

TOWN OF MUKWONAGO
JOINT PLAN COMMISSION AND TOWN BOARD
MINUTES
WEDNESDAY APRIL 5, 2023

Chairman Topczewski called the meeting to order at 6:30 p.m. and stated the meeting had been appropriately noticed.

Roll Call

Plan Commission: Commissioners, Bratz, Usarek, Kurowski, Bell, Schuett, and Chairman Topczewski and Supervisor Clabault were present.

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

Also present: John Macy, Town Attorney; Gail Obradovich, Deputy Clerk-Treasurer

Meeting minutes of March 1, 2023

Plan Commission Action: Motion by Supervisor Clabault to approve the minutes of March 1, 2023 as presented, second by Commissioner Bell, all ayes; motion passed.

Town Board Action: Motion by Supervisor Clabault to approve the minutes of March 1, 2023 as presented, second by Supervisor Yerke, all ayes; motion passed.

Report by Building Inspector regarding any alleged or outstanding violation(s)

The Building Inspector was not in attendance but had reported he no new violations

Chairman Topczewski announce Mr. Schwecke was unable to attend tonight's meeting

Concept review of a two-lot certified survey map for property located at W310S8471 CTH I (MUKT1936999003); Ronald H Lambert Jr, applicant (application 2023-03)

The Chairman gave an overview of the Staff Report dated February 23, 2023. He also summarized the history and deed restriction for this property.

Attorney Macy explained the prior owner's requests and the final outcome being a deed restriction declaring no further division.

Mr. Lambert explained his plans for development. Wants to have horses and a barn and a home on the other lot. Mr. Lambert planned to put the roads in later but can't afford it at this time.

Discussion with Mr. Lambert continued. The Chairman stated, the deed restriction is clear, roads must go in before any further division.

Plan Commission action: Motion by Chairman Topczewski to deny the petitioners request until the roads are completed, based on the prior deed restriction placed on this property. Second by Commissioner Usarek, all in favor; motion passed.

Final certified survey map for 4 lots located off of CTH NN and Beulah Road (MUKT1952998001); TM High View LLC (Tom McAdams, agent); Application 2023-04

Mr. McAdams and Julie Rohde were present to answer questions.

Chairman Topczewski Summarized the planner's staff report dated March 31, 2023.

Planning Commission action: Motion by Chairman Topczewski to recommend to the Town Board the approval of the final certified survey map, subject to the following terms and conditions with amendment to item #3:

1. Prior to signing the CSM, the petitioner must address any remaining issues to the satisfaction of the Town engineer.
 2. Prior to signing the CSM, the petitioner must address any remaining issues related to the shared access agreement to the satisfaction of the Town attorney.
 - 3. Prior to signing the CSM, the petitioner must submit a request to the Town for a driveway access for Lot 3, and obtain preliminary approval. (These items would be part of the new owners building permit. The Building Inspector will write a letter with his recommendation as to driveway placement).**
 4. Immediately after recording the final CSM, the petitioner must record a shared access agreement, as approved by the Town Attorney, for Lots 1 and 2.
 5. The surveyor's seal, signature, and date must appear on all sheets of the final CSM. The same revision date must also be noted on each sheet.
 6. The concept layout for the future division of Lot 4 is for informational purposes and is in no way binding on the Town in any manner should the petitioner submit a subdivision proposal.
- Second by Commissioner Schuett, all in favor; motion passed.

Town Board action: Motion by Supervisor Boucher to accept the recommendation of the Planning Commission with the amendment to item 3. Second by Chairman Topczewski, all in favor; motion passed.

Special exception to exceed standard floor area for detached accessory buildings pursuant to Section 36-719 of the zoning code for property located at W303S6740 CTH I (MUKT1884998001); Chad and Stacey Kelly, applicant (application 2023-06)

Chairman Topczewski gave an overview of the staff report dated March 31, 2023 and the previous special exception granted.

Mr. Kelly was present to answer questions and explained current situation. The Large Barn on the property has since been removed. Mr. Kelly explained he would like a workshop and current building is garage. The current metal building is 800sq ft. and is currently deemed one of the rural accessory buildings. Mr. Kelly would be adding the sq footage to the back of his current garage. Discussion followed.

Chairman Topczewski read the general factors to be considered when reviewing this request.

The additional factors to be considered as stated in the Staff Report dated March 31, 2023 were also read by Chairman Topczewski.

Planning Commission action: Motion by Commissioner Bratz to recommend to the Town Board the approval of the petitioner's request for additional floor area based on the specific findings and the terms and conditions listed below with the addition of Condition 2.

Specific Findings: (1) The architecture of the accessory building is compatible with the dwelling unit. (2) The accessory building will not be adverse to the public health, safety or welfare. (3) The accessory building will not be in conflict with the spirit or intent of this chapter. (4) The accessory building will not otherwise be detrimental to the Town or the immediate neighborhood where the structure would be located.

Conditions:

- (1) The property owner must record a deed restriction as approved by the town indicating the use of the detached buildings are limited to non-commercial uses.

(2) Deed restriction to include no further exceptions and no commercial use.

Second by Commissioner Schuett, Supervisor Clabault voted nay, the others all voted aye; motion passed.

Town Board Action: Motion by Supervisor Wrasman to accept the recommendation of the Planning Commission as amended. Second by Supervisor Yerke, Supervisor Clabault voted nay, the others all voted aye; motion passed.

Amendment of comprehensive plan by changing classification of the subject property located at S93W30580 County Road NN on the future land use map; Wisconsin District of Wesleyan Church, applicant (Joseph A. Abruzzo, agent) (application 2023-08)

Chairman Topczewski gave an overview of the staff report dated March 30, 2023. Discussion followed. Atty Dan Frenz representing Joe Abruzzo explained the plans for the property and to bring the property zoning to be as what it is always been used for and to allow multiuse. Discussion followed.

Planning Commission action: Motion by Chairman Topczewski to Direct the Town Planner to prepare a draft resolution recommending the change to the Town Board as proposed to be reviewed at the next Plan Commission meeting on May 3, 2023 6:30pm. Second by Commissioner Bratz, all in favor; motion passed.

12. Miscellaneous correspondences (none)

13. Recommendations for future agendas limit on Special Exceptions on detached buildings. Zoning on Churches - clean up both.

Miscellaneous updates (if any)

A. Phantom Lake Management District nothing

B. Fox River Commission no new projects

Adjournment

Plan Commission action: Motion by Chairman Topczewski to adjourn at 8:04 p.m., second by Commissioner Bratz. All ayes, motion passed.

Town Board action: Motion by Chairman Topczewski to adjourn at 8:04 p.m, second by Supervisor Clabault. All ayes, motion passed.

Respectfully submitted,

Gail Obradovich Deputy/Clerk-Treasurer

APPROVED May 3, 2023