

Town of Merton  
Plan Commission Meeting  
Minutes of June 4<sup>th</sup>, 2025

- Meeting Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of May 21st, 2025, Public Hearing and Plan Commission Meeting. A motion to approve the minutes as written was made by Commissioners Olson/Siepmann. Motion carried.

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

Absent: Commissioner Griffin

Also Present: Lou Ann Roble, Kelsey Kasten, Ton & Kristen Ludtke, John C Ernst, and Daneen Meissner

Old Business:

Request for a Conditional Use Permit for the Construction of an In-Law Unit Addition to the Principal Structure at N55W33169 Terrace Drive – Requested by Kelsey Kasten, Big Fish Contracting – on Behalf of Kristen and Anthony Ludtke – Tax Key MRTT0409-026 – Planner Haroldson stated that a public hearing was held on May 21, 2025 with public comments summarized and read into the public hearing and limited recommendations from the Plan Commission. The request for the construction of an in-law unit addition 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 reviewed the conditional use permit stating the addition is limited to a maximum living area of 800 square feet and no more than two bedrooms, the applicant is to have adequate parking for the occupants of the in-law unit, they need to obtain approval of a site evaluation from Waukesha County in regard to their septic system, the addition needs to have similar architecture to what is consistent to the neighborhood and the existing principal structure on the site, they need to comply with all offset and setback requirements, the individuals to occupy the in-law suite have to be blood or marriage relation, and the owner of the property needs to utilize the single-family residence as a primary residence. Attorney Van Kleunen said in section 2 there was an omission of an additional sentence. Right now the conditional use permit reads that it will be issued and continue for one year and will technically expire after that one-year period. It will allow the Town to review it and make any necessary amends to the conditional use permit it deems necessary. The additional sentence would say if there are no changes, the Town will seek no further review, and it will just continue on and review in the future if need be.

A motion to recommend to the Town Board approval of the conditional use permit for the construction of an in-law unit addition to the principal structure as drafted by the Town Attorney for Kristen and Anthony Ludtke at N55W33169 Terrace Drive, Nashotah subject to Section 2 staff changes was made by Commissioners Siepmann/Olson. Motion carried.

New Business:

Certified Survey Map to Divide a 25-acre Parcel into 2 Parcels – a 6-acre Parcel and the 19.07 Acres that will Remain with the Owner – Requested by J Carl Ernst Trust – Tax Key MRTT0326-998-005 – Planner Haroldson said the owner has provided septic information and the location of the borings with a cross reference data must be shown on the survey. The road width is in question from a letter from Waukesha County, but five years ago when the Commission approved the certified survey for Mr. Ernst the Town already took 33', so the Town should stick with the 66', not 50'. All signature dates need to be changed to 2025. The location map on

sheet 1 needs to show the Oconomowoc and the Little Oconomowoc Rivers. The topographical lines need to be added to the survey. The owner of Lot 2 should verify the location of access drive on to Laskin Road with the Department of Public Works. The surveyor's seal, signature and date must appear on all sheets of the final certified survey map. The conditions of the letter from Waukesha County dated May 28, 2025, must be met. Planner Haroldson said it does meet the proper street frontage.

Chairman Klink asked if the remaining acreage if there would be any proposal in the future to divide or no further divisions. Planner Haroldson responded that they would have to have a road back there and there is some floodplain and shoreland protection back there. Ernst said he has no plans. Commissioner Good said that if he were to divide it, the frontage wouldn't be adequate for two driveways. Planner Haroldson questioned whether the Town wanted to put building envelopes somewhere on Lot 1. Lot 2 doesn't need one because there's no environmental corridor.

Planner Haroldson asked Ernst how many buildings he has on Lot 1. Ernst responded three - the house and two outbuildings. Commissioner Siepmann said he has two garages and a carport. Ernst said it's 4' x 4' set on concrete posts, not enclosed, with just a roof on the posts.

A motion to approve his request for creating a certified survey into two parcels subject to corrections and conditions that need to be met was made by Commissioners Olson/Good. Motion carried.

Update for Conditional Use Permit for the Bed & Breakfast – Owned by Daneen Meissner – as Requested by the Town Planner – Tax Key MRTT0367-985 – Meissner said there are some concerns. She only has one neighbor and he pretty much on a weekly basis is complaining at her including in front of her guests, so she said she needs to understand what is permitted and what is not. He is stating that she is running a yoga studio out of her home, and she is not. She offers yoga as well as about 20 other options people can take part in. The neighbor has two dogs, and his dogs are policing her driveway. She has four bedrooms and five cars. She agrees that her business is impacting them, and that is why he is harassing her. He's also complaining that people park on the road. When coming into her driveway, there are no signs that say no parking. On the west side of the street is where her additional help is parking because her guests are in the driveway. There is no sign on the side of the road that the help is parking on. Planner Haroldson questioned if she uses her parcel on the east side of the street. Meissner said she parks her personal vehicle there. Meissner said she's averaging three guests per weekend year-round. Meissner said she appreciates that she's affecting their lives, but she doesn't know how she can control their dogs from policing her driveway. Meissner said their dogs are barking constantly, but they don't come on her property.

Planner Haroldson questioned how often she has yoga when her guests are there. Meissner responded that she offers it two times a day and is limited only to her guests. She has a yoga studio in a corporate training space located on Highway K and 164 where she does large events on Tuesdays and Thursdays. Her interpretation of the conditional use permit is four rooms, eight guests, five cars in the driveway overnight, no longer than 21 days for a single rental, and no boats and trailers, and that's what she's living by. She said she doesn't know why the neighbor thinks she's running a yoga studio, she's not.

Commissioner Siepmann asked if there have been any complaints to the Town. Planner Haroldson responded yes, her neighbor that she's referring to, Mr. Roble. Meissner said she apologizes to him, but it's very uncomfortable. She believes she's doing what is correct. Planner Haroldson said one of the complaints was because she was having a yoga class on her deck from the neighbor she's referring to.

Planner Haroldson stated that basically her plan of operation hasn't changed and everything she said she was going to do, she's doing. Meissner said that on a lot of weekends she's bringing in guests from other states, so a lot of the time she doesn't even have cars in her driveway when she has guests at her bed & breakfast.

Chairman Klink said just reading the conditional use, he can't see anything where she's overstepping her bounds. He can't do anything about the neighbors. Attorney Van Kleunen stated the Town doesn't get involved in private property disputes, so as the Chairman mentioned earlier, the Plan Commission is here to evaluate to make sure what she's doing is still consistent with the existing conditional use permit and there's not necessarily anything that has to be updated. It's unfortunate that she's having to deal with some of these things, but the Town can't take any affirmative action with regard to her neighbor to stop the dog situation or if they want to make complaints in the future, the Town just doesn't have that ability.

Meissner said she is confused on if it's no parking on the west side from the corner all the way down. She does have repeated customers come in who may choose to park on that side of the road. Meissner questioned who she should go to, to find out. Chairman Klink stated she would need to talk with Paul Griffin at the highway department. Planner Haroldson wanted to make a point of clarification and stated that her guests should not be parking on any public right of way, so her guests all need to park in her driveway. Meissner said she understands that.

No action was taken.

Planner Report Marilyn Haroldson – stated they are getting real close to getting an easement with the Woodfield subdivision for the drainage. They did receive a signed easement from Arrowhead today, and she just has to get a legal attachment. DPW Director Griffin will be meeting with Stone Bank next week because they're having an issue.

Planner Haroldson and DPW Director Griffin met with the soccer club on May 5<sup>th</sup>, and they are not active now and not so much in the spring. There will be no soccer specifically from June 15<sup>th</sup> until July. August 1<sup>st</sup> will begin their busy season on this field. Regarding the maintenance, they will mow weekly or two times a week, if needed. They will not spray for the weeds due to the allergies of the children. If the parents found out there was any spraying, they would not let their kids play. They said they do not spray any of their fields, and DPW Director Griffin called around and verified that they do not spray in Oconomowoc either. A volunteer group works in the shack in lieu of payment.

Planner Haroldson stated the bike guy is selling again and she saw him negotiating on Saturday and Sunday. Chairman Klink said to send a letter to the Town's prosecuting attorney.

DPW Director asked Planner Haroldson to report out that the road projects are moving along just fine.

DPW Report – Paul Griffin – Not available.

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

Respectfully submitted,

Holly R Claas,  
Deputy Clerk