

Town of Merton
Plan Commission Meeting
Minutes of September 7, 2022

- Meeting Called to Order by Acting Chairman Siepmann at 5:30 p.m.
- Pledge of Allegiance led by Acting Chairman Siepmann
- Minutes of the August 3, 2022 Plan Commission Meeting. A motion to approve the minutes as written was made by Jensen/Queoff. Motion carried.

Present: Acting Chairman Siepmann, Commissioners Griffin, Jensen, Morris, and Queoff, Planner Haroldson, and Deputy Clerk Claas

Absent: Chairman Klink and Commissioner Good

Also Present: Charles Radtke, Craig Caliendo, Mark Brue, Mike Kotlarek, Ted Polczynski and Adam Polczynski, Andrew Smith

Old Business – None

New Business:

Plan of Operation to Operate a Wholesale Liquidation and Pallet Sales Business – Hartland Liquidation – N67W33499 CTH K – Requested by Adam Polczynski – Tax Key MRTT0363-009-002 – Adam Polczynski said they basically have a wholesale business that they get returned items from stores like Target, Amazon, and Home Depot and right now they're just a pickup area, but they want to open up more to the public. They would get the items by semi-truck, then they'll break them down, and list the items online and have hours for pickup. Siepmann clarified that this was a retail operation mostly online and asked if they would fulfill those orders and send them out or is all strictly pickup. Adam said they would send out, but have pickup as well. Jensen clarified that they would have approximately 25 cars a day, but on busy days 100 cars. Adam said their hours of operation would be from 10 to 3 on Tuesdays, 3 to 6 on Thursdays, and 9 to 1 on Saturdays. Seven days a week was listed on the application, but Adam stated that's for in the future when they're busier. Adam said the entrance would be in the little side door where the loading docks were.

Haroldson said this is in B-3 Zoning which allows for selling, retailing, and wholesaling and stated everything Polczynski is proposing is allowed in the B-3 district. Haroldson asked for Polczynski to submit what the signs would look like and she also informed him that his property is in Waukesha County Shoreland Jurisdiction and he would need to submit a Plan of Operation to them. Haroldson also stated that either Adam or herself need to get in contact with the fire department and let them know the business is operating in that building.

A motion to approve the Plan of Operation and the Site Plan when they meet the requirements of Waukesha County was made by Morris/Griffin. Motion carried.

Certified Survey Map to Split Approximately 73.14 Acres – W316N8929 Hoff Road – into 2 Parcels – Requested by Andrew Smith on Behalf of Patrick and Ann Smith – Tax Key MRTT0303-999-001 – Andrew Smith said he's basically looking to plot off a 5-acre plot and build a house. Haroldson reminded the Plan Commission that they looked at this previously in October of 2021. The Plan Commission asked him to come back and have a survey done of the complete parcel.

Siepmann said there are technical details, impact fees, and Waukesha County review. Haroldson stated Waukesha County would review the entire parcel and the area identified as “included as Lot 1” should be labeled Outlot 1.

A motion to approve this CSM contingent upon Waukesha County was made by Morris/Jensen. Motion carried.

Certified Survey Map to Add a Small Strip of Land from an Adjacent Parcel to Allow for an Accessory Structure to Meet the Offsets – Requested by Charles Radtke – N67W30743 Golf Circle – Tax Keys MRTT0375-013 & MRTT0375-998 – Radtke stated he would like to build a detached garage. He has a small shed right now and he would like to have a little more space to park some cars inside. He doesn’t have much storage in his basement and he wants to have the garage and have extra storage above it.

Haroldson said the strip is attached to the parcel CSM 5299 and for some reason that strip has always been there. His neighbor is going to make arrangements to transfer this strip to him. The strip is 6’11” by 397’.

Radtke said the neighbors didn’t know if there was an easement there or buried power lines. He checked with We Energies and Digger’s hotline and there’s no power there and no Time Warner cable lines there. This strip will give him six more feet of garage so he can drive in a little straighter instead of driving around the back of the house. It will be a two-car detached garage in approximately the same location as the shed.

A motion to approve the request of Charles Radtke for the CSM when everything is finalized as recommended was made by Jensen/Morris. Motion carried.

Certified Survey to Redivide 2 Existing Parcels into Two More Uniform Rectangular Lots – Beaver Lake – N57W30678 & N57W30688 County Hwy K – Requested by Craig Caliendo on Behalf of Sam J Scaffidi 2002 Rev Trust – Tax Keys MRTT0395-979-001 & MRTT0395-979 – Caliendo said there are two existing oddly shaped lots with improvements. There is an existing older single-family home about 36’ from the lake in poor condition with a residence on top of the boathouse as well as a detached garage. He would like to re-divide these lots into two 100’ wide lots. The single-family home, the residence above the boathouse and the detached garage will be removed. The boathouse will remain and they plan to build two single-family homes. Caliendo said the boathouse structure is a poured concrete boathouse and they’re going to keep that and put a roof on top with a deck. The boathouse is built into the side of a hill. When a new house is constructed on that lot, they will be able to walk out of the back of the house at grade and walk to the top level of the boathouse. There’s a 25’ private easement off of Highway K that serves these two lots and four other properties.

Haroldson informed the commissioners that the dashed line around lot 1 and lot 2 were for the building envelopes on the lots and not the footprints of the houses. Caliendo stated the footprints of the houses will be much smaller than the building envelopes.

Haroldson stated that logic for Waukesha County agreeing to this straightening of the lines is that even though the lots flipped in area, the areas turned out to be the same. The areas are about the same to the ordinary highwater mark.

Caliendo indicated the CSM was submitted to Waukesha County and they were given preliminary approval, but comments so far are just technical issues. Haroldson stated the acreage is not correct, but the square footage is.

A motion to approve the realigning of the two lots with any changes from Waukesha County and the Town if there are any deficiencies in the CSM was made by Morris/Griffin. Motion carried.

Request to Construct a Retaining Wall within 5 ft or less from a Property Line at N82W28229 Marshall Drive – Requested by Mark Brue – Tax Key MRtt0336-008 – Brue said the house was built in the late 1940's basically 5' off the lot line and it was excavated into the hill. Over the years the neighbor has tried many different things to keep it from coming down; fieldstone, landscape timbers; and they all eventually failed. When Brue inherited the house about four years ago, the previous owner had used anything he could find to hold the hill up. Brue cleaned it up and will need a retaining wall to keep it from falling into the house. He will keep about 3 1/2 feet between the house and the wall so he can walk through there. Brue said he has very little choice in where the wall can go. He would like to make the retaining wall taller than 4', but then he needs engineered stamped drawings. Once he can find a landscape contractor that will work with him, maybe the contractor will have some way of getting the higher wall engineered. He would come back to the Plan Commission once things progressed a little further. Brue said he could terrace the wall on the north side of the house. Haroldson said he should get that worked out with Waukesha County. Brue said the adjacent home is 40' higher and 200' away and that's where he lives. Brue is going to keep the retaining wall all on one property.

A motion to approve Mark Brue's request to construct a retaining wall less than five from the property line at N82W28229 Marshall Drive, Hartland, WI subject to Waukesha County Parks & Land Use was made by Queoff/Morris. Motion carried.

Planner Update: Haroldson stated Town Staff had a meeting with the parks to hear what their issues and concerns are. Monches Park is working with the Town and Waukesha County with their plans for the additional ball field. Stone Bank is still looking at ways to improve their park. All of the parks are struggling with maintenance issues. The Town has to take a look at the leases and what the parks agreed to do. The lease for Stone Bank needs to be renewed this year. Stone Bank did get approval for a matching grant to complete some of the projects on their list, but they haven't started them or have done them to the Town's knowledge. Haroldson indicated the Town is not making progress with the North Lake Park. There was discussion on the maintenance of the trails at the Oconomowoc River Conservancy Park and a possible structure for a lawn mower. Morris stated they must be working on the Mason Creek Meander Project because he hears them.

Waukesha County Supervisor Update: No report. Waukesha County is working on the budget. There was discussion about the dredging project for North Lake.

A motion to adjourn was made by Morris/Griffin. Motion carried. Meeting adjourned at 6:16 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk