

AGENDA
TOWN OF RHINE PLAN COMMISSION
Wednesday, June 14, 2017

GENERAL MEETING

1. **Call to Order:** – Called to order at 6:37 PM by Todd Purkey.

2. **Compliance with Open Meeting Requirements:** Published May 31 and June 7. Also posted in 3 places and on the town's website.

3. **Pledge to the Flag:**

4. **Minutes of the June 6 meeting:** Motion to accept by Zimmermann. 2nd by Fiorenza. No nays.

5. **Public Comments:** None.

6. **Public Hearing - to discuss and possibly act on:**

To consider the request of Jonathan Vlietstra of W4507 Highway 32, Elkhart Lake, WI 53020 for a Conditional Use Permit to operate a Motor Vehicle Salvage Dealer or Recycler Operation under the name of Curvy Metals on his home property. (Parcel 590182501, currently zoned A4)

Note: There were no public comments for this request.

Purkey mentioned the committee members have done some research regarding this request. He offered an explanation of the letters that were mailed to the neighbors and how that list is determined. He has also checked with the county to see if there are any issues regarding distance from navigable waters as the property is near the Sheboygan River. The county planning department (Carson) has indicated that there is no problem with this. The property is far enough from the river that this is not a concern.

Jonathan Vlietstra: He mentioned they have the DNR No Exposure Certificate, which means everything is contained within the garage. The operation would consist of bringing the car into the garage, removing the Freon, and taking the vehicle to the scrap yard. There will be no salvage yard with his business. It's just to remove the Freon, batteries if required, and any other items the salvage yard might require to bring in the vehicle. He has no intentions of the cars sitting around the property.

Pfaller asked where the cars were coming from. Applicant will advertise, then pick up the vehicle. The Freon will possibly be sold later. Pfaller would like to know what happens with the Freon. Vlietstra explained how they have to be in compliance with all DNR regulations as far as exposure and storage. Batteries will remain in the facility until they are picked up by proper recycling entities.

Purkey asked if they will drain oil, etc. or not. Again, this will depend upon what each salvage yard requires. Fuel can remain in the tank. Country Auto will take drain oil, and so does Kiel Auto.

Pfaller asked if the garage is attached to the property. Nolan Vliestra explained that the garage is detached. Pfaller is a bit concerned about Uniform Dwelling Code and if there is enough fire separation to be compliant with this. He has a bit of concern regarding fire hazards. If the town issues a CUP, the town could run the risk of being liable if there was a fire. DOT has to come do a final inspection but they won't finalize it until the town signs their form. The house was built in 1997 so it should be up to code as far as the fire regulations go.

Vliestra explained that DOT and DNR will both do regular inspections to be sure the facility stays in compliance.

Zimmermann asked for clarification about how many cars would be on the lot. He feels there should only be one unlicensed vehicle outside at a time. Vliestra explained that there might be 2 vehicles at a time (one in the garage, one on the trailer bed.) He asked about regular business hours. The DOT requires them to have hours listed on a door.

There was discussion on how to finalize the request. Purkey doesn't think it should all be done tonight. The decision tonight should be whether to recommend to the Town Board the request to grant a CUP or not. The final approval is granted by the Town Board. Purkey reviewed a CUP for another unnamed business as an example of how to write one up. That could be used as a draft or a sample to put this together.

Term of CUP is two years. It can be renewable. In the past there has been no cost to renew as long as there have been no unresolved problems. The town will not send a renewal notice. It is the responsibility of the applicant to renew with the town every two years.

Zimmermann said after the draft is made it should come back to the planning commission before going to the Town Board. Discussion on process. Consensus is it does not have to go to legal counsel for review.

Vliestra asked if he could have a set number of unlicensed vehicles outside of the garage. He is asking for a little leeway. A suggestion of 3 unlicensed vehicles in the yard for no longer than a week was made.

In the past, the business owner has come in to review their renewal with someone on the board. He would like to see a renewal review at the end of two years. He feels the applicant should receive a notice from the town to come in for a review in 2 years. If there are no issues it can be automatically renewed in the future after that.

Eberle asked if a fence could be put up to hide the vehicles. The property has a lot of trees and natural habitat that will hide the vehicles as well.

Purkey reminded them that they have to be compliant with current ordinance.

Motion to grant the request of applicant for a CUP to be drafted was made by Fiorenza. 2nd by Pfaller. Roll call vote: All in favor. No nays.

CUP will be drafted by Todd and distributed by email so that the applicants can get to work and not be held up any further. It will be presented at the next Town Board meeting for their approval.

Motion to adjourn at 7:20 by Frank. 2nd by Joanie.

7. **Chairman information report:**
8. **Next meeting date** – (as needed)
9. **Adjournment**

NOTICE IS HEREBY ALSO GIVEN that although a quorum of Rhine Town Board may be present and may take part in these discussions, no formal action or vote may take place at this meeting.

ANY PERSON REQUIRING SPECIAL ASSISTANCE TO PARTICIPATE IN THE MEETING SHOULD CONTACT THE CLERK AT 876-3413 24 HOURS PRIOR TO THE MEETING