

**Minutes of Land Use, Parks and Environment (LUPE) Committee  
November 21, 2017**

Chair Zimmermann called the meeting to order at 8:30 a.m.

**Committee Members Present:** Dave Zimmermann (Chair), Tom Schellinger, Bill Mitchell, Kathleen Cummings and Robert Kolb. **Absent:** Keith Hammitt and Ted Wysocki.

**Also Present:** Legislative Policy Advisor Sarah Spaeth, Chief of Staff Mark Mader, Planning Manager Jason Fruth, Senior Planner Amy Barrows, Principal Assistant Corp. Counsel Kim Haines, Land Information Systems Manager Don Dittmar, Parks System Manager Steve Brunner, Senior Budget Analyst Steven Trimborn, Senior Financial Analyst Mark Yatchak, and Stand Associates, Inc. Citizen Representative Ashley Pridemore. Minutes Recorded by Beth Schwartz, County Board Office.

**Approve Minutes of October 17, 2017**

MOTION: Mitchell moved, second by Schellinger to approve the minutes of November 21, 2017. Motion carried 5-0.

**Executive Committee Report of November 20, 2017**

Zimmermann said the committee approved an ordinance and a resolution related to County investments, as well as several appointments. The committee also heard standing committee reports from committee chairs and an update on the Regional Transit Leadership Council Executive Committee and Wisconsin Workforce Development Association Board.

**Future Meeting Date:** Tuesday, December 12, 2017

**Future Agenda Item:** Tour of recycling facility

**Discuss and Consider Ordinance 172-O-050: Amend The Waukesha County Shoreland And Floodland Protection Ordinance To Incorporate Revised Language Related To Citation Forfeitures And Modifications To The Forfeiture Schedule Of The Waukesha County Shoreland And Floodland Protection Ordinance (SZ-1459P)**

Barrows said this ordinance amends language reflecting specific changes to the forfeiture schedule. This includes text amendments to reflect existing forfeiture amounts; text amendments to remove assessments that do not apply but include any fees or assessments enacted by the state legislature; and text amendments that only require County Board approval for adjustments to the base forfeiture not for assessments enacted by the state legislature. The modifications to the forfeiture schedule are proposed in order to include sections of the code not previously included, and these are critical to ensure proper implementation. Barrows highlighted several consequences to violations. Mitchell commented on the Park and Planning Commission's thoroughness in making situations work for the public and Zimmermann commented on the service orientated attitude of the County. Barrows said out of 100 violations only four citations were issued. Citations are a last resort and are not issued if compliance can be gained.

MOTION: Mitchell moved, second by Kolb to approve Ordinance 172-O-050. Motion carried 5-0.

**Discuss and Consider Ordinance 172-O-055: Amend The Waukesha County Zoning Code To Incorporate Revised Language Related To Citation Forfeitures And Modify The Zoning Code Forfeiture Schedule (CZ-1459Q)**

Barrows said this change is in addition to Ordinance 172-O-050, a text change to the zoning code's minimum to maximum penalty. With the citation schedule there is no floodplain or impervious surface or mitigation line items because those provisions do not apply to the general zoning code, it only applies to the shoreland zoning code as they are state mandated regulations.

MOTION: Schellinger moved, second by Kolb to approve Ordinance 172-O-055. Motion carried 5-0.

**Discuss and Consider Ordinance 172-O-051: Amend The District Zoning Map Of The Town Of Brookfield Zoning Code By Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 30, T7N, R20E, Town Of Brookfield, Waukesha County, Wisconsin, From The B-3 Office And Professional Business District To The B-2 Limited General Business District (ZT-1860)**

Fruth said the petitioner is seeking to divide and rezone the westerly portion of the subject property. The proposed hotel use is compatible with this designation. The 8-acre property containing a multi-tenant office building and a vacant office building has a hard time keeping a tenant. The parcel is located immediately adjacent to the I-94 on-ramp at the Goerke's Corners intersection. A Home2 Suites, an 82-room hotel, was recently approved and constructed immediately to the west.

MOTION: Schellinger moved, second by Mitchell to approve Ordinance 172-O-051. Motion carried 5-0.

**Discuss and Consider Ordinance 172-O-052: Amend The District Zoning Map Of The Town Of Vernon Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 1, T5N, R19E, Town Of Vernon, Waukesha County, Wisconsin, From The A-5 Mini-Farm District To The B-3 General Business District (ZT-1854)**

Fruth discussed this rezoning request in the town of Vernon. The petitioner would like to re-locate the business and convert the single family residence on the subject property to an office, construct a storage building and install three septic storage tanks. The proposed shared access is acceptable and the existing driveway serving the residence can be retained provided it be used only for the office and not be open to trucks. This request raised questions from the public regarding the need for three septic tanks and the corresponding effects.

MOTION: Schellinger moved, second by Cummings to approve Ordinance 172-O-052. Motion carried 5-0.

