

**TOWN OF OCONOMOWOC
PLAN COMMISSION MEETING MINUTES**

Monday, December 2, 2019

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 and Clerk/Treasurer Lori Opitz. For additional attendees please see sign-in sheet.

Joint Public Hearing between the Town of Oconomowoc Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use for the Conditional Use request of (CU37) Crosspoint Community Church, to amend the existing conditions of their Conditional Use Permit to allow the Oconomowoc YMCA to utilize the Crosspoint Church facility to operate youth programs and provide family services. The property is described as Lot 1 of Certified Survey Map No. 10716, located in part of the NE ¼ of Section 20, T8N, R17E, Town of Oconomowoc. More specifically the property is located at W380N6931 N. Lake Road. (Tax Key No. OCOT 0509.996.002).

Chairman Robert Peregrine opened the hearing at 6:31 p.m.

Ben Greenberg of Waukesha County Park and Planning described the property as A5, there are wetlands on the West and South East part of the property and the comprehensive plan is designated as Government and Institutional Category and the property sits on 28 acres. He also stated in 2003 the Conditional Use application was under Alliance Bible Church. In 2005 the Conditional Use was amending to add a garage and the parking lot. In 2012 there was an amended to add storage shed and widen the driveway. He also stated the applicant is here to amend their conditional use permit to allow the Oconomowoc YMCA to utilize the church to operate youth programs and provide family services.

Jeffrey Herrmann, Administrator/Planner asked the question of whether or not the amendment to their conditional use should reflect the Church is allowing the Town to use their space for voting, which would consist of one year being 4 times and the next year would be 2 times.

Commissioner Jim Navin stated their conditional use reflects they could have periodic events and using the facility for voting could probably fall under that category.

Jay Mason, from Delafield, is a member of the church and he stated they Church would have no problem amending the conditional use if it is needed to show the Town would be utilizing their facility for voting. He also stated the reason for the amendment is because they have a gym and classrooms that could be utilized and would meet the needs of the YMCA.

Karen Reilley, N69W38067 Park Street, stated she is concerned with the litter than is around the church now and with more people utilizing the facility that this could generate more litter and was also concerned about the increased amount of traffic.

Brian Reilley, N69W38067 Park Street, is concerned about the noise that is already coming from the Church with the drums being played and with this new addition/use of the facility will increase the noise level which will affect the people on Park Street.

Chris Krenke, W380N6961 N Lake Road, stated there is a lot of noise from the Church and he has over 30 complaints from 2015 to present regarding the noise. He is concerned about the traffic flow that comes from the Church and he is against the new proposal.

Brian Reilley, N69W38067 Park Street, is concerned again with the noise and how is Church going to control this with the new flow of people.

Jessica Belling, executive director of the YMCA, stated they take their partnership with facilities very seriously and they will make every effort to accommodate everyone involved.

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Chris Krenke, W380N6961 N Lake Road, stated they have gone to the Church regarding the issues and to no avail; the issues have not been resolved.

Pastor McCarthy of Crosspoint Church stated he feels that the Commissioners have not been given the correct information and that the Church has worked really close with Jeff Herrmann regarding the concerns and has taken over the communication with Mr. Krenke because Mr. Krenke has been harassing the Church and is not easy to work with. Whenever they have a complaint they work diligently to rectify the problem and we call and talk with the residents that have concerns.

Brian Reilley, N69W38067 Park Street, feels the former pastor that left took a lot of the members with and with this new addition for the Church is becomes a financial gain because of what they had lost in revenues with people leaving.

Alan Petelins, W342N5150 Road P, stated he is the financial advisor for Crosspoint Church stated the churches financial state is in better shape than it has ever been.

Chairman Robert Peregrine closed the hearing at 6:50 p.m.

1. **Approve Minutes for November 4, 2019 Town Plan Commission Meeting.** – Commissioner Bergman made the motion to approve the November 4, 2019 minutes as presented. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments.** - None
3. **Consider and Act on Conditional Use request (CU34) of 3rd Rock Development, LLC. P.O. Box 398, Lannon, WI 53046, under the provisions of the Waukesha County Shoreland and Floodland Protection Ordinance for a Downtown Okauchee District Planner Unit Development (PUD). More specifically, the petitioner is requesting ten unit multi-family condominium developments. The project will also include land altering activities. The property is described as follows: Lot 30 and part of Lot 29 Map of Point Comfort, located in part of the W ½ Section 35 and part of the W ½ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N52W35002 Lake Drive (Tax Key No.'s OCOT 0569.039 & OCOT 0569.038.001).** – Chairman Robert Peregrine made note that the address is actually West Lake Drive not just Lake Drive. After the notation, the petitioner was present and after some discussion, Commissioner Navin made the motion to approve the conditional use request (CU34) of 3rd Rock Development, LLC, under the provisions of the Waukesha County Shoreland and Floodland Protection Ordinance for a downtown Okauchee District Planner Unit Development (PUD) for the request of a ten unit multi-family condominium development per Administrator/Planner Herrmann's report dated November 26, 2019. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.
4. **Consider and Act on a rezoning request (RZ48) of Jon Spheeris, 175 E. Wisconsin Avenue, Suite A, Oconomowoc, Wisconsin 53066, for property owned by Ireland Farms, LLC, 3891 Schefflera Drive, North Fort Myers, FL 33917-2043, to amend the District Zoning Maps of the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code from the A-T Agricultural Transition District to the R-2 Residential District to allow a single-family residential subdivision on the approximately 46.8 acre parcel. The property is located in part of the W ½ of the SW 1/4 of Section 24, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N67W34891 C.T.H. K. (Tax Key No. OCOT 0527.997.004).** – The petitioner was present and after minimal discussion, Commissioner Navin made the motion to approve and recommend to the Town Board the rezoning request (RZ48) of Jon Spheeris, 175 E. Wisconsin Avenue, for property owned by Ireland Farms, LLC to amend the district zoning map of the Waukesha County Shoreland and Floodland Protection Ordinance and the Waukesha County Zoning Code from the A-T Agricultural Transition District to the R-2 Residential District to allow a single-family residential subdivision on the approximately 46.8 acre parcel per Administrator/Planner Herrmann's report dated November 8, 2019. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.

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5. **Consider and Act on the request of Tom Modl (Owner) Paul Schultz (Applicant), for a variance from the non-conformance to offset provisions of the Waukesha County Shoreland and Floodland Protection ordinance to construct a garage addition to the existing residence. The subject property is described as Lot 5 Amended Plat of Oakdale, located in part of the SE ¼ of Section 23, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N64W35035 Road J (Tax Key No. OCOT 0524.005).** – The petitioner was present to state that he took ownership of the house and would eventually like to live there year round and constructing an addition to the garage would be beneficial. Commissioner Navin made the motion to approve and recommend to Waukesha County the request of Tom Modl the variance from the non-conformance to offset provisions of the Waukesha County Shoreland and Floodland protection ordinance to construct a garage addition to the existing residence. Commissioner Bergman seconded the motion. Motion carried by unanimous voice vote.

6. **Consider and Act on the request of Whiterock Holdings LLC (Owner), for a variance from the road setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance to construct a new residence with attached garage, deck and patio. The subject property is located in part of the NE ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically the property is located at N53W34393 Road Q (Tax Key No. OCOT 053.959).** - In as much as the petitioner has not appeared the Commissioners are unable to solicit information concerning their petition for a variance. Therefore, the Commissioners are unable to make a recommendation. Commissioner Bergman made the motion to make no recommendation to the Board of Adjustment. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

7. **Consider and Act on the request of Concetta Disalvo (Owner), for a variance from the maximum building footprint, maximum height, non-conformance to road setback provisions and the non-conformance to shore setback provisions of the Waukesha County Shoreland and Floodland Protection Ordinance as well as a special exception from the non-conformance to offset provisions of the Ordinance to construct a second story addition and add a covered entry to the existing residence. The subject property is described as Lot 64 and part of Lot 63 Plat of Maplewood Continuation, located in part of the E ½ of Section 35 and in part of the SW ¼ of Section 36, T8N, R17E, Town of Oconomowoc. More specifically, the property is located at N52W35247 W. Lake Drive (Tax Key No. OCOT 0569.169).** – The petitioner was present to state she is looking for the addition to have more room in the house because she currently has her parents living with her. Commissioner Navin made the motion to approve and recommend to Waukesha Board of Adjustment the request of Concetta Disalvo (Owner) the variance from the maximum building footprint, maximum height, non-conformance to road setback provision of the non-conformance to shore setback provisions of the Waukesha County shoreland and floodland protection ordinance as well as a special exception from the non-conformance to offset provisions of the ordinance to construct a second story addition and add a covered entry to the existing residence. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

8. **Adjourn.** - Commissioner Funk made the motion to adjourn at 7:14 p.m. Commissioner Roche seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted –
Lori Opitz, WCMC
Clerk/Treasurer