

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 2, 2021, 6:30 P.M.**

Video Link: <https://www.youtube.com/watch?v=csR1E6QwdSo>

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: Chairman Troy, Supervisor Kranick, Commissioner Dickenson, Commissioner Diderrich, Commissioner Janusiak, and Plan Commission Chairman Fitzgerald.

Also present: Administrator-Clerk/Treasurer Dan Green and Engineer Tim Barbeau.

Commissioner Frank was excused.

Second order of business: Approval of the minutes of October 5, 2021.

Motion made by Chairman Troy to approve the October 5, 2021, minutes. Seconded by Commissioner Dickenson. Motion passed 6-0.

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

Fourth order of business: Unfinished Business: None

Fifth order of business: New Business:

- A. Kevin and Tracey Scharnek, owner, by Carl Tomich, Westridge Builders, agent, Re: Consideration and possible action on the approval of a Certified Survey Map to combine two parcels created by deed that make up the subject property, into one parcel, located at N27 W30037 Maple Avenue.

Engineer Barbeau reviewed the first page of the Certified Survey Map, and explained the Town and County require a CSM to remove any property lines to meet the required setbacks. The applicant will dedicate 33 feet of right-of-way, and recommends approval subject to comments from Waukesha County.

Motion by Supervisor Kranick to approve the CSM dated October 12, 2021, subject to any Waukesha County comments. Seconded by Commissioner Dickenson. Motion passed 6-0.

- B. Wisconsin Hero Outdoors W329 S690 CTH C, by Tammy Sawyer, Re: Consideration and possible action on the approval of a wall sign at their facility located at W329 S690 CTH C.

Engineer Barbeau explained the application is for a sign for the occupants of Fire Station #2, on Hwy C. The proposal is for a 47" round sign. The property is zoned A-2 and limits the applicant to 11 square feet of signage for every 200' of frontage. The sign proposed is 12 square feet. The Town Code requires that "Town of Delafield" be on the sign. He explained the Plan Commission may determine the total area for wall signs, and may exceed the 11 square feet. He added that he has no issues with the larger sign, as it will be easier to see on Hwy C. He suggested the Plan Commission could grant a larger sign to make room for "Town of Delafield".

Chairman Fitzgerald questioned if the Town prorates the 200' frontage rule to allow for more square footage. Engineer Barbeau stated the code does not allow for that. If it did, the allowable size would be 17.6 square feet. Supervisor Kranick stated the sign might be too small, especially after adding "Town of Delafield" to the sign.

Motion by Supervisor Kranick to approve a wall sign for Wisconsin Hero Outdoors, W329S690 CTH C, at a maximum of 17 square feet, and adding "Town of Delafield", with staff review and approval, before issuing the permit. Seconded by Commissioner Diderrich. Motion passed 6-0.

- C. Town of Delafield Plan Commission, Re: Consideration, discussion, and possible action on a proposed outdoor light ordinance for the Town of Delafield.

Engineer Barbeau explained he looked at a variety of communities to compare lighting ordinances. Many communities have 1 page or less for their ordinance with few standards or ways to measure total output on the site. Some communities ask for a specific lighting plan showing the height, fixtures, ISO diagrams showing contours of the light, and requiring zero foot-candles at the lot line. Section 6 of the draft ordinance talks about the total light output which includes interior and exterior lighting. This ordinance follows Mequon's, which took past projects to base their standards on. They stated they have been satisfied with their ordinance so far. He also reviewed "Dark Sky" information which provided him with detailed information on lighting standards.

Chairperson Fitzgerald asked if the ordinance would be solely residential lighting given the Town does not have commercial land. Engineer Barbeau stated there is a section for residential lighting and shoreland lighting. He used Chenequa's standards for the shoreland ordinance. He explained there may be more commercial near OAW, but commercial standards can also be used for multi-family.

Engineer Barbeau explained he did a thorough review of OAW and Dayspring Church. The ordinance only considers the area that is directly near the building on the site (Dayspring Church sits on 35 acres), but he only looked at the area immediately surrounding the building and parking lot. He also explained there is a catch all that the Plan Commission has the right to wave these regulations. He also explained the Town does not currently review lighting plans for residential properties, except streetlights. He explained that residential lighting issues usually are due to glare, and currently we have no standards to tell people they cannot shine lights beyond their property. The only way to enforce the ordinance retroactively is if there are improvements made to a property that affect 25% or more of the property. Chairperson Troy suggested the possibility of enforcing hours of operation for residential properties.

Supervisor Kranick questioned what the enforcement mechanism would be. Engineer Barbeau explained that they can only look at lights that are in a lighting plan. Chairperson Fitzgerald stated that from a commercial standpoint, the ordinance makes a lot of sense. From a residential side, it becomes more of a philosophical issue. Supervisor Kranick expressed concerns that the Town would become the lighting police for residential properties. Commissioner Janusiak stated that some residents leave their lights on all night, and some for good reason. Chairperson Troy explained that since the Thomas Farm, lighting has been a crucial issue for development. There were concerns from residents for both commercial and residential development.

Supervisor Kranick asked how much of the Town is out of compliance based on the ordinance, and how would enforcement work. Chairperson Fitzgerald asked what the definition of glare is. Engineer Barbeau explained that glare is when light is pointed at something. It is defined as intense light source that may result in visual impairment or discomfort. Engineer Barbeau suggested requiring lights in front of homes be at lower lumens to reduce glare. Chairperson Fitzgerald suggested the attorney review if the Town can retroactively enforce light standards.

Engineer Barbeau stated if the code is in place, lighting plans can be checked by the building inspector. It should not be much, just landscape lighting or a post out front. The flood lights are the issues. Commissioner Dickenson questioned farms and outbuildings in A-1 or A-2 zoning. Engineer Barbeau explained there are restrictions to lumens per acre, but a farm wouldn't be an issue. Commissioner Dickenson stated the A-2 zoning properties need to be addressed. She questioned what the concern was over the festoon lighting. Mequon

said they did not like festoon lighting when they wrote the ordinance. They limited each light bulb to 75 lumens, or less than 25 watts per each light. We are prohibiting festoon lighting in the draft ordinance, but this section is highlighted in yellow and should be addressed by the Plan Commission. Commissioner Dickenson was concerned about someone with decorative porch lighting, and someone could call and complain.

Engineer Barbeau stated he did not think he would receive a lot of neighbor complaints if the issues with glare are addressed. The Commission discussed concerns about enforcing glare, especially when it comes to flood lights and security lights. They also discussed flag poles and their requirement to be lit. Commissioner Dickenson brought up red lights that are used to keep deer off people's property.

Engineer Barbeau suggested a subcommittee that could work on the ordinance before it comes back to the Plan Commission. The Commission suggested Ron Troy, Kevin Fitzgerald and Nicole Dickenson be on the workgroup along with Tim Barbeau and Dan Green. Engineer Barbeau stated he would like to get the ordinance more refined, and will review the model ordinance through the Dark Sky Association.

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: December 7, 2021.

Eighth Order of Business: Adjournment

Motion by Supervisor Kranick to adjourn the November 2, 2021, Plan Commission meeting at 7:35 p.m. Seconded by Chairperson Troy. Motion passed 6-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer