

Public Hearing Minutes
Monday, September 6, 2016 at the Rockland Town Hall
Called to order by Chairman Cashman at 6:30 p.m.
Adjourned at 7:43 p.m.

The Clerk, Treasurer, Chairman Cashman and all Board members were present. Also in attendance were, Scott Jewitt, Applicant, Zach Boyea and Lance Williams of Panic Chambers, Bob Gerbers, Zoning Administrator, and other members of the public. Clerk Charette verified that the meeting was properly noticed and published. All neighboring properties as well as Town of Glenmore, Brown County Sheriff's Department and Morrison Volunteer Fire Department were properly notified. Chairman Cashman read the agenda.

OPEN THE RECORD

M/M by Chairman Cashman to open the record at 6:32 p.m.; seconded by Supervisor Van Vonderen.
Motion carried.

CONDITIONAL USE PERMIT REQUEST FROM SCOTT JEWITT, Owner, to allow Panic Chambers to host community haunted farm on Parcel R-179-1, 5581 CTH W, De Pere, Wisconsin in October 2017

Scott Jewitt, owner of parcel, R-179-1, 5581 CTH W, De Pere, Wisconsin, stated that Lance Williams and Zach Boyea of Panic Chambers approached him to host a community haunted farm on his parcel. Panic Chambers currently hosts a haunted house in Gresham. Jewitt conducted research on haunted houses, followed up with the Gresham police and had a number of meetings with Boyea and Williams. Jewitt stated that Williams and Boyea are professional and have a business plan in place. They have the necessary safety measures in place, have a detailed site plan, and have been outstanding in communicating with him from start to finish. Jewitt has owned the parcel for two years and desires to bring this business into the Town for the community to enjoy. He stated that community members will have one less opportunity to enjoy a haunted house when Terror on the Fox ceases their operations. Jewitt indicated that he would have no problem bringing his own children into this event. Jewitt does not believe there will be an issue with traffic nor with the proposal affecting the beauty of the land. The renters living in the home on his property are not opposed to this event.

Zach Boyea, Panic Chambers, provided a site plan and security plan to the Board and to the public. He explained that originally this started as a farming event in Pulaski and then turned into something bigger over the years. Boyea stated that since the August 18, 2016, Planning Commission meeting, he was able to retain a Brown County deputy sheriff who will be assisting with full time security of the grounds. The deputy sheriff's vehicle will be parked on the property on Tower Road. Additionally, four NWTC officers will be on site each night. Bob Effert is the Security Officer for Panic Chambers. He served in the Army and is trained in fire-fighting. He explained that there have been no issues at their past events. He will be working with the Brown County deputy sheriff to ensure everyone is safe. The property has been split into four sections that each officer will be oversee. An event fence will be placed around the perimeter of the property. Additionally, a series of cameras will be placed on the property and will be viewed by personnel. Captain Jody Lemmens, from the Brown County Sheriff's Department and the Morrison Volunteer Fire Department both stated the roads are safe for the traffic. Volunteers from the Morrison Volunteer Fire Departments will control parking and traffic in and out of the property.

Jewitt asked Boyea and Williams whether there were any charges brought against Panic Chambers in the five years they have held their event in Gresham. Boyea stated they have had none. Williams explained that this event actually slowed traffic down on the main street in Gresham. Williams also explained that the

noise is inside the building. The event will be open Fridays and Saturdays from 7:00 p.m. to 11:00 every weekend in October in 2017. No alcohol will be sold or served on the premises.

PLANNING COMMISSION RECOMMENDATION

Supervisor Van Vonderen summarized the actions taken at the August 18, 2016, Planning Commission meeting. The conditional use permit is for one year. If Applicant wants to renew, it would be reviewed by the Town Board again next year. If there were any complaints or concerns, those would be addressed during the renewal process. The permit is for hosting a haunted farm for 40 hours over a period of four weekends in October 2017. Panic Chambers also desires to host a Kid's Day, wherein proceeds of the event would go to a local non-profit. Van Vonderen explained that the Planning Commission made a recommendation to the Town Board to approve the permit with the following conditions: 1. Applicant to provide "No Parking Signs" on CTH OO, Tower Road and CTH W, provided it is allowed by law; 2. Conditional use permit expires on November 5, 2017 unless renewed; 3. No alcoholic beverages may be served or consumed on the property; 4. All patrons must vacate the property by midnight; 5. Safety and fire inspections must be approved prior to the first haunt; 6. Applicant to provide security including adequate lighting and surveillance; 7. Hours of operation will be on Fridays and Saturdays from 7:00 p.m. to 11:00 p.m. with the exception of a Kids' Day event; 8. Event can occur a maximum of 10 days during a calendar year; 9. Permit be granted based upon the site plan provided by Applicants.

A draft of the August 18, 2016 Planning Commission minutes are herein incorporated by reference.

ZONING ADMINISTRATOR

Bob Gerbers spoke to the police department who regulated the Gresham event and stated they had no issues with it. Gerbers also spoke with Village of Gresham President, Ken Beyer. Beyer stated that he never had a problem with the event and that the event actually brought life to the Village.

Gerbers, along with Boyea and Williams, met with the Morrison Volunteer Fire Department who stated they had no issues with this request and were in support of this permit.

Gerbers stated that he conducted a lot of inspections on haunted houses in the City of Green Bay and the Village of Ashwaubenon. He had never heard of drugs and alcohol being an issue. They were concerned with egress and ingress and lighting and safety issues.

Gerbers believes that this request is no different than a Bellin Run, 4H shoot, Sportsman's Club, Equestrian Center event or Day on the Farm. He stated that this has nothing to do with zoning and the comprehensive plan. This is nothing different than these other events that occur in the Town. Gerbers stated that he supports this event.

PUBLIC INPUT

Lorne Bries, -5738 Morrison Road, stated that he has three teenagers. Bries would prefer that his three kids attend this type of event rather than a beer party down the road. He attends these events and they are a safe and fun place to be. He supports this permit.

Jesse Jerovetz, 2912 CTH OO, stated Panic Chambers did a good job with their security plan. He is not concerned with security on the grounds. Jerovetz is concerned with bringing 4000 extra people to this area. He has a business with equipment outside and will now need to lock up this equipment. He is concerned about the dirt parking lot and the noise. He has lived in the Town for 30 years. He does not want the traffic, noise, and extra eyes in the neighborhood.

Kelly Tollar, 5502 Tower Road, asked why Panic Chambers is leaving Gresham. Williams stated they are looking for a larger place. She recommended that they consider an alternative location like the Brown County Fairgrounds and one that is not in a residential area. She reiterated that the residents desire to have their space and safety protected.

Joe Brittnacher, 5446 Tower Road, moved here nine months ago for peace and quiet. He is concerned with the noise. He also is concerned with tying up the Town's resources in the future when the police are called to this event.

Mike Wagnitz, 5502 CTH W, asked whether decibel ratings have ever been done on this type of event. He moved out to Rockland 15 years ago to get away from the city, the noise, and the traffic. He bought a place with several acres of land for that reason and does not support this event.

Bruce Wrotny, 2913 CTH OO, stated that his biggest concern was security. He stated that it seems that the applicants have handled this issue. Wrotny asked if there will be music playing on the property. Williams explained that the music will be played inside the building. Wrotny explained that the building appears small for a haunted house. Boyea explained that measurements are based upon linear feet rather than square footage. The patron does not know that they are being zigged and zagged throughout the house. Wrotny stated that even though people believe nothing will happen, he stated that the chances are that something will happen.

Glen Schwalbach, 1090 Moonriver Drive, seems that loitering could be happening but security guards will be there to oversee the property. Schwalbach inquired about loitering. Bob Effert stated that an orange security fence is used in Gresham. Patrons attend the event to hang out, not to loiter.

Jill Rowland, 5518 Tower Road, stated that her concerns are traffic, noise and whether the Town is benefitting from this event. The Gresham event is 4000 square feet. Rowland stated that this building in Rockland seems too small. Williams explained that in Gresham they only use 2000 linear feet which will be the case at this site. Rowland also asked how security will be able to see in the dark. Williams explained that they will have flashlights and security cameras.

Williams explained that the Green Bay Fear event does not have trained security or police on the grounds. It is located in a residential area and near Fleet Farm.

Rowland explained that in the Village of Gresham, the haunted house is located near businesses and very few residences. She spoke to a neighbor near the Gresham site who stated there are problems with alcohol and marijuana. The resident spoke with the police who have nothing about it.

Vicky Krueger, 5529 CTH W, drafted a letter to Board members questioning why the Town had a comprehensive plan if it wasn't going to be followed. Krueger stated that she could not find anything in the proposed plan that fits the vision that the Town has for the Town. Chairman Cashman stated that the comprehensive plan is a guidance tool.

Supervisor Van Vonderen stated that the comprehensive plan is a broad outline on how to develop the Town. There are different plans for different areas of the Town. It is the zoning ordinance that addresses the specific uses in the district.

Bob Gerbers stated that the comprehensive plan has nothing to do with this permit. Gerbers stated that this is an event. The Town doesn't request a conditional use permit for the 4H shoot, and other community events. Gerbers stated that there are more areas to hide out along the railroad museum in Ashwaubenon

than there are here in Rockland. Gerbers does not understand where these concerns are coming from. Gerbers stated that these roads can handle the traffic. As far as noise, the fire departments and police departments do not have concerns for this event.

If there is an issue on any of these nights, the permit can be pulled by the Town Board. If there are no violations, the Board would not have reason to shut it down.

Lorne Bries, stated that there was a concern regarding speeding on the road prior to this event. He believes the police will be stationed at this event and actually slow traffic on the roads..

Glen Schwalbach stated that the use of drugs and alcohol in the Village of Gresham might be local residents finding a place to gather because they have no other place to go.

Dan Jelinek, 5437 Tower Road, stated that the haunted farm does not fit in with the quiet residential area. The target market is teen agers and adults. Panic Chambers advertise friendly bus trips that include patrons who have been drinking. He stated that it will increase traffic and will be challenging to control.

Robert Basten, 5326 Tower Road, stated that it is a great idea but that he would not want this near his house for ten days a year. He asked the Board to consider whether it were their home whether they would want this event near their homes. Basten stated that if it were further away from a residential area, he would support it.

Gerbers stated that Village President Ken Beyer stated that the resident complaining about the haunted house complains about every issue in the Village of Gresham so they have a hard time believing her.

Anna Thiem, 5555 CTH W, is concerned that the site plan that does not accurately reflect her backyard in it.

Barb Zambon, 2988 Ledgeview Road, moved out to Rockland for the peace and quiet. She does not support this event because it does not fit with the area.

Jill Rowland, stated that she is a member of 4H and this proposed event it nothing like the 4H shoot. Admission for this event is \$15 per person. She does not believe that kids can afford it.

Scott Jewitt, stated that this is an art that many kids enjoy. Williams stated that this business is an art. Their patrons are of all ages.

Jesse Jerovetz asked if the manure pit is filled in. The answer was yes.

Deb Shardlow, 5472 CTH W, is opposed to this event. She stated that Boyea and Williams has a good plan but that the event does not fit for this area. She questioned whether patrons would be bussed in for the event as they do in Gresham. Boyea explained that they have not made plans to do so here in Rockland, yet.

Bill Allcox, 5552 CTH W, asked whether the conditional use permit allows them to use the property as proposed on the site plan. He asked whether they could change their plan in any way. Chairman Cashman stated that the Planning Commission recommended that the permit is approved according to the site plan provided.

Boyea and Williams explained that the plan would only be amended if the Brown County Sheriff, Morrison Volunteer Fire Department or Town Board required it.

Jill Rowland, asked about whether the parking lot in the front could really fit 120 vehicles. She measured it and believes it can only fit 50-60 cars. Williams stated that the parking dimensions were recommended by Town and measured accordingly.

Robert Basten asked that the Board consider the fact that those against this permit live near the property and those for the permit do not reside near the property.

Clerk Charette mentioned that the Board received e-mails from Amy Herber, Vicky Krueger, Anna Thiem, and Terrie Krueger along with a petition opposing the granting of the permit.

Chairman Cashman asked how many patrons are estimated to attend the event. Williams is estimating 4000 people will attend the event in Rockland. On an average night in Gresham, they had 200 people attend per night. Over 14 days, they accommodated 3000 people with no parking.

CLOSED THE RECORD

M/M by Chairman Cashman to close the record at 7:43 p.m.; seconded by Supervisor Lasee. Motion carried.

ADJOURNMENT

M/M by Chairman Cashman to adjourn the meeting at 7:43p.m.; seconded by Supervisor Van Vonderen. Motion carried. Hearing adjourned at 7:43 p.m.

All minutes have been taken truthfully and honestly and to the best of my knowledge and ability.

Jann Charette
Town Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, September 19, 2016.

Dennis J. Cashman
Town Chairman