

Town of Merton  
Plan Commission Meeting  
Minutes July 17, 2019

- Meeting Called to Order by Chairman Klink at 6:00 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of June 19, 2019 of the Public Hearing and Plan Commission Meeting. A motion to approve the minutes as written was made by Siepmann/Jensen. Motion carried.

Present: Chairman Klink, Commissioners Jensen, Fleming, Siepmann, & Good, Attorney Chapman, Planner Haroldson & Deputy Clerk Claas

Absent: Commissioners Griffin & Morris

Also Present: Jim & Patti Harmann, Larry Stover, Dan & Pam Christiansen, Steve Horwathich, Rob Kobs, Mark & Barbara Harmann, Don Mullet, Bill & Sarah Zweig, & Jim Grinney

Old Business:

Conditional Use Request by Larry Stover – to Conduct Land Altering Activities to Improve Site Drainage on Property at W309N6319 Cindy Lane – MRTT0394-964 – Chapman reviewed the proposed conditional use permit and stated Mr. Stover must comply with all conditions of any permit issued by Waukesha County. Haroldson stated that Stover will be working with County tomorrow on the final plan. Chapman stated that plan will be incorporated to the file before it goes to the Town Board.

A motion to approve the conditional use permit subject to a final plan substituted in, if necessary, was made by Siepmann/Fleming. Motion carried.

New Business:

Conditional Use Request by Jim & Patti Harmann – to Conduct Land Altering Activities to Eliminate Invasive Species, Store Lake Weeds and Other Materials for Future Composting, With some Grading to Restore Site at the Property on the Corner of CTH CW and Hwy 83 – MRTT0308-999-006 – Klink stated that Jim Harmann needed to contact County for a driveway access and Haroldson stated he should contact Waukesha County Land Resources to let them know what he's doing. Fleming questioned why he needed a land altering permit to get rid of buckthorn. Haroldson said the Town received a complaint. Siepmann stated most people don't do this continuously. Fleming asked if he could run a business. Haroldson said with a conditional use permit he can. Jim Harmann stated that after 2 years he takes the compost off the property. He is not raising the elevations. Chapman asked Jim Harman to work with the Planner to define the area for the brush, compost, and weeds and stated if the Town issues a conditional use permit, he needs to comply with every condition otherwise he will be in trouble. Klink stated Jim Harmann needs to demonstrate preservation of topography. Jim Harmann should come back after working with County for the driveway, working with the County for storm water, and working with the Planner.

Appeal of the Decision of the Building Inspector to Deny a Privacy Fence on Lakewood Drive – a Private Roadway – Inches from the Property Line – as Requested by Daniel Christiansen – on Behalf of Lakewood Drive Association – Lakewood Drive Residents – Klink stated they would like to replace a fence that was previously removed. Christiansen stated there was an old stockade fence on the property when Bill & Sarah Zweig bought it. The fence started to fall down and they took it down. The Lakewood Association would like to replace it with some sort of barrier for safety of the children. Christiansen said the roadway was an old mill

road and in 2005 they were given the option to own the road or take it to Town Standards. The Lakewood Association took custody of the road. They are proposing to have the fence a foot away from the lot line and they have the support of Bill & Sarah Zweig who own the property.

Haroldson stated there are no privacy fences in the front yard per the fence ordinance and the new fence ordinance did give a little relief from the fence requirement of 5 ft from the lot line to 3 ft from the lot line.

Klink questioned if anyone in the Lakewood Association opposes the fence. Christiansen stated not that he was aware of. He stated that with some certainty he believes all twelve lot owners are in favor of the fence.

A motion to approve variance of the fence was made by Fleming/Jensen. Motion carried.

Request for Increased Building Height up to 25 ft for a 1,920 SF (40' x 48') Accessory Building – as Requested by Mike Horwathich on Behalf of Robert Kobs – N67W30620 Red Fox Run – MRTT0375-998 - Steve Horwathich stated that Kobs would like to build a 40' x 48' pole barn to store his fifth wheel motor home and boats in. Haroldson stated the offset are good. Haroldson said the preliminary site evaluation letter from Waukesha County was dated August 7, 2017 for a smaller outbuilding and she requested the letter be updated.

A motion to approve the height subject to an updated letter from Waukesha County was made by Fleming/Good. Motion carried.

Planner Updates:

Conditional Uses – No discussion on conditional uses.

Halquist Letter – Haroldson stated she received a letter from Halquist stating they had a noise study done at different locations on the site and has a noise sampling.

A motion to adjourn was made by Fleming/Jensen. Motion carried. Meeting adjourned at 6:44 p.m.

Respectfully submitted,

Holly R Claas  
Deputy Clerk