

CITY OF DELAFIELD PLAN COMMISSION MINUTES

7:00 p.m. Public Hearing to consider request of Industar Digital PCS, 633 East Mason Street, Milwaukee WI 53202 requesting a conditional use permit to construct power pole/communications on existing poles owned by Wisconsin Electric Power Company. Facilities with separate equipment shelters will be located at each base with access to the properties.

Representative from Industar spoke regarding location of sites. Landowner on west side of Cushing Park was not interested. Modify application to second site to Del-Hart property.

Mayor indicated they would have to go to another public hearing. Take other application off table but leave on table bike path site. Would like ruling on first site. Mayor suggested they be on Del-Hart agenda to see if they would like to lease their property.

Jerry Lyons had nothing to say as they changed the location.

Hassan Karbassi spoke against site on bike path because of radio frequencies regarding health effects, wants additional information, size, dimension, power, etc. Opposes bike path site. Hilly area would be better, not populated or close to residential area.

Public hearing closed at 7:12 p.m. (Mursky/Trunzo). Carried.

Call meeting to order at 7:13 p.m.

Pledge of Allegiance

Present

Absent

- Mayor McAleer
- F. Welch
- J. Romanowski
- R. Trunzo
- R. Transon
- C. Mursky
- D. Costa
- J. Stockham
- T. Maney
- Matt Carlson

1. Approve minutes of July 28, 1999
2. Citizen comments pertaining to subjects on this agenda.
3. Plan of Operations, Signage and Site Plan
  - a. Tax Key 755.999.016 Peter and Cindy Thomas, 2610 Nagawicka Road. Applicant seeks site plan approval for pole barn

Tom Maney spoke regarding setback requirements, etc.

J. Romanowski asked if anything changed since original application. The applicant stated there were no changes. John Stockham mentioned ordinance needs to be cleaned up. Needs architectural review. Agree with Tom's interpretation. No colored rendering. None demanded per Tom Maney. Steel siding or vinyl siding. Matches color of house.

Chrys asked about second story. Owners indicated roof would only be over part of it.

**Motion to approve (Romanowski/Trunzo) Carried.**

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b. Tax Key 804.994.014 Hillside Market, Poblocki & Sons sign previously approved. Placement of sign along Hwy 83 south of Hillside Drive Applicant spoke regarding placement of sign. John Stockham 's concern is DOT clearance. Their only contention is vision corner. R.A. Smith verifies sign is outside of vision corner. Ald. Romanowski asked if inside stormwater retention basin. His other concern is shortage of stormwater retention basin because calculations come up short. If we would discover more detention is needed, would recommend approving sign location subject to future location be adjusted if more stormwater detention is needed.

Ald. Transon suggested redoing calculations on stormwater detention.

Mayor McAleer suggested looking for new location right now. Administrator Carlson indicated we don't know what stormwater calculations are because they are based on an unknown land use. C. Mursky asked where more detention would be needed. J. Romanowski indicated corner of property.

**Motion to approve sign placement contingent on DOT approval, but property owner should be prepared to move sign if more detention basins are needed. (Romanowski/Mursky). Carried.**

Tom Maney asked if location is still in the hole. Applicant stated it is more south than west. Comes out of the hole, drastic drop, it's on higher ground.

c. Tax Key 781.990 Kettle Moraine Free Church. Applicant seeks signage approval for sign at Hwy 83/Oakwood Road

Alex representing KM free church. Temporary sign, one year, maximum two years. 5' high sign from the bottom. Understands setback requirement. Will be 60' feet from roadway. Melamine on wood frame material. John Stockham said if setback, won't need DOT approval. D. Curtis-Costa asks nothing more than one year. Mayor McAleer said it is meant to be there until they building their church.

**Motion to be approve sign and placement of sign with 2 years maximum length of time, 50 feet off right of way or DOT approval, accurate site plan with location of sign submitted prior (Mursky/Romanowski). Carried.**

d. **Tax Key 807.985.008** 3833 Kettle Court East, Greg A. Schilling, Applicant. Applicant seeks plan of operation and signage approval for new pallet racking and shelving business. Hours: Weekdays and Saturdays 7:00 am to 4:00 pm

Applicant not present. **Motion to table.(Transon/Mursky). Carried**

e. **Tax Key 804.994.002 and 804.994.006** Wal-Mart Store. Consider request of Griffin Ford to hold tent sale Wednesday-Saturday, October 6-9. Hours of sale: Wednesday, October 6, 12-9 pm, Thursday, October 7, 9-9pm, Friday, October 8, 9-9 pm and Saturday, October 9, 9-6 pm. Set up to occur on Monday and Tuesday, October 4-5. Tear down on Monday, October 11th.

Attorney Langley for Jack Griffin Ford, Waukesha. Seeking approval for tent sale. Plan of operation submitted. Stated hours, one week sale including set up and take down.

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Advertising will be primarily by mailer to residents. Will give away automobile. Tent is 40'. Licensed electrician will set up.

Mayor expressed concern regarding Wal-Mart's commitment to quality operation. No representatives from Wal-Mart present. J. Romanowski is embarrassed how Wal-Mart is taking care of their property. Planting beds full of weeds. Lumber on one end of property where sale is to take place. J. Romanowski does not feel a sale should be held if Wal-Mart doesn't clean up their property. R. Trunzo stated if we start doing this with Wal-Mart, are we going to see this happen at other stores. Mayor stated this is a good point. Maybe commission should deny tent sales altogether.

Mayor stated it's the tone we're trying to set. It's an upscale area. Tent sales take away from that. R. Trunzo stated it's a policy decision.

**Motion to deny Jack Griffin tent sale at Walmart (Trunzo/Costa). Carried.**

- F. Tax Key 798.017 Wholly Cow, Jim Stoffer, Applicant. Applicant seeks reconsideration of approval for replacement of windows in front of the building.

R. Trunzo asked why request was rejected last time. D. Curtis-Costa stated it's a residence and a business. J. Romanowski would like to reconsider denial and limit number of windows. Double hungs on east side. Tom Maney stated new picture window would be on east side and south side.

**Motion to approve for replacement of windows subject to the menu board not exceeding 25% of the window and actual sign and any other lettering approved by staff (Trunzo/Romanowski). Carried.**

G. Tax Key 803.006 Darlene Osgood, Owner, Jennifer Wissmiller, Applicant. Applicant seeks plan of operation approval for massage therapy business to be located at the Sun Room, 20C Crossroads Court. Hours: Weekdays 8:00 am to 9:00 pm, Weekends 8:00 am to 5:00 pm

Applicant not present. **Motion to table (Mursky/Trunzo). Carried.**

4. Preliminary Consideration, Approval

A. Tax Key 798.018 Daybreak, Carrie Taylor LLC, 622 Genesee Street, Dairyland Fuel, Warren Oil, Owner, Randall D. Warren, 1230 S. West Avenue, Waukesha, Applicant. Applicant seeks conceptual approval  
Kent Johnson, architect and Randy Warren, Applicant were present. Presented site plan. Mr. Johnson wants to respond more to the pedestrian traffic. Building is 4200 foot print. Increasing size of parking. 8 fueling stations in back of building. 5 foot wide buffer on back of property to screen residential area. Nice landscaping in front. Dumpster area in back. Looking at 19 car parking. CBD-1 zoning, no setback, no parking requirements.

Portion of building will be convenience store. Tenant will be butcher. 2000 square feet would be offices for Randy Warren. Will handle more groceries. Merchandise will be much more extensive. Specialty high ends meats. No houses will be removed.

Mayor says he likes pumps in back but must be screened.

D. Curtis-Costa concern is the egress onto Main Street.

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Randy Warren stated there are 1500 transactions per day at the Daybreak store right now. Two driveways will be removed on the west and north corners.

Stockham stated removing those entrances would be an improvement to Genesee Street traffic.

Kent Johnson, project engineer, says intent is to create old time feeling. Some small signage on building. Don't know what exactly it will be. Glass in lower level. Incandescent lighting. Upper portion of building, cedar siding, nice detailing. Cedar shake roof.

Randy Warren wanted to address why he is doing. Thinks it will be net effect. Wants to be a player in Delafield, like what is happening here.

John Stockham stated parking is needed. Mr. Warren wants to put his office on second floor. Administrator Carlson suggested moving the refuse enclosures north (off property line) sidewalk on north side and architectural renderings of all four sides of the building.

Chrys Mursky suggested magnolia trees would be nice. Kent Johnson said it was a very good recommendation.

J. Romanowski asked about the width of the one-way driveway entering from Genesee. He would like to see more variation in landscaping and also stated that lighting will be a sensitive issue.

**Motion to approve conceptual plan (Costa/Romanowski). Carried.**

5. Final Consideration, Approvals, Previous Approvals
  - a. Tax Keys 794.016 and 801.997 Consider request of Industar Digital PCS to construct power pole/communications on existing poles owned by WEPCO.

John Karls from Industar spoke regarding the site. It is a bike path site. The top of the structure would be 83 feet. The access to site is over the bike path, not through the ice arena property. The site will match the existing building put in by Sprint. They are looking at doing four sites in this area, two in the City of Delafield. They tried to look at existing structures not being used. They are the fifth carrier to come. Administrator Carlson stated there are economic reasons to place towers on existing poles.

R. Trunzo stated this is another policy issue. Another tower was erected over 80 feet. We want to be consistent. This company needs to be treated the same way as other companies that have applied.

Diri Curtis-Costa asked where other companies are going to go. Is concerned about frequencies. Chrys Mursky is concerned about height. Buildings along bike path and other recreational areas are popping up.

Applicant discussed height of structure. There is an 85 structure owned by Sprint.

Mayor stated there are two towers on Geason farm right now. Their tower will stand out in residential area.

Applicant stated they need four sites, two inside City limits. Need height, it won't work with a lower height. Building will not be seen by anyone not riding on bike path. Structure height will be below tree height on bike path.

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John Stockham stated at staff meeting that non-residential and commercial sites should be looked at first.

Applicant stated Ameritech and Sprint are both along Hwy 83.

Bob Trunzo stated to check out the water tower site as suggested by Mayor.

Applicant asked if plan commission would allow another 10 feet to that 90 foot pole. Yes they would consider that amount to allow for another carrier.

Mayor recommends coming to plan staff. Chrys Mursky recommends listening to what they recommend as to not waste time of plan commission.

Administrator Carlson suggested meeting with builders of monopole to do co-location.

**Motion to table issue until September plan commission meeting (Costa/Mursky). Carried.**

Administrator Carlson suggested having City put a limit on the number of communication towers and have a request for proposal and when they are full, they are full.

6. Zoning and Ordinance Revisions
  - a. 17.38(10)(a) Permitted accessory uses in all residential districts and 17.46(24) conditional uses permitted. Accessory buildings over 220 square feet are in conflict

John Stockham presented memo regarding Hatfield issue of building a garage. Recommends it be a conditional use.

Tom Maney believes this is a hardship case and could go for variance. He believes he and Matt Carlson should talk to City Attorney. He believes these people could prove hardship.

John Stockham believes this should go to public hearing to give neighbors chance to speak.

- b. 17.38(10)(a)(i) Site plan approval. Recommendation is an up-to-date plat of survey

City Engineer Welch was not present at this meeting. Item will be discussed when he is at next meeting.

7. Hearing Dates
  - a. Two notices from John Stockham

8. Planning Discussion Information
  - a. So-lite neon sign

John Stockham stated this sign violates two sections of the Code. The flashing movement violate section.

**Motion to send to City Attorney (McAleer/Trunzo). Carried.**

- b. Downtown street lighting

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John Stockham discussed different types of fixtures. Will be coming back to public works and plan commission. Want to get away from flimsy structure.

9. Building Inspector Report

39 permits to date

2 new single family homes

1 Walgreen drug store

10. Board Of Zoning Appeals

Case 636, Butz, 7/22/99

Case 635, Maas, 7/22/99

11. Correspondence

- a. Correspondence dated August 12, 1999 from Stephen Wasser regarding Horizon Senior Apartment Development

Mr. Wasser was present. Would like to speak to Horizon regarding placement of second building. It was suggested he attend the next staff meeting with Horizon. City to send letter of Mr. Wasser notifying him of date of meeting.

- b. Correspondence dated August 13, 1999 from Herro Chapman Herro regarding Lake Country Corridor Compact Settlement

12. Adjournment

**Motion to adjourn meeting 9:50 p.m. (Mursky/Trunzo) Carried.**

Respectfully submitted,

Ellen O'Brien  
Deputy Clerk-Treasurer