

**VILLAGE BOARD MINUTES
MONDAY, AUGUST 25, 2014
7:00 PM
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Present: Trustees Stevens, Meyers, Compton, Landwehr, Swenson, Wallschlager,
President Lamerand

Others Present: Administrator Cox, Clerk Igl, Police Chief Rosch, Fire Chief Wilde, Finance
Director Bailey, DPW Operations Supervisor Mike Gerszewski, Reporter Steve
Martinez, Chris Miller, interested citizens

Roll Call

Pledge of Allegiance – Trustee Wallschlager

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period, with time extensions per the Village President's discretion, per person. Be it further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.) None

1. Motion (Meyers/Wallschlager) to approve Village Board minutes of August 11, 2014. Carried (7-0).
2. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$280,176.57. Carried (6-0-1). Meyers abstained.
3. Consideration of Licenses and Permits

BARTENDER (OPERATOR) LICENSES – expires June 30, 2016

Robert Paddock

The Police Chief recommends approval of the license application. The Village Clerk recommends approval. Applicant has successfully completed the Responsible Beverage Servers Course.

Motion (Compton/Landwehr) to approve the License. Carried (7-0).

Items and actions related to the proposed Sanctuary of Hartland subdivision (Caestecker property)

4. PUBLIC HEARING regarding Bill for an Ordinance No. 07/28/2014-01 “An Ordinance to Amend the Official Zoning Map” to rezone the Caestecker property from A-1 to RS-4 Single-family Residential Zoning District.

VILLAGE BOARD MINUTES
MONDAY, AUGUST 25, 2014
7:00 PM
PAGE 2

President Lamerand opened the Public Hearing at 7:03 p.m. Joanie Decker- Nold, 120 Maple Avenue, commented that she is not opposed to development but is opposed to some items proposed in the plans for The Sanctuary that will affect property owners in her neighborhood. She stated concerns related to increased traffic and the construction of a walking path that will exit onto the street posing a danger to pedestrians. She also stated concerns about noise and privacy. She inquired whether the path would be 6 feet wide. President Lamerand stated that the path on the plan is proposed to be 6 feet wide. She raised concerns about trees that would need to be removed next to her property. She stated that she is opposed to the path and feels that there is an alternate location for the walking path. She stated that there is a strip of land adjacent to Capitol Drive which could be purchased for that purpose.

She asked what the value is for the strip of land that is part of the Caestecker property which is intended to be used for the path. It was stated that the specific portion of land is part of the property and would not be valued separately as it is a part of the proposed development. It was stated that the path will likely be dedicated to the Village upon completion of the development. It was stated that the property owners could prepare a certified survey map for consideration if they opted to separate off the narrow strip of land, however, it would be a non-conforming parcel. Ms. Decker-Nold commented that she and a group of residents may be interested in purchasing the strip of land. Ms. Decker-Nold questioned whether the Village needed additional walking paths and it was stated that walking paths are in the Village's plans. It was stated that the Village will attempt to save as many trees in the area of the path as possible.

Steve Eberle, 204 Maple, raised concerns about the placement of snow during the winter months given the close proximity of the path to residential drives. He suggested that a different location for the walking path be considered. He expressed concerns about the retention pond near his property and asked where the water will leach to and if it will lead to problems with water in basements. President Lamerand stated that topographical maps and engineering studies have been reviewed and there should not be a problem as water will collect in the area of the retention pond and will then disperse properly. Mr. Eberle stated that he is concerned that additional water will saturate the ground in the area.

Ms. Decker-Nold and Mr. Eberle commented that some property owners in the area of the proposed development already have problems with water in their basements and asked how the Village can be sure that the development will not add to the water issues. Administrator Cox explained that Village engineers Ruekert & Mielke review plans, verify information provided by the developer and provide approval of designs for a development.

Ray Bromberger, 140 Maple Avenue, stated that he has not seen people walking on the land proposed for the pathway and therefore, believes that the area is not currently being used as such. He raised concerns regarding the convenience store and whether it will lead to kids hanging out there. He commented on existing heavy traffic on Maple Avenue, concerns that drivers are not stopping for pedestrians to cross and felt that pedestrian traffic emptying onto Maple from the path will increase the potential for incidents.

Michael Ziemba, 128 Maple Avenue, raised concerns about security with the proposed path being so close to his private driveway, deck and front porch. He stated that he already has water issues in his basement due to melting snow in spring and that there isn't appropriate room to pile the snow in winter. He also raised concerns about the bright lights from the gas station and whether vegetation that currently blocks the light will need to be removed to construct the walking path.

Trustee Meyers raised concerns that the space in which the pathway is proposed is small and is in close proximity to driveways. He also stated that he is not in favor of an emergency access but would rather have an exit. Trustee Wallschlager agreed with the comments made by Trustee Meyers.

Mike Meyers, 530 Manchester Lane, commented that a second exit would provide an option for other residents in the area. He stated that the focus of the initial conversations regarding a walking path was to provide a route to Nixon Park rather than to the downtown area. He stated that he wants the second roadway to go through and does not want the walking path in the area proposed. He suggested that the walking path be constructed in an alternate location.

Mike Moen, 721 E Capitol Drive, asked the Board to include the second roadway to allow for easier access. He raised concerns that without the second exit residents from the long cul-de-sac proposed will exit onto Maple causing an increase in traffic.

Ray Heinitz, 533 E Capitol Drive, stated that he does not agree with removing trees for the development, does not want to see the walking path installed and does not like location where road will come out onto Maple.

President Lamerand declared the Public Hearing closed at 7:45 p.m.

5. Consideration Of A Motion To Adopt Bill For An Ordinance No. 07/28/2014-01 "An Ordinance To Amend The Official Zoning Map"

This ordinance rezones the Caestecker property from A-1 Agricultural to RS-4 Single-Family Residential Zoning District and was recommended for approval at the August 18 Plan Commission meeting

Motion (Landwehr/Stevens) to adopt on third reading Bill for an Ordinance No. 07/28/2014-01 "An Ordinance to Amend the Official Zoning Map." Carried (7-0).

6. Motion (Landwehr/Swenson) to approve the Preliminary Plat of Subdivision and Development Plans for The Sanctuary of Hartland Subdivision.

Trustee Swenson commented that he found it interesting that there was an assumption that including an entrance roadway for two way traffic on the east side rather than only an emergency access would decrease traffic on Maple. He stated that the engineer had testified at the Plan

VILLAGE BOARD MINUTES
MONDAY, AUGUST 25, 2014
7:00 PM
PAGE 4

Commission that it would have the opposite effect and that by not having two way traffic on the east side there would be less traffic on Maple than if the road were in place. Trustee Swenson questioned whether the path could be smaller and whether snow removal on the path would be necessary. It was stated that snow removal would be the responsibility of the homeowner's association and that walking paths in the Village are used during winter months.

Trustee Meyers asked whether it would be quicker for residents wanting to access Hwy 16 from The Sanctuary if there were a roadway to the east. Trustee Wallschlager stated that if such a road was in place residents could avoid school related traffic and pedestrians, and she felt it was better for residents to have two options.

Administrator Cox stated staff had estimated that approximately 50 – 60 additional vehicle trips per day would utilize a traffic route on Tenny and Highland if the two subdivisions were connected. Trustee Meyers commented that new developments in the Town of Delafield may also impact traffic on Maple. Trustee Meyers stated he felt it was important to allow the residents in The Sanctuary to have two options.

President Lamerand stated that residents from The Woodlands have indicated they do not want to exit to the west and do not want the traffic coming through to the east. He stated that the streets connecting The Woodlands are not constructed to handle additional traffic. The Village had reserved the right to connect the roadway when The Woodlands was developed. President Lamerand stated that it is believed that two exits for The Sanctuary are not necessary and that installation of the roadway would lead to traffic issues on Tenny Avenue which is not built for that type of traffic. Trustee Wallschlager asked Board members whether they believed a second exit would make it safer. It was stated that the emergency access is designed to address that concern.

It was discussed that even without construction of the walking path individuals may use the area for that purpose. Trustee Wallschlager commented that the path does not have to be constructed. It was stated that it is not currently an established walking path.

Developer Chris Miller stated that he had proposed the walking path to assist the Village however it is up to the Village to set policy. He stated there are a number of ways to address concerns including privacy and to regulate the use of the path. He stated that he believes that what is proposed is attractive and manages the flow of pedestrians through the area.

Trustee Swenson stated that the idea behind the path was to provide easier access to the downtown businesses and activities. He stated that perhaps a smaller path could be created and that the Village not mandate the clearing of snow. Trustee Compton stated that her understanding was that the pathways were also proposed to provide a route for the younger children in the development to walk to the elementary school.

Trustee Stevens suggested that the path could be left out of the development and pedestrians could walk the extra distance by using the sidewalks. Administrator Cox stated that the proposed path would reduce the distance of the walking route to downtown by approximately 1,000 feet.

It was stated that the Village has the ability through the approval process to define the use of out lots which could include creating standards that regulate the clearing of vegetation to maintain a balance of clearing vegetation while still providing a barrier between developments and neighboring properties. Administrator Cox stated that the comprehensive plan suggests that walking paths be placed throughout the community.

Administrator Cox stated that a variety of factors were taken into consideration that led to the decision to recommend that there not be a full-fledged connection. He stated that the code calls for a maximum length of a cul-de-sac but provides that if there are contingencies made the length can be exceeded and this is the case in this situation.

Additional points of consideration regarding whether or not to include the roadway to the east were discussed including adding traffic flow to the odd intersection and the narrowness of Highland. He stated that if the roadway is connected to the east, the Lisbon/Merton/Highland intersection may need modifications. Further information related to a traffic study could be gathered if requested.

Motion (Landwehr/Swenson) to amend the motion to include the path being reduced to a width of 4 ft. or the minimum width acceptable to ADA with restrictions on hours of use from 9 p.m. to 6 a.m. and to include the emergency access on the east side of the development as planned. Roll call vote taken. Carried (5-2). Meyers and Wallschlager voted no.

Other Ordinance Related Items

7. PUBLIC HEARING regarding Bill for an Ordinance No. 07/28/2014-02 "An Ordinance to Amend Article X of Chapter 46 of the Village of Hartland Municipal Code Pertaining to Floodplain Zoning".

President Lamerand opened the hearing at 8:24 p.m. Resident Joanie Decker- Nold asked whether the floodplain affects The Sanctuary development and whether there would be any walking paths. It was stated that there is no affect on the development and that there are already walking paths located in the floodplain area. A resident asked whether the floodplain map indicates a higher elevation than before and it was stated that it is actually lower. President Lamerand declared the Public Hearing closed at 8:26 p.m.

8. Motion (Compton/Stevens) to adopt on third reading Bill for an Ordinance No. 07/28/2014-02 "An Ordinance To Amend Article X Of Chapter 46 Of The Village Of Hartland Municipal Code Pertaining To Floodplain Zoning". Carried (7-0).

Items referred from the August 18 Plan Commission Meeting

9. Motion (Landwehr/Wallschlager) to approve the installation of a stand by generator at Batteries Plus, 1325 Walnut Ridge Drive. Carried (7-0).

VILLAGE BOARD MINUTES
MONDAY, AUGUST 25, 2014
7:00 PM
PAGE 6

10. Motion (Stevens/Swenson) to approve a parking lot expansion at Watertronics, 525 E Industrial Drive. Carried (7-0).
11. Motion (Landwehr/Swenson) to approve an extraterritorial plat for The Summerhill West Subdivision in the Town Of Delafield. Carried (7-0).

Other items for consideration

12. Motion (Compton/Stevens) to approve Resolution No. 08/25/2014-01 "A Resolution Pledging That The Village Board Of The Village Of Hartland Will Expend Funds Necessary For The Hartland Public Library To Exempt The Village From The Waukesha County Library Levy". Carried (7-0).
13. Motion (Meyers/Swenson) to approve a request from the Town of Delafield and the Developer of the Woodridge Estates Subdivision to allow the extension of a fire hydrant served by the Village of Hartland to the south side of North Shore Drive (CTH KE) in the subdivision. Carried (7-0).
14. **Announcements:** The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members. NONE.
15. Motion (Stevens/Swenson) to adjourn. Carried (7-0). Meeting adjourned at 8:30 p.m.

Respectfully submitted,

Darlene Igl
Village Clerk