

**PLANNING COMMISSION MINUTES
5500 SCHOFIELD AVENUE
WESTON, WI 54476
MONDAY, FEBRUARY 12, 2007 - 6:00 P.M.**

I. CALL TO ORDER

Village President Vilas Machmueller called the meeting to order at 6:00 p.m. Members present were DPW Keith Donner, Mark Strobel, George Oberlander, and Steve Meinel. Mary Hancock, Kim Fischer, and Community Development Director, Jennifer Higgins were excused. Trustee Dave Diesen was present. Village Administrator, Dean Zuleger, and Recording Secretary, Valerie Parker were present. About two audience members were also present.

Machmueller read the notice and opened the hearing.

A. OPEN HEARING – (CU2007-002) KEITH DONNER, VILLAGE OF WESTON, REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A PUBLIC WATER SUPPLY WELL AND WELL HOUSE IN R1 DISTRICT: 5901 RIPPLING CREEK DRIVE (LOTS 349 & 350 OF SANDY MEADOW NORTH 3RD ADDITION)

Ken Ligman, representing Becher-Hoppe Associates, 330 North 4th Street, Wausau, was present in support. Keith Donner, representing Village of Weston, recused himself from the Planning Commission and spoke as an audience member in support of this conditional use permit request.

Donner stated the address for this well house is 5901 Rippling Creek Drive (although there are two separate lots here), this will become a single lot by way of CSM in the near future. Donner discussed his memo (attached), dated January 26, 2007, which outlines the background on the necessity of this well. He commented that we have been working very closely with the developer on this. Donner pointed out that well sites are not easy to come by, that you can't just locate a well anywhere. Donner stated the main thing we had to work out was having this meet the restrictive covenants of this subdivision. This well site will have the architectural appearance of a ranch-style, single-family home and has been approved by the developer. There are arrangements for a permanent standby generator, for which we have agreed to a noise standard. Decorative screening fencing will be placed around this site. We are working out a landscape plan with a local landscaped architect yet. Donner stated that concerns or questions that we anticipated from residents were concerns of a possible water tower being constructed, noise issues (during odd hours), and concerns of poor appearance of the well house. Donner clarified that there will not be a water tower located at this site (as it is too small of a site), that there will not be any issues with noise or appearance. There will be chemical deliveries and personnel checking the well during the week, during the daytime only (no weekends or holidays).

No one spoke in opposition.

**II. CONSIDERATION OF PLANNING COMMISSION MINUTES
JANUARY 8, 2007 MINUTES**

**M/S/P Meinel/Oberlander: to approve the Planning Commission Minutes of January 8, 2007.*

**III. VISITORS
A. NONE**

**IV. RESIDENTIAL BUSINESS/HOME OCCUPATION PERMITS
A. TIMOTHY TOME RESIDENTIAL BUSINESS PERMIT – TNT DRYWALL, LLC: 3802 POWERS STREET**

Zuleger explained that Timothy Tome runs TNT Drywall, LLC, and we have received some complaints on the way Tome has been storing some equipment at this home on Powers Street. Zuleger commented that he and Renee Hodell have talked with Tome and Tome has agreed to take his equipment to another remote location that he has. Basically, Tome is asking for a home office, and Zuleger & Hodell have worked out the details with him, and are satisfied.

**M/S/P Meinel/Oberlander: to approve the Residential Business Permit for Timothy Tome – TNT Drywall, LLC: 3802 Powers Street.*

Zuleger recommended that the Planning Commission skip the Site Plan Review until after action has been taken on the Conditional Use Permit Request.

V. SITE PLAN REVIEW

A. VILLAGE OF WESTON/BECHER-HOPPE ASSOCIATES – PUBLIC WATER SUPPLY WELL & WELL HOUSE: 5901 RIPPLING CREEK DRIVE

Donner re-stated that this site is still currently two platted lots and a CSM is being prepared by Becher-Hoppe to combine them into one lot. Architectural approval has been obtained from the developer. A landscaping plan has yet to be prepared, and if the Planning Commission desires, the landscaping plan can be brought back at a future meeting for Planning Commission approval or it can be reviewed and approved by staff.

**M/S/P Meinel/Oberlander: to approve the site plan for Village of Weston/Becher-Hoppe Associates – Public Water Supply Well & Well House: 5901 Rippling Creek Drive, subject to staff approval of the landscaping plans.*

VI. CLOSE HEARING

A. CLOSE HEARING – (CU2007-002) KEITH DONNER, VILLAGE OF WESTON, REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A PUBLIC WATER SUPPLY WELL AND WELL HOUSE IN R1 DISTRICT: 5901 RIPPLING CREEK DRIVE (LOTS 349 & 350 OF SANDY MEADOW NORTH 3RD ADDITION)

Machmueller closed the hearing at 6:12 p.m.

VII. NEW BUSINESS

A. DISCUSSION AND ACTION ON HEARING – (CU2007-002) KEITH DONNER, VILLAGE OF WESTON, REQUESTING A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A PUBLIC WATER SUPPLY WELL AND WELL HOUSE IN R1 DISTRICT: 5901 RIPPLING CREEK DRIVE (LOTS 349 & 350 OF SANDY MEADOW NORTH 3RD ADDITION)

**M/S/P Meinel/Oberlander: to approve the Conditional Use Permit (CU2007-002) for Keith Donner, Village of Weston, to construct and operate a public water supply well and well house in R1 District: 5901 Rippling Creek Drive (Lots 349 & 350 of Sandy Meadow North 3rd Addition).*

The members then went back to the Site Plan Review.

B. DISCUSSION AND ACTION ON FRITZ SCHIERL, CITGO GAS STATION, DIGITAL GAS PRICE DISPLAY: 4005 WESTVIEW BOULEVARD

Zuleger discussed a letter (attached) he received today via fax from Fritz Schierl. The letter gave two main reasons for their request to be able to leave the new gas price display sign up. The first reason was due to Citgo's corporate color being red, and the color can not be changed by a sign company, once manufactured. The second reason is due to workers' compensation issues, where employees have been injured while changing out the prices on the previous sign. Zuleger said Everest Metro Police Department has looked at the sign and stated that they see no issues with the red colored digital gas prices.

Oberlander does not see this to be an issue and feels the digital gas price sign looks cleaner. Strobel has no issues. Meinel feels that we have been making a lot of exceptions to the rules on our sign ordinance. Zuleger stated that what we originally wanted to do was to avoid the rolling and the flashing message board signs. If we are going to allow this sign to stay in place, we need to change Section 94.157(b)(5)(d) to call out the static pricing signs, where the price changes but only in a 24-hour period. So, we need to amend the ordinance to call out that this section does not pertain to gasoline price signs. There was then some discussion on other digital signs in the Village.

**M/S/P Meinel/Strobel: to accept the new digital gas price display sign for Fritz Schierl, Citgo Gas Station: 4005 Westview Boulevard. <<Staff will re-draft sign ordinance to reflect this discussion.>>*

- C. STAFF APPROVED CSM'S – NONE
- D. STAFF APPROVED SIGNS PERMITS – #SP2007-001 & SP2007-002

**M/S/P Meinel/Oberlander: to acknowledge by consent the staff-approved sign permits.*

VIII. UNFINISHED BUSINESS

- A. TABLED FORESIGHT DEVELOPMENT/REI – WHITETAIL RIDGE PRELIMINARY PLAT REVIEW: 2 40-ACRE PARCELS ON NICK AVENUE

Nothing was discussed at this time, as the developer has not submitted any revised plans yet.

- B. TABLED DISCUSSION & ACTION ON HEARING (#CU2007-001) NATHAN WINCENTSEN, RIVERSIDE LAND SURVEYING, & STAN BUDLESKI CONDITIONAL USE PERMIT REQUEST TO ALLOW AN OFF-PREMISE SIGN: 6307 SCHOFIELD AVENUE

Nothing at this time, as Wincentesen requested to postpone this yet until the March meeting.

IX. FUTURE MEETING TOPICS

Zuleger stated the Community Development Authority has asked staff to look for additional land for business park. There is an option for land on the south side of STH-29. Here we could add eight lots to the business park. Zuleger gave further details on this possible site. He also discussed other developments to occur in the Village.

The members went through as a group the Application for Conditional Use Permit, Conditional Grant Determination by the Village of Weston Planning Commission.

Machmueller read Strobel's letter (attached) of resignation from Planning Commission.

XI. ADJOURN

**M/S/P Meinel/Strobel: to adjourn at 6:40 p.m.*

Respectfully,



Valerie R. Parker
Recording Secretary



Memo

Date: 01/26/07

To: Jeniffer Higgins, Planning and Zoning Administrator
Planning Commission

From: Keith Donner, Director of Public Works *K.D.*

RE: Conditional Grant Application for Municipal Well No. 6;
Lots 349 and 350 of Sandy Meadow North 3rd Addition

Beginning just prior to the early stages of the original Sandy Meadow Subdivision platting process (1998) the Village has worked with the both the original property owner (Leonard Bayer) and the developer (Forrest Tappe Builders) in conducting a search for a well site on the property. The search culminated in 2005 with the identification of a possible test well site and subsequent confirmation that the site would produce sufficient quantity and quality water. In November 2005 the Village reached an agreement with the developer to purchase the site and closed on the purchase in January of 2006.

As part of its due diligence in advance of the purchase of the properties, the Village worked closely with the developer to make sure that all subdivision covenants could be satisfied, among other issues. Significant among the restrictive covenants is that the lots within the subdivision must be used only for residential purposes. Forrest Tappe Builders allowed exceptions in the covenants that permit the Village to construct a municipal water supply well and well house and to install a permanent stand-by power generator subject to satisfying a noise standard. A copy of the subdivision restrictive covenants is attached along with the documentation for exceptions as agreed to at the time of purchase (*Attachment 1*). A few highlights of the efforts taken by the Village to make the proposed well house conform to the character of the neighborhood are as follows:

1. Compliance with architectural requirements stated in the restrictive covenants and subject to the developer's architectural review. The Village has designed the well house with the appearance of a single-family residence. The developer has reviewed and approved the plans as prepared by Becher-Hoppe and Associates.

2. Allowing the permanent stand-by generator to be installed and operated provided that the maximum noise level, measured at the property lines, is 70 decibels or less. The Village and Becher-Hoppe have included design features in the generator and generator room to meet this requirement. Most significantly the generator will be water cooled, rather than air cooled, and the walls of the generator room will have acoustical block to absorb/deflect sound. Prior to completing the site purchase, representatives of the Village, Becher-Hoppe, and Forrest Tappe Builders, visited a similar installation in Madison to witness the effectiveness of similar measures in a working installation. It was from that visit that 70 decibels was judged to be an acceptable, practical standard. The Village zoning code discusses several different decibel levels for various sound wave frequency bands, which appears to be more restrictive. We feel that the measures proposed will achieve a maximum 60 decibel sound level measurement at the property line. If the current design features are judged insufficient after construction, additional sound attenuation methods can be incorporated in the project, such as a landscape trellis east of the air intake louver and/or a baffled intake vent, to become fully compliant with the Village code. A handout describing the relative intensity of sound at various decibel levels is attached (*Attachment 2*). (This handout was used as background material during the discussions with the developer as to what decibel level should be applied as the standard for this project).
3. A decorative screening fence around the perimeter. The fence will wrap from the east property line of the site back to the northeast corner of the building.

Admittedly, this conditional grant process should have been completed prior to the Village purchase. However, with the focus being on compliance with the developer's restrictive covenants and regulatory (DNR) permitting the conditional grant request was overlooked. Despite the timing of the request, please keep the following issues in mind:

- A. The site for this well was picked after an extensive and time-consuming search. **Because of the characteristics of the underground sand and gravel deposits, a well cannot just be plopped anywhere.** A copy of my memo to the Public Works and Utility Committee, dated October 14, 2005, prior to completing the offer to purchase is attached (*Attachment 3*). That memo contains some additional comments in this respect. Also, as part of the DNR permitting process the Village was required to prepare a well site investigation report along with a document titled "Summary of Proposed Well Site Investigation," dated June 15, 2007. A copy of that document is attached (*Attachment 4*) since it provides a short summary of the project history and references other related documents, among other things.

- B. John Tappe indicates there is reluctance on the part of prospective homebuyers in the neighborhood to purchase a home adjacent to the proposed well site although the softened real estate market has also been a factor. While Tappe will not be objecting to this proposal, current neighbors might raise some concerns. A few misconceptions that we might anticipate include the following:
- i. There will be a water tower on the site. For informational purposes the Village placed a temporary project sign at the site in October 2006. The sign displays a north elevation view of the well house and an explanation that **no water tower is involved**. This site is too small for a water tower and the Village has no intention of locating one here. A copy of the sign's mock-up is attached (*Attachment 5*).
 - ii. There will be a lot of noise at odd hours and neighborhood disturbance. I believe the well house will be the best neighbor in the subdivision. We will have an operator visit the site at least once per day, including weekends. However, the vast majority of the Village's visits here will be between the hours of 7:00 AM and 4:00 PM. There will occasionally be the need to investigate equipment failures and such after hours, but our operators use cargo vans as their mode of transportation – nothing different than the typical traffic in the subdivision. The generator will be exercised once each week, also during normal business hours – unless there is a power outage. Once or twice a month chemicals will be delivered, during the normal working hours, with a box truck. Every 3 to 5 years, we will have to bring in a crane to pull the pump through the roof for maintenance. Overall the activity at the site will normally be very quiet and not take place during evening, night, and weekend hours.
 - iii. A well house would be unsightly. The Village has been proactive in making this a non-issue. We are having Land Art prepare a landscaping plan for the site.

This well is necessary for the immediate and long-term benefit of the Village as a whole. My request is that the conditional grant for constructing and operating a municipal well be approved for this site, subject to the 2 lots being combined into a single parcel and subject to a landscaping plan meeting Village staff and developer approval.

G:\HOME\kdonner\PUBWORKS\PROJECTS\Utilities\Water Utility\Wellsites\Well 6, Sandy Meadow\Planning Commission Memo, Conditional Grant, Jan 2007.doc

* Attachments referenced in this memo are not included with these minutes.* (VP)



SCHIERL COMPANIES

P.O. Box 308 • 2201 Madison St. • Stevens Point, WI 54481 • (715) 345-5060 • FAX (715) 345-5075

www.fsctoday.com

Building Tomorrow Together

Village of Weston
 Planning commission
 Fax 715-359-6117

Dear Planning Commission Board,

Please allow this letter to serve as supplemental information pertaining to the requested sign permit we have at erected at our CITGO location on West view Blvd.

The upgraded price sign is a part of an ongoing image enhancement program by our franchised supplier, CITGO Petroleum. CITGO Petroleum, due to their corporate image and color scheme, only offers one color price sign. Unfortunately, the only sign they produce which meets their image requirements contains red color numbers. Furthermore, the sign numbers color is not modifiable by a sign company once manufactured.

Schierl Companies agreed to upgrade the Weston location due to the ongoing safety concerns of changing a tall price id sign on Camp Phillips Road. Unfortunately, this location produced three worker compensation injuries last year from employees being hit by falling numbers due to wind and having twisted ankles due to the uneven terrain. The uneven terrain was magnified by the installation of the bike path last year.

I would ask the plan commission to view this price id sign differently then a electronic message center as it doesn't scroll, flash or draw significant motorist attention. The purpose of the price Id sign is to meet Wisconsin statue of posting gasoline prices. I do not sincerely believe that the constantly lit, 5 inch red price numbers pose any safety concern to motorists.

I appreciate your attention and consideration of this matter.

Sincerely,

Fritz Schierl



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Received Time Feb. 12. 3:54PM

January 29, 2007

Village Board
Village of Weston
5500 Schofield Avenue
Weston, WI 54476-4395

Subject: Resignation from the Village of Weston Planning and Zoning Commission

Dear Board Members:

I have arrived at the decision to submit my resignation from the Village of Weston Planning and Zoning Commission. It has been increasingly difficult to divide my time between work, family, civic responsibilities, and Village commitments. I have concluded that I am not able to commit the time that I deem necessary in order to perform at the level that Village residents should expect from Commission members.

I have enjoyed the opportunity to serve and learn, and have especially appreciated the leadership shown by Vilas, the direction provided by Dean, the organization demonstrated by Jennifer, and the input from the rest of the staff. The Village has a great team, and I hope that the Commission continues their careful consideration of the Village's future growth.

By default, I presume that this letter will also serve as my resignation from the Town and Village of Weston Joint Extra-Territorial Zoning Committee.

Although, I would appreciate being able to have this resignation effective immediately, I am willing to serve through the March 2007 Planning and Zoning Commission meeting or until the Village retains my replacement, whichever occurs first.

Thank you once again.

Sincerely,



Mark Strobel
6907 Brehm Street
Weston, WI 54476
359-1972