

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, NOVEMBER 7, 2023, 6:30 P.M.**

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

Prior to the start of the scheduled Plan Commission meeting there will be a joint public hearing in front of the Town Board and Plan Commission to consider the repeal of Section 17.10 5. H. Protest of the Town of Delafield Municipal Code. The regularly scheduled Plan Commission meeting will begin immediately following the conclusion of the public hearing.

Public Comments:

Terri Mahoney-Ogden, W290N2171 Happy Hollow Road, explained she did research to find the history of this bill. stated that it is inevitable that we will have to remove this from our code. This was passed as part of a bigger plan to allow workforce housing. This bill applies to everybody, including cities and villages. She stated we are not a city; we are a town. She feels it is a violation of rights. She suggested not doing this so early. She explained that removing this section of the code does not fit the Town of Delafield and is infringing on rights of residents. This has to be done by January of 2025. Its good we have the information out, but there is no rush. The Town has over a year to get it done.

Joe Woelfle, N20W30060 Glen Cove Road, stated that the attorney provided guidance to the Town to protect us from being sued. He stated the Town should follow the attorney's advice.

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

Chairperson Fitzgerald called the meeting to order at 6:40 p.m. and led all in the Pledge of Allegiance.

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

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

Supervisor Michels and Commissioner Mihalovich were excused.

Second order of business: Approval of the minutes of October 3, 2023.

Motion by Chairman Kranick to approve the minutes from October 3, 2023. *Seconded by Commissioner Cummings. Motion passed 5-0.*

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

Engineer Barbeau gave an update on a letter from Waukesha County for Cassandras Motorsports, Tom Beaudry's property, regarding the CSM. There are a lot of comments from Waukesha County. Most comments are less technical and relating to grading, the PEC, and wetland. They typically add numerous notes to their plats of survey, and CSMs, which they are requesting of this CSM as well.

Fourth order of business: Unfinished Business: NONE

Fifth order of business: New Business:

- A. Ben Rolfs, S65 W37850 Couty Road ZZ, Eagle, WI, Re: Consideration and possible action on a request for the approval of a plan of operation to operate OsteoStrong Wellness Center located in Unit 103 of Ridgpoint Centre, located at W307 N1497 Golf Road.

Engineer Barbeau stated this property is across from the old Town Hall. The facility is existing and has parking. There is no change to the site plan. The issue is the plan of operation the Plan Commission has to review and approve prior to the lessee going to the business. The business is what he would call a wellness center. The applicant can explain more about what happens there. They use equipment to increase bone density. They do call the people their members. The hours are 7 am to 5pm Monday – Friday. Some days he may want to be open until 8 pm. On Saturday, the hours are from 8 am to noon. There are coaches on site at all times. They will have signage to match. There are standards for those signs, and when the sign application comes in, staff will review and approve. This is in the B-1 district and we allow these types of businesses. There is an aesthetic facility, a yoga facility, and a “Wellnest” facility. This fits into what this center is becoming. The Engineer recommended approval subject to the discussion by the Plan Commission.

Ben Rolfs, is the owner of Osteostrong, Lake Country. Commissioner Cummings asked Mr. Rolfs if this is by appointment only. Mr. Rolfs explained that it is by appointment, and members come once a week on a consistent schedule. This is a franchise, with 180 locations in the United States. This is the first in Wisconsin.

Engineer Barbeau explained the staff are actual physicians. The previous business at this location was open from 7 am or 8 pm. He explained they try to be consistent with hours in the building, and 8 PM would be the very latest they would be open. Engineer Barbeau suggests he let staff know the days he would be open later than 5 pm. Most franchises usually just have one night they are open late to accommodate schedules. Commissioner Cummings asked if there is training for staff. The applicant explained they are trained through the franchise. They are called session coaches.

Motion by Chairman Kranick to the plan of operation to operate OsteoStrong Wellness Center located in Unit 103 of Ridgpoint Centre, located at W307N1497 Golf Road, once late nights are identified, they are communicated to staff. Seconded by Commissioner Janusiak. Motion passed 5-0.

- B. Town of Delafield, Re: Consideration and Possible action on the repeal of Section 17.10 5. H. Protest of the Town of Delafield Municipal Code.

Engineer Barbeau explained, in the preamble, it states the changes that are being made to favor the property rights of the people. Engineer Barbeau addressed Ms. Mahoney-Ogden’s comments about the rights of residents, but the law is to favor the rights of the property owners.

Motion by Chairman Kranick to recommend to the Town Board approval of an ordinance to repeal Section 17.10 5. H. of the Town Zoning Code. Seconded by Commissioner Cummings. Motion passed 5-0.

Sixth Order of Business Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: December 5, 2023.

Eighth Order of Business: Adjournment

Motion by Chairman Kranick to adjourn the November 7, 2023, Plan Commission meeting at 6:50 p.m. Seconded by Commissioner Dickenson. Motion passed 5-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer