

PLAN COMMISSION  
MEETING MINUTES  
TOWN OF GRANT  
September 16, 2015

Present: Jim Wendels (Chairman), Kathleen Lee (Secretary), Lori Ruess, Nathan Wolosek, Ron Becker, Sharon Schwab (Committee members)

Absent: Marty Rutz (Zoning Administrator)

Citizens Present: Craig Cook, Amy Cook, Patrick Zimmerman, Tami Zimmerman, and via conference call, Lyle Allison

**CALL TO ORDER** at 6:30 by Jim Wendels, Chairman

**STATE OF PUBLIC NOTICE**

It was stated that the agenda was posted at three posting stations.

**APPROVAL OF MINUTES** It was moved by Jim Wendels and seconded by Ron Becker to approve the August 20, 2015 minutes. The motion was approved unanimously.

**REVIEW OF CONDITIONAL USE PERMIT (CUP) APPLICATIONS**

A CUP request from **Craig Cook for the purpose of a Hobby Farm, Agritourist Activity, and Antique, Produce, & Craft Shop**, on property zoned Low Density Residential located at 3421 80<sup>th</sup> Street South was reviewed. A previous request was made by I. Bruce Sanborn for a hobby farm on the same property in August 2011. This request was approved by the Plan Commission and a public hearing was held on September 14, 2011. The CUP was approved by the Town Board, but there is no record of the property owner signing the CUP, therefore the prior CUP was never executed. The previous application and related documents were reviewed. Craig and Amy Cook are planning to grow and sell produce, as well as Christmas trees. Agritourist activities and a shop selling antiques, produce, and crafts is also planned. The operation will be seasonal. Days of operation will be limited to Fridays – Sundays. The business is licensed thru the state as an L.L.C and a Farm I.D. number with the Department of Agriculture and with Portage County is in place. Mr. Cook shared a plan for parking on the property. The property is approximately 9 acres total (two tax parcels). A suggestion was made to have no parking signs placed by the town on the adjacent roads.

Conditions recommended include:

1. Owner shall adhere to the site plan, building schematics and responses to the Conditional Use Permit Application.
  - a. These documents are considered conditions of this permit.
2. The property shall not exceed four (4) large animals such as horses (no cattle).
3. The property shall not exceed 15 medium animals such as sheep.
4. The property shall not exceed 30 fowl such as chickens (no roosters).
5. Maintain fencing in good condition to confine animals.
6. Animal waste shall be spread on site. No animal waste is permitted at the T. Grant Transfer Station.
7. Owner shall comply with the storm water management principle of no additional storm water runoff shall leave the parcel as a result of the development(s).
8. The Town Board requires semi-annual fire inspection of the retail shop with full compliance to any safety code violations discovered during the inspection.

9. Waste generated from the Soldier Ridge Farm business operation cannot be disposed at the T. Grant Transfer Station
10. A valid and current Seller's Permit issued by the Wisconsin Department of Revenue and other required permits shall be onsite and available for review and inspection.
11. Adequate customer parking exists and shall continue to be provided. Customer parking on public streets is prohibited as related to the business.
12. Business will be operated Friday thru Sunday.
13. Temporary guidance signage is allowed off of the right-a-way and should not to be larger than 3' x 3'.

The Plan Commission members recommended using "small farm" in lieu of "hobby farm" to describe the business.

**ACTION:** It was moved and seconded to approve the CUP with the stated conditions. The motion passed with unanimous ayes. A public hearing will be scheduled for October 7, 2015 at 7:30 p.m.

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A CUP request from **Lyle and Pamela Allison to temporarily live in a recreational vehicle (RV) during construction of a permanent residence** on property zoned High Density Residential located at 8500 Spruce Lane was reviewed. Mr. Allison joined the discussion via conference call. Mr. Allison answered questions regarding the property schematic he included with his application. He has obtained a well construction notification number from the Wisconsin Department of Natural Resources. He has plans to have the septic system installed next month. The RV in question is a 35 foot 5<sup>th</sup> wheel. The request is unique, but allowable based on the high density residential conditional use of "other similar and compatible uses, which are determined by the Planning and Zoning Commission to be in accord with the purpose of this district." A strict deadline date as a condition was recommended with no RV residency beyond November 2017.

Conditions recommended include:

1. The absolute duration of the Conditional Use Permit is November 1, 2017.
2. Electricity, a well, and a septic system must be present on the property prior to the owner residing in the recreational vehicle.
3. Must maintain vegetative coverage as much as possible to screen the recreational vehicle while it is temporarily used as a residence during the construction of the permanent residence.

**ACTION:** It was moved and seconded to approve the CUP with the stated conditions. The motion passed with unanimous ayes. A public hearing will be scheduled for October 7, 2015 at 7:30 p.m.

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A CUP request from **Patrick and Tami Zimmerman for a dirt floor pole building for indoor horse riding** on property zoned Low Density Residential located at 1210 90<sup>th</sup> Street South was reviewed. This property was previously zoned general agriculture and has continued legal non-conforming use. The Zimmermans owned horses before the property was zoned residential. Their house is over 600 feet from road and the proposed building will be placed southwest of house and further from the road. It will not be visible from the road and no one lives close to the proposed building location.

Conditions recommended include:

1. Owner shall adhere to a site plan depicting up to a 56' x 88' metal pole building as submitted to the Town of Grant along with associated applicable building schematics and previously submitted responses to the Conditional Use Permit Application.
  - a. These documents are considered conditions of this permit.
2. Owner shall not exceed 5,000 square feet in area with a peak height not to exceed 35' in height. Metal pole building consists of a 56' width x 88' length sidewall with a color scheme that matches buildings currently on the property
3. Owner shall preserve existing trees and vegetation or provide trees along property line to help shield the building from neighboring property.
4. Owner shall comply with the storm water management principle of no additional storm water runoff shall leave the parcel as a result of the development(s).
5. The building will be served by existing access point.

**ACTION:** It was moved and seconded to approve the CUP with the stated conditions. The motion passed with unanimous ayes. A public hearing will be scheduled for October 7, 2015 at 7:30 p.m.

### **TOWN BOARD REPORT:**

- A letter has been sent to the WisDOT regarding the Wisconsin 54 – County U intersection expressing the Town's concerns regarding the choice of J-turns.
- The Stoney Brooke Outfitter CUP requested by Jeff Martin for a dog training business passed at the September 9, 2015 meeting with one revision. Fire inspections will be semiannual.
- Blanket street name sign replacement will take place next year. The new signs will have larger, more visible font.
- A series of articles is appearing in the Portage County Gazette regarding ground water. It was noted that the most recent article had an error regarding the annual rainfall amount.
- A letter will be sent to Jeff Schuler, Portage County Planning & Zoning Director and copied to Kristin Johnson, Associate Planner, requesting her help in updating our Comprehensive Plan. Our current plan is 10 years old.
- Sharon received a call from Kristin Johnson regarding the Galles request for a change in zoning. Ms Johnson believes the request would not be approved because it is not congruent with our Comprehensive Plan. Discussion ensued. Nathan noted that the commercial category is discussed on page 77 of the plan it states "Favorable locations for this type of development would be along County and State roads and railroad right-of-way." The proposed change would be an appropriate based on that description. The plan also states "Approval for such use may require a change to the land use map." A change was not made to the future land use map. The fact that a public hearing was held on the zoning change, but not on a change to the future land use map was viewed as a procedural error and not something that should interfere with the zoning change. The process for requesting an amendment to the Comprehensive Plan is found on pages 85-85.

### **ACTION:**

- Nathan will contact Barry Jacowski, Vice-Chair of the Portage County Planning and Zoning Committee regarding this issue and the Town of Grant's Plan Commission's support for the zoning change.
- Jim will contact Kristin Johnson regarding the risk of denial of the request for the zoning change if an amendment is not made to the future land use map and our best next step.

- At a future Plan Commission meeting, review the Rezoning and/or Conditional Use Application form so that it is clear that the request may require an amendment to the Comprehensive Plan.
- It was motioned, seconded, and approved with a 5 to 0 vote to change the land use designation on Future Land Use Map 8.2 for parcel number 018-22-0730-12.25 from Residential High Density to Commercial. The resolution will be forwarded to the Town Board with a recommended public hearing date of October 21, 2015.
- Mike Galles will be notified by Jim of the situation and potential delay in the zoning change.

## **ZONING ADMINISTRATOR REPORT**

A hard-copy report of building permits/fees issued for the month of August 2015 was submitted by Marty Rutz. A total of \$360 was collected. Fees were collected for one porch, one deck, three accessory buildings, one address/driveway, and four utility accommodation policies (UAP).

## **FUTURE MEETING DATES**

Thursday, October 15<sup>th</sup> @ 6:30 pm.

Wednesday, November 18<sup>th</sup> @ 6:30 pm.

Wednesday, December 16<sup>th</sup> @ 6:30 pm.

**ADJOURNMENT:** The meeting was adjourned at 9:31 pm.

Respectfully submitted,  
Kathleen D. Lee, Plan Commission Secretary