



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

MINUTES

Village of Summit Plan Commission Thursday, May 16, 2024 5:30 p.m.

CALL TO ORDER

Chairperson Siepmann called to order the Plan Commission meeting at 5:30 p.m. on Thursday, May 16, 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 posting of the meeting to the local media as required and requested and posting on the village website and posting board.

Commissioners present were:

- Jim Petronovich
- Sandra Murray
- Annette Kaja
- Jay Obenberger
- Paul Schmitter

Also present were: Chairperson Jim Siepmann, Planner Amy Barrows, Deputy Clerk/Deputy Treasurer Sarah LaValliere

MINUTES

- February 15, 2024
- March 21, 2024
- April 18, 2024

MOTION: (Petronovich, Murray) *to approve the minutes from February, March & April 2024.* - Carried

Next meeting date – proposed for Thursday, June 20th, at 5:30 p.m.
Paul Schmitter will not be at the June meeting.

Chairperson Siepmann opened the meeting for PUBLIC INPUT at: 5:35 pm

PUBLIC INPUT regarding a proposed amendment to the Village of Summit Future Land Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the

Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

Planner Barrows introduced public comment, and provided a review of feedback received to date electronically. The following verbal comments were provided during the meeting:

Tracy Bigari
2938 Kegonsa – Lake Country Village
Supports Change to Institutional

Margaret Dagneau (applicant)
LCCA President
Understands concern related to loss of property tax revenue and willing to make annual payments in lieu of taxes.
Eager to work with staff to develop a responsible number
Academic destination to enhance the Village of Summit

Laura Zielski
35263 Yahara Dr
Favor

Miranda Peterson
36595 Country Cove Ct
Support

Mary Claire Lancer (working on behalf of the applicant)
14550 W Meadowshire Dr
New Berlin WI
She clarified her research; reinforcing conversation had been regarding land use, and requested that her feedback be provided to Plan Commission. She provided a brief summary of her written findings. She asked that the audience raise their hands if they supported the project. A majority of the audience raised their hands.

Jake Thoele
35412 Kegonsa Dr
Would love to see school.

Lisa Dillman
W314N9141 Hawthorne
Hartland WI
Daughter goes to K5 – LCCA
Read her response for the record and commented this school is what we all need.

Michelle Pakenham
35058 Wayfare Tr.
Support school

Chairperson Siepmann closes public input at 6:55 pm.

REGULAR BUSINESS:

Discussion and action on request of Tony and Jackie Wedeward, Annabelle Acres, to renew a Conditional Use Permit for a Hobby Kennel on property located at 39796 Golden Lake Park Road (SUMT0651998003).

Planner Barrows reviewed the conditional use information contained in the Plan Commission pack. She pointed out that the current conditional use does not include the adjacent property to the east. Fencing does go right up to east lot line and potentially the conditional use should be modified in the future in case the property is sold.

There have been no complaints on this parcel or related to the business.

MOTION: *(Murray, Petronovich) to approve the Conditional Use Renewal request in accordance with the enclosed Conditional Use Agreement, subject to Village Attorney review. - Carried*

Acknowledge home occupation for Julie Stoffer to operate a photography and yoga studio on property located at 37211 Valley Road (SUMT0637003).

Planner Barrows reviewed the information contained in the Plan Commission pack.

Section 111-100(f) allows for home occupations as an accessory use on residential premises, provided several conditions are met. Formal approval is not required, but Plan Commission acknowledgment is advised for documentation purposes. 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 photography/yoga studio area will consist of less than 25% 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 considering a sign affixed to the barn, but has not provided any details. The ordinance limits signage to identifying the property or owner, not the business.***
- (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 existing driveway. The property consists of a substantial U-shaped driveway. It appears there is sufficient parking available.***

MOTION: (Murray, Schmitter) *To acknowledge the home occupation as presented for a photography and yoga studio. 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. Signage shall not be installed until such time approval is granted by the Zoning Administrator in compliance with Section 111-100(f) and the Signage Ordinance.* - Carried

Discussion and action on request of Adam and Nedret Rix to combine two lots on property located at 456 N. Waterville Road and 502 N. Waterville Road (SUMT0676993002 & SUMT0676993003).

Planner Barrows reviewed the proposed CSM features. Applicant will address minor changes and surveyor comments. Plan Commission should consider additional accessory structures as a separate agenda item.

Planner Barrows reviewed the residential zoning and consideration of 4 structures

- Small shed
- Silo
- Barn
- Garage

MOTION: (Schmitter, Kaja) *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. ***UTILITY CONNECTION FEES.*** *As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit.*
Note: The subject property is served by a private septic system. No fees apply.

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 Adam and Nedret Rix to maintain three accessory buildings on properties that are proposed to be combined located at 456 N. Waterville Road and 502 N. Waterville Road (SUMT0676993002 & SUMT0676993003).

Adam Rix
456 N Waterville Rd
Discussed the Silo on the property.

MOTION: (Kaja, Schmitter) *Approve the request to retain the accessory structures that currently exist as proposed subject to a deed restriction, drafted by the Village Planner, being recorded with Waukesha County Register of Deeds stating that none of the accessory structures on the property shall be used for commercial or human habitation purposes and said structures shall be used for personal storage only. - Carried*

Discussion and action on request of Andrew and Rebecca McNulty to reconfigure two lots on property located at 523 N. Waterville Road (SUMT0675996002) and property abutting Breen's Road (SUMT0675996004).

Planner Barrows reviewed the reconfiguration of the two lots. Lot 1 Existing Residence, Lot 2 developable lot.

