

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 13, 2016

Members Present: L. Krause, P. Van Horn, E. Kranick, R. Troy, B. Cooley

Others Present: T. Barbeau, *Town Engineer*, J. Siepmann, *Siepmann Realty*, 1 citizen

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:08 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There were no citizen comments.

Fourth order of business: Approval of August 22, 2016, Town Board Minutes
MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO APPROVE AS PRESENTED.
MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2016 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #57541 – #57592 IN THE AMOUNT OF \$80,996.45

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$26,609.18

MR. TROY/MR. KRANICK

MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. None

Eighth order of business: New Business

A. Consideration and possible action regarding possible offers to purchase on lot 18, Crystal Springs Park (the old Town Fire Station property)

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. COOLEY TO ALLOW CHAIRMAN KRAUSE TO ACCEPT THE OFFER FROM JOHN AND NANCY KREIL IN THE AMOUNT OF \$91,900 ON LOT 18, CRYSTAL SPRINGS PARK, AS IT STANDS. MOTION CARRIED.

MOTION MADE BY MR. TROY, SECONDED BY MR. VAN HORN TO ADOPT A RESOLUTION TO ALLOW CHAIRMAN KRAUSE TO SIGN THE OFFER TO PURCHASE AND ENTER THE PURCHASE AGREEMENT CONCERNING THE ABOVE-NOTED PROPERTY, IN A FORM APPROVED BY THE TOWN ATTORNEY; AND, EXECUTE A WARRANTY DEED IN A FORM APPROVED BY THE TOWN ATTORNEY TO CONVEY LOT 18 TO JOHN AND NANCY KREIL. MOTION CARRIED.

B. Request from Alan and Karen Olson, N11W28760 Northview Road, for an exception to Section 9.14 of the Town of Delafield code

Engineer Barbeau stated that the subject property is located on the far west end of Glen Cove Road, just before you get to the cul-de-sac. It is the last vacant parcel on the road. Mr. and Mrs. Olsen are requesting an exception or modification pursuant to Section 9.14(9) of the Town Code, from the lot line

separation requirements of the Town Code. Section 9.14(1)(b)(1) of the Town Code requires that no building or structure is closer than 20 feet to any other structure on the adjacent lot measured from the outward-most points of the two structures. Section 9.14(1)(b)(2) of the Town Code requires that principle buildings must be located at least 15 feet from the lot line or in the case of a lot of record, which has a lot width of less than 100 feet, the lot separation shall be 15% of the lot width, provided, however, that such separation shall not be less than 7 and one-half feet. Mr. and Mrs. Olsen seek to build a home that is separated from its outward-most points by 14.67 feet from the house to the east and 17.83 feet from the house to the west. The lot separation from the east and west lot lines is 7.0 feet each.

MR. TROY MOVED, SECONDED BY MR. COOLEY TO APPROVE THAT EXCEPTIONAL CIRCUMSTANCES ARE MET IN THIS CASE FOR THE FOLLOWING REASONS: 1. THE BUILDING FOOTPRINT IS LIMITED BY THE FRONT SETBACK SET BY WAUKESHA COUNTY, A 50-FOOT SETBACK FROM EXISTING WETLANDS IN THE REAR OF THE PROPERTY AND SEPARATION BETWEEN BUILDINGS REQUIRED IN THE TOWN CODE OF 7.5 FEET ON EACH SIDE. THE RESULTING BUILDING FOOTPRINT AREA IS 36' X 50' (1,800 SQUARE FEET). REMOVING THE SPACE SET ASIDE FOR A GARAGE (767 SQUARE FEET), THE REMAINING AREA FOR THE FIRST FLOOR OF THE HOUSE IS 1033 SQUARE FEET ON THE FIRST LEVEL. 2. STRICT ADHERENCE TO THE BUILDING SEPARATION REQUIREMENT OF 20 FEET WOULD RESULT IN THE WIDTH OF THE BUILDING ENVELOPE TO BE 28.51 FEET, WHICH RESULTS IN AN UNDERSIRABLE HOUSE WIDTH. MOTION CARRIED.

MR. TROY MOVED, SECONDED BY MR. KRANICK TO APPROVE THAT PRESERVATION OF PROPERTY RIGHTS IS MET IN THIS CASE FOR THE FOLLOWING REASONS: 1. THE LOT IS ZONED FOR A SINGLE FAMILY RESIDENCE. THE PROPERTY OWNERS ARE EXERCISING THEIR RIGHT TO USE THE PROPERTY AS PERMITTED AND BUILD A REASONABLY SIZED HOME ON THE SITE. 2. THE NEW CONSTRUCTION WILL ADD VALUE TO THE NEIGHBORHOOD. MOTION CARRIED.

MR. TROY MOVED, SECONDED BY MR. KRANICK TO APPROVE THAT ABSENCE OF DETRIMENT IS MET IN THIS CASE FOR THE FOLLOWING REASONS: 1. THE EXCEPTION IS CONSISTENT WITH THE PURPOSES OF THE ORDINANCE, AS THIS MAINTAINS THE HEALTH, SAFETY AND WELFARE OF THE TOWN AND ITS INHABITANTS, AND IT PRESERVES PROPERTY VALUES; THIS DOES NOT ADVERSELY IMPACT RISKS OF FIRE OR ADVERSELY AFFECT ACCESS BY PUBLIC SAFETY PERSONNEL AND EQUIPMENT OR RISKS TO PUBLIC SAFETY PERSONNEL, IT DOES NOT CREATE DISTURBANCE FROM ONE PROPERTY TO ANOTHER WHETHER BY NOISE OR OTHER CAUSE, OR SUBSTANTIALLY INTERFERE WITH THE PASSAGE OF LIGHT AND AIR BETWEEN BUILDINGS; THE EXCEPTION ALSO PRESERVES THE UNIFORM DEVELOPMENT PATTERNS AND PRESERVES PROPERTY VALUES FOR THE BENEFIT OF THE TOWN. 2. THE CONSTRUCTION OF A NEW SINGLE FAMILY HOUSE WILL NOT BE A DETRIMENT TO NEIGHBORING HOMES. MOTION CARRIED.

BASED UPON THE FOREGOING, THE APPLICANT'S REQUEST FOR AN EXCEPTION OR MODIFICATION IS GRANTED.

C. Discussion and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine two properties into one property at W282N3398 Taylors Woods Road

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE A CERTIFIED SURVEY MAP TO COMBINE TWO PROPERTIES INTO ONE PROPERTY AT W282N3398 TAYLORS WOODS ROAD. MOTION CARRIED.

- D. Discussion and possible action on Plan Commission's recommendation to approve a Certified Survey Map to combine two properties into one property at N20W29857 Glen Cove Road

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO ACCEPT THE PLAN COMMISSION'S RECOMMENDATION TO APPROVE A CERTIFIED SURVEY MAP TO COMBINE TWO PROPERTIES INTO ONE PROPERTY AT N20W29857 GLEN COVE ROAD. MOTION CARRIED.

- E. Discussion and possible action on maintenance and replacement of plantings around new Town Hall/Fire Station

Mr. Van Horn stated that we have dead plantings on site, and the fire chief has informed him that the contractor is not responding to our request to replace them. We need to complete this outstanding issue. Mr. Troy stated that he and Mr. Van Horn met with the fire chief last month and were of the understanding that the contractor would resolve all planting and drainage issues.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO TABLE AND REQUEST THAT THE FIRE CHIEF ATTEND THE NEXT MEETING IN TWO WEEKS. MOTION CARRIED.

- F. Discussion and possible action – North Shore Park project update

Engineer Barbeau stated that the contractor will start the curbing project next week and is estimating completion of the work in three weeks.

Mr. Kranick stated that the Park and Recreation Commission would like to plant trees and is requesting to allocate \$24,500 of the remaining budget to do so. He provided a sketch and quote of a proposed sign.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. KRANICK TO AUTHORIZE THE PARK AND RECREATION COMMISSION TO SPEND UP TO \$24,500 FOR TREES AND PLANTINGS. MOTION CARRIED.

- G. Consideration and possible action on Operator License for the period of 7/1/16 to 6/30/18:
Joseph Helker – Kim's Lakeside

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO APPROVE. MOTION CARRIED.

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

- I. Consideration and possible action on Alcohol Permit for neighborhood picnic on September 18th at the Sports Commons Park

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO APPROVE AN ALCOHOL PERMIT FOR A NEIGHBORHOOD PICNIC ON SEPTEMBER 18 AT THE SPORTS COMMONS PARK. MOTION CARRIED.

- H. Set additional budget workshop dates

*The following additional budget workshop dates were set:
Thursday, October 6 – 6:30 p.m.
Wednesday, October 12 – 6:30 p.m.*

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – September 6
- B. Next Park and Recreation Commission Meeting – September 12
- C. Next Town Board Meeting – September 13
- D. Budget Workshop – Wednesday, September 21 – 6:30 p.m. – Town Hall

Tenth Order of business: Adjournment

MOTION MADE BY MR. COOLEY, SECONDED BY MR. TROY TO ADJOURN AT 7:51 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: September 27, 2016