

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
January 2, 2007**

Members present: T. Oberhaus, P. Kanter, C. Dundon, E. Gratz, M. Tagtow, G. Meyer, L. Cunningham

Also present: T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 15 citizens

First order of business: Call to order
Chairman Oberhaus called the meeting to order at 7:00 PM.

Second order of business: Minutes of November 8, 21 and December 12, 2006.
MOTION MADE BY MS. DUNDON, SECONDED BY MR. MEYER TO APPROVE THE SUBJECT MINUTES WITH MINOR ATTENDANCE CORRECTIONS. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action) – None
Chairman Oberhaus stated that Supervisor Van Horn submitted correspondence this evening addressing Items 4A and 4B.

Fourth order of business: Unfinished business
A. Dennis Hilgart, N11 W28723 Northview Road, (tabled 11/8/06) Re: Consideration of request for rezoning and Conditional Use permit change for a parcel of land known as Outlot 4 Shepherds Pass subdivision.

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

Mr. Hilgart stated that there is confusion regarding responsibility for the subject land. In July of 2006, he submitted a request to combine his existing lot with Outlot 4 and then reconfigure the lot lines to create two parcels. Staff required that he rezone the land to one zoning category (A-2) and go through the process of removing the land known as Outlot 4 from the legal description on the Conditional Use permit approved for Shepherds Pass Subdivision.

Peter Wolf and Jim Taugher (properties abut Outlot 4) stated that when they bought lots in Shepherds Pass, they bought based on that land being an outlot. They object to any type of building on this outlot. Mr. Taugher stated that Mary Sue Graf did not make it clear at closing that Outlot 4 was a privately owned lot.

MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO REZONE THE LAND FROM R-2 PUD TO A-2 IN ACCORDANCE WITH THE DRAFT ORDINANCE AND THAT THE TOWN BOARD APPROVE AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR SHEPHERDS PASS SUBDIVISION TO REVISE THE LEGAL DESCRIPTION TO ELIMINATE OUTLOT 4 AND WITH THE ADDITIONAL CONDITION THAT NO MOUND SYSTEM OR SEPTIC SYSTEM BE BUILT ON THE OUTLOT. MOTION AMENDED BY MR. GRATZ, SECONDED BY MS. DUNDON TO INCLUDE RESTRICTIONS LISTED IN THE SHEPHERDS PASS DEED RESTRICTIONS PROVIDED THEY DON'T IMPACT THE ACTUAL SPLIT OF LAND OR REQUIRE APPROVAL FROM THE HOMEOWNER'S ASSOCIATION. MOTION AMENDED BY MR. GRATZ, SECONDED BY MS. DUNDON TO REMOVE THE RESTRICTION THAT DOES NOT ALLOW LIVESTOCK ON THE PROPERTY AND THE FENCING REQUIREMENTS AS STATED IN THE DEED RESTRICTIONS.

MOTION MADE BY MR. KANTER, SECONDED BY MR. TAGTOW TO TABLE IN ORDER TO REVIEW THE REVISED LANGUAGE TO THE ORDINANCE. MOTION CARRIED.

Mr. Barbeau will make the requested revisions and bring the document back to the next meeting for review by the commission.

B. Lloyd Williams, agent for Richard Roschi, (tabled 11/21/06) Re: Consideration of request for rezoning (A-2 to A-3) and Residential Planned Unit Development Conditional Use permit for the development of a residential subdivision known as Northview Ridge on lands generally located between Cherry Lane and the eastern Town line, north of Northview Road known as Tax Key No. DELT 0817-998 and 0816-984.

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

Mr. Barbeau stated that the request for a traffic study was the only outstanding item from the last meeting. This was submitted by Pat Hawley, P.E., PTOE, at the recommendation of Mark Michelson (Yaggy Colby) because of Mr. Hawley's expertise and reputation. Discussion followed on the traffic study.

MOTION MADE BY MR. GRATZ, SECONDED BY MR. KANTER TO MAKE ITEM 4A CONCURRENT WITH ITEM 5A. MOTION CARRIED.

Fifth order of business: New business

A. Lloyd Williams, agent for Richard Roschi, Re: Consideration of the Lot Allocation for Northview Ridge subdivision

Mr. Barbeau reviewed the subject Lot Allocation and recommended that 23 lots be granted

MOTION MADE BY MS. DUNDON, SECONDED BY MR. GRATZ TO APPROVE THE ALLOCATION OF 23 LOTS FOR NORTHVIEW RIDGE SUBDIVISION. MOTION CARRIED.

Mr. Barbeau reviewed the draft ordinance. The following additions were recommended: Letter B to include: "with the addition of an interior trail system and 66' access to the Pfeiffer property"; Letter E to include: "and preliminary plat".

Mr. Barbeau reviewed the draft conditional use. The following revisions and additions were recommended: "WHEREAS, Lloyd Williams, agent for owners Ronald and Richard Roschi (omit Loren Pfeiffer) has petitioned the Town of Delafield..."; Letter K to read: "The developer shall dedicate a 66' access between the public entrance road and the land to the east (currently known as the Pfeiffer property). The owner shall design and construct an interior trail system"; the Commission will allow the adjacent owner (Richard Roschi's daughter) to pasture up to 3 horses on the adjacent outlot. Grazing shall be allowed between the hours of 6:00 a.m. and 9:00 p.m. The animals may not be kept on the outlot on a permanent basis".

MOTION MADE BY MR. GRATZ, SECONDED BY MR. TAGTOW TO RECOMMEND APPROVAL OF THE REZONING PETITION OF MR. WILLIAMS AND MR. ROSCHI TO THE TOWN BOARD WITH THE SUGGESTED REVISIONS; AND RECOMMEND APPROVAL OF THE CONDITIONAL USE WITH THE ADDITIONS NOTED ABOVE. MOTION CARRIED.

Sixth order of business: Discussion – None

Seventh order of business: Adjournment

MOTION MADE BY MR. KANTER, SECONDED BY MR. TAGTOW TO ADJOURN AT 10:05 P.M. MOTION CARRIED.

Respectfully submitted,

Mary Elsner, CMC, WCMC
Town Clerk

Minutes approved on _____