

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

**MONDAY, JUNE 7th, 2021
6:30 P.M.**

Chairman Robert Peregrine called the meeting to order at 6:30 p.m. Commissioner's present included James Navin, Linda Bergman, Dione Funk, Jim Roche, Pat Agnew and Terry Largent. Also in attendance were Administrator/Planner Jeffrey Herrmann and Clerk/Treasurer Lori Opitz. For additional attendees please see sign-in sheet.

A Joint Public Hearing will be held by the Town of Oconomowoc Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use to consider the Conditional Use request (CU58) of Okauchee Development, LLC for an unspecified Conditional Use for a fenced outdoor parking/storage business for RV's, campers, trailers, cars, boats and trucks. The subject property is described as part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N50W34548 Road P, Okauchee, WI 53069-9742 (Tax Key No. OCOT 0575.999)

Chairman Peregrine opened the public hearing at 6:31 p.m.

Ben Greenberg from Waukesha County Park and Planning stated the petitioners are proposing a parking and storage business on the site, which would include parking of RV's, campers, trailers, cars trucks and boats. This would be temporary for the site until the applicants could get sanitary sewer extended to the site. They would also install a 6-foot fence that would have electric gate with 24-hour access and there would be a free standing non-illuminated sign, but not indicated where it would be installed.

He also gave a history of the property; the property was used for ready-mix concrete, steel fabrication as well as sand and gravel processing. There was also an office building, truck maintenance shop, machine shop and a storage facility. Those uses were established prior to the adoption of the Zoning Code in 1959 and it became legal non-conforming uses once zoning was established. In 1960, a previous owner obtained approval to expand the sue through a conditional use permit. A subsequent conditional use amendment to expand the concrete batch plan was approved in 1981 but that permit was never issued. Since that time, the batch plant use has been discontinued and the site is currently used for aggregate material storage, authorized through at Town and County approved Site Plan/Plan of Operation.

In 2018, an advisory team which included area business people, residents, builders, developers as well as local officials and staff, held a number of community planning sessions and open houses with a goal of advancing recommendations to the Town and County with regard to a comprehensive rezoning of the downtown Okauchee area. The results of those efforts were the adoption and implementation of the Downtown Okauchee District. Through this process, the subject property was identified as a critical parcel due in par to its significant size relative to other under-development and undeveloped land parcels in the area. The advisory committee concluded that higher density residential or possibly mixed use made sense here and could be an important catalyst to support area businesses and promote long term economic viability. The Downtown Okauchee District allows B-1 and B-2 District Uses by right and makes multi-family and other unspecified uses available through the conditional use processes.

John Spitz, is partial owner of the property since 2015. They have cleaned up the property since they have owned the property and the intent was to develop the property as a residential area, however, the Town is having an issue with the City of Oconomowoc to get recs for the development, so the interim proposal is using the property to store RV's and such, and would cease all operations within 90 days if and when the City will give the Town the rec's that are need to develop the property for residential purposes.

Tim Zignego, part owner of the property, stated the property is not designed to have a septic system and the property needs sewer in order to develop it. The are proposing an interim use with the storage or the other alternative is continue using the property as construction or a processing yard. Currently the property is covered 95% with trees and they are not proposing to remove any of the trees there.

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Hans Weissgerber, 34625 Springbank Road, as a member of the Okauchee Area Business Association that read a letter from the Association that reads as follows: Okauchee Lake and the Okauchee Business district have been a popular destination for weekend fun, entertainment and socializing, however good planning, zoning and development were ignored; they were non-existent, or simply looked at with passive indifference by a dismembered system of local government. A good zoning plan is the guide and foundation for a community's successful future. In 2018, the Waukesha County Department of Land Use, the Town of Oconomowoc and citizens from Okauchee, decided to formulate a visionary land use plan for Okauchee's future. He stated the project was to strengthen the vitality of downtown Okauchee and created special zoning provisions and other opportunities that accommodate investment and improvement of properties, while still preserving and enhancing the unique character of Okauchee. He also stated what the applicants are proposing does not fit the area and this type of facility belongs in an industrial park, or rural area, not in a residential neighborhood. The members of the Okauchee Area Business Association believe that the existing downtown Okauchee Zoning Ordinance must be protected and enforced, as is if Okauchee is to succeed as a viable and successful community, where people want to live, recreate, and build successful businesses and if we allow this proposed land use to go forward, we not only fail ourselves, but we will fail future generations as well.

Peter Puestow, N52W35021 Lake Drive, stated that he is a long-time resident of the area and is concerned with how many vehicles and RVs could be stored in the area and is against the request because he would like the area to be preserved and kept the way it is.

Liz Scherper, N49W34291 Road P, stated she is a long-time resident of the area and stated the current owners have cleaned up the area and would be in favor of their proposal, but her biggest concern on the Road is the safety on the road given the size and traffic.

Chris (inaudible) W347N5116 Road Q, stated he is very familiar with the property and has lived in the area for awhile and he is concerned with the proposed fence for the area, the possible vehicles and or RV's that could be stored in the interim use and what it could do to the area.

Tim Michelic, N50W34763 Wisconsin Avenue, stated we would never be having this meeting if the Town would have sewer Rec's. In his opinion, unfortunately, the Town had an attorney that not only represented the Town but the city at the same time when the Town was trying to get more sewer rec's. he also feels that if things would have been different back in the day and both weren't be represented by the same person, the Town might have more Rec's and maybe since this took place that the agreement that was set back in the day could be voided because of it.

Pat Agnew, Plan Commission member asked the question for the Okauchee Area Business Association if they had a solution or a suggestion as to what the current owners of the property should do with property given the fact that they are unable to get Rec's.

Chairman Robert Peregrine asked Liz Scherper if her property was before or after the property in question. She stated her property is after.

Kathy Nickolaus, N50W34725 Wisconsin Avenue asked if the road was a dedicated road and also asked if there was a conceptual plan for what was proposed before the current request.

Jeffrey Herrmann, Administrator/Planner stated that he and Chairman Hultquist stated that they have met with the City twice asking for Rec's specifically for this property and they talked about possibly doing a border agreement, but they have not come back to the Town with any kind of solution or offering.

Kathy Nickolaus, N50W34725 Wisconsin Avenue, asked if the property is zoned residential. Ben Greenberg stated is currently zoned B1-B2. Kathy stated they could come in with a possible request to do condos.

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Alan Petelinsek, W342N5150 Road P, likes the face the current owners have really cleaned up the property but is concerned that the only thing that will go on the property in the interim is fence and nothing else but a fence.

Ben Greenberg, stated the Town and the County would be able to regulate in the conditional use on what would be allowed, such as the fence, lighting, etc.

Mike Todd, N52W35098 Lake Drive, questioned the pending of the sewer rec's but would like it explained a little further.

Administrator/Planner Jeffrey Herrmann stated its going to take time to lay out a plan with the city and if approved, it would have to be determined who is going to pay for these rec's because they are not going to be cheap – but he is stressing that this is going to take time and it's not going to happen overnight.

Tim Zignego, owner of the property stated the only thing they would grade is a little area. The property will stay the same and the trees will remain. The fence will really go on Road P down the hill and there would be little concrete used for that fence. He also stated he doesn't want the property to site idle and if they are not allowed to do this, they will utilize the area for a construction area because they have been sitting on the property for 6 years because of the city and them not allowing the Town to receive Rec's so they could develop the property into residential.

Dave (inaudible) W347N5984 Road Q, appreciated the owners cleaning up the area. Right now, the area is quiet and feels the lighting and the RV's being proposed is not the best way to go and the Town should work on getting the sewer recs needed to make it a residential area.

Chairman Peregrine closed the public hearing at 7:29 p.m.

1. **Approve Minutes for May 17th, 2021 regular Plan Commission Meeting.** – Commissioner Navin made the motion to approve the May 17, 2021 meeting minutes as presented. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments.** - None
3. **Consider and Act on the Conditional Use request (CU53) of Jon Schoenheider of Regency Builders (applicant), representing Tom & Mary Bachman (owners), for land altering activities associated with the construction of a new single-family residence with exposed basement, patio, hot tub and fire pit. The subject property is described as the S ½ of Lot 12 and the N ½ of Lot 13, Okauchee Lake Park, located in part of the E ½ and part of the SE ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W342N5052 Road P, Okauchee, WI 53069 (Tax Key No. OCOT 0576.024)** – Commissioner Navin made the motion to approve and recommend to Waukesha County Planning the conditional use request (CU53) of Jon Schoenheider of Regency Builders (applicant), representing Tom & Mary Bachman (owners) for land altering activities associated with the construction of a new single-family residence with exposed basement, patio, hot tub and fire pit on the property located at W342N5052 Road P per Administrator/Planner Herrmann's memo dated June 1, 2021. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.
4. **Consider and Act on the request of Peebles Farms, LLC (Owner), Robb Peebles (Applicant) for a variance from the nonconformance to road setback requirements of the Waukesha County Zoning Code to permit the construction of an addition to the existing residence. The subject property is located in part of the SE ¼ of the SW ¼ of Section 4, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N88W37724 Mapleton Road (Tax Key No OCOT 0447.995)** – Commissioner Navin made the motion to approve and recommend to Waukesha Board of Adjustment the request of Peebles Farms, LLC (owner), Robb Peebles (applicant) for a variance from the nonconformance to road setback requirements of the Waukesha

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County Zoning Code to permit the construction of an addition to the existing residence located at N88W37724 Mapleton Road. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.

5. **Consider and Act on the request of Thomas & Nancy Conlin, N53W34451 Road Q, Okauchee to replace existing retaining walls within 5 (five) feet of the property line. The property is described as PT NE ¼ Section 36, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N53W34451 Road Q, Okauchee. (Tax Key No. OCOT 0573.967)** – Commissioner Navin made the motion to approve and recommend to Waukesha County the request of Thomas & Nancy Conlin, N53W34451 Road Q, to replace existing retaining walls within 5 (five) feet of the property line. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

6. **Discussion on the request of Alesana Investments, LLC (Applicant), 970 S. Silver Lake Street Suite 103, Oconomowoc, to rezone the property to B-2 Local Business District, to allow for the construction of a commercial building. The property is described as PT NW ¼, Section 35, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N53W35994 West Lake Drive (Tax Key NO. OCOT 0570.996).** – The Commissioner's discussed the request of Alesana Investments; they would like to put up a building that could be use for an attorney office, or a hair salon, but was not looking at renting it out for businesses with a high traffic volume or a business that would need a drive-through. He said most of the trees on the property would stay and they would work the construction around that.

7. **Consider and Act on the Certified Survey Map (CSM) for Carol Post, 3600 France Avenue 5, St. Louis Park, MN (applicant), for the property on Yale Street, Oconomowoc, WI. The property is described as Lot 22 & W ½ Lot 21 BLK 6F & S ½ Vacated Alley, Oconomowoc Heights Section A Corrected Plat PT E ¼ Sec 33, T8N, R17E, Town of Oconomowoc. More specifically the lot is located on Yale Street (Tax Key No. OCOT 0561.182).** – Commissioner Navin made the motion to approve and recommend to the Town Board the certified survey map for Carol Post, 3600 France Avenue 5, St. Louis Park, MN (applicant), for the property located on Yale Street per the recommendation report of Administrator/Planner Herrmann's report dated June 1, 2021. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.

8. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 7:54 p.m. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer