

TOWN OF BROOKFIELD
TOWN BOARD
MARCH 3, 2015

The regular meeting of the Town Board was held on Tuesday March 3, 2015 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:00 p.m. with the following people present: Supervisors: John Schatzman, Steve Kohlmann and Patrick Stroebel, Administrator Rick Czopp, Building Inspector Gary Lake, Attorney James Hammes and the Town Clerk Jane Carlson to record the minutes. Excused absence Dan Shea .

APPROVAL OF AGENDA

Supervisor Kohlmann move to approve the agenda as presented, seconded by Supervisor Stroebel, voted on, and carried unanimously.

APPROVAL OF MINUTES

Supervisor Kohlmann moved to dispense with the reading of the minutes of the February 18, 2015 Town Board meeting and approve them as presented, seconded by Supervisor Stroebel, voted on, carried unanimously.

PUBLIC COMMENT

John Almasi, 1957 Rambling Rose Road, Waukesha commented in favor of the proposed columbarium at St John's Church clarifying some information on the size, location and the landscaping and screening.

Carlene Mcmonagle, 2356 Brookstone Lane, Waukesha spoke in favor of the proposed columbarium at St John's Church.

Kathleen McGrath, 410 Victoria Lane commented on St John's proposed columbarium opposed stating that it will decrease property values.

Adam Grabowski, 20275 Linden Lane, commented on St John's proposed columbarium asking to board to follow the Plan Commission recommendation and deny the proposal.

Mark Aamot 121 N Hartwell Avenue commented on St John's columbarium said that he contacted realtor in area where there are columbaria and they are not aware of any property values being impacted.

Anthony Cogan, N16W29942 Brookstone Cir, commented on St John's columbarium and said that his wife is a realtor and she said that if the land is turned into a cemetery the real estate values will plummet.

Sherry Grabowski, 20275 Linden Lane commented on the proposed columbarium at St John's Church stating that there are no residential properties impacted at the comparison churches that they have presented.

Al Davis 740 Linden Lane commented on the letter from the state regarding St John's proposed columbarium.

John Rickinger, 1020 Westbrooke Parkway commented on the proposed columbarium at St John's Church that the Town needs to look at the bigger picture for the Town.

Ilene Davis, 740 Linden Lane commented on St John's proposed columbarium regarding the concern that it will expand to the other open area south of the church.

Dick Gramholm, 13335 Watertown Plank Road, Elm Grove commented on the proposed columbarium explaining the determination of the location was because of the accessibility and the property to the south has quite a slope.

Matt Savoy, 20420 Davidson Road, commented on the proposed columbarium at St John's saying that he is a new resident and had he know that this was being planned he would not have bought the house.

Paul Golomski, 20360 Davidson Road commented on the proposed columbarium at St John's that he did not feeling living next to a cemetery is a positive environment for raising a family.

Paul Zudyk, 885 Poplar Creek Drive, commented on the proposed columbarium at St John's Church thanking the board and plan commission for taking the time to listen to both sides and said that there is not one property within the neighborhood that have supported the proposal.

OLD BUSINESS

None.

NEW BUSINESS

a. PICNIC PERMIT

Supervisor Stroebel moved to approve a picnic permit for John Vasquez, on Saturday, June 6, 2015 from 10:00 a.m. until 6:00 p.m., at Marx Park, seconded by Supervisor Kohlmann, voted on, carried unanimously.

b. BARTENDER LICENSE

Supervisor Stroebel moved to approve bartender licenses for Kara Lou Sewalish and Breanna Casandra Beich at The Melting Pot; Bryon Wade Ramsak Jr at 7-Eleven on Bluemound, seconded by Supervisor Schatzman, voted on, and carried unanimously

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. PLAN COMMISSION RECOMMENDATION

1. CONDITIONAL USE PERMIT FOR ST JOHN'S LUTHERAN CHURCH

Attorney Hammes clarified that the memo that was received from the state was unsigned and he is not sure what authority the person has to write the memo or the purpose of it. It has no impact or consequences as far as what is before the Town. The statement that cemeteries have to be on 20 acres is not entirely accurate. They can be on less than 20 acres if a smaller parcel is allowed under the

municipality's zoning code. Under the Town zoning code cemeteries are allowed as a conditional use. So, a cemetery would be permitted on the property even though it is not 20 acres in size if the Town Board elects to grant the conditional use.

He further explained that Inspector Lake originally interpreted this to be a cemetery and therefore they needed a conditional use permit. There was an application for a conditional use permit that was presented to the Plan Commission who is the body that interprets the zoning code. They did not agree that it was a cemetery so they would not need a conditional use permit. After the memo came from the state he advised that the Plan Commission should received the memo to determine if any of the members would want to change their mind. There was a motion at the next Plan Commission meeting for reconsideration and it is his understanding that they accepted Inspector Lake's interpretation that this was in fact a cemetery. That means in order to allow the columbarium a conditional use permit will need to be approved. Bear in mind that this conditional use permit relates to this particular application, this particular site outdoors, it does not relate to for example an indoor columbarium. He said that he wanted to make sure that everyone knows this is an allowable use on the property and that if the board follows the plan commission recommendation to deny the columbarium it does not mean that they can not come back with a different form, different location on the property or format. So understand that the matter tonight is for this particular application, at this specific site, with this specific outdoor configuration.

Supervisor Schatzman said that after listening to and taking into consideration the objections raised by property owners and residents in the immediate neighborhood, he concurred with the recommendation of the plan commission and moved that the Town Board accept the Plan Commission recommendation and deny the granting of a Conditional Use Permit for an outdoor columbarium on the church property described in the application, seconded by Supervisor Kohlmann.

Supervisor Stroebel said that he was not in attendance of the Plan Commission meeting but was at the public hearing has received correspondence and talked with a number of people about the proposal. He has done research on the topic and feels it is safe to say all parties wish things were handled a little differently. He said it should be noted that St John's has been a very good neighbor not only to the residents but also to the Town. As for property values he does not have concrete information one way or the other but he did ask a few people if they would buy in an area with a cemetery, mausoleum, etc and surprised at some of the answers he received. He has to make a decision based upon the plan presented and the feed back.

The motion to deny the columbarium proposal was voted on and carried unanimously.

VOUCHERS

Supervisor Kohlmann moved to approve the vouchers in the amount of \$409,964.38, seconded by Supervisor Stroebel, voted on, carried unanimously.

Included in the approved vouchers were: \$273,445.41 to City of Brookfield for FRWPCC capital charges, 4th qtr sewage treatment charges and process and sample charges; \$6,580.00 to Badger Meter Inc for meter replacements; \$6,200.00 to Elizabeth S Gootjes for annual rent for tower location and \$5,066.37 to Globe Contractors for water main break repair.

COMMUNICATIONS AND ANNOUNCEMENTS

None.

There being no further business Supervisor Stroebel moved to adjourn, seconded by Supervisor Kohlmann, voted on and carried unanimously. The meeting adjourned at 7:29 p.m.

Respectfully submitted,

Jane F. Carlson
Town Clerk

February 27, 2015

**MEETING NOTICE
TOWN BOARD
TOWN OF BROOKFIELD, WISCONSIN**

The Town Board of the Town of Brookfield will hold its regular semi-monthly meeting of Utility Districts No 1, and Sanitary District No 4 and General Town Business will be held on **Tuesday, March 3, 2015** at **7:00 p.m.** in the meeting room of the Town of Brookfield Municipal Building located at 645 N. Janacek Road, Brookfield, Wisconsin.

AGENDA:

1. Call to Order.
2. Approval of Agenda.
3. Approval of Minutes.
4. Citizen comments: Three-minute limit.
5. Old Business: None.
6. New Business:
7.
 - a. Approve Picnic Permit for John Vasquez, on Saturday, June 6, 2015 from 10:00 a.m. until 6:00 p.m., at Marx Park.
 - b. Bartender License.
8. Department, Boards, Committee/Commission Reports/Recommendations:
 - a. Plan Commission Recommendations:
 1. Regarding a Conditional Use Permit for a columbarium/ memorial garden, for St John's Lutheran Church, at 20275 Davidson Road.
9. Approval of Vouchers and Checks.
10. Communications and Announcements.
11. Adjournment.

Jane F. Carlson, Town Clerk

PLEASE NOTE: 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 meetings to gather information. No action will be taken by any governmental body other than that specifically noticed. Also, 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 such services contact the clerk's office at the above location.