

**VILLAGE OF SUSSEX
SUSSEX, WISCONSIN**

Minutes of the Village Board Meeting of September 27, 2016

The meeting was called to order at 7:00 p.m. by Greg Goetz

Members present: Bob Zarzynski, Pat Tetzlaff, Tim Dietrich, Matt Carran, Lee Uecker and Greg Goetz

Trustees excused: Wendy Stallings

Others present: Asst. Administrator Melissa Weiss, Attorney John Macy, and Deputy Clerk Linda Steinmetz and members of the public.

A motion by Tetzlaff, seconded by Zarzynski to approve the minutes of the Budget meeting held on September 8, 2019 and Village Board meeting held on September 13, 2016 as presented.

Motion carried.

Village President Report: President Goetz reported on the following: Village Offices will be closed to the public on Friday, September 30, while staff packs and prepares to move to the new Civic Center. The Tire Drop Off is scheduled for 8:30 to 11:00 am Saturday, October 1, at the Village Garage on Clover Drive. The Public Works Committee meets at 6:00 pm Tuesday, October 4, in the Board Room at Village Hall and the Finance & Personnel Committee immediately follows. Hydrant Flushing will take place in the Village Monday through Friday, October 10-14.

Trustee Uecker reported on the Board of Fire Commissioners meeting, which included review of applications for the Fire Chief position.

Trustee Carran reported that the Community Development Authority did not meet in September.

As Trustee Stallings was absent, there was no report of the Park and Recreation Board.

A motion by Goetz, seconded by Carran to approve the Mount Calvary Cross Country Meet contract as presented.

Motion carried.

A motion by Goetz, seconded by Tetzlaff to approve the changes to the park and facility rental policies as presented.

Motion carried.

Trustee Dietrich presented the report of the Pauline Haass Library Board, noting that the summer reading program for children was a huge success.

A motion by Tetzlaff, seconded by Carran to approve the Petition for Attachment and zoning determination Ordinance for the property located in the Town of Lisbon at W239N7542 Maple Avenue.

President Goetz and all Trustees present voted "aye".

Motion carried.

Staff Reports: Ms. Weiss reported that Main Street project should be substantially completed by the end of October/early November. Installation of the lighting in the new parking lot north of the Sussex Civic Center will be completed soon and the lights will be functioning by the end of the week. As part of the Main Street project, We Energies will be moving power lines underground and staff will have one-on-one meetings with those residents affected. The Village received 27 applications for the Fire Chief position and the Board of Fire Commissioners is reviewing those applications. Attorney Macy noted that he had no news to share at this time. Ms. Steinmetz reported that the Clerk's office is busy processing absentee ballot requests and planning the election set-up for the new building.

Comments from citizens present:

William Goodfellow, W238N7381 Monterey Court, verified that the Board had received his letter on the proposed subdivision on Maple Avenue (exhibit A) and stated his concerns about the proposed subdivision. These concerns include the ridge on his property, stormwater issues, the number of homes proposed and lack of details in the plans. See attached exhibit B.

Jennifer Barnish, W238N7651 Hidden Oaks Drive, stated her concerns about the proposed subdivision and the lack of transparency in the process to rezone the land. Her concerns include that the property is designated as an isolated natural resources area by the Village's 2020 Land Use Map and Comprehensive Plan. She has been in contact with Waukesha County and stated that they felt only 5 to 6 lots should be permitted on the property as currently zoned, not 42. She is concerned that immediately following the Plan Commission meeting, bulldozers were on the property. Ms. Barnish is concerned about connecting the roads to the neighboring subdivision as the lot sizes are so different and do not mirror each other. Speeding is also an issue and this will lead to an increase of traffic and more speeding through adjoining subdivisions. By adding 42 more homes, she has a concern with the overcrowding of schools. The process to bring this property into the Village for development is not transparent and stated that the public should be notified and has a right to get answers before the development moves forward. She is concerned that one of the individuals who will benefit from this development sits on the Village's Park and Recreation Board, which recommended revision of the tree preservation ordinance.

President Goetz stated that the revised tree preservation ordinance was approved at the Village Board level, not Park Board. The Board and staff have always conducted business professionally and followed guidelines set by Village ordinances and state law. The zoning of this property will be decided after a public hearing which you will receive notice of. Tonight's zoning is a temporary one to allow for the attachment of the property to Sussex.

Trustee Carran stated that Wisconsin State Statutes are being followed. The process itself may not be transparent, but the Board must follow the law.

Helen Unruh, W238N7615 Hidden Oaks Drive, stated that she did not expect to hear bulldozers on the property the day after the Plan Commission meeting temporarily rezoned the property.

Kelly Tetting, W245N5949 Maris Court, stated that the school district is aware of all new development in the Village and surrounding municipalities. There is an internal and external committee working on growth issues.

Joyce Bongard, N76W23595 Majestic Heights Trail, stated her concern that citizens cannot ask questions and get answers at this meeting. She asked for an explanation of the process.

