



## **PLAN COMMISSION MEETING**

Monday, November 3, 2025

Chairman, Russ Gehm called the Plan Commission meeting to order at 6:00 p.m.

Gehm read the statement regarding the posting of the meeting.

PRESENT: Russ Gehm, Andrew Court, Steve Peterson, Bob Shest, Mark Welch, Troy Wescott, and Robbie Woldt III.

APPROVAL OF AGENDA. Motion by Court, second by Peterson, to approve the agenda and to deviate from the order as necessary. Motion carried unanimously.

APPROVAL OF MINUTES. Motion by Court, second by Woldt, to approve the minutes from the October 6, 2025, Plan Commission Public Hearing and Meeting as presented. Motion carried unanimously.

ACKNOWLEDGEMENT OF CITIZENS: Jesse Rankin, Director of Municipal Operations; Keith Fischer, Police Chief, Attorney Josiah Stein, Law Office of Josiah Stein LLC – Legal Representation for Jason Hutter; and Jim Hutter, Village Resident.

### UNFINISHED BUSINESS.

G1. Discussion and possible recommendation on the conditional use permit at 107 E Green Bay Street, Parcel 107-70050-0570, for a light industrial facility producing food with cooling and packaging area in the C-1 Commercial District. Motion by Woldt, second by Welch, until more information can be obtained. At the October Plan Commission meeting, the agenda item was tabled due to a lack of drawings and what the State requires for commercial building plans. Since the last meeting, Brian Noe, Building Inspector for the Department of Safety and Professional Services, has reviewed the site and spoken with Mr. Hutter about the buildings' connections and requirements. The packet includes an email from Mr. Noe outlining the information that the State of Wisconsin requires for 107 E Green Bay Street, which Mr. Hutter was emailed as well.

The Plan Commission reviewed the email and asked several questions about the properties at 107 and 109 E Green Bay Street. Welch inquired about the Village's request for Mr. Hutter to connect water and sewer utilities to 107 E Green Bay Street. By Village ordinance any property with public sewer or water available must connect the utilities. Furthermore, Mr. Hutter signed an agreement with the Village in 2017 stating that he would connect to utilities once the building was no longer vacant. Currently, Mr. Hutter operates a light manufacturing facility in 107 E Green Bay Street without a conditional use permit and did not have State-approved plans prior to installing his equipment.

Woldt inquired about the two buildings sharing a parcel and the requirements for water and sewer connection. Rankin explained that the Village follows Shawano County's practice, which includes two buildings, two entrances, two addresses, and two utility connections. Examples were given of apartment complexes that share the same parcel but have multiple buildings, multiple addresses, and individual meters and laterals for each. The Commission discussed the fact that Mr. Hutter has yet to provide information that will allow them to decide on the conditional use permit.

Gehm gave Attorney Stein the opportunity to address the Commission. Attorney Stein agreed that the Commission could table the agenda item until a later meeting because they wanted to review Mr. Hutter's business plans, which are currently being worked on. Attorney Stein does not interrupt the agreements that Mr. Hutter has previously signed regarding these buildings in the same way that the Village does.

Attorney Stein also stated that the requested conditional use permit was straightforward and permitted by the ordinance guidelines. Mr. Hutter has only made minor changes, expanding his business to the other building on the same parcel, which already has a conditional use permit for the same purpose. Stein was also concerned about the conditional use permit fact finding form, claiming that it did not follow the Village ordinance, leaving the Village open to legal challenges.

Additionally, Attorney Stein provided his perspective on the request for water and sewer connection to 107 E Green Bay Street. Since the building existed prior to the creation of the connection ordinances, Stein feels that this property shouldn't be required to connect. Since nothing has changed and Mr. Hutter's business does not require water or sewer, the building would be grandfathered in. It was suggested that 107 E Green Bay Street is currently cut off from the shared water between 109 and 107 E Green Bay Street. Stein reiterated that the decision to grant a conditional use permit should not be influenced by the utility issue.

