

**MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, June 8, 2016**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, June 8, 2016 at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors Erin Decker, John Poole, Michael Skalitzky, Jill Gillmore, Steve Bostrom

Youth In Governance Representatives Present: Felix Desimoni and Mikelle Miles

UW-Extension Staff Present: Tedi Winnett, Director, UW-Extension, Cindi Armstrong, Barbara Larson, Nicole Liepski, Bethany Sorce, and Teresa Ward

Also in Attendance for the public hearings on land use items:
Ben Fiebelkorn, Senior Land Use Planner
April A. Webb, Senior Administrative Assistant

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

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 “Choose Health: Food, Fun and Fitness”:** Terri Ward, Nutrition Education Program Administrator, explained the Racine Kenosha Nutrition Education Program (RKNEP) and their funding structure. Nutrition educators Cindi Armstrong and Nicole Liepski led the committee through their program taught for youth in the summer youth programs. The program focus is on teaching healthy snacks and active play. Committee members participated in interactive activities led by nutrition educators.
3. **UW-Extension Educator/Program updates:** Barbara Larson, Horticulture Educator, reported that 16 individuals completed Master Gardener Level I training. They must complete 24 hour of volunteer time to become certified Master Gardeners. She provided technical assistance to a commercial landscape company. She created a low-maintenance design for landscaping at the CCC statue at Fox River Park for the Division of Parks.

Bethany Sorce, 4-H Program Assistant, reported that the Afterschool Ambassadors wrapped up at 133 hours, 27 youth, November – April. She is preparing for American Red Cross Babysitting course and there are three sessions scheduled for this summer. Next weekend is 4-H Summer Camp; the theme is “S’More Fun at 4-H Camp.” Day camp will be held at Old Settlers Park K-3rd grade July 7.

Tedi reported that Amy Greil, Community Natural Resources and Economic Development (CNRED) Educator, is unable to attend this evening as she is in Green Bay with a group of food industry leaders and UW-Extension state specialists to meet with staff of two community commercial kitchens. She has been working with the group studying the feasibility of a commercial kitchen in Kenosha. Amy coordinated the May 7th Kenosha

County Household Hazardous, Electronics and Refrigerant Waste Collection Event at the Kenosha County Center. A total of 631 vehicles brought items to the event.

Tedi also reported that Leigh Presley, Agriculture Educator, is at a meeting in Racine County this evening.

4. **nExt Generation Cooperative Extension Reorganization Updates:** Tedi Winnett, reported that there are 8 workgroups formed to begin planning for the statewide reorganization. Tedi is serving on the County and tribal organizational structure planning work group. Nutrition Educator Fabiola Diaz is serving on the Family Living program area planning work group.
5. **UW-Extension Director's Report:** Tedi reminded the PDEEC members that there will be two PDEEC meetings in August. The regular PDEEC meeting will be August 10th and the joint meeting with the Racine County Extension Education Committee will be Monday, August 29th - 6pm, at the Kenosha County Center, Room B.

Kenosha County Sustainability Team launched Cool Choices with county employees this week. There are 17 teams with 176 employees enrolled. Cool Choices is an interactive experience that promotes and teaches sustainable practices.

Tedi also shared that 19 individuals graduated from Leadership Kenosha last month. Applications are now being accepted for the 2016-17 LK program year.

Youth As Resources selected the Leonard & Patricia Johnson Community Service Award. It will be presented at the YAR Board meeting in September.

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

6. **MICHAEL LAZZARONI – REZONING – WHEATLAND – APPROVED (0:46)**

Michael Lazzaroni, 2033 S. Lakeshore Dr., Lake Geneva, WI 53147 (Owner), Mark Larkin, MLML Properties, 500 S. Stone Ridge Dr., Lake Geneva, WI 53147 (Agent), Kenosha County Planning, Development & Extension Education Committee, 19600 75th Street, Suite 185-3, Bristol, WI 53104 (Sponsor), requesting a rezoning from B-3 Highway Business Dist. to B-3 Highway Business Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #95-4-119-032-0300 located in the NW 1/4 of Section 3, T1N, R19E, Town of Wheatland.

Staff presented this item as it is a rezone of the wetlands to reflect the actual field conditions.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Michael Lazzaroni (Owner) and

Mark Larkin (Agent). The motion was seconded by Supervisor Poole and passed unanimously. Youth In Governance: Desimoni - aye; Miles - aye.

7. **THOMAS H. & MARY PAIGE THELEN – REZONING – RANDALL - APPROVED (4:43)**

Thomas H. & Mary P. Thelen, 34202 116th St., Twin Lakes, WI 53181 (Owner), requesting a rezoning from A-1 Agricultural Preservation Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #60-4-119-273-0501 located in the S 1/2 of Section 27, T1N, R19E, Town of Randall.

Thomas Thelen (Owner) 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 Thomas & Mary Thelen (Owner). The motion was seconded by Supervisor Poole and passed unanimously. Youth In Governance: Desimoni - aye; Miles - aye.

8. **BJS OF SALEM LLC – CONDITIONAL USE PERMIT – TOWN OF SALEM - APPROVED (10:08)**

BJS of Salem LLC, 9251 Antioch Rd., Salem, WI 53168 (Owner), Michael A. Jones, 9251 Antioch Rd., Salem, WI 53168 (Agent), requesting an amendment to an existing conditional use permit to allow an expansion of outdoor baseball fields and the addition of outdoor sand volleyball and outdoor batting cages in the B-3 Highway Business Dist. and PR-1 Park-Recreational Dist. on part of Tax Parcel #65-4-120-143-0600, SW ¼ Section 14, T1N, R20E, Town of Salem.

Michael Jones (Agent) was in attendance to speak to this item.

- Supervisor Poole made a motion to **approve** the Conditional Use Permit for Action 50 LLC (Owner) and Mark Merklng (Agent), subject the following conditions:
 1. Subject to the conditions of approval from the previously approved conditional use permit on May 15, 2008 (Exhibit A, attached), except as noted below.
 2. Subject to the application received by the office of Planning and Development on April 28, 2016.
 3. Subject to that approved by the Town of Salem Town Board on May 16, 2016 (Exhibit B, attached).
 4. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)106a a thru e; bars and taverns with outdoor dining, recreation entertainment in the B-3 District (shown below):

- a. A site plan shall be submitted showing all proposed outdoor use areas including parking, landscaping and the location of existing structures.
 - b. Hours of use may be limited to prevent disturbance to abutting property owners.
Note: The submitted application indicates proposed hours of operation from 8am-10:30pm, with outdoor lighting for the baseball fields being shut off by no later than 10:30pm with no exceptions. This is an approved deviation of the previously approved conditional use permit, which limited hours of operation to 9am-10:30pm.
 - c. Lighting may be limited to prevent disturbance to abutting property owners.
 - d. There shall be no outside music speakers or live music.
 - e. Any approval granted must be in conformance with the restrictions of the liquor license issued for the establishment.
5. This conditional use permit shall permit a maximum of three (3) baseball fields, two (2) volleyball courts and one (1) 40' x 70' batting cage area as indicated on the site plan within the PR-1 Park-Recreational District area, in addition to the previously approved outdoor beer garden/dining area and up to four (4) horseshoe game courts (8 pits). Any future expansion of additional fields and/or outdoor uses will require an amendment to the conditional use permit and a rezoning if the proposed outdoor uses will extend into the area currently zoned A-2 General Agricultural District.
 6. Hours of use for the outdoor dining area shall be subject to the requirements of the town liquor license.
 7. There shall be no live or amplified music permitted in the outside recreation area.
 8. Any new principal or accessory uses and structures shall be subject to approval of a site plan review, pursuant to Section 12.08-2 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance.
 9. The addition of any new impervious surface area shall be subject to review by the Department of Planning and Development. Additional impervious surface area in excess of ½ acre will require a stormwater permit to be issued.

Note: The applicant at this time is not proposing any new impervious surface area.
 10. Any dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
 11. Any newly proposed outdoor lighting shall consist of full cut-off luminaires and shall not exceed an illumination level of 0.5 footcandles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner so as to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaires only). No protruding lenses are allowed and lenses must be constructed so as to be parallel to the constructed yard grade. Light fixtures for building lighting shall be carefully located, aimed and shielded so that light is directed only onto the building façade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.

12. A zoning permit shall be applied for and issued by the Department of Planning and Development prior to commencing construction of any structure(s) (i.e. accessory structures, building addition(s), fencing, signage, etc...).
13. Any substantial change 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 require the property owner and/or tenant to reapply for a Conditional Use Permit to the Kenosha County Planning, Development and Extension Education Committee for its review and approval.
14. It is the total responsibility of the property owner 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.
15. If property ownership and/or tenant shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify new owner and/or tenant of all above stated conditions of approval. Any new owner and/or tenant must contact the Kenosha County Department of Planning and Development to discuss use and obtain a certificate of compliance. Any change in ownership and/or tenant 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 on a 4-1 vote with Supervisor Gillmore voting no. Youth In Governance: Desimoni - aye; Miles - no.

9. **MEYER MATERIAL CO. – CONDITIONAL USE PERMIT – TOWN OF WHEATLAND - APPROVED (32:43)**

Meyer Material Company, 1819 N. Dot Street, McHenry, IL 60050 (Lessee), Herbert J. & Lillian A. Robers Revocable Trust, 233 Origen Street, Burlington, WI 53105 (Lessor), Roland and Bonnie Lou Denko, 3710 392nd Avenue, Burlington, WI 53105 (Lessor) & Raymond J. & Gloria M. Tenhagen, 3910 376th Avenue, Burlington, WI 53105 (Lessor), requesting a 2-year renewal of a Conditional Use Permit (originally approved on March 13, 1996) for a gravel pit in the M-3 Mineral Extraction and Landfill Dist. on the following Tax Parcels: #95-4-219-291-0100 (Robers), #95-4-219-291-0300 (Robers), #95-4-219-291-0400 (Robers), #95-4-219-292-0300 (Robers), #95-4-219-292-0200 (Denko), #95-4-219-293-0100 (Denko), #95-4-219-293-0200 (Denko), #95-4-219-293-0300 (Denko), #95-4-219-293-0400 (Denko) & #95-4-219-294-0100 (Tenhagen). Said parcels are located in the NE, NW, SE, and SW quarters of Section 29, T2N, R19E, Town of Wheatland.

Randi Wille (Agent) was in attendance to speak to this item.

- Supervisor Skalitzky made a motion to **approve** the Conditional Use Permit for Action 50 LLC (Owner) and Mark Merklng (Agent), subject the following conditions:

1. Subject to the application and plans stamped received by the office of Planning and Development on April 25, 2016 including the 2015 Operations Summary Report prepared by Baxter & Woodman, dated December 23, 2015.
2. The conditions presented in the original approval of the Mineral Extraction operation signed by Allen R. Miller on 3-13-96, and August 12, 1998 shall remain in effect except where altered in Task Order #7 signed by Allen Miller on August 9, 2004 and Task Orders #8 and #9 signed by Allen Miller on December 5, 2006 and Task Order #10 signed by Allen Miller on June 18, 2009 and Task Order #11 signed by Allen Miller on January 9, 2012 and Task Order #13 signed by Randi Wille on December 18, 2013 (Task Orders on file in Planning and Development).
3. Surveillance visits by the HNTB staff shall be conducted twice (2) a year.
4. It was agreed with Meyer Material Company that if positive results were being recorded over the first two years of the Conditional Use Permit that HNTB would propose to reduce, or delete, some annual contract services. The above is intended to do just that. Consequently, the annual services contract will be reduced as presented below.

Meyer Material Company	1996-1997 fee	\$36,000 per yr x 2 yrs = \$73,800*
	1998-2000 fee	\$29,500 per yr x 2 yrs = \$59,000
	2004-2006 fee	\$21,250 per yr x 2 yrs = \$42,500
	2006-2008 fee	\$17,000 per yr x 2 yrs = \$34,000
	2009-2011 fee	\$15,500 per yr x 2 yrs = \$31,000
	2012-2014 fee	\$12,375 per yr x 2 yrs = \$24,750
	2014-2016 fee	\$12,375 per yr x 2 yrs = \$24,750
	2016-2018 fee	\$12,375 per yr x 2 yrs = \$24,750

(*Does not include 5% county administration fee)

5. 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.
6. 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 Gillmore and passed unanimously. Youth In Governance: Desimoni - aye; Miles - aye.

10. **JEFFREY A. BADTKE (OWNER) – COMPREHENSIVE PLAN AMENDMENT – PARIS – TABLED (37:06)**

Public Hearing on Proposed Comprehensive Plan Amendment, Jeffrey A. Badtke, 1520 136th Ave., Union Grove, WI 53182 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from "Farmland Protection", "General Agricultural & Open Land", "INRA" & "Non-Farmed Wetland" to "Farmland Protection", "Suburban-Density Residential" & "Non-Farmed Wetland" on part of Tax Parcel #45-4-221-141-0300 located in the NE ¼ of Section 14, T2N, R21E, Town of Paris.

Staff noted this item was to be tabled to allow the Town additional time to review the application.

- Supervisor Poole made a motion to **table** the Comp Plan Amendment request for Jeffrey A. Badtke to allow the Town additional time to act on the petition. The motion was seconded by Supervisor Skalitzky and passed unanimously. Youth In Governance: Desimoni – aye; Miles - aye.

11. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – COMPREHENSIVE PLAN AMENDMENT – WHEATLAND – REMAINS TABLED**

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.

12. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – REZONING – WHEATLAND – REMAINS TABLED**

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.

13. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – CONDITIONAL USE PERMIT – WHEATLAND – REMAINS TABLED**

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

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

15. **APPROVAL OF MINUTES - APPROVED**

- Supervisor Skalitzky made a motion to approve the minutes as presented of the May 11, 2016 Planning, Development and Extension Education Committee meeting. The motion was seconded by Supervisor Poole and passed unanimously.

16. **CITIZEN COMMENTS - NONE**

17. **ANY OTHER BUSINESS ALLOWED BY LAW**

Staff noted there were four new items for the July meeting agenda in addition to the tabled items from this evening.

18. **ADJOURNMENT**

- Supervisor Skalitzky made a motion to adjourn the meeting. The motion was seconded by Supervisor Bostrom and passed unanimously by those PDEEC members present. The meeting was adjourned at 7:41p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, July 13, 2016.