

**TOWN OF GREEN BAY PLANNING COMMISSION MINUTES**

**DATE:** 1-17-23

**TIME:** 7:00pm

**PRESENT:** John Metzler, Jason Miller, Brad Dechamps, Mike Gilson, Dawn Goodman

**ABSENT:** Dylan Mercier. Gary Jonet (no longer on the Planning Commission—resigned; replacement pending).

**OTHERS PRESENT:** Town Clerk, Debbie Mercier; Dave Mertens; Ray Terrien; Tina Adams; Randall Oettinger of Mach IV; Theresa Strand; Joe Strand.

**1. (7:00-7:05) 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 8-16-22 meeting minutes were reviewed.

**MOTION MADE** by Brad Dechamps to accept the August 16, 2022 minutes

**MOTION 2NDED BY:** Mike Gilson. **AYES: 5.**

**MOTION CARRIED.**

**2.(7:05-7:12pm). ) Raymond G. Terrien is requesting a CSM Review of his property at GB-363-1.** Property is located at 5138 SUNSET BLUFF DR, Town of Green Bay, Wisconsin. The CSM has been updated in order to address an issue with the insurance company. *It should be noted that on October 20, 2022, the Town of Green Bay Zoning Board of Appeals held a hearing regarding this property: a reduction in the side yard set back on the proposed Lot 3 is less than the required 10 feet. The side yard set back of 3.7 feet, as per drawing, was discussed and granted for insurance purposes, so they may maintain business operations.* The Terrien’s explained further that there may be more or less lots (3 or 4) based on technicalities and decisions that still need to be made to satisfy the insurance company and what would work out best for them and their business. Currently the map shows a division of 3 lots. *Noteworthy: a dashed division line occurs behind the main building on Lot 3, which appears to have a possible future separation of the warehouse storage buildings from the other lots.*

Planning Secretary Dawn Delvaux Goodman asked that Mr.Terrien and/or their surveyor provide the Town with the **Easement Provision document** as described in Restrictive Covenants, Item 3 (“for the portion of the lots not occupied by a fuel island or buildings is considered to be an easement for the mutual benefit of Lots 1,2 and 3”). Mr. Terrien stated they would obtain it from their Realtor and have it for the February Town of Green Bay meeting February 14, 2023.

**MOTION MADE BY:** Jason Miller: recommend to the Town of Green Bay Town Board: to **ACCEPT this CSM**

**MOTION 2NDED BY:** Mike Gilson. **AYES: 5 MOTION CARRIED.**

The CSM report states:

We, your Town of Green Bay Planning Commission, to whom has been presented the Certified **Survey Map for GB-363-1: Part of the Northwest ¼ of the Southwest ¼ and part of the Southwest ¼ of the Southwest ¼, Section 22, T25N-R22E, Town of Green Bay, Brown County, Wisconsin**

**Recommend that:**

The Town of Green Bay Town Board **ACCEPT** the CSM presented to the Planning Commission on 1-17-23

**PROPERTY EXPLANATION/NOTES/ LEGAL DESCRIPTION:** Part of the Northwest ¼ of the Southwest ¼ and part of the Southwest ¼ of the Southwest ¼, Section 22, T25N-R22E, Town of Green Bay, Brown County, Wisconsin.  
Said parcel contains 141,416 Sq. Ft.\3.25 Acres of land, more or less.

**COMMENTS/NOTES:**

**Advised to follow Notes and the Provisions indicated on the Certified Survey Map: (see below)**

Notes:

1. The Property owners, at the time of construction, shall implement the appropriate soil erosion control methods outlined in WI Construction Site best Management Practice Handbook to prevent soil erosion. However, if at the time of construction, the Town has an adopted soil erosion control ordinance, it shall govern over this requirement. This provision applies to any grading construction, or installation-related activities.
2. The lots of this land division may experience noise at levels exceeding the levels in S. Trans 405.04 Table I. These levels are based on Federal Standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the Department to the highway's through-lane capacity.

Restrictive Covenants:

1. The land on all side and rear lot lines shall be graded by the owner and maintained by the abutting property owners to provide for adequate drainage of surface water.
2. No poles, pedestals or buried cable are to be place so as to disturb any survey state or obstruct vision along any lot lines or street line, a disturbance of a survey stake by anyone is a violation of Section 236.32 of the Wisconsin Statutes.
3. The portion of the lots not occupied by a fuel island or building(s) is considered to be an easement for the mutual benefit of lots 1,2, and 3. Easement provision will be further described in a document to be recorded separately.

**3.(7:13pm-7:28pm ). Conditional Use Request for a representative from Pro-Tec Body and Painting, 5328 Warehouse Dr, New Franken, regarding a Conditional Use permit for the *NEW* Business that recently purchased Pro-Tec: "Caliber Collision".**

Planning Chairperson, John Metzler explained that the Strands had recently sold their business, Pro-Tec Body and Painting, to Caliber Collision. He further explained that the Strands did not sell their property to Caliber Collision, only the business. He expressed concern that there should not be a new conditional use permit needed since the Strands still own the property. Zoning Administrator, Jason Miller and others on the Planning Commission questioned if that permit was actually applicable to a new business. Town Clerk, Debbie Mercier was asked to give an opinion. She stated she had researched the Town document from August 5, 2002, Conditional Use Permit #121-J, for an Automotive Collision Shop (no junk yard on property). She further stated that because the request was in Joe Strand's name, it stays in effect. It was noted that the new business on the property remains the same in nature, an Automotive Collision Shop.

**MOTION MADE BY:** John Metzler recommends to the Town Board that a new Conditional Use permit is NOT needed, the original Conditional Use permit #121-J, remains in effect.

**MOTION 2NDED BY:** Brad Dechamps **AYES: 5 MOTION CARRIED.**

The Strand's check for the new Conditional Use permit was returned to them by John Metzler.

4 .(7:37pm-7:48 pm)The Agenda order was changed. **Future Possible Agenda Items: Dave Mertens seeking advise regarding a possible "Petroleum Products Storage/Processing" on some agricultural property he owns.** He stated he is considering working with a Propane company out of Minocqua, WI. Depending on what the Town would decided, he would ask for a rezone of some of his agriculture property (near Easy Street Meats on Highway P), to Industrial. He wanted to see what the Planning Commission thought about it before he went about asking for a Zoning Amendment. There was a lot of discussion about it. Zoning Administrator, Jason Miller, stated such a business would be considered a "satellite propane" business. It was noted by some of the Planning Commission members that the proposed property has residences nearby. It was also noted that such a business was inappropriate and unsafe for the area due to the residential proximity and the potential hazard to residents if an accident occurred at such a facility.

**MOTION MADE BY:** John Metzler recommended NO to a Petroleum Satelite/Products storage/processing business to be located in the area Dave Mertens was considering (by Easy Street Meats on Highway P).

**MOTION 2NDED BY:** Jason Miller **AYES: 5 MOTION CARRIED.**

#### 5 . New business:

- A. .(7:49pm-8:00pm) **Discussion about Shipping Containers/Structures.** Zoning Administrator, Jason Miller, explained that he received a request from someone who wants to build a business made out of shipping containers. He would store stuff inside of it, nothing would be outside. It was noted that "Detached Building", item #19 on page 9 in Definitions, in the Town's code of ordinances book, covers this. No land use permit would be needed. It would not be anchored. Would it be on a concrete slab?
- B. **Sign Fees/Rates Discussion.** Zoning Administrator, Jason Miller, expressed concern that the Town fees for Signs are not comparable to other municipalities. He would like to see it increased. He suggested there are more standardized and easier methods for charging for signs. The Planning Commission members agreed.

**6. Old Business:** Zoning Administrator, Jason Miller stated he would like the Town to do a Town of Green Bay Fee Schedule update, including having the fees online and in writing. The Planning Commission agreed.

**7. Next Planning Commission Meeting was arranged for: Tuesday February 21, 2023 at 7pm, if needed.**

**Motion to Adjourn Made by:** Brad Dechamps **2nded by:** Jason Miller. **Ayes:** 5. **Motion Carried.**  
**Adjournment:** 8:20 pm.

---

**Planning Commission Chairperson**

---

**Planning Commission Secretary**