

OTTAWA PLAN COMMISSION
September 8, 2014

Public Hearing

Chairman Arrowood called the public hearing to order. Town Planner Sandy Scherer read the legal notice into the record as follows: A joint Public Hearing will be held by the Town of Ottawa Plan Commission and a Staff Representative of the Waukesha County Department of Parks and Land Use – Planning and Zoning Division to consider the Conditional use request of RC Laue, dba Laue’s Landscape and Design Solutions on property owned by Lee Bleecker, located at 1655 STH 67, Dousman, WI, to amend the previous Conditional Use Permit which allows the sale of landscape materials and the storage of vehicles and equipment related to the landscape business on a portion of the Bleecker property. The revisions proposed include, but are not limited to, increasing the size of the lease area and size of the area for each use within the lease area, verifying the sizes of the existing job trailer and greenhouse, adding a new greenhouse and additional landscaping signage, type and number of vehicles stored on site, number of employees, display area, and additional storage bins.

Chairman Arrowood opened up the public hearing to the floor. There was no response.

Sandy Mueller who was present with RC Laue, explained to the Plan Commissioners that their operation is bigger than it should be now, so they are asking for after-the-fact approval. They are also asking to expand in the future. They would like a bigger greenhouse, and they would like to hire more employees (up to 12 part-time/seasonal) in the future. Planner Scherer asked Sandy to describe the display area, stone fire pit, stone kitchen and water feature shown in Exhibit A-3.

The material that was on site is still there; such as landscape material, bins, etc. Planner Scherer said that some minor adjustments to vehicles and equipment will be made. There will be no additional lighting or portable signs. When asked, RC Laue said that there is room for pallet storage.

The following is a copy of the Planner’s Report:

TOWN OF OTTAWA
PLANNER REPORT
CONDITIONAL USE AND SITE PLAN/PLAN OF OPERATION

DATE: September 8, 2014

FILE NO(S): SCU-256I and PO-14-OTWT-2

□

OWNER:

Lee Bleecker
W359 S1655 STH 67
Dousman, WI 53118

APPLICANT/OPERATOR:

Robert Laue
W363 S2767 Mill Pond Road
Dousman, WI 53118

NAME OF OPERATION:

Laue's Landscapes and Design Solutions
1614 STH 67
Dousman, WI 53118

TAX KEY NO.:

OTWT 1590.997

LOCATION:

The property in question is part of the NW ¼ of Section 2, T6N, R17E, Town of Ottawa. More specifically, the property is located at W359 S1614 STH 67, Dousman, WI, 53118, containing approximately 50 acres. However, the subject premises contains approximately 0.5 acre.

ZONING CLASSIFICATION(S):

Q-1 Quarrying and C-1 Conservancy

EXISTING LAND USE(S):

Mining of sand under the water body, and approval for a Contractor's Yard Conditional Use (CU) on a property where quarrying is a permitted use, while limiting the sale of landscape materials and the storage of vehicles and equipment related to the landscape material operation on a portion of the subject property. The current permitted uses are: sale of mulch, decorative stone, washed stone, cobblestone, bricks, blocks, fieldstone, stacked limestone on pallets, pavers, top soil, compost, sand, traffic bond, straw, wire metal topiary framework containers not containing plant material, annuals and perennials; seasonal sale of Christmas Trees only (Thanksgiving until December 31st); a 15' x 30' greenhouse, an 8' x 26' job trailer with a post light and revised signage location on the trailer; display area by job trailer; landscaping; and six employees (one full time and five part time).

REQUESTED LAND USE(S):

Amendments to the existing Conditional Use (SCU-256H) and Site Plan/Plan of Operation (PO-09-OTWT-1) for a Contractor's Yard on a property where quarrying is a permitted use, to include, but is not limited to, the following changes per Exhibits A, A1, and A3 attached: possible relocation of job trailer and existing greenhouse/amend sizes, new greenhouse (max 15' x 40'), expand display areas/hardscaping, increase the size of the lease area, increase the number of storage bins (not to exceed 30, bin area to increase by 45' x 90'), add landscaping, amend existing vehicle list, increase number of employees, possible signage changes, and amend vehicle and equipment parking/storage/maneuvering areas.

COMPLIANCE WITH THE COMPREHENSIVE DEVELOPMENT PLANS (CDP) FOR WAUKESHA COUNTY AND THE TOWN OF OTTAWA:

The County's Plan designates the property as Extractive, Primary Environmental Corridor, and Recreational (Glacial Drumlin Trail). The Town's Plan designates the property as Extractive, Upland Environmental Corridor 5 Acre Density, and Lowland Environmental Corridor/Conservancy. The proposal conforms to both plans.

PUBLIC HEARING DATE: September 8, 2014

PLANNER ANALYSIS:

HISTORY OF THE LANDSCAPE OPERATION USE ON THE SUBJECT PROPERTY:

2007 – Initial CU/Site Plan/Plan of Operation (SPPO) was approved for the use, but conditions were not complied with and therefore a permit was never issued.

2009 – Amendments were requested and approved. Permits were issued.

2012-2013 – Complaints were received and pursued. After the operator appeared before the Plan Commission, an inspection of the property was conducted which revealed the trees and bushes, and the Mud Tech signage, vehicles and equipment had been removed from the site. There was no evidence of any snowplow vehicles, equipment, or materials in the CU area. No grass seed, fertilizer or salt was observed at the time of the inspection; however, there was quite a bit of firewood strewn about the site. The inspection also revealed two dumpsters and some type of storage container that had not been previously permitted to be stored on the site. The violation was pursued until the site achieved compliance.

Early 2014 – The operator proposed some minor changes to the Site Plan (modifying the greenhouse, job trailer, hardscaping, and display areas), but it was determined that the existing operation was not in compliance with the approved Site Plan (mainly the size of the leased area had expanded and the number of bins and overall bin area had increased). Therefore, the operator has submitted this CU/SPPO request to not only bring the property into compliance with the pre-existing approval(s), but also to request amendments to the CU and SPPO.

CURRENT REQUEST:

The operator, RC Laue, is proposing to expand his existing business (refer to the existing land uses section above), known as Laue's Landscapes and Design Solutions, which he operates from a portion of the property owned by Lee Bleecker commonly known as the Sand Pit (refer to the requested land uses section above). The property has frontage on and access to STH 67. The Glacial Drumlin Trail also runs parallel to STH 67 along the front of the property. A sand mining operation is permitted to operate on the site and the property also contains PEC, a man-made lake, and wetlands.

In the past, the County EHD could not determine what method of private sewage disposal exists on the site, but did not object to the employees or the customers using the restroom facilities at the gas station across the street in the Village of Dousman. Since a greenhouse and pergola are proposed to be added necessitating a zoning permit, PSE approval may be required from the EHD. The operator previously indicated he has a dumpster across the street that can be used for this operation.

The area approved in 2009 for the Contractor's Yard is depicted on the Aerial Site Plan (Exhibit A). There are concrete block storage bins for the storage of landscape materials. The types of materials approved and offered for sale are described under the existing land uses section above. The public can view the materials for sale, buy the materials on site and haul the material off site themselves, or the materials can be delivered by employees to off site locations. There is also a maneuvering area for vehicles to place materials in the bins and remove material from the bins. Finally, the operational area contains a parking and storage area for the vehicles and equipment associated with the landscape operation. The types and numbers of vehicles and equipment are listed in the Plan of Operation on file as Exhibit C in the 2007 and 2009 CU files (CU-256G and H). The office for the business is located in a job trailer stored on the site.

The applicant is increasing the number of employees from one full time and five part time to a maximum request of 12 employees, but generally will only have 10 employees (one full time, five part time, and four seasonal with the off-site snow plow portion of the business). The retail sales will continue seven days a week between the hours of 7:00 am and 9:00 pm. The other amendments to the CU/SPPO are as described in the requested land uses section above and in Exhibit C (2014 version) which is attached.

PLANNER RECOMMENDATION:

The Town Planner is not providing a recommendation at this time. The Town Planner would like to take the information from the public hearing and Plan Commission discussion on the matter and develop a Recommendation for the next scheduled Plan Commission meeting. At this time that appears like it will be October 6, 2014.

In the event it will take longer than the 30 days allowed for the Town to reach a decision regarding this matter, the Town is requesting the applicant sign the extension form to allow for

the additional time until the next meeting. The other alternative is for the Town to deny the request.

Respectfully submitted,

Sandra L. Scherer

Chairman Arrowood asked for comments from the public, but there were none.

Planner Scherer said that she wanted to have the public hearing before she made any recommendations. She said that the Town has 30 days to act on the request.

Planner Scherer asked RC Laue what they meant by future expansion. How far out in the future? He replied that it depends on how the world goes. Maybe a couple of years.

Commissioner Hausser made a motion to continue the public hearing on October 6, 2014, at 6:30 P.M. The motion was seconded by Commissioner Hanson and carried.

Plan Commission Meeting

Chairman Arrowood called the meeting of the Ottawa Plan Commission to order. Roll call attendance was taken. Plan Commissioners Hausser, Hanson, Franklin and Weber were present. Plan Commissioners Mundschau and Kershek were absent.

Chairman Arrowood jumped to item number 6 on the agenda, regarding the request to amend an existing Conditional Use and Site Plan/Plan of Operation for Laue's Landscape and Design Solutions, on Lee Bleecker property located at 1655 State Road 67, Dousman, WI. Planner Scherer reviewed her Planner Report with the Plan Commission. It contained a brief history of the property in question and an explanation of the current request being made.

The Planner did not provide a recommendation. She would like to take the information from the public hearing and Plan Commission discussion on the matter and develop a recommendation for the next scheduled Plan Commission meeting on October 6, 2014.

Commissioner Hausser made a motion to table this item to October 6, 2014, at 6:30 P.M. The motion was seconded by Commissioner Hausser and carried.

Bill and Jane Goes were present to request a hobby kennel permit. They reside at S31W34788 Holland Lane, Oconomowoc, WI. They have two standard poodles, and are taking care of their daughter's standard poodle for the foreseeable future. The dogs are litter mates. The dogs are seven years old. All three dogs live in the house. The dogs are leashed on walks, and Mr. Goes said that they were thinking about fencing for their yard. They own a three acre parcel. All of the dogs are current on vaccinations. Cindi and Mike Purnell were present, and are neighbors of the Goes. They do not have any problem with them housing three dogs.

Commissioner Hanson made a motion to issue a hobby kennel permit to Bill and Jane Goes, limiting the number of dogs to three. Commissioner Weber seconded the motion and it carried.

Carol Chase, S23W35529 Parry Road, Oconomowoc, WI, was the next item on the agenda for a four month review of her Hobby Kennel Permit. She was not able to attend the meeting.

Commissioner Weber made a motion to table this item to the next meeting of the Ottawa Plan Commission, scheduled for October 6th. The motion was seconded by Commissioner Hausser and carried.

The next item on the agenda was Maggie and Dave Eichstaedt, S23W35305 Parry Rd., Dousman, WI, with a request for more than two accessory buildings. Maggie Eichstaedt was present and said that they want to construct another accessory building. They would like to remove a shed and build a new garage. Planner Scherer made no recommendations.

Commissioner Hanson made a motion to approve the construction of a new garage on the Eichstaedt property, with the condition that the existing shed be removed. The motion was seconded by Commissioner Franklin and carried.

Representatives from Automatic Transmission Company (ATC) and Payne and Dolan were present for the next agenda item. According to the Town Planner's report and recommendation, ATC is proposing to lease approximately 60,000 square feet of outdoor storage space for a period of approximately 18 months for the purposes of material storage (laydown yard), vehicle parking, a port-a toilet, and a job trailer. The materials would include items such as poles, wire spools, insulators, and a connex box which locks up smaller items. There would also be approximately 30 vehicles parked/stored on the site, which would include pick-ups, loaders, telehandlers, skid steers, dump trucks, bulldozers, an excavator, and backhoe.

ATC is proposing to rebuild a series of transmission lines – eight different lines that cover approximately 50 miles in Southeastern Wisconsin. ATC is proposing to lease property from Payne and Dolan in order to facilitate this rebuilding process.

Planner Scherer's read through her Report and Recommendation/Site Plan and Plan of Operation as follows:

TOWN OF OTTAWA PLAN COMMISSION
PLANNER REPORT AND RECOMMENDATION
SITE PLAN AND PLAN OF OPERATION

<u>DATE:</u>	September 8, 2014
<u>FILE NO.:</u>	PO-14-OTWT-3 □
<u>APPLICANT/OPERATOR:</u>	American Transmission Company (ATC) 5303 Fen Oak Drive Madison, WI 53718
<u>OWNER:</u>	Payne and Dolan N3 W23650 Badinger Road PO BOX 781 Waukesha, WI 53187
<u>TAX KEY NO.:</u>	OTWT 1585.999

LOCATION:

Part of the NE ¼ of Section 1, T6N, R17E, Town of Ottawa. More specifically, the property is located at W340 S1523 CTH C, Oconomowoc, WI, 53066.

LOT SIZE: 296.7 acres

ZONING CLASSIFICATION: Q-1 Quarrying District

EXISTING USE(S): Sand and gravel quarry

REQUESTED USE(S):

ATC is proposing to lease approximately 60,000 square feet of outdoor storage space for a period of approximately 18 months for the purposes of material storage (laydown yard), vehicle parking, a port-a-toilet, and a job trailer. The materials would include items such as poles, wire spools, insulators, and a connex box which locks up smaller items. There would also be approximately 30 vehicles parked/stored on the site, which would include pick-ups, loaders, telehandlers, skid steers, dump trucks, bulldozers, an excavator, and backhoe.

COMPLIANCE WITH THE WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLAN AND THE TOWN OF OTTAWA COMPREHENSIVE DEVELOPMENT PLAN:

The County and Town Comprehensive Development Plans designate this portion of the subject property as Quarry. The use conforms with both plans.

PLANNER ANALYSIS:

The American Transmission Company (ATC) is proposing to rebuild a series of transmission lines – eight different lines that cover approximately 50 miles in Southeastern Wisconsin. The lines start at the Waukesha substation, run west to the Concord substation in Watertown, and then run northeast to the St. Lawrence substation near Hartford. There would be no rebuilding of the line work done in the Town of Ottawa; the proposed site would simply be utilized for outdoor storage purposes.

In order to facilitate this rebuilding process, ATC is proposing to lease approximately 60,000 square feet of outdoor storage space for a period of approximately 18 months for the purposes of material storage (laydown yard), vehicle parking, a port-a-toilet, and a job trailer. The materials would include items such as poles, wire spools, insulators, and a connex box which locks up smaller items. There would also be approximately 30 vehicles parked/stored on the site, which would include pick-ups, loaders, telehandlers, skid steers, dump trucks, bulldozers, an excavator, and backhoe. There would be approximately 50 vehicles in and out of the site per day.

The existing site is served by an onsite waste disposal system and private well. Although ATC is proposing to utilize a port-a-toilet on the site, the EHD will still have to review the proposal to determine if the storage will impact the existing septic system in any way.

The road crew for the rebuilding process would have a maximum of fifteen (15) part time employees working Monday through Saturday from 7:00 a.m. to 5:00 p.m. The proposed leased areas shown on the Site Plan submitted may affect the parking, maneuvering, and traffic flow areas of the quarry, and therefore a revised Site Plan shall be submitted demonstrating how those conflicts will be avoided/mitigated.

PLANNER RECOMMENDATION:

Based on the above information, it is recommended the Town Plan commission recommend approval of the request to the County subject to the following conditions:

1. **Prior to the issuance of any permits**, the Applicant shall provide documentation, in writing, to the Town Planner and Waukesha County Planning and Zoning Division, which demonstrates that the Environmental Health Division has approved of the proposed uses and issued a PSE for the existing septic system.
2. The Town Plan Commission shall determine if proof of liability insurance is needed for this use, and if so, since this is a temporary use, if the insurance should be submitted to the Town Attorney and the County for review, **prior to issuance of any permits**.
3. Only the outside storage as approved herein and depicted on the approved Site Plan located in the file and incorporated herein by reference as Exhibit A is permitted. There shall be no other outside uses other than what is approved herein or by the CU-806 series.
4. No parking related to the approved use is allowed on CTH C.
5. Any expansion, addition, change, modification, alteration and/or amendment to any part of the approved operation, including, but not limited to, the construction of new buildings or structures, and/or additions, modifications, alterations, or changes to existing buildings, structures, premises, land, owners, or uses, etc. shall require the approval of a revised Site Plan and Plan of Operation by the Town and the County, and satisfaction of all required conditions, prior to the issuance of any permits or commencement of that use.
6. A revised, scaled, full size Site Plan shall be submitted to the Town Planner and County Planning and Zoning Division for review and approval **prior to the issuance of any permits** that delineates any changes contained in this Site Plan and Plan of Operation report or as approved or discussed (addressing any parking, maneuvering, and traffic flow issues, for example). A copy of said revised Site Plan shall be located in the file and incorporated herein by reference as Exhibit A.

7. A copy of lease between ATC and Payne and Dolan shall be submitted to the Town and the County for review **prior to the issuance of any permits**. Since this is a temporary use, the Plan Commission shall determine if the Town Attorney should review the document **prior to the issuance of any permits**.
8. Subject to the property complying with all Federal, State, County and local laws, ordinances, codes, rules and regulations. ATC shall obtain all licenses and permits for the proposed use, as required, and copies of the same shall be submitted to the Town Planner and County Planning and Zoning Division **prior to the issuance of any permits**.
9. Activities on the subject property shall not become a nuisance at any time due to appearance, noise, dust, smoke, illumination, vibration, odor, or any other similar factor.
10. All trucks, except for those that may be involved in the actual repair of CTH C, or as approved by the Town Chairman under exceptional circumstances for special projects, must exit north (left) from the subject property onto CTH C and proceed north to USH 18. If there is a problem in having truck operators do this, we suggest an agreement with the operators or simply post signage at the exit indicating the same (trucks must exit north or left).
11. The use hereby authorized shall be confined to the lease areas, without extension or expansion, as described in Exhibit A, incorporated herein by reference, and shall not vary from the purposes herein described unless expressly authorized in writing by the Town Plan Commission and the County Planning and Zoning Division as being in compliance with all pertinent ordinances.
12. Unless this use permit expressly states otherwise, plans that are specifically required by this use may be amended upon the prior approval of the Town Plan Commission and the County Planning and Zoning Division if the Town Plan Commission and the County Planning and Zoning Division find the amendment to be minor and consistent with the use permit. Any change in any plan that the Town Plan Commission and the County Planning and Zoning Division feel, in their sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
13. If any aspect of this use permit or any aspect of any plan contemplated and approved under this use is in conflict with any other aspect of the use or any aspect of any plan of the use, the more restrictive provision shall be controlling as determined by the Town Plan Commission and the County Planning and Zoning Division.

14. The applicant shall accept the terms and conditions of this use approval in its entirety, in writing, **prior to the issuance of a Use Permit.**
15. **This approval is for a temporary use for an approximately 18-month period. If the applicant finds additional time is needed beyond 18 months from the date of the issuance of the Use Permit, a request shall be made of the Town Plan Commission for an extension well in advance of the 18 months expiring; however, the Town is under no obligation to approve said request. All items parked/stored on the site shall be removed from the subject property upon expiration of the 18-month period.**
16. Subject to the applicant allowing the lease areas to be available for inspection by the Town of Ottawa and Waukesha County officials at any reasonable time and upon reasonable notice.
17. The Town and County reserve 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 and Waukesha County may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use and insure it does not become detrimental to the surrounding area.
18. All previous conditions of all previous approvals (CU-806 series and related SPPO's) remain in full force and effect unless modified herein or the use(s) have subsequently terminated on the property, and the conditions must be complied with as determined to be applicable for this use by the Town and the County.
19. There shall be no maintenance of the transmission line vehicles on the subject property.
20. All conditions of the Town Plan Commission approval shall be satisfied **prior to the issuance of a Use Permit.** *This condition is enforceable by the Town.*
21. **Professional Fees. The applicant shall, on demand, reimburse the Town of Ottawa for all costs and expenses of any type that the Town incurs in connection with this use, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions. This condition is enforceable by the Town.**
22. Payment of Charges. Any unpaid bills owed to the Town of Ottawa by the applicant, property owner, or their agents, tenants, operators, or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees, or any other fees owed to the Town; shall be placed upon

the tax roll for the subject property if not paid within 30 days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval. ***This condition is enforceable by the Town.***

If approved as conditioned, the Site Plan and Plan of Operation will conform with the purpose and intent of the Waukesha County Zoning Code, and will be compatible with the Town and County Comprehensive Development Plans. Since the temporary storage use is proposed in a quarry location, there should not be any significant adverse impacts on the surrounding area and, in fact, the use will be compatible with the existing use of the 297-acre property. The slight increase in traffic can be accommodated by the highway system and the applicant is required to follow the established truck route to USH 18 in order to minimize any adverse impacts on CTH C. This use will aid in facilitating the rebuilding of transmission lines throughout Southeastern Wisconsin that will serve a public need and be a benefit to the larger community by providing utility service to the public.

Respectfully submitted,

Sandra L. Scherer

Commissioner Weber said that she travels north on CTH C every day. Trucks pull out onto the roadway without even looking. They don't stop. She would like the drivers to be notified to travel north on CTH C and to look for traffic. She asked that a sign be erected to that effect.

Clint Weninger introduced himself to the Plan Commission. He works for Payne and Dolan. He said that they can put up an advisory sign for truck drivers, and talk to them and let them know if they do not play along, they will get kicked out.

Commissioner Weber made a motion to approve the request per the Town Planner's recommendation, with amendments to the following conditions imposed by the Town Planner:

Condition #2: The Town Plan Commission has determined that proof of liability insurance is needed for this use, and should be submitted to the Town and the County, **prior to issuance of any permits.**

Condition #7: A copy of the lease between ATC and Payne and Dolan shall be submitted to the Town and County for review, **prior to the issuance of any permits.**

Condition #10: All trucks must exit north (except under exceptional circumstances for special projects) from the subject property onto CTH C and proceed north to USH 18. The Town of Ottawa requires signage at the exit indicating the same, and asks that drivers be instructed to watch for oncoming traffic. Commissioner Hanson seconded the motion and it carried.

A conceptual CSM for Patricia Kusik was discussed. The requested use is to combine two lots located on the east side of Lake Drive, approximately 60 feet south of Elsa Avenue, into one so a future owner may construct a single family residence on the site. The two lots combined would create a lot that is .53 acres in size.

Planner Scherer read through her Planner Report. The report is as follows:

TOWN OF OTTAWA

PLANNER REPORT
CONCEPTUAL CSM

□

DATE: September 8, 2014

OWNER/PETITIONER: Patricia Kusik
18555 Hoffmann Avenue
Brookfield, WI 53045

SURVEYOR: Bryce Kaczor, RLS
Atlas Survey

DATE OF CONCEPT PLAN: June 30, 2014

DATE CONCEPT RECEIVED: July 8, 2014

TAX KEY NO(S): OTWT 1646.033 and .034

LOCATION:

Lots 9 and 10, Block C of School Section Lake Park, located in part of the NW ¼ of the SW ¼ of Section 16, T6N, R17E, Town of Ottawa. More specifically, the properties to be combined are located on the east side of Lake Drive, approximately 60 feet south of Elsa Avenue.

LOT SIZE:

The two lots combined will contain 0.53 acres (23,040 square feet) per the CSM, excluding the established 66' road right of way of Lake Drive, and have a minimum average width of 120 feet per the CSM.

EXISTING USE(S): Vacant

REQUESTED USE(S):

To combine the two lots into one so a future owner may construct a single family residence on the site.

ZONING CLASSIFICATION(S):

R-3 Residential (20,000 square feet, minimum average width 120 feet) under the Waukesha County Shoreland and Floodland Protection Ordinance.

CONFORMANCE WITH THE WAUKESHA COUNTY COMPREHENSIVE DEVELOPMENT PLAN (WCCDP) AND THE TOWN OF OTTAWA COMPREHENSIVE DEVELOPMENT PLAN:

The Town of Ottawa Comprehensive Development Plan is incorporated into the WCCDP. The WCCDP designates the property as Medium Density Residential (6,000 to 19,999 square feet per dwelling unit density). The proposal conforms with both plans.

SOIL TYPES:

The properties contain well drained soils with 2-6 % slope (MxB).

SUBMITTAL OF SOIL TESTS:

Soil tests have been submitted and indicate the site will require a mound type septic system. The soils will be further evaluated for any basement concerns in conjunction with the official CSM submittal. The area is within the Dousman Sewer Service Area.

PLANNER COMMENTS, QUESTIONS AND CONCERNS:

This Conceptual CSM request is to combine the two lots into one. The properties are for sale and the buyer intends to purchase the properties and construct a new single family residence on the combined parcels. Eight feet has been dedicated for road ROW purposes along Lake Drive. Although the site is within the two-section wide Town trail corridor, there does not appear to be

any opportunity for trail placement in conjunction with this CSM.

