

**1. Meeting called to order**

President James Dobbs called the meeting to order at 6:02 p.m. at the Village Hall, 5043 Chester Lane, Racine, Wisconsin.

**2. Roll Call/Introductions**

Roll call was taken. Members present:

President James Dobbs, Trustee Kevin Wanggaard, Commissioners: Joseph Minorik, Thomas Knitter, Bill Folk, Jonathan Schattner, Duane Michalski

Excused: None

Also Present: Village Engineer Anthony Bunkelman, Zoning Administrator Jarmen Czuta and Village Administrator Tom Christensen

**3. Approval of Minutes**

Motion by Wanggaard to approve the minutes from the October 30, 2017 Plan Commission meeting. Seconded by Folk. Motion carried.

**4. Citizens' Comments**

Cliff McDonald 4641 N. Green bay Rd – Spoke about the recent extension of the subdivision/plat maps. He foresaw subdivision growth and the opportunity to adjust the green space/ open space requirement. He believed current “sewered” subdivisions are at 40% for greenspace, and non-sewer 60%; if it’s considered what would it be adjusted to, and why it would be adjusted? He’s concerned how the greenspace requirement would be adjusted for subdivisions. He wanted to find out more about the future plans surrounding the topic of greenspace.

**5. Public Hearing Items followed by Commission Recommendations**

**5A – Amendment Of Land Use Plan From: Low Density Residential (19,000 Square Feet To 1.49 Acres Per Dwelling Unit) TO: Recreational - Part of the SE and SW 1/4 of Sec. 4, T4N, R22E, Village of Caledonia, Racine County, WI. This property is located north, east and west of 9710 Seven Mile Road & contains 150 acres, more or less. Harold and Carol DeBack Trust, Owner; Bear Country Holdings LLC, Owner; Reinhart Attorneys at Law, Agent REZONE FROM: A-2 General Farming and Residential District II and R-3 Suburban Residential District (Sewered) and R-6 Two-Family Residential District/PUD Planned Unit Development Overlay District TO: P-2 Recreational Park District - Part of the SE, SW and NW 1/4 of Sec 4, T4N, R22E, Village of Caledonia, Racine County, WI. This property is located north, east and west of 9710 Seven Mile Road & contains 179 acres, more or less. Harold and Carol DeBack Trust, Owner; Bear Country Holdings LLC, Owner; Reinhart Attorneys at Law, Agent**

**Plan Commission Meeting  
Monday, November 27, 2017**

Czuta referenced a street map that indicates the subject property, and also a copy of Caledonia's 2035 Land Use Plan enclosed in the packet.

The subject property is located east of Hwy 38, south of Caddy Vista and north of 7 Mile Road.

The applicant is requesting a land use amendment and zoning change for the expansion of an existing campground (Jellystone). The land use currently designates Low Density Residential. The proposed land use is Recreational. The request is for 150 acres. The purpose is to lay the foundation for rezoning the subject property to the P-2 Recreational Park District, from the residential zoning of a subdivision as granted in 2005. The rezoning request involves the aforementioned 150 acres and an adjacent 29 acre parcel, from A-2 General Farming and Residential District II and R-3 Suburban Residential District (Sewered) and R-6 Two-Family Residential District/PUD Planned Unit Development Overlay District to P-2 Recreational Park District.

President Dobbs asked if the applicant would like to make a presentation.

Bridget Bender spoke on behalf of her family, the owner's of Jellystone since 2005. She spoke of the negative reputation that proceeded them and thought that they've become more of a family friendly environment as opposed to a party campground. They're seeking an expansion to maintain a family atmosphere and provide more entertainment for their guests. She felt their presentation on the November 15<sup>th</sup> provided a good platform for open discussion with the neighbors, and expressed an interest in working with them. She addressed the concerns of issues surrounding visibility, and their goals to maintain privacy from neighbors and vice versa. She spoke of the construction of a 80' wide and 8' tall berm, with vegetation planted on top, lining any border property with a neighbor. They are also looking to install lights but would provide shielding from that. The Hwy 38 access would be the main entrance but would like to add a 7 Mile Road access as a supplementary access, with no intention of it being a second main entrance. They're also looking to hook up to water and sewer, and additionally adding a swimming pond facility. On weekends they are maxed out on amenities that are offered to the guests, and are looking to add day passes, but couldn't with being maxed out with the campers. The project is broken down into three phases. The current phase (phase 1) is the swim pond, additional cabins, campsites, and public parking. She did want to clarify that the verbiage of proposed staff housing was incorrect, and it should've read business owner residence, for the future possibility of her family living on the property.

**Public Hearing opened** at 6: 37 p.m.

**5A - Public Comments**

President Dobbs asked if anyone is in favor, to please step forward for comment – no comments were made.

President Dobbs asked if anyone is against, to please step forward for comment

**Plan Commission Meeting  
Monday, November 27, 2017**

Todd Attermeier, 9841 Saratoga Drive, was out of town for the last meeting, and had no information about what is going on in his backyard. His property is adjacent on the east side of Jellystone Park - he was neither for nor against the expansion, and was just seeking information.

Heather Hankins, 10021 7 Mile Road, wasn't able to attend the last meeting and was interested in looking at the maps. She is opposed to the second entrance on 7 Mile with the hills; her driveway is a "blind driveway" and was concerned about the visibility. She felt it would lead to more accidents and ultimately would lead to more backups, and confusion. She was also concerned with noise pollution as it is already a nuisance. She was also concerned with smoke pollution with the added campfires in the suggested expansion. She felt that her zoning of low residential would be affected, and the current plans are not providing enough information for her to feel at ease.

Thomas Knitter thought it would be a good idea for Bender to re-do a little presentation for those who were not present at the last meeting.

Bender refers to a map highlighting the existing property and its current entrance. She felt the layout was made with the best interests of everyone involved, including neighbors, and felt they were addressing privacy issues with the plan to build a berm along bordering properties (but not on the wetlands). The Seven Mile Rd. access would be more accessible for the swim pond facility, with the campers still accessing the Hwy 38 entrance and is not intended to be a second main entrance. Bridget also stated that the convention centers are not being built, but rather pavilions for group outings/gatherings like cookouts, potlucks, etc. for the campers. Phase 1 is what affects the Saratoga area into the new purchased land, most of what is planned is not close to 7 Mile Road. Phase 2 would include more of the area towards Caddy Ln, with more campsites/cabins being built. Phase 3 would be further to the east, near a wooded area with a walking path and nature experience activity.

Attorney Ekes recommended that Bender wait to answer the questions until the end of the presentation and asked her to elaborate on the trampoline park and banquet hall/conference center noted in their plans.

Owner, Randy Isaacson spoke of Phase 1 that borders Caddy Vista with the development of campsites, cabins, and swim pond would be put on "40" of the "80" acres. There would be pavilions, a bath house, snack shop, and swim pond in the development of Phase 1. Phase 2 is on the north end of the property, with additional campsites/cabins with the idea of putting in a walking trail. Phase 3 would be years away with the plan for housing, and also a distant plan for a trampoline park, and the possibility of conference/banquet hall. Benson expressed the need for groups gathering. Isaacson wanted to address the noise concern. When they took over the campground it was an issue, and felt that since the quiet times are enforced have brought that issue down significantly. He felt the berm would also help battle noise pollution issue. Randy also addressed the smoke issue with campfires, and said he has banned outside firewood, and brings in kiln-dried firewood that has low moisture to combat the smoke pollution issue. He stated that he intends to make both sides happy; they strive to be good neighbors, and also want their campers to feel like they're camping in the woods opposed to in a suburb.

**Plan Commission Meeting  
Monday, November 27, 2017**

Sceone Kousek, 10311 Caddy Lane, her main concern is with drainage. A lot of promises that were made by Harry Davis when the campground was initially built were not followed through. There was supposed to be a drainage ditch implemented through the woods, and a lot of her property has turned into wetlands as a result. Village Engineer Bunkelman stated that once the storm water management plan and site grading drainage plan is submitted, the drainage issue will be reviewed. She stated that the field behind her home was supposed to be cut twice a year and now has full grown trees. President Dobbs assured her that this was a different time, and we would be following through on Ordinances we put in place. Kousek stated that she would appreciate a drainage ditch so that her backyard is accessible all year.

Joan Thoreson, 10511 Caddy Lane, stated that she's lived there for many years, and predates the campground. She wanted to know if there was still a mandated 450' buffer zone between the neighborhood and property. She felt it would be on record with the county, as it was put in place in 2005, and is citing her own notes from that time. Czuta stated that based on the plans submitted, he doesn't see that buffer zone referenced, but were asking for something different. Thoreson was asked if this was in relation to trailer/parking over the winter time, and if that was what the buffer zone was referring to, and she conceded it was and stated she had a reference number. Attorney Ekes asked if it was a reference number in accordance to the Register of Deeds. Thoreson did, and read aloud: **Article b (could be a 6) 1 division 14 P2 Recreational Park District Chapter 20** from the Racine County Code of Ordinances (she thought) cited in her personal notes from 2005. She also wanted to know the number of people expected to be on the property. Benson answered 150 campsites in Phase 1, with the average of 4 people per site. Currently there are 270 sites and cabins with an average of 1000 people on the weekends. Thoreson wanted to know where the water and sewer would come from. Bunkelman said the water would come from the subdivision; they're currently addressing some issues already existing with the water main and seeking to upgrade the sanitary sewer main. Joan mentioned she agreed with Kousek's comments about promises not being kept. She also wanted to know where the fence would be built. Benson stated it would be by the berm. Thoreson said a berm was one of the un-kept promises and was worried the berm would be too expensive, and wouldn't be built. She also asked if there would be an easement on Jellystone property for phone lines, electric, etc. and President Dobbs said that would be addressed at a later date.

Schattner wanted to remind the commission and crowd that we would be addressing 5b, which might answer more questions. He questioned about the south end of the property, but also wanted to know about the home site mentioned. Benson said the home-site would be a distant future phase, and wanted to personally have a few acres to build a home for her family. Issacson stated that they wanted to be transparent and wanted to get any now or future plans on paper so that they may address it for consideration at a future time. Schattner wanted to know from a re-zoning standpoint what would be done on the south end of the property. Their Attorney Deborah Tomczyk stated that they are trying to be as comprehensive as possible and are asking to rezone the whole property, but haven't requested anything specific for that property at this time. She acknowledged that they would have to come back for any future requests for use of the land. Schattner wanted to see the big picture and didn't want to piece-meal together the plan and agree to something that wasn't requested. He asked if they were interested in re-zoning to 7 Mile Road. Attorney Tomczyk said their goal is to rezone the whole property, the comprehensive plan includes the 3 phases spoken about, and 80 acres around 7 Mile Road isn't rezoned for anything other than an access point. Schattner commented that the land use is currently for a subdivision,

**Plan Commission Meeting  
Monday, November 27, 2017**

and rezoning was laid out with the exact amount of properties opposed to their proposal. Tomczyk clarified that they're down-zoning and they're asking to roll back the density and potential development from the current zoning. Schattner is concerned about the density of the campground with the additional campsites. Tomczyk stated that there is nothing outside of the 3 phases planned, and that there is nothing specific for that location he is inquiring about, and understood that it would need to be re-zoned for anything they might want to add. Schattner was ultimately concerned with the big picture, and didn't want to see the phases.

Katrina King, 9625 7 Mile Road, was worried about the traffic, and felt it wasn't wide enough for walking, running or biking and any additional traffic would only cause further issues. She felt it was adequate for the travel of the residents, but didn't think it would accommodate additional traffic for a recreational park. She felt that regardless of good intentions, that the 11:00 pm quiet time was still too late for her family and that the berm wouldn't suffice in noise control. She was also concerned the berm would additionally be used as a path. Benson reassured her that the path wouldn't be on top, but on the Jellystone property. King was concerned with property values, and payment of any additional fees (taxes) to a for-profit business.

Dawn Fuerstenberg, 9723 Saratoga Drive, is concerned with the noise, and requested to see a study that proves berms provide noise reduction. She stated her home is further back but can still see the fires, fireworks and hear the noise from her property. She felt that the increase of campsites/cabins would cause the noise to increase, and disturb the desired peace of the country. She asked how large the swimming pond would be. Isaacson answered that the swim pond/beach area would be 5 ½ acres. Fuerstenberg thought that large of a parcel and beach environment would cause more noise than they anticipated. She also felt that the 11 pm noise curfew hasn't done anything to help combat the issue, and has called in noise complaints over the years and never stops, especially this last summer. She felt she was reasonable with complaints and was not calling during the holidays when it was expected to be noisier than usual. Benson stated that an emergency phone line would ring to their personal cellphones, and hasn't received a call personally from Fuerstenberg, and that an owner is always present to handle these complaints. She believed the fireworks haven't come from their property, because they don't allow obnoxious noises, and would've handled that immediately because campers tend to complain when fireworks are set off on the premises. President Dobbs clarified with Benson that an owner is always on site. Benson said that her sister lives on site, and if she isn't there, one of her other family members are present. Benson also stated that problem sites and problem people are removed and that the police department can attest to that. Fuerstenberg stated they (Benson and Isaacson) were welcome to her property to hear for themselves.

Ronald White, 9501 7 Mile Road, resident for 20 years. On Phase 3 of the project, his concern is that the property would be re-zoned for residential. He also wanted to know if the berm would be put around Phase 1, 2 & 3 all at once. He felt Jellystone was a nice place for families and has not had any issues with the park. He does admit he can hear them and smell the fires, which he doesn't mind. He's on the fence about how the phases would work out, and wanted to know if there was a timeline for the phases.

**Plan Commission Meeting  
Monday, November 27, 2017**

Megan Rios, 10335 Caddy Lane, purchased her property 3 years ago, and is concerned about property value. She purchased her home off-season and wasn't aware of how loud the noise was during the summer. She felt that she can't escape the noise pollution, and felt the noise travels (with the Christmas light machines, bulldozers, campers etc...). With the amount of noise affecting her, she thought they didn't need to come any closer with the proposed expansion. She also doesn't think the fence or the berm would help. The last meeting didn't answer her questions and left feeling confused, she wanted hard numbers to see the reality of the expansion. She is concerned with drainage, and the flooding from rain; her 2' berm is already an issue and is worried what an 8' berm would do. She was also worried about smoke pollution, and an increase in garbage that comes with additional campers. Rios stated that she was told that people wouldn't be on their property, and said she already sees the campers, and that the berm would only tempt more children onto her property with wanting to play on the berm.

Nathan Hankins, 10021 7 Mile Road, spoke about the Christmas Show traffic, and noticed that the path allowed an entrance/exit plan. He was concerned that the 7 Mile entrance would be utilized as an exit to the Hwy 38 entrance, which would increase traffic on 7 Mile Road. He asked what would be done in regards to traffic backed up along that road. He wanted to see more information on lighting, and also to follow suit of other parks and adhere to "night sky" ordinances. He complained that anyone making a right-turn from the 7 Mile entrance, their headlights would be directly in his yard, would face his bedroom windows, and the lights would be bothersome. He stated that he has had to take care of rodents and roadkill in the past, which is something he expects living in the country but would like to see a refuse plan from Jellystone.

President Dobbs asked Benson to elaborate on the traffic pattern. Benson said there isn't an existing issue, so there isn't a plan for traffic patterns. The Christmas Lights traffic back-ups, have been addressed, they've developed new ways to bring the traffic in, and have paid for the police to help guide traffic, which has been done for the past few years. President Dobbs asked her to clarify which phase included the 7 Mile entrance. Benson answered that Phase one would include the 7 Mile entrance. Their plan is to continue to have all campers access the Hwy 38 entrance, and use the 7 Mile entrance for day passes to the swim pond facility. They do not plan on advertising 7 Mile as a second entrance and will continue to maintain Hwy 38 as the main entrance. Bunkelman stated that a traffic study would cover the impact of a 7 Mile entrance as part of conditional use.

Heather Hankins, 10021 7 Mile Road, stated that with an expansion there would be an increase of an estimated 600 people, and she didn't think the main entrance would accommodate that volume of traffic. She is concerned that there wouldn't be enough control for the "day pass entrance", which might cause a word-of-mouth reaction about the new entrance to beat the lines at the main entrance. She felt that the community is looking out for another, and the 1000's of strangers coming in and out of the park won't care about the property, community and neighbors as they are temporary guests.

Katrina King, 9625 7 Mile Road, asked Bunkelman directly about factors included in a traffic study and if it accounts for additional traffic volume and growth, especially during peak travel times. Bunkelman answered that's exactly what a TIA looks into. A Traffic Impact Analysis looks into the development's anticipated travel and trips to that site, and would have to potentially put in facilities, or improvements such as additional lanes to accommodate the increase of traffic. A TIA is done by a 3<sup>rd</sup> party, not the Village or Business Owners. King asked if the traffic study would be

**Plan Commission Meeting  
Monday, November 27, 2017**

done in phases since it's an incremental project and who bears the cost. Bunkelman said the study would look into the build out for the proposed 3 phases and the improvements recommended. The TIA does apply to both entrances. If an additional conditional use is presented in the future, outside of the proposed phases, it would require another traffic study, and any other improvements would have to be done at that time.

Pat Tierney, 6103 Leeward Lane, although he doesn't live close to the subject property, he isn't for it. He felt the plan is too aggressive, and the amount of acreage being rezoned would impact the neighbors and area negatively. He's concerned that anticipated development is premature, and urges the Plan Commission to request Jellystone to come back for plan amendments when going through future phases.

Martha Hutsick, 4502 Harvest lane, doesn't live in the immediate area, but does live in Caledonia. She recommended the Plan Commission might want to table this issue, so that the people might be satisfied with a more in depth presentation. She liked the idea of opening the paths, and parks to the public. She felt that a 5-acre pond could be turned into a waterpark, and felt that it might be placed in a different area of the parcel to accommodate the neighbors.

Attorney Tomczyk wanted the citizens to know it is an existing campground, and that a lot of the concerns being brought up are existing conditions (such as the campfire smoke, noise, Christmas lights traffic, etc.). The 80 acres being rezone was initially approved for 150 unit subdivision, and they are seeking to turn that land into campsites instead. She felt that a subdivision would generate more traffic, and this expansion would cause less of a foot print. A lot of the concerns she felt were addressed, but are open to further dialogue to address them further. They wish to co-exist and welcome the opportunity to comeback and address these if needed.

Sceone Kousek, 10311 Caddy Lane, referred to the map, and her yard is right next to a wetland, and her neighbors are woods. She felt if they would take down some of the trees for campsites, the remaining trees wouldn't absorb enough rainwater.

Trustee Wanggaard asked Benson about garbage pickup, and the pollution that might generate around the outskirts of the park/fence line. Benson said that employees are trained to pick up all trash on-site, as well anytime trash is seen. She felt that if they put in the money to build these additions, that the employees would be mandated to pick up trash in those new areas as well. She acknowledges that the area is wet back there, and is difficult to access as it's a buffered area that they don't observe much. This would be changed with development. This is something they are reviewed for as a Franchise, so it is something they take very seriously. Trustee Wanggaard wanted to know where the trash receptacles are located. Benson said there were several dumps stations in the park with staff picking up the bags, or campers bringing it up themselves. They are looking to only have staff pick it up, and to bring it to a centralized area to keep littering down. Trustee Wanggaard complimented the Owner's on their wonderful job, and felt they were excellent neighbors and was in support of them. He stated that drainage issues would be addressed regardless, and confirmed that with Bunkelman. Trustee Wanggaard stated that a subdivision vs park expansion is hard to comment on, as you don't know what a subdivision may bring. He felt we understand what a park will bring, as well the willingness to work with the community, and recommended them sitting down with their neighbors in additional meetings to create a more harmonious relationship.

**Plan Commission Meeting  
Monday, November 27, 2017**

Duane Michalski asked about Phase 1 and the south end portion of 7 Mile Road, he commented about not having definite plans for that area. He asked if the area were to be left alone for 2, 3, 8, years that it might grow to be fairly natural for the nature path/berm area. He asked about the current residence and clarified where it sits on the property. Benson said it's facing the Ranger station. Michalski felt the security of the park was excellent, as he personally has experienced their method of security. He asked if the concept was anything like Riverbend RV Resort in Watertown. Benson said she was unfamiliar with their layout, but does have experience with camping and has personally camped in big groups. This is something they've done research on, by visiting different campgrounds, and felt that this works in accordance to different plans they've seen/experienced. Michalski clarified that an increase of an additional 600 campers is based on 4 people per campsite, and Bridget answered it was.

President Dobbs asked if development happens would any of the cost be put on the taxpayers, such as sewer, water, roads, etc. Bunkelman said that drainage onsite would be 100% cost covered by Bear Country as part of their development plans. Sewer and Water has been discussed with them, and what the demands are in regards to the connection fees, which sewer and expansions. The TIA would be 100% the cost of Bear Country, along with any road expansions.

Bill Folk asked for clarification of the land purchase. Benson said that the land and its acreage had to be purchased all together, and they initially didn't want to purchase all the land, but it was a package deal. They're not looking at a never ending development, and Phase 1 is just Phase 1. Knitter commented on the transparency, and understood their reasoning for presenting the 3 Phases. Attorney Tomczyk said Phase 1 would be done within the next year, but there is no timeline for the remaining phases. Folk wanted to know if there's a reason for the exit placement; Attorney Tomczyk said it was decided from a safety standpoint.

Michalski asked about sewer and water coming from Oak Creek, Knitter said it comes down from Oak Creek. Michalski wanted to know how long it's been talked about, and recalls it being discussed in the past. Knitter said it comes down from Oak Creek, but stopped at the subdivisions. Discussion with the crowd commenced about water sources, the outcome of studies, and how the discussion of topics progressed.

Knitter stated that we have jumped around on steps, and there should've been more of a natural flow when discussing topics. Knitter said he's policed and personally went to Jellystone and can attest that there have been issues with noise, etc. He feels this should be taken slowly, and although he appreciates transparency, he still feels it should be taken in steps to satisfy the neighbors.

**Motion by Schattner to close the public hearing. Seconded by Knitter. Motion carried unanimously.**

**Public Hearing Closed** at 8:06 p.m.

**5A - Recommendation on Public Hearing**

Czuta stated there are no specific staff recommendations. He did recommend that based on past practices, the request should be handled in separate motions.

Attorney Ekes felt a couple of questions needed to be addressed that would assist the Plan Commission in their decision. The first question regarded the requirement of the zoning code as to the P2 zoning district, and about yard setbacks for district, the current setback requirements are 75ft for shore and for street, rear and yard are 100'. She is unclear about what is the setback in relation to campsite vs a structure. A berm was spoken of 80ft width and 8ft in height, and she was unsure of the exact measurement or what the interpretation would be for setback requirements.

Schattner asked about a conditional use permit that was initially put in place when Harry Davis opened the park. He doesn't know what those conditions were in relation to distance, and thought the citizens might be referring to a Plan Commission recommendation. Attorney Ekes thought it was possible but was unaware if there was such a restriction in place about the subject party, and was something they could look into further at the direction of the Commission.

The other item Attorney Ekes noted, was questions about the overall Land Use Amendment and Rezoning separate from conditional use, and if it were approved. A discussion on Phase 1 is the piece that would include the 7 Mile access road, Phase 3 is indicated by the applicant as future housing, and has been included by the applicant for transparency. There have been comments about it being too aggressive, and wanted to make sure there was no confusion that Phase 3 may have future use for a possible home, cabins, and multi-use nature trail. She wants them to think long term and not in a vacuum. She reminded The Commission that the conditional use application is for Phase 1 and 2. The Plan Commission has the right to only approve Phase 1 and make them come back for Phase 2.

Schattner wanted to say that the campground is doing a wonderful job, and is a clean environment. He felt that those who live in the area brought up good points, and understands both sides. His concern isn't with Phase 1 and 2, but has an issue with an amendment plan for Phase 3. He felt that with the expansion, a second entrance is necessary for emergencies. The areas not being applied for conditional use should not take place, and would make a motion to that effect.

President Dobbs asked if they should come back with more information and a plan.

Schattner thought they should come back with a plan for development of Phase 3, and felt that the impact of development of Phase 1 & 2 should be reviewed by the residents before the approval of 3, which has no development plan.

**Motion by Schattner to approve Phase 1 & 2, to allow review of impact, and to allow the applicant to form a development plan for Phase 3. Knitter Seconded.**

Attorney Ekes asked Schattner if his motion was for approval of the request for an Amendment Of Land Use Plan for the area that would comprise Phase 1 & 2 but not Phase 3.

Schattner concurred, and said that he rejects Phase 3 because of the lack of development plan.

President Dobbs asked if Phase 3 dealt with the walking trails, and that they wouldn't be able to proceed with that.

Attorney Ekes said that the multi-use trail would be Phase 3, and that the conditional use plan specifies Phase 3 wasn't included and required a separate approval. If the applicants don't intend to do that, the boundaries of the phases would need to be modified.

Attorney Tomczyk said that the little walking trail would be part of Phase 1 but the larger walking area would be Phase 3.

Attorney Tomczyk spoke about and asked about the retention pond being required for Phase 1 and 2. Bunkelman said he would need to look at the drainage plan first, if there were areas that drained from Phase 1, it would need to be built.

Attorney Ekes said that when conditional use comes up, if the intention is the proposed storm water basin be used to serve for Phase 1 can be included for that area. We are trying to define that use, and what might have to be done is to change the phasing line to include that potential drainage area and include the proposed multi-use trail.

Attorney Tomczyk was concerned that the Land Use Plan Amendment almost never has a plan for that. She hoped to move forward with the land use and rezoning so that it might be addressed in the future. Phase 3 doesn't have a conditional use permit and they would come back to the Board regardless.

Trustee Wanggaard, asked if they rezone from one area down from residential and leave 80 acres to be residential, would they have the opportunity to redevelop that into a subdivision and how would Bunkelman plan for that expansion with the potential of an unknown on the rest of the 80 acres, of subdivision vs park expansion for sewer and water demands. Bunkelman said that currently the demands are residential; that until water, sanitary sewer demands from the applicant are received they can't plan for the expansion or design of the system. Trustee Wanggaard asked if it would be left residential unless met with a different plan. Bunkelman said if the recommendation is to stay the same; they would review the demands for overall system sizing off of the current zoning. Wanggaard asked if the infrastructure in, by us or them, would it be inadequate or overly adequate. Bunkelman answered that it would be oversized for residential, and undersized for a park, but could be appropriately designed for both scenarios.

Knitter felt the property was being purchased regardless, and wanted to move this forward, but take it slowly enough to address the issues of the residents of Caddy Vista.

Attorney Tomczyk appreciates the concerns of the residents and felt the best way to do it was through conditions on a conditional use permit.

Wanggaard wanted to say that if we move forward, conditional use is key in dealing with Phase 1 & 2 and that Phase 3 is a different conditional use.

**Plan Commission Meeting  
Monday, November 27, 2017**

Minorik asked if they're going to develop 50% of phase 1, and Trustee Wanggaard said this is what Schattner wanted, which shows the big picture, but at least there are 3 Phases, instead of showing nothing. He felt they were being transparent, even though it wasn't what Schattner wanted.

Schattner said that the potential use of the property, and has nothing to do with conditional use but what type of use is on the property, and if they wanted to change to land use of the property. Conditional Use is a secondary and is a separate public hearing, and wants to see how this comes together. He felt they could ask for Phase 3 at a later time.

Folk agreed in concept, but thought if it was rezoned as a park and not developed, it would remain a park, whereas leaving it zoned residential it be developed into a subdivision. In theory he agrees, in practicality he does not.

**Knitter withdraws his second. No Second on Schattner's proposal - Motion dies.**

**Motion by Knitter to approve the request for an Amendment of Land Use Plan, as recommended by staff. Folk Seconded. Motion carried.**

**A roll call was requested**

<b>Bill Folk - aye</b>	<b>Jonathan Schattner - nay</b>
<b>Thomas Knitter - aye</b>	<b>Trustee Wanggaard - aye</b>
<b>Duane Michalski - aye</b>	<b>President Dobbs - aye</b>
<b>Joseph Minorik - aye</b>	
<b>Motion carried, 6/7</b>	

**Motion by Knitter to approve the request for a rezone from R-3 PUD & R-6 PUD to P-2 District rezoning as outlined by staff. Folk Seconded. Motion carried.**

**A roll call was requested**

<b>Bill Folk - aye</b>	<b>Jonathan Schattner - nay</b>
<b>Thomas Knitter - aye</b>	<b>Trustee Wanggaard - aye</b>
<b>Duane Michalski - aye</b>	<b>President Dobbs - aye</b>
<b>Joseph Minorik - aye</b>	
<b>Motion carried, 6/7</b>	

**5B - Request a conditional use for a phased expansion of an existing campground (Jellystone Park), adjacent to 8425 Hwy 38 and ±150 acres north, east and west of 9710 Seven Mile Road, Sec. 4, T4N, R22E, Village of Caledonia, Racine County, WI. Harold and Carol DeBack Trust, Owner; Bear Country Holdings LLC, Owner; Reinhart Attorneys at Law, Agent**

**Public Hearing opened at 8:35 p.m.**

**5B - Public Comments**

President Dobbs asked if anyone is in favor of this conditional use, to please step forward for comment – no comments were made.

President Dobbs asked if anyone is against this conditional use, to please step forward for comment

Vickie Elliott, 9729 Saratoga Drive, her concern is with the berm on the proposal. Her home is in the middle of Saratoga, and from her understanding they intend to put in additional campsites and cabins right behind the berm behind her house. Prior, the variance from the farmer, that he wouldn't farm so many feet from their lot line to the field itself. Right now lots of ATVs use that as a trail, as well as people walking their dogs. They are currently mowing that area to the field for aesthetics. She asked if there was going to be a variance because of the ATV damage and excess water that'll come with the berm. Attorney Ekes clarified if she meant a buffer for the berm. Elliot confirmed she did. Czuta said based on the plans submitted that approximately 1' from the lot line will be a chain link fence, 4' from that is where the berm would start, with the berm being approximately 80' in width. Elliot thought the trespassers would now be forced to go through their backyards entirely. Czuta said that trespassing is something the Plan Commission doesn't address, and should be brought up with the police. Czuta asked if the berm was closer to property line, if that would prevent future trespassing. She was concerned that if the leeway was minimized the Wisconsin Electric workers wouldn't be able to get back there with lack of room. Bunkelman said we need to find out if there is a utility easement there as well.

Joan Thoreson, 10511 Caddy Lane, said that they all have easements for the Electric Company. Bunkelman said that if there is an easement on the property, the fences would not be allowed to be installed within the easement. He said this would need to be determined by a title search. Thoreson said she was told there would be an easement on both sides.

Martha Hutsick, 4502 Harvest Lane, had a procedural question, if there is a conditional use, were conditions read to prevent repetitive questions. She also asked if there were draft conditions available in an effort to move forward faster. Czuta said there are, and read a written overview submitted by the applicant. Phase 1 would ideally being 2/2018 and could be completed as early as 09/2018 but construction can be delayed until 05/2019 depending on other contingencies. Phase 1 includes the expansion of 50 park model cabins, 100 recreational vehicle sites, 2 bathhouses, 1 multipurpose structure that includes a bathhouse, snack bar, and store-related novelties. Also a swimming pond and associated amenities; as well as corn-maze, walking trail and golf-cart trail expansion.

Katrina King, 9625 7 Mile Road, stated there would not be a positive effect to their property values with the expansion. She understood the benefit from a business standpoint, but from the residents' point of view the impact would be negative. President Dobbs said that if it does go forward that it's recreational uses are big in our community and state. She said that although people may like Caledonia, that their money being spent in Oak Creek. She still doesn't see how the expansion benefits Caledonia Residents in any way.

**Plan Commission Meeting  
Monday, November 27, 2017**

Megan Wheels, 10335 Caddy Lane, brought up issue with the berm and the fence. She has a 4' fence and thought the placement of their fence, and hers, would look ridiculous. She felt 12" would not be enough room to get control of weeds that grow outside her fence, as it wouldn't allow access to cut it. She said indoors she doesn't smell or hear anything. The chain link fence would be undesirable to look at and presents many issues for her. She felt with the influx of pollutions and population that may come with expansion she didn't want all her senses violated. She would rather look at just a berm and was against the installation of a fence.

Trustee Wanggaard asked Benson for her thoughts on installation of just a berm and not a fence. Benson commented on ATVs trespassing, and said this has been an issue for both parties. The fence was suggested because there was an issue with kids from the neighborhood area stealing things from campers, and they had to come up with a solution for campers who had been violated. After talking with residents she discovered they had dealt with similar issues. Trustee Wanggaard asked how high the fence would be, and Benson said 6'. Trustee Wanggaard felt it would still be climbable, but conceded it would be harder for someone to throw a bike over. Benson stated they would rather not put in a fence, as it is costly and took away from scenery. She preferred a situation where the berm provided enough security, and the fence didn't have to be constructed. Trustee Wanggaard suggest they have a test run with the berm, and see if that prevents any crime. This way they would save on the expense of the fence and pacify the community.

Dobbs stated that the conditional use recommends a fence, and we would have to re-address that. Attorney Ekes said language could be drafted to address some options, with the final decision being left to staff, or set up for further review. There needs to be a decision point whether or not the fencing should go in or an alternative of landscaping which would take time to grow into an adequate sound barrier.

Trustee Wanggaard confirmed with Attorney Ekes if they could make adjustments and what the timeline of the adjustment would be; the berm would have to have allotted time for growth and see if it works. Attorney Ekes said that adjustments could be made, and to discuss the conditions that would be considered appropriate when looking for a decision. She also reminded the Plan Commission that the applicant was concerned and wanted to make sure that their presentation in the first public hearing would be noted for purposes of the record for the second hearing, so they wouldn't have to spend the time to make the presentation again.

Dawn Fuerstenberg, 9723 Saratoga Drive, thought a lot of the issues for the neighborhood could be resolved by moving the campground expansion further away from the subdivision if they are forced to purchase all of that land. She also agreed with the test run of the sound berm before the building the fence. She felt the fence would disturb the natural scenery of the area.

Czuta wanted to make a comment on behalf of Robert Grove, who owns the land directly east of the subject property. He requested that Czuta enter into public comment that the proposed multi-use trail of Phase 3, wouldn't be used in the plan, and that the woods would be used as a natural buffer.

Attorney Tomczyk stated that they prefer not to build the fence, and defer that being built for 3 years, or "some" time to see if the berm is an acceptable noise barrier and acts as a security buffer.

**Motion by Trustee Wanggaard to close the public hearing. Seconded by Folk. Motion carried unanimously.**

**Public Hearing Closed** at 9:04 p.m.

### **5B - Recommendation on Public Hearing**

Czuta stated from the draft staff review, there are 29 proposed conditions, and wanted to know if the applicants attorney had any questions regarding the Plan Commission – there were none. Relative to condition #16 about the fencing, and the discussion surrounding if that were to be deferred for three years for a trial in the berms performance.

Attorney Ekes spoke of the fencing delay for a period of time and requiring the applicant to submit an alternate landscape design that would provide aesthetic, noise, and security measures for review and approval. Another issue that needs to be addressed is refuse and recycling. In condition 21, property maintenance requirements, they are required to do sweeping and cleaning, no litter is allowed – no accumulation refuse or debris. She suggested the applicant be required to submit under condition 21 a refuse and recycling plan for approval by staff for finer details. She also wanted to point out the site plan, and the buffers that surround the subdivisions, the Plan Commission would have authority for modification of the site plan, that could be laid over for further review. If the Commission felt they needed to accommodate the surrounding area, they could implement bigger buffers, if there was a negative impact on the neighborhoods, there could be recommended adjustments. There was also concern with the location of the 5-acre swimming area, was it considered to adjust more central versus being close to Saratoga, at approximately 150' from that boundary line of that property. That is something the applicant should be asked now in regards of the site plan, because there could be a reason for placement of the pond in that specific location.

Folk spoke about when the subject property was reviewed years ago for conditional use as a subdivision. That regardless of TIA, there should be a request for acceleration and deceleration for the 7 Mile Road entrance, because it is a very tight area that sits on top of a hill. This was something they discussed extensively when a subdivision was proposed. They also discussed installing a no-left hand turn sign going east. He's proposing that there be an acceleration and deceleration for 7 Mile and Hwy 38 entrance. Attorney Ekes stated that Hwy 38 is decided by state jurisdictions, TIA would recommend what should be done, but they could include it has part of the conditions of approval. She did want to indicate in the language that the TIA should specifically call out Hwy 38 and 7 Mile Road. Also address traffic dealing with the Christmas lights, and specify that would not be accessible from 7 Mile Road, which would be a specific traffic impact.

Attorney Tomczyk was leery to put traffic conditions in before a study was done by the "experts", rather than doing something the state might not approve.

President Dobbs felt additional information about the pond, recycling plan, and fences, needed to be added to the conditions. He suggested smaller committees might be able to convene, but asked Attorney Ekes what she suggested with all the little amendments presented, and how would they

would fit into motions. Ekes stated that they would be able to draft additional conditions based on the amendments, which would then go to the Board.

**Motion by Knitter to approve the conditional use, subject to staff recommendations and recommendation of the attorney. Seconded by Folk**

**More discussion was needed because the motion wasn't specific enough, some discussion about whether or not to include the pond, campsite locations, the berm or fence or TIA. Knitter was looking to make the motion but realistically there needed to be modification of some of the things, which he conceded the applicant was trying to do and that it was subject to staff recommendations, and working with the attorney.**

Attorney Tomczyk stated that they are comfortable working with the staff and understood the adjustments they need to make, such as the landscape buffer and berm/fence, if something is come up collectively, they'd be happy to oblige. In regards to the ponds location, they tried to keep it as centralized as possible, but it is an amenity for younger attracting kids, and would be a small kid pool not a teen pool that would attract noise after hours. They'd be happy to work with staff in regards to the details of the site plan.

Tom Christensen felt there was not enough time to get this done for Board approval on Monday.

Czuta felt that specific changes needed to be addressed individually.

Bunkelman also stated that in redesigning the plans, such as moving ponds or berms, that is must fall in the existing topography of the site. It's a delicate situation, the pond must be on a low side of the property, because realistically it can't be placed on a hill.

Attorney Ekes said from a conditions standpoint that a refuse and recycling plan should be submitted for review and approval, as it is a reliability issue. She has faith they will do that, but if there is a rodent problem, there needs to be a benchmark to address it and she recommended approval with that condition. She agreed with Bunkelman that shifting the site plan, and expanding boundaries/buffer zones, shifts the site plan which takes time to address. She said if they feel its sufficient they can move that forward with the existing site plan, or recommended it with adjustments, but it is difficult to understand the layout if there is a shift.

Schattner asked if the pond area had any liability issues. Bunkelman said if the large pond were to be used for a storm water management purposes, it would need to have a liability and maintenance agreement which would hold the Village harmless for those type of activities, or accidents that might occur.

**Motion by Folk to recommend approval of conditional use, with the conditions as drafted by staff. Specifically adding a couple pieces of language for: #8, TIA making sure we review Hwy 38 and 7 Mile for the traffic study, for #16 landscaping and berms, apply of a delay of no longer than 3 years for review of the fencing, and a refuse plan/recycling plan to be submitted and reviewed by staff. Seconded by Michalski.**

Wangaard stated that once staff updates the conditions, it would go to the Board for final approval. Attorney Ekes said it wouldn't come back to you unless Phase 3 were to be developed. Knitter said if it goes as planned, what recourse does the Board have for conditional use for modifications. Attorney Ekes, said if they're in compliance, and its approved, then there isn't an authority for enforcement, only if they're not in compliance may they be brought back for review.

**A roll call was requested**

<b>Bill Folk - aye</b>	<b>Jonathan Schattner - aye</b>
<b>Thomas Knitter - aye</b>	<b>Trustee Wanggaard - aye</b>
<b>Duane Michalski - aye</b>	<b>President Dobbs - aye</b>
<b>Joseph Minorik - aye</b>	

**Motion carried unanimously**

Tom Christensen reminded everyone that this would be going to Village Board for approval on 12/4 at 7:00 pm.

**6. Non-Public Hearing Items**

**6A - Concept Development Plan to occupy a site with multiple businesses known as Premier Real Estate Services and The Retreat; 13533 6 ½ Mile Road; Robert Kaltenbach, Owner**

Czuta referenced the location map, and an aerial zoning map enclosed in the packet.

The concept proposal is to develop multiple businesses known as Premier Real Estate Services, and The Retreat. The site is approximately 7.6 acres and is located at 13533 6 ½ Mile Rd. The current zoning is B-4 Planned Business District, and A-2 General Farming and Residential District II. The 2035 Land Use Plan designates the subject property as Commercial. The current zoning would have to be changed to the B-3 Commercial Service District, and the 2035 Land Use Plan designation would support this zoning change.

Premier Real Estate Services deals with selling, buying, investing and a mentorship program in regards to real estate. The proposed building is a 50' x 150' self-service storage facility that will also contain the business office associated with Premier Real Estate Services. In addition, there will be a 100' x 200' paved asphalt parking lot for the storage of trailers associated with Premier Real Estate Services, as well as a 50' x 80' self-service storage facility building intended for larger items owned by clients of Premier Real Estate Services.

The Retreat intends to provide a portion of the subject property to host various events such as: weddings, anniversaries, retreats, birthday parties, vacations, etc. The Retreat would utilize the existing 2000 square foot residence which contains three bedrooms and two bathrooms. The Retreat will also provide outdoor amenities such as utilization of the existing in-ground pool, hot tub, fishing pond and privately fenced in yard.

**Plan Commission Meeting  
Monday, November 27, 2017**

The site is close to the interstate which allows for easy and efficient access, as well as exceptional exposure for the proposed business. Any development at the site would have to meet the requirements of the Design Standards for Business, Commercial, Industrial, Recreational and Institutional Uses as required by Title 16 of the Village Ordinances. Compliance with all the requirements of the Village of Caledonia Engineering Dept., Building Inspection Dept., and Fire Dept. will be required. The applicant is also aware that a new code compliant Private Onsite Wastewater Treatment Systems (POWTS) will have to be installed to service the proposed uses as municipal sanitary sewer is not available.

The applicant was told that if the concept plan is recommended for approval by the Plan Commission there will be a future public hearing for the rezoning request and the conditional use approval. A pre-development agreement will also have to be executed with the Village prior to submittal of the rezoning/conditional use request. The public hearing will discuss plans of the location of all structures, associated activities, signage, lighting, landscaping, building façade, etc.

President Dobbs asked if the applicant was present and if he would like to make a presentation.

The applicant was present. He spoke of his expanding his real estate business, and part of which is providing storage space for his clients. Building storage buildings would provide service to not only his clients, but residents in the area as well. The retreat itself is meant to be a party venue and having that approved would allow residents in the area to utilize a new venue.

Trustee Wanggaard asked about The Retreat, and how the rustic farm house could sleep 20 people. The applicant said that he would be providing beds at the property, also unconventional sleeping arrangements such as tents, pull out couches, and sleeping on the ground in the screened in porch. Trustee Wanggaard thought the description was somewhat misleading if those were the sleeping arrangements. The applicant stated that one of the bedrooms is set up to sleep 6 people and that there are bunk beds in the other room, and maintained it would sleep 20. Trustee Wanggaard asked if Attorney Ekes had any thoughts regarding occupancy. Attorney Ekes thought there might be Health Department concerns, and there would be a review by them. She couldn't recall any zoning or building inspections review from a legal aspect that covered this issue in the past for the Village. She felt it would review like a boarding room or hotel, and would have to look into what the regulations are. She said there would also be a conditional use review, and tonight was just a concept review. Attorney Ekes thought that the I-94 corridor study could provide feedback to this potential use, as it is along that corridor, and could be kept in mind for the concept plan and potential uses. Trustee Wanggaard also asked about the self-storage on the property, and for the applicant to elaborate on the topic. The applicant stated that a privacy fence outlines the property, where the storage units would also sit (along the E. Frontage Rd); having that separated, he felt the venue would be utilized without interrupting storage traffic and vice versa. Depending on how the storage units fill up, he may consider adding more. Trustee Wanggaard asked about the 100x200' lot for storage of trailers, and their use. The applicant responded that the trailers would be used for clients prior to moving or when selling their homes. They are enclosed trailers on wheels that would be stored on the asphalt parking lot and brought to the clients' home for use, and brought back when finished. Trustee Wanggaard shared the same sentiment of Attorney Ekes in regards to the I-94 study, and thought conceptually the plan was jumbled. He was concerned The Retreat's mission to be quiet and secluded getaway didn't hold up in regards to the accommodations offered, as well as the proximity to the storage site. The

applicant said the fence line hides the other part of the business with the storage buildings, and the trailers wouldn't be an issue interrupting The Retreat's mission. Wanggaard asked how tall the building would be, and if it was visible from the road. The applicant stated it would be about 20', and would be visible from the Frontage Rd.

John Schattner commented on the concept plan being a nice written report, but wanted to have something visual that would give an idea what the layout would look like. He was uncomfortable making a decision without any inclination of visual representation, and felt it was a lot to envision. The applicant felt this was the initial presentation, and would provide more as it progresses. Schattner wanted to provide guidance on what the Plan Commission is looking for. He also wanted to know about public parking, and the amount of area would be designated for the storage portion in regards to accommodation for the venue.

President Dobbs questioned the rental of the home, and wanted to know how it would be listed. The applicant responded that it would be listed on VRBO and the like as a commercial rate. President Dobbs requested that Attorney Ekes look into what ordinances he would need to adhere to as a hotel.

**Motion by Schattner to hold over for three months, to allow the applicant to gather more information and allow the Plan Commission to review the I-94 study. Knitter Seconded. Motion carried unanimously.**

**6B – Schedule meeting dates and times for workshop sessions regarding the I-94 Corridor Study.**

Christensen spoke of Foth handling the I-94 corridor study, and is proposing we set a regular set scheduled meeting to discuss with the Plan Commission for about 2-3 months. He read the suggested dates, and asked which dates times work for the Plan Commission. After some discussion, it was decided that the 3<sup>rd</sup> Wednesdays work best, with December 20<sup>th</sup> being the first meeting.

**Michalski recommended approval of the Schedule meeting dates and times for workshop sessions regarding the I-94 Corridor Study. Minorik second. Motion carried.**

**7. Adjournment**

**Motion by Trustee Wanggaard to adjourn. Seconded by Minorik. Motion carried. Meeting adjourned at 9:29 p.m.**

Respectfully submitted,  
Joslyn Hoeffert  
Deputy Clerk