

**MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, February 13, 2019**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, February 13, 2019, at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors Erin Decker, Michael Skalitzky, Zach Rodriguez, and Mark Norigian

Members Excused: Supervisor John Poole

Youth In Governance Representatives Present: Victoria Desimoni and Haley Esposito

UW-Extension Staff Present: Beverlee Baker, Area Extension Director, Amy Greil, Jeanne Hilinske-Christensen, Mary Metten, Leigh Presley, Bethany Sorce, Terri Ward, and Christine Wasielewski

Also in Attendance for the public hearings on land use items:

Andy M. Buehler, Director, Division of Planning and Development
April A. Webb, Senior Administrative Assistant

The meeting was called to order at 6:00 p.m. by Chairman Decker.

1. **Certification of Compliance with Wisconsin Open Meetings Law:** The committee certified that all requirements of the Wisconsin Open Meetings Law had been met.
2. **2019 Program Plans:**
 - FoodWise – Terri Ward noted program funding comes through two federal grants with a focus on policy, system and environmental work including the Kenosha Health Improvement Project, FoodShare and WIC access for payment at farmers markets, and overall nutrition education.
 - Agriculture – Leigh Presley focus on farm finance management, succession planning, tractor safety, including a new safety training for first responders who may be dispatched to a farm incident. Her programs also include sustainable agriculture (cover crops and no-till education), annual prairie walk offered to general public; new outreach on hemp production; and annual pesticide applicator training and produce safety training on new federal regulations.
 - Horticulture – The 2019 Master Gardener Volunteer program and quarterly training schedule is set. Landscape Grounds Maintenance Short Course (GMSC) classes are currently underway and held weekly on Wednesday mornings through the end of February. Spring Into Gardening is scheduled for March 9th at Westosha Central High School. Jeanne noted that her interim position ends on February 28th. Area Extension Director Baker noted the University is transitioning to a regional model for the Kenosha, Racine and Milwaukee counties and is hiring a program coordinator to work with Master Gardener Volunteers, and an outreach specialist to focus on consumer education, media, technology and diagnostics.

- Youth Development – Vickie LeFlore works with the Youth In Governance program and Youth As Resources (a board of youth and adults who provide grant funding through United Way.) She collaborated with Kenosha County Human Resources to develop the Kenosha County Career Pathways pilot with schools to create a draft manual and hopes to launch the program in 2019. She is also working on programs with Brass Community School around college and career prep and partner coordinating with MSOE, Parkside and other higher learning institutions. Wilson Elementary School programming continues along with pre-college summer outreach.
 - Health & Well-Being – Mary Metten focuses on social and emotional well-being, stress management, self-care prevention programming such as Taking Care of You curriculum. Financial stability programming in the community continues with a variety of topics including tenant Rent Smart education in partnership with community partners such as Shalom, Housing Authority, and Head Start. Mary works with Amy Greil and a team on community communications focused on the food bank project, food pantries, and food access.
 - 4-H Program - Beth Sorce said the 4-H Project Day took place on February 2. Her annual plan includes summer camps which provide leadership training for the 6-8th graders and nature adventure for younger youth. The Horse Project team has five to six educational offerings for 2019 with more participants geared at horseless horse education. The Archery program continues with two new leaders, and Photography has a new approach for 2019 with participants submitting 5-6 photos to the project leader who will provide constructive feedback. Shooting Sports experienced a large increase in participation with sixty (60) youth members compared to only twenty last year, so Bethany is actively seeking more leaders and noted how the Silver Lake Sportsmen Club has supported the project.
 - Community Development – Amy Greil and Christine Wasielewski are working on programming for incarcerated individuals re-entering society to help them identify and navigate barriers such as gaining employment and maintaining it. Christine is coordinating monthly resource fairs at the Kenosha Correctional Center to connect resources to speak to ex-offenders on topics such as where to obtain crucial social services such as employment, health care and longer-term issues with more focus on preparing to re-enter the community. Amy continues to work with the food bank project and pantries, especially to get them to work together on a common purpose to serve the underserved in the community. Efforts to develop a more coordinated food distribution system have been ongoing since 2007. Work continues with the Uptown Brass Community to add value to the community through collective efforts. The Kenosha Creative Economy strategic plan implementation focuses on four defined objectives with UW-Parkside students engaged and learning about this effort. Christine now convenes the Sustainable Kenosha County team. The online Recycle Guide will be relaunched in March.
3. **Youth In Governance** – Area Extension Director Baker noted that the committee received the updated handbook via email. Due to school closures, the nomination timeline was extended. Staff continues with the nominations and interview process. Staff to inform the committee as to the number of nominations received. It was noted that as the process moves forward, the committee will become more involved with the interview and selection process.

4. **UW-Extension Educator/Program updates:** Area Extension Director Baker noted that the fourth quarterly reports were emailed to the committee. Beth shared that the Pinewood Derby will be held Saturday, February 23rd with 160 entries.
5. **UW-Extension Director's Report:** Area Extension Director Baker noted that she has been working with the Public Works Director and architect on the anticipated office move to the Planning and Development office area which is anticipated to take place in July.

After a brief recess, the Public Hearing was called to order at 7:00 p.m. in the Public Hearing Room (Recording #2 of 2).

Chairman Decker called for introductions of committee members, youth in governance, and staff.

6. **Badtke Holdings LLC**, 1412 136th Ave, Union Grove, WI 53182 (Owner), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection", "Rural-Density Residential", "Secondary Environmental Corridor" & "Nonfarmed Wetland" to "Farmland Protection", "Rural-Density Residential", "Suburban-Density Residential", "Secondary Environmental Corridor" & "Nonfarmed Wetland" on Tax Parcel #s 45-4-221-111-0107 and 45-4-221-111-0102, located in the NE ¼ of Section 11, T2N, R21E, Town of **Paris**.

Jeff Badtke, owner, was in attendance to speak to this item.

- Skalitzky/Rodriguez motion to **approve** and recommend to the Kenosha County Board of Supervisors the request of Badtke Holdings LLC for a Comprehensive Plan Amendment. Passed on the following roll call vote: Skalitzky – aye; Rodriguez – aye; Nordigian – aye; Decker – aye. Youth In Governance: Desimoni – aye; Esposito – aye.
7. **Badtke Holdings LLC**, 1412 136th Ave, Union Grove, WI 53182 (Owner), requesting a **rezoning** from A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist., R-2 Suburban Single-Family Residential Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & Agricultural Preservation Planned Unit Development Overlay Dist. on Tax Parcel #s 45-4-221-111-0107, 45-4-221-111-0102 and 45-4-221-111-0303, located in the NE ¼ of Section 11, T2N, R21E, Town of **Paris**.

Jeff Badtke, owner, was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Badtke Holdings LLC. Passed unanimously by those PDEEC members present, including YIG.
8. **Badtke Holdings LLC**, 1412 136th Ave, Union Grove, WI 53182 (Owner), requesting a **Certified Survey Map** on Tax Parcel #s 45-4-221-111-0107 and 45-4-221-111-0102, located in the NE ¼ of Section 11, T2N, R21E, Town of **Paris**.

Jeff Badtke, owner, was in attendance to speak to this item.

- Nordigian/Rodriguez motion to **approve** the certified survey for Badtke Holdings LLC, subject to the following conditions:

- 1) Badtke Holdings LLC, 1412 136th Ave, Union Grove, WI 53182 (Owner) – Part of the NE ¼ of Section 11, Township 2 North, Range 21 East, Town of Paris. For informational purposes only, these parcels are located at the southwest corner of the intersection of CTH "A" (7th Street) and CTH "MB" (136th Ave.).

Requesting a Certified Survey Map (dated revised January 23, 2019 by Mark R. Madsen of Nielsen Madsen & Barber), to create one (1) 2.004-acre parcel, one (1) 4.532-acre parcel, one (1) 5.553-acre parcel and (1) 125.842-acre parcel from Tax Parcel #s 45-4-221-111-0107 and 45-4-221-111-0102, located in the NE ¼ of Section 11, T2N, R21E, Town of Paris.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Paris.
- b) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's December 18, 2018 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Indicate the soil boring locations on Lots 1 and 2.
 2. Add a note indicating the name of the person, agency or firm who delineated the wetland boundaries and the date of delineation.
 3. Revise the zoning note to indicate existing and proposed zoning within and adjacent to the proposed CSM (existing zoning is A-1, R-1, C-1 and C-2 & the proposed zoning is A-1, R-1, R-2, C-1, C-2 and Ag. Preservation PUD).
- d) Prior to the CSM being recorded, a deed shall be recorded with the Register of Deeds granting the additional land shown to be included with the unplatted lands at the southwest corner of CTH "A" & CTH "MB" (parcel #45-4-221-111-0105).
- e) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.
- f) Subject to the rezoning being approved from A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland

Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist., R-2 Suburban Single-Family Residential Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist. & Agricultural Preservation Planned Unit Development Overlay Dist.

- g) The certified survey map shall not be released for recording until such time as the rezoning ordinance is signed by the County Executive.
- h) Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
- i) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- j) Subject to receiving the original certified survey as approved by the Town of Paris.
- k) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

Passed unanimously by those PDEEC members present, including YIG.

9. **Badtke Holdings LLC**, 1412 136th Ave, Union Grove, WI 53182 (Owner), requesting a **rezoning** from B-5 Wholesale Trade and Warehousing Dist., B-3 Highway Business Dist. and C-1 Lowland Resource Conservancy Dist. to B-5 Wholesale Trade and Warehousing Dist., B-3 Highway Business Dist. and C-1 Lowland Resource Conservancy Dist. on Tax Parcel # 45-4-221-173-0242, located in the SW ¼ of Section 17, T2N, R21E, Town of **Paris (11:38)**

Jeff Badtke, owner, was in attendance to speak to this item.

- Skalitzky/Rodriguez motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Badtke Holdings LLC. Passed unanimously by those PDEEC members present, including YIG.
10. **VR WM Holdings LLC**, 390 Interlocken Crescent Floor 7, Broomfield, CO 80021 (Owner), Rachael Muhlenbeck, 11931 Fox River Rd., PO Box 427, Wilmot, WI 53192 (Agent), requesting a **Conditional Use Permit** to allow multiple events at an existing ski facility in the PR-1 Park-Recreational Dist. on Tax Parcels #60-4-119-364-0300 & 60-4-119-364-0103 located in the E ½ of Section 36, T1N, R19 E, Town of **Randall (14:23)**

Peter Disch, agent, Gurnee, IL, was in attendance to speak to this item.

- Nordigian/Skalitzky motion to **approve** the Conditional Use Permit for VR WM Holdings LLC, subject to the following conditions:

1. Subject to the application stamped received by the office of Planning and Development on November 19, 2018.
2. The purpose of this conditional use permit approval is to recognize the existing uses present on the property (the Wilmot Ski & Tubing Hill facilities) and to more simply regulate the number of additional uses that have taken place and are proposed to take place at the property over the coming years.

Note: Said conditional use permit approval is for a 5-year Conditional Use Permit ability for the described uses beyond the permanent Wilmot Ski & Tubing Hill facilities. The petitioner shall re-apply for said conditional use permit in August 2024, at which time Kenosha County and the Village of Salem Lakes will review compliance of the conditions associated with the proposed uses.

Due to the understanding that proposed event types, event dates and their scope can change, by January 15th and July 15th of each year, the property owner shall meet with Village administrative staff at which time the property owner shall submit to and discuss with administrative staff a listing of events planned for the property over the coming six months. Information provided to administrative staff more or less shall be a summarization of the uses and issues summarized in item #15(i) of this document. The Village reserves the right to deny permission for any proposed event found to have potential impacts on the Village substantially beyond the uses present in this application and the findings of fact for this conditional use.

3. It is the responsibility of the petitioner to assure and guarantee that the above conditions are fully complied with. This includes, but is not necessarily limited to, meeting conditions established herein, providing any applicable letters of credit, providing and following approved plans, obtaining permits prior to construction, making improvements, participating in coordination meetings with governmental officials, following established time frames, meeting deadlines, and providing additional information where deemed necessary. Any unauthorized deviation from the approved plans and conditions shall result in the issuance of a citation and/or applicable stop work order by the Department of Planning and Development or other applicable agencies until such time as the conditional use permit is brought back into compliance. Continued violation of the conditions, as set forth herein shall result in a recommendation for revocation of the conditional use permit.
4. Subject to that approved by the Town of Randall at their December 13, 2018 Town Board meeting (Exhibit A, attached).

GENERAL

5. No revisions to the existing lighting infrastructure is required at this time, however any subsequent pole-mounted outdoor lighting additions or modifications on the property shall consist of full cut-off luminaries. Future Lighting fixtures shall be full cutoff fixtures with light shields parallel to yard grade and shall be directed in such a manner so as to prevent light from shining directly onto abutting rights-of-way and adjacent properties.
6. Subject to any and all temporary structures, banners, tents, buildings or trailers being removed from said property no later no later than 24 hours past the end-time of each event.

7. No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, County or local unit of government in which they are being located.
8. No hot air balloons or helicopter rides are permitted.
9. **No racing occur during vehicular events.**
10. The grounds, including areas not visible to the public, shall be kept neat and clean at all times. Staff shall be provided for the purposes of picking up litter whenever the public is on the site. In addition, it is the responsibility of the applicant to remove all litter that may be blown from the site onto abutting and neighboring properties or the road right-of-way, with final off-site clean-up being finished, as necessary, no later than 24 hours past the end-time of each event.

HEALTH/SANITATION

11. It is the responsibility of the applicant to comply with all State and local regulations related to health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health related permits and assure that all necessary tests and inspections are conducted.

TRAFFIC AND PARKING

12. Parking shall take place only in the designated areas shown on the submitted plan. Entrance and exit roads shall be paved and maintained for a minimum distance of 100 feet from the edge of pavement of the public road and the remaining entrance and exit roads shall be maintained in a dust free condition at all times. Stacking of vehicle traffic must occur on-site. No vehicle back-ups shall occur within the public roadways. No off-site parking is allowed, including in the public right-of-way.

Note: Given the fact the purpose of this conditional use permit is to permit an increased semi-regular use of these grounds for uses in addition to the ski hill and tubing hill use – it is evident this approval may have the effect of generating more traffic to the site, especially during weekends in the summer months. Thought should be given to the need for necessary improvements to the road infrastructure on CTH “W” (Fox River Rd.), notably the driveway access point servicing the ski hill facility and its ability to handle through traffic via the implementation of bypass lane infrastructure having proper alignment with 316th Avenue.

13. Any off-site parking arrangements and/or shuttle service shall be approved by the Kenosha County Sheriff's Department.

Weather/Safety/Security

14. A special event emergency evacuation plan shall be approved by the Director of Kenosha County Emergency Services and the Kenosha County Sheriff's Department. The event emergency evacuation plan must be finalized by February 28, 2019. National Oceanic and Atmospheric Association (NOAA) weather radios shall be on hand and used to monitor weather conditions from the National Weather Service offices in Sullivan, WI and Chicago, IL during the duration of the event, as referred to in the emergency plan. Site managers shall be briefed on their use and also must be familiar with the use of radio communication equipment for interfacing with response agencies as necessary.

15. Subject to the applicant providing adequate on-site security and first-response medical attention.
16. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)5 a through j; Fairgrounds and Exposition Grounds in the PR-1 District (shown below):

- a. The site shall contain at least 20 acres and shall have direct access to federal, state or county highways.

Note: The aforementioned requirement (a) is satisfied due to the fact the subject property is approximately 316.5 acres in area.

- b. All yards shall be at least 50 feet each.

Note: The aforementioned requirement (b) appears to be satisfied based on the 2015/2016 air photo taken by Kenosha County.

- c. Adequate vacant area must be available on the site to provide lighted parking space sufficient to handle all anticipated crowds with proper ingress and egress to public roads. A traffic-flow plan shall be required.

Note: The aforementioned requirement (c) is satisfied per the information provided in the application submitted by the petitioner. Both the parking lot for the ski hill and the tubing hill have pole-mounted lighting fixtures.

- d. Accessory uses consistent with the operation of the grounds shall be permitted to the extent that they do not constitute a general retail sales outlet.

Note: The aforementioned requirement (d) is satisfied per the information provided in the application submitted by the petitioner. All retail sales anticipated as a part of this permit approval anticipated to take place outside of the principal brick/mortar Ski & Tubing Hill facilities are of a temporary nature.

- e. In the event that the anticipated attendance is in excess of 5,000 individuals or in the event that overnight camping of 100 or more individuals is anticipated and permitted, there shall be compliance with the standards and requirements set forth in the Kenosha County Activity Control Ordinance.

Note: No overnight camping is permitted as part of this permit approval.

- f. In the event that the circus, farm or show animals are to be brought onto the site, adequate provision shall be made for their proper confinement and for the property disposal of animal waste.

- g. Proper sanitary facilities must be provided to handle all anticipated crowds. If brick/mortar bathroom facilities will not be made available to patrons, an adequate number of portable restroom and handwashing stations must be made available.

The site is connected to municipal sanitary sewer.

- h. Time limits, performance bonds and sureties may be required as a condition for the issuance of such permit. In addition, any requirements reasonably related to the general safety and welfare of those in attendance at such activities may also be required.

17. Let it be known that wetland exists in the eastern portion of the subject property as well as on the north side of the property near the highway. There shall be no filing, excavation or grading within areas of the property designated as wetlands or 100-year floodplain. Given no formal wetland delineation has been conducted for the entirety of the property, the Wisconsin Department of Natural Resources Wetland Inventory Map is currently the most accurate wetland delineation available.
18. Let it be known that a navigable waterway bisects the property and serves as a tributary to the Fox River. Said waterway is navigable and therefore carries with it a shore yard protection setback minimum of 75 feet. No structures or impervious surfaces are permitted within 75 feet of said navigable waterway.
19. Any haunted barns shall be subject to NFPA:1 (2012) and State Guidelines for Special Amusement
20. Subject to a zoning permit being applied for and issued by the Department of Planning and Development prior to commencing construction or placement of any structure(s).
21. Subject to receiving a permit for any and all proposed access points to the abutting County Trunk Highway including any incidental items proposed to be located within the right-of-way of the abutting County Trunk Highway. The permit must be fully executed prior to commencing any preliminary grading work.
22. No substantial changes or expansion of the submitted plan of operation, change in use, and/or proposed addition(s) to any existing building(s) or proposed new building(s) shall take place without the petitioner re-applying for a Conditional Use Permit to Kenosha County for its review and approval.
23. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until such time as the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
24. If property ownership shall happen to change then it is the responsibility of the person(s) that signed these conditions to notify the new owner of all above stated conditions of approval. Any changes or deviations from the above referenced approved plans will require additional review and approval and will be subject to additional fees by Planning and Development.
25. Pursuant to section 12.29-5(k) of the Kenosha County General Zoning & Shoreland/Floodplain Zoning Ordinance, this conditional use permit approval shall not be valid unless recorded by the applicant in the office of the Kenosha County Register of Deeds within 5 days after the issuance of the permit. Any recording fees shall be paid by the applicant. Said recording document is to be prepared by the Kenosha County Department of Planning & Development.

Passed unanimously by those PDEEC members present, including YIG.

11. **Wilks Trust**, 5101 152nd Ave., Kenosha, WI 53144 (Owner), Donald Wilks, 5101 152nd Ave., Kenosha, WI 53144 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from "Farmland Protection" & "SEC" to "Suburban-Density Residential", "Farmland Protection" & "SEC" on Tax Parcel #45-4-221-352-0303, located in the NW ¼ of Section 35, T2N, R21E, Town of **Paris (18:59)**

Donald Wilks, agent, 5103 152nd Avenue, was in attendance to speak to this item.

- Skalitzky/Rodriguez motion to **approve** and recommend to the Kenosha County Board of Supervisors the request of Wilks Trust for a Comprehensive Plan Amendment. Passed on the following roll call vote: Skalitzky – aye; Rodriguez – aye; Nordigian – aye; Decker – aye. Youth In Governance: Desimoni – aye; Esposito – aye.

12. **Wilks Trust**, 5101 152nd Ave., Kenosha, WI 53144 (Owner), Donald Wilks, 5101 152nd Ave., Kenosha, WI 53144 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-2 Upland Resource Conservancy Dist. to R-2 Suburban Single-Family Residential Dist., A-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist. & PUD Planned Unit Development Overlay Dist. on Tax Parcel #45-4-221-352-0303, located in the NW ¼ of Section 35, T2N, R21E, Town of **Paris (23:23)**

Donald Wilks, agent, 5103 152nd Avenue, was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Wilks Trust. Passed unanimously by those PDEEC members present, including YIG.

13. **Wilks Trust**, 5101 152nd Ave., Kenosha, WI 53144 (Owner), Donald Wilks, 5101 152nd Ave., Kenosha, WI 53144 (Agent), requesting a **Certified Survey Map** on Tax Parcel #45-4-221-352-0303, located in the NW ¼ of Section 35, T2N, R21E, Town of **Paris (24:46)**

Donald Wilks, agent, 5103 152nd Avenue, was in attendance to speak to this item.

- Rodriguez/Nordigian motion to **approve** the certified survey for Wilks Trust, subject to the following conditions:
 - 1) Wilks Trust, 5101 152nd Ave., Kenosha, WI 53144 (Owner), Donald Wilks, 5101 152nd Ave., Kenosha, WI 53144 (Agent) – Part of the NW ¼ of Section 35, Township 2 North, Range 21 East, Town of Paris. For informational purposes only, this parcel is located on the west side of CTH "MB" (136th Ave.), approximately ½ mile north of CTH K (60th St.)

Requesting a Certified Survey Map (dated November 7, 2018 by Mark R. Madsen of Nielsen Madsen & Barber), to create one (1) 3.000-acre parcel and (1) 51.036-acre parcel on Tax Parcel #45-4-221-352-0303, located in the NW ¼ of Section 35, T2N, R21E, Town of Paris.

Conditional Approval subject to the following:

- l) Compliance with any conditions put forth by the Town of Paris.
- m) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's February 11, 2019 review letter (Exhibit A, attached).
- n) Subject to making the following revisions to the CSM:
 4. Add Note: "This land division is part of an approved Agricultural Preservation Planned Development (APUD) approved on February 13, 2019. The overall density approved yields a maximum of five (5) parcels and five (5) parcels are not

guaranteed. No further land divisions may occur on the Lots shown on this CSM without further Town of Paris and Kenosha County approvals and findings that future land divisions meet the intent of the Town/County land division and AgPUD ordinances.”

5. Show an additional 10' of right-of-way along CTH “MB” to be “Dedicated for Public Road Purposes”.
 6. Revise the zoning note to indicate existing and proposed zoning within and adjacent to the proposed CSM (note: existing zoning of the parcel is A-1 & C-2. Proposed zoning is A-1, R-2, C-2 and Ag. Preservation PUD).
 7. Add the boundary of the Secondary Environmental Corridor on Lot 2.
- o) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.
- p) Subject to the rezoning being approved from A-1 Agricultural Preservation Dist. & C-2 Upland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-2 Suburban Single-Family Residential Dist., C-2 Upland Resource Conservancy Dist. & Agricultural Preservation Planned Unit Development Overlay Dist.
- q) The certified survey map shall not be released for recording until such time as the rezoning ordinance is signed by the County Executive.
- r) Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
- s) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- t) Subject to receiving the original certified survey as approved by the Town of Paris.
- u) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording

immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

Passed unanimously by those PDEEC members present, including YIG.

14. **Clarence J. & Mary R. Daniels**, 34410 State Highway 50, Burlington, WI (Owner), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from “General Agricultural & Open Land” to “General Agricultural & Open Land” and “Rural-Density Residential” on Tax Parcel #30-4-220-294-0400, located in the SE ¼ of Section 29, T2N, R20E, Town of **Brighton (27:10)**

Mary Daniels, owner, was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the request of Clarence J. & Mary R. Daniels for a Comprehensive Plan Amendment. Passed on the following roll call vote: Skalitzky – aye; Rodriguez – aye; Nordigian – aye; Decker – aye. Youth In Governance: Desimoni – aye; Esposito – aye.

15. **Clarence J. & Mary R. Daniels**, 34410 State Highway 50, Burlington, WI (Owner), requesting a **rezoning** from A-2 General Agricultural Dist. to A-2 General Agricultural Dist., R-1 Rural Residential Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-294-0400 located in the SE ¼ of Section 29, T2N, R20E, Town of **Brighton (29:34)**

Mary Daniels, owner, was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Clarence J. & Mary R. Daniels. Passed unanimously by those PDEEC members present. Youth In Governance: Desimoni – aye; Esposito – aye.

16. **Clarence J. & Mary R. Daniels**, 34410 State Hwy 50, Burlington, WI 53144 (Owner), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-294-0400, located in the SE ¼ of Section 29, T2N, R20E, Town of Brighton.

Mary Daniels, owner, was in attendance to speak to this item.

- Nordigian/Skalitzky motion to **approve** the certified survey map for Clarence J. & Mary R. Daniels, subject to the following conditions:

- 1) Clarence J. & Mary R. Daniels, 34410 State Hwy 50, Burlington, WI 53144 (Owner) – Part of the SE ¼ of Section 29, Township 2 North, Range 20 East, Town of Brighton. For informational purposes only, this parcel is located at the northeast corner of CTH “B” (288TH Ave.) and 41st St.

Requesting approval of a Certified Survey Map (dated January 1, 2019 by Robert J. Wetzel of B.W. Surveying, Inc.) to create one (1) 12.96-acre parcel and one (1) 5.78-acre

parcel from Tax Parcel #30-4-220-294-0400.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Brighton.
- b) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's January 31, 2019 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Per the Kenosha County Highway Department, show an additional 7 feet of right-of-way dedication along CTH "B" (288th Ave.), to be labeled on the Certified Survey Map as "Dedicated to the Public".
 2. Add the name and address of the owner & subdivider.
 3. Indicate the owners of record of abutting unplatted lands.
 4. Indicate the existing and proposed zoning within and adjacent to the proposed land division.
 5. Add a legend item for the soil boring symbols.
 6. Add the wetland area at the southeastern portion of the Lot 1.
 7. Add note stating there shall be no filling, excavation or building within the wetland areas.
 8. Add a 50' x 50' vision corner easement at the southwest corner of Lot 1.
 9. Add a vision corner easement note stating: "No obstructions, such as structures, fences, parking or vegetation within the vision corner easement may exceed two (2) feet in height."
 10. Add the following signature block to the C.S.M for the Kenosha County Signature requirement:

Kenosha County Planning, Development & Extension Education
Committee Approval

This certified survey map was hereby approved by the Kenosha County Planning, Development & Extension Education Committee on this _____ day of _____ 20____.

Erin Decker – Chairperson

- d) Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.

- e) Subject to the rezoning being approved from “A-2 General Agricultural Dist.” to “A-2 General Agricultural Dist.”, “R-1 Rural Residential Dist.” and “C-1 Lowland Resource Conservancy Dist.”
- f) The certified survey map shall not be released for recording until such time as the rezoning ordinance is signed by the County Executive.
- g) Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
- h) No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- i) Subject to receiving the original certified survey as approved by the Town of Brighton.
- j) Subject to submitting the recordable copy of the Certified Survey Map (CSM) with signatures to the Kenosha County Planning & Development office along with the appropriate Register of Deeds recording fees within twelve (12) months of receiving conditional approval from the Kenosha County Planning, Development & Extension Education Committee. The Kenosha County Planning & Development office will submit the CSM along with the appropriate fees to the Register of Deeds for recording immediately upon receiving the recordable CSM and fee payments. Failure to submit the CSM with the required fees within the twelve (12) month time limit will render the CSM null and void. Failure to meet these conditions will require that the CSM be resubmitted for approval by the Kenosha County Planning, Development & Extension Education Committee.

Passed unanimously by those PDEEC members present, including YIG.

17. **Revised Land Use Fees Schedule (33:57)** – Division Director Buehler presented proposed additions to the Kenosha County Land Use Fees Schedule regarding the Village of Salem Lakes. Supervisor Rodriguez proposed a revision to the fees for black and white copies and colored/11 x 17 copies.
- Rodriguez/Skalitzky motion to **amend** the copy fees to .01 for black and white and .06 for colored/11 x 17 copies. The motion passed unanimously by those PDEEC members present, including YIG.
 - Rodriguez/Nordigian motion to **approve** the Revised Land Use Fees Schedule as amended. The motion passed on the following roll call vote: Skalitzky – aye; Rodriguez – aye; Nordigian – aye; Decker – aye; Desimoni – aye; Esposito - aye.

Youth In Governance Desimoni exited the meeting at this time.

18. **APPROVAL OF MINUTES - APPROVED**

- Nordigian/Rodriguez motion to approve the minutes as presented of the November 14, 2018, Planning, Development and Extension Education Committee meeting. Passed unanimously by those PDEEC members present, including YIG present.

19. **CITIZEN COMMENTS - NONE**

20. **ANY OTHER BUSINESS ALLOWED BY LAW**

Mr. Buehler noted there were six to eight land use items for the March 13, 2019 meeting at this time.

21. **ADJOURNMENT**

- Rodriguez/Nordigian motion to adjourn. Passed unanimously by those PDEEC members present, including YIG. The meeting was adjourned at 7:45 p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, March 13, 2019.