

## **APRIL 30, 2012 Plan Commission Meeting**

The Plan Commission met at 7:05 p.m. on Monday, April 30, 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 and Dennis Robers. Sue Riley was excused.

Also present: Supervisors Andrew Lois, Clerk Sheila Siegler, Town Planner Pat Meehan, and Mike Partridge.

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 #95-4-119-063-0200 & #95-4-119-072-0100 (Partridge Farms LLC, owner) were notified of the meeting by First Class Mail.

Clayton Wagner moved to approve the February 27, 2012 Minutes. Randy Schulz seconded. Motion carried.

- **Public Comments** – none
- **Applicant:** North Beach LLC, 918 S. School St., Mount Prospect, IL 60056-4346 (owner), Tom Foht, Kapur & Associates, 7711 N. Port Washington Rd, WI 53217 (agent)

**Request:**

A. Rezone – Tax Parcel #95-4-119-074-0972, 39613 Bloomfield Rd., Powers Lake (former “Pit Stop” location) from B-2 Community Business District and R-4 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District.

B. Certified Survey Map – combines the parcels on the north side of Bloomfield Rd. #95-4-119-074- 0420 & #95-4-119-074-0430 and parcel #95-4-119-074-0972 located on the south side of Bloomfield Rd., and dedicates a 66’ Bloomfield Road public road right-of-way. The map documents the demolishing of the “Pit Stop” buildings.

C. Variance from the Kenosha County General Zoning & Shoreland/Floodplain Zoning Ordinance for the proposed single-family home building pads on the south side of Bloomfield Rd. – 30’ street yard setback from Bloomfield Rd. for the east building pad and a 50’ shore yard setback to Powers Lake for three building pads.

D. Condominium Plat – the plat provides for common ownership of the land and allows individual ownership of the homes. The plat shows three proposed single-family home building pads on the south side of Bloomfield Rd. and includes the two existing homes on the north side of Bloomfield.

Town Planner Patrick Meehan referred to his April 19, 2012 Memorandum and stated the proposed CSM is consistent with the changed comprehensive plan and dedicates a 66 ft. Bloomfield Rd. public road right-of-way. All five existing buildings on the south side of Bloomfield Rd. will be demolished, some of which are encroaching on the road right-of-way. The existing buildings on the north side will remain. He said the proposed R-4 zoning is consistent with the changed comp plan and the neighboring area.

Planner Meehan recommended conditional approval of the CSM and that the approval is contingent on the rezoning approval. He is suggesting a note be added to the face of the CSM giving six months from the date of approval for all the buildings on the south side of Bloomfield Rd. to be demolished. The floodplain on the north side of Bloomfield Rd. should be delineated on the CSM.

Mike Partridge said that is being done by Tom Foht; the DNR approved the survey recently done by neighboring property owner, Bill Griggs and they were able to use that data. He said he will have Foht insert the wording regarding the razing of the buildings on the south side but assured the commission the buildings would be gone within two weeks of the final approval.

Meehan said items #D - #I listed on his April 19, 2012 Memorandum are typical of all CSM conditions.

Mike Partridge said the Town of Randall has already approved.

Commissioner Clayton Wagner moved a motion to forward a favorable recommendation to the town board for the rezoning of Tax Parcel #95-4-119-074-0972 from B-2 and R-4 to R-4 Urban Single-Family Residential District. Commissioner Mary Ochoa-Petersen seconded the motion. On a roll call vote – 7 voted in favor, 0 voted in opposition. Motion carried.

Commissioner Vince Mosca moved a favorable recommendation to the town board for the Certified Survey Map which combines the parcels on the north side of Bloomfield Rd. #95-4-119-074-0420 & #95-4-119-074-0430 and parcel #95-4-119-074-0972 located on the south side of

Bloomfield Rd., and dedicates a 66' Bloomfield Road public road right-of-way subject to conditions of Meehan's April 19, 2012 Memorandum. Commissioner Randy Schulz seconded. Motion carried.

Mike Partridge said a variance is needed for the buildings to be placed on the lot. The proposed home building pads are 50 ft. from Powers Lake (ordinance requires 75 ft.) and all will meet a 30 ft. road right-of-way setback from Bloomfield Rd. (65 ft. required by ordinance from a county road). The proposed structures will be at a greater distance from the road and from the lake than most of the structures in the neighborhood along Bloomfield Rd.

Mike Partridge said the 10 ft. lake access easement shown on the east side of the plat is only for residents/property owners of the five structures included in the condominium plat, not for the general public. Four piers are allowed under DNR regulations.

Commissioner Wagner asked about common ownership. Mike Partridge said there will be an association that will be responsible for the grounds maintenance; i.e. grass cutting, snowplowing, driveway surfacing, etc. The county is allowing one driveway from Bloomfield Rd. which will split into three for access to each structure. The structures will be owned by the individual owners but the rest of the land will be owned in common. Each structure will have a holding tank with that owner responsible for the maintenance. The existing well is a commercial grade and could serve all three homes if that is the owner's preference.

Commissioner Paul DeLuisa moved a favorable approval to the town board for a variance from the Kenosha County General Zoning & Shoreland/Floodplain Zoning Ordinance for the proposed single-family home building pads on the south side of Bloomfield Rd. with a 30' street yard setback from Bloomfield Rd. and a 50' shore yard setback to Powers Lake. Commissioner Randy Schulz seconded. Motion carried.

Condominium Plat – the plat provides for common ownership of the land and individual ownership of the homes. The plat shows three proposed single-family home building pads on the south side of Bloomfield Rd. and includes the two existing homes on the north side of Bloomfield.

Planner Meehan said there is a clause in Wisconsin statutes that no subdivision ordinance may apply to any condominium unless ordinance is by express terms applicable to condominiums. He said the plan commission couldn't review the condo plat. No action was taken regarding the condominium plat.

- **Reports and correspondence –**

Clerk reported the DNR property manager for this area had called today. The DNR will be putting in small parking lots at the property they own on Hwy "W" south of 50. This was recently purchased from the owners of the Fox River Trails Subdivision. They will also putting in a small parking lot for the property they own on Hwy "W" north of 50. Both areas are wetland areas and are very limited for parking. Commissioner Wagner was concerned hunters/fishermen could start a fire. The commission was also concerned about overnight camping. Clerk was requested to inform the DNR of the concerns and to request signs be installed that said "no fires" and "no camping."

- **Adjournment**

Commissioner Wagner moved to adjourn at 7:50 p.m. Chairman Glembocki seconded. Motion carried and meeting adjourned.

Respectfully submitted,

Sheila M. Siegler, Clerk