

DECEMBER 3, 2012 Plan Commission Meeting

The Plan Commission met at 7:00 p.m. on Monday, December 3, 2012 at the Town Hall in New Munster. Chairman William Glembocki opened the meeting with the Pledge of Allegiance.

Plan Commission members present signing the attendance sheet: Chairman William Glembocki, Clayton Wagner, Randy Schulz, Vince Mosca, Paul DeLuisa, Mary Ochoa-Petersen, Dennis Robers and Sue Riley.

Also present: Supervisors Andrew Lois, Clerk Sheila Siegler, David Prill, and Pavlida Vilaythong.

Meeting notices were posted in six public places and newspapers were notified. Meeting notice was also placed on the town website. Property owners within 300 ft. of Tax Parcel #95-4-119-013-0320 & 0330 were notified of the meeting by First Class Mail.

- **Public Comments** – none
- **Applicant:** HMS Properties of Wheatland LLC, 14520 50th Rd., Sturtevant, WI 53177 (property owner) Everything Automotive LLC, David Prill, 32135 Geneva Rd., Salem, WI 53168 (agent & business owner)

Request: requesting a Conditional Use Permit for Used Car Sales in a B-3 Highway Business District – Tax Parcel #95-4-119-013-0320 & 0330

Location – Hwy 50, south side approximately ¼ mi. east of Hwy “W” – 32135 Geneva Rd.

David Prill said he has a detail shop there now and will continue to operate that business.

He wants to get a dealer license.

Commissioner Clayton Wagner, also a fire department fire inspector, said they have inspected the building several times. There were some minor problems and Prill has complied with the inspection order to remedy the issues.

Chairman Glembocki said the fireworks sales tent and area, during part of June and July, will be in the car lot area. The board has approved the temporary use for the fireworks sales with a 40 ft. barrier. During that time, the used cars sales operation must be outside of that 40 ft. Prill said he understood that and there would not be a problem.

David Prill also said there would be no storage of any kind in back of the building; it would all be in the front. He expects there will be a maximum of 20 cars.

Responding to Commissioner Wagner, David Prill said there would be no outside storage of tires or anything except used cars. Everything would be titled. There would be more lighting but he understood Wagner’s comment that the lighting will have to meet the county standards for a low level lighting system and not to shine on other properties or Hwy “50.”

Prill also said his hours will be six days a week, 9 – 5. Wisconsin requires car dealers to be closed on Sunday. Prill said all cars will have window stickers that show auto info, price and safety inspections. Employees will not be driving the used cars. He uses M&L Automotive for safety inspections and maintenance. M&L will be listed on his dealer license as the safety inspector.

Commissioner Mary Ochoa-Petersen asked if there would be other people selling cars like brokers. Prill said he would not allow anyone else to use his dealer license for sales. There may occasionally be consignment cars there but he would sell them.

Responding to further questions, Prill said no gasoline would be stored on the premises with the exception of some in a 5 gal. gas container, there would not be mechanical repairs done except for maybe changing brakes, changing a battery, that type of minor repair. Commissioner Ochoa-Petersen said she didn’t want the repair to get mixed up and was concerned there was not a clear line as to what type of repair would be done on the premises. Responding to Chairman Glembocki, Prill said there would not be any engine overhauls done on the premises. Prill said he was not a mechanic but if it was something easy, he might do it.

Commissioner Ochoa-Petersen stressed the parkway between the parking lot and the roadway be maintained so the place looks inviting and there should be no storage in the back. Prill said this is a 50 car parking lot, he will only have 20 cars for sale, and he will keep the area maintained. Responding to Commissioner Wagner, Prill said the cars would be cleaned of snow in a timely manner.

Prill said the dealership application states Everything Automotive as the name of the business. There will be a new sign; it is supposed to be in by December 13th. Permits were obtained by the owner.

Commissioner Mosca asked if Prill was aware of the potential for flooding. Prill said he was and would take action in regard to the used cars if that should occur.

Commissioner Robers said he met with Prill's manager. The place looks nice and he had a nice tour. He complimented David Prill. Robers asked the type of cars he plans to sell. Prill said affordable, but not junky; they would be in the \$5,000 range.

Commissioner Susan Riley moved a favorable recommendation to the town board with the following conditions.

1. 40 ft. setback from the fireworks sales tent for used car storage during the time the fireworks sales temporary use permit is in effect.
2. All cars are to be stored in front of the building.
3. Maximum of 20 cars on the sales lot.
4. No storage in back of building.
5. No outside storage of anything other than used cars.
6. All cars will be titled.
7. Hours – 9 – 5, Monday thru Saturday and closed on Sunday.
8. All cars for sale will have window stickers showing auto info, price, and safety inspection.
9. Everything Automotive LLC will be the only seller of vehicles on the premises.
10. The only automotive work, other than detail work, will be minor items such as changing batteries, or brake installation, etc. There will be no engine overhaul or anything of that type done on the premises.
11. No gasoline is to be stored on the premises, other than in a 5 gal. container.
12. Premises will be maintained, grass cut, etc. All cars will be cleaned of snow in winter, so the premises will not look abandoned.
13. Dealership for used cars sales will be in the name of Everything Automotive LLC.
14. A new sign will be installed on the premises to identify the business operation.
15. Any outside lighting must comply with the requirements for low lighting regulated by the Wisconsin Department of Transportation and Kenosha County.

Commissioner Mary Ochoa-Petersen seconded. Motion was approved on a vote of 8 - 0.

Chairman Glembocki stated the town board would act on the matter at the December 10th town board meeting.

- **Reports and correspondence –**

- A. Upcoming meeting items – Clerk reported there will be a meeting on January 28, 2013 at which time it is anticipated Fox River Trails Preliminary Plat and the rezoning of Hidden Meadow Estates Subdivision to Agriculture will be on the agenda.

- **Adjournment**

- Paul DeLuisa moved to adjourn at 7:30 p.m. Mary Ochoa-Petersen seconded. Motion carried.

Respectfully submitted,

Sheila M. Siegler, Town Clerk