

RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE
SUMMARY MINUTES - MONDAY, MAY 15, 2023 - 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 Robert Grove, County Board Chairman Thomas Roanhouse, Jason Eckman, Taylor Wishau, Tom Rutkowski, Olga White, and Tom Hincz (via conference call)

Excused: Supervisor Tom Kramer

Youth in Government Representatives: Madhura Patil (present), Chris Naber (excused)

Staff present: Brian Jensen, Development Services Superintendent

Vice-Chairman Grove called the May 15, 2023, Racine County Economic Development and Land Use Planning Committee public hearing and committee meeting to order at 6:00 p.m. He introduced Committee members and staff, then he explained public hearing and meeting procedures. Following are the agenda items and the Committee's actions.

PUBLIC HEARING

- 1. Vincent & Rachelle Senese, Owners Request an amendment of a Conditional Use of the previously approved 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 at 24430 Sandy Point Dr.; Section 9, T4N, R20E, **Town of Norway** (PIN 010042009066000)

Jensen presented this Conditional Use amendment and public hearing testimony using text and maps. The original Conditional Use was approved in March of 2021. A reduction in the size of the house and the amount of fill are the changes from the original Conditional Use approval. The fill meets the minimum FFO fill requirements. Vincent and Rachelle Senese were present to answer questions. The setback would be 180.54' from the shore. The Town of Norway has not acted on this petition yet and will be heard at their meeting on June 7, 2023.

Those who spoke in opposition to this petition:

Danielle Bergner, a land use attorney representing her father, Robert Snyder, stated this is an extraordinary extent of filling in a flood plain, which has the effect of removing a fair amount of this property from the flood plain. Her working knowledge is that you cannot remove land from a flood plain unless it is adjacent to land that is not in a flood plain. No modeling or water studies have been done to her knowledge.

Robert Snyder added that there are homes in the area with basements and would be negatively impacted by this project.

Dean Martin stated that this project would block his view of the lake. The property value would decrease. The elevation would be seven feet higher than his property and he already has major drainage problems.

Myron Wargole said that this does not fit in the footprint of the neighborhood. It is ridiculously high and will cause flooding.

Tom Millonzi expressed drainage concerns.

Mike Scasny is concerned about the height and how far forward the house will be. Neighbors will have to walk through a pond to get to the lake due to drainage.

Susan Surges said when she built the house in 1991, it was required to be built in line with the other houses in the area. She also expressed concerns of neighbor Elaine Lecus.

Jeff Carver expressed concerns about how high the fill is and how the water will drain.

The following sent communications that were read into the record by Jensen:

Elaine Lecus: The house should be put back where the other houses are, and they should get rid of the hill.

Stephen Westphal: the amount and height of fill being brought in does not pass the commonsense test. It currently drains water into adjacent properties. A photo was enclosed to show how out-of-place this mound of dirt is compared with the neighboring properties.

Andrea Stern, of WDNR: she had no comments.

Kenneth Ward of Ruckert-Mielke, addressed to Thomas Kramer Administrator of the Town of Norway: A review of the updated project plans which includes a reduction in the size of the dwelling and removal of fill from the wetlands and are acceptable as presented. A public hearing with the Town of Norway Plan Commission is recommended.

STAFF RECOMMENDATION(S)

Staff recommends approval as the use is in accordance with Chapter 20 of the Flood Plain regulations for the FFO district and based on other things going on in the area, it is consistent with other uses in the area and meets the minimum requirements for construction of a home in the FFO district as in accordance with the Chapter 20 Racine County Code of Ordinances.

A hydrologic and hydrologic analysis is not required in the FFO District as this district was preapproved for fill and construction of residences by the DNR, Racine County and the Town of Norway and by this action the fill analysis was granted. The studies referenced earlier were needed to fill are required in areas that have not been mapped flood plain, they do not have the elevations that were set by previous engineering studies and approved by FEMA.

DECISION

Supervisor JASON ECKMAN MOVED, seconded by Supervisor Rutkowski to approve the amendment to the Conditional Use pending the approval of the Town of Norway.

Motion carried unanimously. VOTE: 5/2 (Wishau and White with dissenting votes).

2. Pashina Group, LLC., Owner Rezone ±2.63-acres from B-3, Commercial
6:31 CIFA North America – Todd Lutz, Service District to M-3, Heavy Industrial District,
7:04 Applicant Part of the NW ¼ of Sec. 36, T3N, R20E, **Town of
Dover**, Racine County, WI., located at 4330
Conifer Court (PIN 006032036040110)

Jensen reviewed the petition and public hearing testimony using text and maps.

Todd Lutz was present and indicated that the parcel was originally zoned M-3 and would like to change it back. Their business is growing, and the rezone is required for the proposed business use for this site.

John Kurt indicated the use is a perfect fit for the Industrial Park.

STAFF RECOMMENDATION(S)

Staff recommends approval as the rezoning is consistent with the purpose and intent of the zoning district, the rezoning is consistent with area and land uses and the use is not harmful, offensive, or otherwise adverse to the County and its communities.

DECISION

Supervisor TOM RUTKOWSKI MOVED, seconded by Supervisor Wishau to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

3. Brian Meyer, Owner Conditional Use request a shoreland/floodplain
6:29 conditional use to place fill in the FFO, Urban Flood
7:05 Fringe Overlay District and construct a detached
garage; located at 8340 E. Wind Lake Rd.; Section 3,
T4N, R20E, **Town of Norway** (PIN
010042003061000)

Jensen reviewed the petition and public hearing testimony using text and maps.

STAFF RECOMMENDATION(S):

Staff recommends approval as this use is in accordance with Chapter 20 of the Flood Plain regulations for the FFO district and based on other things going on in the area, the proposed detached garage and fill appears to fit with uses in the district and appears to meet the minimum requirements for the construction of an accessory structure in the FFO district. This is also subject to Town approval.

DECISION

Supervisor TOM RUTKOWSKI MOVED, seconded by Supervisor Wishau to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

6:42 **Vice-Chairman Grove** closed the public hearing portion of the meeting.

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. Decisions on preceding petitions
6:29

2. Review, discussion and possible approval of the March 20, 2023, summary minutes
7:06

Supervisor JASON ECKMAN MOVED, seconded by Supervisor Rutkowski, to approve the March 20, 2023, summary minutes as presented.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

3. Pashina Group, LLC., Owner
7:06 CIFA North America – Todd Lutz, Applicant

Site Plan Review to occupy an existing building and site with corporate office, sales and warehousing/distribution of parts and assembly of concrete pumping equipment of CIFA North America; located at 4330 Conifer Court, Sec. 36, T3N, R20E, **Town of Dover** (PIN 006032036040110)

Jensen reviewed the petition and public hearing testimony using text and maps. There are no proposed changes to existing lighting or landscaping of the property when CIFA takes ownership.

STAFF RECOMMENDATION(S):

Staff recommends approval as it seems to fit with zoning and other uses in the immediate area.

DECISION

Supervisor TAYLOR WISHAU MOVED, seconded by Supervisor Rutkowski, to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

4. Miles Properties, LLC., Owner Site Plan Review to occupy an existing building and site
7:10 CIFA North America - Todd with corporate office, sales and
Lutz, Applicant warehousing/distribution of parts and assembly of
concrete pumping equipment of CIFA North America,
located at 4360 Conifer Court, Sec. 36, T3N, R20E,
Town of Dover (Parcel Id. No. 006032036040080)

Jensen reviewed the Site Plan Review using text and maps. The use of this property will be the same as the previous petition.

STAFF RECOMMENDATION(S):

Staff recommends approval as it seems to fit with zoning and other uses in the immediate area.

DECISION

Supervisor TAYLOR WISHAU MOVED, seconded by Supervisor Eckman, to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

5. Review, discussion & possible recommendation on Report No. 2022-55 by the County
7:12 Executive reappointing George Bieneman and B. Jean Schaal as full members of the
Racine County Zoning Board of Adjustment.

DECISION

Supervisor TOM RUTKOWSKI MOVED, seconded by Supervisor Wishau, to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

6. Review, discussion & possible recommendation to accept the agreement between the
7:13 Southeastern Wisconsin Regional Planning Commission and Racine County to update the
Farmland Preservation Plan.

Jensen provided details regarding this agreement and asked if anyone would like to volunteer for this committee.

Supervisor TOM RUTKOWSKI MOVED, seconded by Supervisor Wishau to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

7. Review, discussion & possible recommendation on Report No. 2023-01 by the County Executive to appoint Michael Robertson to the Western Racine County Sewerage District Commission.
7:15

DECISION

Supervisor TAYLOR WISHAU MOVED, seconded by Supervisor Rutkowski, to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

8. Review, discussion & possible recommendation on Resolution Requesting the State of Wisconsin Review and Revise Its Policy on Foreign Ownership of Farmland.
7:15

Taylor Wishau presented this petition to the committee.

Supervisor OLGA WHITE MOVED, seconded by Supervisor Wishau, to approve.

YOUTH REPRESENTATIVES' ADVISORY VOTES:

Youth Representative Patil: aye

Motion carried unanimously. VOTE: 7/0

9. Review, discussion & possible action on referrals from the Racine County Board of Supervisors.
7:17

The following were read into the record by Jensen with some discussion by the committee.

1. Resolution No. 14-23 requesting the State to Revise Solar Energy System Law from Columbia County.
2. Resolution 3-1-23 Recommending Revision to State Wind Energy Regulations from Clark County.
3. Notices of Timber Cutting in the Village of Rochester from Tom Schulenberg.
4. Resolution No. 7-2023 Recommending Revision to State Renewable Energy Contract Regulations from Green Lake County.

10. Next EDLUP Public Hearing/Committee meeting date is scheduled for Monday, June 19, 2023
7:20

11. Other business as authorized by law
7:20

12. Adjourn
7:20

There being no further business, **Supervisor TOM RUTKOWSKI MOVED** to adjourn the meeting at 7:20 p.m.