

Meeting Minutes

REPORT OF CITY PLAN COMMISSION

Monday, June 5, 2000 - 4:00 P.M.

PRESENT: Acting Chm. Elbert Rackow; Jeff Zabel; Fred Steffen; Lois Feldman (Excused, Ch. Wescott, Art Davy, and Bud Flood)

ALSO PRESENT: Comm. Dev. Dir. John Gardner; City Clerk Vickie Zdroik; Ald. Phillips, Molski, Sevenich, Kedrowski, Seiser, Nealis; Water Dept. Dir. Greg Disher; Mayors Assis. Neil Marciniak; Co.Po. Co. Board Chm. Clarence Hintz; Po. Co. Planning/Zoning Dir. Chuck Kell; Po. Co. Water Quality Spec. Ray Schmidt; Mark Ilten; Jerry Walters; Reid Rocheleau; Bernie Coerper; George Kraft, UWSP; Bryant Browne, Po. Co. GWAC; Scott Krueger, WIZD; Susan Kampmeier, Journal; Gene Kemmeter, Po. Co. Gazette

INDEX:

1. APPROVAL OF THE MAY 1, 2000 PLAN COMMISSION MINUTES
2. AMEND CONDITIONAL USE - ST. PAUL LUTHERAN CHURCH EXPANSION PLAN  
1919 WYATT AVENUE
3. FINAL PLAT - HEFFRON WOODS FIRST ADDITION
4. ACCEPT STREET ROW - WOODLAND STREET @ BRILOWSKI ROAD
5. AMEND SIDE YARD SETBACK REQUIREMENT - "B-4" COMMERCIAL ZONING
6. AMEND ALLOWED USES - PORTAGE COUNTY BUSINESS PARK - GROUNDWATER OVERLAY DISTRICT ZONE B, 5-YEAR TIME OF TRAVEL. \_\_\_\_\_

1. APPROVAL OF THE MAY 1, 2000 PLAN COMMISSION MINUTES

Lois Feldman moved, seconded by Jeff Zabel, to approve the minutes of the May 1, 2000 Plan Commission meeting. Ayes all; Nays none; Motion carried.

Back to Index

2. AMEND CONDITIONAL USE - ST. PAUL LUTHERAN CHURCH EXPANSION PLAN  
1919 WYATT AVENUE

John Gardner stated the school and the neighbors have reached an agreement to modify the previously-approved site plan. The agreement reduces the setback along the north property lines of the properties facing Center Street from 10' to 7'. Staff recommends approval.

Fred Steffen moved, seconded by Jeff Zabel, to recommend approval of amending the conditional use for the expansion plan for St. Paul Lutheran Church as proposed.

Ayes all; Nays none; Motion carried.

Back to Index

3. FINAL PLAT - HEFFRON WOODS FIRST ADDITION

John Gardner stated the final plat is identical to the preliminary plat and staff recommends approval with the same condition.

Jeff Zabel moved, seconded by Lois Feldman, to recommend approval of the final plat for Heffron Woods First Addition with the condition/restriction that the City accept \$250 per lot Park Fee in lieu of land dedication. Ayes all; Nays none; Motion carried.

Back to Index

4. ACCEPT STREET ROW - WOODLAND STREET @ BRILOWSKI ROAD

John Gardner stated the street ROW is needed for the widening of Brilowski Road and the extension of Woodland Street and he recommends approval.

Fred Steffen moved, seconded by Lois Feldman, to recommend approval of accepting the street ROW as shown on the attached map.

Ayes all; Nays none; Motion carried.

Back to Index

5. AMEND SIDE YARD SETBACK REQUIREMENT - "B-4" COMMERCIAL ZONING

Acting Chm. stated this item has been withdrawn.

Back to Index

6. AMEND ALLOWED USES - PORTAGE COUNTY BUSINESS PARK - GROUNDWATER OVERLAY DISTRICT ZONE B, 5-YEAR TIME OF TRAVEL.

John Gardner reviewed the changes proposed by the County to address hazardous materials use within the Portage County Business Park. Basically, the proposal is looking at going from prohibition to a managed use of hazardous materials use. He has not made a recommendation on this. His involvement is to review the proposal and try to make it enforceable.

**Chuck Kell, Po. Co. Planning & Zoning Director, stated currently the city's Wellhead Protection Ordinance has two factors with regard to the Portage County Business Park: 1) the area west of Brilowski Road is in Zone B which says you cannot use, store, or house hazardous chemicals or materials, and 2) the balance of the park, and any area that the County may expand the park into, is unregulated. We routinely deal with businesses that want to come into the community that have and use various types of materials in their operations that are hazardous by EPA standards. Not all of these materials are of a hazardous nature, some are just oils, etc. We want to protect the wells no matter what. We have researched around the country and the proposal before you today is the approach that was developed to address these issues. An addition that we may want to make to this ordinance is the fact that there also could be industrial development that may or may not be owned and regulated by the county. There are other investors looking at the possibility of acquiring land in this area for the same types of development, so we may want to broaden this a little to say "County Business Park or other commercial/industrial development in certain sections".**

Jeff Zabel noted he understands what they are trying to do in the big scheme of things, but he questioned if there is enough resources to manage and regulate this.

