

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
March 20, 2007**

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

Also present: L. Krause, *Supervisor*, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, R. Mace, *Waukesha County*, 12 citizens

Public Hearings: Prior to the start of the scheduled Plan Commission meeting there will be two public hearings. The first hearing will be a joint hearing between the Town of Delafield Plan Commission and a staff representative of Waukesha County Parks and Land Use Department at the request of Westridge Builders for a Legal Non-Conforming Conditional Use permit to allow the construction of two single family condominiums on one parcel located at N26 W30249 Maple Avenue. The Plan Commission meeting will begin immediately following the conclusion of the public hearing. The Public Hearing opened at 7:00 P.M. Mr. Mace read the Public Hearing Notice. There was a quorum present of Plan Commissioners.

Mr. Carl Tomich summarized the proposed request to construct 2 single-family home condos on a 56,000 sq. ft lot (to include approximately 75% open space). He stated that the proposal also includes taking down the existing structures. The 2 units will not have an identical look (each unique), but the dimensions will both be approximately 40' wide and have the same depth. They will be 2-story units, consisting of approximately 3000-3500 sq. ft., not including lower level completion. Mr. Tomich stated that 2 separate driveways and patios are being proposed to allow for "the look of 2 single family homes". The floor plans will be very similar. He is also requesting 2- 62 ft. piers (under the 125 ft. total allowed to stay proper distances off of the lot lines) one for each unit, as part of the proposal. There will be no lot combinations.

Mr. Mace questioned as to when final plans will be submitted. Mr. Tomich stated that he can present them immediately. He also confirmed that landscaping plans will be submitted when requested.

No one from the public wished to comment on this matter.

The first Public Hearing closed at 7:20 P.M.

Public Hearings: The second hearing will be before the Town of Delafield Board of Supervisors and Plan Commission at the request of the Town of Delafield to rezone the land on which the Town Hall and other Town facilities are located (N14 W30782 Golf Road) from B-3 to B-1 to bring the parcel of land into conformance with the zoning code in anticipation of construction of a salt storage building and an addition to the highway garage. The Plan Commission meeting will begin immediately following the conclusion of the public hearing. The second Public Hearing opened at 7:20 P.M. The Town Clerk read the Public Hearing Notice. There was a quorum present of Town of Delafield Board of Supervisors and Plan Commissioners.

Mr. Barbeau stated that this item was placed on a previous Plan Commission meeting agenda for discussion. Since that time, it has been presented to the Town Board to discuss location of the salt storage building and the rezoning issue. Currently, this land is zoned B-3, bound by Golf Road to the south and the Arbors on to the north and east and the park land (which is zoned P-1) to the west. The Arbors is zoned A-3 PUD and the land on the south side of Golf Road is zoned B-1. He is not aware of the history as to how the zoning became B-3; however, we are not in conformance with the Town's B-3 zoning. The requirement is for the following: 5 acres - we have approximately 3.8 on the subject piece (not the park piece); the setback from Golf Road should be 50 ft. – currently, the Town Hall is at 45'; the existing offset is 45' from the lot line – the requirement is 100'; the existing open space is 56% - B-3 requires 80% green space. The proposal is to rezone to B-1 with minimum lot requirement of 20,000 sq. ft. (which we currently meet), we meet lot frontage, offset requirements and open space requirements. The salt storage building will replace

the existing park structure, and the future intent is to build an addition to the existing highway garage for storage. The existing playground equipment is outdated and does not meet safety requirements. The Plan Commission requested staff to research what % of green space will be left after construction.

Scott Krug, W308N1759 Westlake Circle, questioned where the site will be placed and plans for addition to the garage. He expressed concerns regarding additional traffic, activity and noise this may bring to the area.

The second Public Hearing closed at 7:35 P.M.

First order of business: Call to Order

Chairman Oberhaus called the meeting to order at 7:35 P.M.

Second order of business: Lloyd Williams, agent for Richard Roschi, Re: Re-consideration of the proposed layout for a Residential Planned Unit Development on lands generally located between Cherry Lane and the eastern Town line, north of Northview Road known as Tax Key Nos. DELT 0817-998 and 0816-984 at the request of Waukesha County Plan Commission.

