



Amended 10/7/2019@12:00p.m.

Agenda

**Joint Plan Commission and Town Board of Supervisors Public Hearing
Followed by the Regular Plan Commission Meeting**

Town of Lisbon, Town Hall

Thursday, October 10, 2019

6:30 PM

1. Roll Call.

- 2. NOTICE IS HEREBY GIVEN** that a Joint Public Hearing will be conducted by the Lisbon Town Board of Supervisors and Plan Commission on Thursday, October 10, 2019 beginning at 6:30 PM at the Town of Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 to consider a proposed amendment to the Town of Lisbon Comprehensive Development Plan: 2035. The purpose of the public hearing is to accept public comments on the proposed amendment. An application has been filed by Jim Forester for the property owned by Rightway Bus, LLC, requesting an amendment to the Land Use Plan Map adopted as part of the Town Comprehensive Development Plan. The application requests that the Land Use Plan Map be amended from Rural Density & Other Agricultural Lands and Other Open Lands to be Preserved to Low Density Residential for the property located at N95W23759 County Line Road, LSBT 0150.997.
(Postponed until November 14, 2019)

Agenda

Plan Commission Meeting

Town of Lisbon, Town Hall

Thursday, October 10, 2019

6:30 PM or (Following Public Hearing(s) beginning at 6:30 PM)

1. Roll Call

- 2. Comments from citizens present pertaining to items on the agenda.** Citizens are invited to share their questions, comments, or concerns with the Plan Commission. When speaking, citizens should state their name and address for the record and limit their presentation to three minutes. If a response would involve discussion of Plan Commission policy or decisions that might be of interest to citizens not present at the meeting, the commission may place the item on a future meeting agenda.
- 3. Discussion and necessary action on September 12, 2019 Plan Commission Public Hearing & Meeting minutes. (003)**
- 4. New Business**
- a. Discussion and necessary action on Resolution 16-19, Resolution Amending the Town of Lisbon Land Use Map from Rural Density and Other Agricultural Lands and Other Open Lands and Other Open Lands to be Preserved to Low Density Residential, for the request of Jim Forester for the property owned by Riteway Bus LLC, for the property located at N95W23759 County Line Road, LSBT 0150.997 and recommendation to the Town Board of the same. **(018)**
(Item postponed until November 14, 2019 Plan Commission meeting)
- b. Discussion and necessary action on the request from Parking Lot Maintenance, Inc., for the property located at W225N3178 Duplainville Road, LSBT 0287.984, for a Site Plan/Plan of Operation amendment to construct a temporary storage structure. **(026)**

- c. Discussion and necessary action on the request from Lynch Engineering for the property owned by David and Joyce Paral, for the property located at W278N9312 Sweetbriar Lane, LSBT 0166.998.023, for a minor grading permit to construct a paver patio and retaining wall. (049)
- d. Discussion and necessary action on Resolution 12-19, a Resolution Amending the Town of Lisbon Land Use Map for the property known as "Brown Property", for the property located at N55W25299 Richmond Road, LSBT 0273.998 and recommendation to the Town Board of the same. (057)
- e. Discussion and necessary action on the request from Zac Zimmerman for the property located at N91W26399 Hickory Road, LSBT 0164.998, to construct a third accessory building for agricultural use as required in the Waukesha County Shoreland & Floodland Protection Ordinance Section 3(j)(4)(C). (060)

5. Town and Planner Report

- a. Sign Code Updates
- b. September and October Planner Appointments

6. Request from members to request items on future agendas.

7. Adjournment.

Joseph Osterman
 Chairman

Jane Stadler
 Secretary

Posted: 2019-10-04

Clerk: D.G.
 Website

Town Hall Bulletin Boards (2)

Sent to Newspapers

NOTICE: It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

NOTE: Please notify the Town of Lisbon 72 hours in advance if you plan to attend and will need an interpreter or assistive hearing device.

MEMBERS: Please notify Town Hall at 262-246-6100 if you are unable to attend the meeting.

Minutes of the Joint Plan Commission & Town Board Public Hearing(s)
Town of Lisbon, Town Hall
Thursday, September 12, 2019
6:30 P.M.

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

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

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 conducted by the Lisbon Town Board of Supervisors and Plan Commission on Thursday, September 12, 2019, beginning at 6:30 PM at the Town of Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089 to consider a proposed amendment to the Town of Lisbon Comprehensive Development Plan: 2035. The purpose of the public hearing is to accept public comments on the proposed amendment. An application has been filed by WP Property Acquisitions, LLC for the property owned by Bette Brown Slayton Living Trust requesting an amendment to the Land Use Plan Map adopted as part of the Town Comprehensive Development Plan. The application requests that the Land Use Plan Map be amended from Low Density Residential and Other Open Lands to be Preserved to Industrial and Low Density Residential on parcel LSBT 0273.998. The Isolated Natural Resource Area will not be amended. The subject property is located at N55W25299 Richmond Road.

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

Mark Lake, Wangard – Stated he was in favor of the development and gave some background on the proposal. Wangard is looking to develop the west side of the development currently occurring in the Village of Sussex. He explained the Waukesha County study done in 2017 shows the need for industrial properties and identifies this area as a prime industrial area. The developer is looking to extend the current industrial park. The isolated natural recourse area will not be touched and the entrance would be extended to McKerrow Drive. In order to do this they need to amend the Comprehensive Plan to allow for industrial uses.

Patrick Schaefer N52W25772 Lisbon Road, explained he lives in the next house west of proposed project. He is against changing it to business and industrial. He doesn't want the city in his back yard. He was born and raised in the Town of Lisbon and likes that it's out in the country.

Andrea Lorenz, N55W25519 Richmond Road, stated she is new to the area and just purchased her home and doesn't want her back yard to turn into an industrial park.

Ron Evert, N56W25420 Richmond Road, lives just north of the property. He has lived here for 76 years and was born and raised in Sussex. He moved to Richmond Road where there wasn't a lot of subdivisions at that time. He stated he does not oppose this development. Being a bedroom community there is a problem keeping taxes low. With two school systems, we have to keep commercial developments together to meet up with what the village is developing right now. He stated concerns about lights and traffic are issues that are already there. He stated this was a good thing and the Town needs developments

like this.

Elizabeth Waldron, N55W25555 Richmond Road, stated she and her husband have lived in the community for 50 years because it is rural. She opposes this zoning/restructuring because it would ruin their environment and the wildlife. She stated concerns about the potential of lowering her home value.

John Waldron, N55W25555 Richmond Road, Questioned what the developer meant by industrial and if it was going to be light or heavy industrial uses. He also disagreed that more development would lower tax rates. He also is concerned about his property value going down.

Town Clerk Dan Green read the following comments into the record:

Keith and Jennifer Braden, N51W25281 Lisbon Road: This Letter is to share our comments with respect to the proposed amendment to the Town of Lisbon Comprehensive Development Plan: 2035 in connection with the application filed by WP Property Acquisition, LLC for the property located at N55W25299 Richmond Rd. ("Brown Farm"). We understand that an application has been filed by WP Property Acquisition, LLC to change the land use to industrial, and to rezone the bulk of the property to BP-1. We are strongly opposed to these changes. The proposed changes and structures that will follow will significantly and negatively impact the nearby Town residents in several aspects including noise pollution, light pollution, and increased traffic, likely including heavy truck traffic. Wildlife that is currently abundant in this area and coexists with the residents will be displaced. The construction that will eventually occur at this site will detract from the rural feel for which the Town of Lisbon is known. The rural nature is what drew us and many of our neighbors to the Town. The current 2035 plan for this property, which consists mainly of Low Density Residential and Other Open Land is much more fitting with the nature of the Town of Lisbon and fits better with the residential surroundings that currently exist, while continuing to provide natural habitat for the area wildlife. We strongly urge the Board and Plan Commission to consider the impact to the environment and our residents, and to maintain the current plan and zoning to preserve the rural/residential nature of our Town. Thank you.

This public hearing was closed at 6:44 pm.

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission and Town Board of Supervisors on Thursday, September 12, 2019, following the previously schedule public hearing beginning at 6:30 P.M. at the Lisbon Town Hall, W234N8676 Woodside Road, Lisbon, WI 53089, to solicit public comments on the rezoning from A-10 Agricultural District to BP Industrial/ Business Park Special Use for the property owned by Bette Brown Slayton Living Trust, for the property located at N55W25299 Richmond Road, LSBT 0273.998 for the purpose of expanding the new Highland Business Park currently under construction.

Public Hearing Comments

Mark Lake, Wangard, explained the next phase is to do the rezoning. They are looking to extend the existing industrial park which is the southern 2/3rds of the industrial park. There is nothing you will see from Richmond Road because there are buffers with the INRA and the northern portion left zoned as A-10. He stated they are looking at lighter industrial and will be used to augment the business park to the east.

Kathy Schaefer N52W25772 Lisbon Road, stated that land should be designated for residential development and thought industrial uses should stay in Sussex.

Jason Lorenz, N55W25519 Richmond Road, said his biggest concern is water and what it will do to his well. He questioned what guarantees he will have that their wells will not dry up or get contaminated.

Patrick Schaefer N52W25772 Lisbon Road, expressed concerns with Lisbon Road and the amount of water that runs down and soaks into HWY K and runs to the southern properties. He expressed concern putting a new road in and possibly altering drainage paths. He stated if the Town didn't have new development there would be no need for more taxes.

The public hearing was closed at 6:49 PM.

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission on Thursday, September 12, 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 to construct a pond for Phillip Knoebel, for the property located at N75W26895 Oakwood Road, Hartland, WI 53029, LSBT 0211.999.008

Chairman Osterman explained this applicant is not on the agenda and still had additional documents to submit before formal action could be taken.

Public Hearing Comments:

Michael Stull, N75W27003 Oakwood Road, explained he lives directly west of the applicant and had concerns about storm water and drainage.

The public hearing was closed at 6:51 PM.

NOTICE IS HEREBY GIVEN that a Joint Public Hearing will be held by the Lisbon Plan Commission on Thursday, September 12, 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 request for an Automobile, Gasoline, and Service Station and Convenience Stores associated with gasoline sales in the B-2 Local Business District and for Kwik Trip, Inc, for the property located at N67W27619 Silver Spring Drive, Lisbon, WI 53089, LSBT 0219.994.001, 0219.994.002 & 0219.994.003.

Public Hearing Comments:

Troy Mleziva, Kwik Trip Inc. La Crosse, explained they are looking to take the former PDQ building and replace it with a new store structure that would last the Town a long time. While rebuilding, the current Kwik Trip will remain until the store opens. Then the old building will be demolished.

Robert Kiley, W274N6678 Lake Five Road, explained he has a small horse farm across from the Kwik Trip. He was not opposed to the Kwik Trip, but wanted to make sure they would not be having direct access to Lake Five Road.

Amy Peterson, W274N6678 Lake Five Road, stated she agreed about traffic density but also had concerns about noise pollution.

Clerk Dan Green read the following comments into the record:

Ken Heun, N56W22164 Silver Spring Drive: My name is Ken Heun and I live at N56W22164 Silver Spring Drive. When setting the hours of operation for Casey's, you used this Kwik Trip's hours as the template for setting Casey's hours. It's my understanding that Kwik Trip is now asking for 24 hour operation. I live adjacent to Casey's and don't want Kwik Trip open 24 hours for fear it would lead to Casey's being open 24 hours. Therefore, I'd ask that you limit their current hours which I believe is open at 5 am and close at

11 pm.

The public hearing was closed at 6:57 PM.

Adjournment

The public hearing was adjourned at 6:57 P.M.

**Minutes of the Plan Commission Meeting
 Town of Lisbon, Town Hall
 Thursday, September 12, 2019
 Following the Public Hearing beginning at 6:30 P.M.**

Chairman Osterman called the Plan Commission meeting to order at 6:58 P.M.

Roll Call: Present: Chairman Joseph Osterman, 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. Excused was Supervisor Plotecher.

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

Discussion and necessary action on August 8, 2019 Plan Commission Public Hearing & Meeting minutes.

Motion by Commissioner Nelson to approve the August 8, 2019 Plan Commission minutes. Seconded by Commissioner Samanske. Motion carried, 6-0.

New Business

Discussion and necessary action on the following requests for Mark Lake on behalf of WP Property Acquisitions, LLC, property owner Bette Brown Slayton Living Trust, for the property located at N55W25299 Richmond Road, LSBT 0273.998:

Comprehensive Plan Amendment from Low Density Residential and other Open Lands to be Preserved to Industrial and Low Density Residential and recommendation to the Town Board of the same.

Planner Dan Lindstrom explained the application and the location between Hwy K and Richmond Road. He explained since the land use map was created in 2010 it has been amended many times. The applicant has requested to switch from single family to industrial designation. The packet indicates a BP-1 designations which is a Sussex zoning designation. The Town's designation is BP and that is what the applicant is looking to amend to. The property to the north of the INRA will remain A-10. He explained that Waukesha County and SEWRPC submitted an absorption study for future development and this area was noted to be one of a few areas in the area that would be a good for industrial uses.

The Planner also touched on a couple of questions that came up at the public hearing starting with lowering the tax value. The developer submitted a tax increment study which cannot be determined at this point if that will or will not occur, it depends on a lot of different factors and it is hard to anticipate development with something of this size. Mr. Lindstrom explained that the storm water engineer was present at the meeting to address storm water concerns as well. In regards to the BP District, he explained it was Industrial/Business Park and is the most restrictive district with the highest standards. There are some less intense uses that are permitted which would be a site plan/plan of operation there are some conditional uses that would require an Conditional Use Permit and Site Plan/Plan of Operation. Then there are prohibited uses which may be allowed in M-2 and other less restrictive zoning districts.

Dan Lindstrom explained there are possibilities to share infrastructure cost. It was noted that under the comprehensive plan recommendation, the Village of Sussex would have to amend their Comprehensive Plan as well as Waukesha County. He stated the County would take a hands off approach if the two municipalities agree to a land use amendment. Planner Lindstrom recommended approving based off information provided in the Waukesha County and SEWRPC study but working with the Village to amend Exhibit H in the border agreement.

Commissioner Nelson asked how many parcels were going to be developed. The applicant explained there could fit about 800,000 square feet of building on the site. That is with storm water and with infrastructure put in. The applicant explained they want to try to start with 5 acre lots minus the road and storm water infrastructure. Potentially they could have 10 lots.

Commissioner Meyer asked about the northern third part of the property and if they are proposing any changes to the land use. The applicant explained that the long term goal would be to have residential zoning in that area, but for now they will keep the zoning as Agricultural. Mr. Meyer stated he liked that the tree line provided a lot of buffers and would not have been inclined to go forward if it were not for that buffer. Commissioner Stadler questioned a notch that was cut out in the future land use. The applicant explained that was a low area and there is a seep that runs through to where the existing barn is. This area has been identified as a wetland. Commissioner Stadler also questioned if the applicant will be doing a TIF district and asked how that would work. Chairman Osterman explained that the current taxes on the property would freeze. The increase in value over time would be used to pay for infrastructure in that area.

Commissioner Oelhafen asked if the development to the east would join this proposed development. The applicant explained they do not currently have the connection road built but they would look at developing the connection after the Sussex parcel is complete. Mr. Oelhafen also expressed concern with there being a domino effect with commercial development continuing all the way down Highway K. The applicant explained this is what they are currently proposing and if there were any changes they would come back to the Plan Commission for those approvals. Commissioner Oelhafen asked if they considered looking at developing this area into a residential area which the applicant explained his company does not do residential developments.

Chairman Osterman explained that the Town has 37,000 gallons of sewer capacity in this area. He stated it was unlikely that anyone would develop one acre lots in this area with sewer. He asked the applicant if he thought that was enough capacity. Mr. Lake explained you do not need as much capacity in a business development as you would for a residential area. Chairman Osterman explained that the Town's border agreement states this area has to be residential. He explained that at a meeting with the Village they argued that the Town would be violating the border agreement if we proposed a comprehensive plan amendment. The Town responded that it is up to the applicant to ask for the change. He explained that if someone moved to this area because of the border agreement stipulation, they would have a legitimate complaint. He also explained that the Town does not go looking for development, developers come to the Town. He also explained that the Waukesha County study does show this as a prime location for industrial development. The Town has to decide what we want to do. Commissioner Meyer questioned why the County picked this land as a good industrial park location. Planner Lindstrom explained that the County reviewed natural resources, soils, sewer service area, public water access within half a mile, proximity to other business parks, and proximity to major highways. They also reviewed the possibility for a TIF. The study did indicate that there would be a conflict with the border agreement.

Commissioner Stadler expressed concerns with there being subdivision across the street because of lights from cars. Mr. Lake explained that if that is a concern they could come in with a final plan that would help address light pollution and would work with the Town on a site plan. Chairman Osterman explained

if that were to be subdivision it would be a problem too. Mr. Lake also stated that semis and large vehicles will want to utilize a signal light intersection and would have better access off 164 than off Lisbon Road.

Commissioner Nelson asked where we stood with the Village of Sussex on the land use change. Chairman Osterman explained that they have a recommended motion if we do move forward and it would be contingent on Sussex approval. There would have to be a negotiation in regard to water but we have sewer capacity. Commissioner Samanske stated he is not opposed and appreciates leaving the northern section as is for now. He also expressed concerns with the residential properties across the street to the south and would like the developer to consider these properties in the future. Commissioner Meyer expressed the same concerns as Mr. Samanske.

Planner Lindstrom added from a screening standpoint, the amount of screening required for this zoning district is similar to the intensity of screening that Casey's had in their design standards. From a noise concern, the BP District has a noise standard that must be met to make sure noise pollution does not leave the site. Mr. Lake explained that there is a rock shelf on the property that they can dig up, crush and use on the site.

Chairman Osterman explained that this is not ideal, but the Town talked to the County and explained why things were the way they were. He acknowledged there is a complaint to be had but this is good for the community with regard to jobs and believes this project fits the property.

Motion by Chairman Osterman to recommend to the Town Board approval of the request for Mark Lake on behalf of WP Property Acquisitions, LLC, property owner Bette Brown Slayton Living Trust, for the property located at N55W25299 Richmond Road, LSBT 0273.998, to amend the comprehensive plan from Low Density Residential and other Open Lands to be Preserve to Industrial and Low Density Residential subject to the amendment being approved by the Village of Sussex as this change modifies Exhibit H of the Boundary Stipulation and Intergovernmental Cooperative Agreement dated 1/22/2001 and subject to the approval of the Lisbon-Sussex Joint Plan Commission and Waukesha County. Seconded by Commissioner Nelson. Motion carried, 6-0.

Rezone a portion of the parcel from A-10 to BP and C-1 and recommendation to the Town Board of the same.

Motion by Chairman Osterman to recommend to the Town Board approval of the request for Mark Lake on behalf of WP Property Acquisitions, LLC, property owner Bette Brown Slayton Living Trust, for the property located at N55W25299 Richmond Road, LSBT 0273.998, to rezone a portion of the parcel from A-10 to BP and C-1, subject to the approval of the Village of Sussex, the Lisbon-Sussex Joint Plan Commission and Waukesha County and recommendation to the Town Board of the same. Seconded by Commissioner Samanske. Motion carried, 6-0.

Discussion and necessary action on the following requests from Kwik Trip, Inc., for the property located at N67W27619 Silver Spring Drive, LSBT 0219.994.001, 0219.994.002 & 0219.994.003:

Three lot combination Certified Survey Map

Planner Lindstrom explained the access point will remain close to where it currently is on the site. From an overall standpoint, the CSM met all the technical requirements. He recommended that any motion made was contingent on Waukesha County Highway Department review. Dan recommended approval with the following conditions.

1. The CSM shall be reviewed by Waukesha County Department of Public Works for compliance with County standards and access points adjacent to CTH MD and CTH VV.
2. Sec. 4.02(g) states that a CSM must identify the owners of record of adjacent unplatted lands. There are lands to the west of the site that are unplatted, but the Applicant did not show the name of the owner of these lands on sheets 1 or 2 in the CSM.
3. Sec. 4.02(e) states that a CSM must identify the right-of-way width of all public rights-of-way or easements within the exterior boundaries of the CSM. The width of the access easement off of Moraine Road is not shown.
4. Sec. 4.02(f) states that a CSM must identify the type, width, and elevation of any existing street pavements within or immediately adjacent to the CSM, along with any legally established center line elevations. The Applicant is not showing the type or elevation of any street pavements, and is not showing the centerline elevations for Silver Spring Drive or Moraine Drive. This information is included in most of the civil drawings but is not shown here. This should be included or the applicant shall request a waiver from the requirement with stated reasons for the request.
5. Sec. 4.02(h) states that a CSM must show the location, size, and invert elevation of any existing sanitary or storm sewers, culverts and drain pipes, the location of manholes, catch basins, hydrants, power and telephone poles, and the location and size of any existing water and gas mains within the exterior boundaries of the plat or immediately adjacent thereto. The Applicant did not show this information on the CSM. This information is included in most of the civil drawings but is not shown here. This should be included or the applicant shall request a waiver from the requirement with stated reasons for the request.
6. Sec. 5.02(k) requires a CSM to show the location of septic systems, if applicable. The Applicant did not show the location of the septic tanks or drainage field on the site. New facilities must be approved by Waukesha County
7. Sec. 4.02(m) states that a CSM must list existing zoning adjacent to the proposed CSM. The CSM does not show the existing zoning for Lot 4 of CSM 7350 on sheet 2, located immediately east of the proposed CSM.
8. Sec. 4.02(q) requires a CSM to show the location of soil boring tests on the site. This information is not shown on the CSM. This is required since a new septic system is being proposed as part of the civil drawings in CUP.
9. Sec. 4.02(r) requires a CSM to show the location of soil percolation tests on the site. This information is not shown on the CSM.
10. The existing freestanding sign locations shall also be shown on sheets 1 and 2 of the CSM.

Motion by Commissioner Nelson to approve the request from Kwik Trip, Inc. for the property located at N67W27619 Silver Spring Drive, LSBT 0219.994.001, 0219.994.002 & 0219.994.003 for a three lot certified survey map conditioned on the Planner's comments and recommendation to the Village of Merton and Town Board of the same. Seconded by Commissioner Oelhafen. Motion carried, 6-0.

Conditional Use Permit Amendment

Planner Lindstrom explained that the Conditional Use discussion can be combined with the Site Plan and Plan of Operation. The applicant was present for questions by the Plan Commission. Mr. Lindstrom explained this is a two phase process, the first to build the new structure and second, to demolish the old structure. He explained the applicant has a 24 hour operation listed on their site plan and this is not typically what the Plan Commission approves. There are some outdoor storage/sales that are common to a gas station including water softener salts, ice, etc. The applicant submitted a lighting plan but did not

have specifics on individual lights. Over all the proposed site becomes more of a configured site without tapers. He explained it is important to note the front elevation is not facing the street, it is facing the west. The south elevations address HWY VV. The trash has an enclosure which is something the Town has requested in the past. The pumps are standard size and the Town has requested these match the design of the building. The applicant also submitted a sign packet but have not applied for a sign permit at this time.

Planner Lindstrom explained the Town is working on a sign code update and may make the process easier depending on when the applicant comes back. The Planner reviewed CUP criteria regarding Section 4(h)4 of the Town Code.:

A. No gasoline pumps and/or other accessory equipment shall be closer than fifteen (15) feet to the base setback line and fifty (50) feet offset to the side and rear yards. Underground or aboveground storage tanks shall conform to state standards. The Applicant shows two unleaded, one premium, and one diesel fuel storage tank at the southern end of the proposed site near the driveway off of Moraine Road, along with a diesel exhaust fluids, and two diesel tanks on the southeastern edge of the proposed site. The four tanks on the southern portion appear to meet the required 50-foot offset requirement, however, the three tanks along the eastern edge do not. The Applicant shall relocate those three fuel tanks further into the site to the west.

B. No lighting installation shall be permitted which creates a hazard to traffic or a nuisance to surrounding property and all lights shall be shielded, baffled, or shaded to avoid such hazard or nuisance. The Applicant's photometric lighting plan shows zero foot-candles of illumination along the outside edge of the property. The Applicant is proposing ten different types of light fixtures, though cut sheets were not provided to illustrate the hooding or shielding on these fixtures. Cut sheets are needed to verify that no light will spill off of the property or become a nuisance to motorists. The Applicant shall provide these cut sheets to the Town Staff prior to Town approval of the CUP application. If cut sheets show that all lights have full cut-off fixtures, then the Applicant meets all requirements of this condition.

Planner Lindstrom reviewed other additional comments including:

- A. The front of the building does not face the public street but faces the canopies to the west. The Plan Commission may elect to have the applicant better address the street through additional building enhancements on the north side of the building.
- B. The applicant shall show building height dimensions on building elevation drawings.
- C. The fuel canopy shown exceeds 3% of the total lot size. An accessory structure may exceed 3% if it is approved by the Plan Commission as part of the Site Plan/Plan of Operation review. The applicant wishes to exceed the maximum height from 15' to 25'. The code does not specifically detail heights for canopied structures. This could be considered on a case-by-case basis.
- D. There is a 66' wide access easement necessary to access Lot 4 of CSM 7350. This access easement should be preserved or modified to ensure access is retained through Lot 4 of CSM 7350 and maintain access to CTH VV at the proper separation distance from the intersection. The Plan shall show this access easement as it relates to the proposed improvements.

Planner Lindstrom reviewed the conditions of the Conditional Use Permit and the Site Plan/Plan of Operation:

1. Subject to the Developer satisfying all comments, conditions and concerns of the Town Planner (noted above) and the Town Engineer.
2. The Conditional Use Permit shall apply to lots LSBT0219994001, LSBT0219994002, and

- LSBT0219994003 and shall be transferred to the new parcel upon the recording of the CSM.
3. The CUP shall not be granted unless the combination CSM is approved and recorded with Waukesha County.
 4. The physical development and operation of the conditional use must conform, in all respects, to the approved site plan/plan of operation, and phasing plan.
 5. The Town of Lisbon retains the right to annually review the business operation for compliance with approved plans.
 6. The approved CUP and an up-to-date Site Plan and Plan of Operation must be on file at all times with the Town of Lisbon.
 7. The new and existing buildings proposed to house a conditional use must be constructed and maintained to meet the current requirements of the applicable section of the Wisconsin Commercial Building Code.
 8. The Applicant shall apply for, receive, and maintain all other legally required and applicable local, county, state, and federal permits. Copies of approved permits or other evidence of compliance will be provided to the Town upon request.
 9. The owner or operator must keep a copy of the conditional use permit, including the list of all conditions, on the site, available for inspection to the public during business hours.
 10. The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Non-objection from the Fire Department and correction of any deficiencies prior to issuance of CUP/SPPOO.
 11. The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Non-objection from the Building Inspector and correction of any deficiencies prior to issuance of CUP/SPPOO.
 12. The Town Engineer may review the storm water plans to ensure the site is in compliance with the respective Town codes. Non-objection from the Town Engineer and correction of any deficiencies prior to issuance of CUP/SPPOO.
 13. Hours of operation: Customer/Employee hours between am to pm. Hours of operation not to be restrictive of after-hours fuel dispensing typical of a convenience store with fuel pumps operation.
 14. All lighting shall be hooded or beamed so as not to create undesirable glare or illumination for the traveling public or the neighboring properties.
 15. All vehicles and equipment must access the site only at approved locations identified in the site plan/plan of operation.
 16. This Conditional Use Permit is non-transferable to any future property owner without a new Conditional Use Permit approval and issuance by the Town. The sale of any portion of the subject property shall terminate this Conditional Use Permit.
 17. There shall be no outdoor storage of materials, except for those listed on the site plan (ice chests, firewood, LP tank storage cabinets, and softener salt)
 18. The Waukesha County Environmental Health Division may review and approve of the uses on the subject property, prior to the issuance of any permits.
 19. Any additional or future business signage shall be required to obtain signage approval through the Town of Lisbon sign application process.
 20. If any aspect of this Conditional Use Permit or any aspect of any plan contemplated and approved under this Conditional Use is in conflict with any other aspect of the Conditional Use or any aspect of any plan of the Conditional Use, the more restrictive provision shall be controlling as determined by the Town Plan Commission and the Waukesha County Park and Planning Commission.
 21. 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 CUP and 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.
 22. The Town reserves the right to review any condition imposed as part of this 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 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 SPPOO Permits or termination of the use.

Commissioner Nelson recommend that the hours of operation be changed to 5:00 a.m. to 11:00 p.m. with pumps open 24 hours. Chairman Samanske agreed and thought the Town had already set precedent with not allowing 24 hour operations for gas stations. Commissioner Meyer asked if there was a study to show the benefits of a 24 hour operation. The Kwik Trip representative, Troy Mleziva, explained that their brand is known as a 24 hour convenience store as most are. He stated they like to have a place for people who are up early who may need to work, or for snow plows, people who need a cup of coffee or a restroom during late hours. He stated it is also a place to stay warm and safe. He stated that not being open 24 hours can be more of a burden. Commissioner Meyer stated he was torn and questioned what the difference was if the Town was requiring no operations for 4 hours of the day. He explained that the closest neighbors are industrial uses. Commissioner Nelson stated there are a lot of private homes to the north and south of that site. He also explained the Town had another gas station that came in and have these hours of operation also.

Commissioner Stadler asked if the gas pumps would play music. The applicant explained they have screens on each pump that has a welcome speaker. Commissioner Oelhafen stated he would be okay with 5:00 a.m. to 11:00 p.m. because there are people to the north so they could get headlight traffic. Commissioner Meyer stated they were creating a narrow gap for a small reason and explained this location is not the same as other gas stations. He explained that the Town would allow pumps to remain open 24 hours but limit four where there were no operations. Commissioner Stadler stated that these late hours of operation could attract criminal activity. Commissioner Oelhafen state that Mr. Meyer brings up a good point and if the pumps are open 24 hours, there is going to be lights and traffic no matter if they are open or not. Chairman Osterman explained there are other amenities drawing people to Kwik Trip when they are open besides gas that would generate more traffic. The Chairman stated he is in favor of the 4:00 a.m. to 12:00 p.m. for employees and a 5:00 a.m. to 11:00 p.m. hours for customers.

Planner Lindstrom brought up that because the fuel canopy exceeds 3% of the size of the lot that this requirement would have to be waived and included in the motion. The commission were unanimously in favor of waiving this requirement. Mr. Lindstrom brought up the canopy matching the façade of the building. Chairman Osterman asked that the canopy have brick pillars. The applicant stated they could bring brick supports to a height of 9 feet on the pillars. The commission also had no issue with the building facing to the east instead of facing CTH VV.

The applicant explained that they added a gable and some windows for the view of the building off of CTH VV. They did not put traditional windows in because this side of the building is where a lot of equipment is stored. Mr. Mleziva explained that the current entrance is inadequate and in some cases dangerous. The new approach would be 35 feet wide with more traditional angles and the proposed site has a lot more queuing for parking. Commissioner Nelson asked if there would be appropriate light near the entrances for better vision at night and in bad weather. He also expressed some concerns about storm water which the Planner explained will have to be approved by Waukesha County.

The applicant requested that on number 16 of the planner's conditions that a sentence be added that the CUP could be transferred in the case of an LLC name change. The planner and the Commission agreed. Planner Lindstrom had some concerns regarding the transition from the old building to the new building in regards to timing. The applicant explained they planned to build the new store, move in, and then destroy the old store. There will be a transition period for gas pumps. Commissioner Oelhafen mentioned the

septic system will be going where the current store is. Commissioner Stadler asked what period of time they would need to occupy the new building. The applicant requested a two month time span to allow the new store to be fully operational and to prepare the old building for destruction. Planner Lindstrom asked that they condition this on the business only and have one store open at any one time.

Motion by Chairman Osterman to approve the request from Kwik Trip, Inc. for the property located at N67W27619 Silver Spring Drive, LSBT 0219.994.001, 0219.994.002 & 0219.994.003 for a conditional use permit amendment with a 10' fuel canopy height variance, a variance in canopy size above 3% of the total lot size, and requirement of brick columns on the fuel canopy to a height of 9', with recommendation to the Town Board of the same. Seconded by Commissioner Nelson. Motion carried, 6-0.

Site Plan/Plan of Operation Amendment

Motion by Chairman Osterman to approve the request from Kwik Trip, Inc. for the property located at N67W27619 Silver Spring Drive, LSBT 0219.994.001, 0219.994.002 & 0219.994.003 for a sight plan/plan of operation amendment changing the hours of operation with the hours of operation from 4 am to 12 pm and 5 to 11 pm with 24 hour pumps subject to the planner's and engineer's comments. Seconded by Commissioner Nelson. Motion carried, 6-0.

Discussion and necessary action on the request for Joe Malucha on behalf of Beeler Construction, Inc., for the property located at N48W22953 Commerce Centre Drive, LSBT 0287.986, for a Site Plan Amendment to construct a 94' x 204' accessory building.

Planner Lindstrom explained the applicants were there to answer any questions as well as the Town Engineer. He explained this is in an M-2 zoning district with some addition C-1 zoning. There are some storm water facilities on the site as well. The addition would be for vehicle and additional storage. The planner explained the applicant did not include building plans and building elevations. This is proposed inside the existing business park. Planner Lindstrom read through the following conditions for 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 Town of Lisbon retains the right to annually review the business operation for compliance with approved plans.
3. The Fire Chief shall inspect the premises to ensure the site is in compliance with the respective fire codes. Non-objection from the Fire Department and correction of any deficiencies prior to issuance of SPPOO.
4. The Building Inspector shall inspect the premises to ensure the site is in compliance with the respective building codes. Non-objection from the Building Inspector and correction of any deficiencies prior to issuance of SPPOO.
5. There shall be no outdoor storage of materials.
6. There shall be no trash stored outside of the building, except for the use of the existing on-site dumpster/waste container.
7. Hours of Operation shall be limited to Monday-Saturday 4:00 am to 10:00 pm. This shall mean the time employees and/or the operators are on-site.

8. Vehicles shall be stored on a hard surface and any vehicles susceptible of leaking fluid shall be stored interior to the building while they await repair. There shall be no parking on the road or in the road right-of-way.
9. There shall be no storage of gasoline on site.
10. Submittal of a lighting or lighting fixture plan to Town Staff for review and approval.
11. For vehicle maintenance performed elsewhere on-site, any used and new engine oil, antifreeze, and other fluids shall be stored off the ground and secured until a certified disposal company can collect the used fluids. The applicant shall inform the Town Clerk of the contracted disposal services and such information shall be kept on file in with the Town and with the applicant.
12. The Waukesha County Environmental Health Division may review and approve of the uses on the subject property, prior to the issuance of any permits.
13. Any additional or future business signage shall be required to obtain signage approval through the Town of Lisbon sign application process.
14. An up-to-date Site Plan and Plan of Operation must be on file at all times with the Town of Lisbon.
15. 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 s permitted shall be considered to be prohibited, except as may be otherwise specified herein.
16. The Town reserves the right to review any condition imposed as part of this 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 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

Motion by Chairman Osterman to approve the request for Joe Malucha on behalf of Beeler Construction, Inc., for the property located at N48W22953 Commerce Centre Drive, LSBT 0287.986, for a Site Plan Amendment to construct a 94' x 204' accessory building contingent on the engineer's review. Seconded by Commissioner Nelson. Motion carried, 6-0.

Discussion and necessary action on the request for Affordable Signs & Lighting on behalf of Gordy's Concrete Pumping, for the property located at W232N4950 Quarry Corners Parkway, LSBT 0284.994.006, for a sign permit.

Planner Lindstrom explained that Gordy's is in a special area from a design standpoint where the Village of Sussex and the Town have specific design standards for this zoning district. The Town's code states wall signs shall not exceed 50 square feet, but the design standards in this area only allows for monument signs because of the frontage road. The Planner explained that the Town Board may be inclined to waive this requirement. Chairman Osterman asked the applicant why they wanted a wall sign over a monument sign. The applicant explained it looks good on the building and the high elevation is where it is not offensive as monument signs can be. They explained that the sign will be illuminated internally. They also presented to the Commission a newly designed sight which was smaller than their original submittal.

Motion by Chairman Osterman to approve a request for Affordable Signs & Lighting on behalf of Gordy's Concrete Pumping, for the property located at W232N4950 Quarry Corners Parkway, LSBT 0284.994.006, for a sign permit. Seconded by Commissioner Nelson. Motion carried, 6-0.

Discussion and necessary action on the request for John Wilde on behalf of Hanover Hill Homeowners Association, for a sign permit to construct a gateway sign on southwest corner of Hanover Hill Road and County Road K.

Planner Lindstrom explained that the new sign should match the sign on the opposite side of the entrance. He explained he had no objections as the height requirement was met as well as the staying clear of the vision corners.

Motion by Commissioner Nelson to approve a request for John Wilde on behalf of Hanover Hill Homeowners Association, for a sign permit to construct a gateway sign on southwest corner of Hanover Hill Road and County Road K. Seconded by Commissioner Samanske. Motion carried, 6-0.

Discussion and necessary action on the request from the Town of Lisbon for the property located at N63W22039 County Road F, LSBT 0241.999, to grant a waiver to allow a cul-de-sac 625 feet beyond the 500 feet allowed per the Town Code, and recommendation to the Town Board of the same.

Engineer Mitch Leisses explained this waiver is to extend the cul-de-sac over 1,000 feet. The Town's code only allows a 500 feet roadway ending in a cul-de-sac, so a waiver must be granted. This waiver is for the Lied's parcel.

