

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
Tuesday March 2, 2010**

Members present: T. Oberhaus, P. Kanter, C. Dundon, E. Gratz, M. Tagtow, L. Cunningham  
Also present: P. Van Horn, Supervisor, T. Barbeau, Town Engineer, D. Richards, Fire Chief,  
P. Mortimer, Code Enforcement Officer, 8 citizens

Public Hearing for a request by Cheryl and Lloyd Williams, CLW Development, LLC to amend the Conditional Use permit for Shepherds Pass South to allow the sale of cheese and bottled milk on their property located at W289 N520 Elmhurst Drive.

*The public hearing was called to order at 7:15 p.m. by Chairman Oberhaus. Mr. Williams presented his request to sell processed cheese and bottled milk in a new building on his property. Sales will take place for up to 30 hours per week. He requested that restroom facilities be allowed in the building (this is an accessory building which does not allow restroom facilities). Mr. Oberhaus clarified to the audience that no permit is needed to process the milk and cheese, only to sell the cheese as a retail operation. Mr. Williams clarified the hours to be 9:00 a.m. to 2:00 p.m. on Saturdays and 10:00 a.m. to 2:00 p.m. Sunday. All other sale times will be by appointment. Mr. Williams indicated that he would need no more than 5 parking stalls and has space on the site. Mr. Barbeau expressed his concern with emergency traffic flow. Mr. Williams indicated that 50% of the product will be sold wholesale and 50% would be retail. The bottled milk will be produced on the farm. Milk may come in from other farmers.*

*Supervisor Van Horn: This is spot zoning; concerned with wastewater from the operation; County should be involved; concerned with increase in traffic and site distance at Venture Hill Road.*

*Larry Burt, W290N489 Elmhurst Rd., Waukesha, WI 53188, stated that it would be a good addition to the farm; Venture Hill has always been a problem; trees could be removed from the corner for better site distance.*

*Mr. Williams explained that the waste product from the cheese making operation is whey in a liquid form; it will be used to feed the cows on-site, trucked to other farmers or spread on the land for fertilizer.*

*Ms. Dundon asked about transporting product to other places. Mr. Williams responded by stating that it would likely be done by pick-up truck that he or his family would operate.*

*There being no other comments, the public hearing was closed at 7:45 p.m.*

**First order of business:** Call to Order  
*Chairman Oberhaus called the meeting to order at 7:46 p.m.*

**Second order of business:** Minutes of February 2, 2010  
**MOTION BY MS. DUNDON, SECONDED BY MR. GRATZ TO APPROVE. MOTION CARRIED.**

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

A. Waukesha County Dept. of Parks and Land Use (1/26/10) Conditional Use grant for Prairie Hill Waldorf School

*Mr. Gratz had a question regarding the concrete play area. Mr. Barbeau and Ms. Dundon clarified that a revised plan was submitted for Town Board approval, but was denied.*

**MOTION BY MR. KANTER, SECONDED BY MS. DUNDON TO TAKE ITEM 5A. AND 5B. OUT OF ORDER. MOTION CARRIED.****Fourth order of business:** Unfinished Business

- A. Discussion and possible action on Zoning Code changes related to when the Town should require a sprinkler system within a residential structure

**MOTION BY MS. DUNDON, SECONDED BY MS. CUNNINGHAM TO REMOVE FROM THE TABLE, MOTION CARRIED.**

*Discussion took place regarding requiring sprinklers in homes of a certain size or to just put owners on notice that the fire department recommends installing a sprinkler and informing them of the limitations to fight a fire in homes that are large or have topographical constraints. The Chief was directed to put a notice on the Town's web site regarding sprinklers.*

**MOTION BY MR. KANTER, SECONDED BY MR. TAGTOW TO REMOVE THE SPRINKLER REQUIREMENT FROM THE ZONING CODE. MOTION CARRIED.****Fifth order of business:** New Business

- A. Jay Sindic, W290 N1109 Elmhurst Road, Re: Consideration and approval of a Home Occupation permit to operate an automotive dealer wholesale business from an office in the residence.

*Mr. Sindic explained his desire to have a license to operate a wholesale vehicle operation from his residence. He will buy and sell vehicles over the internet. He will not store any vehicles on site (he has an off-site storage facility in Waukesha). There will be no cars delivered to the site.*

**MOTION BY MR. TAGTOW, SECONDED BY MR. GRATZ TO APPROVE A HOME OCCUPATION PERMIT TO OPERATE AN AUTOMOTIVE WHOLESALE BUSINESS IN HIS RESIDENCE. MOTION CARRIED.**

- B. Lloyd & Cheryl Williams W289 N520 Elmhurst Road Re: Consideration and approval of a Conditional Use amendment to allow the retail sale of cheese and bottled milk on their property located at W289 N520 Elmhurst Road.

Mr. Oberhaus recused himself from the discussion on this matter due to a potential future conflict. Mr. Kanter took the chair for the discussion.

*Mr. Williams clarified the hours of operation desired for the retail sale of milk and cheese. It will be from 9:00 a.m. to 2:00 p.m. on Saturdays and 10:00 a.m. to 2:00 p.m. Sundays. All other times will be by appointment. Mr. Williams offered that it would not exceed 30 hours per week. Mr. Gratz questioned whether this operation would be contract pasteurizing or processing for third parties. Mr. Williams desires to produce cheese for other farmers. He estimates that he will process approximately 75,000 pounds of milk per month. The Plan Commission decided to set a limit on the processing of milk at 100,000 pounds pre month. If Mr. Williams desires to exceed that number, he can come back to the Plan Commission and Town Board for approval. Mr. Williams desires to include restroom facilities inside the cheese processing building for employees and occasional public use. Staff was directed to include this into the Conditional Use permit. Staff was also directed to include the ability for tour groups and school groups to tour the facility by appointment, and that a minimum of 5 parking stalls will be required and shown on the site plan.*

**MOTION BY MS. DUNDON, SECONDED BY MR. GRATZ TO TABLE TO THE APRIL MEETING. MOTION CARRIED.**

**Sixth order of business:** Discussion  
None

**Seventh order of business:** Announcements  
Next meeting – Wednesday, April 7, 2010  
Meeting with Waukesha County Park and Planning Commission 3/11, 1:00 p.m.

**Eighth order of business:** Adjournment

**MOTION BY MR. TAGTOW, SECONDED BY MR. GRATZ TO ADJOURN AT 9:14 P.M.  
MOTION CARRIED.**

Respectfully submitted,

Tim Barbeau  
Town Engineer

Minutes approved on March 2, 2010