

**PLEASANT PRAIRIE PLAN COMMISSION MEETING
VILLAGE HALL AUDITORIUM
9915 39TH AVENUE
PLEASANT PRAIRIE, WISCONSIN
5:00 P.M.
January 23, 2006**

A regular meeting for the Pleasant Prairie Plan Commission convened at 5:00 p.m. on January 23, 2006. Those in attendance were Thomas Terwall; Michael Serpe; Donald Hackbarth; Wayne Koessl; Eric Olson; Jim Bandura; John Braig; Larry Zarletti; and Judy Juliana. Also in attendance were Michael Pollocoff-Village Administrator; Jean Werbie, Community Development Director.

- 1. CALL TO ORDER.**
- 2. ROLL CALL.**
- 3. CORRESPONDENCE.**
- 4. CONSIDER THE MINUTES OF THE JANUARY 9, 2006 PLAN COMMISSION MEETING.**

Mike Serpe:

Move approval.

Jim Bandura:

Second.

Tom Terwall:

MOTION BY MIKE SERPE AND A SECOND BY JIM BANDRUA TO APPROVE THE MINUTES OF THE JANUARY 9, 2006 MEETING AS PRESENTED IN WRITTEN FORM. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? So ordered.

- 5. CITIZEN COMMENTS**

Tom Terwall:

If you're here for either Item A or B on tonight's agenda, we would ask that you hold your comments until the public hearing is held so we can incorporate your comments as part of the official record of the public hearing. However, if you're here to speak on any item that's not on

the agenda or Item C, now would be your opportunity to speak. We would ask you to step to the microphone and begin by giving us your name and address. Anybody wishing to speak under citizens' comments?

--:

Would that include the petition of the 26th Avenue?

Tom Terwall:

We'll take that as part of the public hearing. Anybody wishing to speak under citizens' comments? Seeing none we'll close citizens' comments.

6. NEW BUSINESS

A. PUBLIC HEARING AND CONSIDERATION OF A PRELIMINARY PLAT for the request of Ted Pickus, agent for Prairie Trails LLC, owner of the properties generally located north of 128th Street and east of the Kenosha County Bike Trail for a Preliminary Plat for the proposed 146 single-family lot subdivision to be known as Prairie Trails East.

B. PUBLIC HEARING AND CONSIDERATION OF A ZONING MAP AMENDMENT for the request of Ted Pickus, agent for Prairie Trails LLC, owner of the properties generally located north of 128th Street and east of the Kenosha County Bike Trail to rezone the property for the proposed Prairie Trails East Subdivision as follows: the field delineated wetlands into the C-1, Lowland Resource Conservancy District, the proposed single family lots into the R-4, Urban Single Family Residential District and the non-wetlands of the proposed Outlots into the PR-1, Park and Recreational District.

Jean Werbie:

Mr. Chairman, I would ask that both Items A and B be brought up for consideration. Separate action will be needed by the Plan Commission but my presentation will cover both items.

John Braig:

So moved.

Mike Serpe:

Second.

Tom Terwall:

All in favor say aye.

Voices:

Aye.

Jean Werbie:

So the two items that we'll be discussing as part of the public hearing this evening are the first, a preliminary plat for the request of Ted Pickus, agent for Prairie Trails LLC, owner of the properties generally located north of 128th Street and east of the Kenosha County Bike Trail for a preliminary plat for a proposed 146 single family lot subdivision to be known as Prairie Trails East.

And then the second item is consideration of the zoning map amendment for that same property to rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District, to rezone the proposed single family lots into the R-4, Urban Single Family Residential District, and to rezone the non-wetlands of the proposed outlots into the PR-1, park and Recreational District.

Mr. Chairman, this is a project that we've been working on for a very long time. There's a great deal of background information that the staff would like everyone to have the benefit of before we open up the public hearing to everyone for discussion. So I'm going to begin with background information.

The proposed Prairie Trails East Subdivision is located within the south central portion of the Sheridan Woods Neighborhood. The Sheridan Woods Neighborhood is generally located between 116th and 128th Streets and between Sheridan Road and 39th Avenue. The Village's Comprehensive Land Use Plan indicates that portions of this Neighborhood are likely to be developed prior to 2010. If and when the neighborhood develops, it should be developed with densities within the Lower-Medium Residential Land Use category. That means that the average lot areas per dwelling unit ranging from 12,000 and just under 19,000 square feet per unit. The Neighborhood Plan proposes a net density of about 21,047 square feet per dwelling unit so just under a half acre. This Neighborhood Plan density is slightly less than the density recommended by the Village's Comprehensive Plan.

Background: On July 25, 1990, the Village Plan Commission held a public hearing and on July 30, 1990 the Village Board held a public meeting and approved a Master Conceptual Plan for the development of properties in the vicinity of 122nd Street located east and west of the Kenosha County Bike Trail in the areas now known as Prairie Trails West, Prairie Trails West Addition #1, Oakridge Subdivision and the proposed Prairie Trails East Subdivision.

On April 27, 1994, the Village Plan Commission held a public hearing and approved a Neighborhood Plan for a portion of the Sheridan Woods Neighborhood located at 116th Street and 39th Avenue.

On June 12, 2000, the Village Plan Commission held a public informational meeting at the request of Prairie Trails, L.L.C. to amend the southwest corner or approximate 90 acres of the Sheridan Woods Neighborhood Plan in conjunction with requesting the approval of a Conceptual Plan for the Prairie Trails East single-family subdivision. During the Plan Commission meeting several property owners expressed concerns regarding the plan and one of the property owners, Karl Christiansen, owner of the property located at 3201 122nd Street submitted an alternative for this portion of the Neighborhood Plan. The Plan Commission then tabled the request for further review by the Village Staff. The Village staff determined it was necessary to re-evaluate the

entire neighborhood plan for Sheridan Woods. The Village contracted with land use planners from Milwaukee, HNTB, to assist in the preparation of the revised Neighborhood Plan.

On March 12, 2001, the Plan Commission held a Public Informational Meeting and presented a revised plan for the entire Sheridan Woods Neighborhood. The Plan Commission tabled the request to allow for additional comments made at the public meeting to be evaluated. Prior to presenting the revised Neighborhood Plans to the Plan Commission, the Plan Commission directed the Village staff to host another open house to discuss the revised Neighborhood Plans.

On July 11, 2001, the Village staff held an Open House to answer questions related to the revised Neighborhood Plans--Alternatives 1 and 2. About 40 residents and interested persons attended this open house.

On August 13, 2001, the Village Plan Commission held a public hearing and approved a revised Neighborhood Plan for the Sheridan Woods Neighborhood as a guide for making land use decisions and future development in the Village.

On October 13, 2003, the Plan Commission held a public hearing for the Conceptual Plan of the proposed Prairie Trails East Subdivision. The Plan Commission tabled the public hearing so that the Village staff could evaluate resident concerns regarding the crossing of 122nd Street to the east over the Kenosha County Bike Trail to serve both the Prairie Trails East and West Subdivisions.

The Plan Commission continued the public hearing on April 26, 2004 and recommended approval of the Conceptual Plan for the proposed subdivision; subject to the comments and conditions of the Village Staff Report. However, the Plan Commission sent no recommendation to the Village Board as to whether the Prairie Trails East subdivision road should cross the Kenosha County Bike Trail and connect to the Prairie Trails West subdivision.

On May 3, 2004, the Village Board received the Plan Commission recommendation from the April 26, 2004 Plan Commission public hearing, and after considerable discussion the Village Board decided to refer the Conceptual Plan back to the Plan Commission after the Conceptual Plan was revised by the Developer. However, the Board did decide that the crossing of the Bike Trail will not be required at this time and Alternative 2 related to the crossing of the Bike Trail would be approved with bollards being installed at 32nd Avenue and 122nd Street, which have been not installed to date; a cul-de-sac be installed on the east side of the Bike Trail; and that the Village will not maintain or make any improvements to the paved 122nd Street roadway between 32nd Avenue and the Bike Trail.

The Prairie Trails East Conceptual Plan was revised pursuant to the Board's discussion on May 3, 2004 and complies with the Sheridan Woods Neighborhood Plan with the following changes having been made:

- C the Kenosha County Bike Trail would not be crossed at this time with a public road;
- C the 30th Avenue roadway would end in a cul-de-sac adjacent and as part of Outlot 8, which is adjacent to the east side of the Kenosha County Bike Trail;
- C there would be two public access connections from 121st and 123rd Streets to Outlot 3, which is would be the Homeowner's Association owned wetland

conservancy and park and open space area. Again, Outlot 3 is that area that's just adjacent to the east side of the Kenosha County Bike Trail and the north/northwest corner;

- C 28th Avenue would not have a direct roadway connection between 121st and 123rd Streets to avoid a collector road function from 116th to 128th;
- C a 123rd Street connection would be added to connect 30th Avenue to 26th Avenue;
- C the retention basin would be relocated from an area east of 26th Avenue to another smaller location west of 26th Avenue. Again, that was to preserve a large amount of the trees in the very northeast corner of the proposed subdivision;
- C a 5.4 acre wooded area would be dedicated by the developer to the Village as a passive wooded park and open space area in the northeast corner of the subdivision.

On July 12, 2004, the Plan Commission held another public hearing related to the revised Conceptual Plan in accordance with those changes discussed by the Village Board at the May 3, 2004 meeting. The Plan Commission recommended that the Village staff further work with the Developer to prepare a plan which addresses the comments and works to preserve as many of trees in the northeast corner of the site. An alternative was roughly sketched by staff at the meeting and presented to the Plan Commission. Two alternatives for the northern portion of the site were presented at the Village Board Meeting on July 19, 2004.

- C Alternative 1 left the plan as presented; however, the developer had shown building pad areas and the proposed deed restrictions on these wooded lots, which show the woodland preservation and protection areas. This Alternative complies with the 2001 approved Neighborhood Plan.
- C Alternative 2, which was the preferred alternative, was selected which re-aligns 26th Avenue to the west side of the wetlands on Outlot 2 and preserves a portion of the wooded area as the public park. Outlot 3 which was originally shown as a public park is no longer proposed as a park. Outlot 3 would be a Homeowner's Association park with the wetlands area proposed to be preserved. This alternative does not change the number of lots but removes an area designated as an active public park adjacent to the Kenosha County Bike Trail and replaces the public park with a passive wooded park at the northeast corner of the subdivision.

On July 19, 2004, the Board conditionally approved the Prairie Trails East Conceptual Plan for the proposed single family development on 117.6 acres of land located within the south central portion of the Sheridan Woods Neighborhood. The Conceptual Plan indicated that 62.5 acres are proposed to be developed with 148 single-family lots; approximately 17.6 acres of land are proposed for new public right-of-ways, and approximately 38 acres are proposed as open space which includes wetlands, park space, retention areas and other open space.

At this time the petitioner is requesting approval of the Preliminary Plat for the proposed Prairie Trails East Subdivision. Again, this is the next step in the planning process after the conceptual plan before final plat. If approved, the preliminary plat is valid for two years. And in the State of

Wisconsin if the Preliminary Plat is approved with conditions and those conditions are satisfied within the two years, and a final plat is submitted that substantially conforms with the preliminary plat, then the community is bound to approve it. They cannot deny a final plat.

Under his preliminary plat, residential development, the Prairie Trails East Preliminary Plat proposes 61 acres of the 117.6 acre site to be developed with 146 new single-family lots and 8 Outlots. This is two lots fewer than the approved Conceptual Plan. The average single-family lot within the development is approximately 18,270 square feet. The net density of this neighborhood is 1.75 units per acre.

Population projections within the Prairie Trails East Subdivision that's based on the total number of households constructed when the subdivision is fully developed. It is likely that 399 persons would be living within the development at full build out.

Under school impact, the Village provides copies of proposed developments to the Kenosha Unified School District to assist in their planning. They have submitted a report back to us, and a total of 61 public school age children are likely to come from this development. As a side note they received initially back in 1990 and they are still receiving this same layout as revised over the years from the Village.

Under open space, approximately 37 acres or about 32 percent of the entire site is proposed to remain in open space. The open space includes parklands, wetlands, retention basins and other open space areas:

- C Parkland: Pursuant to the approved Conceptual Plan, a Neighborhood Park is located in the northeastern portion of this property shown as Outlot 2, which is 5.4 acres in size. There's also wetland in there. Outlot 2 is proposed to be dedicated to the Village for a public park and woodland protection purposes. In the fall of 2005, last fall, the Village's Park Superintendent walked this area and he recommended that in the southwest corner of the Outlot, where there is an open space area, a playground can be constructed without removing any large trees, the area would need to be graded and seeded. It is also recommended that there be some mulch surface trails that could be installed through the woods for the benefit of the property owners. The developer will be required to prepare the graded area and seed the area for park purposes for the Village.
- C Wetlands: A total of 9.66 acres of wetlands are located within Outlots 2, 3, 4, 5 and 7 that are proposed to be preserved. Mike is showing you all the different outlots on the map. The wetlands on Outlots 2, 3, 4 and 5 were identified in the field by a biologist on December 14, 1999 from SEWRPC, and the wetlands on Outlot 7 were identified in the field on June 11, 2003 by Hey and Associates. The Village has received concurrence from the DNR on the second staking on February 3, 2004. Just with all other wetland stakings they're valid for five years, so the original wetland stakings that were done by the developer need to be rechecked by SEWRPC in order to verify that they have not grown and that they are in the same location prior to final plat. If they have grown and there's modifications, the Preliminary Plat and Final Plat would need to be modified.
- C Floodplain: Pursuant to the Village Federal Insurance Rate Maps, known as FIRM maps, as prepared by the Federal Emergency Management Agency, FEMA, a portion of this property is located within the 100-year floodplain.

However a detailed floodplain study was not yet been completed for this property so FEMA's FIRM maps indicate that a base flood elevation is not yet determined. As a result, the developer has hired a consultant, M Squared Engineering, LLC to prepare a Floodplain Analysis Study for this unnamed tributary to Lake Michigan. This Study has been reviewed and approved by the SEWRPC, and as indicated in the attached letter that you have in your packets dated November 18, 2005, and the analysis was sent to the Wisconsin Department of Natural Resources on January 10, 2006 for their review and approval. After the DNR's approval, the developer will need to send the information to FEMA for their review and approval and request a Letter of Map Revision or a LOMR.

The Preliminary Plat shows the extent of the proposed 100-year floodplain based on the aforementioned analysis. If the analysis is approved by FEMA, the developer will be requesting to amend the location of the 100-year floodplain from portions of 28th Avenue and 128th Place, Lots 1, 2 and 6 and Outlot 6. Verification shall be provided to the Village related to how the amendment to the 100-year floodplain with the right-of-way of Russell Road will be handled because it's under the jurisdiction of Lake County. The Developer has indicated that additional floodplain will be created within Outlot 7. That's the very large outlot at the south end of the development. Therefore, once the base flood elevation is determined and FEMA approves the Letter of Map Revision, the developer can submit for a Letter of Map Amendment.

The developer's consultant will be required to prepare the required floodplain analysis to amend and change the location of the floodplain pursuant to the Village's Floodplain Ordinance requirements. Generally, a petition can be filed for the Village for consideration and adoption of a Resolution. The Village will submit the materials to SEWRPC for their review and comments prior to adoption of the Resolution.

In the staff comments I've outlined what's required as part of a floodplain ordinance amendment. If anyone needs any of that explanation I can go into that, but the key is if you remove land from the floodplain you need to make sure that you create equal volumes of floodplain someplace else. You can't create a worse situation out there. And their engineering analysis has proven the cut and fill analysis to allow for a portion to be filled and a portion, again, then to be created.

Again, the one other thing with respect to floodplain boundary amendments, they cannot increase the regional flood stage elevation by more than 0.01 foot unless the applicant has made appropriate legal arrangements with the Village and any other property owners that would be affected through flowage easements and such. So there is some additional legal documentation that I can provide if anyone has any questions. The last thing with respect to the floodplain is if you're removing land from the floodplain you have to fill it so it's at least two feet above the regional flood elevation. You can't just fill it a little to get it out of the floodplain elevation. You have to fill it two feet above the regional flood stage.

The developer shall submit a request for a floodplain map amendment to the DNR and submit all required information to FEMA and obtain a Conditional Letter of Map Revision from FEMA. The CLOMR shall be submitted to the Village prior to consideration of the Final Plat. As part of the mass grading and installation of the Phase 1 Required Public Improvements, the developer will complete the necessary work to adjust the location of the 100-year floodplain. Upon completion of the floodplain boundary adjustment the Developer will be responsible for submitting a topographic as-built map with soil calculations specifically identifying the location

and volumes of the cut and fill areas. The Developer shall submit and receive a Final LOMA from FEMA. Upon receiving the LOMA from FEMA, the Developer shall request the Text and Map Amendments from the Village and go through a certificate of compliance for readjustment. Building and zoning permits may not be issued for homes on Lots 1, 2 and 6 until that final FEMA Certificate of Compliance has been received by the Village.

- C Under other open space, a total of 22 acres of other open space is proposed to be located within Outlots 1, 3, 4, 5, 6, 7 and 8 which is primarily all the other outlots and will remain as open space. So in many of the outlots there might be retention storm water basins but there's open space surrounding them so it's not just all basin.
- C Under tree preservation, Tree Protection and Preservation, Access and Maintenance Easement areas shall be identified on the plat on Lots 32-34, 54, 114, 115, 120-122, 129, 139 and Outlots 1, 2, 3, 4 and 7. These areas primarily are all at the northeastern corner of the development, run a little bit along the north end, then they go along the bike trail along the west end of the development and then again on the south end of the development and in the outlots that have trees. Based upon comments just recently received by area residents, and this is a change from your packets, it is recommended that a tree preservation area extend 70 feet south from the north property lines of Outlot 1 and Lot 35 in the northeastern corner of the subdivision. The retention basin on Outlot 1 we're recommending that it be adjusted to the south in Outlot 1 and to the west into Lot 35 and actually eliminate Lot 35 so that there can be a lot more trees along that northern perimeter that create more of a buffer and create that separation spacing and to preserve those oaks and such that are there. Trees shall not be cut down in this proposed easement area and this easement area shall not be mass graded. The wooded areas shall be protected throughout the construction and building process with construction fencing and erosion control fencing.
- C Under retention areas, the Developer's engineer has evaluated the development site, based on actual field conditions and shall present a final, detailed storm water management facility plan, which meets the Village requirements for the Village's review as a part of the engineering review. Six retention facilities to handle the storm water management facilities are being provided. As just mentioned, the retention basin in Outlot 1 we're recommending for it to be adjusted to the west in order to preserve more trees along the north property line. If additional storm water storage capacity is needed, more on site retention areas may be required.

Under zoning map amendments as the second item on the agenda,, the following zoning map amendments are proposed at this time:

1. To rezone the field delineated wetlands into the C-1, Lowland Resource Conservancy District. Again with a note here is that if the wetland locations change as a result of reverification, a zoning map amendment will be required to correct the zoning map if it's needed.
2. To rezone Outlots 1, 6 and 8 and the non-wetland areas within Outlots 2, 3, 4 and 5, and 7 into the PR-1, Park and Recreational District; and
3. To rezone the single family lots into the R-4, Urban Single Family Residential District. Again, the R-4 district means that the lots need to be a minimum of 90

feet in lot width and 15,000 square feet in lot area. What I indicated earlier, however, is that the average lot size for this subdivision is over 18,000.

The Floodplain on the property is not being amended at this time. However, the Developer is proposing to amend the floodplain to remove a portion of 28th Avenue and 128th Place and the floodplain on Lots 1, 2 and 6 and Outlot 6 from the floodplain and create additional floodplain on Outlot 7 as discussed previously. At that time the area will be placed into the FPO, Floodplain Overlay District. That district does not allow for any structures.

Under site access, the Preliminary Plat shows that the subdivision is proposed to be developed in two phases, Phase 1 proposes to include 69 lots with three access points into the subdivision, one at 128th Street, one at 26th and one at 28th Avenue. Phase 2 is proposed to include 77 lots with those same access points. No Direct Driveway Access is shown adjacent to 128th Street which is Russell Road, so Lots 1 and 2 and Outlot 6 and 7 will have no direct access to the State line..

All construction traffic will access the development from 128th Street. Signs and barricades will be required as a developer expense to prohibit construction traffic from using 26th and 28th Avenues.

This development as shown also provides for an open space area to be dedicated to the Village, which is Outlot 8, for a possible public roadway access connection from this subdivision to the west over the Kenosha County Bike Trail through Outlot 8 to the Prairie Trails West subdivision. Also, future roadway connections are being stubbed or planned to the east at both 123rd and 126th Streets for future access to undeveloped land pursuant to the Neighborhood Plan going to the east. Temporary cul-de-sacs are required for these temporary dead ended roadways and are intended to be extended when adjacent undeveloped land is proposed to be developed.

Under off site improvements, all required improvements to 128th Street which is Russell Road as required by Lake County will be the responsibility of the Developer. Municipal water shall be extended on 26th Avenue to the north and interconnect to the existing municipal water in 26th Avenue at 119th Street. Water laterals to serve the existing homes and lots on 26th Avenue shall be installed by the Developer only upon the request of and direct payment by the property owners to the developer. The developer shall contact each property owner to determine whether or not a water lateral is being requested. The 26th Avenue roadway, at a minimum, shall be milled and resurfaced from the development north to 119th Street but shall remain as a rural profile. Additional roadway improvements may be required upon submittal of detailed engineering of the 26th Avenue roadway depending upon the core samples taken of the roadway when the water project goes in. A 20 foot cross section is desired and depending on the result of the core samples, the road bed may need to be improved to meet village roadway specifications. The Preliminary Engineering Plans shall include information related to the roadway including the core samples for the Village's review and evaluation. Additional storm water improvements may also be required to ensure drainage is not an issue in 28th and 26th Avenues. 28th Avenue extending north from the subdivision shall be tapered north of the property line to connect to the existing roadway north of the development.

Under right of recovery, a 10-year right-of-recovery could be afforded to the Developer for water improvements to be installed on 26th Avenue if, after holding a special assessment hearing, the project is approved by the Village Board. The actual costs for such improvements shall be provided at the time the Final Engineering is completed. Property owners with existing homes on 26th Avenue will be required to pay the water special assessment costs only if they choose to connect to the municipal water main. Also, any new homes will be required to connect to

municipal water and pay the special assessment prior to connecting to the water main. If there are any new lots created, they will also be required to pay the special assessment and connect to the municipal water upon building their new homes. A Special Assessment public hearing for the off-site municipal water improvements will need to be scheduled by the Village Board related to these pending costs prior to approval of the Final Plat.

Kenosha County Bike Trail Crossing: Pursuant to the conditionally approved Conceptual Plan, the Preliminary Plat does not currently show that the Kenosha County bike trail will be crossed with a public roadway which is 122nd Street.

Petition from property owners: The Village received a petition dated December 13, 2005 from 22 property owners that live on 26th Avenue. See attached petition to be read into the record which I'll read that into the record. There might be a representative here that wants to read it into the record. In addition, under citizen comments at the January 9, 2006 Plan Commission meeting a group spokesperson, Mrs. Bonnie Tisinai, presented a petition regarding her neighborhood's concerns for the Prairie Trails East subdivision. The minutes from the January 9, 2006 Plan Commission meeting were included..

In summary, she who resides at 12109 26th Avenue spoke on behalf of her neighbors in the audience to present their viewpoints and concerns on the extension of 26th Avenue and the installation of the retention pond that would remove additional trees in Outlot 1 thereby taking away from the park-like setting abutting 26th Avenue. The property owner showed the Plan Commission some aerial photos, a Neighborhood Sketch Plan from 1994 that shows connections at 26th Avenue, 28th Avenue and 122nd Street crossing over the Kenosha County Bike Trial. She mentioned that the 1994 sketch is pretty similar to what the plans are for today. She also presented a homemade sketch that showed an overview of all the adjacent subdivisions together that connect to 26th Avenue including Lighthouse Pointe, Tobin Woods and Prairie Trails East.

She explained that the neighbor's primary concerns were as follows:

- the removal of trees in Outlot 1 and in 26th Avenue extended;
- that three subdivision that will connect to 26th Avenue will be an extreme burden on 26th Avenue as it exists as a rural profile road; and
- the accessibility for the fire, rescue and safety and police protection. She drove the route from the Fire Department to the end of 26th Avenue and drove the route again through Prairie Trails West. She explained that it was about a quarter of a mile less, which she didn't know if that time would be significant or not, but most certainly she noted that there were fewer turns and it is more of a direct shot, and to her it would make the most sense for the public safety of Prairie Trails East to have the public road cross the bike trail.

Tom Terwall, the Plan Commission Chairperson explained that this item is not an agenda item at that last Plan Commission on January 9th and that there we no action taken at that time. Staff informed the Plan Commission and neighbors that were in attendance that the matter was scheduled for a public hearing at five o'clock this evening, January 23, 2006 before the Plan Commission.

Some additional staff comments, based on neighbor comments regarding proposing changes that could have some impact in the preliminary plat, there were two that need to be discussed this evening. First, that the staff recommends a tree preservation easement extending across the north areas of Outlot 1 and Lot 35 to a distance of about 70 feet south to preserve a large number of trees and maintain a natural buffer between properties. The retention basin on Outlot 1 would need to be adjusted to the south and to the west in Outlot 1 and to the west into Lot 35 to preserve a number of trees and that might mean that Lot 35 is removed from the plat as one of the lots.

Second, the Village staff recommends that the Village Plan Commission reconsider the extension of the 30th Avenue and 122nd Street roadway through Outlot 8 to connect Prairie Trails East and Prairie Trails West Subdivision upon the County's approval of the crossing of the bike trail. Furthermore, until the roadway crosses the bike trail, when and if, Outlot 8 should be dedicated to the Village for a temporary open space area and future public street purposes.

So with that this is a matter for public hearing. The developer is in the audience and I know a lot of people want to weigh in on this project and petition into the record. But the residents are here and they may want to do that this evening.

Tom Terwall:

Sir, with reference to the petition were you going to read that into the record tonight? Go ahead, Jean, why don't you do it.

Jean Werbie:

Members of the Plan Commission, this letter is dated December 13, 2005. It was received on December 14, 2005. It was addressed to the Village of Pleasant Prairie. This particular one was addressed to my attention. This is regarding Prairie Trails East Subdivision, the extension of 26th Avenue.

I am representing my neighbors that live on 26th Avenue south of 116th Street. We would like to ask the Board to reconsider the extension of 26th Avenue for the following reasons. On the meeting dated July 12, 2004, the woods at the end of 26th Avenue were declared forest preserve consisting of approximately four acres. Since there is a retention pond being constructed at the very end of 26th Avenue, this would result in the construction of a road having to go around this pond destroying 66 feet of woods. It seems to me that it would be a shame to destroy these trees when there are other options.

The Village has always had the concern of every subdivision or neighborhood having at least two access roads, and 26th Avenue will soon have another access road with the construction of the subdivision Lighthouse Pointe to the east. 119th Street will be put through at the end of Tobin Woods. This will increase traffic giving three subdivisions, Lighthouse Pointe, Tobin Woods and Prairie Trails East access to 26th Avenue. The other reason I believe the Village wants 26th Avenue to go through is the connection of the water main. The water main can still go through without extending the street and the road can be patched.

She outlines three options:

Option one, the extension of 28th Avenue would give that neighborhood the opportunity to have another access road, and the extension of 28th Avenue would not destroy any trees since there are no trees at the end of this road. Also, there is a concern of 28th Avenue being a straight shot to State Line Road, but then put a stop sign up and perhaps some speed bumps.

Option two, the extension over the Kenosha County Bike Trail to the west connecting to Prairie Trails West would make the most sense giving access to a main through street, 39th Avenue, which takes the majority of the traffic. There are concerns with the Village of making another crossing over the bike trail, but this would be a straight crossing with no blind spots. If you consider dangerous crossings, then try to cross Springbrook Road on the bike trail. It's hard enough to do it as an adult, but just think of a small child trying to make that decision. When you consider the angle of the road it is indeed a very dangerous crossing.

Option three, extending all three roads. I have lived in this neighborhood all of my life, and many of my neighbors have had to sell some or all of their land when the sewer went through making room for younger couples, as well as the other neighborhoods have small children and pets. We are all concerned of the danger with increased traffic. The burden of all the traffic on 26th Avenue, a double dead end road, consisting of only one-half of a mile seems pretty unfair. Only if we can voice our opinion and present the problems that we feel are significant can we help keep this Village the wonderful place we have all come to love. Please consider all of these options. Thank you, and this is signed Bonnie Tisinai, 12109 26th Avenue, Pleasant Prairie.

Tom Terwall:

This is a matter for public hearing. Is there anybody wishing to speak on this matter? If so, please step to the microphone. Do you want to speak as the developer? Let him go first.

Ted Pickus:

My name is Ted Pickus. I'm at 3330 Skokie Valley Road, Highland Park, Illinois. I just want to say unfortunately there's always going to be some opposition as we've found. We've gone through this process for many years and we've been patient and been working with Jean and her staff who has been very helpful. But it just seems like it's becoming a vicious circle. Unfortunately, we're not going to make everyone happy. Fortunately your Village is a great Village and people want to live here and there's growth and you need growth.

But I just want to say we really will do whatever you feel is the right thing to do but we need to move this process along. It's been a long time, and the main thing that we'd like to do is work with the staff and proceed with this. So I would hope and appreciate if we could get some resolution tonight and move this ahead. Thank you.

Tom Terwall:

Anybody else?

Mike Renner:

My name is Mike Renner. I live at 3211 122nd Street. I'm President of Prairie Trails West Subdivision. I'm a little upset about this recommendation for the bike trail, because in the information that we received this was never discussed or pointed out that this was going to be a possibility again after we had already been told that this was not going to happen. So I'd like to definitely voice my displeasure with that.

The other thing I'd like to mention is two things. One, I'd like to see a different name for the subdivision just because it's so similar to ours and I've stated that in the past. The other is there's a lot of space that's supposed to be dedicated as outlots. Currently right now we have issues with outlots that are dedicated to the Village in our subdivision that are being used by ATV's, go-carts, dirt bikes, snowmobiles and it's getting out of control. Right now the bike trail has become a roadway for the ATV's and the snowmobiles in the last few days. So I'd just like the Board or the Planning Commission to think about when you get these outlots how are you going to prevent that in the future.

Keith Kull:

Keith Kull, 3609 122nd Street, Pleasant Prairie. First of all, I've got a couple of things I want to mention. One, I'd sure like to know what shenanigans are being pulled down here at the Village Hall. By that I want to mention that the meeting time at five o'clock is totally unreasonable for a good many people who have a job and under normal circumstances can't make it at five p.m. I talked to over 25 residents that received this bulletin, and they cannot make this time at five o'clock. It's just unreasonable for them to make this meeting when it's actions or concerns or so forth that may impact their future property values and lifestyles in the community right off of 122nd Street. Furthermore I'd like to say to the Planning Board here that no decision be made tonight based upon that. You've got residents that cannot make this meeting because of this time, and I think it needs to be held and re-established at a later time.

Secondly, with regard to what we heard tonight, the potential of 122nd Street crossing the bike trail is totally against what this Village Board vowed on May 3, 2004. And let me read something here. About 30 Pleasant Prairie residents went home happy Monday night after the Village Board, the Village Board and not the Planning Commission, vowed not to extend, not to extend 122nd Street across the Kenosha County Bike Trail as previously planned. Now, I'd like to know what vowed means. When we talk about shenanigans what did we hear tonight? That we're going to potentially cross the bike trail at 122nd Street and there's an outlot planned there? What does this mean?

Mr. Terwall, if it were a street, the bike trail is what you were referring to, I would be all in favor of crossing but it's not, it's a bike trail said Thomas Terwall. I want it be known we are not setting a precedent tonight, but interconnecting the subdivision does not make sense over the bike trail. I'd like to put this into your meeting tonight and take a look at what the Village Board said they would not do, vowed they would not do. I would like this matter settled once and for all. The outlot in the new subdivision removed, okay, and we were told that we were going to have bollards put at 122nd Street. They never were put in and I'd like to see that happen. And I'd like to see something done with the spur on 122nd Street so it is not a bike trail, potential for any future crossing of the bike trail. It's an access point that should go across the bike trail, and like other access points we see in the Village it should be made as such.

Like I say, I again say that there should not be any decision made here. There's a number of folks that could not make this meeting. I spoke to them personally, and they all received this letter and there should be no decision made when the planning is done at five o'clock and they can't be here to address their own concerns. Thank you.

Tom Terwall:

Before you sit down I want to respond to you. I can assure you there were no shenanigans pulled here at the Village Hall. I take strong exception to that comment. If you have some proof I'd ask you to bring it forward and I'd be more than happy to go to the DA's office with you, but I think that the only person that's proposing tonight that 122nd Street be crossed is the resident and they have that right. The Plan Commission didn't recommend it. The staff didn't recommend it. The resident recommended it in a letter. She has that right and we'll discuss that when citizens' comments are done. But to allege that shenanigans are being played here because some citizen took advantage of their constitutional right and wrote a letter to the Village Hall I take strong exception to that.

Keith Kull:

I'd like to rebut to that because what we heard tonight is that the Planning Commission over here, the planning folks said a potential crossing at 122nd Street. Now, it says right here that the Village vowed not to do that. I don't know if you call that shenanigans or not, but to me that's what it means. It should have never been brought up. It should be off the table 100 percent.

John Braig:

Mr. Kull, I'd like to caution you don't quote to this organization from the *Kenosha News*. It is not an authoritative source. I know this personally. I can remember one time many years ago in my business I wrote a news release. I worked for the electric company and we had a terrible storm. I worked a day or day and a half continuously. I wrote a press release and gave it to them before I went home to get some sleep. The next day when I read the newspaper, it was giving big coverage of what the storm is, I'm reading it and thinking what idiot told them this? They had changed much of what I had said to make a little bit more of a story. So what you're quoting us now in my book doesn't account for anything. You heard us earlier approve the minutes of a previous meeting we had, all the meetings of this Village and transcribed and that is the actual fact. And the Board did not vow to never put the crossing across the bike path. They didn't approve putting one in, but if you look at everything that has transpired since that meeting it's always left where there is a time where maybe that crossing is going to go in.

