

**MINUTES OF THE
CITY OF PEWAUKEE PLAN COMMISSION MEETING
MAY 12, 2016**

Members present were Chairman Scott Klein, Steve Bierce, Craig Coursin, Ted Janka, Dave Linsmeier, and Christine Wunder. Also present were Public Works Director Jeff Weigel, Fire Chief Kevin Bierce, Park and Building Services Director Kelley Woldanski, Deputy Clerk Ami Hurd and Community Development Director/City Planner H. E. Clinkenbeard.

Chairman Klein opened the meeting at 7:00 PM noting that there was a quorum present. He then asked everyone to stand for the Pledge of Allegiance.

Following the Pledge of Allegiance, Chairman Klein asked if there were any changes or corrections to the minutes of the March 17th, 2016 meeting. There being none, a motion was made by Ms. Wunder, seconded by Mr. Linsmeier to approve the minutes of the March 17th, 2016 meeting as transmitted. The motion passed unanimously.

**DISCUSSION & ACTION REGARDING A PETITION FOR A REZONING
PUBLIC HEARING FOR DAN & NANCY HOLZHAUER TO REZONE THEIR SEVEN
ACRE PROPERTY LOCATED AT N47 W22175 WEYER ROAD FROM RS-2 SINGLE-
FAMILY RESIDENTIAL TO RS-1 SINGLE-FAMILY RESIDENTIAL IN ORDER TO
HAVE HORSES ON THE PROPERTY (PWC 0865991001)**

Dan Holzhauer came forward and indicated that they had the necessary acreage to be an Rs-1 property and they simply wanted to change their zoning classification from Rs-2 to Rs-1 so that they could continue to have the horses on their property as would have happened if they would have continued with the farm.

There being no questions or comments by the Plan Commission at that time, Chairman Klein opened the public hearing at 7:09 PM and asked if there was anyone in the audience that wished to speak either in favor of or in opposition to the proposal.

Ms. Tracy Rogowski (N47 W22174 Woodleaf Way) indicated that they had no idea that there would be horses on the property in back of them. She noted that the horse corral was 33 feet from the back of their yard and she noted that her yard and her two neighbors both backed on the Holzhauer property on which the horses would be located. She thought it was too close to the other residences in the area.

Ms. Sarah Fastner (N47 W22222 Woodleaf Way) indicated that she too did not know about horses being allowed in the area. There was a discussion about the closeness in the runoff from the Holzhauer property.

At that point, Chairman Klein asked if there was anyone else who wished to speak either in favor of or in opposition to the proposal. There being none, Chairman Klein closed the public hearing at 7:22 PM.

Mr. Holzhauer indicated that it was their view that their property with their house and their large acreage yard enhance the values of the newer properties in the area.

Chairman Klein asked what the elevation was between the horse corral and the adjoining parcels. It was indicated that it was basically flat, although there was some drainage back to the southeast off of the Holzhauer property. Chairman Klein asked which way the water drains in a rain storm and Mr. Holzhauer said it basically stands in their yard.

There were some comments. Mr. Bierce asked what was allowed on the property. Mr. Clinkenbeard pointed out that by virtue of the fact that they had seven acres, they were basically entitled to an Rs-1 zoning and that is what it should have been when the property was divided off from the rest of the farm that the Woodleaf Reserve subdivision now sits on. Horses are allowed by "right" and other animals are allowed with a conditional use permit. In fact, the Holzhauers could have three horses because the City's ordinance indicates that there could be one horse per two acres in an Rs-1 district.

There was further discussion on the matter, particularly regarding the drainage off of the site and the concern that the manure and the drainage off of the manure and that type of thing would drain into the neighboring residential yards. There was some indication that there was either a berm or a swale between the Holzhauer's property and the properties to the south.

Mr. Holzhauer indicated that they were not going to board horses, they would have two or three horses of their own and that would be maximum in the area because that is what was allowed.

At that point, a motion was made by Mr. Coursin, seconded by Mr. Janka to recommend approval of the rezoning as requested. There was no discussion regarding this item and the motion passed unanimously.

**DISCUSSION & ACTION REGARDING A PETITION FOR A REZONING
PUBLIC HEARING FOR BA(EN)2 ACRES LLC TO REZONE LAND LOCATED AT N8
W27947 NORTHVIEW ROAD FROM A-1 AGRICULTURE TO RS-1 SINGLE-FAMILY
RESIDENTIAL & RS-2 SINGLE-FAMILY RESIDENTIAL & DISCUSSION & ACTION
REGARDING CERTIFIED SURVEY MAP PC #160421-1 FOR BA(EN)2 ACRES LLC
TO CREATE THREE NEW LOTS LOCATED AT N8 W27947 NORTHVIEW ROAD
(PWC 0982997)**

The owner of the property came forward noting that he wanted to rezone so that he could divide the property into four lots. One of the lots would be a five acre parcel and the other three lots would be a minimum of two acres. The property is located on the south side of Northview Road and is the last property on that side of Northview Road inside the City of Pewaukee. The western border of the property is the City of Pewaukee/Town of Delafield boundary.

The owner indicated that the soils are hydric soils on the lands near Northview Road but the land slopes up very quickly into the woods and the County Health Department had indicated that they could have mound systems on three of the new lots. One of the two-acre lots on the property would encompass the existing home and barn that sit on the property now. All properties would be served by mound systems and private wells because there was no sewer or water facilities close enough to extend to this property.

Mr. Weigel pointed out that there was a need for a wetland delineation on the property because of the possibility of a wetland.

At that point, there being no other comments, Chairman Klein opened the public hearing at 7:45 PM and asked if there was anyone in the audience who wished to speak either in favor of or in opposition to the proposed zoning. There being none, Chairman Klein closed the public hearing at 7:45 PM.

There was a discussion on the mound systems and the serving of the area and the fact that lot #1 as shown would probably be very wet seeing as that there is water on that part of the land every time it rains. There was also an indication that they should look at the CSM report by Mr. Weigel.

At that point, a motion was made by Mr. Coursin, seconded by Ms. Wunder to recommend both the rezoning of the parcel as petitioned and also approval of the certified survey map dividing the property contingent upon the delineation of the wetland and the fulfillment of the comments made by the City Engineer. There was no discussion regarding this item and the motion passed unanimously.

DISCUSSION & ACTION REGARDING THE PRE-PRELIMINARY PLAT FOR THE CREATION OF THE PROPOSED LINDSAY PARK DEVELOPMENT LOCATED IN THE NW QUADRANT OF THE INTERSECTION OF LINDSAY ROAD & DUPLAINVILLE ROAD (PARCEL #3 OF CSM #8264) WHICH INCLUDES FOUR DUPLEX LOTS & AN OUTLOT FOR A PRIVATE STORM WATER MANAGEMENT FACILITY BY KURT BARTH (PWC 0866997003)

It was pointed out that this was a proposal that had been talked about for 15 or 20 years for duplex lots in this area. The property would be divided into four duplex lots, which would be a buffer between the single family development on the south side of Lindsay Road and the industrial development to the north of this property.

There was a brief discussion after which a motion was made by Mr. Janka, seconded by Ms. Wunder to recommend that the project move ahead into the final preliminary plat stage and rezoning of the property. There was no discussion regarding this item and the motion passed unanimously.

DISCUSSION & ACTION REGARDING THE REQUEST OF STEINHAFELS FOR APPROVAL TO FILL TWO SMALL WETLAND AREAS ADJACENT TO THE CURRENT ADDITION & A PORTION OF THE WETLANDS AT THE SOUTHERN END OF THE SITE TO PREPARE FOR THE PLANNED FUTURE ADDITION LOCATED AT W231 N1013 CTH F (PWC 0965988)

Mr. Gary Steinhafel with his engineer came forward noting what they wanted to do in this area. They were asking for two things; approval for filling the two small areas that had been approved by the State for filling as small, low-level wetlands. It was pointed out by Mr. Steinhafel that the State requires a one and a half to one mitigation for any filling of wetlands. Consequently, they were required to pay \$120,000, which represented their one and a half mitigation. It was pointed out that the City requires one to one mitigation but requires that

mitigation to be on site. The State, on the other hand, will take the \$120,000 and spend that money someplace else in the state to create wetlands where they think they are needed.

The Steinhafels simply wanted to proceed with the filling of the small parcel so they could get on with this current first addition to their original building. They showed the site plans and the filler and indicated that the building addition would look just like the existing building and it was their intent to keep the berm in place that shelter the building for the most part from the subdivision to the west. Mr. Steinhafel again indicated that the mitigation had been signed off on by the State, including the mitigation for the other filling on the site.

There was a long discussion on the building of a permeable barrier between the proposed second addition that will happen sometime in the future and the larger wetlands to the south. The DNR had signed off on a so-called permeable barrier that would be placed. There was a discussion on the fact that the State did not require any setback from the barrier to the wetland, whereas the City of Pewaukee requires a 25 foot setback. So, in order for the City to allow the filling of the larger wetlands to the south, the City would have to change its ordinance or the proposal would have to be changed to show a 25 foot setback. It was pointed out that there was an approximately 12 foot setback already shown on the plans.

Mr. Bierce indicated that he did not agree with the proposal the way it was presently put forth so he would probably be voting no on this matter because of the question about the filling of the larger wetland and the setback.

After more discussion, a motion was made by Mr. Janka, seconded by Mr. Coursin to recommend approval of the project including filling of 1.37 acres with no occupancy of addition number 1 until all City and state requirements are met. There was no discussion regarding this item and the motion was approved with Mr. Bierce voting no. It was pointed out by Chairman Klein that the City would have to get together and decide what they were going to do about the 25 foot setback, if anything.

**DISCUSSION & ACTION REGARDING CERTIFIED SURVEY MAP PC
#150618-1 FOR THE MOKROS/KAVE PROPERTY LOCATED AT W237 N689
OAKRIDGE DRIVE (PWC 0967979001)**

There was a brief discussion on this matter. It was pointed out that the matter had been to the Plan Commission on one or two other occasions and had been discussed.

A motion was made by Mr. Coursin, seconded by Mr. Janka to recommend approval of certified survey map PC #150618-1. There was no discussion regarding this item and the motion passed unanimously.

At that point, Mr. Coursin removed himself from the Plan Commission because the company that he works for was involved in the next item on the agenda.

**DISCUSSION & ACTION REGARDING THE SITE & BUILDING PLAN FOR
AN ADDITION TO THE CGC TOOL CO. BUILDING LOCATED AT W226 N735
EASTMOUND DRIVE**

The owner and his engineer and Mr. Coursin presented the proposal. They talked about the site. It was noted that it was a fairly good sized addition. They had looked at the site on Eastmound and it was noted that there was not a complete drive around the building required because the proposed building would be sprinkled. There was no requirement by the State building code to place a fire access drive on all sides of the building.

The drainage pattern was the big issue on this proposal because the storm water all drained back to the northwest corner of the site and drained onto properties that front on Westmound Drive.

Mr. Coursin indicated that any rooftop units would be screened, pursuant to City requirements, and noted that there was an exposed metal existing wall on the south side of the building that would not be changed. The new building would be painted black with accent paint.

They noted that the drainage to the west would not be increased due to keeping the water on the property. Mr. Clinkenbeard asked whether the 40 percent greenspace requirement had been made. It was pointed out that yes, there would be 40 percent greenspace on the site.

There was some discussion on the drainage again. Mr. Weigel pointed out that there could be some problems with the drainage and that needed to be completed.

A motion was made by Mr. Linsmeier, seconded by Mr. Janka to recommend approval of the addition with the understanding that the owners and other representatives would get together with Mr. Weigel and his staff and Mr. Weigel would have to sign off on the drainage and storm water management plan for this site. There was no discussion regarding this item and the motion passed unanimously.

At that point, there being no other business for the Plan Commission, a motion was made by Ms. Wunder, seconded by Mr. Linsmeier to adjourn the meeting. The meeting adjourned at 9:25 PM.

Respectfully submitted,

Harlan E. Clinkenbeard,
CDD/City Planner