

Town of Merton
Plan Commission Meeting
Minutes of June 5, 2019

- Meeting Called to Order by Chairman Klink at 6:47 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of May 15, 2019 Plan Commission Meeting. A motion to approve the minutes as printed was made by Morris/Fleming. Motion carried.

Present: Chairman Klink, Commissioners Jensen, Griffin, Fleming, Morris, Siepmann, & Good, Attorney Chapman, Planner Haroldson, Waukesha County Senior Land Use Specialist, Ben Greenberg, and Deputy Clerk Claas

Also Present: Sarah Resch, Chris Schmidt, Candace Dingmann, Jim Stefl, Mark Augustine of Land Mark Engineering, Tony Zanon of Pinnacle Engineering Group, Peter Drescher, Joyce Anderson, Glenn Schmidt, Kristie Miller and others.

Old Business: None

New Business:

Conditional Use Request by Peter & Karin Drescher – To Conduct Land Altering Activities to Improve Site Drainage on Property at N62W30475 Beaumont Lane – MRTT0393-998 – Klink stated the board would have a hard time approving anything that could adversely affect the neighbors. Siepmann said drainage from the house to the lake clearly affects the neighbors to the west with everything cascading down to the Drescher property. Greenberg stated he spoke with Dale Shaver at Waukesha County regarding the two engineers with different conclusions. An option is to have the Waukesha County staff engineer with the Land Resources Division review and certify that no adverse drainage would be created. Fleming stated he likes the suggestion. Griffin agreed because looking at the elevations and if a foot of fill is added to this property, Drescher's property is going to be higher than his neighbor's property. It drains to the lake, but it also drains to the west.

A motion to recommend approval contingent upon Waukesha County Staff Engineer working with the two engineers to avoid any concern of adverse drainage and that it meets with County standards for preservation of topography was made by Fleming/Jensen. Motion carried

Conditional Use Request by Dan Willems – On Behalf of Boys Busy Life Club & Milwaukee Boys Club – To Conduct Land Altering Activities to Improve an Existing Lake Access Road on the Property at W294N8436 Camp Whitcomb Road – MRTT0329-996 – Morris questioned if he could vote on this conditional use permit since he is an appointed commissioner. Chapman stated he can vote.

A motion to approve the conditional use request was made by Fleming/Siepmann. Motion carried.

Conditional Use Request by Candace Dingmann – To Conduct Land Altering Activities in Conjunction with the Construction of a New Single-Family Residence with Attached Garage, Retaining Walls and Other Improvements on the Property – W332N6297 CTH C – MRTT0405-960-002 – Siepmann stated that this is a challenging site and the Town needs facts and accurate data, and the Town can't just approve the

nebulous number of wall heights. Siepmann recommends that they shoot the grades. Greenberg questioned if this is the appropriate house for the lot. Klink stated until the Town gets detailed plans, it can't approve. There's a lot of confusion. A foot is a foot and it makes a huge difference on how it's constructed and how it is put up. Klink stated they need to upgrade the plans and bring it back.

Chapman told the petitioners to cooperate with Waukesha County as much as they can. There out to be consistency between them and Waukesha County. This is not represented correctly.

A motion to postpone to a future meeting when the Town has all the information was made by Morris/Siepmann. Motion carried.

Request by Candace Dingmann – To Construct a Retaining Wall Less Than Five (5) Ft from a Property Line at the Property at W332N6297 CTH C – MRTT0405-960-002 – A motion to postpone action on this agenda item until the information is provided to the County and to the Town was made by Siepmann/Griffin. Motion carried.

Certified Survey Map – CSM – To Re-Configure 2 Lots – Created by Court Order – Located on Pleasant View – as Requested by Joyce Anderson & Glenn Schmidt – MRTT0405-960 & MRTT0405-960-001 – In February of 2019 the CSM showed the new configuration but not the required 33 ft from the other family members. The CSM now shows the 33ft. Haroldson stated this CSM is created by court order, there are no new lots, and the lots are just be reconfigured.

A motion to approve was made by Fleming/Good. Motion carried.

Certified Survey Map – To Divide 10.76 Acres into Two Lots – as Requested by Rob Miller – on Behalf of Dan Buehrle – N83W31141 Kilbourne Road – MRTT0324-994 – Miller distributed a current CSM to the Plan Commissioners. There is a pre-approved building envelope and disturbance area and a note that states lots shall not be further divided. The shed on the CSM can remain if a financial assurance is submitted to Waukesha County guaranteeing it will be removed. The pond and most of the river is in Lot 1 and each lot will have a driveway. Waukesha County will sign the CSM when they receive the preliminary site evaluation from the Environmental Health Division.

A motion to approve was made by Fleming/Jensen. Motion carried.

Request to Construct a Storage Building to Store Equipment and Materials – as Requested by Lars Nielsen – on Behalf of GD Holding LLC, for the Business and Property Located at N76W30500 CTH Vv – MRTT0346-993 – The site plan shows that the main building is a residence and it shows the proposed storage building as being 1 foot from the property line. In the B-3 District, the building needs to be at least 10 ft from the property line. Haroldson stated the petitioner needs to demonstrate that he does not exceed the floor area ratio of 50%. Nielsen plans to store equipment and material in the proposed building. Fleming stated the metal containers need to go.

A motion to postpone action was made by Good/Siepmann. Motion carried.

Haroldson will write a letter to the petitioner.

Updated Amendment to the Fence Ordinance as Prepared by Atty Chapman – 14.02 Fences – Jensen questioned and discussed the 3' offset.

A motion to approve the fence ordinance as proposed was made by Siepmann/Morris. Motion carried. Jensen abstained.

Planner Update – CUP Handout for Review and Discussion at the Next Plan Commission Meeting. Haroldson asked the Plan Commissioners to review the handout for discussion at the next Plan Commission Meeting.

A motion to adjourn was made by Fleming/Griffin. Motion carried. Meeting adjourned at 7:36 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk