

Draft

VILLAGE OF CHENEQUA
PLAN COMMISSION

MINUTES OF THE SEPTEMBER 20, 2004 MEETING

The meeting was called to order at 5:00 p.m.

Present: Chairman Bryce Styza, Scott Harkness, William Biersach, Tom Rolfs, Carla Garnham, Linda Surles, Peter Zlotocha and alternate Andy Gehl. Also present were Chief/Administrator Douglas, Building Inspector Tising, Village Attorney Krutz, and Clerk/Treasurer Igl.

There were no public comments.

Chairman Styza introduced new Plan Commission member Linda Surles who had been appointed to fill the term of Holly Warner.

MOTION made by Harkness, seconded by Biersach to approve the minutes of the August 16, 2004 meeting as presented. Motion carried.

Plans for an addition to the Brunkhorst residence located at 6182 N Brumder Drive were presented and reviewed. Chief/Administrator Douglas stated that all zoning requirements are met in the application and that the residence is on a legal conforming lot. Building Inspector Tising stated that the exterior materials will match existing and that no additional lighting will be installed. MOTION made by Harkness, seconded by Rolfs to adopt the following resolutions:

RESOLVED, that the Plan Commission finds as a fact after a view of the site of the proposed structure, and an examination of the application papers for a building permit, which shall include exterior elevations of the proposed structure, that the exterior architectural appeal and functional plan of the proposed structure and its location will, when erected, not be so at variance with nor so similar to the exterior architectural appeal and functional plan and location of the structures already constructed or in the course of construction in the immediate neighborhood as to cause a substantial depreciation in the property values of said neighborhood.

RESOLVED, that the Plan Commission further finds as a fact, that considering a view of the site from the lake (with the proposed structure, including the height and exterior elevations visible from the lake, and the proposed landscaping, taken as a whole), such structure will (a) be architecturally and aesthetically in keeping with the neighboring properties on the lake, and (b) will not result in a substantial depreciation of values of other property with frontage on the lake.

Plan for construction of a pool on the Kuhn property at 6625 Shawmoors Drive were presented and reviewed. Chief/Administrator Douglas stated that this is a legal conforming lot and that the application meets all requirements. Building Inspector Tising

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stated that standard pool fencing will be used with self closing gates and that low illumination lighting will be used in the pool area. MOTION made by Biersach, seconded by Garnham to adopt the following resolution:

RESOLVED, that the Plan Commission finds as a fact after a view of the site of the proposed structure, and an examination of the application papers for a building permit, which shall include exterior elevations of the proposed structure, that the exterior architectural appeal and functional plan of the proposed structure and its location will, when erected, not be so at variance with nor so similar to the exterior architectural appeal and functional plan and location of the structures already constructed or in the course of construction in the immediate neighborhood as to cause a substantial depreciation in the property values of said neighborhood.

Plans for Waters Ridge subdivision and Mason Creek subdivision located in the Town of Merton within the Village's extraterritorial boundaries were reviewed. After discussion, MOTION made by Harkness, seconded by Rolfs to approve the plats as presented. Motion carried.

Chairman Styza presented draft language changes to Section 5.03 Building Permits. These changes would make the Plan Commission only a recommending body. It was discussed that the Plan Commission would meet at 5:00 p.m. on the same day as the Village Board meeting. These changes also allow applicants to present conceptual plans for review by the Plan Commission. After discussion, it was stated that these revisions only change the procedure for submittals, but do not change the standards in the Code. It was discussed that conceptual plans would need to include a detailed survey and a plan for review (not construction plans) including elevations.

Commissioner Garnham stated that she felt the process in place had been working and cited the Holbrook application. She stated concerns that the Village Board may not take as much time as the Plan Commission typically did to review in detail the applications and that the standards would not be followed as closely. Chairman Styza reminded the Commission that in the case of the Boucher application that after the Plan Commission had failed to make a decision and the application was presented to the Village Board, the Board sent the application back to the Plan Commission with instructions to make a decision. At that time, the applicant filed for an appeal with the Board of Zoning Appeals so the Plan Commission wasn't able to further consider the application. Chairman Styza stated that applications would flow from the Plan Commission to the Village Board and if appealed then be heard by the Board of Zoning Appeals.

After discussion, MOTION made by Harkness, seconded by Zlotocha to recommend to the Village Board 1) that the Plan Commission be a recommending body only, 2) revisions to Section 5.03 Building Permits be adopted and 3) that applications would flow from the Plan Commission to the Village Board and to the Zoning Board of Appeals, if necessary. Motion carried unanimously.

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It was stated that the Board of Zoning Appeals reviews the record of an application. The process and decision is reviewed and then it is determined whether they comply with code. Commissioner Garnham stated that she felt the minutes of the Plan Commission had not reflected specific comments. Village Attorney Krutz stated that the final conclusion (findings) is what is reviewed in particular not comments in the minutes.

Commissioner Rolfs expressed concerns about having the Plan Commission and Village Board meet on the same night. It was stated that if an application is approved by the Plan Commission, it would then be sent to Village Board immediately. If an application is not approved by Plan Commission, it would not be referred to the Village Board but the application would be resubmitted to the Plan Commission. Commissioner Garnham stated that she wanted to be certain that the changes would make the process stronger.

Chairman Styza began discussion regarding extraterritorial jurisdiction and stated that he felt the Village should not try to control other communities. However, he stated that the Village could review items such as stormwater management, landscaping, lighting, signage, mutual aid and plan of operation. He stated that the Village Board had agreed to have a water quality study conducted for Pine lake as a benchmark. Staff had been asked to contact the Town of Merton and discuss the possibility of sharing in the cost of a water quality study for North and Beaver lakes. The Village Board had also discussed the hiring of a consultant to monitor developments within the extraterritorial jurisdiction for conformance to agreements.

Chairman Styza further stated that staff had determined that there is no inlet under Hwy 16 which would allow water to flow into Pine Lake. It was discussed that the 1992 SEWRPC maps are incorrect.

It was discussed that traffic flow could also be reviewed as part of the extraterritorial jurisdiction process.

Chief/Administrator Douglas stated that information regarding Hwy 83 from the Department of Transportation will be on the next Village Board agenda. DOT will be requesting that Chenequa pay 2.2% of the cost of the project of 4 million or approximately \$88,000.

MOTION made by Harkness, seconded by Rolfs to adjourn at 6:15 p.m.

Respectfully submitted,

Darlene Igl
Clerk/Treasurer