

TOWN OF GRAND CHUTE
1900 W. Grand Chute Blvd.
REGULAR MEETING OF PLAN COMMISSION
MINUTES

Tuesday, September 20, 2011

Although a quorum of the Town Board of Supervisors may have been present, no Town Board action was taken.

MEMBERS PRESENT: Chairman Dave Schowalter, Commissioners Bruce Sherman, Julie Hidde, Joe Malenofski, Bob Stadel, Vivian Huth

MEMBERS EXCUSED: Pamela Crobsy

ALSO PRESENT: Tim Bantes, Fire Chief, Mark Heling, Road Superintendent; Mary Baxter, Executive Secretary; Kevin Vonck, Special Project Coordinator/Grants Administrator; Robert Buckingham, Community Development Director; other interested parties, (audience attendance = approx. 19 Supervisors Noonan, Thyssen, Pleuss entered at 6:03 p.m.

1. ROLL CALL.

Chairman Schowalter called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE.

3. APPROVAL OF AGENDA.

Motion (Sherman/Hidde) to approve the agenda as printed. Motion carried, all voting aye.

4. APPROVAL OF MINUTES - REGULAR MEETING & PUBLIC HEARING OF SEPTEMBER 6, 2011.

Motion (Huth/Malenofski) to approve the minutes as printed. Motion carried, all voting aye.

5. PUBLIC INPUT.

There was no public input.

6. COMMUNITY DEVELOPMENT DIRECTOR'S REPORT.

Community Development Director Buckingham's report available upon request.

7. **PUBLIC HEARING #1** – SPECIAL EXCEPTION APPROVAL (SE-16-11) REQUESTED BY S & H COMPANY, FOR AN OFF-PREMISE SIGN (NORTHERN TOOL + EQUIPMENT) LOCATED AT 4641 W. ASSOCIATED DRIVE. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #1 at 6:04 p.m.

No one spoke at the hearing.

Motion (Huth/Sherman) to close Public Hearing #1 for SE-16-11 at 6:05 p.m.
Motion carried, all voting aye.

8. SPECIAL EXCEPTION APPROVAL (SE-16-11) REQUESTED BY S & H COMPANY, FOR AN OFF-PREMISE SIGN (NORTHERN TOOL + EQUIPMENT) LOCATED AT 4641 W. ASSOCIATED DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL//DENIAL OF SE-16-11. (TOWN BOARD ACTION 10/4/2011)

Motion (Sherman/Stadel) to recommend approval of the Special Exception Permit (SE-16-11) requested by S & H Company, for an off-premise sign (Northern Tool + Equipment) located at 4641 W. Associated Drive. Motion carried, all voting aye.

9. SITE PLAN AMENDMENT APPROVAL (SPA1-00-85) REQUESTED BY S & H COMPANY, FOR A NEW CABINET (NORTHERN TOOL + EQUIPMENT) ON AN EXISTING PYLON SIGN LOCATED AT 4641 W. ASSOCIATED DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION APPROVE/DENY SPA1-00-85.

Motion (Sherman/Huth) to approve Site Plan Amendment (SPA1-00-85) requested by S & H Company/Northern Tool + Equipment for the placement of a new sign cabinet on an existing pylon sign located at 4641 W. Associated Drive, subject to approval of Special Exception Permit SE-16-11 to allow this off-premise sign. Motion carried, all voting aye.

10. **PUBLIC HEARING #2** – SPECIAL EXCEPTION APPROVAL (SE-17-11) REQUESTED BY INTELLIGROWTH INDUSTRIES, FOR OPERATION OF A WORM CASTING/ORGANIC FERTILIZER PROCESSING FACILITY LOCATED AT 3450 W. SPENCER STREET. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #2 for SE-17-11 at 6:07 p.m.

No one spoke at the hearing

Motion (Stadel/Huth) to close Public Hearing #2 for SE-17-11 at 6:07 p.m.

Motion carried, all voting aye.

11. SPECIAL EXCEPTION APPROVAL (SE-17-11) REQUESTED BY INTELLIGROWTH INDUSTRIES, FOR OPERATION OF A WORM CASTING/ORGANIC FERTILIZER PROCESSING FACILITY LOCATED AT 3450 W. SPENCER STREET. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF SE-17-11. (TOWN BOARD ACTION 10/4/2011)

Director Buckingham stated that he completed an on-site inspection. This is a no noise, no odor operation. He noted that he received a call from a resident on the south side of Spencer Street, who had some concerns about the operation. This individual was encouraged to visit the facility and speak to company officials. After making that visit, he called back to report he was in full support of the operation.

Director Buckingham noted that a letter of opposition to the granting of the Special Exception Permit was received from WHG-Wisconsin Hospitality Group, which owns and operates the Applebee's and Pizza Hut restaurants on West College Avenue. The letter stated concerns that a "fertilizer processing facility may present significant hazards to the properties in the immediate vicinity of the site and the people who visit those properties; as such we cannot support the purposed development." Director Buckingham stated that company officials from IntelliGrowth were informed about this letter, and they have made numerous attempts to reach WHG officials, but have received no return call.

Motion (Stadel/Sherman) to recommend approval of the Special Exception Permit (SE-17-11) requested by IntelliGrowth Industries, 3450 W. Spencer Street, for operation of a worm casting/organic fertilizer processing use.

Chairman Schowalter stated that this is an earth-friendly business and that it would cause no hazards at the property or in the surrounding neighborhood.

Motion carried, all voting aye.

12. **PUBLIC HEARING #3** – SPECIAL EXCEPTION APPROVAL (SE-18-11) REQUESTED BY S S AUTO BODY, INC., FOR OPERATION OF AN AUTOMOBILE BODY SHOP LOCATED AT 890 S. WESTLAND DRIVE. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #3 for SE-18-11 at 6:10 p.m.

No one spoke at the hearing.

Motion (Hidde/Huth) to close Public Hearing #3 for SE-18-11 at 6:10 p.m.

Motion carried, all voting aye.

13. SPECIAL EXCEPTION APPROVAL (SE-18-11) REQUESTED BY S S AUTO BODY, INC., FOR OPERATION OF AN AUTOMOBILE BODY SHOP LOCATED AT 890 S. WESTLAND DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF SE-18-11. (TOWN BOARD ACTION 10/4/2011)

Director Buckingham stated that he completed an on-site inspection. Town staff has reviewed the owner's plans for interior build out, including a spray paint booth, and finds everything to be code compliant.

Motion (Sherman/Malenofski) to recommend approval of Special Exception Permit (SE-18-11) requested by S S Auto Body, Inc., for the operation of an automobile body shop at 890 S. Westland Drive. Motion carried, all voting aye.

14. SITE PLAN APPROVAL (SP-08-11) REQUESTED BY S S AUTO BODY INC., 890 S. WESTLAND DRIVE, FOR SIGNAGE AND SITE LANDSCAPING. **ISSUE:** SHALL THE PLAN COMMISSION APPROVE/DENY SP-08-11.

Motion (Malenofski/Sherman) to approve Site Plan SP-08-11, the site plan for signage and site landscaping at S S Auto Body, Inc., 890 S. Westland Drive, subject to approval of Special Exception SE-18-11, to allow an automobile body shop use at 890 S. Westland Drive. Motion carried, all voting aye.

15. **PUBLIC HEARING #4** – SPECIAL EXCEPTION APPROVAL (SE-19-11) REQUESTED BY BETHANY EVANGELICAL LUTHERAN CHURCH, FOR EXPANSION OF A DAY CARE FACILITY AND WORSHIP CENTER (OUR SHEPHERD CHILD CARE AND WORSHIP CENTER) LOCATED AT 3335 N. LYNNDALE DRIVE. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #4 for SE-19-11 at 6:11 p.m.

No one spoke at the hearing.

Motion (Stadel/Huth) to close Public Hearing #4 for SE-19-11 at 6:12 p.m.

Motion carried, all voting aye.

16. SPECIAL EXCEPTION APPROVAL (SE-19-11) REQUESTED BY BETHANY EVANGELICAL LUTHERAN CHURCH, FOR EXPANSION OF A DAY CARE FACILITY AND WORSHIP CENTER (OUR SHEPHERD CHILD CARE AND WORSHIP CENTER) LOCATED AT 3335 N. LYNNDALE DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF SE-19-11. (TOWN BOARD APPROVAL SE-19-2011)

Director Buckingham noted that Town staff has been reviewing this project with the property owner and its design and development team for several months. This is a four-acre site that can accommodate the large building expansion plan. There will

be no change to existing driveway openings on Lynndale Avenue and Capitol Drive, and traffic circulation will improve on-site. The owner is working with the DNR on some wetlands boundary adjustments. There is adequate space for on-site detention, landscaping, and signage. The plan is to begin construction this fall, with occupancy by August 1, 2012.

Motion (Hidde/Huth) to recommend approval of the Special Exception Permit (SE-19-11) requested by Bethany Evangelical Lutheran Church, for expansion of Our Shepherd Child Care and Worship Center at 3335 N. Lynndale Drive.
Motion carried, all voting aye.

17. SITE PLAN APPROVAL (SP-07-11) REQUESTED BY BETHANY EVANGELICAL LUTHERAN CHURCH, FOR BUILDING EXPANSION AND SITE IMPROVEMENTS AT OUR SHEPHERD CHILD CARE AND WORSHIP CENTER, 3335 N. LYNNDALE DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION APPROVE/DENY SP-07-11.

Motion (Huth/Sherman) to approve SP-07-11, the site plan for expansion of Our Shepherd Child Care and Worship Center, 3335 N. Lynndale Drive, subject to approval of Special Exception Permit SE-19-11, Town Engineer approval of stormwater management and erosion control plans, and staff approval of a Site Lighting Plan.

Commissioner Hidde wanted to know if the proposed play area would be enclosed with fencing like the existing area currently is.

Project representatives acknowledged that the area would be enclosed with a fence.

Motion carried, all voting aye.

18. **PUBLIC HEARING #5** – SPECIAL EXCEPTION APPROVAL (SE-20-11) REQUESTED BY BUFFALO WILD WINGS, FOR A NEW RESTAURANT LOCATED AT 4601 W. COLLEGE AVENUE. **ISSUE:** HEAR TESTIMONY AND CLOSE PUBLIC HEARING.

Chairman Schowalter opened Public Hearing #5 for SE-20-11 at 6:15 p.m.

Dave Schmalz, McMahon Group, stated that he represented the property owner, Commercial Horizons, and would answer any questions that may arise.

Motion (Sherman/Stadel) to close Public Hearing #5 for SE-20-11 at 6:16 p.m.
Motion carried, all voting aye.

19. SPECIAL EXCEPTION APPROVAL (SE-20-11) REQUESTED BY BUFFALO WILD WINGS, FOR A NEW RESTAURANT LOCATED AT 4601 W. COLLEGE AVENUE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF SE-20-11. (TOWN BOARD ACTION 10/4/2011)

Motion (Sherman/Huth) to recommend approval of the Special Exception Permit (SE-20-11) requested by Buffalo Wild Wings, for a new restaurant at 4601 W. College Avenue.

Commissioner Hidde stated that in her opinion the traffic pattern into and out of this property is difficult because of inattentive drivers and failure to properly use the Casaloma Drive center turn lane. She asked if there would be any improvements in this area as a result of this new restaurant.

Dave Schmalz said that Commissioner Hidde's concern is valid and in his opinion, better signage along the street might help to solve the issue.

Commissioner Sherman said this concern is outside the context of the Special Exception Permit request, and should be addressed by the Public Works Department staff.

Director Buckingham said that some combination of signage and pavement markings would help to give drivers a visual cue to make turn movements from the proper lanes of traffic.

Motion carried, all voting aye.

20. SITE PLAN APPROVAL (SP-06-11) REQUESTED BY BUFFALO WILD WINGS, FOR A NEW RESTAURANT LOCATED AT 4601 W. COLLEGE AVENUE. **ISSUE:** SHALL THE PLAN COMMISSION APPROVE/DENY SP-06-11)

Motion (Sherman/Huth) to approve Site Plan SP-06-11 for Buffalo Wild Wings, 4601 W. College Avenue, subject to approval of Special Exception Permit SE-20-11, Town Engineer approval of stormwater management and erosion control plans, and staff approval of Landscape and Site Lighting Plans.

Commissioner Malenofski asked for a review of the proposed new right turn-only driveway along Casaloma Drive.

Director Buckingham explained the design of the driveway includes an angled center median that would restrict in- and out-traffic movements to right-turn only. At the existing driveway opening from the property to Casaloma Drive. An extended center median is being installed to prevent left-turn movements near the entry point at Casaloma Drive.

Motion carried, all voting aye.

21. **NEIGHBORHOOD INFORMATION MEETING** – CONDITIONAL USE PERMIT (CU-06-11) REQUESTED BY THE TOWN OF GRAND CHUTE, FOR REPLACEMENT OF A ROAD CULVERT IN THE 3300 BLOCK OF N. CASALOMA DRIVE. **ISSUE:** HEAR TESTIMONY AND CLOSE NEIGHBORHOOD INFORMATION MEETING.

Chairman Schowalter opened the Neighborhood Information Meeting at 6:19 p.m.

Norman Munson, 4741 Westbrook Court, urged the Commission to approve the project due to the negative impact on the Westbrook Villas Condominiums. Currently, five of the dwellings have to purchase floodplain insurance for the sake of a few inches of water that can't flow through the existing culvert in a timely manner. He also expressed concern about the timeline to complete this work, since he was originally told it would be completed in August. His final concern is that the roadway ditch on the west side of Casaloma Drive is laden with dense vegetation and cattails, which seem to impede flow of water to the culvert.

Elizabeth Marks, Omni Engineering, said she completed the design work on the project and was here if there were any questions.

Motion (Sherman/Malenofski) to close Neighborhood Information Meeting for CU-06-11 at 6:22 p.m. Motion carried, all voting aye.

22. CONDITIONAL USE PERMIT (CU-06-11)REQUESTED BY THE TOWN OF GRAND CHUTE, FOR REPLACEMENT OF A ROAD CULVERT IN THE 3300 BLOCK OF N. CASALOMA DRIVE. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF CU-06-11. (TOWN BOARD ACTION 9/20/2011)

Motion (Huth/Stadel) to recommend approval of Conditional Use Permit CU-06-11 requested by the Town of Grand Chute for replacement of a road culvert in the 3300 block of N. Casaloma Drive.

Commissioner Sherman said that it was his understanding that this project did not involve any ditch cleaning work.

Director Buckingham said that due to nearby wetlands designations, ditching work will be very minimal.

Commissioner Hidde asked if project planners believe this culvert replacement would alleviate the upstream floodplain problem.

Director Buckingham replied that the replacement would achieve this outcome. He explained the difference in design and capacity between the existing and new culvert. The increased flow capacity of the new culvert will lower the surface water elevations upstream, which will allow the affected condo properties to be removed from the 100-year floodplain.

Commissioner Sherman asked for confirmation that this project would not simply solve the water problem upstream while shifting the water problem to the downstream side of the culvert.

Elizabeth Marks confirmed that the hydraulic study demonstrates how this design will lower the upstream elevations while maintaining current elevations on the downstream side.

Director Buckingham noted that the problems associated with the culvert have always been restricted flow at the upstream side. The downstream side has always managed water flow properly, and that condition will remain as-is.

Motion carried, all voting aye.

23. SITE PLAN AMENDMENT (SPA1-00-84) REQUESTED BY ASSOCIATED BANK, 1501 N. CASALOMA DRIVE, FOR A NEW PYLON SIGN. **ISSUE:** SHALL THE PLAN COMMISSION APPROVE/DENY SPA1-00-84.

Motion (Sherman/Hidde) to approve Site Plan Amendment (SPA1-00-84) for the placement of an illuminated pylon sign at Associated Bank, 1501 N. Casaloma Drive. Motion carried, all voting aye.

24. CERTIFIED SURVEY MAP APPROVAL (CSM-10-11) REQUESTED BY JAMES AND MARILYN DERKS, 3322 N. CASALOMA DRIVE, FOR CONSOLIDATION OF 2 ADJOINING LOTS AND DEDICATION OF PUBLIC ROADWAY. **ISSUE:** SHALL THE PLAN COMMISSION RECOMMEND APPROVAL/DENIAL OF CSM-10-11.

Director Buckingham explained that the property owner currently owns two adjoining lots, with their home contained entirely on the northernmost lot. The owner wishes to build an accessory building on the southernmost lot. The Zoning Code does not allow an accessory building on a property with no principal building or use, therefore the need to consolidate the existing properties from two lots to one lot.

Motion (Stadel/Huth) to recommend approval of the Certified Survey Map for James and Marilyn Derks, 3322 N. Casaloma Drive. Motion carried, all voting aye.

25. ADJOURNMENT.

Motion (Huth/Malenofski) to adjourn the meeting at 6:25 p.m. Motion carried, all voting aye.

Respectfully Submitted,

Tracy Olejniczak
Community Development Secretary