

PLAN COMMISSION MEETING
Tuesday, March 7, 2017

Members present: L. Krause, E. Kranick, C. Dundon, K. Fitzgerald, P. Kanter, G. Reich

Members absent: T. Oberhaus

Also present: T. Barbeau, *Town Engineer*, E. Larson, *Town Attorney*, 35 citizens

First order of business: Call to Order and Pledge of Allegiance
Acting Chairman Krause called the meeting to order at 7:00 p.m.

Second order of business: Approval of the minutes of February 7, 2017
MOTION MADE BY MS. DUNDON, SECONDED BY MR. REICH TO APPROVE THE MINUTES AS PRESENTED. MOTION CARRIED.

Third order of business: Communications
None

Mr. Krause directed attention to the communication item received today from Jim and Karen Romanowski. He stated that the commission will not be taking "public input" this evening on the matter referenced in the letter.

Fourth order of business: Unfinished Business
A. Del and Debra Molkentin, W316 N895 STH 83, Delafield, WI
Re: Consideration and possible action on a request for approval of a revised Conditional Use Permit to operate at Hobby Kennel at W316 N895 STH 83, Delafield, WI. (tabled 2/7/17)

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

Engineer Barbeau stated that the following requesting outstanding items have been received: Plat of survey that shows the entire house, driveways, fences, 50' setback from the north and east line of the property and updated legal description. He stated that he compared the new survey to the original Conditional Use Permit conditions from 1999. Based on the outdated legal description, site plan and requests of the applicants, the following issues need to be addressed: 1. The allowance of dogs to be within 50 feet of the lot line in the fenced-in area northwest of the house; 2. An exception to the 50-foot condition to allow puppies to be in a pen in the driveway at the northeast corner of the house; 3. Clarification as to whether they can allow 1 or 2 dogs to be out in any portion of the yard (which is no different than any other property owner in the Town); and 4. A change in Condition E. regarding the time that dogs can be let out in the morning (earlier than 6:30 a.m.).

Mr. Krause stated that the neighbor to the north submitted a letter of support.

Del Molkentin, W316 N895 STH 83, stated that he installed a 6' privacy fence on the north property line, as a result of a dispute with the neighbor to the north. They have a very small back yard, and the 50-foot setback condition restricts them from getting the dogs out the northerly side of the house. He stated that they use their front yard to play with the dogs, and they are never left unattended. The exception to the 50-foot setback condition would allow them to put the puppies within a fenced-in area out on the concrete driveway at the northeast corner of the house. The dogs are let out in the morning after 6:30 and are put in for the night by 9:30, and he is requesting to allow them out earlier than 6:30 a.m.

Engineer Barbeau stated that the next step is to decide whether or not the requested changes would require a public hearing.

Engineer Barbeau's changes allow for conformity with property boundaries. As the Molkentins are asking for an amendment in 4 different points, the only way the Plan Commission can consider the amendments is to schedule a public hearing. If the Molkentins continue to operate in the fashion that they have been operating, tomorrow morning they will be in violation and this becomes an enforcement issue.

MOTION MADE BY MR. KANTER, SECONDED BY MR. KRANICK, THAT THE PLAN COMMISSION FINDS THAT AT LEAST ONE OF THE PROPOSED AMENDMENTS TO THE CU PUT FORWARD BY THE MOLKENTINS IS A SUBSTANTIAL CHANGE AND THAT THE PLAN COMMISSION SET THIS FOR A PUBLIC HEARING AT A DATE IN THE FUTURE.

Mr. Molkentin stated that he has withdrawn his request for changes to the conditional use permit.

Mr. Kanter withdrew his motion and Mr. Kranick withdrew his second to the motion.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. FITZGERALD TO APPROVE THE MOLKENTIN HOBBY KENNEL C.U. DATED 2/23/17 TO INCLUDE A 6-MONTH REVIEW. MR. REICH – NAY, MR. FITZGERALD – AYE, MR. KRANICK – ABSTAINED, MR. KRAUSE – AYE, MS. DUNDON – AYE, MR. KANTER – NAY. MOTION PASSED 3-2.

B. Town of Delafield Plan Commission
Re: Consideration and recommendation to the Town Board regarding amendments to Chapter 17.08 Signs of the Town Zoning Code (tabled 12/6/16)

The Plan Commission directed Attorney Larson to update the sign code and bring it back to the next meeting.

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

Fifth order of business: New Business
None

Sixth order of business: Discussion

A. Reimer Survivor’s Trust/ Larry and Judy Sheets Family Trust, owners, by Bill Zach, agent for the owner,
Re: Discussion regarding development of 38 residential lots on 141.9 acres of land located west of Cushing Park Road and south of Abitz Road.

The Plan Commission provided the following opinions/suggestions to the proposed development:

- *The cul-de-sac off Abitz Rd. lacks creativity*
- *Create a wider buffer along Abitz Rd.*
- *Rezone the A-2 section to A-1*
- *Add more buffer at the entrance off Cushing Park Rd.*
- *Remove lots 35-38*
- *Include a bike trail to wrap around what was known as the “cheese factory” to the west*
- *The proposed plan needs to show all floodplain and wetland areas*
- *The intersection of the street that has a cul-de-sac and Abitz Rd. do not meet site distance, so a portion of Abitz Rd. may have to re-constructed.*

Engineer Barbeau provided a potential project process to those in attendance.

Seventh order of business: Announcements and Planning Items:
Next meeting - **Wednesday**, April 5, 2017

Seventh order of business: Adjournment

MOTION MADE BY MS. DUNDON, SECONDED BY MR. REICH TO ADJOURN AT 9:35 P.M. MOTION CARRIED.

Respectfully submitted,

Mary Elsner
Clerk/Treasurer

Minutes approved on: April 5, 2017