

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, September 17, 2013**

Members present: T. Oberhaus, P. Kanter, C. Dundon, M. Tagtow, B. Cooley, G. Reich, E. Kranick
Also present: T. Barbeau, *Town Engineer*, 4 citizens

Prior to the start of the scheduled Plan Commission meeting there will be two public hearings in front of the Plan Commission and possibly a quorum of the Town Board to solicit public input. The first is at the request of Monti Knazze, CenturyTel of the Midwest Wisconsin, LLC, d/b/a/ Centurylink, to install communication cabinets on the Mroz property located on the south side of USH 18, approximately 925 feet west of Maple Avenue. The second hearing is a request from Jeff and Amy Niedziela, N30 W29273 Hillcrest Drive for a Conditional Use permit under section 17.05 5. Y. Legal Nonconforming Uses, to allow remodeling and a deck addition to the duplex residence on the site, and continuation of legal nonconforming uses on the site. The Plan Commission meeting will begin immediately following the conclusion of the public hearings. Chairman Oberhaus called the first public hearing to order at 7:00 p.m. and the Town Clerk read the Notice.

Monti Knazze, CenturyTel, summarized the proposed project to install two metal cabinets and pedestals on the south side of Highway 18, directly adjacent to the right-of-way. The amount of access needed to the site will be limited. This will only occur if service is required. He stated that this will greatly improve the communication facilities in the area. Eventually, there will be video installed. Mr. Knazze contacted the WI DOT and they are only requiring a permit for the actual placement of the cable to be routed down the highway onto the site from the right of way. The amount of access needed to the site will be determined by the amount of service needed (not on a regular basis). The proposed colors of the cabinets are required for the purpose of dispensing heat.

There was no public comment. Chairman Oberhaus called the public hearing to close at 7:14 p.m.

Erin Fay spoke on behalf of Jeff and Amy Niedziela and provided a history of the subject property. She provided an aerial survey map from December, 1960, showing four separate structures on the Niedziela property. Ms. Fay stated that the proposal for a Conditional Use document stem from the Town's interpretation of the zoning code. This property has a legal-conforming use on the lands, in that there are four living units on it. This property is taxed accordingly and all of the utilities between the units are separate. Each area has its own address. The new owners are proposing the following: renovation of the kitchen by removing two interior walls; extension of a 3 foot wide deck, update the master bathroom with new cabinets, bathtub, shower and sink; conversion of the attic to a playroom (no walls will be modified); handicap accessibility for the existing cottage; main house repair; boathouse repair (concrete floor); reinforce floor joists with header to avoid second floor collapse in the barn; repair/replace damaged sidewalks from the cottage to the lake and main house to the lake on the same footprint and repair/replace the driveway with pervious surfaces to allow the property to become conforming to the 85% green space requirement. Engineer Barbeau clarified that the required open space on the lot is 75%.

There was no public comment. Chairman Oberhaus called the public hearing to close at 7:28 p.m.

First order of business: Call to Order
Chairman Oberhaus called the meeting to order at 7:28 p.m.

Second order of business: New Business

A. Monti Knazze, CenturyTel of the Midwest Wisconsin, LLC, d/b/a/ Centurylink, Re: Request for site plan approval to place cabinets on a property owned by Mildred Mroz Revocable Trust, S12 W31032 Summit Avenue. The location of the cabinets are proposed for a vacant triangular portion of

the owner's land that is on the south side of USH 18 approximately 925 feet west of Maple Avenue and is bounded by the town line on the south, USH 18 on the north and a lot line on the east.

The Plan Commission suggested the following additions/revisions to the draft Conditional Use document: 1. add "hedgerow" landscape around the site; 2. revise letter "E" to indicate that if this becomes a traffic safety hazard on Hwy. 18, the Plan Commission can require the installation of a driveway sooner than 5 years; 3. revise the language in letter "J" to address that this use is only granted to CenturyTel and subsequent owners must come back for approval of a new Conditional Use permit.

MOTION MADE BY MR. REICH, SECONDED BY MR. TAGTOW TO RECOMMEND APPROVAL OF THE ORDER GRANTING CONDITIONAL USE CENTURY TEL OF THE MIDWEST-WISCONSIN, LLC SUBJECT TO THE CHANGES THAT WILL BE INCORPORATED BY THE TOWN ENGINEER. MOTION CARRIED.

B. Jeff and Amy Niedziela, N30 W29273 Hillcrest Drive, Re: Consideration and possible action on a request for a Conditional Use permit under section 17.05 5. Y. Legal Nonconforming Uses, to allow the remodeling and addition of a deck to the duplex residence on the site, and continuation of legal nonconforming uses on the site.

The Plan Commission presented positive feedback on the proposal to preserve the subject property.

MOTION MADE BY MR. KANTER, SECONDED BY MR. TAGTOW TO TABLE UNTIL OCTOBER 1 TO ALLOW THE TOWN ENGINEER TO DRAFT A CONDITIONAL USE PERMIT. MOTION CARRIED.

Third order of business: Announcements and Planning Items:
Next meeting – Tuesday, October 1, 2013

Fourth order of business: Adjournment

MOTION BY MR. TAGTOW, SECONDED BY MS. DUNDON TO ADJOURN AT 8:20 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on October 1, 2013