

**VILLAGE OF HARTLAND  
JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES  
MONDAY, SEPTEMBER 21, 2015  
7:00 PM  
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Ryan Amtmann, David deCourcy-Bower, Tim Hallquist, Dave Lamerand, Jim Schneeberger, Randy Swenson and Jack Wenstrom.

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

Roll Call

1. Motion (Hallquist/Swenson) to approve the Jt. Architectural Board/Plan Commission Minutes of August 17, 2015. Carried (7-0).
2. Architectural Board consideration of an application for the construction of a single-family residence to be located on Lot 13 in the Sanctuary of Hartland Subdivision.

The site plan meets the zoning requirements and the home is 3,358 s.f. The developer has signed off on the color of the exterior. Mr. Caliendo, President of Kingsway Homes, was not certain of the exact colors.

Motion (deCourcy-Bower/Hallquist) to approve the construction of a single-family residence to be located on Lot 13 in the Sanctuary of Hartland Subdivision. Carried (7-0).

3. Architectural Board consideration of an application for a sign for St. Charles Food Pantry at 229 Lawn Street.

This is a free-standing sign that will be located on the grass between the parking lot and the fence. The applicant isn't sure exactly how tall the sign is, but it should be slightly taller than the fence.

The Board questioned why the sign was set back so far from the building and not very visible. The applicant stated that they have evening hours (Tuesdays from 5:30 – 7:00 PM). There is an existing light on the building that will shine on the sign.

The Board was concerned about cars parking in front of the sign, making the sign not visible from the road and they generally thought the sign should be on the front lawn of the building.

Chairperson Lamerand stated that the Board could approve the sign tonight, but in the future, he felt that they may want to re-site the sign.

The resident at 221 Lawn Street was present. Their house is directly across the alley. She stated that they were having light issues with the new owners of this building. The former dental office did not use lights in the evening. The new owner had lights on every night. The light shines in the resident's bedroom and living room. They asked the building owner to turn off the flood-lights at night and they have done that.

The light around the corner of the building, above the door, is on all night and does shine into the neighbor's yard on Church Street.

Scott Hussinger said that there may be lighting issues, but that is a separate issue and he would deal with the property owner for that. It would be appropriate to have lighting when they are open for business and then turned off after business hours.

The other tenant in the building is an accounting firm and their sign is on the door facing Church Street.

The applicant stated that they would only need the parking lot/flood lights on one night a week from 5:00 PM – 7:30 PM.

Motion (Wenstrom/Hallquist) to accept the application for a sign for St. Charles Food Pantry at 229 Lawn Street, with Scott Hussinger working with the owner of the property to control the lighting of the parking lot. Carried (7-0).

4. Architectural Board consideration of an application for a sign for Lake Country Bed Barn at 122 Cottonwood Avenue.

This is a hanging/projecting sign above the entryway. The Business Improvement Board has approved the sign.

Motion (Hallquist/deCourcy-Bower) to approve an application for a sign for Lake Country Bed Barn at 122 Cottonwood Avenue. Carried (7-0).

5. Architectural Board consideration of an application for a sign for Coda Yoga Studio at 139 E. Capitol Drive.

The sign has been approved by the Business Improvement District Board.

Motion (Hallquist/Schneeberger) to approve the sign for Coda Yoga Studio at 139 E. Capitol Drive. Carried (7-0).

6. Architectural Board consideration of an application for a sign for Hartland Business Improvement District at 135 Cottonwood Avenue.

The sign is 8" x 33" and will hang below the State Farm Insurance sign. The sign has been approved by the BID Board.

Motion (deCourcy-Bower/Hallquist) to approve an application for a sign for the Hartland Business Improvement District at 135 Cottonwood Avenue. Carried (7-0).

7. Architectural Board consideration of an application for outside installation of air compressors, condensers and HVAC units on concrete pads for CL & D Digital at 535 Norton Drive.

This project will be on the west side of the building and is in an area that has some existing equipment. In the last year or two this Board approved an addition that included some large equipment on the west side of the building. Now they are proposing to add two 150 hp air compressors – there are currently two 200 hp air compressors there in a fenced area. The new compressors would be under 6 feet tall, under the fence line.

A representative from the business Durable Controls/Taylor Computer Services at 515 Industrial Drive was present. He was concerned about the additional noise that would be created by the new equipment. He asked if there was a way to eliminate some of the noise.

It was determined that 515 Industrial Drive is two buildings away from CL & D.

The applicant will look into noise canceling fencing to help with the additional noise. The planned fence is a steel fence with some privacy slats. The Board suggested bushes or trees, however, Scott Hussinger mentioned that he thought there were underground WE Energies buried cables in that area.

One of the new compressors fits on the current concrete pad. They are adding a concrete pad adjacent to the existing concrete pad for the other compressor. There are four other concrete pads. The decibel level of the units was not known. The two new units are 150 hp; the two existing units are 200 hp. The Village does have a noise standard and it's based on the decibel range.

The business owner at 515 Industrial Drive was asked if he could hear the noise from C L & D's property from inside his building with the windows closed. He didn't think so, but sometimes they have the doors and windows open on a nice day. He just got the Plan Commission Agenda Notice in the mail Friday and he

didn't have time to get any information together. He did say that it may not be a problem.

Chairperson Lamerand recommended that Scott Hussinger monitor the situation and if there is excess noise, he will suggest additional screening in the way of an additional fence or some landscaping.

Motion (deCourcy-Bower/Schneeberger) to recommend to the Village Board approval of an application for outside installation of air compressors, condensers and HVAC units on concrete pads for CL & D Digital at 535 Norton Drive, noting that Scott Hussinger will follow up on the noise level. Carried (7-0).

8. Architectural Board and Plan Commission review and consideration of an application for modifications to a building addition for light manufacturing for Herbsmith at 455 E. Industrial Drive.

EyeCom/Herbsmith approached the Village in early 2014 and received permission to construct a 56,000 s.f. addition to their facility at 455 E. Industrial Drive. That addition was never constructed. The original approval included:

- All of the new building materials will match the original building materials
- Four loading docks and one at grade door
- The addition of asphalt for additional parking of 15 more vehicles (172 total spaces)
- Upgrade of landscaping and relocation of two lights
- Architectural features of metal panels and block towers on the back of the building to break up the wall
- Relocation of the dumpster
- Upgrade of the retention pond to the current code to serve the new site plan

The current consideration is for two phases and should match the appropriate portions of the previous approval. The time frame for finishing Phase 2 will depend upon the level of business.

Motion (Swenson/Hallquist) to recommend to the Village approval of an application for modifications to a building addition for light manufacturing for Herbsmith at 455 E. Industrial Drive. Carried (7-0).

9. Plan Commission review and consideration of an application for asphalt reconstruction and parking lot addition/expansion for ABC Supply at 550 S. Industrial Drive.

ABC Supply is proposing the addition of two new parking areas of its site including a large parking lot in front of the building (12 spaces) and the addition

of 11 spaces as part of the reconstruction of the south entry drive. The proposed plans call for the removal of five mature trees and the placement of five new trees west of (in front of) the new parking lot. There is no other landscaping proposed.

The Plan Commission considered the sufficiency of the proposed tree plan and considered whether other landscaping should be required either adjacent to the front parking lot or the side (south) parking lot adjacent to the neighboring lot.

The Commission questioned the green space ratio as it appears to be very minimal on the plan. There is no storm water plan with this project.

Scott Hussinger stated that there is a maximum hard surface area that can be exceeded after Plan Commission review and approval, if they would manage storm water, somehow treat it or improve it. The problem is this wasn't submitted by a civil engineer, it was submitted by the paving company. A representative from neither ABC nor the paving company was present.

It was mentioned that the side screening for the adjacent property would be lost if this project moves forward as is. There is about 8,000 – 9,000 s.f. of pavement, so that is less than an acre and they would not need a stormwater management plan or erosion control permit, unless there is a way to prove that this project would negatively impact the stormwater management.

Scott Hussinger said that we have a hard surface limit that can be exceeded if the Plan Commission approves it and they need to make improvements to the runoff quality.

It was decided to table this item until the Village receives more information on the hard surface to green space ratio, a specific landscape plan and inspection for any existing water issues.

Motion (Wenstrom/deCourcy-Bower) to *table* an application for asphalt reconstruction and parking lot addition/expansion for ABC Supply at 550 S. Industrial Drive to allow for additional details to be obtained. Carried (7-0).

10. Plan Commission consideration of an Extraterritorial Preliminary Plat for the Hawks Haven Subdivision on Maple Avenue south of North Shore Drive (CTH KE).

This plat is for 11 lots south of River Reserve Subdivision (the former Klawitter property). It shows a sewer easement connection to River Reserve, which will connect this parcel to sewer. There is no ingress/egress from Maple Avenue – the road will connect to the Hawks Nest Subdivision. The conceptual plan was approved by the Town of Delafield. The final plan will probably go before the Town Board in a month.

The stormwater plan shows the drainage flowing into the Village. Outlot 1 will be the water retention area. The Village will want to see the engineering on the stormwater and the sewer.

Motion (Swenson/deCourcy-Bower) to recommend to the Village Board approval of an Extraterritorial Preliminary Plat for the Hawks Haven Subdivision on Maple Avenue south of North Shore Drive (CTH KE), contingent upon review of the final stormwater retention plan. Carried (7-0).

11. Actions related to conditionally eliminating the requirement for review of single family residences in subdivisions with active homeowners associations.
  - a. Consideration of a motion to recommend an ordinance making Zoning Code and general Code amendments

Motion (deCourcy-Bower/Swenson) to recommend to the Village Board approval of an ordinance making Zoning Code and general Code amendments. Carried (7-0).

- b. Discussion of a draft Plan Commission Policy Statement

The commission had some concern regarding letting a developer act as its own architectural control committee. In this situation, they would prefer to review new homes in a development.

It was brought up that in most developments, at least half of the lots would probably be built before any type of subdivision architectural control committee would be in place.

The concern was that if lot sales slowed down, a developer might decide to accept a sub-standard house plan just for the sale. There are some developers that would change the rules to sell lots.

This idea of this policy comes from two things -- builders want quicker turn-around times, but also the Plan Commission often "rubber stamped" house plans if they were signed off by the development's Architectural Control Board. It was thought that perhaps the Plan Commission doesn't want to be burdened with that.

Chairperson Lamerand stated that it depends upon the developer and their history/reputation. For example, the Windrush Subdivision (Siepmann Development), we have worked with and seen their developments in the area. The current development is out at the Village edge. The Sanctuary is very close to the existing community. Miller-Marriott is an unknown to us and we have had some early problems. The Commission should look at the

plans coming in for the Sanctuary, but it would not be necessary for Windrush.

It was suggested to have the guidelines of reviewing the first 20% of house plans that come in for a development.

Another idea was to put specific requirements for the houses in the deed restrictions. If the developer doesn't provide that, every house would need to come to the Arch Board. However, if we are concerned about the developer, there is nothing that says we have to turn approval over to the developer. We could continue Arch Board approval until the developer relinquishes to a committee. The Siepmann's never give up architectural control, right through the sale of the last lot.

At any given time, the Arch Board could revoke the policy of not reviewing a house plan.

The Sanctuary is being developed in the center of existing developments. That might be how we distinguish development needing Arch Board approval. However, the implication could mean that we don't care what is in the outskirts.

For example, Four Winds West has a 40 acre vacant parcel to the south that the school district owns. To the north you have Vilter's private 20 acres. To the west are a few lake properties and to the east is the road, Swallow School and a WE Energies substation. Four Winds West won't impact the neighborhood as much as the Sanctuary because of the large amount of open land surrounding it.

When was the last time that the Board modified or rejected a house plan? (last month ago they did modify a garage on E. Capitol Drive). Again, that is surrounded by an existing neighborhood.

The Village has minimum standards, but Siepmann's standards are much higher than the Village's. In fact, most developments in the last 10 years have had higher standards than the Village's.

At the onset of the developer coming in, at that point we would determine if the plan is at a certain standard and then the Village could say that we are comfortable with their standards and we could waive the Architectural Board process. Since they have made those statements in their developer's agreement, we would have recourse if they do not follow it.

Chairperson Lamerand stated that the board determines acceptable levels of aesthetics, to prevent the impairments, and to provide stability of the

property values within the community of Hartland. The Board does not make decisions on any zoning or inter-governmental issues that may also affect the property. They are only concerned with the exterior design of the structure or alteration as it relates to the lot and the surrounding area. We have zero surrounding area for Windrush and Four Winds West.

However, for example, if a subdivision has three good homes built to a certain standard, something goes wrong, the developer goes cheap and changes their standards, and they start building substandard homes. It's the duty of the Village to uphold the rest of the buildings in the development to the same standard. We do want to protect the adjacent property owners.

When a developer comes in we should ask them how long they plan on staying around. They might try to sell all the lots quickly and be out of the picture in a short amount of time.

Administrator Cox stated that we want to develop a piece in this policy that, if in fact the developer is going to be the one doing the approval or if there is a developer that wants to get out of going to Architectural Board Review, we are tying to specific standards for the subdivision that is approved specifically by this body.

Administrator Cox will make some revisions to the policy before approval.

The Architectural Board declared that Scott Hussinger and David Cox can tell developers what the Architectural Board is contemplating on this policy.

In the case of the Sanctuary, we have a preconceived notion about what the design elements of the homes should have, which is hard to define in a standard. We would at least expect them to describe what the exterior colors will be.

## 12. Adjourn

Motion (deCourcy-Bower/Wenstrom) to adjourn. Carried (7-0). Meeting adjourned at 8:20 PM.

Respectfully submitted by

Recording Secretary,

Lynn Meyer  
Deputy Clerk