

PLANS COMMISSION

May 2, 2019

The regular meeting of the Plans Commission was called to order at 6:30 p.m. by President Kim Blumer in the Albany Village Hall. Members present were: Blumer, Eileen Althaus, Michelle Monson, Larry Ommodt, Mark Riedel, and Paul Rhyner. Also present were: David King, Mr. and Mrs. Ben Ace, and Adam Kopp.

Proof of posting was verified.

MINUTES: Motion by Monson, seconded by Ommodt to approve the minutes of the previous meeting as printed. Carried.

CANOE BY VILLAGE SIGN: There is nothing to be done at this time.

CHICKEN ORDINANCE: We currently do not have an ordinance that allows residents to have chickens in the village. Monson did some research on what some neighboring villages and cities allow and had copies of their ordinances. This is something that is requested quite often to the clerk's office, so the commission would like to look into this a little more. Keepers will bring an ordinance for the commission members to review and this will be discussed again and the following meeting.

605 SOUTH MECHANIC STREET: Adam Kopp shared a letter and several pictures of the property located at 605 South Mechanic Street. He is concerned that the property is very unkempt and really looks bad. Plus, he has called in three complaints for noise in the past three months. Loud noise goes on into the night, and is very annoying. Kopp had suggested that his brother on the Plans Commission, Paul Rhyner, should abstain due to being his brother, but Rhyner stated that he wants to be a part of this decision. Riedel stated that this is being used as a commercial property and the zoning comes into question. The condition of the property was discussed, and all feel that things are very disorderly and need to be cleaned up. Ace stated that they were keeping several of the vehicles that they have on their property down behind the buildings, however with the high water they had to move it to higher ground. It was reminded that at the time of the Conditional Use being approved (March 3, 2016), Aces stated that "he would only be working on 1-3 cars at a time and he has no intentions of creating an unsightly property. He has a shed that will become his work area, complete with a concrete pad and lift, then there would be cars at the end of his property in a respectable manner with for sale signs on them, but no items will be laying around outside creating a mess." Kopp stated that every business has limitations to their time of being open, however there is work being done from morning until late at night at this location. The issue with this situation is that we have residential property being used as a business that is causing disruption to the neighborhood. Ace stated that they want a privacy fence to put up to shield the stuff sitting around. The consensus that this looks more like a junk yard at this time, and neighboring property value will be affected. Rhyner feels that the original request was of a lesser scale than what we have now. Riedel said that they are wedging a business into an ag/residential zoning district that is now interfering with the neighborhood. It seems that they have become a significant deviation from the original conditional use approval. It was unknown that it would grow so quickly and so big. Monson stated that she doesn't want to see the conditional use revoked as they are doing a good business. Althaus disagrees, as she feels it has grown too large for the location. Ace stated that he is more than willing to work with this. Riedel feels that finding a transition to changing to commercial property is necessary. Ace was reminded that the

commission was very upfront with them at the time of the approval with the understanding that should the village receive complaints of an unsightly property, the issue can be revisited if necessary. So this is being done at this time. Motion by Blumer to extend the conditional use permit for 30 days until the June Plans meeting. Due to no second and many more questions, Blumer rescinded his motion. The business has been so successful, which is a good thing, but now how can the village address what was approved three years ago to what it has now become? Ace suggested that he could scale back on his work and keep more specific hours. After a lot of discussion, a motion was made by Blumer, seconded by Ommodt to continue with the conditional use for one more month until the next Plans meeting on June 6th with the understanding that the loud noise will cease at 7:00 p.m. daily and the property will be kept neat and orderly. Abstain – Althaus. No – Rhyner. Motion carried. Kopp reminded the commission that they need to make a decision before Aces invest any more money in their property so it isn't wasted. It is also expected that Aces will bring back a transition plan to work on to appease everyone.

PROPERTY LOCATED AT 105 NORTH JACKSON STREET: The property located at 105 North Jackson Street was given until 12-31-2018 as a timeline to finish up with the cleaning of this property, and it has had a lot of improvement, but is not finished. After some discussion, a motion was made by Monson, seconded by Althaus to extend the timeline by 90 days from the date of the board meeting. Carried.

FENCE: Motion by Monson, seconded by Rhyner to approve the fence plan for 106 South Mill Street as presented. Carried.

FUTURE ITEMS: Monson reminded that for the next meeting we will again discuss the possible ordinance for chickens in the village and to review the property located at 605 South Mechanic Street.

Keepers explained that the persons looking to purchase some land in the Business Park are holding back for the time being.

ADJOURN: Motion by Rhyner, seconded by Monson to adjourn. Carried.

7:50 p.m.

LAURIE K. KEEPERS, Clerk