

**VILLAGE OF PEWAUKEE
PLAN COMMISSION MINUTES**

**January 12, 2012 – 7:00pm
Pewaukee Village Hall
235 Hickory Street, Pewaukee, WI 53072**

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

President Calder called the meeting to order at 7:00pm. The Pledge of Allegiance and Moment of Silence followed. After the Moment of Silence, President Calder informed all present of the recent passing of Plan Commissioner Betty Willert. He praised her many years of service to the Village and noted that the Village Board would be acting on a Resolution in her honor at the January 17th Board meeting. Roll Call: Spakowicz, Goergen, Baumann, Reilly, Rogers and Calder. Also present: Administrator Gosse, Planner Censky, Attorney Blum and Deputy Clerk Boening.

2. Citizen Comments

None

3. **PUBLIC HEARINGS**

- a. On Conditional Use Grant Application for installation of a diesel generator at the AT&T communications site located at 800 Main Street (WCTC campus).
(Applicant – Eric Finger)

There were no comments.

President Calder closed the Public Hearing at 7:05pm.

4. Approval of the Minutes of the Regular Meeting of December 8, 2011.

Spakowicz moved, seconded by Baumann to approve the minutes of the regular meeting of December 8, 2011.

Motion Carried, 6-0.

5. **OLD BUSINESS**

None

6. **NEW BUSINESS**

- a. Review and action on Conditional Use Grant Application for installation of a diesel generator at the AT&T communications site located at 800 Main Street (WCTC campus).
(Applicant – Eric Finger)

Planner Censky summarized the request for a diesel generator to be located on a 4' x 8' slab within an existing AT&T leased area on the WCTC campus. She summarized the recommended approval conditions from her memo. Baumann questioned if WCTC had granted approval for the generator. Mr. Bill De Groot representing AT&T confirmed that the lease agreement with the college allowed for placement of such equipment within the leased area. Discussion followed.

Rogers moved, seconded by Goergen to approve the conditional use grant application subject to:

- Any future adverse impacts upon surrounding properties arising as a result of the generator testing or routine operations (such as but not necessarily limited to noise or odor) shall be the responsibility of the applicant/owner to correct timely upon notice from the Village and failure to do so could result in partial or complete revocation of the conditional use grant;
- Generator color subject to review and approval by Village staff.

Motion Carried, 6-0.

- b. Review and recommendation to Village Board on Ordinance to allow *animal hospitals and kennels* as a conditional use in the B-5 zoning district.

Planner Censky presented the proposed ordinance, which was drafted following the Commission's direction to staff at the previous meeting.

Spakowicz moved, seconded by Baumann to recommend that the Village Board approve the proposed ordinance.

Motion Carried by Roll Call Vote, 6-0.

- c. Review and action on Business Site Plan Application for exterior building modifications at *AutoZone* to be located at 1242 Capitol Drive.
(Applicant – AutoZone, Inc.)

Planner Censky confirmed that the proposed use was permitted within the B-1 district. However, the proposed exterior changes at the former *Hollywood Video* location were subject to Commission approval. Planner Censky summarized the elevation plans and recommended approval subject to conditions as listed in her memo. The applicant noted that a rolling door would not be paintable, but they could change to a double door to match the building. Reilly questioned if additional landscaping was a possibility. The applicant confirmed that they would work with staff on landscaping plans. Discussion followed.

Rogers moved, seconded by Reilly to approve the business site plan application subject to:

- Applicant to submit for Village Staff review and approval, plans to replant the three existing woodchip/planting areas north of the building with hardy perennial groundcover and/or shrubs where such woodchip areas are presently either void of any plants or in disrepair – both existing trees to be retained. Plantings to be completed when weather permits but no later than July 31, 2012;
- Applicant to remove and replace those shrubs along the south building elevation that have either died or developed atypical growth pattern – to be completed when weather permits but no later than July 31, 2012.
- Rolling door to be replaced with double door subject to staff approval of color.

Motion Carried, 6-0.

- d. Review and action on Sign Code Waiver Request to allow a second wall sign at *AutoZone* to be located at 1242 Capitol Drive.
(Applicant – AutoZone, Inc.)

The applicant presented the signage plans for Commission review and questioned if a panel could be placed on the existing western monument sign. Reilly commented that he was not in favor of the panel sign. Deputy Clerk Boening explained that the Village approved the original design and size of the monument sign but panel replacement was not subject to Commission approval.

Reilly moved, seconded by Spakowicz to approve the two 40 square foot wall signs as proposed with the waiver for the second sign being approved due to the way finding benefit of a sign on the east façade and subject to the applicant foregoing the installation of a ground sign as would normally be

**permitted by Code.
Motion Carried, 6-0.**

- e. Review and action (or recommendation to Village Board) on PUD Amendment Request for construction of a storage shed and modification of the approved side yard fence location at *Wooden Hanger* located at 169 Main Street.
(Applicant – Rick Guindon)

Planner Censky reminded the Commission that the property contained two separate retail businesses and had been approved as a PUD. She explained that a storage shed had been installed near the north property line, and the Commission was being asked to approve the structure after-the-fact. Planner Censky noted that the PUD overlay allowed the Commission flexibility regarding offset, open space and other Code requirements. The Commission would need to make a decision as to whether the proposed amendment was substantial enough to warrant a public hearing and Village Board approval. The applicant was also seeking modified approval of the previously approved side yard fence location due to the location of existing trees. Applicant Rick Guindon added that there were also utilities in place in the area where the fence was originally proposed to be located. President Calder stated that he was not pleased that the shed was built without a permit or approval. Attorney Blum clarified that the permit situation was an independent issue from the Commission’s process. Baumann commented that she viewed the shed as a significant change and echoed President Calder’s feelings regarding the after-the-fact request. Discussion followed.

**Baumann moved, seconded by Goergen to issue a finding that the request constitutes a substantial PUD amendment and to require the Village Board to hold a public hearing on the request.
Motion Carried by Roll Call Vote, 6-0.**

After the motion, Attorney Blum explained that the Commission could decide at tonight’s meeting whether or not to forward an approval/denial recommendation to the Village Board. Discussion followed. There was consensus among Commissioners in favor of waiting until after the Village Board public hearing to take further action regarding a recommendation.

- f. Review and action on Business Site Plan Application for a 112 sq. ft. TLE cage and a 454 sq. ft. rack house enclosure at *Walmart* located at 411 Pewaukee Road.
(Applicant – Cyntergy AEC)

Planner Censky summarized the request for two small brick enclosures to be constructed at Walmart. One of the additions would be utilized by the auto service department and the other enclosure would house additional condensing units for product refrigeration. Planner Censky noted that she had found some site specific issues that resulted in recommended approval conditions. President Calder commented that such issues had become more noticeable due to increased traffic along the site leading to the Costco property. Baumann indicated that she was comfortable with the proposed additions, but she concurred with Planner Censky’s recommended approval conditions. Discussion followed regarding outside storage concerns and landscaping requirements. Administrator Gosse confirmed that he had provided the architect with a copy of the approved landscaping plan showing the approved plantings that were missing or in need of replacement. Reilly praised Walmart for their past compliance following Village notification of issues.

Rogers moved, seconded by Reilly to approve the business site plan application subject to:

- All existing enclosures and related appurtenance’ along the north side of the building to be refurbished and repainted as necessary where they have weathered and/or broken (doors in particular) since the original installation – colors and materials to match existing;
- All other unapproved, unenclosed, outdoor storage/parking of materials, equipment and supplies – including but not necessarily limited to (ref photos provided) plastic racking and bins, palletized trash, forklift, “Long” box storage containers and semi-trailer(s), being

- removed from the site prior to issuance of building permit for the new enclosures;
- Applicant to complete the landscaping of this site as originally approved (particular emphasis on elements missing in the north yard area) no later than June 30, 2012.

Motion Carried, 6-0.

7. Citizen Comments

Paul Evert – 327 Lookout Drive – Complimented the Planner and Commission on the approved design of the Menards addition.

Rick Guindon – owner of 169-175 Main Street – Apologized for not appearing before the Commission prior to construction of the storage shed, but it was his understanding that the structure would not require a permit. Mr. Guindon noted that he was not approached or cautioned while constructing the shed. He explained that the garage had become full due to merchandise storage and the shed would alleviate storage concerns. Mr. Guindon concluded his comments by commenting that he felt that the Commission was using the situation to “punish” the business.

8. Adjournment

**Baumann moved, seconded by Spakowicz to adjourn the meeting at 7:57pm.
Motion Carried, 6-0.**

Respectfully Submitted,
Paul Boening – Deputy Clerk