

**Village of Somers
7511 12th Street
Somers, WI 53171**

**Village Work Session Meeting
Amended Agenda
Tuesday, April 18, 2023
5:30 p.m.**

| Village Board Work Session Meeting: | |
|--|---|
| Item # | |
| 1 | Call to Order |
| 2 | Quarterly Meeting with Sheriff's Department per contract |
| 3 | President & Trustee Reports |
| 4 | <p>Discuss Plan Commission Recommendations (Funk Trust & Golden Oil):</p> <p>a. Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests a rezoning from A-1 Agricultural Preservation Dist. to A-4 Agricultural Land Holding Dist. & A-1 Agricultural Preservation Dist., on Tax Parcel #82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. <i>(For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.)</i></p> <p>b. Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests approval of a Certified Survey Map (undated CSM prepared by Ryan Wilgreen of Excel Engineering) to create one (1) 25.00-acre Lot and one (1) 37.027-acre Lot from Tax Parcel # 82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. <i>(For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.)</i></p> |
| 5 | Discuss Appointments to the Plan Commission |
| 6 | Discuss proposed Ordinance 2023-009, an Ordinance to repeal and recreate section 13.55 Appendix "A" of the Code of Ordinances of the Village of Somers relating to the amount of Sewer service charges |
| 7 | Discuss steps to be taken to adopt FEMA's recent Letter of Map |

| | |
|----|--|
| | Revision for the area known as Unnamed Tributary No. 8 to Kilbourn Ditch Overflow |
| 8 | Somers Community Day update |
| 9 | Discuss proposed Resolution 2023-006, An Order Removing Territory from the Village of Somers Utility District No. 1 |
| 10 | Discuss possible support for changes to the requirements for "Class B" liquor licenses transfer between municipalities |
| 11 | Review tentative agenda for Village Board meeting on April 25, 2023 |
| 12 | Adjourn |

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of the April 18, 2023 Village Work Session & Amended Agenda in 1 public place & on the Village website.

Dated this 17th day of April, 2023.

Brandi Baker, Clerk-Treasurer

Requests from person with disabilities who need assistance to participate in this meeting should be made to the Clerk's Office at 262-859-2822 with as much notice as possible. **Notice is hereby given that members of the Village Board may participate telephonically. Notice is hereby given that members of the Town Board may be in attendance for the sole purpose of gathering information. A quorum may be present. However, no Board action will be taken**



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Village Trustees

FROM: Jason J. Peters, Administrator

AGENDA ITEM: #2 Quarterly Meeting with Sheriff's Department per contract

BACKGROUND:

Our contract with the Kenosha County Sheriff's Department requires a representative from their office to attend a work session on a quarterly basis. The idea behind this meeting was to give the Board an opportunity to express any concerns or questions they may have regarding the service being provided. Captain Klinkhammer is scheduled to be in attendance on the 18th.

ATTACHMENTS:

None

**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Board of Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #4 Discuss Plan Commission Recommendations (Funk Trust & Golden Oil)

- a. Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests a rezoning from A-1 Agricultural Preservation Dist. to A-4 Agricultural Land Holding Dist. & A-1 Agricultural Preservation Dist., on Tax Parcel #82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. (*For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.*)
- b. Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests approval of a Certified Survey Map (undated CSM prepared by Ryan Wilgreen of Excel Engineering) to create one (1) 25.00-acre Lot and one (1) 37.027-acre Lot from Tax Parcel # 82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. (*For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.*)

BACKGROUND:

The Plan Commission has previously reviewed a concept for Golden Oil's potential project at the NE corner of CTH E and East Frontage Road (82-4-222-073-0102). Golden Oil is still working on the official submission for the project, but in the mean time they are working with Funk Trust to purchase the land they will need. Golden Oil will be purchasing 25 acres and the Funk Trust will retain the remaining 37.027 acres. In order

to facilitate the sale, the lot will need to be split. The parties have submitted a request for rezone and a land division through CSM.

In this case, the rezone would be from A-1 to A-1 and A-4. The parcel retained by the Funk Trust would remain A-1 and the new 25-acre parcel would become A-4. As you may recall the Village established the A-4 district in 2021 to serve as placeholder for ag land that is split and no longer meets the requirements of A-1 though A-3.

UPDATE:

The Plan Commission heard the above-mentioned request at their April 10th meeting and held the requisite public hearings. No major issues were raised. The Plan Commission's recommendation was to approve the request for rezone (6-0) and to split the lot into two parcels through the proposed CSM (6-0).

COMMENTS:

Administration would point out that approval of this rezoning and CSM does not serve as the entitlements that Golden Oil will need for their proposed project. Again, this step merely serves as a vehicle for Golden Oil to purchase the land they want to use to move forward with their project. Staff would request that this matter be placed on our April 25th Board Meeting for action.

ATTACHMENTS:

Planning Memo dated 03/28/2023

Planning Commission Minutes 04/10/2023 – Highlighted

Application for Rezone

Application for CSM



COUNTY OF KENOSHA

Division of Planning & Development

Andy M. Buehler, Director
Division of Planning & Development
19600 75th Street, Suite 185-3
Bristol, WI 53104-9772
(262) 857-1895

TO: Village of Somers Plan Commission
FROM: Luke Godshall, Senior Land Use Planner
RPT DATE: 03-28-23
MTG DATE: 04-10-23
APPLN DATE: 02-13-23
RE: Golden Oil LLC CSM & Rezoning

PROJECT/SITE INFO:

1. Petitioner/Agent: Paul Bhardwaj, Golden Oil LLC
2. Property Owner: Arlo F and Jeanne L Funk Trust
3. Location/Address: NE corner of CTH E & East Frontage Road
4. Tax key Number(s): 82-4-222-073-0102
5. Area: 62.02 acres
6. Existing Zoning: A-1 Agricultural Preservation Dist., FPO Floodplain Overlay Dist.
7. Proposed Zoning: A-4 Agricultural Land Holding Dist., A-1 Agricultural Preservation Dist., FPO Floodplain Overlay Dist.
8. Existing Land Use: Business/Industrial Park
9. Proposed Land Use: Business/Industrial Park

PROJECT OVERVIEW:

The Petitioner is proposing to split the subject parcel into one (1) 25-acre Lot and one (1) 37.027-acre remnant Lot via Certified Survey Map. The Petitioner intends to purchase Lot 1 of the CSM to be used as the site for potential future development, while Lot 2 of CSM would remain owned by the current parcel owner. A rezoning of Lot 1 of the CSM is being requested from A-1 Agricultural Preservation District to A-4 Agricultural Land Holding District.

PLANNER COMMENTS:

The A-4 zoning on Lot 1 of the proposed CSM will essentially act as a “placeholder” zoning district. A zoning change will eventually need to be requested from A-4 into an appropriate zoning category once specific plans and uses for the future development of the Lot are finalized by the Petitioner.

The submitted Certified Survey Map generally complies with the Village of Somers Land Division and Platting Control Ordinance. Noted below are several recommendations for revisions to be made to the CSM prior to its recordation in the Kenosha County Register of Deeds office.

STAFF RECOMMENDATION:

Should the Plan Commission choose to recommend approval of this project, staff would recommend the following conditions:

1. The Certified Survey Map shall be subject to the following:
 - a. Subject to revising the CSM to address review comments from the Wisconsin Department of Administration’s March 13, 2023 review letter.



COUNTY OF KENOSHA

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- b. Subject to making the following revisions to the CSM:
1. Add date of map.
 2. Add the name & address of the developer/subdivider to Sheet 1 of the CSM.
 3. Add a note indicating the proposed Lots will be served by municipal sewer.
 4. On Sheet 1, revise the 100 year floodplain boundary line to match that as shown on FEMA Map No. 55059C0064D, specifically a portion of the northeast area of Lot 1 which is outside of Zone “AE”.
 5. On Sheet 1, add shading to areas indicated as Flood Zone “AE” (Flood Zone “X” areas are noted as “unshaded”, implying that other areas are shaded).
 6. On Sheet 2, revise the note to indicate the date wetlands were delineated by Evergreen Consultants LLC.
 7. Add existing and proposed topographic contours at vertical intervals of not more than two feet to the face of the CSM.
 8. Add a 50’x50’ vision corner easement at the southwest corner of Lot 1.
 9. Add the following vision corner easement note to the face of the CSM:
“No obstructions, such as structures, fences, parking or vegetation shall be permitted in any business, manufacturing or institutional district between the heights of two (2) feet and ten (10) feet above the plane through the centerline of the road within the triangular space formed by any two (2) existing or proposed intersecting street or alley right-of-way lines and a line joining points on such lines located a minimum of fifteen (15) feet from the road right-of-way. In the case of any federal, state or county highway or village road intersection with any other federal, state or county highway or village road or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to fifty (50) feet.”
 10. On Sheet 6, remove the “Plan Commission Approval” signature area (only Village Board approval is required).
- c. Subject to sending an electronic copy of the revised CSM showing the aforementioned changes to the Kenosha County Department of Planning and Development office to receive sign-off prior to the surveyor preparing the recordable CSM document for signatures. The county contact is Luke Godshall who can be contacted at the following e-mail address: luke.godshall@kenoshacounty.org.
- d. No land division shall be recorded if any portion or part of the parent parcel has any unpaid taxes or outstanding special assessments without prior approval of the local and Kenosha County Treasurer.
- e. Subject to the Certified Survey Map (CSM) being recorded with the Kenosha County Register of Deeds within twelve (12) months of receiving approval from the Somers Village Board.



Village of Somers
Proceeding from the Village Plan
Commission Meeting
April 10, 2023

1. Call to Order

Chairman Stoner called the meeting to order at 5:30 p.m.

Present:

- Chairman George Stoner
- Commissioner Ron Grimes
- Commissioner Bob Lee
- Commissioner Scott Fredrick
- Commissioner Sandee Gardinier
- Commissioner Aiello

Absent: Don Boxx

Staff present in person: Administrator Jason Peters, Assistant to the Administrator Kevin Poirier, Trustees Gregg Sinnen, Ben Harbach and Karl Ostby, Joe Smith
Kenosha County Planners: Luke Godshall
Others: Keller Architect Nathan Laurent, Dale Tode (realtor/broker)

2. Pledge of Allegiance

Chairman Stoner led everyone in the Pledge of Allegiance.

3. Approve Minutes of March 13, 2022

Commissioner Aiello moved to approve to the minutes.

Seconded by Commissioner Lee. Motion carried. 6-0 vote.

4. Correspondence

None

5. Citizen Comments

None

6. Rezoning: Public Hearing and Action on Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests a rezoning from A-1 Agricultural Preservation Dist. to A-4 Agricultural Land Holding Dist. & A-1 Agricultural Preservation Dist., on Tax Parcel #82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers.

Public comments: none

Commissioner Lee moves to accept the request.

Commissioner Fredrick seconds the motion.

Motion carried 6-0 vote.

7. Land Division (Certified Survey Map): Public Hearing and Action on Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests approval of a Certified Survey Map (undated CSM prepared by Ryan Wilgreen of Excel Engineering) to create one (1) 25.00-acre Lot and one (1) 37.027-acre Lot from Tax Parcel # 82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers.

Public comments: none

Commissioner Lee opens the public hearing .

Commissioner Fredrick and Aiello second the motion

Administrator Peters explains the implication of the land division explains it will allow the developer to do buy the land. President Stoner mentions there are a couple projects at that location. Administrator Peters reminds commissioners that the developer presented a concept plan last month.

Motion carried 6-0 vote.

8. Adjourn

Commissioner Aiello moved to adjourn.

Seconded by Commissioner Fredrick.

Motion carried 6-0 vote.

Drafted April 12, 2023.

These minutes are not official until approved by the Plan Commission. Submitted by Kevin Poirier



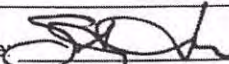
VILLAGE OF SOMERS

Department of Planning and Development

REZONING APPLICATION

(a) Property Owner's Name:

Sidney A. Funk, as Successor Trustee of the Arlo F. and Jeanne L. Funk Trust u/a/d 12-06-95

Print Name: ARLO F & JEANNE FUNK TRUST
SIDNEY A. FUNK - TRUSTEE Signature: 

Mailing Address: 27822 Santa Anita Blvd

City: Wesley Chapel State: FL Zip: 33544

Phone Number: 813 478 1265 E-mail (optional): FUNK.SID@GMAIL.COM

Note: Unless the property owner's signature can be obtained in the above space, a letter of agent status **signed** by the legal property owner **must** be submitted if you are a tenant, leaseholder, or authorized agent representing the legal owner, allowing you to act on their behalf.

(b) Agent's Name (if applicable):

Print Name: Paul Bhardwaj Signature: 

Business Name: Golden Oil LLC

Mailing Address: 1170 22nd Avenue

City: Kenosha State: WI Zip: 53140

Phone Number: 262-425-1500/675 E-mail (optional): paul@goldenoilcompany.com

(c) Tax key number(s) of property to be rezoned:

82-4-222-073-0102 Lot 1 A1 to A4; Lot 2 to Remain A1

Property Address of property to be rezoned:

No assigned address

(d) Proposed use (a statement of the type, extent, area, etc. of any development project):

A-4 - Potential future development for Lot 1. Lot 2 to remain A-1 zone.

REZONING APPLICATION

(e) Check the box next to any and all of the existing zoning district classifications present on the subject property:

| | |
|---|--|
| <input checked="" type="checkbox"/> A-1 Agricultural Preservation District | <input type="checkbox"/> B-1 Neighborhood Business District |
| <input type="checkbox"/> A-2 General Agricultural District | <input type="checkbox"/> B-2 Community Business District |
| <input type="checkbox"/> A-3 Agricultural Related Manufacturing, Warehousing and Marketing District | <input type="checkbox"/> B-3 Highway Business District |
| <input type="checkbox"/> A-4 Agricultural Land Holding District | <input type="checkbox"/> B-4 Planned Business District |
| <input type="checkbox"/> AE-1 Agricultural Equestrian Cluster Single-Family District | <input type="checkbox"/> B-5 Wholesale Trade and Warehousing District |
| <input type="checkbox"/> R-1 Rural Residential District | <input type="checkbox"/> BP-1 Business Park District |
| <input type="checkbox"/> R-2 Suburban Single-Family Residential District | <input type="checkbox"/> B-94 Interstate Highway 94 Special Use Business District |
| <input type="checkbox"/> R-3 Urban Single-Family Residential District | <input type="checkbox"/> M-1 Limited Manufacturing District |
| <input type="checkbox"/> R-4 Urban Single-Family Residential District | <input type="checkbox"/> M-2 Heavy Manufacturing District |
| <input type="checkbox"/> R-4.5 Urban Single-Family Residential District | <input type="checkbox"/> M-3 Mineral Extraction District |
| <input type="checkbox"/> R-5 Urban Single-Family Residential District | <input type="checkbox"/> M-4 Sanitary Landfill and Hazardous Waste Disposal District |
| <input type="checkbox"/> R-6 Urban Single-Family Residential District | <input type="checkbox"/> I-1 Institutional District |
| <input type="checkbox"/> R-7 Suburban Two-Family and Three-Family Residential District | <input type="checkbox"/> PR-1 Park-Recreational District |
| <input type="checkbox"/> R-8 Urban Two-Family Residential District | <input type="checkbox"/> C-1 Lowland Resource Conservancy District |
| <input type="checkbox"/> R-9 Multiple-Family Residential District | <input type="checkbox"/> C-2 Upland Resource Conservancy District |
| <input type="checkbox"/> R-10 Multiple-Family Residential District | <input type="checkbox"/> FPO Floodplain Overlay District |
| <input type="checkbox"/> R-11 Multiple-Family Residential District | <input type="checkbox"/> PUD Planned Unit Development Overlay District |
| <input type="checkbox"/> R-12 Mobile Home/Manufactured Home Park-Subdivision District | <input type="checkbox"/> AO Airport Overlay District |
| | <input type="checkbox"/> RC Rural Cluster Development Overlay District |

(f) Check the box next to any and all of the proposed zoning district classifications proposed for the subject property:

| | |
|---|--|
| <input type="checkbox"/> A-1 Agricultural Preservation District | <input type="checkbox"/> B-1 Neighborhood Business District |
| <input type="checkbox"/> A-2 General Agricultural District | <input type="checkbox"/> B-2 Community Business District |
| <input type="checkbox"/> A-3 Agricultural Related Manufacturing, Warehousing and Marketing District | <input type="checkbox"/> B-3 Highway Business District |
| <input checked="" type="checkbox"/> A-4 Agricultural Land Holding District (Lot 1) | <input type="checkbox"/> B-4 Planned Business District |
| <input type="checkbox"/> AE-1 Agricultural Equestrian Cluster Single-Family District | <input type="checkbox"/> B-5 Wholesale Trade and Warehousing District |
| <input type="checkbox"/> R-1 Rural Residential District | <input type="checkbox"/> BP-1 Business Park District |
| <input type="checkbox"/> R-2 Suburban Single-Family Residential District | <input type="checkbox"/> B-94 Interstate Highway 94 Special Use Business District |
| <input type="checkbox"/> R-3 Urban Single-Family Residential District | <input type="checkbox"/> M-1 Limited Manufacturing District |
| <input type="checkbox"/> R-4 Urban Single-Family Residential District | <input type="checkbox"/> M-2 Heavy Manufacturing District |
| <input type="checkbox"/> R-4.5 Urban Single-Family Residential District | <input type="checkbox"/> M-3 Mineral Extraction District |
| <input type="checkbox"/> R-5 Urban Single-Family Residential District | <input type="checkbox"/> M-4 Sanitary Landfill and Hazardous Waste Disposal District |
| <input type="checkbox"/> R-6 Urban Single-Family Residential District | <input type="checkbox"/> I-1 Institutional District |
| <input type="checkbox"/> R-7 Suburban Two-Family and Three-Family Residential District | <input type="checkbox"/> PR-1 Park-Recreational District |
| <input type="checkbox"/> R-8 Urban Two-Family Residential District | <input type="checkbox"/> C-1 Lowland Resource Conservancy District |
| <input type="checkbox"/> R-9 Multiple-Family Residential District | <input type="checkbox"/> C-2 Upland Resource Conservancy District |
| <input type="checkbox"/> R-10 Multiple-Family Residential District | <input type="checkbox"/> FPO Floodplain Overlay District |
| <input type="checkbox"/> R-11 Multiple-Family Residential District | <input type="checkbox"/> PUD Planned Unit Development Overlay District |
| <input type="checkbox"/> R-12 Mobile Home/Manufactured Home Park-Subdivision District | <input type="checkbox"/> AO Airport Overlay District |
| | RC Rural Cluster Development Overlay District |

SMF

REZONING APPLICATION

(g) Your request must be consistent with the existing planned land use category as shown on Map 65 of the adopted "Multi-Jurisdictional Comprehensive Plan for Kenosha County 2035".

The existing planned land use category for the subject property is:

| | |
|---|---|
| <input type="checkbox"/> Farmland Protection | <input type="checkbox"/> Governmental and Institutional |
| <input type="checkbox"/> General Agricultural and Open Land | <input type="checkbox"/> Park and Recreational |
| <input type="checkbox"/> Rural-Density Residential | <input type="checkbox"/> Street and Highway Right-of-Way |
| <input type="checkbox"/> Agricultural and Rural Density Residential | <input type="checkbox"/> Other Transportation, Communication, and Utility |
| <input type="checkbox"/> Suburban-Density Residential | <input type="checkbox"/> Extractive |
| <input type="checkbox"/> Medium-Density Residential | <input type="checkbox"/> Landfill |
| <input type="checkbox"/> High-Density Residential | <input type="checkbox"/> Primary Environmental Corridor |
| <input type="checkbox"/> Mixed Use | <input type="checkbox"/> Secondary Environmental Corridor |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Isolated Natural Resource Area |
| <input type="checkbox"/> Office/Professional Services | <input type="checkbox"/> Other Conservancy Land to be Preserved |
| <input type="checkbox"/> Industrial | <input type="checkbox"/> Nonfarmed Wetland |
| <input checked="" type="checkbox"/> Business/Industrial Park | <input type="checkbox"/> Surface Water |

(h) Attach a plot plan or survey plat of property to be rezoned (showing location, dimensions, zoning of adjacent properties, existing uses and buildings of adjacent properties, floodways and floodplains)—drawn to scale.

(i) The Village of Somers Department of Planning and Development may ask for additional information.

(j) The name of the County Supervisor of the district wherein the property is located (District Map):

Supervisory District Number: 19 County Board Supervisor: Brian Bashaw

(k) The fee specified in Section 12.05-8 of this ordinance.

Request for Rezoning Petition (payable to "Kenosha County").....\$1,450.00

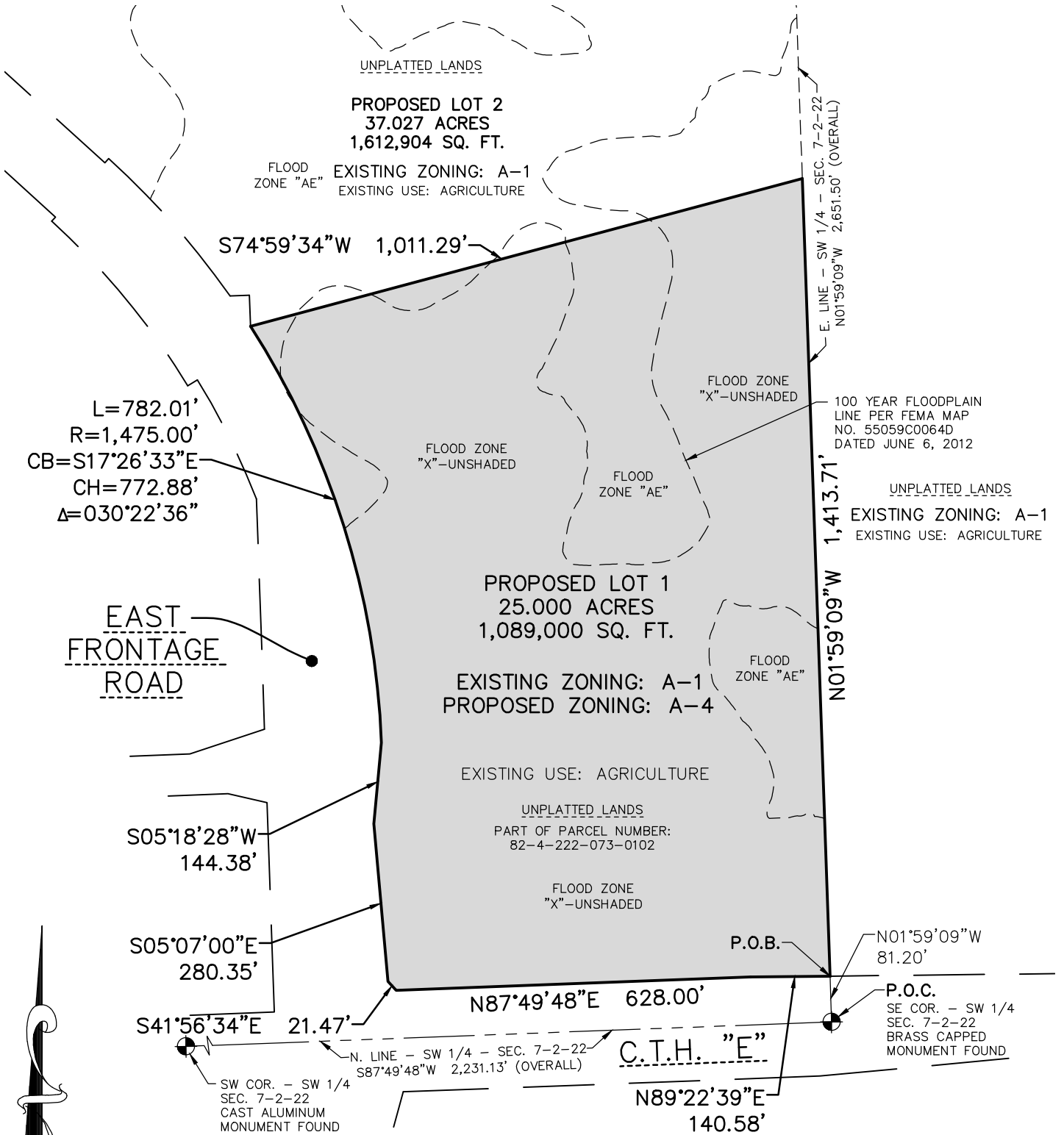
(For other fees see the Fee Schedule)

Note: Agricultural Use Conversion Charge

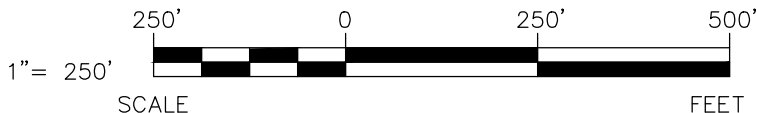
The use value assessment system values agricultural land based on the income that would be generated from its rental for agricultural use rather than its fair market value. When a person converts agricultural land to a non-agricultural use (e.g. residential or commercial development), that person may owe a conversion charge. To obtain more information about the use value law or conversion charge, contact the Wisconsin Department of Revenue's Equalization Section at 608-266-2149 or visit <http://www.revenue.wi.gov/fags/slf/useassmt.html>

Note that the act of rezoning property from an agricultural zoning district to a non-agricultural zoning district does not necessarily trigger the agricultural use conversion charge. It is when the use of the property changes from agricultural that the conversion charge is assessed.

