

Town of Merton
Plan Commission Meeting
Minutes of August 4, 2021

- Plan Commission Meeting was Called to Order by Chairman Klink at 5:00 p.m.
- Pledge of Allegiance was led by Chairman Klink
- Minutes of the June 21, 2021 Plan Commission Meeting and Public Hearing. A motion to approve the minutes as printed was made by Morris/Good. Motion carried.

Present: Chairman Klink, Commissioners Griffin, Jensen, Morris, & Good, Attorney Murn, Planner Haroldson, Deputy Clerk Claas, Ben Greenberg of Waukesha County Parks & Land Use, Supervisors Fleming, Herrick & Olson, & Clerk Hann

Absent: Commissioner Siepmann

Also Present: Tom Halquist, Nick Tetzlaff, Sarah Newkirk, Curt Podd, Bob Bishop, Jack & Jeanne Ann Frederickson, Carl Ernst, Breanne Brennan, Jim Baker, Daniel Schlise, Evan Beine, Bill Halquist, Paul Turek, Chris O'Neill, Karen Buehrle, Joe & Colleen Klemm, Greg Booton, Carole Haubner, Lori Pfister, Andrew Nezworski, Pamela Queoff, & Gary Payden

Old Business: None

New Business:

Plan of Operation/Change of Ownership – Woody's North Lake – W314N7788 Kilbourne Road – Requested by Allyn Wasley on Behalf of Free Titos LLC –Tax Key MRTT0349=990-001 – Haroldson stated they are operating the same hours as previously; they submitted a parking plan, and they cleaned up the property nicely. Waukesha County is happy with the Plan of Operation, but they are waiting for the Preliminary Site Evaluation. There are no special events at this time, but they know they would have to go to the Board if they have special events. They are updating the sign, but it's going to stay the same size and stay in the same location.

A motion to approve the Plan of Operation for Woody's contingent upon a preliminary site evaluation was made by Morris/Jensen. Motion carried.

Certified Survey Map – To Combine Legal Descriptions into 1 Legal on an Existing Lot of Record Currently Under One Tax Key on Park Drive – Requested by Jeff Kubisch – W288N8097 Park Drive – Tax Key MRTT0335-050-001 – Haroldson stated they are combining the three legal descriptions into one legal description. There are various minor conditions and corrections to be made for the final certified survey map.

A motion to recommend approval to the Town Board for the final certified survey map with all of the recommended changes that Waukesha County requested was made by Jensen/Good. Motion carried.

Certified Survey Map – To Combine 2 Parcels of Record with 2 Separate Tax Keys into One Legal Description with an Outlot – N73W32265 Reddelien Road – Requested by Mark & Kathleen Ruegsegger – Tax Keys MRTT0356-969 & MRTT0356-037 – Haroldson stated they want to combine two parcels into one legal description. One lot is on North Lake and the outlot is across the street. Waukesha County has not completed their review of this parcel. The Village of Chenequa has extraterritorial jurisdiction over the parcel. The surveyor's seal, signature and date must appear on all pages of the final CSM and they

must verify the gross area of the total lot area as there is conflicting information. Haroldson noticed that the notary has an expired commission. Jensen questioned if the little outbuildings should be removed.

A motion to recommend approval to the Town Board with the stipulation that the two little sheds should probably be removed because they are in the wetlands and all of the changes and updating of the notary be included in the final certified survey map was made by Jensen/Morris. Motion carried.

Certified Survey Map – To Split Approximately 214 Acres into 3 Parcels – Requested by Sarah Newkirk on Behalf of John Dalton – W319N9210 State Road 83 – Tax Key MRTT0302-999 – Haroldson stated this is a land division of approximately 214 acres. Lot 1 will be approximately 164 acres, lot 2 will be approximately 23 acres and will have 14 outbuildings, barns and structures on it to assist with the farming operation, and lot 3 will be 23 acres. Lots 1 and 3 are not buildable lots until they have been perk tested for septic systems and wording will need to be added to the certified survey map regarding that. The location of the septic system for lot 2 needs to be shown on the septic system. The surveyor is to provide comments from the DOT regarding the right-of-way on State Highway 83. Waukesha County has not completed their review of this certified survey map.

A motion to recommend approval to the Town Board for Nick & Sarah on behalf of John and Roberta Dalton for approval and signatures after receiving the final certified survey map with the recommended conditions and changes from the Town and Waukesha County was made by Morris/Griffin. Motion carried.

*The Plan Commission Meeting was interrupted at 5:19 p.m. to hold a scheduled public hearing at 5:30 p.m. The Plan Commission resumed at 6:25 p.m.

Conditional Use Request of Halquist Stone Company, Inc & North Lake Sand & Gravel – W312N7881 Kilbourne Road – To Seek Renewal of Their Existing Conditional Use Permit to Operate a Quarrying Permit – Tax Keys MRTT0324-991-002 & MRTT0327-997-001 – Greenberg stated there would be two conditional use permits. The Town will take action for non-shoreland areas and make a formal recommendation to the County.

Klink stated Halquist Stone has to follow DNR regulations and the DNR follows up on it. Greenberg believes Land Resources is regulating the stormwater. He thinks they regulate the WBDS on behalf of the DNR so they are looking at if they're in compliance with NR151 and water quality standards.

The Commissioners discussed the noise levels and how two neighbors had differing opinions on the noise level and how the wind and the trees have an impact on the noise level. The Commissioners also talked about decibel levels and getting accurate readings. Greenberg stated there is some relevance to peak volumes versus continuous volumes.

Jensen stated Halquist Stone doesn't have consistent vegetation and there is a spotty planting of trees and asked if the Town can ask for them to beautify the area and put a vegetation barrier in. Griffin stated some trees might be susceptible to salt. Greenberg suggested it might be worth checking out the Halquist site in the Town of Lisbon and stated the Plan Commission could make that a condition of their approval since it would address some of the concerns. Haroldson questioned if the plantings will interfere with what they are doing.

Griffin stated he liked the idea of a wheel wash. That would minimize what's coming out onto Kilbourne Road and minimize some of the dust in the Town. It would benefit Halquist Stone, the Town, and everybody that's on Kilbourne Road also.

Jensen thought the condition of the road is an issue. Klink said road has been patched, and patched, and patched. It's not all because of Halquist Stone. It's also because of the Industrial Park and the school buses. Griffin stated the road is in tough shape and it will have to be done soon. Nothing will be decided until budget time.

Haroldson suggested they meet with the petitioner and address the neighbors' concerns and the Town's concerns.

Good questioned if the Town needs to have an independent sound study done. Klink suggested the Town meet with the two parties first.

A motion to adjourn was made by Good/Griffin. Motion carried. Meeting adjourned at 7:07 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk