

TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
Tuesday, November 5, 2019, 6:30 p.m.

Members present: E. Kranick, T. Frank, C. Dionisopoulos, C. Diderrich, N. Dickenson

Members absent: K. Fitzgerald, R. Troy

Also present: Ben Greenberg, Waukesha County; Tim Barbeau, Town Engineer

Prior to the start of the scheduled Plan Commission Meeting, there was a Public Meeting to solicit public input on a request by Steve Wittman for a Conditional Use Permit (CU 33) to legalize commercial truck parking for a snow plowing/landscaping/lawn mowing business known as "Steve's Lawn Care, LLC" at his home at N13W28828 Silvernail Road.

Mr. Greenberg read the Notice. Mr. Greenberg stated that the property is currently zoned A-2 (rural home district) and is 3.8 acres. The owner has one pick-up truck with a plow and two trailers. The truck and all equipment will be screened from view of the public by a privacy fence.

Dave Bartkowiak, N5 W29324 Venture Hill Drive, gave public comment that he would like the property rezoned so that other homeowners with A-2 zoning will not be able to park commercial trucks at their residences like this resident.

Mr. Greenberg responded that this property has a Conditional Use Permit because it has frontage on Silvernail Road, which is considered an arterial road. Properties zoned A-2 are approved on a site-by-site basis.

Mr. Kranick closed the Public Hearing at 6:49 p.m.

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

Mr. Kranick called the meeting to order at 6:50 p.m., and led all in the Pledge of Allegiance.

**Second order of business:** Approval of the minutes of October 1,3 and 16, 2019.

Motion made by Mr. Diderrich, seconded by Mr. Frank to approve as presented.

MOTION CARRIED.

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

- A. Regarding Notice of Public Hearing for a special exception to the offset provisions at N21 W28664 Louis Ave.

**Fourth order of business:** Unfinished Business

- A. Proposed revisions to the Town of Delafield Land Use Plan, and proposed Mixed Use zoning code and revisions to the previously approved modifications to the conditional used section of the zoning code.

Engineer Barbeau stated that the phrase "Town Board" was added to Section 6.c. of the mixed use zoning code.

Engineer Barbeau stated that minor changes were being proposed to the formerly approved conditional use code amendments.

The ordinance will be a part of the November 20, 2019 Public Hearing.

**Fifth order of business:** New Business

- A. Steve Wittman, N13 W28828 Silvernail Road, Re: Consideration and possible action on a request for a Waukesha County conditional Use Permit to legalize commercial truck for a snow plowing/landscaping/lawn mowing business at this residence.

Engineer Barbeau stated that the Plan Commission makes a recommendation to the County on this issue. Mr. Greenberg stated that any conditions placed on the property will be incorporated into the county conditional use permit.

Motion by Ms. Dickenson, seconded by Mr. Frank, to approve the allowance of commercial truck parking for a snow plowing/landscaping/lawn mowing business at N13 W28828 Silvernail Road, with the condition that trailers for business use shall be parked behind the garage and screened when not in use.

Motion carried.

- B. Penny Wilkinson, W285 N3941 Old North Shore Drive, Re: Consideration and possible action on a request to extend a six-foot high fence from the front of her house 100 feet east towards Old North Shore Drive.

Engineer Barbeau stated that Ms. Wilkinson wants to install a six-foot high fence running from the front of her house towards the road, for 100 feet. It is against Code to have a fence higher than three feet running from the front of a house to the road. The neighbor to the north stated in a phone conversation with Engineer Barbeau, that when Ms. Wilkinson comes home at night, car headlights shine into their bedroom due to Ms. Wilkinson's winding driveway. The fence would run along a tree line and would not be visible from the road.

Motion by Mr. Diderrich, seconded by Ms. Dickerson, to allow the construction of a six-foot high fence to extend no more than 100 feet east from the front of the house as measured from the north east corner of the house. Motion carried.

Engineer Barbeau stated that the homeowner will have to get a building permit for the fence.

**Sixth Order of Business:** Discussion

- A. Shallock Foundation, by Nancy Bonniwell, Trustee, and Humane Animal Welfare Society of Waukesha County, Inc (HAWS), by Lynn Olenik Executive Director, Re: Discussion related to proposed uses on the Shallock Foundation property located at W330 S1205 Kettle Moraine Drive (CTH C) and approval procedure.

Nancy Bonniwell gave a history of the land and owners. Mr. Shallock (deceased) was a founding member of HAWS. The Shallocks wanted HAWS to have use of their former land.

Susan Sorentino, Attorney for HAWS, stated that the purpose of the land will be for educational use. One-third of the land (zoned A-2) will be for farming and trails. Another third of the land (zoned A-2 and Wet Lands/Flood plain/woods) will be used for trails. The last third of the land (the Southern portion) is currently zoned M-1. This is where HAWS' activities will take place.

Currently, the home/caretaker building, stables, and barn are on this portion of the land.

Lynn Olenik stated that HAWS would like to run student Day Camps and After School Programs (similar to the Retzer Nature Center). She anticipates 1-2 school buses, at most, during daytime hours. No overnight activities or sleeping cabins are planned. There is a possibility of a pet crematorium on the property, but not a pet cemetery. Dogs, horses, and cats will be the main animals on the property.

**Seventh Order of Business:** Announcements and Planning Items:

Public Hearing with Town Board – Wednesday, November 20, 2019  
Next Meeting – December 3, 2019

**Eighth Order of Business:** Adjournment

Motion made by Mr. Diderrich, seconded by Mr. Frank to adjourn at 8:20 p.m.  
Motion carried.

Respectfully submitted,



Lori Schmeling,  
Town of Delafield, Clerk's Office

Minutes approved on: 12/3/19