

MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, April 10, 2019

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, April 10, 2019 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, and Mark Nordigian

Members Excused: Supervisor Zach Rodriguez

Youth In Governance Representatives Present: Victoria Desimoni and Haley Esposito

UW-Extension Staff Present: Beverlee Baker, Area Extension Director, Amy Greil, Vickie LeFlore, Mary Metten, and Leigh Presley

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

Andy M. Buehler, Director, Division of Planning and Development

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 “On-farm Food Safety for Produce Growers”:** Leigh Presley, Agriculture Educator, presented information relative to the FDA Food Safety Modernization Act passed in 2011 and its implementation. The policy promotes on-farm produce food safety and provides standard regulations for animal food production and transportation of product, as well. This is a mandatory regulation, however there are certain parameters that may exempt the smaller farm operation such as if a grower makes less than \$25,000 from their product sales per year, they would be exempt from the mandatory regulations. UW Extension will provide education assistance to growers to help them through the decision tree to determine if they need to be in compliance and if so, what they need to do to prepare for an audit if they are selected. Audits will be performed on a random basis. Grower training programs will be offered across the state. Educators will have a State contact and resources to obtain more information and guidance for more detailed questions that might come their way. The education will provide information regarding onsite cleanliness, signage, handwashing, etc. Leigh shared a possible scenario of questions or items an auditor might find on a site visit and the committee members and staff participated in a mock program exercise.

3. **UW-Extension Educator/Program updates (34:56):**

Mary Metten, Health & Well-Being Educator, reported on the following projects: collaborated with FoodWise staff and One Hope, Journey Church's newer nonprofit, regarding extension's safe and healthy food pantry program; budgeting workshop with the Housing Authority's family self-sufficiency program; Taking Care of You workshop that focuses on stress management and self-care curriculum at the Kenosha County Job Center. Mary became certified as a Youth Mental Health First Aid trainer.

Vickie LeFlore, Positive Youth Development Educator, reported that the 2019-2020 Youth In Governance interviews have been conducted. The new slate of YIG will be installed at the County Board meeting May 21st. All of the current YIG have met the 67% threshold for attendance. Youth As Resources interviews for new board members will be conducted April 16th. The YAR board worked on two community service projects: blankets for foster care children, and books for the laundromat literacy project. She collaborated with Bethany Sorce, 4-H Program Assistant for the Afterschool Ambassadors Wilson Elementary School at which they conducted a pre-college jeopardy activity and a tour of Gateway Technical College, and Vickie is working on a summer pre-college ACT prep camp with UW-Parkside.

Amy Greil, Community Economic Development Educator, noted she and Christine Wasielewski have provided programming and direction regarding workforce development focusing on the unemployed and underemployed. Amy explained that they are currently researching a possible evidence-based mentor program to help formerly incarcerated individuals to re-enter the community. Kenosha County Detention Center has been working with Kenosha Area Business Association employer outreach grant. Amy noted coordination on the Stamp Out Hunger food drive in conjunction with the USPS. The mail carrier event will take place May 11th benefiting the Sharing Center in Trevor, Shalom Center and Salvation Army in Kenosha, and One Hope in Pleasant Prairie. Amy worked on capacity building with the various food bank operations including the pantries working together. May 4th will be the annual Household Hazardous Waste collection at the Kenosha County Center.

4. **UW-Extension Director's Report:** Area Extension Director Baker announced that Vijai Pandian starts on April 15th as the new Horticulture Educator for the Kenosha, Milwaukee and Racine counties. He comes from Brown County with experience and contacts that will benefit the three county region. Regarding UW-Extension's office move across the hall with Planning and Development, a revised floor plan has been reviewed and remodeling will take place before an anticipated move later this summer or early fall. The UW Extension personnel continue cleaning and getting ready for the move. Quarterly reports were provided to committee members via email.

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.

5. **(1:12) David B. Drissel**, 11312 Burlington Rd., Kenosha WI 53144 (Owner), LeAnn Drissel, 11312 Burlington Rd., Kenosha WI 53144 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from “Farmland Protection” & “Isolated Natural Resource Area” to “Rural-Density Residential”, “General Agricultural and Open Land” & “Isolated Natural Resource Area” on Tax Parcel #45-4-221-061-0150, located in the NE ¼ of Section 6, T2N, R21E, Town of **Paris**.

LeAnn Drissel was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the comprehensive plan amendment request of Daniels Living Trust. Passed on the following roll call vote: Skalitzky – aye; Poole – aye; Nordigian – aye; Decker – aye; YIG Desimoni – aye; YIG Esposito - aye.

6. **(6:04) David B Drissel**, 11312 Burlington Rd., Kenosha WI 53144 (Owner), LeAnn Drissel, 11312 Burlington Rd., Kenosha WI 53144 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist. & C-1 Lowland Resource Conservancy Dist. to A-2 General Agricultural Dist., R-1 Rural Residential Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & Agricultural Preservation Planned Unit Development Overlay Dist. on Tax Parcel #45-4-221-061-0150, located in the NE ¼ of Section 6, T2N, R21E, Town of **Paris**.

LeAnn Drissel was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of David B Drissel, owner, LeAnn Drissel, agent. Passed unanimously, including YIG.

7. **(8:34) David B Drissel**, 11312 Burlington Rd., Kenosha WI 53144 (Owner), LeAnn Drissel, 11312 Burlington Rd., Kenosha WI 53144 (Agent), requesting a **Certified Survey Map** on Tax Parcel #45-4-221-061-0150, located in the NE ¼ of Section 6, T2N, R21E, Town of **Paris**.

LeAnn Drissel was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** the certified survey map for Drissel subject to the following conditions:

- 1) David B Drissel, 11312 Burlington Rd., Kenosha WI 53144 (Owner), LeAnn Drissel, 11312 Burlington Rd., Kenosha WI 53144 (Agent) – Part of the NE ¼ of Section 6, Township 2 North, Range 21 East, Town of Paris. For informational purposes only, this parcel is located at the southwest intersection of 1st St. & STH 45 (200th Ave).

Requesting a Certified Survey Map (dated March 8, 2019 by Mark R. Madsen of Nielsen Madsen & Barber), to create one (1) 6.00-acre parcel, two (2) 5.00-acre parcels and (1) 30.046-acre parcel from Tax Parcel #45-4-221-061-0150, located in the NE ¼ of Section 6, T2N, R21E, Town of Paris.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Paris.
- b) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's March 15, 2019 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Re-label "1ST STREET (CTH KR)" as "1ST STREET" (the section of 1st Street abutting the subject parcel is not a County Trunk Highway).
 2. Add Note: *"This land division is part of an approved Agricultural Preservation Planned Development (APUD) approved on _____ . The overall density approved yields a maximum of four (4) parcels. No further land divisions may occur on Lots shown on this CSM without further Town of Paris and Kenosha County approvals."*
 3. Indicate the owners of record of abutting unplatted lands.
 4. Indicate the date of the wetland field delineation by SEH, INC. as being conducted on October 25th, 2018.
 5. Label the *Union Grove Industrial Tributary* and its Ordinary High Water Mark (OHWM).
 6. Add the following note: "Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution."
 7. Add the shoreland boundary, the boundary of the one percent annual probability (100-year recurrence interval) flood and the contour line lying a vertical distance of 2 feet above the one percent annual probability flood.
 8. Revise the zoning note indicating existing and proposed zoning within and adjacent to the proposed CSM (note: existing zoning within the proposed CSM is A-1, A-2 & C-1. Proposed zoning is A-2, R-1, C-1, C-2 and Ag. Preservation PUD).
 9. Revise the note regarding no filling in the wetlands to read "There shall be no filling, excavation or building within the wetland and floodplain areas."
- d) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.

- e) Subject to the rezoning being approved from A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist. & C-1 Lowland Resource Conservancy Dist. to A-2 General Agricultural Dist., R-1 Rural Residential Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & Agricultural Preservation Planned Unit Development Overlay Dist.
- f) The certified survey map shall not be released for recording until such time as the rezoning ordinance is signed by the County Executive.
- g) Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
- h) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- i) Subject to receiving the original certified survey as approved by the Town of Paris.
- j) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

Passed unanimously, including YIG.

8. **(11:04) Lila J Muhlenbeck/Muhlenbeck Trust**, 18216 60th St, Bristol, WI 53104-9748 (Owner), Mike & Lori Muhlenbeck, 1631 Angsley Lane, San Ramon, CA 94582 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from “Farmland Protection” to “General Agricultural and Open Land” & “Suburban-Density Residential” on Tax Parcel #45-4-221-333-0201, located in the SW ¼ of Section 33, T2N, R21E, Town of **Paris**.

Lila Muhlenbeck was in attendance to speak to this item.

