

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
January 16, 2019

PRESENT: Jim Wendels (Chair) Tom Reitter, Sharon Schwab, Nathan Wolosek, Ron Becker
(Committee Members), Kathleen Lee (Secretary)

EXCUSED: Marty Rutz, Zoning Administrator

CITIZENS PRESENT: Ronald Johnson, Cécile Stelzer-Johnson

CALL TO ORDER

The meeting was called to order at 6:35 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

It was moved by Jim Wendels and seconded by Sharon Schwab to approve the December 19, 2018 minutes. The motion passed with unanimous ayes.

REVISIT RON JOHNSON CUP

Mr. Johnson is requesting that the Town consider deleting the requirement to have liability insurance. His current policy is from the NRA and only covers product liability regarding damage to a gun. In the past 11 years, he has paid \$15,400 in premiums. The cost of replacing a damaged gun would be lower. The original intent of the requirement was not clear. A liability umbrella could meet the requirement. A discussion of the necessity of this condition was discussed. It was thought that his current NRA policy is not needed, but some type of liability insurance is needed. It was recommended that Mr. Johnson investigate adding the business in the umbrella policy he currently has. It was noted that other businesses with a CUP have not been required to have liability insurance. In this case, the distance a bullet can travel was considered and therefore the condition added. It is not clear if the Town could be held liable when it issues a CUP for a firearms business. A brief review of the Internet by J. Wendels revealed the Town would most likely not be liable. S. Schwab will investigate the Town's liability.

When the original CUP was drafted, Mr. Johnson proposed a "private testing range." This was very controversial. His intent with the range was to test guns being purchased and following repair. The Town and its citizens were opposed to a shooting range for sighting a gun or other shooting not directly related to testing a new or repaired gun. The Town is concerned about damage to neighboring properties or injury to others if a bullet leaves the property. The presence of the berm does provide safety not found on other properties. It was recommended that the #6 condition be modified to indicate the discharge of a firearm related to purchasing or testing a modification or repair is allowed.

There have been no complaints regarding the business since the CUP was issued in 2008. It was recommended to remove condition #4 regarding Town Board review every 3 years. An

alternative option would be to state reviews will take place if numerous complaints are received regarding safety issues.

It was moved by N. Wolosek and seconded by R. Becker to forward the following recommendations to the Board:

- **Striking condition #4.**
- **Change #6 to “The discharge of firearms related to the business is limited to the purchase of a firearm and/or the modification/repair of firearms on this property.”**
- **Change #10 to “The owner shall maintain liability insurance and provide proof of insurance to the Town of Grant if requested.”**

N. asked to rescind the original wording of the motion. It was moved by N. Wolosek and seconded by R. Becker to add the following wording to the original motion “contingent on review of legal counsel whether the Town would incur any liability by continuing this conditional use permit.”

The motion passed with unanimous ayes.

The need for a public hearing was discussed. The changes are minimal and it was deemed a public hearing is not required. As revisions to the Zoning Ordinance occur, clarification on CUP amendments should be added.

CITIZEN INPUT

S. Schwab received a complaint regarding noise and hauling out of the Brody property on 90th Street. She noticed tracks coming from the alternate drive on the property. The Zoning Administrator has been questioned about the activity. He reported to K.Lee that the recent activity in the area was related to the debris from a house fire on Pine Street being removed. The old basement on the property was filled with sand. The owners of the Pine Street property plan to rebuild, but will not build in the old footprint of the house. It was noted that the amended CUP for the Brody pond expired on 12/31/2017. There is not sufficient evidence for the Plan Commission to act on the complaint.

REZONE REPORTING FOR FARMLAND PRESERVATION

A reminder has been received from the Department of Agriculture, Trade, and Consumer Protection (DATCP) for the Town to submit an annual report of all lands zoned out of certified farmland preservation zoning districts. We had no rezones in the Town. K. Lee will notify DATCP of that fact.

Cécile Stelzer-Johnson had questions regarding the lack of participation in the program by farmers in the Town and if more promotion of the program should be done. Discussion about the program, potential reasons for lack of participation, nutrient management plans, water testing, and fertilizing took place. K. Lee will add something about the availability of the program on the town website. Our map is missing from DATCP Farmland Preservation website; K. Lee will send a map when she contacts DATCP.

ANNOUNCEMENT

Cécile Stelzer-Johnson announced that there is a [Groundwater Citizens Advisory Committee](#) January 17th. A similar meeting will be held for the counties of Wood, Juneau and Adams on the

21st. LRB 1197, introduced by Rep. Katrina Shankland, will be discussed. If passed, it would create a first of its kind state private well testing program and dramatically expand funding for homeowners to remediate their contaminated wells.

ZONING ADMINISTRATOR (ZA) REPORT

In December there were 5 permits for a total of \$200. This included two driveways, two ponds, and one accessory building.

A heads-up was provided. There may be a permit in the future for a colocation on the tower on the Okray property. Details about the person interested are not known. The process of collocating was shared with the Sheriff's Department personnel mentioning the possibility.

The ZA was not in attendance. S. Schwab does have a question for him regarding a second driveway at 7013 100th Street. Is the pre-existing driveway being removed?

TOWN BOARD REPORT

Paperwork is in the process of being submitted to the County regarding the Comprehensive Plan. The "Town Initiated Request to the Portage County Planning and Zoning Committee" needs to be completed. Wendels will be the contact person for the town. The form will be completed and signed this evening. All necessary paperwork will be mailed by the Clerk.

The Bella CUP was approved and the signed copy received by the Town. An updated schematic was provided.

The Town Board is in the process of writing a resolution for a referendum regarding ATVs on town roads for the April 2019 ballot. This referendum is based on the direction of the electors at the last Annual meeting. It will be non-binding. In order to be on the spring ballot, it must be submitted by 1-23-2019 to the County Clerk. The draft has been sent to the Wisconsin Elections Commission (WEC), legal counsel, County Clerk, and the WTA for feedback. The wording "advisory, non-binding" usually does not appear on a ballot. The resolution does clearly include that wording however. The WEC does recommend a choice of "none of the above" or "no opinion." Including "retain as is" was suggested for inclusion.

The Saratoga ATV Club has made a donation to First Responders.

FUTURE MEETING DATES

February 20, 2019

March 20, 2019

April 17, 2019

The annual meeting is on April 16th and elections on April 2nd.

ADJOURNMENT

The meeting was adjourned at 9:19.

Respectfully submitted,

Kathleen Lee

Plan Commission Secretary

Approved 2-20-2019

