

**PLAN COMMISSION  
TOWN OF GRANT  
APRIL 20, 2011**

Present: Julie Kramer, Sharon Schwab, Lori Ruess, Ron Becker, Marty Rutz, Darcy Held and Jim Wendels.

Citizens present in gallery: Dale Winkler, Gary Wierzbicki, Kathi Wierzbicki, Randy Webb, Kathy Webb.

Meeting called to order at 7:00 pm.

**March minutes reviewed. Motion made by Sharon, seconded by Lori to approve pending corrections.**

**OWB ORDINANCE**

The Plan Commission reviewed notes from the Public Hearing.

- “Nuisance” definition: add “as determined by the Town Board” at the end of the sentence.
- SECTION 2: APPLICABILITY will read as follows. Since this ordinance is unique to other ordinances within the Town, in that it only applies to high density residential zoning districts, expansion of this ordinance to additional zoning districts will require a Public Hearing prior to enactment.
- The commission addressed a citizen question. Can the OWB Ordinance only apply to subdivisions –vs- all hi-density, can town just require covenant? Covenants are set up by the subdivision developer and if we targeted only subdivisions it would include more property owners than just hi-density areas.
- A discussion about the seasonal use of OWB determined that using the OWB during the restricted summer months would interfere with opening house windows, outdoor activity, etc. It is not cost effective to use wood and run a wood furnace during the summer months.
- SECTION 5.4 will read as follows. The replacement of existing OWBs installed prior to effective date of this Ordinance with OWB’s classified as Environmental Protection Agency Phase 2 are exempt from the 300’ nearest residence setback provision contained within this ordinance.
- A question was asked if surrounding communities have OWB Ordinances. Grand Rapids does not have one. City of Wis. Rapids has one.
- Resources for creating this ordinance came from research of existing OWB ordinances including; towns of Hamburg and Otisco, Mich., town of Perry, Wis., and city of Forest Lake, Minn. Additional information came from the Wisconsin Department of Natural Resources and Outdoor Furnace Facts a service of Central Broiler to name a few.
- This ordinance was created after 2 citizens had concerns with one being a health issue.
- At the Public Hearing the citizens voted: In Favor: 5, Opposed: 5, Undecided: 1
- The commission will create a postcard/brochure BMP for when a permit is purchased. (Information will include bullets from Section 4 of OWB Ordinance.
- Changes will be made and go back to the board at the May 11<sup>th</sup> meeting.

**ADDRESSING GARY WIERZBICKI PROBLEM WITH RANDY WEBBS OWB**

1. Randy would need to move his OWB. The burner is a 2000 model year.
2. Randy feels some of the problem began when a wind storm came through and knocked out a bunch of pines that was creating a wind draft.

3. Randy thinks that Gary is sucking outside air in with his fans.
4. Randy says he can remedy the problem but it will cost him \$11,000.
5. Randy asked Gary how much he's spent because of the smoke issue. Gary guessed somewhere between \$2000-\$3000 on fans, furnace, insulation and lawyer fees.
6. Randy said that if he needed to move his OWB he would buy a new one instead of moving his 2000 model.
7. Randy voiced his concern that if he complies will there still be an issue and thinks that a new Phase II would solve 90% of the problem.
8. The commission doesn't have an answer for Randy if putting in a new unit doesn't resolve issues. The Town would evaluate the situation and determine any existing nuisance.
9. Gary would be satisfied if Randy bought a new Phase II and moved the location.
10. During the conversation Randy stated that if he didn't comply he could find holes in the ordinance and drag it out for years.

### **ZONING UPDATE**

- Marty reported that there was a total of \$100 in permits.
- Marty is using the county aerial maps to spot changes from past aerial maps and found 3 including a pond on CTY W, a pole building on Ben Miles property and an accessory building on Juniper Lane.
- Marty got a call from Ferkey Builders with a question about the Gamroth property.
- Sharon will get Marty a few updated zoning maps.

### **CITIZEN INPUT**

- Sharon sent Jim and Marty an email about drainage issues north of the township.
- ATV: Find out if it's a law to have an ordinance or can we have a MOU. (Include exact termini, road location, and restrict use to paved portion of travel lanes.
- Jim brought up a comment from Charlie Gussel. Charlie shared if you pull your land out of exclusive ag you have to pay back taxes. Jim will contact Steve Bradley for information. It may be if it's an FPP. (Farmland Preservation Program.)
- Portage County Planning and Zoning questionnaire. Jim will complete and send back that we are please with services we've used and that have been available to us.

### **LOOKING AHEAD**

Nuisance/Junk Ordinance, Driveway Ordinance

Meeting adjourned at 9:55. Motion made by Sharon Schwab, seconded by Lori Ruess.

Next meeting Wednesday, May 18, 7:00.

Julie Kramer

Plan Commission Secretary

## ACTION ITEMS

Check into creating a logo for the Town of Grant.

Jim will forward Town of Hull Nuisance Ordinance to Plan Commission members.

Jim will send DOT UAP graphics to Julie in word format.

Jim will contact Steve Bradley about pulling land out of exclusive ag.

The commission will create a postcard/brochure BMP for when an OWB permit is purchased.