

**CITY OF MERRILL
CITY PLAN COMMISSION
Monday, April 8, 2013 at 5:45P.M.
Public Hearing at 6:00P.M.
City Hall Council Chambers
1004 East First Street**

Voting members: Mayor William Bialecki, Chairperson, Alderperson Steve Hass, James Koppelman, Ken Maule, Melissa Schroeder, Dan Novitch, and Peter Lokemoen

AGENDA

1. Call to order
2. February 5, 2013 meeting minutes
3. Consider a site plan from Park & Recreation Department for a monument/memorial at Cenotaph Park, 215 Grand Ave., Merrill, WI.
4. Consider Certified Survey map for Burgener Contract Carriers, LTD. Certified Survey map of Part of Assessor's Plat Number 220, located in the Southeast ¼ of the Northwest ¼, and part of the Northeast ¼ of the Southwest ¼, all in Section 13, Township 31 North, Range 6 East, City of Merrill, Lincoln County, Wisconsin.
5. Consider a site plan for new Merrill Fire Station, 110 Pier Street.
6. **Public Hearing:** Application by The Haunted Sawmill LLC, Boy Scout Troop 599, for a Conditional Use Permit for 700 Hendricks Street, Merrill, WI (previously the Northern Specialty Building). The purpose of the Conditional Use Permit is to operate a haunted house in an Industrial zone per Merrill Municipal Code Section 113-97. Legally described as 34-0046-001-182-00-00.
7. Schedule date and time of next meeting
8. Public comment
9. Adjourn

NOTE: It is possible that a quorum of the Common Council will be present at this meeting. However, no Common Council action will be taken.

Agenda prepared by Shari Wicke at the request of Mayor William Bialecki

The Merrill City Hall is accessible to the physically disadvantaged. If special accommodations are needed, please contact Merrill City Hall at 715-536-4880.

1302160

**City of Merrill
City Plan Commission
Monday, February 5, 2013 at 5:45 P.M.
City Hall Common Council Chambers, 1004 East First Street**

Voting members present: Mayor Bill Bialecki (Chairperson), Alderman Steve Hass, James Koppelman, Melissa Schroeder, Ken Maule and Pete Lokemoen. Dan Novitch had an excused absence.

Other attendees: City Administrator Dave Johnson, City Attorney Tom Hayden, Building Inspector/Zoning Administrator Darin Pagel, Street Commissioner Richard Lupton, Alderman Dave Sukow, Alderwoman Kandy Peterson, Alderman John Burgener (arr. 5:48) and City Clerk Bill Heideman.

Call to order

Mayor Bialecki called the meeting to order at 5:45 P.M.

Minutes of January 7th, 2013 meeting

The minutes were in the meeting packet.

Motion (Hass/Schroeder) to approve, as presented, the minutes of the January 7th, 2013 City Plan Commission meeting. Carried.

Certified Survey Map – Town of Pine River – Dewey Schwoch

Information was in the meeting packet. Building Inspector/Zoning Administrator Pagel explained that the land on the map is within the City's 1½ mile extraterritorial zoning district, and is therefore subject to City Plan Commission review and approval. He added that the map meets all City requirements and he has no concerns with it as submitted.

Motion (Lokemoen/Schroeder) to approve, as submitted, the Certified Survey Map for land in the Town of Pine River for Dewey Schwoch. Carried.

A resolution on the Certified Survey Map will be on the February 12th, 2013 Common Council meeting agenda.

Certified Survey Map – Marianne Bunge

Information was in the meeting packet.

Building Inspector/Zoning Administrator Pagel provided verbal details associated with the map. Pete Lokemoen stated that he has no issues with the map as submitted.

Motion (Lokemoen/Maule) to approve, as submitted, the Certified Survey Map for land in the City of Merrill for Marianne Bunge. Carried.

A resolution on the Certified Survey Map will be on the February 12th, 2013 Common Council meeting agenda.

Recess

At 5:50 P.M., Mayor Bialecki declared a recess until 6:00 P.M., the time scheduled for the public hearing. At 6:00 P.M., he called the meeting back to order.

Public Hearing - Rezoning of new fire station site and Post Office

Information was in the meeting packet. City Attorney Hayden read the public hearing notice.

Motion (Maule/Lokemoen) to open the public hearing. Carried.

Building Inspector Pagel explained that there are two sites being proposed for rezoning, both from Business to Public. One site is the property on the southwest corner of East Second Street and Pier Street (the former Brickner property). This is the site of the new central fire station to be built soon. The second site proposed for rezoning is the Merrill Post Office, 430 East Second Street.

Nobody spoke for or against the proposed rezoning.

Motion (Maule/Hass) to close the public hearing. Carried.

Motion (Lokemoen/Hass) to approve, as proposed, the rezoning, from Business to Public, the property at the southwest corner of East Second Street and Pier Street and the Merrill Post Office, 430 East Second Street. Carried.

An ordinance on the proposed rezoning will be on the February 12th, 2013 Common Council meeting agenda.

Next meeting

Tuesday, March 5th, 2013

Public Comment

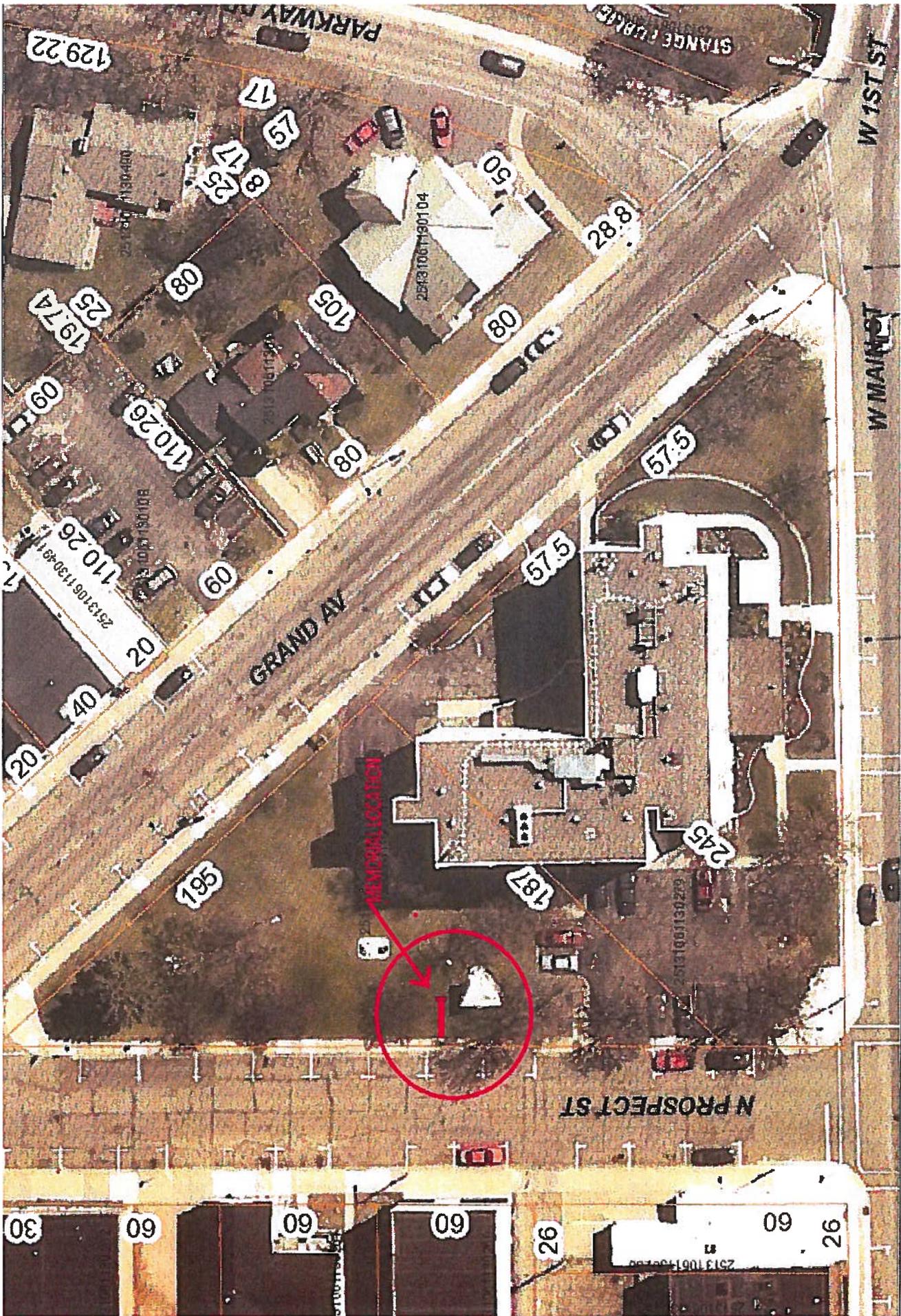
None.

Adjournment

Motion (Hass/Schroeder) to adjourn. Carried. Adjourned at 6:07 P.M.

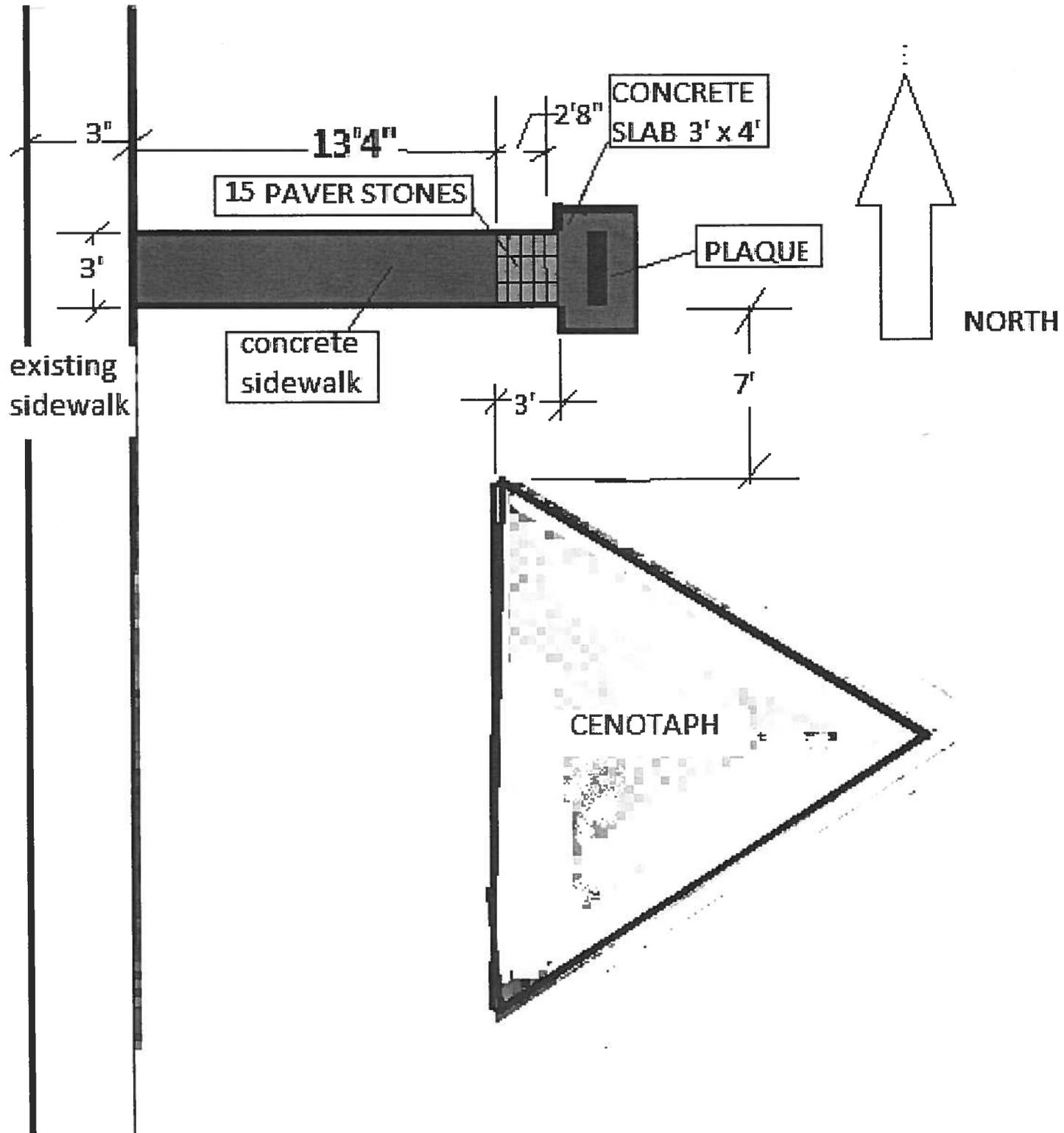
Minutes prepared and submitted by:

William N. Heideman, WCMC
City Clerk





PROSPECT ST



R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784

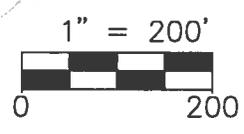
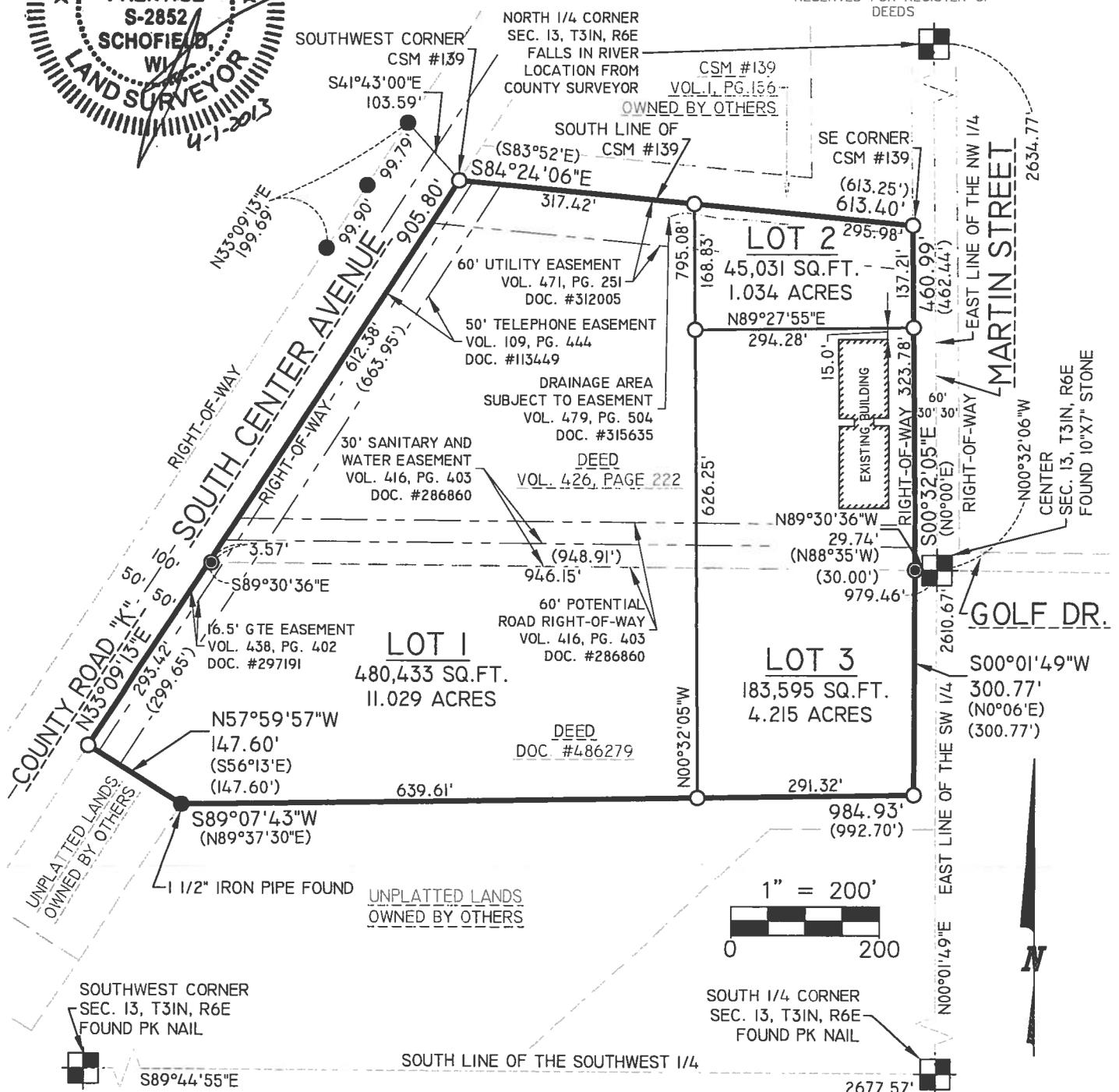
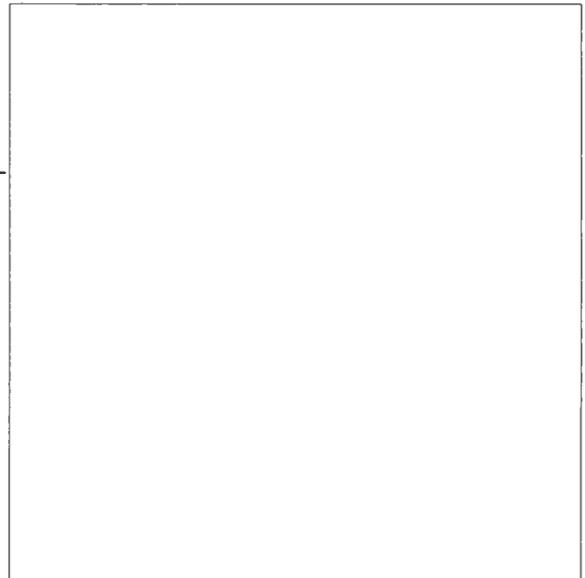
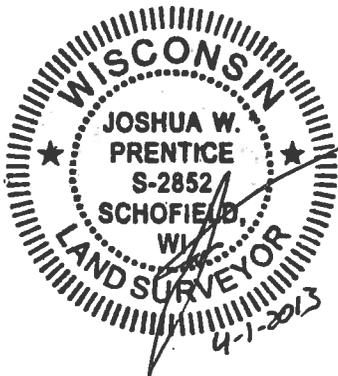
LINCOLN CO. CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: BURGENER CONTRACT CARRIERS, LTD.

LAND OWNER: BURGENER CONTRACT CARRIERS, LTD.

OF PART OF ASSESSOR'S PLAT NUMBER 220, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 13, TOWNSHIP 31 NORTH, RANGE 6 EAST, CITY OF MERRILL, LINCOLN COUNTY, WISCONSIN.



LEGEND	
●	- 1 IN. BAR FOUND UNLESS NOTED
●	- 1-1/4 IN. O.D. IRON PIPE FOUND UNLESS NOTED
○	- 1-1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS/LIN. FT. SET
(126°)	- RECORDED BEARING/LENGTH
126.00'	- MEASURED BEARING/LENGTH

NOTES:

1. BEARINGS ARE BASED ON THE LINCOLN COUNTY COORDINATE SYSTEM, NAD 83(2011) DATUM AND REFERENCED TO THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 31 NORTH, RANGE 6 EAST, MEASURED TO BEAR SOUTH 89°44'55" EAST.
2. FIELD WORK WAS COMPLETED ON 3-26-2013.
3. RIGHT-OF-WAY IS BASED ON MONUMENTS FOUND IN FIELD.
4. THE CURRENT PIN FOR THE PARCEL IS 25131061320054 AND 25131061320065.
5. THE CURRENT ADDRESSES FOR THE SUBJECT PARCEL ARE 810 MARTIN STREET AND 901 SOUTH CENTER AVENUE.
6. SUBJECT PROPERTY IS SUBJECT TO MINERAL RIGHTS RECORDED IN VOLUME 419, ON PAGE 491, AS DOCUMENT NUMBER 288390.

R.E.I. 4080 N. 20th AVE WAUSAU, WI 54401 (715)675-9784

LINCOLN CO. CERTIFIED SURVEY MAP

MAP NO. _____ VOLUME _____ PAGE _____

PREPARED FOR: BURGENER CONTRACT CARRIERS, LTD.

LAND OWNER: BURGENER CONTRACT CARRIERS, LTD.

