VILLAGE OF WILLIAMS BAY

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OFFICIAL MINUTES
PLAN COMMISSION 3/14/2023 MEETING
TUESDAY, MARCH 14, 2023 AT 6:30 PM

I. Call to Order

William Duncan called the meeting to order at 06:30pm.

II. Roll Call

Present: Bill Duncan, Lowell Wright, Pat Watts, Matt Robbins, Maggie Gage, James Killian
Also Present: Attorney, Mark Schroeder, Interim Administrator David Bretl, Zoning Administrator Bonnie Schaeffer, Trustee, Robert Umans, Clerk, Tina Kolls
Excused: Marianne Klemke, Jess Haak

III. Pledge of Allegiance

IV. Minutes

A. Plan Commission Meeting Minutes of 1/10/2023

The motion to approve the Plan Commission Meeting Minutes of 1/10/2023 was initiated by Pat Watts and seconded by Lowell Wright. Unanimously carried.

B. Plan Commission Meeting Minutes of 1/18/2023

The motion to approve the Plan Commission Meeting Minutes of 1/18/2023 was initiated by Pat Watts and seconded by Maggie Gage. Unanimously carried.

C. Joint Plan Commission and Village Board Meeting Minutes of 1/30/2023

The motion to approve the Joint Plan Commission and Village Board Meeting Minutes of 1/30/2023 was initiated by Maggie Gage and seconded by Matt Robbins. Unanimously carried.

V. Recommendation and Possible Action for a Zoning Ordinance Text Amendment

A. Open Public Hearing

William Duncan opened the public hearing at 06:32pm

B. Resolution R-02-23 Regarding Communication Tower Performance Standards Ordinance 2023-02

There were no public comments.

William Duncan explained the text amendment is necessary so that the Village can put all of the cable providers on one tower.

C. Close Public Hearing

William Duncan closed the public hearing at 06:33pm

D. Discussion and Possible Action for the Resolution

Lowell Wright questioned if this was tabled the last time it was an agenda item for insurance questions.

Bonnie Schaeffer explained that the insurance has been addressed in paragraph G. Schaeffer explained the exact same wording as previously written has been added back in.

James Killian questioned if this agenda item had already been previously approved.

Schaeffer explained there are two parts and the other part which was changing the zoning districts had already been approved but, this part was tabled.

William Duncan asked Attorney Mark Schroeder if he approved of the text amendment.

Killian questioned putting the fees into ordinances. Killian explained that by putting the fees into the ordinance it would force the Village to go through the process of changing the ordinance should the fees change.

Schroeder explains that the Village can take the fees out of the ordinance, and that the reason they are in there is because they represent the maximum fees allowed by statute.

Schaeffer explained that it states "or other amount as set by statute" and that it doesn't mean that is what is required to be charged.

Schroeder explained that he was asked about adding the insurance section and statutory requirements and restrictions state, liability insurance can be required. There is language in there requiring the Village to be named as an additional insured, but it is possible that it may be subject to challenge based on some wording in the WIS Stats, but otherwise, the language as previously in the ordinance is fine.

The motion to approve and recommend to the Village Board the approval of Ordinance 2023-02 was initiated by Lowell Wright and seconded by Pat Watts. Unanimously carried.

VI. Recommendation and Possible Action for a Temporary Use Permit

A. APPLICANT: Mike Condron and John Dwyer dba Dip in the Bay
TAX KEY: WOP 00008 AND WWUP 00088
STREET ADDRESS: 105 N. Walworth Street and Lakefront Area, Village of Wiliams Bay
Applicant is requesting a Temporary Use Permit per Section 390.1208 "Temporary Use Permit" and Section 390.0316.B "Temporary Outdoor Sales" for a food vending cart.

John Dwyer, Dip in the Bay, explained that this will be their fourth year back at the beach. Dwyer explained they are looking asking for a Temporary Use Permit so that they can return this year.

Bonnie Schaeffer explained that the Application has not changed from previous years.

Dwyer explained that they get a new contract every year from the Village.

James Killian asked why they need to use the parking lot?

Dwyer explained that the hot dog cart needs to be in the parking lot. Dwyer explained that they use the hot dog cart for special events and in those instances they would park the hot dog cart in the parking lot.

The motion to recommend the Village Board approve a Temporary Use Permit per Section 390.1208 "Temporary Use Permit" and Section 390.0316.B "Temporary Outdoor Sales" for a food vending cart. was initiated by Matt Robbins and seconded by Maggie Gage. Unanimously carried.

VII. Recommendation and Possible Action for a Certificate of Compliance

A. APPLICANT: Hwy 67 Plaza, LLC (Owner), Jay Tonkin (Applicant)
TAX KEY: WOP 00040

STREET ADDRESS: 54 W. Geneva Street, Village of Williams Bay
Applicant is requesting a Certificate of Compliance per Section 390.1211 "Certificate of Compliance" and Section 390.0310.E "Indoor Sales and Service" for an internet sales of automobiles business with indoor storage only.

Jay Tonkin, Hwy 67 Plaza explained that the business would be strictly internet and wholesale only. Tonkin explained there would be no outside flags or anything. Tonkin explained that the business would be Home Based at the State Level so that he can get a License close to home. Tonkin explained that he has been renting the building for the past two years. Tonkin stated he wasn't sure if he needed to come in front of the Commission for approval.

William Duncan explained that it would be considered a Certificate of Compliance and that it is a new use of the building so approval is required.

Bonnie Schaeffer explained that Tonkin needed to have her signature on a State License and she would not do that without approval.

James Killian questioned if this would mean that there would be no more cars, trucks, or boats on trailers sitting on the property with for sale signs on them?

Tonkin explained that he was unaware of that when he took the lease. Tonkin explained that he was only selling his own vehicles and once he was asked not to do it he stopped.

Lowell Wright questioned if there would be any signage or anything on the building?

Tonkin explained he would require a small sign on the glass door with the business name and hours.

The motion recommend the Village Board approve a Certificate of Compliance per Section 390.1211 "Certificate of Compliance" and Section 390.0310.E "Indoor Sales and Service" for an internet sales of automobiles business with indoor storage only was initiated by James Killian and seconded by Lowell Wright. Unanimously carried.

VIII. Recommendation and Possible Action for a Certified Survey Map (Extraterritorial)

A. APPLICANT: Jason Bernard, Bernard Family Trust (Owner)
TAX KEY: FA374600001
STREET ADDRESS: South of Town Line Rd, Town of Delavan
Applicant is requesting approval of a Certified Survey Map per Section 375.0306 "Minor Land Division Procedures" to divide the existing 20.922-acre parcel into two parcels of 10.788 and 10.130 acres each. This includes approval of a variance to Section 375.0706.C which requires that every lot shall front or abut for a distance of at least 40 feet on a public street.

Jason Bernard (391 Lakewood Dr) explained that they have owned the property for several years and are looking to split it. Bernard explained that the lot is approximately 20 acres and is currently zoned C2. Bernard explained that if you were to draw a rectangle which is bound by Hwy 67 and theater and then Town Hall and Hwy 50, the property is right in the middle. Bernard explained that being in the middle means they only have easements to access the property. Bernard explained that they meet all criteria required to split the property except for being able to frontage on a public road.

President Duncan asked if the Town had approved it.

Bernard explained that they had approved it.

Commissioner Watts asked if there was an easement before.

Bernard explained that the easements go back about 10 years. Bernard explained that Odling owned part of the property and Bells owned part of the property.

Zoning Administrator Schaeffer recommended approval. Zoning Administrator Schaeffer explained this is already a landlocked parcel. Zoning Administrator Schaeffer explained that there did not appear to be anything detrimental to the Village of Williams Bay.

The motion to approve a Certified Survey Map per Section 375.0306 "Minor Land Division Procedures" to divide the existing 20.922-acre parcel into two parcels of 10.788 and 10.130 acres each. This includes approval of a variance to Section 375.0706.C which requires that every lot shall front or abut for a distance of at least 40 feet on a public street. was initiated by Commissioner Maggie Gage and seconded by Commissioner Matt Robbins. Unanimously carried.

IX. Adjournment

The motion to adjourn was initiated by Pat Watts and seconded by Lowell Wright at 06:54pm. Unanimously carried.

/s/ Tina Kolls, Village Clerk

These are not official Minutes until approved by the Governing Body.