

**Minutes of the Plan Commission Meeting
May 20, 2019 at 5:30 p.m.
Village Hall Board Room**

Call to Order Plan Commission Chairman Burt McIntyre called the meeting to order at 5:30 p.m.

Roll Call Present: Plan Commission members President Burt R. McIntyre, Randy Smith, Mike Berg, Mark Semrau, Mike Soletski, Ellery Gulbrand, Natasha Gwidt, Daniel Kussow (alternate)

Also (staff): Dave Wiese, Leigh Ann Wagner Kroening

The Commission recited the Pledge of Allegiance.

Approval of agenda E. Gulbrand moved to approve the agenda. M. Soletski seconded. **The motion carried unanimously.**

Action on 04/15/19 meeting minutes R. Smith moved to approve the minutes from the Plan Commission meeting on April 15, 2019. M. Berg seconded. **The motion carried unanimously.**

Public Hearing for Avis Car Rental D. Wiese discussed the request for conditional use approval to allow a car rental agency at 1760 Velp Ave. Sherry Rogers-Tierney, a representative for the business, came forward to explain the proposal. B. McIntyre opened the public hearing. Nobody spoke. B. McIntyre closed the public hearing.

Action on the request for conditional use to allow car rentals M. Soletski moved to approve the conditional use request for a rental car agency at 1760 Velp Ave., Parcel VH-548-1. E. Gulbrand seconded. **The motion carried unanimously.**

Public hearing for Keeping of live birds D. Wiese discussed the request from Todd and Garrett Garrity for conditional use approval for the keeping of live birds (ducks, pheasants, etc.) at 945 and 953 Riverview Drive, VH-346-1 and VH-345-1. Todd Garrity, the applicant, said the birds were part of his original conditional use application over 10 years ago. He said he also owns both parcels on which the cages are located. Kelly Naud, 945 Riverview Drive, presented the original conditional use application, which was a request only to keep two deer on the property.

B. McIntyre opened the public hearing. The following people spoke:

- Dan Tonnon, 961 Riverview Drive, said he has been aware of the birds on that property for over a decade. He said he's never had a problem with the birds, and he's "totally in favor" of the request to keep them.
- Mike Williquette, 953 Riverview Drive, said he sold the adjacent land, so the applicant could extend his pens. He said he still lives right in front of them, and he has never had any problems with them.
- Matt Bookter spoke on behalf of his parents, who reside at 957 Riverview Drive. He said their biggest concern is the flooding and additional water draining to the nearby properties since the applicant

started pumping the well he placed for the birds. He said the peacocks are also very noisy, and the applicant has asked them not to ride recreational vehicles on their own property because it disturbs the birds. He said his family wants to be able to use and enjoy their own property.

- Dan Marto, 981 Riverview Drive, said he agrees the peacocks are noisy, and the water is also a problem.
- Lonnie Bougie of Northwing Game Farm said he previously owned a game farm on Island Court. He said the water problems and flooding that are being experienced have nothing to do with the game farm but are a natural result of environmental changes and a higher water table.
- The applicant, Todd Garrity, responded that he never said his neighbors couldn't ride recreational vehicles on their properties, as his bird pens are far enough from the property lines to be impacted by any activity his neighbors do on their own land. He said the Bookters were cutting trees on his property, and that is what he asked them to stop doing. He also said the well is shut off right now and can be shut off any time the extra water is not needed.

B. McIntyre closed the public hearing. Code Enforcement Officer Monica Hoff came forward to explain that she became involved because the zoning for the property does not match the use. There is no record of any approval for birds, only for the keeping of two live deer as is shown on the paperwork that Ms. Naud presented. She said the birds seem healthy and well cared for, and the water issues were being addressed separately by the Public Works Department. The commission discussed.

**Action on the request
For conditional use to
Allow game birds**

M. Soletski moved to approve the conditional use request from Todd and Garrett Garrity for the keeping of live birds at 945 and 953 Riverview Drive, VH-346-1 and VH-345-1, with the following conditions:

1. Staff will review the DNR game farm permit for the property and work with the applicant to make sure they are complying with any requirements relating to animal waste and other discharge.
2. The conditional use is valid for a period of 10 years.

E. Gulbrand seconded. **The motion carried unanimously.**

**Public hearing for
Change to Sec. 50**

D. Wiese discussed the request to amend Sec. 50-529 Conditional Uses in the B-2 Highway Commercial Zoning District and Sec. 50-503 Conditional Uses in the B-1 Zoning District to allow for single-family homes by conditional use.

B. McIntyre opened the public hearing. Susan Tomchek, 2692 Lavender Lane, said she owns her parents' old home and has been trying to sell it for years. She finally found a family who wants to buy it, and the bank won't approve the financing due to zoning issues. She asked the commission to change the ordinance, so the sale can go through. Nobody else spoke. B. McIntyre closed the public hearing.

**Action to amend
Village Code Sec. 50**

M. Soletski moved to approve amending Sec. 50-529 and Sec. 50-503 to allow for single-family homes by conditional use. M. Berg seconded. **The motion carried unanimously.**

Site plan for Highway

Department fuel tank D. Wiese discussed the site plan for the Brown County Highway Department for a new fuel station at 2198 Glendale Ave., Parcel VH-293. Andy Danna of Ariens Associates came forward to explain the project in detail. R. Smith moved to approve the site plan for a new fuel station at 2198 Glendale Ave. N. Gwidt seconded. **The motion carried unanimously.**

Future Agenda

Items/Other

M. Soletski asked for discussion on a plan to move the Brown County Highway Department off its existing site on Glendale Avenue.

Adjournment

B. McIntyre moved to adjourn. E. Gulbrand seconded. **The motion carried unanimously, and the meeting was adjourned at 6:54 p.m.**

Respectfully submitted,

Leigh Ann Wagner Kroening
Administrative Assistant