

CITY OF DELAFIELD PLAN COMMISSION MINUTES

CALL MEETING TO ORDER

Mayor Paul Craig called the meeting to order at 7:01 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Mayor Craig: I would like to begin, first of all, by thanking of those petitioners who had to come back. I really note that this was an inconvenience and I apologize for the delay for your act of business, but we had to do what we had to do at that time. I ask for your understanding and appreciate you coming back. We'll try to move it through as quick as we can, but give you a fair hearing at the same time.

ROLL CALL

Present

Mayor Paul Craig
Phil Schuman
Fred Welch
Robert Transon (exited 8:45 p.m.)
Dick Kuchler
Beth Leonard
Roger Dupler
Matt Carlson
Marilyn Czubkowski

Absent

Chrys Mursky
Tom Maney

Mayor Craig welcomed D. Kuchler to the group.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF APRIL 30, 2003.

Mayor Craig

2. DELAFIELD CITIZENS' COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA.

Julie Platz, 703 Milwaukee Street - I'm sorry, I'm going to be repeating what I did two weeks ago. I'm going to address the situation, the Prickly Pear Business Plan of Operation. I am glad that they are extending their hours to be open for lunch. Anything that is brings activity to our downtown Delafield right now I think is good. I don't have a problem with the outside dining in theory, but I feel that the hours are too long. Tuesday through Saturday from 11 a.m. until midnight is too long for people to be outside talking. I feel that it should be vacated completely by 10:00 on all nights. There is a lot of people that live down over every business, I believe, except for the church and they should not have to listen to people talking loudly. They talk louder after they've had a few

CITY OF DELAFIELD PLAN COMMISSION MINUTES

drinks. If it's vacated by 10:00, I was wondering what steps would be taken to ensure that this happens. If there's tables out there, people are going to be sitting at them. Are they going to walk out and say, well you can't stay here after 10:00 or are they just going to remain there all of the time? Please, no outside music. With activity during the day, we're back to the same problem, parking. Employees and tenants must park in the rear of the Prickly Pear or else in the City lots. Three hour parking should be enforced as well. Downtown parking is tight and will be even more so this summer with the road construction. There are business groups that are trying very hard to keep people coming to downtown and everyone must work together to leave parking for retail customers. Please enforce the existing ordinances. Mr. Dupler in his attached letter recommends a 10:00 cut-off time. I think it should be 9 or 10. People do enjoy some quiet time in the evenings. Also, I would like to address Kuhlenbecks. The music such as at the Carpenter's Pub was not a problem. Rock music or bands larger than two or three people would certainly be inappropriate. I believe the Carpenter's Pub music stopped at 11 p.m. Twelve is too late. I don't know, but I thought we had a noise ordinance that extends from 11 a.m. - 7 a.m. Outside music during week is totally unacceptable. I mean, there's people that have to go to work in the mornings. Remember, everyone within the downtown and for several blocks further can hear this music very clearly. Thank you.

Bob Borkowski, 4521 Vettelson Road - First I'm just going to make a comment. One is the sound on the TV is lousy. I've noticed that the sound fluctuates and I assume that your technician is turning the volume up and down and I'd ask or suggest that you might keep the volume steady throughout everything to make everything on a pare. Also, there are certain comments at certain times from certain people who are not talking and then they do say something and they're not picked up because their mike has been turned down and then turned up. It makes it very difficult to understand when you are watching a tape or even watching the TV live if you don't feel like coming to the show. I ask you to please correct that. What I want to talk about is 4A, Plan of Operation for Mike Gatzow. I was here last time, I have a couple of comments. I just wanted to reiterate what I had to say the other day, or last time at the last meeting. I figured since it was a long one and I spoke way at the beginning you probably didn't remember what I said. We won't go into that. My concerns are safety, entering and exiting his property it is a blind uphill or downhill turn, traffic if he is pulling trailers or boats and trails in and out of there it is very, very difficult along that whole stretch anybody who has driven along that way would understand, but if you pulled into somebody's driveway and try to pull out and not get clocked, that's even more so. It's a 25 mph zone, but I've clocked people up to 55 and 60 coming down my road, so. That's something that concerns all the neighbors, I'm not just the only one. Noise. I don't have too much concern in some ways, but he has been building a building and I was woken up the last couple of weeks with a front end loader at 7:00 in the morning. I wasn't too happy about that. Could understand, though, that he wants to get the job done and finish up his stuff, but then Saturday afternoon for almost two hours or better he had some sort of gasoline powered device, I

CITY OF DELAFIELD PLAN COMMISSION MINUTES

have no idea what it was, a very high pitch whine, very noisy and it annoyed me and several of my other neighbors who I talked to. And I'm over a thousand feet to the west of that property. My other neighbors who are immediately adjacent, the Meyers and Resinecks, were not at home at the time on the weekend, so they had no way to comment on that. I'm also concerned about if he is doing any sort of maintenance on any kind of boats, about any kind of water contamination or spillage onto the ground. Right now he does not have a paved outside area. I assume that he is going to pave that, but I don't know how he is containing his fluids. We all have septic tanks and wells, there is no sewer there. Outside storage. I don't know if this is permitted or not. There are about a dozen boats on the property right now and have been on for several weeks on and off moving around. Outside repairs, or tune-ups, or winterizing are also the same concern that I'm talking about addressing. They have a building there, I'm assuming it would be inside, that would be fine. Hours of operation. According to my understanding from what I am reading here he wants to be open seven days a week, 8 am - 6 pm. Again, I'm not sure if that's in pare with the neighborhood as a residential area and also with the other two businesses which are west of me, formerly the Redi-Gas which I don't believe they're open on Sundays or Saturdays, I'm not sure about Saturdays, but they're a low impact office operation at the time. And then the nursery which is, they don't make any noise as far as I know or hear. Also those two businesses are B6 zoning, not B1A. I'm concerned about all these things because it may impact the future of a lot of other things on Vettelson Road. We've all talked about that in the past at great length and I just want to reiterate all of these things, so thank you.

Mayor Craig: Bob, it should be noted that we did get basically a transcript of last meeting. Your comments were remembered.

B. Borkowski: Okay. Thanks, have a good night.

Mayor Craig: Thank you. Are there any other citizens comments? Anybody else want to talk? Final chance? Nobody else is coming forth. Looking for a motion to close citizen's comments.

R. TRANSON MOTIONED TO CLOSE CITIZENS COMMENTS. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

R. TRANSON MOVED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- a. **Tax Key 783.991, 801.999.007, 651 Highway 83, Hartland.** Applicant Jason Wilke representing the Waukesha County Parks seeks approval of signage at Nagawaukee Park.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **Tax Key 733.989, 4439 Vettelson Road, Hartland.** Owner: Michael D. Gatzow. Owner seeks approval of Business Plan of Operation for Summer Fun Marine, a seasonal boat preparation service. Hours of Operation: Monday – Sunday, 8:00 a.m. – 6:00 p.m. on an as-needed basis and spring/summer. 2 full-time and 1 part-time employees.

M. Gatzow was present.

M. Czubkowski read the item.

R. Dupler: Mr. Gatzow is here this evening asking for your consideration of a potential sub-let is a condition of his existing conditional use that if he did have potential sub-lets that they would only be allowed with Plan Commission consideration. He is already a conditional use. The proposed land use will, of course, require, will be your option whether or not to require an amendment to his existing conditional use or could be approved administratively. Just to let you know, the intended use is not consistent with permitted uses in that district. Mr. Gatzow is here this evening to give the presentation to you and ask for your consideration.

P. Schuman: What is considered a proper use in that zoning?

RD: The B1A zoning is unique in that it afford a mixed use of residential and business uses. Those business uses are intended to be walk-in or pedestrian oriented retail businesses.

Mayor Craig: Do you have anything that you would like to say?

M. Gatzow: I have a whole lot, but more of an educational nature than anything else. I am here to answer any questions that anybody form the Plan Commission certainly might have and afford you my first hand knowle dge. The proposed tenant has in fact moved onto the premises because of the last meeting getting canceled and things. We had to just go for it and hope that the Plan Commission would give us our stamp of approval regarding what was going on. I have gotten very, very familiar with the business that Gary Schultz is running there. He has been a long time business owner. His business basically operates, he used to run Skipper Bud's, which is Waukesha and Delafield, of course, being in the center of the Lake Country, lakes are a real shot in the arm as far as a business venture, I mean there is a lot of people that make their living from piers and boating and on and on in this area. Most of his business is from customers who live on the shores of Pewaukee, Nagawicka, and Okauchee lakes. He does have the facilities out in Jefferson. I have never seen these facilities, I've seen pictures of them, but he stores approximately 300 – 350 boats out there. During the summertime he

CITY OF DELAFIELD PLAN COMMISSION MINUTES

takes and as boats go out, then people bring campers in and do whatever. But that's something that he runs out there. He had been leasing space down on Highway 18 for the last number of years and was looking for someplace a little bit more centrally located and a little bit more room than what he had down there. Gary's operation is very, very busy as I have come to notice in May as everybody wants their boats out of storage, certainly right at this time and they want them in the lake for Memorial Day weekend. And he will then be busy late September and through October. He goes to Hawaii, so it is a little lucrative, he goes to Hawaii for three months in the wintertime, so he won't be even anywhere on the premises through the wintertime. And very reduced times during the summertime because once the boats are in the water, there is very minor maintenance type of things to do on the boats. It's really a short term in and out kind of business that's not something that I'm used to. While I do a little bit of boating, I'm a general contractor and operate my business there and as far as the land usage, regarding the B1A zoning, that's something that was put in a lot, a lot of years ago. I forgot the zoning that we had changed from. There are 25 pre-approved businesses that the B1A zoning already lists. I could be a bar, a night club, we could be a mortuary, so I guess you could drink yourself to death. A number of different types of businesses really fit into it. So it's a real mixed use kind of business area. It is geared to be more business than residential, though Vettelson Road as we know from the different proposals recently is undergoing some spotlight views these days. It's a mixed use with residential and business use. The garden center that is due west of me by about a block is again a seasonal type of business where they're open year around but certainly their traffic is very busy this time of year and by the time fall comes around, that starts to slack off a lot. Redi-Gas was real, real busy, but since they ceased operations and sold their building, we'll have to see what happens with that building down the road and any other development in the area directly behind me will remain to be seen. Whatever happens with that as time goes on. So it's a real mixed use kind of an area. We've all been up and down the road a hundred times. My tenant has a certain amount of traffic certainly right now because of boats coming and going. His operation is basically is he does no storage on my site whatsoever. If a boat is there it is because boats were brought maybe in the morning, they are being portered, which is cleaning them, make sure they do a run-up, change the oil on them, whatever it takes and they are taken and put in the lake for different customers who live on the lake. So the customer is not taking boats in and out per se, Gary does this for them as a service, so my building is used strictly as an interim facility so they go out of the lake, get cleaned up, then go out to storage, from storage come to this facility, get cleaned up, go into a lake. And so any boats that are there are there for like a day as a drop off or waiting to get picked up, put into the lake, the rest of everything he's got, as of this morning he had like six boats inside the building and that's all inside. There is a pontoon boat that has been stored in the back of building for a couple of days because

CITY OF DELAFIELD PLAN COMMISSION MINUTES

they had to do some aluminum welding on it and they were waiting to get a part back – some guy ran into it with a jet ski and dented it. So there was like a body shop thing. Other than that, I understand Bob was upset about a couple of things. The pump that he heard running was actually a pump, I've got a, according to my stormwater management plan, I've got a water retention site and with all of the rain we've had has had a lot of water in it. We are still trying to do some landscaping and get some more gravel down because we are planning on getting the paving done in the near future which was a term of my conditional use, but with all of the water in that retention pond, we can't get in there to do a lot of work. So I've been trying to drain the water out of it so when we do get a little bit of a dry spot, it would be able to get in there without sinking in there of course, so that's what Bob heard. It had nothing to do with the business or any of those types of things. There are some other issues going on there that the board should probably be somewhat area of, but that's basically the usage that this gentleman wants. Keeping everything inside the building as much as possible. I would speculate that right after Memorial Day weekend there won't even be hardly a boat to be seen around the place because they will all be in the water and everything else happens right inside the building.

P. Schuman: There is a concern expressed about disposables of gas, oil, maybe antifreeze, that type of thing. What provisions are made to make sure it doesn't go into the soil and the watershed?

M. Gatzow: The best thing I can say, not knowing exactly what, you mean if they are washing something off of a boat?

P. Schuman: Say you are changing anti-freeze and you spill it. This is one of the things the citizen had comment on, Mr. Borkowski is concerned about things getting into the watershed and into his well.

M. Gatzow: Sure, I understand that. My house is right next to this property so it concerns me as well. I've got wells and those things of my own drinking water. I know that the gentleman has got plastic bins where everything, you know when they are changing oil, or inside of these boats, for the most part they're pretty big boats with a contained area where the motor sits inside the boat itself. So anything that did spill would be contained inside the boat and then it is either pumped or wiped up or whatever. He's got bit plastic sealed bins where things get pumped directly into those bins and a recycling service picks those bins up, I believe once a month or as those bins get filled and they pick them up and take them to a recycling center. So everything is contained that way. Any minor spillage that would get onto the ground, we have a water retention area, so I would imagine that in some point in time, it would get into that small retention area and evaporate or sit on that ground. And I don't know exactly, Roger, how that works, but I mean there's not much of it and we have that retention pond right at the back of where his

CITY OF DELAFIELD PLAN COMMISSION MINUTES

service area is so, I mean if that would have to be looked at, we are certainly open to that.

R. Dupler: The retention pond that Mr. Gatzow is speaking of is actually buffered with a filtration buffer if you will, a grass swale, it takes all the run-off from his garage site through about 50-60' of grass area before it gets to that basin.

P. Schuman: Didn't we approve another boat storage area where the Redi-Gas was?

R. Dupler: Yes.

P. Schuman: Similar type of business?

R. Dupler: Similar type of business. They were in that case zoned B6, so it was not so much of an issue for that particular site.

R. Transon: But they have boats stored there?

R. Dupler: Yes they do.

P. Schuman: There would be no storage here.

R. Dupler: They do not intend to have any storage other than just the temporary operational storage.

Mayor Craig: There was also a fence around that other boat storage yard that blocked versus you don't have...

M. Gatzow: Around Redi-Gas?

Mayor Craig: Yes.

M. Gatzow: There's just a chain linked fence, it's not a colored fence.

Mayor Craig: And they were to, if I recall correctly, put strips in so that it would not be seen.

R. Dupler: I don't recall if it was strips or if they were going to convert it to a board fence, but it was going to be a solid visual screen.

M. Gatzow: My tenant has no boat storage other than a temporary day or two while it's being serviced. There is to be no boat storage on my property of any type in any way shape or form. He's got 70,000 sf under contract in Jefferson, so there's not to be one single boat to be stored on my property unless it is inside the building.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Mayor Craig: Can you address Mr. Borkowski's issue of the safety of going around the corner?

M. Gatzow: Sure. I guess my feeling, bluntly about it would be it's my driveway, I live there, and we've been going in and out of that corner for a long time. It's a lot safer now with the 25 mph speed limit. My neighbor, that is a shared driveway, I have one neighbor who has a CAD business, so he has four or five employees next door, and we have a couple of trucks that service that area, the UPS trucks, and the FedEx trucks that have to negotiate that. I guess you would have to look at a police record and see if there have been any accidents. I don't know of any accidents there in probably 15 years. When the speed limits were higher, it was a little bit more dangerous and there was occasionally a close call because coming from the east to get right to my driveway, it gets pretty blank and if somebody is speeding, and occasionally we do have, I never mind seeing the police department sitting there checking radar because there are sometimes people that come flying out there, there's a lot of bike traffic, and sometimes the bicycle aren't very nice guys - they like to ride two, and three, and four wide and that's a little bit of a problem. They go pretty fast sometimes. But, as far as the boat traffic, you know, more than just the regular traffic, I have trucks and trailers that I use in my business. For your general knowledge, we never ever start a big piece of equipment at 7:00 in the morning. I don't do it. So I don't know what Bob happened to hear, but it wasn't from my property. Back to the traffic issue, I mean he might come and go six times during the day with a boat. I don't view that as being an awful lot of trips and traffic and those things that any normal contracting business or any of those types of things certainly wouldn't have. The fact that they have a trailer, yeah your exposure onto the road while you're in or out of the lane might be a couple of seconds longer, but that would really be about the extent of it. We do have a 25 mph speed limit, so if it is enforced, to any degree of regularity, I think it is reasonably safe. Ideally, we would not want to have any kind of driveway right onto a corner like that, but it would not be affecting Mr. Borkowski or anybody else farther west on Vettelson because their driveways, their roads, their traffic have no bearing, I mean it's my life that's out there, or the life of my tenant, we certainly don't want to create an issue but it's not affecting them at all. I do have three, or maybe a fourth direct neighbor and because we are kinda a little potted area, we're away from the rest of the traffic on Vettelson to the west of us, before this gentleman moved in, I went and spoke with both close neighbors who we have had a great working relationship with for 25 years that we've lived there and said, this is what we are proposing for a tenant, they all knew a tenant was going to come in. Everybody was very happy with the old structure that we tore down and built a much nicer, new structure. Made sure that they were happy with everything, and I've continued to work with them with any lighting issues or landscaping issues that come up. I want to make sure that they are happy and they are in no way, shape, or form had any objection to this business being

CITY OF DELAFIELD PLAN COMMISSION MINUTES

there. We've now there a couple of weeks through the toughest part of his year and there are no complaints. I talked to them. We have dinner usually at Wings up in Nashotah every Monday, we have Wings together as a small group and talk about these things and make sure everybody is on a real happy note. The Meyers, they'll be having a graduation in a couple of weeks for their son who is just a doctor. And they are going to have a hundred people at their graduation. Well, they park on my grass. I mean, so we are very good neighbors. We do a lot of things together. There are no problems. Any of them would be happy to sign an affidavit saying so. They're all happy that this guy's here.

R. Transon: So Mike, you said that this guy sometimes repairs boats, and when they repair boats they have to be on the property for several days. You said like the jet ski going into the boat. Where is the boat stored? Is it stored inside or outside?

M. Gatzow: The boat is mostly stored inside. He's had, and my experience is he's got one pontoon boat that a jet ski hit the side of the boat and they had to take some of the aluminum railing off and then there's some aluminum kinda of like sidewall. That boat sat inside the entire time. It sat outside today. He was just putting the last pieces on it. I understood that that boat was being picked up tonight. So, to answer your question, it was inside the whole time. I am in that building because I share that building also. I use it for my contracting business and so I see all of that stuff in there. I'm kinda proud of my building. I like it a lot. I've worked real hard on it and built it nice so I kinda watch things there. Living there, I don't want anything yucky going on around the place so we watch them. So I'm not going to kid, a boat, it might be outside for a day to two days, the same boat, but there are so many things just coming and going. He brings boats everyday right now and takes a bunch of boats everyday. So there are times over the weekend where you couldn't see a boat outside. Any boats that he had were 100% inside that building. Tonight when I came home, there were probably six boats sitting outside because they were just waiting for them to get picked up and new ones were going into the building. So right now it was a very busy day.

D. Kuchler: On your business, you contract your business. Do you have equipment you said that you drive in and out of your driveway or your facility everyday with a truck and a trailer or?

M. Gatzow: Yes sir. I've got a 16' enclosed trailer that is parked and kept on the premises and according to my conditional use that's all allowed. There is another truck that is sitting there while, quite frankly, I kinda inherited from a job and it's going to be there for probably one more week and it's going away. We've had dumpsters there. We were doing the whole build-out so we've had a dumpster in the parking lot for awhile while we were doing the build-out on the inside of the building for

CITY OF DELAFIELD PLAN COMMISSION MINUTES

the tenant's office area. So things have just been a little bit congested. We've had the driveway torn up with cable TV and electricians running power, so they've been doing trenching, so the building is mostly done, but there is a lot of finishing things that are happening. So it's a, you're constantly kinda moving things to make room for different things. Boats that were inside had to come outside while we were doing some overhead lighting and some of those kinds of issues. We ran another couple of water faucets inside the building so people could just get in there and work sometimes and do some of those things. Other than that, yeah, I've just those couple of pieces, I've got a skid steer that I use. I try to keep that inside all winter long. Right now we've been using it. I put it behind my garage. So there's no room inside the facility right now because I've been building all new shelving and things in there. Even when that's outside we try to stick it behind the garage where it's not in plain view. Because I live up on the hill, when you come down Vettelson from the east, the way that my land is situated, unless you really turn your head and look hard, you drive right past the place. You don't even see it. When you come from the west to the east, it opens up to you a little bit more, but because the Meyers house comes right out close to the road and they have a garage right next to my driveway, it again blocks a lot of the view until you get right smack in front of it for a couple of seconds and then if you turn left you'll see some that, but then you're going and you're going around a corner and down a bit of a hill and everything's out of view right away. So, it's not a facility that sits real wide open. I've got three acres there. I've got my home and a two car garage and then this building that we built to replace an old structure that was dilapidated and falling down, just real bad. Things are much better than what they were. A little busier, but my building business is busier at times also. So we try to keep the equipment down, but generally when we're gone we take off in the morning where its not trips in and out so much. I've been there 25 doing the same thing, we've never had one complaint from anybody.

F. Welch: That whinnying noise that was apparently occurred on a Saturday afternoon, was that a repair?

M. Gatzow: That was the pump. That was a pump that I was using; the water retention area that I've been trying to get dried out so that we could do a little bit more work on it and change some flow and build it a little bit sturdier and stronger and things, that's a pump. It's a two cycle pump that I borrowed from a friend and it is obnoxious. There is no question about it, it is just, it is a two cycle, loud kind of a thing and it ran for about three hours. I saw, not Mr. Borkowski, but a neighbor across the street wandered down the road and he stopped in front of my driveway and he did not come and ask me about it or look, they stood out on the road and just looked and then they walked back. I got in my truck and drove down there because there are some other issues going on here and so I drove down and I thought there might be some

CITY OF DELAFIELD PLAN COMMISSION MINUTES

involvement with that. I stopped because I wanted to know if you could even begin to hear it. It's the same sound as like a chain saw would sound like. Maybe somebody thought we were chopping trees down or doing something like that. If the wind was blowing from the east right to the west, they could've maybe vaguely heard an engine running for an extended period of time, but that was a pump that I was pumping water out of this little retention pond with.

P. Schumann: City engineers need to review that work on the retention pond, Fred?

F. Welch: We still do not have plans for that yet.

P. Schuman: When do you expect to have plans for your retention to the City Engineer?

M. Gatzow: I didn't know that we didn't have those.

F. Welch: They've never been approved. You came and got them one day, took them back because they were incomplete, and we've never seen them since.

M. Gatzow: There were not included with Landtech, I believe that was Landtech Engineering that did all of that stuff?

F. Welch: I think so, right. You may have given them to Tom or somebody, but we have not seen them.

M. Gatzow: This is the first that I've known anything still needed to be done with them, Fred. I'd be happy to do whatever you guys need done. I've done everything you guys have asked right along so. This is the first time that I know that you're looking for something.

F. Welch: I distinctly remember that the plans you brought in were incomplete. You said, give them to me I'll take them and have them corrected. And I've not seen them since.

M. Gatzow: I'm going to have to give you a call probably Monday or something and just revisit that again and then I'll have whatever done to them that you need done.

Mayor Craig: Do you want to say something else, Roger?

R. Dupler: I just want to remind the members of the Plan Commission that you do have the option, perhaps, of not making a decision this issue this evening and that if you determine a public hearing is required, then you'll be hearing this all again at that time.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

B. Leonard: A public hearing might be required or? I guess I'm not clear on what.

Mayor Craig: We could request one if we chose.

R. Dupler: It is your determination this evening whether this can be approved administratively, or if you would like to get it on to the next stage, schedule a public hearing if you so desire.

B. Leonard: But the staff recommendation is to deny it based on the ...

P. Schuman: zoning.

R. Dupler: The staff recommendation is for denial based on land use.

B. Leonard: And the existing permitted uses would be more retail...

R. Dupler: They are more retail in the permitted land uses. Mr. Gatzow's current conditional use agreement allows forcing this opportunity to come back to you for this determination.

P. SCHUMAN: THE SIZE, THE SCOPE OF OPERATION SEEMS FAIRLY SMALL FOR THE OPERATION AND IT'S SIMILAR TO SOMETHING DOWN THE STREET.

P. SCHUMAN MOVED FOR APPROVAL PENDING RECEIPT OF THE STORMWATER REQUIREMENTS WITH STAFF.

MAYOR CRAIG: I WOULD LIKE TO SEE HOURS ADJUSTED.

P. SCHUMAN: HE'S GOT HOURS 8 AM - 6 PM.

MAYOR CRAIG: IF WE COULD NARROW THAT DOWN.

