

**VILLAGE OF HARTLAND
JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY, FEBRUARY 16, 2015
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Ryan Amtmann, David deCourcy-Bower, Tim Hallquist and Dave Lamerand.
Excused: Randy Swenson and Jack Wenstrom. One open position.

Others Present: Building Inspector/Zoning Administrator Hussinger, Administrator Cox
and Deputy Clerk Meyer.

Roll Call

1. Motion (deCourcy-Bower/Hallquist) to approve the Jt. Architectural Board/Plan Commission Minutes of January 19, 2015. Carried (4-0).
2. Architectural Board consideration of an application for a sign permit for Heraeus Electro-Nite, 541 S. Industrial Dr.

Contractor: Badger Lighting & Signs, Box 510-451, New Berlin, WI 53151

The applicant described the two illuminated signs—one for the east side of the building and one for the west side of the building. The signs are halo-lit letters. The Plan Commission stated that the lighting must be turned off by 10:00 PM.

Motion (Hallquist/deCourcy-Bower) to approve the signs for Heraeus Electro-Nite, 541 S. Industrial Dr, contingent upon the lighting being turned off by 10:00 PM. Carried (4-0).

3. Architectural Board consideration of proposed awnings and signs for Carl Zeutzius, State Farm Insurance Agency, 135 Cottonwood Ave.

Contractor: Signarama, 601 Ryan St., St. B, Pewaukee, WI 53072

Mr. Zeutzius described the signs that will contain the updated State Farm logo. The signs are made of high-density urethane. Mr. Zeutzius is not certain if he will use a spotlight shining down on the main sign. The application is for four wall signs and two awnings -- they are identical in size to the previous ones. The BID Board has approved the signs. The signs will probably be installed in June.

Motion (Hallquist/deCourcy-Bower) to approve the proposed awnings and signs for Carl Zeutzius, State Farm Insurance Agency, 135 Cottonwood Ave. Carried (4-0).

Dave Lamerand added that if it is decided to use the spotlight on the sign, it should be turned off at 10:00 PM.

4. Items related to proposed development of the Four Winds West Subdivision:
 - a. Consideration of a Petition to annex property from the Town of Merton owned by Clark and Joy Vilter (53 acres)

Motion (Hallquist/deCourcy-Bower) to recommend to the Village Board approval of a Petition to annex property from the Town of Merton owned by Clark and Joy Vilter (53 acres). Carried (4-0).

- b. Consideration of a Land Use Plan Amendment to designate the newly annexed land as Low Density Cluster Development and consideration of a recommendation to the Village Board.

Motion (deCourcy-Bower/Hallquist) to recommend to the Village Board approval of a Land Use Plan Amendment to designate the newly annexed land as Low Density Cluster Development. Carried (4-0).

- c. Consideration of a preliminary plat for Four Winds West

There are a few changes to the concept plan. The names of the roads have changed, but they are likely to change again.

A 60-foot reservation for right-of-way was added between lots 2 and 3. The applicant is still working on an emergency entrance between lots 38 and 37. It will either go out to Highway E, or now that Mr. Sileno has seen Arrowhead's plan for their field expansion, he prefers to have that hook up to a potential service road. Arrowhead will be going to the Town of Merton Plan Commission for conceptual approval of their Phase I on March 4.

A group of Beaver Lake residents was present and several of them had questions. (Staff and Board answers to the public's questions are in parenthesis after their questions.)

Eric Haertle, W303N5888 Montclair Road:

Is the density different than the other development? (No, it is the same as Four Winds and Mary Hill)

Mr. Haertle asked if the DNR is involved. (No, it is not required for them to be involved). But, you have 48 home sites within 1/8th of a mile of Beaver Lake. This is going to significantly reduce the value of my property, with five neighbors abutting my driveway. Once the developer breaks ground and there is an issue with Beaver Lake, there is no turning back. For example, tapping into the aquifers. (There will not be tapping into the aquifers. This will be serviced from the existing Village of Hartland wells. Sanitary sewer is preferred by the DNR instead of septic systems. Pumping tests on the wells have been done. What is planned here is not going to change the aquifer.)

Mr. Haertle asked about the subdivision having berms on the south side of the development but not on the north and west side where it abuts Beaver Lake residents' properties. Is there any kind of separation that we can get?

