

**MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, May 8, 2019**

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, May 8, 2019 at 6:00 p.m. in the Kenosha County Center Public Hearing Room, 19600 -75th Street, Bristol, Wisconsin.

Members Present: Supervisors Erin Decker, John Poole, Michael Skalitzky, and Mark Norigian

Members Excused: Supervisor Zach Rodriguez

Youth In Governance Representatives Present: Victoria Desimoni and Haley Esposito

UW-Extension Staff Present: Beverlee Baker, Area Extension Director, Fabiola Diaz, Amy Greil, Vickie LeFlore, Mary Metten, Bethany Sorce, and Terri Ward

Also in Attendance: Tamarra Coleman, Executive Director, Shalom Center

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. **Feature Program “Cooking at Shalom Center” (2:05):** Terri Ward, FoodWise, Tamarra Coleman, Shalom Center, and Fabiola Diaz, Bilingual Nutrition Educator, presented a program update. Terri noted that 20 lessons are offered, averaging eight attendees each, for a total of 118 teaching contacts for the current fiscal year. Programs offered include money for food (budgeting and nutritional food purchasing) and fight back (food safety and sanitation). Fabiola partners with Shalom Center and provides education and hands-on lessons in the kitchen. One of the lessons is “Work with what you’ve got” where they made croutons from left over bread and a vegetable salad noting we don’t always have everything or a particular item, but can make do with substitution ingredients that we have on-hand. Tamarra shared a story about a client they worked with for many years, who lost a lot weight. He learned about making healthy food choices, reading labels for salt and sugar content, not having seconds, and everyday behavior modification. Fabiola presented information regarding meal planning which involved a hands-on learning session. Fabiola noted how proud she is about the work they do and the impact they have on the lives of the participants.
3. **UW-Extension Educator/Program updates (41:05)** The following educators provided an update regarding their listed programs and events:

Vickie LeFlore, Positive Youth Development Educator - Youth In Governance 14 members have accepted their appointments and orientation and recognition celebration is scheduled for May 21; Youth As Resources held interviews Apr 16 interviews selected 6 new

members, have finished Gateway blanket project; will be distributing books to laundromats for the laundromat literacy program; assisted with 4-H camp counselor training, and working with Parkside on the ATC summer food camp (?) program.

Bethany Sorce, 4-H Program Assistant, overnight Youth Camp will be held June 14 – 16; June 20th will host day camp for K-3 students; finished tour with Carthage and Gateway Colleges with Wilson Elementary School 4-5 grade students; working on a plan to get students to UW Milwaukee for a tour.

Mary Metten, Health & Well-Being Educator – noted that she had nineteen attendees for the Kenosha County youth child abuse and prevention training; completed Taking Care of You series regarding child care stress management curriculum and is working with other agencies to provide this curriculum to other industries such as ELCA outreach, ResCare and Economic Support Staff. Mary will be holding another Rent Smart program at Shalom Center and she is working on the community health and visit plan for Kenosha County 2020-2025.

Amy Greil, Community Development Educator – continues work with the foodbanks and pantries and what the pantry network looks like as new pantries look to go online. A tour has been scheduled with various representatives, elected officials, pantry network leaders to go to Milwaukee in the morning – the Sherman Phoenix (Sherman Park neighborhood) that experienced a riot a few years ago after a fatal police shooting rocked the community. There are now 22 minority-owned businesses running out of the former BMO Harris space, which is now thriving, generating income and creating loan funding. In the afternoon they will tour a Beloit local food retail store Bushel and Peck's. They process products on-site, providing another model regarding leveraging different concepts. Amy continues to meet with Uptown Brass Village resource individuals. The long-term collaboration with One Hope, Salvation Army, Shalom Center, and The Sharing Center has leveraged a grant to provide bags for a donation drive for healthy foods for pantries. The food drive will take place Saturday and they are working in tandem with the USPS to pick up the bags with mail delivery/pick-up and volunteers to organize the donations and get the products to the various food centers. Summer time is a lean time for donations due to people being on vacation and the kids aren't in school to participate in the school lunch program.

4. **UW-Extension Director's Report (55:21):** Area Extension Director Bev Baker noted that Vijai Pandian started April 15th and that he and Caitlin Sprague would present the feature program next month so the committee will have a chance to get to know their respective roles and how the regional model is working. Bev thanked the Youth In Governance representatives for their service in the program. Victoria and Haley replied that they appreciated being able to participate in the program and that it was a real learning experience.

Chairman Decker called for a brief recess prior to reconvening for the Public Hearing portion of this meeting.

After a brief recess, the Public Hearing was called to order at 7:06 p.m. in the Public Hearing Room (Recording #2 of 2).

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

5. **Clem Stein III**, 5700 312th Ave., Salem WI 53168 (Owner), requesting a **Conditional Use Permit** to allow an event barn and a bed and breakfast on Tax Parcel #95-4-219-364-0112 located in the E 1/2 of Section 36, T2N, R19E, Town of **Wheatland (1:32)**

Clem Stein III, owner, was in attendance to speak to this item.

- Skalitzky/Poole motion to **approve** the CUP request of Clem Stein III, subject to the following conditions:
1. Subject to the application stamped received by the office of Planning and Development on April 8, 2019.
 2. 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.
 3. Subject to that approved by the Town of Wheatland at their May 1, 2019 Town Board meeting (Exhibit A, attached).
 4. The grounds, including areas not visible to the public, shall be kept neat and clean at all times. 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.
 5. 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.
 6. Parking shall take place only in the designated areas shown on the approved site plan (Exhibit B, attached). 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. Access to and including the ADA parking stalls shall be paved with either asphalt or concrete, striped and maintained. The proposed new stone parking lot expansion shall not exceed 0.5 acres in area and said parking lot and associated split rail fence parking barrier shown on the site plan shall be installed prior to receiving a certificate of

compliance from Kenosha County.

7. The pool located within the lodging facility (Cheret House) shall not be used unless licensed for use by the Kenosha County Division of Health.
8. The lodging facility (Cheret House) shall not prepare and serve food without receiving proper permits from the Kenosha County Division of Health.
9. Subject to no camping taking place on the property.
10. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)16 a through i; Bed and Breakfast Establishments in the A-2 District (shown below):
 - a. A site plan and plan of operation shall be submitted to the Planning, Development & Extension Education Committee. The site plan shall include a parking plan.
 - b. All requirements set forth in Section 50.51(b) of the Wisconsin Statutes and Chapter HSS 197 of the Wisconsin Administrative Code shall be fully complied with. Necessary state permits and licenses shall have been secured.
 - c. All requirements of the Kenosha County Sanitary Code shall be fully complied with. Existing onsite soil absorption sewage disposal systems shall be evaluated prior to the issuance of a conditional use permit.
 - d. The owner of the bed and breakfast establishment shall reside in the establishment. No bedrooms shall be permitted to be located in an accessory structure.

Note: In e-mail correspondence with the property owner/applicant dated May 6, 2019 the property owner/applicant stated that the property owner will reside on the property.
 - e. No more than four bedrooms shall be rented.

Note: The aforementioned requirement (e) is waived. In e-mail correspondence with the property owner/applicant dated May 6, 2019 the property owner/applicant stated that 6 bedrooms are able to be rented in association with the Bed and Breakfast establishment.
 - f. Dwellings being considered for conversion to bed and breakfast establishments shall exhibit unique architectural or historic characteristics.
 - g. Individual rentals shall not exceed five (5) consecutive days in length.
 - h. No retail sales shall occur in a bed and breakfast establishment.
 - i. One exterior advertising sign, not exceeding four (4) square feet in area, may be erected on the premises.
11. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)42 a through t; Event Barns in the A-2 District (shown below):
 - a. Town Board approval shall be required prior to the issuance of a conditional use permit for an Event Barn. The Town Board shall have the authority to develop additional minimum standards.

Note: The aforementioned requirement (a) is satisfied subject to that approved by the Town of Wheatland at their May 1, 2019 Town Board meeting (Exhibit A, attached).
 - b. Farm buildings shall be constructed prior to 1965 unless waived by the Town for good cause.

Note: The aforementioned requirement (c) is waived per the information provided in the application submitted by the petitioner. According to historical air photos

of the subject property, the Lodge building appears to have been constructed between 1937 and 1963. The Banquet Hall building appears to have been constructed between 2000 and 2005 and was expanded in 2003 with the issuance of zoning permit ZONE-7147.

- c. The minimum parcel size shall be ten (10) acres.
Note: The aforementioned requirement (c) is satisfied as Tax key parcel number 95-4-219-364-0112 is 32.56 acres.
- d. A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor special event/commercial business activities are not permitted within this buffer area. Where possible, agricultural crops shall remain or be grown in the buffer area, or suitable landscaping, to maintain the rural and agricultural character of the site.
- e. Buffer plantings shall be provided along a property line where there is an abutting residence and which are intended to screen views, lights and noise from the operation. A buffer planting plan shall be submitted with the application and approved by the Planning & Development and Education Extension Committee.
- f. Parcels shall have frontage along a paved public road for direct access.
Note: The aforementioned requirement (f) is satisfied per the information provided in the application submitted by the petitioner. This site has direct access to CHT "NN" (312th Avenue).
- g. Access by private easement must be formalized and be recorded or available for recording. Modification of existing easements resulting from the proposed use must be approved in writing by all easement parties.
Note: Not applicable.
- h. All ingress/egress and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway.
- i. The increase in traffic generated by the proposed use shall not create a nuisance to nearby residents by way of traffic or noise.
- j. Parking may be either gravel or paved. Handicapped parking spaces shall be paved and meet all State standards. Sufficient parking spaces to accommodate the proposed use shall be provided. Overflow parking on grass or hay areas is permissible. Parking on public ways is not permitted.
- k. Parking areas of any type shall not be located in the required buffer area and must meet the parking requirements of Section 12.13-3 (j) and (k).
Note: See condition #6 above.
- l. Signage shall comply with Section III H.
- m. Any newly proposed or changed outdoor lighting shall consist of full cut-off luminaries and shall not exceed an illumination level of 0.5 foot-candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner so as to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.
Note: A site plan showing the proposed location of light post fixtures and fixture types must be submitted to Planning & Development for approval prior to installation.

- n. 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.
 - o. Structures shall be inspected by the Town Fire and Building Inspector prior to the Town meetings and shall meet all Town Fire and Building Code standards prior to occupancy.
 - p. Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and SPS 382 - 385 of the Wisconsin Administrative Code and their corresponding design manuals regarding POWTS.
 - q. It is the responsibility of the applicant to comply with all State and local regulations regarding public 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.
 - r. Food vendors shall be licensed by the Health Department. No food is to be prepared/serviced within the Bed & Breakfast facility without proper permits from the Kenosha County Health Department.
 - s. Amplified music and dancing are permitted only within the barn and lodge structures. County noise ordinance shall be complied with. Outside amplified music is not permitted.
 - t. The sale and consumption of alcohol beverages on the premises are subject to Town licensing requirements and County cabaret licensing.
12. Let it be known that wetland exists in the northern portion of the subject property. 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.
13. Let it be known that a navigable waterway lies adjacent the west property line. 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.
14. 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).
15. 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.
16. The applicant shall apply for and received a certificate of compliance prior to commencing business.

17. 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.
18. 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.
19. 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.
20. 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.

6. **Thomas H. & Mary Paige Thelen**, 34202 116th St, Twin Lakes, WI 53181-9582 (Owner), Timothy K. Gaffron, 10615 336th Ave, Twin Lakes, WI 53181 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., R-1 Rural Residential Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel # 60-4-119-273-0503, located in the SW ¼ of Section 27, T1N, R19E, Town of **Randall (13:17)**

Thomas Thelen, 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 Thomas H. & Mary Paige Thelen (Owner) and Timothy K. Gaffron (Agent). Passed unanimously, including YIG.

7. **Thomas H. & Mary Paige Thelen**, 34202 116th St, Twin Lakes, WI 53181-9582 (Owner), Timothy K. Gaffron, 10615 336th Ave, Twin Lakes, WI 53181 (Agent), requesting a **Certified Survey Map** (dated April 9, 2019 by William J. Vanderstappen of Vanderstappen Land Surveying), to create one (1) 5.337-acre parcel from Tax Parcel # 60-4-119-273-0503, located in the SW ¼ of Section 27, T1N, R19E, Town of **Randall (17:12)**

Thomas Thelen was in attendance to speak to this item.

- Skalitzky/Nordigian motion to **approve** the certified survey map request of Thomas H. & Mary Paige Thelen, subject to the following conditions:

- 1) Thomas H & Mary Paige Thelen, 34202 116th St, Twin Lakes, WI 53181-9582 (Owner), Timothy K Gaffron, 10615 336th Ave, Twin Lakes, WI 53181 (Agent) – Part of the SW ¼ of Section 27, Township 1 North, Range 19 East, Town of Randall. For informational purposes only, this parcel is located on the north side of CTH “HM” (116th St.), approximately 1.25 miles west of 344th Ave.

Requesting a Certified Survey Map (dated April 9, 2019 by William J. Vanderstappen of Vanderstappen Land Surveying), to create one (1) 5.337-acre parcel from Tax Parcel # 60-4-119-273-0503, located in the SW ¼ of Section 27, T1N, R19E, Town of Randall.

Conditional Approval subject to the following:

- a) Compliance with any conditions put forth by the Town of Randall.
- b) Subject to revising the CSM to address review comments from the Wisconsin Department of Administration’s April 30, 2019 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. List the name & address of the owner and/or subdivider on the face of the CSM.
 2. Label 116th Street as “CTH “HM” (116th STREET)”.
 3. Indicate a total of 40’ of dedicated right-of-way for CTH “HM” along the full width of the Lot, and label as “Dedicated for Public Road Purposes”.
 4. Indicate the area of Lot 1 in both acres and square feet.
 5. Add a note for vehicular access restriction and/or markings indicating that driveway access to Lot 1 from CTH “HM” is permitted only within the westernmost 75 feet of Lot 1.
 6. Add the locations of the soil borings & a corresponding legend item.
 7. Revise the wetland area note to read: “Wetland area as flagged by DK Environmental Services, Inc. on March 16, 2019”.
 8. Add a note: “There shall be no filling, excavation or building within the wetland areas.”
 9. Indicate the owners of record of abutting unplatted lands.
 10. Add a zoning note to indicate existing and proposed zoning within and adjacent to the proposed CSM (note: existing zoning within the proposed CSM is A-1. Proposed zoning is R-1 & C-1).
 11. In the Owner’s Certificate on Sheet 2, add the word “dedicated”: “*As owner I hereby certify that I have caused the above described land to be surveyed, divided, mapped and dedicated as represented hereon*”.
 12. Revise the County Approval signature block on Sheet 2 to read:
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 storm water 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-1 Agricultural Preservation Dist. to R-1 Rural Residential Dist. & 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 Randall.
- 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.

8. **Approval of Minutes**

- Nordigian/Skalitzky motion to approve the minutes as presented of the April 10, 2019, Planning, Development and Extension Education Committee meeting. Passed unanimously by those PDEEC members present.

9. **Citizen Comments – None.**

10. **Any Other Business Allowed By Law**

Mr. Buehler noted that no new land use applications had been submitted for the June 12 meeting at this time; applicants have until May 10 to submit.

11. **Adjournment**

- Skalitzky/Nordigian motion to adjourn the meeting. Passed unanimously by those PDEEC members present. The meeting was adjourned at 7:30p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, June 12, 2019.