

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

**Village Plan Commission Meeting
Agenda
Monday, November 13th, 2023
5:30 P.M.**

1. Call to order
2. Pledge of Allegiance
3. Approve Minutes of July 10th Meeting
4. Correspondence
5. Citizen Comments
6. **Land Division (Certified Survey Map):**

Public Hearing and Action on Request by: Cetta Revocable Trust/Thomas Cetta, 10101 Tarpon Dr., Treasure Island, FL 33706 (Owner), requests approval of a Certified Survey Map (dated July 26, 2023 and prepared by Mark A. Bolender of Ambit Land Surveying) to create one (1) 1.49-acre Lot and one (1) 1.51-acre Lot on Tax Parcel #82-4-222-024-0181, located in the SE ¼ of Section 2, T2N, R22E, Village of Somers.

7. Adjourn

I hereby certify that as the designee of the chief elected official of the Village of Somers, I posted this notice of the Nov. 3, 2023 Village Plan Commission Meeting Agenda in 1 public place & on the Village website.

Dated this 3rd day of November, 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 Plan Commission members participate telephonically. Notice is hereby given that members of the Village 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
Proceeding from the Village Plan
Commission Meeting
July 10, 2023

1. Call to Order

Chairman Stoner called the meeting to order at 5:29 p.m.

Present:

- Chairman George Stoner
- Commissioner Ron Grimes
- Commissioner Bob Lee
- Commissioner Gregg Thompson
- Commissioner Don Boxx
- Commissioner Paul Aiello
- Alternate Pat Juliana

- Absent: Commissioner Vinnie Chambers

Staff present in person: Administrator **Jason Peters**, Assistant to the Administrator **Kevin Poirier**, Fire Chief **Ben Andersen**

Elected officials: Trustees **Jackie Nelson, and Scott Fredrick**

Kenosha County Staff: Director of Planning and Development **Andy Buehler**.

2. Pledge of Allegiance

Chairman **Stoner** led everyone in the Pledge of Allegiance.

3. Approve Minutes of June 12, 2023

Chairman **Stoner** makes a motion to approve to the minutes.

Moved by Commissioner **Boxx**.

Seconded by Commissioner **Aiello**

Motion carried. 7-0.

4. Correspondence

Email from **Elaine and Steve Roach** (attached).

Email from **Ruta Larson** (attached).

President Stoner asks Director of Planning and Development **Buehler** to explain the items considered.

Mr. Buehler states that the property is currently zone B2, the comprehensive plan has it as being high density residential. The request would be to have the plan amended and the parcel rezoned to M1 (light industrial).

Mr. Buehler mentions that there was talks of placing a deed restriction on the property for it to return to its current land use. He mentions that along the Sheridan Road corridor there are a lot of current uses including manufacturing.

5. Citizen Comments

Janice Siska Hjelmgren

141 S Lakeshore Dr., Unit C1

Ms. Siska Hjelmgren describes her property as being across the street from the property asking for the rezoning. She does not support the change to the comprehensive plan or rezoning. She states that the Comprehensive Plan has the property projected to change to residential by 2035. The current petition would contradict the plan.

She opposes the 30-years timeframe for a deed restriction stating the property will return to its current zoning. She states a property had a gas station planned for it but was changed to residential use. She adds that the motorcycle shop is now a residential property. She states that the proposed use might be a good fit as it would be quieter. She wonders whether the zoning change time frame could be shortened.

Maria Bishop

141 S Lakeshore Dr., Unit E6

Ms. Bishop is concerned about the zoning change. She is concerned about setting a precedent for other properties east of Sheridan Road. She believes that the change would be better as the current zoning would allow for a fast-food restaurant to be there. She wants to stick to the comprehensive plan calling for residential on the parcel.

Doug Duty

141 S Lakeshore Dr., Unit C4

Mr. Duty states he has lived in Somers for 33 years and loves it. He mentions that there are a lot of people walking in the area, wildlife, pretty homes and cannot imagine a manufacturing building in the area. He believes his property value would drop. He wonders whether the infrastructure would be able to handle that business (road, garbage). He believes it will be loud and dangerous. He wonders about the size of the road, traffic, deliveries, whether the building is soundproof, smell proof, whether a second floor can be added.

Tom Hjemgren

141 S Lakeshore Dr., Unit C1

States he doesn't have anything against manufacturing but is concerned about the protection of the lake, resources, and infrastructure. He is also concerned about setting a precedent east of Sheridan Road.

Teri Winkles

115 S Lakeshore Dr.

He is concerned about an increase in traffic and people coming in from outside the neighborhood and their background. He states he has some background in manufacturing. He is concerned about the environment and pollution. He is concerned about the people who will be coming into the neighborhood, what their background are, whether they are criminals, whether there will be a vetting process by the potential employer, and whether that should be mandated. He is concerned about truck drivers' backgrounds.

He would like a perimeter around the property and concerned about trespassing, thefts and robberies. He is concern about the welfare of the elderly folks, pets, children in the neighborhood.

He states that it is currently zoned for high density residential and would much rather see low income housing there.

He is concerned about the impact on the infrastructure due to traffic on the roads and potential cleanup. He is concerned about the impact on the Fox River running adjacent to the property and potential pollution to the water table, the lake, the wildlife, soil, air and light pollution. He is concerned about a decrease in his property value.

He wants the property to stay residential.

Tricia Riley

141 S Lakeshore Dr., Unit E7

And speaking for John Arsey

141 S Lakeshore Dr., Unit E12

They are concern about the impact to their properties. She asks whether surveys have been done and is concerned about the impact on the ground water.

She is concerned about the temporary zoning change to M1 and whether it will ever revert to its current zoning.

She is concerned about light pollution, noise pollution, lake pollution and erosion.

She states that it goes against Village planning and would fit better near a different highway. She is concerned about the traffic and wear on the road.

She asks the board to please not rezone.

Jackie Nelson

369 13th Avenue

She is a Village Board Trustee and is speaking as a resident. She and her husband resided at the Seawall condominium for 10 years and understand the neighborhood concerns.

She looked at the neighborhood and researched through the county GIS system to look at property assessment values.

She mentions that the property is a challenge and in disrepair. Any improvement would be nice to the neighborhood. She is on favor of the rezoning to M1. She cautions that the current zooming of B2 could bring businesses that would be more detrimental to the neighborhood than the proposed business.

Nils Werckmeister

169 S Lakeshore Dr.

He speaks highly of the current owner. He mentions that a fast-food store or convenient store would not be preferable to the current proposal.
He is concerned about potential pollution and traffic but mentions that he never noticed issue with the business, which is current located a few blocks away.
He states that he is ambivalent and that the objections he heard tonight are valid.
He likes the diversity of the residences and businesses along Sheridan Road, and that was what attracted him to move to the neighborhood.
He states that he supports the current owner and his neighbors and would like additional information on the project.

Irene

141 S Lakeshore Dr., Unit C1

She asks whether the sound in the auditorium could be improved.

Bruno Smyczynski

141 S Lakeshore Dr., Unit E5

He is concerned about the rezoning setting a precedent. He states it is supposed to end in 2035.

He is concerned about Lake pollution and suggest the business relocates further west.
He is concerned about deliveries, semi-trucks traffic, their ability to turn around and business requesting additional access on Sheridan Road in the future.

Kathleen Ford

141 S Lakeshore Dr., Unit B8

She mentions that she has lived in the neighborhood for 46 years and it has been residential. She is not supporting the industrial use and is concerned about setting a precedent that will depreciate her property.

She is concerned whether the road can accommodate trucks and large equipment. She mentions being concerned for the safety of pedestrians.

She is also concerned about the location of garbage, use of chemicals, pollution, noxious smell, wildlife and environment safety.

She opposes the project.

Denise Burkhart

141 S Lakeshore Dr., Unit E4

She asked about the number of shifts at the business and the hours of operation.

She is concerned about the noise and wildlife.

She mentions sticking to the 2035 plan and worries about what a future owner would do.

Teri Winkles (second time)

115 S Lakeshore Dr C1

He mentions being concerned about possible pollution and questions what would happen after the proposed business sells to someone else.

He wonders about the possible growth of the business and what impact that would have.

He suggests that the business moves to Racine.

Amanda Ayala

101 S Lakeshore Dr.

She has concerns about traffic. She point out that it is a dark street at night and is concerned about the safety of pedestrians, especially kids, pets and criminal activity. She asks about the possibility of a privacy wall.

Scott Fredrick

504 13th Street

He mentions being a Village Trustee and that he is speaking in support of the Beeres. He has been their neighbor for 25 years. He said they are outstanding neighbors, and run a reputable business. He mentioned that they spent over a million dollar to protect their property from erosion and protected their neighbor's property and Somers property in the process.

He mentions that the business needs to expand as they have machines in storage sitting idle and it will create high paying skilled jobs. He reminds people that the fitness center that operated out of the location brough 50 to 60 cars to the location. He mentions the business uses water soluble cooling oil tat is not hazardous and the fitness center stored large amounts of dangerous chlorine on site.

He mentions that the Beeres are willing to put a deed restriction n place to revert zoning. He mentions that the current B2 zoning could bring with no action of the board businesses such as an adult bookstore, liquor store, tattoo parlor or many other uses. He thinks it is a win-win for the community as it will create jobs and will fix the property.

They manufacture medical instruments that go inside bodies, they are FDA regulated, ISO certified and have been successful for more than 30 years.

Sharon Jorgenson

141 S Lakeshore Dr E3,9,11

She states that residential and manufacturing is not compatible. She does not support the rezone.

Jeffrey Hummer – Current owner of the property

144 Lakeshore Dr

He states that he has taken into account who the new owners are, that he cares about eth neighborhood, made friends with neighbors and has allowed residents of the Seawall condominium to use the parking lot when their roads were being repaved as well as allowing them to walk their dogs on the property.

He states that he will sell the building and that he picked something that would not be a disturbance to the neighborhood. He mentions that this project is not what people have in mind when they think industrial facility. It is not a factory. Hummer mentions that he wants to leave the neighborhood in a better condition than when he got it. He believes that people are assuming things that are not true and that there are some misunderstandings.

Tom Beere – Owner of American Citizens Corp

427 12th Place

He mentions being a resident for 32 years. He bought his current business located at 306 Sheridan Rd. 25 year ago. The machines used are the size of a table, and little taller. They are CNC machines. The products are parts for the medical industry, orthopedic, aerospace and defense parts. Lots of company have moved to Mexico, China and India. The parts have to be made with American metal and the employees are highly skilled, they care about their work.

He mentions that the restricted deed to temporarily use it as manufacturing. He is currently manufacturing two blocks away and most people don't know.

His plan is to have 10 to 15 employees to start. He is not moving from 306 to 144 Sheridan Rd., he is expanding.

He says that he love Somers, the building considered is strong and that the neighbors won't hear a peep.

He cautions residents that other uses such as smoke shops, adult bookstores, restaurants, or wedding halls would have cause more issues. The restricted deed actually makes the property less valuable. He says that he plans to stay at the location for the next 30 years.

Tricia Riley (Second time)

141 S Lakeshore Dr., Unit E7

She states that she wished that she had been provided more information about the issue. She wishes there would have been a meeting beforehand with the owner of the business.

The things they are saying is impressive. She mentions that she likes what she heard about the products being manufactured but his concerned about a subsequent owner/business. She needs assurances.

Administrator Peters mentions correspondences tat were received and are attached to these minutes.

President Stoner closes the public hearings

President and Plan Commission comments

President Stoner mentions that there are no agreements pertaining to the issue that have anything to do with 2035.

He states that there will be no other access on Sheridan Rd. He mentions that the term "high density residential" is misleading. He mentions the property is not well suited for residential use due to the traffic noises. He mentions that the sewer infrastructure is more than adequate for the project. He mentions that the Village has photometric requirements that the project twill have to abide by and the parking lot will have to be redone. The owner will also have to put a sampling manhole on the property for the protection of the sewer.

He reminds everyone that the current zoning allows for businesses that may be less desirable to move right in and the Village would not be able to stop them.

Director of Planning and Development Andy Buehler states that these businesses would be able to move in right away. There are 44 of them and have more of a retail flavor. I will try to summarize: antique store, second hand store, appliance store,

automotive store, marine store, building supply, café, carpet, caterer, Christmas tree sales, civic fraternal organizations, clothing, delicatessen, department store, financial institution, funeral home, gift store, hotel, motel, jewelry store, meat store, fish market, music, office supply, night club, optical store, pet store, photocopying, physical fitness facility, radio broadcast, restaurant, sporting goods store, supermarket, theatre, tobacco, upholstery. There are another 12 conditional uses as well: animal hospital, animal shelter, automotive sales, bus depot, car wash, flea market, fueling station, restaurant with outdoor dining, tattoo parlor and utility substation. Adult bookstore is permitted in the B2, but from a standpoint of the distance restriction to the residences, I believe it would not qualify.

President Stoner: We have met with the owner and if the zoning is changed, the zoning would revert to the original zoning upon a sale.

Commissioner Thompson: The long-range planning calls for high density residential at this location, but it does not mean it would be low income.

Administrator Peters: Correct

Commissioner Thompson: What is the timeline for the adopted long-range planning? When is it expected to go to high density residential?

Administrator Peters: That is another source of confusion, the 2035 Multi-Jurisdictional Comprehensive Plan does not mean that by 2035, the properties automatically get rezoned to what is in the plan. It only means that in 2010 when it was created, this is what the Village thought it would be by 2035. We are in the process of creating the 2050 plan.

Commissioner Thompson: So neither Kenosha County nor Somers has a plan for when the area would to revert to residential?

Administrator Peters: No

Commissioner Grimes: Those plans were mandated by the federal government. There are a lot of those plans for neighborhoods, but they are only on paper until it is legally rezoned.

Administrator Peters: Comp Plans can be changed, that is why we go through these public hearings.

Commissioner Grimes: He states that potential businesses that could move in with the current zoning would be far worse than this proposal. He mentions that he lives on EA and there is a stainless-steel machining CNC business and there is nothing negative about it. You would never know it was there. If a gas station or a bookstore moved there, you would have more problems. Cutting oils must be water soluble now. The fitness center stored chlorine that could kill people in a spill. He mentions that the trash coming out of the business is very valuable and gets recycled. He doesn't see any drawbacks to the

project.

He also mentioned to the residents that the information is available on the website and that residents should be checking it frequently.

Commissioner Boxx: He feels bad about the Beere family. He feels that they have been besmirched.

Commissioner Thompson: He states that nobody takes a rezoning request lightly. Especially when it is a change from B2 to M1 in a residential area. It is tricky to have to change it even temporarily. I would like to ask Mr Beere whether he has considered other locations.

Tom Beere: Yes, he has considered a property next to his current location, but it did not work out. He also looked at expanding his current facility, but it does not work due to setbacks.

Commissioner Thompson: Have you considered finding a parcel to build one building?

Tom Beere: It quite expansible and not economical.

Commissioner Thompson: Asks about hours and shifts.

Tom Beere: To start, maybe 1 or 2 employees per shifts. It will take time to get things going. The building needs a lot of work. As far as hours, I might have a second shift two three four years down the line.

President Stoner: Asks about noise

Tom Beere: There is noise from compressed air. Our employees don't have to wear earplugs in the shop.

Commissioner Thompson: Asks about deliveries

Tom Beere: The parts are small. They are mostly handled by UPS. A lot of residents around usually have more prime trucks around than we do. As to the garbage, we have a 5 foot dumpster that gets picked up every 2 weeks. Residents have it picked up every week. As to steel, we get a semi with a flat bed sometime three times a week, sometimes none in a week.

Commissioner Aiello: States that he live son Sheridan Rd and the from the train is more of an inconvenience than what would be created by the business in terms of noise and pollution. He is in favor of the project. He said that the property being considered has been stagnant for a long time.

Commissioner Lee: He agrees with other commissioners and feels it is a better project than some B2 businesses. The current building is an eyesore and there has be no interest

to buy the building in a while. In the future, I would think it would have been better to reached out to the neighbors.

Commissioner Juliana: He mentions that he would like the deed restriction to be on the property for as long as it is occupied. He also mentions that the CNC operation is not like a drop forge. The project is the best thing to have there. There won't be crime or blight.

Administrator Peters: He mention that it was suggested that the applicant do a concept meeting, bit it was not possible due to the timeline of the sale and the time it takes to notify the public.

Commissioner Thompson: There is a reason why this has been vacant for 15 years. The lot is small and odd shaped. Is this the best option, maybe, maybe not. It is not the worst option. If denied, it would remain vacant and blighted.

6. Comp Plan Amendment:

Public Hearing and Action on Request by: Jeffrey L Hummer, 1753 Kentucky St., Racine, WI 53405 (Owner), Thomas Beere, Rhonco, LLC, 427 12th Place, Kenosha, WI 53140 (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 "High-Density Residential" to "Industrial" on Tax Parcel #83-4-223-052-0400, located in the NW 1/4 of Section 5, T2N, R23E, Village of Somers. (*For informational purposes only, this property is located at 144 S Lakeshore Dr*).

Commissioner **Boxx** moves to approve motion to amend the Comp Plan Amendment
Commissioner **Aiello** seconds
Motion passes unanimously 7-0.

7. Rezone:

Public Hearing and Action on Request by: Jeffrey L Hummer, 1753 Kentucky St., Racine, WI 53405 (Owner), Thomas Beere, Rhonco, LLC, 427 12th Place, Kenosha, WI 53140 (Agent), requests a rezoning from B-2 Community Business Dist. to M-1 Limited Manufacturing Dist. on Tax Parcel #83-4-223-052-0400, located in the NW 1/4 of Section 5, T2N, R23E, Village of Somers.

Commissioner **Boxx** moves to approve the rezoning
Commissioner **Aiello** seconds
Motion passes unanimously 7-0.

8. Adjourn

Commissioner **Boxx** moves the motion to adjourn
Commissioner **Aiello** seconds
Motion passes unanimously 7-0.

Attachments:

- a. Email from Elaine and Steve Roach
- b. Email from Ruta Larson

Drafted July 14, 2023. These minutes are not official until approved by the Plan Commission. Submitted by Kevin Poirier

Kevin Poirier

From: Elaine Roach <ecrmktg@aol.com>
Sent: Monday, July 10, 2023 11:14 AM
To: Kevin Poirier
Cc: Jason Peters; Steve Roach
Subject: Request to Read Email to Somers Plan Commission at 7/10/23 Meeting

Good morning, Kevin,

Thank you for making sure that our concerns and questions are read and addressed at tonight's Plan Commission Meeting regarding the rezoning of the Simply Service property!

Please let us know who will be reading this letter or if you would prefer that I call and read it myself (If there is a speaker phone available, I would be happy to do so.)

Steve and I have thought a lot about this issue and the information that has been published is thus far very limited. In fact, too limited for what we believe a rezoning issue of this importance deserves. That decision has possible ramifications not only to the quality of life in the neighborhood, but also for Somers. We feel it is important that all parties of interest have a clear understanding of their opportunities and responsibilities before irreversible decisions are made.

We look forward to following up with you after the meeting and hearing the recording of the discussions.

Sincerely,
Elaine & Steve Roach

July 10, 2023

To the Somers Plan Commission:

Re: Proposed Rezoning of the Simply Service Property

Unfortunately Steve and I are unable to attend tonight's session in person as we are in Texas. We would have much preferred to have an in-person, back and forth discussion with you rather than presenting you with a long list of questions and concerns, some of which might already be covered in Somers' ordinances or other meetings.

So please forgive me if I ask too many detailed questions, but Steve and I really want to understand the full ramifications of a potential rezoning of our new neighborhood and also to explore what type of relationship we will have with the business making the request. These are not trivial issues. It's important for us understand them not just today, but also 30 years from today.

Background

A request has been put forth by Mr. Beere, owner of American Citizens Corporation (ACC), to rezone the Simply Service (SS) property to allow its use for "light manufacturing." It is understood that the reason Mr. Beere wishes to purchase Simply Service (SS) is because he needs more space to continue to grow his business. It is not quite clear why the simplest solution isn't being considered. It is a solution that not only adheres to the Somers Long-Term Plan, but also affects few, if any, citizens and does not require rezoning expansion.

Why not expand/build in its current location? It is already properly zoned for ACC's use in an area with other businesses. If a variance is required, it would seem to be more logical to seek a variance there rather than rezone a property not designated for such use.

Concerns and Questions

It is important to understand, first and foremost, why it is thought that setting aside the Somers Long-Term Plan and permitting rezoning would be beneficial to the neighborhood in which ACC wishes to be imbedded.

Below are some concerns and questions that we would like to discuss. It is hoped that we can have all crucial information in front of us before a final, considered decision is made. It is also hoped that in this discussion, people on all sides of the table will contribute any information that should be considered that is not included in this letter. Doing so will allow the Somers Plan Commission to make a well-considered, informed rezoning decision and ensure that it is fair to all of us who will live 24/7 with their decision.

If a thoughtful decision is to be made it is crucial to know, in detail, ACC's short-term, mid-term and long-term plans for the SS property. To consider only the very brief description in the rezoning petition would not do justice to either the people affected by what is being considered or, in the longer-term, the Somers community at large. We need to know how the company will upgrade the property and make it an asset to the neighborhood, enhancing rather than just using it. What contributions will be made to alleviate neighbors' concerns? How will the company become an example of a "Good Neighbor business," a model for other small business owners in Somers?

Below are some "Good Neighbor" thoughts/questions/issues that we believe are important to discuss in this meeting. We are hoping for transparency/full disclosure in the information provided to us.

Big Picture

Please note that several questions address long-term & mid-term issues.

1. Has ACC considered expanding/building on its current property? If not, why not? If a variance is required to expand, why not pursue that rather than request rezoning?
2. Will the SS location be an expansion of the ACC business, or an expansion of another company, or a totally new business?
 - What products will be manufactured at the SS location?
 - Which, if any, are produced at the ACC facility? Are there some that are not?
 - Will ACC be changing/expanding the product line at either facility in the future. Short-term? Mid-term? Long-term? Please explain.
 - Can we use ACC as a model of what to expect if the SS building is converted to a manufacturing facility? If there are differences, please explain
3. Is it even remotely possible that ACC might wish to expand the production capability at SS, requiring a larger facility or requiring enlargement of the current building on the property? Please explain.
4. Is it even remotely possible that ACC might wish to add a second building or tear down the old building to rebuild a newer and larger one? Please explain.
5. Why is ACC requesting a 30-year period before rezoning back to residential status? Does ACC intend to keep the property that long?

- A request of this length deserves serious review before acceptance. It is important that the neighborhood as well as Somers consider all possible long-term ramifications that might result by restricting returning the area to residential status, in keeping with the Somers Long-Term Plan.
 - Given that the future holds no certainty, and considering that adding manufacturing to an area that was always intended to be residential, rezoning could be a **risk** rather than a benefit to Somers, the neighborhood and local environmental concerns. It is suggested that approval of rezoning should not be made without special considerations and restrictions.
 - For example, restrictions to ACC's rezoning request could include a provision that only one building will be allowed on the property and that all future expansion of the current building will be prohibited, both vertically and horizontally. This includes no increases to the footprint, no addition to the height or width of the building. Should the current building be torn down and replaced with another building, the new building will be no larger in square footage and no higher than the current building. This is important because more and bigger buildings (expansion) mean a larger scale business with more employees, more large trucks, more traffic and more noise. We are being asked to give up our quiet streets and neighborhood and, and possibly impact other environmental issues that are discussed below. It is important to limit the impact as much as possible.

6. Are, or will there ever be, any fumes, gases, industrial dust and/or any other substances (non-toxic? toxic?) released in the manufacturing process of what will be produced at SS? Are, or will, any chemicals be used? Will it produce any odors, now or in the future? Is, or will there ever be, any water required for production or cleaning of product? Are there any other environmental issues not covered here? Potential flammable or explosive possibilities? Other safety issues? Please explain.

7. Can the current infrastructure of Somers handle the short-term and mid-term water and sewage requirements that the business will have? Is the local neighborhood water and sewage capabilities sufficient to handle the load? Will exceptions or modifications need to be made? Perhaps the City Engineer, City Manager or Somers Plan Commission might weigh in on this.

8. As many manufacturing processes do affect the health of both humans and the environment at large, we should consider that environmental pollution also includes noise pollution, increased traffic and activity in important habitats etc. These are all major disruptors of the birds, bunnies and other animals that inhabit the wooded spaces between the SS property and the lake.

- We are in an official bird migration corridor so our neighborhood trees host resting, feeding and nesting areas, including nesting eagles. In fact, nearby Racine is recognized as a Bird City. *"Racine Harbor Park & Lakefront are listed in the "Great Wisconsin Birding and Nature Trail, Lake Michigan Region." Racine is designated an Important Bird Area in the Audubon Milwaukee-Racine Lakeshore Migration Corridor."* <https://www.cityofracine.org/Parks/BirdCity/>
- **Somers is part of the Lake Michigan migration corridor!**
- It is also important to note that the SS building is barely meeting the distance required from the nearby creek that is **designated a tributary to Lake Michigan**. Nothing should be done that might affect the ecology of the area.
- We believe that for both the physical and mental health of the community and our environment we must all be Good Stewards of the areas we live and work in. We hope Mr. Beere agrees.

Other Practical Questions:

1. What are the maximum number of employees that would be working at the new facility? We were told 10-15. Is this correct? What is the maximum number of employees the business will ever have there?

2. What will be the standard hours of operation? Will there be overtime? If so, how late or early will that be and how often is this expected that to happen? Will there be operations on the weekends? Based on your experience, how often will that happen?

3. What will the manufacturing noise levels be?

- How does the noise level from the type of manufacturing planned for the SS building compare with the current ACC building? Will there be the same amount of noise? More? Less?
- When do ACC employees wear earplugs/hearing protection?
- Would employees in the SS ever wear earplugs/hearing protection?
- Is there soundproofing currently in the SS building? If not, will it be installed?

- May we visit the ACC facility during business hours? We have no idea how screws are manufactured. It might help alleviate concerns about noise, odors etc. Plus, it would be fun. (We'll bring the donuts.)

4. What will be the traffic patterns and levels on the currently quiet street? How many large trucks will be dropping off or picking up produce/materials on a daily and weekly basis. Will there be any on the weekend? If so, how often. How many small trucks and vans will be utilizing the property on a daily/ weekly basis?

5. "Google-earth" provided an aerial view of the American Citizens Corporation property (see below). There is quite a bit of debris towards the back.

- How will debris, scraps, materials, temporary storage of materials and product etc be handled at the proposed SS site?
- Will a plan be provided to the council and community, to be approved and be in place before move-in?
- Given that the building is viewable from all sides, the debris/materials would be in clear view and would not be a positive addition to the neighborhood.
 - Will it be stored inside the building?
 - Will it be moved on a daily basis to another facility?
 - A plan should be provided to the council and community, be approved and be in place before move-in.

6. Will there be dumpsters on SS property? If so, please provide maximum size and maximum number.

- Where will they be located?
- How will they be shielded from view in a manner that blends into the environment?
- Will there be anything in the dumpsters that will emit fumes, gasses, odors etc? Or attract critters?

7. One of the rezoning documents required that the parking lot must be repaved. That's a plus. While working on improvements to the property, should the issue of adequate drainage be considered, given the drainage concerns of the Somers? Perhaps the City Manager, Engineer or someone on the Plan Commission can weigh in.

8. Issue for the Plan Commission: Currently there is very little traffic on the small street east of the SS building (S Lakeshore Dr). It is not a through street so traffic must enter and leave via the same way. Which means you must go out the way you came, essentially doubling the traffic. Neighbors currently safely use that street for watching bunnies, walking dogs, short bike rides, socializing with neighbors, and as a relatively safe crossing point at Sheridan road in order to reach the walking/biking trail. If the rezoning is approved, a solution will need to be developed to address the compromised safety of residents, taking into account the amount of traffic, the size and frequency of very large trucks and other large vehicles, the number of people making turns from Sheridan Road, otherwise it may no longer be safe to utilize the space except when the facility is closed.

Thank you for your consideration and your willingness to hear and address our concerns and questions!

Elaine & Steve Roach



Kevin Poirier

From: ruta.larson <ruta.larson@att.net>
Sent: Monday, July 10, 2023 3:48 PM
To: Kevin Poirier
Subject: Rezoning Opposition

We cannot attend the meeting, but wish to make it known:

In response to the requests for Parcel #83-4-223-052-0400 located at 144 S Lakeshore Drive,

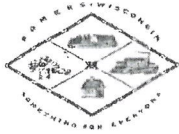
We do not support the request to change the Comprehensive Plan from “High Density Residential” to “Industrial”, and

We do not support the request to change the Zoning from B-2 Community Business District to M-1 Limited Manufacturing District.

We vehemently oppose rezoning to permit light industry in our neighborhood. It is in the plan for this area to become densely residential, and this proposal blatantly flies in the face of this vision for our community. Surely Mr. Beere can find a place where his manufacturing facility would be welcome, say, in a neighborhood where the jobs it will provide are much needed.

Thank you for considering our request.

Dennis and Ruta Larson
141 S. Lakeshore Drive
Unit B-3
Racine, WI 53403
Sent from my U.S.Cellular© Smartphone



VILLAGE OF SOMERS
Department of Planning & Development

May 2015

RECEIVED

SEP 29 2023

Kenosha County
Planning and 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 Cetta Revocable Trust

Applicant Name: Thomas Cetta, Trustee Date 08/19/2023

Mailing Address: 10101 Tarpon Drive, Treasure Island FL 33706 Phone # 727-871-6574

Phone # _____

Tax Parcel Number(s): 82-4-222-024-0181

Parcel Address: 4010 5TH PL KENOSHA 53144 Acreage of Project: 3

Location of Property (including legal description):

PT SE 1/4 SEC 2 T 2 R 22 PARCEL "2" CSM # 1662 V 1582 P 218 ALSO BEG SE COR SEC N 1196.32 FT

W 450.25 FT TO CT RD & POB TH N 42 DEG 138'E 152.71 FT NE'LY 94.6 FT ALONG CURVE N 60 DEG

17'03" E 93.04 FT N 11 DEG 38'54" W PLATE #2 235.93 FT W 182.34 FT S 382.71 FT S 47 DEG 47'E 39.20

FT TO CT RD N 42 DEG 13'E 22.50 FT TO BEG 1994 COMBINATION INC EASEMENT 2.88 AC

(80-4-222-024-0180 & PT 0015) (2016 Incorporation to Village of Somers see Old 80-4-222-024-0181

Certification Case 14-CV-316) DOC#1761247 TOD DOC#1928739

Subdivision/Development Name (if applicable): _____

Existing Zoning: R-2 Single Family Proposed Zoning: R-2 Single Family

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

Present Suburban-Density Residential

Proposed Suburban-Density Residential

Present Use(s) of Property: single-family residential

Proposed Use(s) of Property: single-family residential

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

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

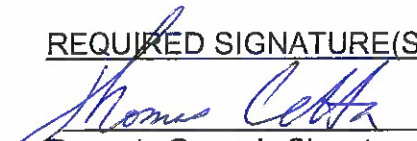
The subdivision abuts a county trunk highway Yes () No (✓)

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

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

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

REQUIRED SIGNATURE(S) FOR ALL APPLICATIONS:


Property Owner's Signature

8/19/2023
Date

Property Owner's Signature

Date

REQUIRED APPLICABLE SIGNATURES:

Applicant's Signature

Date

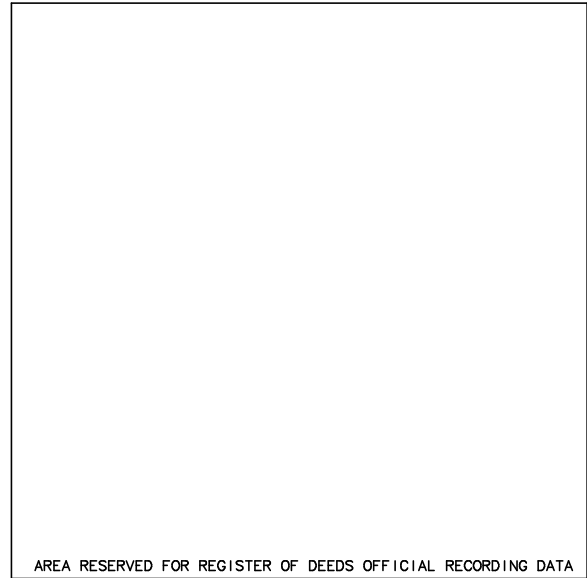
Developer's Signature

Date

KENOSHA COUNTY CERTIFIED SURVEY MAP No. _____

Part of the Southeast and Northeast Quarters of the Southeast Quarter of Section 2, Township 2 North, Range 22 East of the 4th Principal Meridian, Village of Somers, County of Kenosha and State of Wisconsin

In part a re-subdivision of Parcel 2 of C.S.M. 1662

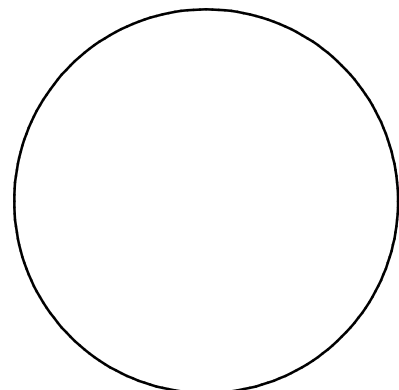


VILLAGE OF SOMERS APPROVAL

Approved as a Certified Survey Map this _____ day of _____, 2023.

_____, Date _____
George Stoner, President

_____, Date _____
Brandi Baker, Village Clerk/Treasurer



KENOSHA COUNTY CERTIFIED SURVEY MAP No. _____

Part of the Southeast and Northeast Quarters of the Southeast Quarter of Section 2, Township 2 North, Range 22 East of the 4th Principal Meridian, Village of Samers, County of Kenosha and State of Wisconsin

In part a re-subdivision of Parcel 2 of C.S.M. 1662

SURVEYORS CERTIFICATE

I, Mark A. Bolender, Professional Land Surveyor hereby certify:

That I have surveyed, divided and mapped a part of the Southeast and the Northeast Quarters of the Southeast Quarter of Section 2, Township 2 North, Range 22 East of the 4th Principal Meridian, Village of Samers, County of Kenosha and State of Wisconsin, described as follows COMMENCING at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section; THENCE South 01 degree 30 minutes 08 seconds East grid North, Wisconsin Coordinate System, South Zone NAD 1983, along the east line of said quarter Section 1,060.14 feet; THENCE South 89 degrees 31 minutes 22 seconds West 718.55 feet to the northwest corner of Parcel 2 of Kenosha County Certified Survey Map No. 1662, recorded as Document No. 924545, and the PLACE OF BEGINNING; THENCE South 00 degrees 38 minutes 38 seconds East along the west line of said Parcel 2 a distance of 178.31 feet to the northeast corner of Parcel 1 of said Certified Survey Map; THENCE South 48 degrees 55 minutes 38 seconds East along the southwesterly line of said Parcel 2 (being the northeasterly line of said Parcel 1) of said Certified Survey Map 348.36 feet to the center line of 5th Place; THENCE North 41 degrees 04 minutes 22 seconds East along said center line 175.38 feet; THENCE northeasterly along a curve to the right having a radius of 150.00 feet a distance of 94.42 feet and a chord bearing of North 58 degrees 48 minutes 19 seconds East and a chord distance of 92.87 feet; THENCE North 12 degrees 47 minutes 00 seconds West 236.10 feet; THENCE South 89 degrees 31 minutes 22 seconds West 406.55 feet to the PLACE OF BEGINNING. Containing 130,640 square feet/3.0 acres, more or less.

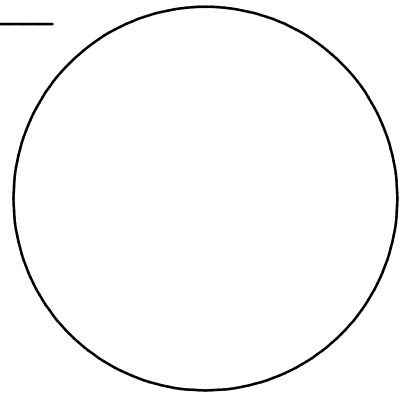
That I have made such survey, land division and map at the direction of Mike Ohmstead, agent for the owners of the land described.

That such map is a correct representation of the exterior boundary of the land surveyed and the division thereof.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the Village of Samers, Kenosha County in surveying dividing and mapping the same.

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

Mark A. Bolender – P.L.S. No. S-1784



OWNERS CERTIFICATE

As agent for the owner, I hereby certify that I caused the land described herein to be surveyed, divided, and mapped as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village Board of the Village of Samers.

Mike Ohmstead, Agent for owner

WITNESS the hand and seal of said owner this _____ day of _____, 2023.

STATE OF WISCONSIN

COUNTY OF KENOSHA

Personally came before me this _____ day of _____, 2023, the above named Mike Ohmstead, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public Kenosha County, Wisconsin My Commission Expires _____.



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: 10-27-23
MTG DATE: 11-13-23
APPLN DATE: 09-29-23
RE: Cetta Revocable Trust CSM

PROJECT/SITE INFO:

1. Petitioner/Agent: Thomas Cetta
2. Property Owner: Cetta Revocable Trust
3. Location/Address: 4010 5th Place
4. Tax key Number(s): 82-4-222-024-0181
5. Area: 2.95 acres
6. Existing Zoning: R-2 Suburban Single-Family Residential Dist.
7. Proposed Zoning: R-2 Suburban Single-Family Residential Dist.
8. Existing Land Use: Suburban-Density Residential
9. Proposed Land Use: Suburban-Density Residential

PROJECT OVERVIEW:

The Petitioner is proposing to split the subject parcel into one (1) 1.49-acre Lot and one (1) 1.51-acre Lot via Certified Survey Map. The proposed Lots would retain the parcel's existing zoning of R-2 Suburban Single-Family Residential District, as they each will meet the minimum lot size and lot width requirements for the R-2 zoning district (minimum lot area of 40,000 square feet (0.92 acres) and a minimum lot width of at least 150 feet).

PLANNER COMMENTS:

The proposed Lots of the CSM are intended to be served by Private Onsite Wastewater Treatment Systems (POWTS). Lot 2 of the CSM, which contains the existing single-family residence, has recently had a new mound septic system installed. The CSM shows the location of the new mound area and that it lies entirely within the boundary of proposed Lot 2. Soil test information for proposed Lot 1 of the CSM has been submitted and approved by the County Sanitarian as a suitable site for a mound septic system. The soil boring locations on Lot 1 are indicated on the submitted CSM as required under Chapter 15 of the Kenosha County ordinances (Sanitary Code and Private Sewage System Ordinance).

The submitted Certified Survey Map generally complies with the Village of Somers' Chapter 18 Land Division and Platting Control Ordinance. Noted below are several recommendations for final 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 Certified Survey Map, staff would recommend the following conditions:



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

1. Subject to revising the CSM to address review comments from the Wisconsin Department of Administration's October 23, 2023 review letter.
2. Subject to making the following revisions to the CSM:
 - a. Label the 33' of road right-of-way along 5th Place as "*Dedicated to the Public*".
 - b. Revise the Lot area calculations to exclude the 33' of public road right-of-way across the front of the Lots.
 - c. Add the location of the shoreland boundary on Lot 1 of the CSM.
3. Subject to all rules and requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance and SPS 383 and 385 of the Wisconsin Administrative Code. Complete soil and site evaluations have been conducted on each lot and where required by County Ordinance. The report is on file with the Kenosha County Department of Planning and Development. Any change in the location of the dispersal cell area must result in another soil and site evaluation by a licensed State of Wisconsin soil tester prior to changing the location of a prospective Private Onsite Wastewater Treatment Systems (POWTS). It is recommended that any desired change in the location of the dispersal cell be done prior to any transaction of property. All tested areas shall be protected and preserved by the developer and any subsequent owner from any disturbance which includes: cutting and filling of existing soil surface, compaction from vehicles, installation of roads and driveways, installation of stormwater devices and excavation for utilities. Destruction of a POWTS site may result in a parcel being unbuildable. None of these lots may have their dwellings served by holding tanks.
4. 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.
5. 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.
6. 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.



