



Village of River Hills
7650 N Pheasant Ln
River Hills, WI 53217

Village Hall: 352-8213
Public Works: 352-0080
Police: 247-2302

BOARD OF APPEALS MINUTES

Tuesday, November 11, 2021 @ 3:30 pm

- 1. Roll Call:** was answered at 3:30 p.m. by Chairman Steven Spector, Billie Smith, Chris Beidel and Alternate Kieran Donohue. Also present: Village Attorney Bill Dineen and Deputy Clerk Stephanie Waala. Mr Handle attended the meeting via phone.
- 2. Approval of minutes for May 19, 2021.**

Motion by Donohue and seconded by Beidel to approve as submitted; motion carried unanimously.

- 3. Hearing for consideration and possible decision regarding the status of screening required by the Board of Appeals that was a condition of the setback variance granted on November 11, 2020 to Dan Handle, 8755 N Dean Cir.**

Board chairman Spector informs the board the final decision on this project was approved a year ago to date.

Mr. handle informs the board that in June of 2021 he inquired with the village about a berm permit and installation of trees on top of the berm. Issues that came up during that process was grading and it was eventually stalled because of WE Energies and their installation of electrical lines. In August of 2021 he received the letter informing him of his noncompliance.

Village Attorney Dineen inquires as to what is preventing the planting of trees and bushes without the berm. Mr. Handle informed the board that it would then be too low and would not screen the project.

Board member Smith inquires as to whom put in the current trees. Mr. Handle informed the board that the trees were planted by a previous owner over 20 years ago.

Board member Beidel inquires if the current trees are fine without a berm what is to prevent new trees from not being able to grow. Mr. Handle informs the board he feels even if they plant now, it won't cover.

Board member Smith inquires about whether there were tree specifications when approved by the board. Mr. Spector informs the board that no, the motion was for direction of trees and not size.

Board member Beidel inquires as to what the grade of the area is. Mr. Handle informs the board that in approximately the 32 feet the trees would take up that it would drop about 5 feet.

Attorney Dineen inquires to if this same issue is happening with the array. Mr. Handle informs the board that yes the ground tapers down towards the west.

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Board member Beidel inquires as to the height of the array on the western side. Mr. Handle informs the board the height of the array is 8 feet.

Board member Beidel informs the board that the array is noticeable going both east and west bound on Brown Deer Rd. He also presents to the board photos showing the array juts out past the current trees. Board members Smith suggests doing an L shapes with the trees. Mr Handle informs the board that with the trees then going south he would then have to reroute an entry gate and because they would block a pathway.

Board member Donohue inquires to Mr. Handle what is his plan. Mr. Handle reiterates to the board the installation of a berm, WE Energies denial of said berm, as well as the contractor no longer wanting to do the work.

Village Attorney Dineen inquires if there is anything hindering just the planting of the trees, if multiple people been contracted to do the job, can Mr. Handle give a signed contract to show proof.

Board member Smith inquires is Mr. Handle can provide contracts within 2 weeks of purchase of trees with a timeline.

Board chairman Spector inquires if Mr. Handle can say these trees need to be in by June 1st. Mr. Handle guarantees it can be done by then.

Motion by Donohue and seconded by Spector to have Mr. Handle provide a signed contract from a company to plant 5 Colorado blue spruce trees, 1 to the east and 4 to the west of the current trees, 8-10 feet tall, 8 feet apart, no later than 30 days from the date of this meeting that provides for installation of the trees as specified, no later than June 1, 2022; motion carried unanimously.

Board chairman Spector informs Mr. Handle that if the contract is not provided to the board within 30 days then the board will reconvene to reconsider the variance.

4. Adjourn

Motion by Beidel and seconded by Donohue to adjourn at 4:11 pm; motion carried unanimously.