

**Minutes of the Town of Lisbon & Village of Sussex
Joint Plan Commission Meeting
Town of Lisbon, Town Hall
Wednesday, July 10, 2019**

Chairman Osterman called the Joint Plan Commission meeting to order at 6:30 P.M.

Roll Call: Present: Chairman Joseph Osterman, Supervisor Gamino and Chad Samanske. Also present: Gina Gresch, Town Administrator, Dan Lindstrom, Town Planner, Attorney James Hammes and Dan Green Town Clerk. Present from the Village of Sussex Annette Kramer, Scott Atkins, Village Administrator Jeremy Smith, Village Planner Kasey Fluet and Village President Greg Goetz.

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

Discussion and necessary action on February 21, 2019 Joint Plan Commission Meeting minutes.

Motion by Annette Kramer to approve the February 21, 2019 Joint Plan Commission minutes. Seconded by Greg Goetz. Motion carried, 5-0 with Tedia abstaining

Joint Planning Areas:

Discussion and necessary action of area maps outlining special joint review areas with the Village of Sussex.

Planner Lindstrom updated the Commissions on the different documents that outlined special joint review areas. He went through the Town's Comprehensive Plan and Zoning Code and recent changes over the past years with the Villages maps. He explained that the packet included maps from Waukesha County which included exhibits A-F. The planner reviewed all of the five areas designated either on the comprehensive plan map or through the boarder agreement. He explained that Sussex's land use plan significantly changes between 2020 and 2040, expanding some of these areas including the industrial area near HWY 74 and Lisbon Road, along HWY 164 near Good Hope and the industrial portion of the Lied's property.

Jeremy Smith explain that the Lied's area was added during a Joint Planning meeting back in 2004. He stated the last time these areas were reviewed with the Town was when Jeff Musche was the Town Administrator. He also explained there was no disagreement with the southern portion of the Lied's property (area B). He explained that with regards to area C, the frontage of HWY 74 was for the purpose of this being a gateway into the Village, but only the frontage. In regards to the area around HWY 164, the only areas the special area should entail is the commercial portion.

Planner Lindstrom also reviewed the area north of Lisbon Road which was also expanded on Sussex's 2040 land use map. Both the Village and the Town agreed to work on revising this as most of this area is owned by the quarry. Both Planner Lindstrom and Kasey Fluet were directed to update these maps to reflect the correct areas for special review.

Planner Lindstrom also reviewed the Lied's property, explaining that the line between the commercial and industrial portion has jumped and is never in the correct area on any of these maps. He explained that the special use was only on the commercial side of Lied's and when the village map was updated they included the industrial portion. Jeremy explained that the Town's own zoning code states this area is to be BP-1. Attorney Hammes explained this was zoned as M-2 on the Town's 2010 zoning map. This was conditionally zoned M-2 at the time and all the Board wants to do is reestablish this designation.

Discussion of general sewer service in accordance with the Extraterritorial Service Area Map and Intermunicipal Agreement between the Town of Lisbon and Village of Sussex and impact on planning.

Jeremy Smith explained there are areas where sewer service capacity has been purchased by the Town. He stated this may be more of a town board and village board issue but is still planning related. Mr. Smith explained that the designated sewer areas cannot be relocated to an area that is not on the map. He also explained that the Town cannot take capacity from one area and move it to another sewer service area. Attorney Hammes asked who raised these questions in the first place and that the Town did not bring up this matter. He also explained that they can reach that capacity utilizing with higher density. Mr. Smith explained that the Village wanted to make the Town aware of this and stated that the Village and the Town will need to make decisions in the future on where this capacity is going to be utilized and if the Town indeed is going to service area 3.

Discussion and necessary action on the recommendations from the Lisbon Plan Commission and Town Board for the following requests for Neumann Developments Inc, for the property located along Hillside Road:

Rezoning LSBT 0205.995 from A-10 Agricultural District to R-1 Suburban Single-Family Residential District and recommendation to Waukesha County of the same.

Planner Lindstrom explained this was a recommendation from the Plan Commission for approving a conservation subdivision with a PUD overlay. He also explained the developer went through meetings with the County and the Town as well as heard from the public to modify the plan. As a result the Town is presenting the rezoning exhibit found on Page 20. He explained there are two small parcels that did not need to be rezoned as they were already R-1. The developer is also not rezoning the C-1 area and the area designated as commercial on the land use map. In regards to the commercial area the Town also reviewed the possibility of that being a separate lot for development.

Jeremy Smith explained their only concern was related to the portion of the commercial special use district. He explained the original rezone exhibit document had the whole area set to be rezoned. This document does conform to the land use plan.

Motion by Chairman Osterman to approve the rezoning of LSBT 0205.995 from A-10 Agricultural District to R-1 Suburban Single-Family Residential District and recommendation to Waukesha County of the same. Seconded by Commissioner Samanske. Motion passed 6-0.

Establishing a Planned Unit Development Overlay Zoning Classification for the property located along Hillside Road, in the Town of Lisbon, LSBT 0205.995 and LSBT 0208.987, and recommendation to Waukesha County of the same.

Planner Lindstrom explained that this item has a little depth because a piece of the PUD does go over the special use area. The Plan Commission requested a few more amenities to fit the neighborhood including a walking trail. Currently the development is going through the new phased development process with the General Development Plan and moving onto a Specific Development Plan which will follow.

