

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
May 18, 2021**

1. The meeting was called to order in the Harrison Municipal Building by Chairman Hietpas at 5:30pm.
2. The Pledge of Allegiance was recited.
3. Roll Call: Members present: Jim Lincoln, Pat Hennessey, Kevin Hietpas, Darlene Bartlein, Mark Van Hefty and Kent Gross. Dennis Reed was excused.

Staff Present: Mark Mommaerts, Planner; Kristy Van Hefty, Deputy Clerk – Treasurer; Vicki Tessen, Clerk-Treasurer.

4. Public Participation: None.
5. Motion (Van Hefty/Bartlein) to approve the minutes of April 20, 2021.
Motion carried 7-0.

6. Enter Public Hearing at 5:35pm.

- a. Conditional Use Permit – Atlas Development – County N.

Planner Mommaerts introduced the item stating that the applicant is requesting a Conditional Use Permit (CUP) in order to operate a mini-warehousing storage facility at N8972 County N, location ID 39160. The property is on the north side of Hwy 10 and east side of County Road N. This specific location is currently zoned Industrial and Manufacturing [IM], which was approved at the April 27, 2021 Village Board meeting. Mini warehousing is a conditional use in the IM zoning district. The applicant is proposing the mini-warehousing on Lot 2 of the Certified Survey Map, which was also approved at the April 27, 2021 Village Board meeting.

The applicant believes there will be several community benefits from these storage units. The Village is seeing exponential growth with several new subdivisions and new multi-family developments approaching 1,000-units, all coming available over the next few years. There is a growing need for additional storage for current households and the added home growth over the next few years will only increase this. Current covenants within many of these subdivisions are in place to protect aesthetics of the neighborhoods, but with the growth in our community there are no available options left within the Village for storage.

The applicant is proposing the mini-warehousing development to include the following:

1. A perimeter landscaping berm to include evergreens along the south and west side of proposed Lot 2.
2. Security lighting and video surveillance.
3. Two-tone all metal exteriors.
4. 24 hour self-storage availability with key code gate access.
5. Outside storage will not be permitted.
6. Sizes range from 11'x20', 11'x40', 11'x25', 11'x30', 11'x50' all with 10' wide and 8' tall overhead garage doors. They will also offer 14'x30' and 14'x60' with 12' wide and 14' tall doors to accommodate RV's and travel trailers.
7. Phase 1 will consist of the north half of Lot 2. Future buildings will be located on the south half of Lot 2 and based on the need to accommodate growth.

Mini-warehousing is a conditional use in the Industrial & Manufacturing [IM] zoning district. Recent statutory changes have made it clear that if an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the zoning ordinance or conditions imposed by the municipality, the municipality shall grant the conditional use permit. Such conditions must be reasonable and measurable and not based on personal preferences.

Basis for Approval: (from the Zoning Ordinance Section 117-319) Each item must be met in order to grant approval.

1. Zoning. The proposed use conforms to the underlying zoning district intent and design standards and is in harmony with the general purpose and intent of this chapter. Where there is an existing nonconforming structure, the design standards of the underlying zoning district may be waived by the Plan Commission and Village Board. Mini-warehousing storage facilities are a conditional use in the IM zoning district.
2. Plans. The proposed use conforms to the Comprehensive Plan and any other officially adopted plan. The proposed use of the property as an industrial use conforms to the Comprehensive Plan.
3. Traffic. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The main entrance is to be a new road, called Atlas Court, off of County Road N. It is anticipated that there will be minimal traffic entering/exiting the development on a daily basis.
4. Landscaping and screening. Appropriate landscaping and screening has been or will be provided to protect adjacent uses or properties from light, noise, and other visual impacts that are associated with the proposed use as established in article VI, Access, Parking, and Loading and article IX, Landscaping and Screening Standards. Landscaping may be required to meet buffering requirements. Landscape buffer berms around the property may be warranted. The applicant has stated that perimeter landscaping on the south and west sides will be utilized.
5. Neighborhood compatibility. The proposed use is compatible with the predominant or prevailing land use of the neighborhood surrounding the proposed development and whether the proposed use creates a nuisance due to noise, odor, or dust. The surrounding land uses are for future industrial or business development according to the Comprehensive Plan.
6. Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Sanitary sewer and water can be provided to the site in the future, although the mini-warehousing does not need these facilities. Stormwater management will be needed to service the development. A new road access permit will be needed from the Calumet County Highway Department.

The applicant has agreed to meet the 13 conditions recommended by Staff at a previous meeting, in addition, the letter from Dempsey Law states that the applicant agrees to the conditions.

There were no public comments on this item.

- b. Zoning Text Amendments –
Planner Mommaerts introduced the item stating should the Plan Commission recommend zoning text amendments to the Village Board.

In September 2020, the Village adopted an ordinance for regulating short term rentals. At the time, there were resident complaints about homes being rented and issues with the renters. After administering the ordinance for the past 6 months, staff wishes to repeal the existing ordinance and recreate with a new ordinance that better aligns with the provisions of State

Statute 66.1014, Limits on residential dwelling rental prohibited. Staff worked with the Village Attorney on the new ordinance. The major change between the existing ordinance and the new ordinance is that it has different provisions depending on if the dwelling is rented from 1-6 days or 6-29 days, which is specified in the State Statute.

There were no public comments on this item.

7. Close Public Hearing at 7:27pm.

With no further comments, Chairman Hietpas closed the Public Hearing and reconvened into Regular Meeting.

8. Items for Discussion and Possible Action

a. Conditional Use Permit by Atlas Development at N8972 County N.

1. Berms and landscape areas be provided along all sides of the development of proposed Lot (mini-warehousing development). The berm should be 5-feet in height with trees, evergreens, and other plantings that are 5-feet in height at the time of planting (not including root ball). Care should be taken to design the berm and plantings to provide approximately 75% opacity within 5-years.
2. Security lighting and video surveillance shall be provided. Any lighting shall be direct cutoff fixtures.
3. The entrance shall be gated with a visually pleasing material, either wood or vinyl material. The Plan Commission may approve an alternate material.
4. A new road shall be permitted by the Calumet County Highway Department for access to the development. A streetlight shall be installed at the developers expense at the intersection of County Road N and the new road, Atlas Court. Such streetlight shall be approved by the Village.
5. No outside storage of any vehicles, equipment, materials, or items shall be permitted.
6. The stormwater management plan approval shall be in accordance with the Harrison rules.
7. All exterior building materials shall adhere to the Village Zoning requirements.
8. All provisions of the zoning ordinance and all other Village ordinances shall be met.
9. Any comments or revisions from Village staff during the site plan review process shall be incorporated as conditions of approval.
10. All necessary permits shall be obtained prior to construction.
11. Proposed Lot 1 & Lot 3 shall be held for future business/commercial development other than mini warehousing.
12. All WDNR permits shall be granted, a copy of which submitted to the Village, for wetland impacts.
13. The developer shall acknowledge the conditions of approval and agree to abide by all conditions. Failure to abide by conditions may be cause for revocation of Conditional Use Permit.

Motion (Van Hefty/Lincoln) to approve Conditional Use Permit – Atlas Development – N8972 County N. with the 13 recommended conditions by staff as noted. With the addition including the water and sewer easement on the certified survey map (CSM).

Motion carried 7-0

b. Affidavit of Correction for Kent Gross, for Hidden Pines

Planner Mommaerts introduced the item stating that the Plan Commission recommend approval of an Affidavit of Correction for storm sewer easement partial release and wetland exemption purposes to the Village Board.

As part of the Hidden Pines subdivision plat, there is a 30-foot storm sewer easement on Lot 11. When the adjacent subdivision, Southtowne Place, was created the two subdivisions worked together to accommodate stormwater drainage. The easement width can be shared between the two subdivisions. This Affidavit of Correction will partially release the storm sewer easement on Lot 11 and partially release the drainage easements on lots 8-10 so that lots 8-11 have a 10-foot drainage easement. The Public Works Department does not have an issue with the easement reduction. The Affidavit of Correction will also note that wetlands on lots 3,4 & 11 are exempt per WDNR.

An Affidavit of Correction is proposed in order to eliminate a portion of the drainage and storm sewer easement and to identify wetland exemptions. Since the easement and wetland was part of the subdivision plat, any changes must be approved by the Village.

Motion (Lincoln/Hennessey) to approve Affidavit of Correction to Kent Gross for Hidden Pines as submitted.

Motion carried 6-0-1 (With Kent Gross Abstaining)

- c. Preliminary Plat of Jewel Box Estates - North of Midway Road, West of Lake Park Road
Planner Mommaerts introduced the item stating that the Plan Commission recommend approval of the Preliminary Plat of the Jewel Box Estates subdivision to the Village Board.

The applicant is proposing a 63-lot preliminary plat for a new subdivision called Jewel Box Estates. The subdivision is located north of Midway Road, west of Lake Park Road. The property is currently zoned Single Family Residential (Traditional) [RS-2] for lots 2-64. Lot 1 is currently zoned Multiple Family Residential [RM] and will be developed with townhomes. The subdivision is proposed to have roadway access to Lake Park Road via extension of Steamboat Lane from the City of Appleton on the west. A cul de sac road called Gemstone Court is proposed, along with 2 street connections to the north for future development. All roadways are proposed to be dedicated to the public. Lots are generally 8,775-9,500 square feet in area, the corner lots are generally 13,000 square feet. A few proposed lots at the end of the cul de sac are larger. Sewer and water will be extended through the subdivision and will be serviced by the City of Appleton via an intergovernmental agreement that was approved between Appleton and Harrison. Stormwater management will be accommodated in a stormwater pond located on Lot 1. It is unknown if the stormwater pond will be private or publicly maintained.

Staff would like to see a trail connection from the end of Gemstone Court to Midway Road for pedestrian access. Jim the Developer from Jewel and their Realtor said they prefer not putting a trail in because it reduces size of the lot and reduces privacy. The Board understood the concerns but stated the convenience of a trail for the rest of the court is worth the loss of revenue on one lot. The City of Appleton will require a watermain easement through this area as well. Future ownership of the pond should be determined. If the pond is to be deeded to the Village, then a deeded access must be provided.

Preliminary Plat for Jewel Box Estates with the following conditions:

1. All road right-of-way to be 66-feet in width.
2. Erosion Control Silt Fence shall be installed, in accordance with State Specifications, along the right-of-way line of all streets prior to roadway acceptance.
3. All lots shall have a storm sewer lateral provided for sump pump discharge.

4. Provide an 20-30 foot wide outlet for pedestrian access from Gemstone Court to Midway Road. This could be in combination with the watermain easement required by the City of Appleton.
5. All comments from the Village engineer and staff shall be included in the Plan Commission discussion and decision.
6. A note shall be added to the plat indicating access control to County AP/Midway Road and Lake Park Road.
7. A grading/drainage stormwater management plan and erosion control plan shall be reviewed and approved by the Village engineer and Village staff.
8. Final utility and street plans shall be reviewed and approved by the appropriate review authority prior to approval of the Final Plat and prior to utility and street construction.
9. All environmental corridors shall be clearly identified and setback lines to be indicated.
10. Grading/Drainage Plan shall identify elevations of ground at the foundation.
11. All road names shall be approved by the Appleton Post Office, the Village of Harrison, and Calumet County E911.
12. Sidewalks and laterals shall be indicated on the infrastructure plans.
13. There shall be notes to be added to the face of the final plat in accordance with Section 115-12(d)(1)(f).
14. The final plat and final grading/drainage plans shall include benchmarks for all fire hydrants. Benchmarks shall refer to hydrant tag bolts.
15. Plans shall be sent to the appropriate utility entities for review (ie phone, cable, gas/electric, sewer/water).
16. All easements shall be labeled with correct ownership and shall provide all benefits needed to the easement holder, including but not limited to access, maintenance, or other authority.

Motion (Van Hefty/Bartlein) to approve preliminary plat for Jewel Box Estates with the 16 recommended conditions by Staff and #4 being amended to specify 20 foot outlet.

Motion carried 7-0.

- d. Zoning Text Amendments Regulations of Tourist Rooming Houses in the Village of Harrison
The Commission discussed the Zoning Text Amendments presented by Planner Mommaerts during the Public Hearing.

Planner Mommaerts will enforce the Zoning Text Amendments.

Motion (Lincoln/Hennessey) to approve that the Plan Commission recommend Zoning Text Amendments regarding Village of Harrison Regulations of Tourist Rooming Houses to the Village Board as presented by staff.

Motion carried 7-0.

9. Items for Discussion

- a. Discussion Item – Luniak Meadows Subdivision – South of Schmidt Road, East of Cty N
Planner Mommaerts is stating that the applicant is proposing a concept plan for a development called Luniak Meadows on property located along County Road N south of Schmidt Road, location ID 39136 & 39138. The property is currently zoned General Agricultural [AG] and is identified as single-family residential in the Comprehensive Plan future land use map. The Village owns 26-acres to the south of these properties. The proposal is for a subdivision development with duplex/single-family attached units along County Road N. Access is proposed from Schmidt Road via the extension of Touchdown Drive to the south, as well as an access to the Village property on the south.

The applicant is seeking input from the Plan Commission on the proposal before additional design work is started. It is unknown if there are any wetlands on the property. If a subdivision is proposed, a rezoning to a single-family designation is appropriate. A stormwater pond is proposed as part of the concept plan.

Planner Mommaerts commented when asked if park land is needed, his thoughts are they do not want to many parks to close together and if the Village is doing something on Village property it should not be needed. It was mentioned the desire to have a trail that would connect to the County N Trail and a spot along the trail that a person could sit down and rest. It was also mentioned to have site ponds and to have the developer keep the woods as much as possible on lots 101 and 95.

- b. Discussion Item – Senior Housing Development – North of Manitowoc Road, East of Cty N. Teleconference comments from LM Consulting President and Founder Mary Renzaglia and Vice President Erin Doe regarding affordable housing for residents 50 and over. They would like to complete the project in phases over the next 2 to 3 years. This would also potentially include a clinic that would be available to everyone, not just residents. They would also be seeking some type of public assistance or funding from the Village.

The Developer of the single-family housing was in attendance to answer questions. The residential section would be zero lot line, zero entry, 2 bedroom, 2 car ranch homes. His preference is to start sooner than later, but lack of sewer and water access may delay the project. The Commission stated the concept, location; and access to Manitowoc Road are all good for the Village.

- c. Report Zoning Permits –
Zoning Permits have increased over last year with 29 to date, it is nearly double from 2020.

10. Set Next Meeting Date

- June 22, 2021 at 5:30pm

11. Adjourn

Motion (Bartlein/Van Hefty) to adjourn at 7:25pm
Motion carried 7-0.

Prepared by: Kristy Van Hefty, Deputy Clerk-Treasurer
Dated: May 19, 2021