

## TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

**DATE:** 7/17/18

**TIME:** 6:01 p.m.

**PRESENT:** Dawn Goodman, John Metzler, Jason Miller, Dylan Mercier, Gary Jonet, Mike Gilson

**ABSENT:** Brad DeChamps came late at 6:50pm.

**OTHERS PRESENT:** Carol Masuga, Agent for The Private Association of the Christian Faithful; Town Clerk, Debbie Mercier; Town Chairperson, Cary Dequaine; Board of Appeals Secretary, Toni Mertens; Reporter from WBAY television; 14 others (see sign in sheet).

**APPROVAL OF LAST MEETING'S MINUTES:** John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The 4/17/18 meeting minutes were reviewed. **(6:01-6:03)**

**MOTION MADE BY:** Jason Miller to accept the minutes as presented.

**MOTION 2NDED BY:** Dylan. **AYES:** 6 **NAYS:** 0 **MOTION CARRIED.**

**ISSUE #1: Conditional Use Request #1105-J for the Private Association of the Christian Faithful, represented by Carol Masuga. The request is: "to obtain permission to build a barn-like building, which would allow elderly/caregivers, sick, suffering and a section for Bishops and priests to stay overnight for a few days in order to visit the Shrine of Our Lady of Good Help and receive graces and peace. No food will be served and there will be no charge, only free-will offerings to help provide for the upkeep." The property is parcel GB-559-1, which is located at 6279 County Highway K.**

Planning Commission Chairperson, John Metzler, opened the floor, asking Carol Masuga, Agent for the Private Association of the Christian Faithful, to explain what her intentions are in this matter.

Carol explained that the group has renovated the home on the lot. Now they're adding a garage to look like a Blacksmith shop and are trying to make it like a Belgian Homestead. She pointed out they really cleaned up that corner lot, even taking down the broken down, very damaged former barn that was on the site. She said over 130 volunteers came out to clean the site and work on improving it.

She said the Association is under the Catholic Church. She explained that: "it's made up of 2 groups, one being for all vocations, and the other mostly lay people. They are in 27 states. They do not all get together. They pray and sacrifice for the priests and vocations and give spiritual care to the elderly, sick and the dying to prepare them for eternal life. The second group is a clerical association for bishops and priests to help them grow and give pastoral care to the elderly, all under their Blessed Holy Mother."

She stated that when the property became available, they believed the Blessed Mother provided it for the ministry and that 2 Board members (2 couples), purchased the property with their own funds and gave it to the Ministry, so it is all paid for.

She explained that the first building, (the original building on the site), is a former log cabin, which they made into a private chapel honoring St. Joseph. She said they had a historian look at it and they believe it dates back to before, or just after, the Peshtigo Fire because there are charred logs in part of the structure. The other half of that building is a living quarters where she lives and the group's headquarters. The second building (the Blacksmith shop), is a garage.

The third building they hope to have on the site, which is why she is at the meeting and asking for a conditional use permit, will be "a place for the elderly and their care-givers. On the first floor would be handicapped rooms, 5 of them, and the other adjoining rooms would be caregiver rooms, 5 total (5 suites). She said this would provide a place for elderly parents and their adult children caregivers to receive the anointing of the sick and allow her to uplift them and talk about care giving (because she cared for her elderly parent in the past) as they go to the Shrine for peace and healing, most importantly."

She then stated, "There will be 5 handicapped/caregiver rooms on one floor and then the second floor would be for other sick and suffering. And also, more in the future, because the clerical association wants it spread more." She explained that "the Bishops and the Priests made promises to Our Lady, down in the Crypt, that to the best of their ability, they will do the spiritual exercises and the apostolate of the clerical association, which is the pastoral care of the sick and dying and to grow in holiness."

She further explained that "Our Lady is already established in Upper Michigan, so there has to be a place for them to come and make their promises at the Shrine to Our Lady and do their spiritual exercises and the apostolate, so then they're under her again. So it's really about bringing people to Our Blessed Mother." She added: "I won't be asking for any charge. It will be a free will offering for upkeep. There won't be any food served. They will need to bring their own food. The parking for it will be on the site of the former barn (they could not build on it because they burned and buried the barn). There will be wildflowers and a rosary garden, done by a Master Gardner who volunteers his time there.

John Metzler told those in the crowd he would allow them to ask questions or add comments but first asked the Planning Commission members if they had anything to bring up.

Dawn Goodman expressed concern that there had been numerous automobile crashes at the site over many years due to cars coming along Highway P not stopping at the stop sign. She also stated cars had crashed into the house (the Ducat homestead), opposite of the proposed site, as well. Dawn stated it was a dangerous intersection. Dawn stated that at first, she thought it might be unsightly to have a parking lot in front, rather than behind the proposed building, but having the parking lot located where it is currently proposed might actually be better in case of another crash. Dawn suggested they still might want to put in a guard rail to protect the area in case that happens again.

Carol stated she was aware of the accident history there. She stated she noticed they put up warning signage for both ways. She said they found out there had been crashes into the barn and the silo. She said they left the silo up and a consultant, Tony Brise (sp?), suggested they could use the silo as an elevator shaft to bring people up to the second floor, and maybe even have a window in it and have the elevator go a little higher, so that people could view the Shrine from there. They hope it will help protect the building as well.

John Metzler expressed concern about how many parking spots there will be. He noted that usually there is 1.5 parking spaces usually per room at a hotel. So he stated she will have to check into the size of the parking lot so that it follows our codes. Carol agreed she would look into it. She stated that if they do not have adequate parking spaces then they would have to make the building smaller. John expressed concern that it would not be wise to have people parking too close to the road because that would be a hazard. Carol stated maybe she could put in trees or something that would keep them from doing that. But Dawn Goodman pointed out that then might obscure the view for traffic when they get to the corner, especially when there is already extra traffic in the area due to the Shrine.

John Metzler stated that it's technically a 15 unit facility being proposed and that it should probably need at least 22 parking stalls.

Zoning Administrator, Gary Jonet, stated that depending on what she would consider the building to be, under the Town's Parking regulations, a health or medical institution (or convalescent center, nursing home or rest home, institutions for care of aged or children, etc.) 1 parking space shall be provided for each 4 beds and 1 space for each 2 employees and 1 space assigned for each doctor.

John Metzler questioned what the Planning Commission would consider this building to be?

Dawn Goodman asked if Carol planned on keeping the sick and elderly people there permanently?

Carol stated emphatically “No. Visitors would just be there a few days just to go to the Shrine. It’s not long-term”.

Dawn Goodman suggested it seemed to be more like a “hostel” facility?

John Metzler thought it sounded like a hotel?

Carol stated they would just be coming for a few days and that maybe it could be considered a Retreat Center?

John Metzler stated she should check into that more so it can be determined what exactly the building will be.

John stated his other concern is in regards to if people are not paying for their stay at the facility, how will she be able to pay for its upkeep? Carol stated she has a good base of donors who she can depend on. “I’m expanding the whole base. What I’m hoping to do is get a fund that sustains it. I’m widening the base of donors.” She stated she doesn’t want to have to charge them because they are already having a rough time as it is. But she stated she’d find a way.

Dawn Goodman stated that the concern is in part based on a past experience in the Town with a group of nuns that used to stay at the Shrine who had told everyone they would be self-sufficient but ended up needing assistance to make ends meet, resulting in many local residents bringing in food, supplies and services to help them.

Carol stated that she would definitely not be building anything until she has the funds to do so, stating, “I won’t do that. There’s no way. I won’t build anything until I know I can pay for it.”

Dawn Goodman questioned Zoning Administrator Gary Jonet how long she would have to use the Conditional Use Permit. Gary Jonet stated there is no limit on the time it could be used for.

John Metzler questioned if Carol had talked with the County or State yet for any permits or conditions they might have for codes she may need to follow as far as building it.

Carol stated she has not done so yet. Carol stated she understood that she would need to do so. She verified with the Planning Commission then, that this was the first step in the process, then go and get State/County approved.

Gary Jonet stated she would need to do that before getting a Building Permit. Gary explained she would need her architect to draw up her plans and then they would have to be approved by the State.

Carol stated ok.

John Metzler then asked the people in attendance if there were any questions.

Someone asked how Carol could guarantee that someone staying at her facility would actually be going to the Shrine? Carol explained that it would be “a stipulation that they are going to the Shrine and she would bring it to her Board to assure that they would be coming to the Shrine”.

The same person then asked who are these people who are coming and how does she determine who will stay there?

Carol stated “the Order of MALTA would be helping to do that and will be bringing the visitors to the Shrine”. She stated that they are in charge of bringing people to Lourdes and that since the Shrine became an approved apparition spot, they thought they should also be bringing people to visit here as well. Carol stated she has “begun building a relationship with some of the people involved in the Order of MALTA” and

that she's started a "fund raiser and asked individual donors to promote the ministry with MALTA and they told her that they will help".

The same person then asked how long a time the people will be allowed to stay at her facility, citing an example of someone who is dying might want to end their days while visiting at the Shrine, staying a week, a month, or longer. Will there be any stipulations as to length of stay? The person stated there should be stipulations.

Carol stated, "The stay would be something like a weekend at the most, so that someone can pray to Our Lady, pray for graces and the sacrament of the sick".

The neighbor, Debbie Delcore, asked if Carol had taken into consideration the additional parking needed when Carol has special events in her chapel on the site, such as her monthly masses.

Carol explained that she has to have monthly masses celebrated at her site in her private Chapel. She said: "it's only for the workers and not open to the public". She emphasized that "they do not want to take away worshipers from the Shrine. They want to bring people to the Shrine. Those people who are on their private property can go to their private chapel of St. Joseph. It would be the workers and donors".

Someone then questioned how large is the property.

Carol answered it is **1.5 acres**.

Someone stated that she had a concern about the young children and people living in the area having strangers coming into the neighborhood.

Carol answered that "the Order of MALTA would screen the visitors".

Someone stated that if the prior proposed hotel on the Gomand property was not approved, why should this situation be approved.

Carol suggested that it is not the same as a hotel because it is run by a ministry and that a hotel does not screen its people.

The same person stated that there would be one or two night stays and how would that be different than a hotel?

Carol stated it is a ministry and it's not like everybody comes, it's specifically for sick and elderly.

The same person stated that if a bed and breakfast for the same purpose was not approved, how would this be any different?

Planning Chair, John Metzler, stated that there were vacation homes in the Dyckesville area that were rented out that became problematic with uncontrollable parties, even though they were not rented out by the owners with that intention. He stated he was concerned that Carol does not have anything in writing stating how she will deal with issues that arise. "You say you're going to control it. But how will you control it?"

Carol stated she could write that up.

He went on to say he agreed that there is a valid concern about who will come? There are nice people that come to the Shrine, but there are still problems in the neighborhood.

Carol stated "I think you have to be careful of not stopping God's work because you're too fearful of what's going to happen. You can't do that. Because what happens then is that you don't let anyone come. Right? And so they would be screened. These people with MALTA work with the sick and suffering. They bring people to the Shrine. They're going to have it in August. They always have a retreat. They screen them. Some of them are their relatives. They have a caregiver, like their adult children". She stated that when she took care of her mother "she would have loved a place like this because she could have prepared her for eternal life and had a place to take a break."

John Metzler stated that he personally was not against it. He stated that he has to look at protecting the residents of the town.

Carol stated "that if you look at what we've done already there, it's really helped the community. We've cleaned it up and kept it like the Belgian community here.

Someone asked if the people visiting would be from Wisconsin?

Carol answered, "they would have to be with MALTA and they said they would help with that. I would not hesitate to have them help run it. MALTA are deeply spiritual, and they would not bring someone...I know I would be concerned too if I didn't know there was someone helping...priests and bishops will come to make their promises at the Shrine. We need the apostolate there. If anyone had a problem with it, they could come and tell us".

The same woman asked how Carol would work with someone who has no money and needed a place to go, because some people have shown up at the Shrine in that situation.

Carol stated she would "find somewhere else for them and that she has people she could refer them to". She stated she "would not do that to the community". She stated she had dealt with similar situations where she worked in Marquette, Michigan and they had donors that would help send them somewhere or to hotels.

Jason Miller stated he had 2 concerns: He questioned if there was actually enough room for a 5,000 square foot building on the 1.5 acres, assuming the mound system would probably need to be redone to handle that many rooms (20 rooms?) and adequate parking for the private Chapel and this facility. And also, we need to determine what this facility would be to make sure it does actually fall into our Conditional Use section of zoning?

Another person stated they had questions about well water levels with that many rooms, showers, toilets.

Dawn Goodman stated that the water is a valid concern. She cited a DNR representative expressing concern about not enough water for the area back when the subdivision on Highway P was being proposed. She pointed out that 2 more subdivisions were approved since that time and that there is continued growth going on in the area. She speculated that at some point there would be a water issue.

John Metzler stated that back when the Gomand's property had a hotel proposal, the developer had already looked at water (how deep will you go), septic, parking, how big a building? There are too many unanswered questions.

Carol stated she is learning as she goes along. She said she needs to know what she needs to do and she will try to get answers.

John stated it's difficult to grant a permit because there are too many unanswered questions. His concern is the parking lot. Is there enough room with all the events and visitors? The septic and wells. She has not been to the County yet.

Dawn Goodman asked if the septic mound was just drawn on the plan presented or if it was up to specs. Dawn speculated it might need to be a lot bigger than what is drawn on the plan. Carol said it was done by the architect.

John Metzler stated the building size was of concern.

Carol stated she would be alright if it will be smaller. She said she waits for the Blessed Mother to reveal what she needs.

Jason asked how many workers there would be.

Carol stated they are volunteers and that on any given day, she could not say how many volunteers there would be. She speculated there had been 22 donors/volunteers at the last masses she had recently held.

Jason questioned again what is this facility going to be designated as? What will Carol call this when she needs to go to the State? Before we invest anymore time in specifying conditions, we need to make that determination.

Dawn Goodman asked Zoning Administrator, Gary Jonet what he believed it should be categorized as.

Gary Jonet stated he thought it should be a "other religious institution" under #2 Conditional Use.

John Metzler speculated, "So as it stands now, if we were to grant this permit, there would be no restrictions and they could build what they want?"

Gary Jonet stated, "The Board of Appeals can set their own if they see fit. We can make recommendations and they make the decision. "

Someone from the floor asked Carol if each bedroom would have a bathroom? Carol stated they would.

Carol stated she may have to make the place smaller. She said she would check on everything and that she would take care of what we wanted. She said "Don't worry, it will look nice, like a barn, really nice."

Someone from the floor asked if there will be a van to take visitors to the Shrine? Carol stated there could be.

Jason questioned if Carol could be given pointers to go back and check on and come back at a later date.

Gary Jonet stated there has to be a decision made for or against within 60 days of the date of the Conditional Use request being made, which was July 3, 2018. And it would still need to go before the Board of Appeals yet after.

Jason Miller stated he "just did not feel there was enough information to make a decision". He stated it was "a rough draft". Do we have enough information to determine if there is enough room for parking, the mound system, etc. ?!

Gary Jonet stated the sanitation system is determined by the County and that we never know if there is enough room at this point until sanitation tests are done.

Carol stated she might have to make it smaller. Gary stated the County will determine what size will be needed.

Dylan questioned if there is a definition for “religious institute” (there is not) and why it would be interpreted it as “Other religious”? Gary Jonet stated that it’s because it has a chapel on the premises and the purpose it’s being used for.

Gary Jonet asked how people would arrive—in a van, in a group, with caregivers?

Someone from the floor suggested that handicapped parking requires more room than standard parking.

John Metzler stated he personally is not against it, but that there are a lot of unanswered questions.

Gary Jonet stated that the biggest question is the building parking. There are only 11 spaces indicated and with the amount of people being there undetermined, it’s hard to know.

Carol stated she will work with her architect, Chris Renier to draw it and change it.

Jason Miller stated that there are people coming and going constantly, so it does seem like a place to stay when you visit the Shrine...it’s more like a lodging house.

Dylan Mercier read the definition for Lodging Place.

Carol asked if it could be called a Retreat Center instead?

There was discussion clarifying the zoning and if it should be changed. It is Estate Residential.

Dawn Goodman stated that the Planning Commission could review the Conditional Use Permit every so often and even limit who the Permit holder is. Dawn cautioned how it is done could have long term implications if not done correctly, for instance, they could transfer it to another owner who could turn it into a hotel, a homeless center, a home for the mentally ill, etc.

Dawn asked the Town Clerk, Debbie Mercier, if it is appropriate to limit the permit to the current owner. Debbie cautioned that she is not a lawyer but felt it could be appropriate to have the Conditional Use Permit reviewed as long as it is the same owner of the permit.

Carol suggested “and successors” be added to the language.

There were further questions as to who the actual owner is. Carol stated she is only the agent and that the Ministry (The Private Association of the Christian Faithful) is the owner.

Jason Miller questioned again “how can we state conditions when we cannot determine the size of the facility?”.

**MOTION MADE BY:** Jason Miller to recommend to the Board of Appeals to **DENY Conditional Use Request #1105-J, based on the information presented this day.**

Siting the following concerns:

Size of the building was of concern because it could change by the time it is built and/or based on what the Board of Appeals might determine or stipulate.

- Adequate Parking Space—for the facility’s guests and visitors to functions at the other building (the St. Joseph Chapel) on the site.
- Determination as to what type of facility this will actually be.
- Water for the facility and it’s impact on surrounding neighbors

**MOTION 2NDED BY:** Mike Gilson. **AYES:** 7 **NAYS:** 0 **MOTION CARRIED.**

Date & Time of **Public Hearing before the Board of Appeals were set for: 7:00 pm on Thursday August 9, 2018.**

*(Special Note: It was originally announced at the meeting as taking place on August 16, but due to a clerical error by Planning Commission Secretary Dawn Goodman who listed the date as 8/9/18 in the legal postings and the letters sent to property owners, it was changed to 8/9/18).*

**Old Business:** None

**Other Business:** None.

**Date & Time of Next Planning Commission Meeting were set: Tuesday, August 21, 2018 at 7:00 pm. if there is a need for a meeting.**

**Motion to Adjourn Made by:** Jason Miller; Mike Gilson **2nded. AYES:** 7 **NAYS:** 0.

**Motion Carried.**

**Adjournment time:** 7:10 pm.

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**Planning Commission Chairperson**

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**Planning Commission Secretary**