Chuck Kell responded if there is any county capable of handling this, it is us because we have been on the cutting edge of this groundwater issue

since day one. A combination of our staff knowledge and the ability to require inspections from outside experts such as consulting engineers will adequately address those issues.

Elbert Rackow reviewed the portion of Section 3.8 that addresses professional consultants providing inspections and , and suggested inserting the wording "not less than annually".

John Gardner noted initially, we would rely on outside help for compliance inspections and it is our expectation that the developer would pay for these services.

Bryant Browne, Po. Co. GWAC, expressed concern with Sections 3.2 and 3.5 of the ordinance which deal with permitted uses and prohibited uses. He feels the language is vague and needs to be tightened to deal with possible undesirable situations.

**Pete Marsnik noted in reading the ordinance, and granted there is a lot of language, he didn't get the feeling that a credentialed individual needs to prepare the plan. He feels a credentialed individual is essential at the start.**

Ray Schmidt noted that there are some uses that would be prohibited in the business park such as gas stations, oil change businesses, any types of maintenance garages, etc.

George Kraft, UW Groundwater Resources, noted he found the ordinance a little difficult to follow and it could use a good going over. He expressed concern with compliance issues when a business sells and increases in capacity and feels that needs to be addressed. He suggested some kind of mechanism such as an environmental bond to take care of noncompliance problems.

John Gardner responded we could fall back on fines and penalties under the Zoning Ordinance.

Ray Schmidt noted there is an extensive inspection program built into this ordinance which was very carefully written based on things being done in other areas for many years. There is also a section on changes in operation which was designed specifically to pull people back in to the planning process before a building changes hands. A cursory glance at this ordinance would not do it justice.

**Chuck Kell felt George's idea about an environmental bond is a good idea and something we should seriously look at.**

John Gardner stated the proposal would allow uses into the business park if they pass the design review process that would involve the Village of Whiting and the County. We would hire appropriate professional staff to review the proposal. It would then be reviewed by the City. After construction, professionals would audit the facility to make sure it was constructed according to the original plans and then approval would be given for operations to begin. There is a provision for surprise inspections to view the operation and make sure there are no changes. **Any sale of property is recorded in the assessor's office.**

Bryant Browne questioned whether there is a standard for the Regulated Substance Management Plan that exists now.

John Gardner responded there are federal and state requirements for reporting certain substances that are handled by private industry and that is what we use as a basis.

Ald. Seiser feels the ordinance is going in two different directions. The whole area is not protected right now by the five year time of travel. The City of Stevens Point needs to do something about it because in putting together their Wellhead Protection Ordinance, they did not include information **about restrictions on the C Zone. She doesn't think what the County is recommending in terms of restrictions is any service to protection of our groundwater.** It is allowing more uses. The City really needs to look very carefully about expanding the kinds of industrial uses in a wellhead protection area.

Ald. Phillips noted expansion can be controlled by not granting a zoning change to questionable development proposals.

Jerry Walters, Village of Whiting Material and Utility Committee, noted they are extremely grateful for the work done on this ordinance. He agrees **with some of the concerns that need to be addressed, but this is a well put together document that covers not only Stevens Point's future water but the Whiting groundwater.**

Pete Marsnik noted OSHA requires companies to have chemical hygiene plans for any hazardous substances that exist on the facility and people need to be trained, chemicals need to be labeled, and the msts sheets need to be made available. He feels this proposal is cutting edge and a good approach.

Ald. Seiser noted the OSHA standards are federal standards and are in effect everywhere. The reason we have an overlay district for wellhead protection in this county is because the OSHA standards are minimum standards and do not look at water resources. Our special Wellhead Protection Ordinance is to protect our wells. Lets keep the Wellhead Protection Ordinance as it is. She feels the proposed amendments will weaken that ordinance.

**Ald. Kedrowski agreed with Ald. Seiser's comments. The area of quality water keeps getting smaller and he is against the proposed amendme**

Reid Rocheleau agreed with Ald. Seiser, Ald. Kedrowski and Ald. Phillips comments. We have the protection with prohibition and need to keep it.

Jeff Zabel felt there have been a lot of good comments both ways. The county's plan has some merit and should be pursued.

Jeff Zabel moved, seconded by Fred Steffen, to address the county plan further, that the comments and corrections expressed be addressed, and bring the proposal back to the Plan Commission.

Fred Steffen wants the inspectors to be independent of the industry, but have expertise in the industry. Just a suggestion, but maybe it is time to find a new park that is outside the well recharge district.

Ayes all; Nays none; Motion carried.

Meeting adjourned at 6:00 p.m.

The meeting minutes reproduced on this website are derived from the computer files used to produce the official minutes for the City of Stevens Point, but are unofficial. The minutes on this web site cannot be certified under s. 889.08, Wis. Stats., and cannot be considered prima facie

evidence under s. 889.04, Wis. Stats. Certain tables, maps, and other documents that are a part of the official minutes are not included in the files reproduced on this website. Please consult the printed minutes, available in the City Clerk's Office, for the official text. The decisions made by City of Stevens Point boards, committees, and commissions (other than the Police & Fire Commission) are advisory only and are not binding on the city until affirmed at a meeting of the Common Council. Some of the minutes on this web site might not be approved by the Common Council as of today.