Mr. Barbeau stated that this issue came up as a result of a meeting with the Waukesha County Plan Commission. They are not opposed to the proposed plan but are concerned with access to Cherry Lane from the subdivision road. The County is requesting a guarantee from the Town regarding their position on the 4-way stop proposal at the subject intersection. Discussion followed on the warrant procedure required to install a stop sign. Mr. Barbeau stated that there are 4 primary and 4 secondary warrants. If any combination of these are met, a stop sign would be warranted. This particular site met one warrant, the issue of safety. This would be the only warrant that would dictate the reason to install a stop sign at this time. There is not an excessive amount of traffic coming out of that subdivision or on Northview to warrant the 4-way stop. Would the 4-way stop slow the traffic down enough to create a safe intersection?

Mr. Mark Mickelson, Yaggy Colby, stated that based on research, it would be a very substantial and difficult job to improve the intersection to make it safe. Extensive cuts (because of steep hills) would have to be made to obtain more site distance.

Discussion followed on installation of a flashing red or yellow light to signal that a stop sign is approaching.

Mr. Pat Hawley, traffic engineer, stated that a marginally warranted stop sign should not be considered for traffic calming or speed control purposes and that the lack of side street traffic at the stop sign could lead to a disregard for the stop sign. Will the installation of the stop sign lead to a false sense of security?

Mr. Kanter questioned Mr. Mace as to how the County has jurisdiction on this matter. He will contact Waukesha County Legal Counsel for this information.

MOTION MADE BY MR. KANTER, SECONDED BY MS. CUNNINGHAM TO MAKE A RECOMMENDATION TO THE TOWN BOARD TO CLARIFY THAT A 4-WAY STOP WILL BE INSTALLED AT NORTHVIEW AND THE NEW CHERRY LANE, AND THAT THE 4-WAY STOP INCLUDE WARNING SIGNALS SUFFICIENTLY IN ADVANCE OF THE EASTERLY AND WESTERLY APPROACH OF THE STOP SIGN TO LET PEOPLE KNOW THAT A BLIND INTERSECTION AND A STOP SIGN IS UPCOMING. MOTION CARRIED.

Third order of business: Eleanor Golla, owner, by David Golla, agent, Re: Referral from the Town Board in reference to the request by Ms. Golla for a determination as to the status of her lots located at W292 N2104 Elmhurst Drive and evaluation of said request.

This item was discussed at the last meeting. Mr. Barbeau met with the County regarding this issue and they do not have a problem with the proposal for 2 rectangular lots with an easement. The neighbor to the north has a concern with drainage. Mr. Barbeau assured the owner that drainage will be reviewed as part of the approval process.

MOTION MADE BY MS. CUNNINGHAM, SECONDED BY MS. DUNDON TO RECOMMEND TO THE TOWN BOARD THE ALLOWANCE OF THE CREATION OF ONE CONFORMING LOT AND ONE NON-CONFORMING LOT ON THE LAND OWNED BY MS. GOLLA ON ELMHURST DRIVE BASED ON PROVISIONS PROVIDED BY MR. BARBEAU IN HIS REPORT DATED 3/20/07. MOTION CARRIED.

Fourth order of business: Westridge Builders, Re: Request for approval of a Legal Non-Conforming Conditional Use permit to allow the construction of two single family condominiums on one parcel located at N26 W30249 Maple Avenue (former marina property).

Discussion followed on whether or not the commission would be "opening a can of worms" for other requests to tear down buildings and build condos on the lake.

When presented with the question regarding County zoning pertaining to condo development, Mr. Mace stated that County code allows 1 house for the first 100 ft. and then another house for every 25 ft. after.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. TAGTOW TO ALLOW STAFF TO PREPARE THE SUBJECT CONDITIONAL USE DOCUMENT. MOTION CARRIED.

Fifth order of business: Town of Delafield, Request for approval of a petition by the Town to rezone the land on which the Town Hall and other Town facilities are located (N14 W30782 Golf Road) from B-3 to B-1.

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. GRATZ TO RECOMMEND REZONING TO THE TOWN BOARD FROM B-3 TO B-1 WITH THE CONDITION THAT A CSM BE PREPARED COMBINING BOTH PROPERTIES. MOTION CARRIED.

Sixth order of business: Adjournment

MOTION MADE BY MR. TAGTOW, SECONDED BY MR. GRATZ TO ADJOURN AT 9:00 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk

Minutes approved on April 4, 2007