

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Plan Commission Meeting Minutes
April 7, 2022
7:00 PM

1. Call to Order/Determination of quorum

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

Present: Chairman Otto, Trustee Wolff, Vice-Chairman Lalk and Commissioners Bartel, Berghammer, Coté, and Woelfel.

Also Present: Village Administrator Jim Healy

Excused Absent: None

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. March 3, 2022 – Plan Commission Meeting

Motion by Commissioner Coté to approve the minutes of the March 3, 2022 Plan Commission Meeting; Seconded by Vice-Chairman Bob Lalk; Motion passed without objection.

5. DISCUSSION/ACTION ITEMS

a. Discussion/Action regarding the proposed Plan of Operation for Ridge Excavating, located at 2245 STH 175 (Tax Key: V10_00400D) – Justin Wolters, Petitioner

Administrator Healy gave an overview of the proposed business Plan of Operation which is set to be located at 2245 STH 175. This is the site of a former well drilling company. The use is consistent with the Zoning in the District, which is M-2, Limited Industrial District.

Motion by Trustee Wolff to conditionally approve the proposed Plan of Operation for Ridge Excavating located at 2245 STH 175 (Tax Key: V10_00400D), subject to the following Specific Conditions of Approval:

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- 1) That the petitioner receives all necessary permits from the Building Inspection Department and Richfield Volunteer Fire Company for occupancy.; Seconded by Vice-Chairman Lalk; Motion passed without objection.

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

b. Discussion and possible recommendation to the Village Board regarding an extraterritorial One-Lot Certified Survey Map (CSM) review in the Town of Lisbon for property identified by Tax Key: LSBT_0161999004 – Kwik Trip Inc., Petitioner

Administrator Healy discussed the Kwik Trip site in the Town of Lisbon, which is already under construction for a new gas station/convenience store facility. As a result of a traffic study required by the Wisconsin Department of Transportation (WisDOT), Kwik Trip had to acquire land to the south in order to move the entrance point further away from the roundabout at the STH 164 and CTH Q intersection. The subject property had already received approval from the Town of Lisbon's Town Board. A 5.732-acre parcel is being created.

Motion by Trustee Wolff to recommend approval to the Village Board for the petitioned extraterritorial One-Lot Certified Survey Map for Kwik Trip, Inc. at W260N9579 STH 164 (Tax Key: LSBT0161999004) in the Town of Lisbon, subject to the following conditions of approval:

- 1) That the applicant must meet all other conditions of approval issued by the Town or any other objecting/commenting governmental entity.

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

c. Discussion/Action regarding the possible recommendation of Chapter 70 Zoning Code Recodification to the Village Board

Administrator Healy gave a presentation regarding the Zoning Code Recodification process. The Village has been working on the Zoning Code since the first part of 2017. Prior to that, the last time the Code was updated significantly was in the 1980's. Administrator Healy thanked the members of the Zoning Code Subcommittee which included Village President Jeffords, Chairman Jim Otto, and Board of Zoning Appeals Member Jack Lietzau. Over 50 meetings have been held where this was either exclusively the topic of discussion or a part of a larger agenda. Administrator Healy also discussed the integration of technology with this Code update and the implications of Wisconsin Act 67 and how Conditional Uses are administered. It is believed this updated version of the Code will create efficiencies with Staff, increase transparency with taxpayers, help meet market demands as needs evolve for resident and commercial properties, and bolster our eGovernment services.

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The following are some of the major changes made to Agricultural Lands:

- Reduction in minimum size for Ag. Land to allow farmers flexibility to sell land, as needed (consistent with Comprehensive Plan)
- Commercial Livestock Raising v. Hobby Farm Limits of Animals (similar to Town of Polk/Town of Erin)
- Encourage repurposing of historic Ag. Buildings
- Allowances for farms with diverse revenue streams – U-Pick, U-Cut, General cultivation, Forestry, Commercial Stables, Farm Buildings for Non-Farm storage, “Artisan Shops”, Bed and Breakfast, Kennels, Roadside Stands, Seasonable Product Stands

The following are some of the major changes made to Commercial/Industrial Lands:

- 12 Zoning Districts (Commercial & Industrial) collapsed to 8
- Destination Venue Business B-6 created to support restaurants/taverns
- I-1 and I-2 versus M-1 through M-5
- Glossary of “Uses”
- Many Conditional Uses have become Permitted Uses and highly objectionable Conditional Uses have been eliminated
- Processes and procedures clearly delineated as Code
- Adaptive Reuse for defunct schools & churches

The following are some of the major changes made to Residential Lands:

- Detached “Accessory Structures” allowed larger and higher in less dense residential developments and in some cases, established residential subdivisions
- RR-1, 20-acre minimum; RR-2, 5-acre minimum
- Notice of Rezoning Petitions sent to all property owners within 500’ versus 300’ – greater transparency
- Special Exceptions process for garage placement ahead of homes

Editor’s Note: The following comments from the Commissioners were attempted to be taken verbatim from the Plan Commission audio. The purpose of providing the verbatim comments were so that Staff did not misinterpret any Commissioner’s comments regarding their vote on the Zoning Code Recodification.

Motion by Commissioner Berghammer to recommend approval to the Village Board for the Chapter 70 Zoning Code Recodification, as presented, and to direct Staff to prepare a Public Hearing scheduled for May 19, 2022, at 7PM; Seconded by Commissioner Coté.

Chairman Otto: “Going back to where we are today, I look at what we are about to do here in a few minutes as having as much gravity on the Village as the initial Comprehensive Plan back in 2004. This vote is as important as that one. Again, I agree that I wish we had more folks here tonight to know what the heck we are doing and why we are doing it. But it is what it is.

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So, I think with that, Jim (Healy) what I'd like to do, is given the gravity of this vote, I'd like to do it as a roll call. As you give your vote, you can do it before or after, you should state why you're voting the way you are so that the Board understands why we feel the way we do so they are not walking away confused with why we are doing what we are doing. I guess Jim, what I'd ask, is that if you call the roll, you call the Chair first. It's highly unusual, but there's a reason for it.

Administrator Healy: Chairman Otto

Chairman Otto: As I said three (3), four (4), five (5) months ago, I've already told you all what my vote was going to be, and I've told you why. Because I have been living with this along with our (Village) President along with our Administrator, along with Jack (Lietzau), for four and one-half years or so and I have a lot of baggage in my head. I don't want to in any way, effect the vote with how this comes out. I want to leave this with the Plan Commissioners. I've asked everyone hear to study this at length and know it like the back of your hand. So, I am going to leave the vote totally in your hands. I am abstaining.

Commissioner Bartel: Obviously, I vote "yes", absolutely. The amount of work that has been done of these four and one-half years I am thankful, and you thanked all of us, but we did only a fraction of the work the Subcommittee did and administration did to put this together. I agree with the comments that have been made. This is a starting point and we do have to commit to addressing many of these issues. One of them, which is the most important in my life, is the landscape plan and landscape chapter. There's a lot to be done with that chapter. But not hopefully for the next three (3) or four (4) months of my life because I'll be working 60 hours a week at work. I do want to revisit that, so I agree with the comments that were made, this is a starting point. We do have to commit to continuing the work on this, but I think we've left way too many people in the community just hanging waiting for this vote and waiting for this Zoning Code to be passed so that they can go forward with their businesses and developments within the Richfield community. So, I very much vote "yes".

Commissioner Berghammer: I also will vote "yes". It's been a long time coming. I think the main reason is that as you presented, it very much simplifies it. That other one (the old Village Code)? I've been on the Plan Commission a long time and (inaudible speech). This one? I think is real easy to understand and same with the online stuff. It looks like that would work very well. We've put a lot of time into it, you know? Do I know it like the back of my hand? I know this better than what we currently have. Is it perfect? No. But, you know, we will work though those things. We've identified most of them (the items to work though) as we've worked through it however long it's taken. It's been a long time. I agree with Commissioner Bartel, there's been people who have come before us to try to do things with their property and they haven't been able to. Besides being directed to write their own Zoning Code, which is always going to have flaws. (Inaudible speech). As far as trying to fill up a large venue, it's going to take a concerted public involvement campaign. People aren't just going to come because there is a hearing. That's what it took when we are doing "smart growth". There was a lot of information going out to the public looking for input. Like we were sitting at tables drawing stuff up, consultants asking what we think, so if we really want to

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do that, that will have to be part of this and I don't know how you do that. Do you do it before? Do you do it after? I don't know.

Commissioner Coté: I'm voting "yes". I'm voting "yes" because I am putting my faith in the Subcommittee work that's been done, and the work that we have done as a Planning Commission with what we've added to it over the months, and the confidence I have in our present (Village) Board, is enough for me. It would be great to have a hall of 1,000 people but that's not going to be possible. You may as well put this back to next summer. I think its already taken so much time, these other reasons that you've talked about, and other Commissioners have talked about, people not being able to do things, I think you have your Public Hearing that is coming up, that's why I am voting on the motion that we have here now. I am not adding anything and that's where my "yes" came in. I have a lot of confidence in what has been done. But maybe the (Village) Board will send something back down to us and that would be fine. I would accept that in a second.

Vice-Chairman Lalk: I am going to vote "no". I think just the reason that 'because we've spent so much time on this', to me is not a good enough reason. I think more time should be spent on this document. Whether it's a Subcommittee or us, because I don't have the faith that the Village Board is going to digest what we've done in the last few years. Obviously, you have (directed towards Trustee Wolff) and John (Jeffords) has. But in a month, I don't see that happening. I know Commissioner Bartel agrees, we need to get this out to the public somehow. I sympathize with Jim (Healy), yeah, my road is getting done I should have said something or (inaudible). But we do have an obligation to the community to get information out there. So, I am going to vote "no". Again, thanks to the Subcommittee for your time and efforts.

Commissioner Woelfel: I will vote "yes". I was not a part of the vast majority of this recodification, so I appreciate all the efforts of everyone here. All the Boards and Subcommittees. I think we've done a great job and I would like to see it move forward so we can start working on the next phase of it.

Trustee Wolff: I will be brief; I will vote "yes". I think its long past due.

Motion passed 5-1-1, Chairman Otto abstained.

6. ADJOURNMENT

Motion by Trustee Wolff to adjourn the meeting at 8:35PM; Seconded by Vice-Chairman Lalk;
Motion passed without objection.

Respectfully Submitted,

Jim Healy
Village Administrator