

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
TUESDAY, JULY 7, 2020, 6:30 P.M.**

**Public Hearing:**

Public hearing began at 7:02 PM.

Engineer Barbeau gave an introduction the Plan Commission regarding the parcel that is zoned A-1 currently. He explained this lot is legal nonconforming as the A-1 zoning designation requires 40 acre lots. The applicant is looking to rezone the property to A-2 as it fits the size dimension of the lot. A-2 also requires only 85% open space compared to A-1 which requires 95% open space. A-2 requires 3-acre minimum lots, so the applicant would not be able to split the lot in the future.

**Joel Gerke, N48 W19045 Joetta Dr., Menomonee Falls**, asked the Plan Commission please consider approving the rezone request.

Motion by Chairman Troy to close the public hearing. Seconded by Supervisor Kranick. Motion passed unanimously.

**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 Frank, Commissioner Diderrich, Town Chairman Ron Troy and Plan Commissioner Chairman Fitzgerald. Commissioner Dickenson was excused.

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

**Second order of business:** Approval of the minutes of May 28, 2020.

*Motion made by Chairman Fitzgerald to approve the May 28, 2020 Plan Commission minutes. Seconded by Commissioner Frank. Motion carried unanimously.*

**Third order of business:** Communications (for discussion and possible action): None

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

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

*Motion by Supervisor Kranick to take item 5-G out of order. Seconded by Chairman Troy. Motion passed unanimously.*

- A. Alan and Jean Hunley, N21 W28651 Louis Avenue, owner, Bob Michelini, agent, Re: Consideration and possible action on the review of a sale or exchange of parcels between adjoining landowners at N21 W28651 Louis Avenue.

Engineer Barbeau explained this item was directly related to item 5-B. The applicant is looking to acquire a small piece of land to the south of their current property. The proposed item would make their irregular shaped lot more regular, though it still would not meet the Town's code. He explained there is a provision in Section 18.10 that allows the Town Board to make an exception. He recommends approving subject to the Town Board granting an exception based on this section. He explained he would also add a "subject to" line for the second item regarding this property as well. Mr. Barbeau also explained that this parcel exchange requires a ¾ vote of the Town Board. He stated for the record that no neighbors have complained to this point.

*Motion by Supervisor Kranick to approve and recommend to the Town Board a lot line adjustment between adjoining land owners at N21 W28651 Louis Avenue contingent on Waukesha County's approval and signature and the resolution of the comments by Town staff contingent on the Town Board granting an exception to Section 18.10 of the Town Code. Seconded by Chairman Fitzgerald. Motion passed unanimously.*

- B. Alan and Jean Hunley, N21 W28651 Louis Avenue, owner, Bob Michelini, agent, Re: Consideration and possible action on the approval of a Certified Survey Map to combine properties at N21 W28651 Louis Avenue

Engineer Barbeau explained the CSM is related to item 5-A and is combining parcels into one lot. Mr. Barbeau explained he only had technical comments, none of which were critical.

*Motion by Supervisor Kranick to approve the combination certified survey map for Alan and Jean Hunley for the property located at N21 W28651 Louis Avenue, subject to Waukesha County and Town staff's recommendations and subject to the Town Board waiving Town Code 18.10. Seconded by Commissioner Frank. Motion passed unanimously.*

- C. Greenhill Preservation, owner, Kate Began, Gwenyn Hill Farm, agent N130 W294 Bryn Dr. by Kate Began, agent Re: Consideration and possible action on the approval of signage at the southerly farm site at N3 W29350 Bryn Drive.

Engineer Barbeau explained this is the southern most farm on Bryn Drive. This site has the restored barn along the roadside with a chicken house. They are using this area as a farm stand. They want to place signage for the stand which will identify the farm as well as the Town of Delafield. It also indicates parking and the hours of operation. He explained the sign will meet the requirements for the location and the size and recommends approval.

*Motion by Commissioner Frank to approve the request from Kate Began of Greenhill Preservation for signage at the southerly farm site at N3 W29350 Bryn Drive subject to the comments by the Town staff. Seconded by Supervisor Kranick. Motion passed unanimously.*

*Motion by Supervisor Kranick to take item 5-E out of order. Seconded by Commissioner Frank. Motion passed unanimously.*

- D. Joel Gerke and Kellie Brock, N48 W19045 Joetta Dr., Menomonee Falls, Re: Consideration and possible action on a request to rezone a 4.0 acre parcel of land located on the east side of Cushing Park Road, approximately 800 feet south of Lapham Lane from A-1 Agricultural District to A-2 Rural Home District. The property is also known as Tax Key No. DELT 0840-990-002.

*Motion by Supervisor Kranick to approve the request from Joel Gerke and Kellie Brock to rezone the property located on the east side of Cushing Park Road, approximately 800 feet south of Lapham Lane, DELT 0840.990.002, from A-1 Agricultural District to A-2 Rural Home District subject to comments from Town staff and recommend to the Town Board and Waukesha County of the same. Seconded by Tim Frank. Motion carried unanimously.*

- E. Charles and Sue Hall, N20 W29252 Oakton Road, Re: Consideration and possible action on a request to install a decorative fence greater than 3 feet in height in the front yard of their home at N20 W29252 Oakton Road.

Engineer Barbeau explained the Town code requires that any fence greater than 3 feet facing the roadway must come to the Plan Commission for approval. He explained the fence would be on the east side of the property and will extend to the south and cut to the west. He explained the applicant want to put up a 5-foot fence. He explained there are woods between Oakton Road and the proposed fence. The applicant's home is 150 feet from Oakton road and his home is much closer to the lake. The commission discussed these fence variances coming to them in the past and questioned why the applicant was putting in a solid privacy fence. The applicant explained it is what his wife wanted.

*Motion by Commissioner Frank to approve the request to install a decorative fence greater than 3 feet in height in the front yard of their home located at N20 W29252 Oakton Road, subject to Town staff. Seconded by Commissioner Diderrich. Motion passed unanimously.*

*Motion by Supervisor Kranick to take Item 5-F out of order. Seconded by Commissioner Frank. Motion passed unanimously.*

F. John and Theresa Singer, owner, W334 S828 Cushing Park Road, by Jon Spheeris, Coldwell Banker Elite, agent, Re:

1. Consideration and possible action on the approval of a Certified Survey Map to create three parcels of land located at W334 S828 Cushing Park Road.

Engineer Barbeau explained this is a unique parcel with access through a narrow strip of land. There is currently a single home on the site and there is a long driveway to the home. The owner is proposing to divide the property into three lots. This split is allowed if the lots are at least 5 acres and there less than 4 lots being created. He explained all the lots are over 5 acres and the access to these lots would be through a private drive which the Town code allows. The Town has provided the applicant with a sample driveway easement to fill out and submit. This easement provides access for emergency vehicles and describes not blocking the access for others to their lots. The easement will be 69' and will be recorded with lot two which will grant access to the other two lots. Chairman Fitzgerald questioned there being two driveways close in proximity on Cushing Park Road. The engineer explained that both driveways are close in proximity but are existing drives. Chairman Troy questioned if there was a utility easement. The engineer stated the surveyor did not indicate any utility easements.

Engineer Barbeau explained the applicant is looking for a waiver from the street standard of a 24' wide shared drive. The applicant is requesting a 12' wide driveway and staff has asked for an additional 18' bump out for emergency vehicles and other vehicles approaching at the same time. The Commission discussed where the front and side yards are on the lot. The engineer explained they were required to indicate the front and side yards on the CSM. He explained Lots one and two will have front yards facing the south and lot three will show to the north. All front lots will be facing the shared drive. He also explained there is primary corridor in all the lots. The code dictates one dwelling unit may be in primary corridor per 5 acres. The engineer stated there are some wetlands on lot one, but enough room to build.

*Motion by Supervisor Kranick to approve a Certified Survey Map to create three parcels of land located at W334 S828 Cushing Park Road for John and Theresa Singer contingent on technical corrections by Town and Waukesha County staff and subject to the recording of a driveway easement. Seconded by Commissioner Frank. Motion passed unanimously.*

2. Consideration and possible action on a request to waive the requirement that a 24-foot road pavement be constructed and to allow a 12-foot pavement, with one bump-out.

*Motion by Supervisor Kranick to waive the requirement for a 24-foot driveway access by reducing the access 12 feet with an 18-foot bump out 40 feet in length. Seconded by Commissioner Casey. Motion passed unanimously.*

**The Commission went to a short recess to allow for the 7:00 PM public hearing.**

G. Discussion and possible action to reconsider the action taken by the Plan Commission on May 28, 2020 concerning the application of Scott Flaughner, 385 Kennedy Ct. E. Colgate, WI, regarding the Site plan, Grading/drainage plan, Landscaping, Lighting and Architectural plans, and Plan of Operation for a self-storage facility proposed to be located on the northwest corner of Cushing Park Road and STH 18.

*Motion by Supervisor Kranick to reconsider the action taken by the Plan Commission on May 28, 2020 concerning the application on Scott Flaughner, 385 Kennedy Ct. E Colgate, WI, regarding the Site plan, Grading/drainage plan of Operation for a self-storage facility proposed to be located on the northwest corner of Cushing Park Road and STH 18. Seconded by Ron Troy. Motion carried unanimously.*

**Sixth Order of Business:** Discussion: None

**Seventh Order of Business:** Announcements and Planning Items: Next meeting date to be August 4, 2020.

**Eighth Order of Business:** Adjournment

*Motion by Supervisor Kranick to adjourn the July 7, 2020 Plan Commission meeting at 7:21 p.m. Seconded by Supervisor Troy. Motion passed unanimously.*

Respectfully submitted,

Dan Green, CMC, WCMC  
Administrator-Clerk/Treasurer

Minutes approved on: