

**Village of Somers
Plan Commission Minutes
July 10, 2017**

Present: Chairman, George Stoner, Commissioners, James Smith, Robin Wamboldt, Bob Lee, Paul Aiello, Michael DeLuca, and Don Boxx. Also Present, Gregg Sinnen, Trustee, William Morris, Administrator, Luke Godshall, Planner, and Ann Brumback, Administrative Assistant.

****Before Chairman Stoner called the meeting to order he announced that the Islamic Society of Southeastern Wisconsin and the A.W. Oaks projects will remain tabled.**

1. **Call to order:** Chairman Stoner Called the meeting to order at 5:30 pm.
2. **Pledge of Allegiance:** Chairman Stoner asked everyone to stand for the Pledge of Allegiance.
3. **Approve minutes of 6-12-17 meeting:** Commissioner DeLuca made the motion to approve the minutes of 6-12-17, the motion was seconded by Commissioner Lee. Motion carried 7 – 0.
4. **Correspondence:** None
5. **Citizen Comments:** The following people spoke at the meeting:
 - Mike Lampada, 1161 Sheridan Rd – against Service Station/Convenience Store
 - Debbie Lampada, 1161 Sheridan Rd – against Service Station/Convenience Store
 - Lisa Chilsen, 1173 Sheridan Rd – against Service Station/Convenience Store
 - Paul Chilsen, 1173 Sheridan Rd – against Service Station/Convenience Store
 - Eihab Atout, 2400 W. Ryan Rd – on behalf of Service Station/Convenience Store
 - Lisa Kelly, 612 12th St. – against Service Station/Convenience Store
6. **Public hearing & action on Proposed Comprehensive Plan Amendment, Fredar & Assocs LLC, W241S 10080 Meadow Cir., Big Bend, WI 53103 (Owner), Todd M. Brown, 1416 35th Ave., Kenosha, WI 53144 (Agent), requests an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from “Office/Professional Services”, “Suburban-Density Residential”, “Nonfarmed Wetland” and “Other Conservancy Land to be Preserved” to “Industrial”, “Suburban-Density Residential”, “Nonfarmed Wetland” and “Other Conservancy Land to be Preserved” on Tax Parcel 82-4-222-154-0171, 1711 Green Bay Road, located in the SE ¼ of Section 15, T2N, R22E, Village of Somers.**

Chairman Stoner read the request for the Public Hearing into the records and opened the Public Hearing, asking if anyone wanted to speak. No one wanted to speak. He then closed the Public Hearing.

Chairman Stoner read the request for action into the records and made the motion to approve, and Commissioner Lee seconded the motion.

The Chairman then asked Planner, Luke Godshall to explain the reason why the Comprehensive Plan needed to be amended. Mr. Godshall stated that the current use was not consistent with the proposed use. The “Office for Professional Services” is not consistent with the proposed use so we need to change it to B5 “Wholesale Trade and Warehousing District” which allows the petitioner to locate his business in Somers. No other questions were asked.

Chairman Stoner then called for a vote, motion passed 7-0.

- 7. Public hearing & action on request by Fredar & Assocs LLC, W241S 10080 Meadow Cir., Big Bend, WI 53103 (Owner), Todd M. Brown, 1416 35th Ave., Kenosha, WI 53144 (Agent), for a rezoning from "B-3 Highway Business Dist." and "A-2 General Agricultural Dist." to "B-5 Wholesale Trade and Warehousing Dist.", "A-2 General Agricultural Dist." & "C-1 Lowland Resource Conservancy Dist." on Tax Parcel 82-4-222-154-0171, 1711 Green Bay Road, located in the SE ¼ of Section 15, T2N, R22E, Village of Somers.**

Chairman Stoner read the request for the Public Hearing into the records and opened the Public Hearing, asking if anyone wanted to speak. No one wanted to speak. He then closed the Public Hearing.

Chairman Stoner read the request for action into the records and made the motion to approve, and Commissioner Lee seconded the motion. Chairman Stoner made the motion to approve to rezone the parcel to include A2 & C1 areas to remain as currently zoned and C1 to be put on the map. Motion was seconded by Commissioner Boxx.

Chairman Stoner then asked Planner Luke Godshall to explain the rezone. Mr. Godshall then explained the reasoning behind the rezoning stating the following. B5 would be for the contractors or heavy use area, A2 is for future residential use to go along with the Comprehensive Plan and the C1 is because there is a small area of wetlands that should remain wetlands and be put on the map for future records. No further comments or questions were asked. Chairman Stoner then called for a vote. Motion Passed 7-0.

- 8. Public hearing & action on request by Fredar & Assocs LLC, W241S 10080 Meadow Cir., Big Bend, WI 53103 (Owner), Todd M. Brown, 1416 35th Ave., Kenosha, WI 53144 (Agent), for Conditional Use Permit for a construction services business (HVAC business) in the B-5 Wholesale Trade and Warehousing Dist. on Tax Parcel 82-4-222-154-0171, 1711 Green Bay Road, located in the SE ¼ of Section 15, T2N, R22E, Village of Somers.**

Chairman Stoner read the request for the Public hearing and request for the Conditional Use Permit opened the Public Hearing, asking if anyone wanted to speak. No one wished to speak and closed the Public Hearing.

Chairman Stoner read the request for Action on the Conditional Use Permit and made the motion to approve with full implementation of Developers Agreement and Conditional Use Permit, exterior design and materials and sign. Discussion followed. Chairman Stoner then explained that he spoke to the owners and the type of material to be used was the same as the apartments at Somers Market Center.

