

**JOINT ARCHITECTURAL BOARD/PLAN COMMISSION MINUTES
MONDAY, JUNE 15, 2020
7:00 PM
BOARD ROOM
MUNICIPAL BUILDING, 210 COTTONWOOD AVE.**

Present: Jeff Pfannerstill, James Schneeberger, Tim Hallquist, David de Courcy-Bower, Ann Wallschlager, Jeff Bierman and Dino Xykis.

Others Present: Administrator Rhode, Building Inspector Hussinger, Ryan Amtmann and Deputy Clerk Bushey.

Call to Order- 7:00 pm

1. Consideration of a motion to approve the Jt. Architectural Board/Plan Commission minutes of two meetings, May 18, 2020.

Motion (Hallquist/Schneeberger) to approve the minutes for the two meetings on May 18, 2020, with the removal of Tim Fenner's name from the present roster. Carried (7-0).

2. Architectural Board review and consideration of an application for signage for Lake Country Caring, 603 Progress Drive-

Ethan Zanker was present and said the application for signage is an Eagle Scout project. Hussinger said it meets all codes. He said the size and location is appropriate plus there will be no landscaping.

Motion (deCourcy-Bower/Hallquist) to approve the application for signage for Lake Country Caring, 603 Progress Drive. Carried (7-0).

3. Architectural Board review and consideration of an application for addition of a three season sunroom at the Pickens residence, 686 Briarcliff Ct.

Scott Bear from Bear Sunrooms was present and briefly explained what is being proposed. The sunroom will be at the back of the residence. Hussinger said it meets all zoning requirements.

Motion (deCourcy-Bower/Hallquist) to approve the application addition of a three season sunroom at the Pickens residence, 686 Briarcliff ct. Carried (7-0).

4. Architectural Board review and consideration of an application for construction of a new residence for Rajesh Santharam, 1907 E. Bristlecone Drive-

Rob Miller from Rob Miller Homes was present and explained this is a new construction home. Hussinger said it has been approved by the Arch Board and meets the setbacks. Xykis asked about the master grading plan. Hussinger said their proposed grading is consistent with the master grading plan. Xykis also asked about the square footage on the lower level and Hussinger said that is the minimum requirement in the building code and the village doesn't have authority to be more restrictive.

Motion (Hallquist/Schneeberger) to approve the application for construction of a new residence for Rajesh Santharam, 1907 E. Bristlecone Drive. Carried (7-0).

5. Architectural Board review and consideration of an application for construction of a new residence for Christopher & Jennifer Erato, 415 E. Capitol Drive-

Hussinger said this is a new home construction and it meets the zoning and height requirements. Wallschlager asked what the side setbacks are and Hussinger said 15' on one side and 10' on the other. There was brief discussion on the setback.

Motion (deCourcy-Bower/Bierman) to approve the application for construction of a new residence for Christopher & Jennifer Erato, 415 E. Capitol Drive. Carried (7-0).

6. Architectural Board review and consideration of an application for installation of a fence for Hartland Maple Property, LLC, 340 Maple Avenue-

Paul from Hartland Maple Property, LLC was present and said the fence will go along the back property and will be black in color. Wallschlager asked if semi-trucks had any problems turning around and Paul said no. Hallquist asked if any trees would be cut and Paul said a few would be.

Motion (deCourcy-Bower/Wallschlager) to approve the application for application for installation of a fence for Hartland Maple Property, LLC, 340 Maple Avenue. Carried (7-0).

7. Plan Commission review and consideration of a proposed Planned Unit Development and preliminary site and building plans for property on Campus Drive east of Lake Country Lutheran.

Bryan Lindstrom from Neumann Development was present and explained there are 2 separate plans, they are basically the same but one has the road connecting to Willow Drive and the other one has a walking path that would be wide enough for emergency vehicles. He went on to say they thinned down the plan and are proposing 47 single family condos. He said a draft of the PUD agreement was included with their submittal and they were looking for guidance of which route to go with the public road as well as recommendation for zoning and any changes to the PUD agreement.

Village Engineer Ryan Amtmann said at the May meeting the Plan Commission had reviewed the concept plan. He said they scaled back on the development with only the single family condos now

and the CSM was revised to reflect that. He went on to say the dimensions of the street width was updated. He said 1 plan has a walking path with emergency vehicles. He said the draft PUD was drafted by Village attorney Hector De La Mora.

Lindstrom said the revised submission changes largely with the multi-family dropping off. He said the rezone would only be for the northern portion and the remainder will remain institutional. He went on to say the intent today was to look for recommendation to the Village Board.

Pfannerstill asked Village Attorney if it would be in line to take a vote to get it down to 1 proposal to move forward. Attorney De La Mora said they should take a step back and look at the process as it works. He said the way the ordinances are set up is the Plan Commission makes a recommendation to the Village Board and the Plan Commission renders its recommendation after the vb conducts the Public hearing, and this is the first time he has heard a developer prefer one way but be open to either way to connect or not connect but that they would prefer to segregate out the issue. He said his impression at the last meeting was that there was a general acceptance by the Plan Commission to look at both possibilities and if that continues to be a correct read, it might be best if the Plan Commission to look at all the aspects except the roadway aspect. And for the way of holding the public hearing before the board. He said the plan commission will then have the opportunity to weigh in and they have to make an affirmative recommendation and if they look at the proposed development agreement there are a series of findings and determinations that the Plan Commission have to make about the impact of the project. He said the step to take tonight is number 1 indicate that the plan Commission is in agreement with the overall concept of the 47 units, the development of the northern portion of the parcel and the inclusion of a road the like of which to be determined after the holding of the public hearing that way everyone will have the opportunity to be heard before the village board. He said his understanding is that the connection of the roadway is something mechanically can be accomplished without any significant modification to the development itself. He said he recommends that the Plan Commission not weigh in on road connections until after holding of the public hearing which will be in two steps, the approval of the overall concept and whether the concept contains connection or no connection.

Pfannerstill said what the Plan Commission needs to do tonight is to recommend if it goes to the Village Board to set the Public Hearing and once the Public Hearing is set it will come back to the Plan Commission. He said everyone will have a chance to be heard.

Jean Roessler 243 Willow Drive – commented her driveway starts just at the dip coming up the road and would not like to see that road widened. Pfannerstill said there is no widening of the road on this agenda.

Administrator Rhode said before they get into the questions the Arch Board/Plan Commission have, he just wanted to point out a couple high level items that they have been working towards to get accomplished. He said the main road on the plan road “x” would be a public road, the developer would build it then turn it over to the village with all the utilities connected and the rest of the roads would be private roads.

He said a lot of what you read in the Village engineers or the staffs memo, is if it is a public road they will turn it over to the village and if it’s a private road they would be constructing it to a standard that mutually agree upon and it doesn’t get turned over. He said there is also a trail system the HOA will maintain but it will be granted to the public.

Wallschlagler asked if they are only buying lot 1, and Lindgren said that is correct. She also asked if area A was included in the 27.4 acres or if it was in addition to that. Lindgren said the 27.4 Acres include the road and everything north. There was brief discussion on the acreage in lot 1.

Wallschlagler also commented on the condo association papers she said on page 16 and 17 that the owners could lease it out and who would be ultimately responsible. Lindgren said the owner would ultimately assume responsibility.

Wallschlagler then commented on the square footage of the condo and asked if they have a maximum square footage. Lindgren said they rarely go to the max footage because the nature of the lot dictates it. She then commented about her concern about the cherry trees being taken out. Lindgren said that is why they did the tree survey and like they said last time, they try their best to work around things and they wish they could save every tree but they can't.

There was brief discussion about the trail system. Wallschlagler asked what the words "other structures" refers to in line 100. There was brief discussion on the words "other structures" in the draft and Attorney De La Mora said up until the package had to be distributed to the Plan Commission he was under the understanding that the multi-family was going to be part of this and he made the assumption of what might have been on lot 2 or 3 as a structure but as he now understands this with the comments made this evening the words other structures will be something that he will have to delete because the only thing that will be recreational will be the walking trail and the question will be the surfaces and maintenance of the surfaces. He said he has spoken with the representative of the developer about the fact that they will have to be a little more definitive about the HOA down the road when the developer is out of the picture and 1) the trails continue to exist and 2) there will be growth, and who will be responsible and the HOA will be designated as that party and not the Village. Because the land will still be owned by the HOA and the public will still be able to converse because of an easement.

deCourcy-Bower commented and expressed his concern of the rezoning exhibits of lot 1 and 2 & 3 now that they aren't part of the development. Administrator Rhode commented and said they only found out about the multi-family being dropped 2 days before the packet went out and they asked the developer to try to revamp it so we could be as clean as possible.

Motion (Xykis/Pfannerstill) to move it to the Village Board to set Public Hearing.

Bierman asked if the discussion of setbacks should be now or when it comes back. Rhode said that should be discussed not. Bierman asked about the 15 ft. setback between houses and if that included the overhang. Lindgren said it is foundation to foundation. Bierman said if someone was trying to access the back of the building they only had 15 ft. to work with. Lindgren said it is a guidance. There was discussion on the setback between the houses and the ability to access the houses if needed.

8:12pm – Pfannerstill called for a 5 minute break.

8:17 pm- meeting resumed.

Bierman expressed his concern on the setback being 15 ft. Pfannerstill said at the Public Hearing the Fire Department should give some feedback on how they access homes. There was more discussion on the setback between houses. deCourcy-Bower asked Hussinger what the state

minimum is, and Hussinger said the minimum is 10 ft. or less than you have to start installing firewalls. Xykis commenting about contacting the Fire Dept. to get their recommendations. deCourcy-Bower said his last point he had was regarding private roads vs public and he said that his preference is to have Public roads. He also expressed concerns about snowplowing and ongoing maintenance of the roads.

Steve Kraft 122 Chestnut Ridge Drive – commented on the road.

Nicole Kulas 282 Hickory Court – said they came tonight prepared to present a petition to the Plan Commission and to try to stop the development plan and the road going through to Willow Drive. She said they don't have opposition against the development and she asked if there is anything they can stop the road from going thru as part of the plan.

Pfannerstill said the petition can be accepted and go to the Village Board. He said like the Village Attorney said they have to have a Public Hearing to allow everyone to express what they think. Attorney De La Mora said the Village Board has to make the decision and needs input from the Plan Commission as well as the public to decide how to move forward and the petition can be part of the record. Ms. Kulas asked how she could submit additional signatures and Pfannerstill said she can submit more signatures at any time.

Cheryl Maloney 290 Hickory Court – commented when to submit the petition.

The petition and pictures were submitted for the record.

Resident Jeff Saatkamp 289 Hickory Court - asked what the tentative schedule is. Pfannerstill said this will go to the Village Board on Monday and they will set the Public Hearing date.

A question was asked about the increased traffic on Campus Drive. Rhode said a complete traffic study had been completed. Amtmann said the traffic impact study was done when the multi-family units were still part of the development and they did not recommend any work that needed to be done on Campus Drive.

Schneeberger asked what the width is on a Public road and Amtmann said 26 ft. on public and 24 ft. on private.

Pfannerstill reminded everyone a motion had been made and seconded.

Lindgren said early on it seemed the desire of the board was for the road to be private and if that changed they would certainly like to know that. deCourcy-Bower said when he looks at recent developments in the Village they are all public roads. And he said especially with connectivity through there and people could be driving through there it could be an issue. He said he would rather it be public, it is his preference. Rhode said one challenge is snowplowing and garbage pickup and he said they are trying very hard to stay out of the INRA and by giving small concessions a couple feet on the road and a couple feet on the setback that allows them to get the density to make that happen but if we push public roads then we run into a density issue.

Steve McQueen who works with Neumann Development said if it is a private roads it should look and feel different than other roads and when you do that people know that. He said it has a different spec and it will feel cozy. Rhode said the Village currently has utilities under Road "x" and that's why it has always been recommended to be public roads.

Schneeberger commented on trail growth and who would maintain it. Rhode said he & De La Mora discussed this and that the HOA will have to maintain it as some type of standard that is safe for

people to use. He said there are some spots in there that can't be asphalted. There was more discussion on the trails.

Cole Brown from Arrowhead H.S. Association said the path was cut for cross country runners and for public use. He said he is hoping that the trail stays natural because of State meets.

Pfannerstill said it had been moved and seconded to send this to the Village Board for the Public Hearing to be set. Carried (7-0). He said for the record the petition and pictures have been dropped off.

8. Announcements-

Bierman asked that on the website on the Plan Commission page that something be put there of who to contact because since his name is first on the list he keeps getting calls.

9. Adjourn-

Motion (deCourcy-Bower/Wallschlager) to adjourn. Carried (7-0).

Meeting adjourned at 9:03 pm.

Respectfully submitted by
Recording Secretary,

Deidre Bush y, Deputy Clerk