

**VILLAGE OF THIENSVILLE
PLAN COMMISSION
MINUTES**

DATE: Tuesday, January 9, 2018

**LOCATION: Village of Thiensville
250 Elm Street**

TIME: 6:00 PM

I. CALL TO ORDER

Chairman Mobley called the meeting to order at 6:00 PM.

II. ROLL CALL

Chairman:	Van Mobley	
Commissioners:	John Cabaniss (excused)	Carol Gengler (excused)
	Mike Dyer	Ken Kucharski
	Rick Gattoni	Dan Luedtke
Asst. Administrator:	Colleen Landisch-Hansen	
Planner:	Jon Censky	

III. BUSINESS

- A. Approval of Minutes**
1. December 5, 2017

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Gattoni to approve the December 5, 2017 Minutes. **MOTION CARRIED UNANIMOUSLY.**

- B. Review and recommendation to the Village Board Regarding Request from Jesse Daily, the cheel, for Zoning Text Amendment to Add Beer Garden as a Conditional Use to B-1 Central Business District, 107 Buntrock Avenue**

Jesse Daily and Matthew Buerosse of the cheel were in attendance this evening. Mr. Daily shared with the Commission plans to open a seasonal beer garden in the back yard of Core Consulting at 107 Buntrock Avenue. The cheel and Core Consulting are co-owned by Mr. Daily and Mr. Buerosse. It has been confirmed that the liquor license from the cheel can be used at this contiguous property.

Commissioner Luedtke inquired as to what the difference is between the definition of a beer garden and allowing outdoor consumption of alcohol. Planner Censky shared that when a request is made of this nature that the first task at staff level is to review the Zoning Code to determine if the use is actually listed. In each Zoning District, there are two types of principle uses: permitted uses by right and conditional uses. The B-1 Central Business District currently does not list Outdoor Beer Gardens as either permitted by right or as a conditional use. Upon receipt of this request, it was determined that this will be a two-step process. The first being to amend the Zoning Code to list Outdoor Beer Gardens in the B-1 Central Business District as a conditional use which requires a Zoning Text Amendment and a recommendation from this Commission to the Village Board at which time a Public Hearing will be held and decision will be made whether or not to include this requested use. If this is successful, this allows the applicant the ability to request a Conditional Use Permit. First Zoning is handled and then Conditional Use.

Two Public Hearings will be scheduled. The first Public Hearing will be before the Village Board to solicit input as to whether or not an outdoor beer garden is allowed in the B-1 Central Business District. If approved, a second Public Hearing will be held for the Conditional Use.

Planner Censky clarified that a negative recommendation from the Plan Commission can be brought before the Village Board.

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Mr. Daily shared that the proposed area is private and fully fenced in. A letter of support from Mr. Mueller who resides next to the property has been received.

Commissioner Gattoni inquired as to when the outdoor beer garden would be open. Mr. Daily stated that as long as weather permits it would be open until 10:00 PM. Mr. Daily believes the attendance will be great. Parking was also suggested as being a concern. Mr. Daily indicated that the municipal lot is being worked on, there is street parking, Gordie Boucher allows for the front two rows to be used and the lot next to the Old Fire Station are available. Issues such as these are all addressed during the Conditional Use request through a site plan. Mr. Daily does not see any more than 50 people in the space at one time.

Planner Censky indicated that outdoor sound is often a concern which is handled during the Conditional Use request.

Mr. Daily is also planning to serve food. Part of the plan as well is to open up the fenced-in area to open it up when in operation and then to close it up. This will allow for private party space.

Commissioner Kucharski stated that in speaking with the Tavern League and the State of Wisconsin Department of Revenue, that domain control of the property must be evident, there must be a legal lease and also provide a survey of the site plan for the proposed beer garden before the process can begin. Commissioner Kucharski thinks this proposal is a good idea but questioned the process of submitting paperwork first before any action can be taken.

Planner Censky stated that right now the question before the Commission is if they feel this type of use is appropriate for the B-1 Central Business District regardless of the proposal. If the Commission agrees and is supportive, a recommendation will be made to add outdoor beer gardens to the list of Conditional Uses. With this recommendation a Public Hearing before the Village Board will be scheduled. The Village Board will make the final decision as to add or not to add as a Conditional Use. If approved, then Mr. Daily and Mr. Buerosse need to apply for Conditional Use.

Chairman Mobley clarified that the Plan Commission can: do nothing, forward to the Village Board for a negative recommendation, forward to the Village Board with a positive recommendation or forward with no recommendation whatsoever. If approved, any business in the B-1 Central Business District can apply for this Conditional Use.

Commissioner Dyer asked for clarification of the boundaries of the B-1 Central Business District. Planner Censky and Assistant Administrator Landisch-Hansen shared the Zoning map.

It was suggested to include Outdoor Beer Gardens in all of the Business Districts to unburden any future applicants of this process. Planner Censky indicated that the request at this time concerns the B-1 Central Business District but can certainly be considered and expanded to include other Zoning Districts.

MOTION by Commissioner Gattoni, **SECONDED** by Commissioner Dyer to Recommend a Zoning Text Amendment to the Village Board to Include Outdoor Beer Gardens as a Conditional Use in the B-1 Central Business District. **MOTION CARRIED UNANIMOUSLY.**

C. Review and approval of Site Plan and Architectural Plans for Verizon Wireless Communications Pole, 201 North Main Street

Nathan Ward of Verizon Wireless submitted site plans for approval for a wireless communication pole at 201 North Main Street with respect to the outdoor cabinetry, the posts and fence detail.

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Verizon is willing to accommodate the Village in regards to the request for brick columns and suggested adding another column on the south end as it is 28' across and is too wide for a panel and also another column on the west side. Verizon is also willing to work with Village staff with respect to materials, colors, etc.

Director of Public Works Andy LaFond indicated that a request had been sent to Verizon asking for the roof color to be complimentary to the lift station. There is a small part of the structure that will be above the fence which was requested to compliment the lift station color as well.

Planner Censky indicated that the Public Hearing for this request was in May, 2017. There were no issues at that time. Also, the Zoning Code does establish a setback for these types of installations. This setback is three times the height of the structure to the closest neighboring property line. New state law indicates that the state has control over the siting of these towers. This overrides the Village's setback requirements. Verizon must submit an engineering certification that the fall zone will be within the site itself.

Planner Censky inquired as to the color of the tower. Mr. Ward indicated that all monopoles of this style are galvanized metal. It will be a non-polished, unfinished galvanized grey which will weather over time. It is strongly recommended and encouraged not to require this to be painted as it will cause an aesthetic issue with respect to maintenance over time. The paint will fade and flake and is not an easy task. The grey will blend with the sky better than any color chosen.

Director of Public Works LaFond stated that these structures required safety plaques and signage and requested that these are aesthetically pleasing and make sense. Mr. Ward will work with the Village on the signs. There are only two required signs: an emergency contact number for Verizon Wireless if there is an alarm going off and a sign indicating that this is a radio frequency facility and does emit radio frequencies which is mandated by the FCC.

The gate will be secured with a proper lock. The locks on all Verizon gates are monitored with an alarm that will go off if tampered with.

MOTION by Commissioner Luedtke, **SECONDED** by Commissioner Kucharski to Recommend to the Village Board to Approve Site Plan and Architectural Plans for Verizon Wireless Communications Pole, 201 North Main Street. **MOTION CARRIED UNANIMOUSLY.**

IV. BUSINESS FROM THE FLOOR

Open to any citizen who wishes to speak on items not on the agenda. Please step to the podium and give your name and address for the record.

V. ADJOURNMENT

MOTION by Commissioner Dyer, **SECONDED** by Commissioner Luedtke to adjourn the meeting at 6:33 PM.
MOTION CARRIED UNANIMOUSLY.

Submitted by,



Amy L. Langlois
Village Clerk

Signed by,



Colleen Landisch-Hansen
Assistant Administrator

Approved by,



Dianne S. Robertson
Administrator