Discussion with D.O.T. – Todd Brown, Owner stated that he spoke with Kevin from the D.O. T. and said one drive will be for the business and a second drive would be allowed for the residential. Once the plans were approved, Mr. Brown will forward a set of drawings too D.O.T.

No municipal sewer and water on the property. Plans are for a well and the current holding tank was replaced in 2012. The plans also call for a detention pond and the back of the property, is being held for residential in the future. The current rental house on the property will also be taken down.

No further comments or questions were asked. Chairman Stoner called for a vote: Passes 7-0.

9. **Review of request by Meghasaagar LLC, 4622 15th St, Kenosha, WI 53144 (Owner), Eihab Atout, 2400 Ryan Road, Oak Creek, WI 53154 (Agent), for Conditional Use Permit for a gasoline service station with convenience store in the B-3 Highway Business Dist. on Tax Parcel 83-4-223-074-0556 located in the SE ¼ of Section 7, T2N, R23E, Village of Somers. (CTH “E” & Sheridan Road) & make recommendation to Village Board.**

Chairman Stoner read the request for Conditional Use Permit for a gasoline service station with convenience store and made to approve with the full implantation of Developers Agreement and Conditional Use Permit. Motion was seconded by Commissioner Lee.

The following comments were made. The C.U.P. will state no flashing lights, signs, no speakers outside, lights directed down, fence line will be protected with no snow removal against fence.

D.O.T. – 2009 Andy Maxwell had issued permits. D.O.T. wants current permit updated.

If Service Station ever fails, the owner will have one (1) year to take down the building and remove the tanks from the ground and put the parcel back to the natural vacant state of ground. Village will look into options to require a deposit on the removal of the tanks in the future or bond if the owner fails?

Would this be a national brand service station? Can we require a national chain? Will check with our Attorney. C.U. P. again will stay with the property and not the owner. We will also check with Attorney if we can require the National Chain to remove the tanks if necessary.

The LLC and Owner Dr. Shaw & wife are part of the LLC. Point of contact for complaints or concerns should be the station manager.

Building will be brick & mortar. Hours 6am to 10pm

Commissioner Smith asked if we could restrict a liquor license or fermented sales. That is an action of the Village Board and the Commission cannot put that restriction on.

Chairman Stoner called for a vote: Motion carried 4-3 (Bob Lee, yes, Jim Smith, no, Michael DeLuca, no, Robin Wamboldt, yes, Don Boxx yes, Paul Aiello, no, George Stoner, Yes).

10. **Tabled: Public Hearing & action on proposed Comprehensive Plan Amendment: Islamic Society of Southeastern Wisconsin, PO Box 731, Somers, WI 53171 (Owner), Timothy J. Geraghty, 6301 Green Bay Road, Kenosha, WI 53142 (Agent), requests an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from " General Agricultural and Open Land" to "Governmental and Institutional" on Tax Parcel 82-4-222-053-0104 located in Section 5, T2N, R22E, Village of Somers.**
10. **Tabled: Public Hearing & action on request by Islamic Society of Southeastern Wisconsin, PO Box 731, Somers, WI 53171 (Owner), Timothy J. Geraghty, 6301 Green Bay Road, Kenosha, WI 53142 (Agent), for rezoning from A-2 General Agricultural Dist. to I-1 Institutional Dist., on Tax Parcel 82-4-222-053-0104 located in Section 5, T2N, R22E, Village of Somers.**

Remains Tabled

11. **Postponed by Owner Request: Public Hearing & action on request by Gerald G Smith, Smith Revocable Trust, 7150 18th St., Kenosha, WI 53144 (Owner), Dan Oakes, 2000 Oakes Road, Racine, WI 53406 (Agent), for an amendment to the land use plan map for the Village of Somers (Map 80) as adopted in the Multi-Jurisdictional Comprehensive Plan for Kenosha County: 2035 from "Commercial", "Other Conservancy Land to be Preserved" & "SEC" to "Industrial", "Other Conservancy Land to be Preserved" & "SEC" on Tax Parcel 82-4-222-153-0350 located in the SW ¼ of Section 15, T2N, R22E, Village of Somers.**

Remains Tabled

12. **Postponed by Owner Request: Public Hearing & action on request by Gerald G Smith, Smith Revocable Trust, 7150 18th St., Kenosha, WI 53144 (Owner), Dan Oakes, 2000 Oakes Road, Racine, WI 53406 (Agent), for a rezoning from "A-2 General Agricultural Dist." & "C-1 Lowland Resource Conservancy Dist." to "M-2 Heavy Manufacturing Dist." & "C-1 Lowland Resource Conservancy Dist." on Tax Parcel 82-4-222-153-0350 located in the SW ¼ of Section 15, T2N, R22E, Village of Somers.**

Remains Tabled

13. **Postponed by Owner Request: Public Hearing & action on request by Gerald G Smith, Smith Revocable Trust, 7150 18th St., Kenosha, WI 53144 (Owner), Dan Oakes, 2000 Oakes Road, Racine, WI 53406 (Agent), for a Conditional Use Permit for a construction contractor's business with outside storage & manufacturing in the M-2 Heavy Manufacturing Dist. on Tax Parcel 82-4-222-153-0350 located in the SW ¼ of Section 15, T2N, R22E, Village of Somers.**

Remains Tabled

- 16 **Adjourn:** Chairman Stoner Called for a motion. Commissioner Boxx made the motion to adjourn, Commissioner Aiello seconded the motion. Motion carried 7-0, Meeting adjourned at 6:30 pm.

**These minutes are not official until approved by the Plan Commission.
Submitted by Ann Brumback, Administrative Assistant.**