

PLAN COMMISSION MINUTES

September 14, 2020

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:30 pm. The meeting was held as a virtual WebEx meeting.

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

PUBLIC INPUT: None

APPROVAL OF MINUTES:

MOTION Baum second Laszewski to Approve the minutes from 7/13/20.

MOTION carried unanimously.

Christopher M. Voss - W168 N12340 Century Lane. The property owner of A New Leaf Tree Service is requesting approval of a Conditional Use Permit (CUP) to operate a horticultural services business on the 16.2-acre property. Associate Planner Zandt summarized the proposal.

Chairman Wolter opened the Public Hearing at 6:40 pm.

- Chairman Wolter read an email into the record from Gail Luedtke and Diane Takala, W168 N12350 Century Lane. They cited noise concerns with the business, increased traffic and reduced property value.
- Aaron Diener, W168 N12330 Century Lane was concerned with noise, mainly from the chipper. He was also concerned how much damage the extra traffic will have on the new road.
- Christopher Voss, W168 N12340 Century Lane explained he plans on getting rid of as much wood and brush as he can and will only bring back what is left to turn into mulch. He said they leave in the morning at 7:30-8:00 and get back around 3:00 or 4:00. He does not do snow removal. He said the tub grinding will only happen a couple times a year. He rents the chipper.
- Jim Schwefel, W168 N12438 Century Lane was concerned with noise. He said it's a quiet area and doesn't want to hear a grinder. He's not concerned with the traffic.
- Aaron Diener, W168 N12330 Century Lane asked if the grinding would only be done during the week and not on Saturday. Voss confirmed not on Saturday but said he has a lot of cleanup to do on the property.
- Doug Larson, First Weber Realty, said he has known Chris for 5 years and he is a responsible business owner, follows rules, is hard working, has a well-run business and has been looking for the right property.

Trustee Baum explained he has a landscape company in his district and rules were setup not to do any work on the property. But that property owner has been cleaning up his property cutting trees and the neighbors have been calling him complaining about the noise and what can be done about it. He knows Mr. Voss will be cutting dead elm and box elder on his property and he wants to warn the neighbors about the noise from the chainsaws and chipper. Mr. Voss said the property is overgrown and he will get the tree work done quickly. Planner Retzlaff added that a property owner has a certain amount of maintenance they can do on their property.

Public Hearing was closed at 7:00 pm.

MOTION Baum second Shadid to Approve the Conditional Use Permit (CUP) for Christopher Voss and A New Leaf Tree Service to allow the operation of a horticultural services business

at the 16.2-acre property located at W168 N12340 Century Lane subject to the following conditions:

- 1. The uses and activities allowed on the property shall be limited to those uses and activities and relative locations specified in the conditional use permit (CUP) application and supporting documents dated July 2, 2020. The size and relative location of those areas within the property from which said uses and activities are permitted are limited to that presented in the detailed site plan and description submitted with the supporting documents. Days and hours of operation, including semi-annual mulching, shall be limited to those specified in the CUP application and supporting documents submitted to the Village (Monday through Friday, 7am to 7pm). The Owner/Operator is responsible for reporting any significant changes in the type, intensity, amount or location of the land uses and activities, days and hours of operation, size or location or other operational characteristics of said uses and activities authorized under this CUP to the Village Planner.**
- 2. All company vehicles and equipment shall be stored within the existing 75' x 150' pole barn. There shall be no outdoor storage of company vehicles or equipment.**
- 3. Onsite retail sales and/or wholesale of landscaping products or other products from this property is prohibited.**
- 4. The property owner shall develop a landscape plan for screening the outdoor storage of tree material on the east side of the pole barn. This landscape plan shall be approved by Planning & Zoning staff prior to the recording of the CUP and shall be installed no later than June 1st, 2021.**
- 5. The operator has indicated that trees and branches brought to the site will eventually be processed into mulch semi-annually. In the event heavy grinding/shredding equipment will be used on-site to process plant material into mulch for an extended period of time (i.e. defined herein as more than 3 consecutive or cumulative hours per day), the operator shall provide all residents living within 500 feet of the subject property a minimum three (3) day written notice indicating the approximate days and times said grinding/shredding equipment will be operating. The operator is encouraged to communicate with the surrounding residents on a regular basis regarding activities to be conducted on-site that may create excessive noise and/or dust.**
- 6. In the event the Village receives complaints regarding outdoor storage, noise, dust, odor, vibration or other negative impacts on surrounding neighborhood and properties, the Owner/Operator shall work cooperatively with the Village to mitigate and resolve the issue.**
- 7. Site improvements, buildings, signage, exterior lighting and any other improvements on the property that are necessary for the land uses and activities authorized under this CUP shall be reviewed and approved by the Village through the Zoning Permit or Site Plan application process as determined by the Village Zoning Administrator. If required, Site Plan review and approval will include Plan Commission review and approval.**
- 8. If the use, activities and/or operation subject of this permit falls out of conformity with the conditions herein, or where there is a change in the nature, character, intensity or extent of the permitted conditional uses and activities which cause special problems or harmful effects associated with the permitted uses and activities that were not revealed or anticipated at the time this CUP was granted, or, where conditions imposed by this CUP that were anticipated to mitigate or eliminate harmful effects associated with the uses and activities but are subsequently insufficient to do so, or, for similar cause based upon consideration for the public comfort, safety, and welfare, this conditional use permit may be terminated or modified by the Village Board by the amendment to or addition of conditions after public hearing thereon.**

MOTION to Amend Baum second Kimmler to add Condition #9 that the business traffic is to be routed south from the residence down Century Lane and not go north and west.

MOTION to Amend carried unanimously.

MOTION to Amend Baum second Kimmler to add to Condition #5 that the use of the tub grinder be limited to 2 times per year with a maximum extent of 5 consecutive days each time during the hours of 8:00 to 5:00 pm, Monday to Friday. Semi-Annual mulching should be removed from Condition #1

Mr. Voss asked if there was a preference where he stores the trees to be chipped. Trustee Baum said his preference would be in the area north of the barn. Mr. Voss asked if wood is stored in the north area and not exposed, will he still need to plant trees to block that area. Associate Planner Zandt stated if storage is moved to the north side of the pole building Condition #4 can be eliminated.

MOTION to Amend carried unanimously.

Trustee Baum explained if material is stored to the north of the barn, then Condition #4 will not be required. But if sometime in the future it spews out of there and goes out of that area then Condition #4 comes into play. If the pile moves to the east, Mr. Voss will need to talk to Planning about a screening plan. He also stated that Mr. Voss can cut and chip his own trees, subject to the noise ordinance after 10 pm.

MOTION to Approve as Amended carried unanimously.

MGS Manufacturing - W190 N11701 Moldmakers Way. Request for approval of a Certified Survey Map (CSM) to combine four parcels into one and vacate the Moldmakers Way right-of-way, and site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Manufacturing campus in the Industrial Park. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the Certified Survey Map (CSM) to combine four (4) parcels into one 24.02-acre parcel, and to approve the necessary resolution to vacate the 1.317-acre right-of-way for Moldmakers Way subject to the following conditions:

- 1. The CSM shall be revised to reflect the Village Surveyor comments contained in the August 18, 2020 review memo prior to recording the CSM.***

MOTION carried unanimously.

MOTION Baum second Kimmler to Approve the site development and building plans for a 121,191 sqft industrial building expansion and related site improvements for the MGS Mfg. campus located on Moldmakers Way in the Germantown Industrial Park 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 plans dated September 3, 2020 (revision date);***
 - b. Civil Engineering plans dated September 4, 2020 (revision date);***
 - c. Landscaping plans dated September 1, 2020 (revision date);***

d. Lighting plans dated June 26, 2020

- 2. This approval is subject to final approval of the proposed Moldmaker Way street vacation and issuance of a 25' wetland setback encroachment conditional use permit by the Village Board.***
- 3. 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.***
- 4. 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.***
- 5. 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 building addition (except that an early start footing & foundation permit may be issued):***
 - a. September 11, 2020 memo from Village Public Works Director***
 - b. August 18, 2020 memo from Village Surveyor***
- 6. State approved plans and a \$20,000 occupancy bond are required by the Building Inspection Department as part of the building permit application.***
- 7. A final plan and specifications for the proposed silo storage system must be submitted to the Village Planner for review and approval prior to installation and approval of a building permit for this equipment. Additional screening may be required in the vicinity of the silo storage area.***
- 8. In the event roof-top mechanicals are proposed for the building addition, screening may be required with a separate screening plan submitted to the Plan Commission for review and approval prior to installation of any RTU's.***

Commissioner Laszewski commented on the number of parking spaces on site. Planner Retzlaff stated that only 10 additional employees will be added and that the parking proposed is sufficient to accommodate the expansion.

MOTION carried unanimously.

Toolcraft Machining - W194 N11092 Kleinmann Drive. The request is for approval of a ground sign for the property. Associate Planner Zandt summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed ground sign for Toolcraft Machining subject to the following condition:

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

MOTION carried unanimously.

Teriyaki Madness - W182 N9606 Appleton Avenue. The request is for approval of a wall sign and sign face replacement for the property. Associate Planner Zandt summarized the proposal.

MOTION Baum second Kimmler to Approve the proposed wall and sign face replacement for Teriyaki Madness subject to the following condition:

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

MOTION carried unanimously.

Glue Dots International - N117 W18711 Fulton Drive. The request is for approval of one ground signs, two wall signs and two directional signs for the property. Associate Planner Zandt summarized the proposal.

MOTION Shadid second Baum to Approve the proposed ground, wall and directional signs for Glue Dots International subject to the following condition:

- 1. A landscaping plan (three feet on all sides of the ground sign) shall be submitted and approved by the Community Development Department.***

MOTION carried unanimously.

Chaz Hastings, Agent for Jerry's Old Town Inn & Von Rothenburg Bier Stube - N116 W15841 & N116 W15863 Main Street. The request is for approval of a 1-lot Certified Survey Map (CSM) to combine the two parcels. Planner Retzlaff summarized the proposal.

MOTION Baum second Laszewski to Approve the proposed 1-lot Certified Survey Map (CSM) to combine the two parcels owned by WI Piggy LLC located at N116 W15841 & N116 W15863 Main Street with the following conditions:

- 1. All technical issues and plan corrections identified by the Village Surveyor (see August 31, 2020 memo) shall be addressed and reflected in a revised CSM submitted and approved by the Village Surveyor prior to recording the CSM.***

Discussion followed regarding the access easement that runs through the property to get to the Grosenick property on the south.

MOTION carried unanimously.

ANNOUNCEMENTS: Planner Retzlaff said there would be a special meeting on 9-28-20 to restart the 2050 Land Use Plan discussions.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:50 pm.

Respectfully submitted,

Lori Johnson
Planning Assistant