ZONING EXHIBIT



| ZONING KEY | |
|------------|------------------------------------|
| A-1 | AGRICULTURAL PRESERVATION DISTRICT |
| A-4 | AGRICULTURAL LAND HOLDING DISTRICT |





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JOB NO. 2266000

Zoning Legal Description

Part of the Northeast 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 7, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin being more particularly described as follows:

Commencing at Southeast corner of the Southwest 1/4 of said Section 7; thence North 01°-59'-09" West along the East line of said Southwest 1/4, a distance of 81.20 feet to the North right-of-way line of County Trunk Highway "E", said point being the point of beginning; thence continuing North 01°-59'-09" West along said East line, a distance of 1,413.71 feet; thence South 74°-59'-34" West, a distance of 1,011.29 feet to the Easterly right-of-way line of the East Frontage Road; thence Southeasterly 782.01 feet along said Easterly line on a curve to the right having a radius of 1,475.00 feet, the chord of said curve bears South 17°-26'-33" East, a chord distance of 772.88 feet; thence South 05°-18'-28" West along said Easterly line, a distance of 144.38 feet; thence South 05°-07'-00" East along said Easterly line, a distance of 280.35 feet; thence South 41°-56'-34" East along said Easterly line, a distance of 21.47 feet to the North right-of-way line of County Trunk Highway "E"; thence North 87°-49'-48" East along said North line, a distance of 628.00 feet; thence North 89°-22'-39" East along said North line, a distance of 140.58 feet to the point of beginning and containing 25.000 acres (1,089,000 sq. ft.) of land more or less.



VILLAGE OF SOMERS

Department of Planning & Development

LAND DIVISION APPLICATION

In order for applications to be processed, all information, drawings, application signatures, and fees required shall be submitted at time of application.

Please check the appropriate box below for the type of application being submitted:

- Certified Survey Map
- Subdivision Preliminary Plat
- Subdivision Final Plat
- Condominium Plat

Applicant is: Property Owner Subdivider Other Purchaser

Applicant Name: Golden Oil LLC - Paul Bhardwaj Date _____

Mailing Address: 1170 22nd Avenue Phone # 262-425-1500/675
Kenosha, WI 53140 Phone # _____

Tax Parcel Number(s): 82-4-222-073-0102

_____ Acreage of Project: 62.027

Location of Property (including legal description):

Northeast corner of East Frontage Road & CTH E. See attached legal description.

Subdivision/Development Name (if applicable): Arlo F. and Jeanne L. Funk Trust

Existing Zoning: A-1 Proposed Zoning: Lot 1 - A4; Lot 2 - A1

8/15

Village Land Use Plan District Designation(s) (if applicable):

Present Business/Industrial Park

Proposed No change

Present Use(s) of Property: Vacant agricultural land

Proposed Use(s) of Property: Future business use

The subdivision abuts or adjoins a state trunk highway Yes (x) No ()

The subdivision will be served by public sewer Yes (x) No ()

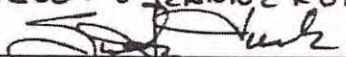
The subdivision abuts a county trunk highway Yes (x) No ()

The subdivision contains shoreland/floodplain areas Yes (x) No ()

The subdivision lies within the extra-territorial plat (ETP) authority area of a nearby Village or City Yes () No (x)

*Applicant is responsible for submitting to the ETP authority any fees and documentation needed to obtain a recommendation.

REQUIRED SIGNATURE(S) FOR ALL APPLICATIONS:

~~DELOFA JEANNE FOUK FROST~~
 - TRUSTEE

2/10/2023

Property Owner's Signature

Date

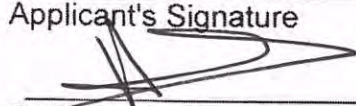
Property Owner's Signature

Date

REQUIRED APPLICABLE SIGNATURES:

Applicant's Signature

Date


Developer's Signature

2/12/23
Date

LEGAL DESCRIPTION

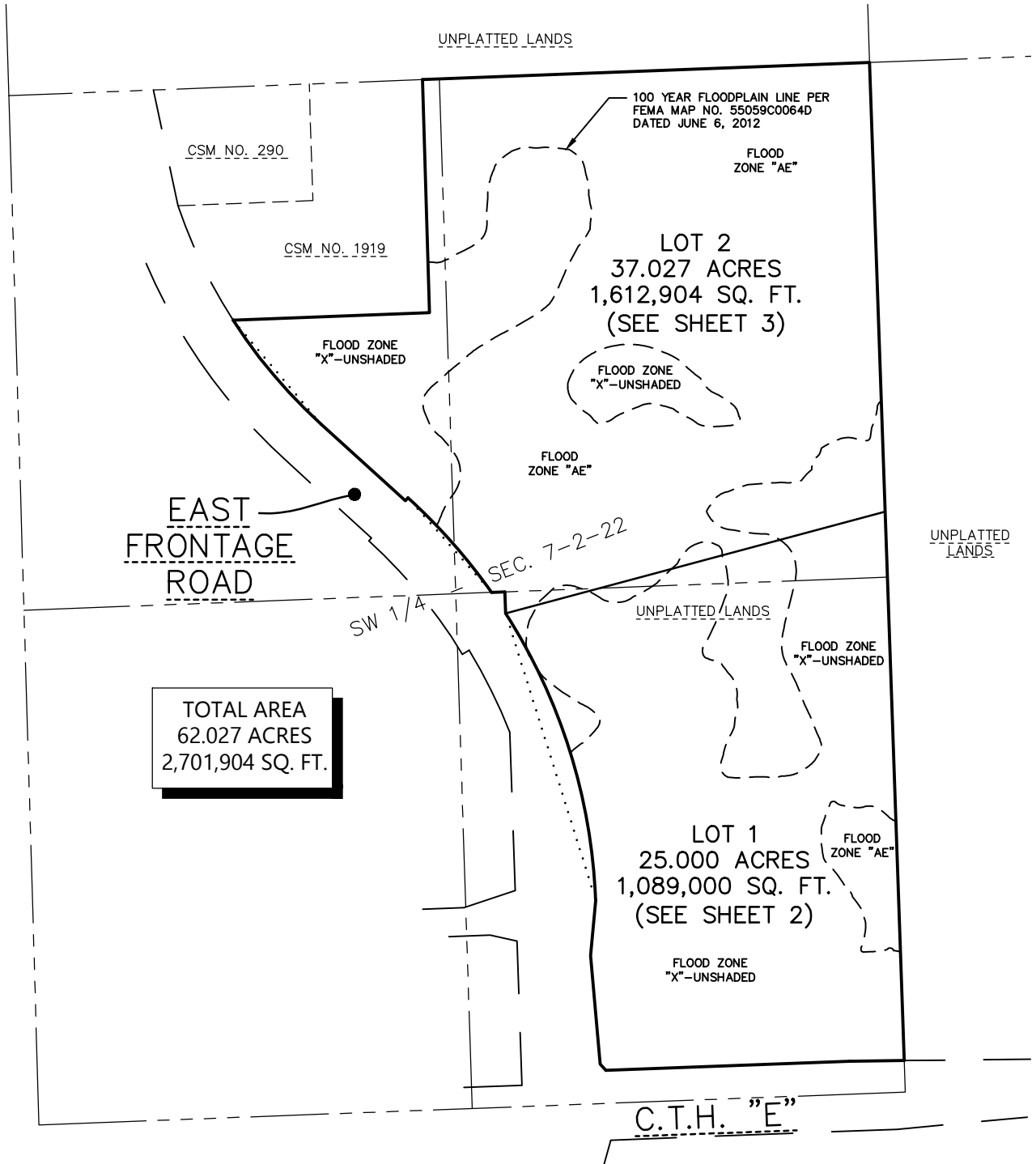
Part of the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 7, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin being more particularly described as follows:

Commencing at Southeast corner of the Southwest 1/4 of said Section 7; thence North $01^{\circ}-59'-09''$ West along the East line of said Southwest 1/4, a distance of 81.20 feet to the North right-of-way line of County Trunk Highway "E", said point being the point of beginning; thence continuing North $01^{\circ}-59'-09''$ West along said East line, a distance of 2,570.30 feet to the Northeast corner of said Southwest 1/4; thence South $87^{\circ}-47'-29''$ West along the North line of said Southwest 1/4, a distance of 1,151.84 feet to the East line of Certified Survey Map No. 1919, recorded in the Kenosha County Register of Deeds Office as Document No. 1038241; thence South $01^{\circ}-44'-34''$ East along said East line, a distance of 600.00 feet to the South line of said Certified Survey Map; thence South $87^{\circ}-47'-29''$ West along said South line, a distance of 505.73 feet to the Easterly right-of-way line of the East Frontage Road; thence Southeasterly 351.82 feet along said Easterly line on a curve to the left having a radius of 1,335.00 feet, the chord of said curve bears South $40^{\circ}-14'-37''$ East, a chord distance of 350.80 feet; thence South $47^{\circ}-47'-36''$ East along said Easterly line, a distance of 292.63 feet; thence North $42^{\circ}-12'-24''$ East along said Easterly line, a distance of 10.00 feet; thence Southeasterly 325.41 feet along said Easterly line on a curve to the right having a radius of 1,475.00 feet, the chord of said curve bears South $41^{\circ}-28'-23''$ East, a chord distance of 324.75 feet; thence North $87^{\circ}-48'-38''$ East along said Easterly line, a distance of 34.30 feet; thence South $01^{\circ}-59'-00''$ East along said Easterly line, a distance of 55.22 feet; thence Southeasterly 782.01 feet along said Easterly line on a curve to the right having a radius of 1,475.00 feet, the chord of said curve bears South $17^{\circ}-26'-33''$ East, a chord distance of 772.88 feet; thence South $05^{\circ}-18'-28''$ West along said Easterly line, a distance of 144.38 feet; thence South $05^{\circ}-07'-00''$ East along said Easterly line, a distance of 280.35 feet; thence South $41^{\circ}-56'-34''$ East along said Easterly line, a distance of 21.47 feet to the North right-of-way line of County Trunk Highway "E"; thence North $87^{\circ}-49'-48''$ East along said North line, a distance of 628.00 feet; thence North $89^{\circ}-22'-39''$ East along said North line, a distance of 140.58 feet to the point of beginning and containing 62.027 acres (2,701,904 sq. ft.) of land more or less.

SAF

CERTIFIED SURVEY MAP NO.

FOR
ARLO F. AND JEANNE L. FUNK TRUST
 PART OF THE NORTHWEST 1/4, NORTHEAST 1/4
 & SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
 SECTION 7, TOWNSHIP 2 NORTH, RANGE 22 EAST,
 VILLAGE OF SOMERS, KENOSHA COUNTY, WISCONSIN.

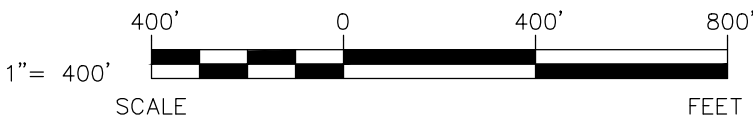


LEGEND

- - 3/4" x 18" REBAR SET WEIGHING 1.50 LBS/FT.
- ▲ - 1" IRON PIPE FOUND
- - 3/4" REBAR FOUND
- ⊙ - SECTION CORNER MONUMENT

(R.A.) "RECORDED AS" INFORMATION

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83). THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 7 HAS A BEARING OF NORTH 01°-59'-09" WEST.



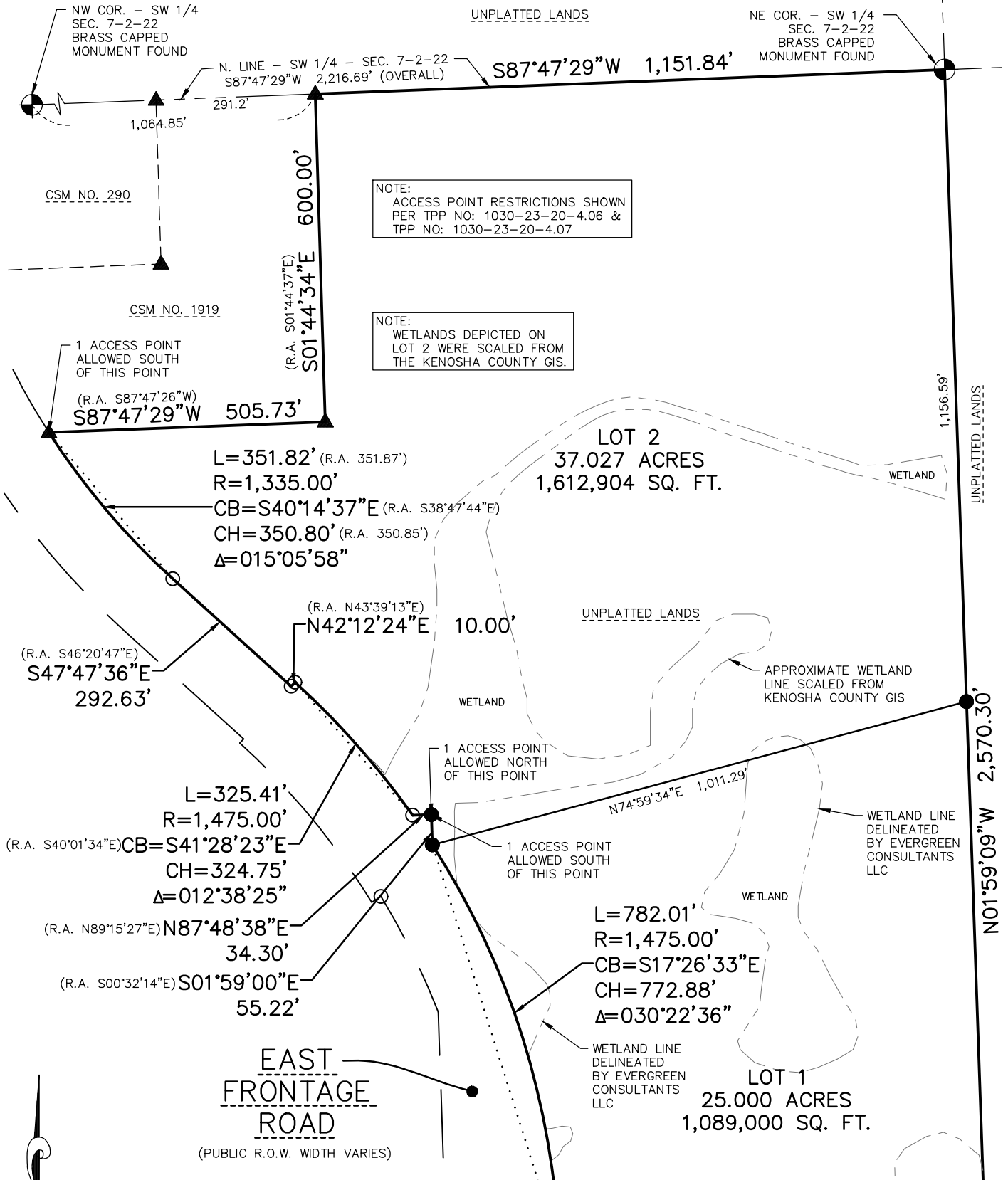
OWNER:
 ARLO F. AND JEANNE L. FUNK TRUST
 27822 SANTA ANITA BOULEVARD
 WESLEY CHAPEL, FL 33544

SHEET 1 OF 6 SHEETS

EXCEL
 ARCHITECTS • ENGINEERS • SURVEYORS
 Always a Better Plan
 100 Camelot Drive
 Fond Du Lac, WI 54935
 Phone: (920) 926-9800
 www.EXCELENGINEER.com
JOB NO. 2266000

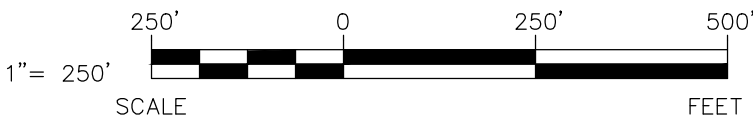
CERTIFIED SURVEY MAP NO.

FOR
ARLO F. AND JEANNE L. FUNK TRUST
 PART OF THE NORTHWEST 1/4, NORTHEAST 1/4
 & SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
 SECTION 7, TOWNSHIP 2 NORTH, RANGE 22 EAST,
 VILLAGE OF SOMERS, KENOSHA COUNTY, WISCONSIN.



SHEET 3 OF 6 SHEETS

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD83). THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 7 HAS A BEARING OF NORTH 01°-59'-09" WEST.



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CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4
& SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
SECTION 7, TOWNSHIP 2 NORTH, RANGE 22 EAST,
VILLAGE OF SOMERS, KENOSHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan Wilgreen, Professional Land Surveyor, hereby certify:

That I have surveyed, divided and mapped a parcel of land described below.

That I have made such Certified Survey under the direction of Arlo F. and Jeanne L. Funk Trust bounded and described as follows:

Part of the Northwest 1/4, Northeast 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 7, Township 2 North, Range 22 East, Village of Somers, Kenosha County, Wisconsin being more particularly described as follows:

Commencing at Southeast corner of the Southwest 1/4 of said Section 7; thence North 01°-59'-09" West along the East line of said Southwest 1/4, a distance of 81.20 feet to the North right-of-way line of County Trunk Highway "E", said point being the point of beginning; thence continuing North 01°-59'-09" West along said East line, a distance of 2,570.30 feet to the Northeast corner of said Southwest 1/4; thence South 87°-47'-29" West along the North line of said Southwest 1/4, a distance of 1,151.84 feet to the East line of Certified Survey Map No. 1919, recorded in the Kenosha County Register of Deeds Office as Document No. 1038241; thence South 01°-44'-34" East along said East line, a distance of 600.00 feet to the South line of said Certified Survey Map; thence South 87°-47'-29" West along said South line, a distance of 505.73 feet to the Easterly right-of-way line of the East Frontage Road; thence Southeasterly 351.82 feet along said Easterly line on a curve to the left having a radius of 1,335.00 feet, the chord of said curve bears South 40°-14'-37" East, a chord distance of 350.80 feet; thence South 47°-47'-36" East along said Easterly line, a distance of 292.63 feet; thence North 42°-12'-24" East along said Easterly line, a distance of 10.00 feet; thence Southeasterly 325.41 feet along said Easterly line on a curve to the right having a radius of 1,475.00 feet, the chord of said curve bears South 41°-28'-23" East, a chord distance of 324.75 feet; thence North 87°-48'-38" East along said Easterly line, a distance of 34.30 feet; thence South 01°-59'-00" East along said Easterly line, a distance of 55.22 feet; thence Southeasterly 782.01 feet along said Easterly line on a curve to the right having a radius of 1,475.00 feet, the chord of said curve bears South 17°-26'-33" East, a chord distance of 772.88 feet; thence South 05°-18'-28" West along said Easterly line, a distance of 144.38 feet; thence South 05°-07'-00" East along said Easterly line, a distance of 280.35 feet; thence South 41°-56'-34" East along said Easterly line, a distance of 21.47 feet to the North right-of-way line of County Trunk Highway "E"; thence North 87°-49'-48" East along said North line, a distance of 628.00 feet; thence North 89°-22'-39" East along said North line, a distance of 140.58 feet to the point of beginning and containing 62.027 acres (2,701,904 sq. ft.) of land more or less.

That such is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the Subdivision Ordinance of the Village of Somers in surveying, dividing and mapping the same.

Ryan Wilgreen, P.L.S. No. S-2647
ryan.w@excelengineer.com
Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935
Project Number: 2266000

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4
& SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
SECTION 7, TOWNSHIP 2 NORTH, RANGE 22 EAST,
VILLAGE OF SOMERS, KENOSHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

Arlo F. and Jeanne L. Funk Trust, as owner, hereby certify that I have caused the land described on this map to be surveyed, divided and mapped as represented on this map. I further certify that this map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

- 1. Village of Somers

WITNESS the hand and seal of said owner this _____ day of _____, 20____.

_____, _____
(Print) (Title)

STATE OF _____)
_____ COUNTY)SS

Personally came before me this _____ day of _____, 20____, the above named _____ to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, _____
My Commission Expires: _____

CERTIFIED SURVEY MAP NO. _____

PART OF THE NORTHWEST 1/4, NORTHEAST 1/4
& SOUTHEAST 1/4 OF THE SOUTHWEST 1/4,
SECTION 7, TOWNSHIP 2 NORTH, RANGE 22 EAST,
VILLAGE OF SOMERS, KENOSHA COUNTY, WISCONSIN.

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the Village of Somers on this _____ day of _____, 20____.

George Stoner, President

Date

Secretary

Date

VILLAGE BOARD APPROVAL

Approved by the Village Board of the Village of Somers on this _____ day of _____, 20____.

George Stoner, Village President

Date

Brandi Baker, Village Clerk-Treasurer

Date

**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Village Trustees

FROM: Jason J. Peters, Assistant Administrator

AGENDA ITEM: #5 Discuss Appointments to the Plan Commission

BACKGROUND:

The Plan Commission has three commissioners whose terms are set to expire. Plan Commissioners serve a 3-year term or until a successor is named. Commissioner Sandee Gardinier, Commission Donald Boxx and Alternate Commissioner Steve Raith, Jr's terms are set to expire on April 30th.

Donald Boxx is willing to serve another 3-year term. Sandee Gardinier will be stepping down.

Commissioner Fredrick will also be stepping down after being recently elected to the Village Board.

This leaves two commissioners and one alternate that needs to be appointed.

The following Somers residents are interested in serving as Commissioners:

Vince Chambers, who is a retired construction superintendent.

Gregg Thompson, who runs his own project management and construction consulting firm. Mr. Thompson is also a former member of KABA and RCEDC.

Troy Steege is a licensed Architect and Senior Project manager, specializing in the healthcare industry. He currently works for Advocate Aurora Health.

Peggy Kormlyo is the Director of Operations at Coldwell Banker Real Estate One. Ms. Kormlyo also serves as alternate for the Village's Board of Appeals.

Patrick Juliana, who was an alderman for the City of Kenosha for many years and has served an many committees (Board of Water Commission, Historical Preservation Commission, Licensing/Permit Committee, ...).

President Stoner and Administration have interviewed several of these candidates and have additional interviews scheduled the week of the 17th.

COMMENTS:

Administration would like to thank Ms. Gardinier, Mr. Fredrick, and Mr. Raith for their service to the Plan Commission.

Administration would also like thank all those have offered to serve.

Staff is requesting the re-appointment of Mr. Boxx and the appointment of two new members and an alternate are placed on the April 25th Board Meeting agenda.

ATTACHMENTS:

NONE



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Village Trustees

FROM: Brandi Baker, Clerk/Treasurer

AGENDA ITEM: #6 Discuss proposed Ordinance 2023-009, an Ordinance to repeal and recreate section 13.55 Appendix “A” of the Code of Ordinances of the Village of Somers relating to the amount of Sewer service charges

BACKGROUND:

Mount Pleasant has increased their sewer charges to \$140.00 per Quarter. Staff proposes an increase to the 257 customers located in the KR Utility District to reflect the increase we will be charged from Mount Pleasant.

The proposed KR Utility District rate will increase from \$134.95 per quarter to \$140.00 per quarter.

COMMENTS:

Staff would recommend placing this item on the April 25th Board Meeting

ATTACHMENTS:

Ordinance 2023-009

ORDINANCE NO. 2023-009

AN ORDINANCE TO REPEAL AND RECREATE SECTION 13.55 APPENDIX “A”
OF THE CODE OF ORDINANCES OF THE VILLAGE OF SOMERS
RELATING TO AMOUNT OF SEWER SERVICE CHARGES

The Village Board of Trustees of the Village of Somers, Kenosha County, Wisconsin, hereby repeals and recreates Section 13.55 Appendix “A” of the Code of Ordinances of the Village of Somers to read as follows:

APPENDIX “A”

1 Somers Utility District (Rates Revised and Effective 1-1-2022)

| | | |
|---------------------------|--------------|-------------------|
| Residential - (REU) | Fixed Charge | \$185.40/3 months |
| Non-Residential (per REU) | | \$185.40/3 months |

2 KR Utility District (Rates Revised and Effective 7-1-2023)

| | | |
|-------------------------|---------------------------|-------------------|
| Residential (all units) | Somers administration fee | \$60.71/3 months |
| | Mt. Pleasant charge | \$140.00/3 months |

3 Public Entities (Rates Revised and Effective 1-1-2022)

| | | |
|-------------------------|--------------------------|--|
| UW-Parkside | Meter volume billing at | |
| Petrifying Springs Park | \$6.8093 x 1,000 gallons | |

Dated at Somers, Wisconsin, this ____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Board of Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #7 Discuss steps to be taken to adopt FEMA's recent Letter of Map Revision for the area known as Unnamed Tributary No. 8 to Kilbourn Ditch Overflow

BACKGROUND:

As a part of the Kwik Trip on 142 project, the Kwik Trip submitted engineering to FEMA to receive a Letter of Map Revision (LOMR). The process for the LOMR has been going on for several years.

UPDATE:

On March 28th, 2023, the Village received notice from FEMA that the requested revision would be effective August 16, 2023.

COMMENTS:

In order to be in compliance with NFIP the Village needs to take steps to adopt the revisions in our ordinance. The Village will need to hold a public hearing on the matter. The public hearing and been set for our April 25th Board Meeting. This public hearing has been properly noticed. Attorney Davison with the help of Planning Director Buehler has drafted proposed Resolution 2023-005 that will serve to document the steps taken to adopt the approved revisions and to notify the public of said revision. Finally, Attorney Davison has drafted proposed Ordinance 2023-010 that will serve to codify the approved revision.

ATTACHMENTS:

Notice of Public Hearing

Proposed Resolution 2023-005

Proposed Ordinance 2023-010

NOTICE OF PUBLIC HEARING
ON THE ADOPTION BY THE VILLAGE OF SOMERS
OF THE LETTER OF MAP REVISION DETERMINATION
BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

PLEASE TAKE NOTICE that the Village Board of the Village of Somers, Kenosha County, Wisconsin, will conduct a public hearing on the 25th day of April, 2023, at the Somers Village Hall, 7511 12th Street, Kenosha, Wisconsin 53144, commencing at 5:30 p.m. or as soon thereafter as parties may be heard on the adoption by the Village of Somers of that certain Letter of Map Revision Determination made by the Federal Emergency Management Agency. A copy of the Letter of Map Revision Determination is available for inspection in the office of the Village Clerk/Treasurer at the Village Hall.

Dated this 29th day of March, 2023.

Brandi Baker, Clerk/Treasurer
Village of Somers

RESOLUTION NO. 2023-005

The Village Board of Trustees of the Village of Somers, Kenosha County, Wisconsin, hereby resolves as follows:

WHEREAS, Kwik Trip, Inc. (hereinafter the "Developer") made application to the Federal Emergency Management Agency (hereinafter "FEMA") and the Wisconsin Department of Natural Resources (hereinafter "WDNR") for a Letter of Map Revision (hereinafter "LOMR") for floodplain management purposes; and

WHEREAS, on March 28, 2023, FEMA issued a LOMR Determination document for the area known as Unnamed Tributary No. 8 to Kilbourn Road Ditch Overflow, a true and correct copy of which is attached hereto, marked Exhibit "A" and incorporated herein by reference; and

WHEREAS, on the 25th day of April, 2023, following posting and publication of Notice, the Village Board held a public hearing for interested parties at the Village Hall; and

WHEREAS, it is the intention of the Village Board to adopt the recommendations contained in the LOMR, attached as Exhibit "A", subject to the conditions contained in the LOMR.

NOW, THEREFORE, BE IT RESOLVED, that the Village Board of Trustees of the Village of Somers, Kenosha County, Wisconsin, hereby adopts the findings and recommendations contained in the FEMA LOMR dated March 28, 2023 attached hereto and subject to the conditions contained therein. Specifically, the LOMR map revision has an effective date of August 16, 2023, and interested parties may request that FEMA reconsider the determination pursuant to the appeal process contained in the LOMR.

BE IT FURTHER RESOLVED, that the Village Clerk/Treasurer forward a copy of this Resolution to the developer, to FEMA and to the WDNR and that Village staff prepare a news release for publication in the Kenosha News and on the Village website that describes the revision and explains how the Village will provide data and help interpret the National Flood Insurance Program maps.

Dated at Somers, Wisconsin, this _____ day of April, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer



Federal Emergency Management Agency

Washington, D.C. 20472

March 28, 2023

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable George Stoner
President, Board of Trustees
Village of Somers
135 22nd Avenue
Kenosha, WI 53140

IN REPLY REFER TO:

Case No.: 22-05-3273P
Community Name: Village of Somers, WI
Community No.: 550406
Effective Date of
This Revision: **August 16, 2023**

Dear President Stoner:

The Flood Insurance Study Report and Flood Insurance Rate Map for your community have been revised by this Letter of Map Revision (LOMR). Please use the enclosed annotated map panel revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals issued in your community.

Additional documents are enclosed which provide information regarding this LOMR. Please see the List of Enclosures below to determine which documents are included. Other attachments specific to this request may be included as referenced in the Determination Document. If you have any questions regarding floodplain management regulations for your community or the National Flood Insurance Program (NFIP) in general, please contact the Consultation Coordination Officer for your community. If you have any technical questions regarding this LOMR, please contact the Director, Mitigation Division of the Department of Homeland Security's Federal Emergency Management Agency (FEMA) in Chicago, Illinois, at (312) 408-5500, or the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP). Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Sincerely,

Patrick "Rick" F. Sacbbit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

List of Enclosures:

Letter of Map Revision Determination Document
Annotated Flood Insurance Rate Map
Annotated Flood Insurance Study Report

cc Jason Peters
Town Administrator
Village of Somers

Brian Cunningham
State NFIP Coordinator
Wisconsin Department of Natural Resources

Riley Stone, P.E.
Project Engineer
raSmith

Exhibit "A"



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT

| COMMUNITY AND REVISION INFORMATION | | PROJECT DESCRIPTION | BASIS OF REQUEST |
|--|--|--|--|
| COMMUNITY | Village of Somers Kenosha County Wisconsin | CHANNELIZATION CULVERT | 1D HYDRAULIC ANALYSIS UPDATED TOPOGRAPHIC DATA |
| | COMMUNITY NO.: 550406 | | |
| IDENTIFIER | Kwik Trip Store #597 - Unnamed Trib No. 8 to Kilbourn Road Ditch Overflow | APPROXIMATE LATITUDE & LONGITUDE: 42.614, -87.947 SOURCE: Google Earth DATUM: NAD 83 | |
| ANNOTATED MAPPING ENCLOSURES | | ANNOTATED STUDY ENCLOSURES | |
| TYPE: FIRM* NO.: 55059C0177D DATE: June 19, 2012 | | DATE OF EFFECTIVE FLOOD INSURANCE STUDY: March 07, 2017 PROFILE: 114P FLOODWAY DATA TABLE: 9 | |

Enclosures reflect changes to flooding sources affected by this revision.

* FIRM - Flood Insurance Rate Map

FLOODING SOURCE & REVISED REACH

Unnamed Tributary No. 8 to Kilbourn Road Ditch Overflow - From approximately 300 feet downstream of 113th Avenue to approximately 150 feet upstream of 28th Street

SUMMARY OF REVISIONS

| Flooding Source | Effective Flooding | Revised Flooding | Increases | Decreases |
|---|--------------------|------------------|-----------|-----------|
| Unnamed Tributary No. 8 to Kilbourn Road Ditch Overflow | BFEs* | BFEs | YES | YES |
| | Zone AE | Zone AE | YES | YES |

* BFEs - Base (1-percent-annual-chance) Flood Elevations

DETERMINATION

This document provides the determination from the Department of Homeland Security's Federal Emergency Management Agency (FEMA) regarding a request for a Letter of Map Revision (LOMR) for the area described above. Using the information submitted, we have determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted. This document revises the effective NFIP map, as indicated in the attached documentation. Please use the enclosed annotated map panels revised by this LOMR for floodplain management purposes and for all flood insurance policies and renewals in your community.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-05-3273P

102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

COMMUNITY INFORMATION

APPLICABLE NFIP REGULATIONS/COMMUNITY OBLIGATION

We have made this determination pursuant to Section 206 of the Flood Disaster Protection Act of 1973 (P.L. 93-234) and in accordance with the National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968, P.L. 90-448), 42 U.S.C. 4001-4128, and 44 CFR Part 65. Pursuant to Section 1361 of the National Flood Insurance Act of 1968, as amended, communities participating in the NFIP are required to adopt and enforce floodplain management regulations that meet or exceed NFIP criteria. These criteria, including adoption of the FIS report and FIRM, and the modifications made by this LOMR, are the minimum requirements for continued NFIP participation and do not supersede more stringent State/Commonwealth or local requirements to which the regulations apply.

NFIP regulations Subparagraph 60.3(b)(7) requires communities to ensure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management ordinances; therefore, responsibility for maintenance of the altered or relocated watercourse, including any related appurtenances such as bridges, culverts, and other drainage structures, rests with your community. We may request that your community submit a description and schedule of maintenance activities necessary to ensure this requirement.

COMMUNITY REMINDERS

We based this determination on the 1-percent-annual-chance flood discharges computed in the FIS for your community without considering subsequent changes in watershed characteristics that could increase flood discharges. Future development of projects upstream could cause increased flood discharges, which could cause increased flood hazards. A comprehensive restudy of your community's flood hazards would consider the cumulative effects of development on flood discharges subsequent to the publication of the FIS report for your community and could, therefore, establish greater flood hazards in this area.

Your community must regulate all proposed floodplain development and ensure that permits required by Federal and/or State/Commonwealth law have been obtained. State/Commonwealth or community officials, based on knowledge of local conditions and in the interest of safety, may set higher standards for construction or may limit development in floodplain areas. If your State/Commonwealth or community has adopted more restrictive or comprehensive floodplain management criteria, those criteria take precedence over the minimum NFIP requirements.

We will not print and distribute this LOMR to primary users, such as local insurance agents or mortgage lenders; instead, the community will serve as a repository for the new data. We encourage you to disseminate the information in this LOMR by preparing a news release for publication in your community's newspaper that describes the revision and explains how your community will provide the data and help interpret the NFIP maps. In that way, interested persons, such as property owners, insurance agents, and mortgage lenders, can benefit from the information.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional Information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-05-3273P

102-I-A-C



Federal Emergency Management Agency

Washington, D.C. 20472

LETTER OF MAP REVISION DETERMINATION DOCUMENT (CONTINUED)

We have designated a Consultation Coordination Officer (CCO) to assist your community. The CCO will be the primary liaison between your community and FEMA. For information regarding your CCO, please contact:

Mary Beth Caruso
Director, Mitigation Division
Federal Emergency Management Agency, Region V
536 South Clark Street, Sixth Floor
Chicago, IL 60605
(312) 408-5500

STATUS OF THE COMMUNITY NFIP MAPS

We will not physically revise and republish the FIRM and FIS report for your community to reflect the modifications made by this LOMR at this time. When changes to the previously cited FIRM panels and FIS report warrant physical revision and republication in the future, we will incorporate the modifications made by this LOMR at that time.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

A handwritten signature in black ink, appearing to read "Rick Sacbibit", is positioned above the typed name.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-05-3273P

102-I-A-C



Federal Emergency Management Agency
Washington, D.C. 20472

**LETTER OF MAP REVISION
DETERMINATION DOCUMENT (CONTINUED)**

PUBLIC NOTIFICATION OF REVISION

A notice of changes will be published in the *Federal Register*. This information also will be published in your local newspaper on or about the dates listed below, and through FEMA's Flood Hazard Mapping website at https://www.floodmaps.fema.gov/fhm/bfe_status/bfe_main.asp

LOCAL NEWSPAPER Name: *Kenosha News*
Dates: April 11, 2023 and April 18, 2023

Within 90 days of the second publication in the local newspaper, any interested party may request that we reconsider this determination. Any request for reconsideration must be based on scientific or technical data. Therefore, this letter will be effective only after the 90-day appeal period has elapsed and we have resolved any appeals that we receive during this appeal period. Until this LOMR is effective, the revised flood hazard determination presented in this LOMR may be changed.

This determination is based on the flood data presently available. The enclosed documents provide additional information regarding this determination. If you have any questions about this document, please contact the FEMA Mapping and Insurance eXchange toll free at 1-877-336-2627 (1-877-FEMA MAP) or by letter addressed to the LOMC Clearinghouse, 3601 Eisenhower Avenue, Suite 500, Alexandria, VA 22304-6426. Additional information about the NFIP is available on our website at <https://www.fema.gov/flood-insurance>.

Patrick "Rick" F. Sacbibit, P.E., Branch Chief
Engineering Services Branch
Federal Insurance and Mitigation Administration

22-05-3273P

102-I-A-C

| FLOODING SOURCE | | FLOODWAY | | | | 1-PERCENT-ANNUAL-CHANCE FLOOD WATER SURFACE ELEVATION (FEET NAVD 88) | | | |
|---|-----------------------|--------------|----------------------------|---------------------------------|---------------------------------------|--|------------------|---------------|----------|
| CROSS SECTION | DISTANCE ¹ | WIDTH (FEET) | SECTION AREA (SQUARE FEET) | MEAN VELOCITY (FEET PER SECOND) | WIDTH REDUCED FROM PRIOR STUDY (FEET) | REGULATORY | WITHOUT FLOODWAY | WITH FLOODWAY | INCREASE |
| UNNAMED TRIBUTARY NO. 8 TO KILBOURN ROAD DITCH (CONTINUED) E | 4,344 | * | * | * | * | 724.0 | * | * | * |
| UNNAMED TRIBUTARY NO. 8 TO KILBOURN ROAD DITCH OVERFLOW | | | | | | | | | |
| A | 930 | * | * | * | * | 707.9 | * | * | * |
| B | 2,100 | * | * | * | * | 712.3 | * | * | * |
| C | 2,687 | * | * | * | * | 715.0 | * | * | * |
| D | 3,084 | * | * | * | * | 715.4 | * | * | * |
| E | 3,544 | * | * | * | * | 715.5 | * | * | * |
| UNNAMED TRIBUTARY NO. 13 TO KILBOURN ROAD DITCH | | | | | | | | | |
| A | 290 | * | * | * | * | 717.2 | * | * | * |
| B | 512 | * | * | * | * | 719.1 | * | * | * |
| C | 1,320 | * | * | * | * | 724.4 | * | * | * |
| D | 1,610 | * | * | * | * | 727.6 | * | * | * |
| E | 2,218 | * | * | * | * | 731.8 | * | * | * |
| F | 2,450 | * | * | * | * | 733.9 | * | * | * |
| G | 2,867 | * | * | * | * | 736.1 | * | * | * |

REVISED DATA

REVISED BY LOMR
EFFECTIVE: JUNE 14, 2021

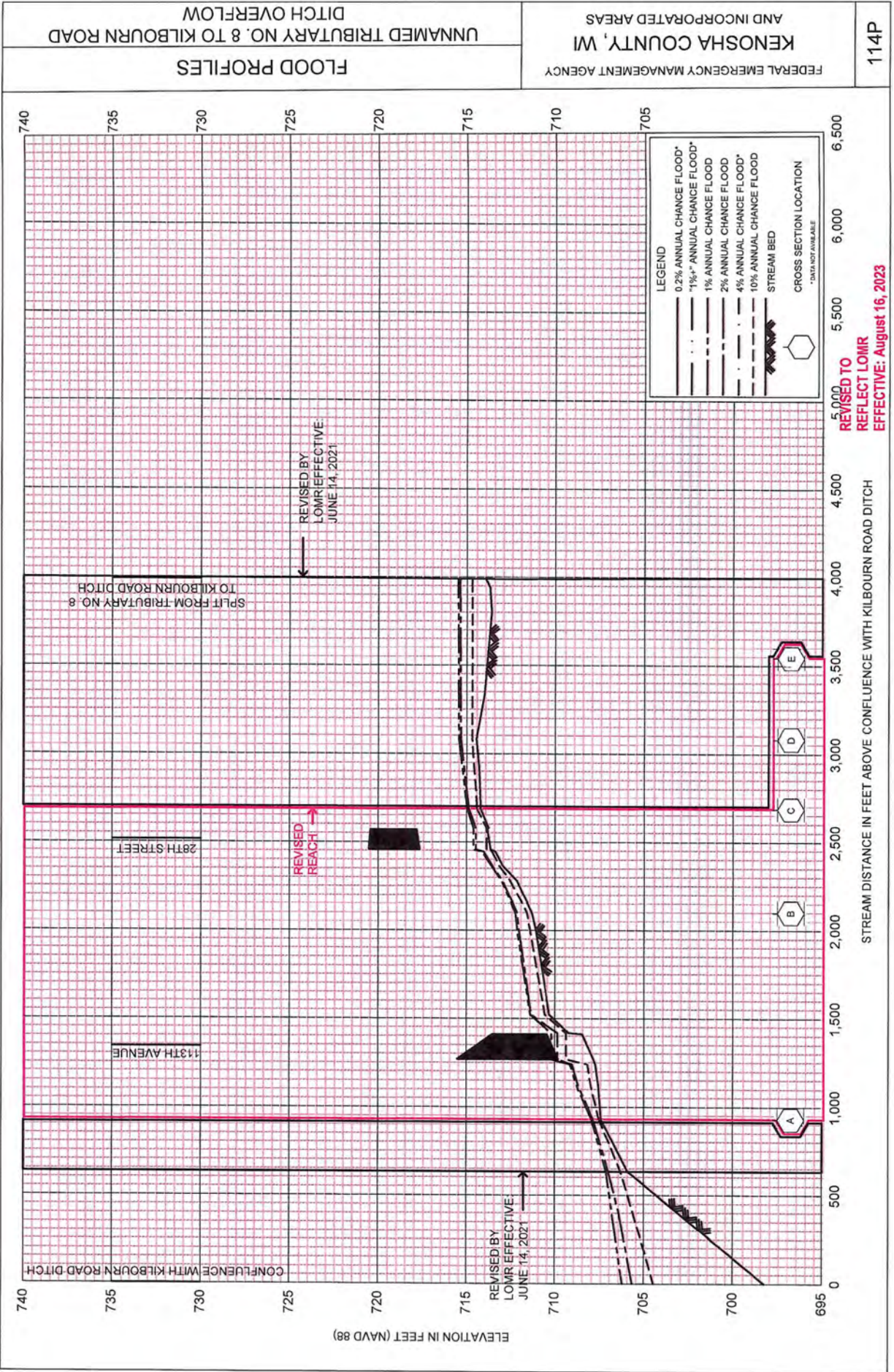
¹ FEET ABOVE CONFLUENCE WITH KILBOURN ROAD DITCH, *DATA NOT AVAILABLE

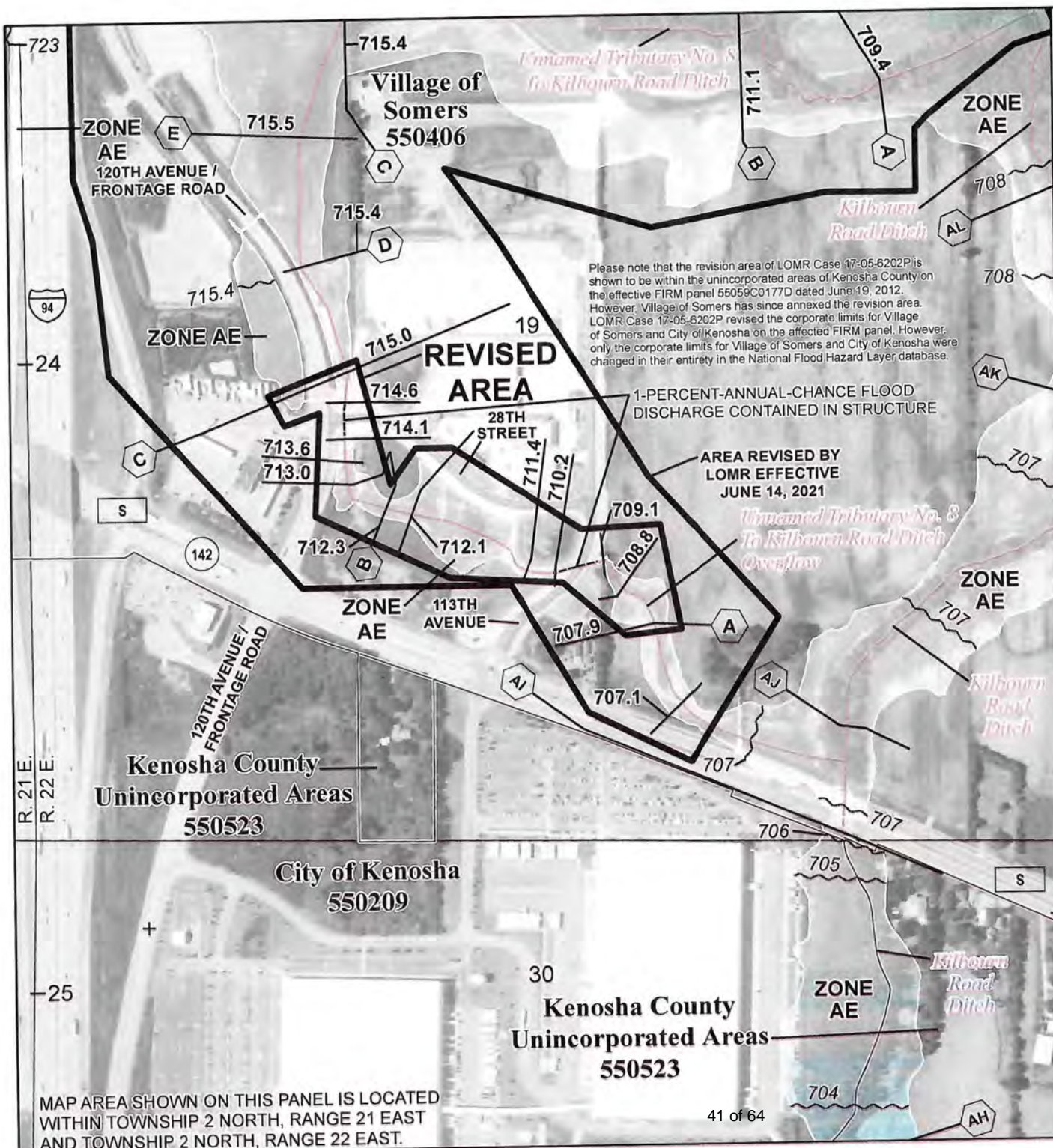
**REVISED TO
FLOODWAY DATA
REFLECT LOMR
EFFECTIVE: August 16, 2023**

FEDERAL EMERGENCY MANAGEMENT AGENCY
KENOSHA COUNTY, WI
AND INCORPORATED AREAS

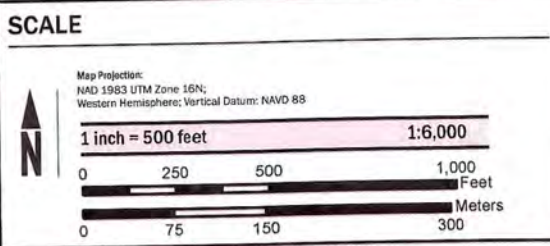
TABLE 9

UNNAMED TRIBUTARY NO. 8 TO KILBOURN ROAD DITCH - UNNAMED TRIBUTARY NO. 8
TO KILBOURN ROAD DITCH OVERFLOW - UNNAMED TRIBUTARY NO. 13 TO KILBOURN
ROAD DITCH





- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE) Zone A, A99
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
 - 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
 - Future Conditions 1% Annual Chance Flood Hazard Zone X
 - Area with Reduced Flood Risk due to Levee See Notes. Zone X



FEMA

National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP

KENOSHA COUNTY, WISCONSIN and Incorporated Areas

PANEL **177** OF **331**

| COMMUNITY | NUMBER | PANEL | SUFFIX |
|--------------------|--------|-------|--------|
| KENOSHA, CITY OF | 550209 | 0177 | D |
| KENOSHA COUNTY | 550523 | 0177 | D |
| SOMERS, VILLAGE OF | 550406 | 0177 | D |

REVISED TO REFLECT LOMR EFFECTIVE: August 16, 2023

VERSION NUMBER
2.1.3.0

MAP NUMBER
55059C0177D

EFFECTIVE DATE
JUNE 19, 2012

MAP AREA SHOWN ON THIS PANEL IS LOCATED WITHIN TOWNSHIP 2 NORTH, RANGE 21 EAST AND TOWNSHIP 2 NORTH, RANGE 22 EAST.

ORDINANCE NO. 2023-010

AN ORDINANCE TO REPEAL AND RECREATE SECTION ZN 4.08(1)(a)5b
OF THE CODE OF ORDINANCES OF THE VILLAGE OF SOMERS
RELATING TO OFFICIAL MAPS AND REVISIONS

The Village Board of Trustees of the Village of Somers, Kenosha County,

Wisconsin, hereby repeals and recreates Section ZN 4.08(1)(a)5b of the Code of Ordinances of the Village of Somers relating to the official maps and revisions to read as follows:

- b Official Maps & Revisions. The boundaries of all floodplain districts are designated as AE, A and AH Zones based on flood elevations derived from the flood profiles in the Flood Insurance Study (FIS) volume numbers 55059CV001B and 55059CV002B, effective March 7, 2017 Any change to the base flood elevations (BFE) or any changes to the boundaries of the floodplain in the FIS or on the Flood Insurance Rate Map (FIRM) must be reviewed and approved by the DNR and FEMA through the Letter of Map Change process (see sub. (f) *Amendments*) before it is effective. No changes to RFE's on non-FEMA maps shall be effective until approved by the DNR. These maps and revisions are on file in the office of the Village Clerk of the Village of Somers. If more than one (1) map or revision is referenced, the most restrictive information shall apply.
- 1) All areas covered by the regional flood or base flood as shown on the Flood Insurance Rate Map (FIRM), as approved by DNR and FEMA. Base flood elevations are derived from the flood profiles in the Flood Insurance Study (FIS) volume numbers 55059CV001B and 55059CV002B, effective March 7, 2017 and are shown as AE, A, and AH Zones on the FIRM. The FIRM Map Panels affected are: 55059C0062D, 55059C0064D, 5509C0066D, 55059C0067D, 55059C0068D, 55059C0069D, 55059C0086D, 55059C0087D, 55059C0088D, 55059C0089D, 55059C0091D, 55059C0093D, 55059C0177D, 55059C0181D, 55059C0182D, 55059C0201D, 55059C0202D dated June 19, 2012, FIRM Map Panel 55059C0184E dated March 7, 2017 and FIRM Map Panel 55059C0177D revised June 14, 2021.
 - 2) Letter of Map Revision (LOMR): Case No.: 22-05-3273P Effective Date: August 16, 2023.

These official floodplain maps and studies were approved by the DNR and FEMA and are on file in the office of the Village Clerk of the Village of Somers. If more than one (1) map or revision is referenced, the most restrictive information shall apply.

Dated at Somers, Wisconsin, this ____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Village Trustees

FROM: Brandi Baker, Clerk/Treasurer

AGENDA ITEM: #8 Somers Community Day update

UPDATE:

Somers Fire and Rescue Firemedic Nico Celebre has been organizing the first Somers Community Day. The event is scheduled for Saturday May 13 between 10 a.m. and 2 p.m. The Somers Village/Town Hall will be open to the public for tours.

Demonstrations have been scheduled as follows:

- 10 a.m. Kenosha Sheriff Department K-9unit
- 11 a.m. fire extinguisher and fire prevention
- 11:30 Flight for Life helicopter will be landing
- 12:30 first aid and hands-only CPR
- 1 p.m. car extrication

There will be a 50/50 raffle to support the Somers Fire & Rescue Association “Make the Difference” community outreach initiative that promotes teaching CPR and other life saving measures to community members.

The fire department would like to thank the following sponsors and participants for their help: Walmart, Festival Foods, Dunkin’ Donuts, Froedtert Pleasant Prairie Hospital, Aurora Medical Center, Flight for Life, VRC Animal Hospital, Golden Oil – Amoco, KC Aging & Disability, KC Emer Management, Kenosha Running Club, Kenosha Sheriff Department, Shoreland Lutheran High School, Somers Elementary and US Cellular among others.

Festival Foods is donating a Milwaukee Brewers PlayBall home game experience for the June 18 game against the Pittsburgh Pirates at 1:10 p.m. The winning child (age between 6 and 14) will be able to go on the field before the game and opening the afternoon’s game by shouting “Play Ball!” from the scoreboard, receive four field level game tickets and a free t-shirt.

ATTACHMENTS:

Community Day attendee list

Community Day demonstration schedule

Community Day poster

SOMERS COMMUNITY DAY

DEMONSTRATION SCHEDULE



MAY 13TH
10 AM - 2 PM

↘ **10:00** AM

SHERIFF K-9 DEMO

↘ **11:00** AM

**FIRE PREVENTION
(EXTINGUISHER)**

↘ **11:30** AM

FLIGHT FOR LIFE (LANDING)

↘ **12:30** PM

CPR & FIRST AID

↘ **1:00** PM

CAR EXTRICATION DEMO



**A
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— **Aurora Hospital** —

— **Dunkin' Donuts** —

— **Festival Foods** —

— **Flight for Life** —

— **Froedtert South** —

— **Golden Oil** —

— **KC Aging & Disability** —

— **KC Emer. Management** —

— **Kenosha Running Club** —

— **Kenosha Sheriff Dept.** —

— **Shoreland HS** —

— **Somers Elementary** —

— **US Cellular** —

— **Walmart** —

— **WVRC Animal Hosp.** —



★ SOMERS ★ COMMUNITY DAY



MAY 13

10 - 2 PM

7511 12TH STREET

★ SOMERS ★ COMMUNITY DAY



MAY 13

10 - 2 PM

7511 12TH STREET



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Board of Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #9 Discuss proposed Resolution 2023-006, An Order to Removing Territory from the Village of Somers Utility District No. 1

BACKGROUND:

In December of 2022, upon the request of the Nehls family, the Village released a conservation easement placed on the CSM that that split the original lot. The Nehls wanted to remove the conservation easement on Lot 3 so that a portion of their now combined lot could be sold to their neighbors, the Bonns. When Nehls attempted to record a lot line adjustment to deed the small portion of land to the Bonns, the County informed the Village that the Bonns parcel was not located in UD #1. The small strip of land (.321 acres) attached to the [Bonns](#) parcel will need to be removed from UD #1 so the deed can be recorded.

UPDATE:

On March 14th, Administrator Peters executed a petition to request the removal of the small portion of the lot from UD#1 and set a public hearing for April 25th. The attached notice of the public hearing has been properly published.

COMMENTS:

A public hearing on this matter will be held at our April 25th Board Meeting. The proposed resolution to facilitate the removal has been drafted and Staff requests that this be placed on our April 25th agenda for action.

ATTACHMENTS:

Petition to Remove

Notice of Public Hearing

Resolution 2023-006

Map of Area

**PETITION TO REMOVE CERTAIN
TERRITORY FROM THE VILLAGE OF
SOMERS UTILITY DISTRICT NO. 1**

STATE OF WISCONSIN)
) SS.
COUNTY OF KENOSHA)

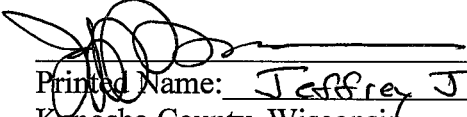
The undersigned, Jason Peters, after being first duly sworn, states as follows:

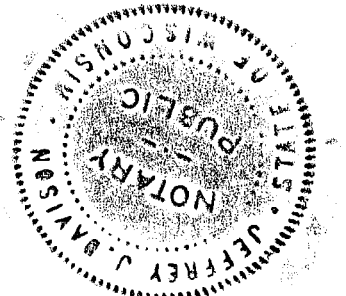
1. That your petitioner is the Village Administrator for the Village of Somers and is fully familiar with all of the matters averred to herein.
2. That the public health, safety, convenience or welfare of the Village will be promoted by the removal of the real property described hereafter from the Village of Somers Utility District No. 1.
3. That the property to be removed at the request of your petitioner is in the Village of Somers Utility District No. 1, is a very small strip of land consisting of approximately 0.321 acres which is the subject of an administrative lot line adjustment. This land currently is in the Utility District but is being attached to a parcel which is not currently in the Utility District.
4. That the property to be removed from the District is a portion of Parcel No. 83-4-223-064-0213.
5. That your petitioner makes this Petition for the purpose of requesting that the Village Clerk/Treasurer schedule and advertise a public hearing to be held before the Village Board of Trustees considering the petitioner's request; further, your petitioner requests that the Village Clerk/Treasurer mail a notice of the requested removal from the Utility District to the State of Wisconsin Department of Commerce and the State of Wisconsin Department of Natural Resources more than ten (10) days prior to the public hearing to be scheduled.

Dated this 14th day of March, 2023.


Jason Peters

Subscribed and sworn to before me
this 14th day of March, 2023.


Printed Name: Jeffrey J. Davison
Kenosha County, Wisconsin
My commission expires is permanent.



(Rev. 3/13/23)

NOTICE OF PUBLIC HEARING
ON THE REMOVAL OF TERRITORY FROM THE
VILLAGE OF SOMERS UTILITY DISTRICT NO. 1

PLEASE TAKE NOTICE that the Village Board of the Village of Somers, Kenosha County, Wisconsin, sitting as commissioners of the Village of Somers Utility District No. 1, will conduct a public hearing on the 25th day of April, 2023, at the Somers Village Hall commencing at 5:30 p.m. or as soon thereafter as parties may be heard on the Petition of Jason Peters, Village Administrator, for removal of certain real property from the Village of Somers Utility District No. 1 pursuant to Wisconsin Statutes. The legal description for the property to be removed from the District is described in the attached Exhibit "A".

Dated this 15th day of March, 2023.

Brandi Baker, Clerk/Treasurer
Village of Somers

EXHIBIT "A"

Land Conveyed from Parcel No. 83-4-223-064-0213 to Parcel No. 83-4-223-064-0300

Part of Lot 3 of Certified Survey Map No. 2597 (C.S.M. 2597), a map recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on October 31, 2007 as Document No. 1538458, being a part of the Northwest 1/4 of the Southeast 1/4 of Section 6, Township 2 North, Range 23 East of the Fourth Principal Meridian, in the Village of Somers, County of Kenosha, State of Wisconsin, bounded and described as follows:

Beginning at the Southeast corner of Lot 3 of said C.S.M. 2597, also being the Northeast corner of Parcel B of Certified Survey Map No. 1615, run thence S87°51'34" W, 145.00 feet along a South line of Lot 3 of said C.S.M. 2597; thence N01°29'11"W, 96.00 feet parallel with the West line of the Southeast 1/4 of said Section 6; thence N87°30'03"E, 145.01 feet to a point on an East line of Lot 3 of said C.S.M. 2597 being 25.00 feet from, as measured perpendicular to, a South line of Lot 3 of said C.S.M. 2597; thence S01°29'11"E, 96.91 feet along an East line of Lot 3 of said C.S.M. 2597 to the point of beginning.

Containing 13,985 square feet or 0.321 acre

RESOLUTION NO. 2023-006

**AN ORDER REMOVING TERRITORY FROM THE
VILLAGE OF SOMERS UTILITY DISTRICT NO. 1**

The Village Board of the Village of Somers, Kenosha County, Wisconsin, sitting as commissioners of the Village of Somers Utility District No. 1 hereby orders the removal of certain real property, described with more particularity herein, as part of the Village of Somers Utility District No. 1 following public hearing conducted by the Board on April 25, 2023. In arriving at this decision, the Village Board finds as follows:

- i. That the Petitioner, Jason Peters, Village Administrator, filed his Petition on March 14, 2023, for removal of certain real property from the Village of Somers Utility District No. 1 pursuant to Wisconsin Statutes.
- ii. That following the filing of this Petition, the Village Clerk/Treasurer scheduled and advertised as a Class 1 Notice of Public Hearing to be held before this Board on April 25, 2023, concerning the Petitioner's request; further, that the Village Clerk/Treasurer mailed a notice to the Department of Commerce and the Department of Natural Resources more than ten (10) days prior to the Public hearing and that no adverse comments were received by either of those departments.
- iii. That a public hearing was conducted as described above by this Board on April 25, 2023.
- iv. That the public health, safety, convenience or welfare will be promoted by the removal of the real property described hereafter from the Village of Somers Utility District No. 1.
- v. That the legal description for the property to be removed from the District described on the attached Exhibit "A".