- Skalitzky/Poole motion to **remove from the table** agenda items 8, 9 and 10 relative to Lila J. Muhlenbeck/Muhlenbeck Trust. Passed unanimously by those PDEEC members present, including YIG.
- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the comprehensive plan amendment request of Lila J. Muhlenbeck/Muhlenbeck Trust. Passed on the following roll call vote: Skalitzky – aye; Poole – aye; Nordigian – aye; Decker – aye; YIG Desimoni – aye; YIG Esposito - aye.

9. **(16:26) Lila J Muhlenbeck/Muhlenbeck Trust**, 18216 60th St, Bristol, WI 53104-9748 (Owner), Mike & Lori Muhlenbeck, 1631 Angsley Lane, San Ramon, CA 94582 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. to A-2 General Agricultural Dist., R-2 Suburban Single-Family Residential Dist. & PUD Planned Unit Development Overlay Dist. on Tax Parcel #45-4-221-333-0201, located in the SW ¼ of Section 33, T2N, R21E, Town of **Paris**

Lila Muhlenbeck was in attendance to speak to this item.

- Nordigian/Skalitzky motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Lila J Muhlenbeck/Muhlenbeck Trust. Passed unanimously by those PDEEC members present, including YIG.

10. **(18:12) Lila J Muhlenbeck/Muhlenbeck Trust**, 18216 60th St, Bristol, WI 53104-9748 (Owner), Mike & Lori Muhlenbeck, 1631 Angsley Lane, San Ramon, CA 94582 (Agent), requesting a **Certified Survey Map** on Tax Parcels #45-4-221-333-0201 & 45-4-221-333-0335, located in the SW ¼ of Section 33, T2N, R21E, Town of **Paris**.

Lila Muhlenbeck was in attendance to speak to this item.

- Nordigian/Skalitzky motion to **approve** the CSM for Daniels Living Trust subject to the following conditions:

- 2) Lila J Muhlenbeck/Muhlenbeck Trust, 18216 60th St, Bristol, WI 53104-9748 (Owner), Mike & Lori Muhlenbeck, 1631 Angsley Lane, San Ramon, CA 94582 (Agent) – Part of the SW ¼ of Section 33, Township 2 North, Range 21 East, Town of Paris. For informational purposes only, these parcels are located on the north side of CTH "K" (60th St.), approximately 1.25 miles east of STH 45 (200th Ave).

Requesting a Certified Survey Map (dated January 28, 2019 by Mark A. Bolender of Ambit Land Surveying), to create one (1) 1.65-acre parcel, one (1) 1.75-acre parcel and (1) 49.3-acre parcel from Tax Parcel #s 45-4-221-333-0201 & 45-4-221-333-0335, located in the SW ¼ of Section 33, T2N, R21E, Town of Paris.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Paris.
- b) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's March 6, 2019 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Label 60th Street as "CTH "K" (60th STREET).
 2. Show an additional 25' of right-of-way along CTH "K" to be "Dedicated for Public Road Purposes".
 3. Add Note: *"This land division is part of an approved Agricultural Preservation Planned Development (APUD) approved on _____. The overall density approved yields a maximum of two (2) parcels. No further land divisions may occur on Lots shown on this CSM without further Town of Paris and Kenosha County approvals."*

4. Indicate the owners of record of abutting unplatted lands.
 5. Add a zoning note to indicate existing and proposed zoning within and adjacent to the proposed CSM (note: existing zoning within the proposed CSM is A-1, R-2, & C-1. Proposed zoning is A-2, R-2, C-1 and Ag. Preservation PUD).
- d) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.
 - e) Subject to the rezoning being approved from A-1 Agricultural Preservation Dist. to A-2 General Agricultural Dist., R-2 Suburban Single-Family Residential Dist. & Agricultural Preservation Planned Unit Development Overlay Dist.
 - f) The certified survey map shall not be released for recording until such time as the rezoning ordinance is signed by the County Executive.
 - g) Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
 - h) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
 - i) Subject to receiving the original certified survey as approved by the Town of Paris.
 - j) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be

resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

Passed unanimously by those PDEEC members present, including YIG.

11. **Approval of Minutes**

- Nordigian/Skalitzky motion to approve the minutes as presented of the March 13, 20 and 21, 2019, Planning, Development and Extension Education Committee meeting. Passed unanimously by those PDEEC members present.

12. **Citizen Comments - None**

13. **Any Other Business Allowed By Law**

Mr. Buehler noted there were two applications submitted for the May 8 meeting at this time.

14. **Adjournment**

- Skalitzky/Poole motion to adjourn the meeting. Passed unanimously by those PDEEC members present. The meeting was adjourned at 7:30p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, May 8, 2019.