D. KUCHLER SECONDED THE MOTION.

P. SCHUMAN: CAN WE AMEND THE MOTION? WHAT HOURS?

MAYOR CRAIG: BETWEEN 9 AND 5. I'M THINKING THAT...

P. SCHUMAN: I'M THINKING I HAVE A BOAT TOO AND SOMETIMES PEOPLE WORK AND TRYING TO GET SOMETHING DONE BY 5:00 WHEN THEY WORK UNTIL 5:00 IS A LITTLE CUMBERSOME.

MAYOR CRAIG: OPEN UP ON THE WEEKENDS THOUGH. I'M LOOKING AT 8 - 6 ON SATURDAYS AND 8 - 6 ON SUNDAYS.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

D. KUCHLER: BUT YOU'RE TALKING ABOUT A THREE TO FOUR WEEK WINDOW ON BOTH SIDES OF THE SEASON AND THAT'S IT.

MAYOR CRAIG: BUT THIS ALSO COULD BE A YEAR AROUND, YOU KNOW WHEN YOU MAKE SEASONAL COMMENT, I WENT BACK INTO THE APPLICATION AND IN THE LETTER IT WAS DEALING WITH OTHER REPAIRS INCLUDING FIBERGLASS, CANVAS AND I'M LOOKING AT REPAIRS DURING THE SEASON. SOMEBODY HAS A PONTOON WITH A SKI JET OR SOMETHING COMING IN THIS COULD ALSO BE YEAR ROUND.

M. GATZOW: I PUT THOSE HOURS ON BECAUSE I HONESTLY DIDN'T KNOW HOW... HIS BUSINESS IS CERTAINLY NOT MY BUSINESS. WE WOULD BE VERY OPEN TO GRADUATING THEM WHERE WE KNOW THE TYPE OF BUSINESS IT IS. YOU'VE GOT A SIX WEEK OR EIGHT WEEK WINDOW TOPS, WHERE'S REAL BUSY. IN WINTER HE'S NOT GOING TO BE HERE FOR THREE MONTHS. THERE'S LIKE NOTHING. SO IN SUMMER TIME IT WILL BE A LOT LESS. YOU CERTAINLY WOULDN'T NEED ALL OF THOSE HOURS. RIGHT NOW HE SEEMS TO BE, IT SEEMS TO BE MORE IMPORTANT EVENING HOURS BECAUSE OF PEOPLE PICKING UP THEIR BOATS AFTER WORK AND THINGS. HE'S NOT SO MUCH AROUND THERE. MAYBE HE'S OUT IN JEFFERSON PICKING UP BOATS OR WHATEVER, BUT I DON'T SEE HIM AROUND A WHOLE LOT AT 7 OR 8 OR 9 IN THE MORNING - THAT A RARITY. HE'S MORE THERE IN THE 5 AND 6 AND 7 AND 8 AREA RIGHT NOW. THAT'S NOT A NOISE THING, THAT'S JUST PEOPLE PICKING THINGS UP.

P. SCHUMAN: CAN WE HAVE A TRIAL TIME FOR A YEAR ON THIS?

MAYOR CRAIG: WE DID THAT TO THE OTHER ONE. I JUST THOUGHT OF THAT ALSO, YOU'RE RIGHT.

B. LEONARD: WELL, MY QUESTION WOULD BE, IT SOUNDS LIKE THE HISTORY OF THIS USE IS THAT THE CONDITIONAL USE FOR THE EXISTING BUSINESS WAS GRANTED BECAUSE IT WAS ALREADY A LEGAL NONCONFORMING USE? HOW DID THIS GET TO BE A BUILDING CONTRACTOR'S BUSINESS WHEN IT'S A B1A? IS THAT A PERMITTED USE?

R. DUPLER: MR. GATZOW HAS OWNED AND LIVED ON THAT PROPERTY SINCE BEFORE THE CITY WAS INCORPORATED.

B. LEONARD: SO IT WAS ALREADY THERE.

P. SCHUMAN: LIKE GRAND PERSONED IN.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

B. LEONARD: SO THAT'S WHY THE CONDITIONAL USE WAS GRANTED WAS TO ACKNOWLEDGE SOMETHING THAT HAD BEEN THERE FOR MANY YEARS. AND THIS IS SOMETHING NEW BEING INTRODUCED TO THE PROPERTY.

P. SCHUMAN: MY THOUGHTS ARE THAT THE IMPACT IS VERY SIMILAR TO HIS BUSINESS OR EVEN LESS.

M. GATZOW: I GUESS THAT'S MY FEELING. LOOKING AT IT, WHEN I WAS LOOKING AT DIFFERENT TENANTS AND DIFFERENT TYPES OF USES, THERE WERE PEOPLE THAT I TURNED DOWN THAT I THOUGHT, MY HOUSE IS RIGHT THERE, I SIT ON A DECK AND I'M LOOKING AT THIS BUILDING. I DON'T WANT A MACHINE SHOP GOING IN THERE. I DON'T WANT A BAR, WHICH IS ONE OF THE PERMITTED USES. I DON'T WANT A BAR RIGHT THERE. THERE ARE JUST CERTAIN THINGS THAT I DIDN'T PERSONALLY WANT. BEING THE FACT THAT IT WAS A SEASONAL BUSINESS WITH ALL BUT NOT TRAFFIC FOR MOST OF WINTER AT ALL, VERY LIMITED IN THE SUMMERTIME. YEAH, A LITTLE BUSIER IN SPRING AND FALL, BUT I GUESS I PERSONALLY AM USED TO THAT BECAUSE OF THE AREA THAT WE LIVE WITH, THE LAKES AND ALL THE THINGS THAT WE DO HERE. WE KINDA REVOLVE AROUND THIS THREE MONTH KIND OF A STRETCH.

B. LEONARD: I'M JUST CURIOUS, HAD YOU THOUGHT OF APPLYING FOR A REZONING OF THE PROPERTY?

M. GATZOW: WE HAD DISCUSSED RIGHT FROM THE VERY OUTSORT. THIS PROPERTY I LIVE ON WAS AT ONE WAS THE DELLSMAN FUR FARM. IT WAS A MINK FARM AND FOX FARM. IT WAS A WORKING FARM AREA AND KINDA COMMERCIAL. I BOUGHT THE PROPERTY FROM JERRY DELLSMAN AND THEN ALONG THE LINE THE B1A ZONING CAME INTO THIS WHOLE THING AND THEN WE CAME TO WANT TO TAKE DOWN THIS OLD STRUCTURE - IT WAS A DELAPIDATED MISERABLE STRUCTURE AND WE WANTED TO PUT UP A DIFFERENT BUILDING, I SAID, I'M GOING TO PUT A LOT OF MONEY INTO THIS, I DON'T REALLY NEED IT ALL FOR MY CONTRACTING BUSINESS, I'M GOING TO RENT SOME OF IT OUT AND DO SOMETHING THAT HOPEFULLY, BECAUSE B1A IS A BUSINESS ZONING WITH LIMITED RESIDENTS ALLOWED. EVEN THOUGH THERE ARE A NUMBER OF RESIDENCES ALONG THE ROAD THERE, EVEN SOME OF THOSE RESIDENCES, WE'VE GOT CONDOMINIUMS THERE, WE'VE GOT SINGLE FAMILY HOUSES THERE. YOU CERTAINLY HAVE WORKING BUSINESSES. REDI-GAS AT ONE TIME WAS A VERY BUSY OPERATION. THE LANDSCAPER OR NURSERY IS A LITTLE BIT NEWER AND HE HAS HIS BUSY TIMES AND LESS BUSY TIME. I FELT THAT IT WOULD FIT IN REAL, REAL WELL WITH MY CONTRACTING BUSINESS. AT

CITY OF DELAFIELD PLAN COMMISSION MINUTES

ONE TIME ANOTHER GENTLEMEN UP THE ROAD HAD A SMALL ENGINE REPAIR BUSINESS AND SOLD TRACTORS RETAIL AND DID REPAIRS OF THEM. I THINK HE HAS SINCE RETIRED NOW. BUT THERE'S BEEN A HISTORY OF BUSINESSES UP AND DOWN VETTELSON EVER SINCE I'VE BEEN THERE FOR 25 OR 26 YEARS, WHATEVER IT'S BEEN.

B. LEONARD: BUT I GUESS I'M WONDERING WHY HAVEN'T YOU TRY TO REZONE FROM B1A TO A DIFFERENT BUSINESS?

M. GATZOW: BECAUSE THE THREE ACRE PARCEL I HAVE, QUITE HONESTLY BECAUSE WE DIDN'T KNOW... THE CITY HAS NEVER WANTED TO GET INVOLVED IN SPOT ZONING AND THERE'S A KINDA BIG CHUNK WHERE WE ARE AND I'VE GOT ONE OF THE BIGGER INDIVIDUAL PIECES THERE AND IT WOULD KINDA PUT A LITTLE SPOT WITHIN THAT AREA OF THE B1A. SINCE WE'RE ALREADY ZONED BUSINESS AND IT WAS OPEN TO A LOT OF THINGS AND IT'S CONDITIONAL USE NOW, AND IT WOULD STILL BE CONDITIONAL USE, SO ARE WE REALLY ACCOMPLISHING A LOT? BECAUSE MY HOME IS THERE, IF MY HOUSE BURNED DOWN, I'VE ALWAYS HAD CONCERNS THAT BECAUSE IT'S CONDITIONAL USE I HAVE TO COME BACK TO THIS BODY TO TRY AND GET MY HOUSE REBUILT.

MAYOR CRAIG: IF I CAN STOP. THAT' A: WONDERFUL DEBATE ON THE ISSUE, BUT IT'S NOT PERTINENT.

M. GATZOW: THAT'S WHY WE HAVEN'T ZONED IT.

R. TRANSON: I WAS COMING FROM A FRIENDLY AMENDMENT STANDPOINT, PUT A NUMBER OF CONDITIONS WITH NO BOATS BEING STORED OVERNIGHT OUTSIDE.

P. SCHUMAN: THAT MIGHT BE PROBLEMATIC FROM TIME TO TIME. HE MAY HAVE BOATS OVERNIGHT FOR SOME REPAIRS.

R. TRANSON: WELL, A LIMITED NUMBER. I DON'T WANT TO SEE THIS THING TO BE LIKE, IF IT IS A REPAIR PLACE TO HAVE 6 OR 7 BOATS.

P. SCHUMAN: I COULD CONSIDER MAYBE AMENDING IT TO BE NO COMMERCIAL BOAT STORAGE THERE.

M. GATZOW: I'M WAY OPEN TO THAT.

P. SCHUMAN: I DON'T WANT TO GET TO A POINT, I APPRECIATE WHAT THEY'RE DOING. BUT I WANT TO BE ABLE TO HAVE THE GUY BE ABLE TO OPERATE A BUSINESS AND MAKE A LIVING.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

TIMES ARE TOUGH. IF YOU CAN GET SOME RENT THAT'S GOOD. THAT'S GOOD FOR YOU, IT'S GOOD FOR THE CITY AS FAR AS THAT GOES, BUT YOU DO HAVE TO CONTROL IT.

M. GATZOW: SURE.

P. SCHUMAN: I'LL MAKE A FRIENDLY AMENDMENT THAT THERE BE NO BOAT STORAGE BUSINESS THERE PERSE.

M. GATZOW: WHICH IS FINE.

P. SCHUMAN: I THINK THAT WOULD COVER.

MAYOR CRAIG: SO IN YOUR MOTION YOU WANT TO MAKE APPROVAL WITH NO BOAT STORAGE WITH A ONE YEAR CONDITION ON IT?

P. SCHUMAN: WE'LL PUT A ONE YEAR CONDITION ON IT.

MAYOR CRAIG: ANY NO HOUR ADJUSTMENT?

P. SCHUMAN: I'D SAY NO.

D. KUCHLER AGREED TO THE FRIENDLY AMENDMENT.

THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR, THREE WERE OPPOSED. MOTION CARRIED.

- b. **Tax Key 793.016.001, 603 Genesee Street, Delafield.** Owner: Mike and Tammie Kochevar. Owners seek approval of an amended Business Plan of Operation at Kuhlenbeck's Pub & Eatery to allow outside band music starting in May, 2003 during the summer months. Days of operation for the outside music are Friday and Saturday until midnight and 1 night during the week until 11:00 p.m.

M. Czubkowski read the above.

R. Dupler: The petitioner was before us last year and was granted a trial period for this very purpose. I've checked with the police department. There were no complaints filed. I believe that they should be allowed to operate their business and continue with outdoor music. I would, however, recommend approval with conditions of that the hours be cut to a 10:00 limit and a better designation of which day of the week that they could have music. It could be a regularly scheduled.

