



AGENDA  
PLAN COMMISSION MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN  
DECEMBER 3, 2015  
7:00 P.M.

*Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Richfield Plan Commission, at which a quorum of the Village Board may attend in order to gather information about a subject which they have decision making responsibility. The meeting will be held at the above noted date, time and location. Notice of Village Board Quorum, (Chairperson to announce the following if a quorum of the Village Board is in attendance at the meeting: "Please let the minutes reflect that a quorum of the Village Board is present and that the Village Board members may be making comments under the Public Comments section of the agenda, during any Public Hearing(s) or if the rules are suspended to allow them to do so.")*

1. Call to Order/Determination of quorum
2. Verification of Open Meetings Law compliance
3. Pledge of Allegiance
4. Approval of Minutes:
  - a. October 1, 2015 – Regular Meeting
  - b. November 5, 2015 – Regular Meeting
5. DISCUSSION/ACTION
  - a. Discussion and possible recommendation to the Village Board regarding a proposed Three-Lot Certified Survey Map (CSM) for property located at 3791 Pioneer Road (Tax Key: V10\_004500A) for Mr. and Mrs. Michael McRae
  - b. Discussion and possible recommendation to the Village Board for Resolution R2015-12-01, a Resolution to commence the process for amending the Village's Comprehensive Plan

6. ADJOURNMENT

Additional explanation of items on the agenda (Communication Forms) can be found on the village's website at [www.richfieldwi.gov](http://www.richfieldwi.gov). Notification of this meeting has been posted in accordance with the Open Meeting Laws of the State of Wisconsin. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made to the Village Clerk's office at 628-2260 with as much advance notice as possible.

4 a

**1. Call to order/determination of quorum**

Vice-Chairman Don Berghammer called the meeting to order at 7:03 p.m.

In attendance were Commissioners Ray Cote, Bob Lalk, Kurt Bartel, Trustee Bill Collins, Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt.

Commissioners Dick Melzer and Chairman James Otto had excused absences.

**2. Verification of Open Meetings Law compliance**

Village Administrator Jim 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. Approval of Minutes**

**a. September 3, 2015 – Regular Meeting**

Motion by Commissioner Lalk to approve the minutes of the regular September 3<sup>rd</sup>, 2015 Plan Commission meeting; Seconded by Commission Cote.

Administrator Healy stated that Chairman Jim Otto requested to have his statement stricken from the minutes or they be included in their entirety.

Motion by Trustee Collins to amend the motion to approve the minutes with Chairman Otto’s requested statement stricken; Seconded by Commissioner Bartel; Motion passed 3-2.

Motion by Trustee Collins to approve the minutes of the regular September 3<sup>rd</sup>, 2015 Plan Commission meeting minutes, as amended; Seconded by Commissioner Bartel;

Commissioner Lalk voiced his displeasure with the proposed amended motion.

Motion passed 3-2.

**5. PUBLIC HEARING**

**a. Discussion regarding the creation of Section 70.200.5 of the Village’s Zoning Code – Downtown Business District**

Motion by Commissioner Bartel to open the public hearing; Seconded by Commissioner Lalk; Motion passed without objection.

Jeff Gonyo, Highway J Citizens Group, Mr. Gonyo stated he believed that the buildings in the downtown Richfield area have fallen into a state of disrepair. Mr. Gonyo said the Richfield Historical Society should take an active role in helping restore the buildings in downtown Richfield. Mr. Gonyo expressed discontent with the current draft of the downtown business district and believed it should be rewritten to allow for a downtown “historical-type” designation which focuses on restoration and rehabilitation of existing buildings. Mr. Gonyo expressed a desire to have small, rustic businesses like “flower shops” and “photography studios” accented by decorative street lighting and landscaping.

Dan Goetz, 3284 Conestoga Trail, stated that he currently has three (3) or four (4) properties that he would like to be included in the new downtown zoning district. Mr. Goetz stated he was in favor of the

new zoning district, but would like it to be more inclusive to the various properties included in the Richfield Utility District which are located beyond the proposed boundaries.

John Stackpole, 1877 STH 175, Richfield. Mr. Stackpole asked if he would be able to continue using his property as a residence after the zoning changes were made.

Administrator Healy stated that his status as a residential property owner would not change as long as he continued to reside there. His property is currently considered legal, non-conforming and this proposed rezoning effort does not change that status.

Norb Weyer, 4054 Maple Grove Drive, Hubertus stated that the new zoning district will invite new businesses to come into Richfield and would be a big step toward future development in the Village of Richfield.

Ms. Danah Zoulek, 623 Amy Belle Road, Colgate said as a business owner in Richfield she looked for studio space and this area off of STH 175 would be in line with the look she is going for her business and the 'rustic' feel her clients like to see. Rezoning this area to the B-5 District is a positive thing. Ms. Danah Zoulek stated that if there is a utility district that people are paying into, everyone paying into this should be given the same opportunities to be included in the zoning.

John Bogues, 1643 Wolf Run, Richfield stated that he agreed with Norb Weyer and now is the time to begin making changes in order to update the district. Mr. Bogues stated he believed that Richfield could turn into a gem much like Cedarburg.

Gil Frank, 4156 Elmwood Road, Colgate stated that the first motion in the minutes from September 3<sup>rd</sup> was wrong. Mr. Frank stated he believed several buildings in the downtown district should be removed because they lack structural integrity which should be removed for public safety reasons. Mr. Frank stated that the Plan Commission discussed having a parking lot somewhere and questioned why the Village planner was not utilized more at these meetings.

Motion by Trustee Collins to close the public hearing; Seconded by Commissioner Lalk; Motion passed without objection.

Vice-Chairman Berghammer stated that the first couple of lines from the new ordinance indicated the Intent of the new district was to try to "establish, enhance, and preserve the character of the Village's downtown area".

Commissioner Bartel stated that the Commission had been talking about the new downtown district for four (4) months and Commissioner Bartel has a hard time believing the public did not have sufficient notice.

**b. Discussion regarding multiple amendments to Section 70.212, entitled Walkable Hamlet District**

Motion by Commissioner Lalk to open the public hearing; Seconded by Commissioner Bartel; Motion passed without objection.

Bill Hitt, 1591 Patriot Court, Hubertus stated that he was the new President of the Reflections Village Homeowners Association. Mr. Hitt stated that he wanted to thank everyone in the receivership and that the new Homeowners Association was now in a good position to take on all of responsibility related to home approval. Mr. Hitt stated that there was three things they wanted to accomplish as an association 1) simplify process, 2) become a little bit less restrictive, and 3) expedite things a lot quicker. Want to work

together with future homeowners. Mr. Hitt stated he hoped to simplify the process while keeping the high standards and high level of integrity.

Jessica Teynor, 1545 Coventry Court, Hubertus stated that she agreed with everything Mr. Hitt stated and that they wanted to give new residents in Reflection Village a process that would be less “scary” to move through. Ms. Teynor stated that the Homeowners Association would work with the builder on the spot to get everything done in one night, and would create a committee process that was warm and welcoming.

Jeff Gonyo, from the Highway J Citizens group stated that group members spoke out against the walkable hamlet district in Reflections Village since the beginning. Mr. Gonyo stated that Reflections Village was a fiasco and that government should stay out of affairs of residents and let them decide things for themselves.

Ron Carlson, duly appointed receiver of Reflections Village Subdivision, and legal owner of the remaining lots in Reflections Village stated that they wanted to take the Village out from Architectural Review process and insert the Architectural Review process of the Reflections Village Homeowners Association instead. Although the Architectural Review process of the Village was good intentioned, the process itself acts as a hindrance of sale of the lots. Speaking on behalf of all of the residents in Reflections Village, the receivers had unanimous support to remove the Village from the review process. Mr. Carlson stated that the Homeowners Association had created a good review body that would promote quality homes being built in the Reflections Village development.

Ms. Danah Zoulek, 623 Amy Belle Road, Colgate stated that Reflections Village was a prime example of why we need to have proper planning in the Village. In talking with people in Reflections Village, Ms. Danah Zoulek stated that the Reflections Village residents felt like an “ugly step child” that nobody wanted and wouldn’t have moved there if they would have known that.

Gil Frank, 4156 Elmwood Road, Colgate stated that it was a good idea to get the Village out of the home review process.

Motion by Commissioner Lalk to close the public hearing; Seconded by Trustee Collins; Motion passed without objection.

**c. Discussion regarding multiple amendments to Section 70.133, entitled Site, Building and Operations Plan Review, specifically those provisions which deal with the architectural review board processes/standards for properties in the Walkable Hamlet District**

Motion by Commissioner Bartel to open the public hearing; Seconded by Trustee Collins; Motion passed without objection.

Administrator Healy stated that removing this portion of the Village code will get the Village out of approval process for Reflections Village.

No one spoke.

Motion by Trustee Collins to close the public hearing; Seconded by Commissioner Lalk; Motion passed without objection.

- d. Discussion regarding a petition to rezone a portion of property located at 3791 Pioneer Road, Tax Key: V10\_0045-00A, from LC, Lowland Conservancy to Rs-1, Country Estates District**

Motion by Commissioner Bartel to open the public hearing; Seconded by Trustee Collins; Motion passed without objection.

No one spoke.

Motion by Trustee Collins to close the public hearing; Seconded by Commissioner Lalk; Motion passed without objection.

**6. DISCUSSION/ACTION**

- a. Discussion and possible recommendation to the Village Board regarding the creation of Section 70.200.5 of the Village's Zoning Code – Downtown Business District**

Motion by Trustee Collins to recommend to the Village Board the approval of Ordinance O2015-10-01, an Ordinance to create Section 70.200.5, entitled Downtown Business District; Seconded by Commissioner Bartel; Motion passed 4-1 with Commissioner Lalk opposed.

- b. Discussion and possible recommendation to the Village Board regarding multiple amendments to Section 70.212, entitled Walkable Hamlet District**

Administrator Healy stated that it was never intended for every single home in Reflections Village to go through the Village approval process. The idea, as it was originally proposed, was that the Village would approve a handful of designs that potential lot purchasers could choose from.

- c. Discussion and possible recommendation to the Village Board regarding multiple amendments to Section 70.133, entitled Site, Building and Operations Plan Review, specifically those provisions which deal with the architectural review board processes/standards for properties in the Walkable Hamlet District**

Motion by Commissioner Lalk to recommend to the Village Board the approval of Ordinance O2015-10-02, an Ordinance to amend Section 70.133(C)(3)(d) relating to the removal of restrictions for homes in the Walkable Hamlet Zoning District to go through the Architectural Review Board process and to recommend to the Village Board the approval of Ordinance O2015-10-03, an Ordinance to amend Section of 70.212(G)(2), Walkable Hamlet District, relating to the removal of home design restrictions; Seconded by Commissioner Cote; Motion passed without objection.

- d. Discussion and possible recommendation to the Village Board regarding the partial rezoning of property located at 3791 Pioneer Road, Tax Key: V10\_0045-00A from LC, Lowland Conservancy to Rs-1, Country Estates District**

Motion by Commissioner Lalk to recommend to the Village Board the adoption of Ordinance O2015-10-04, an Ordinance to rezone a portion of Tax Key: V10\_004500A from LC, Lowland Conservancy District to Rs-1, Country Estates District; Seconded by Commissioner Bartel; Motion passed without objection.

- e. Discussion regarding the amendment to the Residential Site, Building, and Plan of Operation for Reflections Village Subdivision**

Mr. Carlson stated that making the proposed corrections to the SBOP as stated was merely a housekeeping item necessary to moving forward, and that all of the proposed corrections were made in working with Village Staff.

**f. Discussion/Action regarding a petition for an ordinance amendment to allow “mini golf” in commercial zoning districts**

Motion to suspend the rules and allow for public comments by Vice-Chairman Berghammer, Seconded by Commissioner Lalk; Motion passed without objection.

Mr. Bogues spoke regarding the changes to the ordinance that would affect his property.

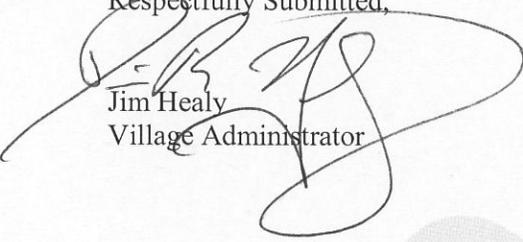
Motion by Commissioner Lalk to table agenda item 6f. to November 5<sup>th</sup> at 7:00 pm or sooner; Seconded by Trustee Collins; Motion passed without objection.

Motion by Vice-Chairman Berghammer to reconstitute the rules; Seconded by Commissioner Bartel; Motion passed without objection.

**7. ADJOURNMENT**

Motion by Trustee Collins to adjourn; Seconded by Commissioner Bartel; Motion passed without objection at 9:00 p.m.

Respectfully Submitted,

  
Jim Healy  
Village Administrator

DRAFT

4 b

**1. Call to order/determination of quorum**

Chairman Jim Otto called the meeting to order at 7:00 p.m.

In attendance were Vice-Chairman Berghammer, Commissioners Ray Cote, Bob Lalk, Dick Melzer, Trustee Bill Collins, Village Administrator Jim Healy and Administrative Services Coordinator KateLynn Schmitt.

Commissioner Kurt Bartel had an excused absence.

**2. Verification of Open Meetings Law compliance**

Village Administrator Jim 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. Approval of Minutes**

**a. September 3, 2015 – Regular Meeting (Reconsideration)**

Administrator Healy discussed the administrative error which was brought to their attention by a member of the community. Staff inadvertently modified a motion made by two of the members of the Plan Commission and this is reconsideration is to memorialize the actions taken.

Motion by Commissioner Melzer to reconsider the minutes of the regular September 3<sup>rd</sup>, 2015 Plan Commission meeting; Seconded by Commissioner Cote; Motion passed without objection.

Motion by Trustee Collins to approve the revised minutes of the regular September 3<sup>rd</sup>, 2015 Plan Commission meeting; Seconded by Commissioner Melzer; Motion passed without objection.

**5. PUBLIC HEARING**

**a. Discussion regarding a petition to rezone a portion of vacant property (12.204ac) located at 3200 Pleasant Hill Road (Tax Key: V10\_025500Y), from A-1, Exclusive Agricultural District to A-2, General Agricultural District**

Administrator Healy stated that the petition to rezone a portion of vacant property located at 3200 Pleasant Hill Road had been withdrawn as well as the related Certified Survey Map. As such, items 5a., 6a. and 6d. would not need to be addressed.

**b. Discussion regarding a petition to rezone property (15.44ac) located at 3208 STH 167 (Tax Key: V10\_027600E), from P-1, Parks and Recreation District to B-2, Community Business District**

Motion by Vice-Chairman Berghammer to open the public hearing; Seconded by Commissioner Lalk; Motion passed without objection.

Fred Aicher, 3139 Basswood Lane, Richfield asked if the zoning changes would affect setbacks of adjacent properties and Mr. Bogues' property.

Motion by Commissioner Melzer to close the public hearing; Seconded by Vice-Chairman Berghammer; Motion passed without objection.

Chairman Otto requested to move directly to item 6b. and then to come back and address 5c then 6c.

## 6. DISCUSSION/ACTION

- b. Discussion and possible recommendation to the Village Board regarding a petition to rezone property (15.44ac) located at 3208 STH 167 (Tax Key: V10\_027600E), from P-1, Parks and Recreation District to B-2, Community Business District for Logger's Park, LLC.**

Administrator Healy gave an overview of the setbacks in both the P-1, Parks and Recreation District as well as for the B-2, Community Business District.

Motion by Vice-Chairman Berghammer to recommend to the Village Board the adoption of Ordinance O2015-11-01, as amended, an Ordinance to rezone 3208 STH 167 (Tax Key: V10\_027600E) from P-1, Parks and Recreation District to B-2, Community Business District; Seconded by Commissioner Melzer; Motion passed without objection.

Administrator Healy stated that Staff sent the public hearing notice out ten (10) days prior to the hearing tonight per the Plan Commission's request.

## 5. PUBLIC HEARING

- c. Discussion regarding a petition to amend Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District**

Motion by Vice-Chairman Berghammer to open the public hearing; Seconded by Commissioner Melzer; Motion passed without objection.

No one spoke.

Motion by Commissioner Lalk to close the public hearing; Seconded by Trustee Collins; Motion passed without objection.

## 6. DISCUSSION/ACTION

- c. Discussion and possible recommendation to the Village Board regarding a petition to amend Section 70.198(D) relating to Conditional Uses in the B-2, Community Business District**

Motion by Commissioner Melzer to recommend to the Village Board the adoption of Ordinance O2015-11-03, an Ordinance to amend Sec. 70.198(D) of the Village Code relating to Conditional Uses allowed in the B-2, Community Business District; Seconded by Commissioner Lalk; Motion passed without objection.

- e. Discussion regarding the amendment to the Residential Site, Building, and Plan of Operation for Reflections Village Subdivision**

Administrator Healy gave a brief update on the history of Reflections Village with the current receiver.

Vice-Chairman Berghammer questioned why a 'special meeting' has not been scheduled specifically relating to matters pertaining to Reflections Village.

Administrator Healy discussed that there has not been a need for the Plan Commission to take any action which would necessitate a 'special meeting'.

Motion by Trustee Collins to approve the proposed SBOP changes, as drafted, by the Receiver subject to the following Specific Condition of Approval:

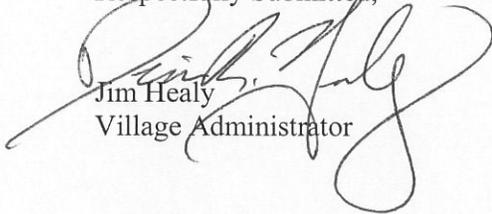
1. That the Receiver draft the proposed amendment (as approved) in a form suitable for recordation at the Washington County Register of Deeds.

Seconded by Vice-Chairman Berghammer; Motion passed without objection.

**7. ADJOURNMENT**

Motion by Trustee Collins to adjourn; Seconded by Commissioner Melzer; Motion passed without objection at 9:00 p.m.

Respectfully Submitted,



Jim Healy  
Village Administrator

DRAFT

5 a



5a

**VILLAGE OF RICHFIELD**  
**PLAN COMMISSION COMMUNICATION FORM**  
 MEETING DATE: December 3, 2015

SUBJECT: Proposed Three-Lot CSM (Tax Keys: V10\_004500A), 3791 Pioneer Road, Michael McRae

DATE SUBMITTED: November 24, 2015

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL FOR THE PROPOSED THREE-LOT CSM?*

*ISSUE SUMMARY:*

Mr. Michael McRae has submitted a proposed certified survey map (CSM) that would create a three-lot CSM consisting of a total of approximately 50 acres on Pioneer Road, generally located at the intersection of Pioneer Road and Scenic Road. The 'parent parcel' (Lot 1) where the single family home sits is zoned both Rs-1, Country Estates District and LC, Lowland Conservancy District. The natural border between the two (2) zoning designations is the wetland boundary illustrated on the face of the CSM. There is no minimum requirement for acreage in the LC District and the minimum requirement for 'new lots' in the Rs-1 District is 10 acers. Lot 1 consists of 23.404 acres. Outlot 1, which absorbs the previously existing Tax Key of V10\_0045, will consist of 19.874 acres. The parcel is currently vacant and is zoned exclusively LC. Outlot 2 consists of 7.297 acres and is also zoned exclusively LC. On both Outlots there is the notation that these parcels are not fit for human habitation. Single family residential homes are also not permitted in any fashion in the LC district, which is why the petitioner previously requested the rezoning of a portion of his property to Rs-1. In terms of zoning compliance, there are no other issues of consideration.

The petitioner is also dedicating approximately 2.3 acres of land for right-of-way dedication as prescribed by Wisconsin State Statute. On page 3 of 3 of the proposed CSM a number of changes will need to be made. The Village has historically not had the Plan Commission sign CSMS because they are a recommending body. Meaning, even if the Plan Commission made a motion to deny a proposed CSM, the matter would still be forwarded to the Village Board for their consideration. The Plan Commission is truly advisory in this capacity and it was the advice of the Village Attorney to eliminate that potential for confusion by removing the signature block all together. Also, Laura Johnson is the Village's Deputy Clerk and the name should be replaced with "Jim Healy" for consistency purposes.

The Village Engineer has reviewed the proposed CSM and has approved it provided his comments are addressed. On Friday, November 20, 2015, the Village Engineer's comments were forwarded to the petitioner for his consideration. It is anticipated that prior to the Village Board meeting on December 17<sup>th</sup>, the revised CSM will have been submitted to Village Staff and reviewed for content.

*FUTURE IMPACT & ANALYSIS:*

REVIEWED BY:   
 Village Deputy Clerk

Forward to Village Board: Yes  
 Additional Approvals Needed: Yes  
 Signatures Required: Yes

*ATTACHMENTS:*

1. Proposed CSM prepared by Michael J. Schleif with Village Engineer's comments noted in RED



**VILLAGE OF RICHFIELD**  
**PLAN COMMISSION COMMUNICATION FORM**  
 MEETING DATE: December 3, 2015

*STAFF RECOMMENDATION:*

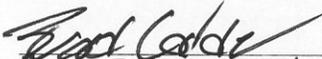
Motion to recommend to the Village Board the approval of the certified survey map for Mr. Michael McRae for his property located at 3971 Pioneer Road (Tax Key: V10\_004500A), subject to the General Conditions of Approval listed below:

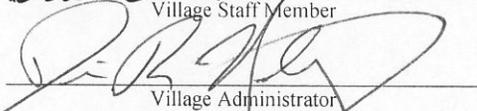
General Conditions of Approval:

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Engineer, the Village Planner, and all reviewing, objecting and approving bodies, including, but not limited to, the Wisconsin Department of Commerce per Ch. 236, Wisconsin Statutes and Ch. Comm. 85, Wisconsin Administrative Code; Wisconsin Department of Administration per Ch. 236, Wisconsin Statutes; and Washington County.
2. The subdivider shall, on demand, reimburse the Village 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. Any unpaid bills owed 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, permit fees, or any other fees owed to the Village; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. 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 this approval.

APPROVED FOR SUBMITTAL BY:

VILLAGE CLERKS USE ONLY  
 BOARD ACTION TAKEN

  
 \_\_\_\_\_  
 Village Staff Member

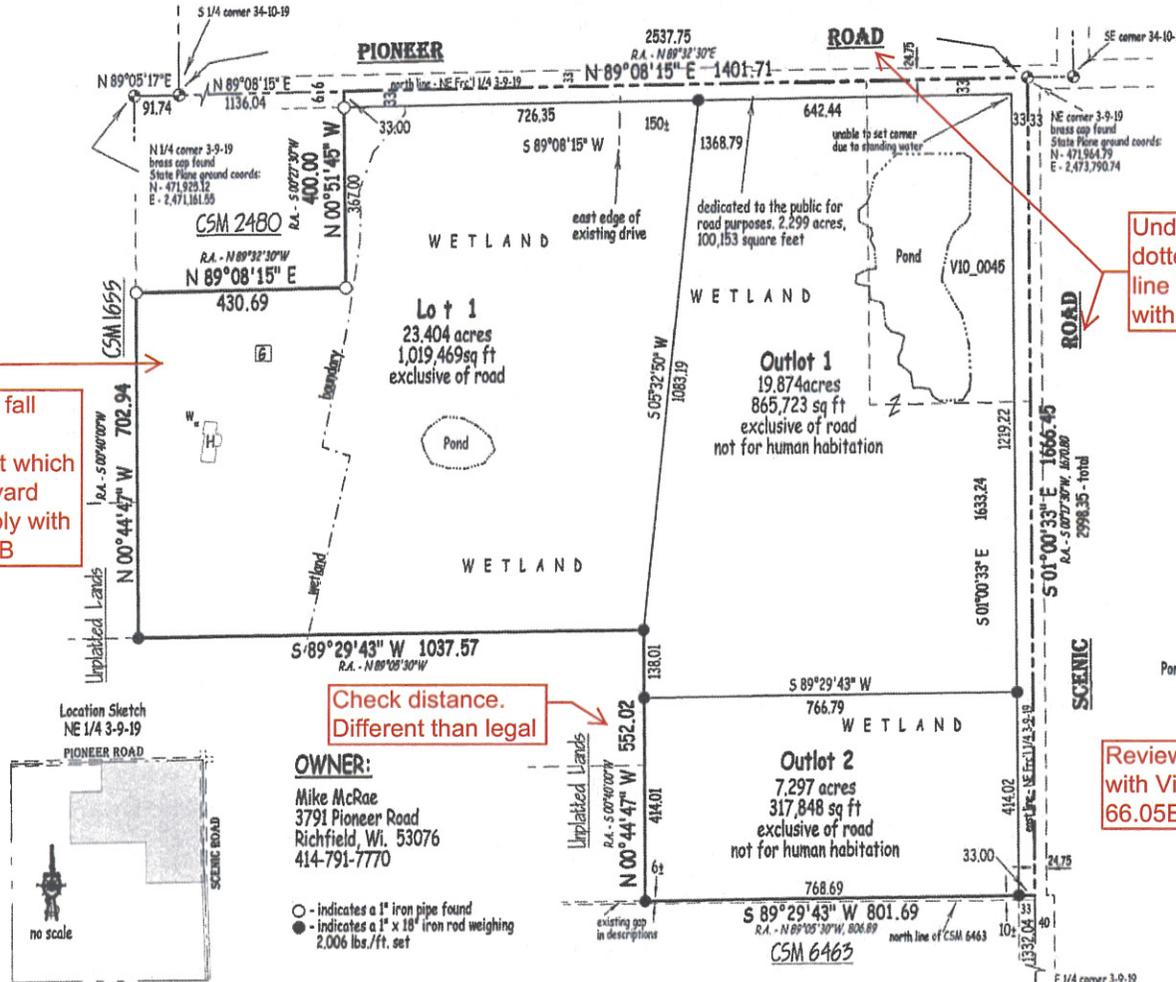
  
 \_\_\_\_\_  
 Village Administrator

Resolution No. \_\_\_\_\_  
 Ordinance No. \_\_\_\_\_  
 Approved \_\_\_\_\_  
 Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
 Referred To: \_\_\_\_\_  
 Denied \_\_\_\_\_  
 File No. \_\_\_\_\_

CERTIFIED SURVEY MAP NO \_\_\_\_\_

Part of the NE Frc'1 1/4 and NW Frc'1 1/4 of the NE Frc'1 1/4 of Section 3, Town 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

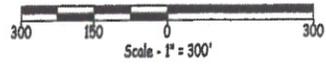
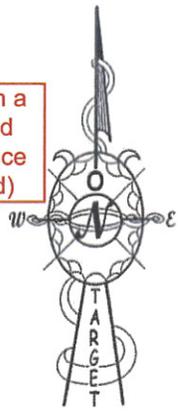


Make note that lots fall within the lowland conservancy district which has no setback or yard restrictions to comply with Village Code 66.05B

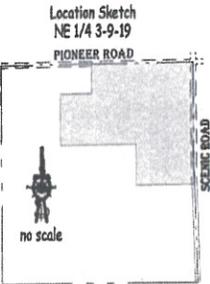
Check distance. Different than legal

Underscore with a dotted or dashed line in accordance with 236.20(3)(d)

Review & comply with Village code 66.05B.10



North is referenced to the Wisconsin Coordinate Grid System, South Zone, the north line of the NE Frc'1 1/4 bearing N 89°08'15"E. Pond locations and wetland boundaries are digitized from Washington County mapping. R.A. indicates a previously recorded dimension



**OWNER:**  
 Mike McRae  
 3791 Pioneer Road  
 Richfield, WI. 53076  
 414-791-7770

○ - indicates a 1" iron pipe found  
 ● - indicates a 1" x 18" iron rod weighing 2.006 lbs./ft. set

*Michael J. Schleif*  
 10/27/15

**CERTIFIED SURVEY MAP NO \_\_\_\_\_**

Part of the NE Frc'1 1/4 and NW Frc'1 1/4 of the NE Frc'1 1/4 of Section 3, Town 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

**SURVEYOR'S CERTIFICATE:**

I hereby certify that by the direction of Michael McRae, I have surveyed divided and mapped the land shown and described hereon, being that part of the NE Frc'1 1/4 and NW Frc'1 1/4 of the NE Frc'1 1/4 of Section 3, Town 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, which is bounded and described as follows:

Beginning at the Northeast corner of said Section 3; thence S 01°00'33"E along the east line of said NE Frc'1 1/4, 1666.45 feet; thence S 89°29'43"W, 801.69 feet; thence N 00°44'47"W, 562.02 feet; thence S 89°29'43"W, 1037.57 feet; thence N 00°44'47"W along the southerly extension of the east line of Certified Survey Map No. 1655, as recorded in Volume 8 on Page 304 of Certified Survey Maps of Washington County and the east line, 702.94 feet to the southwest corner of Certified Survey Map No. 2480, as recorded in Volume 13 on Page 174 of Certified Survey Maps of Washington County; thence N 89°08'15"E along the south line of said Certified Survey Map No. 2480, 430.69 feet; thence N 00°51'45"W at right angles, along the east line of said Certified Survey Map No. 2480, 400.00 feet to a point in the north line of said NE Frc'1 1/4; thence N 89°08'15"E along said north line, 1401.71 feet to the point of beginning.

← Check distance

Containing 52.874 acres (2,303,202 square feet) more or less.

← on?

I further certify that I have fully complied with the provisions of Section 236.34 of Wisconsin Statutes and the Village of Richfield Land Division Ordinance in surveying, dividing and mapping said land and that this map is a correct representation of all exterior boundaries of the land surveyed and the division thereof.

Dated this 27<sup>th</sup> day of OCTOBER, 20 15

*Michael J. Schleif*  
Michael J. Schleif S-2471

**OWNER'S CERTIFICATE:**

As owners, we hereby certify that we caused the land shown and described hereon to be surveyed, divided, mapped, and dedicated as represented hereon. We also certify that this map is required by S. 236.10 or S. 236.12 to be submitted to the following for approval or objection:

- 1. Village of Richfield Village Board
- 2. Village of Richfield Plan Commission

Witness the hand and seal of said owners this \_\_\_\_\_ day  
of \_\_\_\_\_ 20\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_

Notary Public \_\_\_\_\_, Wisconsin

My Commission expires \_\_\_\_\_

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Michael McRae

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Rebecca Fischer

**CERTIFIED SURVEY MAP NO \_\_\_\_\_**

Part of the NE Frc'l 1/4 and NW Frc'l 1/4 of the NE Frc'l 1/4 of Section 3, Town 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

APPROVAL OF THE VILLAGE OF RICHFIELD

This land division is hereby approved by the Village Board of the Village of Richfield

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
President John Jeffords                      Clerk Laura Johnson

APPROVAL OF THE PLAN COMMISSION OF THE VILLAGE OF RICHFIELD

This land division is hereby approved by the Plan Commission of the Village of Kewaskum

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
Chairman James Otto                      Clerk Laura Johnson

*Michael J. Schleif*  
10/27/15

This instrument was drafted by Michael J. Schleif, S-2471.

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

56

MEETING DATE: December 3, 2015

SUBJECT: Petition to Amend the Village's Comprehensive Plan – Divisions of Agricultural Land  
DATE SUBMITTED: November 23, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO ADOPT BY RESOLUTION SEVERAL AMENDMENTS TO THE VILLAGE'S COMPREHENSIVE PLAN TO ALLOW THE DIVISION AND REZONING OF AGRICULTURAL LAND?*

*ISSUE SUMMARY:*

In 2014, when the Village adopted its Future Land Use Map, a major policy decision was made to remove "Agricultural" land uses in favor of labeling those previously designated parcels as "Single Family". The intent of the Village Board and Plan Commission in making this policy decision was not an attempt to remove farming operations from the Village, quite the contrary, actually. The logic and reasoning for this change was done in large part to provide farmers the flexibility to sell their land or subdivide portions of larger tracts as they saw fit.

Previously, when the Village had 10 and 20 Year Future Land Use Maps, the ability for a farmer to sell and develop their land as they saw fit was hampered by the staggering of development throughout the Village. By the Plan Commission and the Village Board removing that restriction in favor of adopting a single Future Land Use Map, the belief was that a 'roadmap' for what the landscape of the Village will ultimately look like in the distant future would be created, thereby giving property owners the increased land development flexibility that they did not previously have.

However, removing the 'Agricultural' land use from the Village's Future Land Use Map, unintentionally placed greater restrictions on those parcels in the Village where agricultural operations currently exist by not permitting them to rezone or subdivide to anything but single family residential land. This issue was brought to our attention prior to our last Plan Commission meeting in October by local resident, Mr. Gil Frank. On the agenda for that evening were two proposals relating to a 47 ac. parcel of land. The proposals, to subdivide off approximately 12 ac. for farming purposes and to rezone the same A-2, General Agricultural District were proposals that on their face made sense and was compliant with our zoning regulations. Unfortunately, because any rezoning of a property must be consistent with the Village's adopted Future Land Use Map and the map showed this property as 'single family', the rezoning would have been in conflict. Therefore, in an effort to circle back to the assumed intent of both the Plan Commission and Village Board, Staff is bringing this issue to your attention for your ultimate consideration.

Currently, about 5% of all the Village's properties are zoned A-1, Exclusive Agricultural District (35 ac minimum). This district encompasses 421 parcels comprising ~4,412 acres. But while only ~5% of all the properties in the Village are zoned A-1, surprisingly, it equates to ~20% of the Village's total land. Much of this land is located in the western third of the Village. For the Village's A-2, General Agricultural District (10 ac minimum), those properties make up approximately ~4% of the Village's total land area and with almost ~1,700 acres or 8% of the Village's total land with 306 parcels. Ergo, using rough numbers, approximately one-third of the Village's land is currently held in agricultural zoning. These "back of the envelope calculations" do not take into consideration those properties zoned Rs-1, Country Estates District or any of the Rs-1R, Remnant Districts where iterations of farming operations are allowed in varying degrees.

So where does that leave us tonight? If the Plan Commission believes that this petition does have merit, it would be the recommendation of the Village's Consultant Planner that it adopt a resolution petitioning the Village Board to adopt an ordinance amendment to the Comprehensive Plan. A copy of the proposed amendment, in resolution form, is attached to this Communication Form for your convenience. On the following page is also an approximate timeline for milestones associated with the proposed adoption of this ordinance. As required by law, upon due notice, a scheduled Public Hearing



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: December 3, 2015

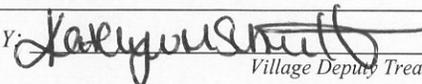
SUBJECT: Petition to Amend the Village's Comprehensive Plan – Divisions of Agricultural Land  
DATE SUBMITTED: November 23, 2015  
SUBMITTED BY: Jim Healy, Village Administrator

will be held by the Village Board. After the consideration of public input, this ordinance may be adopted by the Board if they so choose.

**Timeline:**

December 3: Plan Commission (PC) petition to the Village Board (VB) by resolution  
January: Staff fulfills requirements Public Participation Plan and of State Statutes for giving notice of PC action and Public Hearing  
January 21: VB holds Public Hearing and potentially adopts by ordinance the Comp. Plan Amendment

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY:   
Village Deputy Treasurer

Forward to Village Board: Yes  
Additional Approvals Needed: Yes  
Signatures Required: Yes

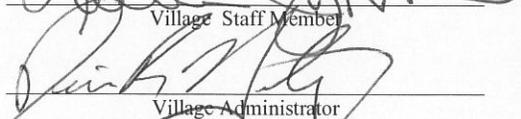
*ATTACHMENTS:*

- 1. Previously adopted "Public Participation Plan" by the Village Board (12/18/2014)
- 2. Resolution R2015-12-01, a Resolution to amend multiple sections of the Comprehensive Plan

*STAFF RECOMMENDATION:*

Motion to approve Resolution R2015-12-01, 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 January 21, 2016 at 7:00PM.

APPROVED FOR SUBMITTAL BY:

  
Village Staff Member  
  
Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

Resolution No. \_\_\_\_\_  
Ordinance No. \_\_\_\_\_  
Approved \_\_\_\_\_  
Other \_\_\_\_\_

Continued To: \_\_\_\_\_  
Referred To: \_\_\_\_\_  
Denied \_\_\_\_\_  
File No. \_\_\_\_\_

# Public Participation Plan



## INTRODUCTION

In 2003, the then Town of Richfield embarked on a year-long process to prepare a Comprehensive Plan as required by Wisconsin State Statutes. To encourage public participation, the Town Board, at that time, adopted a formal Public Participation Plan which described the ways in which the public would be involved in the preparation, review, and adoption of the plan. The Town invested significant time and resources to ensure opportunities were available for residents and other property owners to help shape the Plan. Numerous public meetings were conducted, informational mailings were sent to every household in the community, and a questionnaire was sent to every household. The process concluded in November of 2004 when the Town Board adopted the plan by ordinance. Since that time, a number of limited amendments have been approved.

In March of 2010, the Plan Commission for the Village of Richfield initiated a process to update the Village's Comprehensive Plan that was first adopted in 2004. A steering committee was established to guide the project and provide oversight and input. Two members of the Plan Commission were appointed along with a Village Trustee. Due to changes in Board and Commission membership, in May of 2011 the steering committee was dissolved.

Recognizing the public participation efforts which were undertaken in drafting the initial 2004 Plan and the Strategic Plan, the Village again continued to provide opportunities for public participation during the subsequent update of the Comprehensive Plan which was finalized in early 2014.

## PUBLIC PARTICIPATION EFFORTS

- 1. Staff Advisory Committee.** Village Staff has created an advisory committee consisting of three members. Membership will consist of Village Administrator Jim Healy, Administrative Services Coordinator KateLynn Schmitt, Village Attorney John Macy, and Planning Consultant Tim Schwecke. It is anticipated that the Staff Advisory Committee will conduct the Public Participation Plan as outlined herein.

2. **Open House.** One (1) open house will be conducted in January to present the proposed amendments as tentatively recommended by the Plan Commission to the Village Board. While logistics for the open house will be established at a later date, it is anticipated that the open house will be conducted from the late afternoon into the late evening hours (4PM-8PM, approximately). Different types of visual aids will be used to describe the proposed map amendments. The goal of this public outreach effort is to create an informal setting for residents and others to learn more about the proposed amendments and to offer their suggestions and comments on ways it can be improved.
3. **Preparation of Public Comments Received.** Based on input received at the open house the information will be forwarded to the Village Board for consideration.
4. **Public Hearing and Required Notice.** The Village Board will hold at least one public hearing to formally accept public comment on the Plan as recommended by the Plan Commission. The public hearing shall be preceded by a Class I Public Hearing Notice under chapter 985, Wis. Stats., which is published 30 days before the date of the public hearing in the *West Bend Daily News*. Such notice shall contain the information required under section 66.1001(4)d, Wis. Stats. Furthermore, the Village will provide a written notice to those persons specified in sections 66.1001(4)(e) and (f) at least 30 days prior to the date of the public hearing. Property owners within 300' of the subject properties to have land uses amended may also be notified via first class mail.
5. **Community-wide Mailing.** The Village may mail one (1) publication of the "*Richfield Happenings*" newsletter to each household and/or property in the Village to notify residents of the Plan update, key points for public involvement, and how they can get involved in the process.
6. **Website.** The Village's website already has a dedicated page specifically utilized for the Comprehensive Plan. Information relative to the Plan update will be posted in this area of the Village's website, along with other draft documents, maps, meeting notices and agendas, and project-related news. RSS feeds will be set up for the Village website to also notify residents of updates in real-time.
7. **Social Media.** Another method of communicating effectively with residents is via our social media accounts on Twitter and Facebook. Updates that are posted on our website, as well as our RSS feed, will be posted on these accounts as well.
8. **T.V. Channel 98.** Staff will utilize public access "Channel 98" to post informational notices, key dates for public participation, contact information for key Staff members, and any other information it deems appropriate for public involvement.
9. **Material Availability.** Copies of the Plan maps, as recommended by the Staff Advisory Committee and by the Plan Commission, will be sent to the local public libraries in the Villages of Germantown and Slinger for public display.
10. **Public Hearing.** The Village Board will hold at least one public hearing to formally accept public comment on the proposed plan update.
11. **Other Means.** The Village may provide other avenues for public participation during the course of the project.

**Village of Richfield Plan Commission**

**Resolution No. R2015-12-01**

**A Resolution Recommending to the Village Board the  
Amendment of the Village's Comprehensive Plan**

WHEREAS, the Village Board is authorized by state law to adopt a comprehensive plan as defined in Sections 66.1001(1)(a) and 66.1001(2), Wis. Stats., and to amend it from time to time; and

WHEREAS, the Village Board adopted a comprehensive plan on November 18, 2004, following extensive public participation, and has amended such plan on multiple occasions since then; and

WHEREAS, the Village of Richfield recognizes the value of having a comprehensive plan to guide development and desires to keep the comprehensive plan up-to-date; and

WHEREAS, the Plan Commission now desires to amend a portion of Chapter 11 of the plan to reflect its intent when the Village prepared a 10-year update to the Village's comprehensive plan, which was adopted in the summer of 2014;

WHEREAS, the Plan Commission finds that the comprehensive plan with the proposed amendment contains all of the required elements specified in Section 66.1001(2), Wis. Stats.

NOW THEREFORE, by a majority vote of the entire commission recorded in its official minutes, the Plan Commission recommends to the Village Board that Section 5, Exhibit 11-4 of Chapter 11 be amended as follows:

**5. Future Land Use**

**Exhibit 11-4. Land-Use Categories and Relationship to the Village's Existing Zoning Regulations**

Land Use District	General Description	Section of Zoning Code and Zoning District
Single-Family Residential	These areas are likely to accommodate additional single-family residential subdivisions. Cluster/open space designs (permitted in the RS-1B Zoning District) are encouraged in these areas. Continued farm uses are also <b>allowed and</b> encouraged in Rs-1 and Rs-1R.	<u>For single-family residential uses:</u> 70.191 Country estate district (RS-1) 70.191A Country estate/remnant parcel district (Rs-1R) 70.192 Single-family residential and rural preservation district (Rs-1A) 70.193 Single-family cluster/open space residential district (Rs-1B) 70.194 Single-family residential district (Rs-2) 70.195 Single-family residential district (Rs-3) 70.195A Single-family residential district (Rs-4) <u>For agricultural uses:</u> <b>70.188 Exclusive agricultural district (A-1)</b> <b>70.189 Transitional agricultural district (A-1A)</b> <b>70.190 General agricultural district (A-2)</b>
No change to the remainder of this Exhibit		

NOW THEREFORE, the Village Clerk is directed to send a copy of this resolution to each of the following:

- a. the clerk for Washington County;
- b. the clerk of every local government unit that is adjacent to the Village;
- c. the Wisconsin Land Council;
- d. the Wisconsin Department of Administration;
- e. Southeastern Wisconsin Regional Planning Commission; and
- f. those public libraries that serve the Village.

Passed and adopted this 3<sup>rd</sup> day of December, 2015

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James Otto, Plan Commission Chair

ATTEST:

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James Healy, Village Administrator