

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

CALL TO ORDER

Mayor Schuman called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL:

Present

Absent

Mayor Phil Schuman
Larry Chapman
Michael Frede (arrived at 7:05 P.M.)
Dan Jashinsky
Ron Miskelley
Chrys Mursky (arrived 7:12 P.M.)
Keith Strege
Roger Dupler, Planner (arrived 8:13 P.M.)
Sarah Binkowski, Assistant Planner
Gina Gresch, Clerk-Treasurer
Marilyn Czubkowski, City Administrator
Tom Maney, Building Inspector

PUBLIC HEARINGS:

CONSIDERATION OF A ZONING TEXT AMENDMENT, AN ORDINANCE ADDING "PURPOSE AND INTENT", AMENDING SECTIONS 17.65 – PERMIT REQUIRED AND 17.76 - DEFINITIONS OF THE MUNICIPAL CODE RELATING TO SIGNS AND EXTERIOR LIGHTING

Mayor Schuman declared the Public Hearing open at 7:02 P.M., noting the procedures utilized in a Public Hearing.

There was no one present wishing to speak on this item at this time.

R. MISKELLEY MOTIONED TO CLOSE THE PUBLIC HEARING AT 7:03 P.M. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CONSIDERATION OF AN ORDINANCE AMENDING SECTIONS 17.28 - REQUIRED FORM OF AND INFORMATION ON SITE PLAN AND APPEARANCE APPROVAL APPLICATIONS; 17.32(2)(E) - PLAN COMMISSION MEETING; 17.32(2)(J) - AS BUILT PLANS; 18.27 - FINAL PLAT REVIEW WITHIN THE CITY; 18.28 - FINAL PLAT APPROVAL WITHIN THE CITY AND 18.31 - MINOR SUBDIVISION OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD

Mayor Schuman declared the Public Hearing open at 7:03 P.M.

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There was no one present wishing to speak on this item at this time.

D. JASHINSKY MOTIONED TO CLOSE THE PUBLIC HEARING AT 7:05 P.M. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CONSIDERATION OF AN ORDINANCE AMENDING SECTIONS 17.22 - BOATHOUSES AND 17.24 - DEFINITIONS OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD RELATING TO BOATHOUSES.

Mayor Schuman opened the Public Hearing at 7:05 P.M.

Steve Bergum, 2016 Bay Point Lane – He had attended previous meetings where he had heard a representative of the Lake Welfare Committee (LWC) speak about the need for naturalized shorelines and the aesthetic issues of having boathouses on the lake. He noted that the LWC representative stated that she spoke to a few people to gather her opinions and that if it were up to her all boathouses should be eliminated. However after speaking at the meeting she did not stay to hear the opinions of others. He was concerned about these actions. He stated that he found boathouses aesthetically displeasing and was concerned about the activities that would take place with a boathouse. Furthermore with regard to naturalized shoreline issues, he stated he believed this portion of the ordinance to be overreaching and questioned whether other municipalities required this of their residents. He also stated he was concerned about the number of feet at the shoreline to be turned into a rain garden. He felt that the City was attempting to micromanage residents. With regard to remodeling of boathouses, he believed this restriction would cause people to allow their boathouses to fall into disrepair rather than encourage appropriate maintenance. Overall, he thought the proposal to be vague, overreaching and placed the City in a role of micromanaging its residents. He had not heard meaningful reasons why this ordinance had been put forth in this manner and thought it to be a political agenda item. Placing restrictions on residents in this way would restrict the increase in property values for lakeshore owners.

R. MISKELLEY MOTIONED TO CLOSE THE PUBLIC HEARING AT 7:13 P.M. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CONDITIONAL USE AND ZONING AMENDMENT PUBLIC HEARING FOR MLG DEVELOPMENT, 13400 BISHOP'S LANE, STE 100, BROOKFIELD, WI 53005. PROPERTY OWNED BY WILLIAM & BARBARA KNOFF, 345 NASHOTAH RD., NASHOTAH, WI 53058 AND BRADLEY BINKOWSKI & MARY SLEPEKIS, 1307 MARINER DR., HARTLAND, WI 53029. APPLICANT REQUESTS A CONDITIONAL USE TO DEVELOP SUBJECT LANDS INTO THE COLONIES OF DELAFIELD SUBDIVISION, APPROXIMATELY 195 LOTS

This item was removed from the agenda for this meeting.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

1. APPROVE PLAN COMMISSION MEETING MINUTES OF JANUARY 30, 2008 MEETING

R. MISKELLEY MOTIONED TO APPROVE THE PLAN COMMISSION MEETING MINUTES OF JANUARY 30, 2008, AS PRESENTED. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

There was no one present wishing to speak at this time.

