

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, May 18, 2010**

Members present: T. Oberhaus, C. Dundon, E. Gratz, M. Tagtow, L. Cunningham and Billy Cooley

Members absent: P. Kanter

Also present: T. Barbeau, *Town Engineer*, S. Lieffring, *Waukesha County Park and Planning*, T. DeLacy, *Independent Inspections*, 12 citizens

First order of business: Call to Order

Chairman Oberhaus called the meeting to order at 7:03 p.m.

Second order of business: Steve Carter and Julie Joseforsky, N27 W30323 Grandhaven Drive, Re: Consideration and possible action on a restoration plan addressing the removal of trees outside the 25,000 square foot disturbance area (as restricted on the plat of Grandhaven Subdivision), and placement of plant material not indigenous to the existing environment of the Primary Environmental Corridor.

Mr. Carter stated his request to obtain "after the fact" approval for clearing dead, diseased and rotten trees outside the 25,000 square foot disturbance area. He informed the commission members that the builder and developer of the subdivision told him that trees could be cleared in this area, as other properties had done the same.

Chairman Oberhaus informed Mr. Carter that the developer is the one that set the deed restrictions, not the plan commission. Ms. Lieffring stated that Waukesha County is involved in this matter due to the plat restrictions. She informed the owner's landscaper, last October, that he could not cut trees down in the environmental corridor, but they did it without permission. The consensus of the plan commission is that they do not have the authority to approve the subject request because of the restrictions stated in the plat.

A landscape plan was submitted addressing the area within the 25,000 sq. ft. disturbance. A restoration plan was submitted, but it only showed general notes, seed mix and grass areas. Additional plan elements were explained at the meeting by the landscape contractor. It included removal of buckthorn and addition of woodland wildflower mix.

MOTION MADE BY MR. TAGTOW TO APPROVE THE LANDSCAPE PLAN PREPARED BY TERRA TEC, AS REVISED ON 3/15/10, SUBJECT TO SUCH ALTERATIONS AS MAY BE DEEMED APPROPRIATE BY WAUKESHA COUNTY FOR RESTORATION OF THE ENVIRONMENTAL CORRIDOR. THE MOTION FAILED FOR LACK OF A SECOND.

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. COOLEY TO APPROVE THE LANDSCAPE PLAN PREPARED BY TERRA TEC DESIGNATED AS "PLAN B", DATED 5/3/10, ONLY WITHIN THE 25,000 SQ. FT. AREA SHOWN ON THAT PLAN SUBJECT TO DELETION OF THE FIRE PIT AND RETAINING WALLS BEING REMOVED AND SUBJECT TO ANY COUNTY MODIFICATION FOR RESTORATION OF THE ENVIRONMENTAL CORRIDOR . MOTION CARRIED.

MOTION MADE BY MR. GRATZ, SECONDED BY MS. CUNNINGHAM TO RECOMMEND TO THE TOWN BOARD TO ENFORCE THE TOWN CODE RE: VIOLATION OF PLAT RESTRICTIONS AND CONDITIONAL USE FOR GRANDHAVEN SUBDIVISION TO INCLUDE THE SAME ENFORCEMENT TO BE CARRIED OUT FOR ALL OTHER HOMEOWNERS IN THE SUBDIVISION. MOTION CARRIED.

Third order of business: Dan Rabay, Ridgepointe Center, W307 N1497 Golf Road, Re: Consideration and possible action regarding modifications to the sign guidelines for the Ridgepointe Center development.

Mr. Rabay stated his request for modification of the letters on signage guidelines that were previously approved, as this issue is essential to the success of tenants in the building.

MOTION MADE BY MR. GRATZ, SECONDED BY MR. TAGTOW TO MODIFY #19 AND #20 IN THE SIGN GUIDELINES TO INCLUDE THE WORDS, "WITHOUT PLAN COMMISSION APPROVAL". MOTION CARRIED.

Fourth order of business: Consideration and possible action on the review of Conditional Uses:

Molkentin Hobby Kennel - Engineer Barbeau directed attention to letter A of the conditional use stating that, due to the installation of another fence on the property, Ms. Molkentin is not keeping her dogs 56 feet away from the north lot line. Ms. Molkentin stated that her neighbor has no problem with this change. Engineer Barbeau questioned the number of dogs being maintained on a permanent basis. Ms. Molkentin stated that she houses 6 on a permanent basis. The Plan Commission determined that these changes to the current conditional use are significant enough to require a public hearing.

Cornerstone Church – Engineer Barbeau stated that there have no complaints in this matter and no changes have been made to the current conditional use.

Golden Anchor – Engineer Barbeau stated that Waukesha County did receive a permit request for the existing patio. He will request that the owners attend a future meeting to deal with a current sign issue and to update the current conditional use with proper signatures.

Fifth order of business: Consideration of policies and procedures related to determination and enforcement of open space and other related code requirements.

Engineer Barbeau provided a draft of the open space calculation procedures. Mr. DeLacy, Independent Inspections, will review these and request to appear before the Town Board to work out final requirements. Chairman Oberhaus requested that staff further consider the issues of a minimum requirement for obtaining a survey and whether or not a survey would be required on 100+ acres to put up a new building.

Sixth order of business: Adjournment

MOTION MADE BY MS. CUNNINGHAM, SECONDED BY MR. TAGTOW TO ADJOURN AT 9:55 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on June 1, 2010