

## TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

**DATE:** 8/21/18

**TIME:** 7:02 p.m.

**PRESENT:** Dawn Goodman, John Metzler, Brad Dechamps, Dylan Mercier, Gary Jonet, Mike Gilson

**ABSENT:** Jason Miller (planned absence).

**OTHERS PRESENT:** Town Clerk, Debbie Mercier; Don Warden; Brian Peot; Toni Mertens; Pete Mathu; Ron Abts; Michelle Depeau; Sharon Depeau,; etc.(see attached sign in sheet—18 signed-in).

**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 7/17/18 meeting minutes were reviewed. **(7:01-7:03) MOTION MADE BY:** Brad Dechamps to accept the minutes as presented.

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

**ISSUE #1: CSM Review for Sharon Depeau for part of GB-142-1, which is located at 3200 Block Stump Rd, in order to break off a portion of the parcel for her daughter to build a home. (7:04-7:07)**

The family and surveyor explained that they will break off "Lot 1", which consists of 6.97 acres (parcel contains 327,126 square feet/7.51 acres, 23,485 feet to be dedicated to the public for road purposes.). It is farmland, unplatted. Of the remaining 14 acres, only some of it is currently being farmed. Only 2-3 acres of the new lot would be built on in the future, the rest of it may still be farmed. *(It is described as: Part of the Southeast one-quarter of the Northeast one-quarter, Section 12, Township 24 North, Range 22 East, Town of Green Bay, brown County, WI. It is still more fully described as: Commencing at the South ¼ corner of said Section 12, T24N-R22E; thence S89°07'36"W, along the Section line, 669.97 feet to the point of beginning; thence continue S89°07'36"W, 671.00 feet to the 1/16 corner; thence N00°14'48"E along the 1/16 line, 487.61 feet; thence N89°07'36"E, 671.00 feet; thence S00° 14'48"W, 487.61 feet to the point of beginning.)*

Gary Jonet did not have anything to add. Brian Peot stated there are steep slopes but that they are not where the house will be. *(the Notes on the CSM state that: "Lot 1 contains an environmentally sensitive area (ESA) as defined in the Brown County Sewage Plan. The ESA includes steep slopes, and all lands within 20 feet of the top of the slope. Development and land disturbing activities are restricted in the ESA unless amendments are approved by the Brown County Planning Commission and the Wisconsin Department of Natural Resources.")*

John Metzler reviewed information about the stream mentioned in Item 3 of the notes. *("A shoreland permit from the Brown County Zoning Administrator's office is required for Lot 2 prior to construction, fill, excavation, or grading activity within 300 feet of a stream.")*. Brian Peot explained they are within 300 feet so they had to include that information.

Mike Gilson questioned why there were 2-3 acres not included above the Lot 1 area on the map, giving the parcel a jagged or uneven appearance. Sharon Depeau explained that the area is sometimes used as pasture land. So it was broken off that way.

**MOTION MADE BY:** Gary Jonet to recommend approval of the CSM for Sharon Depeau for part of GB-142-1 to the Town Board.

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

**ISSUE #2: Conditional Use Request #1112-J for the Shrine of Our Lady of Good Help, Don Warden, Agent. The request is: "to obtain permission to build a new "Sanctuary and Events Center" which will seat 1,100 for large masses and single events. It can be divided into smaller rooms to accommodate multiple pilgrim groups. It will have a kitchenette serving area for catered events, additional bathrooms and a first-aid area. Parking areas are also being improved to increase the number of parking spaces and to improve traffic flow and segregate it from pedestrian areas. The property is parcel GB-582, which is located at 4047 Chapel Drive, New Franken, WI. (7:08-8:00pm).**

John Metzler asked Don Warden, agent for the Shrine, to explain the plans. Don stated that the current Chapel only accommodate 300 people and two meeting rooms only accommodate 30-40 people. The increases in pilgrims visiting them regularly causes them to exceed this capacity so they need more room for events and services. The idea is to build a "Bi-Purpose" building that can be used for large indoor masses and single events. The walls will be move-able and can be divided into 6 sections if necessary. It will include a kitchenette serving area (for catered events); additional bathrooms; a first aid area, which might be used for the Order of Malta and also supplement use for rescue personnel brought in on a regular basis.

John Metzler questioned how close it will be to the lot line of the adjacent Dean and Mary Abts property. Don Warden stated that he was not exactly sure of the exact distance and what the offsets are going to be...it would be more than our minimum requirements are.

Brad Dechamps questioned if the back driveway will stay. Don Warden stated it would still be used for a service entrance for the garage.

John Metzler questioned what size the septic holding tanks would be. Don Warden stated he did not have the exact information with him but that the size and site would be based on the current bathrooms that already exist and the additional ones in the plan. He stated that the school house bathroom pipes are old and clogged at times so they would re-route them to the system. John Metzler questioned if Don already has the sanitary permits and speculations from the County. Don stated he does but did not have them with him. Gary Jonet interjected that the Sanitary permits have to be approved by the County before a building permit could be issued.

Brad Dechamps questioned where this fits into the Shrine's Master Plan. Don Warden stated that the plan is dependent on land acquisition. That will take time for that to happen. This building will help until that all gets sorted out. On the Master Plan, this planned building will sit on the edge of the footprint of the plan. It will not be torn down. It could be re-purposed as a Maintenance Shed or a Young Person Meeting area. It's location is ideal in case something happened in the long term plan--in 10-15 years, it might have been in the way and might have had to be torn down if it was located elsewhere. It's cost effective to have it in this location.

John Metzler questioned where 1,100 people were going to park at this new building site. Don Warden stated that about half of the current front parking lot (which accommodates around 60 spots) would be lost (and used) for the new building. But he said there would be a gain of about a third of it back because there is a grassy area between the parking lot and Chapel Drive which will be used. Then the current gravel area to the east, where they have about 3.5 acres will be used, hopefully by February or March(2019), which will give them a total of about 274 regular parking spots; 16 handicapped; and 6 bus. Plus there is another 10 acres for additional parking. John Metzler questioned if it would all be paved. Don Warden stated that it would be paved. He also stated there would be a retention pond on the back end of the lot.

John Metzler questioned if the plans include will any sort of wall/fencing or landscaping to provide a privacy/sound buffer between the Shrine parking lots and adjoining neighbors. He cited The Town of Green Bay Code of Ordinances book, Section XVII "Off-Street Parking and Loading Requirements", item 7 "Design and Maintenance", item d "Screening and Landscaping" (page 100). (*"All open automobile parking areas containing more than 3 parking spaces shall be effectively screened on each side adjoining or fronting any property situated in a Residence District or any institutional premises by a wall or fence."*). John Metzler stated he was talking about the space between the neighbors and the Shrine. Gary stated that it was referring more to Residential areas. But John stated it also referred to "institutional areas". He asked what that meant. Don Warden stated that with the new lots going in there's a fence north of Gomand's property and west of the field behind them. Someone asked what kind of fence and was it solid. Don answered that it was.

Mike Gilson stated that there has to be adequate parking for both the old and the new facilities, when calculating the amount of parking. John Metzler calculated there would have to be 75 with the old church

and add on the new church calculations, it would be 359 stalls. He cited The Town of Green Bay Code of Ordinances book, Section XVII "Off-Street Parking and Loading Requirements", item 7 "Design and Maintenance", item C ("*Surfacing and marking of parking lots. All off-street parking lots shall be provided with blacktop or concrete surfacing and shall be maintained at all times in such a manner as to prevent the release of dust and to be free of dust, trash, and debris.*").

Don Warden asked what was the purpose of 4 to 1 cited in The Town of Green Bay Code of Ordinances book, Section XVII "Off-Street Parking and Loading Requirements", B. "Specific Requirements-Off Street Parking," item 9, "Religious Institutions" (*a. Churches, chapels, temples and synagogues. One parking space shall be provided for each 4 seats.*). Don stated that the Shrine has adequate parking. He asked again: "What's the reason behind the ratio?" Dawn Goodman responded that the ratio was based on what other similar communities had in place when the Code of Ordinances was developed. No one on the current Planning Commission was part of the original Planning Commission group that wrote the standards so there was no other answer as to why it is a 4 to 1 ratio. Mike Gilson speculated that most people visiting these days may only have 2 passengers in a car.

