

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
September 16, 2020

PRESENT: Thomas Reitter (Chairperson by phone), Charles Gussel, Nathan Wolosek, Ron Patterson (Members), Kathleen Lee (Secretary)

CITIZENS: Shirley Lindsay, Josh Lindsay

EXCUSED: Mary Rutz (Member and Zoning Administrator)

CALL TO ORDER

The meeting was called to order at 6:35 pm by T. 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 N. Wolosek and seconded by C. Gussel to approve August 20, 2020 minutes with a correction of a typo. The motion passed with unanimous ayes.

CONDITIONAL USE PERMIT APPLICATION

Discussion of Lindsay CUP application continued from the 8-20-2020 Plan Commission meeting. The diagrams submitted by the Lindsays were reviewed. The items with an X on the aerial view do not exist on their property. The proposed building will be located slightly to the north of center and will be approximately 40 feet from the closest property line. The proposed building will be approximately 125 feet behind the house. There will be heating and air conditioning in the building.

There was a concern expressed that there was only one entrance on the south side of the building. It was suggested to have two entrances to the building. The Lindsays were agreeable to an additional ingress/egress. They clarified the location of the 4 windows planned for the building.

They plan to have a loft for food storage. Their home will be used for record keeping.

Doggie doors to the outside will have a sliding door that can be closed during the winter to prevent the dogs from exiting at will.

The runs on the side of the building will be a covered (similar to a lean-to) and will have removable clear plastic walls that will be in place during the winter and removed in the summer. The height on the distal end of the roof of the run will be 5.5 to 6 feet.

The floor of the building will have treated plywood and vinyl. The walls of the building will have plastic wainscoting. This type of flooring and walls will meet the standards of the county and state. The floors will be mopped, not hosed, for cleaning.

There will not be running water in the building. According to Portage County's Commercial Animal Establishment ordinance, hot water must be available for cleaning purposes. Water would be available from the house, 125 feet away. Water will be carried with a wheelbarrow. They currently use two types of automatic water devices (1 or 2.5 gallon) for the dogs and the water lasts about 3 days.

They have talked with Water Works & Lighting Commission (WWLC), their power provider. In April 2021, WWLC will bring 200 amp service to the house. A line will be run from the house to the accessory building provided 100 amp service.

The Low Density Residential zoning district was reviewed. Kennels are not listed as a permitted or conditional use. Conditional Use #10 does include similar or compatible uses that are in accord with the intent of the district. The intent of the district provides for greater flexibility in land use associated with a rural residential life-style. The commissioners believed a kennel would fall into a rural

residential life-style and therefore would fit into the zoning district. The other option open to the Lindsays would be a rezone.

They have talked with their neighbors to the north and they reportedly have no objections. The neighbors to the south are renters. They have not talked with them or the property owner as of yet, but plan to do so.

Concerns forwarded by M. Rutz via email were discussed. It was thought that home value would not be impacted as long as noise is not an issue. The Lindsays were not concerned about the work involved in caring for over 40 dogs. The dogs wear bark collars during the day. Bark collars take about one hour to recharge, which is done at night, and a charge last up to 2 weeks. It is not necessary to charge all the collars every night. The breeding kennel would be Shirley's full-time job and therefore she would have the necessary time. She has experience working at two breeding kennels, one with 40 dogs and another with over 200 dogs. She understands the work involved. She does not see the planned business as a puppy mill. She breeds dogs to make families happy. She would decrease the level of breeding as needed based on the demand. They would close the business rather than sending dogs to shelters. They breed for "healthy qualities" and loving family pets. N. Wolosek said caring for the animals would be reasonable as a fulltime job. In the future, the business may also be Josh's full-time job. It was viewed that breeding for a family pet is different than breeding a hunting dog.

It was moved by N. Wolosek and seconded by C. Gussel to move forward with this request and establish conditions for the permit. The motion was passed with unanimous ayes.

Previous CUPs related to dog businesses were reviewed when determining conditions for this application. It was verified that the height and square footage of the building would fit into low density residential zoning limits. It was thought that an annual or biennial review of the permit is not necessary. Any required permits and licenses do not need to be on file with the Town, but must be available for viewing on site. The Lindsays did prove proof of current garage pick-up through Advanced Disposal. A fenced outdoor play park may be added in the future by fencing in the property. The need for fire inspections needs to be verified with the Fire Chief. The following were recommended as conditions:

1. Owner shall adhere to the site plan, building schematics and submitted responses to the Conditional Use Permit Application.
 - a. These documents are considered conditions of this permit.
2. This conditional use permit is transferable.
3. If nuisance noise from dogs becomes a concern from neighbors, measures must be taken to reduce the noise.
4. Groups of dogs engaged in outdoor play or exercise may only be conducted between the hours of 6:00A – 8:30P daily. A single dog may engage in outdoor activities beyond this timeframe, if supervised by a staff member.
5. Waste generated from the Little Paws business operation cannot be disposed of at the Town of Grant Transfer Station and Recycling Center, or on site. A commercial waste container and disposal service is required.
6. An advertising sign up to twenty-four (24) square feet may be installed on the premise off roadway right-of-way.
7. Owner shall maintain and preserve the existing trees, shrubs, vegetation, and rural landscape as much as possible in an effort to reduce noise effects of the business and preserve the existing rural character of the property.
8. An "outdoor play park" for the dogs owned by the business is permitted for operation between the hours of 6:00A – 8:30P.
9. A valid and current Seller's Permit (if applicable) issued by the Wisconsin Department of Revenue shall be kept on site.
10. A valid license issued by the Wisconsin Department of Agriculture, Trade and Consumer Protection under the Dog Sellers and Shelters Program shall be obtained and kept on site.

11. A permit from Portage County for a Commercial Animal Establishment shall be obtained as applicable.
12. If deemed necessary by the Town of Grand Rapids Fire Chief in accordance with the Department of Safety and Professional Services – Chapter SPS 314, an annual fire inspection of Little Paws with full compliance to any safety code violations discovered during the inspection.

It was moved by C. Gussel and seconded by Nathan Wolosek to approve the Lindsay CUP with the stated conditions. The motion was passed with unanimous ayes.

The notice of the public hearing and the approved recommended permit will be sent to the Town Clerk. The next Town Board meeting is on October 7, 2020. That will be the likely public hearing date. The Lindsays were informed that at least one of them must be present at the meeting. The Lindsays will need to send an updated schematic of the building including all doors and windows on the footprint, a side elevation and an end elevation.

CITIZEN INPUT

K. Lee announced that Marty Rutz was appointed as a Commissioner to the Plan Commission at the September Town Board Meeting.

N. Wolosek was contacted by a neighbor regarding the road right-of-ways. He and his neighbor, as concerned citizens, believe that if there is an established map that it should be honored and that the Town Board should not try to change what is on the map. He suggested bringing it up to the Town Board. C. Gussel added that inconsistency exists between maps, as well as an inconsistency with road maps and CSMs. Right-of-way inconsistencies is also a problem in other areas of the State. He believes it as an issue to be resolved in a court. If the issue on Buena Vista Road between Cty F and Town Line Road was resolved in court, it could be used as a precedent in future Town disputes. It is not clear if this concern would be an issue for the Plan Commission to address in the future.

ZONING ADMINISTRATOR REPORT

Fifteen permits were issued in August for a total of \$690. This includes two additions, four accessory buildings, one raze, one pond cleaning, two addresses, one porch, two driveways, and three UAPs.

ZONING ORDINANCE

Discussion deferred. T. Reitter will continue to work on it.

ADJOURNMENT

The meeting was adjourned at 8:40 pm.

Respectfully submitted,
Kathleen D. Lee
Plan Commission Secretary.
Approved 10/21/2020