

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
February 1, 2017

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

CITIZENS: None

CALL TO ORDER

The meeting was called to order at 6:31 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 N. Wolosek and seconded by R. Becker to approve the January 18, 2017 Plan Commission Meeting Minutes. The motion passed with unanimous ayes.

CITIZEN INPUT

N. Wolosek had a question regarding splitting 40 acre parcels of land and matching the property borders with the irrigation systems. The property in question is zoned Transitional Ag with the adjoining property zoned Exclusive Ag. It would be possible to combine sections of land in a way that would result in the Exclusive Ag sections being greater than 40 acres. The other Plan Commission members did not see a problem with the split, but recommended he talk to the Register of Deeds about the possibility. He could also speak to the County Surveyor.

REPORTS ON RECENT MEETINGS

- a. Portage County Planning and Zoning – January 24th meeting: N. Wolosek and S. Schwab attended the meeting. The Town's requested change to the Zoning Ordinance (adding Farmland Preservation Overlay District) was approved. N. Wolosek had questioned Portage County P&Z if we could go back to A-1 (Exclusive Ag) and not have the overlay district. He was told the Town does not have to participate in farmland preservation and we could go back to having only A-1. If we did this, it would not negatively impact Portage County's plan. When the Portage County towns approved the County's maps, they basically approved the County's plan/program. We do need to complete our annual report to the DATCP indicating we had no farmland preservation rezones.
- b. Wisconsin Towns Association – January 23rd meeting: S. Schwab attended the meeting. Seventeen towns received a copy of the "Resolution to Support Private/Public Partnerships for Equitable Ambulance Service in Portage County." in December. Nine towns and villages including the Village of Whiting and the Town of Hull have supported the resolution to date. The resolution will be on the agenda for the next EMS Oversight Board (2-16-2017) and the March WTA Unit meeting. Mike Pagel, WTA-Portage Co. Unit Chair is following up with towns who have not responded. He will be reporting to the EMS Oversight Board. S. Schwab will send the Commission members a list of towns and villages who signed it. J. Wendels offered to make a map illustrating the towns supporting the Resolution. R. Becker recommended including the Resolution and the supporting towns/villages in our court case.

ZONING ADMINISTRATOR REPORT

A permit fee report was submitted electronically. A total of \$70 was collected including an address and an UAP.

TOWN BOARD REPORT – A letter has been received from Justin Isherwood requesting Town support for a stream rehab. Discussion took place regarding potential impacts of the rehab on erosion and plugging drainage ditches. K. Lee will forward the letter to Plan Commission members who have not previously received a copy.

ZONING ORDINANCE – REVIEW AND UPDATE

The definition of Home Occupation was discussed. Wording of a basic statement and defining characteristics were proposed with the objective of providing clarity for the Zoning Administrator. Numerous examples within the Town were evaluated as to how the proposed definition would apply. “Conducted for gain” was considered to be key to the definition and more important than any of the defining characteristics. Publically advertising that a business is found at the location was viewed as significant.

Activities that generate complaints by neighbors would likely trigger the need for a CUP, while simply working out of one’s home would not trigger a CUP. A goal of a CUP is to avoid conflict with the neighbors.

There should be no negative repercussions from being designated as a business.

It was recommended to emphasize that the Town supports home businesses and not all citizens would require a CUP simply because one of the defining characteristics exists on their property.

The recommended definition reads as follows:

Any business, occupation, or activity conducted for gain within a residential building, or an accessory building, which is incidental or secondary to the use of such building for dwelling purposes and which does not change the essential residential character of the building. It is further defined by having one or more of the following:

- Advertising sign
- Selling retail goods or services to the public that generates vehicular traffic
- Commercial deliveries
- Employees not related that are working in the home

Storing dangerous/hazardous materials inside or outside and parking industrial or commercial equipment were considered as defining characteristics, but not included in the definition.

It was decided to change all Zoning Ordinance references of a home “occupation” to home “business.” Based on Wis. Statute 91, Farmland Preservation, the term business can be used in our overlay district. According to Statute 91, there can be up to four full-time employees annually and the percent of floor space is not specified or limited. We will change the number of employees to four from two and remove the passage regarding 25% of one floor. This will be done in both Exclusive Ag and Farmland Preservation Overlay.

Section VII. Zoning Administrator was reviewed. Preliminary edits submitted by S. Schwab served as the basis of the discussion. Discussion began with the first sentence of the new paragraph 3. It was questioned if the zoning administrator (ZA) supervises general construction. The word supervise will be changed to monitor.

“To uphold the terms of the Zoning Ordinance” will be added to the first sentence of section VII.

It was noted that keeping records regarding building permits is included in the description of the ZA, but it does not state the ZA issues the permits. Upon closer examination, it was concluded that the description

of the ZA does not clearly list duties of the job and the sequencing of duties in the description is not in a logical. The current description predates the uniform dwelling code.

Two new paragraphs were proposed to be included. The first would state the ZA would not receive per diem pay for attending Plan Commission or Town Board meetings because the position is salaried.

Several Plan Commission members voiced per diem pay is appropriate. If attending meeting is not identified as part of the role in the job description, it is not appropriate to add this expectation without reimbursing the ZA. While the ZA's attendance is not required at all Plan Commission meetings, the ZA's presence is desired when a CUP is discussed. The number of hours the ZA devotes to the role is not known, therefore if the salary adequately covers meeting attendance in addition to other duties cannot be determined. The compensation for the ZA needs to be fair.

The second inserted paragraph would add submitting an annual report on the status of all CUPs. Plan Commission members questioned the necessity to monitor all of them. The monitoring may be too time intensive and could consume a large amount of the overall workload. At the same time, the Town has no information about the status of CUPs after they are approved. The monitoring of certain aspects of CUPs is desirable.

The main theme of each paragraph was identified. Doing so showed weaknesses in the organization of the ZA description. One paragraph addresses bonding and the need for bonding for the position needs to be verified.

Responsibilities of the ZA include writing permits, maintaining a relationship with the building inspector, communicating with the assessor regarding permits, facilitating the CUP application process and managing them through their lifecycle, communicating with the Board and the Plan Commission, and submitting annual reports. These responsibilities need to be amplified in the paragraphs and the paragraph reordered. T. Reitter will assume responsibility for doing this.

J. Wendels will ask V. Zimmerman, Town Clerk, to use the Clerk's Network to request copies of ZA job descriptions.

J. Wendels summarized the broad-based duties of the ZA as enforcing the Zoning Ordinance, issuing permits, advising residents on ordinance terms, facilitating CUPs, communicating and sharing with assessor, and keeping records. S. Schwab added that the ZA also facilitates the driveway ordinance and the utility accommodations. N. Wolosek added that the ZA upholds all ordinances, not just the Zoning Ordinance. A timesheet may be useful to clearly identify what the ZA does and the amount of time required to complete the role. Input from the current ZA will be sought.

ADJOURNMENT

It was moved by T. Reitter and seconded by J. Wendels to adjourn the meeting. The motion passed with unanimous ayes. The meeting was adjourned at 9:30 pm.

Respectfully submitted,

Kathleen D Lee

Plan Commission Secretary

Approved 2-15-2017