

DRAFT

These minutes will not be approved until Tuesday, July 23rd

Village of Bristol Plan Commission Meeting
Bristol Municipal Building
19801 83rd Street, Bristol, WI 53104
Tuesday, June 25, 2024 at 7:00 p.m.

MINUTES

1. The meeting was called to order by Chairman John Boldt at 7:00 p.m.. Commissioner's Chris Leker, William Neiderer, JoAnn Bolton, Ruth Atwood, Amy Klemko and Dan Dietz were all present. Also present were Administrator Randy Kerkman, Village Engineer Emily Rowntree, Village Planner Dominic Marlow, JoAnn Rubio (Applicant), Attorney Brian Randall on behalf of the Applicant, Aaron Koch on behalf of the Developer, (Plan Commission Secretary Renee Brickner and 16 constituents.
2. A motion was made by Commissioner Atwood and seconded by Commissioner Klemko to approve the minutes of the May 28, 2024, Plan Commission meeting with the correction in 5 a. The motion was carried on 6 Ayes with one abstaining (Bolton).
3. Chairman's Comments:
Chairman Boldt stated that there is no public hearing today indicating we are acting on two pieces of business on the Leo Development site, one is for a Certified Survey Map and the other is for reviewing and possible approval of the Site Plan Review. He stated that he does understand that there may be a couple of people in the audience who would like to address the plan commission on being in favor of this project which was approved 13 months ago. He also stated that he believes what they are going to talk about is not part of the agenda and invited them to speak under Citizen's Comments. He indicated that any comments made would not have any bearing on the actions of the Plan Commission tonight.
4. Citizen's Comments:
Tom Roth stated he wanted to share some ideas to help this project be successful and see it come together right. He indicated that as we are putting this in, he thinks it would be a great idea to look at that area and see how we can improve it. He stated one of the things is Spectrum cable service is the only opportunity we have for cable right now, asking is there an opportunity to put in high-speed cable system in this area will all of these buildings coming in. He stated that he asked the Village in working through building hours in which our ordinance is limited to certain hours of the day, however they can petition to build during other times, asking that if the building hours were to shift, they be involved as a community in talking and understanding. He addressed the congestion at 130th Avenue as there are houses going up, asking if the connection can be kept until the very end to lessen that congestion. He asked if Fleet Farm were to fall out that there be a traffic study on the intersection at 130th Avenue because as of right now there is no approved plan on Leo to go out 130th Avenue. He asked that during the construction once 128th Avenue goes away. He stated that he would really like to see the row of mature oak trees stay and do anything we can do to help them survive. He addressed the pathway to the Village trail head which is actually 130th Avenue stating if that

can not happen, there is a trail head right off 130th Avenue that people can use to get in and walk through to enjoy nature.

Jack Musha, the District Administrator for Bristol School, stated he wanted to come in and introduce himself and let everyone know that he has been included in the discussions about residential neighboring and wanted to make himself available for additional conversations if you wanted a school perspective. He stated that when talking about Bristol district enrollment, we peaked around 2019 with 746 kids in the building. He indicated that those numbers have since dropped each year, to 712 in 2021, 704 in 2022, 694 in 2023 and 678 this past year. He stated the projection for next year is 650 to 660, which a lot of that is because we do live in a beautiful community and the families stay for a long time. He stated that they are always looking for enrollment and if you are thinking about residential projects, please invite him as he has a perspective from the enrollment side and is always looking for kids for the school, that is what keeps the doors open. He stated he is proud to be the District Administrator of Bristol and proud to be a member of the community. He stated that enrollment is steadily decreasing and if there is anything he can do to help with the residential piece he is willing to be a part of that asking to be invited.

Chairman Boldt stated Mr. Musha indicated Bristol students asking him if he also included students that come from Kenosha, Strawberry Creek and other developments.

Jack Musha stated that the district does include Strawberry Creek, so kids that are within our boundaries come to the school. He indicated that there are other students that come to the school through open enrollment which has been pretty consistent in the 15% range for about twenty years now. He stated that the overall enrollment at the highest was about 860, and around 815 right now. He stated that enrollment is how the school receives funding, and they have the beautiful new building that will be done at the end of the summer, and he wants to make sure they are serving the kids in the area the best that we can.

5. Public Hearing: None

6. New Business:

a. Discuss and consider for approval the request of request of Joann Rubio 13830 58th Street North #410, Clearwater, FL 33760 (Applicant), Bristol 130th & 50 LLC 4011 80th Street, Kenosha, WI 53142 (Owner) and LEO@Bristol LLC, Advenir Development LLC, 17501 Biscayne Boulevard #300, Aventura, FL 33160 (Developer) for a Certified Survey Map on tax parcel #37-4-121-122-0334 PT NW 1/4 & SW 1/4 SEC 12 T R 21, 37-4-121-111-0400 PT NE ¼ SEC 11 T 1 R 21, and a portion of 37-4-121-122-0200 PT of W 120 acres of NW ¼ SEC 12 Town 1 Range 21 Village of Bristol, Kenosha County, Wisconsin. For informational purposes this property is located at the dead end of 130th Avenue, 2400 feet south of the intersection of 75th Street, Bristol, WI.

Chairman Boldt stated that he thought he saw two Certified Survey Maps and asked if there is one CSM or do we have two.

Dominic Marlow, Village Planner, stated that there are two that involve the same parcel land including a division and a recombination.

Attorney Brian Randall, on behalf of the applicant, stated that their full team is present indicating having read the staff reports he doesn't have a lot to add unless there are questions. He stated that is an important step in the project as Certified Survey Maps are orienting the properties the way they need to be to facilitate the transaction and acquiring the property investing and doing the construction.

Dominic Marlow referred to the diagram on page three of the GRAEF Memo showing the two CSMs. He stated everything in the northern square is the land applicable in CSM 1 and everything south of that square and the triangle shown in CSM 1 is related to CSM 2. He stated the Applicant is proposing to split the land so the triangular shape can be combined with the northern most portion of CSM 2. He further stated that CSM 2 is taking the southern portion of land in the two different parcels and recombining them to create one parcel that includes the triangular and northern portions, one lot in the southern portion and one 10-acre park property to be dedicated to the Village and a public road going through the center of it. He indicated that CSM 1 divides the Tricoli parcel and CSM 2 combines into the final development splitting off the large portion of the land.

Chairman Boldt confirmed that there are 2 Certified Survey Maps and asked Village Planner to go ahead with his review.

Dominic Marlow stated that because this is pretty complex, he cannot address the CSM without addressing some of the details of the Planned Unit Development. He indicated that the point of a PUD is to allow flexibility in the development process in exchange for more involvement in the design of the development. He indicated that as a result it allows the developer to accomplish what they are doing without needing to produce a subdivision indicating that standards that would normally apply to a subdivision in preliminary and final plat. He stated that in reviewing the code all these standards still apply to CSM and the PUD is making these standards apply in a different context that you may be used to seeing. he explained that in exchange for this flexibility the Village grants the developer the ability to work more closely to make sure that site design provides public improvements and is designed in a way that is most beneficial to the common good of public welfare in all things that were discussed in the general development plan. He stated that this concept for the CSM was pretty similar in the general development plan indicating that the take away in the end will be that the CSM itself has minimal deviations however some of the details that would normally apply to subdivision plats but because there is no subdivision here will still need to be addressed with conditions.

Dominic Marlow addressed the requirements of the CSM by stating that if the applicant wants to split that land as described it will create 2 CSMs in which he described the characteristics for each CSM as shown on pages 3 and 4 of the GRAEF Memo indicating that both contain wetlands or floodplains in which they will be required to protect those natural features by the Natural Resource Protection Plan. He stated that whenever a CSM includes natural resources they have to be protected according to Village standards depending on the resource. He

indicated that for wetlands the applicant was provided a non-federal exemption from the DNR meaning that the only regulations that apply are the local regulations, in which the wetlands shall be mitigated within the same sub-watershed. He discussed woodlands as another form of natural resources on the property. He stated that the applicant's landscape architect provided a tree survey shown in Figure 4 on page 9 of the GRAEF Memo which shows a partial extent of the trees that will be removed and the trees they wish to keep. He indicated that because they do not have a full tree survey it is impossible to know the entire extent of the number of trees that will be removed. As a condition of approval, a full tree survey is required in which the applicant has ensured they are working on. He indicated that a landscape plan is required and has been submitted. He stated that there has been no revised construction schedule sent so the prior approved schedule was referenced on pages 6 and 7 of the GRAEF memo. He discussed the portions highlighted which are deviations from what is now being proposed. He indicated the request has been made for a revised construction schedule to show that they are following their original schedule for future development. He stated that sidewalks are required, and they have been proposed throughout the entire development which meet Village standards. He discussed bicycle trails and pathways including the future plans for the multi-use path to the south of the project along the Root River in which a connection is required as a condition of approval. He indicated that no lighting plan has been submitted but streetlights are required and submitting the plan will be a condition of approval. He stated that the application is proposing 32 street trees and the standard for building 6078 feet of public roadway would be 152 trees and will need to revise their landscape plan to provide the required number. He discussed existing trees and vegetation in that the Village encourages all developers to try to preserve as many trees as possible. He stated that any proposed streets are required to extend to boundary indicating that between with the Village and the Village Engineer they have agreed to terminate the proposed roadway 451 feet short of the eastern boundary and 307 feet short of the western boundary to provide flexibility in the future development. He stated that the landscape bufferyard along STH 50 will be waived at this time for purposes of this development, but will be completed in future development. He discussed the requirement of stream or lakeshore access and indicated an easement for access needs to be provided to the stream located outside of the park. He indicated that as a part of Title 14 public park and land dedication is required in a CSM in which these standards were already approved in the general improvement plan and were reviewed for conformity with the general improvement plan. He discussed a substantial departure in that the exhibit shown during the original approved showed 5 major pocket parts and a future park connection which has been reduced to 3. He stated that when talking to the applicant he was assured they would get that number back up to 5, they are just not being shown at this time. He discussed the standards and improvements for public recreation facilities.

Chairman Boldt asked what the ownership of CSM 1, Lot 1 is.

Attorney Randall stated that Lot 1 of CSM 1 will continue to be owned by the Tricoli family, indicating that the applicant is only buying the carved off 10-acre piece that will be combined with CSM 2. He stated that the purpose for that is to create the additional private road connection to 130th Avenue.

Chairman Boldt asked if the Village Engineer reviewed the CSM.

Emily Rowntree, Village Engineer, stated that she has verbal comments that are in more of the technical nature all of which can be easily addressed by the applicant's land surveyor during final drafting. She indicated on sheet 1 would be to show the wooded areas. She stated that the description on the top of sheet 2 assuming that this CSM will be recorded first, if not the reference to Lot 1 needs to be removed. She referred to 2 comments regarding the adjustment of the distances and bearings based on the registered land surveyor's review. She indicated there is a 10 ft extra workspace and a 20 ft temporary work limit on Sheet 6 and stated that if they are existing the recorded document number needs to be added and if they are intended to be proposed with this CSM state what extra workspace is for, who the easements are for and add an expiration date for the temporary easements. She stated that the specific gas company needs to be stated for centerline of gas pipeline easements on Sheet 7, and as to the 66 ft reserved for future road questioned whether it is for this CSM or a previous one. She indicated that any wetland shore yard setbacks need to be shown on Sheet 8. She referred to a modification to one of the bearings on Sheet 11 indicating that the notes need to be shown on the map in detail unless released before the CSM is recorded.

Chairman Boldt indicated there were a lot of easements talked about and questioned if they are supposed to be on the CSM.

Dominic Marlow stated yes, all easements have to be recorded on the CSM.

Emily Rowntree stated that typically what they like to see is the easements on the CSM and so for example on the stormwater easement one of our comments on the site plan is to make note of who is responsible for stormwater management facilities so that can be shown on the CSM.

There was discussion about easements that Dominic talked about that are not on the CSM.

Chairman Boldt indicated that in the minutes from the May 23, 2023, meeting there were 17 conditions for approval of the general development plan listed and asked if they have all been met.

Dominic Marlow indicated that consistency with the general development plan is review is section 3 of the GRAEF Memo. He stated there are specific standards for which details of the general development plan can and cannot be reviewed at this time. He further stated that they did not find any substantial deviations, they did ask the applicant to provide a narrative of all substantial changes with have been reviewed.

Chairman Boldt indicated that one states dwellings containing at least five (5) units per structure shall not be closed than 30 ft to the public right of way. He stated that the concern he has is that if we do this 13 months later, I want to make sure what was required for conditional approval are actually incorporated into this last submittal.

Dominic Marlow confirmed that all those conditions as well as the entire document was reviewed for conformity with what we have now.

JoAnn Bolton stated that as a commissioner, her only comment would be since so many things were missed here and Dominic has better knowledge of it we don't as a planning commission have that yet. She stated she does not feel confident at this point and time.

Chairman Boldt asked how we handle the park issue, mainly that we went from 5 to 3.

Dominic Marlow stated that the treatment of the park has a lot to do with how it is dedicated, and the code is not explicit as to what specific improvements are to be made to the park except for that it has to be graded and have topsoil added to it. It should be addressed where they are planning on putting those two parks and making sure they put 5 parks in.

Attorney Randall stated that the pocket parks are there, they were not identified necessarily. He did indicate on the diagram on the overhead where the parks are located. The other conditions that were kind of daunting when we first saw it and indicated that they appreciate that this is a collaborative process and they have been working hard on these plans and we know of the conditions listed we would be able to quickly resolve them. He stated that all of this does come together in a development agreement and in working with the Village Attorney which has all the commitments that are required in the PUD zoning as well as a number of these other commitments. He stated there will be a third layer if you will, there was the ordinance and the PUD, the approvals by the public body and then the contract, which is the development agreement that is still being drafted. He stated that there is a lot here, but we can work through those conditions.

Chairman Boldt stated that it has been 13 months since PUD approval, and he would expect a cleaner letter and that most of these things would have been taken care of.

Commissioner Atwood stated she came into the meeting until she talked to the planner with not enough information. She stated that she is disappointed that there is not more for the Plan Commission.

Commissioner Leker asked what is needed on the easement review on the rest of the easements, do you have what you need or are you still missing stuff for easements to the creek and stuff.

Emily Rowntree stated that they can go back and work with Pinnacle to make sure all of those are accurately shown.

Commissioner Leker asked if that was a big roadblock in her mind or is that something you could easily work through.

Emily Rowntree stated yes.

Commissioner Klemko asked how long it would take to update all of this and re-present it.

Aaron Koch from Pinnacle stated there has been a lot of work on the final design, working with staff here and working with our team and the general contractor, there have been a lot of moving pieces. He stated that it may seem like we should have brought something more but there is a lot a lot of work put forth into this.

Attorney Randall indicated that Aaron was talking about the coordination we have had between the architecture and design to make sure the buildings are consistent with the PUD we originally presented it, and all the earth work. He stated to the Chairman's point that it has been 13 months; it is a big site that has a lot of planning that is going into it certainly working through any of the DOT and environmental issues. He stated all of this is documented in this process as Aaron said it does all take time and coordination, but they are at that point where things are essentially ready, and things will happen now as it all comes together. He indicated the CSM is important for the transaction so they can buy the property and of course they can't build anything until they can buy the property and have the permits that all goes along with the development agreement that is coming shortly. He stated that as Aaron indicated a lot of work has gone into it and the work will continue as we clear out those conditions. He stated that as indicated with the pocket parks, they are there and need to make them more prominent in the plan. He stated there is not a lot that they have to start over, just need to make sure those conditions are met.

Commissioner Dietz stated he is hearing there is a handful list of things, and you are saying they are just touch up things, but I am also hearing that you say there is too much work to make these changes in.

Aaron Koch stated there is a lot of work that has gone into the last 13 months but to get to the next point we are almost there. He indicated that this is very minor tweaky type adjustments that is not going to make us go back and restart at the drawing board, we are almost there.

Commissioner Atwood asked Administrator Kerkman if the staff is working well with him.

Administrator Kerkman stated yes, historically when Pat Mehan was the Village Planner it was common that he would have a list of 20 or 30 items that needed to be addressed and they will address them, if they don't address them and I or the staff can't agree with them we are going to have to come back to the planning commission. He stated that basically you are approving it with all of these changes or additions and if they take one of them and don't want to do it for whatever reason, that is not how you approved it so they would have to come back and say this one item we don't want to do. He indicated that usually we are able to work with them to try to solve the issue and move forward. He stated that the developer's agreement will cover most of the conditions.

A motion was made by Commissioner Leker and seconded by Commissioner Dietz for **CONDITIONAL APPROVAL** of the request of JoAnn Rubio (Applicant), Bristol 130th & 50 LLC (Owner) and LEO@Bristol LLC, Advenir Development LLC, (Developer) for Certified Survey Map 1 and Certified Survey Map 2 on tax parcel #37-4-121-122-0334,

37-4-121-111-0400, and a portion of 37-4-121-122-0200 based on the review of the submitted materials, the verbal comments on June 23, 2024 from Strand, the GRAEF Memo dated June 18, 2024 and subject to the following:

- (1) Applicant shall submit a Natural Resource Protection Plan demonstrating that 100% of the disturbed wetlands shall be mitigated within the same sub-watershed; and
- (2) All wetlands, floodplains, and streams not to be disturbed shall be shown as protected by conservation easement on the proposed CSM; and
- (3) The Applicant shall submit a Tree Survey showing the entire extent of impacted trees on the site; and
- (4) Areas of woodlands proposed not to be disturbed shall be shown as protected by conservation easement on the proposed CSM; and
- (5) The Applicant shall submit a revised construction timing schedule; and
- (6) The Applicant shall pave a ten foot (10') wide trail in anticipation of connecting to the future Root River trail;
- (7) The Applicant shall submit a lighting plan; and
- (8) The Applicant shall revise the Landscape Plan to plant the required number of street trees; and
- (9) The Applicant shall provide in a developer's agreement assurance that the proposed street extensions will be completed within their property at the property owner's expense when an extension is necessary; and
- (10) The Applicant shall provide a public stream access easement to the stream on the Subject Property connecting to the proposed "Public Road 1" dedicated to the Village of Bristol; and
- (11) The Applicant shall NOT be required to install a landscape bufferyard along STH 50 for the purposes of this development; and
- (12) The Applicant shall revise the Detailed Implementation Plan to include five (5) mini parks north of the proposed "Public Road 1;" and
- (13) The Applicant shall revise the Site Plan to include pathways to the existing Village Trailhead located to the east of the Power Line easement; and
- (14) The Applicant shall submit a plan for the improvement of public lands to be dedicated in a developer's agreement.

- (15) Applicant shall address any other issues which arise by approving or objecting authority which the Village Plan Commission or the Village Board deem necessary for the applicant to address which has been made or may be made by the Village Administrator, Village Attorney, Village Engineer and Village Planner.

The motion carried with 6 Ayes and 1 Nay (Bolton).

b. Discuss and consider for approval the request of Joann Rubio 13830 58th Street North #410, Clearwater, FL 33760 (Applicant), Bristol 130th & 50 LLC 4011 80th Street, Kenosha, WI 53142 (Owner) and LEO@Bristol LLC, Advenir Development LLC, 17501 Biscayne Boulevard #300, Aventura, FL 33160 (Developer) for a Site Plan Review on tax parcel #37-4-121-122-0334 PT NW 1/ 4 & SW 1/ 4 SEC 12 T R 21, 37-4-121-111-0400 PT NE ¼ SEC 11 T 1 R 21, and a portion of 37-4-121-122-0200 PT of W 120 acres of NW ¼ SEC 12 Town 1 Range 21, Village of Bristol, Kenosha County, Wisconsin. For informational purposes this property is located at the dead end of 130th Avenue, 2400 feet south of the intersection of 75th Street, Bristol, WI.

Chairman Boldt had a question regarding the plan that was done back in May of 2023. He stated that this is the general development plan asking if this is the final plan.

Dominic Marlow stated that May of 2023 was the approval of the general development plan indicating there were two conceptual plan reviews prior to that. He stated that this is the detailed implementation plan, which is basically the PUD version of site plans, this is the final approval of the portion of the development. He stated that there will be another version of this for the next phase that will come before the Plan Commission.

Attorney Randall indicated that there is nothing new, everything is consistent with what has been approved before.

Dominic Marlow, Village Planner, began his review of the plan by stating that we have a site plan that has to conform with the R9 zoning unless the general development plan makes an exception for the R9 standard. The general development plan is also the zoning district in addition to the R9. He indicated that the applicant is required to submit a written statement as to the primary changes from the original development plan, which has been received. He discussed the variations that were allowed in the general development plan that are relevant to his review. He stated that the applicant is required to submit a survey of the property that has been submitted indicating there are no concerns with the topography. He stated that the detailed development plan shows proposed circulation that is generally the same layout as the general development plan. He indicated that the driveway locations have changed due to the addition of more buildings that have driveways and garages. He addressed private roads stating that overall, the make-up sight is similar and talked about the reduction of driveway cuts. He stated that the proposed walkways are mostly unchanged internal to the site and indicated that the sidewalk along the private road that connects to 130th Avenue has been changed to allow pedestrians to walk only on one side of the street. He noted that there are no connections shown to the

southern portion of the site and the location of curb ramps and crosswalks were not identified and requested the plan be revised to include those details. He discussed the proposed 20 ft horse trail shown around the southern portion of the site and the need for additional pathways to be included to provide adequate circulation to access the stormwater pond features and provide circulation all the way around the site. He indicated that the detailed lot arrangement is generally the same indicated there is a slight change in the roadway alignment. He noted that the building arrangement has been submitted with a change which they are not concerned with as it is still conforming to the overall packet. He discussed the setback variations and options which was followed by a discussion regarding how the applicant will proceed. He stated that the use of nonresidential buildings needs to be specified which were all anticipated before. He indicated that right now there is minimal detail for the treatment of open spaces in which the applicant shall revise the Site Development Plan to include additional details required as to furnishings, landscaping, recreational facilities and amenities. He stated that the grading plan has been submitted indicating that conditions of approval may require significant changes to site grading. He discussed the submitted landscape plan and the requirement of the applicant to install a Type 1 Bufferyard along the east side of the property line along the overhead electric wire utility easement. He stated that the applicant shall submit plans for fencing, walls, signs, a lightening plan and architectural plans, as well as an updated phasing plan. He stated that the final part of the review is variations in the Detailed Implementation Plan indicating that all the changes are minor, and nothing is of concern.

Emily Rowntree, Village Engineer, stated that their review for tonight is specific to the improvements of the lot indicating anything public infrastructure related is being addressed as part of subsequent engineering reviews. She stated that they are working with Pinnacle directly to address public infrastructure changes as it has gone beyond the point of Plan Commission and Village Board approval. She stated that Strand is designing the lift station, and it is being appropriately sized and ordered to serve LEO as well as the surrounding future development. She stated as to the private improvement plan submitted, their summary lists items to be addressed when submitting final engineering drawings for Villages and that the comments made should not impact actions taken by Plan Commission as they are not all inclusive. She indicated Pinnacle is submitting a response letter to address the list of comments for future reviews. She stated to help facilitate their review she is adding street names to the individual sheets and has asked the applicant to remove the bump outs from the paving plan and to review the street tree removals on 130th Avenue. She indicated that for future submittals the applicant shall provide spot grades on curb ramps and parking stalls, calling out any proposed signs, labeling cross walks and stop bar pavement markings. She addressed that sanitary sewer in which the watermain shows connection with a meter pit for private and public where the water would be master metered for billing purposes indicating that connections to the public sanitary sewer should be a monitoring manhole with a weir for flow monitor for billing purposes.

Chairman Boldt asked if the Village requires metering manholes on a residential development.

Administrator Kerkman stated that sewer goes to the City of Kenosha and the water comes from Lake Michigan so the difficulty is if it is going to be master metered for water to all the units if they wanted to use sprinkling systems for landscaping, you would have to put deduct meters in almost every one of those units. He indicated that the easiest way to figure this out since all the sewer is going back to Kenosha is to actually have a monitoring manhole that we can put a weir in, it doesn't necessarily have to put a Weir in it, that we can monitor for I/I. He stated that if we just charge them for sewer but if there is infiltration coming into their system, we have to have a way to bill them for that because we are getting billed from the City of Kenosha.

Emily Rowntree stated that for the storm sewer they are currently proposing high-density polyethylene (HDPE) indicating that is fine in of itself but the high-density polyethylene must have adequate cover over the pipe as it is not recommended at shallower depths. She indicated that it would be up to the applicants engineer to review. She stated the recommendation would be to use concrete pipe if there are locations where the storm sewer becomes too shallow. She addressed the storm water management plan noting that several curve numbers and times of concentration values shown on the Proposed Hydrology Exhibit do not match the values listed in the Post-Development Peak Flows table and the HydroCAD model indicating the applicant would need to revise the table and model or exhibit as necessary.

She stated that one storm sewer calculation sheet is missing, and the calculations need to be provided for Catch Basins (CB) 7B through 26. She asked that it be confirmed that CBs 24, 23, and 16 will not surcharge into the street in the 25-year design storm. She indicated that a hydraulic grade line (HGL) elevation or profile showing the HGL needs to be provided. She stated that all comments should be able to be addressed through future reviews.

Chairman Boldt asked who does the architectural review of the pumping station which he is assuming will be a building structure.

Emily Rowntree stated Strand would do the design of it and it will be sent to GRAEF for review.

There was a discussion regarding how we are billed for wastewater by Kenosha and how the Village will bill the residents.

Gary Dietz stated that there are 16 homes that depend on the trees addressed in the earlier discussion as their background indicating that all of a sudden, we are going to see all these buildings instead of a nice tree line. He asked the members of the Plan Commission if they were okay with cutting all those nice trees down.

Tom Roth indicated that it would be nice if the homeowners could see all the notes we are hearing about tonight as they are learning about this stuff so when they look back in a year or 2 and see if things were changed or not changed, they have this documentation to look back on. He indicated he would like to get the updated GRAEF Memo.

Commissioner Leker asked if there could be a discussion as to saving or protecting the trees on the east side.

Aaron Koch stated that they went out and identified the good trees that are in there and indicated he was going to verify with the architect, but he does not believe there is anything more of quality to the south. He stated that the trees that we have here are all of the trees indicating that the trick they have with this site is it slopes from the east side, which is high to the west side, so it has to be leveled out. He stated that as the site is flattened out fill must be placed on the west side, and we have to cut on the east side in which those trees are in that cut zone. He stated that there should not be too much cut to the trees along the property line, there will be some root disturbance there, but they will try to save the 12 trees they have identified even if the grades need to be adjusted a bit. He indicated they would work with the developer.

Gary Dietz asked how many trees were taken down in Bristol Commons with was followed by a brief discussion regarding the development of Bristol Commons.

Dominic Marlow asked if retaining walls could be used to limit grading activities.

Aaron Koch stated that it really depends and that he wants to get out there and actually see it and cut a little to see what the root structure is indicating you have to cut more to put in a retaining wall because you have to potentially have tie backs and grading behind those walls, and in some cases when you build a wall the roots will push the wall over which would be a mess.

Tom Roth made the request that if they do harvest trees to be cognizant of the rare oaks.

Commissioner Leker stated that he wanted to encourage them to save the trees which are a huge asset to the community and would go a long way with the neighbors.

Commissioner Atwood stated that as you can see those neighbors have calmed down remarkably compared to what it was when this first stepped foot asking them to please work with the neighbors.

A motion was made by Commissioner Leker and seconded by Commissioner Dietz the **CONDITIONAL APPROVAL** on the request Joann Rubio (Applicant), Bristol 130th & 50 LLC (Owner) and LEO@Bristol LLC, Advenir Development LLC, (Developer) for a Site Plan Review on tax parcel #37-4-121-122-0334, 37-4-121-111-0400 and a portion of 37-4-121-122-0200 based the materials submitted, the notes from Strand Letter dated June 18, 2024, and the GRAEF Memo dated June 18, 2024 and subject to the following conditions:

- (1) The Applicant shall provide complete unit counts for the revised mix of units; and
- (2) The Applicant shall provide an east-west access from the development to the future Village park; and

- (3) The Applicant shall revise the Detailed Implementation Plan to place the mini-park central to the proposed “Public Road 1” aligned with the perpendicular private street to the north; and
- (4) The Applicant shall revise the Site Development Plan to include ADA curb ramps and crosswalks to the southern portion o
- (5) The Applicant shall provide pathways around the northern perimeter of the site to provide access to environmental features and stormwater paths; and
- (6) The Applicant shall provide pathways to the east connecting the community building to The future park beyond the overheard electrical wires; and
- (7) The Applicant shall revise the Site Development Plan to include the required amount of Pocket parks including additional details as to their improvements such as furnishings, Additional landscaping, recreational facilities, and amenities; and
- (8) The Applicant shall revise the site grading plan to reflect the any future changes in the site development plan, and changes to site grading shall not further impact natural resource features on the Subject Property; and
- (9) The Applicant shall install a Type 1 buffer yard along the east property line along the Overhead electric wire utility easement; and
- (10) The Applicant shall remove the note along Public Road 1 stating “Section 13-1-324 General bufferyard requirements buffer not required since R-9 is lower use than A-1;” and
- (11) The Applicant shall submit plans for fencing, walls, signs, and a Lighting Plan; and
- (12) The Applicant shall submit architectural plans; and
- (13) The Applicant shall submit an updated construction phasing plan.

The Motion was carried unanimously.

8. Next Plan Commission Meeting is scheduled for July 23, 2024.

9. The meeting was adjourned at 8:45 p.m..

Respectfully Submitted,
Renee Brickner, Plan Commission Secretary