



AGENDA  
PLAN COMMISSION MEETING  
RICHFIELD VILLAGE HALL  
4128 HUBERTUS ROAD, HUBERTUS, WISCONSIN  
OCTOBER 6, 2016  
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. September 8, 2016 – Regular Meeting
5. PUBLIC HEARINGS
  - a. Discussion regarding a rezoning petition for property located at 4440 CTH Q (Tax Key: V10\_130900D) from A-1, Exclusive Agricultural District and NAC-1, Neighborhood Activity Center to A-1, Exclusive Agricultural District
  - b. Discussion regarding a proposed Zoning Code amendment to Section 70.242(F) related to legal, non-conforming structures
  - c. Discussion regarding a proposed Zoning Code Amendment to Section 70.190 related to "Permitted Principal Uses" and "Conditional Uses"
6. DISCUSSION/ACTION
  - a. Discussion and possible recommendation to the Village Board regarding a rezoning petition for property located at 4440 CTH Q (Tax Key: V10\_130900D) from A-1, Exclusive Agricultural District and NAC-1, Neighborhood Activity Center to A-1, Exclusive Agricultural District
  - b. Discussion and possible recommendation to the Village Board regarding a proposed Zoning Code amendment to Section 70.242(F) related to legal, non-conforming structures
  - c. Discussion and possible recommendation to the Village Board regarding a proposed Zoning Code Amendment to Section 70.190 related to "Permitted Principal Uses" and "Conditional Uses"
  - d. Discussion and possible recommendation to the Village Board regarding a one-lot CSM in Steeple View Estates involving Tax Keys: V10\_0106035 and V10\_0106040001
  - e. Discussion/Action regarding Plan of Operation review for Joe Mama's Bar & Grill, located at 4600 CTH Q
  - f. Discussion/Action regarding a Lighting Plan for Chalet Shopping Center, located at 1241-1251 STH 175
7. 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.

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

Chairman Jim Otto called the meeting to order at 7:02 p.m.

In attendance were Chairman Otto, Bartel, Coté, Trustee Collins, Village Administrator Jim Healy, Village Planner Tim Schwecke, Village Attorney John Macy and Administrative Services Coordinator KateLynn Schmitt.

Commission Melzer had an excused absence.

Plan Commission Chairman Jim Otto announced that a quorum of the Village Board was also present.

**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. Approval of Minutes**

**a. August 4<sup>th</sup>, 2016 – Regular Meeting**

Motion by Commissioner Cote to approve the minutes of the regular August 4th, 2016 Plan Commission meeting; Seconded by Trustee Collins; Motion passed without objection.

**5. DISCUSSION/ACTION**

**a. Discussion/Action regarding Chapter 70, Zoning Recodification**

Planner Schwecke gave a brief update about some of the inconsistencies in the Village's Zoning Code.

Chairman Otto asked if the Village Planner would work with the Board of Zoning Appeals to hear some of their concerns about the Village Code and then bring those concerns back to the proposed Zoning Recodification subcommittee.

Trustee Collins asked if having a developer involved in the process would make sense.

Administrator Healy stated that he would be happy to work with whomever on the review of the new zoning code and its usability.

Motion by Trustee Collins to establish a subcommittee consisting of the Village Plan Commission Chairman, Village President, Village Attorney and Village's Consultant Planner; Seconded by Commissioner Bartel; Motion passed without objection.

Vice- Chairman Berghammer and Commissioner Lalk arrived at 7:13 PM.

**b. Discussion/Action regarding a Temporary Use Zoning Permit for the Wooded Hills Bible Church, located at 777 STH 164 — Living Nativity**

Administrator Healy introduced the topic involving a living nativity play at Wooded Hills Bible Church. Motion by Commissioner Lalk to approve the proposed Temporary Use Zoning Permit for Wooded Hills Bible Church, located at 777 STH 164, as presented;

Motion by Commissioner Lalk to amend the original motion to include that the subject petitioner be required to meet with the Village Administrator to set up a "security plan" and a "neighbor complaint

process and awareness plan”; Seconded by Chairman Otto; Motion on the amendment passed unanimously.

The original motion with the amendment included was then Seconded by Chairman Otto; Motion passed without objection.

**c. Discussion/Action regarding proposed amendments to Section 70.190(B), A-2, General Agricultural District**

Administrator Healy introduced the topic and talked about the list of permitted uses in the A-2 District and a proposed amendment to remove those aspects deemed too “industrial” or “commercial-related” into the Conditional Use section of the District. That way, the Plan Commission could review these proposals on a case-by-case basis and notification would be given to surrounding property owners.

Motion by Commissioner Lalk to recommend to Village Staff the scheduling of a Class II Public Hearing Notice to make the aforementioned amendments to A-2, General Agricultural District found in Section 70.190(B); Seconded by Trustee Collins; Motion passed 4-2.

**d. Discussion/Action regarding a potential amendment to the Village’s Zoning Code relating to “legal non-conforming structures”**

Administrator Healy introduced the topic and the changes which were made at the request of the Plan Commission at the August meeting.

Attorney Macy stated that his clients have used a modified version of this ordinance without issue.

Administrator Healy stated that under this proposed ordinance, each petition would be evaluated on a case by case basis and the Plan Commission would have the authority to judge them in this regard.

Administrator Healy also clarified that the Village would not ever allow a building expansion into a public Right of Way.

Motion by Commissioner Lalk to direct Staff to schedule a Public Hearing for October 6, 2016 at 7PM to consider an amendment to 70.242(F); Seconded by Trustee Collins; Motion passed without objection.

**e. Discussion and possible recommendation to the Village Board regarding a one-lot CSM for Otzelberger Revocable Trust (Tax Keys: V10\_1293 & V10\_129300A)**

Administrator Healy introduced the topic which was to combine two (2) existing lots on Lake Five into a singular lot.

Motion by Trustee Collins to recommend to the Village Board the approval of the proposed One-Lot CSM for Otzelberger Revocable Trust indicated by Tax Keys V10\_1293 and V10\_129300A subject to the General and Specific Conditions of Approval listed below:

**Specific Conditions of Approval:**

1. The Village of Richfield Plan Commission “Signature Block” be removed
2. “John Jeffords, Village President” be inserted into the Village Board “Signature Block”
3. “Jim Healy, Village Administrator/Clerk” be inserted into the Village Board “Signature Block”

**General Conditions of Approval:**

1. The subdivider shall satisfy all comments, conditions, and concerns of the Village Attorney, 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.

Seconded by Commissioner Lalk; Motion passed without objection.

**f. Discussion and possible recommendation to the Village Board for Resolution R2016-09-01, a Resolution to commence the process for amending the Village's Comprehensive Plan**

Administrator Healy introduced the topic.

Motion by Trustee Collins to approve Resolution R2016-09-01, a Resolution to amend the Future Land Use Map and related text of the Village's Comprehensive Plan and to direct Staff to fulfill requirements of Wisconsin State Statutes for giving notice of the proposed Public Hearing on October 20, 2016 at 7:00 PM; Seconded by Commissioner Lalk; Motion passed without objection.

Administrator Healy stated that in concert with this amendment to the Comprehensive Plan a similar petition will be brought forth before the Plan Commission for rezoning during the month of October at the request of the Village Board.

**g. Discussion and possible recommendation to the Village Board regarding Ordinance O2016-08-01, an Ordinance to rezone by Mr. and Mrs. Calvin Schneider for properties identified by Tax Key: V10\_0382, V10\_0381, and V10\_0380, from A-1, Exclusive Agricultural District to A-2, General Agricultural District**

Motion by Trustee Collins to recommend to the Village Board the adoption of Ordinance O2016-08-01, an Ordinance to rezone Tax Keys: V10\_0382, V10\_0381, and V10\_0380 as indicated in the Ordinance Exhibit, from A-1, Exclusive Agricultural District to A-2, General Agricultural District; Seconded by Commissioner Cote; Motion passed 5-1.

**h. Discussion and possible recommendation to the Village Board regarding a petitioned Conditional Use Permit for Mr. Kurt Schwendimann to operate a "small batch dairy production" operation pursuant to Section 70.197(D)(2) at 106 STH 164 (Tax Key: V10\_131000Z)**

Motion by Trustee Collins to recommend to the Village Board the approval of the proposed Conditional Use Permit for Lake Five Foods, located at 106 STH 164 (Tax Key: V10-1310-00Z) subject to the following Specific and General Conditions of Approval:

**Specific Conditions of Approval:**

The Site, Building and Plan of Operation for Lake Five Foods, LLC also be similarly approved.

1. The vegetable stand currently operating on site be properly permitted with a Temporary Zoning Permit.
2. The vegetable stands temporary signs on the site be properly permitted by the Village's Building Inspection Department.

**General Conditions of Approval:**

1. The property owner 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 property owner 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.

Seconded by Vice-Chairman Berghammer; Motion passed 4-1-1.

**i. Discussion/Action regarding a Site, Building and Plan of Operation for Lake Five Farms, located at 106 STH 164 (Tax key: V10\_131000Z)**

Attorney Ian Prust, representing Kurt Schwindemann, stated some additional renderings were emailed to Administrator Healy earlier that day that the Plan Commission might be able to review. Unfortunately, the renderings were too large of a file to open at the meeting. Attorney Prust also stated that the agenda item states Lake 5 Farms and it is actually Lake 5 Foods.

Motion by Commissioner Bartel to conditionally approve the proposed Plan of Operation for Lake 5 Foods, LLC to operate the proposed grocery store/restaurant at 106 STH 164 (Tax Key: V10\_1310-00Z) subject to the following Specific and General Conditions of Approval:

**Specific Conditions of Approval:**

1. The Site Plan be modified to show the removal of the southernmost entrance per the direction of the Wisconsin DOT access coordinator, Mr. David Yach.
2. The Site Plan be modified to show the parking layout with stripes for internal traffic flow subject to review and approval by the Village's Consultant Planner, Tim Schwecke.

Seconded by Trustee Collins; Motion passed 4-1-1.

**6. ADJOURNMENT**

Motion by Trustee Collins to adjourn; Seconded by Commissioner Lalk; Motion passed without objection at 8:43 p.m.

Respectfully Submitted,

Jim Healy  
Village Administrator

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM  
MEETING DATE: October 6, 2016

SUBJECT: Rezoning – Tax Keys: V10\_130900D from NAC-1/A-1 to A-1

DATE SUBMITTED: September 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE REZONING OF THE SUBJECT PROPERTY FROM NAC-1/A-1 TO A-1, EXCLUSIVE AGRICULTURAL DISTRICT?*

*ISSUE SUMMARY:*

In March of 2009, J.B.J. Development, acting as agent for LaVerne Hansen petitioned to amend the adopted Zoning Map for the Village of Richfield by rezoning the property previously identified by Tax Key: V10\_1309 from A-1, Exclusive Agricultural District to NAC-1, Neighborhood Activity Center. This petitioned rezoning was consistent with the Village's Comprehensive Plan. The Village's Zoning Map was never updated to reflect this change. Since that time, representations were made to the current property owner that the property was zoned A-1, Exclusive Agricultural District. The Village Board has directed Staff to petition the Plan Commission to amend the Village's Future Land Use Map to show this property as "Agricultural" and to rezone the property back to A-1, Exclusive Agricultural District.

Tonight there is a scheduled Public Hearing via a Class II Notice which ran for two consecutive weeks in the West Bend Daily News. Every property owner within 300' of the subject property was contacted. Mailings were distributed to adjacent property owners on Tuesday, September 27<sup>th</sup>, which was 10 days prior to the hearing. Staff received no written comments from residents regarding this proposed change.

*FUTURE IMPACT & ANALYSIS:*

REVIEWED BY:   
Village Deputy Clerk

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

*ATTACHMENTS:*

- 1. Class II Public Hearing Notice
- 2. Ordinance O2016-10-02, an Ordinance to Rezone a subject property from NAC-1/A-1 to A-1
- 3. March 03, 2009 Village Board meeting minutes
- 4. March 19, 2009 Village Board meeting minutes

*STAFF RECOMMENDATION:*

Motion to conditionally recommend approval to the Village Board of Ordinance O2016-10-02, an Ordinance to rezone the subject property, identified by Tax Key: V10\_130900D, from NAC-1, Neighborhood Activity Center and A-1, Exclusive Agricultural District to A-1, Exclusive Agricultural District subject to the following Specific Condition of Approval:

- 1) That the Village Board adopt the proposed Future Land Use Map amendment and related text amendment to the 2014 Comprehensive Plan following the conclusion of the scheduled Public Hearing on October 20<sup>th</sup> at 7PM.



**VILLAGE OF RICHFIELD**  
**PLAN COMMISSION COMMUNICATION FORM**  
MEETING DATE: October 6, 2016

APPROVED FOR SUBMITTAL BY:

*Katey W. Schuff*  
Village Staff Member

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

VILLAGE CLERKS USE ONLY  
BOARD ACTION TAKEN

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

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

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, October 6, 2016**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, October 6, 2016 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the following:

- 1) To amend various sections of 70.190 entitled A-2, General Agricultural District related to “permitted principal uses” and “conditional uses”
- 2) To amend section 70.242(F) related to legal non-conforming structures
- 3) To rezone the property identified by Tax Key: V10\_130900D from NAC-1, Neighborhood Activity Center and A-1, Exclusive Agricultural District to A-1, Exclusive Agricultural District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property and the proposed zoning code changes for the Walkable Hamlet District are available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this September 21, 2016

**Publication Dates:**

September 23, 2016

September 29, 2016

Jim Healy  
Village Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033  
(262)-628-2260

STATE OF WISCONSIN      VILLAGE OF RICHFIELD      WASHINGTON COUNTY  
ORDINANCE O2016-10-02

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**AN ORDINANCE TO REZONE A SUBJECT PARCEL OF LAND IN THE VILLAGE OF RICHFIELD AND TO AMEND THE ZONING MAP OF THE VILLAGE OF RICHFIELD PURSUANT TO SECTION 70.163 OF THE MUNICIPAL CODE**

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WHEREAS, the Village Board, acting on behalf of the petitioner, Lake Five Farms LLC, is petitioning to rezone the property located at 4440 CTH Q, also identified by Tax Key: V10\_130900D, from NAC-1, Neighborhood Activity Center and A-1, Exclusive Agricultural District to A-1, Exclusive Agricultural District; and

WHEREAS, the subject property contains 66.66 acres; and

WHEREAS, the rezoning petition has been submitted to the Village of Richfield Plan Commission for report and recommendation; and

WHEREAS, the required public notice of the public hearing has been provided consistent with Section 62.23 of the Wisconsin Statutes and the Village's zoning regulations; and

WHEREAS, the Plan Commission conducted a public hearing on October 6, 2016; and

WHEREAS, the Plan Commission has recommended to the Village Board that the rezoning change be made; and of the recommendation of the Plan Commission, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, having determined that the rezoning is substantially conforming to the Village's Comprehensive Plan, and having based its determination on the effect of granting of said rezoning on the health, safety, and welfare for the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved, as well as the impact on the surrounding properties as to the noise, dust, smoke, odor and others, has hereby determined that the rezoning will not violate the spirit or intent the zoning ordinance for the Village of Richfield, will not be hazardous, harmful, noxious, offensive or a nuisance by reason of noise, dust, smoke odor or other similar factors and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhood as long as the development is conducted pursuant to the following conditions and is in strict compliance with the same.

NOW, THEREFORE, the Village of Richfield Village Board, Washington County, Wisconsin ordains as follows:

**Section 1. Zoning Map Change**

The subject property is hereby rezoned as described above and depicted in Attachment 1, attached hereto, and the zoning map of the Village of Richfield is hereby amended to incorporate the zoning of the subject properties.

**Section 2. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Adopted this 20<sup>th</sup> day of October, 2016

Attest:

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John Jeffords, Village President

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Attest: Jim Healy, Village Administrator/Clerk

**Village Board**

Diane Pedersen  
Chuck Kugel  
Dan Neu  
Rock Brandner  
John Jeffords

**Staff**

Toby Cotter, Village Adm.  
Sarah Jankowski, Planning & Zoning Adm.

1. **Call to order/determination of quorum**  
President Pedersen called the meeting to order at 7:30 P.M. noting that a quorum of Village Board members was present.
2. **Pledge of Allegiance**
3. **Approval of 3/5/2009 Agenda**  
Motion by Jeff Klug, second by Don Berghammer to approve the agenda with the removal of item #5, Motion carried 7-0.
4. **Approval of 1/27/2009 Minutes**  
Motion by Tracey MacGregor, second by John Jeffords to approve the minutes of 1/27/2009. Motion carried 7-0.
5. **Video presentation- Protecting the Mid-Kettle Moraine (Kettle Moraine Partners Group)**  
This item was removed from the agenda.
6. **Discussion/Action review of certified survey map for Nancy Planasch, 2497 Slinger Road (Section 6)**  
Motion by Jeff Klug, second by Don Berghammer, to recommend approval of the certified survey map for tax key V10-0113 contingent on the rezoning of Lot 2 to RS-1 being approved, Motion carried 7-0.
7. **Joint Village Board and Plan Commission Public Hearing: Discussion/Action review of request by Nancy Planasch, 2497 Slinger Road (Section 6) for rezoning of Lot 2 from A-2 General Agricultural to RS-1 Country Estates**  
Motion by John Jeffords, second from Tim Robinson, to open the public hearing, Motion carried 7-0.  
No one from the public spoke.  
Motion by Tim Robinson, second by John Jeffords, to close the public hearing, Motion carried 7-0.  
  
Motion by Don Berghammer, second by Tim Robinson, to recommend approval of the rezoning of Lot 2 to RS-1 Country Estates, Motion carried 7-0.
8. **Discussion/Action request of J.B.J. Development to rezone tax key V10-1309, 4440 County Line Q, from A-1 Exclusive Agricultural to B-4 Highway Business District (Section 33)- Tabled from January 8, 2009 meeting (This request has been modified to Item #9)**  
The developer has submitted a modified zoning request (Item #9)

Motion by Tracey MacGregor, second by Tim Robinson, to recommend denial of the rezoning request of tax key V10-1309 from A-1 to B-4 Highway Business District because a new rezoning petition was submitted, Motion carried 7-0.

**9. Joint Village Board and Plan Commission Public Hearing: Discussion/Action request of J.B.J. Development to rezone tax key V10-1309, 4440 County Line Q, from A-1 Exclusive Agricultural to NAC-1 Neighborhood Activity Center District (Section 33)**

Motion by Jeff Klug, second by Tim Robinson, to open the public hearing, Motion carried 7-0.

Jeff Gonyo, Highway J Citizen's Group, is opposed to the rezoning. The ordinance leaves the door open for gas stations and buildings over 15,000 square feet, which is inconsistent with the comprehensive plan.

Greg Galinsky, 4073 Hubertus Road, stated fuel stations shouldn't be allowed at this corner. The Village said they wanted to protect businesses along STH 175, but they should want to protect all businesses in Richfield.

Ron Steffak, 4374 County Line Q, stated that the Village doesn't need to rush into this development. This development will take away the country way of life.

Motion by Jeff Klug, second by Tim Robinson, to close the public hearing, Motion carried 7-0.

The Plan Commission discussed that they had previously addressed the issue of whether the ordinance complies with our comprehensive plan. Our Attorney was involved with drafting this ordinance as well.

Jim Otto stated that this has not been a quick decision. We have talked about this corner since 2003 and have been working on this ordinance since October.

Tim Robinson stated the developer has rights to develop that property as long as it's consistent with the ordinance and comprehensive plan.

John Jeffords stated that many of the controversial uses have to go through the conditional use process, which is a public process. They also have to go through the architectural review process and meet the formula business review.

Jim Otto stated this ordinance has been a compromise, not everyone got what they wanted. The only large store that has been discussed is a grocery store and a conditional use is not guaranteed.

John Jeffords stated the residents should stay involved during the conditional use processes and watch future Plan Commission agendas.

Jim Otto stated that the original request was for B-4 zoning. At the time most residents were okay with the B-1 and B-2 uses, but not B-4. Most of the uses from B-1 and B-2 are permitted in the NAC-1. Any of the more intensive uses are conditional uses. The NAC-1 ordinance has more architectural requirements, buffering requirements than the B-1 or B-2 districts.

Motion by Jeff Klug, second by Tim Robinson, to recommend approval of the rezoning request of tax key V10-1309 from A-1 to NAC-1 Neighborhood Activity Center District, Motion carried 7-0.

**10. Public Hearing: Discussion/Action review of request from Shepherd of the Hills for a conditional use permit to have two principal structures on one lot per Section 70-134(2)**

Sarah Jankowski explained the request. The church is requesting they be allowed to keep up the existing building for a period of time after the new building is complete. There may not be adequate funds to remove the structure right after the new structure is complete. The conditional use permit is written to require the structure be taken down within two years.

Pastor Jay Thorson, Shepherd of the Hills, stated there may be a period of a couple years where there are activities in both buildings. In the future the existing church area would be turned into a play area.

Motion by Tim Robinson, second by Tracy MacGregor to open the public hearing, Motion carried 7-0.

No one from the public spoke at the public hearing.

Motion by John Jeffords, second by Don Berghammer to close the public hearing, Motion carried 7-0.

The Plan Commission had some concerns with the precedence this may set. They prefer to have a final date when the structure will be taken down. The conditional use will be brought back in April. Staff will get confirmation to see if the conditional use permit can be restricted to allow no amendments.

Motion by John Jeffords, second by Tracey MacGregor, to table this request until the April Plan Commission meeting to clarify if the CU can be non-amendable, Motion carried 7-0.

**11. Discussion/Action review of Section 70-206(f)(1) regarding height**

Sarah Jankowski presented this item. The Architectural Review Board requested that the Plan Commission review the maximum height in the Institutional height. Churches tend to have higher rooflines and the ARB felt a higher height should be permitted. The ordinance was drafted to allow a maximum 50 feet for churches or places of worship.

Dan Neu brought up a concern that the ordinance should clarify the higher height is only for the pitch of the roof and isn't permitted for flat roofs.

The Plan Commission discussed how to modify the ordinance. Staff will revise the ordinance based on the motion.

Motion by Jim Otto, second by John Jeffords, to recommend approval of the revisions to 70-206(f)(1) with modifications to redraft the ordinance so that the ridge height can not exceed 50 feet but the redraft takes into account a sliding scale of working with the roof eave to the roof ridge of an average point, Motion carried 7-0.

**12. Discussion/Action review of a request from Reflections Richfield Investments LLC for a 2 lot certified survey map for tax key V10-0354 (Section 12)**

Don Berghammer recused himself from this item.

Sarah Jankowski presented this item. Tax Key V10-0354 has a small lot on the west side of STH 175. The certified survey map would clean up this and divide it as a separate lot. If this lot is divided out with a CSM, then it will not be required to follow the increased setbacks from Trans 233. Soil tests were completed on the lot and it will have an individual septic system. The DOT will grant a driveway permit for this lot.

Josh Pudelko, Losik Engineering, stated tests were done to confirm that a septic system is suitable.

Jim Otto read an e-mail from Toby Cotter that stated he had a conversation with the DOT and they will grant a driveway permit once an application is filled out.

Motion by John Jeffords, second by Tim Robinson, to recommend approval of the request from Reflections Village for a 2 lot certified survey map for tax key V10-0354 with the condition that the minimum setbacks are added to the certified survey map for Lot 1, Motion carried 6-0.

**13. Discussion/Action review of landscaping plan for Heritage Park concession stand (Section 16)**

Sarah Jankowski presented the landscaping plan that was prepared for the new concession stand.

Kurt Bartel stated he is concerned with the use of shrubs. They need to be maintained, fertilized, and watered. He recommends replacing the shrubs with trees.

Motion by Kurt Bartel, second by John Jeffords to approve the landscaping plan for Heritage Park as part of the landscaping plan approval for the new concession stand with the addition that the shrubs are replaced with deciduous and/or evergreen trees, Motion carried 7-0.

**14. Discussion regarding planning and zoning department**

Toby Cotter introduced Tim Schwenke from Civitek who will be assisting the Village with planning duties, along with Sarah Jankowski.

**15. Adjournment**

Motion by Dan Neu, second by Rock Brandner to adjourn, Motion carried 4-0. Meeting adjourned at 9:05 P.M.

Respectfully submitted,

Sarah Jankowski,  
Planning & Zoning Administrator

Richfield Village Board Special Meeting  
Village Hall, Village of Richfield  
March 5, 2009  
Immediately following Plan Commission Meeting

**1. CALL TO ORDER**

The meeting was called to order at 9:24 p.m. by Village President Diane Pedersen.

**2. ROLL CALL**

Present: President Diane Pedersen, Trustees John Jeffords, Chuck Kugel, Dan Neu and Rock Brandner. Also present Administrator Toby Cotter.

**3. Discussion/Action Items**

- a. Section 70-206 (f) (1) regarding height (follow up from Plan Commission meeting).

A motion by Dan Neu, second by John Jeffords to table until the March Village Board meeting. Motion carried, 5-0.

**7. CLOSED SESSION**

A motion by Dan Neu, second by John Jeffords to go into closed session. A voice vote was taken. Motion carried. (Went into Closed Session at 9:25 p.m.)

- a. Discussion/Action to enter into closed session pursuant to Section 19.85(1)(g) of the WI stats., -Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

**9. ADJOURNMENT**

Motion by Chuck Kugel, second by Dan Neu to adjourn. Motion carried, 5-0. (Meeting adjourned at 10:05 p.m.)

Respectfully submitted.

Beverly Laubenstein  
Administrative Assistant

Richfield Village Board Meeting  
Village Hall, Village of Richfield  
March 19, 2009  
7:30pm  
Meeting Minutes

1. Call to Order

The meeting was called to order at 7:32pm by Village President Diane Pedersen

2. Roll Call

Present were Village President Diane Pedersen; Village Trustees John Jeffords, Chuck Kugel, Dan Neu and Rock Brandner. Administrator Toby Cotter; Planner Sarah Jankowski; and Deputy Clerk Jeremiah Vangen were also present.

3. Pledge of Allegiance

4. Public Comments

Jeff Ganyo, representing the Highway J Citizens Group, spoke several issues:

- a. Perceived errors in previous minutes of Village Board Minutes
- b. Attaching an addendum of corrections to the Minutes up for approval
- c. A lack of notation regarding a handout he gave at a prior meeting
- d. His opposition to the rezoning of the JBJ property being considered at that night's meeting
- e. His desire for Village Board to have gone on record opposing the widening of Highway 164

President Pedersen spoke about the process of taking meeting minutes and noted that it was a summary and not verbatim.

Administrator Cotter advised the board to not allow citizenry to re-write the minutes.

Trustee Jeffords noted that the meetings are recorded and posted to the internet.

5. Consent Agenda

- a. Meeting Minutes - February 19, 2009 and two Special Village Board meetings of March 5. Administrator Cotter noted that the minutes submitted to the board included one revision.
- b. Operator Licenses
- c. Red Flag Resolution
- d. DNR Recycling Grants Resolution

**Motion by Trustee Kugel to approve the Consent Agenda, seconded by Trustee Neu. Motion passed unanimously.**

6. Discussion/Action Items

a. Vouchers for Payment

**Motion to approve the vouchers by Trustee Brandner, second by Trustee Neu. Motion passed unanimously.**

b. Treasurer's Report

Trustee Kugel questioned whether one of the dates noted was a typographical error.