Jim Liebert, a life-long area resident stated that his business has been in downtown Hartland for over 40 years. Behind his Beaver Lake house there is a gully and he has stood in waist-deep water from runoff from the farm. That water then goes into Beaver Lake. He distributed pictures of the area he was talking about. He is concerned that more hard surface from the subdivision will increase the problem without proper berming and planting. The west side of this subdivision could have substantial problems with storm water runoff. (Village of Hartland storm water provisions are that, as a minimum, no more water than is there today can be added. The Village looks to try and improve that. According to the State mandates, we will be putting in storm sewers to run the water away from that area. The other subdivisions in Hartland where there were runoff problems have been improved after the development.)

Mr. Liebert wondered if a representative from the Beaver Lake Association could be included in some of the planning to verify and contribute conversation to know that the developer is taking prohibitive direction to eliminate this storm water runoff. (It is not possible to eliminate the runoff. As the developer's engineer works through developing the storm water plan, and that goes through review on our end, we can share that. We haven't seen the engineering plans for the storm water system at this point. When we do, we'll critique and review them. The studies they do to determine how the water needs to be contained before it leaves the site can certainly be shared with you.)

Mr. Liebert asked if it is a possibility that there will be berms or a large holding pond on the southwest corner of the development. (We don't know that it will be there necessarily. There are at least two on the site already on the preliminary plan.)

Mr. Liebert pointed out that they are way on the east side. (That's true. The developer doesn't show it as a pond right now, but they are still in their planning process. They may need to have one there if they can't figure out a way to move the water where they want it.)

Paul Rabb, President of the Friends of Beaver Lake: He lives in the Town of Merton on Beaver Lake Road. There is not a development of this size anywhere near Beaver Lake. There are many new homes and wells in the area. Do we really know that the drawdown will not impact our wells? Has there been a study? (The drawdown testing that was done before the drilling of the well that's in Four Winds Subdivision was done at a rate of 2,000 gallons per minute for two solid days. The level of the aquifer didn't drop more than a foot. The Village pumps from that well about 60% of that number -- about 1200 gallons per minute -- for 4 – 8 hours a day, depending upon water needs in the system. We calculate this subdivision would change this number by less than 8 minutes, which is pretty insignificant. There are a number of other wells in the Village – this is not the only well in the system, but it has the largest capacity. The line on the preliminary plat shows where the County's influence stops as it relates to

shoreland zoning. However, the Village's rules are stricter than the County's. We have an obligation to enforce their rules if they are stricter than ours, which they are not.)

Jim Selino stated that the 40 acres south of the subdivision owned by Arrowhead will be turned into turf fields. Their studies show that they don't even need to put in storm water retention because the fields act as an aquifer replenisher because of the soil. All the water on the fields will filter into the aquifer and be cleaned.

When the plans are ready the Village will contact Mr. Rabb and Mr. Liebert to review them.

Kathy Liebert, a Beaver Lake resident, asked if there will be a landscape plan. (There will be to the extent that it will deal with public roads and the outlots, not the individual lots.)

One resident was concerned that the map was outdated – especially with regard to Montclair Road. (The map was taken from the Waukesha County GIS).

There was a question of the road reservation going north. The Village is requiring it for long-term planning. The use of that road reservation would depend upon what is done with the property to the north in the future.

Eric Haertle asked how long ago was the study on the well? (2009) He feels that this development doesn't fit the area.

Mr. Rabb felt that a reconfiguring of the properties, adding a buffer zone and green space on the west side would be best for the neighbors of Beaver Lake.

The average size lot is 27,000 s.f. – the same lot size as Mary Hill Subdivision, River Reserve and Bristlecone Pines. It is less dense than The Traditions and The Sanctuary. It is similar to the new Windrush Subdivision that was approved last year. The lots range from 22,000 s.f. on the small end to 50,000 s.f. on the large end. The density would be 32,000 per home site with the outlots.

The deed restrictions will be identical to the other Four Winds Subdivision.

Rick Eastman, W305N6186 Beaver View Road: Given the density of this project, wouldn't it be prudent to update the draw study that is 6 years old? Also, the sewer system, once treated, does it go into the aquifer? (No, it does not. Sewage will be treated at the Del-Hart Sewage Treatment Plant which is located in the City of Delafield. We will probably update the draw study.)

Mr. Eastman was concerned about the additional traffic on HWY E, especially around Swallow School. (Hwy E's road capacity has room for expansion.)

Melissa Thompson, Superintendent at Swallow School, stated that she is concerned about the cars coming southbound on HWY E that will add an extra 100 cars per day, especially during the times that cars are dropping off and picking up students. She hopes there would be a strong look at the safety issues. At times there are five to ten cars backed up waiting to turn left into the school. Oftentimes cars go on the shoulder or ditch to pass these cars. She has emailed Police Chief Rosch about her concerns. Anyway she can be of help; she would love to be involved.

The Beaver Lake residents continued to ask for berming or buffering between them and the subdivision.

Mr. Sileno did not think it would be necessary. Berming is not always the best thing to do. He felt the owners of the lots would most likely plant trees and bushes as a buffer anyway.

David Cox stated that the Village could look at some options that might make sense on that northwest side.

Present Lamerand stated that tonight's comments have been noted and will be taken into consideration with the development.

Carried over to the next Plan Commission meeting on March 16, with additional engineering to be completed.

- d. Consideration of a request to rezone the property to RS-1 Single-Family Residential.

Applicant: Jim Sileno, SCI Real Estate, 5429 N 118th Court, Milwaukee, WI 53225
Property Owner: Clark/Joy Vilter, N56W30020 Highway K, Hartland, WI 53029

This is the same zoning as similar subdivisions. It will be carried over to the next Plan Commission meeting on March 16.

- 5. Plan Commission review and consideration of an application for review of site and building plans for construction of a 11,500 sq. ft. car wash/detailing building and a 2,300 sq. ft. retail building and related Certified Survey Map, Planned Unit Development and Conditional Use Permits for the property located at 400 E. Industrial Drive.

Applicant: Hartland Service, 400 E. Industrial Dr.
Property Owner: Michael & Debra Kusch, N65W30981 Beaver Lake Rd., Hartland, WI 53029

Architect: MSI General, P O Box 7, Oconomowoc, WI 53066

- a. Consideration of Site and Building Plans, Planned Unit Development and CSM.

John Kutz and Peter Anderson from MSI and Owners Mike, Debbie and Jeff Kusch were present.

The applicant will combine four lots into a single lot, which will have a Planned Unit Development concept with three primary structures on the site. The two new facilities would have Conditional Use Permits that would be dealt with in this process. The status of the restaurant building would proceed speculatively. The owners are working on a tenant, but it would be developed at the same time as the rest of the project. A couple of tenants are interested at this time. A planned drive-thru would need to go through the Conditional Use process, but the specifics would be held at a later date. Everything else could be discussed and dealt with through the PUD process.

The plan is to have the architecture tie together on the site.

The existing car wash area will probably be used to expand the auto repair business. There is a double car wash and a detailing business in the new building. Currently it takes 4 minutes per car to go through the car wash. The west car wash will be an 85 foot conveyor that has the ability to wash 90 cars per hour. There will be two lanes feeding this car wash and it will be staffed by an employee. It will have seven blowers (as opposed to three now), with extended nozzles that will change position with the height of the car. After that there are two 10 foot tall chamois on the sides and one big one at the top. As you exit, there will be four free vac stations, which will be on all the time during the daytime hours. The electric motor will be inside the storage bay, so you won't hear the motor run.

The touchless bay would be the east bay, and that will be open 24/7. Because it is also an 85 foot bay, it will increase the car count from 16 – 18 per hour to 20 - 22 per hour. The current bay is 50 feet long and the next car has to wait until the first car is completely done before entering. With an 85 foot bay, the next car can start while the first car is going through the driers. The site will have the capability of washing a total of 1,000 cars per day.

The car washes will be much quieter than the current car wash. The blowers are farther inside the building and are facing the berm in front of the railroad tracks. The detail center will also buffer the sound to Cottonwood Avenue.

The Plan Commission was concerned about how the storm water is being addressed on this site. There is quite a bit of undeveloped property that will have a lot of pavement.

Part of the review will be on March 23 and the storm water plan will be presented at that meeting. Some preliminary calculations have been gone over with the Village. The applicant will be addressing all of the Village's requirements. The technical storm water plan will be coming next week.

Currently the green space ratio on the site it is at 47%. After all site improvements, it will be 11%. There will be a landscape plan as well.

David deCourcy-Bower wants to make sure that there is sufficient buffer for the current residents across the street on Cottonwood Avenue. He has concerns with the restaurant and the drive through and how the space is managed. He also asked if the Village wanted to upgrade the railroad crossing, is this site plan compatible with that the needed space for that project. Mr. Amtmann stated that they will be starting work on the quiet zone crossing and median treatments this summer.

Another concern was security adjacent to the tracks to the north of the property. Something would be needed to deter someone from cutting through and crossing the tracks. Mr. Kutz stated that there is quite a bit of scrub brush along the railroad tracks, but they will be buffering the north property line with landscaping, as well.

There is quite a bit of disjointed parking in this project. It doesn't flow and it looks like a lot of pedestrian/vehicle conflict.

Mr. Kutz stated that there is a space for the restaurant and the detailing facility. There are no curbs that might interfere with storm water runoff or plowing of the lot. Currently there is no landscaping within the parking lot. All green space is around the perimeter and in front of the restaurant. The applicant is willing to work through any requested changes for parking.

Chairman Lamerand stated that there are too few parking spaces for the restaurant. Adding the retail to this site makes it extremely difficult. It doesn't have adequate parking and it doesn't have a good traffic flow. Mr. Kutz added that 90% of the customers would be drive-thru. There would only be two or three tables where people would stay and eat.

There was concern regarding the traffic flow from the car wash bays through the restaurant traffic and parking area. Mr. Kutz stated that the intent is to have signage to clearly identify where to drive when coming in.

Mr. Kutz said that this development, for the owner, is contingent upon having the retail space. The retail space is 2300 s.f.; a typical size for a smaller stand alone restaurant geared more towards a drive-thru, with only two or three tables inside.

There was concern with the residential properties across the street. We're introducing a lot of traffic through this property in an area of the Village where a drive-thru is not necessarily in line with the Village Center. The overall driving pattern needs to be simplified.

The applicant needs to look at the traffic flow, the amount of parking spaces that are going to be needed, and if there is going to be some sort of retail building.

Staff was looking at combining the three parcels so that we can put together a plan that works, rather than dealing with three different parcels. The two that were Hartland Service before and the two that are now going to be added. They are B-2 zoning.

The driveway to the old Wilde house was abandoned in order advance the driveway further from the railroad tracks.

Chairman Lamerand stated his concern about the green space, which should be 60-40%. The Plan Commission could grant a variance, but 11% is pretty extreme. We'd have to look into if that has been done anywhere else in the Village and how that has been impacted.

Another concern is the traffic flow, the amount of parking spaces and is that the best place for that type of retail operation. What affects would it have across the street?

Mr. Lamerand stated that it's too much for the site and he doesn't see the Plan Commission accepting this proposal. If the retail building was not there, the site would be workable.

Mr. Kutz mentioned that in the industrial park there are lots with 10 – 15% green space. Precedence has been set for that. The preliminary plan leaves a larger buffer along Cottonwood Avenue than the Village requires.

Mike Kusch stated that he can respect that the Commission doesn't like the retail proposal. He can go back to the drawing board and come up with a Plan B.

Dave Lamerand said that this site is not conducive to retail.

Mr. Kusch added that if we eliminated the retail space, we could add a bay in the detailing facility and obtain added revenue that way. We could clean up the traffic flow and then have another discussion. He wants to do what is right for the area. There is a lot going on in the auto repair business and he could just expand some of his services.

Chairman Lamerand agreed and suggested he could create some office rentals.

Motion (de-Courcy-Bower/Hallquist) to recommend to the Village Board approval of the Certified Survey Map for the property located at 400 E. Industrial Drive. Carried (4-0)

b. Consideration of proposed Conditional Use Permits

Tabled

- c. Motion to set a Public Hearing to consider the proposed Conditional Use Permit(s) for March 16, 2015

Tabled. No Public Hearing set.

6. Plan Commission review and consideration of a proposed concept plan for construction of a 32-bed Memory Care CBRF and related Land Use Plan Amendment, Zoning, Conditional Use and Certified Survey Map the properties located at 430, 438 and 444 Merton Ave.

Applicant: JPS Limited, LLC, 126 E. Prospect Ave., Hartford, WI 53027
Architect: Trio Engineering, 12660 W. North Ave., Brookfield, WI 53005

There are three parcels involved. The applicant would remove the three houses that are currently there and combine into one parcel.

The building would be a single story structure with a 32-bed Memory Care CBRF. The occupants do not drive. It is not proposed to be a tax exempt parcel. There will be a fenced in patio in the back and a porch on the front. All the doors are secured. There will be a caregiver present when residents are outside. There are two courtyards in the center of the building. The outside fencing will be a 5 foot high black wrought iron fence. There will be no visible mechanicals. The roof is pitched and the building is sprinkled. Traffic will be minimal. The entrance will be off Merton Avenue. There is sidewalk on both sides of Merton Avenue. The dumpster can be made of block with arbor vitas for screening or it can be fenced.

The Plan Commission thought this concept fit nicely into the area.

The applicant will return to the March 16 Plan Commission Meeting with additional details.

The Village will look at a potential crosswalk at Merton Avenue and Sunnyslope Drive.

7. Plan Commission review and consideration of a final plat for Sanctuary of Hartland

The final plat is consistent with the preliminary plat. One item we are getting clarification on is where the dividing line is between outlot 6 and outlot 5.

Steve Eberle of 204 Maple Avenue asked about the huge hole being dug behind his property. He did receive a letter regarding the excavation, but it seems different than what was described in the letter.

Ryan Amtmann addressed the question. When they are digging utility trenches within the road right-of-way for sewer and water, they got down to a level where there are rocks which aren't suitable to be put back. They are going to backfill the trenches with more suitable soil from another area of the Sanctuary.

Mike Ziemba, 128 Maple Avenue, asked the Commission if they have seen the hole behind his house, which is 30 – 40 feet deep and a straight wall down. He passed around his iPad to show pictures. He has a 6 year old son in his house and the construction fencing around the hole isn't safe. There seems to be only one worker who works the giant bulldozer, the backhoe and the truck. He fills the dump truck, leaves with the truck and comes back with an empty truck and starts over again. Mr. Ziemba is worried that children or dogs will fall into the hole. The fence is not safe.

Ryan Amtmann will check on the OSHA standards and make sure the fence complies.

Mr. Ziemba wondered about what the taking out of the large rocks from underground will do for the drainage on the land?

Mr. Amtmann replied the drainage is designed to go into the storm sewer system under the road. The lots are going to drain into that system and the storm pipes discharge into a series of two ponds. The net water leaving the site will be less than what is going on now.

Mr. Eberle asked if they are going to take out the trees behind his lot. They have destroyed a few with their trucks already. In previous discussions, the trees were going to stay, but some have been cut down or are marked to be cut down. Chris Miller had stated that he would save as many trees as possible.

Ryan Amtmann will check to make sure the trees that were part of the landscape plan are being protected. It is not acceptable if they are cutting trees that are not supposed to be cut. The developer will have to replace trees that were damaged or cut down.

Mr. Ziemba also was concerned about the standing water in the pond. It is frozen now, but it looks fairly deep. He is worried about kids walking into the pond and not being able to walk out.

Mr. Eberle is not pleased with the fact that the trees that have been removed for the road into the Sanctuary have exposed the factory, which was never visible from his yard before. He is thinking about the other end of the development -- the planned pathway out to Maple Avenue and losing additional trees.

Mike Ziemba showed pictures of the area between his property and Joanie Decker-Nold's. If there was a path in that area, they would have no place to shovel their snow. He already has seepage issues in his basement because all the water goes in this 10 foot area and down the walls.

Scott Hussinger stated that the path was proposed as a more direct path to Hartland North and the Village Center.

David DeCourcy-Bower mentioned that from experience, kids will just cut through yards, even with the path. However, the intent is to have a structured area to go through.

Dave Cox stated that the future of that path is still undetermined. The Village Board needs to make a decision on that path. We held it open until the middle or end of March because of these conversations.

Ryan Amtmann will get in touch with Steve Eberle after he finds out how far into his tree line the developer will be digging.

Motion (Hallquist/deCourcy-Bower) to recommend to the Village Board approval of a final plat for Sanctuary of Hartland. Carried (4-0).

8. Adjourn

Motion (Hallquist/deCourcy-Bower) to adjourn. Carried (4-0). Meeting adjourned at 9:15 PM.

Respectfully submitted by

Recording Secretary,

Lynn Meyer
Deputy Clerk