

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 11, 2018

Members Present: L. Krause, P. Van Horn, E. Kranick, R. Troy, C. Smith

Others Present: K. Fitzgerald, *Plan Commission Chair*, C. Dundon, *Plan Commissioner*, G. Reich, *Plan Commissioner*, T. Frank, *Plan Commissioner*, T. Barbeau, *Town Engineer*, E. Larson, *Town Attorney*, K. Smith, *Waukesha Freeman*, 7 citizens

Public Hearing: Prior to the start of the scheduled Town Board meeting there was a public hearing in front of the Town Board and a quorum of the Plan Commission to consider the amendment of several sections of Chapter 17, Zoning, and Chapter 18, Land Division and Development Control of the municipal code for the Town of Delafield. The purpose of the amendments is in response to the State's adoption of 2017 Wisconsin Act 67 related to requiring a political subdivision to issue a conditional use permit under certain circumstances which resulted in requiring substantial evidence, rather than personal preferences or speculation directly pertaining to the requirements and conditions an applicant must meet. The resulting modifications affect various code sections in Chapter 17 and Chapter 18 of the municipal code. The regularly scheduled Town Board meeting will begin immediately following the conclusion of the public hearing. Chairman Krause called the Public Hearing to order at 7:00 p.m. and read the Public Hearing Notice.

Attorney Larson provided a brief overview of the reason for the subject changes to the Town Code. The State recently adopted a series of laws concerning municipal regulation of land use.

Engineer Barbeau reviewed the proposed amendments in response to changes in the State law related to Conditional Use Permits.

David Broadfoot, N5W33778 Lapham, stated that when he moved into the Town in the early 80's, the zoning requirement was for 3-acre parcels. He questioned why the State made changes. He is seeing tighter and tighter restrictions and is of the opinion that the Town is turning into the City of Brookfield.

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
Randy Schaefer, W291N4193 Prairie Wind Cr., voiced concerns re: speeding in the area of Prairie Wind Cr. and Imperial Dr. It is very dangerous and someone is going to get hurt. He is requesting installation of stop signs and/or any additional help to rectify the issue.

Fourth order of business: Approval of August 28, 2018, Town Board Minutes
MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE THE MINUTES AS PRESENTED BY THE CLERK. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2018 budget

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

MOVED TO APPROVE PAYMENT OF CHECKS #60693 – #60723 IN THE AMOUNT OF \$287,377.77

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$24,973.35

MR. TROY/MR. KRANICK

MOTION CARRIED.

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

Chairman Krause directed attention to a recent communication submitted by Deputy Dunker re: skate park hours.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO REFER THE MATTER TO THE PARK AND RECREATION COMMISSION. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO TAKE ITEM 8B OUT OF ORDER. MOTION CARRIED.

Eighth order of business: New Business

B. Consideration and possible action on Operator's License for the period of 7/1/18 to 6/30/20:
1. Nicholas Dudzek – Ristorante Lago

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE AN OPERATOR'S LICENSE FOR THE PERIOD OF 7/1/18 TO 6/30/20 FOR NICHOLAS DUDZEK – RISTORANTE LAGO. MOTION CARRIED.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. SMITH TO TAKE ITEM 8A OUT OF ORDER. MOTION CARRIED.

Eighth order of business: New Business

A. Discussion and possible action on proposed amendments to several Sections of Chapter 17, Zoning, and Chapter 18, Land Division and Development Control of the Municipal Code for the Town of Delafield

The Town Board recommended the following changes to the proposed Ordinance of Section 17.05 of the Town Code:

3. C., Public Hearing, The 1st sentence to be revised to read: *Within a reasonable time after an application and all required information has been filed, a public hearing shall be held by the Town Board jointly with the Plan Commission pursuant to this chapter.*

5. C. Conditional Uses Permitted, 2. f., *What are the specifics of the traffic study indicated?*

5. D. Conversion, 2. g., *What are the specifics of noise?*

5. D. Conversion, 2. j., *Is this a standard or not?*

5. G. Hobby Kennels, 2. g., *Should there be a standard for smell?*

5. N. Riding Academies or Commercial Stables, 2. Include – *“manure management plan submitted subject to Waukesha County approval”*

Miscellaneous topics brought up for Plan Commission consideration: Bulk storage at greenhouses; update size of in-law units; add language that they have to meet any storm water standards set by Waukesha County.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO SEND THESE RECOMMENDED CHANGES AND OUTSTANDING ISSUES TO THE PLAN COMMISSION FOR REVIEW AND RECOMMENDATION. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Discussion and possible action on deer management agreement

MOTION MADE BY MR. SMITH, SECONDED BY MR. TROY TO DIRECT THE TOWN CHAIRMAN TO SIGN THE DEER MANAGEMENT AGREEMENT AND HAVE 50 DEER NUISANCE LICENSES AVAILABLE. MOTION CARRIED.

Ninth Order of Business: Announcements and Planning Items

- A. Budget Workshop – Monday, September 17 – 6:00 p.m.
- B. Next Town Board Meeting – September 25
- C. Budget Workshop – Wednesday, September 26 – 6:00 p.m.
- D. Next Plan Commission Meeting – October 2
- E. Budget Workshop – Wednesday, October 3 – 6:00 p.m. (if needed)

Tenth Order of business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ADJOURN AT 8:32 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: September 25, 2018