

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Wednesday, November 5, 2008**

Members present: T. Oberhaus, C. Dundon, E. Gratz, M. Tagtow, G. Meyer, P. Kanter, L. Cunningham
Also Present: T. Barbeau, Town Engineer, 4 citizens

First order of business: Call to Order

Chairman Oberhaus called the meeting to order at 7:07 PM.

Second order of business: Minutes of October 7, 2008

Motion by Ms. Dundon, seconded by Mr. Gratz to approve the minutes. Carried.

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

A. Arenz, Molter, Macy & Riffle (10/13/08) Wisconsin Open meetings Law.

None

B. Waukesha County Department of Parks and Land Use (10/16/08), Lapham Peak Snowmaking Operation Annual Report.

None

C. Waukesha County Department of Parks and Land Use (10/21/08), Park and Planning Commission approval of an amendment to the Maple Bluff Estates Conditional Use permit to allow the transfer of a lake access right to one of the units in the development.

None

D. Waukesha County Board of Adjustment (10/23/08) Approval of a variance from open space requirements of the Waukesha County Shoreland and Floodland Protection Ordinance and a special exception from the accessory building floor area ratio requirements.

Engineer Barbeau indicated that the applicant will likely have to get a variance from the Town Code as well.

Fourth order of business: Unfinished Business

A. None

Fifth order of business: New Business

A. Steve & Jane Lukach N30 W29497 Hillcrest Drive, Re: Request for approval of a retaining wall within 5 feet of the property line.

Engineer Barbeau stated that he has been in contact with the adjacent neighbor and there was no indication of his acceptance of the drainage report by Ruekert/Mielke. Mr. Barbeau also indicated that the "french drain" referred to in the Ruekert/Mielke report is already in place and functioning. Mr. Lukach is considering curb along a portion of the driveway and to create a curb from the limestone retaining wall to direct the overland flow to the french drain. Mr. Bill Hinzey was present representing the adjacent owner. He expressed his concerns about overland flow in the 100-year storm and the effect that it may have on their property. He wants the drainage system to be designed to accommodate the 100-year storm. Original plan was to have a joint swale. Mr. Ken Ward of Ruekert/Meilke was present to speak on behalf of Mr. & Mrs. Lukach. He explained the system that they have designed (12" x 24" French drain and inlet with a 6-inch pipe) will handle the 55-year storm. He reiterated that the Lukach's will install the proposed curb system to keep water from flowing onto the adjacent property.

Motion by Mr. Tagtow, seconded by Mr. Gratz to approve the location of the retaining wall as presently constructed adjacent to the lot line subject to Mr. & Mrs. Lukach installing a storm drainage system that will accommodate runoff from their property in the 100-year storm. The drainage plan shall be

provided to the adjacent neighbor to the east for review and approval. The plan shall also be provided to Waukesha County Department of Parks and Land Use for comment and approval.

Discussion took place regarding the right of the adjacent property owner to have approval power for the proposed plan. If the adjacent owner does not object to the plan and the Town Engineer accepts the plan, there is no need to bring it back to the Plan Commission. If the adjacent neighbor objects to the plan, the matter will be brought back to the Plan Commission for review and action.

Motion by Mr. Tagtow, seconded by Ms. Dundon to amend the motion to remove the words "and approval" in the second sentence of the original motion. Amended motion carried.

B. Consideration of an addendum to the proposed Town of Delafield Comprehensive Plan as it relates to undeveloped lands adjacent to and along the I-94 corridor.

Engineer Barbeau stated that the proposed Land Use Plan created cooperatively with Waukesha County indicates that those unimproved lands adjacent to I-94 in the Town of Delafield are shown in the Commercial and Office Park district. The current Town Land Use Plan limits the uses in that same district to office (no retail or residential). The Town would like to be more restrictive; therefore, a proposed addendum to the Town Land Use Plan was proposed. Highlights include an introduction (setting forth the background information), the plan designation, the refinement of that designation and the standards for development in the district. The Plan Commission discussed the meaning and desirability of agricultural uses in the district.

The Plan Commission suggested the following revisions:

- The definition of uses should include "park land, which includes golf courses".*
- Instead of saying "agricultural crops", insert "agricultural uses compatible with the surrounding area".*
- The standard related to the location of residential uses from the highway should include both sides of the highway.*
- Rephrase the intent of parking of sides and rear of the building to indicate that the front is the frontage road.*

No action taken, Engineer Barbeau will bring the language back to the next meeting.

Sixth order of business: Discussion

A. None

Seventh order of business: Announcements and Planning Items

A. Waukesha County Development Plan Public Hearing - Thursday, December 11, 2008 at 7:00 pm at the Arena Building of the Waukesha County Exposition Center.

B. Next business meeting – December 2, 2008

Eighth order of business: Adjournment

Motion by Mr. Tagtow, seconded by Ms. Cunningham to adjourn at 9:06 PM. Carried

Respectfully submitted,

Tim Barbeau, P.E., R.L.S.
Town Engineer

Minutes were approved on 1/6/09