

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
August 4, 2009**

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

Also present: P. Van Horn, *Town Board Supervisor*, T. Barbeau, *Town Engineer*, P. Mortimer, *Code Enforcement Officer*, P. Tilley, *Waukesha County Parks and Land use*, 10 citizens

Public Hearing: Prior to the start of the scheduled Plan Commission meeting there will be a continuation of a public hearing that opened on July 7, 2009, and now joined by Waukesha County in front of the Town Plan Commission and a staff representative of Waukesha County Department of Parks and Land Use to solicit public input on a request by Steve Traudt, Prairie Hill Waldorf School, N14 W29143 Silvernail Road, to amend their Conditional Use permit and approval to construct a windmill on school property as a special use structure. The Plan Commission meeting will begin immediately following the conclusion of the public hearing. Chairman Oberhaus called the Public Hearing to order at 7:10 p.m. Ms. Tilley read the Public Hearing Notice.

Steve Traudt, N41W33435 Nashotah Rd., stated that he is a parent and volunteer at Prairie Hill Waldorf. He is also the chairman of buildings and grounds, representing the school. He provided a detailed background of Prairie Hill education. The proposed windmill would be used to heat and light the existing chicken coop. He requested the following revisions to the current conditional use permit: 1. Keep the current storage building on site to house lawn equipment, gasoline, other maintenance equipment, etc.; 2. Allow other church organizations (existing condition specifies Berean Grace Bible Church) to hold services on Sundays between the hours of 8:00 a.m. and 12:00 p.m. 3. Allow other organizations (existing condition specifies the YMCA), to utilize the gymnasium; 4. Remove the Goethe House from use of the building, as they are no longer utilizing it; 5. Update the term of the conditional use to be more current with the language the town prefers, 6. Revise the ages of students that are served from 2-1/2 years to 18 months. He also stated that overflow parking for special events is always very well managed.

Peggy Tilley stated that the chicken coop is properly sized and that there will not be any construction done on it. The current gymnasium is located only 50 ft. from the wetland (according to the DNR map). If in the future a stage addition would be constructed, a permit would be required from the County. If the windmill is approved, a permit would need to be issued by the Waukesha County Environmental Health division.

Engineer Barbeau requested clarification on groups that would be utilizing the facility.

Ms. Dundon questioned the height and mass of the windmill. Mr. Traudt stated that the height would be 20' and the blade would be 6' long.

Chairman Oberhaus questioned how many chickens are housed on the property. Mr. Traudt stated that there are approximately 15; 30 are allowed according the conditional use permit.

Mr. Kanter questioned the credibility of the entity that holds the conditional use permit. He stated that the Town does not pay a zoning force to inspect all areas of the Town. Up until this time no complaint has been made against the shed, but failure to remove it has made people lose confidence. He questioned Mr. Traudt as to why Prairie Hill Waldorf did not comply with the terms of the current conditional use permit and why the Town should believe that it will be complied with in the future.

Mr. Gratz asked how many current marked parking spaces are on the property. Mr. Traudt stated that there are 110 to 116. He also questioned whether or not storage batteries will be on the windmill. Mr. Traudt stated that there will not be any.

Mark Lindow, N12W29112 Creekside Ct., questioned whether or not some electricity could be strung onto the property. He also questioned what process was followed regarding the storage building.

Joe Bartolone, N12W29268 Cross Creek, the school has never been a problem, possibly the education could be enhanced with farming.

Maureen Gallagher, N12W29184 Creekside Ct., stated that she was an elementary school teacher and principal in Waukesha. She feels that Delafield is so lucky to have this type education in the area and thanked Prairie Waldorf for being our neighbors. She stated that the kids are learning that it is very important to be good neighbors and how to build relationships with people. She feels that we have to be very concerned about the future of the universe, and that this school has done wonderful work for these children. She feels that the Town is lucky to have eighth graders like this that are trying to make a better world. We need to thank and support them

Angela Dhamee, N12W29192 Creekside Ct., would like clarification where the windmill would be located. She is concerned about losing her beautiful view.

Nancy Mitchell, W289N1336 Elmhurst, stated that she is in favor of the windmill proposal. It is so important to have a school that supports this program.

Pete Van Horn, N12W29134 Creekside Ct., read the letter submitted by himself and Penny Van Horn (letter on file in the Clerk's office),

Chairman Oberhaus read submitted letters into the record (letters on file in the Clerk's office).

The Public Hearing closed at 8:25 p.m.

First order of business: Call to Order
Chairman Oberhaus called the meeting to order at 8:25 p.m.

Second order of business: Minutes of July 7, 2009
MOTION MADE BY MR. TAGTOW, SECONDED BY MR. GRATZ TO APPROVE WITH ONE MINOR CORRECTION. MOTION CARRIED.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. MEYER TO TAKE ITEM 4B OUT OF ORDER. MOTION CARRIED.

Fourth order of business: Unfinished Business

B. Prairie Hill Waldorf School, N14 W29143 Silvernail Road, Re: Consideration and action on request for an amendment of their Conditional Use permit to allow a storage building to remain on the property, clarification as to who is using the facility Sunday mornings and during the week, clarification of uses during the summer hours and revision to the review time period, construction of a windmill on school property as a special use structure and any other conditions deemed necessary for the operation of the school.

The Plan Commission suggested the following revisions to the subject conditional use permit: Condition H; The Plan Commission directed staff to allow the 10'x20' building, but possibly remove the adjacent metal shed; Mr. Traudt was directed to present an updated site plan showing locations of all outbuildings and parking spaces. He was also directed to have all parking spaces striped before school begins; Condition M; Prairie Hill is required to identify church organizations with the use of only one organization per week on Sundays between 8:00-12:00; Letter N; The allowance of school families to use the facility for inside school related activities in the evening hours between 5:30 and a time to be determined at the next meeting; Condition O; The facilities may be used for summer school classes between the hours of 9:00 a.m. and 4:00 p.m. with limited

day care to those children attending for two hours before the start of school to two hours after school; Condition X; The conditional use permit will be reviewed annually. Engineer Barbeau will incorporate these changes to be reviewed at the September 1 meeting.

MOTION MADE BY MR. KANTER, SECONDED BY MR. GRATZ TO TABLE. MOTION CARRIED.

MOTION MADE BY MR. GRATZ, SECONDED BY MS. DUNDON TO TAKE ITEM 5A OUT OF ORDER. MOTION CARRIED.

Fifth order of business: New Business

A. John and Lisa Millen, W296 N2973 Franciscan Road, Re: Request for construction of a 6-foot high fence between the road right-of-way and the face of the principal structure.

Engineer Barbeau stated that a permit is required for a fence higher than 3 ft. between the road right-of-way and a principal building. Mr. Millen stated the following reasons for requesting the installation of the proposed fence: 1. It would afford more privacy; 2. It would act as a sound barrier for the neighbor's air conditioning; 3. It would protect both the neighbor and himself from car headlights shining in each house; 4. It would shield the neighbor's outdoor floodlights that shine on the house; 5. Part of it would replace an unattractive chain link fence; 6. It would define the lot line that has become obscured.

MOTION MADE BY MR. TAGTOW, SECONDED BY MS. CUNNINGHAM TO APPROVE CONSTRUCTION OF A 6-FOOT FENCE TO BE INSTALLED FROM THE FACE OF THE HOUSE CLOSEST TO THE LAKE NORTH TO WHERE THE CURRENT CHAIN-LINK FENCE STARTS. MR. GRATZ – NO, MOTION CARRIED.

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

A. Waukesha County Department of Parks and Land Use (7/2/09) Violation Notice to property owner of the Golden Anchor.

None

Fourth order of business: Unfinished Business

A. Consideration and action on modifications to the Town of Delafield Zoning Code Section 17.04 5.H.2.(a). 2 regarding the allowance of animals on lands zoned A-2 (tabled 7/7/09).

MOTION MADE BY MR. KANTER, SECONDED BY MR. MEYER TO TABLE. MOTION CARRIED.

Sixth order of business: Discussion - None

Seventh order of business: Announcements

A. Public Hearing for Land Use Plan Amendments, Tuesday, August 11, 2009
B. Next Plan Commission meeting – Tuesday, September 1, 2009

Eighth order of business: Adjournment

MOTION MADE BY MR. KANTER, SECONDED BY MR. TAGTOW TO ADJOURN AT 10:20 PM. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk

Minutes approved on September 1, 2009