

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

1.0 Roll Call – Present: Commissioners: N. Brody, S. Bigler, T. Brinkmeier, A. Fritz, C. Stipe and Chair D. Besson. Commissioner P. Fedele has resigned. Staff: Village Administrator S. Kulik, Village Planner M. Shapiro. Audience (7).

2.0 Minutes – June 17, 2025 - Motion (Fritz, Bigler) to approve minutes as presented: motion passes 5-0-1.

3.0 [Public Hearing – 6:30 p.m.] Conditional Use Application –5552 D 108th Street, Octane Coffee and site plan review – Continued from June 16, 2025. Adrian Deasy and David Raschke, W237N2878 Woodgate Rd, Ste 4, Pewaukee, WI 53072 presented their request for a conditional use permit to allow a drive through use in a B-1 Shopping Center District. D. Besson inquired on information requested during previous meeting. Applicant presented sample of siding material for the Commissioners to assess. On the matter of Festival Foods, applicant reported that a formal agreement was reached. On the matter of signage, Commission members were presented with a new sign plan which is compliant with the code. Brinkmeier inquired about the menu board, applicant explained that there are no moving or flashing lights. Applicant reported that the menu board enters a dimmed mode when not in use. After reviewing the siding, applicant confirmed that it would be used for about 80 percent of the façade.

Motion (Brinkmeier, Stipe) to approve conditional use application (Resolution 25-02) and site plan as presented subject to the following requirements:

1. The menu board has a dimmer function and is lit comparable to neighboring lighting;

Motion passes 5-0-1.

4.0 [Public Hearing – 7:00 p.m. or immediately following item 3.0] -Conditional Use Application –11030 W. Forest Home Avenue, United Church of God– S. Kulik read the notice. D. Besson opened the public hearing at 6:35 p.m. James Chance, 3207 S. 167 Street, Richfield, WI presented the request for a conditional use permit to allow a church in an R-4 Resident District. D. Besson inquired if there was any member of the public who wished to address the Commission on the request. No public comments. Public hearing closed at 6:48 p.m. D. Besson inquired about the state of an area of the property that the applicant identified as an apartment used by the church. D. Besson inquired if the applicants would be willing to paint and refresh the exterior and the door, applicant agreed. D. Besson inquired about the parking lot, applicant stated that all parking on the property was newly redone. B. Besson also inquired about doing minor maintenance to ramp, applicant agreed. S. Bigler asked that landscaping be maintained around the property and sidewalk.

Motion (Stipe, Brinkmeier) to approve conditional use application (Resolution 25-03) and site plan as presented subject to the following requirements:

1. Exterior maintenance is done to the apartment on the facility.
2. Ramp is repaired and maintained.
3. Landscaping and weeding are done within the property and sidewalk.

Motion passes 5-0-1.

5.0 Site Plan Review– 5879 S. 92nd St, Milwaukee County Parks – Sarah Toomsen and Andrea Wallace, Milwaukee County Parks Department, addressed the Commission regarding the request. D. Besson inquired if Milwaukee County recognizes the zoning authority of the

Village of Hales Corners. Toomsen responded that while she is not a representative speaking for the county as an entity, she does as a planner recognize the zoning authority of the village. AREA 2: Trial Garden Fence was identified as a permanent security fence which has been in place without permitting for a significant period of time following vandalism of the garden. M. Shapiro identified eight (8) feet as the height maximum for a security fence. T. Brinkmeier inquired whether a deer can breach this fence. D. Besson reported he had researched the issue and that deer will not jump a fence just for food. They can breach as high as 10 ft but only if they are being chased or threatened. Typically a 6 foot fence is enough of a deterrent for deer as they won't jump a fence too high or one that they cannot see through. D. Besson stated that the fence was installed properly with support bars to prevent buckling and high enough to deter deer and vandalism. S. Toomsen responded that deer cannot breach the fence that is currently in place.

Motion (Stipe, Fritz) to approve the security fence at Area 2: Trial Garden Fence; motion passes 5-0-1.

Area 1: Red Barn Safety Fence was erected by the applicants after significant security concerns around visitors entering the property without permission. Applicant noted that the interior of the building had not undergone a formal building safety inspection, but maintenance had requested it be kept vacant while Milwaukee County assessed options for the site, which has historic value. D. Besson noted that temporary fencing may only be erected for 60 days, which this fencing has surpassed. S. Kulik stated that if the county applied for a building permit for renovations to the barn, the fencing could be up for 18 months with the possibility of an extension. S. Toomsen stated that this would be a desired path as the county decides on the best course of action to remedy safety and security concerns posed by the barn.

Motion (Stipe, Bigler) to approve Area 1: Red Barn Safety Fence as a temporary fence which may be kept up for 60 days until building permit is secured for construction.

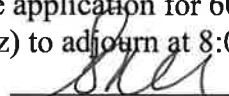
Area 3: Margie's Garden Fence was approved as a security fence of 7 feet, while segments of the fencing were installed at 9 feet in height. M. Shapiro noted that this exceeds the height limit for security fences. S. Kulik stated that this item was being brought forth to the Board of Appeals for a height variance.

Motion (Fritz, Stipe) to approve the security fence at Area 3: Margie's Garden conditional on approval by Board of Appeals.

Area 4: Wildlife Exclusion and Garden Perimeter Fence was erected after damage, theft, and wildlife concerns. D. Besson noted that this fencing was indicated as temporary although exceeded the 60 day requirement for fencing. S. Toomsen stated that the plan currently sits at 60% of the design phase completed, with money still required from the Friends Group to implement the designs. Applicants did not have a date for construction of the permanent fence. Applicants were offered to return to Plan Commission in September and either present a timeline for the permanent fencing or offer adjustments to existing fencing to make the fencing more attractive and permanent. Applicants agreed.

Motion (Bigler, Stipe) to layover the application for 60 days; motion passes 5-0-1.

6.0 **Adjournment – Motion** (Stipe, Fritz) to adjourn at 8:06 p.m.; motion passes 5-0-1.



Sandra M. Kulik, Administrator/Clerk