

OTTAWA PLAN COMMISSION
October 5, 2015

Chairman Arrowood called the Public Hearing to order at 6:00 p.m. to consider a request by Lad Lake, W350 S1401 Waterville Road, Dousman, WI, 53118, to amend the Town of Ottawa's Comprehensive Development Plan (CDP) map.

Planner Scherer read the Notice of Public Hearing as follows:

TOWN OF OTTAWA
NOTICE OF PUBLIC HEARING
WAUKESHA COUNTY, WISCONSIN

NOTICE IS HEREBY GIVEN that a Public Hearing will be conducted by the Town of Ottawa Plan Commission, on Monday, October 5, 2015, at **6:00 p.m.**, at the Ottawa Town Hall, W360 S3337 STH 67, Dousman, WI, 53118, to consider a request by Lad Lake, Inc., W350 S1401 Waterville Road, PO Box 158, Dousman, WI, 53118 to amend the Town of Ottawa Comprehensive Development Plan (CDP) map adopted in 2009 as follows:

Amend the CDP Plan map from the Government and Institutional category to the Rural Density and Other Agricultural Land category, consisting of approximately 19.2 acres, for the Lad Lake property located in the SW ¼ of Section 1, T6N, R17E, Town of Ottawa. Also known as Tax Key No. OTWT 1587.998. The Isolated Natural Resource Area category designated on the property will not be amended.

This map amendment request is also available for public viewing and downloading via a link on the Town's website at www.townofottawa.com. In addition, copies of the map amendment request will be available for viewing or purchase at the Ottawa Town Hall at W360 S3337 STH 67, Dousman, WI, 53118, between the hours of 8:00 a.m. and 4:00 p.m. Monday through Friday.

Please be advised that although the Town Board is not required to be present for the Public Hearing, it is anticipated that members of the Town Board of the Town of Ottawa, and quite possibly a quorum of the Town Board of the Town of Ottawa, will be in attendance at the aforementioned hearing to gather information. No action will be taken by the Town Board at the aforementioned hearing, although it is possible that the Town Board members may be allowed to make comments during the hearing and at the subsequent Plan Commission meeting.

It is also possible that members of and possibly a quorum of other governmental bodies of the Town of Ottawa may be in attendance at the above-stated hearing to gather information. No action will be taken by any governmental body at the above-stated hearing other than those governmental bodies specifically referred to above in this notice.

Please note that upon reasonable notice, efforts will be made to accommodate the needs of

disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Ottawa Town Hall at (262) 965-3228.

For additional information concerning this public hearing, please contact the Town Clerk, Melissa Klein, at the Town Hall at (262) 965-3228.

All interested parties will be heard.

TOWN OF OTTAWA
Melissa M. Klein, Clerk

Legal Notice to be published in the
Kettle Moraine Index on August 27, 2015.

Commissioner Kershek inquired if the request was for 40 acres or for 20 acres? Planner Scherer responded that 40 was purchased by the Dekans, but 20 acres is environmental corridor and will not change. That would yield approximately 3-4 residential lots.

Mr. Dekan, buyer of the property, was present, and reported that he is not planning on building on the property and that the ag use would continue. Mr. Johnson, a representative for the Ice Age Trail Alliance, was in the audience, and commented that they did not have an issue with the amendment, but the Ice Age corridor goes through the property, and they wanted the Plan Commission to be aware of that and that they would like to own a 10' wide strip, if possible. Planner Scherer responded that the owners would be advised to contact the Ice Age Trail if development were proposed on the property. Planner Scherer added that she made some comments relative to this issue in her Planner Report on this item, and added that the new owners and the IATA should sit down and discuss the opportunities available. Supervisor Goodchild noted that he felt that the Ice Age Trail would be a benefit for the property owner. Mr. Janke, a neighbor to the south, commented that he currently enjoys the Ice Age Trail going through his property and that they were pleased to have Dekan's as neighbors.

Commissioner Hanson made a motion to close the public hearing for Lad Lake. It was seconded by Commissioner Kershek and carried.

The second public hearing was a Joint Public Hearing with the Town of Ottawa Plan Commission and a representative from the Waukesha County Department of Parks and Land Use

for Shelley Clarkson, W349 S2280 Waterville Road, Oconomowoc, WI, 53066, to amend the existing Conditional Use and Site Plan/Plan of Operation for the commercial horse boarding operation on the property (after the fact).

Planner Scherer read the Notice of Public Hearing as follows:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that 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 on **Monday, October 5, 2015 at 6:00 p.m.**, at the Ottawa Town Hall located at W360 S3337 STH 67, Dousman, WI, 53118, to consider the after the fact Conditional Use request (**CU-1558A**) of **Shelley Clarkson, W349 S2280 Waterville Road, Oconomowoc, WI, 53066**, to increase the number of horses in her horse boarding operation on property described as follows:

Lot 3, Certified Survey Map No. 5718, Volume 46, Page 241, located in the SW ¼ of Section 1, T6N, R17E, Town of Ottawa. More specifically, the property is located at the Waterville Road address cited above.

For additional information concerning this public hearing, please contact the Town of Ottawa Planner, Sandy Scherer, of the Waukesha County Department of Parks and Land Use – Planning and Zoning Division at (262) 548-7790.

All interested parties will be heard.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

Dale R. Shaver, Director
515 W. Moreland Blvd.
Room AC 230
Waukesha, WI 53188

Legal Notice to be published in
the Waukesha Freeman on
Friday, September 18, 2015 and
the Kettle Moraine Index on
Thursday, September 24, 2015.

Eddrie (Dee) Johnson, the operator of the facility for Shelley Clarkson, was present. She stated that they take in rescue horses. The issue is the timing of picking up and dropping off horses

resulting in going over the current limit of 7 horses at times. They are requesting a maximum of 11 horses to avoid this situation in the future as they may go over 7 horses on occasion. Planner Scherer stated that there is also a new manure management plan based on 11 horses that LRD is ready to approve if the Town approves the 11 horses. She read correspondence from a neighbor, Mr. Selby, into the record. He stated he was in general support of the request, but had issue with the manure management over a year ago, which seems to have improved since then. His only comment/concern is that the manure be managed properly if the number of horses is allowed to increase. Jon Spheeris was in the audience and also spoke highly of Dee, and approves of the CU amendment.

Commissioner Kershek made a motion to close the public hearing for Shelley Clarkson. The motion was seconded by Commissioner Hausser and it carried.

Chairman Arrowood called the meeting of the Ottawa Plan Commission to order at 6:30 p.m. Present were Commissioners Hanson, Kershek, Hausser and Supervisor Goodchild.

The first item on the Agenda was a CDP Amendment for Lad Lake, Inc., W350S140 Waterville Road, Dousman, WI.

Planner Scherer read from her report:

TOWN OF OTTAWA PLAN COMMISSION
PLANNER REPORT AND RECOMMENDATION
TOWN COMPREHENSIVE DEVELOPMENT PLAN MAP AMENDMENT

DATE: October 5, 2015

PETITIONER: Lad Lake, Inc.
W350 S1401 Waterville Road
PO Box 158
Dousman, WI 53118

BUYER: Michael and Petra Dekan
PO Box 279
Wales, WI 53183

TAX KEY NO.: OTWT 1587.998

LOCATION:

Located in the SW ¼ of Section 1, T6N, R17E, Town of Ottawa, containing approximately 40 acres of land, 20 acres of which are proposed to be amended.

TOWN OF OTTAWA COMPREHENSIVE DEVELOPMENT PLAN DESIGNATIONS:

The land to be amended is currently designated as Governmental and Institutional. The remainder of the land is designated as Isolated Natural Resource Area (INRA) and will not be amended.

ZONING CLASSIFICATIONS:

P-I Public and Institutional and EC Environmental Corridor Districts

REQUEST:

The request is to amend the Town of Ottawa's Comprehensive Development Plan map from the Governmental and Institutional category (approximately 20 acres) to the Agricultural 10 Acre Density category as the buyer (Dekan) intends to utilize the property for limited residential purposes. The INRA land use designation on the remainder of the property would not change.

The subject property is currently owned by Lad Lake, Inc. and is used for agricultural purposes. The Dekan's have an offer to purchase the property and would like to use the property for limited residential purposes. The Ice Age Trail owns a ROW that terminates at the SE corner of the subject property. Adjacent uses are limited residential uses, agricultural, open space, woodland, and extractive. In addition to the INRA, the property contains some steep slopes in excess of 12% (within the INRA), and the Park and Open Space Plan shows the Ice Age Trail paralleling Waterville Road between Lad Lake's main campus lands and The Preserve at Hunters Lake. The buyers may want to contact the Ice Age Trail Alliance and discuss available opportunities with them for possible easements, etc. so that the trail does not have to follow Waterville Road and instead could be located off road.

Lad Lake, Inc. (Dekan) Comprehensive Development Plan Map Amendment

October 5, 2015

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SURROUNDING LAND USE DESIGNATIONS AND ZONING CLASSIFICATIONS:

Land Use Designations

The surrounding lands are designated on the Town of Ottawa's Comprehensive Development Plan as Prime Agricultural to the north, Agricultural 10 Acre Density and INRA to the west and south, Rural Density and Other Agricultural Land to the southwest, and Extractive to the east.

Zoning Classifications

The surrounding lands are zoned Agricultural Preservation to the north, RRD-5 Rural Residential Density District 5 and EC Environmental Corridor to the west, Quarry to the East, and AD-10 Agricultural Density District 10 and EC Environmental Corridor to the south.

PLANNER RECOMMENDATION:

It is recommended the above request to amend the Town of Ottawa's Comprehensive Development Plan map be **approved**. Based on the above, the approval of the request would serve to provide for limited residential development along Waterville Road, a Wisconsin designated Rustic Road, while also preserving the natural resources, open space and agricultural uses which contribute to the rural landscape in this area of the Town of Ottawa. The Town recently updated their CDP in 2009 in conjunction with the countywide cooperative comprehensive planning effort so this recommendation will be forwarded to the County for consideration in their 2015 amendment cycle. The request complies with the objectives and standards contained in the Town of Ottawa's Comprehensive Development Plan which includes the protection of both the rural character and overall quality of the environment in of the Town. This property contains not only natural resources (the INRA) worthy of protection and preservation, but also open space which can provide for limited rural-type residential use while also continuing agricultural uses, to the greatest extent possible, all of which preserve the aesthetic appearance of the rural landscape. Once the land use designation has been amended, the petitioner can follow through with the appropriate zoning amendment which will further preserve and protect the open space, natural resources, and rural character of the Town of Ottawa.

Respectfully submitted,

Sandy Scherer
Town Planner

Commissioner Kershek asked how common it was to ask for a CDP map change, but not a zoning change at the same time? Planner Scherer responded the requests are usually held

separately as both the Town and the County must approve of the CDP amendment first and then the petitioner can go through the rezone process. If you do not know the outcome of the amendment request, you cannot request the rezone, so the CDP process must occur first and then the rezone process, they cannot be done concurrently. It is a long process to do both changes, including a CSM approval further down the road.

The density of the site was discussed (10 acre) and the fact that the use would be rural. The IATA issue was also discussed, and the Town hoped that the trail would be extended in the future as it was a good thing for the Town.

Commissioner Hanson made a motion to amend the Town's CDP based on the Planner's recommendations. The motion was seconded by Commissioner Kershek and it carried.

Supervisor Goodchild made a motion to approve the Resolution for the Lad Lake CDP amendment and for a Resolution number to be assigned by the Town Clerk. The motion was seconded by Commissioner Hausser and it carried.

