

**Plan Commission Minutes
January 12, 2015**

Present: Chairman Ben Harbach, Commissioners Shirley Mandernack, Gordon Lake, Jim Armes, and Tom Nelson. Excused were Commissioners John Donaubaer and John Lichter. Also, present: Supervisor: Judy Schantek, and Town Administrator: William Morris, and, Administrative Assistant: Ann Brumback.

1. **Call to order:** Chairman Harbach called the meeting to order at 6:30 pm.
2. **Pledge of Allegiance:** Chairman Harbach led the Pledge of Allegiance:
3. **Approval of minutes of previous meeting of December 8, 2014:** Commissioner Mandernack made the motion to approve, and seconded by Commissioner Armes. Motion passed 5-0.
4. **Comments on Kenosha County Land Use Minutes:** Received copies of minutes in advance, Chairman Harbach referred to items numbers 6 and 7 regarding the MIR Group and Coleman Tools and asked if anyone had any comments or questions. No questions or comments were made.
5. **Correspondence:** None
6. **Citizen Comments:** None
7. **Public hearing & action on request by Yutka Properties LLC, 11880 12th Street, Kenosha, WI 53144 (Owner), Brett Yutka, Yutka Fence, Inc. (Agent), for renewal of a Conditional Use Permit (originally approved on February 13, 2013) for a fence contractor's business with outdoor display and storage and to amend the existing Conditional Use Permit to allow additional outdoor display area and a lean-to structure in the M-1 Limited Manufacturing District on the Tax Parcels: #80-4-222-073-0220 and 80-4-222-073-0211 located in the SW ¼ of Section 7, T2N, R22E, Town of Somers.**

Chairman Harbach read the request for the Public Hearing and action into the record and asked if anyone was present from Yutka Properties LLC. Brett Yutka was present and spoke on behalf of the company. Mr. Yutka explained that his 2 year conditional use permit was going to expire and wanted to ask for an indefinite conditional use permit. Also at the same time they would like to expand their business and sell custom play sets for children, slides, swings and would like to put a display for this on the north side of the building covering 12,000 square feet. The area would display different custom sets and the ground would be covered with wood chips or rubber. Brett also stated that on the south side of the building they would like to add a pavilion type of area to store fence materials before installation to keep the sun from changing colors or graying the material. This would be screened on three sides with the side facing the current building open for access by forklift.

Discussion followed discussing the play sets, ground cover and the additional building, building permits, color of roof lining of current fenced area to screen materials from the road.

Chairman Harbach closed the Public Hearing and asked for a motion regarding the outdoor display area and the pavilion like structure for outside storage.

Commissioner Mandernack made the motion to approve the outdoor display area on the north side of 12,000 square feet for play structures and the covered storage area approximately 24' x 54' with 9' clearance and a peak height of 10½' peak. Motion was seconded by Commissioner Nelson. Motion carried 5 – 0.

Chairman Harbach then called for a motion on the indefinite extension of conditional use permit, which would include the following changes in the current conditions

- a. Indefinite Conditional Use, and revisited if Town finds them in violation of the conditions set.
- b. Adding hours on Sundays from 9:00 a.m. to 3:00 p.m.

Commissioner Mandernack made the motion to approve with the two changes as stated above to approve. Motion was seconded by Commissioner Nelson. Motion carried 5 – 0.

8. **Adjourn:** Commissioner Mandernack made the motion to approve, Commissioner Nelson seconded the motion. Motion carried 5 to 0. Meeting was adjourned at approximately 7:08 p.m.

These minutes are not official until approved by the Plan Commission.
Submitted by Ann Brumback, Administrative Assistant