Based upon the foregoing,

IT IS HEREBY ORDERED that copies of this Order establishing this removal from the Village of Somers Utility District No. 1 shall be filed by the Village Clerk/Treasurer with the Department of Natural Resources and that a true and correct copy of this Order shall be recorded in the office of the Register of Deeds for Kenosha County, Wisconsin.

Dated at Somers, Wisconsin, this _____ day of _____, 2023.

VILLAGE OF SOMERS

By: _____
George Stoner, President

Attest: _____
Brandi Baker, Clerk/Treasurer

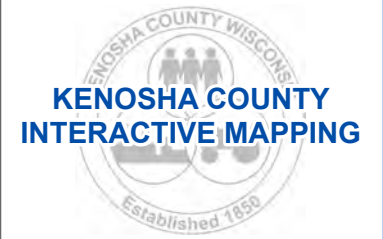
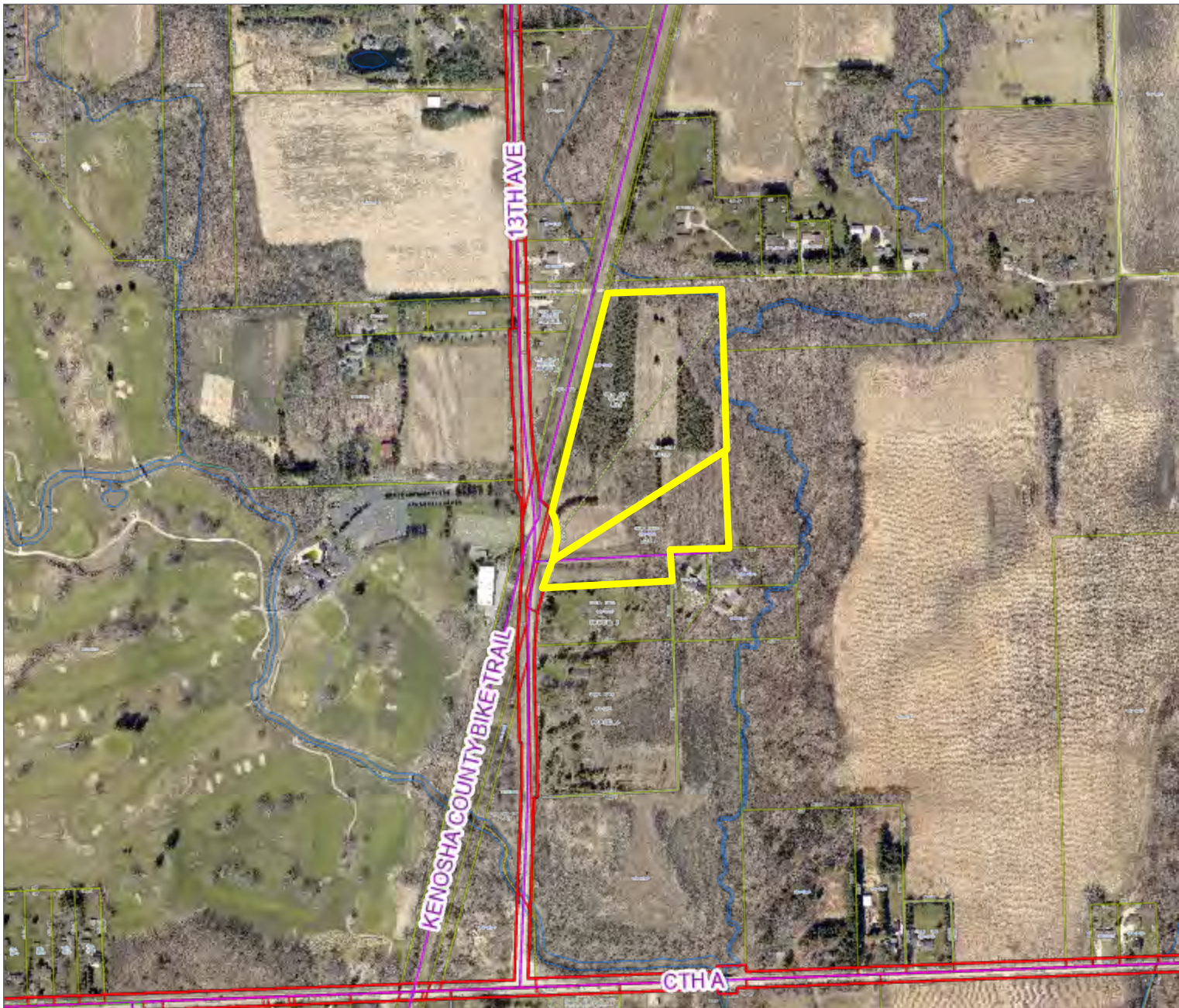
EXHIBIT "A"

Land Conveyed from Parcel No. 83-4-223-064-0213 to Parcel No. 83-4-223-064-0300

Part of Lot 3 of Certified Survey Map No. 2597 (C.S.M. 2597), a map recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on October 31, 2007 as Document No. 1538458, being a part of the Northwest 1/4 of the Southeast 1/4 of Section 6, Township 2 North, Range 23 East of the Fourth Principal Meridian, in the Village of Somers, County of Kenosha, State of Wisconsin, bounded and described as follows:

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Containing 13,985 square feet or 0.321 acre



Legend



1 Inch = 570 Feet

DISCLAIMER This map is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of records, data and information located in various state, county and municipal offices and other sources affecting the area shown and is to be used for reference purposes only. Kenosha County is not responsible for any inaccuracies herein contained. If discrepancies are found, please contact Kenosha County.

Date Printed: 12/2/2022



**VILLAGE OF SOMERS
VILLAGE BOARD
WORK SESSION ITEM MEMORANDUM**

WORK SESSION: April 18th, 2023

TO: Village President Stoner and Village Trustees

FROM: Kevin Poirier, Assistant to the Administrator Administrator/
Communication Specialist

AGENDA ITEM: #10 Discuss possible support for changes to the requirements for
"Class B" liquor licenses transfer between municipalities

BACKGROUND:

The City of Burlington recently found itself short one “Class B” liquor license when two new businesses were looking to open in the city. Burlington reached out to neighboring communities within a two-mile radius (as allowed by statute) to see if they could buy an unused license.

“A municipality may transfer up to 3 reserve "Class B" licenses to a municipality that is contiguous or within 2 miles of the transferring municipality. The transferring municipality establishes the initial issuance fee in an amount not less than \$10,000. Upon receipt of the issuance fee, the receiving municipality shall pay the issuance fee to the transferring municipality. (sec. 125.51(4)(e), Wis. Stats.)”

None of their neighboring communities were willing to sell a license and Burlington lost one of the businesses.

The City of Burlington reached out to State Representative Robin Vos to petition a change to the area municipalities can ask for a Class B Liquor license. The change would increase the area from two miles to the entire county.

Early this month, the Village received the attached letter from the Mayor of Burlington seeking the support of other communities in their efforts.

COMMENTS:

Staff is seeking direction from the Board as to whether they are willing to sign the attached letter of support from the City of Burlington.

ATTACHMENTS:

Letter from City of Burlington Mayor Jeannie Hefty



My name is Jeannie Hefty. I am the Mayor of the City of Burlington, Wisconsin.

I am asking you to join me in requesting the State to allow municipalities to request a transfer of a "Class B" liquor licenses throughout the entire county, rather than being limited to a 2-mile contiguous radius.

Our City was recently faced with two solid applicants wishing to apply for a "Class B" liquor license; however, the City only had one license remaining. This resulted in our Council having to choose a "winner" and a "loser". Both had solid business plans. Both would have been welcomed and successful in our community.

We are a growing community! Unfortunately, the need to grow our population by another 500, won't happen in time to support the addition of potential new businesses and restaurants wanting to come here. Your communities are growing too! The current limitations on "Class B" liquor licenses prevent new businesses and stunts economic growth!

Representative Robin Vos will assist municipalities and will pursue this at the State level, but we need your support. I am requesting signatures from all levels of government in the County and have attached a document to provide your signature.

Please pursue this as soon as possible, and help to make a difference to expand future growth and economic development in our counties and municipalities.

In closing, I don't want any municipality to go through what the City of Burlington did.

Thank you!

Sincerely,

A handwritten signature in black ink that reads "Jeannie Hefty". The signature is written in a cursive style with a large, looped initial "J".

Mayor Jeannie Hefty
City of Burlington
Burlington, Wisconsin

**Village of Somers
7511 12th Street
Somers, WI 53171**

**Village Board Meeting
Tentative Agenda
Tuesday, April 25, 2023
5:30 p.m.**

| Village Board Meeting: | |
|-------------------------------|---|
| Item # | |
| 1 | Call to order |
| 2 | Pledge of Allegiance |
| 3 | Consent and Approval of Minutes of Regular meetings on April 11, 2023, Vouchers dated April 13, 2023 and April 20, 2023 |
| 4 | Correspondence: |
| 5 | Citizens Comments |
| 6 | President and Trustee Comments |
| 7 | Public Hearing on Resolution 2023-005, a Petition to Add Territory to Utility District No. 1 |
| 8 | Action on Resolution 2023-005, An Order to Removing Territory from the Village of Somers Utility District No. 1 |
| 9 | Public Hearing on Resolution 2023-006, A Resolution regarding FEMA's recent Letter of Map Revision for the area known as Unnamed Tributary No. 8 to Kilbourn Ditch Overflow |
| 10 | Action on Resolution 2023-006, A Resolution regarding FEMA's recent Letter of Map Revision for the area known as Unnamed Tributary No. 8 to Kilbourn Ditch Overflow |
| 11 | Action on proposed Ordinance 2023-010, An Ordinance to Repeal and Recreate Section ZN 4.08(1)(a) 5b of the Code of Ordinance of the Village of Somers Relating to the Official Maps and Revisions |
| 12 | Plan Commission Recommendations (Funk Trust & Golden Oil): <ul style="list-style-type: none"> a. Action on Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests a rezoning from A-1 Agricultural Preservation Dist. to A-4 Agricultural |

| | |
|----|--|
| | <p>Land Holding Dist. & A-1 Agricultural Preservation Dist., on Tax Parcel #82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. (For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.)</p> <p>b. Action on Request by: Arlo F and Jeanne L Funk Trust, 27822 Santa Anita Blvd, Wesley Chapel, FL 33544 (Owner), Paul Bhardwaj, Golden Oil LLC, 1170 22nd Ave., Kenosha, WI 53140 (Agent), requests approval of a Certified Survey Map (undated CSM prepared by Ryan Wilgreen of Excel Engineering) to create one (1) 25.00-acre Lot and one (1) 37.027-acre Lot from Tax Parcel # 82-4-222-073-0102, located in the SW ¼ of Section 7, T2N, R22E, Village of Somers. (For informational purposes only, this property is located at the NE corner of CTH E and East Frontage Rd.)</p> |
| 13 | Action on proposed Ordinance 2023-009, an Ordinance to repeal and recreate section 13.55 Appendix “A” of the Code of Ordinances of the Village of Somers relating to the amount of Sewer service charges |
| 14 | Action on appointments to Plan Commission |
| 15 | Approval of Operator’s Licenses: Joseph Meier, Allie Hedges, and Tracy Mcallister |
| 16 | Adjourn |

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of the April 25, 2023, Village Board Meeting & **Tentative** Agenda in 1 public place & on the Village website.

Dated this 14th day of April 2023

Brandi Baker, Clerk-Treasurer

Requests from person with disabilities who need assistance to participate in this meeting should be made to the Clerk’s Office at 262-859-2822 with as much notice as possible. **Notice is hereby given that members of the Village Board may participate telephonically. Notice is hereby given that members of the Town Board may be in attendance for the sole purpose of gathering information. A quorum may be present. However, no Board action will be taken**