

VILLAGE OF LANNON
MINUTES OF THE JOINT PLAN COMMISSION/VILLAGE BOARD/ QUARRY COMMITTEE
MEETING FROM 6/25/2020

1. Call to order by Presiding Officer. President Gudex called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance was recited.
3. Roll call.
 - a. Plan Commission: Bembenek, Gizelbach, Gudex, Janas, Payleitner, Wesell and Yates. Wesell absent.
 - b. Village Board: Barbieri, Gizelbach, Gudex, Martin, Nellis, Reek and Yates. Martin absent.
 - c. Quarry Committee: Nellis, Martin and Reek. Martin absent.
4. Statement of Public Notice was confirmed.
5. Discussion and possible action on Plan of Operation and Site Plan for Lakeshore Burial Vault Co. Inc. at 21319 W. Good Hope Rd. Lannon WI 53046. Engineer Ben Wood summarized his comments regarding this business and submission for the Allister Building. Applicant was present to summarize the project and business. Zoned light Industrial and the proposed use complies to the Ordinance. Plan Commission could be approved conditionally based on approved industrial site plan. Time table? Want to purchase the building in the next month They have looked at environmental and a lot of the information and building already. Mostly internal remodeling. Gudex/Payleitner Motioned to approve the Plan of Operation contingent upon Site Plan being approved. Motion carried unanimously.
6. Consideration of proposed text amendments to zoning ordinances 18-140(d), 78-94(4), 78- 94(5)(a), and 78.99(4)(a) on the applications of the Dawson Family Trust and of the Halquist Stone Company, Inc.
 - a. Village Board: Public Hearing. Engineer Ben Wood summarized the text amendments that are being proposed. This sets the stage for the rest of the agenda. There were two applications from Halquist for the text amendments. Quarry activity to remove the depth requirement from the plan of operation. Reduce setbacks. PUD ordinance should be amended to allow them to deviate from maximum depth restrictions. Opened public hearing at 6:21 p.m. Lannon Stone summarized what they are proposing to do. Make construction material for projects. Explained why the e-coli and bacteria gets into the well water. The bedrock is so high that it runs across the bedrock and falls into the water system eventually. They are proposing 3 million dollars and if it is not used they could put it into a fund for future expansion of the water system. Eventually the quarry will flood and there is space for roads and development. Want to go a touch wider with setbacks to the blue lines. Would not expand east unless those properties were owned by the quarry. Also want to go deeper. They will expand the well guarantee. There will be a bigger area and it can be reviewed every 5 years. 6,000 sq foot radius around the quarry to include more wells to expand the area as they go deeper. Bill Halquist presented their project. Negotiated a deal separately but Lannon Stone started this. We have always had water issues in Lannon because of the bedrock. Our existing area is about half of its life. There are some areas where they are at max depth. They are not quarrying currently. Lannon stone is taking care of the aggregate business right now. 1.56 million because their footprint is smaller. It is basically penny for penny based on what stone is still there. We want to expand our operations here and would like to go deeper as well. Helping the Village so we can operate the way we need operate. Joan Mullen N7068 Marcy Rd. – Marcy and Good Hope Rd. They are curious if there is a time that this well guarantee ends? We don't want a time frame that in 6 years they won't guarantee it anymore. They have had plaster cracking and drywall repairs from blasting. How often are they blasting and the deeper they go it takes blasting. Don Somers -19543 W. Main St. As they go deeper will that be after or during the water system is in place. What is the time frame on that? Gordon Ceaser – W204 N6758 N Lannon Rd. Northeast corner of their property abuts the Dawson property. Has an issue with quarry owners that won't sit down with neighbors and solve problems that affect their quality of life. That should be included in the agreement and who will address them. A new pump was installed and lowered. He will run out of water eventually. His home is not in the well guarantee coverage area. This needs to be heavily on paper and not verbally. His property is right up against their property. Homeowners whose well goes dry would have to pay for a new well or water source. How close can they mine to the property line and how deep can they go. The wording on documents viewed online frightened me because they can change specifications

