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December 12, 2024

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12/12/2024 Plan Commission Meeting

Public Hearing and Conditional Use Grant request at 203 W Wisconsin Ave, and 1275 E Wisconsin Ave.

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Plan Commission Meeting
December 12, 2024 – 6:00 pm
Village Hall
235 Hickory Street, Pewaukee, WI 53072

<https://www.youtube.com/watch?v=xaEcdfgimtQ> (<https://www.youtube.com/watch?v=xaEcdfgimtQ>)

1. Call to Order and Roll Call, Pledge of Allegiance, & Moment of Silence

President Knutson called the meeting to order at approximately 6:00 p.m.

Plan Commission members present: Comm. Mark Grabowski; Comm. Sam Liebert; Trustee Bob Rohde; and President Jeff Knutson.

Excused: Comm. Brian Belt; Comm. Katie Jelacic; and Comm. Theresa Hoff.

Also present: Village Attorney, Matt Gralinski; Village Planner, Jeff Muenkel; Village Administrator, Matt Heiser; and Deputy Clerk, Mackenzie Quigley.

2. Public Hearings –

a. Conditional Use Grant request to allow a microbrewery with taproom and restaurant. A restaurant is only permissible through the issuance of a Conditional Use Grant (Section 40.265(2)). This 1.52-acre parcel, located at 203 W. Wisconsin Avenue / PWV 0898982, is zoned B-2 Downtown Business District. Property owner is Duncan's Inc. (Jeff Duncan, owner) and Applicant is Brewfinity Brewing Co. (Chad Ostram, owner/agent)

- No Comments

b. Conditional Use Grant request to allow a State Certified Adult Care Facility. A State Certified Adult Day Care Facility is only permissible through the issuance of a Conditional Use Grant (Section 40.316(12)). This 1.77 acre parcel, located at 1275 E. Wisconsin Ave, Suites A, B & C / PWV 0922997004, is zoned B-5 Light Industrial District. Property owner is Laura Wallace and Applicant is Wisconsin Adult Center, LLC (Lindsey Chiaverotti, owner/agent)

- No Comments

3. Citizen Comments – No comments.

4. Approval of the Minutes

a. Regular Plan Commission Meeting – November 14, 2024.

Comm. Liebert motioned/seconded by Trustee Rohde to approve the November 14, 2024; Regular Plan Commission Meeting minutes as presented.

Motion carried 4-0.

5. Old Business

a. None

6. New Business

a. Review, discussion, and possible action on a Conditional Use Grant request to allow a microbrewery with taproom and restaurant. A restaurant is only permissible through the issuance of a Conditional Use Grant (Section 40.265(2)). This 1.52-acre parcel, located at 203 W. Wisconsin Avenue / PWV 0898982, is zoned B-2 Downtown



outside(~~home~~).

previous business at that location:

confirmed that it will be the same amount of spaces as previously approved.

applicant if the business intends on playing music:

Currently @ N58W39800 Industrial Rd, Oconomowoc - Indoor music may overflow the doors are open. They plan on playing music selectively, more so on the weekends
 - No music will be played during Waterfront Wednesdays. There will be no speakers

Department of Public Works Recommendations:

1. Provide televising video showing Sanitary sewer lateral from basement to the main. The lateral needs to be reviewed for structural integrity and potential infiltration. The Village staff or designated representative will review the sewer lateral and determine if the lateral is adequate or needs to be relayed or lined by the Owner.
2. Schedule an appointment with the Water Utility Department staff to identify the water service pipe material. If service material is lead, the Applicant will be required to replace the water service from building to the curb stop.
3. Any sidewalk panels with cracks, spalling, or missing pieces, or panels which create a tripping hazard must be removed and replaced by Applicant. Village Engineering staff or designated representative to mark panels for removal. Show on drawing for review and approval. Based on initial review, there appears to be about 20 panels that need replacement. A right of way permit is needed to remove and replace sidewalk and to follow Village sidewalk specifications.
4. If restaurant or food service use, verify that a grease trap exists or is needed. Provide documentation to Village Engineering staff. If not, install a grease trap for building. Show on drawing for review and approval.
5. Confirm existing number of parking stalls on property.
6. Address any review comments from the Brookfield Wastewater Treatment Plant staff. Their initial comments are listed here:
 - i. This is a one brewer barrel brewhouse. Does this mean one barrel is brewed daily?
 - ii. If they don't sell that day's barrel, what do they do with the leftovers?
 - iii. Will they expand to more than one barrel?
 - iv. What are they doing with the solids after they are done brewing?
 - v. Are the solids pressed and placed in the dumpster?
 - vi. If they are going to do what they are doing in Oconomowoc, I would like an analysis of their BOD, TSS, Total Phos, Ammonia-Nitrogen, and Chloride as a 24-hour composite sample, and a pH for 24-hour continuous reading at one-minute intervals. The analyses must be performed by a Wisconsin state certified laboratory. Also, please send me the SDS's of each chemical they will use.

Comm. Grabowski asked the applicant if the building currently has a grease trap. If not, will they be getting one:

Applicant, Chad Ostram, shared that they will be cooking off site to start but will have the grease trap installed right away, as the building does not currently have one.

Village Planner Recommendations:

Depending on confirmation by the Village of Pewaukee Plan Commission of the above-described comments, the Village of Pewaukee Plan Commission may take the following actions listed below.

CONDITIONAL USE REQUEST MICROBREWERY WITH TAPROOM / RESTURANT AND SEASONAL OUTDOOR SEATING AREA

The Village of Pewaukee Plan Commission Approves the Conditional Use Request for a microbrewery with taproom / restaurant and seasonal outdoor seating area for the property located at 203 W. Wisconsin Avenue (PWV 00898982), subject to the following conditions:

1. Any conditions made by the Plan Commission at their meeting of December 2024.
2. Site Plan and design for proposed seasonal outdoor seating area as presented to the Plan Commission at their meeting of December 2024 shall include code compliant outdoor seating within the existing parking lot.

SITE PLAN AND PLAN OF OPERATIONS

The Village of Pewaukee Plan Commission Approves the Site Plan for a new microbrewery and associated seasonal outdoor seating area.

1. That all conditions made by the Plan Commission at their meeting of December 2024 pertaining to development are met.
2. The signage plans be presented to the Village Zoning Administrator and approval by Staff prior to building occupancy.
3. The final design of the seasonal outdoor seating area shall be presented to the Village Zoning Administrator and approval by staff for consistency with the Plan Commission approval prior to occupancy.
4. This Site Plan/Plan of Operation approval is subject to the Petitioner complying at all times with the plans and documents presented to the Village of Pewaukee Plan Commission. The existing site plan/plan of operation shall remain in effect, except as further restricted or modified herein.
5. The Petitioner shall satisfy all comments, conditions, and concerns of the Village of Pewaukee Plan Commission and Board, Village Engineer and Village Planner for the site plan, and other documentation.
6. Building Inspection. The Petitioner and/or Property Owner shall comply with any and all recommendations by the Village Building Inspector (or designee) prior to the issuance of an occupancy & use permit for the subject property. Approval by the Village Building Inspector, if granted, shall be solely for the benefit of the Village of Pewaukee, and shall not be relied upon by the petitioner or others as proof of structural integrity or safety of any structure on the property, or as proof of compliance with any particular construction standard that would apply to new construction. The petitioner shall independently determine the suitability of all structures on the property for the petitioner's intended uses.



with any particular fire safety standard that would apply to new construction. The approval following review to ensure any additional fire access requirements for the parking building occupancy.

express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Business Site Plan approval at the time being followed. The allowed uses of the property must at no time be hazardous, harmful, obnoxious, offensive, or a nuisance by reasons of appearance, noise, dust, smoke, odor, or other similar factors.

Any use not specifically listed, as permitted, shall be considered to be prohibited, except as may be otherwise specified herein.

9. The Property Owner shall keep the exterior condition of the premises in a neat and orderly condition at all times so the premises will not detract from neighboring premises. There shall be no outside storage of junk, debris, construction material, or other refuse materials within the property and all such materials shall be disposed of promptly and properly.
10. The Property Owner shall allow Village of Pewaukee representatives to inspect the premises following a 24-hour notice for the purpose of determining compliance with this approval.
11. The Petitioner and/or Property Owner shall obtain the appropriate permits from the Village of Pewaukee.
12. The Petitioner and/or Property Owner shall, on demand, reimburse the Village of Pewaukee for all costs and expenses of any type incurred by the Village in connection with the review and approval of this application, including, but not limited to, the cost of professional services incurred by the Village for the review and preparation of required documents, attendance at meetings or other related professional services as well as to enforce the conditions in this approval due to a violation of these conditions.

Comm. Grabowski motioned/seconded by Comm. Liebert to approve the Conditional Use Grant and Site Plan as presented with the planner recommendations and DPW recommendations.

Motion carried 4-0.

b. Review, discussion, and possible action on a Conditional Use Grant request to allow a State Certified Adult Care Facility. A State Certified Adult Day Care Facility is only permissible through the issuance of a Conditional Use Grant (Section 40.316(12)). This 1.77 acre parcel, located at 1275 E. Wisconsin Ave, Suites A, B & C / PWV 0922997004, is zoned B-5 Light Industrial District. Property owner is Laura Wallace and Applicant is Wisconsin Adult Center, LLC (Lindsey Chiaverotti, owner/agent).

Village Planner, Jeff Muenkel, gave a brief overview of the 2012 CUG approval for Unit A.

Lindsey Chiaverotti (applicant) @ 1275 E. Wisconsin Ave. - Shared that Unit A does not connect to Unit B, due to how the bathrooms are situated. They are looking to open Unit C into Unit A (joining warehouses). They will be adding a large, adaptable bathroom in Unit C to make use easier for staff and wheelchair users.

Village Planner Recommendations:

Depending on confirmation by the Village of Pewaukee Plan Commission of the above-described comments, the Village of Pewaukee Plan Commission may take the following actions listed below. The Village of Pewaukee Plan Commission Approves the Conditional Use Grant Request for Wisconsin Adult Center, LLC for the property located at 1275 E. Wisconsin Avenue, subject to the following conditions:

1. That all conditions made by the Plan Commission at their meeting of December 2024 are met.
2. This approval is subject to the Petitioner complying at all times with the plans and documents presented to the Village of Pewaukee Plan Commission. The existing conditional use grant on November 8, 2012 shall remain in effect, except as further restricted or modified herein.
3. The Petitioner shall satisfy all comments, conditions, and concerns of the Village of Pewaukee Plan Commission and Board, Village Engineer and Village Planner for the site plan, and other documentation.
4. Building Inspection. The Petitioner and/or Property Owner shall comply with any and all recommendations by the Village Building Inspector (or designee) prior to the issuance of an occupancy & use permit for the subject property. Approval by the Village Building Inspector, if granted, shall be solely for the benefit of the Village of Pewaukee, and shall not be relied upon by the petitioner or others as proof of structural integrity or safety of any structure on the property, or as proof of compliance with any particular construction standard that would apply to new construction. The petitioner shall independently determine the suitability of all structures on the property for the petitioner's intended uses.
5. Fire Inspection. The Petitioner and/or Property Owner shall comply with any and all recommendations by the Village of Pewaukee Fire Department Chief (or designee) prior to the issuance of an occupancy & use permit for the subject property. Approval by the Village of Pewaukee Fire Department Chief (or designee), if granted, shall be solely for the benefit of the Village of Pewaukee, and shall not be relied upon by the petitioner or others as proof of fire safety of any structure on the property, or as proof of compliance with any particular fire safety standard that would apply to new construction. The petitioner shall independently determine the fire safety and suitability of all structures on the property for the petitioner's intended uses.
6. This approval is granted for the express conditions stated herein. Changes or alterations including, but not limited to, a change in use, premises, lands, or ownership of the property in question shall require a new Business Site Plan approval with all the zoning procedures at the time being followed. The allowed uses of the property must at no time be hazardous, harmful, obnoxious, offensive, or a nuisance by reasons of appearance, noise, dust, smoke, odor, or other similar factors. Any use not specifically listed, as permitted, shall be considered to be prohibited, except as may be otherwise specified herein.
7. The Property Owner shall keep the exterior condition of the premises in a neat and orderly condition at all times so the premises will not detract from neighboring premises. There shall be no outside storage of junk, debris, construction material,



er shall, on demand, reimburse the Village of Pewaukee for all costs and expenses of connection with the review and approval of this application, including, but not limited to, incurred by the Village for the review and preparation of required documents, attendance at public services as well as to enforce the conditions in this approval due to a violation of

d by Comm. Liebert to approve the Conditional Use Grant as presented with the

Motion carried (4-0).

c. Review, discussion and possible recommendation to the Village Board on a Partial Release of Water Main Easement on CSM No. 11800 at 404 Lake Street, PWV 0899235001.

Village Administrator, Matt Heiser, gave a brief overview of the Pewaukee School District Water Main Relocation Project.

Attorney, Matt Gralinski, shared that this is an uncommon situation. The Easement was created by a Certified Survey Map (CSM) rather than a separate agreement – This means it was already agreed on and approved by predecessors, Plan Commission members are now needed to weigh-in and recommend approval to the Village Board.

Comm. Grabowski motioned/seconded by Trustee Rohde to recommend approval of the release to the Village Board for final action.

Motion carried 4-0.

7. Citizen Comments – No comments.

8. Adjournment

Trustee Rohde motioned/seconded by Comm. Liebert to adjourn the December 12, 2024, Regular Plan Commission meeting at approximately 6:19 p.m.

Motion carried 4-0.

Respectfully submitted,

Mackenzie Quigley
Deputy Clerk

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HOURS OF SERVICE

Monday	8 a.m. - 4:30 p.m.
Tuesday	8 a.m. - 4:30 p.m.
Wednesday	8 a.m. - 4:30 p.m.
Thursday	8 a.m. - 4:30 p.m.
Friday	8 a.m. - 4:30 p.m.
Saturday	Closed
Sunday	Closed

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