

TOWN OF MUKWONAGO
JOINT PLAN COMMISSION AND TOWN BOARD
MINUTES
WEDNESDAY JUNE 7, 2023

Deputy Clerk Obradovich called the meeting to order at 6:30 p.m. and stated the meeting was noticed.

ROLL CALL

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

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

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

Deputy Clerk Obradovich asked for a motion to appoint a chairman for the meeting.

Town Board Action: Motion by Supervisor Wrasman to appoint Supervisor Boucher as the temporary Chairman. Second by Supervisor Yerke, all ayes; motion carried.

Meeting minutes of May 3, 2023

Plan Commission Action: Motion by Commissioner Bratz to approve the minutes of May 3, 2023 with the correction of Commissioner Bell being present, second by Commissioner Schuett, all ayes; motion passed.

Town Board Action: Motion by Supervisor Yerke to approve the minutes of May 3, 2023 as amended, second by Supervisor Boucher, all ayes; motion passed.

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

The Building Inspector had reported he no new violations. Mr. Freson did submit a timeline. Update on Ralinda Howard, she is Selling or has sold her property.

Recommendation to Waukesha County regarding a proposed amendment of the text of the Waukesha County Shoreland and Floodland Protection Ordinance to incorporate the Laitsch Dam Failure Analysis Application 2023-10

Jason Fruth, Waukesha Planning, Waukesha County planning and Zoning, reported on the dam failure study. This Text Amendment needs to be adopted to avoid flooding. Discussion followed.

Commissioner Bell abstained from discussion and voting as she lives in the affected area. There was no motion by the Planning Commission as there was no quorum.

Town Board Action: Motion by Supervisor Wrasman to accept the proposed text amendment as asked by Waukesha County, second by Supervisor Yerke. All ayes, motion carried.

Recommendation to Waukesha County regarding a proposed amendment of the text of the Waukesha County Shoreland and Floodland Protection Ordinance to incorporate the Laitsch Dam Failure Analysis Application 2023-11;

Town Board Action: Motion by Supervisor Wrasman to accept the proposed map revision as mapped as recommended by County, second by Supervisor Yerke. All ayes, motion carried.

Special exception to exceed the standard floor area of detached accessory buildings for the property located at S85W32611 Joshua Drive pursuant to Section 36-719 of the zoning code; Kent and Lindsey Davies, applicant. Application 2023-12

Kent Davis was in attendance and gave a brief statement regarding the use of the building which was for storage and a recreation area. Brent Ryan from Morton Buildings was also in attendance to answer questions.

Mr. Schwecke reviewed his staff report and the procedure.

Discussion followed. Applicant has no problem tabling the vote to the Board meeting on June 21, 2023 to allow the entire Board to be present.

Plan Commission action: Motion by Commissioner Schuett 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.

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 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 location of the building is shifted to address the Town Engineer's review comments.
- (2) The proposed building must comply with all applicable requirements of the Town's zoning regulations.
- (3) The property owner must obtain a zoning permit within 6 months of this date.
- (4) The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit.
- (5) Prior to issuance of a building permit, the property owner must record a deed restriction as approved by the town indicating the use of the building is limited to non-commercial uses.

Second by Commissioner Bratz, Commissioner Bell voted nay, all others voted aye; motion passed.

Town Board Action: Motion by Supervisor Wrasman to table this item until the June 21, 2023 6:30 p.m., second by Supervisor Boucher. All ayes, motion carried.

Special exception for height of accessory building for the property located at S85W32611 Joshua Drive pursuant to Appendix C (footnote 14) of the zoning code; Kent and Lindsey Davies, applicant. Application 2023-13

Plan Commission action: Motion by Commissioner Schuett to recommend to the Town Board the approval of the special exception for building height based on a finding that the location will comply with the more stringent setback and offset requirements, subject to the terms and conditions listed below.

- (1) The location of the building is shifted to address the Town Engineer's review comments.
- (2) The proposed building must comply with all applicable requirements of the Town's zoning regulations.
- (3) The property owner must obtain a zoning permit within 6 months of this date.
- (4) The property owner must obtain a building permit for the approved building within 9 months of this date and complete the authorized work within one year of obtaining the permit.

Second by Commissioner Bratz, Commissioner Bell voted nay, all others voted aye; favor; motion passed.

Town Board Action: Motion by Supervisor Boucher to table this item until the June 21, 2023 6:30 p.m., second by Supervisor Wrasman. All ayes, motion carried.

Designation of a building envelope in the Environmental Corridor (EC) district pursuant to s. 36- 853 (b)(2) of the zoning code to accommodate a detached accessory building located at S85W32611 Joshua Drive; Kent and Lindsey Davies, applicant.

Applicant will meet with Tim Lynch to discuss location and grading.

Town Board Action: Motion by Supervisor Yerke to table this item until the June 21, 2023 6:30 p.m., second by Supervisor Boucher. All ayes, motion carried.

General discussion on potential amendments to the zoning code including special exceptions for additional floor area for accessory buildings, rural accessory buildings, and allowances for agricultural buildings

Town Board Action: Motion by Supervisor Wrasman to table this item until the Planning Commission meeting on July 5, 2023 6:30 p.m., second by Supervisor Yerke. All ayes, motion carried.

Plan Commission action: Motion by Commissioner Schuett to table this item until the Planning Commission meeting on July 5, 2023 6:30 p.m., second by Commissioner Bell. All ayes, motion carried.

General discussion on potential amendments to the land division regulations including procedural aspects for reviewing certified survey maps (CSMs) (to be carried over to next meeting)

Town Board Action: Motion by Supervisor Boucher to table this item until the Planning Commission meeting on July 5, 2023 6:30 p.m., second by Supervisor Wrasman. All ayes, motion carried.

Plan Commission action: Motion by Commissioner Bratz to table this item until the Planning Commission meeting on July 5, 2023 6:30 p.m., second by Commissioner Schuett. All ayes, motion carried.

Recommendations for future agendas

Miscellaneous updates (if any)

A. Phantom Lake Management District None

B. Fox River Commission None

Adjournment

Plan Commission action: Motion by Commissioner Bratz to adjourn at 7:33 p.m., second by Commissioner Schuett. All ayes, motion passed.

Town Board action: Motion by Supervisor Yerke to adjourn at 7:33 p.m, second by Supervisor Wrasman. All ayes, motion passed.

Respectfully submitted,