

Town of Merton
Plan Commission Meeting
Minutes of August 7th, 2024

- Meeting Called to Order by Chairman Klink at 6:20 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of the July 17th, 2024, Plan Commission Meeting. A motion to approve the minutes as printed was made by Commissioners Morris/Siepmann. Motion carried.

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

Also Present: Michael Remmel, Joe Lindmark, Steve Gramann, Andy Martens, E.J. Schweitzer, Jeff & Linda Bartlett, Annette Dopp, Victoria Rhecchio, Jason Tolleson, Matt & Liz Ritter, Morgan Wiesner, Matt Schneider, Marty Iverson, Scott Severson, and Donna Hann

Old Business: None

New Business:

Request of Scott Severson on Behalf of the Milwaukee Ultimate Club – N75W30311 County Rd Vv – to Amend their Existing Conditional Use Permit to Decrease the Number of Playing Fields, Reduce the Offset for Parking from 50 ft to 30 ft, and to Eliminate the Requirement for a Right Turn Ingress/Egress during Tournaments – Tax Key MRTT0348-999-002 – Commissioner Griffin stated he thinks the right turn should be left because the bugline is there, and per Severson's comments they have never had more than 10 or 15 cars backed up, so it wasn't backed up all the way down to the roundabout because there's way more space than that. Having the bugline there and one consistency, they have to stop, so that's going to stop traffic. Otherwise, they're going both ways and that's going to be more confusion. Planner Haroldson said she received an email and asked that they keep the right turn ingress/egress in place. Attorney Van Kleunen questioned if the County has made any comment on this. The response was no. Commissioner Jensen clarified that the right turn ingress/egress was only in place for large events. They are allowed four large events. Commissioner Siepmann said he concurs with Commissioner Griffin and right in and right out is important for these events and it's a matter of educating the participants and the people that come in. Commissioner Siepmann said he hoped there would be some sort of agreement between the two sides to limit the crossover on the east property line. He thinks something needs to be done there to protect the people of Christopherson Fields. Commissioner Griffin stated when the polo fields were there and they had their events, they parked along that side with trucks and trailers all the time.

Chairman Klink said with large events there is always a concern with the people coming in, but they do have the right to have their functions. He believes if they worked together, they could come up with an easy fix and that there are things they could put in place.

A motion to recommend to the Town Board to amend the proposed conditional use amendment on all items except for the right turn and review that in one year was made by Commissioners Morris/Griffin. Motion carried.

Attorney Van Kleunen suggested for the motion as well is to add to the motion would be that during events that the eastern most fields are not utilized unless it is absolutely necessary given that they park closest to the fields they are playing on. In theory there should be games going on more to the central and western side as opposed to the eastern side. They should have the games on the fields on the more central and western side.

Commissioner Jensen suggested that for larger events they up the security to help monitor that east side field. Chairman Klink said the Town could add that they have people monitor that area especially for those big events. Commissioner Morris stated he doesn't think that needs to be in the motion. Mr. Severson has heard their concerns. They claim to be a good neighbor, and he believes that they want to continue to be a good neighbor and control all the potential problems.

Certified Survey Map to Combine 2 Parcels of Record with Separate Tax Keys – on Lakewood Drive and CTH K – Requested by Brian Mullet on Behalf of Man Cave Properties, LLC -N56W30656 CTH K – Tax Keys MRTT0395-978 and MRTT0395-977 – Planner Haroldson stated these are two separate parcels on County Road K and Lakewood that they are combining. She indicated the septic system needs to be located on the certified survey map and all structures within 50 feet of the exterior boundary of the certified survey map must be shown on the certified survey map and labeled as to their use. Waukesha County has not completed their review yet.

A motion to recommend approval to the Town Board subject to County review and Town staff comments was made by Commissioners Siepmann/Queoff. Motion carried.

Certified Survey Map to Combine 2 Parcels of Record – Under Same Ownership – To Construct a New Single-Family Residence on a Lakeside Lot and an Accessory Building on the Outlot, Vista Drive – Requested by Jeff Bartlett – Tax Key MRTT0336-034-002 – Planner Haroldson stated they own one lot on each side of Vista Drive, and they are combining them so they can build a new residence and build a new garage on the outlot. The Town did receive the review from Waukesha County. Jeff Bartlett indicated that there is a little old, dilapidated outhouse type of structure that they will be taking down. Planner Haroldson said the driveway needs to be shown on lot 1, the spelling of elevation on page 1 needs to be corrected, they need to add the Village of Lisbon for extraterritorial review, and on page 3 they need to add the names that go with the Chairman, the Recording Secretary, and the Clerk, and make the changes and the corrections per Waukesha County's letter dated August 7th, 2024. The parcels have the same tax key, but now the lots will have the combined legal description rather than parcel A and parcel B.

