

Town of Merton  
Plan Commission Meeting  
Minutes of October 20, 2021

- Plan Commission Meeting was Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance was led by Chairman Klink
- Minutes of the September 15, 2021 Plan Commission Meeting. A motion to approve the minutes was made by Siepmann/Morris. Motion carried.

Present: Chairman Klink, Commissioners Griffin, Jensen, Morris, & Siepmann, and Good, Planner Haroldson, and Deputy Clerk Claas

Absent: Commissioner Queoff

Also Present: Kristyn & Jeff Smith, Mike Kotalrek, Andrew Smith, Tamara Marek and several others.

Old Business: None

New Business:

Bridlewood Estates Subdivision Preliminary Plat – Dated August 30, 2021 by John R Stigler – N75W30343 County Road Vv – Requested by Kristyn Smith on Behalf of Smith Subdivision, LLC - MRTT0348-999-010 –

Haroldson stated the Stormwater Plan for the Plat received approval and she received letters from Land Resources, the DOA, the Environmental Health Division, Waukesha County Public Works and Waukesha County Parks and Land Use. The conditional approval from Waukesha County Parks & Land Use lists 22 conditions/comments that will need to be addressed before final approval. They need to work on a Developer's Agreement and they will need to finalize the grading plan, erosion control, and the road plan. Haroldson stated that for the preliminary plat they have met the Town's requirements for approval.

Siepmann stated they are vacating the private road to the barn building and questioned if they are keeping the building and accessing it from the subdivision. Jeff Smith said yes.

Siepmann suggested they disclose that there will be a lot of use on the property to the east by the Ultimate Frisbee Club so when they buy, they will know there's a lot of activity there.

A motion to approve the preliminary plat for Bridlewood Subdivision contingent upon all required conditions be addressed was made by Morris/Jensen. Motion carried.

Request to Create a Land Division by Certified Survey Map – Five Acre Parcel for Family Member – Requested by Andrew Smith on Behalf of Patrick Smith – W315N8929 Hoff Road – MRTT0303-999-001 –

Haroldson said she hasn't spent a lot of time reviewing this certified survey map because in her opinion of the ordinance, when a certified survey parcel is dividing land, the land division ordinance requires the whole parcel gets surveyed. The applicant asked that it comes to the Plan Commission. Per ordinance 18.26 any minor subdivision shall be surveyed and a certified survey map prepared and recorded. By definition this would be considered a minor subdivision. Haroldson stated there are many things missing on the survey and she hasn't heard from Waukesha County. The Town has required all other farms and large parcels to survey the entire parcel and this is how it has been done for at least 15 years. Klink said this has been a standard in the Town and doesn't see any reason why the Town should not continue with that.

Siepmann questioned the setbacks, offsets, and height of the existing buildings. His concerns are the height of the buildings relative to the lot lines since the Town has a height restriction. Griffin questioned the driveway access for the new lot.

Kotlarek stated the reason he is asking the board to not have the rest of the farm included in this certified survey map is because just surveying and staking out Hoff Road would be a substantial cost to Andy Smith. Per Wisconsin State Statute 236.34 he would have to survey and stake out over 30 more points on both sides of Hoff Road. Kotlarek said he would have to survey the original survey map from 1993 and the wetlands for the rest of the farm, and environmental corridors for the rest of the farm. All of these are extra costs Andy would have to spend for surveying. Klink said the Town started doing this because it was having problems as they came back and wanted to divide again. Getting a certified survey for the whole area when there is a land division is cleaner and down the line it's easier for future board members.

Griffin questioned if they could use the wetland delineation the Town just had done on Hoff Road. Haroldson said sure. Griffin thought about 90% of the property was done by SEWRPC. Haroldson said the County probably won't require SEWRPC to delineate it if the house isn't real close to where the wetlands are.

Kotlarek asked if the parcel southeast of Hoff Road would be another lot. Haroldson stated it would be an out lot like the lake lots because it's across the road. He also questioned if the Town would take dedication for Hoff Road. It's required by State Statute.

A motion to deny the certified survey map based on the Town's ordinance that this is minor subdivision that requires a certified survey map for the entire parcel was made by Siepmann/Morris. Motion carried.

Request to Create a Land Division by Certified Survey Map – Two Parcels were Originally Part of the Preserve at Beaver Lake Subdivision – Fairview Lane – Requested by Tamara Marek on Behalf of the Tamara Marek Revocable Trust – MRTT0375-078-001 – Haroldson stated Marek had combined lots 6 & 7 in the Preserve at Beaver Lake Subdivision and had a conditional use permit, but now she wants to divide the parcels back to the way it was. Waukesha County has not completed their review, but there are several things that need to be corrected, changed, or added.

Marek stated she is working with Aspire Homes and they have people who are interested in those two lots. Haroldson stated the two lots will have to meet the rules of the subdivision, but will not be part of the subdivision.

A motion to recommend conditional approval to the Town Board of the certified survey map to go back to two lots after Waukesha County reviews and with all changes on the final certified survey map was made by Morris/Jensen. Motion carried.

Update on the Land Altering Permit – Chardon Drive – by Denis Schuh – MRTT0431-010 – Haroldson presented pictures that Schuh emailed her and read an email from Schuh stating he's making no major changes to the plan, he removed 5 trees from the west side, and he is bringing in top soil and gravel. He wants to seed the area as soon as he finishes with the topsoil.

The Chairman directed the Planner to get in contact with the County to have them take a look and to take photos. Haroldson was also asked to get permission from the neighbors to go on their property to take photos.

Planner Update – No update from the Planner.

Waukesha County Activities Update – County Supervisor Morris – Morris stated Waukesha County reviewed Kim’s Pizza and the 5’ from the retaining wall on Florencetta Heights. Highways C & K appear to be done.

A motion to adjourn was made by Morris/Siepmann. Motion carried. The meeting adjourned at 6:17 p.m.

Respectfully submitted,

Holly R Claas  
Deputy Clerk