

September 22, 2014 (Plan Commission)

**PLAN COMMISSION MEETING (Amended by Plan Commission on October 27, 2014)  
MONDAY, SEPTEMBER 22, 2014  
6:30 PM, ALLOUEZ VILLAGE HALL**

CALL TO ORDER/ROLL CALL

Chairperson Kopperud called the meeting to order at 6:32 pm

Present: H. Ropp, P. Dart, K. Hansen, B. Kopperud, R. Retzlaff

Excused: C. Culotta

MODIFY/ADOPT AGENDA

**Motion by Retzlaff/Ropp to adopt the agenda as presented. Motion carried.**

APPROVE MINUTES FROM AUGUST 25, 2014

**Motion by Retzlaff/Hansen to approve the minutes. Motion carried.**

ANNOUNCEMENTS

Fuller

- Gave an update on the Zoning Code. He and Debbie Baenen (Clerk Treasurer) went to Grand Chute to listen to a presentation by Marcia Clifford from General Code. It is a resource to use to put codes online and they also do recodification. Clifford will be presenting an overview of their services to the Village Board on October 7.

Lange

- Gave an update on Public Works projects:
  - The roundabout at Libal and Hoffman Road is open.
  - Hoffman is only open from Webster Avenue to Libal Street. They are behind schedule on the eastern portion of Hoffman due to weather.
  - Waubenoor, Longview and Auburn will be paved tomorrow.
  - Hastings, the southern portion of Webster, and South Clay are not yet paved
  - The East River Trail is paved from 172 south to Hoffman Road

PUBLIC APPEARANCES

Jim O'Rourke, 2339 Oakwood Avenue, is concerned about the Highway 57 project and the proposed study that will be done for the Riverside Drive Corridor Study. He feels it is too late for the public to give any input. He thinks everyone should know how the Highway will impact their property.

APPROVAL OF AMENDMENT TO SECTION 11.27 OF THE VILLAGE ZONING ORDINANCE –  
CELL TOWERS

Chairman Kopperud stated that the Commission would not be looking at making a motion on this.

Discussion:

Fuller stated that there is new legislation that went in place in June of 2013, and it takes a lot of home rule away from local municipalities. The legislation reads local municipalities no longer are able to dictate what zones cell towers can be placed in and a municipality does not have much say in anything related to a cell tower, except requesting that antennas be placed on existing cell towers. It was suggested by Attorney Duffy that cell towers not be sent through the CUP process due to time limitations. The new legislation requires a municipality to approve the construction of a cell tower within 90 days. A new process will have to be developed for review of cell tower construction requests.

- Couldn't the process just be a regular building permit? Yes, it can be for adding additional antennas only.
- Who would be the one to encourage the contractor to use existing sites?
- Required to submit a statement signed and sworn by the applicant that the collocation not result in the same functionality, coverage and capacity is technically infeasible; or is economically burdensome of the mobile service provider.
- Sounds like they have to prove or sign a paper that says that there is no feasible way they can attach it to an existing tower.
- Legislation is confusing.
- Contradictory language in the state statutes.
- Attorney should determine what applies.
- There is a life safety issue in respect to the fall zone of cell towers and they need to be outside of residential areas.
- Are we prohibited from charging rent?
- If the fall zone extends into another municipality, would they need a permit too?
- Concerned with the definition of substantial modification, it only addresses height, it doesn't address structural loading of the existing structure if additional facilities are placed on that structure which could affect the wind loading and other structural elements.
- It would be standard to ask for supporting calculations when issuing a building permit to show that the structural integrity can withstand some additional antennas.
- Can we require structural calculations for all cell towers?

#### DISCUSSION OF RIVERSIDE DRIVE CORRIDOR STUDY AND RECONSTRUCTION TIMELINES

Fuller stated that the DOT gave their presentation to the Village Board. There will be a Public Input Session on October 8, at Aldo Leopold from 5:00 – 7:00 pm. Also, the RFP was approved by the Village Board. He asked that if there are specific goals that the Plan Commission would like addressed as the village is reviewing the RFP's.

Discussion:

- Is the DOT aware of the Corridor Study that we are doing? Yes
- Will they hold off on bigger decisions until they see the outcome of the study?
- The village is trying to be as transparent as possible to the DOT in what they are doing, knowing that there could be some potential development along Riverside Drive.
- If the Northern portion of Riverside Drive was to be re-developed it would require more of an engineering aspect. The DOT would have to get involved to make sure we are doing it correctly.
- DOT would like to have a Preferred Alternative Plan selected by spring of 2015.
- October 8<sup>th</sup> meeting is extremely important for the residents along Riverside Drive to attend. They sent out 680 invitations to those in the area.
- By the summer of 2015 the DOT wants to be down to just a few changes in the plans.
- The corridor study, once approved by the Village Board, will be asked to be completed by June of 2015.
- What is in the RFP?
  - Land uses along the corridor.
  - Potential Zoning changes, for consistency in the zoning.
  - Density
  - Green space requirements within the developments
  - Market analysis
  - Sense of vision. How might Riverside Drive look?
- The consultant will spend time with stakeholders and residents to give them a good sense of what the residents and businesses along that corridor see as part of the vision. All of our plans: Comp Plan, Outdoor Rec Plan, Brown County Plan, Riverfront Development Plan and the DOT's plan have been put together to come up with a product that is a good sell for the developers and our community.
- Within the proposal there are 6 public meetings highlighted that will be presented to either the Plan Commission or the Village Board.
- If there are changes that need to be made, they should be brought to the public meetings.
- Are there interim days for a preliminary analysis to be complete? It would be nice to give the DOT a heads up if there is something major to be changed. To let them know that something has come up that might impact the design. There have not been any interim days set up.
- Notification of the public meetings will be on the website, and via direct mailings.
- Is the selection going to be qualitative or low bid?
- Would like a quality based selection process to the best of the village's ability.
- Village is asking the consultants to provide samples of what they have done.

Lange shared the power point presentation the DOT prepared for the Village Board.

Discussion:

- Seems like there is a long distance between crosswalks.
- Lazarre is a major pedestrian crossing; hope the DOT is aware of that.
- Why is the crosswalk on Allouez Avenue on the side of the road opposite from where the sidewalk is?

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- Speed is an issue on Riverside Drive.
- The village will keep the Plan Commission up to date on the RFP's.
- 14 RFP's were mailed out, and 10 were emailed.

NEXT MEETING DATE AND AGENDA ITEMS

Next meeting date is October 27, 2014 at 6:30 p.m.

Agenda items: Cell tower ordinance, Update on Public Works projects, Corridor Study – may have recommendation from RFP's, update on General Code with power point presentation, update on Webster Avenue Bridge.

ADJOURNMENT

**Motion by Retzlaff/Dart to adjourn at 7:26 p.m. Motion carried.**

Minutes submitted by Sherri Konkol, Deputy Clerk