without approval. He would like the proposal denied. Ron Holmen n793 Marcy Rd. The whole house shook at a blast the other day. They use to blow the horn so you knew it was coming. Tom read comment into the record. Justin Kapusa – W Good Hope Rd. who was for the project. Menomonee Falls area where there is no option for them to get municipal water. They are dependent on their well. Hans addressed some of the comments. The well guarantee will not end. It has never expired. Both quarries have money on account to continue those guarantees even if they went out of business. They agreed to a five year restriction to go deeper until the municipal system was in and running. One blast is not going to change that cone of depression. Hans stated that a PUD is a legal contract so they have the obligation and they have the law to back up his plan. Not a traditional aquafir. He spoke about blasting and how regulated it is. The sizemographs and readings are reported to the state and they are held to those standards. We do so safely and it is regulated by the State. How often will they blast? It is very sales dependent. They took material for I-94 project and that was 2 times a week during production. They will shut down for several months at a time and not blast at all. What is the lead time for you to know what kind of volume of material you would need. Respond more to supply and demand. They don't know well in advance unless there are road projects they are working on. They replenish material as it is used. Minimize impact of blasts? Small blast to tune the rock. Time your charges for high frequency and low vibrations. Humidity also comes into play. Engineer Ben Wood stated that this is a public hearing on the text amendments. He understands that there are people here from Village of Menomonee Falls and don't currently have a plan to expand their system. Ben explained the e-coli contamination of Village of Lannon with the DNR. 100 feet of well casing is required because of the old septic systems. Ben also explained the USDA grant process and municipal water system. GZA gentleman explained that the two operators will always stand by those wells. Its easier to predict when things would go wrong. They monitor it quarterly. Dave Woyak – 4D Water well and pump N82W28160 Marshall Dr. Hartland. stated that when he gets called out he works with the quarries to cover residents well if it is due to the quarry activity. Lowered two pumps this month and both wells are working well and are testing the water. There are some problem wells and some of it is on the homeowners and some of it is on the quarries. Steve Ristow – Main St. They have been in Lannon his whole life, he is a contractor and Lannon does have a natural resource here that is good for the community. They give back to the community and this proposal is great. The noon blast wakes up our workers. They have always responded when there have been issues. Jan Schmidt – W Good Hope Rd. they have been here 32 years and had pump burned out because the water level dropped and Virgil paid for everything. They had to have proof that the water level dropped, it was a burden of proof on them. Their house is old and there is only 1 natural ceiling that they have not done anything with them. They knew when they purchased the house that it was near a quarry. Ben stated he provided his comments deny first amendment and consider the second amendment instead. It was the same proposed amendment. Existing text would remain and additional sentence would remove the max depth out of the PUD, plan of operation, etc. 18.41 d – approve language as approved. 78.944 covers zoning ordinance to cover zoning district restrictions. Max depth and add to allow PUD to allow max depth restrictions to be adjusted. This already exists in PUD ordinance. Approve as proposed. Halquist Stone proposed additional amendment. more than 100 contiguous acres as of 2020 through ownership or lease of adjacent lands shall be 100 feet within non quarry property. Approve text amendment on the condition that staff comments are incorporated as read. Subject to staff getting language in final form subject to outcome of other agenda items. See engineer comments. Reek/Gizelbach motioned to close public hearing at 7:46 p.m. Motion carried unanimously.

- b. Plan Commission: Discussion and possible action on recommendation to Village Board on text amendments. Janas/Payleintner Motioned to recommend to the Village Board to make the amendments to the code as proposed subject to staff putting it in final form. Motion carried unanimously.
- c. Quarry Committee: Discussion and possible action on recommendation to Village Board on text amendments. Nellis/Reek motioned to recommend that the code be changed subject to staff recommendations. Motion carried unanimously.
- d. Village Board: Discussion and possible action on approving the Ordinance for text amendments. Nellis/Barbieri motioned to adopt the changes to the code as proposed subject to staff providing final form. Motion carried unanimously.

