

**Minutes of the Plan Commission Public Hearing(s)
Town of Lisbon, Town Hall
Thursday, May 9, 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 Ed Nelson, Mark Meyer, Chad Samanske, Jane Stadler and Bryan Oelhafen. Also present: Planner Dan Lindstrom, Town Clerk Dan Green and Attorney Kevin Clark.

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 Public Hearing will be held by the Lisbon Plan Commission on Thursday, May 9, 2019 beginning at 6:30 PM following the previously scheduled hearing at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on the Conditional Use Permit for a Major Grading Permit for Richard Pyka, for the property located at W235N9544 Mount Vernon Drive, Colgate, WI 53017, LSBT 0150.010.

Public Hearing Comments: Chairman Osterman opened the hearing to comments from the public, which there were none. The public hearing was closed at 6:33 PM.

Adjournment

The public hearing was adjourned at 6:33 P.M.

**Minutes of the Plan Commission Meeting
Town of Lisbon, Town Hall
Thursday, May 9, 2019
Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:34 P.M.

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

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

Discussion and necessary action on April 11, 2019 Plan Commission Public Hearing & Meeting minutes.

Motion by Supervisor Plotecher to approve the April 11, 2019 Plan Commission minutes. Seconded by Commissioner Nelson. Motion carried, 7-0.

New Business

Discussion and necessary action on the request Metropolitan Builders Association on behalf of MLG Capital and Twin Pines, LLC for a Temporary Plan of Operation for the Twin Pine Farms Parade of Homes event from August 9, 2019 through September 2, 2019.

Planner Lindstrom reviewed his conditions of approval:

1. The Applicant shall comply with all site plan and operational aspects included in the previously approved submitted materials. The Site Plan shall be on file at the Town of Lisbon.
2. The Fire Chief shall inspect the Temporary SPPOO to ensure the site is in compliance with the respective fire codes, particularly with regard to access for response vehicles in relation to the Applicant's specified traffic and parking plans. Non-objection from the Fire Department and correction of any deficiencies prior to issuance of SPPOO.
3. Barricades shall be placed to clearly identified pathways for the safety of visitors.
4. There shall be no outdoor storage of materials.
5. Waste and sanitary receptacles will be emptied and cleaned by event staff and/or a private contractor at the end of each day throughout the duration of the event.
6. The Applicant shall comply with all road maintenance and parking concerns approved as part of the Applicant's submittal materials. These include placement of aprons at access points to parking areas, asphalt lifts, street sweeping, and separation of pedestrian paths through fencing and barricades. Town reserves the right to check the site for compliance or issues related to parking, including but not limited to location, surfaces, and times.
7. The final lift of asphalt shall be constructed accordance to the development agreement prior to the start of the event.
8. Site staff and personnel shall be clearly identified by uniform apparel.
9. Site Staff shall secure parade homes, and clean event site each night prior to closing.
10. MBA Event Manager and/or Parade Site Manager (or designated replacement) shall be onsite at all times during even open hours.
11. MBA Event Manager, Parade Site Manager (or designated replacement) shall maintain event phone to address any concerns from the Town or other agencies.
12. Security for the event shall adhere to the approved details outlined in the Applicant's Operation Plan submitted along with the Plan Commission application.
13. The approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Site Plan/Plan of Operation permit with all the zoning procedures at the time of being followed. Any use not specifically listed as permitted shall be considered to be prohibited, except as may be otherwise specified herein.
14. The Town reserves the right to review any condition imposed as part of this Temporary Site Plan and Plan of Operation if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, through the Temporary Site Plan and Plan of Operation process, which they feel may be reasonable in order to allow this use and ensure it does not become detrimental to the surrounding area. Any major

change, as determined by the Town Plan Commission may require modification to the Temporary SPPOO

Attorney Clark mentioned to the Commission that the applicant is requesting barricades for parking. The applicant explained there is only one barricade listed on the site plan and they do not expect to need more than that. The Commission also reviewed the temporary parking signage that would be used and when these signs would be erected and taken down. The Commission was in agreement of the applicant using the right of way for signage.

The Commission also mentioned there is a piece of roadway in this subdivision which is not paved. This will need to be completed before the event starts. The applicant also proposed using Phase 3 of the Twin Pine Farms development as overflow parking if needed.

Motion by Commissioner Samanske to approve the request Metropolitan Builders Association on behalf of MLG Capital and Twin Pines, LLC for a Temporary Plan of Operation for the Twin Pine Farms Parade of Homes event from August 9, 2019 through September 2, 2019, contingent on removal of all signage within one week of the event and the Town Planner's recommendations. Seconded by Commissioner Nelson. Motion carried, 7-0.

Discussion and necessary action on the request from Gage Christianson dba J.P. Cullen on behalf of the Hamilton School District Intermediate School for the property located at W220N6151 Town Line Road, LSBT 0244.999.004, for a sign permit for two monument signs.

Planner Lindstrom reviewed his conditions of approval and explained the proposed sign dimensions which meet the Town Code standards. The code only allows for one monument sign per institutional use. There is currently a sign on the property that would have to be removed. The Commission did not have an issue with the two signs given it is for two separate schools. Mr. Lindstrom also explained the sign would be a message board sign similar to new LED sign boards. The sign cannot be flashing or distracting to drivers. The sign also must be 10 feet from the property line. The current location is 4 feet which the applicant will need to modify and should be a condition of the approval.

Commissioner Meyer asked if the sign has any impact on the neighborhood. The Planner explained that the sign code requires scrolling message signs be at least 400 feet from a residentially zoned property. The current location is 415 feet and meets the requirement. Mr. Lindstrom also explained that the sign has to be turned from 11:00 PM until sunrise according to the sign code.

Motion by Commissioner Nelson to approve the request from Gage Christianson dba J.P. Cullen on behalf of the Hamilton School District Intermediate School for the property located at W220N6151 Town Line Road, LSBT 0244.999.004, for a sign permit for two monument signs contingent on the sign being 10 feet from the property line. Seconded by Commissioner Samanske. Motion carried, 7-0.

Discussion and necessary action on the request from JK Lee Black Belt Academy Pewaukee LLC for the property located at N69W25055 Indian Grass Lane, LSBT 0225.999.009:

i. Site Plan/Plan of Operation for a martial arts studio.

Planner Lindstrom explained there is no change to the site, only the internal use of the building. The use fits with the zoning so the review by the Plan Commission will be looking at the hours of operation, employees and the change to the signage. The conditions of approval are the planner's standard conditions and the applicant must meet the conditions of Waukesha County as this is within their jurisdiction.

The applicant reviewed hours of operation (8:30 a.m. to 9:00 p.m., Monday – Saturday). Mr. Lee will be closing his Pewaukee location and open in Lisbon. Commissioner Oelhafen explained the contractor did apply for their permit and the fire department will need to review their plans as well. Stier Construction is the contractor.

Motion by Commissioner Nelson to approve the request from JK Lee Black Belt Academy Pewaukee LLC for the property located at N69W25055 Indian Grass Lane, LSBT 0225.999.009 for a Site Plan/Plan of Operation for a martial arts studio contingent on the Town Planner's conditions. Seconded by Commissioner Oelhafen. Motion carried, 7-0.

ii. Sign permit.

Motion by Commissioner Samanske to approve the request from JK Lee Black Belt Academy Pewaukee LLC for the property located at N69W25055 Indian Grass Lane, LSBT 0225.999.009 for a sign permit contingent on the Town Planner's Conditions. Seconded by Commissioner Nelson. Motion carried, 7-0.

Discussion and necessary action on the request from Richard Pyka, for the property located at W235N9544 Mount Vernon Drive, LSBT 0150.010, for a Condition Use Permit for a Major Grading Permit and recommendation to the Town Board of the same.

Planner Lindstrom reviewed the application and Mr. Pyka was present for any questions or concerns from the Commission. Because the applicant is looking at greater than 1 acre of disturbance, the applicant needs to obtain a WDNR permit and construct a silt fence prior to construction. Upon completion of grading, seeds need to be reestablished. Chairman Osterman asked the applicant what the reason was for the grading permit. Mr. Pyka explained his lot is in a very low area which creates a lot of surface water on the northwest side of his property. Mr. Pyka wants to raise up the property by filling and establish a drainage ditch.

Commissioner Nelson asked if this would have any impact on the neighbors, creating water disbursement elsewhere. The applicant explained that it would not as all of his neighbor's properties are higher than his. Commissioner Oelhafen explained the applicant just put in a detached garage and had to raise his driveway and garage because it appeared the grading was very low. The applicant explained the grading was not done correctly when the home was originally built 30 years ago.

Chairman Osterman explained to the board that the applicant has to meet the town code as well as the DNR's requirements. He summarized that the applicant was looking to divert water from his lot to a ditch and explained this is not a natural spring, water simply collects on his property and evaporates. Commissioner Meyer expressed concern from a stormwater management perspective and wanted to make sure that the Town's engineer signed off on the plans before moving forward.

Mr. Pyka explained that Waukesha County has established a stormwater permit which is equivalent to WRAPP application process. He stated a retainer is required saying he has to comply with their standards and complete the project. Chairman Osterman reiterated that water has been a huge concern in Lisbon and they do not want to solve Mr. Pyka's problem by creating a problem for others.

Motion by Commissioner Meyer to approve the request from Richard Pyka, for the property located at W235N9544 Mount Vernon Drive, LSBT 0150.010, for a Condition Use Permit for a Major Grading Permit contingent on the approval of stormwater plans from Kunkel Engineering as well as Waukesha County approval and recommendation to the Town Board of the same. Seconded by Commissioner Samanske. Motion carried, 7-0.

Conceptual

Discussion on a preliminary Certified Survey Map to divide one lot into two lots, for the property located at W248N8875 E-Jay Lane, LSBT 0155.996.005.

Town Clerk Dan Green reviewed requested the Plan Commission provide direction for a resident potentially wanting to divide their property via a certified survey map. The resident has a 60 foot road reservation at the north-most property line which hinders the ability to divide the property as the lot is only 2 acres. The applicant also has an accessory building on the property which would create a non-conforming structure on the north property as there would be no primary dwelling unit.

Attorney Clark noted that the State Statute has a separate section, separate from the statute listed in the review letter. Section 236 reserves a different process for releasing a road reservation that is reserved by a CSM. Commissioner Meyer asked how the reservation was established. The planner explained that the CSM for this parcel was approved in 2005 but the original reservation was established in 1999. The Planner explained that staff did not spend a lot of time reviewing this as we wanted to get an idea of how the Plan Commission would like to see this handled. The Plan Commission agreed that the neighbor to the west should be contacted to see if they would want that reservation removed as it may have an effect on their property value and the ability to develop their lot.

Town Clerk & Town Planner

Assign Annual Inspection of Plans of Operation and Conditional Use Business Establishments.

The following Plans of Operation and Conditional Use permits were assigned to the below Commission members:

Commissioner Oelhafen: Jeremy Rush In-Law Unit Conditional Use
Commissioner Nelson: Sherwood Forest Bowmen Plan of Operation
Commissioner Samanske: Big City Limousine & Detail Plan of Operation
Commissioner Stadler: Iron Horse Polo Stables Plan of Operation

Overview of April and May Planner Appointments.

The Town Planner reviewed potential applications coming to future meetings including the CSM on Jay Lane, a CSM on Howard Pass and potential HWY 164 development (waiting for additional information from the Town's end).

Requests from members to put future items on the agenda.

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, May 9, 2019 Plan Commission Meeting at 8:07 P.M. Seconded by Commissioner Oelhafen. Motion carried, 7-0.

Respectfully submitted,

Dan Green, WCMC
Town of Lisbon Clerk