

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, December 2, 2014**

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

First order of business: Call to Order and Pledge of Allegiance
Chairman Oberhaus called the meeting to order at 7:03 p.m. and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of November 18, 2014

A motion was made Mr. Cooley, seconded by Mr. Reich, to approve the minutes of the November 18, 2014 meeting. Motion Carried.

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

A. None

Fourth order of business: Unfinished Business

A. Summerhill West subdivision by Jim Siepmann, Lake Country Land, LLC. (Tabled 11/18/14)
Re: Consideration and possible action on the approval of the final plat for Summerhill West.

Motion made by Ms. Dundon, seconded by Mr. Cooley, to remove this item from the Table. Motion Carried.

Approval of the final plat was tabled due to the easement restrictions placed on Outlot 1 of the subdivision that would not allow grading or filling on the property. Engineer Barbeau stated Waukesha County is open to some changes. He proposed the following revised note be included on the plat:

Outlot 1 is covered by a drainage easement for storm water storage and infiltration. Grading or filling in this area is only allowed if the existing volume below elevation 985.53 is maintained (13.065 acre-feet) (Limits shown as "ponded water created by the 100-year frozen ground design storm elevation 985.53"). In addition, improvements made to the area encompassing Outlot 1 shall not negatively affect the infiltration capabilities of the area in the northeast portion of Outlot 1 where historically, water has infiltrated into the ground.

The County has not yet approved this statement. Mr. Siepmann is OK with this note. The Park and Recreation Commission will meet on December 8 and is aware of this information. This will help open up possible uses of the park. There can be no hard surface on this part of the park property but the Woodridge Estates park property is higher ground and may allow the hard surfaces to be included.

**Motion made by Mr. Reich, seconded by Ms. Dundon, to recommend to the Town Board the approval of the final plat for Summerhill West subject to County approval and the incorporation of the conditions from the Town Attorney as stated in Engineer Barbeau's report.
Motion Carried.**

B. Appearance: James Cadd, Watercrest Real Estate
Re: Status of Improvements on parcel located at N47 W28229 Lynndale Road

Mr. Cadd emailed Engineer Barbeau providing a status report. He is waiting for information from the DNR. Engineer Barbeau said multiple concerns exist for the Town at this property.

Engineer Barbeau has visited the property. The fence Mr. Cadd stated he would install immediately is still missing. The property is in violation of Town sign requirements and is in violation of the Conditional Use Permit recorded July 22, 2014. This CU can be reviewed at any time.

Attorney Larson will be directed to send a letter to Mr. Cadd stating his CU permit will be revoked if he doesn't come to the next meeting.

Fifth order of business: New Business

- A. Pat Leverence, N47 W28270 Lynndale Road
Re: Consideration and possible action on a Certified Survey Map to reconfigure lands owned by Pat Leverence located at N47 W28270 Lynndale Road.

Engineer Barbeau reviewed the situation with this property. Ms. Leverence is seeking approval to reconfigure the land she owns that is partially in the Town of Delafield and partially in the Town of Merton. Her intent was to split the land in a north/south direction. That never happened. The property was to be sold to Eric Fisher. That purchase is not going through at this time.

Since Ms. Leverence has already submitted her CSM, Engineer Barbeau has encouraged Ms. Leverence to finish this process at this time so she is able to sell Lot 2. The Merton Planner has suggested that the Town of Merton give the land involved to the Town of Delafield.

Ms. Leverence will talk with Engineer Barbeau and possibly with the Town Attorney regarding how to detach the land from the Town of Merton and attach it to the Town of Delafield. She understands she would need to consent to pay for those legal services and also realizes the Town Attorney would be working on the Town's behalf. If this occurs, all of the property will be in the Town of Delafield and a rezoning process will then need to take place for the entire Leverence property.

Motion made by Mr. Kanter, seconded by Ms. Dundon, to Table this item. Motion Carried.

- B. Scott Bennett, N43 W28105 Somerset Lane
Re: Consideration and possible action on a request for a Home Occupation permit to operate a plumbing, excavating and repair business from his home at N43 W28105 Somerset Lane.

Mr. Bennett began construction of a storage building on his property without any permits. After staff investigation and discussion with Mr. Bennett it was realized that Mr. Bennett is operating a business from his home. He was informed he will need a home occupation permit to come into conformance with Town Code related to home occupations. He has no employees. He has been in business since 1996 and has had no complaints about his business in this location. The business was there prior to the Somerset Subdivision.

His property does have temporary sheds (moveable with no foundation). Mr. Bennett is proposing to build a pole barn for his dump truck and RVs. Engineer Barbeau stated there is no limit in the A-2 district as to number of buildings allowed on the property as long as the space used does not exceed 1% of his land area. His proposal meets this requirement.

Engineer Barbeau will talk with the Town Building Inspector and the two will clarify the Poly Structure requirements for Mr. Bennett.

Motion made by Mr. Cooley, seconded by Ms. Dundon, to approve the Home Occupation permit. Motion Carried.

- C. Dan Rabay, Rabay Investments, owner of Ridgepoint Centre, by Andrew Campbell, MD, agent

Re: Consideration and possible action on a request to approve the plan of operation and signage for Campbell Facial Plastic Surgery/Quintessa Medical Spa, in a portion of the upper level of Ridgepoint Centre, W307 N1497 Golf Road.

Engineer Barbeau explained that Dr. Campbell is requesting approval of a plan of operation and sign. He plans to open a medical facility and spa in the southernmost unit on the upper level of the Ridgepoint Centre building. The site is zoned B-1 which allows for "customer service establishments, such as business or professional service offices", as permitted uses. This professional office is similar to the recently considered medical facility on Golf Rd. Dr. Campbell anticipates four full time employees. The plan of operation fits well with the desire of this establishment to minimize intensity of use during non-business hours. No changes to the outside of the existing building are contemplated. The proposed hours are reasonable. Adequate parking is available.

Hours of operation were clarified with the Plan Commission members. Approval would be for 7 a.m. to 6 p.m. Monday, Tuesday, Wednesday and Friday and 7 a.m. to 8 p.m. on Thursdays. There will be occasional open houses that may keep the facility open until 9 p.m.

Dr. Campbell stated there will be no medical waste at this property. Sharps containers will be taken to the Mequon office where they will be handled appropriately. No narcotics will be used on site.

Motion made by Mr. Tagtow, seconded by Mr. Cooley, to approve the Plan of Operation for Campbell Facial Plastic Surgery, S.C. dba Quintessa Medical Spa subject to the change in hours as discussed. Motion Carried.

Engineer Barbeau explained the proposed signage. He recommended approval of the full Quintessa sign on the east side of the building and approval of the "Q" logo on the south side with a maximum height of 48 inches.

Motion made by Mr. Cooley, seconded by Mr. Kanter, to approve the Quintessa sign for the east side of the building as proposed and the "Q" sign for the south side with a maximum height of 48 inches. The signs are to be subject to the remaining conditions recommended by the Town Engineer in his report dated November 24, 2014. Motion Carried.

The Plan Commission stated Dr. Campbell should get a permit for large special events, particularly due to anticipated parking needs. Dr. Campbell said he will talk with the Town Clerk so the Sherriff's Department can be alerted and he will talk with the other tenants of the building.

- D. Paul & Jessica Morris, 1322 S. 89th Street West Allis, WI
Re: Consideration and possible action on a preliminary plat for a 3-lot subdivision known as Morris Meadows, located south of Lexington Lane and west of Paradise Valley Court in the Town of Delafield.

Engineer Barbeau has reviewed the preliminary plat and identified technical elements to be incorporated onto the plat. The layout conforms to the concept plan developed by Mr. Kent Hanson during the development of his lands as a PUD. The only anticipated improvements will be a stormwater management facility on Outlot 1. The lots meet the lot size requirement. They share the open space of the balance of the Scuppernong Springs development. Paradise Valley Court is an existing dedicated roadway maintained by the Town. Notes are included on the plat to address soil conditions which include potential high groundwater and bedrock. The fire cistern requirement was waived previously by the Town Board. All sites will be served by on-site septic systems as designated on the plat. No more than 3 lots are allowed on the parcel being subdivided. No deed restrictions have been submitted for Plan Commission approval at this time. Comments from Waukesha County have not yet been received. Shoreland jurisdiction will not impact Lot 3.

The County will require a bio-retention swale before the Scuppernong Creek headwaters. The design of the swale needed was reviewed when Mr. Hanson was preparing to develop the property but the final plat was not approved at that time.

The Plan Commission stated the Outlot note should also include the Town of Delafield. References to Paradise Valley should be updated to Morris Meadows.

Motion made by Mr. Kanter, seconded by Ms. Dundon, to approve the preliminary plat for Morris Meadows Subdivision subject to Engineer Barbeau receiving a plat addressing all of his technical comments. Motion Carried.

Sixth order of business: Discussion: None

Seventh order of business: Announcements and Planning Items:

Next meeting- Tuesday, January 6, 2015

Eighth order of business: Adjournment

A motion was made by Mr. Tagtow, seconded by Mr. Cooley, to adjourn at 8:25 p.m. Motion Carried.

Respectfully submitted,

Lauren Beale
Deputy Clerk/Treasurer

Minutes approved on: January 6, 2015