7. Consideration of the proposed First Amendment to Planned Unit Development Agreement for Dawson Family Trust Lands, Tax Key Numbers LANV0077993002 and LANV0077993003 located at 19567 W. Good Hope Road.
 - a. Village Board: Public Hearing. Engineer Ben Wood stated this is a Plan Unit Development amendment. Lannon Stone Products has a PUD currently. This would allow them to deviate from Quarry restrictions if they have this agreement. This portion modifies the setbacks of the quarry district. PUD also addresses the contribution of funds to aid private property owners to connect to the municipal water system. Open public hearing at 7:52 p.m. Quarry operators don't have anything specific to add to their original proposal. With these setbacks, how close can they quarry to neighboring property lines? Don Somers – can the village attorneys direct the Menomonee falls people where to go to for direction. Hans stated the new setback limit goes a little to the east and west but does not come any closer to Mr. Ceasar's property line. Fastest way is to get a hold of Hans directly or contact clerk's office to get in touch with them. Mark Scelfley – w186 Marcy Rd. had questions on setbacks. Engineer Ben Wood referred to his comments from the last meeting and summarized setbacks. Attorney Macy summarized his comments on the first amendment to PUD for Dawson Family Trust. Tried to make documents read consistently. See attached. Would like to add 18 months instead of 1 year due to dealing with the Federal Government. Clarified that this is just for Lannon Stone PUD amendments. Pyaleinter/janas motioned to Close public hearing at 8:06 p.m. Motion carried unanimously.
 - b. Plan Commission: Discussion and possible action on final recommendation to Village Board on First Amendment to Planned Unit Development Agreement for Dawson Family Trust Lands. Yates/Bembenek Recommend to the Village Board to make amendment to PUD subject to staff changes. Motion carried unanimously
 - c. Quarry Committee: Discussion and possible action on recommendation to Village Board on First Amendment to Planned Unit Development Agreement for Dawson Family Trust Lands. Nellis/Reek motioned to recommend amendment to the Village Board for approval. Motion carried unanimously.
 - d. Village Board: Discussion and possible action on First Amendment to Planned Unit Development Agreement for Dawson Family Trust Lands. Nellis/Gizelbach motioned to approve the PUD amendment subject to staff finalizing documents. Motion carried unanimously.
8. Consideration of a proposed Planned Unit Development Agreement for Halquist Stone Company, Inc., Tax Key Numbers LANV0067963, LANV0068978, LANV0068977, and LANV0068994 located 19628 W. Good Hope Road.
 - a. Village Board: Public Hearing. Attorney Macy summarized the Halquist PUD to modify setbacks, the depth and the well guarantee. They did not have anything to add to their previous comments. No public comments. Staff comments. PUD for Halquist, reviewed this from previous meeting. His comments stated that the application is consistent with ordinance. Attorney Mr. Macy summarized the document and stated the exhibits are key in these documents. The changes are straight forward. Reek/Gizelbach motioned to Close public hearing at 8:15 p.m. Motion carried unanimously.
 - b. Plan Commission: Discussion and possible action on final recommendation to Village Board on Planned Unit Development Agreement for Halquist Stone Company, Inc. Gizelbach/Janas motioned to issue a PUD agreement with Halquist Stone Company Inc subject to staff providing final form. Motion carried unanimously.
 - c. Quarry Committee: Discussion and possible action on recommendation to Village Board on Planned Unit Development Agreement for Halquist Stone Company, Inc. Nellis/Reek motioned to recommend to Village Board subject to staff putting in final form. Motion carried unanimously.
 - d. Village Board: Discussion and possible action on Planned Unit Development Agreement for Halquist Stone Company, Inc. Gizelbach/Barbieri motioned to approve PUD for Halquist Stone Company subject to staff providing final form. Motion carried unanimously.
9. Consideration of the proposed First Amendment to the Conditional Use Grant for Dawson Family Trust, Tax Key Numbers LANV0077993002 and LANV0077993003 located at 19567 W. Good Hope Road.
 - a. Plan Commission: Public Hearing. Engineer Ben Wood summarized his comments. It addresses depth and the well guarantee. No public comments. Engineer Ben Wood asked how many municipalities are they regulated by local municipality or who are you accountable too. Nothing has been as restrictive as Lannon. The extent of these conditions extend any thing beyond other areas. They do a good job of addressing those issues. Halquist agreed. Mr. Macy summarized his

- comments. It is pretty tight and everything is included. They run parallel to the other documents. Gizelbach/Bembenek Motion to close public hearing at 8:28. Motion carried unanimously.
- b. Plan Commission: Discussion and possible action on recommendation to Village Board on First Amendment to the Conditional Use Grant for Dawson Family Trust. All other forms of the CUP remain in effect. Engineer Ben Wood stated that the application is consistent with the ordinances. Yates/Gizelbach Motion to approve the amendments to the CUP for Dawson Family Trust subject to staff providing final documents. Motion carried unanimously.
 - c. Quarry Committee: Discussion and possible action on recommendation to Village Board on First Amendment to the Conditional Use Grant for Dawson Family Trust. Nellis/Reek motioned to recommend approval of amendment to the CUP for Dawson Family Trust to the Village Board. Motion carried unanimously.
 - d. Village Board: Discussion and possible action on First Amendment to the Conditional Use Grant for Dawson Family Trust. Barbieri/Reek Motioned to approve the amendments to the CUP for Dawson Family Trust subject to staff providing final documents. Motion carried unanimously.
10. Consideration of the proposed Amendments to the Conditional Use Grants for Halquist Stone Company, Inc., Tax Key Numbers LANV0067963, LANV0068978, LANV0068977, and LANV0068994 located 19628 W. Good Hope Road.
- a. Plan Commission: Public Hearing. Engineer Ben Wood stated that there are two conditional use grants for Halquist Stone. Conditional use application covers both. No public comments. Engineer Ben Wood stated the application is consistent with the ordinance. Mr. Macy stated his comments. Gizelbach/Janas Motion to close public hearing at 8:34 p.m. Motion carried unanimously.
 - b. Plan Commission: Discussion and possible action on recommendation to Village Board on Amendments to the Conditional Use Grants for Halquist Stone Company, Inc. Yates/Gizelbach motioned to recommend approval to the Village Board on amendments to conditional use grants subject to staff providing final form. Motion carried unanimously.
 - c. Quarry Committee: Discussion and possible action on recommendation to Village Board on First Amendments to the Conditional Use Grants for Halquist Stone Company, Inc. Nellis/Reek recommended to the Village Board to approve amendments for Halquist Stone Company. Motion carried unanimously.
 - d. Village Board: Discussion and possible action on Amendments to the Conditional Use Grants for Halquist Stone Company, Inc. Nellis/Reek motioned to approve amendments to the Conditional Use Grants for Halquist Stone Company subject to staff providing final form. Motion carried unanimously.
11. Consideration of the proposed Amendment to the Plan of Operation for Dawson Family Trust, Tax Key Numbers LANV0077993002 and LANV0077993003 located at 19567 W. Good Hope Road.
- a. Plan Commission: Discussion and possible action and action on recommendation to Village Board on Amendment to the Plan of Operation for Dawson Family Trust. Engineer Ben Wood summarized his comments regarding the Plan of Operation for Dawson Family Trust. Most language to be consistent with amendments. Recommends that language be consistent with CUP and PUD throughout the documents. Be approved subject to staff comments being consistent with CUP and PUD and final form. Janas/Gizelbach Motion to recommend approval of the Plan of Operation contingent staff provides final document. Motion carried unanimously.
 - b. Quarry Committee: Discussion and possible action on recommendation to Village Board on Amendment to the Plan of Operation for Dawson Family Trust. Nellis/Reek recommends to the Village Board approval of the Plan of Operation for Dawson Family Trust. Motion carried unanimously.
 - c. Village Board: Discussion and possible action on Amendment to the Plan of Operation for Dawson Family Trust. Gizelbach/Reek motioned to approve the Plan of Operation for Dawson Family Trust. Motion carried unanimously.
12. Consideration of the proposed Amendment to the Plan of Operation for Halquist Stone Company, Inc., Tax Key Numbers LANV0067963, LANV0068978, LANV0068977, and LANV0068994 located 19628 W. Good Hope Road.
- a. Plan Commission: Discussion and possible action and action on recommendation to Village Board on Amendment to the Plan of Operation for Halquist Stone Company, Inc. Engineer Ben

Wood summarized his comments from his review of the Plan of Operation. This item is not needed due to prior action.

- b. Quarry Committee: Discussion and possible action on recommendation to Village Board on Amendment to the Plan of Operation for Halquist Stone Company, Inc. No action needed.
- c. Village Board: Discussion and possible action on Amendment to the Plan of Operation for Halquist Stone Company, Inc. No action needed.

13. Discussion and possible action on approval of Operator's Licenses:

- a. Savannah Brummer for Twelve29
- b. Bethany Dindorf for Twelve29
- c. Britni Grosenick for Twelve 29
- d. Tracy Raasch for Mibbs & Vivs
- e. Tera Smith for Mibbs & Vivs
- f. Mike Gildemeister for Mibbs & Vivs
- g. Ricky Petrowski for Mibbs & Vivs

Gizelbach/Reek Motion to approve operator's licenses listed above. Motion carried unanimously.

14. Discussion and possible action on approval of Used Auto Dealer license for Lannon Motors at 20365 W. Main St. Lannon WI 53046. Reek/Nellis motioned to approve used auto dealers license. Motion carried unanimously.

15. Adjournment of Quarry Committee. Reek/Nellis motioned to adjourn the quarry committee meeting. Motion carried unanimously.

16. Adjournment of Plan Commission. Gizelbach/Janas motioned to adjourn the Plan Commission meeting at 8:46 p.m. Motion carried unanimously.

17. Adjournment of Village Board. Barbieri/Gizelbach motioned to adjourn the Village Board meeting at 8:47 p.m. Motion carried unanimously.

July 7, 2020

Respectfully submitted,

Brenda Klemmer

Village of Lannon Clerk/Treasurer