

## **TOWN OF LISBON - PLAN COMMISSION MEETING – MAY 4, 2010**

Minutes of the Plan Commission meeting held in the Town Hall on May 4, 2010.

Meeting was called to order by Chairman Gehrke at 7:08 P.M.

Members Present: Matt Gehrke, Jane Stadler, Neil Sasse, Ed Nelson, Steve Panten, Sherry Howard.

Members Absent: Dan Fischer

Others Present: Planning Consultant John Stigler, Waukesha County Representative Dick Mace, Building Inspector Oelhafen, Deputy Clerk Gettelman.

### **COMMENTS**

No comments.

### **MINUTES**

A motion by Howard, seconded by Nelson to approve the minutes of the Plan Commission meeting of March 4, 2010, with Mr. Stigler's corrections. Motion carried.

Mr. Stigler noted the following corrections to the meeting minutes: Page 1, end of line 14 change sellthe to sell \_ the. Page 3, line 6 from bottom change thin to think. Page 4, line 19, change anyplace to any \_ place.

### **CU & MAJOR GRADING PERMIT FOR HAUNFELDER PROPERTY**

Kyle Coleman and Bret Achtenhagen of Achtenhagens Seasonal Services and Mr. & Mrs. Haunfelder were present for the meeting. Town Engineer comments were: Conditional Use Permit -I have verified the submitted list of owners within 300 feet of the site which require official notification. Said list was found to be complete and accurate. Per Section 30.08(B)(4) Conditional Use Permits are required when areas of fill exceed 3,000 square feet or 30 cubic yards of material. The areas within 30 feet of the building foundation are generally exempt from this calculation since they are considered incidental backfill activity. The area in question on this lot is the area or slope lying between the residence and the pond. (This is a man made pond created as part of Payne & Dolan's gravel extraction and site reclamation). The proposed grading will result in slopes approximately 4:1 to 3:1 horizontal to vertical ratio. The Town Code allows 3:1 slopes. Per Code site runoff shall not adversely affect the neighboring lots. Per Section 30.08(c) Erosion Control devices must be designed and installed. The residence Plat of Survey shows silt fence but its location does not coincide with the proposed retaining walls and patio. Erosion control devices must be maintained for duration of the project. A time schedule is also required along with an as-built survey upon completion of work. Recommend approval subject to above requirements. Major Grading Permit - It is subject to Section 30.08 for design standards and erosion control prior to permit. Subject to conditions outlined in Conditional Use Permit Review. Recommend approval with above comments. Retaining Wall - Proposed retaining wall is proposed to be constructed out of natural limestone slabs. Proposed stone wall is to include appropriate backfill and drainage tile. Per Section 30.08(b)(2) retaining walls over 3 feet of height require specific approval from the Plan Commission. The proposed retaining walls are 4 feet in height with a level area of 10 feet more or less and then a second 4 feet wall. Proposed walls will exceed the minimum 5 feet separation to property line and will not impede or change the site drainage. Recommend the retaining walls be part of the as-built data required in the Conditional Use permit. He explained that the slabs are 600 pound pieces of stone that are 3 by 2 in size and 6 to 8 inches of face, so they are quite massive. They are natural stone with a lot of weight and should hold the soil nicely. The homes to the west have some stone in their yards as well. There were no further concerns or questions from the commission. Deputy Clerk Gettelman noted that the Grading Permit requires an expiration date. Discussion followed on the date.

A motion by Nelson, seconded by Panten to recommend to the Town Board approval of the Conditional Use Permit for Pat & John Haunfelder, for land altering activities, construction of retaining walls and a Major Grading Permit, for their property located at N87 W25221 Watersedge Drive, subject to the comments of the Town Engineer and completion of the project by August 31, 2010. Motion carried.

### **ALL AMERICAN AUTOMOTIVE SIGNAGE, LANDSCAPE PLAN & WELL & SEPTIC ISSUES**

The signage, landscape plan and well & septic issues for All American Automotive at W230 N9515 Colgate Road were reviewed. Mr. Nick Pope and Kris Goodreau were present for the meeting. Town Engineer comments were: Property is Zoned B-3 General Business District and C-1, Conservancy Wetland. Per Section 26(b)(3) signs are a Permitted Use in the B-3 District. Per Section 13.05(a) review application fees are required. The form does not indicate the Town has received said fees. The proposal or application is for two wall signs. One on the east face and one on the north face of the building. There appears to be some inconsistencies in the application and description of the sign locations. Per Section 13.12(c)(2) only one wall sign per building tenant is allowed. The Plan Commission as Sign Code Administration can consider granting a waiver to this restriction based on the building location (corner lot). The signs face area and height meet the requirements of Section 13.12(c)(2). Recommend approval of sign application subject to correction of the sign application and payment of fees. Septic system: March 4, 2010 letter report indicates inspection of septic system performed by County Sanitarian reveals no visual problem with the system. Well: No information from applicant regarding the well has been received. Landscaping Plan: Per Section 3(b)(4 & 5) General Provisions, require a detailed Site plan/Plat of Survey to accompany a Plan of Operation Application. No detailed plan has been reviewed by our office. Further Section 3(b)(5)(g) requires a detailed Landscape plan with species size, types and quantities along with schedule for installation. I do not find the Landscape plan submitted to meet these minimum standards in its present form. Mr. Goodreau stated that both signs are 3' x 6'. Chairman Gehrke noted that two signs make sense here, as one will be on the east side and one will face CTH Q. Mr. Goodreau stated that they have an offer on the property right now and if that is accepted, eventually they will want to put up a monument sign to the north of the building and possibly remove one of these signs. Mr. Stigler stated that the landscape plan could use some work. Mr. Goodreau noted that to the north of the driveway there is a drainage ditch that drops down no more than a foot away from the driveway, where there is going to be no opportunity to plant anything. If they acquire the property farther north, they could put in some plantings. That is an issue and until we own it there is not much that we are able to do. Mr. Stigler asked if they are currently leasing it. Mr. Goodreau stated that is correct and they have put an offer in to purchase the property. Chairman Gehrke stated that the property owner could do some landscaping, however you want to arrange that in terms of the lease. Mr. Stigler added that we would like to see an overall plan. Hopefully you thrive at that location and you may want to do some corrective measures on the parking lot and get that orderly. In past years we have had cars on Colgate Road and that is not what the Town wants. Mr. Goodreau stated that at the past meeting they were to have a driveway in place by July 15<sup>th</sup>. As soon as we have an accepted offer, that is going to take place along with landscaping. Mr. Stigler noted that the landscaping could be north of that swale as long as they do appropriate buffering of the parking lot. Mr. Goodreau explained that the current lot line is the driveway. In the offer submitted, that lot line is to be moved 60 feet to the north, which would allow us to put a monument sign north of the driveway and also to put plantings to the north of the driveway for screening. Mr. Stigler asked when they would have more concrete information? Mr. Goodreau replied that the counter offer will be submitted on Friday. Regardless, we are putting a driveway in but he did not know what they could do about the north side of the driveway unless the lot line is moved. Commissioner Panten stated that it looks like there are some kind of plantings on the east side. Mr. Goodreau stated that it is all garbage. Commissioner Panten added that on the east side they could dress it up and on the north side he suggested something where the gas meter is. Mr. Goodreau stated that there are bushes there right now but that all needs to be torn out. They plan on putting evergreens type bushes in. Chairman Gehrke asked if they are planning to do any landscaping before June? Mr. Goodreau replied they will do it as soon as they get an accepted offer. Chairman Gehrke suggested that they approve the signage and the well and septic issues and leave the landscaping plan for the next meeting. Mr. Goodreau stated that would be fine. The landscaping plan just came up at the last meeting and they did not know there were strict guidelines for that. If this all falls through, obviously, we will be moving on to a different location. We would like to improve the property, it is a nice one. Commissioner Stadler suggested that they approve the application for the sign permit, that they approve the 3' x 6' signs, that they approve two as it is a corner lot and that they will be put on the June agenda with a landscape plan if the purchase of the

property goes through. Commissioner Howard clarified that it would be put on the June meeting and at that time they would know if they are purchasing it, then you would have one type of plan and if you are not purchasing it and you are going to be there from 6 months to a year, you would have another type of plan. Chairman Gehrke asked if they would be leaving immediately if they don't purchase it? Mr. Goodreau replied no, if they don't purchase it, and they want a short term lease for six months to a year, that is fine, they will probably still end up putting the driveway in. It is difficult trying to run a business out of there without it. That will be done and some minor landscaping, he does not have a problem with. Mr. Stigler stated that he is concerned that once they are leasing the building, it puts both the Town and them in a peculiar situation. Maybe the commission would want to see a better plan for the east side for now, then we would get some sprucing up at that property now. Mr. Stigler stated that they should come to the June meeting with a plan and implement that plan by September 1<sup>st</sup>. Mr. Goodreau stated that they had no intention to leave it the way it is.

A motion by Howard, seconded by Nelson to approve the signage and well and septic issues for All American Automotive at W230 N9515 Colgate Road. They are granted a waiver to have two signs because it is a corner lot. The size of the signs will be 3' x 6'. They are to come back to the June Plan Commission with a detailed landscape plan. Motion carried.

#### **GRANDFATHERING OF FORMER SENNOTT PROPERTY**

A motion by Stadler, seconded by Sasse to recommend to the Town Board approval of the grandfathering of the former Sennott property under the previous Zoning Code for a period of six months from the formal approval by Waukesha County on March 23, 1010. Motion carried.

#### **SIGNAGE FOR HILLSIDE MEADOWS SUBDIVISION**

The signage for Hillside Meadows Subdivision was reviewed. Mr. Pat Bruch of Lisbon Hillside Meadows LLC, was present for the meeting. Town Engineer comments were: Hillside Meadows is a Single Family Residential development located at the south end of Hillside Road on the east side of Hillside. The Town has agreed to phased development of the site. Phase-1 presently consists of 7 lots with the overall development to include a total of 20 lots several outlots for storm water purposes. Per Section 13.05(a)(1) sign permit application fee of \$30.00 has been paid. Per Section 13.11(1)(1) the sign must be located a minimum of 10 feet from Wildwood Way and Hillside Road right-of-way lines. In addition the sign may not encroach upon the platted vision corner easement. Said vision easement is depicted on page 2 of the plat. The application lacks sufficient information to verify compliance of this regulation. The sign face area of 12 square feet and height of 6 feet do not exceed the maximum allowed for area and height per Section 13.12(b)(1)(c) & (E). Per Section 13.10 Landscaping Standards, landscaping bed of a minimum of 5 feet around the entire sign base is required. No landscape plan was received as part of the application. If the sign is to be externally illuminated, such illumination shall not affect motorist and requires an electrical permit from the building inspector. Per Section 13.03 plastic materials used in signs must be a minimum of 0.06 inches in thickness. Does the proposed material comply with this regulation? Is this sign intended to be the permanent subdivision sign? Most subdivision signage is more substantial and utilizes a mix of complementary materials. Recommend Developer consider upgrade to the sign. Commissioner Stadler noted that she would like to see something more, in natural materials. Chairman Gehrke stated that if they spend a little more on signs it brings up the appeal of the subdivision. Mr. Bruch stated that it is just a composite plastic and the sign is decaled. He was thinking that on the outside they could put smaller landscape stone pillars on both sides and leave the sign in the middle. Chairman Gehrke stated that he felt that they are looking for something with some natural materials with some landscaping around the sign as well. Commissioner Nelson commented on the sign for Stonehouse Woods Subdivision, that is natural stone with the subdivision name chipped into the stone. He felt that it was very subtle but very stylish. Chairman Gehrke noted that you will see in our Subdivision Control Ordinance, that is in the process of being redone, that we are going to specifically require natural stone or something along those lines. Mr. Bruch pointed out where the sign would be located on the drawing. They are trying to hide the concrete plant with the bigger trees. The sign would be between the outcropping and the Spirea, in front of the birch tree. He did not know what had been

submitted and wished that he had submitted a physical picture of the sign. They have the same sign in front of their shop on Betker Drive. The commissioners felt that they could do a better job with the sign. Mr. Bruch stated that he actually has slabs of rock and he could take a piece over to Halquist and have them do it for him. Mr. Stigler encouraged them to check where the vision corner plays out. He asked for a more detailed site plan. After more discussion, Mr. Bruch noted that he wants it to look nice too. He did the landscaping himself because he could not afford to hire someone. They have some stuff to do there yet, but it is coming along. If it takes another month or two with the sign, if it is right, that is the way it has to be. They will not light the sign and will leave it natural. The Plan Commission asked Mr. Bruch to come back to the June meeting with a more appealing monument sign and submit a site plan and more detail.

### **TEMPORARY QUARRYING AND CRUSHING PERMIT FOR RAWSON CONTRACTORS**

The temporary crushing and quarrying permits for Ken Servi of Rawson Contractors at N48 W22953 Commerce Centre Drive were reviewed. Mr. Servi was present for the meeting. Town Engineer comments were: Property is Zoned M-2 General Industrial District. Per Section 32(b)(2) Quarrying in the M-2 District is allowed subject to a Conditional Use permit. Mr. Servi's letter dated April 15, 2010 outlining his request, clearly states in paragraph 3 that they have suspended quarry activity and only wish to crush concrete for recycling and trench backfill. A review of the term "Quarry" on page 28, Section 2 DEFINITIONS indicates that crushing of concrete does not fall within the term quarrying. Based on Mr. Servi's application and our recently adopted updated Zoning Code I recommend that Mr. Servi file an amended Plan of Operation for his site which would include recycling of concrete materials for backfill and construction applications with no Conditional Use Permit required. The following items which have been a concern of the Towns should be addressed in the amended Plan of Operation. Erosion control protection of the downstream storm water management basin. Street sweeping of Commerce Centre Drive and Duplainville Road as needed. Access to the site only over the existing driveways and culverts. Prohibiting of crushing activity on days when prevailing winds exceed 10 mph. Any road damage associated with crushing activity shall be responsibility of the applicant. Mr. Stigler explained that he does not believe that he needs a crushing permit from us any more, if he has it on his Plan of Operation. Mr. Servi stated that they took everything out that they could for gravel. They brought it back in and the site is fairly level. Right now we are bringing in crushed concrete. He noted that he put a little Plan of Operation together. They are going to bring everything in from street, highway, sewer and water jobs, crush it and put it back in the jobs. That is the way things are being done now. Basically we will bring everything in during the construction season and will only be crushing when we get a pile up, once or twice a year from one to three weeks at a time. We don't own a crusher, we are not going to buy a crusher, we are going to have someone come in and crush it for us. I absolutely have no qualms with Mr. Stigler's statements for erosion control protection which we have in place. We do sweep the streets as needed. Access to the site would be over existing roads and driveways. I would like to request that we be able to crush on days when prevailing winds exceed 10 MPH, but we won't water, which is standard because crushing activity creates a lot of dust. We have these nice ponds and we just set pumps up and when it goes through we just put water on it for dust control. We will use water to control the dust regardless of whether it is windy or not. I have no problem with any of the five items under D of the engineer's comments. He asked if he would need to write a letter on this operation? The commissioners replied that he would need to fill out a Plan of Operation form. Mr. Stigler noted that he had seen the pile that he had there last year and the year before. He asked if they were separating steel out of the concrete when it gets to the site? Mr. Servi responded that they try not to take anything that has steel in it. If they have any steel they will try to take it out before it gets to the site, if not, they will take it out on the site. If we bring in a lot of concrete with rebar and steel in it, the cost of crushing it is so prohibitive, I might as well just get rid of it and take it to a dump site. Mr. Stigler noted that his concern is that we would not want a by-product to become an eyesore. Commissioner Stadler stated that she had driven over to look at it last year and it was very close to the road. Is there going to be any type of shielding? She asked where his entrance and egress was to the site. Mr. Servi replied that they are coming in off of the old abandoned Wilhar Road. He explained that Duplainville Road is quite a ways away and they are set back. He pointed out an existing topsoil pile and

