

TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, May 6, 2014

Members present: T. Oberhaus, P. Kanter, C. Dundon, M. Tagtow, B. Cooley, G. Reich, E. Kranick
Also present: P. Van Horn, *Town Board Supervisor*, L. Krause, *Town Board Supervisor*, C. Duchow, *Town Board Supervisor*, T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, K. Smith, *Lake Country Reporter*, 17 citizens

Public Hearings: Prior to the start of the scheduled Plan Commission meeting there will be two public hearings in front of the Plan Commission. The first is to solicit public input on a request for a Conditional Use permit by James Cadd for the operation of a motorsports sales and service operation, including display of vehicles outside the facility at N47W28229 Lynndale Road. The second hearing is at the request of the Town Board of the Town of Delafield for a Conditional Use permit to construct and operate a Town Fire Station and Town Hall at the Town of Delafield Sports Commons located at the southeast corner of Maple Avenue and Silvernail Road. The Plan Commission meeting will begin immediately following the conclusion of the public hearing. Chairman Oberhaus called the public hearing to order at 7:00 p.m. The town clerk read the public hearing notices.

Jim Cadd spoke on behalf of the proposed project JR Motorsports WI, LLC, stating his request to provide sales of vehicles and repairs to the Lake Country area including allowance for outside display of vehicles.

The Plan Commission granted approval at their meeting in March to operate the service portion of the business. The M-1 district of the Town Zoning Code requires that when all material and vehicles are not in use, they shall be stored inside, except when such storage can be adequately shielded from view by some form of planting screening or decorative fencing.

Mr. Cadd stated that there will be approximately 150-200 vehicles on site, including: boats, ATV's, UTV's, Jet Skis, cars, trucks, trailers, dirt bikes, motorcycles, snowmobiles, mopeds and vans. He is proposing to sell used vehicles to start and franchise at a later date for new vehicles.

Watercrest Investments will hold the dealer's license doing business as JR Motorsports WI, LLC.

Kim and Charles Papenfuss, N48W28180 Lynndale Road stated that they own house across the street and can look down on property. They have noticed increased noise over the last several months coming from the subject site, which has caused them to shut their windows. There also appears to be 4 or 5 vehicles that make laps off the road. They are concerned about the security lights that will have to be installed, as they will shine right into their bedroom. They asked if the area has been considered wetland or marshy. They stated that overall this proposal is not conducive to the area and is too noisy.

The public hearing closed at 7:24 P.M.

John Mann, Mannedge Consulting, introduced Architect Brian Fischer. Mr. Fischer displayed the Site Plan stating that the Fire Station and Town Hall will be built on the SW corner of the property. He indicated that there will be two entrances off of Maple Ave. If the overflow parking is utilized, ingress and egress will be off of Silvernail Rd. Mr. Fischer stated that there will be on-site sewage disposal and a well. There are 35 parking stalls proposed on the upper level for the fire dept. and 20 on the lower level for town hall. The fire dept. is one story, and the lower level will contain a meeting room that will serve as a dual purpose training room for the fire dept. The face brick will be veneer and colored concrete brick on the outside. There will be little to no outside maintenance for approximately 40-50 years. Snow guards will be installed near the roof edges.

Discussion followed on the concern of only 20 parking stalls for the town hall. Mr. Reich suggested that a road be installed to connect the skateboard parking lot to the town hall.

Bonnie Conway, N911W30158 Hickory Hill, asked if there is any planning for a sight and sound barrier to the south of the property. She is concerned about lighting.

The public hearing closed at 8:05 p.m.

First order of business: Call to Order and Pledge of Allegiance
Chairman Oberhaus called the meeting to order at 8:05 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of April 15, 2014.
MOTION MADE BY MR. COOLEY, SECONDED BY MS. DUNDON TO APPROVE AS PRESENTED.
MOTION CARRIED.

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

Fourth Order of Business: Unfinished Business
A. Thomas and Polly Kranick, owner, by Cory O'Donnell, Neumann Properties, Inc., agent, (tabled 4/15/14)
Re: Consideration and possible action on a request for a Planned Unit Development Conditional Use on parcels known as Tax Key Nos. DELT 0763-983 and DELT 0764-997.

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

Mr. Kranick recused himself due to personal interest in the matter.

Discussion followed on the revisions to the subject document: Add a sentence to Letter "F" to read, "Future enforcement of the deed restrictions is the responsibility of the homeowner's association; Replace F and G in Letter "J" with H, I and K; Add information stating that deed restrictions will address the issue of maintenance of conservancy area.

Matt Neumann, Neumann Properties, stated the proposal to purchase the 150-acre farm and develop it in three phases. Mr. Kanter expressed opposition and stated that the Town Attorney should be involved in this matter, as he wants assurance that the Town would be protected against financial failure of either the developer or the project.

MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO TABLE UNTIL THE NEXT MEETING AND INVITE ATTORNEY LARSON TO ATTEND. MOTION CARRIED.

B. Rev. Anthony Zimmer, St. Anthony's on the Lake Church and School, W280 N2101 CTH SS by Tim Knepprath, MSI General, agent, (tabled 4/15/14) Re: Consideration and possible action on a request for an amendment to their Conditional Use permit for a building addition, improvements to the existing facility and site alterations; and approval of the site, site grading, landscape, lighting and architectural plans.

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

Discussion followed on the following revisions to the subject document: Letter "E" to add the following language, "Signs shall meet Section 17.08 of the Town Zoning Code and be approved by the Town Zoning Administrator; revise the date in Letter "G" to 5/5/14; and revise Letter "H" to read "24" months;

MOTION MADE BY MR. COOLEY, SECONDED BY MR. REICH TO RECOMMEND APPROVAL OF THE AMENDED CONDITIONAL USE TO THE TOWN BOARD WITH REVISIONS NOTED. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO APPROVE THE SITE, SITE GRADING, LANDSCAPE, LIGHTING AND ARCHITECTURAL PLANS PREPARED BY MSI GENERAL DATED 5/5/14. MOTION CARRIED.

Fifth Order of Business: New Business

- A. Todd Mokwa, Trustee for Leonard and Maria G. Mokwa Revocable Living Trust, Re: Re-consideration and possible action on Plan Commission’s recommendation regarding a petition for determination of status of two lots (one tax key number) located at approximately W28415 Silvernail Road.

Mr. Mokwa stated that Waukesha County will not allow the flag lot, as there is wetland along Silvernail in the front of his property. They are requesting an easement on the west side of lot 3. Mr. Mokwa is requesting that the lots remain the same at this time. He would have the option of selling one lot as legal non-conforming or both as one lot.

The consensus of the Plan Commission is to not do anything at this time. Discussion followed on the need for access to the lots.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. REICH TO MAKE NO RECOMMENDATION AND LEAVE AS IS WITH THE UNDERSTANDING THAT A DETERMINATION WAS ALREADY MADE AT LAST MONTH’S MEETING. MR. REICH-AYE, MR. TAGTOW-AYE, MR. KRANICK-AYE, MR. KANTER-AYE, MR. COOLEY-AYE, MS. DUNDON-NAY, CHAIRMAN OBERHAUS-NAY. MOTION PASSED 5-2.

- B. James Cadd, owner, James Roberts, operator of JR Motorsports Re: Consideration and possible action on a request for a Conditional Use permit for the operation motorsports sales operation with outdoor display of motorsports vehicles to include ATV’s, UTV’s, jet skis, cars, trucks, trailers, dirt bikes, motorcycles, snowmobiles, mopeds and minivans on lands located at N47 W28229 Lynndale Road.

James Cadd stated that he will cooperate with the neighbor’s concerns regarding noise and lighting.

Mr. Kanter stated that he is not comfortable with this business presentation, as it has not been thought through. There was no adequate business plan of operation submitted. Mr. Reich cannot support this because there are too many unknowns and there is a big difference between having a car dealership and this proposal.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. REICH TO TABLE. MR. REICH-AYE, MR. TAGTOW-AYE, MR. KRANICK-AYE, MR. COOLEY-AYE, MS. DUNDON-AYE, CHAIRMAN OBERHAUS-AYE, MR. KANTER-NAY. MOTION PASSED 6-1.

- C. Town of Delafield, Consideration and possible action on a request for a Conditional Use permit to construct and operate a fire station and Town hall on lands located at the southeast corner of Maple Avenue and Silvernail Road, known as the Sports Commons.

The location of the site is in the P-1 district. Discussion followed on concerns regarding the parking issue. Also, the Town needs to follow the rules of Conditional Use permit requests, i.e., green space calculations. Mr. Cooley suggested that conduits be put in place to prepare for solar panels.

MOTION MADE BY MR. REICH, SECONDED BY MR. TAGTOW TO TABLE. MR. REICH-AYE, MR. TAGTOW-AYE, MR. KRANICK-NAY, MR. KANTER-AYE, MS. DUNDON-AYE, MR. COOLEY-AYE. MOTION PASSED 6-1.

Sixth Order of Business: Discussion
None

Seventh Order of Business: Announcements and Planning Items:
Next meeting – Tuesday, May 20, 2014 (possible hearing)
June 3, 2014

Eighth Order of Business: Adjournment

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. COOLEY TO ADJOURN AT 9:45 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: June 3, 2014