

Town of Merton
Plan Commission Meeting
Minutes of June 2, 2021

- Plan Commission Meeting was Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance was led by Chairman Klink
- Minutes of the May 19, 2021 Plan Commission Meeting.

Present: Chairman Klink, Commissioners Griffin, Jensen, Morris, Siepmann, & Good, Attorney Murn, Planner Haroldson, and Deputy Clerk Claas

Also Present: Jonathan Schattner, Dan Paige, Percy Chaby, Michael Maple, Jerry Heine, Tom Loper, Tamara Marek, and Steve Nachreiner

Old Business: None

New Business:

Conditional Use Permit – Updated Information Presented – Requested by Jonathan P Schattner on Behalf of Tamara Marek Revocable Trust – To Conduct Land Altering Activities Associated with Construction of a New Single-Family Residence with Attached Garage, Deck, Patio Inground Pool, and Retaining Walls – Property at N63W30723 Fairwater Lane – Tax Key MRTT0374-078-001 – Schattner stated they reduced the size of the culvert to 22' in length with two foot ends on the two culverts on the property. They relocated the building 7' further south and lowered the garage a foot so they would have a more gentle slope and meet the grades of the property line. A berm will be constructed to help divert the water that comes off the back of the lot and goes to the south and would be directed to the storm water drainage pond. The pool has also been reorientated.

Murn reviewed the draft of the conditional use. Waukesha County's comments will be incorporated into this conditional use. Haroldson reviewed conditions to be added to the conditional use permit.

A motion to approve the conditional use permit as proposed subjects to terms and conditions of Waukesha County, the changes discussed and subject to staff approval was made by Siepmann/Morris. Motion carried.

Conditional Use Permit Request by Denis Schuh – Owner – Updated Information to Conduct Land Altering Activities to Alter the Elevations – Eliminate Rocks & Boulders, Smooth out Yard with Existing Fill or Terracing, Landscaping, Retaining Walls & Gravel Driveway to Proposed Site for an Accessory Structure – Property at N49W28639 Chardon Drive - Tax Key MRTT0431-010 – The Plan Commissioners had concerns regarding the height and length of the retaining walls, drainage, and concerns for the neighbors. The Plan Commission was particularly concerned about the 6 ft height of the retaining walls. Haroldson clarified that there would be three different retaining walls of different lengths. Schuh stated if the wall by the neighbor is a concern, he doesn't need it. Schuh has a small site erosion control permit that is valid until September 15, 2021. Schuh stated that he stores his materials at a farm and brings the materials in as needed with his dump truck and trailer. Jensen suggested there be a time constraint for when he can do the work. It was suggested that there be no trucking after 6:00 p.m. Haroldson requested that Schuh write something stating when phases will be done by. There was discussion on a deadline to complete the work. Griffin asked what the recourse is if he is not done by the timeline. Murn said we could amend or revise the conditional use permit. Haroldson stated the Town could request a bond.

A motion to recommend approval of the amended conditional use permit subject to a written statement of phases for work completion and a bond of \$10,000 with a timeline to complete the project by December 31, 2021 was made by Morris/Griffin. Motion carried.

Certified Survey Map to Combine Three Parcels of Historical Record & Re-Divide into Two Parcels – Lake Street – Requested by Percy Chaby – Tax Key MRTT0350-020 & MRTT0350-008 – Haroldson stated the post office is one parcel of record, the land behind the post office is another parcel of record, and the former Front Page parcel is another lot of record. Chaby wants to combine the post office lot and the land behind it for lot 1 and the Front Page lot would be lot 2. Waukesha County has not reviewed this CSM. Haroldson reviewed the changes and corrections for the Town, but indicated they should wait for Waukesha County's review before they had the CSM changed.

A motion to recommend approval to the Town Board subject to conditions and corrections from the Town and the County was made by Siepmann/Jensen. Motion carried.

Plan of Operation & Site Plan – Post Office Building – by Russell Raposa on Behalf of Percy Chaby, Owner – For 2 Offices, 1 Post Office, and 1 Apartment – W315N7755 STH 83 – Tax Key MRTT03350-020 – Chaby will be eliminating three apartments and is proposing one apartment, the post office, and one commercial office. He is plans on re-roofing and residing the building and put new windows in. Haroldson asked for a floor plan with the actual space. There will be an apartment above the post office and the commercial office will be in the back. Parking for his employees, the post office staff, and the renter will be in the back of the building. The existing lot used for parking with remain as parking until he decides to develop it into another building. The drive to the river will be eliminated and the two-car garage will remain.

A motion to approve the plan of operation and the site plan contingent upon approval and comments from Waukesha County Parks and Land Use with the conditions to be met prior to building permits being issued was made by Jensen/Siepmann. Motion carried.

Legacy Hills Subdivision Final Plat – Hwy 83 – Requested by Steve Nachreiner – MRTT0322-998-001 – Siepmann recused himself from this agenda item. Haroldson stated he previously received preliminary plat approval and has received a stormwater permit from Waukesha County Land Resources. Waukesha County has not completed their review. Haroldson stated some wording accepting the remnant parcel needs to be on the final plat. The Developer's Agreement and the Letter of Credit need to be finalized and submitted to the Town Board.

A motion to recommend approval to the Town Board the final plat for Legacy Hills Subdivision contingent upon Waukesha County comments was made by Morris/Griffin. Motion carried.

Planner Updates: Haroldson had no updates.

A motion to adjourn was made by Siepmann/Morris. Motion carried. Meeting adjourned at 6:30 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk