

Village of Richfield
4128 Hubertus Road, Hubertus, WI
Joint Plan Commission and Village Board Meeting Minutes
August 5, 2021
7:00 PM

1. Call to Order/Determination of quorum

The Plan Commission meeting was called to order at 7:00 PM by Chairman Otto. A quorum of the Plan Commission was present.

The Village Board meeting was called to order at 7:01 PM by Village President John Jeffords. A quorum of the Village Board was present.

Present: Plan Commissioners; Chairman Otto, Vice-Chair Lalk, Commissioners Coté, and Bartel.

Absent Plan Commissioners: Don Berghammer

Excused Absence Plan Commission: Trustee Wolff, Commissioner Melzer

Present: Village Board; Village President John Jeffords, Village Board of Trustees; Bill Collins and Rock Brandner.

Also Present: Village Administrator Jim Healy and Deputy Clerk Donna Cox

Excused Absence Village Board: Village Trustee Dan Neu

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.

Affidavit of Posting was provided to Village President John Jeffords

3. Pledge of Allegiance

4. Plan Commission Approval of Minutes

- a. March 23, 2021 – Joint Plan Commission & Village Board Meeting
- b. April 8, 2021 – Joint Plan Commission & Village Board Meeting
- c. April 20, 2021 – Joint Plan Commission & Village Board Meeting
- d. May 6, 2021 – Regular Meeting
- e. June 3, 2021 – Joint Plan Commission & Village Board Meeting
- f. July 1, 2021 – Regular Meeting

Motion by Vice-Chair Lalk to approve the Minutes of the Joint Plan Commission and Village Board Meetings held on March 23, 2021, April 8, 2021, and April 20, 2021; Seconded by Commissioner Bartel; Motion passed without objection.

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Motion by Commissioner Bartel to approve the Minutes of the May 6, 2021, Regular Plan Commission Meeting, the June 3, 2021, Joint Plan Commission and Village Board Meeting, and the July 1, 2021, Regular Plan Commission Meeting; Seconded by Vice-Chair Lalk; Motion passed without objection.

5. Plan Commission Discussion/Action Items

a. Discussion/Action regarding a potential change in date for the regular September Plan Commission meeting

Village Staff had a scheduling conflict with September 2nd and asked for the meeting to be pushed back a week.

Motion by Chairman Otto to change the date to September 9, 2021, for the regularly scheduled September Plan Commission Meeting to occur at 7:00 PM; Seconded by Commissioner Bartel; Motion passed without objection.

b. Discussion/Action regarding the termination of an established Conditional Use Permit for Klug's Photo World located at 4298 STH 167 (Tax Key: V10_0201) – *Jeff Klug, Petitioner*

Administrator Healy stated that he was contacted by Mr. Klug and the commercial operation on his property no longer exists and hasn't for a period of greater than 12 months. He is asking for the Conditional Use Permit to be formally rescinded.

Motion by Vice-Chair Lalk to accept the request of the property owner, Mr. Jeff Klug, for the termination of the established Conditional Use Permit for Klug's Photo World, previously located at 4298 STH 167 (Tax Key: V10_0201); Seconded by Commissioner Bartel; Motion passed without objection.

c. Discussion and possible recommendation to the Village Board regarding the approval of a Two-Lot CSM for properties located at 1971 STH 175 (Tax Key: V10_0270) and 1985 STH 175 (Tax Keys: V10_026900A) – *Wolf Bros Fuel and Kathleen Wolf & Marilyn Wolf, Joint Petitioners*

Administrator Healy introduced the proposed Two-Lot CSM and described the non-conformities of the use, lots, and buildings. The Village Engineer had reviewed the CSM and recommended approval of the same.

Motion by Commissioner Bartel to recommend to the Village Board the approval of the proposed Two-Lot CSM for Wolf Bros Fuel and Kathleen Wolf & Marilyn Wolf for properties identified by Tax Keys: V10_0270 and V10_026900A, subject to the following Specific and General Conditions of Approval:

Specific Conditions of Approval:

1. The following be added to the Face of the CSM: "Lot 1 and Lot 2 are substandard lots and were approved by the Village of Richfield under authority of 330-11-1 of the Village of Richfield Code of Ordinances. Such parcel shall comply with all applicable regulations relating to legal nonconforming lots which may now exist, or which may be established by the Village of Richfield."

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2. The following be added to the Face of the CSM: “Lot 1 and Lot 2 contain structures which do not comply with the setback requirements in the Village’s zoning regulations in effect on the date this certified survey map was approved by the Village of Richfield. Such structures shall comply with all applicable regulations relating to legal nonconforming structures which may now exist, or which may be established by the Village of Richfield”.
3. Show setbacks for M-2, Limited Industrial District and B-3, General Business District.

General Conditions of Approval:

1. **Staff and Governmental Approval:** Subject to the developer satisfying all comments, conditions and concerns of the Village Planner, Village Engineer and all reviewing, objecting and approving bodies, which may include but are not limited to the State of Wisconsin Department of Safety and Professional Services per ch. 236, Wisconsin Statutes and Ch. SPS 385, Wisconsin Administrative Code; the State of Wisconsin Department of Transportation per ch. Trans. 236, Wisconsin Statutes, and Washington County; in regard to the Final Plat, and obtaining all necessary permits and approvals, and satisfaction of applicable requirements of State, Federal and Village Codes, statutes lawful orders, prior to commencing recording of the Final Plat, whichever is earlier.
2. **Professional Fees:** Petitioner shall, on demand, reimburse the Village of all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
3. **Payment of Charges:** Any unpaid bills owned to the Village by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permits fees or any other fees owned to the Village shall be placed upon the tax roll for the Subject Property if not paid within 30 days of billing by the Village, pursuant to Section 66.0627, Wis. Stats. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.

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

- d. **Discussion and possible recommendation to the Village Board regarding an Extraterritorial Two-Lot CSM review in the Town of Lisbon for land located at N91 W24099 Crooked Bridge Drive (Tax Key: LSBT0156017) and N91 W24111 Crooked Bridge Drive (Tax Key: LSBT0156017004) – James and Cheryl Krause and John Kowalski, Diana Hauser, Joint Petitioners**

Motion by Commissioner Cote to recommend approval to the Village Board for the petitioned extraterritorial Two-Lot Certified Survey Map for James and Cheryl Krause located at N91 W24099 Crooked Bridge Drive (Tax Key: LSBT0156017) and John Kowalski, Diana Hauser located at N91 W24111 Crooked Bridge Drive (Tax Key: LSBT0156017004) in the Town of Lisbon, subject to the following Conditions of Approval:

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Conditions of Approval:

- 1) A signature block for Village President John Jeffords and Village Administrator/Clerk Jim Healy be added as well as a statement regarding its extraterritorial review authority subject to the review and satisfaction of the Village Engineer.
- 2) That the applicant must meet all other conditions of approval issued by the Town or any other objecting/commenting governmental entity.

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

6. Joint Plan Commission and Village Board Discussion / Action Items

a. Discussion regarding Chapter 70 Zoning Code Recodification

Village Staff led the Plan Commission and Village Board through a discussion of Articles 1 through 11. The MS Redline Changes were noted on the draft copies to show that the proposed changes were carried forward. It is expected that at the meeting in September, the balance of the Articles (12-17) would be discussed as well as the appendices.

7. Adjournment

a. Plan Commission

Motion by Chairman Otto to adjourn the Plan Commission Meeting at 8:20 PM; Seconded by Commissioner Bartel; Motion passed without objection.

b. Village Board

Motion by Trustee Brandner to adjourn the Village Board Meeting at 8:21 PM; Seconded by Trustee Collins; Motion passed without objection.

Respectfully Submitted,

Jim Healy, Village Administrator