Motion by Chairman Osterman to approve a request from the Town of Lisbon for the property located at N63W22039 County Road F, LSBT 0241.999, to grant a waiver to allow a cul-de-sac 625 feet beyond the 500 feet allowed per the Town Code, and recommendation to the Town Board of the same. Seconded by Commissioner Nelson. Motion carried, 6-0.

Discussion and necessary action on the request for Neumann Developments Inc., for the property located along Hillside Road, LSBT 0205.995 and LSBT 0208.987 generally located on the west side of Hillside Drive adjacent to Beverly Lane, and recommendation to the Town Board of the same, for the following:

Chapter 12 Land Division and Development Ordinance waiver requests for the following items:

- 1. Section 7.03(a) - Cul-de-sac Length on Ridgeline Court (200 feet waiver) and Highland Drive (360 feet waiver).**
- 2. Section 2.06 - Lot Slope for Lots 15-18 & 37.**
- 3. Section 7.06 - Perpendicular Lot Line: 21/22, 32/33, 35/36, 37/38, 38/39 & 42/43.**
- 4. Section 7.03(g) - Road Tangent Length for Beverly Lane Entrance, Hillside Court/Beverly Lane Intersection, Hillside Court cul-de-sac and Ridgeline Court cul-de-sac.**

Planner Lindstrom explained that the Plan Commission asked for changes to their plat and asked that waivers were granted for some of the plat design. He stated that these are not out of line from normal requests. The cul-de-sac length has already been approved by the fire department. The Planner also

explained that the slope waivers will result in some exposed basements for lots 15-18 and lot 37. In regards to the perpendicular and road tangents, these are standards in our zoning code. He asked that the Town Engineer also sign off on the slope requirements. Mitch Leisses explained that slopes cannot exceed 12% grade over 50% of the lot. Waukesha County asked that the Town address these issues and grant waivers. These slopes have to do with water drainage velocities, and explained that the applicant has good storm water plans set in place that should address any issues that may arise.

Commissioner Stadler expressed concerns with water that may be directed across from 164 and the owner of that property. The engineer explained that storm water management systems are regulating some of those flows with overflow pipes for peak times. There could potentially be issues from very large flooding events, but nothing more than what would happen if there was no development.

Motion by Chairman Osterman to approve a request for Neumann Developments Inc., for the property located along Hillside Road, LSBT 0205.995 and LSBT 0208.987 generally located on the west side of Hillside Drive adjacent to Beverly Lane, for a waiver request for items one through four with item two contingent on Kunkel Engineering approval and recommendation to the Town Board of the same. Seconded by Commissioner Stadler. Motion carried, 6-0.

Discussion and necessary action on the request for Neumann Developments Inc., for the property located along Lisbon Road, LSBT 0264.998.002 generally located north of Lisbon Road and south of Ainsworth Road, adjacent to Basham Lane, and recommendation to the Town Board of the same, for the following: Chapter 12 Land Division and Development Ordinance waiver requests for the following items:

1. Section 7.03(a) - Cul-de-sac Length on Orchard Hill Drive (700 feet waiver) and Autumn Court (100 feet waiver).
2. Section 7.06 - Perpendicular Lot Line: Lots 9/10, 10/11, 15/16, 16/17, 21/22, 26/27, 29/30, 32/33, 35/36, 41/42, 42/43, 47/48, 54/55, 59/60 and 61/62.

Motion by Chairman Osterman to approve a request for Neumann Developments Inc., for the property located along Hillside Road, LSBT 0205.995 and LSBT 0208.987 generally located on the west side of Hillside Drive adjacent to Beverly Lane, for a waiver request for the cul-de-sac length on Orchard Hill Drive for 700 feet and Autumn Court for 100 feet and a waiver for two Perpendicular Lot Lines for Lots 9/10, 10/11, 15/16, 16/17, 21/22, 26/27, 29/30, 32/33, 35/36, 41/42, 42/43, 47/48, 54/55, 59/60 and 61/62 request for and recommendation to the Town Board of the same. Seconded by Commissioner Nelson. Motion carried, 5-0 with Commissioner Stadler abstaining.

Town Clerk & Town Planner

Overview of August and September Planner Appointments

Planner Lindstrom explained that he and the Clerk met with a handful of property owners including an inquiry as to a 164 development, some site plan amendments and a Comprehensive Plan which will be on the next Town Board agenda. There is also a park path reservation on two properties that are looking to be removed and they have approached the Park Committee.

Short-term rentals (Air B&B / Bed & Breakfast, etc.) update

Planner Lindstrom explained that the Zoning Code has not caught up on the current times with regard to Air BNBS. In 2018 the State passed a law in the budget bill that limits the municipality's ability to limit short term rentals within a certain amount of time. From 7 to 28 days, the municipality has limited

authority for individuals to rent out their home or a room in their home. It is acceptable for the municipality to put some conditions such as a Conditions Use Permit. This is being brought up because Mr. Rush has been using an area of his home as an Air BNB. In their Conditional Use Permit it states that it shall not be rented out as a separate living unit. As of now he is renting out a room as an integral part of his home, not a separate living unit. The applicant has submitted an application for a Conditional Use Permit for a Bed and Breakfast to meet the Town Code's requirements. This will require Waukesha County approval. Planner Lindstrom explained that the Rushes have not violated their current Conditional Use but they need another Conditional Use Permit to comply with our zoning code.

Requests from members to put future items on the agenda.

None

Adjournment.

Motion by Commissioner Nelson to adjourn the Thursday, September 12, 2019 Plan Commission Meeting at 9:40 P.M. Seconded by Supervisor. Motion carried, 5-0.

Respectfully submitted,

Dan Green, WCMC
Town of Lisbon Clerk

ITEM 4A - Attachments

**TOWN OF LISBON
W234 N8676 Woodside Road
Sussex, Wisconsin 53089**

Phone (262) 246-6100

Fax (262) 820-2023

Website: www.tn.lisbon.wi.gov

REQUEST TO AMEND THE TOWN OF LISBON LAND USE PLAN

THE REQUESTED AMENDMENT MUST BE ACCOMPANIED BY A SCALED MAP, SURVEY, SITE PLAN OR OTHER SIMILAR MEANS OF DEPICTING THE SUBJECT PROPERTY

Tax Key No(s). of the subject property LSBT 0150997

Legal Description of the subject property See the legal description on the attached Trustee's Deed Document No. 4063852

Existing Land Use category as designated on the Town of Lisbon Land Use Plan (LUP) Rural Density & Other Agricultural Lands, Other Open Lands to be Preserved, PEC and Low Density Residential

Amendment requested (e.g., which Land Use category) Low Density Residential

How much acreage is to be amended to the new Land Use category? 44 acres

Is the amendment within an adopted Sewer Service Area? _____ If so, is sewer available to the subject property? No

Existing Land Use Agricultural

Proposed Land Use Residential

Conditions which justify the requested amendment to the LUP (use additional sheets, if necessary):
The change is proposed in order to develop one acre single family residential lots and to match the existing land use of the existing subdivision immediately to the east of the project site.

Owner Riteway Bus LLC
W201 N13900 Fond Du Lac Ave
Address Richfield, WI 53076

Applicant Jim Forester
1405 Capitol Drive
Address Pewaukee, WI 53072

Daytime Phone No. 4142350594

Daytime Phone No. 262-292-9552

DocuSigned by:
RJ Bast
Signature of Owner

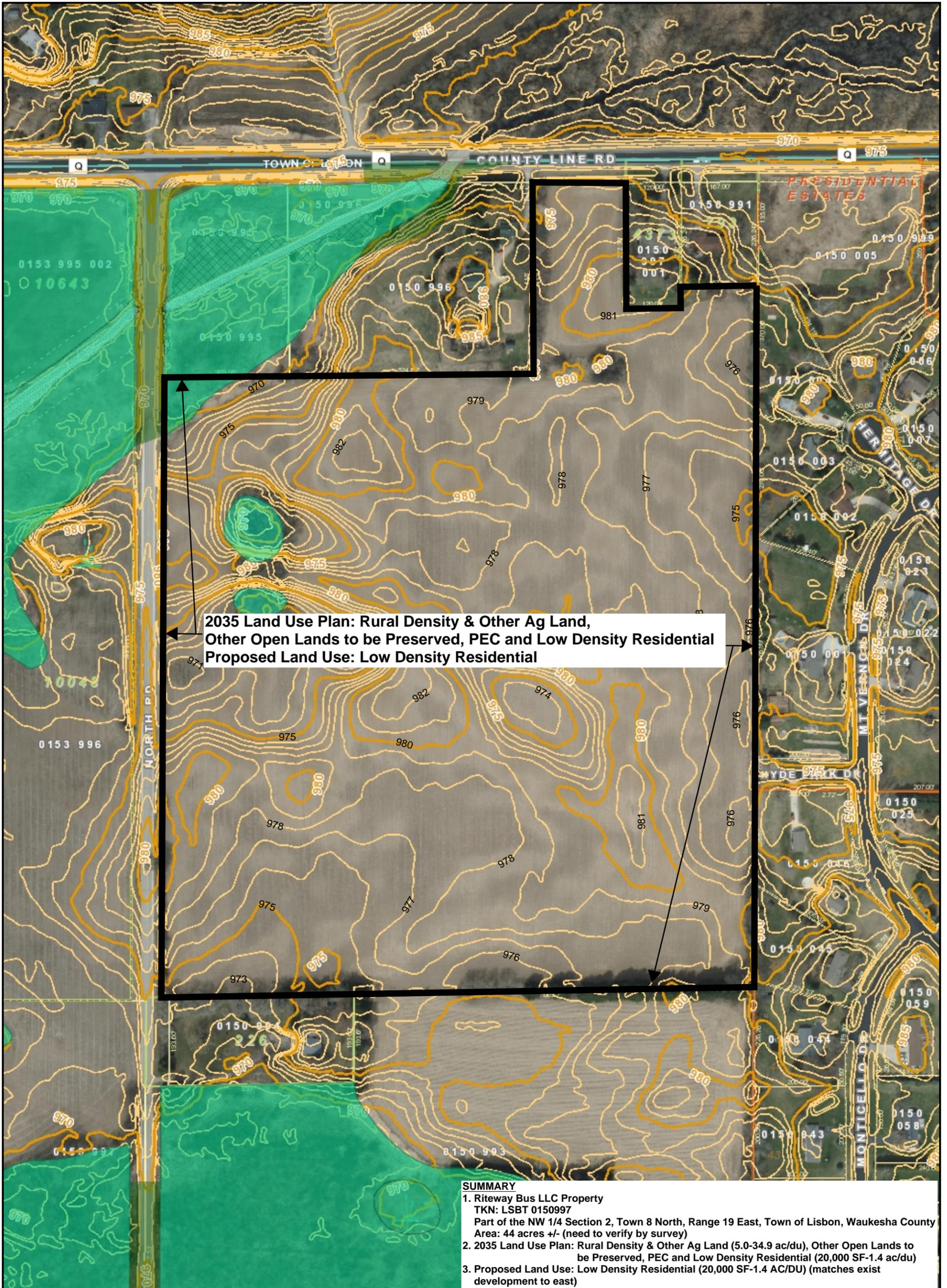
DocuSigned by:
JAMES FORESTER
Signature of Applicant (if different)

Date: 8/30/2019

Date: 8/31/2019



Waukesha County GIS Map



**2035 Land Use Plan: Rural Density & Other Ag Land,
Other Open Lands to be Preserved, PEC and Low Density Residential
Proposed Land Use: Low Density Residential**

SUMMARY

- 1. Riteway Bus LLC Property
TKN: LSBT 0150997
Part of the NW 1/4 Section 2, Town 8 North, Range 19 East, Town of Lisbon, Waukesha County
Area: 44 acres +/- (need to verify by survey)
- 2. 2035 Land Use Plan: Rural Density & Other Ag Land (5.0-34.9 ac/du), Other Open Lands to be Preserved, PEC and Low Density Residential (20,000 SF-1.4 ac/du)
- 3. Proposed Land Use: Low Density Residential (20,000 SF-1.4 AC/DU) (matches exist development to east)

0 200.00 Feet

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Printed: 8/15/2019

Notes: **PROPOSED LAND USE PLAN**

AUGUST 30, 2019
PEG # 1778.00-WI



Parcel ID LSBT0150997: Site Map
 Town of Lisbon

1 inch = 500 feet
 0 250 500 1,000
 Feet

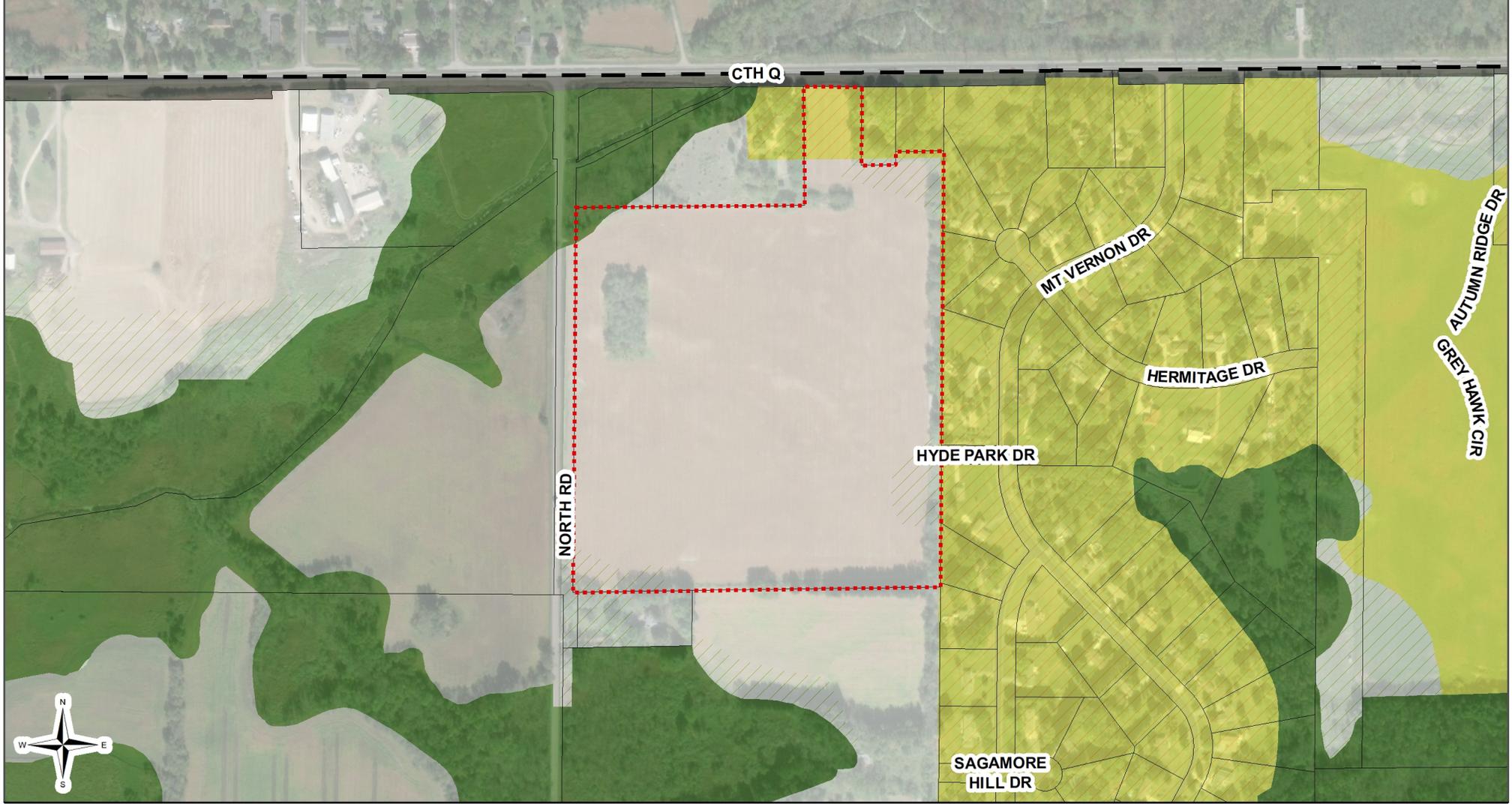
 Town of Lisbon Boundary
 Subject Parcel

vierbicher
 planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
 N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
 Phone: (262) 875-5000 Fax: (608) 826-0530

	High density residential; High density residential		Farmland Preservation		Isolated Natural Resource Area		Transportation, communication and utilities
	Medium density residential		Farmland Preservation w/PEC		Surface Water		Highway Rights of Way
	Low density residential		Other Open Lands to be Preserved		Governmental and institutional		Landfill
	Suburban density I residential		Recreational		Commercial and Office Park		Extractive
	Suburban density II residential		Primary Environmental Corridor		Mixed Use		Industrial
	Rural density and Other Agricultural Land		Secondary Environmental Corridor				



Parcel ID LSBT0150997: Future Land Use

Town of Lisbon

1 inch = 500 feet



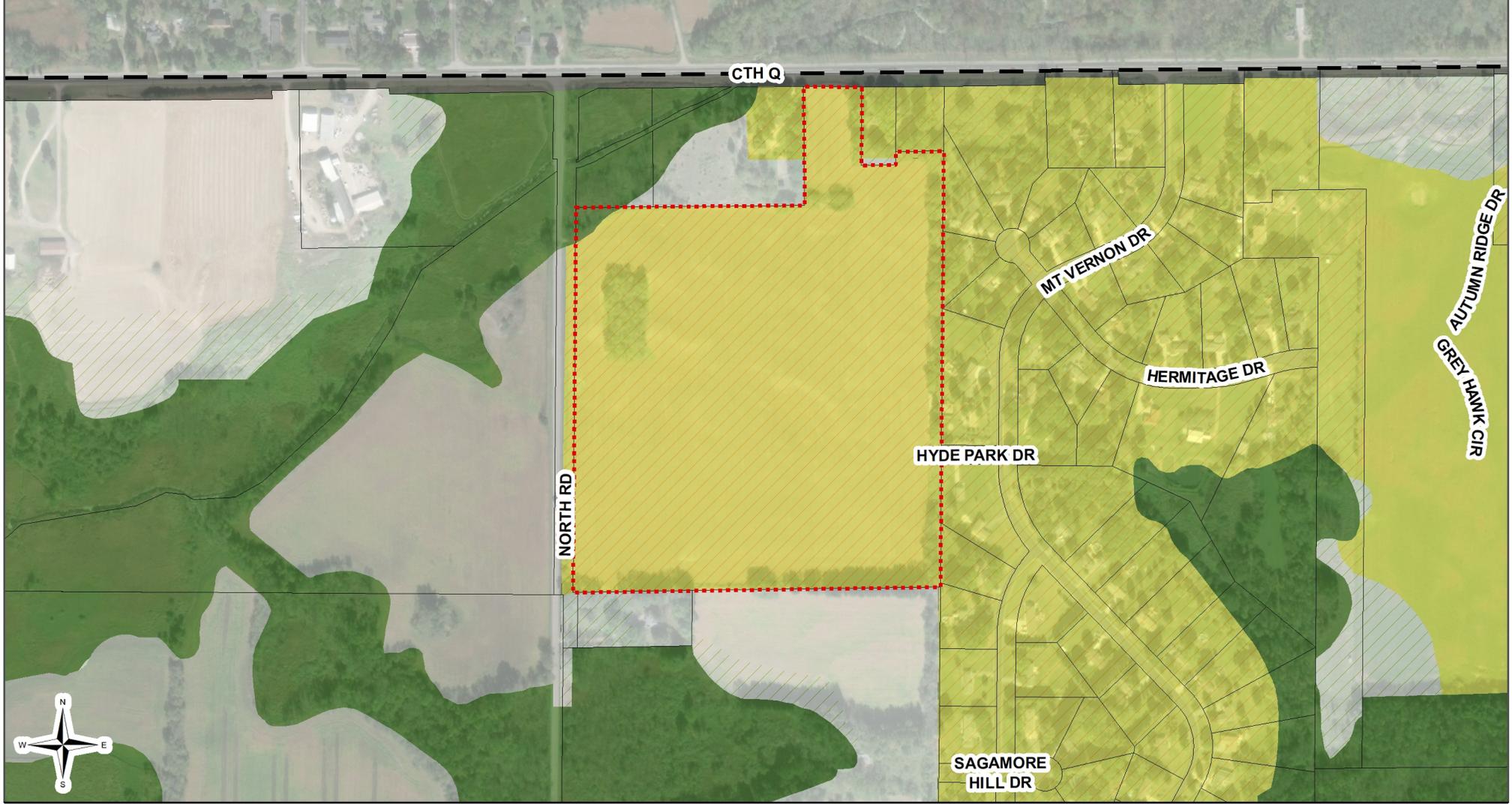
Town of Lisbon Boundary
 Subject Parcel

vierbicher
 planners | engineers | advisors



REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
 N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
 Phone: (262) 875-5000 Fax: (608) 826-0530

	High density residential; High density residential		Farmland Preservation		Isolated Natural Resource Area		Transportation, communication and utilities
	Medium density residential		Farmland Preservation w/PEC		Surface Water		Highway Rights of Way
	Low density residential		Other Open Lands to be Preserved		Governmental and institutional		Landfill
	Suburban density I residential		Recreational		Commercial and Office Park		Extractive
	Suburban density II residential		Primary Environmental Corridor		Mixed Use		Industrial
	Rural density and Other Agricultural Land		Secondary Environmental Corridor				



Parcel ID LSBT0150997: Future Land Use (Proposed Change)

Town of Lisbon

1 inch = 500 feet



Town of Lisbon Boundary
 Subject Parcel

vierbicher
 planners | engineers | advisors

REEDSBURG - MADISON - PRAIRIE DU CHIEN - MILWAUKEE METRO
 N27 W23957 Paul Road, Suite 105, Pewaukee, WI 53072
 Phone: (262) 875-5000 Fax: (608) 826-0530



LAND INFORMATION SYSTEMS DIVISION

Waukesha County GIS Map



PROPOSED NUMBER LOTS = 28
PROPOSED ROAD = 2,650 LF

SUMMARY

1. Riteway Bus LLC Property
TKN: LSBT 0150997
Area: 43.7 acres +/- (need to verify by survey)
2. Current Zoning : A-10 Agriculture & C-1 Conservancy Wetland (Town)
A-1, HG & Wetland Overlay (Co Shoreland)
3. 2035 Land Use Plan: Rural Density & Other Ag Land (5.0-34.9 ac/du), Other Open Lands to be Preserved, PEC and Low Density Residential (20,000 SF-1.4 ac/du)
4. Proposed Zoning: R-2 Single Family Residential (matches existing development to east)
Min Lot Size: 1 AC (unsewered)
Setback: 50'
Offset: 20'
Shore setback: 75'
Min 150' Average Width (unsewered)
5. Proposed Land Use: Low Density Residential (20,000 SF-1.4 AC/DU) (matches exist development to east)
therefore w/ 43.7 AC +/- minus 1.2 ac +/- for ROW (North Rd and CTH Q) = 42.5 AC +/-
42.5 AC +/- divided by proposed 28 lots = Proposed 1.51 AC/DU
6. North Road is a local road and County Line Road is CTH Q.

0 200.00 Feet

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Notes:

CONCEPT PLAN
AUGUST 19, 2019

Printed: 8/15/2019

PEG # 1778.00-WI



STAFF REPORT: RECOMMENDED LAND USE PLAN - 2035 MAP AMENDMENT

To: Chairperson Osterman
Town Plan Commission Members
Gina Gresch, Town Administrator

From: Daniel J. Lindstrom, AICP, Town Planner
Aaron Prichard, Planning Consultant

Subject: Forester Comprehensive Development Plan Amendment Application

Date: October 10, 2019

The above-referenced application was received by the Town of Lisbon for review and consideration at the October 10, 2019 Plan Commission meeting. Jim Forester (Applicant) filed the application on behalf of the owner of the property—Riteway Bus LLC. The site is located at N95W23759 County Line Road (Tax Key LSBT 0150.997). The Applicant is requesting to amend the Land Use Plan Map included as part of the Town of Lisbon Comprehensive Development Plan: 2035. The site's area is approximately 42.4 acres and is currently designated on the Future Land Use Map as Rural Density & Other Agricultural Lands, Other Open Lands to be Preserved, Primary Environmental Corridor, and Low-Density Residential on various different parts of the parcel. The Applicant is seeking to amend the parcel to Low-Density Residential in order to develop the property into a single-family residential subdivision and to match the existing land use of the subdivision immediately to the east of the site (Presidential Estates subdivision).

The Applicant attended a Town of Lisbon Development Review Team meeting on Wednesday, September 18, 2019, where the applicant presented their concept proposal to Town and Waukesha County Staff. During the meeting the approval timeline was discussed in greater detail. Due to the timeline necessary to amend the Town and County Comprehensive Development Plan Future Land Use Maps, the applicant is requesting only a Comprehensive Development Plan Future Land Use Amendment. Potential rezoning, preliminary plats, final plats, developer's agreements, and other necessary documentation would require additional Town, Village of Richfield, and Waukesha County approvals later in the process. The applicant provided a conceptual layout, but it is for reference only during this discussion.

Planner Review:

- The site is zoned A-10, which is intended for very low-density single-family residential development, which is consistent with the Low-Density Residential designation being sought. The site also has isolated portions zoned C-1 Conservancy, which the Applicant intends to conserve on their concept plans.
- The Applicant's Concept Plan proposes 28 lots at a minimum of 1 acre. The average density for the site as a whole is 1.51 acres per dwelling unit, which exceeds the targeted density recommended for Low-Density Residential of 1.4 acres per dwelling unit, however the density can be greater, but not lower than the targeted density. The applicant is proposing match the density of the neighboring subdivision.
- The Town and County may wish to request a traffic impact analysis by the Applicant to determine the impact single-family homes at the property could have on traffic on North Road and County Line Road.

ITEM 4B - Attachments



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Project Review Checklist

Prior to the Plan Commission submittal deadline the property owner or applicant presents a site plan prepared with the information below to the Deputy Clerk at the Town Hall. The submittal material is reviewed and if appropriate, discussed at the next regularly scheduled Plan Commission meeting.

The information below is a required minimum and the other materials may be requested of the applicant during the review process.

- 1) A statement describing the general character of the intended development and including the property address, tax key number and correct legal description. General items to include in the statement are: hours of operation, number of employees, traffic patterns, parking requirements, trash removal, etc.
- 2) An accurate map (site plan) of the project area. The site plan should be professionally prepared by a licensed architect, surveyor and/or engineer, with accurate dimensions indicating the property size, its relationship to surrounding properties, existing topography, key natural features and show the location of all existing and proposed:

<ol style="list-style-type: none"> A. Structures, showing all entrances B. Driveways & street access C. Parking areas D. Walkways E. Existing landscaping F. Abutting public and private streets G. Public easements H. Surrounding land uses and zoning I. Retaining walls J. Decorative accessories 	<ol style="list-style-type: none"> K. Dumpster location and screening L. Location, color, message, dimensions and materials of all signs M. Location, size and character of dedicated or private open space N. Location of sanitary sewer, storm sewer, water mains and services and stormwater detention facilities O. Floor plan of building or addition
---	---
- 3) Stormwater management plan.
- 4) Grading plan showing existing and finished grades to Town datum.
- 5) Professionally prepared landscape plan.
- 6) Lighting plan; photometric plan, type of fixtures, wattage and location and height of lighting structures.
- 7) Topographic data or pertinent grade elevations, if necessary, for proper remodeling of existing buildings showing finished exterior treatment.
- 8) Colored elevations of proposed buildings, structures and fencing, or of proposed remodeling of existing buildings, showing finished exterior treatment and a listing of building materials.
- 9) Names, address, telephone number, fax number and email address of the owner(s) and/or agent to be contacted with regard to the application.
- 10) Proof of ownership or agent status.



**PROCEDURE FOR SITE PLAN,
PLAN OF OPERATION &/OR SIGNAGE**

1. **PROPERTY OWNER** (or representative) should contact the Town Clerk to make a Planner's Appointment. The Planner, Administrator and Clerk will review the proposed project and give direction on what is needed to complete the application process, as well as deadline dates to meet. Forms will be given at this meeting, but they can also be found online at www.townoflisbonwi.com/169/Permits-Forms-Applications
2. **PROPERTY OWNER** (or representative) completes the application form(s) and provides the Town Clerk with one completed packet with signatures. Hard copy or PDF please; PDF preferred. Also, please bring a check for the application fee made payable to the Town of Lisbon.
3. **PROPERTY OWNER** (or representative) attends the Plan Commission meeting. If you or your representative are not present, the Plan Commission may postpone your item to the following month's agenda.
4. **PLAN COMMISSION** reviews application and facts presented at Plan Commission meeting and takes action.

Motion by Commissioner Samanske to approve the Site Plan / Plan of Operation for the business; Parking Lot Maintenance.

Seconded by Commissioner Meyer. Motion carried. 6-0

Approval contingent on a more detailed Site Plan / Plan of Operation being developed. Subject to Chairman Gehrke's and Town Planner / Engineers approval. Applicant to include landscaping along Commerce, masonry on the front office, additional landscape, hard roof line and dimension. Applicant to provide Chairman Gehrke and John Stigler these changes / additions.

Discussion and Action to approve the Site Plan / Plan of Operation for the business; Meridian Sub-Tek. The property is located at, N69 W25055 Indian Grass Lane.

John Stigler read his comments into record:

- A. The property is located at the southwest corner of Indian Grass Lane and STH "164".
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- C. Wholesale and distributors are Permitted Uses in the M-2 General Industrial District.
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Approval subject to the Fire Departments comments/recommendations and the revisions made to two items on the Site Plan as recommended by the Town Planner / Engineers comments. John Stigler will check the Sign Code to see if a small sticker decal for the door needs a permit.

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- A. The site is zoned Q-1 Quarrying and like all quarry sites in the Town is subject to a Conditional Use Permit.
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- D. Per State Statute 85.193(2)(b) the Town's Zoning Code is still applicable since Genesee Aggregate Hillview Pit is an established commercial entity.
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Applicant to provide storm water study that was not completed, to provide traffic study from county and state. D.O.T. to do traffic study. Applicant to provide Gas Containment details. Traffic is still a huge concern regarding the circulation of traffic and the increase in vehicles. If approved, applicant to add fencing at the edge of commercial zoning and landscape islands to be added. The hours of operation would be consistent with those other convenience store locations in the Town of Lisbon and the neighboring store across the street to be set to open no earlier than 5:00 a.m. and to close no later than 10:00 p.m., with the car wash/vacuums and the restaurant to close earlier at 9:00 p.m., gas only to be accessible 24hrs/7days a week. Members of the Plan Commission addressed their concerns with the applicants Plan of Operation and suggested removing the car wash and diesel island from the plan. More information needs to be provided by the applicant regarding the car wash discharge water. Applicant to provide revised Site Plan / Plan of Operation.

Discussion and Action to approve the Site Plan / Plan of Operation for the business; Parking Lot Maintenance. The property is located at the corner of Commerce Center and Betkar Dr. Tax Key # LSBT 0287984.

John Stigler read his comments into record:

A. Site Plan

1. The property is located at the northeast corner of Commerce Centre Drive and Betker Drive.
2. Property is presently Zoned M-2 General Industrial District and is classified as Industrial on the Land Use Plan which is consistent with the Zoning Map.
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4. Allowed principal building height in the M-2 District is 50 feet. The application is for 27.33 feet. Therefore the present building complies with the M-2 Height Regulations.
5. The lot size of 2.6 acres meets or exceeds the M-2 District Size Regulations.
6. The M-2 District Floor Area Ratio allowed is 70 percent. The site as shown has a Floor Area Ratio of 23%.
7. Designation of handicap parking stalls is required.
8. Since the applicants original pre-consultation meeting with myself and the Deputy Clerk and in response to our concerns regarding the building appearance, the applicant has added additional windows, a brick belt, shutters, and an awning over the main door.
9. Strongly recommend that the building be moved 10 feet to the south to avoid any conflict with maintenance of the drainage swale located along the north lot line.
10. Strongly recommend that driveway connection to Betker Drive be restricted to employee and visitor parking and driveway to Commerce Center Drive be restrict to all truck traffic.
11. The following items are missing from the application:
 - A. Detailed Site Grading Plan.
 - B. Details regarding security fence called out on Site Plan.
 - C. Fuel storage location.
 - D. Purpose of large building as well as use of second 3,000 square feet building.
 - E. Detailed Site Plan including landscape berm on South and West property lines.
12. Recommend this item be tabled for submittal of items outlined in item 11 above.

B. Plan of Operation

1. The following items on the Plan of Operation need to be addressed.
 - A. Lines 5A, 5B, 5C, needs a response.
 - B. Line 7, needs a response.
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 - G. Line 26, needs a response.
 - H. Line 27, needs a response.
 - I. Line 36, regarding storage of fuel needs to be shown on Site Plan.



W234 N8676 WOODSIDE RD.
LISBON, WI 53089-1545
TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial
**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*
 Residential – Home-Based Bus. / In-Law Unit

- Accessory Building Waiver: \$100 (Size/Location/Architectural Review)
- After the Fact Application: Double Fees
- Certified Survey Map: \$200 + \$10 Per lot
 - Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM)
- Conditional Use Permit: \$350
 - Amendment / Original
 - Major Grading Permit
- Deed Restriction: \$100
- Developer's Agreement: \$250
- Groundwater Separation Waiver: \$100
- Land Use Amendment: \$300
- Conceptual: \$100
- Plat Review:
 - Final - \$200
 - Preliminary - \$500
- Re-Submittal: \$200
- Rezone: \$350
- Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule)
- Site Plan/Plan of Operation:
 - Amendment: \$250
 - Original: \$500
 - Temporary: \$125
- Special Meeting: \$600
- Waivers/Modification from Land Division and Development Ordinance: \$200

Property Information

W230 N492 BETKER DR _____ PEWaukee, WI _____ 53072 _____
 Property Address _____ City _____ Zip _____
 LSBT0287984 _____ 2.6552 _____ M-2 _____
 Tax Key/Parcel ID # _____ Lot Size _____ Current Zoning _____

Property Owner

TEA BUSINESS P.M. # LLC _____
 Name / Company Name _____
 [Signature] _____
 Signature _____
 W225 N3178 DUBLANVILLE RD _____
 Address _____
 PEWaukee WI 53072 _____
 City State Zip _____
 202-455-0127 REAGHEN@AMPAVING.COM _____
 Phone E-mail Address _____

Applicant

[Signature] _____
 Name _____
 PARKING LOT MAINTENANCE, INC _____
 Company _____
 W225 N3178 DUBLANVILLE RD _____
 Address _____
 PEWaukee WI 53072 _____
 City State Zip _____
 202 455 0127 REAGHEN@AMPAVING.COM _____
 Phone E-Mail Address _____

A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered **complete**, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. *The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.*



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME RYAN LAUGHTON, PARKING LOT MAINTENANCE
 ADDRESS W225 N3178 DORAVILLE ROAD PENNYWIS, WI 53072
 DATE 9/13/19 SIGNATURE [Signature]
 PHONE 262 455 0127 EMAIL RLAUGHTON@PLM PAVING.COM

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME TAD BAGISTRERI, PARKING LOT MAINTENANCE INC
 ADDRESS W225 N3178 DORAVILLE ROAD, PENNYWIS, WI 53072
 DATE 9/13/19 SIGNATURE [Signature]
 PHONE 262 455 0127 EMAIL RLAUGHTON@PLM PAVING.COM

PROJECT NAME PLM # LLC SALT STORAGE ENCLOSURE



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME PARKING LOT MAINTENANCE, INC - TED BRUSSELY
ADDRESS W225 N3178 DUBLINVILLE ROAD, PENANCEE, WI 53072
DATE 9/13/19 SIGNATURE [Signature]
PHONE 262-691-3964 EMAIL PLAUGHYN@PLM PAVING.COM

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME PARKING LOT MAINTENANCE INC - TED BRUSSELY
ADDRESS W225 N3178 DUBLINVILLE ROAD, PENANCEE, WI 53072
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PHONE 262-691-3964 EMAIL PLAUGHYN@PLM PAVING.COM

COMMENTS:

Town Official Accepting Form

Date



W234N8676 WOODSIDE RD. • LISBON, WI 53089-1545 • TEL: (262) 246-6100 • FAX: (262) 820-2023
E-mail: townhall@townoflisbonwi.com • Website: www.townoflisbonwi.com

SITE PLAN AND PLAN OF OPERATION

Please fill out the entire application all questions need a response. If something does not apply please put N/A. Incomplete applications will not be processed or put on the agenda. The completion of this application form must be accompanied by one copy of an up to date and detailed Site Plan drawn to scale and including, but shall not be limited to, all existing buildings, signage, lighting, landscaping, parking, loading, storage, dumpsters, septic and well, etc; an interior layout (plans) of all buildings and the existing and proposed uses of the interior spaces (i.e., office, retail, restaurant, etc); and any other supporting materials. The above shall be submitted to the Town Hall, and upon review of the information, additional items may be required. The plans shall be drawn to scale and shall be no larger than 11" x 17", and shall also be emailed as a PDF. Future revisions to the approved Site Plan/Plan of Operation will require new approvals.

- New business in existing building or on existing site
- New Owner
- Temporary Use
- Change in Operations (summarize below what is changing; days/hours, etc)

Change in Use (summarize below prior and new use below)

NEW STORAGE OF BULK ROCK SALT IN ENCLOSURE VS. OUTSIDE STORAGE ONLY

BUSINESS / PROPERTY OWNER & PROPERTY INFORMATION

Tax Key Number LSBT 028 7984 Acres 2.6552 Zoning M2

Business Name & Contact Person: PARKING LOT MAINTENANCE, INC / RYAN LAUGHLIN

Full Address (include City & Zip): W225 N3178 DUPONTVILLE RD, PEWAUKEE, WI 53072

Phone Number & Email: (262) 455-0127 RLAUGHLIN@PLMPAVING.COM

Signature & Date: [Signature] 9/13/19

Property Owner Name: PLM II LLC - TED BAUSTREER

Full Address (include City & Zip): W230 N492 BETKER DRIVE, PEWAUKEE, WI 53072

Phone Number & Email: 262-691-3964 TED@PLMPAVING.COM

Signature & Date: [Signature] 9/13/19

1. Is this business replacing another business? Yes No

a. If yes, what is the prior business' name: _____

2. Is this an expansion of an existing Town approved/based operation? Yes No

a. If yes, please explain: _____

HOURS OF OPERATION & OPERATING SPECIFICS

3. Describe in detail below the specific type of business operation (Retail, Restaurant, Manufacturing, Office, etc.), including temporary, accessory, and outdoor uses (storage, etc). Provide a separate list of all items sold or produced on the property. If items are produced, please provide a separate explanation of the production process.

OPERATION OF CONSTRUCTION COMPANY INCLUDING SNOW REMOVAL DURING WINTER MONTHS. STORAGE OF EQUIPMENT AND MATERIALS INDOORS AND OUTDOORS AS WELL AS INSIDE/OUTSIDE STORAGE OF EQUIPMENT NECESSARY FOR CONSTRUCTION.

4. Days & Times of Operation:

a. Days & Times: 7 DAYS / WEEK, Varies

5. Employees (if self-employed please count yourself)

a. Full-Time 16
b. Part-Time _____

FOOD / BEVERAGE / LIQUOR

6. Is there any food & beverage / liquor service? Yes No

a. If yes, please explain: _____

MUSIC / ENTERTAINMENT

13. Are any problems such as odor, smoke or noise resulting from this operation? Yes No

a. If yes, describe what types (live, amplified, recorded, jukebox, etc), indoors and/or outdoors, and the days and hours music will be provided? Attach a separate sheet if necessary.

14. Game Machines Yes No

a. Quantity: _____

b. Location: _____

BUILDINGS

15. Building A

a. Dimensions & Levels: 80' x 290', 1
b. Use: OFFICE / INDUSTRIAL

16. Building B

a. Dimensions & Levels: _____

b. Use: _____

17. Building C

a. Dimensions & Levels: _____

b. Use: _____

LIGHTING (Submit Cut-Sheets)

18. Outdoor Lighting

a. Type(s): NO CHANGE TO EXISTING
b. Locations(s): SEE ATTACHED DOCUMENTS /
ATTACHED TO BUILDING & POLES

SIGNAGE (Also submit the Town's Signage Application & appropriate fees)

19. Describe below the type of signage that exists and what signage is proposed on the site (attached, free standing, ground, mobile, projecting, window, electronic message, banners, flags, sandwich boards, etc.) and if the signs are illuminated, single/double faced, along with the number, size, and height of all signs.

EXISTING - 7 ATTACHED TO BUILDING - STREET NUMBERS

CHEMICALS/HAZARDOUS MATERIALS

20. Are there any Chemicals, Hazardous Waste or Solvents stored on the site? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

21. Does this Operation involve the Storage/Sale of gasoline or any other Petroleum Products? Yes No

a. If yes, please list those items and how they are disposed of or attach a separate sheet if necessary.

STORM WATER RETENTION, FLOW OF SURFACE WATER, AND AMOUNT OF IMPERVIOUS SURFACES

22. Are there surface water drainage facilities? Yes No

a. If yes, please explain:

STORM SEWER

REFUSE DISPOSAL

23. Are there dumpsters/waste containers on the site? Yes No

a. If yes, show on the Site Plan submitted the location of dumpsters and any screening.

PERMIT APPROVAL / ISSUANCE DATES

24. Is Highway Access Permit Needed? Yes No

a. Date Issued: _____

25. DNR Well Approval (For New Constructions Only)

a. Date Approved: _____

26. Septic System Approval (For New Constructions Only)

a. Date Approved: _____

27. Fire Department Inspection Yes No

a. Date Inspected: _____

28. Did the Wisconsin Department of Safety & Professional Services approve building plans? Yes No

a. Date Approved: _____

29. Is security fencing necessary? Yes No

HORSE BOARDING

30. Does this Operation involve the Boarding of Horses? Yes No

a. Maximum number of horses boarded: _____

b. Maximum number of horses owned: _____

31. Has a Conservation Plan been prepared by the Land Conservation Committee? Yes No

a. Date Prepared: _____

.....
Town Approval Date(s): _____

County Approval Date(s): _____

Applicant to provide storm water study that was not completed, to provide traffic study from county and state. D.O.T. to do traffic study. Applicant to provide Gas Containment details. Traffic is still a huge concern regarding the circulation of traffic and the increase in vehicles. If approved, applicant to add fencing at the edge of commercial zoning and landscape islands to be added. The hours of operation would be consistent with those other convenience store locations in the Town of Lisbon and the neighboring store across the street to be set to open no earlier than 5:00 a.m. and to close no later than 10:00 p.m., with the car wash/vacuums and the restaurant to close earlier at 9:00 p.m., gas only to be accessible 24hrs/7days a week. Members of the Plan Commission addressed their concerns with the applicants Plan of Operation and suggested removing the car wash and diesel island from the plan. More information needs to be provided by the applicant regarding the car wash discharge water. Applicant to provide revised Site Plan / Plan of Operation.

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STAFF REPORT: SITE PLAN AND PLAN OF OPERATION AMENDMENT

To: Chairperson Osterman
Town Plan Commission Members
Gina Gresch, Town Administrator

From: Daniel J. Lindstrom, AICP, Town Planner
Aaron Prichard, Planning Consultant

Subject: Parking Lot Maintenance SPPOO Amendment – Conceptual Review

Date: October 10, 2019

The above-referenced Site Plan/Plan of Operation (SPPOO) amendment was received by our office for review on behalf of the Town of Lisbon. Certain permitted uses, as well as certain conditional uses, require the submission of a Site Plan and Plan of Operation which provides a detailed description of the proposed use and serves as a basis for consideration prior to approval by the Town Plan Commission. The purpose of such a Site Plan and Plan of Operation review is to document the permit file and determine the adequacy of the data submitted about the permitted uses, accessory uses, and proposed buildings. The review also documents the plan and method of operation to enable a determination of compatibility with the Ordinance and consideration of approval.

Pertinent Review Materials – Summary Overview

Business Name:	Parking Lot Maintenance, Inc.
Property Owner:	Ted Baustreri c/o PLM Paving II LLC
Tax Key:	LSBT0287985001 (incorrectly listed in application)
Zoning:	M-2 General Industrial
New or Existing Business:	Existing
New or Existing Structure:	New, accessory building (temporary)
Replacing an Existing Business:	No
Change of Use or Operation:	No, additional building to support the operation
Full-Time Employees:	Sixteen (16)
Part-Time Employees:	Zero (0)
Operation Summary:	Construction company that performs snow removal during winter months. Indoor and outdoor storage of construction equipment and materials.
Hours of Operation:	Open 7 days (variable times of day)

Pertinent Review Materials – Summary Overview

Outdoor Storage of Materials:	Yes – equipment and materials.
Parking:	16 stalls (all for employees)
Outdoor Lighting:	No change to existing lighting.
Signage:	Existing – attached to building (showing street numbers).
Trash/Recycle Impacts:	No dumpsters/waste containers on the site.
Stormwater Impacts:	Existing storm sewer, no indication of additional facilities proposed.
County Shoreland Zoning Review Required:	No
Odor, Smoke, Noise from Operation:	No
Chemical, Hazardous Waste, Solvents Stored On-Site:	No
Storage/Sale of Gasoline or Petroleum Products:	No, however, this was a question of concern during the original application
Fire Department Inspection Date:	Not filled out by Applicant.
State Approved Building Plans Date:	Not filled out by Applicant.

Conceptual Discussion

At the Planner Appointment meeting, the applicant stated the request to include an additional building on-site that would house salt to be used during the winter months. This would be covered by a temporary structure as provided in the example below:



The Plan Commission granted approval of the SPPOO to construct the original building. The approval was subject to meeting the comments and conditions in the previous engineer review letter (attached to this review). The previously approved site plan shows a 3,000 sq ft accessory building on site that was to be further clarified, corrected, or removed prior to final approval. Town Staff and Planner have reviewed the Town files and the previous engineer's files and have not been able to locate a revised site plan that illustrated the type, height, materials of the additional structure and do not believe that was submitted. Therefore, prior to the addition of a new structure on-site, the applicant shall submit a revised SPPOO.

Upon our review, it was determined the storage of salt in a structure in the examples above, would still be considered outdoor storage. Furthermore, the storage of construction material is considered a Contractor's Yard (see below)

Contractor's Yard. The exterior premises on which construction and maintenance materials (i.e. salt, sand, cement, decorative block, stone, etc.) or landscaping materials (i.e. sand, gravel, stone, timbers, wood chips, mulch, etc.) or construction or maintenance equipment (i.e.

bulldozers, front-end loaders, backhoes, trucks, trailers, etc.) are stored to be utilized for off-site construction, maintenance, or landscaping purposes. Where landscape materials are stored or sold for retail or wholesale markets and accessory to an otherwise permitted use by right, such uses shall not be considered a contractor's yard.

The storage of salt is specifically mentioned in Contractor's Yard, therefore it should be classified as such instead of Outdoor/Outdoor storage as much of the surrounding parcels in the business park are classified. The zoning code states the following:

Outdoor/Outside Storage. *The keeping, in an unroofed and unenclosed area (e.g., not in a building or structure), of any goods, salvageable material, merchandise, vehicles, or similar items. Outside storage in Business and Industrial zoning districts must be screened and/or landscaping to the satisfaction of the Town Plan Commission.*

In the M-2 Zoning District, a contractor's yard requires a conditional use permit with the following conditions:

1. The minimum lot area shall be at least five (5) acres.
2. All buildings used in the conduct of the business shall be located at least one hundred (100) feet from the lot line of an adjoining lot permitting residential use or at least fifty (50) feet from a lot line of an adjoining lot in any other district.
3. No such use shall be allowed on any parcel, unless the parcel fronts directly upon and have access to an arterial or major collector street, as defined in this Ordinance, or within an established industrial park, where the roads can accommodate the heavy equipment.
4. A planting screen at least ten (10) feet high in initial height shall be provided between any abutting property line and the proposed use. The plan commission may increase or decrease the planting screen requirements as may be deemed appropriate.
5. In determining whether or not the proposed conditional use should be approved, the plan commission shall make a determination that the proposed conditional use is compatible with adjacent land uses. If it is determined that the proposed conditional use would in any way be incompatible with the adjacent land uses or represent an adverse effect or nuisance to adjacent land uses, the proposed conditional use shall not be approved.
6. The Site Plan and Plan of Operation submitted for review and approval must include the type and quantity of equipment and vehicles owned or leased by the property owner, the storage of materials, and hours of operation

The site is less than 5 acres, therefore, the site cannot be used as a contractor's yard with the exterior storage. Therefore, the storage is permitted but could be conducted with the approval of an SPPOO amendment to include a more permanent building that matches the existing structure with doors, as provided in the examples below. The Plan Commission should discuss these issues with the applicant to determine the final classification.



Additional Comments:

- The first page of the Plan Commission application lists the site address as “W230 N492 Betker Drive” and the Tax Key as “LSBT0287984.” The Applicant shall correct this information to show the address as “W230 N4928 Betker Drive” and the tax key as “LSBT0287985001.” The tax key provided by the Applicant is showing up in the Waukesha County Land Records system as a retired parcel.
- The Applicant shall provide comments regarding permit approval/issuance for Questions 25-29 prior to the Town considering approval of this application.
- The Applicant shall designate the handicap parking stalls. At least one (1) of the sixteen (16) indicated parking stalls shall be reserved and striped for handicap users. The previous application also stated 30 full-time employees. This application states 16 employees. Staff needs to confirm the number of daily on-site staff.
- The Applicant is proposing an accessory structure in the form of a “hoop house” for equipment and salt storage. The proposed structure is not fully enclosed and is therefore considered temporary. Such a temporary structure would not be appropriate given the approved site plan. The Applicant shall amend their plans to add a closing door and any walls necessary to enclose the structure so that it complies with an approved SPPOO.
- The following items should also be addressed in the application:
 - Amendment to a stormwater management plan
 - Amendment to a grading plan showing existing and finished grades to Town datum.
 - Amendment to a prepared landscape plan.
 - Amendment to lighting plan, including photometric plan, fixture types, wattage, location, and height of lighting structures.
 - Additional colored elevations of proposed buildings, structures, and fencing for the proposed improvements.

Planner Recommendations:

We recommend tabling this application until the Plan Commission has the opportunity to discuss the item with the Applicant and for the Applicant to complete the SPPOO and/or CUP application (if applicable). Once all items are submitted, we will review the completed application and auxiliary materials and provide a list of conditions we believe the Town should account for when considering approval.

ITEM 4C - Attachments



Grading Permit Application

- Minor Grading Permit (Less than 60 cubic yards and/or less than 6000 sq. ft. land disturbance)
 Major Grading Permit (Requires Plan Commission Approval)

Please type or print legibly.

Project Name Paral Residence

PROPERTY INFORMATION

Tax Key Number(s) LSBT0166998023

Property Address or Section & 1/4 Section W278N9312 Sweetbrier Lane, Lisbon, WI, 53089

Current Zoning _____ Proposed Zoning (*if applicable*) _____

Present Use Residential Intended Use Residential

PROPERTY OWNER(s) (Use separate sheet to list multiple owners, such as all owners of limited partnership or land trusts)

Name Joyce Paral

Address W278N9312 Sweetbrier Lane

City Lisbon State WI Zip 53089

Phone 262-538-1230 Fax _____

Email Address joyceparla@wi.rr.com

APPLICANT If the applicant is not the owner of record, the legal owner/owners' signature must be on the application OR a letter of authorization from the owner must accompany the application.

Name Dan Meier, Lynch & Associates Engineering

Address 5482 S Westridge Dr

City New Berlin State WI Zip 53151

Phone 262-402-5040 Fax _____

Email Address dmeier@lynch-engineering.com

CONTACT PERSON FOR PROJECT (Surveyor/Engineer)

Name Dan Meier
Company Lynch & Associates Engineering
Address 5482 S Westridge Dr
City New Berlin State WI Zip 53151
Phone 262-402-5040 Fax _____
Email Address dmeier@lynch-engineering.com

Applicant agrees that any approval issued on representations made in this submittal, and any subsequently issued permits may be revoked without notice if there is a breach of representations or conditions of approval. Applicant/owner by signature understands and accepts responsibility for completion of all required on-site and off-site improvements as shown and approved on final plan (including landscaping) prior to acceptance by the Town of Lisbon.

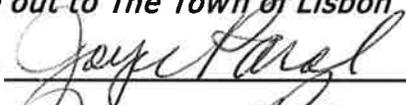
By the execution of this Application, Applicant authorizes the Town of Lisbon or its agents to enter upon the property between 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection. Applicant grants this authorization even if Applicant has posted this property against trespassing pursuant to Section 943.13 Wis. Stats.

Applicant hereby certifies that: (1) All statements and other information submitted as part of this application are true and correct to the best of Applicant's knowledge; and (2) APPLICANT HAS READ AND UNDERSTANDS ALL INFORMATION IN THIS PACKET.

Minor grading permit fee 200.00

Major grading permit fee 300.00 plus any additional engineering/town fees

Checks to be made out to The Town of Lisbon

Applicant Signature:  Date: 9-23-2019
Owner's Signature:  Date: 9-23-2019
Owner's Signature: _____ Date: _____



PROFESSIONAL SERVICE REIMBURSEMENT FEES:

Pursuant to the Town of Lisbon Municipal Code Section 1.14, the Town of Lisbon Town Board has made a determination that whenever the services of the Town Planner, Town Engineer, Town Attorney, or any other of the Town's professional staff results in a charge to the Town for that professional's time and services, and such service is not a service supplied to the Town as a whole, the Town Treasurer shall charge one hundred and five percent of the cost of that service for the fees incurred by the Town to the property owner incurring those fees even if the request is not approved. The additional five percent cost above the cost of the service is levied to cover Town administrative charges. Also, pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are the responsibility of the property owner even if the request is not approved. Imposition of any fees, costs, or charges, however, is subject to the property owner's appeal rights as described in the Town of Lisbon Municipal Code Section 1.14

The undersigned, have been advised that, pursuant to the Town of Lisbon Municipal Code Section 1.14, if the Town Planner, Town Engineer, Town Attorney, or any other Town professional provides services to the Town because of my/our activities, whether at my/our request or at the request of the Town, I/we shall be responsible for the fees incurred by the Town. In addition, I/we have been advised that pursuant to the Town of Lisbon Municipal Code Section 1.14, certain other fees, costs, and charges are my/our responsibility even if my/our request is not approved. By signing this document, I am not waiving my/our appeal rights that are described in the Town of Lisbon Municipal Code Section 1.14.

Statements will be sent monthly so you are kept up to date regarding your current charges.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Joyce Paral
 ADDRESS W278N9312 Sweetbriar Lane
 DATE 09-03-2019 SIGNATURE _____
 PHONE 262-538-1230 EMAIL joyceparal@wi.rr.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Joyce Paral
 ADDRESS W278N9312 Sweetbriar Lane
 DATE 09-03-2019 SIGNATURE _____
 PHONE 262-538-1230 EMAIL joyceparal@wi.rr.com

PROJECT NAME Paral Residence



SITE INSPECTION NOTIFICATION:

The Town of Lisbon Town Plan Commission and Town Board request permission of the property owner or responsible party to enter the subject property, between the hours of 9am to 5pm or upon prior 24 hour notice, for a site inspection prior to any scheduled Plan Commission or Board meeting. The site inspection will allow the Town Plan Commission and Town Board to make more informed decisions with respect to the requested application.

I, the undersigned, have been advised that my signature grants permission to members of the Town Plan Commission and Town Board to conduct site inspections of the subject property. Failure to authorize said site inspection will not be held against the property owner or responsible party in the decision of the requested application; however, the site inspection does allow the Town Plan Commission and Town Board to make more informed decisions.

RESPONSIBLE PARTY, NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Joyce Paral
 ADDRESS W278N9312 Sweetbriar Lane
 DATE 09-03-2019 SIGNATURE _____
 PHONE 262-538-1230 EMAIL joyceparal@wi.rr.com

PROPERTY OWNER NAME, MAILING ADDRESS, SIGNATURE & DATE:

NAME Joyce Paral
 ADDRESS W278N9312 Sweetbriar Lane
 DATE 09-03-2019 SIGNATURE _____
 PHONE 262-538-1230 EMAIL joyceparal@wi.rr.com

COMMENTS:

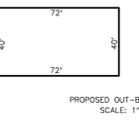
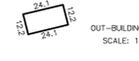
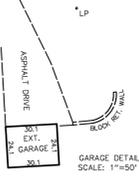
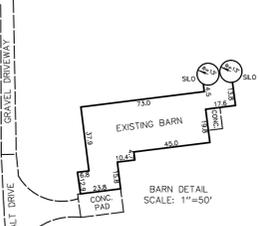
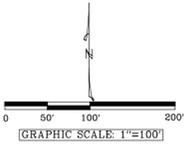
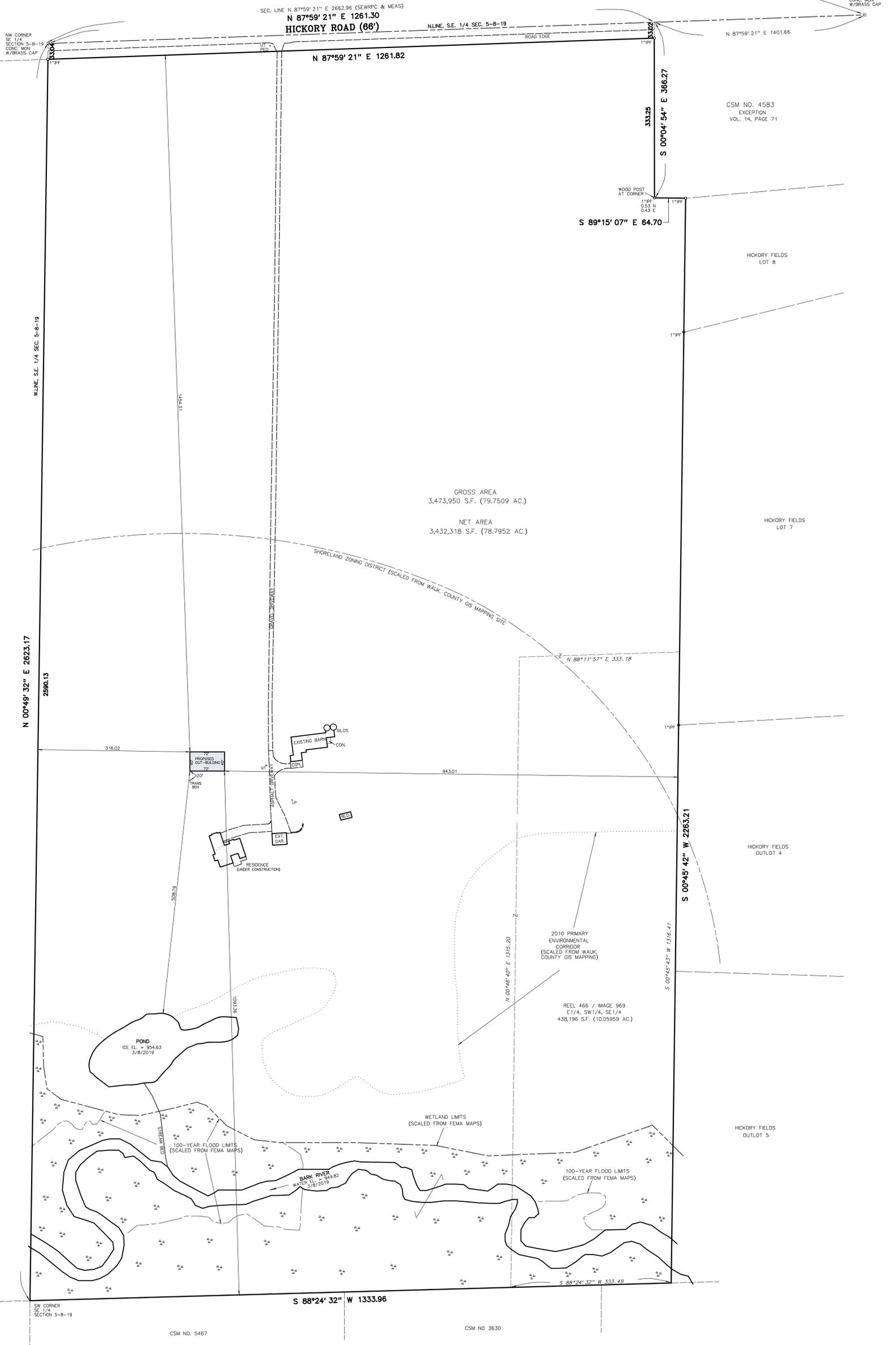
 Town Official Accepting Form

 Date

MARCH 29, 2019
APRIL 16, 2019 REV.
AUGUST 5, 2019 REV. OUT-BUILDING ONLY
AUGUST 20, 2019 REV. OUT-BLDG ONLY

PROPERTY SURVEY

The West 1/2 of the Southeast 1/4 of Section 5, Township 8 North, Range 19 East, excepting and reserving therefrom that piece of land sold and deeded by Warner Blood to Ira D. Goodwin in Volume 14, Page 71 in the Northeast corner thereof, containing 1/4 acre, and excepting and reserving therefrom that piece of land deeded to Verna M. Baudhuin described as follows: The East 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin. Containing 10 acres, more or less.



PREPARED FOR:
ZAC ZIMMERMAN

NOTES

THE LOCATION OF THE REC, 100-YEAR FLOOD, AND WETLANDS HAVE BEEN SCALED FROM MAPS FROM THE WAUKESHA COUNTY GIS MAPPING SITE.

SURVEYED BY
MICHAEL W. BUECHL, INC.
233 OAKTON AVE.
PEWAUKEE, WISCONSIN 53072
PHONE
1-262-691-4444
mbuechl@ameritech.net

I have surveyed the above described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements, roadways and visible encroachments. This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage or guarantee the title thereto, within one year from date hereof, and to them I warrant the accuracy of said survey and map. Obtaining a building permit with this drawing constitutes approval of building location and any proposed elevations.

David M. Buechl
PROFESSIONAL LAND SURVEYOR NO. S-2590
STATE OF WISCONSIN



W234 N8676 WOODSIDE RD.
 LISBON, WI 53089-1545
 TEL: (262) 246-6100

Plan Commission Application

Application Type and Fee (check all that apply)

*Application fees are non-refundable. Fees cover costs associated with public notification, postage, copies, and document recording, however applicants agree to pay all additional expenses that the Town may incur by virtue of contracted plan review services including but not limited to: legal, surveying and engineering costs and studies.

Commercial

**All commercial projects including any change of occupancy, change of use, or construction/alteration must be submitted to the Lisbon Fire Department as well for review and inspections.*

Residential – Home-Based Bus. / In-Law Unit

- Accessory Building Waiver: \$100 (Size/Location/Architectural Review)
- After the Fact Application: Double Fees
- Certified Survey Map: \$200 + \$10 Per lot
 - Dedication Fee (Per lot): \$2,658 (Paid upon receipt of signed CSM)
- Conditional Use Permit: \$350
 - Amendment / Original
 - Major Grading Permit
- Deed Restriction: \$100
- Developer's Agreement: \$250
- Groundwater Separation Waiver: \$100
- Land Use Amendment: \$300
- Conceptual: \$100
- Plat Review:
 - Final - \$200
 - Preliminary - \$500
- Re-Submittal: \$200
- Rezone: \$350
- Sign Permit Application: \$30 + Sign Fees (See Adopted Fee Schedule)
- Site Plan/Plan of Operation:
 - Amendment: \$250
 - Original: \$500
 - Temporary: \$125
- Special Meeting: \$600
- Waivers/Modification from Land Division and Development Ordinance: \$200

Property Information

N91W26399 Hickory Rd Hartland 53029
 Property Address City Zip

79.5 Acres Agricultural/Residential
 Lot Size Current Zoning

Property Owner

Verna Baudhuin Trust
 Name / Company Name

MTZ POA
 Signature

W91W26399 Hickory Rd.
 Address

Hartland WI 53029
 City State Zip

414-322-6769 N/A
 Phone E-mail Address

Applicant

Zac Zimmermann
 Name

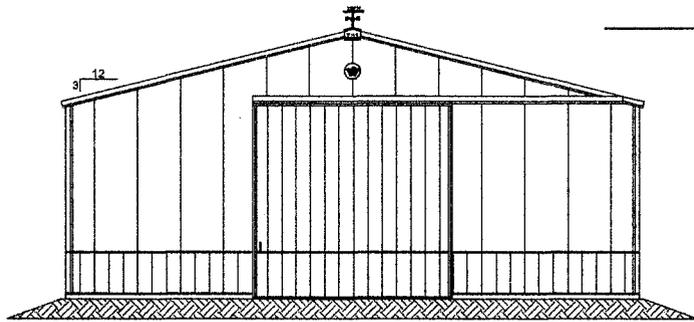
Company

4441 American Way
 Address

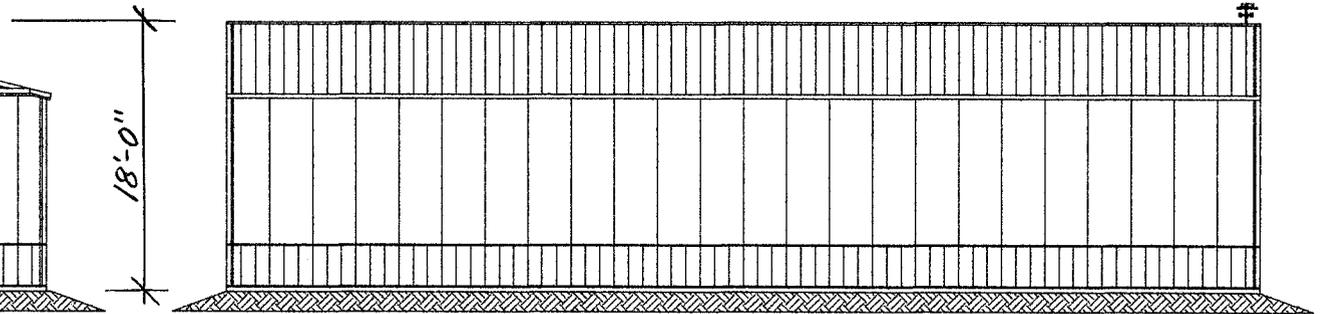
Cottage Grove WI 53527
 City State Zip

608-609-6661 zzimmermann@yahoo.com
 Phone E-Mail Address

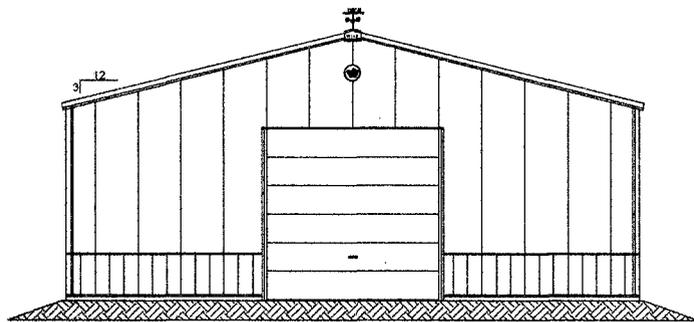
A complete application along with the appropriate fees shall be submitted by the deadline stated on the meeting schedule. In order for an application to be considered complete, the application shall include the required number of site plans/maps, and all of the necessary supporting information as indicated on the Project Review Checklist. If applying for a conditional use or development agreement, a document showing vested interest in the property is required. The Town of Lisbon reserves the right not to accept an application that is deemed incomplete.



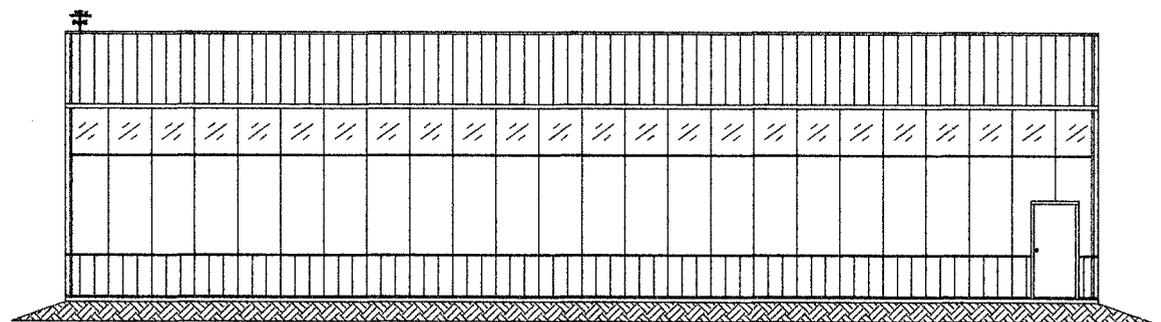
Right Elevation



Top Elevation



Left Elevation



Bottom Elevation

Customer Signature

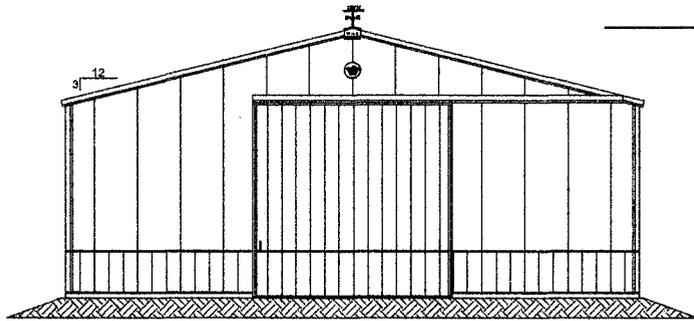


Renew Now Facilities LLC
 Ivan Velazquez
 2204 Harris Highland Dr
 Waukesha, WI 53188

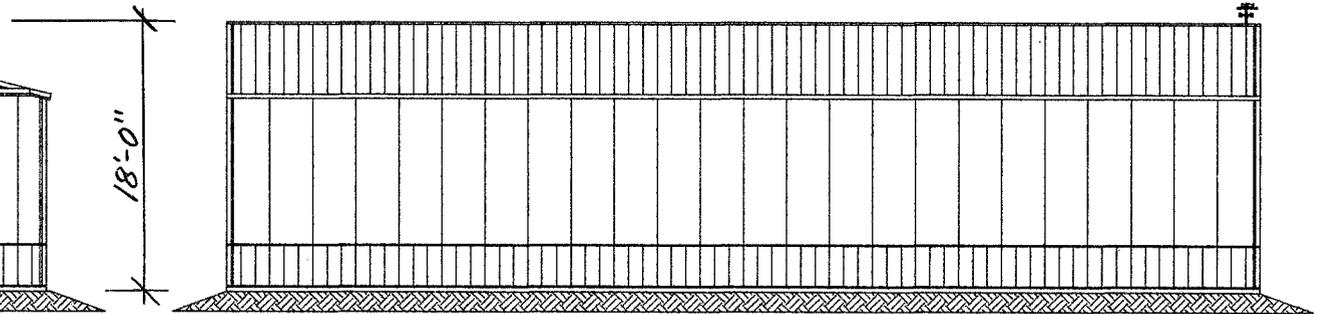
WickBuildings.com
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 Time: 1:10 PM
 DO NOT SCALE

Zimmermann 40x72
 40'-0" x 72'-0" x 12'-4" ICH

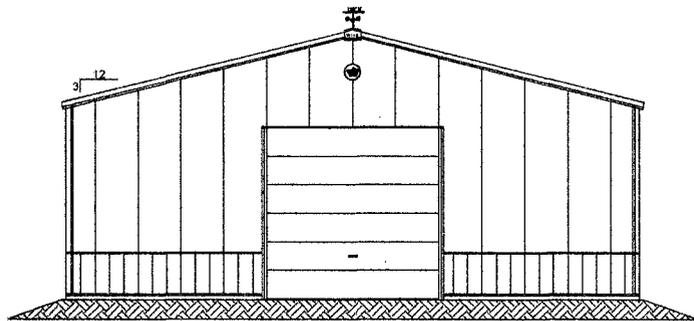
Verna M. Bauhuin Revocable Trust
 N91 W26399 Hickory Road
 Hartland, WI 53029



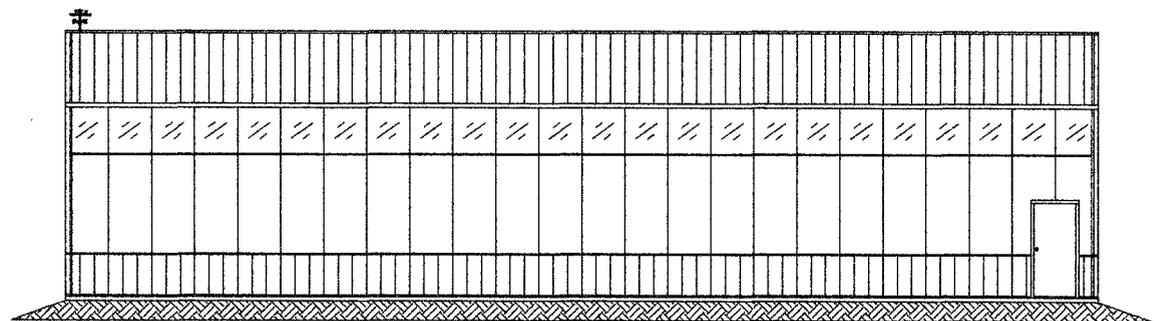
Right Elevation



Top Elevation



Left Elevation



Bottom Elevation

Customer Signature

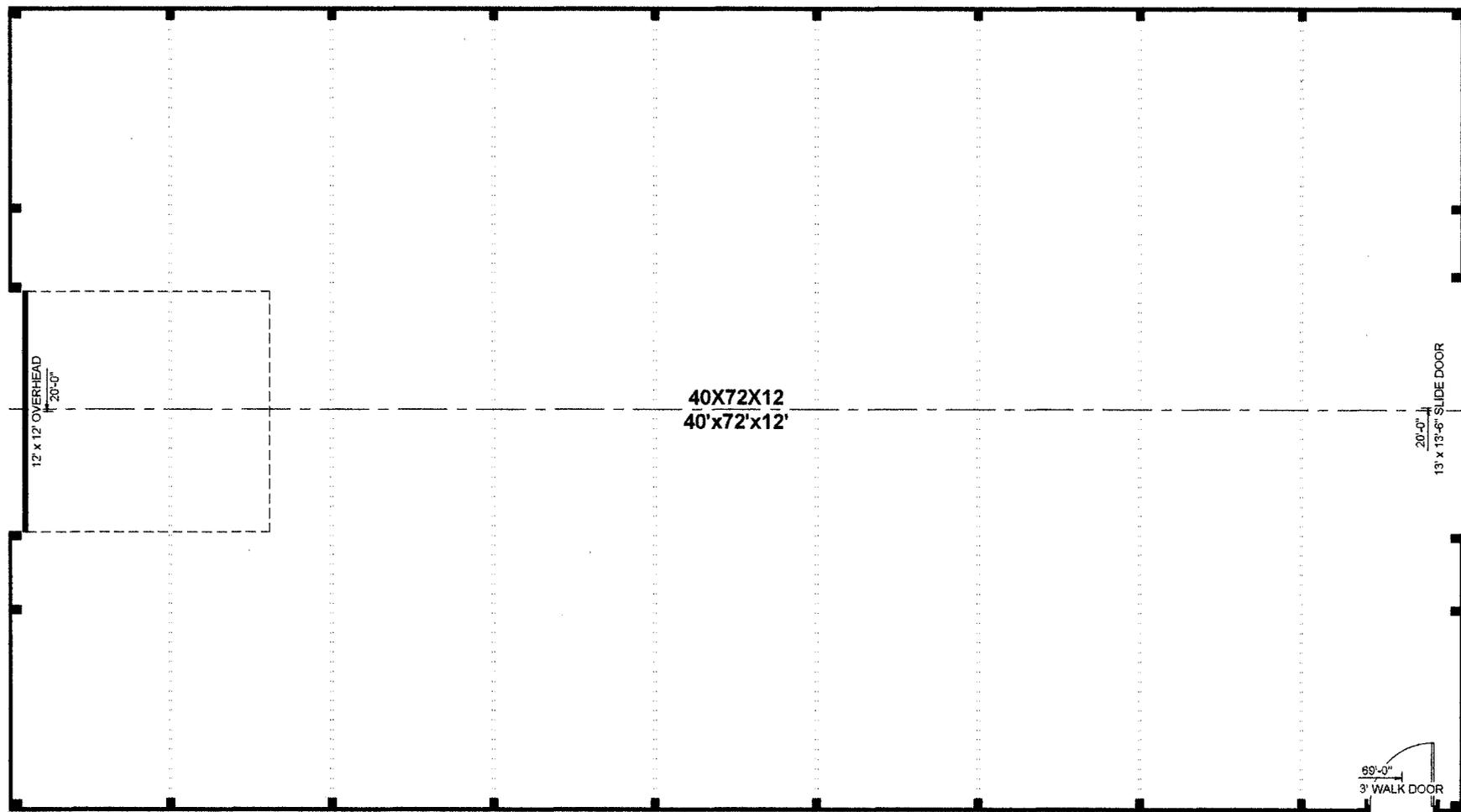


Renew Now Facilities LLC
 Ivan Velazquez
 2204 Harris Highland Dr
 Waukesha, WI 53188

WickBuildings.com
 Date: 8-30-2019
 Time: 1:10 PM
 DO NOT SCALE

Zimmermann 40x72
 40'-0" x 72'-0" x 12'-4" ICH

Verna M. Bauhuin Revocable Trust
 N91 W26399 Hickory Road
 Hartland, WI 53029



9 BAYS @ 8'-0" O.C. = 72'-0"

Bay Spacing - 9 @ 8'-0"

Customer Signature



Renew Now Facilities LLC
 Ivan Velazquez
 2204 Harris Highland Dr
 Waukesha, WI 53188

WickBuildings.com

Date: 8-30-2019

Time: 2:22 PM

DO NOT SCALE

Zimmermann 40x72
 40'-0" x 72'-0" x 12'-4" ICH

Verna M. Bauhuin Revocable Trust
 N91 W26399 Hickory Road
 Hartland, WI 53029



107 PARALLEL STREET
BEAVER DAM, WI 53916

1115 S MAIN STREET
WEST BEND, WI 53095

920-356-9447
FAX 920-356-9454
KUNKELENGINEERING.COM

October 4, 2019

Dan Green, Town Clerk
Town of Lisbon
W234 N8678 Woodside Road
Lisbon, WI 53089

Re: Minor Grading Plan | W278N9312 Sweetbriar Lane

Dear Mr. Green,

On behalf of the Town of Lisbon, Kunkel Engineering Group has undertaken a review of the Application for a Minor Grading Permit at the above referenced location.

Based on the review of the documentation regarding the proposed site grading, retaining wall and patio construction, the permit is conditionally approved based on the following contingencies:

- The applicant should note that there are storm water drainage issues previously identified in this residential area and specifically included in CSM 8717. It appears that all the storm water is being directed to the north and/or west into the storm water easement identified in CSM 8717 and the 1999 grading plan. Drainage patterns indicate this should not affect the residential drainage indicated in CSM 8717.
- The applicant should note that a portion of the site grading is proposed within the storm water easement from the 1999 grading plan. As a result, any drainage issues either on the property or any other property affected by the easement that may arise in the future from this grading are the responsibility of the applicant to remedy to the satisfaction of the Town Board.
- The applicant should obtain all necessary State, County and/or local permits and a copy should be provided to the Town for reference.
- Once the erosion control measures are in place and prior to commencing construction the applicant shall contact Mitchell Leisses with Kunkel Engineering Group, 920-210-6330, for an initial inspection.

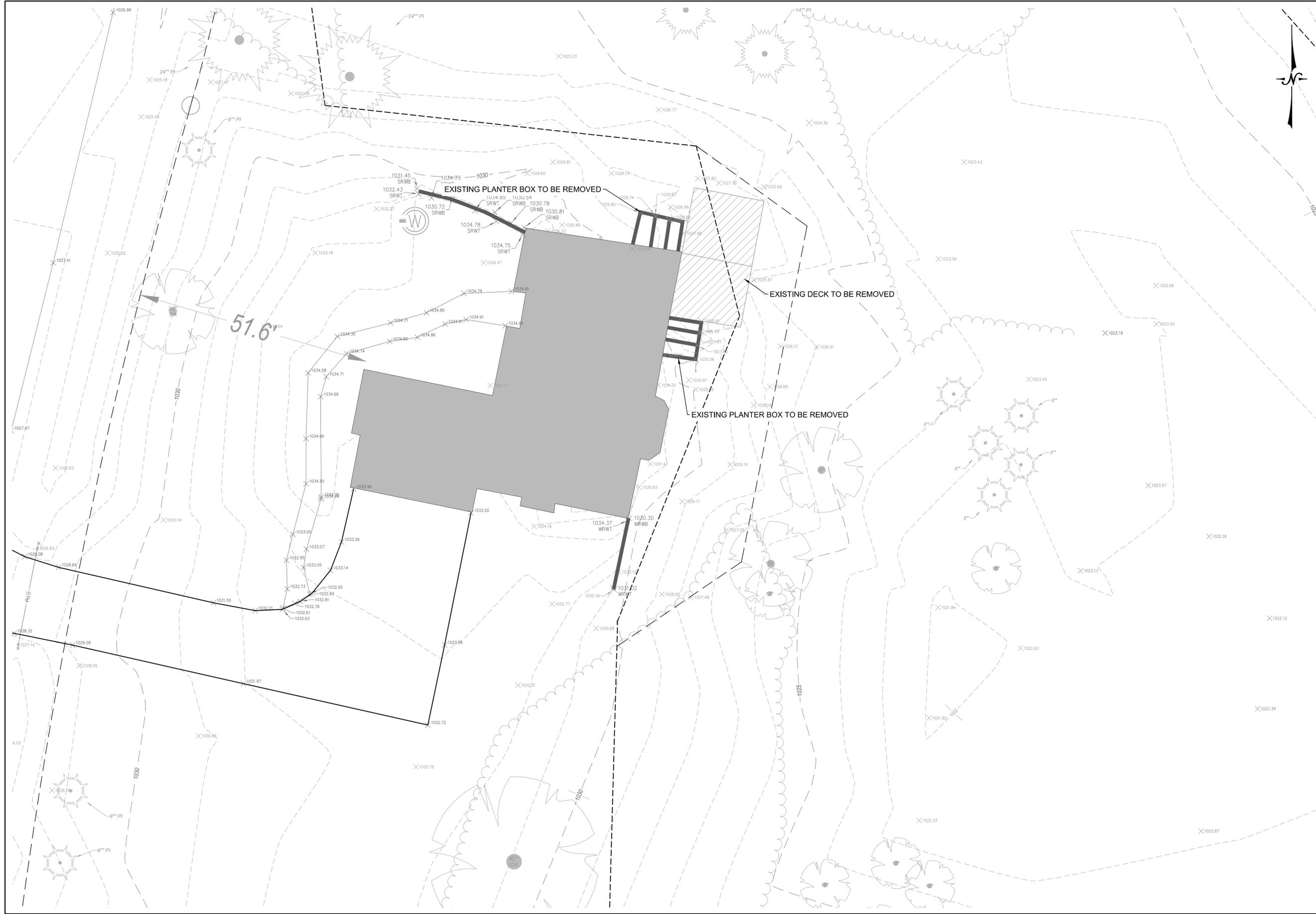
Should you have any questions, please contact me your convenience.

Sincerely,
KUNKEL ENGINEERING GROUP

Jackie Kohn – Born, PE
Design Engineer

Kunkel Engineering Group
a Geo-Logic Company
1115 South Main Street
West Bend, WI 53095
(920)763-8155
jkohn@geo-logic.com

www.kunkelengineering.com | www.geo-logic.com



SITE IMPROVEMENTS FOR
PARAL RESIDENCE
 LISBON, WI

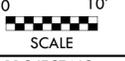
LYNCH & ASSOCIATES
 ENGINEERING CONSULTANTS, LLC

DEMO PLAN

NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

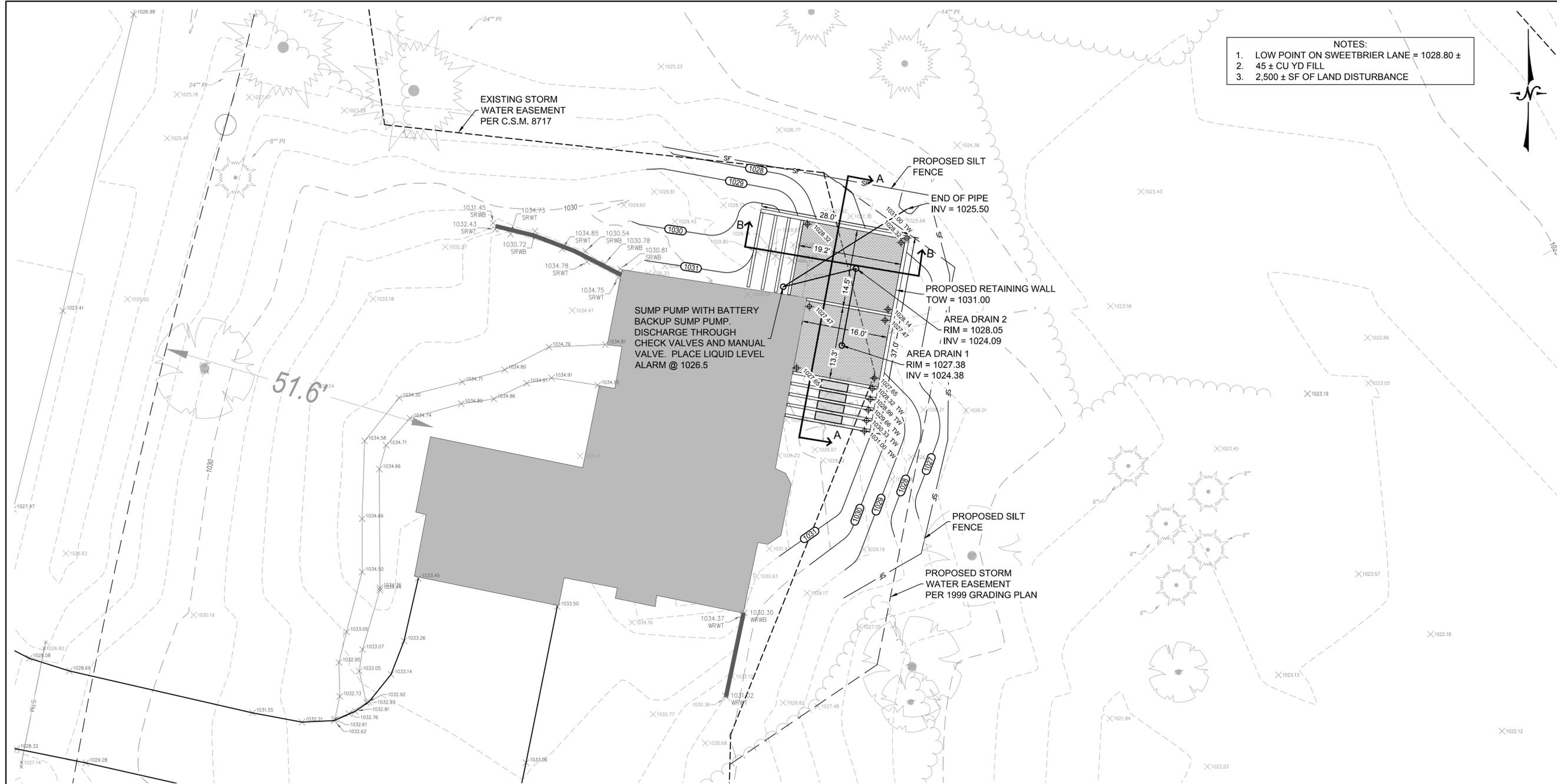
PLAN DATE 08.22.19
 DESIGNED BY DEM



SCALE
 PROJECT NO.
19-0028

SHEET NO.

1 OF 1



**SITE IMPROVEMENTS FOR
PARAL RESIDENCE**

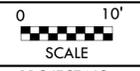
LISBON, WI
LYNCH & ASSOCIATES
ENGINEERING CONSULTANTS, LLC

GRADING PLAN

NO.	REVISIONS	BY	DATE

ISSUED FOR REVIEW

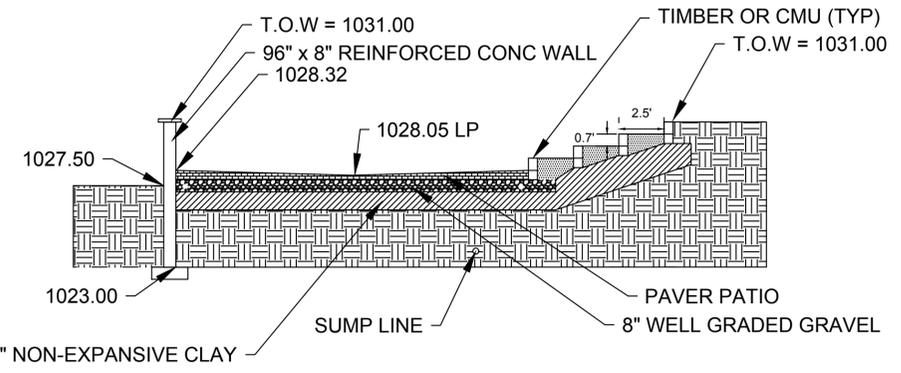
PLAN DATE 08.22.19
DESIGNED BY DEM



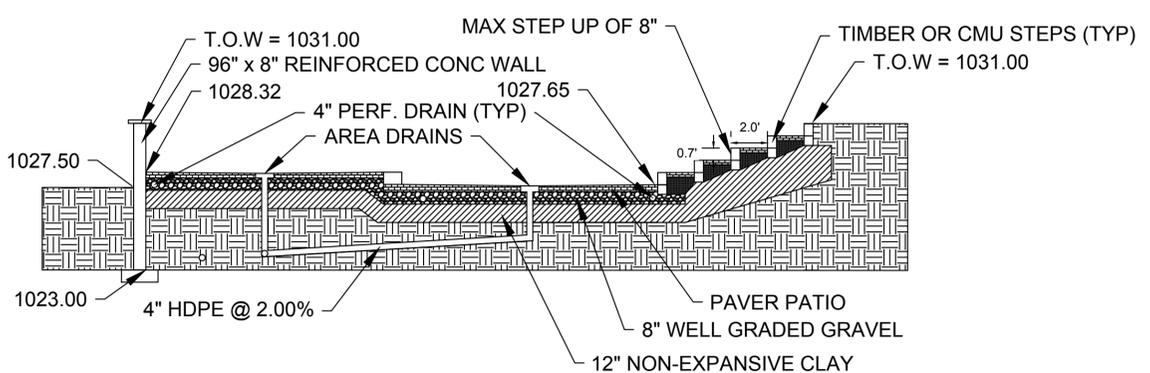
PROJECT NO.
19-0028

SHEET NO.

1 OF 1



**CROSS SECTION B
SCALE = 1" = 5'**



**CROSS SECTION A
SCALE = 1" = 5'**

ITEM 4D - Attachments

STATE OF WISCONSIN

TOWN OF LISBON

WAUKESHA COUNTY

RESOLUTION 12-19**TOWN OF LISBON LAND USE MAP AMENDMENT APPROVAL**

WHEREAS, The Town of Lisbon Plan Commission adopted the Town of Lisbon Land Use Plan for the Town of Lisbon pursuant to the authority granted the Plan Commission under Section 62.23(3), Wisconsin Statutes, on October 7, 2004; and

WHEREAS, on September 12, 2019, the Town of Lisbon Plan Commission and the Town Board held a Joint Public Hearing to receive testimony on the proposed land use map amendment to the Town of Lisbon Land Use Plan regarding LSBT 0273.998, known as the "Brown Property"; and

WHEREAS, the Town of Lisbon Plan Commission on September 12, 2019, considered said land use amendment and a decision thereon reported to the Town Board of Supervisors, which was for approval as presented in Exhibit A. amending the Comprehensive Plan for a portion of the property located at LSBT 0273.998 from Low Density Residential and other Open Lands to be Preserved to Industrial and Low Density Residential.

NOW THEREFORE BE IT RESOLVED BY THE TOWN OF LISBON PLAN COMMISSION that the map amendment is hereby approved for the Town of Lisbon Land Use Map by majority vote of the Plan Commission as described in Wisconsin Statutes 66.1001(4)(b) subject to the approval of the Village of Sussex as this change modifies Exhibit H of the Boundary Stipulation and Intergovernmental Cooperative Agreement dated January 22, 2001.

BE IT FURTHER RESOLVED that Exhibit H of the Lisbon-Sussex Boundary Stipulation, "Projected Land Uses Added Services Areas (ASA) In Town of Lisbon Receiving Village Sewer Service" is to be amended consistent with the proposed land use amendment upon approval of all government authorities involved.

BE IT FURTHER RESOLVED that the detailed land use map amendment exhibit is on file in the office of the Town of Lisbon and is attached Exhibit A.

BE IT FURTHER RESOLVED that the Secretary of the Plan Commission shall file a certified copy of this resolution with the Town Board.

PASSED AND ADOPTED by the Plan Commission of the Town of Lisbon, Waukesha County, Wisconsin this 10th day of October, 2019.

**PLAN COMMISSION, TOWN OF LISBON
WAUKESHA COUNTY, WISCONSIN**

BY: _____
Chairman Joseph Osterman

This resolution was adopted on a motion by Commissioner _____, seconded by Commissioner _____, the affirmative votes of not less than a majority of all the members of the Town Plan Commission being required for approval of the Comprehensive Plan Amendment.

Town Board Endorsement

The Town of Lisbon Land Use Plan was amended, after adoption by the Plan Commission of the above resolution. The resolution was certified to the Town Board by the Secretary of the Plan Commission. The Town Board does hereby endorse the amendment by a motion made by Supervisor _____, seconded by Supervisor _____.

Certification

I, Jane Stadler, Secretary of the Town of Lisbon Plan Commission, hereby certify to the Town Board a copy of this Town of Lisbon Land Use Plan map amendment for the Town of Lisbon approved by the Plan Commission of the Town of Lisbon by resolution on October 10, 2019.

BY: _____
Plan Commission Secretary Jane Stadler



ITEM 4E - Attachments

**CHAPTER 11
TOWN OF LISBON ZONING ORDINANCE**

2.1 acres or more

1200 square feet maximum

- B. An accessory building or structure is considered a *personal storage building* if all of the following are true:
- i. It is located no closer to the base setback line than the rear line of the residence.
 - ii. It may or may not have a connection to an existing driveway, but in any event the new driveway shall be made with the same materials or better as the existing driveway on the property.
 - iii. It is not a farm building as defined in this ordinance.
 - iv. The size of the building is based on the footprint of the building including up to a 36-inch overhang. If the overhang is in excess of 36 inches, then the overhang will be included in the building footprint total.
 - v. Height shall be in accordance with the zoning district in which the building is located.
 - vi. Maximum allowable total building sizes of two buildings based on lot size*:

Less than one acre	800 square feet maximum
1.0 acre to 2.9 acres	1300 square feet maximum
3.0 acres to 5.9 acres	3900 square feet maximum
6.0 acres to 10.9 acres	7800 square feet maximum
11.0 acres or more	14300 sq. ft. maximum
- *When the calculation of lot size in a fraction of 0.5 or greater, the lot size shall be rounded up. When the calculation of lot size in a fraction of 0.4 or less, the lot size shall be rounded down.
- C. An attached garage shall not be included in the accessory building limitations set forth in this subsection.
- D. Temporary structures shall be included within the limitations set forth in this subsection.
- E. In no case shall the building exceed the total floor area ratio requirements of the zoning district in which they are located (this includes all stories the principal buildings/structures (except the basement) and all stories of the accessory and principal buildings and structures, including any exposed basement level), unless the Board of Appeals grants a variance in accordance with Section 34.
- F. Setbacks and offsets for accessory buildings shall be specified by the regulations for that district, except as provided by Section 3 g, or unless the Board of Appeals grants a variance in accordance with Section 34. All setbacks and offsets shall be measured to the overhang.
- G. Number of Accessory Buildings: In no case shall more than two accessory buildings be permitted on any lot, unless excepted in i-iv below.
- i. On parcels of ten (10) acres or more in area, the number of accessory buildings may be greater than the limits set forth in this subsection when the buildings are used solely for the pursuit of agriculture, where the building(s) will house equipment as regulated in Section 3 (j) 3 A,

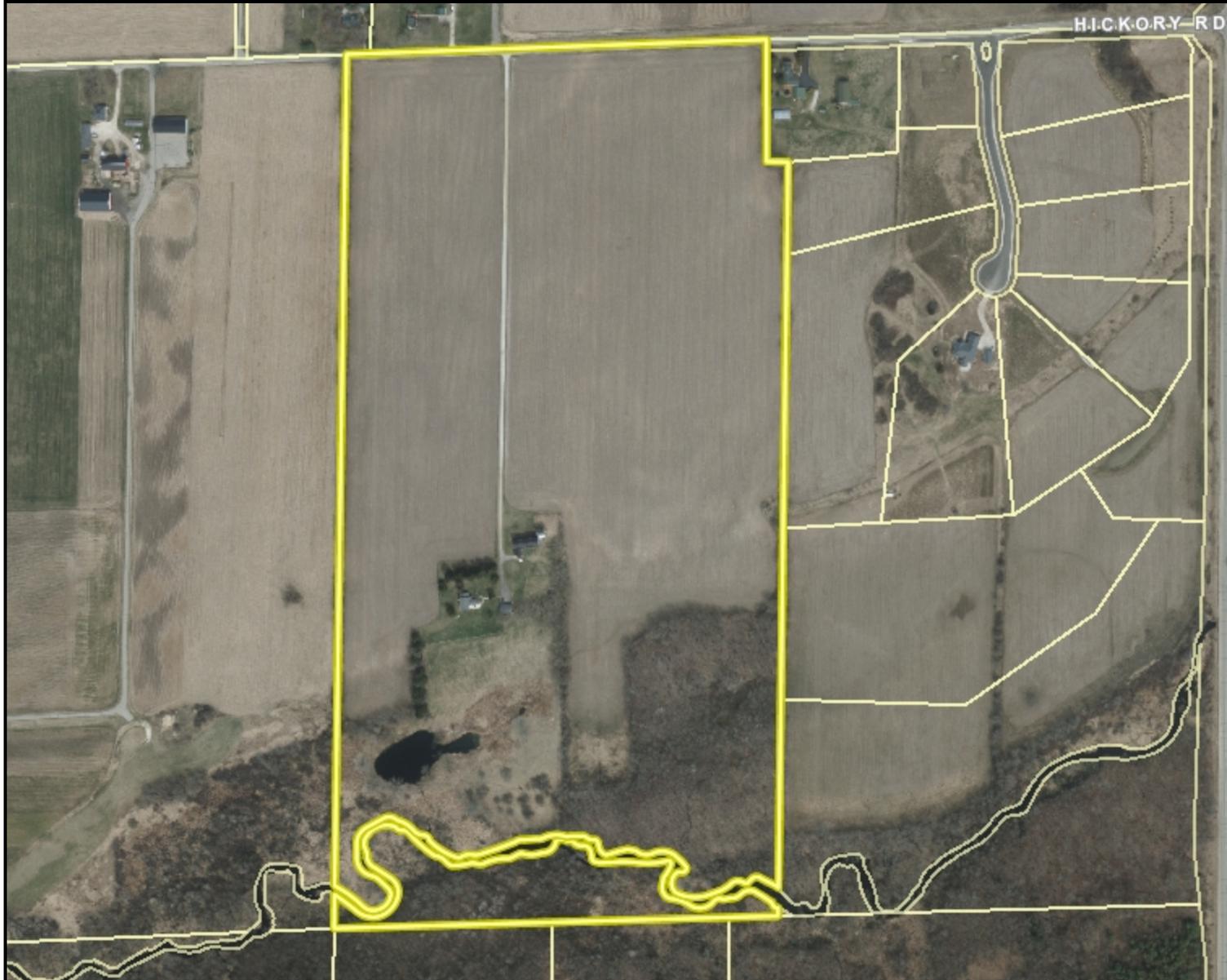
CHAPTER 11
TOWN OF LISBON ZONING ORDINANCE

and/or where the buildings will house livestock or related farm animals and/or poultry, and when consistent with the total floor area ratio requirements of the zoning ordinance.

- ii. In all Business and Industrial Districts, when approved by the Town Plan Commission as part of the Site Plan/ Plan of Operation review, and where said buildings are used solely accessory to the principal use on said lot.
 - iii. On parcels which are the subject of a conditional use permit and as regulated by the conditional use permit.
 - iv. Where more than two (2) such accessory buildings of any size are proposed on any lot, the Town Plan Commission shall review said structures in light of the provisions of Section 3 (c) 3 A and render a finding to allow or disapprove of the proposed structure(s).
- H. Accessory buildings shall not be located closer to the base setback line than the rear of the principal building on the lot unless the Town Building Inspector approves another location based on the facts for the specific request. In the case of a dispute, such questions shall be submitted to the Town Plan Commission for a determination.
- I. Accessory buildings shall be landscaped as determined by the Town Building Inspector. In the case of a dispute, such questions shall be submitted to the Town Plan Commission for a determination. Accessory buildings on farm operations as defined in this ordinance are exempt from this requirement.
- J. For accessory buildings less than 200 square feet:
- i. Said buildings shall be located no closer than ten (10) feet to a lot line, as measured to the overhang.
 - ii. Said buildings shall be located no closer to the base setback line than the rear line of the residence.
 - iii. Said buildings count toward the total number of accessory buildings allowed on a lot.
 - iv. Said buildings shall be regulated the same as any other accessory building, unless otherwise noted in subsection 5 J.
 - v. Only one such building meeting the criteria of this subsection shall be located on any lot.
 - vi. Shall be used to store primarily garden and other yard equipment or pool supplies.
 - vii. Any overhang in excess of one (1) foot shall be counted in the square footage of the building.
 - viii. The maximum height shall not exceed 12 feet from the ground to the highest point of the building.
- K. All accessory buildings, regardless of size, shall be constructed on footings or floating slab foundations as approved by the Town Building Inspector. Pole type constructed buildings may be exempt from this provision if the Building Inspector deems it appropriate. In the case of a dispute, such questions shall be submitted to the Town Plan Commission for a determination.

WAUKESHA COUNTY SHORELAND & FLOODLAND PROTECTION ORDINANCE

- C. A Lot is limited to two (2) Accessory Buildings unless the Plan Commission has rendered a finding to allow more than two (2) Accessory Buildings in light of the provisions of Section 3(d)3.B. More than two (2) Accessory Buildings may also be permitted under the following circumstances:
- i. On parcels of fifteen (15) acres or more in area and when used for Agricultural Use and where the Accessory Buildings will house equipment as regulated in Section 3(k)3.A, and when consistent with the maximum overall Building Footprint requirements of this Ordinance.
 - ii. In all Business, Industrial, Public and Institutional, and Quarrying Districts, when approved by the Plan Commission and Zoning Administrator as part of the plan of operation and site plan review, and where said Buildings are used accessory to the principal use on said lot, and when consistent with the maximum overall Building Footprint requirements of this Ordinance.
 - iii. On parcels which are the subject of a conditional use permit and as regulated by the conditional use permit, and when consistent with the maximum overall Building Footprint requirements of this Ordinance.
- D. All Accessory Buildings shall be constructed in such a way that the exterior appearance is compatible with the design, style, architecture and appearance of the Principal Buildings on the parcel. This determination shall be made by the local building inspector and the Zoning Administrator. In case of a dispute, such questions shall be submitted to the Plan Commission and the Zoning Agency for review and approval in accordance with Section 3(d)3.B. This requirement does not apply to Accessory Buildings on parcels more than thirty-five (35) acres and that are used in an Agricultural or Farm Use.
- E. In no case shall an Accessory Building be used for purposes not allowed in the underlying zoning district or as a use that would require a conditional use permit unless said conditional use permit is obtained.
5. Building Footprint (as defined in this Ordinance):
- A. Minimum Building Footprint: The Zoning Administrator may administratively approve a Building Footprint not to exceed eleven hundred (1,100) square feet when application of Offsets and Setbacks does not otherwise provide an eleven hundred (1,100) square foot Building Footprint. The Zoning Administrator is limited to providing Road Setback and Floodplain and Wetland Setback relief only. The administratively approved Building Footprint shall not extend into the established road right-of-way or within the Floodplain or Wetland.
 - C. Maximum Building Footprint: The maximum Building Footprint shall not exceed the Building Footprint standards specified by the regulations for the District in which such Building is located, unless the provisions of Section 3(j)2.E. are met.



Legend

- Parcels (Click for details)
- Plats (Click for details)
- Retired Parcels (Click for details)
- Retired Plats (Click for details)
- Municipal Boundary_2K
- FacilitySites_2K_Labels
- Lots_2K
 - Lot
 - Outlot
- SimultaneousConveyance
 - Assessor Plat
 - CSM
 - Condominium
 - Subdivision
- Cartoline_2K
 - <all other values>
 - EA-Easement_Line
 - PL-DA
 - PL-Extended_Tie_line
 - PL-Meander_Line
 - PL-Note
 - PL-Tie
 - PL-Tie_Line
- Road Centerlines_2K
- Railroad_2K
- TaxParcel_2K
- Waterbodies_2K_Labels
- Waterlines_2K_Labels

0 467.77 Feet

The information and depictions herein are for informational purposes and Waukesha County specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Waukesha County will not be responsible for any damages which result from third party use of the information and depictions herein, or for use which ignores this warning.

Notes:

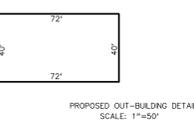
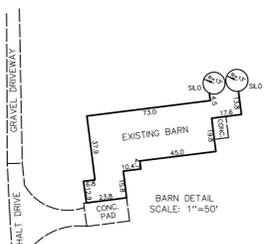
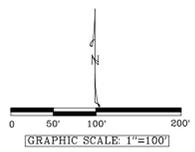
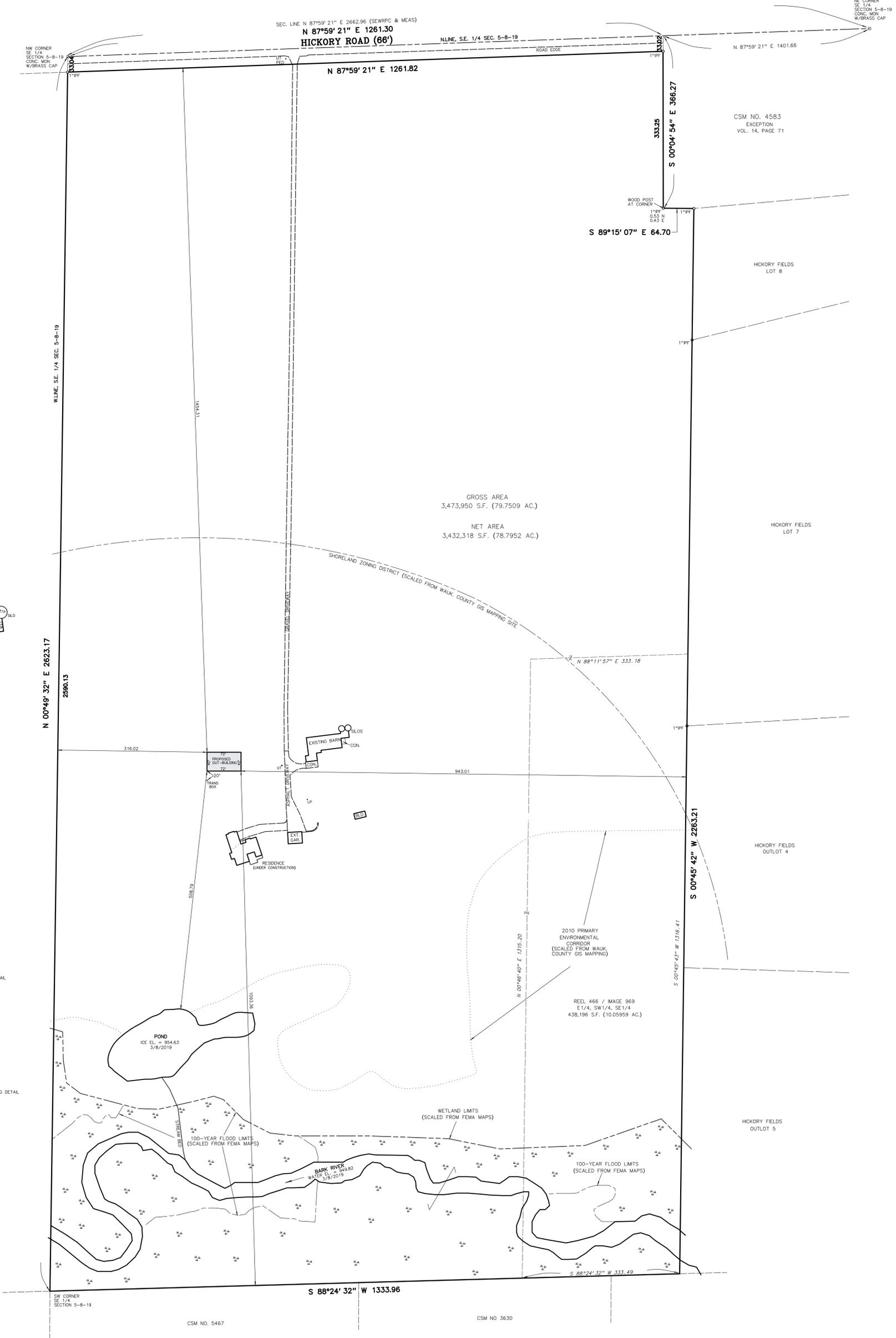
Printed: 10/4/2019



MARCH 29, 2019
APRIL 16, 2019 REV.
AUGUST 5, 2019 REV. OUT-BUILDING ONLY
AUGUST 20, 2019 REV. OUT-BLDG ONLY

PROPERTY SURVEY

The West 1/2 of the Southeast 1/4 of Section 5, Township 8 North, Range 19 East, excepting and reserving therefrom that piece of land sold and deeded by Warner Blood to Ira D. Goodwin in Volume 14, Page 71 in the Northeast corner thereof, containing 1/4 acre, and excepting and reserving therefrom that piece of land deeded to Verna M. Baudhuin described as follows: The East 1/4 of the Southwest 1/4 of the Southeast 1/4 of Section 5, Township 8 North, Range 19 East, Town of Lisbon, Waukesha County, Wisconsin. Containing 10 acres, more or less.



PREPARED FOR:
ZAC ZIMMERMAN

NOTES
THE LOCATION OF THE REC, 100-YEAR FLOOD, AND WETLANDS HAVE BEEN SCALED FROM MAPS FROM THE WAUKESHA COUNTY GIS MAPPING SITE.

SURVEYED BY
MICHAEL W. BUECHL, INC.
233 OAKTON AVE.
PEWAUKEE, WISCONSIN 53072
PHONE
1-262-691-4444
mbuechl@ameritech.net

I have surveyed the above described property, and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements, roadways and visible encroachments. This survey is made for the exclusive use of the present owners of the property; also those who purchase, mortgage or guarantee the title thereto, within one year from date hereof, and to them I warrant the accuracy of said survey and map. Obtaining a building permit with this drawing constitutes approval of building location and any proposed elevations.

David M. Buechl
PROFESSIONAL LAND SURVEYOR NO. S-2590
STATE OF WISCONSIN

GROSS AREA
3,473,950 S.F. (79.7509 AC.)
NET AREA
3,432,318 S.F. (78.7952 AC.)

REEL 466 / IMAGE 969
E714, SW1/4, SE1/4
438,196 S.F. (10.05959 AC.)

CSM NO. 4583
EXCEPTION
VOL. 14, PAGE 71

CSM NO. 5467

CSM NO. 3630