

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
April 15, 2008**

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

**Members absent:** E. Gratz

**Also present:** T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 3 citizens

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

*Chairman Oberhaus called the meeting to order at 7:05 p.m.*

**Second order of business:** Clarification of requirements related to a fence on top of a retaining wall at the Van Laanen property, Cherokee Drive.

*Mr. Mortimer stated that he researched the property file as requested and it did not include any specifications for fencing.*

*James Hainey, N4W31031 Cherokee Trail, stated his recollection of the agreement with the Van Lannens to include the installation of a fence on top of the subject retaining wall. He referenced the meeting minutes of 4/5/06, in which the Van Laanens' verbally indicated their intention to erect a wall in their recorded 33-foot easement, at least 3 feet from the line with a protection barrier at the top. His interpretation of protection barrier includes "fencing". He also referenced Mr. Tising's letter of 3/06/06 indicating the Van Lannens' verbal intentions to erect a wall in their recorded 33-foot easement at least 3 feet from the lot line and would have some sort of protection barrier at the top. Mr. Hainey reiterated his understanding of protection barrier to mean "fence".*

*Engineer Barbeau stated that the subject letter was written at the time of construction and did not reference any permanent barrier requirements after completion. Ms. Cunningham recalls discussions at past meetings to include alternative landscaping suggestions such as shrubs, plantings, etc., not fencing. The Plan Commission determined that the Town does not have an obligation to go further with this matter. There is no indication in the record that approval of the retaining wall was conditioned upon installation of a protective barrier.*

**Third order of business:** Consideration of restriction release at Hickory Hill Subdivision

*Engineer Barbeau summarized Mr. Raymond's request for a separate driveway on lot 1, stating that the Town offered him 30 ft. in which the driveway could come out. According to Mr. Raymond, if a driveway is placed within the designated 30 ft., it would cause the driveway to be too steep coming down to the road. Mr. Raymond discovered an area of placement about 100 ft. to the east of the property line (approximately at the center of the lot). Mr. Barbeau visited the property to study site distances (3-1/2" feet eye height in the car coming up the hill and 2 ft. object height coming out of the driveway). If the driveway is located as Mr. Raymond is requesting, the view of oncoming cars is lost in about the middle of lot 2. If placement of the driveway is 70 ft. to the east of the lot line, there would be enough site distance from both directions. The new location will require some additional grading. He spoke with the County, and they would allow this request under a release of restriction document. As this is a plat restriction issue, the City (extraterritorial plat jurisdictions) and County must also sign off on this. He will write a letter to the City and County stating that the re-defined area meets site distance requirements.*

**MOTION MADE BY MS. DUNDON, SECONDED BY MR. TAGTOW TO RECOMMEND APPROVAL TO THE TOWN BOARD TO RE-DEFINE THE DRIVEWAY ACCESS OF LOT 1 AT HICKORY HILL SUBDIVISION PER TOWN ENGINEER'S RECOMMENDATION. MOTION CARRIED.**

**Fourth order of business:**      Proposed Code revisions to Town of Delafield Zoning Code

*Engineer Barbeau referenced the Draft proposed revisions document prepared by Attorney Riffle dated March 25, 2008. The Plan Commission requested that the word “heated” be removed from the definition of “Hot Tub”. They suggested that the definition of “Open Space” read as follows: “A natural area or manmade landscape area not occupied by structures, impervious surfaces that divert water significantly, gravel drives or gravel parking areas. 50% of areas paved with Open Cell Pavers shall be open space”.*

*Discussion followed on the suggestion to include a statement of intent at the beginning of each chapter in the zoning code to allow for interpretation and application by the enforcement officer. The proposed revisions will be discussed further at a future meeting.*

**Fifth order of business:**      Discussion of the proposed County Land Use Plan Map and text for the Town of Delafield

*The Plan Commission suggested that “Mixed Use” include a broad enough definition referencing golf courses and agricultural land. Engineer Barbeau displayed the proposed County map identifying densities in the Town. He stated that the County wishes to incorporate the development of PUD densities at 3.5 acres per unit. The Plan Commission is of the opinion that this is a terrible misuse of natural resources and requested that Mr. Barbeau report back to the County and request 3-acre zoning in the rural areas with allowance of PUD’s to be at a 1 unit per 2.75 acre density as stated in the zoning code. Discussion followed on future development of Hwy. 18. The Plan Commission would like the following items researched: 1. will it become 4 lanes; 2. what is the City of Waukesha planning for the subject area?*

**Sixth order of business:**      Announcements and Planning Items  
A. Next business meeting – May 6, 2008

**Seventh order of business:**      Adjournment  
**MOTION MADE BY MR. TAGTOW, SECONDED BY MS. CUNNINGHAM TO ADJOURN AT 10:40 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary T. Elsner, CMC, WCMC  
Town Clerk

Minutes approved on           May 6, 2008