A motion to recommend to the Town Board approval of the certified survey map as presented with comments and conditions from Waukesha County and the Planner was made by Commissioners Morris/Jensen. Motion carried.

Staff Recommendation to Approve the Completed Work by Denis Schuh and Return Cash Bond – N49W28639 Chardon Drive – for the Land Altering Work per Conditional Use Permit – Tax Key MRTT0431-010 – Planner Haroldson and Commissioner Griffin went to the site and took pictures and it is turning green now. Planner Haroldson presented pictures to the Plan Commission. Commissioner Griffin said he did do behind the house and on both sides of the house like the Plan Commission asked him to. Planner Haroldson said the Plan Commission asked him to put grass on the east side of his property, the west side of his property, and the back and have an amount of green space, and he did do what he was asked to do. Commissioner Siepmann wanted to make sure this satisfies the conditions the Plan Commission put on. Commissioner Griffin stated this is not what he originally presented to the Plan Commission, but it is what he was agreed upon at the end.

In consideration and cooperation of Mr. Schuh, a motion to approve the conditional use permit and the landscaping work and return the cash bond was made by Commissioners Queoff/Good. Motion carried.

Recommendation to the Town Board to Amend Section 17.22 Area Regulations – To Include a Section Under the Accessory Buildings and Structures – To Include Cargo Container Type Structures and Temporary Containers 17.22(4)(h) and 17.22(4)(i) – Planner Haroldson stated that the Town had a staff

meeting because one of the landscapers was asked to remove his cargo containers and it brought up the ordinance and what the Town has to do to address cargo containers. Cargo containers are considered an accessory structure so they would require a building permit to put those type of structures on the property. It was noticed there are cargo containers in the industrial park. Planner Haroldson reviewed the conditions the staff came up with for cargo containers.

Commissioner Morris questioned the rationale for not doing the 44' containers and stated generally they are 44' containers. Planner Haroldson stated that 20' was what the Building Inspector indicated, and 40' would be substantial. Commissioner Good said an 8' x 20' is hard to find, and if it's parked behind an industrial building and painted to match the building, he thinks letting a guy have a 40' would be reasonable. Commissioner Siepmann concurred saying he agrees with Good on the size, especially in industrial zoning, and stated some cargo containers are 45' long with the outside dimensions but may be 40' in the inside, so they need to be careful with that. Planner Haroldson said the lots in the industrial park are very small and are not 5- or 10-acre parcels, and the Town is sensitive to stormwater runoff and other things. If their recommendation is a different size, it would be taken into consideration. Planner Haroldson said the idea is not to encourage cargo containers and the Town would rather have them build a new building. Commissioner Siepmann thinks it's a practical solution for certain people.

Attorney Van Kleunen stated if the Town would go through with this, it would be a zoning change and require a public hearing.

Commissioner Siepmann indicated that 90 days seems pretty short for PODS or temporary structures because a lot of people put everything from their house in them while they're building and put it back in the house after. He suggests that it be tied to the building permit and have it removed within 10 days of occupancy. Commissioner Morris thinks renting a POD is charged on a daily basis. Commissioner Griffin stated most PODS are used for remodeling or moving. Attorney Van Kleunen said there could be an exception for anything with a building permit associated with it and everything else is tied to the 60-day timeline.

The staff should look at the size, what they're using it for, and for temporary. There is more research that needs to be done. Another draft should be done first and brought back to the Plan Commission. No action was taken.

Planner Report Marilyn Haroldson – presented photos of the completed amphitheater and the butterfly garden project that was completed on time at Oconomowoc River Conservancy Park.

Planner Haroldson said she is also working on some violations in the Town.

County Board Supervisor Report Richard Morris – stated there is a task force for the budget for Waukesha County that is supposed to come to the Board on August 27th. Some of the things they are considering are a wheel tax, a referendum, and the sales tax. A big problem with the sales tax is according to Wisconsin Law is that it has to be .5, but .5 would generate too much money and then it would be disbursed out to municipalities.

DPW Director Report Paul Griffin – No report.

A motion to adjourn was made by Commissioners Morris/Siepmann. Motion carried. The meeting was adjourned at 6:58 p.m.

Respectfully submitted,
Holly R Claas, Deputy Clerk