

**TOWN OF GRAFTON**  
**PLAN COMMISSION - OFFICIAL MINUTES**  
**NOVEMBER 1, 2017- 7:00 PM**

Grafton Town Hall - 1230 11<sup>th</sup> Ave., Grafton, WI, 53024

**I. CALL TO ORDER**

**1. ACTION: Chairman Bartel called the meeting to order at 7:00pm.**

**\*PRESENT:** Chairman Lester A. Bartel, Jr., Commissioner Bob Wolf, Commissioner Dan Lyons, Commissioner Dan Vogel, Commissioner Patrick Stemper, Commissioner Brian Robinson, Commissioner Jeff Thoma

**\*ABSENT:** Building Inspector Rick Fellenz

**\*OTHERS PRESENT:** Clerk / Planner Amanda Schaefer, Engineer Kevin Kimmes, Attorney Sara MacCarthy

**II. VERIFICATION OF COMPLIANCE WITH OPEN MEETINGS LAW**

**1. ACTION: Clerk/Planner Schaefer confirmed compliance with the Open Meetings Law.**

**III. PLEDGE OF ALLEGIANCE TO THE FLAG**

**IV. ADOPTION OF AGENDA**

**A. ACTION: Commissioner Robinson moved to adopt the agenda, seconded by Commissioner Wolf. Motion carried 7-0.**

**V. REVIEW AND APPROVE MINUTES FROM PREVIOUS MEETING**

**A. ACTION: Commissioner Lyons moved to approve the minutes from the previous meeting, seconded by Commissioner Vogel. Motion carried 7-0.**

**VI. PUBLIC HEARINGS**

**A. Conditional Use Permit Petition (Level 2 Landscape Business) by Gary and Jennifer Johnson, 2384 Marak Drive, Tax Key #06-005-07-010.00**

- a. Staff provided a report to the Plan Commission.
- b. **Chairman Bartel opened the Public Hearing at 7:08pm.**
- c. **Rhonda Haash, Marak Drive, has lived there for 12 years. We feel this is a good opportunity to express our view. We have been upset with how this looks. The trailer and truck have made it difficult to allow their car to make proper turning movements. It's difficult to have this in our neighborhood. We're across the street – not sure how other people feel. It upsets us with all these vehicles. Also, would this impact property values? Perhaps if their driveway was longer, it would be more fitting.**
- d. **Clerk/Planner Schaefer added information into the record regarding feedback from Lisa C. Didier and Douglas Didier, Marak Drive, about concerns over issuing a Conditional Use Permit to the Johnsons.**
- e. **Clerk/Planner Schaefer added information into the record regarding feedback from Keith Michalak and Sarah/Dan Neumann, Marak Drive, in support of the application.**
- f. **Chairman Bartel closed the Public Hearing at 7:15pm.**
- g. The petitioner came forward. Commissioner Wolf noted that he has been by the property several times. There is limited availability for parking. Why are there so many trucks when there are so few employees? The petitioner said there are 5 personal vehicles, which causes it to add up fast. There are 5 plow trucks needed for winter. In the summer, 1 truck is connected to a trailer. A backup truck is a comfort level for them in case something breaks down. Commissioner Wolf asked if storing them off site has even been considered?
- h. Mr. Johnson shared that there is some flexibility with parking
- i. Mr. Johnson shared that the structure stores the mowers and other equipment.
- j. Commissioner Wolf acknowledged the neighbors' concerns

- k. Commissioner Lyons shared the Code requirement about shielding the equipment with plantings or a berm; he noticed many pieces of equipment are stored outside. If the accessory building is used, the Grafton Fire Department needs to get out there. The petitioner has been out of compliance for many years
- l. Commissioner Wolf asked if the applicant could come back with a planting plan for shielding the equipment. Yes, per the applicant. There is a lot of clean up and additional information required for Plan Commission to make the proper decision. We need to satisfy all the needs of our Ordinances and acknowledge the concerns of the neighbors.
- m. The petitioner shared that they did not know it was an issue for 12 year; they are willing to do whatever they need to do to continue what they have been doing for 18 years. We will make it work. We can come back with a plan.
- n. Commissioner Stemper asked about submitted information and what is business vehicles and what is not. What exactly is the total number of vehicles that will be parked? The petitioner shared that, on average, there are 8 vehicles on the property. Commissioner Stemper asked how we rectify that? Shielding is required. Perhaps the gravel could be moved to the back yard? That may be an option that also allows for better buffering and Fire Department access to the accessory structure. It was also noted that the residents that commented in favor of the applicant are to the north of the property and don't drive by it on a daily basis.
- o. Commissioner Wolf asked if they could use the garages for storage – there is an antique car in the attached garage
- p. Chairman Bartel shared that the definitions of landscaping businesses are maximums, not guaranteed rights; if the area isn't conducive to it, Plan Commission can adjust
- q. Commissioner Thoma shared that he was surprised that the site wasn't cleaned up, especially since the applicant knew they were on the agenda. There is potential for too much on site.
- r. Commissioner Vogel shared that this is a terrible use of a 1-acre lot. You have been skating for 18 years, and neighbors are afraid to be a loud mouth. There is no 300' driveway, a berm, and natural buffer. Commissioner Vogel feels this is disruptive of neighborhood values. This is more than a property value issue, but this is more a disregard for the neighbors. I cannot support this under any circumstances. Again, it is a bad use for a residential neighborhood. Please get a different business model – get a slab of concrete at a farm. You are in Zoning Violation and are here because someone complained. You have gotten too much leash.
- s. Chairman Bartel shared that the family is a group of nice people. There is now an issue. The goal is to help someone get into compliance. He has been watching the property for several months after the first complaint got in. It is clearly a commercial operation in a residential neighborhood. He has a hard time wrapping his head around how this can all take place on a 1 acre piece of property. Other properties were referenced that store these components off site to keep neighborhood peace. He feels that the home property is just personal vehicles, and the business items go off site. It is not conducive for a residential lot. It also is not conducive for proper buffering. It needs to get everything off site so it can be staged from a different location. There needs to be a plan on how to move forward. Let's not make a decision tonight.
- t. The petitioner will work with Staff and come back in 60 days
- u. **ACTION: Commissioner Wolf moved to table the Johnson CUP for 60 days, seconded by Commissioner Stemper. Commissioner Stemper asked the petitioner to stop parking in the Marak Drive right of way. That will happen, per the applicant. Motion carried 7-0.**

- A. A resident at 1993 Maple Court asked if there is a maintenance plan for Maple / Maple Court. Chairman Bartel responded.

VIII. OLD BUSINESS:

A. Discussion and possible action regarding potential amendments to Town of Grafton Code of Ordinances Title 7 Chapter 6 – Signs

- a. Clerk/Planner Schaefer provided a report to the PC with suggested changes to the Sign Code
- b. Commissioner Wolf agrees to bring it back in ordinance format as publication allows
- c. **ACTION: Commissioner Stemper moved to bring the text forward as an ordinance with the changes noted in Election Signs to go from 30 days to 7 days, seconded by Commissioner Vogel. Motion carried 7-0.**

IX. NEW BUSINESS

A. Discussion and possible action regarding a Conditional Use Permit Renewal for Permit #12-06 (Grafton Dells, LTD), Steven Schultz, applicant, 622 Green Bay Road, Cedarburg, Tax Key #05-025-09-002.00

- a. Clerk/Planner Schaefer provided a report to the Plan Commission
- b. **ACTION: Commissioner Robinson moved to approve the Grafton Dells CUP renewal with conditions listed, seconded by Commissioner Lyons. Motion carried 7-0.**

B. Discussion and possible action regarding an accessory structure between 150 square feet and 576 square feet for Joe Porth, 749 Highway C, Tax Key #06-029-04-004.00

- a. Clerk/Planner Schaefer provided a report on behalf of Building Inspector Fellenz
- b. **ACTION: Commissioner Stemper moved to approve the Porth Accessory Structure, seconded by Commissioner Thoma. Motion carried 7-0.**

C. Discussion and possible action regarding an accessory structure between 150 square feet and 576 square feet for Mark Murphy – J & M Custom Homes (for Theresa JohaneK), 628 Kara Lane, Tax Key #06-065-00-060.00.

- a. Clerk/Planner Schaefer provided a report on behalf of Building Inspector Fellenz
- b. **ACTION: Commissioner Vogel moved to approve the JohaneK Accessory Structure, seconded by Commissioner Lyons. Motion carried 7-0.**

X. TOWN STAFF UPDATES

- A. Town Planner: **NONE**
- B. Town Engineer: **NONE**
- C. Town Building Inspector: **NONE**

XI. ADJOURN

- 1. **ACTION: Commissioner Robinson moved to adjourn, seconded by Commission Wolf. Motion carried 7-0.**

Respectfully Submitted,  
Amanda L. Schaefer, Clerk