

TOWN OF MUKWONAGO
JOINT PLAN COMMISSION AND TOWN BOARD

MINUTES
WEDNESDAY, March 1, 2017

CORRECTED

Deputy Clerk Gail Obradovich called the meeting to order at 6:30 p.m. and stated the meeting was noticed.

Roll Call

PLAN COMMISSION: Commissioners Hahn, Bratz, Clabault, Schuett, Yerke and Supervisor Topczewski. Chairman Stefanowski was absent.

TOWN BOARD: Supervisors Boucher, Wrasman, Topczewski and Yerke. Chairman Stefanowski was absent

Also present: Gail Obradovich Deputy Clerk-Treasurer; John Macy, Attorney; Tim Schwecke, Planner; Scott Johnson, Building Inspector; Kathy Karalewitz, Administrator/Clerk-Treasurer; and Sean Sullivan, Town Engineer.

Motion by Supervisor Wrasman nominating Supervisor Topczewski to Chair the meeting in Chairman Stefanowski's absence. Second by Commissioner Clabault. All Ayes; motion carried.

Minutes of February 1, 2017

A corrected copy of the minutes was distributed, adding Supervisor Yerke as present.

PLAN COMMISSION ACTION: Motion by Commissioner Yerke, second by Commissioner Schuett to approve the minutes as corrected. All ayes; motion carried.

TOWN BOARD ACTION: Motion by Supervisor Boucher, second by Supervisor Wrasman to approve the minutes as corrected. All ayes; motion carried.

Hobby kennel for up to 4 dogs located at W335 S9529 Red Brae Drive; Nicholas Yets, applicant (application 2017-04)

JOINT PUBLIC HEARING

Chairman Topczewski opened the public hearing and the following people spoke:

- Nicholas Yets, applicant, W335S9529 Red Brae Dr, gave the boards additional information regarding his application for a Hobby Kennel. He currently has 2 Shiba Inu and 1 Akita Inu. His proposal is to add 1 one more Akita Inu. He and his family plans to show and breed these dogs. The dogs are currently housed indoors but he is planning to build a fenced in kennel area for the dogs to spend some outdoor time. Their plan is for one to two litters per year.
- Linda Gorman, W334S9408 Red Brae, inquired as to how many dogs are allowed per acre, would there be an annual renewal of the Kennel License, what recourse do they have if barking becomes an issue. Peter Gorman added he would have liked to things thought through more.
- Tim Schwecke relayed a message received via phone from Susan Schmidt, W336S9354 Valley View. Her concern was this breed is known to jump over fences and dig under to escape.
- The Chairman read 4 letters from neighbors
 - Karen and Charles Kuehn, W337S9706 Red Brae Dr, stated they were opposed to the Hobby Kennel.
 - James and Marlene Hintz, W336S9652 Red Brae Dr, stated they did not think a subdivision such as Red Brae Farms was a place for a kennel.

- Fred and Virginia Oakland, W335S9570 Red Brae Dr, expressed concern for the penning of animals outdoors and the propensity of the breed for shrill barking.
- Helen and Kurt Krueger, W334S9459 Red Brae Dr, stated they were opposed to Mr. Yets request.

Chairman Topczewski polled the commission for their opinions:

- Commissioner Yerke – Applicant is not ready and will vote no
- Commissioner Bratz – Is ok with plan
- Supervisor Topczewski– A fence should be required with a yearly review
- Commissioner Schuett – Approved but a fence should come first
- Commissioner Hahn – Has no problem with it
- Commissioner Clabault – Fencing should come before adding the 4th dog and with a yearly review

PLAN COMMISSION ACTION: Motion by Commission Schuett, second by Commission Bratz to authorize Nicholas Yets to establish a Hobby Kennel with no more than 4 dogs total, of the following breeds – Shiba Inu and Akita Inu, located on his property located at W335W9529 Red Brae Dr. Subject to all requirements in the Town of Mukwonago zoning regulations as may be amended, based on the finding that the Hobby Kennel (1) will not adversely affect the use of adjacent lands and (2) is compatible with surrounding and nearby land uses. Subject to fence being constructed by May 1, 2018 with a review at the PC/TB joint meeting in April of 2018, every year thereafter.

Commissioners Schuett, Hahn, Bratz, Supervisor Topczewski, voted ayes, Commissioners Clabault and Yerke voted no. Motion carries 4 to 2.

Conditional use for a conservation subdivision with 10 residential lots on a property located off of CTH NN in Sections 19 and 30, T5N, R18E (MUKT1948999003); Curt and Jodi Wiebelhaus, applicant (application 2017-01). Joint public hearing (Opened on February 1, 2017 and adjourned to March 1, 2017)

JOINT PUBLIC HEARING

At the February 1, 2017, Joint Planning Commission/Town Board meeting the Public Hearing was adjourned to March 1, 2017.

The following people spoke:

Rob Denzin, W332S9310 Red Brae Dr. stated all of his original concerns had been addressed and he was looking forward to the new subdivision.

Curt Wiebelhaus addressed concerns expressed in a letter from Marsha Burger regarding sink holes, livestock and noise from motorized vehicles.

PLAN COMMISSION ACTION: Motion by Commissioner Yerke, second by Commissioner Bratz to close the Public Hearing. All in favor, motion carries.

PLAN COMMISSION ACTION: Motion by Commissioner Schuett, second by Commissioner Hahn to recommend to the Town Board to approve the Conditional Use Application as set forth with the additional corrections tonight and with the impervious surface language references removed subject to the final review and approval of the attorney. All in favor, motion carries.

TOWN BOARD ACTION: Motion by Supervisor Boucher, second by Supervisor Yerke to approve the recommendation of the Planning Commission. All in favor, motion carries.

Residential Development Permit Review pursuant to Section 34-42 of the Town's municipal code for Agape subdivision; Curt and Jodi Wiebelhaus, applicant (application 2017-05)

Sean Sullivan presented his evaluation and scores for the Developers Point System as did Tim Schwecke with explanations of their ratings. Scores were submitted by Plan Commission and Town Board.

PLAN COMMISSION/TOWN BOARD ACTION:

Motion by Commissioner Bratz and seconded by Commissioner Schuett, to approve the proposed conservation subdivision having scored more than 10 points based on the evaluations of the Town Board and Planning Commission. All in favor, motion carries.

Allotment Review for Residential Development Permits pursuant to Section 34-43 of the Town's municipal code for Agape subdivision; Curt and Jodi Wiebelhaus, applicant (application 2017-06)

PLAN COMMISSION/TOWN BOARD ACTION:

Motion by Commissioner Yerge, second by Commission Clabault to Approve the allocation of 10 residential development permits for Agape subdivision provided the subdivider submits a preliminary plat to the Town of Mukwonago and obtains approval of the same within 12 months of this date (March 1, 2017) All in favor, motion carries.

Report by Building Inspector regarding any alleged or outstanding violation(s)

Scott Johnson, Building Inspector distributed his monthly report to members with no changes from last month.

Miscellaneous updates

There were no reports from either Phantom Lake Management District or Fox River Commission

Adjournment

PLAN COMMISSION ACTION

Motion to adjourn by Chairman Topczewski, second by Commission Clabault to adjourn the meeting at 9:36pm, all in favor motion carries.

TOWN BOARD ACTION

Motion to adjourn by Supervisor Boucher, second by Supervisor Wrasman to adjourn the meeting at 9:36pm, all in favor motion carries.

Respectfully Submitted

Gail Obradovich

Deputy Clerk/Treasurer

APPROVED 4/5/17