

TOWN OF MENASHA
PLANNING COMMISSION MEETING
WEDNESDAY, MAY 16, 2007 at 5:00 PM
MUNICIPAL COMPLEX - 2000 MUNICIPAL DRIVE

CALL TO ORDER: Chairperson Bellmer called the Planning Commission Meeting of May 16, 2007 to order at 5:00 PM.

PRESENT: Chairperson: Alvin Bellmer
Commissioners: Dennis Jochman^(5:03) Aaron Sabel Kris Koeppe
Michelle Allness^(5:03) Michael Van Dyke
Staff: George Dearborn, Community Development Director
Mark Mommaerts, Associate Planner
Jeff Sturgell, Administrator

EXCUSED: Commissioner Terry Buck

ABSENT: None

ALSO PRESENT: Norb Pop Doma Pop Lee Akstulewicz
Nancy Akstulewicz Jeff Ogden Ken Bonkoski
Paul Auer Joe Nemecek Kate McQuillen
Chad Mroteck Max Ogden Todd Wunderlich
Brian

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES – April 18, 2007

The minutes of April were reviewed. Motion by Commissioner Van Dyke, seconded by Commissioner Sabel to approve the minutes of the April 18, 2007 meeting. Motion carried 4-0-3 (Commissioners Allness, Buck, Jochman).

The cost-benefit analysis was moved to other business for this meeting.

NEW ITEMS OF BUSINESS:

1. Sign – Green Bay Sign & Design – St. James Cocktail Lounge – 1975 Plaza Drive – 008-0233-06
Department of Community Development Director George Dearborn introduced the item.

MOTION: Chairperson Bellmer, seconded by Commissioner Van Dyke to approve the Sign with the following conditions:

- A permit shall be obtained for the Sign.

Motion carried 6-0-1 (Commissioner Buck).

2. B-5 Conditional Use Permit – Ogden Development – Fetch Play Center – East of 975 West American Drive – 008-0265-04

Department of Community Development Director George Dearborn introduced the item.

Chairperson Bellmer asked if the applicant was aware of the architectural requirements of the zoning district and the sidewalk requirements.

Director Dearborn replied that the development meets the architectural requirements.

Max Ogden, Ogden Development, spoke in favor of the project and introduced the client.

Brian ???, owner of Fetch! Play Center, stated that he vision is not boarding but to provide a place to socialize with dogs and have dogs socialize with other dogs in a dog park setting. They are proposing to hire staff to watch a set of dogs, approx. 15 dogs to 1 person, to keep dogs under control to reduce noise and provide safety. The proposal is to use the building placement to block noise. He also expected to have 20-25 dogs per day. He also stated that there would be two ways to access the outdoor play area, either through the facility with staff watching the dog, or an owner can watch the dog. In addition, they would screen the types of dogs allowed and they would have web cams and security watches.

Chairperson Bellmer asked if the applicant was aware of and satisfied with the conditions.

Brian stated that there were no problems with the conditions.

Commissioner Sabel asked how many dogs would be boarded.

Brian stated that there would be 32 stalls and about 50-60% capacity after 1 year.

Commissioner Allness asked about employees and about other facilities in the area.

Brian replied that the operational manager has experience and that other employees will have some sort of education or experience. He also stated that he and his wife are going to be certified.

Chad Mroteck, property owner of several duplexes on Highland Park Rd., had concerns over the noise, smell and affect on the property values of neighboring duplexes. He stated that it should be located in an industrial area and that this location is a high visibility area and there should be something with a better appearance. He wants the Plan Commission to reject the proposal.

Brian responded that there would be special containers for the waste and that the waste would be picked up immediately. He also stated that the facility will be disinfected daily and that it is in the best interest of the company to maintain a clean environment.

Kate McQuillan, Town Board Supervisor, asked about the daily activities, ie grooming, swimming, training and she also asked about boarding and whether there would be an employee sleeping overnight.

Brian stated that they will not have a groomer initially, but would transport a dog to the groomers and that they would offer training sporadically throughout the year. He stated that there would be an employee on-site until midnight and the first employee would arrive at 6:00am.

Paul Auer, of Highland Park Rd., asked if the proposal fits into the community. He stated that there is a difference between ambient noise and dog noise and that the hours of operation are too long. He also asked what happens with significant problems keep occurring.

Director Dearborn replied that the operation could be shut down if it cannot solve the noise issues.

Nancy Akstulewicz, of Highland Park Rd., stated that the neighborhood is quiet and that the facility should be in an industrial area.

Ken Bonkoski, owner of units on Golf Bridge Dr., stated that the facility in Marshfield is a half mile away and he can hear the barking.

Commissioner Jochman asked if there was another facility that is located in a residential area for comparison.

Brian replied that other communities have dog daycare's near other businesses and some are near residential areas. He also stated that there is a difference between a dog daycare and a kennel.

Chairperson Bellmer asked about the construction of the building.

Mr. Ogden replied that the building will be masonry on the lower portion and steel insulated on the rest.

Jeff Sturgell, Town Administrator, asked the applicant if he understands the conditions of approval and the risks involved.

Commissioner Van Dyke asked for clarification for the fence height stating that the memo has a 6' height and the plan show an 8' fence.

Director Dearborn responded that the applicant is open to suggestions for buffering and the increase fence height was mentioned.

Joe Nemecek, developer of adjacent subdivision, stated that the pitch of the dog barking is the problem and expressed concerns of the noise of a sick dog overnight when no staff members are present and that this is an attractive area and that there should be something more attractive than the proposal.

Chairperson Bellmer stated that this building could turn out to be attractive and that it is located in the high-end commercial zoning district.

Commissioner Van Dyke was excused at 6:07.

Commissioner Jochman expressed concern of the location and the proximity to residential areas and the noise.

Commissioner Allness stated that initially it seemed like a relatively reasonable location with the proximity to the highway and she thanked residents for coming to the meeting. She stated that the building could be soundproofed and they could explore alternatives for outdoor sound minimization. She said that the proposal could be a positive for the community, but that 6:00 am may be too early.

Mr. Ogden stated that they would be willing to construct a berm and that they relocated the building to try to shield the noise as much as possible.

Commissioner Jochman asked if there was a comparable facility in the area to view.

Brian stated that "Pooches & Mutts" and "Goldrusk" in Green Bay would be the most comparable.

MOTION: Chairperson Bellmer, seconded by Commissioner Allness to delay for 30 days the Town B-5 Conditional Use Permit so that staff and Plan Commission members can investigate other facilities and so the applicant can supply acoustical information for the building. Motion carried 5-0-2 (Commissioners Buck & Van Dyke).

3. Right-of-Way Vacation – Curtis Sattler – 1350 E. Shady Lane – 008-0172-05

Department of Community Development Director George Dearborn introduced the item.

Chairperson Bellmer asked if there is a building on the site.

Commissioner Jochman stated that it is an old slab. He also stated that the Town land has four access points and that the ideal would be to swap land.

MOTION: Commissioner Jochman, seconded by Commissioner Koepp to deny the Right-of-Way vacation request until further investigation on the park is completed.

Commissioner Allness asked if the Park Commission has a plan.

Director Dearborn stated that it is forth coming and this will not hold up the applicant on his plans.

Commissioner Jochman stated that it would be preferable to divide the property north/south.

Motion carried 5-0-2 (Commissioners Buck & Van Dyke).

4. County Zoning Text Amendment – Winnebago County Planning & Zoning Committee – Delete and Recreate Section 17.13(6), Adult Entertainment Overlay District

Department of Community Development Director George Dearborn introduced the item.

Commissioner Jochman asked how the establishment along Hwy 41 south of Neenah was approved.

Associate Planner Mommaerts replied that the property has to be zoned B-3 Highway Business District.

Director Dearborn expressed concern over reducing the setbacks and stated that County staff communicated that the reason for the change was to avoid future legal litigation. He also stated that requiring setbacks are appropriate as long as you don't prohibit them entirely.

MOTION: Chairperson Bellmer, seconded by Commissioner Sabel to approve the Text Amendments with the provision that the setbacks remain at 1500 and 2000 feet instead of 600 feet as there is no compelling justification provided to change the setbacks.

Motion Amendment: Commissioner Jochman to approve the Text Amendments with the provision that the setbacks be changed to 1000 feet.

Motion Amendment failed to get a second.

Original motion carried 4-1-2 (Commissioner Jochman voted nay, Commissioners Buck & Van Dyke excused).

5. Discussion Item – Land Use Plan Amendment – Winnebago County Planning & Zoning Committee

Department of Community Development Director George Dearborn introduced the item.

No action was required on this item.

6. Discussion Item – Jacobsen Creek Condominium Trail Location

Department of Community Development Director George Dearborn introduced the item.

Commissioner Koepple asked who found the violation.

Director Dearborn replied that the County did.

Commissioner Allness asked if they bought fill into the wetlands.

Director Dearborn stated that they graded the trail and covered it with wood chips.

No action was required on this item.

OLD ITEMS OF BUSINESS:

7. Certified Survey Map – Martenson & Eisele – JJ Plank Corp. – 728 Watermark Court – 008-0118-04

Department of Community Development Director George Dearborn introduced the item.

MOTION: Chairperson Bellmer, seconded by Commissioner Jochman to delay for 30-days the Certified Survey Map as requested by the applicant. Motion carried 5-0-2 (Commissioners Buck & Van Dyke).

OTHER BUSINESS:

- 8. Development Report – No report at this time.
- 9. Building Permit Report

COST BENEFIT ANALYSIS

The cost-benefit table for April shows that there is a positive cost-benefit for the month and the year due to the commercial, industrial and multi-family developments.

	<i>Cost or Benefit of New Development</i>			
	<i>April 2007</i>			
	<i>This Month</i>		<i>To Date</i>	
	<i>Value</i>	<i>Cost/Benefit</i>	<i>Value</i>	<i>Cost/Benefit</i>
One & Two Family Dwellings	\$1,515,000	(\$1,047.62)	\$2,615,000	(\$1,808.27)
Multiple Family Dwellings	\$784,000	\$2,752.86	\$784,000	\$2,752.86
Commercial/Industrial Development	\$0	\$0.00	\$3,100,000	\$10,885.03
Total	\$2,299,000	\$1,705.24	\$6,499,000	\$11,829.62

COMMUNICATIONS:

- 10. Letter from County Supervisor Eisen regarding the 10/41/441 Interchange.

ADJOURNMENT:

MOTION: Chairperson Bellmer, seconded by Commissioner Koepple to adjourn the meeting of May 16, 2007 at 7:30 PM. Motion carried 5-0-2 (Commissioners Buck & Van Dyke).

Mark J. Mommaerts
Recording Secretary