

PLAN COMMISSION

MEETING MINUTES – September 19, 2017

- 1) Call to Order: The meeting was called to order in the Harrison Municipal Building by Chairman Salm at 5:58pm.
- 2) Pledge of Allegiance: The Pledge was recited.
- 3) Roll Call: Members present were: Jim Fochs, Kevin Hietpas, Jim Salm, Buddy Lisowe, Dennis Reed. Jim Lincoln and Jerry Bartlein were excused.

Staff Present: Planner Mark Mommaerts, AICP; Carie Krause, Deputy Clerk - Treasurer

- 4) Public Participation: None.
- 5) Approve Minutes: Motion (Fochs/Reed) to approve the minutes of July 18, 2017 Motion carried 5-0.
- 6) Convene Meeting and Enter Public Hearing: Regular Meeting was convened and Public Hearing began at 6:00pm. Motion (Salm/Hietpas). Motion carried 5-0.
 - a. Conditional Use Permit – Swinkles Trucking & Excavating: Planner Mommaerts introduced the item stating that Swinkles Trucking & Excavating (Swinkles) is requesting a conditional use permit (CUP) for a resource extraction site for the Kimberly Heights subdivision property. Currently, there is a stockpile of topsoil and fill due to the construction of utilities and roads for the subdivision. Stockpiling is allowable in all areas as part of the construction process.
Swinkles wishes to refine the topsoil and shred it for use at off-site locations. The shredding, along with reuse off-site, is considered a refining process which is classified as a resource extraction under the zoning ordinance. Resource extraction is allowable in agricultural and industrial areas as a temporary use. The property being considered is in a residential area. There are concerns for dust and noise.
A couple of adjacent property owners have commented on the CUP. One property owner is “in favor of issuing the permit.” The other property owner is “not in favor” due to noise and dust concerns. Scott Dewitt explained that the use would only be for approximately 2 months.

7) Close Public Hearing and Reconvene Regular Meeting: Public Hearing was closed and regular meeting reconvened at 6:03pm. Motion (Hietpas/Reed). Motion carried 5-0.

8) Items for Discussion and Possible Action

a. Conditional Use Permit – Swinkles Trucking & Excavating: Planner Mommaerts stated that staff recommends the Conditional Use Permit be denied. The intent of the resource extraction provisions of the zoning ordinance state that such uses are to be in agricultural or industrial areas as a temporary or transitional use. The location of this request is in a residential area. Commissioner Lisowe questioned how close the stock piles are to actual residences to which Planner Mommaerts responded 1200-1300 feet. Commissioner Fochs commented that he had a chance to visit with some of the residents in the area, there are a significant number of people who are frustrated with it and he sees it as being problematic and understands why resource extraction isn't allowed in residential areas. Planner Mommaerts noted that the dust from utilities and roadway construction should not be considered as part of this CUP. Commissioner Hietpas commented that if we do allow it, we should limit it to a 2 month period.
Motion (Lisowe/Fochs) to deny the Conditional Use Permit to Swinkles for the operation of a resource extraction for topsoil stockpiling and shredding of existing topsoil. Motion carried 3-2 with Chairman Salm and Commissioner Hietpas opposed.

b. Certified Survey Map – Jason Jahnke – N8744 Zirbel Drive: Planner Mommaerts introduced the item stating that the property owner is proposing a 2-lot Certified Survey Map (CSM) to split the property at N8744 Zirbel Drive. The purpose of the CSM is to create a buildable lot for sale in the future. Each lot is over 1.5-acres in size and has frontage along Zirbel Drive. Currently the area is developed with private sanitary and water systems. The Village is proposing to extend public sewer and water to this area within the next 1-2 years. Part of the sewer and water system is designed to extend along the southern edge of the property. An easement will be needed in order to extend services to this area. The sewer and water design engineer is proposing a 40-foot easement along the south property line, 20-feet on each side of the property. If split, staff recommends that the easement be included as part of the CSM. Staff

recommends approval of the Certified Survey Map with the condition that a 20-foot sewer and water easement be added along the south side of proposed Lot 2. Jason Jahnke, N8744 Zirbel Drive asked if the 20ft easement would ever be buildable to which Planner Mommaerts responded that typically structures would not be allowed, fences could be allowed if the easement holder agrees.

Motion (Hietpas/Fochs) to approve the Certified Survey Map with the staff recommendations. Motion carried 5-0.

- c. Affidavit of Correction – Lot 1 Hialeah Beach – Firelane 12: Planner Mommaerts introduced the item stating that the owner of Lot 1 of Hialeah Beach (W5691 Firelane 12) tore down the existing structure on the property and wishes to construct a new home. Due to a navigable stream along the west side of the property and the topography of the property, there is a small buildable area on the property. The subdivision was platted in 1940 and includes an approximate 86-foot building setback line from Lake Winnebago. The original house on the property did not meet the setback requirements. The property owner is requesting that the setback line be removed from the plat and that the Village's zoning setbacks from navigable waters apply instead. The Village currently has a 50-foot setback from navigable waters.
- Motion (Fochs, Lisowe) to approve the Affidavit of Correction. Motion carried 5-0.

- d. Preliminary Plat – Kimberly Heights 2: Planner Mommaerts introduced the item stating that the developer, Derck DeWitt, LLC, has submitted a preliminary plat for Kimberly Heights 2. The property is located on the east side of Kimberly Heights. The extension of Hoelzel Way to Dusty Drive is included in this plat. The plat includes 16-lots with 2 street connections to the south, Dusty Drive and Schrieber Lane (new). As of the date of this meeting, street plans have not been submitted yet. Written permission from the land owner should be submitted agreeing to the plat submission. The concept plan reviewed previously indicated a park at lots 104 & 105. Due to wetlands and woodlands, Lot 104 is not an ideal location for the park. Lot 105 should be dedicated as parkland. However, there is an easement for the high voltage line through the parkland area so maybe the park site is located to a different location. The property must be rezoned to a residential zoning district. Village engineer

review comments and recommendations will be submitted once the complete plan set is reviewed.

Motion (Fochs/Hietpas) to conditionally approve the preliminary plat with all the necessary preliminary engineering being supplied to the village prior to the next meeting. Motion carried 5-0.

9) Items for Discussion

- a. Master Plan for Manitowoc Road Park: Planner Mommaerts described the plan which can be found on the Village website www.harrison-wi.org. Commissioner Lisowe stated that he was involved in the planning process and believes the Master Plan incorporates just about everything everyone who attended the meetings or commented on the project is looking for. Commissioner Lisowe asked Planner Mommaerts if there would be any future public meetings. Planner Mommaerts stated that at this point the Village Board will review it and vote on it at a public meeting. Commissioner Fochs asked if there was any talk on linking this park to the Harrison community with a trail. Planner Mommaerts responded that the long term plan does have a trail along Manitowoc Rd to LP and 55, although in the immediate future it will sit as an island for a while.
- b. Report: Zoning Permits: Planner Mommaerts stated that single family permits are down by about a dozen.

10) Next Meeting Date: October 24, 2017 at 6:00pm

11) Adjourn: Motion (Lisowe/Fochs) to adjourn the meeting at 6:35pm
Motion carried 5-0.

Prepared by: Carie Krause, Deputy Clerk-Treasurer

Dated: September 21, 2017