

# TOWN OF OCONOMOWOC PLAN COMMISSION MEETING MINUTES

October 17, 2011

Chairman Runyard called the public hearing to order at 7:00 pm and read the notice.

**Joint Public Hearing to consider the Zoning Amendment request of Schowalter Revocable Trust, W359 N7430 Brown Street, Oconomowoc, Wisconsin to amend the Town of Oconomowoc District Zoning Map of the Waukesha County Shoreland and Floodland Protection Ordinance from the A-P Agricultural Land Preservation District to the P-I Public and Institutional District, with the lands zoned C-1 Conservancy District to remain unchanged – property is located in the SE ¼ and SW ¼ of Section 14 and Contains approximately 53 acres on the east side of Brown Street:** Jason Fruth of Waukesha County Department of Parks and Land Use explained the request being made by Robert Schowalter that is requiring a land use change and that the plan is advancing through the process. Jason Fruth stated that the Town Board will be holding a public hearing on the land use amendment on October 27, 2011 at 6:00 pm. Jason went on to state that there was one hundred eighty-six (186) acres that encompassed two (2) parcels and that a CSM has been submitted. Of those, five (5) acres was designated for a church and about 48 acres was to be for a respite center which would include small cottages for family members to visit children at the center. Jason stated that storm water plans are required and is being worked on and soil tests are also required and will be completed. Access has been looked at by the DPW and was determined that no requirements are necessary. Jason did state that he had discussions with Bob Schowalter about access to the east off Norwegian Road. Jason Fruth completed his portion of the public hearing and asked if Bob Schowalter would like to add anything. Mr. Schowalter stated that Jason did such a good job that he had nothing further to add. Chairman Runyard then opened the public hearing to comments from the floor.

Rhonda Reeser asked about what impacts there would be on the properties to the north of the respite center and is this a trend for commercial properties to be moving north as well? Bob Schowalter explained that what better way to control development then to place property into public and institutional zoning, it's closer to agricultural then to sell it off for residential.

Jim Farkas stated that he worries about the excess traffic, delivery trucks, and garbage trucks with the loud back up beepers. He stated that the hospice was supposed to be below a certain decibel level and he feels it is not. Mr. Farkas wanted to be sure that better barriers from the sound and lights would be involved in this next project. The trees that were planted to help deter the noise at the hospice were supposed to get 12 to 15 feet high and they are not.

Administrator/Planner Herrmann stated that the concerns that were listed will be addressed.

John Schmalling wanted to see a footprint of the project, and he stated that he took water samples and they have failed.

Terry Bartowicz who is the President of Zacharia's Acres stated that this facility is for children with mental and physical disabilities to see nature, be in nature. This facility will allow a care giver a break as well as the child, it can provide an hour, a day, or maybe a week, whatever is needed.

Rhonda Reeser had concerns that this is not the right area for a facility of this type.

Jason Fruth explained that the church will be about 7,300 square feet, the respite center will be about 22,000 square feet, the garage will be about 6,000 square feet, a shed will be about 5,100 square feet

and two (2) cottages will be approximately 4,400 square feet and the other two (2) cottages will be approximately 2,200 square feet.

Rhonda Reeser stated concerns about the future growth of the church and facility.

Terry B stated that to do this right they needed neighbor's input, and plans on taking it through the process. This facility is a one of a kind in the nation; society does not accommodate these individuals.

Pastor explained the concept of the church. The church will never grow to be larger than the capacity of the building. It is meant to allow many different denominations to hold services in the church.

Jim Frakas stated that he would like a personal meeting with Bob Schowalter and the immediate neighbors to discuss the project and to get their questions answered.

Chairman Runyard stated that Bob Schowalter should set up a meeting with the neighbors to discuss their concerns.

Jason Fruth asked John Schmalling where the water samples were taken that has failed. Mr. Schmalling stated that the samples came from the pond. Jason Fruth stated that the County will take their own samples as well.

Chairman Runyard closed the public hearing at 7:44 pm.

Chairman Runyard opened the public hearing and read the notice.

**Public Hearing to consider a variance request of Brice Smith, W341 N6360 Kathy Drive, Oconomowoc, Wisconsin for the construction of a six (6) foot high fence on property described as Lot 15 Heuser Subdivision, being a part of the NE ¼ of Section 25 in the Town of Oconomowoc:**

Brice Smith explained to the Commissioner's what type of fence he wanted to install and that it would be to keep his dog in the yard. The fence would be on his property but would be an extension of the neighbors with a little added height to close off the backyard. Mr. Smith is looking to place the fence just off the property line.

John Jorgenson stated that he had no problems with the fence, but wanted to make sure that Mr. Smith will be able to access his fence for maintenance purposes on the opposite side.

Administrator/Planner Herrmann stated that the Town's recommendation is to install the fence three (3) feet off the property line, but once approval has been obtained a property owner can do what they want.

Chairman Runyard closed the public hearing at 7:55 pm.

Chairman Runyard called the meeting to order at 7:55 pm. Commissioner present included James Navin, Richard Garvey, Terry Largent, Jan Husak, and Cathy Balthazor. Absent was Robert Peregrine. Also present included Administrator/Planner Herrmann and Clerk/Treasurer Lesser. See attached sign-in sheet for others who attended the meeting.

1. **Approve Minutes for October 3, 2011 Town Plan Commission Meeting:** Commissioner Navin made a motion to approve the October 3, 2011 minutes. Commissioner Husak seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments:** None
3. **Consider and Act on Variance request of Brice Smith to erect a 6 foot high fence on his property – W341 N6360 Kathy Drive:** Chairman Runyard explained that there isn't an ordinance to require a fence to be placed off the lot-line but the Commission recommends three (3) feet. Commissioner Husak made a motion to approve the 6' high, 65' long fence to be

erected on the property located at W341N6360 Kathy Drive. Commissioner Largent seconded the motion. Motion carried by unanimous voice vote.

4. **Adjourn:** Commissioner Husak made a motion to adjourn at 8:05 pm. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC