

**TOWN OF OCONOMOWOC
SPECIAL PLAN COMMISSION MEETING MINUTES**

Wednesday July 1, 2020

Chairman Robert Peregrine called the meeting to order at 5:59p.m. Commissioner's present included Linda Bergman, Dione Funk, James Roche, and Terry Largent. Commissioner James Navin and Pat Agnew were excused. Also, in attendance were Administrator/Planner Jeffrey Herrmann and Clerk/Treasurer Lori Opitz. In attendance virtually was Ben Greenberg from Waukesha County. For additional attendees please see sign-in sheet.

Joint Public Hearing will be conducted 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, on Wednesday, July 1, 2020 at 6:00 p.m., at the Lord of Life Church, located at N60W35980, Lake Drive, Oconomowoc, WI 53066 to consider the conditional use request (CU31) of JTM Properties LLC (Owner) and Scott Krahn (Operator), for changes to the existing Conditional Use Permit to operate a bar/restaurant known as “The Hideaway”. The request includes live and recorded outdoor music, expanded outdoor food and drink service, outdoor patio lights as well as other structural modifications. The property is described as Part of Lots 4, 5 and 6, Map of Wenger Park, located in part of the NW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N55W34657 Road E (Tax Key No. OCOT 0574.043).

Chairman Robert Peregrine opened the public hearing at 6:00 p.m.

Administrator/Planner Herrmann explained the process of the public hearing and asked when the public speaks, they limit their talk to three minutes. He then gave a brief overview of the history of the Hideaway.

Ben Greenberg from Waukesha County spoke and stated that Administrator/Planner Herrmann pretty much summed up the history the Hideaway precisely.

Attorney Brian Randall distributed a packet regarding the Hideaway for the meeting and went over the packet in detail what the Hideaway is planning on doing; such as remodeling the bar area, the kitchen area, adding a second floor apartment exterior stairway, first floor sliding doors, lakeside window and customer entrance, exterior lighting, concrete slab for a cooler and were also asking to be able to have a tent up when they have special events and music on the patio at certain times and days.

Linda Bergman, questioned about the deck that was being added to the existing residence that is being rented out, the concrete slab and the music time on Sunday nights.

Attorney Brian Randall explained what the plans were for the new deck and the concrete slab and said Sunday's are usually consider a family day and some people tend to be off on Monday's and that is why they are asking for that time frame.

Administrator/Planner Herrmann questioned what type of bushes that are going to be along the fence line and the height.

Scott Krahn, Operator, stated they have not figured out exactly what bushes will be planted there, the intention is to have it be more decorative than anything.

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Ben Greenberg, stated the DNR has been very clear that there needs to be a 75 foot setback for the fence and stated there should not be a ton talk of talk regarding a fence that would require additional variances as well this was not part of the original variance plan that is currently being discussed.

Administrator/Planner Herrmann stated the garage at the top of the driveway is in bad shape and asked the petitioner if they would be okay with taking it down and what is the time frame for the completing the kitchen and is concerned with how they are preparing the food outside.

Attorney Brian Randall stated they would have no problem with the removal of the garage and also stated the State is very far out/behind with issuing permits due to COVID.

Ben Greenberg from Waukesha County, just added there was a heavily debated public hearing in 2018 regarding the music on the patio and it was eventually approved, however in 2019, there were a quite a few complaints regarding the music as well as the size of the patio that is being proposed and also asked that they come in compliance with the DNR regarding the piers for the establishment. Also asked if the lights would be set on a timer, that the outside kitchen was approved the County and there is outside storage has that been approved.

Attorney Brian Randall state they will apply with the Town the outside storage, the lights are very low voltage and would like to have them on as long as the bar is open during business hours and the kitchen is temporary and will make sure everything is in compliance with Waukesha County Health and Human Service.

Chairman Robert Peregrine opened up the meeting to the public at 7:14 p.m. for any comments, but asked that anyone speaking limit their time speaking to 3 minutes.

Henry Krier, N55W34685 Road E, brought up some issues pertaining to the Hideaway, such as their Conditional Use states there is to be no parking on the street, however, the parking continues and feels they have not been up-to-date with their conditional use permit in many ways and they should be in compliance with what is requested of them before anything new is even consider and is also hoping that they are denied music of any kind on the patio.

Robert Ullrich, N55W34653 Road E, stated his concerns regarding the Hideaway; such as the noise level with the music, moving the building closer to the lake than the plan original showed, a variance means hardship, which he feels they have not shown, the emergency door on the side of the building is meant as an emergency, but staff is using it and feels their conditional use permit is in violation and they are not in compliance.

Aaron Hall, W351N5894 Westshore Road, stated he is in favor of what the Hideaway has done with the changes and the great improvements that have done to the building and would like to see the music continue on the patio; he stated this has been a tradition for years that he, even as a kid has enjoyed and he now brings his kids on Sunday's to enjoy the music and scenery and that a select few that are not in favor of the music should not be allowed to dictate the Hideaway's ability to not have music.

Richard Goldberg, N55W34647 Road E, stated he is favor of the music on the patio that the Hideaway has to offer; he stated that he and his wife enjoy the ability to go and listen to the music on the patio and he thinks the garage that is on the top of the driveway is removed, that could be used as a turn around for patrons instead of driveways in area, but still enjoys what they have to offer and if he didn't like it to begin with, he would have never bought a house close

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to an establishment and others in the area should realize the same thing; if you don't like what happens at the establishment, they should have thought of that before they bought their house and the music that comes off the boat is 10 times louder than the Hideaway.

Charles Osborn, N53W34446 Road Q, feels the establishment has been doing things very respectfully and it is a tradition on Okauchee Lake and that tradition should be allowed to continue.

Luis Hernandez, N55W34553 Road E, stated that things seem to be operating well at the Hideaway, the concern he has with the concrete slab and the new cooler is the excess water run off from the rain into the lake as well as some of the parking issues and although the music they are requesting is nice, it is not essential.

Bryant Johnson, N52W35091 Lake Drive, stated he has lived in Lake Country for 10 years and the current owners of the Hideaway have been improving a property that has needed improvement and he applauds what they are doing with the establishment.

Scott Krahn, applicant, stated he was unaware that people were turning around in the Krier's driveway and they will continue to address the issue and make the corrections necessary. He stated the request for music, is a very light sound music for people to listen too while sitting out in front by the lake.

Chairman Robert Peregrine closed the public hearing at 7:35 p.m. and stated there would be no action until the July 21st, 2020 meeting on this topic.

1. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 7:36 p.m.
Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer