

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, JULY 11, 2023, 6:30 P.M.**

Video Link: <https://www.youtube.com/watch?v=hkVVZc5WhIE>

Public Hearing:

Ben Greenberg, Senior Planner for Waukesha County, explained the Pewaukee Yacht Club requests to amend an existing conditional use and plan of operation. The applicants met with the County multiple times over the winter to discuss site plan and operation changes. In terms of operational changes, they are updating piers to 4 from 3. There was a restriction on pier placement that it must be within the extended lot lines. The proposal would require a 25-foot setback from the property lines, but allow the property to the west to be included for pier placement. This would give flexibility between the yacht club and sailing school. They are proposing the word “dingy” be added to the CUP to reflect modern craft. They are asking to increase the amount of safety and support boats on premise on the southerly lots for events requiring more safety craft. All of this will need to be detailed on a site plan. They are requesting to strike language regarding seasonal operations. They want to strike “primarily on weekends”, looking for more flexibility. They are also amending the stop and start dates of the sailing school and yacht club and are requesting more boats on lifts and sailing school support piers. They would like some off-season storage for shrink wrapped boats.

The Yacht Club also noted they would like 6-11 pm and outdoor music occasionally until 10 pm. They are looking to extend special events to the winter months. They also are looking to hold maintenance-type events. There was a request about removing the requirement to notify the Town 1-month in advance of events. He asked that the applicant speak more about that request.

Cody Ziegler, Commadore of the Pewaukee Yacht Club, W284N3214 Lakeside Road, explained the property west of yacht club is owned by a Pewaukee Lake Sailing School. They operate the sailing school out of the yacht club facilities. The Yacht Club is requesting that the requirement for notification to the Town of special events be eliminated. Most events during the winter would be working days for cleaning up the yard and inside the club. How the Conditional Use is written now, if someone was going to the club to do touch ups, they would need to notify the Town 30 days prior. He explained work events would range from 5 to 30 people. He anticipated having event once a month or less. Starting November 1st, they will lock the club up, and restrict access. They want to have the ability to do a social event here and there during the off season. Commissioner Janusiak asked about a New Year’s Eve Party that was in the engineer’s report. Cody explained that the total membership is 350. Chairperson Fitzgerald questioned if the Plan Commission could require notification of events with 50 or more participants. Chairperson Kranick questioned if the bars that are near by have similar hours for live music as what the Yacht Club are proposing. The bars in the City cut music off at 10 pm while the yacht club is proposing 11 pm. Any outdoor music will be light, typically an acoustic guitar and one singer.

Ben Greenberg asked what daytime hours they would be proposing. Mr. Ziegler explained daytime workers would mostly be on weekends from approximately 9am to noon. Mr. Greenberg stated the County would feel more comfortable setting some parameters in which flexibility is given.

Chairperson Fitzgerald closed the public hearing at 6:48 PM.

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

Chairperson Fitzgerald called the meeting to order at 6:48 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: Engineer Tim Barbeau and Administrator Dan Green.

Second order of business: Approval of the minutes of June 6, 2023.

Motion by Supervisor Michels to approve the minutes from June 6, 2023. *Seconded by Chairman Kranick. 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. Natalie Peters, N7 W29938 Bryn Drive, Re: Consideration and possible action on a request for a Home Occupation to operate an aesthetics and skin care business.

Engineer Barbeau explained, on the screen was the location on Bryn Drive near Kingsway. This is adjacent to the power lines that run in that area. Ms. Peters is seeking a home occupation to do aesthetics and skin care. There are a number of conditions which she provided responses to. His recommendation is approval as presented.

Chairperson Fitzgerald asked what the practice entails, and asked if drugs will be administered, and what, if any, medical waste will be onsite. She explained her practice has morphed more into a wellness practice. She stated she has needle boxes, that is the only waste, and is collected when it fills up once a year by a medical waste company. She explained she does a lot of acute and chronic care. She does mole removal, checks for skin cancer, and other comprehensive care. Commissioner Janusiak asked what the needles are used for. She explained they are used for injections such as joint and aesthetic injections. She stated she never has anything left in her vials, and that nothing gets wasted.

Motion by Supervisor Michels to approve the proposed Home Occupation as proposed to operate an aesthetics and skin care business. Seconded by Chairman Kranick. Motion passed 7-0.

