Village of Salem Lakes Board of Appeals
Minutes
May 22, 2019

The Village of Salem Lakes Board of Appeals held their Regular Monthly Meeting on Wednesday May 22, 2019 at 6:00 pm, at the Salem Lakes Village Hall Building, 9814 Antioch Road, Salem, WI 53168. Chairman Bruce Nopenz, Board Members Judie Schwartz, Vickie Galich, Mike Gentile and John McEntegart were present. A full board was seated. Also present: Brad Zautcke, Land Use Coordinator, Michael Blue, Teska Associates, Ben Fiebelkorn, Senior Land Use Planner Kenosha County, Village Attorney, Richard Scholze, Fire Chief Solver and Board of Appeals secretary, Eileen Anderson. Hearing was called to order at 6:00 pm. Open meeting compliance was met.

1. *BJs of Salem*, 9251 Antioch Rd., Salem, WI 53168 (Owner), Dustin Hein, Freedom Fireworks LLC, S90 W35660 County Rd. NN, Eagle, WI 53119 (Agent), requesting approval of a temporary use (Section III.S.12.18.7-4: which states that it shall be unlawful to proceed with the operation, construction, installation, enlargement or alteration of a temporary use, as defined in this ordinance, without first obtaining approval from the Salem Lakes Board of Appeals) to temporarily locate a 30’ x 60’ sales tent and two 8’ x 200’ steel storage containers to operate a temporary fireworks sales stand in the B-3 Highway Business Dist. on Tax Parcel #70-4-120-143-0600, Village of Salem Lakes.


Dustin Hein was present. Public hearing opened 6:02 pm. Chairman Nopenz handed a copy of Chief Slover’s email dated May 22, 2019 2:13 pm to applicant. There was no one present to speak in favor of the request. There was no one present to speak against the request. Public hearing closed 6:05. Discussion took place. Applicant stated he read and understood Chief Slover’s email. Concerns were addressed of parking, fencing, smoking, and patrons under the influence of alcohol. Board members made reference to Chief Slover’s concerns in the email (attached to minutes). John McEntegart moved to approve, second by Judie Schwartz. Motion failed 0-5 vote. Galich, McEntegart, Schwartz, Gentile, and Nopenz voted unanimously Nay.

2. *Smith Family Land Trust*, 22230 75th St., Salem, WI 53168 (Owner), Deanna Delimat, Black Bull Fireworks, 34231 High Drive, East Troy, WI 53120 (Agent), requesting approval of a temporary use (Section III.S.12.18.7-4: which states that all temporary uses require the Board of Appeals to hear and grant an application in any district) to temporarily use an existing field for the placement of a 30’ x 60’ sales tent and a 8’ x 40’ steel storage container to operate a temporary
fireworks sales stand in the A-1 Agricultural Preservation Dist. on Tax Parcel #70-4-120-014-0200, Village of Salem Lakes.

Deanna Delimat was present. Public hearing opened 6:16 pm. There was no one present to speak in favor of the request. There was no on present to speak against the request. Public hearing closed 6:19 pm. Discussion took place. Chief Slover did not have any objections, all rules and regulations were followed in 2018. Vickie Galich moved to approve subject to the Kenosha County memo dated May 1, 2019 and set up to be no earlier than June 17, 2019 to be removed no later than July 10, 2019, second by John McEntegart. Motion carried unanimously 5-0.

3. Triple H Enterprises No. 5 LLC, 75 McMillan Rd., Antioch, IL 60002 (Owner), Deanna Delimat, Black Bull Fireworks, 34231 High Drive, East Troy, WI 53120 (Agent), requesting approval of a temporary use (Section III.S.12.18.7-4: which states that It shall be unlawful to proceed with the operation, construction, installation, enlargement or alteration of a temporary use, as defined in this ordinance, without first obtaining approval from the Salem Lakes Board of Appeals) to temporarily use an existing field for the placement of a 30' x 60' sales tent and a 8' x 40' steel storage container to operate a temporary fireworks sales stand in the A-2 General Agricultural Dist. and B-3 Highway Business Dist. on Tax Parcel #70-4-120-351-0281, Village of Salem Lakes.

Deanna Delimat was present. Public hearing opened 6:24 pm. There was no one present to speak in favor of the request. There was no on present to speak against the request. Public hearing closed 6:27 pm. Discussion took place. Chief Slover did not have any issues with the application, all rules and regulations were followed in 2018. Vickie Galich moved to approve subject to the Kenosha County memo dated May 1, 2019 and set up to be no earlier than June 17, 2019 to be removed no later than July 10, 2019, second by Mike Gentile. Motion carried unanimously 5-0.

4. PATRIOTIC INVESTMENTS LLC, 5360 S EDINBOURGH DR, New Berlin, WI 53146 (Owner), Dolan Pomrening, American Fireworks & Novelties LLC, 1330 Edwards St., Brookfield, WI 53005 (Agent), requesting approval of a temporary use (Section VII.B.12.36-5(a)(5): which states that all temporary uses require the Board of Appeals to hear and grant an application in any district) to temporarily use an existing parking lot for the placement of a 30' x 60' sales tent and a 8' x 40' steel storage container to operate a temporary fireworks sales stand in the B-3 Highway Business Dist. on Tax Parcel #70-4-120-063-0200, Village of Salem Lakes.
Dolan Pomrening was present. Public hearing opened 6:29 pm. There was no one present to speak in favor of the request. There was no one present to speak against the request. Public hearing closed 6:32 pm. Discussion took place. Chief Slover did not have any issues with the application, all rules and regulations were followed in 2018. Vickie Galich moved to approve subject to the Kenosha County memo dated May 5, 2019 and set up to be no earlier than June 11, 2019 to be removed no later than July 14, 2019, second by John McEntegart. Motion carried unanimously 5-0.

5. Approve minutes from March 27, 2019
   Vickie Galich moved to approve, second by Judie Schwartz. Motion carried 4-0. Mike Gentile abstained (absent 3/27/19)

6. Adjournment.
   Vickie Galich moved to adjourn, second by Judie Schwartz. Motion carried 5-0, meeting adjourned 6:36 pm.

Respectfully submitted by

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Eileen Anderson

Board of Appeals for the Village of Salem Lakes