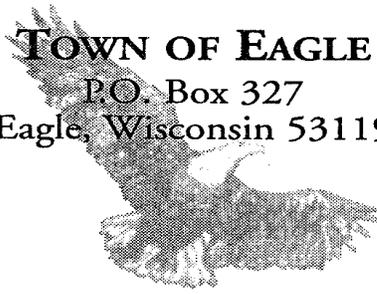


TOWN OF EAGLE
P.O. Box 327
Eagle, Wisconsin 53119



TOWN OF EAGLE
Planning & Zoning Commission
Held Jointly with the Town Board
October 3, 2011
Approved Minutes

Chairman Kwiatkowski called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Present: Chairman Kwiatkowski; Supervisors Davis, Malek, Rasmussen, and West. Commissioners Lewis, Rudy, and Samuels. Commissioner Olsen was excused. Also present: Town Clerk Lynn Pepper and Town Planner Tim Schwecke.

Minutes: Motion by Commissioner Lewis, seconded by Supervisor Malek to approve the September 6, 2011 minutes as corrected. Upon voice vote, motion carried. Motion by Supervisor Rasmussen, seconded by Supervisor Malek to accept the recommendation of the Planning & Zoning Commission. Upon voice vote, motion carried. Motion by Supervisor Rasmussen, seconded by Supervisor Davis to approve the Town Board Only portion of the minutes. Upon voice vote, motion carried.

Request from Lauri Gebhard & Bill White – Project Location: S102 W34688 Lower Clarks Park Drive, Eagle WI – Request for approval of CSM – Applicants were not present. A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to table this item to next month. Upon voice vote, motion carried.

Larry & Karen Pochinski- Applicant is requesting review and approval of an accessory building which has an average roof height of 16.05 feet under Section 3.03(6)(a)(7). Accessory buildings in the A-3 District are otherwise required to have an average roof height of 15 feet per Section 5.06(7)(B) - Town Planner Schwecke explained that the applicant is proposing to build a 30 X 45 ft. accessory building, with an average roof height of 16.1 feet. The Zoning Code only allows for an average roof height of 15 feet. Planner Schwecke explained that the Homeowner's Association has recommended approval. Staff is also recommending approval, with the seven (7) standard conditions.

A motion was made by Commissioner Samuels, seconded by Supervisor Davis to approve the roof height extension request. Upon voice vote, motion carried.

McMiller Shooting Range – Approval request by Milford Hills Hunt Club of the Site Plan/Plan of Operations under Section 5.01(2) of the Town Zoning Ordinance for Retail Sales, Rental of Firearms, and gunsmith and restaurant services,– Project Location: S103 W38754 CTH NN, Town of Eagle, Waukesha County, Wisconsin – Chairman Kwiatkowski explained that the Town has not heard from either the Marks brothers or Mark Aquino. He reported that he sent an e-mail to Mr. Aquino regarding scheduling time to meet with the Boards for the status of the safety audit. Chairman Kwiatkowski stated that the Town Board will move into closed session at the next regular Town Board Meeting to discuss with the Town Attorney the Town's next course of action, if any.

Commissioner Rudy reported that Governor Walker has called a special session however there is not enough momentum in the Gun Range Law for the legislature to address it at this time.

Commissioner Samuels explained that the letter that was sent to the Town from the Marks brothers' attorney kept referring to the Town requiring a Conditional Use. The Town was only asking for, and approved a Plan of Operation, which is standard for any business. In response, Chairman Kwiatkowski explained that his impression is that the Marks brothers' attorney is stating that no Towns have any authority over any gun clubs in the entire state.

Discussion ensued regarding gun sales being listed as part of the Department of Natural Resources (DNR) request for proposal.

Status Reports – No report.

Mukwonago River Initiative (MRI) update – Commissioner Lewis reported that the Town of Eagle's Burn Ordinance is being used as a model ordinance for other communities. Commissioner Lewis reported on wildlife grants that are being offered, that the Friends are monitoring the activities for the new well in the Town of Mukwonago and the Town of East Troy, that the Rainbow Springs issue is on hold for the fall legislative session, and that the Friends have a new website and brochure. Discussion followed regarding the O'Brien Farm. Planner Schwecke stated that Mr. O'Brien is not interested in selling his property.

Public Comment – None.

A motion was made by Supervisor Malek, seconded by Supervisor West to adjourn the Planning & Zoning portion of the meeting at 7:51 P.M. Upon voice vote, motion carried.

TOWN BOARD ONLY:

Application of weed killer to the town park for approximately \$600 funds to come from park maintenance account – Discussion took place regarding spraying the Town Park for weeds.

The meeting recessed at 7:58 P.M.

The meeting reconvened at 8:14 P.M.

Chairman Kwiatkowski announced that there is not enough money in the park maintenance fund to pay for the application this year and suggested budgeting monies for the weed application for next year. He will ask Highway Superintendent Betts to obtain quotes.

A motion was made by Supervisor Davis, seconded by Supervisor Malek to adjourn the meeting at 8:15 P.M.

Lynn M. Pepper
Eagle Town Clerk