

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

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, July 13, 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: Mikelle Miles

Youth In Governance Excused: Felix Desimoni

UW-Extension Staff Present: Tedi Winnett, Director, UW-Extension, Barbara Larson, Leigh Presley, and Bethany Sorce

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

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 “Horticulture Update”:** Horticulture Educator, Barb Larson, led a tour of the KCC All-American Selections Display Garden. She provided an overview of the Master Gardener Community Projects. She shared that Bethany Sorce has taken on an additional role as Volunteer Coordinator for Master Gardeners. She explained the criteria for establishing a Master Gardener project. The Master Gardeners erected a Little Library in memory of John Braig, a long time Master Gardener volunteer who worked in the garden.
3. **UW-Extension Educator/Program updates:** Bethany Sorce, 4-H Program Assistant, explained her role as the Horticulture volunteer Program Coordinator working with Master Gardeners and helping to coordinate requests for Master Gardener Volunteers (MGV). She has been meeting MGV’s at the community projects to assess their needs.

As 4-H Program Assistant she reported that 4-H camp was held June 17-18 at Camp MacLean. Volunteers, including Supervisor Decker, led a variety of hands-on projects. Thirty (30) youth and five (5) adults participated.

Bethany is also teaching a Certified American Red Cross Babysitting workshop this summer. The demand for the workshops is high.

Leigh Presley, Agriculture Educator, shared that she co-taught the Tractor Safety training for youth. Eighteen youth and two adults participated. CNH provides tractors and instructors for the training.

Farm Technology Days will be held next week in Walworth County July 19-22; brochures were distributed.

UW-Extension Day at WI State Fair is August 9. Leigh encouraged supervisors to attend.

Leigh noted that the Farm Fresh Atlas fundraiser at Brightonwoods Orchard will be held Saturday, July 16<sup>th</sup>.

4. **nExt Generation Cooperative Extension Reorganization Update:** Director Tedi Winnett reported that the workgroups are now functioning. Each workgroup has a project charger directing their work. Tedi is serving on the County & Tribal Organizational Structure work group. This group will provide recommendations for general organizational structure, staffing levels, roles, and responsibilities across all regions and tribes. There are no changes in fiscal 2017.

Tedi reported that the August 29 will start the planning process with Racine County. This meeting will be a joint meeting between the two county extension committees. There will not be a UW-Extension portion scheduled on the August 10<sup>th</sup> PDEEC agenda. A joint meeting with Racine and Kenosha County will be held August 29<sup>th</sup> at the Kenosha County Center building at 6pm.

5. **UW Extension Director Updates:** Tedi distributed a letter from the East-Metro WACEC Region First Vice President. The letter is addressing the election of officers for the East-Metro WACEC Region.

Tedi shared that Kristen Lie, Communications & Educational Support Specialist, has resigned to take another position in Milwaukee. Tedi will work with County Personnel to refill this position. Jeanne Hilinske-Christensen, Consumer Horticulture Educator, resigned her position in Kenosha County and will now only be working in Racine County.

Tedi reported that the Youth In Governance bus tour on June 29 went very well. YIG Member Mikelle Miles shared her experience.

Tedi shared that she has been facilitating a process with the local food pantries to determine what improvement should be made to the food distribution systems in Kenosha County. The Hunger Task Force completed a review of all food pantries in Kenosha County and they are recommending a food bank. Tedi will meet with the County Executive and John Jansen, Director of Human Services Department, to discuss next steps.

Tedi reported that Barbara Larson, Horticulture Educator, will receive the National Association of County Agriculture Agents Distinguished Service Award. One award is presented each year to one colleague in Wisconsin. Candidates are nominated by their colleagues in UW-Extension. She will receive the award in two weeks in Little Rock, AR.

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. **STEPHEN C. MILLS, MILLS ENTERPRISES LLC, & CRAIG T. & LAURA M. BAUMGARDNER (OWNERS), DAN SZCZAP (AGENT) – FINAL SUBDIVISION PLAT – SALEM – APPROVED (1:52)**

Final Plat of The Reserve Subdivision, Stephen C. Mills, 4015 80<sup>th</sup> St., Kenosha WI 53142, Mills Enterprises LLC, 4015 80<sup>th</sup> 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 80<sup>th</sup> 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, Bear Development, was in attendance to speak to this item.

- Supervisor Poole made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Final Plat of The Reserve Subdivision, on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111, Town of Salem, subject to the following conditions:

NOTE: These conditions are based on a final plat completed by Michael A. Greeson, P.L.S dated April 25, 2016 and received by Kenosha County Planning and Development on April 26, 2016.

- 1) Subject to approval of the following Planned Unit Development (PUD) modifications listed in the previously approved 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 265<sup>th</sup> 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 have a minimum area of 2.83 acres.

**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 lot size shown on the original recorded subdivision plat. The developer is aware this limits the ability for substantial lot line adjustments through much of the development.

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 June 13, 2016 (Exhibit A, attached).
- 3) Subject to the May 13, 2016 plat review letter from Kenneth R. Yunker, P.E., Executive Director, Southeastern Wisconsin Regional Planning Commission (Exhibit B, attached).

- 4) Subject to the June 7, 2016 plat review e-mail from Al Brokmeier, Director of Land Information Office, Kenosha County (Exhibit C, attached).
- 5) 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.
- 6) The following items shall be added to the face of the final plat:
  - ◆ 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.
  - ◆ 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.*

- 7) The following items shall be revised on the face of the final plat:
  - ◆ Subject to revising the signature block for the Kenosha County Planning, Development & Extension Education Committee to read as follows (note that the chairperson name has changed and that "EDUCATION" is misspelled on the submitted plat document):

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\_\_\_\_.

\_\_\_\_\_  
Erin Decker, Chairperson

- ◆ Subject to changing the last name of the Salem Town Clerk to "Dulaney".
- ◆ Subject to revising the second paragraph of the surveyor's certificate on page 2 of the plat document to reflect that this land division was made at the direction of all three property owners. For clarity "Mills Enterprises LLC" and "Craig T. & Laura M. Baumgardner" should be added.
- ◆ Subject to locating notary and consent of corporate mortgagee language below each of the three signature lines for the three individual property owners. This is to provide clarity as to which notary belongs to which owner signature in the event different notary services are provided on different dates. It is

recommended a second page be added to provide space and clarity to the multiple signatures required for this plat approval.

- ◆ The language stated in note #6 on page 1 of the plat document does not match the Building Setback Detail on page 2 of the plat document. This may cause during future permitting procedures. If what the developer is trying to say is that the setbacks stated in the Building Setback Detail should be administered, but in no circumstance shall they be less than 50 feet from Street, 50 feet from the Rear, nor 25 feet from the Side, then we would suggest language referencing the Building Setback Detail on page 2 be added to the note on page 1 so that it is evident these rules are cognizant of each other.
- 8) Subject to any existing condominium being vacated pursuant to ss. 703.28(1m)(b).
- 9) Subject to the requirements of the Kenosha County Stormwater Management, Erosion Control and Illicit Discharge Ordinance.
- 10) The developer shall provide utility easements to be shown on the final plat as required by the applicable utility companies.
- 11) Subject to any abandoned junk and/or debris being removed from property prior to Kenosha County Planning & Development signing the final subdivision plat.
- 12) All utilities shall be underground.
- 13) 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.
- 14) Any temporary or permanent development signs shall require a permit issued by the Department of Planning and Development.
- 15) Any applicable developer's agreement shall be signed by the developer and the Town prior to final plat approval.
- 16) The developer is responsible during infrastructure construction for maintenance of existing subsurface drainage systems (field tile).
- 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 may result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance.
- 18) 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 Bostrom and passed unanimously by those PDEEC members present. Youth In Governance: Miles - aye.

7. **JAMES F. & JUDY L. KUTZLER (OWNER) – COMPREHENSIVE PLAN AMENDMENT – SALEM – TABLED (9:38)**

Public Hearing on Proposed Comprehensive Plan Amendment, James F. & Judy L. Kutzler, 9037 263<sup>rd</sup> Ave., Salem, WI 53168-9329 (Owner), requests an amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan) from “Suburban-Density Residential” to “Suburban-Density Residential” & “Medium-Density Residential” on Tax Parcel #65-4-120-153-0720 located in the SW ¼ of Section 15, T1N, R20E, Town of Salem.

James Kutzler, owner, was in attendance to speak to this item and presented information regarding the proposal. Mr. Kutzler noted that he was requesting the Comp Plan Amendment and rezoning to allow two homes to be built for his daughters and their families. Signatures have been collected in favor of the request from the immediate surrounding neighbors.

Testimony was heard from the public:

For:

- Charlene Flitsch, 1561 W. Revere Place, West Allis, WI – thanked the committee for their consideration of the proposal and noted it would be a wonderful opportunity for her family to be able to move back to Kenosha County to be closer to immediate family
- Debbie O’Connell, 6049 242<sup>nd</sup> Avenue, Salem, WI - also thanked the committee for their review of the request and thought the proposal was in-keeping with the neighborhood

Opposed:

- Charlie Stephen, 9112 262<sup>nd</sup> Avenue – issue with proposed smaller lot sizes
- Roger Timmons, 9111 262<sup>nd</sup> Avenue - would prefer two R2 parcels rather than the proposed R3 configuration
- Edward Duchon, 9121 262<sup>nd</sup> Avenue – concerned about the proposed smaller lot sizes

Supervisor Bostrom and Skalitzky queried if the Town had considered changing the zoning for the entire neighborhood to R3 since there was such a mix of larger and smaller lots in the area rather than hearing these requests on a one-on-one basis and leaving it open for a possible decline of a request in the future

Brad Zautcke, Town of Salem, responded that the Town had not considered that approach because of the time and manpower it would take to research and go through the process, especially in light that the Town was currently dealing with a number of weighty issues at

this time (possible incorporation, search for another planner, etc.). He indicated that if incorporation takes place, the new Village would need to analyze their neighborhood plans and this might be one area to include.

