

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
March 11, 2014

Members Present: C. Dundon, L. Krause, C. Duchow

Members Absent: P. Kanter, P. Van Horn

Others Present: T. Barbeau, *Town Engineer*, T. Oberhaus, M. Tagtow, B. Cooley, G. Reich, E. Kranick, *Plan Commissioner*, 10 Citizens

Public Hearings Prior to the start of the scheduled Town Board meeting there will be a public hearing in front of the Town Board and Plan Commission to solicit public input to consider an Ordinance to Create a definition of "Vacation Rental Establishment" in Section 17.02 2., and to Create Section 17.05 5. AQ of the Town of Delafield Zoning Code to allow Vacation Rental Establishments by Conditional Use in the Town of Delafield." There will be a second public hearing in front of the Town Board to solicit public input to consider "An Ordinance to Create Section 17.05 AR of the Town of Delafield Zoning Code to regulate Solar Energy Systems as a Conditional Use in the Town of Delafield." This ordinance would update the current Town of Delafield Zoning Code as it relates to solar energy systems, to comply with recently amended State and Federal Laws and regulations. The Town Board meeting will begin immediately following the conclusion of the public hearings. The Public Hearing was called to order at 7:00 p.m. The clerk read the Notice of Public Hearing.

Engineer Barbeau summarized the history of vacation rental establishment. He stated that it was determined by the Plan Commission that short-term vacation rental of residential property is not currently permitted by the Town of Delafield Zoning Code, but could be allowed in individual circumstances by conditional use if the Town Code were properly amended. The Plan Commission recommended regulating the business of vacation rentals by conditional use document. They created a definition of vacation rental establishments and set conditions that need to be met. Engineer Barbeau touched on a few these conditions: transfer of a conditional use permit because of transfer or sale of property is not permissible; whenever the property ownership changes, an occupancy permit and a new conditional use permit is required to ensure compliance with all State and local regulations and ordinances; the vacation rental establishment occupancy limits shall not exceed the number of occupants allowed in Wisconsin Administrative Code Section DHS 195.14(2)(b) per bedroom and also shall not exceed 8 per 1,000 square feet of living area within the principal structure; and, the parcel cannot have more people on site than the higher of 20 or the maximum number allowed under Wisconsin Administrative Code Section DHS 195.14(2)(b).

Dave Kasdorf, N42W28968 Imperial Drive, thanked the Plan Commission for their hard work on this matter. He stated that the sublease would be between the lessor and the lessee.

Mary Buerosse, W291N2152 Elmurst Drive, asked when someone comes in to rent the property, what prevents them from subletting it.

Shawn Jochims, N24W30762 Fairway Ct. (primary residence), owns W292N2137 Elmhurst Drive. He is aware that this subject is not specific to his property. He has owned the Elmhurst Drive property since 2008 and has used it for various purposes. In 2009, he started his own medical practice and used this property for office space. He stated that he cannot rent this home on a monthly basis and still pay his bills. He is requesting the allowance of the vacation rentals that have already been requested. Mr. Jochims stated that he has already rented out his home for the summer. He requested to apply for a temporary conditional use permit.

Al Haubner, N28W29721 Oakwood Grove Rd., stated that he advertises for a property in Northern Wisconsin. He is of the opinion that this is a business. He had to get a seller's permit, register with WI human health service, etc. This type of an ordinance makes perfect sense.

The public hearing closed at 7:55 p.m.

Engineer Barbeau stated the reason for this solar energy systems ordinance is to remain consistent with changes in State law.

There was no public comment on this matter.

The public hearing closed at 7:58

First order of business: Call to Order
Acting Chair Dundon called the meeting to order at 7:58 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of February 25, 2014 Town Board Minutes
The minutes will be filed as prepared by the clerk.

Fifth order of business: Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2014 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #53885 – 53928 IN THE AMOUNT OF \$83,633.92

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$28,217.78

MS. DUNDON/MS. DUCHOW

MOTION CARRIED

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

A. John P. Macy (3/3/14), Re: Wisconsin Towns Association, 2014 District Meeting
None

Seventh order of business: Unfinished Business

A. Further discussion on new fire station/town hall

1. Discussion on financing alternatives

Ms. Duchow suggested that a survey be done on Fire Station #1, so that the building can be put up for sale. Engineer Barbeau stated that this was completed by Yaggy Colby approximately two years ago.

John Mann stated that the committee has been working very hard on the project, is on schedule and it is going very well.

Mr. Krause stated that he has talked to representatives from three financial sources: State Trust Fund, banks (they can only go out 10 years and then we would have to refinance) and bonds. He is of the opinion that the Town's best bet is to engage with a financial advisor. He recommend to ask Ehlers to come in and talk at the March 25 Town Board meeting.

Eighth order of business: New Business

A. Brief discussion of 2014 Road Program

Engineer Barbeau stated that the highway department will be doing work on Cushing Park Rd. between Abitz and Hwy. 18 to correct the site distance problems. He will contact the neighbors in that area to discuss grading on their property. Milling and paving will be done on Louis Avenue between Oakton Rd. and Stuart Drive. More crackfilling and patching will need to be done throughout the Town.

B. Presentation of the Annual Stormwater Report for Calendar Year 2013

Engineer Barbeau summarized the subject draft report and stated that he will update it for Chairman Kanter's signature.

Ninth Order of business: Announcements and Planning Items

A. Next Town Board Meeting – Tuesday, March 25, 2014

B. Spring Election – April 1

Tenth order of business: MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO
ADJOURN AT 8:23 P.M.

Respectfully submitted,

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

Minutes approved on March 25, 2014