

**VILLAGE OF THIENSVILLE
PUBLIC HEARING
MINUTES**

DATE: Monday, May 21, 2018

**LOCATION: Fire Department Training Room
250 Elm Street
Thiensville, WI**

TIME: 6:00 PM

I. CALL TO ORDER

President Mobley called the Public Hearing to order at 6:00 PM.

II. ROLL CALL

President:	Van Mobley	
Trustees:	Samuel Azinger	Kenneth Kucharski
	Ronald Heinritz	David Lange
	Rob Holyoke	Elmer Prenzlów
Administrator:	Dianne Robertson	
Attorney:	Robert Feind	
Village Planner:	Jon Censky	
Staff:	Police Chief Scott Nicholson	
	Director of Public Works Andy LaFond	
	Assistant Administrator Colleen Landisch-Hansen	
	Clerk Amy Langlois	

III. PLEDGE OF ALLEGIANCE

Trustee Holyoke led the recitation of the Pledge of Allegiance.

IV. PUBLIC HEARING

- A.** The Village of Thiensville is considering a Land Use Plan Amendment for the properties located at 116 North Orchard Street and 138 Buntrock Avenue from the Governmental and Institutional Classification to Multi-Family Residential and the Single Family Residential Classification of 124 North Orchard Street to Multi-Family Residential Use

- 1.** Motion to Open Public Hearing

MOTION by Trustee Lange, **SECONDED** by Trustee Prenzlów to Open the Public Hearing at 6:03 PM.
MOTION CARRIED UNANIMOUSLY.

- 2.** Administrator to read and explain Notice

Administrator Robertson read and explained the Notice.

Village Planner Jon Censky indicated that this Public Hearing is the beginning of a process that could take several months and will involve up to 3 total Public Hearings. State law requires that the Comprehensive Land Use Plan and the Zoning for any site be consistent. The first step is to review the Land Use Plan and amend if necessary to

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reflect the proposed use. If the amendment to the Lane Use Plan from the Governmental and Institutional classification for 116 North Orchard Street and 138 Buntrock Avenue and from the Single Family Residential classification for 124 North Orchard Street is approved, the next step is to rezone the site. If this change is ultimately approved, the applicant must submit more detailed plans along with a rezoning petition for consideration.

This petition will first be presented to the Plan Commission where the request is reviewed and then rezoning is recommend. At this point, a second Public Hearing will be scheduled for rezoning.

3. Comments from anyone present requesting to be heard

Mr. Devorkin, Devo Properties, explained that the property was purchased about 7 months ago with the intention to redevelop the property. There has been massive flooding in the basement and has had other problems with intruders on the property. Mr. Devorkin would like to construct 27-30 condominium units on the site. If approval is not given, the intent is to reuse the property at its current use which is Institutional. Mr. Devorkin has been contacted by about a dozen churches with interest in the property at its current use. Mr. Devorkin stated that it is important to hear from the abutting property owners at this time.

Bob VandenHeavel – 115 North Orchard Street – Mr. VandenHeavel thanked the Board and the developer for their interest in the development. Mr. VandenHeavel stated that after purchasing his property, a substantial amount of money had been put into the property and does not believe that this could have been done if there was a multi-family unit next door. Mr. VandenHeavel believes that the proposed property should be used for single family homes similar to those that are in the neighborhood and the density and height should match what currently exists.

Anne Sehmer – 117 North Orchard Street – Ms. Sehmer likes the idea of development but prefers condos similar to those on Elm Street or two-family units. Ms. Sehmer also indicated that the house at 124 North Orchard would sell quickly and not have to be taken down. Ms. Sehmer also has concerns with flooding of the properties to the east of the proposed project. Ms. Sehmer stated that with this development, municipal water would need to be installed and hopes that residents are not required to be hooked up to city water.

Bill Krueger – 105 South Orchard Street – Mr. Krueger believes this proposed development will look out of place and does not support this proposal. Mr. Krueger is also concerned if this is low-income housing and does not want the appearance of the neighborhood to change.

Sharon Mattano – 107 South Highland Avenue – Ms. Mattano agrees with putting buildings on the tax base but only if they fit with the neighborhood. Ms. Mattano's main concern is the wells and how that effects the area homes. President Mobley assured Ms. Mattano that he would never vote for a plan that required homeowners to hook up to city water. Ms. Mattano believes that the development will need to be required to hook up to city water.

Gail Kaske – 128 North Orchard Street – Ms. Kaske and her husband have lived in the neighborhood for 41 years and are concerned about any proposed structure exceeding one story in height, population density, water runoff, green space, sewer issues, road width, sidewalks and curbs, light pollution, increased noise and traffic congestion. Ms. Kaske stated that the community is committed to retaining the small-town identity and quiet atmosphere.

Patrick Selk – 119 North Highland Avenue – Mr. Selk strongly opposes the proposed height of the development and has concerns regarding how the construction will affect the neighborhood. Mr. Selk also has concerns regarding the wells, the multi-level proposal and supports houses and keeping the church.

John Vento – 100 South Highland Avenue – Mr. Vento's concerns are mainly the population density and traffic. Mr. Vento suggested a traffic study be conducted and indicated that there are often cars speeding on Buntrock Avenue.

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Kathy Aiello – 100 North Highland Avenue – Ms. Aiello expressed concern regarding the added traffic that 20-30 more homes would bring. Ms. Aiello shared that she loves living in Thiensville because of the atmosphere and wants to keep it a “family-neighborhood” and is concerned if the units are rented that the neighborhood will deteriorate. Ms. Aiello is against multi-family homes.

Jeff Kierzek and Anne Michalski – 116 Ellenbecker Road – Ms. Michalski grew up in Thiensville and was happy to move back to Thiensville and looks forward to raising a family here. Ms. Michalski does not believe the proposed development falls in line with the quiet neighborhood nor does the amended land use to Multi-Family Residential fit with the Single Family Residential neighborhood. Mr. Kierzek stated the he and Ms. Michalski are opposed to the three-story development.

Dave and Debbie Michalski – 111 Ellenbecker Road – Ms. Michalski enjoys the community stating that it is quiet and with the existing church, the anticipation was that another church would move in. In regards to the Land Use, Ms. Michalski strictly opposes that 124 North Orchard Street is classified as Multi-Family Residential. Mr. Michalski referenced the Land Use Plan map pointing out that the proposed project is surrounded by single family homes and would be out of character for the neighborhood.

Sam Cutler – 250 Green Bay Road – Mr. Cutler shared the phrase GARP (Growth at a Reasonable Price) and inquired what price the community is willing to pay to accommodate an intense, high-density development in the Village and stated that there will be added cost to the Village in the form of a Police Officer, first responder or Public Works employee which will offset any financial gain. Mr. Cutler stated that intense, high-density development diminishes quality of life i.e. more traffic, congestion, less available parking, pollution and requiring hook-up to Mequon Water Utility seems imperative for this development. Whatever is built should be in scale with the neighborhood and green space is critical.

Dena Foster – 111 North Orchard Street – Ms. Foster refers to Thiensville as “Mayberry”, likes the walkability of the Village and fears that the proposed development will disrupt the neighborhood. Ms. Foster is concerned about the increase in cars and the safety of the children and believes the size of the proposed project will not fit in the neighborhood.

Russ Witte-Dycus – 105 North Orchard Street – Mr. Witte-Dycus believes a three-story building is too large and favors the condos on Elm Street, hopes that the church remains and stated that the increased population will bring more traffic and also stated that with this will also bring more police patrol. Mr. Witte-Dycus stated that the proposal does not fit the climate or attitude of the neighborhood for this dense of a project.

George Coulter – 240 Williamsburg Drive – Mr. Coulter shared that his concern is the proposed zoning and stated that most of the homes in the neighborhood are single story, well-manicured homes. Mr. Coulter referenced the Elm Street condos as a perfect example of what would fit on the proposed property and believes that the nearby residents would be served well by duplicating the Elm Street development. President Mobley shared that a few of the Elm Street condos are two story.

Bob Bichler – 114 Ellenbecker Road – Mr. Bichler’s biggest concern is the height of the proposed development. Mr. Bichler’s home is directly behind the project and is concerned about traffic and runoff from the property, and does not believe it fits in with the neighborhood. Also, Mr. Bichler indicated that when the church put in the playground and parking lot, two R-2 lots were not rezoned.

Alan Siggelkow – 113 North Highland Avenue – Mr. Siggelkow owns the home at 113 North Highland and also at 204 Division Street where he resides. Mr. Siggelkow understands why a developer would want to be in Thiensville – beautiful, quietness, walking, bike riding – and would like to see plans for what is proposed because he has heard many conflicting versions. Mr. Siggelkow rents his house at 113 North Highland and has no problems. President Mobley shared that there are many homes in the Village that are rented. The Village Board cannot made any

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decision based on if property is owner occupied or used as rental property. President Mobley also explained that the Mequon Water Utility is a totally volunteer utility. No individual property owner will be required to connect. The only entity that could force connection would be the voting members of a water co-op as a whole.

Felicity Osowski – 103 Ellenbecker Road – Ms. Osowski is not opposed to change and asked the Board to make good decisions, have all the facts, consider traffic patterns, look at profitability vs. break-even point and push toward the lower end of profitability. Ms. Osowski also referenced the impact that this may have on the historic charm of the Village and hopes that the church will remain. Traffic and parking is also a concern.

Alicia D'Ambrosia – 115 North Orchard Street – Ms. D'Ambrosia believes it is important for something to be on the property. Ms. D'Ambrosia likes the neighborhood and how neighbors look out for one another and believes that a lot of the feelings are just fear of the unknown. Ms. D'Ambrosia hopes that more information can be shared with the neighborhood.

Logan LaBelle – 105 South Orchard Street – Mr. LaBelle shared that this is a neighborhood where kids ride their bikes without worry about too much traffic. Mr. LaBelle also stated his hope that this does not bring in lower-income housing.

Ms. Michalski asked the Village Board to listen to the residents' concerns. Ms. Michalski has heard that if the Land Use is not changed that a juvenile facility could be at this site without any changes to Zoning or the Land Use Plan and indicated that she is willing to take that risk. President Mobley shared that if a property is zoned for a particular use that the property can be used for that use at any time.

Planner Censky indicated that every site in the Village has a specific Zoning classification in which the Village does not have to approve that use. For any Conditional Use tied to a site, a Public Hearing must be held before Conditional Use is granted.

President Mobley shared the current Zoning for the property: Permitted Uses include: churches, public or private schools/colleges/universities, commercial daycare centers, hospitals, sanatoriums (i.e. health station, retreat, institution for the recuperation of treatment of persons suffering from physical or mental disorder), post office, nursing home, library, museums, art galleries, public administration offices and public service buildings including fire and police stations, public utility offices, water storage tanks and towers and fraternal lodges. Permitted Accessory Uses include: residential quarters for caretakers or clergy, garages for storage of vehicles used in conjunction with the operation of a permitted use, off street parking and loading areas, service buildings and facilities normally accessory to the permitted uses, satellite dish antennas located on the roof of the principal structure or in the rear yard, roof mounted solar collectors and private swimming pools provided that such pool construction is in compliance with Section 14.433 of the Village Building Code. Conditional Uses include: utilities, solar collectors erected as an accessory structure and communication towers.

Mr. Michalski asked the Board to think the proposal through and consider the comments and feelings of all the residents in the neighborhood.

President Mobley shared that this project is not going to be on a ballot to be voted on but will be before the Village Board and Plan Commission. All meetings are open to the public. Planner Censky shared that only concept plans have been presented to the Plan Commission to date.

4. Administrator reads any correspondence received related to the request

Administrator Robertson read correspondence received from Russ and Carole Sutterlun, David and Debbie Michalski, Robert, Tina and Tony Bichler, Susan Bartel and Pamela Price. All were opposed to the project in its current form.

Carole Sutterlun – 125 Kieker Road – Ms. Sutterlun is pleased that the developer wants to invest in Thiensville but is opposed to the three-story, high-density multi-family structure and believes it is too overwhelming for the neighborhood. Ms. Sutterlun supports a lower two-story structure such as those on Elm Street.

Susan Bartel – 113 North Orchard Street – Ms. Bartel opposes the proposed three-story high density condos and does not feel that this development fits into Thiensville. Other concerns involve greenspace and safety during the demolition process.

Pamela Price – 122 Ellenbecker Road – Ms. Price is concerned about how the proposed development will impact her property as her house sits at the base of proposed project. Ms. Price has dealt with excess runoff of water from the proposed site. Ms. Price also stated her concern regarding constructing condos in the middle of a residential neighborhood as well as street and parking lot lighting, noise, traffic, demand on the water table and believes the development will adversely impact the property values of the existing homes. Ms. Price believes the Lumen Christi site should be replaced with single family homes.

5. Village Board Comments

Trustee Lange thanked the residents for attending the Public Hearing and stated that the Village does not own the proposed property but does enforce the Zoning. Trustee Lange stated that he does consider himself a “neighbor” of the Village residents and also has his business here in Thiensville. This is the beginning of the process and Trustee Lange assured the residents that he will listen to their concerns.

Trustee Azinger shared his interest in seeing this property developed and does not want to see a vacant building for the next decade but does not want to see a large three-story development. The current Land Use surrounding the proposed development is single-family homes. Trustee Azinger understands from Mr. Devorkin’s perspective that single-family homes may not be financially feasible. Before any decision on Zoning will be made by Trustee Azinger, he would like to see parking, green space and density addressed. Trustee Azinger agrees with a project similar to the condos on Elm Street and would like a proposal submitted similar to these and stated that Mr. Devorkin does have rights in regards to the property he owns.

Trustee Heinritz thanked the residents for attending this evening’s Public Hearing. Trustee Heinritz feels strongly about the quality of life in the Village and does have some concerns regarding the proposed project in regards to storm water, traffic and conformity to the neighborhood.

Trustee Prenzlou believes that this project will fail without resident and developer interaction. Trustee Prenzlou’s message to Mr. Devorkin is that he not only has to sell the Board, but also the neighbors. The changes in the Village to this point presented good opportunities i.e. the condos on Elm Street and believes there have been some missed opportunities. Trustee Prenzlou has concerns regarding green space and runoff and also stated that today single family homes of 1,000-1,200 feet are just not built anymore. An economically feasible project to both the developer and the community will need to be reached. The impact on wells, traffic and parking should also be considered. As far as the wells, there is an Intergovernmental Agreement with the City of Mequon for a water main down Buntrock Avenue. No residents will be forced to connect to municipal water. Trustee Prenzlou feels that condos are better than apartments and owner occupied are better than rentals. Trustee Prenzlou also stated that residents should talk to Mr. Devorkin and to the Board.

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Trustee Kucharski appreciated the great turnout this evening and shared that the Village Board does and will listen. Some things have been brought to light this evening and believes that moving forward will be a positive process.

Trustee Holyoke thanked the residents for attending and stated that there is a middle-ground that needs to be met. The plans presented are only preliminary. If this does become a community of homeowners, the new residents will be your neighbors and part of the neighborhood. As far as fear mongering, Trustee Holyoke believes that as a Board, it their responsibility to protect the Village and the residents and cautioned the residents to listen carefully and be mindful of rumors. Trustee Holyoke stated that the Board will take all comments into consideration.

President Mobley thanked the residents for coming out this evening. President Mobley appreciates that Mr. Devorkin did not request a residential density above the maximum density allowed by Zoning Code and believes that a conclusion will be met to keep everyone happy.

6. Motion to Close Public Hearing

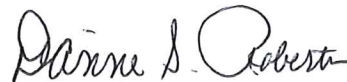
MOTION by Trustee Lange, **SECONDED** by Trustee Holyoke to Close the Public Hearing at 7:45 PM.
MOTION CARRIED UNANIMOUSLY.

Submitted by,



Amy L. Langlois
Village Clerk

Approved by,



Dianne S. Robertson
Administrator