

PLAN COMMISSION  
MEETING MINUTES AND NOTES  
TOWN OF GRANT  
September 18, 2019

**PRESENT:** Thomas Reitter (Interim Chairperson), Charles Gussel, Nathan Wolosek, Ron Patterson (Members), Marty Rutz (Zoning Administrator), Kathleen Lee (Secretary)

**CITIZENS:** None present

**CALL TO ORDER**

The meeting was called to order at 6:32 pm by Tom 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 C. Gussel and seconded by N. Wolosek to approve the August 7, 2019 minutes. The motion passed with unanimous ayes.

**CITIZEN INPUT**

None

**ZONING ORDINANCE**

Discussion focused Act 67 and the impact on the implementation of the zoning ordinance. Numerous points were brought forward:

- In the past, a catch-all statement was used (other similar and compatible uses). The legal ability to use that statement in the future is in question. Still, there may be uses not listed as permitted or conditional that would be appropriate in the district and should not be prohibited because they were not mentioned. Few changes may be required to the list of conditional uses if a catch-all conditional use is allowable.
- It is possible to have two opposing scientific arguments made on a topic. Each argument could provide substantial evidence. That makes it difficult to determine what is reasonable, practical, and measureable.
- Act 67 addresses conditional uses, not permitted uses. Permitted uses are permitted. Conditional uses are allowed if conditions are met. The conditions must be supported by substantial evidence.
- How will silent uses be addressed? Our current zoning ordinance is silent on utilizing an unattached residence as a rental in a commercial district. Should that be allowed?
- Our current zoning ordinance does not address uses that were permitted on a property prior to a rezone, but are not listed as a permitted or conditional use in the new zoning district. It was suggested the previously permitted uses should be a conditional use for the parcel in the new zoning district.
- It was recommended to have the Town attorney (Nicholas Flanagan) answer our questions. We could also get answers from the Wisconsin Towns Association. It was deemed premature to contact the attorney at this time.

- It was suggested to identify compatible adjacent zones. The most recent draft of the zoning map was reviewed to determine which districts are or are not adjacent. It was debated whether a district could be adjacent to any of the other seven districts or just some of them. T. Reitter would like to develop an 8x8 table to illustrate which districts could be next to other districts. The Comprehensive Plan Table 9.1 was reviewed as it does look at zoning districts and future land use.
- T. Reitter proposed including as conditional uses, select permitted uses from a potentially adjacent zoning district. Since all districts are not adjacent to all other districts some things would not be listed. If districts can be adjacent, he proposes the conditional uses reflect the neighboring districts uses.
- N. Wolosek would like to see flexibility when rezoning is being considered and we should not be limited by a table.
- T. Reitter would like to create a framework that can be used as the Plan Commission continues to identify permitted and conditional uses. That framework will consider potential adjacent districts. He will develop a matrix to illustrate the permitted and conditional uses of adjacent zoning pairs. He will limit this exercise to four zoning districts including commercial, low density residential, and general agriculture.
- Few changes may be required to the list of conditional uses if a broad conditional use is allowable.
- Center pivot irrigation was discussed and whether it should be mentioned in general ag. No conclusions were made.
- Farmland preservation was discussed. We have a district, but not a plan. The County did not develop districts despite developing a plan. We were not able use Farmland Preservation (FP) as an overlay district that only applied if a farmer applied for the program. This results in all farmers in Exclusive Ag being governed by FP, as the same area is covered by both. It was questioned if we should keep the FP district.

### **ZONING DISTRICT MAP**

A long discussion regarding rezoning any land that is irrigated to Exclusive Ag took place. Parcels located at the southwest corner of the Town were the initial focus of the discussion, but all parcels were considered. M. Rutz would be able to mark all of the fields with center pivot irrigation on the draft of the zoning map. N. Wolosek suggested revisiting the work done when the Comprehensive Plan Existing Land Use Map (8.1) was being updated with K. Johnson. That could be considered when deciding to rezone any of the agriculture districts.

Whether property owners need to be notified of possible rezones was discussed. Not notifying property owners could lead to anger. It was thought that individual notification is not mandated. No final decision was made regarding notification.

Making changes to zoning map will be tabled until the zoning ordinance text changes have been finalized.

### **ZONING ADMINISTRATOR REPORT**

There were two permits issued for a total of \$150. This includes a driveway and an accessory building/address.

There was a question about the pond permit for the Gordon property. A permit was never obtained. The fee will be added to the Gordon's property taxes.

### **TOWN BOARD REPORT**

The Town Board did approve the Comprehensive Plan Map 8.2 amendment, the rezone request, and the Conditional Use Permit that the Plan Commission forwarded to them in August. The Comp Plan amendment and rezone will now be forwarded to the Portage County Planning and Zoning.

It was recommended to not routinely include a Town Board report on the Plan Commission agenda.

It was recommended to obtain access to the WTA website. K. Lee will work on obtaining access. It may be a way we could regularly obtain information that is coming from the State. We could provide information to the Town Board as needed.

### **NEXT MEETING**

The next meeting is scheduled for 10/16/2019. We will review the matrix being developed by T. Reitter. With the benefit of the framework of the matrix, we will identify items to add or subtract from the permitted and conditional uses currently included in the zoning ordinance. T. Reitter will attempt to bring a projector to the meeting. The map will be tabled until that work is completed.

### **ADJOURNMENT**

The meeting was adjourned at 9:18 pm.

Respectfully submitted,

*Kathleen D. Lee*

Plan Commission Secretary  
Approved 10-16-2019