

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
MARCH 21, 2023**

- 1) The meeting was called to order in the Harrison Municipal Building by Allison Blackmer at 6:00 pm.
- 2) The Pledge of Allegiance was recited.
- 3) Roll Call: Members present: Allison Blackmer, Pat Hennessey, Jim Lincoln, Darlene Bartlein, Kent Gross, Mark Van Hefty and Dennis Reed
Members excused: None
Staff Present: Mark Mommaerts, Assistant Village Manager/Planner, Josh Sherman Assistant Planner, Meghan Winkler, Deputy Clerk/Treasurer
Public Present: 13
- 4) Public Participation: None
- 5) Minutes of February 21, 2023:
Motion (Bartlein/Lincoln) to approve the minutes of February 21, 2023 as printed and circulated. Motion carried 7-0
- 6) Convene Meeting and Enter Public Hearing:
Motion (Hennessey/Bartlein) to convene meeting and enter public hearing at 6:01pm. Motion carried 7-0.
 - a. Conditional Use Permit – Crossroad Development LLC – N9650 Hwy 55

Assistant Planner Josh Sherman received five (5) letters regarding the conditional use permit.
Ray Smith N9536 Highline Road – spoke in opposition
Peter Bebeau – N9574 Highline Road - spoke in opposition
Adam Whitcomb – N Hillcrest Dr, Buchanan - spoke in opposition
Curt Whitcomb – 1701 Kasper Dr, Appleton – spoke in opposition
 - b. Comprehensive Plan Amendment – Future Land Use Map – County N Corridor

Pat & Patty Hennessey N9661 County Road N, Appleton– email in opposition
Kate and Ross Laidlaw-N9692 Mary Drive – spoke and sent email in opposition
- 7) Close Public Hearing and Reconvene Regular Meeting:
Motion (Hennessey/Van Hefty) to close public hearing and reconvene regular meeting at 6:15pm. Motion carried 7-0.
- 8) Items for Discussion and Possible Action
 - a. Conditional Use Permit – Crossroad Development, LLC – N9650 Hwy 55

The applicant Crossroad Development is seeking a Conditional Use Permit (CUP) in order to screen topsoil, which includes shredding and pulverizing, at the property located at N9650 Hwy

55, Loc ID 40386. Loc ID 40378, which is abutting land along the NE corner of Hwy 55 and Highline Dr, would be used as a holding area for overflow materials.

The property is currently zoned Business Park (BP). Resource extraction is a conditional use under Article 117-131 of the zoning ordinance and shall include but is not limited to, the removal for sale or processing of topsoil, fill, sand, gravel, rock or any material. Processing may include crushing, washing, or refining. Storing or stockpiling of such materials on the site is permissible.

There are residential properties within 600 feet of Location IDs 40386 and 40378. There are concerns for dust and noise.

The applicant is proposing hours of operation as 7:00am to 5:00pm, Monday thru Friday. Erosion control will be established and maintained as needed with weekly site inspections and rain events. Equipment on premise would include a topsoil screening shredder, a loader, foreman trucks, a sweeper and skid steer as needed, and repair trucks as needed.

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.* Resource extraction is a conditional use under the Special Provisions article, which fits into the current zoning of Business Park.
2. *Plans. The proposed use conforms to the comprehensive plan and any other officially adopted plan.* The proposed use of the property for resource extraction use conforms to the Comprehensive Plan as a conditional use.
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, Hwy 55. 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.* The applicant has a proposed silt fence in the site plan.
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 are rural residential lots in the area. There will be minimal traffic for this business. Operations include the screening of topsoil.
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 Hwy 55.

Motion (Lincoln/Bartlein) to deny due to non-compliance within the last 5 years, inadequate dust control mechanisms, location, and concerns by neighbors previously exposed to the dust and what contaminants may be in the area.

Motion carried 7-0

b. Conditional Use Permit Modification – Dean Van Den Eng – W4920 Highline Road

In September 2019, the Village approved a Conditional Use Permit (CUP) for a multi-building, multi-tenant commercial development at W4954 Highline Road. As part of the CUP, the Village approved 14 conditions, one of which was to restrict the hours of operation for any business within the development to 7:00am-7:00pm Monday through Friday and 7:00am-3:00pm on Saturdays.

The applicant wishes to start a new business named Fox Valley Outlet, targeting a June 1 or July 1 occupancy date, selling brand new scratch and dent appliances (refrigerators, washers, dryers, etc.). The applicant wishes to lease 6,000-sq ft in a building covered under the September 2019 CUP. The applicant wishes to operate on the weekends with the following hours: Fridays & Saturdays 10:00am-6:00pm and Sundays 11:00am-5:00pm. The business would support 5-6 part-time employees. Based on a similar store model in Wausau, about 70 vehicles are projected to visit the store over the open three days. There is ample parking to support this traffic.

The Plan Commission was granted authority under the September 2019 CUP to approve alternate hours than those listed in the CUP, see condition #7. The applicant desires to know how the Plan Commission feels about the expansion of hours. The request is for 3 additional hours on Saturday evenings and 6 hours on Sundays.

Motion (Van Hefty/Hennessey) to approve Conditional Use Permit as printed and circulated with staff recommendations for business hours going forward.

Motion carried 7-0

c. Comprehensive Plan Amendment – County N corridor

At the January 31st Village Board meeting, the Board wanted the Plan Commission to review the corridor and provide recommendations on commercial development along the corridor and identify areas for future commercial development. As part of a Comprehensive Plan Amendment, the Plan Commission must hold a public hearing to obtain feedback from the public about potential changes to the Plan. Staff sent out a mailing to many property owners adjacent to the County N corridor, including properties around the Mary Drive area near the former Darboy Club property.

After hearing comments at the public hearing, the Plan Commission must determine if amendments will be made. If amendments are proposed, staff will create a map identifying the amendments and include the map in a resolution that must be approved by the Plan Commission. If amendments are proposed and a resolution is required, staff anticipates having a resolution available at the April 18th meeting.

No Action Taken

9) Items for Discussion

a. Trail Plan – Comprehensive Outdoor Recreation Plan (CORP).

At the February 28th Village Board meeting, the Board wanted the Plan Commission to review the Trail Map as part of the Comprehensive Outdoor Recreation Plan (CORP) to identify areas for future trails. The current trails map identify the major streets that re identified for future trails. Trails are typically used to connect regional points of interest, such as parks, schools, recreational areas, and commercial areas. Bike lanes, sidewalks, and trails work together to create a safe passage network for pedestrian and recreational users.

One issue to look at is how does the High Cliff Connector Trail (from Menasha to Sherwood) fit into this plan. Currently, there is a trail shown along the railroad from Firelane 12 to Pigeon Road in the Harrison CORP trail map. Is the best route along the railroad or should the plan identify the trail along Hwy 114?

The Village Board adopted an ordinance to require developments to include trails as part of new subdivisions (or provide a fee in lieu of trail construction) on streets identified in the trail map. The trail map should identify all the streets or areas that should have trails.

Plan Commission recommends the following:

1. *That if or when the Friendship Trail happens that the trail will go down 114 to Pigeon Road*
2. *To add future trailway on northside of Woodland Road from County N to future Eisenhower and then North down Noe Road from Woodland Road to Manitowoc Road.*

b. Report: Zoning Permits

The reports and permits are on file at Village Hall.

10) Set Next Meeting Date

- Tentatively April 18, 2023 at 6:00pm

11) Adjourn

Motion (Bartlein/Van Hefty) to adjourn at 7:10pm. Motion carried 7-0

Prepared by: Meghan Winkler, Deputy Clerk/Treasurer

Dated: 03/22/2023