

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, September 16, 2014**

At 6 p.m. the Plan Commission convened at the easterly entrance off of Golf Road on lands owned by Fiduciary Real Estate Development Company and the proposed site of a medical clinic/ambulatory surgery facility located on the north side of Golf Road approximately 1800 feet west of CTH SS for the purpose of viewing the site. No decisions were made during the site walk. After the site walk, the Plan Commission reconvened at the Delafield Town Hall.

Members present: T. Oberhaus, P. Kanter, C. Dundon, B. Cooley, E. Kranick, M. Tagtow
Also present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, 3 citizens

First order of business: Call to Order and Pledge of Allegiance
Chairman Oberhaus called the meeting to order at 7:08 p.m. and led all in the Pledge of Allegiance.

Second order of business: Unfinished Business:

- A. Fiduciary Real Estate Development Co., by Ryan Schultz, HSI Properties, agent, (tabled 9/2/14) Re: Consideration and possible action on the following:
1. Certified Survey Map on lands located on the north side of Golf Road, west of CTH SS.
 2. Site, site grading and landscape plan approval, architectural plan approval and plan of operation approval for the development of a medical office facility to be located on the north side of Golf Road, approximately 1800 feet west of CTH SS.

Mr. Cooley made a motion to remove this item from the Table. Mr. Kranick seconded. Motion carried.

Chairman Oberhaus asked Engineer Barbeau to comment on each item listed on an email sent to Ryan Schultz dated September 10, 2014 regarding issues to be discussed about the OAW project.

1. Consideration of a water system for the entire parcel/development.

Engineer Barbeau explained that each parcel will need water and suggested the Town consider the options available so future business needs are addressed.

Fire Chief Kozlowski said ideally fire hydrants would be used but the proposed project's multiple wells can work.

Ryan Schultz, HSI Properties, described the high capacity wells which are planned to service the needs of the building. The independent pumps will be oversized for the building. They are seeking DNR approval. The company looked into Pewaukee water service but determined the cost and timing are impractical. He believes this building, with it's own wells, is sufficient for now. If water service becomes available later at the property line, the owners would probably connect. He has met with Fire Chief Kozlowski to be sure the water system is sufficient from a safety standpoint. Jeff Holzhauser, EUA, will work with the Fire Chief to be sure the cistern connection is in a location which can safely be used by the Fire Department.

- 2-3. Approval of the Storm Water Management Plan by the County (Review letter from the County).

Engineer Barbeau stated he does not want to recommend approval of the site plans until the Town knows the plan won't be changed as a result of the County's review. The long-term ownership and maintenance of the stormwater system must also be memorialized.

Mr. Schultz stated the County is reviewing the plan. He hopes to have their letter by September 17. He is confident no material changes will be made to the site plan.

The revised site plan and revised stormwater plan were discussed. Engineer Barbeau expressed concerns regarding how the water is released through a single pipe rather than the current sheet flow of water toward

the golf course. The pipe and emergency overflow have been moved further west. Mr. Schultz stated the maintenance agreement submitted to the County holds the property owner responsible to fix any future problems. The berm will be landscaped with natural plants and grasses which will be low maintenance. The DNR does not allow planting of trees and bushes on these berms.

4. Adequate parking for OAW

Engineer Barbeau now has a letter from OAW stating the number of parking stalls proposed are adequate.

5. Approval/Review letter needed from LPSD.

Mr. Schultz stated LPSD is meeting tonight regarding this project. Tom Koepp is having the plans reviewed. The Developers Agreement is being prepared. A letter of credit will be posted. He is confident all concerns have been addressed and expects final approvals next month.

Engineer Barbeau stated Town approval needs to be conditional upon LPSD approval.

6. Open Space Calculation

Engineer Barbeau explained the Open Space required in the current Town Code and the code that was in place at the time this property was rezoned. The current requirement for this property is 72% open space for the entire 45 acre parcel. The division of the site into individual properties does not match what the Town's Zoning Code states, so any approval motion needs to address this issue. Engineer Barbeau will discuss this issue with the Town Attorney.

7. Mitigation of Tree Removal on the Property.

Engineer Barbeau received the updated landscape plan at this meeting. He suggested adding clusters of trees to the north, east and south to create a more significant grove of trees in each area with taller trees. The road has been changed so there is no longer a stub to the north so more vegetation is retained. He also suggested moving the dumpster to the west so it is not in the view of homes and planting around the enclosure to hide it better.

Engineer Barbeau stated the property is now in the shoreland jurisdiction so rezoning is needed from the County. The County has requested a joint public hearing with the Town so that will possibly be held prior to the October 7 meeting. The County wants the Town's recommendation and will make a decision regarding the Site Plan, Plan of Operation and rezoning.

Mr. Kranick made a motion to table this item until the next meeting. The motion failed for lack of a second.

Referring to a letter from Mr. Smith, OAW, dated June 9, 2011, Mr. Kanter asked if the doctors of Orthopaedic Associates of Wisconsin are prepared here and now to commit to the statement that "there will never be an application for an orthopaedic 24-hour emergency care facility in this building. Ever."

Mark Smith, OAW, stated, "No, that is certainly not our intent. That is a commitment that you won't have to deal with an application for a 24-hour ER at some point in the future."

Mr. Cooley made a motion to recommend to the Town Board the approval of the CSM contingent upon review by Attorney Larson and his concurrence that the Plan Commission is correct in its interpretation of the open space calculation that there must be 72% open space overall on the total property currently owned by Fiduciary. Seconded by Mr. Kranick. Motion carried 4/1 with Mr. Kanter voting No.

Mr. Kanter made a motion to approve the Plan of Operation as submitted with the additional reference that there will not be any 24-hour emergency room services provided at the facility. Ms. Dundon seconded. Motion carried.

Ms. Dundon made a motion to approve the Architectural Plan for OAW as submitted dated 8/12/14. Mr. Tagtow seconded. Motion carried.

Mr. Kranick made a motion to approve the site plan for this parcel dated 9/5/14 contingent on approval by Attorney Larson. Mr. Cooley seconded. Motion carried.

Mr. Cooley moved to table the Site Grading Plan. Ms. Dundon seconded. Motion carried.

Mr. Kranick made a motion to table the Landscape Plan. Mr. Tagtow seconded. Motion carried.

Third order of business: Adjournment

A motion was made by Mr. Tagtow and seconded by Ms. Dundon to adjourn at 9:16 p.m. Motion carried.

Respectfully submitted,

Lauren Beale
Deputy Clerk/Treasurer

Minutes approved on: October 7, 2014