



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
[www.summitvillage.org](http://www.summitvillage.org)

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

## **AGENDA**

### **Village of Summit Plan Commission Thursday, February 15, 2024 5:30 p.m. At the Summit Village Hall, 37100 Delafield Road**

1. CALL TO ORDER
2. ROLL CALL AND CONFIRM POSTING
3. PLEDGE OF ALLEGIANCE
4. MINUTES
  - May 18, 2023
  - January 18, 2024
5. Next meeting date – proposed for Thursday, March 21, at 5:30 p.m.
6. **PUBLIC HEARINGS**
  - A. Receive comments and discuss 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.
  - B. Receive comments and discuss a revised 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.
7. **REGULAR BUSINESS:**
  - A. 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.

\*\*\*\*\* Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact the Village Hall at 567-2757.

\*\*\*\*\* It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village of Summit Plan Commission noticed above.

- B. 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.
- C. Discussion and action on request of Jessica Praeger, Oconomowoc Area Baseball Club, to propose improvements at Genesee Lake Road Village Park (SUMT0685979001).
- D. Discussion and action on request of Dennis & Gina Krueger to combine two lots by Certified Survey Map on property owned by Dennis & Gina Krueger, located at 1920 N. Oak Grove Road (SUMT0669109), and the adjacent property to the south (SUMT0669110) owned by Dennis W Krueger and Christine E Garlock Et. Al.

8. **UPDATE** regarding Village Board action on Plan Commission matters

9. **ADJOURN** Plan Commission meeting

Respectfully submitted,

Amy Barrows, Village Planner

**Posted: February 9, 2024**

**Next meeting date: March 21, 2024**

\*\*\*\*\* Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service contact the Village Hall at 567-2757.

\*\*\*\*\* It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any other governmental body except by the Village of Summit Plan Commission noticed above.



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
[www.summitvillage.org](http://www.summitvillage.org)

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

---

## MINUTES

### Village of Summit Plan Commission

### May 18, 2023

#### CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, May 18, 2023 at the Summit Village Hall, 37100 Delafield Road, Summit, Wisconsin.

#### ROLL CALL AND CONFIRM POSTING

Deputy Clerk/Deputy Treasurer LaValliere took roll call and confirmed posting of the meeting to the local media as required and requested and posting on the Village website and posting board. Commissioners present were: Sandra Murray, Jim Petronovich, Paul Schmitter, Jay Obenberger, Annette Kaja and Alternate Commissioner Joan Gucciardi. Also present were: Chairperson Jim Siepmann, Planner Amy Barrows and Deputy Clerk/Deputy Treasurer Sarah LaValliere.

#### MINUTES

- January 19, 2023
- March 16, 2023

**MOTION:** (Petronovich, Schmitter) *to approve the January 19, 2023 and the March 16, 2023 minutes.* - Carried.

Next meeting date – proposed for Thursday, June 15, 2023 at 5:30 p.m.

#### REGULAR BUSINESS:

Discussion and action on request of Joe Weiher, Carmel Builders, on behalf of property owner Bob Eck (Kimberly W Eck Revocable Trust), for a Certified Survey Map to combine acreage into a single lot of record on property located at 34436 Valley Road (SUMT0624009). This item requires consideration of Article X Existing Substandard Lots, Chapter 109 Subdivision of Land.

Planner Barrows reviewed the Summary included in the Plan Commission packet. She stated the subject property is 42,607 sq. ft. in size located on the north side of Valley Road (CTH B) between Lower and Upper Nashotah Lakes. The property has been occupied as a single lot for tax purposes for many years. However, the property consists of two lots, Lot 9 and part of Lot 10 of Plat of Breck's Subdivision. In order to remove the interior lot line between the two subdivision lots, a Certified Survey Map must be prepared, reviewed and approved by the Village, and recorded with Waukesha County Register of Deeds. Any future land division will be prohibited. The applicant would like to remove the existing shed and construct a new accessory structure. The Certified Survey Map must be recorded to remove the interior lot line prior to the issuance of any permits.

**MOTION:** (Murray, Gucciardi) *to recommend that Village Board approve the Certified Survey Map with consideration given to Article X Existing Substandard Lots, Chapter 10 Subdivision of Land, subject to the following conditions:*

- A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*
- B. *APPROVAL FROM WAUKESHA COUNTY DEPARTMENT OF PUBLIC WORKS: Petitioner shall provide written documentation that Waukesha County Department of Public Works has approved the CSM with a revision date that will be submitted for recording.*
- C. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*
- D. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*
- E. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

Carried.

Discussion and action on request of Jim and Kathy Davis for a Certified Survey Map to reconfigure two lots located at 1695 Sugar Island Road (SUMT0671002001) & 1671 Sugar Island Road (SUMT0671005). This item requires consideration of Article X Existing Substandard Lots, Chapter 109 Subdivision of Land.

Planner Barrows reviewed the Summary included in the Plan Commission packet. She stated that the applicant owns the property located at 1671 Sugar Island Dr. (southern lot) with approximately 0.7 acres. The property has a small single-family dwelling, boathouse, and shed. The applicant recently purchased the adjacent property to the north located at 1695 Sugar Island Road, containing approximately 1.53 acres. The property has a small single-family dwelling.

The shared lot line between the two properties has been surveyed at different locations over the last several decades. In addition to defining the common lot line, the applicant would like to relocate the shared lot line approximately 23.57 ft. north of the previously platted line. The relocated lot line would result in the north lot becoming smaller and narrower with less lake frontage. However, it should be noted that the northern lot technically consists of four legal lots of record that will be combined and reconfigured to create one legal lot of record.

Section 111-94 has access restrictions that prevent lake access to more than one lot or dwelling unit for each 150 ft. of lake frontage, except for existing substandard lots that have less than 150 ft. of lake frontage or as part of a planned development. The minimum lot width is also 150 ft. for properties zoned R-3. Per Section 111-95 Lot regulations, no lot can be reconfigured unless the regulations of the Zoning Code are met. The northern lot would have approximately 139 ft. of shore frontage, whereas it currently has approximately 154 ft. of shore frontage. The southern lot would have 29.75 ft. of shore frontage, whereas it currently has approximately 105 ft. of frontage.

Because the northern lot is part of 2 legal lots of record, the applicant can benefit from a redivision in accordance with Article X Section 109-32 Existing Substandard Lots. The section states that if land is held in common ownership, the land can be conveyed with Plan Commission approval provided certain criteria are met. The criteria include compatibility with existing lots and building development in the immediate area, safe sewage disposal, the economic and engineering practicality of any possible redivision, and the degree of practical hardship which may be imposed upon the owner. *The property to the north has historically existed as four legal lots of record. The applicant is proposing to formerly combine a portion of one of these lots with the proposed northern lot (Lot 1) and transfer a portion to the proposed southern lot (Lot 2), technically making these legal lots of record larger. Future land division will be prohibited. The property is connected to public sewer. Since the land division results in the removal of nonconforming lots and makes two lots larger, it would be unreasonable to prohibit the lot reconfiguration.*

Note: The properties meet the common ownership criteria. Section 109-33 states that for the purposes of this section, lots and property are considered in the same ownership when owned by the same individual or corporation in which said individual is an officer or director or controlling stockholder. Common ownership also includes ownership of an individual and another joint tenancy.

Third paragraph in summary report should state that the water frontage would be 125.7 ft. 29.7ft. as provided in the summary report is incorrect.

Davies are asked to add anything additional and they did not have anything additional information to provide.

There were questions about the sewer lateral and it was requested to be noted on the Certified Survey Map.

Planner Barrows addresses the pedestrian right of way and stated that the land that is to the East would be considered an outlot that can't be sold separately. A lot can not cross a public road right of way.

**MOTION:** (Petronovich, Obenberger) *to recommend that Village Board approve the Certified Survey Map with consideration given to Article X Existing Substandard Lots, Chapter 10 Subdivision of Land, subject to the following conditions:*

- A. *APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*
- B. *SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*
- C. *NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*
- D. *ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*
- E. *Have sewer lateral location reviewed and any necessary easements placed on CSM.*

Carried.

Discussion and action on request of Brett Achtenhagen, on behalf of Hickory Creek Holdings, LLC, for a Site Plan and Business Plan of Operation to operate a plant nursery on property located on the west side of STH 67 (SUMT0681998).

*\*Note: The application is currently not complete. This is a preliminary conversation about potential uses on the property. Additional comments and requirements may apply upon the submittal of additional application information.*

Planner Barrows reviewed the summary included in the Plan Commission packet and stated that the property is located on the west side of STH 67 between Genesee Lake Road and N. Summit Moors Dr. The property does not currently have any structures. If the site is developed, the property would be served by a private septic system and well.

**Total Area:** Approximately 27.8 acres per Waukesha County GIS

**Existing Land Uses:**

- Agricultural, cropland

**Proposed Land Uses: *see attached Plan of Operation***

- Plant nursery
- Greenhouses
- Apiary
- Orchard
- Other miscellaneous uses permitted in A-1

**Accessory Uses in the A-1 Agricultural District.**

- barns, sheds, and similar structures customarily accessory to a permitted agricultural use
- one nonilluminated sign not larger than six square feet in area for use in advertising of products produced on the property
- one roadside stand for the sale of selected farm products that are produced on the premises and not exceeding 150 sq. ft. in floor area, the location of which shall be approved by the Plan Commission
- private greenhouses
- any other use normally accessory to a permitted use

With site plan review and approval, it does need to include everything from lighting to storm water management, landscaping.

Attorney Don Murn, agent for the applicant, reviews the preliminary proposed site plan and plan of operation.

He stated main use would be raising of trees and Apiculture.

They would have honey and other bee products with hives that are transportable to other agriculture operations for pollination.

Nursery products raised or transported to this site; this is not considered a retail site. Only for products raised

on site to sell at farmstand.

Business activities that would take place and all would involve permitted uses through zoning A-1.

- Trees & Shrubs
- Perennials growing until ready for sale
- Beekeeping, product such as honey, beeswax and other products
- Pear, apple and cherry trees
- Farm Corn Grain & Soybean

This would be installed over a period of time and would continue to farm corn, soybean pursuant to the A-1 zoning.

Improve the site over a 3-year period – Phased in

Site plan and plan of operation have been submitted and the uses have been discussed previously.

There are no plans to come back and ask for conditional uses.

Planner Barrows reviewed some of the site plan details for the audience.

The applicant is proposing to construct the following structures:

- 5,000 sq. ft. maintenance/storage facility (labeled as office/warehouse in business plan), used for office, maintenance, and warehouse space. The building will contain equipment needed to maintain the vehicles and equipment needed for the operation. The building will include bathrooms to serve retail clientele.
- Four, 30'x 96', 2,880 sq. ft., poly-covered greenhouses.
- 25,520 sq. ft. shade structure, constructed of poles with a latticework roof, shade cloth sides, and a permeable gravel floor.
- Fuel station on a 1,600 sq. ft. concrete pad.
- Bulk storage bins on the property to store materials for production purposes, such as topsoil, compost, bark mulch, potting medium, and other materials.
- Hives – Placed throughout site
- Nursery/Crop
- Tractor Lanes on outside

The applicant is proposing to store vehicles and equipment outside in a gravel parking area. There are 25 parking stalls designated for employees and 10 paved stalls designated for customers.

Vehicles will include: pickup trucks, a tandem-axle or tri-axle flatbed or dump truck, several trailers

**Access/Traffic:** The property would have access from STH 67. Approvals from WisDOT will be required, including access location and any necessary improvements. Increased traffic may need to be considered.

Attorney Murn made initial inquiry to Hwy 67 DOT and stated that they wanted access point lined up with road across the street. No additional design has been done yet.

Planner Barrows continued her review stating that the property is not located in a Sanitary Sewer District. The property would be served by a private sewerage system and well. There are no wetlands, floodplain, or environmental corridors on the property.

The applicant will use Integrated Pest Management. According to the applicant, this is an environmentally sensitive approach to pest management. The fuel tanks will likely be required to comply with state environmental requirements.

Adjacent properties to the south, west and north impacts would be minor because of the landscaping and vegetation, limited to ingress and egress activities along hwy 67.

The applicant is suggesting that the proposed uses fall within the permitted uses of the A-1 Agricultural District. The Plan Commission should review the application materials and determine whether or not the application complies with the permitted uses of A-1 Agricultural District. The Land Use Plan designates the property as SF Residential 2.4-acre density. If a land division was proposed that required a modification to the zoning district, the property would need to be used for residential purposes. However, the applicant has the ability to use the property for the permitted purposes of the A-1 Agricultural District.

Attorney Murn addresses the pole building on the site and stated it is not habitable and more warehousing for keeping things under cover and particularly in support of the farm stand and that the A-1 Zoning is wide open as to what kind of buildings are allowed. He stated it would make planning sense to keep some operations inside instead of outside.

In addition, the integrated pest management is monitored by the Wisconsin Department of Agriculture, Trade and Consumer Protection.

Attorney Murn stated that the business plan is careful to not run into conditional use only permitted uses.

Planner Barrows asked for additional clarification on what would be sold on the property.

Atty Murn reviewed the following:

- Fruit from fruiting tree
- Trees or bushes grown on property
- Mulch
- Keeping with the A-1 zoning anything sold on site would be raised on site

Does fruit refer to fruit not product from fruit.

Attorney Murn responded that this is correct.

Planner Barrows asked about items that would go with planting a tree.

- Stake
- Bark Mulch
- Watering bag
- Nothing available for retail or wholesale

Attorney Murn stated the items would be available with purchase of a tree not individual sale and the items are not produced on site. Under zoning code, it does state that items accessory to permitted uses are allowed. Clarification is made that those items would not be produced on site. He stated that these items would be stored in the warehouse under cover, and tree sale would happen at the roadside stand.

Questions are asked by the plan commission regarding fueling station.

Attorney Murn addressed the questions and stated that this is not a fueling station or stop for seasonal services.

Planner Barrows asked how the village would be able to ensure the fueling is limited to what is happening on site.

Attorney Murn stated that they are more than happy to come in for a yearly review if it would make the plan commission feel better.

There are additional questions from the plan commission and Attorney Murn addresses them and stated that when you have permitted uses in the zoning code you have the right to review the business plan and operation comment on it from a safety and planning standpoint. A discussion about what can and can't be done is not within the purview of the plan commission. The applicant is suggesting permitted uses and only permitted uses.

If plan commission is going to question permitted uses as put forward, then they might as well state it now so the applicant can move forward as needed.

Planner Barrows replied that the questions being asked are just trying to understand the operation better.

Attorney Murn asked for additional comment on planning and design.

There is a question about a black rectangle around perimeter courtyard, and gating.

Attorney Murn states there is no design element to the perimeter fence, and berming and plantings provide a buffer. There is an area for equipment to move on the outside rather than the interior of the site.

There are questions regarding hours of operation and not being consistent with the document presented.

Atty Murn stated operations will be between 6am and 8pm during lighted times and no lighting plan proposed at this time.

Atty Murn is asked to talk through scenarios.

He stated that with the operation there will be vehicles and people on site beyond open hours but the bulk of business will be done between open hours. There could be pickers, planters during seasons. Seasonal business. Closing in winter and opening in spring. There would be less activity in the winter months.

There are additional questions related to the farm stand and property plans.

There is a question about the line between retail store and farm stand.

Planner Barrows reviewed the ordinance: *(8) One roadside stand for the sale of selected farm products that are produced on the premises and not exceeding 150 square feet in floor area, the location of which shall be approved by the plan commission.*

The location is approved by plan commission and intensity is controlled by size.

There are additional questions about equipment being able to fit in employee parking or it needing additional storage.

Irrigation – back up rather than primary cover where there are tender plants. Would mist rather than full on. It is not practical to water from a high capacity well, and they are looking for an efficient operation in watering.

Additional conversation is had about whether the property is a nursery vs garden center.

Attorney Murn explained that the applicant does not want it to be a garden center. The cost of access to the location with high volume traffic pattern would be too expensive.

Planner Barrows is asked to review the questions mentioned at the meeting and Chairperson Siepmann adds to the list: (this is not a complete list it is only a brief of conversation had not to be used as a checklist)

- Clear list of items sold other than plant material and honey
- Identify where vehicles are coming from ie) Seasonal Services, Employee, Customer
- Amount of traffic and where traffic is coming from
- Clear use of maintenance building
- Fencing materials
- Processing honey
- Well capacity
- Stormwater
- Lighting
- Scale drawings including distance off property lines
- What is contained in the Bins
- List of equipment stored on site and location
- How gravel area is controlled as far as dust
- No Chippers
- Hours of operations clarification
- Structures - design approval for all structures
- Office – included in barn and not part of A-1 Zoning- is it allowable
- Warehouse and zoning
- Number of employees
- Parking Stall detail
- Fuel tanks/station - Have plan for fuel tank – size dimension and concrete pad
- Plan for all structures
- Transport in no more than 5% product and rest raised on site
- % of property that will be orchard and field

Planner Barrows stated that as part of a formal application there will need to be DOT approval, Stormwater engineering, and full building plans.

It is requested by the Plan Commission to move traffic lanes inside and have plantings to the edge instead of the drive outside.

No Action was taken by Plan Commission.

*\*Note: The application is currently not complete. This is a preliminary conversation about potential uses on the property. Additional comments and requirements may apply upon the submittal of additional application information.*

Chairperson Siepmann changed agenda item E out of order to D Public Input. It is better to receive public input prior to the Commission making a decision on the Comprehensive Plan.

Chairperson Siepmann opens the meeting up for public input regarding draft comprehensive plan:

Public Input regarding Draft Comprehensive Plan –

Peter Hammerer  
1013 N Genesee Woods Dr

Are you looking into environmental impact and protecting lakes when proposals are being made?

Peter Haenle  
1127 N Genesee Woods Dr

When considering environmental impact pay attention to articles about runoff control and fertilizers. He stated he is a beekeeper and two hives are plenty for this nursery. This is a high-volume water intensive operation, and behind the property is the Bark River. He stated that Phosphate, Nitrogen and growth inhibitors – time is called

Planner Barrows reminds the audience that the Comprehensive Plan is unrelated to any specific property or use.

Christopher Kadow  
740 N Griffith Rd

Asked what is the point to having a Master Plan if these things are going to happen. If we don't have clear code or broad definitions?

Chairperson Siepmann closes Public Input

Discussion and action on a request to adopt a Resolution recommending that Village Board adopt the Village of Summit 2045 Comprehensive Plan.

Planner Barrows gave final comments regarding the Comprehensive Plan and Resolution presented to the Plan Commission. She stated there were no additional changes/modifications since open house in April. In addition, she reviewed the workforce housing and that it is an essential piece of any comprehensive plan. Workforce housing will be included in the final Comprehensive plan.

If the resolution is passed, Plan Commission is the applicant and makes recommendation to adopt plan to Village Board. There will be a Joint Public Hearing Scheduled and following the public hearing action would be taken by the village board.

Chairperson Siepmann asks to include the letter from Payne and Dolan as part of the record and it should be included in the minutes. (All members have a copy.)

The Payne and Dolan property specifically has been adjusted over time. Was 6 then it was 10 now it is 4 – units per acre. They anticipate to develop at 10 units per acre.

Additional conversation is had about the process and notification of affected properties. The Commission determines that the notifications were appropriate.

There is conversation about what a citizen could do if they didn't agree, and Planner Barrows explained the appeal process.

**MOTION:** (Murray, Obenberger) *to approve RESOLUTION 23-451 Recommending a Comprehensive Update to the Summit Master Plan 2020 Pursuant to Wisconsin Statutes Section 66.1001.* Carried.

**ADJOURN** Plan Commission meeting

**MOTION:** (Schmitter, Obenberger) *to adjourn at 7:10 p.m.* Carried.

Respectfully submitted,  
Sarah lavalliere  
Deputy Clerk/Deputy Treasurer

DRAFT



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
[www.summitvillage.org](http://www.summitvillage.org)

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

## 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 of 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



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
www.summitvillage.org

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

---

**PUBLIC HEARING NOTICES**  
**VILLAGE OF SUMMIT, WISCONSIN**

*Thursday, February 15, 2024*

Please be advised that the Village of Summit Plan Commission will be continuing a public hearing on **Thursday, February 15, 2024, at 5:30 p.m.**, at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin. The purpose of the continued hearing is to receive comments and discuss 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.

Immediately following the above noticed public hearing, another public hearing will be continued by the Village of Summit Plan Commission at the Summit Village Hall located at 37100 Delafield Road, Summit, Wisconsin, at which time the Plan Commission will receive comments and discuss a revised 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.

Information regarding these applications is available for review at the Village of Summit Village Hall, 37100 Delafield Road, during regular business hours. For more information regarding these public hearings, please contact Amy Barrows, Village Planner, at the Summit Village Hall (262) 567-2757.

All interested parties will be heard.

VILLAGE OF SUMMIT

Amy Barrows, Village Planner

Published: February 1 and 8, 2024  
Posted: February 1, 2024

# Zoning Ordinance Text Amendment – Rental of Agricultural Buildings

11/16/2023 Plan Commission Meeting  
12/20/2023 Plan Commission Meeting  
1/18/2024 Plan Commission Meeting  
**2/15/2024 Plan Commission Meeting**

---

Staff Report

Village of Summit, Wisconsin

Applicant: Rebecca Carsey, White Stag 1894, LLC

---

## **Possible Motions:**

*Recommend Village Board adopt the proposed revised text amendments creating Sections 111-357(d)(3) and 111-321(7) of the Village of Summit Zoning and Shoreland Ordinance provided by the applicant in an ordinance form approved by the Village Planner and Village Attorney.*

*OR*

*Recommend Village Board deny the proposed text amendments provided by the applicant for the following reasons: (Plan Commission insert reasons).*

## **Summary:**

The applicant is proposing a text amendment that would allow the rental of agricultural buildings for activities and events in the A-1 Agricultural District only as a Conditional Use. The proposed text amendment presented by the applicant includes “Rental of Agricultural Buildings for activities or events” as a listed Conditional Use in the A-1 Agricultural District.

The application also includes a list of criteria that must be met in order for the use to occur as a Conditional Use Permit. The use would only be allowed in agricultural buildings that exist as of September 1, 2023. All of the criteria are listed in the revised draft ordinance prepared by the applicant included in the packet. Based on the proposed required minimum lot size of 150 acres and proposed requirement that the property have direct access to a State Trunk or U.S. highway, there is only one property that would meet the criteria. The property is located north of US-18 and west of the Still Waters Subdivision.



Text amendments to allow Event Barn/Facilities have been proposed two other times, once in 2017 and once in 2020. The amendment in 2017 was proposed by a previous property owner of the parcel illustrated above. Both proposed text amendments were ultimately denied.

Since the applicant's proposal would potentially allow the applicant to pursue a Conditional Use request, discussion related to the applicant's proposed operation should not occur during the meeting. Property specific discussion should occur during the public hearing of such Conditional Use application.

### **November 16, 2023 Public Hearing**

A public hearing was held at the November 16<sup>th</sup> Plan Commission meeting. However, the applicant requested changes to the text amendment that were not available to the public at time of public notification. Therefore, the plan commission did not close the public hearing and re-noticed the hearing for the December meeting to ensure the public had access and time to review the revised application materials.

### **December 21, 2023 Continued Public Hearing**

A continuation of the public hearing was held at the December 21<sup>st</sup> Plan Commission meeting. After considering comments from the public and reviewing the application materials, the Plan Commission had the following recommendations and tabled the hearing until the January Plan Commission meeting:

- 24 consecutive hours may be too long for an activity/event, also consider set up and take down limitations
- Consider separate provisions for public activities/events specific to managing the # of people and parking
- Conditions 10 and 15 should be consolidated to avoid confusion
- Conditions 13 and 16 should be consolidated to avoid confusion. Consider defining the area and use of the tents. Consider excluding parties of a certain size.

The public provided the following comments and concerns:

- Noise should not reach the level of a nuisance as specified in the ordinance
- Tents should be regulated so that there is not a lot of outside noise
- In favor of use. However, provisions should be applied consistently throughout village
- Sprinkler system requirements should be considered
- Proper waste disposal should be considered
- Parking should be on pavement
- Supportive of existing language that prevents a full-time business
- Proposed ordinance may provide too much latitude to have a party, not supportive of weddings

**January 18, 2024 Continued Public Hearing**

A continuation of the public hearing was held at the January 18<sup>th</sup> Plan Commission meeting. The applicant attempted to address the comments and concerns of the Plan Commission and public with revised proposed text amendments. Plan Commission was still concerned with the distinction between private and public events, including hours, attendees, and limits on parking spaces, and having the police department review the site details rather than the Plan Commission. There was also discussion about the timing and number of events during the summer. There was additional public comment provided, which is summarized in the meeting minutes. A majority of the comments related to noise and number of events.

The Plan Commission tabled the public hearing until the February Plan Commission meeting and requested the applicant to modify the proposed text amendments to address their concerns.

**February 15, 2024 Continued Public Hearing**

The applicant has revised the proposed text amendments with an attempt to delete public events and reduce the number of attendees for a percentage of events.



JAMES W. HAMMES  
(262) 409-2298  
jhammes@axley.com

January 25, 2024

*Via Email Only [planner@summitvillage.org]*

Amy Barrows, Village Planner  
Village of Summit  
37100 Delafield Road  
Summit, WI 53066

RE: Village of Summit Zoning Code  
Our Client: Rebekah M. Carsey, White Stag 1894  
Axley File No. 102381

Dear Amy:

Attached is a copy of what is, hopefully, the final draft of the Ordinance creating a conditional use permit for private activities and events.

In reviewing this revised draft, please note:

1. I have deleted the “public” from section (7)a.2.
2. I’ve added the word “private” to describe activities or events permitted in (7)b.

I have modified paragraph (7)b.7. to address the issue or concern regarding the number of attendees at any private event. This revised draft would allow 300 attendees at only one-third (1/3) of the activities or events, and would reduce the number of attendees at the remaining two-thirds (2/3) of the activities or events to not more than 225 attendees, including staff and caterers associated with the private activity or event.

I trust these revisions address all of the concerns raised at the last Plan Commission meeting, and that we can move forward with a recommendation at the next Plan Commission meeting.

Very truly yours,

AXLEY BRYNELSON, LLP

*James W. Hammes*

James W. Hammes  
JWH:dkw

Enclosure

cc: Rebekah Carsey (via email only)

ORDINANCE NO. \_\_\_\_\_

---

AN ORDINANCE CREATING SECTIONS 111-357(d)(3) and 111-321(7)  
OF THE ZONING CODE OF THE VILLAGE OF SUMMIT

---

THE VILLAGE BOARD OF THE VILLAGE OF SUMMIT DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Section 111-357(d)(3) is hereby created to read as follows:

- (3) Rental of Agricultural Buildings for activities or events.

**SECTION 2:** Section 111-321(7) is hereby created to read as follows:

- (7) Rental of Agricultural Buildings.

a. *Definitions.*

1. Agricultural Buildings shall mean one (1) or more of existing Agricultural Buildings originally constructed prior to September 1, 2023 for agricultural uses as that term is defined in Section 91.01(2), Wis. Stats., and either presently part of activities conducted on the property in accordance with the A1 Agricultural Zoning designation of this Code, or remaining buildings on the property following termination or reduction in such activities.
2. Rental of Agricultural Buildings for activities or events shall mean a rental by the property owner of Agricultural Buildings to individuals or groups, for a rental fee or other form of remuneration, to accommodate ~~public or~~ private functions, gatherings and/or celebrations including, but not limited to, meetings, banquets, social gatherings, educational or other scientific seminars or presentations.

b. *Conditional Use Permit.* A Conditional Use Permit authorizing the rental of Agricultural Buildings for ~~private~~ activities or events shall be issued subject to the following conditions:

1. The minimum area of the property shall be not less than 150 acres.
2. The property must have direct access to a State Trunk Highway or U.S. Highway.
3. No Agricultural Building, structure, or outdoor use associated with any activity or event shall be located less than 100 feet from any adjacent lot line permitting a residential use.
4. No parking shall be located less than 50 feet from any adjacent lot line permitting a residential use. No Agricultural Building, structure, outdoor

use or parking associated with the activity or event shall be located less than 250 feet from any residence not owned by the property owner.

5. The rental of Agricultural Buildings for activities or events shall be permitted between May 1<sup>st</sup> and October 31<sup>st</sup>. Activities or events shall not begin prior to 8:00 am or continue past 11:59 pm on Friday and Saturday and shall not begin prior to 8:00 am or continue past 10:00 pm Sunday through Thursday.
6. Activities or events shall be limited to not more than three (3) rentals per calendar week beginning with Sunday of any given week.
7. There shall be no more than 300 attendees at any private activity or event. For purposes of this subparagraph, the term “attendees” shall include staff and caterers associated with the private activity or event. One-third (1/3) of activities or events in any calendar year may allow 300 attendees, but the remaining two-thirds (2/3) of the activities or events in any calendar year shall be limited to not more than 225 attendees.
8. The rental and use of any Agricultural Building rented for an activity or event shall comply with all federal, state and local fire and building code regulations, as well as all federal, state and local health sanitation regulations.
9. Alcohol shall not be served past 11:00 pm on Friday and Saturday and 9:00 pm on Sunday through Thursday. The sale of alcohol shall be subject to issuance of an alcohol beverage license or permit, as may be required, by the Village of Summit.
10. Exterior lighting to be used in association with activities or events shall not exceed fifteen (15) feet in height above the ground and light sources shall not be visible from the lot lines measured five (5) feet above the lot line.
11. The number of parking spaces shall be equal to one (1) parking space per three (3) attendees at any private activity or event. Parking areas shall be clearly defined and designed with appropriate surface materials as described on the Site Plan and Plan of Operation, and taking into consideration topography, drainage, and potential for dust.
12. Outdoor tents may be used for any activity or event, provided however, that any outdoor tent used for any activity or event must be removed within twenty-four (24) hours following the conclusion of the activity or event. Permanent outdoor tents are not permitted. The location of outdoor tents shall be depicted on the Site Plan submitted to and approved by the Plan Commission.
13. The exterior of Agricultural Buildings to be used for an activity or event may be repaired or refurbished but shall not be substantially modified as to

significantly alter the character of the Agricultural Buildings as of the approval of the Conditional Use Permit.

14. There shall be no outdoor amplified music permitted by any activity or event.

15. In accordance with the requirements of Section 18-6 of the Village Code, the sound level and decibels determined at the property line shall be limited to the decibel level permitted for residential uses. Noise rating daytime levels shall not exceed 77, and noise rating nighttime levels shall not exceed 60.

~~e. *Public Activity or Event.* In addition to the requirements set forth in subparagraph b above, the following additional conditions shall apply to public activities or events, such as art shows, craft fairs and classic automobile shows:~~

~~1. The maximum number of public activities or events shall not exceed four (4) in any calendar year.~~

~~2. The Permittee is responsible to manage all facets of all activities or events conducted at the site.~~

~~3. The Permittee shall at least twenty (20) days prior to any public activity or event, submit to the Village of Summit Police Chief a Site Plan which shall include all areas of the property that would be used for the proposed public activity or event. The Site Plan shall designate all areas of the property which would be used for exhibits or products offered for sale to the general public, as well as the internal policing and public safety procedures to be used for the public activity or event and shall be approved by the Village of Summit Police Chief, or the Police Chief's designee, in writing, not less than ten (10) days prior to the date of the proposed public activity or event. Such approval may include reasonable conditions or requirements imposed by the Police Chief if, in the determination of the Police Chief, such conditions are necessary to ensure public peace and safety.~~

~~4. Temporary overflow parking, as depicted on the proposed Site Plan for the public activity or event, shall be permitted, provided however, that at least twenty days (20) days prior to any public activity or event, the Permittee shall submit to the Police Chief a Site Plan designating and defining the areas proposed for any overflow parking. The use of the proposed overflow parking areas shall be contingent upon approval of the Police Chief, in writing, at least ten (10) days prior to the commencement of the proposed public activity or event. Such approval may include reasonable conditions or requirements imposed by the Police Chief if, in the~~

~~determination of the Police Chief, such conditions are necessary to ensure public peace and safety.~~

**SECTION 3:** All ordinances or parts of this ordinance conflicting or violating the provisions of this ordinance are hereby repealed.

**SECTION 4:** This ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Summit, Waukesha County, Wisconsin this \_\_\_\_ day \_\_\_\_\_, 2024.

VILLAGE OF SUMMIT

BY: \_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

ORDINANCE NO. \_\_\_\_\_

---

**AN ORDINANCE CREATING SECTIONS 111-357(d)(3) and 111-321(7)  
OF THE ZONING CODE OF THE VILLAGE OF SUMMIT**

---

THE VILLAGE BOARD OF THE VILLAGE OF SUMMIT DOES ORDAIN AS FOLLOWS:

**SECTION 1:** Section 111-357(d)(3) is hereby created to read as follows:

- (3) Rental of Agricultural Buildings for activities or events.

**SECTION 2:** Section 111-321(7) is hereby created to read as follows:

- (7) Rental of Agricultural Buildings.

a. *Definitions.*

1. Agricultural Buildings shall mean one (1) or more of existing Agricultural Buildings originally constructed prior to September 1, 2023 for agricultural uses as that term is defined in Section 91.01(2), Wis. Stats., and either presently part of activities conducted on the property in accordance with the A1 Agricultural Zoning designation of this Code, or remaining buildings on the property following termination or reduction in such activities.
2. Rental of Agricultural Buildings for activities or events shall mean a rental by the property owner of Agricultural Buildings to individuals or groups, for a rental fee or other form of remuneration, to accommodate private functions, gatherings and/or celebrations including, but not limited to, meetings, banquets, social gatherings, educational or other scientific seminars or presentations.

b. *Conditional Use Permit.* A Conditional Use Permit authorizing the rental of Agricultural Buildings for private activities or events shall be issued subject to the following conditions:

1. The minimum area of the property shall be not less than 150 acres.
2. The property must have direct access to a State Trunk Highway or U.S. Highway.
3. No Agricultural Building, structure, or outdoor use associated with any activity or event shall be located less than 100 feet from any adjacent lot line permitting a residential use.
4. No parking shall be located less than 50 feet from any adjacent lot line permitting a residential use. No Agricultural Building, structure, outdoor

use or parking associated with the activity or event shall be located less than 250 feet from any residence not owned by the property owner.

5. The rental of Agricultural Buildings for activities or events shall be permitted between May 1<sup>st</sup> and October 31<sup>st</sup>. Activities or events shall not begin prior to 8:00 am or continue past 11:59 pm on Friday and Saturday and shall not begin prior to 8:00 am or continue past 10:00 pm Sunday through Thursday.
6. Activities or events shall be limited to not more than three (3) rentals per calendar week beginning with Sunday of any given week.
7. There shall be no more than 300 attendees at any private activity or event. For purposes of this subparagraph, the term “attendees” shall include staff and caterers associated with the private activity or event. One-third (1/3) of activities or events in any calendar year may allow 300 attendees, but the remaining two-thirds (2/3) of the activities or events in any calendar year shall be limited to not more than 225 attendees.
8. The rental and use of any Agricultural Building rented for an activity or event shall comply with all federal, state and local fire and building code regulations, as well as all federal, state and local health sanitation regulations.
9. Alcohol shall not be served past 11:00 pm on Friday and Saturday and 9:00 pm on Sunday through Thursday. The sale of alcohol shall be subject to issuance of an alcohol beverage license or permit, as may be required, by the Village of Summit.
10. Exterior lighting to be used in association with activities or events shall not exceed fifteen (15) feet in height above the ground and light sources shall not be visible from the lot lines measured five (5) feet above the lot line.
11. The number of parking spaces shall be equal to one (1) parking space per three (3) attendees at any private activity or event. Parking areas shall be clearly defined and designed with appropriate surface materials as described on the Site Plan and Plan of Operation, and taking into consideration topography, drainage, and potential for dust.
12. Outdoor tents may be used for any activity or event, provided however, that any outdoor tent used for any activity or event must be removed within twenty-four (24) hours following the conclusion of the activity or event. Permanent outdoor tents are not permitted. The location of outdoor tents shall be depicted on the Site Plan submitted to and approved by the Plan Commission.
13. The exterior of Agricultural Buildings to be used for an activity or event may be repaired or refurbished but shall not be substantially modified as to

significantly alter the character of the Agricultural Buildings as of the approval of the Conditional Use Permit.

14. There shall be no outdoor amplified music permitted by any activity or event.
15. In accordance with the requirements of Section 18-6 of the Village Code, the sound level and decibels determined at the property line shall be limited to the decibel level permitted for residential uses. Noise rating daytime levels shall not exceed 77, and noise rating nighttime levels shall not exceed 60.

**SECTION 3:** All ordinances or parts of this ordinance conflicting or violating the provisions of this ordinance are hereby repealed.

**SECTION 4:** This ordinance shall be effective upon passage and publication as required by law.

PASSED AND ADOPTED by the Village Board of the Village of Summit, Waukesha County, Wisconsin this \_\_\_\_ day \_\_\_\_\_, 2024.

VILLAGE OF SUMMIT

BY: \_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

# **Review of Zoning Code Amendments related to Uses in the A-2 Agricultural District, Specific to Commercial Vehicle Parking**

12/21/2023 PC Meeting

1/18/2024 PC Meeting

2/15/2024 PC Meeting

## ***Request of Jessica and Christopher Kadow***

---

Staff Report

Village of Summit, Wisconsin

**Possible Motions:** *Recommend Village Board adopt the proposed text amendments amending Section 111-431, repealing and recreating Section 111-321(4), and creating Section 111-358(d)(2) of the Village of Summit Zoning and Shoreland Ordinance provided by the applicant in an ordinance form approved by the Village Planner and Village Attorney.*

*OR*

*Recommend Village Board deny the proposed text amendments provided by the applicant for the following reasons: (Plan Commission insert reasons).*

---

### **Summary:**

The applicant owns property located at 740 N. Griffith Road, which is located on the east side of STH 83, on N. Griffith Road. The applicant would like to store commercial vehicles on his property. Therefore, he is proposing that the Village consider amending the text of the Zoning Ordinance to allow him to do so subject to several conditions. Amongst other conditions, the conditions allow limited employee parking. The proposed text amendments are enclosed.

- Section 111-431: The amendments include a new definition for “commercial vehicle parking.”
- Section 111-321(4) provides conditions that would need to be met in order for a commercial vehicle parking conditional use to take place.
- Section 111-358(d)(2): The amendments include commercial vehicle parking as a Conditional Use Permit in the A-2 Zoning District.

Since the proposal would potentially allow the applicant to pursue a Conditional Use request on the applicant’s property, discussion related to the applicant’s proposal should not occur during the meeting. Property specific discussion should occur during the public hearing of such application.

At the December 21, 2024 meeting, the Plan Commission scheduled a public hearing for the January 18, 2024 meeting.

**January 18, 2024 Public Hearing**

A public hearing was held at the January 18<sup>th</sup> Plan Commission meeting. There was public comment in support of the applicant’s proposal. After reviewing the application materials, the Plan Commission requested additional language that would limit the number of commercial vehicles on the property and tabled the hearing until the February Plan Commission meeting.

**February 15, 2024 Continued Public Hearing**

The applicant has revised the proposed text amendments with an attempt to control the number of commercial vehicles. Two options were submitted for consideration:

Option 1: Proposed Section 111-321(4)c. would limit parking to no more than six commercial vehicles. If four or more are proposed, two of the vehicles shall not exceed two axles. Equipment is not included in determining the number of commercial vehicles.

Option 2: Proposed Section 111-321(4)c. would limit parking to no more than six commercial vehicles with two of the commercial vehicles not exceeding two axles. Equipment is not included in determining the number of commercial vehicles.

ALTERNATE 1 FOR FEBRUARY 15, 2024 PUBLIC HEARING

STATE OF WISCONSIN

VILLAGE OF SUMMIT

WAUKESHA COUNTY

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 111-431, REPEALING AND RECREATING SECTION 111-321(4), AND CREATING SECTION 111-358(d)(2) OF THE MUNICIPAL CODE OF THE VILLAGE OF SUMMIT**

---

**NOW, THEREFORE**, the Village Board of the Village of Summit, Waukesha County, Wisconsin does ordain as follows:

**SECTION 1:** Section 111-431 of the Village of Summit Municipal Code is amended by inserting the following term:

*Commercial vehicle parking* means parking and storage of commercial or industrial vehicles, such as trucks, construction vehicles, grading equipment, semi-trailers, tractors, and similar vehicles and related equipment. All such vehicles and equipment shall be fully operative and in active use.

**SECTION 2:** Section 111-321(4) of the Village of Summit Municipal Code is repealed and recreated to read as follows:

(4) *Commercial vehicle parking*. The parking and storage of commercial vehicles shall be permitted as a conditional use upon compliance with all of the following requirements:

- a. The minimum lot area of the parcel utilized for commercial vehicle parking shall be at least 15 acres.
- b. All commercial vehicles shall be owned, or leased and operated by, the owner or occupant of the property.
- c. No more than six commercial vehicles may be stored on the property. If four or more commercial vehicles are proposed, then two commercial vehicles shall not exceed two axles. Trailers, grading equipment, and other equipment related to the conditional use are not included for purposes of determining the number of commercial vehicles.
- d. The boundary of any parcel utilized for commercial vehicle parking shall be within 200 feet of a county highway or state trunk highway.

- e. All commercial vehicles shall be parked or stored in an enclosed structure having flooring that consists of concrete or other impervious surface.
- f. No commercial activity involving a commercial vehicle shall occur on the property in which commercial vehicle are parked or stored.
- g. Parking on the property for up to four employees who operate the commercial vehicles may occur if such parking is screened from view from any public right-of-way or adjacent property by landscaping or architectural means. For purposes of this Subsection, an employee is a person who has no familial relationship with the applicable person that: (i) owns the parcel utilized for commercial vehicle parking; (ii) operates commercial vehicle parking on the subject parcel; or (iii) owns the entity that operates the commercial vehicle parking on the subject parcel.
- h. The conditional use permit shall terminate upon the transfer of ownership of the property utilized for commercial vehicle parking, except that the conditional use permit shall remain in effect upon the transfer involving the owner of the subject parcel, an entity owned by the subject parcel owner, or a trust of the subject parcel owner.

**SECTION 3:** Section 111-358(d)(2) of the Village of Summit Municipal Code is created to read as follows:

- (2) Commercial vehicle parking.

This Ordinance passed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

VILLAGE OF SUMMIT

By: \_\_\_\_\_  
 Jack Riley, Village President

Attest: \_\_\_\_\_  
 Debra Michael, Village Administrator – Clerk/Treasurer

Published/Posted the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

ALTERNATE 2 FOR FEBRUARY 15, 2024 PUBLIC HEARING

STATE OF WISCONSIN

VILLAGE OF SUMMIT

WAUKESHA COUNTY

Ordinance No. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 111-431, REPEALING AND RECREATING SECTION 111-321(4), AND CREATING SECTION 111-358(d)(2) OF THE MUNICIPAL CODE OF THE VILLAGE OF SUMMIT**

---

**NOW, THEREFORE**, the Village Board of the Village of Summit, Waukesha County, Wisconsin does ordain as follows:

**SECTION 1:** Section 111-431 of the Village of Summit Municipal Code is amended by inserting the following term:

*Commercial vehicle parking* means parking and storage of commercial or industrial vehicles, such as trucks, construction vehicles, grading equipment, semi-trailers, tractors, and similar vehicles and related equipment. All such vehicles and equipment shall be fully operative and in active use.

**SECTION 2:** Section 111-321(4) of the Village of Summit Municipal Code is repealed and recreated to read as follows:

(4) *Commercial vehicle parking*. The parking and storage of commercial vehicles shall be permitted as a conditional use upon compliance with all of the following requirements:

- a. The minimum lot area of the parcel utilized for commercial vehicle parking shall be at least 15 acres.
- b. All commercial vehicles shall be owned, or leased and operated by, the owner or occupant of the property.
- c. No more than six commercial vehicles may be stored on the property with two of the commercial vehicles not exceeding two axles. Trailers, grading equipment, and other equipment related to the conditional use are not included for purposes of determining the number of commercial vehicles.
- d. The boundary of any parcel utilized for commercial vehicle parking shall be within 200 feet of a county highway or state trunk highway.

- e. All commercial vehicles shall be parked or stored in an enclosed structure having flooring that consists of concrete or other impervious surface.
- f. No commercial activity involving a commercial vehicle shall occur on the property in which commercial vehicle are parked or stored.
- g. Parking on the property for up to four employees who operate the commercial vehicles may occur if such parking is screened from view from any public right-of-way or adjacent property by landscaping or architectural means. For purposes of this Subsection, an employee is a person who has no familial relationship with the applicable person that: (i) owns the parcel utilized for commercial vehicle parking; (ii) operates commercial vehicle parking on the subject parcel; or (iii) owns the entity that operates the commercial vehicle parking on the subject parcel.
- h. The conditional use permit shall terminate upon the transfer of ownership of the property utilized for commercial vehicle parking, except that the conditional use permit shall remain in effect upon the transfer involving the owner of the subject parcel, an entity owned by the subject parcel owner, or a trust of the subject parcel owner.

**SECTION 3:** Section 111-358(d)(2) of the Village of Summit Municipal Code is created to read as follows:

- (2) Commercial vehicle parking.

This Ordinance passed this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

VILLAGE OF SUMMIT

By: \_\_\_\_\_  
 Jack Riley, Village President

Attest: \_\_\_\_\_  
 Debra Michael, Village Administrator – Clerk/Treasurer

Published/Posted the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

**Oconomowoc Area Baseball Club – Site Plan Improvements**  
**@ Genesee Lake Road Village Park**  
**37505 Genesee Lake Road (SUMT0685979001)**  
2/15/2024 Plan Commission Meeting

---

Staff Report

Village of Summit, Wisconsin

Property Owner:	Village of Summit
Applicant:	Oconomowoc Area Baseball Club
Zoning:	IN - Institutional District
Land Use Plan:	Institutional

---

**Possible Motion:**

*Motion to approve the Site Plan improvements as proposed subject to the following conditions:*

- 1. An updated insurance policy shall be provided to the Village of Summit that includes the additional improvements.*
- 2. An updated lease agreement shall be prepared and approved by the applicant and the Village of Summit Board, if deemed necessary by the Village of Summit.*
- 3. The applicant shall contact the Village Building Inspector to determine if any building permits are required.*

**Summary:**

The applicant currently has a lease agreement with the Village of Summit to use the baseball diamond and other park amenities for the Oconomowoc Area Baseball Club. The club would like to install four 20' x 10', 200 sq. ft., cement slabs at each of the baseball fields along with additional tree plantings between fields. The trees will be planted by the Village of Summit Public Works Department staff. The slabs would provide the foundation for low-rise bleachers and canopies, which are designed to improve safety, provide seating, and offer shade. The club would pay for the improvements. The applicant presented the proposed improvements to Village Board at their November 2023 meeting. The Village Board advised the applicant to move forward with their application to Plan Commission.

The proposed improvements require site plan approval by Plan Commission in accordance with Article X of the Zoning Ordinance. The proposed improvements are otherwise permitted as a principal use in the IN District, which includes public, private commercial or noncommercial outdoor recreational facilities.

# Village Board Minutes - Nov 2023

Director Nash explained that the National Fitness Campaign (NFC) is a wellness consulting firm whose goal is to build healthy communities across the country. They partner with municipalities, schools, and other sponsors to fund, build, and activate outdoor fitness courts. Their mission is to build healthy communities with the goal of bringing a fitness court within a 10-minute bike ride of every American. NFC has partnered with Quartz to identify potential candidates in Wisconsin. Currently, the Fitness Network has partnered with Iron County, the City of Janesville, the City of West Allis, and the City of Juneau to install and open fitness courts. They are currently looking at the I-94 corridor between Madison and Milwaukee to target visible locations that are highly trafficked and connected by pedestrian infrastructure. Director Nash attended a virtual meeting on October 20th with a NFC Senior Partnership Development Manager to discuss the Village of Summit's interest. Both Peter Prime Park and Genesee Lake Road Park are of interest due to their proximity and connectivity. The City of Oconomowoc preliminarily discussed a location just north of the interstate within the past two years (near Peter Prime Park), but they are not interested in pursuing this project at this time. Currently, grants are available for \$30,000 to \$50,000, and the cost for installing a fitness court is approximately \$160,000. Municipalities often will partner with other local organizations to help cover their portion of the cost, or they may levy, utilize impact fees, and/or borrow funding. This opportunity ties into the Village's recently adopted Comprehensive Outdoor Recreation Plan by providing a diversified recreational amenity that caters to multiple ages, by identifying a funding source for parks development, and by establishing a partnership with a recreation organization to coordinate development efforts and use of recreational facilities.

Village staff would like direction on whether to pursue pre-qualification for the Village of Summit for partnership and funding. Pre-qualification does not mean that the Village is guaranteed to receive funding, nor does it obligate the Village to participate in the program.

**MOTION:** (Arenz, Petronovich) *to direct staff to pursue the viability with a partner(s) and respond back.* Carried.

## Discussion and action on Oconomowoc Area Baseball Club (OABC) request for amended License Agreement

Trustee Arenz stated his biggest concern is with subletting, from a control aspect from the Village's point, subordinating OABC and then subordinating them to another. Very resistant to that aspect.

Kevin Raasch, President of Oconomowoc Area Baseball Club – recently approached by a coach who wanted to have a camp over the Summer on the fields, but in looking at the cost of the complex and what they have poured into these fields that if a for profit group comes in and wants to run a camp they'd like to get some compensation for that. Otherwise, their investments are allowing someone else to make money, they are a non-profit. Wants the flexibility to run a camp outside of the normal hours. Would still have to get permission from Summit. It doesn't protect OABC in the future. Trustee Arenz stated we have to keep the line in the sand but haven't taken advantage of that.

Trustee Arenz added that it's a two-way street and it is technically the Village's asset, the taxpayers paid for that property. We don't have a park and rec committee any longer, we have one person (Director Nash) right now.

Trustee Petronovich stated what if the other group just pays OABC. Trustee Arenz responded that would be considered subletting.

Kevin Raasch added that OABC wants to be able to control other users of the fields.

## Discussion and action on OABC request for improvements at Genesee Lake Road Park

**MOTION:** (Arenz, Phillips) *to move forward with proposal as presented this evening.* Carried.



Village Hall, 262-567-2757  
Fax, 262-567-4115  
Highway Dept., 262-567-2422  
Police Dept., 262-567-1134  
Building Inspector, 262-490-4141  
[www.summitvillage.org](http://www.summitvillage.org)

---

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

**MEMORANDUM**

To: Village Board

From: Kamron Nash, P.E., Village Public Works Director

Date: October 31, 2023

Re: Discussion and Action on OABC Request for Improvements at Genesee Lake Road Park

---

**PURPOSE:**

To receive direction from the Village Board with regard to Oconomowoc Area Baseball Club (OABC) request for improvements at Genesee Lake Road Park.

**BACKGROUND:**

OABC has approached the Village with a request for the following enhancements at Genesee Lake Road Park:

- Install four 20' x 10' cement slabs at each of the four baseball fields, which will serve as foundations for low-rise bleachers and canopies.
- Provide additional trees between the baseball fields, to be planted by Village DPW staff.

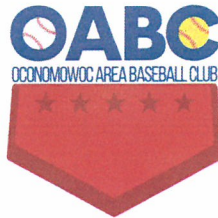
A copy of the formal request is attached for reference, as well as illustrations of the proposed improvements.

Prior to submission to the Plan Commission for consideration and review, it is appropriate for the Village Board to approve the proposed improvements since they are on public park property. If implemented, these improvements would be considered in the lease agreement for a credit to the license fee in the year following completion.

**ATTACHMENTS:** OABC Improvements Proposal (dated October 30, 2023)

**FISCAL IMPACT:** No direct financial impact is anticipated from the Village, aside from DPW staff labor to plant trees.

**RECOMMENDED MOTION:** To be determined, based on Village Board direction.



January 1, 2024

Dear Village of Summit Plan Commission,

I am writing on behalf of the Oconomowoc Area Baseball Club to submit a proposal for an enhancement project at the four baseball fields within the Village of Summit Park. Our proposal is driven by a strong commitment to ensuring the safety and comfort of the players, spectators, and the community as a whole.

We are requesting permission to install four (4) 20' x 10' cement slabs at each of the four baseball fields located within the Village of Summit Park along with planting additional trees between fields. These slabs will serve as the foundation for low-rise bleachers and canopies, which are designed to improve safety, provide seating, and offer shade for players and spectators. The attached images illustrate the proposed installations.

