

TOWN OF GRAFTON
PLAN COMMISSION - OFFICIAL MINUTES
DECEMBER 7, 2016- 7:00 PM

Grafton Town Hall - 1230 11th 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, Alternate Commissioner Patrick Stemper, Commissioner Dan Vogel, Commissioner Julia McNally, Commissioner Dale Wolf

***ABSENT:** Commissioner Heisler

***OTHERS PRESENT:** Clerk / Planner Amanda Schaefer, Engineer Kevin Kimmes, Building Inspector Rick Fellenz, 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 D. Wolf moved to adopt the agenda, seconded by Commissioner Stemper. Motion carried 7-0.

V. REVIEW AND APPROVE MINUTES FROM PREVIOUS MEETING

A. ACTION: Commissioner B. Wolf moved to approve the minutes from the previous meeting as corrected, seconded by Commissioner McNally. Motion carried 7-0.

VI. PUBLIC HEARINGS

A. Preliminary Town Plat, Rezone, and Shared Driveway Petition (A-1 to R-2) by Michael Samann, 678 Falls Road, Tax Key #06-021-09-002.00

- a. Engineer Kimmes and Clerk/Planner Schaefer gave an overview of the Staff Report for tonight's discussion. All outstanding punchlist items were outlined in the Staff Report and reviewed by Engineer Kimmes. The biggest concern from Staff is the wetland area between Lot 2 and Lot 1 – a concurrence letter from the DNR will need to be submitted.
- b. **Chairman Bartel opened the Public Hearing at 7:14pm.**
- c. **No one wished to speak.**
- d. **Chairman Bartel closed the Public Hearing at 7:15pm.**
- e. Commissioner McNally clarified that an easement is suggested not the physical trail itself
- f. Commissioner McNally offered details about the Legacy Trail and the intent behind the planned map; easements need to be obtained so future generations are able to access the trail and have a nice amenity for the residents
- g. Commissioner McNally feels that the Town does not offer enough recreational opportunity to its residents; this would allow for residents to have a safe place to walk seeing that there are no paved shoulders
- h. Commissioner McNally feels that she really needs to advocate for this; there is no safe place to walk
- i. Mr. Samann shared the idea that the future residents would likely prefer a more private development; however, the HOA could address this in the future if they feel it is appropriate
- j. Commissioner B. Wolf noted that individual address markers and drop signs will be needed in this development due to the nature of the property and length of driveway

- k. Commissioner Lyons noted that the driveway has been put in, and construction equipment is there; the applicant clarified that it is the existing driveway and the trucks are from WeEnergies for a staging area associated with work being done in the Town of Grafton
 - l. Commissioner McNally asked about the potential of the developer going bankrupt – what happens then? Clerk/Planner Schaefer and Engineer Kimmes referenced the Developer’s Agreement as well as the Letter of Credit. Also, there are limited public improvements given the fact that this is a Shared Driveway
 - m. Commissioner McNally asked about potential environmental issues; a BRRTS file should be a part of the conditions of approval.**
 - n. Alternate Commissioner Patrick Stemper abstained due to conflict (he owns a neighboring property).
 - o. ACTION: Commissioner B. Wolf moved to approve the Preliminary Plat, Rezone, and Shared Driveway applications subject to Staff Punchlist items (which now includes the submittal of a BRRTS file), seconded by Commissioner Lyons. Motion carried 4-1 with Commissioner McNally dissenting.**
- B. Conditional Use Permit Petition for Agricultural Uses in a Residential District by Joseph Doyle, 705 Lakeshore Road, Tax Key #06-028-08-005.00**
- a. Clerk/Planner Schaefer gave an overview of the Staff Report for tonight’s discussion.
 - b. Chairman Bartel opened the Public Hearing at 7:35pm.**
 - c. Marko Musich, 308 Port Washington Road, congratulated the Board with “growing in nature” and embracing this change**
 - d. Florence Yarney,, 693 Lakeshore Road, felt that Mr. Musich’s comments were great. She does not have a problem with the proposal; they will be conscientious.**
 - e. Steve Schaefer, 1542 Lakeshore Road, asked about the numbers and what the requirements are.**
 - f. Chairman Bartel closed the Public Hearing at 7:38pm.**
 - g. ACTION: Commissioner B. Wolf moved to approve the Doyle CUP with Staff Punchlist Items, seconded by Commissioner McNally. Commissioner B. Wolf asked about manure management during the winter when it cannot go into the garden. Mrs. Doyle is very aware of the proper maintenance and upkeep of these types of animals given their history. Commissioner B. Wolf asked about the upkeep of the chicken coop. Commissioner B. Wolf commended Mr. Doyle for the information shared in the application; the animals are very intriguing. Mr. Doyle commented that his neighbors were very supportive. Chairman Bartel shared the nature of the CUP – that allows for recourse should something not take place the way it should. He has no concern for Mr. Doyle – he has been a visionary for this process. It was noted that his property is very large for a residential parcel – over 10 acres. Motion carried 7-0.**
- C. Conditional Use Permit Petition for Limited Non-Agricultural Activities by Jill Bunting, 1235 E. Sauk Road, Tax Key #06-006-01-019.00**
- a. Clerk/Planner Schaefer gave an overview of the Staff Report for tonight’s discussion.
 - b. Chairman Bartel opened the Public Hearing at 7:56pm.**
 - c. Bruce Kienhau, 1310 Trail Way Drive, is concerned about the number of events, noise, and the potential of a grass fire**
 - d. Greg Ebert, 1295 Sauk Road, is the west neighbor. The parking lot C and D are concerned as his house is right there – perhaps it could be put in a different area. We moved out here for the privacy and now that is going to change; 4 days is a long time to have items up such as porta-potties**

- e. Steve Betz, 1309 Trail Way Drive, has the concern of it going toward a commercial use instead of agriculture; the past wedding for their daughter was loud; just because the music stops doesn't mean the noise does
- f. Karen Ehendor, 1275 East Sauk Road, seconded the comment about the porta-potties. Plus, there is clarification needed for Lots C and D; are the events going to take place in the barn?
- g. There is a concern about the house being rented
- h. Clerk/Planner Schaefer read correspondence from 3 neighbors – Jeffrey Fitzgerald, Cody Anderson, and Gordon Wierman – all against the application – a copy can be obtained by requesting them from the Town Office.
- i. Chairman Bartel closed the Public Hearing at 8:04pm.
- j. **ACTION:** Commissioner B. Wolf moved to approve the Bunting CUP with Staff Punchlist items, seconded by Commissioner Vogel. Discussion continued. Commissioner Lyons is concerned with the resident feedback. Ms. Bunting does not want to have a negative environment with the neighbors. This request is maximized; however, most events would be much smaller. 35 in the house, 40 with 5 employees. Ms. Bunting would like to use her home. In terms of outside, a harvest feast would be 1 time each year with the proceeds going to the Hunger Task Force. There is also a Summer Solstice where you eat by candlelight. There is also the idea of a bike ride. A “big permit” was applied for because she could, but she does not want to damage the reputation. Chairman Bartel asked Mr. Betz's question about the use of the property; it will be a single-family residence with the special events here and there. Commissioner McNally clarified the idea of farm to table dinners. February, March, and April are the slow months – 1 event per year would be nice. The idea is to start out slow. The PC suggested the separation of indoor and outdoor events. Ms. Bunting noted that large, outdoor events are very expensive. Ms. Bunting would like 3 outdoor events. If that bothers the neighbors, she doesn't HAVE to have them, but she would like to use the house. The Harvest Feast (August – 100 people – start at noon and end at 9pm) is requested. The Summer Solstice (May or June – 100 people – start at noon and end at 9pm) is requested. The Bike Ride (Early Morning in Fall – Ride to Farm – 50 people – end by 5pm) is requested. Indoor events – up to 35 people, 40 with employees – start at noon and end at 10pm) are requested. Ms. Bunting would really like to make this work and be ok with the neighbors. Chairman Bartel asked about the idea of approving this to those concerned with the application. NO, per Mr. Betz. He noted previous deed restrictions. Commissioner B. Wolf suggested the applicant come back with a new application. Commissioner B. Wolf needs an updated parking plan – what happens when it rains? Chairman Bartel suggested inviting the neighbors over to show them what is planned for. Commission B. Wolf asked about the Fire Department review. The applicant and Plan Commission shared the same thought of stepping back and reassessing the situation based on discussion tonight. Motion failed 0-7.
- k. **PC NOTE:** The applicant has been instructed to meet with the neighbors and scale back the request per discussion points tonight.
- l. **PC NOTE:** The next Public Hearing Fee can be waived, but there will still be a Public Hearing.

VII. RESIDENT CORRESPONDENCE/PERSONS WISHING TO BE HEARD

A. NONE

VIII. OLD BUSINESS:

A. Discussion and possible action regarding a Conditional Use Permit Petition for Rental Storage Units in M-1 District by Bruno Hanney, 2091 CTH W, Tax Key #06-006-16-003.00, #06-007-01-004.00, and #06-007-01-004.01

- a. Clerk/Planner Schaefer gave an overview of the Staff Report for tonight's discussion.
 - b. **ACTION: Commissioner B. Wolf moved to approve the Bruno Hanney CUP subject to Staff Punchlist items with the addition of the painting of the entire building, seconded by Commissioner D. Wolf. Discussion continued. Commissioner B. Wolf and Commissioner Vogel shared thought about the painting of the remaining elevations. Mr. Hanney addressed the Commission and agreed to paint the remaining elevations with a two-tone gray. Commissioner Lyons asked for clarification on the phasing – therefore, will the entire east elevation be updated with a tenant being in place? The applicant can paint the entire application. After the tenant leaves, it will be repainted and the other items will be improved. THE APPLICANT WILL PAINT THE ENTIRE AREA AT ONCE. Mr. Hanney confirmed that the sprinklering will take place at each phase – Phase 1 will be sprinklered right away. Phase 2 will be sprinklered at time of Phase 2. Commissioner McNally asked about the depression docks – both will be filled, per the applicant. Commissioner McNally asked about the repaving of specific areas – the applicant clarified information found on the site plan. Motion carried 7-0.**
- B. Discussion and possible action regarding a Preliminary Town Plat Petition and Rezone Petition (A-2 to R-3) by Hillcrest Builders, 1398 River Bend Road, Tax Key #06-030-03-001.00**
- a. Engineer Kimmes gave an overview of the Staff Report for tonight's discussion.
 - b. Discussion continued about some of the Village's punchlist items – more specifically the changing of addresses on the north-south portion of River Bend Road and the contribution of park impact fees to be designated for the future Village park immediately east of River Bend Estates
 - c. **ACTION: Commissioner Lyons moved to approve the Preliminary Plat, Rezone, and Shared Driveway applications subject to Staff Punchlist Items, seconded by Commissioner Vogel. Discussion continued. Commissioner McNally asked about the use permeable materials for driveways. Engineer Kimmes stated that those could likely be included in the restrictive covenants due to the type of material. Mr. Solvang concurred. Commissioner Lyons inquired about the intersection design. Commissioner B. Wolf was concerned about the changing of addresses on River Bend Road. Chairman Bartel stated that it would be a Board decision. The Commissioners shared ideas about the paved shoulder – it must be at minimum enough to facilitate a bicycle. Motion carried 7-0.**
- C. Discussion and possible action regarding the Town of Grafton's Future Vision**
- a. Clerk/Planner Schaefer gave an overview of the Staff Report for tonight's discussion.
 - b. Staff will provide PC with all residential district text proposed amendments (sf numbers, etc.) next month
 - c. Alternate Commissioner Stemper stated that we should make a decision; the problem that was originally stated doesn't necessarily exist
 - d. The PC is comfortable with what is proposed
 - e. Staff will show all residential districts and the RCDO in a table format next month – all residential districts will be amended at once, along with the FLUP Map
 - f. **ACTION: NO ACTION TAKEN.**

IX. NEW BUSINESS:

- A. Discussion and possible action regarding a permanent sign permit application for Jill Bunting, 1235 E. Sauk Road, Tax Key #06-006-01-019.00**
 - a. **ACTION: Commissioner B. Wolf moved to table the Bunting Sign Permit until the next application is made, seconded by Commissioner McNally. Motion carried 7-0.**
- B. Discussion and possible action regarding a permanent sign permit application (#1) for Bruno Hanney, 2091 CTH W, Tax Key #06-007-01-004.00**

- a. Clerk/Planner Schaefer gave an overview of the sign permit application
- b. Kathy from Colortech offered additional information to the Plan Commission
- c. Commissioner Vogel stated that he does not feel the 50' sign detracts from the Grafton landscape
- d. **ACTION: Commissioner McNally moved to approve the Hanney Sign Permit subject to Staff Punchlist Items, seconded by Commissioner Vogel. Discussion continued. Colortech offered additional information. Commissioner Vogel stated that he does not feel the 50' sign detracts from Grafton. Commissioner Lyons feels like it is opening Pandora's box. Commissioner McNally commented on the fact that it is very difficult to see the area from the freeway. Mr. Hanney offered that most facilities have signage even higher than the 50' proposal. Chairman Bartel noted that it is far away from residential areas. There is no negative impact; it is a unique site per Chairman Bartel. Motion carried 4-2 with Commissioner Lyons and Commissioner B. Wolf dissenting.**

C. Discussion and possible action regarding a permanent sign permit application (#2) for Bruno Hanney, 2091 CTH W, Tax Key #06-007-01-004.00

- a. Clerk/Planner Schaefer gave an overview of the sign permit application
- b. The applicant commented that the sign will not be offensive but rather illuminated nicely.
- c. **ACTION: Commissioner B. Wolf moved to approve the Hanney Sign Permit subject to Staff Punchlist Items, seconded by Commissioner Lyons. Motion carried 7-0**

D. Discussion and possible action regarding a permanent sign permit application (#3) for Bruno Hanney, 2091 CTH W, Tax Key #06-007-01-004.00

- a. Clerk/Planner Schaefer gave an overview of the sign permit application
- b. **ACTION: Commissioner B. Wolf moved to approve the Hanney Sign Permit subject to Staff Punchlist Items, seconded by Commissioner Vogel. Motion carried 7-0**

E. Discussion and possible action regarding a permanent sign permit application for Hillcrest Builders, 1398 River Bend Road, Tax Key #06-030-03-001.00

- a. Clerk/Planner Schaefer gave an overview of the sign permit application
- b. **ACTION: Commissioner B. Wolf moved to approve the Hillcrest Sign Permit subject to Staff Punchlist Items, seconded by Commissioner McNally. 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 B. Wolf moved to adjourn, seconded by Commissioner D. Wolf. Motion carried 7-0.**

Respectfully Submitted,
Amanda L. Schaefer, Clerk