #66-4-120-241-0210 through #66-4-120-241-0221). This subdivision is located in the SE 1/4 of Section 13

and NE 1/4 of Section 24, T1N, R20E, Town of Salem.

Mr. Buehler presented the information for this item.

Carol Husnick, Echo Lane, Salem, WI, noted concern regarding encroachment on the wooded area between their property and the Woodhaven Meadows Subdivision.

- Supervisor Decker made a motion to **approve** the Final Plat of Woodhaven Meadows Subdivision, subject the following conditions:

Woodhaven Meadows, LLC (Owner), Kevin J. Deaton, Managing Member, Woodhaven Meadows, LLC (Agent) - Part of the Southeast Quarter of Section 13 & the Northeast Quarter of Section 24, Township 1 North, Range 20 East, Town of Salem. For informational purposes only this plat is located approximately 1,500 feet northwest of the intersection of 219th Ave. and CTH "C" (Wilmot Rd).

Requesting an amendment to the final plat of Woodhaven Meadows Subdivision via an "Affidavit of Correction", received by Planning & Development February 25, 2016 and drafted by Jeffrey K. Rampart, Wis. Registered Land Surveyor, to correct the rear yard setback of 50 ft. to 25 ft.

Conditional Approval subject to the following:

- a) Subject to that approved by the Town of Salem at the April 11, 2016 Town Board meeting (Exhibit A, attached)
- b) The following note shall be added to the Affidavit of Correction:
 - "The final plat amendment to which this Affidavit of Correction pertains was approved by the Kenosha County Board of Supervisors on _____, 2016 as Resolution No. _____ (Exhibit A, attached)."
- c) Subject to sending an electronic copy of the revised Affidavit of Correction to the Kenosha County Department of Planning & Development office to receive final sign-off prior to the recordable Affidavit of Correction document being prepared. The county contact is Luke Godshall who can be contacted at: Luke.Godshall@kenoshacounty.org.

The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

11. **STEPHEN C. MILLS, MILLS ENTERPRISES LLC, & CRAIG T. & LAURA M. BAUMGARDNER (OWNERS), DAN SZCZAP (AGENT) – REZONING – SALEM (42:05)**

Stephen C. Mills, 4015 80th St., Kenosha WI 53142, Mills Enterprises LLC, 4015 80th St., Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 N. Fernview Ln., Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th St., Kenosha WI 53142 (Agent), requesting a rezoning from C-2 Upland Resource

Conservancy Dist. and C-1 Lowland Resource Conservancy Dist. with a Planned Unit Development Overlay (PUD) to C-2 Upland Resource Conservancy Dist. and C-1 Lowland Resource Conservancy Dist. with a Planned Unit Development Overlay (PUD) on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located in the SE 1/4 of Section 4, T1N, R20E, Town of Salem.

Dan Szczap was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Stephen C. Mills, & Craig T. a& Laura M. Baumgardner (Owners), Dan Szczap (Agent). The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

12. **STEPHEN C. MILLS, MILLS ENTERPRISES LLC, & CRAIG T. & LAURA M. BAUMGARDNER (OWNERS), DAN SZCZAP (AGENT) – PRELIMINARY SUBDIVISION PLAT – SALEM (50:12)**

Preliminary Plat of The Reserve Subdivision, Stephen C. Mills, 4015 80th St., Kenosha WI 53142, Mills Enterprises LLC, 4015 80th St., Kenosha, WI 53142 and Craig T. & Laura M. Baumgardner, 37015 N. Fernview Ln., Lake Villa, IL 60046 (Owners), Dan Szczap, Bear Development LLC, 4011 80th St., Kenosha WI 53142 (Agent), on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111 located in the SE 1/4 of Section 4, T1N, R20E, Town of Salem.

Dan Szczap was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Preliminary Plat of The Reserve Subdivision, subject the following conditions:
 - 1) Subject to approval of the following Planned Unit Development (PUD) modifications listed in the aforementioned rezoning application.

1) **Section 12.10 – Structures Per Lot; Public Access**

Required By Ordinance: All structures shall be located on a lot; and, except as otherwise provided in this ordinance, in the A-1, A-2, A-4, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and C-2 districts, only one principal structure shall be located, erected or moved onto a lot. The number, size and type of accessory structures shall be governed as specified in each district and section 12.27-6 of this ordinance. All lots shall abut upon a public street, easement of record or other officially approved means of access and no zoning permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

Approved Deviation: All structures shall be located on a lot; and, except as otherwise provided in this ordinance, in the A-1, A-2, A-4, R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8 and C-2 districts, only one principal structure shall be located, erected or moved onto a lot. The number, size and type of accessory structures

shall be governed as specified in each district and section 12.27-6 of this ordinance. All lots shall abut upon the proposed platted private road and access easement otherwise known as 265th Avenue and no zoning permit shall be issued for a lot which abuts a public street dedicated to only a portion of its proposed width and located on that side thereof from which the required dedication has not been secured.

2) **Section 12.25-1(h)** – C-1 Lowland Resource Conservancy District – Platting Subdivisions

Required By Ordinance: When platting new subdivisions, every effort shall be made to contain lands zoned C-1 Lowland Resource Conservancy District in outlots to be owned and controlled by a community association.

Approved Deviation: Exempt - C-1 Lowland Resource Conservancy District areas shall be allowed to be platted on private property within this development, as shown on the submitted preliminary plat.

3) **Section 12.25-2(e)2** – C-2 Upland Resource Conservancy District – Lot Area and Width

Required By Ordinance: Parcels shall have a minimum area of five acres.

Approved Deviation: Parcels shall maintain the minimum acreage shown on the submitted plat document. This is not to exclude any minor deviation that may occur between now and final plat approval/recordation.

Required By Ordinance: All such parcels shall have a frontage of not less than 300 feet in width except on a cul-de-sac or curve in which case the lot frontage may be reduced to 150 feet of frontage provided there is at least 300 feet of width at the required building setback line.

Approved Deviation: All such parcels shall have a frontage of not less than that frontage depicted on the submitted plat document. This is not to exclude any minor deviation that may occur between now and final plat approval/recordation.

4) **Section 17.10-2(a)** – Agreement Provisions - Ownership

Required By Ordinance: ...All stormwater BMPs that collect runoff from more than one lot shall be located on outlots....

Approved Deviation: Exempt – Stormwater BMPs that collect runoff from more than one lot shall be allowed to be platted on private property within this development, as shown on the submitted preliminary plat.

- 2) Subject to the conditions recommended by the Town of Salem Town Board on March 14, 2016 (Exhibit A, attached).
- 3) Subject to the conditions outlined in the letter dated February 22, 2016 from Don Sime, PLS, Plat Review, Wisconsin Department of Administration (Exhibit B, attached).
- 4) Subject to the February 8, 2016 plat review letter from Kenneth R. Yunker, P.E., Executive Director, Southeastern Wisconsin Regional Planning Commission (Exhibit C, attached).

- 5) Subject to the March 28, 2016 plat review e-mail from Al Brokmeier, Director of Land Information Office, Kenosha County (Exhibit D, attached).
- 6) Subject to any applicable covenants and by-laws, including maintenance of Common Elements, being reviewed by the Kenosha County Department of Planning & Development to insure said restrictions are not any less restrictive than County regulations.
- 7) One (1) CD of the proposed Final Subdivision Plat in digital format (.dwg, .dgn or dxf). Information shall include: lot lines and associated text, street centerlines (include supporting coordinate geometry and curve data), street names and wetland delineations. This shall be submitted to the Kenosha County office of Planning and Development prior to the final plat application.
- 8) The following items shall be added to the face of the final plat:
 - ◆ The proposed private roadway shall be labeled (more deliberately and in a larger font than the note written at the entrance the subdivision).
 - ◆ Subject to labeling the invert elevations of the culverts under the road and trail as described in comments 1 & 4 of the June 30, 2004 stormwater management review letter from Michael G. Han, Principal Engineer of the Southeastern Wisconsin Regional Planning Commission (Exhibit E, attached).
 - ◆ A note stating, "A portion of these lands are located within the shoreland boundary of a tributary to Silver Lake".
 - ◆ Signature blocks for all three (3) affected property owners, Kenosha County Planning, Development & Extension Education Committee approval and Town of Salem approval shall be added to the face of the plat. If space becomes limited, a second page should be added to the plat document.

The signature block for the Kenosha County Planning, Development & Extension Education Committee shall read as follows:

Kenosha County Planning, Development & Extension Education
Committee Approval

This subdivision plat was hereby approved by the Kenosha County
Planning, Development & Extension Education Committee on this
_____ day of _____, 20____.

Douglas Noble Chairman

- ◆ A note stating, "There shall be no further land divisions within the subdivison."

- ◆ A note stating, "There shall be no moving of existing homes or structures into the subdivision."
- ◆ A note stating, "No lot line adjustments within this development shall reduce any lots sizes below the lot size shown on the original recorded subdivision plat. And no lot line adjustments within this development shall reduce any lot frontage below the lot frontage amount shown on the original recorded subdivision plat."

The purpose of this note is to ensure no future lot line adjustments further reduce these two lot design standards beyond what deviations are already being granted.

- ◆ Any proposed permanent development sign easement on the face of the final plat if necessary.

Note: A development sign exists at the entrance from STH 50. It is recommended this sign location be acknowledged with a formal sign easement shown on the plat.

9) The following items shall be revised on the face of the final plat:

- ◆ Subject to revising the principal structure building envelopes to match the C-2 Upland Resource Conservancy District minimum setback requirements.
- ◆ Note 2 shall be revised to read, "Existing zoning is C-1 and C-2 w/ a Planned Unit Development Overlay (PUD)".
- ◆ The mailing address of the Owners/Developers shall be revised to match that on record with the Kenosha County Land Information Department or the property owner shall request the mailing address on file with the Land Information Department be changed to match that displayed on the plat document. Specifically, the listed mailing address for Baumgardner (Lot 4) does not match that on file with Kenosha County Land Information records.

10) Subject to any existing condominium being vacated pursuant to ss. 703.28(1m)(b).

11) Subject to the requirements of the Kenosha County Stormwater Management, Erosion Control and Illicit Discharge Ordinance.

12) The developer shall provide utility easements to be shown on the final plat as required by the applicable utility companies.

13) Subject to any abandoned junk and/or debris being removed from property prior to Kenosha County Planning & Development signing the final subdivision plat.

14) All utilities shall be underground.

15) Detailed signage plans for the subdivision entrance shall be reviewed and approved by the Department of Planning and Development prior to issuing a zoning permit.

- 16) Any temporary or permanent development signs shall require a permit issued by the Department of Planning and Development.
- 17) Any applicable developer's agreement shall be signed by the developer and the Town prior to final plat approval.
- 18) The developer is responsible during infrastructure construction for maintenance of existing subsurface drainage systems (field tile).
- 19) It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions may result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance.
- 20) If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.

The motion was seconded by Supervisor Goebel and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

13. **KENOSHA COUNTY FAIR ASSOCIATION INC. (OWNER), NICHOLAS MULVANEY (AGENT) – CONDITIONAL USE PERMIT – SALEM (56:26)**

Kenosha County Fair Association Inc., PO Box 96, Wilmot, WI 53192-0096 (Owner), Nicholas Mulvaney, Wilmot Mountain Flea Market, Inc., 7525 W. Ishham Ave., Chicago, IL 60631 (Agent), requesting a conditional use permit to allow a three-year flea market use in the PR-1 Park-Recreational Dist. on Tax Parcel #67-4-120-303-1261 located in the W 1/2 of Section 30, T1N, R20E, Town of Salem.

Nicholas Mulvaney was in attendance to speak to this item.

Mr. Buehler noted that the application request was published for a three-year period, however it should have been for only a one year time period.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit for Kenosha County Fair Association Inc. (Owner), Nicholas Mulvaney (Agent), for one year, subject the following conditions:
 1. Subject to the application dated March 2, 2016 and stamped received by the office of Planning and Development along with all associated attachments and drawings.

Note: Said conditional use permit approval is for a 1-year Wilmot Market ability (2016).

2. Subject to that approved by the Town of Salem at the April 11, 2016 Town Board meeting (Exhibit A, attached).
3. It is the responsibility of the petitioner to assure and guarantee that the above conditions are fully complied with. This includes, but is not necessarily limited to, meeting conditions established herein, providing any applicable letters of credit, providing and following approved plans, obtaining permits prior to construction, making improvements, participating in coordination meetings with governmental officials, following established time frames, meeting deadlines, and providing additional information where deemed necessary. Any unauthorized deviation from the approved plans and conditions shall result in the issuance of a citation and/or applicable stop work order by the Department of Planning and Development or other applicable agencies until such time as the conditional use permit is brought back into compliance. Continued violation of the conditions, as set forth herein shall result in a recommendation for revocation of the Conditional Use Permit.

GENERAL

4. No revisions to the existing lighting infrastructure is required at this time, however any subsequent pole-mounted outdoor lighting additions or modifications on the property shall consist of full cut-off luminaries. Future Lighting fixtures shall be full cutoff fixtures with light shields parallel to yard grade and shall be directed in such a manner so as to prevent light from shining directly onto abutting rights-of-way and adjacent properties.
5. Subject to any and all temporary structures, banners, tents, buildings or trailers being removed from said property no later no later than 24 hours past the end-time of each event.
6. No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, County or local unit of government in which they are being located.
7. No hot air balloons or helicopter rides are permitted.
8. The grounds, including areas not visible to the public, shall be kept neat and clean at all times. Staff shall be provided for the purposes of picking up litter whenever the public is on the site. In addition, it is the responsibility of the applicant to remove all litter that may be blown from the site onto abutting and neighboring properties or the road right-of-way, with final off-site clean-up being finished as necessary, no later than 24 hours past the end-time of each event.
9. If any of the above mentioned events are to be held subsequent to the 2016 calendar year, it is advised that the application for the Conditional Use Permit be filed in time to ensure adequate time for planning the event and obtaining the appropriate town and county approvals.

HEALTH/SANITATION

10. It is the responsibility of the applicant to comply with all State and local regulations related to health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health related permits and assure that all necessary tests and inspections are conducted.

TRAFFIC AND PARKING

11. Parking shall take place only in the designated areas shown on the submitted plan. Entrance and exit roads shall be graveled and maintained for a minimum distance of 100 feet from the edge of pavement of the public road and the remaining entrance and exit roads shall be maintained in a dust free condition at all times. Stacking of vehicle traffic must occur on-site. No vehicle back-ups shall occur within the public roadways. No off-site parking is allowed, including in the public right-of-way.
12. Any off-site parking arrangements and/or shuttle service shall be approved by the Kenosha County Sherriff's Department.

Weather/Safety/Security

13. A special event emergency evacuation plan shall be approved by the Director of Kenosha County Emergency Services and the Kenosha County Sheriff's Department. The event emergency evacuation plan must be finalized by April 15, 2016. National Oceanic and Atmospheric Association (NOAA) weather radios shall be on hand and used to monitor weather conditions from the National Weather Service offices in Sullivan, WI and Chicago, IL during the duration of the event, as referred to in the emergency plan. Site managers shall be briefed on their use and also must be familiar with the use of radio communication equipment for interfacing with response agencies as necessary.
14. Subject to the applicant providing adequate on-site security and first-response medical attention.
15. Applicant shall provide proof of liability insurance for the event. Said proof shall be submitted to the Department of Planning and Development by April 15, 2016.
16. Any substantial change or expansion of the submitted plan of operation, i.e., new buildings and/or change in use, shall require the petitioner to reapply for a Conditional Use Permit to the Planning, Development & Extension Education Committee for its review and approval.
17. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop

work order until such time as the project is brought back into compliance.
Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

14. **TABLED NORTHERN ALPINE GROUP LLC (OWNER), MARY OCHOA-PETERSEN (AGENT) – REZONING – WHEATLAND – WITHDRAWN (1:04:05)**

Tabled Request of Northern Alpine Group LLC, 31401 60th St., Salem, WI 53168 (Owner), Mary Ochoa-Petersen, 31401 60th St., Salem, WI 53168 (Agent) requesting a rezoning from R-2 Suburban Single-Family Residential Dist. to A-2 General Agricultural Dist. on Tax Parcels #95-4-119-011-0102 & 95-4-119-011-0104 located in the NE ¼ of Section 1, T1N, R19E, Town of Wheatland.

- Supervisor Skalitzky made a motion to **remove from the table** the rezoning request of Northern Alpine Group LLC (Owner), Mary Ochoa-Petersen (Agent). The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

Mr. Buehler presented this item.

- Supervisor Decker made a motion to **accept the withdrawal** of the rezoning request of Northern Alpine Group LLC (Owner), Mary Ochoa-Petersen (Agent). The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

15. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – COMPREHENSIVE PLAN AMENDMENT – WHEATLAND – REMAINS TABLED (1:05:40)**

Tabled Request of Public Hearing on Proposed Comprehensive Plan Amendment, Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Suburban-Density Residential" & "Non-Farmed Wetland" to "Commercial" and "Non-Farmed Wetland" on Tax Parcel #95-4-219-314-0640 located in Section 31, T2N, R19E, Town of Wheatland.

Mr. Buehler noted that items 15-17 have been tabled for some time and that work has begun on further delineation of the wetlands and it is expected that these items will move forward in May or June.

16. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – REZONING – WHEATLAND – REMAINS TABLED (1:05:40)**

Tabled Request of Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requesting a rezoning from A-2 General Agricultural Dist. to B-3 Highway Business Dist. & C-1

Lowland Resource Conservancy Dist. on Tax Parcel #95-4-219-314-0640 located in SE ¼ Section 31, T2N, R19E, Town of Wheatland.

17. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – CONDITIONAL USE PERMIT – WHEATLAND – REMAINS TABLED (1:05:40)**

Tabled Request of Action 50 LLC, 420 W. Westleigh Rd., Lake Forest, IL 60045 (Owner), Mark Merkling, 5675 392nd Ave., Burlington, WI 53105 (Agent), requesting a Conditional Use Permit for Recreational Vehicle (RV) sales, service and outdoor display & storage in the B-3 Highway Business Dist. on Tax Parcel #95-4-219-314-0640 located in SE ¼ Section 31, T2N, R19E, Town of Wheatland.

Note – Items 18-20 were heard at the beginning of the meeting per special request and consensus of the committee members.

18. **REVIEW AND POSSIBLE APPROVAL - RESOLUTION TO APPROVE THE APPOINTMENT OF CHRISTOPHER BROWN TO THE KENOSHA COUNTY ZONING BOARD OF ADJUSTMENTS (04:16)**

Mr. Brown was in attendance to provide a brief summary of his qualifications to serve on the Kenosha County Zoning Board of Adjustments.

- Supervisor Decker made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the appointment of Christopher Brown to the Kenosha County Zoning Board of Adjustments. The motion was seconded by Supervisor Skalitzky and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

19. **REVIEW AND POSSIBLE APPROVAL – RESOLUTION TO APPROVE THE APPOINTMENT OF DAVID N. DEVITO TO THE KENOSHA COUNTY ZONING BOARD OF ADJUSTMENTS (06:13)**

Mr. DeVito was in attendance to provide a brief summary of his qualifications to serve on the Kenosha County Zoning Board of Adjustments.

- Supervisor Retzlaff made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the appointment of David N. DeVito to the Kenosha County Zoning Board of Adjustments. The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

20. **REVIEW AND POSSIBLE APPROVAL – RESOLUTION TO APPROVE THE APPOINTMENT OF ROBERT W. MERRY TO THE LAND INFORMATION COUNCIL (09:42)**

Mr. Buehler presented this item.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the appointment of Robert W. Merry to the Land Information

Council. The motion was seconded by Supervisor Decker and passed unanimously by those PDEEC members present. Youth In Governance: Hertel - aye; McCarthy - aye.

21. **CERTIFIED SURVEYS AND OTHER LAND DIVISIONS - NONE**

22. **APPROVAL OF MINUTES - APPROVED**

- Supervisor Skalitzky made a motion to approve the minutes as presented of the March 9, 2016 Planning, Development and Extension Education Committee meeting. The motion was seconded by Supervisor Goebel and passed unanimously.

23. **CITIZEN COMMENTS - NONE**

24. **ANY OTHER BUSINESS ALLOWED BY LAW (1:06:27)**

Mr. Buehler noted that this would be the last meeting of the current committee members due to new committee assignments that would be submitted before the May meeting. He wished all the committee members well in their future endeavors. He especially thanked Supervisor Noble for his many years of service to Kenosha County as County Supervisor and wished him well since he did not run for re-election this election period.

25. **ADJOURNMENT**

- Supervisor Skalitzky made a motion to adjourn the meeting. The motion was seconded by Supervisor Goebel and passed unanimously by those PDEEC members present. The meeting was adjourned at 8:15p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, May 11, 2016.