

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

MONDAY, NOVEMBER 1, 2021

Chairman Robert Peregrine called the meeting to order at 6:30 p.m. Commissioner's present included James Navin, Linda Bergman, Dione Funk, Jim Roche, Pat Agnew and Terry Largent. Also in attendance were Administrator/Planner Jeffrey Herrmann, Clerk/Treasurer Lori Opitz and Jacob Heermans from Waukesha County Park and Planning. For additional attendees 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 Permit request (CU66) of Bielinski Development, Inc. 1830 Meadow Lane, Pewaukee, WI, 53072, to amend the previously approved landscape plan (CU-992 Series), extend the deadline for implementation of the plan and the Conditional Use conditions, and amend or add any other conditions attendant to these requests as necessary. The property is described as follows: Bay Pointe Condominiums, a 135-unit condominium development, bounded by Lake Dr. to the east, W Lake Dr. to the south, Nelson Dr. to the west, and West Shore subdivision to the north, being part of Lot 3 and all Lots 1,2, and 4 of Certified Survey Map No. 9863, Vol 91, Pages 270-284, located in the NE ¼ of Section 35, T8N, R17E, Town of Oconomowoc.

Chairman Robert Peregrine opened the public hearing at 6:34 p.m.

Jacob Heermans from Waukesha County Park and Planning stated the original development was approved in 1995, with several amendments over the years. In 2004, the landscape plan was approved with a trail around each pond with a 25' vegetative buffer around the ponds. A site inspection over the summer revealed that the trail around the northern area of the pond was never completed and the buffer not adequately installed. The GIS shows that the eastern side of the northern most area of the pond is primarily wetland and significant land altering or an elevated walkway would be required to complete the trail and a trail around the entire northern pond is likely not feasible. A SCU-992 was issued in 2015 that established a deadline of December 31, 2019 to complete the development; construction and landscaping. Several structures still need to be constructed and the applicants were instructed to amend the landscape plan or complete it as proposed and deadlines need to be established for the vegetative buffer or remove the completion deadline or revise it to a later date.

John Donovan, Development Manager for Bielinski, stated that there are 6 remaining buildings, five of which are already under construction. He stated that December 31, 2022 should be sufficient to complete the project, including the vegetative buffer, but an additional year may be helpful to alleviate the need for another amendment. The path to be eliminated is in a sensitive area and it does not make sense to construct the path as originally proposed and the Board of directors for Baypointe Condos unanimously recommended changes to the walking path.

Kenneth Simatic, N53W35257 Lighthouse Lane, on behalf of the Bay Point Condo Association, stated that the residents appreciate the wild look of the area where the path will be eliminated and there is no objection from any of the residents.

Chairman Robert Peregrine closed the public hearing at 6:42 p.m.

Immediately following the above public hearing, another public hearing will be held to consider the Conditional Use Permit request (CU67) of Josh and Kara Peterson, W343N7218 North Pole Lane, Oconomowoc, WI, 53066, to consider a limited family business (Grit Fitness) on property described as follows: Lot 1, Certified Survey Map No. 11232, located in part of the SW ¼ and SE ¼ of Section 13, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at W343 N7212 North Pole Lane, Oconomowoc, WI, 53066(Tax Key No. OCOT 0484.990.004).

Chairman Robert Peregrine opened the public hearing at 6:43 p.m.

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Jacob Heermans from Waukesha County Park and Planning stated the lot was created and recorded in 2014 and the rezone, RZ-1791 was also approved in 2014 from Farm pres. To A-3 Suburban Estate. The A-3 Suburban Estate District requires a minimum of a 2-acre lot size and currently the lot is 2.8 acres. A new home permit was issued in 2014 for the residences with an attached garage. In March 2021 the owners applied for a permit for a detached garage and for personal storage, however, on September 16, 2021 the office received information of a possible violation via the Town Building Inspector regarding a gym/fitness studio in the newly constructed detached garage. The owners were instructed to either cease business operations on the property or apply for a Limited Family Business CU; the property meets the minimum lot size; it is compatible with surrounding neighborhood and there is sufficient parking.

Kara Peterson, W343N7218 North Pole Lane stated that this is a part time business with approximately 25% of the clientele coming from the neighborhood and music is played inside the building but the windows and doors are kept closed.

Jerry Mundt, W343N7160 North Pole Lane, is an adjacent neighbor and stated that he has never heard music and the operation is quiet. He also had not observed any additional traffic impacts from the use.

Chairman Robert Peregrine closed the public hearing at 6:51 p.m.

1. **Approve Minutes for October 18, 2021 meeting.** – Commissioner Navin made the motion to approve the October 18, 2021 minutes as presented. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments.** – Tony Foss from Foolery’s talked to the Commissioner’s regarding a complaint that was made regarding the establishment; he stated that he was never approached from the person regarding the complaint but would be willing to work with that person to rectify any complaints regarding the establishment now and into the future.
3. **Consider and Act on the request of Chong P. Yi, W330 N8729 West Shore Dr. Hartland, WI, 53029 for repairs to an existing retaining wall within 5 (five) feet of the property line. The property is described as Lot 11, being PT SE ¼ of SE ¼ SEC 36 T8N R17E and PT NE ¼ of NE ¼ SEC 1, T7N R17E, Town of Oconomowoc. More specifically the property is located at W342 N4868 Oak Lane, Nashotah, WI, 53058. (Tax Key No. OCOT 0576.066)** – Commissioner Navin made the motion to approve the request of Chong P. Yi, W330N8729 West Shore Dr. Hartland, WI. For repairs to an existing retaining wall within 5(five) feet of the property line located at W342N4868 Lindy Lane. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.
4. **Consider and Act on a new sign for Mint Beauty and Wellness. The property is located at N50 W34943 Wisconsin Avenue, Okauchee, WI 53069. The subject property is described as part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. (Tax Key No. OCOT 0575.975)** – Commissioner Navin made the motion to approve the new sign for Mint Beauty and Wellness at the property located at N50W4943 Wisconsin Avenue, Okauchee. Commissioner Largent seconded the motion. Motion carried by unanimous voice vote.
5. **Adjourn.** – Commissioner Bergman made the motion to adjourn at 7:05 p.m. Commissioner Funk seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer