

Town of Merton
Plan Commission Meeting
Minutes of May 21st, 2025

- Meeting Called to Order by Acting Chairman Siepmann at 5:36 p.m.
- Pledge of Allegiance led by Acting Chairman Siepmann.
- Minutes of May 7th, 2025, Joint Public Hearing, Town Public Hearing and the Plan Commission Meeting. A motion to approve the minutes as written was made by Commissioners Good/Queoff. Motion carried.

Present: Acting Chairman Siepmann, Commissioners Griffin, Olson, Queoff, and Good, Attorney Van Kleunen, Planner Haroldson, and Deputy Clerk Claas

Absent: Chairman Klink

Also Present: Daniel Ayala, Dan Roberts, Keven Jubeck, Hayley Ruklic, Rich Winkelman, Anthony & Kristen Ludtke, Tom Blanton, and Kelsey Kasten

Old Business:

Request for a Conditional Use Permit – Prepared by the Town Attorney – for the Construction of an In-Law Unit Addition to Their Principal Structure – N68W31050 Club Circle E – Requested by JJB Home Improvements – on Behalf of Sheway Chen and Dan Guiser – Tax Key MRTT0374-007 – Acting Chairman Siepmann stated for the record that there was a public hearing held on May 7th, 2025 with no public comments and limited recommendations from the Plan Commission. The request for the construction of an in-law unit to the principal structure met all of the conditions for a Conditional Use Permit per 17.19(26). However, there will be a deed restriction limiting the occupancy of the persons in the unit.

Attorney Van Kleunen drafted and reviewed the conditional use permit stating they can't exceed 800 square feet for the maximum living area, they have to provide adequate parking, they need to submit and obtain approval of a preliminary site evaluation regarding the septic system, the architecture needs to be consistent with the surrounding neighborhood upon completion of the improvements, they have to meet all offset and setback requirements for the R-1 Zoning District, the in-law unit can only be occupied by persons of blood or marriage relation to the permittee, and the permittee needs to utilize this residence as her primary residence. If the property is sold, they do need to obtain approval from Waukesha County Zoning Department to confirm that the site will continue to be used with the purpose of an in-law unit. Exhibit A will be the site plan.

A motion to approve this conditional use permit for the in-law suite on Club Circle East in Hartland as written by the Town Attorney with the exhibit recorded with it was made by Commissioners Good/Olson. Motion carried.

New Business:

Request for a Conditional Use Permit – For the Construction of an In-Law Unit Addition to the Principal Structure – N55W33169 Terrace Drive – Requested by Big Fish Contracting – on Behalf of Kristen and Anthony Ludtke – Tax Key MRTT0409-026 – Planner Haroldson stated it complies with the offsets, the setback, and the floor area ratio for this lot. The floor area ratio is 15% of the lot size so they're allowed to have 3,959 square feet. The total with the existing house, the attached garage, the in-law unit and the new garage is under the allowable floor are ratio. They will have the same restrictions as the previous conditional use permit.

A motion to recommend to the attorney to draft the conditional use permit and bring back the document to the next meeting was made by Commissioners Olson/Queoff. Motion carried.

Request for an Exception to the Height Regulations as an Exception per 17.21(2)(e) – Subject to the Approval of the Plan Commission – Requested by Keven Jubeck – N86W28525 Scott Lane – Tax Key MRTT0334-009 – Planner Haroldson stated the building meets the offset, the height to the peak is 23', and it meets all the requirements to build an accessory structure. The offset from the road is 172'.

A motion to approve accessory building at N86W28525 Scott Lane, Hartland, WI with increased height subject to the petitioner submitting building plans to the Inspector for approval and receiving a building permit was made by Commissioners Queoff/Good. Motion carried.

Certified Survey Map to Re-Configure 2 Existing Parcels into 2 Lots that will be 1.27 acres and 3.56 acres on Dorn Road – Requested by Hayley Ruklic – Tax Keys MRTT0392-974 and MRTT0392-975 – Planner Haroldson said the existing parcels are 2.5 acres each and Ruklic is reconfiguring them to have one at 3.56 acres and the other one at 1.2 acres. One of the lots has a house on it. Planner Haroldson stated there's a couple of things to be corrected or added:

- If there's an outstanding mortgage on the properties, a Signature Certificate needs to be on the CSM
- There appears to be a fence at the south end of the property line or on lot 2
- The owner has not provided septic information or testing results to the Town
- Names need to be changed on the signature page
- All signature dates need to be changed to 2025
- Topographical lines need to be added
- Owner of Lot 2 should verify the location of access drive on Dorn Road with the DPW
- The surveyor's seal, signature and date must appear on all sheets of the final Certified Survey Map. The same revision date must be noted on all sheets as well

Commissioner Good questioned the frontage on the road. Planner Haroldson stated the amount of frontage on the road is fine. It needs to be 150' and it's 160'. Each will have access to Dorn Road. Plan Commissioners asked if no further divisions should be a note on the certified survey map.

Planner Haroldson stated Ruklic said the borings were done, but the report is not done and asked if there should be something in there. Acting Chairman said this was a lot of record before this, so technically they could update that report. Planner Haroldson stated there is no report; the report was never done. Attorney Van Kleunen stated he thinks the Plan Commission can approve this as presented. If they propose to construct a house they would have to submit it then. Planner Haroldson questioned if they were okay with that, because typically they have to have the borings on the survey. Attorney Van Kleunen said they haven't been performed at this point. They could just be surveying this for the sake of surveying it. Commissioner Griffin stated the borings are in the front half, close to the other one, and if they build way in the back; they will probably have to redo them. Planner Haroldson questioned if the Commissioners wanted to make the approval contingent on any wording. In the past, the Town allowed the reconfiguration, but there's some wording on there that the Town's not guaranteeing it's a buildable lot until the septic borings are done. Acting Chairman Siepman said they're not going to build anything on it regardless until they get this done so the County's going to be the gateway to the building permit. They would need a sanitary permit to build on it. Commissioner Griffin stated if it didn't pass they would need a mound. Attorney Van Kleunen said we're assuming they are going to build. They could just be sub-dividing the land and leave it vacant. Attorney Van Kleunen said he would not be opposed to a condition that they obtain all necessary permits prior to any construction. Planner Haroldson said there is extraterritorial with the Village of Hartland.

A motion to recommend to the Town Board to approve this division contingent on the fact that it can't be divided again and the fact that all necessary permits need to be obtained before any building construction and subject to staff recommendations and CSM corrections was made by Commissioners Good/Olson. Motion carried.

Plan of Operation and Site Plan with a New Proposed Addition – 8,770 SF – to Expand the Capacity for Light Manufacturing and Assembly - N77W30924 Hartman Court – Zoned M-1, Industrial District – Requested by Daniel Ayla, Oliver Construction – on Behalf of Tom Blanton – TNT Rescue Systems – Tax Key MRTT0346-004 – Blanton said they ran out of room and they still have stuff in Ashippun. This will put everything under one roof. The addition will be on the northwest corner. Commissioner Griffin clarified that they basically will be removing parking lot to put the addition. Acting Chairman Siepman questioned if they would have enough parking per the zoning code. Planner Haroldson stated she counted 25 spaces. They worked with the fire department to make sure they have a fire truck turnaround. Planner Haroldson questioned if they would have any outside storage. Blanton said not after this.

A motion was made to approve the 9,195 square foot addition to the existing building at N77W30924 Hartman Court, Hartland, WI, TNT Rescue Systems, also approving the Plan of Operation and Site Plan contingent upon an Occupancy Inspection by the Building Inspector and a Fire Inspection by the Fire Department to ensure compliance with codes was made by Commissioners Queoff/Griffin. Motion carried.

Planner Report – Marilyn Haroldson – stated she is working on the definitions. Acting Chairman Siepman questioned if the Town will eventually amend the Town ordinance on in-law units to align with Waukesha County. Planner Haroldson replied that she thinks it's a good idea, but she's working on definitions and a lot of things that need to be changed. Planner Haroldson said that Waukesha County is looking at accessory dwellings. They're looking at the possibility of doing this in a garage that is not attached.

DPW Report – Paul Griffin – had no report.

A motion to adjourn was made by Commissioners Griffin/Good. Motion carried.
Meeting adjourned at 6:06 p.m.

Respectfully submitted,

Holly R Claas,
Deputy Clerk