Planner Sarah Jankowski noted that it most likely had to do with a changing of banks.

**Motion by Trustee Jeffords to accept the Treasurer's Report, seconded by Trustee Neu. Motion passed unanimously.**

c. Economic Development Washington County Video

Administrator Cotter presented a video in regards to economic development and job growth in Washington County which was created by the Economic Development Corporation.

Village President Pedersen noted her belief that the video was created locally. Administrator Cotter confirmed that the video was made by Epic in West Bend.

d. Employee Benefits for Private Business

Village President Pedersen reported that many communities have passed similar ordinances in response to the recent referendum passed in Milwaukee.

Administrator Cotter explained that this is an attempt to block potential referendums from interfering in the business sector and forcing compulsory wages and benefits on businesses. He also stated that he doubted such a referendum would gain enough signatures, nor would it pass in Richfield.

**Motion by Trustee Brandner, seconded by Trustee Neu to approve 2009-3-1 an ordinance to create Section 18-4 of the Richfield Municipal Code relating to employee benefits for private businesses. Motion passed unanimously.**

e. Washington County Landmark Commission -- Messer/Mayer Mill

Village President Pedersen spoke regarding the preparations of the Messer/Mayer Mill as a Washington County Landmark. Pedersen, as well as Lois Hessenhauer, President of the Richfield Historical Society had met with the county's landmark commission to review both the legal documents and historical documents pertaining to the property. On March 9th, 2009 the Landmark commission approved the designation, finalized the plaque, and set a date for the dedication ceremony. Village President Pedersen invited the public to the dedication which will take place at 9am on June 27, 2009.

Pedersen also provided the official notation to be placed on the plaque; the placement of the plaque will be decided by the Historical Society along with one member of the Park commission.

f. Planasch Rezoning

Pedersen stated that the Plan Commission had previously reviewed this request to rezone the Planasch property and had recommended approval.

**Motion by Trustee Chuck Kugel, seconded by Trustee Jeffords, to approve the rezoning of a portion of tax key V10-0113, which is described in the legal description, from A-2 to RS-1 contingent on the approval and recording of the certified survey map. Motion passed unanimously.**

g. Planasch Certified Survey Map

President Pedersen informed the Board that the Plan Commission had reviewed the certified survey map and had recommended approval. She added that soil tests were completed on Lot 2, and that Lot 1 has an existing home on it.

**Motion by Trustee Jeffords, seconded by Trustee Neu, to approve the certified survey map for the property located at 2497 Slinger Road, tax key V10-0113. Motion passed unanimously.**

g. JBJ Rezoning - B-4 Request

President Pedersen stated that the Plan Commission had originally reviewed the request in October 2008 and that it was tabled until the new Neighborhood Activity Center District was approved. The Plan Commission then recommended denial of the original request because a new request was submitted for NAC-1 zoning.

**Motion by Trustee Brandner, seconded by Trustee Kugel to deny the request to rezone tax key V10-1309 from A-1 to B-4 Highway Business District because a revised rezoning request was submitted. Motion passed unanimously.**

i. JBJ Rezoning - NAC-1 Request

President Pedersen stated that the Plan Commission had reviewed the request at the March 5th meeting and had recommended approval of the proposed rezoning.

**Motion by Trustee Jeffords, seconded by Trustee Neu, to approve the request to rezone tax key V10-1309 from A-1 to NAC-1 Neighborhood Activity Center District. Motion passed unanimously.**

j. Reflections Village Certified Survey Map

Village Planning Administrator Sarah Jankowski noted the certified survey map was reviewed by the Plan Commission at their last meeting. The owner of the land owns a small portion of a lot on the west side of Highway 175. It must follow Trans 233, which requires increased setbacks from the state highway. The Department of Transportation recommended a certified survey map be done. Soil tests were completed on Lot 1, and the DOT will issue a driveway permit for the property.

President Pedersen asked for clarification regarding the splitting of the property and its compliance. Jankowski confirmed compliance.

**Motion by Trustee Neu, seconded by Trustee Brandner, to approve the certified survey map for tax key V10-0345. Motion passed unanimously.**

k. I-1 Institutional District - Height

President Pedersen remarked that a new church had difficulties with reconciling the code and keeping the building's appearance consistent with aesthetics.

Village Planner Jankowski explained that the Architectural Review Board had recommended the Plan Commission consider modifications to institutional height requirements. The Planner went on to give specific reasons why the Planning Commission and Architectural Review Board supported modifications to Institutional code.

**Motion by Trustee Kugel, seconded by Trustee Jeffords to approve the revisions to Section 70-12 and 70-216(f)(1). Motion passed unanimously.**

l. 2008 Sealcoating Project

Pedersen relayed that she had received complaints from the community regarding the situation with Scott construction.

Cotter explained what had occurred with the roads, and noted that Scott construction has taken full responsibility. The company has agreed to redo the roads as well as clean up the surrounding areas with special attention given to residential and environmentally sensitive properties.

The Board and Cotter then discussed the three different choices the Village had in regards to the re-application process.

**Motion by Trustee Brandner, seconded by Trustee Neu to approve the agreement with Scott Construction to resolve any outstanding issues related to the 2008 sealcoating project consistent with Attorney Mike Herbrand's letter dated March 10, 2009 with the sealcoating product to be chip seal with boiler slag. Motion passed unanimously.**

m. 2009 Roadway Improvement Program

Administrator Toby Cotter discussed the bid from Stark Construction regarding the 2009 projects to be completed. He noted that federal stimulus money would be required for the Village to complete the projects listed, and that the bids have been proposed with the understanding that they can only be completed on the condition of receiving federal stimulus funds. He stated that the Skyline (Kettle Moraine) Subdivision was the top priority, followed by Surface Course asphalt for various subdivisions. Also discussed were Hillside Road, Monches Road, and Slinger Road.

The Board discussed various topics including base patching, ways of cutting down costs on the project, and proposed a workshop of residents who have experience with this industry so that the Board might learn more about the topic and the best way to proceed.

**Motion by Trustee Kugel, seconded by Trustee Jeffords to approve the 2009 Roadway Improvement program with Stark Asphalt per project No. R08-0862-104 specifications with the understanding that only Skyline Subdivision and surface course projects will be**

completed until the village receives notification regarding the local recovery funding and that a group of knowledgeable Village residents, who have time available, meet at the Village Hall, with appropriate staff, to discuss the better use of resources for future road repairs. Motion passed unanimously.

n. 2009-2010 Salt Purchase

Administrator Toby Cotter explained that Wisconsin is planning to bid the Salt Purchase contract early in hopes of getting a better price. He noted that last year the Village chose prudently to purchase the salt within the State's contract.

**Motion by Trustee Jeffords, seconded by Trustee Neu to authorize the Village Administrator to enter into an agreement with the State of Wisconsin to purchase salt for the 2009/2010 winter season. Motion passed unanimously.**

o. Regional Housing Strategy

President Pedersen presented information from the Metropolitan Builders Association regarding affordable housing. This presentation was for informational purposes only; a motion was not needed.

p. Park Utility Vehicle

Administrator Toby Cotter presented this item regarding the Park Utility Vehicle requested by Joe Klemm, Highway Superintendent.

**Motion by Trustee Brandner, seconded by Trustee Kugel, to authorize the Village Administrator to approve the purchase of the John Deere Gator XUV for a cost not to exceed \$10,988.84**

The Board continued discussion on the possible uses of the vehicle, as well as alternative strategies, and the timing and utility limitations under the status quo. It was explained that the current machinery creates divits in the parks.

**Motion passed 3-2. Dissenting were Trustee Jeffords and Trustee Neu.**

q. Park Lawnmower discussion

This item was not discussed by the Board. The potential lawnmower was no longer available.

r. COPS Hiring Recovery Program.

Presentation by Administrator Toby Cotter regarding the potential hiring of an additional officer through the COPS program, which may help fund an additional officer for a three year period.

The Board discussed funding, trigger points to hire a new officer, and questioned the activity level between Richfield's status change from town to village.

This Item was for informational purposes, and no motion was made.

s. Purchase three AED Units

Village President Pedersen presented the need to purchase new AED Units for Squad cars and at Village Hall.

The Board and Administrator Cotter discussed the possible re-use of older models, the current use of borrowed units, and the advantages of the newer equipment.

**Motion by Trustee Jeffords, second by Trustee Kugel to approve the purchase of three AED units at a cost not to exceed \$1,195 per unit and direct the administrator to have a conversation along with Lt. Scholteis and Fire Chief Kohl to see if we can use any existing Fire Department AED units. Motion passed unanimously.**

7. Adjournment

**Motion by Trustee Kugel, seconded by Trustee Jeffords to adjourn. Motion passed unanimously.**

The meeting adjourned at 9:27pm

Submitted, 4/16/2009

Jeremiah Vangen  
Deputy Clerk  
Village of Richfield

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

56 E 66

MEETING DATE: October 6, 2016

SUBJECT: Legal, Non-conforming Structures ordinance  
DATE SUBMITTED: September 29, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE PROPOSED ORDINANCE AMENDMENT RELATING TO LEGAL, NON-CONFORMING STRUCTURES?*

*ISSUE SUMMARY:*

The Plan Commission at their June and August meetings expressed an interest in having Staff research a mechanism that would allow property owners (residential, commercial, manufacturing, etc.) with legal, non-conforming structures the ability to seek building permits and expand. Our Code of Ordinances currently has a provision that deals, in part, with this situation but only for residential properties and in limited circumstances. It is governed by Section 70.242(F) and it is attached herein for your convenience. After speaking with Consultant Planner Schwecke regarding the potential 'goals' for this ordinance, he recommended that we repeal and recreate Subsection "F" entirely. The feedback the Village Staff received in August and September was two (2) fold. First, there had to be a mechanism to notify adjacent property owners of proposed building modifications. To satisfy that concern, we built in a provision that adjacent properties will be notified via the USPO. The second issue mentioned to Staff was dealing with the verbiage in a way to ensure the intent of the ordinance amendment was clear.

At the September Plan Commission meeting, both Attorney John Macy and Consultant Planner Tim Schwecke were on-hand to discuss the merits of this proposed ordinance. In several of the communities they represent, ordinances just like the one being proposed tonight have been successfully implemented to the benefit of property owners. Following the conclusion of the discussion, the following motion was made:

Motion by Commissioner Lalk to direct Staff to schedule a Public Hearing for October 6, 2016 at 7PM to consider an amendment to 70.242(F); Seconded by Trustee Collins; Motion passed without objection.

Pursuant to the direction of the Plan Commission, a Public Hearing has been scheduled tonight and a Class II Public Hearing notice was published in the West Bend Daily News for two (2) consecutive weeks with the last date of publication being seven (7) days before the date of tonight's meeting.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY: Karen J. Schmitt  
Village Deputy Treasurer

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

*ATTACHMENTS:*

1. Class II Public Hearing Notice
2. Section 70.242 of the Village's Zoning Code
3. Section 70.161(A) of the Village's Zoning Code
4. Ordinance O2016-10-01, an Ordinance amending Chapter 70 of the Village Code of Ordinances relating to legal, non-conforming structures



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: October 6, 2016

SUBJECT: Legal, Non-conforming Structures ordinance  
DATE SUBMITTED: September 29, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the adoption of Village Ordinance O2016-10-01, an Ordinance relating to legal, non-conforming structures in Section 70.242(F).

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. \_\_\_\_\_

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, October 6, 2016**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, October 6, 2016 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the following:

- 1) To amend various sections of 70.190 entitled A-2, General Agricultural District related to “permitted principal uses” and “conditional uses”
- 2) To amend section 70.242(F) related to legal non-conforming structures
- 3) To rezone the property identified by Tax Key: V10\_130900D from NAC-1, Neighborhood Activity Center and A-1, Exclusive Agricultural District to A-1, Exclusive Agricultural District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property and the proposed zoning code changes for the Walkable Hamlet District are available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this September 21, 2016

**Publication Dates:**

September 23, 2016

September 29, 2016

Jim Healy  
Village Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033  
(262)-628-2260

## Chapter 70. Zoning

### ARTICLE IV. Uses

#### 70.242. Nonconforming uses, structures, and lots.

- A. Existing nonconforming uses. The lawful nonconforming use of a structure, land, or water existing at the time of the adoption or amendment of the ordinance from which this chapter is derived may be continued although the use does not conform with the provisions of this chapter; however:
1. Only that portion of the structure, land or water in actual use may be so continued and the structures may not be extended, enlarged, reconstructed, substituted, moved or structurally altered except when required to do so by law or order so as to comply with the provisions of this chapter.
  2. Total lifetime structural repairs or alterations shall not exceed 50% of the Village assessed value of the structure unless it is permanently changed to conform to the use provisions of this chapter.
  3. Substitution of new equipment may be permitted by the Board of Appeals if such equipment will not increase the incompatibility of the nonconforming use with the neighboring uses.
- B. Abolishment or replacement. If a nonconforming use of a structure, land or water is discontinued or terminated for a period of 12 consecutive months, any future use of the structure, land or water shall conform to the provisions of this chapter. When a nonconforming use or a structure containing a nonconforming use is damaged by fire, explosion, flood, the public enemy, or other calamity to the extent of more than 50% of its most recent assessed value, it shall not be restored except so as to comply with the use provisions of this chapter. A file of all nonconforming uses shall be maintained by the Planning and Zoning Administrator listing the following: owner's name and address; use of the structure, land, or water; and assessed value at the time of its becoming a nonconforming use as well as the most recent assessed value.
- C. Existing nonconforming structures. Lawful nonconforming structures existing at the time of the adoption or amendment of the ordinance from which this chapter is derived may be continued although the size or location does not conform with the area, yard, height, parking and loading, and access provisions of this chapter; however, such a structure shall not be added on to, expanded, replaced, or structurally altered in whole or in part, except when required to do so by law or court order, to comply with the provisions of section 70.242(F).
- D. Existing nonconforming land areas (see also section 70.161). Lots, parcels or tracts of land which do not conform to the minimum area, size and/or shape requirements of this chapter at the time of passage of the ordinance from which this chapter is derived may be allowed to be built upon so long as such parcels and the building to be built meet all other requirements of this chapter and no such land area is in the same ownership as adjacent lands which if combined would constitute a conforming lot, parcel or tract.
- E. Floodland nonconforming uses and structures. Floodland nonconforming uses or structures repaired or altered under the nonconforming use provisions of this chapter shall provide for floodproofing of those portions of the structures involved in such repair or alteration. Certification of floodproofing shall be made to the Planning and Zoning Administrator and shall consist of a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the flood velocities, forces, depths, and other factors associated with the established one-hundred-year recurrence interval flood.

- F. Nonconforming characteristics of residential structures. Residential dwellings (or other structures used for residential purposes where the residential use is the principal use of the structure) which encroach within required yard and/or setback requirements may be added on to, expanded, replaced, or structurally altered provided that such addition, expansion, replacement or structural alteration, either separately or cumulatively, does not:
1. Create a greater degree of encroachment;
  2. Encroach within the required yard or setback requirements abutting a state or county highway or Village collector or arterial road;
  3. Increase the total building area by more than 50% of that which existed on the date this section is adopted;
  4. Create or expand an attached garage greater than 720 square feet; or
  5. Constitute redevelopment of the dwelling or structure. Any addition, expansion, replacement or structural alteration, either separately or cumulatively, that exceeds or otherwise cannot meet one or more of these requirements shall meet all current yard, setback, height, etc., and other applicable zoning regulations.
- G. Changes and substitutions. Once a nonconforming use or structure has been changed to conform, it shall not revert back to a nonconforming use or structure. Once the Board of Appeals has permitted the substitution of a more restrictive nonconforming use for an existing nonconforming use, the substituted use shall lose its status as a legal nonconforming use and become subject to all conditions required by the Board of Appeals.

## Chapter 70. Zoning

### ARTICLE II. Administration and Enforcement Generally

#### Division 5. Modifications and Amendments

##### 70.161A. Special exception.

- A. Generally. Upon written petition, the Plan Commission may on a case-by-case basis grant a special exception permit for only those development standards specifically noted in this chapter.
- B. Application and review procedure. The review of a special exception application shall comply with the following steps and requirements:
  - 1. Submittal of application. The property owner shall submit a completed application to the Planning and Zoning Administrator along with the application fee as established by the Village Board.
  - 2. Notice. If the application is complete, the administrator shall place the matter on the agenda for the next meeting provided proper notice is given.
  - 3. Staff report. The administrator shall prepare a written staff report as described in this section and provide a copy of it to the Plan Commission members, the applicant, and the applicant's agent, if any, prior to the meeting at which the matter will be considered. He shall also provide a copy to interested people upon request.
  - 4. Decision. The Plan Commission shall approve the application, approve it with conditions, or deny it. Such decision shall be in writing and shall include the findings in support of its decision and if approved any conditions as may be imposed.
  - 5. Applicant notification. Within a reasonable time following the Plan Commission's decision, the administrator shall mail the applicant the official decision notice. If one or more conditions are imposed, the property owner shall also sign the approval notice to acknowledge the imposition of such condition or conditions.
  - 6. Public record copy. A copy of the official decision notice shall be retained for the public record.
- C. Basis of decision. In making its decision to approve the application, approve it with conditions, or deny it, the Plan Commission shall consider the following factors:
  - 1. The size of the property in comparison to other properties in the area;
  - 2. The extent to which the issuance of the special exception permit would be in keeping with the overall intent of the zoning code;
  - 3. Whether there are any unique circumstances and the nature of those circumstances that warrant the issuance of the special exception permit;
  - 4. The nature and extent of anticipated impacts to the natural environment that could potentially occur if the special exception permit was granted;
  - 5. The nature and extent of anticipated positive and negative effects on properties in the area;

6. Actions the applicant will undertake to mitigate the negative effects, if any, of the proposed special exception;
  7. A factor specifically listed under the section authorizing the issuance of a special exception permit; and
  8. Any other factor not specifically or generally listed, but deemed appropriate given the particular circumstances.
- D. Imposition of conditions. In granting a special exception permit, the Plan Commission may impose one or more conditions deemed necessary to further the intent and purposes of this chapter. Such conditions, for example, may relate to landscaping and screening, outdoor lighting, hours of operation, and submittal of building plans to the Architectural Review Committee for review and approval.
- E. Limitations on issuing a special exemption permit. A special exception permit shall only be granted in those instances where issuance is specifically authorized in this chapter.
- F. Staff report content. At a minimum, the staff report shall contain the following information:
1. A description of the requested special exception;
  2. Findings for each of the decision criteria listed in this section;
  3. A recommendation to approve the application, approve it with conditions, or deny the application; and
  4. A preliminary list of conditions whether the staff recommendation is for approval or denial.
- G. Expiration of approval. A special exception permit shall expire one year after the date of issuance unless substantial work has commenced under the approval and continues in good faith to completion.
- H. Violation of a condition. If a property owner accepts the terms of the approval and does not comply with one or more conditions of approval, such action shall be deemed a violation of this chapter.
- I. Application form. The planning and zoning administrator shall prepare an application form and may amend it from time to time.
- J. Application fee. The Village Board may by resolution establish an application fee for a special exception application and may amend such fee by resolution from time to time.
- K. Appeal. The applicant or an aggrieved person may appeal a final decision made pursuant to this section by filing an appeal with a court of competent jurisdiction within 30 days of the final decision.

STATE OF WISCONSIN      VILLAGE OF RICHFIELD      WASHINGTON COUNTY  
ORDINANCE 2016-10-01

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**AN ORDINANCE AMENDING CHAPTER 70 OF THE VILLAGE CODE OF  
ORDINANCES RELATING TO LEGAL, NON-CONFORMING STRUCTURES**

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WHEREAS, the Village of Richfield recognizes that it has a number of properties within its municipal borders that are considered legal, non-conforming; and

WHEREAS, having this type of a status per the existing code, severely limits property owners' rights with respect to potential building expansions; and

WHEREAS, the Village's Plan Commission has worked for several months on developing an ordinance which allows the property owners to petition for expansions of the legal, non-conforming structures which shall be reviewed on a case-by-case basis; and

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Richfield, Washington County, Wisconsin, do ordain the following changes to Section 70.242(F) of the Village of Richfield municipal code entitled "Zoning" by repealing the section and recreating it as follows:

**Section 1:**

(F) Building addition(s) within setback/street-yard, side-yard, and/or rear-yard.

The Plan Commission may, pursuant to s. 70.161A, grant a special exception authorizing the construction of a building addition within a setback/street-yard, side-yard, and/or rear-yard area but no such building addition may be authorized in an existing or proposed street or highway provided:

- (1) property owners directly adjacent to the subject property are mailed notice of the hearing via USPO 1<sup>st</sup> Class Mail five days before the hearing at their last known address;
- (2) the existing building to which the addition will be attached is currently located within a setback/street-yard, side-yard, and/or rear-yard area;
- (3) the existing building was legally established;
- (4) the use of the existing building is legal conforming;
- (5) the building addition is in compliance with the height limitations of the zoning district in which it is located, and is not greater in height than the contiguous portion of the existing building;
- (6) the building addition does not extend closer to the lot line that is the lot line that is creating the non-conforming situation than the existing building [(i.e. the non-

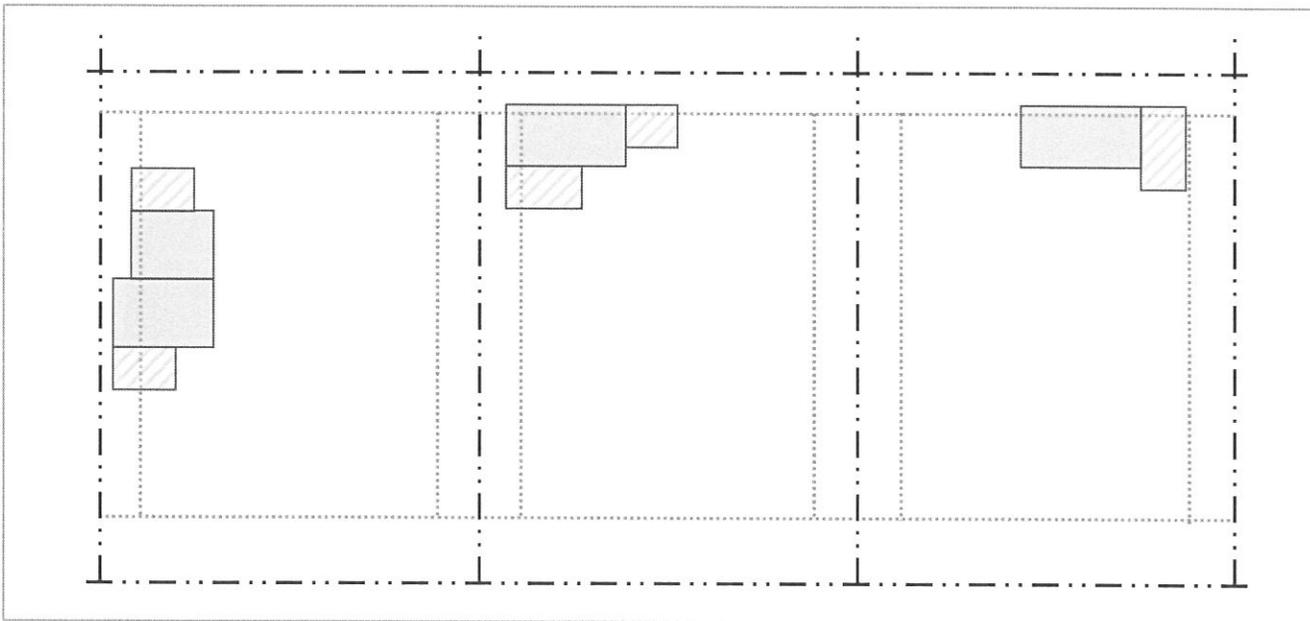
conforming aspect(s) of the building addition is/are not made worse by the proposed expansion];

- (7) the building addition does not extend into a setback/street-yard, side-yard, and/or rear-yard area the existing building does not currently encroach upon rendering the proposed building non-conforming in a manner it was not previously, prior to the proposed expansion; and
- (8) the building addition complies with all other requirements that may apply.

See Figure 1 for examples of permissible additions. In making its decision, the plan commission should consider the following factors, in addition to those factors listed in s. 70.161A:

- (1) The size and location of the existing legal nonconforming building.
- (2) The size and location of any other building(s) on the subject property.
- (3) The size and location of the proposed expansion.
- (4) The necessity of constructing the building addition within the setback/street-yard, side-yard, and/or rear-yard.
- (5) The proximity of buildings and other structures on adjoining properties.

Figure 1. Examples of permissible expansions within a setback/street-yard, side-yard, and/or rear-yard area



**Section 2. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Passed and adopted this 20<sup>th</sup> day of October 2016.

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John Jeffords, Village President

ATTEST:

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Jim Healy, Administrator/Clerk/Treasurer

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VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

Sc 16c

MEETING DATE: October 6, 2016

SUBJECT: A-2, General Agricultural District – Ordinance Amendment  
DATE SUBMITTED: September 29, 2016  
SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE ADOPTION OF THE PROPOSED ORDINANCE AMENDMENT?*

*ISSUE SUMMARY:*

At the August Plan Commission Meeting some of the “permitted uses” in the A-2, General Agricultural District were discussed in a less than positive light due to the small size of the potential parcels (10ac) and the perceived negative impacts those uses might have on surrounding properties. While at one time a policy decision was made that these types of uses were appropriate, it seems as though the Plan Commission was debating for the second time in 2016 the merits of those uses in light of the Village’s development pattern. For example, it would likely be highly objectionable from surrounding property owners in a residential subdivision if one day a 10-acre farm located adjacent to the property decided it wanted to open a large-scale agricultural warehousing operation with semi-trucks frequently driving on local roads throughout the day to drop-off or deliver grains and other agricultural goods to surrounding farms. As a reminder, “Permitted Uses” are those types of uses which a property owner may exercise as a right of owning the subject land.

The Village currently has 306 parcels that are zoned A-2. This District makes up approximately 8% of the Village’s overall land mass at 1,662 acres. Right now, any one of those 306 property owners zoned A-2 could propose to do any one of those operations which the Plan Commission did not feel were compatible with surrounding land uses and there would be little opportunity for review by the Village. For example, if a property owner wanted to open a “Poultry Hatchery Service” business operation, the only points of discussion the Village would have to interject from an administrative perspective would pertain to 1) water consumption, 2) location of buildings, 3) height of buildings, 4) percent of lot coverage, and 5) parking.

Therefore, in order to address the more globalized issue of whether or not these uses are appropriate and in order for the Plan Commission to continue to protect the health, safety, and welfare of the Village at-large, those uses which were deemed to be no longer compatible with surrounding land uses due to the Village’s considerable residential growth could either be removed entirely or as the Plan Commission recommended, they could be made “conditional uses” so that the Village would have the opportunity to review potential operations, area property owners would have notice of activities taking place on adjacent land and have the opportunity to comment, and there would be greater transparency in overall operations.

At the September Plan Commission meeting, following discussion amongst the members the following motion was made:

Motion by Commissioner Lalk to recommend to Village Staff the scheduling of a Class II Public Hearing Notice to make the aforementioned amendments to A-2, General Agricultural District found in Section 70.190(B); Seconded by Trustee Collins; Motion passed 4-2.

Before you tonight is the identical Ordinance amendment which you reviewed last month. The amendment would remove the following uses as being “Permitted Principal Uses” in the A-2 District and have them moved into the “Conditional Uses” subsection of the same:

- Agricultural warehousing



VILLAGE OF RICHFIELD
PLAN COMMISSION COMMUNICATION FORM

MEETING DATE: October 6, 2016

SUBJECT: A-2, General Agricultural District – Ordinance Amendment
DATE SUBMITTED: September 29, 2016
SUBMITTED BY: Jim Healy, Village Administrator

- Animal hospital services and veterinarian services.
Contract sorting, grading, and packaging of fruits and vegetables.
Poultry hatchery services.

Again, these uses have not been deleted, but instead, have been proposed as a Conditional Use in the A-2 District. Therefore, the right of the property owner still exists but there is an opportunity for public involvement should any one of the 306 parcels Richfield ever want to turn their operations into a form of "agribusiness".

Tonight, a Public Hearing is scheduled and a Class II Public Hearing notice was published in the West Bend Daily News for two (2) consecutive weeks with the last date of publication being seven (7) days before the date of the actual meeting.

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY: [Signature] Village Deputy Treasurer

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

ATTACHMENTS:

- 1. Class II Public Hearing Notice
2. Section 70.190, A-2, General Agricultural District
3. Ordinance O2016-10-03, an Ordinance amending Sections 70.190(B) and 70.190(D)

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the adoption of Village Ordinance O2016-10-03, an Ordinance amending Sections 70.190(B) and 70.190(D).

APPROVED FOR SUBMITTAL BY:

[Signature] 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.

**(Class II Public Notice)**  
**NOTICE OF PUBLIC HEARING**  
**VILLAGE OF RICHFIELD**  
**Thursday, October 6, 2016**

**PLEASE TAKE NOTICE:**

Notice is hereby given pursuant to Section 19.84, Wis. Stats., and provisions of the Village of Richfield Code of Ordinances, that the Village of Richfield Plan Commission will conduct three (3) public hearings on Thursday, October 6, 2016 at 7:00 p.m. at the Village Hall, located at 4128 Hubertus Road, Hubertus, WI 53033 to consider the following:

- 1) To amend various sections of 70.190 entitled A-2, General Agricultural District related to “permitted principal uses” and “conditional uses”
- 2) To amend section 70.242(F) related to legal non-conforming structures
- 3) To rezone the property identified by Tax Key: V10\_130900D from NAC-1, Neighborhood Activity Center and A-1, Exclusive Agricultural District to A-1, Exclusive Agricultural District.

For information regarding this public hearing, please contact Jim Healy, Village Administrator at (262)-628-2260. A map showing the location of the subject property and the proposed zoning code changes for the Walkable Hamlet District are available from the Village Clerk during normal business hours. All interested parties will be heard. 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 (262)-628-2260 with as much advance notice as possible.

Dated this September 21, 2016

**Publication Dates:**

September 23, 2016

September 29, 2016

Jim Healy  
Village Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033  
(262)-628-2260

## Chapter 70. Zoning

### ARTICLE III. Districts

#### 70.190. A-2 General Agricultural District.

[Ord. No. 99-06-01, § 3, 7-15-1999]

- A. Intent. The A-2 general agricultural district is intended to provide for, maintain, preserve, and enhance agricultural lands historically utilized for crop production but which are not included within the A-1 exclusive agricultural district and which are generally best suited for smaller farm units, including truck farming, horse farming, hobby farming, orchards, and other similar agriculture related farming activity.
- B. Permitted principal uses. Permitted principal uses in the A-2 district are as follows:
1. Those principal agricultural uses permitted in the A-1 exclusive agricultural district.
  2. Agricultural warehousing.
  3. Animal hospital services and veterinarian services.
  4. Contract sorting, grading, and packaging of fruits and vegetables.
  5. Corn shelling, hay baling, and threshing services.
  6. Horticultural services.
  7. Poultry hatchery services.
  8. Stables.
- C. Permitted accessory uses. Permitted accessory uses in the A-2 district are as follows:
1. Accessory uses permitted in the A-1 exclusive agricultural district.
  2. Nonrental living quarters within permitted uses for watchmen or caretakers.
  3. Off-street parking and loading areas.
  4. One nonilluminated sign not larger than 10 square feet in area for use in advertising of products produced on the farm.
- D. Conditional uses (see section 70.241) Conditional uses in the A-2 district are as follows:
1. Bird seed and grain processing.
  2. Drying and dehydrating of fruits and vegetables.
  3. Livestock sales facilities.
  4. Poultry and small game dressing and packing incidental to farm operations providing that all operations are conducted within an enclosed building.

5. Production of cheese or sausages incidental to farm operations providing that all operations are conducted within an enclosed building.
  6. Recreational vehicle and boat storage if completely enclosed within a building.
  7. Sportsmen's club.
  8. Major home occupations as provided for in section 70.303.
  9. Seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet.
- E. Lot area and width. Lot area and width in the A-2 district are as follows:
1. No agriculture related activity and/or structure shall be erected, moved, enlarged or structurally altered after the effective date of the ordinance from which this chapter is derived on a parcel of land less than 10 acres in area, and no such activity shall be conducted on a parcel that is less than 500 feet in width.
  2. When lands in the C-1 and/or F-1 district lie adjacent to lands in the A-2 general agricultural district and under the same ownership, such lands may be used to meet 70% of the lot area requirements of the A-2 general agricultural district.
- F. Building height and size. Building height and size in the A-2 district shall be as follows:
1. No residential building or parts of a residential building shall exceed 40 feet in height.
  2. Accessory buildings shall not exceed 15 feet in height except barns, elevators, grain dryers and silos which shall not exceed in height the distance of the base to the nearest property boundary.
  3. Farm dwellings or other residential units shall not exceed 40 feet in height and shall have not less than 1,000 square feet in total floor area per unit.
  4. The total first floor area of all buildings shall not exceed 5% of the entire parcel. Upon written petition, the Plan Commission may authorize a building coverage up to 10% of the entire parcel as a special exception on lots of five acres or greater pursuant to Section 70.161A of this chapter.
- G. Setback and yards. Setback and yards in the A-2 district are as follows:
1. There shall be a minimum building setback of 65 feet from the established street, road, or highway right-of-way.
  2. There shall be a yard of not less than 50 feet in width on each side of all detached structures.
  3. There shall be a minimum rear yard of 50 feet on detached farm buildings.
  4. There shall be yards of not less than 25 feet in width on each side of other detached principal use structures.
- H. Off-street parking space. Off-street parking space in the A-2 district shall be as follows: No on-street parking will be allowed in an A-2 agricultural zoning district.
- I. Minimum utility service. The minimum utility service in the A-2 district shall be electricity and approved water supply and wastewater treatment and disposal systems.

## ORDINANCE 2016-10-03

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**AN ORDINANCE AMENDING CHAPTER 70 ZONING OF THE VILLAGE OF RICHFIELD MUNICIPAL CODE**

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WHEREAS, the Village of Richfield has 306 parcels currently zoned A-2, General Agricultural District; and

WHEREAS, those parcels comprise approximately 1,662 acres in the Village of Richfield or 8% of its total land mass; and

WHEREAS, it is the belief that in the cases of “agricultural warehousing”, “animal hospital services” and “veterinary services”, “contract sorting, grading, and packaging of fruits and vegetables”, and “poultry hatchery service” activities each of these operations must be evaluated on a case by case basis due to the proximity of A-2 properties to residential subdivisions- to avoid land use conflicts; and

WHEREAS, in the interests of transparency, those uses which have been deemed to be more intensive, industrial or commercial, have been moved within the section of code from “Permitted Principal Use” to “Condition Uses” so that surrounding properties will be give appropriate legal notice should one of those uses be petitioned to the Village; and

NOW, THEREFORE BE IT RESOLVED, the Village Board of the Village of Richfield, Washington County, Wisconsin, do ordain the following changes to sections of 70.190 A-2 General Agricultural District of the Village of Richfield municipal code be recreated as follows:

**Section 1.****§70.190(B), General Agricultural District – Permitted Principal Uses**

- B. Permitted principal uses. Permitted principal uses in the A-2 district are as follows:
1. Those principal agricultural uses permitted in the A-1 exclusive agricultural district.
  2. Corn shelling, hay baling, and threshing services.
  3. Horticultural services.
  4. Stables.

**Section 2.****§70.190(D), General Agricultural District – Conditional Uses**

- D. Conditional uses (see section 70.241) Conditional uses in the A-2 district are as follows:

1. Bird seed and grain processing.
2. Drying and dehydrating of fruits and vegetables.
3. Livestock sales facilities.
4. Poultry and small game dressing and packing incidental to farm operations providing that all operations are conducted within an enclosed building.
5. Production of cheese or sausages incidental to farm operations providing that all operations are conducted within an enclosed building.
6. Recreational vehicle and boat storage if completely enclosed within a building.
7. Sportsmen's club.
8. Major home occupations as provided for in section 70.303.
9. Seasonal establishments or operations for the retail sale of vegetables, fruits, flowers, nursery stock, other selected farm or agricultural products, antiques, crafts, and similar items when both farm and nonfarm products are available for sale from roadside stands or similar accessory structures greater than 150 gross square feet.
10. Agricultural warehousing.
11. Animal hospital services and veterinary services.
12. Contract sorting, grading, and packaging of fruits and vegetables.
13. Poultry hatchery services.

**Section 3. Effective Date**

This ordinance shall be in full force and effect from and after its passage and posting or publication as provided by law.

Passed and adopted this 20th day of October 2016.

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John Jeffords, Village President

ATTEST:

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Jim Healy, Administrator/Clerk/Treasurer

6 d



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

6d

MEETING DATE: October 6, 2016

SUBJECT: Certified survey map (CSM) merging two adjoining properties in Section 5, T9N, R19E;  
Scott and Natalie Rousseau, applicant

DATE SUBMITTED: September 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO RECOMMEND TO THE VILLAGE BOARD THE APPROVAL OF THE CSM FOR SCOTT AND NATALIE ROUSSEAU?*

*ISSUE SUMMARY:*

The petitioners own the subject property identified by Tax Key: V10\_0106035. The purpose of this CSM is to incorporate an additional one-half acre of property from the land labeled as "Outlot 4" (Tax Key: V10\_0106040001) to the land where their existing house is located. Once obtained, their intent is still to leave the acquired land as "open space", but give them the opportunity to build a detached garage that they wouldn't otherwise be able to do without this boundary line relocation due to the side yard setback regulations. The parcel size will be increased to a total of 1.813 acres and in effect, eliminate the existing side yard setback on the northerly side of Lot 35 which is their intent. It should be noted that "Outlot 4" was designated as "privately owned open space" within the Final Plat of Steeple View Estates and as such, is transferable to the adjoining property owner provided that it yet remains as open space. It is not a part of the land that is owned "equal and undivided" by the property owners in the subdivision. In fact, the property directly to the south acquired land at some point in time that was also previously listed as "Outlot 4". The Village Engineer has reviewed the CSM and recommended approval in their letter dated August 25, 2016, with a number of caveats (attached).

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY: Kateyjaus Hoff  
Village Deputy Treasurer

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

*ATTACHMENTS:*

1. CSM, dated 08-05-2016
2. Village Engineer's review letter dated 08-25-2016
3. Washington County GIS aerial overview



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

6d

MEETING DATE: October 6, 2016

SUBJECT: Certified survey map (CSM) merging two adjoining properties in Section 5, T9N, R19E;  
Scott and Natalie Rousseau, applicant

DATE SUBMITTED: September 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

STAFF RECOMMENDATION:

Motion to recommend to the Village Board the approval of the CSM, subject to the General and Specific Conditions of Approval listed below which must be satisfied before the CSM is released for recording by Washington County.

Specific Conditions of Approval:

1. The Village Engineer shall review the final CSM and approve the same.
2. The signature block for the Village Board indicates that land is being dedicated for public road purposes. This is not the case. To avoid any potential confusion, the following words should be removed "and road dedication hereby accepted."
3. The road name for Steeple Drive on sheet 1 of 3 should be underscored.
4. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.

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 Staff Member

Village Administrator

VILLAGE CLERK USE ONLY  
BOARD ACTION TAKEN

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

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



### Washington County Certified Survey Map

All of Lot Thirty-five (35) and part of Outlot Four (4) in STEEPLE VIEW ESTATES, being part of the NE 1/4 of the SE 1/4, part of the SE 1/4 of the SE 1/4, and all of the NW 1/4 of the SE 1/4, all in Section 5, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

#### Surveyor's Certificate:

I, Donald J. Thoma, Professional Land Surveyor, hereby certify that by the direction of Scott Rousseau, I have surveyed, divided, and mapped the land shown and described hereon, all of Lot Thirty-five (35) and part of Outlot Four (4) in STEEPLE VIEW ESTATES, being part of the NE 1/4 of the SE 1/4, part of the SE 1/4 of the SE 1/4, and all of the NW 1/4 of the SE 1/4, all in Section 5, Township 9 North, Range 19 East, Village of Richfield, Washington County, Wisconsin, which is bounded and described as follows:

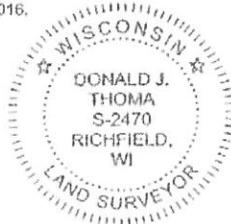
Commencing at the Southeast corner of said Section 5; thence S 88°12'34" W, along the south line of said SE 1/4, 314.30 feet; thence N 00°02'26" W, 33.02 feet, to a point in the north right-of-way line of Pleasant Hill Road; thence S 88°12'34" W, along said north right-of-way line, 313.00 feet; thence N 01°47'26" W, 200.00 feet, to a point in the south line of Lot 36, in said Steeple View Estates; thence N 88°12'34" E, along said south line, 238.00 feet; thence N 20°52'54" E, along the easterly line of said Lot 36, 79.62 feet, to the point of beginning of lands herein described; thence N 47°02'50" W, along the common line of said Lot 36 and 35, 291.57 feet, to a point in the southeasterly right-of-way line of Steeple Drive; thence N 42°57'10" E, along said southeasterly right-of-way line, 123.03 feet; thence northeasterly, continuing along said right-of-way line, and along the arc of a curve to the left, 74.37 feet, radius 233.00 feet, delta 18°17'19", chord N 33°48'31" E 74.06 feet; thence northeasterly, continuing along said right-of-way line, and along the arc of a curve to the left, 86.38 feet, radius 233.00 feet, delta 21°14'25", chord N 14°02'39" E 85.88 feet; thence S 86°34'34" E, 168.35; thence S 00°00'00" E, 160.00 feet, to the northeast corner of said Lot 35; thence S 20°52'54" W, along the easterly line of said Lot 35, 282.04 feet to the point of beginning.

