



## PLAN COMMISSION AGENDA

VILLAGE OF HARRISON  
CALUMET & OUTAGAMIE COUNTIES, WI  
W5298 HWY 114  
HARRISON, WI 54952  
[www.harrison-wi.org](http://www.harrison-wi.org) (920) 989-1062

**Tuesday, January 23, 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
  - November 21, 2017
- 6) Items for Discussion and Possible Action
  - a. Final Plat – Kimberly Heights – Dercks DeWitt, LLC
  - b. Modification to Conditional Use Permit – Kimberly Heights – Swinkles Trucking & Excavating
  - c. Plan Commission Meeting Dates & Times
- 7) Items for Discussion
  - a. Report: Zoning Permits
- 8) Set Next Meeting Date
- 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.

PLAN COMMISSION

MEETING MINUTES – November 21, 2017

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

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

- 4) Public Participation: None.
- 5) Approve Minutes: Motion (Fochs/Lisowe) to approve the minutes of October 24, 2017 Motion carried 6-0.
- 6) Convene Meeting and Enter Public Hearing: Regular Meeting was convened and Public Hearing began at 6:02pm (Salm/Hietpas). Motion carried 6-0.
  - a. Zoning Map Amendment – Kimberly Heights 2 – Dercks DeWitt, LLC: No questions or comments.
- 7) Close Public Hearing and Reconvene Regular Meeting: Public Hearing was closed and Regular Meeting was reconvened at 6:03pm.
- 8) Items for Discussion and Possible Action
  - a. Zoning Map Amendment – Kimberly Heights 2 – Dercks DeWitt, LLC: Planner Mommaerts introduced the item stating the developer of the Kimberly Heights 2 subdivision and the current property owner, are requesting a zoning map amendment (rezoning) to rezone a portion of property from General Agricultural [AG] to Single-Family Residential (Suburban) [RS-1] for the Kimberly Heights 2 subdivision. The proposed rezoning complies with the Comprehensive Plan and the future land use map designation of single-family residential (sewered). Motion (Lisowe/Fochs) to approve the Zoning Map Amendment from General Agricultural [AG] to Single-Family Residential (Suburban) [RS-1] for the property listed in the public hearing notice for Kimberly Heights 2. Motion carried 6-0.

- b. Certified Survey Map – Kimberly Heights 2 – Dercks DeWitt, LLC:  
Planner Mommaerts introduced the item stating that the property owner is proposing a 3-lot Certified Survey Map (CSM) for the two properties along Schmidt Road east of County N. The purpose of the CSM is to create a parcel to sell to the developer of the Kimberly Heights 2 subdivision. Lot 1 is the parcel proposed to be developed as Kimberly Heights 2. Lot 2 and Lot 3 are the remaining portions of property. It is assumed that ownership will remain the same for each lot.  
Motion (Fochs/Lisowe) to approve the Certified Survey Map. Motion carried 6-0.
- c. Certified Survey Map – N8787 N. Harwood Road – Nancy Wenzel:  
Planner Mommaerts introduced the item stating that the property owner is proposing a 2-lot Certified Survey Map (CSM) for the property at N8787 N. Harwood Road. The purpose of the CSM is to combine approx. 5.747-acres of land on the western side of the property with the lands to the south. The property owner would retain Lot 1, which is 4.253-acres, and includes the house, shed, and pond. Lot 2 would be 32.707-acres and consists of agricultural lands. Essentially the CSM just adjusts the lot line between the two parcels.  
Motion (Hietpas/Fochs) to approve the Certified Survey Map. Motion carried 6-0.
- d. Preliminary Plat – Cobble Creek II – Gene Frederickson: Planner Mommaerts introduced the item stating that the developer is proposing a 36-lot subdivision called Cobble Creek II. The subdivision is located south of County KK east of Bies Road. The subdivision will have lot sizes over 1-acre. Street connections to Creekview Road, Dallas Drive, and County KK are proposed. Dallas Drive is proposed to extend south of the creek to Schmidt Road in the future. Stormwater management is proposed in two locations. Outlot 8 is proposed to accept stormwater runoff from the commercial lots (Lots 15 & 21). Outlot 7 is the other pond location. The subdivision will be serviced is private septic and wells. Soil borings have been completed. A 10-foot trail is proposed along one side of Dallas Drive. All other streets will have a 5-foot sidewalk on both sides.  
Preliminary Plat – Cobble Creek II – Gene Frederickson. Staff recommends conditional approval of the Preliminary Plat for Cobble Creek II with the following conditions:

1. Phase lines are to be added to the Preliminary Plat if the subdivision is planned to be platted in phases.
2. Results of all soil boring tests shall be submitted to the Village prior to approval of the preliminary plat by the Village Board.
3. Results of all percolation tests shall be submitted to the Village prior to approval of the preliminary plat by the Village Board.
4. Access Easement Document No. 471668 shall be abandoned prior to final plat approval.
5. Creekview Road "eyebrow" shall be removed, curblines to follow centerline for roadway.
6. All landscaping/plantings behind handrails on bridge crossing are to be maintenance free.
7. Storm sewer structures need to have sump in them in accordance with the current Standard Specifications Manual.
8. All lots shall have a storm sewer lateral provided for sump pump discharge.
9. Final utility, street plans, and stormwater management plans shall be reviewed and approved by the Village Engineer and Village staff in writing prior to approval of the Final Plat and prior to utility and street construction.
10. A Development Agreement shall be executed prior to approval of the final plat.
11. A fee-in-lieu of parkland shall be negotiated as part of the Development Agreement.
12. An assessment waiver shall be signed prior to the approval of the final plat.
13. A trail along Dallas Drive from the Cobble Creek II plat to the Kaukauna Youth Baseball site shall be included in the final plan set.
14. A street light at County KK and Milis Drive shall be installed. Installation and upfront costs to be paid by the Developer. The Village will assume long-term maintenance.
15. A note shall be added to the final plat indicating that the Village of Harrison will assess all lots for street improvements, including but not limited to, curb & gutter, concrete pavement, and sidewalks.
16. A note shall be added to the final plat indicating the following language, or other such similar language, that the lot owners waive their right to future special assessment hearings and agree to special assessments for public sanitary sewer & water. Lot owners agree to connect to public sanitary sewer & water when it becomes available or

- when it is determined by the Village that public sanitary sewer & water is in the public interest to be installed in the subdivision.
17. All drainageways, drainage easement, and associated infrastructure shall be installed, graded and seeded prior to roadway acceptance.
  18. All utilities, including but not limited to, water (if public system is available), storm sewer, gas, electric, cable, phone, shall be installed prior to roadway acceptance.
  19. The Village Board shall accept the roadway in a graveled state prior to issuance of building permits and zoning permits.
  20. Erosion Control Silt Fence shall be installed, in accordance with State Specifications, along the right-of-way line of all streets prior to roadway acceptance.
  21. All other improvements, including but not limited to, curb & gutter, asphalt paving, sidewalks, shall be installed prior to issuance of building permits or zoning permits, unless the Village Board approves a Subdivision Development Agreement to allow for improvements to be installed at a later date.
  22. All comments from the Village engineer shall be included in the Plan Commission discussion and decision.
  23. Curb cuts for sidewalks to be located on the south side of Dallas Drive opposite Milis Drive. Location of all sidewalk curb ramps shall be approved by Harrison staff.
  24. A grading/drainage stormwater management plan and erosion control plan shall be reviewed and approved by the Village engineer and Village staff.
  25. Multiple benchmark locations shall be established for use during building construction.
  26. All environmental corridors shall be clearly identified and setback lines to be indicated.
  27. Temporary turn-around to be provided on dead-end streets longer than 150-feet.
  28. Grading/Drainage Plan shall identify elevations of ground at the foundation.
  29. High-back, integral concrete curb shall be utilized rather than the mountable curb.
  30. Wetland determinations and/or studies shall be provided to the Village.
  31. Consider utilizing a public water system instead of private wells.

Planner Mommaerts stated that a new plan set was received and addresses many of the conditions. Items #2 & #3 will still need to be submitted prior to plat approval. Commissioner Fochs asked if all the other items have been resolved to his satisfaction to which Planner Mommaerts replied yes, everything else can be addressed at the final plat time. Commissioner Lisowe asked if Item 21 should be asphalt instead of concrete to which Planner Mommaerts answered yes, as well as the note in the upper right hand corner of Page 1 of the Plan Sheet. Motion (Lisowe/Hietpas) to conditionally approve the preliminary plat with all of the conditions noted along with changes just noted for the asphalt streets. Motion carried 6-0.

9) Items for Discussion

- a. Report: Zoning Permits: Planner Mommaerts stated that single family permits are slowing down, we most likely won't hit what we did last year. At this point we are around 50-55 for the year.

10) Next Meeting Date: December 19, 2017 at 6:00pm

11) Adjourn: Motion (Lisowe/Lincoln) to adjourn the meeting at 6:33pm  
Motion carried 6-0.

Prepared by: Carie Krause, Deputy Clerk-Treasurer

Dated: November 22, 2017



VILLAGE OF HARRISON, WISCONSIN

**PLAN COMMISSION MEETING**

**VILLAGE OF HARRISON**

**From:**

Mark J. Mommaerts, AICP, Planner

**Meeting Date:**

January 23, 2018

**Title:**

Final Plat for Kimberly Heights

**Issue:**

Should the Plan Commission recommend approval of the Final Plat for Kimberly Heights?

**Background and Additional Information:**

The developers, 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.

**Recommended Action:**

Staff finds that the final plat is substantially consistent with the preliminary plat. Staff recommends approval of the final plat of Kimberly Heights with the conditions that the following items be completed by the developer and verified by the Village prior to the Village signing the final plat document:

1. Add "municipal utilities" to the Utility Easement Provisions and list the Village of Harrison as a grantee on the final plat.
2. 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.
3. A final grading/drainage plan with benchmarks on all hydrant tag bolts identified shall be submitted.
4. A 25-foot drainage easement shall be identified on the final plat and final grading/drainage plan along the Schmidt Road property line for lots 24, 25, 44-48.
5. A note on the final plat and the final drainage/grading plan that there shall be no lower exposed openings on lots containing a drainage easement. Any egress windows will require a window well with a top elevation consistent with the top of house foundation elevation.
6. The ends of all sewer, water, and storm laterals shall be marked on each lot with the appropriate staking.

**Attachments:**

- Final Plat

# Kimberly Heights

All of Lot 1 of Certified Survey Map No. 3631 and being part of the SW 1/4 of the SW 1/4 of Section 02, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin

## LOCATION MAP

SW 1/4 SEC 2, T 20 N, R 18 E,  
VILLAGE OF HARRISON,  
CALUMET COUNTY, WI



### NOTES:

- All linear measurements have been made to the nearest one hundredth of a foot.
- All angular measurements have been made to the nearest 20 seconds and computed to the nearest half seconds.

### LEGEND

- △ 1/2" Rebar Found
- 3/4" Rebar Found
- 1 1/2" x 18" Steel Rebar @ 4.30bs/LF SET
- All other corners 3/4" x 18" Steel Rebar @ 1.50bs/LF SET
- SF Lot areas in square feet
- /// No access allowed

### LINE TABLE

Line	Bearing	Length
L1	S 08°40'45" W	162.39'
L2	S 13°22'58" E	25.98'
L3	S 13°22'58" E	25.98'



Bearings are referenced to the S.L. of the SW 1/4 Section 2 T20N, R18E assumed to bear N89°16'59"E based on the Calumet County Coordinate System

James R. Sehlhoff, P.L.S. No. S-2692 Date

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified 20

Department of Administration



**DAVEL ENGINEERING & ENVIRONMENTAL, INC.**  
CIVIL ENGINEERING CONSULTANTS  
1811 Racine Street, Menasha, WI 54952  
Ph: 920-991-1866 Fax: 920-930-9595  
www.davel.pro

**RECEIVED**  
JAN 09 2018  
HARRISON PLANNING

South 1/4 Corner  
Section 2 T20N, R18E  
(Masonry Nail Found)

File: 4773Final.dwg  
Date: 01/09/2018  
Drafted By: Jim  
Sheet: 1 of 2  
Revision Date: Jan 09, 2018



Jan 09 2018 1:29pm U:\Projects\4773Final.dwg\Civil 3D\4773Final.dwg Printed by: Jim

Southwest Corner  
Section 2 T20N, R18E  
(Masonry Nail Found)



# Kimberly Heights

All of Lot 1 of Certified Survey Map No. 3631 and being part of the SW 1/4 of the SW 1/4 of Section 02, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin

### Surveyor's Certificate

I, James R. Sehoff, professional land surveyor, hereby certify: That in full compliance with the provisions of Chapter 238 of the Wisconsin Statutes and the subdivision regulations of the Village of Harrison, and under the direction of Dercks Dewitt LLC, David L. Welland and Jaquelyn J. Welland Living Trust, owners of said land, I have surveyed and divided and mapped Kimberly Heights, that such plat correctly represents all exterior boundaries and the subdivision of the land surveyed; and that this land is all of Lot 1 CSM 3631 being part of the Southwest 1/4 of the Southwest 1/4 and part of the Southeast 1/4 of the Southwest 1/4 of Section 02, Township 20 North, Range 18 East, Village of Harrison, Calumet County, Wisconsin, containing 1,969,418 Square Feet (45.2116 Acres) of land, subject to all easements and restrictions of record.

Given under my hand this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

James R. Sehoff, Wisconsin Professional Land Surveyor No. S-2692

### Owner's Certificate

Dercks Dewitt LLC, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said corporation caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Dercks Dewitt LLC, does further certify this plat is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

Village of Harrison Planning and Zoning Committee  
Calumet County Resource Department  
Department of Administration

IN WITNESS WHEREOF, the said Dercks Dewitt LLC, has caused these presents to

be signed by its authorized representatives, located at, \_\_\_\_\_ Wisconsin

this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_.

In the Presence of: Dercks Dewitt LLC

Tom Dercks, President

State of Wisconsin)  
\_\_\_\_\_ )ss  
\_\_\_\_\_ County)

Personally came before me this \_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_  
the above named to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Notary Public, Wisconsin My commission expires: \_\_\_\_\_.

### Utility Easement Provisions

municipal utilities

An easement for electric, natural gas, and communications service is hereby granted by

Dercks Dewitt LLC, grantor

to:

Wisconsin Electric Power Company and Wisconsin Gas, LLC, Wisconsin corporations doing business as We Energies, Grantee,  
SBC, Grantee, Village of Harrison, Grantee  
Darby Sanitary District, Grantee  
and  
Time Warner Cable, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to be restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Dercks Dewitt LLC

Dercks Dewitt LLC  
Tom Dercks, Managing Member

Date

### Village Board Approval Certificate

Resolved, that the plat of Kimberly Heights in the Village of Harrison, Calumet County, Dercks Dewitt LLC, is hereby approved by the Village Board of the Village of Harrison.

Chairman \_\_\_\_\_ Date \_\_\_\_\_

I hereby certify that the foregoing is a copy of a resolution adopted by the Village Board of the Village of Harrison

Clerk \_\_\_\_\_ Date \_\_\_\_\_

### Treasurer's Certificate

We, being the duly elected, qualified and acting Treasurer's of the Village of Harrison and Calumet County, do hereby certify that in accordance with the records in our office, there are no unredeemed tax sales and unpaid taxes, or special assessments on and of the land included in this plat.

Village Treasurer \_\_\_\_\_ Date \_\_\_\_\_

County Treasurer \_\_\_\_\_ Date \_\_\_\_\_

### Village Notes:

- There are Ordinance regulations that have been passed by the Village of Harrison requiring the maintenance of lot drainage plans on a permanent basis. Said regulations have been recorded as Document Number 331468, Calumet County Register of Deeds and shall apply to all subdivisions approved after the 1st day of May, 2001. Said recording shall have the effect of deed restrictions requiring that permanent laws be established in conformance with the lot drainage plan elevations within one year after initial occupancy of any house. Failure to maintain grades in accordance with storm water or drainage plans shall entitle the Village or representative thereof to direct compliance or upon failure of compliance to make said lands come into compliance. The costs and expenses shall be entered on the tax roll as a special charge against the property and collected with other taxes levied thereon.
- Building permits and occupancy permits may be withheld for non-compliance with the plat or Village Ordinances relating to drainage and storm water management.
- In the event that the surface drainage facilities required by the plat which are applicable to the lot for which a building permit has been applied, have not been complied with, the building inspector may withhold building permits required by the building code.
- In the event that, after construction there is a failure to establish surface grades in accordance with the subdivision surface water plan, the building inspector may withhold the occupancy permit required by the building code.
- Maintenance of all drainageways and associated structures within the plat or serving the plat is the sole responsibility of the Owner/Subdivider until acceptance by or dedication to the Village of Harrison.
- Where the final drainage plan requires a storm inlet to adequately drain the rear portion of lots within blocks of the plat, the subdivider shall incorporate restrictive covenants in the deeds for the aforementioned lots that, "The respective lot owners shall be responsible for maintaining a clear grate on any storm drainage inlets on their lot."
- Upon failure of the Owner/Subdivider to perform maintenance of the drainageways and associated structures, the Village of Harrison retains the right to perform maintenance and/or repairs. The payments of said maintenance and/or repairs shall be equally assessed among the property owners of the plat.
- A drainage plan has been filed with the Village of Harrison which states the required levels of maintenance for all the identified storm water management systems/facilities.
- Drainage Easement Notes:
  - All lands within areas labeled "Drainage Easement" are reserved for stormwater collection, conveyance, treatment, or infiltration. No buildings, fences, or other structures are allowed in these areas. No grading or filling is allowed in these areas that may interrupt stormwater flows in any way.
  - Landscaping/plantings shall be restricted to ground cover.
  - If Drainage Easements are not adequately maintained, the Village of Harrison may levy the cost and expenses of such inspections, maintenance, and/or repair related actions as a special charge against the property and collected as such in accordance with the procedures under Wis. Stats. 66.0627.
- The Village of Harrison will assess all lots for street improvements, including but not limited to, curb & gutter, concrete pavement, and sidewalks.

This Final Plat is contained wholly within the property described in the following recorded instruments:

the property owner of record: Dercks Dewitt LLC  
Recording Information: Doc No. 522094  
Parcel Number(s): 33244

Curve	Radius	Chord Direction	Chord Length	Arc Length	Central Angle	Tangent Bearing-in	Tangent Bearing-out
C1	66.00'	S 44°18'59" W	93.34'	103.87'	90°00'00"	S 00°43'01" E	S 89°16'58" W
C2	66.00'	S 19°54'13" W	46.49'	47.51'	41°14'28"	S 00°43'01" E	S 40°31'27" W
C3	66.00'	S 64°54'13" W	54.49'	56.17'	48°46'32"	S 40°31'27" W	S 89°16'58" W
C4	383.00'	S 07°41'29" E	93.01'	93.24'	13°56'57"	S 14°39'58" E	S 00°43'01" E
C5	383.00'	S 01°02'34" E	4.36'	4.38'	0°39'07"	S 01°22'08" E	S 00°43'01" E
C6	383.00'	S 08°01'03" E	88.89'	88.89'	13°17'50"	S 14°39'58" E	S 01°22'08" E
C7	317.00'	S 07°20'50" E	80.76'	80.99'	14°38'15"	S 00°01'43" E	S 14°39'58" E
C8	317.00'	S 13°31'48" E	12.57'	12.57'	2°16'20"	S 12°23'38" E	S 14°39'58" E
C9	317.00'	S 06°12'40" E	68.26'	68.41'	12°21'56"	S 00°01'43" E	S 12°23'38" E
C10	383.00'	N 07°20'50" W	97.58'	97.85'	14°38'15"	N 14°39'58" W	N 00°01'43" W
C11	383.00'	N 04°18'23" W	56.69'	56.75'	8°29'21"	N 08°31'04" W	N 00°01'43" W
C12	383.00'	N 11°36'31" W	41.08'	41.10'	6°08'54"	N 14°39'58" W	N 08°31'04" W
C13	317.00'	N 07°41'29" W	76.99'	77.18'	13°56'57"	N 00°43'01" W	N 14°39'58" W
C14	317.00'	N 09°41'21" W	55.00'	55.07'	9°57'14"	N 04°42'44" W	N 14°39'58" W
C15	317.00'	N 02°42'52" W	22.10'	22.10'	3°59'43"	N 00°43'01" W	N 04°42'44" W
C16	67.00'	S 06°46'25" E	15.46'	15.50'	13°15'04"	S 00°07'53" E	S 13°22'58" E
C17	133.00'	S 06°46'25" E	30.69'	30.76'	13°15'04"	S 13°22'58" E	S 00°07'53" E
C18	133.00'	S 06°46'25" E	30.69'	30.76'	13°15'04"	S 00°07'53" E	S 13°22'58" E
C19	67.00'	S 06°46'25" E	15.46'	15.50'	13°15'04"	S 13°22'58" E	S 00°07'53" E

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.  
Certified \_\_\_\_\_, 20 \_\_\_\_  
Department of Administration



DAVEL ENGINEERING & ENVIRONMENTAL, INC.  
CIVIL ENGINEERING CONSULTANTS  
1811 Racine Street Menasha, WI 54952  
Ph: 920-991-1865 Fax: 920-830-9585  
www.davel.pro

File: 4773Final.dwg  
Date: 01/09/2018  
Drafted By: Jim  
Sheet: 2 of 2  
Revision Date: Jan 09, 2018



**PLAN COMMISSION MEETING**

**VILLAGE OF HARRISON**

**From:**

Mark J. Mommaerts, AICP, Planner

**Meeting Date:**

January 23, 2018

**Title:**

Modify Conditional Use Permit – Swinkles Trucking & Excavating

**Issue:**

Should the Plan Commission recommend modifying the Conditional Use Permit to Swinkles Trucking & Excavating to extend through September 2018 operations of a resource extraction site as part of the Kimberly Heights subdivision construction?

**Background and Additional Information:**

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 20<sup>th</sup> 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.

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**Recommended Action:**

Staff recommends denial of the Conditional Use Permit modification request.

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**Attachments:**

- Letter from Swinkles dated January 3, 2018
- Village Board Decision Letter

(920) 788-6248

Fax (920) 788-1739

# SWINKLES TRUCKING & EXCAVATING CORP.

*Basements, Ponds, Demolition, Sand, Gravel, Decorative Stone & Pulverized Topsoil*

N4291 Vine Rd.

Freedom, WI 54130

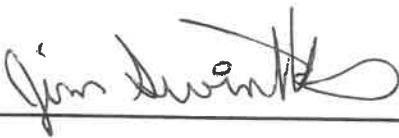
[www.swinklestrucking.com](http://www.swinklestrucking.com)

January 3, 2018

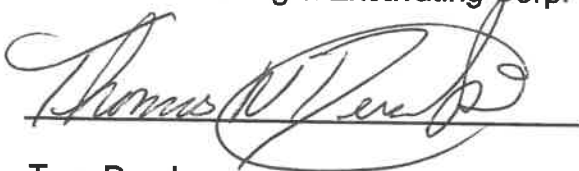
Village of Harrison  
W5298 Hwy 114  
Menasha, WI 54952

Site Name: Kimberly Heights  
Location: Schmidt Road

Due to the wet weather, Swinkles was unable to complete the shredding and removal of topsoil in 2017. Swinkles is requesting to extend the temporary Conditional Use Permit for shredding of the existing topsoil in the Kimberly Heights subdivision during the months of May through September, 2018.



Jim Swinkles  
President  
Swinkles Trucking & Excavating Corp.



Tom Dercks





VILLAGE OF HARRISON

TOWN OF HARRISON

September 27, 2017

Jim Swinkles  
Swinkles Trucking & Excavating  
N4291 Vine Road  
Freedom, WI 54130

RE: Village Board Decision Letter – Conditional Use Permit – Schmidt Rd

Dear Mr. Swinkles:

This letter is to inform you that on September 26, 2017 the Village Board conditionally approved your Conditional Use Permit (CUP) with the following 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 20<sup>th</sup> 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.

If you have any questions, please contact me at 920.989.1062 or email me at [mmommaerts@harrison-wi.org](mailto:mmommaerts@harrison-wi.org).

Sincerely,

Mark J. Mommaerts, AICP  
Planner

cc: Tom Dercks, Dercks DeWitt LLC



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**PLAN COMMISSION MEETING**

**VILLAGE OF HARRISON**

**From:**

Mark J. Mommaerts, AICP, Planner

**Meeting Date:**

January 23, 2018

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**Title:**

Plan Commission Meeting Date and Time

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**Issue:**

Should the Plan Commission change the date and/or time of the monthly meeting?

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**Background and Additional Information:**

Staff is proposing that the Plan Commission consider changing the date/time of the monthly meeting to the same night as a Village Board meeting. The reason for the change is to shorten the review time for many projects that require both Plan Commission and Village Board approval. It would also save the applicant/developer from having to appear on two separate nights.

Current meeting dates/times:

- Plan Commission – second to last Tuesday of month at 6:00pm (week before Village Board meeting)
- Village Board – second Tuesday and last Tuesday of month at 7:00pm

Options:

1. No Change – meeting to be the second to last Tuesday of month at 6:00pm
2. Last Tuesday of Month – move meeting to last Tuesday of month at 6:00pm, meet before the Village Board meeting
3. Second Tuesday of Month – move meeting to second Tuesday of month at 6:00pm, meet before the Village Board meeting (note: Village Board sometimes cancels this meeting for lack of agenda items)
4. Change Time – change the time for any of the above options

If the meeting were to be on the same night as the Village Board meeting, any item approved by the Plan Commission could be approved by the Village Board that same night. If there were an item that needed more information before going to the Village Board, the item could be delayed to the following Village Board meeting. Typically, Plan Commission meetings do not last more than an hour. Having a known end time will cause applicants/developers/speakers to be concise when speaking.

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**Recommended Action:**

Staff prefers that the Plan Commission meeting be on the same night as a Village Board meeting. Based on the above options, staff prefers option #2.

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**Attachments:**

- None