

**TOWN OF GREEN BAY
BROWN COUNTY, WI
MINUTES OF REGULAR TOWN BOARD MEETING
TUESDAY, JULY 11, 2017**

Time: 6:00 pm – 8:15 pm

Location: Town Hall

Next Regular Meeting: August 8, 2017

Attendance: Chairman Lee Dechamps, Supervisor Cary Dequaine, Supervisor Ryan DeBroux, Clerk Debbie Mercier, Treasurer, Lori Geniesse, Constable Matt Bosman
Also present was Planning Commission Secretary Dawn Goodman and Zoning Administrator Gary Jonet

40 Present

1. Call to Order

Chairman Dechamps called the meeting to order at 6:00 pm. Pledge of Allegiance recited. It is noted, the meeting was properly posted.

2. Review and Take Action on June meeting minutes

Clerk read the minutes of May 9 Public Hearing. Motion to approve as read made by Supervisor DeBroux with a second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

Clerk read minutes of June 13, 2017. Motion to approve as read made by Supervisor DeBroux with a second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

3. Review Planning Commission minutes - no meeting held

4. Review Board of Appeals minutes - no meeting held

5. Review Zoning Administrator Report and Building Inspector Report

Supervisor DeBroux made a motion to accept the Zoning Administrator Report dated 5/09/2017 through 6/13/2017 and the Building Inspector Report for the Month of April, 2017. Voice Vote 3-0 Motion Carried.

6. Zoning Amendment #1031-J / Gomand Agriculture to Light Industrial

a. Presentation / representative of Gomand's – Brian Leahy and business partner, Gary Ross, Brian and Gary are the parties who are interested in constructing a motel on the said Gomand property Mr. Leahy stated they have met with all the people associated with and who had questions in regarding the wells, sewers, and fire department. Chairman Dechamps asked for clarification in regard to the well. Mr. Ross stated the well would be 900 feet deep, actually 2 wells and they would not affect any of the residents water, the proposal is for (2/ 10,000 tanks sanitary/septic or 1 large 20,000 gallon tank) he stated they do need to do some soil testing.

Ryan questioned if they have a runoff/detention pond. Mr. Ross said they are not sure of that yet, he stated they wanted to hold off until the zoning was approved. He stated they have done a determination of wetlands which can be accommodated. Chairman asked who regulates the runoff

water, Mr. Ross stated it would be the DNR. He said they have met with the DNR, Brown County Administrators. Supervisor DeBroux questioned on the 3 acre site, the proposal is for a 50 room, Mr. Ross stated 50 room Inn, he wouldn't call it a motel, 75 parking spots. Mr. Ross stated it would be a 50 room Inn, 35' feet high maximum, and per parking regulations and setbacks restrictions. Chairman Dechamps, stated the fire department had a required plan, Brian and Gary stated they met with Kevin Tielens Fire Chief of the New Franken Fire Dept, and they also met with the power people who indicated there was proper power to accommodate a 50 room Inn. Ryan, said that Kevin Tielens stated asked about how you were going to allow for the 360 degree access turn around and he didn't think you had gotten back to him about that request yet. Mr. Ross stated basically Mr. Tielens was happy with the proposed structure. Supervisor DeBroux wanted to clarify again, that when the place is full, a 50 room Inn, there would be enough room for parking, bus parking, and landscaping buffers for some of the neighbors. He stated that would be a lot to do in 3 acres. Mr. Ross said they are working with an architect in Green Bay and he stated it was very doable. Mr. Leahy stated the proposal was submitted to the Planning Commission and they approved it. Mr. DeBroux questioned how much water usage is estimated? Mr. Ross stated he doesn't have an exact proposal, but they used a contractor recommended by the County, Cory VandeYacht, who is well known in the area. Chairman stated they should move on. Debbie Olson asked if she could add to the above presentation, she stated they are here as a family, and they are asking to rezone 3 acres, they are not looking to disrupt the whole town. If this doesn't pass, it will change anything, because the Shrine will go ahead as planned. People will continue to come due to the Shrine, the Shrine will continue to draw people to our community. We are simply asking for 3 acres, to help the Shrine, to move their business forward, they are not looking to make anyone angry, it will bring more pilgrims and give them a place to stay. The investors have done their homework, they have done research to make sure it's legal, following the guidelines as they don't want to build something that would not be successful. They want to invest in our community, create jobs and to become part of our community. She again stated they are asking to rezone 3 acres. She further stated there is business across the road already.

**b. Presentation / representative of National Shrine of Our Lady of Good Help
and Bishop David Ricken of Diocese of Green Bay**

Walt Fountain, Chairperson of the Board of Trustees of Our Lady of Good Help was present and introduced himself and apologized he had not made the prior meeting. He introduced Bishop Ricken, the Bishop of the Diocese of Green Bay who was also present. Bishop Ricken took the floor. He thanked the people for working with them through this big change. Bishop further stated here is a thorough vetting process that the church provides for an apparition. There is a process for an approval. The church requires the length of time, three experts who study inside and out of which two of them were very positive, one played the devil's advocate and questioned some things. They only mentioned 2 or 3 historical things. He said about all they found was heavy drinking during the 15th of August. He further stated Bishop Zubick had begun the process, and that he had inherited the continuation of the process. He said he understands there are concerns, but he would like to review some things in hopes that it would bring a positive message. Bishop Ricken presented a power point presentation of Sister Adele Brice and the history of the message given from Mary, who is referred to as the Queen of Heaven and Our Lady of Good Help. He further stated it was a humble beginning which developed to what it is today. Walt then gave a presentation of the history of the Shrine to review where the Shrine has been. He stated the current Shrine is actually the 4th shrine. The first Chapel was built by Mr. Brice immediately following the apparitions in 1859. That chapel stood for several years, which drew many people. The second chapel was built in 1862, believed to be very similar, that chapel stood the test of the Peshtigo Fire. The third chapel was built in 1880, a brick chapel which had a capacity of 150 with an estimated annual attendance of 35,000. In 1922 it had suffered a fire, in 1941 it was torn down and the new chapel

was built in 1941 which is the existing chapel, with a capacity of approximately 300. Sizable enough for an annual attendance of 105,000. He stated as they start going forward, they need to recognize, they need to have a facility which would be adequate for the next generation. This current chapel has been there for 75 years. Last year 2016, 135,000 approximate annual attendance. They are anticipating 150,000 in attendance this year. As we look forward, in planning they have to look into the future, they believe in the next 10 years, approximately 2022 – they will reach attendance of approximately 300,000 and then the 10 years thereafter, approximately 500,000 in about 2030. He explained they have tried to increase the accessibility. Being a simple place and a place of refuge is part of the character of the Shrine. He stated they had 6 open meetings in 2015 - people were welcome to come and they welcomed all types of feedback. They have also looked at other Shrines. He stated there are two major shrines in our State of Wisconsin The Shrine of Our Lady of Guadalupe, 300,000 a year and Holy Hill Mary Help of Christians, 500,000 a year. They have gotten insight from the other two shrines. They looked at other Shrines, there are approximately 17 worldwide, another 8 that are minor. The Shrine is 1 of about 17, they have researched, to gain insight, they took a look at the town's comprehensive plan. They want to make sure as best as they can, at keeping what the town wants to accomplish. With that in mind, they came up with a master plan. Walt stated they have created an unconstrained master plan which they came up with and they shared it to make sure that the Shrine meets the needs of the generations to come. They looked at an entrance off of Hwy K, they have a Welcome area. A quiet prayer area, an area for attendance flow, a Worship area, an outdoor worship area. And a natural buffer to create and to maintain the character and handle the quiet natural character. He stated the first people they shared it with was the Town of Green Bay, in January, 2016. They then had meetings with some of the neighbors directly affected by the master plan. In order to be as transparent as possible. In April of 2016 they held open meetings, invites of those within 100 mile radius that they had their address, invited people in order to get feedback on the master plan. The Town brought forth concerns, Walt stated based on the concerns they had redesigned – with an ingress and egress off of CTH P, they addressed the concern of the environment, they have a wetland area along the eastern side, ESA area, and they brought in landscape architects to highlight the area in order to protect the area. He stated they looked at those items and made adjustments. He further stated they have created natural buffers using the natural beauty and aspects of the area and have created a design to maintain the natural agricultural area. He stated they anticipate to present to be able to hold public sessions to get additional feedback. The sessions they hope to have late August early Fall. Chairman Dechamps questioned how many acres involves the master plan. Walt stated the domain is 160 acres, they would anticipate with the buffer, it would be 530 if they are able to purchase the additional land. Chairman Dechamps questioned if the neighbors involved are in favor. Walt stated, he is unsure, they have spoken with them. He further stated they will have to make a decision, and they will do what they can with what they have if not able to obtain additional land. Further discussion held regarding the Master Plan. Kathy Dufek questioned what the time frame was. Walt stated, if they owned the land, they would start right away, to create a place with more parking and a place to orientate them, the 2nd part would be to build a new chapel, and the 3rd part is to address the apparition site. But they would try to mitigate the disruption to the pilgrims. He stated they understand they do not have the ability to do that until they own the land. Kathy Dufek questioned if there is a plan to construct a hotel across the road. Walt stated in the 20 year plan there is absolutely no plan. The only housing plan they have is for the Priests, right now they have 3. Debbie Gomand stated in the master plan, it appears the town road is gone. He said in the master plan that is assumed the town would concede the road. John Metzler, questioned why they are here to present. Walt questioned he is here at the town board's request. Mary Dufek, wondering how this is going to effect the traffic. Walt stated in their opinion they are not in support of the construction of a hotel, it will affect the character of what they do with the shrine in the future, their concerns are traffic. He stated they may all agree that the best flow of traffic is off of Hwy 57 on P. He

further stated they will have to address the sewage and water, they will have engineers to assist with that. A 4th issue, he stated may be the tax structure. He stated they recognize if they take hundreds of acres out of the tax structure, it could have a negative impact on the town. He stated they would have to determine the impact, but would propose a contractual arrangement in lieu of taxes with direct payments to the town rather than as tax payments. An agreement separately with the town and others providing them services, he stated at this point and time, it would be hard to recognize that number, but they realize a number would have to be agreed upon. Shirley Gomand asked if there are taxes being paid on the land that they had gotten from Soquets and the property they purchased from the Gomands. Walt stated he is not certain of the answer to that question at this time, he would have to check with the accountants. Lori Jacobs addressed Walt and stated they were not contacted as he stated he had contacted neighboring property owners. She further stated the Chapel is a business and the people are not prepared for this change. Walt stated he was remiss in not speaking with them and Kathy Dufek, who he has now spoken with. He stated you are absolutely right, the land belongs to the current land owners. Supervisor DeBroux made a motion to open the floor, he asked that the people state their name, state whether for or against, and hold their comments to 3 minutes. Second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

Becky Coppens, wondered if anyone has contacted the county in regard to changing the speed limit? Chairman says he has not, but he knows the process, it depends on how many driveways are in a certain distance, and the number of requests to change, usually to a lower speed. And it needs to be done in writing and requested by the neighbors who are in favor of it. Becky stated the Shrine of the Town Board would make that request. She doesn't feel as if the few neighbors writing in would make a difference. Chairman Dechamps stated he will get in contact with the County and will have them write a statement.

Todd Lloyd, and his wife Andrea, stated he is neutral – they own a small business in Dyckesville, 17 unit, regardless of how this goes, if people from the Shrine or the Diocese, down the road, there may be 8 million visitors, we do have a motel, they have sewer, Dyckesville is a great place to visit and a great place to raise a family, He just wanted to make it known that he would like to make it known he is willing to work with everything, he is willing to assist. He commented he is here to support the area, he stated is 4.6 miles driveway from the Chapel to his driveway. He is willing to assist, he will run shuttles, he will

Sharon Depeau, she likes the people on the area, she has nothing against the Gomands. She is against the rezoning, does not want to see an Inn across the road, wants to see the peace and tranquility remain. That's why Mary appeared here in a quiet little part of the country, let's keep the area a Shrine, and keep our hotels away from the Shrine.

Kathy Dufek, finds it hard to believe that it will change the area, doesn't seem right for them to have a hotel right there, she agrees it's their land and they should be able to do what they want with their water. She is concerned of other issues, sewer and water. She is against the rezoning.

Becky Coppens, does not like either idea, no offense to Louie and Shirley, she is against both the rezoning, and does not like the expansion of the master plan of the chapel.

Jeanette Dubois – questioned Todd Lloyd if his 17 rooms are filled? He stated, no on weekends and special events, Todd stated with full disclosure, they had not been working extra hard to pick up extra business. Concerned that they are not filling those rooms. But he will change that and work harder now, he stated there are some people that come and stay which are coming to attend the Shrine. But not full by no means.

Debbie Olson, stated to address Kathy Dufek's comment, it would be the exact people that are coming now, they will fill the Inn. She said that Dyckesville hotel is 17 years, she further stated she feels it is not in a condition that she thinks people would go there. Debbie stated she is in favor.

Deanna Ducat, against the rezoning, but is in favor of a lower speed limit. She is on CTH P and CTH K.

Debra Delcore, against the rezoning, once you have the precedence set for one, others will go up. She would like to see it remain as a quiet reflective place.

Karen Hucek, agrees with what Debbie Delcore has just said.

Louie Gomand, stated people are coming and they need facilities. Their lives will already change.

Polly Gomand, the shrine feels this will double in 5 years and will continue to double. She said it has already changed and it will continue to change because the chapel will be bigger. She stated the people go into her yard, they think they are part of the chapel. She stated they will go from 30 some acres to 500 acres, it will change. She added a comment it's an Inn, 50 rooms, with the pilgrims that are going to the chapel anyway. She questioned, how people could think that this would be more disruptive then the farm land where machinery is running and spreading manure. The crowd stated not to knock the farmers. She stated she is not knocking the farmers and also has concerns over what it would do to the tax base.

Shirley Gomand, stated she truly believes that this will improve the conditions for the Shrine completely because people will be able to stay there. She is for it to benefit the Shrine.

Jason Miller, he is in favor of the rezoning. The town is faced with more people coming. He feels 1 hotel in Dyckesville is not going to be enough to support, he stated someone had come to the town with a request to open a Bed & Breakfast. He feels if in 10 years a request came and they would be allowed, he feels it is not fair for the parties requesting today.

Debbie Mercier, stated if she had to say for or against, she is really not for it. She stated something which has been brought to her attention, is concerns over other events being held in the area which may draw not only the pilgrims, but other larger groups. She doesn't feel this is the intent of the proposed Inn, but questioned how you would prevent a less desired crowd.

Motion made by Supervisor DeBroux to close the floor with a second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

Chairman questioned what is said regarding the Town's Comprehensive Plan. The Comprehensive Plan description was read. Dawn read an excerpt from the Comprehensive Plan. This is an opportunity, this was a well thought out plan. She stated the town is meeting the objectives of a business, which the Shrine is. She further stated the pilgrims need a place. She further stated on page 75 of the Comprehensive Plan it talks about economic development, she feels this is an opportunity. She feels reality is Green Bay is creeping up this way and that this is not the only hotel that will come up in this area. She agreed with Supervisor DeBroux that it should be done right, but she feels they are following the plan.

Chairman Dechamps stated the Zoning Commission recommended to the Board that the request be granted. He stated a decision has to be made at this meeting as the issue cannot be postponed again and action must be taken. He asked the Supervisors if they had questions regarding the decision. They had no further questions. Motion made by Chairman Dechamps that they accept the Zoning Commissions recommendation to rezone the land. He asked if there was a second motion? No comment. He a second time asked for a second motion? No comment. He then stated, his motion was denied. He stated the Supervisors must make a motion.

Motion made by Supervisor Dequaine to deny the request to rezone. Second by Supervisor DeBroux. Voice vote 2-1. Motion Carried.

Comment from Supervisor DeBroux. He stated, he feels it is not going to be the end. He voted no because he doesn't think the town is ready for all the different steps that need to happen. He stated there will be restaurants there will be other things, he wouldn't doubt that some time there will be more than 1 fixture on their property, but today, right now, he doesn't feel the town is ready. He stated the Comprehensive Plan is a goal, a target to put agriculture where it belongs and business where it belongs, he stated the future may change those plans, but the planning and who is going to pay for it needs to be planned for properly. He is not saying this is never going to happen, but he stated he does

not feel comfortable asking all of the people in the room to pay for something that has not been properly planned for. He stated the way it was presented at this time, is why he voted no. He stated he does not have to explain why he voted, but he wanted to. He further said he is not for or against either party. Supervisor Dequaine stated in his experience of travel, in rural communities he has observed that hotels are typically near a major highway or in a more industrial zone. Not typically in a residential area or in the middle of a farm field and he feels there must be a reason. He feels a motel along a major highway would draw other people year round and he feels it would be better suited in a sewer district. Louie Gomand stated, it is not going to cost anybody a dime, it will be paid for and he feels as a town member they should get the respect of a vote that complies with the ordinance of what they did for this petition.

8. Craig Johansen /Lot on Kelsi Jean Ct

Craig was not present earlier, but has left. The Board stated they would hold off for a future meeting to discuss when Craig would be present.

9. Correspondence – the Clerk stated she had not received any correspondence for future discussion

10. Any Other Business Authorized by Law

Constable, Matt Bosman stated there was a Citation issued to Julie Porath, there was a mistake, the Municipal Court Clerk, Dawn had done some research and in error issued a ticket to a lady who lives in West Bend. The ticket will be remitted. And will be re-issued. The Constable further stated, he has driven past the property and he feels the property has been cleaned up properly. He said there is 1 load on a 5'x8' utility trailer, he said the party is willing to work with the neighbor. Chairman Dechamps said to postpone the citation and it can be brought up as old business next month. He questioned the leash law due to a phone call he received. Clerk, Debbie Mercier stated she spoke with that person and has answered her questions. He further stated Rob Roberts will be attending the next court date. He requested that we add a Constable line on future agendas for his report.

Zoning Administrator received a letter from Brown County in regard to a sewer violation on a property on County K. He stated our zoning ordinance states you can only have 1 residence on a parcel. The County has indicated they are taking care of the sewer violation.

Todd Lloyd, wanted to take a moment to defend his family. He stated they have put money into their hotel to improve the interior. He stated what they find, is that people are looking for an inexpensive stay. He stated they have a balance of rooms to accommodate their clients. He said they have an outstanding view with the Bay, he said they are not doing this area any discredit. He said if he knew there was a need, he would tear down the bar down and build a new hotel. He said he is just becoming educated to this and is just getting an understanding. He agrees he has been behind the eight ball and plans to be more proactive.

11. Clerk and Treasurer Reports

To reconcile month of May, 2017. Treasurer read report, total monies on hand = \$382,109.17. Expenses = \$17,254.21 Income = \$1,910.64 Clerk report was reviewed, totals agree with the Treasurer's report. Motion made to accept the clerk and treasurer reports made by Supervisor DeBroux. Second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

12. Review Vouchers and Pay Bills

Motion made to review the vouchers and pay the bills made by Supervisor DeBroux. Second by Supervisor Dequaine. Voice vote 3-0 Motion Carried.

13. Next Meeting Date/Adjourn

Discussion held regarding the changes of the town and the importance of developing long range plans. Next meeting date will be Tuesday, August 8, 2017. Motion made to adjourn the meeting by Supervisor Dequaine with a second by Supervisor DeBroux. Voice vote 3-0 Motion Carried. Adjourned at 8:15 pm.

Submitted By: Debbie Mercier, Clerk