

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, JANUARY 20, 2022 - 1:00 P.M.**

CALL TO ORDER

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

Commission

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

Commission

Members Absent: None

Staff

Members Present: Jason Fruth, Planning Manager
 Kathy Brady, Support Staff Supervisor

CORRESPONDENCE: None.

MINUTES: Approval of the November 18, 2022, Minutes.

After discussion, Mr. Mitchell moved, seconded by Mr. Michalski and carried unanimously for approval, of the November 18, 2021, Minutes, as presented.

PUBLIC COMMENT: None.

• **RZ90 (Ottawa LLC) Town of Ottawa, Section 5**

Mr. Fruth pointed out the location of the property at S22 W38420 and S22 W38370 Kincaid Lane in the Town of Ottawa on the aerial photograph. He indicated the request is to rezone the property from the FLP Farmland Preservation and FLC Farmland Conservancy Districts to the R-1 Residential, HG High Groundwater, C-1 Conservancy Overlay and EC Environmental Corridor Overlay Districts.

Mr. Fruth indicated the petitioner is proposing to rezone the property in order to divide off two, 1.7 acre parcels from the 134.6 acre parent parcel. The rezone is needed in accordance with the Farmland Preservation District requirements. The new parcels would each contain an existing single family residence both located in the southwestern corner of the parent parcel. The entire farm tract contains 291 acres and when the Farmland Preservation density is applied (35 acre) 8 units would be available. There are 5 existing dwelling units and 3 additional parcels would be available. A duplex is located east of the 2 new proposed parcels and all are accessed via Kincaid Lane, which is a private road. State owned lands are located to the west which contain a large natural area with hunting grounds. Lots are to be no less than 1 acre in size and no more than 3 acres in size. The Town of Ottawa has approved the proposed rezone. Mr. Morris clarified, that in the future, the petitioner could create 3 additional lots, to which Mr. Fruth responded, "Yes". Mr. Fruth added that the Town is reluctant to convert Kincaid Lane to a public road as the cost would be high and because it only serves the Kincaid holdings and access to the State owned lands to the west. Questions were asked if Kincaid Lane was gravel or asphalt and who maintains the road? Chairperson Siepmann replied, it is similar to seal coated gravel and there are no ditches on the road. Mr. Groskopf inquired about the two older residences on the property to which Mr. Fruth indicated they were workers quarters for the farm. Mr. Groskopf asked if the two lots being divided off would be sold? Mr. Fruth replied he was unsure if the owners planned to sell the lots immediately or are just preparing for the future.

After discussion, Mr. Morris moved, seconded by Mr. Peregrine 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.

• **RZ92 (Town of Mukwonago Board), Town of Mukwonago**

Mr. Fruth indicated the request is for text amendments to the Town of Mukwonago Zoning Code relating to the development requirements for Federal firearms licenses.

Mr. Fruth said the Town allows gun sales and gunsmithing/repair from personal residences provided a Conditional Use Permit is obtained. He summarized some of the amendments to the text:

- One non-resident employee can be allowed.
- All type of guns can be sold, no limitations.
- Limited on-site sales are allowed, maximum of 5 per month.
- Customer drop offs are allowed, on a limited basis.
- Guns must be stored in a locked safe on site.
- The local fire department must be notified of the use and they would have the authority to request a knox box to obtain entry if necessary.
- Outdoor signs are prohibited.
- Ammunition sales are limited to 500 rounds per month.

Mr. Groskopf asked how is this monitored? Mr. Fruth said he assumed it would be self-policed unless the Town asks the petitioner to supply a specific report on activities. In addition, if neighbors notice any issues they could report it to the Town. Mr. Mitchell added that with a federal license accurate records must be kept.

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

• **RZ93 (Steinmetz Big Bear Investments) Town of Lisbon, Section 15**

Mr. Fruth pointed out the location of the property at W249 N7876 and W249 N7844 Hillside Road in the Town of Lisbon on the aerial photograph. He indicated the request is to rezone Tax Key No. LSBT 0202.990.001, from the A-5 Mini Farm District to the R-1 Suburban Single Family Residential District and Tax Key No. LSBT 0202.989, from the R-1 Suburban Single Family Residential District to the A-5 Mini Farm District.

Mr. Fruth indicated the rezone is being proposed to create a third parcel from the two existing parcels via Certified Survey Map. He pointed out on Exhibit A of the Staff Report, the configurations of proposed Lots 1, 2 and 3. Lots 1 and 3 would be approximately 1 acre in size and Lot 2, the largest lot (5.3 acres) would have a narrow strip (for access) extending east of Hillside Road and the majority of the acreage would be on the back portion of the parcel. Lot 2 is proposed to be rezoned to the A-5 Mini Farm District from the R-1 Suburban Single Family Residential District and Lots 1 and 3 are proposed to be rezoned from the A-5 Mini Farm District to the R-1 Suburban Single Family Residential District to allow the smaller 1 acre lot size. Chairperson Siepmann asked what the width of the flag lot was between Lots 1 and 3 to which the petitioner replied 66 ft. Chairperson Siepmann asked if in the future, Lot 2 could be redivided? The petitioner responded “Yes”, however, he indicated there were no plans to do it anytime soon.

After discussion, Mr. Peregrine 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.

- **CU66 (Bielinski Development, Inc.) Town of Oconomowoc, Section 35**

Mr. Fruth pointed out the location of the property in Section 35 of the Town of Oconomowoc (Bay Pointe Condominiums, a 135 unit development). He indicated the request is to amend the previously approved landscape plan (CU-992 Series), extend the deadline for implementation of the plan and the Conditional Use conditions.

Mr. Fruth indicated that the original concept plan for the Bay Pointe Condominium project showed that a trail system would go around the two ponds within the development. The trail around the southwesterly pond has been completed. In addition, the trail was to go around the north pond, however, this area is mapped as wetland and a large boardwalk would be needed and the trail would have gone very near the backyards of some of the neighboring properties immediately to the east. The petitioners have asked to modify the original plan and only construct the north part of the trail around the north side of the pond and provide a connection to Coastal Avenue. The connection at Coastal Avenue also connects to undeveloped parkland to the north which was dedicated to the Town of Oconomowoc as part of the West Shore subdivision project. Mr. Fruth mentioned that Waukesha County is working on a Park and Open Space Plan update for the Town of Oconomowoc and what should be done with the undeveloped acreage. He pointed out on Exhibit B the existing walking path, the proposed gravel walking path and the area where the walking path would be eliminated. All construction to the trails would be completed by the end of 2023. Mr. Donovan, representing the petitioners, indicated that as long as everything goes well with no delays they anticipate completing the project by the end of 2022. In case of supply, landscaping, equipment, etc. delays, they requested a 2 year completion date of December 31, 2023 so they would not need to come back for additional approvals.

After discussion, Mr. Mitchell moved, seconded by Mr. Peregrine 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.

- **SP149 (Bielinski Development, Inc.) Town of Oconomowoc, Section 35**

Mr. Fruth indicated the Site Plan/Plan of Operation request is related to the previous Conditional Use (CU66) listed above.

After a brief 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.

- **CU67 (Josh and Kara Peterson) Town of Oconomowoc, Section 13**

Mr. Fruth pointed out the location of the property at W343 N7218 North Pole Lane in the Town of Oconomowoc on the aerial photograph. He indicated the request is for a limited family business (Grit Fitness).

Mr. Fruth indicated the request is for a personal training/fitness service, limited family business, which would operate out of a 20' x 60' accessory building on the property. There is plenty of parking on the driveway and large pad in front of the building. Conditions of note, include:

- Business operation would be 3 to 4 days during the week, no Sundays or holidays.
- Hours would be 8:00 am to 5:30 pm, with a maximum of 4 hours per day and 10 to 15 hours per week.
- One employee allowed (owner).
- No signage.
- The Conditional Use would expire upon the sale of the property.
- Building and fire inspection would be needed for the business.

Mr. Groskopf asked if a bathroom would be needed, to which Mr. Fruth indicated one is not being proposed. Ms. Peterson, petitioner, indicated maybe in the future they might consider installing a bathroom but not at the present time.

After discussion, Mr. Mitchell 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.

- **SP150 (Josh and Kara Peterson) Town of Oconomowoc, Section 13**

Mr. Fruth indicated the Site Plan/Plan of Operation request is related to the previous Conditional Use (CU67) listed above.

After a brief 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.

ADJOURNMENT

With no further business to come before the Commission, Mr. Mitchell moved, seconded by Mr. Morris, to adjourn the meeting at 1:40 p.m.

Respectfully submitted,

Richard Morris

Richard Morris

RM:kb