

**Minutes of the Nineteenth Meeting  
Racine County Comprehensive Plan Multi-Jurisdictional Advisory Committee**

**DATE:** September 18, 2008

**TIME:** 6:30 pm

**PLACE:** Racine County Ives Grove Auditorium  
14200 Washington Ave  
Sturtevant, WI

**Attendance:**

Mary Kacmarcik (Chairperson), Town of Waterford  
 Connie Mellem (Vice-Chairperson), Village of North Bay  
 Jim Moyer, Town of Yorkville  
 Dave Pattengale, Village of Rochester  
 Tom Roanhouse, Village of Waterford  
 Matt Sadowski, City of Racine  
 Bob Miller, City of Burlington  
 Katie Simenson, City of Burlington  
 Tom Kramer, Town of Norway  
 Mark Januik, Village of Sturtevant  
 Audrey Viau, Village of Elmwood Park  
 Ken Hall, Racine County Economic Development & Land Use  
 Ingrid Tiegel, Village of Mt Pleasant  
 Ron Meyer, Village of Mt Pleasant  
 Mike Weinkauff, Town of Rochester  
 Viki View-Peterson, Town of Burlington  
 Rebecca Ewald, Village of Waterford  
 Gary Hanson, Village of Union Grove  
 Julie Anderson, Planning & Development  
 Dave Schilling, SEWRPC  
 Tom Moes, SEWRPC  
 Kristen Lie, Racine County UW-Extension

**1. Roll Call**

Mary Kacmarcik called the meeting to order at 6:30 p.m. Roll call was taken by circulating a sign-up sheet.

**2. Approval of August 21, 2008 meeting minutes**

Jim Moyer made a motion to approve the minutes of the previous meeting. Motion was seconded by Connie Mellem. Upon a voice vote, the minutes were unanimously approved.

**3. Continued review of preliminary draft Chapter X, "Agricultural, Natural, and Cultural Resources Element," of the SEWRPC Community Assistance Planning Report No. 301, *A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035***

Dave Schilling of the Southeastern Wisconsin Regional Planning Commission (SEWRPC) reviewed six additional policies that had been drafted as a result of discussion during the August MJAC meeting for Chapter X. Discussion then ensued about the mounting drainage issues in Racine County. Jim Moyer stated that municipalities needed to have the authority to repair and maintain drainage tiles if the landowner refused to take responsibility, and that the municipality should then be able to charge the landowner. He further noted that, even though all residents benefit from properly maintained drainage tiles, only small sections of each watershed's residents were being charged for the maintenance.

Mike Weinkauf noted that people do not always realize the impact of broken drainage tiles, including damage to highways. He also commented that the focus of the Agricultural, Natural and Cultural Resources Element should put more focus on ensuring that structures are built in areas that are environmentally suited for urban development. Mary Kacmarcik stated that developers should be required to take responsibility for the repair and maintenance of drainage tiles and other stormwater management measures. Julie Anderson and Dave Schilling stated that new developments typically require a stormwater management plan; however, Ms. Anderson further noted that this had little effect when dealing with stormwater issues on existing developments, particularly up or down stream from each other and from neighboring jurisdictions.

Paul Ryan stated that in western Racine County, drainage issues were a primary concern, and that he believed drainage should be addressed in more detail in the comprehensive plan since it was difficult for communities to work individually on the problem without the backing of the County or the Region. Mr. Ryan stated a preference for creating a separate draft report focusing on drainage issues; Dave Schilling stated that additional information and recommendations would be included in the natural resources section of the element. Jim Moyer also stated that the new recommendations and policies need to have “more teeth” in order to be effective.

Bob Miller asked whether the committee, by promoting the idea of granting municipalities the authority to repair and maintain drainage issues, was proposing the creation of another taxing entity that would fund such projects. He also questioned the long-term impact drainage issues would create on municipal budgets, and stated that all developers should be required to have an onsite stormwater management system. Dave Schilling noted that this was one of the purposes of the Department of Natural Resources, Chapter NR 151.

Ron Meyer commented that, in his experience, agricultural-based drainage districts were ineffective for urbanizing areas, and that communities should consider creating a utility district, which are taxing entities and have more authority to enforce policies related to drainage issues. Mike Weinkauf asked whether all Mt. Pleasant residents paid for the utility district, and whether there had been resistance to the creation of the district. Ron Meyer answered affirmatively to both questions, but stated that the utility district was a holistic approach that benefited the whole community and for which the whole community paid.

Ken Hall asked whether there were any counties taking a unified approach to stormwater management. Dave Schilling said that most communities work on the problem on the municipal level. Julie Anderson noted that Kenosha County has a staff person dedicated to stormwater concerns in the County Land Conservation Department, but that a similar position was unlikely to be created in Racine County due to issues of conflicting authority with municipalities.

Ron Meyer stated that he believed stormwater issues could be handled most effectively by individual municipalities, working in coordination with adjacent communities when possible and desirable, as countywide or regional entities would be unwieldy and less responsive to residents’ needs. Paul Ryan stated that there still needed to be agreement between municipalities that everyone would work on drainage issues, otherwise the measures one community takes might be rendered ineffective.

Mike Weinkauf made a motion to approve the first, second, and sixth additional policies. Motion was seconded by Dave Pattengale. Bob Miller stated that he felt the sixth policy regarding open space requirements in conservation subdivisions was too restrictive; the relevant portion of the policy reads: “For rural developments that utilize conservation subdivision designs, require a minimum of 50 percent of the development parcel to be permanently maintained in open space or agricultural use.” Specifically, Mr. Miller requested that the committee consider changing the word “require,” as it might lessen the value of the land from a developer’s perspective. Dave Schilling replied that municipalities in the County that have conservation subdivision regulations all require at least 50 percent of the land to remain in permanent agricultural or open space. Mike Weinkauf stated that although the Town of Rochester’s land use plan does have that requirement, their ordinances have changed so that it is not always enforced. Viki View-Peterson also commented that the open space requirements in the Town of Burlington’s ordinances often hinder the town board’s decision-making process, and suggested changing the language to “encourage” or “strongly recommend.” Ron Meyer noted that Caledonia’s conservation subdivisions require at least 60 percent open space, and their land values have only increased. Mark Januik commented it was interesting that the committee had just discussed the importance of strengthening policies on drainage issues, but were now discussing weakening the impact of conservation

subdivisions, which are intended to assist with stormwater management. Mark Kacmarcik asked for a vote on whether to change the language of the policy. Upon a voice vote, it was determined that the language would remain as “require.” Upon a voice vote, the motion to accept the additional policies one, two and six passed unanimously.

#### **4. Review of preliminary draft of Chapter IX (part), “Land Use Element,” of the SEWRPC Community Assistance Planning Report No. 301, A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035**

Dave Schilling reported that most local communities have endorsed a 2035 land use map for inclusion in the comprehensive plan. Communities that are still developing their maps include the Cities of Burlington and Racine, and the Villages of Sturtevant and Caledonia. The Village of Waterford has completed and adopted their map, and is working with SEWRPC to ensure that the land use plan categories are in alignment. The Town of Burlington plans to conduct a public hearing prior to endorsing their map; the hearing is scheduled for October 2008.

Dave Schilling then reviewed part of the Land Use Element, noting that the section provided to the committee for this meeting constituted approximately one-third or one-quarter of the completed element. Information included background information on land use in Racine County (primarily tied to Chapter IV, “Inventory of Existing Land Uses and Transportation Facilities and Services”); public input on land use issues; and some urban development tools and techniques, such as mixed-use development, tradition neighborhood development, and official mapping. Mr. Schilling noted that the Land Use Element was really the essence of the comprehensive plan, and would therefore likely require more time than previous elements. Discussion ensued regarding measures that municipalities could take to limit costs and losses when development projects are not fully realized, such as demolition bonds and developer agreements that explicitly state which entity (developer or municipality) will be responsible for paving roads and supplying snow plowing, garbage pick-up and mail service.

Mark Januik asked whether the endorsed land use maps were available. Dave Schilling stated that they can be found on the Racine County Smart Growth website.

#### **5. Other Business**

Dave Schilling announced that he planned to attend the Wisconsin Counties Association educational seminar on the Working Lands Initiative, scheduled for Monday, September 29, 2008 in Stevens Point. He further commented that any committee members who wished to carpool should contact him.

Ken Hall raised his question from the last meeting regarding the pace of land conversion from agricultural or open space uses to urban uses. He noted that Chapter IX stated that between 1963 and 2000, about 36.6 square miles, and asked whether it was reasonable to project that only 11 square miles would be lost between 2000 and 2035, as the plan indicates in Chapter X. Dave Schilling responded that the rate of conversion seems to have slowed in recent years, and that the intent of the plan was to further slow conversion by directing developments to areas with urban services and recommending increased density when appropriate. He also stated that the amount of land expected to convert to urban uses might change when all the local community 2035 land use maps have been completed.

#### **8. Determination of next meeting date**

Julie Anderson stated that the next meeting dates would be Thursday, November 20, 2008 and Thursday, December 18, 2008. Due to budget meetings, there will not be a meeting in October. Dave Schilling stated that at the November meeting, it is expected that the committee will continue reviewing the Agricultural, Natural, and Cultural Resources Element, the completed the Land Use Element, and the Utilities and Community Facilities Element.

Julie Anderson concluded the meeting by thanking the committee members for their ongoing participation in the comprehensive planning process.

#### **9. Adjournment**

On a motion made by Mike Weinkauff and seconded by Dave Pattengale, the meeting was adjourned at 7:30 pm.