

VILLAGE OF BONDUEL
PUBLIC HEARING NOTICE FOR CONDITIONAL USE PERMITS
MONDAY, MAY 26, 2020

President Russ Gehm called the public hearing to order at 6:00 p.m. Gehm read the public hearing notice.

PRESENT: Russ Gehm, Troy Westcott, Steve Peterson, Mark Welch, Jesse Rankin, and Tim Kelley. Excused: Robbie Woldt III.

ACKNOWLEDGE OF CITIZENS: Janet Wickman, Dan Beachy, Alvin Beachy, and Jason Hutter

The public hearing for the conditional use permit for Dan and Alvin Beachy to keep livestock at 701 S. Cecil Street was open for comment. Dan and Alvin Beachy have purchased the 73-acre farm where they would like to raise beef cattle. Currently, the Beachy's have approximately 40 beef cattle that they want to move to the property. They would like to increase the herd to approximately 60 head by next summer. They are asking for an allowance of 80 beef cattle. Public hearing for Dan and Alvin Beachy was closed.

The public hearing for the conditional use permit for Esteban Vargas to operate a Martial Arts Instructional facility was open for comment. The facility would teach TxujTshau which is a Hmong traditional Martial Arts that emphasizes on character development. Vargas was not present to ask questions about the proposed business.

President Gehm closed the public hearing at 6:15 p.m.

VILLAGE OF BONDUEL
PLAN COMMISSION MEETING
MONDAY, MAY 26, 2020

President Russ Gehm called the Plan Commission meeting to order at 6:15 p.m.

Gehm read a statement regarding the posting of the meeting.

PRESENT: Russ Gehm, Troy Westcott, Steve Peterson, Mark Welch, Jesse Rankin, and Tim Kelley. Excused: Robbie Woldt III.

AGENDA: Motion by Kelley, second by Peterson, to approve agenda and to deviate from the order as necessary. Motion carried unanimously.

MINUTES. Motion by Kelley, second by Westcott, to approve minutes from the January 27, 2020 Plan Commission meeting as presented. Motion carried Unanimously.

ACKNOWLEDGE OF CITIZENS: Janet Wickman, Dan Beachy, Alvin Beachy, and Jason Hutter

F1. Dan and Alvin Beachy Property Conditional Use Permit. Rankin shared that according to the State of Wisconsin, the number of Animal Units allowed on a property is one beef per acre. With that being said the maximum number allowed on the property would be 73 animals. The property would also need to apply to the Wisconsin Department of Agriculture, Trade and Consumer Protection (WDATCP) for Premise ID number. There is no cost involved in obtaining the Premise ID. Shawano County suggests that an annual nutrient management plan be filed with the county for the property. The nutrient management plan helps to minimize the negative impact of nutrients on the environment. Dan and Alvin Beachy questioned the commission about equine that will also be on the property. The commission agreed that the number of equines on the property would be figured into the Animal Unit maximum. Motion by Kelley, second by Peterson, to recommend to the Board the approval of the conditional use permit to keep livestock on the property located at 701 S. Cecil Street, with the following conditions, a Premise ID number be obtained through the WDATCP; a maximum Animal Unit of 73 animals, the total would include beef and equine on the property; and to work with Shawano County to develop a nutrient management plan for the property. Motion carried unanimously.

F2. Esteban Vargas Property Conditional Use Permit. The Commission agreed with the conditional use permit being issued as an athletic club and gym. Welch asked about the parking around the building. According to Vargas's proposed plans there could be up to 50 members in attendance in the building at on time. The Commission discussed the maximum number of people allowed in the building according the fire code, and the number of exits required in the building. Rankin will work Fire Chief Woldt to determine the exact number of people allowed and will check on the number of exits needed. Motion by Kelley, second by Westcott, to

recommend to the Board the approval of the conditional use permit to operate a Martial Art Instructional facility at the property located at 111 E Green Bay Street, with the following conditions, the building fire code allows the 50 people on the premise at a given time and that the property has correct number of exits. Motion carried unanimously.

F3. Handicap Accessible Ramp at 109 E Green Bay. Jason Hutter has been renovating the property at 109 E Green Bay for the manufacturing of pizza crusts. The State is requiring Hutter to install a handicap accessible ramp to get into the building. Hutter is asking the Plan Commission and the Village to allow the ramp to be installed by the front entrance into the municipal sidewalk. The ADA requires that the ramp be 36" on the inside of the ramp from railing to railing. The minimum railing width on both sides of the ramp is 1.5" per side, for a total of 3". Per Rankin the State regulations require the distance between the outside of the ramp to the street curb be 48" or 4" wide. The upper sidewalk to the street curb, where the ramp will be placed, needs the 48" of clearance. The total width of the upper sidewalk in front of the property is 7'3" or 87". With that the handicap accessible ramp can only be 39" wide in total to meet sidewalk regulation of 48". Motion by Kelley, second by Peterson, to recommend to the Board the approval of the handicap accessible ramp at 109 E Green Bay street, with the stipulation there is 48" from the outside of the ramp to the street. Motion carried unanimously.

F4. Ordinance Sec. 115-12(2)(14) C-1 General Commercial District Conditional Uses. Last year when the Plan Commission and Municipal Operations updated the zoning code, the residential homes in C-1 General Commercial District were to be addressed. Each residential home in the district was to be issued a conditional use permit, at no cost the them, for their homes to be in compliance with the new code. This was overlooked in the recreation of the code. Per Ken Jaworski, Cedar Corporation, the current C-1 Commercial District conditional uses need to be amended. Once the ordinance is amended, the Plan Commission will need to hold a public hearing to issue the conditional use permits to these properties. These conditional uses will stay with the property. Jaworski has provide language to change Sec. 115-12(2)(14) to "existing single or two-family residential dwelling unit which existed prior to the adoption or amendment date of this ordnance." Motion by Wescott, second by Kelley, to recommend to the Board to amend Village Ordinance Sec. 115-12(2)(14) C-1 General Commercial District Conditional uses to include the language provided by Cedar Corporation. Motion carried unanimously.

F5. Ordinance Sec. 103-13(3) Fences and Walls, Private Swimming Pools Fences. Rankin presented the ordinance on the fences around the pools. The ordinance has come into questions with a new pool being installed. The ordinance clearly states that a pool needs to be enclosed by a fence. Currently there are approximately nine pools, only a few have fences. Rankin asked the Commission how to handle the pools without fences. Does the Commission want to enforce the current ordinance or should the ordinance be updated? Rankin is recommending one of two things; one absolve the fence requirement; or two update the ordinance adding a disclaimer that owner is liable for accidents. The Commission discussed

requiring a certificate of insurance from the pool owners and possibly a signed agreement. Rankin would also like to incorporate structural covers for pools that meet the ASTM F1346- 91 Safety Standard. By consensus the Commission agreed to move the agenda item to the next meeting and Rankin will draft the recommend changes to the ordinance.

F6. Village property for private residence access. The property located at 311 W. State Street, has been driving across Village property at Cedar Park to access their back yard. Municipal Operations has been leveling tire ruts in the property each spring. Rankin has spoken with the property owner, Terry Wissell. Rankin has checked County and Village records, there is no registered easement or agreement on file. Commission agreed that the resident should not be crossing Village property. By consensus the Commission agreed to have Rankin notify the owner to cease and desist use of Village property to access their property.

F7. Village Entrance signage. Rankin has contacted the State about placement of Village signs on State rights-of-way. The Commission discussed new signs for the Village and putting together a plan to discuss at the annual business meeting. By consensus the Commission would like Rankin to look into signage and bring back to the next meeting to discuss.

F8. Review of Bonduel Municipal Code Ethical standards and regulations. Gehm reminded the Commission that the Village ethical standards and regulations are reviewed each year. Commission members did not have any questions.

F9. Plan Commission Meeting date and time. Commission agreed Monday nights at 6:00 p.m. work the best.

G1. Hiring Zoning Administrator for 2020. Cedar Corporation provided the Village with a proposal for Zoning Administrator services. At this point Rankin has been taking care of the zoning in the Village and does not feel these services are needed. By consensus the Commission removed the agenda item.

G2. Annual Bonduel Area Business meeting. One topic of discussion for the annual meeting will be new signage. By consensus the Commission would like to hold the annual Bonduel area business meeting in September.

G3. Closed session. By consensus the Commission agreed to move to next meeting when more information may be available.

Motion by Welch, second by Kelley, to adjourn. Motion carried unanimously. Meeting adjourned at 7:38 p.m.

Respectfully submitted,
Michelle Maroszek, Clerk/Treasurer