

**PLAN COMMISSION
MEETING MINUTES
Monday, March 5, 2018**

Meeting was called to order at 7:00 p.m. by Mr. Michalski

1. Roll Call.

Present: Mr. Michalski, Mr. Reineke, Mr. Cashin, Mr. Long

Absent: President Palmer, Mr. Kujawa, Mr. Jodie

Also Present: Thomas Harrigan, Zoning and Planning Administrator, David De Angelis, Village Manager, Hector de la Mora, Village Attorney, and applicants.

2. Review and act on Plan Commission regular meeting minutes dated Monday January 3rd, 2018.

Mr. Long motioned to approve and Mr. Cashin seconded to approve the meeting minutes. Motion carried 4-0

3. Review and act on a request for a site plan amendment pursuant to §335-88B for a guard building accessory structure to be located at 12400 Bluemound Road.

Mr. Mike Campbell, United Parcel Service, was present before the Commission.

Mr. Campbell explained the intention of the site plan amendment is to allow for a portable guard building to be located on the United Parcel Service's property. The building would be used for screening employees as they enter and leave the facility. Mr. Campbell noted that power will be run out to the security unit, and the rest will be self-contained.

Mr. Long asked if the Village staff has any concerns with the proposal.

Mr. Harrigan stated there are no concerns and the Building Board has approved the aesthetics of the structure.

Mr. Cashin asked if the intention is to construct a temporary structure in the portable guard building place.

Mr. Campbell stated he cannot say at this time.

Mr. Cashin motioned and Mr. Long seconded to approve the site plan amendment. Motion carried 4-0.

4. Review and provide recommendation to the Village Board of Trustees regarding the Certified Survey Map pursuant to §305-8 for the combination of lots 1 & 2 and the west 19 feet of lot 3, together with the lots 23 & 24 and the west 19 feet of lot 22, all being a part of block 6 of the San Fernando Assessment Plat, Southwest ¼ of the Northwest ¼ Section 24, Township 7 North, Range 20 East.

Mr. Craig Donsey, One Source Consulting, was present before the Commission.

Mr. Donsey explained the intent is to combine two platted residential lots which boarder both Marcella and Lilly Road. Lilly Road does not exist on the west line of these two parcels, and

Underwood River Parkway does not exist on the southern section of the southern lot (13990 Underwood River Parkway). The reason for the lot combination is for future estate planning. The southern lot is encumbered by floodplain and wetland, therefore is unbuildable.

Mr. Michalski asked if all the required revisions as stated in the engineering review letter have been addressed.

Mr. Harrigan stated the items have been addressed and corrected.

Mr. Donsey noted there was one item on page three of the engineering review letter that the applicants object to and it states, "Access shall be prohibited from Marcella Avenue". Mr. Donsey explained if the house is ever rebuilt, Lilly Road does not exist, therefore the option of accessing Marcella must remain open.

Mr. Long asked if the west side of the home is considered the front of the home.

Mr. Donsey confirmed that it is.

Mr. Long motioned and Mr. Reineke seconded to recommend approval of the Certified Survey Map to the Village Board of Trustees. Motion carried 4-0.

5. Review and consideration of Wisconsin Act 67 and possible referral to the Legislative Committee.

Mr. de la Mora explained to the Commission that the Wisconsin State Legislature has enacted into law a variety of measures that are intended to correct problems which exist in several municipalities throughout the state. Act 67 affects virtually every incorporated community. This legislation arose from instances in other communities around the state where conditional use permit applicants found themselves having to accept conditions of the permit that were not announced prior to the hearing. This may have happened due to the turn out of the public, or the inclination of the elected and appointed officials. This legislation basically says that if the condition of approval is not part of the local municipality's ordinance, the community has to come up with substantial evidence to back up conditions that are imposed. While that makes sense, there will be uncertainty as to what constitutes substantial evidence? The burden of proof will be on the community if it wants to impose certain conditions. Therefore, the task that the Village has before it is to look at all the provisions within the current Code of Ordinance that provide for conditional use restrictions or conditions and to inventory those requirements and determine if there needs to be supplementations or amplification and identify those that are potentially ambiguous. At the current time, anyone who applies for a conditional use permit is protected under the existing ordinances. The other impacts of Act 67 address previous legislative determinations and even reversals of previous legislative determinations.

Mr. Cashin motioned and Mr. Long seconded to recommend the Legislative Committee review Wisconsin Act 67 as it relates to the Villages current Code of Ordinances. Motion carried 4-0.

6. Review and discussion regarding the draft Downtown Master Plan Request for Proposal.

Mr. De Angelis explained that the Village Board has determined, that after discussions last year with the potential development proposal on the Reinders property, the overall downtown planning efforts in the Village need to be revisited through a Downtown Master Planning Process. The proposal is before the Commission for the purposes of providing comments and feedback at this time.

8. Other Business

None

9. Adjournment

Mr. Long motioned and Mr. Reineke seconded to adjourn the meeting. Motion carried 4-0.

Meeting adjourned at 7:50 p.m.
Respectfully Submitted

Thomas Harrigan
Zoning and Planning Administrator/Assistant to the Village Manager