

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
JUNE 13th, 2012

Chairman Tom Muellner called the meeting of the Plan Commission to order at 7:00 p.m. Members present included Tom Steele, Jim Hampton, Christine Nykiel, Laura McGucken, Lee Benes and Kevin Mataczynski. Also present Zoning Administrator Dan Dziadosz and intern Jeff Kussow.

MINUTES: Motion by Mr. Steele and seconded by Mr. Hampton to approve the May 23, 2012 minutes. Motion carried.

PUBLIC HEARINGS: None

CERTIFIED SURVEY MAP APPROVALS: None

NEW BUSINESS:

- a. Pre-application conference regarding the haunted house proposal by “Dimension of Horrors, LLC” at 905 Morning Glory Lane. Owners of Dimension of Horrors, LLC, Cory Huotari and Cody Tack, appeared representing Dimension of Horrors, LLC, seeking support for using the building at 905 Morning Glory Lane as a location for a haunted house. Tom Salzman also appeared representing Dimension of Horrors, LLC. Parcel # 34.142807.06.22; PC Docket # 2012-19

The proposed plans are to use this parcel as a seasonal haunted house location. The owners previously had a haunted house in the City of Medford and now want to move the haunted house business to the Rib Mountain / Wausau area. Dan Dziadosz explained that the land use for this activity would be classified as “indoor entertainment” and would need a conditional use permit to operate in the current UC (Urban Commercial) Zoning District. Cory Huotari went on to explain that there would be less than 40 individuals in the building at one time including the workers, and visitors will be sent through the haunted house in groups of 6 – 8. Mr. Huotari also stated that the designated visitor waiting area would be located outside, possibly with a tent. Dan Dziadosz stated that the additional tent for the outdoor visitor area would also require a special permit. Tom Muellner expressed concern about noise considerations of neighboring parcels. Mr. Huotari stated that neighbors would not hear noise from the haunted house. Dimension of Horrors also plans to be working with the criminal justice program at North Central Technical College for security purposes, which will assist with parking, at the entrance, and within the haunted house. There will also be sale of prepackaged food on site. Laura McGucken questioned about the parking situation for this parcel. Tom Salzman explained that Lockre has verbally agreed to let them use the gravel lot towards Rib Mountain Dr. from the building and nearby field. Tom Muellner asked Dan Dziadosz about what building codes would be required for this proposed operation. Dan explained that since this is a business inside of an existing structure, it would ultimately be up to the fire department and regulation of safety codes.

The Plan Commission expressed concerns about the limited parking offered on the property, public safety and the business’s temporary use of the property. Tom Muellner stated that all standards would need to be met in order to proceed with the application process.

- b. Pre-application conference for development on the northeast corner of Rib Mountain Drive and Oriole Lane – Parcel # 34.102807.01.26 (3205 Rib Mountain Drive), Parcel # 34.102807.01.24 (1404 Oriole Lane), & Parcel # 34.102807.01.20 (1304 Oriole Lane); Docket # 2012-20. Glen Witter appeared representing Security Realty seeking support for a new development on the three previously mentioned parcels.

Glen Witter has a potential tenant that wants to open a retail store on this property. He stated that the larger portion of the building would be approximately 70' x 80' and would not be in compliance with the zoning code, requiring a UDD (Unified Development District) zoning change for these parcels. The setback on Oriole Lane for the proposed development is 16' feet. Kevin Mataczynski stated that the front yard of this property is along Oriole Lane, requiring a larger setback than side or rear lot lines. There is a neighbor to the east that is opposed to development in the area. To accommodate for the residential house to the east, Mr. Witter included a larger buffer area/green space on the east side of the property. Tom Steele asked Dan Dziadosz if the newly proposed site design had adequate parking. Dan replied that this was his first time seeing the newly proposed design and did not have the chance to verify the parking standards. Laura McGucken expressed concerns about the truck entrance and encroaching on the residential housing.

The Plan commission expressed concerns on building size, setbacks, residential neighborhood encroachment and parking. The commission determined that the current proposed design would not work, but maybe a new design would work with a zoning designation change to UDD. The commission made recommendations to the Glen Witter on how to proceed and make this development work for the property.

- c. WE Energies proposed changes to the current Rib Mountain ordinance regulating communication towers. Docket # 2012-20; Scott Pagenkopf appeared representing Northway Communications in conjunction with WE Energies proposing changes to the communication tower ordinance of the Rib Mountain Municipal Code.

Scott Pagenkopf explained that negotiations with an adjacent landowner of the proposed WE Energies tower has fallen through and the communication tower is now unable to be compliant with the Rib Mountain Municipal Code. Mr. Pagenkopf and WE Energies are proposing a change to the zoning ordinance text in order for the tower to meet the zoning code requirements. The proposed revisions to the current ordinance include the addition of various tower definitions, making minimum lot requirements consistent throughout the code and revising setback requirements. Mr. Pagenkopf stated that the zoning text change is not primarily for the benefit of the WE Energies tower, but there is also concern for the other towers owned on Mosinee Hill by Northway Communications that serve the Rib Mountain area and public services, which are currently existing non-conforming structures. Mr. Pagenkopf stated that if one of these towers fell down or was damaged, the current zoning creates many obstacles to manage in order to reconstruct the towers which would create public safety concerns and other community wide problems if it went through a lengthy process. Tom Muellner reminded the commission that Scott Pagenkopf has vested interest in this development, so there is a major need to look the good of the community and a need to look at this issue openly when making a decision. Mr. Muellner also stated that the two main issues in the ordinance that need to be considered are the lot size requirement and the fall zone radius. The commission asked if the current minimum 5 acre requirement was an arbitrary number or if the size had statistical significance. Dan Dziadosz stated that he believed it was created as an

arbitrary number. Kevin Mataczynski expressed concerns with safety hazards and that research would need to be done to account for any safety hazards this change in zoning ordinance text would bring up. Jim Hampton stated that the town needs to define criteria that are important for safety concerns. Members of the commission agreed that more info on safety concerns and effects of the zoning text change would need to be done in order to make a better decision. Kevin Mataczynski stated that the research would need to be done by an outside independent source for separation from the issue.

The Plan Commission suggested that they would be willing to accept reducing the required acreage from 5 acres minimum to 3 acres minimum subject to legal review by the attorney. The commission suggested to go forth with a public hearing and see if enough information can be obtained by then to go forth with the zoning text change process. The commission also asked Dan Dziadosz and intern Jeff Kussow to do some research on other municipality's ordinances to see how they are dealing with this type of issue.

OLD BUSINESS

- a. Rib Mountain Greenhouse Correspondence and code interpretations for the new greenhouse location at 4101 South Mountain Road; Parcel # 34.212807.06.03; Docket # 2012-17

The Rib Mountain Greenhouse received verification from the State that the greenhouse is considered an agricultural operation, thus exempt from commercial building code requirements. Thomas Meier, project manager for the Rib Mountain Greenhouse, stated in letter that by right, they would not have to abide by the town's building and zoning code since it is not applicable to the State's commercial building code. Also stated in the letter by Mr. Meier were proposed changes to the originally approved site design. Dan Dziadosz stated that he did not agree with the letter sent to him by Mr. Meier and the greenhouse will have to comply with both the Town's building code and zoning code requirements. He also stated that any changes in site design would need to go to public hearing.

- b. Architectural standards on Rib Mountain Drive discussion (Tabled)

CORRESPONDENCE / QUESTIONS: None

ADJOURN: Motion by Mr. Steele and seconded by Mr. Mataczynski. Motion Carried 6-0.

Meeting Adjourned 9:46 pm.

*Respectfully Submitted,
Jeff Kussow, Planning Intern*