**Discuss and Consider 172-O-053: Amend The District Zoning Map Of The Town Of Lisbon Zoning Code By Rezoning Certain Lands Located In Part Of The W ½ Of The NE ¼ Of Section 29, T8N, R19E, Town Of Lisbon, Waukesha County, Wisconsin, From The A-10 Agricultural District To The R-1 Suburban Single Family Residential District (ZT-1858)**

Fruth said this rezoning request would divide the property into subdivision lots. The subject property contains areas of wetlands and hydric soils, and there are two small pockets of steep slopes along the east property line. The 78-acre subdivision development is proposed on former farmland and the adjoining land surrounding this parcel is developed. The most recent concept plan submitted by the developer includes a mix of conventional subdivision lots as well as common open space with a park and proposed pavilion and multi-use trails throughout the development. Cummings asked why the town and village did not adopt the map. Fruth said originally both parties neglected to follow through and get the map adopted, but there is now cooperation by both the town and village to adopt it.

MOTION: Cummings moved, second by Kolb to approve Ordinance 172-O-053. Motion carried 5-0.

**Discuss and Consider 172-O-054: Amend The Text Of The Town Of Brookfield Zoning Code To Create Section 17.02(14)(b)4.I. Relating To Adult Daycare Facilities (ZT-1859)**

Fruth said the Town of Brookfield has recently been presented with a proposal for an adult day care facility to be located within a multi-tenant office building. Permitted zoning uses include a range of office and medical uses and some service types, as well as auto sales and gas stations. The Town is now proposing to add adult daycare as an available conditional use option within the B-3 District. There is a growing need for elder day care facilities within the County, and such facilities serve a vital role in providing specialized care. The adult day care center proposal that generated the request would occupy a space next to a unit occupied by a church within a larger office building. The church and day care would share accessible restroom facilities.

MOTION: Mitchell moved, second by Schellinger to approve Ordinance 172-O-054. Motion carried 5-0.

**Discuss Naga-Waukee Golf Course Emergency Repair on Well Pump and Pipe System for the Water Supply**

Brunner discussed the deep well pump and pipe system 725 feet underground for water supply serving the Naga-Waukee golf course clubhouse and course irrigation. In September, it was discovered the system was running at about half its capacity. Consultants performed testing and found there was most likely a hole which could cause total system failure at any time. This was considered to be emergency procurement as it needed to be fixed immediately. The bid accepted was close to \$30,000. Two projects were deferred, including exterior clubhouse repairs, in order to make up the funds for this repair. Supplies and equipment purchasing has also saved costs.

**Discuss and Consider Ordinance 172-O-056: Modify The 2017 Budget Of The Parks And Land Use Department To Appropriate Additional Expenditure Authority For The Land Information System Division**

Dittmar said in 2016 the Land Information Systems Division began hosting all data and Web Mapping applications in the cloud based Amazon Web Services (AWS) environment to enhance the capabilities of the system and lower on-going costs. In 2017 the Division needed to establish additional server capacity in AWS to facilitate the temporary development and testing of new application and storage functionality that will lead to further reduction in on-going costs. The development of the new application took longer than projected causing higher than anticipated costs and the budget is estimated to be over by \$45,000 due to the temporary addition of AWS capacity. Dittmar likened the issue to cell phone data overages and being unaware of exactly how much data was necessary. Zimmermann asked if all the services attributed to the \$45,000 were owed to Amazon, and Dittmar said that Amazon is the only provider involved. Answering Kolb's question, Dittmar said Amazon has lowered their prices many times since starting to use their services. He went on to explain that unlike in the past, one click to download brings users live and current data and does not require his oversight. This change creates staff efficiencies. Cummings asked if the back up is in the IT Division and Dittmar said it is in the cloud, but servers are also in several locations throughout the U.S., which allows for instant recovery of data.

MOTION: Mitchell moved, second by Kolb to approve Ordinance 172-O-056. Motion carried 5-0.

**Legislative Update**

Spaeth said the state legislature is quiet now but new bills will move fast as session comes to a close. The bill to place sexually violent persons is opposed by the County. Many restrictions on placement and a lack of resources to properly place cause most placements to be in rural counties. This legislation, which was vetoed out of the budget by the governor, says these persons must be placed by the county. Spaeth plans to testify against the bill as it would not make communities safer and it is a lot of work to find placements. Despite it not being a large number, an average of one per year, during the last placement over 300 properties were reviewed, and none were suitable. The process takes a lot of time and is a burden on staff especially without housing contacts. Department of Health Services pays an outside vendor to find these persons housing, whereas in this bill the County is not paid for their work to place these persons. Spaeth said safe placement is more important than being concerned about county boundaries. Although not all persons should be dumped in one rural county, safe and timely placement will avoid these persons becoming homeless.

MOTION: Cummings moved, second by Kolb to adjourn the meeting at 9:56 a.m. Motion carried 5-0.

Respectfully submitted,

Keith Hammitt  
Secretary