

CITY OF OCONTO
MINUTES OF THE MEETING OF THE PLAN COMMISSION
City Hall – Council Chambers
1210 Main St, Oconto, WI 54153
THURSDAY, FEBRUARY 9, 2023 - 5:00 PM

Draft for Approval

Public Hearing before the Plan Commission was called to order at 5:00 pm by Mayor John Panetti.

Roll Call: See below.

- a. Petition from Riley Sowle for Application for Conditional Use Permit for Parcels #265-33240752157Q and #265-33240822164B (1240 McDonald St) - Ordinance Sec. 13-1-42
(8) Event/Wedding Barns

Public Input:

- Dale Thomson, 106 Robin Lane, handed out a packet to each of the members (available for viewing at the office of the City Administrator) and spoke regarding his concerns with the amendment to the 20-Year Comprehensive Plan, The Riviera, and the Conditional Use Permits.
- Riley Sowle, 1240 McDonald St, spoke regarding The Riviera, their operations and plans, and in favor of the Conditional Use Permits.

- b. Petition from Riley Sowle for Application for Conditional Use Permit for Parcels #265-33240752157Q and #265-33240822164B (1240 McDonald St) - Ordinance Sec. 13-1-42
(9) Outdoor Special Event Venues

Public Input:

- Administrator Bickel read 4 emails that were sent to her earlier that day from residents who were unable to attend the meeting.
 - Ann Hornblad, 104 Robin Lane, is against amplified music in a residential neighborhood.
 - Allan Wickman, 110 Robin Lane, is against amplified music in a residential area.
 - Lori Erieau, 110 Robin Lane, is against amplified music in a residential area.
 - Sherrie Hagenow, 108 Robin Lane, is against amplified music near her home.
- Riley Sowle, 1240 McDonald St, handed out images (available for viewing at the office of the City Administrator) of different Commercial businesses zoned R-2 that play music and a circled perimeter equivalent to the homes surrounding The Riviera. He also commented on the high decibel noise that comes from the highway.
Mike Werner asked Riley Sowle if he had access to a decibel meter at any of his events last year? Sowle commented they had a decibel phone app that they used, and they walked the property line on an event.
- Dale Thomson, 106 Robin Lane, asked Sowle if the upper section of the building is up to Commercial code.
Sowle stated he is in current communication with the State after an anonymous complaint was filed against him. He commented that is correct, the upper level is not yet up to Code, but the lower level is his personal residence and is up to Residential Code. It is not open to the public, but the bridal party is allowed to rent it out during events. Riley stated the lower garage area is up to Commercial code.

Thomson agreed with Sowle that there are not a lot of houses in that area and stated that

is the reason for the loud sound - there is little barrier to absorb sound, the sound travels. Thomson also agreed that the list of commercial businesses Sowle listed may be zoned Residential but they are located in Commercial districts, not a Residential District.

- John Wittkopf, 165 Mott St, stated that he lives across the River, he has never heard any music from The Riviera, but he often hears noise from the baseball diamonds.
- Garrett Sowle, 712 McDonald St, agreed with John Wittkopf.
- Bob Bake asked if there was ever a decibel reading taken at any events, Mayor Panetti stated that when the Police were called for the complaint at The Riviera a decibel reading was not taken.

Bake and Mehlberg commented that the music bass seems to be the biggest issue, the band could turn down the bass if there was an issue.

Anita Jensen stated she has a decibel reader app on her phone and has taken logs of readings she has done. She stated they have and will continue to follow the City Noise Ordinance.

Thomson stated he could hear the music in his home that night, with his windows closed, and believes it is too loud.

Bake commented that the only issue he is hearing is the sound. An agreement and compromise can be reached in regards to the music.

Mayor Panetti stated he spoke to the Police Department and asked them to take the decibel meter out there if they get anymore complaints.

Riley Sowle mentioned that with the development of the highway there the character of that neighborhood has changed.

Dale Thomson mentioned that it is still a Commercial business in a Residential neighborhood.

Riley Sowle listed other Conditional Uses that are allowed in R-1 and R-2 zones that are businesses.

Mayor Panetti called three time for additional public input, hearing none.

MOTION: Bake / Werner *Motion to close the public hearing at 5:54 pm.* **Voice Vote: 5 ayes - MOTION CARRIED**

Meeting of the Plan Commission was called to order at 5:54 pm by Mayor John Panetti

Roll Call –

Members Present: Mayor Panetti, Butch Mehlberg, Bob Bake, Mike Werner, and Brittney Race

Also present: Attorney Frank Calvert, City Administrator Brittney Bickel and as recording secretary, Riley Sowle, Anita Jensen, Dale Thompson, John Wittkopf, Garrett Sowle, and other interested parties

Members Excused: Jeremy Wusterbarth and John Matravers

Approval of Agenda –

MOTION: Mehlberg / Werner

Motion to approve the agenda as presented for the Plan Commission meeting on February 9, 2022. **Voice Vote: 5 ayes - MOTION CARRIED**

Approval of Minutes –

MOTION: Werner / Bake

Motion to approve the minutes as presented for the Plan Commission meetings on December 13, 2022. Voice Vote: 5 ayes - MOTION CARRIED

Correspondence – Introduction of new Plan Commission member Brittney Race.

Public Input –

- Riley Sowle, 1240 McDonald St, requested that the Committee open the floor to conversation during the Discussion/Recommendation portion of the meeting.

Discussion/Recommendation on –

- a. Petition from Riley Sowle for Application for Conditional Use Permit for Parcels #265-33240752157Q and #265-33240822164B (1240 McDonald St) - Ordinance Sec. 13-1-42 (8) Event/Wedding Barns

The Committee went over the Conditional Use Application and Draft Conditional Use Permit for the Event/Wedding Barn line by line. There was open conversation with the Committee and the public who were present.

MOTION: Mehlberg / Race

Motion to approve the Conditional Use Permit for the Event/Wedding Barn. Roll Call Voice Vote: 5 ayes - MOTION CARRIED

- b. Petition from Riley Sowle for Application for Conditional Use Permit for Parcels #265-33240752157Q and #265-33240822164B (1240 McDonald St) - Ordinance Sec. 13-1-42 (9) Outdoor Special Event Venues

The Committee went over the Conditional Use Application and Draft Conditional Use Permit for the Outdoor Special Event Venue line by line. There was open conversation with the Committee and the public who were present.

MOTION: Mehlberg / Race

Motion to approve the Conditional Use Permit for the Outdoor Special Event Venue. Roll Call Voice Vote: 5 ayes - MOTION CARRIED

MOTION: Race / Werner

Motion to reopen agenda item 7a (Conditional Use Permit - Event/Wedding Barn). Roll Call Voice Vote: 5 ayes - MOTION CARRIED

MOTION: Werner / Bake

Motion to amend the parking conditions for the Conditional Use Permit for the Event/Wedding Barn to match that of the Conditional Use Permit for the Outdoor Special Event Venue. Roll Call Voice Vote: 5 ayes - MOTION CARRIED

Adjournment –

MOTION: Mehlberg / Bake *Motion to adjourn at 7:18 pm. Voice Vote: 5 ayes - MOTION CARRIED*

Respectively submitted by
Brittney M. Bickel, City Administrator