

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING**  
**MARCH 12, 2024 @ 6:30 PM**

**Video Link:** <https://www.youtube.com/watch?v=to1ve7wU8ok>

**First order of business:** Call to Order

Chairperson Kranick called the meeting to order at 6:30 p.m.

**Second order of business:** Pledge of Allegiance

**Third order of business:** Roll Call

Present: Supervisor Miller, Supervisor Michels, Supervisor Woelfle and Chairperson Kranick. Also present was Administrator Dan Green.

Excused: Supervisor Mahoney-Ogden

**Fourth order of business:** Citizen Comments:

Michael Thurston, 1263 Mary Hill Circle, Hartland. He stated he is the Deputy DA in Waukesha County. He stated he is making his way around the county to talk about important things come August, safety. He stated the County is at an inflection point. Sue Oppen is retiring, and he is one of three deputies of her deputies. The border does not stop on the eastern part of our county. Some of the issues the County is facing, that do not stop at Menomonee Falls, are human trafficking, internet crimes, and elder abuse crimes. There is a total breakdown of families and homes leading to stolen cars, and other crimes. He explained that as a Deputy DA he supervises the sensitive crimes unit. He has the endorsement of all law enforcement agencies in Waukesha County.

**Fifth order of business:**

- a. Approval of the February 27, 2024, Town Board Minutes

*Motion by Supervisor Woelfle to approve the February 27, 2024, minutes. Seconded by Supervisor Miller. Motion passed 4-0.*

**Sixth order of Business:** Action on vouchers submitted for payment:

- a. Report on budget sub-accounts and action to amend 2023 budget.
- b. 1) Accounts payable; 2) Payroll

*Motion by Supervisor Michels to approve amending the 2023 Budget to increase Other Financing Sources, "Transfer From ARPA Fund" (Account 10-49224) by \$308,108, and increase the Capital Outlays (Account 10-53310-810) by \$308,108. Seconded by Supervisor Woelfle. Motion passed 4-0.*

*Motion by Supervisor Woelfle to payment of checks #67416-#67420 and checks #67423-#67448 in the amount of \$643,221.22, and payrolls dated March 15, 2024, in the amount of \$15,488.93. Seconded by Supervisor Michels. Motion passed 4-0.*

**Seventh order of Business:** Communications:

- a. LPSD annexation of Thomas Farm public hearing – March 26, 2024

**Eighth order of Business:** Unfinished Business

**Ninth order of Business:** New Business

- a. Discussion and possible action on the following recommendations from the Plan Commission:

- i. Tom Beaudry, 229 Lynndale Road, LLC, Re: Consideration and possible action on the Toy Box Condominium Plat and Declarations for Lake Country Toy Box vehicle storage facility located at N47W28229 Lynndale Road.

Engineer Barbeau explained that in front of them is a condominium plat. It is a little different than a subdivision plat. These are reviewed in a similar manner as a subdivision plat. The Plan Commission reviewed it, and gave a positive recommendation. A typical residential condo plat shows dimensions for each condo unit. This plat just has the location of the units and what one of the units looks like. This approval also includes the condo declarations. The declarations are a written document acting similar to deed restrictions, that identifies the operations. The Plan Commission recommended approval, 7-0. The Plan Commission had certain conditions to put on the development.

Engineer Barbeau highlighted some of the items listed in the condo declarations. He stated they have restricted the use to non-residential use. No business can be conducted in the units, and offices are allowed where customers visit. There is no storage of hazardous waste on the premises (excluding gasoline in the vehicles). The units are not to be used for personal overnight stays, and no garbage is allowed in the common areas outside the units. Engineer Barbeau explained that owner would like to have the option of outside AC units for some of the units. The language proposed would allow the AC units, but would be maintained by the unit owner, as well as the landscaping around each unit. The lease also referenced leasing. The Plan Commission allowed the declarant to lease up to 6 units, before they are sold. The declarations also have restrictions for owners of each unit and leasing options. These leasing restrictions allow for 12 units to be leased at any one time. There is language that allows a hardship exception, that is submitted to the board of the association, that could be granted. Staff have requested this be removed from the document. The Plan Commission recommended approval of the plat, subject to staff reviewing the declarations, so that they do not go against the Town code.

Supervisor Michels asked if the declarations are compliant with the Town code. Engineer Barbeau stated yes, but staff has asked the AC unit maintenance to be clarified, and that special exemptions for leasing be removed. Chairman Kranick stated they can move forward, contingent on Town staff working to make sure the declarations are completed. Engineer Barbeau stated that any substantial change may be sent back to the Town Board for approve. Supervisor Michels stated he does not want to burden the owner, but does not want to deviate from owner occupied condo units. Engineer Barbeau explained the true potential of the number of leased units is 18.

Supervisor Michels stated the current restrictions state they can have 6-to-12-month leases. Supervisor Miller asked if this was considered residential or commercial. Engineer Barbeau explained it is technically commercial condos, but there are no businesses that can operate.

*Motion by Supervisor Michels to approve the Toy Box Condominium plat dated February 28, 2024, and, subject to the owner's acceptance of Town staff's recommended changes to the declarations. Seconded by Supervisor Woelfle. Motion passed 4-0.*

- ii. Jacob Roy, W298N2808 Shady Lane, Re: Consideration and possible action on a Certified Survey Map to eliminate an internal lot line (lot combination) to clarify lot line location in anticipation of house improvements.

Engineer Barbeau explained this CSM was approved over a year ago. The applicant is removing a lot line that cuts through the driveway, in order to work on their home. The statutes required CSMs to be recorded within a year of approval, or they must be reapproved. The Plan Commission recommended approval to the Town Board, unanimously.

*Motion by Supervisor Michels to approve the CSM dated January 30, 2024, subject to the surveyor addressing any outstanding review comments raised by the Town and County staff prior to execution. Seconded by Supervisor Woelfle. Motion passed 4-0.*

- b. Discussion and possible action on the approval of vacation rental renewal licenses for KA Homes Investments, Kyle Miller, agent, for the property located at W304N2501 Maple Avenue, and Andy and Shala Fallon, for the property located at N28W29868 Oakwood Grove Road.

*Motion by Supervisor Woelfle to approve vacation rental renewal licenses for the properties located at W304N2501 Maple Avenue, and N28W29868 Oakwood Grove Road. Seconded by Steve Michels. Motion passed 4-0.*

**Tenth order of Business:** Announcements and Planning items

- a. Town Board: Tuesday, March 26, 2024 @ 6:30 PM
- b. Spring Election & Presidential Preference: Tuesday, April 2, 2024 @ 7:00 AM – 8:00 PM
- c. Town Board: Tuesday, April 9, 2024 @ 6:30 PM
- d. Annual Meeting of Electors followed by Town Board: April 16, 2024 @ 6:30 PM

**Eleventh order of Business:** Adjournment

*Motion by Supervisor Woelfle to adjourn the March 12, 2024, Town Board meeting at 6:58PM. Seconded by Supervisor Woelfle. Motion passed 4-0.*

Respectfully submitted:

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Dan Green, CMC/WCMC, Administrator - Town Clerk/Treasurer