MOTION: (Obenberger, Kaja) *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. *UTILITY CONNECTION FEES. As a condition precedent to this conditional CSM approval taking effect, the Petitioner shall pay all utility connection fees owed to the Village of Summit. Note: **The subject property is served by a private septic system. No fees apply.***

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

Provide feedback regarding a concept presentation from Bill Minett, agent, on behalf of Mary Alice Eschweiler, property owner, to create a single-family residential subdivision on property located on Genesee Lake Road, east of Ravinia Park subdivision (SUMT0678996).

Planner Barrows reviewed the proposed 19 lot subdivision. Proposed conservation type subdivision to preserve 40% open space. Density calculations provide for 19 units and 19-20 acres for open space. The applicant is currently proposing 31 1/2 acres of open space.

Subdivision requires a Rezone to R1 to match existing Ravinia Park, limited to the 19 lots proposed, and requesting lots at 1 acre and setback change.

Abut bark river and working with Department of Administration for access on navigable waterway. The applicant may or may not have to meet a 60' access provision for the Bark River.

Request by staff to provide access to adjacent property to the south. It has to be determined who would own the additional out lot.

Planner Barrows reviewed the considerations presented in her Summary.

Several of the lots will consist of high groundwater conditions. It appears that several of the lots will include 5-7 ft. of fill. There are several stormwater facilities that are intended to capture stormwater runoff.

Conversation is had about the Bark River and Greenway trail, and if county has been contacted about the area.

Planner Barrows responded the County has been contacted and there has been no response at this time.

Grade compared to Ravinia Park are within 1 – 2' of each other and this is desirable for the existing development as they are comparable.

Plan Commission asks for feedback from members and all agree going in the right direction.

Plan Commissioners recommended subdivision restrictions match the adjacent subdivision and that consideration should be given to joining the Ravinia Park Homeowner's Association.

Motion: *No motion is required at this time. The applicant is seeking feedback prior to submitting any formal applications.*

Discussion and action on request of Margaret Daigneau, Lake Country Classical Academy, for property owned by Pabst Farms Land Company, to amend the Village of Summit Future Land Use Map, which is part of the Village of Summit 2045 Comprehensive Plan, from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of Pabst Farms Boulevard and N. Sawyer Road (SUMT0629998011).

Planner Barrows reviews the information contained in the Plan Commission pack.

A draft resolution is presented and has been reviewed by Village Attorney. Subject to rezone and conditional use completed in a certain timeframe. Additional comments brought at prior meetings were considered by the Planner. Some of the concerns will be addressed at different points during the process.

Planner Barrows reviewed conditions.

Conversation is had about Master Planning, development, tax base, Institutional zoning, and the marketing involved with the proposed project.

Concerns are expressed about traffic, planning, and transferability to another use that would fit into the neighborhood should the property not be used after rezoning.

There is conversation about city sewer and responsibilities of Oconomowoc and Village of Summit to ensure sewer is available to the property before development.

Planner Barrows provided verbiage adding future land use amendment is not effective until such time sewer service agreement between Summit and Oconomowoc is amended to allow institutional uses. The Plan Commission could consider allowing use without city sewer but the agreement would need to be reviewed to determine if this is allowed.

Chairperson Siepmann polls the Plan Commission:

- Obenberger Support
- Schmitter Support
- Petronvich Support
- Kaja Support
- Murray Support
- Siepmann Support

MOTION: *(Kaja, Murray) to adopt the enclosed resolution recommending that Village Board approve the proposed Village of Summit Future Land Use Map amendment of the Village of Summit 2045 Comprehensive Plan from the Industrial/Business Park designation to the Institutional designation on property located in the northwest corner of the Pabst Farms Boulevard and N Sawyer Rd intersections, more specifically Lot 2 of CSM 11510, located in*

Section 14 T7N, R17E, Village of Summit subject to the additional language provided by the planner.

The additional condition provided by the planner was stated at the meeting as follows “This future land use map amendment is not effective until such time the sewer service area agreement between the Village of Summit and City of Oconomowoc is amended to allow Institutional uses, with final language related to this condition being reviewed and approved by Village Staff.”

Roll Call Vote:

- Obenberger - Aye
- Schmitter - Aye
- Petronvich -Aye
- Kaja - Aye
- Murray - Aye
- Siepmann -Aye

-Carried

Discussion and action regarding initiating a text amendment to allow day schools as a permitted use and/or conditional use with amended conditions in the Institutional District.

Planner Barrows reviewed information regarding initiating a text amendment to allow day schools as a permitted use and or conditional use with amended conditions in the Institutional District.

MOTION: *(Murray, Kaja) Recommend Village Board initiate text amendments to allow day schools as a permitted use in IN Institutional District. - Carried*

Discussion regarding potential zoning ordinance amendments to allow residential uses in the NC Neighborhood Commercial Zoning District.

Planner Barrows reviewed neighborhood commercial, mixed use and mixed-use commercial options and examples for the Plan Commission.

Plan Commission expresses the following:

- Residential Use on First Floor – Plan Commission requests flexibility based on use and structure
- Ok having residential above commercial uses? – Yes
- Multiple Structures? – OK
- Density Limitation? – Incidental to commercial
- Recommended to discuss density options at Plan Staff meeting.

UPDATE regarding Village Board action on Plan Commission matters

- Flood Extra territorial CSM approved
- Official road right of way reduction for N. Golden Cedar Lane – Passed

- White Stag text amendment withdrawn for the time being

ADJOURN Plan Commission meeting

MOTION: (Siepmann, Schmitter) *to adjourn the plan commission meeting at:7:40 pm* - Carried

Respectfully submitted,
Sarah LaValliere
Deputy Clerk/Deputy Treasurer

Next meeting date: June 20, 2024