

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
DELIBERATIVE HEARING

September 9, 2016

7:30 A.M.

County Administration Building
3rd Floor Conference Room
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Claud Thompson, Larry Kriescher, Maribeth Gabert and Robert Keller. Karen Fredrick – court reporter, Jerry Bougie – Planning Director and Cary Rowe – Zoning Administrator. Guests present.

The meeting was called to order by Tom Egan at 7:30 A.M.

1. Gerald Kalbus, 5317 Lake Rd, Town of Black Wolf – Special Exception.

Committee reviewed findings and conditions in order to take action on a special exception to establish an accessory use on a vacant lot adjacent to a lot with a principal use present.

MOTION by R. Keller, seconded by M. Gabert, to approve with findings and conditions as submitted. Motion carried 5-0.

2. Donald O'Donnell, 8923 Lester Ln, Town of Poygan – Rural Accessory Building.

Committee reviewed findings and condition in order to take action on a rural accessory building determination.

MOTION by L. Kriescher, seconded by M. Gabert, to approve with findings and condition as submitted. Motion carried 5-0.

3. Craig Kuepper, Across from 7431 Richter Ln, Town of Wolf River – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to R-1 (Rural Residential) without wetland

MOTION by R. Keller, seconded by L. Kriescher, to approve with findings as submitted. Motion carried 5-0.

4. William Heberer, South of 9511 Old Rd, Town of Wolf River – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment request to I -1 (Light Industrial).

MOTION by L. Kriescher, seconded by R. Keller, to approve with findings as submitted. Motion carried 5-0.

5. Peter Weyenberg – 6986 Woodenshoe Rd, Town of Neenah – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment request to R -1 (Rural Residential).

MOTION by L. Kriescher, seconded by R. Keller, to approve with findings as submitted. Motion carried 5-0.

6. Winnebago County – Repeal and recreate (Chapter 27) – Winnebago County Shoreland Zoning Code of the Winnebago County General Code – Text Amendments.

MOTION by L. Kriescher, seconded by R. Keller, to approve the recreated Shoreland Zoning Code. Discussion pursued regarding proposed Shoreland Zoning Code. Supervisor Gabert stated that she was going to vote no because of the provision of the code that requires the services of a registered surveyor to inventory the amount of impervious surfaces on a lot and therefore, the provision would place an unnecessary cost on the property owner. Supervisor Gabert said she felt the rest of the code was fine. Supervisor Thompson also stated that he was going to vote no for the same reasons as Supervisor Gabert. Supervisor Egan stated that he received phone calls about provision regarding the registered surveyor as well. Supervisor Egan said he had concerns about the same provision and suggested rewording the provision to include language stating that the services of a registered surveyor may be required. Planning Director stated that language suggesting a survey may be required would be misleading to the public since its likely surveys would be required in most cases. Supervisor Kriescher said he will abstain from voting since he is a surveyor. Supervisor Keller stated that he would vote yes because there will be a cost associated with the implementation of the proposed Shoreland Zoning Code. Committee discussed where the burden of cost and staff time associated with the proposed code should be placed. Planning Director said if the survey provision was removed, the department may have to look at the possibility of increasing riparian permit fees due to

increased time spent by staff conducting onsite. Zoning Administrator stated that the survey would only be needed one time and that the survey would protect property rights for property owners who have property that already exceeds the impervious surface maximum. VOTE on the MOTION: Egan – No; Kriescher – Abstain; Thompson – No; Gabert – No; Keller – Yes. MOTION failed 1-3-1.

ADJOURNMENT

MOTION made by M. Gabert to adjourn the meeting. Seconded by R. Keller. Motion carried 5-0. Meeting adjourned at 8:36 A.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary

CAR

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
**SPECIAL
DELIBERATIVE HEARING**

September 14, 2016

7:30 A.M.

County Administration Building
3rd Floor Conference Room
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Claud Thompson, Maribeth Gabert and Robert Keller. Karen Fredrick – court reporter, Jerry Bougie – Planning Director and Cary Rowe – Zoning Administrator. Guest present.

EXCUSED: Larry Kriescher

The meeting was called to order by Tom Egan at 7:30 A.M.

1. Motion to reconsider denial of approval of repealed and recreated Chapter 27 of the General Code of Winnebago County entitled "Shoreland Zoning Code".

MOTION by M. Gabert, seconded by T. Egan, to reconsider denial of approval of repealed and recreated Chapter 27 of the General Code of Winnebago County entitled "Shoreland Zoning Code". Supervisor Thompson asked for clarification of committee action at the September 9, 2016 deliberative. Chairman Egan and Zoning Administrator explained the committee's action taken at the September 9, 2016 deliberative which was the denial of a motion to approve the proposed Shoreland Zoning Code. Motion carried 4-0.

2. Motion to amend Sec. 9.2 of repealed and recreated Chapter 27 of the General Code of Winnebago County entitled "Shoreland Zoning Code.

MOTION by T. Egan, to amend last paragraph of sec. 9.2 by striking out second last sentence regarding a registered surveyor and replacing with **"Staff shall determine the amount of existing and proposed impervious surface area and percentage of the subject parcel."**, seconded by M. Gabert. Supervisor Keller asked Planning Director if and when permit fees would be addressed to compensate for the cost of the administration of the impervious surface provisions of the ordinance. Planning Director explained how and when fee structure would have to be reviewed. Motion carried 4-0.

3. Motion to approve amended repealed and recreated Chapter 27 of the General Code of Winnebago County entitled "Shoreland Zoning Code".

MOTION by M. Gabert, seconded by R. Keller, to approve Chapter 27 of the General Code of Winnebago County entitled "Shoreland Zoning Code" as amended. Supervisor Keller asked Zoning Administrator if it was a state requirement that counties had to amend their shoreland ordinances. Zoning Administrator stated that NR115 of the Administrative Code required counties to amend their shoreland ordinances by October 1st, 2016, or the DNR would adopt an ordinance for the county. Motion carried 4-0. Zoning Administrator summarized the purpose and procedure of today's special deliberative session.

ADJOURNMENT

MOTION made by R. Keller to adjourn the meeting. Seconded by M. Gabert. Motion carried 4-0. Meeting adjourned at 7:50 A.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary

CAR

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
DELIBERATIVE HEARING

October 7, 2016

7:30 A.M.

County Administration Building
3rd Floor Conference Room
Oshkosh, WI

PRESENT: Supervisors, Tom Egan, Claud Thompson, Larry Kriescher,
Maribeth Gabert and Robert Keller. Lynn Egan – court reporter,
Cary Rowe – Zoning Administrator.

The meeting was called to order by Tom Egan at 7:30 A.M.

1. Oshkosh Realty Corp, East of 4582 Nekimi Ave, Town of Nekimi – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to R-1 (Rural Residential).

MOTION by R. Keller, seconded by C. Thompson, to approve with findings as submitted. Motion carried 5-0.

2. Soper Trucking, 3486 Sand Pit Rd, Town of Wolf River – Conditional Use.

Committee reviewed findings and conditions in order to take action on a conditional use permit for a contractor yard and a vehicle storage yard. Committee discussed the three access points to the property and condition regarding access.

MOTION by L. Kriescher, seconded by C. Thompson, to approve with findings and conditions as submitted. Motion carried 5-0.

3. Michael Yingling, East of 7479 Richter Ln, Town of Wolf River – Zoning Map Amendment.

Committee reviewed findings in order to take action on a zoning map amendment to R-1 (Rural Residential) without wetland.

MOTION by R. Keller, seconded by L. Kriescher, to approve with findings as submitted. Motion carried 5-0.

ADJOURNMENT

MOTION made by L. Kriescher to adjourn the meeting. Seconded by M. Gabert.
Motion carried 5-0. Meeting adjourned at 7:42 A.M.

Respectfully submitted,

Cary A. Rowe
Recording Secretary

CAR

Planning & Zoning Committee

Viewing Minutes

Friday, October 21st, 2016

7:30 A.M.

PRESENT: Supervisors Thompson, Keller, Egan, Gabert, Kriescher &
Brian O'Rourke, zoning.

1. Viewing

The Committee viewed the following properties:

1. Wendy Sue Block – 1503 James Rd – Town of Nekimi – Rural Accessory Building Determination
2. Ken Ruedinger – South of 2701 Lost Ln – Town of Rushford – Zoning Map Amendment
3. Adam Fuss – 6348 Lee Rd – Town of Poygan – Zoning Map Amendment
4. James Winnekens – 7132 Shoreline Dr – Town of Winneconne – Special Exception
5. Kenny Wiesner – East of 3425 Vinland Center Rd – Town of Vinland – Conditional Use
6. Luke Brucks – 6976 Woodenshoe Rd – Town of Neenah – Conditional Use

Adjournment

Motion by Thompson, seconded Gabert to adjourn. Motion carried 5-0.

Brian P. O'Rourke, AICP
Recording Secretary

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
Public Hearing
October 25th, 2016
6:30 P.M.
Room 408 – County Administration Building

PRESENT: Supervisors Tom Egan, Chairman, Larry Kriescher, Claud Thompson, Robert Keller, Maribeth Gabert, Brian P. O'Rourke, Associate Planner, Karen Frederick, Court Reporter.

The meeting was called to order by T. Egan, Chairperson, at 6:30 P.M.

1. Ken Ruedinger – South of 2701 Lost Ln – Town of Rushford – Zoning Map Amendment.

Applicant is requesting a zoning map amendment from A-2 (General Agriculture) to R-1 (Rural Residential) for an existing parcel as a condition of Certified Survey Map approval.

B. O'Rourke stated that the Town of Rushford recommended approval of this item.

There was no further testimony on this item.

2. Adam Fuss – 6348 Lee Rd – Town of Poygan – Zoning Map Amendment.

Applicant is requesting a zoning change from R-1 (Rural Residential) to A-2 (General Agriculture) for the creation of a five acre parcel.

B. O'Rourke stated that the Oshkosh Northwestern contacted the department and stated that they erroneously did not publish this item due to a computer error, and therefore no testimony can be taken on this item.

Motion to adjourn this item to November public hearing by M. Gabert. Seconded by L. Kriescher.

There was no testimony on this item.

3. Kenny Wiesner – East of 3425 Vinland Center Rd – Town of Vinland – Conditional Use.

Applicant is requesting a conditional use permit for a non-farm residence in an A-1 (Agribusiness district) zoning district.

Melonie Wiesner, 5222 State Rd 116, was sworn in and explained the request. Due to the A-1 zoning any non-farm residence requires a conditional use permit.

B. O'Rourke stated that the Town of Vinland recommended approval of this item.

There was no further testimony on this item.

4. Luke Brucks – 6976 Woodenshoe Rd – Town of Neenah – Conditional Use.

Applicant is requesting a conditional use permit for an expansion of an existing use.

Katie Brucks, 6976 Woodenshoe Rd, was sworn in and explained the request. She stated that the Town of Neenah had concerns with parking along Woodenshoe so they created a parking area on the lot; they also purchased the lot to the north which is where the expansion will be taking place.

B. O'Rourke stated the Town of Neenah has approved the request with the condition that no parking associated with the business will be allowed on Woodenshoe Rd.

There was no further testimony on this item.

5. Winnebago County – Repeal and recreate (Chapter 27) – Winnebago County Shoreland Zoning Code of the Winnebago County General Code – Text Amendments.

The Chairman removed this item from the agenda after opening the public hearing as it was placed on the agenda erroneously.

ADJOURNMENT

Motion to adjourn by L. Kriescher. Seconded by M. Gabert. Motion carried 5-0.

Meeting adjourned at 7:00 P.M.

Respectfully submitted,

Brian P. O'Rourke, AICP
Associate Planner

WINNEBAGO COUNTY
PLANNING & ZONING COMMITTEE
Deliberative

November 4th, 2016

7:30 A.M.

3rd Floor Conference Room – County Administration Building

PRESENT: Supervisors Tom Egan, Chairman, Larry Kriescher, Claud Thompson, Robert Keller, Maribeth Gabert, Brian P. O'Rourke, Associate Planner, Karen Frederick, Court Reporter.

The meeting was called to order by T. Egan, Chairperson, at 7:30 A.M.

1. Ken Ruedinger – South of 2701 Lost Ln – Town of Rushford – Zoning Map Amendment.

Applicant is requesting a zoning map amendment from A-2 (General Agriculture) to R-1 (Rural Residential) for an existing parcel as a condition of Certified Survey Map approval.

B. O'Rourke read the staff report into the record which recommended approval.

Motion to approve the zoning map amendment by R. Keller. Seconded by M. Gabert. Motion carried 4-0-1 (Egan abstained).

There was no further testimony on this item.

2. Kenny Wiesner – East of 3425 Vinland Center Rd – Town of Vinland – Conditional Use.

Applicant is requesting a conditional use permit for a non-farm residence in an A-1 (Agribusiness district) zoning district.

B. O'Rourke read the staff report into the record which recommended approval with conditions.

Motion to approve the conditional use permit with conditions by L. Kriescher. Seconded by M. Gabert. Motion carried 5-0.

There was no further testimony on this item.

3. Luke Brucks – 6976 Woodenshoe Rd – Town of Neenah – Conditional Use.

Applicant is requesting a conditional use permit for an expansion of an existing use.

B. O'Rourke read the staff report into the record which recommended approval with conditions.

Motion to approve the conditional use permit with conditions by L. Kriescher. Seconded by M. Gabert. Motion carried 5-0.

There was no further testimony on this item.

4. Wendy Sue Block – 1503 Jamed Rd - Town of Nekimi – Rural Accessory Building Determination.

The applicant is requesting a Rural Accessory Building Determination for a machine shed. Applicant believes the existing agricultural building meets the criteria of Sec. 23.7-334.

B. O'Rourke read the staff report into the record which recommended denial based on the machine shed meeting none of the criteria in Sec. 23.7-334.

Motion to deny the request by M. Gabert. Seconded by L. Kriescher. Motion carried 5-0.

5. James Winnekens – 7132 Shoreline Dr Town of Winneconne – Special Exception.

Applicant is requesting a special exception to establish a free-standing solar energy system inside a street yard setback and the 10 ft. separation between structures.

B. O'Rourke read the staff report into the record which recommended approval.

Motion to approve the special exception by R. Keller. Seconded by M. Gabert. Motion carried 5-0.

ADJOURNMENT

Motion to adjourn by L. Kriescher. Seconded by M. Gabert. Motion carried 5-0.

Meeting adjourned at 7:45 A.M.

Respectfully submitted,

Brian P. O'Rourke, AICP
Associate Planner

Planning & Zoning Committee

Planning Meeting

November 4th, 2016

7:45 A.M.

PRESENT: Supervisors Tom Egan, Robert Keller, Claud Thompson, Maribeth Gabert. Jerry Bougie – Planning Director, **Brian O'Rourke** – Associate Planner, Cary Rowe – Zoning Administrator. Scott Konkle, East Central Regional Plan Commission.

1. Minute Approval – July 26th, August 5th, 26th, 30th, September 9th, 14th, 23rd, 27th, October 7th, 21st, & 25th, 2016

The Committee stated they did not all receive the minutes for the September 9th, 14th, October 7th, 21st, & 25th meetings.

B. O'Rourke stated he would notify the clerk of the minutes not received by the Committee.

Motion to approve the minutes for July 26th, August 5th, 26th, 30th, September 23rd, and 27th only by M. Gabert. Seconded by L. Kriescher. Motion carried 5-0.

There was no further discussion of this item.

2. Review of non-metallic mining reclamation program and committee action on proposed 2017 fees – Scott Konkle, ECWRP.

S. Konkle provided a handout and map showing the location of each quarry as well as a detailed proposed budget. There are currently 39 sites totaling 787 active acres. The proposed per acre fee for the program is proposed to remain at \$40.

Motion to approve the proposed budget by M. Gabert. Seconded by L. Kriescher. Motion carried 5-0.

There was no further discussion of this item.

3. Committee review and action on forwarding Town of Utica zoning change to County Board.

C. Rowe provided a memo to the Committee explaining the request and recommending forwarding the Town zoning change to County Board.

Motion to forward the Town of Utica zoning change to County Board by T. Egan. Seconded by L. Kriescher. Motion carried 5-0.

There was no further discussion of this item.

4. Committee review and action on 2017 Meeting Schedule.

C. Rowe stated that the proposed schedule is similar to the 2016 schedule with the exception being the deliberative will still be the second Friday following the public hearing.

Motion to approve the proposed 2017 schedule by R. Keller. Seconded by M. Gabert. Motion carried 5-0.

There was no further discussion of this item.

5. Update on Property Lister services for Village of Fox Crossing

J. Bougie stated that the Village has asked that the County provide property listing services for 2017. An agreement will be proposed by the Village to continue services for beyond 2017 if they choose to continue having the County provide those services.

There was no further discussion of this item.

Motion to adjourn by L. Kriescher. Seconded by R. Keller. Motion carried 5-0.

Meeting adjourned at 8:30 A.M.

Brian O'Rourke – Recording Secretary

Planning & Zoning Committee

Viewing Minutes

Friday, November 11th, 2016

7:30 A.M.

PRESENT: Supervisors Thompson, Keller, Egan, Gabert, &
Brian O'Rourke, zoning.

EXCUSED: Kriescher

1. Viewing

The Committee viewed the following properties:

1. Alan Hansen et al – 7813 County Rd M, Town of Winchester –
Zoning Map Amendment
2. Westin Land Holdings LLC – 2590 County Rd II, Town of Clayton
– Conditional Use

Adjournment

Motion by Thompson, seconded Gabert to adjourn. Motion carried 4-0.

Brian P. O'Rourke, AICP
Recording Secretary

WINNEBAGO COUNTY
PLANNING AND ZONING COMMITTEE
PUBLIC HEARING

Wednesday, November 16, 2015
6:30 P.M.

Room 408 – County Administrative Building

Present: Supervisors: Tom Egan, Larry Kriescher, Maribeth Gabert, Claud Thompson, and Robert Keller;
Karen Fredrick – Court Reporter, Candace Bauer – Code Enforcement Officer, and guests

Excused: None

The meeting was called to order by Tom Egan, Chairman at 6:52 P.M. The Committee and staff introduced themselves and C. Bauer read the appeals process.

Chairman Egan inquired about receiving a motion to move item number 3 on the agenda, Adam Fuss, to number 1 because this item was held over from last month's meeting as there was an issue with notifications/publishing. MOTION made by L. Kriescher to move item number 3 for Adam Fuss to first on the agenda. Seconded by M. Gabert. Motion carried unanimously.

1. **Adam Fuss– 6348 Lee Rd, Town of Poygan – Zoning Map Amendment**

The applicant is requesting a zoning map amendment from R-1 to A-2 for the creation of a 5 acre parcel.

Adam Fuss of 6348 Lee Rd was sworn in. Mr. Fuss explained that he is looking to build a house on the property but the existing pole shed is limiting the placement of an attached garage on the home.

C. Bauer explained that there is a limit on the amount of residential accessory structure space per property. The addition of land and change in zoning will make the attached garage possible.

C. Bauer read a resolution from the Town Board of the Town of Poygan recommending approval of the request with the following findings:

1. The requested zoning map amendment does agree with the adopted plan.
2. No conflict with adjacent land.
3. No objections.
4. Consistent with intended use of property.

2. **Alan Hansen et al – 7813 County Rd M, Town of Winchester – Zoning Map Amendment**

The applicant is requesting a zoning map amendment to R-1 Rural Residential.

Alan Hansen of W10112 Hemlock Rd, Fremont was sworn in. Mr. Hansen began by noting that mediation was requiring something to occur, but was not clear on what. He then explained that the mound system installed in 1998 extends onto his property due to incorrect measurements.

Mr. Hansen stated that he would like to withdraw his application if the necessary paperwork hasn't been completed. He then inquired about changes in taxes. C. Bauer directed him to the Town to determine the

impact on taxes from a zoning map amendment and that a request could be made up to the County Board meeting to withdraw his application.

Mr. Hansen inquired if the office had received the necessary paperwork. C. Bauer explained that she received several documents from Attorney Dan Muza but was not sure what they all were – she listed a few of the documents titles and recommended that Attorney Muza be sworn in to explain them and their status.

Mr. Hansen explained that one of the documents was to get the property under the correct name of the property owner (affidavit of correction). Mr. Hansen added that he would like to build a house on lot 1 of the proposed certified survey map (CSM). There was further discussion regarding multiple proposed CSMs. C. Bauer explained that a CSM requiring a zone change generally run concurrently through their approval process because a zone change cannot be conditioned. It was noted that the topic would be discussed with Cary Rowe, the Zoning Administrator and reviewer of CSMs.

Attorney Dan Muza, business address of 217 CB Ave, Oshkosh, was sworn in. He noted that he is Mr. Moss' representative. Attorney Muza gave a detailed history and reasoning for the CSM and zoning map amendment request. The problem began in the 1960s with a CSM. The mound system servicing the Moss/Laab property was placed over the lot line, which is the reasoning for the disputed strip of land. This began a lawsuit of adverse possession. Mediation has occurred and an agreement was reached. The solution was to create a CSM to allow room for the mound system to be on the Moss' lot.

Attorney Muza added that mediation required an affidavit of correction and a transfer of the property to be recorded, which they were earlier today. The last step is for the deed for the disputed area to be drafted between Hansen and Moss. Attorney Muza noted that he saw the draft and approved it, but it needs to be recorded yet. Committee members requested that the documents of discussion be available. C. Bauer added that they are recorded and available at the Register of Deed's Office.

3. Westin Land Holdings LLC – 2590 County Rd II, Town of Clayton – Conditional Use

The applicant is requesting a conditional use permit to be allowed to continue to operate an outdoor recreation / entertainment facility in association with the bar.

Ben Hamblin of McMahon Group – 1445 McMahon Drive – was sworn in. Mr. Hamblin explained that there previously was a golf driving range, miniature golf and golf course through approved conditional uses in 1995 and 2000. The property has since changed owners and changed the use to softball diamonds now.

Supervisor Gabert inquired about the stadium lights. Mr. Hamblin answered that only the southern ball diamond was lit and had speakers. C. Bauer added that the Zoning Code doesn't directly regulate lighting, but they are generally included in a Site Plan and Plan of Operation.

Supervisor Keller inquired about having concerts at the property. Mr. Hamblin answered that they generally have a couple per year, which are approved by the Town through a special use permit. They generally take place in a tent and are hosted until midnight on Fridays or Saturdays. It was pointed out that the closest house is 700-800ft away but that they would not have received specific notification of this meeting.

Mr. Hamblin explained that the conditional use permit request is drafted to match what is currently taking place and that the timeframe of softball events from April to November match the same as a golf course, as far as lighting is concerned. Mr. Hamblin added further than the speakers (for softball only) were moved and

directed west to correct a noise issue. Lighting was discussed further. The stadium lights were a part of the 1995 request. Lighting is mitigated by surrounding trees.

Committee members inquired if this approval would allow or encourage more entertainment uses. Mr. Hamblin answered that there are about 2-3 per summer but that it would also include volleyball tournaments and similar events. The Town would require a special use permit.

Thomas Kiesow of 8673 Clayton Avenue was sworn in. He explained to the Committee that his family needs their backyard for enjoyment but are unable to do so due to the use of the property. He explained that the baseball takes place 4 nights a week and that the lights that were approved with a golf course use are not the same as the lights for baseball. Mr. Kiesow added that traffic is also a concern as it comes from Martin Drive and then down Kline Street before entering Clayton Avenue. This avoids the main (police watched) intersection of County Rd II and Clayton Avenue. Mr. Kiesow stated that the noise, bass, and echo effect were also negative impacts of the use.

Tom Spierowski, Town of Clayton Building Inspector was sworn in. Mr. Spierowski noted that he has worked with the property owner on the noise complaints. Richard Johnston of the Town has returned emails to Mr. Kiesow regarding his complaints and they have also been to the complainant's property during evening hours. Mr. Spierowski noted that a lot of the noise heard came from surrounding uses. Noise from the ball diamonds hasn't been noticed since the speakers were turned down and rotated.

Supervisor Keller inquired if the Town had a nuisance ordinance. Mr. Spierowski added that the Town is addressing this and working to create one.

Richard Knapinski, property owner at 8605 Clayton Ave and Chairman of the Town Plan Commission, was sworn in. He started by saying that he was in favor of the request and that the Town approved.. Mr. Knapinski explained that when the speakers were turned down that the noise was negligible. He added that the lights are bright but that area vegetation helps. With regard to concert and tiki bar noise, which typically finish by midnight, the local warehousing and train track noise is louder after midnight. Mr. Knapinski noted that a Town nuisance ordinance would require multiple opponents to a nuisance but that this could help keep the number of concerts down.

Mr. Kiesow again approached the Committee. He voiced his frustrations with the area going from light housing to light industrial under previous administration. He had concerns for the Kline Street area uses, trucking, and trains. Mr. Kiesow stated that he was concerned that once this is approved, he will not be able to stop them from moving forward.

Mr. Hamblin approached the Committee to address Mr. Kiesow's concerns. He noted that the speakers were addressed and he feels that item #2 in the conditional use permit application language addresses the noise concerns properly.

ADJOURNMENT

MOTION made by L. Kriescher to adjourn meeting. Seconded by R. Keller. Motion carried unanimously. Meeting adjourned at 7:57 P.M.

Respectfully submitted,
Candace Bauer
Recording Secretary