

Town of Merton
Plan Commission Meeting
Minutes of September 4th, 2019

- Meeting Called to Order by Chairman Klink at 5:30 p.m.
- Pledge of Allegiance led by Chairman Klink
- Minutes of the August 7th, 2019 Plan Commission Meeting. A motion to approve the minutes as presented was made by Morris/Jensen. Motion carried.

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

Absent: Commissioner Fleming

Also Present: Mike & Elaine Falzone, Jim & Patti Harmann, Mark & Barbara Harmann, Troy Giles, Ben Hostetler, Jerry Heine & Don Reinbold

Old Business:

Conditional Use Request by Jim and Patti Harmann – to Conduct Land Altering Activities to Collect Compost, Spread and Scrape the Compost in a Limited Area with Some Grading to Restore Site at the Property on the Corner of CTH CW and Hwy 83. MRTT0308-999-006 (Public Hearing Held on July 17, 2019) – Attorney Chapman reviewed the conditional use permit and reminded the Plan Commission about Act 67. Morris stated this is what the Town asked for.

A motion to recommend approval to the Town Board was made by Morris/Griffin. A roll call vote was taken.

Griffin – Aye

Jensen – Aye

Morris – Aye

Klink – Aye

Siepmann – Aye

Good – Aye

Motion carried unanimously.

New Business:

Presentation to Change the Stream Course of the Mason Creek that May Require a Land Altering Permit on a Section of Land in the Town of Merton – Presented by Jon Gumtow – Senior Scientist – Project Manager – Stantec, DePerec WI – Gumtow was not able to attend the meeting, so Attorney Giles presented the plan and spoke of the stream restoration and the wetland mitigation program. The purpose of the project is to restore wetland and stream habitat within the Mason Creek Watershed. The sponsor owns a little more than 220 acres. The plan is to realign the stream and put it back to where it once was. They found journal entries from 1850's describing that piece of property, i.e. what it looked like, where the wetlands were, the descriptions of the trees and shrubbery, etc. As a requirement of the Corps of Engineers and the Department of Natural Resources, they don't want to see a lot of land disturbance being done. They would like to see removal of invasive species in the least damaging, the least impactful way possible in order to bring back the native grasses and the native prairie associated with the property. As part of the mitigation bank, there will be sections where actual wetlands will be restored. The buffer lands will be restored as well to protect the

wetlands once they've been restored. They are working with a number of federal agencies and state agencies on this project. SEWRPC has been in the process of trying to figure out how to improve the Mason Creek Watershed. The project is being funded with private dollars, it is not a government or agency funded project. They are working with both Waukesha County and Washington County to make sure storm water is managed properly with respect to sedimentation. Siepmann stated this is an amazing project. Several commissioners agreed. Griffin asked if there was a timeline. Giles thought it would take about two years. Morris questioned the trout pond and if it would be reestablished. Giles said no, because reestablishing it would likely compromise any reproduction. It would not provide ecological benefit to the plan. Morris questioned if the State snowmobile property would remain and stay in use. Giles didn't know, but he thought at the very least it would be relocated, but that would be up to the sponsors to decide.

The Planner has the eight page plan on file.

A motion to accept the plan as presented with the understanding for a storm water permit through Waukesha County was made by Siepmann/Morris. Motion carried.

Mike & Elaine Falzone – Review Certified Survey Map to Combine Parcels – Located at N82W28459 Vista Drive – MRTT0336-036 – Haroldson stated they will be combining two lots into one and combining two legal descriptions so they can build a new house.

A motion to recommend approval subject to the comments from the Planner was made by Siepmann/Jensen. Motion carried.

The comments are –

- CSM is within the extra-territorial jurisdiction of the Village of Merton. CSM needs to be submitted to the Village of Merton, unless the Village waives their right
- Waukesha County Parks and Land Use needs to be added to the Signature page.
- Topographical lines need to be added to the CSM.
- Numerous Shoreland Jurisdiction details will need to be added to the CSM.
- CSM needs to show the location of the Septic System.
- CSM needs to show all structures on-site and within 50 ft on adjoining properties.
- CSM needs to show any existing easements.
- CSM needs to show public dedication parcels and right-of-way dedications.
- CSM needs to show the number of the ordinary high water mark.
- Petitioner will need a PSE for the existing septic systems.
- Waukesha County has not completed their review of the CSM.

Resolution Accepting Dedicated Lands for Public Purposes for Emergency Access –Haroldson stated on Swallow Lane there was 33' strip that was dedicated to the Town when the subdivision was developed so the Town would have an emergency access. Adjacent to that, which would be south of the strip on Swallow Lane, a certified survey was done creating two parcels on Swallow Lane and there was a dedication of another 33' strip that the Town never accepted. The Town would be accepting the strips now.

A motion to approve was made by Griffin/Good. Motion carried.

Planner Update –

- CUP Work – Haroldson has asked Siepmann and Griffin to be part of the committee for the conditional uses. They're hoping to meet before the Plan Commission Meetings.
- The Preserve at Beaver Lake Developer's Agreement – Haroldson stated the Developer's Agreement went to the Town Board, but there will be a number of items that need to be tweaked. Haroldson stated the preliminary plat will be back.
- Park Lease Extensions – Haroldson stated park lease extensions for the Soccer Park and Monches Park will be through 2020. The Stone Bank Park lease will expire at the end of 2019. There is interest to see if another group can run it.

A motion to adjourn was made by Siepmann/Morris. Motion carried. Meeting adjourned at 6:16 p.m.

Respectfully submitted,

Holly R Claas
Deputy Clerk