

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM 255/259
THURSDAY, JANUARY 10, 2008, 1:00 P.M.**

CALL TO ORDER

Pat Haukohl, Chairperson, called the meeting to order at 1:00 P.M.

Commission

Members Present: Pat Haukohl Gary Goodchild Jim Siepmann
 Bonnie Morris Walter Baade Betty Willert

Commission

Members Absent: Walter Kolb

Staff

Members Present: Richard L. Mace, Planning and Zoning Division Manager
 Dale Shaver, Director
 Amy Barrows, Senior Land Use Specialist
 Elfriede Sprague, Clerk III

Guests Present: David Kitscha Luke Bebeau Debbie Bebeau

Mr. Shaver welcomed Mr. Jim Siepmann, who has replaced Ellen Gennrich on the Park and Planning Commission. The Commission members introduced themselves and thanked him for making the seven year commitment to serve.

CORRESPONDENCE: None.

MEETING APPROVAL: None.

MINUTES: None.

PUBLIC COMMENT

Chairperson Haukohl asked if anyone from the audience wished to address the Commission? There being none, she moved to the next item on the agenda.

• **CU-1476 (David J. Kitscha) Town of Vernon, Section 33**

Mr. Mace presented the "Staff Report and Recommendation" dated January 10, 2008, and made a part of these Minutes. He pointed out the location of the property at S110 W25500 Hunters Run in the Town of Vernon on the aerial photograph and stated the petitioner is requesting Conditional Use approval to operate a horse boarding stable.

Mr. Mace identified the existing structures on the property and the site of the proposed outdoor riding arena. Mr. Kitscha explained the proposed outdoor arena currently does not have any lighting. In the future he may install lights for extended periods of use. Mr. Mace commented that per Condition No. 6, a Lighting Plan would need to be submitted for approval, so fugitive light would not affect the neighbors. Mr. Kitscha replied he understood the condition and is currently working with a firm on creating a plan. Mr. Goodchild commented that some of the neighbor's buildings appear to be rather close to the proposed arena, parking area, etc., would this be a problem for them? Mr. Kitscha stated the nearest building is a lighted barn stabling horses with surrounding pasture. The house is further away. The adjacent subdivision is designed for equestrian use and this use should be compatible with the neighbors.

Mrs. Haukohl asked if the soils were suitable for manure management? Mr. Kitscha stated Ms. Karen Doyle, from the Land Resources Division has drafted a Manure Management Plan (attached to Staff Report) for his use and has instructed him in composting procedures. She requested he move the manure pile to the back (south) lot line. The neighbors manure pile is also along this back lot line and both properties abut a farm field. He noted Condition No. 1 states "No manure shall be *spread within 50 ft. of a lot line*" and Condition No. 8 states "...the manure compost pile must be located at least 50 ft. from the *east lot line*". He will have a problem placing the pile 50 ft. from the back line as it would place the pile too close to the arena. There is also a fenced in pasture that would be in the way. Meeting the setback from the east lot line should not be a problem. Mr. Mace noted the conditions seem to be confusing. Mr. Kitscha replied the Town was not referring to the spreading of manure but the placement/storage of it. Discussion followed regarding placement of the manure pile and it was agreed Mr. Kitscha has a large enough parcel that he should be able to place it appropriately. Conditions 1 and 8 will be amended.

After discussion, Mrs. Morris moved, seconded by Mr. Baade and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation", with Conditions 1 and 8 amended to read.

- 1. No manure shall be placed within 50 feet of a lot line.*
- 8. The applicant shall abide by the terms and conditions of the Manure Management Recommendation Plan that was approved by the Waukesha County Department of Parks and Land Use - Land Resources Division on November 6, 2007. The Manure Management Recommendation Plan is on file with the Town of Vernon Clerk and the Waukesha County Department of Parks and Land Use*

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• PO-07-VNT-9 (David J. Kitscha) Town of Vernon, Section 33

Mr. Mace presented the "Staff Report and Recommendation" dated January 10, 2008 and made a part of these Minutes. He indicated the matter is related to the previous Conditional Use CU-1476.

After discussion, Mrs. Willert moved, seconded by Mr. Siepmann and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation", with Conditions 1 and 8 amended to read.

- 1. No manure shall be placed within 50 feet of a lot line.*
- 8. The applicant shall abide by the terms and conditions of the Manure Management Recommendation Plan that was approved by the Waukesha County Department of Parks and Land Use - Land Resources Division on November 6, 2007. The Manure Management Recommendation Plan is on file with the Town of Vernon Clerk and the Waukesha County Department of Parks and Land Use.*

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **(Luke and Deborah Bebeau) Town of Merton, Section 19**

Mr. Mace presented the “Staff Memorandum” dated January 10, 2008, and made a part of these Minutes. He pointed out the location of the property at W335 N6528 Lakeview Drive, in the Town of Merton on the aerial photograph and stated the petitioner is requesting approval for retaining walls within 5 ft. of a lot line.

Mrs. Haukohl asked why the original Grading Plan was not followed? Mrs. Barrows answered the Bebeau’s original Grading Plan had a large swale on the east property boundary, however after having conversations with the neighbor, it was decided the swale wasn’t appropriate, so retaining walls were constructed instead. The Bebeau’s did not realize they needed a permit to do so. The lot is very narrow and the house setbacks are only 10 ft. It might have been very difficult to fit a swale in such a narrow area. Mr. Goodchild expressed concern about surface runoff flowing to the neighbor’s property. Mr. Bebeau replied all downspouts and underground drain tile outlet towards the lake. Mrs. Barrows added the amount of surface runoff should not be affected by the retaining walls and would not be much more than what it was previously. Mr. Bebeau stated his neighbor has had problems with adverse drainage during the building process, and he has worked with them to solve the problems. The neighbor and his wife have presented documentation stating that they (the neighbors) are satisfied with the work that has been done and also an e-mail dated January 7, 2008 stating,

“Thank you, we will not be able to attend the hearing because we will both be working, for what it is worth we do not have a problem with the existing retaining walls”. (Copies of the correspondence submitted at meeting were placed in file).

The neighbor has requested the Bebeau’s pitch their driveway away from his property when it is poured. He stated if that is done, he would be satisfied.

After discussion, Mr. Baade moved, seconded by Mr. Goodchild and carried unanimously for approval, as conditioned, in accordance with the “Staff Memorandum”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **Amendment to the Regional Water Quality Management Plan for the City of Muskego**

Mr. Mace presented the “Amendment to the Regional Water Quality Management Plan for the City of Muskego” dated December 2007, and made a part of these Minutes.

Mr. Mace identified the area proposed to be added to the sewer service area as 13.5 acres located southwest of the intersection of C.T.H. “OO” and Boxhorn Dr., in the City of Muskego. The addition of the area would enable the provision of sewer service to two existing housing units which rely upon onsite sewage disposal systems, one a holding tank, and would appropriately include an already served housing unit within the sewer service area.

After discussion, Mr. Baade moved, seconded by Mrs. Morris and carried unanimously for approval, in accordance with the “Staff Report and Recommendation”.

• **Amendment to the Regional Water Quality Management Plan for the Village of Wales/City of Waukesha**

Mr. Mace presented the “Amendment to the Regional Water Quality Management Plan for the Village of Wales/City of Waukesha” dated December 2007, and made a part of these Minutes.

Mr. Mace identified the two proposed areas to be added to the sanitary sewer area. The first one was along the S.T.H. 18 and S.T.H. 83 corridor and included parts of the Village of Wales. A number of the older residences in the Village have failing septic systems and there is now an opportunity to finance the sewer expansion through a tax increment financing (TIF) district. The Village felt it was in the best interests of the citizens to take advantage of this opportunity. The second area, in the Town of Delafield, would provide sewer service to the properties owned by the Kettle Moraine School District (possible site of a new school) located north of S.T.H. 18; however, the Delafield Town Board did specify that in the event the School District’s properties were to be sold or otherwise transferred, the Town’s agreement on the provision of sewer service to the School District’s properties would be null and void.

After discussion, Mr. Goodchild moved, seconded by Mr. Siepmann and carried unanimously for approval, in accordance with the “Staff Report and Recommendation”.

ADJOURNMENT

With no further business to come before the Commission, Mr. Goodchild moved, seconded by Mr. Siepmann to adjourn at 2:18 p.m.

Respectfully submitted,

Betty Willert
Secretary

BW:es