

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, August 31, 2011 Plan Commission meeting:

Present

Absent

- Ed McAleer, Mayor
- Michele DeYoe, Ald.
- Kent Attwell
- Kevin Fitzgerald
- Dan Jashinsky
- Matthew Katz
- Chris Smith
- Roger Dupler, Planner
- Tim Schuenke, Administrator
- Gina Gresch, Clerk-Treasurer
- Scott Hussinger, Building Inspector
- Jim Hammes, City Attorney

PUBLIC HEARING #1:

CONDITIONAL USE AMENDMENT TO MODIFY THE BOUNDS OF THE SUBJECT PARCEL

OWNER / APPLICANT:

John and Joe Geason

MATTER:

Amend the Conditional Use to modify the bounds of the subject parcel, to reflect the proposed Certified Survey Map to separate the existing farmstead from the balance of the property. Also language regarding termination of existing Conditional Use upon redevelopment of neighboring parcels will be removed.

E. McAleer called the public hearing to order at 7:01 pm and G. Gresch read the public hearing notice into the record. Joe Geason stated he and his brother want to divide the 3.5 acres that contains the buildings from the existing farmstead, so if anything happens to the farmstead property, the rest of the property can't be taken away from them.

PUBLIC COMMENTS:

Terry Giles, 1607 Weber Court, stated he is one of multiple property owners that are affected by the Geason properties and feels that the original Conditional Use was written correctly. He is concerned about the appearance of the cell towers; they got bigger, taller and uglier. He doesn't understand why the City would relinquish their control of this area, which will eventually be residential. He asked what happens when Mr. Geason sells the portion of the property that contains the tower and what difference does it make how the land is divided? The City's code required nine items be considered when looking at a Conditional Use permit. He is concerned with five of those items. 1 - health safety and welfare; 2- existing use; 3 - affect on traffic; 4 - aesthetics; 5 - bird migration. He asked why are the Geasons really doing this land division. Are they prepared for development?

James Perry, 1320 Hwy 83, stated he lives adjacent to the Geasons and he doesn't have any problems with the land division; they are doing the best they can with the property. The silos have been there forever and they are making a smart business move that will protect them in the future.

Margaret Whelan, 1307 Woodside Street stated she is in favor of the land division.

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Elmer Tinti, 1520 Weber Court, stated Terry Giles said it all. The intersection is dangerous and more activity will create a major problem.

K. ATTWELL MOVED TO CLOSE PUBLIC COMMENTS PERTAINING TO THE GEASON PUBLIC HEARING AT 7:08 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. Approve Plan Commission meeting minutes of July 27, 2011 meeting.

M. DEYOE MOVED TO APPROVE THE JULY 27, 2011 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. City of Delafield Citizen's Comments pertaining to subjects on this agenda. *****Public Comments will be limited to 3 minutes for each person speaking. Comments will be accepted from City or Town of Delafield residents*****

E. McAleer stated this is not a public hearing, simply citizen's comments, which will be limited to three minutes each person. Town and City residents will be allowed to speak. Alderperson Gerry MacDougall will run the timer. The Plan Commission will more than likely set a public hearing date for either the end of September or October. The public hearing will not have any time restrictions for speaking and people from anywhere can speak. This is a preliminary presentation by the Hartland Sportsman's Club in which they will receive feedback from the Plan Commission and have the applicant do further work to prepare their documents for the public hearing.

Dean Richards, 2663 Ravine Court, stated he is the Attorney that represents a group comprised of many landowners near the Hartland Sportsman's Club as well as other landowners in the general area. These residents understand the process Plan Commission process. There is much communication opposed to this application. The neighbors are opposed and respect the process and they will all be at the public hearing.

Don Kingsbury, 3895 Mayfield Road, Jackson, started to speak. E. McAleer stated only Town and City of Delafield residents are allowed to speak tonight. M. DeYoe stated Mr. Kingsbury can speak at the public hearing.

Bob Fleming, Delafield Brewhaus Restaurant Owner, 3832 Hillside Drive, stated last summer after the shooting, his customer base dropped by 35% over a three month period. The customer reduction outside has continued into this summer and people are still referring to last summer's incident. Customers have stated they will dine outside if they are provided flak jackets. In 26 months, 14 restaurants and bars in the area have closed. Hopefully a future decision on this will not be adversarial to his business interest. The Freeman, Journal and WTMJ present negative views on the Brewhaus and have since 1999. When a person Googles the Brewhaus, they still find headings that reflect the shooting; great advertising. A week ago Tuesday, someone referred his home number to the NRA and been harassed with messages from the NRA and cannot cancel the phone calls. Monday in the San Francisco airport he met a couple from western Wisconsin. When he told them where he lived and mentioned the Brewhaus, they said isn't that the restaurant where they shoot customers? He stated the gun club is six football fields away. People say to him you wouldn't build next to the airport due to the noise. He stated is not the noise but he also does not expect a plane to crash in the front yard, and you would also not expect to get shot on the patio at a restaurant.

Ed Grots, W331 S631 Erin Way, stated he is a member of the Hartland Sportsman's Club and has been for eight to 10 years. The club has spent money and hours increasing the range's safety to be the best citizen they can be. They also brought in dirt to increase the size of the berms and put in better barriers. They are absolutely committed to making the range as safe as they can make it.

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George Finch, 23 N Lapham Peak Road, stated he has lived in the Town and City for 25 years. The Hartland Sportsman's Club has consumed many taxpayer hours for both municipalities. The Hartland Sportman's Club is like the trick birthday candle; you blow it out, it stays out for a while, then it relights. We thought this issue was resolved and now they are back. Before the Plan Commission even considers their application, they need to evaluate and go on record with their evaluation of several items. They should present a comprehensive and detailed business plan. Details of how the numerous improvements are to be financed. There should be a comprehensive inspection of the facility to be sure of code compliance. We have a long way to go before a public hearing is to be held on this issue.

K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:18 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda (Recommended approvals in accordance with the staff report).
 - a. **DELC 0803.003, 2410 Milwaukee Street, Delafield.** Owner: Shuder Development, LLC (John Shuder). Applicant: Paul Stroik. Applicant seeks approval of a Business Plan of Operation for a custom window covering business, Budget Blinds of Delafield. Hours of Operation are Sunday through Saturday 9am to 7pm with 1 part-time and 1 full-time employee.
 - b. **DELC 0787.081, 615 Milwaukee Street, Delafield.** Owner: Thomas Kelley. Applicant: Jamie Carlson. Applicant seeks approval of a Business Plan of Operation for a professional massage therapy business, Carlson Massage, LLC. Hours of Operation are Weekdays and Saturdays 9am to 8pm with 1 full-time employee.

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

4. Final Consideration, Approvals, Previous Approval.
 - a. **DELC 0781.990, 1605 Hwy 83, Hartland.** Owner/Applicant: John and Joe Geason. Owner/Applicant seeks approval of the following items:
 1. Final Certified Survey Map to create a three acre parcel in the A-1 zoning district.

R. Dupler stated Mr. Geason returns to Plan Commission with two items first is a Certified Survey Map with intent to modify bounds of property for the Conditional Use which will cover the three acre parcel. The Preliminary Certified Survey Map was reviewed which was modified to resolve the issues identified in the surveyor's review letter of July 19, 2011.

M. DeYoe asked for clarification on how the land division affects the Conditional Use. Attorney Hammes stated the request is to continue the Conditional Use on only the new three acre parcel. Over the years, there was the original Conditional Use and three amendments. One of the conditions is that the Conditional Use would expire if the whole property was converted to residential use. The intent of tonight's application is to eliminate that requirement on the remaining 37 acres which can be developed. The Conditional Use only applies to the new three acre parcel. E. McAleer stated there is a fear that a new cell tower could be built without the need of a Conditional Use. R. Dupler stated if a new tower was proposed to be built on the new 37 acre parcel, they would have to go through the Conditional Use process. E. McAleer stated a tower cannot be installed on the new three acre parcel unless the Conditional Use is amended. R. Dupler stated that is correct.

K. Fitzgerald stated paragraph "E" references the old zoning code and that should be corrected.

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K. ATTWELL MOVED TO APPROVE THE FINAL CERTIFIED SURVEY MAP FOR DELC 0781.990, 1605 HWY 83, HARTLAND. OWNER/APPLICANT: JOHN AND JOE GEASON AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Amended Conditional Use to modify the bounds of the subject parcel, to reflect the proposed Certified Survey Map to separate the existing farmstead from the balance of the property. Also language regarding termination of existing Conditional Use upon redevelopment of neighboring parcels will be removed.

K. ATTWELL MOVED TO AMEND THE CONDITIONAL USE TO MODIFY THE BOUNDS OF THE SUBJECT PARCEL, TO REFLECT THE PROPOSED CERTIFIED SURVEY MAP TO SEPARATE THE EXISTING FARMSTEAD FROM THE BALANCE OF THE PROPERTY. ALSO THE LANGUAGE REGARDING TERMINATION OF EXISTING CONDITIONAL USE UPON REDEVELOPMENT OF NEIGHBORING PARCELS WILL BE REMOVED FOR DELC 0781.990, 1605 HWY 83, HARTLAND. IN ADDITION, PARAGRAPH "E" BE CORRECTED BY THE CITY ATTORNEY TO REFLECT CURRENT CODE LANGUAGE FOR OWNER/APPLICANT: JOHN AND JOE GEASON AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY C. SMITH.

5. Plans of Operation, Signage and Site Plan.

- a. **DELC 0794.015.001, 134 Enterprise Road, Delafield. Owner/Applicant: Delafield Storage.** Applicant seeks approval to display a temporary banner sign for four consecutive 90 day periods.

R. Dupler stated Delafield Storage is a unique business operation that relies heavily on signage exposure to generate business. In an effort to increase their signage Delafield Storage has applied for, and been granted, a temporary sign permit for display on the south side of their lot for four consecutive 90 days periods. They have also utilized the existing Downtown Directional Signage and have accepted the financial responsibility for a business park directional sign to be placed at Cushing Park Road and Main Street. Recently another application for a temporary sign has been submitted to staff. Since the Cushing Park Directional sign has been approved and ordered, a decision was made to deny the application on the grounds that the owner is taking advantage of the system and over signing the establishment. The Cushing Park sign will be installed in the second week of September. The owner wishes to appeal that decision to the Plan Commission. Apparently a great percentage of storage leases are generated from drive-by exposure. Currently the business experiences less than 40% occupancy. The owner proposed compromise will allow another four consecutive 90 day periods for display of the temporary sign. The expectation is that in the next year the occupancy will climb to 70% after which the need for the temporary sign will not as critical. He also stated the new monument sign that will be installed on the corner by Kurt's Steakhouse has been ordered and will be installed in a couple weeks. Based on that, City Staff felt that the temporary signs should not be approved anymore, therefore Yaggy Colby denied this request.

Kay Styza, owner of Delafield Storage, stated when they purchased this property in 2009, the economy was rather poor and occupancy is still quite low. As result of temporary banner facing I-94 they have received 25-30% more rentals. They are requesting only another 12 months of temporary banner signage to increase their occupancy to 80%. Times are tough and growth takes time. Their original request for a monument sign was made two years ago and that too took time, which they have been patiently waiting for. Those that rent from them say they found

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out about the storage facility from the I-94 banner. They are off the beaten path and are hard to find and need the signage. E. McAleer stated he doesn't like the precedent this would set for banner signage along I-94.

K. ATTWELL MOVED TO DENY THE REQUEST FOR TEMPORARY BANNER SIGN FOR FOUR CONSECUTIVE 90 DAY PERIODS FOR DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD, OWNER/APPLICANT: DELAFIELD STORAGE. M. DEYOE SECONDED THE MOTION. K. FITZGERALD ASKED IF WE KNOW MUCH SIGNAGE THEY ARE ENTITLED TO AND WHAT THEY ARE CURRENTLY USING. R. DUPLER STATED THE AMOUNT OF SIGNAGE BEING USED IS FAR BELOW WHAT IS ALLOWED. RATHER THAN DOING A TEMPORARY SIGN, THEY COULD PROPOSE A PERMANENT SIGN. THERE WAS FURTHER DISCUSSION ABOUT VISIBILITY OF THE BUSINESS PARK FROM I-94 AND THE MONUMENT SIGN THAT IS AT THE ENTRANCE TO THE BUSINESS PARK AND THE ONE THAT WILL BE INSTALLED BY KURT'S STEAKHOUSE. E. MCALEER SUGGESTED THE APPLICANT RESEARCH WHAT IT WILL TAKE TO HAVE A PERMANENT SIGN THAT MEETS CODE REQUIREMENTS. K. STYZA CONTINUED TO TELL THE PLAN COMMISSION ABOUT THE LACK OF VISIBILITY AND DIRECTION THERE IS TO THE STORAGE FACILITY. SHE STATED THEY ARE TRYING TO GROW THEIR BUSINESS AND HAVE BEEN IN THE RED SINCE THEY BOUGHT IT. RIGHT NOW THERE IS NO OTHER WAY FOR PEOPLE TO FIND OUT ABOUT THEM EXCEPT FOR THE BANNER ON THE I-94. M. KATZ ASKED IF THE PLAN COMMISSION CAN ALLOW A TEMPORARY SIGN UNTIL THEY RECEIVE PERMANENT SIGNAGE APPROVAL. E. MCALEER STATED HE WOULD NOT HAVE A HAVE A PROBLEM WITH ONE 90 DAY PERIOD. MOTION FAILED WITH ONE AYE BY K. ATTWELL.

K. FITZGERALD MOVED TO APPROVE A MODIFIED REQUEST FOR TEMPORARY BANNER SIGN FOR (1) 90 DAY PERIOD FOR DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD, OWNER/APPLICANT: DELAFIELD STORAGE. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY K. ATTWELL.

6. Preliminary

- a. **DELC 0793.014.001, 601 Genesee Street, Delafield. Owner/Applicant: Delafield Square Condo Association. Applicant seeks preliminary feedback on a monument sign for Delafield Square and schedule Conditional Use amendment public hearing for the same.**

Joe DeKlotz stated the objective of the request is to install a monument sign on Wells and Genesee Street so that people can see the names of the business in the center as they are at the stop signs, instead of having to turn their heads when driving by, therefore making it easier to see the businesses names. He would like to see six slats, one for each business. The sign will be 10 feet back from Wells Street and 13 feet back from Genesee Street so there is easily a 15 foot vision triangle. The letters will be 9" high and similar to the Milwaukee Street monument sign. K. Attwell stated this sign seems redundant. R. Dupler stated his request requires a public hearing so no action will be taken tonight other than to set a public hearing date. He also suggested to the applicant that he consider switching the panel's color to eggshell or buff instead of white and that he would like to see unified colors in the text.

K. ATTWELL MOVED TO SET A PUBLIC HEARING DATE FOR WEDNESDAY, SEPTEMBER 28, 2011 FOR DELC 0793.014.001, 601 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: DELAFIELD SQUARE CONDO ASSOCIATION, FOR A MONUMENT SIGN FOR DELAFIELD SQUARE. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. **DELC 0825.994, 730 Maple Avenue, Hartland.** Owner/Applicant: Hartland Sportman's Club. Applicant seeks preliminary feedback for a General Development Plan and Conditional Use to operate a gun club and schedule Conditional Use public hearing for the same.

Attorneys Jeremy Levenson (and Brian Randall) stated they are working with the Hartland Sportsman's Club and was retained shortly after the very unusual incident where a woman was struck by a stray bullet. The Hartland Sportman's Club has been operating for over 50 years and they feel the club is an important asset to the community. The club understands it was a freak accident which caused great alarm. The club retained them to find creative options to reopening the club. He and Attorney Randall stated they took a very hard look at the club, land, ranges, and how it operates as an organization and submitted a Conditional Use application. They propose to resume operations only after making profound improvements to the ranges and the club itself, which could amount to over \$200,000. They will also implement a re-vamped range officer program designed to add a supervisory layer to be sure the club is used properly and all safety practices and rules are followed. J. Levenson stated he and his colleague are confident that if we work with the City cooperatively, they are convinced that any person will acknowledge that the club has addressed the safety issues. They will implement a failsafe mechanism which is that there will be no shooting on any range until it is certified as safe by an independent range expert as agreed to by them and the city. Their goal our goal is to be a good neighbor and address all concerns. J. Levenson introduced others from the club; John Fish, who is on the club's Range Improvement Committee and will be making part of the presentation tonight. Also present is the Hartland Sportman's Club President Mike Sitar along with many other club members.

B. Randall stated they are going to present as much detail as they can tonight; however, this is no new information to present. He will present the information that was submitted in writing in the Conditional Use application. The best place to begin is to visually orient to the site and will show the changes. Club member John Fish gave a presentation which visually oriented the Plan Commission and audience with the Hartland Sportsman's Club via an aerial view of the club. He explained which type of guns and bullets are used at each range. He also explained how each range would be improved. *****Clerk's Note: This presentation is attached to the minutes.***

Dave Hickey, Hartland Sportsman's Club Vice President was asked to explain the differences in bullets, guns and which ranges they are use on. He very briefly described wax bullets, calibers, center fire, rim fire and single bullets versus lead shot. E. McAleer stated all of this will need to be explained during the public hearing. Also some of the questions people will ask are going to be hard and they will have to have those answers before the public hearing. B. Randall stated he understands that. He suggested it may be appropriate to have a site visit for the Plan Commission members. B. Randall then explained how each range would be improved. He also stated the estimated costs are over \$200,000. The club can't and does not intend to do all the improvements at once.

B. Randall reviewed the list of proposed improvements, other than to the physical ranges. One improvement is to create direct accountability from the club to the City so both parties understand what activities can go on at the site. This will be part of the proposed third party/consultant's duties. This third party is needed so that the club remains accountable. Some of the duties of this third party consultant will be to inspect the ranges after improvements are made and sign off on them and send the inspection results to the City for verification so the club can operate. The key to this is that none of the ranges will operate until the improvements they outlined are complete and the City is in agreement with the consultant's report. It creates a check and balance that the past Conditional Use permit did not have. This is their best way to create accountability and protection yet certain details still have to be worked out.

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B. Randall stated another item that staff brought up is how will people know that the club is actually closed. He stated the targets can be locked down, plywood sheets across the shooting positions and range closed signs as well as inspections. The way the grounds are laid out they can put gates across the road to limit access to the range. They also propose adding trail cameras to record activity. Another improvement item is that the club proposes a series of operational improvements to be sure people are shooting at approved targets, one which is a Range Officer Program. Range Officers will go through a certification program and certification will last 5 years. Before any firing occurs the Range Officer will sign off on it. This person will inspect all ranges and target prior to firing. If anything is out of the ordinary the Ranger Officer is to report it to the Hartland Sportsman's Club Board and Range Committees so they can deal with it. The program will also have enhanced documentation which will be reviewed by the Hartland Sportman's Club Board. Club members will also have to go through an orientation program. The Hartland Sportsman's Club Board will provide the City Administrator with the club rules and any revisions to the rules. There will also be range committees for each range which will focus on addressing all issues immediately. They are also required to submit minutes of their meetings to the Hartland Sportman's Club Board.

E. McAleer stated in order for this inspector to do their job properly and to know if the range can be used or not, the City needs a set of professional engineered drawings that can be approved before any improvements are done and before a Conditional Use is granted. The City requires engineering drawing for a General Development Plan (GDP) for a Conditional Use. He also stated the Plan Commission will require a business plan and the club is going to obtain the funding. J. Levenson stated the improvements will cost around \$200,000 however, some of that will be donated through volunteer labor. J. Levenson and E. McAleer debated if engineered drawings are required or not versus what is the industry standard. E. McAleer stated the standards is for the applicants to submit what the Plan Commission and Common Council tells them to in order to review their application. R. Dupler stated the Mayor is correct and engineered drawings are required as a part of the GDP Conditional Use application as well as the list of elements the petitioner is to address. On that list is the requirement for real site plans and real solutions to safety concerns. D. Jashinsky stated he is concerned about involving the neighborhood in some way. Is the Hartland Sportsman's Club open to the neighbors attending their meetings or adding a neighborhood representative to their board?

R. Dupler stated the site is zoned B-6 which allows for a number of permitted uses, however the proposed gun club does not appear to be substantially similar to any of the described uses. Therefore the possibility of achieving the desired use must be accomplished by use of the Planned Development process. As a proposed Planned Development the Plan Commission should consider the petition as a General Development Plan at this stage of deliberation with the understanding that a Specific Implementation Plan may be considered in a subsequent review and approval. In preparation for an anticipated public hearing the Plan Commission should refer to the Conditional Use Review, Determination and Approval list of criteria provided in the packet. In order to take final action on the petition, and forward a recommendation to the City Council, "findings of fact" need to be stated. It is therefore the Plan Commission's opportunity, at this preliminary stage, to notify the petitioner of any additional information deemed necessary to make an informed decision. The requested additional information must be submitted to the City prior to the publication deadline. September 28, 2011 is the next feasible submittal deadline to facilitate a public hearing at the October 26, 2011 Plan Commission meeting. The list of criteria for Conditional Use consideration identifies several items for which the Plan Commission may require additional information before framing a recommendation to the City Council. Clearly there are multiple aspects of compatibility that must be addressed. The most critical are:

- Does the proposal affect the health, safety and welfare of the community and the immediate neighborhood?

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- Is the proposal compatible with existing uses?
- What is the impact (aesthetic and otherwise) on surrounding property values?
- Does the plan create noise, dust, smoke, or odors affecting the community?

R. Dupler stated further issues of compatibility are made evident in evaluation of the zoning code Section 17.39 Zoning Districts - (27) B-6 Commercial Holding Zone, such as Required Conditions of Planned Developments - Land use compatibility. Planned Developments permit a variety of land uses and allow applicants flexibility in land use planning. However, all land uses within a planned development in the B-6 Zoning District must be compatible with other land uses within the proposed development and compatible with the land uses on adjoining properties. The evaluation of compatibility between residential and commercial uses should specifically include: Lighting impact, screening of parking areas, outside storage and loading areas, preserving privacy, noise impact and hours of operation. Also Planned Development as Conditional Use, Section 17.75 – Intent, criteria for approval. The intent of the Planned Development procedures is to enable the developer to have greater flexibility in planning for land uses and site design than would be permitted under standard zoning provisions. However, there are some general criteria that the Plan Commission will follow in reviewing and approving PDs. Criteria for approval include: The character and intensity of the proposed development must be compatible with existing and planned land uses on nearby and adjoining properties and the proposed development must not result in diminishment of property values of adjoining or nearby properties.

R. Dupler stated before we can go any further the Plan Commission has to determine if the proposed use as a gun club is compatible with the neighborhood. M. Katz stated one of the complaints last year was noise and adding to the berms seems to make it louder. K. Fitzgerald stated he has concerns about the range expert, who is it going to be? Also with regards to industry guidelines, last year the NRA guidelines were incorporated in the Conditional Use permit and it was stated they were “guidelines” and not “rules”. What are we looking for the Hartland Sportsman’s Club to be compliant with? Also to use improvements on some ranges and not on others (i.e., blue sky), could the whole club be enclosed, which would work the best. If the whole club can’t be enclosed, could more improvements be made to the ranges to enclose more of it than it is now? Could some of the ranges be combined and maybe enclose parts of those ranges? C. Smith stated the City is going to have to figure out how the third party consultant would work. J. Levenson stated this is all going to come down to science. He was suggesting that there are experts in this area of science that could act as the third party. Also industry standards means there is a proven scientific method to make this work. C. Smith stated there is a way to make it 100 % safe and that would be by fully enclosing the ranges. The question that concerns him the most is is the use of the property right for the community at this time? How do we answer that and how have other communities co-existed with a gun club? Can the Hartland Sportsman’s Club be an asset to the community? T. Schuenke stated to make this third party consultant a truly independent position, the City should make the selection. He and the City Attorney are trying to find an expert in gun ranges. This person should be contracted by the City and billed to the Hartland Sportsman’s Club. The citizens shouldn’t have to pay for inspections. If this goes forward he hopes a condition will be added to require periodic inspections or whenever the Plan Commission deems necessary. E. McAleer stated there may be a need for more than one person to fill the position. He suggested calling civil engineering schools to see if anyone is qualified for this type of work. M DeYoe asked if there is any perimeter security; any signage or fencing to alert them they are entering a firing range?

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K. ATTWELL MOVED TO SET A PUBLIC HEARING DATE FOR WEDNESDAY, OCTOBER 26, 2011 FOR DELC 0825.994, 730 MAPLE AVENUE, HARTLAND. OWNER/APPLICANT: HARTLAND SPORTSMAN'S CLUB, FOR A GENERAL DEVELOPMENT PLAN AND CONDITIONAL USE TO OPERATE A GUN CLUB. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Zoning and Ordinance Revision.

8. Reports of City Officials:

- a. Administrator
- b. Clerk
 - 1. Public Hearing Dates
 - a. Sept. 28 (Meeting); Aug. 31 (PH Deadline); Sept. 14 (Reg. Deadline)
 - 2. Correspondence
 - a. Waukesha County Plan Commission Workshop
 - b. Open Records request from adjacent subdivision to Hartland Sportman's Club
 - c. Citizens correspondence regarding the Hartland Sportman's Club.
- c. Planner
- d. Building Inspector

S. Hussinger stated the total number of permits to date is 41 with one occupancy permit this month.

9. Adjournment.

K. ATTWELL MOVED TO ADJOURN THE WEDNESDAY, AUGUST 31, 2011 PLAN COMMISSION MEETING AT 9:14 P.M. D. JASHINSKY SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



Gina C. Gresch, MMC/WCPC
City of Delafield Clerk-Treasurer
Waukesha County