

**VILLAGE OF FOX POINT
PLAN COMMISSION
AUGUST 7, 2017**

A meeting of the Fox Point Plan Commission was held in Schwemer Hall, 7200 N. Santa Monica Blvd. on Monday, August 7, 2017 Chairman Frazer called the meeting to order at 4:31 p.m. and noted there is a quorum with 5 Commissioners present. Plan Commission roll call was taken by Village Clerk/Treasurer Kelly Meyer; Plan Commissioners present included:

Douglas H. Frazer, Chairman
Eric Fonstad, Commissioner
Donald Zien, Commissioner
Carol Wilkins, Commissioner
John Crichton, Commissioner

Absent-Scott Yauck, Commissioner
Absent-Therese Gripentrog, Commissioner

Also staff present was Village Manager Scott Botcher, Public Works Director Scott Brandmeier, Administrative Intern Mohammad Easa, and Village Clerk/Treasurer Kelly Meyer.

Notice of the meeting was provided to the North Shore Now, as necessary and to all others as required by State open meetings laws and posted on the official bulletin board at 7200 N Santa Monica Boulevard, as well as the village website at www.villageoffoxpoint.com, as per 2015 Wisconsin Act 79 and as described in Village Ordinance Chapter 116-2, 116-2(C).

Approval of the Minutes of the July 5, 2017 Plan Commission Meeting

On motion of Commissioner Fonstad, seconded by Commissioner Wilkins, the Commission approved the minutes of the July 5, 2017 Plan Commission meeting with amendments, as indicated above.

Commissioner Wilkins noted she was present at the July 5, 2017 Plan Commission meeting and asked for a correction to the meeting minutes.

Commissioner Fonstad asked for the following amendments to the July 5, 2017 Plan Commission meeting minutes: On line 63, speaks to side should be **speaks to size**; line 68 should be **division of land**; line 71, should be **semi-rural** character; line 104 should be **President's** name being corrected.

Motion carried unanimously.

Review and Recommendation Re: Land Combination and Certified Survey Map for 1548 East Goodrich Lane

Public Works Director Mr. Brandmeier was present and gave background on the Land Combination and Certified Survey Map for 1548 East Goodrich Lane.

On motion of Commissioner Fonstad, to recommend to the Village Board that the Land Combination be approved subject to the conditions for approval set forth in the Village Attorney's memorandum dated August 1, 2017 (as attached), and that

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the Certified Survey Map included in the materials be accepted as the final Certified Survey Map and waive the requirement for the second Certified Survey Map, seconded by Commissioner Crichton.

A brief discussion took place.

Motion passed unanimously.

Adjourn

On motion of Commissioner Zien, seconded by Commissioner Fonstad, and carried unanimously, the Commission adjourned at 4:38 p.m.

Respectfully submitted,



Kelly A. Meyer, WCMC
Village Clerk/Treasurer

MEMORANDUM

To: Village Plan Commission
VILLAGE OF FOX POINT

From: Eric J. Larson
ARENZ, MOLTER, MACY, RIFFLE & LARSON, S.C.

Date: August 1, 2017

Re: Certified Survey Map
Land Combination
Recommended Conditions of Approval
1548 E. Goodrich Lane

Members of the Plan Commission:

It is my understanding that a certified survey map will be on your agenda on August 7, 2017, for a possible land combination. Consistent with the Plan Commission's consideration of similar matters in the past, you may want to recommend conditions of approval to the Village Board. Conditions that you may want to recommend include the following:

1. Final CSM. The Village Board finds per Section 738-8 of the Village Code that literal application of the requirement of the Village Code for a preliminary and final CSM would result in unnecessary and undue hardship in this case, and that it is consistent with the intent of Chapter 738 of the Village Code to waive the two submittal process so that substantial justice may be done and the public interest secured. This is appropriate because this is primarily a combination of existing lots, with no outstanding issues, and there is nothing to be gained by requiring another submittal. The above-noted CSM is deemed to be the final land division map.
2. Razing of Structures. Subject to the structures noted on the CSM as "to be razed" being razed and the site restored to the satisfaction of the Village Director of Public Works prior to the CSM being executed by the Village and recorded in the office of the Milwaukee County Register of Deeds.
3. Staff and Governmental Approval. Subject to the Subject Property Owners satisfying all comments, conditions and concerns of the Village Engineer/Director of Public Works, the Village Manager and all reviewing, objecting and approving bodies, in regard to the Certified Survey Map, and obtaining all necessary permits and approvals, prior to commencing construction of any improvement, whether public or private, or site development or recording the Certified Survey Map, whichever is earlier.

4. Professional Fees. The Subject Property Owners shall, on demand, reimburse the Village for all costs and expenses of any type that the Village incurs in connection with this development, including the cost of professional services incurred by the Village (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
5. Payment of Charges. Any unpaid bills owed to the Village by the Subject Property Owners or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Village; shall be placed upon the tax roll for the Subject Property if not paid within thirty (30) days of billing by the Village, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval, that is subject to all remedies available to the Village, including possible cause for termination of the conditional approval.
6. Private Rights. This grant of Certified Survey Map approval is not to be in any way interpreted to abrogate any private rights the other lot owners in the area may have pursuant to deed restrictions or restrictive covenants.
7. One Year to Satisfy Conditions. Subject to the Subject Property Owners satisfying all of the aforementioned conditions within one year of the Village Board granting this conditional approval.

Additional or different conditions may arise out of your discussions on August 7, 2017. Please let me know if you have any questions or concerns. Thank you.

-- Eric

cc: Scott Botcher, Village Manager
Kelly Meyer, Village Clerk-Treasurer
Scott Brandmeier, Director of Public Works

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