

VILLAGE OF OCONOMOWOC LAKE

OCONOMOWOC LAKE PLAN COMMISSION MEETING MINUTES

of Monday, February 3, 2014.

Unofficial until approved by the Plan Commission.

Approved as written (X) or with corrections () on March 17, 2014.

The regular monthly meeting of the Plan Commission of the Village of Oconomowoc Lake was held on Monday, February 3, 2014, commencing at 7:00 p.m., at the Village Hall, 35328 W. Pabst Road, Oconomowoc. Legal requirements for notification as required by law have been met. Roll was taken with the following in attendance:

Mr. Birbaum/Chairperson – present
Messrs. Bickler, Kohl, Owens, Waltersdorf/Members – present
Messrs. Barquist, Foster/Members – absent
Ms. Cameron/Member – present
Ms. Schlieve/Clerk – present
Mr. Wiemer/Administrator – present
Mr. Macy/Attorney – present

ATTENDANCE

John E. Fitch, III (Jef), Kevin Raasch (Vic's Carpet & Flooring), Kevin Ellis (Parker's Place Total Fitness)

MINUTES

Motion (Bickler/Cameron) to approve the minutes as printed, for the Plan Commission meeting held on January 6, 2014, Carried Unanimously.

DISCUSSION/ACTION REGARDING THE RENEWAL OF THE CONDITIONAL USE PERMIT FOR VIC'S CARPET & FLOORING, INCLUDING TENANT KELLY SMITH PHOTOGRAPHY, AND PROSPECTIVE NEW TENANT PARKER'S PLACE TOTAL FITNESS, LOCATED AT 36105 AND 36115 E. WISCONSIN AVENUE IN THE BUSINESS DISTRICT OF THE VILLAGE OF OCONOMOWOC LAKE

Mr. Wiemer stated that Kevin Raasch was present to discuss the renewal of the Conditional Use Permit (CUP) for Vic's Carpet & Flooring, including Kelly Smith Photography, and an amendment to add a new tenant, Parker's Place Total Fitness, to replace Wisconsin Taekwondo, Inc. that is no longer located at the facility located at 36105 and 36115 E. Wisconsin Avenue. There are no changes to either Vic's Carpet & Flooring or Kelly Smith Photography. The request submitted by Kevin Ellis of Parker's Place Total Fitness states that the hours of operation are 24 hours/7days a week. Mr. Ellis noted that those are the hours for his current location in the City of Oconomowoc. The entry into the fitness center is by key card for its members. Mr. Ellis stated that he would have surveillance cameras, and that usage between the hours of 1 a.m. and 3 a.m. are very limited. Mr. Ellis did notice that his business increased when he changed his hours in the City of Oconomowoc to 24/7, and he has had no problems with being open all the time.

Mr. Wiemer noted that the renewal and amendment does not include paperwork for signage at the present time. That matter can be brought to the Plan Commission at a later date, and needs only Plan Commission approval. There is no public hearing or Village Board approval required for signage.

Motion (Owens/Bickler) to recommend approval to the Village Board of Trustees of the request for renewal and amendment of the Conditional Use Permit for Vic's Carpet, to include Kelly Smith Photography and new tenant Parker's Place Total Fitness, Carried Unanimously.

This matter will be set for public hearing on February 17, 2014, immediately preceding the regular monthly meeting of the Village Board of Trustees. The matter will also be placed on the agenda for the Trustees' meeting for discussion and possible action on February 17, 2014.

DISCUSSION/ACTION REGARDING AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE OCONOMOWOC LAKE CLUB, LOCATED AT 4668 N. LAKE CLUB CIRCLE, OCONOMOWOC, WISCONSIN

Mr. Wiemer reviewed the history of the request by the Oconomowoc Lake Club (the Club) to amend its Conditional Use Permit (CUP). The packet the Plan Commissioners received included the most recent update to the specific CUP pages, the application submitted by the Lake Club for the amendment, supporting documents for the Lake Club's request, minutes from the January 6, 2014 Plan Commission meeting referencing its discussion, pages of the original CUP that relate to the amendment request, pages of the current CUP that relate to the amendment request, and the complete existing CUP for the Lake Club. An additional page was distributed to the Commissioners to review when they arrived at the meeting. (All of those documents are included in the Minutes binder for the Plan Commission) Discussion regarding the changes to the proposed language for the CUP centered on the paragraph under "Instruction/Safety/Lake Etiquette". The sentences "The Club shall be responsible for the actions of the operators of all Member Boats and Club Boats." and "Reckless conduct or reckless operation may be reviewed by the Village Administrator who may recommend to the Club to suspend member's boating privileges. Failure to revoke member's boating privileges could result in a violation of the Club's Conditional Use Permit." were reviewed and the paragraph was reworked by the Commissioners. Further discussion was held regarding the number of boats the Club is requesting to dock at its pier. The understanding of the Commissioners was that the Club would be given permission to dock up to five (5) member boats and up to three (3) Club-owned boats at its pier. Mr. DiPasquale, who prepared and reviewed the latest revisions to the CUP request, had indicated that the Club would like to have more than three (3) Club-owned boats if there are not five (5) members who wish to dock their boats at the Club's pier. There would still not be more than eight (8) boats. Discussion followed in which the Commissioners determined that the amendment should be that the Club could dock up to five (5) member boats and up to three (3) Club-owned boats at the pier. Commissioners felt that this arrangement was most similar to what was originally approved for the Club.

Motion (Bickler/Owens) to recommend to the Village Board of Trustees approval of the request of the Oconomowoc Lake Club to amend its Conditional Use Permit to allow for up to five (5) members' boats and up to three (3) Club-owned boats to be docked at the Club's piers, using the language as proposed (and noted below), and other revisions necessary to accommodate the approved amendment, as included on the attached amended CUP, Carried Unanimously.

The approved language under the heading "Instruction/Safety/Lake Etiquette" is as follows.

All Member Boats and Club Boats Docked at the Club shall be operated in accordance with State law, Village rules and ordinances, and such other rules and regulations (including those relating to "lake etiquette") as shall be adopted from time to time by the Club. Violations of such ordinances, rules and regulations shall be reviewed by the Board of Directors of the Club and shall subject the violator to suspension or revocation of rights to Dock a Member Boat at the Club's facilities and/or to utilize a Club Boat. If the operator or operators of any Member Boat shall receive any combination of 3 written warnings and/or 3 actual written citations from the Police during a boating season, the Club shall, upon notice from the Village of such written warnings and/or actual written citations, immediately revoke the rights to Dock such Member Boat at the Club for the remainder of the boating season. If the Village Administrator determines there to be reckless conduct or reckless operation by the operator or operators of any Member Boat, the Club shall, upon notice from the Village Administrator of such reckless conduct or reckless operation, immediately revoke the right to dock such Member Boat at the Club for the remainder of the boating season. All Members Docking seasonally a boat at the Club's facilities or utilizing a Club Boat shall be provided with the State of Wisconsin's "Rules of Boating", any Village "Rules of Boating", and a map (showing depths) of Oconomowoc Lake and shall be reasonably instructed by the Club on the "lake etiquette" – i.e., wakeboarding too close to shore or creating large waves near any piers, etc. The Club shall "work with" the Village to resolve residents' complaints regarding the operation of Member Boats and Club Boats. All fuel utilized by Member Boats and Club Boats shall be stored in accordance with Federal, State, and Village laws, rules and regulations. The Club shall develop practices and procedures relating to refueling Member Boats and Club Boats to limit fuel spillage into the lake so as to limit environmental damage from fuel spillage while refueling Member Boats and Club Boats. No storage boxes or similar equipment storage facilities for Member equipment shall be kept on the Club's piers.

This matter will be set for public hearing on February 17, 2014, immediately preceding the regular monthly meeting of the Village Board of Trustees. The matter will also be placed on the agenda for the Trustees' meeting for discussion and possible action on February 17, 2014.

ADJOURNMENT

With no further discussion, a motion (Owens/Bickler) to adjourn the meeting at 8:15 p.m., Carried Unanimously.

Respectfully submitted by:
Cindy J. Schlieve, Clerk-Treasurer