

Plan Commission Meeting Monday, July 30, 2018

1. Meeting called to order

President Jim Dobb called the meeting to order at 6:00 p.m. at the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

2. Roll Call/Introductions

Roll call was taken. Members present: President Jim Dobbs, Trustee Kevin Wanggaard, Thomas Knitter, Bill Folk, Duane Michalski arrived at 6:03 pm

Excused: Jonathan Schattner, Joseph Minorik

Also Present: Zoning Administrator Jarmen Czuta, Public Works Director Tom Lazcano, Utility Director Anthony Bunkelman, HR Director/Asst. Administrator Toni Muise, Attorney Elaine Ekes

3. Approval of Minutes

Motion by Bill Folk to approve the minutes from the June 25, 2018 Plan Commission meeting with correcting the date on the header on pages 2 to 11 from January 8, 2018 to June 25, 2018. Seconded by Thomas Knitter. Motion carried.

4. Citizens' Comments

LaVetta Buchey-Hunter, 4623 LaSalle Street. She stated she was in opposition to the quarry expansion.

Jerry Hooyman, 3900 Wilshire Drive. He wanted to comment on the quarry expansion. On July 9, 2018 he saw the presentation by Payne and Dolan and stated they provided negative information which showed photos when the quarry was first put in and not showing the businesses and residences around it today. In 2013 when they bought the quarry they knew it had a limited life and should have negotiated. Hooyman used to negotiate contracts and said you don't show what was in the past, not what it is now, and basically ask for an expansion. Payne and Dolan has very few employees in this area and pay a minimum property tax compared to the residences. He is opposed to the expansion.

Ryan Brjoks, 4642 Carter Drive. He is in opposition to the quarry expansion. He had moved to Caledonia because he thought it was a green community and feels this expansion goes completely against what he moved to Caledonia for. He feels if this moves forward the next 30 years of this community's future is on the line.

Greg and Karen Buege, 4550 Carter Road. Greg stated he had moved here 40 years ago and has put up with the noise. All the concrete around his house is cracked. The expansion will put the quarry within 500 feet of his house. He didn't figure he would have to put up with it another 30 years and was exposed to the expansion. Karen stated she was opposed to the expansion and opposed to the rezoning.

William Hunter, 4623 LaSalle Street. He was against the expansion and rezoning of the quarry. He said when they blast, he can feel the shock through their home.

Richard Nyklewicz, Jr., 4601 Kenrich Drive. He has presented 220 plus signature on a petition at the last meeting. Documentation was provided on property taxes paid by residential properties compared to

the quarry's. The land is currently residential that they want to rezone. He had purchased his home thinking residential would prevail. The 2035 Land Use Plan showed it would be more beneficial with R-4 zoning. He had requested all 220+ signers to be notified of any meetings. They were required to sign-up electronically but no one received any notice for tonight. He is opposed to rezoning and expansion.

Jonathan Speith, 709 Thunderbird Drive. He has just purchased his home because of the fields across the street. He moved from Oak Creek because of the coal dust. If he had known about the quarry expansion he never would have purchased his house. He is opposed to the expansion and rezoning.

Pat Peterson, 1423 Ellis Ave. She stated her house will be the first house next to the expansion. She was opposed to the expansion and rezoning.

5. Public Hearing Items followed by Commission Recommendations

5A – Request a conditional use to construct and utilize a ±66,508 square-foot industrial building with loading docks, 4011 Nicholson Road, Sec. 27, T4N, R22E, Village of Caledonia, Racine County, WI, Majestic North Development Inc., Owner Masuda, Funai, Eifert & Mitchell Ltd., Agent.

Jarmin Czuta presented. In the packet is a street map and aerial zoning map showing the vacant 25 acre subject property and adjacent properties. This area is zoned M-2, General Industrial and is part of the Nicholson Business Park. The applicant has submitted a written overview.

Timothy Hammersmith, Agent for MasudaFunai was present. Also present, Morton Zimmerman , Consultant with MasudaFunai, and Jason Dane with Excel Engineering.

Mr. Zimmerman presented. They have their operation in Italy. The reason they want to come to Wisconsin is because their competitors are located here and they want to tap into the skilled labor force. The Company has 150 years' experience and specializes in food ingredients. One of their major clients is located here and they won't have to ship their product over from Europe. The plan on the project being completed by the end of 2019 and producing product by mid 2020. This will created 25 to 30 new full time jobs and hoping to be at 40+ full time jobs in 5 years. They will have a capital investment if 40 million.

The only "hazardous chemicals" would be to clean the equipment and everything would be contained in the building. No liquid nitrogen would be outside and the ammonium hydroxide would be contained in double-walled tanks.

Jason Dane, Excel Engineering. He stated this is a simple layout with the building centralized. There could be future expansion to the north. The entrance will come off Nicholson road at the south end. The front entrance is on the west side of the building with the loading docks on the south side. 82 parking stalls are proposed. The storm water management drains in two different directions to detention ponds. They are working with staff to complete a water loop along the south side of the property. They will have an early 1st shift and early 2nd shift, working 5:00 am. To 7:30 p.m. There is a potential for a 3rd shift later.

Public Hearing opened at 6:27 p.m.

5A - Public Comments

President Dobbs asked who was present to speak in favor.

Ray Leffler, 111 Lamplighter Lane. As the Owner of the park he has been working hard to bring in new business and felt they were very fortunate to have them. He has been hoping for a business like to come in for 20 years. This will help the TID District and bring in good jobs. He hopes Caledonia will welcome them as he has.

Rita Kissner, 4347 Nicholson Road. She was wondering if the truck route could be changed to Quick Drive instead of Nicholson. Tony Bunkelman stated the Village has created a route from Hwy. K to the Industrial Park along Nicholson, the anticipated route, for now, will be Nicholson.

Laura Million, 6515 Hidden Creek Road with RCED. She has been working with Mr. Zimmerman and his team to secure them in Caledonia and confirms this project is moving forward.

John Pirkl, 4122 Nicholson Road. He was not for or against, just wanted to know what he could expect. He asked if there will be any smell associated with production and any future reconstruction on Nicholson Road, and would there be a need for different zoning from what it is now? Czuta stated this project will not require a zoning change. Tony Bunkelman stated Nicholson Road will be reconstructed at some point, dependent on future expansion of the park going north, but not at this time.

Dobbs asked if anyone else was in favor.

Merle & Deb Bodmer, 4008 Nicholson Road. They were concerned about water run off because all the water runs through the culvert under Nicholson into their front yard. They wondered if the proposed retention ponds would be able to stop it. When there is a heavy rain, it turns into a river and it's full of garbage and they don't want to be a dumping ground for water. Tony Bunkelman explained the predominant drainage basin is in the southeast portion of the lot, the second basin cuts through the western portion hence the need for a basin by Nicholson Road. From a release standpoint this will reduce the peak flow for the site to the west but with additional volume being released over a longer period of time.

Dobbs asked in anyone was in favor. No one else was in favor.

Dobbs asked three times if anyone was opposed. No one was opposed.

Public Hearing Closed at 6:40 p.m.

5A - Recommendation on Public Hearing

Applicant agreed to all conditions and when they reach plan development stage all conditions will be answered. Zimmerman stated if there is smell from the cleaning, the product could be scented. The high number of parking spaces was for future expansion.

Bill Folk moved to approve for a conditional use to construct and utilize a ±66,508 square-foot industrial building with loading docks, 4011 Nicholson Road, subject to conditions. Thomas Knitter second. Motion carried.

This will move to the next Village Board meeting on August 6, 2018 at 7:00 p.m.

6. Non-Public Hearing Items

Bill Folk made a motion to take the Non-Public Hearing Items out of order, taking 6E first. Duane Michalski second. Motion carried.

6E – Discussion and possible authorization to set a continued public hearing to consider the additional information requested at the July 9 public hearing on the Quarry Expansion related to the following: Amendment to the Lane Use Plan from Low Density Residential to Extractive, Rezoning from P-1 Institutional Park District, R-4 Urban Residential District I and R-5 Urban Residential District II to: M-4 Quarrying District; Conditional Use Permit, Nonmetallic Mining Permit and Explosives Use Permit To Allow For The Further Development of an Existing Limestone Quarry including Earthmoving, Blasting, Crushing, Sorting and Sizing, Stockpiling, Transportation and Reclamation, 1501 3 Mile Road, Village of Caledonia; 26-Acres, More Or Less; Payne And Doland Inc., Owner/Applicant

Attorney Ekes presented. It the recommendation of the Council for the Village that this item is placed back on othe Plan Commission agenda to set a continued public hearing to consider additional information requested at the July 9 public hearing on the Quarry Expansion. During the public hearing and after the hearing was closed the Plan Commission had indicated to staff that they wanted additional information brought forward for review. The correct way to do that is in the context of a public hearing to bring new information in because it had not been entered into the record. Three area of information have been identified:

- 1) the impacts of dust and air quality from the Quarry Operation/Expansion;
- 2) The impact of an expanded Quarry on nearby property values; and
- 3) Comparison of tax revenue generated by the Quarry versus residential uses.

In all fairness all should be able to speak to that information as part of the next public hearing. As a part of the next public hearing Village staff would also be directing information to those three topics and also preparing a memorandum summarizing the information that had been received at both public hearing and providing draft conditions. All information needs to be entered as part of the record. From a procedural standpoint that the public hearing would be held similar to the last public hearing. The Village Board would be asked to attend, but the Plan Commission conducts. Notices would published prior to mailing. Also the public would be notified of the information on the Village of Caledonia's web page. All information filed will be published on the web site. The Clerk's office has corrected the website adding a piece of information that was missing and it is now available to the public.

Bill Folk asked that on condition 3, it should state **net** tax revenue.

Ekes anticipated that at the close of the next public hearing there would be a discussion by the Commission and if they felt they were ready to make a motion, they would be able to. As a part of entering draft conditions staff is going to want to enter that as part of the record.

Folk clarified that they had questions last time that were not able to be answered. They are requesting information, not assumptions. The public hearing should be specific to those items, not new information.

Ekes explained there will be new information for the Plan Commission to decide on. The way the prior transcript read was they were placing judgment on information received, not in the contents of the public hearing. Information could be perpetually coming in. The concern is in light of recent statutory changes, not wanting to run afoul of information received.

Bill Folk moved to:

A. Authorize a continued public hearing to be scheduled for August 27, 2018 at the Village Hall to consider the additional information requested by the Plan Commission at the July 9th public hearing on the Quarry Expansion which is related to the following:

- 1. The impacts of dust and air quality from the Quarry Operation/Expansion;**
- 2. The impact of an expanded Quarry on nearby property values; and**
- 3. Comparison of the net tax revenue generated by the Quarry versus residential uses;**

AND

B. To limit the public hearing on August 27th to the receipt of information related only to the three topics, and input from Village Staff on the additional information sought on the three topics, as well as memoranda summarizing the information received and providing draft conditions related to all matters presented and considered at both public hearings.

Duane Michalski second. Motion carried.

6A – Request a conditional use to construct a ±15,000 square-foot commercial building; 3030 CTH K; Top Flight LLC, Owner; Daniel Oakes, Applicant; Cooperative Boundary Agreement Town of Raymond and Village of Caledonia.

Jarmin Czuta presented. The subject property lies within the cooperative boundary agreement area between the Town of Raymond and the Village of Caledonia (the “Cooperative Plan”). The site is located at 3030 CTH K. The proposal is to construct and utilize a ±15,000 square-foot commercial building. The subject site is zoned B-3 Commercial Service District. The 2035 Town of Raymond Land Use Plan designates the subject site as Industrial/Business Park. The proposed use is allowed in the B-3 zoning district through the conditional use process. The proposal is consistent with the 2035 Town of Raymond Land Use Plan designation of Industrial/Business Park for the site. The Racine County Economic Development and Land Use Planning Committee and the Town of Raymond have approved the proposal. It is up to the Village of Caledonia Planning Commission and the Village Board to determine if the proposed use is appropriate based upon the Cooperative Boundary Agreement between the Town of Raymond and the Village of Caledonia. There is a staff memo prepared by Czuta and Village Plan Consultant and incorporated numerous conditions. This is similar to the other buildings constructed in the area.

Mr. Oakes stated the trees are already in, the landscaping plan is a mock of the other building and will follow the same conditions as before. He would like to be completed by January 1, 2019.

Jeff Muenkel from Foth stated this building is being treated the same as the previous building Mr. Oakes brought in.

Mr. Oakes stated the landscaping will be completed by June 1, 2019.

Thomas Knitter made a motion to approve the conditional use to construct a ±15,000 square-foot commercial building; 3030 CTH K; Top Flight LLC, Owner; Daniel Oakes, Applicant; Cooperative Boundary Agreement Town of Raymond and Village of Caledonia, with conditions as set forth by Staff. Bill Folk second. Motion carried.

This will move to the next Village Board meeting, August 6, 2018 at 7:00 p.m.

6B – Coffey Concept CSM – Parcel ID 51-104-04-23-20-056-000 – Middle Road, Village of Caledonia, Racine County, WI – Owner Dennis Coffey

Tom Lazcano presented. The property is located on the east side of Middle Road, just south of Cardinal Drive. This property is zoned R-4 and located within the sanitary sewer service area and this Concept Plan is for the creation of 2 long and slender lots (piano key lots). The land is currently made up of a vacant field, a wooded section and wetland on the far-east end. The new layout for the parcel would create 2 lots, each with sufficient amount of roadway frontage along Middle Road. The concept plan calls for creating two 2.44 acre lots for a single family home. With this submittal there is one Waiver/Modification that needs to be considered/reviewed on behalf of the Concept Plan. This Waiver/Modifications is for approving a lot that exceeds the 2.5 to 1 length to width ratio.

Dennis Coffey was presented. He stated he just wanted to build a house for himself and his son. He was not familiar with the 2.5 to 1 ratio. He said they would like to share a driveway.

Discussion followed on different ways of dividing the property to be more beneficial. It is not recommended to do two long piano key lots. Tony Bunkelman said the only option presently was to have two long lots with a shared driveway off Middle Road. It was recommended Coffey talk with a developer.

Bill Folk made a motion to recommend denial. Knitter second.

Ekes suggested Coffey come back with a different concept plan, and lay this over.

Bill Folk wanted to withdraw his motion. Thomas Knitter wanted to withdraw his motion.

Duane Michalski made a motion to lay this item over. Thomas Knitter second. Motion carried.

6C – Ross Concept CSM – Parcel ID 51-104-22-06-019-000 – 7 ½ Mile Road, Village of Caledonia, Racine County, WI – Owner Eric Ross.

Tom Lazcano presented. The property is located on the southwest corner of CTH V and 7 ½ Mile Road intersection. There are two separate parcels that share the same parcel ID number and the CSM would address this by creating a separate Lot for the western parcel. The property is located outside of the sanitary sewer service area and this Concept Plan is for the Creation of 4 parcels. The property currently has A-2 and B-4 Zoning Classifications. Since the parcel is outside of the sewer service area a 5 acre minimum is required for all lots by Ordinance. The Village's 2035 Lane Use Plan shows that the property shall be Medium Density Residential and Commercial. The Concept Plan will stay in line with

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the proposed uses. The new layout for the parcel would create 4 lots, each with sufficient amount of roadway frontage. The concept plan calls for creating a ~5 acre parcel for a single family home, a 1-1.5 acre parcel for a landscaping business and a remaining ~5 acre parcel for future development and separating the 7.43 acre western parcel. Mr. Ross would build a home and live on the 5 acre parcel and operate his business on the 1 – 1.5 acre parcel. He would not be purchasing the remaining 5 acre parcel. There are 3 Waiver/Modification requests that have to be considered/reviewed on behalf of the Concept Plan:

1. Approving the creation of two flag lots from an existing flag lot.
2. Approving a lot that exceeds the 2.5 to 1 length to width ratio.
3. Approving a lot that does not meet the minimum acreage requirements.

Czuta noted this request would also require a zoning change. Lot 2 is zoned B-4 and landscaping is allowed in B-3, also a Conditional Use approval.

The Plan Commission does not want to create more flag lots, the more you divide the more difficult it is to keep street frontage.

Tom Lazcano suggested Lot 2 to be increased to 2 acres to satisfy Zoning, then Lot 3 would be reduced to less than 5 acres. You would be meeting minimum zoning, but not Ordinance. The parcel is 11.67 acres. So you couldn't create two 5 acre parcels, but could meet minimum zoning for the business. Ross' business would be a full scale landscapers yard with piles of materials outside.

Discussion followed on different ways to develop the property. Ross is looking to purchase it, and can't afford to purchase all. If the business lot is less than 2 acres, you could have two ~5 acre lots that are sellable. The way zoning is drafted the local government has the ability to be more restrictive. Ross wants to purchase Lots 1 & 2, building his house behind the landscaping business lot. By creating Lot 2, creating a business property, you create a second flag lot. Czuta stated if approved, Ross could work in conjunction with County Zoning and Village to move forward with a formal CSM, formal Public Hearing Zoning Change request and if desired coupled with a Conditional Use request with the Zoning Change request.

Staff recommended approve based on the following conditions:

1. The approval of Waiver/Modification Requests #1, #2 and #3.
2. Lot 2 will be 2 acres.
3. The final Certified Survey Map will need to follow Village of Caledonia standards as outlined in Title 14, Chapter 1 of the Ordinance and will require a review by Racine County prior to approval.
4. The Concept Plan must conform to all Ordinances in Titles 9, 14 & 18 as necessary.

Thomas Knitter made a motion to approve the Ross Concept CSM – Parcel ID 51-104-22-06-019-000 – 7 ½ Mile Road, Village of Caledonia, Racine County, WI – Owner Eric Ross, subject to conditions outlined by staff. Duane Michalski second. Motion carried.

This will move to the next Village Board meeting, August 6, 2018 at 7:00 p.m.

6D – Stabbe CSM – Parcel ID 51-104-04-22-02-054-010 – Foley Road, Village of Caledonia, Racine County, WI – Owner Mark Stabbe.

Tom Lazcano presented. The property is located at the west side of Foley Road just north of 7 Mile Road. The property is approximately 24.66 acres with 730 feet of frontage on Foley Road. The existing parcel contained a single family home, mound system, farm fields and an area of wetland in the rear of the property. The CSM is for the creation of two lots. Lot 1 is proposed to have a single family home and is 9.84 acres in size. Lot 2 has the existing single family home on it and will be 14.82 acres in size. A mound system will be necessary for Lot 1. The CSM will be amended when the wetland delineation is completed. This will allow him to sell Lot 1 with approval of CSM.

One Waiver/Modification will be needed to allow for lots that are greater than 2.5 : 1.

Staff recommended approval subject to the following conditions:

1. Mr. Stabbe must amend CSM once the wetlands are delineated to show the updated wetland boundary.
2. The CSM is located outside of the Sewer Service Area. Proposed Private Onsite Wastewater Treatment Systems area for the Lot 1 shall be approved by Racine County.
3. Due to the proposed size of the lots, Individual Site Grading & Drainage Plans will be required at the time of development of Lot 1. A note shall be placed on the amended CSM indicating “An Individual Site Grading & Drainage Plan will be required to be submitted at the time of development of the lot. This Individual Site Grading & Drainage Plan shall follow the intent of the Storm Water Management Plan.”
4. The CSM is subject to the Land Division per Lot fee.
5. Acceptable resolution of any Racine County Requirements.
6. All development on this CSM must conform to all Ordinances in Titles 9, 14, 15 16 and 18.

Discussion followed. Mr. Stabbe stated the existing home is his home. The builder for the new home will have to put in a driveway. The survey for the Lot 1 states 330’ x 1300’ in depth. No matter how you split, you will still have a t-shaped lot. He stated the requirement to delineate the wetlands is a terrible requirement when it already on county maps. This costs more than the wetlands are worth.

Duane Michalski made a motion to approve Stabbe CSM – Parcel ID 51-104-04-22-02-054-010 – Foley Road, Village of Caledonia, Racine County, WI – Owner Mark Stabbe, subject to conditions. Thomas Knitter second. Motion carried.

This will move to the next Village Board meeting on Monday, August 6, 2018 at 7:00 p.m.

7. - Adjournment

Motion by Kevin Wanggaard to adjourn. Seconded by Thomas Knitter. Motion carried. Meeting adjourned at 7:45 p.m.

Respectfully submitted,
Mary Jo Schmidt
Adm. Asst. II