

Town of Merton
Plan Commission Meeting
Minutes of June 7th, 2023

- Meeting Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of the May 3rd, 2023 Public Hearing & Plan Commission Meeting. A motion to approve both minutes as printed was made by Morris/Good. Motion carried.

Present: Chairman Klink, Commissioners Griffin, Jensen, Morris, Queoff & Good, Attorney Van Kleunen, Planner Haroldson, and Deputy Clerk Claas

Absent: Commissioner Siepmann

Also Present: Tom Evert, Nicole Kubeck, Joe Reuteman, Walt Lautner, Marty Iverson, & John Spitz

Old Business: None

New Business:

Plan of Operation and Site Plan – To Remodel a Storefront to Operate a Deli, Retail Bakery, and Storage for Prepared Food for Catering Services at W335N6805 Stone Bank Road – Zoned B-2 Business – Requested by Tom Evert on Behalf of Boondocks BBQ Market – Tax Key MRTT 0362-986 – Evert stated that the catering business has gotten so busy that they can't take on any more business so when the property became available, he made out a deal to lease the property. There is a landing alongside of the building where large catering pickups will be. They will load the catering vehicles and the food trailers there. They do have access to the back parking lot for employees and overflow. Evert said he's leasing the entire 7,000 sq. ft. building and he's part owner of the Stone Bank Bakery. Chris at Stone Bank Bakery is still in operation in the back. Evert said they had a pre-site evaluation with the health department and they are not requiring anything. Klink questioned if they have contacted the Building Inspector. Evert said they only put in a new door. Haroldson questioned when he is going to record the certified survey map to combine the parcel across the street. Evert said he has some issues with what Waukesha County sent back.

A motion to approve the Plan of Operation for Boondocks Catering and Retail Shop across the street from the restaurant and work out the CSM with the Planner and contingent upon getting all of the permits or licenses that may be required was made by Jensen/Morris. Motion carried.

Certified Survey Map for a Lot Re-Configuration (to a Flag Lot) and Access to Robin Lane – Requested by Nicole & Josh Kubeck – Property is Zoned R-1 – Tax Keys MRTT0402-995-032 & MRTT0402-995-031 – Haroldson said they need to add the topographical lines, the soil types, some wording on no further division of either parcel - 1 or 2, a statement on the CSM stating there is no access to Hasslinger Drive from parcel 2, and the surveyor's certificate signed, dated, sealed and with any revision dates. Waukesha County has not completed their review. Haroldson said the commissioners should keep in mind they are approving a certified survey map, but what they are really approving is a flag lot. Morris said Waukesha County Park and Planning approved the flag lot.

A motion to approve this as it was presented and the deficiencies be corrected before it is presented to the Town Board as stated in the Planner's Report was made by Morris/Jensen. Motion carried.

Certified Survey Map to Combine Two Parcels into One Parcel of 3.93 Acres – Zoned B-2 Business District – N55W29505 County Rd K – Requested by Joe Reuteman – Tax Keys MRTT0425-983 & MRTT0425-989 –

Haroldson stated they are going to combine the two parcels they have right now because they will be coming back to the Plan Commission with an updated Plan of Operation for an addition to one of the buildings. The CSM has not been reviewed by Waukesha County. Haroldson said the CSM needs the topographical lines, soil types, and the surveyor's seal. Haroldson questioned a little segment of the road right-of-way which the surveyor said Reuteman doesn't own that. Waukesha County's website shows differently. Reuteman said he would look at the original.

A motion to conditionally approve the combination of the lots for the parcels on Highway K and with a recommendation to the Town Board after all the signatures and the final CSM with changes that are going to be required by the Town and Waukesha County Parks & Land Use are met was made by Jensen/Queoff. Motion carried.

Request for the Approval of Installation of an Additional Baseball Field to the Monches Park – Requested by Marty Iverson – on Behalf of the Monches Rec Club – W300N9223 County Rd E – Tax Key MRTT0297-

976-001 – Haroldson stated they have been working with Waukesha County and hopefully all the bugs are worked out. She talked with Marissa from Land Resources and they do not need a stormwater permit because they have been operating as a baseball field and they have not had any issues with any water staying on the property and all they are building is another baseball field. Good questioned if there would be enough parking for a third baseball field. Iverson said yes, there will be. They're only adding a 200 ft little league field, so they still have one whole field that they use for parking now. With 200 kids registered for little league and 14 teams, it's imperative they find another field somewhere.

A motion to approve the addition of a new ball diamond contingent upon finalizing any recommendations or requirements of Waukesha County Parks and Land Use was made by Queoff/Good. Motion carried.

Request for the Approval of Park Participation Funds (50% Match) for the Cost of the Installation of an Additional Baseball Field to the Monches Park – Requested by Marty Iverson – on Behalf of the Monches Rec Club – W300N9223 County Rd E – Tax Key MRTT0297-976-001 –

Haroldson questioned if this should be postponed until they have additional numbers. Iverson said they are meeting with the field builder Monday at 4:00 p.m. They already have a new fencing number that they have already taken out of the original proposal. Iverson said it would be nice if they could announce at Chickenfest that they are able to move forward. Haroldson said they are able to move forward. Iverson said they could come back with more formal numbers once they meet on Monday. He stated that Lautner and him met and they think they can get this done without the scoreboard and fencing with a cost between \$135,000 and \$150,000. Iverson stated the biggest objective is to get the field in so they can start using it for next spring for the kids to play on and for the Land O'Lakes women's fast pitch to play on.

Klink said when they get all the numbers, they should bring it back. The Plan Commission has to approve the expense and then recommend that to the Town Board. No action taken.

Request to Construct a Retaining Wall Within 5 ft or Less from a Property Line at N78W29156 Flynn Road – Requested by John Spitz – Tax Key MRTT0341-007 –

Haroldson said this is an after-the-fact approval. The wall is already there, and she doesn't think anyone is requesting that the wall be removed. Haroldson thinks there still needs to be some engineered plans for that one side of the wall, and an erosion control plan and a stormwater permit from Waukesha County. Spitz explained the

history of the property and when he went to start the construction of his house, he found out that his neighbor's house was 6" on his property. He was led to believe that easement or encroachment would go away when the neighbor's house was demolished. The neighbor instead put the house up for sale. The new owners decided they were going to stay there in that position for a while. The Building Inspector told him he needed to reconcile this difference because the house isn't going to move like it was going to. Instead of a boulder wall, he went to a pre-cast concrete rockface wall. The Building Inspector recommended that he put a piece of insulation in there so there is no chance of any frost penetrating to the foundation of the adjoining house. Spitz said in October Ken told him he had to get going on the wall before it freezes. Spitz said he has been working with County to resolve this issue, and they don't see the necessity to remove the wall. Spitz indicated that the neighbor does want the wall to remain.

A motion to allow the retaining wall that's less than 5' from the property line with the conditions recommended by the Planner Report was made by Morris/Good. Motion carried.

Planner Report: Haroldson questioned the Commissioners on who would be able to attend the July 5th Public Hearing and Plan Commission Meeting to make sure there would be a quorum.

County Board Supervisor Update: Morris had no update to report.

A motion to adjourn was made by Queoff/Morris. Motion carried. Meeting adjourned at 6:13 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk