

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
April 17, 2019

PRESENT: Jim Wendels (Chairperson) Tom Reitter, Sharon Schwab, Ron Becker, Nathan Wolosek, (Commission Members), Kathleen Lee (Secretary), Marty Rutz (Zoning Administrator)

CITIZENS: Vicky Zimmerman, Diana Luecht

CALL TO ORDER

The meeting was called to order at 6:31 pm by Jim Wendels.

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

A typo was noted. It was moved by Ron Becker and seconded by Sharon Schwab to approve the March 20, 2019 minutes with the typo correction. The motion passed with unanimous ayes.

CITIZEN INPUT

A question was raised by V. Zimmerman and D. Luecht regarding the Driveway Ordinance Section 6 – Item 11 (*Exceptions: Deviations from these provisions may be allowable at the Town Board's discretion if it deems the specification(s) would impose an unnecessary hardship.*) and Section 5 – Item 8 (*Deviations from these provisions may be allowable at the Town board's discretion if it deems the specification(s) would impose an unnecessary hardship not caused by the applicant or owner*). Both address hardships. A copy of Section 5 was distributed to Commission members. The question arose because the owner of a property located at the southeast corner of 90th Street and Mill Road, split a 40 acre parcel into two 20s. Access was provided to the back 20 parcel with a 33 foot strip of land for a driveway along the property line. Concern was expressed because that width will not accommodate the 15 foot setback identified in the Driveway Ordinance. Copies of minutes from March 2018 were distributed in which a similar split and driveway was discussed. Although in that case it was a shared driveway and one parcel was of a non-conforming lot. M Rutz stated the Board plans to discuss deviating from the ordinance's provisions at their next meeting. Clerk Zimmerman stated that discussion would not occur on 4-22-2019. M. Rutz stated the driveway application shows that a 20 foot drive is planned. That would result in a 6 to 7 foot setback on each side. Several factors were identified as leading to the need for a deviation from the ordinance in this case. First, the split resulted in parcels greater than 15 acres and therefore it did not require approval by Portage County or the Town of Grant before it took place. Therefore, the problem was not identified prior to the sale. Second, the surveyor did not thoroughly investigate the details of the Driveway Ordinance when designing the split. Doing so is part of their licensure. Third, access via Mill Road is not feasible because of wetlands. Thoughts and recommendations from the Plan Commission include:

- The Board should explore with the property owner if the strip of land could be widened by doing a land swap (new owner receiving footage from the back 20 in exchange for footage along the driveway).
 - The cost of an additional survey to make this happened may make this option unfeasible.
- Although not mandated, the Board should talk to the property owners on both sides of the drive for their input.
 - Will the drive negatively impact the owners? It was thought that six feet on either side of the drive would be sufficient for accommodating snow.
- A deviation approval should be a Town Board decision and not a Board of Adjustments decision because the decision impacts roads.
- The decision should take place at a regularly scheduled, Monthly Town Board Meeting.
 - As a courtesy, the neighbors should be contacted regarding the agenda topic.
- The Driveway Ordinance was written for the entire Town, including residential areas. It should be a case-by-case decision when a deviation is requested. Having six feet on each side of a drive in an agricultural area may be acceptable.

S. Schwab had questions/comments regarding the 10 Ton/6 Ton Weight Limit Ordinance approved in May 2015. Copies of the ordinance, a list of designated roads, and map were distributed. The Plan Commission was recently asked to take 130th Street between Kellner Road and County W off the IOH list (see 11-13-2018 minutes.) It was decided to retain that road as an IOH road. The concern is that the road is currently posted as a 6 Ton Road, but there is no record of that road having been designated as 6 Ton Road. She is recommending that the sign be removed because the road is designated as an IOH route. R. Becker stated that if there is no record of a Board decision, the 6 ton limit would not be enforceable. M. Rutz stated the sign has been in place for approximately 1 ½ years. J. Wendels stated IOH roads should not be posted with weight limits. The conclusion of the discussion was that all roads, not officially designated as a weight limited road, should not be posted and any posting of those roads should be removed. This is an issue for the Town Board to address and will be forwarded to them.

On her own time, S. Schwab attended a conference in Stevens Point for the Wisconsin Breeding Bird Atlas. This is the 5th year of an attempt to record all the breeding birds in the state of Wisconsin. The project was explained. A website shows the current results including types of birds and a designation regarding breeding (possible, probable, or confirmed). Recorded blocks in the Town of Grant show high levels of bird sightings. Possible reasons for the high levels of sightings were discussed. Wisconsin is the first place in the world to do this in collaboration with eBird.

N. Wolosek offered comments regarding last month's meeting. He had been unable to attend. He disagrees with the need for a rezone out of General Agriculture if a grower wants to add center pivot irrigation. He believes we would be challenged if we required a rezone. He believes simply watering does not change the use of the land. He is not questioning remaining silent on the issue of center pivot irrigation in General Ag. His objection to the rezone was noted. N. Wolosek also questioned the need for a new owner to transfer a conditional use permit into their name. The rationale for adding that requirement was discussed. The Town is aware

when a property changes hands, so follow through of the requirement is feasible. On future CUPs, it could be noted to “Keep with important papers and transfer upon sale.”

J. Wendels noted that Plan Commission terms are ending for three individuals. The three year appointment is ending for Commissioners S. Schwab and R. Becker. The one year appointment for Secretary K. Lee is ending. All three individuals are interested in remaining in their position. J. Wendels will email the Town Chairperson to let him know that all three are interested in re-appointment.

ZONING ORDINANCE

The discussion regarding pools was continued. The term “pool” only applies to in-ground and indoor pools. Other pools are not assessed, although a deck surrounding a pool is assessed. For purposes of clarifying when a permit is required, the following definition will be added:

Pool: Any permanent in-ground structure designed to hold water for swimming or wading. Permanent pools either outside or inside buildings require permits.

In October 2017, it was recommended to add something regarding lighting to the Zoning Ordinance. Brief discussion took place and it was decided to defer discussion.

In December 2017, it was suggested to change the Jinsky property (Parcel 018-22-0730-12.31) to commercial. This will be addressed when the zoning map is discussed.

A detached residence on a commercial property was discussed. This will be added as a conditional use between the current #8 and #9. The new conditional use #9 will read “**Detached residence(s) of owner(s) or operators.**”

To the second paragraph of the II. Interpretation and Purposes on page 1, “**Portions of the Town are subject to the Portage County Drainage District**” will be added.

On page 1, a **comma** will be added following Private Sewage. J. Wendels will research other Portage County ordinances to determine if they differ from State Statute. If they are unique, they can be added to the list of ordinances on page 1.

Poultry will not be added to High Density Residential as a permitted or conditional use. We may want to write a Poultry Ordinance in the future. It was not decided how to address poultry that are already present in residential areas.

Nothing will be added regarding mobile homes in high-density residential.

Solar panels in high and low density residential were discussed. It was debated where the topic fits in the Zoning Ordinance. Minimally, ground mounted solar panels need to follow setbacks rules. A footnote #10 will be added to the Appendix A, “**Ground mounted solar panels must follow the same setbacks designated in R-1 and R-2.**” The need for a future ordinance regarding renewable power (solar or windmills) was discussed. This is a controversial topic in many communities and having an ordinance may be desirable.

Porches and decks were discussed. The following definitions will be added.

- **Porch - a covered and attached entrance to a building.**
- **Deck – a flat surface capable of supporting weight, similar to a floor, but typically constructed outdoors, often elevated from the ground.**

Floor area was discussed. This topic was brought up in December 2018 in regards to Permits on page 16 under 4.c. Nothing will be changed with the current wording in regards to floor area.

We need to examine the CUP application form. The form itself is not actually part of the ordinance and will be deferred to a future meeting.

Changing the titles of our agricultural zoning districts was discussed. Portage County uses different terminology. We will not change Exclusive Agriculture to Enterprise Agriculture. We will not change Transitional Agricultural to Intermediate Agriculture.

We will continue work on the Zoning Ordinance next month with a final review of the document and review of the zoning map. Everyone should bring their copy of the recently completed Future Use Map. We will review the CUP application form.

ZONING ADMINISTRATOR REPORT

There were four permits for a total of \$565. They included a pond, a new residence, accessory building, address, mobile home, and a porch.

M. Rutz will check the new Chat-R-Box sign to verify that the size is no larger than the previous sign on the property. He will talk to Claude Ringleman about free standing decks.

TOWN BOARD REPORT

- S. Schwab attended the Wisconsin Towns Association meeting last month. One topic applies to the Plan Commission. Portage County will be updating its Hazard Mitigation Plan. Last time this occurred, the Plan Commission reviewed the plan. We will need to determine if any areas apply to us and if input is needed.
- On Tuesday, April 23 at 5:00 p.m. in Conference Room 5 of the County Annex, 1462 Strongs Avenue, the Portage County Planning and Zoning Committee will hold a public hearing regarding the Town's request to amend the Comprehensive Plan. Attendance by one or more Plan Commission members was encouraged.
- The Board did approve the Hold Harmless Agreement. The Clerk will need to get a signature from Ron Johnson on the amended CUP and the Hold Harmless Agreement.
- The latest newsletter from the Portage County Historical Society was received.
- The Annual Meeting took place last night. The 2018 Zoning Administrator Report was summarized for the citizens. The Plan Commission Report was printed and available for citizens as well as being summarized during the meeting. Parking at the baseball diamond was brought up. Kitty Gross explained that as diamonds were added, parking was lost.

- J. Wendels will reach out to C. Kruger, Town Chairperson. The Plan Commission needs direction from new board. He will invite the Board to a meeting after the Zoning Ordinance revision is completed. We need to know that any ordinances we develop would be supported by the Board. Our role needs to be clarified.

ADJOURNMENT

The meeting was adjourned at 9:04 pm.

Respectfully submitted,

Kathleen D. Lee

Plan Commission Secretary

Approved 05/16/2019