

## TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

**DATE:** 1/19/16

**TIME:** 7:07 p.m.

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

**Others Present:** Town Clerk, Debbie Mercier

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

### **ISSUE #1: Discussion of A-1 Exclusive Agriculture district**

**(7:07-7:35pm)**

Zoning Administrator, Gary Jonet and Town Clerk, Debbie Mercier explained why this matter was an issue. A land owner who is zoned as A-1 Exclusive Agriculture, is questioning if she can build on her parcel and what the repercussions would be. They explained that Brown County Planning Department's Principal Planner, Aaron Schuette, was consulted on the matter and Debbie Mercier also consulted with the DATCP representative who has worked with the Town on its recently approved A-1 Exclusive Agriculture Zoning. Debbie Mercier explained that per DATCP: the situation in question, can be considered an Accessory Use of a Residential Dwelling circumstance, and is covered in our newly updated **Definitions** in our Town's **Zoning** under "**Accessory Building or Use**" (see below):

*1. Accessory Building or Use. A building or use which is:*

- 1. Conducted or located on the same zoning lot as the principal building or use served, except as may be specifically provided elsewhere in this ordinance;*
- 2. Clearly incidental to, subordinate in purpose to, and serves the principal use; and*
- 3. Either in the same ownership as the principal use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use.*
- 4. "Accessory use" for purposes of the farmland preservation ordinance in compliance with Wis. Stats., Chapter 91, means any of the following land uses on a farm:*

- 1. A building, structure, or improvement that it an integral part of, or is incidental to an agricultural use.*
- 2. An activity or business operation that is an integral part of, or incidental to, an agricultural use.*
- 3. A farm residence, including normal residential appurtenances.*
- 4. A business, activity, or enterprise, whether or not associated with an agricultural use, which meets all of the following requirements:*
  - 1. a) It is conducted on a farm by an owner or operator of that farm.*
  - 2. b) It requires no buildings, structures, or improvements other than those described in par. 1 or 3.*
  - 3. c) It employs no more than 4 full-time employees annually.*
  - 4. d) It does not impair or limit the current or future agricultural use of the farm or other protected farmland.*

It was the further opinion of both Gary Jonet and Debbie Mercier that the person in question would most likely have to rezone to Estate Residential if she wants to pursue building a home on that parcel. It was noted that Aaron Schuette's opinion was also that she would need to break off the piece she would build on and have it rezoned. Gary added that he had suggested to the property owner that she should seek further advice from the Town's Assessor concerning rezoning implications and that the land is taxed per its actual use. Debbie Mercier agreed.

**ISSUE #2: Continue Development of a Parade and/or Special Events Ordinance**

**(7:36-9:00pm)**

Planning Commission Secretary, Dawn Delvaux Goodman, stated that it was her opinion that based on the increasing popularity of the Town for events and because of the recent Strategic Plans meeting revealed by the Shrine of Our Lady of Good Help at a public meeting they held with Town Representatives on 1/14/16, she believed a Parade and/or Special Events Ordinance was more important than ever to continue to pursue for the Town.

She passed out a copy of the notes she took at the 1/14/16 meeting of the Town with the Shrine representatives: Operations Manager, Walter N. Fountain and the Shrine's 2 consultants from Performa Inc., regarding the Strategic Planning for the Shrine of Our Lady of Good Help. Dawn noted that the Shrine's current estimates are that 100,000-110,000 yearly visitors come to the Shrine and that they anticipate 300,000 yearly will visit in 10 years and 500,000 yearly will visit in 20 years. (see attached for all the details).

She also passed out a second draft she developed of a "Town of Green Bay Application for Special Event Permit", fashioned after the City of Green Bay's Application for Special Event Permit, with the suggested revisions, including additions of part of the Brown County Special Event Permit, as suggested by the Planning Commission from the last meeting in November, 2015. (see attached).

She also passed out a draft for review of an actual model ordinance she had designed, entitled "An Ordinance Establishing Special Event Regulations and Permit for the Town of Green Bay", based on a combination of both the Town of Ledgeview, and the City of Green Bay. She asked that the Planning Commission review it at this time and she could then revise it accordingly for the next meeting. (see attached).

After reviewing the above-mentioned materials, discussion began.

Bob Boncher stated he believed the Town should not do too much at this time, but should wait to see what will happen with all the current and anticipated events. He was concerned events such as church picnics, graduation parties, etc. would be negatively effected by such a permit and that fees might be too much for some groups.

Gary Jonet stated that he did not know if we need to worry about any of this. He said that the County would take care of any nuisances that come up at private events and that the Town does not need to police everyone/everything. He asked, who would do it on behalf of the Town.

Debbie Mercier stated she thinks it will be a lot more work to enforce the permit, especially getting all of the required information it includes.

Jason Miller suggested that a simpler permit could be utilized that would require a one time \$50 fee no matter the size of the event.

Gary Jonet said that it might only be needed if the event involves the use of Town Roads.

A number of the Planning Commission members suggested that instead of it being called a certain level of Hazard, that an event simply be called an "Event" and no Hazard level rating be used at all.

Another suggestion was that the Town Board would decide on a case by case basis if an event should be charged a fee, if at all.

Mike Gilson stated that there are now "Impact Fees" being utilized, he cited Florida as having good examples of that practice.

Dawn Goodman stated she thought she recalled Impact Fees being suggested during the Comprehensive Planning sessions of 2006.

Debbie Mercier stated that Impact Fees seem to be the future trend and that they would involve a lot more work. She stated it might cost the Town more than it is worth.

She suggested the Town could possibly look at a Special Events Permit again in the future.

There was agreement that it should be revisited in a few years as things continue to grow.

Mike Gilson stated that he thought the Town could even do a Moratorium on events in the future if things look like they are getting out of control.

Dawn Goodman suggested it should be reviewed on a yearly basis.

The Planning Commission thanked Dawn for all of her research and work she put into the process and asked her to hang on to the materials she had for future reference. Dawn agreed to do so.

**MOTION MADE BY** Bob Boncher to recommend to the Town of Green Bay to Table this matter of a Parade and/or Special Events Ordinance and review it on a yearly basis because the Town has very little Town property that would be affected.

**MOTION 2NDED BY** Mike Gilson

**AYES: 7 NAYS: none. ABSTAIN: none. MOTION CARRIED.**

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

**Date & Time of Next Planning Commission Meeting were set:** Tuesday, February 16, 2016 at 7:00 pm, *if it is found necessary to have a meeting.*

**Motion to Adjourn Made by:** Bob Boncher; Jason Miller seconded. **AYES 7 NAYS: None. Motion Carried.**

**Time of Adjournment:** 9:03 p.m.

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**Planning Commission Chairperson**

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**Planning Commission Secretary**