M. Kochevar: It's not going to be a regularly scheduled day. We just wanted to leave it open so if a special event came up that we could put a

CITY OF DELAFIELD PLAN COMMISSION MINUTES

band out there. It's not going to be an every week thing to have it during the week. It would mainly be for Friday and Saturday.

Mayor Craig: Can you elaborate on the type of music that you're ...

M. Kochevar: We are not a rock bar.

Mayor Craig: Correct response.

M. Kochevar: The bands that we have are the same bands that played at Carpenter's Pub when it was open. We've got all the bands from Carpenter's Pub. When we were going through our lease with Mr. Lang, he gave us all of the names of the bands that played there and those... It's Irish music, blues and bluegrass are usually the bands that we have.

Mayor Craig: So you're basically talked stringed instruments?

M. Kochevar: Yes.

Mayor Craig: Not amplified guitars or things.

M. Kochevar: No.

D. Kuchler: What were the allowances last year, what did they allow?

R. Dupler: I believe it was 10:00 last year.

D. Kuchler: And Fridays and Saturdays, is that what it was?

R. Dupler: It was only on the weekends last year.

R. Transon: Have you thought of anything like screening? Like plastic screening around the band itself so that music goes west instead of east?

M. Kochevar: We could.

R. Transon: Away from the residential area.

M. Kochevar: We'd be open to that.

D. Kuchler: And it was open until 10:00? It was the same thing? It was 10:00?

Mayor Craig: Yes.

P. Schuman: Was it just the weekends or seven days a week?

R. Dupler: I believe it was only for the weekends. Am I correct?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

M. Kochevar: Yes.

R. Transon: I could see the weekends and then maybe like the Fourth of July weekend where the day is on a Wednesday or whatever and have a band on a Tuesday night or something like that or the Labor Day weekend.

R. Dupler: Would you all consider approval of the weekends with administrative approval granted to Mr. Carlson on a limited basis?

P. Schuman: I would agree with and also a limit of 10 p.m.

Mayor Craig: It's going to be a weekday and it's not like a holiday or something, I'm worried about the kids in the neighborhood and sleeping. It's the teacher in me, I'm sorry. But I'm worried about them getting their rest and also the people being able to get to work on time. There are some people that have expressed an interest. They go to work fairly early and they need their rest also. So as far as that would go I would add the discretion to Mr. Carlson that that be kept in mind, please.

M. Kochevar: It would be mainly for special occasions. It's not going to be...

P. Schuman: Like Delafield Days, or...

M. Kochevar: Yes or Fourth of July or Memorial Day.

Mayor Craig: We understand that, but we just want to make sure that it's not going to be... because the way the permit allows you could do it any time. We just don't want to see that.

M. Kochevar: Okay.

R. Transon: And I would like to see some screening.

Mayor Craig: He had a green tent or something of that sort.

R. Transon: At times he did depending on the weather. It was more weather related than it was band related and the reason for that is that music travels. I mean, I can hear the music all the way by my house because of the lake effect, especially on certain nights. It's a calm night, you can hear the music all the way down the street, all the way down across the lake to the north part of the lake. I would certainly emphasize that screening would be important and on a contingency basis whether or not if there is people are complaining about it.

Mayor Craig: Do I hear a motion?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

R. Transon: Something like that.

R. TRANSON MOVED TO APPROVE THAT WE ALLOW MUSIC ON THE WEEKENDS WITH CONSIDERATION GOING TO MATT AS FAR AS WEEKDAY WITH SCREENING PROVIDED AND HOURS LIMITED TO 10:00. P. SCHUMAN SECONDED. D. KUCHLER ASKED IS THE DEFINITION OF WEEKEND, IS SUNDAY A WEEKEND. IT WAS CLARIFIED THAT THEY WOULD NOT HAVE MUSIC ON SUNDAY. IT WOULD BE FRIDAY AND SATURDAY ONLY. R. TRANSON AMENDED HIS MOTION TO CLARIFY THAT IT WAS JUST FRIDAY AND SATURDAY EVENINGS WITH SPECIAL CONSIDERATION AT MATT'S DISCRETION ON WEEKDAYS. THE SECOND APPROVED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **Tax Key 807.978.007, 363 Austin Circle, Delafield.** Applicant: Craig Dretzka. Applicant seeks approval of amended Business Plan of Operation and outdoor display signage. Hours of Operation: Monday through Friday, 8:00 a.m. – 7:00 p.m.; Saturday, 8:00 a.m. – 5:00 p.m. Holiday shopping, 8:00 a.m. – 8:00 p.m. 4 full-time, 3 part-time employees.

Mr. Dretzka was not present. This was postponed until the end of the meeting. At the end of the meeting there was no one present. This will be continued on to next meeting.

- d. **Tax Key 830.348.544, 2728 Heritage Drive, Delafield.** Owners: Tom Cardella, Ryan Goralski, Wendy Goralski. Applicant: Matthew Hahn. Applicant/owner seeks approval of Business Plan of Operation and signage for Footprints. Hours of Operation: Monday through Friday, 10:00 a.m. – 8:00 p.m.; Saturday, 10:00 a.m. – 6:00 p.m.; Sunday, 12:00 p.m. – 4:00 p.m., 2 full-time and 2 part-time employees.

M. Czubkowski read the above.

Mr. Cardella was present at the meeting.

R. Dupler: Business Plan of operation is for a space in the Wal-Mart Center. Hours are appropriate. Their sign is already up, it differs from the submitted information in that it is actually a bit smaller than what was submitted in your packets and the color has been changed white rather than red. Additionally, it is in full compliance with ordinance requirements as well as those requirements of the approved signage package for the Wal-Mart Center

F. Welch: Do the owner's have to approve that, of the Wal-Mart Center?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

R. Dupler: They have and their signature should be on the business plan of operation.

F. WELCH MOVED TO APPROVE. R. TRANSON SECONDED THE MOTION.

M. CARLSON: I WOULD REALLY LIKE TO SEE SIGNAGE BEING CONSISTENT WITH THE APPROVED SIGNAGE PACKAGES. I KNOW THAT THEY'VE INSTALLED THE SIGN, BUT THE COLOR CHANGE NOW GIVES US A DIFFERENT COLORED SIGNAGE PACKAGE OUT THERE.

T. CARDELLA: THE FACE IS WHITE FACE, THE NEON THAT LIGHTS IT IS STILL RED, SO IT IS RED AT NIGHT. I THINK THERE ARE THREE OTHER SIGNS THAT ARE LIKE THAT IN THAT BUILDING. I KNOW THAT THE WHEEL AND SPROCKET IS WHITE DURING THE DAY AND RED AT NIGHT. I CAN'T THINK OF THE OTHER ONES RIGHT NOW, BUT THERE'S AT LEAST ONE AND AT LEAST TWO OTHER ONES THAT ARE LIKE THAT.

MAYOR CRAIG: DO YOU CONCUR WITH THAT ROGER, THAT IT IS ALREADY AN EXISTING THERE.

R. DUPLER: THERE ARE TWO OTHER SIGNS THAT ARE VERY SIMILAR TO THIS. I MIGHT ASK THAT PETITIONER RESUBMIT THE EXHIBIT SO THAT WE HAVE A COMPLETE FILE THAT ILLUSTRATES EXACTLY WHAT'S UP THERE.

MAYOR CRAIG: YOU OKAY, MATT?

M. CARLSON: WELL, IF IT'S CONSISTENT WITH WHAT WE'VE APPROVED IN THE PAST, THEN IT SOUNDS LIKE THERE'S NOT AN ISSUE. SO IT IS CONSISTENT?

R. DUPLER: IT IS CONSISTENT. WHAT IS INCONSISTENT IS THAT THEY DECIDED TO SWITCH THE COLOR AND IT DOESN'T REFLECT THE PHOTOGRAPH THAT WAS SUBMITTED.

M. CARLSON: I MISUNDERSTOOD YOU. I'M SQUARED. THANK YOU.

THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **Tax Key 807.978.003. 350 Austin Circle, Delafield.** Owner/Applicant: Tom J. Smith. Applicant seeks approval of amended Business Plan of Operation for Austin Plumbing Co. Hours of Operation: Monday through Friday, 7:00 a.m. – 5:00 p.m.; Saturday, 8:00 a.m. – 12:00 p.m.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

M. Czubkowski read the above. She stated that he was also representing the owner of the other one also.

T. Smith: I'd like to introduce you to Mark Hanson.

Mayor Craig: Welcome.

T. Smith: What I did here is separate my plumbing and heating business. Mark is a five or six year employee of mine who bought the heating part of the company and he's going to be running the heating part and I'm going to be running the plumbing part. We're going to be in the same facility. He has two offices within our office space and our warehouse and shop has not changed structurally inside. It's basically business as usual with Austin Plumbing trucks and All Star Heating and Cooling trucks. He's re-named the company. There is no signage involved at this point.

Mayor Craig: We will take each one of them individually, just so that you are aware of that

T. Smith: That's fine.

R. Dupler: The Business Plan of Operation was submitted for your consideration as a rather perfunctory matter. Thomas is changing the operation.

P. SCHUMAN MOVED FOR APPROVAL. R. TRANSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

f. **Tax Key 807.978.003. 350B Austin Circle, Delafield.**

Owner/Applicant: Tom J. Smith. Applicant seeks approval of Business Plan of Operation for All Star Heating & Cooling. Hours of Operation: Monday through Friday, 7:00 a.m. – 5:00 p.m.; Saturday, 8:00 a.m. – 12:00 p.m.

R. Dupler: Second petition for All Star Heating & Cooling is only a Business Plan of Operation again and no changes to the interior layout or the site plan. It should be approved.

P. SCHUMAN MOVED TO APPROVE. R. TRANSON SECONDED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

g. **Tax Key 787.079, 621 Milwaukee Street, Delafield.** Owner: Philip Haseker. Owner seeks approval of amended Business Plan of Operation and Site Plan approval for outdoor dining at The Prickly Pear. Hours of

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Operation: Monday through Saturday, 11:00 a.m. – 12:00 p.m.; closed Sunday. 3 full-time and 10 part-time employees

M. Czubkowski read.

P. Haseker was present.

R. Dupler: Mr. Haseker approached me and asked for input on converting the under canopy area in front of the Prickly Pear into an outdoor eating area. Upon site inspection with Mr. Haseker, we determined that there is ample space to accommodate such an eating area. There are a couple of things to consider. The existing building is nonconforming, it's a legal nonconforming use, because the canopy is in the overhang, or in the right of way as you all know. We also have parking spaces that immediately adjacent to the face of the building. What Mr. Haseker has proposed and as I have directed him to submit to you photographs to illustrate that it is still possible to get ... parking spaces even though he is proposing a railing in the immediate vicinity there. And also to accommodate ample travel space for pedestrians comparable to a five foot sidewalk beneath this canopy unobstructed by any of his tables, patron seating area, or any other things they might set out there. Upon initial review I think it is something that the Plan Commission may elect to approve. In doing a little bit of research, I checked into what actually is proposed and approved for the Genesee Street redevelopment in which case Schreiber Anderson had proposed this very thing with seating areas out on that public walking area. After consideration, within the last couple of weeks and prior to this meeting, it's occurred to me that there might be actually better rather than have the tables out near the railing at the street, to keep the tables near the building, allowing that there is pedestrian access on the outside near the railing and also there is no chance of any interface between parking and tables at that railing location. So with that, I'd like Mr. Haseker to share with you some of his thought on it and I would approval with those minor modifications.

P. Haseker: With the railing itself, would be set between the posts which are already existing. It would be inside those posts, so for the traffic to interfere I don't think that would be a problem. The tables, the only thing I see with the tables being on that side would just be the customers coming in and out of the door and crossing the sidewalk as well as the wait staff servicing the tables. The sidewalk, I mean up against the building there is accesses also to the upstairs apartments that are above the Prickly Pear, so you can see that in one of the photos I believe.

Mayor Craig: Exhibit One.

P. Haseker: Actually two of them. There is, right in the front of the building, left of the front entrance on the other side of the windows to the

CITY OF DELAFIELD PLAN COMMISSION MINUTES

left there is an access to apartments up there. We could get more tables along the front if we did it that way, which would obviously benefit us, but as the ruler shows its, I think you need five feet of passable sidewalk. We have about eight feet in that area. The railing would conform with what's already there. On the Exhibit Two photo, you can see a little shot of it, I don't think I have it on the other one. That's existing and then it would look just like that. It would look the same in the front. As you can see in Exhibit Two as well, the door open on the van, that's already there. I don't believe the railing would be a problem at all.

P. Schumann: Any problem with the 10:00 cut-off?

P. Haseker: None. I heard the citizens comment. She is right across the street from me. We have stackable chairs planned for the site which would be stacked, brought into the building. Nobody could sit out there afterwards, after hours or anything. They would be, we would seat probably until 9:30 out there and make sure the people understood that they'd be out. I would ask that we would be able to keep it open a little bit later on Friday/Saturday up to 11, possibly. We have no music piped out there, it's just people sitting, enjoying themselves, talking.

P. Schuman: You open on Sundays?

P. Haseker: No.

B. Leonard: I guess I would concur with what Roger was saying about the seating itself being against the building rather than being against the railing. I'm trying to see how....

Mayor Craig: I was with you all along until I looked at Exhibit picture 4. I was looking at the ground with the traffic pattern, how somebody would be normally walking through underneath that area. I looked at the missing concrete right by the back. So then I went to Exhibit #1. That's a tree.

P. Haseker: Yeah, that's a tree.

Mayor Craig: If you put the tables over against the building, not only would the tenants have a problem getting in and out, but then when you were walking down you would be like weaving around that. That might make it harder.

P. Haseker: And there's also, in Exhibit 4 if you look, there's little window catch grates that are there that would interfere. We couldn't put anything there. Obviously table legs would go through that. Unless we covered it, but it's also for drainage I believe. I couldn't tell you for sure. But those are little grates that are in the ground.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Mayor Craig: I'd much rather have the pedestrian walkways straight as opposed to wandering around. But I like your idea. How could you address that issue of, I don't know if you were putting a candle or something out there and all of a sudden the wind came, knocked a glass over and went into the car. How could that be prevented?

P. Haseker: I don't believe that would happen with a railing up. The tables are far enough away from the road itself. It's the posts themselves are, what is it two feet? Right around two feet, right at two feet. The railing would be inside that. The table would be inside that. It could happen, but to prevent it, I mean, it would have to be pretty good wind to blow.

D. Kuchler: Tables are two feet inside the railing?

P. Haseker: No, the post here is two feet off of the curb. And then the railings inside the post. And then the table is obviously inside railing.

D. Kuchler: Would there be a chair against?

P. Haseker: No. It would be side by side. It would be ...

D. Kuchler: Oh, it's like seating for two.

P. Haseker: Yeah.

D. Kuchler: Okay.

F. Welch: How do you get from the car around the railing?

P. Haseker: Around the end.

F. Welch: You would have to go, walk.

P. Haseker: Yes.

B. Leonard: I guess, I think the concerns you just mentioned make a lot of sense in terms of keeping it near the railing. My only concern was pedestrians would feel like they are walking into the restaurant the minute they step off of the curb. Or they might feel like they have to walk around all of this out into the street because it will look like they are interrupting or entering the restaurant area.

P. Schuman: How many tables do you think you'd be putting out there?

P. Haseker: We'd put five in the front and then back in this cove, there's a little cove behind to the right, we would put another one. And that's pretty much totally off of the sidewalk.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

D. Kuchler: Is that like a dead end back there? It doesn't walk through?

P. Haseker: Yes. It's just a little dead end.

P. Schuman: Well I've been up in Quebec and they have a lot of outdoor eating and its really quite quaint. I think it will expand your business with the building downtown. Since we already offer it at Kuhlenbecks, we can do this with the right controls on it. So were you suggesting moving the tables away from the railing?

D. Kuchler: What do you feel about having that tree there? Don't you think that that's going to interfere, impede with the pedestrian flow anyways that if the tree is there, if you have tables there, it's almost going to be like a funnel point at that point.

R. Dupler: I believe that it is Mr. Haseker's responsibility to maintain five foot clearance for ... through there. If it means five foot offset from that tree, it has to be reserved for pedestrian passage, then he has to assure...

D. Kuchler: ... but then somebody has to go walk around like that to get through there.

R. Dupler: It's not different than the walkways up and down Genesee Street in their current condition.

D. Kuchler: Okay, but if you allow them to put the tables out, then there really isn't, the walkway an "S".

R. Dupler: Correct. It is still an "S". It still meanders around bay windows. Also the cellar window grates there against the building, I believe we should try to keep the pedestrian access away from those. They are hazardous to the table but they are also a hazard to any pedestrians walking around there.

R. Transon: What about covering those during operational hours?

P. Haseker: There is also a roof over the top, it's not like water.

Mayor Craig: We're worried about the unsteady step that if ...

B. Leonard: Or high heels.

D. Kuchler: You have no concern for the people having, getting access to their...

R. Dupler: No. Because in the Genesee Street re construction and the streetscape design there, the parking spaces have parallel to them a 2'

CITY OF DELAFIELD PLAN COMMISSION MINUTES

carriage walk. And if you were to park, you are actually prohibited to getting to the walking surface of the sidewalk, the planters and railings.

D. Kuchler: No, I was talking about people who have to access the upstairs, that the entrance to their building is right here. The apartments.

R. Dupler: They obviously would have to maintain that access. And it would curtail the number of tables that could be realized there.

F. Welch: The concern with the tables against the street or whatever. There's always going to be somebody that wants three. They're going to pull a chair up and you're going to have somebody sitting out in the pedestrian way. That would be a problem you'd have to police if it were there. If the railings against the building, you don't worry about that.

M. Carlson: It sounds as if the tables are required to go up against the building, you'd probably get two tables out there. If that's the case, what's the point?

P. Schuman: Or maybe three with the corner there.

P. Haseker: There are three accesses into the building and then the grates. I mean, if you look at this line in Exhibit 4, the line, that share, that's the farthest point away from a table. I just brought a table from home and stuck it out there. It would be about the same size of what we would be using. But if we set the people the other way, it would almost be inside that line that you see running out the length of the sidewalk. I believe we can keep the tables inside that line which would give plenty of room to pass there.

Mayor Craig: We could do this on a one year trial also.

P. Schuman: That would make sense to me.

Mayor Craig: I don't mean to hassle you anything, but it's a learning curve. We don't have something similar to this at this time. So if it's going to work, fine. If it's not going to work then we're going to have to tweak it. Do I have a motion?

M. Carlson: Would you have a problem providing us with a liability waiver?

P. Haseker: No.

D. Kuchler: I'd like to see something to cover the grates too. Which way are we moving the tables?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

P. Schuman: Closer to the building I understand.

R. Transon: Either or.

Mayor Craig: It is the motion makers desire at this time.

P. Schuman: What is on those grates? Is it something that drains to a basement?

P Haseker: It's like a window cell that is underneath there. A cellar.

Mayor Craig: So you could put a piece of plastic or something over that.

P. Haseker: Yes.

Mayor Craig: That's not a fire escape or anything?

P. Haseker: No.

Mayor Craig: Okay, it's just storage down there.

P. Haseker: Right.

Mayor Craig. Okay.

P. SCHUMAN MOVED APPROVAL WITH THE CONDITIONS WE'VE STATED, ONE YEAR TRIAL PERIOD, TABLES BY RAILING AND 5' CLEARANCE FOR THE PASSAGE TO WORK WITHIN THAT, YOU CAN BE CREATIVE ON HOW YOU WANT TO DO THAT, HOURS NOT TO EXCEED 10 P.M. INCLUDES FRIDAY AND SATURDAY. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski: You need to file a letter with the Clerk's office that you are amending your serving area for your liquor license.

- h. **Tax Key 742.015, 4719 Vista Park Court, Nashotah** Owner: Scott Blake. Owner seeks approval of building color change for Parquelynn Village.

M. Czubkowski read the above.

Mayor Craig: Welcome. Despite what so many people are saying, you are not the forgotten part of Delafield. We do consider you a very important part.

S. Blake: Thank you very much.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Mayor Craig: I know when I was running for this position, I went up there and they kept asking me, why are you here, we're Oconomowoc. And I say, no not really.

R. Dupler: The petitioner has actually two petitions before us this evening. The first one is rather straight forward. They have elected to change building colors. We've reviewed the colors and find them to be appropriate.

M. Carlson: There are two separate agenda issues, would you like to take them one at a time?

Mayor Craig: I believe so, yes.

F. WELCH MOVED TO APPROVE THE COLOR CHANGE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- i. **Tax Key 742.015, 4719 Vista Park Court, Nashotah.** Owner: Scott Blake. Owner seeks Site Plan

R. Dupler: The second issue. They are hoping to erect a boat storage facility. It would be for the exclusive use of their residents. They should be allowed to do such a thing under the existing zoning code. It is important to know that Parquelynn Village in its development was actually done in two phases, the one phase is R6, the other phase is conditional use PUD. This is on the half that is R6, so it would not encumber the PUD half of the property. It is, in my opinion, properly located. It backs up to very similar uses. Action Marina on one side and the Dodge dealership on the other. The only thing that would require your special consideration is the use of a security fence. By code they are supposed to respect the building set back lines, but in this case I think it should be one foot off the property line, which requires your special consideration. I would recommend approval.

Mayor Craig: Do you have any comments to make?

S. Blake: Our desire with the boat storage area is simply to get properly address some of the things that you were talking about with the other people, to get the boats off our property, hidden so that our property can be more aesthetically pleasing. It's an area right now where it just fits perfectly, as you said. We just ask for your approval.

R. Transon: So is this storage indoors or is it just fenced in?

S. Blake: All we'll be doing is taking up some dirt, laying down some gravel and putting up a stockade fence which we already put up along

CITY OF DELAFIELD PLAN COMMISSION MINUTES

the Dodge dealership to match it aesthetically and just have a hidden place for the boats the property for our residents.

M. Carlson: For your residents only?

S. Blake: For our residents only.

Mayor Craig: No repairs.

S. Blake: No repairs.

Mayor Craig: This is also a solid wall?

S. Blake: Correct. Solid stockade wall.

R. TRANSON MOVED TO APPROVE. P. SCHUMAN SECONDED THE MOTION.

B. LEONARD: ARE WE COVERING THEN WHAT'S RECOMMENDED BY STAFF WITH THE FENCING?

R. DUPLER: WE WOULD LIKE TO HAVE JUST A RECORD OF THE FENCE DETAIL. A PICTURE OF THE FENCE SO WE HAVE A RECORD OF IT.

S. BLAKE: AFTER IT IS COMPLETE?

R. DUPLER: YES. SO WE UNDERSTAND EXACTLY WHAT IT IS.

S. BLAKE: ABSOLUTELY.

M. CARLSON: I WOULD SUGGEST THAT THE PLANNER WOULD REVIEW PRIOR TO INSTALLATION.

MAYOR CRAIG: SO IF YOU TOOK A PICTURE OF WHAT YOU HAD WITH THE DODGE DEALER.

S. BLAKE: THAT SHOULD BE IN ONE OF THE PICTURES THAT WERE.

R. DUPLER: IT'S NOT QUITE CLEAR.

S. BLAKE: NOT QUITE CLEAR? ALL RIGHT. I'LL TAKE A BETTER PICTURE ABSOLUTELY.

P. SCHUMAN: NEED AN AMENDEMENT OF THE MOTION FOR THAT?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

MAYOR CRAIG: I DON'T BELIEVE SO.

P. SCHUMAN: OKAY.

**THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR.
MOTION CARRIED.**

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **Tax Key 754.999, 18 acre parcel Nagawicka Rd.** Approval of General Development Plan, Preliminary Plat, Conditional Use Permit, Developers Agreement, Deeds, Covenants & Restrictions and Stormwater Management for Faire Lakes Commons.

