

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

August 21, 2023

Chairman Robert Peregrine called the meeting to order at 5:00 p.m. Commissioners present included James Navin, Linda Bergman, Dione Funk, Jim Roche, and Wayne Euclide. Commissioner Pat Agnew was absent. Also in attendance were Rebekah Leto from Waukesha County Park and Planning, Administrator/Planner Jeffrey Herrmann, and Clerk/Treasurer Lori Opitz. For additional attendees please see the 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 (CU96) of Road Q LLC/Thomas Boschuetz to allow the existing nonconforming (two dwelling units) to be maintained as a legal non-conforming use to accommodate the remodeling of the cottage closest to Road Q. The subject property is described as part of Lot 8, Hinkels Park No. 1, located in part of the NE ¼ Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N53 W34404-08 Road Q (Tax Key No. OCOT 0573.013).

Chairman Robert Peregrine opened the public hearing at 5:00 p.m.

Rebekah Leto from Waukesha County Park and Planning stated the property is located on Road Q on Okauchee Lake and is zoned R-3 and is a reverse flag lot with adequate road frontage and a small strip of land accessing Okauchee Lake. It currently has legal nonconforming use status so long as the use has not discontinued for 12 consecutive months. Both cottages are set back significantly from the lake due to the lot configuration and there is significant grade change on the buildable area of the property. The one cottage is a single-story with a full exposure and is at the road elevation, while the other single-story cottage is at the bottom of a series of very tall retaining walls, with at least 10 ft. of grade separation between the two cottages. The petitioners are proposing to completely remodel the interior of the roadside cottage and possibly expand the dormer on the roadside and construct a lakeside deck. No work is proposed to the cottage closer to the shore. Legal non-conforming structures are allowed to make improvements up to 50% of their equalized assessed value. The County could not find records indicating any prior permits had been pulled in which this cost analysis would have been done. The Oconomowoc assessor shared that the EAV of this cottage was \$96,500, whereas the contractor indicated materials and labor would cost more than \$70,000. They are seeking a legal non-conforming use CU to protect the use from being damaged or need repairs beyond 50% of the EAV and if deemed appropriate by the Plan Commission, expand that use.

Dan Groskopf, agent for the applicant, explained the remodeling that would be done to the cottage, and it will be the same footprint, however instead of it being a two bedroom like it is now, it will be a one bedroom with a loft because the kitchen will be a little bit bigger than what it is now.

Jeff Herrmann, Administrator/Planner asked if the cottage would remain a two bedroom, if the remodel will stay in the same footprint and if there are any plans to remodel the second cottage.

The applicant, Thomas Boschuetz stated there would be remodeling done on this structure but not the second structure at this time and has renters rent the cottage on a month-to-month basis.

Chairman Robert Peregrine closed the public hearing at 5:16 p.m.

Immediately following the above public hearing, another public hearing will be held to consider the Conditional Use request for (CU97) Dane and Audrey Stradinger for land altering activities associated with the construction of a new single-family home. The subject property is vacant and is described as Lot 31, Bay View Estates, located in part of the SE ¼ Section 24, T8N, R17E,

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Town of Oconomowoc. More specifically, the property is located on Primrose Circle (Tax Key No. OCOT 0528.067).

Chairman Robert Peregrine opened the public hearing at 5:17 p.m.

Rebekah Leto from Waukesha County Park and Planning stated the property is in the Bay View Estates subdivision on the last vacant lot on Primrose Circle. It is almost 27,000 square feet and approximately 120' in average width and is zoned R-3 under the Waukesha County Zoning Code. The petitioners are proposing significant grading to accommodate a new home with attached garage and flat yard space that will include a pool, which is triggering the conditional use permit for land altering activities. There is about a 14.5% slope on the front portion of the property and an approximate 19% slope in the rear. There are multiple 4 ft. retaining walls necessary to accommodate the residence, and a tier or larger walls (one 4 ft. and one 3 ft.) in the backyard to accommodate the yard space. The lot is not subject to impervious surface maximums or tree removal regulations. The vacant property contains a swale that the runoff from the east directs through and affects the property to the West. The grading will effectively fix the adverse drainage condition created through past construction activities by diverting the roof runoff to the right of way ditch. The proposed residence's runoff will also be towards the right of way or to the out lot located to the south of the property. She also stated that she met with the owners, Jeff Herrmann, the Town Administrator, and the land resources division to review and the Town engineer made a few comments for adjustments and the petitioners have already submitted a revised plan that accommodates those suggestions. They also will be required to get an erosion control permit for Land resources given the scope of the grading activities. The neighbors originally had concerns over the walls, but after reviewing the plan, they agreed the plan would improve the conditions on the property.

Administrator/Planner Jeffrey Herrmann stated that he went to the site with the Town Engineer and some from Waukesha County to review the site; the Town Engineer had a couple of suggestions and the surveyor made the changes the Town Engineer recommended and the plan is actually a really good plan and it will help alleviate a lot of the water problems in the area.

Ralph Schneider, W343N6554 Timberline Road, questioned the retaining walls and how many and was concerned with the current water run-off issues and if this would increase more issues.

The applicant, Dan Stradinger, stated the current plan for construction of the house would alleviate a lot of the water issues in the area with the layout of the new drainage system.

Brian & Mary Hospel, N66W34297 Primrose Circle, had the same questions and concerns regarding the water run-off issues.

Chairman Robert Peregrine closed the public hearing at 5:29 p.m.

1. **Approve Minutes for August 7th meeting.** – Commissioner Funk made the motion to approve the August 7th 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 John Grogan to replace existing retaining walls within 5 (five) feet of the property line. The property is described as the S ½ Lot 10 Okauchee Bay Park and is part of the SE 1/4, Section 36, T8N, R17E. More specifically, the property is located at W340 N4963 Road O, Okauchee, WI 53069 (Tax Key No. OCOT 576.125).** – The petitioner was present to explain that they replaced the current retaining walls with newer retaining walls and that they are further away from the lot lines than the previous ones were. Commissioner Bergman made the motion to approve the request of John Grogan to replace the existing retaining

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walls within 5 feet of the property line at the property located at W340N4963 Road O. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

4. **Consider and Act on the Site Plan/Plan of Operation for Fang Wang, W359 N5920 Brown Street Unit 103, Oconomowoc, WI 53066. The subject property is described as Lot 2 CSM No. 9072 and is part of the SW ¼, Section 26, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 535.999.011).** – Commissioner Navin made the motion to approve the site plan/plan of operation for Fang Wang, W359N5920 Brown Street to operate a massage therapy business per the recommendation of Administrator/Planner Herrmann’s report dated August 15, 2023. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.
5. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 5:33 p.m. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer