

**VILLAGE OF WALWORTH**  
**PLAN COMMISSION MEETING**

Monday, August 16th, 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 6:00 p.m.
2. Roll Call

BOARD MEMBERS PRESENT: Louise Czaja, Bradley Cousins, Tom Connelly, Annie Zambito, Ed Snyder, and Dan Mizialko (present via phone)  
ABSENT: None  
ALSO PRESENT: Ryan Milligan, Steve Anderson, Bob Ball, Kristi Reiersen, Ellyn Blakeman, Shaun Mularkey, Warren Hansen
3. Pledge of Allegiance
4. Approval of Minutes:
  - A. Plan Commission Meeting Minutes 7/19/2021
    - i. Ed Snyder motions to approve minutes, seconded by Tom Connelly. All in favor; motion passed, 7/19/21 minutes approved and to be posted on Village Website.
  - B. Plan Commission Meeting Minutes 5/17/2021
    - i. Not ready to be reviewed, will review next meeting.
5. Comments from Citizen Present: none
6. **Discussion, Consideration and Action on the following:**
  - A. NEW BUSINESS:
    - i. Site Visit of 229-239 Kenosha Street to view the property layout relating to the Site & Operational Plan Proposal for Automobile Repair Business.
      1. Plan Commission to return to Walworth Village Hall once site visit has ended.
        - a. Tom Connelly motions to move this item to the end of the meeting; seconded by Ed Snyder. All in favor, motion carried.
        - b. Board members will do site visit at end of meeting, then return to Village Hall to adjourn.
  - B. OLD BUSINESS:
    - i. Village Quiet Hours – Email from Concerned Citizen
      1. Louise Czaja speaks to this being referred over to General Services.
      2. Kristi Reiersen comments this was covered at the last School Board Meeting.
      3. Ed Snyder mentions this issue will end soon with the start of regular school activities, and the end of summer/weekend sport tournaments.
      4. Louise Czaja concludes: no firm action has been taken at this time; however, it no longer requires action from the Plan Commission.
    - ii. Exterritorial Zoning & Land Division of Lakeville Rd.– Warren Hansen, petitioner/agent (Ferris Assoc., Inc); Steven Anderson, owner, (dba Shea Real Estate LLC)

1. Warren Hanson & Steven Anderson are in attendance and present an amended survey (not certified) for discussion purposes only, with rectangles drawn where homes will be placed on new proposed lots as requested.
  2. Shaun Mularkey, Planning Consultant, comments that the issue last time was concerning a provision we have that requires 85' of lot width after the setback from the lot line. He showed that they added a note, about those requirements, to the amended survey in addition to the rectangles indicating that the locations of the building areas, in relation to the setbacks, do meet the minimum standards imposed by the zoning code. Shaun Malarkey concluded: the Exterritorial Zoning & Land Division CSM and amended survey, presented by Warren Hanson & Steven Anderson, meet the minimum zoning code setbacks, and therefore have his approval, however, it hasn't been approved yet because they need the Village Plan Commissions approval, as well.
  3. Louise Czaja states we now have all the items necessary to accept the petition, including letters of approval from both the Walworth County Zoning Administrator and the Town Board. Louise Czaja entertains a motion to accept the documents as presented, and lets the petitioners know once the Plan Commission accepts the CSM, it will then go to the Village Board for final approval.
    - a. Tom Connelly asks when the Village Board meeting will be held.
      - i. Louise Czaja informs the Commission and citizens that the next Village Board meeting is September 13<sup>th</sup> 6:00 PM
    - b. Ed Snyder motions to recommend approval of the CSM to the Village Board; seconded by Tom Connelly. All in favor; motion carried.
- iii. Hamlin Street Report – Ryan Milligan
1. Ryan Milligan is in attendance with his full report from last meeting. He explains that Public Works has agreed to go through with the abandonment of Hamlin Street.
  2. Louise Czaja comments that the Village Board has authorized the abandonment of the street; she commented that upon further research, the statutes regarding 'the discontinuance of a public way,' require a petition and approval from the Village Planner.
    - a. Shaun Mularkey agrees; he explains this is a separate process, there are documents and maps, survey/legal description, submitted with registrar of deeds.
  3. Ed Snyder asks if the property owners (on either side of Hamlin Street) will essentially be purchasing the street from the Village; and, if so, asks if this could be thought of as a way the Village can profit from the street abandonment.
    - a. Shaun Mularkey commented he personally has never seen a case where the municipality makes the nearby property owners purchase the real estate incurred from the abandonment of a street, but doesn't rule it out as a possibility.
  4. Louise Czaja mentioned there was a street called Brown Street that was apparently abandoned, however, she said she cannot find any documentation about it.

5. Tom Connelly paraphrases the statute: when any highway or public ground, acquired or held for highway purposes is discontinued shall belong to the owners or owners of the adjoining lands; furthermore, he explains the land is divided amongst the neighboring property owners.
  6. Ryan Milligan asks the Plan Commission if the abandonment of the street would also dissolve the walking path easement with John Tracy of the Tracy group.
    - a. Ed Snyder says he spoke to John Tracy of the Tracy group, and he thought the walking path was necessary.
    - b. Tom Connelly comments that the easement would continue, regardless of the discontinuance of the street, reading from the statute, "The easement shall continue, unless one of the following applies: the owner of the easement and its rights, gives written consent to the discontinuance easements." Commenting that John Tracy has the right to continue the easement for the walking path regardless of what the Village decides to do with the land.
  7. Louise Czaja comments that the Village Board conceptually approves, but for this to be approved, they would need documentation and public hearing.
    - a. Shaun Mularkey further explains that 'documentation' must include some sort of legal description of the property (i.e., a survey).
  8. Louise Czaja asks if it will affect the comprehensive plan
    - a. Shaun Mularkey said she doesn't believe the future plans have any connections to Hamlin Street or the walking path. He said he would look into this and return with more information.
  9. Louise Czaja asks if a cost recovery agreement would be appropriate.
    - a. Ed Snyder comments that this would require the Village to pay for a surveyor, an attorney (for road maintenance agreement and deed restriction) and a public hearing.
    - b. Tom Connelly comments the costs should be borne by the property owners.
  10. Ed Snyder motions to recommend a Cost Recovery Agreement and agreement from the parties involved to bare the financial costs for discontinuance of Hamlin Street; seconded by Tom Connelly.
    - a. One opposed; Motion carried.
- iv. Public Hearing on 9/20/2021 for Site & Operational Plan Proposal for Automobile Repair Business at 229-239 Kenosha St – Geoffrey G. Tikk & Ken Hnilo
    1. Louise Czaja mentioned that the Plan Commission will be doing a site visit at end of today's meeting.
  - v. TIF funds for former Walworth State Bank Building at 100 N. Main St.—John Weidl
    1. Louise Czaja mentions of TIF funds project plan for the Plan Commission to review. She comments she did not see façades for buildings as being an acceptable project covered, however she did see planters and lighting as potential options for the old Walworth State Bank.

2. Louise Czaja commented that the TIF funds were granted in 2011 (10 years to go), and that Public Works plans to use some of the funds to fix issues with a retention pond.
  - a. Tom Connelly comments that Public Works plans to allocate money from the TIF to maintain dry detention area around retention pond each year.
  - b. Tom Connelly also commented that the funds can be used within half mile, which includes sidewalks around the Village square, which are in need of repair. Finally, he asks for copies to be made by Village clerk and given to Plan Commission Board Members.
    - i. Item to be revisited at the next meeting.

vi. General Services Building Campaign for Fire Only Zoning

1. Louise Czaja comments that General Services has met and reviewed drawings. Furthermore, she says this is in the early stages of the process.
2. Louise Czaja comments prior borrowings, amounting to over \$1+ million, are the priority before the construction phase of this Fire Only Zoning
  - a. Louise Czaja motions to table this item; seconded by Ed Snyder. All in favor, motion carried.

7. Ordinances:

- A. Notice to Petitioner – Process of Hearing Notification and Attendance Requirement for Future Petition Presentation to Plan Commission.
  - i. Tom Connelly suggests removing the part about bringing documents to the meeting, because they are required at least 10 days prior to meeting.
  - ii. Shaun Mularkey comments that documentation, applications/petitions, should be submitted at least 2 weeks prior to board meeting.
    1. To be revised and followed up with next meeting.
- B. Revised Beer Garden Ordinance Update
  - i. No Updates
- C. Al Fresco Dining Update
  - i. Cannot be addressed, not present.
- D. Recodification Process Update
  - i. Louise Czaja comments notes this is moving along, items being fed-ex'ed.
    1. To be followed up with next meeting.

8. Zoning/Building Inspector's Report:

- A. Ellis Boarder not present, no report to review

9. Items for Next Month's Agenda:

- A. No items mentioned at this time.
- B. Shaun Mularkey commented any item that required his review should be sent to him ASAP, or at least a week ahead of time; agendas due a week ahead of next meeting.

- i. The next plan commission meeting is scheduled for 6:00 PM on Monday, September 20<sup>th</sup>; the agenda for that meeting should go out to the board members no later than Monday, September 13<sup>th</sup>.

10. Site Visit:

- A. Plan Commission leave for Site Visit of 229-239 Kenosha Street to view the property layout relating to the Site & Operational Plan Proposal for Automobile Repair Business at 6:52 PM.

11. Adjournment:

- A. Ed Snyder motioned to adjourn the meeting; Tom Connelly seconded the motion. All in favor; meeting adjourned.

Respectfully Submitted: Annie Zambito

---

Sent: August 20<sup>th</sup>, 2021

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

*Requests from persons with disabilities, who need assistance to participate in this meeting or hearing, should be made to the Clerk Treasurer's office in advance so the appropriate accommodations can be made.*