

**VILLAGE OF SUSSEX  
PLAN COMMISSION  
6:30PM TUESDAY, October 17, 2023  
SUSSEX CIVIC CENTER – BOARD ROOM 2<sup>ND</sup> FLOOR  
N64W23760 MAIN STREET**

The meeting was called to order by Village President Anthony LeDonne at 6:30pm at the Sussex Civic Center – Board Room 2<sup>nd</sup> Floor N64W23760 Main Street, Sussex, WI.

Members present: Commissioners Jim Muckerheide, Mike Knapp (arrived at 6:32pm), Debbie Anderson, Mike Schulist, Trustee Greg Zoellick, and Village President Anthony LeDonne

Members excused: Commissioner Roger Johnson

Others present: Village Administrator Jeremy Smith, Assistant Village Administrator Kelsey McElroy-Anderson, Village Attorney John Macy, Village Engineer Judy Neu, Deputy Clerk Jen Boehm, applicants, and members of the public.

A quorum of the Village Board was not present at the meeting.

**Consideration and possible action on the amended minutes on the Plan Commission meeting of September 19, 2023.**

A motion by LeDonne, seconded by Zoellick to approve the minutes of the Plan Commission meeting of September 19, 2023 as presented. Motion carried 5-0

**Consideration and possible action on a Plan of Operation for The Goat Sports Bar and Grill located at N63W23675 Main Street.**

Chaz Hastings, N116W15841 Main St., Germantown was present and gave a brief overview. He stated the restaurant would be open by December 1, 2023, he will be using the patio, and they will be open year-round. Per the Plan of Operation, the hours will be Tuesday-Thursday 3pm-11pm, Friday and Saturday 11am-11pm, and Sunday 11am-8pm.

A motion by Anderson, seconded by Muckerheide to approve the Plan of Operation for The Goat Sports Bar and Grill located at N63W23675 Main Street subject to the standard conditions of Exhibit A. Motion carried 6-0

**Consideration and possible action on a Plan of Operation for Big Boy Burgers and Sweets located at N63W23675 Main Street.**

Chaz Hastings, N116W15841 Main St., Germantown was present and gave a brief overview. He stated that the restaurant will be open by December 1, 2023. Per the Plan of Operation, the hours will be Monday-Saturday 11am-9pm and Sunday 11am-7pm.

A motion by Zoellick, seconded by Muckerheide to approve the Plan of Operation for Big Boy Burgers and Sweets located at N63W23675 Main Street subject to the standard conditions of Exhibit A. Motion carried 6-0

**Consideration and possible action on a Plan of Operation for MB Smoke located at N64W24678 Main Street.**

Biha Abdallah, N64W24678 Main St., Sussex was present and gave a brief overview. Per the Plan of Operation, the hours will be Monday-Sunday 9am-10pm.

A motion by Muckerheide, seconded by Knapp to approve the Plan of Operation for MB Smoke located at N64W24678 Main Street subject to the standard conditions of Exhibit A and the following condition:

1. Additional parking stalls shall be striped to bring the total number of parking stalls to a minimum of 92. Motion carried 6-0

**Consideration and possible action on a Plan of Operator for Tobacco and Vape located at W249N5245 Executive Drive.**

Dian Yong Jiang, W249N5245 Executive Drive was present and gave a brief overview. Per the plan of Operation, the hours will be Monday-Friday 9:30am-8:30pm and Saturday and Sunday 10:00am-8:00pm.

A motion by Zoellick, seconded by Muckerheide to approve the Plan of Operation for Tobacco and Vape located at W249N5245 Executive Drive subject to the standard conditions of Exhibit A. Motion carried 6-0

**Consideration and possible action on a Plan of Operation for Toy Family Dentistry located at N63W23524 Silver Spring Drive.**

A motion by Anderson, seconded by Schulist to approve the Plan of Operation for Toy Family Dentistry located at N63W23524 Silver Spring Drive subject to the standard conditions of Exhibit A. Motion carried 6-0

**Reconvene a Public Hearing on a Conditional Use Permit for Beer Capitol for a beverage warehouse and distribution facility expansion in the BP-1 Business Park District located at W222N5700 Miller Way.**

Caitlin LaJoie, W222N5700 Miller Way, Sussex, was present and stated that Beer Capitol would abide by the Conditional Use Permit.

