

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
January 5, 2010**

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

Also present: P. Van Horn, *Town Board Supervisor*, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 11 citizens

Prior to the start of the scheduled Plan Commission meeting there will be a joint public hearing with the Waukesha County Department of Parks and Land Use to solicit public input on a request by Lori Dentice, W305 N2673 Ravine Court for a Conditional Use permit from Waukesha County for grading beyond the allowable limits as set by Waukesha County. The Town Plan Commission meeting will begin immediately following the conclusion of the public hearing. The public hearing opened at 7:03 p.m. Ms. Barrows read the public hearing notice.

David Julius, Julius Building Company, summarized the subject request utilizing the proposed site plan.

Ms. Barrow stated that Waukesha County requires a Conditional Use permit to address any requests for land altering activities within 30 feet of a residence. She stated that the proposed plan reflects the following: some topo drop; a 12' high basement; approximately 8 ft. of fill in the northeast corner of the garage area; a natural drainage swale in the back and east side of the property; and drainage that will be directed toward the northwest corner of the neighbor's home. She directed attention to the plat restrictions for the Grandhaven subdivision stating a disturbance limit of 25,000 sq. ft. plat and the requirement that no earth altering activities shall be allowed beyond 20 feet from any structure.

Discussion followed regarding concerns of water runoff. At this point, a water runoff analysis has not been performed.

Thomas Brophy, N27 W30161 Maple Ave., is concerned about water runoff coming onto his home. He presented information provided by an excavating company recommending options to deal with this issue. He feels that a storm water management plan would be appropriate for this site prior to issuing a building permit.

The public hearing closed at 7:43 p.m.

First order of business: Call to Order
Chairman Oberhaus called the meeting to order at 7:43 p.m.

Second order of business: Minutes of November 3, 2009

MOTION MADE BY MS. DUNDON, SECONDED BY MR. GRATZ TO APPROVE WITH TWO MINOR AMENDMENTS. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action)
A. Waukesha County Department of Parks and Land Use (11/23/09) Conditional approval of a Conditional Use permit for Alan Schultz, N23 W28992 Louis Avenue.

None

B. Waukesha County Department of Parks and Land Use (12/10/09) Staff review and decision sheet for Western Lakes Golf Club, Inc. for construction of a well house to store the pump well.

None

- C. Waukesha County Department of Parks and Land Use (12/10/09) Staff memorandum regarding the Lapham Peak Park snowmaking operation annual report and request for minor adjustments.

Mr. Kanter expressed his dissatisfaction with Waukesha County's analysis to authorize an increase in well usage in the coming year. He stated that the land was set aside as a State park, and the resources should remain protected. The suggestion was made to direct Staff to communicate, with Waukesha County, the Town's objection to allow the expanded water take from Lapham Park State park to serve snowmaking facilities.

MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO DIRECT STAFF TO EXPRESS THE TOWN'S OBJECTION TO ALLOW THE EXPANDED WATER TAKE FROM LAPHAM STATE PARK TO SERVE SNOWMAKING FACILITIES. MOTION CARRIED.

- D. Waukesha County Department of Parks and Land Use (12/11/09) Approval of amendments to the Lapham Peak snowmaking operation Conditional Use permit.

MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO TAKE ITEM 4A OUT OF ORDER. MOTION CARRIED.

Fifth order of business: New Business

- A. Tonie Dunst, Victory Homes of Wisconsin, on behalf of David and Kelly Leibham, 3025 N. 90th Street, Milwaukee, Re: Consideration and approval of structure location on Lot 3 CSM 10673 located on Maple Avenue, approximately 1200 feet northeast of Wildwood Trail.

Daryl Prusow, The Victory Companies, stated that the building envelope, defined on the Certified Survey Map, confirms that the house is going to be located within the envelope.

Engineer Barbeau stated that a stipulation on the CSM required that a plan be submitted for review of placement of any structure, so that it is not placed on slopes greater than 12% and that it be located to minimize the disturbance or removal of any trees or the natural aspects of the lot.

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. MEYER TO APPROVE THE HOME LOCATION SHOWN ON THE PLAT OF SURVEY DATED 12/22/09. MOTION CARRIED.

- B. Lori Dentice, W305 N2673 Ravine Court, Re: Consideration and recommendation to Waukesha County regarding proposed earth altering activities associated with a new house to be constructed on Lot 2 Grandhaven subdivision.

The following concerns were discussed: water run-off; i.e., Engineer Barbeau would like to see a water management plan developed by an engineer with input from their landscape architect; the issue of compliance regarding 25,000 sq. ft. of disturbance; if the plat restrictions are altered, the other Grandhaven homeowners must sign off on the changes and gain Town and County approval.

MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO TABLE. MOTION CARRIED.

- C. Lori Dentice, W305 N2673 Ravine Court, Re: Consideration and approval of a request to allow an increase in the maximum height as provided for in Section 17.03 6.D. of the Town Zoning Code for a proposed residential home located on Lot 2 Grandhaven Subdivision.

MOTION MADE BY MR. GRATZ, SECONDED BY MR. TAGTOW TO APPROVE A MAXIMUM OVERALL HEIGHT OF 47 FT. FOR THE STRUCTURE. MOTION CARRIED.

Sixth order of business: Discussion

- A. Lloyd Williams, W289 N520 Elmhurst Road, Re: Discussion regarding the possibility of having a cheese facility on his farm located at W289 N520 Elmhurst Road.

Mr. Williams summarized the proposed request to include construction of a 30' x 40', 2-story building to produce approximately 300 lbs. of cheese per day for retail. His current conditional use document does not allow retail; therefore, Staff was directed to contact legal counsel to determine whether or not this would require an amendment. Also, would any changes made to the agricultural use would require approval by all homeowners of Shepherds Pass South.

Fourth order of business: Unfinished Business

- A. Consideration of Zoning Code changes related to implementation time after approvals are granted and requirement for property owner's signature on applications and permits.

Engineer Barbeau will make suggested revisions and bring them back to a later meeting.

Seventh order of business: Announcements

- A. Next Plan Commission meeting – February 2, 2010

Eighth order of business: Adjournment

MOTION MADE BY MR. TAGTOW, SECONDED BY MS. CUNNINGHAM TO ADJOURN AT 9:57 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on February 2, 2010