

**WAUKESHA COUNTY**  
**MINUTES OF THE PARK AND PLANNING COMMISSION**  
**THURSDAY, APRIL 15, 2021 1:00 P.M.**

Due to COVID-19, the meeting was conducted virtually via the Microsoft Teams application and phone access was also available. The meeting was open to the public and individuals were invited to participate via telephone or Microsoft Teams.

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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 (via Microsoft Teams)  
Robert Peregrine (via Microsoft Teams)  
Richard Morris (via Microsoft Teams)  
Thomas Michalski (via Microsoft Teams)  
James Siepmann (via Microsoft Teams)

Members Absent: None

Staff

Members Present: Jason Fruth, Planning and Zoning Manager (via Microsoft Teams)  
Kathy Brady, Support Staff Supervisor (via Microsoft Teams)

**CORRESPONDENCE** None

**MEETING APPROVAL** None.

**MINUTES** Approval of the March 18, 2021, Minutes

*After discussion, Mr. Morris moved, seconded by Mr. Peregrine and carried unanimously for approval, of the March 18, 2021, Minutes, as presented.*

**PUBLIC COMMENT**

• **RZ77 (MK/S-EP, LLC Kaerek) Town of Lisbon, Section 31**

Mr. Fruth pointed out the location of the property, at N48 W27368 Lynndale Road in the Town of Lisbon. He indicated the request is to rezone the property from the AD-10 Agricultural Density 10-Acre District to the R-2 Single Family Residential District.

Mr. Fruth shared the aerial photograph of the property for those joining via Microsoft Teams. He indicated there was recently a Comprehensive Development Plan Amendment request for this property, which is pending at this point, and will be presented to the Waukesha County Board later this month. The proposed rezone would allow a single-family residential development containing 31 lots, generally 1 acre in size each. Access to the development would be via CTH JK on the southwest part of the property. There are steep slopes in this area and the project engineer has been working with the Waukesha County Department of Public Works regarding the access point to the development to ensure safe site distance. At the public hearing there were several comments from area residents which included:

- High groundwater
- The desire for larger lots
- An alternate use, possibly a Town Park

- Water table issues relative to wells. Mr. Fruth noted the development would be served by septic systems and private wells (water would be treated and returned).
- Objection to the rezoning of any conservancy or corridor lands. Mr. Fruth indicated that the development area is out of the large wetland area on the north part of the property and would become outlots.
- Frustration with offsite issues relating to Lake Five Road/Silver Spring intersection.
- A comment regarding the County Shoreland jurisdiction requiring a minimum 5-acre lot size. Mr. Fruth verified that the existing designation would require 5-acre density but the pending Comprehensive Development Plan amendment proposes to change that density to 1.5 acres.

The Town of Lisbon has approved the rezoning request and now the Town zoning would match the County's R-2 zoning. Chairperson Mitchell clarified that the rezoning would only advance to the Waukesha County Board if the Comprehensive Development Plan amendment is approved. He asked, if the Environmental Health Division was comfortable with the soils supporting mound septic systems, to which Mr. Fruth replied, "Yes." He added that they felt with the difficult terrain and high groundwater, lots closer to 1 acre in size would work out better.

*After discussion, Mr. Peregrine moved, seconded by Mr. Michalski 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.*

• **RZ78 (MLG/PF Twin Pines, LLC) Town of Lisbon, Section 7**

Mr. Fruth pointed out the location of the property, at W274 N8442 Lake Five Road in the Town of Lisbon. He indicated the request is to rezone the property from the A-10 Agricultural District to the R-1 Suburban Single Family Residential District.

Mr. Fruth shared the aerial photograph of the property for those joining via Microsoft Teams. He indicated the property is approximately 53 acres in size, located on the Town of Merton/Lisbon border with frontage on Lake Five Road to the east and Center Oak Road to the west. The rezone is being proposed for a single-family residential development containing 36 lots. This development would be the third phase of the Twin Pine Farm subdivision which has been built in phases, specifically north of this property. A cul-de-sac on the northern parcel (Marshall Drive) will connect to this development. There were no comments made at the public hearing and the Town of Lisbon approved the rezoning.

Mr. Bukovich from MLG, introduced himself and said he was available to answer any questions of which there were none.

*After discussion, Mr. Siepmann 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.*

• **RZ79 (Text Amendment) Town of Lisbon**

Mr. Fruth pointed out the request is to repeal and recreate various sections of the Town of Lisbon Zoning Code, Chapter 11 relating to Conditional Uses.

Mr. Fruth indicated the Town amended their Conditional Use provisions in 2018 in response to Act 67. The text amendments enhance the purpose and applicability sections of the Conditional Use section. Other minor changes include the approval process, the sequence and steps process are more clearly defined and laid out, general standards are identified for consideration as well as conditions of approval (templates of conditions) and the Town may add unique conditions, as necessary. Some of the Conditional use types include:

- Truck wash
- In-law units
- Earth altering activities
- Business park (unique design standards)
- Commercial truck parking can only occur on properties 3 acres or more.
- Marina provisions

Mr. Fruth noted the Planning and Zoning Division staff will make a comment to the Town regarding multi-family unit size for future consideration. The Town's zoning code specifies a minimum dwelling size of 900 sq. ft., which is large for a one-bedroom unit. The regional housing plan recommends 800 sq. ft. for affordability.

Chairperson Mitchell asked if the commercial truck parking provisions include semi-trucks and pickup trucks/vans for small businesses? Mr. Fruth was unsure without consulting the definition section, but normally pickup trucks and vans are excluded, and commercial trucks include heavy duty equipment such as Mack trucks. Chairperson Mitchell asked about the 500 ft. hearing notification requirement and if that was a problem for the Town? Mr. Fruth replied that State law does not require that large of a notification. The County notices 300 ft. for rezones and conditional uses. The statutes do not require individual notices be sent, only that a public hearing notice be posted in the newspaper. Individual mailings are done above and beyond what is required.

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

• **PPC21 004 (Town of Oconomowoc) Section 36**

Mr. Fruth pointed out the request is for a road right-of-way width reduction for a portion of Road P from 45 ft. to 30 ft.

Mr. Fruth shared the aerial photograph of the Road P area in question, for those joining via Microsoft Teams. He indicated the location of the road reduction is north of the Lions Club Park property extending north to the full extent of Road P.

Mr. Peregrine pointed out that off of Wisconsin Avenue to the left of Road P, the old cement plant property, approximately 12 acres in size. There was discussion at the Town of Oconomowoc, in which the current owner wanted to utilize the property but was unable to develop it because the City of Oconomowoc is withholding any additional sewer recs at this time. The current owner discussed using

the property for the storage of RV's and boats, pending negotiations for the sewer recs. He was unsure if Road P would be wide enough for that type of use given the size/type of vehicles. He noted that no official request has been submitted. Chairperson Mitchell asked if Road P was wide enough for emergency vehicles to access the properties? Mr. Peregrine replied that there was no problem concerning that issue. Mr. Fruth clarified that there would be no physical change to the road size, and the road reduction indicates there would not be a future expansion of the road to the original planned width.

*After discussion, Mr. Morris moved, seconded by Mr. Peregrine and carried unanimously 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. Michalski moved, seconded by Mr. Siepmann to adjourn at 1:21 p.m.*

Respectfully submitted,

*Thomas Michalski*

Thomas Michalski  
Secretary