

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
APRIL 19, 2022**

- 1) The meeting was called to order in the Harrison Municipal Building by Allison Blackmer at 6:00pm.
- 2) The Pledge of Allegiance was recited.
- 3) Roll Call: Members present: Allison Blackmer, Kent Gross, Pat Hennessey, and Mark Van Hefty.
Members excused: Jim Lincoln, Dennis Reed, and Darlene Bartlein.
Staff Present: Mark Mommaerts, Planner, Trish Nau, Assistant Planner, and Vicki Tessen, Clerk
Public Present: 10 signed in
- 4) Public Participation:
 - a. Larry Schmitz spoke of concerns regarding single family residential zoned areas being rezoned for development of non-single family residential housing.
 - b. Dan Mielke told the commission that the map used for East Central Railroad is very deceiving and he has a better one and is willing to share it if anyone wanted.
- 5) Motion (Hennessey/Van Hefty) to approve the minutes of March 22, 2022.
Motion carried 4-0.
- 6) Motion (Hennessey/Gross) at 6:14 PM to convene Meeting and open Public Hearing.
Motion carried 4-0.
 - a. Zoning Map Amendment – Don Mielke – Mielke Road
 - i) No comments.
 - b. Zoning Map Amendment – Stephanus Macrander – W5518 Firelane 12
 - i) Ann Younger Crandle questioned the rezoning map for Firelane 12.
Can the developer decide to put more residential lots on the rural zoned area? *(yes)*.
Are there water/sewer infrastructure plans? *(not at this time – closest lines to connect to are about 1 mile away)*.
 - ii) Stephanus Macrander (owner of property) informed the public that his intention is to divide the land into 4 parcels, approximately 1.25 acres each. He will keep one for himself, his daughter will have one lot, and he will sell the other 2 lots. He has no intention of plotting out the land for a subdivision.
 - c. Conditional Use Permit – Milis Enterprise, LLC – W4567 County KK
 - i) No comments.
- 7) Motion (Hennessey/Van Hefty) at 6:22 PM to close the Public Hearing and Reconvene Regular Meeting.
Motion carried 4-0.
- 8) Items for Discussion and Possible Action
 - a. Certified Survey Map – Joseph Zahringer – N7247 Hwy 55
The property owner is proposing a 2-lot Certified Survey Map (CSM) for the property located at N7247 Hwy 55. The property is zoned General Agricultural [AG]. The purpose of the CSM is to separate the farmhouse and farm buildings from the agricultural lands. Lot 1 is proposed to be 2.984-acres and will contain the existing home and farm buildings. Lot 2 is proposed to be 36.287-acres and will be agricultural land.

The AG zoning district requires a minimum of 3-acres to have livestock on the property. Staff would suggest the owner consider amending the lot lines so that Lot 1 is a minimum of 3-acres. This will give the proposed lot more flexibility in the future.

Motion (Van Hefty/Grosse) to Approve as printed and circulated including staff conditions
Motion carried 4-0

b. Zoning Map Amendment – Don Mielke – Mielke Road

The applicant is proposing to rezone property located along Mielke Road, Location IDs 43796 & 43768, from General Agricultural [AG] to Rural Residential [RR]. The purpose of the rezoning is to create lots for single-family home sites. The Comprehensive Plan and Future Land Use Map identifies these properties as 'Single Family Residential (Unsewered)'. The proposed rezoning is consistent with the Comprehensive Plan. Many of the surrounding properties in this area are zoned Rural Residential.

Motion (Van Hefty/Hennessey) to Approve as printed and circulated.
Motion carried 4-0

c. Certified Survey Map – Don Mielke – Mielke Road

The property owner owns two agricultural parcels (Tax ID 43796 & 43768) and plans to subdivide the property fronting Mielke Road into single-family lots. There is a future road proposed to access the remaining agricultural lands behind the lots. Lots can be created by Certified Survey Map (CSM) but are limited to four lots every five years. The proposed CSM for Tax ID 43768 will be the fourth lot created within the past five years.

The property owner is proposing a 1-lot Certified Survey Map (CSM) for the property located along Mielke Road. The property is zoned Rural Residential [RR]. The purpose of the CSM is to create a single-family home site. The proposed lot is 1.205-acres in area with 150-feet of road frontage. The RR zoning district currently allows single-family homes as a permitted use. The property owner is working with the Calumet County Planning & Zoning Dept. regarding the private sanitary systems. Access will come from Mielke Road via culvert and private driveway to the lot.

Motion (Van Hefty/Grosse) to Approve as printed and circulated.
Motion carried 4-0

d. Zoning Map Amendment – Stephanus Macrander – W5518 Firelane 12

The applicant is proposing to rezone property located along Firelane 12, Location ID 40040, from General Agricultural [AG] to Rural Residential [RR]. The purpose of the rezoning is to create lots for single-family home sites. The Comprehensive Plan and Future Land Use Map identifies these properties as 'Single Family Residential (Unsewered)'. The proposed rezoning is consistent with the Comprehensive Plan. Many of the surrounding properties in this area are zoned Rural Residential.

Motion (Hennessey/Grosse) to Approve as printed and circulated.
Motion carried 4-0

e. Final Plat – Luniak Meadows – Schmidt Road

The applicant is proposing a 67-lot and 3-outlot final plat for a new subdivision called Luniak Meadows. The subdivision is located south of Schmidt Road, east of County Road N. The property is currently zoned Single-Family Residential (Suburban) [RS-1]. The subdivision is proposed to have

roadway access to Schmidt Road via extension of Touchdown Drive from the north. All roadways are proposed to be dedicated to the public at a width of 66-feet for the right-of-way. Lots are generally 15,000 square feet in area, the corner lots are generally 17,000 square feet. A few proposed lots, along the curves and adjacent to the wooded area in the southeast part of the property, are larger. Sewer and water will be extended through the subdivision. Stormwater management will be accommodated in a stormwater pond located on Outlot 1. Outlot 2 & 3 are reserved for future development.

Staff recommends approval of the Final Plat for Luniak Meadows with the following conditions:

1. All review comments from the Village staff shall be included in the Plan Commission discussion and decision.
2. 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.
3. All lots shall have a storm sewer lateral provided for sump pump discharge.
4. All drainageways, drainage easement, and associated infrastructure shall be installed, graded and seeded prior to roadway acceptance.
5. All utilities, including but not limited to, sanitary sewer, water, storm sewer, gas, electric, cable, phone, shall be installed prior to roadway acceptance.
6. The Village Board shall accept the roadway in a "graveled state", with a temporary asphalt binder, prior to issuance of building permits and zoning permits.
7. All final improvements, including but not limited to, curb & gutter, asphalt paving, sidewalks, and trails 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.
8. If applicable, wetland determinations and/or studies shall be provided to the Village.
9. Benchmarks shall be established on all hydrant tag bolts.
10. Grading/Drainage Plan shall identify elevations of ground at the foundation.

Motion (Van Hefty/Hennessey) to Approve as printed and circulated including staff conditions
Motion carried 4-0

f. Conditional Use Permit – Milis Enterprise, LLC – W4567 County KK

The applicant, Milis Enterprise, is requesting a Conditional Use Permit (CUP) in order to operate a contractor business on the property located on County KK, east of Bies Road (parcel ID 40348). The applicant already has an existing office and shop at the property at W4567 County KK. This conditional use permit will be to construct an office building and a second shop for the construction business. The property is currently zoned General Agricultural [AG] and is identified as commercial in the Comprehensive Plan.

The office building is proposed to be 9,477-square feet. The second shop building is proposed to be 80' x 220'. The project also calls for construction of a stormwater management system and paving of parking areas. The applicant is proposing some outdoor storage for lumber, forms, and miscellaneous concrete equipment. Staff has some concerns regarding the outside storage.

Staff recommends approval of the Conditional Use Permit request with the following conditions:

1. All conditions of the Conditional Use Permit issued November 2016 shall apply (as listed below, #2-10).
2. All equipment, materials, and other items related to the business shall be stored inside. No outside storage of business-related items shall be allowed. Vehicles stored outside of the building shall be screened from view from the roadway and adjacent properties by a fence, plantings, or a combination thereof.

3. Zoning permits, which meet the requirements of the zoning ordinance, shall be obtained for all building construction.
4. An erosion control permit shall be obtained.
5. The Building Inspector shall be consulted regarding building permits, including state permits if needed.
6. The Calumet County Planning Department shall be consulted regarding sanitary permits.
7. All signage shall require a separate permit and shall meet the requirements of the zoning ordinance.
8. Screening of all parking and loading areas from adjacent properties shall be provided either through a solid fence (wood, vinyl or other similar aesthetic material) or plantings.
9. A dumpster enclosure shall be provided that meets, or exceeds, the requirements of the zoning ordinance.
10. Failure to comply with these conditions may cause for the Conditional Use Permit to be revoked.
11. A Site Plan Review application shall be submitted, reviewed, and approved.
12. All stormwater management shall meet or exceed Village requirements for the whole site.

Motion (Van Hefty/Hennessey) to approve as printed and circulated, including staff conditions with an amendment to condition number 2, which removes "shall be stored inside. No outside storage of business-related items shall be allowed. Vehicles".

Motion carried 4-0

9) Items for Discussion

- a. Concept Plan – North Shore Woods Condominiums – Old Highway Rd & North Shore Rd
The Developer of a potential new condominium development is seeking input from the Plan Commission to develop the property. The property is located on the southwest corner of Old Highway Road and Northshore Road. The property currently consists of three lots, parcels 42188, 45590 & 45592. All parcels are currently zoned Single-Family Residential (Suburban) [RS-1]. The Developer is proposing a 12-unit condo development on a private driveway. Units are proposed to be detached from other units with their own driveways and utilities.

If the Plan Commission is agreeable to the development, staff will work with the developer on the possible rezonings needed. One option is to rezone the property to Multi-Family [RM] with a condo plat. Another option might be to add the Planned Development Overlay [PDO] zoning to the existing RS-1 zoning.

The Developer is also seeking to remove or modify the existing "Detention Basin Maintenance Easement (per plat)" area. Staff feels like this area will be needed in the future to maintain the stormwater pond.

Discussion and concerns regarding this plan included:

1. The density of properties is very tight.
2. Not willing to approve moving the detention pond.
3. Single family condos would be a happy compromise between single family residential and multi-family residential. Suggested exploring this option.
4. Land has been for sale for 25 years. This plan is the most user-friendly plan proposed to date. Although it's not the best plan, but I'd (Van Hefty) support it.
5. It is still single family, the density is high, but may not be too bad with trees along the back.
6. Would like confirmation that the target market would be for seniors.

b. Concept Plan – Green Meadows on Lake Park – Lake Park Rd & Midway Rd

Rick Kaster and Jim Mahn were present for this item.

The Developer of a potential new subdivision is seeking input from the Plan Commission on which option is preferable to develop the property. The property is located on the southwest corner of Lake Park Road and Midway Road. The property currently consists of two lots, parcels 43840 & 43838. The Developers currently own lot 43840 and are working with the other of lot 43838 to possibly purchase for the development.

Parcel 43840 is currently zoned Multi-Family Residential [RM]. Parcel 43838 is currently zoned Neighborhood Commercial [CN]. The Developer wishes to rezone both parcels to Single-Family Residential (Traditional) [RS-2] to match that of the zoning to the west as part of the Lexington Homes subdivision approved a couple of years ago. Sewer service is available at Dylan Drive to the south. Access to Lake Park Road may be granted by the Village. Access to Midway Road is limited as it is a County Highway.

Option #1 includes two cul de sacs. Option #2 is a street through the property. The Developer prefers Option #1 due to attractiveness of the lots created by cul de sacs and shorter road lengths to reduce construction costs. Village staff prefers Option #2 to avoid creating cul de sacs, provide second means of access to properties, and provide planned sewer & water services in the right-of-way. Option #1 will require sewer and water easements between lots.

Village staff strongly prefers Option #2. The Fire Department likes the through street for safety purposes. The Public Works Department does not want a cul de sac. The Utility Department likes the through street to provide utilities easier to loop the water and provide sanitary sewer. Village staff would support a rezone from RM & CN to RS-2 if the through street was built.

Discussion and concerns regarding this plan included:

1. The developers informed the commission that option #2 is \$100,000 more than option #1.
2. The Commissioners like the flow of Option #2 and encourage the developers to move forward with that plan.

c. Variance for Private Road Development – Tom Klister – Old Highway Rd

The applicant is considering purchasing a portion of the Kimberly Clark Corp. property along Firelane 10 and south of the railroad tracks. The area is adjacent to Northshore Golf Club and sits east of Firelane 10. The applicant wishes to develop the property as a private single-family residential subdivision with approximately 10-16-lots on the portion south of the railroad tracks. The area north of the railroad tracks will be developed as a public residential subdivision.

The intent is to create a private residential development on the south side of the railroad. Private development, as in private streets. Utilities (sanitary sewer & water) would be public and serviced by Harrison Utilities. The subdivision ordinance states that the design of a subdivision, "new private streets shall not be permitted". The process for a variance from the subdivision ordinance includes review by the Plan Commission and approval by the Village Board. At this point, this is just a discussion and preliminary review. Based on feedback and comments, the applicant will have to submit for a formal variance request later.

The applicant is proposing private streets due to a provision in the railroad crossing of the existing private driveway that the private driveway remain private. The applicant is proposing secondary access for emergency vehicles. A meeting with the Village Fire Chief was held to discuss access and emergency vehicle access. Of concern is trying to gain a second access point, even if it is gated for emergency vehicles only. The second concern is the bridge over the ravine/creek. Structural

engineering should be provided to ensure that the bridge can hold the loading of emergency vehicles.

There is public right-of-way (ROW) from Firelane 10 south of the railroad tracks to this property where a new public road could be built. The ROW is less than the standard 60-foot width so additional ROW may have to be acquired or the public road constructed within a substandard ROW width. If there were private roads within the subdivision, easements will be required for utility access and stormwater access.

Discussion and concerns regarding this variance included:

1. The ROW would be narrow, possibly only 50 ft.
2. Not opposed to option #2 or #3 but prefers #1 because it has a public road versus private road, which allows for faster emergency response time. (Van Hefty)
3. Fire Chief Gehrl could not determine if EMS/Fire could easily manage the narrower roads based on the map provided. He would need to review it in more detail. Other than that, he is not opposed to a private road.
4. Prefer option #2 with the private road all the way through. (Blackmer and Hennessey)
5. Village Planner Mommaerts prefers option #3 with all private roads.
6. The developer would like to maintain the historic bridge on the land.
7. Developer would need to obtain easements for Harrison Utilities to bring in sewer and water lines, a variance for the private road, and a ROW variance for an emergency road that would be substandard in size and weight restrictions.

d. Comprehensive Plan Amendment – Village of Harrison

The Village Board is asking the Plan Commission to recommend changes to the Comprehensive Plan, specifically the Village Center Plan.

At the February Village Board meeting, the Board made several motions related to the Comprehensive Plan and the Village Center Plan that is part of it. Below are the Village Board motions:

1. Motion: To refer the comprehensive plan back to the Plan Commission to update the plan and address eliminating the multifamily units. Motion Passed 7-0
2. Motion: To direct the Plan Commission to modify the Village Center conception plan by removing multifamily units. Motion Passed 7-0
3. Motion: To direct staff and the Plan Commission to work with the fire chief to determine a site plan for a future public safety building within the comprehensive plan. Passed 7-0

The Plan Commission is asked to review the Comprehensive Plan and the Village Center concept plan to remove/eliminate multi-family housing as a use and to select a location for a future public safety building (sheriff/fire). The location could be on the property the Village owns on County Road N or it could be in another location. Staff has already been in contact with the Fire Chief about a location. The preferred location is along the County Road N corridor north of Highway 10. In further discussions, a location just off of County Road N either on the north or south side of Manitowoc Road is desirable. The Fire Chief believes 4-acres will be needed, but additional land should be identified for possible future expansion. The area east of County Road N and south of Manitowoc Road is identified as future Industrial in the Comprehensive Plan, this may be a good location to keep the public safety building out of a residential area. The further north the better as there may be opportunities with Buchanan Fire Department.

The Commission directed Planner Mommaerts to contact the landowners on Manitowoc Road to find out if they are interested in selling their land.

Planner Mommaerts will be presenting a Comprehensive Plan update at a Village Board meeting in May.

- e. Report: Zoning Permits
No Comments

- 10) Set Next Meeting Date
May 24, 2022, at 6:00pm

Commissioner Gross requested for signage "Children at Play" to be placed by Dogwood Park.

- 11) Adjourn
Motion (Gross/Van Hefty) to adjourn.
Motion carried 4-0

Prepared by: Vicki L. Tessen, Clerk
Dated: April 11, 2022