Relative to the Town's adopted Land Division Review Checklist and review of the Conceptual CSM, the following is a list of comments/questions/concerns that need to be addressed and/or submitted in conjunction with the submittal of a CSM to the Town Planner and the Town Engineer.

Items No. 1-3 are Plan Commission action items.

1. Since this is a land combination, it is common to receive a request to waive the Preliminary CSM. The petitioner has made such a request. The petitioner should note that, since the Town Engineer only reviews conceptual maps such as this upon request, and that request has not been made by the petitioner, if the Preliminary CSM submittal is waived, the Town Engineer's only opportunity to conduct a review of this CSM will be at the Final CSM submittal stage, and his comments will have to be addressed at that time in order to receive approval of the CSM.
2. Utility easements, as required by the Town of Ottawa Land Division and Development Ordinance and the Town Engineer, shall be shown on the Final CSM unless waived by the Town. An overhead utility easement has been shown on the CSM.
3. The Ordinance requires non-sewered lots to be no less than 150' in width and no less than 40,000 square feet in area. However this is an existing situation and the zoning only requires 20,000 square foot lots, with 120' in width. Therefore, a waiver is recommended.
4. The soil borings shown on the CSM should be numbered so that they can be cross referenced to the borings on the soil evaluation report.
5. A note should be added under Notes on Sheet 2 of the CSM to state the following: "Lot 1 shall not be divided without Town and County approval of the land division, and any future land division shall meet all ordinance requirements in effect at the time of the proposed land division unless otherwise waived by the Town and the County".
6. A Sanitary Permit shall be issued by the County EHD prior to the issuance of any permits for the construction of a residence on the CSM parcel.
7. The Waukesha County Dept. of Parks and Land Use - Planning and Zoning Division must also review the CSM as it is within the Waukesha County Shoreland and Floodland Protection Ordinance Jurisdictional Limits. The CSM has been submitted to the County CSM Review Team and they are awaiting Town action on the official CSM prior to conducting their initial review. The County, by Ordinance, has 90 days in which to conduct their review.

8. The Town's Land Division and Development Ordinance requires the zoning district and required building setbacks and offsets be listed on the CSM (the R-3 District requires a 50' road setback and a 20' offset. The County will require a note similar to the following be added to the CSM as well: "The required setbacks and offsets listed on this Certified Survey Map may be subject to modification based on the provisions of the Waukesha County Shoreland and Floodland Protection Ordinance, including the "sewer reduction" provisions, if the property is ever served by municipal sewer."
9. A note indicating the soil type (MxB) shall be added to Notes on sheet 2 of the CSM as the entire site consists of this soil type.
10. All sheets of the next copy of the CSM shall have the same revision date.
11. On Sheet 3, the DOA can be removed; the year (20_ _) should be added to the first date line on the sheet; and under the Waukesha County approval, the "Town of Mukwonago" should state the "Town of Ottawa".
12. The CSM is within the JPA between the Town of Ottawa and the Village of Dousman and must be approved not only by the Village of Dousman, but also must go before the Joint Planning Committee for consideration.
13. The Town Engineer should verify whether bearings should be shown on the CSM of the exterior boundaries.
14. All structures within 50' of the property boundaries must be shown on the CSM and labeled as to their use. Per the GIS, there appears to be a structure approximately 15' south of the property. If it still exists, it shall be shown on the CSM. Likewise structures appear less than 50' from the east lot line on Lots 12, 13, and 14 to the east, and if they exist, shall be shown on the CSM.

No formal recommendation is being made at this time, as this is a Conceptual submittal, and the review comments, concerns, and suggested conditions noted above are provided to the petitioner and the Plan Commission for discussion purposes only (with the exception of action on any waivers). The discussion by the Plan Commission on this matter shall in no way be considered a formal action or approval by the Plan Commission (with the exception of action on any waivers). The review conducted was for conceptual purposes only, and the staff reserves the right, after review of an official CSM submittal, to make further comments and add formal conditions. For informational purposes, what follows are the Town's additional Standard CSM Conditions, if a CSM were to be submitted and conditionally approved. These conditions are in addition to any future Planner comments, questions, concerns, and suggested conditions (similar to those noted above) and any future Town Engineer comments.

Town of Ottawa Standard CSM Conditions:

1. Subject to the Developer satisfying all comments, conditions and concerns of the Town Planner and the Town Engineer, which includes compliance with the Town's adopted Land Division Review Checklist and Land Division and Development Ordinance; and all reviewing, objecting and approving bodies, which may include but not be limited to the State of Wisconsin Department of Commerce per Chapter 236, Wisconsin Statutes and Chapter COMM 85, Wisconsin Administrative Code; State of Wisconsin Department of Administration per Chapter 236, Wisconsin Statutes; the Waukesha County Department of Parks and Land Use (including the Planning and Zoning Division, Parks System Division, Land Resources Division, and Environmental Health Division) and the Waukesha County Department of Public Works; as applicable, in regard to the Preliminary and Final CSM, and obtaining all necessary permits and approvals, prior to commencing construction of any improvement, whether public or private, or site development or approval of the Final CSM, whichever is earlier.
2. Subject to the Developer submitting to and receiving from the Town Attorney and the Town Engineer, as applicable, approval of a Developer's Agreement for the improvements (including all public, private, and site development improvements), prior to commencing construction of any improvement, whether public or private, or site development or approval of the Final CSM, whichever is earlier.
3. Subject to the Developer submitting to the Town Clerk and receiving approval as to form from the Town Attorney and as to amount from the Town Engineer, as applicable, a letter of credit or cash for the improvements (including all public, private, and site development improvements), prior to commencing construction of any improvement, whether public or private, or site development or approval of the Final CSM, whichever is earlier.
4. Subject to the Developer submitting to and receiving from the Town Attorney and the Town Engineer, as applicable, approval of the final draft of the deed restrictions prior to prior to commencing construction of any improvement, whether public or private, or site development, or approval of the Final CSM, whichever is earlier.
5. The Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning, and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.

6. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.
7. Subject to the Developer applying for and receiving from the Town Plan Commission, Town Board, and Waukesha County, all necessary variances and waivers (if any) to the Waukesha County Zoning Code, the Waukesha County Shoreland and Floodland Protection Ordinance, the Waukesha County Shoreland and Floodland Subdivision Control Ordinance, and the Town of Ottawa Land Division and Development Ordinance prior to commencing construction of any improvement, whether public or private, or site development or approval of the Final CSM, whichever is earlier. This conditional approval document shall not be read as providing any assurance or expectation that such variances or waivers will be granted, and shall not vest any right regarding the grant of such variances or waivers.

Based upon the above information, it is recommended the Town Plan Commission recommend the petitioner proceed with the submittal of an official CSM, and recommend approval of the waivers requested herein to the Town Board.

PLEASE BE ADVISED THAT THE CSM MUST BE RECORDED WITH THE WAUKESHA COUNTY REGISTER OF DEEDS OFFICE WITHIN 90 DAYS OF THE FINAL APPROVAL BY THE TOWN BOARD OR IT IS REJECTED AND THE OWNER MUST RECOMMENCE THE ENTIRE CSM PROCEDURE, IN ACCORDANCE WITH THE TOWN'S LAND DIVISION AND DEVELOPMENT ORDINANCE.

Respectfully submitted,

Sandra L. Scherer

Planner Scherer suggested that the Plan Commission consider items 1-3 under the heading of Planner Comments, Question And Concerns of her report, as they are action items. Planner Scherer recommended that the Commissioners not take any action regarding approving a waiver for item #2 regarding utility easements as the Town Engineer has not had an opportunity to comment on the CSM yet.

Commissioner Hanson made a motion to recommend that this Conceptual CSM move forward and proceed to the Final CSM stage for approval, and to grant the following waivers:

Item #1: Okay to waive Preliminary CSM requirement.

Item #3: Okay to waive minimum lot size requirement.

Commissioner Weber seconded the motion and it carried.

The list of zoning violations was reviewed.

There was no correspondence.

There was no public comment.

Commissioner Weber made a motion to approve the minutes from the meeting held on May 5, 2014 as submitted. Commissioner Hausser seconded the motion and it carried.

Commissioner Franklin made a motion to adjourn. The motion was seconded by Commissioner Weber and carried.

Respectfully submitted, Melissa Klein, Clerk, Town of Ottawa