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Summit Village Hall • 37100 Delafield Road • Summit, WI 53066

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## Minutes

### Village of Summit Plan Commission

### Thursday, January 18, 2024

#### CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday January 18, 2024 at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

#### ROLL CALL AND CONFIRM POSTING

Deputy Clerk/Deputy Treasurer LaValliere took roll call and confirmed notice was given to the local media as required and requested and posted on the Village posting board and website. Commissioners present were:

- Jim Siepmann – Plan Commission Chair
- Jim Petronovich
- Sandra Murray
- Annette Kaja – Arrived at 5:55 pm
- Matthew Katz

Also, present were, Planner Amy Barrows and Deputy Clerk/Deputy Treasurer Sarah LaValliere.

#### MINUTES

- November 16, 2023
- December 21, 2023

MOTION: (Petronovich, Murray) To approve the minutes for December 21 & November 16 2023 as presented at the January 18, 2024 Plan Commission meeting. - Carried

Next meeting date – proposed for Thursday, February 15, 2024 at 5:30 p.m.  
All 4 in attendance will attend.

#### PUBLIC HEARINGS

Chairperson Siepmann Announced a Public hearing to:

**Receive comments regarding a request from Devin Wolf, on behalf of property owners, DSL Investments, LLC; and Sean P Wolf Et Al, and 612 Sawyer Rd LLC to amend an existing Conditional Use for a quarry and associated activities to allow for an existing office building located on the east side of N. Sawyer Road to be used for office space unrelated to the quarry use, amend the ownership, and extend the Conditional Use five years. The request was subject to a public hearing and Plan Commission action on October 19, 2023, and the associated Conditional Use Agreement was approved by Plan Commission on October 30, 2023. A subsequent Public Hearing was held on December 21, 2023 in order for proper notification related to the requested ownership change, accurate legal description, and request to extend the Conditional Use timeframe five years. This public hearing is intended to provide individual**

**notification to all property owners within 300 ft. of the subject property boundaries. The Conditional Use applies to two properties including Lot 1 of Certified Survey Map No. 11648, Vol. 116/283, and part of the SE ¼ of Section 26, T7N, R17E, Village of Summit, Waukesha County, Wisconsin. The properties are known as 410 Summit Avenue (SUMT0680999002) and 612 N. Sawyer Road (SUMT0675988001).**

Planner Barrows provided a brief history of activities related to this request up to this Public Hearing.

Chairperson Siepmann opened the meeting to public comment.  
There is no public comment.

Chairperson Siepmann Closed this public hearing at: 5:43 pm

Chairperson Siepmann announced a Continued Public Hearing to:

**Receive comments regarding a revised request from Rebecca Carsey, on behalf of White Stag 1894, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.**

Planner Barrows provided the Plan Commission the input given at the last Public Hearing for consideration.

James Hammes

Representative for White Stag 1894

Reviewed the revised ordinance text; which is consistent with the discussion the Plan Commission had at the last Plan Commission meeting. Referencing paragraph 14 regarding decibel levels and there would be no outdoor amplification and that the noise ordinance decibels are 77 during the day – 66 at night.

There is additional conversation about public and private events and the created sub paragraph C; public and vendor activity. There would be no more than 4 public events per year and the applicant would provide site plan & plan of operation for large events to Police Chief to determine if additional staff is needed.

There are questions from the board regarding hours, attendees, & limits on parking spaces.

Planner Barrows reviewed an e mail that was submitted from Brian Porter to be included into public record.

Plan Commission members received a copy of the email in advance of the meeting.

Mr. Porter questioned if there is an opportunity for the applicant to comply with existing code and there were concerns about public events and number of attendees to an event. Number of attendees would be limited by the parking available.

The Public hearing is opened for public comment.

Michelle Randgaard 37477 Still Water Dr- Is concerned about noise, and number of public events, private events and ongoing use of a commercial business in agricultural zoning. Wants to know how Village would monitor decibel levels.

Dave Hotchkiss 37471 Stillwater- Outlined his understanding of the ordinance, and his observation of the intended uses, and concerns about noise. He urges the Plan Commission to reject change to the ordinance.

Kevin Tadych 37736 Sunset Dr - Provided a demonstration on decibels. Hopes it provides clarification on decibel levels.

Applicant Rebecca Carsey 37736 Sunset Dr – Provided input on farming and community and the opportunity to create diverse revenue sources for their farm. Ultimately, proposing the ordinance to allow historic farms and opportunity to diversify income streams and provide the community opportunity to have beautiful places to share life together.

James Hammes Atty for Petitioner - Provided comment on decibels and ordinance for clarity, and in addition commented on private vs public events. Stating a private event would be invitation only, and Public would be an art show that is open to the public to attend.

Michele Randgaard - Asked about enforcement on decibel levels.

Additional questions arise regarding time of use during the summer, and if that is desirable for the neighbors in the summer time.

Additional input from commissioners regarding number of events, enforcement, and revisions that would include a public hearing. There is a straw poll for team to determine attitudes on the Plan Commission or PD receiving the Plan of Operation for public events.

- Petronovich – Plan Commission
- Murray – prefers Plan Commission instead of police chief
- Kaja – Plan Commission
- Katz – Plan Commission

It is recommended to remove public event portion or the text, and revise police involvement for plan of operation.

Attendees and parking and parking surfaces are inquired about. Private is attendee only, and it is recommended to strike section 2 public and take all reference of public event out and only refer to group size.

Michelle Randgaard - Questions “Event Barns” being right next to a subdivision.

Kevin Tadych - Addressed concerns about quantity of events.

MOTION: (Murray, Petronovich) to adjourn the public hearing until February Plan Commission meeting. - Carried

Chairperson Siepmann Announced a Public Hearing to:

**Receive comments regarding a request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted.**

Planner Barrows provided a summary of the request to amend the text of the Village of Summit Zoning and

Shoreland Protection ordinance to allow commercial vehicle parking.

Michael Van Kleunen  
Axley Brynerson, LLP, agent for the property owner  
Reviewed the draft Ordinance included in the meeting pack.

There were questions related to 4E: no commercial activity involving a commercial vehicle could be executed on this property.

Conversation is had about number of vehicles and how to properly accommodate vehicles and limit number of vehicles on the property. Applicant is requested to approach and review the number of vehicles on the property.

Christopher Kadow – 740 N Griffith Rd reviewed the inventory of trucks currently part of his business.

- 3-4 Pick up
- 3 Gooseneck Trailer
- 2 Chipper/ Chip Truck

The hearing is opened for public comment:

Cheryl Buth  
937 N Griffith Rd  
Recommend approval of Ordinance to Village Board

Michael Goral  
826 N Griffith Rd  
Recommend approval of Ordinance to Village Board

Additional conversation about the number of parking and employee parking is had and there is conversation about revisions to the text for the amendment and the Plan Commission determines it should adjourn the Public hearing to the February Plan Commission meeting.

MOTION: (Kaja, Murray) Adjourn Public Hearing to February Plan Commission Meeting - Carried

### **REGULAR BUSINESS:**

Discussion and action on request from Devin Wolf, on behalf of property owners, DSL Investments, LLC and Sean P Wolf & 612 Sawyer Rd LLC to amend an existing Conditional Use for a quarry and associated activities to allow for an existing office building located on the east side of N. Sawyer Road to be used for office space unrelated to the quarry use, amend the ownership, and extend the Conditional Use five years. The Conditional Use applies to several properties including, Lot 2 of Certified Survey Map No. 11085, Vol. 108/255, Parcel 1 of Certified Survey Map No. 8561, Vol. 75/151, Lot 1 of Certified Survey Map No. 11648, Vol. 116/283, and part of the SE ¼ of Section 26, T7N, R17E, Village of Summit, Waukesha County, Wisconsin. The properties are known as 410 Summit Avenue (SUMT0680999002) and 612 N. Sawyer Road (SUMT0675988001).

MOTION: (Katz, Petronovich) To approve the proposed Conditional Use Amendment, subject to all signatures being in place. - Carried

Discussion and action on request from Rebecca Carsey on behalf of White Stag 1894 to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow the rental of agricultural buildings in the A-1 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to create Section 111-357(d)(3) to allow rental of agricultural buildings for activities or events in the A-1 Agricultural District as a Conditional Use and create Section 111-321(7) to provide the standards and conditions that must be met in order for the rental of agricultural buildings to be considered.

**NO MOTION MADE** for 7b: Tabled until February 15 Plan Commission meeting

Discussion and action on request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to amend the text of the Village of Summit Zoning and Shoreland Protection Ordinance to allow commercial vehicle parking on properties zoned in the A-2 Agricultural District as a Conditional Use. Specifically, the applicant is proposing to modify Section 111-431 Definitions, add Section 111-358(d)(2) Conditional uses in the A-2 Agricultural District, and modify Section 111-321 Conditional uses permitted.

**NO MOTION MADE** for 7c: Tabled until February 15 Plan Commission meeting

Discussion and action on request of Phil Zagrodnik to amend Business Plan of Operation approval for Ole's Tap on property located at 34324 Delafield Road (SUMT0669053).

Planner Barrows provided a summary of the request of Phil Zagrodnik to amend Business Plan of Operation approval for Ole's Tap on property located at 34324 Delafield Road (SUMT0669053).

Applicant Phil Zagrodnick gave a brief presentation regarding the requested amendment to the Business Plan of Operation for Ole's Tap on property located at 34324 Delafield Road (SUMT0669053).

Plan Commission discussed the proposed site improvements and recommended conditions by the Planner.

**MOTION:** (Katz, Petronovich) Approval of the proposed Business Plan of Operation amendment, subject to the following conditions:

1. The applicant is limited to the business plan of operation approved by the Plan Commission in July of 2023, unless modified as part of this staff report. Any other changes to the business plan of operation require review and approval by Plan Commission prior to those changes taking effect.
2. The applicant is limited to three special events per calendar year. The applicant shall submit a detailed site plan and operational plan of each special event at least 45 days in advance of the event for Plan Commission consideration. The submittal shall include a site plan with the location and size of any tents and amenities, such as a hot tub, bar, or grill; hours of operation; type and hours of music; location and colored scaled rendering of any temporary signage, location of temporary parking; location and type of any temporary lighting; and proposed safety measures. The submittal package shall be reviewed by the Village Planner, Building Inspector, Fire Department, and Police Department prior to Plan Commission consideration. All necessary restaurant and liquor licenses shall be granted prior to the event taking place, if the event exceeds the limitations of the current licenses.
3. There shall be no residential uses existing on the property, unless and until such time the Zoning Ordinance is amended to allow the use and all associated approvals and permits are granted.

4. The outbuildings shall be limited to personal storage unless otherwise approved by the Plan Commission.
5. Sewer and water shall be disconnected from the outbuilding.
6. The applicant shall submit a Certified Survey Map for review and approval that combines the five existing legal lots of record prior to November 1, 2024.
7. The applicant shall submit an application to make additional parking lot improvements prior to November 1, 2024. At a minimum, parking lot improvements submitted by November 1, 2024 shall include parking stalls that comply with all parking provisions of the Zoning Ordinance and the parking shall be paved and marked.
8. Music is limited to indoors only with doors and windows closed, except during special events.

Carried

Discussion and action on request of Phil Zagrodnik to amend the Signage for Ole's Tap on property located at 34324 Delafield Road (SUMT0669053).

Current signage is reviewed with the Plan Commission.

MOTION: (Katz, Murray) To approve signage as proposed, except west facing window sign shall be removed. -  
Carried

**ADJOURN** Plan Commission meeting.

MOTION: (Murray, Katz) To Adjourn the Plan Commission meeting at: 8:20 pm

Respectfully submitted,

*Sarah LaValliere*

Deputy Clerk/Deputy Treasurer