

PLAN COMMISSION MINUTES

October 14, 2019

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 pm.

ROLL CALL: Chairman Dean Wolter, Trustee David Baum, Commissioners Peter Nilles, Tony Laszewski and Bill Shadid. Commissioners Matt Kimmler and Bob Williams were absent and excused. Also present were Community Development Director Jeff Retzlaff, Associate Planner Emily Zandt and Planning Assistant Lori Johnson.

PUBLIC INPUT: Planner Retzlaff stated the applicant for Item C on the agenda for Reflective Contracting withdrew his CUP application and the public hearing was not necessary.

APPROVAL OF MINUTES:

MOTION Baum second Laszewski to Approve the minutes from 9-23-19.

MOTION carried unanimously.

PUBLIC HEARING & ACTION

Glue Dots International - N117 W18711 Fulton Drive, W186 N11687 Morse Drive and W188 N11614 Maple Road. Conditional Use Permit for the storage of hazardous chemicals within a groundwater protection overlay zoning district, Site Plan Review for a 68,387 sqft industrial building expansion and Certified Survey Map to combine parcels. Associate Planner Zandt summarized the proposal.

Public Hearing was opened at 6:40 pm.

Public Hearing was closed at 6:41 pm.

Discussion followed. Planner Retzlaff stated the Fire Department and Technical Advisory Committee reviewed the list of chemicals used in the various processes and felt the level of flammable, hazardous type chemicals were enough to justify a conditional use permit. Bob Peschel, The Sigma Group representing Glue Dots, explained the process for receiving materials and said the building is completely contained with its own floor drains which are conveyed to the sanitary sewer system and if a spill did occur outside it would be very localized. Planner Retzlaff said the safety report from the Fire Department has not been completed yet.

MOTION Baum second Shadid to Approve the Conditional Use Permit for Glue Dot International to allow the storage of Hazardous Chemicals within a Groundwater Protection Overlay Zoning District subject to the following conditions:

- 1. The applicant shall submit a final Environmental Assessment to the Village upon completion of the building expansion design and the geotechnical report.***
- 2. The applicant shall submit a final business, operational and contingency plan to the Fire Department for review and approval within ninety (90) days after CUP approval.***

MOTION carried unanimously.

MOTION Baum second Laszewski to Approve the Certified Survey Map (CSM) to create the 7.895-acre parcel subject to the following condition:

- 1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 26, 2019 review memo prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Shadid to Approve the site development and building plans for the 7.8951-acre Ellsworth (Glue Dots International) property and the 68,387-square foot addition to the existing building located at N117 W18711 Fulton Drive subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the following architectural and engineering plans unless superseded by subsequent plan sheets approved by Village Staff pursuant to revisions required herein and/or by the Plan Commission:**
 - a. Architectural and civil plans for Glue Dots International submitted October 10, 2019 (revised);**
 - b. Landscaping plans dated October 10, 2019 (revised);**
 - c. Lighting plans dated October 10, 2019 (revised).**
- 2. All landscaping, screening, grading, and paving improvements shown on the approved site plans shall be installed as proposed prior to issuance of an occupancy permit unless a cash bond or letter of credit in an amount equal to 120 percent of the estimated installation and material costs reviewed and approved by the Village is submitted to the Village as necessary to ensure that installation of the proposed features and improvements will be completed within one (1) year after issuance of the occupancy permit.**
- 3. All exterior doors (except primary entrance) shall be clearly marked with reflective 5" or larger letters/numbers to aid emergency personnel access as required by the Police Department.**
- 4. All outstanding items and issues identified by Village Staff in the following review memos shall be resolved and reflected in additional information and/or revised plans submitted to Staff for further review, comment and approval prior to commencing construction or issuance of a building permit for the Glue Dots International facility addition.**
 - a. September 30, 2019 memo from Village Public Works Director**
- 5. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.**
- 6. Prior to the issuance of a building permit, a revised site plan shall be submitted to show compliance with the parking stall minimum size of 180 square feet.**
- 7. Final specifications for the proposed nitrogen tank, chiller and dust collector systems shall be submitted prior to the issuance of a building permit.**

Discussion followed regarding rooftop units and if they are required to be screened. Planner Retzlaff stated there is no requirement for screening, but a site line vision could be required and presented to staff for possible screening if necessary.

MOTION to Amend Baum second Shadid to add Condition #8 to work with staff to determine screening requirements of the rooftop units if needed based on the site line study.

MOTION to Amend carried 5-1 (Wolter).

Chairman Wolter thanked Glue Dots International and Ellsworth for their continued investment in Germantown.

MOTION to Approve as Amended carried unanimously.

PUBLIC HEARING

Clean Harbors Industrial Services - N104 W13275 Donges Bay Road. Request for approval of a Conditional Use Permit to operate a facility used for the collection, transportation and temporary storage of non-hazardous, hazardous and infectious waste from the 6-acre property. Planner Retzlaff summarized the proposal.

Vincent Van Engelenburg, Agent for Clean Harbors, explained the Clean Harbors operation. Discussion followed. Planner Retzlaff said the Fire Department has reviewed the application and visited the site which generated a number of questions. Clear Harbors has responded to the questions, but staff has not thoroughly reviewed the additional information provided and recommends that no action be taken on the CUP at this time. Chairman Wolter stated this facility was originally built for garbage handling and some recycling. He would like to see what will change on the site and what will be done to enhance it to help significantly reduce any possible runoff or spillage into the wetland area. Planner Retzlaff said the containers are sealed off site and not opened or co-mingled on site.

Public Hearing opened at 7:13 pm.

Public Hearing closed at 7:14 pm.

PUBLIC HEARING & ACTION

Community Development Department: Zoning Code Text Amendments to provisions under Section 17.51 of the Zoning Code regarding public hearing property owner notification requirements and protest petitions. Planner Retzlaff summarized the amendments.

Discussion followed. Trustee Baum had a concern regarding the buffer area for public hearing notification letters and where the 1000 foot buffer starts. He said when there is a parcel that is not residential and not owned by anyone and is large enough to create a void, should language be included that says you start from the edge of that property and then go out 1000 feet. Planner Retzlaff said language could be added to that effect but it would be hard to anticipate all the possible situations that might come up. He said he will come up with language to clarify that before the Village Board meeting.

Trustee Baum commented that no one reads their mail. He said other municipalities post a sign on the subject property stating the notice of public hearing to redevelop the property. He would like to see something like that also added. The cost of the sign would be the developers and should include where more information could be found. Planner Retzlaff said there needs to be further thought on how to update the procedure. Discussion continued. Chairman Wolter commented that it is difficult to force people to read what they get in the mail or to change people's perception of what's important. A sign would be helpful, but it still may not change what we see at public hearings. Planner Retzlaff said he will put something together in the coming months.

Public Hearing opened at 7:37 pm.

Terry Tschetter, W147 N10451 Wilson Drive, commented on the procedure for notification of public hearing notices.

Chairman Wolters said he would be open to using a different color envelope for notices and using a bold print to bring attention to the notice.

MOTION Baum second Shadid to forward the amendments to the Village Board as presented.

MOTION to Amend Baum second Shadid to add language to recognize those gaps between the subject property and affected property similar to Kinderberg Park by taking the 1000 feet from the end of the gap property line.

MOTION to Amend carried 4-1 (Nilles).

MOTION to Amend Baum second Shadid to add provisions with this document to include the requirement for a sign to be posted on the subject property as the developer's responsibility and that the sign be of the Village's criteria.

Discussion continued. Chairman Wolter agreed that more information needs to get out. But research needs to be done. Trustee Baum said he would do research to see what other communities do.

MOTION to Amend carried 3-2 (Nilles, Laszewski).

MOTION to Approve as Amended carried unanimously.

Country Inn & Suites by Radisson - W188 N11020 Maple Road. Request for approval of a Site Plan application to re-side the building and approval for two wall signs (one replacement) and the removal of directional signage and the existing pylon sign. Associate Planner Zandt summarized the proposal.

