

MINUTES OF THE PLAN COMMISSION MEETING OCTOBER 8, 2018

Call to Order

The Plan Commission meeting was called to order at 6:00 p.m. by President Vanden Berg

Roll Call

PRESENT: President Vanden Berg

Bill Van Berkel

Larry Van Lankvelt

Kent Taylor

Richard Schevers

EXCUSED: Todd Verboomen

ALSO PRESENT: Administrator Fenlon, Community Development Director Moes,

Public Appearance for Items Not on the Agenda

None

Approve Minutes from the Plan Commission Meeting of September 10, 2018

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Approve the Minutes of September 10, 2018

All Ayes— Motion Carried

Public Hearing—511 Jackson Street

Moved by Commissioner Van Lankvelt, seconded by Commissioner Schevers to Enter into Public Hearing

All Ayes— Motion Carried

Director Moes advised the Plan Commission that Darian Novitski, 511 Jackson Street is seeking a variance to reconstruct an existing nonconforming driveway. Neighbors were notified and do not have any objections. Director Moes advised that a maximum width should be put in place by the Board.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Exit Public Hearing

All Ayes— Motion Carried

Public Hearing—1419 Holland Road

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Enter into Public Hearing

All Ayes— Motion Carried

Director Moes advised the Board that a conditional use permit was requested for operation of sanitary landfill to add a cell per the map shown. Brian Van Straten from the Outagamie County Dept of Recycling & Solid Waste was present and also Michelle Stimpson, part owner of Lexington Homes and the also part owner in the development of Windgate, Praire Water, Meadow Breeze and Bridgewater Estates. Ms. Stimpson advised that she is concerned and has tried numerous times to reach out to Outagamie County over the last two months to meet and work with them regarding public health due to seagull's feces and damages, estimated currently over \$30,000. Ms. Stimpson had requested meetings to air her concerns to the Outagamie County Recycling and Solid Waste Board. Just a few things that have already been done to address the Gull problem is installing an electrical roof and hiring a pyrotechnics company at a cost of approximately \$5,000.00 each. Ms. Stimpson stated that nothing has been happening and that the County is not addressing her concerns. Commissioner Van Lankvelt stated that he also

has tried to work with the County and suggested there are ways to combat the problems with the birds. Director Moes advised there are different ways to deal with the birds and advised that the Board can put restrictions on granting the Conditional Use permit. Administrator Fenlon stated that Mr. Van Straten advised he was going to check with the State to see if there are any suggestions and to meet again with that information. Ms. Stimpson asked if anyone has reached out to Administrator Fenlon and was told that has not happened so reiterated that she is very concerned on granting this conditional use permit without getting any cooperation from the Outagamie County Dept of Recycling and Solid Waste. Mr. Van Straten advised that they should reach out to Wisconsin DNR Supervisor, Kristen Dufrese with case studies across the State where an urban landfill exists and they opened a case file. Ms. Stimpson also asked the Board to wait until some sort of agreement is reached before approving the Conditional Use Permit. Director Moes agrees with Ms. Stimpson and advised four years ago he had made suggestions to the former management and also feels they could be doing more and suggested approving the use permit with restrictions needed to protect the neighborhood. President Vanden Berg questioned if there was a Conditional Use Permit already issued, Director Moes advised that this is the first Permit that will be issued by Little Chute. Commissioner Van Lankvelt asked if more restrictive conditions could be added to the permit and was told by Director Moes that they can put any conditions necessary. Mr. Van Straten advised there was an odor control system installed and it does seem to be working.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Exit Public Hearing

All Ayes— Motion Carried

Public Hearing—701 East Lincoln Avenue

Moved by Commissioner Van Berkel seconded by Commissioner Van Lankvelt to Enter into Public Hearing

All Ayes— Motion Carried

Director Moes advised a request was received for a Conditional Use Permit to open a Tattoo Shop/Studio by Shad Bosmand and Bill Brugger at 701 East Lincoln Avenue, Little Chute, WI. Resident Jeff Ison, 621 E. Lincoln Avenue advised the Board with the daycare being there was fine but does not feel this is a good fit and businesses should be kept uptown. Jill Ison felt a daycare was fine but very concerned about a night/weekend business. Mr. Ison also questioned if there were restrictions on hours for nights and weekend for businesses. President Vanden Berg questioned if we can set the conditional use permit to limit hours, Director Moes advised the Board can put any restrictions on the permit that the Board wants to. Resident Jonathon Timm, 708 Park Avenue, was concerned about people lingering around and this business turning into a hangout.

Moved by Commissioner Van Berkel, seconded by Commissioner Van Lankvelt to Exit Public Hearing

All Ayes— Motion Carried

Public Hearing—839 Moasis Drive

Moved by Commissioner Van Berkel, seconded by Commissioner Van Lankvelt to Enter into Public Hearing

All Ayes— Motion Carried

Director Moes advised that a request was made to open a sales and repair of automobile shop. Resident Wendy Romenesko owns the apartment building close to this and voiced a concern about revving engines and has received a few complaints so hopes that this isn't an issue. Commissioner Schevers questioned the amount of vehicles parked at this place and Director Moes advised that there should not be any vehicles parked there.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Schevers to Exit Public Hearing

All Ayes– Motion Carried

Action—Variance Request for 511 Jackson Street

Commissioner Van Lankvelt made a motion to grant the variance request with the stipulation that the driveway is pitched to the center of the driveway and away from both houses. Director Moes suggested to add that this is no closer than six inches to the window and to get an easement from the neighbor.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to Grant the variance request with the stipulation that it is no closer than six inches to the window wells, get an easement from the neighbor and the driveway is pitched towards the middle of the driveway.

All Ayes– Motion Carried

Action—Conditional Use Request for 839 Moasis Drive

Director Moes suggested the Conditional use be granted with the stipulation that all work is done inside, Commissioner Van Berkel asked about time and Director Moes advised the permit request is for the hours of 8:00 a.m. to 5:00 p.m.

Moved by Commissioner Van Berkel, seconded by Commissioner Schevers to Grant the conditional use request at 839 Moasis Drive between the hours of 8:00 a.m. to 5:00 p.m. with the stipulation of no outside storage of display of parts.

All Ayes– Motion Carried

Action—Conditional Use Request for 701 East Lincoln Avenue

Commissioner Van Berkel stated he is not comfortable granting this Conditional Use permit with the business owners not showing up at the meeting and the neighbors stating they are opposed to this move. Director Moes recommended this request be denied based on the nature of the use and statements from the neighbors and that the business owners did not appear.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to deny the conditional use request for 701 E. Lincoln Avenue

All Ayes– Motion Carried

Action—Conditional Use Request for 1419 Holland Road

Director Moes recommended to the Board based on complaints and information given that the conditional use be granted subject to the entire landfill meeting the minimum standards of gull control as published in the state of Massachusetts in 1998, and that the conditional use would be granted on a year by year basis. Director Moes also suggested that the County take Gull control more serious.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Schevers to approve the Conditional use request with the stipulation that this be on a year to year basis and also meets the minimum standard of gull control based on the criteria published in the state of Massachusetts in 1998 and also that Leachate transmission is addressed

All Ayes– Motion Carried

Discussion/Recommendation—Zoning Change from RM - Residential Multi-family district and CH-Commercial Highway district to RC-Conventional single-family district and RT-Residential two-family district

Director Moes advised the Board that staff recommendation is the Plan Commission approves the zoning change to present to the Village Board.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to recommend to the Village Board to approve Zoning Change from RM - Residential Multi-family district and CH-Commercial Highway district to RC-Conventional single-family district and RT-Residential two-family district

All Ayes— Motion Carried

Review/Recommendation—Rezoning for Smith Pharmacy

Director Moes advised the Board that staff is recommending Plan Commission approval to hold a public hearing and consider the rezoning for Smith Pharmacy

Moved by Commissioner Van Lankvelt, seconded by Commissioner Schevers to recommend to the Village Board to approve the rezoning for Smith Pharmacy to add an additional driveway

All Ayes— Motion Carried

Recommendation—Little Chute North Estates

Director Moes advised the Board that this is a Recommendation to the Village Board to approve the updated preliminary plat as shown.

Moved by Commissioner Van Lankvelt, seconded by Commissioner Van Berkel to recommend approval for Little Chute North Estates as presented

All Ayes— Motion Carried

Unfinished Business

None

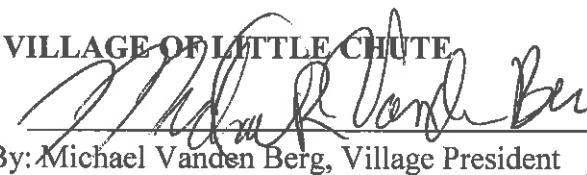
Items for Future Agenda

Adjournment

Moved by Commissioner Van Lankvelt, seconded by Commissioner Schevers to Adjourn the Plan Commission Meeting at 7:22 p.m.

All Ayes— Motion Carried


Attest: Laurie Decker, Village Clerk


VILLAGE OF LITTLE CHUTE
By: Michael Vanden Berg, Village President