

TOWN OF GENESEE PLAN COMMISSION MEETING

SEPTEMBER 23, 2019

Chairman Leair called the meeting to order at 6:00 p.m.

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

Discussion/Action – John Egezeino, W311 S6220 Hunters Crossing, Mukwonago, WI 53149, request for number of Accessory Buildings. (Tax Key GNT 1572-015)

Herrmann stated that there already are two existing buildings and this would be the third building. This building is located in Shoreland and does not require a permit from Town of Genesee.

Ross made a motion to approve. Lightfoot seconded. Motion carries unanimously.

Discussion/Action – Site Plan/Plan of Operation, Kern Family Foundation, W305 S4269 Brookhill Road, Waukesha WI 53189, for Accessory Building/Conference Area. (Tax Key GNT 1526-994-002)

Herrmann discussed the building that will be used for meetings. John Klinko was present and representing Kern Family Foundation. Herrmann requested a survey of the property and location of the building. Waukesha County would have to approve that there will be no restrooms in the building. Klinko will contact Waukesha County and work with Herrmann regarding providing a survey.

Ross made a motion to approve subject to the conditions in Planner's Memo dated September 16, 2019, with flexibility on condition number two to be worked out with Planner. Lightfoot seconded. Motion carried unanimously.

Memorandum

To: Town of Genesee Plan Commission
From: Jeffrey C. Herrmann, Administrator-Planner
Date: 09/16/19
Re: Robert Kern – Accessory Building

In 1986, the Town and County approved a Conditional Use Permit for Robert and Patricia Kern to allow the residence on this property to be remodeled and refurbished and to be used for training and accommodating visitors to the Generac Manufacturing Plant located in the Town of Genesee. The Property was to be used about four months of the year. The residence, referred to as Stone Manor, was able to accommodate 7-8 overnight guests. The Conditional Use also allowed the Construction of an attached garage with a caretaker's residence. The Conditional Use Permit includes a condition that indicates upon termination of the Conditional Use Permit, the property shall be used exclusively as a single-family residence in conformance with all provisions of the Zoning Code and will automatically terminate without further action upon any form of transfer of title from Robert or Patricia Kern.

Mr. Kern also owns the adjacent parcels to the east and the south of the subject property. The Property to the south is his personal residence and to the east is a single-family home used as the operation of the Kern Foundation. In 2010, Mr. Kern proposed to convert the attached garage on the Stone Manor property to office space for the Kern Family Foundation. However, the costs were too high and Mr. Kern decided against the proposed improvements. Mr. Kern is now proposing to construct a new conference/meeting room in a location where a previous building was located. According to the Conditional Use Permit, any construction of new buildings or changes to existing buildings will require the approval of the Town and County of a revised Site Plan/Plan of Operation or Conditional Use and Site Plan/Plan of Operation, and determined by the Town Planner and Waukesha County. Since Waukesha County is no longer involved in the Conditional Use Permit, the Town Planner felt comfortable with approving this building as a Site Plan/Plan of Operation amendment. The intent was to use the existing foundation of the old building, but it has yet to be decided if the foundation can be restored at a reasonable cost. The building would be used as a meeting/gathering place for the Kern Family Foundation. The building would contain French doors on either end of the building, with large windows on the opposite sides of the building. The interior of the building will contain a storage area and mechanical room. No restrooms have been provided in the building. The exact location of the building has been determined, but a survey of the property was not submitted. The Town Planner recommends that the Town Plan Commission **approve** the proposed request subject to the following conditions:

1. All conditions of the Conditional Use Permit regulated under Waukesha County Zoning Code shall now be regulated under the Town of Genesee Zoning Code. All previously imposed conditions established by the Town of Genesee and Waukesha County shall remain in effect and adhered to unless specifically amended herein.
2. An updated survey of the property, including the location of all existing buildings and the location of the proposed building shall be shown on the plat of survey.
3. Subject to documentation being provided to the Town Planner that Waukesha County Environmental Health Division has approved the proposed building without restroom facilities. All requirements of Waukesha County Environmental Health Division shall be complied with.
4. 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.
5. 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).
6. Absolutely no outside storage shall be allowed, except with special Town Plan Commission approval.
7. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
8. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission.
9. 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.
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. 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.
12. 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.
13. 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/Action – Approval of August 26, 2019 Plan Commission Minutes

Lightfoot made a motion to approve the August 26, 2019 minutes, seconded by Turzynski. Ross abstained. Motion carried with one abstention.

Review Pending

Herrmann sent out violation letters regarding a polystructure and another regarding a wood cabinet at the end of a driveway.

Correspondence

None.

Ross made a motion to adjourn. Turzynski seconded. Meeting adjourned at 6:11 p.m.

Cindy Zignego
Deputy Clerk
September 25, 2019