

**VILLAGE OF HARTLAND  
VILLAGE BOARD MINUTES  
MONDAY, AUGUST 24, 2015  
7:00 PM  
BOARD ROOM, MUNICIPAL BUILDING, 210 COTTONWOOD AVENUE**

Present: Trustees Stevens, Meyers, Compton, Landwehr, Swenson, Wallschlager and President Lamerand.

Others Present: Administrator Cox, Finance Director Bailey, DPW Director Einweck, Police Chief Rosch, Interim Fire Chief Dean and Deputy Clerk Meyer.

Roll Call

Pledge of Allegiance – Trustee Compton

Public Comments: (Please be advised the Village Board will receive information from the public for a three minute time period per person, with time extensions per the Village President's discretion. Be it further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.) - NONE.

1. Motion (Meyers/Stevens) to approve Village Board minutes of August 10, 2015. Carried (7-0).
2. Motion (Landwehr/Swenson) to approve the vouchers for payment in the amount of \$757,993.34. Carried (7-0).
3. Consideration of actions related to Licenses and Permits
  - a. Motion (Swenson/Stevens) to approve Operator (Bartender) Licenses with terms ending June 30, 2016. Carried (7-0).
  - b. Motion (Meyers/Landwehr) to approve a Street Use Permit for the Arrowhead High School Homecoming Parade on September 20, 2015. Carried (7-0).
  - c. Motion (Landwehr/Compton) to approve a Temporary Class B Beer/Wine Permit for the St. Charles Harvest Luncheon on October 10, 2015. Carried (7-0).

Items referred from the August 17, 2015 Plan Commission meeting

4. Consideration of a motion to approve site and building plans and an amended Conditional Use Permit for modifications to a car wash facility on the property located at 400 E. Industrial Drive.

The owner has submitted plans showing a downsized addition to the main building and conversion of the existing out building to be used as the car wash facility. The total amount of impervious surface on the parcel is reduced and while the car wash bays are shorter, they orient north/south instead of east/west. During the wash cycle and upon exiting the wash bay,

vehicles are oriented toward the north (railroad tracks) instead of toward the residential properties on Cottonwood Avenue. No modifications to the landscaping along Cottonwood Avenue have been proposed, which will include a berm and buffer plantings. The existing building which will house the car wash would be treated as an accessory structure. The Plan Commission recommended approval of the amendments to the Conditional Use permit and final proposal and site plan.

Motion (Swenson/Landwehr) to approve site and building plans and an amended Conditional Use Permit for Hartland Service for modifications to a car wash facility on the property located at 400 E. Industrial Drive. Carried (7-0).

5. Actions related to proposed Zoning Code and general Code amendments to allow the Architectural Board to conditionally eliminate the requirement for review of single family residences in subdivisions with active homeowners associations.
  - a. First reading of Bill for an Ordinance No. 08/24/2015-01, An Ordinance To Amend Chapter 46 And Chapter 18 Of The Village Of Hartland Municipal Code Pertaining To Architectural Board And Building Permits.

Architectural Board review of single family home construction and modification was implemented decades ago in response to perceived aesthetic problems with houses being constructed. At that time, the areas of the Village in question were not served by homeowners associations and the appearance of new construction was not being reviewed by anyone to determine its fit within Hartland. In the intervening years, new subdivisions have come on line that were approved with strong expectations as to the type of appearance of houses and with strong internal review processes for new construction and modifications. In fact, it is always part of the Architectural Board conversation when considering such improvements to determine whether the local homeowners group or architectural review committee has reviewed the proposal. The Architectural Board has opined in the past that perhaps Village review of the aesthetics is not necessary when the subdivision's committee has already reviewed and approved. Based on that concept, language has been proposed to amend the Zoning Code and Village Code to remove the requirement for Architectural Board review and to allow the Board to establish a policy of not reviewing certain work. If these amendments are approved, the intent would be for the Architectural Board to approve a policy that indicates what review is waived and under what circumstances. Details of such a policy will be created through continued discussion with the Architectural Board. The Plan Commission gave favorable initial consideration of the amendments at its August meeting and will consider a final recommendation at its September meeting.

- b. Motion (Compton/Stevens) to set a public hearing for September 28 during the Regular Village Board meeting to hear public comment on the proposed Code amendments. Carried (7-0).

Others items for consideration

6. Motion (Compton/Stevens) to approve Resolution No. 08/24/2015-01 "A Resolution Pledging That The Village Board Of The Village Of Hartland Will Expend Funds Necessary For The Hartland Public Library To Exempt The Village From The Waukesha County Library Levy". Carried (7-0).
7. Motion (Meyers/Stevens) to approve Change Order No. 1 (Final) for the 2014 Road Improvement Project contract with Payne and Dolan in the net reduction amount of \$126,147.49 for a final contract price of \$841,572.26. Carried (7-0).
8. Consideration of a motion to approve a reduction to standby letter of credit for Sanctuary of Hartland, LLC.

The amount of reduction is \$27,608.40 for site grading. This is mainly for the access path area at the eastern part of the development.

DPW Director Einweck stated that recently there has been discussion about restoration on the west side of the development, adjacent to the Maple Avenue properties. Mr. Einweck has been in contact with the developer and staff for the past two weeks. The developer is proposing a new seed mix in that area. Previously they used a buffalo grass, which stands 18 – 24 inches. It is a very "stalky" type of grass and is prone to having weeds. The proposed grass is fescue and is a no-mow type of grass. It grows 6 – 8 inches tall and then lays over itself. In early June it will have seedlings that will grow 8 – 14 inches. After the seeds are released, that grass goes down. There is concern about the black walnuts in the existing forest. The people taking care of the land should remove the leaves and the black walnuts because of the toxins in the black walnuts that would adversely affect the fescue.

Mike Einweck did a site visit last Friday, noting that the last rain had been on Tuesday. On Friday there were still three pockets that were holding water. He emailed the developer to tell him to regrade those areas that are holding water away from the Maple Avenue properties and towards the detention basins.

Staff will not release the Letter of Credit for restoration until all issues are taken care of.

Lee Bromberger, 140 Maple Avenue, told the Board that on the west side of the property, there has not been any site grading done. Administrator Cox and DPW Director Einweck were on site last Friday and they saw the three low areas that hold water.

Mr. Bromberger feels the developer changed the nature of the soil. Over the years there has not been flooding, rodent or insect problems. Since they turned that area into a borrow pit, the developer changed that soil, as well as the topography of that soil, and the neighbors have problems. He just wants to make sure that everyone understands that when you look at this Letter of Credit for site grading, the Board members or the public should not be under the false impression that this has been amended. He is a little concerned regarding DPW Director's report on a possible solution with about grass that is 6 – 12 inches high, because the grass that was there was higher than two feet. He is concerned that the new grass will be higher than they

**VILLAGE BOARD MINUTES**  
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**7:00 PM**  
**PAGE 4**

say. For at least 30 years there was grass there and that is what the neighbors would like to see put back into that soil. If that land is not re-graded, we will have to visit this again and again. Please make sure the developer makes it right.

President Lamerand reiterated that the restoration Letter of Credit will not be released until we are satisfied.

9. Motion (Compton/Stevens) to confirm the Village Board authorization for a contest coordinated by Arrowhead History Teacher Ron Reichle to solicit proposals for the improvement and expansion of the Veteran's Memorial at Nixon Park. Carried (7-0).
10. Announcements: The following individuals will be given an opportunity to make announcements at the meeting in regards to (1) activities taken since the previous meeting on behalf of the community, (2) future municipal activities, and (3) communications received from citizens. It is not contemplated that these matters will be discussed or acted upon. The following individuals may provide announcements: Village President or individual Village Board members or Village Administrator or other Village Staff members.

There will be a Special Primary for Partisan Office on September 1, 2015 for the Representative to the Assembly, District 99.

11. Consideration of a motion to recess to closed session pursuant to SS 19.85 (1)(e), deliberating or negotiating the purchasing of public properties, investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session regarding acquisition or sale of property and to adjourn thereafter without reconvening into open session pursuant to SS 19.95 (2).

Motion (Landwehr/Swenson) to adjourn into closed session. Roll Call Vote taken. All Ayes. Motion carried. Open Session Meeting adjourned at 7:25 PM.

Respectfully submitted by  
Recording Secretary,

Lynn Meyer  
Deputy Clerk