

**TOWN OF DELAFIELD
PLAN COMMISSION MEETING
TUESDAY, SEPTEMBER 7, 2021, 6:30 P.M.**

Video Link: https://www.youtube.com/watch?v=V_WHOdW1Y5I

Public Hearing:

Engineer Barbeau explained the site and showed a map of the area. He gave a background of the conditional use laws and the procedures for the meeting. He explained that the final decision made by the Plan Commission should be based on substantial evidence. Comments from the public must also be made based on substantial evidence. This item is on the agenda for deliberation after the public hearing.

Engineer Barbeau reviewed conditions of draft Conditional Use Permit. He stated if there are outstanding comments that are not answered, the Plan Commission could adjourn the public hearing to a later date.

Public Hearing:

Thomas Beaudry, applicant, stated he will be looking to sell high-end cars and boats. He stated he is looking at a total investment of over \$10 million for the building and inventory.

Motion by Commissioner Frank to close the public hearing at 6:46 pm. Seconded by Commissioner Dickenson. Motion passed 6-0.

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 Diderrich, Commissioner Dickenson, Commissioner Frank, Commissioner Janusiak, and Plan Commission Chairman Fitzgerald.

Also present: Supervisor Dionisopoulos, Supervisor Michels, Administrator-Clerk/Treasurer Dan Green and Engineer Tim Barbeau.

Chairman Troy was excused.

Second order of business: Approval of the minutes of July 6, 2021.

Motion made by Commissioner Dickenson to approve the July 6, 2021, with correction to Supervisor Dickenson being changed to Commissioner Dickenson. Seconded by Supervisor Kranick. 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. Kettle View Veterinary Clinic, Fred Gromalak, owner, Re: Consideration and possible action on a request for approval of a wall sign to be located on the west side of the building at W314 N720 STH 83.

Engineer Barbeau explained that the sign will be internally lit with LED lighting. The size of the sign can be determined by the Plan Commission because this is a commercial property. He thought a 4'x10' sign on the site was reasonable and of similar size to the original sign on the site. The sign will be a little brighter at night, and suggests reducing the light at night. The applicant stated he would be willing to turn the light off at 9:00 PM.

Motion by Supervisor Kranick to approve the request from Fred Gromalak, owner, for a wall sign to be located on the west side of the building at W314 N720 STH 83 with condition that the light be turned off at 9 PM. Seconded by Commissioner Frank. Motion passed 6-0.

- B. Jon Spheeris, developer, The Retreat subdivision, Re: Consideration and possible action on the approval of the Developer's Agreement.

Engineer Barbeau explained that the applicant has already begun working on the site. Staff and the attorney have reviewed the agreement and recommend approval. Commissioner Janusiak asked that the agreement be cleaned up with some hanging numbering and small grammatical changes. Commissioner Dickenson raised concerns about the deed restrictions and asked that the word "naturally" should be deleted from this section. She also asked that the deed restrictions themselves protect the berm that will be helping to divert water to the retention basin to the north. The developer had no objections to her request.

Motion by Supervisor Kranick to approve the developer's agreement for The Retreat, deleting the word "naturally" from the deed restrictions, adding language to the deed restrictions concerning the berm lot and corrections made by Commissioner Janusiak. Seconded by Commissioner Diderrich. Motion passed 6-0.

- C. Cassandra Castro and Thomas Beaudry, Cassandra's Motorsports, LLC, applicant, KKNN Lynndale, LLC, owner, Re: Consideration and possible action on a request for a legal nonconforming conditional use permit to allow for sales, service, outside display of exotic and classic preowned motor vehicles and watercraft and a body shop, and a monument sign on land located at N47 W28229 Lynndale Road.

Commissioner Frank stated it would be nice to see this property cleaned up. The applicant, Tom Beaudry, stated he will be planting trees and cleaning up the entire site. He needs the location to look professional as he is selling high end cars. He explained he will be resealing and striping the parking lot and putting in new lights that operating on a dimming system to reduce light at night.

Chairman Fitzgerald stated that the Town Chairman was unable to attend, but expressed concern about having watercraft sold on the site. Mr. Beaudry stated he will only carry 3 or 4 boats on the lot at a time, and they would only be high-end boats. Chairman Fitzgerald also mentioned concerns about having gas tanks, either above or below ground. Mr. Beaudry stated they will not have gas tanks on the property. The commission had concerns about short term leases on cars. Commissioner Janusiak suggested having a minimum lease period, such as 6 months or 1 year, built into the conditional use. She also suggested adding the definition of a lease to the conditional use permit. The intent being that the owner could not lease U-Haul trucks as was an issue with a previous owner.

Supervisor Kranick asked if the applicant will hold special events on the site. Mr. Beaudry stated he will want to do events in the future. Supervisor Kranick asked that language be added to the document to allow for these types of events. Engineer Barbeau explained that depending on the event, these may come back to the Plan Commission for review.

Engineer Barbeau explained that the owner kept the existing light poles, but the lights have less watts and have more control. The lighting plan shows a 30-degree tilt on the lights which the Town does not allow. The lighting plan has not been fully reviewed to this point.

Commissioner Janusiak stated there was an error on the Saturday hours which should be from 10am to 3pm to be consistent with the plan of operation. She also suggested reformatting paragraph D, and using bullet points or semicolons to break up the paragraph.

Commissioner Dickenson suggested the word “exotic” be defined in the permit. The commission discussed concerns about how to enforce the sale of cars that do not exactly match the description of exotic. Supervisor Kranick stated they are making sure to ask a lot of questions this time around because they have had problems with this property. The commission discussed clearly defining cars and watercraft.

Chairman Fitzgerald stated that the conditions of the M-1 zoning should still all apply except that of the fence and landscaping requirement. Commissioner Janusiak stated she would like the boats to have matching covers on them. The vehicles stored on the lot should be for sale, and not just for storage. She also stated that the Wisconsin Statutes define vehicles which can provide direction for how we define both watercraft and cars on the permit. Commissioner Dickenson suggested that the “blue wrapped” boats be kept in the back or inside, out of site. Anything on display needs to be “unwrapped”.

The Plan Commission reviewed the conditional use checklist provided by the engineer. They clarified the definition of vehicles and watercraft. The Commission also reviewed the requirement to clean up debris on the site and landscaping to be completed on the site. Cars on display must be either on the west side or the south side of the property. The parking spots do not have to be marked, but cars must be displayed in an orderly fashion. A list of chemicals will be provided as to what is being stored on site. No gas tanks above or below ground will be allowed on the site.

Engineer Barbeau explained that he did receive a lighting plan but was not able to go through it in detail. There is still additional information he needs to complete his review. The Commission reviewed the performance standards as well as stormwater runoff. They also reviewed traffic, with the site having 5 to 8 employees daily. The applicant anticipated having 40 cars per day in traffic. The Commission agreed this would not be a major traffic concern. Engineer Barbeau also clarified that all revisions made by the Plan Commission will be made and this document will move forward to the upcoming Town Board meeting. He asked if it would be better to wait until the lighting plan and final site plan come in before moving to the board, or if staff can give final approval of those two plans. Chairman Fitzgerald stated staff can review and approve those plans, so long as it is acknowledged as a condition in the CUP.

Motion by Commissioner Frank to recommend to the Town Board to approve the request from Cassandra Castro and Thomas Beaudry, Cassandra’s Motorsports, LLC, applicant, KKNN Lynndale, LLC, owner, for a legal nonconforming conditional use permit to allow for sales, service, outside display of exotic and classic preowned motor vehicles and watercraft and a body shop. Seconded by Commissioner Diderrich. Motion passed 6-0.

Motion by Supervisor Kranick to approve the request from Cassandra Castro and Thomas Beaudry, Cassandra’s Motorsports, LLC, applicant, KKNN Lynndale, LLC, owner, for a monument sign on land located at N47 W28229 Lynndale Road. Seconded by Commissioner Janusiak. Motion passed 6-0.

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting: October 5, 2021.

Eighth Order of Business: Adjournment

Motion by Supervisor Kranick to adjourn the September 7, 2021, Plan Commission meeting at 8:45 p.m. Seconded by Commissioner Frank. Motion passed 6-0.

Respectfully submitted,

Dan Green, CMC, WCMC

Administrator-Clerk/Treasurer