

**PLAN COMMISSION MINUTES
5500 SCHOFIELD AVENUE
WESTON, WI 54476
MONDAY, SEPTEMBER 14, 2009 – 6:00 P.M.**

I. CALL TO ORDER

Village President, Fred Schuster called the meeting to order at 5:55 p.m. Members present were DPW Keith Donner, John Evans, Mary Hancock, and Dave Diesen. Trustee Mark Maloney and Mike Stenstrom were excused. Ex Officio member Dan Froelich was present; Tom and Jennifer Kislow were absent. Village Administrator Dean Zuleger, Community Development Director, Jennifer Higgins, Building Inspector, Scott Tatro, and Recording Secretary, Valerie Parker were present. There were 3 audience members present.

Since Donner would need to leave the meeting early, they discussed and took action on Agenda Items V. New Business – Item G then Item F. They then moved back up to the top of the agenda and finished the meeting in order of the remainder of the agenda.

II. VISITORS

None

III. PUBLIC HEARINGS – 6:00 P.M.

A. PUBLIC HEARING – TO CONSIDER AN ORDINANCE AMENDING SECTION 94.176(c) OF THE ZONING CODE RELATING TO PERMITTED ACCESSORY USES IN THE RR (RURAL RESIDENTIAL) ZONING DISTRICT

Schuster opened this hearing at 6:20 p.m.

1. OPEN HEARING AND SOLICIT PUBLIC COMMENT

Higgins stated this is almost the same language as what is written in the AG district. This will allow for composting of municipal yard waste in a RR district. She explained that the Village's "stump dump" site, where we have our yard waste site, was rezoned to RR, following a CSM, a few months ago. This adds a provision that allows us to compost out there, provided that Plan Commission approves the composting area and plan of operations (under V. New Business C. later on this agenda).

Zuleger stated this brings our operation up to current code and allows for us to use this area for composting. Zuleger suggested a technical amendment to the proposed language to read "(c) Permitted accessory uses are: (8) The composting/recycling of municipal yard wastes provided the plan commission first approves such composting area and plan of operations under article V of this chapter, attaching such conditions as the commission shall deem appropriate." He stated adding the word "recycling" will make us compliant on the State recycling regulations.

2. CLOSE HEARING

Schuster closed the hearing at 6:23 p.m.

3. DISCUSSION AND ACTION ON HEARING

Zuleger clarified that we should actually write it to read "The composting of municipal yard wastes and recycling of natural materials, provided the plan commission first approves..."

****M/S/P Diesen/Hancock: to approve the ordinance amending Section 94.176(c) of the zoning code relating to permitted accessory uses in the RR (Rural Residential) zoning district, with the additional verbiage suggested by Zuleger ("...municipal yard wastes and recycling of natural materials, provided...").***

IV. CONSIDERATION OF PLAN COMMISSION MINUTES**A. AUGUST 10, 2009 MEETING**

**M/S/P Diesen/Evans: to approve Plan Commission minutes of August 10, 2009.*

V. CONSENT AGENDA ITEMS**A. STAFF APPROVED SIGN PERMITS****B. STAFF APPROVED CERTIFIED SURVEY MAPS****C. CERTIFICATES OF OCCUPANCY ISSUED**

**M/S/P Diesen/Evans: to acknowledge the staff-approved sign permits, certified survey maps, and certificates of occupancy Issued by staff.*

V. NEW BUSINESS**A. CSIT-5-09-1073 FAÇADE APPROVAL FOR STORAGE UNIT BUILDINGS, 7903 SERVICE LANE SUITES 2-6 (ERICKSON)**

Higgins stated that per the original site plan approval, back in June, there was a contingency that they needed to add brick to north side (front) of the building. Evans questioned where they are at as far as screening. Higgins stated she has not received anything yet on that. Tatro stated that Erickson has taken out an early start permit for slab only. He has received State approvals. Higgins stated there will be one condo unit on this site and this will be his staging ground for the other requirement. Evans questioned if there is a fencing requirement along STH-29. Higgins stated that there is a landscaping plan that Plan Commission has previously approved. Evans is concerned if the storage goes in and not the condo units in front what it will look like, we should revisit this and make Erickson aware of additional costs he may incur.

Higgins questioned time frame we should give Erickson for other buildings. Evans suggested June 1, 2010 or would have to be approved.

**M/S/P Evans/Donner: to approve CSIT-5-09-1073 façade approval for storage unit buildings, 7903 Service Lane Suites 2-6 (Erickson); Plan Commission accepts the brick as presented, and contingent on Erickson needing the construction on the condos along STH-29 by June 1, 2010 or a screening/fencing/landscaping plan submitted and approved by Plan Commission.*

Donner excused himself from the Plan Commission meeting at 6:30 p.m.

B. ZONE-9-09-2120 – REQUEST FOR KENNEL LICENSE (LIC-9-09-1765) AND OPERATIONAL PLANS APPROVAL FOR NOAH’S BARK, INC., A PROPOSED DOGGY DAYCARE AND PET HOTEL TO BE LOCATED AT 7701 SCHOFIELD AVENUE (SCHNEIDER)

Candace Schneider, 2632 Emerson Street, Wausau, was present. She explained her plans to occupy 7701 Schofield Avenue (the former LandArt Garden Center) to open the areas only crate free/kennel free doggy daycare and pet hotel (called Noah’s Bark, Inc.). It will be open Monday – Friday. They can take up to 20 large breed dogs. Wednesdays will be reserved for the small dogs (“small fry” dogs), which could amount to up to 25-28 dogs (under 35 pounds and over 4 months of age). Her request for the kennel license is to allow boarding of those dogs that are already enrolled in the day care. She stated that they will not take any social issue dogs. Upon acceptance of temperament assessment/testing, they can be enrolled in this daycare. Through this daycare, the dogs will receive lots of exercise. The play equipment is AKC certified from a company in Florida. She stated it looks a lot like children’s play

equipment. The floor will be epoxy sealed, and the gym portion of the building will have rubber mats. The outdoors area will be fenced by Security Fencing (about 5,500 sq. ft. outdoor playground). There will be a splash pad outside also. Someone will be outside while the dogs are outside; they will never be left unattended. There will be a K-9 lounge and a "Nanny cam" to allow people to watch their pets. She does a lot of volunteering for humane society. There will be a studio-like apartment suite in the building for overnight workers; the dogs are never left alone while staying over night. Barking should not be an issue, as the dogs would not be unattended. Requirements are 10 dogs to 1 person/employee and 75 square feet of space per dog. They could have up to 18 – 20 large breed dogs. There would be up to two people working at this facility.

Higgins stated that the Humane Society contacted her (see attached e-mail) and stated that they do not see any problems and recommend approval, and that the Humane Society will come out and do periodic checks/inspections.

Schuster questioned the potential issue that staff had raised regarding the parking lot, whether we would require it to be defined and paved. Schneider stated the main doors will face the west. She is leasing the property, and the owner would do some additional grading. She stated that the owner would be maintaining all plowing prior to 7:00 a.m., and access will remain open to storage units. Plan Commission agreed that we would not require the tenant to upgrade the parking lot. It was clarified that this issue is different from the Fish Tank parking lot issue, because Fish Tank is operated by the owners, and Noah's Bark will be operated by the tenant.

****M/S/P Hancock/Diesen: to approve ZONE-9-09-2120 – Request for Kennel License (LIC-9-09-1765) and operational plans for approval for Noah's Park, Inc., a proposed doggy daycare and pet hotel to be located at 7701 Schofield Avenue (Schneider).***

C. CSIT-9-09-1092 VILLAGE OF WESTON MUNICIPAL CENTER YARD WASTE SITE AND OPERATIONAL PLANS – 8200 RYAN STREET

Zuleger pointed out that the members are looking at a CSM of the Village's current material handling facility, located on Ryan Street. Lots 2 & 3 the Village currently uses for our sand, black dirt, red granite, recycled breaker run, recycled asphalt, etc. Lot 3 is where we do our composting of Village yard waste. We are going to either lease or sell Lot 1 to a commercial composter and recycler, Tito Inc. They have been doing our yard waste grinding for years. They were displaced from their site in Schofield where the current RC Pavers site is. He pointed out on the north side of Lot 2 there is a 50' ingress-egress easement area. We want to move our yard waste, from behind our Municipal Center, to the northwest corner of Lot 2. We would fence off our material handling facility, people could enter at all hours to this site. This will give residents a lot of room to drop off their yard waste. He stated that then Tito would take the yard waste/brush that is hauled in to Lot 2, and Tito would chip it and deliver it to the yard compost site on Lot 3. This will cut our man hours and mileage on trucks. There will be a wooded screen around lot 1, so it would not be seen. The only downside is residents will have to travel farther. The Village's insurance company wants us to move the yard waste site from the Municipal Center property, due to a few accidents that have occurred between Village trucks and private vehicles. We are looking at selling Lot 1 to Tito at about \$4,000/4,200/acre.

****M/S/P Evans/Diesen: to approve CSIT-9-09-1092 Village of Weston Municipal Center Yard Waste Site and Operational Plans – 8200 Ryan Street.***

D. CSIT-9-09-1093 VILLAGE OF WESTON MUNICIPAL CENTER SITE AND OPERATIONAL PLANS – 8200 RYAN STREET

Tatro stated the landscaping will be done by the Village Park Department next spring. Screening will be along the front of the property along Schofield Avenue. There will be additional screening by Farmer's Market Park area on Jamar Street. Parking lot entrance is moving to the west. Moving the entrance will give us better flow in the parking lot and a straight shot in for dump trucks. All parking will be along Schofield Avenue - no parking will be in front of the building. A 5-foot wide sidewalk will extend along the front of the building.

Diesen questioned what about the compost area, since it is being relocated? Zuleger stated that we may be looking at getting another building to be placed in that area for the remainder of equipment that currently sits out in the elements. There will be 3 light poles added out front.

****M/S/P Diesen/Evans: to approve CSIT-9-09-1093 Village of Weston Municipal Center Site and Operational Plans – 8200 Ryan Street.***

E. MUFS-9-09-1094 8-UNIT APARTMENT BUILDING SITE PLAN – 5902 DELIKOWSKI STREET (HOMETOWN LIVING)

Higgins stated this is a Planned Unit Development. This 8-unit building will be located between the 2 6-plexes. Original approval was in 2005. This is still part of the original plan. Contingencies will include a revised landscaping plan, right of way landscaping, lighting plan and specs, and a dumpster enclosure and plans.

****M/S/P Evans/Diesen: to approve MUFS-9-09-1094 8-Unit Apartment Building site plan – 5902 Delikowski Street (Hometown Living), contingent on staff receiving a revised landscape plan that meets screening and R.O.W. landscaping requirements; submittal of a lighting plan and lighting fixture specs; and the addition of dumpster enclosures to the plan, including a detail drawing of the proposed enclosures.***

F. SUB-9-09-1091 EXTRATERRITORIAL PLAT REVIEW – PRELIMINARY COUNTY PLAT OF WOOD HAVEN, RIVERVIEW LANE, TOWN OF WESTON (LETARSKI/RIVERSIDE LAND SURVEYING/MTS)

Brian Letarski, 6413 Red Oak Court, Nathan Wincentsen, Riverside Land Surveying, 6304 Kelly Place, and Chris Steinagel, Letarski's Business Partner, 5904 Alex Street, Weston, were present in support.

Higgins explained that the way the preliminary plat works is we place all the conditions on it now, and they work on those conditions toward the final plat. Anything that we place a contingency on here needs to be taken care of before final plat approval. Higgins pointed out that the only issue from the provisional zoning approval, that she is aware of, that has been taken care of is the cul-de-sac issue. They have made the provisions on this plat for the cul-de-sac. Higgins stated they are waiting for the approval from the fire department, before obtaining the other required permits. All other items will be listed as contingencies. She stated that the Town of Weston still needs to review this and place their own contingencies. Parkland dedication fees will be required for the Town.

