

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
March 3, 2009**

Members present: T. Oberhaus, C. Dundon, E. Gratz, M. Tagtow and G. Meyer

Members absent: P. Kanter and L. Cunningham

Also present: T. Barbeau, *Town Engineer* and P. Mortimer, *Code Enforcement Officer*

First order of business: Call to order

Chairman Oberhaus called the meeting was called to order at 7:05 p.m.

Second order of business: Minutes of February 3, 2009

MOTION MADE BY MR. TAGTOW, SECONDED BY MS. DUNDON TO APPROVE WITH ONE MINOR SPELLING CORRECTION. MOTION CARRIED.

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

A. Waukesha County Department of Parks and Land Use (2/5/09) Zoning Code Violation at N30W29497 Hillcrest Drive.

Engineer Barbeau stated that the adjacent property owner, Carl Tomich, received a copy of the 100-year storm plan and did not object to it.

B. Waukesha County Department of Parks and Land Use (2/6/09) Replacement and enlargement of retaining wall without a County permit.

None

Fourth order of business: Unfinished Business

A. Consideration of a proposed ordinance regulating outdoor furnaces (tabled 2/3/09)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. GRATZ TO REMOVE FROM THE TABLE. MOTION CARRIED.

Engineer Barbeau reviewed Chief Richard's comments. The Plan Commission concurred that it is not necessary to adopt a fire protection ordinance, as any necessary permits will be required by the inspection department. Discussion followed with structure location concerns. The following suggested revisions were presented: 1. Specific code requirements to be included for location of the structure, i.e., distance from neighboring property. The ordinance should reflect that the structure is required to be located closer to the building that it is connected to. This location will be determined by staff and will take into consideration prevailing wind directions, etc.; 2. The fire department has the authority to shut down the structure if it becomes a fire hazard; 3. The structure must be in compliance with all pertinent Town code sections; 4. Section (3) B. Fuel is to remain; 5. The Town burning ordinance is to be cross referenced in the document. Engineer Barbeau will make the suggested revisions and bring them back to the next meeting.

A MOTION MADE BY MR. TAGTOW, SECONDED BY MR. GRATZ TO TABLE. MOTION CARRIED.

Fifth order of business: New Business

A. Discussion and possible action on code clarifications related to accessory buildings and Home Occupation permits.

Mr. Gratz submitted a letter to Engineer Barbeau requesting clarification on several code issues. The Plan Commission requested that a revision be made to the end of the definition of accessory buildings and structures to include: "...and not involving any business activities or the storage of equipment". Discussion followed on home occupation permits referencing 17.03 1. D. 1., which

TOWN OF DELAFIELD PLAN COMMISSION MEETING – March 3, 2009 – Page 2

states that the Plan Commission has authority to review and approve them according to the guidelines of the Town Code and to ensure that the home occupation does not negatively impact the surrounding properties.

B. Review of Conditional Uses: *Engineer Barbeau presented his update.*

Wasielewski Game Farm – The Game Farm is longer in business. The operation closed because of chronic wasting disease. At the request of the Plan Commission, Engineer Barbeau will send a letter confirming discontinuation of the conditional use.

Airman's Sandtrap – The dumpster on the subject property does not include doors, as required by the conditional use. The owner was informed of the violation.

PTI (now Centurytel) Communications – The subject owner has a building off of Maple Avenue, south of the I-94, and another in the Fairfield Subdivision. They are in compliance with the Conditional Use and are not conducting any new operations.

Church of the Resurrection – The dumpster on the subject property is not enclosed. Engineer Barbeau will follow up.

Golden Anchor – A sign on the garage near the road is not specifically allowed in the conditional use. The owner stated that she is looking for additional parking and would possibly clean up the area that goes down to the lake to be used for such purpose. She is also researching areas to be used for off-site employee parking.

Mark Moertl, Boatgas Marine Refueling Service, LLC – Mr. Moertl will be sending in his annual report. He is not making any changes to his operation.

Sixth order of business: Discussion
None

Seventh order of business: Announcements and Planning Items
A. Next Meeting – Tuesday, March 17, 2009

Eighth order of business: Adjournment
**MOTION MADE BY MS. DUNDON, SECONDED BY MR. TAGTOW TO ADJOURN AT 9:15 P.M.
MOTION CARRIED.**

Respectfully submitted,

Mary Elsner, CMC, WCMC
Town Clerk

Minutes approved on April 8, 2009