



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 Zoning Code Land Use Sub-Committee September 11, 2025

CALL TO ORDER

Planner Barrows called the meeting to order and read the following:

Pursuant to the requirements of Section 19.84, Wis. Stats., notice is hereby given of a meeting of the Village of Summit Zoning Code Land Use Sub-Committee at which it is possible that members of and possibly a quorum or negative quorum of members of other governmental bodies of the municipality may be in attendance in order to gather information about a subject which they have decision making responsibility. The meeting is being held at the above-noted date, time, and location.

A negative quorum of a governmental body is in attendance in this meeting.

ROLL CALL AND CONFIRM POSTINGS

Administrator-Clerk/Treasurer Michael took roll call and confirmed that the meeting was noticed to the local media as required and requested and posted on the village posting board and website. Members present were: Paul Schmitter, Matt Katz, Jeff Lee and Jack Riley. Also in attendance were: Planner Amy Barrows and Administrator-Clerk/Treasurer Debbie Michael.

Review minutes from May 8, 2025

Minutes were not submitted for review yet.

Discuss provisions for the commercial storage of boats, trailers, and other vehicles and equipment

Planner Barrows went through the document and noted that the blue items are what was changed per the May meeting discussions. She noted that in several lines she needs to add the word “commercial” before “storage”.

Changes made since 5/8/2025 meeting are shown in track changes.

COMMERCIAL STORAGE OF BOATS, TRAILERS, AND EQUIPMENT DEFINITION (examples):
Definition taken from Genesee: Conversions of Existing Barns and/or Farm Buildings and Accessory Buildings: Rental of existing barns and farm buildings for the storage of machinery, equipment, vehicles, boats, furniture, and similar items. Rental includes all items that are not owned by the lot owner or by the person lawfully residing on the lot, are stored in existing barns or farm buildings, and for which storage the owner of the items pays rent, provides goods or services, or provides other consideration.

~~The sub-committee should decide if the use is allowed in all outbuildings, or just agricultural buildings.~~

STANDARDS:

- Parcel must ~~be part of an original farmstead and~~ not be located in a subdivision
- Lot size and area must be conforming to zoning district standards
- Building must have existed at time this ordinance section is created
- Requires survey, including lot size, offsets, and use of all existing structures
- Parcel must have access to an arterial or collector street
- ~~No commercial outdoor storage is allowed~~
- Water supply and required septic system must comply with County and State rules
- No commercial signs are allowed
- ~~Detailed landscape plan required~~
- Building and grounds shall be maintained in a neat, attractive, and orderly way
- Building used for storage shall comply with all regulations of village (including zoning dimensional standards), state building code, and fire department
- Compatibility with surrounding area (match language for other uses)
- ~~No business activities, other than storage~~ Business activities are limited to uses associated with the commercial storage of boats, trailers and equipment such as wrapping, waxing, cleaning and changing the oil of said vehicles and equipment. Any other business activity shall comply with applicable ordinance provisions such as Section 111-__ for Home Occupations and Section 111-__ for Limited Family Businesses.
- Buildings with storage shall be at least 50 ft. from side and rear lot lines
- Applicant must accept terms and conditions (add to general conditions)
- Allow in A-1 and A-2, ~~must be 5 acres in size~~
- Determine if commercial building code must be met (verify with Mike Sindorf). It will depend on the extent of the use.
- If commercial outdoor storage is proposed, it ~~must shall~~ be accessory to indoor commercial storage and shall be screened from view, setbacks must be met
 - Plan Commission has the authority to decide if outdoor storage is allowed and Plan Commission may impose conditions such as limitations on the length of time an item can be stored, type and maximum height and size of vehicles and equipment to be stored outside, and area of property that can be used for storage.
 - Regarding the area of outdoor storage, the subcommittee can consider recommending specific provisions such as:
 - The area shall not exceed 25%, 50%, 75%, or 100% of the area of the building used for commercial storage.
 - For a 1,500 sq. ft. building, this would be either 375 sq. ft., 750 sq. ft., 1,125 sq. ft., or 1,500 sq. ft.
 - For a 3,000 sq. ft. building, this would be either 750 sq. ft., 1,500 sq. ft., 2,250 sq. ft., or 3,000 sq. ft.
 - For a 5,000 sq. ft. building, this would be either 1,250 sq. ft., 2,500 sq. ft., 3,750 sq. ft., or 5,000 sq. ft.

- The area shall not exceed 5,000 sq. ft., 10,000 sq. ft., 20,000 sq. ft., 30,000, or 1-acre (The min. lot size will be 3 acres for most properties).
- Outdoor storage shall be located at least 50 ft. or 100 ft. from a lot line.

Planner Barrows reviewed the above information with regards to commercial outdoor storage and asked the sub-committee which of the three options they prefer. Member Lee stated he would recommend it be based on Plan Commission deciding because each of these properties is so different and based on the property it could be different. Members Riley and Schmitter agreed.

Member Riley asked why do we say no outdoor storage unless indoor storage. Planner Barrows responded that is to allow people with existing buildings for other uses and the outside part was added as another option. Member Lee thinks it should remain as an accessory to the indoor. The rest of the members agreed with Member Lee.

Planner Barrows explained there are three properties she has worked with that appear to be hidden but there are areas on each that have areas visible to neighbors.

Option 1 was agreed on by the group.

The sub-committee will determine if the use should be a conditional use or permitted use at a later date after viewing training materials related to conditional uses.

Planner Barrows stated the group had requested some education on Conditional Uses and Permitted Uses so she gave a short presentation on that. If a Conditional Use it is quasi-judicial and requires a public hearing, gives some discretion on what can or can't be done, still can use your intent of the code to deny. Don't get to substitute judgement for law. Must be based on evidence, not personal opinions.

Permitted by right is an administrative decision, zoning permits, building permits, sign permits and routine application of adopted rules and standards. Very limited discretion, often processed by staff.

Member Lee thinks the Commercial storage should be a Conditional Use Permit. Member Riley thinks it should be a Conditional Use. Members Schmitter and Katz agreed.

This is now ready to recommend forward.

Discuss provisions for limited family businesses

Planner Barrows stated this relates to use in an outbuilding, not in a home.

Changes made since 5/8/2025 meeting are shown in track changes.

LIMITED FAMILY BUSINESS DEFINITION (examples):

A business operated by a single person or family where personal services are performed or assistance is given, as opposed to the sale of products, and involves predominantly professional operations as outlined below regarding a limited family business.

STANDARDS:

- Allow professional office in any residential or agricultural district provided compatible with neighborhood, otherwise R-2 (1.5-acre), R-1 (2-acre), A-1 (35-acre), and A-2 (3-acre)
- Operation in attached garage or accessory building

- Small family business that doesn't necessitate relocation or rezoning, but protects interest of adjacent land owner and future development of area
- All expansions in use require CU amendment
- All employees, except one, must be members of family residing on property
- Limited family business, no manufacturing or assembly. Examples: non-health related office or studio for professionals including accountant, architect, artist, attorney, barber, beautician, crafter, dance teacher, housekeeping, insurance agent, interior decorator, massage therapist, music teacher, photographer, realtor, salesperson, shoe repair, small engine repair and auto detailing (inside building only unless approved as part of the Site Plan-Plan of Operation), tailor/seamstress, travel agent, woodworker (~~not a cabinet maker~~)provided an outside dust collection system is not required, ~~auto detailing~~, dog grooming & training (no boarding), ~~wine tasting~~, an office for a business that is otherwise located completely off site with the exception of vehicles transported to and from a job site on a daily basis, etc. in accordance with Section 111- Commercial vehicle parking. In the event a question arises, the plan commission shall make a determination if the proposed use meets the purpose and intent of a limited family business.
- Sale of products must be accessory to use ~~and any sale of products not produced by business is prohibited~~
- Shall restrict # and type of machinery, vehicles and equipment, and Plan Commission may require that storage be inside
- Structure shall ~~be accessory and meet accessory requirements~~be conforming in location, including setbacks and offsets. Plan Commission may grant an exception if it is determined that the proposed use does not impact the neighborhood.
- ~~Design and size may be determined by process~~
- Must be conforming lot size. Plan Commission may grant an exception if it is determined that the proposed use does not impact the neighborhood.
- Restrictions may be placed to avoid adverse affects on adjoining residential properties, such as location and site requirements
- Village has the authority to determine the % of property that may be devoted to the use
- CU automatically expires and terminates on the sale of the property or transfers to non-occupant
- Limits can be placed on hours of operation, signage, lighting (no need for commercial scale lighting), parking as part of Site Plan review
- Shall comply with all other ordinance requirements
- Limited customer traffic as determined by village as part of Site Plan review, shall be compatible with surrounding neighborhood and village character
- Require sufficient screening if any activities take place outside
- Provide for architectural review of building/structures (this was a split decision at the May meeting). Consider: Plan Commission has the authority to require structural and cosmetic improvements to the building used for business purposes if the building is unkept, in disrepair, or does not comply with the building code.
- Refer to noise ordinance
- Any outdoor activities shall be reviewed by Plan Commission, not guaranteed for approval
- Lot and building must be conforming to dimensional standards unless legal nonconforming
- If contractor's yards or commercial truck parking proposed, need to comply with those CU's and be in the A-1 or A-2 District. Plan Commission can limit the # of CU's on a single property
- Conditional Use or Permitted Use – to be determined by subcommittee after reviewing training materials

There was a discussion about why wine tasting was struck. There were mixed feelings on having it in or not. Member Katz gave example of a dance studio and the applicant said they would only have x amount of people at one time so parking was based on that. However, that business also runs large dance parties and there wouldn't be enough parking and how is that supposed to be regulated.

Planner Barrows stated it is better to be more cautious on the front end because another decision can be made if a use comes in, better to have a tighter list to start out with. Member Lee would like to allow wine tasting on A-1 and A-2 but not R-1 and R-2. Member Riley would like to leave wine tasting in A-1, A-2 and R-1. Member Lee

was ok for A-1 and A-2, Member Katz was ok to leave in, Member Schmitter was ok in R-1 & R-2. Direction was to move forward with 2 – 2 vote of members.

Providing for architectural review of building/structures or Plan Commission authority to require was a split 2 – 2 vote of members.

Members Schmitter, Katz, and Lee prefer it to be a Conditional Use Permit. Member Riley stated there are so many people doing this stuff already. Planner Barrows added that if it is permitted by right, it makes it harder to place conditions.

Planner Barrows stated she can draft it so that office is permitted by right but the rest would be Conditional Uses and made reference that she could write it like the existing Conditional Use for the keeping of animals.

Discuss provisions for landscape businesses and nurseries

Planner Barrows stated garden centers are allowed in the BP District so somebody could come and propose an actual garden center west of Village Hall or in other BP areas. In Agricultural areas, you could rely on the proposed standards, including the storage of mulch and bark and all of that would be the Contractor's Yard so then you are really just talking about the nursery itself. If that is the path they choose, they still should consider limitations on fuel tanks, irrigation and environmental impact, and fertilizer use. Planner Barrows asked if anyone is opposed to defining it where you'd look at contractor's yard and commercial vehicle parking in sync with this but not trying to overlap them. You'd have to layer the specific uses.

Member Riley asked if this includes retail. Planner Barrows responded that the group needs to decide whether or not to include retail on the property and right now the code allows it in A-1 and A-2. There is no definition in the code but what is allowed by right is: "sale of nursery products raised or transported to the site." Planner Barrows stated she looked at what Waukesha County allows in their code and they have a definition for Nursery that includes retail and wholesale and then you could include conditions on that if it was treated as a Conditional Use. Member Riley stated that something like a Stein's would be commercial but it would not be allowed in Agricultural. Member Riley responded that a nursery leads him to think of Check's Evergreens where they are planting trees and selling trees and he likes the wholesale end. If you want wholesale to be allowed then customer traffic should probably be limited. Planner Barrows suggested the group needs to better define what is allowed in the Ag districts, which right now just says sale of nursery products raised or transported to the site. Member Lee questioned how different is a tree farm compared to the planting of corn or soybeans and asked if we could limit it to agriculture crop and say what is considered agricultural crop. Planner Barrows responded that you could also say it has to be produced on the property and this is the major difference compared to the use that was proposed in the past. There was some discussion about having an apple orchard with a stand to sell pies and jam. Member Riley stated that's a rural feel and an orchard would be nice to have. The hard part is whether or not the Village would be accepting of the customer traffic and the sale of things not produced on the site. Planner Barrows suggested that maybe for nurseries it could be very limiting and then if the Village does allow agri-business uses that is where you could open it up little more.

Planner Barrows reviewed what is included in the Town of Genesee Code: nurseries, greenhouses and hatcheries are allowed in the agricultural districts with limited retail sales of products produced by the farm operator and allowed by a site plan and plan of operation and farm stands are exempt from the site plan process.

Planner Barrows explained that what she thinks the group is trying to do is to better define nurseries because it was tricky on a specific site that was the subject of a possible use that was on the line between a nursery and a use in

the BP District. It comes down to if the Village is willing to allow the customer traffic and the sale of products, and how much. An orchard would fit the nursery definition on it's own. Member Katz stated he thinks it is agri-tourism and referenced Peck & Bushel in Monches and believes that is agri-tourism.

Member Katz stated he thinks of Eberts out in Ixonia as a Nursury and that it is awesome, in the middle of a farm field which seems like a great location for it but where in our community does that fit.

Planner Barrows recommended that the group read the documentation provided to look at all the provisions she put in it and then move into the agricultural stuff to see how it ties in and try to retrofit it. She stated she can come up with a definition for the next meeting.

Initiate discussion related to event facilities and agri-business uses

a. Provide summary of comments from May 29, 2025 public listening session

If the Plan Commission and Village Board want the specific minutes, let Planner Barrows know.

Planner Barrows provided a summary of responses to event facilities and agri-tourism uses.

145 people signed into the listening session, 33 speakers, 31 of the 33 were residents of the Village. There were 36 additional comment cards from people who did not speak at the meeting and 33 out of 36 were people that lived in Summit. There were an additional 85 emails submitted before and after the meeting. A majority of the emails did not include address information. Comments were limited to an end date of June 9. 14 comments were received after that date and were split 50/50 on support or opposition. Agri-business uses = 49 opposed, 42 supported and 9 undecided. Event facilities = 75 opposed, 39 supported. 5 submissions with concerns could support them if in the appropriate district, with appropriate conditions and 1 submission that was ok with event facilities but didn't want the significantly large events and 1 undecided. There were several submissions specific to the White Stag use and those were separated out because that wasn't the topic of the listening session. There were 23 emails that just referred to White Stag with 21 in support and 2 opposed. 75 signatures which included Summit or Oconomowoc mailing addresses were submitted by Rebekah Carsey of White Stag in support of the event barn and some of those people did attend the listening session so there is some overlap on responses. A privately prepared survey was distributed to Village residents and some non-Village residents. Summit did not have any role in that survey and was not the one who distributed it and there was some confusion on that. In disclosure, there were some pre-filled fields when people went to respond that were in opposition and it was definitely prepared in a manner that encouraged opposition. So that is considered a biased survey. That individual could come in and explain results if the group requests it. The summary included reasons for opposition and support.

b. Provide initial feedback and establish informational needs for next meeting

For the next meeting, the group can move right into the nursery discussion and then the event facilities and agri-business discussions. As part of that discussion Planner Barrows can provide information from Police Departments in communities that have event facilities related to how much activity or complaints they do receive. It is her understanding there is very little concern that goes to Police Departments related to these event venues. Would also like the group to understand the Liquor license requirements. The Carseys asked if someone could come to speak from the Wisconsin Agricultural Tourism Association. They did send written correspondence that could be provided as well. Does the group want to see any draft language yet or have discussion first. Member Schmitter commented that what he heard was that agri-business was more widely supported than event facilities. We could start with the agri-business discussion. The group was asked to review the listening session summary before the next meeting and read the Nursury document.

Member Riley stated some of the feedback we heard related to previous proposals was groundwater usage and sewage. Can we get usage numbers from existing event venues (for example Fete in Wales has x number of

DUE's or REC's assigned).

Next steps & schedule next meeting date

November 13 at 4 pm.

Public Input

Jim Kueht, 510 S Golden Lake Lane, he and his wife have lived there 30 years. Asking for help to initiate legislative oversight that applies to commercial businesses and specifically short-term rentals in residential neighborhoods. Currently there is no process to address short-term rentals in single-family residential homes. Golden Lake Lane is a quiet, residential neighborhood with many long-term and even lifelong residents. A short-term rental business operating on Golden Lake Lane has already brought traffic congestion, noise pollution, increase of strangers in the neighborhood and a demonstrated lack of concern and respect for the lake and it's residents. That house has the potential to be rented at 50% occupancy rate which would bring more than 2,000 transient people staying in that home in one year and that doesn't support a quiet neighborhood or quality of life. Mr. Kueht shared some statistics about AirNB rentals.

Bill Dulde, 342 S Golden Lake Lane, stated in the same way that the limited family business takes into account the character of the neighborhood and the character of the Village, he asked that future action be taken when looking at limiting or controlling the AirBnb type commercialization of their neighborhood and they'd greatly appreciate it. Provide some help related to the short-term rentals and all neighborhoods in Summit and everyone would appreciate it.

Ruth Dupries, 924 S Sawyer Road, stated she didn't comment at the first meeting because so many people had already spoken and said a lot of the same things but in that regard she'd like to say that she is not for an event situation for many of the same reasons; noise pollution, parking, potential need for increased policing or emergency. She moved here for the rural character of community and having event facilities would be contrary to that, she'd like everyone to keep in mind that they would continue to like to have rural character of our community.

Paul Dupries, 924 S Sawyer Road, their lot was an old cornfield previously and they've tried to maintain the atmosphere that they moved to, he had a small business for awhile and complied with all storage facility requirements. He thinks an event barn, so many things come up like liquor license questions, traffic, where is oversight coming from, do we have to rely on the Police Department to respond to complaints from residents and is that the only alternative or is there someone that will be an overseer. He is opposed to it and thinks a lot of people might feel the same way.

Planner Barrows explained the Village had a short-term rental ordinance, it went through the court system and the ordinance has been revoked by the court and legally, the Village is in a holding pattern. It is not that the Village doesn't care about this matter but they don't have a lot of control right now related to that matter.

The group adjourned at 5:40 p.m.

Respectfully submitted,

Debra J. Michael, WCMC
Village Administrator-Clerk/Treasurer