



TOWN OF EAGLE  
Planning & Zoning Commission  
Held Jointly with the Town Board  
August 1, 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.

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 Commissioner Anderson to approve the minutes of July 5, 2016, as amended. 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.

Urban Herriges & Sons, Inc. – At this time, Commissioner Lewis recused herself from the meeting. Planner Schwecke referred to his staff report dated July 26, 2016. Planner Schwecke explained that the application is for the applicant's remodeling business. The unit will be used as an office facility and for indoor storage. The zoning for the property is M-1 and the use is allowed. In response to Supervisor Malek, there will not be any outdoor storage.

A motion was made by Commissioner Anderson, seconded by Commissioner Samuels to approve the site plan/plan of operation, as submitted for Urban Herriges & Sons, located at W356 S9050 (Unit D) Godfrey Lane and to terminate any previously approved site plan/plan of operation for the same unit on the subject property. Upon voice vote, motion carried. A motion was made by Supervisor West, seconded by Supervisor Davis to accept the recommendation of the Planning & Zoning Commission. Upon voice vote, motion carried.

At this time, Commissioner Lewis stepped back onto the Planning & Zoning Commission.

The Sprinkler Guy LLC – Planner Schwecke referred to his staff report dated July 26, 2016. Planner Schwecke explained that the business moved to a different unit in the same building. The business will include an office area and all materials and equipment will be kept indoors. Applicant Josh Bacon added that his mother uses a small area for her wedding flowers business. She may have one client a week stop in. Applicant Bacon stated that no shipments are being made. In response to Supervisor Malek, Planner Schwecke stated that there will not be any outside storage.

A motion was made by Commissioner Samuels, seconded by Supervisor Malek to approve the site plan/plan of operation for the Sprinkler Guy, as submitted and including the office space for Blooming Perfection Weddings, located at W356 S9050 (Unit C) Godfrey Lane and to terminate any previously approved site plans/plans of operation for the same unit on the subject property. 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.

**Public Hearing – Proposed Land Division and Development Control Code Revision** – Clerk Pepper read the public hearing notice into the record.

Chairman Kwiatkowski opened the public hearing at 7:18 P.M. After hearing no public comments, a motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to close the public hearing at 7:19 P.M. Upon voice vote, motion carried.

Planner Schwecke explained that Town Attorney Alexy reviewed the proposed Land Division Code and has recommended alternative definitions for “Minor Land Division” and “Subdivision”. In response to Supervisor Davis, Attorney Alexy used the definitions found in the Wisconsin State Statutes. Planner Schwecke went on to explain that the Town has the authority to regulate land divisions, as allowed by Wisconsin State Statutes but cannot change the authority the Town has been given. In response to Commissioner Samuels, Planner Schwecke stated that he originally included language regarding meeting a certain zoning requirement however Attorney Alexy has recommended what is being presented tonight.

Chairman Kwiatkowski stated that he would like language stating that “a three (3) acre density” because the Town allows Planned Unit Developments such as Eagle’s Preserve, Eagle Aire North and South and Jericho Subdivision. Chairman Kwiatkowski suggested removing the language that refers to a certain amount of acreage and a certain lot size and rather state “per the Zoning Code”. Planner Schwecke stated that the significance in the definition is whether the division will be done through the plat process or through a Certified Survey Map. Planner Schwecke added that through a minor land division, the Town can define the number of lots by a Certified Survey Map without having to do a subdivision. Also, Wisconsin State Statutes states that more than five (5) divisions in an industrial area are okay. Discussion followed regarding the Town Attorney’s recommended language and the ability for the Town to make any necessary changes in the future.

A motion was made by Commissioner Lewis, seconded by Supervisor Malek to adopt the Land Division Code as drafted and to include the two (2) definition changes, as discussed and amended at this meeting on August 1, 2016. Upon voice vote, motion carried. A motion was made by Supervisor Davis, seconded by Supervisor Malek to accept the recommendation of the Planning & Zoning Commission. Upon voice vote, motion carried.

**Reschedule September Meeting** – It was the consensus of the Planning & Zoning Commission and Town Board to reschedule the meeting to Tuesday, September 6, 2016.

**Mukwonago River Initiative** – No report.

**Chairman’s Report** – Chairman Kwiatkowski reported that Victor Trucking continues to be operating on the property, at all times of day and night. Chairman Kwiatkowski reported that the new homeowners who purchased the old Campbell property on the corner of CTH LO and South Road have been notified of zoning violations, including interior remodeling and living in their recreational vehicle on their property during the remodeling project. Chairman Kwiatkowski reported that a homeowner on Burr Oak Trail has been notified for having too many livestock on the property and for having a rooster.

Recommendation for Future Agendas – Planner Schwecke stated that the first part of the new Zoning Code, Articles 1 through 6 will be presented at next month’s meeting. In addition, Planner Schwecke explained that the Planning & Zoning Commission and Town Board will need to take some sort of action on the Price Development application at the next meeting. In response to Planner Schwecke regarding the allotment system, Chairman Kwiatkowski stated that the allotment system should first be reviewed at the committee level.

Citizen Comments – Tom Day, W350 S10115 Highview Road hopes that the new zoning update will be consistent with Smart Growth.

A motion was made by Supervisor Malek, seconded by Commissioner Samuels to adjourn the meeting at 7:45 P.M. Upon voice vote, motion carried.

Lynn M. Pepper, Eagle Town Clerk