

TOWN OF OCONOMOWOC

PLAN COMMISSION

APRIL 19, 2010

Present: Chairman Runyard , Commissioners Peregrine, Garvey, Navin, Husak, Largent, Balthazor, Town Planner Herrmann, Peggy Tilley, Waukesha County Parks and Land Use, approximately 20 citizens.

**Joint Public Hearing between Waukesha County & the Town of Oconomowoc to consider the Zoning Amend request of the Town of Oconomowoc to amend the District Zoning Map of the Waukesha County Zoning Code from the R-1, Residential District and the C-1, Conservancy District to the P-1 Public & Institutional District and the C-1 Conservancy District. The property is located on the east side of N. Lake Road between the 16/67 Bypass and C.T.H. K.**

Chairman Runyard opened the public hearing at 7:00 p.m. He read the notice and Peggy Tilley explained that the property is about 3 acres in size, the C-1 is wetlands, and the Town is requesting rezoning in order to have the Town Recycling Center there. The rezoning is consistent with the County Zoning Plan and the Town Land Use Plan. A 100 ft x 180 ft asphalt path is proposed and there will be improvements in the future. Peggy suggested the Town think about a septic site for the future for rest rooms.

Robert Weigman, W380 N6989 N Lake Rd. The resident who formerly lived in that house was forced to move because he was told he shouldn't be driving in and out onto the road because it was too close to the bypass. Now there are trucks there? The cul de sac was only to be used for access to the agricultural area. It was supposed to stay farmland. The land has not been rezoned and already they are dumping there. Do you have DNR approval?

Jeff: It has been staked and we are not touching the wetland. We are working with the DNR on permits.

Richard Ische, N69 W38095 Park St. You are taking a farming community and making a public place out of it. I am definitely opposed. The church has lots of traffic. When they put in the bypass they were supposed to reduce the speed limit to 45 mph, which they never did. You paid \$65,000 for the property which sold on estate for \$165,000.

Arman Goose, 38145 Park St. Why are they putting recyclibles on it now when it hasn't been rezoned? This is a high traffic area and we should not have a dump site in our back yards. I strongly oppose this.

Jeff: We thought it was zoned Public and Institutional because it is on the County Plan as that, but on further research we learned that it was not, and we are taking corrective action.

Karen Reilly, 38067 Park St. This looks like a done deal. I am concerned with the traffic. How do you dispose of branches? Concerned with the noise. Will wood chips be stored there? A salt shed? I am against this.

Jeff: We have a list of people who want wood chips And at some point we will have a salt shed.

Chris Krenke, W380 N6961 N. Lake Rd. March 8 they started dumping reclaimed asphalt on the property. On the 29<sup>th</sup> there were 4 people dumping gravel & stone; they were cutting bushes. I called Mr. Hultquist who said there is nobody working there. Within 10 minutes they left. April 12-15 there were 17 truckloads of gravel hauled in I called the local paper who evidently contacted the Town and there hasn't been anybody there since then. The Recycling Center is a pig sty. We don't want the lights shining in our windows, the beeping of the vehicles, the salt contaminating our ground water, the traffic, our property values, possible burning. Really that we were not notified as to what was going on with the property. Do we have any recourse? I am adamantly opposed.

Arman Goose: My taxes are \$3000 and we get no services It's wrong to put this in our back yard. Who represents this community? How did you start this before it was a done deal ?

Jeff: If this is denied we will remove all the material.

The Public Hearing was closed at 7:25 p.m.

**Public Hearing by the Town of Oconomowoc to consider the request of Frank Hertneky, N61 W38100 Blackhawk Drive, Oconomowoc, Wisconsin to construct a fence that exceeds the height requirement of the Town of Oconomowoc Building Code.**

Chairman Runyard read the notice. Susan Sorrentino, attorney and daughter of the petitioner, presented the request. She explained that they wanted the fence to keep deer out of the property. They have an opportunity to be in a garden tour this summer and would like to protect their property from the deer. It would be a decorative wrought iron fence along the south border, which is what is visible. A wire fence would be along the other sides which would not be visible because of trees and brush. There would be no barbed wire, no points, there would be gates at the two driveway entrances. There is no opposition from neighbors and they produced a letter from Mr. Katcha to that effect.

The public hearing was closed at 7:35 p.m.

**Plan commission meeting.**

**1. Approve minutes for March 15, 2010 Plan Commission meeting.**

Navin moved to approve the minutes as printed. Seconded by Husak. Carried unanimously.

**2. Public Comments: None**

3. Consider and Act on Zoning Amendment Request of the Town of Oconomowoc to amend the District Zoning Map of the Waukesha County Zoning Code from the R-1, Residential District and the C-1, Conservancy District to the P-1 Public & Institutional District and the C-1 Conservancy District. The property is located on the east side of N.Lake Road between the 16/67 Bypass and C.T.H. K.

Husak explained the residency requirements of the Town Board, Plan Commission and Town employees, as this was questioned by former speakers.

Peregrine moved to recommend to the Town Board that the zoning applied for be granted. Seconded by Navin. Carried unanimously.

Former speakers asked who their attorney should address. Jeff replied that it would be him. Peggy Tilley explained the procedure the request would have to follow and this was not a done deal.

**4. Consider and Act on Fence Variance of Frank Hertneky, N61 W38100 Blackhawk Drive, Oconomowoc, Wisconsin to construct a fence that exceeds the height requirement of the Town of Oconomowoc Building Code.**

Peregrine moved that the petitioner be permitted to put up a 5 ft fence, both the wrought iron and the galvanized at that height. Seconded by Garvey. Carried unanimously.

**5. Consider and act on Site Plan/Plan of Operation for Alfa Collision Center – N58 W39800 Industrial Drive**

Mike Herro and Robert Hamilton explained that they took possession of part of the building two months ago. Now they would like to occupy the entire building. They need more room for storage, as some customers have collector cars and would like them stored inside. They have no objection to Jeff's report.

Navin moved to recommend approval for the Plan of Operation for Fall Line, LLC for the storage, office space in the industrial building on Industrial Drive per the Planner's report of April 14, 2010. Seconded by Garvey. Carried unanimously.

**6. Consider and act on Retaining Wall within five feet of a property line – Begler – N52 W35577 W. Lake Dr.**

Mr. Begler wants to extend the height of his retaining wall on the east side of his property. The County said he could build an 18 in wall without a permit. It will be under the 28 – 30 in range. He is higher than his neighbor and he wants to hold it back. The County Planner has inspected the wall and gave his O.K. The neighbor on the east side is not opposed. The County wanted an O.K. from the Plan Commission before they issued a permit

Carol Uebelacker, N52 W35601 Lake Dr said she would like to see a drainage plan for Mr. Begler and she questioned the permit process.

Peregrine moved to approve a vertical extension of approximately 12 inches to the existing retaining wall. Seconded by Husak. Carried unanimously.

**7. Consider and act on Site Plan/Plan of Operation for Brew City Kustom Krome – N50 W35001 Wisconsin Avenue**

Dave Siddlarz, petitioner, stated he would like to open a motorcycle apparel and parts store in Okauchee in a duplex next to the Post Office. He would occupy the east end of the building. He would deal in American bikes. Jeff's report is agreeable with him. Jeff stated that there is off street parking behind the Post Office and in a public lot. His request is to operate 5 days a week but was informed that he could ask for 7 days a week in case he would want to be open more days in the future.

Peregrine moved to approve the Site Plan/Plan of Operation based on the Planner's report dated April 14, 2010, as amended to specify hours of operation as Monday through Sunday instead of Wednesday through Sunday. Seconded by Navin. Carried unanimously.

**8. Consider and act on Site Plan/Plan of Operation for Oconomowoc Soccer Association/Town of Oconomowoc for the construction of a pavilion and pump house.**

Jeff stated that there has been Site Plan/Plan of Operation approval for the overall soccer park. This is for the building only which includes a pump house. It requires Town Board approval because it is on Town property.

Bob Humpcliff (?) of Oliver Construction Company stated that there would be two wells, one for irrigation, to include the pump and storage for the sprinkler system, and the other for the pavilion. The pavilion would be located about 200 ft to the southeast of that. An office space has been added to the north end of the building. A paved area is necessary in front of the office space in order to meet ADA requirements. There would be a frame over the pump house in case the pump needed to be pulled. The pump house is needed now in order to irrigate the soccer field.

Dave Beck stated that their time line depends upon funding. They were planning for May, but now it looks like late summer. They had planned the pavilion for October, but that also is dependent upon funding.

Mark Hansen stated that they have secured approximately 18% of the funding. They are working with philanthropic organizations and soccer organizations and feel that Oconomowoc soccer has a good future

Joel Falk of Oconomowoc Soccer, stated that under the terms of the 25 year lease the Town owns the land and the Soccer Association owns the buildings. There are bathrooms which are locked when there is no event, and if needed portable toilets will be brought in.

Husak moved to approve the Site Plan/Plan of Operation for the Oconomowoc Soccer Association for the construction of a pavilion and pump house subject to Town Board approval. Seconded by Balthazor. Carried unanimously.

**9. Discussion on proposed Sign request for the Oconomowoc Soccer Association/Town of Oconomowoc for Monterey Park – McMahan Road**

Joel Falk stated that they would like to erect a more professional looking sign which would face south east on the corner of 67 and McMahan Road. He produced a picture of the intended sign. The matter will be taken to the Town Board for review. No action was taken.

**11. Discussion on conceptual Business Plan for Clyde Olson for the operation of a part time taxidermy business in his garage – N64 W38042 Lac La Belle Drive**

Clyde Olson stated that he has been doing taxidermy in his garage for 30 years. Now he would like to make it into a business and would be dealing mostly with other taxidermists, in other words, wholesale. He lives in a duplex and would use the garage on the north side and do his taxidermy in a shed in the back. He would have no traffic, no sign. He was advised to talk to his neighbors to determine if there was any objection. Jeff stated that this would be a limited family business or an unspecified and would require a public hearing. No action was taken.

**12. Discussion on Conceptual land division for Robert Schowalter (Schowalter Trust) – N71 W35498 Mapleton Lake Drive**

Jim Siepmann outlined the different options for the future use of Mr. Schowalter's property. These 4 options are described in letter to Jeff .Herrmann dated April 12, 2010, made a part of these minutes. Mr. Schowalter stated that he is a volunteer and donor at Angels Grace Hospice. He sees a need for some kind of hospitality center for care givers visiting Angels Grace; also a facility for disabled people which could include a place where care givers could put their disabled people in the care of others and be able to have respite for a time. He envisions a churchlike facility adjacent to Angels Grace which would include all denominations. No action was taken,

**13. Discussion on proposed changes to NR115 and the Waukesha County Shoreland and Floodland Protection Ordinance.**

Peregrine stated that NR115 is similar to Waukesha County Shoreland and Floodland Protection Ordinance, but there will be a new law effective in February 2012 which will require the County to redo its Ordinance. It will mean changes regarding native vegetation along streams and lakes. There will be changes in impervious surface standards. Present impervious surfaces can be repaired, restructured, not enlarged. When a request comes in to approve a plat or CSM on one of the lakes, we should require a showing of impervious surfaces because there is a very complicated formula based on the square footage of the lot. We should be prepared. Jeff said it would be difficult to enforce No action taken.

**10. Consider and act on Site Plan/Plan of Operation for Town of Oconomowoc Recycle Center – N. Lake Rd**

Jeff stated that they were asking only for the asphalt pad for the Recycling Center, 100 x 180 ft. He explained that in all their meetings there was approval' we got an erosion control permit from the County, the DNR maps indicate d it was not on a significant water routing. They came back today and said that it was. We had the Notice of Intent and were prepared to go if we had your approval. Owen had started stockpiling things there. We will put a silt fence there tomorrow and nothing else will be put there until everything is approved

Runyard stated that there had to be some sort of screen because the neighbors looked directly at the place.

Jeff said the request was two fold (1)for the property to be used as a recycling center and (2)asphalt pad.

Husak moved to approve the Site Plan/Plan of Operation for the Town of Oconomowoc Recycle Center to operate it as a recycling center, for the construction of a pad and the installation of a sign. Seconded by Peregrine. Carried unanimously.

### **Adjourn**

Garvey moved to adjourn. Seconded by Navin. Carried unanimously. Adjourned at 8:55 p.m..

### **Respectfully submitted**

Betty Callen, Recording Secretary