

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

**Village Board Meeting
Agenda
Tuesday, April 9th, 2024
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 March 26, 2024 Vouchers dated March 27, 2024 and April 4 th , 2024
4	Correspondence:
5	Citizens Comments
6	President and Trustee Comments
7	Plan Commission Recommendation: a. Action on request by Hyslop Foundation Inc, 880 Green Bay Rd, Kenosha, WI 53144 (Owner); Timothy Leveque, 880 Green Bay Road, Kenosha, WI 53144 (Agent), for a Conditional Use Permit to allow for public and private events in the PR-1 Park-Recreational Dist. on Tax Parcel #82-4-222-101-0323, located in the NE ¼ Section 10, T2 N, R22 E, Village of Somers.
8	Action on Re-Appointment of Jami Grams to the Board of Fire Commissioners (term to expire 05/01/2029)
9	Action on proposals for painting the west wing of the Village/Town Hall and fix cracks
10	Discussion and possible action on request for final payment request from Musson Brothers, Inc. in the amount of \$98,478.79 for the Sheridan Road Area Sanitary Sewer Improvements
11	Action on Operator’s Licenses: Jason A. Peters, Erin Willoughby
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 9th, 2024 Village Board Meeting & Agenda in 1 public place & on the Village website.

Dated this 5th day of April 2024

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
Proceedings from the Regular Board Meeting March 26, 2024**

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

President Stoner led the Pledge of Allegiance.

Present: President George Stoner, Trustees Karl Ostby, Ben Harbach, Scott Fredrick, and Jackie Nelson, Joe Smith, and Jack Aupperle. Also present: Administrator Jason Peters, Clerk/Treasurer Brandi Baker, Assistant to the Administrator Kevin Poirier, and Attorney Jeff Davison.

Consent and Approval of Minutes of Regular meetings on March 12, 2024. Vouchers dated March 14, 2024, and March 21, 2024

Trustee Smith moved to approve the Minutes of Regular meetings on March 12, 2024. Vouchers dated March 14, 2024, and March 21, 2024

Seconded by Ostby. Motion carried a 7-0 vote.

Correspondence:

None

Citizens Comments

None

President and Trustee Comments:

Trustee Ostby discussed a lunch meeting with Pleasant Prairie developers and shared that they commented they could do the 900 sq ft for Maplecrest.

President Stoner also commented on the Maplecrest development.

Discussion with Brian Waldherr, DOR Alcohol and Tobacco agent reviewing the upcoming alcohol Renewals.

Brian Waldherr gave an update on changes in the Alcohol and Tobacco office and held a Q & A with the board members.

Action on Resolution No. 2024-003, A Resolution Authorizing Submittal of MS4 Report

Trustee Nelson moved to approve Resolution No. 2024-003, A Resolution Authorizing Submittal of MS4 Report.

Seconded by Trustee Fredrick. Motion carried. 7-0 vote.

Action on Resolution No. 2024-004, A Resolution of the Village Board of Trustees of the Village of Somers to Rescind Previous Resolution 2022-003 Which Supported a Request to the Wisconsin Department of Transportation to Eliminate the North Bound Left Turn Lane from STH 31 to 35th Street and to Request that Said North Bound Turn Lane be Re-opened

Trustee Aupperle moved to approve Resolution No. 2024-004, A Resolution of the Village Board of Trustees of the Village of Somers to Rescind Previous Resolution 2022-003 Which Supported a Request to the Wisconsin Department of Transportation to Eliminate the North Bound Left Turn Lane from STH 31 to 35th Street and to Request that Said North Bound Turn Lane be Re-opened.

Seconded by Trustee Ostby.

Trustee Fredrick commented that he was not in favor.

Trustee Nelson Acknowledged the Fire Chiefs concerns to not re-open but was looking at the reports, in favor.

Trustee Aupperle also was looking at the studies, in favor of reopening.

Trustee Ostby concurred with Trustee Nelson and Aupperle and that the DOT was helpful.

Trustee Harbach referenced the DOT timeline and would be in favor if the solutions on that timeline are followed through.

Trustee Smith believes the studies, in favor of re-opening.

President Stoner spent a lot of time on this matter and believes this intersection is safe, the solutions in the timeline will be applied.

ROLL CALL VOTE: Fredrick: nay, Nelson: aye, Aupperle: aye, Ostby: aye, Harbach: aye, Smith: aye, Stoner: aye.

Motion carried 6-1 vote.

Action on appointment of Michael DeLuca to the Plan Commission to serve the remaining term of Plan Commissioner Bob Lee (set to expire 04/30/2024) and to approve a new three-year term on the Plan Commission for Michael DeLuca (3-year term to expire 04/30/2027)

Trustee Ostby moved to approve the appointment of Michael DeLuca to the Plan Commission to serve the remaining term of Plan Commissioner Bob Lee (set to expire 04/30/2024) and to approve a new three-year term on the Plan Commission for Michael DeLuca (3-year term to expire 04/30/2027)

Seconded by Trustee Nelson. Motion carried. 7-0 vote.

Trustee Nelson commented that she believes this is a perfect fit.

Trustee Fredrick echoes Trustee Nelson.

Action on proposed Ordinance 2024-003, 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

Trustee Ostby moved to waive first reading of Ordinance 2024-003.

Seconded by Trustee Aupperle. Motion carried. 7-0 vote.

Trustee Ostby moved to approve proposed Ordinance 2024-003, 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.

Seconded by Trustee Harbach. Motion carried. 7-0 vote.

Discussion on how to communicate to the residents about this change. Clerk Baker will mail out a notice to the 257 affected residents.

Action on proposed Ordinance No. 2024-004, an Ordinance to Repeal and Recreate Section ZN 4.08 of the Code of Ordinance of the Village of Somers

Trustee Ostby moved to waive the first reading of Ordinance 2024-004.

Seconded by Trustee Aupperle. Motion carried. 7-0 vote.

Trustee Ostby moved to approve proposed Ordinance No. 2024-004, an Ordinance to Repeal and Recreate Section ZN 4.08 of the Code of Ordinance of the Village of Somers

Seconded by Trustee Fredrick. Motion carried. 7-0 vote.

Review and Discuss proposed Ordinance No. Ordinance No. 2024-005, An Ordinance to Repeal Section 18.30 (R) of the Code of Ordinances of the Village of Somers Relating to Water Connection Impact Fee

Trustee Ostby moved to waive the first reading of Ordinance 2024-005.

Seconded by Trustee Nelson. Motion carried. 7-0 vote.

Trustee Ostby moved to approve proposed Ordinance No. Ordinance No. 2024-005, An Ordinance to Repeal Section 18.30 (R) of the Code of Ordinances of the Village of Somers Relating to Water Connection Impact Fee

Seconded by Trustee Nelson. Motion carried. 7-0 vote.

Discussion and possible action on agreeing to share cost with other municipalities to hire a lobbyist to advance H.R. 860 to have municipalities get their own unique ZIP Code

Trustee Fredrick moved to direct Administration to enter into agreement to hire a lobbyist to lobbyist to advance H.R. 860, Village of Somers

Seconded by Trustee Aupperle.

Administrator Peters explained interviewing lobbyist and the need to hire one.

President Stoner not in favor.

Trustee Fredrick mentioned hearing a lot about this topic this past year.

Trustee Harbach feels we need to move forward with this.

Trustee Ostby mentioned the residents of Somers will save money with a ZIP Code.

Trustee Nelson mentioned that we will need a lobbyist even if we wait a session.

Trustee Ostby moved to amended to direct Administration to enter into agreement to hire a lobbyist to lobbyist to advance H.R. 860, Village of Somers cost not to exceed \$10,000.

Trustee Fredrick moved to approve the amendment.

Seconded by Trustee Ostby.

ROLL CALL VOTE: Fredrick: aye, Nelson: aye, Aupperle: aye, Ostby: aye, Harbach: aye, Smith: aye, Stoner: nay.

Motion carried 6-1 vote.

Approval of Operator's Licenses: Kodirico Washington

Ostby moved to approve Operator License for Kodirico Washington

Seconded by Trustee Smith. Motion carried. 7-0 vote.

Adjourn

Trustee Harbach moved to adjourn the meeting at 7:02pm.

Seconded by Nelson. Motion carried. 6-0 vote.

Drafted this 29th day of March by Brandi Baker Clerk/Treasurer

These minutes are not official until approved by the Village Board.

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
03/27/2024	POOL	63174	BAXTER	BAXTER & WOODMAN	16,240.23
03/27/2024	POOL	63175	SPECTRUM	CHARTER COMMUNICATIONS	27.47
03/27/2024	POOL	63176	EMC	EMC INSURANCE COMPANIES	740.50
03/27/2024	POOL	63177	FAS001	FASTENAL COMPANY	22.90
03/27/2024	POOL	63178	UHS001	FROEDTERT SOUTH INC	78.30
03/27/2024	POOL	63179	GEAR	GEAR WASH, LLC	209.25
03/27/2024	POOL	63180	PETERS	JASON PETERS	300.00
03/27/2024	POOL	63181	KEN003	KENOSHA CO HWY DIVISION	175.74
03/27/2024	POOL	63182	MEN001	MENARDS - RACINE	252.67
03/27/2024	POOL	63183	MLBULB	MILWAUKEE LIGHT BULB	32.50
03/27/2024	POOL	63184	NAP001	NAPA AUTO PARTS	223.87
03/27/2024	POOL	63185	PAY001	PAYNE & DOLAN INC	1,132.17
03/27/2024	POOL	63186	HAMM	ROBERT HAMM	237.36
03/27/2024	POOL	63187	KUPFER	ROBERT KUPFER	487.55
03/27/2024	POOL	63188	ROOT-PIKE	ROOT-PIKE WATERSHED INITIATIVE NTWK	18,289.21
03/27/2024	POOL	63189	SKYDIO	SKYDIO INC	739.67
03/27/2024	POOL	63190	STAPLEAD	STAPLES	404.46
03/27/2024	POOL	63191	THEJOURNAL	THE JOURNAL TIMES	59.41
03/27/2024	POOL	63192	VILLSOM	VILLAGE OF SOMERS	61,129.05
03/27/2024	POOL	63193	WEE001	WE ENERGIES	35.23
03/27/2024	POOL	63194	WELDSTAR	WELDSTAR COMPANY	257.00

POOL TOTALS:

Total of 21 Checks:	101,074.54
Less 0 Void Checks:	0.00
Total of 21 Disbursements:	101,074.54

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank POOL POOLED CASH					
04/04/2024	POOL	63196	T0000234	AARON STROM	215.00
04/04/2024	POOL	63197	BRUM	ANN BRUMBACK	55.40
04/04/2024	POOL	63198	AAC001	ASSOCIATED APPRAISAL	4,969.85
04/04/2024	POOL	63199	AT&T001	AT&T	115.44
04/04/2024	POOL	63200	AT&T001	AT&T	352.99
04/04/2024	POOL	63201	AVI001	AVI SYSTEMS INC	7,131.72
04/04/2024	POOL	63202	BTM001	BOUND TREE MEDICAL LLC	1,156.01
04/04/2024	POOL	63203	SPECTRUM	CHARTER COMMUNICATIONS	373.86
04/04/2024	POOL	63204	CORE	CORE & MAIN LP	5,831.00
04/04/2024	POOL	63205	CORNERST	CORNERSTONE ONE LLC	3,335.11
04/04/2024	POOL	63206	DINGES	DINGES FIRE COMPANY	2,052.24
04/04/2024	POOL	63207	TRI-VISA	ELAN FINANCIAL SERVICES	2,075.37
04/04/2024	POOL	63208	ENVIRO	ENVIROTECH EQUIPMENT	744.76
04/04/2024	POOL	63209	STO001	GEORGE STONER	211.60
04/04/2024	POOL	63210	GRAPHICS	GRAPHICS INC	144.00
04/04/2024	POOL	63211	SOR001	JOHN E SORENSEN	62.99
04/04/2024	POOL	63212	BUTTSJ	JOSEPH BUTTS	158.25
04/04/2024	POOL	63213	KCOUNTY	KENOSHA COUNTY CLERK	843.44
04/04/2024	POOL	63214	KEN002	KENOSHA COUNTY TREASURER	1,788.96
04/04/2024	POOL	63215	KUSD01	KENOSHA UNIFIED SCHOOL DIST	24,306.59
04/04/2024	POOL	63216	KWU001	KENOSHA WATER UTILITY	35,918.16
04/04/2024	POOL	63217	KWU002	KENOSHA WATER UTILITY	63,756.79
04/04/2024	POOL	63218	MEN001	MENARDS - RACINE	218.34
04/04/2024	POOL	63219	MLBULB	MILWAUKEE LIGHT BULB	327.50
04/04/2024	POOL	63220	NAP001	NAPA AUTO PARTS	25.16
04/04/2024	POOL	63221	STERICYCLE	STERICYCLE INC	16.81
04/04/2024	POOL	63222	T0000175	STEVEN KRAUSE	193.50
04/04/2024	POOL	63223	PEREZT	TERESA PEREZ	400.00
04/04/2024	POOL	63224	ULINE	ULINE	40.89
04/04/2024	POOL	63225	WEE001	WE ENERGIES	159.26
04/04/2024	POOL	63226	WEE002	WE ENERGIES	94.30
04/04/2024	POOL	63227	WES001	WESTERN CULVERT & SUPPLY INC	826.20
04/04/2024	POOL	63228	WICOURT	WI COURT FINES & SURCHARGES	6,687.67
04/04/2024	POOL	63229	WIL002	WIL-KIL PEST CONTROL	116.00
04/04/2024	POOL	63230	WAM001	WILLIAM A MORRIS	149.42
04/04/2024	POOL	63231	WILLEXCV	WILLKOMM EXCAVATING & GRADING	13,897.68
04/04/2024	POOL	63232	WIHUMANE	WISCONSIN HUMANE SOCIETY	937.35

POOL TOTALS:

Total of 37 Checks:	179,689.61
Less 0 Void Checks:	0.00
Total of 37 Disbursements:	179,689.61

**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: April 9th, 2024

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #7 Plan Commission Recommendation:

- a. Action on request by Hyslop Foundation Inc, 880 Green Bay Rd, Kenosha, WI 53144 (Owner); Timothy Leveque, 880 Green Bay Road, Kenosha, WI 53144 (Agent), for a Conditional Use Permit to allow for public and private events in the PR-1 Park-Recreational Dist. on Tax Parcel #82-4-222-101-0323, located in the NE ¼ Section 10, T2 N, R22 E, Village of Somers.

BACKGROUND:

In January of 2022, Staff met with representatives of Hawthorn Hollow to discuss their operations and proposed plans for the future. This meeting was spurred by Hawthorn approaching Somers Fire and Rescue to inquire about what steps would need to be taken to allow for one of the residences to be used as a short-term rental. The approximately 88-acre site is currently zoned PR-1 Park-Recreational Dist., C-2 Upland Resource Conservancy Dist., and C-1 Lowland Resource Conservancy Dist. Our discussion in January of 2022 focused on Hawthorn applying for a conditional use permit. The purpose of the CUP would be to memorialize the activities that are taking place on the property. In May of 2022, the Plan Commission heard Hawthorn Hollow's original request for a CUP. The Board subsequently reviewed this request at their May 17th, 2022 Work Session.

Based on this meeting, Planning, Administration, Clerk, Trustee Nelson, and Attorney Davison undertook the task of reviewing our zoning ordinance and special event permits to find a better way to address Hawthorn Hollow's current and proposed uses. In early 2023, updates to both the Zoning Ordinance and Special Event permits were passed by the Board. Based on these updates, Hawthorn Hollow re-applied for their Conditional Use Permit. The request is to allow for various private and public events with lodging on the property, to allow outdoor summer concerts, and to allow for living quarters for on-site watchmen/caretakers of the property.

The Plan Commission heard the above-mentioned request at their May 2022 meeting and held the requisite public hearing. One resident raised his concern regarding the possibility of music taking place past 9 p.m. The Plan Commission's recommendation was to approve the request for a CUP (7-0) with the caveat that outdoor music must cease at 9 p.m.

This was discussed at the Village Work Session on May 17th, 2022, where it was requested that the CUP does not go on an agenda for approval until the Village receives sufficient documentation.

Since 2023, Staff has worked with Hawthorn Hollow to get them to a place where they can resubmit their application. Below is a partial list of dates of meetings held with Staff and Hawthorn regarding submission of their CUP:

- June 16th, 2022;
- September 13th, 2022; and
- March 21st, 2023.

In September of 2023, Clerk/Treasurer Baker sent a letter to Hawthorn Hollow to provide guidance and set a March 31st, 2024 deadline. There has been a lot of back and forth through this process. In late February we received an updated site plan and application. The updated application and site plan are attached.

PRIOR ACTION TAKEN:

The most recent updates were reviewed and discussed at our April 3rd Work Session. The consensus was that lodging facilities would not be a part of the conditional use permit. The Board also agreed that the gravel parking and two hundred (200) foot open buffer on all sides of the property not abutting a public roadway would be included in the conditional use permit.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve request by Hyslop Foundation Inc, 880 Green Bay Rd, Kenosha, WI 53144 (Owner); Timothy Leveque, 880 Green Bay Road, Kenosha, WI 53144 (Agent), for a Conditional Use Permit to allow for public and private events in the PR-1 Park-Recreational Dist. on Tax Parcel #82-4-222-101-0323, located in the NE ¼ Section 10, T2 N, R22 E, Village of Somers, subject to the following conditions:

- 1. Subject to conditions as listed in Planning Memo dated April 4th, 2024.”*

ATTACHMENTS:

September 2023 Letter

Updated Application

Updated Site Plan

Letter from Attorney Davison

Letter from Attorney Nudo

Planning Memo dated April 4th, 2024

Draft Conditional Use Permit

September 22, 2023

T.J. Leveque, Executive Director

Over the past few years Hawthorn Hollow representatives have been meeting with Somers staff, Somers Fire and Rescue Department, and Kenosha County Planning and Zoning to work towards gaining compliance with current and future proposed operations. In March 2023, a Conditional Use Permit Application was submitted for Event Facilities with lodging, Living Quarters for Watchmen and Caretakers, and Summer Theaters and Amphitheaters or Band Shells. While reviewing this at the May 16, 2023, Village Work Session, Trustees referred to a memo dated 4.28.23 from Luke Godshall, Kenosha County Planning and Zoning. The six-page memo outlined various recommendations that Hawthorn Hollow would need to address to get the property into compliance.

The purpose of this letter is to outline the conditions that need to be fulfilled by Hawthorn Hollow to move forward to gain compliance along with a clear expected deadline. In order to approve the CUP, and to allow issuance of further Special Events and Temporary B liquor license, each of the below boxes must be completed with documentation and completed inspections no later than **MARCH 31, 2024**. In the event these actions are not completed fully by this deadline, no further special event permits, or liquor licenses will be issued by the Village.

The following list is from Kenosha County Planning and Zoning Recommendation Letter

Event Facilities (with or without lodging) in the PR-1 District:

- Sanitary Treatment tank set back correction and Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and Wis. Admin. Code § SPS 382- 385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability. Any building not so connected cannot be occupied.**
- Installation of Septic Tank which must be inspected and approved by the County Sanitarian**
- A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor event facilities shall not be permitted within this buffer area. Where possible, suitable landscaping shall remain or be grown within the buffer area.**

- A submitted landscape buffer plan, Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights, and noise from the operation.
- Parcels shall have frontage along a paved public road for direct access.
- Approvals from the Kenosha County Health Department on all facilities used for lodging associated with events located on the property.
- The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.
- Access by private easement must be formalized and be recorded in the Office of the Register of Deeds. Modifications of existing easements resulting from the proposed use(s) must be approved in writing by all easement parties.
- All ingress/egress driveways, internal circulation drives, and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway as approved by Village Fire & Rescue.
- An updated parking plan reflecting that the parking areas may be either gravel or paved. Handicapped parking spaces shall be paved and meet all state standards. Sufficient parking spaces to accommodate the proposed use(s) shall be provided and shall be based on an overall plan that has been reviewed and approved by Village Fire & Rescue. Overflow parking on grass or hay areas may be permissible as approved by Village Fire & Rescue. Parking on public rights-of-way is not permitted.
- Parking must meet the requirements laid out in §ZN 3.06(3)(j) and (k).
- Clear building occupancy and site capacity limits
- Signage complying with §ZN 3.07. No on or off-premises signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, Village, or local unit of government in which they are being located.
- Lighting to meet the following standards: Outdoor lighting shall consist of full cut-off luminaries and shall not exceed an illumination level of 0.5 foot-candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed, and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.

Summer theaters and amphitheaters or band shells in the PR-1 District:

- A detailed site plan shall be submitted to the Plan Commission along with the proposed hours of operation and seating capacity on the premises.
- At least one off-street hard parking space shall be provided for every three seats located within the theater, amphitheater, or band shell.
- The site shall have direct access to federal, state or Village highways.
- An application for a conditional use permit shall be accompanied by a report setting forth the proposed operation of the theater, amphitheater, or band shell.

- Ingress and egress to the site shall be determined with due regard to topography and public road and pedestrian traffic taking into consideration hills, curves, speed limits and vision clearance.
- Parking areas shall be maintained in a dust free condition and where paved, a stormwater drainage plan shall be submitted to the Plan Commission.
- Night lighting shall not be permitted to shine on adjacent property.
- State Inspection must be obtained on the elevator
- Proposals for water and sanitation facilities and emergency services shall be reviewed by the Plan Commission.

Living quarters for watchmen and caretakers in the M-2 District and PR-1 District:

- A detailed site plan shall be presented to the Plan Commission.
- Said living quarters shall not exceed 1,000 square feet.

The following are requirements by Village of Somers:

- Plat of Survey by a Surveyor as indicated on the Conditional Use Application
- Localized Site Plans for events held in different areas of the property
- Reinspection of all buildings, including farm barns and storage
- Detailed description for proposed uses for the Pike House
- Weight ratings for the bridge over the creek

We look forward to having all these non-compliance issues resolved, so we can move forward in the issuance of the Conditional Use Permit, along with all the permits and licensing that help fund all the events and educational programs that Hawthorn Hollow offer the community. In the absence of compliance, functionally most activities will no longer be able to be conducted.

In addition, it would appear that there will be significant changes to state statues regarding alcohol licensing which may dramatically impact Hawthorn Hollow activities including private parties and weddings. We would suggest that you consult with your legal counsel on these issues.

Please reach out to any of the Staff, Fire Department, or Kenosha County Planning for questions.

Thank you,
Brandi Baker
 Clerk / Treasurer
 Village / Town of Somers
 7511 12th Street, P.O. Box 197
 Somers, WI 53171

CC: Laura Smith, Marketing & Rentals Manager
 Jeremy Haag, Event & Administrative Coordinator

Conditional Use Permit Application Packet
Hyslop Foundation, Inc / Hawthorn Hollow

Contents

1. Application
 - a. Hawthorn Hollow Buildings attachment
 - b. Outdoor Entertainment and Storage attachment
2. Kenosha County Planning and Development Recommendation Letter Responses
 - a. Passed Septic Report /POWTS (recommendation 2)
 - b. Landscape buffer planting plan (recommendation 3c)
 - c. Operational and Security Plan (
 - d. Village Building Inspection report
 - e. Fire and rescue report (recommendation
 - f. Amphitheater Operation Report (recommendation 4d)



COUNTY OF KENOSHA

Division of Planning and Development

CONDITIONAL USE PERMIT APPLICATION

(a) Property Owner's Name:

Hyslop Foundation, Inc (Hawthorn Hollow)

Print Name: Timothy Leveque

Signature: 

Mailing Address: 880 Green Bay Road

City: Kenosha

State: WI

Zip: 53144

Phone Number: 262-552-8196

E-mail (optional): tj@hawthornhollow.org

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: _____

Signature: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ E-mail (optional): _____

(c) Architect's Name (if applicable):

Print Name: _____

Signature: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ E-mail (optional): _____

(d) Engineer's Name (if applicable):

Print Name: _____

Signature: _____

Business Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ E-mail (optional): _____

CONDITIONAL USE PERMIT APPLICATION

(e) Tax key number(s) of subject site:

39-6061420 parcel # 82-4-222-101-0323

Address of the subject site:

880 Green Bay Road Kenosha, WI 53144 & 914 Green Bay Road Kenosha, WI 53144

(f) Plan of Operation (or attach separate plan of operation)

Type of structure:

See Attachment "2024 Hawthorn Hollow Buildings"

Proposed operation or use of the structure or site:

See Attachment "2024 Hawthorn Hollow Buildings"

Number of employees (by shift): 7 year round / 10 seasonal staff

Hours of Operation: 8am-5pm March-October/ 8am-5pm Nov.-Dec. 24th / Closed Dec. 24-Mar 1

Any outdoor entertainment? If so, please explain: Yes. See Attachment "Outdoor Entertainment & Storage"

Any outdoor storage? If so, please explain: Yes. See Attachment "Outdoor Entertainment & Storage"

Zoning district of the property: PR-1

(g) Attach a plat of survey prepared by a land surveyor registered by the State of Wisconsin or site plan drawn to scale and approved by the Department of Planning & Development showing all of the information required under section 12.05-1(h)3 for a zoning permit. In addition, the plat of survey or site plan layout shall show the location, elevation and use of any abutting lands and the location and foundation elevations of structures within 50 feet of the subject site; soil mapping unit lines; ordinary high water mark, historic high water marks and floodlands on or within 50 feet of the subject premises, and existing and proposed landscaping.

CONDITIONAL USE PERMIT APPLICATION

For conditional use permit applications that are made within shoreland and floodland areas, such description shall also include information that is necessary for the County Planning, Development & Extension Education Committee to determine whether the proposed development will hamper flood flows, impair floodplain storage capacity, or cause danger to human, animal or aquatic life. This additional information may include plans, certified by a registered professional engineer or land surveyor, showing existing and proposed elevations or contours of the ground; fill or storage elevation; basement and first floor elevations of structures; size, location, and spatial arrangement of all existing and proposed structures on the site; location and elevation of streets water supply and sanitary facilities; aerial photographs, and photographs showing existing surrounding land uses and vegetation upstream and downstream; soil types and any other pertinent information required by either the Planning, Development & Extension Education Committee or the Office of Planning and Zoning Administration:

(h) The Kenosha County Department of Planning & Development may ask for additional information.

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

Request for Conditional Use Permit \$780.00

(For other fees see the Fee Schedule)

Hawthorn Hollow Buildings and Structures				
1 Teuscher House / Office				
4 bedroom 2.5 bath 2 car attached				
2000 sq ft				
Offices				
2 Nature Center / Studio Apartment / Boutique				
1.5 bath				
700 / 700 / 50 sq ft (1450 sq ft)				
Events / Classes / Observatory Office, Lease Rental, Store front 15 hours a week?				
3 Observatory				
300 sq ft				
Classes/ Events/ Reserach				
1 porta potty				
4 Sugar Shack				
280 sq ft				
Maple sugar production / storage				
5 Annex / 2 Car Garage				
200/750 950 sq ft				
Storage / Gas vehicles and lawn equipment				
6 Pike House				
4,932 sq ft.		15 rooms	5 bedrooms	3.5 baths
Daily or Event Rentals				
7 Loft Aparment / Garage				
500/500 (1000) sq ft				
Leased Rental				
8 Pole Barn				
1 bath				
2400 sq ft.				
Workshop / Tractor storage / Storage				
9 3 Car Garage				
504 sq ft				
Sign and other storage				
10 Barn				
980 sq ft				
1 Portapotty				
Farm equipment storage				
11 Honey House				
180 sq ft				
Honey production				

12	Pike River School (1847)			
	360 sq ft			
	Display			
13	Pike River School (1906)			
	2 bath			
	720 sq ft			
	Classes			
14	Somers Town Hall (1859)			
	720 sq ft			
	Display / Meetings			
15	Overlook			
16	Covered Bridge			
17	Main Bridge			
	Wt Capacity			
18	Back Bridge			
19	Prarie Observation Deck			
	4x6 >2 feet H			
20	Gazebo			
21	Board walk			
	200 feet with foot rail			
	Proposed Structures			
1	Pavilion			
2	Concession Stand*			
3	Wildlife Obevation Blind			

Outdoor Entertainment and Storage

Outdoor Entertainment

As part of our fundraising efforts, Hawthorn Hollow hosts several events that include outdoor entertainment, specifically live music.

- Birds and Plants
- Pike River Benefit Concert Series (3 per year)
- Walk in the Woods Art Fair
- Harvest Hootenanny

Outdoor Storage

Hawthorn Hollow stores a variety of landscaping materials in our maintenance areas, in a private location out of the public's view.

- Plants/trees
- Gravel/bricks/hardscaping
- Fire wood
- Tractor attachments
- Seasonal outdoor décor

Kenosha County Planning Recommendation Letter responses 2024

Dear Somers Board of Trustees,

Below are Luke Godshall of Kenosha County Planning and Development’s recommendations, followed by Hawthorn Hollow’s responses, in his letter concerning the Hyslop Foundation’s Conditional Use Permit.

STAFF RECOMMENDATION:

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

- 1. Subject to the information and site plan contained in the submitted conditional use permit application on March 24, 2023.
- 2. Subject to the property owner working with the County Sanitarian to correct an outstanding sanitary treatment tank setback issue, as determined by 2019 POWTS evaluation. Final Conditional Use Permit approval by the Village Board shall not be granted until this issue has been corrected to the satisfaction of the County Sanitarian.

A new septic tank has been installed and the inspection has been passed. A copy of the passed inspection report (POWTS) is attached.

- 3. Subject to the Conditional Use standards contained in Section ZN 5.03(8)(b)144 for Event Facilities (with or without lodging) in the PR-1 District:

- a. The minimum parcel size shall be ten (10) acres.
Hawthorn Hollow is compliant of the above. Hawthorn Hollow consists of 88 Acres.

- b. A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor event facilities shall not be permitted within this buffer area. Where possible, suitable landscaping shall remain or grow within the buffer area.

Hawthorn Hollow’s existing event facilities (1906 Pike River One Room School House, Nature Center Building, Sugar Shack) are within the buffer area. Hawthorn Hollow requests an exception for the removal of pre-existing buildings to comply with the 200ft buffer requirement.

- c. Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. A landscape buffer planting plan shall be submitted with the application and approved by the Village Plan Commission and Board.

All boundaries with abutting residences have plantings that screen views, lights, and noise. Plan/aerial is provided please see landscape buffer planting attachment.

d. Parcels shall have frontage along a paved public road for direct access.

Hawthorn Hollow has significant footage along Green Bay Road.

e. Any facilities used for lodging must be associated with events on the property and receive necessary approvals from the Kenosha County Health Department.

Hawthorn Hollow is not currently pursuing facilities used for lodging.

f. Access by private easement must be formalized and be recorded or available for recording. Modifications of existing easements resulting from the proposed use(s) must be approved in writing by all easement parties. The Village of Somers may require easement(s) to allow site access by Village Fire & Rescue and/or law enforcement.

Our neighbors (Greg and Amanda Pulda) have been advised not to provide a formal private easement. Hawthorn Hollow cannot require the Pulda's to provide a private easement. Hawthorn Hollow requests an exemption to any ordinance requirement that a private easement be provided.

g. All ingress/egress driveways, internal circulation drives, and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway as approved by Village Fire & Rescue.

Procedures are in place to minimize traffic hazards and are depicted in Hawthorn Hollow's attached Special Event Permit Operational and Security plan, which has been approved by Village Fire & Rescue.

h. The increase in traffic generated by the proposed use(s) shall not create a nuisance to nearby residents by way of traffic or noise.

Procedures are in place to avoid traffic and noise nuisances to nearby residences. The venue sites are in secluded, wooded areas on the Hawthorn Property.

i. Parking areas may be either gravel or paved. Handicapped parking spaces shall be paved and meet all state standards. Sufficient parking spaces to accommodate the proposed use(s) shall be provided and shall be based on an overall plan that has been reviewed and approved by Village Fire & Rescue. Overflow parking on grass or hay areas may be permissible as approved by Village Fire & Rescue. Parking on public rights-of-way is not permitted.

Two designated handicap parking spots are situated in the main lot. We will continue to evaluate pavement options in 2024. The use of off-road diagonal parking spaces for the concert series allows for easy parking lot clearance once the event has concluded. For the art fair, we use numerous volunteers to direct and control parking, as well as enforcing one-way lanes throughout the arboretum lot. This, along with plentiful signage (over 20 different signs are used for art fair parking alone) has allowed us to control and clear the lot with ease. For parking plan, see attached Special Event Permit Operational and Security plan, which has been approved by Village Fire & Rescue.

j. Parking areas of any type shall not be located within the required buffer area (200ft) and must meet the parking requirements of §ZN 3.06(3)(j) and (k).

Our main parking lot is 143 feet from our northern property line. This is within the required 200 foot buffer. Hawthorn Hollow requests an exemption for continued use of existing parking lot.

j(i)

Setback. Except for a single-family or two-family residence, parking spaces and driveways shall be a minimum of 20 feet from the established highway right-of-way, a minimum of 10 feet from all rear and side lot lines and a minimum of 75 feet from the Ordinary High Water Mark of a navigable water body. When abutting a residential district or a planned residential district (based on a Village's adopted Land Use Plan), driveways or parking lots shall be a minimum of 20 feet to the property line.

j(k)

Surfacing. All off-street parking areas for more than five vehicles shall be graded and surfaced with asphalt or concrete and properly drained.

Hawthorn Hollow's parking lot is level, traffic bond, and well drained, but not concrete or asphalt. The cost of asphaltting would be prohibitive. Hawthorn Hollow requests an exemption to this ordinance.

k. Building occupancy and site capacity limits, as determined by the Village Building Inspector and/or Village Fire & Rescue, shall not be exceeded for any event occurring on the property.

l. Signage shall comply with §ZN 3.07.

All signage will be compliant with Kenosha County regulations.

m. Any newly proposed or changed outdoor lighting shall consist of full cut off luminaries and shall not exceed an illumination level of 0.5 foot candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed, and lenses must be constructed so as to be parallel to the

constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.

Hawthorn Hollow will comply with any new lighting regulations.

n. No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, Village or local unit of government in which they are being located.

Hawthorn Hollow understands that all signage will require proper permitting.

o. Structures shall be inspected by Village Fire & Rescue and Building Inspector prior to the Village meetings and shall meet all Village Fire and Building Code standards prior to occupancy.

Inspected by Village Building inspector and Village Fire and Rescue. Reports provided.

p. Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and Wis. Admin. Code § SPS 382- 385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability.

A POWTS has been prepared by Billingsley Engineering. For Sanitary inspection, see permits and license attachment.

q. It is the responsibility of the applicant to comply with all State and local regulations regarding public health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.

Hawthorn Hollow will provide whatever is necessary to comply with all state and local regulations regarding public health, including the availability of adequate toilet and handwashing facilities.

r. Food vendors shall be licensed by the Kenosha County Health Department.

s. Amplified music and dancing may be permitted only within approved structures and/or areas of the property. Village noise ordinances shall be complied with. Amplified music shall be subject to applicable Village licensing requirements.

Hawthorn Hollow will obtain event permits for all events requiring it and will comply with noise ordinances.

t. The sale and consumption of alcoholic beverages on the premises is subject to applicable Wisconsin Statutes, Administrative Code provisions, and Village licensing requirements.

Hawthorn Hollow will obtain all necessary special event permits and will comply with all Wisconsin statutes, administrative code provisions, and village licensing requirements.

4. Subject to the Conditional Use standards contained in Section ZN 5.03(8)(b)130 for Summer theaters and amphitheaters or band shells in the PR-1 District:

a. A detailed site plan shall be submitted to the Plan Commission along with the proposed hours of operation and seating capacity on the premises.

A detailed site plan has been prepared by Nielsen, Madsen, & Barber (civil engineers and surveyors) to address the labeling of buildings and trails, as well as indicators of distance requested by village administration and the Village of Somers Fire Department. For proposed hours of operation, please see application or the attached Special Event Permit Operational and Security plan.

b. At least one off-street parking space shall be provided for every three seats located within the theater, amphitheater or band shell.

Hawthorn Hollow has adequate off-street parking to comply with this ratio. Parking spaces are set forth on the attached Special Event Permit Operational and Security plan.

c. The site shall have direct access to federal, state or Village highways.

The site has direct access to state Hwy 31 – Green Bay Road.

d. An application for a conditional use permit shall be accompanied by a report setting forth the proposed operation of the theater, amphitheater or band shell.

Please see attached Amphitheater Operation Report

e. Ingress and egress to the site shall be determined with due regard to topography and public road and pedestrian traffic taking into consideration hills, curves, speed limits and vision clearance.

Ingress and Egress to Hawthorn Hollow is already in place, with clear sight lines and restricted speed limits of only 15 mph.

f. Parking areas shall be maintained in a dust free condition and where paved, a stormwater drainage plan shall be submitted to the Plan Commission.

Hawthorn Hollow cannot guaranty a dust free condition but the gravel access roads do contain traffic bond. A drainage plan does not appear to be necessary but will be addressed by Hawthorn Hollow if deemed so.

g. Night lighting shall not be permitted to shine on adjacent property.

Hawthorn Hollow will ensure that all night lighting will be directed downward or inward toward the site.

h. Proposals for water and sanitation facilities and emergency services shall be reviewed by the Plan Commission.

i. Increased performance standards with respect to noise may be required as deemed necessary.

5. Subject to the Conditional Use standards contained in Section ZN 5.03(8)(b)62 Living quarters for watchmen and caretakers in the M-2 District and PR-1 District:

a. A site plan shall be presented to the Plan Commission.

A site plan prepared by Nielsen, Madsen, & Barber (civil engineers and surveyors) will be presented.

b. Not more than one such living quarters shall be permitted per parcel.

Hawthorn Hollow is requesting an allowance for two(2) watchmen/caretakers living quarters on the parcel. This is due to size of property (88 acres) and layout of buildings. One living quarter is requested per address. This request is for security reasons as the various buildings, including some of valuable historic significance, are located on the North 40 acres of the parcel and the parcel itself is isolated.

i. Note: Petitioner is requesting an allowance for two (2) watchmen/caretakers living quarters on the parcel.

c. Said living quarters shall not exceed 1,000 square feet.

d. Said conditional use permit terminates at such time as the aforementioned quarters are no

longer used as living quarters for watchmen or caretakers.

6. It is the responsibility of the applicant to assure and guarantee that the above conditions are fully complied with. This includes, but is not necessarily limited to, meeting conditions established herein, providing any applicable letters of credit, providing and following approved plans, obtaining permits prior to construction, making improvements, participating in coordination meetings with governmental officials, following established time frames, meeting deadlines, and providing additional information where deemed necessary. Any unauthorized deviation from the approved plans and conditions shall result in the issuance of a citation and/or applicable stop work order by the Village of Somers or other applicable agencies until the conditional use permit is brought back into compliance. Continued violation of the conditions as set forth herein shall result in a recommendation for revocation of the Conditional Use Permit.

7. Any substantial change or expansion of the submitted plan of operation, i.e., the addition and/or expansion of events, structures and/or uses not included in the submitted application, shall require the applicant to reapply for a Conditional Use Permit to the Village of Somers for its review and approval.

Hawthorn Hollow will apply/re-apply for a conditional use permit to the village of Somers for its review and approval if it plans any substantial change or expansion of the submitted plan of operation.

8. If property ownership and/or tenant shall happen to change it shall be the responsibility of the person(s) that signed these conditions to notify new owner and/or tenant of all above stated conditions of approval.

Hawthorn Hollow will provide any necessary notification to successor property ownership and /or tenant(s) of all above stated conditions of approval should any occur.

9. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.

10. Subject to necessary zoning and/or building permits being issued for any proposed structures including principal & accessory structures, signage, fences, etc.

**PRIVATE ONSITE WASTE TREATMENT SYSTEMS
(POWTS)
INSPECTION REPORT
(ATTACH TO PERMIT)**

County Kenosha County 19600-75 th Street Bristol, WI 53104-0520
Sanitary Permit No.: <i>23-00047</i>
State Plan Transaction ID#: <i>23-028</i>
Parcel Tax No.: <i>89-277-101-0323</i>

GENERAL INFORMATION

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04(1)(m)]

Permit Holder's Name: <i>Hyslop Foundation</i>	<input type="checkbox"/> City <input checked="" type="checkbox"/> Village <input type="checkbox"/> Town of: <i>Summers</i>	
CST BM Elev:	Insp BM Elev:	BM Description: <i>Down 5:11 Top Floor Shell</i>

TANK INFORMATION

TYPE	MANUFACTURER	CAPACITY
Septic		
Dosing		
Aeration		
Holding	<i>Crest</i>	<i>7500/7500</i>

ELEVATION DATA

STATION	BS	HI	FS	ELEV
Benchmark	<i>3.82</i>			
Bldg. Sewer		<i>103.82</i>	<i>8.14</i>	<i>95.68</i>
St/Ht Inlet		<i>↓</i>	<i>9.29</i>	<i>94.53</i>
St/Ht Outlet		<i>94.07</i>	<i>7.0</i>	<i>87.07</i>
Dt Inlet				
Dt Bottom				
Installation Contour				
Header/Man.				
Dist. Pipe				
Infiltrative Surface				
Final Grade	<i>103.83</i>	<i>5.15 →</i>	<i>98.67 →</i>	
<i>Top of Tank</i>	<i>103.83</i>	<i>9.75</i>	<i>94.07</i>	

TANK SETBACK INFORMATION

TANK TO	P/L	WELL	BLDG	Vent To Air Intake	ROAD
Septic					
Septic					
Dosing					
Aeration					
Holding	<i>>50'</i>	<i>100'</i>	<i>41' shell 74'</i>		<i>17'</i>
ABS Cell			<i>75' Res</i>		Water OHWM

DISPERSAL CELL INFORMATION

DIMENSIONS	Width	Length	No of Cells

PUMP / SIPHON INFORMATION

Manufacturer		Demand
Model Number		GPM

PROPOSED:

Lift	Friction Loss	System Head	TDH	Ft
Forcemain	Length	Dia	Dist. To Well	

INSTALLED:

Lift	Friction Loss	System Head	TDH	Ft
Forcemain	Length	Dia	Dist. To Well	

SOIL COVER

Depth Over Cell Center	Depth Over Cell Edges	Depth of Topsoil	Seeded / Sodded <input type="checkbox"/> Yes <input type="checkbox"/> No	Mulched <input type="checkbox"/> Yes <input type="checkbox"/> No
------------------------	-----------------------	------------------	---	---

COMMENTS:

*12/21/23 Existing septic tanks abandoned
chains, locks, float installed
Alarm panel to be installed
B.S. for proposed pavillion stubbed out 33' North of H.T.
connected to a/c in front of shell/workshop.
- replaced 2' of sch 40 pvc 48' south of house in driveway*

Plan revision required? Yes No Date _____ 29 of 101
Use Other Side for Additional Information POWTS Inspector's Signature _____ Cert No _____

Top of tank

9.75 (94.07) (98" tall) 9+6" 15" Top from tank
Pipe
Bttm

Plumbing fixture leaking from one of the
2 shed bldgs south of main house
(APT)

Exit Tank Inlet = 9.3 (94.58')
" " Pipe stubbed = 8.30 (95.58')

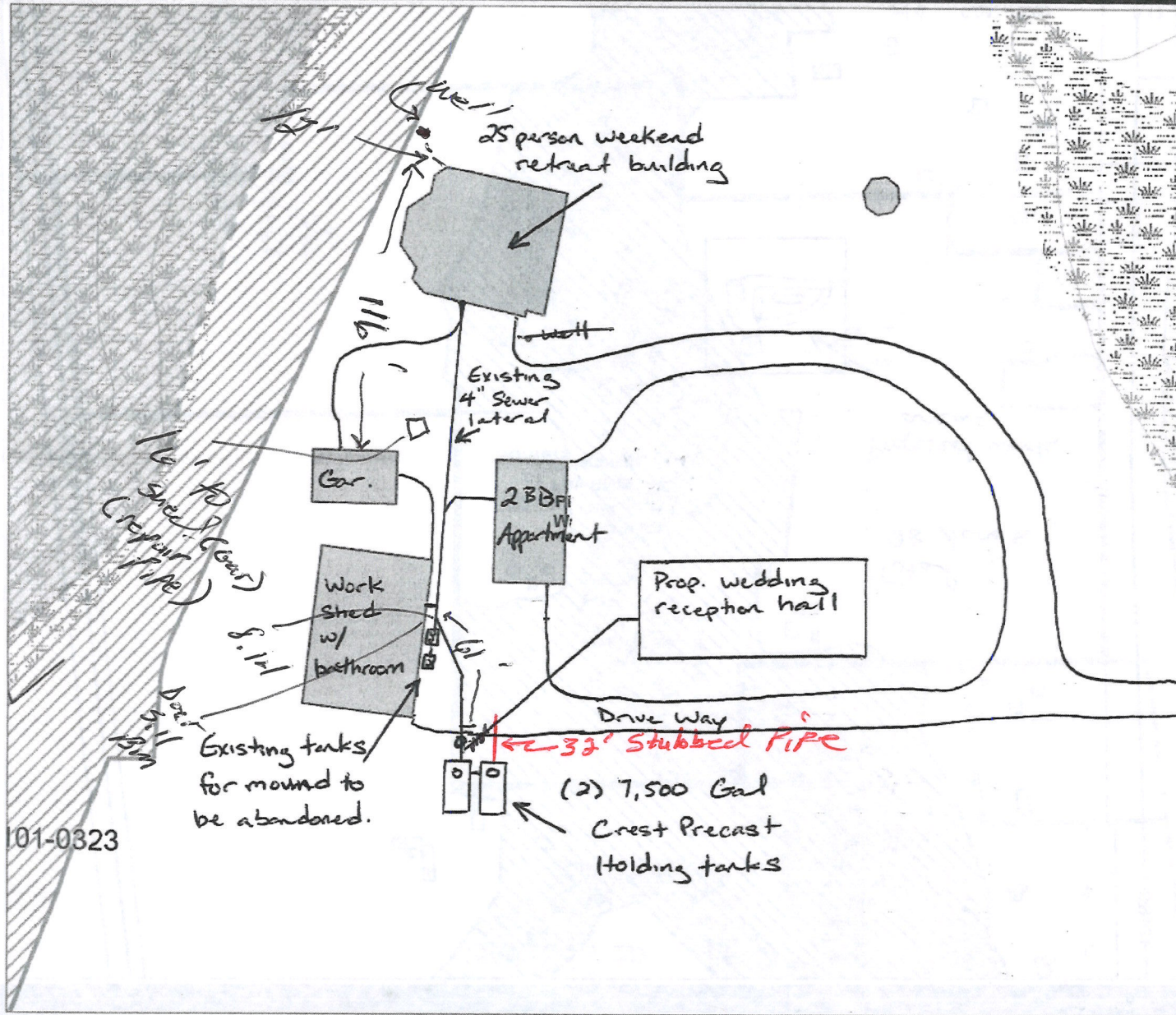
- Stubbed pipe under drive insulated 1" Foam insulated, 3' below surface
- BS from existing tanks to new HT insulated
- Eric will try to determine which bldg the leaky fixture is in. Property Mgr made aware
- Alarm panel to be installed in west shed bldg
- ~~Mound has been used around tanks, now gone~~
- 55" soil cover over tank
- Pavilion to be built yet, NO construction started or site staking.

Sand
Stone

Top of grade 5.15 (Tank)

Lefts - Top of 6" outlet conveyance pipe between tanks
7.0' (87.07')
97.40

MAP TITLE



KENOSHA COUNTY
INTERACTIVE MAPPING

Legend

Hyslop Foundation
82-4-222-101-0323
NW 1/4 S10 T2 R22 E
Village of Somers

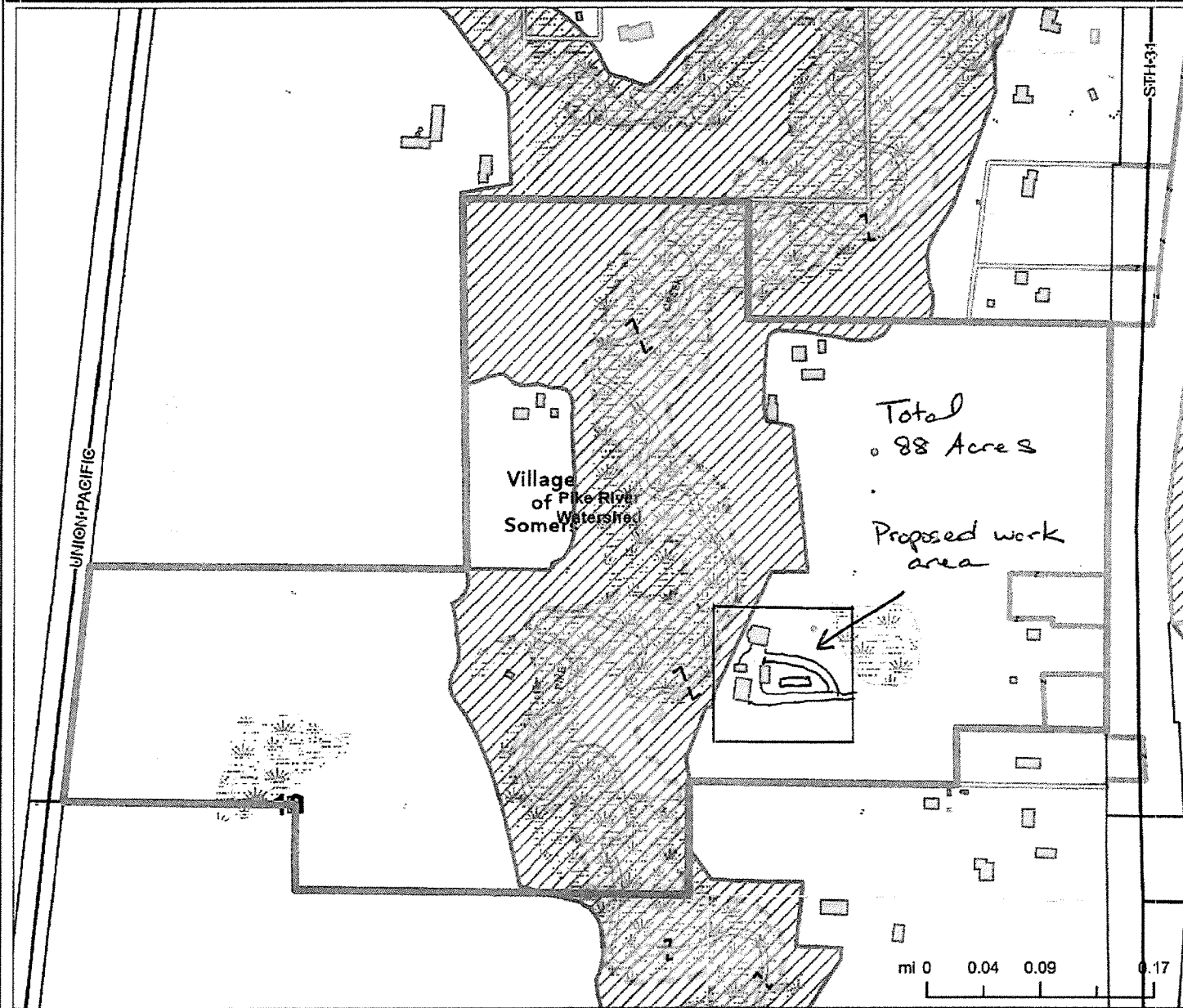
Billingsley Eng
Eric Billingsley
MP# 682918
6-6-23

Scale 1" = 60'

01-0323

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.

MAP TITLE



**KENOSHA COUNTY
INTERACTIVE MAPPING**

Legend

Hystop Foundation
880 Green Bay Rd
Kenosha, WI 53144
82-4-222-101-0323

Total
• 88 Acres

Proposed work
area

Not to scale

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.

HOLDING TANK ANCHORING CALCULATIONS—(SOIL OR CONCRETE)

Tank Manufacturer: Crest Tank Capacity: 7500
Inside Tank Dimensions:
Width: 88 in. _____ ft. Length: 218 in. _____ ft.
Liquid Height: 86 in. _____ ft. Weight: 47,000 lbs.

A. Calculate cubic feet of tank:

86 in. high X 88 in. wide X 218 in. long = 1649824 cubic in.
_____ cu. in. / 1728 = 954.76 cu. ft.

B. Convert the displacement to the weight of water:

955 cu. ft. (from line A) X 62.4 lbs. per cu. ft of water X 1.5 (safety factor) =
89,365 lbs. of lift potential

C. Weight needed to counter buoyancy:

89,365 lbs. (from line B) - 47,000 lbs. (weight of tank) = 42,366 lbs. Needed
to anchor tank

D. Weight needed over tank, plus safety factor:

100 in. (tank cover width) X 230 in. (tank cover length) / 144 = 159.72 sq. ft of
cover X 0.083 (1 inch in one foot decimal) = 13.26 cu. ft. space of 1 inch of tank cover

E. Weight of 1 inch of space over entire tank cover:

13.26 cu. ft. of space (from line D) X 110 lbs. / cu. ft. = 1458.26 lbs. / in. space above cover

F. Inches of soil to counter buoyancy:

42,366 lbs. (from line C) / 1458.26 lbs. / inch of soil (from line E) = 29.05 in. soil
needed over tank cover

OR

42,366 lbs. (from line C) / 4050 lbs. Per cu. yd. = 10.46 yds. concrete needed over tank

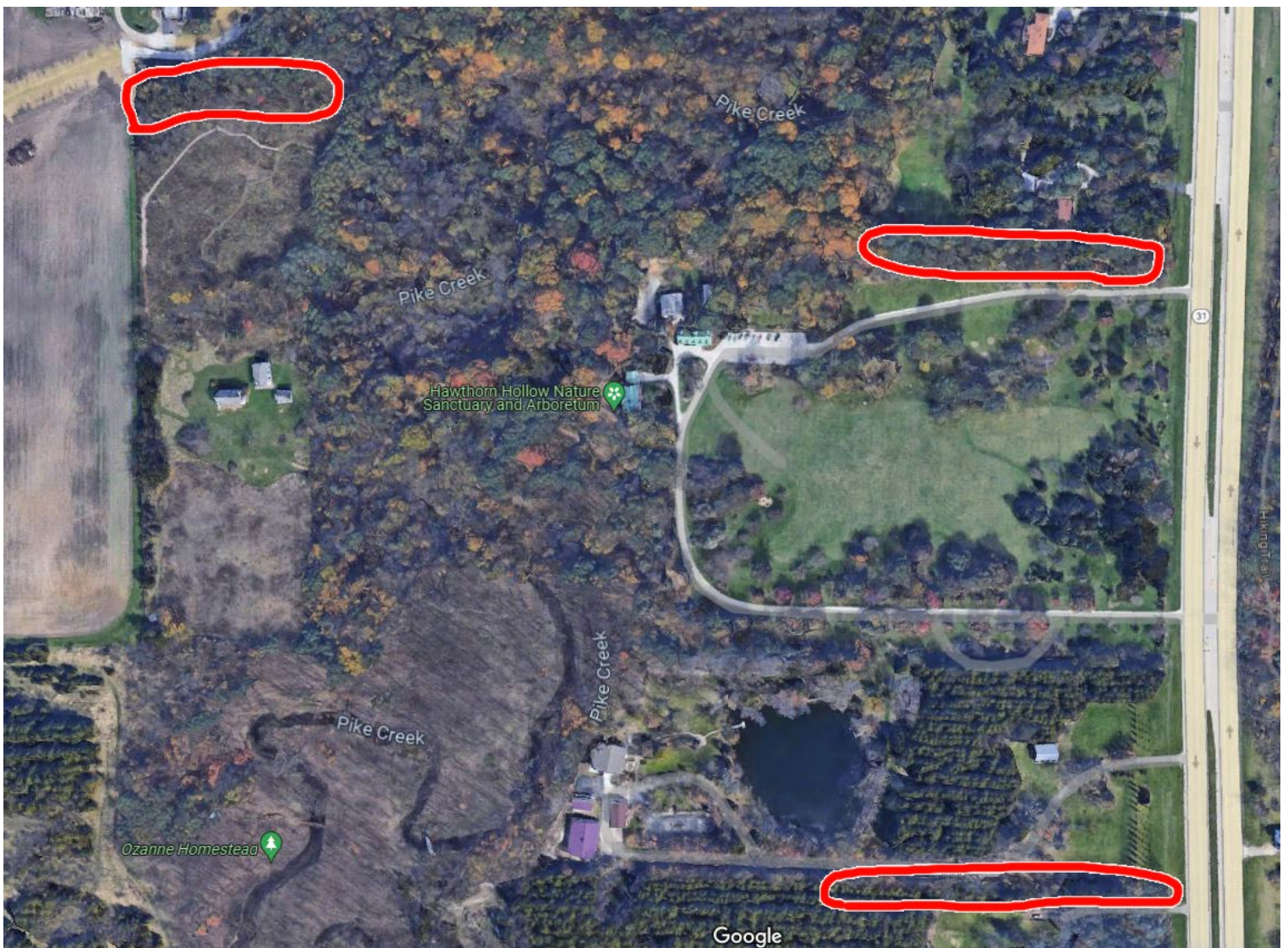
NOTE:

Use (line E X Depth of soil cover) formula after tank(s) installation to determine ACTUAL FINAL FIELD anchoring requirement

Landscape Buffer Site Plan

3c. Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. A landscape buffer planting plan shall be submitted with the application and approved by the Village Plan Commission and Board.

Hawthorn Hollow has four abutting residences with adequate plantings to screen views along each of the boundaries. The image below highlights each area abutting residences.



SPECIAL EVENT PERMIT: OPERATIONAL AND SECURITY PLAN INFORMATION

Operational Plan

Planned Hours* of Operation:

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Hours: 8 am To 5 pm	Hours: 8 am To 5 pm	Hours: 8 am To 5 pm	Hours: 8 am To 5 pm	Hours: 8 am To 5 pm	Hours: 8 am To 9 pm	Hours: 8 am To 5 pm

*be sure to list AM or PM

Legal occupancy limit for the premises: _____ persons

Attach scale drawing of parking plan: Attachment one is our Concert/Small Event Parking Plan, attachment two is our Art Fair Parking Plan, and attachment three is our Historic Building Emergency Access Plan.

Number of off-street parking spaces used to service the premises: 560 parking spaces

Description of the off-street parking spaces used to service the premises: Hawthorn Hollow has two parking lots on the premises, our Nature Center lot which holds 30 cars, and our Farm/Event lot which holds 25. In addition, we park cars diagonally at least 10 feet off the entrance road for concerts and other medium-sized events. For the art fair, we convert our arboretum meadow into a five-lane grass parking lot which can hold up to 375 cars with the required clearances.

Describe the sound amplification equipment to be used (if any): We use a 16-channel 1000 w Yamaha powered PA system with two 15-inch main speakers and two floor monitor speakers for the artist. For the art fair, we often have a second stage at the nature center with a second PA system donated for the day. Weddings often utilize a hired DJ who provides their own equipment.

Identify any sound mitigation strategies to be implemented: Volume is always kept as low as possible to reduce impact on neighbors and the general public. Wedding DJ’s must set up so speakers face north-west, away from our closest neighbors. The amphitheater (concert location) naturally faces away from our neighbors as well. In the past, we have received no complaints from neighbors or the general public about noise levels from our events to the best of our knowledge.

How will orderly appearance and operation of the establishment be maintained in regard to litter and noise?: We provide numerous garbage and recycling receptacles placed throughout the event area, and these are monitored and emptied when needed. Refuse is then deposited in our garbage and recycling dumpsters, which are emptied once a week by our private sanitation vendor. See above for our noise mitigation plan.

Security Plan

Attach scale drawing of elements of Security Plan: See Attachment Four.

Description of clothing to identify security personnel: Security is provided by Hawthorn Hollow staff and a select group of vetted volunteers. All staff wear lanyards with identification cards attached, and volunteers wear a lanyard that states "volunteer". For the Walk in the Woods Art Fair, all staff and volunteers also wear a bright green t-shirt to make identification easier.

Are security personnel employees? If not, provide contact information for outside security firm: Yes, employees and volunteers.

Plan to handle control and clearance of the parking lot and public right-of-ways adjacent to licensed property during hours of operation and at closing time: The use of off-road diagonal parking spaces for the concert series allows for easy parking lot clearance once the event has concluded. For the art fair, we use numerous volunteers to direct and control parking, as well as enforcing one-way lanes throughout the arboretum lot. This, along with plentiful signage (over 20 different signs are used for art fair parking alone) has allowed us to control and clear the lot with ease.

How will the entrance line be managed and controlled: Our main concern is to keep the entrance line off of public roads, specifically Hwy 31. The actual point of entry, where patrons pay or give tickets, is set approximately 300 ft from the roadside, allowing a large number of vehicles to enter without disrupting traffic. If the line becomes too long, we can open up our Farm/Event parking lot as an additional point of entry, allowing more cars to enter. In the unlikely event that there is still a backup, we would forego entrance donation collection and allow cars to enter the event without stopping for tickets or payment, speeding up the process even more.

Will any security personnel be armed? If yes, provide individual names and addresses: No security personnel at Hawthorn Hollow will be armed.

Plan for unruly patrons, intoxicated patrons, and physical disturbances (including fights): If a patron is found to be unruly or seems to be causing a disturbance, they will be escorted by two security personnel to their vehicle and told to leave the premises (if they don't appear to be intoxicated or a threat to themselves or others). If a fight occurs, all parties will be separated and escorted off the property (again, if not intoxicated or a perceived threat). Patrons who appear to be intoxicated or unruly will not be served any alcohol, and if no other option is available, law enforcement will be asked to intervene. In over 30 years of events at Hawthorn Hollow, law enforcement has never had to intervene in any disturbance with our patrons.

Underage drinking and fake ID plan: When serving alcoholic beverages, we utilize a mandatory ID check and wristband policy for all purchasers. We will not sell any alcoholic beverages to anyone without a wristband (which indicates their ID has been checked and accepted), and we will confiscate any alcoholic beverages in the possession of anyone without a wristband. If an ID is found to be fraudulent, it will be confiscated and turned over to the proper authorities.

Provide the first and last name of all management personnel:

- Timothy J. Leveque, Executive Director
- Dr. William Parker, Observatory Director
- Emily Leonard, Ecologist
- Kailyn Palomares, Naturalist & Education Coordinator
- Laura Smith, Marketing & Rental Coordinator
- Chad Jocius, Observatory & Maintenance Manager
- Jeremy W. Haag, Event & Administrative Coordinator

READ CAREFULLY BEFORE SIGNING: Under penalty provided for by law, the undersigned states that each of the above questions has been truthfully answered to the best of his/her/their knowledge.

Individual/Partner/Member Signature

Date

Attachment One: Concert/Small Event Parking Plan



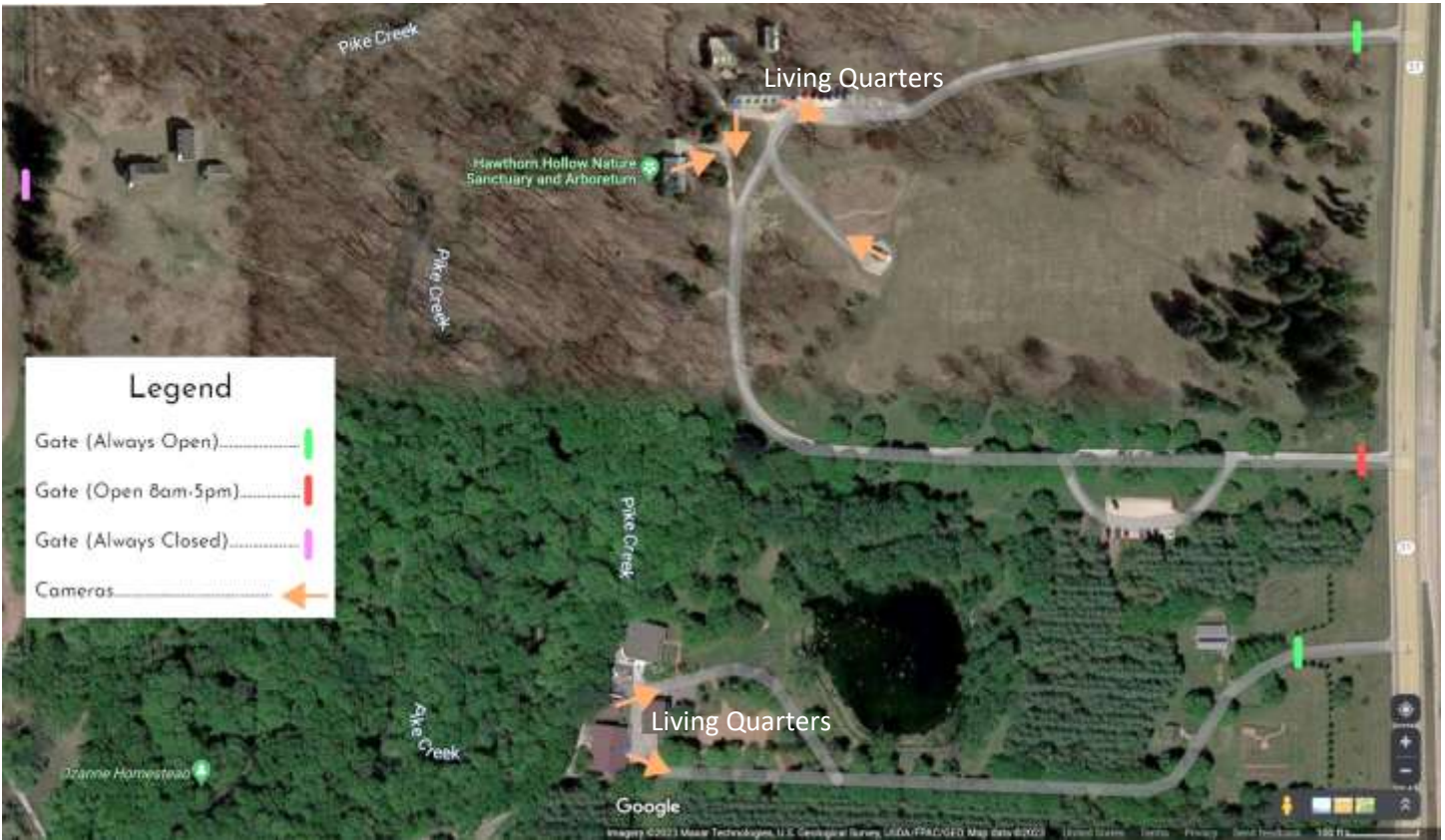
Attachment Two: Art Fair Parking Plan



Attachment Three: Historic Buildings Emergency Access Plan



Attachment Four: Gates & Camera Locations





7511 12th St | PO Box 197 | Somers, WI 53171

Ph: 262-859-2822 | Fax: 262-859-2331

www.somers.org

Scott Seymour - Building Inspector

sseymour@somer.org

1/5/2024

Hawthorn Hollow
880 Hwy 31
Kenosha, WI 53144

Building Inspection Report Conditional Use Permit Application

Inspections were conducted on all structures located on the property known as Hawthorn Hollow for the purpose of compliance with a Conditional Use Permit Application. All structures were found to be structurally sound, safe, and code compliant with the exception of:

1. The 1859 Town Hall Building – Currently under permit for new foundation. Once the work is completed the building can be open to the public.
2. The Pike House – The structure is currently permitted by Kenosha County as a Tourist Rooming House. As such, the structure is governed by the Commercial Building Code. The following must be addressed:
 - Numerous Electrical Code violations and concerns were noted and communicated to the Facility Manager.
 - Deck stairs are unsafe and need to be rebuilt.
 - Deck railing is unsafe and needs to be rebuilt.
 - The deck is NOT to be used until it can be evaluated by a Structural Engineer. Primary structural concerns are undersized posts with possible rotting at base of post, joist not installed with joist hangers, lack of lateral support.
 - There is currently no accessible entrance

The Pike House can be used during daylight hours only once the electrical violations have been corrected and inspected but may not be used for overnight sleeping.

Scott Seymour
Building Inspector

Inspection No:	20230421115
Inspection Date:	04/21/2023
Inspection Time:	0
Inspected By:	PISULA, ADAM

**SOMERS FIRE & RESCUE
FIRE INSPECTION REPORT**



Inspection and Compliance Orders

Facility:	Hawthorn Hollow-Administration Building	Address:	880 Green Bay Road		
Phone:	262-552-8196				
Fax:		City:	Somers		
Email:	lsmith@hawthornhollow.org	State:	WI	Postal Code:	53144

Primary Contact


Contact:	Smith, Laura	Work:	
Email:	lsmith@hawthornhollow.org	Cell:	

Inspection Type: Inspection - General

Violation Code	Days to Correct*	Violation	Notes	Location
----------------	------------------	-----------	-------	----------

Inspection Notes:

Continue to work on long term compliance goals, and applicable permits from the Village and or County. her service

Owner/Rep. : Laura Smith	
------------------------------------	---

* Number of days to correct from date inspected.

A variance procedure is available. Please contact the inspector named for further assistance with this or any other matter.

Amphitheater Operation Report 2/23/2024

Hawthorn Hollow Nature Sanctuary & Arboretum possesses an amphitheater on its property. This location is used for a number of functions that support Hawthorn Hollow's mission. Many of these events provide necessary fundraising revenue streams to fund Hawthorn Hollow's educational, environmental, and maintenance programs.

Location

The Hawthorn Hollow amphitheater is located along a bend on the South Branch of the Pike River. Vehicle access is via the Old Mill Road, which is a gravel access road leading approx. 100 feet from the main Hawthorn Hollow access road. The amphitheater is also accessible by a number of walking trails leading to the main parking area as well as other locations within Hawthorn Hollow.

Facilities

There are no permanent structures in the amphitheater. During events, temporary EZ-Up style tents are used for the concession stand. Portable toilets are rented and placed near the entrance to the amphitheater along the Old Mill Road. There are 18 permanent benches which hold between 6-10 people due to varying length. Temporary tables and seating are used in grassy and gravel areas, and many attendees bring their own seating.

Events

The amphitheater is used for two major events every year; the Pike River Benefit Concert Series and the Walk in the Woods Art Fair. The Pike River Concert Series consists of three separate concerts, which take place on Friday evenings in June, July, and August. Since 2020, the attendance for each concert has been on average 190 attendees.

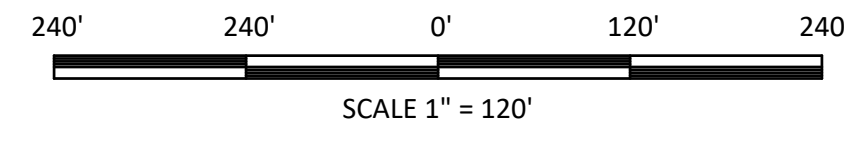
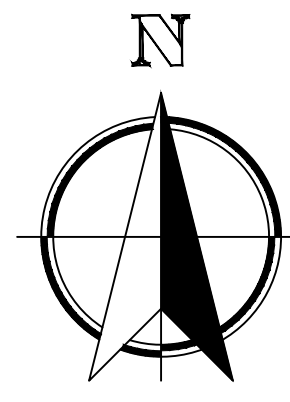
The Walk in the Woods Art Fair is Hawthorn Hollow's single largest event of the year. 60+ vendors sell their merchandise to the public throughout many of Hawthorn Hollow's locations. Usually the amphitheater holds 5-8 vendors, along with booths for area organizations such as the Kenosha Public Library, Root-Pike Watershed Initiative Network, and the International Crane Foundation, among others. Additionally a number of musicians play at the amphitheater during the event.

Recurring Event Permits are obtained for each Hawthorn Hollow fundraising event that features live music and/or alcohol sales.

Additional Uses

The amphitheater is also used as a rental venue for private usage such as wedding ceremonies, celebration of life-type events, and other gatherings. Music is not allowed unless the renter obtains a Single-Use Event Permit through Somers. These events are monitored by Hawthorn Hollow staff to ensure all applicable rules and ordinances are adhered to.

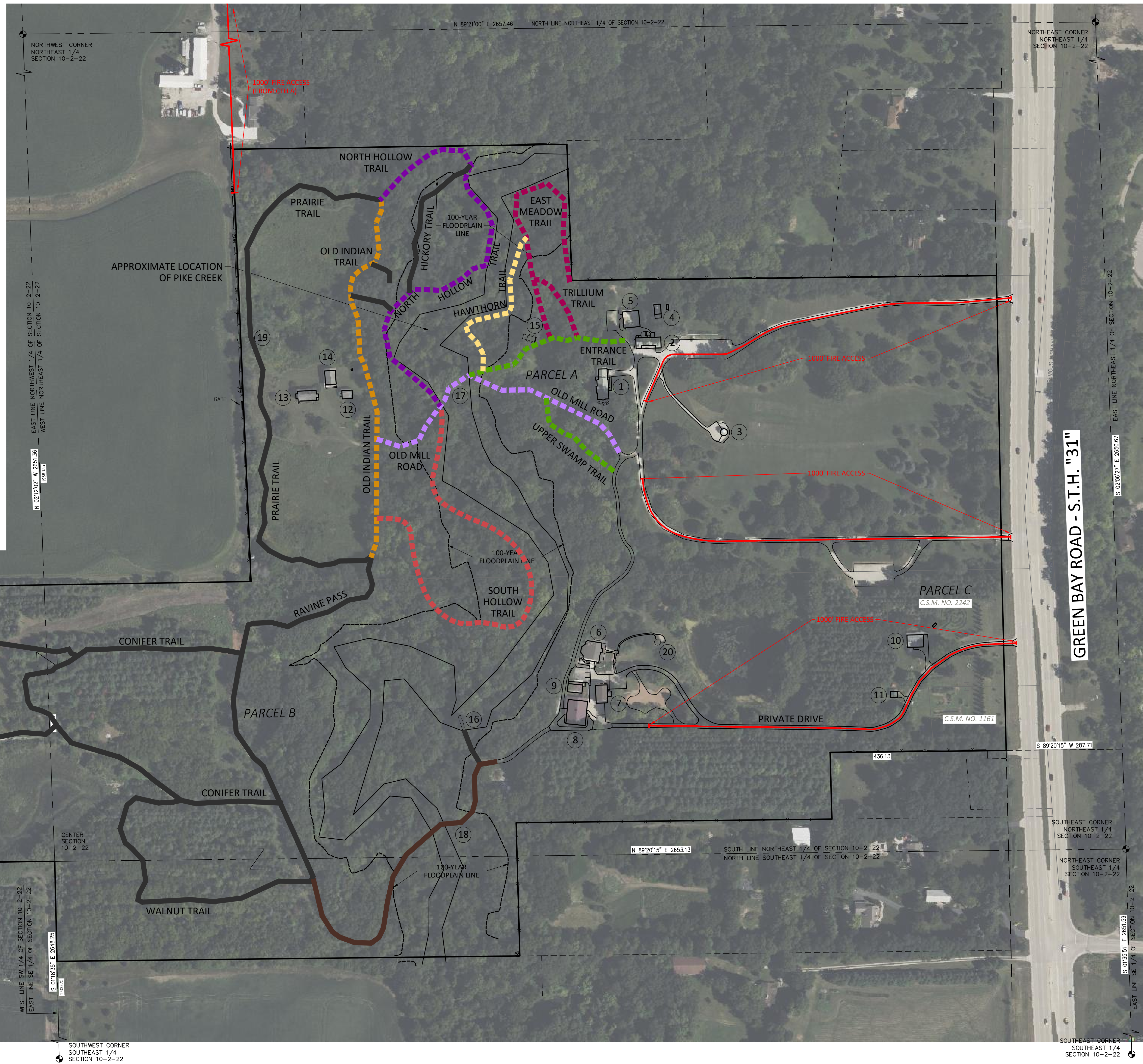
The amphitheater is also used for many of Hawthorn Hollow's educational programs, including field trips, lectures, presentations, and workshops. Again, **no music or alcoholic beverages are allowed at any of these events unless it is covered by our anticipated Recurring Event Permit or a Single-Use Event Permit** obtained by the party renting the facility. Any event not hosted by Hawthorn Hollow staff is monitored closely for compliance.



BEARINGS BASE: GRID NORTH, WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE NAD 1983/2011

BUILDINGS

- | | |
|---|----------------------------|
| ① TEUSCHER HOUSE / OFFICE | ⑫ PIKE RIVER SCHOOL (1847) |
| ② NATURE CENTER / STUDIO APARTMENT / BOUTIQUE | ⑬ PIKE RIVER SCHOOL (1906) |
| ③ OBSERVATORY | ⑭ SOMERS TOWN HALL (1859) |
| ④ SUGAR SHACK | ⑮ OVERLOOK |
| ⑤ ANNEX / 2 CAR GARAGE | ⑯ COVERED BRIDGE |
| ⑥ PIKE HOUSE | ⑰ MAIN BRIDGE |
| ⑦ LOFT APARTMENT / GARAGE | ⑱ BACK BRIDGE |
| ⑧ POLE BARN | ⑲ PRAIRIE OBSERVATION DECK |
| ⑨ 3 CAR GARAGE | ⑳ GAZEBO |
| ⑩ BARN | ㉑ BOARD WALK |
| ⑪ HONEY HOUSE | |



UNION PACIFIC RAILROAD
FORMER CHICAGO AND NORTH WESTERN RAILWAY

GREEN BAY ROAD - S.T.H. "31"

Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS
1458 Horizon Blvd., Suite 200, Racine, WI. 53406
Tele: (262)634-5588 Website: www.nmbssc.net

PART OF THE NW 1/4, NE 1/4 & SE 1/4 OF SECTION 10 - 2 - 22
FOR
HAWTHORNE HOLLOW NATURE SANCTUARY
VILLAGE OF SOMERS, COUNTY OF KENOSHA, STATE OF WISCONSIN

NO.	REVISION	BY	DATE

PROJ. MGR: _____ MRM
DRAFTED: _____ CRL / SCB
DATE: 2-14-2024
CHECKED: _____ MRM
DATE: 2-14-2024

2023.0236.01

SHEET
3 OF **3**

DAVISON LAW OFFICE, LTD.

Attorney Jeffrey J. Davison

1207 55th Street
Kenosha, WI 53140
Telephone No. (262) 657-5165
Fax No. (262) 657-5517
dmltd@sbcglobal.net

March 27, 2024

Hawthorn Hollow
c/o TJ Leveque
tj@hawthornhollow.com

Re: Request for Conditional Use Permit

Dear TJ:

I am writing to advise you that the issue of the various land use regulations which Hawthorn Hollow has not complied with will be on the Agenda for the WorkShop Session of the Village Board of the Village of Somers on April 3, 2024. This was removed from the March 19 WorkShop Session agenda as the Village did not receive a response to the e-mail of March 4 from the Village. In advance of that meeting, I believe that it is necessary that I recount what has occurred over the last several years concerning this situation.

Hawthorn Hollow has violated various land use regulations for many years. Approximately two years ago, the Village began working with Hawthorn Hollow to attempt to bring your organization into compliance with these land use regulations. In fact, the Village Board even amended its zoning ordinances, which benefited your organization, to allow for certain activities which would otherwise be prohibited pursuant to zoning laws and suggested that the zoning on some or all of the property be changed. Hawthorn Hollow declined this opportunity and instead sought a conditional use permit to obtain “exemptions” from Village ordinances.

After several meetings in person and numerous telephone conversations and e-mails, in which the Village administration attempted to work with Hawthorn Hollow, it became apparent that the organization did not understand the Village’s requests to come within compliance of land use restrictions which apply to the property. The Village is cognizant of the fact that the organization has expanded its footprint and is in need of obtaining additional funding in order to pursue its goals. However, the first precept which you must realize is that the Village cannot carve out an exception for any one individual or organization from adopted land use regulations.

In this regard, Hawthorn Hollow’s representatives were advised, both in writing and verbally, that there were various items which needed to be addressed either to expand or even to continue its existing operations. These items were memorialized in a memorandum from

the Kenosha County Division of Planning and Development, the Village's zoning administrators, on April 28, 2023. Following additional meetings, Hawthorn Hollow was advised, in writing, no further permits for special events, no further liquor licenses for events and no overnight occupancy for any of the buildings on the premises would be allowed unless all of the land use issues were resolved no later than March 31, 2024. In other words, the Village allowed Hawthorn Hollow to continue with its activities in violation of land use restrictions through its calendar year 2023 so as not to interrupt its fund raising activities, conditioned upon Hawthorn Hollow complying with all of the other issues related to the April 28, 2023 memo. This has not occurred.

Seemingly, the only significant accomplishment has been the remediation of the sanitation issue. This has been a long-standing problem and the Village acknowledges the efforts on the part of Hawthorn Hollow to take care of this problem. However, many of the remaining issues which are requested in the conditional use permit application cannot be resolved by a conditional use permit: the Village cannot "waive" or "exempt" one individual or organization from zoning restrictions, and if it did so, the Village would face lawsuits from other property owners as to why they also could not be "exempt". There are certain abilities to have the Village grant a conditional use permit for some but certainly not all of the requests in the application from Hawthorn Hollow for a conditional use permit. However, the applicant for a CUP must demonstrate that there is an unusual hardship which is not created by the applicant (a difficult hurdle to navigate), there is no impact upon the general public implementation of the CUP and that in the absence of either a variance or a conditional use permit, the property is essentially not usable. The adoption of 2017 Wisconsin Act 67 further impacts the ability of a municipality to grant CUPs.

There seems to have been a significant disconnect in the communications or understanding of what is required in order to comply with the land use regulations by Hawthorn Hollow. Although this has been spelled out many times, both verbally and in writing, I will reiterate what the current situation is and what the path forward may be for your organization. Failing to comply with requirements for a CUP by March 31, 2024 will result in the Village declining to review any further permits for activities located on the Hawthorn Hollow property which require either a special event permit or a temporary liquor license. So that this is entirely clear, that means that Hawthorn Hollow will not be able to have any of its own fundraisers or any private events which either has live or amplified music outdoors or at which alcohol will be sold. Furthermore, no activities will be allowed which provide for overnight lodging in any of the buildings on the premises even for events which do not require a special events permit or temporary liquor license. At this point I am not prepared to say that additional violations of land use regulations will be enforced by citation, but in the event of the activities which would require

Hawthorn Hollow
March 27, 2024
Page Three

either a special events permit or a temporary liquor license or overnight lodging occur, citations will be issued by the building inspector, Somers Fire Department or the Kenosha County Sheriff's Department, as appropriate.

Hawthorn Hollow has been a valuable asset to the Somers community. Should you have any questions concerning this issue, please do not hesitate to contact myself or Village Administrator Jason Peters. We look forward to seeing you at the meeting on April 3, 2024.

Very truly yours,

DAVISON LAW OFFICE, LTD.



Jeffrey J. Davison

JJD:tjj

cc: Jason Peters, Village Administrator
Brandi Baker, Village Clerk/Treasurer
Attorney Anthony Nudo
Attorney Robert Kupfer
All Members of the Village of Somers Board
Scott Seymour, Village Building Inspector
Kevin Poirier, Assistant to Village Administrator
Luke Godshall, Kenosha County Zoning & Development

April 3, 2024

Attorney Jeffrey J. Davison
Davison Law Office, Ltd.
1207 55th Street
Kenosha, WI 53140

Re: Hawthorn Hollow

Attorney Davison:

In reviewing your letter, there seems to be a significant disconnect between what Hawthorn Hollow has done and what it is being given credit for. Further, my client is very concerned that the tenor of your letter intimates that Hawthorn Hollow has failed to cooperate and act in good faith. Hawthorn Hollow wants to be totally cooperative, recognizing the uniqueness of its operation.

We believe you would agree that Hawthorn Hollow does not “fit” any of the zoning classifications designated by Kenosha County. With that understanding, certain activities taken by Hawthorn Hollow could be in violation of the various zoning classifications that could conceivably be used for Hawthorn Hollow. It was my client’s understanding that this scenario was used as the basis for utilizing the conditional use permit process.

In conversations with Luke Godshall of Kenosha County Planning & Zoning, Hawthorn Hollow understood that it had addressed the concerns of the County, and they had no remaining objections. POTWS issues, as well as setbacks, handicap parking, and parking lot surface structures were all adequately addressed. Meeting the County’s requirements has also addressed some of the alleged non-conforming uses because Hawthorn Hollow does not provide a neat “fit” for the current zoning categories.

Based on statements by Jason Peters to one of Hawthorn Hollow’s board members that the Village was not concerned about the 200-foot buffer issue (based on the fact the buildings involved were constructed prior to that ordinance being enacted) and the gravel lots (as gravel was an acceptable option), it has been Hawthorn Hollow’s belief that the requirements of the CUP had been met.

The issue of the CUP, as my client was previously advised, is separate from the request by Hawthorn Hollow for a second caretaker. My client understands that the current ordinance limits one caretaker per parcel, and that a second caretaker would require a modification to the current ordinance – an option that the Village Board could certainly exercise should they so desire. We urge them to do so.

In this regard, the Village Board should be aware of Hawthorn Hollow's arguments in favor of a modification are reasonable and compelling:

1. The "second parcel", comprising 50 acres, was previously a separate, stand-alone lot, in addition to the approximately forty-acre Hawthorn Hollow property.
2. The current Hawthorn Hollow compound includes two distinct sets of structures, located almost 1,000 feet apart from the other.
3. Because of the locations of the property and their remoteness, safety concerns of both the public and Hawthorn Hollow would be advanced by having a separate caretaker in residence at both locations.
4. Hawthorn Hollow has had two separate living quarters since its beginning, and prior to this ordinance even existing, until now.

Hawthorn Hollow believes there are no downsides to the public, and further feels there are not any other properties that are similarly situated. If so a modification to the ordinance that would allow for two caretakers for large properties could be entertained.


Hawthorn Hollow is probably unique in the Village and Town as to such a large parcel that could realistically "qualify" for a second caretaker. A modification to the ordinance could contain a provision that would require at least 40, or 80, acres to qualify for a second caretaker to appease all parties.

Hawthorn Hollow specifically wants the Village Board to know it is very concerned about being portrayed as uncooperative. Hawthorn Hollow has spent over \$60,000 for a septic system upgrade to meet modern requirements and have spent almost \$6,000 on an updated site plan to also address the issues raised by Luke, Scott and Chief Ben Anderson. In addition, Hawthorn Hollow is spending over \$60,000 in repairs to the foundation of the Original Somers Town Hall, without which, would result in the building failing from the passed building inspection requirement of the CUP.

In all regards, even if not required to do so, Hawthorn Hollow wants to work in partnership with the Village and continue to operate a unique naturalistic experience for the public. If there is anything else that you believe needs to be done, please advise us so my client can act accordingly.

Sincerely,

TERRY & NUDO, LLC



Anthony Nudo

AN/klb



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
FROM: Luke Godshall, Kenosha County Planning & Development
RPT DATE: 04-04-24
MTG DATE: 04-09-24
APP DATE: 03-01-24
RE: Hawthorn Hollow Conditional Uses

BACKGROUND:

1. Petitioner/Agent: Timothy Leveque, Hawthorn Hollow
2. Property Owner: Hyslop Foundation, Inc.
3. Location/Address: 880 / 914 Green Bay Rd.
4. Tax key Number: 82-4-222-101-0323
5. Area: 87.93 acres
6. Existing Zoning: PR-1 Park-Recreational Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist.
7. Proposed Zoning: no change proposed

OVERVIEW:

The Petitioner is requesting Conditional Use Permit (CUP) approval to allow for various private and public events with lodging on the property (such as private weddings, corporate retreats, private parties, life celebrations, etc.), to allow outdoor summer concerts, and to allow for living quarters for on-site watchmen/caretakers of the property.

PLANNER COMMENTS:

In working with the Village staff over the past year, Hawthorn Hollow has made several major strides towards gaining approval of their Conditional Use requests:

- Hawthorn Hollow has obtained a sanitary permit for, and has installed, a new Private Onsite Wastewater Treatment System (POWTS) consisting of two 7,500 gallon holding tanks. Therefore, the sanitary violation that had existed on the property has now been resolved to the satisfaction of the County Sanitarian.
- Hawthorn Hollow has submitted a full site plat of survey and detailed site plan prepared by Nielsen, Madsen & Barber depicting the property's buildings, parking areas, bridges and trails.
- Hawthorn Hollow has submitted an updated Conditional Use Permit application packet, which was received on March 1, 2024. The information contained in the updated submittal adequately addresses the questions/concerns that were noted in the previous staff review from 4-28-23 (copy enclosed), with the exception of the submitted Amphitheater Operation Report which does not include proposed hours of operation. This report should be updated to include the proposed hours of operation for amphitheater events.



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Hawthorn Hollow's updated Conditional Use Permit application packet includes several requests for exceptions to the base conditional use standards that are listed in the zoning ordinance. These include requests that the Board recognize and allow the continued use of certain preexisting facilities and parking areas that are located within 200 feet of property lines, and a request that the Board allow for the continued use of two watchmen/caretakers living quarters within existing apartment units on the parcel. Given the established preexisting use of these areas of the property, staff would support the Board's decision to allow these requests as part of the Conditional Use approval.

STAFF RECOMMENDATION:

Should the Board choose to approve the requested Conditional Uses, staff would recommend the following conditions:

1. Subject to the information and plans contained in the submitted 'Conditional Use Permit Application Packet', received on March 1, 2024.
2. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)144 for Event Facilities (with or without lodging) in the PR-1 District**, with exceptions as noted:
 - a. The minimum parcel size shall be ten (10) acres.
 - b. A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor event facilities shall not be permitted within this buffer area. Where possible, suitable landscaping shall remain or be grown within the buffer area.

Note: As part of the Conditional Use Permit approval, the Board may allow Hawthorn Hollow's request for an exception to allow the continued use of pre-existing event facilities and buildings which may be located within the 200 foot buffer.

- c. Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. A landscape buffer planting plan shall be submitted with the application and approved by the Village Plan Commission and Board.

Note: A Landscape Buffer Site Plan has been included with the submitted application packet to show that adequate landscape buffers exist.

- d. Parcels shall have frontage along a paved public road for direct access.
 - e. Any facilities used for lodging must be associated with events on the property and receive necessary approvals from the Kenosha County Health Department.
 - f. Access by private easement must be formalized and be recorded or available for recording. Modifications of existing easements resulting from the proposed use(s) must be approved in writing by all easement parties. The Village of Somers may require easement(s) to allow site access by Village Fire & Rescue and/or law enforcement.

Note: The site is currently accessed via public highway right-of-way and therefore does not require access via private easement.



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19600 75th Street, Suite 185-3
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- g. All ingress/egress driveways, internal circulation drives, and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway as approved by Village Fire & Rescue.
- h. The increase in traffic generated by the proposed use(s) shall not create a nuisance to nearby residents by way of traffic or noise.
- i. Parking areas may be either gravel or paved. Handicapped parking spaces shall be paved and meet all state standards. Sufficient parking spaces to accommodate the proposed use(s) shall be provided and shall be based on an overall plan that has been reviewed and approved by Village Fire & Rescue. Overflow parking on grass or hay areas may be permissible as approved by Village Fire & Rescue. Parking on public rights-of-way is not permitted.

Note: The submitted 'Operational and Security Plan' which includes parking plans provides for a sufficient parking spaces (up to 560) to accommodate the proposed uses.

- j. Parking areas of any type shall not be located within the required buffer area and must meet the parking requirements of §ZN 3.06(3)(j) and (k).

Note: As part of the Conditional Use Permit approval, the Board may allow Hawthorn Hollow's request for an exception to allow the continued use of their existing main parking lot, which is located approximately 143 feet from the northern property line. Parking lots may be either gravel or paved as provided for in letter i., above.

- k. Building occupancy and site capacity limits, as determined by the Village Building Inspector and/or Village Fire & Rescue, shall not be exceeded for any event occurring on the property.
- l. Signage shall comply with §ZN 3.07.
- m. Any newly proposed or changed outdoor lighting shall consist of full cut-off luminaries and shall not exceed an illumination level of 0.5 foot-candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaries only). No protruding lenses are allowed, and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.
- n. No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, Village or local unit of government in which they are being located.
- o. Structures shall be inspected by Village Fire & Rescue and Building Inspector prior to the Village meetings and shall meet all Village Fire and Building Code standards prior to occupancy.
- p. Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County



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Sanitary Code and Private Sewage System Ordinance, and Wis. Admin. Code § SPS 382- 385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability.

- q. It is the responsibility of the applicant to comply with all State and local regulations regarding public health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.
 - r. Food vendors shall be licensed by the Kenosha County Health Department.
 - s. Amplified music and dancing may be permitted only within approved structures and/or areas of the property. Village noise ordinances shall be complied with. Amplified music shall be subject to applicable Village licensing requirements.
 - t. The sale and consumption of alcoholic beverages on the premises is subject to applicable Wisconsin Statutes, Administrative Code provisions, and Village licensing requirements.
3. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)130 for Summer theaters and amphitheaters or band shells in the PR-1 District:**
- a. A detailed site plan shall be submitted to the Plan Commission along with the proposed hours of operation and seating capacity on the premises.

Note: An 'Amphitheater Operation Report' dated 2/23/2024 has been submitted with the 'Conditional Use Permit Application Packet' but does not appear to indicate hours of operation. The Amphitheater Operation Report should be revised to include proposed hours of operation.

- b. At least one off-street parking space shall be provided for every three seats located within the theater, amphitheater or band shell.

Note: The submitted 'Operational and Security Plan' includes a Concert/Small Event Parking Plan which provides for a sufficient amount of 230 parking spaces.

- c. The site shall have direct access to federal, state or Village highways.
- d. An application for a conditional use permit shall be accompanied by a report setting forth the proposed operation of the theater, amphitheater or band shell.

Note: An 'Amphitheater Operation Report' dated 2/23/2024 has been submitted with the 'Conditional Use Permit Application Packet'.



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- e. Ingress and egress to the site shall be determined with due regard to topography and public road and pedestrian traffic taking into consideration hills, curves, speed limits and vision clearance.
 - f. Parking areas shall be maintained in a dust free condition and where paved, a stormwater drainage plan shall be submitted to the Plan Commission.
 - g. Night lighting shall not be permitted to shine on adjacent property.
 - h. Proposals for water and sanitation facilities and emergency services shall be reviewed by the Plan Commission.
 - i. Increased performance standards with respect to noise may be required as deemed necessary.
4. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)62 Living quarters for watchmen and caretakers in the M-2 District and PR-1 District**, with exceptions as noted:
- a. A site plan shall be presented to the Plan Commission.

Note: A detailed plat of survey/site plan of entire property dated 2-14-2024 by Nielsen, Madsen & Barber has been submitted.

- b. Not more than one such living quarters shall be permitted per parcel.

Note: As part of the Conditional Use Permit approval, the Board may allow Hawthorn Hollow's request for an exception to allow use of two (2) watchmen/caretakers living quarters within existing apartment units on the parcel. These are shown as Buildings #2 and #7 on Sheet 3 of the submitted survey by Nielsen, Madsen & Barber dated 2-14-2024.

- c. Said living quarters shall not exceed 1,000 square feet.

Note: Per submitted information regarding Hawthorn Hollow Buildings and Structures, the studio apartment in Building #2 is 700 sq. ft., and the loft apartment in Building #7 is 500 sq. ft.

- d. Said conditional use permit terminates at such time as the aforementioned quarters are no longer used as living quarters for watchmen or caretakers.
5. It is the responsibility of the applicant to assure and guarantee that the above conditions are fully complied with. This includes, but is not necessarily limited to, meeting conditions established herein, providing any applicable letters of credit, providing and following approved plans, obtaining permits prior to construction, making improvements, participating in coordination meetings with governmental officials, following established time frames, meeting deadlines, and providing additional information where deemed necessary. Any unauthorized deviation from the approved plans and conditions shall result in the issuance of a citation and/or applicable stop work order by the Village of Somers or other applicable agencies until the conditional use permit



COUNTY OF KENOSHA

Division of Planning & Development

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is brought back into compliance. Continued violation of the conditions as set forth herein shall result in a recommendation for revocation of the Conditional Use Permit.

6. Any substantial change or expansion of the submitted plan of operation, i.e., the addition and/or expansion of events, structures and/or uses not included in the submitted application, shall require the applicant to reapply for a Conditional Use Permit to the Village of Somers for its review and approval.
7. If property ownership and/or tenant shall happen to change it shall be the responsibility of the person(s) that signed these conditions to notify new owner and/or tenant of all above stated conditions of approval.
8. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
9. Subject to necessary zoning and/or building permits being issued for any proposed structures including principal & accessory structures, signage, fences, etc.



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TO: Village of Somers Plan Commission
FROM: Luke Godshall, Kenosha County Planning & Development
RPT DATE: 04-28-23
MTG DATE: 05-08-23
APP DATE: 03-24-23
RE: Hawthorn Hollow Conditional Uses

BACKGROUND:

1. Petitioner/Agent: Timothy Leveque, Hawthorn Hollow
2. Property Owner: Hyslop Foundation, Inc.
3. Location/Address: 880 / 914 Green Bay Rd.
4. Tax key Number: 82-4-222-101-0323
5. Area: 87.93 acres
6. Existing Zoning: PR-1 Park-Recreational Dist., C-2 Upland Resource Conservancy Dist., C-1 Lowland Resource Conservancy Dist.
7. Proposed Zoning: no change proposed

OVERVIEW:

The Petitioner is requesting Conditional Use Permit (CUP) approval to allow for various private and public events with lodging on the property (such as private weddings, corporate retreats, private parties, life celebrations, etc.), to allow outdoor summer concerts, and to allow for living quarters for on-site watchmen/caretakers of the property.

PLANNER COMMENTS:

In October/November of 2021, Somers Fire & Rescue was approached by Hawthorn Hollow about converting a residential house into short-term rental use. Through these talks it became apparent that there were other uses and events occurring on the property that had never been formally recognized by the Village (or previously the Town of Somers).

In November 2021, Lieutenant Pisula of Somers Fire & Rescue indicated he had begun working with Hawthorn Hollow to create special event plans for the various uses occurring on the property. The fire department explained to Hawthorn Hollow their concerns with large group events on certain areas of the property including areas that currently have limited or no access for emergency response purposes.

In December 2021, Planning & Development Director Andy Buehler and myself toured the site with Chad Jocius of Hawthorn Hollow to gain a better understanding of how the site was being operated and intended to be operated in the future. One of the main areas of focus was the Pike House/Ozanne Outpost area of the property which Hawthorn Hollow rents out for private weddings/receptions, corporate retreats, and various other private events, meetings and parties. The Pike House itself is a large structure that is well-suited for such uses, containing 6 bedrooms, 3 full baths, full kitchen and provides an elevator for accessibility.



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Over the course of the past year, staff has held several meetings with Hawthorn Hollow representatives to discuss and gain a better understanding of their existing and anticipated operations. As a result of these discussions, staff drafted updated zoning ordinance language to address the types of uses occurring on the property. In February 2023 these updates were adopted by the Village Board, which included a new Conditional Use type allowing for event facilities in the PR-1 district (Ordinance No. 2023-004), as well as allowing living quarters for watchmen and caretakers in the PR-1 district as a Conditional Use (Ordinance No. 2023-005). Hawthorn Hollow's application seeks approval of three (3) types of conditional uses:

Event Facilities (with or without lodging) - per Section ZN 5.03(8)(b)144:

Hawthorn Hollow's website (<https://hawthornhollow.org/>) includes a separate section describing the types of Private Events that could be held on the site. These events include weddings & receptions, life celebrations and rentals of the Pike House for things such as corporate & team building retreats, private parties, lectures, photo shoots, and bridal & baby showers.

For wedding reception events, Hawthorn Hollow currently utilizes a rented tent that is set up and taken down for each event. They have indicated their intent to eventually construct a permanent covered pavilion structure in the open area to the southeast of Pike House (indicated as future building # 5 on the submitted site plan). If this building is to contain permanent restroom facilities, a Private Onsite Wastewater Treatments Systems (POWTS) permit will need to be obtained from the Kenosha County Sanitarian.

Summer Concerts - per Section ZN 5.03(8)(b)130:

The current zoning ordinance allows for 'summer theatres and amphitheatres or band shells in the PR-1 district' as a Conditional Use. Hawthorn Hollow has historically held a summer concert series at their outdoor amphitheater along the banks of the Pike River (located in the area of the future Concession Stand (white #1) shown on the submitted site plan). According to their website, there are 3 planned concerts slated for 2023 (June 23, July 28, August 18) which all start at 6pm. The submitted application also indicates that several other events include outdoor live music, including their Birds and Plants event, Walk in the Woods Art Fair, and Harvest Hootenanny.

The submitted application does not indicate when these events typically end. The submitted application also does not indicate what the seating capacity of the amphitheater is. The conditional use section for 'summer theatres and amphitheatres or band shells in the PR-1 district' (Section ZN 5.03(8)(b)130) indicates "that a detailed site plan shall be submitted to the Plan Commission along with the proposed hours of operation and seating capacity on the premises." It also indicates that "an application for a conditional use permit shall be accompanied by a report setting forth the proposed operation of the theater, amphitheater or band shell." It is recommended that Hawthorn Hollow provide this information to the Plan Commission and Board for review prior to final approval being granted.

Watchmen/Caretakers living quarters - per Section ZN 5.03(8)(b)62:

Hawthorn Hollow has indicated that there are two living quarters for property caretakers/watchmen. The current conditional use language in the zoning ordinance allows for one such living quarters. In their submitted application, Hawthorn Hollow has requested that the two existing living quarters be allowed and recognized under the requested conditional use.



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The entire Hawthorn Hollow property is situated behind dense vegetation and berms along the STH 31 and is therefore completely shielded from public view. Planning & Development does not have record of any complaints ever having been received from neighboring property owners regarding noise, traffic congestion or any other nuisance activity that could have a negative impact on surrounding properties.

Upon reviewing the information submitted by Hawthorn Hollow in their CUP application and the information contained on their website (<https://hawthornhollow.org/>) it does not appear there are any plans or maps for event parking/traffic circulation. The website does contain a site plan map, but only for the northern half of the property. It is recommended that an updated site map be provided on the website which includes the southern half of the property.

It would also be recommended that event parking/traffic circulation plans be provided to the Village for review, especially by the fire department. It is recommended that these plans also be made available on the Hawthorn Hollow website for public use/knowledge.

The property and its buildings are currently served by Private Onsite Wastewater Treatments Systems (POWTS). In 2019, a POWTS evaluation was conducted by Eric Billingsley of Billingsley Engineering and provided to County Sanitarian Alex Priesgen. That evaluation indicated there was an issue of the treatment tanks not meeting the necessary minimum setback requirement of 5 feet from tank to a building (Pole Barn building indicated as current building #10 on the submitted site plan). This issue will need to be corrected via the issuance of a sanitary permit or other approval by the County Sanitarian prior to Board approval of the CUP. The property owner is encouraged to contact the County Sanitarian to discuss correction of this issue.

STAFF RECOMMENDATION:

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

1. Subject to the information and site plan contained in the submitted conditional use permit application on March 24, 2023.
2. Subject to the property owner working with the County Sanitarian to correct an outstanding sanitary treatment tank setback issue, as determined by 2019 POWTS evaluation. Final Conditional Use Permit approval by the Village Board shall not be granted until this issue has been corrected to the satisfaction of the County Sanitarian.
3. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)144 for Event Facilities (with or without lodging) in the PR-1 District:**
 - a. The minimum parcel size shall be ten (10) acres.
 - b. A two hundred (200) foot open buffer shall be provided on all sides of the property not abutting a public roadway. Outdoor event facilities shall not be permitted within this buffer area. Where possible, suitable landscaping shall remain or be grown within the buffer area.
 - c. Landscape buffer plantings shall be provided along a property line where there is an abutting residence, and which are intended to screen views, lights and noise from the operation. A landscape buffer planting plan shall be submitted with the application and approved by the Village Plan Commission and Board.



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- d. Parcels shall have frontage along a paved public road for direct access.
- e. Any facilities used for lodging must be associated with events on the property and receive necessary approvals from the Kenosha County Health Department.
- f. Access by private easement must be formalized and be recorded or available for recording. Modifications of existing easements resulting from the proposed use(s) must be approved in writing by all easement parties. The Village of Somers may require easement(s) to allow site access by Village Fire & Rescue and/or law enforcement.
- g. All ingress/egress driveways, internal circulation drives, and parking areas shall be located in such a manner to minimize traffic hazards associated with entering and exiting the public roadway as approved by Village Fire & Rescue.
- h. The increase in traffic generated by the proposed use(s) shall not create a nuisance to nearby residents by way of traffic or noise.
- i. Parking areas may be either gravel or paved. Handicapped parking spaces shall be paved and meet all state standards. Sufficient parking spaces to accommodate the proposed use(s) shall be provided and shall be based on an overall plan that has been reviewed and approved by Village Fire & Rescue. Overflow parking on grass or hay areas may be permissible as approved by Village Fire & Rescue. Parking on public rights-of-way is not permitted.
- j. Parking areas of any type shall not be located within the required buffer area and must meet the parking requirements of §ZN 3.06(3)(j) and (k).
- k. Building occupancy and site capacity limits, as determined by the Village Building Inspector and/or Village Fire & Rescue, shall not be exceeded for any event occurring on the property.
- l. Signage shall comply with §ZN 3.07.
- m. Any newly proposed or changed outdoor lighting shall consist of full cut-off luminaires and shall not exceed an illumination level of 0.5 foot-candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaires only). No protruding lenses are allowed, and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.
- n. No on or off-premise signs, banners, or billboards shall be constructed, erected, or displayed without first obtaining proper permits from the State, Village or local unit of government in which they are being located.
- o. Structures shall be inspected by Village Fire & Rescue and Building Inspector prior to the Village meetings and shall meet all Village Fire and Building Code standards prior to occupancy.
- p. Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and Wis. Admin. Code § SPS 382- 385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability.



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- q. It is the responsibility of the applicant to comply with all State and local regulations regarding public health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, proper disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.
 - r. Food vendors shall be licensed by the Kenosha County Health Department.
 - s. Amplified music and dancing may be permitted only within approved structures and/or areas of the property. Village noise ordinances shall be complied with. Amplified music shall be subject to applicable Village licensing requirements.
 - t. The sale and consumption of alcoholic beverages on the premises is subject to applicable Wisconsin Statutes, Administrative Code provisions, and Village licensing requirements.
4. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)130 for Summer theaters and amphitheaters or band shells in the PR-1 District:**
- a. A detailed site plan shall be submitted to the Plan Commission along with the proposed hours of operation and seating capacity on the premises.
 - b. At least one off-street parking space shall be provided for every three seats located within the theater, amphitheater or band shell.
 - c. The site shall have direct access to federal, state or Village highways.
 - d. An application for a conditional use permit shall be accompanied by a report setting forth the proposed operation of the theater, amphitheater or band shell.
 - e. Ingress and egress to the site shall be determined with due regard to topography and public road and pedestrian traffic taking into consideration hills, curves, speed limits and vision clearance.
 - f. Parking areas shall be maintained in a dust free condition and where paved, a stormwater drainage plan shall be submitted to the Plan Commission.
 - g. Night lighting shall not be permitted to shine on adjacent property.
 - h. Proposals for water and sanitation facilities and emergency services shall be reviewed by the Plan Commission.
 - i. Increased performance standards with respect to noise may be required as deemed necessary.
5. Subject to the Conditional Use standards contained in **Section ZN 5.03(8)(b)62 Living quarters for watchmen and caretakers in the M-2 District and PR-1 District:**
- a. A site plan shall be presented to the Plan Commission.
 - b. Not more than one such living quarters shall be permitted per parcel.



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- i. Note: Petitioner is requesting an allowance for two (2) watchmen/caretakers living quarters on the parcel.*
 - c. Said living quarters shall not exceed 1,000 square feet.
 - d. Said conditional use permit terminates at such time as the aforementioned quarters are no longer used as living quarters for watchmen or caretakers.
6. It is the responsibility of the applicant to assure and guarantee that the above conditions are fully complied with. This includes, but is not necessarily limited to, meeting conditions established herein, providing any applicable letters of credit, providing and following approved plans, obtaining permits prior to construction, making improvements, participating in coordination meetings with governmental officials, following established time frames, meeting deadlines, and providing additional information where deemed necessary. Any unauthorized deviation from the approved plans and conditions shall result in the issuance of a citation and/or applicable stop work order by the Village of Somers or other applicable agencies until the conditional use permit is brought back into compliance. Continued violation of the conditions as set forth herein shall result in a recommendation for revocation of the Conditional Use Permit.
7. Any substantial change or expansion of the submitted plan of operation, i.e., the addition and/or expansion of events, structures and/or uses not included in the submitted application, shall require the applicant to reapply for a Conditional Use Permit to the Village of Somers for its review and approval.
8. If property ownership and/or tenant shall happen to change it shall be the responsibility of the person(s) that signed these conditions to notify new owner and/or tenant of all above stated conditions of approval.
9. It is the total responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation and associated stop work order until the project is brought back into compliance. Continuance of the project shall result in a recommendation for revocation of the Conditional Use Permit.
10. Subject to necessary zoning and/or building permits being issued for any proposed structures including principal & accessory structures, signage, fences, etc.

CONDITIONAL USE PERMIT

Document Number

Document Title

Effective Date: _____, 2024

The Village Board of the Village of Somers, Kenosha County, Wisconsin, hereby grants to the owners of the above referenced parcel, described with more particularity on the legal description attached hereto and incorporated herein by reference, the right for the owner, its lessees, agents or representatives, to utilize the premises known as 880-914 Green Bay Road, Somers, Wisconsin, to operate subject to the following conditions:

1. This Conditional Use Permit is subject to the application of Hyslop Foundation, Inc., d/b/a Hawthorn Hollow, on file in the office of the Clerk/Treasurer for the Village of Somers.
2. The applicant shall comply with all parking requirements outlined in the Village of Somers General Zoning and Shoreland/Floodplain Zoning Ordinance. The applicant will be granted, by this permit, the authorization to utilize gravel parking lots and will not be required to pave said parking lot.
3. The business name of the shall be Hawthorn Hollow. There shall be no other business conducted on the premises covered by this conditional use permit without the advance written consent of the Village and Amendment of this permit.
4. There shall be no outside storage of any kind.
5. Any expansion of the conditional use granted herein shall occur only following review by and the consent of the Village Board.
6. Any new signage shall be in accordance with the aforementioned zoning ordinance.
7. There shall be no storage of gasoline, other petrohydrocarbons or any other material classified as hazardous at the site or in any building located thereon.
8. There shall be no outside amplified music speakers or live music unless authorized by a Special Event Permit issued separately by the Village.

Recording Area

Name and Return Address

Davison Law Office, Ltd.
1207 55th Street
Kenosha, WI 53140

82-4-222-101-0323

Parcel Identification Number (PIN)

9. The applicant shall not be required to conform with the two hundred (200') foot open buffer requirement required by Village zoning but will be required to comply with the Site Plan presented by the applicant to the Village. Outdoor event facilities shall not be permitted within the buffer area (200') and suitable landscaping shall remain or to be grown within the buffer area. No parking areas of any type shall be located within the required buffer area (200' of the property lines).
10. The increase in traffic generated by the proposed use(s) shall not create a nuisance to nearby residents by way of traffic or noise.
11. Signage shall comply with §ZN 3.07.
12. Any newly proposed or changed outdoor lighting shall consist of full cut-off luminaires and shall not exceed an illumination level of 0.5 foot candles as measured at the property line. Lighting fixtures shall be shielded or directed in such a manner to prevent light from shining directly onto abutting rights-of-way and adjacent properties (cut-off type luminaires only). No protruding lenses are allowed and lenses must be constructed so as to be parallel to the constructed yard grade. All security lighting shall be shielded and aimed so that illumination is directed only to the designated areas. General flood lighting fixtures shall be discouraged.
13. No on or off-premises signs, banners or billboards shall be constructed, erected or displayed without first obtaining proper permits from the State, Village or local unit of government in which they are being located.
14. Parcels not served by public sanitary sewer shall be served by Private Onsite Wastewater Treatment Systems (POWTS) which meet all requirements of Chapter 15 of the Kenosha County Sanitary Code and Private Sewage System Ordinance, and Wisconsin Administrative Code §SP 382-385 and their corresponding design manuals regarding POWTS. Parcels not currently served by sanitary sewer and/or municipal water shall be required to connect to sanitary sewer and/or municipal water upon availability.
15. It is the responsibility of the applicant to comply with all State and local regulations regarding public health. This includes proper and adequate toilet and hand washing facilities, showering facilities, proper food preparation and serving conditions, adequate tested potable water, property disposal of refuse and food by-products on a timely basis. The Kenosha County Division of Health requires permits and inspections to assure the event is conducted within laws of proper sanitation and health. The applicant shall obtain all necessary health-related permits and assure that all necessary tests and inspections are conducted.

16. Any change of the submitted plan of operation, change in use, and/or a proposed addition(s) to any existing principal building(s) or proposed new principal building(s), shall require the petitioner to reapply for a Conditional Use Permit to the Village Plan Commission for its review and approval.
17. The undersigned shall fully cooperate with any law enforcement personnel performing inquiries or investigations. Any substantial change or expansion of the submitted plan of operation shall require the applicant to reapply for a Conditional Use Permit to the Village of Somers for its review and approval.
18. There shall be no alcohol on any portion of the premises unless authorized by separate permit issued by the Village. If such permit is issued, no person under the age of 21 shall be allowed to be in the alcohol licensed portion of the subject premises unless accompanied by their parent or by their spouse who is 21 years of age or older. Security measures for the premises, if deemed necessary, to be approved by the Village Building Inspector and Kenosha County Sheriff's Department.
19. The Village Building Inspector shall establish an occupancy permit based upon all of the available circumstances including, but not limited to, the overall space of the premises and such other factors as the Building Inspector may deem relevant.
20. The undersigned recognizes and acknowledges that the violation of any condition herein or the violation of the prohibition of alcohol or a violation of any Special Event Permit issued by the Village on the premises shall, in and by itself, constitute grounds for the immediate revocation of this conditional use permit.
21. It is the responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. If property ownership and/or tenant shall happen to change, then it shall be the responsibility of the person(s) that signed these conditions to notify the new owner and/or tenant of all above stated conditions of approval.
22. It is the responsibility of the petitioner to assure and guarantee that the above stated conditions are fully complied with. Any deviation from the approved plans and conditions shall result in the issuance of a citation.

Part of Certified Survey Map No. 1061, a map recorded in the office of Register of Deeds for Kenosha County, Wisconsin on June 24, 1985 as Document No. 737261, Certified Survey Map No. 2242, a map recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on February 13, 2001 as Document No. 1207544, and part of the Northwest 1/4, the Northeast 1/4 and the Southeast 1/4 of Section 10, Township 2 North, Range 22 East of the Fourth Principal Meridian, in the Village of Somers, County of Kenosha, State of Wisconsin, being more particularly bounded and described as follows: Commencing at the Southeast corner of the Northeast 1/4 of said Section 10, run thence North 02°06'27" West, 247.50 feet along the East line of said Northeast 1/4 to the Easterly extension of the North line of Certified Survey Map No. 360, a map recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on October 21, 1976 as Document No. 607443; thence South 89°20'15" West, 287.71 feet parallel with the South line of the Northeast 1/4 of said Section 10 along said Easterly extension to the West line of Green Bay Road - State Trunk Highway "31" and the point of beginning of this description; continue thence South 89°20'15" West, 436.13 feet parallel with the South line of the Northeast 1/4 of said Section 10 to the Northwest corner of C.S.M. No. 360 as laid out; thence South 01°35'51" East, 164.97 feet along the West line of said C.S.M. No. 360 as laid out to its Southwest corner; thence South 89°20'15" West, 782.06 feet parallel with the South line of the Northeast 1/4 of said Section 10; thence South 01°35'51" East, 330.00 feet parallel with the East line of the Southeast 1/4 of said Section 10 to a point 247.50 feet South of the North line of the Southeast 1/4 of said Section 10; thence South 89°20'15" West, 1146.27 feet parallel with the North line of the Southeast 1/4 of said Section 10 to the West line of said Southeast 1/4; thence North 01°18'35" West, 247.50 feet along the West line of the Southeast 1/4 of said Section 10 to the Center of said Section 10; thence South 89°23'13" West, 676.20 feet along the South line of the Northwest 1/4 of said Section 10 to the East line of the Union Pacific Railroad, formerly known as the Chicago and North Western Railway; thence North 05°03'13" East, 684.90 feet along the East line of the Union Pacific Railroad; thence North 89°03'22" East, 1102.08 feet; thence North 02°25'26" West, 1071.62 feet; thence North 89°10'20" East, 827.57 feet to a West line of Certified Survey Map No. 2036, a map recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on May 15, 1998 as Document No. 1097216; thence South 02°06'27" East, 337.10 feet parallel with the East line of the Northeast 1/4 of said Section 10 along a West line of said C.S.M. No. 2036 to its Southwest most corner; thence North 89°21'00" East, 1051.63 feet parallel with the North line of the Northeast 1/4 of said Section 10 along a South line of said C.S.M. No. 2036 to the West line of Highway "31"; thence South 01°02'06" East, 748.98 feet along the West line of Highway "31" to a point; thence South 01°23'43" East, 427.43 feet along the West line of Highway "31" to the point of beginning of this description.

Containing 3,823,911 square feet or 87.785 acres as surveyed.

Tax Parcel ID: 82-4-222-101-0323

Parcel Addresses: 880/914 Green Bay Road, Kenosha, WI 53144



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: April 9th, 2024

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #8 Action on Re-Appointment of Jami Grams to the Board of Fire Commissioners (term to expire 05/01/2029)

BACKGROUND:

The Fire Commission has one commissioner whose term is set to expire. Fire Commission members serve a 5-year term or until a successor is named. Commissioner Jami Gram's term is set to expire on May 1st. Mrs. Gram is willing to serve another term. This term would be set to expire on May 1st, 2029.

PRIOR ACTION TAKEN:

This matter was reviewed and discussed at our April 3rd Work Session.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Staff would recommend approval. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve the Re-Appointment of Jami Grams to the Board of Fire Commissioners (term to expire 05/01/2029)”

ATTACHMENTS:

None



**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: April 9th, 2024

TO: Village President Stoner and Village Trustees

PREPARED BY: Kevin Poirier, Assistant to the Administrator

AGENDA ITEM: #9 Action on proposals for painting the west wing of the Village/Town Hall and fix cracks

BACKGROUND:

The 2020 Capital Improvements Plan allocated \$110,000 for office improvements. The Village Board approved Phase I of the Office Improvement Project on July 14, 2020. Projects completed under this phase were the purchase of new office furniture, new cubicles, new upfront desks, and ADA compliant door openers.

In May of 2021, the Village Board approved the front counter remodel project. This project was completed in August of 2021.

In 2022, the lobby was repainted, carpet was installed, and the new Somers Mural was put into place. New furniture was installed in the Clerk/Treasurer office. This allowed the existing furniture to be repurposed to create a separate Municipal Court Office.

As of September 16th, 2023, \$73,896.73 of the \$110,000 has been spent, leaving \$36,103.57 for additional phases.

Administration would like to spend the balance of the funds on painting the exterior of the Village/Town Hall. The Public Works wing of the building is in desperate need of being repainted and some cracks that have appeared in the concrete need to be fixed. There is \$30,000 designated in the 2024 CIP for this purpose.

This winter we had two painters come in for estimates. Both came in under the threshold requiring a bid.

PRIOR ACTION TAKEN:

This matter was reviewed and discussed at our April 3rd Work Session and is an approved CIP project.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Administration recommends JDR painting as they are a sub-contractor for the Auditorium project and will be on site and included fixes to the walls and caulk replacement. In the event that the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve for Village/Town Hall West Wing painting project to JDR Painting, LLC in the amount of \$23,400.00”

ATTACHMENTS:

Email from Nehl's painting

Estimate from JDR Painting

From: [Dale Nehls](#)
To: [Kevin Poirier](#)
Subject: Re: Painting project
Date: Monday, October 9, 2023 8:35:48 AM
Attachments: [image001.png](#)

Budget paint pricing for exterior repainting of concrete panels :
12.405 sq. ft. total.
13 overhead doors, 4 man doors w/ transoms.
520' cap flashing
Misc. concrete patching.
power wash, apply two (2) coats of high grade exterior product.
estimated budget pricing \$20.000

caulk/sealant @ expansion joints will need to be removed & replaced. Estimated budget cost of \$13 per lineal foot was quoted.
This is an additional cost performed by another contractor.

Thank you,
Dale A. Nehls

On Wednesday, October 4, 2023 at 02:51:10 PM CDT, Kevin Poirier <kpoirier@somers.org> wrote:

Hello,

Following our phone conversation, let me know when you would be available to come in and take a look at the building we need to have repainted.

Thank you

Kevin Poirier

Village / Town of Somers
Assistant to the Administrator
Communications Specialist
Phone: 262-859-2822
Fax: 262-859-2331
7511 12th Street, P.O. Box 197
Somers, WI 53171



JDR Painting, LLC

4709 Green Bay Rd. Suite 100
Kenosha, WI 53144

Phone # 262-925-2909 Cheri@jdrpaintingllc.com

Proposal

Date	Estimate #
3/15/2024	23-0303

Submit To
Village of Somers 7511 12th Street Kenosha, WI

Job Location
Firehouse Exterior

Description	Total
Prep and paint exterior precast panels on of Fire house one color scheme to match new building Scope- -Pressure wash exterior -Paint exterior 2 coats Hallman Lindsay Griptite Latex Exterior Waterproofing paint -Paint Roof cap -Paint metal siding on east side above roof	19,600.00
Paint 10 O/H garage doors 6 on west side and 4 on south side Excludes O/H garage doors on north east side of building	3,800.00
Total	\$23,400.00



VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM

MEETING DATE: April 9th, 2024

TO: Village President Stoner and Village Trustees

PREPARED BY: Jason J. Peters, Administrator

AGENDA ITEM: #10 Discussion and possible action on request for final payment request from Musson Brothers, Inc. in the amount of \$98,478.79 for the Sheridan Road Area Sanitary Sewer Improvements

BACKGROUND:

On January 12, 2021, the Board awarded the bid for the Sheridan Road Area Sanitary Sewer Improvements in the amount of \$4,854,937.09 to Musson Brothers, Inc. Through previous change orders the contract price moved to \$3,950,879.83.

Musson has also submitted payment request #11 in the amount of \$11,730. The Board has previously approved the following:

- 1st request May 25, 2021 \$127,680
• 2nd request June 8, 2021 \$169,099.92
• 3rd request July 27, 2021 \$263,128.64
• 4th request September 14, 2021 \$341,857.50
• 5th request October 26, 2021 \$549,239.78
• 6th request December 14, 2021 \$502,423.35
• 7th request February 22, 2022 \$797,190.77
• 8th request April 12, 2022 \$440,356.61
• 9th request July 12, 2022 \$543,045.23
• PR 9-R & 10th request June 13th, 2023 \$106,649.24
• 11th Request October 10th, 2023 \$11,730

Payments to date \$ 3,852,401.04

PRIOR ACTION TAKEN:

These items have not been previously reviewed by the Board.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

Engineer Biwer has reviewed the request and recommends approval. In the event the Village Board agrees with the suggested action, a suggested motion to approve would be as follows:

“Motion to approve request for final payment request from Musson Brothers, Inc. in the amount of \$98,478.79 for the Sheridan Road Area Sanitary Sewer Improvements”

ATTACHMENTS:

Engineer Biwer Recommendation on Musson Brothers, Inc. - Sheridan Road Area Sanitary Sewer Improvements - Final

March 27, 2024

Brandi Baker, Village Clerk
Village of Somers
7511 12th Street
Somers, WI 53171

Subject: Sheridan Road Area Sanitary Sewer Improvements – Final Payment Recommendation

Dear Brandi,

Enclosed is an Application for Payment from Musson Brothers, Inc., Contractor, for work performed for the Sheridan Road Area Sanitary Sewer Improvements Project. The following is our opinion of the amount due and payable to the Contractor:

Contract Price Including Change Orders 1, 2, 4, & 6	\$3,950,879.83
Work Completed to Date (Public)	\$3,327,453.23
Work Completed to Date (Private)	\$623,426.60
Work Completed to Date (Total)	\$3,950,879.83
Less Amount Retained (Attributed to Private Work)	(\$0.00)
Subtotal	\$3,950,879.83
Less Previous Payments	(\$3,852,401.04)
Total Amount Due for Final Payment	\$98,478.79

CWLF Total: \$3,327,453.23

We recommend payment to Musson Brothers, Inc. for \$98,478.79; of this amount \$0.00 is reimbursable under CWLF 5600-01.

The following items are attached:

- Final quantities and costs
- Contractor’s final pay application
- Sworn Statement
- Lien waivers
- Warranty letter
- Maintenance Bond
- Insurance certification
- Consent to Surety
- WDNR Form 8700-280 (Environmental Improvement Fund – Project Acceptance Certification)
- WDNR Financial Assistance Agreement – Exhibit G (Compliance Certification)
- WDNR Form 8700-257 (DBE Form)

Please let me know if you have any questions.

Sincerely,

BAXTER & WOODMAN, INC.
CONSULTING ENGINEERS

Brett D. Biwer

Brett D. Biwer, P.E.

BDB/bdb

Encs.

C/encs.: Jason Peters, Administrator (email)
Doug Snyder, Village Engineer (email)
Nick Zillman, Musson Brothers, Inc. (email)

P:\SOMEV\190332-SHERIDAN ROAD AREA UTILITIES\190332-SHERIDAN ROAD AREA UTILITIES\42 - SEWER\13-FOR
CONSTRUCTION\PAY REQUESTS\PAY REQUEST #12\FINAL PAY REQUEST RECOMMENDATION.DOC

FINAL QUANTITIES
SHERIDAN ROAD AREA SANITARY SEWER IMPROVEMENTS
CLEAN WATER FUND PROGRAM #5600-01
VILLAGE OF SOMERS

ITEMS	UNIT	BID AMOUNT			FINAL AMOUNT		BID TO FINAL DIFFERENCE
		BID QTY	UNIT PRICE	BID AMOUNT	FINAL QTY	FINAL AMOUNT	
SECTION A – TELEVIEWED PORTION:							
SANITARY SEWER MAIN AND LATERAL REHABILITATION							
MOBILIZATION	LS	1	\$ 183,871.00	\$ 183,871.00	1	\$ 183,871.00	\$ -
CLEAN AND TELEVIEW SANITARY SEWER BUILDING SERVICES	EA	124	\$ 250.00	\$ 31,000.00	331	\$ 82,750.00	\$ 51,750.00
CLEAN AND TELEVIEW SANITARY SEWER FORCE MAINS	LF	244	\$ 15.45	\$ 3,769.80	364	\$ 5,623.80	\$ 1,854.00
BUILDING SEWER SERVICE CLEANOUT (VAC-A-TEE)	EA	232	\$ 1,775.00	\$ 411,800.00	209	\$ 370,975.00	\$ (40,825.00)
CURED-IN-PLACE PIPE (FORCE MAIN) 6-inch diameter pipe	LF	1420	\$ 132.87	\$ 188,675.40	0	\$ -	\$ (188,675.40)
CURED-IN-PLACE PIPE (FORCE MAIN) 8-inch diameter pipe	LF	1025	\$ 133.90	\$ 137,247.50	0	\$ -	\$ (137,247.50)
CURED-IN-PLACE PIPE (MAINLINE) 8-inch diameter pipe	LF	15,771	\$ 23.00	\$ 362,733.00	18332	\$ 421,636.00	\$ 58,903.00
CURED-IN-PLACE PIPE (MAINLINE) 10-inch diameter pipe	LF	1495	\$ 29.87	\$ 44,655.65	1341	\$ 40,055.67	\$ (4,599.98)
CURED-IN-PLACE PIPE (MAINLINE) 12-inch diameter pipe	LF	3987	\$ 32.45	\$ 129,378.15	5884	\$ 190,935.80	\$ 61,557.65
SANITARY SEWER LATERAL REINSTATEMENT	EA	300	\$ 25.75	\$ 7,725.00	287	\$ 7,390.25	\$ (334.75)
CURED-IN-PLACE PIPE (BUILDING SERVICE)	EA	308	\$ 4,950.00	\$ 1,524,600.00	273	\$ 1,351,350.00	\$ (173,250.00)
ADDITIONAL CURED-IN-PLACE PIPE (BUILDING SERVICE)	LF	12936	\$ 20.00	\$ 258,720.00	9277.78	\$ 185,555.60	\$ (73,164.40)
CURED-IN-PLACE SAMPLE TESTING	EA	21	\$ 154.50	\$ 3,244.50	27	\$ 4,171.50	\$ 927.00
TRIM PROTRUDING TAP SANITARY SEWER SERVICE LATERAL	EA	20	\$ 51.50	\$ 1,030.00	17	\$ 875.50	\$ (154.50)
SANITARY SEWER EXCAVATION POINT REPAIR	EA	30	\$ 7,725.00	\$ 231,750.00	12	\$ 92,700.00	\$ (139,050.00)
SANITARY SEWER LATERAL NEW CONSTRUCTION OR REPLACEMENT	LF	500	\$ 144.20	\$ 72,100.00	132	\$ 19,034.40	\$ (53,065.60)
TREE REMOVAL 6 to 15-inch diameter	EA	10	\$ 412.00	\$ 4,120.00	0	\$ -	\$ (4,120.00)
TREE REMOVAL Over 15-inch diameter	EA	10	\$ 824.00	\$ 8,240.00	0	\$ -	\$ (8,240.00)
PAVEMENT RESTORATION	SY	500	\$ 68.00	\$ 34,000.00	28.57	\$ 1,942.76	\$ (32,057.24)
TRAFFIC CONTROL AND PROTECTION	LS	1	\$ 30,783.45	\$ 30,783.45	1	\$ 30,783.45	\$ -
SECTION B – TELEVIEWED PORTION:							
SANITARY SEWER MANHOLE REHABILITATION							
SANITARY SEWER MANHOLE REMOVAL AND REPLACEMENT	EA	1	\$ 12,360.00	\$ 12,360.00	0	\$ -	\$ (12,360.00)
GROUT MANHOLE	GAL	2150	\$ 27.81	\$ 59,791.50	1395	\$ 38,794.95	\$ (20,996.55)
REBUILD MANHOLE BENCH	EA	17	\$ 1,648.00	\$ 28,016.00	12	\$ 19,776.00	\$ (8,240.00)
REGRADE SURFACE ADJACENT TO MANHOLE	EA	8	\$ 128.75	\$ 1,030.00	0	\$ -	\$ (1,030.00)
FRAME AND COVER REPLACEMENT	EA	85	\$ 1,313.25	\$ 111,626.25	95	\$ 124,758.75	\$ 13,132.50
FRAME ADJUSTMENT ONLY	EA	6	\$ 1,004.50	\$ 6,027.00	0	\$ -	\$ (6,027.00)
INSTALL CHIMNEY SEAL	EA	116	\$ 947.60	\$ 109,921.60	105	\$ 99,498.00	\$ (10,423.60)
SECTION C – NOT TELEVIEWED PORTION:							
SANITARY SEWER MAIN AND LATERAL REHABILITATION							
MOBILIZATION	LS	1	\$ 37,816.29	\$ 37,816.29	1	\$ 37,816.29	\$ -
CLEAN AND TELEVIEW SANITARY SEWER BUILDING SERVICES	EA	79	\$ 250.00	\$ 19,750.00	99	\$ 24,750.00	\$ 5,000.00
BUILDING SEWER SERVICE CLEANOUT (VAC-A-TEE)	EA	74	\$ 1,575.00	\$ 116,550.00	21	\$ 33,075.00	\$ (83,475.00)
CURED-IN-PLACE PIPE (MAINLINE) 8-inch diameter pipe	LF	2000	\$ 25.75	\$ 51,500.00	3516	\$ 90,537.00	\$ 39,037.00
CURED-IN-PLACE PIPE (MAINLINE) 12-inch diameter pipe	LF	1000	\$ 32.45	\$ 32,450.00	2412	\$ 78,269.40	\$ 45,819.40
SANITARY SEWER LATERAL REINSTATEMENT	EA	74	\$ 25.75	\$ 1,905.50	40	\$ 1,030.00	\$ (875.50)
CURED-IN-PLACE PIPE (BUILDING SERVICE)	EA	79	\$ 4,950.00	\$ 391,050.00	70	\$ 346,500.00	\$ (44,550.00)
ADDITIONAL CURED-IN-PLACE PIPE (BUILDING SERVICE)	LF	3108	\$ 20.00	\$ 62,160.00	1060.92	\$ 21,218.40	\$ (40,941.60)
CURED-IN-PLACE SAMPLE TESTING	EA	4	\$ 154.50	\$ 618.00	7	\$ 1,081.50	\$ 463.50
TRIM PROTRUDING TAP SANITARY SEWER SERVICE LATERAL	EA	5	\$ 51.50	\$ 257.50	0	\$ -	\$ (257.50)
SANITARY SEWER EXCAVATION POINT REPAIR	EA	6	\$ 7,725.00	\$ 46,350.00	1	\$ 7,725.00	\$ (38,625.00)
SANITARY SEWER LATERAL NEW CONSTRUCTION OR REPLACEMENT	LF	350	\$ 184.34	\$ 64,519.00	4.93	\$ 908.80	\$ (63,610.20)
TREE REMOVAL 6 to 15-inch diameter	EA	5	\$ 412.00	\$ 2,060.00	0	\$ -	\$ (2,060.00)
TREE REMOVAL Over 15-inch diameter	EA	5	\$ 824.00	\$ 4,120.00	0	\$ -	\$ (4,120.00)
PAVEMENT RESTORATION	SY	200	\$ 68.00	\$ 13,600.00	0	\$ -	\$ (13,600.00)
TRAFFIC CONTROL AND PROTECTION	LS	1	\$ 12,015.00	\$ 12,015.00	1	\$ 12,015.00	\$ -
Change Order #1						\$ 1,625.00	\$ 1,625.00
Change Order #2						\$ 40,750.00	\$ 40,750.00
Change Order #4						\$ (18,900.00)	\$ (18,900.00)
						\$ (18,900.00)	\$ (18,900.00)
						\$ (904,057.26)	\$ (904,057.26)

Bid Total: \$ 4,854,937.09 Final Total: \$ 3,950,879.83 \$ (904,057.26)

PROJECT SUMMARY

Original contract Sum: \$ 4,854,937.09
Net Change by Change Order: \$ (904,057.26) Change Orders #1, #2, #4, #6
Final Contract Sum: \$ 3,950,879.83
Total Completed and Stored to Date: \$ 3,950,879.83
Retainage: \$ -
Total Earned Less Retainage: \$ 3,950,879.83
Less Previous Certificates for Payment: \$ 3,950,879.83
Current Payment Due: \$ -
Balance to Finish: \$ -

CHANGE ORDER SUMMARY

Change Order #1: \$ 1,625.00
Change Order #2: \$ 40,750.00
Change Order #3: \$ - Time Extension
Change Order #4: \$ (18,900.00)
Change Order #5: \$ - Time Extension
Change Order #6: \$ (927,532.26)
\$ (904,057.26)

DNR LOAN SUMMARY

FINAL CONTRACT AMOUNT: \$ 3,950,879.83
PRIVATE WORK OUTSIDE R/W: \$ (623,426.60)
APPLICABLE TO DNR LOAN: \$ 3,327,453.23




P.O. Box 818 • Rhinelander, Wisconsin 54501 • (715) 365-8700 • (715) 369-9296

INVOICE

NUMBER
Final

Bill to: Village of Somers

P.O. Box 197
 7511 12th Street
 Somers, WI 53171


Ship to:

7511 12th Street
 Somers, WI 53171

Cust #	Customer Ref	Date	Due Date	Disc Date	Terms
2348	Pay Req. #12 Final	12/08/23			Due in 30 Days

Mth/Trans	Line	Description	Contract	Item	Unit Price	Quantity	Amount
12/23	1	Retainer	921100				98,478.79

Notes:

Sanitary Sewer Rehabilitation - Sheridan Road
 EIF Project# 5600.01

Total	\$98,478.79
Sales Tax	
Less Retainage	
Total Due	\$98,478.79

CERTIFICATE 00 62 76.01 SWORN STATEMENT

State of Wisconsin }
 County of Oneida }

THE AFFIANT, Nicole Musson **BEING FIRST DULY SWORN, ON OATH DEPOSES AND SAYS**

THAT HE/SHE IS Vice President/Secretary Treasurer of Musson Bros., Inc. THAT HAS

(POSITION)
 CONTRACT WITH Village of Somers, OWNER FOR

Sanitary Sewer Rehabilitation - Sheridan Road Area
 (KIND OF WORK)

ON THE FOLLOWING DESCRIBED PREMISES IN SAID COUNTY, TO-WIT: Kenosha
 THAT, FOR THE PURPOSE OF SAID CONTRACT, THE FOLLOWING PERSONS HAVE BEEN CONTRACTED WITH, AND HAVE FURNISHED, OR ARE FURNISHING AND PREPARING MATERIALS FOR, AND HAVE DONE OR ARE DOING LABOR ON SAID IMPROVEMENT. THAT THERE IS DUE AND TO BECOME DUE THEM, RESPECTIVELY, THE AMOUNTS SET OPPOSITE THEIR NAMES FOR MATERIALS OR LABOR AS STATED. THAT THIS IS A FULL, TRUE, AND COMPLETE STATEMENT OF ALL SUCH PERSONS, AND OF THE AMOUNTS PAID.

1	2	3	4	5	6	7
NAME AND ADDRESS	KIND OF WORK	ADJUSTED TOTAL CONTRACT INCL. EXTRAS AND CREDITS	TOTAL RETAINED INCLUDING THIS APPLICATION	NET PREVIOUSLY PAID	NET AMOUNT OF THIS PAYMENT	BALANCE TO BECOME DUE (INC. RETENTION)
T&T Tree Service LLC 3606 Maple Road Burlington, WI 53105	Tree Removal	\$18,000.00	\$0.00	\$0.00	\$0.00	\$0.00
Terra Construction Corp. 2409 Vondron Road Madison, WI 53718	CIPP	\$672,617.00	\$0.00	\$0.00	\$0.00	\$0.00
Visu-Sewer W230 N4855 Betker Dr. Pewaukee, WI 53072	CIPP	\$1,072,117.35	\$0.00	\$884,386.51	\$48,046.69	\$0.00
Wisconsin Utility Exposure Inc. 510 C Biddle Street Waukesha, WI 53186	Hydro-Vac / T&M	\$146,850.00 Paid as Invoiced	\$0.00	\$146,850.00	\$0.00	\$0.00
Wanasek Corp. 29606 Durand Avenue Burlington, WI 53105	Sewer Excavation	\$758,703.00	\$0.00	\$466,942.06	\$21,431.66	\$0.00
Musson Bros., Inc. P.O. Box 818 Rhinelander, WI 54501	CIPP	\$2,186,649.74	\$0.00	\$2,354,222.45	\$29,000.44	\$0.00
TOTAL		\$4,854,937.09	\$0.00	\$3,852,401.02	\$98,478.79	\$0.00

AMOUNT OF ORIGINAL CONTRACT	\$ 4,854,937.09	WORK COMPLETED TO DATE	\$3,950,879.83
EXTRAS TO CONTRACT	\$ (904,057.26)	LESS 5% RETAINED of 50% completed	\$0.00
TOTAL CONTRACT AND EXTRAS	\$ 3,950,879.83	MATERIAL STORED	\$ -
CREDITS TO CONTRACT		NET AMOUNT EARNED	\$3,950,879.83
ADJUSTED TOTAL CONTRACT	\$ 3,950,879.83	NET PREVIOUSLY PAID	\$ 3,852,401.04
		NET AMOUNT OF THIS PAYMENT	\$98,478.79
		BALANCE TO BECOME DUE (INC. RETENTION)	\$0.00

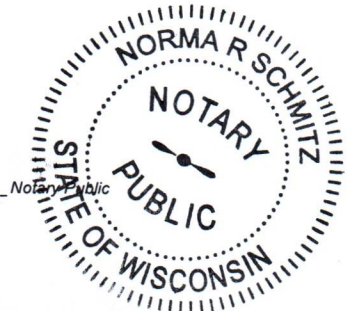
It is understood that the total amount paid to date plus the amount requested in this application shall not exceed _____ % of the cost of work completed to date.

I agree to furnish Waivers of Lien for all materials under my contract when demanded.

Signed Nicole Musson
 Vice President/Secretary/Treasurer

Subscribed and sworn to before me this 27th day of March 2024

Norma R Schmitz
 Notary Public



FULL WAIVER OF CONSTRUCTION LIEN
§779.05, Wis. Stats.

Date: 3-15-24

1. Claimant's Name: Musson Bros., Inc.
Claimant's Address: P.O. Box 818, Rhinelander, Wisconsin 54501

2. Property Improved by Contractor's Work:
Street address: Village of Somers - Sheridan Road Area Sanitary Sewer Improvements

3. Contractor's Work furnished at the request of:

Village of Somers
P.O. Box 197
Somers, WI 53171

4. Waiver of lien rights, contingent upon receipt of payment is made for: All past Work, including labor, services, material, plans or specifications performed or furnished at any time by the Contractor at the Property. This is a full waiver of all lien rights.

5. Title Companies. Lenders or others may require disclosure of the Contractor's subcontractors and material suppliers before disbursement of funds related to the Contractor's above-described Work. If so required, specify name(s) of Contractor's subcontractors and material suppliers furnishing any portion of the Work being Waived.
(Attach additional sheets if necessary).

MUSSON BROS. INC.

By: 

Printed Name: MICHAEL J. SIKMA, President

Address: P.O. Box 818, Rhinelander, WI 54501

Telephone Number: (262) 524-1700

NOTE: This waiver is dependent upon the actual receipt of payment of \$98,478.79. If the check issued is returned "NSF" or payment stopped, this waiver of lien is void.

§779.05 Waivers of Lien. Provides in part "(1) Any document signed by a lien claimant or potential claimant and purporting to be a waiver of construction lien rights under this subchapter, is valid and binding as a waiver whether or not consideration was paid therefor and whether the document was signed before or after the labor, services, materials, plans, or specifications were performed, furnished, or procured, or contracted for. Any ambiguity in such document shall be

construed against the person signing it. Any waiver document shall be deemed to waive all lien rights of the signer for all labor, services, materials, plans, or specifications performed, furnished, or procured, or to be performed, furnished, or procured, by the claimant at any time for the improvement to which the waiver relates, except to the extent that the document specifically and expressly limits the waiver to apply to a particular portion of such labor, services, materials, plans, or specifications. A lien claimant or potential lien claimant of whom a waiver is requested is entitled to refuse to furnish a waiver unless paid in full for the labor, services, materials, plans, or specifications to which the waiver relates. A waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing.”

Contractor’s failure to pay its subcontractors or material suppliers from monies received for its Work may result in civil or criminal liability under Wisconsin’s theft by contractor statute, §779.02(5), Wis. Stats.

FULL WAIVER OF CONSTRUCTION LIEN
§779.05, Wis. Stats.

Date: March 21, 2024

1. Claimant's Name: Wanasek Corporation
Claimant's Address: 29606 Durand Ave., Burlington, Wisconsin 53105
2. Property Improved by Contractor's Work:
Street address: Village of Somers – Sheridan Road Area Sanitary Sewer Improvements
3. Contractor's Work furnished at the request of:

Village of Somers
P.O. Box 197
Somers, WI 53171
4. Waiver of lien rights, contingent upon receipt of payment is made for: All past Work, including labor, services, material, plans or specifications performed or furnished at any time by the Contractor at the Property. This is a full waiver of all lien rights.
5. Title Companies. Lenders or others may require disclosure of the Contractor's subcontractors and material suppliers before disbursement of funds related to the Contractor's above-described Work. If so required, specify name(s) of Contractor's subcontractors and material suppliers furnishing any portion of the Work being Waived.
(Attach additional sheets if necessary).

Wanasek Corporation

By: 

Printed Name: John Wanasek, President

Address: 29606 Durand Ave., Burlington, WI 53105

Telephone Number: (262) 763-3561

NOTE: This waiver is dependent upon the actual receipt of payment of \$21,431.66. If the check issued is returned "NSF" or payment stopped, this waiver of lien is void.

§779.05 Waivers of Lien. Provides in part "(1) Any document signed by a lien claimant or potential claimant and purporting to be a waiver of construction lien rights under this subchapter, is valid and binding as a waiver whether or not consideration was paid therefor and whether the document was signed before or after the labor, services, materials, plans, or specifications were performed, furnished, or procured, or contracted for. Any ambiguity in such document shall be

construed against the person signing it. Any waiver document shall be deemed to waive all lien rights of the signer for all labor, services, materials, plans, or specifications performed, furnished, or procured, or to be performed, furnished, or procured, by the claimant at any time for the improvement to which the waiver relates, except to the extent that the document specifically and expressly limits the waiver to apply to a particular portion of such labor, services, materials, plans, or specifications. A lien claimant or potential lien claimant of whom a waiver is requested is entitled to refuse to furnish a waiver unless paid in full for the labor, services, materials, plans, or specifications to which the waiver relates. A waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing."

Contractor's failure to pay its subcontractors or material suppliers from monies received for its Work may result in civil or criminal liability under Wisconsin's theft by contractor statute, §779.02(5), Wis. Stats.

Final Waiver of Lien

To All Whom It May Concern:

WHEREAS, the undersigned, Wisconsin Utility Exposure Inc. has contracted with Musson Bros. Inc. to furnish labor and materials for Sanitary Sewer Rehabilitation – Sheridan Road for work associated with EIF Project No. 5600.01, located at Village of Somers County of Kenosha of which Village of Somers is the Owner.

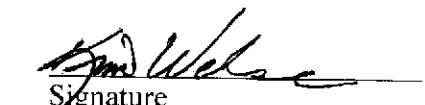
NOW, THEREFORE, this 8th day of December 2023, for and in consideration of the sum of \$ Paid In Full paid simultaneously herewith, the receipt whereof is hereby acknowledged by the undersigned, the undersigned does hereby waive and release any lien rights to, or claim of lien with respect to and on said above described premises, and the improvements thereon, and on the monies or other considerations due to become due from the Owner, by virtue of said Work, on account of labor, services, materials, fixtures, apparatus of machinery heretofore or which may hereafter be furnished by the undersigned to or for the above described premises.

The undersigned further represents and warrants that he has paid for all labor, materials, equipment, and services that he has used or supplied or incorporated into the above premises were either taken from his fully paid or open stock or were fully paid for; and that the following are the names of all parties who have furnished material or labor, or both:

NAMES OF SUPPLIERS (if none, so state)	WHAT SUPPLIED

That there are no other contracts for said work outstanding, and that there is nothing due or to become due to any person for material, labor, or other work of any kind done or to be done upon or in connection with said Work other than above stated.

Wisconsin Utility Exposure


Signature
TITLE: President

FULL WAIVER OF CONSTRUCTION LIEN
§779.05, Wis. Stats.

Date: 3/21/2024

1. Claimant's Name: Visu-Sewer, Inc.
Claimant's Address: P.O. Box 804, Pewaukee, Wisconsin 53072

2. Property Improved by Contractor's Work:
Street address: Village of Somers – Sheridan Road Area Sanitary Sewer Improvements

3. Contractor's Work furnished at the request of:

Village of Somers
P.O. Box 197
Somers, WI 53171

4. Waiver of lien rights, contingent upon receipt of payment is made for: All past Work, including labor, services, material, plans or specifications performed or furnished at any time by the Contractor at the Property. This is a full waiver of all lien rights.

5. Title Companies. Lenders or others may require disclosure of the Contractor's subcontractors and material suppliers before disbursement of funds related to the Contractor's above-described Work. If so required, specify name(s) of Contractor's subcontractors and material suppliers furnishing any portion of the Work being Waived. (Attach additional sheets if necessary).

VISU-SEWER INC.

By: 

Printed Name: Randy Bieri, ~~President~~ Project Manager

Address: P.O. Box 804, Pewaukee, WI 53072

Telephone Number: (800) 876-8478

NOTE: This waiver is dependent upon the actual receipt of payment of \$48,046.69. If the check issued is returned "NSF" or payment stopped, this waiver of lien is void.

§779.05 Waivers of Lien. Provides in part "(1) Any document signed by a lien claimant or potential claimant and purporting to be a waiver of construction lien rights under this subchapter, is valid and binding as a waiver whether or not consideration was paid therefor and whether the document was signed before or after the labor, services, materials, plans, or specifications were performed, furnished, or procured, or contracted for. Any ambiguity in such document shall be

construed against the person signing it. Any waiver document shall be deemed to waive all lien rights of the signer for all labor, services, materials, plans, or specifications performed, furnished, or procured, or to be performed, furnished, or procured, by the claimant at any time for the improvement to which the waiver relates, except to the extent that the document specifically and expressly limits the waiver to apply to a particular portion of such labor, services, materials, plans, or specifications. A lien claimant or potential lien claimant of whom a waiver is requested is entitled to refuse to furnish a waiver unless paid in full for the labor, services, materials, plans, or specifications to which the waiver relates. A waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing."

Contractor's failure to pay its subcontractors or material suppliers from monies received for its Work may result in civil or criminal liability under Wisconsin's theft by contractor statute, §779.02(5), Wis. Stats.



3-25-24

Brett Biver PE
Baxter & Woodman
256 S Pine St
Burlington, WI. 53105

RE: Warranty Letter Somers WI

Dear Brett,

Musson Brothers warranties all lateral CIPP work for a 3 year period from the date of substantial - completion July 13th 2023 to July 13th 2026 to the specifications for the following contract: **VILLAGE OF SOMERS, WISCONSIN SANITARY SEWER REHABILITATION - SHERIDAN ROAD AREA CLEAN WATER FUND LOAN #5600-01** .

This is a guarantee for all lateral CIPP work that falls under the specification reference:

6.19.A Contractor shall execute and deliver to Owner, before the final payment will be issued, a written warranty which guarantees that all work is in accordance with the Contract Documents and will not be defective. This warranty shall guarantee all work for a period of three years from the date of acceptance of the Work and final payment by Owner, except for equipment, motors, electrical controls, and other mechanical devices which shall be guaranteed for a period of two years from the date of acceptance and use of each item of equipment by Owner unless a different guarantee period of time is specified under other parts of the Contract Documents.

Best Regards

Nick Zillman
MBI Pipelining

P.O. Box 818
Rhineland, Wisconsin 54501
(715) 365-8700
Fax (715) 369-9296

AN EQUAL OPPORTUNITY EMPLOYER

1522 Peari Street
Waukesha, WI 53186
(262) 790-5060
Fax (262) 790-5069



Contract: SANITARY SEWER REHAB. - SHERIDAN ROAD AREA PROJECT
Project #: 5600-01-07
Owner: Village of Somers, WI
Date: 1/15/24

National Liner Warranty

Visu-Sewer, Inc. provides a warranty which guarantees that all work is in accordance with the Contract Documents and will not be defective for a period of three (3) years, unless otherwise noted, from the date of acceptance on this project. We shall, within a reasonable time after receipt of written notice thereof, repair defects in materials or workmanship which may develop during said three (3) year period, and any damage to other work caused by such defects or the repairing of same, at our own expense and without cost to the Owner.

Visu-Sewer, Inc.

W230 N4855 Betker Dr, Pewaukee, WI 53072 (P) 800-876-8478 / 262-695-2340 (F) 262-695-2359

www.visu-sewer.com

Equal Employment Opportunity/Affirmative Action Employer

MAINTENANCE BOND

KNOW ALL MEN BY THESE PRESENTS: That we,
Musson Bros., Inc.,
as Principal, and The Hanover Insurance Company, a corporation organized and existing under the laws of the State of
New Hampshire and having its principal office in Worcester, Massachusetts as Surety, are held and firmly bound unto
Village of Somers, 7511 12th Street, Somers, WI 53171
as Obligee, in the sum of One hundred ninety-seven thousand, five hundred forty-four and 00/100
(\$ 197,544.00) lawful money of the United States of America, to be paid to said Obligee, its successors or assigns, for which payment well
and truly to be made, we, and each of us do hereby bind ourselves, our and each of our heirs, executors, administrators and assigns, jointly and
severally, firmly by these presents.

WHEREAS, the said principal entered into a contract with the
Village of Somers, 7511 12th Street, Somers, WI 53171
dated 01/12/2021 to
Sanitary Sewer Rehabilitation - Sheridan Road Area for the Village of Somers, Kenosha County, Wisconsin, EIF Project No. 5600-01, Engineer's
Job No. 190332.42

WHEREAS, the Obligee has requested the Principal to furnish a surety maintenance bond in the above mentioned penalty for the maintenance of
Sanitary Sewer Rehabilitation - Sheridan Road Area for the Village of Somers, Kenosha County, Wisconsin, EIF Project No. 5600-01, Engineer's
Job No. 190332.42

for the period of 3 year(s),

WHEREAS, the Obligee has agreed to accept a bond guaranteeing the performance of said contract for a period of 3 year(s).

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the said principal shall well and truly maintain the said
Musson Bros., Inc.
shall make good all defects appearing during the said period due to use of defective materials by the Principal, then this obligation shall be void,
otherwise to remain in full force and effect.

Neither non-renewal by the Surety, nor failure, nor inability of the Principal to file a replacement bond shall constitute loss to the Obligee recoverable
under this bond.

The bond may be extended for additional terms at the option of the Surety, by continuation certificate executed by the Surety.

SIGNED, sealed and dated this 13th day of December, 2023



Musson Bros., Inc.
By: Nicole Musson (Seal)
Nicole Musson
The Hanover Insurance Company
By: Tracy Krause (Seal)
Tracy Krause
, Attorney-in-Fact

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Travis Schreiber, Tracy Krause, Becky Jo Sawall, Jessica Lee and/or Brianna Schwanke

Of M3 Insurance Solutions Inc of Madison, Wisconsin each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Any such obligations in the United States, not to exceed Fifty Million and No/100 (\$50,000,000) in any single instance

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America and affirmed by each Company on March 24, 2014)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 5th day of July, 2023



The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

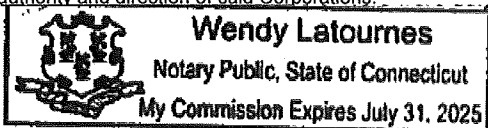
James H. Kawiecki
James H. Kawiecki, Vice President

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

Joselyn M. Mendoza
Joselyn M. Mendoza, Vice President

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss.

On this 5th day of July 2023 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Wendy Latournes
Wendy Latournes, Notary Public
My commission expires July 31, 2025

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 13th day of December 2023.

CERTIFIED COPY

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

John Rowedder
John Rowedder, Vice President



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

12/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER R & R Insurance Services, Inc P.O. Box 1610 Waukesha WI 53187-1610		CONTACT NAME: Erin Stelpflug PHONE (A/C No. Ext): (262)574-7000 FAX (A/C No): (262)574-7080 E-MAIL ADDRESS: Erin.Stelpflug@rrins.com	
INSURED Musson Bros Inc PO Box 818 Rhineland WI 54501		INSURER(S) AFFORDING COVERAGE INSURER A: CNA Insurance Company INSURER B: Westchester Surplus Lines Ins Co INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 10172	

COVERAGES

CERTIFICATE NUMBER: 24/25

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER:			7063392896 CNA74705XX 01/15 Blanket AI, PNC & WOS	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000 MED EXP (Any one person) \$ 15,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000	
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			7063392901 CNA63359XX 04/12 Blanket AI, PNC & WOS	1/1/2024	1/1/2025	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000			Blanket AI, PNC & WOS 7063392882	1/1/2024	1/1/2025	EACH OCCURRENCE \$ 10,000,000 AGGREGATE \$ 10,000,000	
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	WC000313 04/84 Blanket WOS WC763392915	1/1/2024	1/1/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000	
B	Pollution			TBD POLLUTION	1/1/2024	1/1/2025	Limit/Aggregate	\$10M/\$10M
A	Installation Floater			7063392896	1/1/2024	1/1/2025	Limit	\$150,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: Sanitary Sewer Rehabilitation-Sheridan Road Area IEF Project #5600-01

Village of Somers and Baxter Woodman, Inc are additional insureds in regards to general liability per forms above when required by written contract.

CERTIFICATE HOLDER

Village of Somers
7511 12th Street
Somers, WI 53171

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

J Vanderveldt/ES627

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Additional Named Insureds

Other Named Insureds

MB Waukesha LLC

Limited Liability Company, Additional Named Insured

AIA® Document G707™ – 1994

Consent of Surety to Final Payment

PROJECT: <i>(Name and address)</i> Sanitary Sewer Rehabilitation – Sheridan Road Area for the Village of Somers, Kenosha County, WI	ARCHITECT'S PROJECT NUMBER: EIF Proj No. 5600-01	OWNER <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i> Village of Somers 7511 12 th Street Somers, WI 53171	CONTRACT FOR: Sanitary Sewer	ARCHITECT <input type="checkbox"/>
	CONTRACT DATED: January 12, 2021	CONTRACTOR <input type="checkbox"/>
		SURETY <input type="checkbox"/>
		OTHER <input type="checkbox"/>

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety.)

The Hanover Insurance Company
440 Lincoln Street
Worcester, MA 01653-0002

on bond of
(Insert name and address of Contractor.)

Musson Brothers, Inc.
1522 Pearl Street
Waukesha, WI 53186

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve
the Surety of any of its obligations to
(Insert name and address of Owner.)

Village of Somers
7511 12th Street
Somers, WI 53171

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: **December 12, 2023**
(Insert in writing the month followed by the numeric date and year.)

Attest:
(Seal)



The Hanover Insurance Company
(Surety)


(Signature of authorized representative)

Tracy Krause, Attorney-in-Fact
(Printed name and title)

CAUTION: You should sign an original AIA Contract Document, on which this text appears in RED. An original assures that changes will not be obscured.

AIA[®] Document G707[™] – 1994 Instructions

Consent of Surety to Final Payment

GENERAL INFORMATION

Purpose. AIA Document G707[™] is intended for use as a companion to AIA Document G706[™], Contractor's Affidavit of Payment of Debts and Claims, on construction projects where the Contractor is required to furnish a bond. By obtaining the Surety's approval of final payment to the Contractor and its agreement that final payment will not relieve the Surety of any of its obligations, the Owner may preserve its rights under the bond.

Related Documents. This document may be used with most of the AIA's Owner-Contractor agreements and general conditions, such as A201 and its related family of documents. As noted above, this is a companion document to AIA Document G706.

Use of Current Documents. Prior to using any AIA Contract Document, users should consult www.aia.org or a local AIA component to verify the most recent edition.

Reproductions. This document is a copyrighted work and may not be reproduced or excerpted from without the express written permission of the AIA. There is no implied permission to reproduce this document, nor does membership in The American Institute of Architects confer any further rights to reproduce this document.

The AIA hereby grants the purchaser a limited license to reproduce a maximum of ten copies of a completed G707, but only for use in connection with a particular project. The AIA will not permit reproduction outside of the limited license for reproduction granted above, except upon written request and receipt of written permission from the AIA.

Rights to reproduce the document may vary for users of AIA software. Licensed AIA software users should consult the End User License Agreement (EULA).

To report copyright violations of AIA Contract Documents, e-mail The American Institute of Architects' legal counsel, copyright@aia.org.

CHANGES FROM THE PREVIOUS EDITION

Changes in the location of various items of information were made, without revision to the substance of the document.

COMPLETING G707-1994

General. The bond form is the usual source of required information such as the contract date and the names and addresses of the Surety, Owner, Contractor and Project.

Architect's Project No. This information is typically supplied by the Architect and entered on the form by the Contractor.

Contract For. This refers to the scope of the contract, such as "General Construction" or "Mechanical Work."

EXECUTING THE DOCUMENT

AIA Document G707 requires both the Surety's seal and the signature of the Surety's authorized representative.

THE HANOVER INSURANCE COMPANY
MASSACHUSETTS BAY INSURANCE COMPANY
CITIZENS INSURANCE COMPANY OF AMERICA

POWER OF ATTORNEY

THIS Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

KNOW ALL PERSONS BY THESE PRESENTS:

That THE HANOVER INSURANCE COMPANY and MASSACHUSETTS BAY INSURANCE COMPANY, both being corporations organized and existing under the laws of the State of New Hampshire, and CITIZENS INSURANCE COMPANY OF AMERICA, a corporation organized and existing under the laws of the State of Michigan, (hereinafter individually and collectively the "Company") does hereby constitute and appoint,

Travis Schreiber, Tracy Krause, Becky Jo Sawall, Jessica Lee and/or Brianna Schwanke

Of M3 Insurance Solutions Inc of Madison, Wisconsin each individually, if there be more than one named, as its true and lawful attorney(s)-in-fact to sign, execute, seal, acknowledge and deliver for, and on its behalf, and as its act and deed any place within the United States, any and all surety bonds, recognizances, undertakings, or other surety obligations. The execution of such surety bonds, recognizances, undertakings or surety obligations, in pursuance of these presents, shall be as binding upon the Company as if they had been duly signed by the president and attested by the secretary of the Company, in their own proper persons. Provided however, that this power of attorney limits the acts of those named herein; and they have no authority to bind the Company except in the manner stated and to the extent of any limitation stated below:

Any such obligations in the United States, not to exceed Fifty Million and No/100 (\$50,000,000) in any single instance

That this power is made and executed pursuant to the authority of the following Resolutions passed by the Board of Directors of said Company, and said Resolutions remain in full force and effect:

RESOLVED: That the President or any Vice President, in conjunction with any Vice President, be and they hereby are authorized and empowered to appoint Attorneys-in-fact of the Company, in its name and as it acts, to execute and acknowledge for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, waivers of citation and all other writings obligatory in the nature thereof, with power to attach thereto the seal of the Company. Any such writings so executed by such Attorneys-in-fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company in their own proper persons.

RESOLVED: That any and all Powers of Attorney and Certified Copies of such Powers of Attorney and certification in respect thereto, granted and executed by the President or Vice President in conjunction with any Vice President of the Company, shall be binding on the Company to the same extent as if all signatures therein were manually affixed, even though one or more of any such signatures thereon may be facsimile. (Adopted October 7, 1981 – The Hanover Insurance Company; Adopted April 14, 1982 – Massachusetts Bay Insurance Company; Adopted September 7, 2001 – Citizens Insurance Company of America and affirmed by each Company on March 24, 2014)

IN WITNESS WHEREOF, THE HANOVER INSURANCE COMPANY, MASSACHUSETTS BAY INSURANCE COMPANY and CITIZENS INSURANCE COMPANY OF AMERICA have caused these presents to be sealed with their respective corporate seals, duly attested by two Vice Presidents, this 5th day of July, 2023



The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

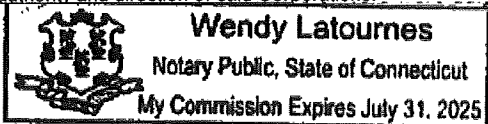
James H. Kawiecki, Vice President

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

Joellen M. Mendoza, Vice President

STATE OF CONNECTICUT)
COUNTY OF HARTFORD) ss.

On this 5th day of July 2023 before me came the above named Executive Vice President and Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, to me personally known to be the individuals and officers described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, respectively, and that the said corporate seals and their signatures as officers were duly affixed and subscribed to said instrument by the authority and direction of said Corporations.



Wendy Latournes, Notary Public
My commission expires July 31, 2025

I, the undersigned Vice President of The Hanover Insurance Company, Massachusetts Bay Insurance Company and Citizens Insurance Company of America, hereby certify that the above and foregoing is a full, true and correct copy of the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Powers of Attorney are still in force and effect.

GIVEN under my hand and the seals of said Companies, at Worcester, Massachusetts, this 12th day of December 2023.

CERTIFIED COPY

The Hanover Insurance Company
Massachusetts Bay Insurance Company
Citizens Insurance Company of America

John Rowedder, Vice President

State of Wisconsin
 Department of Natural Resources
 Bureau of Community Financial Assistance
 101 S. Webster St., P O Box 7921
 Madison WI 53707-7921
 Phone (608) 266-7555
 Fax (608) 267-0496

**Environmental Improvement Fund (EIF)
 Project Acceptance Certification**
 Form 8700-280 (R 1/11)

Notice: This form is authorized by ss. 281.58 and 281.61, Wis. Stats. Submittal to the Department of a completed form is mandatory for all recipients of EIF loans. A separate form is required for each prime contractor. Failure to submit a completed form shall result in the denial of final disbursement of loan funds.

Personally identifiable information provided on this form will be used to determine compliance with closeout procedures as outlined in the Financial Assistance Agreement and may be made available upon request under Wisconsin's Open Records laws (ss. 19.32-19.39, Wis. Stats.) and requirements.

Project Information

Municipality Name Village of Somers	
Prime Contractor Musson Brothers, Inc.	Contract Number

Upon final inspection and approval of all change order(s), all work performed by the awarded contractor(s) and subcontractor(s) (if any) has been constructed according to the plans and specifications approved by the Department of Natural Resources (DNR).


DNR Plan and Specification Approval Number 5600-01	Date Approved 04/14/2021
---	-----------------------------

Project Description

The project is to line existing sanitary sewer mains and laterals and repair leaking manholes and castings installed in the 1960's along Sheridan Road within the Village of Somers. The purpose is to prevent future sanitary sewer overflows and reduce inflow and infiltration into the sanitary sewer system. The scope of the project includes the installation of lining within mainline sewer and replacement or relining of sanitary laterals up to houses.

Engineer Certification

On behalf of the engineering consulting firm contracted by the above named municipality, I hereby certify to the best of my knowledge that the above mentioned project has been constructed and inspected to conform to the referenced specifications.

Name of Engineer Brett D. Biwer	Name of Engineering Firm Baxter & Woodman, Inc.
Signature of Engineer 	Date Signed 1/11/24

Municipal Certification

The above named municipality has accepted at its regular meeting of officials the above mentioned project from the contractor and engineer.

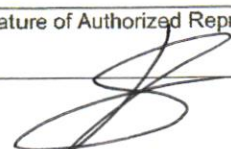
Name of Authorized Representative Jason Peters	Title Village Administrator
Signature of Authorized Representative 	Date Signed 1-15-2024

EXHIBIT G

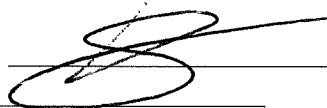
FEDERAL REQUIREMENTS COMPLIANCE CERTIFICATION

The undersigned officials of the Village of Somers (the "Municipality") hereby certify that, for all expenditures made for construction of DNR Project No. 5600-01 (the "Project"), the Municipality has met the prevailing wage rate requirements of the Davis-Bacon Act.

The Municipality further certifies that, after taking into account any national or project-specific waivers approved by the U.S. Environmental Protection Agency, DNR Project No. 5600-01 has met the requirements for the use of American Iron and Steel contained in section 608 of the Federal Water Pollution Control Act, as amended.

The Municipality further certifies that a Fiscal Sustainability Plan meeting the requirements of section 603(d)(1)(E) of the Federal Water Pollution Control Act, as amended, has been completed for the treatment works and that the plan will be maintained at least for the life of the CWFP Loan for the Project.


The above certification is determined, after due and diligent investigation, to be true and accurate to the best of my knowledge.

By:  _____

Jason Peters
Village Administrator

Dated as of:

8-3-2022

Attest:  _____

Brandi Baker
Village Clerk

Dated as of:

8-3-2022

**Contract Utilization of Disadvantaged Business Enterprises (DBE)
 Environmental Improvement Fund**

Form 8700-257 (R 04/21)

Notice: This form is authorized by ss. NR 162.14(4)(b)4 and NR 166.16(4)(b)4 Wis. Adm. Code. Receipt of this completed form by the Department is mandatory prior to receiving a final disbursement. Any changes or additions made to the original list of prime contractors and DBE subcontractors during construction must be reflected on this form at closeout. Personal information collected on this form will be used for program administration and may be provided to requesters to the extent required by Wisconsin's Public Records Law [ss. 19.31-19.39, Wis. Stats.].

MANDATORY PROJECT CLOSEOUT DOCUMENT

Municipality Name	Project Number
Village of Somers	5600-01

Project Description
 Line sanitary sewer mains on Sheridan Road and side streets branching from Sheridan Road.

Construction / Equipment / Supplies Contracts	Indicate DBE Type	Type of Product or Service*	Municipality Complete at Project Closeout Actual Amount Paid to DBE Firm
Prime: Musson Brothers, Inc.	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input checked="" type="radio"/> N/A	Sewer Lining	
Sub: Wisconsin Utility Exposure, Inc	<input type="radio"/> MBE <input checked="" type="radio"/> WBE <input type="radio"/> Other	excavating	146,850
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Prime:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input type="radio"/> N/A		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Prime:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input type="radio"/> N/A		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		

* Type of Product or Service examples: landscaping, trucking, supplies, equipment, paving, concrete, plumbing, electrical, excavating, testing, design, etc.

Total MBE \$	_____
Total WBE \$	146,850
Total Other \$	_____

Contract Utilization of Disadvantaged Business Enterprises (DBE) Environmental Improvement Fund

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Professional / Technical Service Contracts	Indicate DBE Type	Type of Product or Service*	Actual Amount Paid to DBE Firm
Prime: Baxter & Woodman, Inc.	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input checked="" type="radio"/> N/A	design	
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Prime: Baxter & Woodman, Inc.	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input checked="" type="radio"/> N/A	Const. Management	
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Prime:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other <input type="radio"/> N/A		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		
Sub:	<input type="radio"/> MBE <input type="radio"/> WBE <input type="radio"/> Other		

* Type of Product or Service examples: landscaping, trucking, supplies, equipment, paving, concrete, plumbing, electrical, excavating, testing, design, etc.

Total MBE \$	_____
Total WBE \$	_____
Total Other \$	_____

Name of Person Completing This Form Brett Biwer	Email Address bbiwer@baxterwoodman.com	Phone Number (including area code) (262) 939-0520
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Certification

I hereby certify, to the best of my knowledge and belief, the information provided on this form is accurate and complete.

Name of Municipal Official Jason Peters	Title Village Administrator	Signature 	Date Signed 1-15-2024
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**VILLAGE OF SOMERS
VILLAGE BOARD
MEETING ITEM MEMORANDUM**

MEETING DATE: April 9, 2024

TO: Village President Stoner and Village Trustees

PREPARED BY: Brandi Baker, Clerk/Treasurer

AGENDA ITEM: #11 Action on Operator’s Licenses: Jason A. Peters and Erin Willoughby

BACKGROUND:

Jason A. Peters has applied for an operator’s license for the Village of Somers to work at the Somers House bar. The record check for Mr. Peters was returned with felonies that have happened within the past ten years.

Erin Willoughby has applied for an operator’s license for the Village of Somers to work at the Kenosha County Club. Ms. Willoughby disclosed three violations that were confirmed with her records check.

A copy of their records check will be provided to the Board members.

PRIOR ACTION TAKEN:

None.

SUGGESTED ACTION/ACTION REQUESTED/COMMENTS:

In the event that the Village Board decides to deny: Operators applications, a suggested motion would be as follows:

“Motion to deny Operator License for Jason A. Peters”

“Motion to deny Operator License for Erin Willoughby”

In the event that the Village Board decides to approve: Operators applications, a suggested motion would be as follows:

“Motion to approve Operator License for Jason A. Peters”

“Motion to approve Operator License for Erin Willoughby”

ATTACHMENTS:

NONE