

PUBLIC HEARING AND PLAN COMMISSION MEETING APRIL 30, 2013

Notice of the Public Hearings on the proposed Rezoning for the property located at South Wales Road and Benton Court (Welsh Highlands), to Amend the Preliminary Development Plan, Final Development Plan, Plan Unit Development Plan and to Amend the Comprehensive 2030 Land Use Plan, was published in the Kettle Moraine Index and posted in the Village of Wales. The Public Hearing was held at the Wales Genesee Fire Station, located at 600 S Wales Road.

The Public Hearing was opened at 7:00 p.m. by Acting Chair John Meyer.

Present: Alan Theis, John Meyer, Larry Rigden, Dave Jennings, Jeffery Flaws and Wayne McStrack.

Also Present: Deputy Clerk Wigderson; Scott Hussinger, Village of Wales Building Inspector; Mike Wegner, 614 Mount Snowdon Road; Mike Fleming 400 Cardinal Lane, Hartland, WI 53029; Mark Ellena S9 W31380 Irwin Court; Susan Jack S50 W34315 Ridgeway Dr, Dousman, WI 53118; Stacy & Ray Scholtka 135 Elias Street; Michelle Weber 158 W Main Street; Gloria Grear 434 S Welsh Road; Chuck Bilkey 420 Welsh Road and Lauren Salvi 383 Cardigan Court.

Excused: Wanda Gosa, Jeff Roth and Patrick Hess.

PUBLIC HEARING

There were no public comments regarding the application for Rezoning from R-4, to R-2 & R-3, the Amendment to the Preliminary Development Plan, Final Development Plan, Plan Unit Development and the Amended Comprehensive 2030 Land Use Plan.

The Public Hearing was closed at 7:02 p.m.

The Plan Commission Meeting was called to order at 7:03 p.m. by Acting Chairman John Meyer. Members present Alan Theis, Larry Rigden, John Meyer, Dave Jennings, Jeffery Flaws and Wayne McStrack.

Also Present: Deputy Clerk Wigderson; Scott Hussinger, Village of Wales Building Inspector; Mike Wegner, 614 Mount Snowdon Road; Mike Fleming 400 Cardinal Lane, Hartland, WI 53029; Mark Ellena S9 W31380 Irwin Court; Susan Jack S50 W34315 Ridgeway Dr, Dousman, WI 53118; Stacy & Ray Scholtka 135 Elias Street; Michelle Weber 158 W Main Street; Gloria Grear 434 S Welsh Road; Chuck Bilkey 420 Welsh Road and Lauren Salvi 383 Cardigan Court.

Excused: Wanda Gosa, Jeff Roth and Patrick Hess.

Deputy Clerk Wigderson noted that proper notice of this meeting had been posted in accordance with the open meeting laws of the State of Wisconsin.

PUBLIC COMMENT

No Public Comment.

Plan Commission Members acknowledged receipt of the minutes for the Plan Commission meeting of March 26, 2013. Motion by Alan Theis to approve the minutes and waive the requirement of reading same, second by Jeff Flaws, motion passed. Dave Jennings abstained.

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**REQUEST FOR APPROVAL
BUSINESS PLAN OF OPERATION
CHANDRA YOGA & WELLNESS
543 AJ ALLEN CIRCLE, SUITE A1**

REQUESTED BY: Susan Jack
543 AJ Allen Circle, Suite A1
Wales, WI 53183

PRESENTED BY: Susan Jack

DISCUSSION: This business is a yoga studio where yoga and wellness classes and workshops will be held. Hours of operation will be mornings and evenings, Monday – Sunday. There will be 2 employees to start and potentially up to 8 employees. 15 parking spaces would be needed for the business. Signage will be submitted for review at a later date. No signage can be installed without being approved.

MOTION: Motion by Jeff Flaws to recommend approval of the Business Plan of Operation, as submitted, second Wayne McStrack. Motion passed unopposed.

**REQUEST FOR APPROVAL
TEMPORARY USE PERMIT TO ALLOW THE
KEEPING OF BACKYARD CHICKENS
383 CARDIGAN COURT**

REQUESTED BY: Tony Niehausen
383 Cardigan Court
Wales, WI 53183

PRESENTED BY: Lauren Salvi

DISCUSSION: Tony & Lauren are requesting to keep 4 hens for their personal use. They have .72 acres of land. There will not be any roosters on the property. The eggs or hens will not be sold and there will not be any slaughtering of the hens. They will be composting the waste and will be using it in their garden. The placement of the coop will be the required 20 feet or more from the neighbor's property line, and the hens will be kept fenced in on the property. The neighbors have been contacted to let them know of the possible hens on the property. This is a Temporary Use Permit for one year. The permit must be reviewed to be renewed in April 2014.

MOTION: Motion by Jeff Flaws to recommend approval of the Plan for Temporarily Keeping of Backyard Chickens with the condition that it is a temporary use and must be reviewed in April 2014, prior to extending the approval, second Alan Theis. Motion passed unopposed.

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**REQUEST FOR APPROVAL
TEMPORARY USE PERMIT TO ALLOW THE
KEEPING OF BACKYARD CHICKENS
135 NORTH ELIAS STREET**

REQUESTED BY: Stacy Scholtka
135 North Elias Street
Wales, WI 53183

PRESENTED BY: Stacy & Ray Scholtka

DISCUSSION: The Scholtkas are requesting to keep 3 hens for their personal use. They have .75 acres of land. There will not be any roosters on the property. The eggs or hens will not be sold and there will not be any slaughtering of the hens. They will be composting the waste and will be using it in their garden. The placement of the coop will be the required 20 feet or more from the neighbor's property line, and the hens will be kept fenced in on the property. The coop will have a moveable pen which will allow the hens to roam. The neighbors have been contacted to let them know of the possible hens on the property. This is a Temporary Use Permit for one year. The permit must be reviewed to be renewed in April 2014.

MOTION: Motion by Alan Theis to recommend approval of the Plan for Temporarily Keeping of Backyard Chickens with the condition that it is a temporary use and must be reviewed in April 2014, prior to extending the approval, second Jeff Flaws. Motion passed unopposed.

**REQUEST FOR APPROVAL
TEMPORARY USE PERMIT TO ALLOW THE
KEEPING OF BACKYARD CHICKENS
158 MAIN STREET**

REQUESTED BY: Michelle Weber
158 Main Street
Wales, WI 53183

PRESENTED BY: Michelle & Michael Weber

DISCUSSION: The Webers are requesting to keep 4 hens for their personal use. They have .75 acres of land. There will not be any roosters on the property. The eggs and hens will not be sold and there will not be any slaughtering of the hens. They will be composting the waste and will be using it in their garden. The placement of the coop will be the required 20 feet or more from the neighbor's property line, and the hens will be kept fenced in on the property. The hens will have a 15' by 15' fenced run. The shed on the property will not be used as the chicken coop. The neighbors have been contacted to let them know of the possible hens on the property. This is a Temporary Use Permit for one year. The permit must be reviewed to be renewed in April 2014. Chuck Bilkey wanted to state, "That he is in favor of allowing Village residents to keep backyard chickens."

MOTION: Motion by Alan Theis to recommend approval of the Plan for Temporarily Keeping of Backyard Chickens with the condition that it is a temporary use and must be reviewed in April 2014, prior to extending the approval, second Wayne McStrack. Motion passed unopposed.

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**REQUEST FOR APPROVAL
AMENDMENT TO THE COMPREHENSIVE 2030 LAND USE PLAN
WELSH HIGHLAND DEVELOPMENT**

REQUESTED BY: Michael Fleming
400 Cardinal Lane
Hartland, WI 53029

PRESENTED BY: Michael Fleming

DISCUSSION: The Comprehensive Land Use Plan must be amended to reflect the change to the Welsh Highland development. The land is currently R-4 and would like to change it to R-2 and R-3. The current 309/311 Benton Court would become R-3 Zoning and the remaining undeveloped parcels would become R-2 Zoning.

MOTION: Motion by Alan Theis to recommend approval of the Amendment to the Comprehensive 2030 Land Use Plan to reflect the proposed zoning change for Welsh Highlands, as submitted, second Jeff Flaws. Motion passed unopposed.

**REQUEST FOR APPROVAL
TO REZONE THE PROPERTY LOCATED AT SOUTH WALES ROAD &
BENTON COURT FROM R-4 ZONING TO A R-2 SINGLE FAMILY RESIDENTIAL ZONING &
A R-3 TWO FAMILY RESIDENTIAL ZONING (309/311 PARCEL ONLY)**

REQUESTED BY: Michael Fleming
400 Cardinal Lane
Hartland, WI 53029

PRESENTED BY: Michael Fleming

DISCUSSION: Securant Bank & Trust would like to rezone the property from the current zoning of R-4 to a R-2 and R-3 Zoning. The parcel with the current home on it would become R-3 which would allow for the two-family home. The remaining undeveloped parcels will be rezoned to R-2 which would allow for a single family home to be built on each lot.

MOTION: Motion by Alan Theis to recommend approval of the Rezoning of Welsh Highlands from R-4, to R-2 for the 7 undeveloped lots and to R-3 for the current 309/311 parcel only, as submitted, second Jeff Flaws. Motion passed unopposed.

**REQUEST FOR APPROVAL
AMENDMENT TO THE PLAN UNIT DEVELOPMENT
AGREEMENT FOR WELSH HIGHLANDS**

REQUESTED BY: Michael Fleming
400 Cardinal Lane
Hartland, WI 53029

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PRESENTED BY: Michael Fleming

DISCUSSION: The Amendment to the original Plan Unit Development will allow the property to be developed into 7 single family homes and 1 two-family home. The lots will be sold to home owners who will construct their homes to the requirements in the Plan Unit Development agreement. A homeowners association will be put in place to maintain the two out lots, the retention pond, the fire protection water storage tanks and the road (Benton Court). Snow removal will be a private service contracted by the association. The development shall be substantially completed within 3 years of the date of commencement of construction. Each lot owner shall comply with the provisions of the Plan Unit Development Agreement. The parking of service and recreational vehicles, including but not limited to trailers, boats, campers, etc. shall be prohibited, except for the temporary parking for the purpose of loading and unloading. Street parking will be prohibited on the northwest side of Benton Court. A six foot tall chain link fence will be installed around the detention pond by July 2013. The cost sharing will be split among the tax key numbers for this development for maintenance and snow removal.

MOTION: Motion by Alan Theis to recommend approval of the Amendment to the Plan Unit Development Agreement for Welsh Highlands with the conditions as stated in the discussion above, as submitted, second Jeff Flaws. Motion passed unopposed.

**REQUEST FOR APPROVAL
AMENDMENT TO THE FINAL PLAT
FOR WELSH HIGHLANDS**

REQUESTED BY: Michael Fleming
400 Cardinal Lane
Hartland, WI 53029

PRESENTED BY: Michael Fleming & Mark Ellena

DISCUSSION: The preliminary plat has been reviewed by both Waukesha County and the State of Wisconsin and has been given approval by both. The Village Engineer has reviewed the Final Plat, and his concerns have been corrected. The well and septic field locations have been placed on the Final Plat. The master grading plan is on the Final Plat and each home owner will have to comply with the grade for their property. The future Highway 83 road improvements have been placed on the Final Plat. The proposed Top of Foundation (TOF) has been shown for each parcel.

MOTION: Motion by Alan Theis to recommend approval of the Amendment to the Final Plat for Welsh Highlands as submitted, second Jeff Flaws. Motion passed unopposed.

**REQUEST FOR APPROVAL
AMENDMENT TO THE PRELIMINARY DEVELOPMENT PLAN &
THE FINAL DEVELOPMENT PLAN
FOR WELSH HIGHLANDS**

REQUESTED BY: Michael Fleming
400 Cardinal Lane
Hartland, WI 53029

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PRESENTED BY: Michael Fleming & Mark Ellena

DISCUSSION: The tree survey has been completed and placed on the Preliminary Development Plan (PDP) and the Final Development Plan (FDP). The "No Parking" areas have been delineated on the PDP & FDP. The fence around the detention pond is shown. The septic fields and well locations have shown. The setbacks have been stated.

MOTION: Motion by Alan Theis to recommend approval of the Amendment to the Preliminary Development Plan & Final Development Plan for Welsh Highlands as submitted, second Jeff Flaws. Amendment to the recommendation to have the "No Parking" area delineated on the Final Plat, second Wayne McStrack. Motion passed unopposed.

**REQUEST FOR APPROVAL
VILLAGE OF WALES ORDINANCE TO APPROVE AMENDMENT NO. 1
TO THE PRELIMINARY DEVELOPMENT PLAN AND FINAL DEVELOPMENT PLAN
FOR A PLANNED UNIT DEVELOPMENT IN AN R-2 & R-3 ZONING DISTRICT**

DISCUSSION: The Amended Ordinance will allow the current two-family home to be a conforming parcel and the possible seven single family homes to be constructed in the Welsh Highlands Development.

MOTION: Motion by Alan Theis to recommend approval of the Village of Wales Ordinance to Approve Amendment No. 1 to the Preliminary Development Plan and Final Development Plan for a Planned Unit Development in a R-2 & R-3 Zoning District as submitted, second Jeff Flaws. Motion passed unopposed.

ADJOURNMENT

Motion by Wayne McStrack to adjourn, second by Alan Theis, motion passed, unopposed. This meeting was adjourned at 7:47 p.m.

Submitted by

Pauline Wigderson, Deputy Clerk