

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 October 27, 2010 Plan Commission meeting:

Present

Ed McAleer, Mayor
Kent Attwell
Michele DeYoe, Ald.
Michael Frede
Matthew Katz
Chris Smith
Roger Dupler, Planner
Tim Schuenke, Administrator
Gina Gresch, Clerk-Treasurer
Tom Maney, Building Inspector

Absent

Kevin Fitzgerald
Dan Jashinsky

1. Approve Plan Commission meeting minutes of September 29, 2010 meeting.

C. SMITH MOVED TO APPROVE THE SEPTEMBER 29, 2010 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.

Tim Aicher, 211 E. Laurel Circle, stated he is the 7th District Alderman and encouraged the keeping of chickens in residential areas. One of his constituents has a three acre parcel and had chickens as pets and as part of a youth project. An unexpected rooster was in the bunch and created some noise. Currently it is against the zoning code to have chickens in the City. This is worth exploring. Madison, Jefferson, Medford, Brookfield and several other municipalities allow chickens.

Jeff Krickhahn, 4506 Vettelson Road, stated he is the 1st District Alderman and encouraged the keeping of chickens in residential areas. One of his constituents also has chickens and he too is in favor of this change. If you can have horses on three acres then why not chickens. There are some areas in the City that are less than three acres where it would be totally acceptable and it wouldn't interfere with nay neighbors. It's pretty common that people don't want the roosters so they could be excluded.

David Busleee, 1729 Hillcrest Drive, stated chickens are a social, low maintenance animal and are and quieter and cleaner than most dogs. They are adaptable to suburban areas, offer great opportunities to families. Backyard coups are no more of an eyesore than hot tubs, trampolines or swing sets. Chickens do not smell and five hens produces less waste than one medium size dog, which can be composted. There is some occasional clucking which is not audible to anyone more than 25 feet away. They cluck before or after they lay eggs. They do not attract predators and are penned up. They also don't pose any health risk. They are a good pet and good for the community. He supports backyard chickens.

Dave Rahmlow, 2415 Oakwood Road, supports any ordinance to allow chickens. They are very easy to maintain, are a good experience for the family, and young kids get to eat locally. They have been very good for his family.

K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:11 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

3. Consent Agenda (Recommended approvals in accordance with the staff report).

R. Dupler stated #3c on the Consent Agenda has amended hours for special events. The applicant requests the hours to be 8:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to Midnight Friday and Saturday.

- a. **DELDC 0793.001.001, 415 Genesee Street, Delafield.** Owner: 616 Hotel, LLC. Applicant: Scott R. Rookus. Applicant seeks approval of a Business Plan of Operation Amendment to change the Delafield Hotel/Andrews Restaurant ownership.
- b. **DELDC 0803.011, 19 Crossroads Court, Suite 102, Delafield.** Owner: Dr. David Schlaack. Applicant: Larry Feaman. Applicant seeks approval of a Business Plan of Operation for a payroll processing office, Payroll Express USA. Hours of Operation are weekdays 7:00 a.m. to 5:00 p.m. with 5 full time employees.
- c. **DELDC 0792.056, 803 Genesee Street, Delafield.** Owner: Ace Delafield Properties. Applicant: Susie Steiner. Applicant seeks approval of a Business Plan of Operation of a non-profit art center, Dreamers Center for Creative Arts. Hours of Operation are weekdays and Saturdays 11:00 a.m. to 6:00 p.m. and Sunday 11:00 a.m. to 2:00 p.m. with 2 part time employees-volunteers.

K. ATTWELL MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA IN ACCORDANCE WITH THE STAFF REPORT AND THE HOURS OF OPERATION AMENDMENT FOR #3C, DREAMERS CENTER FOR CREATIVE ARTS, 8:00 A.M. TO 10:00 P.M. SUNDAY THROUGH THURSDAY AND 8:00 A.M. TO MIDNIGHT FRIDAY AND SATURDAY. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED

4. Final Consideration, Approvals, Previous Approval.

5. Plans of Operation, Signage and Site Plan.

- a. **DELDC0803.003, 2410 Milwaukee St. Delafield.** Owner: John T. Shuder. Applicant: Shuder Development LLC. Applicant seeks approval of an accessory building for storage.

John Shuder was present and stated he would like to build a garage/storage unit for his tenants. It will take up 5 parking spaces but will provide four parking spaces in the building. There was discussion about where the building would be located in the parking lot, if it will impose on parking and traffic and what it will look like. Plan Commission was concerned about the building sticking out too far into the parking lot. K. Attwell stated he doesn't see why a retail building would need a garage. R. Dupler stated accessory buildings are allowed in this area. There was more discussion about possibly moving the building back but only have four feet of extra room to work with. There was more discussion about the building materials and what it will look like. J. Shuder stated it will match his existing building and the neighboring condos.

K. ATTWELL MOVED TO DENY ACCESSORY BUILDING FOR STORAGE FOR DELC0803.003, 2410 MILWAUKEE ST. DELAFIELD. OWNER: JOHN T. SHUDER. APPLICANT: SHUDER DEVELOPMENT LLC. MOTION FAILED FOR LACK OF SECOND.

Plan Commission had discussion about the Planner working with the applicant to determine the footprint and building materials. Plan Commission agreed to refer the building materials to Planner Dupler and approve this subject to staff review.

M. DEYOE MOVED TO APPROVE THE ACCESSORY BUILDING FOR STORAGE FOR DELC0803.003, 2410 MILWAUKEE ST. DELAFIELD. OWNER: JOHN T. SHUDER. APPLICANT: SHUDER DEVELOPMENT LLC. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY K. ATTWELL AND SUBJECT TO THE APPLICANT WORKING WITH THE PLANNER ON THE BUILDING FOOTPRINT AND MATERIALS AND COMING BACK TO THE DECEMBER 15 PLAN COMMISSION MEETING FOR REVIEW AND APPROVAL.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- b. **DELCO 0803.998.001, 211 Hwy 83, Delafield.** Owner: William Earl Holz, McDonalds. Applicant: Bob Stell, Lemberg Electric. Applicant seeks approval of an electronic message board.

Bob Stell was present and stated alternations to existing pole sign, new facing on existing sign, remove manual message board and replace with LED message board. Message will change as often as the Plan Commission wants it to. M. DeYoe stated the sign can't flash and must have a static display. R. Dupler stated Design Mart changes their sign once a day. C. Smith asked if there are brightness standards, which there are and most LED signs are dimmable. Plan Commission discussed the color of the LED sign bulbs. B. Stell stated they will be red. Also, the McDonalds "M" sign will be smaller than the prior sign. It will be 6' x 4'.

K. ATTWELL MOVED TO APPROVE THE ELECTRONIC MESSAGE BOARD FOR DELCO 0803.998.001, 211 HWY 83, DELAFIELD. OWNER: WILLIAM EARL HOLZ, MCDONALDS. APPLICANT: BOB STELL, LEMBERG ELECTRIC. SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. M. DEYOE MOTION CARRIED. SUBJECT TO THE LED BULBS BEING RED, THE MESSAGE CHANGE ONCE PER DAY THE SIGN DOESN'T SCROLL OR FLASH.

6. Preliminary

7. Zoning and Ordinance Revision.

- a. Discussion and action on referral from the Common Council to allow fowl in residential districts and hold a public hearing for the same.

R. Dupler stated the City's Zoning Code allows one head of livestock or 20 fowl for the first three acres, and one additional head of livestock or 20 more fowl for each additional acre. Those numbers are based on biomass. At this time, he has not considered any numbers for keeping less than 20 fowl on anything less than three acres. There was discussion about how many acres and how many chickens could be allowed, based on a graduated scale. M. DeYoe stated she would rather have an ordinance drafted by someone else that the Plan Commission can pick apart rather than try to draft their own. C. Smith stated he is surprised that the Plan Commission is even talking about this. What does the Plan Commission do when someone asks to have rabbits or small bovines in a residential area? He doesn't see why the Plan Commission needs to create something for a small group of people. E. McAleer stated he has had numerous calls about chickens and that people are encouraging him, the Common Council and Plan Commission to allow having chickens in residential areas. It is their duty to discuss it. There was further discussion about only allowing hens and not roosters and drafting an ordinance to allow only chickens in on the residential districts. T. Maney stated some subdivisions could have covenants or deed restrictions will trump the City's ordinance and they have to police themselves.

M. DEYOE MOVED TO DIRECT PLANNER DUPLER TO DRAFT AN ORDINANCE TO ALLOW CHICKENS IN RESIDENTIAL DISTRICTS AND TO HOLD A PUBLIC HEARING ON DECEMBER 15 FOR THE SAME. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. Discussion and action on referral from the Common Council to review sample Election Sign ordinance language and hold a public hearing for the same.

Alderman Krickhahn stated he submitted sample election sign language that limits the size, placement and number of days the signs can be up. He feels the signs for this last election got out of hand. There was flags attached to signs, which is not proper flag etiquette; flags should be lit. The Plan Commission discussed the proposed language and made some modifications to it. Plan Commission stated they were ok with having signs up for 45 days and not allowing any signs to have electricity, audio, flags or streamers. There was discussion about who will be removing the signs when they are up to long. It was suggested the Public Works Department could do that. There was further discussion about having signs on private property versus putting them in the right-of-way. T.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Schuenke stated the City cannot remove signs on private property. Someone could accuse the City of trying to harm or hurt a campaign. G. Gresch stated if someone complains about a sign being too close to the road, the Clerk contacts the candidate and asks them to move the sign within a few days. If they do not, the Clerk directs the Public Works Department to remove the sign. If the sign is not removed by Election Day, the Clerk goes out and pulls the signs. She asked that that language be included in ordinance. Plan Commission members also asked to include verbiage that only one sign per candidate be allowed.

K. ATTWELL MOVED TO SUBMIT ALDERMAN KRICKHAHN'S DRAFT ELECTION SIGN LANGUAGE TO THE CITY ATTORNEY FOR REVIEW, AND TO MAKE THE FOLLOWING CHANGES: CHANGE THE NUMBER OF DAYS ELECTION SIGNS CAN BE UP FROM 30 TO 45, SIGNS CAN BE NO LARGER THAN 11 SQUARE FEET, NO MORE THAN ONE SIGN PER CANDIDATE BE ALLOWED, ADD VERBIAGE ABOUT THE COMPLAINT PROCESS GOING THROUGH THE CLERK'S OFFICE, AND TO HOLD A PUBLIC HEARING ON DECEMBER 15, 2010. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY M. KATZ.

8. Hearing Dates.

G. Gresch stated the Plan Commission will hold a public hearing on numerous changes to Chapters 17 and 18 of the Zoning Code, along with a Conditional Use Amendment for Village Square signage on November 17, 2010. The December 15 Plan Commission meeting will hold a holding hearing on chickens and election signs.

9. Administrator's Report.

10. Planner's Report.

11. Building Inspector's Report.

T. Maney stated there were 33 permits, of which three were new single family home permits.

12. Board of Zoning Appeals.

13. Correspondence.

14. Adjournment.

C. SMITH MOVED TO ADJOURN THE OCTOBER 27, 2010 PLAN COMMISSION MEETING AT 8:10 P.M. M. KATZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



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