

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 8/19/08

TIME: 7:00 p.m.

PRESENT: Dawn Goodman, Gary Jonet, Dianne Jacobs, Bob Geyer, Mike Gilson

PRESENT BUT LATE: Dianne Jacobs, Bob Boncher

ABSENT: John Metzler

*Others Present: Tom Reece (SAC Wireless); Scott Hansen (Hansen Pallet); Mr & Mrs. Alvin J. Vaness.

APPROVAL OF LAST MEETING'S MINUTES: Dawn Goodman opened the meeting because Dianne Jacobs was running a few minutes late and told her via cell phone to do so. Dawn noted that it was properly posted in 3 places. The minutes from the 7/15/08 Planning Commission Meeting were reviewed aloud.

MOTION MADE BY: Mike Gilson to accept the minutes.

MOTION 2NDED BY: Bob Geyer

AYES: 4

NAYS: None

MOTION CARRIED.

ISSUE #1: Alvin Vaness CSM and Zoning Amendment Request #620-J: Rezone part of GB 520 from Agriculture to Estate Residential due to a sale to his son (7:05-7:15 p.m.).

Planning Commission members clarified with Alvin Vaness where the parcel in question was located and his intentions.

MOTION MADE BY Gary Jonet to recommended to the Town of Green Bay Board:

1. To approve the rezoning request #620-J from Agriculture to Estate Residential and to accept the CSM (certified survey map) of this.
2. To set a date for the Town Board to hold a hearing on this matter on Thursday, September 11, 2008 at 6:45 p.m. *This time was changed later in the meeting by the Planning Commission to 6:50 p.m. to accommodate all of the hearings taking place on 9/11/08.*

MOTION 2NDED BY: Bob Geyer

AYES: 6

NAYS: None.

MOTION CARRIED.

ISSUE #2: Revision of Setback for the Scott Hansen Proposed Wind Turbine on the Hansen Pallet property (7:16-7:30 pm).

The Planning Commission again briefly reviewed the Conditional Use proposal #614-J for a wind turbine on the Hansen Pallet property, located at 2731 North County Highway P and the map that Scott Hansen submitted showing the proposed location of the wind turbine. It was noted that since his initial request, Scott Hansen appeared before the Town Board on August 14, 2008 and told the Town Board that he had discovered that his property was actually not large enough to accommodate the Setback listed in the Town of Green Bay Wind Energy System Zoning Ordinance (Section 3, 3.2 Setback), which requires "the wind tower in a small wind energy system must be set back two (2) times the total height of the tower from any inhabited structure, property line, public road, or communication and/or electrical lines." He requested the setback be lessened to 1.1 times its total height at that time. The Town Board told him he would have to return to the Planning Commission on this matter and obtain written permission of a waiver secured from the affected Landowners, have notarized copies of the written permission waivers filed with the Town of Green Bay Clerk, and that such permission must be recorded at the Brown County Register of Deeds and a copy of the recorded document shall be filed with the Town of Green Bay Clerk.

Scott Hansen appeared before the Planning Commission this night, 8/19/8, and noted that he had the waivers with him but that he still needed to go to the Brown County Register of Deeds to record these documents. He presented the notarized copies of the written permission of a waiver secured from the affected Landowners to the Planning Commission. These were reviewed and copied for the Town's records. It was noted that the Roberts, whose property is across the road from the property in question, were not included in these signed waivers even though Planning Commission Secretary Dawn Goodman had told him this was necessary. Scott Hansen said he could not get a reply from the Roberts after repeated attempts. He said he believed they were out of town hunting. He questioned if their permission was necessary. The

Planning Commission debated this and it was decided that since they were not directly next to the proposed wind turbine, but rather, across the road from it, and further taking into consideration the width of the county highway (P) between the properties, it did not seem necessary to secure a waiver from them. It was also noted that the area in question is zoned Industrial so no residential issues should occur in that area. Dianne Jacobs stipulated that the wind turbine should be in the center, 400 feet from the road and emphasized it be 350 feet from the north, south and most especially west boundary lines of the adjoining properties, noting that the west boundary line seems most affected. Scott Hansen agreed to this.

MOTION MADE BY: Bob Geyer recommended to the Town of Green Bay Board:

1. To grant the Change in the Setback from 2.2 to 1.1 to the Conditional Use Permit, #614-J and accept the notarized copies of the written permission of a waiver for a setback of 1.1 secured from the affected Landowners.
2. To set a date for the Town Board to hold a hearing on this matter on Thursday, September 11, 2008 at 6:30 p.m.

MOTION 2NDED BY: Bob Boncher

AYES: 6

NAYS: None.

MOTION CARRIED.

ISSUE #3: Verizon Wireless Conditional Use Permit #618-J involving the addition of 6 antennas to existing 300 foot tower and 11.5 foot by 30 foot Pre-Fab Shelter on the ground. (7:31-7:50 p.m.)

Tom Reece, of SAC Wireless, appeared before the Planning Commission in place of Scott Steeno, who could not attend the meeting. Gary Jonet explained that a Building Permit has been mistakenly issued by the Town of Green Bay's Building Inspector when a Land Use Permit is required for anything that occupies space. Gary Jonet said he had spoken to Jessy Willis, the Verizon Wireless representative at the time and told Jessy that he must not proceed any further on the project until all of the proper paper work and permissions were obtained along with the required fees. Gary Jonet then noted that Jessy Willis ignored this and went ahead and put a 11.5 foot by 30 foot equipment building on the property.

Tom Reece agreed that Jessy should not have gone ahead with the project after Gary Jonet told him not to do so. It was noted that Mr. Steeno said that at the time of the building delivery, it would have held up a truck with eight employees sent out to work on the project. All agreed the entire situation should have been handled differently.

Gary Jonet noted that a definite penalty of \$50 should be required in addition to the \$50 Land Use Fee and that in addition, the \$2,500 fee for additions to the Tower and the paperwork are still due. He asked that two separate checks be paid in this matter.

Tom Reece said that SAC/Verizon had authorized him to go ahead with the payments due.

The Planning Commission agreed that the Building Inspector would be contacted in order to clarify proper procedure to be followed in future matters.

MOTION MADE BY: Bob Geyer recommended to the Town of Green Bay Board:

1. To grant the Conditional Use Permit, #618-J.
2. To set a date for the Town Board to hold a hearing on this matter on Thursday, September 11, 2008 at 6:40 p.m.

MOTION 2NDED BY: Bob Boncher

AYES: 6

NAYS: None.

MOTION CARRIED.

ISSUE #4: Continued Discussion About a Sex Offender Ordinance. (7:51-8:12 p.m.).

The Planning Commission reviewed the newly re-written fourth draft of the Sexual Offender Law Enforcement and Neighborhood Watch Committee Ordinance one last time. It found one line that still needed to be eliminated.

The Planning Commission decided to accept the fourth draft, with the stipulation that the line in question be eliminated. Mike Gilson noted that we still need to draw up a map of the Excluded Areas to go along with the Ordinance (Section 3 Definitions, 3.1 Excluded Area). Dianne Jacobs said that the Town Clerk Debbie Mercier will probably be the person to do that. The Planning Commission reviewed the Excluded Areas part of the ordinance and noted various areas of the Town these prescribed areas might include: 2 known Day Cares establishments; the Town Hall; churches in: two in Champion, one in Dyckesville, possibly one in a rented space on Diesel court; the playground area in the subdivision by the bank on Highway T; Bay Shore Park; the Bicycle Trail that starts in Bay Shore Park; the snow mobile trails; Bob Boncher's Orienteering Range; etc.

MOTION MADE BY: Mike Gilson recommended to the Town of Green Bay Board:

1. To accept the corrected version of the "Sexual Offender Law Enforcement Ordinance" (Zoning Amendment 624-J) and add it to the Town of Green Bay Zoning Ordinance.
2. To set a date for the Town Board to hold a hearing on this matter on Thursday, September 11, 2008 at 7:00 p.m.

MOTION 2NDED BY: Bob Boncher

AYES: 6

NAYS: None.

MOTION CARRIED

Any Other Business: None.

DATE & TIME OF NEXT MEETING WERE SET: Tuesday, September 16, 2008 at 7:00 p.m.

MOTION to Adjourn Made by: Bob Boncher. Bob Geyer 2nded.

6 Ayes, No Nays. Motion carried.

TIME OF ADJOURNMENT: 8:15 p.m.

Planning Commission Chairman

Planning Commission Secretary