

MEETING:	REGULAR MEETING OF THE PLAN COMMISSION
DATE AND TIME:	Monday, April 14, 2025 6:30 PM
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

MINUTES

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
Chairman Wolter called the meeting to order at 6:30pm.

- II. **ROLL CALL:**
Chairman Wolter and Committee Members Baum, Tarantino, Williams, Shadid (via Webex) and Henk were all present. Also present were Community Development Director Retzlaff and Associate Planner Jordan Yanke.

- III. **APPROVAL OF MINUTES:**
 - A. PC Minutes 3/31/25
Motion: Approve as presented
Motioned By: David Baum
Seconded By: Josh Tarantino
Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk
No: None
Abstain: None
Motion Passed (Yes 6, No 0, Abstained 0)

- VI. **CITIZEN INPUT/PUBLIC APPEARANCE:** *(Please be advised per 19.84(2) that information and comment will be received from the public. It is the policy of this municipality that public input be limited to a three (3) minute period per person with a time extension granted at the discretion of the Chairperson. Be advised that there may be limited discussion of the information received but no action will be taken under public comments.)*
Motion: Move Citizen Input up to first on the agenda
Motioned By: Josh Tarantino
Seconded By: William Shadid
Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk, Dean Wolter
No: None
Abstain: None
Motion Passed (Yes 6, No 0, Abstained 0)
Citizens that spoke included:
Lynn Bednarz who lives on Pawnee Court.
Sarah Larson who lives on Butternut Road.
Melanie Smythe who lives on Cedar Lane.

Doug Loman who lives on Rivers Bend Circle.
Tom Stauffacher who lives on Cedar Lane.
Judy Rogers who lives on Wagon Trail.
Randall Wolff who lives on Mulberry Court.
Tom Barney who lives on Old Farm Road.
Ron Koepsell who lives on Rivers Bend Circle.
Les Borman who lives on Bramblewood Court.

IV. UNFINISHED BUSINESS:

A. Consideration and possible action on a Resolution Establishing the Boundaries of and Approving the Project Plan for Tax Incremental District No. 10 (ACTION)
Director Retzlaff stated that this is a follow-up from the April 14th Plan Commission meeting, which will include answers to questions that were raised at that meeting. Retzlaff introduced Phil Cossen with Ehlers, who went over the 3 options for the Plan Commission (approve, deny or modify) and answered questions that were brought up last month, including the property map, historic property appreciation vs. 2% assumed in TID 10, overall equalized tax rate assumption, impact of property purchase if TID not created and the \$6M gap options.

Discussion followed with Committee members expressing both positive and negative opinions about the project, including:

- Creating a gathering place for residents
- A place to move to within the community when you no longer want the home maintenance responsibility
- Bringing new businesses into the community and upscale multifamily housing
- Financial concerns included the assumed conservative figures, the 2% growth rate and the gap in revenue of \$6 million.
- Potential purchase of the BMO and BP properties and what happens if they won't sell
- Traffic impact
- School impact and waiting for the study to be completed and the report studied
- Possibility of multiple developers teaming up to develop this project

Attorney Saydak stated that all TIDs are created similar to this. Developers are brought in after the purchase of the properties. The benefit of owning the bulk of the properties is that we are in the driver's seat when we bring in those developers. And with that control, the Village Board can hold off until we have those additional properties under contract. If this stops, the Village can sell the properties and recoup all or at least a large part of what we spent on them. If this had to go on the tax levy, it would be approximately \$62/year per property. Bailey from Copeland stated that the whole idea of phasing is to bring in the apartments to support the eventual businesses. There isn't a population here now to make the new businesses successful without more housing.

Motion: Approve Resolution and Project Plan as presented
Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: David Baum, Robert Williams, Bridget Henk, Dean Wolter

No: Josh Tarantino, William Shadid

Abstain: None

Motion Passed (Yes 4, No 2, Abstained 0)

V. NEW BUSINESS:

- A. Village of Germantown Community Development Department - Proposed Text Amendments to Sections 14 (Building) and 17 (Zoning) of the Village of Germantown Municipal Code. (PUBLIC HEARING AND ACTION)

Director Retzlaff reviewed the three (3) proposed code amendments.

Chairman Wolter opened the public hearing at 8:15pm.

Residents who spoke included:

Melanie Smythe who lives on Cedar Lane asked for clarification about little buildings for the kids to stay warm in winter and some small farm stands. Are those things included in this? Retzlaff stated those types of things are not included in this.

Jan Miller who lives on Windsong Circle West stated that she hopes Amendment 1 provides clarity to a business that wanted to put up a temporary gazebo this summer.

Chairman Wolters closed the public hearing at 8:20pm

Staff recommends the approval of the proposed text amendments as presented in the draft ordinance.

Motion: Approve as presented

Motioned By: David Baum

Seconded By: William Shadid

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

- B. Trio Engineering, LLC, Agent for Charles Smith, Property Owner - W148N12470 Pleasant View Drive; Application for Rezoning a portion of property from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property from the A-1: Agricultural District to the A-2: Agricultural District, and a 2-Lot Certified Survey Map. (PUBLIC HEARING & ACTION)

Associate Planner Yanke reviewed the proposal.

Staff recommends approval of the proposed Rezoning for a portion of property (CSM Lot 1; 5.0 acres) from the A-1: Agricultural District to the Rs-1: Single-Family Residential District and a portion of property (CSM Lot 2; 12.87 acres) from the A-1: Agricultural District to the A-2: Agricultural District.

Staff recommends approval of the proposed Certified Survey Map (CSM) for Charles Smith to divide an existing parcel into two (2) parcels totaling 17.87 acres for property located at W148 N12470 Pleasant View Drive, subject to the following conditions:

1. Any new Private Onsite Wastewater Treatment System (POWTS) for proposed Lot 1 or Lot 2 must comply with the requirements of Wis Admin Code SPS 383 and be issued a permit by the Washington County Land Resources Division

- prior to installation. A note stipulating this condition shall be added to the CSM prior to recording.
2. Applicant/owner shall identify/document which detached accessory buildings will be removed on Lot 1 in the proposed CSM to comply with Village Code Sec. 17.41 in terms of the maximum number allowed (2). Applicant/owner shall submit such documentation to Village staff prior to recording the CSM. Applicant/owner shall apply for a demolition permit with SAFEBuilt Inspection Services, and the identified buildings shall be removed within six (6) months after recording of the CSM.
 3. The Village signature block shall be revised to reflect correct Village officials prior to submitting CSM for recording.

Chairman Wolter opened the public hearing at 8:28pm.

No residents came forward to speak. Wolter read 1 email that was submitted in favor.

Chairman Wolter closed the public hearing at 8:31pm.

Motion 1: Approve the Rezone as presented

Motioned By: David Baum

Seconded By: William Shadid

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

Motion 2: Approve the CSM as presented

Motioned By: David Baum

Seconded By: William Shadid

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

- C. Donald Thoma, Accurate Surveying & Engineering, LLP Agent for Shepherd ETAL, property owners, N104W21677 Willow Creek Road (GTNV312-993) and Laskowski Revocable Family Trust, property owner N101W21628 Birch Lane (GTNV312-990); Rezoning from RS-1: Single-Family Residential to A-2: Agricultural and two (2) Certified Survey Maps (CSM) for a Land Exchange and Property Line Adjustment. (PUBLIC HEARING & ACTION)

Director Retzlaff reviewed the proposal and stated that a settlement agreement was reached to resolve a building and other encroachments by Shepherd onto the Laskowski property. Although zoned A-2: Agricultural, current uses of the Shepherd property appear to include a private campground with multiple RV's, boats, construction equipment and material storage; all of which are potential Zoning Code violations. These issues are separate from the proposed rezoning & CSM applications needed to consummate the settlement agreement between Shepherd and Laskowski and will be addressed at a later date with the Shepherd property owners.

Staff recommends the approval of the proposed Certified Survey Map (CSM) for the Shepherd ETAL property and the proposed Certified Survey Map (CSM) for the Laskowski Family Trust property as submitted subject to the following conditions:

1. All technical issues and plan correction identified by the Village Surveyor's review memo dated February 21, 2025 shall be addressed and reflected in a revised CSM submitted and approved by the Village Engineer prior to recording the CSM.
2. The Village signature block on both CSM's shall be revised to reflect the correct Village officials prior to submitting the CSM's for recording.

Chairman Wolter opened the public hearing at 8:38pm.

No residents came forward to speak. Wolter read one email with a question about why it needs to be rezoned. Retzlaff answered the question.

Chairman Wolter closed the public hearing at 8:39pm.

Motion 1: Approve the CSMs as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk, Dean Wolter

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

Motion 2: Approve the Rezoning as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk, Dean Wolter

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

- D. Savannah Wehinger, Property Owner and Agent for John and Christine Ceremuga, and Daniel and Christina Ihde, Property Owners - W204N10530/10558/10578 Hilltop Drive; Application for Rezoning portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District, and a Certified Survey Map to accommodate the adjustment of property lines between three (3) existing parcels. (PUBLIC HEARING & ACTION)

Associate Planner Yanke reviewed the proposal and stated that the purpose of this application is to adjust lot lines between three (3) existing parcels to eliminate the odd property line configuration that currently exists.

Staff recommends approval of the proposed Rezoning for portions of property from the Rs-1: Single-Family Residential District to the Rs-4: Single-Family Residential District (Lot 1; 0.93 acres and Lot 3; 0.86 acres) and a portion of property from the Rs-4: Single-Family Residential District to the Rs-1: Single-Family Residential District (Lot 2;

6.43 acres).

Staff recommends approval of the proposed Certified Survey Map (CSM) for Savannah Wehinger, John and Christine Ceremuga, and Daniel and Christina Ihde, to accommodate the adjustment of property lines between three (3) existing parcels for properties located at W204 N10530/10558/10578 Hilltop Drive, subject to the following condition:

1. The Village signature block shall be revised to reflect correct Village officials prior to submitting CSM for recording.

Chairman Wolter opened the public hearing at 8:44pm.

No residents came forward to speak. Chairman Wolter read 1 email from a resident asking for clarification about the RS-4 zoning.

Chairman Wolter closed the public hearing at 8:47pm.

Motion 1: Approve the Rezoning as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

Motion 2: Approve the CSM as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

- E. Design 2 Construct, Agent for WAGO Corporation, Property Owner - N120W19129 Freistadt Road; Site Plan Review application for an 18,626 square foot building addition to an existing industrial/warehousing facility located in the Germantown Industrial Park. (ACTION)

Associate Planner Yanke reviewed the proposal for a site plan application that includes a proposed building addition to an existing industrial/warehousing facility.

Staff recommends approval of the site plan application for WAGO Corporation for an 18,626 square foot building addition to an existing industrial/warehousing facility located at N120 W19129 Freistadt Road, subject to the following conditions:

1. This approval is for the various plan sheets that comprise the site development and building plan set submitted and dated February 10, 2025, and February 11, 2025, and is subject to compliance with all the conditions and requirements set forth herein and subsequently adopted and/or revised by the Plan Commission. Approval is granted for the civil, landscaping, and architectural plan sheets per

index listed on the Title Sheet of the development and building plan set noted under this condition.

2. State agency (DSPS) approved plans and a \$20,000 occupancy bond are required by Inspection Services. The Village of Germantown is an authorized delegated agent of DSPS and may be used as an alternative to provide all commercial plan review and inspection services through SAFEBuilt of WI and the Village of Germantown.
3. The landscaping plan shall be subject to final approval/acceptance from the Village Forester prior to commencing construction activities.
4. The shut down and relocation of the hydrant shown on the Utility Plan (sheet C1.06 of development plan) shall be coordinated with the Village's Superintendent of Water Utility and the relocation of the hydrant shall be inspected by an approved inspection firm.
5. Per the Village's Superintendent of Wastewater Utility, the applicant/owner shall submit a Notice of Intent (NOI) form to the Village for the proposed building addition prior to issuance of any permits.
6. All temporary and permanent exterior signs require a permit and shall comply with all current Village sign regulations.
7. Dumpster enclosures shall be designed to meet the Village's dumpster enclosure guidelines. The proposed dumpster enclosure shall be screened from the public roadway pursuant to the submitted landscaping plan.
8. Applicant/owner shall provide a roof plan with the location of all roof-mounted HVAC units and any other roof-mounted equipment along with sightline diagrams as part of all future building permitting/plans. RTU's shall be screened from view by line of sight at 5' above grade from all property lines around the building and the centerline of the adjacent roadways. If RTU's cannot be hidden from view, screen walls or other mutually acceptable features intended to shield the view of said RTU's shall be submitted to the Village Planner (or Plan Commission if determined necessary by the Village Planner) for review and approval prior to build out construction and occupancy.

Motion: Approve as presented

Motioned By: David Baum

Seconded By: William Shadid

Yes: Dean Wolter, David Baum, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: Josh Tarantino

Motion Passed (Yes 5, No 0, Abstained 1)

F. Crew Carwash, Property Owner - N96 W17500 County Line Road; Site Plan and Conditional Use Permit (CUP) Approval Extension Request. (ACTION)

Director Retzlaff reviewed the background of Crew Carwash project.

Staff recommended the approval of the request to extend the Site Plan approval for an additional 12 months with a new deadline for commencement of construction to April 8, 2026, with the same conditions of approval as the original April 8, 2024, Plan Commission approval.

Recommend to the Village Board to approve the request to extend the approval of CUP #xx-2024 for an additional 12 months with a new deadline for commencement of construction to April 8, 2026, with the same conditions of approval contained in CUP

#xx-2024.

Motion 1: Approve Site Plan Extension as presented

Motioned By: David Baum

Seconded By: Josh Tarantino

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

Motion 2: Approve CUP extension

Motioned By: David Baum

Seconded By: William Shadid

Yes: Dean Wolter, David Baum, Josh Tarantino, Robert Williams, William Shadid, Bridget Henk

No: None

Abstain: None

Motion Passed (Yes 6, No 0, Abstained 0)

VII. ANNOUNCEMENTS:

President Wolters gave a heartfelt farewell speech.

VIII. ADJOURNMENT:

Chairman Wolter adjourned the meeting at 9:04pm.