

PLAN COMMISSION MEETING
Tuesday, March 6, 2018

Prior to the start of the scheduled Plan Commission meeting a public hearing was held in front of the Plan Commission and a staff representative of Waukesha County Department of Parks and Land Use - Planning and Zoning Division to solicit public input on a request by John Siepmann, agent for owner, Bryant Ferguson, to conduct land altering activities associated with a new single-family residence to be located at W303 N2595 Maple Avenue (currently a vacant lot).

County Representative, Rebekah Leto, read the public hearing notice. All Plan Commission members and the Town Engineer were in attendance, along with 17 citizens. Agent John Siepmann presented the proposed land altering activities. Town Engineer, Tim Barbeau asked about storm water runoff prevention and what the plan includes for storm water runoff and if the property would be deed restricted to ensure the storm water management elements of the plan would always remain on the property. Mr. Siepmann outlined the elements which will include filter strips of prairie grasses to slow down runoff for absorption, temporary diversion berms made up of soil moved from the site during construction as well as installation of catch basins of adequate size, the use of permeable grass drives using "Grasspave". Rebekah Leto, County Rep. request to have the prairie grass strips extended further due to the size of the yard area and to lessen the manicured lawn area.

COMMENTS FROM PUBLIC AND COMMISSION

Plan Commission Members questions: Kevin Fitzgerald acknowledged the current issue with water flowing over the road due to the inadequate size of the catch basin next to the road and asked if this design will improve this issue. Mr. Siepmann stated that the catch basin will be improved so that the water will no longer go over the road.

Garrett Reich inquired about the ownership of the environmental corridor around the proposed building envelope. Mr. Siepmann stated that it is the same property owner as who is proposing the house and that the total property is 10 acres but the house is limited to the area where the quarry was once located.

Rebekah Leto, County Rep. added that she was contacted by a neighbor to the property who requested that the drainage from the property be addressed during the review of the proposed plan.

No further questions or comments were made and the public hearing was closed at 7:28 pm. The regularly scheduled Plan Commission meeting began immediately following the conclusion of the public hearing.

1.) Call to Order and Pledge of Allegiance

Chairperson Oberhaus called the meeting to order at 7:29 p.m. Members present: Tom Oberhaus, Garrett Reich, Larry Krause, Clare Dundon, Kevin Fitzgerald, Ed Kranick and Paul Kanter. Engineer Barbeau, Kelly Smith (reporter) and 15 members of the public were also in attendance.

2.) Approval of the minutes

Motion made by Mr. Krause to approve the minutes of the February 6, 2018 meeting, seconded by Mrs. Dundon. Motion Carried.

3.) Communications- None

4.) Unfinished Business- None

5.) New Business:

A. Bryant Ferguson, owner, by John Siepmann, agent, Re: Consideration and possible action on a recommendation to Waukesha County to allow land altering activities associated with the construction of a new single-family residence on vacant lands located at W303 N2595 Maple Avenue.

Motion made by Mr. Kranick to approve the land altering activates with the condition that the Town Engineer's recommendations to allow permanent filter strips in place of diversion berms and that the driveway cross slope be increased to 3% and detailed with a typical section so that water runs off to the grass areas along the driveway rather than down the hard surfaced driveway and across Maple Ave., seconded by Mr. Fitzgerald. Motion Carried.

B. DaySpring Baptist Church, Daniel Reehoff, pastor, Re: Consideration and possible action on a request for approval for exterior signage for the church facility located at N14 W29489 Silvernail Road.

Allowable signage in the A-1 district is 88 s.f. The church is requesting 352 s.f. of wall and monument signage. A lengthy discussion regarding the proposed signage for DaySpring Church ensued. Questions arose regarding how the overall calculations were determined and using what dimensions of the signage, how the Town Code reads for what is allowed and whether the request is an amendment to the Conditional Use permit or a variance request.

Motion made by Mr. Reich to table the discussion for approval for exterior signage for DaySpring Baptist Church, seconded by Mr. Kanter. Show of hands for vote 4-3, motion carried.

C. FRED-Tumblebrook LTD Partnership, Mike Schiltz, agent, Re: Consideration and possible action on a recommendation to the Town Board to approve the use of the land designated as Outlot 3 in the Plat of Golf View for residential purposes.

The Plan Commission acknowledged that Outlot #3 was originally deed restricted to allow a future roadway. The road is no longer needed. Concern was raised over the code requirement that limits the number of lots to 14, unless a secondary access is provided.

Motion made by Mr. Reich to table the discussion for the use of the land designated as an Out lot (#3) for developing a residence until the Town Attorney can review to assure a house can be developed on the lot without violating other town ordinances or previously permitted uses, seconded by Mr. Kanter. Show of hands vote 4-3. Motion carried.

D. Bill Zach, Iron Pipe Development, Re: Consideration and possible action on the disposition of an existing barn located south of Scuppernong Creek near the corner of Cushing Park Road and USH 18.

The discussion in regards to the existing barn explored what is or isn't allowed in a M1 zone with or without a principal structure, what constitutes a principal structure, what Mr.

Zach's wishes were in regards to the barn and what enforcement would be needed if the barn were to fall into disrepair and needed to be removed.

Motion made by Mr. Kanter to remove the requirement in the CSM to remove all of the existing structures of the property, allowing the owner to retain the barn, seconded by Mr. Krause. Motion carried.

Motion made to take discussion item 6(a) out of order by Ms. Dundon, seconded by Mr. Kranick. Motion Carried.

6) Discussion-

- A. Archibald and Judith Pequet, by Jon Spheeris, agent, Re: Discussion on developing the Pequet land located in the A-2 district with conventional zoning and large estate lots versus a Planned Unit Development open space development.

No action or discussion. Neither the requestor nor agent were present for the meeting.

- 5) E. Town of Delafield, Re: Discussion, consideration and possible action on Conditional Use modifications in Chapter 17.05 5. of the Town Code.

The Town Engineer presented the Plan Commission with a table outlining current Conditional Uses for the Town. He indicated what uses could be eliminated and which uses could be converted to a permitted use. He indicated that of the many uses only about 8-12 are used on a regular basis.

The Plan Commission members discussed many of the CU's and how to best re-organize the CU process based on the State Law's intent to purposefully force the Town's to "write down" their law to eliminate the discretionary aspect of the process. Mr. Reich requested that the Town Attorney be asked two things: To what extent can the town resume the right to make a determination and to what extent can a Town not allow certain uses at all? Mr. Fitzgerald noted that the changes will mostly be legislative drafting.

Mr. Kanter requested that the Plan Commission allow Mr. John Siepmann to speak in regards to the CU process and guidelines based on his knowledge and experience as a developer who has worked with the Town of Delafield as well as other municipalities. Mr. Siepmann indicated the need for clear guidelines as to what the town wants for development rather than what could be allowed but rarely ever is approved. He indicated that the current language in the Town Code does not clarify what the Town wants for development; for example the number of lots/density and where roads should be laid out. Mr. Siepmann encouraged the Town to allow the developers some creativity and allow appropriate density. Mr. Siepmann, in his opinion and experience, recommends "Conservation Developments" and the standards that go with them. It was also discussed to consider holding Public Hearings for all developments to best communicate with adjacent property owners and allow earlier notification of developments.

The Plan Commission will review the chart provided by the Town Engineer, begin to determine what standards they would like developed for the language of the ordinance, possibly separate out PUD's to their own workshop and determine what Conditional Uses are currently being used. Mr. Kanter suggested that legal counsel be involved in the workshops as well to help guide the Commission.

Workshop and meeting dates were decided: April's monthly Plan Commission meeting will be held, Thursday, April 5th at 7pm and a workshop will be held on Monday, April 23rd, 7pm. Plan Commission requests a draft of the amended ordinance be provided by the April 5th meeting date and then work on the draft at the workshop. The Town Engineer will send an email with the currently used Conditional Uses to the Plan Commission and Town Attorney.

7) Announcements and Planning Items: Plan Commission meeting, Thursday, April 5th, 7pm and Plan Commission workshop on Monday, April 23rd, 7pm.

8) Adjournment

Motion made by Mr. Kranick to adjourn, seconded by Mr. Krause. Motion Carried.

Respectfully submitted,

Robin Untz
Deputy Clerk/Treasurer

Minutes approved on: April 5, 2018