

VILLAGE OF WALWORTH
PLAN COMMISSION MEETING

Monday, July 19th, 2021, 6:00 p.m.
Village Hall, 227 North Main Street, Walworth, WI 53184

Minutes

1. Call to order: This meeting was called to order by Louise Czaja, at approximately 6:01 p.m.
2. Roll Call

PRESENT: Village Plan Commission Board Members: Louise Czaja, Brad Cousins, Tom Connelly, Annie Zambito, Ed Snyder, and Dan Mizialko
ABSENT: None
ALSO PRESENT: Steve Anderson, Bob Ball, Kristi Reiersen, Dave Austin, Ryan Milligan, Ken Hnilo, George Tikk, and Via Zoom: Village Project Planner, Foth Infrastructure & Environment, LLC: Shaun Mularkey
3. Pledge of Allegiance
4. Approval of Minutes: Plan Commission Meeting Minutes 6/21/2021 and Special Meeting 6/29/2021
 - A. Ed Snyder motions to approve; seconded by Dan Mizialko. All in favor, motion carried.
 - B. 5/17/2021 minutes to be approved next meeting (only agenda online)
5. Comments from Citizen Present:
 - A. Louise Czaja presented an email from Jennifer Watters sent on 7/10/2021 concerning the quadplex tenants. Specifically, she notes the loudspeaker announcements start very early and continue very late and wants to know if village has 'quiet hour restrictions.' Additionally, they have dogs around and are they're selling food and drinks, both of which are prohibited. She indicated Mr. Parker from the High School has suggested Plan Commission be contacted for action.
 - B. Louise Czaja presents village ordinances regarding quiet hours, and suggests general services be contacted to take over action on this item.
 - i. To be followed up with at next meeting
6. **Discussion, Consideration and Action on the following:**
 - A. NEW BUSINESS:
 - i. In accordance with Village Ordinance, 2-4-3 (2)(f), election of vice-chair and secretary.
 1. Louise Czaja makes motion to elect Annie Zambito as Village Plan Commission Secretary; Ed Snyder seconds motion.
 - a. No other nomination made; all in favor, motion carried.
 2. Louise Czaja makes motions to elect Tom Connelly as Village Plan Commission Vice Chair; Ed Snyder seconds motion.
 - a. No other nomination made; all in favor, motion carried.
 - ii. Exterritorial zoning – CSM submitted by Ferris Hansen. (See VO 14-1-24 Exterritorial Land Division).
 1. Shaun Mularkey present over zoom discusses how VO 14-1-24 land division has vague, outdated language that is not enforceable.

Paraphrases: cannot require public improvements; can't limit density regulations unless you have extra territorial ordinances, unless plat fails to meet technical standards of land division ordinances or public improvements in Village Future Development plans. The plat presented meets requirements of CSM, but it is not clear if plans comply with code; plan commission cannot impose zoning code. CSM can be waived if lots are already developed, however, 2 are developed, and 2 are not. He further explains the only lot he found ambiguous was lot 1, with 54' wide lot at the road. Only requirement is that the building be 85' from setback line, but it doesn't show where the building will be located. Plan commission will have to decide it meet standards of land division ordinance.

- a. Petitioner Citizen Mr. Anderson of W5493 Lakeville Road was present and expressed his wish to divide the lots in a way that meets comprehensive plan.
 2. Tom Connelly asked if it had been approved by town of Walworth
 - a. Mr. Anderson said he would forward letters for file, as well as inform Warren about the \$200 filing fee, which he is willing to pay. Furthermore, he explained that he wants the plot rezoned as conservation to avoid subdivision development; with the presented petition, the buildable lots will not be further divisible, and this will add taxable parcels.
 - b. Ed Snyder suggest the buildable area be outlined 85' from all setback lines for plat plans for Lots 1 and 3 and revisited by Plan Commission next meeting.
 3. Ed Snyder recommends the approval of land division pending the addition of maximum allowable building area boxes to the plat map plans, and copies of approval letters from county and township, followed by final review from village planner Shawn Mularkey next meeting.
 - a. Dan Mizialko seconds motion. All in favor; motion carried.
 4. Village to sign plat map approval, subject to the completion of the tasks mentioned above (by Ed Snyder, in comment #3).
- iii. Hamlin Street – submitted by General Services
1. Police Chief Ryan Milligan to speak to issues of public safety for current and future residents presented by Hamlin Street. He proposes the Village removes Hamlin Street, which connects Windmill Subdivision to the school. Safety issues include: no curb or gutter, no cross walk or crossing guard, minimum visibility of children walking to the school by drivers using Hamlin Street to back out. He mentions this process has been done before (Brown St.). Suggests a walking path and controlled intersection instead. Ryan Milligan further explains he reached out to John Tracy, developer of

Windmill Prairie, and there would not be a negative impact on the subdivision if the street were removed, and in fact he is planning on adding sidewalks. Additionally, Ryan Milligan contacted the public works department, and they too said removing the street would not negatively impact them. Finally, Ryan Milligan contacted Matt Tanner, the owner of the other parcel on Hamlin Street, and he too shares the same concerns. There have been 2 automobile accidents on Hamlin Street, and frequent cars driving through the yards of the parcels on Hamlin Street.

- a. Ed Snyder mentions the option of draft and enact a formal easement and road maintenance agreement between the affected homeowners.
- b. Tom Connelly asks where the garbage and recycling are picked up.
 - i. Ryan Milligan responded they're picked up on Fremont St.
- c. Shawn Mularkey mentions restrictions regarding abandoned property. He paraphrases ordinance: if it is abandoned, its usually dedicated to neighbors' property, but each situation is unique. Shawn Mularkey agrees with Ed Snyder's suggestion to draft and enact a formal easement and road maintenance agreement.
 - i. Ryan Milligan explains that this wasn't an issue until the homes were built in Windmill Prairie subdivision, and when more drivers were introduced to the existence of Hamlin Street.
- d. Louise Czaja suggests Ryan Milligan prepare a full report for the committee to review for next meeting.
 - i. Ed Synder motions to return to this item next meeting once report is prepared; Tom Connelly seconds the motion. All in favor, motion carried.

B. OLD BUSINESS:

- i. Walworth Cemetery
 1. Louise Czaja mentions the Association for the cemetery is responsible for upkeep but has failed to do so. Village is not responsible to maintain it. It belongs to the Town of Walworth, identified as an 'island' surrounded by Village of Walworth property. She presents town of Walworth plat, which shows all property around it belongs to the Village and comments it could stay that way indefinitely. Finally, she updates the Commission about a woodchipper service that has since been hired by citizen to take care of brush pile backing up to library square. No further updates needed.
- ii. Review email correspondence regarding Site & Operational Plan Proposal for automotive repair business at 229-239 Kenosha St. (Geoffrey G. Tikk)
 1. Shaun Mularkey commented about conditional use for B-1, and lot line issues mentioned in previous meeting. After speaking to the parcel owner

and business owner, he informs the committee that there is no way to move parcel lines to abide by setbacks for the desired zoning because the setback would cross 2 properties to main roadways. He suggests addressing the issues by creating buffer for the neighborhood with landscaping along south edge of parking lines and limiting number of vehicles on property at one time. He explains the southern portion is still zoned r-1, cannot be split off because it would not meet r-1 zoning district requirements. He suggests the petitioners use the parcel as it is being used now, with the landscaping and vehicle limits now, and then pursue re-zoning in the future. Finally, he explains a public hearing would be required to approve conditional use permit sooner.

- a. Present Citizen Petitioner Ken Hnilo reuests a public hearing, commenting that the landscaping and car limits seem like reasonable request.
2. Ed Snyder informs petitioner they would need to notice the public via publishing the date and time and purpose in newspaper and inform homeowners within 100 feet of parcel in question at least 10 days prior to public hearing. Additionally, the zoning administrator and plan commission must all to be present. Then, the decision would be made 45 days afterward.
3. Louise Czaja suggests scheduling the public hearing on September 20th; Ed Snyder makes this motion. Tom Connelly seconds the motion. All in favor, motion carried.
- iii. TIF funds - 100 N. Main St. (former Walworth State Bank Bldg.)
 1. Louise Czaja explains each TIF district has different purpose, but that there is no specific TIF committee to decide how monies are disbursed. She further explains, if action is needed, a joint review board will decide on where TIF monies are given. Louise Czaja will send out the copies of this TIF district.
 2. Tom Connelly wants to know if the village could offer some portion of funds towards Wayside strip mall to help with façade development, because it is currently in rough shape. He supplies façade grant wording.
 3. Louise asks for the board to think of more ways to spend the TIF grant money, in addition to the Wayside Strip Mall.
 - a. To me revisited at the next meeting

7. ORDINANCES:

- A. Process or form to provide petitioners when his/her items will be addressed by Plan Commission.
 - i. Louise Czaja and Annie Zambito agree to work on Notification of Petition Presentation and Petitioner Attendance Request Form
 1. To be followed up with next meeting

- B. Special Meeting Fee Adjustment: Recommendation/refer to Finance Committee
 - i. Louise Czaja mentions the fee was formerly \$75 and suggests the Finance Committee find out what other nearby municipalities charge.
 - ii. Ed Snyder suggest we base the charge on how much each meeting costs the village, for a more accurate charge.
 - 1. To be followed up with next meeting.
- C. Revised Beer Garden Ordinance Update
 - i. Tom Connelly said clarification needs to be made on what they're looking for as far as the wording goes; mentioned the original wording came from Lake Geneva.
 - ii. Louise Czaja mentioned she would be finding out the origin of wording.
 - 1. To be follow up with next meeting.
- D. Al Fresco Dining Update
 - i. Cannot be addressed, not present.
- E. Recodification Process Update
 - i. Tom Connelly mentioned it takes 30 days to make copies, but once copied, the approval process is quick.
 - 1. To be followed up with next meeting.
- 8. Building/zoning Inspector's report:
 - A. Windmill Prairie, C&C Technologies and Tracy Group – review Developer's agreement, issues with forward facing garages.
 - i. Tom Connelly mentions the issue was not a zoning code violation, but an architectural division conflict, and that this item has been resolved.
- 9. Items for next month's agenda.
 - A. Plan to be revisited – fire only zoning
 - i. General Services Building Campaign.
 - 1. To be presented to general services first, with fire and police present.
 - a. To be followed up with at a later meeting.
- 10. Adjournment: Ed Snyder motions for the meeting to be adjourned; seconded by Tom Connelly; all in favor, motion carried. Meeting adjourned at 7:24 pm.

Respectfully Submitted: Annie Zambito

Cc: Plan Members, Village Board, Building Inspector, Planner, Engineer

Sent July 20th, 2021