

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
Tuesday, December 7, 2010**

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

Also present: T. Barbeau, *Town Engineer*, L. Krause, *Town Board Supervisor*, R. Ackley, *Town Board Supervisor*, 8 citizens

*Prior to the start of the scheduled Plan Commission meeting there will be a Public Hearing in front of the Town Plan Commission and the Town Board. The hearing is to consider the request of St. Anthony on the Lake to change the Town Land Use Plan from "Mixed Use" to "Governmental and Institutional" and "Recreational" on land known as Tax Key No. DELT 0913-999-002 (former Lakeview Lanes parcel); to change the zoning from B-1 to R-2 on a portion of said parcel; and to consider an amendment to the Conditional Use Permit to include a portion of said parcel into the Conditional Use document. The Plan Commission meeting will begin immediately following the conclusion of the public hearing. Chairman Oberhaus called the Public Hearing to order at 7:00 p.m. The Town Clerk read the Public Hearing Notice.*

*Engineer Barbeau summarized the three proposed requests to be addressed: 1. The Town's current Land Use Plan Map designates St. Anthony on the Lake property as "Governmental and Institutional" on the lands that the school and church are located; 2. The former Lakeview Lanes property, north of the original parcel, is designated as "Mixed Use"; 3. St. Anthony on the Lake is proposing to split the Lakeview Lanes parcel with a portion being attached to the original parcel and a portion attached to the Pewaukee Yacht Club lands. The portion of the Lakeview Lanes parcel should be designated as "Governmental and Institutional" to match what is on the original parcel. The balance of the land should be designated as "Recreational" to match what is on the Pewaukee Yacht Club lands.*

*Dawn Jordan, N21W28081 Domecki Ct., stated that she is here to understand and receive clarification on what all the rezoning means. She would like to see everything under a conditional use.*

*Bob Guidinger, Commodore of the Pewaukee Yacht Club, stated that the proposed rezoned land will be used for greenspace.*

*The public hearing closed at 7:18 p.m.*

**First order of business:** Call to Order  
*Chairman Oberhaus called the meeting to order at 7:18 p.m.*

**Second order of business:** Approval of the minutes of November 3, 2010  
**MOTION MADE BY MR. GRATZ, SECONDED BY MR. TAGTOW TO APPROVE. MOTION CARRIED.**

**Third order of business:** Communications (for discussion and possible action)  
A. Waukesha County Department of Parks and Land Use (11/22/10) Removal of structure deadline at N28 W28979 Oakwood Grove Road.

*Engineer Barbeau stated that the building inspector, Tony Fockler, sent a certified letter to Mr. Gatzow on 12/3 requiring the removal of the subject structure prior to January 7, 2011.*

B. Waukesha County Department of Parks and Land Use (11/22/10) County approval of the Blumenschein/Dentice land altering activities at N27 W30182 Grandhaven Drive.  
*None*

**MOTION MADE BY MR. KANTER, SECONDED BY MS. DUNDON TO TAKE NEW BUSINESS OUT OF ORDER. MOTION CARRIED.**

**Fifth order of business:** New Business

- A. John Werner, Dylon's Steakhouse N26 W30227 Maple Avenue (formerly Golden Anchor), Re: Consideration and possible approval of a new sign to be placed on the exiting sign post along Maple Avenue.

*Engineer Barbeau summarized the proposed request stating that the Town code does not specify whether the phone number of the establishment should or should not be allowed on a sign. The suggestion was made to include the words, "Town of Delafield" on the sign.*

**MOTION MADE BY MR. KANTER, SECONDED BY MR. GRATZ TO APPROVE THE PROPOSED SIGN WITH THE INCLUSION OF THE PHONE NUMBER, THE UNDERSTANDING THAT THIS APPROVAL IS NOT SETTING A PRECEDENT FOR OTHER BUSINESSES, AND THE WORDS "TOWN OF DELAFIELD" BE INCORPORATED INTO THE SIGN AND APPROVED BY ENGINEER BARBEAU. MOTION CARRIED.**

- B. St. Anthony on the Lake, W280 N2101 CTH SS, Re: Consideration and possible action to modify the Town Land Use Plan for parcel DELT 0813-999-002 from Mixed Use to Government and Institutional on lands owned by St. Anthony on the Lake and to change a portion of the land to Recreational on lands to be owned by Pewaukee Yacht Club.

**MOTION MADE BY MR. TAGTOW, SECONDED BY MS. DUNDON TO RECOMMEND THE PROPOSED LAND USE DESIGNATION CHANGE TO THE TOWN BOARD. MOTION CARRIED.**

- C. St. Anthony on the Lake, W280 N2101 CTH SS, Re: Consideration and possible action to change the zoning on a portion of the property known as tax Key No. DELT 0813-999-002 from B-1 to R-2.

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. GRATZ TO RECOMMEND TO THE TOWN BOARD TO REZONE THAT PORTION OF THE LAKEVIEW PARCEL TO BE OWNED BY ST. ANTHONY ON THE LAKE FROM B-1 TO R-2, WITH THE CONDITION THAT THE LANDS BE INCLUDED IN THE ST. ANTHONY CONDITIONAL USE. MOTION CARRIED.**

- D. St. Anthony on the Lake, W280 N2101 CTH SS, Re: Consideration and possible approval of an amendment to the Conditional Use Permit to modify the legal description to include lands that were part of Tax Key No. DELT 0813-999-002 and any other conflicting language.

**MOTION MADE BY MR. KANTER, SECONDED BY MR. TAGTOW TO RECOMMEND TO THE TOWN BOARD TO MODIFY THE CONDITIONAL USE DOCUMENTS OF ST. ANTHONY ON THE LAKE AND PEWAUKEE YACHT CLUB TO INCORPORATE THE LEGAL DESCRIPTION FOR ST. ANTHONY ON THE LAKE AND PEWAUKEE YACHT CLUB.**

*During discussion on the motion, Mr. Gratz questioned whether or not this motion could be made as the item is not reflected on the agenda.*

**MOTION MADE BY MR. GRATZ TO TABLE. MOTION FAILED FOR LACK OF A SECOND.**

**THE FIRST MOTION WAS VOTED ON: MR. COOLEY-YES, MS. DUNDON-YES, CHAIRMAN OBERHAUS-YES, MR. KANTER-YES, MS. CUNNINGHAM-YES, MR. TAGTOW-YES, MR. GRATZ-NO. MOTION CARRIED.**

E. St. Anthony on the Lake, W280 N2101 CTH SS, Re: Consideration and possible action on a request for a waiver to the established street width of 66 feet on Edgewood Drive to 60 feet.

**MOTION MADE BY MR. KANTER, SECONDED BY MR. GRATZ TO RECOMMEND APPROVAL OF THE WAIVER TO THE TOWN BOARD TO REDUCE THE ESTABLISHED ROAD RIGHT-OF-WAY OF EDGEWATER DRIVE TO ITS EXISTING WIDTH OF 60 FT. MOTION CARRIED.**

F. Turkey Crossing LLC, Re: Consideration and possible approval of a Certified Survey Map splitting land located in Sections 27 and 34 into 2 parcels.

*Engineer Barbeau stated that Lot 2 does not meet the minimum zoning requirements for lot size under the A-1 zoning district. Lands in the WF-1 do not allow residential uses. He suggested that the Town require rezoning on Lot 2 prior to the approval of the CSM.*

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

G. Town of Delafield, Re: Request by staff for interpretation of Zoning Code Section 17.09 2. K. and L. related to parking of Vehicles, Trucks and Equipment in the Town.

*Engineer Barbeau directed attention to K. 5., re: lake lots that have a 50' setback from roadway. He has received feedback from lake property owners stating that the front yard of their property is considered the lake yard. If so, does that mean they can't park recreational vehicles anywhere if they live on the lake. Mr. Gratz read the definition of front yard referencing the Town code. Discussion followed with the suggestion to further identify screening: any off street parking in a non-residential district which abuts a residential district the parking has to be screened from the residential district. Also, the suggestion was made to eliminate #3. Mr. Barbeau will discuss these suggested changes with the building inspector and bring them back to a future meeting.*

**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 did not have any updates to report.*

**Sixth order of business:** Discussion

A. None

**Seventh order of business:** Announcements and Planning Items – Next meeting – Tuesday, January 4, 2011

**Eighth order of business:** Adjournment

**MOTION MADE BY MR. TAGTOW, SECONDED BY MR. KANTER TO ADJOURN AT 8:50 P.M. MOTION CARRIED.**

Respectfully submitted,

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

Minutes approved on January 4, 2011