

## TOWN OF GENESEE SPECIAL TOWN PLAN COMMISSION MINUTES

August 7th, 2023

4:00 P.M.

Chairman Leair called the meeting to order at 4:00 p.m. Present were Chairman Leair and Plan Commission members Engelking, Lightfoot, Turzynski, Toole, and Christiansen. Also present was Town Board Supervisor Ross. Also in attendance was Administrator/Planner Herrmann and Deputy Clerk Workman.

1. Discussion/Action- Amendment to the Site Plan/ Plan of Operation for Maravilla Montessori School Parking Lot Expansion. The property is described as being a part of the NW ¼ of Section 14, Town of Genesee, Waukesha County. More specifically, the property is located at **S31W29553 Sunset Dr. (GNT 1494-994)** Kristen and Jeremy Polk were present for Maravilla Montessori School. Engelking made a motion to approve the amendment to the Site Plan/Plan of Operation for Maravilla Montessori School subject to the conditions in Planner Herrmann's Memo dated August 6<sup>th</sup>, 2023. The motion was seconded by Christiansen. The motion was approved 7-0

### Memorandum

**To:** Town of Genesee Plan Commission

**From:** Jeffrey C. Herrmann, Administrator-Planner

**Date:** 08/06/2023

**Re:** Maravilla Montessori School – Plan of Operation – Parking Expansion

In April 2022, the Town of Genesee Plan Commission approved a request to transfer a conditional use permit from “Adeline Montessori School” to “Maravilla Montessori School”. The Conditional Use Permit was approved subject to numerous conditions being complied with and adhered to. The property is located in the NW 1/4 of Section 14, T6N, R18E, Town of Genesee. More specifically the property is located on the south side of sunset Drive and Contains approximately 2.40 acres of land.

Maravilla Montessori School offers pre-school, elementary and youth educational programs for children ages three (3) year to thirteen (13) years with no before or after school care. The owner is proposing to expand the parking lot for the school by adding approximately twelve (12) regular parking spaces and one (1) handicap stall. In addition, a large turn-a-round will be added to make it easier to drop off and pick up children from the school. The Owner of the property has hired an engineer to draw up plans and apply for any necessary erosion control and stormwater permits. Two (2) playground areas will need to be relocated or eliminated from the site.

According the conditions of the Conditional Use Permit, any expansion, change or modification to any part of the approved operation, including the construction of new buildings or changes to existing building, will require the approval of the Town of a revised Site Plan/Plan of Operation or Conditional Use and Site Plan/Plan of Operation, as determined by staff to be required by the Zoning Code, and satisfaction of all required conditions, prior to implementation. However, no exterior expansion of the existing building is allowed. Any expansion of the day care facility or any other modifications, which is/are considered to be minor by the Town Planner, shall only require an amendment to the Site Plan/Plan of Operation and not the Conditional Use Permit.

The Town Planner feels that the parking lot addition is an amendment to a parking plan and not necessarily a change or increase in the intensity of the use. The Owner states he does not contemplate any change to the operation of the business/school.

After reviewing the Owner's request, the Town Planner recommends to the Town Plan Commission to approve the proposed parking plan modification request for Maravilla Montessori school subject to the following conditions:

1. The proposed use is limited to the operation of "Maravilla Montessori School, LLC" for the operation of a pre-school, elementary, and youth educational programs for children from ages three (3) weeks to thirteen (13) years of age. All previously imposed conditions of approval for the Conditional Use/Plan of Operation Permit by the Town Plan Commission for Maravilla Montessori School shall be complied with, unless specifically amended herein.
  2. Subject to the Waukesha County Department of Parks and Land Use, Environmental Health Division, reviewing and approving the existing septic system and well for the proposed use, to ensure the proposed parking expansion will not have an adverse impact on the existing septic system.
  3. Subject to written documentation being provided to the Town Planner that Waukesha County Land Resources Division has approved an Erosion Control Plan and a Stormwater Permit (if applicable).
  4. Subject to all Land Altering activities being completed and the site vegetated no later than September 1, 2024, unless extended by the Town Plan Commission.
  5. Subject to the proposed use complying with all laws, rules, orders and codes of the Town of Genesee, Waukesha County, State and Federal Government.
  6. Subject to the applicant allowing the premises to be available for inspection by all Town, County, State officials and agents at any reasonable time and for any proper purpose.
  7. Any future playground equipment or modifications to the play area shall be reviewed and approved by the Town Planner.
  8. Lake Country Fire and Rescue shall review the proposed parking expansion plan to ensure that fire and EMS apparatus can adequately access the property. Any proposed changes requested by the Lake Country Fire and Rescue shall be corrected to the Fire Chief's satisfaction, prior to the issuance of a Plan of Operation/Use Permit.
  9. Petitioner shall, on demand, reimburse the Town of Genesee for all costs and expenses of any type that the Town incurs in connection with this conditional use permit, including the cost of professional services incurred by the Town of Genesee (including engineering, legal, planning and other consulting fees) and for the review and preparation of the conditional use permit or attendance at meetings or related professional services for this application, as well as for any actions that the Town of Genesee is required to take to enforce the conditions in this conditional use permit due to a violation of these conditions. All fees due and owing at the time shall be paid prior to the issuance of the conditional use permit, and such fees coming due following the issuance of the conditional use permit shall be paid within thirty (30) days of billing.
  10. Payment of Charges. Any unpaid bills owed to the Town by the Subject Property Owner or its 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.
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2. Discussion/Action -Approval of July 24<sup>th</sup> Plan Commission Meeting Minutes Engelking made a motion to approved the July 24<sup>th</sup>, 2023 Plan Commission Meeting Minutes. The motion was seconded by Christiansen. The motion was approved 7-0
  3. Correspondence None
  4. Adjourn Engelking made a motion to adjourn. The motion was seconded by Ross. The motion was approved 7-0. The meeting was adjourned at 4:04 p.m.

Respectfully Submitted,

Rachel Workman

Deputy Clerk

August 9, 2023

Notice - It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice. Please note that upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Town Office at 968-3656.