- Supervisor Skalitzky made a motion to **table** the Comprehensive Plan Amendment for James and Judy Kutzler, Town of Salem. The motion was seconded by Supervisor

Bostrom and passed unanimously by those PDEEC members present. Youth In Governance: Miles - aye.

**8. JAMES F. & JUDY L. KUTZLER (OWNER) – REZONING – SALEM – TABLED (37:42)**

James F. & Judy L. Kutzler, 9037 263<sup>rd</sup> Ave., Salem, WI 53168-9329 (Owner), requesting a rezoning from R-2 Suburban Single-Family Residential Dist. to R-2 Suburban Single-Family Residential Dist. & R-3 Urban Single-Family Residential Dist. on Tax Parcel #65-4-120-153-0720 located in the SW ¼ of Section 15, T1N, R20E, Town of Salem.

Mr. Buehler noted that since item #7 was tabled, that staff recommended the committee table this item as well and both items would be scheduled for the August 10, 2016 agenda.

- Supervisor Bostrom made a motion to **table** the rezoning request of James and Judy Kutzler, Town of Salem. The motion was seconded by Supervisor Skalitzky and passed unanimously. Youth In Governance: Miles - aye.

**9. REVIEW AND POSSIBLE APPROVAL – ORDINANCE – PROPOSED AMENDMENTS TO CHAPTER 12 KENOSHA COUNTY GENERAL ZONING & SHORELAND/FLOODPLAIN ZONING ORDINANCE - APPROVED (43:06)**

Proposed amendments to Chapter 12 Kenosha County General Zoning & Shoreland/Floodplain Zoning Ordinance amending language relative to existing non-conforming structures.

Mr. Buehler presented this item.

- Supervisor Poole made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the proposed amendments to Chapter 12 as presented. The motion was seconded by Supervisor Skalitzky and passed unanimously. Youth In Governance: Miles - aye.

**10. REVIEW AND POSSIBLE APPROVAL – RESOLUTION – PURCHASE OF FLOOD PLAIN PROPERTY - APPROVED (43:24)**

Mr. Buehler presented this item noting that the request was to repurpose surplus capital improvement funds to acquire flood plain property in the Fox River floodplain. The surplus funds are due to a capital improvement project coming in under budget.

- Supervisor Skalitzky made a motion to **approve** and recommend to the Kenosha County Board of Supervisors the Final Plat of The Reserve Subdivision, on Tax Parcels #65-4-120-044-0101 through 65-4-120-044-0111, Town of Salem. The motion was seconded by Supervisor Gillmore and passed unanimously. Youth In Governance: Miles - aye.

**11. TABLED JEFFREY A. BADTKE (OWNER) – COMPREHENSIVE PLAN AMENDMENT – PARIS – REMAINS TABLED**

Tabled Request of Public Hearing on Proposed Comprehensive Plan Amendment, Jeffrey A. Badtke, 1520 136<sup>th</sup> 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.

12. **TABLED ACTION 50 LLC (OWNER) – MARK MERKLING (AGENT) – COMPREHENSIVE PLAN AMENDMENT – WHEATLAND – REMAINS TABLED (41:27)**

Mr. Buehler noted this item had been approved at the Town Plan Commission level and that staff expected items 11, 12 and 13 would move forward in August.

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.

13. **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.

14. **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.

15. **CERTIFIED SURVEYS AND OTHER LAND DIVISIONS – NONE**

16. **APPROVAL OF MINUTES - APPROVED**

- Supervisor Skalitzky made a motion to approve the minutes as presented of the June 8, 2016 Planning, Development and Extension Education Committee meeting. The motion was seconded by Supervisor Gillmore and passed unanimously.

17. **CITIZEN COMMENTS (49:50)**

Roger Timmons, 9111 262<sup>nd</sup> Avenue, clarified his position on the Kutzler project that he would prefer two R2 parcels rather than the three that are proposed.

James Kutzler, 9037 263<sup>rd</sup> Avenue, commented regarding wildlife in the neighborhood, that the new homes would bring value to the neighborhood, as well as tax revenue, and

thanked the committee for their consideration.

Charlene Flitsch, West Allis, WI, appreciated that the committee was going to take a second look at the proposal and thanked the committee for their consideration.

Debbie O'Connell, 6049 242<sup>nd</sup> Avenue, Salem, WI, noted that this has always been a diverse neighborhood of smaller and larger lots and that it had changed over the years since everyone first moved into the neighborhood.

18. **ANY OTHER BUSINESS ALLOWED BY LAW - NONE**

19. **ADJOURNMENT**

- Supervisor Skalitzky made a motion to adjourn the meeting. The motion was seconded by Supervisor Gillmore and passed unanimously by those PDEEC members present. The meeting was adjourned at 8:01p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, August 10, 2016.