

**VILLAGE OF PEWAUKEE
PLAN COMMISSION MINUTES
Thursday, August 13th, 2015**

1. Call to Order, Pledge of Allegiance, Moment of Silence and Roll Call

President Knutson called the meeting to order at approximately 7:01 p.m. The Pledge of Allegiance and Moment of Silence followed.

Roll call was taken with the following present: Comm. Shane Leveille, Comm. Tom Reilly, Comm. Chris Bernauer, Trustee Joe Zompa, and President Jeff Knutson. Comm. Craig Roberts and Comm. Eric Rogers were excused.

Also Present: Administrator, Scott Gosse; Attorney, Mark Blum; Village Engineer, Tim Barbeau; Village Planner, Mary Censky; Kelley Woldanski, Director Parks, Recreation, and Community Services; and Interim Clerk-Treasurer, Chaz Schumacher.

2. PUBLIC HEARING

- a. On Conditional Use Permit Application for the replacement of an existing garage with a deck on a legal nonconforming parcel located at 115 Maple Avenue. Zoned R-5, Single Family. (Applicant – John Wallace)

There were no public comments.

President Knutson closed the Public Hearing at 7:04 p.m.

3. Citizen Comments

There were no citizen comments

4. Approval of the Minutes of the Regular Meeting of July 9, 2015

Trustee Zompa moved, seconded by Comm. Bernauer to approve the July 9, 2015 minutes as presented. Motion carried 4-0, Comm. Leveille abstained.

5. NEW BUSINESS

- a. Discussion and Possible Action on Sign Code Waiver request for Artisan 179, 179 W. Wisconsin Avenue, to place 3 wall signs on their Lakefront facing elevation where only one is permitted by Code, the main sign being 45 sq. ft. (where 30 sq. ft. is permitted by Code) and the two additional wall signs each being approximately 2.5 sq. ft. in area.

Planner Censky presented this item, stating the applicant is looking for a variance to the sign code. The main sign would include a cabinet design with illuminated lettering with a dimension of 45 total square feet. The two smaller signs would be located in the dark colored band facing the street with dimensions of 2.5 total square feet per sign. The applicant is asking to increase the previously allowed square footage and for an increase in the number of signs allowed. The lighting plan would remove the current goose-neck lighting and rely on the backlit letters of the cabinet sign and ambient lighting for the two smaller signs. The building owner has indicated they are willing to expand the background banding to match the height of the proposed cabinet signage. The question for the Plan Commission is if this request is consistent with the architecture of the building and as it relates to adjacent store fronts. Discussion followed.

Comm. Reilly expressed concern that the Village has spent years working to achieve a commonality

among the storefronts. Trustee Bernauer stated his concern over the increased size of signage and its lack of conformity with the rest of downtown.

Trustee Zompa stated based on Planner Censky's comments; he is not in favor of this request. Discussion followed.

President Knutson stated his concern that the larger sign is overpowering and questioned the reason for having it so large.

Trustee Zompa stated the Plan Commission has received multiple applications for an increase in the number of signs and has always said no. He does not feel there is a compelling reason to grant it this time. Discussion followed.

Comm. Tom Reilly moved, seconded by Trustee Zompa to deny the Sign Code Waiver request for Artisan 179, located at 179 W. Wisconsin Avenue as presented. Motion carried 5-0.

- b. Discussion and Possible Action on Sign Code waiver request for Wheaton Franciscan Medical Group, 1292 Capitol Drive to install 2 wall signs which together total approximately 27.69 sq. ft. in area where the Code would permit just one wall sign up to 40 sq. ft. in area. (Applicant – Wheaton Franciscan Medical Group, zoning B-1 Community Business)*

Planner Censky began the discussion, stating the Plan Commission has the authority to waive and modify the terms of the Sign Code. The applicant is requesting a sign code waiver for signage on a triangular shape of the building façade. The sign would have the logo located above and the business name below. If a single polygon surrounding the signage in its entirety is used, the total area would exceed the maximum allowed square footage. However, if the board chooses to deviate from that method and treats the signage as two separate signs, the total square footage falls within the 40 square foot maximum. Censky noted it would seem suitable to accommodate a minor modification such as this given the unique shape of the building wall and the modest overall signs size.

Trustee Zompa moved, seconded by Comm. Reilly to approve the request for Wheaton Franciscan Medical Group, 1292 Capitol Drive to install 2 wall signs, as presented. Motion carried 5-0.

- c. Discussion and Possible Action on a Conditional Use Grant Application to replace an existing garage with a deck on a legal non-conforming parcel located at 115 Maple Avenue, zoned R-5 Single Family. (Applicant – John Wallace)*

Planner Censky stated the applicants request is to replace the current garage and lean-to with a deck that rests on the current pillars. New cement would be poured below and steps added to access the deck from the existing/remaining stoop. The required setback in R-5 is 25 feet but this deck would be a 10 foot setback which is the current setback of the garage and lean-to. She stated she has no objections to this request.

Trustee Zompa inquired if the area below the deck would be enclosed or open. Planner Censky stated it would be open and might be used for storage of items like a mower or grill for instance.

Trustee Zompa moved, seconded by Comm. Bernauer to approve the application for a conditional use grant to replace the existing garage with a deck on a legal nonconforming parcel located at 115 Maple Avenue, with the following conditions:

- 1. Applicant to secure all necessary building and/or raze permits prior to starting**

construction activity of any sort (including but not necessarily limited to garage removal, excavation, foundation,...) on this project;

2. Recording of the Conditional Use Grant.

Motion carried 5-0.

d. Discussion and Recommendation on Certified Survey Map for 121 Park Avenue, 129 Park Avenue, and 145 Park Avenue, zoned B-2 Downtown Business. (Applicants – John Laimon and the Village of Pewaukee)

Planner Censky started the discussion, stating this approval would reconfigure the lot lines among three existing parcels. 145 Park Avenue, containing the Atheneum will be smaller with several parking spaces accessible by means of access through a public space. It is the intent of the Village and the Seller that there will be public access to the deck attached to the north wall of the Atheneum building. 121 Park Avenue, containing Park Avenue Pizza, becomes also becomes somewhat smaller and will have access available through the-public space. 129 Park Avenue, containing Smokey's, will have a wider frontage on Park Avenue and retains its existing structure(s). Discussion followed.

Comm. Bernauer moved, seconded by Comm. Reilly to approve the recommendation of the Certified Survey Map for 121 Park Avenue, 129 Park Avenue, and 145 Park Avenue to the Village Board for approval, with attachments and the following recommendations:

- 1. Indicate the ordinary high water mark on the CSM**
- 2. Add existing deck location and offsets and intention that it be publically accessible**
- 3. Add a note that indicates that based on soil maps for the area, there is groundwater within 3 feet of the surface, which may limit construction of structures**
- 4. Revise Village Clerk signature block to indicate Chaz Schumacher as the Interim Village Clerk**
- 5. Indicate a revision date on all pages of the CSM**
- 6. Village Engineer review and approval of all documents comprising the CSM as to technical accuracy, adequacy and closure in the legal description(s) prior to signatures and document recording;**
- 7. Village Attorney review and approval of all documents attendant to this CSM for adequacy and form (including any required easements or supporting written agreements) prior to signatures and document recording.**

Motion carried 5-0.

e. Consultation on proposed addition at 1288 Hickory Street, zoned B-5 Light Industrial. (Applicant – Tom Urbanchek)

Planner Censky stated the applicant is looking for feedback regarding two additions to the current structure. The first is a proposed 6400 square foot addition to the northeast corner of the building. This space would mirror existing architecture and exterior. It is being proposed as having a 0 foot setback from the Village right-of-way, where normally a 50 foot setback is required. The second addition would be on the northwest corner of the building and contain mostly office space and a conference room. This addition would replace 2 of the current handicap parking stalls on the property. The property owner is considering parking along Hickory located partially in the right-of-way and partially on their property, if necessary. Based on the current work load, they don't feel the additional parking is necessary. The requested addition would not increase the workforce but increases the types of work that can be done onsite.

Trustee Zompa asked if the additions could be redesigned to avoid the zero foot setback from the right-

of-way. Trustee Zompa proposed doing a 2nd floor addition in order to utilize the same foot print.

The applicant's representative, David Schwartz, stated they have tailored this design to avoid the wetlands. They could do a 2nd story but with most of the workload being moved by forklifts, it would be difficult to accommodate. He stated this could very well be the last addition on this building. Discussion followed.

Village Engineer Barbeau stated his concern of how the addition will be built and if the wetlands would be disturbed and if that has been taken into consideration as they move forward. Dave Schwartz indicated the intent is to trench pour and construct the addition from inside the building. Discussion followed.

Comm. Levielle expressed his concern regarding the setback and inquired if there other properties with the same situation. Planner Censky stated there are other legal non-conforming buildings on Hickory, but approximately 15+/- feet may be the smallest setback she can recall having seen in the field. Levielle asked if it was possible to do a 15 foot setback instead of a zero foot setback.

Dave Schwartz inquired if a 5 foot setback would be acceptable. Discussion followed.

General consensus of the Plan Commission was to design the addition with a minimum 5 foot setback.

f. Discussion and feedback on the possibility of modifying the Code to permit some amount of Chicken keeping on non-agricultural parcels within the Village.

Planner Censky started the discussion, stating the topic of raising chickens has increased over the years as interest has grown. Madison started issuing permits for chickens a number of years ago and it has proved to be a suitable option given the right regulations. Many Lake Country communities have started allowing chickens on Single Family lots, but not on multi-family or commercial lots. The typical amount allowed is 4-6, hens only, with some specifying only non-crowing hens. The creation of rules against slaughtering and maintaining a suitable distance from neighboring homes and lot lines are being used. The Village of Pewaukee has had a few inquiries regarding chickens and the response has been the Village does not allow them at this time. Would like to open this topic up to the Plan Commission to see what its thoughts are on possibly moving forward with this. She stated that chicken keeping premises have to be registered with the State. Discussion followed.

The consensus was to move forward with drafting a proposal to allow chickens as a conditional use on single family residential lots.

g. Discussion and Possible Action on modifying the Code required offsets/setbacks for new Boat House construction.

Planner Censky stated the Village previously adopted an ordinance permitting the construction of new boathouses, as a conditional use, with a 10 foot offset from side lot lines. There is concern of allowing less of an offset as it may cause stormwater drainage problems, encroachment on neighboring lots during construction, potential lack of vegetation between structures, and use of the area as storage. Discussion followed.

President Knutson stated this item is being presented due to a potential home builder of a boat house. He stated he would like to see the approval process happen as a conditional use so the off sets can be managed if they are less than 5 feet.

Trustee Zompa stated his desire to keep the offsets the same. Discussion followed.

General consensus of the Plan Commission was to move forward with drafting a proposal for possible approval at the next meeting.

6. Citizen Comments

There were no citizen comments.

7. Adjournment

Trustee Zompa moved, seconded by Trustee Levielle to adjourn the August 13, 2015 Plan Commission meeting at approximately 8:29 p.m. Motion carried 5-0.

Respectfully submitted,

Chaz Schumacher
Interim Clerk-Treasurer