

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
April 22, 2014

Prior to the start of the scheduled Town Board meeting there will be a public hearing in front of the Town of Delafield Board of Supervisors and the Southeastern Wisconsin Regional Planning Commission. The purpose of the hearing is to receive public comment on, and reaction to, a proposed amendment to the Lake Pewaukee Sanitary District sewer service area. Upon completion of the first public hearing, there will be a public hearing by the Town of Delafield Board of Supervisors to consider a request by Thomas and Polly Kranick, represented by Cory O'Donnell of Neumann Companies, Inc., for annexation of lands into the Lake Pewaukee Sanitary District. The Town Board meeting will begin immediately following the conclusion of the public hearing. The clerk read the public hearing notice. There was no objection to the notices.

Engineer Barbeau introduced Dave Schilling from SEWRPC. He stated that the 1st public hearing is for the amendment to the subject sewer service area. The developer wants the residential development served by one sanitary district. Because of the topography of the land, the service could be provided most efficiently by the Lake Pewaukee Sanitary District. To achieve this, the sewer service area must be amended. In response to the question by Beverly Zajichok of Maple Avenue, there will be individual wells and properties will be serviced by sanitary sewer. A study of the surrounding area and the average depth of the wells is approximately 212 ft. Each individual well is different in depth. Neumann properties would like to include this into LPSD, but to get to that point we have to amend the sewer service area. There will be individual wells and the subject area will be serviced by sanitary sewer. A study of the surrounding area and the average depth of the wells is approximately 212 ft. Each individual well is different in depth. The soil type is conducive for infiltration. A study of the depth and water pressure of nearby residential wells concluded the new development would probably not significantly affect the water pressure for existing wells. The annexation was approved by LPSD on March 18, and they have the capacity if the 80 properties come in.

Members Present: P. Kanter, C. Dundon, P. Van Horn, L. Krause, C. Duchow

Others Present: T. Barbeau, *Town Engineer*, D. Schilling, SEWRPC, R. Mattano, *Waukesha County Dept. of Parks and Land Use*, J. Johnson, *Advanced Disposal*, E. Kranick, *Plan Commissioner*, 6 Citizens

First order of business: Call to Order
Chairman Kanter called the meeting to order at 7:00 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 April 8, 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 2013 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECK #54061 IN THE AMOUNT OF \$2,690.00 AND CHECKS # 54065 – 54104 IN THE AMOUNT OF \$45,749.95

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$25,150.93

MS. DUNDON/MR. KRAUSE

MOTION CARRIED

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

A. None

Chairman Kanter stated his request to take item 8G out of order.

Eighth order of business: New Business

G. Appointment to Board of Appeals

Chairman Kanter stated that the Town currently has two vacancies on the Board of Appeals. Dean Richards is no longer a resident of the Town and Bruce Kessler resigned. He introduced Ron Troy and added that he has extensive experience, as he served on the Board of Appeals for several years in Texas. Heather Shaw lives in the Town and is relatively new to the area. Her background and experience is in business. She is trained as an Actuary and was recommended by Chair Bonniwell.

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO APPOINT RON TROY AND HEATHER SHAW TO THE BOARD OF APPEALS. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Further discussion on new fire station/town hall

Ms. Duchow stated that the committee met with the Attorney and Architect to discuss legal matters and lighting.

B. Further discussion on garbage and recycling with Advanced Disposal and a representative from Waukesha County

Rebecca Mattano stated Waukesha County's goal to enter into a partnership with the City of Milwaukee to provide single sort recycling by January 2015. The County will not put any monies into the upgrade of the single sort recycling facility. The RFP process has been extended to May 29. Interviews will be held on June 10 and approximately 2 weeks after, the Town will receive the County's recommendation. Ms. Mattano suggested that the Town review the current Advanced Disposal contract carefully to determine how the costs are being separated out. She stated that the Town should make sure that adjustments are broken down to identify where the fuel adjustment is coming from.

Jason Johnson recommended that the Town watch the costs of hauling garbage to Milwaukee. He stated that Advanced is committed to up the drive service, and they haven't seen any other companies offering this.

Chairman Kanter stated that as he has a responsibility to the residents of the Town, he would personally have to wait out the process of the RFP.

MOTION MADE BY MS. DUNDON, SECOND MR. KRAUSE TO TABLE FOR TWO WEEKS. MOTION CARRIED.

Eighth order of business: New Business

A. Consideration and possible action on Plan Commission's recommendation to approve a Conditional Use Permit to construct nine two-family condominium units in the development known as Scuppernong Springs

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.

B. Consideration and possible action on a Resolution for Adoption of a Lake Pewaukee Sanitary Service Area Amendment by the Town of Delafield Board of Supervisors

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE. MOTION CARRIED.

C. Consideration and possible action on a Resolution for Annexation of Land into the Lake Pewaukee Sanitary District by the Town of Delafield Board of Supervisors

The date listed in the 3rd Whereas should read March 18, 2014.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. VAN HORN TO APPROVE WITH THE CORRECTION IN THE 3RD WHEREAS OF THE RESOLUTION. MOTION CARRIED.

- D. Consideration and possible action on an Ordinance to amend the Zoning Map of the Town of Delafield from A-2 to R-1 (PUD) on lands located in the Southeast ¼ and Southwest ¼ of Section 11, Town 7 North, Range 18 East, Town of Delafield

Engineer Barbeau stated the minimum requirement of 3 acre lots in the A-2 Rural Home District. This is consistent with the Town Land Use Plan. The owner and developer has prepared a layout of the proposed subdivision that provides 80 lots on the 151 acres of land, which will meet the requirements of the R-1 and C-1 zoning in combination with a Planned Unit Development Conditional Use permit. He referenced the Concept Plan dated 4/8/14, which shows 80 lots and was approved by the Plan Commission. Engineer Barbeau stated 2 conditions to approving the rezoning; 1. Develop the subdivision as a PUD; 2. It has to be in general conformance with the concept plan prepared by dated 4/8.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE CONDITIONAL REZONING. MOTION CARRIED.

- E. Consideration and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine portions of five lots at W285N3168 Lakeside Road

Engineer Barbeau stated that due to the existing lot lines that cut through the property, the house does not meet all the offset and setback requirements from those lines. By combining the lot into one CSM lot, the inner lines are erased and the result is that the residence is in conformance with the Town code. A note has been put into the CSM that Outlot 1 must be owned by the owner of Lot 1 and shall not be sold or developed separately, and Lot 1 and Outlot 1 shall not contain more than one residence.

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.

- F. Consideration and possible action on Plan Commission's recommendation regarding the determination of the status of a lot at approximately W28415 Silvernail Road

Engineer Barbeau stated that the owner wants to sell off Lot 3 and retain Lot 4. When you take out the right-of-way, you end up with a non-conforming lot. The Town Code states that if you have two non-conforming lots, you must petition to the Town Board for status. The Plan Commission recommended that parcel 3 be extended to the South, leave lot 4 as is "flag lot", and that it be bumped 10 ft. If the Town Board accepts this request, the owner will come back with a CSM for approval.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO CREATE A LOT THAT MEETS THE 3-ACRE MINIMUM SIZE. MOTION CARRIED.

- H. Re-appointment of Dan Dupies to Park and Recreation Commission

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MR. KRAUSE TO APPROVE THE RE-APPOINTMENT OF DAN DUPIES TO PARK AND RECREATION COMMISSION CHAIRMAN. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Waukesha County Unit of Wisconsin Towns Association Meeting – Wednesday, April 23 Genesee Town Hall, 7:00 p.m.
B. Next Plan Commission Meeting – Tuesday, May 6
C. Next Park and Recreation Commission Meeting – Monday, May 12 @ 6:30 p.m.
D. Next Town Board Meeting – Tuesday, May 13

Tenth order of business: Adjournment

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRAUSE TO ADJOURN AT 8:05 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: May 13, 2014