

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
July 17, 2007**

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

**Members absent:** T. Oberhaus

**Also present:** T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, 9 citizens

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

*Acting Chairman Kanter called the meeting to order at 7:05 PM.*

**Second order of business:** Minutes of June 5 and 19, 2007

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

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

A. Waukesha County Department of Parks and Land Use (6/4/07) Approval of the Conditional Use Permit request by Mark Moertl for his Boatgas Marine Refueling Service.

*None*

B. Waukesha County Department of Parks and Land Use (6/12/07) Approval of the Conditional Use request by Lloyd Williams for the development of a 23 lot subdivision on the Roschi property, Northview Road.

*Mr. Barbeau stated that the County also accepted the Town's stand on the 4-way stop issue.*

C. Waukesha County Department of Parks and Land Use (6/14/07) Conditional approval of the Certified Survey Map for Eleanor Golla, Elmhurst Drive.

*None*

D. Waukesha County Department of Parks and Land Use (6/22/07) Approval of the Conditional Use Permit request by Westridge Builders for the development of two single-family condominiums at N26 W30249 Maple Avenue.

*Mr. Barbeau stated that the issue of the deed restriction has not yet been resolved.*

E. Waukesha County Board of Adjustment (6/28/07) Approved request for variance from the County floor area ratio and setback requirements at N27 W30113 Maple Avenue.

*None*

F. Tim Barbeau, Town Engineer to John Meyers, Lakeview Lanes (7/2/07) Request for Mr. Meyers to appear before the Plan Commission to review and amend the Lakeview Lanes Conditional Use permit to include issues related to the yacht cruises.

*Tim summarized the yacht issue stating the matter was brought up at the time of liquor license renewal. The existing conditional use will be updated, and the fire department has offered to inspect the yacht.*

**Fourth order of business:** Unfinished Business

A. WE Energies Gas Operations, Re: Request for permit approval for work related to the excavation and demolition of an underground gas pressure reducer pit and extension of new gas lines within the road right of way on Oakton Road, west of the Intersection with CTH SS.

*Ken Moutvic, Project Engineer, spoke on behalf of We Energies. He summarized the proposed request to retire the old existing facilities. The existing facilities (vaults) are under the road and do not meet current standards. The road will be permanently patched after work is completed. The entire project will take approximately 3 weeks. Acting Chairman Kanter questioned what kind of guarantee the Town will*

*have if future problems occur with the road. Mr. Moutvic stated that this could be a condition of permit approval.*

**MOTION MADE BY MR. TAGTOW, SECONDED BY MR. GRATZ TO APPROVE THE PERMIT SUBJECT TO A 2 YEAR GUARANTEE ON THE REPAIRS OF THE ROAD AS A ROLLOVER PROVISION AND THAT NO CONSTRUCTION OCCUR BETWEEN OCTOBER 1 AND APRIL 15 AND THAT THE PROJECT BE COMPLETE NO LATER THAN 9/1/08. MOTION CARRIED.**

B. Syed Hussain, W305 N2658 Ravine Court, Re: Request for approval of rezoning from A-2 to R-2 on lands known as Tax Key No. 780-057 (partial) and R-1A to R-2 on lands known as Tax Key No. 780-056.001; and PLO Pewaukee Lake Non-Shoreline Overlay District on those lands noted above and Tax Key Nos. 780-040, 780-041, and 780-042, and consideration of a Residential Planned Unit Development Conditional Use permit for the development of 13 condominiums on all parcels noted above.

*Mr. Barbeau directed attention to the memo submitted by Mr. Mortenson regarding review of the proposed landscape plan. Mr. Hussain's landscape architect provided a summary of each concern presented. Mr. Barbeau suggested that the homeowner association be requested to provide a maintenance plan for the rain gardens. Discussion followed on requiring the granting of an easement to the adjacent neighbors.*

*Discussion followed on suggested revisions to the conditional use document: Letter B to include verbiage referencing the requirement of granting an easement to the adjoining neighbors; Letter D stating that each owner will have a fractional 1/13<sup>th</sup> of open space; Letter F to include no out buildings; Letter H to be revised to read, "a minimum of 1600 square feet per unit and a maximum of 2800 square feet of living space and shall have an exterior construction with stone on at least 30% per side...; also, the requirement of a 2-car garage per unit will be added; Letter I to include the requirement of a management plan for the rain gardens and no more tree removal than what is indicated on the plan.*

*Dr. Hussain's architect confirmed that no further construction will begin until all buildings are completed within the horseshoe.*

**MOTION MADE BY MR. GRATZ, SECONDED BY MR. TAGTOW TO TABLE FOR FINAL REVIEW OF DOCUMENTS. MOTION CARRIED.**

**Fifth order of business:**            New Business

A. Jeff Juech, Black's Nursery, Inc. Re: Request for approval to install a fence greater than 3 feet in height located between the road right-of-way and the face of the principle structure per 17.06 4.B. 4. of the Zoning Code. Location of the property is W283 N3886 Yorkshire Trace.

*Mr. Barbeau summarized stating that staff determined this request falls into the fence code because it is a barrier.*

**MOTION MADE BY MR. KANTER, SECONDED BY MR. MEYER TO APPROVE THE INCREASE IN FENCE HEIGHT TO 42" ALONG THE MAIN WALL AND 48" FOR THE END COLUMNS. MOTION CARRIED.**

B. Lloyd Williams, W289 N520 Elmhurst Road, Re: Request for approval of renovations to his barn in accordance with the requirements of the Shepherds Pass South Conditional Use permit.

**MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO APPROVE THE SUBJECT RENOVATION PLAN. MOTION CARRIED.**

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- C. Discussion regarding the refinement of the Town Land Use Plan as it relates to the Waukesha County Comprehensive Development Plan.

*Mr. Barbeau stated that he is on the land use, housing and transportation element subcommittee organized by Waukesha County and includes numerous Waukesha County communities. The subject committee is in the process of discussing and amending the Principles, Objectives and Standards (POS) portion of the document. Once this portion is agreed upon, the committee will review adopted land use plans for consistency with the POS. Mr. Barbeau reviewed his comments of the POS. Upon completion of the plan, the Town needs to produce a document that is not in conflict with the County's objectives and standards.*

**Sixth order of business:** Discussion

- A. None

**Seventh order of business:** Announcements and Planning Items

- A. Next business meeting – August 7, 2007

**Eighth order of business:** Adjournment

**MOTION MADE BY MS. DUNDON, SECONDED BY MS. CUNNINGHAM TO ADJOURN AT 10:05 P.M. MOTION CARRIED.**

Respectfully submitted,

Mary Elsner, CMC, WCMC  
Town Clerk

Minutes approved on August 7, 2007