

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, MARCH 1, 2022, 6:30 P.M.**

Video Link: <https://www.youtube.com/watch?v=PONGgYHiugc>

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

Chairman Fitzgerald called the meeting to order at 6:30 p.m. and led all in the Pledge of Allegiance.

Members present: Supervisor Kranick, Commissioner Dickenson, Commissioner Frank, Commissioner Diderrich, Commissioner Janusiak, Town Chairman Troy and Plan Commission Chairman Fitzgerald.

Also present: Engineer Tim Barbeau and Administrator Dan Green.

Second order of business: Approval of the minutes of February 1, 2021.

Motion made by Commissioner Dickenson to approve the February 1, 2022, minutes. Seconded by Commissioner Frank. Motion passed 7-0.

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

Fourth order of business: Unfinished Business: None

Fifth order of business: New Business:

- A. Linda Halley, agent for Greenhill Preservation, LLC, owner, Re: Consideration and possible action on a request for approval of a sign on the barn at the southerly farm operation of Gwenyn Hill located at N3 W29350 Bryn Drive.

Engineer Barbeau explained the applicant wants to place a round sign on the existing barn to identify the Gwenyn Hill farm. This is on the south farm. This will be a permanent sign on the barn and meets all requirements, including square footage. He explained the sign does not state "Town of Delafield" and suggested adding it. The applicant explained she is not sure where "Town of Delafield" should appear on the sign and was open to suggestions. Chairman Fitzgerald stated the size is not critical, and it can be placed along the bottom.

Motion by Supervisor Kranick approve the request from Linda Halley, agent for Greenhill Preservation, LLC, for a sign on the barn at the southerly farm operation of Gwenyn Hill located at N3W29350 Bryn Drive with the addition of the "Town of Delafield" being added at the discretion of the sign company. Seconded by Commissioner Diderrich. Motion passed 7-0.

- B. Thomas Family Properties, Re: Presentation and discussion of site layout options for the Thomas family properties

George Irwin, real estate attorney for the Thomas Family, stated he has worked hard on this project and would like to see it through to conclusion. He explained at the last Plan Commission meeting it was recommended to the Town Board, which took no action. The ordinance had significant issues as far as the citizens were concerned. Most were concerns about land use, density, noise, traffic, etc. The biggest issue was density. Comments made were, what he described as misinterpretations of what could be achieved on the site. He explained that when factoring in open space, the PEC, lot sizes, roads and infrastructure, the density calculations would be much less. People were talking about 600-800 units, and he knew the number, would be much less. He explained that several developers approached the family, wanting an opportunity to present alternative site layouts based on practical layouts defined by the ordinance. The backdrop is not doing a master development plan, and letting individual property owners develop the property within the zoning code parameters. He explained the Plan Commission should consider if they

want a traffic, water, environmental and stormwater studies. When burdened under a master development plan, there must be a tradeoff.

Joshua Pudelko, from Trio Engineering, explained the site is uniquely challenging and beautiful. Part of the complexity is I-94 proximity, the homes around it, and the Primary Environmental Corridor. There is an interest in open space, and they wanted to bring lifestyles together with trails and landscapes. He explained they submitted an A and B with variation with a similar theme. They included strong landscapes and berms. Buildings are 100 feet or more back from Golf Road. The end of Crooked Creek Road has 8 lots. They liked the existing trees along Elmhurst Road. He reviewed the trail system, which is interconnected throughout the site. The lot averages roughly 94 feet wide and .4 acres with some flared lots that get wider. The middle of the site has two types of rental properties. Greenspace is at 65% open space and is a benefit to multifamily development. They are rental homes, providing a great alternative for residents. There will be a pocket park along Golf Road and will keep key vegetation as an immediate buffer. The condos have 4-sided architecture. There are a few developers that are widely acclaimed by neighbors in a single-family setting. He explained there is a high-end duplex development to the southwest with 2500 square foot units. There is nearly 70% open space in the proposed condo development. Plan A shows single family with 16,000 square foot lots and similar lot depth to other neighbors, but different widths. They are cognizant of bed rock, wetlands, and topography. Stormwater can be done in a zone-by-zone manner. This works good for a phased development and allows stormwater to be managed on a local level. You do not see one massive pond, but can move those ponds to where they can safely discharge.

The proposed plans have two main access points to Golf Road, pulling most of the traffic directly on to Golf. The plan shows one access to Glen Cove and Elmhurst. Mr. Pudelko explained this could be built in a variety of ways and on a phased basis, including sewer extensions working into the site from the east and west.

George Irwin summarized the density aspect of the proposed plan, comparing it to the Town's proposed ordinance. Zone 2 density is 1.49, compared to 2.5 allowed by ordinance. Zone 4 was proposed at 4.89, compared to 6 allowed by ordinance. He stated these are the practical limitations of the site.

Chairman Fitzgerald stated, the presentation shows why it is important to see what this looks like on paper. He explained that the ordinance passed the Plan Commission a year ago at 409 units, and currently we are at 300 or less. He asked the Plan Commission members for their thoughts and questions. He explained there are two options, A and B. The thought was, to take senior out of the ordinance, and let the Town's ordinance handle senior housing through our existing Conditional Use Ordinance.

Tim Frank asked how did this not make it to the Town Board for a vote? Chairman Troy stated that last May, the family asked the item to be tabled while they prepared for a conceptual presentation. The board tabled it at their request. They came back in early January with a concept to the Town Board, but he thought the discussion of a concept design belonged at the Plan Commission level.

Commissioner Janusiak questioned what could happen in the absence of a master development plan. Chairman Fitzgerald stated they either follow the master development plan, or develop each parcel separately. He also explained there is a pending land use change at Waukesha County, which would go away if the underlying ordinance is denied. The 100 acres along I-94 currently has a commercial/business park land use, with medium family residential to the north. The land use amendment to change to mixed use was approved by the Plan Commission and Town Board. If the zoning text amendment passed, it would be the only zoning allowed on the parcel. If the text amendment fails, so too does the land use change, and the family could come back with a land use request for residential zoning. There are three tax parcels that would be developed separately, and no master plan would be developed. If we do not get this ordinance drafted, it would be straight zoning changes.

Engineer Barbeau explained that the land use plan would fall back to commercial/business park along Golf Road. This could come in as a commercial park development. Chairman Fitzgerald stated a master development plan gives the Town greater say on road access to Golf Road. Engineer Barbeau explained that currently the land could be

developed for an office building, doctor, or vet clinic, etc. Commissioner Janusiak reiterated the point that the Town would lose study opportunities, and have less control on traffic.

Chairman Troy explained that the Town is buying a product, where they receive various studies, bike paths, parks, etc., with the price being higher density along Golf Road. He asked if the Town is willing to pay that price. If the ordinance gets approved, all property owners would have to sign the ordinance and agree to the terms of the ordinance.

Commissioner Frank asked if the Town has required plans and studies in other developments. Chairman Fitzgerald stated no, not to this extent. Engineer Barbeau stated that many communities work through a master community plan similar to the proposed ordinance. He explained that the Town went a step further, requiring public hearings for the more intense uses on the site. Commissioner Janusiak asked if a master development plan was done for Pabst Farms. Engineer Barbeau stated he was unaware, but knew there was large scale planning for the project.

Supervisor Kranick stated the Plan Commission has a responsibility to make sure the connectivity is maintained, and an adequate water study is done. He stated he wished a concept plan would have been presented 3 years ago. He explained the density was still too high for his liking and referred to a meeting where he suggested 250 units.

Commissioner Frank questioned what happens if the studies come back and the result is too high for current infrastructure. He questioned if the Town could set a number not to exceed. Engineer Barbeau explained that traffic studies show what improvements need to be made, not what to restrict. In this case, a traffic engineer could develop traffic patterns. Regarding sewer and water, a study is good to use for the entirety of the site, and not be piecemealed. In a typical development, some developers provide well depths, but not a study to determine capacity. The sewer district would have to determine the capacity of the pipe and may require it to be upsized to handle additional flow.

