

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, March 4, 2014**

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

Members absent: B. Cooley

Also present: T. Barbeau, *Town Engineer*, 61 citizens

Public Hearings: Prior to the start of the scheduled Plan Commission meeting there will be two public hearings in front of the Town Board and Plan Commission to solicit public input on a request by Scuppernong Associates, LLC, Curtis Podd, agent, for a Conditional Use permit to development nine two-family condominium units located in the development known as Scuppernong Springs, on the east side of STH 83, south of N6 W31449 Alberta Drive. The second hearing is at the request of Thomas and Polly Kranick, by Cory O'Donnell, agent, to consider the rezoning of lands known as Tax Key Nos. DELT 0763-983 and DELT 0764-997 from A-2 Rural Home District to R-1 Single Family Residential; and to consider the development of said lands as a Planned Unit Development Conditional Use. The Plan Commission meeting will begin immediately following the conclusion of the public hearings. Chairman Oberhaus called the public hearing to order at 7:10 p.m. The clerk read the public hearing notice.

Curtis Podd stated that he purchased the remaining nine pads last September and is here to present two different building plans and a grading plan. He confirmed that there will not be any vinyl siding on the units but will use a product called smart siding. The site will be served by an on-site septic system for the units. There are several outstanding stormwater management conditions that need to be addressed. There will be conventional septic fields adjacent to each other, but they are private systems.

David DeYoung, representing Cornerstone Church, stated that he is not here to raise any objections but is concerned as to whether or not any grading changes will affect the way the property drains. Will they have to create stormwater retention? He confirmed that the only egress point is off STH 83. There is no requirement at this time to shield lighting to the south entrance area. Will this project require a change to their Conditional Use permit?

The public hearing closed at 7:45 p.m.

Matt Neumann, developer, displayed the concept plan and summarized the proposal for the development of a single family subdivision containing 95 lots on approximately 151.5 acres of land which will meet the requirements of the R-1 and C-1 zoning in combination with a Planned Unit Development Conditional Use permit. The subdivision will have sanitary sewer and individuals wells. Due to the weather, soil borings have not been done yet. The minimum lot size is ¾ acres. A phase will be done every 2 years (15 home sales sites a year). He stated that there is a minimum requirement of 2000 sq. ft. for a ranch and 2500 sq. ft. for a two-story. He is proposing lamp posts in each front yard.

Kevin Fitzgerald, 510 N. Ponderosa Dr., stated that he owns lot 1 - Mozart Rd. He is not opposed to the development, the zoning change or the PUD overlay, but he has trouble with the overall density. He took a look at some of the neighboring subdivisions and the smart growth plan indicates that the density for this area is 1.5 to 2.9 acres per dwelling unit. If you use the 2.9 acres per unit, you could only get 50 lots on this plat of land. If you use the mid-point at 2.2 acres per dwelling unit, you could get 68 lots on this land. He is also concerned that there is almost 38 acres of conservancy. There is no mathematical way to get 95 lots on this plat of land. He took a look at the four neighboring subdivisions, Enclave, Summerhill, Lost Creek and the Conservancy. In the Enclave there are 13 acres of open space and 12 lots, in Summerhill there are 31 acres of open space and 31 lots, in Lost Creek there are 24 acres of open space and 25 lots and in the Conservancy there are 31 acres of open space and 31 lots. You can see an exact one to one correlation between open space and the number of lots. He stated that based on the density of the neighboring subdivisions and smart growth plan, 62-68 lots would be appropriate. He is of the opinion that they did not make good use of the outlots.

Al Haubner, N28 W29721 Oakwood Grove Rd., stated that he is concerned about drainage. He has seen some horrendous muddy water going into the lake where the drainage ditch flows into the lake.

Jeffrey Postles, N31 W29229 Summerhill Rd., questioned if anything would happen to current little pond, as the people in the Enclave pay for upkeep.

Pat Dempsey, W296 N2979 Franciscan Rd., thanked the Town Board and Plan Commission for preserving the rural character of the Town. He stated that there has been a fair amount of growth in Hartland along with this 95 acre lot growth and the new fire station. This happens to be the last large subdivision left. He met with people on Franciscan Road and 3 residential developers. The overall density of this project is significantly higher than others. A minimum setback from the road on Franciscan would be acceptable. He is concerned about the paths on the south side of the property and the retention pond.

Pete Feichtmeier, W296 N2977 Franciscan Rd., stated that he is concerned about the maximum density, the landscape buffers along the roadway, construction of the walking paths, drainage, research on architectural controls would be beneficial, lighting is valuable and research on the aquifer is very important,

Richard Reindl, N35 W29710 North Shore, stated that he is concerned about the density, the traffic on KE is very busy, is concerned about the aquifer, the density is considerably less in other areas.

David Nichols, W299 N3378 Maple Ave., stated that he moved here because it is a rural area. He is aware that he cannot hold back growth and progress. He thanked the Town Board and Plan Commission for preserving the rural character. The density is too high, he is concerned about the aquifer, stormwater mitigation is a real concern to him, is there going to be street lighting, he questioned who will maintain the ponds, is concerned about the additional traffic (has a traffic study been conducted).

Mark Hughes, W297N3066 Oakwood Grove Rd., he is concerned about the density and the aquifer. He suggested that research be done on the retention pond.

Tony Kodzik, W296 N3004 Franciscan Rd., stated that Franciscan Rd. takes the brunt of the other lots. He would like to see berming or some other way to screen the lots

Henning Henningsen, N30W29101 Hillcrest Dr., thanked the Board for their diligence. He is concerned about the density, aquifer and lighting.

Susan Potter, N31 W29955 Franciscan Rd., is very concerned about flooding during and after construction. She suggested that benchmarking be done.

The public hearing closed at 8:55 p.m.

First order of business: Call to Order and Pledge of Allegiance
Chairman Oberhaus called the meeting to order at 9:03 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of January 7 and January 21, 2014.
MOTION MADE BY MR. TAGTOW, SECONDED BY MS. DUNDON TO APPROVE. MOTION CARRIED.

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

Fourth Order of Business: Unfinished Business
A. None

Fifth Order of Business: New Business

- A. JML Holdings, LLC, owner, by Dr. Emily Wolkomir, Tri-Motion Rehab, LLC, Re: Consideration and possible action on a request for approval of a Plan of Operation to operate a physical therapy and wellness facility at W307 N1499 Golf Road.

MOTION MADE MR. KRANICK, SECONDED BY MR. KANTER TO APPROVE A PLAN OF OPERATION TO OPERATE A PHYSICAL THERAPY WELLNESS FACILITY AT W307 N1499 GOLF ROAD. MOTION CARRIED.

- B. James Roberts, JR Motorsports, WI LLC, Re: Consideration and possible action on a request for approval of a Plan of Operation to operate a used power sports sales and service shop, to include dirt bikes, jet skis, four-wheelers, snowmobiles and boats on lands located at N47 W28229 Lynndale Road.

Engineer Barbeau stated that the applicant is anticipating to display some motor vehicles outside and unscreened display of vehicles is not allowed in the M-1 district. If his intent is to display the vehicles outside, he would need to apply for a conditional use permit.

James Roberts stated his request to include UTV's and off road vehicles (nothing that has to be tagged, no DOT involved) to #5 of the Plan of Operation. The Plan Commission suggested the following revisions: cross off the 1st line under exterior uses (#7); to meet with Engineer Barbeau regarding signs; stated that signs will have to come back to the Plan Commission, Item #24 should read, "applicant shall meet all State guidelines" and he shall provide the Town Engineer with an inventory of what's being used.

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. KRANICK TO APPROVE THE PLAN OF OPERATION SUBJECT TO THE TOWN ENGINEER BEING FURNISHED WITH THE LIST OF CHEMICALS AND SOLVENTS THAT ARE BEING UTILIZED AND HOW THEY ARE BEING DISPOSED OF AND THE CHANGES TO #5, 7, AND #24. MOTION CARRIED.

- C. Scuppernong Associates, LLC, Curtis Podd agent, Re: Consideration and possible action on a request for a Conditional Use permit to construct nine two-family condominium units in the development known as Scuppernong Springs and consideration and approval of the site, site grading, landscaping and architectural plans.

Mr. Kanter stated that he would prefer to see the garage doors on the corners rather than placed together if they face the same direction. There is a condition in the Conditional Use permit that addresses how the building will be phased in. This is a very important process. Mr. Tagtow requested more information on the siding material being used. Mr. Reich requested more information on the septic system and stormwater retention pond.

MOTION MADE BY MR. KANTER, SECONDED BY MR. REICH TO TABLE. MOTION CARRIED.

- D. Thomas and Polly Kranick, owner, by Cory O'Donnell, Neumann Properties, Inc., agent, Re: Consideration and possible on a request to rezone lands from A-2 Rural Home District to R-1 Single Family Home district on parcels known as Tax Key Nos. DELT 0763-983 and DELT 0764-997; also, to consider the request to develop lands noted above as a Planned Unit Development Conditional Use.

Mr. Kranick stated that he is recusing himself.

Mr. Kanter told the developer that there has to be compromise and the density has to come down. Ms. Dundon stated her concerns re: the aquifer. Mr. Reich echoed the concern of the density issue and requested that the developer come back with an aquifer study.

MOTION MADE BY MR. REICH, SECONDED BY MR. KANTER TO TABLE. MOTION CARRIED.

Seventh Order of Business: Announcements and Planning Items:
Next meeting – Tuesday, April 15, 2014

Eighth Order of Business: Adjournment
MOTION MADE BY MR. REICH, SECONDED BY MR. TAGTOW, TO ADJOURN AT 10:15 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: April 15, 2014