

**Town of Scott  
Brown County, WI  
Planning Commission Meeting Minutes  
August 26, 2009**

**1. Call to order/roll call**

Meeting called to order by Chairman Bill Roskams at 6:03 p.m. at the Scott Town Hall. Present: Bill Roskams, Paul VandenPlas, Bob Fuhr, Mike VanLanen, Jeff Zlatohlavek, Anita Zipperer, Secretary, and Dave Cerny, Town Planner. Dale Herold and Beth Fritsche were excused.

**2. Approve Planning Commission minutes of July 23, 2009 meeting**

J. Zlatohlavek moved to accept the minutes as presented. P. VandenPlas seconded. All in favor. Minutes accepted.

**3. Public input**

J. Zlatohlavek moved to suspend order for public input. P. VandenPlas seconded. All in favor.

M. VanLanen stated that he had been contacted by Schroeders Flowers about expanding their greenhouse at the Shell gas station and having a weekly "farmers' market" there next year. Schroeders inquired about how it would be regulated. Discussion took place about parking, traffic, storm water management and other related issues. D. Cerny stated that Schroeders should have a site plan review if they plan to expand the business. VanLanen said it would be appropriate for the Planning Commission to conduct a site review in a situation like this and he will bring up Schroeders proposal at the Town Board meeting. B. Roskams will inquire about how Green Bay regulates their farmers' markets.

M. VanLanen moved to return to the regular agenda. J. Zlatohlavek seconded. All in favor. Motion carried.

**4. Review/take action on a proposed parking lot located at SC-206-1 (located north of and adjacent to Victoria's Restaurant).**

D. Cerny referred members to his staff notes (attachment 1) and presented two plans, one of the existing site and one of the proposed plan (attachment 2, pages 1 & 2). Victoria's currently has 44 spaces around their building and this plan will give them an additional 54 spaces. According to the Town engineer, the parcel is less than the ½ acre rule for impervious surface so they do not have to build a retention pond but can adjust two catch basins to avoid water running into the road. They will also need to conform to erosion control measures during construction. Cerny referred members to the handout on Site Plan Review Criteria (attachment 3, pages 1-4). Further discussion focused on ingress and egress, possibility of storm water runoff overloading the system, whether the Commission needed to concern itself with cross easements from neighboring properties, and snow storage. Consensus on snow storage is to leave it up to the owner as long as it doesn't end up in the right of way. M. Van moved to accept the plan for parcel SC-206-1 for Victoria's Restaurant. J. Zlatohlavek seconded. All in favor. Motion carried.

**5. Discuss/take action to change building setback regulations on primary and accessory structures.**

D. Cerny referred members to handouts showing suggested changes for setbacks to provide greater standardization (attachment 4, pages 1-3). Lengthy discussion took place about whether to allow shorter setbacks for accessory buildings for aesthetic purposes or with neighbors' approval and

whether buildings smaller than 100 square feet should be exempt from the permitting process or setback requirements. Consensus was not to consider exempting buildings of less than 100 sq feet due to difficulty of enforcement and other considerations. Cerny stated that he was told by City staff that it was common in Green Bay for the Zoning Board of Appeals to allow shorter setbacks if the neighbor agreed. Discussion focused on the cost of fees for application to the Zoning Board of Appeals fee (currently \$740) and the advisability of reducing setback requirements with neighbors' permission.

B. Fuhr moved to accept new specifications as presented by C. Cerny except that the rear yard setback for an accessory building could be closer than 12' if mutually agreed to by adjacent property owner(s). Motion failed for lack of a second. B. Fuhr moved to accept all changes for setbacks as presented except for the rear setback on accessory building only where the property owner could encroach on rear setback with backyard neighbor's permission. Motion failed for lack of a second. B. Fuhr modified his motion to accept new specifications as presented by D. Cerny except the rear yard setback for an accessory building could be closer than 12' if all property owners adjoining the parcel agree to the setback change and the rear yard setback would not be reduced to less than four feet. J. Zlatohlavek seconded. Motion carried, Aye-3, No-1.

#### **6. Review/take action on a proposed ordinance change to permit business uses in both Agricultural and Residential Zoning Districts.**

D. Cerny referred members to his staff notes (attachment 1) and presented suggested changes to Article III-Definitions and Article IV-General Provisions of the Town ordinance (attachment 5, pages 1 and 2). Discussion focused on the need for permit renewals to all come due the first of the year so the Commission could review what is taking place with the business and determine whether it is still conforming to original permit stipulations. If not, the business would have up to one year to address the concerns or the permit would be terminated. Consensus of the commission was that the changes presented are positive and meet the needs of the Town and the desire to promote business. The proposed changes will go to Town Board which will schedule a public hearing and vote on the changes. J. Zlatohlavek moved to accept the changes as presented with additional language providing for an annual permit review with up to a one-year allowance to fix violations after the annual review M. VanLanen seconded All in favor. Motion passed.

#### **7. Review and discuss the Town's Comprehensive Plan and possible updates.**

No discussion took place.

#### **8. Volunteer to attend Town Board meeting on September 8, 2009.**

Bill Roskams will attend.

#### **9. Next regular Planning Commission meeting is scheduled for September 24, 2009.**

#### **10. Adjourn**

M. VanLanen moved to adjourn, J. Zlatohlavek seconded. All in favor. Meeting adjourned at 8:00 p.m.

Respectfully submitted,

Anita Zipperer, Secretary  
Town of Scott Planning Commission