

Minutes

MINUTES

BOARD OF PUBLIC WORKS MEETING

NOVEMBER 5, 2001

New Berlin City Hall Common Council Chambers

3805 S. Casper Drive.

Meeting was called to order at 8:00 a.m.

Members Present: Mayor Wysocki, City Engineer J.P. Walker, Alderman Chiovero, Alderman Scheuble and Alderman Ament

Staff Present: John Graber, Division Engineer

Others Present: Michael Losik of Losik & Associates, Bill Bodner (Developer for Jacob's Ridge) and Dean Frederick of Thomson Corporation

ITEM 01-01 Approval of Minutes

Motion by Mayor Wysocki to approve the minutes of October 1, 2001. Second by JP Walker. Upon voting, motion passes unanimously.

ITEM 32-01 National Avenue Side Paths

Median Construction

- Per City Engineer JP Walker, the resolution has been drafted and it is currently being reviewed internally. The resolution will be ready for the next board meeting on December 3, 2001.
- The complaints for this intersection (Glen Park and National Avenue) have been known from previous discussions. Alderman Chiovero feels the situation is okay but still not comfortable.
- Mayor Wysocki is concerned that the width of this boulevard (or turning section) is not safe for proper left hand turns.
- A traffic light study is in the process per Alderman Chiovero.

ITEM 34-01 Jacob's Ridge Single Family Development Agreement

- Division Engineer John Graber gave a brief over view regarding the above stated project. Stated this project is a 4-lot land division south of Westward Manor Subdivision and west of Calhoun Road.
- Mayor Wysocki pointed out that this development is not dependent on the condo project. John Graber responded that is correct.
- Alderman Scheuble asked if there could be further subdivisions with these lots?
- The way this subdivision has been designed per John Graber, no. Stated this project is similar to the project east of Willows.

- Alderman Scheuble asked if the drainage plans and erosion control plans, are they finalized?
- The plans are for the most part completed, but there are a few areas that need to be updated per John Graber.
- Limits of disturbance, where is that located in the developers agreement asked Alderman Scheuble?
- John Graber responded board recommended approval in August 1999 and Council approval August 1999 and states that pre-dates the ordinance of the Limits of Disturbance. Only natural item that will be disturbed, as part of the developers portion, will be the installation of the cul-de-sacs and utilities located in ROW.
- Alderman Chiovatero asked if utilities are coming off the front of the street?
- John Graber responded he doesn't have the information currently at this time.
- Issue of detention facility, Mayor Wysocki asked since the facility will have to be maintained by the Homeowner's Association, will there be an enforcement for that requirement put in the lot recordings?
- When the final plat of survey is brought forward, there will be a drainage easement per John Graber.
- Alderman Ament asked about the Homeowner's Association, if this would be part of another association?
- John Graber responded it depends on the developer on how he sets it up. From a City's stand point, it wouldn't be appropriate to put the burden on maintaining that detention facility on one individual landowner.
- Michael Losik states that the drainage of this subdivision by nature drains to north and west. That explains why the subdivision has its own detention basin.
- Alderman Scheuble asked how much tree clearing or nature will be removed from these lots?
- Mr. Losik responds he doesn't have that information at this time. Stated that the owner could answer that for him.

Motion by Alderman Scheuble to table this item. Second by Alderman Ament.

- Alderman Chiovatero feels this project doesn't have anything to do with the adjacent property.
- Scheuble asked if there was any clearing into any properties?
- Alderman Chiovatero stated that the only clearing (removal of trees) that was done, was street, cul-de-sac and right-of-way easement. Other parts of the properties remained untouched.
- Bill Bodner explained that there was nothing done to these properties (single-family portion). Whatever trees are there on these properties, were there when his company bought this land.
- Scheuble asked if there was an inventory of trees done when the land was purchased?
- Bill Bodner responded there might have been.
- Alderman Ament asked who gave permission to start the work?
- John Graber responded he believed it was the former City Engineer.

Motion to table fails 3-2. Mayor Wysocki, JP Walker and Alderman Chiovatero voted against.

Motion by Mayor Wysocki to recommend to the Common Council approval of the Developer's Agreement subject to final review as to form by the City Attorney. Second by Alderman Chiovatero. Motion passes, with Alderman Scheuble voting against.

ITEM 35-01 Preserve at Weatherstone Meadows

Development Agreement

- Division Engineer, John Graber explains this project has been around for a while. Located on the west side of Sunnyslope Road and immediately opposite Linnfield Drive. It is a condo project brought forward with an agreement a couple of years ago.
- Dean Frederick representing Thomson Corporation and the owner this parcel. He explains in a condo project, in order to sell, you have to have the product available. We obtain permission to start building the condos ahead before the utilities are installed and ask for only a building permit and not an occupancy permit.
- Mayor Wysocki asked what the first phase would be (by building number)?
- Dean responds it would be buildings

1-9

16-22

31-35

That would all be phase I and predicated on sewer availability on Sunnyslope Road.

- Mayor Wysocki asked if this is the same layout that was put forth to the Plan Commission back in March of this year?
- Dean responds yes.
- JP asked for Dean to explain to the other Board members the Storm Water Management Plan as to where the ponds are located and how water is directed from Phase I to those ponds.
- Mr. Fredericks explains that Phase I development requires a construction of a pond that will be part of Phase 2. What our company has done, there is an area that encompasses which they are building a water quality pond and a permanent retention facility.
- Alderman Scheuble asked how close are the wetlands to the roads (on the map, it shows there is a wetland that is very close to a cul-de-sac)?
- Dean Frederick responded it would be about 10 feet off.
- Alderman Scheuble asked about the limits of disturbance. Stated that only 60% of land can be disturbed. How much of the area will be disturbed and how will it affect the drainage issue?
- Dean Fredericks responds to the drainage issue. The drainage is the same as it is right now. To address the disturbance (tree inventory) the PUD was passed in 1999, there was a tree assessment done and an inventory was done. Stated that any tree that is removed because of the tree being dead or wilted, it will be replaced with new tree.
- City Engineer stated that this agreement has been reviewed in every detail and all the conditions have been met that pertain to Storm Water Management.
- Alderman Ament asked for a clearer picture regarding the building permits that are being asked for?
- Dean Fredericks responds that his company is looking for a building permit to start early construction and it would be prior to utilities being installed.
- Alderman Ament asked if this issue has been to the utility committee yet?
- Per JP, developer agreements do not need to go to the utility committee. There are no issues to be brought forth.
- Division Engineer John Graber expressed how this issue is strictly a planning issue and developer agreements don't go to the utility committee.
- Alderman Scheuble brought up the topic of capacity. How often is it reviewed? Asked how many trees are going to be removed?
- Mayor Wysocki stated that the issue of capacity is reviewed every 10-years. The capacity is not set in stone. Review for capacity by MMSD, will be in either 2005-06 and it is on going opportunity. Wanted to clarify that the trees are going to be replaced that are taken down.

Motion by Mayor Wysocki to recommend approval to the Common Council the approval of the developers agreement subject to final review as to form by the City Attorney to also include Section X A.2 "except building permits for up to four initial buildings may be issued upon execution of this agreement and installation of a stone construction road to the building". Second by JP Walker. Motion passes, with Alderman Scheuble and Alderman Ament voting against.

Motion by Mayor Wysocki to adjourn. Second by Alderman Scheuble. Upon voting, motion passes unanimously.

Meeting adjourned at 9:12 a.m.