We have two options. We can put a crossing in now and see if it's a problem and take it out later, or we can not put in a crossing now but at some future date if circumstances require we'll put one in. And we know there is opposition and preference both ways. We'll have to wait to see what information is presented to this group before we make a recommendation to the Board as to what to do. If you recall, this group did not make a recommendation to the Village Board when this was an issue, and the Village Board kind of deferred by saying, well, we won't take action on it now but we did not vow. That's *Kenosha News* terminology. It's not Village terminology.

Keith Kull:

Then I suggest that this Board acquire those transcripts, get a copy of those transcripts and take a look at them and see what's really the truth and what's not the truth, because the Board said that it wasn't crossing the bike trail and they voted on it. Now we're learning and we're hearing something totally different.

Tom Terwall:

Thank you. Mike?

Mike Serpe:

Mr. Kull, if I recall correctly I may have been the one to make the motion not to cross the bike trail. But at the same time I also made the motion that we not vacate that portion of the road, and that when Prairie Trails East comes on line that a cul-de-sac be put up to that bike trail on the other side because in the future maybe homeowners will change and attitudes will change and they may want to cross that bike trail. To have the roads on both sides of that trail in the event that were to take place would be a good move and that was my statements, not that we vowed never to cross that bike trail. We also left it open. That in case somebody in the future wanted to do it for whatever reason we wouldn't have to acquire property or tear down homes in order to do that. That was said and I said it.

Keith Kull:

I think those transcripts ought to be acquired. I think they ought to be reviewed and we'll see who said what. There was a vote and it was a vote not to cross the bike trail, and now a year and a half-

Tom Terwall:

Not by this body.

Keith Kull:

A year and a half later, yeah the Village Board, and a year and a half later it's coming up again.

John Braig:

Just to make the record clear, this issue probably will never, ever be resolved on a permanent basis no matter what is resolved in the next year. It is always going to be subject to change.

Keith Kull:

That isn't what it says.

Donna Southfeld:

Good evening. My name is Donald Southfeld. My husband and I and my son just moved up here from Illinois to 12231 33rd Court. And you can only imagine devastation is the only word I can

describe when we received this, because I searched for nine months for the perfect home and when I found my house the fact that we were just out of a safe cul-de-sac and two houses down, a beautiful pond and then, of course, the Kenosha Bike Trail and then acres and acres and acres of beautiful woodland. So I'm not in any position right now because I'm a new resident to say anything much, but I am available for any group that is willing to take me on because I'm a nature lover and safety for the children is my main concern. So you can imagine I'm against opening up 122nd. The fact that the trees and the natural brush and so forth is going to be lost to this development I'm just speechless. Thank you.

Tom Terwall:

Thank you.

Rick Renzuli:

Hi, guys. Rick Renzuli, 12126 28th Avenue. A few things have changed. That's why I came back. I know I told I wouldn't. First of all, right next to our property that was supposed to be a buffer area. I know it's changed a half a dozen times in the last ten years, but I just want to remind you that I was told or we were told, not vowed, but told that those homes were going to be lots and they were going to be upscaled homes, meaning maybe brick or cedar or anything but cardboard wrapped by aluminum. There used to be like eight homes there, and now according to this one I believe there's 14 or 15.

I understand the trees. I back that 100 percent, but you're also going to be cutting down some trees that are there which kind of block my view of Prairie Trails West. And as that sun sets all you get is a glare from aluminum. I'd rather see the trees stay there. We eliminated the park but you created a better park on the other side, okay. But I'd like to see those homes cut down back to that cul-de-sac and just have eight homes in there. My own opinion.

I was wondering, and I guess I can see that myself, the roads to Sheridan Road aren't going to be opened up any time soon. Am I correct in assuming that until the next developer comes in?

—:

You're probably right.

Rick Renzuli:

Since I'm going to stay here and nobody offered to buy my property as I tried last time so I'm going to stay. I think it's irresponsible of myself not to say something or at least get on the record, this many people, these many cars and only going to have three outlets, and two of those outlets are on 17 foot wide roads. There's kids that play on those roads. My kids are grown and gone, but there are a lot of kids on those roads, dogs that run wild. On 28th Avenue alone in the eight years I've been there I've counted five dogs run over. I'm telling you we're creating an unsafe situation having these many vehicles coming up 28th or 26th Avenue as the only way out besides the one way on State Line Road. I don't know what the answer is. The bike trail I know I spoke against it because I thought maybe that would shut this whole development down, but to tell you the truth the eight years I've been there from I'd say 122nd Street south there is nobody walking or riding their bikes on that bike trail from that point on. Mostly four wheelers and snowmobiles. Believe me. I think when all is said and done with this is going to happen. We

can't stop it unless maybe I hit the lottery and maybe I'll buy it. But we've got to open up all four directions, north, south, east and west.

These people buy these lots, and once they look at it maybe nobody will buy in there. It looks like one of the mazes you get in a cartoon book where you've got how do you get the hell out of here? It's crazy. Enough said on that. Everybody can see that by themselves.

A few other things. You said that construction traffic is not going to use 28th Avenue. Well, I'm here to tell you they still are. Whether it's surveyors and whatnot, the mud and whatnot is still being collected right in front of my house. Granted, once it gets past my property it's off their wheels so it's just my problem. Is there a number, Mike, I can call to get a sweeper out there to clean that up if it keeps happening because you don't want to pay me to do it because I'm pretty expensive. I am.

The other thing, and this is really to Ted, too, I had three surveyors. I was reading the paper and looked out my back window and I see three guys walking through my woods, or at least the property I pay tax on. I'm not talking just a few feet of the property line. That would be pretty thick to complain about that. They're looking for the lot line. After about 25 minutes I got a cup of coffee and I had to go out. I know I was a little sarcastic. I said, are you guys lost? Or if you're trying to find something? I'll show you where the lot line is. And I see there's a child in the audience tonight so I can't really give you their reply, but I was patient. I used restraint but I doubt I'm going to use that again. I don't mind a little bit, but that was a little bad. If somebody came in your back yard and said the same thing you'd be a little ticked off, too.

The other thing is even the garbage. When they open the truck McDonald's bags and cups all came out. And, granted it was on your property, Ted, but nobody picked it up and with the winds blowing from the south and west it all ended up in my yard and I picked it up. I'm not going to pay \$5,000 a year in taxes and have to shovel mud off the road and pick up trash in my back yard. I'm not going to do it. I already took care of the water problem from Prairie Trails West which was in excess of \$20,000. I'm not putting up with it no more. I don't know what I'm going to do, but it's safe to say nobody is going to enjoy it.

Let's see, was there anything else? I know you guys have listened to enough. I guess that's it. I'm for this--this has got to go in. You've got to open it up all four ways, north, south, east and west. If you're going to come to the north two ways you should go to the west with two roads and you should go to the east with two roads and somehow two roads to the south. I don't know if you're got to build a bridge over that wetland.

And here's another thing. Don't rely too much on FEMA. I'm not talking about the mess down south. I'm talking about what they did with my property in 2000. Just a little advice. Don't listen too much to FEMA. The representatives they sent here back in 2000 were a joke. And I'd let them know that but nobody commented. Thanks, guys.

Tom Terwall:

Thank you. Yes, ma'am?

Beth Ann Christiansen:

Good evening. My name is Beth Ann Christiansen. I'm blessed to live at 3201 122nd Street. I would like to state that I had no problem getting here tonight, and I did, though, have to make some compromises. My children have many activities, but I was able to make it here. I know also back in the year 2000 we were able to pack this area with residents from Prairie Trails Subdivision when we were discussing the beginnings of this plat. So I just wanted to go on record for that.

I'd like to give you this. I'd like to begin by saying the reason I'm standing here is I would like to ask the Board to revise their decision to abandon 32nd Avenue. My husband, Carl and I, belong to the Prairie Trails Homeowners Association, however we never signed the . . . petition I believe it was until the year 2003 to stop the road which was not only signed by the Homeowners Association but there are also other people that signed that, too. We weren't for that. My husband invested some time and we appreciated the time that was invested by the Village with making the compromise of changing the road configuration.

Along with that I know my husband spoke last month and there was a compromise made as far as plowing our road. I want to just state that the solution that was come up with was to pave only a single day along our curve that goes along 32nd Avenue. What happens is that it's great for parking the car but, number one, when cars will park behind ours when they access the bike trail or whatever you can't get out because there's snow right next to you. You can't make the turn. Another thing is that then consequently we back up the length of the curved road. I just believe there could be other options with that. One would just be plow the road entirely and come up with a safe solution. I know in the past ten years there was the three point turn made, and I've got to believe that with the professionals that are involved with this we could come up with a solution of staging it with two trucks or something. That's my one point.

The second point is I want to reference the papers that I gave you. There had been communication going on about this. I know we talked to our Trustees and with the help of our Homeowners Association President I wanted to just highlight a correspondence that was written back to Mr. Renner, our Homeowners President from John Steinbrink. He noted that the Board determined the Village will not plow or maintain the dead end stub that does not lead to any other road or serves other property. Well, I'd like to rebut on that because I believe, first of all, it serves my home, it serves the bike trail, it serves the association pond and it serves the Village.

If you turn to the next page I highlighted in our declarations, restrictions and easements. The highlighted section talks about the outlot which is now the dedicated parcel that the Village owns as parkland. And it reads, the public shall only access to outlot 2 directly from 32nd Avenue. Right now as it's being plowed there's no access provided to that. And then if you turn to the next page, what I've highlighted is that as far as our home and the way we pay taxes on, that we have two roads and we would have the ability by code to build a future garage along 32nd Avenue. And as far as it being determined to be, what did I say, it was abandoned, I don't see how that would service us if we would be able to do that, too. That's an extreme, but I just want to point that out. So I believe I've stated my case. Thank you very much.

Tom Terwall:

Is there anybody else?

Bonnie Tisinai:

Bonnie Tisinai, 12109 26th Avenue. Again, I brought my neighborhood, 26th Avenue, if you guys would like to stand. They did take the time out of their busy lives to support me. I'm also still requesting the Board to think again on the extension of 26th Avenue. I did bring some pictures of the woods. Excuse me, Mr. Pickus, but I did take pictures today. I walked through there and I did see that the road was staked out. From these pictures you can see there are quite a few trees--first of all the woods is like an L shape. And I do know that Jean had mentioned you're going to preserve some 70 feet or whatever. Putting this road through basically the middle or a third of the way through it's going to destroy an awful lot of woods.

The second thing is I can't understand how the Village can see this road, 26th Avenue, being a main thoroughfare for safety, fire and police. If you look at it it's completely ridiculous. As the gentleman said over here light at heart that it's a maze. I don't even know how the police department or the fire department is going to even find anything. The direct route, and I know I've said this in my letter, 28th should be put straight through. It would be more of a straight shot for fire and rescue and also the crossing of the bike trail.

My comment to the gentleman that spoke from Prairie Trails West saying that the Village vowed. The reason I brought the sketch of 1994 was to show the people that live there because this sketch was made before their subdivision was started to show that this was always in the plan for this street to cross. And unless your street dead ends into Lake Michigan, you've got a pretty good chance of it going through at some point. I guess that pretty much sums it up.

Tom Terwall:

Thank you.

Jim Motorizzi:

My name is Jim Motorizzi. I live at 2428 128th Street. Has this been approached to Illinois about access on State Line Road?

Tom Terwall:

Yes.

Jim Motorizzi:

The only reason I'm asking is I moved my driveway 50 feet this year. I gave them a security bond on June 1st. I got it back from them November 22nd. When I asked them and approached them about this, I said just out of curiosity has anyone ever discussed this with you? Her name is Dawn Drewson the person I dealt with, and she said no, but we'd be interested in having impact for traffic. I said at State Line and Sheridan and obviously 39th there's going to be issues there with all this traffic and they said they had not heard anything about this.

The other thing, in previous meetings wasn't the proposed crossing an issue with fire and police as far as access? That is a non issue now?

(Inaudible)

Jim Motorizzi:

Okay. And one general note when I was doing this work for Lake County obviously, ever Wisconsin contractor I talked to was anti working with Lake County and every Illinois contractor I talked to would not work with Pleasant Prairie. It took me five months to find someone to do that work. So I just think Illinois needs to be notified or informed of what's going on because I don't know how many potential cars they're talking but I would imagine more than 100 a day.

Tom Terwall:

Thank you. Jean, before I call for the next speaker, would you please speak to the conversations and correspondence that's gone on between us and Illinois?

Jean Werbie:

And maybe the developer's engineer. But I've got traffic reports, traffic studies, letters back from the principal engineer, Betsy Duckert, from the Lake County Division of Transportation. I've got another letter of a complete site plan review of Russell Road and the TIA from the Traffic Division of Lake County. I've got another—

Jim Motorizzi:

Are there any dates on there?

Jean Werbie:

2001, 2003—

Jim Motorizzi:

This was June 2005 when I asked

Jean Werbie:

2005 and 2006.

Jim Motorizzi:

. . . proposed turn out or center turn lane . . . or anything like that?

Jean Werbie:

I guess I can have the developer's engineer address all the concerns, but I have all the reports and all the conditions and everything. I haven't gone through them again in detail with the traffic counts and the traffic movements and things.

Tom Terwall:

But Illinois has specified what improvements need to be made on State Line Road?

Jean Werbie:

Definitely. And the developer's engineer is right there if he wants to address some of those comments and concerns, but I have it in all the different reports. In fact, just recently we just received a whole bunch of things with respect to our discussions with them regarding the floodplain at 128th and its impact on Lake County from their planning department as well.

Ronald Adams:

My name is Ronald Adams, 1850 Winchester Road, Libertyville, Illinois. We're the consulting engineer. We've been working on this project since 1990. We've had numerous conversations and numerous correspondence from Lake DOT on this property. Dawn is a technician. She usually does inspections and releases of money from construction work, but her bosses basically are the people we've been dealing with. We submitted traffic reports. We've submitted updated traffic reports. We've submitted all kinds of documents to Lake DOT and we've received their comments and we continue to receive their comments as we go through. Getting their approval and the permit is part of Jean's recommended requirements at the end of this packet. So we've been working along with them throughout the process and we'll continue to work with them.

The idea is that some of these numbers and things that we're dealing with are predicated on the number of lots, the trip generations and which way you're going. One time we have some traffic that's going across the bike trail, sometimes we don't. We have it going north, so as we change the plan we have to revise the trip generation rates and directions that the trips are going to go. We've done that each and every time. The Village itself hired another consultant to do traffic trip directions of approach and so forth. So this issue is definitely being followed up with as we move forward. They sign the plat just like the Village does. Thank you.

Tom Terwall:

Anybody else wishing to speak?

Larry Evans:

My name is Larry Evans. I'm in Green Tree Estates at 12311 39th Avenue. I'm vehemently opposed to crossing the bike trail. I looked at the impact study today, and it shows approximately 650 daily trips across that bike trail. That would happen every day. To me it's unnecessary and it's unsafe to all of the kids that live in that area. You're talking a residential subdivision there that they're just not used to that traffic going through there and it's unnecessary and completely unsafe.

The other thing, too, is that I looked at those traffic studies and there was no impact study done as to what impact 39th Avenue would have. There's impact studies for Russell Road. There's impact studies for going across the bike trail for 28th Avenue and 26th Avenue, but there's nothing showing what impact it's going to have on 39th Avenue. And when you look at where all the shopping centers are and where these people are going to have to go to do their shopping, 39th Avenue is going to be impacted. In my eyes I think that the Village should table this at this point until an impact study is done to see what impact it's going to have on 39th Avenue.

Tom Terwall:

Thank you. Anybody else?

Melissa Bitter:

Hi. I'm Melissa Bitter and I live on 28th Avenue.

Tom Terwall:

Need your address, ma'am, just for the record.

Melissa Bitter:

I'm sorry. 11909 28th Avenue. My husband and I just moved to the Village maybe six months ago and we were unaware all of this was happening. I lived in Kenosha and I said we've got to get out of this Kenosha. It's just too much. I didn't realize that--I knew subdivisions were going up. I didn't realize this one was going up. And I do feel sorry for the people on 26th Avenue because their dead end street is pretty much being turned into a major highway it seems like. Now, I'm hoping that maybe there's other ways into the subdivision other than the way this is posted. Is this finalized or is this something that's still in the works? I've never been to a Village meeting and I don't know anything about this. However, it seems to me senseless to even open up 28th Avenue if it's only going to one otherwise dead end street and servicing maybe 20 lots.

Like that guy was saying, build bridges over the bike trail so nobody gets hurt. Build them over the wetlands or whatever because it is a big maze and it's confusing. It seems like it's turning into south Kenosha. I moved here to get away from that. And it seems like with all these houses going up in ten years I might as well move back to Kenosha because it's cheaper. So I was just curious if there's a way--if this is finalized or if this is something that people can still talk about.

Tom Terwall:

Thank you. Anybody else?

Cort Weber:

My name is Cort Weber, 1170 26th Avenue. I use the bicycle trail every day throughout the summer. I work in Highland Park. I ride my bicycle from Pleasant Prairie to Highland Park. I have mixed feelings. Yes, I could see putting a path across the bike trail for the cars and the fire trucks and everything to move between two suburbs. They need the access. I would be willing to give up my clear shot from 28th Avenue all the way into Illinois to reduce the flow of traffic down my street. Right now my street is the Indianapolis 500. They are building Tobin Woods Subdivision down there, and if you guys would come and visit my neighborhood at seven o'clock in the morning when every contractor is looking at his watch as he's trying to be on time, oh, it's four o'clock now and let's see how much mud we can throw down the street while we're trying to get out of our neighborhood.

I understand this is going to happen. Every neighborhood grows. It's part of urban design and urban development. But you actually have to take into consideration that people spend a lot of time and money to move into your suburb. The contractor from Highland Park has an investment that he's put into this thing. I work in Highland Park. I see what they do to Highland Park neighborhoods. We have room to grow. There they tear a house down to build a new house. Take the room we have to grow and let's use it a little bit caringly. Mother Nature is not going to be around forever. You go to Lake Forest don't even think that you're going to design a house

and cut down this six inch tree. You're going to be planting three inch trees to make up for that six inch tree. So for every tree that he should have to cut down maybe you should make him replace them. That might be a way to keep us a little bit more on the happier side and not turn Pleasant Prairie into a big suburb where there are no trees. Thank you.

Tom Terwall:

Thank you. Anybody else? Anybody else? Anybody else? I'll close the public hearing and open it up to comments from Commissioners and staff. John, you're first.

John Braig:

Thank you. I wanted to be first because I wanted to point out it is now twenty after six. There was reference made earlier as to starting time. When we've got consideration of the importance that this is it's not unusual for us to spend an hour or even two hours or more in discussion and deliberation and getting information. But the point is anybody that can't get to this meeting by this time wouldn't make it if we scheduled the meeting at ten o'clock at night. Now, I've got a few other things.

--:

I disagree with that.

John Braig:

I'd like to just jump out of this whole subject for just a moment because the bike trail was mentioned a number of times, and you know at one point there was a discussion as to whether it should stay under the jurisdiction of the County or whether the Village should be come involved with it. Just an unofficial off the record, how many in the audience would be in favor of seeing the Village become responsible for maintenance and jurisdiction of the bike trail? It looks like a little bit less than half. Thank you.

The next one. Speaking of tree preservation, there is an agreement or there is a form in here as proposed by Prairie Trails East, I'm concerned about enforcement. I think it's time the Village seriously look at when we do have tree preservation requirements that we impose some sort of bond or a fine or some penalty. It's never defined in this, which in reality makes it quite ineffective.

Next comment. A third of this development is going to be open lands. Is there anything we should be doing at this time to ensure that if we want to develop trails, hiking trails, bike trails, connecting the various wetlands in the Village that we should be doing or taking action now to make it a little easier when that time comes?

Another item. Compliments to the staff on requiring signage at the end of temporary cul-de-sacs. I think it's really a good service to any potential buyer in the Village. I like the fact that it will be a visible sign rather than some document hidden in the pile of legalities which the potential owner would never see until he's made the purchase.

Finally, we were talking about a water main down 26th Avenue. No mention of sewer was made. I'd be interested in knowing what the sewer connections are going to be. The other point is regarding the water laterals, if an existing homeowner wants service he can work with the developer to have the lateral installed. I'm wondering in recognition if the road is going to be all torn up and there's going to be problems if it would be advisable to stub in not the whole lateral but just enough of a connection to the water main and the extension of a pipe to get to the edge of the roadway, so that if 50 years or 100 years from now someone wants to make a connection it would not be necessary to dig up the roadway. I don't think, and I'm speaking as an experienced individual, my father was a piping contractor, it would not be that expensive to make the tap on the water main and extend the lateral to the edge of the roadway. So I'd appreciate some response to those comments.

Mike Pollocoff:

With respect to the water laterals, if the project proceeds we conduct a special assessment hearing for the people on 26th because we would need to levy that assessment and then it would be deferred. So the people on 26th Avenue do not connect the water within ten years, and they connect in ten years and one day, at that point the developer would have lost his right of recovery and there would be no charge to connect to the water main. But if they do choose to connect to the water main between the date it's installed and ten years, under the Public Service Commission rules the developer is entitled for reimbursement.

As far as the laterals, we can't require a developer to pay for a lateral to someone's house. And on 26th there's still a significant number of parcels on 26th that could have further land divisions. So you really can't anticipate where those lateral stubs are going to go. So you can catch the ones on the houses, but what we tell people is, and we had a subdivision I think it was Westfield that was north of Highway 50 that the Plan Commission just approved recently, and the bid price on getting a lateral installed as part of that project was \$1,100 per lateral which is very good. If you come back and have one installed after the fact right now you'd be talking about \$4,000 or \$4,500 because of the road work. We're going to require somebody to slurry the trench up if it's opened. It's going to have to be a bore if it's an along side connection. We wouldn't allow an open cut of the street, they'd have to tunnel under the street. That's why we encourage people at that time for an insurance policy to pay the fee for the lateral and put it in, because at some point their well could go dry or their well could break and they'd want to at least have that option to have the drill or do whatever. But we can't make the developer pay for that. That's purely a cost that doesn't serve him, it serves the resident.

Sanitary sewer was installed in that area in the early '90s, so everybody on 26th Avenue and 28th Avenue already have sanitary sewer as part of the Pleasant Homes interceptor project. So, again, that main is put in and we didn't put laterals in to every parcel there either. We gave people the option. If they had a 900 foot wide lot to put one or three in or however they thought they would develop it in the future but we only required one to go in at that time. So the developer's sewer in this development would tie into that sanitary sewer that does go down 26th Avenue that's already there.

Tom Terwall:

A couple comments. I want to respond first of all to the last lady that spoke as to whether or not this deal is set in concrete or not. As Jean pointed out on her comments, this process began in 1990, so the original preliminary plat for this subdivision has been in the books for about 15

years. And I think every iteration of that has shown the extension of 26th and 28th Avenues south into this new development. So it's not new. I understand it's new to you, but we've had a lot of meetings on this subject over the past 15 years.

What's before the Board tonight is a public hearing and adoption of the preliminary plat which if approved would pretty much set what that final subdivision is going to look like. And unless the developer made significant changes to it, the Board would be obligated to approve the final plat when the developer meets all of the conditions that are set forth.

With respect to the start of the meetings I'd like to comment on that. For example, the City of Kenosha Plan Commission is at 4:30, and the Village Board used to meet at 5 p.m. and changed their starting time to 7:30 and operated that way for three months or so I guess. And after several meetings ending after midnight and nobody in the audience anymore, they changed the start of their meeting to 6:30. The Plan Commission discussed that possibility and here's where we came down at staying at 5:00. Most of the public hearings, in fact, all of the public hearings on the items that take the most time like this are conducted by the Plan Commission. At the Village Board if you speak at a public hearing under citizens' comments, if five or fewer people sign up to speak you'd get to speak for five minutes. If more than five people want to speak you can only speak three minutes. And we felt with the kinds of stuff that goes on here that was not adequate. If we rang the bell or slammed the gong at three minute or five minute depending on whether there was five or more people that was not fair to the people. So we wanted to give everybody the opportunity to speak as long as they needed to speak to make the points that they wish to make so we left it that way.

So we decided, and you can see right now there's only one item on the agenda tonight for a public hearing and we're here an hour and a half already. So there's a lot of nights where we don't get out of here until after nine starting at 5 p.m. So if we started at 6:30 it would be after 10:30, and by that time most of the people have left. So we took the position that in order to give the people the opportunity to speak for as long as was necessary and to deliberate as long as was necessary to make a recommendation to the Village Board we needed to maintain an adequate amount of time to do that and decided that we would leave the start of our meetings at 5 p.m. So that's where we got to where we are.

Mike Serpe:

Tom, I have a number of items I want to address. Jean, the average lot size in Prairie Trails East is less than 19,000 square feet, just a little less?

Jean Werbie:

A little less than 19,000.

Mike Serpe:

Right, which is almost a half an acre. And the average size of the lots in Prairie Trails West is approximately what?

Jean Werbie:

It was a PUD when we developed it so they needed to average 15,000, but some of the lots are smaller than that and some are larger than that, but it targets closer to 15,000.

Mike Serpe:

And approximately how many residents do we have in the Prairie Trails West area? Just an approximation.

Jean Werbie:

Between 70 and 85, is that about right?

(Inaudible)

Mike Serpe:

How many people do we have in that Prairie Trails?

Jean Werbie:

I don't know the exact number. We use the census number as 2.73 persons per household multiplied if there's 90 households.

Mike Serpe:

About 250, okay. Mr. Pickus, if I may, would you come up to the podium please? Ted, if this were to go forward would you be the builder or would you just be selling the lots? What's your plan on that?

Ted Pickus:

The plan currently is that we would sell to the local builders in the area, somewhat like Prairie Trails West was.

Mike Serpe:

So people would build their own homes?

Ted Pickus:

Right, they would build their own homes.

Mike Serpe:

And any plans for any restrictions as far as size?

Ted Pickus:

We're thinking 2,500 would probably be the minimum and go up. With these lots they're nice sized lots and we're thinking 2,500 to 4,000 square feet.

Mike Serpe:

And did you have any approximate price in mind for the whole package?

Ted Pickus:

I'm thinking \$350,000 is probably the average where I'm looking at what the prices are and what the construction costs are.

Mike Serpe:

Thanks, Ted. When you go back to when this Village really got into the planning process of laying out the master plan and how the subdivisions were going to look and the whole shot, I don't think we condemn the staff, the Plan Commission and the Board for the direction they've taken this Village as far as how it's laid out. It's always been done with input from the public. It's always been done with a lot of thought. I think if we failed anywhere it's getting away from the plan that was originally set up for Prairie Trails East and West, and that plan being the crossing of the bike trail. I think if we would have stayed with that plan we would not be facing half the problems that we're facing right now.

I agree with some of the east side residents that this is going to be a burden on them because if we don't allow that crossing to take place it's going to be more traffic up and down. It will cause for more delayed response in garbage, police, fire, anything. I do have a big problem with 26th Avenue from 116th Street to 119th Street being as small and narrow as it is. And if the bike trail is never crossed, and right now that's still a possibility because we don't have that permission from the County as I know it as yet, and we have not taken possession of the bike trail and I don't know that we ever will. If it was offered I would gladly take it. But if it crossed and this project were to go forward I can't see that many cars going down 26th Avenue as narrow and unsafe as that is. That is a serious, serious concern. And I don't know that we can come to terms with Mr. Pickus on that as far as doing something on 26th Avenue to make that a safer, safer right of way. I don't know.

I like what I heard from Mr. Pickus as far as selling the lots and let the builders build on their own. A good example of that taking place right now is the Village Green Heights right up here, 217 homes approximately, all individual builders. It's turning out to be quite a subdivision. I see this as coming out the same way. The only thing that I have a problem with right now is the access points to that subdivision not being adequate if the bike trail is not crossed.

Tom Terwall:

I want to make a further comment on the crossing of the bike trail. If you recall, when this issue came before the Plan Commission last we sent no recommendation to the Village Board, and it's not because we didn't have the guts to do it. I think to myself at least my position was I would be opposed to taking off away that possibility. That's one of the reasons why that road was not vacated and the pavement pulled out. My thinking at that time was, number one, we didn't know if the County would even approve it and we still don't know that. Number two, we can make all kinds of speculations on which way the traffic is going to go and how much of a problem it's going to be even with it in or even with it out, and my feeling was that by not doing anything on that issue at this time we could revisit that issue if and when it became an issue.

Once Prairie Trails East is developed and those houses are in there, if we don't see any further roads opening to the east so that the only points are these three points, we've got the option of crossing the bike trail. I'd be opposed to eliminating that as an option. And whether or not the *Kenosha News* claims that we vowed to, as John pointed out, they don't speak for the Village Board. You have to go back and review the minutes and you guys know what our decision was that night.

So my recommendation would be to leave that option open and on the east side to have a cul-de-sac come up to that point so that if the decision is made in the future that either 26th Avenue or 26th Avenue the traffic load is a burden and people aren't able to get in and out, we've always got the option to open that bike trail. And I think we'd have much greater strength going to the County Board at that point assuming the County Board still has control if you could show that it was hardship and why this is a safety issue and it needs to go in because at this point it's speculation. If it's true that all these people are coming out of Illinois to live in these houses they're going to go to 128th Street to get out anyhow. So I'm in favor of leaving that option available to us and crossing that bridge when we have to.

Mike Serpe:

One last point. When you talk about multiple access to subdivision, let's take Prairie Trails West, for example, everybody that lives towards 39th Avenue on 122nd Street are putting up with everybody east of them . . . in front of their house every time they leave the subdivision because that's the only way out. Whereby if they had access points to the east of those houses in the eastern portion of that subdivision they would probably take 122nd Street across the bike trail, maybe down 28th or down to 128th. If I'm not mistaken, and Bob Martin I think is here tonight, our Engineer, I think the majority of the traffic is going to go from Prairie Trails West to Prairie Trails East.

I remember altering the plan for Mr. Pickus that we took one of the crossroads out to try to force the people either to 128th Street or back to 126th Street instead of going up 122nd. Mike, let me pin you down a little bit to the 26th Avenue three block area that we're talking about, 116th to 119th if the bike trail were not to be crossed. Do you have an opinion on that?

Mike Pollocoff:

I think 26th Avenue is as rural a profile road as we have in the Village. It's set up basically for the residents who live there. There's capacity for that to handle further divisions of land around there. As you go north from 119th Street we have ditch profiles that I'm not crazy about for carrying a lot of traffic. In other words we have some drop off that's not good. We've had some other roads in the Village, 82nd Street on the west end where we've taken Chateau, River Oaks to come off of that one. It's not uncommon to develop with long street, long dead end streets, and property owners who lived off those streets wanted to be able to divide their property in the future and have access to the street they've used and the Village has had to deal with that.

26th needs some help in the sense that it's going to need some help because this will be some more traffic on it. In reviewing the traffic reports I don't think it's out of line, but I don't think it's insignificant either. We're not putting it on one of our best roads. Mrs. Tisinai really kind of

hit the issue right on the head when she said it's currently taking traffic off of Tobin Woods, it takes traffic off of Prairie Trails East. It's going to take traffic off Lighthouse Pointe. It's going to take it's own internal traffic. That's a significant load. The residents of Prairie Trails West don't want any traffic in their subdivision other than their own and that road is far more capable. That's what we designed. That road is designed to be able in the right of way to handle traffic east/west between Prairie Trails east and west.

26th Avenue has some structural issues that the Village is going to have to deal with because it's a Village Road. Those people have lived on that road for a long time and I think they should expect at some point that structurally that road is going to be enhanced to be able to handle the traffic that's on it now and the traffic that's going to be coming on it in the future. I think whether it's 26th or 28th, neither of those roads is set up to be able to handle a lot of traffic. But I don't want anybody to think that in the scheme of residential development the Prairie Trails East development is a lot of traffic, especially if we spread it between four exits. That does a lot to diminish that.

What Prairie Trails East does for 26th and 28th is their no longer dead end roads. I know from our standpoint for snow removal, garbage collection, fire and rescue and police it gets us around the block. We had that for a while when we put the sanitary sewer in because we had to put in a temporary road there and that was really nice. Right now if a rescue squad gets bad information and something is on 26th and not 28th, they've got to go all the way out to 116th Street. There's no forgiveness. You can't make a mistake because the only way you can get out is the way you came in.

I think in either one of these scenarios 26th is going to need some work. But we're going to be dealing with abutting property owners who our own land use plan shows can connect into 26th Avenue, and there's future connections into 28th that haven't been realized yet that we're going to have to deal with. Both of those roads are both old rural Pleasant Prairie Roads and we're going to need some help from developers to get them up to spec. Not make them curb and gutter roads, but make sure that structural foundation of that road can handle the traffic and the number of trips that are going to go on that road.

Mike Serpe:

But at this point we're not requiring--are we requiring Mr. Pickus to do anything between 116th and 119th on 26th Avenue?

Mike Pollocoff:

No, I haven't seen it. We're doing some corings between 119th and the development which I think is, I'm pretty certain is substandard. I think the borings will show us exactly what we're dealing with. But going north that section of road isn't as substandard from a structural standpoint, but from a drainage standpoint, again, having ditches and narrow shoulders.

Wayne Koessl:

Mr. Chairman, as you mentioned this is a preliminary plat. We've been working on this for 15 years. I think it's time to move it forward, and I'm going to make the motion that the Plan Commission send a favorable recommendation to the Village Board for approval of the preliminary plat for the Prairie Trails East Subdivision subject to the Village staff report of

January 23, 2006. I'm sure the staff has heard all the comments made by the people. They've always done an outstanding job of bringing subdivisions in for final plats that meet all of the ordinances and all the recommendations and that's my motion.

Jim Bandura:

I'll second that, but with Wayne's comments and your comments, Tom, I'd like to leave it open as far as the bike trail goes. Like you said, I don't want to close that up. If that bike trail gets crossed over I think it would help the police and fire. I just have a bad feeling about not crossing it but I want to leave it open.

Tom Terwall:

For verification, approval of this plan does not preclude that in the future, is that correct?

Jean Werbie:

That's correct.

Don Hackbarth:

I had a previous conversation with Mrs. Tisinai, and after being directed by Mr. Lauer to speak to the Plan Commission which was not proper, I'm not a non biased voter anymore so I'll abstain from the vote.

Larry Zarletti:

I didn't really get an opportunity to speak on some of these issues, but I have a petition in front of me that talks about crossing the bike trail, a list of people that want it crossed. I also heard tonight from some that do not want it crossed. I think sometimes people think that this Planning Commission is the Village Board. Many of the things that we listen to should probably be addressed to the Board rather than this Commission. Our job as I understand it is to look over the material that's brought to us and see that the builder, developer, whoever has dotted the i's, crossed the t's about their plan. And if the plan falls within what the Village ordinance says, then we have an obligation to move it forward to the Village Board for their consideration.

Now, having said that, any of you that know me know that I am not one to shy away from tough decision, and I would be more than happy to make a tough decision on this entire plan if, in fact, I was on the Village Board, but that's not the case. So I don't want it to sound to those who spoke tonight, and I appreciate you coming out and we listened to what you had to say, I don't want you to think that's a cop out as to you came to the wrong place. I think being heard as often as you can is a good thing, because sometimes repetition makes people remember some things. But, again, this is the Plan Commission. We look it over. If they've met the criteria we move it forward to the Village Board for them to make their decisions.

And the last thing that I want to say is that if there's anyone, and I guess there's always been a motion so it wouldn't be the appropriate time, but I wanted to comment on people who come forward with comments that end with a question. I think it's important that everyone's question is answered. I think that the Commission attempts to answer those as does Jean Werbie attempt to answer all those questions. But if you're ever in the audience and part of your presentation had

to do with a question that you don't feel was answered, you should come back forward or you should call us on that so that you leave here at least with an answer. I originally felt that the young lady that spoke last wasn't going to get answered, but she was, in fact, answered at a later time. So it isn't that anyone is ignoring anyone out there, but feel free to come back to us before the meeting is over and while the comments are still open to be sure that your questions were answered.

Mike Serpe:

I would like to see this move forward as well. I just want to bring something to your attention if I may. Meadowdale Farms came to our Plan Commission when Meadowdale Estates was going to expand and they're next to Meadowdale Farms. Now, Meadowdale Farms for anybody who is familiar with it is a very high end subdivision. Meadowdale Estates was coming forward and the people in Meadowdale Farms just wanted to make sure that everything was going to be good in Meadowdale Estates that would complement their neighborhood. It more than complemented their neighborhood and they're very proud to be a part and attached to Meadowdale Estates because it's a beautiful subdivision.

When I heard Mr. Pickus say that he was going to sell these lots to builders that tells me that everybody is going to have their own design which is a plus. When I see the size of the lots being just a little under a half acre that's a plus. The only thing, the downside that I see here right now are the access points and, again, not to be repetitive but we don't know the future of the bike trail, but we do know what 26th Avenue and 28th Avenue looks like right now and it's in some need of some help. So I will vote for approval on this tonight with the understanding that I want to continue working and doing something addressing 116th Street to 119th Street on 26th Avenue to make that access way as safe as possible for everybody if, in fact, we're going to be able to cross that bike trail. Because some day in the future, and I don't even know if I'll be on this Board then and I don't even know if I'll be on this Board in April, that bike trail just may want to be crossed by the future residents of these subdivisions when they see what's going to happen on Prairie Trails East. It may just be attractive enough to say I want to be a part of that.

Jean Werbie:

I have two comments to address questions that were raised by John Braig. First of all, at the last Plan Commission meeting there was some discussion about tree preservation ordinances and the need to get something put together in the Village so that if trees are removed that equal trees or numbers of trees could be replaced someplace in the Village in order to accommodate for the ones that are being lost. And under Other Such Matters we're actually going to be handing out three tree preservation ordinances from other communities that we'd like you to take a look at from Lake Geneva, from Mequon and from Kenosha, and to take a look at that and for us to put it on as a discussion item on a future agenda.

In addition, I've asked as part of my staff comments that there be some provisions put in the declarations and on the plat for this subdivision and every future subdivision that addresses what happens if trees are cut. In Prairie Trails West there were trees cut. There was no penalty. In other subdivisions there are trees cut and there aren't penalties. But the newer subdivisions now there are penalties. And if the Village has an ordinance that also follows that up, maybe there won't be so many trees cut in the future.

The second question had to do with bike trails. I've been working with John Steinbrink, Jr. and with Mike and the Park Commission in putting together a park and open space plan, basically a master park plan, for the Village which includes interconnecting trail systems. That plan is going to be available for the public's review and scrutiny probably in about 30 days and it does include an interconnecting system of trails throughout the Village. Sometimes they're on Village roadways, however, and that's the case for this particular development. Once you make your way and link your way through to the bike trail then it gets back on that particular trail. So in some cases they're in open space areas on trail type systems and sometimes they're on street. So that's something that will actually need to be brought to the Plan Commission as well for their public hearing and information as well. Again, we hope to be doing that sometime after the Park Commission takes a look at it next month.

Mike Pollocoff:

Just a question on the motion and for staff guidance as we give direction to the developer. If it's the wish of the Plan Commission and recommendation to preserve the option to have the road go through at 122nd Street at the bike path, my recommendation would be that the nature of that construction be similar to Prairie Trails West where the road comes up to the bike path, and in this case we'd want a cul-de-sac so we don't have the problem that Mrs. Christiansen is talking about as far as a turnaround at a dead end. The reason I recommend that is that that if it's determined by either Kenosha County that we can cross or we've decided that as a community this isn't working having just three access points and we want to put that in, we're at a point now where we can require the developer to expend his dollars to make that happen. If we don't require him to put it in, or whatever we don't require him to put in, the taxpayers are going to have to pay to put in and finish it up in the last instance.

So to the extent this 122nd Street ends up looking like 122nd Street on the west side of the bike path would minimize the exposure to the Village taxpayers in total by not having to go back in and take out a section of green space and put in all the infrastructure to put in the road and just have that thing stop at both sides of the bike path so that at that point the Village is just constructing in a 50 foot wide strip rather than what would be I think 180 foot strip.

We're under a frozen budget. Our capital funds are extremely limited, and in as much as this is for development I'd just as soon be able to maximize how much the developer is going to be required to contribute rather than have that be a future liability that the Village is going to have to fund out of the general fund.

Tom Terwall:

What was your motion, Wayne?

Wayne Koessl:

I don't remember it's been so long.

Tom Terwall:

The motion was made by Wayne and seconded by Jim. So it's your understanding that's included in the motion?

Wayne Koessl:

Yes, sir.

John Braig:

I just wanted to piggyback a comment that you made and Mr. Zarletti did in that tonight there are Village Board members present and this is not at all uncommon. In fact, sometimes they are all here. Should they miss a meeting they have access to the minutes of this meeting so this really is the sounding board for public input more so than the Village Board meeting itself.

Tom Terwall:

THANK YOU. WITHOUT FURTHER ADO, MOTION BY WAYNE KOESSL AND SECOND BY JIM BANDURA TO SEND A FAVORABLE RECOMMENDATION TO THE VILLAGE BOARD TO APPROVE THE PRELIMINARY PLAT SUBJECT TO THE TERMS AND CONDITIONS OUTLINED IN THE STAFF MEMORANDUM WITH THE UNDERSTANDING THAT THE DEVELOPMENT INCLUDES AT CUL-DE-SAC AT 122ND STREET AT THE EAST SIDE OF THE BIKE TRAIL. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? Abstain? We now have to have a second motion for the zoning map amendment.

Mike Serpe:

I'd move approval, Mr. Chairman.

John Braig:

Second.

Tom Terwall:

MOTION BY MIKE SERPE AND SECOND BY JOHN BRAIG TO APPROVE THE ZONING MAP AMENDMENT SUBJECT TO THE TERMS AND CONDITIONS AS OUTLINED IN THE STAFF MEMORANDUM.

Jean Werbie:

I just need to add there will need to be some minor modifications to their petition and some adjusted legal descriptions because we now have a new outlot 9 where the lift station is, and we're eliminating outlot 8, so we'll just need to tweak the legal descriptions for a couple of the outlot areas, and with the elimination of lot 35, lot 35 becoming part of outlot 1, we're going to

be making some modifications there so that the northern end can be preserved and the southern end becomes more of a park and recreational.

Ron Adams:

Ron Adams, Pierson Brown and Associates, 1850 Winchester Road, Libertyville. In regards to the elimination of lot 35, I think a couple weeks ago your staff contacted our office about that. We did a study and we submitted increasing the setback from the north property line and shifting the retention pond. We actually think we can save lot 35, still accomplish the 70 feet that you're talking about. Or, at least at this point in time we'd not like to give up that lot if the condition is that we meet your criteria on the trees. We thought we did that. We sent in a sketch I think to Mr. Martin I think. My staff did it. I just found out today that they actually submitted--when we got your comments today regarding that, my staff was already aware of it that some adjustments were being considered about the pond.

The idea is we want to get the detention in, we want to handle the tree buffer that you want, but we just don't want to give up lot 35 unless we have to as long as we handle your concerns.

Tom Terwall:

That's between you and staff. Okay, Jean?

Jean Werbie:

Yes.

Tom Terwall:

Motion and a second. All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? Abstain?. Before I move onto the next item I just want to make one final comment. There was a request made tonight that the name of Prairie Trails East be changed because it was too similar to Prairie Trails West. Personally I'd be opposed to that. Mike pointed out the situation with Meadowdale Farms. When that subdivision was an adjacent subdivision put in it was named Meadowdale Estates and it worked out fine. We had the same situation in Prairie Village. After that was completed Mr. Stanich wanted to develop the west part of that property and the people in Prairie Village had some concerns about the naming of that development at Village West and they've gotten along just fine. So I'd be opposed to any change of the name of the subdivision.

Bonnie Tisinai

Could I speak one more time?

Tom Terwall:

It's up to the Plan Commission. Be brief, Bonnie.

Bonnie Tisinai:

Since there's no approval of crossing the bike trail, is there any way we can straighten out 28th Avenue in some way, because all of the traffic will go on 26th Avenue. I mean 28th Avenue the way it is right now no one will use it because it backtracks 26th Avenue.

Mike Serpe:

Ted, you heard her request?

Ted Pickus:

We already looked at that and we reviewed that.

Bonnie Tisinai:

I know and you decided against it. I understand that.

(Inaudible)

Ted Pickus:

. . . decision . . . staff . . . that they didn't want a race way. They felt like it would be a race way going through the subdivision.

Bonnie Tisinai:

If you put a stop sign up how could it be a race way?

Ted Pickus:

(Inaudible).

Mike Serpe:

Ted, we're not getting any of this on the tape.

Jean Werbie:

I can bring another version to the Board at the Monday meeting. That was an earlier consideration to have 28th Avenue connect straight through. We do have an earlier version that shows that, and when I present this to the Board on Monday I can show them that as well as—

Mike Serpe:

We don't have a Board meeting on Monday.

Jean Werbie:

A week from Monday. I can show them another alternative, a previous alternative that shows that straight through connection.

Tom Terwall:

So that's where the final decision is made Monday. If you want to be at that meeting a week from Monday and ask for that consideration.

Mike Serpe:

First Monday in February.

Jean Werbie:

February 6th at 6:30.

Bonnie Tisinai:

Thank you.

Beth Ann Christiansen:

Beth Ann Christiansen, 3201 122nd Street. I didn't hear any reply to my request to change your decision about abandoning 32nd Avenue as a result of the people wanting to stop the road from crossing the bike trail which I oppose. I would like it to go across.

Tom Terwall:

Number one, it's not an agenda item so we couldn't discuss it. Number two, if it was going to be abandoned that would have to be a public hearing that would have to be noticed to all affected property owners.

Beth Ann Christiansen:

Right, but it's treated as such. If you look in this cover of what I've handed you that's what it's treated as being abandoned, terminated, no longer plow and maintain. And that's every conversation we've had with public works.

Tom Terwall:

My understand now, Mike, is that there is a plow going through there after the roads are all completed?

Beth Ann Christiansen:

No, I described the condition what it is right now, the compromise and it doesn't work.

Mike Pollocoff:

Right now the Village Board directed staff to put up bollards and block the road off. We haven't had any official action . . . but we didn't put the bollards in. Our issue with moving the snowplows in there and backing them out and plowing out is it's a hazard. Every year, and we've already had our first one and second one this year, where people get behind a snowplow and a snowplow backs up into them when the snowplow is backing up and there's no place for a plow to turn around in there. So what we had indicated on this road we would do is either get the plow in after operations are done or get a smaller truck in there and plow out enough room so there's room for them to park.

Beth Ann Christiansen:

But you can't turn around. It doesn't work.

Mike Pollocoff:

And that in essence is the problem we have on dead ends. The Village is already been in litigation where we've killed somebody. We've been in litigation numerous times where we've backed into people. Our insurance company has told us to stop plowing on dead end roads where we can't see what we're backing into. And this is a road where you're backing up on a curve. It's not even just a straight backup. You're backing up on a curve and that's why we haven't done it.

Tom Terwall:

Could bollards be put in right at the right of way?

Mike Pollocoff:

Then she can't use it--she uses that and her husband uses it to park his construction or work equipment.

Tom Terwall:

But that's not the Village's responsibility to provide on street parking off street?

Mike Pollocoff:

We're not trying to be uncooperative, but at the end of the day right now we're stuck with a road to nowhere and the Christiansen's are wanting it plowed as a full roadway. One of the things that happens, if you think back to what Mr. Kull said, they wanted the road taken all the way out. At that time the staff said what we need to do is have a turnaround or a cul-de-sac, even half of a cul-de-sac put in there so when people do go down there, mostly us, we can get down there and get around and get out. At that time nobody in the subdivision, the majority of the people in the subdivision didn't want the road to go through at all which enhanced why we ended up with the bollard option.

Beth Ann Christiansen:

My point is Mr. Kull is not even in our Homeowner's Association. He's been a thorn in my side and all of us around there. I'm sorry. He lives way the heck down there. He doesn't give a darn about what this stuff looks like from my home. We refinanced our home two years ago to get lower interest rates. Now, we went back in there to get another appraisal. Our home went down in price. Why? Because two or three years ago those guys they have the rules where they have to go out X amount of miles in radius and then they can find a home that's compatible. Now all these homes that were built all gray siding all the same and as little money as possible put into it are compared to ours because of the proximity. Crossing that bike trail is going to be a tremendous value to our home. It's tremendous. They come in with this petition, they say that--my Homeowner's President says the whole Homeowner's Association is backing behind me, the guy lives next door to me and he's got an agenda. We never had a meeting that called everybody and said, hey, are all us homeowner's together? We never did anything like that. It was an internet thing, a weak way of doing it. We did this before and came before you. We went door to door and we brought the people in at five o'clock. I brought my children in the back.

So I'm just saying I understand the situation and I'm really saddened by the loss of life with that. But it's a wide road. For ten years they've done it. I don't know if like you say you could do it after hours, you could stage it in such a way. I'm not an expert at it, but I think a little more thought could be put into it instead of the spiteful comments we've received, in a way where you could stage it and you could maybe even have two trucks. The guy with the small truck parks at the one end and the guy who is driving the truck gets out by the bike trail and says, stop, don't walk, the guy is plowing.

Tom Terwall:

That's not an item for this Commission at all. I'm going to stop you.

Beth Ann Christiansen:

Okay, I'm sorry, but--

Tom Terwall:

You need to come back.

(Inaudible)

Beth Ann Christiansen:

We have and we have so my recourse today is just to walk away today and as a result of the decision of waiting on the bike trail not crossing--

Mike Pollocoff:

As Chairman Terwall said that's a fiscal matter for the Board. Your husband came and talked to us about the fact that we were blighting your property. It's nobody's intent to do that. Trustee Serpe along with the other Board members proposed this trial of trying to go and plow what we can with one truck and not plow the whole road but plow enough so we cover the front or that side of your property. It's not working. We'll work with you to see what else we can do. I'm

hesitant to tie up two people, two trucks, to plow 130 and some feet, but if it's not working we'll sit down and find a way to make it work.

Beth Ann Christiansen:

I understand.

Mike Serpe:

Beth Ann let's keep one thing in mind. I saw Karl's letter to the Plan Commission when he said there was going to be 300 plus cars a day going back and forth across the bike trail. He wasn't too happy about that. The Board said we'll put bollards up. Karl called me, and said, Mike, how is that going to look? I said, Karl, I have to agree with you that for this neighborhood that's not going to be a very attractive thing so I agreed with him. We haven't said we're not going to put bollards up, we just kind of temporarily put it off a while to see what happens here.

Now, you have to admit if somebody were to come by your house right now and see bollards on 122nd Street that wouldn't look too pretty for that subdivision so we didn't do that. So the few times that we do have some plowing situations just work with us a little bit because we're trying to get through this thing the best we can. Like I said earlier, the biggest mistake we made was getting away from the original plan. I take as much blame for that as anybody. That should never have happened. That bike trail should have passed two years ago to go across 122nd street, because we have to think of the people east of that bike trail. They have just as much rights as the people to the west.

Beth Ann Christiansen:

I agree totally.

Mike Serpe:

And right now we've created a problem where that's not happening but it may be corrected in the future.

Beth Ann Christiansen:

Alright, thank you for listening to me.

(Inaudible)

Kathy Million:

. . . 26th Avenue and 28th Avenue . . . I live on . . . since 1961 and now I have Tobin Woods Subdivision the outlet to that is 200 feet from . . . now they come in there and I'm pleased to hear that you guys are going to possibly fine the people that are cutting down these trees. I was working on my property and I used to play in there when I was little along with the rest of the neighborhood kids and the logging trucks that came out of there with six or eight trees that you

couldn't even put your arms around. And three of those in one day would come out of that subdivision where the builder stopped and said . . . said those homes start at \$1 million . . . these trees are coming out of there . . . that subdivision are going to be on State Line Road coming up toward our street. But to open it up, our road you have to go 25 miles an hour . . . you have the sewer ditch at one end down toward Tobin Road and you have all the new homes that are in the horse field there and you're going to have to widen the street. And all the new homes . . . my house was 22 feet off the road and I should never have gotten a variance to do what I did. And they said the road was going to be widened. I tore my house down. Then you've got these brand new homes that have only been there from Tobin Road up and you've got a winding road so if the fire truck was going to come down the road there's no where that nobody could go . . . the quietness or tranquility . . . you have our street in 28th Avenue . . . farmland. That's what it was. The quietness and the . . . gone . . . and you guys can make your decision . . . presented tonight . . . open up 26th Avenue and 28th Avenue. . . things change. I now they have been changed in the past but to open up the streets isn't very fair to the rest of us that have lived out there all of our lives. Thank you for listening.

C. Consider Plan Commission Resolution #06-01 to initiate a zoning map amendment as a result of land purchased by the Wisconsin Department Natural Resources and The Nature Conservancy of Wisconsin into the C-3, Natural and Scientific Research Conservancy District.

Jean Werbie:

Resolution 06-01 is a resolution to initiate a zoning map amendment. The Village Plan Commission may initiate a petition for an amendment to the zoning ordinance which may include a rezoning of property, change in zoning district boundaries or changes in the text of the ordinance. Community Assistance Planning Report No. 88 entitled A Land Use Management Plan for the Chiwaukee Prairie-Carol Beach Area of the Town of Pleasant Prairie dated February of 1985 and prepared by SEWRPC recommended that ultimately all of the lands within the plan area that were identified as open space preservation area be placed in the C-3, Natural and Scientific Area Resource Conservancy District which is the designated natural resource based preservation and protection district once these properties were acquired by a willing buyer from a willing seller.

The properties that are going to be up for a public hearing in March there were nine of them that were acquired by The Nature Conservancy of Wisconsin and the Wisconsin Department of Natural Resources. The Land Use Management Plan is the guide that seeks to preserve a substantial portion of the existing natural features of the area, the maintenance of a continuous environment corridor which connects the dunes on the north to the Chiwaukee Prairie on the south.

The plan recommends that Pleasant Prairie proceed on an incremental basis to do the following: That we need to follow Chapter NR 115 of the Wisconsin Administrative Code that requires the rezoning of wetlands within the shoreland area of Lake Michigan, and that the remaining lands within the proposed open space preservation area shall be preserved either as wetlands beyond the shoreland zone or as significant uplands.

The purpose of this resolution then is to initiate the process to place these lands that have been acquired in the public's interest into that C-3 designation. The Plan Commission is hereby initiating and petitioning to amend the official zoning map as it relates to those properties. The

proposed changes in the zoning map are being referred to the staff for further evaluation and recommendation. And the Plan Commission by this resolution is not making any determination on the merits of the changes yet but is only initiating the process by which a public hearing can be held so that these changes can be promptly evaluated. The staff recommends approval.

John Braig:

Move approval.

Mike Serpe:

Second.

Tom Terwall:

MOTION BY JOHN BRAIG AND A SECOND BY MIKE SERPE TO ADOPT RESOLUTION 06-01. ALL IN FAVOR SIGNIFY BY SAYING AYE.

Voices:

Aye.

Tom Terwall:

Opposed? Abstains?

7. OTHER SUCH MATTERS AS AUTHORIZED BY LAW.

Jean Werbie:

Mr. Chairman, Peggy is handing out copies of three tree preservation ordinances that the staff was able to obtain from three different communities. One is comparable to Pleasant Prairie in size. One is comparable in area and the other one is just a much larger community. What we'd like to do is put it as a discussion item on one of the upcoming agendas. This is my no means the Village's ordinance, but they're very different, and what we'd like to do is to start the discussion process by which we can get some direction from the Plan Commission and the Board to initiate the process to begin the preparation of an ordinance that would address some of the concerns and questions that have been raised by the Plan Commission in previous meetings.

Tom Terwall:

John, you have a comment?

John Braig:

No, not a comment on that. A question, has a schedule of Plan Commission meetings for the year been prepared?

Jean Werbie:

Yes.

Larry Zarletti:

Could we get a copy of that?

Jean Werbie:

I'm sorry. I thought that my secretary had e-mailed that to you. We must have e-mailed it to the Village Board. We will get those e-mailed out to everyone this week. Tom can hand out some hard copies to you today. If you'd like it by e-mail we can still send it, but if you can wait a few minutes he can come and bring those back to you.

7. ADJOURN.

John Braig:

So moved.

Larry Zarletti:

Second.

Tom Terwall:

All in favor signify by saying aye.

Voices:

Aye.

Tom Terwall:

Opposed? Abstain?