

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

October 16, 2023

Chairman Robert Peregrine called the meeting to order at 5:00 p.m. The Commissioner's present included James Navin, Linda Bergman, Dione Funk, Wayne Euclide, and Pat Agnew. Commissioner Jim Roche was absent. Also in attendance were Jacob Heermans and Jason Fruth 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 rezoning request of (RZ131) Valerie Charapata, N30W2466 Peterson Drive, Pewaukee, WI 53072 to rezone approximately 1.8 acres of the property from the FLP Farmland Preservation District to the R-1 Residential District to split the homestead from the farm. The subject property is located in the N ½ of the NW ¼ of Section 17, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W389 N7868 Pennsylvania Street (Tax Key No. OCOT 0489.999).

Chairman Robert Peregrine opened the public hearing at 5:01 p.m.

Jacob Heermann of Waukesha County Park and Planning stated the applicant is proposing to rezone 1.8 acres from Farmland Preservation to the R-1 Residential category. The property is located on Pennsylvania Street, South of McMahon Road, and North of STH 16. He also stated the parent parcel is 80 acres and consists of 196-acre farm tract which has a total of 3 parcels. The residential parcel will contain the residence, and two outbuildings (the machine shop and the barn). The remnant parcel will contain three outbuildings and will continue to be used for agricultural purposes; the residential parcel conforms with the overall building footprint requirements which is 10,398 square feet and the outbuildings exceed the allowable accessory building footprint of 7,829 square feet, however the farm consolidation exception states the maximum accessory building footprint limitations shall be established by the Plan Commission and County Zoning Agency for lots that are designated in the Farmland Preservation County Development Plan category that have been rezoned to the R-1 Residential District pursuant to Section 11(i). He also stated that portions of the barn will be removed to comply with the required 20' offset requirements and building housing animals need to be located 50' from the common line. The deed restriction states that no animals in the outbuildings on the remnant parcel and animals are ok in the barn, so long as there is no residence next door.

Petitioner Valerie Charpata did not have anything to add.

Mark Tremaine, W390N7811 Pennsylvania Street, questioned the farm and the apartment on the property.

Jacob Heerman stated he would have to talk to the petitioner regarding the apartment because he was not aware that one existed.

Chairman Robert Peregrine closed the public hearing at 5:05 p.m.

Immediately following the above scheduled hearing, a second 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 of (CU 99) Hans Weissgerber Jr., 34625 Spring Bank Rd Oconomowoc, WI 53066 to amend the terms of the existing marina conditional use permit to consider the extension of piers and additional boat slips, consistent with prior approval of the State of Wisconsin Department of Natural Resources. The subject property is in the NW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is inclusive of the following tax key numbers (OCOT 0574.261, 0574.256, 0574.255, 0574.254, 0574.252).

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Chairman Robert Peregrine opened the public hearing at 5:06 p.m.

Jason Fruth of Waukesha County Park and Planning stated the petitioner is requesting a conditional use request (CU 99) to amend the terms of the existing marina conditional use permit to consider the extension of piers and additional boat slips, consistent with prior approval of the State of Wisconsin Department of Natural Resources. He stated that the conditional use history dates back to the 1960's and in 1996 court rulings increased permanent moorings from 20 to 25 and customer moorings from 7 to 10. He also stated the petitioner is proposing to add 16 new slips on 3 existing piers; the north pier will expand from 64' to 124'; pier to the SE will expand from 48' to 108'; the boat launch deck will expand from 70' to 82' and the south pier will expand from 48' to 77' which will result in 39 seasonal moorings from 28. 10 visitors slip to 10 from 5 and the utility maintenance will stay at 1. The DNR has issued the permit for expansion pursuant to 30.13 of the Wisconsin Statutes. He also stated the neighbor to the east expressed concerns that the extension will interrupt his open water view, however a site visit was done by the County, and it appears there would be no interruptions.

Petitioner Hans Weissgerber stated with the development of more year-round homes on the lake, the preferred choice of transportation is on boats; to accommodate boating customers for docking space with visiting the restaurant, it is necessary for additional slips. He also stated to continue to operate the Golden Mast property as a financially viable, successful business, they need to add additional mooring space to be able to support the cost of increasing tax burdens, property maintenance and continuous improvements and upgrades to the property. He also stated the addition of new mooring slips will have minimal or no adverse impact on the use of the lake, will not impede navigation of the boats on that part of the lake and it will provide recreational lake access to people who do not own or cannot afford to own lakefront property.

Administrator/Planner Herrmann questioned the petitioner which of the spaces would be rented and which ones would be for the public, the width of the piers and if the piers stay in all year round.

Commissioner Linda Bergman asked the petitioner if the piers would be replaced or repaired.

Commissioner Wayne Euclide asked if this would be policed and or monitored on which ones would be rented and which ones would be for the public and why in the court ruling paperwork it shows they were approved for 29 slips, but they currently have 34 slips and was concerned with the inconsistency and also stated that it was brought to his attention that the Golden Mast is being charged less on their tax bill for Okauchee Lake Management than what the petitioner is stating the Golden Mast gives to Okauchee Lake Management.

Jim Kemp, W327N4050 Lakewood Court, stated he has rented for over 30 years from the Golden Mast and is in favor of the request because it would make it safer for mooring purposes.

Erik Mullett, N56W34526 Road F, stated he was in favor of the additional slips, and it is a good thing for the community, and he hopes the Golden Mast continues to serve the Okauchee area for generations to come.

Michael Schick, W340N4931 Road O, stated he has been on the lake for 37 years and has used his boat to eat at the Golden Mast and adding more spaces will be very beneficial and a great thing for Okauchee Lake.

Dan Holzhauer, W334N6050 Road M, agrees with the previous statements and feels that this will be a good thing for the Golden Mast and for the public that uses their boats to dine there.

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Ken Broome, N52W34840 Lake Street, lives next door to the Golden Mast and is in favor of the petitioner's request for more slips.

Dee Schriver, N53W34369 Road Q, states she represents Okauchee Lake Management, and they have a particular formula when it comes to charging and she will make sure that the Golden Mast gets charged accordingly, however Okauchee Lake Management supports Hans' request.

Jason Tinus, W358N5861 Surrey Drive, stated he is in support of the request and that his business does business with the Golden Mast and the marina.

Commissioner Wayne Euclide stated he has asked a lot of questions, but he is in favor of the request.

VJ Scully, N57W34557 Nickels Point Road, stated he is in favor of the request, but he is hoping that there would be permanent signs showing which spaces are which, rented or public use.

Chairman Robert Peregrine closed the public hearing at 5:38 p.m.

Immediately following the above hearings, a Public Hearing will be held to consider the request of Mary Haight, N60 W39586 Mary Lane, Oconomowoc for a Hobby Kennel with a maximum of 4 dogs for the purpose of personal pets at property owned by Patricia Quartaro, N60 W39586 Mary Lane, Oconomowoc, Wisconsin. The property is legally described as Lot 5 Block 1 La Belle Acres, being part of the NW ¼ and SE ¼ of Section 30, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 549.005).

Chairman Robert Peregrine opened the public hearing at 5:39 p.m.

The petitioner, Mary Haight, was present to state that her and her husband retired early and moved into her mother's house to take care of her because her health is deteriorating. She also stated the intention is to sell her home and move into the Country on a farm and her mother will be moving with them and this will be short term until the house sells.

Chairman Robert Peregrine asked what kind of timeline the petitioners were thinking – the petitioner stated until the house sells and thought it would sell fast because the house being on Mary Lane.

Administrator/Planner Herrmann asked the petitioners what kind of dogs they were – it was stated by the petitioner that there are 3 poodles and a golden doodle.

Dave Breckenfelder, N60W39598 Mary Lane, lives next door to the house. He stated the issue started a few years ago when they use to come and visit for about two weeks with the dogs and the dogs continue to bark and the owners yelling at them, the area became loud – this is a quiet area and doesn't feel that the Town should not break the rules in this situation.

R.K. Long, N60W39616 Mary Lane, was not quite sure if a timeline was given and he is opposed to this request and asked when it would be acted on.

Administrator/Planner Herrmann asked Mr. Long as a neighbor, what kind of timeline he was looking for, but ultimately the Board will have to make that decision because no one knows how long it will take to sell the house.

Commissioner Pat Agnew asked if they approve and if the property sell would it stay with the property this request; Administrator/Planner Herrmann stated that once the property is sold and the request would not be for the new owners.

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The following e-mails have been received regarding the hobby kennel license and all the Commissioners have received a copy of them prior to the hearing:

Steve & Gayle Smith, W398N6102 Mary Lane stated in their e-mail that they oppose the Hobby Kennel License.

Cheryl Wiersdma, N60W39660 Mary Lane stated in her e-mail that she opposes the Hobby Kennel License.

Kevin Kerstein, N60W39651 Mary Lane stated in his e-mail that he is opposing a waiver of the 2-dog limit in his neighborhood.

Sue & Dave Brekenfelder, N60W39598 Mary Lane stated in their e-mail asked to have the Hobby Kennel denied.

Lori & R.K Long, N60W39616 Mary Lane stated in their e-mail that they are against the Hobby Kennel.

Katie Breckenfelder, N60W359598 Mary Lane stated in her e-mail requesting a denial of the Hobby Kennel License.

Bonnie Peterson, N60W39564 Mary Lane stated in her letter that she sees no problem with the Hobby Kennel License because it will not be permanent.

Brian & Betty Ewald, N60W39462 Mary Lane stated in their e-mail they oppose the Hobby Kennel License.

Chairman Robert Peregrine closed the public hearing 5:53 p.m.

1. **Approve Minutes for October 2nd meeting.** – Commissioner Navin made the motion to approve the October 2nd meeting minutes 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 Mary Haight, N60 W39586 Mary Lane, Oconomowoc for a Hobby Kennel with a maximum of 4 dogs for the purpose of personal pets at property owned by Patricia Quartaro, N60 W39586 Mary Lane, Oconomowoc, Wisconsin. The property is legally described as Lot 5 Block 1 La Belle Acres, being part of the NW ¼ and SE ¼ of Section 30, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 549.005).** – Chairman Robert Peregrine stated that he would recommend to the Plan Commission not to take any action on this item today because the Commissioners need to know exactly what the petitioners' intentions are and he is very uncomfortable with decision being made today because of this unusual request and the commissioners need to have some definite parameters with this request. Commissioner Bergman made the motion to table this item until the November 6th meeting. Commissioner Euclide seconded the motion. Motion carried by unanimous voice vote.
4. **Consider and Act on the Site Plan/Plan of Operation of Benjamin and Jessica Schattschneider d/b/a Never Ending Cycles. The subject property is part of the SW ¼ of Section 30, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N58W39800 Industrial Drive (Tax Key No. OCOT 551.996).** – Commissioner Navin made the motion to approve the Site Plan/Plan of Operation of Benjamin and Jessica Schattschneider, d/b/a Never Ending Cycles located at N58W39800 Industrial Drive to custom motorcycle fabrication as well as motorcycle

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services per the recommendation of Administrator/Planner Herrmann's report dated October 12, 2023. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.

5. **Consider and Act on the Site Plan/Plan of Operation amendment of Kellermeister Beverages, LLC d/b/a Brewfinity Brewing Co. The subject property is part of the SW ¼ of Section 30, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N58W39800 Industrial Drive (Tax Key No. OCOT 551.996).** – Commissioner Bergman made the motion to approve the Site Plan/Plan of Operation amendment of Kellermeister Beverages, d/b/a Brewfinity Brewing located at N58W39800 Industrial Drive to allow the outdoor storage of two delivery vehicles, one trailer and three Kona Ice Food Trucks per the recommendation of Administrator/Planner Herrmann's memo dated October 12, 2023. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

6. **Consider and Act on the amendment to the Town of Oconomowoc Comprehensive Land Use Plan -2035 for Jon Spheeris, 175 Wisconsin Avenue, Suite A, Oconomowoc, Wisconsin on behalf of property owned by Lakelands Inc., W296 S7739 Crossgate Drive, Mukwonago, Wisconsin for property located in part of the S ½ of the SE ¼ of Section 20, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 512.994), be amended from the Five (5) Acre Agricultural (5 acre density) category to the Low Density Residential (20,000 square feet to 1.4 acres of area per dwelling unit) category to allow a single family residential subdivision.** – Commissioner Bergman made the motion to approve Resolution 2023-8 and recommend to the Town Board the amendment to the Town of Oconomowoc Comprehensive Land Use Plan – 2035 for Jon Spheeris, on behalf of property owned by Lakelands Inc, W296S7739 Crossgate Drive for property located in part of the S ½ of the SE ¼ of Section 20, to be amended from the five acre agricultural category to the Low Density Residential category to allow a single family residential subdivision per the recommendation of Administrator/Planner Herrmann's memo dated October 12, 2023. Commissioner Euclide seconded the motion. Motion carried by unanimous voice vote.

7. **Consider and Act on the rezoning request (RZ 125) Jon Spheeris, 175 Wisconsin Avenue, Suite A, Oconomowoc, Wisconsin on behalf of property owned by Lakelands Inc., W296 S7739 Crossgate Drive, Mukwonago, Wisconsin, to rezone the property described below from the A-T Agricultural Transitions District to the R-2 Residential District to develop a single-family residential subdivision. The property located in part of the S ½ of the SE ¼ of Section 20, T8N, R17E, Town of Oconomowoc. More specifically the property is located 250 feet north of the intersection of N. Lake Road and Lac La Belle Drive (Tax Key No. OCOT 512.994).** – Commissioner Bergman made the motion to approve and recommend to the Town Board the rezoning request (RZ 125) of Jon Spheeris, on behalf of property owned by Lakelands Inc., W296S7739 Crossgate Drive to rezone the property described below from the A-T Agricultural Transitions District to the R-2 Residential District to develop a single-family residential subdivision for the property located in part of the S ½ of the SE ¼ of Section 20, more specifically the property is located 250 feet north of the intersection of N. Lake Road and Lac La Belle Drive per the recommendation of Administrator/Planner's report dated October 12, 2023. Commissioner Navin seconded the motion. Motion carried by 5-1 vote with Commissioner Agnew opposing.

8. **Consider and Act on the Certified Survey Map (CSM) of Michael and Kathleen Skemp, N65 W35115 Road J, Oconomowoc, WI 53066. The property is described as Lot 19 & part of Lot 20 of the amended Plat of Oakdale part of the SE ¼ of Section 23, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 524.020).** – Commissioner Navin made the motion to approve and recommend to the Town Board the certified survey map of Michael and Kathleen Skemp, N65W35115 Road J per the recommendation of Administrator/Planner Herrmann's report dated October 12, 2023. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.

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9. **Consider and Act on the request of Michael and Kathleen Skemp for more than two accessory buildings. The property is described as Lot 19 & part of Lot 20 of the amended Plat of Oakdale part of the SE ¼ of Section 23, T8N, R17E, Town of Oconomowoc (Tax Key No. OCOT 524.020).** – Administrator/Planner Herrmann stated the petitioner was unable to attend tonight's meeting and was unclear of the structures the petitioner might be taking down. Commissioner Navin made the motion to table this line item until the petitioner could be at the meeting to explain what he intends to do. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.
10. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 6:17 p.m. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer