

VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
MARCH 22, 2022

1. The meeting was called to order in the Harrison Municipal Building by Allison Blacker at 6:00 pm.
2. The Pledge of Allegiance was recited.
3. Roll Call: Members present: Dennis Reed, Jim Lincoln, Pat Hennessey, Allison Blackmer, Darlene Bartlein, Kent Gross, and Mark Van Hefty.

Staff Present: Matt Heiser Village Manager , Mark Mommaerts, Assistant Village Manager, Vicki Tessen Clerk-Treasurer and Meghan Winkler Deputy Clerk-Treasurer.

46 Residents

4. Public Participation: Larry Schmitz spoke about concerns about development on Northshore Road and Old Highway Road.
5. Motion (Hennessey/Bartlein) to approve the minutes from February 15, 2022.
Motion Carried 7-0.
6. Convene Meeting and Enter Public Hearing

Motion (Bartlein/Hennessey) to open Public Hearing

- a. Conditional Use Permit – Waverly Beach – N8770 Firelane 1

Public comment on this item

Mac Cisar, N8770 Firelane 1, spoke in support of Waverly Beach.
Bob Mach, 2260 Salscheider Ct, Green Bay, spoke in support of Waverly Beach
Lisa Szymanski, N8770 Firelane 1, spoke in support of Waverly Beach
Dorrie Houk, 6725 Firelane 2, spoke in opposition
Emily Tiekyn, 2712 Aquarius, Green Bay, spoke in support of Waverly Beach
Susan Anderson, W7263 Firelane 2, spoke in opposition
Jack Couillard, 1777 Brighton Beach Rd, spoke in opposition
James Beson, 1823 Brighton Beach Rd, spoke in opposition
Kim VanderHeyden, W6967 Firelane 3, spoke in support of Waverly Beach
Brenda Pyle, W6521 Brittany Dr, spoke in support of Waverly Beach
Rick Pyle, W6521 Brittany Dr, spoke in support of Waverly Beach
Maren Lang, 1783 Brighton Beach Rd, spoke in opposition
Donna Schultz, 1813 Brighton Beach Rd, spoke in opposition
Attorney Peter Culp on behalf of April and William Hershman, spoke in opposition
Bob Mayfield, W6589 Firelane 7, spoke in support of Waverly Beach
Andy Szymanski, N8770 Firelane 1, spoke in support of Waverly Beach
Olivia Koepke, Combined locks, spoke in support of Waverly Beach

- b. Zoning Map Amendment – Brian & Brooke Wruck – North Shore Road
No public comment

Motion (Gross/Van Hefty) to close public hearing
Motion Carried 7-0

- 7. Close Public Hearing and Reconvene Regular Meeting (7:26 pm)
- 8. Items for Discussion and Possible Action

- a. Conditional Use Permit – Waverly Beach – N8770 Firelane 1

The applicant is proposing to remodel and expand an existing restaurant and banquet facility known as Waverly Beach, located at N8770 Firelane 1, Location IDs 39870 & 39868. The property is currently zoned Community Commercial [CC]. The property has driveway access to Firelane 1 and is located on Lake Winnebago. Currently Waverly Beach operates as a banquet facility and restaurant with an outdoor patio “tiki bar” area under a conditional use permit issue by Calumet County Planning & Zoning on February 14, 2008. In 2010, the Village (Town of Harrison at the time) opted out of County zoning and created its own zoning code. At the time of adoption, all conditional use permits previously issued were considered to have been issued by Harrison with all conditions of approval.

The applicant wishes to expand the building and construct an outdoor wedding pavilion and make interior changes/remodel. This is considered a major change in the conditional use and must be reviewed and approved as if it was a new conditional use. As the expansion is considered a new conditional use, the provisions of the Harrison zoning ordinance will prevail. Within the CC zoning district, restaurants and banquet facilities are permitted uses. Staff has interpreted that the outdoor dining area (including the restaurant area when the overhead doors are open), outdoor patio “tiki bar”, outdoor wedding pavilion, and firepit areas are uses similar to an outdoor commercial recreational establishment which requires conditional use permit approval under Harrison zoning.

Issues related to outdoor use of sound amplifying devices are regulated by Harrison Municipal Code Division 28-IV, Outdoor Use of Sound Amplifying Devices. This process requires an applicant to make an application to the Village Board for use of outdoor speakers, microphones, and other sound amplifying devices. This process is separate from the Conditional Use Permit process. However, the Plan Commission and/or Village Board can place reasonable and measurable conditions regarding the use of sound amplifying devices as part of the Conditional Use Permit.

The zoning ordinance requires a public hearing be held for all Conditional Use Permits (CUP). The Plan Commission is to hold a public hearing within 45-days of an application being filed and make a recommendation to the Village Board to approve, approve with conditions, or deny the conditional use permit. This time period may be extended with approval from the applicant. Within 45-days of the Plan Commission decision, the Village Board shall act on the conditional use permit. In the case of this application, which was filed on March 1st, the Plan Commission must hold a public hearing and make a recommendation by April 14th.

Motion (Van Hefty/Bartlein) to Approve as printed and circulated including staff conditions
Motion carried 7-0

b. Certified Survey Map – Brian & Brooke Wruck – North Shore Road

The applicant is proposing to rezone 20-feet of property south of N8526 North Shore Road, Location ID 39532, from General Agricultural [AG] to Rural Residential [RR] to match the existing zoning on the property. The applicant proposed a Certified Survey Map (CSM) to expand the property an additional 20-feet.

Motion (Van Heft-Bartlein) to Approve as printed and circulated
Motion carried 7-0

c. Zoning Map Amendment – Brian & Brooke Wruck – North Shore Road

The applicant is proposing a 3-lot Certified Survey Map (CSM) for the property located along North Shore Road, Location IDs 39526 & 39532. The purpose of the CSM is to reconfigure the property to split the property into three lots, partially for existing home site expansion, partially for a new home site, and partially for future development purposes.

Lot 1 is proposed to be 0.8678-acres and will include an existing home. This CSM will add 20-feet to the south side of the existing home parcel (ID 39532). Lot 2 is proposed to be 6-acres and can be a new home site. Lot 3 is proposed to be 27.5-acres and is mainly existing farmland. It is anticipated that Lot 3 could be sold for future development purposes. The CSM also dedicates right-of-way (ROW) for North Shore Road.

Motion (Lincoln/Bartlein) to Approve as printed and circulated
Motion carried 7-0

d. Certified Survey Map – Kimberly Clark Corp. – Old Highway Road

The applicant is proposing a 2-lot Certified Survey Map (CSM) for the property located at W6149 Old Highway Road, Location IDs 39566 & 39652 & 39654. The purpose of the CSM is to reconfigure the property to split the property into two lots, for development purposes. Lot 1 is proposed to be 26.603-acres and will include the existing building and driveway intersecting Old Highway Road. Lot 2 is proposed to be 25.133-acres. It is anticipated that Lot 2 will be sold for future development purposes. The CSM also dedicates right-of-way (ROW) for Old Highway Road and Firelane 10. The CSM also references two separate easement instruments. One easement is 20-feet wide that crosses proposed Lot 2 from Firelane 10 to proposed Lot 1 for Utility purposes, which will be for sanitary sewer to the existing building. The second easement is approximately 90-feet wide for storm sewer & drainage purposes, which will be for storm sewer from proposed Lot 1 to extend south to lands south of the railroad tracks also owned by the applicant.

Motion (Hennessey/Lincoln) to Approve as printed and circulated
Motion carried 7-0

9. Items for Discussion

a. Resolution PC2022-01 Comprehensive Plan Amendment – Kip Golden – W5909, W5925, W5941 Old Highway Road

Application withdrawn – no action necessary

b. Zoning Map Amendment - Kip Golden – W5909, W5925, W5941 Old Highway Road

Application withdrawn – no action necessary

- c. Conditional Use Permit - Kip Golden – W5909, W5925, W5941 Old Highway Road
Application withdrawn – no action necessary

- d. Variance for Private Road Development – Tom Klister – Old Highway Road

The applicant is considering purchasing a portion of the Kimberly Clark Corp. property along Firelane 10 and south of the railroad tracks. The area is adjacent to Northshore Golf Club and sits east of Firelane 10. The applicant wishes to develop the property as a private single-family residential subdivision with approximately 10-16-lots on the portion south of the railroad tracks. The area north of the railroad tracks will be developed as a public residential subdivision.

The intent is to create a private residential development on the south side of the railroad. Private development, as in private streets. Utilities (sanitary sewer & water) would be public and serviced by Harrison Utilities. The subdivision ordinance states that the design of a subdivision, “new private streets shall not be permitted”. The process for a variance from the subdivision ordinance includes review by the Plan Commission and approval by the Village Board. At this point, this is just a discussion and preliminary review. Based on feedback and comments, the applicant will have to submit for a formal variance request at a later date.

The applicant is proposing private streets due to a provision in the railroad crossing of the existing private driveway that the private driveway remain private. The applicant is proposing secondary access for emergency vehicles.

There is public right-of-way (ROW) from Firelane 10 south of the railroad tracks to this property where a new public road could be built. The ROW is less than the standard 60-foot width so additional ROW may have to be acquired or the public road constructed within a substandard ROW width. If there were private roads within the subdivision, easements will be required for utility access and stormwater access.

Planning Commission would like to continue discussion with more information at a future meeting.

- e. Comprehensive Plan Amendment – Village of Harrison

At the February Village Board meeting, the Board unanimously passed the following motions related to the Comprehensive Plan and the Village Center Plan that is part of it. Below are the Village Board motions:

1. To refer the comprehensive plan back to the Plan Commission to update the plan and address eliminating the multifamily units.
2. To direct the Plan Commission to modify the Village Center conception plan by removing multifamily units.
3. To direct staff and the Plan Commission to work with the fire chief to determine a site plan for a future public safety building within the comprehensive plan.

The Plan Commission is asked to review the Comprehensive Plan and the Village Center concept plan to remove/eliminate multi-family housing as a use and to select a location for a future public safety building (sheriff/fire). The location could be on the property the Village owns on County Road N or it could be in another location. Staff has already been in contact with the Fire Chief about a location. The preferred location is along the County Road N corridor north of Highway 10. The further north the better as there may be opportunities with Buchanan Fire Department.

Staff would like to have a brief discussion on the process for amending the Comprehensive Plan, which includes the Village Center plan, as well as what options there are when amending.

Planning Commission has postponed this discussion to next meeting

- f. Report: Zoning Permits
Report is on file in the clerk's office.

- 10. Set Next Meeting Date
Tentatively April 19, 2022, at 6:00 pm
- 11. Adjourn: Motion (Bartlein/Gross) to Adjourn (7:47 pm)
Motion Carried 7-0

Prepared by: Meghan Winkler, Deputy Clerk-Treasurer
March 24, 2022