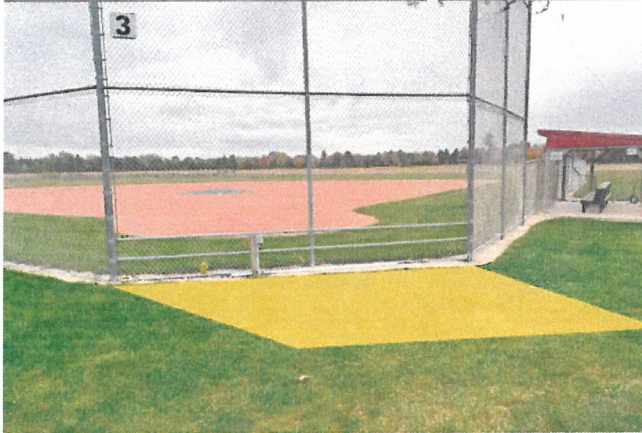
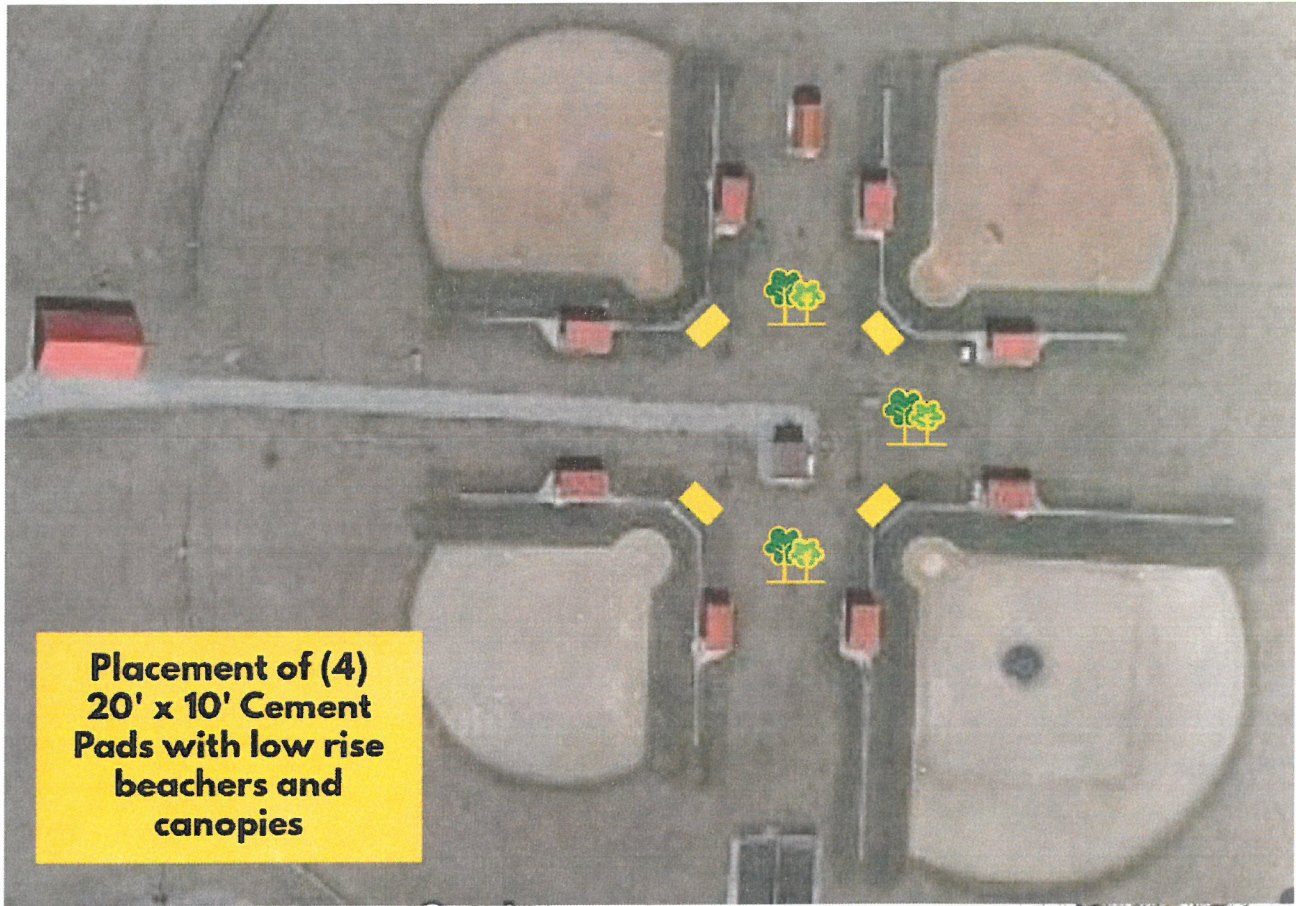
- **Safety and Comfort:** The installation of new trees and low-rise bleachers with canopies will help manage and improve safety at the fields by providing designated seating areas, shade and protection from foul balls. This will help reduce the risk of accidents and ensure a safer environment for attendees.
- **Community Investment:** The Oconomowoc Area Baseball Club has secured a grant from Oconomowoc Area Foundation (OAF) and conducted successful fundraising campaigns to support this project. These funds have been raised with a commitment to providing a lasting benefit to the local community.

We kindly request the Village of Summit's support in allowing us to move forward with this project. We understand the need to adhere to local regulations and will comply with any necessary permits or requirements. We are committed to working closely with the Village of Summit and its residents throughout this process to ensure that the enhancements to the baseball fields are beneficial and well-received by the community. We believe this project aligns with the community's desire to create safe, comfortable, and enjoyable spaces for all who visit.

Thank you for considering our proposal. I am looking forward to attending upcoming meetings to discuss further and the opportunity to work collaboratively to enhance the baseball fields within the Village of Summit.

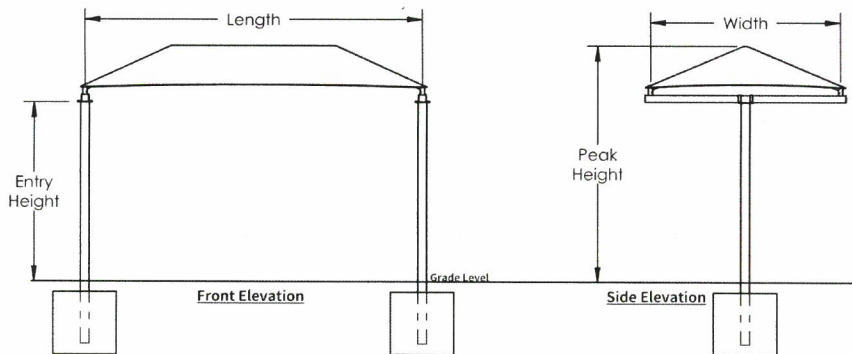
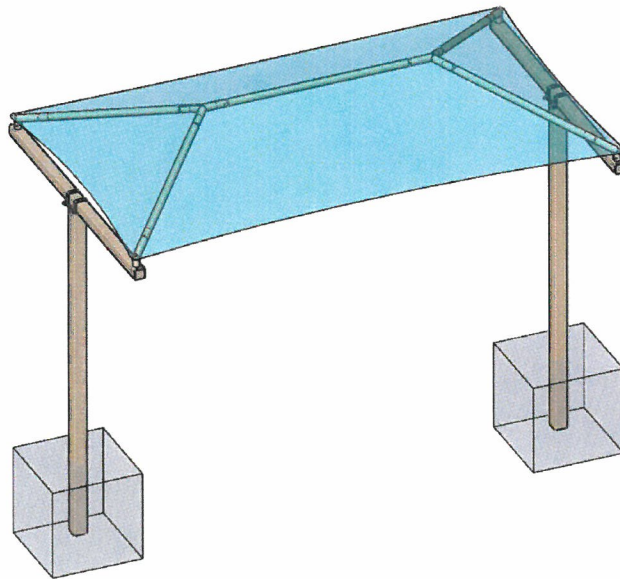
Sincerely,

Kevin Raasch  
President  
Oconomowoc Area Baseball Club

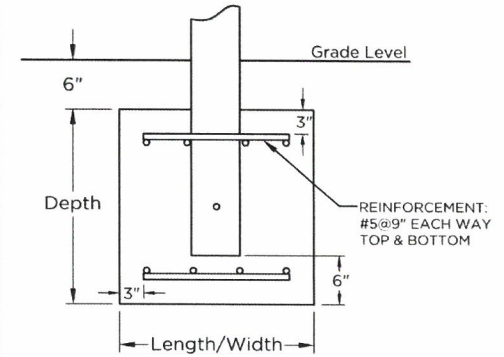


### Tee Cantilever Hip Shade

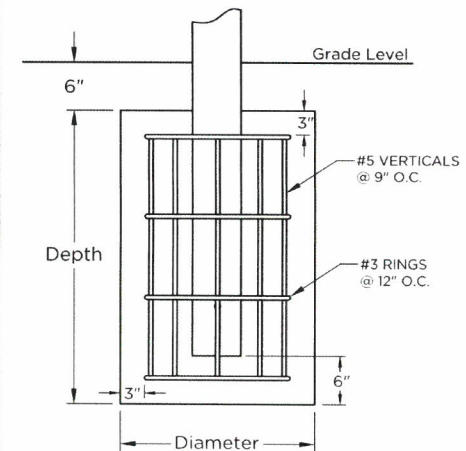
<b>Length</b>	20'	<b>Width</b>	10'	<b>Entry Height</b>	9'
<b>Peak Height</b>	11.02'	<b>Elbow</b>	Glide	<b>Column Mount</b>	Embedded
<b>Column Size</b>	Ø5.0" 11-Ga	<b>Rafter Size</b>	Ø2.875" 12-Ga	<b>Ridge Size</b>	Ø2.875" 12-Ga
<b>Column Length</b>	12'	<b>Rafter Length</b>	7.11'	<b>Ridge Length</b>	10.73'
<b>Dome Qty.</b>	1	<b>Column Qty.</b>	2	<b>Beam Size</b>	4"x4"x3/16"



Column	Length & Width	Depth
Single Cap	2.53	3
Double Cap	N/A	3



Diameter	Single Cap Depth	Double Cap Depth
1'-6"		
2'-0"	4.9	N/A
2'-6"	3.14	N/A
3'-0"	Out of range	N/A



**SuperiorShade**

QUOTE

SHADE SIZE

20 X 10

SHADE STYLE

**Tee Cantilever  
Hip Shade**

*These drawings are for reference only and should not be used as construction details. They show the general character and rough dimensions of the structural features. Exact spans, fasteners, materials, and foundations can be determined by a licensed professional engineer upon request. Estimated footing size above is based on 1,500 PSF soil bearing pressure.*

**CERTIFIED SURVEY MAP REVIEW**  
**2/15/2024 Plan Commission Meeting**  
**Krueger Property – SUMT0669109 & SUMT0669110**

---

Staff Report

Village of Summit, Wisconsin

Property Location: 1920 N. Oak Grove Road, SUMT0669109 & SUMT0669110

Property Owner: Dennis & Gina Krueger/Dennis W Krueger and Christine E Garlock Et. Al.

---

**Zoning:** **R-4 Cottage Residential**  
**(1 unit per 26,000 sq. ft. density/20,000 sq. ft. lot size)**

**Land Use Plan:** **SF Residential 0.6-acre density**

---

**Recommended Motion:**

*Motion to recommend that Village Board approve the Certified Survey Map subject to the following conditions:*

- A. APPROVALS FROM ALL OBJECTING AND APPROVING BODIES: Petitioner shall satisfy all comments, conditions and concerns of the Village Engineer, Surveyor, and Planner prior to approval of the final Certified Survey Map.*
- B. SUBJECT TO REIMBURSEMENT OF EXPENSES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all fees, costs, and assessments due and owing to the Village of Summit, and for reimbursement of any expenses, costs and disbursements which have been incurred by the Village of Summit in the drafting, review or enforcement of this conditional CSM approval, including without limitation by reason of enumeration, design, engineering, inspection and legal work.*
- C. NO BUSINESS OR COMMERCIAL USE. There shall be no commercial or business use on this lot, except as specifically permitted within or pursuant to the applicable Zoning Code.*
- D. ONE YEAR TO SATISFY CONDITIONS. Subject to the Petitioner satisfying all of the aforementioned conditions within one year of the Village Board granting conditional final approval of the CSM.*

**Summary:**

The applicant is proposing to combine two lots of record, including Lot 5 and Lot 6 in Map of Oak Grove Subdivision. One of the existing lots is inclusive of all of Lot 5 and a part of Lot 6 (0.32 acre) and the other lot is inclusive of the remaining part of Lot 6 (0.1 acre). The CSM would result in decreasing the nonconformity of the existing lots. The new lot would be approximately 140 ft. wide and 18,644 sq. ft. (.43 acres).

*Krueger CSM*

**Considerations:**

Access and Frontage: The lot will have frontage on N. Oak Grove Road. Accessibility is not changing. The established road right-of-way width was reduced to 30 ft. in 2004.

Total Area: The proposed CSM legally combines two lots into a single lot of record consisting of 18,644 sq. ft. The lot will still be nonconforming to lot size, but the combination results in a significant improvement compared to two nonconforming lots of record.

Sanitary Sewer System available: The property is served by public sewer and is in Utility District #2. The owner is not currently paying any fees associated with a 2<sup>nd</sup> lot. Therefore, no changes to fees or sewer connectivity are required.

Water System Available: The property is served by a private well.

Natural Resources: None.

**Planner Comments:**

- 1) N. Oak Grove Road should be labeled on the vicinity sketch.
- 2) A note shall be added to the CSM that states, "All of Lot 1 is located within the Village of Summit's Shoreland Jurisdictional Boundary."
- 3) The Village Board signature shall be modified to read "Village Board" rather than "Common Council" and the Village President is Jack Riley rather than Sergio Rodriguez.

Surveyor and Engineering Comments: See attached letter dated February 6, 2024.



Building a Better World  
for All of Us®

February 6, 2024

RE: Village of Summit  
Krueger Certified Survey Map  
SEH No. SUMMV 176551 Task 15

Ms. Amy Barrows  
Village Planner  
Village of Summit  
37100 Delafield Road  
Summit, WI 53066

Dear Ms. Barrows:

We have reviewed the Certified Survey Map for Dennis and Gina Krueger, 1920 North Oak Grove Road, Oconomowoc, WI 53066, and offer the following comments:

- 1) The map appears to be located in the NE 1/4 and SE 1/4 of the NE 1/4 of Section 24. The Surveyor shall confirm this and revise the heading on each sheet and the description.
- 2) The width of the right-of-way must be shown.
- 3) Bearings and distances that differ from the original plat shall be identified.
- 4) A graphic scale is required.
- 5) The old line between lots 5 and 6 should not be shown and the label for these two lots removed as they will no longer exist after the map is recoded.
- 6) The sheets of the map must be numbered, and the total amount of sheets depicted.

Please do not hesitate to contact me with any questions or comments at 414.949.8919 or [kkindred@sehinc.com](mailto:kkindred@sehinc.com).

Sincerely,

A handwritten signature in black ink that reads "Keith Kindred".

Keith Kindred, PLS  
Principal, Regional Practice Center Leader  
(Lic. WI, IL)

jw

x:\p\ts\summv176551\task 15 -krueger csm 1920 n oak grove rd\krueger csm review letter\_village of summit\_2024-02-06.docx

Engineers | Architects | Planners | Scientists

**Short Elliott Hendrickson Inc.**, 501 Maple Avenue, Delafield, WI 53018-9351

262.646.6855 | 888.908.8166 fax | [sehinc.com](http://sehinc.com)

SEH is 100% employee-owned | Affirmative Action—Equal Opportunity Employer



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
MILWAUKEE COUNTY ) SS

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:  
That I have surveyed, divided and mapped a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Northeast 1/4; thence S 00°29'22" E, along the East line of said Northeast 1/4, 1507.57 feet to the point of beginning; thence continuing S 00°29'22" E along said East line, 140.09 feet; thence S 89°56'12" W, 146.45 feet to a point on the East right-of-way line of North Oak Grove Road; thence N 10°26'14" E along said East right-of-way line, 142.82 feet; thence S 89°54'06" E, 119.38 feet to the point of beginning.

Said lands containing 18,644 square feet (0.43 acres).


That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have made such survey, land division, combination and map by the direction of Dennis W. Krueger and Gina M. Krueger, owners of said land.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the requirements of the Village of Summit in surveying, dividing and mapping of the same.

January 19, 2024  
Date



  
\_\_\_\_\_  
Dennis C. Sauer  
Professional Land Surveyor S-2421

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE:

Dennis W. Krueger and Gina M. Krueger, as owners, do hereby certify that we have caused the land described on this map to be surveyed, divided, combined and mapped as represented on this map in accordance with Chapter 236.34 of the Wisconsin State Statutes, and the Subdivision Regulations of the Village of Summit.

IN WITNESS WHEREOF, the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

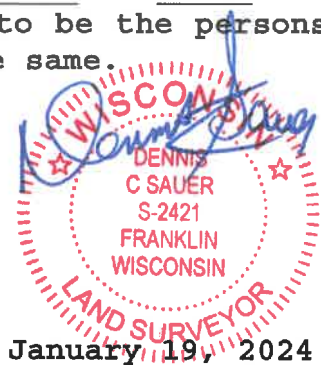
\_\_\_\_\_  
Dennis W. Krueger

\_\_\_\_\_  
Gina M. Krueger

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

PERSONALLY, came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Dennis W. Krueger and Gina M. Krueger, Owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Print Name: \_\_\_\_\_  
Notary Public-State of Wisconsin  
My Commission Expires: \_\_\_\_\_



PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the Village of Summit on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Jim Siepmann, Chairperson  
Village of Summit

\_\_\_\_\_  
Debra Michael, Administrator  
Clerk/Treasurer  
Village of Summit

VILLAGE BOARD APPROVAL

APPROVED by the Common Council of the Village of Summit on this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.



CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
MILWAUKEE COUNTY ) SS

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify:  
That I have surveyed, divided and mapped a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Northeast 1/4; thence S 00°29'22" E, along the East line of said Northeast 1/4, 1507.57 feet to the point of beginning; thence continuing S 00°29'22" E along said East line, 140.09 feet; thence S 89°56'12" W, 146.45 feet to a point on the East right-of-way line of North Oak Grove Road; thence N 10°26'14" E along said East right-of-way line, 142.82 feet; thence S 89°54'06" E, 119.38 feet to the point of beginning.

Said lands containing 18,644 square feet (0.43 acres).


That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have made such survey, land division, combination and map by the direction of Dennis W. Krueger and Gina M. Krueger, owners of said land.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin State Statutes and the requirements of the Village of Summit in surveying, dividing and mapping of the same.

January 19, 2024  
Date



  
\_\_\_\_\_  
Dennis C. Sauer  
Professional Land Surveyor S-2421

CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being a combination of Lot 5 and Lot 6 in Map of Oak Grove, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 7 North, Range 17 East, in the Village of Summit, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE:

Dennis W. Krueger and Gina M. Krueger, as owners, do hereby certify that we have caused the land described on this map to be surveyed, divided, combined and mapped as represented on this map in accordance with Chapter 236.34 of the Wisconsin State Statutes, and the Subdivision Regulations of the Village of Summit.

IN WITNESS WHEREOF, the hand and seal of said owner this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Dennis W. Krueger

\_\_\_\_\_  
Gina M. Krueger

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

PERSONALLY, came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, Dennis W. Krueger and Gina M. Krueger, Owners, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

Print Name: \_\_\_\_\_  
Notary Public-State of Wisconsin  
My Commission Expires: \_\_\_\_\_



PLAN COMMISSION APPROVAL

APPROVED by the Plan Commission of the Village of Summit on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Jim Siepmann, Chairperson  
Village of Summit

\_\_\_\_\_  
Debra Michael, Administrator  
Clerk/Treasurer  
Village of Summit

VILLAGE BOARD APPROVAL

APPROVED by the Common Council of the Village of Summit on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.