

NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY MINUTES
APRIL 12, 2007

PUBLIC HEARING

7:30 A.M. (3)AB CU-2-07 SF Analytical Laboratories – 2325 S. 170th St. – Private Commercial Laboratory Performing Analytical Testing Services and Scientific Analysis for Environmental and Food Manufacturing/Processing/Retailing Needs.

The public hearing relative to the request by David Kliber c/o Analytical Laboratories for a conditional use for a private independent commercial laboratory located at 2325-45 S. 170th Street was called to order at 7:34 A.M.

In attendance were Mayor Chiovero, Alderman Thomas Augustine, Donald Vaclav, John Fillar, and Ted Anderson. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; and City Attorney Blum. Alderman Ken Harenda and Marta Broge are excused.

Ms. Jones read the public hearing notice and stated there was proof of publication.

Ms. Bennett gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovero asked three times if there were any comments or questions for the purpose of clarification, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in favor of this project, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in opposition of this project, seeing none.

Mayor Chiovero asked for comments or questions from the Committee members, seeing none.

Mayor Chiovero closed the public hearing at 7:40 A.M.

PUBLIC HEARING

7:31 A.M. (3)TK CU-3-07 Speedy Metals LLC – 2500 S. 162 St. – Tank Installation.

The public hearing relative to the request by Dale Steger c/o Speedy Metals LLC for a conditional use for the installation of a tank located at 2500 S. 162nd Street was called to order at 7:42 A.M.

In attendance were Mayor Chiovero, Alderman Thomas Augustine, Donald Vaclav, John Fillar, and Ted Anderson. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; and City Attorney Blum. Alderman Ken Harenda and Marta Broge are excused.

Mr. Kim read the public hearing notice and stated there was proof of publication.

Mr. Kim gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovero asked if there were any comments or questions for the purpose of clarification?

Hank Kempfill - Infratrol Mfg., Unit 1, 2500 S. 162nd Street, – On the notice we received, the square footage is incorrect. It should be 12,365 sq. ft. It is one building that is divided into two units. Speedy Metals is in Unit 2, we are in Unit 1.

Mr. Kim – That correction has been noted on the public hearing notice.

Mayor Chiovero asked three times if there was anyone else with comments or questions for the purpose of clarification, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in favor of this project, seeing none.

Mayor Chiovero asked three times if there was anyone wishing to speak in opposition of this project, seeing none.

Mayor Chiovero asked for comments or questions from the Committee members, seeing none.

Mayor Chiovero closed the public hearing at 7:48 A.M.

NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY MINUTES

APRIL 12, 2007

The Community Development Authority Meeting was called to order by Mayor Chiovaturo at 7:50 A.M.

In attendance were Mayor Chiovaturo, Alderman Thomas Augustine, Donald Vaclav, John Fillar, and Ted Anderson. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; and City Attorney Blum. Alderman Ken Harenda and Marta Broge are excused.

Motion by Mr. Vaclav to approve the CDA minutes of March 1, 2007. Seconded by Mr. Fillar. Motion passes with Mr. Anderson voting present.

COMMUNITY DEVELOPMENT AUTHORITY SECRETARY'S REPORT

None

NEW BUSINESS

1. (3)AB CU-2-07 SF Analytical Laboratories – 2325 S. 170th St. – Private Commercial Laboratory Performing Analytical Testing Services and Scientific Analysis for Environmental and Food Manufacturing/Processing/Retailing Needs.

Motion by Mr. Vaclav to approve the Conditional Use Permit to occupy a building in the New Berlin Industrial Park for use as a laboratory subject to the application, plans on file and the following conditions:

- 1) Plan of Operation:
 - a) Hours of operation: Monday – Friday 8am to 5:30pm.
 - b) Employee and customer parking shall be contained on site.
 - c) All signage both temporary and permanent shall require an application to be filed prior to installation.
 - d) There shall be no outdoor storage of equipment or materials related to the business.
 - e) Dumpsters shall be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Zoning Ordinance.
- 2) Building Inspections:
 - a) Building alteration plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
 - b) Building alteration plans shall be approved by the State of Wisconsin Department of Commerce Safety and Buildings Division per Wisconsin Enrolled Commercial Building Code. (Comm 61.70 Certified municipalities and counties.)
 - c) Apply and obtain appropriate building, plumbing and electrical permits.
- 3) Streets and Utilities:
 - a) If the existing sanitary lateral is to be used, the applicant shall test or replace the lateral.
 - b) The water meter shall remain accessible and the wire to the outside shall be protected.
- 4) Utility Engineer:
 - a) Plan Sheet 1 of 1 indicates that there are two water laterals connecting to the site. This is understandable since the building is currently a multi-tenant building. The Plan Sheet does not show where the southern lateral is connected to a water main. The City as-built drawings indicate that the water main is continuous on 170th Street.
 - b) The second lateral shall be abandoned if not required for redundancy in fire protection.

Seconded by Alderman Augustine. Motion carried unanimously.

2. (3)TK CU-3-07 Speedy Metals LLC – 2500 S. 162 St. – Tank Installation.

Motion by Mr. Vaclav to approve the Conditional Use Permit for the after-the-fact installation of an above-ground oxygen storage tank located at 2500 S. 162nd Street, Unit #2, subject to the application, plans on file and the following conditions:

- 1) Site Plan:
 - a) The tank is a 1500 gallon vertically situated oxygen tank.

- b) Above-ground fuel tanks shall also be reviewed under separate permit through the City of New Berlin Fire Department.

2) Building Inspections:

- a) If the tanks and heat exchangers are required to have concrete foundations, the installation of those foundations shall require a building permit.
 - b) Foundation plans and tank installation plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
 - c) Foundations for tanks are required to have a building permit and the corresponding inspections.
 - d) Protective measures shall be installed around the tank to prevent vehicle damage.
 - e) Apply and obtain appropriate building, plumbing and electrical permits.
- 3) The property owner shall repair the fence around the tank and remove the barb wire no later than Wednesday May 2, 2007.
 - 4) The property owner shall put in bollards or other safety measures around the enclosure of the tank to ensure that trucks or other vehicles do not hit the tank. Please submit this on a site prior to installation no later than Wednesday May 2, 2007.

Seconded by Mr. Fillar. Motion carried unanimously.

3. (7)TK U-9-07 Verizon Wireless – 15725 W. Ryerson Rd. – New Fence to Secure Facility Parking Lots and Access.

Motion by Mr. Anderson to approve the request to install security gates and fencing at different locations around the perimeter of their properties as identified by the site plan for security reasons along with a waiver request to be allowed to place a portion of fence within a utility easement for the properties located at 15725 and 15765 West Ryerson Avenue subject to the application, plans on file and the following conditions:

Waiver #1: Section 275-42.G.(3)a[6] states that fences shall be located outside of easement areas unless Community Development Authority approval is granted to place a fence in or on the easement. There is a utility easement that runs along the western lot line. The applicant is proposing to install a small section of fencing that runs into the easement. The applicant is aware that if the waiver is granted and the City needs to access that easement, or remove the fencing to complete work, that it will not be at the expense of the City.

- 1) Because this is an area where trucks are making wide turns, the applicant shall either eliminate the medians or widen the drive so that the incoming lane is 20', median about 3' wide, and outgoing lanes are 17' wide. The median shall also be placed outside of the right-of-way of Ryerson Road.
- 2) The applicant shall submit a hold harmless agreement prior to issuance of a zoning permit.
- 3) If the drive aisles need to be widened, then additional landscaping may need to be installed along the gates and chain link fence in the front. Staff shall make that determination based on the locations of the gate posts and the appearance of the chain link fencing.
- 4) If the CDA grants the waiver #1 for a portion of fence to be allowed within the utility easement, the applicant shall be required to submit documentation holding the City harmless if they need to access the easement area or if the fence needs to be removed.
- 5) Fire Department
 - a) Additional key boxes will be required at each gate for Fire Department access, or a gate code shall be provided. Applicant shall coordinate with the Fire Department to work out the final details.
- 6) All parts of the gate and fence shall be located on the property and shall meet all setback requirements as outlined in Section 275-42.G.(3) of the New Berlin Zoning Code.
- 7) If the applicant removes any landscaping from the property due to the fencing, they will be required to follow Section 275-54 of the New Berlin Zoning Code.

Seconded by Mr. Fillar. Motion carried unanimously.

4. () PG-951 – Progress Update of Capital Improvement Projects in the New Berlin Industrial Park Area. – JP Walker, City Engineer.

JP Walker gave a presentation on the progress to date in 2007 of the Capital Improvement Projects in the New Berlin Industrial Park. Redesign work has been started on roadway projects for Ryerson Road, Glendale Drive, and Lincoln Avenue. Mr. Walker named the consultants chosen and explained the project schedule for each of the three road redesign projects. Road style and bio-retention swales were discussed.

Mr. Walker described the Lincoln Avenue Drainage Easement Capacity Improvements Project for which a contractor has also been awarded.

Mr. Walker explained concepts that will work with the business owners in the New Berlin Industrial Park. The completion date for these improvements is expected to be June 30, 2007.

Improvements on Calhoun Road were discussed. Mayor Chiovatero indicated his concern that if Calhoun Road is not built properly, it can affect all the efforts we are putting forth in the Industrial Park. He is looking forward to bringing it up to being a strong industrial park along with a good tax base for the City of New Berlin.

ADJOURNMENT

Motion by Mr. Vaclav to adjourn the Community Development Authority Meeting at 8:15 A.M. Seconded by Alderman Augustine. Motion carried unanimously.