

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

SUMMARY MINUTES - MONDAY, March 15, 2021 - 6:00 p.m.

Ives Grove Office Complex Auditorium
14200 Washington Avenue, Sturtevant, WI 53177

(NOTE: Audio recording from Racine County is available upon request. These minutes are intended as a summary of actions taken by the Committee and do not include verbatim or detailed accounts of all comments made by staff, the Committee, and members of the general public present at the meeting.)

Committee present: Supervisors Tom Hincz, Bob Grove, Brett Nielsen, Jason Eckman, Kelly Kruse

Committee present via conference call: Supervisor Tom Kramer

Committee not present: Supervisor Mike Dawson

Youth in Government Representatives: Riley Niemiec (present); Arev Buchaklian (excused)

Staff present: Julie Anderson, Public Works & Development Services Director
Brian Jensen, Development Services Superintendent

Chairman Hincz called the March 15, 2021, Racine County Economic Development and Land Use Planning Committee public hearing and committee meeting to order at 6:00 p.m. He introduced the Committee and staff and explained public hearing and meeting procedures. Following are the agenda items and the Committee's actions.

PUBLIC HEARING

- 1. Clearwater Acres, LLP
6:04 Payne & Dolan, Inc., Agent Request a conditional use to continue a nonmetallic mineral extraction (sand & gravel) operation including, earthmoving, crushing, washing, sorting, sizing, stockpiling, transportation & reclamation; located 6745 Northwest Cr.; Section 16 & 17, T4N, R19E, **Town of Waterford** (PIN'S 016041916003000, 016041917-008000, -007000, -001000)

Brian Jensen reviewed the petition and public hearing testimony using text and maps. Nothing has changed on this site from the original submittal approval. Staff has reviewed the site and have found no errors or issues with the current conditional use that was granted. Payne & Dolan representatives appeared via conference call and added that the Town of Waterford unanimously approved the application.

STAFF RECOMMENDATION(S)

Staff recommends approval that this petition be approved as the proposed use appears to fit with the uses in the district and appears to be in the public interest by providing valuable material assets and promoting the welfare of the community.

DECISION

Supervisor BOB GROVE MOVED, seconded by Supervisor Eckman to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 6/0

- | | |
|--|--|
| <p>2. Thomas & Dorothy Hawkins
6:10 Don Pearson, Applicant</p> | <p>Request a conditional use to occupy a commercial building and property with a construction contractors office and yard for Tenex Contractors Corp; located 8255 McHenry St., Section 19, T2N, R19E, Town of Burlington (PIN 002021919020000)</p> |
|--|--|

Jensen reviewed the petition and public hearing testimony using text and maps showing buildings and parking areas. There are no changes to the current landscaping or lighting as proposed. This is to conduct daily office management. Most employees and much of the equipment during the construction season are based on the construction sites. During the off-season, equipment will need to be stored on the site with routine maintenance and repair on the equipment to be occur within the existing building. Major repairs will be conducted at other repair facilities. No changes to existing security lighting. Hours of operation will be 8:00am to 4:30pm, Monday through Friday. Don Pearson reiterated that the equipment would only be parked at this site during the off-season. Oil changes for the equipment will be done by contracted dealerships. They anticipate making improvements on the property.

STAFF RECOMMENDATION(S)

Staff recommends approval as the use appears to be permitted by underlying zoning. The use is not hazardous, harmful, offensive, or otherwise adverse to the environmental quality and property values in the County and its communities. Staff would suggest a condition of cleaning the property and maintaining in a neat and orderly condition.

DECISION

Supervisor JASON ECKMAN MOVED, seconded by Supervisor Kruse to approve with the condition that the property be maintained in a neat and orderly condition.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 5/0

3. Vincent & Rachele Senese
6:17

Request a shoreland/floodplain conditional use to place fill in the FFO, Urban Floodplain Fringe Overlay District and construct a single-family residence with an attached garage and covered deck on a slab; located directly west of 24422 Sandy Point Dr.; Section 9, T4N, R20E, **Town of Norway** (PIN 010042009066000)

Jensen reviewed the petition and public hearing testimony using text and maps. The majority of the property is located in the 1% annual inundation flood (i.e. 100-year floodplain). Certain fill measures and elevations need approval from this committee and the Town of Norway. Staff has reviewed the plans and they appear to meet the parameters required by county ordinance.

Vincent Senese added that if a swale is needed along the property lines, it can easily be integrated into the construction plan. Roughly 10,000 yards of fill will be needed for the project.

The Town of Norway requests that the County hold open the conditions until the Town can review.

Robert Snyder submitted an email with drainage questions which will be submitted to the Town of Norway.

STAFF RECOMMENDATION(S)

Staff recommends approval of this petition. The proposed use is in accordance with Chapter 20 floodplain regulations for the FFO district. The proposed single-family residence with attached garage and deck on slab appears to fit the uses in the district and meets the minimum requirements of construction of a home within the FFO district. Town of Norway approval is required and a conditional of approval would be to allow the Town Engineer to review and approve a drainage plan for this site.

DECISION

Supervisor BOB GROVE MOVED, seconded by Supervisor Nielsen to approve this petition with all conditions described by staff pending Town approval as the proposed use appears to fit within the use of the district.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 6/0

4. Linda & Lonnie Keckhaver
6:31 Request a conditional use to occupy a commercial building and site with an outdoor barbeque DBA “JD’s Taste of Texas” which will serve food and beverages for consumption outside of the structure; located 28837 Beach Dr.; Section 14, T4N, R19E, **Town of Waterford** (PIN 016041914243000)

Jensen reviewed the petition and public hearing testimony using text and maps. The proposed hours of operation would be Sunday from 10:00am to 10:00pm, Monday – closed, Tuesday through Thursday from 11:00am to 10:00pm, Friday 11:00am to midnight and Saturday 10:00am to midnight.

John Gomez, proposed operator of the outdoor barbeque, indicated that the smoker would be used on Saturdays and Sundays from 5:00am to approximately noon, would be cleaned, and be put away. The rest of the week food would be prepared in the kitchen.

STAFF RECOMMENDATION(S)

Staff recommends denial as the use is hazardous, harmful, offensive, or otherwise adverse to the environmental quality and property values in the County and its communities. The anticipated odor, outdoor smoke from the commercial barbeque meats and burning of wood will have a negative effect on many residents in the area. Although the use may be compatible in the zoning district, they should not be permitted as a matter of right because of potential conflict this may create, and this use does not appear to fit with the area.

DECISION

Supervisor BOB GROVE MOVED, seconded by Supervisor Dawson to deny any outdoor use as recommended by staff and described in the application.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 6/0

COMMITTEE MEETING

PLEASE NOTE: While the following agenda items are up for discussion and action before the Committee and the Committee may ask questions of the petitioners or affected neighbors, this portion of the agenda is a committee meeting and not a public hearing, and public hearing testimony may not be taken. All are welcome to attend.

1. Decision on preceding petitions
2. Review, discussion and possible approval of the February 15, 2021, summary minutes

Supervisor BRETT NIELSEN MOVED, seconded by Supervisor Grove to approve the February 15, 2021 summary minutes.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 6/0

3. John Randy Larson Conditional Use Amendment of the previously approved Home-Base Agricultural Related Business (HBARB) to allow onsite sale of products to the public and be open to the public on a limited registration basis an average of one weekend per month or up to twelve times per calendar year. Reservations to be made online and will be limited to a maximum 24 guests per day with no more than 12 guests at a time; located in the A-2, General Farming and Residential District II; 22200 W. 6 Mile Rd.; Sec. 11, T4N, R20E, **Town of Norway** (Parcel Id. No. 010042011023060)

Jensen reviewed the petition using text and maps.

STAFF RECOMMENDATION(S)

Staff recommends approval of this amendment as it is a good fit and appears to be permitted by underlying zoning.

DECISION

Supervisor BOB GROVE MOVED, seconded by Supervisor Nielsen, to approve the Conditional Use Amendment pending town approval.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Niemiec: aye

Motion carried unanimously. VOTE: 6/0

4. Review, discussion, and possible recommendation on ordinance revisions to repeal and recreate portions of Chapter 20, Zoning, Racine County Code of Ordinances, including but not limited to shoreland zoning in order to comply with all State required regulations of Wisconsin's Shoreland Protection Program outlined in Wisc. Admin. Code Natural Resources Code NR 115 and in Wisc. Statute 59.692

Anderson discussed the red-lined and clean versions of the ordinance. The changes were approved by the committee at a prior meeting to give the committee a better idea of all the changes being made to the ordinance.

Supervisor BRETT NIELSEN MOVED, seconded by Supervisor Eckman, to accept the clean copy of the ordinance and send to the County Board for approval.

Motion carried unanimously. VOTE: 6/0

5. Review, discussion, and possible recommendation amending the location of the Primary Environmental Corridor limits for Blue Heron Pointe Subdivision as it appears on the recorded subdivision plat located in Sec. 14, T4N, R19E, Town of Waterford.

Anderson reviewed this item using text and maps. The current primary environmental corridor line changed over time from what is on the plat. This request is to update the plat to bring the lots into conformance. WI Statutes Chapter 236.293, Restrictions for Public Benefit allows that any restrictions placed on a plat can be modified by the public body or public utility having the right of enforcement. The new shoreland ordinance with the impervious surface limits will take care of these issues.

Supervisor BOB GROVE MOVED, seconded by Supervisor Eckman, to move forward to send to the County Board the appropriate changes in the environmental corridor in the Blue Heron subdivision.

Motion carried unanimously. VOTE: 6/0

6. Review, discussion, & possible action on referrals from the Racine County Board of Supervisors
 1. Notice of timber cutting filed on 3/5/2021. Harvest of select mature timber at 28721 County Line Rd., Sec. 2, T4N, R19E in the Town of Waterford.
 2. City of Racine relocation order to install a water main at South Green Bay Rd.
 3. City of Racine relocation order for West 6th Street
 4. City of Racine relocation order for 24th Street.

5. Town of Norway Resolution 2020-121 setting the relocation order of Sanitary District No. 1 of the Town of Norway affecting property located on West Loomis Rd.
6. Notice from WI DNR of the proposed state purchase of an easement on 62.52 acres of land for the Statewide All Regulatory-Wetland Mitigation Program in the Village of Mount Pleasant.
7. Notice to Racine County Clerk of Racine County project to replace the pavement and other improvements on County K from W. Overson Rd. to US 45 in late summer 2021.
8. Notice to Racine County Clerk of Village of Yorkville project to replace structure and other improvements on 58th Road over the West Branch of Root River Canal in 2022.
9. Noticed of Village of Rochester Resolution 2021-01 supporting the proposed state purchase of 120.48 acres of land for the White River State Trail in the Town of Dover, the Village of Union Grove, the Village of Yorkville, the Village of Mount Pleasant and the Village of Sturtevant.

Supervisor BRETT NIELSEN MOVED, seconded by Supervisor Grove, to receive and file.

Motion carried unanimously. VOTE: 6/0

7. Next EDLUP Public Hearing/Committee meeting date is scheduled for Monday, April 19, 2021 at 6:00 p.m.
8. Other business as authorized by law
None
9. Adjourn

There being no further business, **Supervisor BOB GROVE MOVED, seconded by Supervisor Nielsen, to adjourn at 7:23 p.m. Motion carried unanimously. VOTE: 6/0**