

Plan Commission Meeting – June 22, 2010

The following media were noticed relative to this meeting per the Open Meeting Law of the State of WI: The Ozaukee Press, Port Washington; The Milwaukee Journal (Ozaukee and Washington Desk); The Sheboygan Press, Sheboygan. In addition, a copy of the agenda was also posted at the following locations within the Village of Belgium: Belgium Village Hall, Belgium Post Office, Port Washington State Bank (Belgium Office), Harris Bank (Belgium Office) and Belgium Hardware and Beverage.

Call to Order, Roll Call, Establishment of a Quorum:

The meeting was called to order at 7:00 p.m. by President Kowalkowski. Present were Pat Birenbaum, James Sprader, Brian Lund, Ronald Weyker and Village Trustee Clem Gottsacker. Absent were Rosemary Bruss and John St. Peter. A quorum was declared established. Also present were Frank Mayer – Village of Belgium Building Inspector, Carol Pomeday – Ozaukee Press, Jeff Thiel – Village Trustee, and Dick Daehnert – Jim Pankow, Inc.

Open Meeting Law Compliance Check:

This meeting is in compliance.

Pledge to the Flag, Moment of Silence

Approval of minutes:

- **May 25, 2010 Minutes** - The minutes were reviewed. A motion to approve the minutes as presented was made by Clem Gottsacker and seconded by James Sprader. The Plan Commission was polled: ayes – Birenbaum, Sprader, Lund, Weyker, Gottsacker, noes – none, abstentions – Kowalkowski. Motion carried.

Building Inspector Input:

- **Monthly Report** - Frank Mayer, Building Inspector reported that there were 10 permits including 2 large accessory buildings.
- **Status – 244 La Roche Lane (grass, driveway)** – Mr. Mayer reported that a letter was sent giving the owners until June 25th to respond to the requirement of landscaping and a driveway. This property may be in foreclosure. A neighbor of the property stated the owners have moved out. Discussion took place on enacting a procedure in order to avoid this scenario in the future. This item is to be placed on the July agenda for an update. The requirement of landscaping and a driveway is to be placed on the Special Assessment Letter when it comes through for this property.

Architectural Review Board Hearings:

- **421 Park Street – Storage Shed** – A storage shed with the possible sizes of 10' x 8' or 10' x 14' was reviewed (The application was incomplete and an "X" was placed next to a drawing that had both sizes listed). The tin shingles will be green and the tin siding will be beige. The trim will be metal. The approximate cost of the project is \$500. A motion to approve the plans as

presented was made by Pat Birenbaum and seconded by James Sprader. Approved Unanimously. Motion carried.

- **525 Progress Drive, Jim Pankow, Inc. for Dream Logistics, Warehouse –**
A distribution warehouse of dairy products is proposed. Truck traffic will vary from 2-3 trucks per day on Monday through Wednesday up to 12-15 trucks per day on Fridays. Bryan Lund expressed concern regarding a truck route. Identifying a truck route will be placed on the next agenda.
 - **Site Plan** – A motion to approve the Site Plan contingent upon review and approval of the Stormwater plan by Village Engineer, Matt Greely, and contingent upon following all Village Ordinances was made by Pat Birenbaum, and seconded by James Sprader. Approved Unanimously. Motion carried.
 - **Building Plans** – The building is 10,400 sq. feet with four loading docks on the east elevation, a 14' x 14' door on the south elevation, 1 restroom and 1 office. Wall packs with cut offs will be used for exterior lighting. There will be no light poles. The building is being constructed to allow for possible expansion to the south. The roof will be metal. The siding will be Grey metal panels with Split Face CMU near the portion of the building designated as the office. The metal trim will be Colonial Red. The building will not be sprinkled for fire protection. The property owner will install and maintain an 8' Fire Lane on the South and West sides of the property. The approximate cost of the project is \$436,000. A motion to approve the Building Plans as presented was made by James Sprader, and seconded by Pat Birenbaum. Approved Unanimously. Motion carried.
 - **Landscape Plan** – A motion to approve the Landscape Plan as presented was made by Brian Lund, and seconded by James Sprader. Approved Unanimously. Motion carried.
- **Port Washington State Bank – Belgium Office –**
 - **Directional – 3 Sign Permit Applications** – All signs will be foam with steel tube support and will replace existing signs. The total cost for all signs is \$3,590.00.
 - **17" x 28" "Customer Parking" sign** – A motion to approve the sign as presented was made by James Sprader, and seconded by Ron Weyker. Approved Unanimously. Motion carried.
 - **17" x 40" "Drive In Enter" sign** – A motion to approve the sign as presented was made by Clem Gottsacker, and seconded by Bryan Lund. Approved Unanimously. Motion carried.
 - **17" x 40" "Exit Only" sign** – A motion to approve the sign as presented was made by James Sprader, and seconded by Bryan Lund. Approved Unanimously. Motion carried.
 - **Face Plates** - A motion to approve the Face Plate as presented was made by Clem Gottsacker, and seconded by Ron Weyker. Approved Unanimously. Motion carried.

Announcements/Input:

None.

Action Items:

None.

Miscellaneous Matters:

Middle Road Eyebrow – Bryan Lund – Bryan Lund read a letter to the Plan Commission. (Letter attached.)

Adjournment:

A motion to adjourn was made by Clem Gottsacker and seconded by James Sprader at 8:08 p.m. Approved Unanimously. Motion carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jamie Cecil".

Jamie Cecil
Treasurer-Deputy Clerk

Bryan Lund
248 N. Middle Road
Belgium, Wi.
53004

6/15/10

Dear Belgium Village Board,

The purpose of this letter is to provide some additional information regarding the "eyebrow" on Middle road in Belgium. As we discussed during the 6/14/10 board meeting, the eyebrow on Middle road is private and there are concerns regarding the "private" status of this access drive. The main concern is street maintenance consisting of snow plowing and future repair of the roadway.

Historically, the residents living on the eyebrow have cut the grass in the island area and have removed the snow from the eyebrow. The previous owner of my home owned a plow truck to remove the snow from the drive owned by the developer. The ½ ton plow truck has proven to be the minimum sized equipment needed. Standard residential, non commercial equipment is too small for plowing the large private eyebrow. Please note that the width of the eyebrow is in excess of 100 feet. Thankfully the village, with former board member permission, has helped with snow removal for the last 2 years. This has been a great help and safety improvement for the three families living on the eyebrow. I would like to extend a sincere thanks to Daniel Biernbaum and his plowing crew for the help they have provided.

There are many reasons why the eyebrow on Middle road should not have been approved by the village:

- **Safety.** Municipal snow removal is more reliable than working residents with busy schedules. We need access to emergency services and municipal plowing helps to provide that.
- **Liability.** The village residents living on the eyebrow are not insured as contractors with the typical 1 million liability limit. Homeowners insurance will not cover the residents for injuries or property damage while maintaining property that they do not own.
- **Taxes** are paid by the residents for village services.
- **Other villages and cities** do not require residents to maintain driveways and streets that they do not own.
- **Village ordinance** states that parking areas in all areas have direct access to public streets. The ordinance does not state that the driveway access be provided through a privately owned drive. As I interpret the ordinance, the Middle road eyebrow does not comply with our Village of Belgium Ordinance.

Please help to fix the “street maintenance issue” regarding the Middle road “eyebrow” permanently. As a current Village of Belgium Plan Commission member; I believe this is the first step in establishing a policy of never letting this issue arise in the future, especially in other new construction situations.

Sincerely,

Bryan Lund