

TOWN OF GENESEE PLAN COMMISSION MEETING

APRIL 22, 2019

Plan Commissioner Brett Engelking was designated to lead the meeting since Sharon Leair was out of town. Engelking called the meeting to order at 6:00 p.m.

Present were: Plan Commissioners Brett Engelking, Jeff Lightfoot, Bob Christiansen, Joe Turzynski, Mike Toole and Town Board Supervisor Charlie Ross. Also present: Planner Jeff Herrmann and Deputy Clerk Cindy Zignego. Absent: Chairman Sharon Leair.

Discussion/Action – Approval to build pool outside building envelope, Charles and Jennifer Jahnke, S29W33891 Olde Oak Pass, Oconomowoc 53066. (Tax Key GNT 1467-005)

Herrmann explained history of this residence and now Jahnke wants to build a pool on the west side of the home. This area is outside the building envelope. Rob Brinkman and Charles Jahnke showed illustrations of where the pool would be located. Herrmann said the Plan Commission is to make a recommendation to the Town Board regarding permitting the pool to be built outside the building envelope.

Lightfoot made a motion to recommend approval to the Town Board, seconded by Ross. The motion carried unanimously.

Discussion/Action – Conditional Use/Plan of Operation Amendment request of Wolf Paving Co., Inc., C/O LW Real Estate Holdings, LLC, P.O. Box 181, Janesville, Wisconsin 53547, to amend their existing Conditional Use to expand the uses allowed on the property to include the storage of concrete pipe and other concrete finished products. (Tax Keys GNT 1462-990, 1462-987-001, 1461-996, 1463-999, and 1464-999)

Engelking stated there was a public hearing April 8, 2019 regarding this amended request and there were no comments from the public. A revised Memorandum dated April 22, 2019 from Herrmann was handed out. One of the conditions regarding hours of operation was removed. The months of operation were changed to March through November. If additional days/hours are required, they can get Town Chairman approval. The last change was regarding the Town's right to review any conditions of the Conditional Use and Plan of Operation if said use becomes a problem in the area. Kathy Gutenkunst had a question regarding condition no. 8. The first 3 sentences will be deleted.

Christiansen made a motion to approve a recommendation to the Town Board based on the Planner's Memorandum dated April 22, 2019 with the exception of condition no. 8 that the first three sentences be stricken. Lightfoot seconded the motion. Motion carried unanimously.

MEMORANDUM

To: Town of Genesee Plan Commission
From: Jeffrey C. Herrmann, Administrator-Planner
Date: April 22, 2019
Re: Wolf Paving Co., Inc. – Conditional Use/Plan of Operation (Amendment)

In March/April 2009 Town of Genesee Plan Commission and Town of Genesee Board approved an update to the existing Wolf Paving Co., Inc. Conditional Use Permit for the quarry operation. The operation is located on five (5) properties and the amendment was to allow several amendments, including two (2) new asphalt storage tanks, an asphalt testing laboratory, recycling of salvaged asphalt shingles, removal of aggregate from below the water level using dredging equipment, and a future relocation of the office. In June/July 2016, Town approved the operation of a construction materials recycling facility on the subject site and in July/August 2018, the Town approved the recycling of tires for Badger Materials Recycling, LLC on the subject site. The property is located in the NW ¼, SW ¼, NE ¼, and SE ¼ of Section 6, in the Town of Genesee. After considerable discussion (after the public hearing) the Town of Genesee Plan Commission voted unanimously to recommend to the Town Board to approve the request subject to several conditions. Therefore, as of January 1, 2019, the following uses are permitted on the Wolf Paving property:

- Normal quarrying activities (extraction, crushing, washing, stockpiling of materials, etc.), including the recycling of asphalt and concrete, as established in the Waukesha County Zoning Code Conditional Use Section, unless specifically stated herein.
- A future office location.
- A future asphalt laboratory.
- Two (2) large asphalt storage tanks (96 ft. diameter and 48 ft. high - each).
- An asphalt plant.
- Use of recycled shingles.
- Removal of aggregate below the water level.
- Recycling of Construction materials
- Recycling of Tires

Wolf Paving Co., Inc. in conjunction with County Materials is proposing to utilize approximately 56.5 acres of the northwest portion of the property to store concrete products, including concrete pipe, manholes, risers, end walls, and other concrete products as well as truck and trailer storage. The property is located in the NW ¼, SW ¼, NE ¼, and SE ¼ of Section 6, in the Town of Genesee.

Upon reviewing the Applicant's request, comments (none) made at the public hearing and discussions with the Town Plan Commission, the Town Planner recommends to the Town Plan Commission recommend to the Town Board to approve the proposed request, subject to following conditions:

1. All previous conditions, as set forth in Waukesha County File No. CU-94G and noted in the declaration of Restrictions recorded in the register of Deeds on May 12, 2011, as Document Number 3833445, all conditions as set forth in Badger Materials recycling of construction materials operation and all conditions as set forth in Badger Materials recycling of tires operation shall remain in effect unless specifically modified by the Town of Genesee Plan Commission or as modified herein.
2. Condition No. 1 of the above approval (Document Number 3833445) shall be modified to include; Storage of Concrete Pipe/Products.
3. Subject to a New Declaration of Restrictions being filed in the office of the Register of Deeds to indicate that the storage of Concrete Pipe/Products is a permitted use.
4. Subject to written documentation from the Waukesha County Land Resources division indicating that all necessary erosion control and stormwater management permits have been approved (if applicable).
5. All trucks and trailers shall be licensed and operable. No junk vehicles, parts or debris shall be stored on the property, unless within a completely enclosed structure.

6. If a concrete pipe plant is proposed in the future, an amendment to the Conditional Use Permit shall be required, following all rules and regulations in place at that time.
7. The proposed operation is limited to March through November, with the operation being closed from December to March each year.
8. The hours of operation for the proposed operation for the delivery (to and from the site) of pipe/products will be from 5:00 a.m. to 7:00 p.m., Monday through Saturday. No deliveries of any kind shall take place on Sundays. These hours of operation are for the concrete pipe/product storage operation only and the rest of Wolf Paving Operations shall continue to operate under the more restricted days and times. During a period of a national or unusual emergency as determined by the Town Chair, the days and hours may be amended or altered for particular dates and times specified in writing, at the discretion of the Town Chair or designee.
9. Written documentation from the Waukesha County Environmental Health Division that the Proposed Portable Chemical Toilet is allowed and permitted as the main restroom facility for this operation.
10. An up to date Plan of Operation must be on file, at all times, with the Town of Genesee Plan Commission. Any Plan Modification shall be submitted to the Town Planner for review and action prior to implementation.
11. The Fire Chief shall inspect said premises to ensure that the proposed operation complies with all fire codes. All compliance violations shall be corrected to the Fire Chief's satisfaction.
12. The Town reserves the right to review any condition imposed as part of this Conditional Use/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 ensure 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 shall follow the Conditional Use procedure of the Town of Genesee Zoning Code.
13. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
14. Subject to the applicant allowing the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
15. Subject to 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.
16. Professional fees. Applicant 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.
17. 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.

Discussion – Conceptual Land Division, Wolf Paving Co., Inc., C/O LW Real Estate Holdings, LLC, P.O. Box 181, Janesville, Wisconsin 53547. (Tax Keys GNT 1462-990, 1462-987-001, 1461-996, 1463-999, and 1464-999)

Engelking explained that since this is a Conceptual Land Division, no approval is required, just review and discussion. Herrmann stated there are five parcels now and Wolf wants to create four parcels. There was a diagram presented which illustrated the four lots. Reclamation and Restoration plans were discussed. Road access was discussed. Gutenkunst would like to proceed with waiver application for steep slopes. They will submit that with final CSM by May 6, 2019 to be on the Town Board Agenda. Jones Road had requested that 80 feet of right of way be dedicated and will be on new CSM. Herrmann inquired about existing home off Morris Road. Mrugacz from Wolf said it is in the process of being removed and will be razed. Engelking said road connections need to be identified.

MEMORANDUM

To: Town of Genesee Plan Commission
From: Jeffrey Herrmann, Administrator-Planner
Date: April 15, 2019
Re: Wolf Paving Co., Inc. – Conceptual Land Division

The purpose of this memo is to provide the Town of Genesee Plan Commission with information regarding the conceptual land division for Wolf Paving Co., Inc., c/o Jacob Mrugacz, 612 N. Sawyer Road, Oconomowoc, Wisconsin. The property is described as Lot 3 of Certified Survey Map 8642 and part of the NE ¼, SE ¼, SW ¼ and the NW ¼ of Section 6 and part of the SW ¼ of Section 5, T6N, R18E, Town of Genesee and is located on the south side of U.S.H. 18 and east of C.T.H. C containing approximately 445.61 acres. Currently, the property holdings consist of six parcels ranging in size from 6.56 acres to 201.75 acres. The property has several approved uses including; normal quarrying activities (extraction, crushing, washing, stockpiling of materials, etc.), recycling of asphalt and concrete; a future office location; A future asphalt laboratory; Two (2) large asphalt storage tanks (96 ft. diameter and 48 ft. high - each), An asphalt plant; use of recycled shingles; removal of aggregate below the water level; recycling of construction materials; recycling of tires; and possibly storage of concrete pipe/products. The properties are currently zoned M-2 General Industrial District (1-acre Minimum Lot Size), EC Environmental Corridor District, C-1 Conservancy District, Wetland and HG High Groundwater District. The petitioner is proposing to combine and re-divide the parcel into four (4) lots. The lots will vary in size from 43.22 acres to 245.18 acres. It appears a tributary to the Wales Creek bisects the lower one-third of the property, therefore, access to that portion of the property may have to come from Morris Road.

The owner is presenting this conceptual land division to the Plan Commission to get any comments or suggestions to help them decide on the feasibility and layout prior to making a formal submittal.

The following are comments to be considered when reviewing the revised concept plan:

- The proposed Comprehensive Land Use Plan 2035 for the Town of Genesee identifies this property in the Industrial Category and Primary Environmental Corridor category. The proposed development complies with the density requirements of the Comprehensive Land Use Plan 2035 for the Town of Genesee. In addition, the Comprehensive Plan seeks to preserve and protect primary environmental corridors to the greatest extent possible. Under the plan, development within these corridors would be limited to that needed to accommodate required transportation and utility facilities and compatible outdoor recreation facilities.
- According to the Soils maps, most of the soils are designated as GP Gravel Pit. Most of the soils have been disturbed and are not suitable for a septic system and would have to be on a holding tank. However, the areas likely for development should not be negatively impacted by the soil conditions and new industrial uses are allowed on holding tanks.
- The southeast corner of the property is considered primary environmental corridor (PEC) and Wetlands. If development would occur in this area in the future, the PEC areas would need to be identified in the field, surveyed and a written report prepared. The Wisconsin Department of Natural Resources (DNR) will need to review and approve the location of the wetlands. The PEC and SEC delineations will need to be submitted to the Southeastern Wisconsin Regional Planning Commission (SEWRPC) for review and approval. A restriction shall be placed on the Certified Survey Map prohibiting uses in the PEC.
- Portions of the northeast and southeast of the property are located within the **Waukesha County Shoreland and Floodland Jurisdictional Limits**. Waukesha County has zoning authority over those areas, while the Town of Genesee will have jurisdiction over the remainder of the parcel. The petitioner has contacted Waukesha County and is aware of the county requirements.
- The property has varying terrain as it has been quarried for numerous years. Since the Land Division and Development ordinance requires preservation of certain slopes greater than 10 percent up to 20 percent, a waiver may be necessary from the Town Plan Commission and Town Board.
- Based on the concept plan submitted all lots appear to contain buildable areas large enough to accommodate Industrial Development, however; the lots are large in size and may be re-divided in the future.
- All requirements of the Town of Genesee Zoning Code in regards to offsets, setbacks, floor area ratio, etc. will need to be reviewed and approved.
- Since the proposed division may result in a lot that will be sold, the **Town of Genesee will need to consider whether a new reclamation plan should be required at this time.**
- **The Town Planner is concerned about the future connection of roads, especially to C.T.H.C and Wolf Road. Currently, those roads provide future connections to the Wolf Paving property. If Lot 1 is sold to a third party, there is no guarantee that those roads would be connected to the Wolf Paving property. A future road plan shall be developed showing possible connections in the future. This plan should then be formalized by the Town, Waukesha County (Adjacent Neighbor), Wolf Paving and the proposed owner of Lot 1.**
- Any agreements, Memorandum of Understandings (MOU's), dedications, restrictions, easements etc. shall be reviewed and approved by the Town Attorney.
- Storm water management facilities are shown on the concept plan. The petitioner's engineer should review the Waukesha County's Stormwater Ordinance. The Town requires all stormwater facilities to be shown on outlots. Waukesha County will need to review the proposed stormwater management facilities when the proposed concept plan is implemented (if applicable).
- The proposed land division shall comply in all respects to the Town of Genesee Land Division and Development Ordinance. The following is a list of some potential issues that the petitioner should address prior to making any formal submittals:
 1. Any lot, regardless of size, in which a portion of the lot contains Primary Environmental Corridor as identified by SEWRPC, shall preserve all areas with slopes in excess of **12 percent** in open space uses.

If no Corridor is shown on the lot then 20 percent slopes shall be maintained in open space uses.

2. Lots shall be designed so the depth to width ratio does not exceed 2-1/2 to 1 unless a waiver is granted by the Town Plan Commission and Town Board.

- Any waivers or variances granted by the Town of Genesee and/or Waukesha County shall be placed on the face of the final CSM.
- Lot 1 is proposing to access Jones Road. The west side of Jones Road right of way is proposed to be dedicated to the Town of Genesee as part of the Certified Survey Map process. Although Jones Road is a Town Road, a portion of the road is still maintained by Wolf Development and will continue to be maintained by Wolf in the future, unless the Town of Genesee agrees to take it over. **The ownership of Jones Road remaining after a portion is dedicated to the Town of Genesee should be clearly identified and agreed upon in writing**
- The Petitioner should contact the Wisconsin Department of Transportation about any potential improvements to USH 18.

Discussion/Action – Site Plan/Plan of Operation – Highway 18 Self Storage, S14 W33879 US Highway 18, Wales, 53183. (Tax Key GNT 1462-996)

Bill Minett gave a presentation of the proposed plan of operation for Highway 18 Self Storage. Herrmann was concerned about outside storage located in the front. Minett stated they would do additional screening and landscaping. Minett said there will be one main entrance. There will be a driveway on the west side to allow access for emergency vehicles. The building will be all metal. Herrmann said the proposed pole sign has a 20 feet high limit and requires a zoning and building permit. Christiansen inquired about the chain link fence and possibly slating it. Minett said they were planning on landscaping around fence. Engelking asked commissioners about allowing outside storage. Herrmann's report states that a detailed landscaping plan will be reviewed and approved by the Town Planner. The landscaping should include a dense vegetative buffer around outdoor storage. Lightfoot said he'd like to see the landscaping plan and height of trees. Outside storage would have to come back to Town Plan Commission for approval.

Ross made a motion to approve subject to the Planner's Recommendation, seconded by Turzynski. Motion carried unanimously.

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

PROJECT NAME: Highway 18 Self Storage

DATE: April 22, 2019

TAX KEY NUMBER: GNT 1462.996

PETITIONER: William & Anne Minett
d/b/a Highway 18 Self Storage
426 E. Wisconsin Avenue
Oconomowoc, WI 53066

OWNER: Gilbert & Gail Yerke Trust
S79 W28995 Frog Alley
Mukwonago, WI 53149

LOCATION OF PROPERTY:

A part of the NW ¼ of Section 6, T6N, R18E, Town of Genesee, located on the south side of U.S.H. 18 and north of the Glacial Drumlin Trail, containing approximately 3.23 acres of land.

PRESENT ZONING:

M-2 General Industrial District.

PRESENT LAND USE:

Vacant.

PLANNER'S ANALYSIS:

The property is approximately 3.23 acres in size and is currently vacant. The property is located on U.S.H. 18, directly across the highway from the Wisconsin Electric offices and work yard. It abuts the Glacial Drumlin State Trail on the south side of the property and is currently a vacant field. Previously the owners used the property to operate a temporary (seasonal) greenhouse and garden center for approximately six (6) weeks in May and June.

William and Anne Minett are proposing to purchase the property and operate a self-storage business. The petitioner is proposing to construct three (3) buildings with a total of 125 units. Building 1 will contain 72 units, Building 2 will contain 35 units, and Building 3 will contain 18 units. The buildings will be constructed with a steel frame interior and the outside will consist of steel siding and roof. The exact colors of the building have not been determined at this time. All units will be 10 ft. x 20 ft. with overhead rolling doors. The petitioner has not provided a landscaping plan, but did provide a picture of the proposed 4 ft. x 8 ft. sign advertising the name of the business. Additional small signs may be posted on the entry gates.

The proposed operation will use the existing entrance and an additional entrance will be added on the east side of the property. The east entrance will be gated with a 20 ft. slide gate with electronic keypad. The west entry will not have a gate. No documentation has been provided by the State of Wisconsin on the status of the accesses. A small outdoor parking area is also being requested near the west entrance and can accommodate about 15 spaces, for boats, RV's, campers, trucks, trailers, and storage containers. For security purposes they are proposing a chain link fence to run the property lines on the east north and west sides of the property. Twenty-four (24) surveillance cameras will also be installed for added security. Light will consist of twenty (20), 100-watt LED wall packs located on the building and one (1), 15 ft. pole light with a shoebox fixture. The general hours are 6:00 a.m. to 10:00 p.m. seven (7) days a week.

TOWN PLANNER RECOMMENDATION:

Based on the above information, the Town Planner recommends the Town Plan Commission **approve** the proposed request for a self-storage business subject to the following conditions:

1. Subject to documentation being provided to the Town Planner that the Wisconsin DOT has reviewed and approved the proposed accesses onto U.S.H. 18. Any improvements require by the State of Wisconsin shall be installed prior to the issuance of any permits.
2. A detailed exterior lighting plan, including cut-sheets for all fixtures, shall be submitted to the Town Planner for review and approval, prior to the issuance of any permits. All outside lighting shall be screened so as to avoid fugitive lighting shining upon the neighboring properties.
3. The colors and materials of the exterior of the building shall be presented to the Town Planner for review and approval prior to the issuance of any permits. All buildings shall contain similar building materials and colors.

4. All proposed signage will require the petitioner to submit detailed sign renderings, colors and locations of any and all proposed signs to the Town Planner for review and approval prior to the issuance of a building permit for said sign(s).
5. A detailed landscaping plan shall be reviewed and approved by the Town Planner, prior to the issuance of a building permit. The landscaping plan shall include a vegetative buffer screen on the north, east and west sides of the outdoor storage area. The minimum height of the vegetation in this area shall not be less than four (4) feet in initial height. The landscaping plan shall also include a dense vegetative buffer around the outdoor parking area on the north, east and west sides of the area.
6. Absolutely no "Outside Storage" of any kind shall be allowed on the property, unless specifically approved by the Town of Genesee Plan Commission.
7. Documentation shall be submitted to the Town Planner that the Wales-Genesee Fire Department has inspected the proposed premises and all necessary fire codes are in compliance prior to the issuance of a use permit.
8. Subject to the Town Building Inspector inspecting the premises and all applicable building codes and permits have been applied for and complied with prior to the issuance of a use permit. A copy of all state approved plans shall be submitted to the Town Planner and the Town Building Inspector (if applicable). A copy of the state approved building plans (if required) shall be submitted to the Town Building Inspector, prior to the issuance of a building permit.
9. Documentation shall be submitted to the Town Planner that an Erosion Control and Stormwater Management Permit have been issued by Waukesha County Land Resources Division, prior to the issuance of a building permit.
10. 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.
11. Documentation shall be submitted to the Town Planner that all required local, county, state and federal licenses and permits have been obtained.
12. 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.
13. 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.
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 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.

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.

Respectfully submitted,

Jeffrey Herrmann, AICP
Town Administrator/Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Wales-Genesee Fire Department
William and Anne Minett
Waukesha County Land Resources Division, Alan Barrows

Discussion/Action – Certified Survey Map, Mary and Carl Petersen, S47W33740 Fox Hollow Dr., Dousman, WI 53118. (Tax Key 1558-992-002)

Engelking stated that the Planning Commission has previously reviewed this CSM. Herrmann said they have to do a quick claim deed and transfer the property first.

Turzynski made a motion to recommend approval to the Town Board subject to Planner's conditions dated April 15, 2019, seconded by Ross. Motion carried unanimously.

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

<u>PROJECT NAME:</u>	Petersen CSM
<u>TAX KEY NO.:</u>	GNT 1558.992.002
<u>DATE:</u>	April 15, 2019
<u>OWNER:</u>	The Petersen Family Revocable Trust S47 W33740 Fox Hollow Drive Dousman, WI 53118-9208
<u>LOCATION:</u>	Plot 2 CSM No. 7118, being a part of the NW ¼ of Section 30, Town of Genesee, Waukesha County, Wisconsin and at S47 W33740 Fox Hollow Drive
<u>TOWN ZONING:</u>	EC Environmental Corridor District.

SHORELAND ZONING:

None.

LOT SIZE:

Approximately 3.28 acres.

REQUESTED USES:

A Certified Survey Map (CSM) to combine previous adjacent land transfers into one (1) parcel, thereby removing the lot lines.

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

The Town of Genesee Comprehensive Land Use Plan – 2035 designates property in the Primary Environmental Corridor category, which should be only development at a five (5) acre density. The existing parcel is less than five (5) acres, however two (2) previous land transfers from the adjacent property owner has increased the size of the parcel, while maintaining a five (5) acre minimum on the parcel from which the land was transferred, therefore the proposed parcel complies with the intent of the Town of Genesee Comprehensive Land Use Plan – 2035.

STAFF ANALYSIS:

The property is located on the north side of Fox Hollow Drive. It contains a single-family residence with an attached garage. The property is accessed via a shared driveway with the adjacent neighbor to the east. The property is zoned in the Environmental Corridor District. The petitioners purchased approximately 6,900 square feet from the adjacent property in September 2005, previously owned by Wayne & Jeanne Oberlin. The petitioners are now proposing to purchase an additional 5,575 square feet (Approximately) through a transfer of adjacent lands, however; this does not eliminate the existing property lines. Therefore, the petitioners are proposing to memorialize the transfers by preparing a CSM to eliminate the prior adjoining property lines. Nothing is changing from what the Transfer accomplished. The CSM will eliminate the common property boundary.

This submittal is a Certified Survey Map, which gives the Town Plan Commission 75 days and the Town Board 90 days to take action. The Certified Survey Map was filed with the Town of Genesee on October 29, 2018, giving the Town Plan Commission until January 13, 2018 and the Town Board until January 28, 2018, to take action, unless the Developer grants an extension in writing. The petitioners have granted two (2), ninety (90) day extensions, giving the Town Plan Commission until July 11, 2019 and the Town Board until July 26, 2019 to take action.

In performing a detailed review of the CSM dated September 27, 2018, 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 375-23 (E) The right of way width and names of all existing streets (Fox hollow Drive) shall be shown on the CSM.
- Section 375-29 (E) All Utility and/or Drainage Easements shall be shown on the final CSM.
- Section 375-44 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.

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:

- I. Subject to the Owner 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 Wisconsin State

Statute's per Chapter 236; Comm. 85, Wisconsin Administrative Code; and the Village of North Prairie in regard to the CSM, prior to the Town signing the final CSM.

2. The Village of North Prairie shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by the Village of North Prairie shall be incorporated herein.
3. 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 notes.
4. On sheet 1 of 4, the dashed line on the southwest corner of the proposed lot shall be labeled appropriately.
5. On sheet 4 of 4, the signature for the Town Plan Commission Secretary shall be "Cynthia Zignego" not "Deidre D. Bushey".
6. On Sheet 4 of 4, the signature for the Town Board Clerk shall be "Meri Majeskie" not "Barbara A. Whitmore".
7. All existing and proposed easements shall be shown.
8. Subject to the Developer satisfying all of the aforementioned conditions within one (1) year of the Town Board granting conditional final CSM approval.
9. 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.
10. 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 C. Herrmann, AICP
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Waukesha County Department of Parks and Land Use
Carl & Mary Petersen
Paul Hilmer

Discussion/Action – Approval of March 20, 2019 and April 8, 2019 Plan Commission Minutes.

Christiansen made a motion to approve, seconded by Turzynski. Motion carried unanimously.

Review Pending

Due to Memorial Day, the May meeting date has been changed to Wednesday, May 29, 2019 at 6:00 p.m.

In the future, deadlines will be more stringent to allow the Planner time to write reports and send to Town attorney prior to the meeting.

Correspondence

None.

Lightfoot made a motion to adjourn, seconded by Christiansen. Motion carried unanimously. Meeting adjourned at 6:59 p.m.

Cindy Zignego
Deputy Clerk
April 23, 2019