

**WAUKESHA COUNTY  
MINUTES OF THE PARK AND PLANNING COMMISSION  
ADMINISTRATION CENTER, ROOM AC 255/259  
THURSDAY, AUGUST 19, 2021 - 1:00 P.M.**

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**CALL TO ORDER**

Mr. Mitchell, Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present:     William Mitchell     Robert Peregrine     James Siepmann  
                                 William Groskopf     Thomas Michalski     Richard Morris

Members Absent:     None

Staff

Members Present:     Ben Greenberg, Senior Planner  
                                 Jacob Heermans, Senior Land Use Specialist  
                                 Kathy Brady, Support Staff Supervisor

**CORRESPONDENCE:**     None.

**MEETING APPROVAL:**     None.

**MINUTES:**                     Approval of the July 15, 2021, Minutes.

***After discussion, Mr. Peregrine moved, seconded by Mr. Siepmann and carried unanimously for approval, of the July 15, 2021 Minutes, as presented.***

**PUBLIC COMMENT:**     None.

• **RZ87 (Town of Mukwonago Board-Text Amendment) Town of Mukwonago**

Mr. Greenberg indicated the request is to amend and repeal various sections of Chapter 36 of the Town of Mukwonago Zoning Code relating to backyard chickens, household livestock, play structures, private kennels, off-site and on-site farm stands, floor area of detached accessory buildings, development standards for Lakewood Farms Preserve subdivision and other miscellaneous provisions.

Mr. Greenberg indicated that small accessory structures would not count towards the maximum number of outbuildings allowed on a property. In addition, loafing sheds are being included for larger acreage with livestock and are tied to the size of the individual properties. Development standards for the Lakewood Farms Preserve subdivision were modified to clarify that the minimum ranch home square footage is 2,200 sq. ft., pool cabanas and gazebos are limited to one of each type and the design, placement and construction of accessory buildings are no longer subject to the review of the architectural control committee of the homeowner's association.

Mr. Morris asked if accessory structures count against floor area ratio? Mr. Greenberg responded his understanding was that it was not counted towards the total number of buildings being allowed, but would otherwise be subject to all other zoning requirements. In addition, there is language stating that the accessory structures must be utilized for the intended purpose, such as, you cannot use a chicken coop for storage.

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

- **RZ88 (TKS Corporation) Town of Genesee, Section 35**

Mr. Greenberg pointed out the location of the property in Section 35 of the Town of Genesee on the aerial photograph. He indicated the request is to rezone the property from the A-2 Rural Home District to the R-1 Residential District.

Mr. Heermans, Senior Land Use Specialist indicated the rezone is related to the recent land use plan amendment. The property is located within the Town of Genesee zoning jurisdiction. There are 2, small intermittent streams on the property which the WDNR determined were non-navigable. The request is to rezone a portion of the lands, along CTH X from the A-2 Rural Home (3 acre minimum lot size) to the R-1 Residential District (1 acre minimum lot size). A small area of A-2 Rural Home District is embedded in the environmental corridor area and will remain in place. The rezone request is related to a 16 lot proposed subdivision, with development along CTH X and the preservation of the wetlands, fen, etc. Mr. Heermans clarified that the map attached to the Town of Genesee ordinance was submitted prior to the land use plan amendment, and ultimately was revised by the developer during the process (Lot 9 and the fen being placed on an outlot).

Mr. Siepman added that there will be a conservation easement on the backside of Lots 10 and 11, and the homeowners association will contribute to the maintenance of Outlot 1. He asked about the map attached to the Staff Report and thought a second Outlot was being created for stormwater. Mr. Heermans explained that a newer concept plan was received by the developer, but it has not been brought forth as an official submittal. Mr. Siepman stated the plan was that the large outlot containing the fen would be deeded to the Waukesha County Land Conservancy.

*After discussion, Mr. Peregrine moved, seconded by Mr. Morris and carried by a vote of 5-0 (Mr. Siepman recused himself due to a conflict of interest), for approval, as conditioned, 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.*

- **CU61 (Chris Foerster) Town of Oconomowoc, Section 28**

Mr. Greenberg pointed out the location of the property at N57 W37820 Country Lane in the Town of Oconomowoc on the aerial photograph. He indicated the request is for Conditional Use approval for an online firearms business.

Mr. Greenberg indicated the property is approximately ½ acre in size within a subdivision in the Town of Oconomowoc. The petitioner receives customer requirements for firearms and purchases them at online auctions and distributes them to the customers. All out of state transactions would be shipped via UPS. Most in state transactions would also be shipped via UPS. A small number of local clients, including friends and family would conduct transactions on site (up to 10 per month). The firearms are kept in a Buck Commander gun safe in the lower level of the petitioner’s residence. No testing, modification, repair or manufacturing of firearms will be conducted on-site. In addition, there will be no ammunition sales. The petitioner has been issued a Federal Firearms License. A condition of note is that the Conditional Use will terminate upon the sale of the property.

*After discussion, Mr. Peregrine moved, seconded by Mr. Michalski and carried unanimously for approval, as conditioned, 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.*

- **SP136 (Chris Foerster) Town of Oconomowoc, Section 28**

Mr. Greenberg indicated the Site Plan/Plan of Operation request is related to the previous Conditional Use (CU61) listed above.

*After a brief discussion, Mr. Siepmann moved, seconded by Mr. Groskopf and carried unanimously for approval, as conditioned, 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.*

- **PPC21\_005 (Kim Ferraro) Town of Oconomowoc, Sections 35/36**

Mr. Greenberg pointed out the location of the property at N53 W34959 Road B in the Town of Oconomowoc on the aerial photograph. He indicated the request is for a retaining wall within five feet of a property line (matter tabled at the May 20, 2021, meeting).

Mr. Greenberg indicated the request was tabled in May 2021 due to a pending reconsideration of the Waukesha County Board of Adjustment (BOA) regarding setback relief due to a neighbor’s concerns. On July 14, 2021, the BOA granted a variance for additional shore setback relief to provide a deeper parking area. The July BOA approval included conditions regarding screening of the retaining walls with vegetation, grading/drainage plan approval, curb system and the installation of a safety railing.

*After discussion, Mr. Peregrine moved, seconded by Mr. Morris and carried unanimously for approval, as conditioned, 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.*

- **Appointment of Nominating Committee for Officers**

It was decided that the Nominating Committee would be:

- Chairperson Mitchell
- James Siepmann
- Thomas Michalski
- Richard Morris

**ADJOURNMENT**

*With no further business to come before the Commission, Mr. Siepmann moved, seconded by Mr. Morris to adjourn the meeting at 1:24 p.m.*

Respectfully submitted,

*Thomas Michalski*

Thomas Michalski

TS:kb