

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER
THURSDAY, APRIL 17, 2008, 1:00 P.M.**

CALL TO ORDER

Pat Haukohl, Chairperson, called the meeting to order at 1:06 p.m.

Commission

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

Commission

Members Absent: Walter Baade

Staff

Members Present: Richard L. Mace, Planning and Zoning Manager
 Elfriede Sprague, Clerk III
 Sheri Mount, Senior Land Use Specialist

Guests Present: J. Samuels Jim Hunn Jeff Juech (Black's Nursery)
 Jim Horneck Marshall Meier

CORRESPONDENCE 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-1475 (James and Kim Horneck) Town of Genesee, Section 7**

Mr. Mace presented the "Staff Report and Recommendation" dated April 17, 2008, and made a part of these Minutes. He pointed out the location of the property at S23 W33769 Morris Rd., Town of Genesee on the aerial photograph and stated the petitioner is requesting approval for a Limited Family Business Conditional Use for the operation of a taxidermy studio.

Mrs. Morris recused herself stating she was the concerned citizen who spoke at the public hearing and her family owns adjacent property. Mr. Mace distributed photographs of the building to be used for the taxidermy studio and proceeded to give a brief history regarding violations and use. Mrs. Willert questioned whether the building/studio meets the required building setbacks. Mr. Mace replied it does. She expressed concern as to who would be monitoring this operation. Mr. Mace explained the Town of Genesee checks all its Conditional Uses on a yearly basis and this operation will be closely monitored, as are others. It is also a condition of the Town to allow inspections. She asked why the showroom is so large? Mr. Mace replied the petitioner does large animal mounts, ie., African animals, bears, etc. Some of the mounts are waiting for customer pick up and some will be for display purposes. Based upon Mr. Horneck's present operation, the size of the showroom is reasonable. Chairperson Haukohl asked Mr. Horneck to explain his operation and whether this would be considered a slaughterhouse?

Mr. Horneck replied this is a taxidermy studio, not a slaughterhouse. There is no meat processing involved. All of his out of state work usually comes in as rock hard, dried and salted skins. The only time he has any fresh waste is during deer season. If a whole deer is brought in, he skins it and returns the meat to the customer. Any waste that remains is frozen and put out with the garbage on collection day. He typically has one large garbage can full of waste a week. There is no smell involved. His current Conditional Use does not allow for any exposed garbage. The new building and showroom are actually slightly smaller than what he currently has.

Chairperson Haukohl asked what is an “Undersized Private Sewage Disposal System Covenant” and how does it affect this property? Mr. Horneck explained that when the previous owner of the property added a fourth bedroom above the garage, the septic system became undersized because the original system was designed to serve a three bedroom home. Therefore, a State Sanitary Permit must be issued for a private sewage system to serve the proposed taxidermy studio. This may be a separate system to serve the studio only or an addition to the existing, which would have to be designed to accommodate the wastewater flow for the fourth bedroom in the home and the taxidermy studio. He is currently working with the Environmental Health Division on correcting the undersized sewage system. Mr. Goodchild asked Mr. Horneck if he was satisfied with the conditions, to which he replied “yes”.

After discussion, Mr. Goodchild moved, seconded by Mr. Kolb and carried with 5 yes votes (Mrs. Morris did not vote) for approval, in accordance with the “Staff Report and Recommendation”. 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-GNT-26 (James and Kim Horneck) Town of Genesee, Section 7**

Mr. Mace presented the “Staff Report and Recommendation” dated April 17, 2008, and made a part of these Minutes. He indicated the matter is related to the previous Conditional Use request CU-1475.

After discussion, Mr. Goodchild moved, seconded by Mr. Kolb and carried with 5 yes votes (Mrs. Morris did not vote) for approval, in accordance with the “Staff Report and Recommendation”. 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.

- **CU-1421A (James Hunn - New Era Marketing & New Era Sales) Town of Vernon, Section 9**

Mr. Mace presented the “Staff Report and Recommendation” dated April 17, 2008, and made a part of these Minutes. He pointed out the location of the property at S77 W25235 National Avenue, Town of Vernon on the aerial photograph and stated the petitioner is requesting to amend an existing Conditional Use to allow a first floor gift basket business and membership food/wine club, a new deck and parking changes.

Mrs. Haukohl questioned the location of the proposed deck, especially in relationship to the well and holding tank? Mr. Hunn explained that the holding tank on Exhibit “B” is identified incorrectly and the well will not be affected by the location of the deck. He is required to submit a revised Site Plan showing the correct placement. The building was built in 1880 and the old septic system site and the concrete slab behind the building are in a deteriorated condition. It was determined it would be more financially feasible and aesthetically pleasing to build a deck to cover the old site, versus cleaning it up.

Mrs. Haukohl asked what type of activities would be taking place on the deck? Mr. Hunn replied the deck is to primarily cover up the old septic site and for him and his workers to just sit and enjoy the outdoors. It is not intended for commercial use. His operation is a corporate gift basket business, if a customer wishes to sample the wine, it will be done indoors and the deck is not intended to be used for consumption of wine. Mrs. Morris inquired as to what class Liquor License he had? Mr. Hunn replied a "Class A" Retail License. She asked if in the application, he indicated that liquor would be consumed on the deck? He replied, "No, there would be no tasting of wine on the deck, it would be strictly indoors". She added he needs to be aware of what the Liquor License allows him to do. A deck of this size would seem to invite people to go outside and enjoy a glass of wine. Mr. Mace added Condition No. 4 does require him to submit a copy of the Liquor License to the County. Mr. Hunn wished to clarify that the first floor business is called "New Era Sales LLC" and "New Era Marketing" is the food brokerage company on the second floor.

After discussion, Mr. Goodchild moved, seconded by Mr. Kolb and carried unanimously for approval, in accordance with the "Staff Report and Recommendation". 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-11 (James Hunn - New Era Marketing & New Era Sales) Town of Vernon, Section 9**

Mr. Mace presented the "Staff Report and Recommendation" dated April 17, 2008, and made a part of these Minutes. He indicated the matter is related to the previous Conditional Use request CU-1421A.

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

- **SCU-1480 (Marshall and Arlene Meier) Town of Oconomowoc, Section 36**

Mr. Mace presented the "Staff Report and Recommendation" dated April 17, 2008, and made a part of these Minutes. He pointed out the location of the properties at N53 W34378 and W34356 Road Q, Town of Oconomowoc on the aerial photograph and stated the petitioner is requesting approval for earth-altering activities.

Mr. Mace stated the Meier's have recently purchased an adjacent parcel to the east of their property on Okauchee Lake, containing a detached garage and guesthouse. They are proposing to raze the garage and guesthouse and construct a new guesthouse, detached garage and tennis court. He distributed photographs of the property and presented/explained the Landscaping Plan for the project. Included in the landscaping project is a berm adjacent to Road Q, the addition of fill between the tennis court and guesthouse so the yard is level between the two structures and to accommodate the guesthouse with a full exposure, a path between the two properties, and a swale on each side of the guesthouse, directing the drainage toward the lake, all of which require a Conditional Use Permit to allow the earth-altering activities. In addition, the tennis court will contain a French drain along the perimeter to catch any storm water runoff. This runoff from around the tennis court and the downspouts from the residence will be piped to a cistern. Water from the cistern will be recycled on the property for irrigating the landscaped vegetation. Any overflow from

the cistern will outlet towards the lake. Mr. Juech, the petitioner's architect, informed the Commission that the proposed cistern that is on the plans has not yet been priced out. If the cost is prohibitive, the Meier's may not wish to proceed with its installation. Mrs. Haukohl noted the cistern is not a condition of approval.

After discussion, Mrs. Willert moved, seconded by Mr. Kolb and carried unanimously for approval, in accordance with the "Staff Report and Recommendation". 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.

• **SCU-1462 (MJJ Associates LLC, c/o Martha Heineman-Pieper) Town of Eagle, Section 21**

Mr. Mace presented the "Staff Report and Recommendation" dated April 17, 2008, and made a part of these Minutes. He pointed out the location of the property at S91 W37861 Antique Lane, Town of Eagle on the aerial photograph and stated the petitioner is requesting approval for after-the-fact and proposed earth-altering activities.

Miss Mount gave a brief background of the request explaining the previous owner of the property dug an illegal channel from a man-made pond to a public waterway, thus making the pond a publicly owned waterway. The petitioner has proposed to close off the connection between the man-made pond and the natural pond by filling in a portion of the stream channel that connects them. There are also a series of walls and riprap proposed as part of this portion of the project. The southern half of the channel will be filled with native material, covered with 6 inches of topsoil and blended into the existing grades. The area will then be seed and matted. A small landscape pond with a recirculating pump will be constructed in a portion of the old channel. The pump will circulate water between the upper man-made pond and the new small landscape pond. The petitioner does have DNR approval for the project. This proposal will actually use less well water than before. Previously, all the water flowed from the man made pond, into the channel and then into the public pond, now it will recirculate between the two man-made ponds. She stated per the Board of Adjustment's conditions, the deck and several retaining walls have been removed. The retaining walls necessary for erosion control purposes were approved.

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

• **SCS-1060 (Siepmann Family Properties, LLC) Town of Summit, Section 23**

Mr. Mace presented the "Staff Memorandum" dated April 17, 2008, and made a part of these Minutes. He pointed out the location of the property south of Delafield Rd. (C.T.H. "DR") on the east and west sides of a private road known as N. Timber Trail Lane, Town of Summit on the aerial photograph and stated the petitioner is requesting approval of a lot not abutting a public road and for a waiver from the requirement of the Waukesha County Shoreland and Floodland Subdivision Control Ordinance to provide soil tests on an undeveloped lot.

Mr. Siepmann recused himself from the Commission and presented himself as the petitioner. Mr. Mace stated due to the complicated land transfers needed to create these lots, the Town, Register of Deeds, Mr. Siepmann and the Planning and Zoning Staff have worked together to create the proposed Certified Survey Map (CSM). The land transfers could have been developed as metes and bounds transfers and would not have required the Planning Commission's approval. However, because of its complexity, it was

agreed by Mr. Siepmann that the creation of the CSM will allow for more accurate tax records and easier future land splits. Mr. Siepmann explained there are several other things going on in regards to this parcel. To the west, a 10 foot wide spite strip was deeded to the Keenahans. To the north, Pabst Farms future access to C.T.H. "DR" will connect to N. Timber Trail Lane, thereby it will become a public road at the entry way. It will then dip over to a pending subdivision (Bright Water). Long range plans call for Lot 4 to be subdivided as an addition to the pending subdivision plat on the adjacent lands to the west. Soil tests would be required when that parcel is further divided. The remainder of the road will remain private. Mrs. Haukohl questioned if there was a Driveway Agreement for N. Timber Trail Lane. Mr. Siepmann replied, "There is a Driveway Agreement between the cabin lot (Truman's parents), myself, the Budnik's and the Retreat Center and the two houses to the south of that".

After discussion, Mrs. Willert moved, seconded by Mr. Kolb and carried with 5 yes votes (Mr. Siepmann did not vote) for approval, 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.

ADJOURNMENT

With no further business to come before the Commission, Mr. Siepmann moved, seconded by Mr. Kolb to adjourn at 2:35 p.m.

Respectfully submitted,

Betty Willert
Secretary

BW:es