

Meeting Minutes

City Plan Commission

Monday, January 8, 2007

PRESENT: Chm. Mayor Wescott; Lois Feldman; Jerry Moore; Fred Steffen; Karen Aldinger; Ann Shannon; (Excused, Jeff Zabel)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; Sewer & Water Dir. Kim Halverson; Public Works Dir. Joe Euclide; Ald. Sevenich, Walther, Hanson, Wiza, Trzebiatowski, Molski, Stroik, and Barber; Chris Northwood; Hans Hofmeister; Heidi Okray; Eric Hofmeister; Jerry Kirschling; Jim Weinmann; Jeff Landin, Po. Co. Bus. Council; Reid Rocheleau; Pete Ananiadis; Joel Lemke; Andrew Halverson; Dan Johnson; Gene Kemmeter, Po. Co. Gazette

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- 1) Approval of the Minutes of the December 4, 2006 Plan Commission Meeting
- 2) Amendment of Sec. 23.02(4)(e) Wellhead Protection Overlay District - 3.4 Conditional Uses Add: "Printing and Duplicating Businesses which use hazardous chemicals as defined by the EPA in their printing process." (The same would be deleted from 3.5 Prohibited Uses)
- 3) Conditional Use Request from Spectra Print to Locate a Printing Business at 2301 Country Club Drive
- 4) Amendment of Sec. 23.02(4)(d) Wireless Communication Towers - Height and Setback Restrictions in Industrial Zones
- 5) Conditional Use Request from Cellcom to Increase Height of Cingular Wireless Tower at 5217 Heffron Court
- 6) Proposed Subdivision - Bonnie Bay Court on Bonnie Bay Road

1) Approval of the Minutes of the December 4, 2006 Plan Commission Meeting

Lois Feldman moved, seconded by Fred Steffen, to approve the minutes of the December 4, 2006 meeting. Ayes all; Nays none; Motion carried.

2) Amendment of Sec. 23.02(4)(e) Wellhead Protection Overlay District - 3.4 Conditional Uses Add: "Printing and Duplicating Businesses which use hazardous chemicals as defined by the EPA in their printing process." (The same would be deleted from 3.5 Prohibited Uses)

Chm. Wescott introduced the item and asked Eric Hofmeister to give an introduction.

Eric Hofmeister, an owner of Spectra Print, stated they are excited about acquiring the former Woodward Governor site. They are purchasing four new printing presses and, because of the expense involved in relocating presses, they decided to purchase the new building now and locate the new presses in conjunction with the new building. They are at capacity with their old building and don't have more land for expansion at their present location.

We have reached an agreement with the current owners with the contingencies of amending the zoning restrictions in that area, financing, and inspection. We have been in the city for 75 years and are very confident that our business does not pose any danger to the environment or the water. We have worked with the city and all tests have come back positive.

Chm. Wescott reviewed the staff memo and noted it is an exciting time when a local industry expands and you are to be congratulated.

Ann Shannon questioned if there would be any problem with spill containment on the loading docks.

Hans Hofmeister responded the chemicals are unloaded from the truck and immediately moved inside. They have a contingency plan in effect if something were to be spilled at the dock.

Jerry Moore moved, seconded by Fred Steffen, to recommend amending the Wellhead Protection Overlay District by adding: (7) "Printing and duplicating businesses which use hazardous chemicals as defined by the EPA in their printing process" to the list of Conditional Uses and deleting it from Prohibited Uses.

Ayes all; Nays none; Motion carried.

3) Conditional Use Request from Spectra Print to Locate a Printing Business at 2301 Country Club Drive

Chm. Wescott noted we need to review the conditional use standards and findings and see that the standards have been complied with or exceeded.

John Gardner noted it must be on record that the Plan Commission includes some of the standards in the motion.

He referred to the additional handout which includes correspondence from Attorney Gerald O'Brien, representing the Hofmeister's, who suggested the following language in condition #7 - "The City reserves the right to impose additional reasonable restrictions or to deny permission to new or different chemical use that may pose an inherent risk to the ground water." Additional correspondence from neighbors expressed concern about increased truck traffic on Carol's Lane. The Hofmeister's propose to continue to use the southerly entrance as their principal entrance. He noted the Hofmeister's have been a pleasure to work with. They have been very open and cooperative about this project.

Kim Halverson, Water & Sewage Dept. Dir., stated she toured their current facility and couldn't see any indications of any previous spills. She is very confident they are doing a good job.

John Gardner noted that due to the size of the parcel, we can expect future lot split requests.

Chm. Wescott moved, seconded by Jerry Moore, to recommend approval of the conditional use request of Spectra Print to locate a printing business at 2301 Country Club Drive including the nine conditions listed in the staff report, to amend the second sentence of staff condition #7 to read "The City reserves the right to impose additional reasonable restrictions or to deny permission to new or different chemical use that may pose an inherent risk to the ground water", and the Commission has reviewed the conditional use standards and finds the petition to be in compliance with all the Conditional Use Standards and all requirements under the law. Ayes all; Nays none; Motion carried.

4) Amendment of Sec. 23.02(4)(d) Wireless Communication Towers - Height and Setback Restrictions in Industrial Zones

Chm. Wescott reviewed the staff memo and indicated the FAA and DOT Bureau of Aeronautics have reviewed the height request and found that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the structure is marked and/or lighted in accordance with FAA regulations.

John Gardner reminded the commission that this item had come before the commission before and we had a choice of one taller tower or two shorter towers. The commission recommended to build the tower on Heffron Ct. strong enough that it could be made taller if approval was received from the FAA. The extended tower will be lighted which is an FAA requirement. Plan Commission can do one of the following: 1) approve the request by amending the setback requirements in Industrial Zoning and approve a conditional use at this location, 2) limit the setback area to include only industrial areas along the interstate (a range of not less than 400 ft. and not more than 2000 ft. from I-39) which would limit the taller towers to the Woodward Governor site, Stevens Point Industrial Park, and the Portage County Business Park, or 3) allow the taller towers in commercial and industrial zones which would allow taller towers along the interstate and Highway 10 East.

Karen Aldinger prefers the tower locations to be just in industrial areas so there isn't a conflict with residential.

Fred Steffen agreed. It could always be amended in the future if more towers are needed.

Ann Shannon also agreed with just the industrial areas. It is hard to predict the future and she would rather look at it again if needed.

Ald. Hanson expressed concern with the area from Hwy 10 going north. The airport has a lot of planes that use visual navigation in and out and he would like to see the towers limited to the industrial areas away from the airport.

Ann Shannon urged sensitivity to the neighborhood north of the Industrial Park and across the railroad tracks. There really isn't much of a buffer there between residential and industrial.

Fred Steffen noted the this tower is located almost 250' from the nearest residence where homes are screened by trees. He is not sure how much land we have between the industrial and residential across the tracks. He agreed with not more than 2,000 ft. from I-39 nor any closer than 250' to any residence.

John Gardner responded the 250' you are referring to is this particular site. It doesn't really reflect the area across the tracks. The houses really are right across the tracks.

Fred Steffen moved, seconded by Karen Aldinger, to recommend approval of amending the height and setback restrictions of the Wireless

Communication Tower Ordinance by allowing a maximum height in Industrial zoning only (both M1 and M2) to increase to 175' only within 2,000 ft. of I-39, and a minimum 250' setback from residential properties, and to amend the setback provision in Industrial zoning (both M1 & M2) to be the height of the tower but not to exceed 150 ft. within 2,000 ft of the interstate.

Ayes all; Nays none; Motion carried.

5) Conditional Use Request from Cellcom to Increase Height of Cingular Wireless Tower at 5217 Heffron Court

Lois Feldman moved, seconded by Fred Steffen, to recommend approval of the conditional use request to increase the height of the tower at 5217 Heffron Ct. from 145 ft. to 175 ft. The Plan Commission finds the conditional use request to be in compliance with #1, 2, 3, 5, 7 and 8 of the Conditional Use Standards. Ayes all; Nays none; Motion carried.

6) Proposed Subdivision - Bonnie Bay Court on Bonnie Bay Road

John Gardner stated the property is located in Phase 2 of the Boundary Adjustment Area. The owner proposes to split one lot into three parcels with a minimum of 105' for each lot at the building line.

Fred Steffen moved, seconded by Ann Shannon, to recommend approval of the subdivision as proposed on Bonnie Bay Road. Ayes all; Nays none; Motion carried.

Meeting adjourned at 4:35 p.m.

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