

VILLAGE OF OCONOMOWOC LAKE

OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES OF
Monday, July 7, 2008. Unofficial until approved by the Plan Commission.
Approved as written () or with corrections () on _____.

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, July 7, 2008, commencing at 8:07 p.m., immediately following the public hearing, at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll was taken with the following in attendance:

Mr. Kneiser/Chairperson – present
Messrs., Bickler, Birbaum, Clarkson, Foster, Langenbach, Lyons, Owens/Members – present
Ms. Schlieve/Clerk-Treasurer – present
Mr. Wiemer/Police Chief-Administrator – present
Mr. Macy/Attorney – present

Attendance

See attached list.

Minutes

Motion (Birbaum/Bickler) to approve the minutes for the Plan Commission meeting for June 2, 2008, as written, *Carried Unanimously*.

Discussion/action regarding the request of Ewald Chevrolet Buick, LLC, 36833 E. Wisconsin Avenue, a Wisconsin for-profit corporation, to amend their current conditional use to allow for the construction of a 2,300 square foot showroom, to be attached to the Ewald Chevrolet building, to display automobiles, specifically, Suzuki automobiles.

Motion (Lyons/Bickler) to recommend approval to the Village Board of Trustees, subject to Architectural Control Board approval and signage approval, *Carried Unanimously*. Staff was directed to prepare the amended conditional use permit for the Board of Trustees meeting on August 18, 2008.

Discussion/action regarding the request of Ewald Automotive Group, 35833 E. Wisconsin Avenue, for Suzuki signage on the new proposed showroom.

Motion (Bickler/Foster) to approve signage as presented, providing the sign does not exceed 20 feet in height, *Carried Unanimously*.

Discussion/action regarding the request of Silver Lake Automotive, 36355 E. Wisconsin Avenue, for a new tire sign.

Mr. Garlock (Silver Lake Automotive) advised that the proposed sign would be similar to the current signage. The new sign has the Yokohama logo, will be fluorescent and back lit. The sign will be lit from dusk to 11:00 p.m. The proposed location is equidistance from the center of the building to the west, rather than to the east as the current sign is placed.

Motion (Bickler/Owens) to approve the sign as submitted, providing that it is no more than 20 feet in height, *Carried Unanimously*.

Discussion/action regarding the request of the Oconomowoc Lake Club, 4668 Lake Club Circle, a Wisconsin non-profit corporation, to amend their current conditional use which allows the Oconomowoc Lake Club to operate a lake club in the Village of Oconomowoc Lake.

Mr. Lyons excused himself from voting on this matter due to a conflict of interest.

Motion (Owens/Langenbach) to approve the conditional use permit (CUP) amendment as presented was made. Following is the discussion pertaining to this matter. The plan commission members chose to review each section of the proposed amended CUP and arrive at a consensus on each, using the redlined version, which is attached to these minutes.

The following items were addressed and verbally agreed to:

- Page 2, item 3 Plantings, was determined to be acceptable as presented
- Page 2, item 5 Plan Approval, it was noted that all documents relating to the 2004 amendment should be included in the CUP
- Page 3, item 7 Noise, Odor, Glare and Illumination, was changed to read: *The main club building is currently insulated for noise control, including windows of a type that do not readily transmit noise, so as to reasonably minimize noise from social functions conducted in such neighboring residential properties. Petitioner has devised and incorporated into the new club house and related facilities, such equipment and features as are necessary to reduce and minimize odor, glare, noise and illumination which originates on the property and intrudes upon the neighboring properties, and the same shall be maintained so as to meet this intent. Any remodeling or replacements that might occur shall live up to this intent.*
- Page 3, item 8(a)1, requested a change in the hours of operation for Mondays through Thursdays; those hours shall remain the same as they are currently (8:00 a.m. to 11:00 p.m.)
- Page 3, item 8 Hours of Operation, section (a)2, requested a change in the hours of operation for Fridays; those hours shall remain the same as they are currently (8:00 a.m. to 1:00 a.m. the following day).
- Page 3, item 8 Hours of Operation, section (a)4, requested a change in the hours of operation for Sundays; the hours agreed upon are 9:00 a.m. to 10:00 p.m., except for Sundays prior to a Monday holiday; and one event in 2009 (the Village of Oconomowoc Lake 50th Anniversary celebration, when the Club will be open until 11:00 p.m.).
- Page 4, item 8 Hours of Operation, section (b)1, requested new verbiage as follows: *Non-noise maintenance activities, including preparation at the tennis courts, may commence at 6:00 a.m., Monday through Sunday.* Agreed. The Lake Club also requested removal of the verbiage regarding legal holiday hours of operation; the members agreed that the hours should remain as it is in the current CUP (8:00 a.m. to 11:00 p.m. unless such legal holiday is a Friday or a Saturday in which event the later closing time for those days shall control.). Agreed.
- Page 4, item 8 Hours of Operation, section (b)4, will now read as follows: *Snowplowing is allowed at any time.*
- Page 4, item 8 Hours of Operation, section (b)5, will now read as follows: *Club meetings (such as Board meetings or Executive Committee meetings) may commence at 7:00 a.m. Monday through Saturday, provided no more than 15 individuals attend such meetings.*
- Page 4, item 8 Hours of Operation, section (c) shall read: *Setup and opening of the club's facility and arrival of all employees shall not be restricted other than as follows: Cleanup, closing of the Club's facilities and departure of all employees and contractors shall be completed not later than one hour after the latest permitted operations. Employees arriving prior to operational hours, and activities related to the set up and opening of the Club's facilities, shall not create any noise disturbances. In the event of emergencies, the Club shall provide notice to the Village Administrator no later than the next business day after the emergency that required the exception to this paragraph.*
- Page 4, section 9 Delivery, Pickup and Yard Work, concerning the deliveries, pickups and yard work, and the gross weight of trucks allowed will remain as it is written in the current CUP.
- Page 4, section 9(a) Delivery, Pickup and Yard Work, the requested special exceptions to the hours shall read as follows: *Non-noise maintenance activities, including preparation at the tennis courts, may commence at 6:00 a.m., Monday through Sunday*
- Page 5, section 9(b) Delivery, Pickup and Yard Work, shall read as follows: *Snowplowing is allowed at any time.*
- Page 5, item 9 Delivery, Pickup and Yard Work will have the following addition: *In the event of emergencies, the Club shall provide notice to the Village Administrator no later than the next business day after the emergency that required the exception to this paragraph.* The language in the existing conditional use permit regarding limitation on truck weight shall remain.
- Page 5, section 10 Septic or Holding Tank, the last sentence will be changed to read: *The holding tank or septic system pumping location shall remain within 100 feet of the Lake Club Circle roadway.* All other portions of section 10 shall remain as it is in the current CUP.
- Page 6, item 12 Garbage/Trash, the last paragraph shall be changed to read: *In the event of emergencies, the Club shall provide notice to the Village Administrator no later than the next business day after the emergency that required the exception to this paragraph.*

- Page 6, item 13 Parking, shall be changed to include the following: *Vehicles shall be parked in such a manner as to be safe for ingress and egress as determined by the Village Administrator/Village Police Chief. There shall be no restriction on shuttling of employees, members and guests, nor shall there be any restriction on parking on adjacent or other private properties, with the owners' permission. There shall be no tri-axle buses allowed on Lake Club property. The Village Police Chief has the right, but not the obligation, to grant Petitioner the right to park vehicles on public property, adjacent or otherwise, to the subject property, other than as set forth in pink on the prohibited parking exhibit. To minimize noise, valet parking service shall be provided for members and guests parking on the subject property whenever large, late-evening private functions (those referred to in paragraph 21 below) are held.*
- Page 6, item 14 Organized Functions Outdoors, requested that the function shall conclude by 11:00 p.m. instead of 10:00 p.m., and adding the following sentence: *Further, tennis events held on or near the tennis courts or tennis building shall not be considered part of the organized functions or activities of the Club and therefore are not subject to this paragraph.*
- Page 7, item 16 Boat Launching, shall add the sentence: *Prior to May 1st or after September 30th of each year, each member of petitioner shall have the ability to use the boat launch without restrictions as to the number of times.* That sentence shall be added immediately following the sentence that covers the period during May 1st to September 30th. In addition, this section includes a grandfather clause that allows five (5) members to moor, dock or otherwise station power boats seasonally at the property's facilities. Currently there is only one (1) of those members left of the five (5) originally allowed. The CUP will be changed to reflect that one (1) member will be grandfathered to allow mooring, docking, or otherwise stationing power boats seasonally at the property's facilities.
- Page 8, item 18 Accessory Structures, will have the 2004 amendments incorporated into this amendment of the CUP.
- Page 8, items 19 Reconstruction of Club House, and 20 State Approved Plans, shall be struck from the CUP.
- Page 9, item 21 Petitioner, is renumbered to 20.
- Page 9, item 22 Petitioner Directors, is renumbered to 21, and shall be changed to read: *While this conditional use permit is in effect, not less than 70% of the club's directors at any time shall be "Oconomowoc Lake Residents". An Oconomowoc Lake Resident shall be any individual who resides at least 60 days per year within the Village of Oconomowoc Lake.*
- Page 9, item 23 Membership, is renumbered to 22, and was requested to be struck by the petitioner. The commissioners, however, recommend the following verbiage: *The maximum total number of members that the club may have, including all classifications of memberships except leave of absence members, is 300. For this purpose, a single "member" shall include the individual club member as well as such member's spouse, children and other family members living with such member, all in a single family unit. The club shall report to the Plan Commission for the Village of Oconomowoc Lake, in writing, within 30 days after the date of this permit, and annually thereafter, the total number of members of the club.*
- Page 9, item 24 Club Functions, is renumbered to 23, and shall read as follows (additions are underlined): *Attendance at functions or activities of the club conducted on the subject property shall be limited to members, their guests, guests of the Club and those individuals who have reciprocity privileges. Guests shall not be permitted at any social function unless the sponsoring member is present. Sailing regattas, inter-club tennis competitions and community events are permitted by this conditional use permit and not covered by this section. In addition, the large, late-evening private functions will be increased from forty (40) to fifty eight (58).*
- Page 10, items 25, 26 Petitioner Representative, 27 Accepted by Applicant, 28 Licenses, and 29 Inspections, have been renumbered to 23, 24, 25, 26, and 27 respectively. No other changes to these items were made.
- Page 10, items 30 Nuisances and Other Requirements, and 31 Other Requirements, shall be renumbered 28 and renamed Nuisances and Other Requirements, and will read as follows: *The club shall comply with all applicable Federal, State and local statutes, ordinances, rules, regulations, orders and laws and the requirements of conflict between this permit and any such statute, ordinance, rule, regulation, order, law, permit, license or approval, the more restrictive shall control. The club will be subject to any new ordinances adopted by the Village of Oconomowoc Lake.*
- Page 10, item 32 Violations will be renumbered 29.
- Page 10, item 33 Mediation, is struck from the CUP.

- Page 11, item 34 Preservation of Rights and 35 Force Majeure, are renumbered to 30 and 31 respectively. No other changes to these items were made.
- Page 11, item 36 Before the Reconstructed Club House, is struck from the CUP.
- The remainder of the CUP remains as written in the current CUP, except paragraph references have been changed to reflect the new numbering.

Motion (Owens/Langenbach) to withdraw the original motion to approve the Conditional Use Permit Amendment as submitted, Carried Unanimously.

Motion (Birbaum/Foster) to table the matter until August 18, 2008, and direct staff to prepare the conditional use pursuant to the foregoing discussion and consensus for consideration by the Plan Commission, Carried Unanimously.

At 9:45 p.m., there was a 10 minute recess of the meeting. The meeting reconvened at 9:55 p.m.

Discussion/action regarding "An Ordinance to Repeal and Recreate Section 178.16(3)(d) of the Village of Oconomowoc Lake Village Code Regarding Concurring Votes Required for Actions by the Board of Appeals and to Repeal and Re-Crete Section 17.61(4)(b) of the Village of Oconomowoc Lake Village Code and Create Section 17.16(5) of the Village Code Regarding Use Variances Within the Village of Oconomowoc Lake."

Mr. Kneiser requested that action on this agenda item be tabled until August or September's Plan Commission meeting.

Discussion/action regarding updating the Village Flood Plain Ordinance.

Mr. Wiemer requested permission to begin work on updating the Village Flood Plain ordinance in order to complete the process by our November deadline.

Motion (Birbaum/Owens) to allow Mr. Wiemer to begin the necessary work in order to update the Flood Plain Ordinance, Carried Unanimously.

Discussion/action regarding the recommendation of the Village Board of Trustees to remove Section 17.31(1)(e) from the Village Zoning Code. The section reads as follows: "Agricultural structures, such as barns, silos and windmills, shall not exceed in height twice (2) their distance from the nearest lot line."

Mr. Kneiser explained the requested change. Motion (Bickler/Birbaum) to recommend to the Village Board of Trustees the removal of section 17.31(1)(e) from the Village Zoning Code, Carried Unanimously.

Motion (Birbaum/Foster) to adjourn the meeting at 10:07 p.m., Carried Unanimously.

Respectfully submitted by:
Cindy J. Schlieve, Clerk-Treasurer