

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, October 2, 2018**

Members present: K. Fitzgerald, L. Krause, E. Kranick, C. Dundon, G. Reich, T. Frank
Also present: T. Barbeau, *Town Engineer*, K. Smith, *Waukesha Freeman*, 4 citizens

First order of business: Call to Order and Pledge of Allegiance
Chairman Fitzgerald called the meeting to order at 7:00 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of August 7, 2018
MOTION MADE BY MR. KRAUSE, SECONDED BY CHAIRMAN FITZGERALD TO APPROVE AS PRESENTED. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action):
A. David Bartkowiak (9/25/18), Proposed Changes to Section 17.05 5. A. 1.

Chairman Fitzgerald stated that this will be addressed in Item 4A.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO TAKE ITEM 5A OUT OF ORDER. MOTION CARRIED.

Fifth Order of Business: New Business

A. Estate of Allan Hanson, Cecelia Smith, personal representative, Atty. George Love, agent, Re: Consideration and possible action on a request for review of prior sale or exchange of parcels between adjoining land owners for vacant property located on Orchard Avenue east of N30 W29340 Orchard Avenue.

Engineer Barbeau identified the seven individual parcels along the north side of Orchard Drive (under three tax key numbers). He stated that Mr. Hanson (deceased) left two vacant parcels known as Lots 37 and 38 of Pewaukee Highlands subdivision (under one tax key number) along with two parcels of land to the south of Orchard Avenue that contained Mr. Hanson's residence (under two tax key numbers). The land on which these lots and structures are located are in the Waukesha County Shoreland zoning district. Under the County's R-3 code, each individual lot of the Pewaukee Highlands associated with this request is less than the required lot area and lot width. Houses to the east and west of the subject parcels appear to have an offset distance that does not meet the code requirement. The garage associated with the house to the east straddles the lot line between Lots 34 and 35. Engineer Barbeau stated that the County Planning Department is in favor of addressing non-conforming lots and structures.

George Love, representing Allen Hanson's estate, stated his request to get rid of tax key # DELT 0764036 and allow the lots to be affixed onto the neighboring parcels. As this is a subdivided parcel and there is no question as to the boundaries, he is of the opinion that a CSM is an unnecessary expense for the homeowner.

The Plan Commission is of the opinion that in order to clean up non-conformance issues, a certified survey map should be obtained.

MOTION MADE MR. KRANICK, SECONDED BY MR. KRAUSE TO APPROVE ENGINEER BARBEAU'S RECOMMENDATION THAT THE TOWN ALLOW THE SALE OR EXCHANGE OF PARCELS BETWEEN PROPERTY OWNERS, SUBJECT TO A CERTIFIED SURVEY MAP BEING CREATED AND APPROVED BY THE TOWN OF DELAFIELD AND WAUKESHA COUNTY PRIOR TO THE TRANSACTION TAKING PLACE. MOTION CARRIED.

Fourth Order of Business: Unfinished Business

A. Town of Delafield, Re: Discussion, consideration and possible action on amendments to the Town Zoning Code (Chapter 17) and Land Division and Development Control Code (Chapter 18) related to modification and regulation of Conditional Uses (tabled 8/7/18)

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

The following recommendations were discussed to proposed amendments:

Section 3 – Eliminate in-law suite as a defined term in Section 3 of the proposed ordinance.

17.05 5. C. 2. f. – Traffic study to be performed by a traffic-licensed engineer applicable to the specific site.

17.05 5. D. 2. j. – Add the following standards: no more than 20 withdrawals, 7 days per week between the hours of 7:00 a.m. and 7:00 p.m.

Engineer Barbeau addressed the communication item from David Bartkowiak. The Town is not changing anything in outdoor kennels in the A-2 zone. Engineer Barbeau suggested that the word, “buildings” be replaced with “facilities”. He addressed the area that read “allowed indoor facilities or remove A-2 from the allowed zones for outdoor kennels” stating that the current code never included this language.

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

B. Waukesha County Department of Parks and Land Use, Consideration and response to Waukesha County regarding Site Plan/Plan of Operation Process Improvement proposal.

Engineer Barbeau stated that Waukesha County is trying to making the subject process “more friendly” for business owners by creating an expedited review process for simple applications. They are requesting feedback from Town Plan Commissioners.

The Plan Commission stated the need to review all proposed items, except for interior remodeling and # of employees. Engineer Barbeau will pass these comments on to Waukesha County.

Sixth Order of Business: Discussion
None

Seventh Order of Business: Announcements and Planning Items:
Next meeting – October 16, 2018 – 7:00 p.m.

Eighth Order of Business: Adjournment

MOTION MADE BY MR. REICH, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:42 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: October 16, 2018