

MINUTES
KENOSHA COUNTY
PLANNING, DEVELOPMENT & EXTENSION EDUCATION COMMITTEE
Wednesday, JULY 13, 2022

Minutes of the Kenosha County Planning, Development & Extension Education Committee public hearing held on Wednesday, July 13, 2022 at 6:00 p.m. at the Kenosha County Center, 19600 75th Street, Bristol, Wisconsin.

Members Present: Chairman Aaron Karow, Vice Chairman Daniel Gaschke, Supervisors Brian Bashaw and Ed Kubicki

Members Excused: Supervisors Berg, Franco and O'Day

Youth In Governance Representatives Present: Rebecca Ceisel and Kenzie Kuhagen

Staff in Attendance:

Andy M. Buehler, Director, Division of Planning and Development
Teresa Ward, Area Extension Director
Mary Metten, Health & Well-Being Educator
Erica Ness, Positive Youth Development Coordinator
Vijai Pandian, Horticulture Educator
April A. Webb, Recording Secretary

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

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 “Kenosha County 4-H - A Brief History and Future Goals”:** Due to unforeseen circumstances, this program was not provided this evening. In lieu of the feature program, a tour of the Kenosha County Center Campus trial berry garden was conducted.
3. **Youth In Governance:** Erica Ness, Positive Youth Development Coordinator, noted that the Youth In Governance Bus Tour was successful; the youth have started serving on their committees and are providing good feedback.
4. **UW-Extension Educator/Program updates:** Mary Metten, Health & Well-Being Educator, reported that she had completed two successful Mental Health First Aid trainings in June (one for general community members at KCC and one for Roundy's staff - mostly their senior staff and safety team). She started working with youth in the Alternatives to Correction Education (ACE) program to begin a community health project. This project will continue into 2023, as part of the Well-Connected Communities Grant. In the next month, she will start programming with two local sites under Mercy Housing, which is subsidized housing for senior citizens.

Vijai Pandian, Horticulturist, noted that he planned, coordinated, and taught weekly gardening session with Wisconsin Correctional Institute Inmates. About 8 inmates have joined the garden program and work together in the institute communal garden. He has reached out to the Wisconsin Nursery and Landscape Association and Wisconsin Landscape Contractors association to develop a landscape curriculum for WI Correctional

institute's work study release program. He is answering consumer inquiries daily and working with Master Gardeners and statewide horticulture educator, specialist and Master Gardeners in diagnostic inquiries, as well.

Erica Ness, Positive youth Development Coordinator, reported that the Nia College and Career Pathways program launched in April with weekly sessions, and a "Use Your Voice" workshop is in the works with Kenosha Public Library and other partners focused on public speaking and answering the question "tell me about yourself in interviews". Youth As Resources new board members have been oriented in May and will start meeting officially in September.

5. **UW-Extension Director's Report:** Area Extension Director Terri Ward noted that she is waiting on the Ag educator position to get cleared by the Dean's Leadership this week then it will be posted. If anyone has interest in serving on the hiring committee, please let her know. She is in process with 17 mid-point performance reviews due by mid-August. Plans of Work for educators are in process; these are guided by their institute directors and program managers in respective departments and will be shared soon. Updates from the local government education program handouts were provided.

Chairman Karow 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 7:00 p.m. in the Public Hearing Room (Recording #2 of 2).

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

6. **County of Kenosha**, 19600 75th St., Suite 122-1, Bristol, WI 53104 (Owner), **Ray Arbet, Kenosha County Dept. of Public Works**, 19600 75th Street, Suite 122-1, Bristol, WI 53104 (Agent), requesting a **rezoning** from A-2 General Agricultural Dist. to PR-1 Park-Recreational Dist. & B-5 Wholesale Trade & Warehousing Dist. on Tax Parcel #60-4-119-161-0302 & 60-4-119-161-0410 located in the NE ¼ of Section 16, T1N, R19E, Town of **Randall**. (3:17)

Division Director Buehler presented this item.

- Karow/Gaschke motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of County of Kenosha (Owner), Ray Arbet (Agent). Passed unanimously by those PDEEC members present, including YIG.

