

MINUTES OF THE PLAN COMMISSION MEETING – FEBRUARY 13, 2012

Call to Order

The Plan Commission meeting was called to order at 6:00 p.m. by President Pro Tem, Bill Peerenboom.

Roll Call

PRESENT: John Elrick
Trustee Bill Peerenboom (Pres. Pro Tem)
Richard Schevers
Bill Van Berkel
Jerry Verstegen
Roy Van Gheem
EXCUSED: President Vanden Berg

ALSO PRESENT: Community Development Director Jim Moes, Village Administrator Charles Kell, Village Clerk Vicki Schneider, John Weyenberg- Habitat for Humanity, Brad Hanson, Harry Altergott

Public Appearance for Items Not on the Agenda

None

Moved by Commissioner Van Berkel, seconded by Commissioner Elrick to enter into the Public Hearing on the Conditional Use Permit Request for 1100 W. Main Street – Applicants – James Wilson, Harry Altergott Jr., Etal – Motorcycle and Automotive Repair, Services, Maintenance, and Consignment & Accessory Sales.

Ayes 6, Nays 0 – Motion Carried

Public Hearing – Conditional Use Request – 1100 W. Main Street – Applicants – James Wilson, Harry Altergott Jr., Etal – Motorcycle and Automotive Repair, Services, Maintenance, and Consignment & Accessory Sales

Commissioner Van Gheem questioned if any outside storage would be available. James Wilson, 311 Doty Street, Kaukauna, stated that only vehicles waiting for repairs would be in the parking lot and they are not planning to have outside storage. President Pro Tem Peerenboom questioned if any work would be done outside and Mr. Wilson replied that he worked on the motorcycles & vehicles and that would be done inside. President Pro Tem Peerenboom stated that a condition would probably be put in place so no motorcycles or vehicles could be repaired outside the building.

Moved by Commissioner Elrick, seconded by Commissioner Van Berkel to exit the Public Hearing.

Ayes 6, Nays 0 – Motion Carried

Approve Minutes of the Plan Commission Meeting of January 9, 2012

Moved by Commissioner Elrick, seconded by Commissioner Verstegen to approve the minutes of January 9, 2012 as presented.

Ayes 6, Nays 0 – Motion Carried

Action- Conditional Use Request – 1100 W. Main Street – Applicants- James Wilson, Harry Wilson, Harry Altergott Jr., Etal – Motorcycle and Automotive Repair, Services, Maintenance, and Consignment & Accessory Sales

President Pro Tem Peerenboom asked J. Moes if the Commission should stipulate that no outside work can be performed on vehicles and J. Moes replied that could be stipulated but it is already a part of the requirement. President Pro Tem Peerenboom questioned if fencing is required because of the zoning of this property. J. Moes stated that the business would be required to fence in the back if storage was needed in the future and no salvage pieces are allowed to be stored outside. Commissioner Elrick stated that he would not have a problem with adding fencing for storage in the back of the building. Commissioner Verstegen questioned if

vehicles could be sold as part of the consignment and accessory sales. J. Moes stated that they can sell vehicles but they cannot park for sale more than one vehicle at a time. Commissioner Verstegen questioned if there would be time restrictions put in place for noise because of the mobile home park across the street. J. Moes stated that he believes 7 p.m. is when the noise restriction ordinance is in effect. Commissioner's questioned if semi-trailers would be allowed to be parked on the property and J. Moes stated that no semi-trailers are allowed to be parked for storage. Harry Altergott 1025 W. Main, explained that the semi-trailer that is currently parked there is just temporary and they are using it while they are cleaning out the building.

Moved by Commissioner Van Gheem, seconded by Commissioner Elrick to Approve Conditional Use Request for 1100 W. Main Street for Motorcycle and Automotive Repair, Services, Maintenance, and Consignment & Accessory Sales with the condition that no outside work be performed.

Ayes 6, Nays 0 – Motion Carried

Review/Recommendation – CSM – Greater Fox Cities Area Habitat for Humanity, Inc. – Parcels on Bluff Avenue – Parcels #260109700, #260109800, #260109900

J. Moes stated that the owners of the properties would like to reconfigure the lots so that they can build two homes on the three lots. J. Moes stated that the lots were platted prior to 1950 so the minimum lot requirements of 50 ft. have been met. President Pro Tem Peerenboom questioned why the owners did not have the property replatted which would require a 70ft width. John Weyenberg, 552 Buchanan Road, Combined Locks, stated that the reason the property was split up this way was because of landscaping and soil conditions on the property. Commissioner Elrick stated the inspection department would verify the soil borings to see if the lots are suitable for building and there is an option to bring in engineered soil. President Pro Tem Peerenboom stated that he was informed from a previous owner of the lot that it is not a buildable lot. Bob Berken 182 Grant Street stated that he lives across the street from said properties and that he also has 50 ft. lots and that he spoke with Jim Moes about changing his lots and was told that his lots would have to be a minimum of 70 ft. J. Moes stated that the Codes have been changed in the last 15 years. President Pro Tem Peerenboom stated that he did not believe the owners of said property qualify for the 1950 exemption because the lots are larger than 7,500 sq. ft. C. Kell questioned if the property owner could do a sale or exchange of property between the parcels because it is the same owner and then record the Survey Map as documentation of that exchange. J. Moes stated that the owners could sell lot one because it is a platted lot and then sell an additional 8 ft. from another lot but they chose to create this CSM as it is cleaner than an exchange and a better way to record the property. President Pro Tem Peerenboom stated that he would not support the CSM as he believes it should meet the current Village Codes. J. Moes noted that the Village Board could still approve the CSM on a 2/3 vote.

Moved by Commissioner Van Berkel seconded by Commissioner Schevers to Not Recommend Approval of CSM – Greater Fox Cities Area Habitat for Humanity, Inc. – Parcels on Bluff Avenue – Parcels #260109700, #260109800, #260109900 to the Village Board.

Ayes 5, Nays 1 (Elrick) – Motion Carried

Review/Recommendation- CSM – Zero Lot Line – James Steeno Owner- 2012/2014 Kelly Street

Moved by Commissioner Elrick, seconded by Commissioner Schevers to Approve the CSM for a Zero Lot Line for James Steeno Owner- 2012/2014 Kelly Street.

Ayes 6, Nays 0 – Motion Carried

Discussion- Digital Signs

J. Moes stated that the City of Appleton allows digital signs but they must be non-moving and changeable copy signs are allowed but they don't define what that is. J. Moes stated that Kaukauna bans digital moving signs but their regulations seem to conflict as in another section it is written as allowing mechanical message centers. President Pro Tem Peerenboom questioned if there was a way to regulate businesses from putting the digital signs in their windows and J. Moes replied it could be regulated through zoning. Commissioner Van Berkel suggested adding language to the current regulations that would only allow a certain

percentage of an inside digital sign to be visible through an outside window. J. Moes stated it is up to the Commission and the Board on what they want to regulate the signs and he does not have a problem with digital signs if they only get changed once a day. Discussion took place on the current regulation of existing digital signs and J. Moes noted that currently they are banned from a quarter mile off Hwy. 41. Commissioner Verstegen commented that he isn't opposed to what Heartland is proposing as he sees how it could be a benefit to the company but he understands regulating it may be a problem. J. Moes stated he wouldn't have a problem enforcing the sign if the digital copy didn't change but once a day and a fine of \$500 a day would be imposed for not complying with the regulations and it would specify that the copy has to be commercial and only on site and they can't advertise for someone else or for another place. Commissioners discussed the issues with the digital signs that are currently in the Village. J. Moes stated there are regulations regarding the timing of the digital copy changes but he doesn't have the time available to go out and time the signs. J. Moes stated he is open to suggestions for writing this type of regulation. President Pro Tem Peerenboom suggested that J. Moes check with other communities as they are all dealing with the same issue and it is likely to become a bigger issue as more businesses do this to draw attention. C. Kell stated the indoor signs could possibly be regulated from the standpoint that it is viewable from the highway. President Pro Tem Peerenboom stated that he also agrees with Commissioner Verstegen that he doesn't have a problem with these types of signs if they agree to reasonable use of it. Commissioner Elrick commented that as a business owner he wouldn't go through the expensive of a digital sign if you are not able to change the copy on it and he agrees that regulating the interior signs should be looked at and he suggested that staff check with the State to see if they have any regulations for interstate highways. Commissioner's agreed to have J. Moes check to see what the regulations are for interstate highways as they would like to know those regulations before Hwy. 41 is designated as an interstate. Commissioner Van Berkel asked if those that are in violation of changing the copy of their signs more frequently than is allowed could be fined and J. Moes stated that there are provisions for issuing fines for ordinance violations but there have not been a lot of requests for enforcement of this issue. Brad Hansen, 362 River Dr., Appleton, thanked the Commission for taking up the digital sign issue and they (Heartland) were looking to have a digital sign that they could change hourly or daily but they don't want to have a sign like others that is practically a video board or Jumbotron. Mr. Hansen stated he understands the Commissioners' position. President Pro Tem Peerenboom thanked Mr. Hansen and encouraged him to give any suggestions he may have to J. Moes.

Unfinished Business

None

Items for Future Agenda

None

Adjournment

Moved by Commissioner Van Berkel, seconded by Commissioner Verstegen to adjourn the Plan Commission meeting at 6:46 p.m.

Ayes 6, Nays 0 - Motion Carried

VILLAGE OF LITTLE CHUTE

By: Bill Peerenboom, President Pro Tem

Attest: Vicki Schneider, Village Clerk