

**PLAN COMMISSION  
TOWN OF GRANT  
NOVEMBER 15, 2010**

Present at the meeting were Julie Kramer, Darcy Held, Lori Ruess, Sharon Schwab and Jim Wendels. Excused absent were Ron Becker and Marty Rutz. Citizen present, Pat Barton, guests, Jeff Schuler and Chris Mrdutt from Portage County Planning and Zoning.

Meeting called to order at 7:00.

**September minutes reviewed. Approval pending upon corrections. Motion made by Darcy, seconded by Lori.**

**SPECIAL JOINT MEETING WITH PORTAGE COUNTY P & Z**

Bullets of topics and discussion

**LOT AVERAGING**

- Legal nonconforming lot. Will stay zoned as originally zoned. Deed restricted. Force language on CSM about zoning and division. Maximum of 4 lots per 40 acres.
- Town would use the county lot averaging ordinance and have a town resolution. (example: This would have worked in the Frank Raasch situation.)
- Splitting acreage: minimum of 2 acres. Create 3 lots + 1 with original = 4.
- The county lot averaging ordinance hasn't been used enough to run into any problems with the original wording of the ordinance.

**FLIGHT PHOTOS**

- Town of Grant flight photos were updated in fall of 2010.
- Map coding: Everything within the green is navigable and zoned 300' of shoreline.
- If part of a parcel is in shoreline zoning, shoreline zoning enforcement is on total parcel.
- The county enforces the following ordinances: Non-metallic mining, private onsite waste, POUT, shoreline, flood plain, subdivision.
- With multiple infractions the most restrictive ordinance is enforced.

**ENFORCEMENT OF JUNK ON PROPERTY**

- Complaints can come from drivebys, neighbors, aerial or adjoining property photos.
- The county sends a letter to violator stating they are in violation of the Portage County Zoning Ordinance.
- A clean up timeline will be set up with the landowner.
- If there is no communication between the landowner and the county another letter is sent warning of fines ranging between \$50-\$500 per day.
- If landowner is not compliant they are giving a summons of complaint and forced to go before a small claims judge. There is a stipulation form which allows the county to work with the landowner before going in front of a judge.
- Portage County can put a lien on the property for forfeiture until fines and compliance have been met.
- Noncompliance can lead to jail time and county cleaning the property.

- Property can have 500 square feet of junk. (Example: rubbish, carcasses, solid waste, etc. The county is looking into changing this hoping to take effect in April.)
- County can enforce ALL issues within shoreline zoning.
- The town would need to craft our own nuisance ordinance to use outside of shoreline zoning. Once a nuisance ordinance is created, existing problems are grandfathered.

### **PETE REKOSKE**

- Send photos, documentation and minutes pertaining to Pete to Chris M.
- County will enforce issues using shoreline zoning.

### **CITIZEN INPUT**

- Sharon shared that Jeff Schuler and Chris Mrdutt from Portage County Planning and Zoning will be willing to get with the plan commission to discuss and answer questions. Sharon will confirm the date of December 15<sup>th</sup>.
- Sharon and Julie updated the Recycling/MSW brochure and Julie will forward it to Mailcom to be included with the tax bills.
- Darcy would like to see some maintenance of the transfer stations driveway and areas around the dumpster. Some base material to prevent it from being a mud hole.
- Add CSM fee to zoning fee chart. \$20 to cover review and processing.
- Jim talked to Pete Rekoske and he admitted that he was not going to inventory junk items on his property as required from the Plan Commission. Jim mentioned that he should at least be keeping track of what is going out.
- Luecht rezoning was approved by the Town Board. The request now moves to the county level. After county approval the maps will need to be changed. The county may need meeting minutes for the rezoning hearing.
- Annual budget for the Plan Commission: 2010=\$4000, 2011=\$3500
- A show of hands for implementing a woodburner ordinance at the town meeting was supportive. The consensus was to start out with the ordinance focusing on the problem and build on it from there.

### **ZONING UPDATE**

- Marty shared that permits totaled \$420 for the month of October.
- The town received \$400 from Dave Tosch/Wildhorse for a building permit.
- Devon Carlson is leasing the property on the corner of 80<sup>th</sup> and Cty WW (formally Earth Design Construction) and will be opening up a salon and using the living quarters as rental property.

### **DENNIS BAUER SITE VISIT**

(October minutes: Available Plan Commission members visited Bauer Blasting on October 2<sup>nd</sup>. It was a windy day so there was a lot of background noise. Dennis sandblasted a piece of flat metal. Downwind on Evergreen it was loud and upwind it wasn't very audible. The conditions weren't very good for a field test. It would be reasonable to require all sandblasting to be done indoors within a 2 year time frame. If possible it would be a good idea to get a reading with a noise meter in case complaints continue. This issue will be reviewed at the next meeting when all commission members are present.)

November minutes: The neighbor stated that there haven't been any more problems as of late. Darcy stated that long term Dennis needs to get inside with his business and that we should allow him 2 years from the October date to comply with putting up a building. It was discussed that it would be beneficial to move inside because of ground contamination of sandblasting materials. If we receive another complaint we will need to sit down and come up with plan with a timeframe for a building. A letter will be sent to Dennis stating the option of a building or no onsite sandblasting. (Ask attorney about amending a CUP.) When/if another complaint is received that will be the 2 year timeframe for enclosing the onsite sandblasting. OPTION: Instead of doing onsite at home he could go all mobile. This issue is pending until we hear from council.

### **OUTDOOR WOODBURNER ORDINANCE**

- See mark-up on (Julie's) yellow handout.
- Section 2: Applicability. This ordinance only applies to all high density residential zoning districts.
- Charge permit fee: \$50
- Add definitions for rear and side yard from zoning ordinance, pg 33.
- An outdoor woodburner furnace shall be located at least 20 feet from the nearest structure on the same property and 10 feet minimum from rear yard property line and 15 feet minimum from side yard property line. (Marty will call Dale Bates for specifics and Darcy will talk to Ed. Guy wire" -or- "Mono-pole support) Include allowable exceptions.
- Section 5: Exemptions, add exemptions for Phase II, Darcy will work on this.
- Sections 9, 10, 11, see wording from dog ordinance.
- Send DRAFT ordinance to Kitty Gross, Jerry Rogers and Gary Wierzbicki.

### **LOOKING AHEAD**

Nuisance/Junk Ordinance, Driveway Ordinance, Permit or Ordinance pertaining to Utility Installation. Revisit zoning ordinance: definitions: lot size and highway right away.

Meeting adjourned at 9:55. Motion made by Darcy Held, seconded by Lori Ruess.

Next meeting Wednesday, December 15, 7:00.

Julie Kramer

Plan Commission Secretary

### **ACTION ITEMS**

Sharon and Jim will compose a letter to send to Ray Schmidt/check County Subdivision Ordinance before contacting Ray.

Send Pete Rekoske an agenda to February's meeting to update clean-up progress.

Invite Jeff Schuller and Chris Mrdutt to a meeting to discuss nuisance ordinance.

Check into creating a logo for the Town of Grant.

Send Draft Outdoor Woodburner ordinance to Kitty, Jerry and Gary.