7. **County of Kenosha**, 19600 75th St., Suite 122-1, Bristol, WI 53105 (Owner), **Donna M. Karow**, 36210 Bassett Rd, Burlington, WI 53105 (Owner), **Ray Arbet, Kenosha County Dept. of Public Works**, 19600 75th Street, Suite 122-1, Bristol, WI 53104 (Agent), requesting a **Certified Survey Map** on Tax Parcel #60-4-119-161-0302, 60-4-119-161-0121, 60-4-119-161-0102 & 60-4-119-161-0111 located in the NE ¼ of Section 16, T1N, R19E, Town of **Randall**.

Division Director Buehler presented this item.

- Karow/Bashaw motion to **approve** the Certified Survey Map request of County of Kenosha (Owner), Ray Arbet (Agent), subject to the following conditions:
- 1) County of Kenosha, 19600 75th St., Suite 122-1, Bristol, WI 53105 (Owner), Donna M. Karow, 36210 Bassett Rd, Burlington, WI 53105 (Owner), Ray Arbet, Kenosha County Dept. of Public Works, 19600 75th Street, Suite 122-1, Bristol, WI 53104 (Agent) – NE ¼ of Section 16, T1N, R19E, Town of Randall & Village of Twin Lakes. For informational purposes only, these parcels are located on the north side of CTH “F”, approximately ¼ mile east of its intersection with CTH “O”.

Requesting approval of a Certified Survey Map (undated by William R. Henrichs of raSmith) to create one (1) 5.7760-acre parcel, one (1) 7.4211-acre parcel, and one (1) 35.5339-acre parcel from #60-4-119-161-0102, 60-4-119-161-0121, 60-4-119-161-0302, 60-4-119-161-0111, and 85-4-119-161-4215, located in the NE ¼ of Section 16, T1N, R19E, Town of Randall & Village of Twin Lakes.

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 May 9, 2022 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Add/label the shoreland boundary.
 2. Add the wetland areas on the proposed Lots as depicted on the WI DNR Wetland Inventory layer on Kenosha County Interactive Mapping.
 3. Add a note indicating that “Wetlands shown are from the Wisconsin Wetland Inventory Map”.
 4. Add note stating there shall be no filling, excavation or building within wetland areas.
 5. Indicate the zoning of lands adjacent to the proposed land division.
 6. Indicate the ownership of adjacent unplatted lands.
 7. In the Surveyor’s Certificate, indicate compliance with Town of Randall and Kenosha County Land Division ordinances (in addition to Village of Twin Lakes).
 8. In the Owner’s Certificate, add that the map is also in accordance with the Ordinances of the Village of Twin Lakes and Kenosha County.
 9. In the Owner’s Certificate, add Village of Twin Lakes and Kenosha County as entities requiring approval.
 10. Add a signature block for the Planning, Development & Extension Education Committee:

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___.

Aaron Karow, Chair

- 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 PR-1 Park-Recreational Dist. on tax parcel 60-4-119-161-0302.
- f) The certified survey map shall not be released for recording until 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. **County of Kenosha**, 19600 75th St., Suite 122-1, Bristol, WI 53105 (Owner), **Ray Arbet, Kenosha County Dept. of Public Works**, 19600 75th Street, Suite 122-1, Bristol, WI 53104 (Agent), requesting a **Certified Survey** Map on Tax Parcel #60-4-119-161-0122, located in the NE ¼ of Section 16, T1N, R19E, **Town of Randall**. (10:20)

Division Director Buehler presented this item.

Supervisor Karow noted he would be abstaining from the vote on this item due to conflict of interest.

- Kubicki/Gaschke motion to **approve** the Certified Survey Map request of County of Kenosha (Owner), Ray Arbet (Agent), subject to the following conditions:

- 1) County of Kenosha, 19600 75th St., Suite 122-1, Bristol, WI 53105 (Owner), Carl F Karow, Jr/o Linda Karow, W5865 Cty Hwy M, Fort Atkinson WI 53538 (Owner), Ray Arbet, Kenosha County Dept. of Public Works, 19600 75th Street, Suite 122-1, Bristol, WI 53104 (Agent) – NE ¼ of Section 16, T1N, R19E, Town of Randall & Village of Twin Lakes. For informational purposes only, these parcels are located on the south side of CTH “F”, approximately ¼ mile east of its intersection with CTH “O”.

Requesting approval of a Certified Survey Map (undated by William R. Henrichs of raSmith) to create one (1) 3.0743-acre parcel from #60-4-119-161-0122, 85-4-119-161-4214, and 85-4-119-161-4216, located in the NE ¼ of Section 16, T1N, R19E, Town of Randall & Village of Twin Lakes.

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 May 9, 2022 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Indicate the zoning of lands adjacent to the proposed land division.
 2. Indicate the ownership of adjacent unplatted lands.
 3. In the Surveyor’s Certificate, indicate compliance with Town of Randall and Kenosha County Land Division ordinances (in addition to Village of Twin Lakes).
 4. In the Owner’s Certificates, add that the map is also in accordance with the Ordinances of the Village of Twin Lakes and Kenosha County.
 5. In the Owner’s Certificates, add Village of Twin Lakes and Kenosha County as entities requiring approval.
 6. Add a signature block for the Planning, Development & Extension Education Committee:

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__.

Aaron Karow, Chair

- a) 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.
- b) 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.
- c) 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.
- d) Subject to receiving the original certified survey as approved by the Town of Randall.
- e) 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 on a 3-0 vote by Supervisors Kubicki, Gaschke and Bashaw; Karow – abstain. YIG Kuhagen and Ceisel – aye.

9. **Perry Real Estate LLC**, 6505 368th Ave., Burlington, WI 53105 (Owner), Steven Perry, 6505 368th Ave., Burlington, WI 53105 (Agent), requests an **amendment to the Adopted Land Use Plan map for Kenosha County: 2035 (map 65 of the comprehensive plan)** from “Medium-Density Residential” to “Commercial” on Tax Parcel #30-4-220-144-0110, located in the SE ¼ of Section 14, T2N, R20E, Town of **Brighton**. (20:43)

Division Director Buehler noted that the applicant withdrew their application after the agenda had been sent to the newspaper for publication. Staff recommended the Committee accept the withdrawal of the application.

- Bashaw/Karow motion to **accept the withdrawal** of the comprehensive plan amendment request of Perry Real Estate LLC (Owner), Steven Perry (Agent). Passed on the following roll call vote: Bashaw – aye; Gaschke – aye; Kubicki – aye; Karow – aye. YIG Kuhagen and Ceisel – aye.

10. **Perry Real Estate LLC**, 6505 368th Ave., Burlington, WI 53105 (Owner), Steven Perry, 6505 368th Ave., Burlington, WI 53105 (Agent), requesting an amendment to an existing **Conditional Use Permit** to construct (2) outdoor volleyball pits in the B-2 Community Business Dist. on Tax Parcels #30-4-220-143-0650, 30-4-220-143-0660 & 30-4-220-144-0110 located in the S ½ of Section 14, T2N, R20E, Town of **Brighton**. (23:12)

Division Director Buehler noted that this request had been tabled at the Town and staff recommended the item be tabled this evening.

- Karow/Kubicki motion to **table** the Conditional Use Permit request of Perry Real Estate LLC (Owner), Steven Perry (Agent) to allow the Town additional time to act on the application. Passed unanimously by those PDEEC members present, including YIG.

11. **Final Finish LLC**, 2900 52nd St., Salem, WI 53168 (Owner), Dustin Hucker, 2900 52nd St., Salem, WI 53168 (Agent), requesting a **Conditional Use Permit** to allow an automotive detailer business in the B-5 Wholesale Trade & Warehousing Dist. on Tax Parcel #95-4-119-012-0720 located in the NW ¼ of Section 1, T1N, R19E, Town of **Wheatland**. (24:07)

Dustin Hucker, agent, was in attendance to speak to this item.

- Kubicki/Gaschke motion to **approve** and recommend to the Kenosha County Board of Supervisors the Conditional Use Permit request of Final Finish LLC (Owner), Dustin Hucker, (Agent) , subject to the following conditions:

1. Subject to the application stamped received by the office of Planning and Development on June 13, 2022 along with all associated attachments and drawings.

2. Subject to the conditions recommended by the Town of Wheatland Town Board on July 11, 2022 (Exhibit A, attached).
3. Subject to the conditions present in the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance Section 12.29-8(b)14; Automotive sales, service and repairs in the B-2, B-3 and B-5 Districts (shown below):

- a) All servicing and repair work shall be within an enclosed structure. Repair materials, new, used or junk parts shall not be stored outside unless the storage area has a solid fence enclosure. Junk materials shall be removed at least once a month to avoid unsightliness of the site. Fences shall be of uniform design and height and be properly maintained for aesthetic purposes.

Note: Applicant stated that there will be no outside storage related to the automobile detailing and window tinting operation, therefore it is expected that no security fencing will be needed on the property. It is understood the whole of the property is located within the 100-year floodplain and no fence shall be constructed or placed within the FPO Floodplain Overlay.

- b) No cars shall be parked within the vision triangle and all parking lots shall meet all yard requirements.
- c) Lights shall not be beamed directly onto adjoining property.

Note: Any revised or newly installed outdoor lighting must be designed and installed subject to Section III. T. of the Kenosha County General Zoning/Shoreland Floodplain Ordinance.

4. Subject to no truck, trailer, vehicle parking or material storage outside or within the public right-of-way of State Highway 50.
5. Dumpsters and other trash receptacles shall be fenced and/or screened from view from street rights-of-way and adjacent residential uses.
6. Subject to applying for and receiving sanitary permit approval for a Private Onsite Wastewater Treatment System (POWTS) from the Kenosha County Sanitarian. By signing these conditions, the petitioner is aware that said permit will need to be issued prior to the issuance of any zoning permit(s).
7. Subject to undergoing a full site plan review with the Kenosha County Department of Planning and Development (pursuant to Section 12.08-2 of the Kenosha County General Zoning and Shoreland/Floodplain Zoning Ordinance) including but not limited to a stormwater plan, parking plan, landscaping plan, lighting plan and architectural plan. Said plans must be reviewed and approved by the Department of Planning and Development prior to the issuance of any zoning permit(s).
8. Subject to a zoning permit being applied for and issued by the Department of Planning and Development prior to placement of any structure(s) or sign(s).

9. The petitioner shall apply for and receive a Certificate of Compliance from the Kenosha County Department of Planning and Development prior to commencing business on the property.
10. 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.
11. 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.
12. 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.
13. 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.

- Gaschke/Bashaw motion to **remove from the table** agenda items 12 through 14 the request of Shirley F. Kasperek Family Trust (Owner), Deborah LaMeer (Agent). Passed unanimously by those committee members present, including YIG.
- 12. **Tabled Request of Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (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” & “Non-Farmed Wetland” to “Farmland Protection”, “General Agricultural & Open Land”, “SEC” & “Non-Farmed Wetland” on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.(31:44)

Deborah LaMeer was in attendance to speak to this item.

- Bashaw/Kubicki motion to **approve** and recommend to the Kenosha County Board of Supervisors the Comprehensive Plan Amendment request of Shirley F. Kasperek Family Trust (Owner), Deborah LaMeer (Agent). Passed on the following roll call vote: Bashaw – aye; Gaschke – aye; Kubicki – aye; Karow – aye; YIG Ceisel – aye; YIG Kuhagen – aye.

13. **Tabled Request of Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (Agent), requesting a **rezoning** from A-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.(31:44)

Deborah LaMeer was in attendance to speak to this item.

- Karow/Bashaw motion to **approve** and recommend to the Kenosha County Board of Supervisors the rezoning request of Shirley F. Kasperek Family Trust (Owner), Deborah LaMeer (Agent). Passed unanimously by those PDEEC members present, including YIG.

14. **Tabled Request of Shirley F. Kasperek Family Trust**, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9234 (Agent), requesting a **Certified Survey Map** on Tax Parcel #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of **Brighton**.(31:44)

Deborah LaMeer was in attendance to speak to this item.

