

TOWN OF MUKWONAGO  
JOINT PLAN COMMISSION AND TOWN BOARD  
MINUTES  
WEDNESDAY MAY 2, 2018

Chairman Topczewski called the meeting to order at 6:33 p.m. and stated the meeting was noticed.

**ROLL CALL**

**Plan Commission:** Commissioners Kurowski, Clabault, Gilboy, Yerke, Schuett, Supervisor Bratz, and Chairman Topczewski were present.

**Town Board:** Supervisors, Bratz, Boucher, Wrasman, Yerke and Chairman Topczewski were present.

Also present: John Macy, Town Attorney; Gail Obradovich, Deputy Clerk-Treasurer; Tim Schewecke, Town Planner; Kathy Karalewitz, Admin Clerk-Treasurer and Scott Johnson, Building Inspector.

**MINUTES OF APRIL 4, 2018**

**Plan Commission Action:** Motion by Commissioner Yerke to approve the minutes of April 4, second by Commissioner Gilboy, all ayes; motion carried.

**Town Board Action:** Motion by Supervisor Yerke to approve the minutes. Second by Supervisor Bratz, all ayes; motion carried.

**AMENDMENT OF THE TOWN'S OFFICIAL MAP BY ELIMINATING THE SHORT, PLANNED CUL-DE-SAC ROAD THAT WAS APPROVED IN 2017 ON PETITIONER'S PROPERTY ON WEST SIDE OF BEULAH ROAD (MUKT1949998); DIANE STEINKE, PROPERTY OWNER (STEVE STYZA, AGENT); APPLICATION 2018-17**

Mr. Styza explained his new concept for the land division.

Chairman Topczewski called for any additional questions or comments from the Board/Commission, there were none.

The Chairman then asked for comments from the audience, hearing none the Public Hearing was closed.

**Plan Commission Action:** Motion by Commissioner Yerke to recommend to the Town Board the adoption of the draft resolution, dated April 27, 2018, based on the reasons set forth in the staff report, second by Commissioner Schuett. All ayes, motion carried.

**Town Board Action:** Motion by Supervisor Boucher to accept the resolution as recommended by the Plan Commission, second by Supervisor Wrasman. All ayes, motion carried.

**TWO-LOT CERTIFIED SURVEY MAP FOR PROPERTY LOCATED ON WEST SIDE OF BEULAH ROAD (MUKT1949998); DIANE STEINKE REVOCABLE TRUST (STEVE STYZA, AGENT); APPLICATION 2018-20**

Mr. Styza spoke regarding the new two lot proposal.

Tim Schwecke gave an overview of this staff report dated April 27, 2018, with discussion following.

Concerns were voiced about severing the three 5 acre lots without proceeding with the entire subdivision at this time.

Mr. Styza explained the reasons for his changes.

Discussion continued with the Board and Commission.

**Plan Commission action:** Motion by Commissioner Schuett to approve the conceptual design of the two-lot CSM, subject to the seven conditions:

1. The petitioner obtains waivers from the land division regulations as may be required.
2. The layout of the lots in the final CSM must substantially comply with the layout depicted in the conceptual CSM.
3. The final CSM must comply with the Town's land division regulations (ch. 34), and any requirements in ch. 236, Wis. Stats., including the general comments below.
4. The final CSM submittal must include the Review Checklist as adopted by the Town of Mukwonago.
5. The Town Engineer must review the CSM and approve of the same.
6. The petitioner must obtain all necessary approvals as specified in s. 236.34(1), Wis. Stats. (County approval).
7. The petitioner must submit an application to the Town to amend the Town's official map to remove the planned cul-de-sac road on subject property and obtain approval of the same.

**General comments on the conceptual CSM:**

1. The area being dedicated for road purposes must be indicated.
2. Remove the topographic information in the final CSM.
3. The general location of the proposed drives on Beulah Road must be depicted, along with a no-access strip along the remaining portions of Beulah and also CTH NN.

Motion seconded by Supervisor Bratz. Commissioners Schuett, Clabault, Kurowski, Gilboy, Supervisor Bratz voted in favor, Commissioner Yerke and Chairman Topczewski voted no. Motion carried.

**WAIVER REQUEST TO NOT INCLUDE REMNANT PARCEL IN SURVEY FOR TWO-LOT CERTIFIED SURVEY MAP LOCATED ON WEST SIDE OF BEULAH ROAD (MUKT1949998); DIANE STEINKE REVOCABLE TRUST (STEVE STYZA, AGENT) APPLICATION 2018-21.**

The Planner gave an overview of his staff report dated April 27, 2018.

Discussion was whether to have the left-over 42 acres be surveyed at this time. Consensus was the land will have to be surveyed at some point so why not get it done now.

**Town Board action:** Motion by Supervisor Boucher to deny the request for waiver, second by Supervisor Yerke. All ayes, motion passes.

**REVIEW OF CONDITIONAL USE APPROVAL GRANTED TO TIMOTHY COX IN 1996 FOR PARKING OF A COMMERCIAL DUMP TRUCK AND OTHER SPECIFIED EQUIPMENT ON PROPERTY LOCATED AT S79W32409 SUGDEN ROAD (MUKT1937995); (APPLICATION 2018-19)**

Mr. Schwecke gave an overview of his staff report dated April 27, 2018. Mr. Schwecke walked the property with Mr. Cox, and based on his observations, Mr. Cox is not in compliance with the terms of the CU.

Mr. Cox (S79W32409 Sugden Rd) was in attendance. He stated he was willing let the CU go.

The Planner asked Mr. Cox to prepare a letter stating he wishes to terminate his Conditional Use Permit.

**Planning Commission Action:** Motion by Chairman Topczewski to table this item to the next meeting on June 6, 2018 at 6:30 pm. Second by Commissioner Schuett, all ayes; motion carried.

**CONDITIONAL USE FOR A BANQUET HALL (WITH MAXIMUM SEATING CAPACITY OF 200) LOCATED AT S100W31244 CTH LO (MUKT1981997003): GREENWALD FAMILY FOUNDATION (RON SPEAR, AGENT); APPLICATION 2018-15**

The Joint public hearing was opened by Chairman Topczewski.

Ron Spear gave a presentation on the proposed banquet hall. The presentation included a drone overview of the gardens, grounds, mansion, and the proposed location of the new building. Mr. Spear stated they hope to eventually do tours of the home and gardens.

Mr. Nathan Remitz of Patera Architects spoke about the proposed plans for the Banquet Hall. Mr. Spear stated he was hoping schools will want to host educational events in the gardens. Also, he hoped to open the home at holidays for fund raising events.

Tim Schwecke gave an overview of his staff report dated April 27, 2018. The Planner pointed out the 3 decision criteria with discussion following. Discussion centered around the 25 conditions stated in the CU application and the number of events.

Chairman Topczewski opened the public hearing and asked if anyone present wished to be heard.

Laura Movrich-Ellis, W309S10004 HIGHWAY I, stated she does have concerns about the traffic, but feels the Town is putting too many rules on homeowners.

Sandy Ariss, S83W29971 Saxony Ct, spoke against the property because of the effect on the surrounding properties. She also expressed concerns about the size of the building and the parking.

Nan Bach, S92W31343 Hwy NN, stated the trees in the background of the home belong to her. Mrs. Bach expressed concerns about the rules being followed. She was not happy about the prospect of tents being used and for how long. Past events have had people

wandering around and crossing into her property. She feels there should be additional screening and fencing and was concerned about voices carrying at night.

David Bach, S92W31343 Hwy NN, explained his home is only 900ft from the proposed building. The last wedding event had a band playing outside and could be heard a mile away.

Mr. Bach also expressed concerns about the springs located on the property.

Art Schneider, S55W33614 Hwy ZZ, is a realtor and school board member. He has spoken to Mr. Greenwald about the possibility of having his orchestras play in the new building. His experiences with Mr. Greenwald have always been good.

Michael Reynolds, W310S9435 Cnty I, doesn't agree with the proposed use of the property and felt this would be a commercial business. He was hoping to keep the area rural which is why he originally purchased a home in this area.

Mark Schneider W310S9461 Cnty I. He said he understands the substantial proof is on both sides. He feels the past comments made and past board denials is proof.

Mr. Macy explained to the audience what the new law entailed. CU's are now a right NOT a privilege. He gave some examples of substantial evidence. There are only 3 decision criteria to be considered. The Chairman asked if either the Board or Commission had any questions regarding the new law.

#### Continue Public Comments

Mike Paddock, W93S31375 Hwy I, stated when he purchased his home he thought he was building near a park as it was at that time. He is ok with most of the proposed use with exception of the tents, noise level, and define "enclosed" for the music. Mr. Paddock did a demo of what 90 decibels would sound like.

Nick Movrich, W310S9749 Hwy I, is adjacent to the property. He is concerned about water flow into his yard. He stated there is a creek running under the driveway and several springs on the property. The new two-lane driveway will either go thru the Environmental Corridor and over a natural spring or Mr. Greenwald will have to acquire more land. Mr. Movrich is also concerned about a lit parking lot.

Ben Ariss, S83W29971 Saxony Ct., stated said he would need time to do homework and consult an appraiser.

Ray Simons, S93W31385 CNTY ROAD NN, stated his main concern is traffic. He is also concerned about the overserving of patrons and over-serving of alcohol.

Roger Olenberg, S100W31009 CTH LO, filed a copy of a crash report on Hwy LO and stated his main concern is traffic.

Ed Olson, S100W30365 Cnty LO, is concerned about the Commission having to make a decision under the new law. He stated is not the correct use for this property in a rural area. Mr. Olson doesn't believe this will be a viable business and the town may be saddled with the property eventually.

Jeff Roma, S94W3171 Gena Dr., appreciates all the Greenwalds have done for the community and isn't totally opposed to the use. What will the light effect be on animals and residents who can see the lights of the parking lot and car lights.

Two emails were also submitted and will be read at the June 6, 2018 Planning Commission meeting.

Atty Macy explained to the audience the Commission/Board does not do the research. They make decisions based on evidence presented. Conditions will not be set tonight. Both sides will be able to present evidence after discussing criteria a b and c.

**Town Board action:** Motion by Supervisor Boucher to adjourn the public hearing to the meeting scheduled for June 6, 2018 at 6:30 pm. Second by Supervisor Bratz, all ayes, motion carried.

**SITE PLAN AND PLAN OF OPERATION FOR BANQUET HALL (WITH MAXIMUM SEATING CAPACITY OF 200) LOCATED AT S100W31244 CTH LO (MUKT1981997003); GREENWALD FAMILY FOUNDATION (RON SPEARS, AGENT); APPLICATION 2018-16**

All were in favor of tabling the site plan of operation until June 6, 2018 6:30pm.

**POTENTIAL AMENDMENT OF THE REVIEW CRITERIA FOR LAND TRANSFERS BETWEEN ADJOINING PROPERTIES AS SET FORTH IN THE TOWN'S LAND DIVISION REGULATIONS (CHAPTER 34 OF THE MUNICIPAL CODE)**

Tim Schwecke gave an overview of his staff report dated April 27, 2018 with discussion following.

**Planning Commission action:** motion made by Supervisor Bratz to direct the Town Planner to set a public hearing for the next meeting on June 6, 2018 at 6:30 pm. All ayes, motion carried.

**REPORT BY BUILDING INSPECTOR REGARDING ANY ALLEGED OR OUTSTANDING VIOLATION(S)**

Scott Johnson, building inspector, distributed his inspection report, and spoke about the fire damaged home needing to be razed. He stated he needed Board approval. A Special Board meeting was set for Friday, May 4, 2018, 8am.

**MISCELLANEOUS UPDATES**

There were none.

**ADJOURNMENT**

**Plan Commission action:** Motion by Commissioner Clabault, second by Commissioner Schuett to adjourn at 10:05 p.m. All ayes, motion carried.

**Town Board action:** Motion by Supervisor Yerke, second by Supervisor Bucher to adjourn at 10:05 p.m. All ayes, motion carried.

Respectfully submitted,

Gail Obradovich Deputy/Clerk-Treasurer

APPROVED 6/6/18