

**TOWN OF GRAFTON
BOARD OF SUPERVISORS MEETING
January 11, 2017 – Official Minutes**

I. CALL TO ORDER: CHAIRMAN BARTEL CALLED THE MEETING TO ORDER AT 7:00 P.M.

Present:

Chairman Lester A. Bartel, Jr.	Clerk / Planner Amanda Schaefer
Supervisor Tom Sykora	Town Attorney Sara MacCarthy
Supervisor Karron Stockwell	Town Engineer Kevin Kimmes
Supervisor Tom Grabow	
Supervisor Steve Schaefer (via conference phone entire meeting)	

II. VERIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW

1. **Clerk/Planner Schaefer assured that the meeting was properly noticed.**

III. THE TOWN OF GRAFTON WILL GREATLY MISS STEVE WILKINSON; HIS SELFLESS DEDICATION TO THE TOWN OF GRAFTON WILL BE FOREVER APPRECIATED. THANK YOU, STEVE, FOR YOUR SERVICE.

IV. PLEDGE OF ALLEGIANCE TO THE FLAG

V. REVIEW AND ADOPT AGENDA

1. **ACTION: Supervisor Sykora moved to adopt the agenda, seconded by Supervisor Stockwell. Motion carried 5-0.**

VI. APPROVE MINUTES FROM PREVIOUS MEETING (AND ANY ASSOCIATED CLOSED SESSION)

1. **ACTION: Supervisor Grabow moved to approve the minutes from the previous meeting, seconded by Supervisor Sykora. Motion carried 5-0.**

VII. PUBLIC HEARINGS

A. Ordinance 2016-07: An Ordinance Amending Title 9, Chapter 1, Section 4.11 Conditional Uses – BP-3 Business Park District, of the Code of Ordinances, Town of Grafton, Wisconsin, Addressing Rental Storage Units as a Conditional Use

1. Staff provided a brief overview to the Board
2. **Chairman Bartel opened the Public Hearing at 7:05pm.**
3. **Neal Hobbs, 876 Fox Tail Lane, presented to the Board. There is a concern for campus setting, character and intensity of use, as well as others. Campus settings were further discussed. The rural character of the Town of Grafton was highlighted through the use of aerial photographs. Current BP-3 properties were shown. Current rental storage units in the Town of Grafton as well as other communities were reviewed via aerial photographs. Mr. Hobbs pointed out that outside storage is not currently allowed in BP-3. Other options that could fit in the BP-3 were shared (Kwiatkowski Dental Office). The Village of Grafton's future planning efforts were highlighted. He noted that the Town has worked very hard over the years that continue to promote the rural character of the Town, offer open space, and are good neighbors. Rental Storage Units are not applicable to BP-3.**
4. **Allen and Kerry Dolberg, 871 Fox Tail Lane, noted water issues on the property from the construction of Cornerstone Church. No one wants storage units next to residential properties, and that is noted by the drafters of the Zoning Code; the petitioner's plans should not be included in the decision tonight. This decision allows for any rental storage units in the BP-3 District. Rental storage units increase crime – just do a simple Google search. This is a gateway property to Grafton – don't let rental storage units become a deterrent**

from all of the other positive establishments in our community. We respectfully request that you vote NO.

5. Kim Worthington, Fox Tail Lane, just purchased the property in the neighborhood; the information was found out the morning of the closing of their home sale; the buyer agent was very concerned and noted likely a decrease in property values; the bank appraiser noted a great negative impact on the neighborhood, nature and feel of the neighborhood, and a decrease of \$50,000 to \$100,000 in value; the bank president agreed. No one wants to live next to a storage facility. There are many reasons why a storage facility should not be in this area.
6. Doug Johnson, 873 Tallgrass Drive, is speaking strongly in opposition to the Ordinance; to accommodate this change is not in the best interest of the community; a commercial development next to a residential neighborhood is not appropriate; he and the Fox Tail Lane neighbors have made large investments in the community. The Board should not make amendments unless it is in the public's best interest; this is not in the best interest. This ad-hoc decision does not support proper community planning, or the vision of this community. If this amendment goes forward, the project would need to fall in line with the listed requirements found within the Code of Ordinances. The Building Inspector can issue a CUP if the project must not be harmful to property values in the Town of Grafton as well as other adverse impacts. It is indisputable that the property values will be impacted – if Fox Tail is impacted, Blanks Crossing would also be harmed. Please do not approve this amendment
7. Greg Sommersberger, 893 Tallgrass Drive, would like to echo Doug's comments. With the rezoning, please look at the infrastructure. Falls Road is currently falling apart. The roads cannot handle this traffic. Property values are also a concern. I am opposed to rezoning.
8. Barb VanHeusen, 815 Fox Tail, asked about the storage unit proposal at the CTH W location. Why are we looking at this and need this if that other one is in place? There are 1,200 units proposed with the other option, this would bring it over 1,500 – there is not the need for that. There are other areas zoned appropriately in the Town that this could be located and not affect residential areas.
9. Jeff Duwell, 740 Fox Tail Lane, stated that it will be hard pressed to find anyone other than the developer that would support this. The developer has stated that the property value would go up. That is so blatantly untrue, that it makes us question everything about the project – even what is stored inside. Things happen no matter how secure or unsecure the facility is. That is another reason why it should not be next to a residential area.
10. Kerry Dolberg, 871 Fox Tail Lane, stated that this is her second meeting. There is the inevitable “stream” that runs through their property. To Mr. Duwell's point, the plans by the developer are questioned. There are inaccuracies within the developer's submittal regarding their personal home. There is confusion as to what is exactly being discussed tonight – if it is the Code amendment, please vote no
11. Kevin Kotes, 758 Nantucket Court, has lived here is entire life; he is the property owner and shared thoughts about other project inquiries – a humane society, no office buildings, a doggie day care, an indoor shooting range, a

- metal fabricating facility, landscapers. This design matches Water Street Brewery; he is for the project
12. **John Crusick, 879 Fox Tail Lane, clarified that the comments at the previous meeting are part of the public record. He further touched on the aspect of crime**
 13. **Dave Munzmeier, 2114 Chapel Court, asked about the percentage of local residents using the property versus outside users, seeing that is a concern**
 14. **Mary McIntosh, 1050 Lakeshore Road, asks the Board to listen to the residents of the Town of Grafton; we have a great vision of how we'd like to move forward. Vote no – I am opposed**
 15. **Corey Jepsen – Hobbs, Fox Tail Lane, respectfully reminded the Board that the Board is a representation of US; please vote no and support us**
 16. **Clerk/Planner Schaefer offered comment for William and Lisa Feld, 1302 Marina Drive; Ryan Hanaman, 822 Pioneer Road; DJ Herrenbruck and family, 462 Lake Bluff Lane; Mary Kay and Chris Horoszewski, 725 Fox Tail Lane; Sherri Kamenski, Bluestem Drive; Donna Rosenberg, 746 Lakefield Road; Jerry Rossi, 851 Tallgrass Drive; Mary and Jarrod Widmann, 891 Tallgrass Drive; and Cornerstone Church Board of Elders, 1187 Falls Road. All comments stated strong opposition for the Code Amendment – a copy of the submitted correspondence can be obtained by requesting a copy from the Town of Grafton Office.**
 17. **Chairman Bartel closed the Public Hearing at 7:57pm.**
 18. John DeStefanis, legal counsel for Kevin and Mrs. Kotes, stated concern by the property owner. It is a parcel that lies between the freeway and some railroad tracks. There are good reasons behind why the land is shown the way it is on the maps and future thought of the Town. No one would build a house there. There could be a landscaper there. The campus setting has never been defined in Case Law; that term does not clearly define itself and should not suggest a certain development standard. The Design Standards listed in the Code are what the project would fall under. Concerned residents discussing the value of property should note that is not competent evidence; the only way that can be determined is through detailed studies – there is no such indication here. A property owner may feel this may impact them, but that is not proof and/or evidence. As far as this being a magnet for crime, that same thought can be applied to a McDonald's near a freeway. The adopted Land Use Plan from years ago speaks to the fact that no one would put a house here. However, permitted uses within the BP-3 District would possibly be more intensive than what is proposed. He understands the concerns that people are raising; however, those fears are not always real.
 19. Brian Parrish and Brian Fischer addressed the Board; he shared background of his business area of expertise. The proposed development will use high quality materials and has addressed as many resident concerns as possible; he has background in this process and greatly respects. The group has tried many, many times to reach out to the neighborhood; who, apparently, decided "no" a long time ago. If this does not go through, the property owner will continue to list it for sale. There could be a cell tower or satellite dish on the property – both of which would likely decrease property values, not like this proposed self-storage. One of the neighbors would be greatly impacted by anything that would go there; therefore, the group has offered to plant many trees to help with the view corridor. This is, by far, a lower impact type of use versus others noted in the BP-3. The project will have no traffic, no parking lots, no parking lot lights. This is \$2.5 million dollar project. The

only thing that would satisfy the neighborhood is nothing at all. He has pledged to be a good neighbor – but they have been aggressive and unprofessional to him and his team. He is always willing to talk to the neighbors and modify the project. He would appreciate a vote of support.

20. **ACTION: Supervisor Grabow moved to adopt Ordinance 2016-07, seconded by Supervisor Sykora. Discussion continued. Supervisor Grabow is disappointed that this project has come this far without such strong comment until the very end. Supervisor Grabow shared the fact that something will eventually go there; therefore, Mr. Hobbs should take the District text and make suggestions to the Board about what should go there. Supervisor Stockwell appreciates what Mr. Parrish has brought forward; but, this is not the space for it. Another use could be more compatible with the neighborhood to help keep the rural feel. She likes his product, but she cannot endorse it because it is too much for the location. Supervisor Sykora disagrees. He feels it is a great spot for this type of use. He feels the residents may be sorry because another use could come. Supervisor Schaefer stated that Brian has done a great job to the design; however, it is still a “storage facility.” Storage facilities are NOT located close to residential areas. He understands the residents’ concerns and cannot support changing it. Supervisor Stockwell shared the fact that she was a realtor previously; she has experienced a lack of desire for residential properties close to commercial properties. It’s too big for the rural character. Chairman Bartel noted the Protest Petition – a 4-1 vote would be required. Motion failed 1-3 with Supervisors Grabow, Schaefer, and Stockwell dissenting. Chairman Bartel commended Mr. Parrish for being an outstanding applicant. He thanks everyone for a professional and civil discussion.**

VIII. RESIDENT CORRESPONDENCE/PERSONS WISHING TO BE HEARD

1. David Munzmeier, 2114 Chapel Court, stated that we need a different role model than Milwaukee. Regarding the Legacy Trail, to him, it is an equestrian trail. How is Grafton horse friendly? He noted previous situations. His son was looking for a parcel of land the other day and shared the thought with the realtor that he “doesn’t do Grafton.”

IX. OLD BUSINESS

- A. Discussion and possible action regarding the Town of Grafton 5-Year Road Capital Improvement Plan (CIP)**
1. Engineer Kimmes provided information to the Board.
 2. New suggestions were proposed for 2017 and include Falls Road and Lakefield Road
 3. Future years were discussed, as well as the finishing of 17th Avenue. 17th Avenue will be finished in 2017.
 4. **ACTION: NO ACTION TAKEN.**

X. NEW BUSINESS

- A. Discussion and possible action regarding a presentation from the Milwaukee River Watershed Partnership Program**
1. Peg Kohring presented information to the Board of Supervisors.
 2. MMSD and the purchase of water trading credits is not accurate information – anything that is “done” up here is not going to help MMSD.
 3. She is here to discuss 3 programs that may be of interest to the Town of Grafton

4. Greenseams– for any properties that are flood reduction properties
5. Working Soils – agricultural easements on agricultural properties
6. Regional Conservation Partnership Program – only pertaining to Ulao and Cedar Creek.
7. Discussion continued about the details of these programs
8. **ACTION: NO ACTION TAKEN.**

B. Discussion and possible action regarding the Bird City USA Renewal Application & Associated Expenditures

1. Clerk/Planner Schaefer asked for authorization to submit the Bird City USA renewal application and \$100 renewal fee
2. **ACTION: Supervisor Schaefer moved to approve the renewal application and associated expenditure, seconded by Supervisor Grabow. Motion carried 5-0.**

C. Discussion and possible action regarding Resolution 2017-01: Town of Grafton Fiscal Year 2017 Fee Schedule

1. Clerk/Planner Schaefer provided information to the Board
2. **ACTION: Supervisor Sykora moved to approve Resolution 2017-01, seconded by Supervisor Stockwell. Motion carried 5-0.**

D. Discussion and possible action regarding Resolution 2017-02: Town Depositories and Investments

1. Clerk/Planner Schaefer provided information to the Board
2. **ACTION: Supervisor Stockwell moved to approve Resolution 2017-02, seconded by Supervisor Grabow. Motion carried 5-0.**

E. Discussion and possible action regarding Resolution 2017-03: Observance of International Migratory Bird Day

1. Clerk/Planner Schaefer provided information to the Board and noted a change on the date to May 20th due to the fact that several communities are getting together to have one large celebration
2. **ACTION: Supervisor Grabow moved to approve Resolution 2017-03, seconded by Supervisor Schaefer. Motion carried 5-0.**

II. TOWN STAFF UPDATES

- A. Town Planner – NONE
- B. Town Engineer – NONE
- C. Town Attorney - NONE
- D. Town Treasurer – NONE
- E. Town Building Inspector - NONE
- F. Town Weed Commissioner - NONE
- G. Town Public Safety Commissioners – NONE

III. APPOINTMENTS OF COMMITTEES

- A. Town of Grafton Open Space Commission – Appointment and/or Reappointment of 2 members to serve a two-year term, expiring June 1, 2018
 1. **ACTION: Supervisor Stockwell moved to appoint Jeffrey Thoma to a 2-year term expiring June 1, 2018, seconded by Supervisor Sykora. Motion carried 5-0.**

IV. REPORTS – FOR INFORMATION, DISCUSSION AND ACTION

- A. Chair
 1. Cheers to Supervisor Grabow for his efforts in helping his daughter! You're a good dad!
- B. Supervisors
 1. Supervisor Stockwell asked about sharing the Yard Waste Site.

C. Clerk

1. **NONE**

D. Monthly Treasurer's Report

1. **A report was presented.**

V. DISCUSSION AND POSSIBLE ACTION REGARDING PRESENTATION OF INVOICES

1. **ACTION: Supervisor Sykora moved to pay bills as presented, seconded by Supervisor Grabow. Motion carried 5-0.**

VI. ADJOURN

1. **ACTION: Supervisor Grabow moved to adjourn subject to the payment of bills, seconded by Supervisor Sykora. Motion carried 5-0.**

**Respectfully Submitted,
Amanda L. Schaefer, Clerk**