

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES  
MONDAY, SEPTEMBER 17, 2018  
7:00 PM  
BOARD ROOM  
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Jeff Pfannerstill, Ann Wallschlager, David deCourcy-Bower, James Schneeberger, Tim Fenner, Jack Wenstrom and Tim Hallquist.

Others Present: Administrator Cox, Building Inspector Hussinger and Deputy Clerk Bush y.

Call to Order-

**1. Consideration of a motion to approve the Jt. Architectural Board/Plan Commission Minutes of August 20, 2018.**

Motion (deCourcy-Bower/Hallquist) to approve the Jt. Architectural Board/Plan Commission minutes of August 20, 2018. Carried (6-0) with 1 abstention, Wenstrom.

**2. Architectural Board review and consideration of a metal roof on a detached 4 car garage at 741-747 E. Imperial Drive.**

Tarkis Barsamian was present to explain what he is proposing. He said metal roofs are more durable and can cost less. He will do a full tear off and replace any boards that need to be replaced. The roof on the residential unit was replaced a year ago but the metal roof color will closely match the residential roof. De-Courcy-Bower recommended adding tabs to keep the snow from sliding off in the winter.

Motion (deCourcy-Bower/Fenner) to approve the request for a metal roof on detached 4 car garage at 741-747 E. Imperial Drive Carried (7-0).

**3. Architectural Board review and consideration of an application for a sign for Shore Line Cycle World, 122 Cottonwood Avenue.**

Building Inspector Hussinger said they are relocating to the Bed Barn location and would like to use the existing sign. Fenner asked if it could go before the BID first, and it was stated that the original sign was approved by the BID, they are simply moving to a new location.

Motion (deCourcy-Bower/Hallquist) to approve the sign application for Shore Line Cycle World, 122 Cottonwood. Carried (7-0).

**4. Architectural Board review and consideration of an application for a shed on the Hessel property, 1301 Lisbon Avenue.**

Mr. Hussel said the proposed structure is tubular and will be left up indefinitely. It is a 10 ft. x 20 ft. x 8 ft. and it will be used to house a pontoon boat. He said he tried to keep it architectural pleasing as possible. The property is a 3 acre lot with a heavy tree line but he doesn't believe neighbor to the will see it. It is tan in color and comes with a 10 yr. limited warranty. Hussinger said that it needs to be compatible with others in the neighborhood as well existing structures on the property. Administrator Cox said the Village Code describes the architectural standards by which buildings are to be assessed. He read the paragraph from his report which said "Accessory buildings and structures shall be compatible with the principle building in terms of building façade character, roof shapes, materials, colors and architectural details".

Wallschlager asked what type of building is the principle structure and Mr. Hussel said a log home, but doesn't think it will be seen from the road. Fenner said it states in the code that it is to be compatible and the structure is not compatible with the log home. Hussinger said this is done on a case by case basis. He asked does the Plan Commission feel comfortable approving it, because it would be setting a precedence. Pfannerstill commented that even though it doesn't match the principle structure does that mean the Village should tell others to take theirs down, because he has seen 100's of them.

Administrator Cox said based on the code, it doesn't belong there and under plain language in the code it doesn't fit the code, but they could change the code. He said the petitioner could also apply to change the zoning code. Mr. Hussel asked how to do that. Administrator Cox said by starting here and then it would go to the Village Board for a Public Hearing.

Motion (Fenner/deCourcy-Bower) to deny the application for the shed permit based on the current zoning. Carried (7-0).

**5. Plan Commission consideration of a final plat for Kiefer Farms subdivision in the town of Merton.**

Administrator Cox said he had received a memo and the items the Plan Commission wanted addressed, the developer is not ready to address yet and may not until January of 2019.

Motion (Wenstrom/Schneeberger) to table the item. Carried (7-0).

**6. Plan Commission review and consideration of a request from the BID related to verbiage on one or more water towers.**

Steve Berger from the BID was present and said at the last meeting the plan Commissioners suggested removing some wording which they did. The green line was also moved up with the words explorehartland.com in white. He said if the BID were to go away, the Village would be the one to take over the website. Wallschlager asked what it tells people. Administrator Cox pointed out that the website would be a landing page with links for Hartland businesses, school districts, BID etc. Wallschlager asked how often it would be updated, and Mr. Berger said weekly.

Motion (Halquist/Wallschlager) to approve the verbiage on one or more of the water towers.  
Carried (7-0).

**7. Plan Commission consideration of actions related to a possible amendment to the Conditional Use Permit recently issued to Meyer Material/Lafarge Aggregates for the property at 700 W Capitol Drive.**

**a. Public Hearing** to hear comments on the request for a Conditional Use-

Pfannerstill opened the floor for comments. There were no comments so he closed the Public Hearing at 7:29pm.

**b. Consideration of a motion to recommend approval of the amendments of the Conditional Use for Lafarge Aggregate/Meyer Material Company and to recommend approval of the Conditional Use Permit for Ozinga Ready Mix Concrete, Inc.**

Administrator Cox reminded everyone of the timeline. He said staff recommends splitting the 2 things apart and having 1 Conditional Use for Meyer and another for Ozinga. The hours for Meyer are 7am-4pm for crushing with 6am-10pm for shipping/receiving. For Ozinga it will be 4am-9pm Monday-Friday, 4am-5pm on Saturdays and Sunday only permitted in accordance with condition #12. He said the truck traffic would go out Hwy 83 and not through downtown. Fenner commented that they have done everything the Village has asked and there have been no neighbor complaints.

Motion (Fenner/Schneeberger) to recommend approval of the amendments of the Conditional Use for Lafarge Aggregate/Meyer Material Company and to recommend approval of the Conditional Use Permit for Ozinga Ready Mix Concrete, Inc. (7-0).

**8. Architectural Board and Plan Commission review and consideration of a parking lot expansion for ABC Supply, 550 S. Industrial Drive.**

John Polbocki was present to explain the proposal. He said the company has lots of vendors coming in so they need additional parking. He briefly explained the plan to add additional spaces.

Pfannerstill asked what is across the street and Hussinger said it is across the street from the Racquet club. De-Courcy-Bower asked if they meet the minimum green space. Hussinger said yes, it exceeds it. He said the Plan Commission can approve it as long as the run-off is ok. Fenner asked about the landscaping plan and Hussinger said he thinks it is fine. Administrator Cox commented that the design does improve the storm water sheeting.

Motion (Fenner/Schneeberger) to approve a parking lot expansion for ABC Supply, 550 S. Industrial Dr. Carried (7-0).

**9. Plan Commission review and consideration of actions and items related to The Glen at Overlook Trails, a condominium development on the property located at and adjacent to N56 W28628 CTH K (Lisbon Road). Actions and items include annexation, zoning of the property, Planned Unit Development Overlay, and Preliminary Plat.**

Matt Neumann was present and said some primary changes have been made from the conceptual to now. He said they heard the concerns of the neighbors about the connection and they feel it is a good change. Regarding the connection to Southern Oak, they are now proposing an emergency access and are ok with it as long as they have the access they are proposing to the County on Hwy K. Pfannerstill asked if they had any objection to a sign on the stub road stating someday the road will go thru and they said they had no objection. There was brief discussion on a walkway in the right of way. Administrator Cox said ultimately he thinks there will be a requirement to connect with the trail system and they will need to have contact with the Mary Hill HOA about connecting.

Pfannerstill asked Mr. Neumann where they are with the County regarding this project. Mr.

Neumann said the County has approved it and they will work with the County to lower the slope.

Trustee Wallschlager asked what the width on the entrance Boulevard is and Mr. Neumann said 24 ft. She pointed out that the Mary Hill entrance is wider and thinks it would be safer if it is wider.

Mr. Neumann said they can't make it wider due to the sight distance especially to the east.

Wallschlager also asked about the road being a private drive. She asked if it is private and not owned by the Village does that mean it is not plowed or maintained by the Village. Mr. Neumann said not necessarily and they are having conversations about that and the maintenance. He said he wanted to touch briefly on the maintenance and he believes the conversations they have been having is that they will be private roads but that there would be a public maintenance agreement that would go along with it, but it hasn't been firmed up yet, and that is a conversation they need to have. Wallschlager asked what he meant by "maintenance", she asked does that mean snowplowing and filling the pot holes.

Administrator Cox explained there are a couple different things we are talking about with public vs private issue. He said if you talk simply about the roadway, the piece we drive on measured curb to curb, anyway you cut this whether it be public or private the village is going to make that a normal road width which is 24 ft. plus the gutters. He went on to say there is a standard lately in the village to create a street that is wide enough to accommodate 3 cars, 1 parked and 2 moving. He said the other piece of the equation with public vs private is the width of the right of way, which in the village code requires 60 ft. He said he thinks that is the primary issue here and that is the set back that is created by that. Administrator Cox said however thru the PUD process could that be decided those are public rights of way of some way and reduce the front yard setback if the Plan Commission and Village board thought it was appropriate to make these public streets.

Administrator Cox said he thinks there is some argument for making them public streets and went on to say public streets are pretty expensive to maintain. He said would they like to push it off on the residents sure however in 20 years these 50 homeowners are going to be looking at the village and saying I have to pay? deCourcy-Bower brought up the subject of people from other

developments driving on those roads and how would that be stopped. He also said he believes the road should go thru to Southern Oak drive because it provides a secondary access point. He went on to say he changed his mind from the past, it has always been designed to go through, it is in the plans to go through and from a safety point of view and limited access point of view when that driveway gets repaired and maintained, how are these cars going to get in and out of that subdivision. He said for him, that road should go through. His other concern is the steep slope. Mr. Neumann commented that he feels the road should go through also but has said from the start, whatever the village wants they will do.

Mr. Neumann said in public vs private they are proposing a 40 ft. not public right of way but area for the road, so there is a 10 ft. difference on either side. They would like the homes closer to the road with a 25 ft. front yard setbacks from the 40 ft. right of way. He said if the roads are 28 ft. back to back they still have another 5 ft. behind the curb that is still part of the right of way. He went on to say again they would like to keep the homes closer to the road and they do have plenty of room for parking. He touched briefly on the setback, the density and wanted to make sure they didn't have an issue with the master plan because of the density. Mr. Neumann explained his understanding of the density calculation and it could have led to a reduction in units so that is why they wanted to go with private roads. But he said they have no problem with a public easement overlay, public access and maintenance overlay. He went on to say they had something similar in Germantown a few years back, and that overcomes the concern of what of the public driving on it, what if it becomes a thorough faire in the future, it takes care of all of that. It functions like a public road built with public standards but it is technically a private road. Pfannerstill expressed frustration regarding the public vs private road issue, and not knowing about it. Mr. Neumann said they have had conversations regarding public vs private in public meetings.

There was more discussion on public vs private roads with maintenance. Fenner said given his municipal experience private roads in the long run are a pain to a municipality. He asked what the plan for the 8 different storm water facilities are, he asked if they would be dedicated to the village. Wallschlager brought up that there is a water problem in Mary Hill and there was discussion on the multiple storm water ponds and topography. They said they are providing filtration where soils are good for it. Mr. Neumann said they are pushing the water south vs into Mary Hill. Fenner asked about the conservancy area and if it will be a park. There was brief discussion on the natural resource area.

There was repeated discussion on the access drive to Southern Oak Drive and public vs private roads. deCourcy-Bower said he thinks this is the best plan that has come through and again he thinks Southern Oak should go through. Administrator Cox said they should first look at the details, could they recommend to the Village Board to set a Public Hearing on the zoning, unless the Plan Commission wants to see answers to certain things. Pfannerstill asked if the annexation would be included in the Public Hearing and Administrator Cox said yes. There was more brief discussion on public vs private roads.

Motion (Pfannerstill/Fenner) to recommend to the Village Board to set a public hearing on October 22<sup>nd</sup>, 2018.

**10. Adjourn**

Motion (deCourcy-Bower/Wenstrom) to adjourn. Carried (7-0). Meeting adjourned at 9:20 PM.

Respectfully submitted by  
Recording Secretary,

Deidre Bush y, Deputy Clerk