

TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, June 4, 2019

Members present: K. Fitzgerald, R. Troy, C. Diderrich, E. Kranick, N. Dickenson, T. Frank, C. Dionisopoulos
Also present: P. Van Horn, *Town Board Supervisor*, T. Barbeau, *Town Engineer*, 11 citizens

First order of business: Call to Order and Pledge of Allegiance
Chairman Fitzgerald called the meeting to order at 7:00 p.m., led all in the Pledge of Allegiance and acknowledged Jim Ward, who passed away last week.

Second order of business: Approval of the minutes of May 7, 2019
MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO APPROVE AS PRESENTED. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action):
A. Waukesha County Dept. of Parks and Land Use, 5/17/19 Zoning Violation, Taylors Woods Road

Engineer Barbeau stated that this correspondence is informational, and no action is needed.

Fourth Order of Business: Unfinished Business:
None

Fifth Order of Business: New Business:
A. Michael Tarwacki, W298 N596 Kings Way, Re: Consideration and possible action on a Certified Survey Map to combine two parcels into one parcel at W285 N3158 Lakeside Road.

Engineer Barbeau stated the proposed request to combine two lots located along Lakeside Road into a single lot. He referenced note on sheet 3 of the CSM stating that "Outlot 1 shall be retained by the owner of Lot 1 and cannot be transferred as a separate parcel without the approval of the Town of Delafield and Waukesha County". As part of this CSM, Lakeside Road is dedicated to 25 feet wide in accordance with the mill tax road right-of-way designation approved by the Town in 1990. The 1990 resolution will be referenced in a note on the CSM.

MOTION MADE BY MR. DIDERRICH, SECONDED BY MR. KRANICK TO RECOMMEND APPROVAL TO THE TOWN BOARD A CERTIFIED SURVEY MAP TO COMBINE TWO PARCELS INTO ONE PARCEL AT W285 N3158 LAKESIDE ROAD SUBJECT TO ADDITION OF THE 1990 TOWN RESOLUTION REFERENCED IN A NOTE ON THE CERTIFIED SURVEY MAP. MOTION CARRIED.

B. David French Revocable Trust, W303 N2568 Maple Avenue, Re: Consideration and possible action on a Certified Survey Map to combine several parcels located at and adjacent to N28 W29707, W29704 and W29696 Oakwood Grove Road, W296 N2879 Franciscan Road and W303 N2568 Franciscan Road.

Engineer Barbeau stated that the applicant purchased 5 parcels of land located east of Oakwood Grove Road at the east end of Boettcher Lane (a private road). He is proposing to combine all lots into one parcel to build a single family home. The lots contain duplexes, non-conforming and multiple structures on one lot. Since the Town code does not allow multiple homes on a single residential lot, the existing homes will have to be removed or provisions made for removal before execution of the Certified Survey Map. He stated that the Town could require Mr. French to provide escrow funds as a guarantee for demolition. Engineer Barbeau stated that there are two ways to access the parcel: via Boettcher Lane and from Franciscan Road (through a long narrow strip of land that is part of the French ownership). Several right-of-ways that extend into the property were created years ago, and the deeds do not indicate the rights associated with them.

Tyler Kober, John Sauermilch, Jr. General Contractor, Inc., stated that he is in the process of obtaining permits to demo the homes. He is currently working on asbestos removal and is anticipating that the demo work will be completed within 2-3 weeks. Waukesha County is holding escrow funds for 1 home. The lots are owned by three different entities, and Mr. French is the primary contact.

John Walrath, W296 N2978 Franciscan Rd., stated his concern about the private access road and what will happen if it gets broken up during the construction process. Mr. Kober informed him that he will follow up on any issues that occur.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. FRANK TO RECOMMEND APPROVAL OF THE CERTIFIED SURVEY MAP DATED MAY 20, 2019, SUBJECT TO INCORPORATION OF WAUKESHA COUNTY COMMENTS AND RESOLUTION OF HOW THE OWNER'S CERTIFICATE MUST BE PREPARED BASED ON CURRENT OWNERSHIP. THE TOWN WILL NOT EXECUTE THE CERTIFIED SURVEY MAP UNTIL CONFIRMATION THAT ALL BUT ONE HOME HAS BEEN REMOVED IS PROVIDED. MOTION CARRIED.

C. Bob Whitehouse, W285 N2022 Louis Court, Re: Consideration and possible action on a request to designate the Louis Court right-of-way to be 50 feet.

Engineer Barbeau stated the Town road width requirement of 66 feet. Since there is no formal record on file as to why Louis Court was developed with a 50 feet wide access, the Town is taking action to memorialize the 50 feet right-of-way. He stated that this will not affect highway department access.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. DIDERRICH TO RECOMMEND APPROVAL TO THE TOWN BOARD TO DESIGNATE LOUIS COURT RIGHT-OF-WAY AT 50 FEET AS CURRENTLY SHOWN ON TAX MAPS. MOTION CARRIED.

D. Bob Whitehouse, W285 N2022 Louis Court, Re: Consideration and possible action on a Certified Survey Map to combine 4 parcels into one parcel.

Engineer Barbeau stated that Mr. Whitehouse is proposing to make improvements to his property. In order for him to obtain a zoning permit from Waukesha County, he is required to combine the existing 4 parcels into one lot. Mr. Whitehouse stated his request to turn the existing 2-car attached garaged into a 3-car attached garage.

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DICKENSON TO RECOMMEND APPROVAL OF THE CERTIFIED SURVEY MAP, DATED 5/24/19, TO THE TOWN BOARD SUBJECT TO THE SURVEY ADDRESSING ENGINEER BARBEAU'S TECHNICAL COMMENTS AND INCORPORATION OF WAUKESHA COUNTY COMMENTS. MOTION CARRIED.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO TAKE ITEMS 6A AND 6B OUT OF ORDER. MOTION CARRIED.

Sixth Order of Business: Discussion

A. Sharon Tomlinson, Discussion in regards to adding a permitted or conditional use section to the Town zoning code for the allowance of the operation of a taxidermy studio.

Engineer Barbeau summarized the proposed request to purchase a 3-4 acre property on Cushing Park Road and build a taxidermy studio behind the home. The Town Code does not allow for taxidermy operations as a permitted use and there is not a conditional use permit for taxidermy studios.

The Plan Commission directed staff to prepare a conditional use section for taxidermy studios and will re-address this issue at a future meeting.

- B. John Singer W334 S878 Cushing Park Road, by Bill Zach, agent, Discussion regarding potential land split of his 17.5 acre property located at W330 S878 Cushing Park Road.

Bill Zach, Zach Development, displayed the proposed plan to divide the subject 17.5 acre lot into 3 lots, to include a private shared driveway. The existing residence (referenced as Lot 1) will remain. He identified the existing environmental corridor. Engineer Barbeau stated that the Town Code permits a tract of land which does not abut a public street, if such tract of land is at least three acres in area, has access by permanent easement of at least 33 feet in width to an improved public street and does not conflict with plans for future development of the area. Discussion followed on possible options to re-configure Lots 2 and 3.

Engineer Barbeau was directed to review the Town Code in light of the pending code modifications, specifically related to a minimum lot size of 5 acres for development of lots as a subdivision in the A-2 district.

- E. Discussion and possible action regarding the Town of Delafield Land Use Plan.

Engineer Barbeau stated that the Land Use Plan (LUP) along the I-94 corridor is listed as commercial and office use. Commercial use is defined as office park. The history of this use included large office buildings with lots of greenspace, 8:00 a.m. to 5:00 p.m. office hours and no high intensity uses. Waukesha County's definition of office park is very broad. Any proposed changes to the current land use plan requires public information and a public hearing. The areas to study as "prime for development" are Hwy. 16 & KE, lands along 18 in far southwest corner off of Cushing Park Road and along Golf Road and I-94. The current market is "light industrial" (not smokestacks, not manufacturing of iron or steel, etc.), corporate offices (world headquarters) with manufacturing, senior housing (very dense), etc. As the vision has changed, the intent is to look at a realistic plan for the open area along Golf Road and I-94 and allow developers and land owners to present proposals.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK, TO TABLE DISCUSSION TO ALLOW THE PLAN COMMISSION TO FURTHER STUDY THE ISSUE AND PROVIDE FEEDBACK AT THE NEXT REGULARLY SCHEDULED MEETING. MOTION CARRIED.

Seventh Order of Business: Announcements and Planning Items:
Next meeting – Tuesday, July 2, 2019

Eighth Order of Business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. FRANK TO ADJOURN AT 8:50 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: July 2, 2019