

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Plan Commission Meeting Minutes, May 2, 2019
7:00 PM

1. Call to Order/Determination of quorum

Vice Chairman Berghammer called the meeting to order at 7:00 PM, noting there was a quorum present.

In attendance were Vice-Chair Berghammer, Commissioners Bartel, Coté, Lalk, Melzer and Trustee Collins.

Also Present: Village Administrator Jim Healy

Excused Absence: Chairman Jim Otto

2. Verification of Open Meetings Law compliance

Administrator Healy stated that the agendas were posted at the Richfield, Hubertus, and Colgate U.S. Post Offices as well as Village Hall. Digital copies of the agenda were sent to the West Bend Daily News, Germantown Express News, Hartford Times Press, and the Milwaukee Journal Sentinel.

3. Pledge of Allegiance

4. DISCUSSION/ACTION

- a. Discussion/Action regarding a Site Plan modification for Bilda's Friess Lake Pub, located at 4493 STH 167 (Tax Key: V10_0432) – Wisconsin Department of Transportation & Bilda Regan LLC, petitioners**

Motion by Vice-Chairman Berghammer to have Trustee Collins run Agenda Item 4a; Seconded by Commissioner Lalk; Motion passed without objection.

Vice-Chairman Berghammer recused himself due to his position with the Wisconsin Department of Transportation.

Kurt Flierl, Project Manager Wisconsin DOT, provided a presentation regarding the changes to take place regarding the access off STH 167 to the parking lot at Bilda's Friess Lake Pub.

Administrator Healy stated that the owners of Bilda's Friess Lake Pub submitted an email to Administrator Healy that noted they were aware of the proposed changes and have no issues regarding same.

Motion by Commissioner Lalk to approve the WisDOT proposed Site Plan modification for Bilda's Friess Lake Pub, located at 4493 STH 167 (Tax Key: V10_0432); Seconded by Commissioner Cote;

Motion by Commissioner Lalk to amend the original motion to include approval is subject to review by Village Engineer or receipt of written comment from WisDOT regarding any of the proposed pavement markings or car queuing issues that have been discussed; Seconded by Commissioner Melzer; Motion on the amendment passed without objection.

Motion with the proposed amendment passed without objection.

b. Discussion and possible recommendation to the Village Board for Resolution R2019-04-01, a Resolution to commence the process for amending the Village's Comprehensive Plan petitioned by Germantown School District for property identified by Tax Key: V10_138600B

Jeff Holmes, Superintendent Germantown School District discussed further the proposed amendments to multiple sections of the Comprehensive Plan and answered any questions from the Commissioners.

Scott Kramer; Managing Partner with PRA discussed the concerns of the Plan Commission from the previous meeting and walked through the overall site plan.

Questions from the Commissioners included whether or not the proposed outdoor classroom pavilion would be monitored by security cameras for any acts of theft or vandalism that could potentially occur. Mr. Holmes with Germantown School District confirmed that a camera would be placed on-site for monitoring by staff within the District and would be able to monitor any events that should occur even after dark by the Washington County Sheriff's Office.

Commissioner Cote suggested crosswalks and signage for children's safety.

An email to Administrator Healy from Bonny Walters was included in the packet for tonight's meeting that was also signed by Doug Maschman advising the Plan Commissioners that the Maschman Family is in full support of this project with the District. The email further states the Maschman Family believes this is a great idea and that by having a specific educational green space separated from the playground would enhance the learning opportunities for children in the community.

Trustee Collins thanked Commissioner Cote for addressing safety points for the children.

Motion by Commissioner Melzer to approve Resolution R2019-04-01, a Resolution to amend multiple sections of the Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on June 20, 2019 at 7:00 PM and subject to the following Specific Conditions of Approval including that a formal commitment in writing from the Germantown School District be provided to Village of Richfield Staff that they will be responsible for paying for any additional signage regarding school crossing for children and pavement markings;

Specific Conditions of Approval

1. The applicant must rezone the property from Rs-2 to I-I
2. The applicant must receive approval from the Architectural Review Board and Plan Commission pursuant to 70.133
3. The applicant must pay all professional fees associated with the development of the subject property and Amy Belle Elementary School.

Seconded by Commissioner Cote; Motion passed without objection.

- c. Discussion and possible recommendation to the Village Board for Resolution R2019-05-01, a Resolution to commence the process for amending the Village's Comprehensive Plan for properties identified by Tax Key V10_008000A and V10_008100Z – Pleasant Hill Management LLC, petitioners**

Motion by Commissioner Lalk to approve Resolution R2019-05-01, a Resolution to amend multiple sections of the Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on June 20, 2019 at 7:00 PM and subject to the following Specific Conditions of Approval:

Specific Conditions of Approval

1. The applicant must rezone the property from A-1 to B-4
2. The applicant must receive approval from the Architectural Review Board and Plan Commission pursuant to 70.133
3. The applicant must pay all professional fees associated with the development of the subject property and Pleasant Hill Bar and Grill

Seconded by Commissioner Melzer; Motion passed without objection.

Trustee Collins noted that by doing this it is helping to bring legal non-conforming properties to legal conforming and cleaning up Pleasant Hill Road.

- d. Discussion and possible recommendation to the Village Board regarding a petitioned Two-Lot CSM for property identified by Tax Keys V10_0482, V10_048300A and V10_048300B – Darrell S. and Kristine M. Woltmann Rev. Trust, petitioner**

Motion by Trustee Collins to recommend approval to the Village Board of the proposed Two-Lot Certified Survey Map for properties identified by Tax Keys: V10_0482, V10_048300A and V10_048300B subject to the following Specific and General Conditions of Approval.

Specific Conditions of Approval:

1. The Village be presented with the necessary Quit Claim Deed documents or other legal instrument used to convey property between Mr. and Mrs. Woltmann and Mr. Wolff. This shall be reviewed to the satisfaction of the Village Engineer.
2. Prior to filing the CSM, to the satisfaction of the Village Engineer, the Road Vacation documents will be finalized with the documents being filed contemporaneously.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all

necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.

2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

Seconded by Commissioner Cote; Motion passed without objection.

- e. **Discussion and possible recommendation to the Village Board regarding a petitioned Two-Lot and Out Lot CSM for property identified by Tax Key: V10_045400A – *Lavern H. Wolf Rev. Trust, Betty Jane Wolf Rev. Trust*, petitioner**

Motion by Commissioner Melzer to recommend approval to the Village Board of the proposed Two-Lot and one Out Lot Certified Survey Map for properties identified by Tax Key: V10_045400A subject to the following Specific and General Conditions of Approval.

Specific Conditions of Approval:

1. The Village be presented with the necessary Quit Claim Deed documents or other legal instrument used to convey property between Mr. and Mrs. Woltmann and Mr. Wolff. This shall be reviewed to the satisfaction of the Village Engineer.
2. Prior to filing the CSM, to the satisfaction of the Village Engineer, the Road Vacation documents will be finalized with the documents being filed contemporaneously.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of

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professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.

3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

Seconded by Commissioner Lalk; Motion passed without objection.

- f. **Discussion and possible recommendation to the Village Board regarding a petitioned Two-Lot extraterritorial review plat CSM review in the Town of Lisbon for property identified by Tax Key: LSBT_0149.999 – SPACE4U LLC, petitioner**

Motion by Commissioner Lalk to recommend approval to the Village Board of the petitioned extraterritorial Two-Lot Certified Survey Map for SPACE4U LLC, for property identified by Tax Key: LBST 0149.999 in the Town of Lisbon; Seconded by Commissioner Melzer; Motion passed without objection.

Clerk Note: Administrator Healy advised the Plan Commissioners that should they choose to only have discussion in the future on extraterritorial reviews that is an option, as some communities choose not to act on these.

5. ADJOURNMENT

Motion by Commissioner Lalk to adjourn; Seconded by Commissioner Cote; Motion passed without objection at 8:03 PM.

Respectfully Submitted,

Jim Healy
Village Administrator