Woldt inquired as to whether the Village Attorney could offer further advice regarding the conditional use and the issues at hand. The information that Attorney Stein gave the Commission made them uncomfortable. According to Woldt, the Commission still lacks sufficient information to either approve or deny the permit.

There are three individual issues with Mr. Hutter and his building at 107 E Green Bay Street, according to Clerk Maroszek. First, the conditional use permit that he has requested for this site. Second, the State of Wisconsin's building permit requirements for this site. Finally, this location's water and sewer utility connection. Only the conditional use and whether Mr. Hutter's proposed business plan satisfies the ordinance's requirements must be considered by the Commission. Plans and drawings for the proposed business should be submitted to the Commission as part of the conditional use permit.

Shest stated, Mr. Hutter was already using the property as though he had a conditional use permit, even though he didn't. Is there anything being done to address this violation? Clerk Maroszek replied that it was being addressed and that the Plan Commission lacked the authority to deal with the permit violation. The Commission is not here to address that matter.

The Commission was addressed by James Hutter, a Village resident and the father of Jason Hutter, regarding the residence at 107 E Green Bay Street. James Hutter claims that a walkway connected the house and the business building for many years. He thinks sewer utilities are already connected to the site. Since the construction of the buildings, the water has been shared. Water is not required for Jason Hutter's cooling system. According to James Hutter, the building is only used to cool the pizza crusts; no manufacturing is done there.

Maroszek requested clarification on the items that the Plan Commission still needed to decide whether to grant the conditional use permit. Mr. Hutter's engineered drawings and plans, the Village ordinance containing the list of conditional use requirements, and the Village Attorney's advice are all requested by the Commission. Before deciding, the Commission debated whether to ask Mr. Hutter to submit State-approved plans from DSPS. Attorney Stein argued that since the state building permit approval has no bearing on the conditional use permit, it should not be required. Maroszek was unsure, but she believed the conditional use permit decision could not be impacted by the building's State building permit approval. The Commission was reminded that, should they approve the conditional use, they

have the power to impose reasonable and measurable permit conditions in order to address some of their concerns regarding the building and use.

Motion by Woldt, second by Welch, to table the agenda item until Mr. Hutter can give the Commission engineered plans and drawings for his pizza crust manufacturing facility at 107 E Green Bay Street. Motion carried unanimously.

NEW BUSINESS.

F1. Discussion and possible recommendation on signage application for 113 N Cecil Street, The Glenn. The Glenn has applied for a sign permit at 113 N Cecil Street. The rough drawing is included with the permit application. Rotter's Hot Rods and Fabrication LLC will create a two-sided, lighted, 40-inch circular aluminum sign to hang in front of The Glenn. The sign meets the size requirements outlined in the Village ordinance. Motion by court, second by Peterson, to recommend approval to the Board of the sign permit for 113 N Cecil Street, The Glenn. Motion carried unanimously.

F2. Discussion and possible recommendation on Certified Survey Map for existing Parcels 107-75150-0100 and 107-75150-0110. Matthew and Rachel Olson have built a new home on Sunrise Court. They have approached the adjacent landowner, Ardis Klosterman, about purchasing a portion of her vacant lot between their two homes to gain a larger side yard. Klosterman's lot needed to be split to allow for the construction of a single-family home. The Certified Survey Map included in the packet shows the lot's split. Lot 2 meets the requirements for a single-family home, though it may present some design challenges if anyone ever built on it. Motion by Shest, second by Peterson, to recommend approval to the Board of the Certified Survey Map for the existing parcels on Sunrise Court. Motion carried unanimously.

NEXT MEETING: To be determined when Mr. Hutter's engineered drawings for his conditional use permit become available.

Motion by Shest, second by Woldt to adjourn. Motion carried unanimously. Meeting adjourned at 6:43 p.m.

Respectfully submitted,  
Michelle Marosszek, Clerk/Treasurer