- B. Pewaukee Yacht Club, N22 W28204 Edgewater Drive, by Cody Ziegler, Commodore, Consideration and possible action to amend their Conditional Use Permit to update certain language in the current CUP that will reflect the current operation and to extend hours of operation to full year use.

Chairman Fitzgerald explained that this is not the Town's conditional use permit, it is the County's. They are looking for the Town's recommendation. Engineer Barbeau stated he has some conditions in his report to consider. The Pewaukee Yacht Club has three parcels. They refer to one tax key in the CUP and should note all three. He explained that he has no issues with giving flexibility with events. He noted clarification on the parking lot use. The Town wants to allow car parking and boat parking so there is no street parking. Cody Ziegler stated, for large events, once every other year, they clear the dry sail yachts so they can utilize that parking area. Engineer Barbeau explained there are references to Pewaukee Lake Sailing School, but they are not a part of the conditional use. Cody Ziegler explained, it is referenced that the school is part of the CUP.

Commissioner Janusiak asked how many parking spaces were on the site. Mr. Ziegler stated approximately 65 stalls and an additional 45 stalls of dry sail parking. Commissioner Janusiak questioned what point the Town should be notified of a big event. She offered that they are required to give a 7-day notice if they cannot provide parking. Mr. Ziegler stated they provide their schedule to the police and fire department. Commissioner Cummings asked how many people attend a large part in the summer. Mr. Ziegler stated between 130 to 200. For regular functions, they never have issues with their current

parking. He explained they have a lot of “snowbird” members as well. It would be a limited capacity if they had any special events in the winter.

Motion by Supervisor Michels to recommend a positive recommendation for approval of the Conditional Use document subject to the following comments into the document:

- *Notice will be provided to Town Police and fire if event exceeds 150 people within 7 days.*
- *Property description should include all Tax Identification Numbers owned by PYC (DELT 0722-027; DELT 0813-998-001; DELT 0813-007)*
- *Add the following to Conditions A. 3. (G) and (H): “During the “off season” special events, on an occasional basis, such as social functions, winter get together, or a New Year’s Eve party shall be allowed without Town approval.”*
- *Condition A. 4.: Lot 4 Located south of Edgewater and is the easternmost parking lot. Add under (A): “Lot 4 shall be used primarily for automobile parking; however, boat and trailer parking may be allowed in lots 2 and 4 for special events that are small and not a strain on parking.”*
- *Condition A. 7., remove the reference to PLSS since they are not a party to this CUP.*
- *Revise signature page to reflect the current Commodore.*

Seconded by Chairman Kranick. Motion passed 7-0.

- B. Nathan Strom, W303 N2606 Maple Avenue, Re: Consideration and possible action on a request to install a six-foot tall fence along the sides of his lot between the roadside face of his house and the Town right-of-way line and between the lakeside face of his house and a point 75 feet from the ordinary high-water mark.

Engineer Barbeau showed the commission the location of the fence. The low point of the fence is 75 feet from the high-water mark and extends to the 33 foot right of way line. The other side is only 26 feet long from the front of the garage to the 33 foot right of way line. The fence will be white and 6 feet tall. The house to the north is 12.6 feet from the lot line and those to the south is 5.6 feet from the lot line. There are other fences in the area that do not look bad. He recommends allowing the fence to be greater than 3 feet as proposed. There were some concerns about how close these homes are, and this would be for privacy. Neighbors may appreciate a fence because of how close to the house they are.

Chairperson Kranick asked if there were any issues with snow removal. Engineer Barbeau said there will be no issues with the fence being 18 to 20 feet off the road. Chairperson Fitzgerald questioned if the house to the north was okay with the fence. Mr. Strom stated he talked to his neighbor, and they are okay with the fence. Their deck is elevated and will not impede their view. Engineer Barbeau stated the neighbor to the south does not live at their house full time, and the southern fence does not impede the back yard view.

Motion by Chairman Kranick to approve the request for a 6-foot-high fence to be located along the sides of his lot between the roadside face of his house and the Town right-of-way line and between the lakeside face of his house and a point 75 feet from the ordinary high-water mark. Seconded by Commissioner Dickenson. Motion passed 7-0.

Sixth Order of Business Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: August 1, 2023.

Eighth Order of Business: Adjournment

Motion by Chairperson Kranick to adjourn the July 11, 2023, Plan Commission meeting at 7:17 p.m. Seconded by Supervisor Michels. Motion passed 7-0.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer