

**Village of Egg Harbor
Plan Commission Meeting Minutes
Tuesday July 26th, 2016 at 6:00 p.m.
Paul J Bertschinger Community Center
7860 State Highway 42 Egg Harbor, WI 54209**

1. Call Meeting to Order

Smith called the meeting to order at 6:00 p.m. Those in attendance were Joe Smith, Cambria Mueller, Gail Hill, Mary Anne Scherer, Ryan Heise, and Megan Vandermause. Also in attendance in the audience were Luke Bentley, Clarence Scherer, Bonnie Mirkiewicz, Brian Pier, and Jan Luser.

2. Approve Agenda

Mueller moved to approve the agenda, second by Scherer.

- The Commission discussed the motion.
- Heise explained that after studying the charge of the Plan Commission items 6, 8, and 9 do not belong under the Plan Commission and should be reviewed by the Village Board.
- Smith stated that all items could be regulated by zoning district and the Village Board will need to make the final decision after the Plan Commission has discussed.
- The Commission agreed to move forward with the agenda as presented.

Motion carried, unanimous vote aye.

3. Pledge of Allegiance

4. Approve Minutes of June 27th, 2016

Smith moved to approve the June 27th, 2016 meeting minutes, second by Hill, motion carried.

5. Open Session (limited to 10 minutes)

- Mirkiewicz presented a picture of her store for the commission to view.
- Mirkiewicz read a letter to the Plan Commission regarding a violation of the Outdoor Display Ordinance.
- Mirkiewicz stated that after the clothing rack was moved inside the business has suffered in sales.
- Mirkiewicz stated that indoor merchandise can be displayed outside of the building if the merchandise is under the roof of the porch.
- Mirkiewicz called the Commission's attention to the definition of the display.
- Mirkiewicz stated that she believes her business is being targeted.

- Mirkiewicz asked the Commission what can be done to be in compliance with the ordinance.
- Scherer asked how many total complaints the Village has received regarding the noise ordinance.
- Smith explained that the complaints are not tracked, but that he has personally received about four complaints regarding noise.
- Scherer explained that the Village Board should keep the number of complaints in mind before changing the noise ordinance.

6. Review Jim Lundstrum's request regarding the Village Noise Ordinance

- The Commission was presented with an email complaint from Lundstrum.
- Smith stated that the last time the Commission reviewed the noise ordinance it was agreed that the ordinance was lacking because it only restricts commercial areas.
- Mueller stated that the ordinance does address construction start times.
- The Commission agreed that 7 a.m. is a reasonable start time.
- The Commission reviewed §96.02 (c).
- Heise stated that the Commission should keep the Peg Egan Concerts on Sunday and Thursday night concerts in the park in mind.
- The Commission found Lundstrum's request to change the 7 a.m. start time to 8 a.m. to be unreasonable.
- Smith stated that the loudspeaker issue should be reviewed.
- The Commission agreed to leave the construction times from 7 a.m. to 7 p.m., but to review §96.02(c) regarding the use of amplifiers or loud speakers in all areas of the village not just in the course of public addresses that are noncommercial in nature.

7. Review Dave Tuch's request regarding blasting

- The Commission reviewed a complaint from David Tuch regarding blasting in the Apple Ridge subdivision.
- The Commission has reviewed this issue in the past.
- Heise explained that he did not find any restrictions regarding blasting in the Village Master Plan.
- Smith asked Heise if the minutes from the last meeting the issues was discussed were reviewed, and Heise stated that the minutes were reviewed.
- Village staff spoke with Pitchford prior to the meeting and she stated that the last time the Commission discussed the issue the Commission agreed to follow the State statutes regarding blasting.
- The Commission agreed to regulate blasting under the Wisconsin State Statutes.

8. Review Transient Merchant License Ordinance and Event Licenses

- The Village received a complaint regarding the outdoor displays ordinance and event licenses.

- The complaint stated that event licenses should only be granted for Village wide events.
- Heise explained that businesses are using the event licenses in order to sell merchandise outside.
- Heise said that it is difficult for Village staff to regulate what is or is not a Village wide event.
- The Commission discussed what would qualify as a Village wide event.
- Mueller said that when individual businesses have individual events, the events bring visitors to Egg Harbor.
- The Commission did not acknowledge outdoor displays as a large issue in the village.
- The Commission agreed that there are not events every weekend.
- Mueller asked if there are many violations of the outdoor display ordinances, and Heise explained that the Village office does receive many complaints against the outdoor display ordinance.
- The Commission discussed that objects that are intended for the outdoors are allowed to be displayed outdoors.
- The complainant is challenging that event licenses are not in compliance because they are not Village wide events.
- Smith asked if the Commission has any points that they would like discussed by the Village Board.
- The Commission agreed that event licenses should be issued for events that are not Village wide, but should be limited.

9. Revised Fireworks Ordinance and Sample Permit

- Village staff revised the fireworks ordinance and sample permit with the Commission's comments from the last meeting.
- The sale of fireworks was removed from the ordinance and the permit was made simple and clear.

Smith moved to forward the Fireworks Ordinance and Sample Permit to the Parks and Public Works Committee to review before going to the Village Board, second by Mueller, motion carried.

10. Code Violations

- A letter was sent to the property owner at 7901 Church Street in regards to the storage pod violation, and Village staff has not received any correspondence from the property owner.
- Village staff discussed the issue of sandwich boards in the right of way with some businesses that were in violation.
- Hill stated that there are sandwich boards in the village that do not come in when the businesses close.
- There are "Pick Your Own Cherries" signs on County E.

- Scherer asked if there is any way for businesses to display clothing racks outside, and Heise stated that in accordance to the ordinance there is not.

11. Next Meeting

The next meeting is August 23rd, 2016 at 6:00 p.m.

12. Adjourn

Mueller moved to adjourn, second by Hill, motion carried.