

**VILLAGE OF HARRISON
PLAN COMMISSION MEETING MINUTES
APRIL 18, 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, Jim Lincoln, Darlene Bartlein, Mark Van Hefty and Pat Hennessey (in at 6:09 pm)
Members excused: Kent Gross, Dennis Reed
Staff Present: Josh Sherman Assistant Planner, Meghan Winkler, Deputy Clerk/Treasurer
Public Present: 27

4) Public Participation: None

5) Minutes of March 21, 2023:

Motion (Lincoln/Bartlein) to approve the minutes of March 21, 2023 as printed and circulated. Motion carried 4-0.

6) Convene Meeting and Enter Public Hearing:

Motion (Van Hefty/Lincoln) to convene meeting and enter public hearing at 6:01 pm. Motion carried 4-0.

a. Zoning Map Amendment – Atlas Development – Old Highway Road

Brad Hagens – N8623 Winding Trail – provided a letter and spoke in opposition
NorthShore Golf Club – N8421 N. Shore Road – provided a letter in opposition

b. Zoning Map Amendment – Cobble Creek – Creekview Road

No public speakers

7) Close Public Hearing and Reconvene Regular Meeting:

Motion (Van Hefty/Bartlein) to close public hearing and reconvene regular meeting at 6:07 pm. Motion carried 4-0.

8) Items for Discussion and Possible Action

a. Zoning Map Amendment – Atlas Development – Old Highway Road

The applicant is proposing to amend the zoning on property located along Old Highway Rd, Location IDs 42188, 45590, & 45592, by adding a Planned Development Overlay [PDO] over the existing zoning of Single-Family Residential (Suburban) [RS-1]. The purpose of the zoning amendment is to accommodate the Northshore Villas Condo Plat, a proposal that consists of ten stand-alone condo units.

The Planned Development Overlay District [PDO] is a supplemental zoning classification applied over the existing Single-Family Residential zoning to provide an opportunity to develop the land in a manner that is not a current permitted use under its existing zoning. The North Shore Woods subdivision, comprising residential lots, is directly south of this proposal.

The Comprehensive Plan and Future Land Use Map identifies these properties as ‘Single Family Residential (sewered)’. The proposed zoning amendment is consistent with the Comprehensive Plan. The Plan Commission was agreeable to this development during discussions from the January 24, 2023 Plan Commission meeting.

Motion (Van Hefty/Bartlein) to approve the Zoning Map Amendment to add a Planned Development Overlay (PDO) over the existing Single-Family Residential (RS-1) zoning as submitted.

Motion Carried 5-0

b. Condominium Plat – Atlas Development – Old Highway Road

The applicant is proposing a condo plat called Northshore Villas Condominium. The property is located on the southwest corner of Old Highway Road and Northshore Road. The property currently consists of three lots, Location IDs 42188, 45590 & 45592. The property has applied to add a Planned Development Overlay [PDO] over the current zoning of Single-Family Residential (Suburban) [RS-1].

The condo plat comprises ten stand-alone condo units. Each single-story unit averages around 1,500 square feet of living space. Each unit has its own driveway and utilities. Staff assumes the roadway will be a private road. The North Shore Woods subdivision, comprising residential lots, is directly south of this proposal.

The Plan Commission is asked to provide input on the proposed condo plat. Final review will occur at the May meeting.

Discussion item only. No Action Taken.

c. Zoning Map Amendment – Cobble Creek – Creekview Road

The applicant is proposing to rezone property located east of Creekview Road and north of the centerline of Konkapot Creek, from General Agricultural [AG] to Rural Residential [RR]. The purpose of the rezoning is to create three lots for single-family home sites. The Comprehensive Plan and Future Land Use Map identifies this property as ‘Single Family Residential (Transitional)’. The proposed rezoning is consistent with the Comprehensive Plan. The surrounding properties to the west of this area are zoned Rural Residential.

Motion (Van Hefty/Lincoln) to approve the Zoning Map Amendments from General Agricultural (AG) to Rural residential (RR) as submitted.

Motion carried 5-0.

d. Certified Survey Map – Cobble Creek – Creekview Road

The property owner is proposing a 3-lot Certified Survey Map (CSM) for the property located east of Creekview Road and north of the centerline of Konkapot Creek. The property has applied for rezoning to Rural Residential [RR] from General Agricultural [AG]. The purpose of the CSM is to create three lots for residential use.

Lot 1 is proposed to be 3.274 acres. Lot 2 is proposed to be 2.05 acres. Lot 3 is proposed to be 2.777 acres. The extension of Creekview Road running east will separate Lot 1 from Lots 2 and 3. There are established residential lots zoned Rural Residential to the west of the proposal and land zoned General Agricultural to the south and east.

Motion (Hennessey/Bartelin) to approve the Certified Survey Map (CSM) as submitted with the condition that a grading plan be developed for the three new lots.

Motion carried 5-0.

e. Conditional Use Permit – Crossroads Developments – N9650 Hwy 55

The Plan Commission recommended to deny this permit during the March 21st meeting. During the March 28th Village Board meeting, the applicant addressed the reasons for denial and provided additional information. Upon hearing this information, the Village Board sent the Conditional Use Permit request back to the Plan Commission for discussion and consideration. The additional information from Crossroads Development is enclosed. This information includes responses to the March 21st Plan Commission meeting, location of the past site (which is different than the proposed site), location of the proposed site area, and pictures of the site equipment.

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.

Cheryl Slater - Harrison Estate Property Manager – 120 units – spoke in opposition

Ray Smith - N9536 Highline Road – spoke in opposition

Adam Whitcomb 620 Arlington Street Appleton 54915 -spoke in opposition

Matt Gehl representing Crossroads Development N9650 Hwy 55 – answer questions/concerns

Motion (Van Hefty) to table until such time that the Village Attorney can sit with Village Staff and determine if there were permits taken or not.

Motion failed due to lack of second.

Motion (Van Hefty/Lincoln) to approve Conditional Use Permit request with the following conditions for a period of sixty (60) days:

1. All provisions of Section 117-131 of the zoning ordinance relating to resource extraction shall be met.
2. All Local, State, and Federal regulations shall be met.
3. No refining (pulverizing, shredding, ect.) shall occur during winds speeds greater than a Light Breeze as described by the National Weather Service. A Light Breeze is described as 4 to 7 mph.
4. Shredder/pulverizing operations to be at least 600-feet from Hwy 55 property lines.
5. The Conditional Use Permit shall be granted as temporary approval with an expiration date of July 26, 2023. The Village Board shall have the right to extend the conditional use permit at the July 25th meeting. Any extension shall cease all refining (pulverizing, shredding, ect.) on or before November 10, 2023.
6. Hours of operation shall be Monday-Friday 7:00am-5:00pm. No refining (pulverizing, shredding, ect.) shall occur on Saturdays or Sundays. The only activity to occur on Saturdays is for material to be hauled off site. The Plan Commission may approve different hours of operation upon request and review.
7. 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.

Roll Call vote:

President Blackmer – Nay Commissioner Van Hefty - Aye
 Commissioner Bartlein – Aye Commissioner Lincoln – Aye
 Commissioner Hennessey - Aye

Motion carried 4-1

- f. Update Village of Harrison Bicycle & Pedestrian Connections Map

At the March meeting, the Plan Commission asked staff to revise the trail map to include the following:

1. Trail on Woodland Road (from County N to future Eisenhower Drive). {Note, after reviewing the map, staff is recommending that the trail on Woodland Road extend from County N to Lake Park Road.}
2. Trail on future Noe Road (from Manitowoc Road to Woodland Road).
3. Trail on Hwy 114 (from County N/Firelane 12 to Pigeon Road) to be the recommended location instead of a trail along the railroad tracks (from North Shore Road to Pigeon Road). {Note, staff kept the route along the railroad tracks as a second option in case there was willingness from the property owners to sell or deed land for a trail.}

Attached to this memo is an updated draft of the Bicycle & Pedestrian Connections Map as part of the CORP that includes the three items listed above.

Information from March 21st Meeting:

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.

Motion(Lincoln/Bartlein) to approve the draft Bicycle & Pedestrian Connections Map (trail map) as part of the Comprehensive Outdoor Recreation Plan (CORP) as presented.

Motion carried 5-0

9) Items for Discussion

- a. Concept Plan for McKinley Paper Landfill Parking Lot & Building – Best Enterprises, LLC – W4385 Hwy 10

As a follow up to the Plan Commission meeting on January 24, 2023, there were many questions about the proposed project of a 100'x200' building and parking lot, the landfill property, and the owners. The Plan Commission asked staff to consult with the Village attorney to develop a list of questions in an attempt to provide clarity to the situation. Those questions and answers are enclosed.

In review of the concept plan, the applicant is proposing a building and parking lot as part of the land fill operations for McKinley Papers (formerly the Appleton Papers landfill). The site is located at W4385 Hwy 10. The Village has a yard waste site on the southwest corner of the landfill site. The property is currently zoned General Agricultural (AG). Landfills are a conditional use in the AG zoning district.

The applicant wishes to use a portion of the landfill site for a building and parking lot. The proposed building will be 100' x 200' with two loading docks and one overhead door. The proposed parking area will be 170' x 504' for 84 semi trailers. The parking area is proposed to be gravel. The parking lot and building are proposed to be enclosed in a chain link fence. Additional gravel around the building is proposed as well.

If the building and parking lot are to be used as part of the landfill operations, then a Conditional Use Permit will be required. If the building and parking lot are to be used as part of the McKinley Paper operations, then it would be considered a "Truck and Transit Terminal" which is only allowed in the Industrial & Manufacturing (IM) zoning district.

Dale Deno – W4236 Hwy 10 – spoke in opposition

Sarah Deno - N8650 Peters Road – spoke in opposition
John Corrigan – McKinely Papers – answered questions/concerns

No action taken.

b. Concept Plan for Sprangers & Baeten Land & Discuss Extension of Prosperity Drive

Property owners are asking for input from the Plan Commission on a proposed subdivision development on land along Highline Road, parcel 39012. The property is approximately 20-acres and is currently zoned General Agricultural [AG]. The Comprehensive Plan identifies this area as Single-Family Residential (transitional). The “transitional” designation is intended to limit development until public utility services (e.g. sanitary sewer & water) become available. Sanitary and water will be available from the west side of the property. The west side of the property abuts the State Park Court Regional Stormwater Pond, the south side abuts vacant/undeveloped property, and the north side abuts the rear of a commercial development.

The west side of the property is also reserved for the future extension of Prosperity Drive. Public sanitary sewer and water are intended to be extended along the Prosperity Drive right-of-way. Regional stormwater management facilities (e.g. storm sewer pipe) are also intended to be extended along Prosperity Drive. Prosperity Drive is officially mapped from County KK to Manitowoc Road (and ultimately to Hwy 10 and to Hwy 114).

The owner is seeking input that if a sale to developer occurs how the property could be developed? The proposal is for a residential subdivision with two roadways connecting the extension of Prosperity Drive to Highline Road. Lots 1-36 are proposed to be Two-Family (duplex) lots and Lots 37-46 are proposed to be Single-Family. The two-family lots are intended to be a buffer between the commercial development to the north and single-family development that will occur to the south. Sanitary and water would be extended from Prosperity Drive and follow the roadways. Storm sewer would also follow the road right-of-way and most likely utilize the regional stormwater pond.

The owners have some concerns about the costs of the land and roadway construction for Prosperity Drive as well as costs associated with storm sewer pipes for the regional stormwater pond. These concerns will be discussed with the Village Board.

Discussion item only. No action taken.

c. Concept Plan for Commercial Development for Village Owned Property – County N

At the February 28th meeting, the Village Board approved a motion to work with a commercial broker and engineering firm to develop a plan for the Village owned property on County Road N, located at the northeast corner of County Road N and Manitowoc Road. Staff has reached out to commercial brokers that submitted proposals in 2022 to update their proposals. Proposals are still being reviewed.

At the March 28th meeting, the Village Board approved a motion for an Agreement for Professional Services to survey, delineate, design, engineer, and bid improvements for a

commercial subdivision on the property. The agreement identifies creating 6-8 lots within the property and then as businesses come in the Village can further subdivide the property as needed.

Attached to this memo is a concept plan for the property. The Village owns approximately 40-acres on the northeast corner of County N/Manitowoc Road. This area was recently placed in Tax Incremental Financing District #5 (TID #5). The area is intended to be used commercially. The property is currently identified in the Comprehensive Plan as Commercial. The zoning is currently General Agricultural [AG] but could be rezoned by the Village at anytime to a commercial zoning district. [In February 2022 the Village Board directed staff and the Plan Commission to work with the Fire Chief to determine a site for a future public safety building. The Plan Commission discussed the location of possible future public safety building. The ideal location was within ¼ mile of County Road N near Manitowoc Road with approximately 4-6 acres.]

Sewer and water is adjacent to the property at the northeast corner. Sewer and water may also be available closer towards County N as part of the Luniak Meadows 2 subdivision plat. Access to the property can be obtained from Manitowoc Road and a new roadway access to County N is likely to get approved by the County. Stormwater management would have to be handled on site. Since there is a ridge through the property there is likely to be 2 ponds, there is a possibility that only 1 pond will be needed, staff is exploring this with the design engineer.

A concept plan was developed to determine how the property could be developed and split. The concept plan includes extending Touchdown Drive from the north (Luniak Meadows subdivision) to Manitowoc Road. Touchdown Drive is located along the east side of the property. The concept plan also creates a new east/west road from County N to Touchdown Drive. An internal loop road will allow for the property to be further split and developed with a roadway connection to the north into the proposed Luniak Meadows 2 subdivision. Sanitary sewer and water will follow the roadway layouts.

Does the Plan Commission have any comments on the proposed layout? Based on input from other Village personnel, there is concern that a “straight shot” Touchdown Drive road will lead to speeding and traffic issues in the area. The suggestion was to curve Touchdown Drive to the west before it connects with Manitowoc Road. (a rough drawing is included in the packet)

Discussion item only. No action taken. Plan Commission is comfortable with either layout.

d. Report: Zoning Permits

The reports and permits are on file at Village Hall.

10) Set Next Meeting Date

- Tentatively May 23, 2023 at 6:00pm

11) Adjourn

Motion (Bartlein/Lincoln) to adjourn at 8:01 pm. Motion carried 5-0.

Prepared by: Meghan Winkler, Deputy Clerk/Treasurer

Dated: 04/21/2023