John Metzler referred again to the Design and Maintenance and the standards set forth there, pointing out pavement surfaces, drainage, landscaping, etc.

Mike Gilson asked how far the visitors would have to walk to get to the church. Don stated that it's a 3 acre lot that starts in front of the Chapel. Don Warden stated the 9.5 acre overflow parking is beyond the proposed 3 acre improved lot.

Dylan Mercier asked if they could make the lot bigger, would there be a problem doing that? Don Warden stated that they are pretty much confined because of losing parking due to having to put in a retention pond.

Don Warden asked if the Variance hearing decision regarding the area of overflow parking had any bearing on this situation. John Metzler said it did not.

Mike Gilson stated that they seemed to be boxing themselves in, but the Chapel Drive still provided a way in and out. He questioned where Chapel Drive actually begins and ends. Don Warden stated he has not been able to find a definite answer to that and said there could be 3 different areas. Debbie Olson spoke up and stated she had researched it while getting a culvert put in on the Gomand property and found that it was 517 feet from the middle of the pavement/apron of where the steps were. Mike Gilson stated that it should be definitely staked out and determined while the redesign is being done. Town Clerk Debbie Mercier looked for the information on the Brown County GIS website.

John Metzler opened the floor unofficially opened for comments/questions.

Ron Abts questioned if they should be bringing in a sewer connection to the area in light of the size of the sewer? Someone stated "not at the tax payer's expense".

John Metzler stated that the rezone for a proposed hotel was denied because of concerns about traffic, water, sewer and that it was denied even with all of the plans in order. John went on to say that the amount of people coming into the area was found to be objectionable and did not go with the community's rural atmosphere. "Now there will be 1,100 people coming to the site."

Dawn Goodman stated that they are a transient population, and would not be staying there, but they would also be using the mound system or septic tank. Mike Gilson questioned if they had to put in a mound system. There was discussion that they may not need to if there is routine (daily?) maintenance pumping of a holding tank.

Dawn Goodman questioned if the Shrine would be putting a stress on the surrounding water in the area and if they are actually serving their water or bringing in bottled water. Don Warden stated they provide bottled water if people want it due to water quality at times. He said they had the water tested and they were told the current well they have is more than adequate and they would not need an additional well.

Dawn Goodman questioned if the Shrine was exceeding the rules in the The Town of Green Bay Code of Ordinances book "Section IV. General Provisions" Section C. Building and Uses #2" (*"All principal structures shall be located on a lot; and only one principal structure shall be located, erected or moved onto a lot in the Rural Residential and Estate Residential zones."*). Dawn questioned if the current church was already the primary structure on the site. Gary Jonet stated that there is no limit on the number of structures allowed and that that is what the Conditional Use permit allows for. Dawn questioned further if it is appropriate that the newly proposed structure, which would be a secondary structure, will actually be larger than the primary structure. Gary Jonet stated he did not interpret it that way. He gave the example of people putting pole barns that are bigger than the homes on their properties.

Town Clerk, Debbie Mercier interrupted to show her findings of the search for the Chapel Drive records on the County site. The best she could find goes back to 1978.

Debbie Olson stated that traffic was a continued definite concern with more people visiting the area.

Don Warden agreed and questioned if it should be 45 miles per hour. Some agreed it should be lower, maybe 35 around the Shrine? Don Warden stated he thought 45 miles per hour. John Metzler suggested County Representative, Norb Dantine, could help. He stated that the Town of Scott now contracted with the sheriff for traffic enforcement and the tickets paid for the extra cost for that service. Dawn Goodman stated that increased enforcement is one of the solutions suggested when continuous speeding is an issue. Others agreed. Gary Jonet asked Town Clerk, Debbie Mercier, if anyone was hired by the Town of Green Bay for extra traffic enforcement. Debbie stated they had not but that she has seen the sheriff enforcing in the Town's parking lot. Jeannette Dubois suggested having a flashing pedestrian light for during events. Dawn Goodman stated the the Shrine and the Town should ask the County Public Works Director (Paul Fontecchio) for it. Ron Abts suggested an extended passing lane/shoulder (like on Highway 54 by the industrial park). Dawn suggested the speed and safety concerns will be covered in the Town's amendment to the Comprehensive Plan.

Mike Gilson asked who would be required to pay for it? Dawn Goodman speculated that the Shrine is not because they are tax exempt. Someone suggested "the Shrine should have to pay for it when they come for special permits because they're contributing zero taxes. They're the ones that want this. Nobody else wants it." Dawn Goodman stated "You can't do that".

Gary Jonet stated that the Shrine is the only recognized Shrine in the United States and the Town has to learn to work with them one step at a time. He stated "The traffic situation is only going to get worse. The County has the road, they are the ones that have to take care of it." Dawn Goodman stated that as part of the Comprehensive Plan Amendment process, the Town can stress that it be addressed. Gary Jonet agreed, but stated "The County has the final say."

Town Clerk Debbie Mercier stated that it is **not** true that they (the Shrine) do not pay taxes or that they are completely tax exempt. She said the Town had the Assessor there and he informed them that the Shrine pays but that there limits as to how much they pay. It's not that they never pay, it's that there are limits as to how much they pay."

Debbie Olson stated that her family, the Gomands, does not object to it but they would also appreciate the same favor would be returned for them and the neighbors when they go to sell their properties or have a business.

Lori Jacobs stated she and her neighbors “should be considered with the same courtesy. We should not be held hostage.”

John Metzler stated that is why the Town is working on the amendment to the Comprehensive Plan.

Don Warden stated they are only asking to use the building exactly as it’s been used for all along, for over a hundred years.

The floor was unofficially closed. (7:57pm).

Dylan Mercier calculated that 1 parking stall per 4 seats would mean 359 stalls were required.

Don Warden stated that if they need to, they will drop the amount of seating down in order to have the amount of parking required. The seating will not be fixed, so that made changing it possible. Dawn Goodman questioned if that was wise if they needed the seating.

Don Warden added that he forgot to mention from a safety standpoint that the new design is trying to keep the vehicle traffic on one side of the property and pedestrians on the other. So they’ll have areas for the busses to drop off riders in safer areas.

Mike Gilson asked how many employees work at the Shrine and where they park. Don Warden said there are 3 priests living upstairs. The rest of the workers are volunteers who come and go.

Gary suggested the Conditional Use permit be approved with the condition of 1 to 4 ratio adequate parking. Dylan Mercier stated it should be based on maximum capacity.

**MOTION MADE BY:** Dylan Mercier to recommend approval of the Conditional Use Request #1112-J for the Shrine of Our Lady of Good Help to to build a new “Sanctuary and Events Center” which will seat 1,100 for large masses and single events **with the following stipulation: There be adequate paved parking for the occupancy of all buildings at the site, per the Town’s ordinances.**

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

Date & Time of **Public Hearing before the \*Board of Appeals were set for: \*7:00 pm on Thursday September 13, 2018.**

*(Post Meeting Special Note: Town Clerk Debbie Mercier had a consultation with the Town’s Association and their Attorney and the Town of Green Bay Board regarding 2017 WI Act 67 procedure. It was determined that **the Public Hearing needs to be presented to the Town Board** instead of the Board of Appeals, in order to follow the Town’s ordinances (the ordinance may be changed in the future in regard to Act 67). Also note that the time had to be changed to 6:00 pm on September 13 due to a scheduling conflict with one of the Town Board members.).*

**Old Business:** None

**Other Business:** None.

**Date & Time of Next Planning Commission Meeting were set: Tuesday, September 18, 2018 at 7:00 pm. if there is a need for a meeting.**

**Motion to Adjourn Made by:** Dylan Mercier; Mike Gilson **2nded. AYES:** 6 **NAYS:** 0.

**Motion Carried.**

**Adjournment time:** 8:19 pm.

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**Planning Commission Chairperson**

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**Planning Commission Secretary**