

PLAN COMMISSION MINUTES

December 10, 2012

CALL TO ORDER: Chairman Wolter called the meeting to order at 6:31 p.m.

ROLL CALL: Chairman Wolter, Commissioners Stauffacher, Warren, Gray, Peck, Yokes and Trustee Representative David Baum. Staff members in attendance included Village Planner Jeff Retzlaff and Planning Assistant Lori Johnson.

PUBLIC INPUT: None

PREVIOUS MINUTES: *MOTION Baum second Warren to Approve the Minutes from November 26, 2012.*

MOTION carried unanimously.

Kevin Behnke – W179 N12536 Fond du Lac Avenue. The property owner is requesting a conditional use permit to operate a winery from the 10.8 acre Apple Works Orchard. Planner Retzlaff summarized the proposal.

Mr. Behnke said the wine produced will be made with grapes grown on the property. He explained it could take time to become established and asked for flexibility with the hours of operation citing the 6:00 pm close time proposed by staff was too early. He also intends to make apple juice and offer private wine tasting events.

Commissioner Stauffacher was concerned with excessive noise to nearby residents and said Mr. Behnke should get a permit for large group events. Planner Retzlaff said the Clerk's office was unclear if Mr. Behnke will require liquor license if he offers wine tasting.

MOTION Baum second Peck to Approve a Conditional Use Permit to operate a winery from the 10.8 acre Apple Works Orchard property located at W179 N12536 Fond du Lac Avenue subject to the following conditions:

- 1. Revise the time period within which retail activities can occur to be from 9:00 am to 6:00 pm Sunday to Saturday.***
- 2. Applicant is responsible for contacting the Village (Planning & Zoning and the Clerk's Office) regarding any special events that may require a temporary use, liquor license, or other permits or approvals.***
- 3. Applicant to obtain all required liquor licenses and/or permits from the state and Village.***
- 4. The proposed outdoor patio may require site plan approval from the Plan Commission depending on the extent and improvements. Contact the Village Planner for further information prior to installation of the outdoor patio. At a minimum, the patio shall be set back a minimum distance of 50' from the nearest property line.***
- 5. Building permits and state-approved plans may be required for the proposed remodeling; contact Inspection Services prior to any work for details on the required permits and plan approvals.***
- 6. All signage, temporary and permanent, requires a permit; contact Planning &***

Zoning Services for details.

7. A pre-occupancy inspection is required by the Fire Department.

MOTION to Amend Baum second Gray to change the hours of operation to 10:00 am to 9:00 pm.

Discussion continued.

MOTION to Amend carried unanimously.

Planner Retzlaff said any plans for remodeling should be submitted to him to determine if Plan Commission approval is needed. A lengthy discussion followed regarding special events and when a permit is required.

MOTION to Amend Baum second Warren that a permit will be required for any event that:

- 1. totals more than 50 people, or***
- 2. includes selling any alcohol other than wine produced on the winery property, or***
- 3. includes a DJ, band or excessively amplified music***

Discussion followed regarding what type of music could be allowed without a permit. Commissioner Gray felt a permit wasn't needed for all outdoor entertainment.

MOTION to Amend carried unanimously.

Commissioner Gray questioned if Mr. Behnke was limited to selling cheese and crackers. Planner Retzlaff said the CUP needs to include what will be sold. Mr. Behnke stated he intends to sell wine, cheese and crackers.

MOTION to Approve as Amended carried unanimously.

Village of Germantown – Lot 29 of CSM 6406 North Patton Court in the Business Park.

Three lot Certified Survey Map Application for purposes of re-dividing an existing parcel totaling 22.85 acres. Planner Retzlaff summarized the proposal.

MOTION Baum second Peck to Approve the CSM as proposed.

MOTION carried unanimously.

Village of Germantown – Lot 28 of CSM 6267 Ellsworth & Washington Drive and Petersen Global LLC – W132 N10940 Eisenhower Drive in the Business Park.

Request to combine two existing parcels into one parcel totaling 9.27 acres. Planner Retzlaff summarized the proposal.

MOTION Baum second Warren to Approve the CSM as proposed.

MOTION carried unanimously.

US 41/45 Corridor & North Village/Rural Area Discussion: Community Survey

MOTION Baum second Peck to Table this item

MOTION carried unanimously.

ANNOUNCEMENTS: Commissioner Gray announced her son had baby and she was a grandmother again.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:36 p.m.

Respectfully submitted,

Lori Johnson
Planning Assistant