

**TOWN OF GRAFTON**  
**PLAN COMMISSION - OFFICIAL MINUTES**  
**MARCH 7, 2018- 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:**

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

**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 as amended (New Business moved in front of Old Business), seconded by Commissioner Stemper. Motion carried 7-0.**

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

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

**VI. PUBLIC HEARINGS**

**A. NONE**

**VII. RESIDENT CORRESPONDENCE/PERSONS WISHING TO BE HEARD**

**A. NONE**

**VIII. OLD BUSINESS:**

**A. Discussion and possible action regarding a Conditional Use Permit Renewal for Permit #16-05 (Landscaping Business – Level 3), Krystal DeRuyter, applicant, 1965 Tamarack Trail, Tax Key #05-001-07-004.00**

- a. Chairman Bartel noted that the PC needs to remember that this is a renewal only
- b. Clerk/Planner Schaefer provided a brief report to the PC; supplemental materials have been submitted to reflect correspondence received prior to last month's meeting
- c. **ACTION: Commissioner Wolf moved to renew the DeRuyter CUP subject to Staff punchlist items, seconded by Commissioner Lyons. Commissioner Wolf asked the applicant about hours of operation and the number of employees. Commissioner Wolf asked what the applicant does in terms of landscaping; the applicant stated that the seed, do basements, and grade basements. However, the equipment is rented. Commissioner Wolf asked about the delivery of top soil – it is only for clients associated with landscaping projects. Commissioner Stemper asked about the awareness of nuisance issues; that aside, what landscaping business needs to rent equipment for projects? The definition of Level 3 Landscaping was discussed by the applicant and the PC. The salt for plowing is stockpiled on the Sieracki property. The number of employees was discussed. Commissioner Lyons felt there is a difference between a commercial trucking company and landscaping business. The applicant became combative in style of response. Plan Commission members cautioned the applicant about a combative approach. The envelope is being pushed. The applicant became upset. Chairman Bartel shared that a simple search of local landscaping businesses does not show their business,**

- which raises concern from the Plan Commission. The difference between Sieracki and this application is that Sieracki was a pre-existing, non-conforming condition. Chairman Bartel offered thoughts on where we go from here; the applicant realized that a transition is needed. The applicant was asked if being within the original constraints is possible. The applicant shared thoughts that she has looked for other properties. Discussion continued about the number of employees and pieces of equipment. That is not as big of an issue as the hours of operation. Commissioner Vogel acknowledged the neighbors in the room that have had significant concerns in the past. The PC would like a timestamp on the renewal. **THE HOURS OF OPERATION MUST BE ADHERED TO FROM THIS POINT ON.** Ms. Monson stated that she wants to be a good neighbor; other trucks are not as troublesome. The noise has gone down somewhat; however, a trucking company does not belong in this spot. Ms. Monson stated that she rarely heard Sierackis; nothing like what is there now. Commissioner Wolf asked if 6 months is too long? Yes and no, per Ms. Monson. A trucking company cannot be in the residential area of Maple Road in the Town of Grafton. Commissioner Stemper stated that things are eventually going to improve since the applicant is showing intentions of moving; perhaps a year with no exceptions is the best way to accomplish the goal. Commissioner Wolf stated that updates on the property search must be communicated to the Town. 6 months is better, per Commissioner Wolf, to keep the pressure on the applicant. Ms. Duret shared that it is not once in a while with a violation of hours. It is much more frequent than you think. Perhaps the PC renews for 1 year, but with thought that an additional renewal will not be granted after that. The applicant is very worried about being able to complete everything in 1 year. Commissioner Stemper could consider a renewal after 1 year but the resident concerns would be given priority at that point – other landscaping businesses in the Town do not start earlier than 7am. Commissioner Lyons stated that this is still too open ended; they show up in several locations as a trucking company and not a landscaping business. Commissioner Vogel would like to see them back in 6 months. He would like to see real, tangible progress. The applicant needs to have a business plan to get them from Point A to Point B. The applicant needs to be as directive as possible with the drivers.
- d. **NEW ACTION:** Commissioner Stemper moved to amend the original motion that the CUP is renewed for 1 year with the understanding that it will not be renewed. The applicant must strictly adhere to hours of operation, make all attempts to control noise of trucks entering or leaving the property, the ingress and egress route is restricted to Cedar Sauk Road, and the applicant must come back in front of PC in 6 months with an update on progress of plans to relocate (September PC), seconded by Commissioner Robinson. Motion carried 7-0.
  - e. **ORIGINAL MOTION AS AMENDED carried 7-0.**

**IX. NEW BUSINESS**

- A. **Discussion and possible action regarding a Conditional Use Permit Renewal for the Twisted Willow Farmhouse, Jill Bunting, applicant, 1235 East Sauk Road, Tax Key #06-006-01-019.00**
  - a. Clerk/Planner Schaefer provided a brief report to the PC; approval is recommended
  - b. **ACTION:** Commissioner Wolf moved to renew the Bunting CUP with conditions listed, seconded by Commissioner Lyons. Discussion continued. The applicant asked for a 2-year renewal. There was discussion about the rationale regarding renewal timeframe. Commissioner Wolf suggested that they could come back if there were issues. Commissioner Stemper noted that this should be viewed as the original timeframe associated with the original approval since the permit hasn't been issued yet. If it's this quiet a year from now, then there will be no issues with a longer approval. Motion carried 7-0.

- B. Discussion and possible action regarding a Permanent Sign Permit Renewal for the Twisted Willow Farmhouse, Jill Bunting, applicant, 1235 East Sauk Road, Tax Key #06-006-01-019.00**
  - a. Clerk/Planner Schaefer provided a brief report to the PC; approval is recommended
  - b. **ACTION: Commissioner Robinson moved to renew the Bunting Permanent Sign Permit with conditions listed, seconded by Commissioner Thoma. 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 Lyons moved to adjourn, seconded by Commission Stemper. Motion carried 7-0.**

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