



TOWN OF EAGLE
Planning & Zoning Commission
Held Jointly with the Town Board
May 2, 2016
Approved Minutes

Chairman Kwiatkowski called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

Present: Chairman Kwiatkowski; Supervisors Davis, Malek, Rasmussen and West; Commissioners Anderson, Lewis, Mann, and Samuels. Also present: Town Planner Schwecke and Town Engineer Lynch.

Approval of Agenda – A motion was made by Supervisor Malek, seconded by Supervisor Davis to approve the agenda. Upon voice vote, motion carried.

Minutes – A motion was made by Supervisor Malek, seconded by Supervisor Davis to approve the minutes of March 1, 2016. Upon voice vote, motion carried, with Commissioner Lewis abstaining. A motion was made by Supervisor Malek, seconded by Commissioner Anderson to approve the minutes of March 7, 2016. Upon voice vote, motion carried. A motion was made by Supervisor Davis, seconded by Supervisor Malek to accept the recommendations of the Planning & Zoning Commission. Upon voice vote, motion carried.

Price Development – Request for Site Plan/Plan of Operations for Godfrey Farm Storage – Town Planner Schwecke presented his staff report dated April 27, 2016. Town Engineer Lynch's report is dated April 22, 2016.

Warren Hansen, Engineer for the applicant explained that their proposal is to complete their project in three (3) phases. Mr. Hansen stated that, in response to the planner's staff report, the proposed landscape buffer has been moved ten (10) feet. Mr. Hansen stated that there won't be any barbed wire on the fence. In regards to the barn, Mr. Hansen explained that the sixth (6th) sheet shows the barn remaining on the property. Soil borings were done on the site. Mr. Hansen explained that the proposed storage buildings will be located to the back of the property. Mr. Hansen demonstrated on a map how and where the property would drain. Mr. Hansen questioned the requirement of ten (10) feet for green space when other businesses in the area only have five and one-half (5 ½) feet. In regards to the existing home, Mr. Hansen stated that their proposal is to take the house down after a year or two, or when Phase 2 starts. All of the back buildings will be removed. In regards to the signage, Mr. Hansen stated that the proposed sign to the east would be erected first. In regards to landscaping, additional trees could be added to the plan. Mr. Hansen stated that the location of the dumpster has been changed, as requested in the staff report. Mr. Hansen stated that the photo metrics are the same as the last design.

Planner Schwecke referred to his staff report, question/comment #1. Planner Schwecke stated that Waukesha County is okay with the property access for Phase 1 but wants the access for Phases 2 and 3 to be moved to the west. Mr. Hansen responded that the access point is, in his opinion more logical to keep it as they are proposing. The fifty (50) or so feet won't make a difference. Planner Schwecke advised Mr. Hansen to work with Waukesha County on the access points because the Town has to approve the plan as a whole, depicting all three (3) Phases. Mr. Hansen replied that he was under the impression that the Town would only be approving Phase 1 at this time. Mr. Hansen stated that he will get in contact with Waukesha County. Chairman Kwiatkowski added that the Town needs the County's approval before the Town can act on it.

Under question/comment #2, Planner Schwecke stated that if the barn is to be kept for commercial purposes, ten (10) parking spaces may not be enough.

Under question/comment #3, Planner Schwecke stated that the potential agreement regarding cross-access needs to be shown on the site plan. Commissioner Anderson commented that the access off of there is terrible. Supervisor West commented that there might not be enough room for the access. Chairman Kwiatkowski commented that a cross-access would be a benefit because there would be less traffic entering/exiting right off of CTH NN.

Planner Schwecke explained that, under question/comment #4, the zoning code requires that the access have a paved access. In response to Mr. Hansen, Engineer Lynch stated that a binder coat access for the first year would be acceptable.

Under question/comments #5 and #6, Planner Schwecke stated that the Planning & Zoning Commission needs to approve the proposed retaining wall along the east side of the proposed buildings. In addition, the proposed location is too close to the property boundary line.

Under question/comment #7 regarding the regional stormwater basin, Planner Schwecke stated that the applicant needs to obtain a Letter of Good Faith from the property owner, Jeff Dretzka, indicating that they have an agreement with him in this regard. Chairman Kwiatkowski explained that the letter indicate if Dretzka's property would be able to handle all of the water or if it would only be able to handle a certain amount. Chairman Kwiatkowski stated that the applicant must obtain a letter from Jeff Dretzka confirming that this property will connect. Discussion followed regarding stormwater runoff. Planner Schwecke stated that the acceptance letter can be a condition of approval.

Under question/comment #8 regarding the existing depression, Planner Schwecke stated that some of the stormwater is going to the property to the north. Mr. Hansen stated that ½ to 1 acre gets held in the kettle. He intends to make some changes to move some of the stormwater to Dretzka's basin. Planner Schwecke stated that the issue is that the basin straddles the property boundary line. Town Engineer Lynch explained that, as part of the stormwater management agreement, an easement should be added to be able to maintain the basin. The natural flow of water cannot be changed. In response to Mr. Hansen, Engineer Lynch stated that if the other property owner does not give them an easement, then it is up to the applicant to come up with a plan on how they intend to store the water on their own property. Chairman Kwiatkowski suggested that Mr. Hansen and Price Development work with the Town's professional staff to work out the details. Chairman Kwiatkowski stated that the Town will not approve a project without the recommendation of the staff.

Under question/comment #9 regarding the fencing, Planner Schwecke stated that a note needs to be added to state that they will not have barbed wire on top of the chained link fence.

Under question/comment #10 regarding landscaping, Mr. Hansen explained that they are proposing three (3) deciduous Amur Maple trees, clumped together around the pond. Under question/comment #11, Planner Schwecke explained that the applicant is proposing dwarf arborvitae. The issue is that too many proposed trees are of the same species. A variety of trees are needed for screening. Discussion followed regarding the point system landscape plan that will be required after the adoption of the rewritten zoning code. Commissioner Lewis also suggested that notes need to be added to reflect what is on the plan. The current note states that all trees will be two (2) inch in diameter and twelve (12) feet high. Planner Schwecke suggested that they work with a landscape architect to work out species and sizes.

Under question #12, Planner Schwecke explained that the zoning code calls for ten (10) feet of green space around the property.

Under question/comment #14, Planner Schwecke stated that a single-family home is not permitted in the M-1 District. The building could be kept as a commercial building/office; however no one can reside in it. Chairman Kwiatkowski stated that the applicant cannot break ground until either the building is removed or converted.

Planner Schwecke stated that #15 refers to signs. Planner Schwecke stated that the plans need to indicate which marquee sign will be built with Phase I. Under question/comment #16, photometric plans still need to be submitted.

Planner Schwecke explained to the Planning & Zoning Commission and Town Board that at this time, he is not recommending approval of this Site Plan/Plan of Operation however did include seven (7) proposed conditions, if the Planning & Zoning Commission is inclined to approve it tonight. Mr. Hansen confirmed Planner Schwecke's point that the project will be completed as Phase I, II, III, and IV.

Engineer Lynch stated that his recommendations regarding stormwater management are included in his staff report and have been addressed tonight.

In response to Chairman Kwiatkowski regarding room for fire trucks around the back of building #4, Planner Schwecke explained that he sent the revised plan to the Fire Inspector. The Fire Inspector reviewed the plan and didn't see any obvious issues. Planner Schwecke stated that he could ask the Fire Chief to review the plans as well. Chairman Kwiatkowski stated that he doesn't see how a truck could fit behind there. Engineer Lynch added that gates were added to walk through as opposed to being completely gated.

In response to Supervisor Malek, Town Engineer Lynch stated that one (1) access point for emergency vehicles is typical for commercial.

Discussion ensued regarding if the barn will remain as a commercial barn. Planner Schwecke explained that this was discussed at the staff meeting. The applicant has now shown two (2) alternative plans.

In response to Commissioner Samuels, Planner Schwecke explained that only building footprints will be shown for phases 2 and 3. The applicant will need to return for further approval of those phases, with the specifics. In response to Chairman Kwiatkowski's comment that there is no guarantee that anything other than Phase I will ever be built, Planner Schwecke explained that what the Town is doing is putting some forethought into it now to make sure that anything that whatever is developed in the future all fits together.

A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to table this item until questions of the Town Planner and Town Engineer are answered, the Town receives approval from

Waukesha County for the proposed access onto CTH NN, the Town receives the confirmation letter from Jeff Dretzka regarding stormwater management, any other requirements are met, and the Town receives formal approval from the Fire Department. Upon voice vote, motion carried. A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to accept the recommendation of the Planning & Zoning Commission. Upon voice vote, motion carried.

Land Division Ordinance Review – Planner Schwecke reviewed the various strikeouts and comments in the proposed Land Division Ordinance with the Planning & Zoning Commission and Town Board. Commissioner Mann suggested adding a definition for condominiums. Commissioner Samuels questioned any submittals being made to the Town Planner. All submittals must first go to the Town Clerk. Planner Schwecke pointed out that there is a new section on page thirty-six (36) entitled “Common Areas”. Planner Schwecke reported that Article 14 is brand new. Discussion followed regarding the title of the Article. It was the consensus of the Planning & Zoning Commission and Town Board to title Article 14, “Street Access”.

A motion was made by Supervisor Davis, seconded by Supervisor Malek to forward the revised ordinance, as discussed tonight, to the Town Attorney for his review. Upon voice vote, motion carried.

Zoning Code Update – Planner Schwecke explained that DATCP approved the Town’s Code with relation to Farmland Preservation. Planner Schwecke explained that, along with their zoning code update, the Town of Mukwonago is considering “agri-towns” and questioned if the Town of Eagle would also want to consider it. It was the consensus of the Planning & Zoning Commission and Town Board to send this topic to the Zoning Text Review Committee for their consideration.

Mukwonago River Initiative – No report.

Chairman’s Report – Chairman Kwiatkowski reported that the Town has been receiving more complaints for property maintenance issues for the property located on CTH E. Chairman Kwiatkowski reported that the property where a commercial trucking business is being run out of the home, located off of Shearer Road will be an action item on the next Town Board Agenda to issue a citation. In regards to the Miller case, Chairman Kwiatkowski stated that the judgement is signed. Mr. Miller’s judgement must be paid by the end of the year or the judgement will be placed on the property tax bill. Chairman Kwiatkowski reported that the lot in the business park that is owned by UPI is still non-compliant. This item will also be placed on the next Town Board Agenda.

Recommendation for Future Agendas – None.

Citizen Comments – Kyle Loohauis, 815 Melbourne Road was present at the meeting in order to obtain his Citizen and Community Badge for scouts.

A motion was made by Supervisor Malek, seconded by Supervisor Davis to adjourn the meeting at 8:17 P.M. Upon voice vote, motion carried.

Lynn M. Pepper, Eagle Town Clerk