Attorney Macy stated that staff is always willing to meet with individuals to answer questions and encouraged those concerned to call for an appointment. The plans are public record and available for viewing at the Village Hall. Attorney Macy explained the formal process the Village is required to follow when attaching land to the Village.

President Goetz noted that citizens will also be able to ask questions and get answers at the public hearing which will be noticed.

Ms. Weiss reiterated that staff is available and those wishing to discuss this development should call the Village Hall for an appointment.

Brian Tetting, W245N5949 Maris Court, wished to clarify a few issues. The noise neighbors heard was not that of a bulldozer, but a brush clearing machine. They were clearing underbrush on the property. The Village is already aware of the existing water issue in Pine Ridge and a goal of this development is to improve the water issue. There are only 40 lots, not 42. Lots are not too low in the proposed subdivision as some homes will have exposed basements.

Old Business: None.

New Business:

A motion by Goetz, seconded by Zarzynski to approve the resolution to establish a new polling location in the Village of Sussex. The resolution establishes the Sussex Civic Center as the polling location for the November election and all future elections. Motion carried.

A motion by Goetz, seconded by Carran to approve the application for three Amusement Device Licenses, September 28, 2016 through June 30, 2017 for Sussex BP, N62W23456 Silver Spring Drive. Motion carried.

Appointments: President Goetz announced that there is an opening on the Park and Recreation Board. Anyone interested should contact the Village staff.

A motion by Goetz, seconded by Carran to adjourn the meeting at 7:54 pm. Motion carried.

Respectfully Submitted,

Linda Steinmetz
Deputy Clerk

Exhibit A

Dear Elected Representatives of the Citizens of Sussex, WI.

Gregory Goetz Village President N61W24222 Oak Court Sussex, WI 53089 (p) 262-246-8553	Matt Carran Trustee W241N7359 S Woodsvie Drive Sussex, WI 53089 (p) 262-993-4013	Timothy Dietrich Trustee N62W23469 Silver Spring Drive Sussex, WI 53089 (p) 262-246-4300
Wendy Stallings Trustee N66W24173 Champeny Road Sussex, WI 53089 (p) 262-212-2162	Pat Tetzlaff Trustee N59W24774 Quail Run Lane Sussex, WI 53089 (p) 262-246-3005	Lee Uecker Trustee W240N6191 Maple Avenue Sussex, WI 53089 (p) 262-246-0609
Bob Zarzynski Trustee N63W23333 Main Street, #308 Sussex, WI 53089 (p) 262-246-3877	Senator Chris Kapenga Room 15 South State Capitol Madison, WI 53707-7882	Representative Adam Neylon Room 125 West State Capitol P.O. Box 8953 Madison, WI 53708

You are our Government representatives and we want this correspondence to be "On the Record", we need your Help.

I reviewed the Plans for New Subdivision along Maple Avenue North of Pine Ridge Subdivision.

Our home is located in Pine Ridge along the Lot Line at W238N7381 Monterey Ct. We have been here for 12 years and 13 years in Lisbon prior. I have spoken to the Village Administrator and the Village Engineer about this project; neither could provide the details that I requested. This Land is currently Zoned Wooded upland in Town of Lisbon (very low density construction) and is noted as a isolated nature area in the County 2035 Plan. The land has much higher than 12.5% slope. This property was zoned as stated when I bought my lot in 2004, and I paid a premium price because of the green space.

The Plan Layout along the Ravine between the Subdivisions is a cluttered mess that reduces the possibilities for Water control of all the properties draining into the ravine. Six Houses are planned in the new sub to the Four Houses in Pine Ridge. The new sub lots have very limited rear yard space when taking into account the 30 ft green space boundary noted in the plan. In this Plan I see callous disregard for the Existing Homes and our green space. I see a disregard for Democracy for which I have served to Protect.

I am a Wisconsin Veteran (Lake Geneva) ,I spent Seven years in the US Navy Tracking Soviet Submarines with Experimental Acoustic sensors that are now used throughout the US Navy Fleet. Of those Seven Years Five were as crew on Navy Destroyers and Frigates. It was an Honor to serve and I am proud. I have never asked for anything in return. Laura as a Navy Wife made great sacrifice, being alone for up to six months per deployment with our first child Meghan. I saw at a young age in my travels to many countries what Democracy is NOT and it made me understand the value of our Democratic

system. We raised our three daughters here, all are Hamilton, and UW College Graduates that are doing well. We chose Sussex because the people are Great and the green space fits us well.

This new Subdivision Plan has no details and I have been informed that the Plan has been approved with the final zoning approval coming in December. I could not attend the 9/15 meeting because I was traveling. I did however submit an Email to the village and receipt was acknowledged. This email contained some of my concerns , that were apparently ignored (not seen in the minutes). Administrator Jeremy Smith told me it is a done deal and the property will be rezoned without review of the details. I was also told by Village Engineer Judy that the details come after the final zoning approval. This is not a Democratic process, nor a very good operating model. How can approvals occur before the details are reviewed? This is a very risky model to the Village. Citizens should be able to review and comment on the Details before approval. The Planning Committee should listen and have our interests in mind. This tells me there is no room for consideration of the Existing citizens needs. It tells me a story of Greed, and non democratic process, a very suspicious operating doctrine. It's wrong.

I spoke with the Developer Brian Tetting , I was looking for details of the Plan for the area that Borders Pine Ridge. Brian has no details. I questioned him about how it would even be possible to control the Flow of water without touching the green space area; he alluded to a deviation that might be needed. I also was informed that the original Plan had fewer houses and that the Village Plan commission requested that additional lots be designed in.

If this Plan moves forward as is, I predict that the Hill and green space behind my house will be Bulldozed Flat (eliminating my green space) because of a deviation that will be requested and granted (only because there are too many houses on the ridge). Worst case scenario, developer creates a big water flow earthworks pushed up right behind my lot. The trees do not get replaced or the developer plants little tiny saplings. Of course no attempt will be made to marry our property into the new property, nor to inform us of decision or allow comment. This is a Prediction of the worse case.

Here is a list of the Needs of William & Laura Goodfellow and Neighbors Al & Donna Kroening

Please address these issues on our behalf - Make this right.

Water runoff needs to be addressed for all existing and new lots located along the ravine between Pine Ridge and New Subdivision. Please no Earthworks of any kind. Final grading should be appealing to all and should have all green space as stated in the Plan.

There are too many lots on the ridge of the ravine facing south toward Pine Ridge. Looking at the map and visualizing it looks much cluttered and the new lots have very limited space. If this is not done then the developer has very limited space to deal with the water and would therefore request deviations on the 30 ft green space buffer. I would remove two lots and make the remaining lots larger. This would Match up perfectly with Pine Ridge and allow more flexibility with water control and would save the green space area behind our homes .

It is very important to us that no deviations on the 30 Ft natural area be granted. Maintain "as is"

Add a note that all trees removed for any reason within the 30 ft natural area shall be replaced with more desirable species of trees 15 ft in height minimal.

Add a requirement that the developer marries the new grade with the existing grades of lots in Pine Ridge to obtain a natural look, No sloppiness.

Before the Final Zoning approval, we would like to be contacted and briefed on the plan details and the Timeline.

We hold the Village and developer accountable for any damage to our property as a result of this project. Now and Future.

Sincerely and Respectfully,

William & Laura Goodfellow
W238N7381 Monterey Ct.
Sussex, WI 53089
262-993-2850

Exhibit B

Good evening members of the village board and elected representatives of the citizens of Sussex

I am William Goodfellow and here with me today is my great Neighbor Al Kroening. We live in Pine Ridge Subdivision on Monterey Ct. I mailed a letter to all elected representatives of the citizens of Sussex on 9/24/2016. I was wondering if any of you had a chance to read this, do you have any questions or comments.

I will make this brief:

Al and I have great concern of the details surrounding this new development. Specifically along the ravine between where Pine ridge meets. There is a Ridge that is partly on my property that extends north to the East West Ridge. This forms a bowl to the East of this ridge where water collects and fills the bowl, on three occasions (frozen, snow, rain or thaw) the bowl overflowed along the edge of my property. My Basement is bone dry and currently I see no issue because of the grade of my lot, unfortunately before the bowls overflows the water comes up all along Al's property. It also causes a Lake to the west neighbor's Back yard. No details of the planned grading of this area exist at this point. Have any of you seen this area or any detailed grading Plan.

The Water naturally flows to the Low spot from sources to the east including the new Subdivision along Woodside Avenue, the Woodside school property, and Two Lots in Pine Ridge. A small portion of my Lot drains here. Most of the Water is from the Ridge in the New Planned Subdivision, Mainly because of how steep this land is.

If you look at the Plan the Rear Foundation of two planned homes is exactly at the Low Point of this Bowl. There is only 25 Ft of space between the foundation and the 30 ft. Green Space area included in the Plan. (Green Space is much appreciated and good policy). Because of the excessive number of homes planned on this ridge there is little wiggle room and our concern is our worst case scenario. If you change from six lots to match the four lots on Pine ridge then there is room to preserve the green space. The Worst case scenario is detailed in the letter. Basically uncontrolled drainage and or a Bulldozed Moonscape of Mud and Rock instead of the 30 Ft. Green space listed in the Plan.

I have accomplished Phase 1 of my life I raised my three daughters here All Hamilton and College Graduates. All are Professional Women. Phase two is to finish up and retire here. Grandchild one is on the way.

We urge you to reevaluate your decision, review the details, and review all of our concerns and requests listed in the letter. Please consult with Al and I with details, prior to approval of rezoning or the current plan. We are not against development here but must see the details and expect all of you to look out for our interests as Veterans, Families, citizens and Property Owners.

Will it be the rich attorney developer (not from Sussex) that needs an economically viable plan or will it be Bill Goodfellow and Al Kroening.

Do any of you have and comments or questions. Please publish the letter sent to all of you and these commentary notes in the Village Board meeting minutes.

Thank You,

William Goodfellow & Albert Kroening

Concerned Citizens of Sussex.