

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, AUGUST 15, 2019 - 1:00 P.M.**

CALL TO ORDER

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

Commission

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

Members Absent: None

Staff

Members Present: Jason Fruth, Planning and Zoning Manager
 Kathy Brady, Support Staff Supervisor
 Ben Greenberg, Senior Land Use Specialist

CORRESPONDENCE: None.

MEETING APPROVAL: None.

MINUTES: Approval of the July 18, 2019, Minutes.

After discussion, Mr. Siepmann moved, seconded by Mr. Mitchell and carried unanimously for approval, of the July 18, 2019, Minutes as presented.

PUBLIC COMMENT: None.

• **RZ44 (Neumann Developments, Inc/Hillside Ridge, LLC) Town of Lisbon, Section 16**

Mr. Fruth pointed out the location of the property at W250 N7551 Hillside Road in the Town of Lisbon on the aerial photograph. He indicated the request is to rezone the property from the A-10 Agricultural District to the R-1 Suburban Single Family Residential District with a Planned Unit Development Overlay (Town).

Mr. Fruth indicated the property is located on the west side of Hillside Road (between STH 164 and Hillside Road) in the Town of Lisbon and contains two separate tax key parcels containing approximately 79 acres. In addition, there is a single, one-acre parcel owned by a separate entity located in the middle of the farm property. The developer is working to bring this parcel under contract to be included in the subdivision layout. He noted that the small, one-acre parcel is not part of the rezone request, however it is currently zoned in the R-1 Residential District. The southwestern corner of the property extends to STH 164. The Waukesha County Land Resources (LRD) staff indicates that the developer is planning to convert a farm drive to an overflow route for planned storm water management facilities on the south end of the project. The County is waiting for corrected exhibits from the Town, before the rezone is advanced. The original Town Ordinance exhibits submitted to the County included the wetlands on the property being zoned to the R-1 Residential District, however, the wetlands need to be protected and kept in the C-1 Conservancy District. There is a small portion of the property (southwest corner) located in the Commercial category on the Waukesha County Development Plan. The County recommended options to the developer, one being that these lands be included as an Outlot then, if and when, commercial

development were to be proposed immediately to the southwest, the Outlot lands could be purchased and included. The Town of Lisbon and Village of Sussex both agreed to this option.

Mr. Fruth indicated the proposed development would be a conservation design with 40% open space, containing 54 lots (55 lots if the small parcel in the middle would be included at some point) and the density would be 1.5 acres per dwelling unit. The northeastern portion of the property contains significant steep slopes. Mr. Fruth presented the preliminary layout of the subdivision. He indicated that County staff is waiting for more detail from the developer ensuring that the Town's 12% slope standards are complied with on a number of lots, should the plat be advanced. He further explained there is a waterway on the lands immediately to the west, which may affect proposed Lot 26. This issue will be discussed during the plat review stage of the process.

Mr. Fruth noted there were many comments made from the public at the public hearing, summarized below:

- Concerns with groundwater
- Problems with surface water which have been observed overtime.
- The number of homes being proposed.

Mr. Fruth indicated that the LRD staff will grant exemptions to the infiltration standards for the property and the basins would be clay lined. He further explained there are known high groundwater problems on the lands located to the south. The LRD staff believes if the storm water plan is implemented, it could improve the groundwater quantity problems for landowners to the south. In addition, it would have no adverse impacts and the overflow route would be to the southwest towards STH 164 into a ditch that parallels the highway.

Mr. Fruth pointed out on the Town's Exhibit B that the school district owns property directly to the north, and there is a road stub located very close to the north property line. A proposed cul-de-sac is also located very close to the northeast property line, which would need to be reviewed closely during the plat review. Mr. Peregrine asked if emergency vehicles would be able to turn around and be able to get in and out of the subdivision at the cul-de-sac and stubs on the northern portion of the property? Mr. Fruth responded that it would be up to the Town to ensure that there is adequate turning radius for emergency vehicles. Mr. Lindgren from Neumann Developments, LLC, introduced himself and clarified that the 120' diameter cul-de-sac/turnaround easements have been approved by the Town and Fire Department and they are currently working with their engineer and the DNR to formalize the navigability of the waterway on the northwest portion of the property.

After discussion, Mr. Morris moved, seconded by Mr. Michalski and carried unanimously for approval, as conditioned, in accordance with the "Staff Report and Recommendation". In addition, the approval is subject to the Town of Lisbon transmitting the corrected Exhibits which accompany their Ordinances No. 05-19 and 06-19 before the rezone is forwarded to the County Board for their approval. 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.

- CU24 (Peter and Karin Drescher) Town of Merton, Section 27

Mr. Fruth explained that the petitioner was unable to attend the meeting and asked that his request be placed on the next Park and Planning Commission Meeting Agenda.

• **CU27 (Candace Dingmann) Town of Merton, Section 30**

Mr. Fruth pointed out the location of the property at N62 W30475 Beaumont Lane in the Town of Merton on the aerial photograph. He indicated the request is for land altering activities in conjunction with the construction of a single-family residence with attached garage, retaining walls, boathouse and other site improvements on the property.

Mr. Greenberg, Senior Land Use Specialist, explained that the property is located on a steep lot along CTH C in the Town of Merton. The Town of Merton Plan Commission expressed concerns with the site grading and development on the property. The Planning and Zoning Division staff and petitioner have been working on refining the plans of the request since fall 2018. The petitioner is proposing to raze the existing residence and construct a new three-story residence with a front entry garage and a boathouse. He mentioned that the site is challenging with steep slopes, which contain 30' to 40' of grade change across 75' of depth and a 66' right-of-way. Retaining walls would be required for the home and would be located within 75' of the shore. A shore setback variance was required and subsequently approved on August 14, 2019. He felt the owners have worked hard on a very challenging site and believes that the current plan demonstrates a good balance between the interest of the owner to construct a residence on a property as well as protecting the natural resources of the area. Mr. Peregrine questioned if the retaining walls on Exhibit A have been eliminated, to which Mr. Greenberg replied, yes.

After discussion, Mr. Michalski 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.

ADJOURNMENT

With no further business to come before the Commission, Mr. Siepmann moved, seconded by Mr. Mitchell to adjourn the meeting at 1:23 p.m.

Respectfully submitted,

James Siepmann

James Siepmann
Secretary

JS:kb

(PLEASE FILL OUT COMPLETELY AND PLEASE PRINT. THANK YOU.)

NAME	ADDRESS	PHONE NUMBER	IN ATTENDANCE FOR THE MATTER OF:	RELATIONSHIP TO PETITIONER
Brian Zimmerman	LandWorks, INC			
Steff Dreny-Schult	"			
Bryan Lindgren	Newman Developments			
Candice Dingsmann	W332 N6297 Ct Rd C Merota		CU27	Self