Chairman Troy explained the tradeoff of density in return for protections regarding the aforementioned studies. Assuming R-2 would be the density if the ordinance does not pass, this could lead to 165 units on the site, and 249 units under R-3. We are imposing a multi-million-dollar burden potentially. The Family would have to work together to plan these parcels in perpetuity.

Attorney Irwin stated the ordinance required the petitioner to find a public water source. Supervisor Kranick stated that the point of the water study was to determine if the aquifer can support the density, and if so a public water supply would not be required. Chairman Troy explained that Waukesha County mentioned the aquifer has plenty of water for the site. He asked at what point does the density by the Plan Commission and Town Board become impractical for the property owners. Attorney Irwin stated it is up to the Plan Commission to determine the units and go through the public hearing process. He asked what the purpose of moving forward is if there is no multi-family element. The multi-family along Golf Road is to serve as a buffer for the rest of the development.

Chairman Fitzgerald explained that he preferred Plan B to Plan A and the rest of the commission agreed. Attorney Irwin stated they are looking for consensus about what direction they want the family to move forward with. He asked if the Town Board supported the master plan. If so, he stated it lessens the range of developers. Individual parcels are easier to digest. He stated it is good to have a master plan, but they need a number from the Plan Commission. Commissioner Janusiak questioned what the impact of bringing public water to the site would be. Attorney Irwin said public water simply complicates the calculation, as money is being paid upfront for water, instead of at the purchase of a home.

Commissioner Frank questioned if the Plan Commission should plan for the other 15-acre parcel. Chairman Troy explained that senior units are not the same, and the Town already has a senior living CUP process in the code. Supervisor Kranick stated the unit comparisons are not the same, and the affect on traffic, water and sewer are different. Chairman Fitzgerald stated originally the plan allowed for up to 3 zones of potential senior use. Now we have it limited to one small parcel for that use. Engineer Barbeau explained that the Town's code does not have a density specified. It is based on the site and what the site can handle. It is hard to say the impact of a senior

development because of the complex housing situations and different amenities. The code gives flexibility according to the site.

Engineer Barbeau gave a summary of how they got to where they are. In the past, the town had talked about commercial in front to buffer the single family in the back. In previous Plan Commissions, they felt strongly about not having residential close to the highway. Typically, as a buffer, you use multi-family or commercial as a buffer. In these plans, they provide buffers. The town does not want to see barrier walls along I-94. High Ridge condos are 4-unit buildings and are buffers to the single family to the north. He explained multifamily closer to the highway is something to embrace. Single family to the north adjacent to existing single family makes sense from a planning perspective. The southern portion could have been commercial. We do not want to promote large, single-family homes along I-94. If we do, the Town will end up with a sound barrier wall along I-94. He explained the Town needs to plan for the future, and make a recommendation to the Town Board. Density is always an issue for the Town. Density is usually determined by zoning, and the layout comes later. It should be the primary focus here.

Chairman Troy stated he anticipates the residents will file a protest petition, and will require a super majority vote at the Town Board. This will require 4 out of 5 votes to pass. The way the item was put on the agenda, the Plan Commission cannot act at this meeting.

Supervisor Kranick explained that at 250 units, the density becomes 1.82 units per acre on the site. This is a compromise between the neighbors, the Board and the landowners. He stated he can live with 1.8 units/acre, and anything under 2 units/acre is a win. He stated he knows some of the neighbors are not going to be happy, but this has been a long process. Initially any development is a shock, but the residents will get used to it. There are certain protections that he likes, and why he agreed to send it back to the Plan Commission. We can debate about multifamily and size in another discussion. Initially this started at 464 units, and if we get down to 250 units, it is a compromise by all. If the family can come back with a compromise of 250 units along with the Commission and Board, it's a win-win. Commissioner Frank stated he would like to make sure these protections we have are legitimate. Chairman Fitzgerald stated this took a long time to put together and will make sure it gets cleaned up and strengthened before the public hearing. He asked that Attorney Irwin go back to the family with 250 units, see if that works and get back to the Town.

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: April 12, 2022.

Eighth Order of Business: Adjournment

Motion by Supervisor Kranick to adjourn the March 1, 2022, Plan Commission meeting at 7:58 p.m. Seconded by Commissioner Frank. Motion passed 5-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer