

TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, March 5, 2019

Members present: K. Fitzgerald, L. Krause, C. Dundon, E. Kranick, B. Cooley, N. Dickenson

Members Absent: T. Frank

Also present: T. Barbeau, *Town Engineer, 2 citizens*

First order of business: Call to Order and Pledge of Allegiance

Chairman Fitzgerald called the meeting to order at 7:00 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of February 5, 2019

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE AS PREPARED.

MOTION CARRIED.

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

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUNDON TO TAKE ITEM 5A OUT OF ORDER.

MOTION CARRIED.

Fifth Order of Business: New Business:

A. Joe and Katie Grasc, W284 N3234 Lakeside Road, Re: Consideration and possible action on a request to approve a certified survey map to combine two parcels into one parcel at W284 N3234 Lakeside Road, and a request for a waiver from the plan Commission to allow a driveway slope to be greater than 12% per Section 17.09 2. Q. 1. c. of the Town Zoning Code

Engineer Barbeau stated that Mr. Grasc owns 2 parcels of record along Lakeside Rd. He is proposing to take down an existing garage on one of the lots and replace it with a 2-story detached garage that will be shifted to the south (further away from the roadway), add a deck to the south of the existing home and construct a driveway to the east of the new garage. The driveway will provide access to the north side entrance (upper) of the proposed new garage and extend to the south side in order to allow access to the lower level of the garage. The existing boathouse will be replaced. Waukesha County is requesting that the lots be combined and to eliminate the center line that deals with setback and offsets. The surveyor still needs to correct the signature pages on the current CSM and address a few minor comments provided by Engineer Barbeau. Waukesha County has approved all technical corrections.

Discussion followed on the proposed 18% slope, as it exceeds the 12% allowed by Town Code. Mr. Grasc stated his intent to add a heated driveway and install some type of landscape steps to the lower level in the future. Engineer Barbeau suggested that swales be required on both sides of the property to control water flow.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. KRAUSE TO RECOMMEND, TO THE TOWN BOARD, APPROVAL OF THE CERTIFIED SURVEY MAP DATED 2/25/19, CONTINGENT UPON TECHNICAL CORRECTIONS BY TOWN STAFF AND ACCEPTANCE OF THE TECHNICAL CORRECTIONS BY WAUKESHA COUNTY. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO GRANT THE DRIVEWAY VARIANCE IN EXCESS OF 12%, AS PETITIONED BY THE PROPERTY OWNER, DUE TO THE PROPERTY NATURAL TOPOGRAPHY CONDITIONED UPON SWALES BEING INSTALLED ON BOTH SIDES OF THE PROPERTY. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. KRAUSE TO TAKE ITEM 8C OUT OF ORDER. MOTION CARRIED.

- C. Dana W. Loney N21 W28675 Louis Avenue, Re: Consideration and possible action on a request to approve a certified survey map to combine four (4) parcels into one parcel at N21 W28675 Louis Avenue

Engineer Barbeau stated that this is a unique property located in the area of Louis and Elizabeth. It is 3 lots of record and part of a subdivision, with the 4th parcel being located to the southwest. Mr. Loney owns all 4 lots. There is an existing home located on the far northern lot. The proposal includes a tear down of the existing home and construction of a new home on the lot. The existing house is nonconforming to all setbacks and offsets. The petitioner will work with Waukesha County to obtain required variances. This is a favorable request, as the Town likes to combine small lots to become more orderly. All technical changes have been made and reflected on the 2/22/19 CSM document.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRANICK TO RECOMMEND TO THE TOWN BOARD, APPROVAL OF THE CERTIFIED SURVEY MAP SUBJECT TO INCORPORATING ANY COMMENTS FROM WAUKESHA COUNTY. MOTION CARRIED.

Fourth Order of Business: Unfinished Business:

- A. Town of Delafield, Re: Consideration and possible action on revisions to the proposed amendments to the Town Zoning Code (Chapter 17) and Land Division and Development (Chapter 18) remanded to the Plan Commission for review and recommendation (tabled 12/4/18)

Engineer Barbeau directed attention to page 33 (items k. and l.) of the provided materials and stated that the only change made at the December meeting was the proposed addition of security fencing and landscaping regulations for self-storage facilities conditional uses.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. KRAUSE TO RECOMMEND TO THE TOWN BOARD, APPROVAL OF THE 2/19 VERSION OF THE ORDINANCE TO AMEND AND REPEAL AND RE-CREATE SECTIONS OF CHAPTER 17, AND REPEAL AND RE-CREATE ALL OF SECTION 17.05 OF THE TOWN OF DELAFIELD MUNICIPAL CODE RELATED TO CONDITIONAL USES. MOTION CARRIED.

Fifth Order of Business: New Business:

- B. Jay and Jane Brody N30 W29298 Orchard Ave./Richard Sessner N30 W29340 Orchard Ave., Re: Consideration and possible action on a request for approval of a Certified Survey Map to combine Lots 34-37 and Lot 38-40, Plat of Pewaukee Highlands into two lots

Engineer Barbeau stated that there is 1 technical item outstanding related to the technical layout of the survey. Lot 1 on the east side shows that the length of lot line is 143.27', but is indicated on the proposed CSM, "RA" (recorded as) 151'. This is creating a lot line that is short by 6.73' and needs to be explained by the surveyor. He directed attention to pipes indicated on the CSM and stated that they need to be justified as to why or why not a particular pipe was used. The surveyor has not gotten back to Engineer Barbeau regarding this matter.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO TABLE. MOTION CARRIED.

- D. Neumann Companies, Inc. Consideration and possible action on the approval of amendments to the Developer's Agreement for Woodridge Estates and Woodridge Estates II to extend the guarantee period for the road guarantee

Mr. Kranick recused himself and left the meeting room.

Engineer Barbeau stated that in 2016 when the issues of roads and ditches were addressed, the Town did not want to accept them as they were not in good shape and up to Town standards. When the reduction in Letter of Credit issue was addressed by the Town Board, the developer agreed to guarantee the roads for 2 years after final acceptance of the improvements. All work on the roads did not get done until last summer. The developer's agreement was amended by motion in 2016, but the execution of the document was not completed

at that time. In order to memorialize what has already been done, a recommendation to the Town Board regarding the amendments is needed to execute the documents.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO RECOMMEND TO THE TOWN BOARD APPROVAL OF THE AMENDMENTS, WITH THE UNDERSTANDING THAT THEY REFLECT CIRCUMSTANCES EXISTING ON MAY 24, 2016, FOR BOTH THE FIRST AMENDMENT AND SECOND AMENDMENT, AND SUCH DATE IS THE EFFECTIVE DATE OF THESE AMENDMENTS AND THEY DO NOT REFLECT CURRENT CIRCUMSTANCES. MOTION CARRIED.

E. Lake Pewaukee Sanitary District, Re: Consideration and possible action on the sale or exchange of parcels on Lot 3 and 4 of Yorkshire Highlands Subdivision, as required by Chapter 18.11 of the Code

Engineer Barbeau stated that Waukesha County requested the Town's input on the subject matter prior to finalizing the transaction. He directed attention to Section 18.11 of the Town Code re: prior review of sales or exchanges of parcels between adjoining landowners. He is of the opinion that this is in the best interest of the town, as we do not want to end up with a nonconforming lot. If the Plan Commission is in agreement with the subject request, he will notify the county.

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO APPROVE THE SALE OR EXCHANGE OF PARCELS ON LOTS 3 AND 4 OF YORKSHIRE HIGHLANDS SUBDIVISION AS REQUIRED BY CHAPTER 18.11 OF THE CODE. MOTION CARRIED.

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items:
Next meeting – Wednesday, April 3, 2019 (due to election on 4/2/19)

Eighth Order of Business: Adjournment

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRANICK TO ADJOURN AT 8:18 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: April 3, 2019