

PLAN COMMISSION  
MEETING MINUTES  
TOWN OF GRANT  
February 25, 2021

**PRESENT:** Thomas Reitter (Chairperson), Charles Gussel, Ron Patterson, Marty Rutz (Commissioners), Kathleen Lee (Secretary)

**CITIZENS:** Thomas Bohn, Brian Kasun

**CALL TO ORDER**

The meeting was called to order at 6:34 pm by T. Reitter.

**STATE OF PUBLIC NOTICE**

It was stated that the agenda was posted at two posting stations (the Grant Town Hall and the Grant Transfer Station) and on the Town's website.

**MINUTES**

It was moved by R. Patterson and seconded by Charles Gussel to approve the October 21, 2020. The motion passed with unanimous ayes.

**CONDITIONAL USE PERMIT APPLICATION**

A Conditional Use Permit (CUP) Application was received from Thomas Bohn for the construction of a pond on parcel 018-22-0718-08.01. The parcel is located on County Road U on a stretch maintained by Wood County and is zoned General Agriculture. The land is managed forest except for 5 acres. Ponds in General Ag require a permit if larger than 20,000 sq. ft. The proposed pond is 0.95 acres.

Mr. Bohn is able to list the property owners surrounding his property. He was encouraged to discuss his plans with his neighbors.

In the future, he plans to build a home on the property. His current home is 1200 sq. ft. and he does not plan to build a large home on this new parcel.

His application stated a start date of March 1, but he now plans on starting after seasonal road limits are removed. Therefore a start date would be in May. At this time, he may begin burning brush as long as there is snow on the ground.

The diagram submitted with the application indicated a 2:1 slope. Our Zoning Ordinance states slopes must have a minimum of a three (3) to one (1) ratio from top of excavation to waterline. The difference between above and below the water level was discussed. The Town does not specify the below the water level slope. It was noted that the water level will fluctuate.

In previous pond CUPs, a maximum length of time for excavation and hauling was specified. The needed length of time for the project was discussed. The application stated completion would depend on demand for the sand. After discussion, three (3) years was determined to be a reasonable length of time.

The driveway for the property exits unto a county road, so discussion of town roads is not required for this CUP. A specified prescribed travel route is not required.

Hours of operation were discussed. C. Gussel suggested there should be no limits on the hours of operation. Mr. Bohn stated their normal work day is 7 am to 5 pm. A time frame of 6

am to 6 pm was deemed to be reasonable. Days of week were discussed. After discussion, all days of the week will have the same hours.

The pond size will be limited to less than an acre. If Mr. Bohn desires a larger pond, he will need to work with Tracy Pelky from Portage County's Planning and Zoning.

Location of stockpile was discussed. A town road setback will not be included based on the location of the property. Standard setbacks will be used. The setbacks listed in the application far exceed the standard ones. As a matter of formality, setbacks will be included as a condition.

The equipment will not travel on town roads, therefore, cost of road repair will not be an issue.

K. Lee read the suggested conditions as a review of the discussion:

1. This conditional use permit will be revisited if the excavation and hauling of materials isn't completed within 3 years.
2. Hours of operation will be 6 am – 6 pm any day of the week.
3. If complaints become an issue regarding hauling, hours of operation may be restricted.
4. Slopes created by excavation must have a minimum three (3) to one (1) ratio from top of excavation to waterline, horizontal to vertical to minimize cave-in and slump, wind and water erosion and lateral shifting of the undisturbed ground surface near the excavated area.
5. Pond is restricted to less than 1 acre.
6. Stockpile shall be located not to encroach on any county road or lot line setbacks as follows:
  - a. County Road Setback: 75 feet from centerline or 42 feet from right of way, whichever is greater.
  - b. Side Yard Setback: 25 feet
  - c. Rear Yard Setback: 25 feet

**It was moved by R. Patterson and seconded by M. Rutz to approve the Bohn CUP with the stated conditions. The motion was passed with unanimous ayes.**

K. Lee will send the approved CUP and a public hearing notice to the Town Clerk. The public hearing will be on April 14<sup>th</sup>. Mr. Bohn must be in attendance.

## **CITIZEN INPUT**

M. Rutz introduced Brian Kasun. Mr. Kasun had contacted the Town Clerk and was referred to Rutz. He was subsequently invited to address the Plan Commission regarding the potential need for a CUP for a home occupation (catering out of his garage.) He shared his background which includes starting a food business 5 years ago and working in the business fulltime for the past 2 years. He currently operates out of a food trailer which is certified for food preparation by the health department. He smokes meat. He is in the process of remodeling his garage to serve as a kitchen. He is following applicable codes and has been working with the health department as renovations have been made. At this time, he needs to complete the floor, walls, and plumbing based on health depart input. He also had a fire inspection. He will need the building inspector to check the property. He shared photos of the work he has done. He plans to use the kitchen for catering and supplying food for his food trailer. Deliveries would be

available with DoorDash on weekends. Mr. Kasun does have the required licenses including a manager's license. Currently he is hired for events throughout the area including the Cultural Fest. He now desires a full kitchen to meet the goals of his business. He does not anticipate customers coming to his property, but deliveries would likely take place. His property is zoned High Density Residential (R-2). Home occupation is listed as a conditional use for R-2. It would be appropriate for him to follow through with a CUP application. Mr. Kasum was given a CUP Application and instructions. He was asked to submit the application prior to our March 17<sup>th</sup> meeting and to attend the meeting. The CUP application will be added to agenda. If approved at the March Plan Commission meeting, his application will be able to be discussed at a public hearing during the Board's April meeting.

#### **ZONING ADMINISTRATOR REPORT.**

M. Rutz has submitted electronic reports monthly since our last meeting except for the month of January 2021 during which there were no permits. In October there were 3 permits for a total of \$170 including an accessory building, an addition, and an UAP. In November there were 2 permits for a total of \$80 for two accessory buildings. In December there were 3 permits for a total of \$300 including 2 accessory buildings, a pond, and a CSM. The annual permit report for 2020 was distributed. Annual zoning permits totaled \$3920, UAPs totaled \$220, driveways totaled \$75, and CSMs totaled \$60. He anticipates a permit for a new residence this spring.

#### **ZONING ORDINANCE**

T. Reitter is continuing to research the impact of Act 67 on our Zoning Ordinance. He said the impact is limited. He will report his findings at the next meeting and provide basic training.

K. Lee stated Act 67 was mentioned in the letter sent by a lawyer to Chris Kruger on behalf of the Lindsays regarding their CUP application for a dog kennel. The letter and discussion of the CUP application during the November Board meeting was briefly discussed.

#### **ADJOURNMENT**

The meeting was adjourned at 8:44 pm.

Respectfully submitted,  
Kathleen D. Lee  
Plan Commission Secretary  
Approved 3/17/2021