

**\*\*PLAN COMMISSION MEETING \*\***

June 7, 2022

**SAUKVILLE POLICE DEPT  
649 E GREEN BAY AVE and VIA ZOOM  
SAUKVILLE, WISCONSIN**

The meeting was called to order at 5:30 p.m. by Chairman Barb Dickmann  
The Statement of Public Notice was given by Dawn Wagner  
The Pledge of Allegiance was led by Barb Dickmann

Members Present: Barb Dickmann, Richard Belling, Jim Nowlen, Chris Lear, Pamela Hughes (via Zoom) and Kristi deBruijn (via Zoom)

Others Present: Dawn Wagner- Village Administrator, Scott Fischer-Village Trustee, Gerry Baganz- Living Hope Church, Don Nummerdor-Neumann Development (via Zoom), Kevin Anderson-Neumann Development (via Zoom) and Conner Carynski - Ozaukee Press

**APPROVE MINUTES OF THE May 3, 2022 MEETING**

**Belling/Lear made a motion to approve the minutes of the May 3, 2022 meeting. Motion carried.**

Review a Request for a 13.75 sq. ft. Wall Sign and 12" x 18" = 1.5 sq. ft. Plackard located at 900 E. Green Bay Ave., submitted by Sign Effectz INC.

Wagner stated the proposed signage meets the zoning code requirements.

**Lear/Nowlen made a motion to approve the Request for a 13.75 sq. ft. Wall Sign and 12" x 18" = 1.5 sq. ft. Plackard located at 900 E. Green Bay Ave., submitted by Sign Effectz INC. Motion carried.**

**Review and recommendation as to land division by certified survey map submitted by Neumann Developments, Inc., on behalf of Living Hope Lutheran Church, property owner of 851 W. Dekora Street, seeking to divide its existing 7.944-acre parcel into two parcels, Lot 1 to consist of 6.949 acres and Lot 2 to consist of 0.995 acres.**

**deBruijn/Nowlen made a recommendation to the Village Board to approve the land division by certified survey map submitted by Neumann Developments, Inc., on behalf of Living Hope Lutheran Church, property owner of 851 W. Dekora Street, seeking to divide its existing 7.944-acre parcel into two parcels, Lot 1 to consist of 6.949 acres and Lot 2 to consist of 0.995 acres contingent upon the items listed in the Ruekert-Mielke Memorandum dated May 26, 2022 (attached) are addressed. Motion carried.**

**Review and recommendation as to land division by certified survey map submitted by Neumann Developments, Inc., on behalf of The Crossroads Saukville, LLC, property owner, seeking to divide Lot 2 created by the Living Hope Lutheran Church certified survey map at 851 W. Dekora Street into four parcels consisting of 10,800 square feet each.**

**Nowlen/Belling made a recommendation to the Village Board to approve the land division by certified survey map submitted by Neumann Developments, Inc., on behalf of The Crossroads Saukville, LLC, property owner, seeking to divide Lot 2 created by the Living Hope Lutheran Church certified survey map at 851 W. Dekora Street into four parcels consisting of 10,800 square feet each contingent upon the items listed in the Ruekert-Mielke Memorandum dated May 26, 2022 (attached) are addressed. . Motion carried.**

**Consider and action on request from Neumann Developments, Inc., to waive the requirement of Chapter 176 of the Village Code that a preliminary plat be submitted and approved prior to submittal and approval of the final plat for The Crossroads subdivision.**

Wagner referenced the memorandum dated May, 26, 2022 (attached).

Barb Dickmann read the proposed motion.

**Nowlen/deBruijn made a motion** that the Plan Commission grant a variance so that Neuman Developments, Inc., is not required to submit a preliminary plat for The Crossroads subdivision because (1) there are exceptional or unusual circumstances resulting in severe hardship in that Neumann's conceptual plans and layout have already been reviewed and approved and it is necessary to expedite the development process; (2) waiving the preliminary plat requirement is necessary for preservation and enjoyment of substantial property rights possessed by other properties in the vicinity; and (3) waiving the preliminary plat requirement will not create substantial detriment to adjacent property and will not impair or be contrary to the spirit of Chapter 176 or the public interest. Motion carried.

**Review and recommendation as to application to approve final plat for The Crossroads subdivision submitted by Neumann Developments, Inc**

**Belling/Nowlen made a recommendation** to the Village Board to approve the final plat for The Crossroads subdivision submitted by Neumann Developments, Inc. contingent upon the items listed in the Ruckert-Mielke Memorandum dated May 26, 2022 (attached) are addressed and upon no objection being made by any objecting agency. Motion carried.

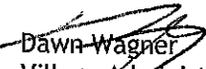
#### **OTHER MATTERS**

Baganz - Live Hope Church stated that the Church is in support of the Neumann Development.

The Crossroads ground breaking event scheduled for June 15<sup>th</sup> at 10:00 a.m.

#### **ADJOURNMENT**

**Nowlen/Belling made a motion** to adjourn. Motion carried at 5:44 p.m.

  
Dawn Wagner  
Village Administrator

May 26, 2022

Ms. Dawn M. Wagner  
Administrator  
Village of Saukville  
639 East Green Bay Avenue  
Saukville, Wisconsin 53080

Re: The Crossroads

Dear Ms. Wagner:

Per your request, we have completed our review of the Emerald Ridge CSM dated April 20, 2022, The Living Hope Lutheran Church CSM dated April 20, 2022, and the Crossroads Final Plan review dated May 17, 2022 and the Utility easement document. Our comments are as follows:

#### Emerald Ridge CSM

This review is for the compliance with Wisconsin Administrative Code Chapter A-E 7, Wisconsin Statute Chapter 236 and the Village of Saukville Code of Ordinances Chapter 176

1. Per Wisconsin Administrative Code Chapter, A-E 7- No comments.
2. Per Wisconsin Statute Chapter 236 – No comments.
3. Per the Village of Saukville Code of Ordinances Chapter 176 – No comments.
4. Additional non-statutory review comments:
  - The line types (thickness) for the West Right of Way (ROW) along Emerald Boulevard are different on either side of the proposed CSM.

#### Living Hope Lutheran Church CSM

This review is for the compliance with Wisconsin Administrative Code Chapter A-E 7, Wisconsin Statute Chapter 236 and the Village of Saukville Code of Ordinances Chapter 176

1. Per Wisconsin Administrative Code Chapter, A-E 7- No comments.
2. Per Wisconsin Statute Chapter 236.20 (2) – Where the exterior boundary lines show bearings or lengths which vary from those recorded in abutting plats or certified surveys. “Recorded as” bearings and distances shall be shown. The “recorded as” bearing (S68°44’52”E) for curve 1 is different than what is shown on CSM 2262 (S68°44’53”E).
3. Per the Village of Saukville Code of Ordinances Chapter 176 – No comments.
4. Additional non-statutory review comments:
  - The Ozaukee County GIS shows a wetland on lot 1 of the proposed CSM.
  - The line types (thickness) for the Right of Way (ROW) are different on either side of the proposed CSM. Also, the parcel line between Hine’s Meadow and Lot 1 of CSM 3028 differs from the parcel lines to the south of the proposed CSM.

Ms. Dawn M. Wagner  
Village of Saukville  
May 26, 2022  
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The Crossroads Final Plat Review

This review is for the compliance with Wisconsin Administrative Code Chapter A-E 7, Wisconsin Statute Chapter 236 and the Village of Saukville Code of Ordinances Chapter 176

1. Per Wisconsin Administrative Code Chapter, A-E 7- No comments.
2. Per Wisconsin Statute Chapter 236.21 (1)(b) Professional Land Surveyor's Certificate – The final call in the legal description lists the distance as 433.19', while the map has the distance listed as 423.19'. When mapping the boundary for closure it was determined that 423.19' would be the correct distance.
3. Per the Village of Saukville Code of Ordinances Chapter 176 – No comments.
4. Internal bearings, distances, and areas were not reviewed because that will be covered by the extensive review by the Department of Administration Plat Review.

If you have any question, please feel free to contact me.

Respectfully,

RUEKERT & MIELKE, INC.



Sean M. Sullivan, P.E. (WI, OK)  
Senior Project Manager  
[ssullivan@ruekert-mielke.com](mailto:ssullivan@ruekert-mielke.com)

SMS:sjs

cc: Mike Court, P.E., SEH, Inc.  
Kevin Anderson, Neuman Companies

## Memorandum re: Plan Commission Agenda Item #8 – June 7, 2022

To: Village Plan Commission  
From: Gerry Antoine, Village Attorney  
Date: May 26, 2022

The Emerald Ridge and Hine's Meadow subdivisions were platted in 2006. Neumann Developments, Inc., has been working to develop these subdivisions, which requires a replat of both subdivisions.

Neumann has previously submitted and received approval of a Planned Unit Development Overlay District, which included a general plan statement and a specific implementation plan. A TIF District has also been created.

Neumann is requesting that, because this is a replat of existing subdivisions, the concept and layout have already been reviewed and approved, and to expedite the development, that it be allowed to proceed with submittal and approval of its final plat without first submitting a preliminary plat.

The state statutes do not require a preliminary plat, but Chapter 176 of the Village Code (Subdivision Regulations) provides that "Before submitting a final plat for approval, the subdivider shall prepare a preliminary plat and letter of application."

§ 176-14 of the Village Code provides that the Plan Commission may grant a variance from any requirement of Chapter 176 to the extent deemed just and proper if the Plan Commission makes the appropriate findings.

Neumann must submit its final plat to the state, which forwards it to all "objecting agencies." The objecting agencies have 20 days from receipt to notify Neumann and the Village of any objections. The final plat will also be reviewed by the Village department heads and the Village engineer.

If the Plan Commission is willing to waive the preliminary plat requirement, someone on the Plan Commission should make the following motion:

**"I move that the Plan Commission grant a variance so that Neuman Developments, Inc., is not required to submit a preliminary plat for The Crossroads subdivision because (1) there are exceptional or unusual circumstances resulting in severe hardship in that Neumann's conceptual plans and layout have already been reviewed and approved and it is necessary to expedite the development process; (2) waiving the preliminary plat requirement is necessary for preservation and enjoyment of substantial property rights possessed by other properties in the vicinity; and (3) waiving the preliminary plat requirement will not create substantial detriment to adjacent property and will not impair or be contrary to the spirit of Chapter 176 or the public interest."**

If the Plan Commission adopts that motion, then when it makes its recommendation on the final plat (Agenda Item #9), if that recommendation is to approve the final plat the approval should be contingent on no objections being made by any objecting agency.