

**REGULAR TOWN BOARD MEETING
MAY 10, 2010**

Chairman Leair called the meeting to order at 7:00 p.m. Present were Supervisors Morris, Reid, Schmittinger and Ross. Also present were Administrator/Planner Herrmann and Clerk Whitmore.

Discussion/action – Minutes to be approved – Regular Town Board Meeting of April 12, 2010

Leair asked Senate be changed to 33rd District on page 1 and on the last page, third paragraph SB177 should be SB260. Morris made motion to approve the minutes with the corrections Schmittinger seconded, motion carried unanimously.

Monthly report from Wales-Genesee Fire Chief Greg Jezak

A fire call came in and the Chief left. Board members were copied with the monthly report.

Discussion of driveway policy

The policy is not ready for discussion.

Discussion/action – Certified Survey Map, Anne Meinhardt – CTH “E”

Leair told the Board the Plan Commission did recommend approval of this CSM and the variance. Herrmann stated this is for three lots, outlot 1 ownership will be established prior to signing of the CSM. Esser Drive will connect through lot 3 someday; a note will be placed on the CSM regarding this subject to approval of the Town Planner. Schmittinger made motion to approve the CSM for Meinhardt subject to the conditions of the Town Planner dated April 19, 2010, Ross seconded, motion carried unanimously.

**TOWN OF GENESEE PLAN COMMISSION & TOWN BOARD
PLANNER’S REPORT AND RECOMMENDATION
CERTIFIED SURVEY MAP**

<u>PROJECT NAME:</u>	Meinhardt CSM
<u>DATE:</u>	April 19, 2010
<u>OWNER:</u>	Anne Meinhardt W1655 Bakertown Drive Sullivan, WI 53178
<u>TAX KEY NO.:</u>	GNT 1505.996.001
<u>LOCATION:</u>	Being a part of the SE ¼ and the SW ¼ of the NE ¼ of Section 17, Town of Genesee, Waukesha County, Wisconsin.
<u>ZONING CLASSIFICATION:</u>	A-2 Rural Home District.
<u>LOT SIZE:</u>	Approximately 39.30 acres.
<u>REQUESTED USES:</u>	A three (3) Lot Certified Survey Map (CSM).

COMPLIANCE WITH THE TOWN OF GENESEE COMPREHENSIVE LAND USE PLAN -2035:

The Town of Genesee Comprehensive Land Use Plan – 2035 identifies this property in the Suburban II Density Residential category (3.0 acres to 4.9 acres of lot area per dwelling unit). Therefore, the proposed land division complies with the Town of Genesee Comprehensive Land Use Plan - 2035.

STAFF ANALYSIS:

On March 22, 2010, the Town Plan Commission reviewed a conceptual land division for the proposed property. The Town Planner and Plan Commission had several comments and concerns regarding the proposed CSM. The petitioner has reviewed the comments made and is now submitting a Certified Survey Map (CSM) for the creation of three (3) parcels of land. Lot 1 is approximately 9.87 acres in size and contains an existing residence. Lot 2 contains 3.41 acres and is currently vacant. Lot 3 contains 26.02 acres of land and is also vacant. Lots 1 & 2 will be accessed via C.T.H. E and Lot 3 will be accessed from Esser Drive.

In performing a detailed review of the CSM dated April 2, 2010, I have found the following items must be added to the map or waived by the Town of Genesee Plan Commission and Town Board in order to comply with the Town's Land Division Ordinance:

- Section 2.06 (G) Lands to be divided or developed into building sites to be served by soil absorption sewage disposal systems, shall have soils tests completed on each lot, indicating the lot (s) and building site(s) can support a conventional or mound type septic system in compliance with the Department of Commerce. The location of the soil boring shall be shown on the final CSM and a copy of the soil tests shall be submitted to the Town Planner, prior to the Town signing the final CSM.
- Section 4.01 The scale on the CSM shall not exceed 1 inch = 100 feet.
- Section 4.01 (C) A general location sketch showing the location of the CSM within the U.S. Public Land Survey section oriented on the sheet in the same direction as the main drawing.
- Section 4.01 (E) The names and addresses of the owner and land surveyor preparing the CSM shall be shown on the face of the CSM.
- Section 5.02 (E) All utility and/or drainage easement shall be shown on the final CSM.
- Section 6.06 Duplicate CSM to be Filed: An identical reproducible copy (on stable drafting film at least 4 mils thick) along with the recording data shall be placed on file with the Town Clerk.
- Section 6.07 The Town Clerk or his/her designee shall place upon a copy of the map on each lot shown on said map the correct legal address numbers assigned to that lot in conformity with the grid system in effect in Waukesha County. All costs associated with this shall be paid for by the developer.
- Section 7.02 (A) A planting strip at least 30 feet in depth shall be provided adjacent to S.T.H. 83. This strip shall be a part of the CSM lot, but shall have the following restriction lettered on the face of the CSM: "This strip reserved for the planting of trees and shrubs, the building of structures hereon is prohibited."

PLANNER'S RECOMMENDATION:

Based on the above information, the Town Planner recommends that the Town Plan Commission recommend to the Town Board to **approve** the CSM subject to the aforementioned conditions being satisfied prior to Town signing the final CSM and subject to the following:

1. Subject to the developer satisfying all comments, conditions and concerns of the Town Engineer, the Town Planner and all reviewing, objecting and approving bodies, including but not limited to the State of Wisconsin Department of Commerce per ch. 236, Wisconsin Statutes and ch. Comm. 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per ch. 236, Wisconsin Statutes; the Waukesha County Department of Public Works and the Village of Wales in regard to the CSM, prior to the Town signing the final CSM.
2. A note shall be placed on the face of the final CSM stating, "No lot or outlot shall be further divided absent the express written approval of the Town Board of the Town of Genesee. No new lots or outlots shall be created absent the express written approval of the Town Board of the Town of Genesee. No lot line or outlot line shall be adjusted or reconfigured in any way absent the express written approval of the Town Board of the Town of Genesee or unless otherwise expressly authorized by law."
3. The access(s) onto C.T.H. E shall be reviewed and approved by the Waukesha County Department of Public Works. Documentation shall be submitted to the Town Planner prior to the Town signing the final CSM.
4. The ownership of Outlot 1 shall be resolved prior to the Town of Genesee signing the CSM. The proposed ownership shall be reviewed and approved by the Town Planner.
5. All slopes in excess of twenty (20) percent shall be shown on the CSM and a note stating said areas shall be maintained as open space.
6. A note/restriction shall be placed on Lot 3 indicating that any future Land Division of Lot 3 will require the connection of the Esser Drives by a new public road meeting all Town of Genesee Road standards in place at the time of the division. In addition, the Town of Genesee may require a public road extension to the adjacent property to the north when this property is ever divided or developed. The exact language of the note shall be approved by the Town Planner and Town Attorney, prior to the Town of Genesee signing the final CSM.
7. All new construction (residence or accessory building) on Lot 3 shall require review and approval by the Town Planner, Town Public Works Supervisor and Town Building Inspector prior to the issuance on any permits on said property. This is to insure that future development or division of Lot 3 and the future road connection is not disrupted by any new construction.
8. The existing zoning on and adjacent to the proposed lots shall be shown on the CSM.
9. A note shall be added to the face of the CSM indicating that "There shall be no commercial or business use on the lot, except as specifically permitted pursuant to the applicable Zoning Code".
10. Waukesha County Department of Parks and Land Use, Environmental Health Division shall review and approve that the existing septic system on Lot 1 is functioning properly.
11. Any and all waivers reviewed and approved by the Town Plan Commission and Town Board shall be noted on the final CSM. The Town Planner shall approve the language of the note.
12. All existing and proposed easements shall be shown.
13. Subject to the Developer satisfying all of the aforementioned conditions within one year of the Town Board granting conditional final CSM approval.

14. 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 development, 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.
15. 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.

This submittal is a C.S.M., which gives the Town Plan Commission 45 days and the Town Board 60 days to take action. The Town received the CSM on April 5, 2010, giving the Town Plan Commission until May 20, 2010 and the Town Board until June 4, 2010 to take action, unless an extension is granted in writing by the developer.

Discussion/action – Request for waiver from Section 4.01 of the Town of Genesee Land Division and Development Ordinance to have a CSM with the scale shown less than the required 1” = 100’ – Anne Meinhardt, CTH “E”

Herrmann stated because of the size of this CSM they cannot meet 1” = 100’ scale, this is 1” = 300” and it is adequate to read the map. Schmittinger made motion to approve the waiver for the Meinhardt CSM, Ross seconded, motion carried unanimously.

Discussion/action – Request to extend premise to outdoor deck – Genesee Depot Café, Tina & Jason Heinonen

Discussion of hours requested for the Genesee Depot Café to extend the premise of the restaurant to the deck area. The requested hours are Sunday 6 am to 6 pm, Tuesday, Wednesday and Thursday 6 am to 3 pm and Friday and Saturday from 6 am to 10 pm. The additional hours for Friday, Saturday and Sunday would be if there was a request for a private party. Herrmann will check the plan of operation to verify these are the hours currently listed. The only access to the deck is from inside the restaurant building, the extension of the premise will be from May 1st to November 1st. Ross made motion to approve the extension of the premise to the deck area from May 1 to November, after verification of the hours of operation and hours allowed by the town ordinance, Morris seconded, motion carried unanimously. (The current license year runs through June 30th, this additional premise will need to be listed on the application for the 2010/11 license)

Report from Wales-Genesee Fire Chief Greg Jezak

Chief Jezak returned to the meeting and went over the monthly report. There were 28 calls in the month of April, with a total of 120 calls for the year as of today.

The committee will give a new vehicle presentation tomorrow regarding the Pierce engine, after that it will be given to the Joint Fire Board for review and approval. Then a joint meeting with the municipalities will be scheduled, hopefully within the next month.

The Chief asked the board members to review the 2009 annual report and talk to him if they have any questions.

Discussion of Building Inspection fees

There was no information regarding this item this evening.

Discussion/action – Appointment**Park Board, seven year term**

Leair recommended the re-appointment of Ron Hill to serve a seven year term on the Park Board. Schmittinger made motion to re-appoint Ron Hill to the Park Board, Ross seconded, motion carried unanimously.

Discussion/action – Cell phone contracts for park employees and public works supervisor

Whitmore went over the proposal from Verizon regarding new cell phones for the park employees, recreation director and public works supervisor and the saving the town would have with this program. New phones are issued every 10 months; there is no contract or penalty to leave the program, discussion. The park phones can also be suspended in the winter months when the parks are closed. Ross made motion to approve the contract with Verizon Wireless, Morris seconded, motion carried unanimously.

Discussion/action – Authorization to hire part-time public works employee

Discussion. The Board felt Mr. Earle has money in the budget for part-time help and did not need to get approval for the hiring from the Board, they did ask after someone is hired to have that person come to a meeting to be introduced.

Discussion/action – Operator Permit applications

Morris made motion to approve the new application for Aubrie L. Morano at Genesee Market, Schmittinger seconded, motion carried unanimously.

Reports –**Roads – Tom Earle****Update on road work**

The street sweeping has started, Tom has checked what they have completed so far and the roads looked good, they hope to have the town done within two weeks, which will depend on the weather.

The contract is in the process of being completed for Holiday Road and Point Drive. There is a bad culvert on Morris Road, it is a 24 foot culvert that had failed, was abandoned and new culvert installed next to it. The road is now collapsing into the abandoned culvert, and the other culvert is also failing. Both will be removed and one culvert will be installed.

There is also a culvert at the first intersection on McFarlane where there are two cross culverts both completely clogged, he is getting bids for work there, hopefully just cleaning them out, not replacing.

Update on 911 emergency numbers

There was no update this evening.

Chairman – Sharon Leair**Update on highway 83 detour – STH “59” to CTH “NN”**

Leair told the Board we are waiting to hear from the state regarding a possible temporary road at 59 & 83, keeping the road open to local businesses.

Update from Wisconsin Towns Association Waukesha Unit Meeting at Town of Brookfield

The meeting was held at the Town of Brookfield, the main topic was regarding parliamentary procedure. Town of Waukesha will host the next meeting in July.

Update on legislation

SB 260 hasn't been signed yet, the deadline is this Thursday, if it's not signed by then it will be vetoed as the Governor does not leave anything in limbo.

Leair attended the Wisconsin Towns Association Urban Towns meeting in Fond du lac, there was a discussion on high capacity wells. This may become a problems with the water levels going down in the Vernon marsh and surrounding towns if the city of Waukesha sinks these wells in the town of Waukesha.

Town logo – Charlie Ross

Ross showed the board the revised logos from last month, suggesting the train be used for the town stationary, business cards, shirts and use the purple cow on a town flag, discussion.

Administrator/Planner – Jeff Herrmann

Update on Fields Crossings letter of credit

Maritime Bank now has ownership of the land, Herrmann reported they will not give the town a letter of credit but will do a guarantee in writing. Herrmann will be setting up a meeting with John Macy, Sharon, a Maritime Bank representative and himself to discuss what needs to be done in the development.

Treasurer – Carol McCormick

The town received transportation aids of \$41,000 and the 3% fee from Time Warner was \$12,416.15.

Update on unpaid 2009 Personal Property tax bills

No report given.

Discussion/action – Bills to be presented

Schmittinger made motion to approve the bills as presented, Ross seconded, motion carried unanimously.

Correspondence

Board members were copied with the correspondence.

Whitmore reported we will be having the Shoo the Flu shots again this fall, area residents like having the clinic held here.

The wells at both Town and Sunset Park passed the county well water analysis.

Schmittinger made motion to adjourn, Ross seconded, motion carried unanimously. Meeting adjourned at 8:17 p.m.

Respectfully submitted,

Barbara A. Whitmore, WCMC
Town Clerk