

**Minutes of the Plan Commission Public Hearing(s)  
Town of Lisbon, Town Hall  
Thursday, February 14, 2019  
6:30 P.M.**

Public Hearings were held by the Town of Lisbon Plan Commission at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 was called to order by Chairman Joseph Osterman at 6:30 P.M.

**Roll Call:** Present: Chairman Joseph Osterman, Supervisor Plotecher, Plan Commission Members Mark Meyer, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Attorney Kevin Clark and Dan Green. Excused were Chad Samanske and Ed Nelson.

Chairman Osterman stated the public hearings were published in the Lake Country Now and Northwest Now papers, on the Town's website and on the Town Hall posting boards.

**NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission and Town Board of Supervisors on Thursday, February 14, 2019 beginning at 6:30 P.M. at the Lisbon Town Hall, W234N8676 Woodside Rd., Lisbon, WI 53089, to solicit public comments on the rezoning from A-10 Agricultural District to A-5 Mini-Farm District, for the property owned by John Matter, for the property located at W263N6314 Ridge Drive, Lisbon, CERT SURV 2953 PT NE1/4 SEC 29 T8N**

**Public Hearing Comments:** Chairman Osterman opened the hearing to comments from the public, which there were none.

**John Spitz, W267 N6389 Top O Hill Drive, Sussex** Explained in 2005 he put a road in to connect Ski Drive. The owners prior to Mr. Matter wanted him to extend their driveway beyond the right of way. Mr. Spitz worked with the owner but because he had a lot invested in the neighborhood, asked for a first right of refusal for any changed that might occur on the property. Paved it to make it work but wanted first right of refusal with a backup buyer. Mr. Matter purchased the property and the first right of refusal was agreed upon with the new owner as well. Mr. Matter had a conversation with Mr. Spitz about splitting the property and building one house on the new lot which Mr. Spitz agreed to as long as there was no negative impact and it was only one home. Mr. Spitz expressed concern about the A-5 zoning which he thought was less restrictive as to what could be done on that property. He wanted to make sure that a farm was not going to go on the property.

**Michelle Frederick N62 W23388 Silver Spring Drive Unit 210, Sussex** explained that her and her husband are buying the land and are building a single family 5100 square foot home with no intention of a mini-farm. They are looking to still keep some of the land as agriculture for tax purposes.

**Sarah Ek W263 N6233 Ridge Drive, Sussex** explained she is a neighbor to the west of the property. She came out of curiosity and has a lot invested in her house and the property. She was curious about the motivation of the land division.

The public hearing was closed at 6:38 PM.

**Adjournment**

The public hearing was adjourned at 6:38 P.M.

**Minutes of the Plan Commission Meeting  
Town of Lisbon, Town Hall  
Thursday, February 14, 2019**

**Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:39 P.M.

**Roll Call:** Present: Chairman Joseph Osterman, Supervisor Plotecher, Plan Commission Members Mark Meyer, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Attorney Kevin Clark and Clerk Dan Green. Excused were Chad Samanske and Ed Nelson.

**Comments from citizens present pertaining to items on the agenda.** None.

**Discussion and necessary action on January 10, 2019 Plan Commission Public Hearing & Meeting minutes.**

*Motion by Commissioner Plotecher to approve the January 10, 2019 Plan Commission minutes. Seconded by Commissioner Oelhafen. Motion carried, 5-0.*

**Discussion and necessary action on the request for Lannon Stone Products, Inc. for a list of properties outlined by the applicant for a Plan of Operation amendment.**

Hans Dawson was present and explained to the Commission that Lannon Stone acquired Halquist's crush stone quarry. He explained he was looking for an ownership change with no change in operation. Mr. Dawson made it clear that they are not purchasing the brand "Halquist" they are simply purchasing the assets and property from Halquist.

Planner Dan Lindstrom explained the intention of the town to transfer the 1992 agreement with Halquist to Lannon Stone along with other agreements that may have been made between the Town and Halquist. There is no change to these operations so the Town Code states those can be transferable. If Lannon Stone wishes to expand beyond what is in the plan they would have to come back to the Commission for approval. Business signage will also have to come back to the Commission for approval.

Attorney Kevin Clark explained that in order to update this agreement we would submit in writing a one page agreement that Halquist assigns all rights to Lannon Stone and all agreements will be identified. Lannon will be successor of interest and take on all liabilities. This would be a formal document for the transfer of ownership. Mr. Dawson explained that Lannon Stone purchased assets, not a business. He expressed making sure that was carved out. The Town may observe and review the conditions to make sure it is compliant with the Town and the County.

There were questions from the Commission in regards to the CSM that was approved last year. The property in question was part of the purchase and was preserved for future development. This CSM has gone through the County process but had not been updated on the County's GIS. The restaurant on the northwest corner of Waukesha Road and County K also was part of the purchase by Lannon Stone.

*Motion by Commissioner Oelhafen to approve the request for Lannon Stone Products, Inc. for a list of properties outlined by the applicant for a Plan of Operation amendment contingent on the requirements noted by Planner Dan Lindstrom and Attorney Kevin Clark. Seconded by Commissioner Stadler. Motion carried, 5-0.*

**Discussion and necessary action on the request for John Matter, for the property located at W263N6314 Ridge Drive, Lisbon, LSBT 0257.995.001:**

**Ordinance 04-19, An Ordinance Rezoning LSBT 0257.995.001 from A-10 Agricultural District to A-5 Mini-Farm District, and recommendation to the Town Board of the same.**

Planner Lindstrom explained the rezone from A-10 to A-5 is required because the two-lot CSM would make both parcel's non-conforming to the A-10 zoning. He also explained the A-5 zoning is more restrictive than the current A-10 zoning. The A-5 zoning complies with the comprehensive plan which requires a minimum 5 acre lot size. Commissioner Stadler asked what was allowed in the A-5 district versus an R-1 district. The planner explained that the zoning is determined by what the comprehensive plan calls for, in this case a 5 acre minimum. The applicant originally discussed doing a comprehensive plan amendment. The A-10 zoning is even less restrictive than the A-5 zoning.

*Motion by Chairman Osterman to approve Ordinance 04-19, An Ordinance Rezoning LSBT 0257.995.001 from A-10 Agricultural District to A-5 Mini-Farm District, and recommendation to the Town Board and Joint Plan Commission of the same. Seconded by Commissioner Meyer. Motion carried, 5-0.*

### **Certified Survey Map and recommendation to the Town Board of the same.**

Planner Lindstrom reviewed some of the corrections that he has reached out to the surveyor to correct before this goes to the Town Board for approval. He stated this does comply with the comprehensive plan and needs to wait for rezone to be recorded with Waukesha County.

*Motion by Commissioner Meyer to approve the request from John Matter for a two-lot Certified Survey Map for the property located at W263N6314 Ridge Drive, Lisbon, LSBT 0257.995.001 contingent on the changes outlined by the Town Planner and recommendation to the Town Board and Joint Plan Commission of the same. Seconded by Commissioner Plotecher. Motion carried, 5-0.*

### **Discussion and necessary action on the request from Donald Schneider for the property located at W220N4879 Townline Road, LSBT 0288.987.001 for a 3-Lot Certified Survey Map and recommendation to the Town Board of the same.**

It was noted this is a similar process to the previous application. This is in compliance with the comprehensive plan and is the next step in the process. Some of the conditions of the CSM are similar to the Matter conditions as the surveyor for both applicants is the same. Planner Lindstrom explained one item of concern was the driveway conditions. This section of Townline Road is not maintained by the County. The driveway conditions are going to be based off Town Ordinance and the engineer's comments. The Planner recommended approval subject to conditions outlined by the planner.

*Motion by Chairman Osterman to approve a request from Donald Schneider for the property located at W220N4879 Townline Road, LSBT 0288.987.001 for a 3-Lot Certified Survey Map contingent on the changes outlined by the Town Planner and recommendation to the Town Board and Sussex Joint Review Board of the same. Seconded by Commissioner Oelhafen. Motion carried, 5-0.*

### **Discussion and necessary action on the request for Nathan Ceschi for the property located at N68W27820 Hwy VV, LSBT 0218992, for a plan of operation amendment for a light duty automotive service and repair shop.**

Planner Lindstrom explained this was a Plan of Operation change of ownership. He explained himself, the Clerk and the Attorney have dug back as far as they could and was only able to track down that it was a permitted use at the time it started. The B-2 zoning is a vaguer than it was back in the 1950s. He explained some of the comments that were in his report regarding blank spots on the application and some parking requirements. There were some differences than what was from back in the 1990s and Mr. Lindstrom added some additional comments for any blank spots on the application. Conditions included are standard conditions with additional requirements for regulating outdoor storage and keeping outside garbage separate from nearby residential garbage bins. Mr. Lindstrom also explained that vehicles shall be stored on hard surfaces and fluids from vehicles shall be stored inside. No parking would be allowed on the road

or road right of way. There also is to be no storage of gasoline on site and oil, antifreeze and other such items must be stored and disposed of in the correct manor. Any updated signage will need to come back to the Plan Commission through the sign permit process.

Attorney Kevin Clark raised a question on whether the Commission would be approving this as a nonconforming or permitted use. He explained as far as they can tell it is likely a permitted use. Mark Meyer explained this is a similar use to the other uses that are outlined in a B-2 district and stated the use should be granted to the applicant. All other Plan Commissioners agreed.

*Motion by Commissioner Meyer to approve a request from Nathan Ceschi for the property located at N68W27820 Hwy VV, LSBT 0218992, for a plan of operation amendment for a light duty automotive service and repair shop contingent on the comments and conditions by the Town Planner. Seconded by Commissioner Plotecher. Motion carried, 5-0.*

**Requests from members to put future items on the agenda.**

**Adjournment.**

*Motion by Commissioner Oelhafen to adjourn the Thursday, February 14, 2019 Plan Commission Meeting 7:27 P.M. Seconded by Commissioner Meyer. Motion carried, 5-0.*

Respectfully submitted,

Dan Green, WCMC  
Town of Lisbon Clerk