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

MINUTES

Village of Summit Plan Commission

March 21, 2024

CALL TO ORDER

Chairperson Siepman called to order the Plan Commission meeting at 5:30 p.m. on Thursday, March 21, 2024 at the Summit Village Hall, 37100 Delafield Rd, Summit, Wisconsin.

ROLL CALL AND CONFIRM POSTING

Deputy Clerk LaValliere took roll call and confirmed notice given to the local media as required and requested and posting of the agenda to the Village posting board and website. Commissioners present were: Paul Schmitter, Jay Obenberger, Jim Petronovich, Sandra Murray, Matthew Katz, Annette Kaja, Paul Schmitter, and Alternate Joan Gucciardi, also present were Chairperson Jim Siepman, Planner Amy Barrows, and Deputy Clerk/Deputy Treasurer Sarah LaValliere

MINUTES

- February 15, 2024

No minutes were presented at this meeting draft minutes will be included for the next Plan Commission meeting.

Next meeting date – proposed for Thursday, April 18th, at 5:30 p.m.

- Sandra Murray will not be present at the April meeting.

REGULAR BUSINESS:

Discussion and action on request of Erin O’Boyle, agent, on behalf of Reassurance Development, property owner, to operate a home occupation at a residence that is proposed for construction at 915 S. Sawyer Road (SUMT0716985).

Planner Barrows reviewed the Summary contained in the Plan Commission packet; it is to acknowledge the proposal as formal action to approve the use is not required. Planner Barrows reviewed conditions as follows.

Section 111-100(f) allows for home occupations as an accessory use of residential premises, provided several conditions are met. The conditions are as follows:

- 1) Such use remains clearly incidental and secondary to the principal use as a residence. It appears this condition is met.
- 2) Such use shall not constitute more than 25 percent of the floor area of the structures on the premises. The dance studio area consists of 23.7% % of the floor area of all structures proposed on the premises.

- 3) The owner maintains the residential character of the structures and premises in a manner compatible with the residential neighborhood so as not to adversely affect neighboring properties. The owner agrees to comply with this condition.
- 4) Such use shall not include the operation of any machinery, tools, or other appliances in a manner that would create noise or other nuisance factors in excess of those typical to residential usage. No operation of equipment is proposed.
- 5) Such use shall not have any identification, other than the property or owner, and limit signage to a non-illuminated sign not in excess of three-square feet in area. The applicant is proposing a 3 sq. ft. sign placed on a pole near the road right-of-way of Sawyer Road. The total pole height would be 3 ft. and the bottom of the sign would be 1 ft. from ground. Signs less than 15 sq. ft. that are located at least 1 ft. from the street yard and more than 5 ft. from the side and rear lot lines are exempt from permitting in residential districts. The sign shall not obstruct visibility or movement of vehicles or pedestrians, or otherwise cause any hazard to any person or property. Signs must be located outside of vision setback lines. Plan Staff recommended the applicant use two poles to help stabilize the sign during high winds.
- 6) Such use shall not require outside storage of materials to a degree considered by the zoning administrator incompatible to the residential character of the premises. No outside storage is proposed related to the business operations.
- 7) Such use shall not include the removal of sand, gravel, stone, topsoil or peat moss for commercial purposes or the sale of trees, plants or nursery stock. Not applicable.
- 8) Such use shall provide off-street parking area compatible with the residential character. The applicant is proposing to use the proposed driveway for parking which includes a large parking pad near the proposed attached garage. The south side of the parking pad is 80 ft. deep x 23 ft. wide, which provides ample space for three vehicles.

The petitioner Erin O’Boyle answers questions from the plan commission on number of attendees, parking, type of business. Group classes are Tuesday evenings. Plan Commissioners state that parking must be able to accommodate the number of attendees.

MOTION: (Murray, Schmitter) *to acknowledge the home occupation as presented for Social Style Dance. According to the applicant and as presented, the proposed use will comply with the provisions of Section 111-100(f) Home occupation of the Village of Summit Zoning and Shoreland Ordinance. Planner will have to review any signage. Carried*

Discussion and action on request of Paul & Anne Miller, on behalf of Golden Lake LLC, property owner, to alter the topography on property at 333 N. Golden Cedar Lane (SUMT0695022).

Planner Barrows reviewed the summary provided in the Plan Commission pack.

Kyle Kolman - Seasonal Servies – Landscape Architect
 Rob Miller - Rob Miller Homes - Builder

Addressed the Plan Commission and reviewed the current plan, with possible impacts. The initial plan is presented. There is a rain garden to the south that will catch water and allow it to percolate into the soil. If there is heavy rain there is a pipe for drainage.

A next-door neighbor to the south expressed concern about drainage and grading into a tree. The revision is to move the rain garden and low berm to the north and east to resolve drainage issues.

There was additional conversation about adverse drainage and neighbors having access to the plan prior to

approval.

There was additional conversation relating to fill and amount of fill being compatible with neighbors. The Plan Commission determines they would make a recommendation up to the 860 and leave it to staff and contractors to blend in with neighbors.

MOTION: (Murray, Schmitter) *to deny the applicant's request to modify the grading plan as presented at the March 21, 2024 Plan Commission meeting, but allow Staff to review and administratively approve a revised grading plan that aligns with the topography on the adjacent properties and eliminates adverse drainage. Contour changes would not exceed 860 on any of property being worked on*. Drainage would need to be directed toward the lake, not the adjacent properties. Any revisions to the previously approved plan would require review and approval by the Zoning Administrator and Village Engineer through the issuance of an Erosion Control Permit. If a stormwater catchment device is required, a maintenance agreement shall be approved by Village Staff and recorded with Waukesha County Register of Deeds. Plan Commission will resolve any questions, concerns, and or disputes related to the revised plan. Any revised plan would have to blend with the topography on neighbors' properties. All necessary state and federal permits shall be granted prior to the grading activities taking place in accordance with chapter 30 regulations. *(lakeside of residence beyond the patio being worked on.)* Carried

Discussion and action on request of Daniel Della, on behalf of Nemahbin Lake Partners LLC (agent), to obtain a Business Plan of Operation to continue operating Panga with a new owner and operator and minor modifications, on property owned by Four Fathoms LLC and located at 34422 Delafield Road (SUMT0669017).

Planner Barrows reviewed the information contained in the Plan Commission Pack. The goal for right now is to continue operations as is and will come back with proposed improvements.

Justin Beres - Panga

Dan Della - Panga

Commented on the current goal of the operation. To open in April and clean the property and buildings up and run through summer and create a community place.

Planner Barrows reviewed some on-site complications; one is the floodway areas on the property, which no improvements would be allowed. She added, the flood fringe where water stands is also highly regulated.

Planner Barrows also reviewed the uses and conditions that would be allowable (as referenced in the Plan Commission pack). She requested the Plan Commission consider whether the self-service and pick-up counter are acceptable. These uses were not mentioned in previous requests. There is also an illegal covered shelter on the north side of the property that will need to be removed.

MOTION: (Katz, Schmitter) *to approve the applicant's request for a Business Plan of Operation as presented, as further specified in the application materials, and as detailed in the March 21, 2024 Plan Commission staff report. Changes to the 2016 Business Plan of Operation are limited to the changes referenced in the Planner's report.* Carried

AMENDED MOTION: (Katz, Schmitter) *to acknowledge the pickup window.* Carried.

UPDATE Regarding Village Board action on Plan Commission matters

- Discussion and action on request from Rebecca Carsey on behalf of White Stag 1894 to adopt an ordinance that amends 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. – Tabled with unknown future date
 - There were two failed motions and the final motion was to table it.

- Discussion and action on request from Christopher and Jessica Kadow, property owners at 740 N. Griffith Road, to adopt an ordinance that amends 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. - Passed

- Discussion and action on proposal to vacate a portion of N. Venice Beach Road
 - Village Board denied vacation upon recommendation of Village Engineer, PW Director and Planner (due to resident input wanting access)
 - Recommendation to allow on street parking
 - Additionally, combine both parcels by adding an outlot, which would allow the lots to be considered a single lot – would alleviate offsite parking issues but that would require a Certified Survey Map, site amendment and text amendments.

ADJOURN Plan Commission meeting

MOTION: (Schmitter, Murray) *to adjourn the Plan Commission meeting at 6:50p.m.* Carried.

Respectfully submitted,

Sarah LaValliere
Deputy Clerk/Deputy Treasurer

Next meeting date: April 18, 2024