

JUNE 5, 2023
PLANNING COMMISSION MEETING
TOWN OF WATERFORD
415 N. MILWAUKEE ST., WATERFORD, WI

TOWN HALL

5:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/87938021842?pwd=MIB6VER4QWNPejZqcGZwSzk5UVRLQT09>

Meeting ID: 879 3802 1842

Passcode: 220117

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF MAY 1, 2023 MINUTES AS PRESENTED.
4. PIER PERMIT- HAUKE, 29030 ELM ISLAND DR.
5. PIER PERMIT- OTZELBERGER, 28717 MULBERRY LN.
6. PIER PERMIT- NEWHOLM, SCENERY RD., VACANT LOT ADJACENT TO 5409 SCENERY RD.
7. CONDITIONAL USE/SPECIAL EVENT PERMIT- NORTH TICHIGAN, LLC. (DBA LAKE TICHIGAN HILLTOP), 6812 N. TICHIGAN RD.- REQUEST TO ALLOW FOR CONSTRUCTION OF AN OUTDOOR STAGE TO HOST LIVE MUSIC EVENTS ON WEEKENDS DURING THE SUMMER MONTHS
8. MOVE JULY 3RD PLANNING COMMISSION TO JULY 10TH AT 5:00 PM.
9. CORRESPONDENCE-
10. SHORELAND CONTRACT REPORT
11. FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

TOWN BOARD MAY BE IN ATTENDANCE

This notice is subject to amendment up and to the time applicable as allowed by law. Please check with Town Clerk for any changes.

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
MAY 1, 2023 @ 5:30 PM
UNAPPROVED/UNOFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chair Teri Nicolai. Present in person or via Zoom: Commissioners Derse, Wenck, Dickinson and Nelson (at 5:40) and Town Attorney.
2. Chair Nicolai led the Pledge of Allegiance.
3. **Commissioner Derse motioned to approve the April 10, 2023 minutes as presented, seconded by Commissioner Wenck. Vote taken: 4-0. Motion carried.**
4. Pier Permit- Bator, Riverside Rd (23-636-000), Adjacent to 5813 Riverside- Applicant not present. **Commissioner Wenck motioned to approve the pier permit, as presented, seconded by Commissioner Derse. Vote taken: 4-0. Motion carried.**
5. Pier Permit-Wrycza, Lot 52 E Peninsula Dr (23-108-000), between 5613 and 5529 E Peninsula Dr.- Randy Wrycza, applicant, was present. **Commissioner Derse motioned to approve the pier permit, as presented, seconded by Commissioner Dickinson. Vote taken: 4-0. Motion carried.**
6. Pier Permit-DuBois, 6714 Burma Rd.- Frank DuBois, applicant, was present. Discussion took place on the existing pier. **Commissioner Wenck motioned to approve the pier permit, as presented, seconded by Commissioner Derse. Vote taken: 4-0. Motion carried.**
7. Pier Permit-321Go Ventures Tichigan, LLC, 6749 A N Tichigan Rd.- Gary Wong, applicant, was present. **Commissioner Derse motioned to approve the pier permit, as presented, seconded by Commissioner Dickinson. Vote taken: 4-0. Motion carried.**
8. Pier Permit-Stevens, 6660 Channel Rd.- Randy Stevens, applicant, was present and indicated that he would like to amend his request from adding a 4x12 section vs a 4x8 section. **Commissioner Dickinson motioned to approve the pier permit, with the modification of adding a 4x12 section, seconded by Commissioner Wenck. Vote taken: 5-0. Motion carried.**
9. CSM-Jensen, vacant parcel located across from Jensen Pkwy-Request to create 3 buildable lots. Peter Turke, legal representation for the applicant, explained the predicament of the sewer service area and district boundaries not matching up. Attorney Turke indicated that they would like to seek approval to allow private septic systems and have the lots file, with the Racine Co Register of Deeds, an agreement that once municipal sewer becomes available, the lots will need to be hooked up within 6 months. Dale Gauerke, 5355 Northwest Hwy, recommended having the 4th remnant parcel deed restricted as well as to avoid a subdivision plat. **Commissioner Derse motioned to recommend approval of the CSM's and allow private septic systems contingent upon each of the lots filing an agreement with the Racine Co Register of Deeds indicating they will be required to hook up to municipal sewer, at the property owners expense, within 6 months of it**

becoming available. The agreement may be amended, by request, by the Town Board. Attorney Dubis and Dan Dickinson to approve the agreement. Motion seconded by Commissioner Wenck. Vote taken: 5-0. Motion carried.

10. Shoreland Contract Report- Chair Nicolai indicated she received a request from Supervisor Schwartz that the Town request a written report from the Town Inspector and that she will be looking into.

11. Forthcoming Events-

Commissioner Derse motioned to adjourn the meeting at 5:56 PM, seconded by Commissioner Dickinson. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

DRAFT

**TOWN OF WATERFORD
415 N. MILWAUKEE ST.
WATERFORD WI 51385
262-534-2350
FAX: 262-534-6606**

FEE: \$150

APPLICATION FOR PIER PERMIT

Pursuant to Town of Waterford Municipal Code Chapter 6-6.18

The undersigned property owner(s) make application to the Town of Waterford for a permit to install or modify a pier as hereinafter set forth, and agrees that they will be bound by and subject to all specifications, rules, and regulations prescribed by the Town of Waterford and the State of Wisconsin. It is further understood that applicant/owner will submit photographs of the completed pier within 30 days after construction (this helps to document the completion of the project and compliance with the permit conditions). The premise where the pier is installed or modified is described as follows:

Property owner: David Hauke

Property Address: 29030 Elm Island Dr, Waterford WI 53185

Tax Parcel #: 016-04926238000

Mailing address (only if different from above): _____

Telephone and Email Address: 262-202-6589 adam.hauke1@gmail.com

Pier Installer: Lake Country Budge

Names and Addresses of abutting neighbors:

- Grant Walden 5020 Elm Island Circle
- Suzanne Schmidt 29024 Elm Island Drive

Refer to the back of this application for proposed location and configuration of pier, boatlift or slip.

PIER INSTALLATION OR MODIFICATION INFORMATION

Pier length from shore: 40 feet

Pier Materials: Aluminum

Pier width, including lift (at widest dimension): 8 feet

Distance from pier location to right property line: 60 feet

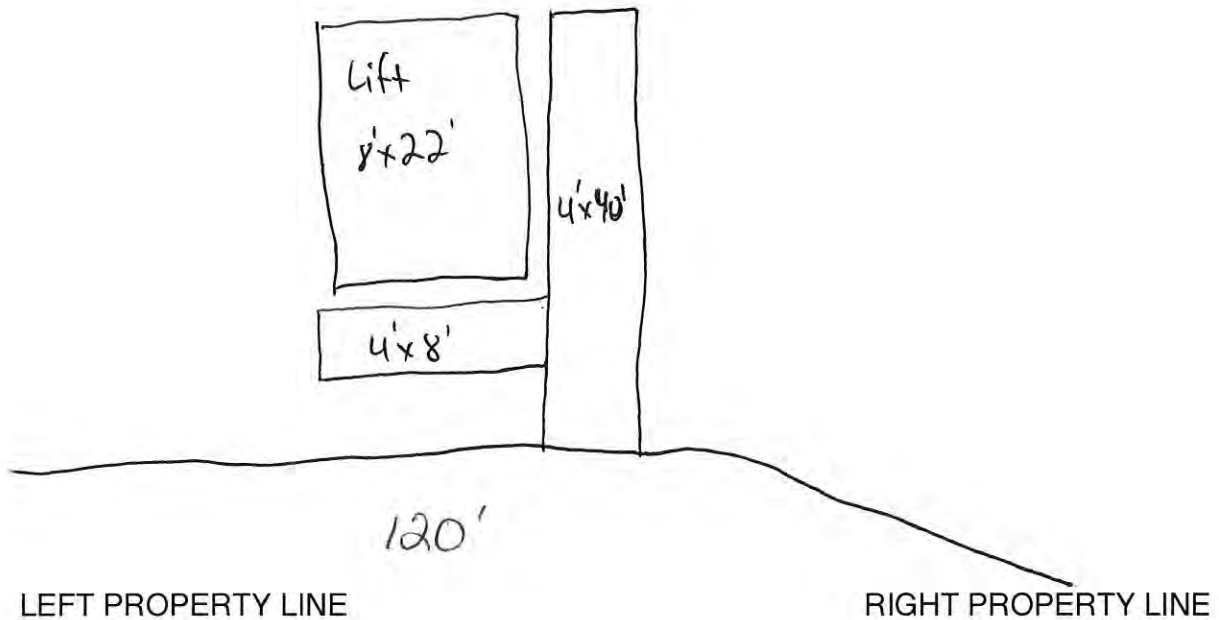
Distance from pier location to left property line: 45 feet

Water depth: 2 feet

Include boatlift size and location on drawing:

DIAGRAM OF PIER LOCATION AND SHAPE

LAKE/RIVER



The undersigned hereby submits this application for review and understands that the applicant will need to attend either personally or by their representative the Planning Commission meeting for the installation or modification of the pier as described in the above application. Incomplete applications will NOT be accepted.

Dated this 11th day of May, 2023

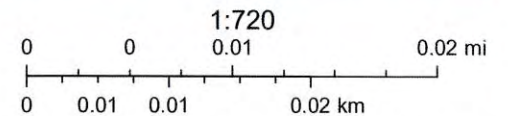
Signature of Applicant

ArcGIS WebMap



May 24, 2023

- | | | | | | | | |
|--|-------------------------|--|--------------------|--|----------------------|--|--------------------|
| | Quarter Quarter Section | | Tax Parcels | | Municipal Boundaries | | 2022 Spring Aerial |
| | Quarter Section | | Parcel Tie Lines | | Water lines | | Red: Band_1 |
| | Sections | | Text Related Lines | | Waterbody | | Green: Band_2 |
| | | | | | | | Blue: Band_3 |



Racine County, SEWRPC, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

TOWN OF WATERFORD
415 N. MILWAUKEE ST.
WATERFORD WI 51385
262-534-2350
FAX: 262-534-6606

FEE: \$150

APPLICATION FOR PIER PERMIT

Pursuant to Town of Waterford Municipal Code Chapter 6-6.18

The undersigned property owner(s) make application to the Town of Waterford for a permit to install or modify a pier as hereinafter set forth, and agrees that they will be bound by and subject to all specifications, rules, and regulations prescribed by the Town of Waterford and the State of Wisconsin. It is further understood that applicant/owner will submit photographs of the completed pier within 30 days after construction (this helps to document the completion of the project and compliance with the permit conditions). The premise where the pier is installed or modified is described as follows:

Property owner: Thomas L. and Jackie A. Otzelberger
Property Address: 28717 Mulberry Ln, WATERFORD, WI 53185
Tax Parcel #: 016 041 912 024
Mailing address (only if different from above): _____

Telephone and Email Address: (414) 416-2203 Otzel@AOL.COM
Pier Installer: SELF

Names and Addresses of abutting neighbors:

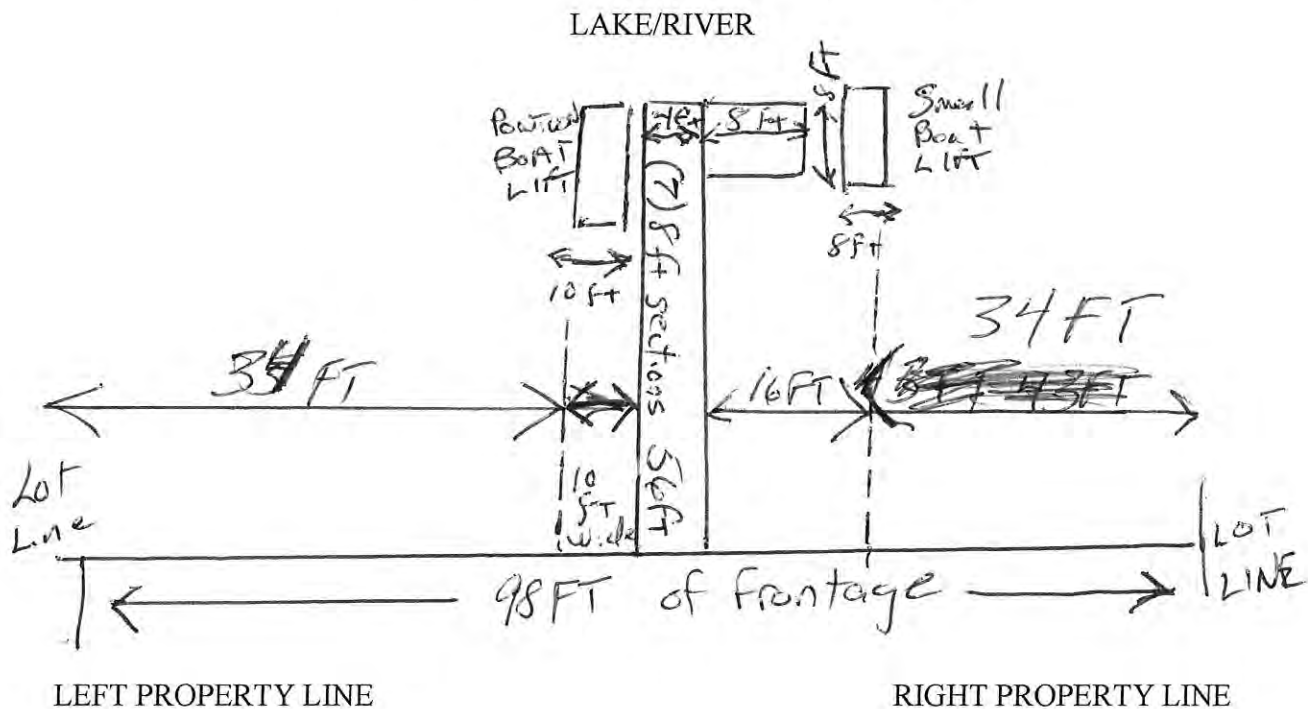
- Benny Novotny 28713 MULBERRY LN, WATERFORD
- Scott Krzman 28721 MULBERRY LN, WATERFORD

Refer to the back of this application for proposed location and configuration of pier, boatlift or slip.

PIER INSTALLATION OR MODIFICATION INFORMATION

Pier length from shore: 56 feet
 Pier Materials: Composite top with aluminum frame
 Pier width, including lift (at widest dimension): 22 feet
 Distance from pier location to right property line: 43 feet
 Distance from pier location to left property line: 35 feet
 Water depth: 3 feet
 Include boatlift size and location on drawing:

DIAGRAM OF PIER LOCATION AND SHAPE



The undersigned hereby submits this application for review and understands that the applicant will need to attend either personally or by their representative the Planning Commission meeting for the installation or modification of the pier as described in the above application. Incomplete applications will NOT be accepted.

Dated this 1st day of May, 2023

NY Orzelberger
 Signature of Applicant

TOWN OF WATERFORD
415 N. MILWAUKEE ST.
WATERFORD WI 51385
262-534-2350
FAX: 262-534-6606

FEE: \$50

APPLICATION FOR PIER PERMIT

Pursuant to Town of Waterford Municipal Code Chapter 6-6.18

The undersigned property owner(s) make application to the Town of Waterford for a permit to install or modify a pier as hereinafter set forth, and agrees that they will be bound by and subject to all specifications, rules, and regulations prescribed by the Town of Waterford and the State of Wisconsin. It is further understood that applicant/owner will submit photographs of the completed pier within 30 days after construction (this helps to document the completion of the project and compliance with the permit conditions). The premise where the pier is installed or modified is described as follows:

Property owner: Thomas L and Jackie A Otzelberger

Property Address: 28717 Mulberry Ln., Waterford, WI 53185

Tax Parcel #: 016 041 912024

Mailing address (only if different from above): _____

Telephone: (414) 762-8550 cell (414) 416-2203

Pier Installer: Self

Names and Addresses of abutting neighbors:

- Barry Newing, 28713 Mulberry Ln, Waterford, WI 53185
- Scott Kozmen, 28721 Mulberry Ln, Waterford, WI 53185

Refer to the back of this application for proposed location and configuration of pier, boatlift or slip.

PIER INSTALLATION OR MODIFICATION INFORMATION

Pier length from shore: 48 feet

Pier Materials: Composite top with wood frame

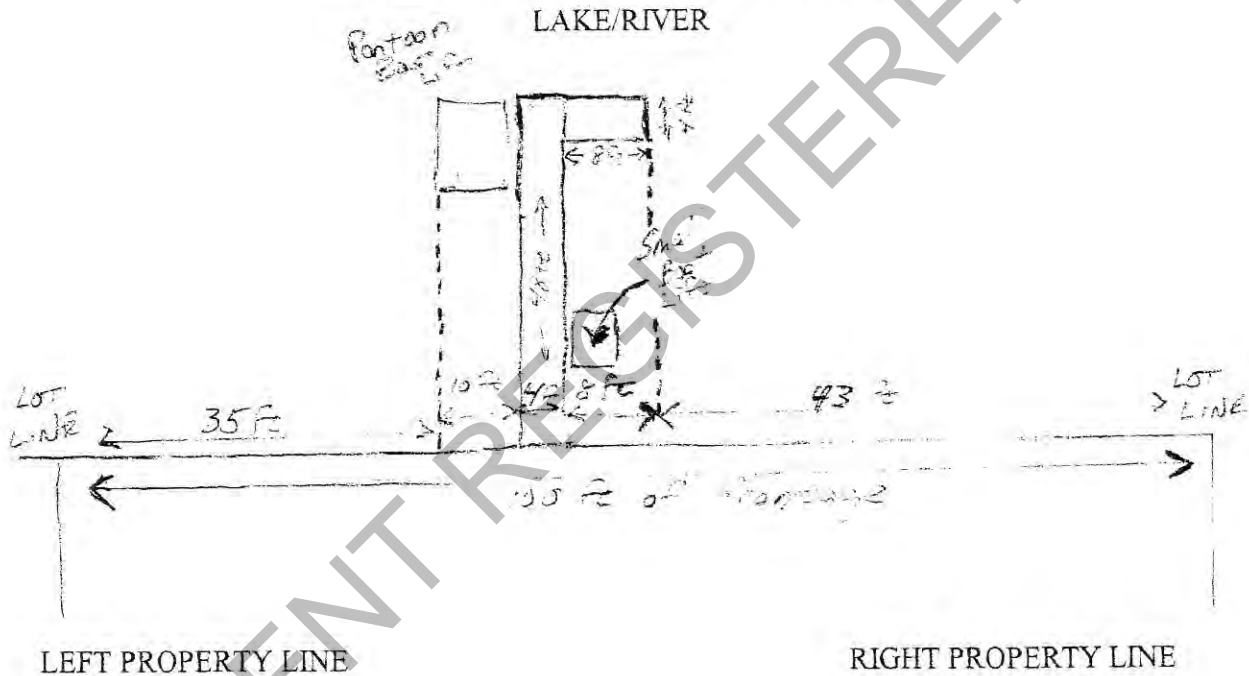
Pier width, including lift (at widest dimension): 12 feet

Distance from pier location to right property line: 43 feet

Distance from pier location to left property line: 35 feet

Include boatlift size and location on drawing:

DIAGRAM OF PIER LOCATION AND SHAPE



LEFT PROPERTY LINE

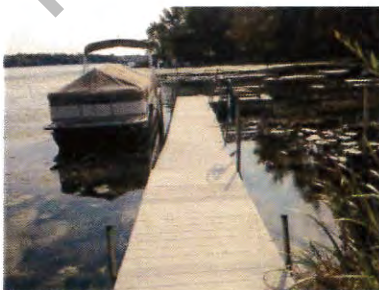
RIGHT PROPERTY LINE

The undersigned hereby submits this application for review and understands that the applicant will need to attend either personally or by their representative at both Planning Commission and Town Board (unless prior exceptions have been made) for the installation or modification of the pier as described in the above application.

Dated this 28th day of September, 2014

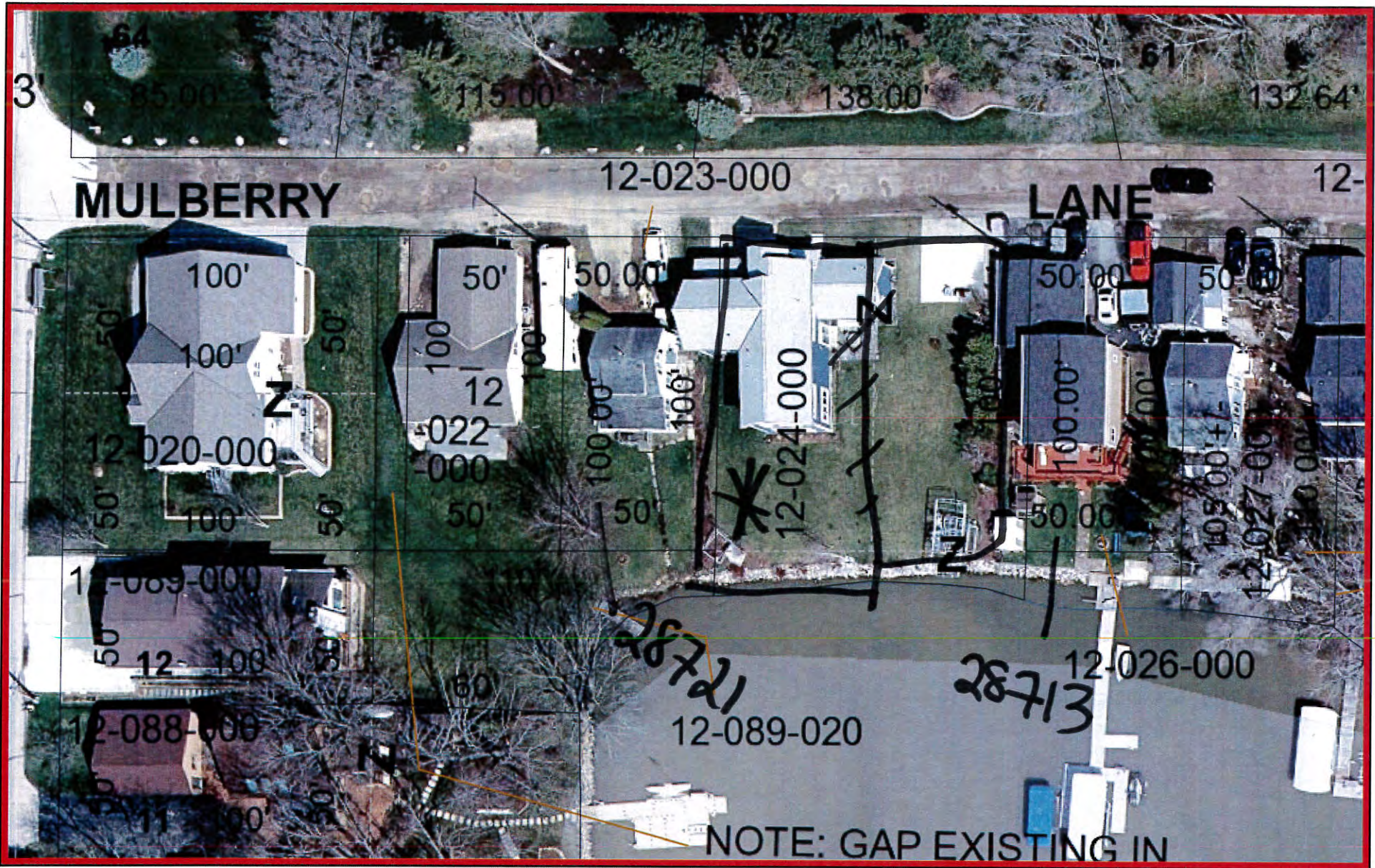
Roman J. Gilberg
Signature of Applicant

28717 Mulberry Ln, Waterford (Tax ID 0160411912024)



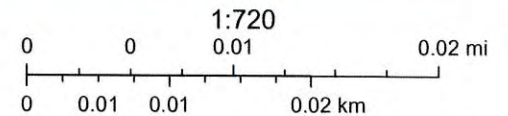
CURRENTLY REGISTERED PIER

ArcGIS WebMap



May 24, 2023

- | | | | | | | | |
|--|-------------------------|--|--------------------|--|----------------------|--|--------------------|
| | Quarter Quarter Section | | Tax Parcels | | Municipal Boundaries | | 2022 Spring Aerial |
| | Quarter Section | | Parcel Tie Lines | | Water lines | | Red: Band_1 |
| | Sections | | Text Related Lines | | Waterbody | | Green: Band_2 |
| | | | | | | | Blue: Band_3 |



Racine County, SEWRPC, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

TOWN OF WATERFORD
415 N. MILWAUKEE ST.
WATERFORD WI 51385
262-534-2350
FAX: 262-534-6606

FEE: \$150

APPLICATION FOR PIER PERMIT

Pursuant to Town of Waterford Municipal Code Chapter 6-6.18

The undersigned property owner(s) make application to the Town of Waterford for a permit to install or modify a pier as hereinafter set forth, and agrees that they will be bound by and subject to all specifications, rules, and regulations prescribed by the Town of Waterford and the State of Wisconsin. It is further understood that applicant/owner will submit photographs of the completed pier within 30 days after construction (this helps to document the completion of the project and compliance with the permit conditions). The premise where the pier is installed or modified is described as follows:

Property owner: Nate & Joni Newholm
Property Address: 5421 Scenery Rd, Waterford WI (Vacant land across from 5408 Scenery Dr.)
Tax Parcel #: 016041923238000
Mailing address (only if different from above): 5107W 16108 Loomis Dr.
Muskego WI 53150
Telephone and Email Address: (262)-206-6375 / nnewholm@michels.us
Pier Installer: Home town Piers & Lifts

Names and Addresses of abutting neighbors:

1. Name ? 5409 Scenery Rd, Waterford WI
2. Name ? 5443 Scenery Rd, Waterford WI

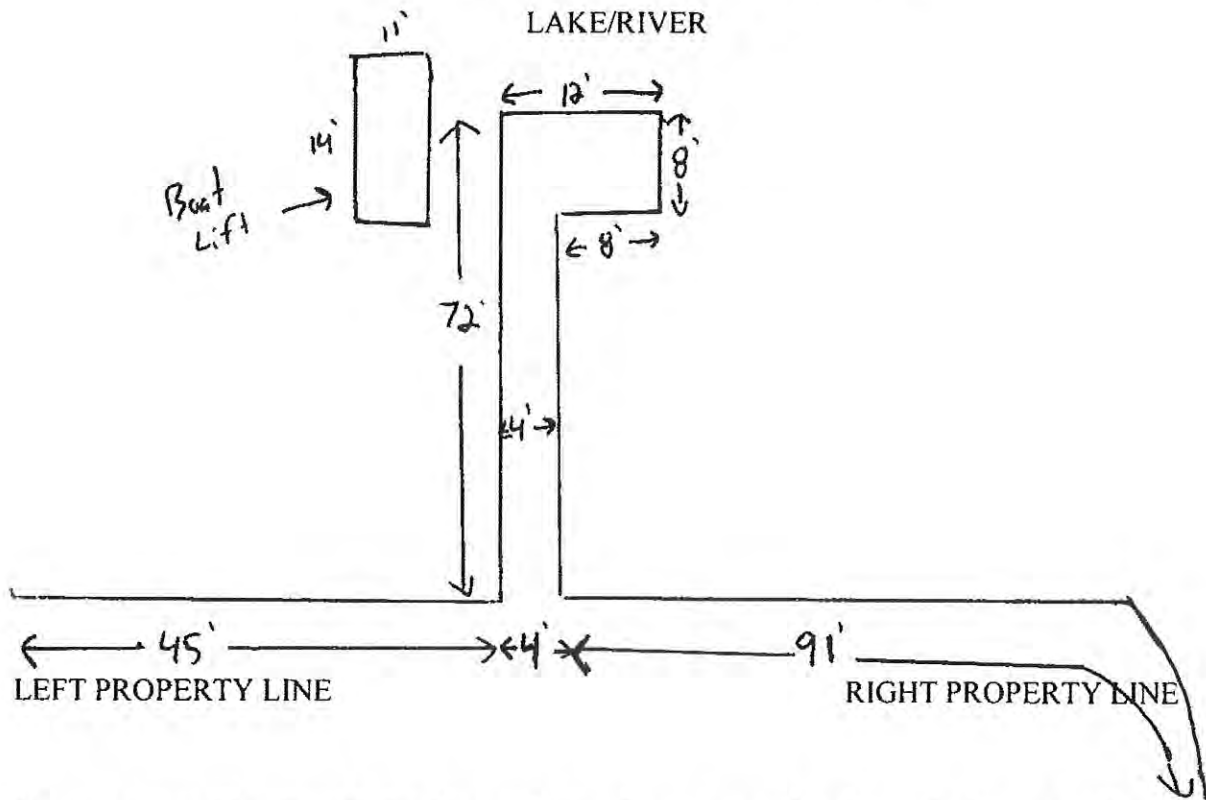
Not sure of Homeowners Names;

Refer to the back of this application for proposed location and configuration of pier, boatlift or slip.

PIER INSTALLATION OR MODIFICATION INFORMATION

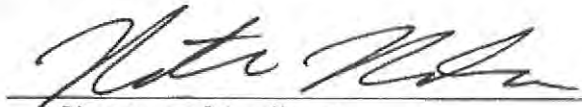
Pier length from shore: 72 feet
Pier Materials: Aluminum & Plastic
Pier width, including lift (at widest dimension): 4' & 12' feet
Distance from pier location to right property line: 91' feet
Distance from pier location to left property line: 45' feet
Water depth: 3 feet
Include boatlift size and location on drawing:

DIAGRAM OF PIER LOCATION AND SHAPE



The undersigned hereby submits this application for review and understands that the applicant will need to attend either personally or by their representative the Planning Commission meeting for the installation or modification of the pier as described in the above application. Incomplete applications will NOT be accepted.

Dated this 18 day of May, 20 23


Signature of Applicant

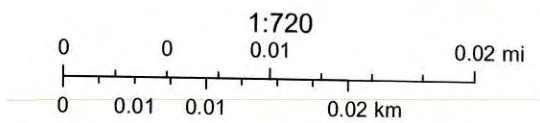
5408

ArcGIS WebMap



May 24, 2023

- Quarter Quarter Section
- Quarter Section
- Sections
- Tax Parcels
- Parcel Tie Lines
- Text Related Lines
- Municipal Boundaries
- Water lines
- Waterbody
- 2022 Spring Aerial
 - Red: Band_1
 - Green: Band_2



Todd A. Terry
Todd@LawMidwest.com

www.LawMidwest.com

May 18, 2023

VIA PERSONAL DELIVERY

Town of Waterford
Planning Commission Clerk

Re: North Tichigan LLC
Conditional Use Permit
6812 N. Tichigan Rd., Waterford, WI 53185

Dear Plan Commission Members:

I write in regard to the above-entitled matter. This office represents North Tichigan LLC in regard to a proposed Conditional Use Permit. I am submitting herewith all of the required application materials together with the required filing fee. It is my understanding that the Town Plan Commission Hearing on this matter will be held on June 5, 2023 and the Town Board Meeting on June 12, 2023. Should you require anything further in regard to this matter, please do not hesitate to contact me.

Sincerely,

TERRY & NUDO, LLC



Todd A. Terry

TAT/psw
Enclosures

Name of Applicant: Attorney Todd A. Terry, on behalf of North Tichigan LLC

Mailing Address: Terry & Nudo, LLC, 600 52nd Street, Suite 320, Kenosha, WI 53140

Telephone: (262) 842-2338 Cell: _____

Property Owner(s): North Tichigan LLC c/o Jay Urban

Mailing Address: 6812 N. Tichigan Road, Waterford, WI 53185

Telephone: (414) 202-2357 Cell: _____

Address/Location of Property:
6812 Tichigan Road N

Tax Key No: 016-04-19-14-389-000 and 016-04-19-14-388-000

Present Zoning Classification: B-1 Proposed Zoning: _____

Present Land Use: Tavern

Proposed Land Use: See Attached Exhibit "A" and Site Plan Exhibit "B"

Please check the following as it applies to this application

<input checked="" type="checkbox"/> Site Plan	_____ Final Plat	_____ Variance
_____ Site Grading Plan	_____ Certified Survey Map	_____ Pier/Raft Permit
<input checked="" type="checkbox"/> Conditional Use Permit	_____ Developer's Agreement	_____ Conceptual Plans
_____ Preliminary Plat	_____ Rezone	_____ Other

I (We) hereby make application to the Town of Waterford for the above referenced property. I do hereby swear or affirm that the information provided here and above is true, complete and accurate, and I understand that any inaccuracies may be considered just cause for invalidation of this application and any action taken on this application. I understand that the Town of Waterford reserves the right to enforce and all ordinances. I further understand that it is my/our responsibility to conform to all Town of Waterford Ordinances and Racine County, if applicable, in full. I hereby acknowledge that all requirements of the Town of Waterford shall be adhered too. I (we) have read this document and understand its content and have voluntarily completed this application.

I understand that this form shall be on file in the office of the Town Clerk by 4:00 pm on the 16th day BEFORE the meeting on which I desire to be heard or as required by Local Ordinance, whichever is longer. The Planning Commission meetings are held the first Monday of each month (meetings are held on Tuesday if Monday is a holiday- see Clerk for details). Furthermore, I understand that any engineering, legal review fees or publication costs associated with this project may be charged to me.



Signature of Applicant or Agent

5/15/23

Date

ATTACHMENT TO NORTH TICHIGAN CONDITIONAL USE APPLICATION

Introduction: The applicant seeks to obtain a Conditional Use Permit to allow for construction of an outdoor stage to host live music events on weekends during the summer months.

Scope of Use: The applicant seeks to construct a 20' x 20' stage to the rear (west) of the existing parking lot. The stage would be used for live music during the timeframe and hours listed below.

Building Size: The outdoor structure would be 20' x 20'. It will be a wood constructed stage with a tin/metal roof structure. The same subject to a building and zoning permit.

Parking: The applicant intends to use the existing parking lot (approximately 18 marked spaces) and street parking for the events. Additional parking on the grass area owned by applicant at the west boundary of the parcel. The applicant further anticipates patrons coming by boat and utilizing pier space available.

Employees: The applicant has eight (8) employees.

Hours of Operation: Live music would occur Friday, Saturday and Sundays from the Friday of Memorial Day Weekend through September 30. Live music only as follows:

Friday/Saturday	5:30 p.m. – 9:30 p.m.
Sunday	3:00 p.m. – 7:00 p.m.

Lighting: The area where the stage will be constructed is served by two (2) existing sodium vapor lights. One light is located on the garage at the west boundary and one on a telephone pole at the rear.

Noise Control: The applicant would ensure that the noise created by the live music would not exceed 65dB at the property perimeter. The same would be monitored by the presence of handheld decibel meters.

Landscaping: There is currently no landscaping at the property nor is any proposed through this CUP application.

Legal Description: PARCEL A:
That part of Block 12, Tichigan Heights, a Subdivision located in Section 14, Town 4 North, Range 19 East, and more particularly described as follows:

Commence on the South line of said Block 12 at a point 106 feet East of the Southwest corner thereof; thence North parallel with the West line of Block 12, 107.50 feet; thence South 66°22' East, 227.91 feet; thence South 63°45' East 99.58 feet to the West line of Tichigan Road (formerly Sweet Road); thence Southwesterly along the West line of said road to the Southeast corner of Block 12; thence West along the South line of Block 12 to the place of beginning. Also all of Block 8 of said Subdivision except the West 216 feet thereof. Said land being in the Town of Waterford, County of Racine, State of Wisconsin.

PARCEL B:
Part of Block 12, Tichigan Heights, a Subdivision located in the South ½ of Section 14, Town 4 North, Range 19 East, and more particularly described as follows:

That part of Block 12 lying between Sweet Road (now Tichigan Road) and the shoreline of Tichigan Lake described as follows:

Commence at the Southwest corner of Block 12 lying and between Sweet Road and Tichigan Lake; thence Northeast along the East line of Sweet Road, 92 feet; thence East and parallel with the North line of Block 12 and Tichigan Lake; thence Southerly along the shore of Tichigan Lake to the South line of Block 12; thence West on the South line of Block 12, to beginning. Said land being in the Town of Waterford, County of Racine, State of Wisconsin.

For Informational Purposes Only:
6812 North Tichigan Road, Waterford, WI 53185
Tax Parcel Nos. 016-04-19-14-389-000 and 016-04-19-14-388-000

Security: The applicant, during the live music events, will have a minimum of one (1) paid security guard on premise. The security personnel shall monitor

the live music area as well as the parking area and street area to ensure no loitering, indecent behavior, littering, underage presence or other such behavior.

Bathroom Facilities: The Applicant, during the live music timeframe, will ensure the presence of at least four (4) portable bathrooms (2 men, 2 women) in the outdoor area, under pumping contract.

Additional Permits: The applicant anticipates requiring the following additional permits:

- Dance Hall Permit (Town)
- Building Permit (Town)
- Zoning Permit (County)
- Public Show Permit (Town)

Date: 5-4-2023

AUTHORIZATION OF PROPERTY OWNER

I CERTIFY THAT I AM THE OWNER OF THE PROPERTY LOCATED AT:
6812 N. Tichigan Road

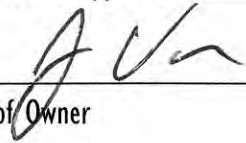
Town of Waterford, Racine County

WHICH IS THE SUBJECT MATTER OF THIS APPLICATION. I AUTHORIZE THE APPLICANT NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION FOR PLANNING COMMISSION REVIEW.

Name of Applicant: John Urban

Address of Applicant: John Urban, 6812 N Tichigan Road, Waterford, WI 53185

Telephone No. of Applicant: (414) 202-2357



John Urban, Authorized Member

Signature of Owner

Print Name of Owner

Date: _____

AUTHORIZATION OF ATTORNEY

THIS SERVES TO CERTIFY THAT AS AN ATTORNEY-AT-LAW, I HAVE BEEN AUTHORIZED BY THE OWNER(S) TO FILE THE ATTACHED APPLICATION FOR THE PROPERTY LOCATED AT:

6812 N. Tichigan Road

Town of Waterford, Racine County

Todd A. Terry

Name of Attorney

1047175

Bar No.

600 52nd Street, Suite 320 (262) 842-2338

Kenosha, WI 53140 Telephone

Address

LETTER OF AGENT STATUS

TO: Racine County Board of Adjustment 14200 Washington Avenue Sturtevant, WI 53177	Racine County Board of Supervisors 14200 Washington Avenue Sturtevant, WI 53177
Racine County Planning & Development 14200 Washington Avenue Sturtevant, WI 53177	Racine County Economic & Land Use Planning Committee 14200 Washington Avenue Sturtevant, WI 53177
Racine County Development Services 14200 Washington Avenue Sturtevant, WI 53177	Town of Waterford Town Board and Planning Commission 415 North Milwaukee Avenue Waterford, WI 53185

The undersigned hereby authorize Attorney Todd A. Terry and/or any other members of the firm of Terry & Nudo, LLC to represent us concerning our application for a Conditional Use and Zoning Permit for the property we own located in Section 14 Town of Waterford, Racine County, Wisconsin, Tax Parcel Numbers 016-04-19-14-389-000 and 016-04-19-14-388-000.

Dated this 4 day of May, 2023.

NORTH TICHIGAN, LLC

By: 

John Urban, Authorized Member

DRAFTED BY:



TERRY & NUDO, LLC

Todd A. Terry, Attorney at Law

SBN: 1047175

600 52nd Street, Suite 320

Kenosha, WI 53140


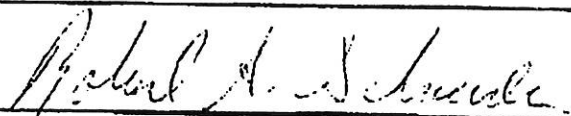
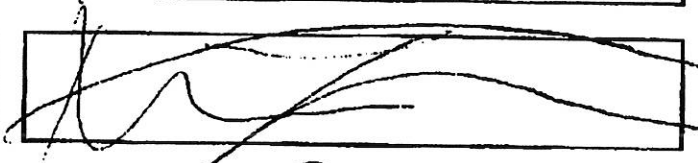
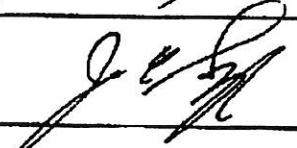
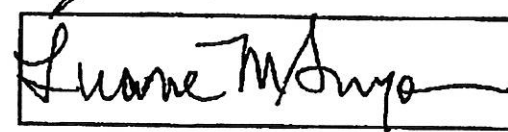
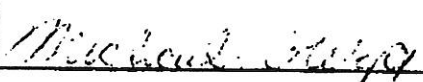
Telephone: (262) 842-2338

Facsimile: (262) 584-9949

Email: Todd@LawMidwest.com


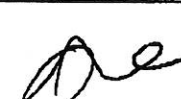
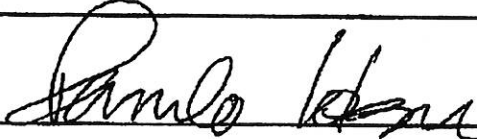

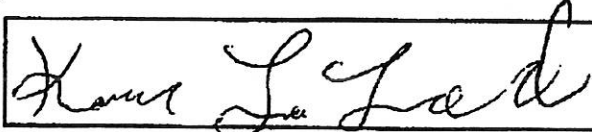

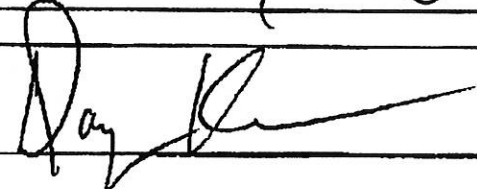
PETITION IN SUPPORT OF CONDITIONAL USE

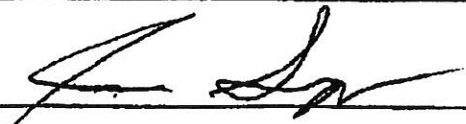
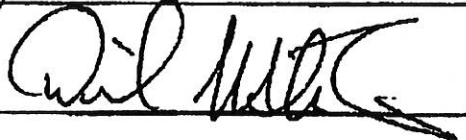
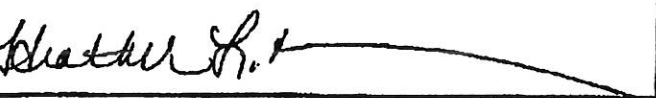
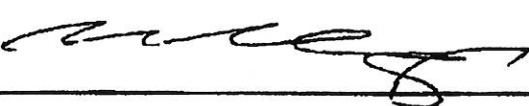


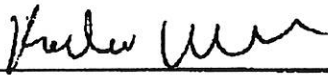
I support the Hilltop Bar's Petition for a Conditional Use Permit. I understand that the Hilltop wants to have live outdoor music on limited evenings and late afternoons. If granted, I understand this will occur in the summer of 2023. I believe the same will provide a benefit to the Tichigan and Town of Waterford area. I urge you, Racine County and the Town of Waterford, to support the same and grant a Conditional Use Permit.

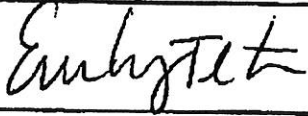
Name (printed)	Address	Phone	Signature
NORA EUSTEFSEN	Waterford 6421 Channel Rd	262 492-2671	
Rekang Schnecht	6421 Channel Rd Waterford	262 492-3744	
MIKE LISCHER	7160 W TICHIGAN RD	247-275 4551	
Jere Snyder	611 Anney Park Waterford WI 53185	262-895 6723	
Luane Snyder	611 Anney Park Waterford WI 53185	262-893 6723	
Michael Eustefsen	2421 W. Waterford Rd	262-5745007	


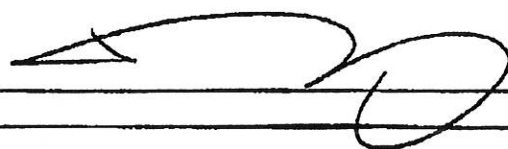
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 Jul 20 2022 01:12PM HP Fax 2628952024 page 7

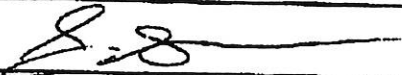
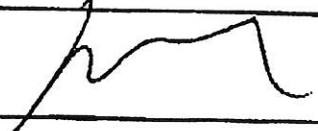

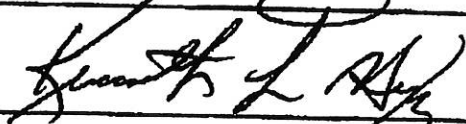
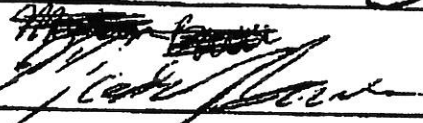
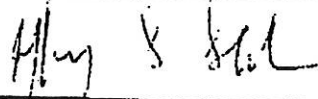
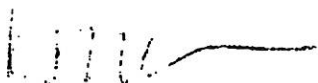
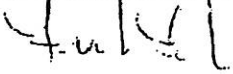
Name (printed)	Address	Phone	Signature
Barbara A Brooks	7907 Golden Bay Trl Waterford, WI 53185	414628 8706	Barbara A Brooks
Joe Brooks	7907 Golden Bay Trl Waterford WI 53185	414-698-8760	J Brooks
Tom Eliopoulos	6413 N Michigan Rd	414-322-7432	Tom Eliopoulos
Jake Vennegeer	6236 Briarwood	414-416-9591	Jake Vennegeer
Charlotte + Rick Fuller	29301 River View Ln. Waterford	414.391.5249	Charlotte Fuller
Paul Fuller	29301 River View Ln Waterford	414-916-0377	Paul Fuller
Jeff Wink	6811 N. Michigan Rd Waterford	630-740-2511	Jeff Wink
KURT DAER	6810 Burma Rd	2629330063	Kurt Daer

Name (printed)	Address	Phone	Signature
Alex Abendschein	6617 Willow Lane Waterford, WI 53185	262-758-0977	
TJ Lafond	7236 N Tichigan RD WATERFORD WI 53185	414 691,232	
Pam Lafond	7236 N. Tichigan Waterford, WI 53185	262-993-4800	
Dan Lafond	6709 Channel Road	262-662-1821	
Karie Lafond	6709 Channel Road	414-651-1713	
Dan Oltrowski	28521 Cedar Lane	414-339-0684	
Donny Kopf	5623 Soltzman	414-852-3574	

Name (printed)	Address	Phone	Signature
JOE SOPPA	6400 CHAMPLA RD	414-690-4586	
DIRK MACHTNK	5420 W. Peninsula Rd	414-745-6445	
HEATHER MACINNIS	5420 W. Peninsula Rd	414.499.1763	
MARK ZILINSKI	4515 RIVERSIDE RD N	414-239-1237	
Marla Zilinski	4515 RIVERSIDE Rd	414 732 9079	
DORNA CONRAD	4515 RIVERSIDE Rd	414 239 1237	
Kurti Nichols	177 Riverside dr.	262-844-8345	

Name (printed)	Address	Phone	Signature
Emily Tetzlaff	6648 Channel Rd Waterford WI 53185	262-510-6872	

Name (printed)	Address	Phone	Signature
Duane Hartlage	4337 Riverdale Rd Waterford	262) 492-8963	
Tina Hartlage	4337 Riverdale Rd Waterford	262) 492-8963	Tina Hartlage
KATH BUTLER	332 N. ... Rd.	262) 492-8963	Kath Butler
ALAN BUTLER	332 N. ... Rd.	262) 492-8963	Alan Butler
Kath Wismanski	7416 N. Tichigan Rd Waterford WI 53185	(414) 418-0448	Kath Wismanski
Chad Janssen	7416 N. Tichigan Rd Waterford WI 53185	(414) 243-7457	Chad Janssen
* DAVE Lopez	6816 N Tichigan Rd	414-888-9116	

Name (printed)	Address	Phone	Signature
Lutz Grammer	415 Fox Lake dr	267-725-6021	
Tony Bonds	7803 Greenhous Ter Waterford, WI 53185	414-639-5761	
Becky Jepsen	7803 Greenhous Ter Waterford, WI 53185	608-843-4472	
Ken Hinz	7212 N Tichigan Waterford, WI 53185	262-492-2119	
Madison Benich	6331 Riverside Rd, Waterford WI 53185	262-332-1503	
Jeffrey Strehm	5513 Sycamore Rd Waterford, WI 53185	630-776-4131	
Kelli Stroh	7803 Greenhous Ter Waterford, WI 53185	414-639-5761	
Frank Fuchs	65017 N Tichigan Waterford, WI 53185	414-399-4000	

CONDITIONAL USE / SITE PLAN REVIEW APPLICATION

Racine County, Wisconsin

Owner: NORTH TICHIGAN LLC

Applicant/Agent: ATTORNEY TODD A. TERRY

Town: WATERFORD

Zoning district(s): B-1

TO THE RACINE COUNTY ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE:

The undersigned requests a conditional use / site plan review permit to (specify use, project, structure, size, etc.)

See attached Exhibit "A" and Site Plan Exhibit "B"

AT (site address): 6812 N. Tichigan Road

Subdivision: Tichigan Heights Lot(s): _____ Block: _____

Parcel # 016-04-19-14-389-000 Section(s) 14 T 4 N R 19 E

If served by municipal sewer, check here: Sanitary permit #: _____

Attached are:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> zoning permit application | <input checked="" type="checkbox"/> hearing/review fee (Fees are non-refundable, & re-publication/amendment fees will be charged where applicable.) |
| <input checked="" type="checkbox"/> 12 SETS:
drawn-to-scale site plan that is based on a survey (10 of the 12 should be sized or folded to 8.5" x 11") | <input checked="" type="checkbox"/> 3 SETS: landscaping/lighting plan |
| <input checked="" type="checkbox"/> letter of agent status | <input checked="" type="checkbox"/> 12 SETS: report/cover letter & operations plan |
| | <input checked="" type="checkbox"/> abutting property owners' names & mailing addresses |
| | <input type="checkbox"/> other |

print name: Todd A. Terry e-mail address: todd@lawmidwest.com

address: Terry & Nudo, LLC telephone #: (262) 842-2338

600 52nd Street. Suite 320

Kenosha, WI 53140

signed: 

STAFF USE ONLY:

BASED ON CURRENT MAPPING, check applicable statement(s) below & underline or circle the word "all" or "partially".

- The *property* is all / partially located in the _____ shoreland area.
 The *project* is all / partially located in the _____ shoreland area.
 The *property* is all / partially located in the _____ floodplain.
 The *project* is all / partially located in the _____ floodplain.
 The *property* is all / partially located in the wetland.
 The *project* is all / partially located in the wetland.

The applicant is subject to the following Racine County Ordinance provisions (specify article/section):

Shoreland contract: yes _____ no _____

Public hearing date: _____

Site plan review meeting date: _____

Submittal received by: _____

Date petition filed: _____

cash or check #: _____

amount received: \$ _____

APPLICATION FOR ZONING PERMIT

RACINE COUNTY, WISCONSIN (Rev. 11/11)

PERMIT NO. _____

DATE PERMIT ISSUED _____

OWNER NORTH TICHIGAN LLC
Mailing
Address 6812 N TICHIGAN ROAD

APPLICANT ATTORNEY TODD A. TERRY
Mailing
Address 600 52nd STREET, SUITE 320

WATERFORD, WI 53185

KENOSHA, WI 53140

City State Zip
Phone (H) (W) (414) 202-2357

City State Zip
Phone (H) (W) (262) 842-2338

Parcel Id. # 016-04-19-14-389-000

Site Address 6812 TICHIGAN ROAD N

Municipality TOWN OF WATERFORD Section(s) 14, Town 4 North, Range 19 East

Lot Block Subdivision Name TICHIGAN HEIGHTS CSM #

Proposed Construction/Use Construction of a music stage to the rear of the property, as further described.
in Conditional Use Application and Plat of Survey.

New Principal Bldg. Size (20 x 20) (x) (x)
Addition Accessory X Area (sq ft) (400) () ()
Alteration Deck # of Units/Stories / Building Ht.-Avg. (ft.)
Conversion Sign Peak Ht. (ft.) 100-Yr. Floodplain Elev.
Temporary Other Eave Ht. (ft.) Flood Protection Elev.

Contractor TBD Est. Value w/Labor \$ 25,000.00 ZONING DISTRICT B-1
Existing Nonconforming? N/A * Yes No X Yard Setbacks Proposed OK?
*Structure's Fair Mrkt Value \$ Cumulative % Street-1st
*>50% of Fair Market Value? N/A Yes No X Street-2nd
Structure in Shoreland? (per map) Yes X No Side-1st
Structure in Floodplain? (per map) Yes No X Side-2nd
Structure in Wetland? (per map) Yes No X Rear
Substandard Lot? Yes No X Shore
Abutting Lot-Same Owner/Closely Related? Yes No X Total Acc. Structures
BOA Variance Needed? Yes No X --Date of Approval
Conditional Use/Site Plan Needed? Yes X No --Date of Approval
Shoreland Contract Needed? Yes No --Date of Approval

Additional Zoning Permit Stipulations Listed on Back of this Form? Yes No (If "Yes," see back)

The applicant hereby acknowledges receipt of notice contained herein and certifies that submitted information/ attachments are true and correct to the best of the knowledge and belief of the signer, and that all construction/ use will be done in accordance with the Zoning Ordinance, applicable stipulations, and Wisconsin laws.

BOA/Conditional Use/Site Plan Pd: \$ Signature of Individual/Corporation Pres. or Sec./Partner - Date 5-4-23

Shoreland Contract Fee Pd: \$ John Urban
Cash/Check # Print Name(s)

Zoning Permit Fee Pd: \$
Cash/Check # Notes (revisions, extensions, etc.)

Other: Pd: \$

if shoreland erosion review fee is included above Zoning Administrator (Staff Initials)

Make checks payable to "Racine County Development Services" - Note: ALL FEES ARE NONREFUNDABLE (OVER)

PN

If a private onsite wastewater treatment system (POWTS) serves the property, check here and complete # 1-6 below:

- 1) Sanitary Permit # _____ Date issued _____ Year installed _____ Failing? _____
- 2) **If zoning permit is for an accessory structure without plumbing, check here and go to #4 below.**
- 3a) If a commercial facility, public building, or place of employment, will there be a change in occupancy of the structure; or will the proposed modification affect either the type or number of plumbing appliances, fixtures or devices discharging to the system? **Yes*** No N/A
- 3b) If a dwelling, will the addition/alteration change the number of bedrooms? **Yes*** No N/A
*If "Yes" above, documentation must be submitted per Comm 83.25 (2) (d) to verify system can be used.
- 4) Will construction interfere with the setback requirements to the POWTS per Comm 83.43 (8) (i)? Yes No
If "Yes," provide variance approval date: _____
- 5) Has a new sanitary permit been issued to accommodate the structure or proposed modification in wastewater flow or contaminant load **and/or** County sanitary approval granted? Yes No
- 6) Comments _____
POWTS Inspector's Signature: _____ Date: _____

ZONING PERMIT REQUIREMENTS

A Plat of Survey shall be prepared by a Land Surveyor registered in Wisconsin for all new principal structures located on lots less than five (5) acres in size. All zoning permit applications shall be accompanied by plans drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon and any primary and accessory buildings, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building and the number of families and/or employees the building is intended to accommodate. Include floodplain, wetlands, environmental corridors, easements and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for ordinance enforcement. Adequate driveway access and off-street parking stalls must be provided in accordance with Sec. 20-1088, Racine County Code of Ordinances. In addition, if a private sewage system exists, the location of the tank(s), system and vent shall be shown on the plan with setback distances to the closest part of the proposed construction.

All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. Lot area shall not contain road right-of-way. The lot and location of the building thereon shall be staked out on the ground before construction is started.

NOTE: All street yard, side yard, and rear yard setbacks shall be measured from the closest property lines. Shore yard setbacks shall be measured from the closest point of the ordinary highwater mark of a navigable body of water. All elevations shall be provided in mean sea level datum.

All zoning permits issued pursuant to this ordinance are valid for six (6) months (Village of Caledonia) or nine (9) months (Racine County), unless substantial construction has commenced and is continuing, otherwise such zoning permits shall become null and void and a new zoning permit is required. It is the responsibility of the applicant to secure all other necessary permits required by any federal, state or local agency. The issuance of a zoning permit is not a guaranty or warranty that the requirements have been met for other necessary permits, or that the site is otherwise suitable for construction.

NOTICE: YOU ARE RESPONSIBLE FOR COMPLYING WITH STATE AND FEDERAL LAWS CONCERNING CONSTRUCTION NEAR OR ON WETLANDS, LAKES, AND STREAMS. WETLANDS THAT ARE NOT ASSOCIATED WITH OPEN WATER CAN BE DIFFICULT TO IDENTIFY. FAILURE TO COMPLY MAY RESULT IN REMOVAL OR MODIFICATION OF CONSTRUCTION THAT VIOLATES THE LAW OR OTHER PENALTIES OR COSTS. FOR MORE INFORMATION, VISIT THE DEPARTMENT OF NATURAL RESOURCES WETLANDS IDENTIFICATION WEB PAGE OR CONTACT A DEPARTMENT OF NATURAL RESOURCES SERVICE CENTER. See DNR web site <http://dnr.wi.gov/wetlands/locating.html> for more information.

ADDITIONAL ZONING PERMIT STIPULATIONS (check all that apply)

- Proposed structure is for personal use only. No business, commercial or industrial use is allowed.
- All disturbed soils must be reseeded and mulched, or sodded immediately upon completion of project.
- Must install the following within 14 days of completion of roof: gutters and downspouts which outlet onto splashblocks or into drain tiles; or a hard surface material that extends at least 16" beyond the dripline of the structure.
- All excess soil not used for backfilling project must be removed from the shoreland area within 10 days of excavation.
- A hard surface material must be placed beneath the deck to prevent soil erosion.
- All existing yard grade elevations will remain unchanged.
- Firmly anchor, no floor < _____'; Buoyant, flammable, explosive or injurious materials/utilities/electric & 1st floor ≥ _____'

DEGEN - FOAT SURVEYING, INC.

100 SOUTH SECOND STREET
 WATERFORD, WISCONSIN 53185
 (262)534-5404 (FAX)534-2022

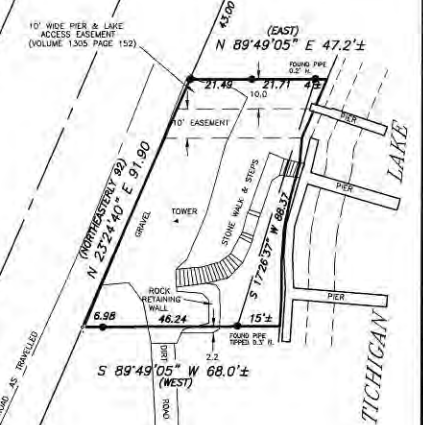
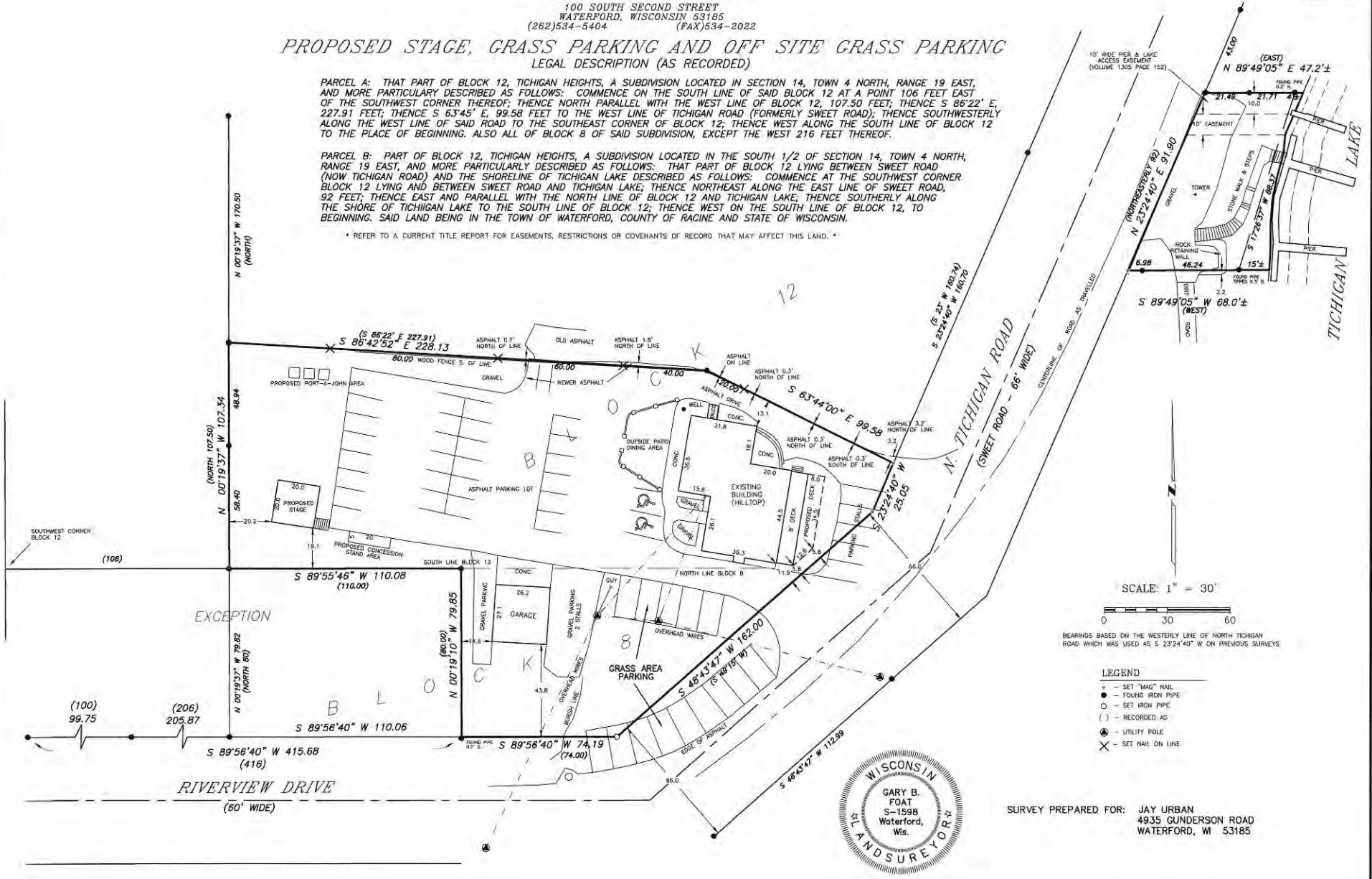
204049
 204049S1.DWG

PROPOSED STAGE, GRASS PARKING AND OFF SITE GRASS PARKING
 LEGAL DESCRIPTION (AS RECORDED)

PARCEL A: THAT PART OF BLOCK 12, TICHIGAN HEIGHTS, A SUBDIVISION LOCATED IN SECTION 14, TOWN 4 NORTH, RANGE 19 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE ON THE SOUTH LINE OF SAID BLOCK 12 AT A POINT 106 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH PARALLEL WITH THE WEST LINE OF BLOCK 12, 107.50 FEET; THENCE S 86°22' E, 227.91 FEET; THENCE S 63°45' E, 99.58 FEET TO THE WEST LINE OF TICHIGAN ROAD (FORMERLY SWEET ROAD); THENCE SOUTHWESTERLY ALONG THE WEST LINE OF SAID ROAD TO THE SOUTHEAST CORNER OF BLOCK 12; THENCE WEST ALONG THE SOUTH LINE OF BLOCK 12 TO THE PLACE OF BEGINNING. ALSO ALL OF BLOCK 8 OF SAID SUBDIVISION, EXCEPT THE WEST 216 FEET THEREOF.

PARCEL B: PART OF BLOCK 12, TICHIGAN HEIGHTS, A SUBDIVISION LOCATED IN THE SOUTH 1/2 OF SECTION 14, TOWN 4 NORTH, RANGE 19 EAST, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: THAT PART OF BLOCK 12 LYING BETWEEN SWEET ROAD (NOW TICHIGAN ROAD) AND THE SHORELINE OF TICHIGAN LAKE DESCRIBED AS FOLLOWS: COMMENCE AT THE SOUTHWEST CORNER BLOCK 12 LYING AND BETWEEN SWEET ROAD AND TICHIGAN LAKE; THENCE NORTHEAST ALONG THE EAST LINE OF SWEET ROAD, 92 FEET; THENCE EAST AND PARALLEL WITH THE NORTH LINE OF BLOCK 12 AND TICHIGAN LAKE; THENCE SOUTHERLY ALONG THE SHORE OF TICHIGAN LAKE TO THE SOUTH LINE OF BLOCK 12; THENCE WEST ON THE SOUTH LINE OF BLOCK 12, TO BEGINNING. SAID LAND BEING IN THE TOWN OF WATERFORD, COUNTY OF RACINE AND STATE OF WISCONSIN.

* REFER TO A CURRENT TITLE REPORT FOR EASEMENTS, RESTRICTIONS OR COVENANTS OF RECORD THAT MAY AFFECT THIS LAND. *



SCALE: 1" = 30'

BEARINGS BASED ON THE WESTERLY LINE OF NORTH TICHIGAN ROAD WHICH WAS USED AS S 23°24'40" W ON PREVIOUS SURVEYS

- LEGEND
- - SET "MAG" NAIL
 - - FOUND IRON PIPE
 - - SET IRON PIPE
 - () - RECORDED AS
 - ⊙ - UTILITY POLE
 - × - SET NAIL ON LINE



Gary B. Foat

JUNE 15, 2022
 MAY 18, 2025

SURVEY PREPARED FOR: JAY URBAN
 4935 GUNDERSON ROAD
 WATERFORD, WI 53185

THE FOLLOWING
PAGES, 36-77 IS THE
DOCUMENTATION
FROM THE JUNE 7TH,
14TH, AND 23RD, 2021
MEETINGS.

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
JUNE 7, 2021 @ 5:30 PM
APPROVED/OFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chairman Tom Hincz. Present at the time, in person, or via Zoom: Commissioners Derse, Nelson, Dickinson, Luick, Schmidt and Town Attorney. Commissioner Wenck was excused.
2. Chairman Hincz led the Pledge of Allegiance.
3. **Commissioner Luick motioned to approve the May 3, 2021 minutes as presented, seconded by Commissioner Derse. Vote taken: 6-0. Motion carried.**
4. **Commissioner Nelson motioned to move the July 5th Planning Commission meeting to July 12th at 5:00 PM, seconded by Commissioner Luick. Vote taken: 6-0.**
5. Pier Permit- Jessup, 6311 Briarwood Cr.- Charles Jessup, 6311 Briarwood Cr., was present. Chairman Hincz stated that the channel appeared to be approximately 50 feet wide and the applicant's pier proposal has a pier length of 50 feet. Chairman Hincz confirmed with the applicant that the proposed pier was going through the wetland and that the only part that would be on the waterway is the lift and the boat. Commissioner Dickinson expressed concern about blocking the waterway and asked if the "L" piece was going to be located in the cattails as well. Mr. Jessup indicated that his intent was to extend the pier as far as he could so when he puts the lift on the end, the boat is in navigable water. Mr. Jessup stated that the cattails are part of his property, so the pier would be on his property and that because the channel is a dead end and that the water depth is only 2.5 feet, he feels he would not be impeding on any boat traffic. Anne Klein, representing 28801 Briarwood, expressed concern with the applicant pulling out cattails and disrupting the wildlife. Jessup stated he was not going to remove any cattails and that he was going to install the pier over them. Dave Spurlock, 6236 N River Bay, across the channel from the applicant, indicated that the channel is not 50 ft wide and expressed his concern about the pier and lift blocking the channel. Spurlock stated, because of the cattails, there already is barely enough room to get one boat in and out. **Commissioner Dickinson motioned to approve contingent upon the applicant placing the "L" back into the weeds/cattails as much as possible and the lift is on the edge of the cattails, seconded by Commissioner Luick. Vote taken: 5 in favor, 1 opposed (Derse). Motion carried.**
6. Boat Lift Permit- LaCost, 5637 E. Peninsula Rd.- Greg LaCost, 5637 E. Peninsula, was present. Hincz indicated that the pier was grandfathered and it appeared the applicant has approximately 12 feet of frontage and that the pier infringes on Town right-of-way. LaCost stated that when he purchased his property, he was told he has 15' of frontage. Commissioner Luick confirmed that the applicant was placing the boat lift on the North side. **Commissioner Derse motioned to approve the pier permit, contingent upon the "nub" at the end being removed, the applicant receiving, in writing, approval from the abutting neighbors and the applicant understanding that the pier, which extends onto presumed Town right-of-way, may be a liability issue for him (the applicant). Vote taken: 6-0. Motion carried.** Greg LaCost verbally confirmed that he acknowledged that there could be potential liability with the placement of the pier and that he will submit, to the Clerk's office, approval from the abutting neighbors.
7. Conditional Use Permit- Iverson (Sharpe, Agent) 8806 Big Bend Rd.- Agent, Steven Sharpe, was present as well as Town Building Inspector, Lee Greivell. Inspector Greivell indicated that he had requested quite a few things and that most items have been provided and he feels the Commission had enough information to make a decision on the building approval, but he suggests any approval be contingent upon the items the Town engineer outlined in his May 20, 2021 review. Mr. Sharpe indicated that he will answer any questions regarding the building and the mixed use. Chairman Hincz asked if there were any plans to upgrade the exterior. Mr. Sharpe replied that the owner would like to preserve the historic/authentic look. Chairman Hincz read from the May 20, 2021 Town Engineer's report. Mr. Sharpe indicated that he did not see the report. Chairman Hincz concerned about the usage of commercial space being a liquor/convenience store when there is one directly across the street. **Commissioner Derse motioned to lay over to July 12, 2021 Planning Meeting to give applicant an opportunity to respond to the Town Engineer's review, seconded**
Planning Commission Minutes- June 7, 2021

by Commissioner Dickinson. Vote taken: 6-0. Motion carried.

8. Conditional Use Permit- Urban/Hilltop Pub & Eatery/North Tichigan LLC-6812 N Tichigan Rd.- Ryan Urban, co-applicant, submitted pictures and a signed petition in support of the proposed CUP for the stage. Urban indicated that they are aware of the concern that the neighbors do not want to hear music every weekend, but they have contracted six events in a four-month process and half of the events are during the day on a Saturday or Sunday. Urban stated that regarding the outdoor entertainment, they were told that they should just contact Town police and fire, a week or two in advance, and they did so for the four events they had last year and they didn't have any problems. Urban stated that they are aware they have neighbors, so they installed a fence a couple months ago. Commissioner Dickinson stated that he visited their website and that they have six events scheduled for 2021 and five of the six are from 6-10 on Friday and Saturday. Urban stated that a couple switched to end earlier, and the site had not been updated. Commissioner Nelson asked if the applicant still planned to have the outdoor music if the stage was not approved. Urban indicated they would and they would do it under a tent as they did the prior year. Commissioner Dickinson indicated that the Town has an ordinance to permit the events and asked if they have applied for the permits. Urban indicated that he was not told they needed to file for a permit. Chairman Hincz indicated that the Town received 3 other correspondences; Katherine Krzewina, 29211 Riverview Ln., opposing the stage and outdoor music events. Greg Horeth, 29308 Forest Isle, no objection to 4-5 days per year for special events. Dan Dickinson, 6929 Dickinson Ln., a petition with 64 signatures opposed to the sound stage. Dan Dickinson's petition outlined why he and the others were opposed to the stage and outdoor music. Dan Dickinson, 6929 Dickinson Ln., pointed out page 2 of his petition indicating that the map shows detail of the people who signed the petition and how they are in the immediate vicinity of the Hilltop. Dan Dickinson stated that last August and September, the bands played very loud. Dan Dickinson stated with the Hilltop's location at the top of a hill and the location of his home, on the bottom of the hill, with all windows closed and the air running, there was not a room in the house he did not hear the music. Dan Dickinson indicated that four of the five houses in the immediate area have children, and one of the bedrooms are about 50 feet from where the stage is being proposed, and if not the stage, a tent. Dan Dickinson stated that there is no where they can put a stage or a tent on the property and be more than 140 feet away from a house. Dan Dickinson pointed out the page of his petition where he outlined the problems/complaints that he has heard. Urban reiterated that their intent is not to have the live music every weekend and that they plan on having the events during the day during the weekend and that they are adjusting the schedule to have the live music end earlier. Melissa O'Cain, 6816 N Tichigan, stated she and her husband live directly next door and they appreciate the fence, but it is not a sound barrier and it does not extend the entire length of the property line. Melissa O'Cain stated that her concern is when all the intoxicated people have to go to the bathroom at the same time, they are going to go around the corner of the fence and use their property and that she has seen it numerous times. O'Cain stated that they were never notified of any of the special events last year and it upsets her and her pets. O'Cain stated they've experienced problems with parking and garbage as well. Tom Laurent, 6701 Spruce Ln., stated that on the initial application, the application requests approximately ten special events. Laurent indicated that is too vague as it can be well over or well under and even if the intent is not there, it should be more defined. Commissioner Schmidt expressed concern with occupancy and the possibility of doubling the capacity with the stage and live music. Commissioner Dickinson indicated that some of the bands they have scheduled have a large following and is concerned about parking, especially when using a portion of the parking lot for a stage or tent. Urban replied that they have private security from their other institutions that would be assisting with enforcing parking and that people also come by boat and golf carts or just don't stop because of not having a place to park. Katherine Krzewina, 29211 Riverview Ln., neighbor, stated ditto to all the complaints heard so far and that she wanted to know if the Hilltop is supposed to be getting a permit for the live music. Michael Ninkovic, 29238 Orchard Ln., looked at Town website and found nothing regarding permits, but found a Racine Co. ordinance and read ordinance. Mike Ninkovic stated he knows the applicant and has spoken to him and realizes he has a business to run, but would like to know at what cost to his, his children's and his neighbor's peace. Ninkovic stated he moved from Milwaukee and would move back if he wanted live bands, bikers revving engines at night, people urinating in neighbor's lawns and having kids walking outside to see men's private parts hanging out. Not why he moved to the area. Police will be called all the time and if local police can't enforce, Racine Co. Sheriff will enforce. **Supervisor Luick motioned to deny based on the concerns of the residents present, the 64 signatures that do not want the live music in their neighborhood, the parking situation, N. Tichigan being a 2-lane road used by pedestrians and children, patrons urinating and passing out in private yards, the area being residential and the live events**

not being safe or sanitary and the people in the area have a right to have a quiet and respectful place to live. Attorney Dubis asked if there were any conditions that he could see that could grant possible passage of the CUP and that ultimately, it's a county decision. Supervisor Luick indicated that he could not think of any. Motion was seconded by Commissioner Derse. Vote taken: 4-0. 2 abstained (Hincz and Schmidt). Motion carried.

9. Correspondence- Chairman Hincz announced that the Town was no longer going to offer Zoom meetings.

10. Shoreland Contract Report-

11. Forthcoming Events-

Commissioner Schmidt motioned to adjourn the meeting at 6:45 PM, seconded by Commissioner Nelson. Vote taken: 6-0. Motion carried.

Respectfully Submitted, Heather

Stratton, Deputy Clerk

**TOWN BOARD MEETING FOR WATERFORD
415 N. MILWAUKEE ST.
APPROVED/OFFICIAL MINUTES FOR JUNE 14, 2021
5:30 PM AT TOWN HALL**

1. Town Board meeting was called to order at 5:30 PM by Chairman Hincz. Present: Supervisors Nicolai, Draskovich, Gauerke, Szeklinski, Attorney Dubis, Police Chief Johnson, Sergeant John Nelson, Fire Chief Miller, WWMD Commissioners, Greg Horeth and Bill McCormick and residents of the Town.
2. Chairman Hincz led the Pledge of Allegiance.
3. Printed Minutes: **Supervisor Gauerke motioned to approve the Town Board meeting minutes dated May 10, 2021 and special meeting minutes dated May 10, 2021 subject to rat/raft change, seconded by Supervisor Nicolai. Vote taken: 5-0. Motion carried.**
4. Treasurer Report/Payment of Claims- Supervisor Szeklinski read the Treasurer's report. **Supervisor Nicolai motioned to approve the report and the claims as presented, seconded by Gauerke. Vote taken: 5-0. Motion carried**
5. Correspondence: Hincz read correspondence regarding the American Rescue Plan Act. The Town has filed.
6. Committee Reports:
 - a) Police Dept. Report- Sgt. Nelson reported 364 calls for the month of May, 35 no officer involved and 431 crime prevention. Discussion took place on the shortage of staffing for water patrol. Sgt. Nelson would like to have an officer on the water by noon or earlier. Chief noted that the two options are not fill the spot or open to overtime with full-time officers. Chief Johnson reported that they received their notice of compliance from the WI DOJ for juvenile detainees. Chief brought up generator quotes, stating it would be natural gas. WSD received a quote, in the amount of \$12,485, that includes the town hall and police department side. WSD Commissioner Dickinson believes the bid was the only company that responded. The Board expressed interest to continue to solicit bids.
 - b) Tichigan Vol. Fire Co- Chief Miller reported 26 rescue calls and 12 fire calls, 4 with MAVIS, for the month of May. May staffing was \$10,240 and \$130,000 to repair the parking lot. TVFC looking into a grant for \$21,000. Working with Fire Recovery USA to help with recovering costs, especially for out-of-town accidents for individuals who live outside of the Town of Waterford who are involved in an accident. Miller is asking the Board to review and possibly adopt an ordinance that would strengthen their ability to collect this money. They will be looking into back billing as well. Attorney Dubis will review. TVFC has concerns on access to Briarwood. Would like an ordinance that would allow them to go in and create access. There will be two more car seat checks, call to station for details. TVFC has completed approximately 50% of their inspections for the year. Second round to begin after July 1st. First round of mediation was completed June 10th. Currently waiting for an opinion and a second call. Miller read thank you letters. Hincz asked Miller if he was aware of a joint fire department involving Union Grove, Raymond, Kansasville. Miller stated he was not sure how much was consolidated versus shared services. Hincz requested that Miller keep up on the topic, and report to the Board his findings. Nicolai questioned Miller if the town should have a burn ban due to the current drought situation. Miller responded that so far residents have been good and if they institute a burn ban, they will have to ban fireworks as well.
 - c) WWMD- Bill McCormick reported low water levels and a tremendous amount of weed issues. They are currently behind on many treatments. WWMD was just informed that they received the permits to use the EcoHarvester with no restrictions. WWMD will begin cutting navigation lanes in Buena Lake. Looking into a lease to own option for a barge from Eagle Lake. There are currently safety issues on the waterway.

Weeds are encroaching navigational markers. The DNR does allow cutting navigational channels to make a safer passage. Chairman Hincz noted that Barb Baron passed away; she will be missed.

- d) Park Dept.- Baseball is in full force, with several tournaments. Soccer camp will occur this week as well.
- e) Road Dept.- Three culverts have been installed. Meeting with Payne & Dolan to go over construction time frames. Riverside Road will be done first in case they run into a base issue. Chairmen Hincz requested that Hinz post ahead of time so residents are aware of any closures. Hinz will post barricades ahead of time. Draskovich noted that Chris Mutter had left the DPW and would like to thank him for a great job. Five applications were received. Hoping to set up interviews for the first week of July.
- f) Board of Health- Nicolai reported that approximately 44% of the community has been vaccinated with the first dose, while 36% are fully vaccinated. For those interested in vaccinating children, research can be found on the FDA website. A veteran crisis line has been set up that can be reached at 1-800-273-8255. Final draft with the health department working with county has been completed and will be coming before municipalities soon.
- g) Town Planning Recommendations- Supervisor Gauerke informed the Town Board of pier permit approvals.
 - Conditional Use – Iverson, 8006 Big Bend Road – Laid over until July 12th Planning Commission meeting
 - Conditional Use – Hilltop, 6812 N Tichigan Road – Supervisor Gauerke read the unofficial planning commission minutes as well as ordinance 6.13. Hilltop is requesting an 18ft x 18ft stage. Several residents had submitted petitions in opposition of this CUP. **Supervisor Gauerke motioned to deny due to the following seven reasons, seconded by Supervisor Szeklinski:**
 1. **Comments from the June 7, 2021 Planning Commission minutes and motion to deny made by Commissioner Luick.**
 2. **Objections from neighbors as documented by a petition signed by 64 neighbors who are in opposition to the stage and outdoor music events, as well as letters, emails, and direct testimony at the June 7, 2021 Planning Commission meeting from persons in opposition.**
 3. **Becoming an outdoor music concert venue would be a new, expanded use of the bar that has never been approved by the Town Board and has been denied to other bars in the past.**
 4. **Neighboring residents' concerns including; illegal parking, trespassing, excessively loud music and crowd noise disturbing their peace and tranquility, bright stage lights, patrons littering neighbors' properties with trash and beer cans and broken beer bottles, patrons urinating on neighbors properties, a person passed out in front of a neighbor's home, cars and motorcycles revving their engines, blaring music, and speeding down the hill as they leave, and concerns about loss of property values.**
 5. **Lack of parking. If a portion of the current parking lot is taken up by a stage, tent and patrons, there would be little room for legal parking, as the Town does not allow parking on Town roads.**
 6. **N. Tichigan and adjoining town roads are very narrow with little or no shoulder room. Security and safety concerns. A recent concert at the Crazy Train Bar in the Village of Waterford attracted a crowd of 1200 persons according to Troy McReynolds, the owner. It would be impossible to have sufficient legal parking if such an event were held at the Hilltop. Such large crowds with illegal parking and limited security could create a potentially dangerous situation. Private security staff would have no authority to enforce Town Ordinances, and no authority at all outside of the Hilltop's property limits. Enforcement would put a strain on our police dept.**
 7. **The Hilltop, as well as any bar in the Town of Waterford, can request a Special Use Permit under the Town Ordinance 6.13(1)(A) for the 4th of July or Lions Club Parade, for example, from the Town of Waterford at a regularly scheduled or special Planning Commission and Town Board meeting which could approve or**

deny the request. If approved, the Town would put limitations on the event, including, but not limited to; hours, measurable sound level limits (The Village of Waterford has a maximum of 75 dBA for business and commercial zones), and lighting limits, for example. Such Special Use or Event permits could be denied or revoked if the applicant does not adhere to limitations imposed by the Town Board.

Ryan Urban, owner, stated that they did not intend to be a concert venue and that they are trying to work with the neighbors and the Town. Urban further stated he cannot compete with the other bars. Urban also noted that he is open to conditions that the Board may have that would still allow him to have live music. Draskovich stated that to his knowledge, there have been no complaints for the Hilltop's last year's events. He further stated that if the CUP was denied, Urban could still apply for special events permits. Perhaps Urban should look into parking and/or possible shuttles to and from the venue. Urban indicated that the stage would not be on the parking lot and that having the stage allows for more parking spaces. Draskovich further indicated that it is very vital that he work with his neighbors. Urban to apply with the clerk, and to be put on agenda. Both the police and building inspection will be notified. **Vote taken. 4-1 abstained (Hincz). Motion carried.**

7. Old Business: Annual Liquor license applications. **Supervisor Szeklinski motioned to approve all class B and Class A licenses and all subsequent licenses. Seconded by Nicolai. Vote taken. 5-0. Motion carried.**

8. New Business: NW HWY Fire Station II – Request of the DOT to acquire a portion of this property. Gauerke summarized the HWY 83 and O new intersection. DOT is offering to pay \$9,900 for this section of property. Gauerke is requesting that the town assessor verify this value. **Supervisor Szeklinski motioned to hold over to allow time for the assessor to review. Seconded by Supervisor Draskovich. Vote taken. 5-0. Motion carried.**

Forthcoming Events: Lions Picnic in the Park will be held Saturday June 19, from 11-3. Working with police, fire, and the military. Free to the community. There will be a dedication to the former chairman, Bob Langmesser for his 22 years of service at 2pm.

Supervisor Nicolai motioned to adjourn the meeting at 6:50 pm, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Treasurer/Dep. Clerk

Regarding: Petition to deny the Conditional Use Permit
For
Tichigan Lake's Hilltop Pub & Restaurant
At
6812 N Tichigan Dr, Waterford.

I'm here today representing not only myself but 64 homeowners who asked me to speak on their behalf. All of us live near Tichigan Lake's Hilltop Pub & Restaurant ("Hilltop"). All have already been affected by excessively loud music, loud motorcycles, speeding cars, and other issues.... And all will be negatively affected to an even greater extent if this Conditional Use Permit ("CUP") is approved.

I and the people I am representing today are petitioning the Waterford Planning Commission and the Waterford Town Board to deny the application for a Conditional Use Permit to build a music stage filed by the owners of Tichigan Lake's Hilltop Pub & Restaurant at 6812 N Tichigan Dr, Waterford.

Most were not aware of this CUP application until late in May. Had we known sooner there would be more people signing the petition, and more people here speaking against it. Some residents said they wished they could attend this meeting, but due to work and other commitments they are unable.

This CUP isn't for a house, or garage, or a shed, or any other structure normally found in a residential neighborhood. This is an elevated music stage, and by its very nature, it is a device having the express purpose of radiating highly amplified sound in all directions.

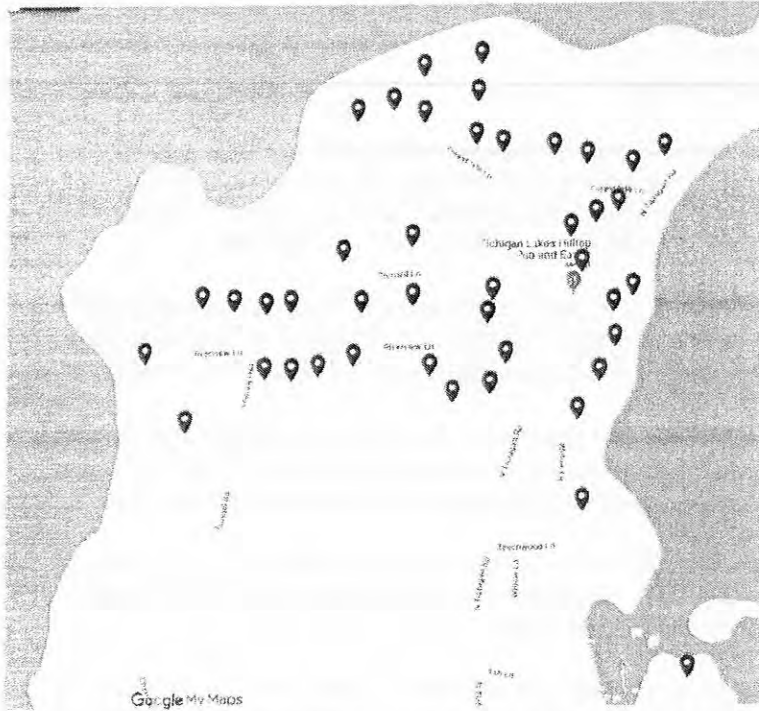
The stage is to be built a mere 70 feet from the bedroom window of a child, that's about the distance from the table where you are seated to the exit of this meeting room. In fact, there isn't a place on the Hilltop property to place a stage more than 140 feet from a neighbor's window. The CUP states the stage would be used "about" 10 times per year from 11AM to 9:30PM. There are 13 weeks in June, July and August so according to the CUP application there could be a concert every weekend of the summer. In fact, there is no limit at all on the number of concerts allowed.

According to Hilltop's website there are already six events scheduled from June through September, all but one is advertised to start at 6pm and end at 10pm...already past the CUP application. The Town has not required any Special Event applications, no approval for outdoor concerts, and no limit on how many, no limit on how loud....this is basically open-season assault on the people who live in the area.

In checking other places in the Town of Waterford no other bar or entity, not even the Lions club, has a permanent sound stage as proposed by Hilltop. In checking 15 establishment in the Town of Waterford, Wind Lake, Big Bend and the Village of Waterford only one establishment has a sound stage, and that one is in a commercial area at the intersection of two busy state highways, with the nearest home a sizable distance and on the opposite side of one state highway. While some venues do have music events, none are in such a tightly packed residential area as Hilltop.

As previously stated, the petitions presented are signed by 64 adults, and in some cases the lives of their children, will be adversely affected. Think about the children in your lives, remember how around 7pm it's time to start slowing them down for the evening....it's at this time of the evening the bands will start cranking up the volume. The map below shows blue pins at each of the homes of people who signed the petition. Each of these families are affected by your decisions tonight. Please don't base your decision on how you personally feel about Hilltop, or how you personally feel about concerts, or how you personally feel about the owners of Hilltop. Please look at each pin on the map, each signature on the petition, and please remember you sit on this Commission or Board to represent the people who

directly or indirectly put you into these positions to represent them. Please understand the damage this stage will do to the quality of their life. Please understand how your decision will affect the property value of your constituents. Please understand how your decision will affect the lives of their children who quite often need to begin settling down for the evening at about the same time the bands will begin to crank up the volume for the evening.

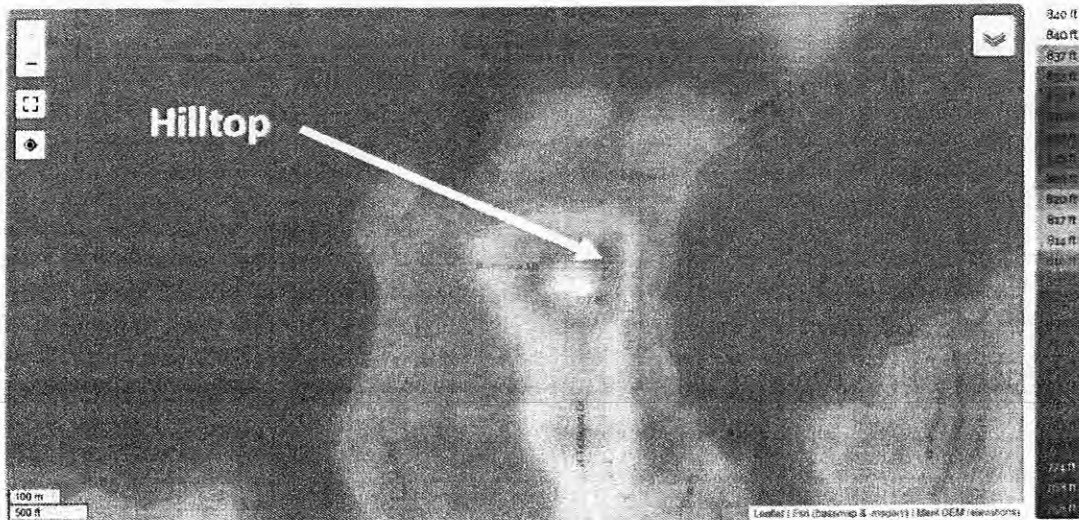


In the past, for the most part, Hilltop has been a quiet neighborhood bar and grill. Sure, maybe an outdoor party on the 4th of July and the day of the Lions Club parade. But recently things changed, more outdoor events, louder amplified music, more disruption to the neighbors. Last summer the music was so loud it could be heard in every room of my house with the windows close and the air conditioner running. I couldn't wait for winter to arrive putting an end to the obnoxiously loud outdoor concerts....at least for a few months. I recently talked to one of the Town police officers and was told of complaints as far away as across the lake.

While circulating petitions, here are some of the comments made by others near Hilltop. Some of the comments were repeated over and over different people;

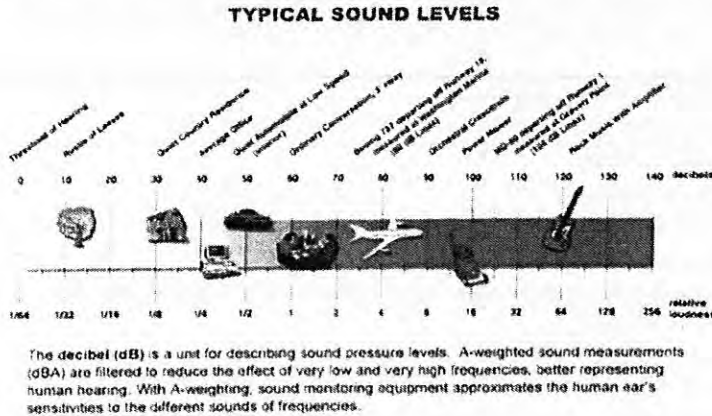
- We have children whose bedrooms are facing the stage (As the resident pointed to a window about 75 feet from the proposed stage and at about the same level as the speakers)
- Our bedrooms face the stage. We have young children who need their sleep. My mom lives with us and will be affected.
- I get up for work at 3AM. I need to be in bed by 8PM....
- I moved from the city to get away from things like this, this isn't why I moved here.
- I'm so frustrated I want to move from here.
- I look outside my home, people are peeing.
- We already put up with beer cans and trash in our yard, we don't need more of this.
- Cars already park on the road, leave trash behind, this will make it worse.
- We are woke from our sleep from the noise, especially the motorcycles that rev their engines when they start, then turn up their speakers.
- Cars and motorcycles speed down the hill, we have kids and pets.
- I was in my house when I heard activity. I came out and a person was passed out in front of my home. Emergency personnel responded, I overheard the person tell emergency personnel he was drinking up the hill.
- This will bring my property value down.
- I'm so embarrassed by what goes on, I can't have guest over to my home.
- At times my house vibrates from the music.

We all know sound travels further when there are no obstructions to absorb the sound waves. The Topographical map shows the elevated stage to be built on what is already the highest point in the area. This puts the band's speakers at near treetop level facing in most directions. Homes will feel the almost unobstructed sound energy of the speakers.



Racine County, Wisconsin, United States (42.72939, -88.04298)

Sound energy is measured in decibels, or 'dba'. With each increase of 10dba the sound is doubled. The chart below shows rock bands can put out as much as 120dba, which by most accounts can produce instant hearing damage. I don't know if last year's bands emitted 120dba, but I do know that last summer the sound levels were obnoxiously loud....and unless the Town of Waterford and Racine County address this, the obnoxious levels will exist again and they will occur more often than ever in the past.



The Town of Waterford Code Of Ordinance 5.06 (3)(D) shown below prohibits any loud or excessive operation of devises including radios, stereos, mechanical devices, instruments that disturb the comfort of persons in the vicinity. Unfortunately the Ordinance doesn't have a measurable definition of noise, but this proposed stage is there specifically to produce the exact same loud music that is prohibited by this Town Ordinance.

(D) No person owning, occupying or having charge of any building, residence or premises, or any part thereof, or any vehicle, shall cause or allow any loud, excessive or unusual noise in the operation or use of any radio, stereo, television or other mechanical device, instrument or machine that will disturb the comfort or repose of the persons therein or in the vicinity. Designated quiet hours (excluding business, M1-M4 zoned districts and town park) are Sunday-Thursday 7:00p.m.-7:00a.m.; Friday 10:00 p.m.-7:00 a.m. and Saturday 10:00 p.m.-8:00 a.m.

The Town of Waterford also has an Ordinance prohibiting unreasonable noise in the Town park. Here it prohibits band instruments or musical devices to operate at an unreasonable volume that interferes with users of the park and neighboring property owners. Once again, this proposed stage is designed specifically to produce the exact same loud music that is prohibited by this park Ordinance, and certainly neighbors of Hilltop should be afforded at least the same protection from noise as are neighbors of a Town park.

Re-codification & Revision- Enacted May 13, 2003

14.06 UNREASONABLE NOISE PROHIBITED.

1. No auto radio, portable radio, television, band instrument or musical device shall be operated in any town park at such volume as to unreasonably interfere with the use and enjoyment of the park facilities by other users of the park and neighboring property owners.

The Town of Waterford has a precedence of trying to limit nuisances. Here are just two examples:

- A relatively new gravel pit located near STH 83 and CTH O had noise limits placed on it, the CUP set a sound limit of 68 dba at the property line. This is a sparsely populated area with substantial distances from the noise sources, yet protections were put in place to protect the neighbors.
- On a different yet similar 'nuisance' item, an establishment in the Town was denied a permit for a BBQ smoker. While smoke from a smoker and loud music are obviously different forms of nuisance, it appears the smoker was deemed this to be a disturbance of the comfort or repose persons in the vicinity.

We hope the Town and Racine County will afford the residents surrounding Hilltop the same protection as was afforded the neighbors of those in the examples above.

At the County level, the Racine County Ordinances also controls noise. Sec. 20-1015 shown below pertains to home occupation. While Hilltop is not a home, this Ordinance can't be ignored because Hilltop and its proposed stage are located in a tightly compacted residential area. This County Ordinance prohibits noise louder than can be detected with normal senses off the property. Arguably, this sound stage, its purpose, its hours of playtime ...all are prohibited by this Ordinance.

Sec. 20-1015. - Home occupations.



- (a) It is the intent of this section to regulate the operation of home occupations so that the average neighbor, under normal circumstances, will not be aware of their existence other than for a permitted sign.
- (b) A home occupation is any gainful occupation or profession engaged in by an occupant of a dwelling unit which meets the following criteria:
 - (1) The occupation must be clearly incidental to the use of the dwelling unit as a residence, with one-half (1/2) or less of any floor being used for the home occupation.
 - (2) No outdoor display or storage of materials, goods, supplies or equipment used in the home occupation shall be permitted on the premises.
 - (3) There shall be no visible evidence that a home occupation is being operated in the residence, except for the permitted sign, one (1) nonilluminated nameplate (name, address and type of home occupation) not to exceed two (2) square feet in area either mounted flat on the dwelling or a yard light post or signpost set back a minimum of five (5) feet from the highway right-of-way line.
 - (4) A maximum of two (2) persons other than members of the immediate family residing in the dwelling may be employed in the dwelling unit at any given time. The applicant for a home occupation permit must reside at the location of the proposed home occupation.
 - (5) Except for storage of materials as allowed in section 20-1008(f), no activity related to a home occupation shall be conducted in any detached structure or in any attached garage. On-site tune-up, servicing, repair, salvage, wrecking, or painting services for non-property owner automobiles, trucks, boats, trailers, snowmobiles, recreational vehicles, or other motorized vehicles shall be prohibited as a home occupation.
 - (6) No stock in trade shall be displayed or sold upon the premises.
 - (7) A home occupation shall not generate noise, vibration, glare, odors, fumes, or hazards detectable to the normal senses off the property.

Looking at the City of Racine, their Ordinance takes an approach similar to other area municipalities. Their Ordinance sets a limit of 15 dba above the ambient noise level as measured at the property line. It also prohibits sound that is disturbing or a nuisance to persons within the area. Once again, the purpose of this stage will facilitate code violations on both counts.

(e) *Regulations.* The commercial and noncommercial use of sound-amplifying equipment shall be subject to the following regulations:

- (1) The only sounds permitted shall be either music or human speech, or both.
- (2) The operation of sound-amplifying equipment shall only occur between the hours of 3:00 a.m. and 10:00 p.m. each day. No operation of sound-amplifying equipment for commercial purposes shall be permitted on Sundays or legal holidays.
- (3) No sound emanating from sound-amplifying equipment shall exceed 15 dBA above the ambient sound level as measured at any property line.
- (4) Sound-amplifying equipment shall not be operated within 300 feet of churches, schools and hospitals.
- (5) In any event, the volume of sound shall be so controlled that it will not be unreasonably loud, raucous, jarring, disturbing or a nuisance to persons of normal sensitivity within the area of audibility.

In conclusion, on behalf of myself and on the behalf of all the people who signed the petition, we are asking the Town Planning Commission, and subsequently the Waterford Town Board, and the Racine County Zoning Commission to deny this permit. This establishment is not located in a commercial area bordered by two busy state highways, it's in a tightly packed residential area with homes within feet of the property line. Homes where the sound stage will be less than 75 feet from a child's bedroom window. If this CUP is approved, the Town and County will be authorizing the nature of this establishment to substantively change from a neighborhood friendly bar and grill, to that of a permanent outdoor concert venue that has no specific or measurable limits placed on it as to how loud music and other noises can intrude onto, and into, people's homes.

Certainly live outdoor music will attract more people, it's even possible some of you on this Board will also come for the live music. But please remember that when they had their fill, they can go home to their own quite homes that are situated in their own quiet neighborhoods. Please understand that we don't have that luxury leaving the loud music behind. This is our home, we have nowhere else to go. The noise, the beer cans, the speeding cars...and even the guys peeing outdoors....this is our home. We don't want to close down this establishment. We welcome a local business that shows respect for its neighbors. But recently this hasn't been the case. I, and the people who signed the petitions, are asking the Town and subsequently Racine County to take reasonable precautions to ensure we can enjoy our homes, by doing the following;

1. Deny entirely the CUP for a permanent stage.
2. Require establishments to possess a Board approved Special Event Permit for each individual date and times of day for each event (no multi day or multi times of day).
3. Each Special Event Permit to include a dba limit that can be measured at the property line, and include other requirements to ensure the concerns of the neighbors are addressed.
4. If conditions of the Special Use Permit are not met, then cancel existing permits and deny future permits until enforceable corrective assurances are initiated.

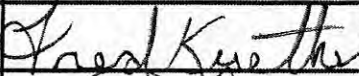

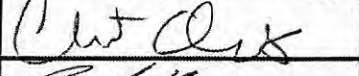
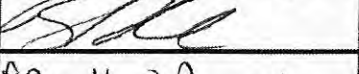

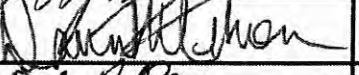

On behalf of myself and the people who asked me to represent them, thank you for allowing me time for this presentation.



Dan Dickinson
6929 Dickinson Lane
Waterford, WI

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

To Tina Mayer, Town Clerk of Town of Waterford. We the undersigned qualified electors of the Town of Waterford petition the Town of Waterford to reject the proposed Conditional Use Permit for the business sometimes referred to a Hilltop located at 6812 N. Tichigan Road. Under this business's new ownership loud music has been played that is disruptive to the quite enjoyment of our home.

	Signature Of Electors	Street Address	Municipality	Date
1		29214 Forest Lake	Waterford	5/19 2021
2		6816 N. Tichigan, Rd	Waterford	5/19 2021
3		6816 N. Tichigan, Rd	Waterford	5/19 2021
4		6742 N Tichigan Rd	Waterford	5/19 2021
5	Martha Roepke	6742 N Tichigan Rd	Waterford	5/19 2021
6	Chris Leick	29214 Riverview Lane	Waterford	5/19 2021
7	Travis Squires	29214 Riverview Lane	Waterford	5/19 2021
8	Daniel E. Jahy	29321 Riverview Lane	Waterford	5/19 2021
9	Belinda Abendschein	29311 Riverview Lane	Waterford	5/19 2021
10		29311 Riverview Lane	Waterford	5/19 2021
11		6725 Spruce Ln	Waterford	5/19 2021
12		6725 Spruce Ln	Waterford	5/19 2021

I, Dawn Dickerson certify I reside at 6929 Dickinson Ln. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: 

Date: 6/1/21

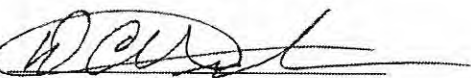
Page Number: 1

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

To Tina Mayer, Town Clerk of Town of Waterford. We the undersigned qualified electors of the Town of Waterford petition the Town of Waterford to reject the proposed Conditional Use Permit for the business sometimes referred to a Hilltop located at 6812 N. Tichigan Road. Under this business's new ownership loud music has been played that is disruptive to the quite enjoyment of our home.

	Signature Of Electors	Street Address	Municipality	Date
1	<i>James Paul</i>	6701 Spruce Lane	Waterford	5/19 2021
2	<i>Paul A</i>	6701 Spruce Ln	Waterford	5/19 2021
3	<i>Cheritt Lecci</i>	29301 Riverview Ln	Waterford	5/19 2021
4	<i>Paul Luca</i>	29301 Riverview Ln	Waterford	5/19 2021
5	<i>Tim Gott</i>	29323 Riverview Ln	Waterford	5/19 2021
6	<i>Tim Zee</i>	6745 CHANNEL RD	Waterford	5/19 2021
7	<i>M. G.</i>	29238 Orchard Ln	Waterford	5/19 2021
8	<i>Monroe Dickson</i>	29238 Dickson Ln.	Waterford	5/19 2021
9	<i>G. G. ?</i>	29304 ORCHARD AVE	Waterford	5/19 2021
10	<i>John B. ...</i>	29304 ORCHARD AVE	Waterford	5/19 2021
11	<i>Suzanne ...</i>	29356 Riverview Lane	Waterford	5/19 2021
12	<i>Tim ...</i>	29356 Riverview Lane	Waterford	5/19 2021

I, DAW DICKINSON certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: 

Date: 6/1/21

Page Number: 2

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

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	Signature Of Electors	Street Address	Municipality	Date
1	<i>Mary Ellen Kent</i>	29310 Forest Lake Ln.	Waterford	5/18 2021
2	<i>Shirley Klotz</i>	29310 Forest Lake Ln.	Waterford	5/18 2021
3	<i>John E. Schmidt</i>	6836 N Tichigan Rd	Waterford	5/18 2021
4	<i>Diane Arcinas</i>	6836 N. Tichigan Rd	Waterford	5/18 2021
5	<i>R. G.</i>	6922 Dickinson Pk	Waterford	5/18 2021
6	<i>R. G.</i>	6926 Dickinson Kd	Waterford	5/18 2021
7	<i>Shari A. Paulik</i>	29117 Forest Isle Lane	Waterford	5/18 2021
8	<i>Chas C. John</i>	29117 Forest Isle Cw.	Waterford	5/18 2021
9	<i>Mary P. Bousdinger</i>	6824 N Tichigan Rd.	Waterford	5/18 2021
10	<i>Ally Ry</i>	29211 Riverview Ln	Waterford	5/19 2021
11	<i>Kathryn Krawiec</i>	29211 Riverview Ln	Waterford	5/19 2021
12	<i>Summi Squires</i>	29211 Riverview Ln	Waterford	5/19 2021

I, DAN DICKINSON, certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: *D. Dickinson*

Date: 6/1/21

Page Number: 3

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

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	Signature Of Electors	Street Address	Municipality	Date
1		29214 Frank Lakes Ln	Waterford	5/21 2021
2		6929 Dickinson Ln	Waterford	5/21 2021
3		6929 Dickinson Ln	Waterford	5/21 2021
4		6917 Dickinson Ln	Waterford	5/22 2021
5		6917 Dickinson Ln	Waterford	5/22 2021
6		29308 Riverview Lane	Waterford	5/29 2021
7		29308 Riverview Lane	Waterford	5-29 2021
8		29238 Orchard Ln	Waterford	5/29 2021
9		29429 Riverview Ln	Waterford	5/29 2021
10		29429 Riverview Ln	Waterford	5/29 2021
11		29101 White Oak	Waterford	5/29 2021
12		29412 Riverview Ln	Waterford	5/29 2021

I, DAN DICKINSON certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed:

Date: 6/1/21

Page Number: 4

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

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	Signature Of Electors	Street Address	Municipality	Date
1		6902 N. Tichigan Road	Waterford	5/20/21 2021
2		29310 RIVERVIEW LN	Waterford	5/20/21 2021
3	Edith Kubrick	6732 Channel Road	Waterford	5-20-21 2021
4	An Kyriak	6732 Channel Rd	Waterford	5-20-21 2021
5		29408 Riverview Ln	Waterford	5-20-21 2021
6	Golden Pears	6749A N Tichigan Rd	Waterford	5/20 2021
7	Golden Pears	6749A N Tichigan Rd	Waterford	2021
8	Carigan Corey	6904 N. TICHIGAN RD	Waterford	5/20 2021
9	Carigan Corey	6904 N. Tichigan Rd	Waterford	2021
10	Avery Corey	6904 N. Tichigan	Waterford	5/20 2021
11		29404 RIVERVIEW LN	Waterford	5/20 2021
12	R. H. King	29116 FOREST ISLE LN	Waterford	5/20 2021

I, DAN DICKINSON certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed:

Date: 6/1/21

Page Number: 5

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	Signature Of Electors	Street Address	Municipality	Date
1	<i>B. R. Paloska</i>	29412 Riverview Ln	Waterford	5/30 2021
2	<i>Debra Behselich</i>	6728 N. Tichigan Rd	Waterford	5/30 2021
3	<i>Debra Behselich</i>	6728 N. Tichigan Rd	Waterford	5/31 2021
4	<i>D. M. Muzick</i>	6749 N. Tichigan Rd	Waterford	5/31 2021
5	<i>D. M. Muzick</i>	6749 N Tichigan Rd	Waterford	5/31 2021
6	<i>D. M. Muzick</i>	6749 N. TICHIGAN RD.	Waterford	5/31 2021
7	<i>Tom Muzick</i>	6751 N TICHIGAN RD	Waterford	5/31 2021
8	<i>Judith Muzick</i>	6751 N Tichigan Rd	Waterford	5/31 2021
9			Waterford	2021
10			Waterford	2021
11			Waterford	2021
12			Waterford	2021

I, DAN DICKSON certify I reside at 6929 DICKSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: *D. Dickson*

Date: 6/1/21

Page Number: 6

**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
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	Signature Of Electors	Street Address	Municipality	Date
1	<i>Greg Horeth</i>	29308 FOREST ISLE LANE	Waterford	5/24 2021
2	<i>Drew Noubt</i>	29308 FOREST ISLE LANE	Waterford	5/24 2021
3			Waterford	2021
4			Waterford	2021
5			Waterford	2021
6			Waterford	2021
7			Waterford	2021
8			Waterford	2021
9			Waterford	2021
10			Waterford	2021
11			Waterford	2021
12			Waterford	2021

I, GREG HORETH certify I reside at 29308 FOREST ISLE LA personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: *Greg Horeth*

Date: 5/24/21

Page Number: 7

ORIGINAL PREVIOUSLY GIVEN TO TOWN BY CIRCULATOR *[Signature]*
6/11/21

NON-RESIDENT PROPERTY OWNER
 PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
 6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'

PROPERTY OWNERS

To Tina Mayer, Town Clerk of Town of Waterford. We the undersigned ~~qualified electors~~ of the Town of Waterford petition the Town of Waterford to reject the proposed Conditional Use Permit for the business sometimes referred to a Hilltop located at 6812 N. Tichigan Road. Under this business's new ownership loud music has been played that is disruptive to the quite enjoyment of our home.

	Signature Of Electors	Street Address	Municipality	Date
1	<i>Dennis Maguire</i>	6832 N Tichigan	Waterford	5/20 2021
2	<i>John M. Maguire</i>	6832 N Tichigan	Waterford	5/20 2021
3	<i>[Signature]</i>	6813 N. Tichigan	Waterford	5/31 2021
4	<i>[Signature]</i>	6813 N TICHIGAN RD	Waterford	5/31 2021
5	<i>Kenneth Langer</i>	29212 Forest Lake Lane	Waterford	5/31 2021
6			Waterford	2021
7			Waterford	2021
8			Waterford	2021
9			Waterford	2021
10			Waterford	2021
11			Waterford	2021
12			Waterford	2021

I, DAN DICKINSON certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are ~~electors~~ of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: *[Signature]*

Date: 6/1/21

NON-RESIDENT
 PROPERTY OWNERS

Page Number: 8

5/14/2021

Objection to Outdoor stage located at 6812 N Tichigan Rd.

Objection to Outdoor stage located at 6812 N Tichigan Rd.

From: Kathryn Krzewina <kathryn.krzewina@gmail.com>

Sent: Thu, May 13, 2021 at 2:14 pm

To: tmayer@townofwaterford.net

To whom it may concern -

I am a neighbor to 6812 N Tichigan Rd who OBJECTS to an outdoor stage for music events at this location. My property is located on the corner of Riverview Lane and I have been witness to why this location is NOT set up for large events.

We are a small residential area which overtime has become populated with families of young kids. As a property owner, I want my neighborhood to be welcoming more towards families than party goers. I have young kids, as do many homes around me, and I would NOT feel comfortable allowing my kids to play in their own backyard when this type of event is going on. In the past, we have experienced loud music into the late hours (which is hard with kids), our house vibrates with the loud music and I am unable to open my windows and enjoy the summer air when bands are playing.

I am also concerned with the parking situation which has always been congested during an event. We have only 2 lanes of traffic and during the summer months, the 2 lanes are shared with pedestrians and bicyclists - some of which are young kids. In the past, my yard along with my neighbors yards, have become back-up parking for the "Hilltop". This has opened my property to increased trash during an event, along with people running in and out of my yard; which opens the door for liability issues. I have also witnessed cars almost hit kids as they were playing in their own back-yard, while said car was trying to find parking during an event. Not to mention the increased possibility for drunk drivers.

We are a residential area which is NOT set up to support outdoor music events. I bought my property knowing that I could raise my family in a safe, quiet neighborhood. I would like to continue to have this type of area and do NOT feel that the elevated outdoor stage would be a welcomed addition.

If you have any questions please feel free to give me a call at 262-470-6787. My home is located at 29211 Riverview Lane.

Thank you,
Kathryn Krzewina

HILLTOP STAGE WAIVER

SUPPORT YOUR LOCAL BUSINESSES

This waiver is to support your local Hilltop for the construction of a stage. This stage allows your local Hilltop to support coming up bands And various activities. The Stage will be used during the summer approximately 6 to 10 times, sometimes day and sometimes night, never passed noise curfew.

Maureen
VanderGanden
28920 Cherry Lane
Waterford, WI
Ben Van Soren
28920 Cherry Ln.
Waterford, WI - 53185

Sandra Maynard
28911 Fir Lane
Waterford, WI 53185

PLEASE SIGN TO SUPPORT YOUR LOCAL
BUSINESS:

NAME.

ADDRESS.

Charles
Jacobs

6331 Riverside Rd.
Waterford WI 53185

Ryan Weber

6331 Riverside Rd
Waterford WI 53185

Emily Castle

6324 Riverside Rd
Waterford, WI

Wayne
Castle

6324 Riverside Rd
Waterford, WI

Ryan Mackowski
4936 N. TICHIGAN RD

[Signature]

Tim Snodgrass
6714 N. TICHIGAN RD

[Signature]

Shelly Lued
28641 Lake Dr.

Shelly Luell

28921 Sunrise Lane
Waterford WI, 53185

[Signature]

May Erny
28921 Sunrise Lane
Waterford, WI 53185

[Signature]
28641 N. LAKE DR S
WATERFORD, WI 53185

~~Brand Rabideau~~
2745 S Arden Rd

~~Brand~~
[Signature]

Amy Rabideau
2745 S Arden Rd
New Berlin WI 53151

[Signature]

Jackie Caprioli
W193 S 7386 Richdorf Dr.
Muskego WI 53150

[Signature]

Dan Caprioli
W193 S 7386 Richdorf Dr
Muskego WI 53150

[Signature]

Roland Schneider
6706 N. Tichigan Rd.
Waterford WI: 53185

Marie Lafond
6709 Channel Rd
Waterford, WI 53185

Nora Gustafson
6421 Channel Rd
Waterford WI 53185

Gene D. Shattuck
28822 Sunrise Lane
Waterford WI 53185

Charles Frost
28716 Clover Ct
Waterford WI 53185

Stacey Ward
28822 Sunrise Ln
Waterford, WI 53185

~~Rita M. Ant~~
29024 N Lakewood
Waterford WI 53185


ERIC WARD
W 175 S 78 38
Castle gln ct.
Muskogee 53150

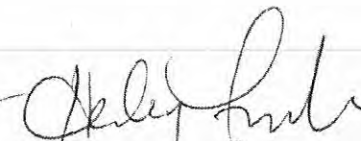
Sherry Dufek
28716 Clover Ct.
Waterford, WI 53185


Luke Francois
5853 Riverside Rd
Waterford WI 53185

Amanda Handley
28915 Sunrise Ln.


Waterford WI 53185



6709 Chancery
Road
Dan Hartford


5700 N. River Bay Rd
Waterford WI 53185



6601 Town Line Rd
Waterford WI 53185


28924 Beach Drive
Waterford WI 53185


28927 Cherry Lane
Waterford WI 53185


6321 Riverside Rd.
Waterford, WI
53185

Jenny Blandry
28927 Cherry Ln
Waterford, WI
53185


6320 Riverside Rd
Waterford, WI 53185


5700 N. River Bay
Waterford, WI 53185

John Urben
6812 N Technon Rd
Waterford WI 53185

Paul Ponce Sr
31064 Lake Pointe Ct
Waterford WI 53185

Joerg Wekenborg
31014 Lake Pointe Ct
Waterford, WI 53185

Holly Ponce
31064 Lake Pointe Ct
Waterford WI
53185

HARRY
28407 N. LAKE DR
WATERFORD, WI 53185

Nick Kujawa
6424 Riversider
Waterford WI 53185

Harvey Rowder
29225 N Lake DR
Waterford, WI
53185

Rob Kaiser
31024 Lake Pointe Ct
Waterford, WI 53185

Dawn Rohweder
29225 N Lake DR
Waterford, WI
53185

Justin Wankowski
6511 Point Ln
Waterford, WI 53185

BRENT AXELSON
3106 BUENA PARK Rd
Burlington WI, 53185

JARUA FRIEMOTH
3106 Duena PARKAN
BURLINGTON WI
53105

Kim Hager
5828 Riverside Rd
Waterford, WI 53185

Kelly Mcburk
5837 Riverside Rd
Waterford, WI 53185

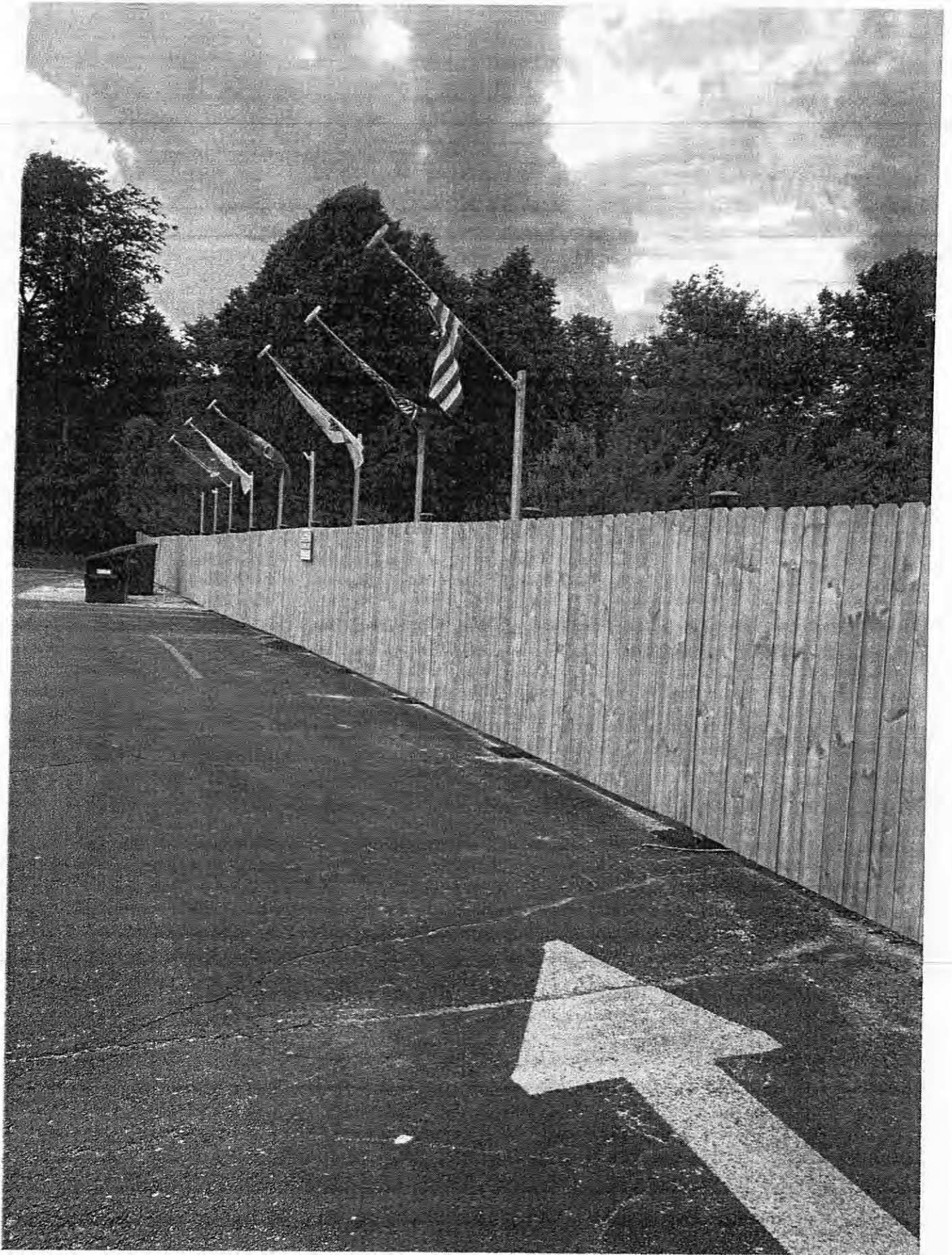
Bernard Tamsett
5833 Riverside Rd
Waterford, WI 53185

SCOTT Captain
5837 Riverside Rd
Waterford, WI 53185

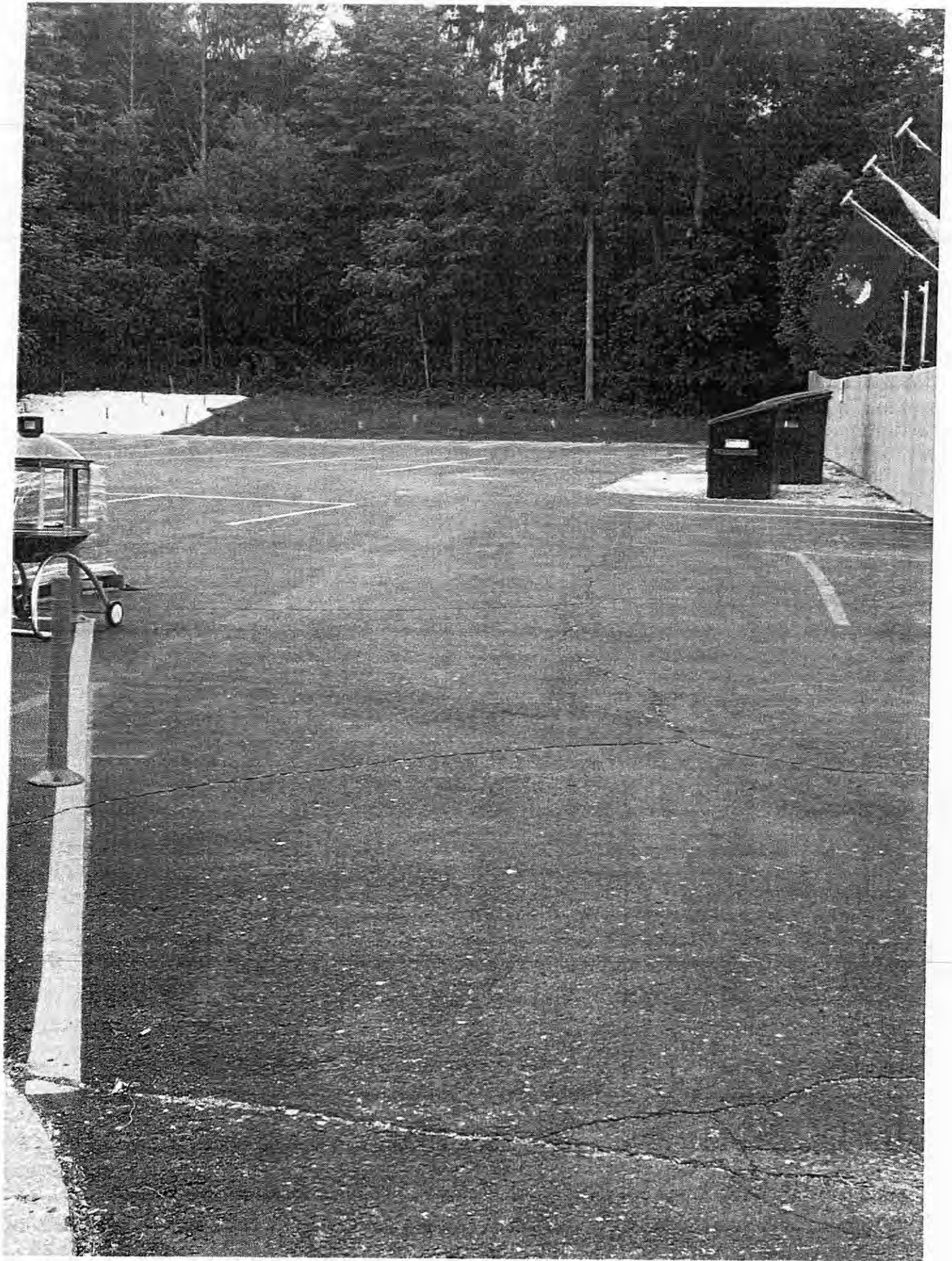
Anita Tamsett
5833 Riverside Rd
Waterford, WI 53185

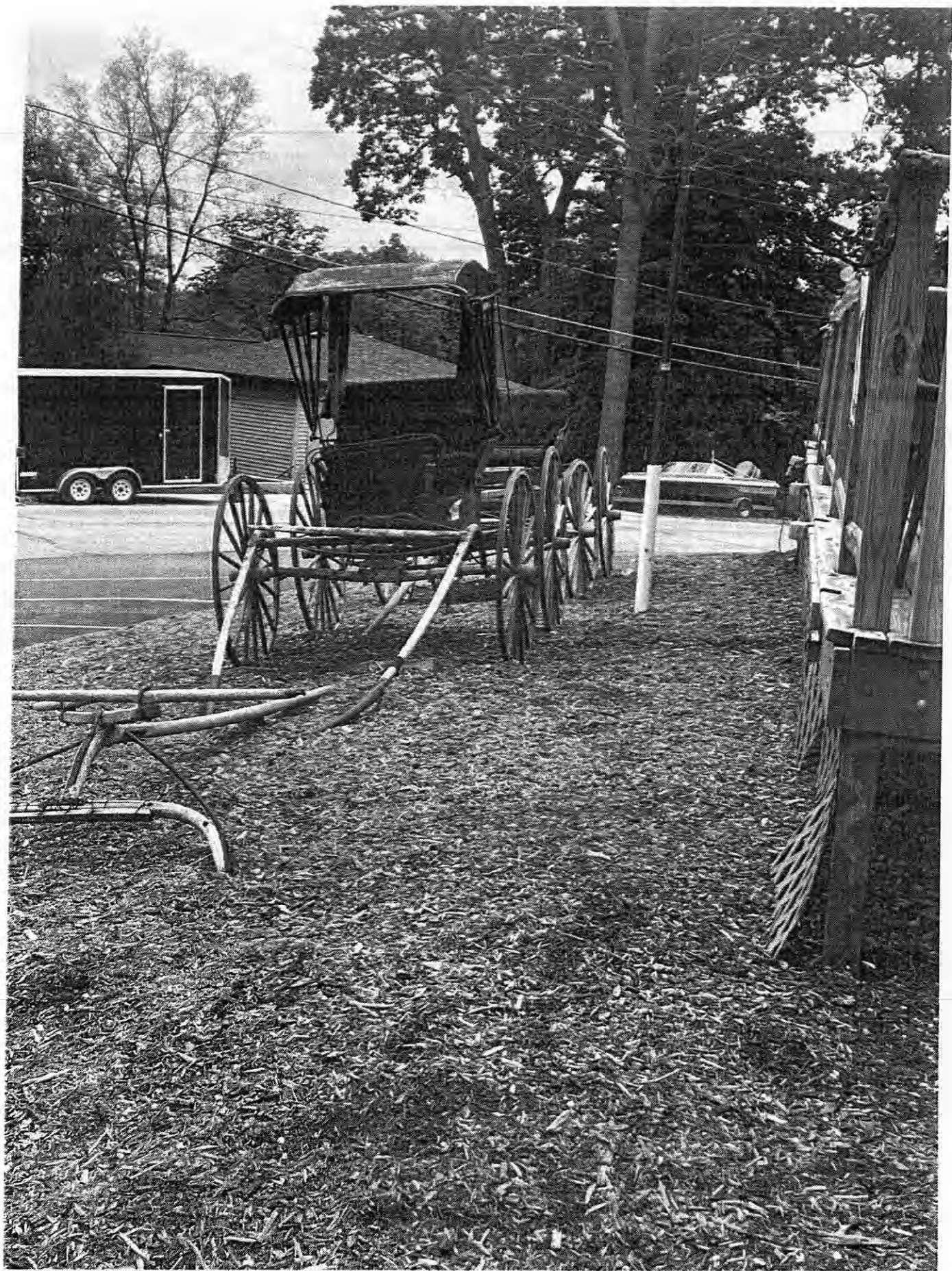
John Karth
28843 Sunrise Ln
Waterford, WI 53185

Steve Hager
5828 Riverside Rd
Waterford WI 53185











hstratton@townofwaterford.net

From: jes sch <jessch631@yahoo.com>
Sent: Sunday, June 13, 2021 7:16 PM
To: hstratton@townofwaterford.net
Subject: Conditional Use Permit for a music stage to be built at Hilltop

Dear H Stratton,

I recently signed a petition presented to the June 7, 2021 Planning Board and the June 14, 2021 Town Board asking both Boards to deny a Conditional Use Permit for a music stage to be built at Hilltop (6812 N. Tichigan Rd.). At the Planning Board meeting the owner, Mr. Urban, said that if denied the permit Hilltop would continue with its plans to hold outdoor concerts. These are not the first concerts he has had in his parking lot. My wife and I live 4 houses to the north of the hilltop business, when he has had music events in the past the volume of the noise has been unbearable. When he has had his events the noise has been so loud that we could not hear our tv in our house, let alone how bad the noise was outside in the yard, we did not want to be outside in our yard. This is a nice community and I believe if he continues to have events it will decrease the property values on the west side of the lake and discourage potential buyers of these homes. We did not complain in the past because we were not expecting the number of music events he is now planning on having to increase to the number he has proposed. Having a restaurant in the community is an asset and according to his Facebook site his business is doing very well. The stage and the events he has proposed will not be an asset to the community. Because the owner said concerts will proceed with or without the CUP, I am now asking the Town Board, at its June 14, 2021 meeting, to do the following.

1. Deny the CUP as presented by the owner of Hilltop.
2. Inform the owner of Hilltop the Town will require and enforce Town Ordinance Chapter 6.13(1)(A) which states 'No person shall conduct, exhibit, operate or maintain within Town limits: any circus, menagerie, carnival, play, game, contest, theatrical performance, theater, concert, athletic event; any contest of speed, skill or endurance on land or water; any type of performance involving dancing or body movement; or any other type of public amusement, show or performance, where the public or members of clubs and organizations are invited or present, without first obtaining a permit as provided for under this section a separate Special Use Permit for each and every individual outdoor event as prescribed in the existing down ordinance.
3. Require the Special Use Permit be enforced equally and consistently across all people and entities in the Town.
4. Within the Special Use Permit stipulate 'reasonable' daytime only hours that do not affect rest time of children, elderly, and people with special needs.
5. Within the Special Use Permit stipulate the maximum noise levels that is allowed at the property line where the loudest noise is measured, such level shall be stated in 'dba' and shall be low enough as not to disturb children, elderly and people with special needs.
6. Within the Special Use Permit stipulate light levels both from the band (flashing, strobing, etc.) and general lighting (area lights, spotlights, down lights, etc.).
7. Limit the number of people allowed based on bathroom facilities, on-site parking, disturbances, and other criteria that disturb the residences in the area.
8. Deny or revoke Special Use Permits when the applicant does not adhere to the limits of the permit.

Sincerely,

John E Schmidt
6836 N Tichigan Road
Waterford WI 53185
414-526-7490

6.13 PUBLIC SHOWS, CONTESTS AND PARADES

(1) Permit Required.

(A) No person shall conduct, exhibit, operate or maintain within Town limits: any circus, menagerie, carnival, play, game, contest, theatrical performance, theater, concert, athletic event; any contest of speed, skill or endurance on land or water; any type of performance involving dancing or body movement; or any other type of public amusement, show or performance, where the public or members of clubs and organizations are invited or present, without first obtaining a permit as provided for under this section.

(B) Parades. No parades of any nature, except the Fire Department parade and Fourth of July parade or Veteran's parades, shall be conducted either or wholly upon highways, waterways or public lands of the Town without first obtaining an appropriate permit.

(C) Permit Fee. The fee for permits issued under this Section shall be in the amount set per event by the Town Board but shall not exceed \$1,000 per day of the event. This fee shall apply to any show event or amusement not regularly conducted within the Town of Waterford for at least 60 days each year. Carnivals shall be subject to the daily permit fee regardless of period of operation.

(2) Application Procedures. All applications for a permit under this Section shall be made in the manner provided for under Section 6.01 of this Chapter and shall specify the nature of the show or amusement and two previous places where the applicant was employed. The Town Clerk, after filing an application under this Section, shall refer it to the Police Department and Building Inspector who shall investigate and inspect each application and determine whether the place or route sought to be licensed complies with all applicable laws and ordinances and is a proper place for the purpose for which it is to be used.

(3) Permit Restrictions. No permit shall be issued for any public show within a residential district, or to any person under 18 years of age. No applicant to whom a permit has been refused shall make further application for a permit for at least 6 months. No permit shall be issued under this Section to any applicant who was once a permittee under this Section and had a permit revoked within 2 years of the date of application, or to any person who has been convicted of a felony within 5 years of the date of application.

(4) Suspension and Revocation. The Town Chairperson may at any time suspend for not more than 10 days any permit granted under this Section for disorderly or immoral conduct on the premises or for violation by the permittee his agents or employees, of any state law or municipal regulation

or ordinance. Any permit granted by the Town Board under this Section shall be revocable at any time by the Town Board in the manner provided for under Section 6.01 of this Chapter.

6.01 GENERAL PROVISIONS.

- (1) Persons Subject to this Chapter. Whenever in this Chapter a license is required for the maintenance, operation or conducting of any business or establishment, or for doing business or engaging in any activity or occupation, any person or corporation shall be subject to this requirement if, by himself or through an agent, employee or partner, he holds himself as being engaged in the business or occupation or actively or passively solicits patronage therefore, or performs or attempts to perform any part of such business or occupation.
- (2) Application. All applications shall be made in writing to the Town Clerk in absence of a provision to the contrary. Each application shall state name, address, type of license or permit location of operation, fee and such other additional information as may be needed for the proper guidance of Town officials in determining whether the license or permit is to be issued or not. The Town Board, or its designee, shall determine the format of and specific information required on each application.
- (3) License and Permit Format. The Town Board or its designee shall, from time to time, determine the content and the format of licenses and permits issued within the Town, except as hereinafter provided or where such matters are governed by state statutes or county ordinances, the Chairperson or the Board of Supervisors of the Town or the Town Clerk.
- (4) Investigation. Upon receipt of an application for a license or permit, if the Code of the Town requires an inspection or investigation before issuance of the license or permit, the Town Clerk shall refer the application to the proper inspecting officers within forty-eight (48) hours of receipt. The officers shall report, favorably or otherwise, within ten (10) days after inspections required by this code. Other inspections may be made by the Chief of Police or by any other officer designated by the Town Chairperson.
- (5) Fees. In the absence of a provision to the contrary, all fees shall be paid in advance at the time the application is made to the Town Clerk. Fees may be pro-rated at the discretion of the Town Board.
- (6) Termination. All annual licenses and permits shall terminate on the last day of the calendar year when no provision to the contrary is made.
- (7) No license or permit for the conducting of any business or the performance of any act under this Chapter shall be issued if the premises to be used for the conducting of the business or performance of the acts, does not fully comply with the requirements of this Code, applicable zoning ordinances or applicable state statutes, rules and regulations.

- (8) Change of Location. Any change in the location of any businesses or occupation licensed or permitted under this Chapter, without the consent of the Town Board, shall result in an automatic forfeiture of the license or permit.
- (9) Inspection. Whenever inspections of the premises used for or in connection with the operation of a licensed or permitted business or occupation are provided for or required by this Code, or are reasonably necessary to secure compliance with any code provision or to detect violations thereof, it shall be the duty of the person holding the license or permit, or the person in charge of the premises to be inspected, to admit thereto for the purpose of making the inspection, any officer or employee of the Town who is authorized or directed to make such inspection at any reasonable time that admission is requested. In addition to any other penalty provided for therein, the Town Board may revoke the license or permit of any person or corporation who refuses, personally or through an agent, to permit any duly authorized officer or employee to make an inspection of their premises, or who interferes with such an inspection. No licenses or permits shall be revoked for such cause unless the Town of Waterford has first served upon the licensee, permittee or person in charge of the premises a written demand stating that the inspection is sought.
- (10) Any license or permit issued may be revoked by the Town Board for any violation by the licenses or permittee relating to the subject matter of the license or permit, or the premises used in connection with the license or permit. Revocation is provided for in addition to any fines that may be imposed for a violation of Town laws or ordinances or any applicable state statutes herein incorporated.
- (11) Posting of Licenses or Permits. The licensee or permittee shall at all times keep his license or permit posted in a prominent place on the premises used for business. This requirement may be superseded by stricter requirements hereinafter provided by this Chapter.

**SPECIAL TOWN BOARD MEETING FOR WATERFORD
APPROVED/OFFICIAL MINUTES FOR JUNE 23, 2021
4:30PM AT THE TOWN HALL**

Special Town Board meeting was called to order at 4:30 by Chairman Hincz. Present in person or via Zoom: Supervisors Szeklinski, Gauerke, Draskovich and Nicolai.

Special Event Permit Applications for URBAN J-RY LLC, DBA HILLTOP PUB & RESTAURANT located at 6812 N Tichigan Rd.- Chairman Hincz summarized the concerns that have been heard from the neighbors.

John Urban, 4935 Gunderson Rd., owner of Hilltop, indicated that they would be having parking on the side, on the hill and that they were going to have 1-2 people monitoring the parking lot and the parking situation to ensure people are following rules and staying on Hilltop property.

Supervisor Draskovich asked about the other concerns being addressed, such as, lighting and noise.

Supervisor Gauerke asked about the estimated “300 or Less” people and how they estimated that number. Urban replied that it was a guess. Supervisor Gauerke asked how many cars would be there for 300 people and how much space in the parking lot, behind the bar were they reserving for parking. Urban indicated he did not know how many cars and that they reserve approximately 45% and the side lot. Supervisor Gauerke asked how many cars could be legally parked with approximately half of the parking lot and the side lot. Urban replied about 60-70 and about 25 of the cars can be parked on the side lot. Supervisor Gauerke read his own letter outlining his statements and concerns. Urban indicated that they were not seeking approval for July 3rd and that the first event is July 17, 2021. Board indicated that they were getting the dates from his application.

Chairman Hincz requested Chief Johnson explain how the Police Officer handles calls for loud music or disturbing the peace. Chief Johnson stated that they try to listen from a distance to see if it is valid and excessive and then address it with the property owner, but it is a matter of judgement on what is reasonable. Chief Johnson stated that they also take into account how many complaints were received as well as time of day.

Dan Dickinson, 6929 Dickinson Ln., stated he feels Supervisor Gauerke covered his concerns and that he is in favor of a decibel limit.

Greg Horeth, 29308 Forrest Isle, expressed concern in regards to the Health Department and their codes for food service, especially if being taken outside of the physical place it was prepared in as well as the Alcohol Beverage Commission in regards to the capacity of the building being about 100 people and would probably go against what they are licensed for. Horeth stated that he agrees with Supervisor Gauerke’s comments and questions. Chairman Hincz stated that the occupancy was not known and that the Health Department has annual as well as random site inspections.

Melissa Ocain, 6816 N Tichigan, indicated that there are other factors for the police to enforce. Ocain stated that the concerts are loud and shake the house and it affects the neighbors. Hoping to come to some kind of compromise when it comes to what type of music and frequency.

John Schmidt, 6836 N Tichigan, indicated he lives four houses to the North and regularly, without permission, people will tie up and use his and his neighbor’s piers and trespass to go to the Hilltop. Chairman Hincz stated that he needs to report to the Police Department, as that is not allowed.

Supervisor Gauerke stated that the only two events that he would consider would be the July 3rd and July 25th as those dates coordinated with other public community events in Tichigan, but based on lack of answers to problems that have been generated in the past and lack of communication with the neighbors, not enthusiastic on approving anything.

Supervisor Draskovich stated that he was also considering the July 3rd and 25th, but based on the response from neighbors, there will be complaints. Supervisor Draskovich suggested a smaller type of band option, possibly acoustic, and daytime hours. Supervisor Draskovich stated that there are Still a lot of issues with parking and trespassing, etc. and that he is in favor of decibel limit.

Supervisor Nicolai stated that she understands that the applicants have a business to run, still have unanswered questions and does not want to spread the police department too thin. Supervisor Nicolai stated that she would like to address the people who have commented that the residents purchased their home next to a bar, and they should expect noise. Supervisor Nicolai stated that may be true, but they purchased it next to a small pub/bar, not a night club or one with an outside live music venue and that the residents deserve to have peace and quiet where they live.

Supervisor Szeklinski stated that last year they had four events and agrees the issues need to be addressed. Supervisor Szeklinski motioned to approve July 17, 2021, but change the time from 5pm-9pm. Motioned died due to lack of a second.

Supervisor Szeklinski motioned to approve July 25, 2021 from 1pm-5pm. Supervisor Draskovich seconded the motion with other contingencies, such as the applicant talking to the neighbors and accommodate their concerns. Urban agreed to meet with the neighbors. Supervisor Nicolai asked if any of the neighbors that were present were willing to try something like what is being voted on. Chairman Hincz indicated that the Board was going to vote regardless. Supervisor Gauerke asked if the motion was subject to the applicants holding a meeting with the neighbors prior to July 25, 2021. Supervisor Szeklinski indicated that it was not in his motion, that it is highly advised, but that he did not wish to add that condition. Vote taken: 2 in favor, 2 opposed (Gauerke & Nicolai), Hincz abstained. Motion did not carry.

Supervisor Szeklinski motioned to approve July 17, 2021 from 4:30pm-8:30pm, contingent upon the applicant having a meeting with the neighbors on July 11, 2021. Motioned died due to lack of a second.

5:17 PM-Supervisor Szeklinski motioned to adjourn, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

Respectfully Submitted,
Heather Stratton, Treasurer & Deputy Clerk

THE FOLLOWING
FINAL PAGES WERE
SUBMITTED FOR THE
JUNE 5, 2023 PLANNING
COMMISSION
MEETING.

Hill Top Pub & Restaurant at 6812 N Tichigan Dr Conditional Use Permit

From: Kathryn Krzewina <kathryn.krzewina@gmail.com>

Sent: Sun, May 21, 2023 at 4:51 pm

To: tmayer@townofwaterford.net, tderse@wi.rr.com, dickinson.joel@icloud.com, tmroc28@gmail.com, risamith53185@gmail.com, tnicolai@townofwaterford.net, wagsff1001@gmail.com, mwenck@morganmyers.com, dgauerke@townofwaterford.net, dschwartz@townofwaterfor.net, tszeklinski@townofwaterford.net, rulander@townofwaterford.net

To Whom it may concern:

As a local resident I am surprised at my neighbor trying yet again to bring a loud band to our quiet neighborhood. When we bought our property over 8 years ago we liked how peaceful and safe it was. The local pub was able to coexist with the neighbors without bringing in noise and disruption to our area. When this permit was originally applied for a couple of years ago, many issues were brought up like parking since at that time, it was not legal on N Tichigan Road, the decibel level for the music, trash, encouragement of drunk driving in a residential area and security among the crowd. No solution was ever provided during the last review of this permit and the same would still be issues for the Hill Top Pub & Restaurant.

They have loud (live) music inside now which I can hear from my house. They also play music on their outdoor patio which is very loud and I can hear every word if I sit in my yard. As a neighbor I have been forgiving with the current inconvenience but will NOT be able to overlook a band and all that it will bring.

I can tell you from our personal experience that when the Hill Top's past managers / owners have had events, my family has to clean up the trash in our yard. We have to ask people not to park on our grass knowing that they will be most likely drunk when they leave and could cause damage. I have had drunk people pee and puke in my yard and I get to enjoy the conversation of drunk people late at night since sound carries. Bands at this property have not worked in the past and will NOT work now.

I would ask the board yet again not to grant the Hill Top Pub & Restaurant a conditional use permit. This restaurant is located in a residential neighbourhood. 3 of the houses surrounding the restaurant have young kids. There are still the issues of parking, trash, security and noise. If this was happening next to a board members house I wonder how many would be open to having a stage so close to their bedroom windows and being forced to have loud music played every weekend during the summer. If the Hill Top Pub & Restaurant wanted this type of environment then perhaps they should NOT have purchased a property in a quiet residential neighborhood.

Thank you,
Kathryn Krzewina

29211 Riverview Ln
Waterford, WI 53185

Town of Waterford Town Board

Attending Citizens Comments

Registration Form

We welcome your comments; please keep your comments brief and professional. Each pre-registered guest has up to minutes per board meeting to speak. See reverse side for rules and procedures

Date: 6-1-23

Name: JENNIFER LOPEZ

Address: 6816 N. TICHIGAN RD

Email: JLOPEZ@CARDINALCAPITAL.US

Phone Number: 414 888-9115

Organization (if applicable):

Would you like to speak during the Town Board Meeting? (Circle one) Y / N

(Speaking guests and/or citizens will be called upon at the appropriate time to speak)

You can register your opinion or comments on a specific agenda item if you do not want to personally speak during the formal board meeting by completing the below information. These acknowledgements will read at the appropriate time during the meeting.

Board Agenda Item: # 6(h) for / against Brief written statement: NOT IN FAVOR OF STAGE BEING BUILT. DONT WANT THE NOISE DIRECTED TOWARDS MY PROPERTY. DONT WANT MORE TRAFFIC IN THE RESIDENCE.

*PLANNING AGENDA ITEM #7 HILL TOP CONDITIONAL USE PERMIT

Board Agenda Item: # _____ for / against Brief written statement:

Board Agenda Item: # _____ for / against Brief written statement:

Board Agenda Item: # _____ for / against Brief written statement:

Board Agenda Item: # _____ for / against Brief written statement:

Other general written comments:

PLEASE SEE EMAIL I SENT ON 6-1-23

From: Jennifer Lopez

Sent: Thursday, June 1, 2023 11:23 AM

To: tmayer@townofwaterford.net; tderse@wi.ri.com; dickinson.joel@icloud.com; tmrocz8@gmail.com; risasmith53185@gmail.com; tnicolai@townofwaterford.net; wagsff1001@gmail.com; mwenck@morganmyers.com; dgauerke@townofwaterford.net; dschwartz@townofwaterford.com; tszeklinski@townofwaterford.net; rulander@townofwaterford.net; dcdickinson2@hotmail.com

Subject: Hill Top Pub & Restaurant Conditional Use Permit

Hello Planning Commission and Town Board Members:

My name is Jennifer Lopez and I am a neighbor of the Hill Top Pub & Restaurant located at 6812 N. Tichigan Drive in Waterford. I am being told that the owners of the Hill Top have applied again for a conditional use permit which would allow for construction of an outdoor band stage. Their wish is to have bands play music every Friday, Saturday, and Sunday from now through Labor Day Weekend.

I am hoping the group of deciding members will vote against this request. I do not want loud music to be sent into the direction of my home. I don't want to deal with additional traffic and parking nightmares. We already struggle with trash in our yard, public urination, and unwanted visitors on our property without the addition of more patrons coming to see a band every weekend of the summer season.

I plan on attending the June 5th Planning Commission Meeting if the public is allowed. I would be happy to answer any questions you might have for me.

Thank you for your time and consideration!

Regards,

Jennifer Lopez

P: 414.316.2514

E: jlopez@cardinalcapital.us

<https://mail.google.com/mail/u/0/?ik=fee7f8f694&view=pt&search=all&permthid=thread-a:r920473628297947913&simpl=msg-f:176752000981328539...> 1/3

June 2, 2023

To: Town of Waterford Planning Commission and Town Board

I live at 6929 Dickinson Lane, Waterford. As the crow flies I'm about 800 feet north of Hilltop, and according to a Racine County elevation map Hilltop is almost 100 feet higher in elevation, well above treetop level. Given Hilltop's location and elevation relative to my home, noise from Hilltop, especially amplified music and shouting, enters my yard, and even penetrates the walls of my home, as if we shared a common property line.

Before going any further, I would like to state that I am adamantly opposed to the Town of Waterford issuing a Conditional Use Permit to Hilltop for the construction of an outdoor stage, and to engage in any form of outdoor music venue, or to make any intentional noise that interrupts peace and quiet in the area.

For over seventy years I've lived in the exact same area as I do today. Hilltop has always been a quiet relaxing tavern located in a tightly packed residential area. Past owners of Hilltop respected its residential neighbors, and the surrounding residential neighbors welcomed the business, as it was being operated back then.

Four or five years ago that all changed. New owners took over; bright outdoor lights were installed; garbage, including condoms, were discarded on the road where overflow cars parked; cars parked on the roadway, loud amplified music and shouting inside and outside; disputes with the neighbors; patrons trespassing on private land; people urinating on the neighbor's property; cars and motorcycles speeding as they leave the bar, often with obnoxiously loud exhaust pipes and blasting radios; and overall disrespect for their neighbors.

Two years ago, almost to the month, Hilltop applied for a CUP that's very similar to the CUP being considered today, it was denied because the people most affected by the disruption brought on by Hilltop came to Town meetings, just like this one, and demanded the CUP be denied. Once again Hilltop plans to hold concerts EVERY DAY, OF EVERY WEEKEND, FOR THE ENTIRE SUMMER. That means there will be NO weekend FOREVER, that I can relax on my patio and listen to the birds, or anything else other than noise coming from Hilltop. Please, just for a few minutes, pause and imagine a concert venue like this moving next door to your home.

Two years ago, Supervisor Dale Gaurke asked the owners of Hilltop how many people will attend each concert, the owners reply was "200 people". Back then one of the major concerns, other than all of the others, was parking. This year the owner proposes parking for 18 cars on the property, with the remaining cars parked on the street. If each vehicle carries an average of two people, and 18 cars parked on the property, that leaves 82 cars parked on the street (according to the current CUP application). With 82 cars parked on the street, that computes to over 1/3 of a mile of continuous cars parked on N. Tichigan Rd. and Riverview Rd., these roads have no sidewalks or shoulders for cars or people, plus it involves a 'blind intersection'. Add alcohol and to the equation and this is an accident waiting to happen. Now to that add garbage, condoms, urination..... all in our back yards.

And by the way.... Since two years ago, according to my neighbors....that hasn't changed even without the CUP.

Two years ago, I collected over 70 signatures from people who have property in the immediate area who opposed the CUP. Today I could have retraced my steps and collected the same 70 signatures, from the same 70 property owners, but the CUP on the table today, is the same CUP as from two years ago....except worse. Attached to this email you'll find copies of those petitions, and a map showing that each property is well within the radius of disruption by Hilltop. Also included is a petition obtained last week, all from people within the radius of disruption. The Town Clerk has all of the original signatures and letters. These are people who live here because they want peace and quiet, they have to place to go to escape the disruption, and they are voters who helped to obtain your positions on these boards.



**PETITION TO OPPOSE A CONDITIONAL USE PERMIT FOR A MUSIC STAGE AT
6812 N. TICHIGAN RD. SOMETIMES REFERRED TO AS 'HILLTOP'**

To Tina Mayer, Town Clerk of Town of Waterford. We the undersigned qualified electors of the Town of Waterford petition the Town of Waterford to reject the proposed Conditional Use Permit for the business sometimes referred to a Hilltop located at 6812 N. Tichigan Road. Under this business's new ownership loud music has been played that is disruptive to the quite enjoyment of our home.

	Signature Of Electors	Street Address	Municipality	Date
1	<i>John E. Schmit</i>	6836 N. TICHIGAN RD	Waterford	5/22 2023
2	<i>Diane Lardner</i>	6836 N. Tichigan Rd	Waterford	5/22 2023
3	<i>Thom Ems</i>	29356 River View Ln	Waterford	5/22 2023
4	<i>Janet Dickerson</i>	6929 Dickinson Ln	Waterford	5/23 2023
5	<i>Jason Bichler</i>	6824 N Tichigan Rd	Waterford	5/23 2023
6	<i>Medhan Bichler</i>	6824 N Tichigan Rd	Waterford	5/23 2023
7	<i>Jo Lopez</i>	6816 N. TICHIGAN RD	Waterford	2023
8			Waterford	2023
9			Waterford	2023
10			Waterford	2023
11			Waterford	2023
12			Waterford	2023

I, DAN DICKINSON certify I reside at 6929 DICKINSON LN. I personally circulated this petition and personally obtained the signatures on this page. I know the signers are electors of the Town of Waterford. I know that each person who signed the paper with full knowledge of its content on the date indicated opposite his or her name. I know the respective residence given. I support the petition. I am aware that falsifying this certification may be punishable by law.

Signed: *[Signature]*

Date: 6-2-23

Page Number: 1



CAD Activity Detail Report

Printed On: 06/21/21 13:17

Town of Waterford

21-006237 Hilltop Pub & Tavern;TW Loud Music (LOUDMU1)

Reported : 06/18/2021 23:09:15 Prime Unit : 7716
 Priority : 3 Call Taker : Kurhajec, Anna
 Stacked : 23:10:03 Dispatcher : Jaeck, Megan M
 Dispatched : 23:11:20 Case# :
 Arrived : 23:27:10 Finished : 23:33:09
 Disposition : No Rep't To Follow

Notes

Date	Unit	Notes	PF
06/18/2021 23:09:15		17 REPORTING LOUD MUSIC COMING FORM THE BAR, 17- REF- CALLED FROM THE TOWN OF WATERFORD PD LINE	CC10751
06/18/2021 23:11:15		CFS from -> NOISEP1 to LOUDMU1	8647
06/18/2021 23:33:09		7716 ADVISED OF COMPLAINT, SAID THEY WILL TURN IT DOWN	8647

Units

Unit	Unit Time	Activity	Officer	Dispatcher	Disposition
7716	06/18/21 23:11:20	DI	9013		
7712	06/18/21 23:11:20	DI	9031		
7712	06/18/21 23:18:53	AC	9031	9031	
7716	06/18/21 23:19:05	AC	9013	9013	
7716	06/18/21 23:27:10	AR	9013		
7712	06/18/21 23:27:10	AR	9031		
7716	06/18/21 23:33:09	FI	9013		No Rep't To Follow
7712	06/18/21 23:33:09	FI	9031		No Rep't To Follow

Friday, June 18, 2021

Ferger, David W (9013)

23:11:20 DI 7716 Prime Unit
 23:19:05 AC 7716
 23:27:10 AR 7716
 23:33:09 FI 7716 7716 ADVISED OF COMPLAINT, SAID THEY WILL TURN IT DOWN

Leech, Bradley J (9031)

23:11:20 DI 7712
 23:18:53 AC 7712
 23:27:10 AR 7712
 23:33:09 FI 7712

tszeklinski@townofwaterford.net

tnicolai@townofwaterford.net

ndraskovich@townofwaterford.net

dgauerke@townofwaterford.net

thincz@wi.rr.com

tmayer@townofwaterford.net

hstratton@townofwaterford.net

To Town of Waterford Board

June 20, 2021

The Waterford Town Chairman scheduled a special Town Board meeting for Wednesday June 23rd at 4:30 pm to consider eight Special Event Permits ('SEP') for outdoor music concerts at the Hilltop. Seven of the eight concerts are to be held in the evening hours. The permit applications include a drawing showing the stage and on-site parking. The permit application states there will be off-site parking at 6713 N. Tichigan Road (the correct address for parking is 6719 N. Tichigan Road).

I strongly urge the Town Board to deny the Special Events Permits as presented for the following reasons:

1. The Town Board at its regular meeting on June 14, 2021, previously denied a Conditional Use Permit ('CUP') for an elevated stage. The Special Event Permit shows the temporary stage to be located at virtually the same location on the Hilltop property as was the elevated stage that was previously denied. This temporary stage is situated about 50 feet from bedroom windows of two different homes that are occupied by children who are either preschool or early grade school age. It is located near (in one case 140 feet) two addition homes with preschool or early grade school age children.
2. The reasons stated in the Town's denial of the CUP are stated in paragraph 'a' through 'c' below. Of all the reasons stated for denying the CUP on June 14th, those reasons also exist in the SEP and none being properly addressed.
 - a. Petitions from neighbors documented by 64 neighbors apposing outdoor music events, as well as letters, emails and direct testimony at the June 7th Planning Meeting. Several people wanted to give testimony at the June 14th Board Meeting but were denied the opportunity by the Chairman.
 - b. The outdoor music concerts would be a new and expanded use of Hilltop that has not been approved by the Town and has been previously denied other bars in the past.
 - c. The neighbors' concerns included illegal parking, trespassing, excessive loud music and crowd noise disturbing their peace and tranquility, bright stage lights, littering, urinating on private property, loud motorcycles revving engines and handlebar speakers, and reduced property value.

3. At the June 14th Town Board meeting, Mr. Urban testified the Hilltop website was inaccurate when listing five of the six events as being early evening concerts. Mr. Urban stated only “half” of the concerts were evening with the rest being daytime. The SEP applications have now increased the number of events from six to eight, with seven of the eight scheduled to be evening concerts. This is both an increase in number of events from Mr. Urban’s earlier testimony, and it is a shift to evening hours which is even more disruptive to the neighbors.
4. Illegal parking was one of the stated reasons for denying the CUP at the June 14th Board Meeting. The parking situation shown on the SEP application creates even more parking problems than what was noted when the CUP was denied.
 - a. The drawing included with the SEP application shows a new parking area on the Southeast portion of the property. This area is not flat as implied on the drawing, it is a grass covered surface, on a hill that slopes at a steep angle. Cars parked at this location must back out onto either North Tichigan Road or onto Riverview Lane, or onto both roads simultaneously depending where on the hill the cars are parked. The juncture of North Lake and Riverview is a controlled intersection, with cars converging from three different directions, two of which are already blind to oncoming cars. This is already a dangerous intersection, made worse with parking on the slope. If the Town Board approves this parking, they will be condoning and exposing the Hilltop patrons and innocent non-patron passersby drivers to potential injury, property damage or worse. The Town Board must realize the potential liability it assumes if approved, and the potential cost to taxpayers if a damage claim were made for allowing a dangerous situation to exist.
 - b. The SEP states off-site parking will be added at 6713 North Tichigan Road (the correct address is 6719). This is a private lot surrounded by private homes. Once again, if the Town Board approves of this off-site location, they are condoning and exposing Hilltop patrons and innocent non-patron passersby drivers to potential injury, property damage or worse. Again, the Town Board must realize the potential liability it assumes if approved, and the potential cost to taxpayers if a damage claim were made for allowing a dangerous situation to exist. The reasons for denying this off-site parking area are as follows.
 - i. The route from the off-site parking to Hilltop is North Tichigan Road has no sidewalks, and no shoulders for walking or avoiding traffic. In some areas there is drop-off of pavement preventing walkers from even making an attempt to avoid cars. The road is narrow, winding, unlit, and after sunset exposes people to even greater harm walking on the roadway. Hilltop patrons, arguably having consumed substantial alcohol, are put into a dangerous situation if condoned and approved by the Town Board.
 - ii. The remote parking area will be a prime area for people to relieve themselves before leaving the parking area. Public urination by Hilltop patrons is documented in writing and in testimony.
 - iii. Trash on the roadway coming from Hilltop patrons is documented in writing and testimony. This off-site parking will exacerbate an already documented problem.

- iv. The off-site parking area has no controlled method for entering or exiting. If cars enter/exit off North Tichigan Road the cars will be doing so at a narrow and curvy section of road causing a hazard to passerby cars and themselves. If the cars are to enter/exit on Willow Lane, this road is basically a one lane road in a tightly packed residential area. Once again, Hilltop patrons, arguably having consumed substantial alcohol, are put into a dangerous situation if condoned and approved by the Town Board.
- v. The distance from the off-site parking area to Hilltop is lined with homes having preschool or early grade school age children. Hilltop patrons are known to use profanities that are spoken loudly or shouted. This is well documented.
- vi. If a shuttle bus is used, there are no provisions for the shuttle bus to pull off North Tichigan Road. Again, this is a narrow and curvy section of road. The drop-off area at Hilltop is presumed to be at the front (east side) of the bar. This is where three directions of traffic converge, all three are blind to oncoming cars. Since any shuttle service for Hilltop must be a commercial operation, the vehicle must be commercially licensed, and the operator must have proper DOT chauffeur endorsements. If a shuttle bus is provided for Hilltop patrons, this creates yet another set of potential liabilities for the Town Board, and a potential burden on the Town's taxpayers if an injury occurs.

I wish to emphasize at the June 14th Town Board meeting the CUP for an elevated stage was denied. When the Town Board denied the CUP not a single reason for denying the stage was based on the structure itself.... but rather every reason for denying the CUP was based on the disruption to the lives of neighboring citizens. The objections of the citizens were not based on speculation, they were based on documented cases of disruption to their peace and tranquility under Hilltop's new ownership. The fact that the owner increased the number of planned events from his testimony at the June 14th Board meeting, and move all but one concert to the evening hours, should speak volumes as the intent to push every limit of poor neighborhood relations.

Further evidence of disruption in the neighborhood and pushing the limits occurred Friday, June 18th. A band was brought in to play indoors, starting at 9PM and scheduled to end at 1:30pm. At about 10:30pm the volume began to ramp up, and about 11pm the police were called due to loud music playing. A neighbor who had to get up at 5am for work and could not sleep.

The citizens who signed petitions, wrote letters and emails, gave testimony at the June 7th Planning Board meeting and would have given testimony at the June 14th Town Board meeting had they not been denied the opportunity by the Chairman.... All of them live here and have no place to go when the bands crank up the volume. In contrast the owner of Hilltop, when the bands shut down, he can lock the doors the drive home to a remote and quiet part of the Town where he can enjoy his peace and tranquility, leaving trash and disruption behind for others to deal with.

The Town Board will make a decision on Wednesday June 23rd, whether to grant peace, tranquility and protect property values of the citizens who elected our representative... or to vote in favor of disruption in our neighborhood caused by owners who live far away. I ask you to put yourself in the position of the neighbors. No Town Board member lives within a mile of Hilltop. If you go to Hilltop now, or plan to in the future for a concert, I beg you to look at the homes nearby, think about the faces behind the closed

doors...some of those faces belonging to very young children...and when driving away from Hilltop after the fun of a concert, think about how quiet and peaceful your homes will be for you, and how uncomfortable it is for those people behind those doors you passed when leaving Hilltop.

Because this special Town Board Meeting is schedule at 4:30pm, a time of day more difficult for residents to attend, I am asking that your decision to deny the Special Events Permit weigh heavily on the petitions, letters, emails and testimony already given. We ask the following.

1. Deny any Special Use Permit until all issues stated above are properly addressed.
2. If the Town is unwilling to deny the Special Use Permit, then allow only one permit to be issued at a time, not multiple permits at any one Town Meeting.
3. If the Town is unwilling to deny the Special Use Permit, place a limit of two per year, one over the July 4th holiday and one on Lions parade day.
4. If a permit is issued, stipulate a maximum noise level as measure at the loudest point of the property line with that limit no higher than 68 dba (the same level imposed on a recent gravel pit near STH 83 and CTH O).
5. If a permit is issued, stipulate the band may play only for three hours, and must end by 5:30 pm.
6. If a permit is issued, stipulate no flashing or strobing lights to enter any yard of any adjoining neighbors.
7. If a permit is issued, stipulate that the owner agrees to shut down the event with no liability on the Town if neighbors complain and the owner is not in compliance with the Town's stipulations.
8. If a permit is issued, stipulate if the owner is found to be non-compliant with any of the Town's stipulations, or other Town ordinances, no further Special Events Permits will be issued within a 12-month period of the last recorded violation.... regardless if the violation is related to a Town approved Special Event Permit.

Thank you in advance,

Name: Janet Dickinson

Signature: Janet Dickinson

Address: 6929 Dickinson Ln Wakefield

Date: 6-21-21

Town Leaders,

I'd like to introduce myself, I'm Megan Corey, and I live seven houses down from the Hilltop with my family (4 houses from the bar's secondary lot by the lake). I've lived on Tichigan Lake throughout my entire life, staying in the area because I love the security the neighborhood gives us and the activities available year-round. We are fortunate to be amongst a lot of great neighbors who share the same interests, give back to their community, and have similar expectations for living here.

Living along a narrow lake road means we must deal with the added activity. You'd expect that living where we do. And most of that activity starts to relax as this neighborhood starts to settle in. Unfortunately, we also must deal with a significant amount of commotion that isn't welcomed such as ear-piercing loud music from motorcycles and boats visiting the bar (especially music not suitable for young audiences), speeding cars, utvs/atvs, people revving engines as they enter/ leave Hilltop's driveway, intoxicated disorderly people, fighting, public urination, landscaping damage, and pollution. The frequency and severity of these circumstances spike summer weekends, summer holidays, and around special events.

My home is an old home, built in the late 1890s. It sits at the bottom of the hill where Hilltop is located. My bedroom window sits less than 20 feet from the road. I know that many homes in this area share the same proximity to the road and similar issues. We hear and see everything- whether we like it or not and. In the 16 years that I have lived in this house I needed to replace my mailbox three times and once came home to find that someone crashed their car in my front yard, destroyed the fort my son had made earlier that day and left a puddle of antifreeze. Two years ago I had an abandoned boater from Hilltop pass out in my front yard with her head laying in the road. Last summer I was nearly hit by a reckless driver while standing on my grass waiting to cross the street. I managed to avoid injury but the 2-foot fluorescent green 'pedestrian crossing' warning next to me did not- all this pedestrian crossing sign did was give me a false sense of security similar to what Hilltop is proposing. This is only a handful of my personal experiences.

I have several concerns about this CUP being approved. I fully anticipate a much greater volume of these issues to present and for extended periods into the evening. I'm even further concerned when alcohol is added to the equation. While I appreciate the effort Hilltop has made in thinking that hired security would resolve it, security working for Hilltop does not have the authority to police the roadway or waterway. Their only authority is escorting disruptive people off their property and into our residential community. I understand the request Hilltop has made regarding the scheduling of events. These events will attract activity and problems long after the scheduled music is to end. I am curious from this group whether Waterford has resources available to monitor and manage this and at whose cost-especially when these events are coupled with a holiday weekend?

Hilltop is in an excellent location on the lake and has a significant opportunity over other area establishments to draw business. I have no doubt a less impactful and just as profitable business decision can be made. I will support all local businesses in this community if they are willing to support their neighbors in return, especially when it comes to maintaining a peaceful and safe neighborhood. Hilltop's proposal doesn't hit that mark.

I would appreciate your support in keeping this community a quiet and safe place to live and by representing the neighbors that are truly impacted by this decision. Thank you.

Sincerely,

Megan Corey
262-758-9859
6904 N Tichigan Road
Waterford, WI 53185

Hilltop Pub and Eatery

From: Jake Fon <jakefon4@gmail.com>

Sent: Thu, Jun 1, 2023 at 1:47 pm

To: tmayer@townofwaterford.net, tderse@wi.rr.com, dickinson.joel@icloud.com, tmroc8@gmail.com, risasmith53185@gmail.com, wagsff1001@gmail.com, mwenck@morganmyers.com, dgauerke@townofwaterford.net, dschwartz@townofwaterford.net, tszeklinski@townofwaterford.net, rulander@townofwaterford.net

To Town Planning Commissioners, Town Board Members, and Town Clerk:

My name is Jacob Fon, I live at 6908 N. Tichigan Rd. along with my wife Rebecca, our two children ages 9 months and 2.5 years old, and our Chocolate Lab. Due to our close proximity to Hilltop (roughly 600 feet) we're heavily impacted by what takes place in and around the bar.

Our family very much enjoys living on Tichigan Road, with the exception of frequent speeding cars/motorcycles, and loud music, most of which originate from Hilltop. A frequent occurrence for cars and motorcycles travelling from the bar headed north is to 'let it rip' down the hill well in excess of the speed limit until they are past our home, then 'rack off' their loud exhaust pipes and proceed north from there. Mind you, this is often while in the presence of kids and pets playing. For over a mile north of Hilltop on N. Tichigan ALL of the homes are on one side of the road, and all of their back yards are on the other side of the road. There are dozens of homes in this stretch, and there are many, many more dozens of people living in these homes, along with children and pets, all frequently crossing N. Tichigan. There is no sidewalk or shoulders, so these speeding cars, potentially driven by people who consumed alcohol, are already an accident waiting to happen.

Upon moving in approximately two years ago it didn't take long to witness the excessive speeding vehicles and noisy atmosphere that is frequently a product of Hilltop. At that time, we were fortunate that the Town took action, and denied the CUP application. The problem didn't go away, but it was surely less than it would have been, had the Town approved the CUP. Now, just two years later we're in the same predicament as we were back then.

There is already too much noise, too many late hour motorcycles and cars leaving the bar and 'letting it rip' down the hill while leaving the parking lot. We want our children to grow up in a safe, clean environment, and to be proud of calling Waterford our home. To be completely honest, I believe the proposed CUP will tarnish this. There certainly is a place for bands and live music, however it is not in the middle of a residential area with the listed circumstances. In addition, should this CUP be approved, I am not convinced these events would be properly managed (parking, crowds, noise) to mitigate risks/disturbances to the residents on N. Tichigan.

I'd like to remind you that everyone who visits Hilltop, including the owners of Hilltop, have the ability to go home and enjoy their quiet peaceful homes far away from Hilltop. My family and I, as well as my neighbors, don't have that option. This IS our home and our peacefulness and our children's safety is in your hands.....PLEASE deny this CUP.

Thank you,
Jacob Fon

From: Town of Waterford Wisconsin <waterford-wi@unicodeweb.com>

Sent: Thursday, June 1, 2023 11:13 AM

To: hstratton@townofwaterford.net

Subject: Form submission from: Contact Us

Submitted on Thursday, June 1, 2023 - 11:12am

Submitted by anonymous user: 98.144.121.124

Submitted values are:

First Name Rob

Last Name Mueller

Email mueller9834@hotmail.com

Question/Comment

How could residents go about getting a local business shut down? Are there any nuisance ordinances? Specifically, I'm referring to The Hilltop on Tichigan road. Each year they're applying for permits to expand their noise and drunken foolishness. The residents have had enough. I've had enough. The cops pulled a drunk over who took out my mailbox, our vehicles have been broken into, and every morning at the bus stop with my 6 year I have to pick up cigarette butts. I want this place closed for good. A bar run by the owners of a strip club have no business in a residential area with young children. Please tell me what are the residents legal ways to go about getting this bar shut down for good. It is ridiculous that we have to monitor and show up to town meetings over and over to protest this nuisance business. Thank you!

The results of this submission may be viewed at:

<https://www.tn.waterford.wi.gov/node/7/submission/1156>

Hilltop Pub Conditional Use Permit

From: Jason Bichler <jasonbichler5@gmail.com>

Sent: Wed, May 31, 2023 at 9:21 pm

To: tmayer@townofwaterford.net, tderse@wi.rr.com, dickinson.joel@icloud.com, tmrocz8@gmail.com, risasmith53185@gmail.com, wagsff1001@gmail.com, mwenck@morganmyers.com, dgauerke@townofwaterford.net, dschwartz@townofwaterford.net, tszeklinski@townofwaterford.net, rulander@townofwaterford.net

Town Leaders,

I'd like to introduce myself, I'm Jason Bichler, I live two houses down from the Hilltop with my wife Meghan, and 9 month old son, Archer. In Micki and Bush's old home! We moved into our house about two years ago after meeting Micki and learning about the great safe neighborhood with lots of new young families. Micki also shared some past stories about the Hilltop and how happy she was that the town was able to keep the noise down for the bar.

While we have enjoyed living on Tichigan Road with our dogs, having a baby has certainly made us more aware of the speeding cars and loud pedestrians walking down to the Hilltop pier in front of our house. Before we know it our 8 month old will be walking and wanting to cross the street. If the "CUP" is approved, cars will need to park up and down the street, we know it will not always be safe, especially where there is alcohol involved. The roadway is not large enough to support more bar traffic. The hill certainly does not help as we've already seen accidents since moving in. There is already too much noise pollution in the evening hours from motorcycles leaving the bar and revving their engines as they leave the parking lot. In the summer on weekends we have to close our windows and doors when our son goes to bed because of noise. Even with the music not being later in the evening people will still stay later at the bar than now and create more issues for our small growing family. I can only imagine we will hear the music in our home even with the windows closed, making bedtime for a little guy even tougher. We've seen so many great houses be built and redone, increasing home values. Garbage in the neighbors yards and loud music disrupting families won't help to continue to improve our community.

We completely understand that the Hilltop needs to do something to drive business, however loud music on the weekends isn't the answer. We love to support the local businesses in this great small town of Waterford, but ask that the businesses also support the wellbeing of the families that support them. Please help keep the Tichigan area a great small quiet neighborhood.

Tina and Heather

Not sure who this should have been sent to so I figured I would sent to both.

I would like to request that this letter be forwarded to each of the Planning Committee members and also each of the Town Board Members as my letter of protest against allowing the Hilltop to receive a Conditional Use Permit for their music request.

Tina:

I am requesting that this letter be forwarded on to each of the Planning Commission members and the Town Board Supervisors:

Planning Commissioners and Town Board Members:

I am writing this letter on behalf of my wife and I as well as others that live around the Hilltop Restaurant and Bar and the request by the Hilltop ownership to construct a permanent band stand structure. I live at 29308 Forest Isle Lane which is directly behind the hilltop and am absolutely opposed to the hilltop be given permission for this request.

Having been in the food and beverage and hotel business for over 45 years, I certainly can understand and appreciate the Hilltop ownership request to help improve their sources of revenue opportunities. This, however, represents an negative impact to the entire neighboring community of which my house is located. I am on the backside of the hilltop approximately 100 yards from where the bandstand would be constructed. I am already able to hear quite clearly when the Hilltop plays music outdoors and people are just sitting outside talking loudly. I am very confident I know exactly what the impact would be if there was a permanent structure built.

I would like to state that I would have absolutely no objection to the hilltop having four or five days per year for special events (with proper approvals) at which time they could permit music outside to be part of it through a portable set up (Not a permanent band stage). They would be able to communicate and coordinate with the community to let them know of their intent on these selected dates which would then allow for the community residence to be aware and be able to plan accordingly. The thought of the hilltop having” the weekends between Memorial Day and Labor Day (Basically all weekends of the summer) lacks greatly in specifics and accountability and would be very troubling as a resident of this community.

In addition to the concerns that the noise levels will generate, the additional patrons and parking challenges, and the many other challenges that become associated with large outdoor activities, I am greatly concerned at the potential impact this could have a property

values in a residential community and also the policing that will be needed to secure and protect our area.

The reason we love the Waterford area is because it affords a residential family environment and all that it offers and not because of a music venue that benefits one business at the expense of all the residents that surround it.

Thank you for the opportunity to share my thoughts and appreciate the towns strong consideration to deny this request.

**Greg Horeth
29308 Forest Isle Lane
Waterford**

I will not be able to be at the meeting as I will be at a Racine County Land and Water Conservation meeting so I wanted to get this in everyone's hand well in advance. I would be available to answer any questions by either email or a phone call to my number below.

Thank you and please let me know if there is anything further I would need to supply for this request

Greg

**Greg Horeth
gjhoreth@outlook.com
847-652-2759**