

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, FEBRUARY 25, 2016, 1:00 P.M.**

CALL TO ORDER

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

Commission

Members Present: William Mitchell Robert Peregrine Gary Goodchild
Richard Morris Bonnie Morris

Members Absent: James Siepmann William Maslowski Keith Hammitt

Staff

Members Present: Jason Fruth, Planning and Zoning Manager
Kathy Brady, Support Staff Supervisor
Ben Greenberg, Senior Planner
Kayla Reithmeyer, Land Use Specialist
Sarah Spaeth, Legislative Policy Advisor

Guests Present: Olen Johnson: SCU-0143D & PO-15-MUKT-02 Midwest Bible Church
Rick LaPorte: 1A Town of Delafield Board and Plan Commission
Carol LaPorte: 1A Town of Delafield Board and Plan Commission
Wade Balson: 3A Johanssen Farms, LLC
Ken Neitzke: 4A Soli Deo Gloria, LLC, Ice Age Trail Representative
Petra Dekan: 4A Soli Deo Gloria, LLC
Erin Hoppenworth: 2A Carroll University
Ron Lostetter: 2A Carroll University
Marlin Johnson: 4A Soli Deo Gloria, LLC
Tim Barbeau: 1A Town of Delafield Board and Plan Commission
ZT-1824 Randal Schoenfeld
ZT-1825 Joshua Kouba
ZT-1826 Town of Delafield Board

CORRESPONDENCE None.

MEETING APPROVAL None.

MINUTES Approval of the January 21, 2016, Minutes.

Mr. Peregrine moved, seconded by Mr. Morris and carried unanimously for approval of the January 21, 2016, Minutes.

PUBLIC COMMENT None.

SCHEDULED MATTER

- 1:05 p.m. Public Hearing for the 2016 Amendments to the Comprehensive Development Plan for Waukesha County

Mr. Fruth described the annual amendment process. He indicated that after the Public Hearing, the Waukesha County Department of Parks and Land Use Staff will have a recommendation prepared for the requests and on March 17, 2016, the Park and Planning Commission will meet and vote on the requests. The Land Use, Parks and Environment Committee will consider the amendments on April 5, 2016. The Waukesha County Board of Supervisors will consider the same at their meeting of April 12, 2016. After the Waukesha County Board's action, the appropriate changes are made a part of the permanent record and the Comprehensive Development Plan for Waukesha County is amended as approved by the Waukesha County Board.

At 1:05 p.m. Mr. Fruth read the Notice of Public Hearing into the record.

1. In the Town of Delafield, the following request is being made:
 - A. *The Town of Delafield Board and Plan Commission*, W302 N1254 Maple Avenue, Delafield, WI 53018, requests property located at W304 N2455 Maple Avenue, more specifically, Lots 16, 17 and 18, Addition to Crystal Spring Park, Section 15, T7N, R18E, Town of Delafield (Tax Key No.'s DELT 0780.052, DELT 0780.053.001* and DELT 0780.053.002*), be amended from the Governmental and Institutional category to the Low Density Residential category (20,000 sq. ft. to 1.4 acres of area per dwelling unit) for future single-family residential use. (*DELT 0780.053.001 and DELT 0780.053.002 are a division of DELT 0780.053 created 1/1/16)

Mr. Fruth indicated that the properties in question contain the former Town of Delafield Fire Station. The properties contain Primary Environmental Corridor (PEC) on the back portion of the lots. He added that the Town of Delafield Engineer/Planner would be requesting a refinement of the PEC boundaries from the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Mr. Fruth added that the request would place the properties in a category which is consistent with the surrounding properties and noted that they are currently zoned in the R-2 Residential District. Vice Chairperson Mitchell asked if there were any questions or public comments?

Mrs. LaPorte, neighboring property owner asked if the intent for the properties would be single-family residences? Mr. Fruth replied that the zoning district allows for single-family residential, however, there are provisions in the Zoning Code which allow for multi-family type development in certain situations. He further explained that given the small size of the properties he did not believe they would qualify for multi-family or a more intensive use and that single family residential is the expectation. Mr. Barbeau, Town Engineer/Planner stated that it is the intention of the Town of Delafield that the properties be sold for single family homes.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

2. In the Town of Genesee, the following request is being made:

- A. **Carroll University**, 100 N. East Avenue, Waukesha, WI, requests property owned by Roger DeLong, 2205 Rivershore Drive, Racine, WI 53045, located at W305 S4533 Brookhill Road, in part of the SW ¼ of Section 22, T6N, R18E, Town of Genesee (Tax Key No. GNT 1527.989.003), be amended from the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit) to the Government and Institutional category, to expand Carroll University's research center land holdings.

Mr. Fruth noted that the property in question is east of Carroll University's existing holdings, at the corner of Brookhill Road and S.T.H. 59 in the Town of Genesee. The petitioner owns other property containing an environmental research center to the west along Genesee Creek. The property contains a wooded area on the west side of the property and the east side is vacant land. Surrounding uses include Rural Residential type development to the north and east. There is a former channel of Genesee Creek from when the creek was dammed years ago located on the property. The Planning and Zoning Division Staff has requested information from the Wisconsin Department of Natural Resources (WDNR) as to whether the channel is considered to be navigable or not as the petitioner may possibly want to have a way to come across the old raceway/depressional area which is steep in nature.

Mr. Lostetter representing Carroll University introduced himself and indicated they own the wetlands to the west of the property, in addition to what is being developed at the intersection of S.T.H. 83 and S.T.H. 59. Carroll University has had partial ownership of the wetlands since 1969 and has utilized the lands as an environmental station. He explained that the University was lacking a place to have classroom buildings for K-12 students and others to conduct environmental research and the recent acquisition of other nearby lands now provides that space. He noted the plans are to try and return the property to its original state with more hardwood/native plantings and create pathways on the property for student research. Vice Chairperson Mitchell asked if there were any questions or public comments?

Mr. Goodchild asked if Carroll University owns the small property to south near S.T.H. 59? Mr. Lostetter answered, "No". Mr. Fruth said the WDNR owns the property, however, there may be a mapping error as the GIS mapping indicates it is 5.8 acres in size.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

3. In the Town of Lisbon, the following request is being made:

- A. **Johanssen Farms, LLC, Wade Balson, agent**, N51 W23563 Lisbon Road, Sussex, WI 53089, requests property located at N54 W23746 Northview Drive, in part of the NW ¼ of Section 35, T8N, R19E, Town of Lisbon, (Tax Key No. LSBT 0282.979), be amended from the Transportation, Communication and Utilities and Low Density Residential categories (20,000 sq. ft. to 1.4 acres of area per dwelling unit) to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit), to maintain the residential duplex and commercial storage buildings and to utilize a portion of the property for storm water management facilities for a proposed adjacent residential subdivision.

Mr. Fruth pointed out that the proposed subdivision referenced in the notice is located immediately to the west of the parcel in question and is located in Village of Sussex. The proposed storm water basins intended

to serve the subdivision, would be located on the northern portion of the property in the Town of Lisbon and would be owned by the Village of Sussex. Halquist Stone Co. utilizes the two (2) commercial buildings on the southern portion of the property for storage, and in addition, rents the duplex unit.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

4. In the Town of Ottawa, the following request is being made:

- A. *Soli Deo Gloria, LLC, c/o Petra Dekan*, P.O. Box 279, Wales, WI 53183-0279, requests property located at W349 S1766 Waterville Road, in part of the SW ¼ of Section 1, T6N, R17E, Town of Ottawa, (Tax Key No. OTWT 1587.998), be amended from the Governmental and Institutional category to the Rural Density and Other Agricultural Lands category (5.0 to 34.9 acres of area per dwelling unit), to bring the property into a plan category that is consistent with the surrounding property plan classifications and allow for future single-family residential use.

Mr. Fruth indicated there is an Isolated Natural Resource Area located on the east and south portions of the property. The Town Planner has indicated the owners of the property may wish to divide the property in the future. Mr. Fruth pointed out that the Ice Age Trail holds ownership of property immediately to the south and noted the Ice Age Trail Alliance (IATA) has acquired an ownership strip from other properties to the south. Previously, people utilizing the Ice Age Trail were allowed to go through the east side of this property rather than being diverted to Waterville Road. The petitioners have indicated that they have concern about accommodating trail users. Surrounding properties are mostly rural uses and quarry lands to the east.

Mr. Goodchild said the Town of Ottawa Plan Commission and Board would like to see an arrangement with the Ice Age Trail materialize along the easterly property line. The Town has been supportive with WDNR purchases in expanding the Kettle Moraine State Forest and future pedestrian pathways. He explained, that if there are Certified Survey Maps or developments along state or county roads, the Town attempts to obtain pedestrian easement rights with the idea of having pedestrian walkways or bike trails off of such roadways, linking to the Kettle Moraine State Forest, the Glacial Drumlin Trail, etc. Mr. Goodchild mentioned that when Siepman Realty developed the Preserve at Hunters Lake Subdivision, an easement for the IATA was provided throughout the development to the hiking trails.

A representative of the Ice Age Trail stated they would like to work with the property owners to secure an easement for the trail on the east portion of the property, ultimately connecting to the Waterville Field Station property to the north. He noted it would be dangerous for the trail users, hikers and back packers to walk along Waterville Road. Mr. Fruth asked if the former owners had a trail thread marked, to which the representative indicated there was a hand shake agreement at that time.

Mrs. Dekan, petitioner, introduced herself and noted that she also owns the adjacent parcel to the north of the subject property for a total of 80 acres. She indicated her family purchased the property mainly for hunting, and for safety at this time, could not support the continuation of the trail through her property. She noted the trail did not go through her property to the north and was not sure if the trail was located on the quarry property. She indicated they were never informed about the trail from the former owners.

Vice Chairperson Mitchell asked if the future plans for the property were for it to be subdivided? Mrs. Dekan replied, possibly, however, at the present time, it will be utilized for hunting and that was the main reason she purchased the property.

Mr. Morris asked, previously when people utilized the trail over this property, how did they get back to Waterville Road through the quarry property? The Ice Age Trail Representative replied, "Yes," they were able to have access, however, when the quarry expanded their operation they were asked to vacate and go to Waterville Road. Chairperson Mitchell clarified that the trail went along the north side of the Dekan property back to Waterville Road.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he closed the Public Hearing at 1:30 p.m.

• **ZT-1824 (Randal Schoenfeld) Town of Delafield, Section 27**

Mr. Fruth pointed out the location of the property at N6 W30515 Maple Avenue in the Town of Delafield on the aerial photograph. He indicated the request is to rezone the property from the A-1 Agricultural District to the R-1 Residential District.

Mr. Fruth indicated the property is approximately 1.5 acres in size located on the south side of Maple Avenue. He explained the proposed R-1 Residential District is a 1.5 acre district with a 200' width minimum. The proposed rezone request would bring the property into a more conforming district and would also give the property owner more flexibility relative to the Town's open space requirements. The A-1 District requires 95% of the parcel to be open space while the R-1 Residential District requires 85% open space. In addition, the R-1 Residential District would allow subsequent owners of the property the ability to further improve the lot.

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

• **ZT-1825 (Joshua Kouba) Town of Delafield, Section 36**

Mr. Fruth pointed out the location of the property on the west side of Elmhurst Road, south of Sylvan Trail in the Town of Delafield on the aerial photograph. He indicated the request is to rezone the property from the A-1 Agricultural District to the A-2 Rural Home District.

Mr. Fruth indicated the proposed request would allow the petitioner to rezone the property to a District which allows more flexibility relative to the Town's open space requirements. He noted the property is approximately five (5) acres in size. He explained the A-1 District requires a 40 acre minimum and the A-2 District requires a 3.0 acre minimum. The A-1 District requires 95% of the parcel to be open space while the A-2 Rural Home District requires 85% open space. In addition, he noted that there is a significant slope on the property and other nearby parcels are similarly zoned.

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

• **ZT-1826 (Town of Delafield Board) Town of Delafield, Section 11**

Mr. Fruth pointed out the location of the property as Outlot 6 of Woodridge Estates Subdivision and Outlot 1 of Summerhill West Subdivision in the Town of Delafield on the aerial photograph. He indicated the request is to rezone the property from the R-1 Residential District to the P-1 Park and Recreational District.

Mr. Fruth indicated the proposed rezone would allow the Town of Delafield to create a future park. Dedications were secured overtime from the Summerhill West and Woodridge Estates Subdivision developments. The two (2) outlots (dedications) total approximately 17 acres. He referred to Exhibit "A" (Park Concept Site Plan) and noted the park would contain primarily open space for passive recreation. Mr. Barbeau, Town of Delafield Engineer/Planner, indicated the entrance to the park would be via North Shore Drive and a parking lot would be created near the entrance. There would be open mowed areas and "no mowed" grass type areas with mowed walking paths throughout the park. Eventually, the paths may become stone or asphalt depending on future funding. Vice Chairperson Mitchell asked what the "Sport Court" identified on the exhibit would be utilized for, to which Mr. Barbeau stated it would be a multi-use court (tennis, basketball, volleyball, etc.).

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

• **SCU-0143D (Midwest Bible Church/Phantom Ranch Bible Camp), Town of Mukwonago, Section 34**

Mr. Fruth pointed out the location of the property at W309 S10910 C.T.H. "I" in the Town of Mukwonago on the aerial photograph. He indicated the request is to amend the existing Conditional Use Permit conditions to include a new climbing wall facility and other future site changes including an expansion of housing, camp programs and amenities.

Mr. Greenberg, Senior Land Use Specialist, indicated the site is approximately 113 acres in size. The Phantom Ranch Bible Camp has been in operation since 1954, and under a Conditional Use Permit since 1971. In 1983, an amendment to the Conditional Use was proposed to permit expansion of the dining hall and two (2) additional camper cabins. Permits were issued, however, the dining hall expansion never occurred. In 1986, the camp purchased an additional 46 acres to the north and in 1992 an additional 29.5 acres were purchased to the south. In 1993, the existing Conditional Use was amended to increase the maximum number of persons allowed on the premises for overnight stays at 375 persons. At that time, other improvements were authorized through a two (2) phase build out of the camp. Upon completion of the last phase, the Conditional Use authorized an increased capacity to 622 persons. To date, neither Phase 1 or 2 of the build out were completed and the camp capacity remains at 375 persons.

Mr. Greenberg noted that the Waukesha County Land Resources and Environmental Health Division believe the existing site has the potential to accommodate the proper septic, storm water management and infrastructure needed for the proposed build out. The Town approved the proposed request subject to conditions. The Planning and Zoning Division Staff recommends approval of the request subject to the Town's conditions which have been modified. Noted conditions include limiting overnight capacity to 315 persons (staff and campers), limiting special event capacity to 400 persons and the end time for the such events would be no later than 10:30 p.m. (weekdays) and 11:30 p.m. (weekends). Any proposed expansions are based on funding. The Town and County established that minor deviations to the proposed location and structure size may be allowed as long it does not exceed 5% and the owner would be required to submit an application to amend the Site Plan/Plan of Operation. Any major deviations from the proposed size or

locations of the currently proposed structures may require a new hearing and modified Conditional Use approvals. In addition, the Town required the petitioner to combine all three (3) parcels into a single parcel through the creation of a Certified Survey Map which is currently under review. Comments were received from the Waukesha County Public Works Department which prompted an added Condition No. 7, stating that the existing driveway access on C.T.H. "I" does not meet the standard sight distance requirements, however, since the driveway was grandfathered in and there are no other locations on C.T.H. "I" the Public Works Department will allow the driveway to remain as is. Further development of the property which increases traffic use may result in the need to vacate the current access drive and an alternative access may need to be provided via Sandy Beach Road.

Mr. Morris asked if some of the land was being farmed, since a Manure Management Plan is being required? Mr. Johnson, petitioner, responded that hay is grown on the northern portion of the property and the horse pasture is located directly below. In addition, a maximum of 25 horses are allowed.

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.

- **PO-15-MUKT-02 (Midwest Bible Church/Phantom Ranch Bible Camp) Town of Mukwonago, Section 34**

Mr. Fruth indicated the Site Plan/Plan of Operation request is related to the previous Conditional Use (SCU-0143D) listed above.

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

- **PPC16 001 (Josef and Karen Weber) Town of Merton, Section 6**

Mr. Fruth pointed out the location of the property at W331 N9297 West Shore Drive in the Town of Merton on the aerial photograph. He indicated the request is for a lot not abutting a public road.

Mr. Fruth indicated a three (3) acre parcel would be created on the front or eastern portion of the petitioner's property. The parcel would continue to be farmed and the petitioners have indicated this is part of their estate planning process. Mr. Goodchild cautioned that easements on the new parcel should be checked regarding gas, electric and cable and shown on the Certified Survey Map (CSM). Mr. Morris commented that the petitioner's two (2) sons live on two (2) lots to the north created from the original parcel. Mr. Fruth noted that there will be a condition placed on the CSM that Lots 1 and 2 shall not be further divided.

After discussion, Mr. Morris moved, seconded by Mr. Goodchild and carried unanimously for approval, as conditioned, 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. Peregrine moved, seconded by Mr. Goodchild to adjourn at 2:02 p.m.

Respectfully submitted,

Gary Goodchild

Gary Goodchild
Secretary

GG:kb