OF PART OF ASSESSOR'S PLAT NUMBER 220, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 13, TOWNSHIP 31 NORTH, RANGE 6 EAST, CITY OF MERRILL, LINCOLN COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN REGISTERED LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED AND DIVIDED PART OF ASSESSOR'S PLAT NUMBER 220, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4, AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, ALL IN SECTION 13, TOWNSHIP 31 NORTH, RANGE 6 EAST, CITY OF MERRILL, LINCOLN COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 00°01'49" EAST, COINCIDENT WITH THE EAST LINE OF SAID SOUTHWEST 1/4, 2610.67 FEET TO THE CENTER OF SAID SECTION 13; THENCE NORTH 89°30'36" WEST, 29.74 FEET TO THE WEST RIGHT-OF-WAY LINE OF MARTIN STREET AND THE POINT OF BEGINNING; THENCE SOUTH 00°01'49" WEST, 300.77 FEET; THENCE SOUTH 89°07'43" WEST, 984.93 FEET; THENCE NORTH 57°59'57" WEST, 147.60 FEET TO THE EAST RIGHT-OF-WAY LINE OF CENTER AVENUE, ALSO KNOWN AS COUNTY ROAD "K" AND BUSINESS HIGHWAY "51"; THENCE NORTH 33°09'13" EAST, COINCIDENT WITH SAID EAST RIGHT-OF-WAY LINE, 905.80 FEET TO THE SOUTHWEST CORNER OF CERTIFIED SURVEY MAP NUMBER 139, RECORDED IN VOLUME 1, ON PAGE 156, AS DOCUMENT NUMBER 241070, IN THE LINCOLN COUNTY REGISTER OF DEEDS OFFICE; THENCE SOUTH 84°24'06" EAST, COINCIDENT WITH THE SOUTH LINE OF SAID CERTIFIED SURVEY MAP, 613.40 FEET TO THE SOUTHEAST CORNER OF SAID CERTIFIED SURVEY MAP NUMBER 139 AND SAID WEST RIGHT-OF-WAY LINE OF MARTIN STREET; THENCE SOUTH 00°32'05" EAST, COINCIDENT WITH SAID WEST RIGHT-OF-WAY LINE, 461.03 FEET TO THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 709,059 SQ. FT, 16.278 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF BURGENER CONTRACT CARRIERS, LTD., OWNER OF SAID PARCEL.

THAT SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 236.34 OF THE WISCONSIN STATUTES AND THE SUBDIVISION REGULATIONS OF THE CITY OF MERRILL.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID PARCEL, AND OF THE DIVISION THEREOF MADE.

DATED THIS 1ST DAY OF APRIL 2013

REI
JOSHUA W. PRENTICE
WI R.L.S. S-2852

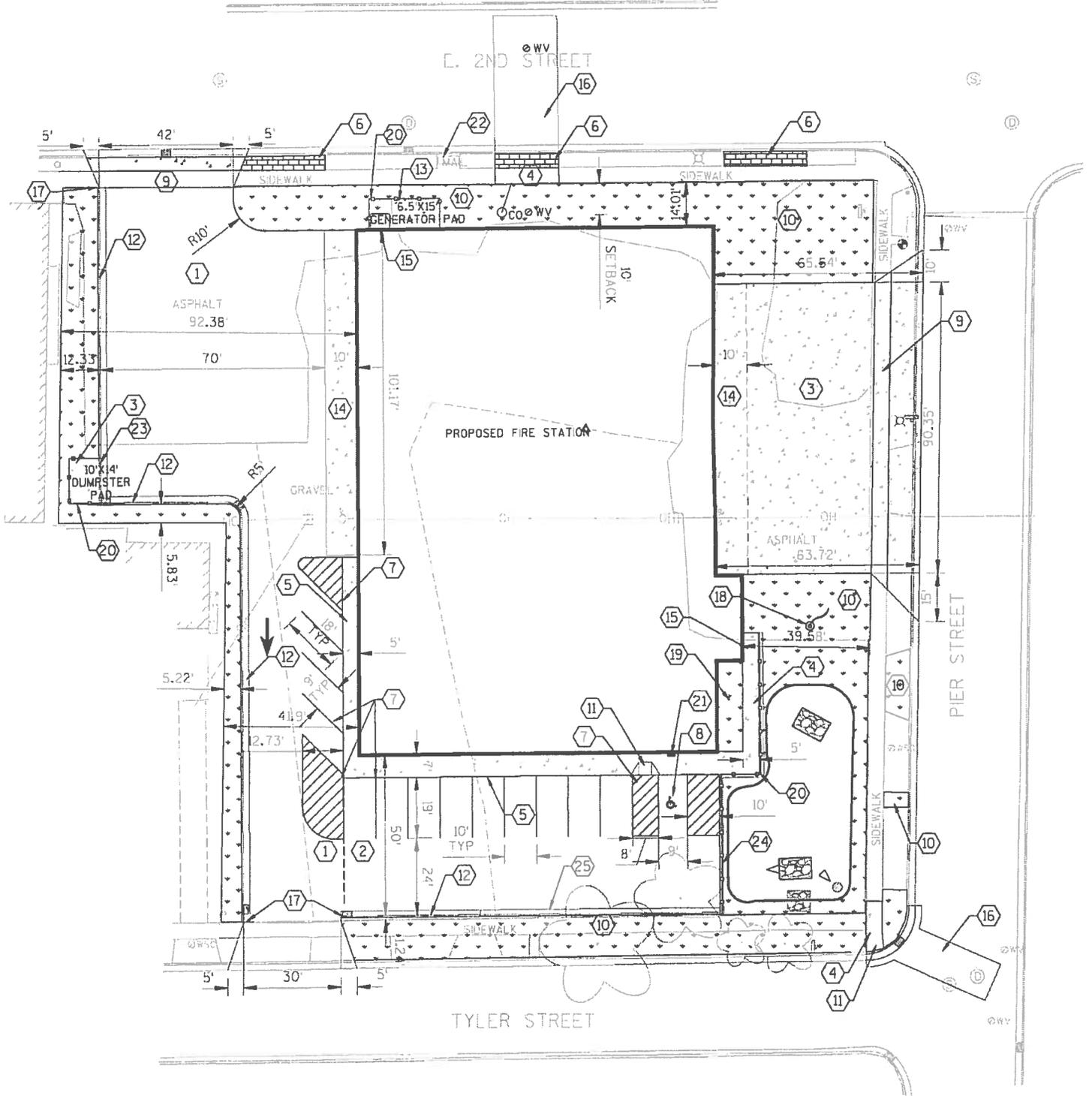


I, _____ (CITY CLERK) BEING DULY APPOINTED BY THE CITY OF MERRILL, HEREBY CERTIFY THAT THE ABOVE CERTIFIED SURVEY WAS APPROVED BY THE COMMON COUNCIL OF THE CITY OF MERRILL, WISCONSIN AT ITS REGULAR MEETING ON _____ BY _____ RESOLUTION NO. _____.

CITY CLERK DATE

I, _____, (CITY CLERK) CERTIFY THERE ARE NO DELINQUENT TAXES OR UNPAID SPECIAL ASSESSMENTS ON THE LANDS INCLUDED ON THIS CERTIFIED SURVEY MAP.

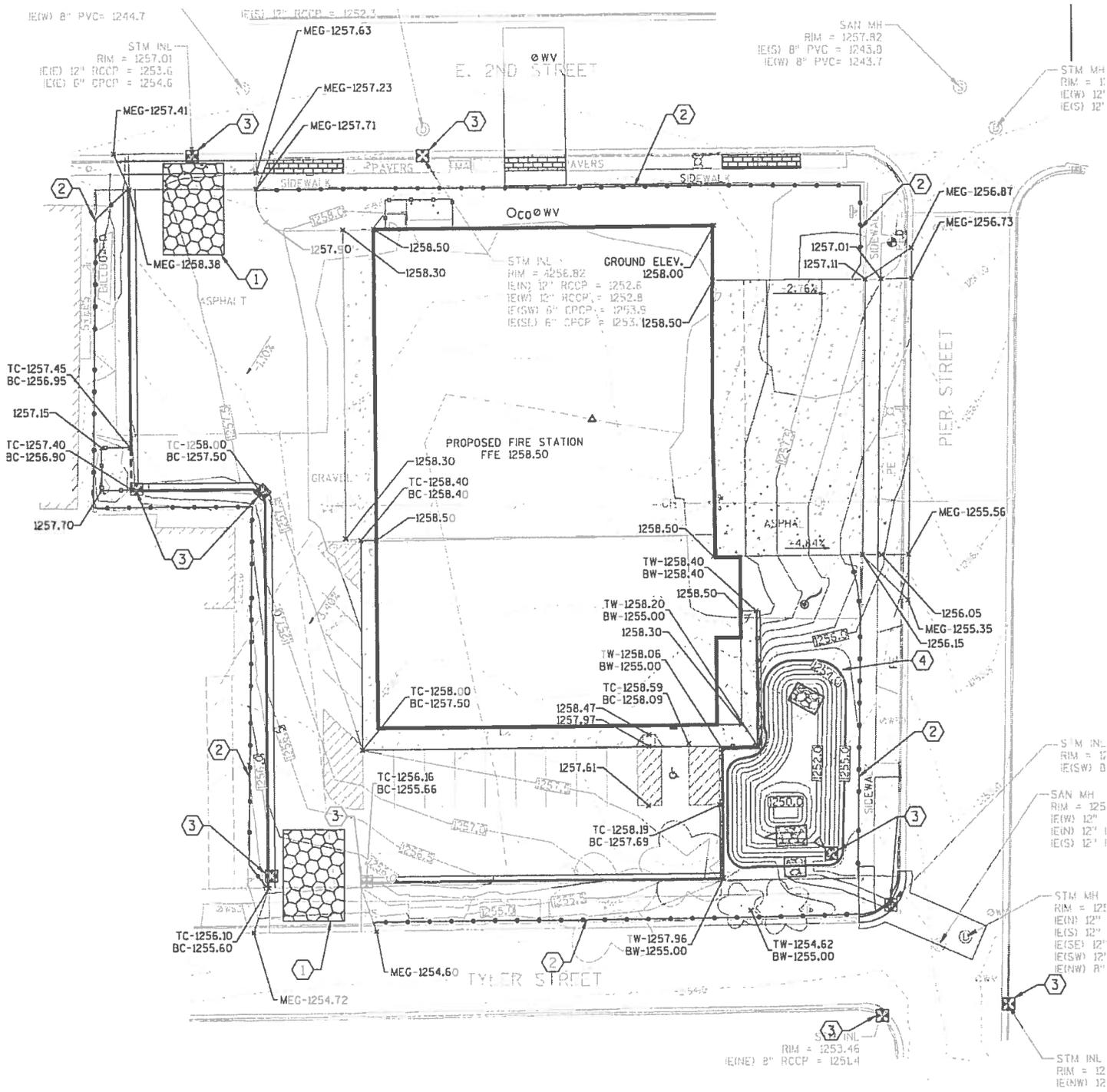
CITY CLERK DATE



Site Plan

Merrill Fire Station

427 Second Street



Grading/Erosion Plan

Merrill Fire Station

427 Second Street

CITY OF MERRILL
1004 EAST FIRST STREET
MERRILL, WI 54452

NOTICE OF PUBLIC HEARINGS

All persons interested will be given an opportunity to be heard at a public hearing to be held by and before the City Plan Commission of the City of Merrill, Wisconsin, commencing at **6:00 p.m., on Monday, April 8, 2013**, in the City Hall Council Chambers, 1004 East First Street, Merrill, Wisconsin, on the following proposed matters, to wit;

Application by The Haunted Sawmill LLC, Boy Scout Troop 599, for a Conditional Use Permit for 700 Hendricks Street, Merrill, WI (previously the Northern Specialty Building). The purpose of the Conditional Use Permit is to operate a haunted house in an Industrial zone per Merrill Municipal Code Section 113-97. Legally described as 34-0046-001-182-00-00.

Anyone having any questions regarding the hearing should contact Zoning Administrator, Darin Pagel at 536-4880.

Dated: March 26, 2013

CITY OF MERRILL, WISCONSIN

By 

William N. Heideman
City Clerk

**APPLICATION FOR CONDITIONAL USE PERMIT
CITY OF MERRILL**

DATE 3-6-13

APPLICANT'S NAME: THE HAUNTED SAWMILL, LLC

BUSINESS NAME: _____

PHONE #: 715-536-4511 EMAIL: ghersi1@arentlaw.com

PROPERTY ADDRESS: 700 Mendocino Street

PROPERTY OWNER'S NAME: THE HAUNTED SAWMILL, LLC

TAX ROLL#: 34- PIN #: 251-

EXISTING USE: Private

PROPOSED USE: Continuing Boy Scout haunted house

REASON FOR REQUESTING A USE PERMIT CHANGE: _____

**PLEASE PROVIDE A SEPARATE ATTACHMENT WITH A RESPONSE
TO EACH OF THE FOLLOWING ITEMS**

(Required per Section 113-100 of the Zoning Code)

1. A statement, in writing by applicant, that describes how the proposed conditional use(s) shall conform to the standards set forth in Section 113-103 hereinafter.
 - a) The establishment, maintenance or operation of the conditional use will not be detrimental or endanger public health, safety, morals, comfort or general welfare.
 - b) That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the proposed use is compatible with use of adjacent land (describe mitigating features to be part of the operations of the proposed use).
 - c) Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the Zoning District.
 - d) Describe if adequate utilities, access roads, drainage, and other required site improvements have been or will be provided.
 - e) Describe what adequate measures have been taken to provide ingress and egress and how designed as to minimize traffic congestion in public streets.

- f) Explain how the conditional use shall conform to all applicable regulations of the district in which it is located.
 - g) Explain how the conditional use will not violate flood plain regulations governing the site.
 - h) That when applying the above standards to any new construction or placing an addition on an existing building, the Plan Commission and Common Council shall bear in mind the statement of purposes for the zoning district such that the proposed building or addition at the proposed location, does not defeat the purpose and objective of the Zoning District.
 - i) In addition to passing the Conditional use Permit, the Plan Commission and Common Council shall also evaluate the effect of the proposed use upon:
 - I) The maintenance of safe and healthful conditions;
 - II) The prevention of water pollution including sedimentation;
 - III) Existing topography, drainage features and vegetative cover on the site;
 - IV) The location of the site with respect to floodplains and floodways of rivers and streams;
 - V) The erosion potential of the site based upon the degree and direction of slope, soil type, and vegetative cover;
 - VI) The location of the site with respect to existing or future access roads;
 - VII) The need of the proposed use for a shoreline location;
 - VIII) The compatibility with uses on adjacent land;
 - IX) The amount of liquid waste to be generated and the adequacy of the proposed disposal system.
2. Include the Names and Addresses of the architect, professional engineer, and contractor (if appropriate), and all property owners of record within 100 feet of the applicant. Note: Zoning Administrator will provide list of property owners to be included in the submittal.
 3. Description of the subject site by lot, block, and recorded subdivision or by metes and bounds description address of the subject site; type of structure; proposed operation or use of the structure of site; number of employees and the Zoning District within which the subject site lies.
 4. Plat of Survey prepared by a registered land surveyor showing property lines, buildings, improvements, landscaping, and all of the information required for a building permit.
 5. Additional information as may be required by the Plan Commission of Common Council, or Officers of the City.
 6. A fee of \$175.00 must accompany the application.

The information submitted with this application is true and accurate to the best of my knowledge and belief.



 Signature of Applicant



 Signature of Applicant

ATTACHMENT TO APPLICATION FOR CONDITION USE PERMIT

1. A statement, in writing by applicant, that describes how the proposed conditional use(s) shall conform to the standards set forth in Section 113-103 hereinafter.
 - a) The establishment, maintenance or operation of the condition use will not be detrimental or endanger public health, safety, morals or general welfare.

The Troop 599 Haunted Sawmill is a haunted house event with shows designed for older children and adults, and matinee events designed for younger children. It is a fun-filled, exciting event that draws guests from all of the surrounding communities and as far away as Milwaukee, Madison and Minnesota. The Haunted Sawmill is not be detrimental to or endanger the public health, safety, morals or general welfare. Troop 599 has worked openly with the City of Merrill including the police and fire departments to ensure that the event is safe, secure and enjoyable for everyone. Troop 599 has security present during all shows and contracted with the police department to have uniformed officers present for the 2012 performances on the busiest nights. Troop 599 has designated its own safety plan in the event of any emergency during performances. The fire department has walked through the building to ensure that there are exits and a clear safety plan in place in the event of a fire emergency. Safety and protection is the number one priority during the event. Further, consistent with BSA policies and the moral fortitude of its leaders and adults, the Haunted Sawmill, while designed to be a scary attraction, does not permit or feature anything that would be imprudent or contrary to moral decency.

- b) That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall not be in no foreseeable manner substantially impaired or diminished by the establishment, maintenance or operation of the conditional use and the propose use is compatible with use of adjacent land (describe mitigating features to be part of the operations of the proposed use).

The Troop 599 Haunted Sawmill will not impair the value of property or interfere with the use or enjoyment of other property in the area. During the last two seasons, staff from the Haunted Sawmill have spoken to all of the surrounding neighbors. Everyone in the neighborhood has reacted positively and stated they enjoy the Haunted Sawmill being there and that the building is being utilized for such a positive project. The Boy Scouts will continue to improve

the appearance of the building as well so that it has more curbside appeal.

- c) Describe how the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the Zoning District.

The building will be used for preparing and running the haunted house attraction in October. There will be no other use that would act as impediment to this concern.

- d) Describe if adequate utilities, access roads, drainage, and other required site improvements have been or will be provided.

Not applicable.

- e) Describe what adequate measures have been taken to provide ingress and egress and how designed as to minimize traffic congestion in public streets.

Boy Scouts have and will continue to work closely with the Merrill Police Department to make certain that traffic does not become congested. There have been no issues with traffic congestion the last two years.

- f) Explain how the conditional use shall conform to all applicable regulations of the district in which it is located.

Boy Scouts and the Haunted Sawmill will continue to abide by any regulations governing the area and will work closely with the city.

- g) Explain how the conditional use will not violate flood plain regulations governing the site.

Not applicable.

- h) That when applying the above standards to any new construction or placing an addition on an existing building, the Plan Commission and Common Council shall bear in mind the statement of purposes for the zoning district such that the proposed building or addition at the proposed location, does not defeat the purpose and object of the Zoning District.

Not applicable.

i) In addition to passing the Conditional Use Permit, the Plan Commission and Common Council shall also evaluate the effect of the proposed use upon:

I) The maintenance of safe and healthful conditions;

Boy Scouts are always concerned about safety and maintaining healthy conditions. The Haunted Sawmill has worked with the Merrill Police Department to have additional security for the busiest nights of the attraction in the month of October.

II) The prevention of water pollution including sedimentation;

Not applicable.

III) Existing topography, drainage features and vegetative cover on the site;

Not applicable.

IV) The location of the site with respect to floodplains and floodways of rivers and streams;

Not applicable.

V) The erosion potential of the site based upon the degree and direction of slope, soil type, and vegetative cover;

Not applicable.

VI) The location of the site with respect to existing or future access roads;

The site is surrounded on all sides by city streets. There would be no need for any future access roads.

VII) The need of the proposed use for a shoreline location;

Not applicable.

VIII) The compatibility with uses on adjacent land;

See above.

IX) The amount of liquid waste to be generated and the adequacy of the proposed disposal system.

Not applicable. At present time port-o-potties are brought in for the attraction.

2. Include the Names and Addresses of the architect, professional engineer, and contractor (if appropriate), and all property owners of record within 100 feet of the applicant. Note: Zoning Administrator will provide the list of property owners to be included in the submittal.

No architect, professional engineer or contractor.

3. Description of the subject site by lot, block, and recorded subdivision or by metes and bounds description address of the subject site; type of structure; proposed operation or use of the structure or site; number of employees and the Zoning District within which the subject site lies.

See attached.

4. Plat of Survey prepared by a registered land surveyor showing property lines, buildings, improvements, landscaping, and all of the information required for a building permit.

5. Additional information as may be required by the Plan Commission of Common Council, or Officers of the City.

6. A fee of \$175.00 must accompany the application.

Fee is attached to the application. Check Number 2226.

The information submitted with this application is true and accurate to the best of my knowledge and belief.

Date: 3/25/13

A handwritten signature in black ink, appearing to read "Gerald J. Hersil", written over a horizontal line.

Signature of Applicant
Gerald J. Hersil
Haunted Sawmill Committee Chair

Date: 3/25/2013

A handwritten signature in black ink, appearing to read "Derek Krzanowski", written over a horizontal line.

Signature of Applicant
Derek Krzanowski
Haunted Sawmill Committee Co-Chair



CITY OF MERRILL Inspection Department

1004 East First Street • Merrill, Wisconsin • 54452
Phone: 715-536-4880 • Fax: 715.539.2668

Smart Move

MEMO

4-2-13

TO: City Plan Commission

FROM: Darin Pagel, Building Inspector

RE: Haunted Sawmill

Dear Plan Commission,

While reviewing the Conditional Use Application for the Haunted Sawmill, 700 Hendricks St., the following are some items that should be addressed and included in the review process:

- 1.) Exterior maintenance, there are several areas that need the wood replaced, or cement block tuckpointing, and painting. Also, any roof areas that may be in need of repair.
- 2.) Broken windows which need to be replaced and repainted.
- 3.) Removal of smoke stack and large roof vent.
- 4.) Screening of courtyard area from surrounding properties while not in actual use by the public.
- 5.) Sanitary facilities not only for the public during operating hours, but for the workers while constructing props.
- 6.) Parking and traffic flow during operation.
- 7.) Hours and dates of operations.
- 8.) A yearly inspection by myself and the Fire Chief prior to opening to the public.
- 9.) General maintenance of yard areas and sidewalks during times of non-operation.
- 10.) Timeframe of the CUP. How often does the Commission want to review the use?, or do they want it to be open-ended.
- 11.) Permits and approvals by myself and the Fire Chief for expanding the use into other parts of the building.

If you have any questions, give me a call or I will be at the meeting. Thanks, Darin Pagel







