

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
September 10th, 2014

Chairman Tom Muellner called the meeting of the Planning Commission to order at 7:00 p.m. Commission members present included Harlan Hebbe, Jim Hampton, Laura McGucken and Tom Steele. Also present were Zoning Administrator Dan Dziadosz and Assistant Zoning Administrator Jeff Kussow. Christine Nykiel and Kevin Mataczynski were excused.

MINUTES:

Motion by Tom Steele to approve the August 27th, 2014 regular planning commission meeting minutes. Seconded by Harlan Hebbe. Motion carried 4-0 with Laura McGucken abstaining.

PUBLIC HEARINGS:

- a) *Yeng & Zong Her, requesting Conditional Use approval to allow for a take-out egg roll restaurant on the parcel addressed 4503 Rib Mountain Drive, per RMMC Sec. 17.056(4)(h) – Indoor Commercial Entertainment; Premises legally described as Part of NW ¼ NW ¼ Sec. 14 T28N R7E – Lot 1 of CSM Vol. 67 Pg. 1 (#14919) (Doc# 1486785); Parcel # 34.142807.006.027.00.00; PC Docket # 2014-23*

Jeff Kussow explained the applicants' proposal for a take-out egg roll restaurant in the tenant space addressed 4503 Rib Mountain Drive. He explained that the land use is considered "Indoor Commercial Entertainment". He stated that the proposed amount of employees is 3-4, expected daily customers is 30-50, and the hours of operation will be 10am to 7pm. Mr. Kussow explained the parking requirements and stated that there is sufficient parking on the property for this use. He stated that signage is yet to be determined, which can be handled at staff level. The commission questioned if there was going to be seating inside of the restaurant. The applicants stated that there may be one or two small tables. The commission questioned and commented on parking and the restaurant operation. Chairman Tom Muellner opened the public hearing for public comment. No public comments.

Motion by Tom Steele to recommend approval of the Conditional Use request to allow for a take-out egg roll restaurant on the parcel addressed 4503 Rib Mountain Drive. Seconded by Jim Hampton. Motion carried 5-0.

CERTIFIED SURVEY MAP APPROVALS: NONE

NEW BUSINESS:

- a) *Gregg Taylor requesting Special Use approval to allow for the storage of 10 full cords of wood on the property addressed 7301 Goldenrod Circle, per RMMC Sec. 17.056(8)(w) – Wood Piles; Premises legally described as PLAT OF HIGH WOODLANDS – LOT 10 INCL PT OF SE ¼ SE ¼ SEC 22-28-07 DESD AS COM AT NW COR SD 40 S 30' +/- ALG W LN SD 40 TO S LN GOLDENROD CIR & POB S ALG W LN 250' E 60' N PARA W/ W LN TO S LN SD ST W ALG S LN SD ST TO POB; Parcel # 34.403.000.010.00.00; PC Docket # 2014-25*

Jeff Kussow explained the applicants request to store 10 full cord of wood on the property addressed 7301 Goldenrod Circle. Chairman Muellner questioned if the energy system was currently in place. Mr. Kussow stated that it is an existing detached energy system wood burner that is grandfathered. Mr. Kussow explained that 5 face cords of wood are permitted by right on any property. He explained that the applicant is requesting the maximum amount of wood of 10 full cords. He explained the difference between a face cord and full cord. Harlan Hebbe questioned if the wood piles would be visible from the road. Mr. Kussow explained that the property is heavily vegetated, but the piles may be visible in the winter. Laura McGucken questioned why there are two areas for wood storage indicated on the plan. Gregg Taylor explained that he will be storing 5 cords of wood in each location. He explained that the wood will be delivered in 8 foot lengths, where the uncut lengths will be stored on the west side of the

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property and the cut (ready to burn) lengths will be stored near the east side of his house where the wood burner is located. Ms. McGucken questioned how he will be storing/stacking the wood. Mr. Taylor explained. Jim Hampton questioned if he will be cutting the wood with a chainsaw and wood splitter all summer long. Mr. Taylor stated that he will be using a chainsaw to cut the 8 foot lengths into 3 pieces, but will not be splitting the wood. Ms. McGucken questioned if the wood piles will be able to be seen from the road and house to the east. He explained that it would be difficult since the property slopes up hill. He stated that they have discussed the proposal with the neighbors. Mr. Hebbe questioned how much wood they go through in a season. He stated that they go through approximately 12 cords of wood. Mr. Hampton questioned the minimum setbacks. Mr. Kussow stated that the setbacks are 5 feet. Chairman Muellner questioned the minimum lot size in that area. Mr. Kussow stated the minimum lot size is 1 acre.

Motion by Laura McGucken to approve the Special Use request to allow the storage of 10 full cords of wood on the property addressed 7301 Goldenrod Circle. Seconded by Harlan Hebbe. Motion carried 5-0.

b) Architectural/Design Standards Discussion regarding acceptable roofing materials

Mr. Kussow explained that Staff has recently received and approved a building permit request for a new roofing material. He explained that it is a material that resembles corrugated sheet metal roofing, but it is made out of asphalt. He explained the ordinance which specifies permitted roofing material, and asphalt is an approved material. He explained that this material is unknown to the building inspectors within the area. Mr. Kussow explained that since the Town does not have an architectural review board, an ordinance change may be needed if the Plan Commission wants to restrict this roofing. The Plan Commission questioned and commented on the material and integrity. Dan Dziadosz explained the material and size of sheets that the material comes in. The commission discussed aesthetics of roofing materials and compatibility with the neighborhood aesthetics. Mr. Dziadosz explained the minimum standards ordinance and neighborhood design compatibility standards. The commission questioned and commented on materials and aesthetics. The commission's consensus was that they do not want this type of roofing. The commission recommended updating the ordinance's accepted materials. Jim Hampton suggested researching PVC roofing and other new roofing materials.

OLD BUSINESS:

a) Active & Passive Outdoor Public Recreation Ordinance Revision Discussion; PC Docket # 2014-04

Jeff explained the proposed ordinance. He stated that he did not make any major changes to the "Passive Recreation" section except for specifying "passive" bike trails, which staff does not have a definition for yet.

He explained the Active Outdoor Public Recreation, Low Density section, where the specified uses would only be allowed on 50% of the combined parcels. Laura McGucken questioned if the existing Town parks would be permitted under the Active Outdoor Public Recreation, Low Density section. Mr. Kussow stated that he believes they all would be conforming under that section except for Liberty Park may still be non-conforming, but would need to research it further.

He explained the Active Outdoor Public Recreation, High Density section, which would permit all active outdoor recreational uses in CR-5 and larger zoning districts. He pointed out a possible issue with Outdoor Swimming Pools only being allowed under this section. He stated that most public swimming pools in other communities are near urban centers or populated areas, which the proposed ordinance

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would not allow. He also pointed out a possible issue with Swimming Beaches. He stated that most of the properties along Lake Wausau are zoned SR-2 & SR-3 and the proposed ordinance would not allow a swimming beach on these properties.

Ms. McGucken stated that she is ok with the Active Outdoor Public Recreation, High Density section. Ms. McGucken questioned and commented on the definition of children and drop off areas. Dan Dziadosz explained some resources that define active and passive recreation uses. He stated that he feels there are two levels of activity/passivity that the commission has been discussing. He suggested creating two new definitions that defines the two separate levels, such as for bicycling and horseback riding. Ms. McGucken stated that she likes the idea so that decisions are not made arbitrarily. The commission questioned and commented on public pools and swimming beaches. Dan Dziadosz stated that Park Commission is interested in having a joint meeting. Dan suggested having the joint meeting at the next Plan Commission meeting. Ms. McGucken questioned if the ordinance mentioned boat launches. Mr. Kussow stated that it is vaguely referenced in the passive outdoor public recreational use section. The commission questioned and commented. Jim Hampton suggested permitting non-motorized boat launches in the passive use section and motorized boat launches in the Active use, Low Density section.

CORRESPONDENCE / QUESTIONS:

- a) *Resident complaint regarding commercial plant sales at the property addressed 1704 Lily Lane; Parcel #: 34.570.000.008.00.00*

Jeff Kussow explained that a resident on Lily Lane has a large flower garden and she is selling these plants by digging them out of the ground and selling the plants. Dan Dziadosz stated that it appears she is digging them out of the yard for sale, but some plants are potted. Mr. Kussow explained that there was a complaint regarding traffic due to this business. Mr. Kussow questioned should the Town treat this use as a commercial garden vs. a direct seller. Laura McGucken questioned how this issue would fit with a Home Occupation. Chairman Muellner questioned if items can be sold at a Home Occupation. The commission questioned and commented on traffic generated by home occupations and nuisances. Mr. Kussow quoted the Home Occupation ordinance stating “the sale of items or products on premises is prohibited”. Ms. McGucken stated that this issue should be considered a Home Occupation which is in violation due to the sale of items on premises. Mr. Kussow questioned how this is different from an individual selling produce from their property which was grown on their property, which is permitted by right. The commission questioned and commented. Mr. Dziadosz stated that the property owner did have a direct sellers permit to sell plants on Rib Mountain Drive. The commission questioned and commented. The commission’s consensus was that this property owner is in violation of the Home Occupation ordinance section.

- b) Chairman Muellner mentioned that there are a lot of temporary signs along Rib Mountain Drive and questioned if staff is sending notices. Mr. Kussow stated that notices were sent out to multiple businesses last week. Mr. Kussow questioned if staff should be regulating the promotion signs that are in a fast food restaurant’s drive-thru. The commission questioned and commented on different kinds of temporary signs. The commission suggested discussing temporary signage changes at a future meeting.

Chairman Muellner questioned the quality of Bone & Joint’s prairie landscaping. Ms. McGucken stated that the abundant plant that is flowering in the landscaping is Canadian Goldenrod, which is a non-native plant. The commission questioned and commented on the lack of quality of their landscaping.

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c) *Storage Container Houses Discussion*

Dan Dziadosz handed out photos of storage container houses to the commission. He explained that there are people in parts of the country building these types of houses. The commission questioned and commented on prohibiting these types of housing structure. The commission's consensus was to prohibit storage container housing.

d) *Shoreland Zoning Law Changes*

Dan Dziadosz stated that an appeals court ruling prohibits any Town zoning regulations within the designated Shoreland Zoning areas. He explained that according to the ruling, the Town has no zoning authority within the Shoreland Zoning districts. The commission questioned and commented. Mr. Kussow explained that any other zoning regulations would default to County zoning, even though the Town is independently zoned. Dan Dziadosz stated that this is not the end of this issue and staff will keep Plan Commission informed.

ADJOURN:

**Motion by Tom Steele and seconded by Harlan Hebbe to adjourn. Motion Carried 5-0.
Meeting Adjourned at 8:13 p.m.**

Respectfully Submitted,
Jeff Kussow, Assistant Zoning Administrator