

PUBLIC WORKS COMMITTEE MEETING
Tuesday April 11, 2023 at 5:30 p.m.
Caledonia Village Hall – 5043 Chester Lane

1. Call to Order
2. Approval of Minutes
3. Buckley Road
4. Adjournment

April 10, 2023

Joslyn Hoeffert
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

1. Call to Order

Trustee Weatherston called the meeting to order at 4:28 p.m. in the West Conference Room, 5043 Chester Lane, Racine, Wisconsin.

Present: Trustee Martin (sat in for Trustee Weatherston) and Trustee Wishau (sat in for Trustee McManus).

Absent: Trustee Weatherston and Trustee McManus were excused.

Staff present: Village Engineer Ryan Schmidt

2. Approval of Minutes

Motion by Trustee Wishau to approve the minutes from the October 10, 2022, meeting. Seconded by Trustee Martin. Motion carried unanimously.

3. 3268 Bergamot – Retaining Wall Variance Request

The applicant was present at this meeting and gives the background on the installation of a retaining wall that will go around the back of their yard. The applicant gave the committee a timeline of the project. Some additional revisions have been made from the original project due to the west drainage easement. Due to the large slopes and angles of the property the Village required Korndoerfer to build 2 retaining walls prior to the applicant's occupancy.

Motion by Trustee Wishau to approve the retaining wall variance request for 3268 Bergamot including the revisions made within the memo provided and to forward to the Village Board for final approval. Seconded by Trustee Martin. Motion carried unanimously.

4. Adjournment


Trustee Wishau motioned to adjourn. Seconded by Trustee Martin. Motion carried unanimously. Meeting adjourned at 4:58 p.m.

Respectfully submitted,
Megan O'Brien
Deputy Village Clerk

MEMORANDUM

Date: April 5, 2023

To: Board of Public Works
Village Board

From: Ryan Schmidt, P.E.
Village Engineer 

Re: Waiver of Title 15-1-6-(f)(4) for Issuance of Building Permit-3738 Buckley Road.

Background Information

In Fall of 2022, Property Owner Don Christensen came to the Village with a proposal to build a single-family home on the property at 3738 Buckley Road (Parcel ID 104-04-23-31-073-000). At the time, this parcel did not abut an improved portion of Buckley Road and therefore, Buckley Road was required to be constructed and improved for the remaining portion of Right-of-Way with Turnaround Tees per Title 15-1-6 (f)(4). This message was conveyed to the Owner of the parcel before the plans were acquired and during all meetings leading up to the project. Title 15-1-6 (f) (4) of the Village Code is more specifically written as:

*(4) **Highway Access.** If the land does not abut upon a public highway which has been laid out, constructed and improved as required by the ordinances of the Village of Caledonia, the Building Inspector shall deny such permit. If the land abuts upon more than one (1) public highway, all such highways shall have been laid out, constructed and improved as required by the ordinances of the Village as a condition to the issuance of a building permit. If the land abuts upon a public highway which is less than four (4) rods in width, the Building Inspector shall deny such permit unless any such highway of lesser width has theretofore been laid out, constructed, improved, accepted and used by the governmental unit having jurisdiction over such public highway. Any such application denied by the Building Inspector shall be referred by him to the Village Board, and the Building Inspector shall deny such permit unless and until the applicant shall comply with the requirements of the Town Board as to the dedication of additional right-of-way reasonably required to create a four (4) rod public highway.*

As a result, the owner provided construction plans and a developer's deposit for the work to be completed. The owner decided to coordinate the asphalt paving of the road as part of the Village's resurfacing project, which was near its completion in 2022. The road would need to be paved in 2023 if the work was not completed by early November. Plans for the extension of the road were initially provided by Nielsen, Madsen, and Barber on September 7, 2022 and approved with revisions on October 6, 2022. A preconstruction meeting was held on November 4, 2022. The grading, culvert installation, and sewer/water installation was completed during November and December which was too late to have asphalt pavement installed under the Village's Contract. Therefore, paving would need to wait until 2023 under the new Village Paving Contract or the Property Owner has the option to utilize his own contractor for paving the road.

The Property Owner has since requested permission to start construction of the single-family home on the property utilizing the compacted gravel base rather than waiting until summer to get the road paved or hiring his own contractor to pave the road. In order to do this, Staff would still need

to review the Building Permit application for compliance with all other Building Codes and Village Ordinances as is typical with all Building Permit applications. In addition, the Board of Public Works and the Village Board would need to approve a waiver to Ordinance 15-1-6(f)(4). If this waiver is approved, Staff recommends that the Village Board direct staff to review and modify the policy regarding the development of property on constructed and improved public Right of Ways.

If the Public Works Committee and Village Board supports waiving Village Ordinance 15-1-6 (f) (4) for 3738 Buckley Road, the following motion is recommended:

Move to recommend approval of a waiver to Title 15-1-6 (f) (4) at 3738 Buckley Road to issue a Building Permit for a Single-Family Home without a fully improved and constructed Right-of-Way subject to the following:

- **The Property Owner obtains all State and Local Building Permits prior to construction of the single-family home.**
- **The Property Owner and his/her Contractor complete the road extension project and all punch list items to Title 18 of the Village Code of Ordinances and to the satisfaction of the Village Engineer and Public Services Director prior to the issuance of the Occupancy Permit or November 15, 2023.**

If the Public Works Committee and Village Board does not support waiving Village Ordinance 15-1-6 (f) (4) for 3738 Buckley Road, the following motion is recommended:

Move to deny a waiver to Title 15-1-6 (f) (4) at 3738 Buckley Road to issue Building Permits for a Single-Family Home without a fully improved and constructed Right-of-Way.