

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
MARCH 28, 2023 @ 6:30 PM**

Video Link:

First order of business: Call to Order

Chairman Troy 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 Kranick, Supervisor Woelfle, Supervisor Michels, and Chairperson Troy. Also present was Administrator Dan Green.

Excused: Supervisor Miller.

Fourth order of business: Citizen Comments: None

Fifth order of business:

- A. Approval of the March 14, 2023, Town Board Minutes

Motion by Supervisor Woelfle to approve the March 14, 2023, minutes. Seconded by Supervisor Kranick. Motion passed 4-0.

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

- A. Report on budget sub-accounts and action to amend 2022 or 2023 budget.

Motion by Supervisor Kranick to approve the following budget amendment increases:

- *General Fund Expenditure accounts 10-52100-298 by \$1,382, account 10-52300-298 by \$66,057 and account 10-52400-299 by 13,370.*
- *General Fund Expenditure account 10-55300-392 by \$21,520.*
- *General Fund Expenditure account 10-53310-810 by \$251,570.*
- *Debt Service accounts 30-58100-690 by \$50,095, and 30-58100-610 by \$2,614,999.*
- *Impact Fee Fund account 23-57620-820 by \$116,833.*

Seconded by Supervisor Michels. Motion passed 4-0.

- B.1) Accounts payable; 2) Payroll

Motion by Supervisor Kranick to approve payment of checks #66583 - #66585 and checks #66588 - #66624 in the amount of \$88,709.03, and payrolls dated March 31, 2023, in the amount of \$17,382.92. Seconded by Supervisor Woelfle. Motion passed 4-0.

Seventh order of Business: Communications

Eighth order of Business: Unfinished Business:

Ninth order of Business: New Business:

- a. Discussion and possible action on the recommendation from the Plan Commission to approve the request from David J. French Revocable Trust of 1991, Kathy Sawyer-Gutenkunst, agent, for a Certified Survey Map to combine two lots into one lot at W297 N2910 Oakwood Grove Road.

Engineer Barbeau stated there are two 60-foot lots they are combining into one. There is a house on the north lot, and a driveway on the south lot. They will combine the lot to eliminate the line in between. The applicant has not stated what they plan to do with the lot. This was approved unanimously by the plan commission.

Motion by Supervisor Kranick to approve the CSM dated September 8, 2022, subject to satisfaction of any outstanding review comments from the Village of Hartland and Waukesha County Department of Land Use prior to the Town executing the document. Seconded by Supervisor Michels. Motion passed 4-0.

- b. Discussion and possible action on the recommendation to approve Ordinance 2023-08, an ordinance to amend the Town of Delafield zoning map from A-1 Agricultural District to A-3 Suburban Home District for the vacant property located south of W334 S188 Cushing Park Road. Tax Key No. DELT 0841-031-002.

Engineer Barbeau explained this property is on Cushing Park Road south of Abitz Road. There were a number of lots created under A-1 zoning which requires 40 acre lots. If owners want to do something with their particular lot they can apply for a rezone. They are asking to rezone to A-3 which is a 2-acre minimum. The north lot adjacent is A-3. The south lot is A-1 and across the street is A-1 PUD. There are no other conditions associated with the rezone, and the Plan Commission approved unanimously. The lots to the south are legal, non-conforming. The A-1 zoning requires 95% open space, compared to 85% in A-3.

Motion by Supervisor Kranick to adopt Ordinance 2023-08, an ordinance to amend the Town of Delafield zoning map from A-1 Agricultural District to A-3 Suburban Home District for the vacant property located south of W334 S188 Cushing Park Road. Seconded by Supervisor Michels. Motion passed 4-0.

- c. Discussion and possible action on the adoption of Ordinance 2023-03, an ordinance to create Chapter 11 of the Town of Delafield Municipal Code concerning outdoor lighting requirements.

Engineer Barbeau explained that this ordinance codifies commercial lighting in the Town. If a business comes into the Town, currently staff imposes lighting standards the engineer uses in other communities. It is good to have something to fall back on if there is a disagreement. The residential and agricultural land will be dealt with through nuisance laws. It was discussed by the Plan Commission having residential as part of this ordinance, and determined that enforcement would be an issue. This ordinance would apply to B1, B-2, B-3, M-1, P-1, and certain conditional uses. The code requires existing businesses to comply by December 31, 2023. Tim reviewed the standards, following dark sky ordinances, using 2.5 lumens per square foot of hard surface as a standard. Lighting has to be reduced to 25% at night and new businesses are limited to a height of 20 lighting structures. The lighting ordinance passed 6-0 from the Plan Commission.

Supervisor Woelfle asked how this ordinance would be enforced. Engineer Barbeau explained that new construction would require lighting plans to follow. Other parts of the ordinance will be complaint based. There are measurement tools to find lumens for sighting. Staff would base approvals on the lighting manufacturer's specs. If there is a complaint, we would ask owners to prove to us that they are in compliance. He also stated that all businesses to this point are in compliance, except the reduction to 25% at night.

Supervisor Kranick stated it is good to get these standards for staff to follow. He is concerned about existing property owners coming into compliance. He does not want them to come forward saying they are unduly burdened by this ordinance.

Chairman Troy stated he would like to propose moving the date of compliance to June 30, 2024. This gives businesses ample time to work with staff on coming into compliance. He recommended amending 11.03(1) to be changed to June 30, 2024. Engineer Barbeau explained there is a variance provision that would be dealt with directly by the Plan Commission, instead of the Board of Appeals.

Motion by Supervisor Michels to approve Ordinance 2023-03, an ordinance to create Chapter 11 of the Town of Delafield Municipal Code concerning outdoor lighting requirements with an amendment to 11.03(1)(a) to be changed to June 30, 2024. Seconded by Supervisor Kranick. Motion passes 4-0.

Tenth order of Business: Announcements and Planning items

- a. Spring Election – Tuesday, April 4, 2023
- b. Town Board – Tuesday, April 11, 2023 @ 6:30 PM
- c. Annual Meeting of the Board Electors – Tuesday, April 18, 2023 @ 6:30 PM
- d. Town Board – Tuesday, April 25, 2023 @ 6:30 PM

Eleventh order of Business: Adjournment:

Motion by Supervisor Woelfle to adjourn the Tuesday, March 28, 2023, Town Board meeting at 7:06PM. Seconded by Supervisor Michels. Motion passed 4-0.

Respectfully submitted:

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