

TOWN OF GREEN BAY PLANNING COMMISSION MINUTES

DATE: 7-20-21

TIME: 7:00pm

PRESENT: John Metzler, Dawn Goodman, Brad Dechamps, Jason Miller, Dylan Mercier, Mike Gilson.
ABSENT: Gary Jonet. **OTHERS PRESENT:** Jim Seidl; Tom Peer.

1. APPROVAL OF LAST MEETING'S MINUTES (7:01-7:02 pm). John Metzler opened the meeting and asked if the meeting notice was properly posted in 3 places. Dawn Goodman confirmed it was. The 6/8/21 meeting minutes were reviewed. **MOTION MADE BY:** Jason Miller to accept the minutes as presented. **MOTION 2NDED BY:** Dylan Mercier. **AYES:** 6 **MOTION CARRIED.**

2. Thomas Peer Zoning Amendment Request #1279-J to change parcel GB-218-13 (5125 Bank Lane) from ER Estate Residential to B1 Business in order to have an electronics and media sales & service business. (7:02-7:55pm).

Note: A Home Occupation is already allowed on that parcel as it is currently zoned. However, Mr. Peer does not have a residence currently on the property and stated he may not be able to be living there any time soon due to issues with his wife--dementia makes it difficult to move her, so they hope to stay living where they currently reside, in Shawano WI

Also Noteworthy: Zoning Administrator Gary Jonet could not attend the meeting but had passed on the file to the Planning Commission with no reservations. He did tell PC Secretary, Dawn Goodman, and Mr. Peer that he did not see a reason to rezone the parcel because the business in question would already be allowed. But Mr Peer was concerned that would not work because of similar issues he's had in Shawano.

The floor was opened and Mr. Peer explained that he purchased the property from the Estate of his family. The business will be out of the current garage on the property.

John Metzler asked if property is still connected to the sewer line. Mr. Peer stated he pays for the sewer bill and the toilet in the garage is functional, so he believes it is still connected.

Mr. Peer explained the nature of his new business would include working on electronics, televisions, various media, satellite and cable systems, etc. He gave the PC a business card for his current business and stated the new business would be similar. (It says: "T.C. Electronics Commercial and Home Satellites. Tv & FM Reception Products"). Dawn Goodman noted there were concerns expressed about old televisions already sitting out on the property. Mr. Peer stated he had cleaned out the old ones outside, so that should no longer be an issue.

Mr. Peer stated he will be keeping any vehicles inside the garage.

Mr. Peer and Jason Miller expressed concern that there could be parking issues, depending on the number of customers there might be on the site dropping off and picking up items. Mr. Peer stated he may have some individuals helping him provide services.

Jason Miller also expressed extreme concern that if the parcel is rezoned to Business that many types of business could then be on that property (there are 102 Permitted Uses allowed, as well as 25 Conditional uses permitted). Jason pointed out that some of those businesses might not be appropriate and/or compatible next to or within a residential area like where the parcel is located. He reminded the Planning Commission that it is important to stay consistent with the Town's standards and that there have been past

issues with incompatible business and residential parcels adjacent to each other. He strongly advised not repeating those situations.

A number of Planning Commission members expressed concern that no one would be living on the parcel while a “home occupation” is being conducted on the property. Is it appropriate to allow that? There was not agreement on this concern, although it was noted that there may be similar situations which the Town is not aware of.

Mr. Peer stated he would like to build a home on the parcel, but his wife’s current state of dementia makes it difficult, because she is used to their current home and it would be detrimental to her to move into a new home she is not familiar with.

One More Consideration: Mr. Peer explained that the deteriorating mobile trailer home, that is currently on the parcel, will be removed, as it is no longer in a habitable state. He stated he had someone helping him to disassemble it and eventually remove it, but things have slowed with that situation, and he may need help.

The floor was closed.

MOTION MADE BY: Jason Miller to recommend to the Town Board: **DENIAL of the Thomas Peer Zoning Amendment Request #1279-J to change parcel GB-218-13 (5125 Bank Lane) from ER Estate Residential to B1 Business in order to have an electronics and media sales & service business. MOTION 2NDED By Mike Gilson. Ayes: 6 Nays: 0. Motion Carried.**

DECISION COMMENTS/NOTES:

- Concerns for it being inappropriate for surrounding residences, especially if the parcel is sold in the future (for example, new owner could change the nature of the business to one that is not compatible with a residential setting).
- A Conditional Use may be more appropriate with stipulations regarding who can own it and that it be limited to the current owner.

Public Hearing Set: Tuesday August 10, 2021 at 6:50 pm

3. James G. Seidl Zoning Amendment Request #1280-J to change PART OF parcel GB-282 from Agriculture to ER Estate Residential and Review of a CSM for that new part of the parcel, named “Lot 1”.

Note: There was discussion about if the rezoning was for the entire parcel or just part of it (this was not clear on the application). Mr. Seidel confirmed that the purpose is to rezone only a PART of the parcel, known as “Lot 1”.

Also Noteworthy: Zoning Administrator Gary Jonet could not attend the meeting but had passed on the file to the Planning Commission with no reservations.

The floor was opened. Mr Seidl explained where the property is located, along Seidl Road. He is rezoning part of the parcel so that his nephew can build a home there eventually.

The floor was closed.

There were no concerns expressed about the rezoning or the CSM.

A. MOTION MADE BY: Jason Miller to recommend to the Town Board to: **ACCEPT** the **James G. Seidl Zoning Amendment Request #1280-J to change PART OF parcel GB-282 (named “Lot 1”), from Agriculture to ER Estate Residential.** **MOTION 2NDED BY:** Dylan Mercier. **AYES: 6 NAYES: 0 MOTION CARRIED.**

Public Hearing Set: Tuesday August 10, 2021 at 6:45 pm

B. MOTION MADE BY: Jason Miller to recommend to the Town Board to: **ACCEPT** the initial CSM for PART OF Parcel GB-282, (named “Lot 1”). **MOTION 2NDED BY:** Brad Dechamps. **AYES: 6 NAYES: 0 MOTION CARRIED.**

DECISION COMMENTS/NOTES:

Advised to follow the Restrictive Covenants and Notes indicated on the Certified Survey Map AND the Drainage Restrictive Covenant on the Certified Survey Map. Note also a Shoreland Permit from the Brown County Zoning Administrator’s office is required prior to construction, fill, excavation or grading activity within 300 feet of the ordinary high water mark of navigable rivers or streams or the landward side of the flood plain, whichever is greater, and /or 1000’ of the OHWM of navigable lakes, ponds or flowages.

4. Old Business/Any Other Business as authorized by law:

A.) PC Asks for Clerk & Town Board To Advise As Soon As Possible As To How The Amendments To The Town Of Green Bay’s Code Of Ordinances Should Be Added To The Book.

- Should the changes be inserted into the pages/areas changed? If so, how? Who will do so?
- Does Attorney Parmentier adjust the book according to the amendments (is this part of our contract with him)?
- Should there be a notation with date at the site of the change to see an Appendix of Changes in back of the book? (Reference: APPENDIX IS DEFINED AS: a section or table of additional matter at the end of a book or document)..
- PC Secretary, Dawn Goodman, thinks we need to set up an Appendix at the end of the Code book which will hold the dates & amendments made to the Code.

5. Next Planning Commission Meeting was arranged for: Tues. August 17, 2021 at 7pm, if needed.

Motion to Adjourn Made by: Brad Dechamps **2nded by:** Dylan Mercier **Ayes: 6. Motion Carried.**
Adjournment: 8:47 pm.

Planning Commission Chairperson

Planning Commission Secretary