PLAN COMMISSION MINUTES
September 12, 2011

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 p.m.

ROLL CALL: Chairman Wolter, Trustee Representative Baum, Commissioners Warren, Peck and Mazurek. Commissioners Stauffacher and Jex were absent. Staff members in attendance included Village Planner Jeff Retzlaff, Planning Assistant Lori Johnson and Village Administrator Dave Schornack.

PUBLIC INPUT: None

PREVIOUS MINUTES: ***MOTION Baum second Warren to Approve the Minutes from August 8, 2011.***

MOTION carried unanimously.

Waterstone Mortgage – N96 W17695 Riversbend Circle. Foerster Signs, agent for Waterstone Mortgage Corp., tenant and WJGM LLC, property owner, is requesting approval of a roof sign for the tenant space in the office building. Planner Retzlaff summarized the proposal.

MOTION Baum second Mazurek to Approve the proposed roof sign as proposed for Waterstone Mortgage located in the office building at N96 W17695 Riversbend Circle subject to the following conditions:

1. ***Electrical permits shall be obtained from the Building Inspection Department prior to installation.***
2. ***All electronic components shall be inspected and labeled by a licensed lab.***

MOTION carried unanimously.

Chase Bank – W156 N11251 Pilgrim Road. Michael's Signs Inc., agent for Chase Bank, is requesting approval for replacement signs for the bank building and property. Planner Retzlaff summarized the proposal.

MOTION Baum second Warren to Approve the replacement signs for the Chase Bank building located at W156 N11251 Pilgrim Road as proposed and subject to the following conditions:

1. ***If electrical equipment/components need to be replaced, electrical permits shall be obtained from the Building Inspection Department prior to installation.***
2. ***All electronic components shall be inspected and labeled by a licensed lab.***
3. ***All directional signs shall not exceed 3 sqft of sign area per side.***

MOTION carried unanimously.

The Gables of Germantown – N109 W17075 Ava Circle. Tarantino & Company, agent for the Gables is requesting approval of a 3 lot Certified Survey Map to divide the 17.85 acre property located on Ava Circle into 3 parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Peck to Approve the CSM to divide the Gables of Germantown 17.85 acre property located on Ava Circle into three parcels as proposed subject to the following conditions:

1. ***The Applicant shall prepare a joint access and maintenance agreement along with any other legal document(s) deemed necessary by the Village Attorney to ensure ownership and maintenance of the private road outlot cannot be separated from that of each of the 3 parcels and that the Village is provided the ability to gain access to the road, storm water and utility easements as may be necessary for emergency and/or maintenance purposes. Said document(s) are to be prepared in cooperation with and reviewed and approved by the Village Attorney prior to review of the CSM by the Village Board and recorded concurrently with an approved CSM.***
2. ***All of the technical corrections identified in the May 25, 2011 review letter by the Village Surveyor shall be addressed and reflected in a revised CSM submitted for final review and approval by the Village Surveyor prior to recording the CSM. In addition, the recording information for all existing sanitary, water and storm sewer easements need to be included in the CSM: (2) all existing storm sewer easements need to be shown in the CSM; and (3) for all new sewer easements shown and created in the CSM, the terms and conditions of those easements need to be included with the CSM document (or created in a separate easement document with the recording information included in the CSM).***

Aaron Matter, Tarrantino & Company, explained the new mortgage would include Lots 2 and 3 and Lot 1 on a separate mortgage. Trustee Baum inquired about the outstanding taxes due. Planner Retzlaff said that although a significant payment for previous years had been paid, the outstanding taxes due to date total approximately $172,000. Chairman Wolter said a new resolution removed a stipulation that prevents permits or CSM's from being withheld until taxes are made current. Planner Retzlaff said the Village Attorney advised there could be a condition to withhold recording until taxes are paid.

MOTION to Amend Baum second Peck to hold off recording the CSM until the tax issue is rectified or made current.

MOTION to Amend carried unanimously.

MOTION to Approve as Amended carried unanimously.

Randy Hollister – N144 W16300 Pioneer Road. Randy Hollister, agent for Charles and Andrew Rusch, property owners of two parcels totaling 43 acres located on Pioneer Road is seeking approval of a 3-lot Certified Survey Map and rezoning in order to create a 5 acre residential lot. Planner Retzlaff summarized the proposal.

MOTION Baum second Mazurek to Approve rezoning 5.01 acres (proposed Lot 2) from A-1 and Rs-2 to Rs-1, and 34.8 acres (Lot 3) from A-1 to A-2; and

Approve the 3 lot Certified Survey Map land division for the 43 acre Rusch properties located on Pioneer Road subject to the following conditions:

1. ***All technical corrections identified by the Engineering Department as summarized in their August 23, 2011 memo shall be made prior to recording the CSM by the Village Board.***
2. ***The farm path to/from Lot 3 as depicted on the CSM shall not be changed to a permanent driveway or road as part of any future development unless it can meet the minimum setback and design standards that exist at such time future development is proposed. Use of this farm path as a seasonal farm access can continue as is provided that such use does not create conflicts with use of the residential property and/or the owner(s) of Lot 2 or constitutes a public nuisance.***
3. ***A note shall be added to the CSM indicating that no further land division of or construction of any habitable structure on Lot 3 shall occur until such time as the appropriate soil evaluation indicating Lot 3 can support an on-site septic system is prepared and approved by Washington County and/or the Village.***

MOTION carried unanimously.

Airgas Inc. – W185 N11300 Whitney Drive. Quam Engineering, agent for Airgas Inc., property owner, has submitted site plans for a 69 stall parking lot addition to the existing warehouse and distribution facility in the Germantown Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Peck to Approve the site plans for the proposed parking lot expansion for the Airgas warehouse and distribution facility located at W185 N11300 Whitney Drive in the Germantown Industrial Park subject to the following conditions:

1. ***All landscaping and lighting items shown on the plans shall be installed as proposed prior to issuance of an occupancy permit for the building unless a performance bond, cash bond, or letter of credit in an amount equal to 120 percent of the estimated installation of material costs is submitted to the Village as necessary to ensure that the installation of all proposed landscaping features will be completed within one (1) year after approval (the existing $2,500 cash bond will be retained by the Village until such time as all improvements have been completed.***
2. ***Additional landscaping totaling at least 1,050 sqft comprised of evergreen and deciduous plantings are required along the north edge and around the northwest corner of the new parking lot. A revised landscaping plan shall be prepared and submitted to the Village Planner for review and approval prior to issuance of a zoning permit. A revised plant schedule shall be included with the types, quantities and minimum planting sizes shown (i.e. min. 2.5" caliper for deciduous trees; 8' height for evergreen trees; and min. 24" height and 5 gal. for shrubs).***
3. ***All technical concerns raised by the Village Engineer in the August 22, 2011 memo shall be addressed and approved prior to issuance of a zoning permit needed prior to commencement of construction.***

MOTION carried unanimously.

Planning Department-Shoreland-Wetland Zoning Code Amendment: The Village Planner/Zoning Administrator is proposing a series of text amendments to Section 24 of the Shoreland-Wetland Zoning Code regarding the definition and regulation of "artificial wetlands". Planner Retzlaff summarized the amendments.

MOTION Baum second Warren to Approve the text amendment to Section 24 of the Shoreland-Wetland Zoning Code.

Chairman Wolter thanked Planner Retzlaff for recognizing the need for a revision and being pro-active.

MOTION carried unanimously.

Planning Department – 41/45 Corridor Land Use Plan Discussion - Planner Retzlaff said the Village Board had adopted certain goals, one being to update the 2020 Land Use Plan. Specifically in the areas along the Hwy 41/45 corridor north of Freistadt Road and other vital areas as deemed necessary and preserving the rural character of the area north of Freistadt Road. The consensus was to deal with the 41/45 corridor first and address the rural character second. He said the current Land Use Plan needs to be updated by 2014. The need to revise the Land Use Plan along the corridor is being driven by recent changes to surrounding land uses such as the Cabela's area development, the need to find a location for a new business park and planning for future residential development.

Administrator Schornack said the Village Board had concerns with the future land use for land north of Freistadt and along the 41/45 corridor. He said developers have shown an interest in the land north of Freistadt. He said the Village needs to consider where future development could be located because vacant lots are limited in the Business Park and there is a shortage of vacant residential lots.

Chairman Wolter said the Village already knows the land off the Holy Hill interchange is desirable to developers because of a prior proposal. He said the Village should plan for the best use of that area that will benefit the Village.

Planner Retzlaff said the Village should decide what it wants to best plan for the future demand of residential, commercial and industrial development. He said there is some significant future non-residential development currently planned for the southwest portion of the Village that is currently vacant. He asked if the Village should continue to provide for that in the plan or possibly alter that plan and move the commercial to other areas in the Village. He stated that after briefly discussing the sewer service area with MMSD, it appears there is enough capacity planned for that may accommodate a lot more development than what appears on the plan.

Plan Commissioners had the following comments:

- How much development does the Village want for the future
- Can both residential and commercial be planned for the 41/45 & Holy Hill Road area
- Should future development be determined by where sewer extension is planned.
- Concentrate on the 41/45 interchange area for development
- Concern with maintaining the rural character of the Village

Retzlaff said he will pursue the analysis of the sewer service area capabilities for expansion in comparison areas that have already been planned for and what that means for future expansion areas.

Planner Retzlaff said he would like to go back to two Plan Commission meetings per month over the fall and winter months as needed to address revisions to the Land Use Plan beginning with October 24th. He explained the first meeting of the month would review development applications and the second meeting would deal with land use planning.

ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST: None

ADJOURNMENT: There being no further business the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant