

TOWN OF OCONOMOWOC

PLAN COMMISSION

JUNE 6, 2011

Present: Chairman Kenneth Runyard, Commissioners Robert Peregrine, Richard Garvey, Janis Husak, Terry Largent, Town Planner Jeffrey Herrmann, Amy Barrows, Waukesha County Department of Parks and Land Use, approximately 23 citizens. Absent; Commissioners James Navin and Catherine Balthazor. Chairman Runyard opened the meeting at 7:00 p.m.

AGENDA

1. Approve minutes for May 2, 2011 Town Plan Commission meeting.

Peregrine moved to approve the minutes as printed. Seconded by Garvey. Carried unanimously.

2. Public Comments: None

7. Special Order of Business

A. Joint Public Hearing for Andrew Glorioso – N95 W34197 Townline Road, Conditional Use for gunsmithing and internet sales or firearms.

Andrew Glorioso is petitioning for a Conditional Use permit to allow him to engage in gunsmithing and internet sales of firearms from his residence at N95 W34197 Townline Road. Amy Barrows explained that the property is zoned A-1 Agricultural with one unit per 5 acres. The subject property is 1.3 acres in size. The Town has allowed a previous similar use. The petitioner explained that he would be buying guns from the internet and would resell them, but not from his residence. He would sell them through some organization such as Ducks Unlimited. There would be 1 or 2 guns on his property at any one time. He does have a full time job. He will not test the guns on his property. He will do no advertising. He has a gun safe in his garage, which has a steel service door with a dead bolt and an overhead door.

Garson Marks, N95 W34282 Townline Road, neighbor, stated that he would like the record to show that there would be no sign and no shooting.

The petitioner stated that he has homeowners and business insurance. The guns he would be working on would be pistols, shotguns and rifles. He will be on the June 20th agenda. This Public Hearing was closed.

B. Joint Public Hearing for Ronald & Marietta Marshall – W347 N6119 Road I and W347 N6123 Road I for Land Altering Activities.

Amy stated that the subject property is zoned R-3, single family residential; it abuts Okauchee Lake. The petitioners were granted a variance in March 2011; the approval was to combine two lots, to remove one of the residences, put an addition on to the residence to the west. The approval was subject to several conditions, including that all ordinance and permit requirements be met. The petitioners are now proposing to expose the lake side of the addition part of the residence, whereas the topography of the property is flat in the area of the addition and the ordinance says you can do necessary grading in order to accommodate a residence while accommodating the natural topography of the site.

Mike Schober stated that the concerns were aesthetics, the fact that the neighbors may be harmed, and that natural resources may be harmed. He introduced 3 experts to address these3 issues.

Steve Sobiesky builder stated there would be a double layer silt fence and a panelized construction process. It conforms to setbacks and square footage. The addition would be in line with other homes. An average elevation of 6 other homes is 883 and this home's elevation would be 883.

An appraiser, Rich Larkin, submitted his written appraisal to validate the value of the proposed home, would be cut out in the process, taking a natural slope and making it flat. There would be no impact on the flood plain and runoff would be less.

Dave Meyer, Wetland Consulting, stated that there is no wetland on the property. The lakeshore is hard gravel, no weeds. There is no significant aquatic habitat to be disturbed. There would be an erosion barrier between the construction and the waterway. The rip rap there now is substandard and that would be replaced by a natural setting.

Ron Marshall, owner, stated that he had talked with some of his neighbors and so far had met no opposition.

This Public Hearing was closed at 8:20 p.m.

3. Consider and Act on CSM for David & Lisa Grubba – W371 N5434 Marquette Avenue

The son Jared appeared for the petitioners. The CSM was a condition of combining 2 lots into one. This was the result of a variance granted in November 2010 when the petitioners constructed a 24 x 24 ft detached garage.

Peregrine moved to approve the CSM subject to Jeff's recommendation dated June 1, 2011. Seconded by Husak. Carried unanimously.

4. Consider and Act on Site Plan/Plan of Operation for Excel Tech/Leather Tech – N58 W39800 Industrial Drive

Mr. Fadel stated that his proposed business would package and distribute leather care products to consumers. He was formerly based in Watertown. There would be no tanning or cleaning of leather on the site.

Largent moved to approve the Site Plan/Plan of Operation subject to Jeff's memo of June 1, 2011. Seconded by Husak. Carried unanimously.

5. Consider and Act on Site Plan/Plan of Operation for Bobble Heads Bar & Grill – N49 W34630 Wisconsin Avenue

The petitioners would be taking over Rookies. They also own Boomers in Pewaukee. They plan on keeping the volley ball courts. Jeff stated that the volley ball courts had presented no problems in the past. The music would be the same as it was for Rookies.

Peregrine moved to approve the Site Plan/Plan of Operation subject to Jeff's report of June 1, 2011. Seconded by Garvey. Carried unanimously.

6. Consider and Act on Fence/Barrier construction for Tom's Automotive – N51 W34871 Wisconsin Avenue

Tom stated that the County had contacted him more than once after receiving a complaint about his tires being in plain view. He plans to construct a fence so they are not visible.

Peregrine moved to approve the proposed fence provided that it is 7 ft high, is painted the color of the building and is wood stockade. Seconded by Husak. Carried unanimously.

8. Consider and Act on Variance Request for Paul M. Jansen – n51 W34911 Wisconsin Avenue for a patio replacement.

The petitioner wants to replace his patio and make it safer and more attractive. He would have a slightly smaller patio by having a strip of grass on one end. It would be 3 ft. from the property line rather than 5 ft.

Peregrine moved to recommend that the Board of Adjustment grant the variance applied for. This property appears to be something worthwhile for the Okauchee area. Seconded by Largent. Carried unanimously.

9. Consider and Act on Variance Request for Associated Bank – N48 W35876 Wisconsin Avenue for a new sign

The bank proposes to replace an existing sign with two signs in the same spot.

Peregrine moved to recommend to the Board of Adjustment that they grant the variance for the replacement of the existing free standing sign in the identical place. Seconded by Husak. Carried unanimously.

10. Consider and Act on Site Plan/Plan of Operation for Associated Bank – N48 W35876 Wisconsin Avenue for new signage on the property

Husak moved to approve the Site Plan/Plan of Operation for Associated Bank subject to Jeff's report of June 1, 2011. Seconded by Garvey. Carried unanimously.

11. Discussion on Conceptual Plan for a Respite Facility for Special Needs Families – N71 W35498 Mapleton Lake Road

Robert Schowalter stated that he plans to donate 45 acres to be used as a pediatric respite facility for families with severely disabled children. He introduced Terry Bartowitz as the new chairman of Zacharius House, a new tax exempt entity. This would not be on the same parcel as Angels Grace Hospice, also not the same ownership. The driveway access would be used by both facilities. This road is privately owned, but built to Town standards.

The capacity would be 15 beds, the same as Angels Grace. It would be a respite facility for families to bring their disabled member for a period of no longer than 13 nights. They envision a facility where patients would be able to enjoy nature plus giving their caregivers some respite.

They have met with pediatric and neurological doctors of Children's Hospital and received a very favorable response. They have also been in contact with various schools in the area. Their Board of Directors is composed of different disciplines. Their next step is to survey the land, get an assessed value, donate it to the non-profit, then start the incremental process. Any thought of expansion is not the present focus. Jeff stated that the next step would be to get Waukesha County on board because this would have to go through the public hearing process to get it to AP so that it is a permitted use. They have not been able to locate any such facility, but hope that this may be a model and inspiration for others. The concept was well received by the Plan Commission.

12. Consider and Act on CSM for Robert Schowalter – Corner of Norwegian Road and Petersen Road – approximately 15 acres.

Jeff stated that currently there is a one acre lot on Petersen Road that will be re-divided with an existing larger lot. Owen Salzman looked at the lot and stated that he had no concern with putting a driveway at the planned location. The site distance is acceptable. Waukesha County considers lot #2 a flag lot (not abutting a public road). It actually does abut, but does not meet the County's requirement. It is not wide enough.

Bob Schmidt; N80 W34700 Petersen Road. His property abuts the flag lot. He has no objection to what is planned as long as it is done right. He feels that more than one culvert will be needed. He wants to be sure that the water flow will remain as it is now.

Husak moved to approve the CSM for Robert Schowalter for the corner of Norwegian Road and Petersen Road subject to Jeff's report of June 1, 2011 and subject to the condition that prior to the drive way being constructed on Lot 2, the Town Engineer shall meet with the adjacent neighbor and the property owner on the method of construction, including drainage, all of this to appear on the CSM. Seconded by Peregrine. Carried unanimously.

Bill Cozzens, a neighbor, is also concerned with drainage and safety.

13. Consider and Act on lot not abutting a public road – Schowalter – Corner of Norwegian Road and Petersen Road – approximately 15 acres.

Husak moved to approve the lot not abutting a public road for Robert Schowalter corner of Norwegian Road and Petersen Road. Seconded by Garvey. Carried unanimously.

14. Discussion on Town Zoning Map – Waukesha County

Jeff stated that the Town should supersede the County.

15. Consider and Act on Recommendation to the Town Board to Vacate a Service Road North of Burtonwood Drive.

The service road does not need to be 60 ft wide; therefore, it will be vacated. It is adjacent to the old 67 which is now North Lake Road.

Husak moved to recommend to the Town Board that they vacate the service road north of Burtonwood Drive. Seconded by Garvey. Carried unanimously.

16. Adjourn

Husak moved to adjourn. Seconded by Peregrine. Carried unanimously. Adjourned at 9:20 p.m.

Respectfully submitted,

Betty Callen, Recording Secretary