Wincentsen stated that with regard to the rezone in May, 2009 (with ETZ Committee), this was set up to be a private road and they want to keep the road to a smaller scale. The reason for private road is due to wetlands. Soil tests show all lots perk for mound system. They had the DNR out there on site, and the wetland area was not deemed navigable. There is one crossing out back. The main thing was to keep this private and secluded. They will be meeting with Fire Chief Meilahn to discuss any issues as far as fire and EMS. There will be a

parking/stacking lane available to allow the oncoming vehicle to come through on the narrow section of the roadway, where the road crosses the wetland. The culvert there is 15 feet wide. The road will have two lanes except for that small area. Traffic coming out of the plat has the right-of-way. There will only be four residences in this plat, so traffic will be minimal. Cul-de-sac will be large enough for turning ability of fire trucks.

Donner clarified that they will get approval from the fire department first. Higgins stated that was a requirement of the provisional rezone that was given on this. Higgins stated that the issue Chief Meilahn had was the road possibly not being wide enough. The regulations stated that the road needs to be not less than 20 feet. Higgins stated that all permits will hinge on this road.

Zuleger stated if we are looking for quality, Letarski is known for high quality building standards. He has dealt with Letarski in past, and he has been top notch.

Wincentzen commented that they would like to know if the 20 foot wide road requirement includes the shoulders or not. He would like clarification on that.

****M/S/P Evans/Diesen: to approve SUB-9-09-1091 Extraterritorial Plat Review – Preliminary County Plat of Wood Haven, Riverview Lane, Town of Weston (Letarski/Riverside Land Surveying/MTS, contingent on all necessary approvals received from the Army Corp of Engineers, Marathon County, WIDNR, and Weston Fire Department; the private road must be built to Village standards and be wide enough to allow for two fire truck tankers to pass each other on the private road and the road must also be able to handle the weight of the heaviest/largest piece of public safety equipment the Village has and the private road cul-de-sac must be wide enough to allow the largest piece of public safety equipment to turn around safely; plans for the private road (standard width, blacktop width, ditches, cross section of road, reasonable house setbacks on the private road); the existing cul-de-sac at the end of Riverview Lane right-of-way be deeded to the Town of Weston by the owner; and the covenants or Homeowners Association documents explaining road maintenance, deed restrictions, covenants, plowing, snow storage, and easement for the private road and outlot be submitted to the Town for review and approval. Q: Higgins stated that the Town will, per State Statutes, require parkland dedication fees collected. Donner voted – nay, on the basis that Plan Commission is being inconsistent their way of approving a private street in a development here, and that we are setting precedence. Diesen, Hancock, and Evans voted – aye. Motion Passed.***

G. REQUEST FOR MODIFICATIONS TO APPROVED RESOLUTION #VW-07-08 RESOLUTION TO APPROVE RCSM-5-08-1004 HIGGINBOTHAM/REEDY 5907 SHOREY AVENUE (CARISBROOKE DRIVE)

Donner stated this is to do with Reedy's proposed development on CSM out on Shorey Avenue; that Reedy met with Donner on September 4th to talk to Donner about his predicament, and asked Donner whether or not he could do something different than what had been approved by the Plan Commission, back in June 2008. Donner mentioned the information that Higgins had put together for Reedy, following the Plan Commission recommendation along with the Village Boards adoption of the resolution. Donner stated that Plan Commission had ultimately approved a 4-lot CSM, that is backing way up from what was originally proposed to be the Carisbrooke Subdivision back in 2004. Higgins stated Reedy's had gone through all the steps up to final plat approval. Donner stated that now the latest layout shows an existing house on Lot 2 and the CSM that was approved. The action/resolution adopted required Reedy to execute a development agreement with suitable

security to ensure completion of the road as a public street, also that there be deed restrictions/covenants to limit the lot sizes to 2 acres minimum (this was with respect to the Village's concerns of sewer and water requirements out there), they needed to also take care of parkland dedication fees. Donner stated that Reedy has been having cash flow difficulties. He then explained that when Reedy came in to meet with him on Sept. 4th, he asked whether or not there was anything else the Village could do to make this less of an imposition on him, in terms of creating this public street. Donner stated that Reedy has never been able to come up with the security or been able to build the roads with his own resources for this development at this point. Reedy was proposing that the Village allow him to sell the lots and then put some kind of stipulation on the sales that would commit the buyers to their part of the public street (which Donner personally does not feel this would be a good option for the Village). Donner stated that as he previously commented to Higgins, from a policy standpoint, we would not want to do anything such as this. However, with respect to the Plan Commission's desire or their interest in maybe helping or doing something a bit out of the ordinary to give Reedy some options in terms of giving him some cash flow. We could possibly consider allowing this road to be declared a private street and then if there was a desire to make this a public street later, they would need to meet requirements that this road be built to standards and be built at 100% the adjacent property owner's cost, and not by the Village.

Evans feels if we let him go private, then there will be a lot of other developers stopping in for the same request. Diesen agrees and feels it would cause hardship for future Plan Commission members. Hancock agrees with both Evans and Diesen. Diesen stated to let Reedy know that the feelings of the Plan Commission is to leave things as they are. No action to be taken.

VI. FUTURE MEETING TOPICS

A. REQUEST FOR VILLAGE COMMENT ON THE VILLAGE OF KRONENWETTER DRAFT COMPREHENSIVE PLAN

It was explained that this is an update of Kronenwetter's current plan done by SEH.

Evans questioned what is going on with the landscaping at Yaeger Auto Salvage? Zuleger stated that he has a meeting with them set for next week on the planting of the berm and on the height of scrap piles. Zuleger stated there may be a fine issued on the height of scrap piles, if meeting does not go well.

Diesen questioned the timing on the new stump dump. Zuleger stated, with the current work load, probably not until next spring.

VII. ADJOURN

**M/S/P Evans/Diesen: to adjourn at 6:58 p.m.*

Respectfully submitted,

Valerie R. Parker,
Recording Secretary

Jennifer Higgins

From: Mary Kirlin [mary@catsndogs.org]
Sent: Friday, September 11, 2009 3:41 PM
To: Jennifer Higgins
Subject: Fw: Proposed Kennel License for new business - Noah's Bark - 7701 Schofield Avenue
Attachments: LIC-9-09-1765 Kennel License Noah's Bark.pdf; 10Animals.pdf

Jennifer-

I had the opportunity to discuss Ms. Schneider's plans, the premises itself, and her compliance requirements with her. She appears to have a well planned operation and is very agreeable with active participation from any of us to comply to the fullest. It appears she is bringing a unique business to Weston and has a good handle on what she needs to do with it. I would approve her kennel license. If I can be of any further assistance with this project please do not hesitate to email or call.

Best Regards,

Mary Kirlin
Executive Director
HSMC, Inc.
mary@catsndogs.org
715-845-1600

----- Original Message -----

From: Jennifer Higgins
To: info@catsndogs.org
Sent: Friday, September 04, 2009 11:29 AM
Subject: Proposed Kennel License for new business - Noah's Bark - 7701 Schofield Avenue

Hi Heather,
The Village of Weston has received an application for a kennel license and per our animal ordinance (attached), the Humane Society has to approve the license. This is for a new business that will take place in the old Land Art building next to Callon Kwik Mart on Schofield Avenue. Because it is a new business you will probably need to call Candace and talk to her directly about her plans for the business. I have attached the application for license...which I am still waiting to get a signed one back from her...we didn't have it ready when she was here and I sent it to her via email earlier this week...along with her request for zoning occupancy which outlines a bit of what she wants to do. She is looking at opening a doggy daycare and a pet hotel so she will be boarding animals which requires the kennel license. She is in a commercial district so she is ok for zoning. This license will be going to the Plan Commission on 9/14 and the Board 9/21 for consideration. I would appreciate it if you or someone at the Humane Society could take a look at it and let us know your thoughts on it sometime next week. I will be writing my report for the meeting on Wednesday so if you could let me know your thoughts by then I would appreciate it otherwise I will just wait and tell the PC at the meeting on the 14th.
Please call with any questions or concerns.
Thanks much!
Jen

Jen Higgins
Community Development Director/Zoning Administrator
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