The next item on the Agenda was the Amendment of the existing Conditional Use and Site Plan/Plan of Operation for the Clarkson Commercial Horse Boarding Facility.

Planner Scherer read from her report:

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

SENT VIA EMAIL

DATE: October 5, 2015

FILE NOS: CU-1558A and PO-15-OTWT-3

OWNERS/PETITIONER: Shelley Clarkson, owner/petitioner
Stuart Clarkson, owner
W349 S2280 Waterville Road
Oconomowoc, WI 53066

TAX KEY NO: OTWT 1587.997.002

LOCATION:

Lot 3, Certified Survey Map No. 5718, Volume 46, page 241, located in the SW ¼ of Section 1, T6N, R17E, Town of Ottawa. More specifically, the property is located at the Waterville Road address cited above, containing 9.521 acres.

ZONING CLASSIFICATIONS: AD-10 Agricultural Density and EC Environmental Corridor

EXISTING LAND USES:

Residential and a horse boarding stable with a horse barn/indoor riding arena, small horse shelter, and fenced pastures.

REQUESTED LAND USE:

A revised Conditional Use Permit to allow for a commercial equine boarding facility for a maximum of eleven (11) horses to be boarded at any one time as the use, at times, can be out of compliance with the current permit which allows seven (7) horses.

CONFORMANCE WITH THE COMPREHENSIVE DEVELOPMENT PLANS FOR WAUKESHA COUNTY AND THE TOWN OF OTTAWA:

The property is designated as Rural Density Residential and Isolated Natural Resource Area on the County Plan and as Agricultural 10-Acre Density and Isolated Natural Resource Area on the Town of Ottawa Plan. The use of the property as a horse boarding operation complies with both Plans.

PLANNER ANALYSIS:

PROPOSAL AND OPERATION:

The 9.5 acre parcel is located on the east side of Waterville Road, a state designated Rustic Road. It is bordered on the north and south by similar residential and agricultural uses and immediately to the east by a 50' right-of way parcel for the Ice Age Trail. Further to the east is quarry owned land. The northeast corner of the property contains an Isolated Natural Resource Area which is zoned EC Environmental Corridor, and this area is also part of a 20' wide AT&T utility easement. Grazing by domesticated animals is generally discouraged in corridor areas and on EC zoned lands. The property currently contains a single-family residence with an attached

garage, a small three sided horse shelter, and a large horse barn/indoor riding arena. There are several large areas of the property that are fenced into separate horse pastures/paddocks.

The current CUP allows the boarding of seven (7) horses on the site including any horses owned by the property owner. The other horses are friends' horses and other retired or unwanted (rescue) horses. In addition to the operator, Eddrie (Dee) Jonson, another friend boards her horses in exchange for the friend taking care of and maintaining the property and the owner's horse(s). This arrangement includes, but may not be limited to, feeding and blanketing the owner's horses, maintaining bedding, and managing the manure. The owner's horses are outdoor horses. There is no training, lessons, clinics, shows, or other events on the site.

During the annual inspection of the site in 2015, the Town Planer noted there were eleven horses on the property. The operator explained that occasionally they receive horses when they are traveling back and forth between jumping shows and need to stop over and rest. It should be noted that a nine-acre parcel in the AD-10 District allows for a maximum of seven (7) horses, unless the CUP allows for more.

REFUSE DISPOSAL PLAN: No evidence of refuse disposal was noted on the site during the inspection.

MANURE MANAGEMENT PLAN: With the approval of the original CU (CU-1558), a Manure Management Plan was approved. They continue to spread manure in the flower beds around the house, but it is no longer allowed to be left or spread in the fields to decompose. The majority of the manure is stockpiled and removed on a regular basis by Mark Emery of Vernon. LRD suggested the operation begin composting the manure. LRD does not feel four (4) additional horses will create any significant water quality issues on the site. However, the County LRD has required the manure stockpile be relocated on the site so it is not within the drainage swale.

PASTURES: The pastures had good vegetation as of August, 2015.

SIGNAGE: No signage is proposed.

NUMBER OF EMPLOYEES: The operation has (unpaid) two employees – the operator of the facility and one assistant.

HOURS OF OPERATION: Four hours /day, seven days/week. Hours vary.

PARKING: There is a concrete parking area adjacent to the attached garage, and an approximately 60' x 60' gravel parking and delivery area near the horse barn and indoor riding

arena. An inspection of the property revealed one small horse trailer and one large horse trailer parked alongside the gravel driveway between the house and the barn/arena, and a hay wagon located on the concrete parking area up by the house.

INTERIOR FLOOR PLANS: The 36' x 60' horse barn currently has six (6) horse stalls, a cleaning stall, a wash stall, a utility/feed room, and an office/tack room. The stable is heated by a furnace and there is a hot water heater. The indoor riding arena is 60' x 120' in size and is used 90% of the time as a run-in shed for the horses to escape inclement weather, and is also used for annual hay storage (500+ bales), and for the storage of a farm tractor, drag, golf cart, etc, according to the owner. The owner purchases the hay and in turn the operator purchases the hay from the owner for the horses.

EXTERIOR LIGHTING: No exterior lighting was shown on the site plans submitted with the application.

FENCING: The entire property is fenced according to the site plan submitted with the application, with 95% of the fencing being three-rail wood fence. Electric fence is also installed on the property.

OWNERSHIP: It should be noted the tax roll still indicates Mr. Clarkson as an owner of the property. If this is no longer the case, Ms. Clarkson should have the records changed to reflect that she is the sole owner of the property. If Mr. Clarkson is still part owner of the property, he must also agree to uphold any of the conditions of approval, if the request is approved.

PLANNER RECOMMENDATION:

It is recommended the Town of Ottawa Plan Commission recommend approval of the request to the Waukesha County Park and Planning Commission subject to the following conditions:

1. The petitioners have filed with the Town Planner and the Waukesha County Planning and Zoning Staff a detailed Site Plan/Plan of Operation (SPPO), which shall be subject to the approval of the Town of Ottawa Plan Commission and the Waukesha County Park and Planning Commission in conjunction with the approval of a Conditional Use Permit and shall be on file as part of the CU (CU-1558A). The SPPO includes all of the following information or plans, or revisions of the same:
 - a. Parking Plan
 - b. Exterior Lighting Plan
 - c. Manure Management Plan
 - d. Sanitary Facilities Plan (PSE, Sanitary Permit, and public restrooms if required by the Wisconsin Administrative code)

- e. Refuse Disposal Plan
 - f. Fencing Plan
2. The owner and operator are required and must have all plans current and approved by the Ottawa Town Plan Commission and the Waukesha County Park and Planning Commission, and said plans shall be on file with the Town Planner and Waukesha County. The petitioners may request to amend or change any plan herein subject to the conditions listed herein and subject to the approval of the Town of Ottawa Plan Commission and the Waukesha County Planning and Zoning Staff through a Site Plan/Plan of Operation Permit, and without a public hearing, if such amendment and/or change is not a substantial change, in the opinion of the Town or the County, from the original plans as approved and as allowed herein. Any amendment or change in any plan herein that the Town of Ottawa Plan Commission or the Waukesha County Staff feel, in their sole discretion, to be substantial will require an amended Conditional Use Permit and all procedures in place at that time must be followed.
 3. Documentation has been submitted to the Town Planner and to the Waukesha County Planning and Zoning Division and the County Land Resources Division in the form of a Manure Waste Disposal and Management Plan for a maximum of eleven (11) horses. The County LRD will review said plan after the public hearing has been held and will provide their comments on the plan prior to **October 30, 2015**. All manure shall be stockpiled in an approved location so as to not impact drainage on the site, shall be properly disposed of in a timely manner so as to not cause offensive odor, and shall not be spread on the pasture land.
 4. No signage is proposed or permitted herein.
 5. All exterior lighting shall be hooded or shielded so as not to create undesirable glare or illumination of adjoining property or adversely affect adjoining property owners.
 6. Subject to documentation being submitted to the Town Planner and the Waukesha County Planning and Zoning Division Staff that Waukesha County Environmental Health Division (EHD) has approved of the Sanitary Facilities on the site prior to **October 30, 2015**.
 7. Subject to fencing adequate to contain the horses on the property being maintained by the owner and/or operator.
 8. All grazing of horses or other domesticated animals is prohibited within the Isolated Natural Resource Area and EC zoned area to the rear of the property in the northeast corner.

9. A maximum of eleven (11) horses may be present on the premises at any time, unless otherwise limited by the Waukesha County Department of Parks and Land Use - Land Resources Division or the Waukesha County Environmental Health Division.
10. Prior to **October 30, 2015**, documentation shall be submitted to the Town Planner and the Waukesha County Planning and Zoning Division Staff that the Town Building Inspector has inspected the horse barn for compliance with building codes for the proposed use. This CU/SPPO approval shall not be effective until and unless the Town Building Inspector concludes that the barn is compliant with the applicable building codes.
11. Documentation shall be submitted to the Town Planner and the Waukesha County Planning and Zoning Division Staff that the local Fire Inspector has inspected the horse barn for compliance with all local fire codes prior to **October 30, 2015**. This CU/SPPO approval shall not be effective until and unless the local Fire Inspector concludes that the barn is compliant with the applicable fire codes.
12. The operation shall be limited to the activities necessary for boarding up to eleven (11) horses on the property.
13. Subject to owner and operator being responsible for containing all horses on the subject property, and not trespassing on private trails.
14. Subject to all horses being boarded in the barn only. No other buildings shall be used for boarding purposes.
15. All activities on the subject property shall be in compliance with all applicable requirements of the Waukesha County Zoning Code and all other applicable Federal, State, Waukesha County and Town of Ottawa codes, statutes, ordinances, regulations, rules, orders and other laws, and also subject to the prior approval of the Town of Ottawa Plan Commission and the Waukesha County Park and Planning Commission and/or the Planning and Zoning Staff. In addition, copies of all required licenses and permits shall be submitted to the Town Planner and the Waukesha County Planning and Zoning Division Staff for review and approval prior to **June 15, 2012**.
16. No Special Events are permitted without an amendment to the Conditional Use Permit and the SPPO.
17. There shall be no use of a PA system, loudspeakers, or other amplified sound system or music at any time without prior Town Plan Commission and Waukesha County Park and Planning Commission approval through the Conditional Use amendment process.
18. Subject to the owner maintaining her primary place of residency on the property, unless a new Conditional Use Permit is approved by the Town of Ottawa Plan Commission and

the Waukesha County Park and Planning Commission in accordance with all then existing Conditional Use procedures.

