

The meeting was called to order at 6:30 p.m. by Chair D. Besson.

1.0 Roll Call – Present: Chair D. Besson; Commissioners T. Accetta, S. Bigler, A. Fritz, C. Stipe, K. Meleski- Remote call-in. Commissioner W. Banach, absent and excused. Also in attendance, Village Trustees R. Brinkmeier & D. Schwartz. Staff: Village Planner B. Block (via teleconference), Village Administrator S. Kulik, Village Administrative Services Specialist L. Gutierrez. Audience 29.

2.0 Minutes of June 15, 2020- Motion (Fritz, Accetta) to approve the minutes; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

3.0 Site Plan Review- Dittus-Plath 6088 S. 92nd Street-accessory structure 1,361.25 square feet, R-3, residential zoning.

B. Bowman with *Joseph Douglas Homes Remodeling* spoke on behalf of Dittus-Plath petitioners. M. and R. Dittus-Plath present via telephone. Village Planner B. Block addressed the Commission and read the staff report. Chairman D. Besson inquired if there will be any residential use, kitchen or bathroom in the structure. M. Bowman stated that there will not be any restroom or kitchen facilities, only have electricity in the accessory building

Motion (Bigler, Meleski) to approve the accessory building as presented, subject to a deed restriction that the accessory facility not be used for residential purposes; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

4.0 Site Plan Review- Clifford's Supper Club -10418 W. Forest Home Ave, temporary outdoor area- B-1 Business Shopping Center Zoning

Attorney Brian Randall, Davis & Kuelthau SC, spoke on behalf of Steve & Elaine Cannistra, owners of the Clifford's Supper Club. B. Randall Ryan addressed the Commission for the proposal of a temporary use for an outdoor area "art patio" currently utilized as a pop up art area and dining for carryout and express menu options. The area includes eighteen (18) foot illuminated art that is requested to be lighted from 6pm to midnight through October 31, 2020. B. Randall addressed the alternative site proposed by the Village Board at a meeting held on June 12, 2020 which applicant feels is even greater risk as it is in the parking / stacking pattern for patrons entering from Scharles Avenue to the restaurant as well as the banquet area currently not frequently used which would require art studio attendees to walk the perimeter of the restaurant to use restroom facilities. B. Randall commented that he did not feel that the site plan was the appropriate request for the temporary use as requested.

Village Planner, B. Block addressed the Commission and read the staff report. He presented issues for consideration. He further responded to the requirement for a comprehensive site plan that was triggered by the expanded use of the facility as required under Chapter 8.

D. Besson question regarding staffing levels for the restaurant relative to the parking requirements. B. Randall commented that approximately a dozen employees presently are working during operation hours.

S. Bigler commented that he had reviewed the submission from the applicant relative to other municipalities which allow the outdoor seating and reported he had visited the sites and all had

one unique site condition in that the areas were completely enclosed which was not what has been proposed by the applicant.

K. Meleski questions regarding date the display and outdoor area were in place. Representatives of the Cannistra family commented that June 11, 2020 was the date which it began to be constructed. K. Meleski expressed concern over barricade plan presented which allows for many entrance and egress points and presented a safety concern. D. Besson concurred. C. Stipe commented that people go in and out of vehicles too and common sense should be applied and that he felt the design was adequate.

Motion (Accetta, Stipe) to approve temporary use application subject to the following conditions:

1. The hours of operation for the outdoor area “art studio” shall be the same as the restaurant hours of operation; and
2. The hours of operation for the lighting structures shall begin at 6:00 p.m. and shall end at the same hours of operation as the restaurant ending hour; and
3. The lighting structures shall be no higher than the current eighteen (18) feet; and
4. The outdoor area “art studio” shall be enhanced to provide barriers between the currently placed panels and concrete barriers to address entrance and egress to the outdoor area “art studio” from one (1) location nearest to the front entrance of the restaurant; and
5. Best efforts shall be pursued to secure a lease with the State of Wisconsin and / or the Village of Hales Corners for the parking spaces currently located on State and / or Village right of way; and
6. A site plan must be submitted to and be acceptable to the Village Planner; and
7. The outdoor area “art studio” and lighting structures are allowed until October 31, 2020 and all materials and structures related to the outdoor area “art studio” and lighting structures must be removed from the premises in a reasonable time.

Motion to amend original motion (Besson, Meleski) to remove the approval of light structures as they do not meet the definition of a minor structure as defined by the Village Code in Chapter 8-16-1 (85). Roll Call: Ayes: Besson, Meleski, Nay: Bigler, Acetta, Stipe, Fritz. Motion fails: 2-4-1.

Roll Call On original motion: Ayes: Bigler, Acetta, Stipe, Fritz. Nays: Besson, Meleski. Motion passes 4-2-1.

5.0 Request for extension of site plan review - Alyson Dudek International Ice Center- Friends of the Hales Corners Park - 5765 S. New Berlin Rd.

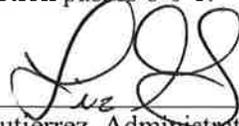
D. Schwartz, President of the Friends of the Hales Corners Park, requested to extend site plan approval of Alyson Dudek International Ice Center. D. Besson recommended he submit the site plans for the plan commission board to review in order to grant the extension if approved by board. Application was withdrawn. No action was taken.

6.0 Site Plan Review- Farkus, 9655 W. Edgerton Ave- Roof mounted solar panel installation -

Brian Edwards from *Current Electric* spoke on behalf of petitioner Robert Farkus and presented project. D. Besson commented on the planners’ report which stated that there are no issues for this project relative to the zoning code. A. Fritz inquired if the main panel, solar edge, and the Tesla equipment would be mounted on the roof. B. Edwards stated that the solar equipment will be contained in the building except for the utility disconnect and meter pedestal which will be outside.

Motion (Stipe, Accetta) to approve proposed roof mounted solar panel installation; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

7.0 Adjournment-Motion (Stipe, Fritz) to adjourn meeting at 8:42 p.m.; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.



Lizbet Gutierrez, Administrative Services Specialist