Containing 1.813 acres (78,962 square feet) more or less.

I further certify that I have fully complied with the provisions of sec. 236.34 of Wisconsin Statutes and the Village of Richfield Land Division Ordinance per Chapter 330 of the Village Code (subdivision regulations) in surveying, dividing, and mapping said land, and that this map is a correct representation of the exterior boundaries of the land surveyed and the division of said lands

Dated this 5<sup>th</sup> day of August, 2016.

  
Donald J. Thoma, S-2470



### Washington County Certified Survey Map

All of Lot Thirty-five (35) and part of Outlot Four (4) in STEEPLE VIEW ESTATES, being part of the NE 1/4 of the SE 1/4, part of the SE 1/4 of the SE 1/4, and all of the NW 1/4 of the SE 1/4, all in Section 5, Township 8 North, Range 19 East, Village of Richfield, Washington County, Wisconsin.

#### Owner's Certificate:

As owners, we hereby certify that we caused the land shown and described herein to be surveyed, divided and mapped as represented on this Certified Survey Map. We also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village of Richfield Plan Commission      Village of Richfield Village Board

\_\_\_\_\_  
Scott A. Rousseau - Owner                      Natalie A. Rousseau - Owner

STATE OF WISCONSIN)  
WASHINGTON COUNTY)s.s.

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, the above named owners are to me known to be the same persons who executed the foregoing instrument and acknowledge the same.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_

#### Village of Richfield Village Board Approval:

This land division is hereby approved and road dedication hereby accepted by the Village of Richfield

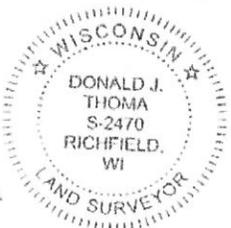
Village Board this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_  
John Jeffords - Village President

\_\_\_\_\_  
Jim Healy - Village Administrator/Clerk

  
Donald J. Thoma, S-2470

Dated this 5th day of August, 2016.



This instrument was drafted by Donald J. Thoma, S-2470

#### Consent of Corporate Mortgage:

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map, and does hereby consent to the above certificate of Scott & Natalie Rousseau, owners.

IN WITNESS WHEREOF, the said \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_, its President, and countersigned by \_\_\_\_\_

its Secretary(cashier), at \_\_\_\_\_, \_\_\_\_\_(State) and its corporate seal to be hereunto

affixed this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_  
in the presence of:

\_\_\_\_\_  
Corporate Name \_\_\_\_\_ (Corporate Seal)

\_\_\_\_\_  
President                                      Secretary of Cashier                      Date

STATE OF WISCONSIN)  
WASHINGTON COUNTY)s.s.

Personally came before me this \_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

President, and \_\_\_\_\_, Secretary(cashier) of the above named corporation, to me known to be the persons who executed the foregoing instrument, and to me known to be such President and Secretary(cashier) of said corporation, and acknowledge that they executed the foregoing instrument as such officers as the deed of said corporation, by its authority.

(Notary Seal) \_\_\_\_\_, Notary Public, \_\_\_\_\_, Wisconsin.

My commission expires \_\_\_\_\_



1115 S. Main Street  
West Bend, WI 53095  
262-384-4406  
kunkelengineering.com

August 25, 2016

Mr. James Healy, Administrator  
Village of Richfield  
4128 Hubertus Road  
Hubertus, WI 53033

**Re:** Certified Survey Map-Review (Rousseau)

Dear Jim:

Please be advised that our office has reviewed a proposed certified survey map (CSM) presented by Donald J Thoma, RLS, of Accurate Surveying and Engineering, LLP. The survey is intended to expand the lot under ownership of Scott and Natalie Rousseau within the Steeple View Estates development.

The purpose of the CSM is to incorporate an additional one-half acre of property currently within Outlot 4. The parcel size will be increased to a total of 1.813 acres and in effect, eliminate the existing side yard setback on the northerly side of Lot 35. It should be noted that Outlot 4 was designated as "privately owned open space" within the final plat of Steeple View Estates and as such, is transferable to the adjoining property owner provided that it yet remain as open space. Furthermore, unless the parcels were combined into a single lot, the 25-foot side yard setback would remain a restriction upon the existing Lot Number 35. By combining the lots into a single parcel, this restriction is removed.

Based upon our review of the proposed CSM, we recommend that the Village Plan Commission and ultimately the Richfield Village Board, consider approval contingent upon the following conditions:

- 1) That the road width Steeple Drive be reflected upon the CSM. As a note, I have talked with Donald Thoma and he has agreed to revise his map accordingly and provide same to the Village once approved.
- 2) Any other conditions as set forth by either the Village Plan Commission or Village Board.

Jim, the above concludes our comments relative to the proposed Certified Survey Map. The CSM is in general conformance with Village of Richfield ordinance requirements. Should you have any further questions in this regard, please do not hesitate to contact me.

Sincerely,

KUNKEL ENGINEERING GROUP

Craig J. Kunkel, P.E.



6 e



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

6e

MEETING DATE: October 6, 2016

SUBJECT: Plan of Operation for Joe Mama's Bar and Grill located at 4600 County Road Q; Joseph Vella and Al Wasley (applicant) and John and Diane Gorecki (property owner)

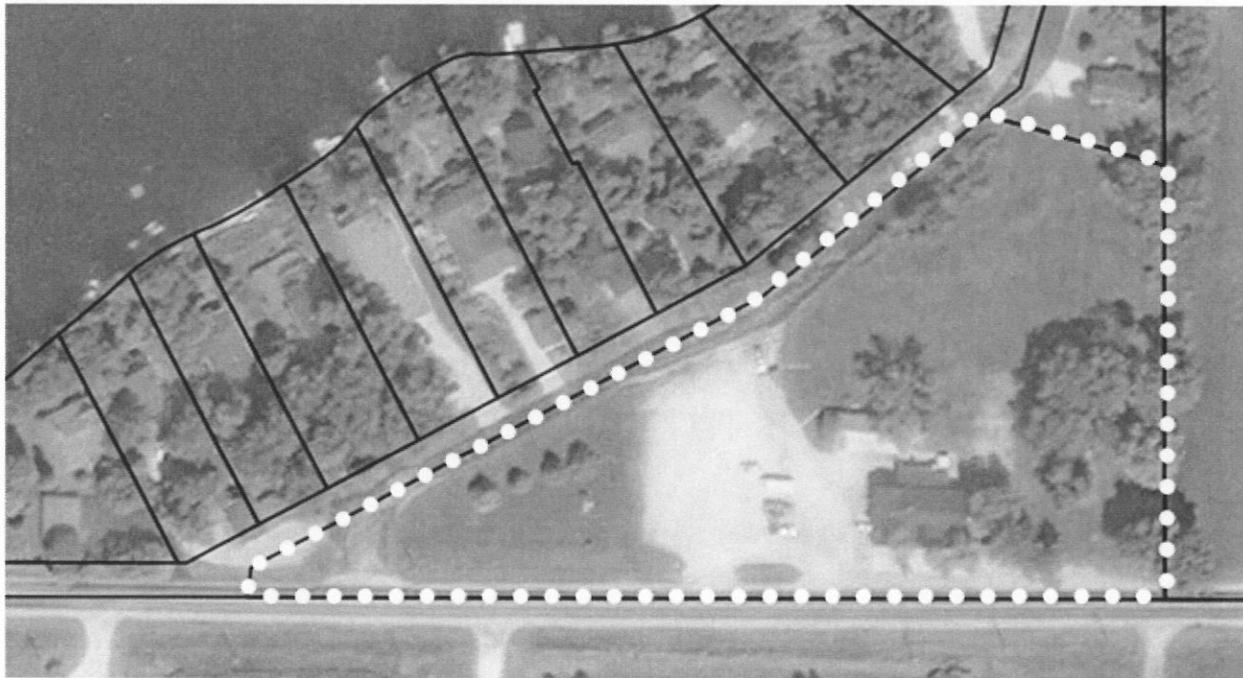
DATE SUBMITTED: September 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE THE PLAN OF OPERATION FOR JOE MAMA'S BAR AND GRILL?*

*ISSUE SUMMARY:*

Joseph Vella and Al Wasley have, with the consent of the property owner, submitted a plan of operation for "Joe Mamma's Bar and Grill" located at 4600 County Road Q (Tax Key: V10\_1268).



The property was previously operated as "Uncle Johnny's". Joe Mama's Bar and Grill is self-described bar/restaurant that serves both food and alcohol. They intend to serve traditional American, pub-style food, such as burgers, sandwiches, wraps, soups, salads, appetizers, and homemade pizzas. They intend to be open seven (7) days a week from 11AM-2AM. Their application states that they will have three (3) full-time employees and seven (7) part-time employees. They are making no exterior modification to the building, including zero changes to lighting and landscaping, but they do plan to do some interior renovations.

**Signage** - No new signage is being proposed. The operator will change the face of the existing sign.

**Outdoor lighting** - No additional outdoor lighting is being proposed at this time.

**Volleyball court** - The operator wants to continue using the outdoor volleyball court up to two nights a week, with play ending by 10:00 pm.

**Parking lot** - The operator has plans to hard surface the parking lot but none are being proposed at this time.

**Outdoor seating** - The existing outdoor seating area will remain and will require an "Outdoor Premise Permit" from the Village Board.



VILLAGE OF RICHFIELD  
PLAN COMMISSION COMMUNICATION FORM

6e

MEETING DATE: October 6, 2016

SUBJECT: Plan of Operation for Joe Mama's Bar and Grill located at 4600 County Road Q; Joseph Vella and Al Wasley (applicant) and John and Diane Gorecki (property owner)

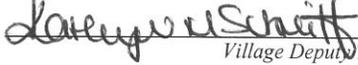
DATE SUBMITTED: September 29, 2016

SUBMITTED BY: Jim Healy, Village Administrator

All operating characteristics of the bar and restaurant remain unchanged except as noted above.

It should be noted that this property does have an apartment above the establishment. We have not been able to locate any record that would indicate that this rental unit came after 2001 (when this section of code was created), therefore, Staff believes that this is a permissible use pursuant to 70.199(C)(2) which states: "Residential uses existing on the effective date of the ordinance from which this chapter is derived."

FUTURE IMPACT AND ANALYSIS:

REVIEWED BY:   
Village Deputy Treasurer

Forward to Village Board: No  
Additional Approvals Needed: No  
Signatures Required: No

ATTACHMENTS:

1. SBOP Application materials for Joe Mama's Bar and Grill

STAFF RECOMMENDATION:

Motion to approve the plan of operation for Joe Mamma's Bar and Grill as proposed and represented at the meeting on October 6, 2016, subject to the following conditions of approval:

1. Before the property owner and/or the operator begins work to hard surface the parking lot, they shall resubmit to the Village's Plan Commission for grading and erosion control approval. Additionally, they shall work with the Village's Building Inspector and Washington County to define formalized access points to CTH Q.
2. The operator shall obtain and maintain all necessary permits and approvals for operating a restaurant and/or a tavern from the Village, County, and State of Wisconsin, if necessary.
3. Any plans of operation for "Uncle Johnny's" which have been previously approved by the Village are hereby terminated.
4. This approval is granted to Joseph Vella and/or Al Wasley. Any other persons wanting to operator the business must first obtain the approval of the Village of Richfield Plan Commission.

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. \_\_\_\_\_

4128 Hubertus Rd Hubertus, WI 53033 Village Hall - 262.628.2260 Fax - 262.628.2984		<b>BUSINESS PLAN OF OPERATION APPLICATION VILLAGE OF RICHFIELD</b>		Permit No.
				Parcel/Tax Key No. <b>V10-1268</b>
<b>NAME OF PROPOSED BUSINESS:</b> <i>Joe Mamma's Bar and Grill</i>			<b>SUITE #:</b>	
Owner's/Operator's Name: (Please print) <i>Joe Mamma's LLC.</i>	Mailing Address	City	State	Zip
	<i>4200 County Rd. Q Colgate, WI 53017</i>			
Email Address <i>JAVELLA0065@GMAIL.COM</i>		Phone #: <i>262-628-9211</i>		Other <i>262-719-0065</i>
Tenant's Name: (Please Print)	Mailing Address	City	State	Zip
Email Address		Phone #:		Other
<b>DESCRIPTION OF BUSINESS OPERATION:</b> <i>See Attached</i>				
<b>TYPE OF BUSINESS: Please check the appropriate box for type:</b>			<b>Description:</b>	
<input checked="" type="checkbox"/> Retail <input type="checkbox"/> Office <input type="checkbox"/> Warehouse/Storage <input type="checkbox"/> Industrial			<input type="checkbox"/> Wholesale <input type="checkbox"/> Institutional <input type="checkbox"/> Other: _____	
<b>NEW USE:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			<b>EXPANSION OF EXISTING USE:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<b>HOURS OF OPERATION:</b> <i>See Attached</i> Mon-Fri: _____ Sat, Sun: _____			<b>DAYS OF OPERATION:</b> Mon Tue Wed Thu Fri Sat Sun	
<b>MAXIMUM # OF EMPLOYEES:</b> <i>10</i>		# of Full Time: <i>3</i>		<b>CURRENT ZONING:</b> <i>B-3</i>
# of Part Time: <i>7</i>		NUMBER OF TRUCKS PER DAY: <i>1</i>		NUMBER OF AUTOS PER DAY: <i>60-80</i>
<b>EXPECTED CUSTOMERS PER DAY:</b> <i>80</i>		<b>PARKING</b>		
		# of Available Parking/Parking Lot Spaces: <i>60</i> # of Loading Spaces: _____ Overnight Parking <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Where: <i>Parking lot</i>		
		<b>STORAGE</b> Storage <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Types of Storage: <i>Existing 2 car garage and walk-in freezer</i>		
<b>SPECIAL EQUIPMENT/FACILITIES/REQUIREMENTS</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If so, What?				
Applicant's Signature: <i>Joe Mamma</i>		Applicant's Name (Printed): <i>Joe Mamma</i>		Date Signed: <i>9-19-16</i>
Property Owner's Signature: <i>Al Wasley</i>		Property Owner's Name (Printed): <i>Al Wasley</i>		Date Signed:
<b>APPROVAL CONDITIONS</b>		Applicant is responsible to obtain any licenses, permits, certificates or other documents from other agencies of Village Departments. <b>For example:</b> Cigarette and Alcoholic Beverage Licenses must be obtained from the Village Clerk and Building Permits from the Building Inspector. Also, Occupancy of the premises requires approval of this application.		
<b>FOR VILLAGE STAFF ONLY</b>				
Date Submitted for Review: _____				
Approved by Village Staff: _____				
SPECIAL REQUIREMENTS/COMMENTS: _____ Date: _____				

Project Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Type of Building Materials: (Bring Samples to Meeting) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Building Colors: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### Property Owner Affidavit

I (we) attest that I am (we are) the owner(s) of the property which is the subject of this application in the Village of Richfield, Washington County, Wisconsin, and that all the information attached to or provided in support of said application, including sketches, data, and any other documents and materials, are honest and true to the best of my (our) knowledge.

Further, I (we) as owner(s) acknowledge and accept the responsibility for any and all fees charged or costs incurred by the Village of Richfield to carry out the processing and review of this application; I (we) further acknowledge and understand that I (we) will be required to start an escrow account to which all processing and review costs will be charged; I (we) further acknowledge that in the event that the initial fee is not sufficient to cover all the costs associated with processing and reviewing the application I (we) will be required to provide the Village of Richfield an additional deposit; I (we) further acknowledge that the balance of any remaining fees shall be refunded within a reasonable amount of time after this application has been processed or withdrawn;

Further I (we) as owner(s) of the subject property authorize and direct the authorized agent(s) identified above to act as my (our) representative(s) in any matter regarding this application, which may include the payment of filing fees on my (our) behalf;

Further I (we) as owner(s) of the property subject of this application and authorized agent(s) understand that this application and all required forms and information must be accurately completed, as determined by the Planning and Zoning Administrator for the Village of Richfield, before a meeting and/or public hearing (if required) can be scheduled.

JOHN B GORECKI  
Print Name of Owner(s)

John B Gorecki  
Signature of Owner(s)

JOHN B GORECKI  
Name of Agents(s)

The foregoing instrument was sworn to and acknowledged before me

this 19th day of September, 2016

Heather M. Pfalz  
Notary Signature

HEATHER M. PFALZ  
Print Notary Signature

05/25/2018  
Commission Expires



## **Hours of Operation**

<b>Monday</b>	<b>11:00am</b>	<b>2:00am</b>
<b>Tuesday</b>	<b>11:00am</b>	<b>2:00am</b>
<b>Wednesday</b>	<b>11:00am</b>	<b>2:00am</b>
<b>Thursday</b>	<b>11:00am</b>	<b>2:00am</b>
<b>Friday</b>	<b>11:00am</b>	<b>2:30am</b>
<b>Saturday</b>	<b>11:00am</b>	<b>2:30am</b>
<b>Sunday</b>	<b>11:00am</b>	<b>2:00am</b>



## DESCRIPTION OF BUSINESS OPERATION

We are planning to operate Joe Mama's Bar & Grill located at 4600 County Road Q in the same fashion that it is currently operating as Uncle Johnny's. We would consider it to be a Bar/Restaurant that serves both food and alcohol. We will be focused on bringing great quality, pub style food to our customers. We will serve burgers, sandwiches, wraps, soups, salads, appetizers, and homemade pizzas. We will also feature daily specials along with a traditional Wisconsin Friday Fish Fry, and Saturday Night Steak & Prime rib.

### INTERIOR:

We will immediately change the interior appearance with fresh paint, carpet, point of sale signage, mirrors, bar stools, and tables, and we plan to upgrade all outdated kitchen and bar equipment. We will continue to have a Jukebox, pool table, dart board, shuffle board, video games and multiple flat screened T.V.s for entertainment.

### EXTERIOR:

There is currently one volleyball court on the property that at some point we would like to utilize up to two week nights per week. Volleyball playing times will not extend past 10pm.

We would also like to have the gravel parking lot paved over with blacktop, and continue to use the unenclosed premise permit which would allow patrons to dine outside with alcoholic beverages.

We would like to change just the face of the current outdoor sign to represent our new name and logo.

### UPPER APARTMENT:

There is currently a three bedroom apartment above the bar area that is and will continue to be rented out to residents for the purpose of rental income.

### BASEMENT:

The basement will continue to be used for storing products used for the operation of Joe Mama's Bar & Grill. It will also house a lot of the buildings mechanicals.

### TWO CAR DETACHED GARAGE:

The current garage will be shared with the residents that occupy the rental apartment above the bar area. We will use the garage to store equipment related to the operation of Joe Mama's Bar & Grill.

6 f



VILLAGE OF RICHFIELD  
 PLAN COMMISSION COMMUNICATION FORM  
 MEETING DATE: October 6, 2016

6f

SUBJECT: Outdoor lighting plan for Chalet Shopping Center located at 1241-1251 STH 175; Weyer  
 2 Limited Partnership, applicant

DATE SUBMITTED: September 29, 2016

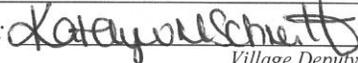
SUBMITTED BY: Tim Schwecke, Consultant Planner

*POLICY QUESTION: DOES THE PLAN COMMISSION WISH TO APPROVE THE OUTDOOR LIGHTING PLAN FOR THE CHALET SHOPPING CENTER?*

*ISSUE SUMMARY:*

The property owner is proposing to remove two existing parking lot lights and install four poles with full-cutoff light fixtures. The light poles comply with the maximum height of 30 feet. Lighting levels at the property boundary lines along Beechwood Industrial Court and STH 175 comply with established standards. The placement of these poles will be on private property, directly next to the edge of the asphalt parking lot and not on public right-of-way.

*FUTURE IMPACT AND ANALYSIS:*

REVIEWED BY:   
 Village Deputy Treasurer

Forward to Village Board: No  
 Additional Approvals Needed: No  
 Signatures Required: No

*ATTACHMENTS:*

1. Application materials

**STAFF RECOMMENDATION:**

Motion to approve the outdoor lighting plan for the Chalet Shopping Center provided the light poles are not installed in the public right-of-way for Beechwood Industrial Court and verified by the Village's Building Inspector.

APPROVED FOR SUBMITTAL BY:

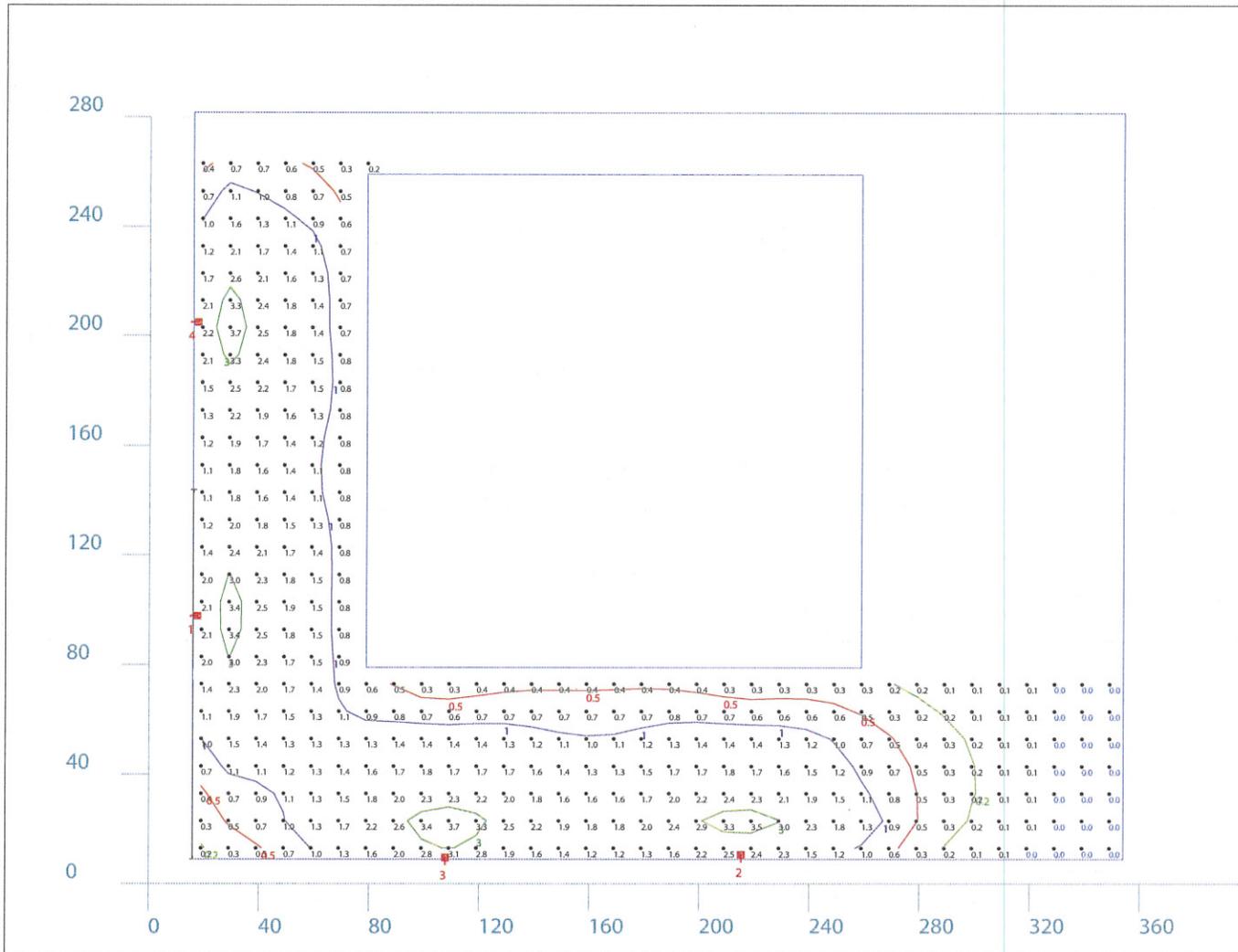
  
 Village Staff Member

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

VILLAGE CLERK USE ONLY  
 BOARD ACTION TAKEN

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

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



Scale: 1 inch= 40 Ft.



Prepared For:  
Schwind Lawless Sales Inc.  
5381 North 118th Court  
Milwaukee, WI 53225  
Tel: 414-393-1400  
Fax: 414-393-1430

Job Name:  
Chalet  
Hubertus, WI  
Lighting Layout  
Version B  
Case #00058976

Scale: as noted

Date: 9/8/2016

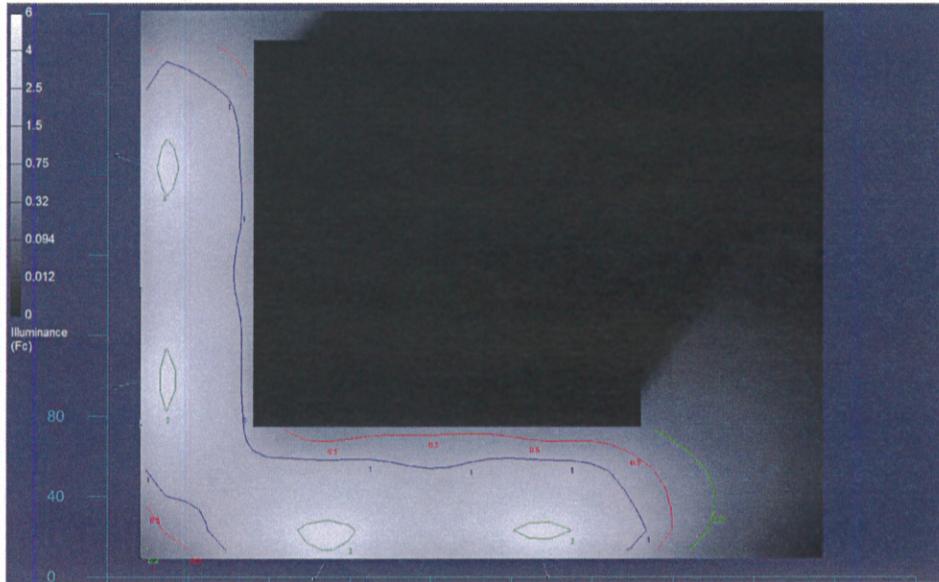
Filename: Chalet Lighting Layout 00058976B.AGI

Drawn By: S Elliott

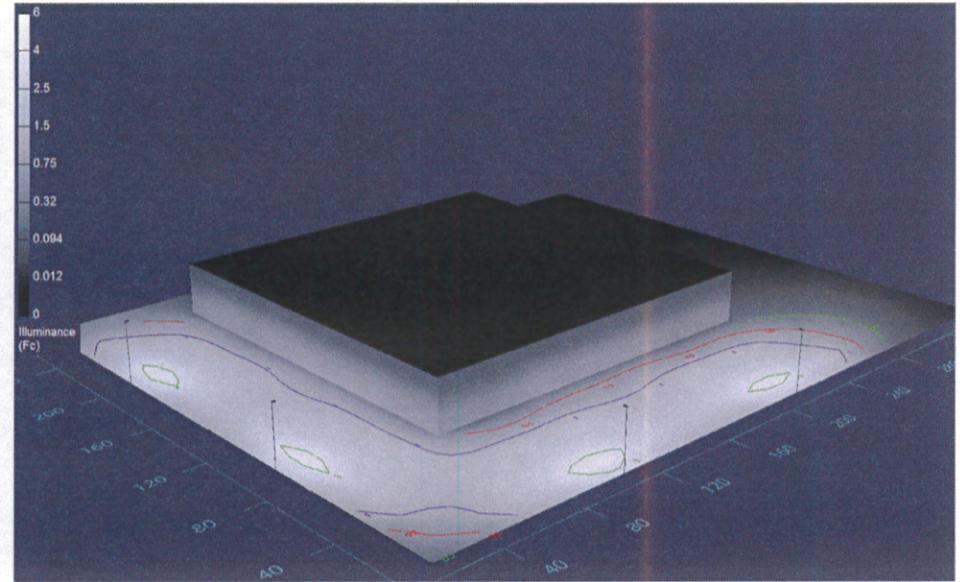
The Lighting Analysis, layout, Energy Analysis and/or Visual Simulation ("Lighting Design") provided by the RAB Lighting Inc. ("RAB") represent an anticipated prediction of lighting system performance based upon design parameters and information supplied by others. These design parameters and information provided by others have not been field verified by RAB and therefore actual measured results may vary from the actual field conditions. RAB recommends that design parameters and other information be field verified to reduce variation.

RAB neither warrants, either implied or stated with regard to actual measured light levels or energy consumption levels as compared to those illustrated by the Lighting Design. RAB neither warrants, either implied or stated, nor represents the appropriateness, completeness or suitability of the Lighting Design intent as compliant with any applicable regulatory code requirements with the exception of those specifically stated on drawings created and submitted by RAB. The Lighting design is issued, in whole or in part, as advisory documents for informational purposes and is not intended for construction nor as being part of a project's construction documentation package.

Filename: Z:\Job Files\Schwind Lawless Sales\Buetow Lighting\Menomonee 111350\Chalet\Working Files\AG\Chalet Lighting Layout 00058976B.AGI



Plan View



Isometric View

**RAB**<sup>®</sup>  
**LIGHTING**  
 170 Ludlow Avenue, Northvale, NJ 07647  
 888 722-1000 • RABWEB.COM

Prepared For:  
 Schwind Lawless Sales Inc.  
 5381 North 118th Court  
 Milwaukee, WI 53225  
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 Chalet  
 Hubertus, WI  
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Drawn By: S Elliott

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Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
CalcPts Ground	Illuminance	Fc	1.22	3.7	0.0	N.A.	N.A.	Readings Taken at 0'-0" AFG	10	10	Horizontal

Luminaire Schedule												
Symbol	Qty	Tag	Label	Arrangement	Lum. Lumens	Arr. Lum. Lumens	LLF	Description	Lum. Watts	Arr. Watts	Total Watts	Filename
	4	A	ALED3T150	SINGLE	12526	12526	1.000	Area Light LED 150w	155.1	155.1	620.4	ALED3T150 - Cool - ITL79623.IES

Expanded Luminaire Location Summary							
LumNo	Tag	X	Y	MTG HT	Orient	Tilt	
1	A	16.8	97.77	28	0	0	
2	A	215.421	9.839	28	90	0	
3	A	107.898	8.8	28	90	0	
4	A	16.8	204.773	28	0	0	
Total Quantity: 4							



A : ALED3T150  
PS4-11-25D2

NOTES:

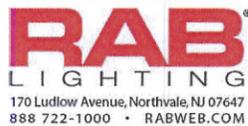
\* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLD is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

\* Illumination values shown (in footcandles) are the predicted results for planes of calculation either horizontal, vertical or inclined as designated in the calculation summary. Meter orientation is normal to the plane of calculation.

\* The calculated results of this lighting simulation represent an anticipated prediction of system performance. Actual measured results may vary from the anticipated performance and are subject to means and methods which are beyond the control of RAB Lighting Inc.

\* Mounting height determination is job site specific, our lighting simulations assume a mounting height (insertion point of the luminaire symbol) to be taken at the top of the symbol for ceiling mounted luminaires and at the bottom of the symbol for all other luminaire mounting configurations.

\* RAB Lighting Inc. luminaire and product designs are protected under U.S. and International intellectual property laws. Patents issued or pending apply.



Prepared For:  
Schwind Lawless Sales Inc.  
5381 North 118th Court  
Milwaukee, WI 53225  
Tel: 414-393-1400  
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Job Name:  
Chalet  
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Lighting Layout  
Version B  
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Filename: Z:\Job Files\Schwind Lawless Sales\Buetow Lighting\Menomonee 111350\Chalet\Working Files\AGI\Chalet Lighting Layout 00058976B.AGI

# ALED3T150



Specification grade area lights available with IES Type III distribution. For use for roadway, general parking and other area lighting applications where a larger pool of lighting is required. Replaces up to 1000W HID fixtures. Patent pending thermal management system. 5 Year Warranty.

Color: Bronze

Weight: 30.4 lbs

**Project:**  
Chalet

**Type:**  
A

**Prepared By:**  
S Elliott

**Date:**  
9/8/16

### Driver Info

Type: Constant Current  
120V: 1.31A  
208V: 0.80A  
240V: 0.69A  
277V: 0.60A  
Input Watts: 155W  
Efficiency: 97%

### LED Info

Watts: 150W  
Color Temp: 5000K  
Color Accuracy: 65 CRI  
L70 Lifespan: 100000  
Lumens: 12,526  
Efficacy: 81 LPW

## Technical Specifications

### Listings

#### UL Listing:

Suitable for wet locations.

#### IESNA LM-79 & LM-80 Testing:

RAB LED luminaires have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80, and have been received the Department of Energy "Lighting Facts" label.

#### Dark Sky Approved:

The International Dark Sky Association has approved this product as a full cutoff, fully shielded luminaire.

#### DLC Listed:

This product is on the Design Lights Consortium (DLC) Qualified Products List and is eligible for rebates from DLC Member Utilities.  
DLC Product Code: P0000175C

### LED Characteristics

#### Lifespan:

100,000-hour LED lifespan based on IES LM-80 results and TM-21 calculations.

#### LEDs:

Multi-chip, high-output, long-life LEDs

#### Color Consistency:

7-step MacAdam Ellipse binning to achieve consistent fixture-to-fixture color.

#### Color Stability:

LED color temperature is warranted to shift no more than 200K in CCT over a 5 year period.

#### Color Uniformity:

RAB's range of CCT (Correlated Color Temperature) follows the guidelines of the American National Standard for Specifications for the Chromaticity of Solid State Lighting (SSL) Products, ANSI C78.377-2011.

### Construction

#### IES Classification:

The Type III distribution is ideal for roadway, general parking and other area lighting applications where a larger pool of lighting is required. It is intended to be located near the side of the area, allowing the light to project outward and fill the area.

#### Effective Projected Area:

EPA = 0.75

#### Ambient Temperature:

Suitable for use in 40°C (104°F) ambient temperatures

#### Cold Weather Starting:

The minimum starting temperature is -40°C/-40°F

#### Thermal Management:

Superior thermal management with external Air-Flow fins.

#### Housing:

Die-cast aluminum housing, lens frame and mounting arm.

#### Mounting:

Heavy-duty mounting arm with "O" ring seal & stainless steel screws

#### IP Rating:

Ingress Protection rating of IP66 for dust and water.

#### Reflector:

Specular vacuum-metallized polycarbonate

### Gaskets:

High-temperature silicone gaskets

### Finish:

Our environmentally friendly polyester powder coatings are formulated for high-durability and long-lasting color, and contains no VOC or toxic heavy metals.

### Green Technology:

Mercury and UV free, and RoHS compliant. Polyester powder coat finish formulated without the use of VOC or toxic heavy metals.

### For use on LEED Buildings:

IDA Dark Sky Approval means that this fixture can be used to achieve LEED Credits for Light Pollution Reduction.

### Electrical

#### Drivers:

Two Drivers, Constant Current, Class 2, 2000mA, 100-277V, 50-60Hz, Power Factor 99%

#### THD:

6% at 120V, 11.3% at 277V

#### Surge Protection:

4kV

### Optical

#### Replacement:

The ALED150 replaces 400W Metal Halide Area Lights.

## Technical Specifications (continued)

### Optical

#### BUG Rating:

B1 U0 G2

### Other

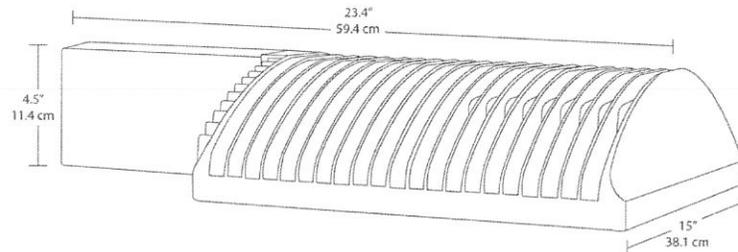
#### California Title 24:

See ALED3T150/D10, ALED3T150/BL, ALED3T150/PCS, ALED3T150/PCS2, or ALED3T150/PCT for a 2013 California Title 24 compliant product. Any additional component requirements will be listed in the Title 24 section under technical specifications on the product page.

### Warranty:

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of five (5) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish.

## Dimensions



## Features

- 66% energy cost savings vs. HID
- 100,000-hour LED lifespan
- Type III distribution
- 5-year warranty

## Ordering Matrix

Family	Distribution	Watts	Mount	Color Temp	Finish	Voltage	Photocell	Dimming	Bi-Level
ALED									
	2T = Type II	360 = 360W	= Arm	= 5000K (Cool)	= Bronze	= 120-277V	= No Photocell	= No Dimming	= No Bi-Level
	3T = Type III	260 = 260W	SF = Slipfitter	Y = 3000K (Warm)	W = White	/480 = 480V	/PC = 120V Button	/D10 = Dimmable	/BL = Bi-Level
	4T = Type IV	150 = 150W		N = 4000K (Neutral)	RG = Gray		/PC2 = 277V Button		
		125 = 125W					/PCS = 120V Swivel		
		105 = 105W					/PCS2 = 277V Swivel		
		78 = 78W					/PCT = 120-277V Twistlock		
							/PCS4 = 480V Swivel		
							/PCT4 = 480V Twistlock		

# PS4-11-25D2



Square steel poles drilled for 2 Area Lights at 180°. Designed for ground mounting. Poles are stocked nationwide for quick shipment. Protective packaging ensures poles arrive at the job site good as new.

Color: Bronze

Weight: 168.0 lbs

<b>Project:</b> Chalet	<b>Type:</b> Pole
<b>Prepared By:</b> S Elliott	<b>Date:</b> 9/8/16

Lamp Info		Ballast Info	
Type:	N/A	Type:	N/A
Watts:	0W	120V:	N/A
Shape/Size:	N/A	208V:	N/A
Base:	N/A	240V:	N/A
ANSI:	N/A	277V:	N/A
Hours:	N/A	Input Watts:	0W
Lamp Lumens:	N/A		
Efficacy:	N/A		

## Technical Specifications

### Listings

#### CSA Listed:

Suitable for wet locations.

### Construction

#### Shaft:

46,000 p.s.i. minimum yield.

#### Hand Holes:

Reinforced with grounding lug and removable cover.

#### Base Plates:

36,000 p.s.i. minimum yield.

#### Shipping Protection:

All poles are shipped in individual corrugated cartons to prevent finish damage.

#### Color:

Bronze powder coating.

#### Height:

25 FT.

#### Weight:

168 lbs.

#### Gauge:

11

#### Wall Thickness:

1/8".

#### Shaft Size:

4".

#### Hand Hole Dimensions:

3" x 5".

#### Bolt Circle:

8 1/2".

#### Base Dimension:

8".

#### Anchor Bolt:

Galvanized anchor bolts and galvanized hardware and anchor bolt template. All bolts have a 3" hook.

#### Anchor Bolt Templates:

WARNING Template must be printed on 11" x 17" sheet for actual size. CHECK SCALE BEFORE USING. Templates shipped with anchor bolts and available .

#### Pre-Shipped Anchor Bolts:

Bolts can be pre-shipped upon request for additional freight charge.

#### MaxEPA's/Max Weights:

70MPH 4.5 ft\_/135 lb  
80MPH 2.3 ft\_/80 lb  
90MPH 0.8 ft\_/35 lb.

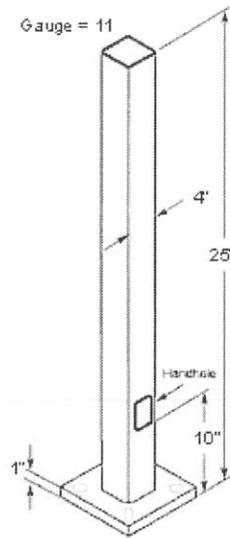
#### Other

#### Terms of Sale:

Pole Terms of Sale is available .

# PS4-11-25D2

## Dimensions



## Features

- Designed for ground mounting
- Heavy duty TGIC polyester coating
- Reinforced hand holes with grounding lug and removable cover for easy wiring access
- Anchor Bolt Kit includes pole cap and base cover (sold separately)
- Custom manufactured for each application