

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
TUESDAY, JULY 12, 2022, 6:30 P.M.**

**Video Link:** [https://www.youtube.com/watch?v=OxxFV1lGI\\_I&t=2532s](https://www.youtube.com/watch?v=OxxFV1lGI_I&t=2532s)

**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 Diderrich, Plan Commission Chairman Fitzgerald.

Also present: Engineer Tim Barbeau and Administrator Dan Green.

Excused: Commissioner Janusiak and Chairman Troy.

**Second order of business:** Approval of the minutes of June 7, 2022.

*Motion made by Supervisor Kranick to approve the June 7, 2022, minutes. Seconded by Commissioner Dickenson. Motion passed 4-0.*

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

Commissioner Tim Frank has resigned from the Plan Commission.

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

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

- A. Dan Studer, W289 N106 Elmhurst Road, Re: Consideration and possible recommendation to Waukesha County on the approval of a lot not abutting a public road for the property located at W289 N106 Elmhurst Road under Waukesha County Shoreland and Floodland Zoning.

Engineer Barbeau explained that the last Plan Commission meeting, they discussed the County's zoning of this property due to a navigable pond. The County is requesting a recommendation for a flag lot, or a lot not abutting a public road. He explained the County Ordinance states that where such a lot has a narrow strip of land as part of the lot, extending to a public, where a structure could lawfully be placed, such narrow portion shall not constitute frontage or part of the 3-acre lot size requirement, unless the narrow portion of the lot is as wide as the required minimum average width for the District (200' in A-2).

Engineer Barbeau explained that the property currently contains a strip of land that was approved 31 years ago by the Town. The Town Code contains a provision that a property owner can create a true lot not abutting a public road if such a lot is accessed by a permanent 33-foot easement; or if the lot is greater than 6 acres, by a 66-foot permanent easement. The Town has allowed such lots in the past. In this case, the access is not through an easement, but rather through same ownership. Engineer Barbeau recommended that the motion to approve include language that recognizes that the strip of land is presently in place. The town is not creating the "strip" through the approval of allowing a lot not abutting a public road, so that precedent is not set.

Commissioner Dickerson questioned if this would be a legal non-conforming lot, if this were in the Town's zoning jurisdiction. Mr. Barbeau stated it would be legal non-conforming if it were our jurisdiction. Supervisor Kranick stated the debate at the last meeting was over the navigable waterway on the property. He stated that the County's zoning is the authority at this point.

*Motion by Supervisor Kranick to recommend to Waukesha County approving a lot not abutting a public road, noting that the strip of land presently in place has been there for 31 years and is not being created for access to this property. Seconded by Supervisor Diderrich. Motion passed 3-1, with Commissioner Dickenson opposing.*

- B. Dan Studer, W289 N106 Elmhurst Road, Re: Consideration and possible action on the approval of a Certified Survey Map to create two lots at W289 N106 Elmhurst Road.

Engineer Barbeau stated the surveyor has addressed all his technical comments. The CSM would create two parcels, with lot 1 being 5.306 acres, and lot 2 being 6.06 acres. The access would be from Elmhurst Road for lot 1, and Sylvan Trail, for lot 2. He asked the Plan Commission if they would want the strip of land leading to lot 2 dedicated for future access to the Schoenstatt property to the east. He spoke to Sister Joan who stated they had no intention of developing that land anytime soon. With that explanation, he recommends that there be not dedication, as the property has access to Cherry Lane, Lloyd Williams property, and all the way to Highway 18. He recommended approval of the CSM subject to any technical comments from Waukesha County. The City of Waukesha will also review the CSM under their extraterritorial review. He recommended that a 25' access easement also be part of the motion to approve. The 25' easement would allow access to the Kindred property (N2W28651 Sylvan Trail) and the Beres (N3W28650 Sylvan Trail) property, north and south of the cul-de-sac.

Motion by Supervisor Kranick to recommend to the Town Board the approval of a CSM dated July 6, 2022, for the property located at W289N106 Elmhurst Road, subject to all technical comments by Waukesha County and with the requirement of a 25' access easement at the end of Sylvan Trail. Seconded by Commissioner Dickenson. Motion passed 4-0.

- C. Brian & Kathryn Jakel, 3615 Hawthorn Hill Drive, Waukesha, Re: Consideration and possible action on a Certified Survey Map to combine parcels located at the northeast corner of Hillcrest Drive and Orchard Avenue (Tax Key Nos. DELT 0764-026, DELT 0764-027 and DELT 0764-028)

Engineer Barbeau explained this lot is made of 3 small lots from the 1920's. The land has been vacant for a long time, and the applicant is looking to develop a single-family home on the site. The owners are looking for approval of a combination CSM, and will dedicate some of the land along Hillcrest, to create a 30' right-of-way. The surveyor has addressed all technical comments. The engineer recommended approval for the CSM dated July 5, 2022, subject to technical comments from other reviewing agencies.

Motion by Supervisor Kranick to approve the CSM for the properties located at the northeast corner of Hillcrest Drive and Orchard Lane dated July 5, 2022, subject to all technical comments from reviewing agencies. Seconded by Commissioner Diderrich. Motion passed 4-0.

- D. Matt Neumann, Neumann Companies, Re: Presentation of conceptual development plan on land known as the Thomas properties generally located north of Golf Road and south of the Lake Country Trail, between Glen Cove Road and Elmhurst Road. (Tax Key Nos. DELT 0811-999; DELT 0809-996 and DELT 0809-995).

Chairman Fitzgerald explained that the Thomas Farm was only up for discussion, and no action was on the agenda. Any recommendations to staff will be incorporated into the ordinance where there will be a public hearing at a later meeting. He also reminded the residents that the Town Board still needs to review and approve anything that is approved from the Plan Commission.

Matt Neumann and Bryan Lindgren presented two concept plans for the Thomas Farm. Their company is a residential development company, founded in 2000. They have worked in 50 communities in the area. Both Matt and Bryan live near the area. Mr. Neumann explained that when looking at development sites, they check the school

district, proximity to work, tax rates, etc. The Town checks all those boxes, with good schools, low taxes, and being close to I-94. Being close to home, it is something they would keep close eye on. Neumann has preserved 1 acre of land, for every acre they developed, and that will be demonstrated in the plans being shown. Mr. Neumann reviewed the different partners that they have, and what they specialize in. He explained they have watched this site for 4 years and are excited to have the opportunity to present. He stated they have a contract on the property, and they have a chance to see the project through to fruition. He understands that density and types of uses have been someone defined, and he hopes they are on the right path. There are no mixed-use types, but all residential.

Bryan Lindgren stated Neumann's expertise is residential development. When looking at this property, they thought of another development in Summit called "Lake Country Villages", which has been a huge success for Summit and the residents. The layout has an ample amount of greenspace, walking paths, and different types of housing. He explained these are keys to a successful neighborhood. Bryan continued with his demonstration, giving a background on the property, where it is located and the challenges for development.

Mr. Lindgren reviewed the first concept plan, which includes two kinds of duplex products to the west. The first are two-stories, and the second are ranch style duplexes. The two story would be a good fit for younger couples or families, while the ranch style duplexes would tailor toward those who are downsizing or closer to retirement age. He reviewed the southeast portion of the plan, which includes a subdivision style "Villas", starting at 10,000 square foot lots. To the north, are slightly larger homes with lots starting at 15,000 square foot lots. These lots are called "Residences". He explained this is a common theme in the area. He explained the Villas would be starting in the \$500,000s, and the Residences would be in the \$600,000s. The last portion is in the northwest portion, which would be a cul-de-sac of what they refer to as the "Estates". These would be on 20,000+ square foot lots, and would start in the \$750,000 range.

The second concept offers a tradeoff. Mr. Lindgren explained not everyone wants to own their own homes. The high-end apartments would serve 8 units per building and would start in the \$1,800-\$2,200 range. He reviewed some examples of the different types of residences they would bring to the farm. The examples used were from other subdivisions they have done in the area.

Commissioner Dickenson stated the plans present are a lot different than what they have seen from other proposals. She expressed concern for people using the subdivision as a cut through, to avoid the intersection at Golf Road and Elmhurst. Mr. Neumann explained when they design plans, they make sure to add curves to naturally slow traffic down, and deter people from using as a cut through. He stated that three access points off Golf Road give room for flexibility in the traffic patterns.

Commissioner Diderrich stated he liked that concept 2 did not hook up to Glen Cove, but overall, like concept 1 more. Mr. Neumann explained that Lake Country Villages gives a good feel for lot sizes and construction types. He explained that subdivision had a lot less access opportunities than this site provides. He stated a traffic study will show what impacts are of having access to Glen Cove, Elmhurst, and Golf Road.

Supervisor Kranick asked how much the density could be dialed down on the site. Mr. Neumann stated that 250 units could be the number, but understood that 250 units was the guidance for the site, excluding the 17 acres to the southeast. That is why their density calculations are slightly more than 250 units, to consider those 17 additional acres. Supervisor Kranick stated that the 250 unit maximum was meant for the entire site.

Supervisor Kranick asked that Mr. Neumann educate the Plan Commission and residents on the pros and cons of this plan, compared to a subdivision like Dover Bay or the Arbors, and why that is not an option for this site. Mr. Neuman stated that the site is different than all the properties on the north side of the lake, the Arbors and Dover Bay, because of the location of I-94. If they were to build a Woodridge subdivision, they would have to sell lots for a very large amount of money, as it costs \$1,500 per linear foot of road to develop. Due to the location, if the neighborhood wants the site to be residential, it has to be a denser development.

Supervisor Kranick explained that the concept plan for multi-family was intriguing. Playing devil's advocate, he thinks the open space provided by concept 2, was good as well. He explained that when the Plan Commission first began a mixed-use ordinance, they discussed light industrial, commercial, and senior uses. They heard from the neighbors, who wanted all residential. The density discussion still needs to be considered. The density of the neighborhood is 1.2 units per acre. Mr. Neumann explained the challenge as developers is the usable space, once stormwater ponds and roads are put in. He stated the big question is whether the Town will allow rental properties or not. If the cap for units is 250, they will need to have the discussion if rental units are feasible. Supervisor Kranick questioned how many more million dollar homes the Town can support. He explained these homes would not be shacks, they would be \$500,000 + homes, with rentals over \$1,800. He has received numerous emails asking what problem the Town is trying to solve. The problem is both inflation and the State levy limits. The Town either has to increase its net new construction, or pass a referendum to exceed the levy. The Town would like to see more police service, but that is going to cost money. He explained that as a conservative, the Town needs to grow in a way that meets the state's requirements. He explained there are no red flags with the budget right now. Down the road a few years, it will be an issue. He added that the development would add potentially \$10 million a year to the school district.

Mr. Neumann explained that communities with only large, expensive homes, see reduced school enrollment, and causes property valuation issues. He explained the Kettle Moraine School District is in trouble, and this would be a healthy development from an economic standpoint. Mr. Neuman explained he understood the desires of the neighborhood, that they do not want to see this land develop. The second option is less homes with very high values. The argument is not invalid, but housing diversity, leads to upward markets. These subdivisions give kids a chance to move back to where they grew up. In areas like Delafield, people do not have many housing options. When kids move away, they rarely get to move back. Supervisor Kranick added that the Thomas family has a right to sell their property. If the property stays as farmland, current stormwater problems will only continue for the neighbors in the area. Development can ensure that the lake is protected from runoff issues. He stated that it is clear the residents do not want to compromise, and do not want multi-family. If the Town was going to have multi-family, right along I-94. This is the best place to have it. Given the housing options in the Town, it should at least be considered.

Chairman Fitzgerald stated concept 2, with multi-family, has advantages such as no access to Glen Cove and much more greenspace. He explained that if we could make similar changes to concept 1 regarding access, it would help to force most traffic to Golf Road instead of Glen Cove.

Matt Neuman stated that the lowest density they could propose to make the development work is 250 units. He explained they are not in the market to argue density. A 1.6 unit per acre development in any market is incredibly abnormal. He explained the Town needs housing diversity, as it is what makes good communities. Having \$1 million homes is not healthy. They will set a goal at 250, but will not negotiate back and forth on density. He stated it is not something that drives the architectural value of a community.

**E. Town of Delafield Plan Commission, Re: Provide direction to staff regarding modification to the Planned Development District # 1 zoning ordinance.**

Commissioner Dickenson asked if staff could ask the communities where similar multi-family developments occur, what issues they have experienced. Commissioner Diderrich stated that if given a choice, he would prefer single family homes, but understands the benefits of both and the tradeoffs of the multi-family concept. The Plan Commission asked staff to draft the ordinance that has flexibility to be able to execute both plans.

Engineer Barbeau added a few comments regarding the changes to the code. He explained that senior and office uses will be removed. The developer has created new zones to work from and staff will work with those. Staff will provide flexibility to keep higher density units along I-94 such as duplex and multi-family.

**Sixth Order of Business** Discussion: None

**Seventh Order of Business**: Announcements and Planning Items: Next meeting: August 2, 2022.

**Eighth Order of Business**: Adjournment

*Motion by Supervisor Kranick to adjourn the July 12, 2022, Plan Commission meeting at 8:32 p.m. Seconded by Commissioner Dickenson. Motion passed 4-0.*

Respectfully submitted,

Dan Green, CMC, WCMC  
Administrator-Clerk/Treasurer