

Please note: Minutes are unofficial until approved by the Plan Commission at the next regularly scheduled meeting.

PUBLIC HEARINGS

6:00 P.M. ()JT PG-741(7) Zoning Ordinance Revision – Brew Pubs.

NEW BERLIN PLAN COMMISSION

MARCH 2, 2009

MINUTES

The public hearing relative to the revisions to Table 275-34-1 (Commercial Districts), Table 275-35-1 (Office and Industrial Districts), 275-70 (Definitions), and Section 275-41C (12)(c) (Use Specific Regulations) of the City’s Zoning Code to accommodate a new use for a “brewpub” into the Zoning Code was called to order by Mayor Chiovaturo at 6:04 P.M.

In attendance were Mayor Chiovaturo, Mr. Sisson, Mr. Christel, Alderman Ament, Ms. Broge, and Ms. Groeschel. Also present were Greg Kessler, Director of Community Development; Jessica Titel, Associate Planner; Corliss Tischer, Code Compliance Specialist; and Mark Blum, City Attorney. Mr. Felda was excused.

Mayor Chiovaturo explained the procedure for a public hearing saying that he would ask for questions for clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Ms. Titel read the public hearing notice and stated there was proof of publication.

Ms. Titel explained the purpose of the public hearing is to receive comments from all interested persons with respect to the above stated revisions to the City’s Zoning Code to accommodate a new use for a “brewpub” into the Zoning Code. A complete copy of the proposed amendments are on file and open for public inspection during normal business hours in the office of the City Clerk and the Department of Community of Development for the City of New Berlin.

Mayor Chiovaturo asked for questions or comments for the purpose of clarification?

Rhoda Flagg, 3180 S. Thornapple Lane – Will carry-outs be allowed of any kind?

Ms. Titel – This code amendment does not allow for any carry-outs. The applicant does not intend to sell beer outside of the premise.

Mayor Chiovaturo asked three times for questions or comments for the purpose of clarification, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in favor of this application, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in favor of this application, seeing none.

Mayor Chiovero asked for questions or comments from the Plan Commissioners, seeing none.

Mayor Chiovero closed the public hearing at 6:10 P.M.

6:01 P.M. (5)JT RZ-09-1 City of New Berlin (proposed Passport Brewhaus) – 4900 S. Moorland Rd. – Rezone from B-4 to B-2.

NEW BERLIN PLAN COMMISSION

MARCH 2, 2009

MINUTES

The public hearing relative to the rezoning of the property located at 4900 S. Moorland Road from B-4 to B-2 petitioned by the City of New Berlin was called to order by Mayor Chiovaturo at 6:10 P.M.

In attendance were Mayor Chiovaturo, Mr. Sisson, Mr. Christel, Alderman Ament, Ms. Broge, and Ms. Groeschel. Also present were Greg Kessler, Director of Community Development; Jessica Titel, Associate Planner; Corliss Tischer, Code Compliance Specialist; and Mark Blum, City Attorney. Mr. Felda was excused.

Mayor Chiovaturo explained the procedure for a public hearing saying that he would ask for questions for clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Ms. Titel read the public hearing notice and stated there was proof of publication.

Ms. Titel gave a brief presentation describing the request and indicated the location.

Mayor Chiovaturo asked three times for questions or comments for the purpose of clarification, seeing none.

Mayor Chiovaturo asked three times if there was anyone who wished to speak in favor of this application, seeing none.

An e-mail from Louis and Mary Fennig, and Dan and Sheila Cook stated they were in favor of this rezoning.

Mayor Chiovaturo asked three times if there was anyone who wished to speak in opposition of this application, seeing none.

Mayor Chiovaturo asked for comments or questions from the Plan Commissioners, seeing none.

Mayor Chiovaturo closed the public hearing at 6:14 P.M.

NEW BERLIN PLAN COMMISSION

MARCH 2, 2009

MINUTES

PRIVILEGE OF THE FLOOR

The Plan Commission Meeting was called to order by Mayor Chiovaturo at 6:15 P.M.

In attendance were Mayor Chiovaturo, Mr. Sisson, Mr. Christel, Alderman Ament, Mr. Felda, Ms. Broge, and Ms. Groeschel. Also present were Greg Kessler, Director of Community Development; Amy Bennett, Associate Planner; Jessica Titel, Associate Planner, Nicole Hewitt, Storm Water Engineer; and Mark Blum, City Attorney.

Motion by Mr. Sisson to approve the Plan Commission minutes from February 2, 2009. Seconded by Ms. Broge. Motion carried unanimously.

PLAN COMMISSION SECRETARY'S REPORT - The site visit has been scheduled for the eight-lot conservation subdivision at 19300 W. Observatory on March 26, 2009 at 10:00 A.M.

NEW BUSINESS

1. (1)AB LD-09-01 Engelhardt – 1626 S. Berlin Ave. – Nw ¼ Sec. 1 - One-Lot Land Division.

Motion by Mr. Sisson to recommend to the Common Council approval of the one-lot certified survey map for the property located at 1626 S. Berlin Avenue subject to the application, plans on file and the following conditions:

- 1) General:
 - a) Applicant shall correct all drafting errors and requested changes identified by Staff on the final CSM prior to the City signing.
 - b) A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required.
- 2) All easements, if applicable, shall be shown on the face of the CSM.

Seconded by Alderman Ament. Motion carried unanimously.

2. (1)AB UA-09-04 Engelhardt – 1626 S. Berlin Ave. – Garage Addition.

Motion by Alderman Ament to approve Use and Site for the construction of a garage addition onto a legal non-conforming single-family home located at 1626 S. Berlin Avenue subject to the application, plans on file and the following conditions:

- 1) Architecture of proposed garage addition shall match the architecture of the existing structure and shall be reviewed by Inspection Services at the time of building permit.
- 2) A grading plan shall be submitted with Building Permit application showing existing grades at the house and in the existing drive and/or culvert and proposed elevations of the garage slab. Applicant shall show any proposed low points in the driveway, and how drainage can be made to drain around the house or stay in roadside ditch.
- 3) Apply and obtain appropriate building and electric permits.
- 4) Building shall meet all requirements of the State of Wisconsin Uniform Dwelling Code Comm. 21 thru 23.
- 5) Frost depth footings are required due to breezeway connection.
- 6) Applicant shall install erosion control measures as required by Inspection Services.

Seconded by Ms. Broge. Motion carried unanimously.

3. ()GK PG-516 –Comprehensive Plan Update

Mr. Kessler updated the Plan Commissioners on the status of the process that is being undertaken to update the Comprehensive Plan. Minutes of meetings, power point presentations, draft chapters and associated links to state websites where you will find Smart Growth & Comprehensive Planning legislation, information and element guides can be found on the project website www.newberlinplan.com

Mr. Kessler gave notification of the upcoming meeting for Neighborhood “B” & “I” on March 4, 2009, Steering Sub-Committee Meeting on March 9, 2009, and Neighborhood “F” Meeting on March 18, 2009. The schedule is available on the website.

A draft Comprehensive Plan should be presented to the Plan Commission by September or October, 2009.

4. (1)JT UA-09-03 Paul & Jamie Wessler – 12650 W. Meadow Ln. – Retaining Wall.

Motion by Mr. Sisson to approve the request for an existing retaining wall located at 12650 W. Meadow Lane subject to the application, plans on file and the following conditions:

- 1) Applicant shall install a drainage pipe or drain tile system along the bottom (eastern side) of the retaining wall.

- 2) Any new downspout connections or replacements shall be located 10-feet from the property lines and shall discharge on to a grassed area. Existing drainage pipes to be located outside of the right-of-way.
- 3) Runoff from the paved or graveled area shall not be directed toward the adjacent property.
- 4) Applicant shall provide a survey to confirm the location of the retaining wall.
- 5) Retaining wall shall be maintained in good repair.
- 6) Applicant shall remove any portions of the retaining wall that are within the public right-of-way.
- 7) Per Section 275-42.E of the Zoning Code, the retaining wall area shall be kept clear of trash, debris and/or stored items.

Seconded by Ms. Broge. Motion carried unanimously.

COMMUNICATIONS

5. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: Planning Commissioners Journal, Winter 2009

Plan Commissioners acknowledged receipt of this communication.

ADJOURN

Motion by Mr. Sisson to adjourn the Plan Commission meeting at 6:35 P.M.
Seconded by Alderman Ament. Motion carried unanimously.