

**MINUTES**  
**TOWN OF PARIS PLAN COMMISSION**  
**January 17, 2005**

Attendance: John Holloway, Norma Buskirk, Ron Lourigan, Bob Emery, Mark Wisnefski, Bob Frederick and Ron Kammerzelt, with Ken Monson and Frank Christensen.

Meeting was called to order at 7:30 p.m.

1. The minutes of the November meeting were read by John. Mark Wisnefski motioned to approve the minutes as read with Bob Frederick seconding. Motion carried unanimously.
  
2. Tabled petition from JLB Holding, LLC (owners) and Attorney Michael Bannon (Counsel/Agent) requesting the rezoning of Tax Parcel # 45-4-221-251-041 from A-1 (Farmland Preservation) to B-3 (Highway Business District) and the issuance of a Conditional Use Permit to allow the operation of an automobile sales, service and repair business including a body shop. The parcel is located on the west frontage road at 3610 120<sup>th</sup> Avenue. Petitioner is presenting an updated plan of operation/developers agreement. Norma Buskirk motioned with Ron Lourigan seconding to remove the item from the table. Motion passed unanimously.

The property was inspected earlier today by a few of the Commission members, a Town Board supervisor and Building Inspector Frank Christensen. The buildings are virtually empty at this time, with no apparent business taking place. The residence is currently occupied by an employee of JLB as security. Said occupancy is legal under current zoning. The residential use will be terminated at the time of completion of upgrades and the granting of the occupancy permit for the new business.

Frank Christensen expressed concern about how the Town can enforce violations of conditions such as storage of parts removed from vehicles stored outside of the fenced area. He proposed a penalty of \$500.00 per day for every day of violation be added to the developers' agreement. JLB stated that all salvaged parts will be stored in containers. Frank also requested wording in the agreement that the owners of the property agree to not request sewer and water or annexation into the city of Kenosha. He also wanted to make sure that Larry and Jay Brosten were the only owners of the property and that they had the authority to sign all the documents. Attorney Bannon indicated his clients would agree to the penalty, but requested that there be notification for the first offense. If the situation was not corrected in the stated time frame or if there was a second offense the \$500.00 penalty would be appropriate. The consensus was that this would be agreeable. Mark Wisnefski suggested that the language of such a penalty agreement should be worked out by Town attorney Matt Quinn and Attorney Bannon.

Ron Lourigan requested a deed restriction that would require Town approval of any division of the property.

John Holloway stated it was his opinion that JLB had done everything that was requested of them in good faith and that the amount of money they had invested so far and were proposing to spend to improve the property was a very large incentive for them to comply with the requirements of the conditional use permit. It was his opinion that he could support the petition.

Mark Wisnefski made a motion to recommend that the Town Board approve the petition as presented with the following conditions:

- The proposed Plan of Operation and Developers' Agreement are made a part of this petition.
- Subject to the Town of Paris adopting and entering into the Developers' agreement at the discretion of the Town Board.
- There is to be only one business operating out of the property. (If a body shop is added, JLB would be its only client)
- Any violations, regardless of who caused them, are the responsibility of JLB and would jeopardize their conditional use permit.
- A deed restriction requiring prior approval by the Town of any land divisions.
- There will be no residential use of the property upon completion of the renovations of the property and issuance of the occupancy permit.
- Subject to the implementation of the storm water management plan as approved by Kenosha County and SEWRPC.
- Subject to a signed agreement indicating that the owners of the property will not request sewer and water nor annex into the city of Kenosha.
- Subject to review by Paris Fire Department.
- Subject to Town Attorney Quinn reaching an agreement with Attorney Bannon on penalties for offenses and such language being added to the Developer's agreement.
- No business to operate on the premises until the issuance of the occupancy permit following renovation.
- The conditional use permit shall be for a period of one year beginning from the date of the issuance of the occupancy permit. The business shall be reviewed by the Town and Kenosha County Planning staff at that time. Following the review, the Town Board may at its discretion, request a revocation hearing, waive further reviews or extend this probationary period.
- All owners of JLB Holdings LLC to be signatories of all documents.
- Subject to all additional conditions as proposed by the Town Board and Kenosha County.

Ron Kammerzelt seconded the motion. Motion carried unanimously.

3. John passed out the new Kenosha County Zoning Ordinance binders to members of the Commission for their use. The binders are the property of the Town and need to be returned at such time as a member no longer sits on the board.
4. John has been in contact with Vanderwalle and Associates to set up a presentation on land use planning. A meeting will be held in February for them to make a presentation on what services they can offer. John will let everyone know when the date is confirmed.
5. Norma Buskirk made a motion to adjourn, second by Ron Lourigan. Motion carried. Meeting adjourned at 8:40 p.m.

Next meeting will be February 21<sup>st</sup>.

Recorded by Norma Buskirk