Bryan Lindgren from Neumann explained the specifics of the development and reviewed the number of lots, the density overall and the reason for the conservation subdivision. He also stated he is working with the Town and County engineer on storm water issues surrounding that area. Working with the Town's engineer and county engineer can work with the surrounding neighbors for storm water issues.

Planner Lindstrom explained the concept has changed with an initial emergency vehicle access to HWY 164 which was removed. He also explained on the preliminary design, the trail cuts into a portion of the special use area but can be configured that it is removed in the case of development. Bryan Lindgren from Neumann explained that they have reconfigured a map that shows that trail outside of that commercial area.

Jeremy Smith explained that the only concern would be keeping the trail outside of special use area. He also stated that any change that would impact the special use area would need to come back to the Joint Plan Commission.

Motion by Greg Goetz to approve a Planned Unit Development Overlay Zoning Classification for the property located along Hillside Road, in the Town of Lisbon, LSBT 0205.995 and LSBT 0208.987, contingent that the recreational trail is outside of the special use area and any use of the special use areas would come back to the Joint Plan Commission, and recommendation to Waukesha County of the same. Seconded by Annette Kramer. Motion carried 6-0.

Discussion and necessary action on the request for the Town of Lisbon, for the property located at N63W22039 County Road F, LSBT 0241.999, known as the Lied's Property:

Rezone from Agricultural District to M-2 General Industrial District to allow industrial uses.

Two-Lot Certified Survey Map

Don Neitzel from Kunkel Engineering explained lot 1 of the CSM is for the proposed development they are reviewing. He reviewed the CSM with a street parcel to HWY 74 with the remainder being a 26 acre lot which would be left alone for the time being. The property to the east would be a separate CSM that would match the road. The balance of the 26 acres would be divided when there is a proposal. Sewer would be extended from Towline Road in and there would be a private well system.

Attorney Hammes explained he spoke with Jeremy Smith to extend water but that is not on the table. This development would have a private water system to service the entire area and the wells have already been tested. Mr. Hammes explained if there is a change of heart and the village wants to extend water in the area we could have that discussion but for now this will be a private well. He explained the well would be specked for future water.

Joe Jursenas from Briohn Building Corporation went through the proposal of an industrial building that could be a multi-tenant building or could potentially be a single tenant. It would be accessed by the road extension coming down from HWY 74. The proposal would utilize open space in the area. He stated they would start with 150,000 square feet and up to 200,000 square feet for industrial use. He explained the aesthetics will match similar to Sharp Packaging with a mix of precast and stone. Mr. Jursenas explained he could not disclose the user at this point but those users asked to remain confidential. HE mentioned the potential tenants are excited to join the community.

Mr. Goetz asked what the building is going to look like. Mr. Jursenas explained at this point there is nothing to look at and no specific design specifications. The site plan would have to go back to be approved. Attorney Hammes added they need to get the zoning in place as no one will invest without the proper zoning. He explained even with the tenants they are talking to, part of their diligence is getting this rezoned. This is consistent with the land use plan. That is why the Town would like to get this in place and there will be a time to get through the utility issues.

Jeremy Smith explained that the Village wanted this to be BP-1. This is light industrial based on the Town zoning code. The Village wouldn't normally move forward without specific detail. Attorney

Hammes question that notion disingenuous? He explained that on the Village's development, they rezoned the entire property before having tenants. Mr. Smith stated if the Town gets the zoning correct the rest will fall into place. Planner Lindstrom stated we have four different documents showing four different things. This property was zoned M-2 and the Town is just reestablishing that. Attorney Hammes added that the property arguably is already zoned M-2 and we are just eliminating that ambiguity.

Jeremy Smith stated if the Town wanted to question the Village they would require going through arbitration as the boarder agreement states. Chairman Osterman stated that the Boundary Agreement also says the Village would not oppose incorporation. Mr. Smith asked what the problem is with a BP-1 district. Chairman Osterman stated the Village expects the Town to abide by the BP-1 district when the Village doesn't abide by their own. The BP-1 district does not match the area when the Village has Quadgraphics on the adjacent property.

Attorney Hammes asked that the Commission put this issue to a vote. Before doing so, Mr. Osterman asked Mr. Smith why they would not allow for this rezone and what they did not like about it. Mr. Smith stated it did not conform to the plan.

Motion by Chairman Osterman to approve the request for the Town of Lisbon, for the property located at N63W22039 County Road F, LSBT0241.999, known as the Lied's Property, to rezone from Agricultural District to M-2 General Industrial District to allow industrial uses. Seconded by Supervisor Gamino. Motion failed 3-3 with President Goetz, Commissioner Kramer and Commissioner Atkins opposing.

Motion by Chairman Osterman to approve the request for the Town of Lisbon, for the property located at N63W22039 County Road F, LSBT0241.999, known as the Lied's Property, for a two-lot Certified Survey Map. Seconded by Supervisor Gamino. Motion failed 3-3 with President Goetz, Commissioner Kramer and Commissioner Atkins opposing

Adjournment.

Motion by President Goetz to adjourn the Wednesday, July 10, 2019 Joint Plan Commission Meeting at 7:34 P.M. Seconded by Chairman Osterman. Motion carried, 7-0.

Respectfully submitted,

Dan Green, WCMC
Town of Lisbon Clerk