L. CHAPMAN MOTIONED TO CLOSE THE CITIZEN'S COMMENTS. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA (RECOMMENDED APPROVALS IN ACCORDANCE WITH THE STAFF REPORT)

C. Mursky requested Items B, D, and F be removed from the Consent Agenda for further discussion and consideration.

D. JASHINSKY MOTIONED TO APPROVE ITEMS A, C, AND E. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- a. DISCUSSION AND ACTION ON THE TEMPORARY BUSINESS PLAN OF OPERATION FOR JELLI'S MARKET PRODUCE STAND, LOCATED AT MARTY'S PIZZA, 2580 SUN VALLEY DR, DELAFIELD, WI 53018, TO BE OPERATING JUNE 1, 2008 THROUGH AUGUST 31, 2008

Approved. See above.

- b. DISCUSSION AND ACTION ON THE BUSINESS PLAN OF OPERATION AND SIGN PERMIT FOR STEINER GROUP, LOCATED AT 645 WELLS STREET, DELAFIELD, WI 53018

S. Binkowski explained that the applicant had submitted a Business Plan of Operation (BPO). There were no issues of concern with the BPO. In addition, a sign permit had been requested. The permit proposed hanging the sign on the side of the building near their entrance rather than adding the name to the menu board style sign in front of the building as it was full.

C. MURSKY MOTIONED TO APPROVE, CONTINGENT UPON THE APPLICANT MEETING WITH CITY STAFF TO CREATE A SIGN

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PACKAGE. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. DISCUSSION AND ACTION ON THE TEMPORARY BUSINESS PLAN OF OPERATION FOR THE HOME DEPOT A TEMPORARY GARDEN/SEASONAL SELLING AREAS, LOCATED AT 3400 HILLSIDE DRIVE, DELAFIELD, WI 53018, TO BE OPERATING APRIL 2008 THROUGH SEPTEMBER 2008

Approved. See above.

- d. DISCUSSION AND ACTION ON THE BUSINESS PLAN OF OPERATION FOR JANET AND JAMES STOFFER, D/B/A WHOLLY COW FROZEN CUSTARD, LOCATED AT 637 MAIN STREET, DELAFIELD, WI 53018, TO INCLUDE RETAIL SALES OF GIFT ITEMS

C. Mursky questioned whether a current BPO was in existence for the business and how the business might look different from the current venture. She questioned how signage would be impacted as a result of the request.

S. Binkowski explained this request represented an amended BPO with no other changes, including no additional signage.

J. Stoffer, applicant, was present and explained there would be no visual difference from the retail sales there now. He also explained he would return in the future with a sign package request

C. MURSKEY MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. DISCUSSION AND ACTION ON THE TEMPORARY BUSINESS PLAN OF OPERATION FOR TRIPOLI SHRINE VIDALIA ONION FUNDRAISER, LOCATED AT WAL-MART, 2863 HERITAGE DRIVE, DELAFIELD, WI 53018, FRIDAY MAY 2, 2008 AND SATURDAY, MAY 3, 2008

Approved. See above.

- f. DISCUSSION AND ACTION ON THE BUSINESS PLAN OF OPERATION FOR SUSAN STEINER, D/B/A BANGLES & BAGS, LLC, LOCATED AT 611 MAIN STREET, DELAFIELD, WI 53018, FOR THE RETAIL SALE OF JEWELRY AND HANDBAGS

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S. Binkowski explained that the BPO would accommodate a specialty retailer in the Lieblang Building and there were no problematic issues associated with the request.

C. Mursky requested whether additional signage was needed. S. Steiner of Bangles and Bags was present and explained signage beyond what was supplied by the landlord had not been requested.

C. MURSKY MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

A. DISCUSSION AND RECOMMENDATION TO COMMON COUNCIL THE MINOR CHANGE TO THE CONDITIONAL USE FOR SITE PLAN MODIFICATION FOR DELAFIELD SQUARE SITE PLAN

S. Binkowski explained that the proposed site plan had been modified during construction and in reviewing the request for the release of the Letter of Credit a site inspection revealed several specific inconsistencies with the approved plan. S. Binkowski reviewed the list of items that remained inconsistent with the approved plan and noted these items were to have been shared with Council in a memorandum from the City Engineer. In addition, she explained that the developer had stated it would be difficult to place the trees on the property and thus, would donate trees to the City for placement elsewhere as the City saw fit to do.

C. Mursky noted the upper mechanical units were still visible on the building and were to be screened through four sided architecture. T. Maney explained the cupola had never been placed due to structural reasons.

Rob Gerbitz, of Lang Investments, explained there were no positive solutions remaining for screening the mechanicals, thus, they had been eliminated from the construction. He also noted additional parking spaces had been striped and the parking lot striped diagonally in an effort to maximize the space. Tree donations, as discussed earlier, were a positive solution to the situation on the site.

Mayor Schuman requested the memorandum from the City Engineer should be reviewed prior to consideration of this item, and he requested this item be placed on the next Plan Commission meeting agenda.

B. DISCUSSION AND RECOMMENDATION TO COMMON COUNCIL FOR THE MINOR CHANGE TO THE CONDITIONAL USE FOR SITE PLAN MODIFICATION FOR ARCHITECTURAL AND COMMUNICATION UTILITY

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ANTENNAS FOR CRICKET COMMUNICATION, LOCATED AT 3822 KETTLE COURT EAST, DELAFIELD, WI 53018

S. Binkowski stated the proposed improvements were part of the existing Conditional Use Permit and the proposed expansion was in compliance with that use.

A representative from Cricket Wireless explained the expansion included adding three antennas and adding a second story to house equipment.

R. MISKELLEY MOTIONED TO APPROVE A RECOMMENDATION TO THE COMMON COUNCIL FOR A MINOR CHANGE TO THE CONDITIONAL USE FOR SITE PLAN MODIFICATION FOR ARCHITECTURAL AND COMMUNICATION UTILITY ANTENNAS FOR CRICKET COMMUNICATION, LOCATED AT 3822 KETTLE COURT EAST, DELAFIELD, WI 53018. C. MURSKEY MADE AN AMENDMENT TO THE MOTION TO RELOCATE THE BUSHES TO A DIFFERENT PART OF THE PROPERTY. L. CHAPMAN SECONDED THE MOTION AND AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- C. DISCUSSION AND ACTION ON THE CONDITIONAL USE PERMIT, CHANGE OF ZONING AND GENERAL DEVELOPMENT PLAN FOR "THE COLONIES OF DELAFIELD" SUBDIVISION, MLG DEVELOPMENT, 13400 BISHOP'S LANE, STE 100, BROOKFIELD, WI 53005. PROPERTY OWNED BY WILLIAM & BARBARA KNOFF, 345 NASHOTAH RD., NASHOTAH, WI 53058 AND BRADLEY BINKOWSKI & MARY SLEPEKIS, 1307 MARINER DR., HARTLAND, WI 53029

This item had been removed from the agenda at the request of the applicant.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. DISCUSSION AND ACTION ON THE BUSINESS PLAN OF OPERATION AND SIGN PERMIT APPLICATION FOR MOJO MARINE, LOCATED AT 220 WATERTOWN PLANK ROAD, NASHOTAH, WI 53058.

S. Binkowski explained this request was simply a name change; however the sign submitted constituted a rooftop sign. Staff recommended the sign be relocated below the parapet.

There were no representatives present for the applicant. S. Binkowski also explained, in response to a question by M. Frede, that the applicant had been notified but did not reply, thus Staff could only assume the consent in this case. Staff would like to see the sign lowered below the eave.

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D. JASHINSKY MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION AND SIGN PERMIT APPLICATION FOR MOJO MARINE, LOCATED AT 220 WATERTOWN PLANK ROAD, NASHOTAH, WI 53058. K. STREGE SECONDED THE MOTION. S. BINKOWSKI CLARIFIED THE EAVE CONSTITUTES A FLAT WALL AND THE CITY WAS REQUESTING THE SIGN BE LOWERED BELOW THE EAVE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY

A. DISCUSSION ON THE CONDITIONAL USE PERMIT REQUEST FOR NAGAWICKA YACHT CLUB, LOCATED AT 1131 MARINER DRIVE, DELAFIELD, WI 53018, FOR SITE PLAN AND BUILDING MODIFICATIONS

L. Chapman and P. Schuman recused themselves as they were members of the Nagawicka Yacht Club. R. Miskelley led this portion of the meeting.

S. Binkowski explained the Lake Nagawicka Yacht Club (LNYC) had predated City incorporation in its existence, and as such, had existed as a legal non-conforming use. The LNYC now wished to upgrade their facility and make improvements for ADA access at some time in the future. Because the LNYC did not have any assurance of retaining the current use of the property should an act of nature or other calamity strike, representatives were asking the City to grant a Conditional Use Permit for the property and allow the upgrades and improvements to take place. In reviewing this request, it was found that the existing parking lot for the facility was on the neighboring lot. S. Binkowski suggested the Commission consider requesting the LNYC to combine the two parcels via CSM so the non-conformity would be substantially reduced. The proposed future improvements would be away from the lake and were not anticipated to increase the non-conforming lake setback in this case.

Gerry Maier and Gene Kracklow were present from the LNYC. G. Maier explained there was nothing specific planned for improvements at this time, however in five years the LNYC would potentially be considering the placement of foundation beneath a portion of the facility that did not have it as well as other upgrades. It was prudent to consider all these items at this time versus "piece meal" the requests over time.

Discussion ensued regarding the necessary plans and specifications related to such a request, such as Business Plan of Operation and a Master Site Plan, etc.

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G. Maier stated there was no plan to change landscaping, however a photo and “as built” plans were available. He noted there were no signage plans for the facility as the planning process did not necessarily fit what would be considered normal for a club such as this one.

R. Miskelley suggested the LNYC meet with City Staff to review the necessary elements associated with a Conditional Use Permit and combination of lots.

G. Maier stated he thought the LNYC had been good citizens over the years as there had been no complaints. The LNYC had tried to work with the Police Department in the event of a regatta should the parking lot overflow.

C. Mursky suggested the use of a rain garden on the site in the future.

R. Miskelley questioned whether a rain garden needed to become part of this request as he believed the rain garden issue could be enacted when the upgrades were actually slated for construction consideration.

M. Frede questioned the necessity of the recommendation for the lot combination. S. Binkowski explained the lot lines would be removed and allow the remodeling upgrades to move forward in a compliant manner.

R. Miskelley requested this item be placed on the Public Hearing portion of the Agenda for the March 26, 2008, Plan Commission meeting. He then returned the position of Chair to Mayor Schuman for the remainder of the meeting.

7. ZONING AND ORDINANCE REVISION

A. DISCUSSION AND ACTION & RECOMMENDATION TO THE COMMON COUNCIL TO APPROVE THE ZONING TEXT AMENDMENT, AN ORDINANCE ADDING “PURPOSE AND INTENT”, AMENDING SECTIONS 17.65 – PERMIT REQUIRED AND 17.76 - DEFINITIONS OF THE MUNICIPAL CODE RELATING TO SIGNS AND EXTERIOR LIGHTING

S. Binkowski distributed a revised highlighted version of the proposed Zoning Text Amendment to the Commission, noting these related to the procedural elements of the sign ordinance. She reviewed the process that had been followed in reviewing and proposing these text amendments, noting these proposed amendments related to the Purpose and Intent of the Sign Code, Permit Requirements, Enforcement, and Definition of Terms. She also explained the changes proposed related to more aesthetic ramifications would be reviewed after the Downtown Plan had been updated.

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R. Miskelley clarified these changes to the City Code would allow most of the sign permitting issues to be reviewed and approved at a Staff level with only the exceptions being heard by the Commission. T. Maney responded affirmatively also noting if a dispute were to arise with either party, the Commission would need to review the issue.

Linda Holton, 485 Lillian Court, questioned whether the text had been changed from what was in the packet as the copies distributed for audience members did not include the highlights. S. Binkowski explained there had been no text changes from those distributed copies and what was presented to Council, only the actual yellow highlighting of the document separated the two documents.

L. CHAPMAN MOTIONED TO RECOMMEND APPROVAL OF THE ZONING TEXT AMENDMENT, AN ORDINANCE ADDING "PURPOSE AND INTENT", AMENDING SECTIONS 17.65 - PERMIT REQUIRED AND 17.76 - DEFINITIONS OF THE MUNICIPAL CODE RELATING TO SIGNS AND EXTERIOR LIGHTING, CONTINGENT UPON CITY ATTORNEY AND CITY STAFF RECOMMENDATIONS. D. JASHINKSY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- B. DISCUSSION AND ACTION & RECOMMENDATION TO THE COMMON COUNCIL TO AMEND SECTIONS 17.28 - REQUIRED FORM OF AND INFORMATION ON SITE PLAN AND APPEARANCE APPROVAL APPLICATIONS; 17.32(2)(E) - PLAN COMMISSION MEETING; 17.32(2)(J) - AS BUILT PLANS; 18.27 - FINAL PLAT REVIEW WITHIN THE CITY; 18.28 - FINAL PLAT APPROVAL WITHIN THE CITY AND 18.31 - MINOR SUBDIVISION OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD

S. Binkowski explained this would allow digital submission of documents to be utilized and would be compatible with digital formatting requirements.

R. MISKELLEY MOTIONED TO RECOMMEND APPROVAL OF AMENDING SECTIONS 17.28 - REQUIRED FORM OF AND INFORMATION ON SITE PLAN AND APPEARANCE APPROVAL APPLICATIONS; 17.32(2)(E) - PLAN COMMISSION MEETING; 17.32(2)(J) - AS BUILT PLANS; 18.27 - FINAL PLAT REVIEW WITHIN THE CITY; 18.28 - FINAL PLAT APPROVAL WITHIN THE CITY AND 18.31 - MINOR SUBDIVISION OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

C. Murskey thanked G. Gresch for her initiative on this item.

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C. DISCUSSION AND ACTION & RECOMMENDATION TO THE COMMON COUNCIL AMENDING SECTIONS 17.22 - BOATHOUSES AND 17.24 - DEFINITIONS OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD RELATING TO BOATHOUSES

R. Dupler was present and provided history on the process of the proposed amendments to the boathouse ordinance within the City Code. He explained the Lake Welfare Committee (LWC) had met several times with the Plan Commission Staff to craft appropriate language for proposed changes to the existing boathouse ordinance for consideration. He further explained elements to be changed included prohibition of sanitary sewer links to boathouses, mandatory shoreline restoration when a boathouse was erected or rebuilt, and maintenance agreements of the shoreline buffer strips proposed to ensure long-term aesthetic control. Any proposed changes would be forwarded to the City Attorney for ordinance preparation to be heard before the Common Council meeting at a future date.

R. Dupler also noted that Staff had recommended modifications of the stormwater management code through the Public Works Committee that would include verbiage regarding lake restoration and rain gardens. This boathouse code amendment would allow a buffer strip at the shoreline and also would require an easement to be placed over the shoreline and rain gardens to allow the City to perform maintenance should the buffer strip not be appropriately maintained.

In response to a question by R. Miskelley, R. Dupler stated enforcement of these strips would be no different from stormwater issues in that they would be complaint driven.

R. Dupler also noted there would be an appendix outlining desirable plant species to be placed in the rain gardens.

With regard to the sanitary sewer line being prohibited, R. Dupler also noted the LWC had asked to terminate the current ordinance allowing sewer laterals to be extended to boathouses in effort to prohibit living conditions to be established for boathouse residences. It did recommend allowing exterior plumbing only.

K. Attwell, 2816 Ridley Road, Chairperson of the LWC, explained that the LWC had been working on this boathouse code revision for almost two years. It had been brought to the Plan Commission four to five months ago, modified by the LWC after those discussions were made, and had now returned a second time for consideration by the Plan Commission.

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Mayor Schuman brought forth the issues shared during the citizen's comments portion of the meeting regarding the need for sewer facilities such as hand washing, fish cleaning, or winterizing of boats.

K. Attwell explained this section of the proposed revisions to the Code had not received unanimous support even among LWC members but a majority of them had voted to include it.

T. Maney noted the ordinance revisions were aimed at full human habitation as a residence, and having the boathouse become a place for entertainment purposes rather than a functional boathouse with the function being primarily boat storage. He also noted if plumbing was not allowed in the boathouses, then the ordinance would become easily enforced. Existing boathouses would be "grandfathered" in, but new boathouses would not be allowed to have internal plumbing as a result of the proposed code changes.

Discussion ensued regarding the notification distance appropriate for residents considering implementation of a boathouse and the process that would be utilized as a result of construction.

T. Maney stated he thought a request for a boathouse should first be placed on a LWC Agenda for consideration with a notification of residents within 250 feet of the proposed boathouse construction to gather input and recommendations. After that, it would be placed on the Plan Commission agenda for further consideration and recommendation prior to going to Common Council. Current practice had the Plan Commission review the case first and then return it to LWC for additional comment.

With regard to Section 17.22 (11) of the municipal code related to boathouses, it was suggested verbiage could be presented to include the idea that the Staff will refer application to LWC for recommendation and notify residents within 250 feet of the proposed plan and then return the case to the Plan Commission for final consideration.

L. Chapman questioned the necessity of the shoreline easement. While he understood it was good management practice for the lake and it would cut down on the number of permits, he thought (on some lots) it would create a hardship for people in lot size as well as in cost and maintenance.

K. Strege stated a naturalized shoreline is not natural if one is bringing in plants for plantings. He also stated he did not like the idea of granting an easement to allow the City to come onto a property and regulate how to take care of a yard. M. Frede agreed.

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Mayor Schuman stated he thought this effort appealed to the greater good of all in protecting the lake.

In response to a question by K. Strege, K. Attwell stated the plants on the suggested planting appendix would be all of the natural plants that would grow should residents stop cutting the grass near the lakeshore.

R. Miskelley questioned the specific footage requirement. K. Attwell explained the more footage the better and the Wisconsin Department of Natural Resources (DNR) would ask for more in this instance. In addition, he explained the footage required was not as significant in this case as the need for consistency.

R. Miskelley suggested a percentage of yard be considered rather than a minimum footage requirement as it could be quite onerous for a resident with a smaller backyard. He also thought it would be important to consider the necessary footage to enhance filtration.

M. Frede stated he did not like the idea of government telling people what to do with their property. He stated once people were not allowed to self govern; they also stopped thinking for themselves.

Mayor Schuman stated a phosphorus ban was put in place and efforts had been made to enhance runoff filtration. There were a lot of controls on many things residents did and he agreed all should want to help the lake.

M. Frede explained he thought this issue of naturalized shoreline could be handled in an educational advisory manner and people should have the choice to decide for themselves whether they would like to do it.

L. Chapman stated he understood how a rain garden could be designed to handle the runoff from a boathouse; however he saw this as a "hoop" a resident would need to "jump through" if they wanted to construct a boathouse, and questioned how this pertained to directly to a boathouse in and of itself.

C. Mursky stated impervious surface was being added so a rain garden was being requested to enhance filtration.

L. Chapman stated he understood; however, he thought the City was requesting citizens to totally change their shoreline just because they wanted a boathouse.

M. Frede clarified this request was only being made of newly constructed boathouses with the property being developed. If the boathouse was in

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existence currently, people wouldn't be required to do anything different with their shoreline.

Mayor Schuman stated this request was a way of protecting the lake for the greater good of all.

Discussion ensued regarding potential run off issues associated with state boat launches and existing naturalized shoreline.

R. Miskelley stated he agreed with L. Chapman and M. Frede also. He thought the naturalize shoreline issues could be reviewed in each case, but did not need to be attached to the boathouse ordinance.

L. Chapman stated he agreed with naturalized shoreline as an enhanced filtration, but he preferred not to include it in the boathouse ordinance as proposed since it did not pertain directly to the boathouse itself. He liked the idea of having the LWC review each boathouse on a case by case basis with recommendations to the Plan Commission for final consideration. M. Frede agreed, stating in having the LWC review the case it allowed the property owner to give rationale for the property regarding other issues. R. Miskelley also agreed.

C. Mursky stated she thought if there were extenuating circumstances that those cases could be waived rather than added. K. Attwell stated residents would need to be educated regarding naturalized shoreline and new construction

Discussion ensued regarding how best to proceed with the approval of the boathouse ordinance as proposed.

R. MISKELLEY MOTIONED TO RECOMMEND THAT THE PROPOSED BOATHOUSE ORDINANCE BE SENT TO THE CITY PLANNER TO REMOVE ALL REFERENCES FOR NATURALIZED SHORELINE AND TO WORK WITH THE LAKE WELFARE COMMITTEE TO REVISIT THE ISSUE AND RETURN THE PROPOSED ORDINANCE TO THE PLAN COMMISSION FOR ADDITIONAL CONSIDERATION. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. C. MURSKEY OPPOSED. MOTION CARRIED.

8. HEARING DATES

G. Gresch stated there were two items related to Lake Nagawicka Yacht Club and a Home Stable slated for the Public Hearing portion of the March 26, 2008 Plan Commission Agenda.

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9. ADMINISTRATOR'S REPORT

a. SMART GROWTH UPDATE

R. Dupler explained there were two items for consideration this evening related to Smart Growth issues. The first of these items related to the Public Participation Plan. This plan identified methods and a review process for the Smart Growth vision. In addition, he would be asking the Plan Commission to review Chapter 1 for inclusion within the Smart Growth Plan.

He then shared the Public Participation Plan that identified methods and a review process for citizens to utilize in working through the Smart Growth information.

D. JASHINSKY MOTIONED TO ACCEPT THE PUBLIC PARTICATION PLAN AND RECOMMEND IT TO THE COMMON COUNCIL AS PRESENTED. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

To that end, R. Dupler explained that an Open House style meeting could be slated to take place on April 16, 2008 at the Fish Hatchery Building. This meeting could take place from 10:00 A.M. to 4:00 P.M. and also from 7:00 P.M. to 9:00 P.M. on the same day to accommodate many working residents. The Plan Commission concurred with this date and plan for an informational meeting.

Anyone interested in learning about the process should attend. City Staff will attend and be available to answer any questions residents might have on the subject. The format will include an interactive approach with each station broken out into the nine elements outlined in the overall Smart Growth plan with City Staff available to answer any questions.

Next, he briefly reviewed the introductory chapter of the plan, noting it had been tailored to the City of Delafield.

C. Mursky stated she wanted to bring forth the community vision as part of the introductory chapter. She stated she thought it important to realize community included the viewpoints and perspectives of all people. She thought the role of the Plan Commission was to mediate those viewpoints and perspectives in attempt to balance the needs and allow for a community vision to move the City forward.

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R. Dupler stated the Commission was charged with looking into the future to anticipate land use and how community elected to grow, while accommodating economic changes and technology. He stated the City did not need to have solutions, but would want proper guidelines and mechanisms in place to communicate current vision to the residents of the future.

R. Dupler went on to explain the role of the Plan Commission and its impact to the vision for Smart Growth issues. He also noted additional chapters would be reviewed at upcoming Plan Commission meetings, so it was vital to effective discussion for all Commissioners to have read the proposed chapters prior to arrival at the meeting where it was being discussed.

10. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date were 29, plus four occupancy permits. There were two permits for new single family homes this month.

11. BOARD OF ZONING APPEALS

None.

12. CORRESPONDENCE

None.

13. ADJOURNMENT

R. MISKELLY MOTIONED TO ADJOURN THE PLAN COMMISSION MEETING OF FEBRUARY 27, 2008, AT 9:30 P.M. L. CHAPMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:

Accurate Business Communications, Inc.