

Village of Fall Creek
Minutes of Public Hearing & Plan Commission Meeting
February 4, 2025

1. **Call to Order:** 5:30 p.m., Village Hall Meeting Room, 122 E. Lincoln Ave., Fall Creek
2. **Roll Call:** Members Present: Chairman Tim Raap, Curt Van Auken, Curt Strasburg, Bill Boettcher, Sheena Kaatz, John Mason. Members Absent: Evan Nyberg. Staff Present: Village Administrator Jared McKee, Deputy Clerk Mallory Miles. Also Present: Village Engineer Gareth Shambeau, Cody Filipczak of C&M Homebuilders, Sean Bohan of Advanced Engineering Concepts, and 4 citizens.
3. **Pledge of Allegiance**
4. **Certify Open Meeting Law Requirements Have Been Met:** A notice of the meeting and the agenda were posted at the three public places and local newspapers were notified.
5. **Adopt Agenda:**
 - MOTION (Kaatz/Strasburg) to adopt the agenda as printed. PASSED, without negative vote.
6. **Recognition of Visitors/Citizen Input/Correspondence:** None.
7. **Consider Preliminary Plat for Business Park East Expansion:** Chairperson Tim Raap shared information of the preliminary map of the expansion and explained that these are lots the Village can sell.

Administrator Jared McKee shared information regarding the outlots on the map and how the property is being subdivided:

- Outlot 1: topography makes it not buildable
- Outlot 2: lift station which the Village will continue to own
- Outlot 3: wetland and not a buildable lot
- Outlot 4: storm water retention pond on it which the Village will continue to own
- 7 buildable lots available

Village Architect Gareth Shambeau noted his review of the plat including the cul de sac distance which is at 670 feet. This length exceeds what village ordinance states, “the maximum length of a cul de sac street shall be 500 feet.” He would recommend a variance request for the cul de sac to exceed 500 feet as stated in the ordinance. McKee made a recommendation made to radius, curve, the corners of Outlot 3 and Outlot 4.

- MOTION (Boettcher/Mason) to approve preliminary plat with the radius to Outlots 3 and 4 and allow the exceedance of the 500 feet cul de sac. PASSED, without negative vote.
8. **Consider Preliminary Plat for Creekside Estates II:** Chairperson Tim Raap introduced the preliminary plat maps that includes 7 twin home lots and 44 single family lots with two new streets going east and west.

Village Architect Gareth Shambeau shared his review. The key points were as follows:

- Lots 43-48: rear setbacks are less than what the Village Ordinance states but they do meet code on the front of 70 feet
- Lot 30: smaller than 70 feet in the front setback but there is room to modify to meet ordinance
- Lots 37 and 40: narrower than 70 ft for front setback
- Lot 85: a kink in the road does not meet the 70 feet front setback.
- Private utility easements show 10 feet but code calls for 12 feet
- Narrowing the road to 32 feet was set in phase 1 and would be allowed in phase 2
- Mountable curb would be allowed in phase 2

- Recommend a variance request for a reduction on side lot setback to allow for more buildable areas

Discussion was had on village requirements on side yard setback lines and by reducing this, it would allow for more options of styles and sizes of homes. Discussion also took place on the retention ponds and the village needing access to the pond from the street.

Raap asked C&M about the sidewalks for sold lots but not built on. C&M stated that most sidewalks are completed as builders go and they typically have a 2–3-year timeframe to get the sidewalk completed. For example, for lots sold in Eau Claire, they have 2 years to complete the sidewalk for the entire development. The builder would be fine setting a timeframe for this phase of development.

- MOTION (Mason/Boettcher) to approve the preliminary plat with changes to be made with 32-foot street and mountable curb as used in phase 1, reducing the side lot setback from 10 feet to 8 feet, maintaining access to pond at outlot 2, and addressing comments made by engineer and updated developer’s agreement. PASSED, voice vote with Curt Van Auken abstaining.

As part of the preliminary plat process, street names are to be determined. There are four streets to be named in the village. It was considered to continue with current village street names to use past US President last names. Members shared the significance of the area of land given by a Fall Creek family and would like to use their last name for that location.

- MOTION (Boettcher/Mason) to add Raether Ave, Polk Ave, Hayes Ave, and Pierce Ave to village streets. Raether Ave would be located east of South White Street; Polk Ave would be the northern street in the new plat; Hayes Ave would be the southern street in the new plant; and Pierce Ave would be located by Schuman Cheese. PASSED, without negative vote.

9. Request of Village of Fall Creek to Rezone Part of Parcel #127-1044-10-050 from Urban Transitional District (UTD) to Twin-Home District (R2-TH) and Single Family Residential Higher Population Density District (R1A)

a. Public Hearing: Chairperson Tim Raap opened the Public Hearing at 6:45PM. There were no comments, so Rapp closed the public hearing at 6:46PM.

b. Consider Rezone Request:

- MOTION (Kaatz/Strasburg) to recommend the Village Board rezone part of parcel #127-1044-10-050 from Urban Transitional District (UTD) to Twin-Home District (R2-TH) and Single Family Residential Higher Population Density District (R1A). PASSED, voice vote with Curt Van Auken abstaining.

10. Consider Zoning Ordinances Related to Greenhouses

a. Public Hearing: Chairperson Raap shared nothing has been drafted for this ordinance, but we will still be talking about updating the ordinance. He opened the public hearing at 6:47PM. There were no comments, so he closed the public hearing at 6:48PM.

b. Consider Ordinance Amendment: Raap explained this item was recommended back to the Plan Commission because the Village Board would like to find an appropriate place for greenhouses/high tunnels and other temporary structures in our zoning ordinance.

A conditional use request was denied due to the ordinance not being clear. The board felt it was important to find an appropriate place in the ordinance for these structures.

- MOTION (Boettcher/Kaatz) to recommend striking retail garden centers/greenhouses row from residential zoning and add temporary agricultural buildings with conditional use in UT only. PASSED, without negative vote.

Administrator McKee felt it was important to update other areas in the ordinance while discussing this ordinance. Schedule of zoning uses in residential and commercial districts regarding public/private regulated utilities and the side lot setbacks for building were of discussion.

- MOTION (Boettcher/Kaatz) to recommend reducing duplication and clean up public/private utilities to be conditional use across the board. PASSED, without negative vote.

- MOTION (Boettcher/Kaatz) to adjust principal lot side setback to 10ft to 8ft R1A only; PASSED, without negative vote.

The Plan Commission noted that other zoning ordinance details would need to be discussed but that will be at a future meeting.

11. Consider Zoning Ordinances Related to Signs, Including But Not Limited to, Political Signs

- a. **Public Hearing:** Chairperson Raap opened the public hearing at 7:18PM. Raap reported on the City of Neenah's federal lawsuit regarding political signs in the city. There were no public comments, so he closed the public hearing at 7:19PM.
- b. **Consider Ordinance Amendment:** Administrator McKee reviewed how the City of Neenah amended their ordinances by limiting the number of signs and duration of posting signs. McKee will propose a drafted ordinance to the Plan Commission along with adding more definitions to the ordinance. The Plan Commission discussed they would like to keep it simple, but more definitions would be needed to eliminate future concerns. No motion was made.

12. Adjourn: @ 7:40 pm.

Mallory Miles, Deputy Clerk