

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
TUESDAY, DECEMBER 5, 2023, 6:30 P.M.**

**Video Link:** <https://www.youtube.com/watch?v=qIB9jSDsqKU&t=59s>

Prior to the start of the scheduled Plan Commission meeting, there will be a joint public hearing in front of the Town Board, Plan Commission and a representative of the Waukesha County Department of Parks and Land Use, Planning Division staff. The hearing is at the request of Amy Thomas on behalf of owners, Kellen H. Wesson and Amy E. Thomas, et al, and The Robert G. and Ann B. Thomas Revocable Trust and Amy E. Thomas, et al, to rezone three parcels of land (151.05 acres) located north of Golf Road, west of Elmhurst Road, south of the Lake Country Bicycle and Pedestrian Trail and the High Ridge East Addition No. 1 subdivision and east of Glen Cove Road from A-1 Agricultural District to PDD Planned Development District in Town of Delafield's jurisdiction; and A-1 to R-3 Residential in Waukesha County's jurisdiction and a Residential Planned Unit Development Conditional Use in Waukesha County's jurisdiction. Tax Key Nos. DELT0809-995; DELT0809-996 and DELT0811-999. The regularly scheduled Plan Commission meeting will begin immediately following the conclusion of the public hearing.

Engineer Barbeau explained the land is currently zoned A-1 and wetland floodplain. There will be no changes to the WF-1 area. The area is defined as a wetland delineation. The current land use is mixed use, and low density residential. Engineer Barbeau defined mixed use land use. The low-density residential designation is for residential only. The applicant has requested a rezone to Planned Development District #1 for residential and open space uses. A General Development Plan must be reviewed, approved, conditionally approved, or denied. There are 9 elements required for submission and review. The application is considered complete. Waukesha County shares jurisdiction on the property. The applicant has requested a County zoning change from A-1 to R-3, with a Residential Planned Unit Development Conditional Use. The County is looking for a recommendation from the Town for the rezone and conditional use. The submission meets the land use on all three parcels.

Planning and Zoning Manager from Waukesha County, Jason Fruth, explained the County jurisdiction on the map. The request would take the current A-1 zoning to R-3, or about 14,000 acre lots. There is also a planned unit development request which is a conservation design. This requires 40% open space. This application is well above that. The general idea is to create an interesting environment, but allows for flexing of lot size. The developer is seeking flexibility which is allowed in the Town's Planned Development District. The Town and County Land Use Plan is identical. The commercial land use was changed by the Town and County to a mixed-use land use. What was submitted is solely residential. The low-density County designation is 20,000 square feet density. The Town's Planned Development District allows 230 units. The proposal tonight is for 212 units. There were conditions affixed, including no industrial uses. Future development provides for a recreational path system to connect to the Lake Country trail. The workgroup that worked on this project thought that was important. If solely for residential use, the density range shall meet the low-density residential category. The County required that no residential project go over low density residential. The upland environmental corridor is about 30 acres, and the developable site is about 111 acres. Statutory proceedings of a conditional use permit say that any actions have to be based upon substantial evidence. If there is a concern about something, it has to be based on factual evidence. To recap, the area on the north side of the site is where County jurisdiction is limited for this development. The staff are happy to answer any questions.

Chairman Fitzgerald stated the Town received 7 emails which have been shared with the Town Board and Plan Commission.

**Public Comments:**

Peter Ogden, W290N2171 Happy Hollow Road, explained he lives adjacent to this property. He lives in the watershed of Pewaukee Lake and rely on this area to recharge the lake. He asked the Commission to pay attention to the hurdles of this development, including maintenance, and lift station upgrades. The total fees collected from

this development would be \$1,001,060. If LPSD has to pay \$4.6 million for total upgrades, there is a substantial difference. There are 184 wells with a moderate depth. If a developer were to drill a community well, a deeper well would have very little impact to Pewaukee Lake. Attention should be given to existing springs. These can be disturbed by blasting, digging, and can affect basements. More information is needed, to be studied. At the end of the day, Pewaukee Lake is owned by the public. This development is next to a big asset of the Town.

Joe Schmidt, N18W29085 Golf Ridge South, stated he lives adjacent to the Thomas Farm. He had reviewed the studies prepared by the developer. His comments were on water and stormwater. The GZA is based on historic water supply. The Collier report questions the aquifer in which the GZA is based. It was recommended to have a community water supply. This was dismissed by staff and Waukesha County. The HOA manages the stormwater basins. He questioned why an HOA could manage stormwater ponds, but not a community well. Trio is relying on soil borings from 2007. He stated that no new soil borings have been provided. The Collier study does not evaluate a 212-unit design. Ground water studies cannot be defined without new borings, and no test wells have been drilled on the site.

Gary Wegner, N20W29504 E. Glen Cove Road, stated he is interested in the stormwater management plan. At the top center, they have added a retention pond as an extension to the Crooked Creek area. On the left side of that pond the plan says "discharge point". Where is that discharge going? Behind this is a recreation path with no ditch. If they are going to have a spillway, which they indicate by the notes, it is going to go downhill. Where is this water going? It is not explained at all. The current Crooked Creek subdivision has a retention pond near Glen Cove that has a spill way that goes into an existing stream that goes under the bike path, and runs down to the lake. They list the pond height and spillway height, but there is a 3.5 feet difference. They did not look at other ponds or discharge points. Mr. Wegner lives south of this discharge point and believes they have to look further into this plan.

Bill McNamara, W291N2212 Elmhurst Drive, stated he has lived at this location for 38 years. His main concern is the consideration of allowing blasting. He lives east of Thomas development. There were issues with cracked foundations due to blasting. He questioned if that has been given adequate consideration. He also remarked that he does not think the traffic study is adequate. Two weeks ago, traffic was backed up. He asked the commission to consider these issues.

Denise Reese, N18W29054 Golf Road S., had concerns with the traffic report. Oakton is shown as going through to East Glen Cove, and it does not. Was this assumed that it can be used as a relief? Thomas Road was not counted as an access point to Elmhurst and Golf Road. Why are we building a whole new access when there is an existing one? She also questioned the traffic study totals. Traffic on I-94 ends up on Golf Road, where they have had 15-to-30-minute delays. She stated roundabouts will be expected to be put in after the first two years. A lot of accidents are occurring at Elmhurst and Golf. She questioned if 4,000+ cars going down Golf Road are before or after Orthopedic Associates. She also used Orthopedic Associates as a good example of water being over utilized.

Lauren Melius, N18W29926 Crooked Creek Road, stated she has a minor concern. The 8 units that come out on one road, Crooked Creek. She did not understand why there was no other way, than to extend the road. Construction traffic will tear up the road. She questioned how the homes will be differentiated from the ones in the subdivision currently.

Kathy Gutenkunst, N20W29668 East Glen Cove, stated she hasn't missed a meeting in 5 years. The group of people tonight are your residents. When we all leave, the property is the legacy the board leaves behind. It will be the most densely populated track of land from Waukesha County along I-94. The ordinance requires traffic analysis. The traffic analysis assumes that Glen Cove and Oakton are connected. If there is a problem on the frontage road, she can't get out and an ambulance can't get in. Why wasn't the study done in the summer, instead of February. She stated the stormwater appeared to be coming out in her yard. The water study needs to be reviewed. She stated she was at a loss why there is not a single soil boring contained in any report. The water study from Collier says more work needs to be done. That is not in the County or Town's staff report. The procedure in your ordinance has to work with or consult LPSD. She asked the Commission to table the rezone and get current information.

Paula Horning, N22W29130 Elmhurst Drive, expressed concern for the lack of information provided regarding the sewer upgrades. When Orthopedic Associates went in, the impact to the sewer was 5 times what they estimated. She asked that they be conservative in their estimates.

Patty Beres, W306N2446 Golf Hills Drive, stated she is not an expert on this, and just recently learned about this development. When there is a project with a big impact, there is some kind of posting that goes up. She expressed the same concerns that many of the people who have spoken. She is worried about traffic, sewer, stormwater, and the environmental impact. Wetlands are a filtration system for the lake. With new homes, she wants to know if studies have been done regarding the impact of the wetlands. She questioned the traffic study, and whether there are plans to widen the road. She explained her and her husband were victims of a sewer backup due to neglect of pipes that were not inspected by the Town. They had a lawsuit and won. She expressed concern with how the sewer system is currently managed. Lastly, she expressed concerns for the general lake health and the effects of blasting.

Jim Kunz, W295W1738 Prairie Wood Ct. expressed concerns about stormwater. He observed that swales in wooded areas are deteriorated with erosion. For years they have been eroded and sediment has been going into Pewaukee Lake. It is important the Town engineer inspects that area and it be rehabbed as part of the stormwater plan. Until this issue is resolved, it is imperative to delay changing zoning.

George Erwin, 2600 Mayfair Road, the attorney for Thomas Family, explained three elections and a chairman ago, he appeared here to try and move forward some type of development scheme, with proximity to I-94. They have tried to be accommodative throughout that process. The result was no commercial, industrial, business park, senior housing, and industrial uses. Multit-family use was allowed, and then disallowed. He stated they tried to do everything, and with barriers to development, tried to answer these questions. Hundreds of thousands of dollars are being spent, but are continually being told we have to study some more. Prior to this, the property had commercial land use, requiring 80% open space, in which no one was interested. He questioned at what point will they ever be able to develop their property. Every barrier put in place; they have tried to accommodate. The last was that the lots were too small. If you extended those lot lines, they would be half acre lots. With this development, they will have a master association. All of the requirements that were built into the Planned Development District, were barriers. No developer would, and I'm glad Neumann came forward. When they spent tens of thousands of dollars, we are now told they are useless. He stated he appreciates what the Commission has done so far.

Eric Stowers, N18W30050 Crooked Creek Road, stated he moved here 5 years ago. He explained the first day they moved into the house, 15 minutes later, the sprinkler stopped. The well is 260 feet deep. He acknowledged support for questioning the development. The development is very close to where he lives. There are notable concerns about whether the site is developable, which it could be. We have gone from light industrial and mixed use, to where we are right now. The creed of Delafield is recreational, residential, and relaxation... this is far from residential. He expressed the most concern was the depletion of ground. He summarized from the County's letter that, assuming the entire Thomas Farm has a 5-inch ground water recharge rate, that is 63 feet per year of recharge. To keep that, they have to double it, from 5 inches per year to 9.3 inches per year. He stated he doesn't know how that is going to happen, but appreciates the discussion.

The public hearing was closed 7:20 PM

**First order of business:** Call to Order and Pledge of Allegiance

Chairperson Fitzgerald called the meeting to order at 7:20 p.m. and led all in the Pledge of Allegiance.

Members present: Chairperson Kranick, Supervisor Michels, Commissioner Dickenson, Commissioner Mihalovich, Commissioner Cummings, Commissioner Janusiak, and Plan Commission Chairperson Fitzgerald.

Also present: Supervisor Mahoney-Ogden, Supervisor Miller, Supervisor Woelfle, Engineer Tim Barbeau and Administrator Dan Green.

**Second order of business:** Approval of the minutes of November 7, 2023.

Motion by Chairman Kranick to approve the minutes from November 7, 2023, with corrections. *Seconded by Commissioner Cummings. Motion passed 7-0.*

**Third order of business:** Communications (for discussion and possible action): NONE

**Fourth order of business:** Unfinished Business: NONE

**Fifth order of business:** New Business:

- A. Amy Thomas, et al, Re: Consideration and possible action on a zoning amendment from A-1 Agricultural District to PDD No. 1 - Planned Development District No. 1 on the Thomas family properties (151.05 acres) located north of Golf Road, west of Elmhurst Road, south of the Lake Country Bicycle and Pedestrian Trail and the High Ridge East Addition No. 1 subdivision and east of Glen Cove Road in the Town of Delafield's jurisdiction. Also, recommendation to Town Board and Waukesha County on the request for rezoning lands from A-1 to R-3 Residential and a Planned Unit Development Conditional Use Permit for lands that are under Waukesha County zoning jurisdiction. Tax Key Nos. DELT0809-995; DELT0809-996 and DELT0811-999.

Engineer Barbeau explained the current zoning is A-1 and WF-1. The applicant is looking to rezone to the Planned Development District #1. The requested zoning amendment is in conformance with the land use plan. The ordinance states the GDP should be approved, conditionally approved, or denied. There are some other specific regulations within that ordinance, including use regulations, density, building locations, area regulations and open space. The plan meets that code. Other issues such as height of buildings, building footprints, etc. would be reviewed when a permit is obtained. The County is seeking a recommendation on their rezone. The engineer's recommendation is to be approved, as the request is in compliance with the Town's land use plan. Each element in the plan has been adequately addressed. Any approval should be subject to a detailed review of the specific development plan. The stormwater management plan would be done as part of the SDP process. Development of the subject property should be in conformance with the general development plan. The maps as part of the GDP would be part of the approval, and would have to be developed in substantial conformance of the submitted plans.

Bryan Lindgren, Neumann Developments, stated they are very excited to bring the plan forward. He explained that housing is what is needed and there is a fundamental shortage. The way to solve that is not a one size fits all approach, but with a thoughtful planning process. It is a process that has been gone through at length, and generating a zoning code that took many things into consideration. The dynamics of the code are unprecedented. Looking at the area as it relates to the code, they agreed there needs to be a variety of housing to meet a wide range of ages and price points. This variety includes condo style, and single-family homes with small to large lot sizes. They have looked at this for well over a year, engaging in several studies. The studies that have been included in the packet (500+ pages) have been thoroughly vetted, from groundwater to traffic. These studies were originally submitted in April. These have been refined and questions asked by the County, Town, SEWRPC, and LPSD. With that said, he stated all the experts were there to answer any questions the commission might have. He stated the plan put forward, is good for the area, and responsible, preserving as much open space as possible. He encouraged the commission to review, and recommend the rezone presented.

Chairman Kranick stated there have been concerns regarding the traffic study. He asked if there should be any concern about the accuracy of the study with Elmhurst bridge being closed last year. John Bieberitz, engineer from Traffic Analysis & Design, stated they took traffic counts from 2018. They did intersection turning limit counts on Elmhurst, Golf, and Oakton. Those were taken in February while school was in session. Traffic count data is used from the highest hours of the day, in the morning and afternoon. That data provides a baseline which is then compared to DOT traffic volumes. Level of service ratings are measured from A-F. Waukesha County takes "D" as acceptable during peak hours. The data showed levels were A and B. Supervisor Michels questioned what the methodology was for that scale. Mr. Bieberitz explained they are national standards. Studies have been done around the country to measure trips per day based on driveway counts, duplexes, single-family homes, etc. The anticipated trips generated are based on 212 combined units, with the assumption that there will be 10 trips per unit, per day. Supervisor Michels asked why the study is recommending lanes be added to Golf Road, and how they came to that conclusion. Mr. Bieberitz explained that if you have more than 2,500 cars per day, you need bypass lanes. Supervisor Michels asked if they considered roundabouts at those locations. Mr. Bieberitz explained that if the service level came back with a "D" or "F", it would require a roundabout, but not at an "A" or "B". Commissioner Mihalovich asked if they considered future traffic generation, when determining the rating. Mr. Bieberitz explained that the traffic study is based on the full buildout of the development. Commissioner Cummings asked if there was any evidence that traffic would be different in the summer. Mr. Bieberitz stated the best time to do traffic studies is during school, when school is in session.

Chairman Kranick asked if the counts show the accurate number of Fed Ex, garbage, UPS, and other delivery trucks? The engineer explained that even with more people working from home, 10 trips per day did not change. Supervisor Michels asked if they expanded the study to Maple Avenue or other roads in the area. Mr. Bieberitz explained that because they are accessing Golf Road, the County dictates what areas to study, and they did not go beyond the area of the development.

Commissioner Janusiak asked the engineer to address the comments about Oakton and Glen Cove being connected on the map. She asked if there was an impact due to that fact. Mr. Bieberitz stated he knew that the roads did not connect. He referenced Exhibit 4-5, that shows all the traffic coming to the development. No traffic was assigned through that roadway. All the traffic using Oakton Road, would turn left onto Elmhurst. An arrow is shown on the left of Oakton, but with no traffic assigned.

Supervisor Michels asked if Thomas Road will still exist with this development. The engineer stated Thomas Road will be abandoned and used as a driveway off Elmhurst Road. Chairman Fitzgerald reiterated that at full build, the ratings will still be at "A" or "B". The two new intersections will be at a level "B", with no changes to the existing intersections. Chairman Kranick questioned if the new bypass lanes were vetted by the new Waukesha County Public Works division. Jason Fruth stated the traffic study has been vetted by the County, and fully reviewed by the Department of Public Works. Commissioner Janusiak asked, with respect to levels "A" and "B", if those are acceptable. Engineer Barbeau explained that in the traffic world, levels of service are designated by letters, A being the best, B being the second best, and etc. There is not a concern until you get to the D and F ratings. Sometimes adding stop signs and other traffic controls can make delays worse. Levels C or D are typically delay levels at those intersections. The big delays would be standstill traffic for long periods of time (i.e. Chicago). A or B are minimal delays in seconds as opposed to minutes. Chairman Kranick stated the traffic counts from the DOT are from 2018. He asked when those counts are updated. Mr. Bieberitz stated these counts are updated between 3 to five years.

## Water

Kevin Hedinger, Senior Hydrogeologist for GZA, stated he was there to answer questions about the work done. Supervisor Michels asked that he give an overview on the water study process. Mr. Hedinger explained when they do these studies, they look at the information that is existing. They reviewed 300 well logs that were available. They had no wells on the Thomas Farm site. They looked at the bedrock. They were looking for the drawdown, which are derived from mathematical equations. To come up with the pumping rate, they divided the subdivision and grouped to one well. They assigned a unit to each of the users. Water use is 77 gallons per day. Then they looked at how many people generally live in a home. The average is 2.8 to 2.9. They used 3 people per house. They ran that amount into their equation. He explained that when you pump a well, it draws water down. They reviewed wells around the site, at 11 points, took the distance from each well, added them up, and came up with a drawdown at the property line. Originally, when the study was done, they did not assume any infiltration, giving a worst-case scenario. This assumption is not real life, so they did a second equation that assumes some infiltration. The memo from Waukesha County mentions a 5-inch recharge rate. SEWRPC comes up with 5 to 7 inches of recharge. At that point, there is two more inches of water. No subdivision, they are aware, has a net zero water infiltration. There is no amount of water pumped that cannot be returned to ground water. They came up with a new model based on a discussion with SEWRPC. They asked them to consider some points and look at infiltration and drawdown levels. When the surrounding subdivision was built, groundwater was not determined. This site will have a similar drawdown to other subdivisions in the area. He referenced the Colier study which stated there will be very little impact to Pewaukee Lake, which should be protected. He stated the methodology used is the same as many groundwater studies done all around Wisconsin.

Commissioner Dickenson asked if there was a reason why they used one theoretical formulation. Mr. Hedinger stated that is a common formula, used on all the water studies he has done. Commissioner Dickenson asked if they considered using another formula to determine if there is a happy balance. Mr. Hedinger explained a lot of other theoretical formulas require more information than what was available. The Theis Solution uses data that they were able to get, opposed to coming up with estimates. Commissioner Dickenson asked if they assumed that the aquifer was infinite in extent. Mr. Hedinger said yes, and the aquifer is assumed to be homogenous. She questioned if there was any consideration given these variables, that they would have looked at another equation. Mr. Hedinger said no because he didn't think they would come to a different solution, due to not having the information available. They would have to make assumptions about other variables. Supervisor Dickenson asked what the radius of influence was. Did it only look at the development, or also the surrounding neighborhood. He explained they looked at the drawdown at the property line, and used those distances in their calculations. They also looked at the effect of the golf course, which was nominal. In this area wells are drilled at 200+ feet, and they are all bedrock wells. They drill a hole and set a pipe, by code to 60 feet. They drill down and reach the Maquoketa Shale, which has layers of shale and limestone. The upper part of the Maquoketa Shale is much more fractured. You have different dynamics going on there, that allows for water recharge. When determining drawdown, they looked at key points where they needed it. They also looked at ponds at the golf course based on SEWRPC's comments.

Commissioner Dickenson asked about the wells surrounding the development. 80 wells were part of the equation. She stated the study used 3 to 6 people per unit, depending on the single family or duplex. It was indicated by SEWRPC that they should use 7 people per acre. She asked why there are two different numbers. Mr. Hedinger explained that they used their totals based on the average number of people living in a home in Waukesha County. Chairman Fitzgerald explained that these are different metrics being used, where SEWRPC uses 7 people per acre, on 110 acres, as opposed to the number of people per household. Mr. Lindgren cleared up the miscalculation on the narrative document, which used 151 acres of developable land, which should be 110 acres.

Commissioner Dickenson questioned the 29 wells that were excluded from the numerical data. Mr. Hedinger explained when they went through the well logs, they looked for wells that were representative across the entire area. They used wells for construction and to determine hydro conductivity. They can estimate the transmissivity of the aquifer by specific testing. They can back out transmissivity data through well drawdown rates. They tried to use wells that were put in since the 1990s to 2023. They wanted to use enough wells for good average results. Commissioner Dickenson asked how many wells fell into the third category where the depth of the underlying sandstone might not be economical for the subdivision. Mr. Hedinger stated there were a couple of wells, a few in the Crooked Creed subdivision. He stated he was looking to see if there was enough water there, without going dry. Commissioner Dickenson asked how many of those 29 wells not used, fell into this category. Mr. Hedinger stated he did not know, but could get that data for her. Commissioner Dickenson also questioned the two well closures, and if there was any information as to why they were sealed. Mr. Hedinger stated when a well is sealed, there is only a one-page form submitted without a narrative.

Commissioner Dickenson stated there is a staff comment on a drawdown of 6 feet. In the study it talks about 10 inches of drawdown. She asked the engineer to explain what these different points of drawdowns are pertaining to. Mr. Hedinger explained that these drawdowns were based on the last table that was submitted which shows the drawdown levels from each point around the property line. The drawdown at the property line, he stated, was 10 feet. Commissioner Dickenson stated that the Plan Commission did not receive the Collier report in their materials. Engineer Barbeau stated they can make that report available to the Commission. The study was done by LPSD, not at the request of the Town or the developer. He explained that the Collier report says that additional studies need to be done, which is what the GZA study accomplishes. He explained the Collier study was done to determine the effects of Pewaukee Lake, not on the water table. Commissioner Dickenson stated it would be helpful when looking at the water as well. She asked that GZA consolidate the letters and reports, so it is more comprehensive.

Supervisor Michels asked why private wells were decided instead of another water source. Jason Fruth stated that municipal water was investigated by the developer and Town staff from both Delafield and Pewaukee. The costs were in the millions of dollars, and given the density of the development, the costs were not absorbable. The Pewaukee extension requires a loop, which added more costs. The community water supply notion was talked about collectively. It was mentioned during the public comment section that there was an example of a community water supply. The concerns were, in part, about the administration of a water supply by a local water supply committee. They have seen HOAs struggle with some of the responsibilities with that. Stormwater is not an easy task, and HOAs have to take those on. There was a concern about a community water supply regarding water testing, and potentially bringing up more chemicals and radium concerns, the deeper the well goes. The discussion came back to private wells. The developer and Town and County staff looked at whether the individual wells could be drilled deeper. Drilling 350 feet down bears a significant cost. Shared wells also were evaluated, but ran into issues of who maintains them. A municipal water supply could not be handled by staff, with the amount of manpower, vehicles, and equipment.

Commissioner Janusiak asked why the water study was reviewed within the borders of the development, besides the golf course. Mr. Hedinger stated that the golf course concerns came from SEWRPC. They were worried about drying the ponds and natural springs, that fed to the golf course, and ultimately to Pewaukee Lake. Supervisor Janusiak asked what happens if there is an impact that is unknown or unexpected. He stated that is why the studies are done, to determine what might be the impact. He stated the drawdowns are not below typical wells that are out there. If there is a very old well, 30 feet deep, that might be affected. That shallow well may be affected by other homes that are existing. He explained that natural ground water fluctuates with the season. Dry years, the water levels will go down, and wet years, there may be too much where the water seeps.

Chairman Kranick asked to clarify that DNR logs were used for the existing wells, and no test wells were drilled on the site. Engineer Barbeau explained they looked at wells to the west and east. They can make a good assumption that generally speaking, there is going to be the same water fluctuations in between them, unless there is solid bedrock, if it is fractured rock.

### Stormwater

Josh Pudelko from Trio Engineering, stated this stormwater plan has a lot of information incorporated and is not their first shot at it. The goal is to enhance the enjoyment of the area. They looked to maintain some of the vegetation around the perimeter, and retain internal tree lines with varied size open space, and wooded walking trails. They took into consideration the topography and how the site drains. The site plan is done hand in hand with the stormwater plan. He explained they have had back and forth advancements with stormwater. From the west side, there is a central stormwater area which is generally a lower area. They tried to promote infiltration more than what it is currently doing. In the course of doing this, they did a thorough geotechnical analysis. They have a clear understanding of what the soils are. It is not fully sand, but everything can infiltrate and push beyond what the County minimum infiltration is. There are four main discharge points for water, northwest, to Glen Cove, near Crooked Creek. There is a bike trail to the northwest, and a swale that drains into a channel that goes due west. They are anticipating improving some of the flows where the channel carries the water north. He explained that the rate of water coming off the site, will be less than the current rate.

Chairman Fitzgerald stated there was a question about how the water gets across the bike path. Mr. Pudelko stated there is a swale at the top of the steep slope, but is not designed to go across the bike path. This drains due west from the swale. There will be a robust maintenance agreement implemented, with the County permits requiring inspection of the ponds, the pond outlets, etc. The goal for stormwater on the site is to match and improve the current drainage conditions. Chairman Fitzgerald reiterated that these are preliminary plans, and finals would be done through Waukesha County. He asked if there was a push to repair current problems, would that be a County process. Mr. Fruth said yes, if there is a small conveyance, they can take it back to the developer's engineers. Supervisor Michels stated, to Chairman Fitzgerald's point, they are not approving the final stormwater plans tonight.

Mr. Pudelko identified discharge rates to the east. He explained there was some ponding near Elmhurst ditch in the area, where it is shallow and flat. The discharge rates assume there are areas where not a lot of water leaves the site. It puts the onus on them, as the designer, to raise the bar higher. The peak rates are better in the proposed plan. Chairman Fitzgerald asked whether these would be wet ponds year-round. The engineer didn't remember which were wet and dry. There will be seven wet ponds and seven with mixed elevation with a mix of rain gardens, biofilters, and infiltration basins. Engineer Barbeau pointed out that the County's standard for infiltration has to meet 90% of the predevelopment flow. This plan provides 94.5% infiltration. They have talked with the County to make this number even higher. The Town wants infiltration of rainwater to help with ground water recharge. This particular site has a high level of infiltration. This plan takes full advantage of maximizing infiltration as much as possible. This includes dry ponds, wet ponds, and manmade infiltration basins. They look like little basins with sand in them, similar to what is in front of the Town Hall. In heavy storms, the water levels will rise, and eventually, over time, dissipates in the outlet or infiltration into the ground. Mr. Pudelko gave clarification on the outlet pipe to the infiltration basins on the west side of the development.

Chairman Kranick asked if soil borings were recently taken. Mr. Pudelko stated there were 39 soil tests taken on the site this year. That gave an indication of structural characteristics. Neumann did rock probes at every home pad. They have a very clear profile of the rock and groundwater on the property. This helps



give an indication of where the homes can be set above the bedrock and groundwater. This information was sent to Waukesha County on June 23<sup>rd</sup>. Engineer Barbeau asked if they could address the issue of blasting. Mr. Pudelko stated their initial look showed the rock through the area is not uniform, meaning its not all the same elevation down. There are ledges in the bedrock, with the most dramatic one being near lots 73 to 76. It is about 4.5 feet deep. Everywhere else is generally 8 to 9 feet down, and any blasting in those areas would be very minor. He stated there would be some blasting that may be required for sewer. He stated that even in the areas where the bedrock is higher, they may be able to get creative on where they set the homes.

Bryan Lindgren stated that blasting is common in Waukesha County. Sussex and Lannon are sitting on bedrock all over the place. It is one of the most highly regulated people that will come on site, for good reason. They are dealing with explosives. There were comments on impacts to surrounding areas. They provide extensive notifications. If you are within a radius of affected areas, they will knock on residents' doors and inspect basements. This is to ensure that any claims that arise from blasting, they are on the hook for. He stated he is very confident in the contractors doing the work. He explained that their goal is to do all the blasting they can, before anyone moves in. For this site it is primarily for sewer laterals. There is potential for some basements that may require blasting. Commissioner Cummings asked how long blasting would take. Mr. Lindgren stated that it depends on how much blasting is required. If they have to blast several thousand feet of sewer, it could take a few weeks. If it is a small area, it could take a few days.

He stated they were encouraged on what they found in the soil analysis, and would try to use existing topography to preserve it. They provide robust landscape berms surrounding this property. They were intentional in their entry points and focal points. They took one of the lots away and replaced it with a pocket park. They wanted to keep the old farmhouse intact.

Chairman Kranick asked if there was any information provided by LPSD. Mr. Lindgren stated the Collier report was regarding the impact of the lake, not the sewer. They feel confident water has been addressed in regard to the sewer area. LPSD has acknowledged the density and SEWRPC area. The improvements needed are not solely because of this development. They have had Ruekert & Mielke do a study of the sewer system based on two potential developments, including the Thomas Farm. The preliminary report indicated deferred maintenance, which is typical of sewer districts. This development would pay its proportional share, and the fees would go beyond that to pay for the district issues with sewer.

Commissioner Janusiak stated there was a question regarding Crooked Creek Road. Engineer Barbeau stated that Crooked Creek is not in good shape. The thought was to do a pulverize and repave of that road, after construction was completed at the end of the road. The Town would not want to redo the road, to have it damaged by construction. The Town would hold off depending on the time of the development. He explained that the area off of Crooked Creek is not geographically accessible from any other site. A road could be put through the environmental corridor and wetland areas, but would require permits from the DNR and Waukesha County. The DNR would say that the extension off Crooked Creek is a viable option. He also explained that the environmental corridor and wetlands are an ideal location for water infiltration.

Commissioner Cummings asked if the Town could control heavy trucks driving on Elmhurst. Engineer Barbeau stated they would want all access coming off Golf Road directly to the subdivision. Mr. Lindgren stated that heavy equipment vehicles will come off Golf Road. Commissioner Janusiak asked how often the debris is cleaned off the roadways. Mr. Lindgren stated there are approved erosion control plans, and one is mud on the site, which needs to be driven off on a track pad.

Supervisor Kranick stated there has been a lot of information presented this evening. It was informative to have all the experts in the room. He stated he would like to table this item until the next meeting. Commissioner Dickenson asked that the full set of documents be provided at the next meeting. The soil borings from Trio Engineering, as well as response letters from GZA regarding SEWRPC's comments were requested. She asked that something more streamlined be submitted outlining the conclusion that was made. She also stated she would like to see the Collier study. There were also questions about the traffic study scaling and the connection from Glen Cove to Oakton Road that should be corrected. Chairman Kranick suggested an executive summary for the GZA study, would be helpful to find how they drew their conclusion. Mr. Lindgren clarified the ask from the Plan Commission so he could provide the necessary documents for the next meeting.

*Motion by Supervisor Michels to table, "Amy Thomas, et al, Re: Consideration and possible action on a zoning amendment from A-1 Agricultural District to PDD No. 1 - Planned Development District No. 1 on the Thomas family properties (151.05 acres) located north of Golf Road, west of Elmhurst Road, south of the Lake Country Bicycle and Pedestrian Trail and the High Ridge East Addition No. 1 subdivision and east of Glen Cove Road in the Town of Delafield's jurisdiction. Also, recommendation to Town Board and Waukesha County on the request for rezoning lands from A-1 to R-3 Residential and a Planned Unit Development Conditional Use Permit for lands that are under Waukesha County zoning jurisdiction. Tax Key Nos. DELT0809-995; DELT0809-996 and DELT0811-999." To the next meeting. Seconded by Commissioner Cummings. Motion passed 7-0.*

**Sixth Order of Business** Discussion: None

**Seventh Order of Business:** Announcements and Planning Items: Next meeting: January 16, 2024.

**Eighth Order of Business:** Adjournment

*Motion by Chairman Kranick to adjourn the December 5, 2023, Plan Commission meeting at 9:03 p.m. Seconded by Commissioner Dickenson. Motion passed 7-0.*

Respectfully submitted,

Dan Green, CMC, WCMC  
Administrator-Clerk/Treasurer