

TOWN OF GENESEE PLAN COMMISSION MEETING

OCTOBER 28, 2019

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

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

Notice is Hereby Given that a Public Hearing will be held by the Town of Genesee Plan Commission on October 28, 2019 at 6:00 p.m. at the Town of Genesee Town Hall, S43 W31391 S.T.H. 83, Genesee Depot, Wisconsin 53127 to consider the request of Alan S. Olson, S26 W30082 Boettcher Road, Waukesha, Wisconsin to amend his existing Hobby Kennel Permit to allow a maximum of five (5) dogs for the purpose of personal pets at S26 W30082 Boettcher Road, Waukesha, Wisconsin. The property is legally described as Lot 2, CSM 8067, being a part of the NE¼ of Section 10, T6N, R1 SE, Town of Genesee, Waukesha County, Wisconsin.

Petitioner, Alan Olson, explained that he currently has 3 dogs. Two of the dogs are older and sick. He wants to get another puppy now to adjust to replacing the older dogs. He doesn't want five (5) dogs, just four (4) dogs total.

He had gotten a Hobby Kennel Permit for the 3 dogs in 2007 and there were no complaints.

Leair opened up the floor at 6:03 p.m. for comment. Greg Hempel, S26W30086 Boettcher Road, Waukesha, WI 53188, was concerned about the barking and added barking with five dogs. Richard Johnson, S26W29894 Boettcher Road, Waukesha, WI 53188, does not object to increase in dogs and has no complaints.

Leair brought the discussion back to the table at 6:06 p.m. Herrmann asked the breed of the new dog. Olson replied he didn't know because he was waiting for Town approval. Herrmann asked if Olson was o.k. with four dogs instead of five. Olson had no intention of owning five dogs, just four during the transition period. Christiansen asked if the dogs are left outside for a period of time. Olson said maybe one to two hours.

Leair closed the hearing at 6:08 p.m.

Discussion/Action – Alan Olson, S26 W30082 Boettcher Road, Waukesha, Wisconsin to amend his existing Hobby Kennel Permit to allow a maximum of (5) five dogs for the purpose of personal pets. (Tax Key 1477-022-002)

Engelking suggested limiting the amount to four dogs at this point. Leair said if it becomes a problem, it would be reviewed by Plan Commission. Christiansen agreed with Engelking and four dog limit. If there is a complaint, it should be submitted to Town Clerk in writing.

Ross made a motion to approve subject to the limit of four dogs and the standard conditions. Engelking seconded.

Motion carried unanimously.

1. Subject to the applicant obtaining all appropriate licenses from the Town prior to housing more than two dogs at the property.
2. Subject to the applicant paying all required fees to the Town prior to housing more than two dogs on the property.
3. Subject to the applicant providing to the Town, proof of all required vaccinations prior to housing more than two dogs on the property.
4. Subject to the Town being granted by the applicant, the right to inspect the exterior premises at any reasonable time for any proper purpose related to the hobby kennel approval, and application for and receipt of a hobby kennel approval shall be deemed to so authorize the Town to inspect as described herein.
5. Subject to the Town Plan Commission reserving the right to rescind its approval of the hobby kennel based upon the finding that the use is incompatible and a nuisance to surrounding uses, that the use is not in the public interest, or that the use adversely affects the use of adjacent lands, provided the applicant is given an opportunity to be heard on the matter, and if so rescinded the applicant shall immediately be subject to the Waukesha County Zoning Code requirements regarding the number of dogs on the property, as though there were no hobby kennel authorization granted.
6. Subject to the hobby kennel and dogs on the property not being used for commercial purpose in any manner, as operation of a commercial kennel requires approval of a conditional use permit by the Town, and Waukesha County pursuant to the Waukesha County Zoning Code.

7. Subject to the hobby kennel use being accessory to the principle use of the property.
8. Subject to the maximum number of dogs allowed under a Hobby Kennel Permit being five (5) with Plan Commission approval.
9. Subject to no more than two litters of puppies being born on the property per year, and any such dogs being sold or otherwise removed from the property within six months of their birth.
10. Subject to such other conditions as the Plan Commission may deem to be appropriate upon review of each specific request, which shall be stated along with these conditions in the minutes of the Plan Commission in their approval of the hobby kennel.
11. Subject to this hobby kennel permit being issued for no more than four (4) dogs at any time.
12. Subject to this permit being strictly for Alan Olson, S26 W30082 Boettcher Road, Waukesha, Wisconsin.

Discussion/Action – Waiver from Section 375-22(F) showing area contiguous to CSM owned by the subdivider for Wolf Business Park, W329 S1744 Jones Road, Delafield, WI 53018. Both CSM #3 and CSM #4 (Tax Key GNT 1458-997-001)

Herrmann recommended approval of the waiver for CSM #3 and CSM #4.

Engelking made a motion to approve the waiver from Section 375-22(F) for both CSM #3 and CSM #4, seconded by Lightfoot. Motion carried unanimously.

Discussion/Action – Certified Survey Map #3 for Wolf Business Park, W329 S1744 Jones Road, Delafield, WI 53018. (Tax Key GNT 1458-997-001)

This CSM is a redivision of Lot 4 into 4 lots – Lot 5, 6, 7 and 8. Herrmann’s concern was the numbering of the lots and wanted them to start with Lot 4. Otherwise, there will be no Lot 4.

Engelking made a motion to recommend to the Town Board to approve CSM #3 subject to the conditions in Planner’s Report dated October 21, 2019. Turzynski seconded. Motion carried unanimously.

**PLANNER’S REPORT AND RECOMMENDATION
CERTIFIED SURVEY MAP**

PROJECT NAME: Wolf Business Park CSM #3

TAX KEY NO.: GNT 1458.997.003

DATE: October 21, 2019

OWNER: Jones Road LLC
514 Wells Street
Suite 1-W
Delafield, WI 53018

LOCATION: Part of the NW ¼ of Section 5, Town of Genesee, Waukesha County, Wisconsin and at W329 S1744 Jones Road.

TOWN ZONING: M-1 Limited Industrial District (1-Acre Minimum Lot Size).

SHORELAND ZONING: M-1 Limited Industrial District.
HG High Groundwater District.
C-1 Conservancy District.

LOT SIZE: Approximately 26.09 acres.

REQUESTED USES: A re-division of Lot 4 CSM No. _____ .

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

The Town of Genesee Comprehensive Land Use Plan – 2035 designates a major portion of this property in the Industrial category, which does not give a minimum density requirement. The southwest portion of the property that includes a tributary of Wales Creek is designated as Primary Environmental Corridor. The northwest portion of the property (not shown on the

CSM), which includes Scuppernong Creek, is designated as Secondary Environmental Corridor. The proposed parcels comply with the intent of the Town of Genesee Comprehensive Land Use Plan – 2035.

STAFF ANALYSIS:

The property is located on the south side of USH 18 and east of Jones Road. It is the former Bartolotta Fireworks property. The owner is in the process of constructing a business park, known as Lapham Corporate Park. For the most part, the lots will be created as they are sold/developed. The overall property size was approximately 42.25 acres in size. This is the third CSM in the series. The property in question is a lot consisting of approximately 26.09 acres. The property is currently zoned M-1 Limited Industrial District under the Town Zoning Code and M-1 Limited Industrial District, HG High Groundwater District and C-1 Conservancy District under the Waukesha County Shoreland Zoning Ordinance.

The owner previously submitted two (2) CSM's to divide the original parcel, the first CSM contained four lots and dedicated Wales Creek Lane, an 80-foot wide public road. The second CSM was divided into one (1) lot and three (3) outlots. The Owner is now proposing to further divide Lot 4 of CSM #2 into four (4) lots. Lot 5 will be 3.00 acres in size, Lot 6 will be 6.79 acres, Lot 7 will be 5.95 acres, and Lot 8 will be 10.37 acres. It should be noted that the petitioner should consider revising the lot numbers and start with Lot 4, instead of Lot 5, otherwise the Lot 4 will fail to exist.

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 September 18, 2019, giving the Town Plan Commission until December 1, 2019 and the Town Board until December 16, 2019, to take action, unless the Developer grants an extension in writing.

In performing a detailed review of the CSM dated September 16, 2019, 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 325-25 (Q) Soil tests if required by Waukesha County Environmental Health Division shall be completed on each lot. The location of the soil borings shall be shown on the CSM and the testing data for each required boring shall be presented to the Town Planner.
- Section 375-22 (F) Entire area contiguous to the proposed CSM owned or controlled by the subdivider and/or owner shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The Plan Commission has waived this requirement in the past, since it is unnecessary to fulfill the purposes and intent of this chapter.
- Section 375-29 (E) All Utility and/or Drainage Easements shall be shown on the final CSM.
- Section 375-29 (I) The square footage of each lot and outlot shall be shown on the CSM and in addition thereto the CSM shall show the exact acreage for each lot or outlot to the nearest 1/100 acre, such indicator to be located **within the boundary of each lot or outlot on the 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.
- Section 375-45 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 house numbers assigned to that lot in conformity with the grid system in effect in Waukesha County and any local ordinances, at the expense of the Developer.
- Section 375-46 The developer upon approval of the Town Engineer shall state on the identical reproducible copy of the final certified survey map the culvert sizes for each lot for future driveways (if applicable).

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 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; Waukesha County Department of Parks and Land Use and the Village of Wales in regard to the CSM, prior to the Town signing the final CSM.
2. The Village of Wales shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by the Village of Wales Prairie shall be incorporated herein.
3. Waukesha County shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by Waukesha County shall be incorporated herein.
4. This CSM shall be recorded subsequently to CSM #2 being recorded, which created the original Lot 4.
5. The Lot numbering shall start with Lot 4 and not Lot 5.
6. On sheet 3 of 8, the word "Temporary" in Temporary Stormwater Access Easement shall be removed.
7. 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.
8. There shall be absolutely no direct access to U.S.H. 18 from the property without written permission from the Wisconsin Department of Transportation.
9. All existing and proposed easements shall be shown.
10. Subject to the Developer satisfying all of the aforementioned conditions within one year of the Town Board granting conditional final CSM approval.
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 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.
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 C. Herrmann, AICP
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Village of Wales
Waukesha County Department of Parks and Land Use
Chief James Moon
Mark Mickelson
John Konopacki
Sean Wolf

Discussion/Action – Certified Survey Map #4 for Wolf Business Park, W329 S1744 Jones Road, Delafield, WI 53018. (Tax Key GNT 1458-997-001)

Herrmann stated this a redivision of Lot 8 into 2 lots. This will make the lots sequential.

Engelking made a motion to recommend to the Town Board to approve CSM #4 subject to the conditions in Planner's Report dated October 21, 2019. Christiansen seconded. Motion carried unanimously.

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

PROJECT NAME: Wolf Business Park CSM #4

TAX KEY NO.: GNT 1458.997.003

DATE: October 21, 2019

OWNER: Jones Road LLC
514 Wells Street
Suite 1-W
Delafield, WI 53018

LOCATION: Part of the NW ¼ of Section 5, Town of Genesee, Waukesha County, Wisconsin and at W329 S1744 Jones Road.

TOWN ZONING: M-1 Limited Industrial District (1-Acre Minimum Lot Size).

SHORELAND ZONING: M-1 Limited Industrial District.
HG High Groundwater District.
C-1 Conservancy District.

LOT SIZE: Approximately 10.36 acres.

REQUESTED USES: A re-division of Lot 8 CSM No. _____ .

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

The Town of Genesee Comprehensive Land Use Plan – 2035 designates a major portion of this property in the Industrial category, which does not give a minimum density requirement. The southwest portion of the property that includes a tributary of Wales Creek is designated as Primary Environmental Corridor. The northwest portion of the property (not shown on the CSM), which includes Scuppernong Creek, is designated as Secondary Environmental Corridor. The proposed parcels comply with the intent of the Town of Genesee Comprehensive Land Use Plan – 2035.

STAFF ANALYSIS:

The property is located on the south side of USH 18 and east of Jones Road. It is the former Bartolotta Fireworks property. The owner is in the process of constructing a business park, known as Lapham Corporate Park. The owner previously submitted three (3) CSM's to divide the original parcel. The first CSM contained four lots and dedicated Wales Creek Lane, an 80-foot wide public road. The second CSM was divided into one (1) lot and three (3) outlots. The Third CSM was divided into four (4) lots. The owner is now proposing to further divide Lot 8 of CSM #3 into two (2) lots. Lot 9 will be 6.34 acres in size and Lot 10 will be 4.02 acres in size. It should be noted that the petitioner should consider revising the lot numbers and start with Lot 8, instead of Lot 9, otherwise the Lot 8 will fail to exist, if CSM #3 is modified then Lot 8 may be Lot 7.

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 September 18, 2019, giving the Town Plan Commission until December 1, 2019 and the Town Board until December 16, 2019, to take action, unless the Developer grants an extension in writing.

In performing a detailed review of the CSM dated September 16, 2019, 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 325-25 (Q) Soil tests if required by Waukesha County Environmental Health Division shall be completed on each lot. The location of the soil borings shall be shown on the CSM and the testing data for each required boring shall be presented to the Town Planner.
- Section 375-22 (F) Entire area contiguous to the proposed CSM owned or controlled by the subdivider and/or owner shall be included on the preliminary plat even though only a portion of said area is proposed for immediate development. The Plan Commission may waive this requirement where it is unnecessary to fulfill the purposes and intent of this chapter and severe hardship would result from strict application thereof.
- Section 375-29 (E) All Utility and/or Drainage Easements shall be shown on the final CSM.
- Section 375-29 (I) The square footage of each lot and outlot shall be shown on the CSM and in addition thereto the CSM shall show the exact acreage for each lot or outlot to the nearest 1/100 acre, such indicator to be located **within the boundary of each lot or outlot on the 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.
- Section 375-45 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 house numbers assigned to that lot in conformity with the grid system in effect in Waukesha County and any local ordinances, at the expense of the Developer.
- Section 375-46 The developer upon approval of the Town Engineer shall state on the identical reproducible copy of the final certified survey map the culvert sizes for each lot for future driveways (if applicable).

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 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; Waukesha County Department of Parks and Land Use and the Village of Wales in regard to the CSM, prior to the Town signing the final CSM.
2. The Village of Wales shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by the Village of Wales Prairie shall be incorporated herein.
3. Waukesha County shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by Waukesha County shall be incorporated herein.
4. This CSM shall be recorded subsequently to CSM #3, which created the original Lot 8.
5. The Lot numbering shall start with Lot 8 and not Lot 9.
6. On sheet 3 of 6, the word "Temporary" in Temporary Stormwater Access Easement shall be removed.
7. 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.
8. All existing and proposed easements shall be shown.
9. Subject to the Developer satisfying all of the aforementioned conditions within one year of the Town Board granting

conditional final CSM approval.

10. 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.
11. 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
Village of Wales
Waukesha County Department of Parks and Land Use
Chief James Moon
Mark Mickelson
John Konopacki
Sean Wolf

Discussion/Action – Site Plan/Plan of Operation for Chem Dry, S34 W29942 Little John Drive, Waukesha, WI 53189. (Tax Key GNT 1494-997-028)

Dean Sylvester, owner of Chem Dry, has been using the building for storage for 3 years and now purchased the building and wants to operate his business at this location. There will be no hazardous materials on site. Sylvester reviewed the Planner's Report. The parking will be resolved by December 1, 2019. Engelking made a motion to approve subject to the Planner's Report dated October 21, 2019. Ross seconded. Motion carried unanimously.

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

PROJECT NAME: Chem Dry

DATE: October 21, 2019

TAX KEY NO.: GNT 1494.997.028

PETITIONER/OWNER: Dean Sylvester
d/b/a Chem Dry
S34 W29942 Little John Drive
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 previous owner rented all the tenant spaces for storage purposes only. No commercial activities were approved. The new owner is seeking approval from the Town Plan Commission to take over the second unit for a carpet and upholstery cleaning and restoration business as well as area rug cleaning. The majority of the use is to store equipment and service vehicles. No hazardous materials are stored on site. The two (2) other tenant spaces will continue to be rented for storage purposes.

The cleaning business will have one (1) full-time office employee and three (3) technicians assigned to this location, however, according to the application, they are out in the field and not in the shop area unless minor maintenance is required. The hours of operation are Monday – Friday from 8:30 a.m. to 5:00 p.m. 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. All previously imposed conditions on the site by the Town and/or Waukesha County shall remain in effect unless specifically amended herein.
2. Any changes to the lighting and/or landscaping shall be reviewed and approved by the Town Plan Commission prior to any changes taking place.
3. No outside storage shall be allowed unless specifically approved by the Town of Genesee Plan Commission.
4. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
5. The Waukesha County Environmental Health Division shall inspect the holding tank to ensure the system can accommodate the proposed use.
6. Absolutely no hazardous materials shall be stored on site.
7. Any use other than inside personal storage of the remaining units 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.
8. The Fire Chief shall inspect said premises to ensure that all fire codes are being complied with. All compliance violations shall be corrected to the Fire Chiefs satisfaction, prior to the issuance of a Plan of Operation/Use Permit.
9. 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.
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
Waukesha County Environmental Health Division.
Chief James Moon
Dean Sylvester

Discussion/Action – Number of Accessory Buildings for Bleu Belle Farms Riding Arena, S31 W29419 Sunset Drive, Waukesha, WI 53189. (GNT 1493-999)

Aaron Nagel of Keller Inc., Contractor for Bleu Belle Farms, was present. Herrmann discussed the removal of one building (Shed “B”) and adding another building.

Lightfoot made a motion to approve the number of accessory buildings, seconded by Ross. Motion carried unanimously.

Discussion/Action – Accessory Building for Bleu Belle Farms Riding Arena, S31 W29419 Sunset Drive, Waukesha, WI 53189. (GNT 1493-999)

Herrmann referred to the pictures of the new structure that will be for personal use. A deed restriction stating the building will be for personal use, not commercial, will be required. There will be language that any future owner could request the Plan Commission’s approval for a commercial horse boarding operation.

Engelking made a motion to approve the proposed riding arena subject to the amended language in Deed Restriction. Lightfoot seconded. Motion carried unanimously.

Discussion/Action – Site Plan/Plan of Operation for Thunder Road LLC, W297 S3549 Boettcher Road, Waukesha, WI 53189. (GNT 1495-997-001)

Michelle Growel, owner of Thunder Road, was present. Engelking stated he would have to abstain. Growel explained her business operation. Herrmann would like a site plan showing the parking stalls. Business will start operating in Spring of 2020.

Ross made a motion to approve subject to the conditions in the Planner's Report dated October 21, 2019. Seconded by Lightfoot. Motion carried with one abstention.

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

NAME: Thunder Road, LLC

DATE: October 21, 2019

TAX KEY NO.: GNT 1495.997.001

OWNER: Michelle Growel
d/b/a Thunder Road
612 N. Sawyer Road
Oconomowoc, WI 53066

LOCATION OF PROPERTY: Lot 1 Certified Survey Map No. 5170, being a part of the SW ¼ of Section 14, T6N, R17E, in the Town of Genesee, Waukesha County, Wisconsin. More specifically, the property is located at W297 S3549 Boettcher Road.

ZONING CLASSIFICATION: M-1 Limited Industrial District (Waukesha County).

PROPOSED REQUEST:

The property encompasses approximately 5.15 acres and contains a 3,388-square foot metal industrial building constructed in about 1995 and two (2) small metal sheds near the southwest property line. The property was formerly used by Best Wood Judge, who specialized in a tree removal and firewood sales business from the property for over 20 years. The new owner, Thunder Road, recently purchased the property and intends to use the property as their main office and yard. Thunder Road is a fully insured, bonded and experienced pavement maintenance contractor holding certifications as a minority and woman owned business with the Wisconsin DOT and providing services throughout the Midwest. They plan to use the office and shop as is, except for some new paint and office flooring. The interior of the building contains four (4) desks and two (2) bathrooms. The shop is a large open area. The employees meet daily at the site, leave their personal vehicles in the yard and use company trucks to take equipment to the job sites and return back to the yard at the end of the day. The yard is for the storage of equipment, materials and vehicles when not at job sites. Thunder Road owns approximately twenty (20) trucks that go to job sites daily. Their construction season runs from April to December. Thunder Road performs asphalt patching, crack sealing, mastic and infrared repairs, sealcoating, and line striping. They service commercial and industrial parking lots and municipal roadways and parking lots both as a prime contractor and as a subcontractor.

The operation will employ twenty (20) full-time seasonal laborers, one (1) year-round mechanic and three (3) full-time office employees. The days and hours of operation will vary, but the main operation is seven (7) days a week from 6:00 a.m. to 9:00 p.m. from April 1st to December 31st each year. Occasional extended hours are required for specific jobs. The main area of the property will be utilized for parking and storage of company owned vehicles and equipment, which include twenty (20) trucks (15 with trailers). The trucks consist of four (4) light duty, eleven (11) medium duty and five (5) heavy duty. The trailers include: five (5) tar kettles, seven (7) flatbeds, two (2) equipment and one (1) enclosed. The owner has indicated that they would like to have up to twenty-five (25) trucks in the future. One (1) job trailer will be on site when not at a job site. Two (2) dumpsters are located near the office building. The existing Best Wood Judge sign will be replaced with a similar size wooden sign. The location and height of the sign will remain the same. A rendering was not submitted with the application. No changes to the landscaping or lighting are proposed at this time.

PLANNER'S RECOMMENDATIONS:

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

1. All conditions previously imposed on the property for all other uses shall be null and void.

2. Outside storage shall be limited to twenty-five (25) trucks and fifteen (15) trailers as requested, unless otherwise approved by the Town Genesee Plan Commission.
3. A detailed colored sign rendering shall be submitted to the Town Planner for review and approval prior to erecting said sign.
4. A new detailed site plan, drawn to scale, showing the exact size and location of all buildings, lights, and parking (including location of all commercial vehicles and location of all employees parking) shall be submitted to the Town Planner prior to issuance of a Use permit.
5. Absolutely no disposal of hazardous materials on site. All waste (hazardous or otherwise) shall be disposed of properly.
6. Any changes to the existing lighting 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.
7. Documentation shall be submitted to the Town Planner, that the Environmental Health Division has approved the existing onsite waste disposal system for the proposed use, prior to the issuance of an occupancy permit.
8. Documentation shall be submitted to the Town Planner that the Land Resources Division of Waukesha County has approved a Stormwater Management Plan and an Erosion Control Plan for the proposed use (if applicable).
9. The Town Building Inspector shall inspect the premises to ensure all applicable building codes have been complied with prior to occupancy of the building.
10. The Wales/Genesee Fire Chief shall inspect the premises to ensure all applicable fire codes are complied with and that a Knox Box has been installed in conformance with the Town of Genesee Knox Box Ordinance, prior to occupancy of the building.
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 to ensure that it does not become detrimental to the surrounding area.
12. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
13. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission and Waukesha County.
14. 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.
15. 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.

Respectfully submitted,

Jeffrey Herrmann, AICP
Administrator-Planner

cc: Town of Genesee Clerk
Town of Genesee Building Inspector
Waukesha County Environmental Health Division
Waukesha County Land Resources Division
Chief James Moon
Michelle Growel

Discussion/Action – Conceptual Land Division for Casey Masterson, N5 W31720 Twin Oaks Dr., Delafield, WI 53018. CSM 10821, Lot #3, Esser Drive. (GNT 1505-996-007)

Herrmann explained the history of the property and the intention was to have the two Esser Drives connect. Masterson stated he wants to split the parcel into two lots and build 2 homes there. The out lot would be shared ownership between the two home owners. Herrmann said there would be no action taken at the meeting because this was a proposed conceptual land division. There was discussion about the two temporary cul de sacs and they needed to be extended. Engelking stated the intention was to have Esser Drive go through the property and connect to each other. The property to the north would be land locked without access to it. There was lengthy discussion about connecting Esser Drive and number of lots on the property.

Discussion/Action – Approval of September 23, 2019 Plan Commission Minutes

Lightfoot made a motion to approve the September 23, 2019 minutes, seconded by Toole. Engelking and Christiansen abstained. Motion carried with two abstentions.

Review Pending

None.

Correspondence

None.

Christiansen made a motion to adjourn. Engelking seconded. Meeting adjourned at 6:56 p.m.

Cindy Zignego
Deputy Clerk
October 30, 2019