

TOWN OF OCONOMOWOC PLAN COMMISSION MEETING

MEETING MINUTES September 19, 2011

Chairman Runyard called the public hearing portion of the meeting to order at 7:00 pm. Commissioners present were James Navin, Richard Garvey, Robert Peregrine, and Jan Husak. Commissioners absent were Terry Largent and Cathy Balthazor. Also present were Administrator/Planner Herrmann and Clerk/Treasurer Lesser. See attached sign-in sheet for others that were present at the meeting.

Adjourned Public Hearing to consider the Conditional Use Request of the Town of Oconomowoc, W359 N6812 Brown Street for Land Altering Activities in conjunction with the removal of the Monterey Mill Dam and replacement of the Mill Street Bridge. The property is located at the intersection of Mill Street and the Ashippun River: Chairman Runyard read the public hearing notice. Administrator/Planner Herrmann informed the Commissioners that no decision has been made by the Town Board on what action will be taken with the Monterey dam and bridge, and is recommending that the hearing be postponed to November 7, 2011 at 7:00 pm. Commissioner Peregrine made a motion to adjourn the public hearing for the Monterey dam conditional use request of the Town Board of Oconomowoc until the November 7, 2011 plan commission meeting to be held at 7:00 pm. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote at 7:02 pm.

Public Hearing by the Town of Oconomowoc to consider the request of Michelle Murphy, N87 W35437 Mapleton Road, Oconomowoc, Wisconsin to operate a Hobby Kennel on her property for up to six (6) dogs: Chairman Runyard read the public hearing notice. Michele Murphy informed the Commissioners that the reason she is asking for the hobby kennel license is for personal reasons, she has no intention to breed or board dogs. Her breed is Brittany Spaniels, and she uses them for hunting and wants to have up to six (6) dogs for the sole purpose to bring in a puppy before any of her current dogs were to die. Her reasoning is to have the older dog(s) help train the younger ones. Ms. Murphy stated that her yard is fenced, but does have a kennel out in the yard but the dogs are kept in the house. The property is roughly 1 1/3 acre. Average life of a Brittany Spaniel is twelve (12) to thirteen (13) years. Jo Goralski N87W35392 Mapleton Road; stated that the dogs are amazing, they are treated like family, and that she has lived next to them for eighteen (18) years and she has no problem with the added dogs. Administrator/Planner Herrmann read a letter from Paul Fischer who owns a barn next to Michelle Murphy. The letter is requesting the Commissioner's to deny the hobby kennel license due to the possibility of devaluation of his property and Mr. Fischer stated that he felt the property was not large enough for six (6) dogs. Administrator/Planner Herrmann asked Clerk/Treasurer Lesser if the clerk's office received any complaints about the dogs at the Murphy property, and the response was no. Commissioner Peregrine asked if Ms. Murphy could live with being allowed four (4) dogs, and her response was yes. Chairman Runyard closed the public hearing at 7:10 pm.

1. **Approve Minutes for August 15, 2011 Town Plan Commission Meeting and August 29, 2011, Special Town Plan Commission Meeting:** Commissioner Peregrine made a motion to approve the meeting minutes as printed. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.
2. **Public Comments:** None
9. **Consider and Act on 2011 Great Oaks 420 Regatta on October 8-9, 2011 - Okauchee Lake Yacht Club:** Chairman Runyard called the Okauchee Yacht Club #9 on the agenda first. Administrator/Planner Herrmann stated that the reason this request is being brought to the Plan Commission is because at the beginning of the year the Okauchee Yacht Club submits their special events for the year, and the Great Oaks 420 Regatta was not on that list and therefore needed to be petitioned to the Commission for approval. Bill Groskopf stated that this is not a usual event for the Yacht Club, it's usually held on Pewaukee Lake and they could not hold it there this year. Mr.

TOWN OF OCONOMOWOC PLAN COMMISSION MEETING

Groskopf stated that there will be approximately 60 kids participating from all over the country and they are high school age kids. It will be held on October 8th and 9th from 8:00 am to 3:00 pm. Most of the kids are car pooled to the site or they will arrive by a bus. Commissioner Peregrine made a motion to approve the special event for the Okauchee Yacht Club to hold the Great Oaks 420 Regatta on October 8th and 9th. Commissioner Husak seconded the motion. Motion carried by unanimous voice vote.

3. **Consider and Act on Hobby Kennel License for Michelle Murphy, N87 W35437 Mapleton Road:** Commissioner Peregrine made a motion to approve the hobby kennel for Michele Murphy to not exceed four (4) dogs. Commissioner Garvey seconded the motion. Motion carried by unanimous voice vote.

4. **Consider and Act on Site Plan/Plan of Operation for Tactical Laser Tag (Kerry Poznanski), W359 N5740 Brown Street, for an amusement center (laser tag):** Chairman Runyard read the notice, he asked if the petitioner's had read the Planner's report and if they had any questions. Kerry Poznanski stated that she was able to read it and had no questions. Ms. Poznanski stated that the market for the laser tag business is middle school age children. Ms. Poznanski stated that there will be video games for the children who are waiting to take their turn on the laser tag course. Commissioner Runyard asked how loud the laser tag game is. Ms. Poznanski stated that it would be no louder than a regular video game; it would not be heard outside the building. See Plan Approval letter. Commissioner Peregrine stated that the approval is subject to the County approving the zoning amendment. Commissioner Peregrine made a motion to approve the site plan/plan of operation subject to the conditions in the planner's report. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

5. **Consider and Act on amendment to Site Plan/Plan of Operation for Ocean Dreams (James Chapman), W359 N5740 Brown Street, for an addition to the existing parking lot:** Chairman Runyard read the notice. Administrator/Planner Herrmann stated that as part of the site plan/plan of operation that was submitted Mr. Chapman is requesting to expand the parking area; Herrmann stated that he will have the town engineer look at the grading. Attorney Dean Richards representing James Chapman stated that the parking area was expanded to 10' by 50' which allowed an additional three (3) parking spots. The majority of the work was to restore the gravel parking area that was originally there but was overcome by weeds and there has been no change in the topography. The septic system that came into question during the public hearing on September 6, 2011 is actually located in the grassy area behind the gravel parking area. Commissioner Husak questioned where the clean-out is located. James Chapman stated that it's located in the grassy area as well. Mr. Backus asked to speak, and stated that after the last meeting Jim Chapman met with the neighbors to resolve the issues that were mentioned. Mr. Backus felt better after their conversation and is in favor of the zone change. John Hallett shares the parking lot with James Chapman and they have a shared easement for the drainage that lies on his property. Chairman Runyard asked if they were able to read the planner's report and if they had any questions. Attorney Richards stated that they did, and they agree with the conditions. Commissioner Peregrine made a motion to approve the amendment to the site plan/plan of operation to expand the parking lot. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

6. **Consider and Act on Site Plan/Plan of Operation for Sweet Mullets Brewing Company (Barbara Jones) to operate a Brewpub at N58 W39800 Industrial Drive:** Chairman Runyard read the notice. Barbara Jones passed out to the plan commission members new plans that clarified their site plan. They intend to offer a small menu, mostly appetizers to be served with their beer that will be made on-site. Ms. Jones stated that the brewery will be in the back of the building and the restaurant/pub will be in front. Ms. Jones started to discuss the hours of operation, and Commissioner Husak stated that she

TOWN OF OCONOMOWOC PLAN COMMISSION MEETING

should ask for the maximum hours so that if they intend to expand the hours in the future from what they currently plan, they can without having to come before the commission again. Ms. Jones stated that they wish to be open at 11:00 am to bar close which is 2:00 am. Ms. Jones stated that they amended the plan to include a maximum seating capacity to 78 so that the appropriate square footage will allow them to have two (2) bathrooms. There will be windows to see the brewing process and will also give tours of the brewing operation. They plan to sell their bottles of beer for carry-out and also to other restaurants. Commissioner Peregrine made a motion to approve the site plan/plan of operation with operation hours from 11:00 am to 2:00 am seven (7) days a week, also subject to the conditions set forth in the planner's report. Commissioner Garvey seconded the motion. Motion carried by unanimous voice vote.

7. **Consider and act on resolution by Robert Schowalter to amend Town of Oconomowoc Comprehensive Land Use Plan -2035 for 53.21 acres of land located in the SW ¼ and SE ¼ of Section 14 from the 35-Acre Agricultural category to the P-I Public and Institutional category:** Chairman Runyard read the notice. Robert Schowalter discussed with the commission plans for building a respite center called Zachariah's Acres. Mr. Schowalter stated that Angel's Grace and Zachariah's Acres will use the same driveway from County Road P, which will end in a cul-de-sac. Chairman Runyard stated that a resolution was prepared by Attorney Chapman that makes a recommendation to the Town Board to make a change to the land use plan. Administrator/Planner Herrmann stated that the Town Board will then hold a public hearing for the ordinance change. Commissioner Husak made a motion to approve the resolution recommending that the Town Board change the land use plan for Zachariah's Acres. Commissioner Peregrine seconded the motion. Motion carried by unanimous voice vote.
8. **Consider and act on resolution by Terry Van Lare to amend Town of Oconomowoc Comprehensive Land Use Plan - 2035 for 2.98 acres of land located in the NW ¼ of Section 26 from the Low Density Residential category to the Commercial Category:** Administrator/Planner stated that Terry Van Lare withdrew his request.
10. **Consider and Act on modifications to Tree House Structure to a proposed play set for – Donald & Rose Ann Dentice, W356 N5136 Lakeshore Drive:** Chairman Runyard read the notice. Mr. Dentice explained to the Commissioner's that when he talked with Mary Finet of the Waukesha County Park and Land Use department, she gave him options for the tree house. The recommendation that he is requesting approval for is to remove the sides and the roof and install a railing at least four (4) feet high all the way around the platform. The platform itself sits five (5) to six (6) feet high above the ground. Karen Lagerman, a neighbor to the Dentice's questioned the structure that sits 16" off her lot line. Administrator/Planner Herrmann read a letter he received from Mary Finet dated September 16, 2011. Ms. Finet called the structure a play set, and it does not require a permit from the offset and setback requirements as a deck would. Commissioner Peregrine made a motion to approve the structure on the Dentice's property subject to the modeling plan submitted and the declaration that it is a play set in which no permits are required, has thirty (30) days to modify it as such to include a railing of 48" in height for safety. Commissioner Garvey seconded the motion. Motion carried by a unanimous voice vote.
11. **Consider and Act on Special Event Application for Just Kickin' Spoon Saloon & Sports, N50W35016 Wisconsin Ave., for First Year Anniversary Party to have live outdoor music on Saturday, October 1, 2011 12:00 PM to 7:00 PM:** Chairman Runyard read the notice. It was noted that no one appeared to represent Just Kickin' Spoon Saloon & Sports for their special event application. Administrator/Planner Herrmann stated that in the site plan/plan of operation it is noted that no outside music is allowed unless approved by the Plan Commission. Commissioner Peregrine made a motion to approve the special event application for the one (1) year anniversary party to a one-

TOWN OF OCONOMOWOC PLAN COMMISSION MEETING

time event and that notification as such will be sent to the operators of the establishment.
Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

12. **Adjourn:** Commissioner Navin made a motion to adjourn at 8:02 pm. Commissioner Husak seconded the motion. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer