

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Mayor McAleer called the meeting to order at 7:00 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, July 25, 2012 Plan Commission meeting:

Present

Ed McAleer, Mayor
Michele DeYoe, Ald.
Kevin Fitzgerald
Dan Jashinsky
Matthew Katz
Tony Drake
Roger Dupler, Planner
Scott Hussinger, Building Inspector

Absent

Kent Attwell
Chris Smith

1. Approve Plan Commission meeting minutes of June 27, 2012

K. FITZGERALD MOVED TO APPROVE THE JUNE 27, 2012 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR. T. DRAKE AND M. KATZ ABSTAINED. MOTION CARRIED.

2. City of Delafield Citizen's Comments pertaining to subjects on this agenda.

M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:01 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda

- a. **DELC 0803.988.005, 2574 Sun Valley Drive, Delafield. Owner: Gary Storts. Applicant: Tim Murray.** Applicant seeks approval of a Business Plan of Operation amendment to relocate the MediSPA service business, Solstice, from 415 Genesee Street to 2574 Sun Valley Drive. Hours of Operation and employees remain the same.
- b. **DELC 0804.996.002, 2700 Golf Road, Delafield. Owner: BMO Harris Bank. Applicant: Godfrey & Kahn, S.C. on behalf of BMO Harris Bank.** Applicant seeks approval of a Business Plan of Operation amendment to change the business name from M&I Bank to BMO Harris Bank. Hours of operation and employees will remain the same.

M. DEYOE MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA IN ACCORDANCE WITH THE STAFF REPORT. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. Final Consideration, Approvals, Previous Approval.

- a. **DELC 0753.999, Hwy 83, Hartland. Owner: Bark River Farm LLC, Pam Krainik, Managing Member. Applicant: CELA Holdings, LLC, c/o Siepmann Realty Corp.** Applicant seeks final approval of a Certified Survey Map to divide 76 acres north of the Bark River from the 141 acre Walcott Farm and recommendation to the Common Council of the same.

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FROM PLANNER DUPLER'S STAFF REPORT: The Walcott farm has been on the market for a considerable amount of time. The 141 acre parent parcel spans both sides of the Bark River. The proposed minor subdivision will split the farm into two parcels along the center line of the river. The resulting parcels will be 65.2 acres south of the river and 76.0 acres north of the river. This petition offers no development concept, change of land use or zoning district at this time. This is only a mechanism to facilitate a sale of the property. At a future date, when development is proposed, the extension of Faire Lakes Parkway, a collector street, must be continued to the east. In addition the comprehensive plan calls for an eight acre park in association with the future County Greenway Trail on this site. All future design elements may be secured at the time of development. **Recommendation:** Approval contingent upon satisfying the item identified in the surveyor's review letter of July 19, 2012.

E. McAleer questioned the reason for this request. Jim Siepman, Siepman Realty Corp., explained CELA Holdings owned the old Morris Farm and would like to acquire the parcel to add to his property including the land south of the river, for future development possibilities. K. Fitzgerald questioned the location of the sewer easement. R. Dupler clarified the sewer easement ran along the tree line and then to the northern portion of the property and would not be wide enough to support roadway width.

M. DEYOE MOVED FINAL APPROVAL OF A CERTIFIED SURVEY MAP FOR DELC 0753.999, HWY 83, HARTLAND. OWNER: BARK RIVER FARM LLC, PAM KRAINIK, MANAGING MEMBER. APPLICANT: CELA HOLDINGS, LLC, C/O SIEPMANN REALTY CORP TO DIVIDE 76 ACRES NORTH OF THE BARK RIVER FROM THE 141 ACRE WALCOTT FARM AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME CONTINGENT UPON RESOLUTION OF THE SURVEYOR'S COMMENTS. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 5. Plans of Operation, Signage and Site Plan.
- 6. Preliminary

- a. **Kettle Court East, Delafield. Owner/Applicant: Raley, LLC c/o C. Scott Tanis.** Owner/Applicant seeks preliminary feedback for a Certified Survey Map to claim unutilized and undeveloped road reservation. This action will require revising the City's official map.

FROM PLANNER DUPLER'S STAFF REPORT: The submitted Certified Survey Map proposes to expand the size of one B-4 parcel by modifying an existing undeveloped parcel. The Tanis lot, situated at the southwest corner of Kettle Court East and Kettle Drive, abuts a parcel that may have been intended as a southward extension of Kettle Drive, but has never come to fruition. The area in question was originally created as part of the Kettle Court East CSM which created the Business and Manufacturing lots. The parcel in question is not buildable and only serves as access to the WDNR monitoring station in the landfill, and access to the storm water detention basin associated with Cherokee Woods Addition Three. If this CSM is approved it must include an access easement granted to the WDNR, the City and the Home Owners Association of Cherokee Woods Addition Three. The potential for future development on the landfill site may be accommodated directly from the existing intersection of Kettle Drive and Kettle Court East, where there is an existing drive access already in place at that location. **Recommendation:** Approval contingent upon resolving the items identified in the Surveyor's review letter dated July 19, 2012. This petition may return to the Plan Commission for final approval subsequent to a resubmittal.

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Robert Moodie, Attorney representing Raley, LLC and S. Tanis, was present and explained the land was being acquired to expand the parcel slightly to accommodate the current business activities of Summer Fun Marine. This request was initiated because the boats extended over the lot line and this action would allow resolution of that issue. He anticipated issues would be resolved with regard to the surveyor's letter for this matter and the matter could proceed. R. Dupler explained that when the process began this was believed to be a road reservation; however, this parcel stood as an independent parcel. The lot had clear title at this point as an unbuildable small parcel and the title for the property illustrated that this land was originally intended for a roadway but that never took place. Currently the land serves as access to a retention pond for Cherokee Woods subdivision and for the WDNR's use in monitoring purposes. This access should be maintained in planning for any future development that might occur on the refuse collection site. R. Moodie stated this would not be an issue as this land had been used in this way many years.

K. Fitzgerald suggested the applicant return to the next Plan Commission agenda with resolved issues to proceed with the CSM. He explained the application process to R. Moodie noting this matter would be placed on the August 29, 2012 Commission agenda for additional review and consideration.

7. Zoning and Ordinance Revision.

- a. Discussion of text amendment to the City of Delafield Municipal Code Sections 17.39(4)(b), 17.39(5)(b), and 17.39(6)(b), relating to the keeping of horses and schedule a public hearing for the same for August 29, 2012.

R. Dupler explained this matter had been discussed at previous meetings and the proposed modifications were the result. He reviewed the proposed changes. K. Fitzgerald expressed concern as he thought the proposed verbiage remained ambiguous and suggested the language be simplified to allow Section 17.23(5) to control. R. Dupler agreed and a public hearing would be slated for the August 29, 2012 Commission meeting agenda.

- b. Discussion of text amendment to the City of Delafield Municipal Code Sections 17.39(4)(d) and 17.39(5)(d), related to allowing the operation of Roadside Stands in RE-3 and RE-2 district as a conditional use and schedule public hearing for the same for August 29, 2012.

R. Dupler explained the background related to the request for these proposed text amendment changes, noting the proposed changes provided boundaries to the location and size of roadside stands. M. DeYoe stated "You Grow Girl" was located in her neighborhood and she would like to find a way to help the resident to continue to sell vegetables and flowers in its current location. K. Fitzgerald expressed concern that there was little criteria to deny a conditional use in this matter. Discussion ensued regarding the ability to work within the City's Code to allow a roadside stand to exist in this manner. R. Dupler stated he would speak to the farm stand owners to determine options available. More information would be available on this matter in the future.

8. Reports of City Officials:

- a. Clerk
 1. August 29 (Meeting); August 1 (PH Deadline); August 15 (Reg. Deadline)

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- b. Planner
- c. Building Inspector

S. Hussinger stated the total number of permits to date was 27 with two commercial occupancy permits and one residential occupancy permit this month.

- 9. Adjournment.

D. JASHINSKY MOVED TO ADJOURN THE JULY 25, 2012 PLAN COMMISSION MEETING AT 7:27 P.M. M. KATZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Accurate Business Communications, Inc.