

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARINGS

CONSIDERATION OF AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT - PLANNED DEVELOPMENT (NAGAWAUKEE CENTER), TAX KEY 804.999.003, 3030 GOLF ROAD, DELAFIELD

The Public Hearing was declared open at 7:00 p.m. M. Czubkowski read the public hearing notice. No written comments were received on the hearing.

Acting Chairperson, P. Schuman, asked three times if there were any citizens who wished to speak on this matter. There were none.

M. SAWALL MOTIONED TO CLOSE THE PUBLIC HEARING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE PUBLIC HEARING WAS CLOSED.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

- Phil Schuman
Mike Court
Marty Sawall
Beth Leonard
Roger Dupler
Tom Maney
Chrys Mursky (entered 8:55 p.m.)
Matt Carlson
Marilyn Czubkowski

- Mayor Paul Craig
Dick Kuchler

- 1. APPROVE PLAN COMMISSION MEETING MINUTES OF NOVEMBER 15, 2005

B. LEONARD MOTIONED TO APPROVE THE MINUTES OF THE NOVEMBER 15, 2005 MEETING. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 2. DELAFIELD CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA

P. Schuman stated that there were three individuals who wished to speak on Agenda Item 4b. With the consent of the Council, the individuals would be allowed to speak during the discussion of the item. There were no other citizens who wished to speak.

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M. SAWALL MOTIONED TO CLOSE THE CITIZEN'S COMMENTS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR MOTION CARRIED.

3. CONSENT AGENDA.

R. Dupler asked to remove items 3a and 3d.

B. LEONARD MOTIONED TO APPROVE ITEMS 3B AND 3C. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- a. **TAX KEY 792.058.001, U. S. POST OFFICE, 925 GENESEE STREET, DELAFIELD.** OWNER OF PROPERTY: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY. APPLICANT: JAN MICHAEL HELD. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR THE DELAFIELD POST OFFICE. STORE HOURS OF OPERATION ARE WEEKDAYS, 9 AM - 6:30 PM; SATURDAY, 9 AM - 2:30 PM

The weekday hours would be 8 am – 6:30 pm. There were no other changes.

B. LEONARD MOTIONED TO APPROVE. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 804.982, 2926 GOLF ROAD, DELAFIELD.** APPLICANT: CHAD ENGSTROM, ALPHA NEONX SIGN & LIGHTING. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR SUPER CUTS, A HAIR SALON. HOURS OF OPERATION ARE WEEKDAYS, 9 AM - 9 PM; SATURDAYS, 9 AM - 6PM AND SUNDAYS, 10 AM - 5 PM. FOUR FULL-TIME EMPLOYEES.

Approved.

- c. **TAX KEY 804.999.004, 3173 GOLF ROAD, DELAFIELD.** APPLICANT: BABCOCK SIGNS. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR CINGULAR WIRELESS (ALPHA COMMUNICATIONS)

Approved.

- d. **TAX KEY 787.076, 815 GENESEE STREET, DELAFIELD.** APPLICANT. JENNY ALLEN. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR BARK RIVER KIDS, A CHILDREN'S CLOTHING, GIFT AND CLASSES RETAIL STORE. HOURS OF OPERATION ARE WEEKDAYS, 10 AM - 8 PM; SATURDAY, 10 AM - 5 PM; SUNDAY, 12 NOON - 4 PM. ONE FULL-TIME AND 2 PART-TIME EMPLOYEES.

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There was a minor change to the signage. J. Allen was present and explained that she had to change her name legally and made changes to the logo which she displayed. It was clarified that the address on the agenda should have been listed as 808 Genesee Street. R. Dupler stated that the colors were consistent with the downtown guidelines. In order to bring the sign fully compliant it needs to be reduced to 12 sf. It is currently 17.5 sf. He recommended approval with those stipulations.

B. LEONARD MOTIONED TO APPROVE WITH THE SIGN BEING REDUCED IN AREA TO 12 SF. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **TAX KEY 804.999.003 - PARCEL 2, 3030 GOLF ROAD, DELAFIELD.** APPLICANTS: JACK & HANS WEISSGERBER. APPLICANTS SEEK APPROVAL OF AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE ADDITION OF AN ACCESSORY BUILDING TO THE HOLIDAY INN EXPRESS PROPERTY.

L. Renny from the Redmond Company was present representing the Weissgerbers on the Concierge building.

R. Dupler stated that the parcel is in the B6 zone, governed by a Conditional Use. The addition of a structure to that parcel would be a major change to the Conditional Use. The submittal materials were reviewed, they were notified of the deficiencies, asked for additional information and they satisfied all of the conditions required as part of that submittal. The unique criteria to be considered with the motion were outlined in a list of the conditional use criteria provided in the commissioner's packets. The proposed building's FAR is .0030. The space the building would go on is already impervious surface and would not require modification of the stormwater calculations. It displaces three existing parking spaces but will meet the required parking ratio. The building architecture is appropriate. The frontage for the sign calculation should only be 26' and would accommodate only 39 sf of permanent signage – they currently illustrate 78 sf of signage. If the signs went on two sides of the building (the north and east facing elevations) it would bring it within square footage compliance. Issues that need to be considered in regards to the use of the building include the potential conversion of the property's use. He felt that consideration must be given to restricting the actual use of this structure. The mechanism that would need to be used would be to revise the existing conditional use agreement with appropriate language and get the input of the City Attorney in order to limit the actual users of the site to be nonprofit organizations. Measures need to be taken to make sure that a litter problem is not created. A Business Plan of Operation would be needed if the building were to be manned. He recommended that this be

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considered a major change, to work with the Petitioner to formulate language that modifies the Conditional Use with Council's input, and come back with that language for the Plan Commission's approval.

The Petitioner stated that they would like this as a separate building so that it is visible, accessible, and able to be maintained and supported by a major structure that the Holiday Inn Express provides. R. Dupler explained the intent of the Business Plan of Operation.

General discussion took place on possible uses and services that might be provided. There is not a specific signage package at this time. R. Dupler stated that Staff had a mild concern that this could potentially evolve into a lease-able space. M. Court expressed concern regarding traffic flow and whether additional traffic would be generated. The Petitioner did not think that there would be much traffic. M. Court would like to have the traffic engineer look at this and incorporate it into the traffic analysis that was done on Golf Road so that it could be documented. B. Leonard discussed temporary pedestal signage to indicate parking for the kiosk. The Commissioner's packets included traffic flow documents provided by the Petitioner showing the amount of parking and traffic flow. R. Dupler stated that a review of the final sign plan and business plan of operation would need to be reviewed.

M. SAWALL MOTIONED TO APPROVE AND RECOMMEND TO THE COUNCIL AS A MAJOR CHANGE WITH THE RESTRICTION OF THE OPERATIONS OF THE FACILITY FOR PROMOTIONAL INFORMATION WORDED AS PER COUNSEL/STAFF, TO PREPARE THE AMENDMENT OF THE CONDITIONAL USE AND THAT A BUSINESS PLAN OF OPERATION BE SUBMITTED FOR PLAN COMMISSION APPROVAL AS WELL AS THE SIGNAGE WITH COUNCIL'S AND THAT A MEMO ON THE TRAFFIC FLOW BE OBTAINED. B. LEONARD SECONDED THE MOTION. IT WAS CLARIFIED THAT THE SIGN SIZE WOULD COME BACK. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 826.011.004, 3370 BROKEN BOW TRAIL, DELAFIELD, WI. APPLICANTS: ERIC & SARAH JORGENSEN.** APPLICANTS SEEK APPROVAL OF A GRADING AND LANDSCAPE PLAN FOR CONSTRUCTION OF A DETACHED GARAGE

R. Dupler stated that the building permit was issued for the garage, but the neighbors have appealed to the Zoning Board of Appeals. A stop work order had been issued until the controversy is resolved. A memo from the City Engineer, M. Court, describing the analysis and recommendations was provided in the Commissioner's packet. There was concern about the grading and erosion control. He stated that with those modifications, he thought it was adequate to continue with the construction.

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A representative for the Jorgensens was present at the meeting. They were seeking approval under 17.13 of the grading plan. The Board of Zoning Appeal issues were resolved based on a letter from Attorney Sewell that determined that the appeal was not timely filed. The representative reviewed the site plan of the parcel. The temporary construction drive would be removed and restored. The low area in front of the lot was discussed. The Jahnke & Jahnke representative stated that he did not see any significant difference in either the amount of run-off or the location of it. Discussion took place on the variables considered when determining the location of the garage and the date indicated to restore the temporary construction drive.

Richard Dallen, 3434 Broken Bow Trail – He stated that in front of his and the Jorgensen's homes there is a retention pond. This summer the pond had ducks swimming in it. He stated that the Jorgensens had been plowing the foliage under all the way up to or close to the road. Standing water has gone up to where the garage is in the spring and winter time. The person who built their home put two standpipes in the front yard with French drains leading out to a pump so if the water got too high they could pipe the water into a trench that had been dug in the back. In June 1988 there are records in the City books and comments about the concern about the drainage in the area. They are located at the bottom of a "funnel" and the water comes from every single direction. They are at the bottom of the kettle. The pump cannot be used in the winter or spring with the cold weather. He believed that he had localized wetlands and this was a big concern of his. He described his relationship with the Jorgensens. In 1988 concerns were expressed about how things flow in the area. The absorption rate that would be taken up where the building is was a concern that he had. He referenced correspondence from Welch Hanson & Associates from August 1996. Other correspondence from June 6, 2001 was also referenced. Photos were distributed to the Commissioners. He felt that the City acted unfairly in the application of the Municipal Building Code – he and his wife were denied a hearing in front of the Board of Zoning Appeals because of filing the request 21 days after the approval of the building permit that he had no notice of until seven days after the permit was issued. He felt there was something wrong in the municipal code when no notice is given to the neighbors and then the number of days to appeal expires. This should be addressed in the future. He felt that the City opted out of punishing the Jorgensens for their instance of violation of the municipal code, i.e. no erosion control initially in place and the overage in amount of fill of 1038 cubic yards filled in the swale of the kettle on the property. M. Carlson corrected this statement. Discussion took place on the amount of fill allowed and criteria. He was concerned that there was less absorption and everything would flow down to his property. He would have preferred placement of the garage so that the driveway covered less land would absorb water instead of going down to the retention pond. He did not want any more water going into the pond.

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He felt that the water could reach a certain level and go across the road, thus posing safety issues.

Tracy Knapp, 3434 Broken Bow Trail – Her background is in geology and has a working knowledge of basic topographical maps surveying and how it interacts with the geology of the area. The site in question is a kettle. The proposal fails to show how the water drains in all directions into the retention pond. As a natural retention pond there is no outlet for the water other than absorption through the ground and evaporation through the air. This area floods every year. She proposed that if there is any fill in the 1021 contour, or below, there will be additional water directed onto both of the properties as the water will seek its own level to compensate for the loss of capacity in that drainage area/retention pond. She felt that the contours needed to be replaced to the September 30 level up to at least the 1021 level. She proposed that the City return the contour levels to the September 30 levels at the 1022 line to avoid complications with water flowing over the road. M. Court stated that he did not think it would take much to modify the grading plan and not to fill anything below the 1022. M. Carlson addressed stormwater capacity requirements when the homes were built. He asked if the stormwater capacity was sufficient for the neighborhood/subdivision. He asked if the stormwater was inadequate, what the possible solutions for the inadequate stormwater handling for the whole subdivision were. M. Court stated that a wetland delineator had confirmed that this is not a wetland area.

Attorney James Ward, Counsel for the Dallens – The Dallens contacted a surveyor to survey the properties. He distributed papers to the Commissioners. A comparison showed the amount of fill used. Section 17.13, Grade and Drainage Requirements should be looked at. He reviewed. He felt that if the grading/filling adversely affects the adjoining property, the property owners' written consent is needed in addition to the Plan Commission and Common Council's consent. The Dallen's property would be adversely affected by more water on their property than presently exists because of the amount of fill, roof of the garage, the concert driveway, and steeper slope which would contribute to less adsorption of water and would create a bigger retention pond. This would adversely affect their property. He addressed M. Court's recommendation versus the Dallen's recommendation. They would like an "as-built" to assure that it is built as it should have been built and as approved. The water on the south and east side of the garage should drain on the east side of the garage, not be brought around to the west side of the garage. (Someone in audience states that directions are mixed up). The water from the downspouts of the garage should head toward the Jorgenson house. The drainage of the property south of the garage should head to the west and go under the driveway and stay on the property. These are the changes they would like to see.

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A representative for the Jorgensens stated that the revised grading plan provides for nothing to be done below 1022. The building confirmed that they could route the downspouts towards the Jorgensen property. They did not feel there was any adverse affect. There is not any wetland. They did not have a problem with an as-built being shot after the project was complete.

Eric Jorgensen, 3370 Broken Bow Trail – They bought the property in 1997 and had garage in the original landscape closer to the lot line in the same place. He described the conditions of his property. The highest point they have seen the water is in the 10-20 area. Typically, the water sits for three days unless it is very saturated in the spring or in the winter with the snow melt. He plowed the land under with plans to plant wildflowers to try to naturally kill the weeds that were in there, as advised by Retzer Nature Center.

P. Schuman asked if it was possible to put pervious surface on the driveway between the garage and the house. Discussion took place on this, the possibility of having rain gardens, the depth of the swale, and the affect on the neighboring property. M. Court thought that the restoration of the low area/swale area with specs of a prairie mix that would encourage infiltration would be advantageous.

M. Court stated to try to get an easement where the actual ponding of the water is, where the existing easement is a 50' easement along the roadway and does not encompass where the depression is. If a larger easement were obtained and extended over to the Dallen land it would give one more level of protection. He thought that the as-builts show the modified plan and should be above the 1022.

M. COURT MOTIONED TO APPROVE THE GRADING PLAN WITH THE FOLLOWING CONTINGENCIES: PROVIDE AN AS-BUILT PLAN ONCE CONSTRUCTION IS COMPLETE, HAVE NO FILLING BELOW THE SEPTEMBER 30, 2005 1022 ELEVATION DUE TO MINOR ADJUSTMENTS TO THE GRADING PLAN TO REFLECT SUCH, PROVIDE THE SEEDING MIXTURE FOR THE RESTORATIONAL LOW AREA TO STAFF FOR REVIEW AND APPROVAL AND INCORPORATE INTO THE LANDSCAPING PLAN, NO LATER THAN MAY 15, 2006 AS FAR AS GETTING THAT RESTORED, AND IMMEDIATE REMOVAL OF ALL FILL MATERIAL WITH THE INTENT TO MATCH THE EXISTING VOLUME AT THE 1022 OR BELOW, AND THE DOWNSPOUTS THAT ARE ON THE WEST SIDE SHOULD BE POINTED TO THE WEST SIDE. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. REVIEW OF EXTRATERRITORIAL CSM FOR LAWRENCE F. SCHMIDT, TOWN OF SUMMIT.

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Mr. Schmidt, owner of the property, was present at the meeting and gave background on the property. The reason for the CSM is to get a legal description so that the County can record it.

R. Dupler stated that this was an extraterritorial plat review reviewing this plat for compliance with City of Delafield ordinances. A letter dated November 22, 2005 from D. Bosshard of Yaggy Colby was included in the Commissioner's packets. He recommended approval with the incorporation to Council.

B. LEONARD MOTIONED TO APPROVE CONTINGENT UPON ADDRESSING THE THREE CONDITIONS IN THE NOVEMBER 22, 2005 LETTER AND RECOMMEND TO COUNCIL FOR APPROVAL. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 804.994.017, 2810 HERITAGE DRIVE, DELAFIELD.**
APPLICANT: POBLOCKI SIGN CO. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR AURORA WILKINSON MEDICAL CLINIC.

A representative from Poblocki Sign was present at the meeting. He described the changes that they wished to make to the signage.

R. Dupler stated that the sign as proposed was compliant with the square footage allowed to the space. The only modification was the addition of the word "Aurora". The same modification would also be made to the monument sign that exists along Highway 83 (included in the packets). He encouraged consideration for approval. It was clarified that the exhibit handed out this evening complied with the 64' requirement.

B. LEONARD MOTIONED TO APPROVE THE SIGNAGE AS PRESENTED TONIGHT. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 804.994.017, 2810 HERITAGE DRIVE, DELAFIELD.**
APPLICANT: POBLOCKI SIGN CO. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR AURORA PHARMACY.

R. Dupler stated that this item required no action as it had been withdrawn.

- c. **TAX KEY 807.976, 3832 HILLSIDE DRIVE, DELAFIELD.** APPLICANT: DELAFIELD BREWHAUS, LLC. APPLICANT SEEKS APPROVAL OF NEW EXIT SIGN ON PROPERTY.

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A representative from the Delafield Brewhaus was present at the meeting. He stated that the "immediate seating" would be illuminated by two 20 watt lightbulbs in the evening.

R. Dupler stated that in the original site plan for this conditional use there was a sign intended for application at this location. It was installed, but afterwards it was determined that it blocked vision and they elected to remove it. The proposed sign is 1/10 of that size and should not pose visibility problems. Because it is a conditional use, it must be considered as a minor modification to a conditional use and recommend to Council as such. He recommended consideration for approval with that recommendation to Council. A signature is still needed from the business park owner in order to proceed. He stressed the importance of compliance with the temporary sign requirements in the City.

C. Mursky asked if anyone has verified that visibility would not be a problem and if this is the best location or if it should be further west. R. Dupler stated that this could be verified. He would like to see the screening material.

M. SAWALL MOTIONED TO APPROVE AND RECOMMEND AS A MINOR CHANGE TO THE COUNCIL CONTINGENT UPON WRITTEN APPROVAL FROM THE KETTLE MORAINES BUSINESS PARK OWNER, REINFORCE TEMPORARY SIGNAGE RULES, AND HAVE STAFF REVIEW THE LOCATION AND SCREENING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 825.994, 701 MAPLE AVENUE, WAUKESHA.** APPLICANT: RUSSELL MEIDENBAUER, HARTLAND SPORTSMAN'S CLUB. APPLICANT SEEKS TO ALLOW CONSTRUCTION OF SOUND ABATEMENT STRUCTURE, AS REQUIRED BY CONDITIONAL USE.

Mr. Meidenbauer was present at the meeting. He discussed the changes from the previously submitted sketches to the cad drawings that have now been submitted. He would like to seek approval tonight for the building as proposed, but he would like to go back to staff with the back wall.

R. Dupler stated that the existing conditional use mandates that they employ sound abatement structures, particularly at the 50 yard range and 200 yard range. In January they came with a site plan illustrating the location of the sound abatement structures. The Plan Commission acted to approve it as a major change to the conditional use. The 50 yard range has been constructed and is complete. They are now asking for approval of the site plan and architecture for the 200 yard range so they can fulfill their obligation and satisfy the conditions of that conditional use. The architecture submitted is comparable to the 50

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yard range shelter. In order to conduct NRA competitions there must be free flow of wind through the building at the firing line. It needs to be able to open on the days that there are competitions. Discussion took place on the sound abatement structure and how it related to the competitions. National competitions and how they relate to city tourism were discussed. R. Dupler stated that since the sound emanating from the firing line travels literally, it would be possible to build the walls leaving a four foot gap at the bottom of the wall, and then on the other side of the driveway put a corresponding wall at a higher elevation so that any sound traveling under the wall would be intercepted by the existing slope or the additional sound wall at the top of the slope. R. Meidenbauer was agreeable to this proposal.

M. SAWALL MOTIONED TO APPROVE CONTINGENT ON STAFF APPROVAL OF BOTH ORGANIZATIONS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY CONSIDERATION

- a. **PRELIMINARY APPROVAL OF CSM ROBERT HUTTON, NAGGIES, LLC, TAX KEY 755.983 AND 755.976, 2705 RIDLEY ROAD, HARTLAND.**

R. Hutton was present at the meeting. He would like approval for the CSM that was submitted.

R. Dupler had reviewed the CSM. A letter from his office dated November 22, 2005 was included in the packets and had been forwarded to the Petitioner and his surveyor. A turning radius for was presented for consideration and the general area was reviewed. They have asked R. Hutton to consider allowing City services to use a portion of his property to execute a "Y" turn. This would require an easement to extend into the property 24' and allow for a 16' wide paved apron. M. Carlson stated that the purpose of the CSM process is to address deficiencies that have occurred over time. This is such a deficiency. The alternatives are to either make the proper configuration through a cul de sac bulb on the end of Ridley Road or the less intrusive option of the turn around. T. Maney stated that the easement would not infringe upon the building setback line. M. Carlson clarified that the easement would not infringe on the buildability of the lot.

George Bogdanovich, 2010 Price Road – Lives in the bay in this area. It was clarified that the City was concerned about fire truck/emergency vehicle access to this area. G. Bogdanovich was concerned about the easement since they plan to improve this area by building a sizable house on the combined lots and the proposed paved area might be unusable to a future owner. He questioned whether a fire truck needed a

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paved area when fighting fires. P. Schuman felt that the trucks should be on concrete or something with a hard surface to provide stability.

C. MURSKY MOTIONED TO APPROVE THE CSM CONTINGENT UPON A 16' WIDE, 24' DEPTH, PAVED EASEMENT BEING PROVIDED FOR EMERGENCY USE AND WITH THE CONTINGENCY THAT NO PARKING BE ALLOWED ON THAT SECTION OF THE EASEMENT AND TO REFERENCE THE LETTER OF NOVEMBER 22, 2005. T. MANEY STATED THAT THEY COULD INCORPORATE THE EASEMENT INTO THEIR ENTRY DRIVEWAY. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The property owner asked to have the right to go before the engineers to re-look at the CSM to make sure that they are comfortable with the results of the easement. M. Carlson stated that the property owner's designer and engineer could meet with staff and work through the issues.

- b. **TAX KEY 730.990-994, 4830-4900 EASY STREET, HARTLAND.**
APPLICANTS: ANTHONY COLETTI, GODFREY, LEIBSLE, BLACKBOURN & HOWARTH, S.C. APPLICANT SEEKS PRELIMINARY CONSIDERATION OF A SITE PLAN FOR A CONDOMINIUM PROJECT.

A. Coletti was present at the meeting on behalf of the Applicant. This proposal would convert an existing apartment complex to condominiums. A. Coletti drafted and emailed the stormwater maintenance agreement to R. Dupler. R. Dupler stated that it had been forwarded to the City Attorney for review. A. Coletti clarified that the standards to apply were those that were adopted in 1995 when the complex was constructed, rather than today's standards that are different. The site plan would not change and no buildings would be added. The property was surveyed; all buildings and driveways were located, easements of record for the sanitary sewer and access were added and separate easements have been prepared for those easements that do not follow the sanitary sewers and access. A legal description has been prepared and will be added to the easement document. A drawing of the location of pavement on Easy Street was supplied to the City.

R. Dupler addressed the stormwater management agreement. Another issue is covered in the surveyor's review letter regarding city access in and out of the condominium. This property has right-of-way contiguousness with State highways. They gain access via a neighboring parcel. This is a separate document that will need to be recorded. He recommended consideration for approval. M. Carlson stated that this is preliminary consideration and would come back before the Plan Commission before final recommendation to the Council.

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B. LEONARD MOTIONED TO APPROVE CONTINGENT UPON ADDRESSING THE ISSUES IN THE SURVEYOR'S LETTER OF NOVEMBER 22, 2005 AND THE EXECUTION OF THE STORMWATER MANAGEMENT AGREEMENT. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

No report.

8. HEARING DATES

No dates are on record.

9. ADMINISTRATOR'S REPORT

No report.

10. BUILDING INSPECTOR'S REPORT

The total number of permits is 48, plus two occupancy permits and three new single family homes.

11. BOARD OF ZONING APPEALS

- a. Board of Zoning report from November 10, 2005 - variance granted to Thomas and Kim Schubert.

12. CORRESPONDENCE

None.

13. ADJOURNMENT

M. SAWALL MOTIONED TO ADJOURN FROM THE MEETING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:50 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC