

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

MONDAY, JUNE 21st, 2021

This meeting was moved to the Mapleton Community Center because of the Town Hall parking lot being re-done.

Chairman Robert Peregrine called the meeting to order at 6:38 p.m. Commissioner's present included Dione Funk, Jim Roche, Pat Agnew and Terry Largent. Commissioner's James Navin and Linda Bergman were excused. 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 (CU57) of Michael Kingstad, for land altering activities associated with recreational ATV use. The subject property is described as Certified Survey Map No. 3956, located in part of the NE ¼ of the SE ¼ of Section 6, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W390N9027 Pennsylvania Street, Ixonia, WI 53036 (Tax Key No. OCOT 0456.996)

Chairman Peregrine opened the public hearing at 6:39 p.m.

Ben Greenberg of Waukesha County Park and Planning stated the property is about 3 acres in size and is zoned A-1, but it is entirely surrounded by lands zoned and planned for Farmland Preservation. He stated that his office received a complaint from the Town about a motor sports track that was installed without grading permits and the owner was issued two municipal citations totaling over \$1200 because of it. After the citations were issued, the petitioner contacted the County to address the options for bringing the property into compliance. The petitioner's application states he works in the motor sports industry is intending to use the track for vehicle testing only. The County staff indicated that using the track for commercial purposes would require approval an Unspecified CU and approved Site Plan/Plan of Operation. Subsequently, the petitioner chose to revise his application and now indicated that the track will be used for recreational purposes. Ben also stated that the County has concerns that this may not be compatible with the surrounding land uses which are very well maintained and almost exclusively used for agricultural purposes and this type of use, even if it is recreationally, may likely generate substantial noise and may be in conflict with existing Town Ordinance with respect to noise nuisances and if approved, this request could be precedent setting and could lead to additional similar uses.

The petitioner, Michael Kingstad stated that the track is only used about an hour a day, which consists of right before dinner, which allows him to adjust his ATV and work on it for races that happen in other states. He also stated that he would be the only one using the track and would not have any events on the track.

Chairman Peregrine closed the public hearing at 6:55 p.m.

Immediately following the above hearing, 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 – Planning and Zoning Division to consider the Conditional Use request (CU61) of Chris Foerster, for an online firearms business. The subject property is described as Lot 8, Block F First Addition to the Revised Plat of Shorewood Terrace, located in the SW ¼ of Section 28, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N57W37820 Country Lane, Oconomowoc, WI 53066. (Tax Key No. OCOT 0543.068).

Chairman Peregrine opened the public hearing at 6:56 p.m.

Ben Greenberg of Waukesha County Park and Planning stated the subject parcel is approximately 26,000 sq. ft. and is located at the corner of Farmwood Heights and Country Lane in the Shorewood Terrace subdivision. He said the lot is used for single family purposes and is surrounded by lands also zoned and used for single family. He further stated the petitioner is requesting a conditional use approval to operate a home-based firearm business, and petitioner's application stated the business model is to buy fire arms at an online auction and plans to do most of the sales via the internet and most of the business will be comprised of

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procuring firearms for clients based on their requirements to purchase specific firearms. Most of the transactions will be done via UPS, with a limited number of local clients, including friends and family. He also stated that no onsite firearm testing is proposed and all weapons will be secured at all times and a Buck Commander gun safe is in the lower-level concrete bomb shelter which was constructed with the home is where things would be stored. In addition to the safe, the petitioner will utilize an upper-level office where all business will be conducted and formal hours of operation would be Monday through Friday from 5:00 p.m. to 7:00 p.m. and on Sunday from noon until 4:00 p.m. All business will be by appointment only, and a requirement of the Federal Firearms license is pending approval by the ATF. The petitioner expects less than ten customers per month and no exterior lighting, signage, or business markings are being proposed.

The petitioner, Christ Foerster, stated he would like to start this on-line business and get things going because he will be retiring in a few years and after he retires, he will be doing this business as a hobby after his retirements and he will comply with what is necessary with not only the Town but the County to make this a smooth transition.

Chairman Peregrine closed the public hearing at 7:02 p.m.

Immediately following the above hearing, The Town Plan Commission will hold a hearing to consider the request of Adam & Ashley McConeghy, W395N5869 Laketon Avenue, Oconomowoc, Wisconsin 53066, for a hobby kennel permit to keep three (3) dogs for the purpose of personal pets at W395N5869 Laketon Avenue. The property is described as Lot 3, Block 4, Sunnyfield Acres, being a part of the SE ¼ and the SW ¼ of Section 30, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin. (Tax Key No. OCOT 0551.026)

Chairman Peregrine opened the public hearing at 7:03 p.m.

Applicant, Ashley McConeghy stated they have three dogs, one of which is not expected to make it too much longer because of age. She stated the property is fenced in and the dogs do bark, but they are working on the barking with them by using bark collars, however, the collars only last so long and then need to be charged.

Chairman Peregrine stated he received three anonymous letters that he was going to read that pertain to this hearing. The first letter was anonymous and it stated they are opposed of the request because since they petitioners have moved in, the neighborhood went from a very quiet and friendly area to the opposite because when the dogs are out, they bark from morning to night, whenever anyone or anything goes past the house, the dogs charge the fence and feel its only a matter of time before the dogs get out and attack someone. The first letter was anonymous because they fear for their safety if the applicants find out who they are because they feel the applicants would take revenge against the family. The second letter was read and it states the letter was anonymous because of fear that Adam, the applicant, has shown anger towards people and has serious attitude issues and did not want him to take revenge on them, but this letter states the dogs bark for hours and you can hear Adam, the applicant yelling and screaming at the dogs and his family. The third letter was read and it states they want to remain anonymous because of fear of being targeted if the applicants knew it was them but, in the letter, it states the dogs bark for hours and have made everyone in the area on edge and fear for their safety. Chairman Peregrine stated all three of the letters were not in favor of the hobby kennel being granted to the applicants.

Applicant, Ashley McConeghy stated when the dogs were younger, they could get out but now that they are older, they can't squeeze underneath the fence and they also added to the fence on top so the dogs will not be able to jump the fence.

A neighbor of the McConeghy's, which he did not state his name, stated he is not in favor of the hobby kennel permit because of the dogs barking constantly though out the day.

Jim Roche, plan commissioner asked if any of the dogs were rescue dogs; the applicant stated the older dog is, but the other two dogs are not.

Chairman Peregrine closed the public hearing at 7:22 p.m.

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1. **Approve Minutes for June 7, 2021 regular Plan Commission Meeting.** – Commissioner Funk made the motion to approve the June 7, 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 request of Adam & Ashley McConeghy, W395N5869 Laketon Avenue, Oconomowoc, Wisconsin 53066, for a hobby kennel permit to keep three (3) dogs for the purpose of personal pets at W395N5869 Laketon Avenue. The property is described as Lot 3, Block 4, Sunnyfield Acres, being a part of the SE ¼ and the SW ¼ of Section 30, T8N, R17E, Town of Oconomowoc, Waukesha County, Wisconsin (Tax Key No. OCOT 0551.026).** – After considerable discussion, Commissioner Funk made the motion to table this item until the next meeting on July 19th at 6:30 p.m. so that the Commissioner's could review this further. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.
4. **Adjourn.** – Commissioner Funk made the motion to adjourn at 7:25 p.m. Commissioner Agnew seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer