

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, SEPTEMBER 20, 2018 1:00 P.M.**

CALL TO ORDER

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

Commission

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

Members Absent: None

Staff

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

Guests Present: None.

CORRESPONDENCE: None.

MEETING APPROVAL: None.

MINUTES:

- Approval of the August 16, 2018, Minutes.

Mr. Mitchell moved, seconded by Mr. Morris and carried unanimously (Mr. Maslowski abstained from voting on the Minutes as he did not attend the meeting) for approval of the August 16, 2018, Minutes, as presented.

PUBLIC COMMENT: None.

SCHEDULED MATTERS: None.

- **RZ10 (Waukesha County Department of Parks and Land Use) Town of Vernon, Sections 1 and 2**

Mr. Fruth pointed out the request is to establish County Shoreland zoning designation for an area within 1,000 ft. of a series of ponds associated with Mill Brook. The subject area is located north of C.T.H. "ES", west of C.T.H. "U" and east of Big Bend Road in the Town of Vernon.

Mr. Fruth indicated the rezone was prompted by several business proposals on a particular parcel fronting on C.T.H. "ES". Proposals included a boat storage operation and a wood processing business. In reviewing the proposals, it was determined that the navigability status of the waterway should be reviewed. The property owner contacted the Wisconsin Department of Natural Resources and they determined that the small pond connected to Mill Brook would be considered navigable. Thirty-one properties are affected by the determination and the properties (within 1,000 ft. of a navigable waterway) would be subject to County Shoreland Zoning prompting this rezone.

Mr. Mitchell noted that several property owners at the public hearing expressed concerns regarding split jurisdictional zoning of their properties. Mr. Fruth explained that some property owners have lots that

are split between Town and County Shoreland Zoning and it is not uncommon throughout the County. He added that the entirety of the parcel would be considered for computations such as building footprint calculations, etc. At the public hearing, some property owners did not understand the process, however, the Planning and Zoning Division Staff explained the procedure. Mr. Mitchell asked if structures already in place would be affected by this change, to which Mr. Fruth replied “No.” Mr. Michalski noted that a citizen indicated that the map depicts the line running alongside his mother’s house and asked if this was an accurate description? Mr. Fruth replied that he was unsure of which exact property was in question and added that a jurisdictional line could run through the middle of a structure. Mr. Michalski asked, what happens in that type of situation if the property owner wanted to increase the size of the residence? Mr. Fruth responded that there should be no issues. The Town of Vernon recognized the issues and worked with the Town Attorney to craft language acknowledging that these type of situations exist and what should be done. He noted that there is also language in the Waukesha County Shoreland and Floodland Protection Ordinance and there is usually no difficulty with split jurisdictional parcels.

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

- **CU11 (Seneca Hest Gard, LLC) Town of Oconomowoc, Section 10**

Mr. Fruth pointed out the location of the property at N87 W36605 Mapleton Road in the Town of Oconomowoc on the aerial photograph. He indicated the request is for removal and replacement of a 40 ft. x 100 ft. pole building to accommodate a more modern building with additional horse stalls.

Mr. Fruth indicated the property contains an existing horse boarding operation, is approximately 24 acres in size and is zoned in the Farmland Preservation District. He pointed out on the aerial photograph the building to be replaced and said it is on the southeast corner of the property. Other structures on the property include a garage with work shed, a hay storage building, two (2) lean-to’s in the pastures, a main house with two (2) living units, a caretakers quarters connected to the stable, indoor riding arena and a small cottage with one living unit. The new building will contain 14 stalls, the attached stable contains 21 stalls and the entire operation is permitted to have up to a maximum of 45 horses total. A Manure Management Plan must be prepared, reviewed and approved by the Waukesha County Land Resources Division. In addition, an updated Site Plan is being required, showing the current building types. The caretaker’s quarters are to be occupied by the owner or employees of the operation only. Mr. Morris asked if there were any issues mentioned at the Public Hearing to which Chairperson Peregrine replied that no one came that he recalled. Mr. Mitchell asked, why is everyone who lives on the property required to work there? Mr. Fruth responded that in the Farmland Preservation District there is a requirement that living quarters are for employees of the operation only.

After discussion, Mr. Maslowski 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.

- **SP32 (Seneca Hest Gard, LLC) Town of Oconomowoc, Section 10**

Mr. Fruth indicated the Site Plan/Plan of Operation request is related to the previous Conditional Use (CU11) listed above.

After a brief discussion, Mr. Siepmann moved, seconded by Mr. Mitchell 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. Siepmann moved, seconded by Mr. Morris adjourn at 1:13 p.m.

Respectfully submitted,

James Siepmann

James Siepmann
Secretary

JS:kb

