

VILLAGE OF OCONOMOWOC LAKE

OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES

On Monday, August 5, 2019.

Unofficial until approved by the Plan Commission.

Approved as written (X) or with corrections () on 10/07/2019.

A meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, August 5, 2019, commencing at 7:00 p.m., 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. Bickler/Chairperson – present
Mr. Barquist, Mr. Birbaum, Mr. Heinrich, Mr. Sheahan, Mr. Waltersdorf/Members– present
Mr. Kohl/Member-- excused
Mr. Helwig/Administrator – present
Mr. Macy/Attorney – present
Ms. Vaughan/Clerk – present

ATTENDANCE

David Gust (34655 Fairview Road), Jon Spheeris (175 E. Wisconsin Ave.), and Dan and Heidi Huavaetek (W285N3440 Conservancy Drive).

Discussion/action regarding approval of minutes from the July 15, 2019 Plan Commission meeting

Motion (Waltersdorf/Birbaum) to approve minutes from the July 15, 2019 Plan Commission meeting, *Carried Unanimously.*

Discussion/action regarding Certified Survey Map (CSM) for property owned by The David Gust Revocable Trust, located on 4345 Buchanan Road, in the Village of Oconomowoc Lake (Tax Key 579-958-003)

Mr. Gust brought a new proposed CSM lot division from three legal conforming lots from last month to four conforming lots. Lengthy discussion was had on the effects this would have on neighboring properties regarding their setbacks. Mr. Gust decided to withdraw this new proposed CSM and go back to the CSM that had been approved by Plan Commission at the July 1, 2019 meeting with three conforming lots. Attorney Macy reminded Plan Commission members that 17.18 of Village of Oconomowoc Lake Zoning code still applies, and suggested the following conditions would need to be satisfied before the Village signed off, which Mr. Gust and the Plan Commission went over again.

1. Subject to a plan for the improvement of Buchanan Road from Sawyer Road until the Private Road and for the Private Road and Private Driveway which meets the requirements of Ordinance 176, the same to include a timeline for implementation of the same with a drop dead date for finalizing the improvement which will be subject to the Village Administrator.
2. Subject to the Owner's submittal of an Agreement which will be subject to the Village Administrator and Village Attorney approval.
3. Subject to the Owner's submittal of a letter of credit in a form or cash, which will be subject to the Village Attorney approval and in an amount, which will be subject to the Village Administrator approval.

4. Subject to the Owner's submittal of an easement for access to the lots in a form satisfactory to the Village Attorney.
5. Subject to Buchanan Road ownership going with Lot 1.
6. Subject to all costs, fees, and assessments due and owing to the Village.

Discussion was had on road improvement and maintenance. Mr. Gust informed the Plan Commission that upon getting quotes on widening the road, he was advised by contractors that this would damage major vital roots of the trees along Buchanan Road and the private drive which would likely cause most if not all of the trees to die. He suggested that he place at least four large paved turn outs along the drive/road. Plan Commission advised these specific locations of the paved turn outs should be discussed with Rob Davy, the Village Engineer.

Mr. Gust advised the Plan Commission that if the turn outs would be sufficient and were approved that he would intend to complete them right away. Administrator Helwig and Attorney Macy advised that Mr. Gust will need to bring in the bid for this roadwork and have a cash escrow agreement at First Bank Financial for 120% of the cost which the Village would have control of until the roadwork is completed.

Discussion was also had on the current easement agreement regarding maintenance of the road, and new easement agreement which would be needed related to the turn outs.

Motion (Birbaum/Waltersdorf) that the Plan Commission recommend to the Village Board that they approve the paved turn outs in place of widening the road and for Mr. Gust to come before the Village Board with exact locations and specifications of turn out with the assistance of the Village Engineer. *Carried Unanimously.*

Discussion/action regarding repeal and recreation of Ordinance 178 – Regulating Outdoor Luminaires.

Administrator Helwig and Mr. Heinrich met and discussed the current Ordinance 178, which was last amended July 23, 1999. Although Mr. Heinrich did advise that there was language in the ordinance that was outdated such as "Low Pressure Sodium" shielded luminaires, there was not an immediate need to amend this ordinance. Plan Commission discussed that regardless of technology, the ordinance's intent was for shielded luminaires.

Discussion/action regarding the request of Attorney Troy Giles (Reinhart Attorneys at Law) to amend Section 17.32 (2) of the Zoning Code.

Attorney Macy and Administrator Helwig gave the Plan Commission members a brief synopsis on this request. Mr. Waltersdorf did speak on his personal knowledge of the property which this request stems from, but did advise this change could affect others in the Village differently. As Attorney Troy Giles was not in attendance to speak more on the specifics of his request, Chairperson Bickler and Attorney Macy suggested this be tabled until next month.

Motion (Waltersdorf/Birbaum) to table this item for next month's Plan Commission meeting. *Carried Unanimously.*

Discussion regarding building, occupancy, and land disturbance permit cash bond requirements.

Chairperson Bickler updated Plan Commission members where the Village was at related to this topic and the potential need to get Architectural Control Board involved.

Attorney Macy briefly spoke on his legal opinion relating to recovering legal fees. In short, he advised the Plan Commission members the importance of collecting legal fees as part of litigation can be difficult.

Discussion regarding landscaping regulations/ permits

Chairperson Bickler advised the Plan Commission members that the Village is aware of the current and past issues with land disturbance, and how it affects everyone in the Village. He advised that he and Administrator Helwig are working on the direction they feel the Village needs to go relating to landscaping regulations. Administrator Helwig did update Plan Commission on the completion of one of the violations.

ADJOURNMENT

With no further discussion, a motion (Sheahan/Birbaum) was made to adjourn the meeting at 8:47 p.m., Carried Unanimously.

Respectfully submitted by:
Katelyn Vaughan, Village Clerk