Discussion followed. Ryan Rahl, Rahl & Associates, LLC, explained where the proposed color changes and stone would be located.

MOTION Laszewski second Baum to Approve the site plan application submitted by Rahl & Associates for the Country Inn & Suites located at W188 N11020 Maple Road with the following conditions:

- 1. The existing Germanic Gable accents shall remain with the new façade update.***
- 2. The Boral SW Ledge stone shall extend along the north elevation of the building.***
- 3. The construction equipment currently parked behind the building shall be removed from the property and properly stored.***

And

APPROVE the proposed wall signs for the Country Inn & Suites property subject to the following conditions:

- 1. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.***

Chairman Wolter said the color will give more contrast to the building. He liked that the gables will remain because they provide an acceptable level of Germanic theme in that corridor.

MOTION carried unanimously.

Germantown Acquisition LLC - W124 N11749 Wasaukee Road. Approval of the final subdivision plat for Woodland Ponds Estates, a 29.7 acre, 12-lot single family residential development. Associate Planner Zandt summarized the proposal.

MOTION Baum second Shadid to Approve the Woodland Ponds Estates Final subdivision plat subject to the following conditions:

- 1. The street trees, as specified in the approved Landscaping Plan, shall be planted prior to the recording of the Final Plat.**
- 2. The Developer shall ensure the following items are addressed/completed to the satisfaction of the Public Works Department prior to the recording of the final plat:**
 - a. Complete and submit “as-built” data for the stormwater pond recertification**
 - b. Complete clean-up/restoration of all road ditches and drainage easements**
 - c. Complete final asphalt lift and road shouldering (as provided in the Developer’s Agreement)**
- 3. The Developer must submit Village Attorney approved Restrictive Covenants that include the requirements of Section 9.11 of the Woodland Ponds Developer’s Agreement Document and a requirement that each individual lot contain the minimum landscaping required under Section 17.43(5).**
- 4. A Letter of “no objection” from the WI Department of Administration (DOA) shall be submitted to the Village prior to recording the final plat.**

MOTION carried unanimously.

Zilber Property Group - W210 N12805 & W210 N12855 Gateway Crossing. The request is for approval for a monument and wall signage for the two industrial buildings located in the Germantown Gateway Corporate Park known as Zilber 2 and Zilber 3. Planner Retzlaff summarized the proposal.

MOTION Baum second Shadid to Approve the proposed monument and wall signs for the two industrial buildings located in the Germantown Gateway Corporate Park known as Zilber 2 and Zilber 3 buildings subject to the following conditions:

- 1. The sign base for both monument signs shall be revised to be comprised of masonry that is compatible with the exterior wall material of the primary building.**
- 2. Electrical permits shall be obtained from Inspection Services prior to installation of any/all electrical components.**

Discussion followed.

MOTION carried unanimously.

Village of Germantown Public Works Department - N114 W14421 Wrenwood Court. Site Plan review for a Lift Station. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the site and building plans for the proposed 900 sqft lift station facility located on Outlot 5 of the Wrenwood Subdivision subject to the following conditions:

- 1. This approval is subject to all the conditions and requirements set forth herein and adopted by the Plan Commission. Approval is granted for the architectural, engineering and landscape plans dated August 23, 2019, unless superseded by subsequent plan sheets approved by the Village Planner pursuant to revisions required herein and/or by the Plan Commission.**

Discussion followed. Chairman Wolter asked about the possibility of noise adding it would be better if the building was brick. He said a filtration system could be installed to eliminate any smell. Trustee

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Baum confirmed the building is solid brick, but that noise may come out through the louvers. Planner Retzlaff stated the site plan will be reviewed by the Building Construction Committee.

MOTION carried unanimously.

ANNOUNCEMENTS: Associate Planner Zandt stated the Community Wide Survey is available on the Village website and announced there is a Park Planning Party scheduled at the Germantown Senior Center on October 30th at 6:00 pm.

ADJOURNMENT: There being no further business, the meeting was adjourned at 8:30 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant