

TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, October 7, 2014

Members present: T. Oberhaus, C. Dundon, B. Cooley, E. Kranick, G. Reich, M. Tagtow
Also present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, 7 citizens

Prior to the start of the scheduled Plan Commission meeting a public hearing was held in front of the Plan Commission to solicit public input on a request from Pat Leverage, landowner, N47 W28270 Lynndale Road for a Conditional Use permit to operate a wedding, meeting and banquet facility in the existing barns located at N47 W28270 Lynndale Road. The operator will be Eric Fisher. The Plan Commission meeting began immediately following the conclusion of the public hearing.

Leverence Public Hearing:

Mr. Oberhaus called the hearing to order at 7:01 p.m.

Engineer Barbeau clarified that Chef Jack's is not purchasing the property but will be the exclusive caterer for the proposed event facility. Eric Fisher will be purchasing the property including the farmhouse and two barns. A single family residence will be split from the property.

Mr. Fisher operates approximately 30 other event facilities including the Rotunda in Waukesha. He presented the proposal for operating a wedding, meeting and banquet facility using both of P. Leverage's barns, adding a covered walkway to tie them together, creating an outdoor cocktail area and possibly adding a gazebo. Both barns would be used for one event at a time. Only the main level of the upper barn will be used for events with the possibility of an office and storage on the two upper levels. Planned use for the main level is cocktails and it may be an option for dancing and music since this barn is more soundproof. He hopes the businesses in the lower barn will stay; their hours do not conflict with his business hours for events. Outdoor ceremonies could be held on the patio. A patio awning/tent is a possibility but it would not be a permanent structure. In good weather, a portable bar would be set up outdoors. He hopes to be able to book events starting sometime in 2015.

No cooking will be done on-site. The caterer will have a caterer's kitchen on site. Mr. Fisher is looking into restroom needs. He may add some plumbing to the upper barn for future restrooms but is not planning on adding them at this time. Bottled water is used by the bartenders. Water is available in the lower barn for dishwashing (allowed by the caterer's license). Restrooms are available in the lower barn. Mr. Fisher is looking into upgrading the current 2,000 gal. holding tank to a larger size or adding a mound system.

Supervisors raised questions about parking. Mr. Fisher is hoping for a capacity of 250-260. He explained where he plans parking areas.

Engineer Barbeau discussed open space and zoning. The property is approximately 7 acres and is zoned B1 which requires 50% greenspace. The current plan is to keep the farmhouse as a residence. If Mr. Fisher uses the studio as an office in the future he will lose the residential use of the house. The plans indicate parking may be expanded to the east. He suggested Mr. Fisher look into the engineering of that area for parking while he is in the planning phases.

Fire Chief Kozlowski had three comments:

- An area on the west where trucks will unload could also be used for an ambulance, if needed.
- The turning radius in the parking lots will be tight for fire/rescue vehicles so Mr. Fisher may want to consider adding parking elsewhere and widening the area discussed.
- The area on the east side of barn 2 would be difficult for fire/rescue vehicles to navigate and turn around.

The property split currently goes east/west. It is partially in the Town of Merton and partially in the Town of Delafield. The Town of Merton's Planner suggested it would be best if the entire property was in one municipality.

There were no public comments.

The hearing closed at 7:29 p.m.

First order of business: Call to Order and Pledge of Allegiance
Chairman Oberhaus called the meeting to order at 7:01 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of September 2 and 16, 2014

A motion was made by Mr. Reich, seconded by Mr. Cooley, to approve the minutes of the September 2 and September 16, 2014 meetings. Motion Carried.

Third order of business: Communications (for discussion and possible action)

A. None

Fourth order of business: Unfinished Business

A. None

Fifth order of business: New Business

A. Brook Investments Global, Ltd. N30 W29403 Hillcrest Drive, Pewaukee, WI, by Santino Bando, agent, Re: Consideration and possible action on the following items related to the land at W303 N2595 Maple Avenue (former Maple Bluff Estates Condominiums):

1. Termination of various easement and restriction documents

Engineer Barbeau explained that the title company is requesting that the Town terminate and release all documents relating to this property so that it is considered a single family property without extra easements. The Town Building Inspector is reviewing the plans. The home will have a footprint of approximately 23,000 sq. ft. The property has access to the lake. Attorney Larson has reviewed the termination documents. The Town Board has asked for recommendations from the Plan Commission.

A motion was made by Ms. Dundon, seconded by Mr. Reich, to recommend to the Town Board to terminate and release the following documents relating to the Maple Bluff Estates development in order to clear the title for the property located at W303N2595 Maple Avenue:

1. Declaration of Restrictions and Covenants
2. Declaration
3. Roadway Easement
4. Storm Water Management Practice Maintenance Agreement and Easements (recorded in 2007)
5. Storm Water Management Practice Maintenance Agreement and Easements (recorded in 2008)
6. Developer's Agreement.

Motion Carried.

2. Approval of a Certified Survey Map showing the elimination of easements and a new sanitary sewer easement

A motion was made by Mr. Kranick, seconded by Mr. Reich, to recommend to the Town Board the approval of the CSM for W303N2595 Maple Avenue as presented October 7, 2014 subject to satisfying the following conditions prior to signing the CSM:

1. Incorporation of all technical comments made in Engineer Barbeau's review memorandum to Chris Jackson, PLS dated October 2, 2014.
2. Incorporation of comments from Waukesha County.
3. Recordation of all termination documents approved by the Town of Delafield.

Motion Carried.

- B. Fiduciary Real Estate Development Co. Re: Consideration and possible action on a request to renew the two real estate signs on the south side of Golf Road, west of CTH SS; Tax Key No. 813-993-003.

A motion was made by Mr. Reich, seconded by Mr. Cooley, to approve a request from Fiduciary Real Estate Development Co. to renew the placement of two real estate for sale signs along Golf Road on Fiduciary property in accordance with the drawing dated October 1, 2014 for 1 year; Tax Key No. 813-993-003. Motion carried.

- B. Pat Leverence, N47 W28270 Lynndale Road, Re: Consideration and possible action on updated development plans, plan of operation and Conditional Use permit to operate a wedding, meeting and banquet facility in the existing barns located at N47 W28270 Lynndale Road.

A motion was made by Mr. Reich, seconded by Mr. Tagtow, to table this item until questions raised by the Town Engineer in his report are answered.

Motion failed 3/3 with Mr. Oberhaus, Mr. Kranick and Mr. Cooley voting No and Mr. Reich, Mr. Tagtow and Ms. Dundon voting Yes.

In November of 2013, the Town Board approved a Conditional Use permit for the operation of a wedding and banquet facility in the lower barn at Old Lyndale Farm. Ms. Leverence decided not to pursue this operation and was able to secure a potential buyer/operator of the facility who desires to operate the facility as a wedding and banquet facility. In accordance with Condition W of the CU permit, a change in physical premises and/or ownership requires a new CU permit.

The proposed use follows what the Plan Commission has previously discussed and approved. Conditions related to the use of the patio as an outdoor cocktail space need to be developed and included into a new CUP. Site development plans are not complete or acceptable for approval at this time.

Mike Peine, Michael Peine Architects, clarified where a property split is hoped to be. Engineer Barbeau and the Plan Commission members discussed the property being in two municipalities, the importance of the parking plan, open space requirements, the permanent easement Ms. Leverence will need to use to access her home, the location of the holding tank and the possible mound system, restrooms, noise, the sprinkler system, the Fire Chief's comments, hours of use, and sight lines for the entrance/exit. Ms. Leverence and Mr. Fisher are hoping for Town approval in November. They will work with Engineer Barbeau to resolve questions relating to the proposed facility and the property.

A motion was made by Mr. Reich, seconded by Ms. Dundon, to Table this item.

Motion carried.

- D. Consideration and possible action regarding modifications to various sections of Chapter 18, Land Division and Development Control Ordinance of the Town code related to sale or exchange of parcels between property owners, definition of subdivision and financial guarantee of required improvements.

A motion was made by Mr. Reich, seconded by Mr. Cooley, to recommend to the Town Board the approval of modifications to the Town's Land Division and Development Control Ordinance (Chapter 18 of the Municipal Code) as proposed by the Town Attorney. Motion Carried.

Sixth order of business: Discussion

- A. Noah & Natalie Bledstein, agent for landowner, Barbara Wall, Re: Discussion regarding use of the existing home at S11 W29611 Summit Avenue for an pediatric occupational therapy facility under a Conditional Use permit.

The Bledsteins have an accepted offer on this property. After discussion, Plan Commission members stated that although they have a very positive response to the proposed use of this property, it is located in a shoreland jurisdiction and the Bledsteins will need to talk with Waukesha County.

Sixth order of business: Announcements and Planning Items

- Next meeting: Tuesday, October 21, 2014 at 7 p.m. Public hearing with Waukesha County
Tuesday, November 18, 2014 at 7 p.m.

Seventh order of business: Adjournment

A motion was made by Mr. Tagtow, seconded by Mr. Reich, to adjourn at 8:56 p.m. Motion carried.

Respectfully submitted,

Lauren Beale
Deputy Clerk/Treasurer

Minutes approved on: November 18, 2014