stated that they will be behind the pile and hidden from the south. It is actually quite hidden and shielded in there. Mr. Stigler pointed out that this location is different from where he operated last year. Mr. Servi noted that everything on this side is graded and they are within a foot or two of grade. Hopefully this year we will get enough dirt and work to bring it in. The economy has been pretty tough the last two years so we haven't been able to get it filled. Chairman Gehrke asked how long he would be at this site. Mr. Servi replied that he would like to do it permanently. Ultimately they would like to put a building up down along Duplainville, then it would be screened by other buildings. Commissioner Panten asked if this would only be for bringing in material from his projects? He replied yes, he is not in the crushing business. There might be some occasions with their trucking company where they might be trucking for another person, but we control everything that comes in. Chairman Gehrke wondered if this is a long-term use that we want to see here? Mr. Servi noted that there is no one to the south, the railroad is to the east, and I own the properties to the north. There is no one that would complain. There is nobody there that this would be an issue with or I would not even consider doing this. Commissioner Panten noted that this is the business that he is in and we can control the size of the pile, so that it doesn't get out of hand. Mr. Stigler noted that if the operation becomes a nuisance, your Plan of Operation Statutes allow you to bring him in and discuss it and make some changes. Commissioner Stadler stated that he will need to fill out a new Plan of Operation. The Plan Commission directed Mr. Servi to come back to the June Plan Commission with a revised Plan of Operation.

#### **INFORMATION ON LAND DIVISION OF KRAATZ PROPERTY**

Mr. Greg Perkins was present for the meeting. He is seeking information on the division of the Kraatz property at N68 W25596 Waverly Place. Town Engineer comments were: The site is presently Zoned R-3 Two-Family for the area surrounding the existing two family residence. The wooded area along the north property line is Zoned Upland Conservancy. The remainder of the site is Zoned A-5 Mini Farm District. The A-5 Regulations require 5 acre lot size at 150 feet of width as minimum. The proposed land division would meet these requirements. The property does not lie within a 100 year floodplain. Generally slopes on the site are in 6 to 7% range. Per the Town's Land Use Plan this parcel is designated low density residential. Development in the low density district would require a minimum of 20,000 square feet lots. Per Section 3(c)(2) two users on an easement would require a driveway 16 feet in width, adequate access for emergency vehicles and an access and maintenance easement agreement recorded to register of deeds office. The Plan Commission members should be aware that the present residential structure on the lot is a two family dwelling. The Town's prior Zoning Code discouraged two family dwellings not directly fronting on a County, State or Town Collector Street. In reality this division if approved would result in three users on the future access easement. In June of 1984 the original Certified Survey Map of this parcel was approved. The owners simultaneously requested approval of construction of a two family residence on the site for Mr. Kraatz and his daughter. Said duplex was approved by the Board with the following restriction "Lot 1 limited to one (1) 2 family residence." This restriction is further documented by a memo from Town Clerk to the Plan Commission. The minutes of the Plan Commission discussion indicate that this was a trade-off between the parties since Mr. Kraatz was not complying with the access requirement in the Zoning Code at that time which required access to a more collector street. Recommend the applicant extend Waverly Place and terminate it into a cul-de-sac meeting the Town Road Standards. The following item will also need to be addressed along with the other items. Soil test for on-site waste water disposal. Satisfactory preparation and approval of a Certified Survey Map. Extra-territorial approval of the Village of Sussex. Payment of all review and administrative fees. Payment of Town Impact fees for one new lot. Approval of Town Plan Commission. Approval of Town Board. Approval of Town and County Staff of Storm Water Management Plans. There is one other item, regarding the restriction on the CSM, I checked the State Statutes and since the Town is the enforcer of that restriction, the Town Board would have the ability to remove that restriction if they saw fit. That should be part of your consideration as you look at this, what was required on the site. Chairman Gehrke asked Mr. Perkins if he would still use the property as a duplex property? Mr. Perkins replied yes. He has been looking for a place in the Town for the last year and a half. He is in construction and would love to have a place to hide his tools in a pole barn and he

needs a place for his parents. He has another family member who is interested in putting up a single family home and that is why he is asking to divide the property. Mr. Stigler explained that by the creation of that lot you are actually putting three users on that easement. My recommendation would be to require you to bring that road in 100 feet or so, with a cul de sac and then everyone would have public road frontage. They discussed how it could be done and the configuration of the lots. Mr. Perkins stated that when this property became available, it was a perfect situation, but he has no use for ten acres. Commissioner Stadler asked if he was planning to have animals, because the land division would limit him to three animals. Mr. Perkins stated that he understands that, and the building was not even sufficient for more than three horses. Commissioner Stadler added that the new parcel would also have the same restrictions. The commissioners discussed the way the property could be divided. Mr. Stigler noted that there is no need for an extension of Waverly Place to continue on. There are some steep areas and some environmental areas and the road pattern does not lend itself to continue. Mr. Perkins asked how to find out what it takes to do a short road and a cul de sac? Mr. Stigler stated that he could contact him and he would give him the road standards. He should submit by May 13<sup>th</sup> in order to get on the June Plan Commission meeting.

### **SITE INSPECTIONS OF MINING OPERATIONS & QUARRIES**

Commissioner Sasse stated that he had a problem with using the word “inspection” for these things because there is nothing in a quarry that we can inspect. Quarries are inspected and controlled heavily by the state. They don’t have a Plan of Operation so we have nothing to base any standard on that we are looking at. He did not see the purpose of doing this. Mr. Stigler pointed out that there is the potential that we might have an operator who is not a good housekeeper, that we would have abandoned vehicles, or a pile of pallets or burning tires, or a pump with silt in it dumping in a stream. Commissioner Stadler noted that we ran into that a couple of years ago with Northwest Asphalt, where they had someone living back there in a trailer. She felt that it doesn’t hurt to go through them and it is a good learning experience for the commissioners to understand what they do. Commissioner Sasse stated who cares; it is a quarry, who cares what they do back there. Commissioner Stadler stated that there are Plans of Operations for these quarries. That is what you base your inspection on. For instance, I was at Dawson’s and he had all those trailers where he was storing stuff for the church. The human tendency is to think that if no one is checking on me, I can park a couple of dump trucks here. Commissioner Howard added that we could end up with a situation like the Hyland property. Commissioner Panten asked Deputy Clerk Gettelman if she hears anything negative from the quarry operators and was told no. Commissioner Nelson added that he felt that it is more of an idea that the quarries know that the Town cares and is concerned.

Chairman Gehrke stated that he has not gone in to the quarries himself and had a chance to meet everyone face to face. He felt that it was important for someone from the Town Board to go into the quarries because these are some of our most important corporate citizens. He would like to do all site inspections of the Mining Operations and quarries. Plan Commission members are invited to join him when the date of the inspection is established.

Commissioner Sasse also commented that under Halquist there are three places and there should only be one fee instead of three and the same with Genesee Aggregate. These are just one and we don’t need to pay someone for three when it is just one. Commissioner Stadler agreed. Mr. Stigler pointed out that some of them are miles apart. There was further discussion by the commissioners.

### **DISCUSSION OF SIGN CODE**

Town Engineer comments were: Some of the past issues the Plan Commission has dealt with. 1. Use or allowance of electronic scrolling message boards. 2. The calculation or area regulation for wall signs on buildings or tenant spaces. 3. Better define what is allowed as normal maintenance on existing non-conforming signs. 4. Consideration for increase of allowed sign area of subdivision signs. See Section 13.12(b)(c). Chairman Gehrke stated that electronic scrolling message boards are something that we are divided on. His personal opinion is that we should allow them. Commissioner Sasse stated that he has a description of what he

feels should be allowed regarding scrolling message signs if they would like to hear it. Messages must be static, cannot change for at least ten seconds. This means that once the message is posted there is no movement, change of color or intensity of the lights. The messages must be posted in one operation. They can't move in or out in pieces. The screen goes from blank to a message and then from the message to a blank screen when the message goes out. The next message cannot overlay the existing message. That has the purpose of allowing them to change the sign when they please and it doesn't distract with the fancy graphics that people do to them. Chairman Gehrke stated that the only thing that is missing is the brightness. Commissioner Sasse noted that the intensity is an interesting issue. What is to determine what is intense? Commissioner Stadler stated that she felt that part of the brightness is to make you see their particular sign. When they came in with the sign for STH 164 & CTH Q, she would have loved to see a changeable sign. She would hate to see them allowed wherever throughout the Town. She would like to see the Plan Commission govern where those signs can be located. Commissioner Sasse noted that they would only be allowed in a business district. Mr. Stigler suggested that they be limited to the business, Industrial and Institutional Districts. Commissioner Sasse noted that for the most part, the businesses are in those districts already. After more discussion, Commissioner Sasse clarified that these would be allowed at the discretion of the Plan Commission. Commissioner Panten stated that he has been watching various signs and the length of time they are scrolling is between 6 to 10 seconds. He will talk to a sign company and get some information regarding the size and the timing. Mr. Stigler stated that we may want to look at a standard for the brightness that is set at the lot line or nearest traveled lane. Commissioner Howard asked about a height restriction. Commissioner Stadler stated that Commissioner Panten could talk to the sign company and come back to the next meeting with the information. The commissioners discussed the height of the signs and what should be allowed. Chairman Gehrke discussed the calculation of the area for wall signs. Right now the size is too small as we are granting a lot of waivers. Mr. Stigler read the language in the sign code. The commissioners discussed the percentage and suggested that they strike the language "75% of façade frontage" and go to 85% and have a setback of four feet from the edge of the tenant space.

The commission discussed the maintenance of existing signs. Mr. Stigler read the language on page 14. The commissioners discussed the language and decided to leave that section as is.

The commission discussed subdivision signs. Chairman Gehrke read the language on page 12. He noted that he liked the signs placed in the medians. Mr. Stigler explained that those medians are actually platted as outlots and are actually under the control of the Homeowners Association. The ten-foot separation would have required the island to be twenty feet wide. After some discussion, it was decided that monument signs within the boulevard would require a setback of five feet. The area of the sign shall be increased to fifty square feet maximum and twenty-four square feet minimum.

Commissioner Sasse commented on the section called exemptions on page 8. He would like to add that signs that are on the building that are not visible from the property line should be exempt. The commissioners discussed the type of signs that would be exempt. Mr. Stigler suggested that non-advertising signs less than five square feet are exempt.

Commissioner Sasse commented on the Annual Fee section. He asked if we collect those fees or inspect them. Deputy Clerk Gettelman noted that a spreadsheet is prepared and the Building Inspector is to do the inspections. The inspections are only for illuminated signs. She did not believe that he has done them as yet. After more discussion, it was decided that this was unnecessary and the Annual Fees will be removed from the ordinance.

Commissioner Panten commented on the Free-Standing Pole Signs. He felt that it should be removed. After more discussion it was agreed that the Free-Standing Pole Sign would be removed and the height of Free-Standing Ground signs will be changed to twenty feet.

Commissioner Panten commented on the number of yard signs. The commissioners noted that the Highway Department had removed signs at one time and it was reported that it took a large amount of time and was too costly. There was further discussion regarding the various types of signs.

Commissioner Panten commented that he felt that we should not allow scrolling signs on a building and we have to change if they can be operated at night. He felt that they should be allowed to be on at night. Commissioner Sasse noted that the ordinance states that signs cannot be illuminated at night in residential districts. Mr. Stigler suggested that we add "within 200 feet of a residential district". Commissioner Panten felt that 500 feet would be better. There was further discussion regarding the time of illumination.

The commissioners asked that Mr. Stigler make the corrections that have been discussed so far and come back to the next meeting with the revisions.

#### **OTHER ITEMS FOR DISCUSSION**

Commissioner Sasse asked why we care about the complaint regarding the quarry. He felt that it was the Building Inspectors job to handle the complaints. Deputy Clerk Gettelman noted that when the complaints come in, copies are distributed for informational purposes and the quarry is also notified and they usually take care of the matter.

#### **ADJOURNMENT**

A motion by Nelson, seconded by Sasse to adjourn the meeting at 9:55 P.M. Motion carried.

Respectfully Submitted

Sandra K. Gettelman  
Deputy Clerk