

VILLAGE OF GRAFTON

PLAN COMMISSION MEETING MINUTES

OCTOBER 25, 2011

The Plan Commission meeting was called to order at 6:00 p.m. by Chair Jim Brunnquell. The Pledge of Allegiance followed.

Plan Commission members present: Jim Brunnquell, Mark Paschke, Alfred Schlecht, Richard Rieck, Randy Silasiri, Carl Harms, and Amy Plato

Staff Present: Director of Planning and Development, Michael Rambousek, and Administrative Secretary, Deborah A. Brown.

MINUTES

Motion by Commissioner Harms, seconded by Commissioner Schlecht, to approve the September 27, 2011, Plan Commission meeting minutes as presented. Approved unanimously.

HEAR PERSONS REQUESTING TO BE HEARD

None.

REVIEW AND RECOMMENDATION TO THE VILLAGE BOARD / ORDINANCE AMENDING SECTION 19.03.0303(D) RELATING TO OUTDOOR DISPLAY AND SALE OF MERCHANDISE IN THE C-2 COMMUNITY BUSINESS DISTRICT

Director of Planning and Development Michael Rambousek provided background on this ordinance amendment relating to outdoor display and sale of merchandise in the South Commercial District. This area is primarily zoned C-2 Community Business. Director Rambousek stated that this item is returning to the Plan Commission following review at the September 27, 2011 Plan Commission meeting. The second review occurred because the approved ordinance indicated that pallets were not allowed as part of the outdoor display allowances in the C-2 Neighborhood Business District.

A second public hearing was held on September 27, 2011 and the Plan Commission instructed the Planning and Development Staff to make some minor modifications to the ordinance including removing the allowance of vending machines.

Director Rambousek provided an updated ordinance with the appropriate modifications for the Plan Commission review.

Sharyn Kalies, Ozaukee Ace Hardware-1818 Wisconsin Avenue, expressed her concern with the new language stating that the Director Rambousek will now be reviewing and approving all outdoor display areas and the wording aesthetic appeal was open to interpretation.

Chair Brunnquell addressed her concern and stated that Director Rambousek is qualified to make an interpretation and an applicant can always ask to be heard by the Plan Commission, if needed. He further stated that this language is not too different from the previous ordinance wording. In addition, quality decision making by the Village Staff has been long established.

Rodger Stark, Manager of Walgreens-1915 Wisconsin Avenue, submitted written correspondence to the Plan Commission and Planning and Development Department regarding his concerns relating to the outdoor display and sale of merchandise in the C2 District. He briefly reviewed his concerns and shared his safety concern over propane tank storage areas. He asked the Plan Commission to consider adding language to the ordinance to allow some kind of protection around the propane tank areas to prevent vehicles hitting them. He also talked about the Village having too many restrictions on the local retailers.

The Plan Commission held a short discussion on the language addition to the ordinance requiring the Fire Department to review all propane tank areas as well as meeting the requirements of the National Fire Protection Association (NFPA). Planning Staff agreed with the idea of adding this into the ordinance and the ordinance would be further reviewed grammatically.

Motion by Commissioner Harms, seconded by Commissioner Silasiri, to recommend Village Board adoption of an ordinance amending Section 19.03.0303 (D) relating to Outdoor Display and Sale of Merchandise in the C-2 Community Business District with the additional language added after the wording in the ordinance that states "Said propane enclosure to meet the requirements of National Fire Protection Association (NFPA) 58, subject to the review of the Grafton Fire Department. Approved unanimously.

REVIEW AND RECOMMENDATION - ANNEXATION OF 10.08 ACRE PROPERTY OWNED BY PAUL AND JILL CHRISTENSEN LOCATED AT 695 PORT WASHINGTON ROAD

Commissioner Plato recused herself from discussion on this agenda item.

Director Rambousek reviewed the annexation petition from Paul and Jill Christensen. He stated that the property owners are requesting the annexation of 10.08 total acres currently located in the Town of Grafton at 695 Port Washington Road. The 10.08 acres is comprised of a portion of the Port Washington Road public right of way and the 9.83 acres of private property owned by the Christensen's. Ultimately, their 9.83 acres of property will be split into two parcels: a 6.77 acre property retained by Paul and Jill Christensen and a 3.06 acre property that may be sold to We Energies in the near future.

Director Rambousek commented that We Energies recently received approval for an amendment to the 2035 Comprehensive Plan (Master Plan Land Use Map) for the 3.06 acre section of property from the current Agriculture use designation to the Institutional

use designation. Based upon information provided during the Master Plan Land Use Map amendment process, the eastern portion of the property (6.77 acres) will continue to be used as a single family home and the western portion of the property (3.06 acres) is expected to be used as an electric substation.

Following approval of the annexation of this area, the We Energies portion of the property will require the following approvals if the proposed substation project moves forward: rezoning, Certified Survey Map (CSM), conditional use permit, and site plan. He added that the Plan Commission will be reviewing the rezoning petition at its November 29, 2011 meeting as part of a public hearing and a recommendation will be made regarding that matter to the Village Board for the December 5, 2011 meeting. The recommendation from the Plan Commission on the annexation of this area will also go to the Village Board for action at the December 5, 2011 meeting.

Director Rambousek added that the Wisconsin Department of Administration has reviewed the annexation request and had provided the Village of Grafton with a letter dated September 8, 2011, indicating that the annexation is found to be in the public interest. This finding is based upon the fact that the annexation territory is reasonably shaped and contiguous. Also, due to the current status of the property and its adjacent location to the Village of Grafton boundary, the Planning and Development Staff sees no issues of concern with the annexation of this property.

Upon annexation the entire property will immediately be zoned A-3 Agricultural Holding District. In the future, this property will be subdivided into two different lots with the Christensen homestead portion (6.77 acres) retaining the A-3 Agricultural Holding District zoning classification and the We Energies portion (3.06 acres) requiring a zoning change from the A-3 Agricultural Holding District to the I-Institutional District classification when the substation is brought forward for review and consideration. He also noted that all applicable fees as part of the annexation process including the pre-annexation agreement requirements are required to be paid by the applicants.

William Grunwald, 656 River Bend Road, stated that his collective comments and concerns were that his eastern property line borders the proposed site and he feels that his property value will be depreciated. He is looking for compensation by somebody, not only for his property, but the other neighbors surrounding this site as well. He was also concerned about the lack of screening on the west side of the proposed site. He is not opposed to having his eastern property line landscaped but it should be at no cost to him.

Chair Brunnquell asked the We Energies representatives about screening and landscaping for Mr. Grunwald's property.

Pat Adams, representing We Energies, responded that they are looking at screening options for the west side of the proposed site and the engineers would be willing to work with Mr. Grunwald on a possible landscape plan.

Mr. Grunwald also addressed this site as being chosen because it was the path of least resistance. There are only five property owners that would be affected and that is why he believes that We Energies have chosen this site.

Joan Grunwald, 656 River Bend Road, commented she thinks that We Energies and the Village should still be looking at other possible sites for the substation. She has not heard any verification that We Energies had taken the proper time to review the other sites such as the Great Lakes Boat property, which is for sale right now, or the property just southwest of the Baymont Hotel. She asked that the Plan Commission please keep in mind that other sites should be looked at for this project. She would like to see We Energies give a presentation on the facts about the other sites that have been reviewed and rejected.

Harvey Hoy, 469 Hillcrest Road, stated that We Energies and the Village of Grafton selection of this parcel is a terrible decision and an insult to the community. He wanted to know if a cost benefit analysis was done by We Energies. He feels that aesthetically the proposed site is not in line with the surrounding area.

Joy Hoy, 469 Hillcrest Road, said that the use of the proposed site is a tragedy if this substation is approved. She feels that this property should be left alone and the Village should be looking at preserving more green space areas for the future of the community. If We Energies goes through with this substation, it will be an eye sore and it is not an environmentally safe project for this area. She also wants more information on the rejected sites that We Energies has reviewed.

Sharon Chrusniak, 671 North Port Washington Road, expressed her concern with the High EMF levels that high voltage power lines and substations bring. Her research and the information that she has studied indicate that safe distance from these structures is a least 300 feet from any building. She believes that this residential area is no place for a substation and that We Energies should be looking at a site in industrial areas and not in an area that has children and families surrounding it. She asked the Plan Commission to please take into consideration the safety of the residential neighbors.

Present for We Energies were Pat Adams and Steve St. Amour-333 West Everett Street Milwaukee, WI 53203.

Mr. St. Amour briefly provided background on the requirements that We Energies looks at when searching for a site. The criteria includes: 1) location to the need; 2) trying to find a site close to transmission corridor as possible; 3) a substation that can have feeders to the north, south, east and west for future expansion; 4) picking a site that is environmentally non-sensitive without features such as wetlands, rivers and other factors that would not be compatible for this type of project; 5) finding a willing seller of property, and 6) handling the community's need.

Commissioner Harms stated that he believes that this project has been studied and thought out very well. He thinks this project is filling a need of the growing community. It

is a necessity to maintain our growth as a community. It is a safe and reliable service that will not only be serving the Village of Grafton but the Town of Grafton needs as well. He is in favor of this site and project.

Commissioner Schlecht spoke on the fact that he and others from the Village of Grafton recently worked, for three years, on the Smart Growth Plan for this community. Everyone worked very hard on maintaining property values, green space requirements, sound planning procedures, and good zoning policies. When you look at the growing communities surrounding the Village and the growth in Grafton alone, the need for the services such as water, sewer, electric and so on, indicate that something must be done now to protect and stabilize our future needs. He believes in this project and believes that We Energies has done their homework on selecting this site.

Commissioner Paschke stated that in the site selection process there are most likely more engineering reasons for selecting a site over another site. He believes that the availability of a site is most likely the first thing one looks at and then you would look at an isolated site location. He believes that We Energies has done their studies and found what they consider a sound site.

Commissioner Silasiri had questions regarding the site selection discussion. He apologized because he was not in attendance at the last Plan Commission meeting and would recommend that We Energies at some point in the upcoming meeting process provide some sort of presentation on the results of the findings of the other sites that had been rejected.

Director Rambousek responded to Commissioner Silasiri and explained that at the last meeting, We Energies did a presentation and explained the requirements and the reasons that some of the sites were rejected.

Chair Brunnuell closed in stating that this annexation request meets all the requirements. He has researched and has knowledgeable information that has been presented on this site. As far as health issues, he stated that the current studies could go either way on the health effects of high tension wires and substations. He also stated the bulk of the area benefiting from this project will be the Town of Grafton. He believes there is a definite public need for this safe, secure and reliable electric service which will not only benefit the Village of Grafton but other surrounding communities. The Plan Commission has reviewed and will continue to thoroughly review this project and look at the environmental needs and requirements subjectively in following all state and local guidelines. The balance of the impact of this project has been studied.

Motion by Commissioner Rieck, seconded by Commissioner Harms, to recommend Village Board adoption of an ordinance to annex 10.08 acres of property located at 695 Port Washington Road in the Town of Grafton as requested by Paul and Jill Christensen. Approved 6-0 (A. Plato-abstain).

STATUS REPORT OF CONDITIONAL USE PERMIT REQUIREMENTS ISSUED AS PART OF A CONDITIONAL USE PERMIT FOR THE BRIDGE INN, LLC LOCATED AT 1216 BRIDGE STREET

Chair Brunnquell explained that this item would be tabled and will come back next month to the Plan Commission.

Motion by Commissioner Paschke, seconded by Commissioner Schlecht, to table this agenda item - Status report of conditional use permit requirements issued as part of the conditional use permit for Bridge Inn. Approved unanimously.

PLANNING AND DEVELOPMENT DEPARTMENT PERFORMANCE MEASUREMENTS

The performance measurements were reviewed by the Plan Commission.

OLD BUSINESS

Commissioner Harms inquired if a special Plan Commission would still be taking place.

Director Rambousek responded no and stated that the next regular Plan Commission meeting is scheduled for Tuesday, November 29, 2011.

NEW BUSINESS

None

ADJOURN

Motion by Commissioner Schlecht, seconded by Commissioner Paschke, to adjourn the meeting at 7:17 p.m. Approved unanimously.