19. No more than two (2) horse trailers and one hay wagon, if needed, shall be parked outside on the property. The two horse trailers and hay wagon shall be screened from view from the adjoining neighbor's residences by the existing vegetation or otherwise shall be stored within a building. The Town Planner and the Waukesha County Planning and Zoning Staff shall make the determination whether or not the trailers are properly screened. The location where the trailers have been stored at the crest of the hill, along the south lot line, and where they are screen by evergreen vegetation is acceptable.
20. All other vehicles, equipment, etc. related to the boarding operation shall be stored inside the horse barn/arena or removed from the property. The property owner shall park any other vehicles or equipment related to the boarding operation inside the barn/arena or garage. Absolutely no other outdoor parking, other than the two (2) horse trailers and hay wagon identified in Condition No. 19 above, shall be allowed on the site without the approval of the Ottawa Town Plan Commission and the Waukesha County Park and Planning Commission through the Conditional Use process, except for personal storage of the property owner.
21. The sale of tack, trailers, and/or equipment related to the horse operation is prohibited.
22. Subject to the applicant allowing the premises to be available for inspection by Town of Ottawa officials and/or the Waukesha County Department of Parks and Land Use Staff (Planning and Zoning Division, Land Resources Division, Humane Officer, etc) at any reasonable time and upon reasonable notice when possible.
23. Subject to the Conditional Use not being transferred, except as follows: Upon the approval of the Town of Ottawa Plan Commission and Waukesha County Park and Planning Commission, the Conditional Use may be transferred to a future owner.
24. Activities on the subject property shall not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor. Notwithstanding the foregoing, operation of a horse boarding facility pursuant to ordinary and generally accepted customs and practices, and as further restricted by this Conditional Use Permit, shall not constitute a nuisance as contemplated by this paragraph.
25. The petitioners shall be required to appear before the Town of Ottawa Plan Commission to answer complaints upon notification by the Town Planner, Town Clerk, or the Waukesha County Planning and Zoning Staff.
26. The Conditional Use Permit shall be subject to an annual review, or sooner upon complaint, beginning **June 1, 2013**, and continuing each June 1, thereafter or until the

Town Plan Commission modifies or eliminates this condition. In the event that, upon review or complaint, the use of the property is not in substantial compliance with all terms of this Conditional Use Permit or the conditions of the neighborhood change, then, in that event, the Town of Ottawa Plan Commission and the Waukesha County Park and Planning Commission may add additional conditions or modify the conditions stated herein, in order to obtain compliance with said conditions subject to a public hearing. If said property remains in noncompliance for a substantial period of time, as determined by the Town or the County, or the use is no longer compatible with its surroundings, then the Town or the County may proceed with termination of the Conditional Use Permit as set forth in the Waukesha County Zoning Code. Further, the Town Plan Commission and the Waukesha County Park and Planning Commission reserve the right to review any condition imposed as part of this Conditional Use, if said use becomes a problem in the area. The Town Plan Commission and the Waukesha County Park and Planning Commission 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 without the necessity of having a public hearing, as long as the changes are not substantial in their sole discretion.

27. Additional horse stalls (not additional horses) may be added within the existing horse barn, following the issuance of a Zoning Permit from the Waukesha County Department of Parks and Land Use and a Building Permit from the Town of Ottawa, without the necessity of an additional amendment to the Conditional Use/Plan of Operation Permit. However, any expansion of the existing building to accommodate additional stalls, or for any other reason, or the construction of additional buildings will require an amendment to the existing Conditional Use/Plan of Operation Permit. All accessory buildings and structures must be a minimum of 50' from all lot lines.
28. Subject to a letter from the owner(s) and the operator acknowledging and accepting all terms and conditions of this Conditional Use Permit and SPPO Permit being submitted to the Town Planner and the Waukesha County Planning and Zoning Division Staff prior to **October 30, 2015**.
29. The Town Attorney and Town Planner shall review and approve of the conditions as to form. In the event clarification is required, the item shall be referred back to the Town Plan Commission for clarification.
30. The following standard Conditional Use conditions shall also apply:
 - A. Any use not specifically listed as permitted shall be considered to be prohibited except as may be otherwise specifically provided herein. In case of a question as to the classification of use, the question shall be submitted to the Town Plan Commission and the Waukesha County Park and Planning Commission for determination.
 - B. No use is hereby authorized unless the use is conducted in a lawful, orderly and peaceful manner. Nothing in this order shall be deemed to authorize any public or

private nuisance or to constitute a waiver, exemption or exception to any law, ordinance, order or rule of either the municipal governing body, the County of Waukesha, the State of Wisconsin, the United States of America or other duly constituted authority, except only to the extent that it authorizes the use of the subject property above described in any specific respects described herein. This order shall not be deemed to constitute a zoning or building permit, nor shall this order constitute any other license or permit required by Town ordinance or other law.

- C. This conditional use hereby authorized shall be confined to the subject property described, without extension or expansion other than as noted herein, and shall not vary from the purposes herein mentioned unless expressly authorized in writing by the Plan Commission and the Waukesha County Park and Planning Commission as being in compliance with all pertinent ordinances.
- D. Should the permitted conditional use be abandoned in any manner, or discontinued in use for twelve (12) months, or continued other than in strict conformity with the conditions of the original approval, or should the petitioner be delinquent in payment of any monies due and owing to municipality, or should a change in the character of the surrounding area or the use itself cause it to be no longer compatible with the surrounding area or for similar cause based upon consideration of public health, safety or welfare, the conditional use may be terminated by action of the Town Plan Commission and the Waukesha County Park and Planning Commission, pursuant to the enforcement provisions of this Conditional Use Order, and all applicable ordinances.
- E. Any change, addition, modification, alteration and/or amendment of any aspect of this conditional use, including but not limited to an addition, modification, alteration, and/or amendment to the use, premises (including but not limited to any change to the boundary limits of the subject property), structures, lands or owners, other than as specifically authorized herein, shall require a new permit and all procedures in place at the time must be followed.
- F. Unless this Conditional Use Permit expressly states otherwise, plans that are specifically required by this conditional use order may be amended upon the prior approval of the Town Plan Commission and the Waukesha County Park and Planning Commission if the Town Plan Commission and the Waukesha County Park and Planning Commission find the plan amendment to be minor and consistent with the Conditional Use Permit. Any change in any plan that the Town Plan Commission and the Waukesha County Park and Planning Commission feel, in their sole discretion, to be substantial shall require a new permit, and all procedures in place at the time must be followed.
- G. Should any paragraph or phrase of this Conditional Use Permit be determined by a Court to be unlawful, illegal or unconstitutional, said determination as to the

particular phrase or paragraph shall not void the rest of the conditional use and the remainder shall continue in full force and effect.

- H. 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.
- I. The Petitioner is obligated to file with the Municipal Clerk a current mailing address and a current phone number at which the Petitioner can be reached, which must be continually updated by the Petitioner if such contact information should change, for the duration of this Conditional Use Permit. If the Petitioner fails to maintain such current contact information, the Petitioner thereby automatically waives notice of any proceedings that may be commenced under this conditional permit, including proceedings to terminate this conditional permit.
- J. The petitioner shall accept the terms and conditions of the Conditional Use approval in its entirety, in writing, prior to **October 30, 2015**.
- K. Professional Fees. The petitioner shall, on demand, reimburse the Town of Ottawa for all costs and expenses of any type that the Town incurs in connection with this conditional 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 of Ottawa only.*
- L. Payment of Charges. Any unpaid bills owed to the Town of Ottawa by the petitioner, 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 of Ottawa only.*

The approval of this request, as conditioned, will allow the owner and operator to continue to operate a commercial horse boarding facility, which is located in an area appropriate for this use on a 9.5 acre parcel in the Agricultural Density District 10 zoning district, in conformance with the Comprehensive Development Plans for Waukesha County and the Town of Ottawa, in compliance with the purpose and intent of the Waukesha County Zoning Code, and for which the

Waukesha County Department of Parks and Land Use - Land Resources Division will review a Manure Management Plan for a maximum of eleven (11) horses. Therefore, the approval of this request, as conditioned, will not adversely affect the neighboring properties and will allow the owner and the operator to retain their existing horse boarding facility with an increase in the number of horses to eleven (11).

Respectfully submitted,

Sandra L Scherer

Sandy Scherer
Town Planner

Chairman Arrowood referred to item #14, and asked if there was an extra building for boarding? Planner Scherer responded that there is a three-sided structure in addition to the barn/indoor arena. Commissioner Kershek referred to item #1 a-f, and stated that item c appeared to be in effect. Planner Scherer responded that the items currently exist, but approval is needed from Environmental Health for item d, and the Town needs to ensure all of the items are up to date as far as the new request is concerned. Commissioner Kershek stated the manure management plan seemed to be well monitored and an annual inspection will continue to be made.

Commissioner Kershek made a motion to approve the request to amend the CU/SPPO for the commercial horse boarding operation for Shelley Clarkson for 4 additional horses per the Planner's report. Supervisor Goodchild seconded the motion and it carried.

The next item on the Agenda was the Clarkson Commercial Horse Boarding Annual Report. Planner Scherer stated that all issues have now been resolved for the year.

Commissioner Hanson made a motion to approve the Clarkson Annual Report. Supervisor Goodchild seconded the motion and it carried.

The next item on the Agenda was for Nicholas Jordan, S35 W35705 CTH D, Dousman, WI, request for a Conceptual Land Division and necessary waivers.

Planner Scherer read from her report:

TOWN OF OTTAWA
PLANNER REVIEW AND REPORT
CONCEPTUAL CSM

SENT VIA EMAIL

DATE: October 5, 2015

OWNER: JNJ Cedar Hills, Inc. (Nick Jordan)
S35 W25705 CTH D
Dousman, WI 53118

AGENT: Jon Spheeris

SURVEYOR: unknown

DATE OF CONCEPT PLAN: none

DATE CONCEPT RECEIVED: September 17, 2015

TAX KEY NO.: OTWT 1639.999.007

LOCATION:

The property is located in the W 1/2 of Section 14, T6N, R17E, Town of Ottawa.

LOT SIZE:

63.52 acres per the previously submitted preliminary plat (excluding the 100' established ROW of CTH D).

EXISTING USE(S): Residential and agricultural

REQUESTED USE(S):

To develop a two (2) lot CSM with both lots having access to CTH D via a 66' wide shared access easement. Proposed Lot 1 is 44 acres and proposed Lot 2 is 18.6 acres.

ZONING CLASSIFICATION(S):

A-5 Mini Farm District (5 acre minimum lot size, minimum average width of 300'), EC Environmental Corridor (5 acre density, 2 acre minimum lot size), A-E Exclusive Agricultural Conservancy, and C-1 Conservancy. There is some shoreland zoning jurisdiction on the

property near CTH D and along the east lot line associated with a navigable stream. The remainder of the property is administered under the Waukesha County Zoning Code.

SOIL TESTS SUBMITTED TO THE COUNTY EHD:

Soil test were submitted with a preliminary plat a number of years ago. The County EHD will have to determine if additional tests will have to be conducted for this CSM submittal and before a Sanitary Permit is issued for a new home on Lot 1. A PSE will also have to be conducted to ensure the existing septic system on proposed Lot 2 remains functional.

SOIL TYPES:

Soil types on the property indicate high groundwater conditions in the southwest corner of the overall property (on proposed Lot 1). Steep slopes in excess of 12% can be found on both lots in the southeastern portion of the overall property.

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

Both plans designate the property as Rural Density Residential, Primary Environmental Corridor (PEC) containing both upland and lowland environmental corridor, and a minor amount of Other Ag and Open Lands in the NE portion of the property associated with the stream along the east lot line. All of the designations require a 5-acre density. The proposal conforms with both plans.

PLANNER COMMENTS, QUESTIONS AND CONCERNS:

Proposed Lot 2 contains a single family residence and attached garage. The overall property contains PEC, wetland, and a navigable stream along the east lot line. I have recommended the CSM contain a 20 foot wide pedestrian easement for future trail purposes along CTH D as the Town required with the previous preliminary plat submittal. The established ROW width of CTH D is 100'. Additional road ROW dedication, as required, will have to be shown on the CSM. The PEC delineation received concurrence from the SEWRPC on March 27, 2008 and I never did receive a wetland concurrence that I recall. In any event these delineations are generally only valid for a period of five years so the developer is going to have to check with the DNR and SEWRPC and have them determine whether or not new delineations will have to be conducted or whether those entities can re-validate the previous delineations for 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. 1-4 are Plan Commission action items.

1. No more than 50% of any lot shall have slopes of 10% or greater. The surveyor must calculate this requirement and provide the results to the Town, and either redesign the CSM or request a waiver, if necessary, as redesigning the lots may not resolve the issue.
2. The Town's Land Division Ordinance requires 50% of each lot is to be in the same zoning district the building sites are in. The surveyor must calculate this requirement and provide the results to the Town, and either redesign the CSM or request a waiver, if necessary, as redesigning the lots may not resolve the issue.
3. The lots in the CSM may exceed the lot width to depth ratio, particularly proposed Lot 1. The lots should either be redesigned, or waivers requested, as redesign may not resolve the issue.
4. Existing utilities (culverts, telephone and electric poles, etc) and utility easements (telephone, electric, cable, gas, etc) shall be shown on the CSM in accordance with the Town's Land Division Ordinance unless a waiver is granted.
5. The DNR should be contacted in regard to a Chapter 30 Permit.
6. The DNR's Bureau of Endangered Resources should be contacted in regard to the CSM. They must review the project for potential impacts and the developer shall submit verification of said review to the Town Planner for review and approval and any recommendations must be followed in the development of the CSM.
7. The Waukesha County Department of Public Works must approve of the proposed shared driveway access (easement) on CTH D, issue an access permit, and the project must comply with the Highway Ordinance.
8. There was previously a small amount of floodplain in the area of the existing driveway access that was subsequently modified through a flood study dated 3-23-11 (subject to receipt of FEMA approval). The flood study date and the date of FEMA approval shall be shown on the CSM.
9. The wetlands and PEC shall be field identified, staked, and noted as wetlands and/or PEC on the CSM, along with the individual/firm responsible for the staking, and the date it was performed. The wetlands and PEC were previously delineated by Thompson and Associates on 11-13-07. The PEC delineation received concurrence from the SEWRPC on March 27, 2008. The wetland delineation shall receive concurrence from the DNR, unless it has already been done or unless it is not necessary if an assured wetland delineator was used. Please note the stakings are usually only considered valid for a period of five years. Thus, updated concurrence letters shall be obtained from the respective entities, or new delineations will have to be performed, whichever is

determined to be appropriate in this case, and submitted to the Town Planner prior to the submittal of the Preliminary CSM.

10. A wetland-PEC preservation statement similar to the sample **below** shall be placed on the CSM.
11. Per the Zoning Codes, any lot containing PEC must contain a conforming building envelope outside of the PEC. Further, building envelopes, if determined to be necessary on this CSM, shall reflect a 75' setback from the wetland boundary line, as well as the required road setback and offset lines. The offset and setback lines for all zoning districts shall also be listed/noted on the CSM.
12. All slopes 12% or greater shall be shaded or otherwise identified on the CSM. Further, a note shall be placed on the CSM stating that all slopes 12% or greater shall be preserved in permanent open space.
13. Due to the presence of high groundwater on the property, a basement statement similar to sample **below** shall be shown on the CSM.
14. The following technical items must be shown or corrected on the next submittal of the CSM: a location map, name/address of the owner, name/address/phone of surveyor, all necessary signature certificates, 2' contours, soil types, existing zoning on the CSM, total acreage, width of the existing street, required survey monumentation (2), names of adjacent subdivisions/owners of abutting unplatted lands, soil types, existing wells and septic systems,

structures within 50' of the property, the use of all structures retained on the site, and utility easements as required by the Town Engineer and the Town's Land Division Ordinance, sheet numbers, the same revision dates on all pages of the CSM, and the surveyor's information including his/her signature.
15. Vision corners and vision corner easements (refer to sample **below**) shall be shown on the CSM.
16. A minimum of one soil boring is required per lot, and the results shall be submitted with the Preliminary CSM. However, due to the presence of high groundwater on the property, the developer may want to consider additional borings, particularly at the proposed house site (if known).
17. The established ROW width of CTH D is 100'. Additional lands (17') shall be dedicated for ROW purposes on the CSM, if necessary, and noted as required on the CSM.
18. The navigable stream along the east lot line and its ordinary high water mark elevation shall be shown on the CSM.

19. The remaining portions of the lots in the CSM that abut CTH D that are outside of the shared access easement shall not have direct vehicular access to CTH D, and appropriate cross hatching and a related note stating this fact shall be placed on the CSM.
20. The Conceptual Plan has a scale of 1"=300' listed, but I could not scale from the Plan as it must have been reduced or otherwise altered prior to its submittal via email. Please note the Town's procedures for submittal require that all submittals must be submitted to scale, whether they are submitted by hand, via mail, or via email.
21. The existing septic system on proposed Lot 2 must receive approval as to its functionality, in writing, from the Waukesha County Environmental Health Division, and a copy of the approval letter shall be submitted to the Town Planner prior to the approval of the Final CSM.
22. When submittal of the Preliminary CSM to the Town is anticipated, the CSM should also be formally be submitted to the Waukesha County Land Division Review Staff (Rebekah Baum) for review as well. She can be reached at 262.548.7790. The County has 90 days in which to review a CSM but in a cooperative agreement with the Town will not begin their review until the Town has at least approved the Preliminary CSM.
23. The Waukesha County Shoreland and Floodland Jurisdictional Limits boundary line shall be shown on the CSM.
24. When a plat was submitted for this property several years ago, the Town had asked that a 20 foot wide pedestrian trail be shown along CTH D. This feature should be added to the CSM upon submittal.
25. The Primary Environmental Corridor and all slopes greater than 12% shown on the CSM must be preserved. Therefore, any building envelopes required on the CSM must exclude these features and must be clearly identified as such on the CSM.
26. The Village of Dousman has previously waived their right to approve land divisions within any portion of the Village Extraterritorial Land Division Approval Jurisdiction which lies outside of the Ultimate Village Boundary described in the Municipal Boundary Agreement between the Village of Dousman and the Town of Ottawa. Therefore, the Village of Dousman will not be required to review this CSM.
27. The Conceptual Plan shows a 66' wide shared access easement where the existing driveway meets CTH D in order to limit the number of separate driveways accessing out onto the CTH. Within that easement proposed Lot 1 can then branch off from the single access point and construct a driveway to the proposed house site on Lot 1. Note that for the distance the two users share the existing driveway, the driveway must be a minimum of 16' in width per the Zoning Code.
28. Soil test were submitted with a preliminary plat a number of years ago. The County EHD will have to determine if additional tests will have to be conducted for this CSM submittal

and before a Sanitary Permit is issued for a new home on Lot 1. The location of the borings should be shown on the CSM with the numerical cross references to the data.

29. Due to the limited access issue of this CSM, a note shall be placed on the CSM stating the CSM shall not be divided without approval from the Town of Ottawa, 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 of Ottawa.
30. The Waukesha County Land Resources Division (LRD) must review and approve Storm Water and Erosion Control Plans and statements (access, maintenance, etc.), if required, regarding Erosion Control and Storm Water Management for the CSM. A Storm Water Permit may also need to be issued.

PLANNER RECOMMENDATION:

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 a formal (official) CSM submittal, to make further comments and add formal conditions.

However, based upon the above information, the Town Plan Commission may want to advise the petitioner to proceed with the submittal of a formal (official) Preliminary CSM, and **it is recommended the Plan Commission recommend approval of the waivers requested herein to the Town Board subject to the Town of Ottawa's Standard CSM Conditions outlined below.**

For informational purposes, what follows are the Town of Ottawa's (additional) Standard CSM Conditions. If a CSM were to be submitted and conditionally approved, these conditions would also apply to any approval. 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.

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

Sandy Scherer
Town Planner

BASEMENT RESTRICTION – GROUNDWATER

Although all lots in the Certified Survey Map have been reviewed and approved for development with single-family residential use in accordance with Section 236 Wisconsin Statutes, some lots may contain soil conditions which, due to the possible presence of groundwater near the surface, may require additional soil engineering and foundation design with regard to basement construction. It is recommended that either a licensed professional engineer or other soils expert design a basement and foundation which will be suitable to withstand the various problems associated with saturated soil conditions on basement walls or floors, or that other special

measures be taken. Soil conditions should be subject to each owner's special investigation prior to construction and no specific representation is made herein.

WETLAND-PRIMARY ENVIRONMENTAL CORRIDOR RESTRICTIONS

Those areas of land which are identified as Wetland-Primary Environmental Corridor Preservation Areas on Page ____ of ____ on this Certified Survey Map shall be subject to the following restrictions:

1. Grading and filling shall be prohibited unless specifically authorized by the municipality in which they are located and, if applicable, the Waukesha County Parks and Planning Commission, the Wisconsin Department of Natural Resources, and the Army Corps of Engineers.
2. The removal of topsoil or other earthen materials shall be prohibited.
3. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., shall be prohibited, with the exception of the removal of dead, diseased, or dying vegetation at the discretion of landowner, or silvicultural thinning upon the recommendation of a forester or naturalist, and with the approval of the Waukesha County Department of Parks and Land Use.
4. Grazing by domesticated animals, i.e., horses, cows, etc, shall be discouraged to the greatest extent possible.
5. The introduction of plant material not indigenous to the existing environment of the Wetland-Primary Environmental Corridor Areas shall be prohibited.
6. Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Waukesha County Park and Planning Commission, the Wisconsin Department of Natural Resources, and the Army Corps of Engineers.
7. Construction of buildings is prohibited.

VISION CORNER EASEMENT

The height of all plantings, berms, fences, signs or other structures within the vision corner easement are limited to 24 inches above the elevation of the center of the intersection. No access to any roadway shall be permitted over the vision corner of adjacent lots.

The CTH access/driveway issues were discussed as well as the soils and septic issues.

Chairman Arrowood stated that items 1-4 on the report were action items for the Plan Commission to consider. The Plan Commission discussed the 4 items.

Item #1 : Commissioner Kershek felt the slopes may not be a major problem. Planner Scherer stated more information would be needed and the surveyor would have to provide the calculations.

Commissioner Kershek made a motion to grant a waiver on item #1. It was seconded by Commissioner Hausser and it carried.

Item #2: Planner Scherer stated there is no information on future building sites, this is an existing situation.

Commissioner Kershek made a motion to grant a waiver on item #2. It was seconded by Commissioner Hanson and it carried.

Item #3: Planner Scherer stated that this requirement was to avoid long, narrow lots, and that re-designing the lots probably wouldn't change that. Commissioner Kershek added that the access point may need to shift.

Commissioner Kershek made a motion to grant a waiver for item #3. Supervisor Goodchild seconded and it carried.

Item #4: Supervisor Goodchild inquired if there were prior utility easements? Jon Spheeris, realtor for the Jordan's, was in the audience and responded that he would check on that. Supervisor Goodchild felt the utilities should be looked into first. The Plan Commission took no action on item #4 at this time.

The list of zoning violations was reviewed.

There was no correspondence.

There was no public comment.

Planner Scherer noted minor edits to the minutes from September 14, 2015. Commissioner Hanson made a motion to approve the minutes as amended. Commissioner Hausser seconded the motion and it carried.

Ottawa Plan Commission
Meeting Minutes
October 5, 2015

Commissioner Kershek made a motion to adjourn. The motion was seconded by Commissioner Hausser and it carried.

Respectfully submitted,

Lori Geyman, Deputy Clerk, Town of Ottawa

~~(This is a draft version of the minutes, subject to Plan Commission approval)~~