No one from the public wished to be heard.

A motion by LeDonne, seconded by Zoellick to close the public hearing. Motion Carried 6-0

**Consideration and possible action on a Conditional Use Permit and exception from the Sussex Design Standards for Beer Capitol for a beverage warehouse and distribution facility expansions in the BP-1 Business Park District located at W222N5700 Miller Way.**

The Plan Commission agreed that the Petitioner provided substantial evidence with regards to the following Standards/Regulations:

**The Application is complete and consistent with 17.0502:**

**The use(s) and plans are compliant with 17.0503 (Review of CU's):**

**The use(s) and plans are compliant with 17.0200 (General Conditions):**

**The uses(s) and plans are compliant with 17.0420 BP-1 Business Park District:**

**The uses(s) and plans are compliant with 17. 1000 (Site Plan Review):**

**Has the Petitioner provided substantial evidence and adequately addressed the findings of the impact report per 17.0506.A.**

The Plan Commission agrees that the Petitioner provided substantial evidence with regards to the Conditional Use Permit as follows:

**A.3.A. Site Plan Standards compliance**

**A.3.B. Plan of Operation compliance**

**A.3.C. Various Plan(s) compliance**

**A.4.-15. CU condition compliance**

**B-L. Administrative CU Condition compliance**

A motion by LeDonne, seconded by Zoellick to approve the Conditional Use, Plan of Operation, and site plan for a beverage warehouse and distribution facility expansion in for Beer Capitol located at W222N5700 Miller Way and a finding the use and structures meet the principals of 17.1002(A-H) and subject to the standard conditions of Exhibit A and approve an exception from the Sussex Design Standards requirement for loading docks to be screened from the public right of way and for street facades to have a minimum of 20% of window or door openings. Motion Carried 6-0

**Public Hearing on a Legal Non-Conforming Conditional Use Permit for Mike Dupont for a self-storage building and outdoor storage in the B-3 Highway Business Zoning District located at W240N6689 Maple Ave.**

Mike Dupont and Mike Kocher, W240N6689 Maple Ave., Sussex were present and gave a brief overview and answered questions from the Plan Commission.

A letter from Keith and Erica Vogel, W240N6711 Maple Ave, Sussex was read and stated they did not want a fence put up.

Bill Kioski, W239N6891 Michele Ln, Sussex stated that trucks are coming in and out all day long. He is happy that they added lighting and security cameras to the property.

Margaret Rothlisberger, W167N8455 Theodore Ave, Menomonee Falls, is not concerned about the noise level.

Barb Zoellick, N66W24034 Champeny Rd., Sussex states that she wants a fence put up.

Mike Dupont stated that he will work with the neighbors regarding planting trees and/or putting up a fence.

Commissioner Muckerheide has no opinion and wants to look at the property.

Commissioner Knapp wants a fence put up for security and felt a concern that a fence be required in order to be consistent with other outside storages.

Trustee Zoellick wants a fence put up for security.

Commissioner Anderson asked about lights. Does not think the property has to be fenced.

Commissioner Schulist wants to look at the property to see the lights and thinks screening may be an option.

A motion by LeDonne, seconded by Knapp to adjourn the public hearing until the November 21, 2023 Plan Commission meeting. Motion Carried 6-0

**Consideration and possible action on a recommendation to the Village Board for the Final Plat for the Golden Fields of Sussex development located at N74W24659 Lauren Drive.**

A motion by Anderson, seconded by Schulist to approve the Final Plat and recommend to the Village Board to approve the Final Plat for Golden Fields of Sussex subdivision on the property identified by Tax Key No. 203.999.001 subject to the following conditions of approval:

1. Standard conditions of approval for Final Plats.
2. Reconciliation of the comments and conditions by the Village Engineer in the memo dated September 21, 2023.
3. Compliance with conditions from Waukesha County and the Wisconsin DOA.
4. The standard conditions of Exhibit A.

Motion Carried 6-0

**Other Items for Future Discussion**

None

**Adjournment**

A motion by Muckerheide, seconded by Anderson to adjourn the meeting at 7:32p.m.

Motion carried 6-0

Respectfully submitted,  
Jen Boehm  
Deputy Clerk