

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
September 24th, 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 Kevin Mataczynski, Christine Nykiel and Tom Steele. Also present were Zoning Administrator Dan Dziadosz and Assistant Zoning Administrator Jeff Kussow.

MINUTES:

Motion by Tom Steele to approve the September 10th, 2014 regular planning commission meeting minutes. Seconded by Jim Hampton. Motion carried 7-0.

PUBLIC HEARINGS:

- a) *Patrick & Susan Wurzer requesting Conditional Use approval to allow the construction of a 40 ft. by 36 ft. accessory building on the property addressed 6200 North Mountain Road, resulting in greater than 1,000 square feet, but less than 1,500 square feet of total accessory building area on the parcel; per RMMC Sec. 17.056(8)(d) – Detached Private Residential Garage, Carport, or Utility Shed; Premises legally described as Part of the NE ¼ SE ¼ of Sec. 6 T28N R7E – Lot 1 of CSM Vol. 72 Pg. 57 (#15786) (Doc# 1569548); Parcel # 34.62807.013.008.00.00; PC Docket # 2014-24*

Jeff Kussow explained Conditional Use request to allow for a 40 ft. by 36 ft. (1,440 sq. ft.) accessory building on the property addressed 6200 North Mountain Rd. He explained that per the Rib Mountain Municipal Code, accessory buildings over 1,000 sq. ft. require a conditional use approval. He stated that the proposed accessory building will be the only accessory building on the property and will be constructed of similar materials as the primary building. Mr. Kussow explained the site plan and stated that the property is heavily wooded which makes it mostly not visible from the road. The commission questioned and commented. Chairman Muellner opened the public hearing up for public comment. No comments from the public. Dan Dziadosz stated that he received one phone call from the neighbor to the west and they had no issue with the building.

Motion by Tom Steele to recommend approval of the Conditional Use request to allow the construction of a 40 ft. by 36 ft. accessory building on the property addressed 6200 North Mountain Road. Seconded by Harlan Hebbe. Motion carried 7-0.

CERTIFIED SURVEY MAP APPROVALS: NONE

NEW BUSINESS: NONE

OLD BUSINESS:

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

Mr. Kussow stated that some Park Commission members were present at the meeting for discussion. He explained the proposed draft definitions for Active and Passive Outdoor Public Recreational uses. He also explained the proposed draft ordinances 1) Passive Outdoor Public Recreational; 2) Active Outdoor Public Recreational, Low Intensity; & 3) Active Outdoor Public Recreational, High Intensity.

Bill Bursaw, Park Commission Chair, stated that the Park Commission is seeking to bring all parks into compliance, and the Park Commission has had initial discussions of potentially closing parks if they are not brought into compliance because they fail to meet the zoning code and therefore not allowed. Mr. Kussow explained that all parks would be in compliance under the proposed Active Outdoor Public Recreational, Low Intensity code section.

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
September 24th, 2014

Chad Grundemann, Park Commission member, questioned the process to bring the parks into compliance if the proposed ordinances were approved. Mr. Kussow stated that there would be no process since the parks would be grandfathered. He stated that the proposed ordinances would permit a process for similar parks as the existing parks to be approved through conditional use approval.

Christine Nykiel questioned why the Park Commission was considering closing parks. Bill Bursaw stated that if the Park Commission supports the parks in the Town and they are not compliant or grandfathered, they cannot have the parks legally. The Plan Commission and Park Commission discussed the non-compliances, legalities and development of the ordinances.

Brad Conklin, Park Commission member, stated that the Park Commission has a lot of potential projects and they want to make sure that they are not wasting time with pursuing these projects. Bill Bursaw mentioned that the Park Commission is looking to approve the new 5 year outdoor recreation plan. The Plan Commission and Park Commission members discussed the proposed ordinance, allowed uses, and flexibility. Chad Grundemann mentioned that the Park Commission has received comments from residents regarding implementing disc golf within the community, and questioned which use it would fall under. The commission discussed the classification of disc golf and how the condition restricting 50% intensity would be calculated.

The Plan Commission and Park Commission members questioned and commented on the proposed ordinance modifications, potential recreational uses for the Town, classification of streets and access to parks, and the 5 year outdoor recreation plan. The Commission questioned how land can be dedicated to park purposes. Dan Dziadosz explained that the developer can dedicate land, or each new home pays \$600 which goes to the parkland fund. The Commission suggested that the Park Commission should review the ordinance at their next meeting and provide comments to the Plan Commission. Jeff Kussow said that he can attend the Park Commission meeting to answer questions.

b) Staff interpretation regarding plant sales at the property addressed 1704 Lily Lane; Parcel #: 34.570.000.008.00.00

Jeff Kussow explained that he further reviewed the Town Home Occupation ordinance vs. the Regulating Direct Sellers ordinance regarding the home owner selling plants on the property addressed 1704 Lily Ln. He stated he interprets this use as being a direct seller with the individual growing the flowers on their property and selling them from their property. He stated that individuals are exempt from direct seller licensing regulations if the person grows the plants on their property and the plants are being sold from that property. He explained that the property owner is permitted to continue as currently existing, but still subject to nuisance and other ordinance regulations such as traffic, signage etc. Laura McGucken questioned where the line is drawn between a direct seller and a commercial plant sales operation. Dan Dziadosz stated that this issue is similar to the Rib Mountain Greenhouse, where the Town views it as a commercial operation, but the State views it as an agricultural operation. Mr. Kussow stated that a residential garden is limited to 3,000 square feet. Chairman Muellner questioned if the garden area is cumulative or per garden. Mr. Kussow stated that it would be a maximum of 3,000 square feet of cumulative garden area, and if a garden is larger than 3,000 square feet then it is considered "cultivation" which is only permitted in certain districts. The commission questioned and commented on the signage, specifically regarding yard sale signage vs. home occupation signage. Christine Nykiel questioned if the Town has spoken to the individual at 1704 Lily Ln. Mr. Kussow stated that he will be touching base with the individual. The commission did not object to the Staff interpretation. Harlan Hebbe stated that information from both sides regarding a complaint needs to be gathered before an enforcement decision is made.

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
September 24th, 2014

CORRESPONDENCE / QUESTIONS:

Wausau Health & Fitness Temporary Sign

Jeff Kussow explained that staff received a complaint from the owner/manager of Wausau Health & Fitness regarding the temporary signage enforcement letter that staff sent to him. Mr. Kussow shared pictures of the Wausau Health & Fitness sign next to multiple political signs on the northwest corner of Oriole Ln. and Rib Mountain Dr. Dan Dziadosz stated that the Town does not heavily regulate political signs. Mr. Kussow explained that the Town ordinance does not allow temporary off premise directional signage for commercial businesses. He also explained that the he owner/manger's position is that he should be able to put up signs on that corner if all of the political signs are permitted on that corner. The commission's consensus was that the Wausau Health & Fitness sign is not permitted. Dan Dziadosz mentioned the possibility of allowing a unique off premises directional sign similar to the other directional sign further south on Rib Mountain Drive. The commission questioned and commented.

Town Comprehensive Plan Update

Dan Dziadosz explained that the Town received a notice from Marathon County Conservation, Planning & Zoning asking if the Town is interested in participating in the general County-wide comprehensive plan update. He explained that the Town was not pleased with the last update done through the county, but it did meet the state mandate for having one in place timely. He stated that it is in the next year goals to create an RFP for a comprehensive plan update for the Town. The commission discussed getting a quality product which has more detail, and other options for the update. Jim Hampton suggested going with the county, but using those results to create a more detailed plan oriented to the Town, which may cost less.

ADJOURN:

**Motion by Tom Steele and seconded by Kevin Mataczynski to adjourn. Motion Carried 7-0.
Meeting Adjourned at 8:13 p.m.**

Respectfully Submitted,
Jeff Kussow, Assistant Zoning Administrator