

PLAN COMMISSION AGENDA

Tuesday, February 27, 2018
6:00 PM

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Roll Call
- 4) Public Participation (Non-Agenda Harrison Related Items)
Please be advised per State Statute Section 19.84(2), information will be received from the public; be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.
- 5) Approve Minutes
 - January 23, 2018
- 6) Items for Discussion and Possible Action
 - a. Certified Survey Map – Greg & Anna Wallace – Schmidt Road
 - b. Accessory Building on Back Lot – Ken Pearson – Firelane 6
- 7) Items for Discussion
 - a. Report: Zoning Permits
- 8) Set Next Meeting Date
 - Tentatively March 27, 2018 at 6:00pm
- 9) Adjourn

Any person with hearing disabilities or requiring special accommodations to participate in the meeting should contact the Clerk's Office (920-989-1062) at least 24-hours prior to the meeting. This is a public meeting. As such, a quorum of the Village Board, Zoning Board of Appeals, or Committees may be in attendance. However, the only business to be conducted is for the Plan Commission.

Posted: February 20, 2018

PLAN COMMISSION
MEETING MINUTES – January 23, 2018

- 1) Call to Order: The meeting was called to order in the Harrison Municipal Building by Chairman Salm at 6:00pm.
- 2) Pledge of Allegiance: The Pledge was recited.
- 3) Roll Call: Members present were: Jim Fochs, Jim Lincoln, Kevin Hietpas, Jim Salm, Buddy Lisowe, Pat Hennessey, and Dennis Reed.

Staff Present: Planner Mark Mommaerts, AICP;

- 4) Public Participation: None.
- 5) Approve Minutes: Motion (Fochs/Lisowe) to approve the minutes of November 21, 2017. Motion carried 7-0.

6) Items for Discussion and Possible Action

- a. Final Plat – Kimberly Heights – Dercks DeWitt, LLC: Planner Mommaerts introduced the item stating the developer Dercks DeWitt LLC, have submitted a final plat for Kimberly Heights for a new 74-lot subdivision. This subdivision is located along County N north of Schmidt Road. Streets have been graveled for Hoelzel Way, Touchdown Drive, and Rosella Drive (north of Hoelzel Way). The remaining streets will be constructed this spring. Also in spring, all streets will have an asphalt binder laid down to minimize dust and erosion issues. The binder will remain for several years before paving.
Motion (Lincoln/Hietpas) to approve the final plat with the following conditions:

1. Cost estimates for all the remaining street and utility improvements in Rosella Drive (south of Hoelzel Way), Varsity Drive, Mulholland Lane, and Jones Way need to be submitted for sewer, water, storm, grading, stone base, and terrace restoration, etc.
2. A final grading/drainage plan with benchmarks on all hydrant tag bolts identified shall be submitted.
3. The ends of all sewer, water, and storm laterals shall be marked on each lot with the appropriate staking.

Motion carried 7-0.

- b. Modification to Conditional Use Permit – Kimberly Heights – Swinkles Trucking: Planner Mommaerts introduced the item stating Swinkles Trucking & Excavating (Swinkles) was granted 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.

The Plan Commission recommended denial of the CUP in September 2017. After the Plan Commission meeting, staff had further discussion with the developer of the subdivision regarding the refining process and received additional information. The Village Board was assured that the pulverizing/shredding of topsoil will only occur through the rest of the growing season of the fall of 2017. Come winter, Swinkles will be hauling the remaining topsoil to their facility outside of Harrison. The Village Board believed with some conditions that the pulverizing/shredding may be acceptable at this location and approved the CUP.

The Village Board granted the CUP with the following three conditions:

1. This Conditional Use Permit shall expire on November 20, 2017. All refining (pulverizing, shredding, etc.) shall cease on or before November 20, 2017. Any refining after November 20th will be a violation of the zoning ordinance subject to penalties found therein.
2. No refining (pulverizing, shredding, etc.) shall occur on Saturdays or Sundays. The only activity to occur on Saturdays is for material to be hauled off the site.
3. All remaining material shall be hauled off-site over the winter months. Such activity shall be permitted under the erosion control permit for the Kimberly Heights subdivision.

Swinkles wishes to extend the time period of the conditions to allow for shredding and removal during the months of May through September 2018. The reason for the request is that Swinkles was unable to complete the shredding and removal in 2017 due to wet weather.

The final plat of Kimberly Heights is ready for approval. It is expected that there will be many homes being built this summer within the subdivision.

Motion (Fochs/Hietpas) to approve the modification to the Conditional Use Permit to extend it through September 2018 with the original conditions and one for wind as follows:

1. This Conditional Use Permit shall expire on September 30, 2018. All refining (pulverizing, shredding, etc.) shall cease on or before September 30, 2018. Any refining after September 30th will be a violation of the zoning ordinance subject to penalties found therein.
2. No refining (pulverizing, shredding, etc.) shall occur on Saturdays or Sundays. The only activity to occur on Saturdays is for material to be hauled off the site.
3. No refining (pulverizing, shredding, etc.) shall occur on windy days where dust is likely to affect homes in the area.
4. All remaining material shall be hauled off-site by the end of 2018. Such activity shall be permitted under the erosion control permit for the Kimberly Heights subdivision.

Motion carried 7-0.

- c. Plan Commission Meeting Dates & Times: There was discussion on changing the meeting date or time for the Plan Commission monthly meeting. Motion (Lisowe/Hietpas) to move monthly Plan Commission meeting to the last Tuesday of the month at 6:00pm. With the understanding that the time could change if there are many items. Motion carried 7-0.

7) Items for Discussion

- a. Report: Zoning Permits: Planner Mommaerts stated that there were 57 single family permits for 2017, down from 73 in 2016.

8) Next Meeting Date: February 27th, 2018 at 6:00pm.

9) Adjourn: Motion (Lisowe/Lincoln) to adjourn the meeting at 6:25pm
Motion carried 7-0.

Prepared by: Mark Mommaerts, AICP, Planner

Dated: January 26, 2018

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

February 27, 2018

Title:

Certified Survey Map - Wallace

Issue:

Should the Plan Commission recommend approval of a 2-lot Certified Survey Map to the Village Board?

Background and Additional Information:

The applicant is proposing a 2-lot Certified Survey Map (CSM) for the property along Schmidt Road, west of N. Harwood Road. The property is currently zoned General Agricultural [AG]. The applicant wishes to sell Lot 2 to a family member as a home site. The applicant is also planning to construct a house on Lot 1 in the future. There is a 66-foot wide ingress/egress easement proposed for a driveway into Lot 2. The driveway may be shared in the future with the future home on Lot 1. Lot 2 is a flag lot and the configuration of the lot is due to a low area in the northwest corner of the property.

Recommended Action:

Staff recommends approval of the Certified Survey Map with the following conditions:

1. The face of the CSM shall clearly state that the right-of-way for Schmidt Road shall be dedicated to the public.
 2. The Driveway Easement should include provisions for maintenance responsibilities of the driveway and culvert and for snow removal.
-

Attachments:

- Aerial Map
- Certified Survey Map
- Draft Access Easement Agreement

DRIVEWAY EASEMENT

This is a temporary driveway easement being created by Gregory G. Wallace and Anna M. Wallace. (Wallaces)

WHEREAS, Wallaces are the owners of Lot 1 and 2 of Certified Survey Map No. as recorded in Volume on Page as Document No. located in the NW ¼ of the NE ¼ of S8, T20N, R19E, Village of Harrison, Calumet County, Wisconsin; and,

WHEREAS, Wallaces intend to convey said Lot 2 to a third party and to allow access to Schmidt Road over said Lot 1 for the benefit of Lot 2 until such time as a public road which can provide public access to Schmidt Rd. from Lot 1, becomes available to Lot 2.

NOW THEREFORE, it is established by Wallaces, intending to hereby bind themselves, their successors and assigns to a non-exclusive easement running with the land as to both Lot 1 and 2, that the owners of Lot 2 may place a driveway and culvert for accessing Lot 2 within the following described non-exclusive 66 foot wide easement area:

Being part of Lot 1 of Certified Survey Map No. 3078 as Recorded in Volume 25 of Certified Survey Maps on Page 303 as Document No. 429315, Located in the NW ¼ of the NE ¼ of S8, T20N, R19E, Village of Harrison, Calumet County, Wisconsin. Bounded and Described as Follows: Commencing at the North ¼ corner of Said Section 8; thence S88 degrees 27'25"E, 241.75 feet along the North line of the Northeast ¼ of Section 8 to the point of beginning; thence S00 degrees 13'03" W, 239.87 feet; thence N88 degrees 54'12"W, 33.01 feet to the East line of Lot 2 of a Certified Survey Map No. as recorded in Volume Page as Document No. ; thence S00 degrees 13'03"W, 66.01 feet along said East line; thence S88 degrees 54'12"E, 99.01 feet; thence N00 degrees 13'03"E, 305.36 feet to said North line of the Northeast ¼ of Section 8; thence N88 degrees 27'25"W, 66.01 feet to the point of beginning. Said easement containing 0.513 acres of land more or less. Subject to all easements and restrictions of record. Reserving that part presently used for road purposes.

It is a further condition of this easement that the owners of Lot 2 and Lot 1 shall not park nor permit parking of vehicles nor otherwise block or impede reasonable use for ingress and egress over the described easement area during its existence. Any owner of Lot 2, by taking ownership of Lot 2, is agreeing to be bound by the terms of this easement and to its extinguishment upon availability to it of public access to Schmidt Rd. Further, the owner of Lot 2 is obligated to cooperate in the process of and to paying its proportionate costs of obtaining such a public road when requested by the owner of Lot 1.

In witness of this agreement the parties signed the same below.

Dated this day of February, 2018

Gregory G. Wallace

Anna M. Wallace

State of Wisconsin)

)
Outagamie County)

Personally came before me on February , 2018, the above named Gregory G. Wallace and Anna M. Wallace. To me known to be the persons who executed the foregoing instrument and acknowledge the same.

Notary Public
My Commission is permanent or expires on _____

Drafted by: Attorney Paul Van Berkel
180 W. Wisconsin Ave.
Kaukauna, WI 54130



Calumet County, WI

Legend

- Address Point
- ▭ County Boundary
- ▭ Wisconsin Water
- Unincorporated Community
- ▭ Town Boundary
- Point of Interest
- ▭ Parcel Boundary
- ▭ Property Hook
- ▭ PLSS Section
- ▭ State Parks
- ▭ County Parks
- ▭ Lake

River and Stream

Major Roads

Local Roads

Local Roads

Municipal Streets

Trail

Railroad

Color 2014

Red: Band_1

Green: Band_2

Blue: Band_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.



Author:

Date Printed:
02/16/18 2:18 PM

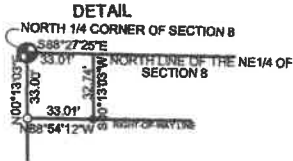
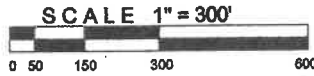
Sources:



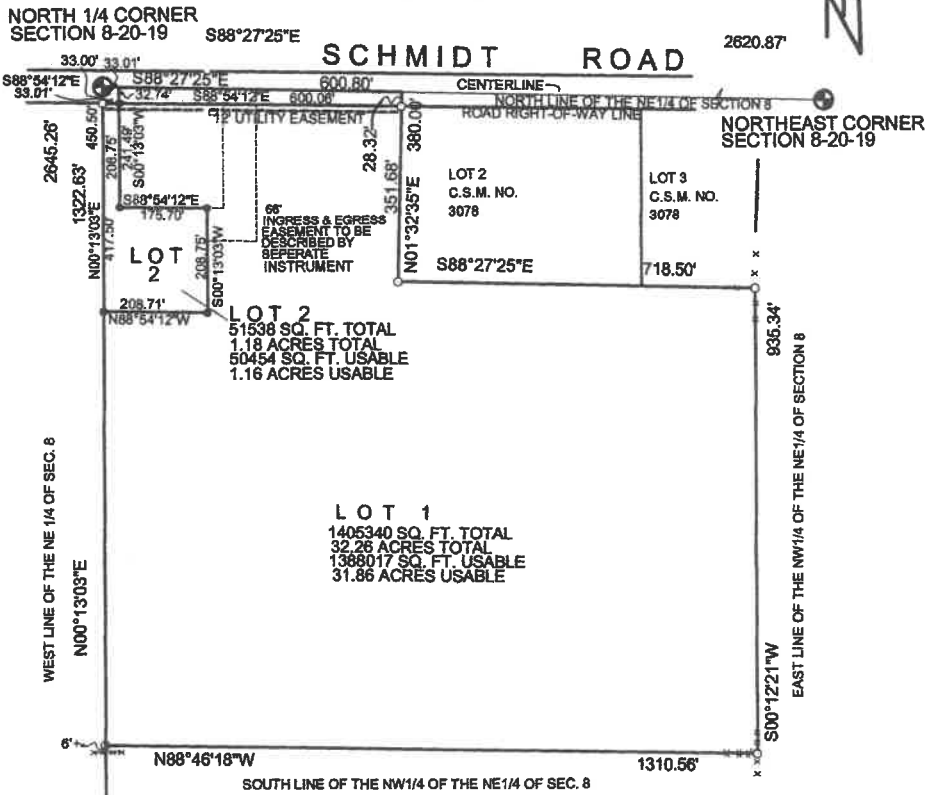
RECEIVED
 FEB 07 2018
 HARRISON PLANNING

CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 1 OF CERTIFIED SURVEY MAP NO. 3078 AS RECORDED IN VOLUME 25 ON PAGE 303 AS DOCUMENT NO. 429315. LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 19 EAST, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN.



NORTH IS REFERENCED TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 8, T20N, R19E, VILLAGE OF HARRISON, CALUMET COUNTY, WISCONSIN WHICH IS RECORDED TO BEAR S88°27'25"E PER CALUMET COUNTY COORDINATE SYSTEM



LEGEND

- = 1" INSIDE DIA. X 24" IRON PIPE SET, WEIGHING 1.502 LBS PER LIN. FOOT
 - ⊙ = ALUMINUM COUNTY MONUMENT FOUND
 - = 1" IRON PIPE FOUND
 - XXX = FENCE LINE
- SURVEYED FOR OWNER'S ANNA M. WALLACE & GREGORY G. WALLACE

CENTER OF SECTION 8-20-19

KEITH J. VALENTYNE, PLS-2198
 PHONE (920) 419-3369

DATED

CERTIFIED SURVEY MAP NO. _____

SURVEYORS CERTIFICATE:

I, KEITH J. VALENTYNE, PROFESSIONAL WISCONSIN LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED, AND MAPPED ALL OF LOT ONE, OF CERTIFIED SURVEY MAP NO. 3078 AS RECORDED IN VOLUME 25 OF CERTIFIED SURVEY MAPS, ON PAGE 303 AS DOCUMENT NO. 429315, BEING PART OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 8, TOWNSHIP 20 NORTH, RANGE 19 EAST, VILLAGE OF HARRISON, CALUMET COUNTY WISCONSIN. BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTH ¼ CORNER OF SAID SECTION 8; THENCE S88°27'25"E, 600.80 FEET ALONG THE NORTH LINE OF THE NORTHEAST ¼ OF SECTION 8 TO THE WEST LINE OF LOT 2 OF SAID CERTIFIED SURVEY MAP; THENCE S01°32'35"W, 380.00 FEET ALONG SAID WEST LINE TO THE SOUTH LINE OF SAID LOT 2; THENCE S88°27'25"E, 718.50 FEET ALONG SAID SOUTH LINE AND THE SOUTH LINE OF LOT 3 OF SAID CERTIFIED SURVEY MAP TO THE EAST LINE OF SAID NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 8: THENCE S00°12'21"W, 935.34 FEET ALONG SAID EAST LINE TO THE SOUTH LINE OF SAID NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 8; THENCE N88°46'18"W, 1310.56 FEET, ALONG SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST 1/4 OF THE NORTHEAST ¼ OF SECTION 8; THENCE N00°13'03"E, 1322.63 FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING. RESERVING THAT PART PRESENTLY USED FOR ROAD PURPOSES.

TOGETHER WITH AND SUBJECT TO ANY EASEMENTS, COVENANTS AND RESTRICTIONS OF RECORD.

THAT I HAVE MADE SUCH SURVEY UNDER THE DIRECTION OF THE OWNERS, ANNA M. WALLACE AND GREGORY G. WALLACE, N9570 STATE PARK ROAD APPLETON WI 54915.

THE WITHIN MAP IS A TRUE AND CORRECT REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE LANDS SURVEYED.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236.34 OF THE WISCONSIN STATUTES ALONG WITH THE SUBDIVISION ORDINANCES OF OUTAGAMIE COUNTY AND THE VILLAGE OF HARRISON IN THE SURVEYING AND MAPPING OF THE SAME.

DATED THIS 29 DAY OF JANUARY, 2018

KEITH J. VALENTYNE PLS-2198

CERTIFIED SURVEY MAP NO. _____

OWNER'S CERTIFICATE:

I, GREGORY G. WALLACE AND ANNA M. WALLACE, HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED HEREIN TO BE SURVEYED, DIVIDED, COMBINED AND MAPPED AS REPRESENTED ON THIS CERTIFIED SURVEY MAP. I ALSO CERTIFY THAT THIS CERTIFIED SURVEY MAP IS REQUIRED BY S. 236.10 OR S. 236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL:
VILLAGE OF HARRISON - OUTAGAMIE COUNTY

GREGORY G. WALLACE AND ANNA M. WALLACE DATED
STATE OF WISCONSIN)

)ss

CALUMET COUNTY)

PERSONALLY CAME BEFORE ME ON THIS _____ DAY OF _____, 2017, THE ABOVE NAMED PERSONS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

_____ MY COMMISSION EXPIRES _____

NOTARY PUBLIC

CONSENT OF MORTGAGEE:

ASSOCIATED BANK OF AMERICA, A DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF WISCONSIN, MORTGAGEE OF THE ABOVE DESCRIBED PROPERTY DOES HEREBY CONSENT TO THE SURVEYING, DIVIDING AND MAPPING OF THE LAND DESCRIBE ON THIS CERTIFIED SURVEY MAP AND DOES HEREBY CONSENT TO THE ABOVE CERTIFICATE OF GREGORY G. AND ANNA M. WALLACE, AS OWNERS.

WITNESS THE HAND AND SEAL OF SAID MORTGAGEE THIS _____ DAY OF _____, 20____.

IN THE PRESENCE OF:

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

STATE OF WISCONSIN

)ss

COUNTY OF CALUMET

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 20____. THE ABOVE NAMED PERSONS TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

NOTAY PUBLIC _____ COUNTY, WI

MY COMMISSION EXPIRES _____

TREASURER'S CERTIFICATE:

I, BEING DULY ELECTED, QUALIFIED AND ACTING TREASURER, DO HEREBY CERTIFY THAT THERE ARE NO UNPAID TAXES OR UNPAID SPECIAL ASSESSMENTS ON THE LANDS INCLUDED IN THIS CERTIFIED SURVEY MAP AS OF:

VILLAGE OF HARRISON

COUNTY TREASURER

VILLAGE BOARD APPROVAL CERTIFICATE:

THIS CERTIFIED SURVEY MAP WAS APPROVED BY THE VILLAGE HARRISON CALUMET COUNTY, WISCONSIN BY THE VILLAGE BOARD ON THIS _____ DAY OF _____, 2017.

VILLAGE PRESIDENT

VILLAGE CLERK

NOTES:

- (1) THIS CSM IS ALL OF TAX PARCEL NUMBERS 40508, TAX DISTRICT 131-VILLAGE OF HARRISON.
- (2) THE PROPERTY OWNER'S OF RECORD ARE GREGORY G. WALLACE AND ANNA M. WALLACE.
- (3) THE CSM IS WHOLLY CONTAINED WITHIN THE PROPERTY DESCRIBED IN THE FOLLOWING RECORDED INSTRUMENTS: DOCUMENT NO. 429568

KEITH J. VALENTYNE PLS-2198 DATED
315 SCHINDLER DRIVE, KIMBERLY, WI 54136
(920) 419-3369 kval33@live.com

PLAN COMMISSION MEETING

VILLAGE OF HARRISON

From:

Mark J. Mommaerts, AICP, Planner

Meeting Date:

February 27, 2018

Title:

Accessory Building on a Back Lot - Pearson

Issue:

Should the Plan Commission authorize the issuance of a zoning permit on a “back lot”?

Background and Additional Information:

The applicant (Ken Pearson) owns property at W6637 Firelane 6 (Location ID 41740). The applicant wishes purchase a lot across the street from his (owned by Robert Berkholtz, Location ID 41704) in order to construct an accessory building on a Back Lot (defined as a lot held in common ownership across the road from the lot fronting on Lake Winnebago). The properties are zoned Single-Family Residential (Suburban) [RS-1] and Shorelane Overlay [SHO]. The applicant is looking to purchase the property (Location ID 41704) but would like to know if an accessory building could be constructed on the properties prior to purchasing. Given the zoning ordinance requirements, the property (Location ID 41704) could be considered a buildable lot as it meets the zoning requirements for lot area and frontage (80-foot wide with at least 33-feet of road frontage).

Under the zoning ordinance, the Plan Commission may authorize the issuance of a zoning permit on a Back Lot. The zoning permit would have to meet the current zoning regulations.

Recommended Action:

Staff recommends authorizing a zoning permit for the accessory building with the following conditions:

1. The accessory building shall meet all the current Harrison Zoning Ordinance requirements for accessory buildings in the RS-1 & SHO zoning districts.
 2. The zoning permit shall be granted to the owner of the property, which shall also own property on the lake side of Firelane 6 in accordance with the Back Lot definition.
 3. The property owner agrees to combine the parcels in some manner (to be determined by state statutes) or agrees via recorded document to not sell the Back Lot separate from the Lake Lot unless the accessory building is first removed. Such recording document shall be reviewed and approved by Harrison staff prior to recording at the Register of Deeds. Such recording document shall be recorded prior to granting of the zoning permit.
-

Attachments:

- Aerial Map

W6637 Firelane 6 HARRISON

Legend

- Town Boundary
- Point of Interest
- Parcel Boundary
- Property Hook
- PLSS Section
- Floodplain 2009
- Wetland Boundary
- Wetland Point
- Contours
- Major Roads
- Federal Highways
- State Highways
- County Highways
- Local Roads
- Local Roads
- Municipal Streets
- Trail
- Railroad

Color 2014

- Red: Band_1
- Green: Band_2
- Blue: Band_3



DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

Date Printed	01/22/18 12:17 PM

