

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, A. Fritz, C. Stipe and Chair D. Besson. Staff: Village Administrator S. Kulik, Village Planner B. Wiedenfeld.
Excused Absence: Commissioners: T. Brinkmeier, A. Dunning
Audience (5).

2.0 Minutes – December 15, 2025 - Motion (Fritz, Stipe) to approve minutes as presented; motion passes 5-0-2.

3.0 Site Plan Review – 5935 S. New Berlin Rd., Cellco Partnership d/b/a Verizon Wireless
– Shane Dorgan, 1955 Atwood Ave., Suite 202, Madison, WI of Ramaker and Associates representing Verizon Wireless, addressed the Commission regarding the request for site plan approval to make improvements to an existing cell tower. D. Besson inquired if the proposed fence would be 6 ft. of chain-link fence with an additional 1 ft. of barbed wire on top of the fence, the applicant stated yes. D. Besson stated that it will be acceptable. D. Besson inquired if there will be lighting on the cell tower, the applicant stated no. D. Besson stated that any permits required for the project would need staff review.

Motion (Fritz, Stipe) to approve site plan as presented; motion passes 5-0-2.

4.0 Site Plan Review – 9400 Boerner Dr., Boerner Botanical Gardens - Milwaukee County Parks - revised fence plan – D. Besson stated that the applicant did not meet the 5 required conditions outlined for staff approval of the site plan in the December Plan Commission meeting. Sarah Toomsen, 9480 Watertown Plank Rd, Wauwatosa, WI of Milwaukee County Parks and Jennifer Gamez, 5879 S. 92nd Street, Hales Corners, WI of Boerner Botanical Gardens addressed the Commission regarding the request for site plan approval to install permanent fencing in Boerner Botanical Gardens.

S. Toomsen stated that Milwaukee County Parks did not meet 1 of the required 5 conditions for site plan approval: Survey of 7 residents (6 on Garden Ct. and 1 on 92nd St.) with a majority of support for the fencing. The applicant stated they understood that administrative approval was not an option.

The applicant stated that in anticipation of neighbors' preference for no fence, the applicant sent revised plans to the village with fence removed from Garden Ct. Following receipt of the revised plan set, feedback from village staff indicated this now created a problem with the fencing along the 92nd St. roadway to provide ornamental fencing, which had been left as trial fence in the revised plan set. The applicant changed this trial fence within the revised plan to reflect village preference for ornamental fence style. The applicant presented the Village Existing Land Use map outlining area of fence on the boundary of the Boerner Botanical Gardens represented as Recreational land use. The applicant hopes that the fencing plan can be reviewed as is to reflect the land use map.

D. Besson stated that the July decision to approve the trial fence was to approve the temporary fencing permit. The original plan as presented had ornamental fencing. The revised plans have

changed 5 times since requesting a revised plan set after the December meeting. D. Besson stated that the County has a whole staff dedicated to planning and still couldn't submit plans that were complete in a timely manner. D. Besson recommended the County come back to the Plan Commission with a refined and well-thought-out plan to be reviewed by the Plan Commission because they did not meet the conditions of the December 15th meeting. D. Besson stated that this review of site plan has gone on for over a year.

D. Besson states that the applicant did not meet the requirements of the conditions of the December 15th meeting and the plan should be denied in its current state. The applicant stated that each revision of the plan has been made in response to village requests. The applicant stated that the plans have been changed to respect the neighbors' response to the survey given to them regarding the fence. The applicant asked that because changes were made to fencing plan to respect the neighbors' response to the survey, would the plan not meet the conditions of the Dec 15th meeting.

D. Besson stated an alternative option was given to the County of a deer fence and this was not given to the village in the plan. D. Besson stated that if the County comes back with a final plan, the village will consider it. D. Besson stated that there is a 45-day submission requirement for plans to be considered by the Plan Commission which was not followed by the County.

S. Kulik stated that the Village received additional revised plans as recently as Friday, February 13th. The applicant stated that the only reason the plan was sent again was to match the response of neighbors to the survey. D. Besson stated there were changes to the plans in addition to this.

The applicant asked if it is true the village requested that the applicant change the fence material last week? D. Besson stated that they did.

The applicant stated that because the fence has not been completed, there has been signs stolen and damage from animals in the garden. D. Besson asked if there are concerts held in the garden and noted that the garden collection is not that large in that area. The applicant stated there is a historic oak and hosta collection that is fenced in currently, but it does not meet the gardens' needs.

The applicant stated that in written correspondence the village asked the survey inquire support for the ornamental fence, not deer or ornamental fence. S. Kulik stated that the County agrees the survey response did not meet the conditions of majority support for the fencing.

N. Brody stated that the survey was supposed to ask for deer or ornamental. The County included an option for no fence and respondents favored that option. N. Brody asked if the county has to abide by the no fence option. D. Besson stated that they did not meet December 15th meeting requirements.

S. Bigler asked if motion is made to deny the application, what is the recourse of the decision. D. Besson stated that the County could take the village to circuit court, amend the plan by at least 21% (considered substantial changes) and resubmit at an upcoming PC meeting, or wait a year before resubmitting.

N. Brody asked if this would be 21% change from the December 15th Plan Commission meeting site plan. S. Kulik stated yes. S. Kulik stated this could be 21% of anything related to the plan: 21% less expensive, 21% less area, 21% less fence, etc.

Motion (Besson, Frtiz) to deny site plan as presented for not meeting conditions outlined in the December 15th Plan Commission meeting; motion passes 5-0-2.

Discussion: N. Brody asks if the temporary fence needs to come down. D. Besson stated yes, that the temporary fence was only allowed for 60 days, so it must come down. The Village is no longer in negotiations with the County and has 30 days to tear down the fence. If the county resubmitted plans with at least a 21% change within 30 days, the plan would be back in negotiation and fence would not have to be taken down.

5.0 Adjournment – Motion (Stipe, Brody) to adjourn at 7:03 p.m.; motion passes 5-0-2.



Sandra M. Kulik, Administrator/Clerk