

TOWN OF OCONOMOWOC PLAN COMMISSION MEETING MINUTES

July 9, 2012

Chairman Kenneth Runyard called the meeting to order at 5:00 pm. Commissioner's present included James Navin, Richard Garvey, Robert Peregrine, Terry Largent, Janis Husak, and Cathie Balthazor. Also in attendance were Town Administrator/Planner Jeffrey Herrmann and Clerk/Treasurer Jo Ann Lesser. See sign-in sheet for additional attendees.

1. Approve Minutes for June 18, 2012 Town Plan Commission Meeting: Commissioner Peregrine made a motion to approve the June 18, 2012 meeting minutes as printed. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.
2. Public Comments: None
3. Consider and Act on Variance request for Michael Bertrand to allow the construction of a foyer addition to the existing restaurant and to allow existing and proposed patios, covered patios, and decking. The request is also to allow modifications to the existing sign. The property is located in the E ½ of Section 35 and the W ½ of Section 36 in the Town of Oconomowoc at N52 W35002 Lake Drive: Mike Bertrand explained that he started taking out the foyer due to space issues and wanted more a buffer against the elements for his patrons. Mr. Bertrand also explained that the existing patio had a building permit, but he never applied for a zoning permit and that is why he is here, to make it legal. Mr. Bertrand explained that his plan for the new patio area was to help serve his patrons better, this additional area would include a service bar and that this would allow wait staff to stop traveling between tables inside the restaurant to get to the bar, eliminating some of the traffic. Mr. Bertrand stated that he would like to cover the existing patio with some sheet metal material he already has, he would not be enclosing it, just covering it to create a shaded area and to install fans to help keep patrons cool. Mr. Bertrand stated that to continue using the area in early spring and late fall he would make use of space heaters. To address the sign request Mr. Bertrand explained that he would like to change his sign from the interior of his building rather than doing it outside in the extreme heat or cold. He also mentioned that the letters are expensive and they tend to fall off and get blown away. Mr. Bertrand stated that he would not make the digital sign flash or use multiple colors. A commissioner questioned about the service bar, being that if it is to help serve customers does the alcohol get set up and removed each day, Mr. Bertrand responded that he has the alcohol locked up securely and leaves it there over night. Mr. Bertrand stated that the additional service bar would add him 10 to 12 more bar stools and 4 more tables able to hold 4 people each.

Mary Voelker of N52W34999 Lake Drive stated that she has lived in her home for the past 40 years and has concerns about the coverage of pervious surface, does the property meet the 50% requirement as required with the new changes being made. Ms. Voelker stated that she is in favor of the foyer change if it helps keep the area quieter. Ms. Voelker is opposed to the metal roof over the patio; she feels it would be a down grade to the structure

and that a 40" X 72" sign would be intrusive to neighbors. Ms. Voelker is opposed to any expansion other than the foyer.

Vern Voelker of N52W34999 Lake Drive stated that 20 to 25 trees have been removed from the property in the past 40 years. Trees or bushes would help cut down the noise from the property. Mr. Voelker stated that the noise level is suppose to be 35 decibels at the property line, it exceeds that and has concerns that the next thing will be TV's out on the patio creating more noise. Mr. Voelker is opposed to the variance requests.

Roland Morrison of N52W35009 West Lake Drive stated that he lives directly across from Bertrand's and is requesting that all petitions be terminated until previous requirements are met. There are no parking spaces for employees as required. Mr. Morrison submitted a letter listing his concerns. Mr., Morrison asked that all areas not approved stop being used immediately until in compliance.

Dave Huibregtse of W349N5225 Point Comfort Drive stated that he does object to what is being done but how it's being done. There is a drive-thru service for boats and 3 girls help dock the boat and bring food to the boat. Some boats go past and then swing back to check out the girls, he is afraid of traffic issues. Mr. Huibregtse stated that there were trees along the fence line and they have since been removed and no longer has a noise barrier and also have concerns of water run-off.

Carol Wilson of N60W34643 Forest Bay Road stated that businesses should be treated the same as a residential property, and that she does not want an illuminated sign. Ms. Wilson also stated that she feels that Mike Bertrand should have to comply with the rules.

Mike Bertrand wanted to clarify some of the comments made. Mr. Bertrand stated that he is not adding a sign but replacing the old sign with the digital sign, it will be 3' X 8'. Mr. Bertrand stated that the girls that help dock boats are teenagers, there were 7 trees cut due to rot and the tiki bar was a service bar that patrons started using and that is why he is here to get permission to use it.

Administrator/Planner Herrmann stated that he does not remember receiving any complaints about the restaurant Mike Bertrand operates; Jeff stated that if we get them we forward them onto Waukesha County. Planner Herrmann stated that tonight is not the meeting for deciding on the operation of the business that will come later when the site plan/plan of operation is amended. This meeting is to decide on the variance requests.

Commissioner Peregrine stated that the outside deck be squared off extending 25' to the north of the building and meeting the west edge, he stated that there be approval of the covered patio, and feels that the lighted sign intrudes on the residential environment, but would be ok with a back lit sign that didn't move.

Commissioner Peregrine made a motion to recommend approval to Waukesha County Board of Adjustment a variance for the foyer and existing patio, as for the new patio be approved with the recommendation as previously stated and does not recommend a change in the sign other than allow a back lit sign. Commissioner Navin seconded the motion. Motion carried by unanimous voice vote.

4. Consider and Act on Variance request for Chris Paulson to allow modifications to the roofline of the existing residence. The property is located in the E ½ of Section 35 and the W ½ of Section 36 in the Town of Oconomowoc at W349 N5245 Point Comfort Drive: Commissioner Peregrine stated that due to the petitioner not appearing at this meeting no recommendation will be made to the Waukesha County Board of Adjustment.
5. Consider and Act on Variance request for Joe Bolan to allow the keeping of pigs on approximately 5.3 acres of land, whereby the Ordinance requires a minimum of 20 acres of land for the keeping of pigs. The property is located in the E ½ of the SE ¼ of Section 12 in the Town of Oconomowoc at W340 N8293 Townline Road: Mr. Bolan stated that this is a 4-H project for his children; he would have pigs from spring to fall, roughly 6 months. Mr. Bolan stated that this is not to run a hog farm; they would be confined to a building and in pens other than when the kids take them for a walk. Mr. Bolan stated that his neighbors on both sides have horses so the neighbors are not right next to door.

Ebenezer Warner of W340N8243 Townline Road lives next door and does not feel that this will be a problem.

Commissioner Peregrine made a motion to recommend to the Waukesha County Board of Adjustment that the variance be granted with a limit of 10 pigs and that it is for a 4-H project. Commissioner Largent seconded the motion. Motion carried by unanimous voice vote.
6. Consider and Act on amendment request of St. Vincent de Paul to modify the size of their proposed awning/canopy. The property is located in part of the SW ¼ of Section 26, in the Town of Oconomowoc. More specifically, the property is located at the W359N5848 Brown Street, containing approximately 32,740 square feet of land: Administrator/Planner Herrmann stated that St. Vincent de Paul would like to make the canopy smaller than originally planned. Commissioner Navin made a motion to approve the smaller size canopy as requested. Commissioner Garvey seconded the motion. Motion carried by unanimous voice vote.
7. Adjourn: Commissioner Navin made a motion to adjourn at 6:36 pm, seconded by Commissioner Garvey. Motion carried by unanimous voice vote.

Respectfully submitted,

Jo Ann Lesser, WCMC
Clerk/Treasurer