

TOWN OF MUKWONAGO
JOINT PLAN COMMISSION AND TOWN BOARD
ONLINE **AMENDED** MEETING MINUTES
WEDNESDAY MAY 6, 2020

Chairman Topczewski called the meeting to order at 6:30 p.m. and stated the meeting had been appropriately noticed.

ROLL CALL

Plan Commission: Commissioners Kurowski, Gilboy, Yerke, Schuett, Bratz and Chairman Topczewski and were present. Supervisor Clabault was absent.

Town Board: Supervisors, Boucher, Yerke and Chairman Topczewski were present. Absent Supervisor Clabault and Wrasman was absent at the time of roll call, but arrived later.

Also present: John Macy, Town Attorney; Gail Obradovich, Deputy Clerk-Treasurer; Tim Schwecke, Town Planner; Scott Johnson, Building Inspector, and Dave Adams; Park and Rec Sports Coordinator.

Meeting minutes of March 4, 2020

Plan Commission Action: Motion by Commissioner Bratz to approve the minutes of March 4, 2020 as **amended by Supervisor Boucher**, second by Chairman Topczewski, all ayes; motion carried.

Town Board Action: Motion by Chairman Topczewski to approve the minutes of March 4, 2020 as **amended by Supervisor Boucher**, second by Supervisor Yerke, all ayes; motion carried.

Supervisor Boucher asked that his comments regarding beekeeping be added to the minutes:

Boucher commented:

- 1) Town of Mukwonago does not regulate beekeeping, regardless of lot size.
- 2) Alternatively, confusion for Town of Mukwonago residents regarding applicable ordinances, enforcement, and penalties.

Boucher asked that the Planner be directed to draft a letter to Jason Furth and the Waukesha County Parks & Planning Commission stating the position outlined above, prior to and as input to their hearing on March 19. Chairman concurred

Report by Building Inspector regarding any alleged or outstanding violation(s)

The Building Inspector stated he had just sent out a letter to a resident that has someone living in a trailer on their property.

6. Special exception for property located at S63W27831 Point Drive for floor area of detached accessory building pursuant to s. 82-25(b)(3) of the zoning code (adding 60 x 126 horse riding arena to the east side of the existing 30 x 40 pole shed) and for building height pursuant to s. 82-23(d) of the zoning code; Anita and Michael O'Leary, applicant (application 2020-08)

Chairman Topczewski read the request and asked Mr Schwecke, Town Planner to give an overview of his Staff Report dated May 1, 2020. Discussion followed.

Mr O'Leary was online to answer questions. There would be no boarding only a riding arena for the training of their horses.

After a quick poll it was decided to contact the neighbors before proceeding.

Plan Commission Action: Motion by Commissioner Schuett to table until June 3, 2020 6:30pm meeting directing the planner to formally notify neighbors adjoining the property. Second by Commissioner Bratz. all ayes; motion carried.

NOTE: There would be no commercial use and no land reduction other than 1-2 acres to neighbor.

7. Rural accessory determination for corn crib/machine shed located at W299S8098 STH 83; Anthony and Tracy Culver, applicant (application 2020-10)

The Town Planner gave an overview of his staff report dated May 1, 2020. Discussion followed.

Tony Culver was online to answer questions.

Plan Commission Action: Motion by Chairman Topczewski to deny the designation of corn crib/machine shed as a rural accessory building. Second by Commissioner Bratz. All ayes, motion carried

8. Special exception for property located at W299S8098 STH 83 for floor area of detached accessory building pursuant to s. 82-25(b)(3) of the zoning code and for building height pursuant to s. 82-23(d) of the zoning code; Anthony and Tracy Culver, applicant (application 2020-09)

Plan Commission Action: Motion by Commissioner Bratz to approve the special exception for floor area based on the findings and conditions of approval listed below.

Findings: The accessory structure (1) will not be adverse to the public health, safety or welfare; (2) will not be in conflict with the spirit or intent of this chapter; and (3) will not otherwise be detrimental to the town or the immediate neighborhood where the structure would be located.

Conditions:

1. The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit.

2. A cash escrow of \$5000.00 to be deposited with the Town before issuance of a building permit, to be retained until the removal of corn crib/barn is completed. Upon removal, deposit will be returned with interest. The corn crib/barn must be taken down within 12 months of issuance of the building permit or deposit will be forfeited. Second by Commissioner Yerke; all ayes, motion carried.

Plan Commission action: Motion by Commissioner Bratz to approve the special exception for building height based on a finding that the location will comply with the more stringent setback and offset requirements provided the property owner obtains a building permit for the approved building within 9 months of this date and completes the authorized work within one year of obtaining the permit. Second by Commissioner Schuett; all ayes, motion carried.

9. Request to approve an affidavit of correction to modify the note on the plat for Autumn Hills South subdivision that limits access to Road X; David Turner, applicant (application 2020-11)

Chairman Topczewski read the application and asked Mr Schwecke to summarize the request by the petitioner as presented in the Staff Report dated May 1, 2020.

Discussion followed.

Mr Turner, present via telephone, explained there would be no driveway just an access to the rear of the yard.

Town Board action: Motion by Chairman Topczewski to deny the request for an access on Road X, second by Commissioner Yerke. All ayes, motion carried.

10. Special exception for property located at S78W33024 Sugden Road for floor area of detached accessory building pursuant to s. 82-25(b)(3) of the zoning code; Jack Bruley, applicant (application 2020-13)

The planner gave an overview of his Staff Report dated May 1, 2020. Discussion followed.

Jack Bruley was present by telephone to answer questions.

Plan Commission Action: Motion by Commissioner Bratz to approve the special exception for floor area based on the findings and conditions of approval listed below. Findings: The accessory structure (1) will not be adverse to the public health, safety or welfare; (2) will not be in conflict with the spirit or intent of this chapter; and (3) will not otherwise be detrimental to the town or the immediate neighborhood where the structure would be located.

Conditions:

1. The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit. Second by Chairman Topczewski, all ayes; motion carried.

11. Special exception for property located at W298S6560 Holiday Road for floor area of detached accessory building pursuant to s. 82-25(b)(3) of the zoning code and for building height pursuant to s. 82-23(d) of the zoning code; Leslie and Michael Rather, applicant (application 2020-14)

Mr Schwecke explained the request by Mr Rather as stated in the Staff Report dated May 1, 2020. Discussion followed. Home must be under construction before start of the accessory building.

Mr Rather was online to answer questions.

Plan Commission action: Motion by Commissioner Bratz to approve the special exception for floor area based on the findings and conditions of approval listed below.

Findings: The accessory structure (1) will not be adverse to the public health, safety or welfare; (2) will not be in conflict with the spirit or intent of this chapter; and (3) will not otherwise be detrimental to the town or the immediate neighborhood where the structure would be located.

Conditions:

1. The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit.

Second by Commissioner Schuett, all ayes; motion carried.

Plan Commission action: Motion by Commissioner Bratz to approve the special exception for building height based on a finding that the location will comply with the more stringent setback and offset requirements provided the property owner obtains a building permit for the approved building within 9 months of this date and completes the authorized work within one year of obtaining the permit. Second by Commissioner Yerke, all ayes; motion carried.

12. Site plan/plan of operation for site improvements at Oak Ridge Town Park (MUKT1929024); Town of Mukwonago - Recreation Department (application 2020-15)

Mr Schwecke summarized the Staff Report dated May 1, 2020 and asked Mr Adams, Rec Director, to give an overview of his request. Mr Adams spoke about his proposed plan to extend the walking trail in Oak Ridge Park.

Plan Commission action: motion by Commissioner Bratz to table until June 3, 2020 6:30pm and to direct staff to notify all adjoining neighbors. Second by Chairman Topczewski, all ayes; motion carried.

13. Review of placement of walking path in Oak Ridge Town Park in Environmental Corridor pursuant to s. 82-125(d) of the zoning code (MUKT1929024); Town of Mukwonago - Rec Department (application 2020-16)

14. Update and discussion on zoning code rewrite project and related matters including the proposed sign code and revisions to the fee schedule

The Planner gave an overview of the matters to be addressed with the Zoning Code rewrite. It was decided it would be best to discuss when it could be addressed in person.

16. Miscellaneous updates (if any)

A. Phantom Lake Management District - Nothing

B. Fox River Commission - Katlynn Bratz stated there were no new projects at this time.

Adjournment

Plan Commission action: Motion by Commissioner Bratz, second by Commissioner Giboy to adjourn at 8:15 p.m. All ayes, motion carried.

Town Board action: Motion by Supervisor Boucher, second by Supervisor Yerke to adjourn at 8:15 p.m. All ayes, motion carried.

Respectfully submitted,

Gail Obradovich Deputy/Clerk-Treasurer

APPROVED 6/3/20