- Karow/Bashaw motion to **approve** and recommend to the Kenosha County Board of Supervisors the Certified Survey Map request of Shirley F. Kasperek Family Trust (Owner), Deborah LaMeer (Agent), subject to the following conditions:

- 1) Shirley F. Kasperek Family Trust, 4719 Town Rd., Salem, WI 53168-9234 (Owner), Deborah LaMeer, 4510 Town Rd., Salem, WI 53168-9233 (Agent) – NE ¼ of Section 33, T2N, R20E, Town of Brighton. For informational purposes only, this parcel is located on both sides of Town Road, approximately ¼ mile northwest of its intersection with CTH “NN”.

Requesting approval of a Certified Survey Map (dated March 14, 2022 by Mark A. Bolender of Ambit Land Surveying) to create one (1) 32.52-acre parcel, one (1) 45.69-acre parcel, and one (1) 37.17-acre parcel from #30-4-220-331-0101, located in the NE ¼ of Section 33, T2N, R20E, Town of Brighton.

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 June 9, 2022 review letter (Exhibit A, attached).
- c) Subject to making the following revisions to the CSM:
 1. Label “Town Road” as “Dedicated for Public Road Purposes”.
 2. Label the portion of proposed Lot 3 on the southwest side of Town Road as “Outlot 1” and indicate its area in acres and square feet.
 3. Add Note: “For specific purposes, including zoning, devise, descent and conveyance, Lot 3 and Outlot 1 shall be considered as one parcel.”

4. Draw the 66-foot wide Town Road right-of-way to jog at 90 degrees around the existing shed and metal bldg. and adjacent slat on Lot 3 & Outlot 1 so as to place those existing structures outside of the dedicated right-of-way. A 1-foot setback to the structures should be drawn. Include an inset map which details the setbacks of these structures from the new right-of-way line of Town Road.
 5. On Lot 1 & Outlot 1, add/label the navigable waterway 'Peterson Creek' and its Ordinary High Water Mark on the face of the CSM.
 6. Add the following note to the CSM: "Any land below the ordinary high water mark of a lake or a stream is subject to the public trust in navigable waters that is established under article IX, section 1 of the state constitution."
 7. Add/label the shoreland boundary on Lots 1, 3, and Outlot 1.
 8. Add the wetland areas on the proposed Lots as depicted on the WI DNR Wetland Inventory layer on Kenosha County Interactive Mapping.
 9. Add a note indicating that "Wetlands shown are from the Wisconsin Wetland Inventory Map".
 10. Add note stating there shall be no filling, excavation or building within wetland areas.
 11. Add a note indicating existing and proposed zoning.
 12. Indicate the zoning of lands adjacent to the proposed land division.
 13. Indicate the ownership of the unplatted land laying north of Proposed Lot 2.
 14. On Sheet 5 of 5, update the name of the Planning, Development & Extension Education Committee Chairperson to "Aaron Karow".
- 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-1 Agricultural Preservation Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist. to A-1 Agricultural Preservation Dist., A-2 General Agricultural Dist., C-2 Upland Resource Conservancy Dist. & C-1 Lowland Resource Conservancy Dist.
- f) The certified survey map shall not be released for recording until 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.

15. **Approval of Minutes**

- Gaschke/Bashaw motion to approve the minutes as presented of the June 15, 2022 Planning, Development and Extension Education Committee meeting. Passed unanimously by those PDEEC members present. (50:25)

16. **Citizen Comments - None**

17. **Any Other Business Allowed By Law** – Planning Director Buehler noted that the notification schedule for the newspaper publications had been revised and provided copies of the schedule for the committee. The publication dates will now be on Tuesday's the two weeks prior to the meeting date to be in line with the DNR's standard practice for public notices. Planning Director Buehler noted that nine applications had been received for the August 10, 2022 meeting agenda and the item tabled this evening would also be added.

18. **Adjournment**

- Karow/Kubicki motion to adjourn the meeting. Passed unanimously by those PDEEC members present. The meeting was adjourned at 7:53 p.m.

The next regularly scheduled meeting of the Planning, Development & Extension Education Committee will be held on Wednesday, August 10, 2022.