

**TOWN OF GENESEE PLAN COMMISSION MINUTES  
MARCH 22, 2010**

**Present:** Engelking, Girman, Houston, Schmittinger

**Absent:** Lightfoot, Turzynski

**Also Present:** Leair, Herrmann, Friedlein

Meeting called to order at 7:00 P.M. by Mrs. Leair.

**Discussion/Action-Site Plan and Plan of Operation, Herr Corporation, S15 W33670 Wolf Road, Oconomowoc, WI 53066 to allow crushing on the property.**

Mr. Herrmann talked to Mr. Herr and because of an emergency situation, he was unable to come to the meeting this evening. He did review Mr. Herrmann's report and had a couple of questions. He asked if the crushing hours could be from 8:00 AM to 5:00 PM rather than 10:00 AM to 4:00 PM. By the time they get out there and get everything greased up it takes an hour. He also asked if the crushing could be 15 days per calendar year. He also requested crushing to be allowed 15 days per calendar year, because they don't always do it once a month. (Someone Mr. Herr hires comes in and does the crushing.) He did also say that because the economy is down he is down to twelve (12) employees, but he will not change the number on the Plan of Operation right now, because he may need that amount again in the future when the economy improves. He normally employs 15-60 full/part time employees, leave as is.

The question was asked what was the purpose to limit the number of times per month or per year. Mr. Herrmann said the main concern was that the neighbors didn't have to listen to the crushing every day. It is a very noisy operation. (This is in M-2 Industrial area.) In that area there is Wolf, Ace Redi-Mix Plant, Mr. DeCicco, etc. Mr. Herrmann said Mr. Herr is using the other two lots that were created for storage of material. Mr. Herr said he has been doing that since he created those lots several years ago.

Mr. Herrmann's Report and Recommendation dated March 15, 2010:

**TOWN OF GENESEE PLAN COMMISSION  
PLANNER'S REPORT & RECOMMENDATION  
SITE PLAN/PLAN OF OPERATION**

**NAME:** Herr Corporations

**DATE:** March 15, 2010

**TAX KEY NO.:** GNT 1462.998.017  
GNT 1462.998.018  
GNT 1462.998.019  
GNT 1462.998.021

**PETITIONER/OWNER:** Richard Herr

S15 W33670 Wolf Road  
Oconomowoc, WI 53066

**LOCATION OF PROPERTY:** Unit 2 Corporate Condominiums LTD Plat 2<sup>nd</sup> Amendment Addendum II and Lots 2, 3 & 4 of Certified Survey Map No. 9443, being a part of the NW ¼ of Section 6, in the Town of Genesee, Waukesha County, Wisconsin. More specifically, the property is located at S15 W33670 Wolf Road.

**ZONING CLASSIFICATION:** M-2 General Industrial District.

**PROPOSED REQUEST:**

The subject property consists of four (4) lots, containing approximately 19.50 acres of land. The owner of the property is proposing to legalize crushing activities that have taken place on the property for over 50 years (according to the owner). Over the past 20 years, Herr has hired private contractors to come in and crush excess material stockpiled on the property. The crushing activities are occasional and intermittent depending on what materials are stockpiled. The materials being crushed vary in nature dependent on the excess material that needs to be hauled from the jobs. It includes top soil, asphalt, concrete and some crushable subsoil. According to the petitioner, Herr Corporation has subcontracted with crushing companies from time to time to recycle the stored materials. The crushing occurs on average only once a month during normal business hours (8:00 a.m. to 5:00 p.m.).

The petitioner is also proposing to legalize the storage of woodchips, concrete chunks, topsoil, asphalt, and other fill materials on Lots 3 and 4. This operation may be considered a Contractors Yard and require a conditional use permit. The Town and County will need to make a determination if the proposed operation constitutes a need for a Conditional Use Permit.

The petitioner has indicated that the hours of operation will be Monday through Sunday from 6:00 a.m. to 10:00 p.m. The business will employ 15 – 60 full-time/part-time employees. It is important to note that not all employees actually work on-site. Many employees go directly to the work site.

**PLANNER’S RECOMMENDATIONS:**

Based on the information provided, the Town Planner recommends **approval** of this request subject to the following conditions:

1. Documentation shall be submitted to the Town Planner that Waukesha County Park and Planning Commission has approved the Site Plan and Plan of Operation. Any and all conditions established by Waukesha County shall be adhered to.
2. All previously imposed conditions by the Town of Genesee and Waukesha County regarding the Herr Corporations shall be adhered to, unless specifically modified herein.
3. The Town Plan Commission and/or Waukesha County Planning and Zoning Division Staff will need to make a determination if the proposed use constitutes a Contractor’s Yard and requires a Conditional Use Permit.
4. Any new lighting proposed shall include a detailed lighting plan, including cut sheets, showing location and number of lights. Said Plan shall be submitted to the Town Planner for review and approval. All outside lighting shall be screened so as to avoid shining upon the neighboring properties or Wolf Road. If a problem arises regarding the lighting on the site, the Town Plan Commission shall review the issue and render a decision.

5. All crushing activities shall occur between 10:00 a.m. and 4:00 p.m. on Monday through Friday. Absolutely no crushing of materials on Saturdays, Sundays or legal holidays. Crushing activities shall not occur more than once a month. Any proposed changes to the hours of crushing shall be reviewed and approved by the Town Plan Commission. Crushing shall be limited to no more than once a month.
6. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
7. The Town reserves the right to review any condition imposed as part of this Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and insure it does not become detrimental to the surrounding area without the necessity of having a public hearing. Any major change, as determined by the Town Plan Commission and Waukesha County may require a modification to the Conditional Use Permit following the Conditional Use procedure of the Waukesha County Zoning Ordinance.
8. Documentation shall be submitted to the Town Planner that all required local, county, state and federal licenses and permits have been obtained.
9. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time.
10. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
11. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
12. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully submitted,

Jeffrey Herrmann, AICP  
Town Administrator/Planner

Motion by Mr. Engelking to approve the amended Site Plan and Plan of Operation for Herr Corporations, S15 W33670 Wolf Road Oconomowoc, WI 53066 to allow crushing on the property subject to the Town Planner's Report and Recommendation dated March 15, 2010, with the change to #5 to change the hours for crushing from between the hours of 10:00 AM and 4.00 PM to 8:00 AM to 5:00 PM. Also crushing activities should not occur more than fifteen (15) days in any calendar year. Motion seconded by Mr. Houston. Motion carried unanimously.

**Discussion/Action-Revisit the signage at Reformation Lutheran Church, Hwy. D & E**

Mrs. Leair read the two letters complaining about the new double faced sign with the electronic message center on it:





The Plan Commission for the Town of Genesee approved the sign May 27, 2009. We knew what kind of sign it would be, that it would be some kind of scrolling/flash sign which changed periodically. The approval was conditioned upon the Town of Genesee Plan Commission reserving the right to review the lighting (on the sign) on a complaint basis if it becomes a nuisance. That is why this is here this evening to find out if you think it is a nuisance. Mr. Herrmann told the commissioners that if they haven't been out to see the sign, they may want to table this item and bring it back to the April 26, 2010 Plan Commission meeting for Discussion/Action, after you have had a chance to visit the site. They should look at it both during the day and at night prior to the next Plan Commission meeting, which is April 26, 2010. There should be controls on these signs where you can control the flashing, speed, intensity of the light, etc. The sign is on all night, do we feel it is distracting to traffic?

Mr. Metrusias said he has lived here for fourteen (14) years and they moved here because it is rural. He felt the electronic message sign was not appropriate for this area. He said this is not Las Vegas.

Mr. Dan Hyland, President of Reformation Evangelical Lutheran Church said that the sign does not flash. The message changes every seven (7) to ten (10) seconds. The sign welcomes new members, has time of service, phone number, Pastors name, etc. He said the light is regulated by day and night. It is brighter during the day. He said they can't adjust it.

Motion by Mr. Houston to table this item to the April 26, 2010 Plan Commission meeting, allowing the Plan Commissioners an opportunity to visit the site and see the sign at night and during the day. Motion seconded by Mr. Engelking. Motion carried unanimously.

### **Conceptual Land Division – Anne Meinhardt property, C.T.H. “E” – Jamie Beaty.**

Jamie Beaty from Hoiron Land Development Services was present representing Mrs. Meinhardt.

Mr. Herrmann explained that they are proposing three (3) lots and one (1) outlot. Lot 1 is 9.87 acres and has an existing home on it already; Lot 2 will be 3.41 acres and Lot 3 will be 26.02 acres. The Outlot 1 was a result of a previous land division. The width of the outlot is 33', (.29 acres) and may have been reserved for a future road improvement. MR. Herrmann said Journeys Way has been developed and there is no reason to run a public road there. Mr. Herrmann said he would talk to Mr. Beaty regarding if the outlot should be tied to the existing lot. There were two plans submitted, for future layouts for Lot 3. One plan shows both Esser Drives ending in a cul-de-sac and the other layout provides a future road connecting the Esser Drives. The Planner requests the petitioner provide a temporary cul-de-sac to the north property line connecting the two Esser Drives. The three (3) parcels that he is proposing do comply with our 2035 Comprehensive Plan.

The petitioner did provide soil tests and the soils are well drained with no limitation, therefore, the new lots can accommodate conventional septic systems. Access to the parcel, because it is a County Highway, will have to be approved by Waukesha County Department of Public Works. The two Esser Drives, we need to determine sometime in the future whether those are going to be connected or created as cul-de-sacs. Mr. Herrmann said he would prefer the future connection, but he said we will have to wait and see what happens. The petitioner did show two types of development, one with cul-de-sacs and one with connection. On lots 1 and 2 you may want to put a restriction on them that they

cannot be further divided in the future, because it would be very difficult dividing any one of those parcels given the topography and the zoning.

Mr. Beaty said he does not have any real concern. The 33' was left there for no reason other than to have contiguous access for the Meinhardt's, they kept that strip when they sold the parcel. The Meinhardt's intention is to sell the home with the 10 acres. Also we are creating a large marketable lot and a conforming lot, #2. He said the 26 acres is basically to be sold as a whole by them, potentially to a future developer. The Meinhardt's have no plans right now to develop the 26 acres. He said the soil bowings are done. The wetlands are pending, they've got locations but he doesn't have DNR or Army Corps concurrence yet. The .29 acres, the Burpee's will end up acquiring that, they are working on the logistics of that transfer. The Meinhardt's will be designating the additional right-of-way for County E out to a 50' right-of-way.

Mr. Herrmann's Memorandum dated 3-15-10:

# Memorandum

**To:** Town of Genesee Plan Commission  
**From:** Jeffrey C. Herrmann, Town Planner  
**Date:** 03/15/10  
**Re:** Meinhardt Land Division – Conceptual Land Division

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The purpose of this memo is to provide the Plan Commission with information regarding the conceptual land division for Anne Meinhardt, W1655 Bakertown Drive, Sullivan, Wisconsin. The property is located in part of the SE ¼ and SW ¼ of the NE ¼ of Section 17, in the Town of Genesee. The parcel is currently zoned A-2 Rural Home District requiring a minimum lot size of three (3) acres. The property is located on the east side of C.T.H. E with frontage on both Esser Drives (east and south). The property contains approximately 777.21 feet of frontage on C.T.H. E and 66 feet of frontage on Esser Drive. The petitioner is seeking conceptual review of a proposed land division, which would result in the creation of three (3) lots and one (1) outlot. The property consists of approximately 39.30 acres and contains a single family residential structure. Lot 1 will be 9.87 acres in size and contains an existing single-family residence. Lot 2 will be 3.41 acres in size and is currently vacant. Lot 3 will be 26.02 acres in size and is also currently vacant. Outlot 1 appears to be the result of previous land division whereby a lot line did not extend to the property line. Since the width of the Outlot is 33 feet, it may have been reserved for a future road improvement. The petitioner has provided two (2) future layouts for Lot 3. The first layout (Concept A) shows both Esser Drives ending in cul-de-sacs and the other layout (Concept B) provides a future road connecting the Esser Drives. Since access to an adjacent parcel to the north is extremely limited, the Town Planner would request the petitioner provide a temporary cul-de-sac to the north property line while connecting the two (2) Esser Drives.

The petitioner is presenting this conceptual plan to the Town Plan Commission to get any comments, concerns or suggestions, prior to making a formal submittal.

The following are comments to be considered when reviewing this conceptual land division:

- The Town of Genesee Comprehensive Land Use Plan 2035 identifies this property in the Suburban II Density Residential (3.0 to 4.9 acres of lot area per dwelling unit) with the northwestern portion of the property located in the Conservancy District. Therefore, the proposed development is consistent with existing zoning and complies with the intent of the Town of Genesee Comprehensive Land Use Plan 2035.
- The petitioners are not proposing to rezone the property.
- No soil tests are shown on the concept plan. According to the Waukesha County GIS website the soils (Casco Rodman, Fox Sandy Loam, Casco Sandy Loam & Fox Loam) are generally classified as well drained with no limitations for new residential structures. Therefore, it appears the new lots can accommodate on-site waste disposal systems. Soil borings will need to be completed for the proposed lots.
- The property contains wetlands and Environmental Corridor (PEC) in the northwestern portion of the property. These areas shall be identified in the field and delineated on the CSM. The petitioner should contact Waukesha County regarding the PEC and wetland restrictions that will need to be placed on the final CSM.
- No navigable streams or floodplain are located on the property.
- The topography is relatively flat, except for the four wetland kettles located in the northwestern portion of the property. It does not appear that any slopes in excess of 12 percent are present on this property.
- The entire property is located within the Waukesha County Shoreland and Floodland Protection Ordinance. The petitioners should contact Waukesha County regarding any issues or concerns they may have on the proposed CSM.
- Based on the concept plan submitted all three (3) lots appear to contain buildable areas large enough to accommodate normal residential development.
- Access to the proposed lots will need to be addressed. The existing residence on Lot 1 is located on a shared driveway with the adjacent neighbor. Lot 1 may continue to have a shared driveway with the adjacent neighbor provided a shared easement document is provided to the Town Planner and Town Attorney for review and approval. If Lot 1 is going to have a separate access onto C.T.H. E, Waukesha County Department of Public Works will need to approve said access. Lot 2 has 380 feet of frontage on C.T.H. E and Waukesha County Department of Public Works will need to approve any access to C.T.H. E. Lot 3 will have access via Esser Drive. It is important to note that the two (2) Esser Drives were planned to be connected at sometime in the future. A note shall be placed on the CSM indicating that if Lot 3 is ever further divided in the future; a public road shall be installed connecting the two (2) Esser Drives with a temporary cul-de-sac ending at the north property line.
- If a house is constructed on Lot 3, it will need to be reviewed and approved by the Town Planner. It is important to note that any residence constructed on Lot 3 will need to be in an area that will not have an adverse impact on a future road or future land division. A note shall be placed on the final CSM stating the above.
- The proposed outlot, which is .29 acres (12,475 sq. ft.), will need to be combined with the existing adjacent lot to the north. The outlot shall be transferred at the same time the CSM is recorded.

- The Town Plan Commission shall decide if they feel it is pertinent to have a future development plan of Lot 3.
- No new public roads are proposed at this time.
- Although no Storm Water Management Facilities are required at this time, the petitioner should contact Waukesha County Land Resources Division regarding any future storm water facilities and their location.
- The Town of Genesee Plan Commission may want to require a statement be placed on the plat indicating that no future land divisions of Lot 1 or Lot 2 shall take place.
- All proposed lots comply with the 2½ to 1 depth to width ratio.
- Any waivers or variances granted by the Town of Genesee and/or Waukesha County Shall be placed on the face of the final CSM.
- .. The proposed land division shall comply in all respects to the Town of Genesee Land Division and Development Ordinance.

Mr. Herrmann said he wanted to clarify one thing, Attorney Macy had an issue with, on the CSM it states, "Preliminary Pending Authorities Approval". Mr. Beaty has given us an e-mail stating that this is just for conceptual it is not a CSM submittal.

Mr. Engelking said be sure there is an adequate access for all three properties or at least a shared driveway on the property line. He said when there are shared easements in this day and age we want to make sure as neighbors change they don't get along and they don't want to share a driveway, what is your alternative? What would be lot 1, can they get access to Hwy. E without using the shared driveway and vice versa? I'm sure the County would allow that driveway to at least be shifted to the property line so that they can at least share a culvert where they come in. Make sure the County acknowledges that.

Mr. Beaty said the ideal spot to reroute the driveway would have been on the south property line where the 33' strip is, because where the driveway is now it is treacherous. He said he asked them about that and so far they haven't gone that way. He said that is a possibility that that could be an alternative drive. There are electrical lines running in along that south property line 33' out. There is a potential drive access there too.

**Discussion/Action-Site Plan and Plan of Operation-Genesee Properties, Little John Drive rental of storage units for personal storage – Michael and Deb Passino**

Mr. Herrmann said we are not changing anything on this property except the owner is only going to rent the units out for personal storage to different tenants. If the tenants move out, they may rent it out to a different tenant. They don't want to keep coming back and forth to the Plan Commission every time their tenants change. The only time they would have to come back to the Plan Commission is if someone were to rent it to run a business out of the unit (rental space). If they do rent it out for a business, that business would have to come back to the Plan Commission with a Site Plan and Plan of Operation.

Mr. Hermann's Report and Recommendation:

**TOWN OF GENESEE PLAN COMMISSION**  
**PLANNER'S REPORT & RECOMMENDATION**  
**SITE PLAN/PLAN OF OPERATION**

**PROJECT NAME:** Passino

**DATE:** March 15, 2010

**TAX KEY NO.:** GNT 1494.997.028

**PETITIONER/OWNER:** Genesee Properties LLC  
W297 S3317 Boettcher Road  
Waukesha, WI 53189

**LOCATION OF PROPERTY:** Lot 8, Certified Survey Map No. 9685, being a part of the NW ¼ of Section 14, T6N, R18E, Town of Genesee, Waukesha County, Wisconsin. More specifically, the property is located S34 W29942 Little John Drive.

**ZONING CLASSIFICATION:** M-1 Limited Industrial District

**PRESENT LAND USE:** 60' x 160' Multi-Tenant Building

**PROPOSED REQUEST:**

The property consists of approximately 1.51 acres and contains a 60' x 160' multi-tenant building. The building contains four (4) tenant units (spaces) and one (1) storage unit (space) for personal storage of the owner of the property. Each tenant space contains a solid service door on the east (rear) side of the building and a 14' x 14' overhead door on the west (front) side of the building.

The petitioner/owner has rented the tenant spaces to a couple of different tenants over the past few years for various uses. The petitioner is now proposing to rent all the tenant spaces for storage purposes only. No commercial activity will take place on the property at this time. The petitioner is seeking approval from the Town Plan Commission to change tenants without having to amend the existing Site Plan/Plan of Operation every time a new tenant occupies the space for personal storage. If a new use is proposed in the future, the petitioner would file a new Site Plan/Plan of Operation for said business.

The storage operations will not have any employees and the hours will vary depending on the tenant's demands. The proposed use requires one (1) parking space per tenant space. Currently, the site can accommodate twelve (12) parking stalls. Based on the current uses of the property, the site has adequate parking for the existing and proposed uses on the property. All garbage and waste will need to be disposed of properly. No signage is proposed at this time and no changes to the lighting, landscaping or the exterior of the building are being proposed at this time. The property is served by a private on-site waste disposal system and well.

**PLANNER’S RECOMMENDATIONS:**

The Town Planner recommends **approval** of this request subject to the following conditions:

1. Documentation shall be submitted to the Town Planner that Waukesha County Department of Parks and Land Use has approved the Site Plan and Plan of Operation. Any and all conditions established by Waukesha County shall be adhered to.
2. All previously imposed conditions on the site by the Town and/or Waukesha County shall remain in effect unless specifically amended herein.
3. Any changes to the lighting and/or landscaping shall be reviewed and approved by the Town Plan Commission prior to any changes taking place.
4. No outside storage shall be allowed unless specifically approved by the Town of Genesee Plan Commission.
5. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
6. Any use other than inside personal storage shall require the petitioner apply for a new Site Plan/Plan of Operation to be reviewed and approved by the Town of Genesee Plan Commission.
7. The Fire Chief shall inspect said premises to ensure that all fire codes are being complied with and that a Knox Box has been installed in conformance with the Town of Genesee Knox Box Ordinance. All compliance violations shall be corrected to the Fire Chiefs satisfaction, prior to the issuance of a Plan of Operation/Use Permit (if applicable).
8. The Town of Genesee Building Inspector shall inspect the entire building to determine compliance with all applicable building codes. All compliance violations shall be corrected to the Building Inspector’s satisfaction, prior to the issuance of a Plan of Operation/Use Permit (if applicable).
9. The Town reserves the right to review any condition imposed as part of this Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and insure it does not become detrimental to the surrounding area.
10. Documentation shall be submitted to the Town Planner that all required local, county, state and federal licenses and permits have been obtained.
11. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.

12. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
13. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
14. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully submitted,

Jeffrey Herrmann, AICP  
Town Administrator/Planner

Motion by Mr. Engelking to approve the Site Plan and Plan of Operation for Genesee Properties, Deb & Michael Passino for storage only rental spaces subject to the Town Planners Report and Recommendation dated March 15, 2010. Motion seconded by Mr. Houston. Motion carried unanimously.

**Discussion/Action-screening/landscaping issues connected with Conditional Use approval Wolf Paving, Inc., 612 Sawyer Road, Oconomowoc, WI**

Mr. Herrmann said as part of the conditional use for Wolf Paving, the County's Ordinance requires that the Town Plan Commission decide if there is any additional landscaping that needs to be completed. He said his opinion at this time is that there is no additional landscaping that is needed. The business has not changed that dramatically at this time. He said he would recommend that the Town Plan Commission make a motion that no additional landscaping is needed now, but when the new office building comes in, or the tanks come in, depending on what happens on that site, landscaping could be added as part of those Plans of Operation. He said at this point it is not needed, no one can see it from the road anyway.

Motion made by Mr. Schmittinger that the current landscaping is adequate. However, if there is any modification to the property the Plan Commission would want to review the landscaping. Motion seconded by Mr. Engelking. Motion carried unanimously.

**Discussion/Action-2009-2010 Annual Report-Waukesha County Gravel Pit and Yard Waste Composting Operation – Perry Lindquist.**

Mr. Lindquist, Mr. Randy Johnson from Johnson Sand and Gravel and Dave from S & R Egg were present. The mining activity on the site is down substantially. In 2008 they did approximately 160,000 tons and in 2009 they did just over 43,000 tons.

The Town did receive the 2009 Annual Report and 2010 Conditional Use Permit Amendment Request From Waukesha County Parks and Land Use. (Copy on file at the Town Office.)

Mr. Herrmann: One thing that came up that Perry asked me about was they want to start Phase II even though they haven't completed Phase I. The reason Phase I isn't done yet is because it is basically just sand that is left in that Phase. They need some of the gravel to mix with the sand. Mr. Herrmann said he doesn't have a problem with that and there is nothing in the Conditional Use that says they couldn't start Phase II until Phase I was completely finished. He said he would assume that they are going to do Phase II as they are ending Phase I. (Mr. Lindquist answered, "yes".)

Discussion on a complaint received regarding the order from the composting operation. Mr. Horneck The odor is getting worse. He said there is a huge pile and that it hasn't been moved for a year or more. He felt that the odor was because the processing isn't being done quickly enough. If they turn the piles more often maybe there wouldn't be any odor.

Dave from S & R says you usually get an odor when you grind. They will grind in the next 10 days and put it in a pile, that should eliminate the problem. Mr. Horneck said he would like to see the Town limit the size of the pile, that would eliminate the problem, it would keep the compost going through. Mr. Hornek report back to the Town if it is still a problem.

Motion by Mr. Houston to place the report on file. Motion seconded by Mr. Girman. Motion carried unanimously.

**Discussion/Action-Request for installation of a 60-80' amateur radio tower-Jim Monson W330 S3210 Bryn Mawr Road.**

Mr. Monson was present. He is requesting an 80' free standing tower. The tower is aluminum and only weighs 247 lbs. He explained and presented pictures of the area where his house is located. There is 100 to 150' of woods. There is a clear cut field that he cuts that is a perfect area for the 80' tower. He said our Planner does not think so because of the aesthetics. He said the canopy that surrounds his house consists of hardwoods and a lot of pine trees. There is a row of pines across the front that offers a screen for Bethania as well as partially of Bryn Mawr. He said that he measured the height of this screen of pine and it is just short of 60'. He said he believes the tower location, on the northeast corner of the garage is right. Mr. Herrmann said he didn't think the tower should be in the open area where everyone that drives by will see it. Mr. Monson wants to put it between the house and the asphalt pad and Mr. Herrmann asked if he talked to the neighbor there to see if he objected or not. Mr. Monson said no, he doesn't get along with that neighbor. He said after a few events you don't care to go out of your way to talk to them and that is how it has been for the last six or seven years. Mr. Monson said he has to be at 80' in order to get the RF signal.

Mr. Herrmann said he is allowed to put up a tower on his property. All we are looking at here tonight is the height, which is regulated by the Town Plan Commission.

Mr. Monson if you are on Bethania and look across to the cut field, you see the screen of pine trees. He measured one of the trees using sunshine and shadows and it measures 60'. The Aspin trees are a little taller than the pine trees. The neighbor to the east can see through the trees the first 30', but in the summer they cannot see. Mr. Monson said he is pretty sure the neighbor can see his house in the winter and the base of the tower if he looks through the trees. The tower is aluminum and is 26" wide on the bottom and 14" wide at the top. The question was asked if there would be an antenna on top of the tower. Mr. Monson said there would be a wire up the side of the tower to the top (80') and one 53' laterally across the house, that would be the antenna. He said the tower will not affect the TV and/or radio reception. No light would be required. The requirement would be if it is 200 feet, it would require a light so that airplanes can see it.

The Plan Commissioners agreed that this item should be tabled so they can out and look at the site and drive the road to verify the tree height, canopy, etc. They do have the right to put up, but the Plan Commission will decide on the height.

Motion by Mr. Engelking to table this item to the April 26, 2010 Plan Commission Agenda allowing the Plan Commissioners an opportunity to visit the site and verify the tree height, canopy, etc. Motion seconded by Mr. Houston. Motion carried unanimously.

**Review of Pending** – Everyone copied.

**Approval of Minutes from the February 22, 2010 Plan Commission meeting.**

Motion by Mr. Engelking to approve the minutes from the February 22, 2010 Plan Commission meeting. Motion seconded by Jeff Schmittinger. Motion carried unanimously.

**Correspondence** – everyone copies.

Motion by Mr. Schmittinger to adjourn. Motion seconded by Mr. Houston. Motion carried unanimously. Meeting adjourned at 8:25 P.M.

Respectfully submitted,

Elizabeth Friedlein  
Deputy Clerk/Designated Representative

