

**TOWN OF GENESEE PLAN  
COMMISSION MEETING MINUTES**

**JULY 25, 2022**

Chairman Leair called the meeting to order at 6:07 p.m. Present were Chairman Leair, Plan Commission members Lightfoot, Engelking, Turzynski, Christiansen and Town Board Supervisor Houston. Toole was absent. Also Present were Administrator/ Planner Herrmann and Clerk Majeskie.

**Discussion/Action – Zoning Amendment request of MI Real Estate LLC, W292 S4498 Hillside Road, Waukesha, Wisconsin from the B-2 Local Business District to B-3 General Business District to operate a showroom, office, minor manufacturing and warehouse specializing in hand guards for rifles and hand guns of all makes and models and quality tactical weapon accessories. The property is described as Lot 1 CSM 11401, being a part of the NW ¼ of 27, T6N, R18E, Town of Genesee, containing approximately 2.19 acres. More specifically, the property is located on the northwest corner of Executive Drive and Commercial Drive. (GNT 1546.971.006)**

Engelking made a motion to recommend approval the zoning amendment to the Town Board with the condition that referenced Ordinance 146-102 be eliminated, seconded by Christiansen. The motion passed 6-0.

**Discussion/Action – Site Plan/Plan of Operation, Sunset Septic, S34 W29945 Little John Drive, Waukesha, WI 53189. (Tax Key GNT 1494-997-027)**

Engelking made a motion to approve the Plan of Operation for Sunset Septic subject to the Planners Recommendations dated July 19, 2022, seconded by Houston. The motion passed 6-0.

**TOWN OF GENESEE PLAN COMMISSION  
PLANNER’S REPORT & RECOMMENDATION  
SITE PLAN/PLAN OF OPERATION**

**NAME:** Sunset Septic

**DATE:** July 19, 2022

**TAX KEY NO.:** GNT 1494.997.027

**OWNER:** Andrew Falci  
860 Brinsmere Dr.  
Elm Grove, WI 53122-2101

**PETITIONER:** Andrew Falci  
d/b/a Sunset Septic  
S34 W29945 Little John Drive  
Waukesha, WI 53189

**LOCATION OF PROPERTY:** Lot 7, CSM No. 9685, being a part of the NW ¼ and the SW ¼ of Section 14, T6N, R18E, Town of Genesee, located at S34 W39945 Little John Drive.

**ZONING CLASSIFICATION:** M-1 Limited Industrial District.

**PROPOSED REQUEST:**

The property consists of approximately 1.51 acres. The previous owners constructed a 60' x 128' industrial building. The building was constructed with a steel frame interior and the outside consists of steel siding and roof with a three (3) foot high decorative brick fascia along the bottom of the building.

The interior floor plan depicts a reception area, two (2) office areas, restrooms, two (2) large shop areas and a small compressor room. There is a dividing wall between the two (2) shop areas with a large interior overhead door, which separates the western one-third of the building. The new owner (Sunset Septic) will be using the building as it is with no interior changes. Sunset Septic has been in business for over 30 years. They are proposing to take over this building for their septic/holding tank pump and repair service business. They currently have eight (8) large septic trucks, excavation equipment, work vehicles, trailers, tractors, and various cement components, like cement risers. During the winter months, the large vehicles are parked indoor. During the summer, some vehicles and equipment may be park outside overnight.

Sunset Septic indicates that the hours of operation will be from 5:30 a.m. to 8:00 p.m., Monday through Friday. The business will employ twelve (12) full-time employees and four (4) part time employees. The site has nineteen (19) regular parking spaces and one (1) handicap space for a total of twenty (20) parking spaces. Based on the uses of the property, the number of parking spaces complies with the requirements of the ordinance.

**Sunset Septic**

The site is served by a mound septic system and private well, which is located on the west side of the property. No changes are being proposed to the signage, landscaping, or lighting on the site. A dumpster is located on the west end of the parking lot.

**PLANNER'S RECOMMENDATIONS:**

Based on the information provided, the Town Planner recommends **approval** of this request subject to the following conditions:

1. This approval is for Sunset Septic, to occupy the entire building. Any other use shall require the petitioner apply for a new Site Plan/Plan of Operation to be reviewed and approved by the Town of Genesee Plan Commission.
2. Any proposed signage in the future will require a detailed colored sign rendering being submitted to the Town Plan Commission for review and approval prior to erecting said sign. A Zoning Permit and/or Building Permit may also be required for said signage.
3. An outside storage plan shall be presented to the Town Planner for review and approval. Once this plan is approved, no other outside storage shall be allowed unless specifically approved by the Town of Genesee Plan Commission.

4. Written documentation shall be provided to the Town Planner that the Waukesha County Environmental Health Division has approved the operation of the septic system and that the proposed use will not adversely affect the septic system.
5. The Fire Chief shall review the interior of the building to ensure that all fire codes are being complied with and that a Knox Box has been installed in conformance with the Town of Genesee Knox Box Ordinance.
6. The Town of Genesee Building Inspector shall inspect the interior of the building to determine compliance with all applicable building codes. All compliance violations shall be corrected to the Building Inspector's satisfaction.
7. Documentation shall be submitted to the Town Planner that all required local, county, state and federal licenses and permits have been obtained.
8. The Town reserves the right to review any condition imposed as part of this Plan of Operation, if said use becomes a problem in the area. The Town Plan Commission may modify, change, delete, add, etc. any conditions, which they feel may be reasonable in order to allow this use, and to ensure that it does not become detrimental to the surrounding area.

#### **Sunset Septic**

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9. Subject to the property being in compliance with all Federal, State, County and local laws, ordinances, codes, rules and regulations.
10. An up-to-date Plan of Operation must be on file at all times with the Town of Genesee Plan Commission.
11. The applicant shall allow the premises to be available for inspection by the Town of Genesee officials at any reasonable time and upon reasonable notice.
12. All activities on the subject property herein may not in any way become a nuisance by reason of appearance, noise, dust, smoke, illumination, odor or any other similar factor.
13. Professional fees. Applicant shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this Plan of Operation, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
14. Payment of Charges. Any unpaid bills owed to the Town by the subject Property Owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully submitted,

Jeffrey Herrmann, AICP  
Administrator-Planner

cc: Town of Genesee Clerk  
Town of Genesee Building Inspector  
LCFR Fire Chief  
Andrew Falci  
Waukesha County Environmental Health Division

**Discussion/Action – Certified Survey Map for Giese-Witte, S51 W30735 Walnut Street, Mukwonago, Wisconsin, (Tax Key GNT 1546.022.001 and GNT 1546.025).**

Engelking made a motion to approve the CSM subject to the planner’s report dated July 19, 2022, seconded by Christiansen. The motion passed 6-0.

**TOWN OF GENESEE PLAN COMMISSION & TOWN BOARD  
PLANNER’S REPORT AND RECOMMENDATION  
CERTIFIED SURVEY MAP (Dated July 5, 2022)**

**PROJECT NAME:** Giese/Witte  
**TAX KEY NO.:** GNT 1546.022.001  
GNT 1546.025  
**DATE:** July 19, 2022  
**OWNER:** Elizabeth Giese  
Jeffrey Witte  
6 S. Huffman Street  
Naperville, IL 60540

**LOCATION:** The east 40 feet of Lots 23 and 24 and all of Lots 25 and 26 Plat of Genesee, together with unplatted lands adjoining on the east, all being a part of the SW ¼ of Section 27, T6N, R18E, Town of Genesee, Waukesha County, Wisconsin.

**TOWN ZONING:** R-2 Residential District.

**PARCEL SIZE:** Approximately 1.02 acres.

**REQUESTED USES:** A Certified Survey Map (CSM) to combine five (5) parcels of land into one (1) lot served by a private septic system and a private well.

**COMPLIANCE WITH THE TOWN OF GENESEE COMPREHENSIVE LAND USE PLAN -2035:** The Town of Genesee Comprehensive Land Use Plan – 2035 designates property in the Low- Density Residential

category allowing 20,000 square feet to 1.4 acres of lot area per dwelling unit. Therefore, the proposed combination complies with the intent of the Town of Genesee Comprehensive Land Use Plan – 2035.

**STAFF ANALYSIS:**

The owners are proposing to combine five (5) parcels into one (1) new Lot. The combined area of the existing parcels is approximately 1.02 acres. The property is located on the south side of Walnut Street and has 134.50 feet of frontage on Walnut Street. The property contains an existing accessory structure and the remnants of a single-family residence, which was recently razed. The Town of Genesee Zoning Code does not allow the construction of an accessory building without a principal structure. The petitioners have applied for the construction of a new single-family residence, therefore, the accessory structure without a principal structure should not be a problem.

**Giese/Witte CSM**

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This submittal is a Certified Survey Map, which gives the Town Plan Commission 75 days and the Town Board 90 days to take action. The Certified Survey Map was filed with the Town of Genesee on July 6, 2022, giving the Town Plan Commission until September 19, 2022 and the Town Board until October 4, 2022, to take action, unless the Developer grants an extension in writing.

In performing a detailed review of the CSM dated July 5, 2022, I have found the following items must be complied with, added to the map, modified or waived by the Town of Genesee Plan Commission and Town Board and are deemed conditions that must be satisfied in order to comply with the Town's Land Division Ordinance:

- Section 375-22 (C)      The general location sketch shown on sheet 1 of 3, shall include Walnut Street.
- Section 375-22 (E)      The names and addresses of the owner, subdivider and land surveyor shall be shown on the CSM.
- Section 375-23 (G)      Location and names of any adjacent subdivisions, parks, cemeteries, and owners of record of abutting unplatted lands shall be shown on the CSM.
- Section 375-23 (M)      Existing Zoning on and adjacent to the proposed CSM shall be shown on the CSM.
- Section 375-29 (E)      All Utility and/or Drainage Easements shall be shown on the final CSM.
- Section 375-44            **Duplicate CSM to be Filed; An identical reproducible copy (on stable drafting film at least 4 mils thick) along with the recording data shall be placed on file with the Town Clerk. This can take place as a another original CSM or a mylar copy of the original CSM. Signatures shall be placed on both copies of the CSM.**
- Section 375-52 (E)      The depth to width ratio shall not exceed 2.5 to 1, unless a variance is approved by the Town Plan Commission and Town Board.

**PLANNER'S RECOMMENDATION:**

Based on the above information, the Town Planner recommends that the Town Plan Commission recommend to the Town Board to **approve** the CSM subject to the aforementioned conditions being satisfied prior to Town signing the final CSM and subject to the following:

1. Subject to the Owner satisfying all comments, conditions and concerns of the Town Engineer, the Town Planner and all reviewing, objecting and approving bodies, including but not limited to the Wisconsin State Statute's per Chapter 236; Comm. 85, Wisconsin Administrative Code; and the Village of North Prairie in regard to the CSM, prior to the Town signing the final CSM.

**Giese/Witte CSM**

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2. The Village of North Prairie shall review, approve and sign the CSM prior to the Town of Genesee signing the final CSM. All conditions imposed by the Village of North Prairie shall be incorporated herein. A signature page shall be added for the Village of North Prairie.
3. On sheet 3 of 3, under the Town of Genesee Signature for both Town Board and Town Plan Commission shall include Sharon L. Leair, Chairman and Meri Majeskie as Secretary and Clerk.
4. Any and all waivers reviewed and approved by the Town Plan Commission and Town Board shall be noted on the final CSM. The Town Planner shall approve the language of the notes.
5. A note shall be placed on the face of the final CSM stating, no lot or outlot shall be further divided absent the express written approval of the Town Board of the Town of Genesee. No new lots or outlots shall be created absent the express written approval of the Town Board of the Town of Genesee. No lot line or outlot line shall be adjusted or reconfigured in any way absent the express written approval of the Town Board of the Town of Genesee or unless otherwise expressly authorized by law.
6. All existing and proposed easements shall be shown.
7. The Town Planner shall review the final CSM prior to the Town Officials signing the final CSM.
8. Subject to, **prior to the Town signing the final CSM, all other required signatures must be inscribed on the final CSM.**
9. Subject to the Owner satisfying all of the aforementioned conditions within **one (1) year** of the Town Board granting conditional final CSM approval.
10. Professional fees. Petitioner shall, on demand, reimburse the Town for all costs and expenses of any type that the Town incurs in connection with this development, including the cost of professional services incurred by the Town (including engineering, legal, planning and other consulting fees) for the review and preparation of required documents or attendance at meetings or other related professional services for this application, as well as to enforce the conditions in this conditional approval due to a violation of these conditions.
11. Payment of Charges. Any unpaid bills owed to the Town by the subject property owner or his or her tenants, operators or occupants, for reimbursement of professional fees (as described above); or for personal property taxes; or for real property taxes; or for licenses, permit fees or any other fees owed to the

Town; shall be placed upon the tax roll for the subject property if not paid within thirty (30) days of the billing by the Town, pursuant to Section 66.0627, Wisconsin Statutes. Such unpaid bills also constitute a breach of the requirements of this conditional approval that is subject to all remedies available to the Town, including possible cause for termination of the conditional approval.

Respectfully submitted,

Jeffrey C. Herrmann, AICP  
Administrator-Planner

cc: Town of Genesee Clerk  
Town of Genesee Building Inspector  
Village of North Prairie  
Jeff Witte and Elizabeth Giese  
Dennis Sauer

**Discussion/Action – Waiver from Section 375-52 (E) the depth to width ratio shall exceeding 2.5 to 1 for Giese-Witte Certified Survey Map (Tax Key GNT 1546.022.001 and GNT 1546.025).**

Engelking made a motion to approve the waiver from section 375-52, seconded by Christiansen. The motion passed 6-0.

**Discussion/Action – Approval of June 27, 2022 Plan Commission Minutes.**

Christiansen made a motion to approve the minutes of June 27, 2022, seconded by Engelking. The motion passed 6-0.

**Review Pending**

Kettle Moraine has gotten his storm water permit and state approved plans, He is working on getting sewer from Wales to his building. The Town will need a border agreement with Wales. Herrmann will go and visit the rest of the violations that he has sent letters to.

**Correspondence**

None

**Adjourn**

Engelking made a motion to adjourn, seconded by Houston. The motion passed 6-0. The meeting was adjourned at 6:24 p.m.

Respectfully submitted,

Meri Majeskie  
Clerk