

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
July 20, 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: Kent Gross, Pat Hennessey, Kevin Hietpas, Jim Lincoln, Dennis Reed, Mark Van Hefty. Darlene Bartlein excused.

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

4. Public Participation: None.
5. Motion (Lincoln/Van Hefty) to approve the minutes of June 22, 2021.
Motion carried 6-0.

6. Enter Public Hearing at 5:31pm.

- a. Conditional Use Permit – Fairways Lawn Care & Snow Removal, LLC – Amy Avenue
Planner Mommaerts introduced the item stating that the applicant, Fairways Lawn Care & Snow Removal, LLC, is seeking a Conditional Use Permit (CUP) in order to operate a trade and contractor business at property located along Amy Avenue east of State Park Road, Loc ID 33148. The property is currently zoned Office & Retail Commercial [COR]. Trade and contractor businesses are conditional uses within the COR zoning district. The property is 2.542-acres and is located along the north side of Amy Avenue east of State Park Road and abuts County Road KK. Access to the property will be from Amy Avenue. The property is adjacent to a stormwater management pond. Stormwater management can be address through a buy-in from the adjacent pond.

The applicant is proposing to construct a 5,100-square foot building to house their business for lawn care and snow removal. Expected hours of operation are Monday-Friday 7:00am-5:00pm and Saturday 7:00am-Noon. Typically, only 1 employee will be on-site, other employees will be on-site to load equipment and vehicles and then leave for work sites. Customer visits will be by appointment only. Outdoor storage of landscape materials (mulch & stone) is proposed. Screening and landscaping is proposed around the outdoor storage bins. Most vehicles and trailers will be stored inside. Some overnight parking of vehicles and trailers outdoors is proposed as well. Staff has some concerns about the overnight outdoor parking of vehicles and trailers.

The applicant is also planning a 3,500-square foot expansion area for the building to lease out in the future. As such, the north wall is proposed to be constructed and clad in a temporary state. Staff suggests granting a temporary waiver to the materials standards to allow for future expansion.

Staff would like to see some sort of time limit put on the temporary wall that is identified in the recommended action by staff. Staff feels that the proposed business meets the 6 criteria for basis of approval.

Cole Myhra Project Manager of Keller, Project Manager of Fairways Project. What we have is the Zoning Ordinance and masonry requirement along with the setbacks as required.

The question was asked can they run retail from this location Planner Mommaerts said that would not be a problem if they would decide to sell dirt, mulch, or stone etc.

Occasional overnight outdoor storage of vehicles would be allowed one or two nights a week but not Saturdays or Sundays this could happen if snowfalls at 2am staff may park their vehicle in the parking lot while they are plowing snow or if a customer would come pickup mulch, they could park outside and go inside. The inside of the building is built big enough to house all the vehicles and trailers.

The 3,500 square foot future expansion would have a time constraint on the temporary wall as far as construction and they would not put masonry on the temporary wall considering that wall would be taken down. They would use the same siding as the rest of the building on the temporary wall excluding any masonry being used on that wall.

Staff is asking that a five-year window of time would be put in place for the temporary wall to be completed or they could within a few months of the 5 years ask for an extension or just finish off the wall at that time.

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. Trade and contractor businesses are a conditional use within the COR 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 a commercial/business 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. Access to the property is from an existing road, Amy Avenue. It is anticipated that there will be minimal traffic entering/exiting the development on a daily basis as most of the business operations occur off site.
 4. Landscaping and screening. Appropriate landscaping and screening have 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. The applicant has indicated that landscaping will be utilized to buffer aspects of the business operations.
 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 commercial or business development. There will be minimal traffic for this business. Most business operations occur off-site so there will be minimal noise.
 6. Services. Adequate facilities, access roads, drainage and/or necessary services have been or will be provided. Sanitary sewer and water are provided to the site. Stormwater management is available. Roadway access is provided via Amy Avenue.
- Staff finds that the Conditional Use Permit request will comply with the Harrison Zoning Ordinance with the below conditions.
 - Property owners within 300-feet of the subject property have been notified via first-class mail.

Staff recommends approval of the Conditional Use Permit (CUP) request with the following conditions:

1. The north exterior wall shall meet the exterior materials design standards within 5-years of CUP approval. All other walls must meet the design standards for exterior materials as part of the building construction.
2. Berms and/or plantings to be provided around the north, east, and south sides of the landscape material storage bins. Plantings shall be at least as tall as the storage bin height. Care should be taken to design the berm and/or plantings to provide approximately 75% opacity within 5-years.
3. Hours of operation shall be Monday-Friday 7:00am-5:00pm and Saturday 7:00am-Noon. The Plan Commission may approve different hours of operation upon request and review.
4. No outside storage of any vehicles, equipment, materials, or items shall be permitted. Occasional overnight outdoor parking of 1-2 vehicles and trailers may be allowed, 1-2 nights a week but not Saturday or Sunday nights.
5. All exterior lighting shall be direct cut-off fixtures to reduce/eliminate any glare.
6. The stormwater management plan approval shall be in accordance with the Harrison requirements or buy-in to the regional stormwater pond shall be paid.
7. Any comments or revisions from Village staff during the site plan review process shall be incorporated as conditions of approval.
8. All provisions of the zoning ordinance and all other Village ordinances shall be met.
9. All necessary permits shall be obtained prior to construction.
10. 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.

No one spoke in opposition.

7. Close Public Hearing at 5:40pm.
With no further comments, Chairman Hietpas closed the Public Hearing and reconvened into Regular Meeting.
8. Items for Discussion and Possible Action Conditional Use Permit Fairways Lawn Care & Snow Removal, LLC – Amy Avenue.
 - a. Planner Mommaerts said nothing additional to add other than staff memo indicates staff is recommending approval with the 10 conditions and Planner Mommaerts put in a five-year time frame for the temporary wall. The other thing that should be talked about a little bit more is the intent of the staff parking a vehicle or trailer outside overnight. They included the overnight parking in the submittal because if staff comes back after hours and they don't have a key for the building they might have to park outside.

Conditional Use Permit will apply to the building itself it will also include any future addition as far as the use of the building if it meets the code requirements as far as use then they can do it. That is why the future building was included so it could be approved so any sort of use that falls under that zoning district now located in that building in the future will fall under that zoning district. So, if another trading contractor business relocated there they would need to fall under those same conditions. The applicant is aware of the 10 conditions and has no issues with them.

Motion (Van Hefty/Lincoln) to approve Conditional Use Permit Fairways Lawn Care & Snow Removal, LLC Amy Avenue. Including the 10 Conditions as printed and circulated within the five-year plan with the Village of Harrison that includes the five-year temporary wall.

Motion carried 6-0

b. Final Plat for Jewel Box Estates – Lexington Homes – Midway Road/County AP

Planner Mommaerts introduced the item stating the applicant is proposing a 65-lot final 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 2-65. 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 vary in size. 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 Outlot 1. It is expected that the stormwater pond will be deeded to the Village in the future. Outlot 2 is for a future trail connection from the end of Gemstone Court to Midway Road for pedestrian access. The City of Appleton will require a watermain easement through this area as well.

Since the final plat conforms substantially to the preliminary plat, staff recommends approval of the Final Plat for Jewel Box Estates with the following conditions:

1. All improvements, including but not limited to, utilities, curb & gutter, street paving, sidewalks, shall be installed prior to issuance of building permits or zoning permits, unless the Village Board approves a Subdivision Development Agreement to allow for improvements to be installed at a later date.
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. All comments from the Village engineer and staff shall be included in the Plan Commission discussion and decision.
5. A note shall be added to the plat indicating access control to County AP/Midway Road and Lake Park Road.
6. A grading/drainage stormwater management plan and erosion control plan shall be reviewed and approved by the Village engineer and Village staff.
7. 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.
8. Grading/Drainage Plan shall identify elevations of ground at the foundation.
9. All road names shall be approved by the Appleton Post Office, the Village of Harrison, and Calumet County E911.
10. The final plat and final grading/drainage plans shall include benchmarks for all fire hydrants. Benchmarks shall refer to hydrant tag bolts.
11. Plans shall be sent to the appropriate utility entities for review (ie phone, cable, gas/electric, sewer/water).
12. 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. The Utility Easement shall name the City of Appleton, Village of Harrison, and Harrison Utilities as a grantee

for water, sanitary, and storm sewer utility purposes. All water, sanitary, and storm sewer laterals are to be stubbed into all lots a minimum of 6-feet.

13. A street light shall be installed at the intersection of Steamboat Lane & Lake Park Road. Any proposed street lights shall be installed and upfront costs to be paid by the Developer.

Motion (Lincoln/Van Hefty) to approve Final Plat for Jewel Box Estates with the 13 conditions that staff has outlined in the staff memo.

Motion carried 5-1.

9. Items for Discussion

a. Report: Zoning Permits –

Twenty-five single family permits issued brings the year-to-date total up to 71 new single-family homes compared to 40 at this time last year.

10. Set Next Meeting Date

- August 24, 2021, at 5:30pm

11. Adjourn

Motion (Lincoln/Hennessey) to adjourn at 6:00pm

Motion carried 6-0.

Prepared by: Kristy Van Hefty, Deputy Clerk-Treasurer

Dated: July 21, 2021