M. Czubkowski read the above.

Representative: First of all let me just say, I really appreciate all of you coming back and doing this. I was probably the biggest nudge Marilyn's ever seen trying to get this rescheduled since I have a closing on property that has to take place by the end of this month otherwise I lose control of the property because of a secondary offer that forbids the owner from extending my contract. So it was really great of you to come back and re-meet again. The issues that surfaced at the last meeting as at a meeting that we had with the Public Works Department and issues that I discussed with the property owner adjacent to me, Bob Hamilton, is the fact that the access point to this property sits on right on the curve of Nagawicka Road. Bob's issue was primarily that this is mapped yet as a collector road that could possibly go through to 83 at some point in time. His concern was, obviously, if that took place and the development took place between here and 83 that that would increase the traffic significantly to this point and possibly make for a dangerous intersection. Having spoken with Mr. Carlson and also some other people, it became apparent that there was new road that was built after the mapping the official mapping of the roads. I want to Hirschman Road. That intersection with Nagawicka Road is significantly more safe in the sense that visibility is excellent both ways and it seems to be a straight shot and could be extended. One of the considerations would be that this road be demapped as a collector road and recreated as a minor road. The other issue that relates to this is that, and this was brought up by Public Works, that the existing right of way on Nagawicka is 66' wide. There appear to be a number of trees that either have been planted or have planted themselves in the right of way and I am interested in finding out; one of the considerations was can we go out there and remove some of the trees and because they are in the right of way and they present a danger for traffic that is going up and down at this particular location along Nagawicka, could the City go out and just make sure that the right of way is clear of all vegetation that might present a visual hazard. Those are the two issues with traffic. The other

CITY OF DELAFIELD PLAN COMMISSION MINUTES

issue was a, that Mr. Hamilton brought to my attention, was that this land, this 18 acres has a topographic flow that goes from a high point over here to a centrally low point in this area and that periodically, not every year, but periodically he ends up with a situation where if the temperature warms before the ground warms he ends up with water in his backyard for a period of time until the ground thaws enough that it can be absorbed. We were asked as part of a letter that we got from Welch Hanson, after review of the drawings, that we deal with the issue of stormwater run-off and how we were going to handle it on our property as well as how it was going to be coming onto our property from the east. As of yesterday I now have drawings and a stormwater management plan that I am prepared to submit to the City based on the information that my engineer and surveyor put together for the City's review. Beyond that, I believe that all of the documents that are necessary, since this was a PUD have been presented and have been reviewed by the City Attorney. City Attorney, I have a comment from the City Attorney that says that he's comfortable with all of the documents. So all of the deed restrictions, the developer's agreement, the stormwater management agreement, and one other one, but all the documents have been prepared and are essentially approved by the City Attorney. What I am here tonight for is to see if I can get the approval of the Plan Commission to move this forward subject to obviously staff approvals at the various levels as we go forward but that we move this forward to City Council so that I can get an approval to proceed with this subdivision and at that point basically I can close with the landowner at the end of this month.

R. Dupler: We have reviewed the documents, not only the plans, but the subdivision documents, the four of them being stormwater agreement, conditional use agreement, covenant restrictions and the developer's agreement and find them to be substantially conforming with our standards. There are a few minor issues that we want to clarify in regards to some of the percentages and responsibilities that are outlined in the developer's agreement. But I think for the concerns of this body, the aesthetics and designs and the controls over homeowners association, appearance and such, far exceed other recently approved agreements. In regards to building materials, they are substantially improved over some of the others that we have recently done and accepted here at the city. They are worthy of your consideration.

In regards to the plan, there are a couple of items need to be addressed, not only response to the April 2 correspondence in regards to the engineering, the other one, April 24 correspondence which is included in your packet for the preliminary plat review which have rather technical issues and can be resolved without impact to the general layout and realization of the plan. We would ask that building envelopes and driveways be reflected on the plans so that we have a better understanding of exactly how these homes may be developer. As they point out, there is a water course that runs through the site from east to

CITY OF DELAFIELD PLAN COMMISSION MINUTES

west that would impact the top three lots. I think it would be everyone's best interest to have a good understanding of how those were intended to be developed. The grading plan that is now ready for our review should identify that.

P. Schuman: I'd also mark the locations of houses too.

Representative: It does mark the locations of the houses and establishes building pads for all five lots.

Mayor Craig: Okay.

R. Dupler: I think it would be beneficial if we were to see just a conceptual landscape plan. There are some existing trees to be removed in order to realize the road. The replacement of those is not absolutely required. What this is is a stand of trees, pine trees, that were more or less an agriculture product many years ago. They are not of sufficient quality or caliber that they would be incorporated into the primary environmental corridor which is nearby. In fact we don't have issues with any interface with that primary environmental boundary either. In regards to stormwater management, I think there are some issues that Fred will have to sign off on. But also we want to make sure that everything is done in compliance with the ongoing Hays & Associates study for regional stormwater recommendations up in this quadrant of the City. The final issue then is just the decision by this body whether or not it should be a task taken on by line and staff to determine if the collector road is indeed properly designed and warranted in this location. Yes, there was a modification of Hirschman, but Hirschman does not reflect the route that was intended with the road that's mapped. Unfortunately, we've got a little bit of discrepancy in the documents. We have an officially mapped as a collector that's not reflected in the master plan. I think decisions to come some realization as to what the intent is out here. If indeed we want a connection from Nagawicka Road up to Highway 83 and Cardinal intersection, then this intersection might have to be redesigned.

P. Schuman: Thinking this would be the collector road for that?

R. Dupler: If this is to remain as a collector road. This intersection will have to be redesigned.

P. Schuman: We don't have any plans from the Morris farms at this time?

R. Dupler: Not at this time.

P. Schuman: There's nothing that would indicate that they're contemplating giving up farming and ?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

B. Leonard: Is that directly east of this?

P. Schuman: Yes.

Mayor Craig: In conversations I've had with him he has no plans at this time, in the very near future, that's further out beyond ten years, yes. But within the next ten, he said, no. The road that we have mapped going to Hirschman goes, correct me if I'm wrong, swings around to Oakwood, it doesn't not go on to Highway 83. As much as you may not like what I'm going to say, I think this does need to be a collector road in the aspect that that intersection is going to need some attention in order to make it that way. It seems like a natural point in the breaking that's way I need to look at the map even more for that area.

P. Schuman: I would concur. I would think it should be mapped as a collector and things should change, you can reduce it by vacation.

B. Leonard: I guess my concern with that is, well number one, this seems like a bad intersection location for a collector to come out on. And number two, the Hirschman extension that's shown going east and then turning 90 degrees to the south would actually separate a proposed park and church property where we might even consider sharing recreational open space with them. So it seems like that official mapped street should go directly, or we might want to consider having it go directly east to 83 rather than making the 90 degree out onto Oakwood. And that could be a collector linking Nagawicka.

Mayor Craig: But do you want a park surrounded by two major roads there?

B. Leonard: Well, that's what I'm saying.

Mayor Craig: Right. And that's my thought, is in the aspect of not working with Hirschman as a road.

B. Leonard: Well Hirschman I think could be extended direct straight east though to go to 83 instead of making the turn.

P. Schuman: What's the rules with the Wisconsin DOT on something poking out on Hwy. 83? They tend to approve this very much so?

F. Welch: Absolutely, yes. Actually our Master Plan says that Price Road should be extended across. But the Official Road map says Hirschman. So there is a conflict involved which Roger was pointing out.

B. Leonard: And that's why Hirschman was built to be such a wide right of way the way it is right now. I mean the street seems so wide, but it

CITY OF DELAFIELD PLAN COMMISSION MINUTES

was designed as a collector street, Hirschman, and installed as a collector. I guess seeing a collector street come out here on this curve and bend of Nagawicka Road and it doesn't seem like a good intersection spot.

P. Schuman: Fred, what's your thought on that as far as traffic goes? Does that bend around as problematic?

F. Welch: It's fine for five lots, but not good as a collector street.

Mayor Craig: Could this road be modified, this intersection be modified?

F. Welch: Roger's already designed it.

Mayor Craig: He's there.

R. Dupler: It could potentially be modified such that it grates a true "T" intersection. Essentially how that would happen is that northbound traffic on Nagawicka would have the precedence through the intersection headed east to highway 83. Southbound, when it actually realized here, eastbound, traffic on Nagawicka would come to a stop "T" intersection at the proposed detention basin. I think that intersection would work appropriately for the designated collector intersection.

Mayor Craig: It seems like a lot of expense, but it would also slow down traffic there and a number of people have made comments about that.

Representative: The question that I would ask is that if there is no intended plans for future extension east of the development that is going to take place in that modification, can that modification when that development is going to take place as opposed to putting the burden on me to try to change. I'm not hearing anybody offer to pay for this except me, so I guess my point is, is this something that has to take place, or is this something that can take place when the development actually takes place?

P. Schumann: I think it would be difficult to make wider later on.

Mayor Craig: I've been playing with idea in my head, instead of having the road come up on the north side of the pond, is there a way that you can make it go the south side of the pond.

Representative: The land that is part of this property only has frontage here and here. So this particular intersection with Nagawicka is only 180' total, maybe it's even less. I know that the frontage along Nagawicka is very, very tiny.

B. Leonard: Yes, it's very narrow.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Representative: 37 feet here, 8 feet here. So you have a very, very limited amount of... I don't think you're going to gain by coming over 37 & 38, 35 feet. You're not going to get... my property line stops right here, so I can't really get, even if you rotated the pond, I don't know that you're going to get anything much closer than.

Mayor Craig: I understand what you're saying. Yeah. Now I got you.

Representative: It's that little bend right there. You're not really much further down the curve than you would be here.

Mayor Craig: But it would be making traffic go towards the north end. Making the south bend almost like your "T" intersection on the north.

Discussion took place.

P. Schuman: What recommendations does Staff have on this?

R. Dupler: My recommendation currently if it is the decision of this body not to re-evaluate a different route for the collector that we ask Mr. LeMeu to dedicate 66' and in the event that at a later date this route is re-evaluated that we offer to him the opportunity to vacate that ROW and reapply that area to the lots.

D. Kuchler: Where would that 66 feet be ?

R. Dupler: In this currently proposed location.

P. Schuman: Makes that road wider. Three feet on each side.

D. Kuchler: You talking about his road, the way it's shown here with the dotted line, you mean, versus the solid?

P. Schuman: Yes.

B. Leonard: What is the ROW of Nagawicka Road right now?

Representative: 66 feet.

B. Leonard: Everybody has dedicated 66'?

R. Dupler: I can't say that everyone had dedicated 66', but even as a collector street, it's not required to be any larger than the 66'.

B. Leonard: But currently the way it is designed, what ...

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Representative: I had conversations with the Public Works Department, I was up there and actually looked at their maps. And that's one of the most difficult things they have is Nagawicka Road because the ROW varies from like 39' to 66'. Really before they established ROW's Nagawicka Road was there. It varies, but in this particular section of Nagawicka Road it is 66'.

P. Schuman: Some people have garages built on the ROWs. My neighbor does.

B. Leonard: Or they are still at 39' in a lot of spots.

Representative: This one, I believe because of the bridge over Bark River was redone, that's how it ended up being 66'.

D. Kuchler: Would this be decided before the road was actually put in then? Or would this be decided afterwards?

Mayor Craig: Whether it should be a collector or not?

D. Kuchler: Yes.

Mayor Craig: That's going to be tonight.

P. Schuman: Or we refer it to staff and have them look...

M. Carlson: I think we are suggesting that we dedicate 66', we defer the decision about whether it's a collector route to another day. If it's reduced, and it's not a collector street, then the City could vacate the extra property back to those property owners.

P. Schuman: That makes sense to me.

Mayor Craig: I stand corrected, I'm sorry.

P. SCHUMAN MOVED FOR APPROVAL DEDICATING 66' BE REQUIRED TO THE CITY DETERMINES THE FEASIBILITY OF THE PROPOSED COLLECTOR ROUT AFTER WHICH THE ROW MAY BE REDUCED BY VACATION IN ADDITION TO THE OTHER ITEMS LISTED ON 5A.

MAYOR CRAIG: IF I COULD ADD ANOTHER ONE TO YOU, IN THE ASPECT THAT I WOULD LIKE TO SEE NATURAL FERTILIZERS ADDED TO THESE AGREEMENTS.

REPRESENTATIVE: NOT A PROBLEM AT ALL. IN FACT, AS YOU ARE AWARE, MOST OF THIS LAND HAS BEEN FARMED. PART OF WHAT WE'RE GOING TO TRY TO DO WITH ALL OF THE LOT

CITY OF DELAFIELD PLAN COMMISSION MINUTES

OWNERS IS TO HAVE THEM COME BACK IN AND PUT IN NATURAL GRASSES OR WILD FLOWERS. I REALLY WOULD LIKE TO MINIMIZE THE AMOUNT OF GRASS. A LOT OF PEOPLE LIKE TO GET ON THE LAWNMOWERS AND CUT GRASS, BUT...

MAYOR CRAIG: I'M WITH YOU. LOOK AT MY YARD.

REPRESENTATIVE: WILD FLOWER MIX. I THINK I MENTIONED BEFORE, I'M NOT SURE IF YOU WERE HERE THE FIRST TIME, MR. MAYOR, BUT I AM PLANNING ON BUILDING A HOUSE AND MOVING HERE MYSELF, SO.

MAYOR CRAIG: I DID WATCH THAT TAPE, YES.

REPRESENTATIVE: THERE'S GOING TO SOME VERY STRICT REQUIREMENTS AS THE PROPERTY OWNERS COME IN AND BRING IN THEIR PLANS FOR THE DEVELOPMENT.

MAYOR CRAIG: DOES YOUR MOTION ACCEPT THAT FRIENDLY?

P. SCHUMAN: YES I DO.

R. TRANSON SECONDED THE MOTION.

P. SCHUMAN: PER STAFF RECOMMENDATIONS.

F. WELCH AMENDED THAT THE LAYOUTS SO THAT MR. LE MEU CAN CONTINUE ON, I WOULD LIKE TO SEE THE INTERSECTION THAT ENOUGH LAND BE RESERVED FOR STORMWATER ROADWAY PURPOSES THAT IF IT IS REQUIRED TO RECONFIGURE THIS INTERSECTION FOR A COLLECTOR WE WOULD HAVE THE OPTION THERE. LOT 2 HAS 5.5 ACRES, WE COULD MOVE THAT LOT LINE OVER SOMEWHAT THEN AND ALLOW THE MAXIMUM OF THIS CORNER HERE FOR STORMWATER HIGHWAY PURPOSES.

P. SCHUMAN: I AMEND MY MOTION APPROPRIATELY.

MAYOR CRAIG: DO YOU UNDERSTAND WHAT HE IS SAYING?

P. SCHUMAN: ONE LOT MIGHT BE SMALLER.

REPRESENTATIVE: I UNDERSTAND CONCEPTUALLY WHAT HE IS SAYING. I REALIZE THAT THE DETENTION PLAN THAT'S PLANNED RIGHT NOW WILL BE THERE. THAT'S ALREADY IN THE PLAN. ALL OF THE WATER COLLECTION OFF OF THE ROAD INTO THE PROPERTY IS DESIGNED RIGHT NOW TO FLOW TO THAT DETENTION POND. IF YOU ARE LOOKING FOR ADDITIONAL COLLECTION OFF OF NAGAWICKA, I'M NOT SURE IF THAT?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

MAYOR CRAIG: NO, HE'S LOOKING FOR THE POSSIBILITY/FLEXIBILITY OF CHANGING SHAPE OF INTERSECTION.

F. WELCH: WE COULD USE THAT, THERE'S WAYS OF RECONFIGURING THIS, PLUS WITH THE HEY PLAN WILL REDUCE THE SIZE. I'M TRYING TO GET AS MUCH AREA AS I CAN. ALLOW THE CITY THE FLEXIBILITY IF THIS DOES BECOME A COLLECTOR THAT WE CAN RECONFIGURE THIS WITHOUT CONDEMNING PROPERTY. LOT #2 WOULD GO TO 3 ACRES - WE WOULD GET ANOTHER ½ ACRE IN THAT AREA.

REPRESENTATIVE: THAT'S FINE. AS LONG AS IT, WHENEVER IT TAKES PLACE, WHENEVER IT IS REQUIRED, IF THE LAND IS THERE THAT'S FINE.

P. SCHUMAN: THAT'S ALL WE'RE LOOKING FOR. BECAUSE YOU MIGHT STRAIGHTEN THAT CURVE OUT AND MAKE IT A "T" IN THE FUTURE FOR TRAFFIC CONTROL PURPOSES AND SAFETY.

D. KUCHLER: ONE QUESTION, FRED ARE YOU INTENDING FOR HIM TO MAKE THE DETENTION POND LARGER THEN OR JUST HAVE THE THERE LAND AVAILABLE IF IT NEEDS TO BE?

F. WELCH: MAKE OUTLOT 1 LARGER BUT SPECIFY IT FOR PUBLIC USE. COULD BE STORMWATER, COULD BE ROW, ROADWAY, SO FORTH.

B. LEONARD: I HAVE A COUPLE OF QUESTIONS. I DON'T KNOW IF THIS IS THE TIME TO BE DOING IT. BUT ON THE VISUAL PROBLEM WE HAVE HERE AT INTERSECTION, AND I UNDERSTAND THAT DOWN THE ROAD WE MIGHT BE LOOKING AT RECONFIGURING THAT, BUT RIGHT NOW THE EXISTING PROBLEM, I GUESS WAS I HEARING, DO YOU HAVE THAT CLEARANCE FOR SAFE SIGHT DISTANCES? IS IT THERE OR NOT IS WHAT I'M ASKING? AND IF IT'S NOT THERE, DOES THAT MEAN THAT THE ADJACENT PROPERTY OWNERS ARE GOING TO HAVE ALL OF THEIR TREES CUT DOWN TO ACHIEVE IT?

R. DUPLER: THE PROBLEM WITH VISIBILITY; THE PETITIONER'S IN THEIR ANALYSIS HAD SUBMITTED TO STAFF THEIR VISION TRIANGLE REQUIRED ANALYSIS. THEY HAVE THE PROPER VISIBILITY ON THE OUTSIDE OF THE CURVE. IT'S COME TO OUR ATTENTION BY MR. HAMILTON OF THE LAST MEETING, THAT THERE IS A PROBLEM ON THE INSIDE OF THE CURVE. WHAT MR. LE MEU IS SUGGESTED THIS EVENING AND INDEED IS THE CASE, THERE ARE TREES THAT HAVE GROWN UP IN THE ROW ON THE

CITY OF DELAFIELD PLAN COMMISSION MINUTES

INSIDE OF THE CURVE THAT ARE HAMPERING VISIBILITY. TO REACTIFY THIS PROBLEM IS SOMETHING PUBLIC WORKS SHOULD CHECK OUT. SO AS TO ENSURE THAT IF VISIBILITY CAN BE MAINTAINED ON THAT INTERIOR BY CLEARING THE TREES WITHIN THE ROW, THEN THAT IS THE APPROPRIATE ACTION THAT NEEDS TO BE TAKEN.

B. LEONARD: BECAUSE WE'VE DISCOVERED THAT OWNERS ON THE OTHER SIDE OF NAGAWICKA DO HAVE A 66' DEDICATED ROW ON THEIR PROPERTY WHICH MEANS THEY CAN GO IN THEIR AND CUT THEIR TREES.

R. DUPLER: YES.

B. LEONARD: I GUESS I COULD SEE NOT ONLY ARE THEY GETTING LAND DEVELOPED ACROSS FROM THEM, BUT NOW THEY MIGHT LOST THEIR TREES BECAUSE OF IT.

M. CARLSON: WOULD YOU CUT DOWN TREES EVEN IF THERE WASN'T ANY DEVELOPMENT OVER THERE?

MAYOR CRAIG: IF THERE'S SITE PROBLEM THERE IS A SITE PROBLEM. REGARDLESS.

B. LEONARD: NO THERE ISN'T. I MEAN, YOU CAN NEGOTIATE NAGAWICKA ROAD WITHOUT THAT.

REPRESENTATIVE: MR. HAMILTON HAS SUGGESTED THAT HE HAS HAD TROUBLE WITH PEOPLE COMING AROUND THE CURVE AS HE IS TRYING TO TURN INTO HIS DRIVEWAY. NOW IN WORKING WITH MR. HAMILTON TO RELOCATE HIS DRIVEWAY, WHICH HE WAS MORE THAN HAPPY TO DO OFF OF NAGAWICKA ONTO THIS OTHER ROAD.

B. LEONARD: SO HE'S ON YOUR SIDE OF THE SIDE?

REPRESENTATIVE: YES.

B. LEONARD: I'M TALKING ABOUT PEOPLE ON THE OTHER SIDE.

REPRESENTATIVE: THERE IS A HOME HERE THAT HAS SOME TREES AND AS YOU'RE GOING SOUTH IF THE TREES WERE NOT THERE, YOU'D HAVE A BETTER VISION OF THAT CURVE. IT'S JUST A MATTER OF HOW QUICKLY CAN YOU ULTIMATELY SEE WHAT'S COMING AROUND THE CURVE AND THAT'S A FUNCTION OF WHETHER THE TREES ARE THERE OR NOT. I HAVE NO PROBLEM GOING TO THOSE OWNERS AND SUGGESTING THAT AT MY EXPENSE, I WOULD RELOCATE THOSE TREES FOR THEM AS

CITY OF DELAFIELD PLAN COMMISSION MINUTES

AN ALTERNATIVE TO HAVING THE TREES CUT DOWN. I DON'T LIKE TO SEE TREES CUT DOWN EITHER.

B. LEONARD: IS THERE ANY WAY WE COULD MAKE THE DEVELOPER DO THAT?

MAYOR CRAIG: HE JUST SAID

P. SCHUMAN: ... DEVELOPER'S AGREEMENT..

REPRESENTATIVE: I CAN'T SEE THE PROPERTY OWNER TELLING ME, NO I'M NOT GOING TO LET YOU RELOCATE MY TREE. BUT HE COULD AND THEN I WOULD HAVE TO SAY, CITY, HIS TREE IS IN YOUR ROW. THERE'S A SAFETY FACTOR HERE THAT NEEDS TO BE ADDRESSED, WILL YOU PLEASE TAKE THE TREE OUT BECAUSE IT'S AN ISSUE FOR EVERYBODY THAT DRIVES THAT ROAD.

B. LEONARD: I WAS WORRIED ABOUT THE SCENARIO THAT THE CITY COMES IN AND CHOPS DOWN THE TREES OF THE NEIGHBOR ACROSS THE STREET BECAUSE A NEW ROAD'S BEEN PUT IN AND THEY DON'T HAVE THE VISUAL SAFETY.

P. SCHUMAN: THEY'S GOT A PROBLEM RIGHT NOW WITH OR WITHOUT THE ROAD

B. LEONARD: THEY MAY HAVE A PROBLEM, BUT IT'S NOT A PROBLEM THAT

MAYOR CRAIG: THIS PROBLEM NOT GERMANE TO THE ISSUE OF THIS SUBDIVISION.

M. CARLSON: BUT IT'S GOOD TO GET IT INCLUDED AS PART OF A CONDITION OF DEVELOPMENT AGREEMENT.

REPRESENTATIVE: LIKE I SAID, I HAVE TALKED TO BOB HAMILTON. BOB HAMILTON KNOWS THE NEIGHBOR ACROSS THE STREET, HE SAID, COME ON OVER, WE'LL GO OVER THERE AND TALK TO THE GUY. WE'LL SEE IF WE CAN'T GET HIS TREE MOVED. IT IS AN ISSUE WITH 66' ROW THERE. MAYBE I CAN'T CONTROL THE REMOVAL OF SOME TREES.

MAYOR CRAIG: WE'RE GOING TO MOVE THIS ALONG HERE. DO YOU AGREE WITH THE MOTION THAT FRED AND WITH THE CONDITION?

P. SCHUMAN: YES I DO.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

MAYOR CRAIG: THE SECOND ALSO AGREED WITH FRED'S AND THE CONDITION?

R. TRANSON: YES.

MAYOR CRAIG: IS THERE ANY OTHER?

B. LEONARD: JUST A COUPLE MORE. ONE IS THAT HAVE THEY DONE ANY KIND OF TENTATIVE PLANNING FOR THE AREA EAST OF HERE, THAT WAS ONE OF THE CONDITIONS IN THE CITY PLANNER'S LETTER, THAT FUTURE ROAD PATTERNS AND DEVELOPMENTS TO THE EAST MUST ADDRESSED? DO YOU MEAN BY THE DEVELOPER OR THE CITY?

R. DUPLER: BY THE CITY.

B. LEONARD: OKAY, BUT THEY DON'T HAVE TO BE ADDRESSED PRIOR TO APPROVING THIS?

R. DUPLER: THE INTENT, WE'RE TAKING IT OUT OF CONTEXT HERE, THE INTENT OF THAT STATEMENT WAS ADDRESSED TO THIS BODY. IF WE ARE TO EVALUATE THE REROUTING OF THIS COLLECTOR, THEN YES, IT SHOULD BE THE CITY'S RESPONSIBILITY TO DETERMINE EXACTLY HOW THAT SHOULD FUNCTION AND HOW THAT MAY IMPACT FUTURE DEVELOPMENT PROPERTIES TO THE EAST. I DON'T THINK IT'S MR. LE MEU'S RESPONSIBILITY TO ANTICIPATE WHAT COULD POTENTIALLY HAPPEN THERE, GIVEN THE FACT THAT WE ALREADY HAVE, SUPPOSEDLY, A MAPPED COLLECTOR TO SERVICE THAT PROPERTY.

B. LEONARD: I WAS CONFUSED BECAUSE THE SURVEYOR GOT A LETTER WITH THAT AS ONE OF THE POINTS, ALMOST LIKE THE SURVEYOR WAS SUPPOSED TO ADDRESS THAT ON THE APRIL 2 LETTER. THE ONLY OTHER QUESTION THAT I HAD WAS ON WETLANDS AND ENVIRONMENTAL CORRIDORS, THEY ARE DELINATED ON THE PLAN YOU'VE SUBMITTED AT SOME POINT?

REPRESENTATIVE: I HAVE GONE TO THE SEWRPC PEOPLE AND WE KNOW WHERE THE WETLANDS ARE. WE ALSO KNOW WHERE THE ENVIRONMENTAL CORRIDORS AND THIS PROPERTY IS NOT AFFECTED BY EITHER. WETLANDS AND ENVIRONMENTAL CORRIDORS ARE ON THIS PROPERTY SOUTH AND TO THE NORTH, BUT THE MAPS THAT ARE AVAILABLE THROUGH SEWRPC INDICATE THAT THIS PROPERTY IS NEITHER A WETLAND OR AN ENVIRONMENTAL CORRIDOR ISSUE.

B. LEONARD: GREAT.

CITY OF DELAFIELD PLAN COMMISSION MINUTES

MAYOR CRAIG: ANYTHING ELSE? ANY FURTHER DISCUSSION. THEN WITH ALL THAT AMENDED AND SAID, THOSE IN FAVOR OF THIS SAY AYE.

FOUR WERE IN FAVOR. B. LEONARD OPPOSED. MOTION CARRIED.

M. Carlson: The recommendation then goes to the City Council at the next meeting which would be May 19th.

M. Czubkowski: Just these documents, not the preliminary plat.

M. Carlson: The general development plan, the preliminary plat... the preliminary plat does not go, but all the rest of the things do.

Representative: It is my understanding that you are going to contact my attorney and make sure that the necessary changes that you included in the documents...

R. Dupler: They will reflect the outcome of tonight's meeting.

Mayor Craig: You've given them the stormwater already?

Representative: No I have not, I have them outside. I was going to bring them in with me, but since it was raining. I'll get them to you.

6. PRELIMINARY CONSIDERATION

- a. **Tax Key 786.059 and 786.060, Lots 5, 6, and 7 of Nagawicka Lake Heights.** Applicants: Lance and Debra Jochims seek preliminary consideration of CSM.

M. Czubkowski read the above.

R. Dupler: The Petitioner was not able to be here this evening, however I've had conversations with him in regards to my recommendation. What has been laid out before you is a couple of different alternatives. We have a CSM where the petitioner's are hoping to combine three lots and make one buildable lot. Welch Hansen survey department has reviewed their CSM and found that they are just minor issues with the exception of the existing ROW is only 20' wide. As a matter of fact, the existing pavement is not even contained within that ROW and there are a couple of options that this body may consider. We could require at this time with the acceptance of this CSM a modification to the existing ROW to be expanded to at least encompass the pavement, to encompass an area 10-15' outside of the pavement for the routing of any future utilities or any sort of work. My recommendation, which has the highest impact, is to

CITY OF DELAFIELD PLAN COMMISSION MINUTES

actually employ a 30' half ROW from center line onto Mr. Jochim's lot. The impact of that is that we are able to achieve the required ROW. We are also able to provide him a 54' building envelope in depth. Then a 30' ROW dedication and 25' front yard setback, 54' building envelopment, and the required 35' rear yard all of which Mr. Jochim finds acceptable. It's up to you gentlemen and ladies this evening to make that determination as to how extensive you'd like us to employ that ROW.

B. Leonard: Has the owner accepted that?

R. Dupler: Yes. His only concern was his realized building depth. Which would be a 54' deep building, still a very good size residential home.

Mayor Craig: Floor's open.

F. WELCH MOVED TO ACCEPT THE CSM WITH 20' ADDITIONAL ROW ON THE WEST SIDE OF WEST SHORE DRIVE. P. SCHUMAN SECONDED THE MOTION.

D. KUCHLER: DOES THAT MAKE IT 30' THEN?

F. WELCH: WHAT IT DOES, WE'VE GOT A 20' ROADWAY, IT SHOULD BE 60' SO WHAT WE DO IS TAKE ENOUGH OFF OF THIS SIDE....

D. KUCHLER: SO YOU'RE TAKING 30' ON ONE SIDE?

F. WELCH: WELL, IT'S TEN, HALF OF WHAT'S EXISTING PLUS ANOTHER 20. SO THEN THE WEST SIDE IS NOW CONFORMING TO OUR ORDINANCE. THE EAST SIDE IS NOT.

D. KUCHLER: WHAT IS ON THE EAST SIDE?

M. CZUBKOWSKI: ALL HOUSES.

D. KUCHLER: WHAT WOULD BE, I'M WONDERING WHAT'S ON THE NORTH OR THE SOUTH OF THIS ALONG THIS ROAD. AS AN EXAMPLE, I'M ENVISIONING YOU MAKE THIS ROW HERE, BUT THEN YOU GET TO THE LOT LINE AND ALL OF A SUDDEN IT DROPS BACK, SO WHAT GOOD DOES IT DO?

R. DUPLER: IT'S JUST THAT THE CITY TAKES UPON ITSELF THE OPPORTUNITY TO BRING THINGS UP TO STANDARD AT EVERY OPPORTUNITY. WE HAVE A NONCONFORMING ROW THAT SHOULD HAVE BEEN 60' ROW YEARS AGO AND NEVER WAS. THE REALITY IS THERE MAY NEVER BE A REASON FOR THE 60' ROW TO EXTEND ANY FURTHER NORTH OR SOUTH, BUT AT LEAST WE ARE

CITY OF DELAFIELD PLAN COMMISSION MINUTES

DOING OUR PART TO ENSURE THAT IF THERE IS ANY OTHER OPPORTUNITIES, WE'VE AT LEAST ESTABLISHED SOME SORT OF PATTERN FOR DEALING WITH THIS SITUATION.

M. CARLSON: THERE IS A CASE ON WEST SHORE DRIVE WHERE WE NEEDED SOME ADDITIONAL WIDTH TO HELP RESOLVE A STORMWATER ISSUE AND SO IN RETROSPECT, HAD WE HAD THE FULL WIDTH OF ROW THAT PROBLEM COULD HAVE BEEN EASILY SOLVED.

MAYOR CRAIG: I LOOK AT IT AS TAKE SOME BABY STEPS TO MAKE THE SITUATION RIGHT.

D. KUCHLER: I UNDERSTAND.

THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

- a. Tree cutting ordinance: sample ordinances from other communities

Mayor Craig: This is simply discussion giving the staff a direction in which way to head on this issue. As sad as it may be, it kind of sprung out of a couple different scenarios, the Baymont being one and then also some other conversations we've had in other developments and we'd kind of like to get something on the books here in this area.

D. Kuchler: I was not sent anything. I don't have any...

B. Leonard: It was in our April's, see before you were on the commission... I was trying to combine those two packets and at first I was going to throw out the old packet, but this item was only in the old packet.

M. Carlson: Sorry about that. We will recirculate it.

D. Kuchler: Is this being patterned after other communities or?

Mayor Craig: We had what, four?

R. Dupler: There are four specific examples of other tree cutting ordinances. They vary in degree of detail. You might want to consider that there are three primary objectives when it comes to a tree cutting ordinance, the first of which is just maintenance of existing material, the other is preservation of existing material, you know if it is deemed as an asset in our community to preserve existing large trees which I think there's a pretty savage pattern in this community, preservation enters

CITY OF DELAFIELD PLAN COMMISSION MINUTES

into it, the other thing is disease control as well, particularly Oak Wilt, there are some very extensive ordinances out there that are quite detailed and quite elaborate, but it is something we may want to consider. One of them in here does make some reference to that.

Mayor Craig: I have to hang my head a bit here, I've done a wee bit of tree trimming this past winter myself, but it was primary for safety of the house and tree, the silver maple/box elders. Are we looking at preserving all trees? Or are we looking at preserving the high quality species? In the same aspect as I started the process, I found several trees with some major cracks. I'm going to take myself as an example. I wouldn't want the homeowner to have the obligation to go out and hire somebody to save a silver maple with a severe crack in its trunk. And then you get into a debate, well, you could cable it, you could tie it, you could do other things as opposed, I found a simple solution, it was an old tree, and it was time to get it to go down. That's my concern.

R. Dupler: That's a very viable question for everyone here to consider. Give some thought to give us that direction - what are your collective intents when it comes to removal of trees?

Mayor Craig: On the same hand, I wouldn't want my neighbor to go cutting down some of their beautiful oak trees either.

P. Schuman: What happens if they are diseased for example and?

Mayor Craig: Disease is a different issue. If it gets the oak wilt or something of that sort that needs to be cleared out, fine. If it's an old elm tree to prevent the spread of disease, fine. I have no problems with that.

P. Schuman: Well we have a City arborist. C. Mursky has a background, she sat on Parks & Rec and she was involved with a number of things so maybe we can table this until she is able to review it and give us her comments.

B. Leonard: New commissioner that didn't see it.

Mayor Craig: In fact that was in a note that I wrote to Matt, can we move it to next meeting, and he was looking for some guidance to start gathering some materials.

P. Schuman: I recommend we move this to the next meeting.

D. Kuchler: Do we not have any kind of City ordinance on this now? Or any kind of?

CITY OF DELAFIELD PLAN COMMISSION MINUTES

M. Carlson: There are limited tree ordinances in the zoning code in Chapter 17.29 in our code that specify certain species that are protected species in Delafield and the requirements for tree surveys and those kinds of things. The whole issue of cutting down trees that were supposed to be protected is not specifically detailed in our code.

M. Czubkowski: And it doesn't extend to residential property at this time.

D. Kuchler: It only affects commercial property?

M. Czubkowski: Right.

Mayor Craig: Is that going to give you a direction?

M. Carlson: We'll bring it back.

Mayor Craig: All right.

8. HEARING DATES

None

9. ADMINISTRATOR'S REPORT

M. Carlson: Just had one item to give you tonight. Waukesha County has made an offer to all Waukesha County communities to participate in a joint effort to meet the requirements for the Smart Growth Planning legislation in Wisconsin. The portions of the project that we would participate in would be only the data gathering sections of that state statute (distributed a handout to commissioners). They're not looking to come out and do a Smart Growth Plan for us, but there are certain data points or data elements that are required as part of a Smart Growth plan that their perspective is that it makes more sense for us to collect this data on a regional basis than it does for each municipality to go out and collect it on its own. So the handout that I've given you indicates all those communities in Waukesha County that have either signed up or opted not to participate or have not taken any action on it at all. What you'll see is that the City of Delafield hasn't taken any action on this issue. The first step for determining whether or not the City participates is to get a recommendation from the Plan Commission to the City Council on what your thoughts are. This is the information packet that Dale Shaver from the Waukesha County Parks & Planning Department provided. Please review it and we'll be put this on an agenda for your consideration at the meeting on the 28th. If you think it would be beneficial to have a presentation by someone from the county, we can arrange that. But as you can tell by the handout most communities have seen a benefit to go into this kind of a data collection process. Jeff Hermann from Welch Hanson has participated in the meetings describing what this is all about and is participating with some of the other clients that they serve. We'll put

CITY OF DELAFIELD PLAN COMMISSION MINUTES

this on the May 28th Plan Commission agenda. Wanted to get it in your hands so that you could review it in advance of that meeting. And if you would, send me an e-mail with your thoughts about whether you want somebody from the county to make a presentation about the issue.

D. Kuchler: Do you have any idea why any of them that have opted out, why they've opted out?

M. Carlson: I don't know, but I will gather that information and make it part of the report for the next Plan Commission meeting.

Mayor Craig: Also cost?

M. Carlson: Okay.

P. Schuman: And perhaps a timeframe on the Smart Growth. There have been some discussions tonight about the Master Plan. It seems to me these two go hand in glove. You don't want to re-do a Master Plan and find out that you have to do something different for the Smart Growth or visa versa. So these things can be done probably simultaneous, or at least the reviews. We'll start working on that area, this ...

B. Leonard: Looks like a lot of the data gathering would be exactly what you would need to do anyway if you were doing your own plan, so if they can do it and it doesn't cost us money.

P. Schuman: There should be an economy of scale. I think we agree on that.

M. Carlson: Okay, we'll get you a memo.

Mayor Craig: Anything else, Matt?

M. Carlson: No, that's it.

10. BUILDING INSPECTOR'S REPORT

None.

11. BOARD OF ZONING APPEALS

None.

12. CORRESPONDENCE

- a. Letter from the Village of Hartland dated April 11, 2003 for occupancy permit for chiropractic services at 860 Rose Drive, Hartland.

13. ADJOURNMENT

CITY OF DELAFIELD PLAN COMMISSION MINUTES

P. SCHUMAN MOVED 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 8:59 PM.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC