

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 6/16/15

TIME: 7:03 p.m.

PRESENT: Mike Gilson, Dawn Goodman, Gary Jonet, John Metzler, Jason Miller, Jack Salewski

ABSENT: Bob Boncher, due to prior scheduled work obligation.

Others Present: 11: Mead & Hunt Engineering representative, Paul Willis; Mead & Hunt Rep., Dustin Wolff; Town Chairman, Lee DeChamps; Town Supervisor, Ryan DeBroux; Town Clerk, Debbie Mercier; Board of Appeals representatives: Ron Abts, John Jadin, Pete Mathu, Toni Mertens, Steve Heim; Town of Red River Zoning Administrator, Eric Corroy. See attached sign in sheet.

APPROVAL OF LAST MEETING'S MINUTES: John Metzler opened the meeting and noted that the meeting notice was properly posted in 3 places. The May 19, 2015 Minutes were reviewed. Mike Gilson made a motion to accept the minutes as presented. Jason Miller seconded the motion. All approved.

ISSUE #1: Continuation of the Comprehensive Plan Update with Mead & Hunt Representatives: Work Group Meeting 5

(7:05-8:10pm)

Continued discussion of new standards for development in areas with potential storm water management issues. As requested by Town Planning Commissioner, John Metzler, at the May 19, 2015 meeting, Mead & Hunt representative Dustin Wolff brought along a Mead & Hunt engineering representative, Paul Willis, to discuss what services and possible advice he would have regarding new standards for development in areas with potential storm water management issues.

Fees & Billing:

Lee DeChamps inquired what the fees would be for such services and asked that a list of costs would be sent to Town Clerk, Debbie Mercier. Dustin Wolff agreed to do so.

Paul Willis stated that usually in a municipality of our town's size there is a standard "smaller municipality" fee, including consultation time, plus drive time, depending on who would be utilized on the consultation (for example: surveyor, engineer, or inspector). Costs would be in the range of \$100 per hour. Paul Willis added that usually one person is assigned to a municipality to maintain consistency. Paul stated that routinely, the community would build the cost of such a consultation into the permit. Dustin stated a billing example would be "1 hour review of plan by an engineer".

Lee DeChamps questioned if surrounding municipalities, like New Franken, utilize their service for every building permit.

Dustin Wolff explained stated not on every building permit, but that a review is done when a builder or developer is going to deviate from the standard set by the Town. He added that most towns usually rely on their Building Inspector to review and set the standards.

Future Storm Water and Drainage Planning:

Lee DeChamps inquired what suggestions Paul Willis has for future development.

Paul Willis suggested that **Soil Borings** might be done beforehand if an area is known to have potential issues.

Lee DeChamps asked about the cost for Soil Borings. He was told approximately \$500 per boring.

Paul Willis stated that they do not usually get as detailed as to suggest Soil Boring and that they usually stick to Site Plan Reviews and Grading Reviews. He strongly suggested not getting into "below ground" details due to potential liability for the Town.

Toni Mertens questioned who sets the grades.

Paul Willis stated typically the builder sets the grades and the engineer reviews it if needed.

Dustin Wolff stated that many communities require Soil Borings in addition to Grading Plans and Building Permits, siting as an example: 3 soil borings per acre.

John Jadin speculated that if 3 soil borings were required per site, then we would also ask the Town Building Inspector to enforce that standard accordingly.

Eric Corroy, of Red River zoning, speculated that it might be better to stay out of the minutia and put in general standards and/or fundamental parameters, so as to avoid becoming too prescriptive and then possibly becoming liable.

Dustin Wolff admitted there is no easy answer.

Lee DeChamps asked if perhaps issuing warnings might be best.

Eric Corroy, of Red River zoning, stated that “a town may ask for soil borings, and other requirements, and then not be able to interpret the findings. If a town does not pay attention, they could then be liable.” He speculated that an engineering firm could stand to make a lot of money.

Dustin Wolff stated that a Town usually has an attorney to consult if there is a legal issue and that having an engineer on call would be the same.”

Eric Corroy, then asked “How onerous/prescriptive do we want to be? Do we want to control growth or do we want people developing ‘willy-nilly’?”

John Jadin and Ron Abts stated there is no silver bullet.

There was crowd speculation if such soil borings could have predicted or prevented issues in the town in past situations where basements flooded and/or drainage issues have occurred.

Dustin and Paul concurred that soil borings may not have predicted or prevented the past situations, but they may have been less likely to occur.

John Metzler speculated that perhaps the person who issues the Building Permits is the person to make the decision on these matters.

John Jadin stated there cannot be a cookie cutter standard due to the varying water and drainage issues from site to site.

Dustin Wolff stated that area excavators usually know best.

Current Drainage Management:

Town of Red River Zoning Administrator, Eric Corroy, questioned what should a town do with a property owner who is causing potential drainage issues for their surrounding neighbors?

Town Clerk, Debbie Mercier, explained that she had checked with the Town’s Association lawyer about such a situation and that they had recommended the Town should stay out of it because it would be a Civil Issue the affected property owners would have to deal with in Civil Court, with their own lawyers, and the offending property owner/developer.

Retention ponds were suggested as an option by some in the crowd, for areas with drainage issues, but Paul Willis speculated that if the issue were severe, a pond might actually fill up and not be sufficient.

There were also suggestions from various crowd and Planning Commission members that ditches in the Town need to be cleaned out to help drainage.

Dawn Goodman stated that in the past, she thought she had heard at other meetings that the ditches should be cleaned out and/or changed to promote better drainage, but there had been no agreement on *who* would do so, or *how* it should be done. She suggested this should be addressed and might be very helpful in areas where there is water backing up and/or not draining properly.

Paul Willis stated that the DNR allows trenching and dredging, but no filling in of drainage areas.

Mike Gilson stated that there is no predicting when a heavy rain or flooding event will occur.

Dustin Wolff stated that Mead and Hunt could help with areas in the Town that have drainage issues.

Ron Abts questioned if State Law prohibits interfering with water flowage.

Paul Willis stated that the DNR Storm Water Discharge rules kick in only if it is a big project, involving over an acre.

Dustin Wolff and Paul Willis went on to explain that other communities are now requiring Grading Plans in addition to Building Permits.

Dustin suggested that a flooded basement occurring in a development or individual project is an issue for the developer/property owner to deal with, *but* in his opinion, the surrounding properties affected by such drainage issues *are* the Town’s issues.

Dustin added that “at the end of the day, your Town’s codes and ordinances should be reviewed and enforced.” He went on to ask “do you protect *all* of the property owners or only *some* of them?” And then he added “No one is protecting your Town currently.”

Dustin stated the Town could set standards in its code/zoning to be more restrictive. He added that Mead & Hunt could audit our codes/zoning.

John Metzler asked that Mead & Hunt give the Town suggestions as to where to start on such an audit of the codes/zoning.

Dustin said they could provide the Town with a list to start with.

John Metzler asked what the charges would be for an audit.

Dustin stated that he could give the Town a list of questions to address. He said it would be covered by the current time being spent on the Comprehensive Plan. He stated he recommends starting with an audit of our ordinances. He said he would send it to town clerk Debbie Mercier and Planning Commission Secretary Dawn Goodman.

(8:11 to 8:18 pm)

Review of the Plan's Final Draft and any final edits

Dustin Wolff passed around 2 copies of the Final Draft of the Comprehensive Plan for the Planning Commission members and other attendees to review. Dustin explained that Mead and Hunt had fine-tuned this latest draft based on past meetings and input they received from the Planning Commission and community members who attended the meetings, and that if we approved the drafts, these 2 copies would be available for the public for Open Book review for a one month period. Some time was spent reviewing these drafts.

Plan approval by Planning Commission and all that is connected to that process.

Dustin passed out a document entitled "Resolution 01-2015: Adopting and Recommending the Comprehensive Plan For The Town of Green Bay, Brown County, Wisconsin" for the Planning Commission to review. (see attachment).

MOTION MADE BY: Dawn Goodman made a motion to approve and recommend to the Town of Green Bay, to adopt "Resolution No. 01-2015: Adopting and Recommending the Comprehensive Plan for the Town of Green Bay, Brown County, Wisconsin"

MOTION 2ND BY Gary Jonet. AYES: 6 NAYS: none. ABSTAIN: none. MOTION CARRIED.

Dustin then reviewed the posting of information process, notification process, and public review process.

Other Business: There was no other business to cover at this meeting.

Date & Time of Next Planning Commission Meeting were set: Tuesday July 21, 2015 at 7:00 pm.

Motion to Adjourn Made by: Gary Jonet. Jason Miller seconded. **AYES 6 NAYS: None. Motion Carried.**

Time of Adjournment: 8:18 p.m.

Planning Commission Chairperson

Planning Commission Secretary