



Plan Commission Meeting
Monday, April 8, 2024
6:30p.m.

LOCATION OF MEETING: 96 RUSSELL DRIVE

Meeting Minutes

- 1. Call to Order, Roll Call:** Chairman Mike San Felippo called the meeting to order at 6:31 pm. Commission members present included Randy Soerens, Peter Lederer, Mike San Felippo, Jeff Schultz, and John Schluechtermann. Barbara Ruege attended virtually. Steven Masslich arrived at 6:32 pm. Village employees present included Clerk/Treasurer Stephanie Waala. For additional attendees see attached sign in sheet.
- 2. Discussion and Possible Action to approve the April 1, 2024, meeting minutes.**

Member Schultz made a motion to approve as submitted, motion was seconded by Member Ruege. Motion carried 6-0.

- 3. Discussion related to Village Zoning Ordinances.**

Chairman San Felippo informed the board that they should start with the cell tower section as there is a public hearing scheduled for 4/15. Member Schluechtermann informed the board that the current ordinance lists a tower can obtain a conditional use permit in an M-2 district. Currently the village does not have an M-2 district. Member Schultz inquired as to if the ordinance has been changed and the village just to have an M-2 district. Chairman San Felippo informed the board that there is no listing of an M-2 on the zoning map nor in the ordinance. Could this have just been a typing error?

Chairman San Felippo inquired as to what an M-2 would even be. Member Masslich informed the board that an M-2 in Wauwatosa is defined as a high impact industrial uses that do not cause adverse impacts on residential areas. Member Schultz inquired as to how would an M-2 apply in the village and is it necessary.

Chairman San Felippo inquired as to if a property would be eligible to be rezoned to manufacturing if they have no intent of putting in manufacturing. Member Schluechtermann said yes because it is standard procedure to rezone before utilizing. As long as it abides by the 20-year plan, and it is less impactful. Each scenario would be different. Chairman San Felippo recommends the easiest way to correct this would be to just change the M-2 reference in the ordinance to be M-1. Clerk Waala informed the board that the change can be made to the Communications ordinance at the April 15 public hearing but any changes to M-1 would need to have their own meeting in order to get the notice in the paper. Currently the communications ordinance states it is a conditional use, but the M-1 district current lists it as an allowable conditional use.

Member Schluechtermann inquired as to whether they additionally would like to talk about setbacks in the communications ordinance. The city of Plymouth lists in their ordinance as the setback shall be equal to 100% of the height of the tower. Chairman San Felippo inquired as should there be an additional setback for bounce back of debris if a tower were to fall. Member Schluechtermann informed the board that the

current setbacks in M-1 are 20 feet for the building. Chairman San Felippo says so the average would be about 10% as the max a tower can be is 200 feet. Member Schluechtermann informed the board that the fall zone could just be 110%. Director Lederer informed the board that the Town of Fredonia currently has put up towers. Member Schluechtermann informed the board that they just have a maximum height and no setbacks. Does, however, like the wording that the city of Plymouth has for their setbacks and recommends this be added to our current ordinance.

Member Masslich inquired in section 2a where it is referencing the failure to comply, and should they additionally add a timeframe. Chairman San Felippo informed the board that it says immediately so does not feel a timeframe needs to be added. Member Schluechtermann informed the board that the Town of Fredonia has the same wording as our ordinance. The City of Plymouth has 30 days to come into compliance.

Member Schluechtermann inquired as to additionally they need to change in M-1 adding communications towers as a conditional use. Clerk Waala informed the board that this change will be made at the May 6 meeting but can be further discussed this evening to potentially have the whole section done by the May 6 meeting. Member Schluechtermann informed the board that current properties zoned M-1 don't necessarily abide by the current setbacks, and this could become an issue. Chairman San Felippo inquired as to would it be easier to make a manufacturing PUD district.

Member Schluechtermann inquired as should we model this ordinance to be the same format as the residential in that each section is addressed in the same order. Example is Accessory building is listed under side yards and not as its own section with requirements. Chairman San Felippo inquired as to what accessory buildings would normally be included on an M-1. The current residential has a maximum of 180 sq ft so that would not be likely. Member Soerens inquired as to if we could have a different maximum accessory building in M-1. Chairman San Felippo inquired as to would we normally limit such a thing. Member Schluechtermann requested that the setbacks be more than 5 feet. Director Lederer suggested that it match the principal structure setbacks of 20 feet.

Member Schluechtermann inquired as to garbage dumpster enclosures. Chairman San Felippo informed the board that currently there are no regulations for them. This was just a topic that was brought up to potentially require. Member Schluechtermann informed the board that it is called out in C-2, and then read the section. So, we would need to put something like that in M-1 and C-1. Chairman San Felippo suggested taking out the word shrubs and just need it to be solid fences. Member Ruege expressed concern as to whether this change would be for new development or all properties currently in place as well. Member Schluechtermann suggested this would be for all properties in these districts and they would have a timeframe to comply once the change is approved. Member Ruege additionally would like this for everyone not only for aesthetic reasons but also for safety reasons. Member Masslich requested that additionally they add a timeframe of 6 months from adoption for completion of this change to be made. Member Ruege inquired as to if they should further regulate the location of the dumpsters. Member Schluechtermann inquired as to if a company has a large carboard compactor, would they have to similarly install a fence. Multiple people suggested that this would be an exception to the rule because it is already a solid item that cannot be opened from the outside. Chairman San Felippo inquired as to should there be a requirement of 5- or 2-foot setbacks.

Member Schultz inquired as to would this be an issue for section 38-47(a) where it talks about loading and unloading. With it being close to the lot line would this then cause the pickup vehicle to be in the roadway. Examples of Badger Tag and Lakeside were given that they block the road when accessing those properties with large trucks. Member Schultz requested that an exception be put in this section.

Member Soerens inquired as to whether there should additionally be a minimum height for the enclosures/fences. Member Masslich suggested 6 feet.

4. Adjourned at 8:12 pm.

Items on the Agenda may be taken out of order as listed. Created by Stephanie Waala on 04/11/2024.

WI Open Meeting Law (Wis. Stat. 19.83(2) and 19.84(2)) In general, the open meetings law grants citizens the right to attend and observe open session meetings of governmental bodies but does not require a governmental body to allow members of the public to speak or actively participate in the body's meeting. A governmental body is free to determine for itself whether and to what extent it will allow citizen participation at its meetings.



Plan Commission Meeting
Monday, April 1, 2024
5:30p.m.

LOCATION OF MEETING: 96 RUSSELL DRIVE

Meeting Minutes

- 1. Call to Order, Roll Call:** Chairman Randy Soerens called the meeting to order at 5:30 pm. Commission members present included Jeff Schultz, Peter Lederer and Randy Soerens. Barbara Ruege attended virtually. John Schluechtermann arrived at 5:32 pm. Mike San Felippo arrived at 6:44 pm. Village employees present included Clerk/Treasurer Stephanie Waala. For additional attendees see attached sign in sheet.
- 2. Discussion and Possible Action to approve the March 18, 2024, meeting minutes.**

Member Lederer made a motion to approve as submitted, motion was seconded by Member Schultz. Motion carried 3-0, Rand Soerens abstained.

- 3. Discussion related to Village Zoning Ordinances.**

Member Lederer informed the board that he received an inquiry as to if the village has a minimum setback or fall zone in their ordinance related to towers. He felt it was an item to be address and the current ordinance only has a tower maximum height. Chairman Soerens informed the board that when the tower that was put up on the Bertram property this ordinance was not in place.

Member Schultz inquired as to would insurance be a factor in determining the requirements. Chairman Soerens informed the board that would be a responsibility of the property owner. Only concern would be that it is not in a residential district. Member Schluechtermann informed the board that they are currently only permitted in M-2 districts.

Member Lederer informed the board that with current towers there is discussion of cell frequency studies and wonders if making this a requirement is allowable. Member Schluechtermann informed the board that it may be a legal issue.

Member Schluechtermann informed the board that the fall zone is not always the height of the tower. They are built to collapse within themselves. He reviewed the wind turbine section and there are setbacks. Bill Goehring from the Town of Sherman informed the board that their ordinances do have a fall zone and that they were required to have it when making their ordinance. Additionally, they also require a tower as a conditional use.

Member Lederer informed the board that the building inspector checked the communities he works in and did not see anything similar to requiring setback. Member Schluechtermann informed the board that the wind turbine section lists the setbacks as 1.5 times the height because it is a solid structure. Additionally, there are no setbacks currently listed in the M-2 district.

Member San Felippo inquired if the board would be available to meet next week to gather more information. Duane Urbanski informed the board that the finance committee meets at 5:30 on Monday the 8th and would need to know if they need to change their time. It was determined that the Finance Committee will meet at 5:30 and the Plan Commission at 6:30 on April 8th.

4. Adjourned at 6:51 pm.

Items on the Agenda may be taken out of order as listed. Created by Stephanie Waala on 04/04/2024.

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