

ENROLLED ORDINANCE 170-99

YEAR 2016 APPROVAL OF AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN FOR WAUKESHA COUNTY (1A – TOWN OF DELAFIELD BOARD AND PLAN COMMISSION, SECTION 15, T7N, R18E, TOWN OF DELAFIELD)

WHEREAS, on February 24, 2009, the Waukesha County Board of Supervisors, in Enrolled Ordinance No 163-81, approved a Comprehensive Development Plan for Waukesha County, and

WHEREAS, said Comprehensive Development Plan for Waukesha County provides for annual update and amendment procedures, and

WHEREAS, on February 25, 2016, the Waukesha County Park and Planning Commission held a Public Hearing to receive testimony on proposed changes to the Comprehensive Development Plan for Waukesha County, and

WHEREAS, the staff has identified in a “Staff Report and Recommendation” dated March 17, 2016, a summary of the Public Hearing, comments and Staff Recommendations for the proposed change to the Comprehensive Development Plan for Waukesha County, and

WHEREAS, the “Staff Report and Recommendation” has been reviewed by the Waukesha County Park and Planning Commission on March 17, 2016, and a recommendation was reported to the Land Use, Parks and Environment Committee and the Waukesha County Board of Supervisors as required in the Comprehensive Development Plan for Waukesha County and as set forth in the attached “Chart of Actions”

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the following amendment is hereby approved to the Year 2035 Comprehensive Development Plan for Waukesha County.

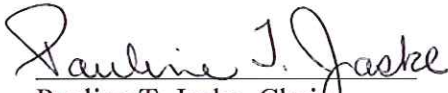
1. In the Town of Delafield, the following request is being made:
 - A. *The Town of Delafield Board and Plan Commission*, W302 N1254 Maple Avenue, Delafield, WI 53018, requests property located at W304 N2455 Maple Avenue, more specifically, Lots 17 and 18, Addition to Crystal Spring Park, Section 15, T7N, R18E, Town of Delafield (Tax Key No.’s DELT 0780.053.001* and DELT 0780.053.002*), be amended from the Governmental and Institutional category to the Low Density Residential category (20,000 sq. ft. to 1.4 acres of area per dwelling unit) for future single-family residential use. (*DELT 0780.053.001 and DELT 0780.053.002 are a division of DELT 0780.053 created 1/1/16)


BE IT FURTHER ORDAINED that a more detailed description and map of the aforementioned amendment is on file in the office of the Waukesha County Department of Parks and Land Use.


BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Delafield.

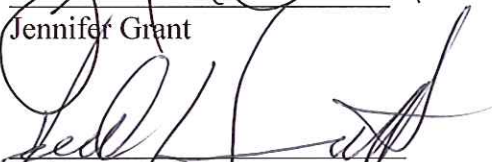
YEAR 2016 APPROVAL OF AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT
PLAN FOR WAUKESHA COUNTY (1A – TOWN OF DELAFIELD BOARD AND
PLAN COMMISSION, SECTION 15, T7N, R18E, TOWN OF DELAFIELD)


Presented by:
Land Use, Parks, and Environment Committee

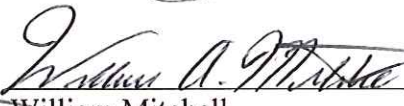

Pauline T. Jaske, Chair

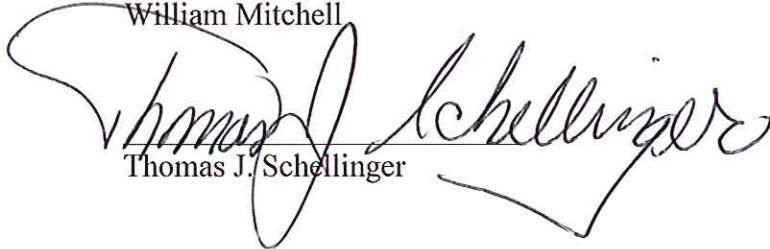

Jim Batzko


Jennifer Grant

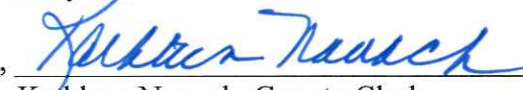

Keith Hammitt


Eric Highum


William Mitchell


Thomas J. Schellinger

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: April 12, 2016, 
Kathleen Novack, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____

Date: 4/14/16, 
Paul Farrow, County Executive

COMMISSION ACTION

The Waukesha County Park and Planning Commission after giving consideration to the subject matter of the Ordinance entitled "Year 2016 Approval of Amendment to the Comprehensive Development Plan for Waukesha County, (1A – Town of Delafield Board and Plan Commission, Section 15, Town of Delafield) hereby recommends approval in concurrence with the attached chart entitled "Year 2016 Amendments to the Comprehensive Development Plan for Waukesha County" (actions taken by the Park and Planning Commission).

PARK AND PLANNING COMMISSION

March 17, 2016

ABSTAIN - James Siepmann
James Siepmann, Chairperson

William A. Mitchell
William Mitchell, Vice Chairperson

Robert R. Peregrine
Robert Peregrine

Gary L. Goodchild
Gary Goodchild

Keith Hammit
Keith Hammit

Richard Morris
Richard Morris

Robert Hamilton
Robert Hamilton

Absent
William Maslowski

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE
STAFF REPORT AND RECOMMENDATIONS FOR THE
YEAR 2016 AMENDMENTS TO THE COMPREHENSIVE
DEVELOPMENT PLAN FOR WAUKESHA COUNTY

DATE: March 17, 2016

PUBLIC HEARING DATE:
Thursday, February 25, 2016, 1:00 p.m.

A copy of the Public Hearing Minutes associated with the requests are included herein as an attachment (see Exhibit "A").

REQUESTS:

Year 2016 amendments to the Comprehensive Development Plan for Waukesha County pursuant to the procedures outlined in the Plan.

1. In the Town of Delafield, the following request is being made:

- A. *The Town of Delafield Board and Plan Commission*, W302 N1254 Maple Avenue, Delafield, WI 53018, requests property located at W304 N2455 Maple Avenue, more specifically, Lots 16, 17 and 18, Addition to Crystal Spring Park, Section 15, T7N, R18E, Town of Delafield (Tax Key No.'s DELT 0780.052, DELT 0780.053.001* and DELT 0780.053.002*), be amended from the Governmental and Institutional category to the Low Density Residential category (20,000 sq. ft. to 1.4 acres of area per dwelling unit) for future single-family residential use. (*DELT 0780.053.001 and DELT 0780.053.002 are a division of DELT 0780.053 created 1/1/16)

EXISTING LAND USE CATEGORY

Governmental and Institutional.

PROPOSED LAND USE CATEGORY

Low Density Residential (20,000 sq. ft. to 1.4 acres per dwelling unit).

PUBLIC REACTION

A nearby property owner asked questions regarding whether the plan change would allow for single or multi-family uses. The Planning and Zoning Staff advised that the current zoning district allows for single family use, by right, and that the properties are likely too small to qualify for any sort of multi-family use. The Town Planner also advised that the Town is marketing the properties as single family lots.

TOWN ACTION

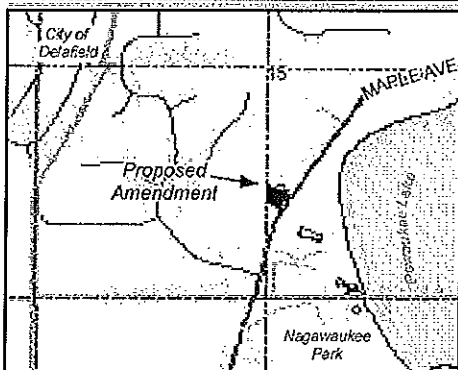
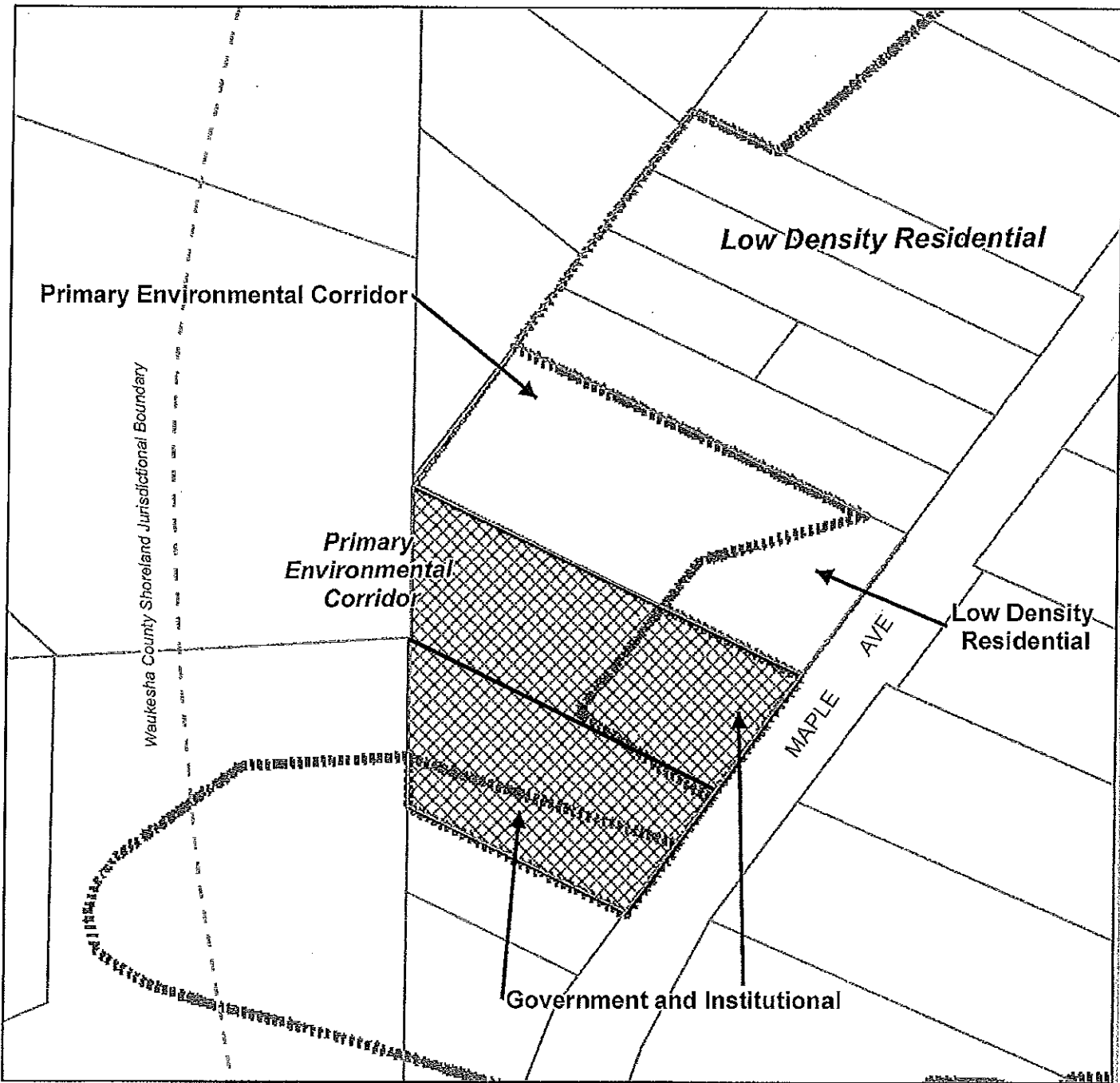
The Town of Delafield is the owner of the property and the petitioner, which signifies the Town's support for the plan amendment.

STAFF ANALYSIS:

The subject properties housed the Town of Delafield fire department until recently. The Town moved into their new Town Hall/fire station complex along I-94 and they now wish to sell the subject lands for future single family use. The application requested a change in designation relative to three adjacent parcels. However, because only two of the parcels were determined to be designated Governmental and Institutional, the third parcel has been withdrawn from the request.

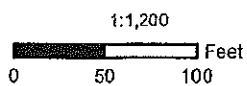
DEVELOPMENT PLAN AMENDMENT

PART OF THE SE 1/4 OF SECTION 15
TOWN OF DELAFIELD



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM GOVERNMENT & INSTITUTIONAL TO LOW DENSITY RESIDENTIAL

PETITIONER.....TOWN OF DELAFIELD
 DATE OF PLAN COMM. CONSIDERATION.....03/17/16
 AREA OF CHANGE.....1.84 ACRES
 TAX KEY NUMBERS.....DELT 0780.052, DELT 0780.053



Prepared by the Waukesha County Department of Parks and Land Use

The Town is marketing the parcels as three separate lots. The amendment would bring the properties into a category that would allow for future residential development. The properties are already zoned for residential use (R-2 Residential). The properties slope from west to east and the westerly portion of the property is mapped Primary Environmental Corridor (PEC) on the SEWRPC 2010 Environmental Corridor inventory. A review of aerial photos suggests that the PEC boundary is likely over mapped. The Town Engineer/Planner has indicated that he will seek a request for an environmental corridor boundary determination by SEWRPC staff.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The request will allow future owners of the subject Town-owned parcels to use the properties for residential use, consistent with the existing residential zoning and surrounding residential uses.

2. In the Town of Genesee, the following request is being made:

- A. **Carroll University**, 100 N. East Avenue, Waukesha, WI, requests property owned by Roger DeLong, 2205 Rivershore Drive, Racine, WI 53045, located at W305 S4533 Brookhill Road, in part of the SW ¼ of Section 22, T6N, R18E, Town of Genesee (Tax Key No. GNT 1527.989.003), be amended from the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit) to the Government and Institutional category, to expand Carroll University's research center land holdings.

EXISTING LAND USE CATEGORY

Rural Density and Other Agricultural Land (5.0 to 34.9 acres of area per dwelling unit).

PROPOSED LAND USE CATEGORY

Government and Institutional.

PUBLIC REACTION

At the public hearing for the proposed Town Plan Amendment, a neighbor on Brookhill Road questioned what was going to be put on the property, as she lives right across the street. The petitioners stated that the area would be used for K-12 and Carroll University Students to study the upland property and that the University has no intention of putting any big buildings on that parcel.

There was no public reaction at the February 25, 2016 public hearing for the County's Plan Amendment.

TOWN PLAN COMMISSION ACTION

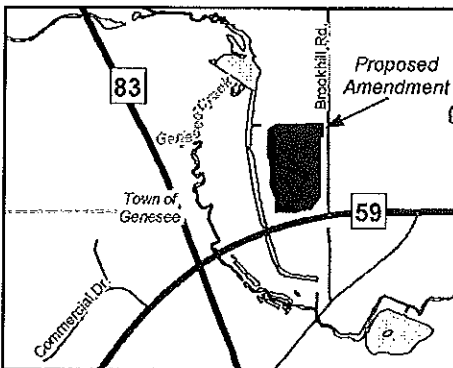
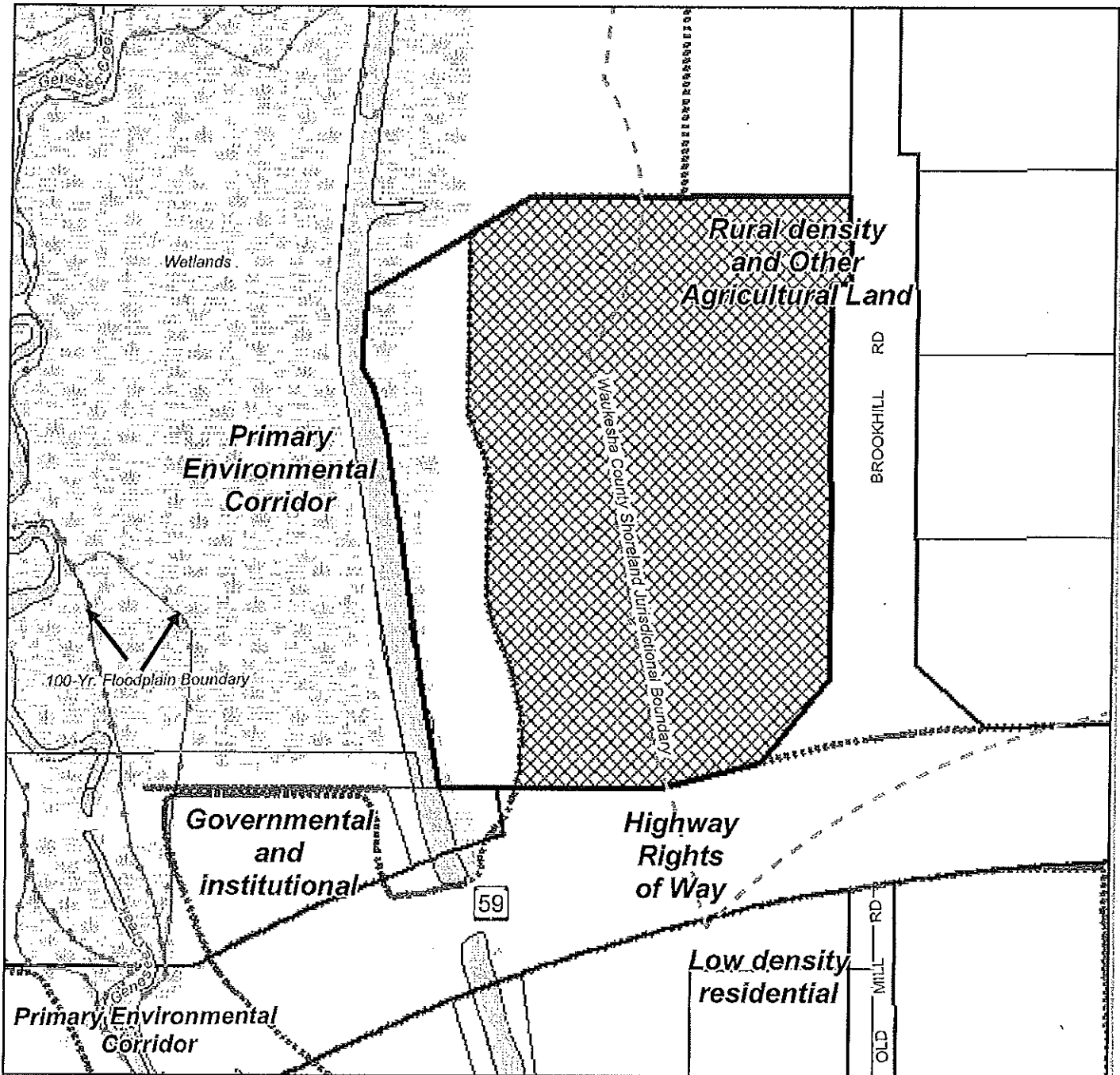
The Town of Genesee Plan Commission at their October 29, 2015 meeting, made a recommendation to the Town Board for approval of the request to amend the Town's Comprehensive Plan.

TOWN BOARD ACTION

The Town of Genesee Board unanimously approved the amendment at their December 14, 2015 meeting.

DEVELOPMENT PLAN AMENDMENT

PART OF THE SW 1/4 OF SECTION 22
TOWN OF GENESEE

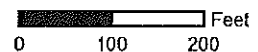


COUNTY DEVELOPMENT PLAN AMENDMENT FROM RURAL DENSITY AND OTHER AGRICULTURAL LAND TO GOVERNMENTAL AND INSTITUTIONAL

PETITIONER.....CARROLL UNIVERSITY (2A)
 DATE OF PLAN COMM. CONSIDERATION.....03/17/16
 AREA OF CHANGE.....8.53 ACRES
 TAX KEY NUMBER.....GNT 1527.989.003



1 Inch = 200 feet



Prepared by the Waukesha County Department of Parks and Land Use

STAFF ANALYSIS:

Carroll University has acquired an 11 acre undeveloped parcel located at the northwest corner of Hwy 59 and Brookhill Road, near the North Branch of Genesee Creek. The site has wetlands as well as upland woods on the western portion of the property and the area is mapped Primary Environmental Corridor. The property is immediately east of a former stream channel that connected to a former impoundment of Genesee Creek to the north. The WDNR will make a site visit and determination the navigability status of the channel this spring.

The University has adjacent holdings of over 40 acres to the west and southwest. The lands to the west are better known as the Greenc Field Station and are primarily wetlands and floodplain. The parcel to the west-southwest is a 2.8 acre parcel that contains a residence and three outbuildings which the University uses for instructional purposes, as well as for the storage of research related equipment.

The University is petitioning to amend the County's Land Use Plan from the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit) to the Governmental and Institutional category. This request is being made in tandem with a request to re-zone the property from A-2 (Shoreland) and A-5 (Town zoning), to the P-I Public and Institutional District.

The University is proposing the plan amendment and rezone in order to be able to acquire the property with the intent of utilizing the lands as an expansion of the field research area. The petitioner has noted that, unlike the majority of the University's holding to the west of the property, the subject site contains a great deal of upland and they hope to restore upland habitat over time. The University has no immediate plans to add any structural improvements to the parcel, but future improvements would require site plan approvals from the Town and County.

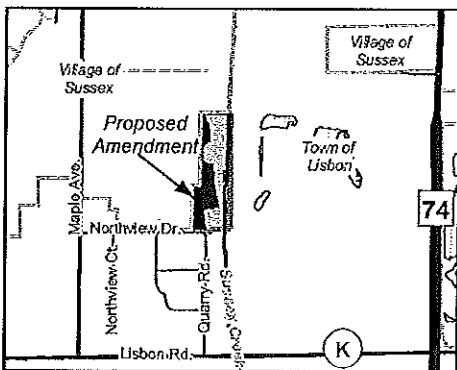
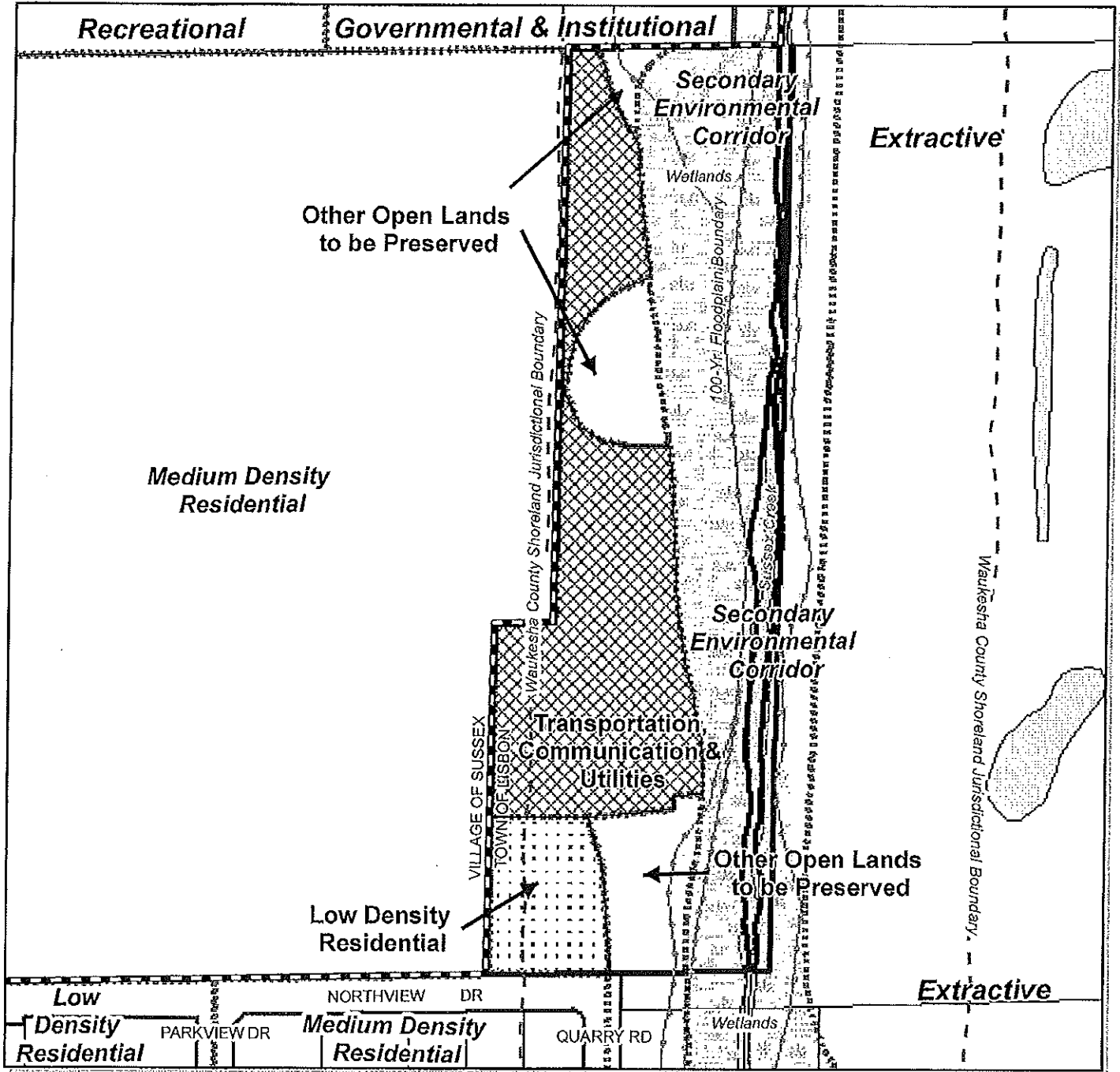
STAFF RECOMMENDATION:



It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. The site is adjacent to existing Carroll University field station holdings. This proposed amendment to the Governmental and Institutional plan category will allow the University to expand its natural land holdings which will provide research and educational opportunities for both University students and faculty and local school children.

3. In the Town of Lisbon, the following request is being made:
 - A. *Johanssen Farms, LLC, Wade Balson, agent*, N51 W23563 Lisbon Road, Sussex, WI 53089, requests property located at N54 W23746 Northview Drive, in part of the NW ¼ of Section 35, T8N, R19E, Town of Lisbon, (Tax Key No. LSBT 0282.979), be amended from the Transportation, Communication and Utilities and Low Density Residential categories (20,000 sq. ft. to 1.4 acres of area per dwelling unit) to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit), to maintain the residential duplex use and two commercial storage buildings and to utilize a portion of the property for storm water management facilities for a proposed adjacent residential subdivision.


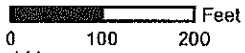
DEVELOPMENT PLAN AMENDMENT

PART OF THE NW 1/4 OF SECTION 35
TOWN OF LISBON



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM TRANSPORTATION, COMMUNICATION & UTILITIES TO SUBURBAN I DENSITY RESIDENTIAL.
 COUNTY DEVELOPMENT PLAN AMENDMENT FROM LOW DENSITY RESIDENTIAL TO SUBURBAN I DENSITY RESIDENTIAL.

PETITIONER.....JOHANSEN FARMS, LLC (3A)
 DATE OF PLAN COMM. CONSIDERATION.....03/17/16
 AREA OF CHANGE.....4.19 ACRES
 TAX KEY NUMBER.....LSBT 0282.979


 1 inch = 200 feet
 Feet
 0 100 200

Prepared by the Waukesha County Department of Parks and Land Use

LAND USE CATEGORIES

Transportation, Communication and Utilities and Low Density Residential (20,000 sq. ft. to 1.4 acres of area per dwelling unit).

PROPOSED LAND USE CATEGORY

Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit).

PUBLIC REACTION

None.

TOWN PLAN COMMISSION ACTION

The Town of Lisbon Plan Commission unanimously approved the amendment at their January 7, 2016 meeting subject to the Town Engineer, Town Planner and Town Clerk's comments.

TOWN BOARD ACTION

The Town of Lisbon Board unanimously approved the amendment at their January 11, 2016 meeting subject to the Town Engineer comments.

STAFF ANALYSIS:

The request is to amend all of the upland areas of the subject property from the Transportation, Communication and Utilities category and the Low Density Residential category (20,000 sq. ft. to 1.4 acres of area per dwelling unit) to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit).

The property currently contains a duplex with two outbuildings, and two larger commercial outbuildings currently being used by Halquist Stone Company for storage. Any other outbuildings will be removed. The remainder of the property is either open space or natural resource areas (wetland, floodplain, secondary environmental corridor, and/or other open lands to be preserved).

The open space to the north of the buildings will be divided from the remainder of the property as an outlot and used for stormwater purposes for a proposed subdivision adjacent to the west of the subject property in the Village of Sussex. A Developers Agreement signed by all parties will guarantee that either the Homeowners Association or the Village will be responsible for the maintenance of the stormwater facilities on the property in perpetuity. All of the natural resource areas on the property will be preserved. The owner has applied for a Conditional Use for the duplex as well as the commercial use of the two larger outbuildings on the site, and a Town and County rezone to appropriately zone all of the lands on the subject property. All of these actions are pending the outcome of the CDP amendment request. The site is noted on the County's Park and Open Space Plan for local acquisition, but the Town of Lisbon declined such acquisition at this time.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. Based on the above analysis, the approval of the request would serve to eliminate a non-typical land use category and provide for existing, but limited, residential and light commercial use on the subject property with appropriate permitting, while also preserving the natural resources, providing an area for stormwater facilities for an adjacent subdivision, and a buffer for the subdivision from the nearby quarry use.

The request complies with the objectives and standards contained in the Comprehensive Development Plan which includes the preservation of natural resources, proper placement of stormwater facilities, and a density appropriate for the area and the residential use of the property. Once the land use plan has been amended, the petitioner can follow through with the appropriate zoning amendment and other permitting processes as required.

4. In the Town of Ottawa, the following request is being made:

- A. *Soli Deo Gloria, LLC, c/o Petra Dekan*, P.O. Box 279, Wales, WI 53183-0279, requests property located at W349 S1766 Waterville Road, in part of the SW ¼ of Section 1, T6N, R17E, Town of Ottawa, (Tax Key No. OTWT 1587.998), be amended from the Governmental and Institutional category to the Rural Density and Other Agricultural Lands category (5.0 to 34.9 acres of area per dwelling unit), to bring the property into a plan category that is consistent with the surrounding property plan classifications and allow for future single-family residential use.

LAND USE CATEGORY

Governmental and Institutional.

PROPOSED LAND USE CATEGORY

Rural Density and Other Agricultural Lands category (5.0 to 34.9 acres of area per dwelling unit).

PUBLIC REACTION

None, although there was some general discussion about Ice Age trail possibilities.

TOWN PLAN COMMISSION ACTION

The Town of Ottawa Plan Commission unanimously approved an amendment to their Comprehensive Development Plan (CDP) to the Agricultural 10 Acre Density category at their October 5, 2015 meeting and recommended the County make a similar amendment to the CDP for Waukesha County.

TOWN BOARD ACTION

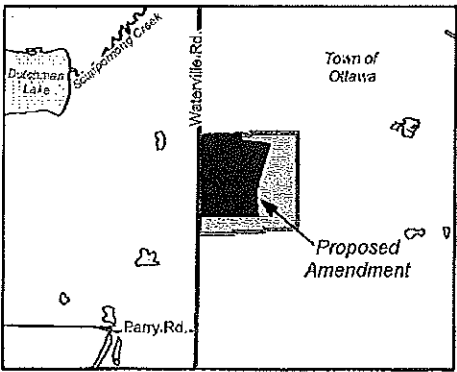
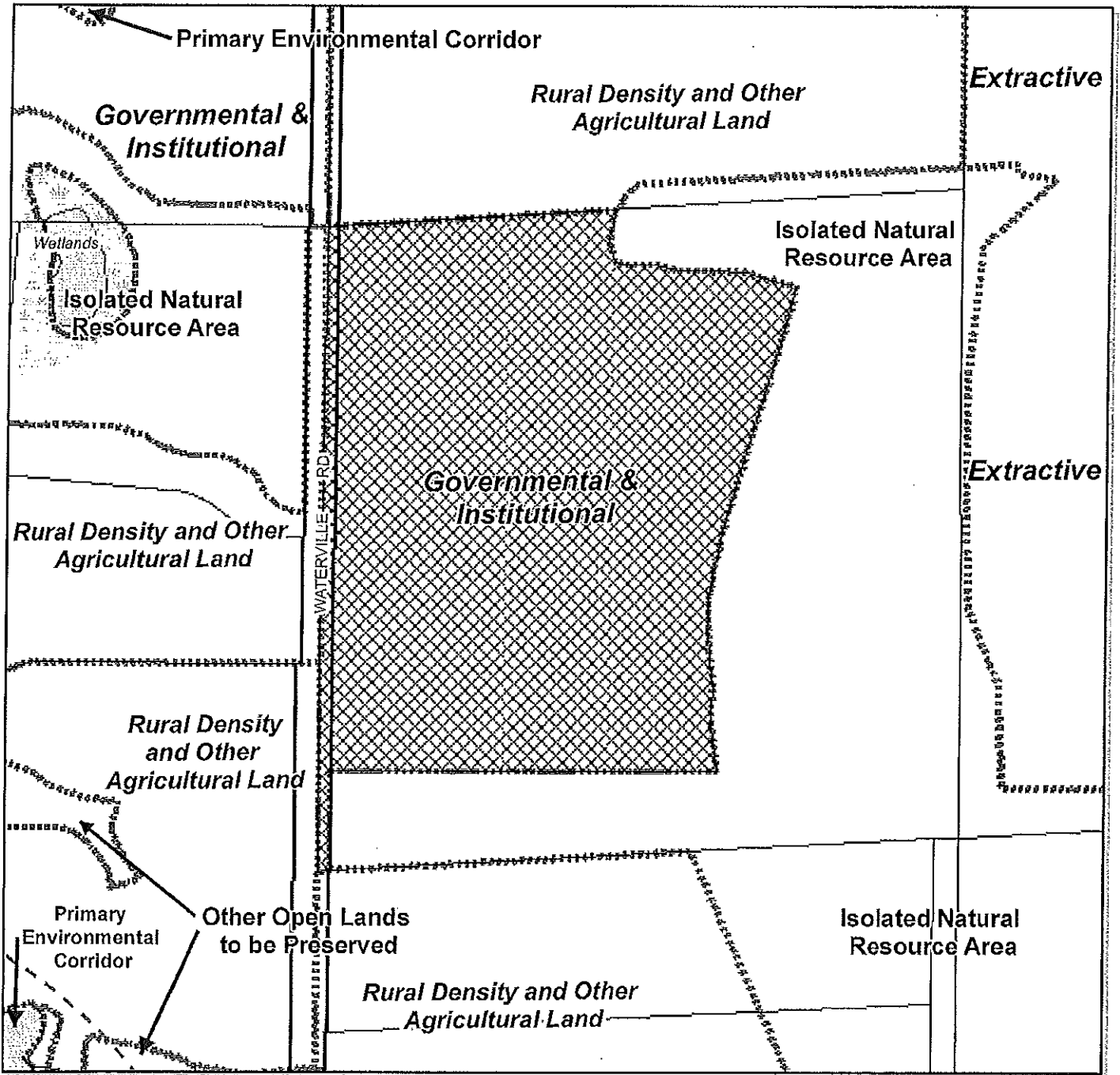
The Town of Ottawa Board unanimously approved an amendment to their Comprehensive Development Plan to the Agricultural 10 Acre Density category at their October 12, 2015 meeting.


STAFF ANALYSIS:

The request is to amend a portion of the subject property from the Governmental and Institutional category to the Rural Density and Other Agricultural Lands category (5.0 to 34.9 acres of area per dwelling unit). The property is currently used for agricultural purposes and was formerly owned by Lad Lake. The new owner may utilize the property for limited residential purposes in the future. The Isolated Natural Resources Area designation on the remainder of the property will not change. The owner will be applying for a rezone of the property once the Comprehensive Development Plan amendment process is complete.


DEVELOPMENT PLAN AMENDMENT

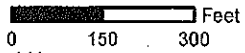
PART OF THE SW 1/4 OF SECTION 1
TOWN OF OTTAWA



 COUNTY DEVELOPMENT PLAN AMENDMENT FROM GOVERNMENTAL AND INSTITUTIONAL TO RURAL DENSITY AND OTHER AGRICULTURAL LAND

PETITIONER.....SOLI DEO GLORIA LLC (4A)
 DATE OF PLAN COMM. CONSIDERATION.....03/17/16
 AREA OF CHANGE.....21.95 ACRES
 TAX KEY NUMBER.....OTWT 1587.998



1 inch = 300 feet

 0 150 300 Feet

Prepared by the Waukesha County Department of Parks and Land Use

The Ice Age Trail Alliance owns a right of way that terminates at the southeast corner of the subject property. In talking with officials from the Ice Age Trail Alliance, they are very interested in working with the property owners on an agreement to get the (temporary) trail off of Waterville Road and into an off road situation similar to what exists immediately to the south of the subject property or acquire at least a 10 foot wide strip, if possible. The Waukesha County Park and Open Space Plan currently shows the Ice Age Trail (temporarily) paralleling Waterville Road between Lad Lake's main campus lands to the north and The Preserve at Hunters Lake to the southwest. The owners are strongly encouraged to work with the Ice Age Trail Alliance and discuss the opportunities available to them so that the trail does not have to continue on a busy and, at times, dangerous Waterville Road and be located off road instead. The Town of Ottawa also encouraged the extension of the trail off road in this area.

STAFF RECOMMENDATION:

It is the opinion of the Planning and Zoning Division Staff that this request be **approved**. Based on the above analysis, 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 request complies with the objectives and standards contained in the Comprehensive Development Plan which includes the protection of both the rural character and overall quality of the environment in 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 and/or agricultural uses, to the greatest extent possible, all of which preserve the aesthetic appearance of the rural landscape.

Once the land use plan 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. Any agreement that can be reached to provide the Ice Age Trail with an off road option will only further achieve the goals of the CDP and the County's Park and Open Space Plan as well.

Respectfully submitted,

Jason Fruth

Jason Fruth
Planning and Zoning Manager

Attachment: Exhibit A (Public Hearing Minutes)

SCHEDULED MATTER

- 1:05 p.m. Public Hearing for the 2016 Amendments to the Comprehensive Development Plan for Waukesha County

Mr. Fruth described the annual amendment process. He indicated that after the Public Hearing, the Waukesha County Department of Parks and Land Use Staff will have a recommendation prepared for the requests and on March 17, 2016, the Park and Planning Commission will meet and vote on the requests. The Land Use, Parks and Environment Committee will consider the amendments on April 5, 2016. The Waukesha County Board of Supervisors will consider the same at their meeting of April 12, 2016. After the Waukesha County Board's action, the appropriate changes are made a part of the permanent record and the Comprehensive Development Plan for Waukesha County is amended as approved by the Waukesha County Board.

At 1:05 p.m. Mr. Fruth read the Notice of Public Hearing into the record.

1. In the Town of Delafield, the following request is being made:
 - A. *The Town of Delafield Board and Plan Commission*, W302 N1254 Maple Avenue, Delafield, WI 53018, requests property located at W304 N2455 Maple Avenue, more specifically, Lots 16, 17 and 18, Addition to Crystal Spring Park, Section 15, T7N, R18E, Town of Delafield (Tax Key No.'s DELT 0780.052, DELT 0780.053.001* and DELT 0780.053.002*), be amended from the Governmental and Institutional category to the Low Density Residential category (20,000 sq. ft. to 1.4 acres of area per dwelling unit) for future single-family residential use. (*DELT 0780.053.001 and DELT 0780.053.002 are a division of DELT 0780.053 created 1/1/16)

Mr. Fruth indicated that the properties in question contain the former Town of Delafield Fire Station. The properties contain Primary Environmental Corridor (PEC) on the back portion of the lots. He added that the Town of Delafield Engineer/Planner would be requesting a refinement of the PEC boundaries from the Southeastern Wisconsin Regional Planning Commission (SEWRPC). Mr. Fruth added that the request would place the properties in a category which is consistent with the surrounding properties and noted that they are currently zoned in the R-2 Residential District. Vice Chairperson Mitchell asked if there were any questions or public comments?

Mrs. LaPorte, neighboring property owner asked if the intent for the properties would be single-family residences? Mr. Fruth replied that the zoning district allows for single-family residential, however, there are provisions in the Zoning Code which allow for multi-family type development in certain situations. He further explained that given the small size of the properties he did not believe they would qualify for multi-family or a more intensive use and that single family residential is the expectation. Mr. Barbeau, Town Engineer/Planner stated that it is the intention of the Town of Delafield that the properties be sold for single family homes.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

2. In the Town of Genesee, the following request is being made:

- A. *Carroll University*, 100 N. East Avenue, Waukesha, WI, requests property owned by Roger DeLong, 2205 Rivershore Drive, Racine, WI 53045, located at W305 S4533 Brookhill Road, in part of the SW ¼ of Section 22, T6N, R18E, Town of Genesee (Tax Key No. GNT 1527.989.003), be amended from the Rural Density and Other Agricultural Land category (5.0 to 34.9 acres of area per dwelling unit) to the Government and Institutional category, to expand Carroll University's research center land holdings.

Mr. Fruth noted that the property in question is east of Carroll University's existing holdings, at the corner of Brookhill Road and S.T.H. 59 in the Town of Genesee. The petitioner owns other property containing an environmental research center to the west along Genesee Creek. The property contains a wooded area on the west side of the property and the east side is vacant land. Surrounding uses include Rural Residential type development to the north and east. There is a former channel of Genesee Creek from when the creek was dammed years ago located on the property. The Planning and Zoning Division Staff has requested information from the Wisconsin Department of Natural Resources (WDNR) as to whether the channel is considered to be navigable or not as the petitioner may possibly want to have a way to come across the old raceway/depressional area which is steep in nature.

Mr. Lostetter representing Carroll University introduced himself and indicated they own the wetlands to the west of the property, in addition to what is being developed at the intersection of S.T.H. 83 and S.T.H. 59. Carroll University has had partial ownership of the wetlands since 1969 and has utilized the lands as an environmental station. He explained that the University was lacking a place to have classroom buildings for K-12 students and others to conduct environmental research and the recent acquisition of other nearby lands now provides that space. He noted the plans are to try and return the property to its original state with more hardwood/native plantings and create pathways on the property for student research. Vice Chairperson Mitchell asked if there were any questions or public comments?

Mr. Goodchild asked if Carroll University owns the small property to south near S.T.H. 59? Mr. Lostetter answered, "No". Mr. Fruth said the WDNR owns the property, however, there may be a mapping error as the GIS mapping indicates it is 5.8 acres in size.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

3. In the Town of Lisbon, the following request is being made:

- A. *Johanssen Farms, LLC, Wade Balson, agent*, N51 W23563 Lisbon Road, Sussex, WI 53089, requests property located at N54 W23746 Northview Drive, in part of the NW ¼ of Section 35, T8N, R19E, Town of Lisbon, (Tax Key No. LSBT 0282.979), be amended from the Transportation, Communication and Utilities and Low Density Residential categories (20,000 sq. ft. to 1.4 acres of area per dwelling unit) to the Suburban 1 Density Residential category (1.5 to 2.9 acres of area per dwelling unit), to maintain the residential duplex and commercial storage buildings and to utilize a portion of the property for storm water management facilities for a proposed adjacent residential subdivision.

Mr. Fruth pointed out that the proposed subdivision referenced in the notice is located immediately to the west of the parcel in question and is located in Village of Sussex. The proposed storm water basins intended

to serve the subdivision, would be located on the northern portion of the property in the Town of Lisbon and would be owned by the Village of Sussex. Halquist Stone Co. utilizes the two (2) commercial buildings on the southern portion of the property for storage, and in addition, rents the duplex unit.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he moved on to the next item on the agenda.

4. In the Town of Ottawa, the following request is being made:

- A. *Soli Deo Gloria, LLC, c/o Petra Dekan*, P.O. Box 279, Wales, WI 53183-0279, requests property located at W349 S1766 Waterville Road, in part of the SW ¼ of Section 1, T6N, R17E, Town of Ottawa, (Tax Key No. OTWT 1587.998), be amended from the Governmental and Institutional category to the Rural Density and Other Agricultural Lands category (5.0 to 34.9 acres of area per dwelling unit), to bring the property into a plan category that is consistent with the surrounding property plan classifications and allow for future single-family residential use.

Mr. Fruth indicated there is an Isolated Natural Resource Area located on the east and south portions of the property. The Town Planner has indicated the owners of the property may wish to divide the property in the future. Mr. Fruth pointed out that the Ice Age Trail holds ownership of property immediately to the south and noted the Ice Age Trail Alliance (IATA) has acquired an ownership strip from other properties to the south. Previously, people utilizing the Ice Age Trail were allowed to go through the east side of this property rather than being diverted to Waterville Road. The petitioners have indicated that they have concern about accommodating trail users. Surrounding properties are mostly rural uses and quarry lands to the east.

Mr. Goodchild said the Town of Ottawa Plan Commission and Board would like to see an arrangement with the Ice Age Trail materialize along the easterly property line. The Town has been supportive with WDNR purchases in expanding the Kettle Moraine State Forest and future pedestrian pathways. He explained, that if there are Certified Survey Maps or developments along state or county roads, the Town attempts to obtain pedestrian easement rights with the idea of having pedestrian walkways or bike trails off of such roadways, linking to the Kettle Moraine State Forest, the Glacial Drumlin Trail, etc. Mr. Goodchild mentioned that when Siepmann Realty developed the Preserve at Hunters Lake Subdivision, an easement for the IATA was provided throughout the development to the hiking trails.

A representative of the Ice Age Trail stated they would like to work with the property owners to secure an easement for the trail on the east portion of the property, ultimately connecting to the Waterville Field Station property to the north. He noted it would be dangerous for the trail users, hikers and back packers to walk along Waterville Road. Mr. Fruth asked if the former owners had a trail thread marked, to which the representative indicated there was a hand shake agreement at that time.

Mrs. Dekan, petitioner, introduced herself and noted that she also owns the adjacent parcel to the north of the subject property for a total of 80 acres. She indicated her family purchased the property mainly for hunting, and for safety at this time, could not support the continuation of the trail through her property. She noted the trail did not go through her property to the north and was not sure if the trail was located on the quarry property. She indicated they were never informed about the trail from the former owners.

Vice Chairperson Mitchell asked if the future plans for the property were for it to be subdivided? Mrs. Dekan replied, possibly, however, at the present time, it will be utilized for hunting and that was the main reason she purchased the property.

Mr. Morris asked, previously when people utilized the trail over this property, how did they get back to Waterville Road through the quarry property? The Ice Age Trail Representative replied, "Yes," they were able to have access, however, when the quarry expanded their operation they were asked to vacate and go to Waterville Road. Chairperson Mitchell clarified that the trail went along the north side of the Dekan property back to Waterville Road.

Vice Chairperson Mitchell asked if there were any other comments from the audience, Committee or Commission, there being none, he closed the Public Hearing at 1:30 p.m.

Chart of Actions Year 2016 Amendments to the Comprehensive Development Plan for Waukesha County

Item No. (Outlined in the Staff Report and Recommendation)	Town	Staff Recommendation	Park and Planning Commission Decision and Vote 3/17/16	LUPE Decision and Vote 4/5/16	County Board Decision and Vote 4/12/16
1A – Town of Delafield Board	Delafield	Approval	Approval - (6-0) (Siepmann recused himself from vote due to a conflict of interest)		
2A – Carroll University	Delafield	Approval	Approval - Unanimous		
3A – Johanssen Farms, LLC, Wade Balson, Agent	Lisbon	Approval	Approval - Unanimous		
4A – Soli Deo Gloria, LLC, c/o Petra Dekan	Ottawa	Approval	Approval - Unanimous		

V

DATE-04/12/16

(ORD) NUMBER-1700101

- 1 R. KOLB.....AYE
- 3 R. MORRIS.....AYE
- 5 J. BRANDTJEN.....AYE
- 7 J. GRANT.....AYE
- 9 J. HEINRICH.....AYE
- 11 C. HOWARD.....AYE
- 13 P. DECKER.....AYE
- 15 B. MITCHELL.....AYE
- 17 D. PAULSON.....AYE
- 19 K. CUMMINGS.....AYE
- 21 W. ZABOROWSKI.....AYE
- 23 K. HAMMITT.....
- 25 G. YERKE.....AYE

- 2 D. Zimmermann.....AYE
- 4 J. BATZKO.....AYE
- 6 J. WALZ.....AYE
- 8 E. HIGHUM.....AYE
- 10 D. SWAN.....AYE
- 12 P. WOLFF.....
- 14 C. PETTIS.....AYE
- 16 M. CROWLEY.....AYE
- 18 L. NELSON.....AYE
- 20 T. SCHELLINGER....AYE
- 22 P. JASKE.....AYE
- 24 S. WHITTOW.....

TOTAL AYES-22

TOTAL NAYS-00

CARRIED _____

DEFEATED _____

UNANIMOUS X

TOTAL VOTES-22