

Plan Commission Minutes

May 7, 2009

The City of Plymouth Plan Commission met Thursday, May 7, 2009, and the meeting was called to order by Chairman Don Pohlman at 7:00 PM. Members present were Mayor Pohlman, Harold Meyer, Roger Laning, Bill Barbieur and Pete Rammer. Also present were Ron Ourada, Erv Voss, Ron Damp, John MacKinnon, Bill Immich and Ron Nicolaus.

Barbieur and Laning moved to approve the minutes of the April 2, 2009 Plan Commission Meeting and the motion carried unanimously.

Chairman Don Pohlman introduced the second item on the agenda which is for site plan approval of Hummingbird Condominiums.

Francis Feider explained that his Engineer was late.

Chairman Pohlman said we will move on to the next item and come back to Hummingbird Condominiums later.

Chairman Pohlman introduced the third item on the agenda which is two letters addressed to the plan commission from Attorney Elizabeth Gamsky Rich pertaining to American Tower Corporations cell tower.

Ron Damp explained that Attorney Rich is asking that the plan Commission revoke the Conditional Use permit for the tower. He also explained that American Tower agreed to reinforce the tower and they have installed the fourth array, built the ground structure, and have not reinforced the tower the way they had agreed to at the time the conditional use permit was given. American Tower had used a standard that showed they did not have to reinforce the tower; however they used a standard that has not been adopted by the State of Wisconsin. The State of Wisconsin Dept. of Commerce agreed to review the tower installation. Steve Dobratz PE Section Chief for the Wisconsin Dept. of Commerce reviewed the plans and has confirmed that American Tower used a standard which was not adopted by the State of Wisconsin at this time. Dobratz also concluded that the original plan submitted used the correct standard and calls for reinforcement of the tower. Bonnie Belair and Jim Casing have made a commitment to reinforce the tower, but are unable to give an exact time table at this time because of scheduling and obtaining materials. All work has been done except for reinforcement. American Tower has agreed to reinforce the tower as agreed to when the conditional use permit was amended. Rammer asked how long does American Tower have to do the reinforcement.

Chairman Pohlman said we will have to stay on top of this to make sure it gets done and have it on the agenda until it is completed.

Mr. Schwibinger addressed the chairman and stated that the antennae array has not been placed on the tower at the level in which the analysis was performed. The antennae array is at 110 feet and not at 120feet. The tower analysis was performed showing the array at the 120 ft level. Ourada agrees that the array is not at the specified height on the plans, but says that if it is lower there is less torque on the tower, and common sense would say that if it is lower it would be better.

Schwibinger states that there is no analysis showing that the tower is safe with the array at 110 feet.

Chairman Pohlman said the approval is for the array at 120 feet.

Schwibinger says that what was approved is not what is up there now.

Damp told Schwibinger that he can sue American tower if he feels that the tower is unsafe.

Ourada asked the commission to take a position, and not leave it up to the inspector's office and that it is our opinion that the 110 feet array elevation is not detrimental to the presented plan, and Schwibinger wants the city to make them put the array at 120feet or take it down.

Ourada asked the Plan Commission to take a position either to make American Tower put the array at 120 feet or if they put it at 110 feet with reinforcing the Plan Commission is alright with that.

Chairman Pohlman made a motion to accept the position that it is alright for the fourth array to be at the 110 foot elevation with reinforcement of the tower.

Rammer seconded it.

On a roll call vote – all voted aye

Chairman Don Pohlman announced going back to item two which is for a site plan approval for Hummingbird Condominiums.

John Sigwart of Miller Engineering & Scientists presented the proposed plans for the project.

Sigwart said there will be six buildings and 12 units served by a private road at the end of Hummingbird lane. He asked to get approval from the Plan Commission and Plymouth utilities and then submit the plans to the DNR for approval. Landscaping plans and a letter were presented. The sewer and water main would start at the end of the cul-de-sac and run through the property and under the wet lands and connect to Eagles Nest Condominiums. The building directly to the north on the east end would be constructed first. He talked about stabilization of soil using a blend of grass to hold the soil until the next building is built. The wet land delineation line has been verified by the DNR. He asked if there is a time limitation for finishing the road, as asphalt prices are very high, and suggested that a concrete road may be constructed instead. The retaining wall on the south side of the property is too expensive and the plan is to use a naturally vegetated slope instead. He also proposed completing the landscaping as each unit is built due to economic conditions at this time. He suggests that the landscaping be planned at the time the building permit is obtained for each unit. He said the remaining areas would have a low maintenance fescue grass in place until the next unit is built. The driveways would be built at the time each home is built. The storm water on the road would be directed to a vortex type manhole to remove about 85% of the solids. The ground water is too shallow to allow for a biofiltration system. There was discussion with Immich about who would maintain what, as far as storm water sewers, easements, curb cuts, and drainage. The plan is to provide a 65 foot turning radius at the end of the road for emergency vehicles and move a fire hydrant to the other side of the road to be 50 feet away from the home. The plan is to get the infrastructure in place first and seed the whole property to stabilize the soil. The units will have a half exposed basement living area. The wet land delineation line has moved some because the water level has increased over time from when it was done last.

Damp said the water main will be a separate written easement with the City and someone has to maintain the sewer.

Pohlman, Rammer, and Immich asked many questions about drainage and maintenance.

Sigwart asked for approval from the Plan Commission to start the infrastructure, but to do that he would need to submit a storm water management plan to Immich, have an acceptable easement for Utilities, and submit the Utilities plan to the state for approval.

Immich suggested making approval of the site plan with the keystone wall as presented and subject to change.

Rammer suggests we will have that as a minimum.

Ourada says which is safer a wall or slope?

Feider wants to terrace with the earth.

Sigwart said they want to start construction of the infrastructure, but needs a letter from John MacKinnon.

Pohlman asked can they go ahead with the process without site plan approval and come back next month.

MacKinnon said they can't put utilities in without site plan approval.

Immich suggests approval of site plan with a condition of doing a wall or slope.

Damp said we can approve site plan subject to approval of storm water and wall / slope plans.

Rammer motioned to approve site plan contingent upon storm water and sloping / walling and landscaping of south area of the property.

Pohlman asked secretary to read the motion.

Motion read

A motion to accept the site plan with contingencies was made by Rammer and seconded by Barbier.

On a roll call vote – all voted aye.

Chairman Pohlman introduced the fourth item which is for a plan amendment for TID 4 to establish a public hearing date.

Ron Damp explained that a public hearing date must be set and then it will go to the common council for approval.

Pohlman explained that this is an amendment to the project plan.

Barbier asked what is the project plan.

MacKinnon explained that larger water mains would be installed on Highland Ave. from Eastern Ave. to Valley Road to get more water to the TID 4 district.

Pohlman explained that the plan would include a collaborative project for a high tech training center at the high school.

Damp explained that we must be able to show that some percentage of the water main and machine purchases apply to TID 4.

Peter Thillman Director at Lakeshore Technical College explained that there is a need to train people in high speed equipment, and TIG & MIG welding to provide training for future businesses here in the near future.

Chairman Pohlman made a motion to call for a public hearing June 4, 2009 at 7:00 p.m.

Meyer seconded it.

On a roll call vote – all voted aye.

The motion to adjourn passed and the next meeting of the Plan Commission is scheduled for June 4, 2009.

Erv Voss

Plan Commission Secretary