

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

MONDAY, AUGUST 16, 2021

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

A Joint Public Hearing with the Town of Oconomowoc Plan Commission and a Staff Representative of the Waukesha County Department of Park and Land Use to consider the rezoning request (RZ85) of Jon Spheeris, for property owned by the Jane S. Callan Trust, to amend the District Zoning Map of the Waukesha County Zoning Code from the FLP Farmland Preservation District to the R-1 Residential District to allow the petitioner to create three approximately 1.5-acre parcels. Most of the farm's acreage is proposed to be sold to abutting farm owners and will stay in farm use. The property is located in the SW ¼ of Section 3, T8N, R17E, Town of Oconomowoc. More specifically, the property is located on the north side of C.T.H. CW and south of the Union Pacific Railroad. (Tax Key No. OCOT 0443.999).

Chairman Robert Peregrine opened the public hearing at 6:30 p.m.

Rebekah Leto of Waukesha County stated the petitioner owns a farm tract of approximately 212.5 acres across multiple tax key parcels. A portion of one tax key (OCOT 0443.99), which is located directly south of the Union Pacific Railroad and north of C.T.H. CW, is the subject of the rezoning request. The parcel is just over 22 acres and is located entirely within the Waukesha County Zoning Code. Approximately 4.5 acres of upland in the southwest portion of the parcel and is proposed to be rezoned from Farmland Preservation District to the R-1 Residential District, per the Waukesha County Zoning Code requirements of the district. The remaining 17.8 acres will remain in the FLC Conservancy District, HG High Groundwater, and C-1 Conservancy Overlay (Wetland). In order to rezone lands out of the FLP, Farmland Preservation Zoning District, the density of the entire parent parcel or parcels that comprised of a single farm tract cannot exceed one unit per 35 acres. Residential lots shall be zoned R-1 Residential and be a minimum of 1 acre in size. Vacant lots cannot exceed three (3) acres in size. Given a 212-acre farm tract, the petitioner is allowed 6 dwelling units. The three residential parcels being requested at this time are approximately 1.5 acres in size with a minimum average width of 150 ft. All will have frontage on C.T.H. CW. The remnant acreage in the out lot will be deed restricted from further non-agricultural development in accordance with Section 6.19 of the Waukesha County Zoning Code. The proposal complies with the siting standards and lot requirements of the Ordinance. The outlet consists of many environmentally sensitive lands including isolated natural resource area, wetland, a wetland pond and an intermittent stream that is part of the Ashippun River watershed. The stream and pond will need to be evaluated for navigability during the certified survey map process. The remaining acreage of the farm tract and the three remaining development rights are being transferred to two adjacent farmers to the north. The Zoning Code requires that all land divisions, including transfers of adjacent lands, be reviewed and approved the Town and County. The farm tracking unit will be redrawn to incorporate the lands and density units being acquired. A deed restriction will also be recorded with the land transfer to track the number of dwelling units utilized.

Jon Spheeris, applicant, explained what they want to do with the parcel and what their intentions are with the subject property.

Jane Callan, owner, explained the family history regarding the property.

Bill Anderson, W36885 Mapleton Road stated he said this a beautiful area and we need to preserve the area and if this is allowed, he doesn't want to see house after house being built.

Peter Jennings, attorney representing the neighbor across the street from the property in question. He stated that what the applicant is proposing is correct but at the same time still preserving the area and

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what they are asking for is allowed in the zoning code but wants to make sure all the other criteria will be met and didn't think everyone in the area were not properly notified.

Devin Anderson, N88W36870 Mapleton Road, stated he gets what the family is trying to do with the property and everyone knows in this area it's hard to find a small property to build on because of the zoning codes and feels this will open other avenues that will change the area and he is not for what is being proposed.

Gerald Bohan, N88W36996 Mapleton Road, stated that he is not in favor of the proposal and would like to see the area to stay the way it is.

Jane Callan, spoke again regarding the property and stated that it's not about the money and it's up to her and her sisters as to who will actually end up getting the property and what they will do with it but it will go to the person that bids the highest.

Rebekah Leto wanted to state for the record that each neighbor was properly notified of the hearing that live within 300 feet of the property.

Jeff Herrmann, Administrator/Planner asked where the driveways would be and if the proper soil test have been done and who would be responsible for the out lot.

Devin Anderson, N88W36870 Mapleton Road, asked before you consider this, think about how maybe the area residents would like to buy it and keep it in the area to help preserve the area and if this gets change, they might not be able to afford it to help preserve it.

Peter Jennings, attorney, hopes that before anything gets approve that everyone really considers the concerns that were address before making any decisions.

Chairman Robert peregrine closed the public hearing at 7:01 p.m.

1. **Approve Minutes for August 2, 2021 Plan Commission Meeting.** – Commissioner Bergman made the motion to approve the August 2, 2021 as presented. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments.** - None
3. **Consider and Act on the request of Jeffrey S. Ogrezovich to extend his grading deadline. The subject property is described as Lot 1, CSM No. 11724, located in part of the NE ¼ of section 1, T7N, R17E, Town of Oconomowoc. More specifically, the property is located at N48W34111 Jaeckles Drive, Nashotah, WI 53058. (Tax Key No. OCOT 0577.001.001).** – Administrator/Planner stated this has been approved previously and given the date of September 20,2021 to get things completed. The applicant stated that considering everything that has been going on this past year with COVID he is hoping to get the extension until November 1, 2022. After some discussion, Commissioner Roche made the motion to approve the request of Jeffrey S. Ogrezovich to extend his grading deadline to November 1, 2022 with a start date of no sooner of March 1, 2022 for the property located at N48W364111 Jaeckles Drive. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.
4. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 7:09 p.m. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer