

City of Delafield Plan Commission Minutes

7:00 PM Public Hearing to consider the rezoning of 2.51 acres of land in Cushing Park from C-1 (Conservancy District) to P-1 (Public and Semi-public Use District), for the use of a Public Library.

CALL MEETING TO ORDER

Mayor McAleer declared the Public Hearing open at 7:02 p.m. M. Czubkowski read the notice. She stated that the City received a letter opposing the library site.

Frank Geers, 2610 N. Huebner, Town of Summit – Mr. Geers stated that he is not opposed to a new Delafield library but is concerned at the attempt to change the zoning of conservancy land. He expressed concern about water quality issues and how changing the conservancy land will affect Upper Nemahbin Lake. He urged the Plan Commission to protect the resources in this area.

Bill Maslowski, 2007 Bay Point Lane – Mr. Maslowski stated that he does not oppose a new library, but questioned whether the growth of this City can support the kind of library that is being proposed; is concerned about changing land that is in conservancy and building on it; thought that another location should be found; and also questioned whether the new park should be located where it is being considered.

Terry St. Bernard, 1249 Willow Drive – Ms. Bernard stated that she is new to the area and thought that the current library is not sufficient; a library near town would be excellent. She felt that the proposed location for the library is a good one. Spoke in regards to the soccer field and felt that if the City is taking one field away, it needs to be replaced and that it would be nice to have several fields together. She stated that it was her feeling that if the proposed land for the library were a wetland it would be protected by the appropriate agencies. She is in favor of the rezoning.

Carl Hiyek, 193-3 Country Court – He stated that the main issue is changing a conservancy area to a public area. He thought that a better area could be found for the library and that the budget needs to be looked at. Suggested that the library should go to a referendum to find out what the public wants. The library needs to be more on-line. The conservancy area should not be changed.

William Schneider, 2604 N. Huebner Road, Town of Summit – Expressed concerned regarding the run-off from the present lot and that the addition of a library would have more run-off into the Bark River.

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Libby Gifford, 1504 Parry Lane – She is a member of the library board. Ms. Gifford stated that she is pleased about the Geason property purchase. She is confident that the architects and engineers hired for the library will take care of the safety of the Bark River. Why the present library cannot be added on to was addressed. She is in favor of the rezoning.

Linda Kuklinski, 2842 Nagawicka Avenue – Stated that the library is essential. Commented on using the conservancy land. Addressed the aspect of communication and “trust” between residents and the alderpersons who represent them. Thought that there was a lack of communication. It is her feeling that using conservancy land for the library has not been justified.

Skip Abbott, W332 S153 Wild Flowers Court, Town of Delafield – Is a library board member and a member of the Kettle Moraine Soccer Club. He stated that there is a shortage of soccer fields and that the soccer field located on the property for the proposed library site is not adequate for soccer games. He stated that he likes the land on 83 being used for soccer fields. The new land is being designed as a multi-use park. In regards to the library, the present library is now undersized. A new library will offer many things to the community. People with concerns should come to the library board meetings. He was in favor of the rezoning.

Bill Hargarten, 1525 Weber Court – Mr. Hargarten agrees on the previous statements in regards to the conservancy area. The land has been discussed with many agencies. He discussed programs designed to preserve shorelines, including those on the Bark River. Addressed the size of the building. Stated that the Lake Welfare Committee did not have any input in the nature of this project. Regarding building another soccer field on Hwy 83, he stated that this land was originally set aside for residential and should go back to residential. He resents that Ald. Schuman was quoted as saying that there are no problems where the library is being proposed. He was against the rezoning.

Phyllis Sigmond, 1543 Milwaukee Street – She is a city resident, soccer mom, librarian, and is on the library board. Addressed the location and stated that out of all of the meetings held, the public stated that they wanted a library located in downtown Delafield and that there is no other location where the library could be located. Addressed green space issues. Thought that the library should be placed where it is being proposed. She was in favor of the rezoning.

Audrey Kellner, 1116 W. Devonshire – She is in favor of having a new library, but is concerned with negatives when no one comes up with an alternative positive location.

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Tom Kelley, 2218 W. Shore Dr. – Mr. Kelley displayed maps from SEWRPC. He stated that the proposed library land is wetland. Addressed land use and water quality problems. Stated that this was never brought before the Lake Welfare Committee. He is against where the library is being proposed to be constructed. Asked that this land not be zoned and that it be kept as conservancy. The City should look at other sites. He stated that the City of Delafield should cooperate with the people that the Bark River flows into. Stated that the people should have a voice in the park land purchase.

Mayor McAleer spoke in regards to the intent in purchasing the Geason property.

Carol Snyder, 1021 Lake Drive – She spoke as member of the library board. Addressed how this site was chosen and that the decisions made have been educated decisions. The library is interviewing architects next week, and they are aware of the land. The person hired will be responsible at the site and will take all precautions that are needed. She thought that the zoning should be changed.

Marty Webb, 290 Fieldstone – Member of the library board. Stated that the library is going electronic and that by doing so they will need even more space than books require. Is in favor of the proposed library site. They will be working with the architects to make sure that they are cautious.

Karen Dalum, 997 Hawthorne Drive – She is in favor of the new library and believes that the library needs to be downtown. This proposed location is ideal. She wholly supports the location and the building of the library.

Brian Feracy, 852 Scenic Heights Drive – He stated that he is in favor of the site. This is a growth issue.

Jim Zahorik, 1948 West Shore Drive – Mr. Zahorik distributed correspondence to the board members addressing the 31.5 acres. The closing date on the property was discussed. He discussed the library property water table. He is concerned about the type of soil that the library will be built on. The size of the library was discussed. He addressed the costs of the building of the library and the purchase of the Geason property. Asked that the location and soil instability problems be considered in the future.

Jocelyn Bubolz, City Librarian – Showed map of downtown Milwaukee. She assured people regarding the final selection of architects. The people were assured that the library board and project manager are taking everything seriously. The new library will be built responsibly and it will be built to be a

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credit to the community. The library will be a positive aspect to the City of Delafield.

Frank Geers, 2610 N. Huebner, Town of Summit – Mr. Geers stated that bore tests on this property have shown that concrete is buried underneath the soil and suggested that the architect consider pilings when constructing the new library on this site.

R. TRUNZO MOTIONED TO CLOSE THE PUBLIC HEARING. R. TRANSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE PUBLIC HEARING CLOSED.

ROLL CALL

Present

Absent

Mayor Ed McAleer
Phil Schuman
Robert Trunzo
Fred Welch
Robert Transon
Marilyn Gardner
Diri Curtis Costa
Roger Dupler
Tom Maney
Matt Carlson
Marilyn Czubkowski

CALL MEETING TO ORDER

Mayor McAleer called the meeting to order at 8:07 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

1. APPROVE MINUTES OF DECEMBER 19, 2001.

P. SCHUMAN MOTIONED TO APPROVE THE MINUTES OF THE DECEMBER 19, 2001 MEETING AS PRESENTED. R. TRUNZO SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. R TRANSON ABSTAINED. MOTION CARRIED.

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

Monique Henry, 2804 Burries Rd. – Regarding the Waterleaf Subdivision, she addressed safety issues, in particular stating that Sylvester Road is too narrow for additional traffic. She was concerned about the location of the second entrance to this subdivision

3. CONSENT AGENDA

R. TRANSOM MOVED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. FIVE WERE IN FAVOR. R. TRUNZO ABSTAINED. F. WELCH ASKED TO PULL ITEM D FROM AGENDA, BUT WAS IN FAVOR OF ITEMS A, B, AND C.

- a. **Tax Key 793.021, 524 Milwaukee St., Towne Center Building,** Owner, Robert Lang, Applicant, Thomas E. Kielma, D.D.S. Applicant seeks approval of Business Plan of Operation to operate a general dentistry practice. Hours of operation: 8AM – 5PM Mon. – Fri.; Three full-time and three part-time employees.
- b. **Key 803.988.001, 385 Williamstowne, Suite 3A,** Owner, William R. Toson, Applicant R.D. Hawk. Applicant seeks approval of Business Plan of Operation to operate **Algorithm**, Inc., a software sales and consulting firm. Hours of operation: 8:30 AM – 6PM; Two full-time employees.
- c. Grandhaven Extraterritorial in the Town of Delafield. (Review by Welch Hanson Assoc.)
- d. **Tax Key 807.985.008, 3833 Kettle Court East.** Owner/Applicant, Jeffords Family Limited Partnership (Michael Jeffords). Applicant seeks approval of Business Plan of Operation to operate an Auto Sales & Leasing business, **Jeffords Motor Car Co.** Hours of Operation: 9AM – 9PM Mon. thru Fri., 9AM – 5PM Saturdays. One part-time and four full-time employees.

F. Welch wanted to make sure that the applicants were fully aware of the constraints on car sales in the City of Delafield. Mr. Jeffords stated that the cars would all be kept inside the building and would not display outside.

F. WELCH MOVED TO APPROVE. R. TRANSOM SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS IS A PLAN FOR

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OPERATION AND NOT SIGNAGE. FIVE WERE IN FAVOR. R. TRUNZO ABSTAINED. MOTION CARRIED.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

None.

5. Preliminary Consideration

- a. **Tax Key 754.989.004**, Owner, Walter Steffan, Applicant Jorgenson/Toughner. **Waterleaf Subdivision**. Applicant seeking preliminary consideration of the plat of subdivision located at the corner of Price & Nagawicka Rd.

Attorney Dean Richards was present at the meeting. M. Carlson stated that the plat of subdivision has not been formerly filed and that this is presented only for concept and discussion. P. Schuman stated that there were objections from people regarding the locations of the entrances/exits and the general layout of the subdivision. Attorney Richards discussed the reasons for exiting out onto Nagawicka Road. General discussion on the subdivision took place. D. Curtis Costa expressed concerns about the environmental corridor and discussed this line in relation to where houses could be built. Discussion took place regarding the protection of the lakes and rivers from run-off. Attorney Richards stated that there will be lots located in the primary environmental corridor, but there will not be houses in it. R. Duplar reviewed the role of Waukesha County in the development process as it applies to the City of Delafield. Discussion took place on lots 4, 5, and 6 and whether the development should have a PUD. R. Duplar addressed the Price Road safety issues and stated that the Nagawicka Road exits were endorsed. The future plans of lot 20 were discussed. Presently there is a stormwater problem on Sylvester Drive and explanation took place how this subdivision will solve this problem. M. Gardner recommended that this go back to staff. The biggest concern of the Park & Recreation Committee is the run-off.

6. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **Tax Key 797.945, Ruff Property**. Owner, Ray Ruff, Applicant, Ray Ruff & Wayne Foster (The Foster Group). Applicant seeks preliminary approval of GDP for **Ruff's Preserve**, (a housing development); Developer's Agreement, Stormwater Management Agreement, and Conditional Use Agreement.

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Mr. Foster summarized the details of the development including the size, nature of the relationship between the owner and the Waukesha Land Conservancy, and the planning of the development. Mr. Foster stated that at a recent meeting the citizens in the area were pleased with the way the development is being planned. R. Duplar expressed concern about the double right angle entrance to the subdivision. Mr. Foster stated that he brought this up to the Public Works Committee and they did not express any concern. Discussion took place. M. Carlson stated that this is the first step in the approval of the GDP (general development plan).

R. TRUNZO MOVED APPROVAL AND TO RECOMMEND TO THE COMMON COUNCIL. M. GARDNER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. ZONING AND ORDINANCE REVISIONS

- a. Consider zoning amendment from C-1 to P-1 for Library Site and recommend to Common Council. (Main St.)

Discussion took place on the Geason property purchase and referendums. P. Schuman addressed the fire hydrant pipe to the library. The possibility of remodeling the City Hall was reviewed. Discussion took place on the task of finding suitable land for the library. Permits and agencies involved in building the library on this land were discussed. M. Gardner stated that she was in favor of a new library, but there many unanswered environmental questions. Her concern is that information should be given to the public regarding environmental and dollar issues for their review. She would like to have action on this item postponed until the public can be given the information that they have been asking for. R. Transon spoke in regards to the public comments offered at the public hearing and that there was an equal representation of people. Discussion took place on the commercial buildings built in the Town of Summit and their desire to protect their lake. D. Curtis Costa addressed changing conservancy land to buildable land and the cost of building on such land. Mayor McAleer stated that if the library does not build on this land, the land would probably revert back to conservancy. F. Welch reviewed the Giles report that showed that there are some bad soils on this property. Discussion took place. M. Carlson stated the nature of the DNR discussions that started about two years ago. R. Trunzo commented on the necessity of a Chapter 30 permit. R. Transon

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stated that the number of citizens present for an issue as big as this were minimal.

R. TRUNZO MOVED TO ZONE FROM C1 TO P1 AND TO RECOMMEND TO COMMON COUNCIL. P. SCHUMAN SECONDED THE MOTION. DISCUSSION TOOK PLACE ABOUT THE AMOUNT OF IMPERVIOUS SURFACE. FOUR (INCLUDING MAYOR MCALEER) WERE FAVOR OF THE MOTION. D. CURTIS COSTA OPPOSED. R. TRANSON AND M. GARDNER ABSTAINED. TO CLARIFY, A ROLL CALL VOTE WAS TAKEN: P. SCHUMAN, AYE; R. TRUNZO, AYE; F. WELCH, AYE; M. GARDNER, ABSTAIN; D. CURTIS COSTA, NAY; R. TRANSON, ABSTAIN; E. MCALEER, AYE. MOTION CARRIED.

7. HEARING DATES

None.

8. ADMINISTRATOR'S REPORT

- a. Lighting report regarding Downtown lighting—report submitted by Steve Hanson of Welch Hanson Assoc.

M. Carlson stated that the lights meet the standards. The brightness of the lights was discussed. It was stated that the new lights are a white light and that the old ones are yellow light. The intensities of the new lights are the same as the old lights. Shields on the lights were discussed. M. Czubkowski received calls from some residents stating that they were pleased with the new lights.

6. BUILDING INSPECTOR REPORT

Permits to date totaled 27 plus three occupancy permits.

7. BOARD OF ZONING APPEALS

None.

8. CORRESPONDENCE

- a. Correspondence from Carl A. Hayek regarding the rezoning of the conservancy area for the Library Site.
- b. Correspondence from Thomas J. Weis and Elizabeth S. Lloyd-Weis regarding concerns over the Ruff property development.

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- c. Response letter from Roger Dupler of Welch Hanson & Assoc. addressing the Thomas & Elizabeth Weis' concerns.
- d. Correspondence from the Wisconsin Dept. of Administration regarding the preliminary plat map for ***Delafield Commons***.

6. ADJOURNMENT

P. SCHUMAN MOTIONED TO ADJOURN FROM THE MEETING. M. GARDNER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:44 P.M.

Respectfully Submitted,

Prepared by,

Marilyn Czubkowski, Clerk

Accurate Business Communications