

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
Wednesday, November 3, 2010**

Members present: T. Oberhaus, P. Kanter, C. Dundon, E. Gratz, M. Tagtow, L. Cunningham and B. Cooley (arrived at 8:45 p.m.)

Also present: T. Barbeau, *Town Engineer*, R. Ackley, *Town Board Supervisor*, 10 citizens

*Prior to the start of the scheduled Plan Commission meeting there will be two public hearings in front of the Town Plan Commission and the Town Board. The first is a request by Jennifer Meyer, W310 S478 Maple Avenue to rezone that portion of her property currently zoned A-1, Agricultural District to A-2, Rural Home District. Mr. Oberhaus called the public hearing to order at 7:05 p.m. The Town Clerk read the Public Hearing Notice.*

*Engineer Barbeau stated that Ms. Meyer owns a 5-acre parcel of land located east of Maple Avenue south of Wildwood Trail. The lot was created in 1997, which allowed 1.5 acre minimum lots in the A-1 zoning district. The parcel is currently legal non-conforming based on the size requirement (40 acres in A-1) in the current zoning code. A substantial portion of the property is zoned WF-1. The proposed request is to bring the lot into conformance, eventually build a detached garage and add some additional asphalt for parking. Under the A-1 district, 95% of the property must be in open space. Currently, Ms. Meyer has 95.2% open space. Changing the zoning to A-2 would allow 92% open space and accommodate the proposed improvements. The land does not abut a public road and is served by a 66-foot easement through the adjacent property to the south.*

*Dan Oldenburg, W310S282 Maple Ave., questioned the intentions of Ms. Meyer. She confirmed the proposal to rezone her property from A-1 Agricultural District to A-2 Rural Home District to put up a garage in the near future.*

*The public hearing closed at 7:08 p.m.*

*The second hearing is at the request of Steve and Michelle Elkin W310 S486 Maple Avenue to rezone that portion of their property currently zoned A-1, Agricultural District to A-2, Rural Home District. Mr. Oberhaus called the public hearing to order at 7:08 p.m. The Town Clerk read the Public Hearing Notice.*

*Engineer Barbeau stated that Steve and Michelle Elkin own land to the south of Ms. Meyer. They have petitioned for rezoning of their property from A-1 to A-2. Lands to the east are zoned WF-1, lands to the north and south are zoned A-1 and WF-1 and lands to the northwest are zoned A-1 and A-3. The request is in conformance with the Town's Land Use plan and will not change the overall density of the rural areas of the Town.*

*Dan Oldenburg, W310S282 Maple Ave., questioned the intentions of Steve and Michelle Elkin. They confirmed their proposal to rezone their property from A-1 Agricultural District to A-2 Rural Home District to put up a garage in the near future..*

*The public hearing closed at 7:10 p.m.*

**First order of business:** Call to Order

*Chairman Oberhaus called the meeting to order at 7:12 p.m.*

**Second order of business:** Approval of the minutes of October 5, 2010

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. TAGTOW TO APPROVE. MOTION CARRIED.**

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

- A. Waukesha County Board of Adjustment (10/19/10) Decision sheet for variance request for property located at N28 W28979 Oakwood Grove Road.

*Engineer Barbeau stated that the subject property is located on the southeast corner of Oakwood Grove & Shady Lane. There are 3 houses on the property. As remodeling of one of the homes was being done without a permit, the building inspector placed a "stop work order" on the project. The owners went to the Waukesha County Board of Appeals to request a variance (after the fact), and it was denied. The Town of Delafield is waiting for a 30-day appeal from the owners and then a raze order will be placed on the home.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. TAGTOW TO TAKE THE FIFTH ORDER OF BUSINESS (NEW BUSINESS ITEMS) OUT OF ORDER. MOTION CARRIED.**

**Fifth order of business:** New Business

- A. Jennifer Meyer, W310 S478 Maple Avenue, Re: Consideration and possible recommendation to the Town Board to rezone that portion of her property from A-1, Agricultural District to A-2, Rural Home District.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. KANTER TO RECOMMEND APPROVAL TO THE TOWN BOARD TO REZONE A PORTION OF THE MEYER PROPERTY FROM A-1, AGRICULTURAL DISTRICT TO A-2, RURAL HOME DISTRICT CONDITIONED UPON THE LOT NEVER BEING DIVIDED. MOTION CARRIED.**

- B. Steve and Michelle Elkin W310 S486 Maple Avenue, Re: Consideration and possible recommendation to the Town Board to rezone that portion of their property currently zoned A-1, Agricultural District to A-2, Rural Home District.

**MOTION MADE BY MR. KATNER, SECONDED BY MS. DUNDON TO RECOMMEND APPROVAL TO THE TOWN BOARD TO REZONE A PORTION OF THE ELKIN PROPERTY FROM A-1, AGRICULTURAL DISTRICT TO A-2, RURAL HOME DISTRICT CONDITIONED UPON THE REZONING ORDINANCE STATING THAT THE LAND, AS REZONED, CANNOT BE FURTHER DIVIDED AND A DEED RESTRICTION BE PREPARED AND FILED WITH WAUKESHA COUNTY TO REFLECT THE NON-DIVISION OF THE LAND. MOTION CARRIED.**

- C. FRED Tumblebrook, Ltd. c/o Fiduciary Real Estate, 789 N Water Street, Milwaukee, WI Re: Consideration and possible approval to allow the continuation of two "For Sale" signs on the property located at the northwest corner of Golf Road and CTH SS.

*Engineer Barbeau stated that, as the result of a request for a sign variance, the subject signs were approved for a 1-year period in July of 2009. Mr. Bill Ohm has requested a 2-year extension to allow the signs to remain on the site as they are currently located.*

**MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO EXTEND THE REQUEST FOR 12 MONTHS STARTING ON JULY 8, 2010, AND ENDING ON JULY 8, 2011.**

**MOTION AMENDED BY MR. TAGTOW, SECONDED BY MS. DUNDON TO INCLUDE THE SIGNS BEING BROUGHT BACK TO GOOD REPAIR AND INSPECTED BY THE BUILDING INSPECTOR. MR. COOLEY-YES, MS. DUNDON-YES, CHAIRMAN OBERHAUS-YES, MR. KANTER-NO, MS. CUNNINGHAM-YES, MR. TAGTOW-YES, MR. GRATZ-YES. MOTION CARRIED.**

- D. St. Anthony on the Lake, W280 N2101 CTH SS, Re: Consideration and possible approval of a Certified Survey Map combining a portion of the former Lakeview Lanes property with the St. Anthony on the Lake property and combining a portion of the former Lakeview Lanes property with lands owned by the Pewaukee Yacht Club.

*Engineer Barbeau stated the purpose of the CSM is to combine a portion of the former Lakeview Lanes parcel into St. Anthony on the lake lands and combine a portion of the former Lakeview Lanes parcel with lands owned by Pewaukee Yacht Club. The current CSM contains an owner's certificate for both St. Anthony Church and the PYC.*

**MOTION MADE BY MR. GRATZ, SECONDED BY MR. KANTER TO APPROVE THE CSM DATED 9/24/10, AS PRESENTED THIS EVENING, WITH THE TOWN ENGINEER'S RECOMMENDATIONS TO INCLUDE: 1. THE APPLICANT SATISFYING ALL COMMENTS, CONDITIONS AND CONCERNS OF THE TOWN ENGINEER, WAUKESHA COUNTY, PLAN COMMISSION OR TOWN BOARD; 2. RECEIPT OF ALL OTHER REQUIRED SIGNATURES INSCRIBED ON THE CSM, PRIOR TO THE TOWN AFFIXING ANY REQUIRED SIGNATURES; 3. A PUBLIC HEARING BE SCHEDULED FOR REVISION OF THE CONDITIONAL USE PERMIT AND ZONING CHANGE FROM B-1 TO R-2; 4. THE APPLICANT REIMBURSING THE TOWN OF DELAFIELD FOR ALL COSTS AND EXPENSES OF ANY TYPE THAT THE TOWN INCURS IN CONNECTION WITH THIS DOCUMENT, INCLUDING THE COST OF PROFESSIONAL SERVICES INCURRED BY THE TOWN (LEGAL, ENGINEERING, PLANNING, CONSULTING) FOR THE REVIEW AND PREPARATION OF THE REQUIRED DOCUMENTS OR ATTENDANCE AT MEETINGS OR OTHER RELATED SERVICES FOR THIS APPLICATION, AS WELL AS ENFORCEMENT OF CONDITIONS ASSOCIATED WITH ANY CONDITIONAL APPROVAL IN THE EVENT OF A VIOLATION OF THE CONDITIONS, ALONG WITH WAUKESHA COUNTY REVIEW AND THE SUCCESSFUL ABANDONMENT OF THE SEWER LATERAL EASEMENT OF THE FORMER BOWLING ALLEY PROPERTY. MOTION CARRIED.**

- E. Lori Dentice & Joel Blumenschein, W305 N2673 Ravine Court, Re: Consideration and possible approval of changes to the site development plans for a new home being constructed at N27 W30161 Grandhaven Drive (Lot 2 Grandhaven Subdivision).

*John Erdmann, Terra Tec, stated the new proposal to change the underground infiltration system to increase retention volume. A series of 7 arch-type pvc pipes 30" high x 51" wide will be installed. This will make the site much cleaner and easier to manage. The underground system will serve the east side of the house.*

**MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO APPROVE THE PROPOSED PLAN SIGNED ON 10/25/10, ALONG WITH THE CHANGES TO THE PLAN REQUESTED BY THE OWNERS INCLUDED IN ENGINEER BARBEAU'S PLAN COMMISSION REPORT: 1. THEY HAVE CHANGED THE RAIN GARDEN TO UNDERGROUND STORAGE; 2. ROUTED THE REAR DOWNSPOUNTS THROUGH UNDERGROUND DETENTION SYSTEM AND REMOVE ONE OF THE THREE DISCHARGE LOCATIONS TO THE ENVIRONMENTAL CORRIDOR; 3. MODIFIED THE DRIVEWAY AND FRONT ENTRY LAYOUT; 4. REDUCED THE LENGTH OF THE SWALE TO PROTECT EXISTING VEGETATION ALONG THE NORTH SIDE OF THE PROPOSED DETACHED GARAGE; 5. MODIFIED THE RETAINING WALL LOCATION EAST OF THE DETACHED GARAGE APRON, AND ADDED STONE STEPS AND RETAINING WALLS EAST OF THE HOUSE FOR AN ACCESS WALKWAY TO REAR YARD; 6. ADDED AN ADDITIONAL 3-FOOT RETAINING WALL IN THE REAR YARD; 7. MODIFIED POOL AND REAR PATIO LAYOUT AND RELOCATED THE POOL HOUSE; 8. ADDED ACCESS WALKWAY FROM**

**REAR PATIO TO LANAI (OPEN ROOFED PORCH); ADDED STONE STEPS AND RETAINING WALLS FOR ACCESS FROM LANAI TO WALKWAY; AND, CONDITIONED UPON THE UNDERSTANDING THAT A CORE SAMPLE WILL BE TAKEN AND INSPECTED BY OUR TOWN ENGINEER AS STIPULATION FOR THE CHANGE TO THE UNDERGROUND DENTENTION SYSTEM. MOTION CARRIED.**

F. Lewaune Hanson W311 N299 Paradise Valley Court, Re: Consideration and possible action on a request from Mrs. Hanson granting an additional 60 day extension for the approval of the final plat for Paradise Valley, a subdivision located in the Southeast ¼ of Section 28 located west of and adjacent to Paradise Valley Drive.

**MOTION MADE BY MR. KANTER, SECONDED BY MR. GRATZ TO ACCEPT THE REQUEST FROM MRS. HANSON GRANTING AN ADDITIONAL 60 DAY EXTENSION FOR THE APPROVAL OF THE FINAL PLAT FOR PARADISE VALLEY, A SUBDIVISION LOCATED IN THE SOUTHEAST ¼ OF SECTION 28 LOCATED WEST OF AND ADJACENT TO PARADISE VALLEY DRIVE. MOTION CARRIED.**

G. Toni Schneider, Pewaukee Lake Montessori Academy, W287 N3700 North Shore Drive, Re: Consideration and possible approval of a sign for the proposed school.

*Ms. Schneider stated the proposed request to replace the "Old Grandma's House" sign with a 4'x3' sign to be placed 6' above ground surface. Engineer Barbeau would prefer that it be placed 5' above ground surface (high side on the west side of the sign). He stated that the subject proposal meets the town code sign requirements.*

**MOTION MADE BY MR. GRATZ, SECONDED BY MS. CUNNINGHAM TO APPROVE THE PLAN FOR A FREESTANDING SIGN FOR PEWAUKEE LAKE MONTESSORI ACADEMY DATED 11/3/2010 CONDITIONED UPON NO POINT ON THE SIGN BEING MORE THAN 5' ABOVE THE WESTERNMOST GROUND SURFACE. MOTION CARRIED.**

**Fourth order of business:** Unfinished Business

A. Consideration of policies and procedures related to determination and enforcement of open space and other related code requirements.

*Engineer Barbeau was directed to make minor changes to the subject document and present them at the next meeting.*

**Sixth order of business:** Discussion

A. None

**Seventh order of business:** Announcements and Planning Items – Next meeting – Tuesday, December 7, 2010

**Eighth order of business:** Adjournment

**MOTION MADE BY MR. TAGTOW, SECONDED BY MR. COOLEY TO ADJOURN AT 9:15 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on December 7, 2010