TOWN OF DELAFIELD PLAN COMMISSION MEETING
Tuesday, July 2, 2019, 7:00 p.m.
Town of Delafield Town Hall
W302 N1254 Maple Avenue, Delafield, WI 53018

AGENDA

1. Call to Order and Pledge of Allegiance

2. Approval of the minutes of June 4, 2019

3. Communications (for discussion and possible action): None

4. Unfinished Business:
   A. Discussion and possible action regarding the Town of Delafield Land Use Plan and zoning code modifications.

5. New Business:
   A. Wallace and Ann Burt, W282 N3398 Taylors Woods Road, Re: Consideration and possible action on the re-approval (originally approved 9/13/16) of a Certified Survey Map to combine two properties into one property at W282 N3398 Taylors Woods Road.

   B. Town of Delafield, Re: Consideration and possible action on the consideration of a zoning code amendment to allow Taxidermy Studios in the A-2 Rural Residential zoning district.

6. Discussion: None

7. Announcements and Planning Items: Next meeting - Tuesday, August 6, 2019.

8. Adjournment

Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

The Plan Commission may take action on any item on the agenda. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Mary Elsner, Town Clerk, at W302 N1254 Maple Avenue, Delafield, WI 53018-2117. This agenda is for informational purposes only. 6/27/19

W302N1254 Maple Avenue ◆ Delafield, Wisconsin 53018-7000 ◆ Phone: 262-646-2398 ◆ Fax: 262-646-8687
www.townofdelafield.org
TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, June 4, 2019

Members present: K. Fitzgerald, R. Troy, C. Diderrick, E. Kranick, N. Dickenson, T. Frank, C. Dionisopoulos
Also present: P. Van Horn, Town Board Supervisor, T. Barbeau, Town Engineer, 11 citizens

First order of business: Call to Order and Pledge of Allegiance
Chairman Fitzgerald called the meeting to order at 7:00 p.m., led all in the Pledge of Allegiance and acknowledged Jim Ward, who passed away last week.

Second order of business: Approval of the minutes of May 7, 2019
MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO APPROVE AS PRESENTED. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action):
A. Waukesha County Dept. of Parks and Land Use, 5/17/19 Zoning Violation, Taylors Woods Road

Engineer Barbeau stated that this correspondence is informational, and no action is needed.

Fourth Order of Business: Unfinished Business:
None

Fifth Order of Business: New Business:
A. Michael Tarwacki, W298 N596 Kings Way, Re: Consideration and possible action on a Certified Survey Map to combine two parcels into one parcel at W285 N3158 Lakeside Road

Engineer Barbeau stated the proposed request to combine two lots located along Lakeside Road into a single lot. He referenced note on sheet 3 of the CSM stating that “Outlot 1 shall be retained by the owner of Lot 1 and cannot be transferred as a separate parcel without the approval of the Town of Delafield and Waukesha County”. As part of this CSM, Lakeside Road is dedicated to 25 feet wide in accordance with the mill tax road right-of-way designation approved by the Town in 1990. The 1990 resolution will be referenced in a note on the CSM.

MOTION MADE BY MR. DIDERRICH, SECONDED BY MR. KRANICK TO RECOMMEND APPROVAL TO THE TOWN BOARD A CERTIFIED SURVEY MAP TO COMBINE TWO PARCELS INTO ONE PARCEL AT W285 N3158 LAKESIDE ROAD SUBJECT TO ADDITION OF THE 1990 TOWN RESOLUTION REFERENCED IN A NOTE ON THE CERTIFIED SURVEY MAP. MOTION CARRIED.

B. David French Revocable Trust, W303 N2568 Maple Avenue, Re: Consideration and possible action on a Certified Survey Map to combine several parcels located at and adjacent to N28 W29707, W29704 and W29696 Oakwood Grove Road, W296 N2879 Franciscan Road and W303 N2568 Franciscan Road.

Engineer Barbeau stated that the applicant purchased 5 parcels of land located east of Oakwood Grove Road at the east end of Boettcher Lane (a private road). He is proposing to combine all lots into one parcel to build a single family home. The lots contain duplexes, non-conforming and multiple structures on one lot. Since the Town code does not allow multiple homes on a single residential lot, the existing homes will have to be removed or provisions made for removal before execution of the Certified Survey Map. He stated that the Town could require Mr. French to provide escrow funds as a guarantee for demolition. Engineer Barbeau stated that there are two ways to access the parcel: via Boettcher Lane and from Franciscan Road (through a long narrow strip of land that is part of the French ownership). Several right-of-ways that extend into the property were created years ago, and the deeds do not indicate the rights associated with them.
Tyler Kober, John Sauermilch, Jr. General Contractor, Inc. stated that he is in the process of obtaining permits to demo the homes. He is currently working on asbestos removal and is anticipating that the demo work will be completed within 2-3 weeks. Waukesha County is holding escrow funds for 1 home. The lots are owned by three different entities, and Mr. French is the primary contact.

John Walrath, W296 N2978 Franciscan Rd., stated his concern about the private access road and what will happen if it gets broken up during the construction process. Mr. Kober informed him that he will follow up on any issues that occur.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. FRANK TO RECOMMEND APPROVAL OF THE CERTIFIED SURVEY MAP DATED MAY 20, 2019, SUBJECT TO INCORPORATION OF WAUKESHA COUNTY COMMENTS AND RESOLUTION OF HOW THE OWNER'S CERTIFICATE MUST BE PREPARED BASED ON CURRENT OWNERSHIP. THE TOWN WILL NOT EXECUTE THE CERTIFIED SURVEY MAP UNTIL CONFIRMATION THAT ALL BUT ONE HOME HAS BEEN REMOVED IS PROVIDED. MOTION CARRIED.

C. Bob Whitehouse, W285 N2022 Louis Court, Re: Consideration and possible action on a request to designate the Louis Court right-of-way to be 50 feet.

Engineer Barbeau stated the Town road width requirement of 66 feet. Since there is no formal record on file as to why Louis Court was developed with a 50 feet wide access, the Town is taking action to memorialize the 50 feet right-of-way. He stated that this will not affect highway department access.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. DIDERRICH TO RECOMMEND APPROVAL TO THE TOWN BOARD TO DESIGNATE LOUIS COURT RIGHT-OF-WAY AT 50 FEET AS CURRENTLY SHOWN ON TAX MAPS. MOTION CARRIED.

D. Bob Whitehouse, W285 N2022 Louis Court, Re: Consideration and possible action on a Certified Survey Map to combine 4 parcels into one parcel.

Engineer Barbeau stated that Mr. Whitehouse is proposing to make improvements to his property. In order for him to obtain a zoning permit from Waukesha County, he is required to combine the existing 4 parcels into one lot. Mr. Whitehouse stated his request to turn the existing 2-car attached garage into a 3-car attached garage.

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DICKENSON TO RECOMMEND APPROVAL OF THE CERTIFIED SURVEY MAP, DATED 5/24/19, TO THE TOWN BOARD SUBJECT TO THE SURVEY ADDRESSING ENGINEER BARBEAU’S TECHNICAL COMMENTS AND INCORPORATION OF WAUKESHA COUNTY COMMENTS. MOTION CARRIED.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO TAKE ITEMS 6A AND 6B OUT OF ORDER. MOTION CARRIED.

**Sixth Order of Business:** Discussion

A. Sharon Tomlinson, Discussion in regards to adding a permitted or conditional use section to the Town zoning code for the allowance of the operation of a taxidermy studio.

Engineer Barbeau summarized the proposed request to purchase a 3-4 acre property on Cushing Park Road and build a taxidermy studio behind the home. The Town Code does not allow for taxidermy operations as a permitted use and there is not a conditional use permit for taxidermy studios.

The Plan Commission directed staff to prepare a conditional use section for taxidermy studios and will re-address this issue at a future meeting.
B. John Singer W334 S878 Cushing Park Road, by Bill Zach, agent, Discussion regarding potential land split of his 17.5 acre property located at W330 S878 Cushing Park Road.

Bill Zach, Zach Development, displayed the proposed plan to divide the subject 17.5 acre lot into 3 lots, to include a private shared driveway. The existing residence (referenced as Lot 1) will remain. He identified the existing environmental corridor. Engineer Barbeau stated that the Town Code permits a tract of land which does not abut a public street, if such tract of land is at least three acres in area, has access by permanent easement of at least 33 feet in width to an improved public street and does not conflict with plans for future development of the area. Discussion followed on possible options to re-configure Lots 2 and 3.

Engineer Barbeau was directed to review the Town Code in light of the pending code modifications, specifically related to a minimum lot size of 5 acres for development of lots as a subdivision in the A-2 district.

E. Discussion and possible action regarding the Town of Delafield Land Use Plan.

Engineer Barbeau stated that the Land Use Plan (LUP) along the I-94 corridor is listed as commercial and office use. Commercial use is defined as office park. The history of this use included large office buildings with lots of greenspace, 8:00 a.m. to 5:00 p.m. office hours and no high intensity uses. Waukesha County’s definition of office park is very broad. Any proposed changes to the current land use plan requires public information and a public hearing. The areas to study as “prime for development” are Hwy. 16 & KE, lands along 18 in far southwest corner off of Cushing Park Road and along Golf Road and I-94. The current market is “light industrial” (not smokestacks, not manufacturing of iron or steel, etc.), corporate offices (world headquarters) with manufacturing, senior housing (very dense), etc. As the vision has changed, the intent is to look at a realistic plan for the open area along Golf Road and I-94 and allow developers and land owners to present proposals.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK, TO TABLE DISCUSSION TO ALLOW THE PLAN COMMISSION TO FURTHER STUDY THE ISSUE AND PROVIDE FEEDBACK AT THE NEXT REGULARLY SCHEDULED MEETING. MOTION CARRIED.

Seventh Order of Business: Announcements and Planning Items:
Next meeting – Tuesday, July 2, 2019

Eighth Order of Business: Adjournment
MOTION MADE BY MR. KRANICK, SECONDED BY MR. FRANK TO ADJOURN AT 8:50 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Eisner, CMC, WCMC
Town Clerk/Treasurer

Minutes approved on:
Plan Commission Report for July 2, 2019

Burt Certified Survey Map
Agenda Item No. 5 A.

Applicant: Wallace and Ann Burt
Project: Land Combination
Requested Action: Approval of Certified Survey Map
Zoning: Waukesha County Shoreland
Location: W282 N3398 Taylors Woods Road

Report

In September of 2016, the Burt’s made a request to combine two lots as part of their home construction. The project was delayed for various reasons and the CSM was never executed. They are now proceeding with the land combination; however, state law does not allow recording of the document if the last approval by the governing body was greater than 12 months prior to the time that they want to record the document. Therefore, they are on the agenda for re-approval of the CSM. The CSM has not changed except for a revision date by the surveyor and updated names for Town officials. Waukesha County has reviewed the CSM and they have no objection to the CSM.

Staff Recommendation:

I recommend that the Plan Commission approve the CSM as submitted with a revision date of 6/26/19.

Tim Barbeau, Town Engineer
June 26, 2019
CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 14 AND PART OF LOTS 13 AND 15 OF PEWaukee LAKE PARK, LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 12, T.7N., R.18E., TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

SURVEYOR
MARK A. POWERS, PLS 1701
LAKE COUNTRY ENGINEERING, INC.
970 S. SILVER LAKE ST., SUITE 105
Oconomowoc, WI 53066
(262) 569-9331

SURVEY FOR
WALLACE AND ANN BURT
W282 N3306 TAYLORS WOODS ROAD
PEWaukee, WI 53072

LEGEND
⊙ - CONC MON W/ BRASS CAP
○ - 1.25” O.D. IRON PIPE SET 18” LONG, WT. = 1.68 LBS/FT.
● - 1.25” DIA. IRON PIPE FOUND
○ - 3/4” DIA. REBAR FOUND
⊙ - CROSS SET IN CONCRETE

CURVE B
DELTA = 00’11”08’
RADIUS = 265.88’
BRG = N36°52’22”E
CHORD DIST = 89.37’
ARC DIST = 0.57’
TAN 1 = N56°33’37”E
TAN 2 = N56°35’24”E

CURVE A
DELTA = 36’31”06’
RADIUS = 153.93’
BRG = N38°33’37”E
CHORD DIST = 98.17’
ARC DIST = 0.01’
TAN 1 = N24°47’04”E
TAN 2 = N23°04’10”E

NOTE: SEE SHEETS 2 AND 4 FOR GENERAL SURVEY NOTES

SCALE: 1” = 60’

BEARINGS REFERENCED TO THE NORTH LINE OF THE SE 1/4 OF SEC. 12-7-18, AS ASSUMED NS82733’N

LOT 1
AREA = 54,287 SQ. FT. TO O.H.W.L.

LOCATION MAP

PROJECT NO. 16-3057

THIS INSTRUMENT DRAFTED BY MARK A. POWERS

August 1, 2010
Revised 6/24/2019

MARK A. POWERS
P.O. BOX 1701
Oconomowoc, WI 53067

WISCONSIN LAND SURVEYOR

Mark A. Powers
Oconomowoc, WI
CERTIFIED SURVEY MAP NO.

BEING ALL OF LOT 14 AND PART OF LOTS 13 AND 15 OF PEWKEEKE LAKE PARK,
LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 12, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

SURVEYOR'S CERTIFICATE

I, MARK A. POWERS, professional land surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped all of Lot 14 and part of Lots 13 and 15 of Pewaukee Lake Park, located in the NE 1/4 of the SE 1/4 of Section 12, T7N, R18E, Town of Delafield, Waukesha County, Wisconsin, more fully described as follows:

Commencing at a meander corner monument on the North line of said SE 1/4, said monument lying N88°27'33"W, along said North line, 167.25 feet from the East 1/4 corner of said Section 12; thence N88°27'33"W, along said North line, 987.23 feet to a point; thence S01°32'27"W, 642.15 feet to an existing iron pipe and the point of beginning of the hereinafter described lands; thence N59°00'00"E, along the northwesterly line of Lots 13, 14 and 15, 138.45 feet to a point; thence S30°04'09"E, 389.65 feet to an existing iron pipe and meander corner, said point lying N30°04'09"W, 13 feet more or less from the Ordinary High Water Line of Pewaukee Lake; thence S62°10'28"W, along a meander line, 150.10 feet to an existing iron pipe and meander corner, said point lying N28°20'03"W, 6 feet more or less from the Ordinary High Water Line of Pewaukee Lake; thence N28°20'03"W, 381.70 feet to the place of beginning. Also including those lands lying between the above described meander line and the side lot lines as extended to the Ordinary High Water Line of Pewaukee Lake. Said lands containing 57,329 sq. ft. (1.316 acres) to the ordinary high water line of Pewaukee Lake.

THAT I have made such survey, land division, and map by the direction of Wallace Lockwood Burt and Ann E. Burt, owners of said land.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the subdivision regulations of the Town of Delafield and Waukesha County Department of Parks and Land Use-Planning and Zoning Division in surveying, dividing, and mapping the same.

Dated this 1st day of August, 2016.

Mark A. Powers, P.L.S. 1701

Mark A. Powers, P.L.S. 1701

Revised 10/26/2019

General Survey Notes:

1) The 100 year flood line is elevation 854.6 (NGVD 1929 datum) per FEMA FIRM Map No. 55133C0183G, revised on November 5, 2014.
2) Any land below the ordinary high water mark of a lake or a navigable stream is subject to the public trust in navigable waters that is established under article IX, section 1, of the state constitution.
3) The entire property is located within the Waukesha County Shoreland and Floodland Protection Ordinance Jurisdictional Limits.
4) The Ordinary High Water Line (O.H.W.L.) is elevation 852.7 (NGVD 1929 datum) per Wisconsin DNR.
5) The City of Pewaukee waived their rights to extraterritorial review in accordance with Section 18.0201 of their code.

This instrument drafted by Mark A. Powers
CERTIFIED SURVEY MAP NO. __________

BEING ALL OF LOT 14 AND PART OF LOTS 13 AND 15 OF PEAUKEE LAKE PARK,
LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 12, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

OWNER’S CERTIFICATE OF DEDICATION

We, Wallace Lockwood Burt and Ann E. Burt, owners, hereby certify that we caused said lands to be
surveyed, divided, mapped and dedicated, as shown on this map in accordance with the Town of
Delafield and Waukesha County.

____________________________
Wallace Lockwood Burt

____________________________
Ann E. Burt

STATE OF WISCONSIN
COUNTY

PERSONALLY came before me this ______ day ____________, 20____, the above named
Wallace Lockwood Burt and Ann E. Burt, to me known to be the persons who executed the foregoing
instrument and acknowledged the same.

(Seal)
Notary Public
_________________________ County, Wisconsin
My commission expires ______________________

PLAN COMMISSION APPROVAL
Approved by the Plan Commission of the Town of Delafield this _____ day of
__________, 20____.

____________________________
Kevin Fitzgerald, Chairman

____________________________
Mary T. Elsner, Secretary

TOWN BOARD APPROVAL
Approved by the Town Board of the Town of Delafield on this _____ day of ____________,
20____.

____________________________
Ronald A. Troy, Chairman

____________________________
Mary T. Elsner, Clerk

This instrument drafted by Mark A. Powers

Sheet 3 of 4
CERTIFIED SURVEY MAP NO.__________

BEING ALL OF LOT 14 AND PART OF LOTS 13 AND 15 OF PEBWAUKEE LAKE PARK,
LOCATED IN THE NE 1/4 OF THE SE 1/4 OF SECTION 12, T7N, R18E,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

The above, which has been filed for approval as required by Chapter 236 of the Wisconsin State
Statutes, is hereby approved on this _______ day of ________________, 20______.

Dale R. Shaver, Director

BASEMENT RESTRICTION – GROUNDWATER

The lands that are a part of this Certified Survey Map is located in an area with mapped soils that may
contain seasonal high groundwater. The Waukesha County Shoreland and Floodland Protection
Ordinance currently requires that the lowest level of any residence must be at an elevation that is at
least one (1) foot higher than the highest seasonal groundwater level, unless a variance from that
requirement is obtained from the Waukesha County Board of Adjustment. Therefore, additional soil
testing in the vicinity of any future proposed residence will be required to ensure compliance with this
requirement. If the requirement regarding vertical separation distance from the highest seasonal
groundwater level is modified by a future amendment to the Waukesha County Shoreland and
Floodland Protection Ordinance, the requirement at the time of construction shall apply. All
groundwater separation requirements set forth by the Town of Delafield must also be complied with.

FLOODPLAIN AREA PRESERVATION RESTRICTIONS

1) Grading, filling and removal of topsoil or other earthen materials are prohibited, unless
specifically authorized by the municipality in which this land is located and, if applicable, the
Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural
Resources and the Army Corps of Engineers.

2) The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is
prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be
removed and/or an access and viewing corridor may be created with approval from the
Waukesha County Department of Parks and Land Use-Planning and Zoning Division.

3) The introduction of plant material not indigenous to the existing environment is prohibited.

4) The construction of ponds is prohibited.

5) The construction of buildings is prohibited.
Plan Commission Report for July 2, 2019

Taxidermy Studio Conditional Use Code
Agenda Item No. 5 B.

Applicant: Town of Delafield Plan Commission
Project: Taxidermy Studio Code
Requested Action: Recommendation to the Town Board
Zoning: N/A
Location: N/A

Report

As directed at the June Plan Commission meeting, I have prepared a draft ordinance to create a Conditional Use section that allows taxidermy studios in the A-2 zoning district. I have provided the draft to the Town Attorney for his review and input and will provide any of his comments at the meeting. The use is not allowed in the proposed conditional use code changes that are pending at Waukesha County.

Staff Recommendation:

I suggest that the Plan Commission review the proposed document and if it is acceptable, provide a positive recommendation to the Town Board. The Town Board will then hold a public hearing on the matter and either approve it, approve it conditionally, send it back to the Plan Commission for additional consideration or deny approval. If the Plan Commission would like to hear public comments prior to making a recommendation, I suggest that a joint public hearing be held with the Town Board prior to the August Plan Commission meeting and then take action at the August meeting.

Tim Barbeau, Town Engineer
June 26, 2019
ORDINANCE NO. __________

AN ORDINANCE TO CREATE SECTION 17.05 5. R. OF THE TOWN OF DELAFIELD MUNICIPAL CODE RELATED TO ALLOWING TAXIDERMY STUDIOS AS A CONDITIONAL USE IN THE A-2 ZONING DISTRICT.

WHEREAS, on June 4, 2019, the Plan Commission considered a request to operate a taxidermy studio in an A-2 Rural Home District, and

WHEREAS, there is no provision for taxidermy studios as a permitted use in any residually zoned lands or in the recently revised Conditional Use section of Chapter 17 (currently pending at the County for approval), and

WHEREAS, the Plan Commission, in their recent review and recommendation of modifications to the Conditional Use section of Chapter 17 and the Town Board's subsequent approval, recognized that new uses that are not provided for as permitted uses in the general districts or conditional uses in the Conditional Use section may need to be added as requests are brought to the Town's attention, and

WHEREAS, on June 4, 2019, the Plan Commission determined that they would consider allowing taxidermy studios in certain residential districts as a conditional use, and directed staff to prepare the necessary documents to consider at the July 2, 2019 Plan Commission meeting, and

WHEREAS, the Plan Commission did, on July 2, 2019, consider an amendment to the Conditional Use section of the zoning code, and made a positive recommendation to adopt the code language herein, and forward the matter to the Town Board for public hearing and approval, and

WHEREAS, upon publication of a Class 2 Notice per Chapter 985 Wisconsin Statutes once each week for two consecutive weeks prior to the hearing, and upon at least 10 days prior written notice to the clerk of any municipality whose boundaries are within 1,000 feet of any lands included in the proposed Zoning Code territory as required by Wisconsin Statutes Section 62.23(7)(d), the Town Board held a public hearing regarding the tentative recommendation, on __________ and

WHEREAS, the Town Board finds that this change to the Town Zoning Code is not a down zoning ordinance because it does not decrease the development density of land and it does not reduce the permitted uses of land, and therefore the super majority requirement of Section 66.10015, Wisconsin Statutes, does not apply to this ordinance; and
WHEREAS, having determined that all procedural requirements and notice requirements have been satisfied, having given the matter due consideration, and having based its determination on the effect of the granting of such zoning amendments on the health, safety and welfare of the community, and the immediate neighborhood in which said use will be located, and having given due consideration to the municipal problems involved as well as the impact on the surrounding properties as to noise, dust, smoke and odor, and others, hereby determine that the zoning amendments will not violate the spirit or intent of the Zoning Code for the Town of Delafield, will not be contrary to the public health, safety or general welfare of the Town of Delafield, will not be hazardous, harmful, noxious, offensive and will not for any other reason cause a substantial adverse effect on the property values and general desirability of the neighborhoods within the Town, and will be consistent with the Town of Delafield Comprehensive Plan.

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin DOES HEREBY ORDAIN as follows:

SECTION 1: Chapter 17 of the Town of Delafield Municipal Code entitled “Zoning,” Section 17.05 entitled, “Conditional Uses,” subsection 5 entitled “Conditional Uses Permitted” is hereby amended to read as follows:

R. Taxidermy Studios

1. **Where Permitted.** Subject to the provisions of subsection 2, taxidermy studios are conditional uses which may be permitted in the following districts:

   A-2 Rural Home District

2. **Standards Under Which Permitted.**

   Conditional use status shall not be granted to taxidermy studios unless all of the following standards are met:

   a. Lot must be a conforming lot and shall be 3 acres or more.

   b. Building location, base height and area regulations shall be as provided for in the underlying A-2 zoning district regulations, except that the building housing the taxidermy studio must be offset 50 feet from the side and rear lot lines.
c. A site plan prepared by and stamped by a professional engineer or
surveyor shall be submitted detailing the size, offsets and setbacks
of all existing and proposed buildings, access provisions, parking
provisions, grading, lighting and landscaping on the site related to
the studio.

d. Access shall be from a public street.

e. There shall be no outside storage for items related the business.

f. Water supply facilities and septic system, if any, shall be in
accordance with the rules of the Waukesha County Division of
Environmental Health and the Wisconsin Department of
Commerce.

g. Hours and days of operation for visitors shall be no more than 8:00
AM to 8:00 PM, Monday through Sunday unless other hours are
approved by the Plan Commission and Town Board.

h. The exterior of all structures related to the business, fences,
planting screens, etc., shall be kept in good condition at all times by
painting, trimming or other acceptable maintenance procedures.
Subsequent additions or changes in the building and grounds shall
conform to or enhance the original construction and be consistent
therewith.

i. All appurtenances placed on the roof of any structure such as air
conditioning units shall be housed in a penthouse or otherwise
screened from view.

j. The site and operational plans submitted to the Plan Commission
shall include design features necessary to ensure that traffic
generated by the operation does not have an adverse effect on
existing or planned roads and traffic movement considering
especially adequacy, safety and efficiency. Traffic circulation shall
be designed to minimize light and sound to adjacent landowners

k. The operation plan submitted for Plan Commission approval shall
specify and quantitatively describe any noise, vibration, dust, gas,
smoke, toxic matter and odors produced by the operation and plans
for containing or abating such nuisance.
I. A lighting location and light distribution plan shall be submitted showing cut-off type fixtures, pole types and height. Light at all property lines shall be 0 footcandles.

m. The facility shall be maintained in a sanitary condition. Plans shall be submitted and approved for waste removal and method of addressing odors.

n. The conditional use permit shall automatically expire and terminate on the sale of the property or its transfer to a non-occupant of the property.
Optional standards to include in the CUP:

**Building material standards:**

Buildings shall consist of quality materials such as brick, wood, stone, decorative concrete block and glass. The Plan Commission may allow the use of metal building components and exterior finish insulation systems (EFIS) if it is incidental to the primary building architecture or screened from public view. Metal siding shall not be permitted. Flat roofed buildings shall not be permitted. Pitched roof shall be 4:12 or steeper. Access doors to individual storage units shall not be located on the exterior of any structure, except as follows: 1. In the case of a structure that contains interior storage spaces, up to two vehicle access doors may be allowed on the exterior face of the structure; 2. In the case of multiple buildings that have exterior access to individual storage units, only those locations that face another interior storage exterior building face with individual doors shall be allowed. The exterior walls of the outermost buildings and ends of the individual buildings shall not include any doors or individual storage units. Color scheme for the buildings shall be shown on the plans and samples submitted to the Plan Commission for approval. Colors that are out of character with the surrounding developments and residential areas shall be prohibited.

**Landscaping shall meet the following standards:**

1. All lands not used for buildings, parking lots, driveways, etc., shall be landscaped and kept in good appearance at all times, including required watering of lawns and shrubbery.
2. The landscape features shall provide sufficient screening to shield adjacent properties and roadways from adverse effects of the facility and shield the development from the negative impacts on adjacent uses or streets.
3. Applicant shall prepare and submit a landscape plan. The plan shall be prepared and stamped by a licensed landscape architect. The plans shall include existing and proposed features of the site; proposed vegetation to provide screening of the facility; a plant schedule indicating the material names and types, number of plants and size of plants at time of planting; and planting details. After installation of the landscape features, a certification from the landscape architect stating that all plants have been installed according to the approved plans shall be submitted.
4. Each tree shall have an initial caliper of no less than two inches and a height of at least seven feet. Shrubs and bushes shall be a minimum of 3 feet in height at time of planting.

5. The owner shall be responsible for the maintenance of all landscaping and maintaining the landscaping in good condition as to represent a healthy, neat and orderly appearance that shall be kept free from refuse and debris. The owner shall promptly replace any landscaping which has died or is damaged beyond repair. The replacement plantings shall be the same size and quality as the approved landscape plan. The site's landscaping shall be maintained perpetually in accordance with the approved landscape plan.