

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
Tuesday, January 7, 2014**

Members present: T. Oberhaus, P. Kanter, C. Dundon, M. Tagtow, B. Cooley, G. Reich,  
E. Kranick

Also present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, T. Fockler, *Independent Inspections*,  
4 citizens

**First order of business:** Call to Order and Pledge of Allegiance  
*Chairman Oberhaus called the meeting to order at 7:03 p.m. and led all in the Pledge of Allegiance.*

**Second order of business:** Approval of the minutes of December 3, 2013.  
**MOTION MADE BY MR. REICH, SECONDED BY MR. COOLEY TO APPROVE WITH ONE CORRECTION.  
MOTION CARRIED.**

**Third order of business:** Communications (for discussion and possible action):  
A. *None*

**Fourth Order of Business:** Unfinished Business  
A. Jodi & Steve Janke, N43 W29216 Prairie Wind Circle North, by agent Susan Schmidt, James Craig  
Builders, Re: Request for reconsideration of the conditions included in the motion for a height increase  
(base and overall) on a home proposed for Lot 11, The Enclave, on Summerhill Road (tabled 12/3/13)

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. COOLEY TO REMOVE FROM THE TABLE.  
MOTION CARRIED.**

*Engineer Barbeau stated that this matter was tabled at the meeting in November based on the fire chief's  
comment that access to the windows in the upper level was not doable with the fire department's 35 foot long  
ground ladders.*

*Chief Kozlowski was in attendance and stated that he feels his comments were misunderstood and that the  
access is doable with their 35' long ground ladders. Mr. Fockler, Independent Inspections, stated that under  
the current uniform dwelling code the access is compliant.*

**MOTION MADE BY MR. KANTER, SECONDED BY MR. COOLEY TO REMOVE THE CONDITION THAT  
REQUIRED EXTENSION OF THE DECK BASED ON THE COMMENTS OF THE FIRE CHIEF AND  
BUILDING INSPECTOR. MOTION CARRIED.**

**MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO TAKE ITEM 4B OUT OF ORDER  
AND PLACE IT AT THE END OF THE AGENDA. MOTION CARRIED.**

**Fifth Order of Business:** New Business  
A. Stephen J. and Sharon L. Cooper, W282 N3388 Taylors Woods Road, by Lisa Krusick, Rob Miller Homes,  
agent, Re: Consideration and possible action on a request for approval of a Certified Survey Map on lands  
located at W282 N3388 Taylors Woods Road to combine portions of Lots 14 and 15 of Pewaukee Lake  
Park, A Part of Government Lot 1

*Engineer Barbeau stated that the subject property is made up of portions of Lots 14 and 15 of "Pewaukee Lake  
Park, a part of Government Lot 1" subdivision that was created in 1902. Waukesha County required the  
Coopers to clean up the boundary of the property by removing the common property line between Lots 14 and  
15 through the creation of a one lot Certified Survey Map, as they are planning to do some work on their home.  
No new lots are being created, nor is their current lot area changing. Discussion followed on whether the town*

should formalize an easement where the existing road is located. Engineer Barbeau told the Plan Commission that a right-of-way was created on Taylors Wood Road through Resolution 249 adopted June 12, 1990.

**MOTION MADE BY MR. KANTER, SECONDED BY MR. REICH TO TABLE THIS MATTER FOR TWO WEEKS TO ALLOW ENGINEER BARBEAU TO RESOLVE THE ISSUE OF AN EASEMENT. MOTION CARRIED.**

B. Martin and Mary Crain, W283 N3320 Lakeside Road, by Jeffrey Nelson, agent, Re: Consideration and possible action on a request for approval of a Certified Survey Map on lands located at W283 N3320 Lakeside Road to combine Lot 4 and the east ½ of Lot 5 of the Map of East Lakeside

*Engineer Barbeau summarized the proposal to create a one lot Certified Survey Map. It would clean up the boundary of the subject property by removing the common property line between Lot 4 and the East ½ of Lot 5 of the map of East Lakeside subdivision that cuts through the existing house. He is recommending approval of the CSM subject to the surveyor addressing technical corrections prior to Town Board approval.*

**MOTION MADE BY MR. TAGTOW, SECONDED BY MS. DUNDON TO RECOMMEND APPROVAL TO THE TOWN BOARD SUBJECT TO THE TOWN ENGINEERS RECOMMENDATIONS. MOTION CARRIED.**

C. Town of Delafield, Re: Consideration and possible action on a referral from the Town Board to create Section 17.05 5. AQ. and to repeal 17.06 4. H. 3. a. related to solar energy systems to remove the reference to solar energy systems as a special use and make it a conditional use

*Engineer Barbeau stated that due to changes in State law, certain restrictions cannot be placed on solar energy systems. He recommended and Attorney Larson concurred that the current special use permit code language be removed and solar energy systems be approved as a Conditional Use. This is a zoning code change, so it requires a public hearing.*

**MOTION MADE BY MR. REICH, SECONDED BY MR. KRANICK TO RECOMMEND APPROVAL OF THE ORDINANCE TO THE TOWN BOARD WHO CAN SCHEDULE A PUBLIC HEARING. MOTION FAILED.**

**MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO REQUEST THAT THE PLAN COMMISSION JOIN IN THE TOWN BOARD'S PUBLIC HEARING PRIOR TO MAKE A RECOMMENDATION TO THE TOWN BOARD. MOTION CARRIED.**

D. Town of Delafield Plan Commission, Re: Consideration and possible action to address the conditional rezoning approval granted in 2007, but never executed due to unsatisfied conditions, on the Richard Roschi property known as Tax Key Nos. DELT 0817-998 and 0816-984

*Engineer Barbeau stated that in 2007, a rezoning ordinance was recommended by the Plan Commission and approved by the Town Board upon satisfaction of seven conditions. As the Roschi's did not proceed with the development, Engineer Barbeau contacted Attorney Larson regarding the procedure to follow to execute the approved document that was never executed by the Town. He stated that Attorney Larson is recommending that the Town adopt a new zoning amendment ordinance and follow all of the notice and review procedures.*

**MOTION MADE BY MR. KANTER, SECONDED BY MR. REICH TO DIRECT STAFF TO CONTACT THE ROSCHI'S TO FIND OUT WHERE THEY STAND ON THIS MATTER AND TAKE WHATEVER ACTION NECESSARY. MOTION CARRIED.**

**Sixth Order of Business:** Discussion:

A. Thomas Kranick, by Matt Neumann, Neumann Companies, Re: Discussion with Plan Commission regarding development of the Kranick property into single family homes

*Matt Neumann stated the proposal to create 100 single family home sites on the Kranick property. Sanitary sewer is available. Access to North Shore Drive would line up with Imperial Drive to the north and there will be a secondary access to Franciscan Drive. The intent is to do this in three phases.*

*The Plan Commission suggested the following; Mr. Neumann contact Jim Siepmann to discuss development of the 8 lots available in the Mozart Rd.; make access available out to Maple Ave.; create an access to CHT KE across from Old Schoolhouse Road; include the Kranick's 13 acre parcel of land east of the farm land and preserve it as greenspace.*

**Fourth Order of Business:** Town of Delafield, Re: Consideration, review and recommendation to the Town Board on vacation rentals of homes on Pewaukee Lake and in the Town (tabled 12/3/13).

**MOTION MADE BY MR. COOLEY, SECONDED BY MS. DUNDON TO REMOVE FROM THE TABLE. MOTION CARRIED.**

*Chief Kozlowski stated that he contacted the State and they informed him that the residences would be required to install fire extinguishers and maintain a tourist room house annual permit.*

*The Plan Commission provided the following recommended changes to the Ordinance: Remove the word "total" from letter e and revise the letter q. to read, "The parcel cannot have more people on site than the higher of 20 people or the maximum number of people allowed under Wisconsin Administrative Code Section DHS 195.14(2)(b)."*

**MOTION MADE BY MR. REICH, SECONDED BY MS. DUNDON TO APPROVE UPON MODIFICATION BEING MADE BY THE TOWN ATTORNEY AND THE PLAN COMMISSION FORWARD THIS MATTER TO THE TOWN BOARD TO SCHEDULE A PUBLIC HEARING AND INVITE THE PLAN COMMISSION TO ATTEND. MR. COOLEY-AYE, MS. DUNDON-AYE, CHAIRMAN OBERHAUS-AYE, MR. KANTER-AYE, MR. KRANICK-AYE, MR. TAGTOW-NAY, MR. REICH-AYE. MOTION CARRIED 6-1**

**Seventh Order of Business:** Announcements and Planning Items:

Next meeting - Tuesday, January 21, 2014 Workshop (environmental corridors, green roofs, definition changes)

**Eighth Order of Business:** Adjournment

**MOTION MADE BY MR. TAGTOW, SECONDED BY MR. REICH, TO ADJOURN AT 10:10 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner, CMC, WCMC  
Town Clerk/Treasurer

Minutes approved on March 4, 2014