TONY EVERS
GOVERNOR
KATHY BLUMENFELD
SECRETARY-DESIGNEE
Plat Review
PO Box 1645, Madison WI 53701
E-mail: plat.review@wi.gov
<https://doa.wi.gov/platreview>

October 23, 2023

Mark A. Bolender
AMBIT LAND SURVEYING
8120 312TH AVE, WHEATLAND WI 53105
ambit@tds.net

FILE NO. 121759
Certified Survey Map
Cetta Revocable Trust
Village of Somers, Kenosha County

Dear Mark A. Bolender:

Per request, we have reviewed this certified survey map (CSM) for compliance with s. 236.34 Wis. Stats. Our comments are as follows:

REVIEW COMMENTS:

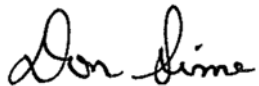
- s. 236.15 (1) (c) This section requires monuments at all lot corners. The offset monumentation shown along the east line of Lot 2 is not provided for by this section. If found monuments are not accepted as marking the lot corners, then monuments (iron pipes 18" long by 1" diameter or permitted equivalents with a min. wt. 1.13 lb. linear ft.) should be set at the corners.
- s. 236.20 (2) (c) The overall length (calculated as 439.99') should be shown for the northeasterly line of Lot 1 / southwesterly line of Lot 2.
- s. 236.20 (2) (k) The central angle and tangent bearings should be shown for the boundary curve along the centerline of 5th place. Complete curve data should also be shown for the curve along the northwesterly line of 5th^h place within lot 2.
- s. 236.20 (3) (b) It appears that the monument at the south end of the east line of the SE 1/4 of Section 2 should be labeled as marking the SE corner of the SE 1/4 of the SE 1/4.
- s. 236.34 (1m) (d) The South 00deg 38min 38sec East bearing of the first course of the metes and bounds description should be changed to South 00deg **28**min 38sec East to agree with the drawing and close the description.

The Surveyor's certificate should state that the Professional Land surveyor has fully complied with Section (not Chapter) 236.34, Wis. Stats.

Page 2

If you have any questions regarding this review, please contact me as listed above.

Regards,

A handwritten signature in black ink that reads "Don Sime". The signature is written in a cursive, flowing style.

Don Sime, PLS
Plat Review
Email: plat.review@wi.gov

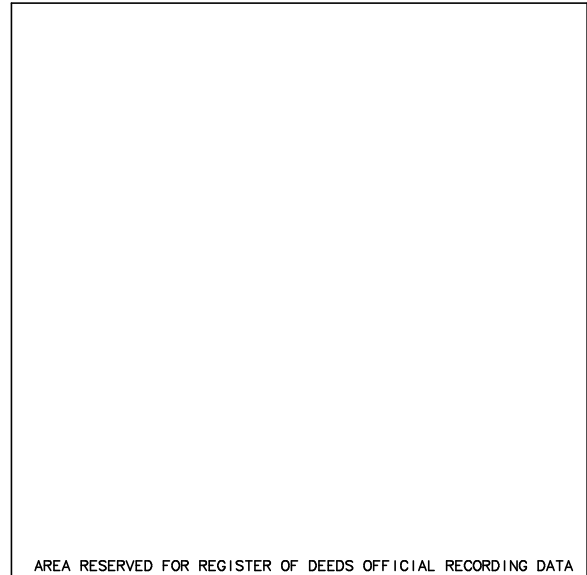
Enc: Certified Survey Map

cc: Clerk, Village of Somers

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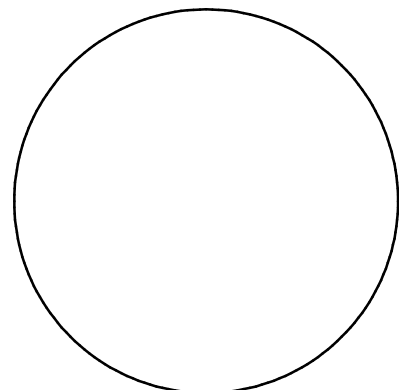


VILLAGE OF SOMERS APPROVAL

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_____, Date _____
George Stoner, President

_____, Date _____
Brandi Baker, Village Clerk/Treasurer



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28'

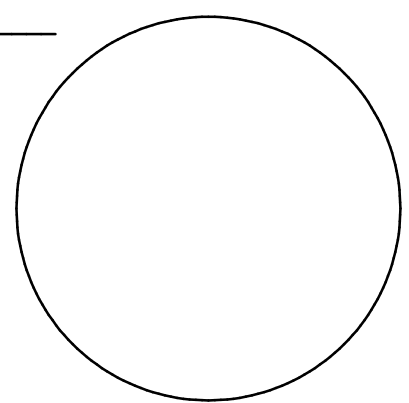
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That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the Village of Samers, Kenosha County in surveying dividing and mapping the same.

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

Mark A. Bolender - P.L.S. No. S-1784



OWNERS CERTIFICATE

As agent for the owner, I hereby certify that I caused the land described herein to be surveyed, divided, and mapped as represented on this Certified Survey Map. I also certify that this Certified Survey Map is required to be submitted to the following for approval:

Village Board of the Village of Samers.

Mike Ohmstead, Agent for owner

WITNESS the hand and seal of said owner this _____ day of _____, 2023.

STATE OF WISCONSIN

COUNTY OF KENOSHA

Personally came before me this _____ day of _____, 2023, the above named Mike Ohmstead, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

My Commission Expires _____
Notary Public Kenosha County, Wisconsin