

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
November 18, 2015

Present: Jim Wendels (Chairman), Kathleen Lee (Secretary), Nathan Wolosek, Ron Becker, Lori Ruess, Sharon Schwab (Committee members), Marty Rutz (Zoning Administrator)

Citizens Present: Dave Tosch and Jake Slusser

CALL TO ORDER

The meeting was called to order at 6:30 pm by Jim Wendels, Chairman

STATE OF PUBLIC NOTICE

It was stated that the agenda was posted at two posting stations (Grant Town Hall and the transfer station) and on the town's website.

APPROVAL OF MINUTES

It was moved by Nathan Wolosek and seconded by Lori Ruess to approve the November 5, 2015 minutes. The motion was approved with unanimous ayes.

CITIZEN INPUT

A question was asked by Nathan Wolosek regarding the need for a permit for signs about CAFO? General consensus was a permit is not needed. The sign was viewed as temporary in nature, although the length of time the CAFO issue would be present is uncertain. Any sign posted should be no larger than four square feet. It should be 33 feet from the center of the road and should not be in the right-of-way.

REVIEW OF CONDITIONAL USE PERMITS (CUP) APPLICATIONS

JAKE SLUSSER:

Discussion of a CUP application initiated in October by Jake Slusser/David Tosch for chickens and pigs on the property resumed.

Discussion began with a follow-up regarding the trail trucks and the parts trucks on the property. Some vehicles previously stored on the property have been removed. The property has been tidied up. Mr. Slusser and Mr. Tosch will work together to maintain an acceptable appearance of the property.

Jim Wendels summarized the discussion that took place in October.

Mr. Slusser was concerned about citizen opposition to pigs and was reluctant to pursue that part of the CUP application. Dave Tosch, the owner of the property, has no objection to pigs. Factors that support allowing pigs on the property include land on the opposite side of the road is zoned transitional agriculture, there is a history of pigs on the property without any problems, and the pigs existed on the property in the past without adjacent property owners being aware of their presence.

Conditions recommended include:

1. A maximum of 20 chickens are allowed. The owner has until March 1, 2016 to reduce the total number of chickens on the property to the 20 maximum

- No roosters.
 - The coop and fenced enclosure must be contained within the rear yard only.
 - The enclosure and coop shall follow all setback requirements.
 - The coop shall be two (2) square feet per chicken as long as the chickens are allowed to range.
 - Chickens must be maintained on property. If stray chickens become a concern by neighbors, actions must be made by the owner to keep chickens on the property with a fence or other enclosure.
2. A maximum of two (2) pigs are allowed
 - The pen shall have a minimum of 100 square feet per pig
 - The pen shall follow all setback requirements
 - The pen must be contained within the rear yard only.
 3. No butchering is permitted on the premises.
 4. Runoff shall be managed so that any storm water does not leave property.
 5. The use of lime, frequent cleaning or similar practices are encouraged to minimize odor and be considerate of neighbors.
 6. Best Management Practices are further encouraged to control flies.
 7. No animal waste is permitted at the Town Transfer Station. Animal waste must be kept on site, and preferably incorporated into property garden, compost, or related.
 8. Premise registration with Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) is required by March 1, 2016. A copy must be provided as proof to the Town and kept on file with owner and CUP holder.

A motion was made by Nathan Wolosek to approve the CUP with the stated conditions. It was seconded by Ron Becker. The motion carried with unanimous ayes. A public hearing of the CUP application will be scheduled for December 9, 2015.

Mr. Slusser asked a question regarding using a shipping container for storage on the property. It was the consensus of the Plan Commission that the shipping container would be considered an accessory building and therefore require a permit. All setbacks would apply to its placement on the property. While it could potentially serve as fencing to hide vehicles, doing so should not lead to a junkyard appearance on the property.

BERNIE KALFKA:

Prior to contacting Mr. Slusser, discussion took place regarding the CUP application. The permit process was started after citizen complaints that business was being conducted without a permit. If his business was started longer ago than 1993, when the first Zoning Ordinance was written, he may be grandfathered.

Regardless of the need for a CUP, semi-annual fire inspections should take place to ensure public safety.

Completing the CUP process provides legitimacy to the business. It would allow for expansion or sale of the business.

Mr. Klafka was contacted by phone. He stated he has had the business for about one year, Therefore the business does not qualify to be grandfathered. He does not advertise, but a sign was posted by his daughter regarding the business. He does a variety of auto repair work

including brake pads and rotors and drive trains. He does have a hoist. People do come into the building, but he described these individuals as friends, and not the general public. He has a fire extinguisher, but not a carbon monoxide detector. Cars are not run inside, eliminating auto exhaust as a concern.

The following conditions were recommended:

1. Customer parking on public streets is prohibited as related to the business.
2. Hours by appointment only.
3. Waste generated by the business operation cannot be disposed at the T. Grant Transfer Station
4. The Town Board requires semi-annual fire inspection of the auto repair business with full compliance to any safety code violations discovered during the inspection.
5. A non-illuminated or a non-flashing illuminated advertising sign up to twenty-five (25) square feet may be installed on the premise off roadway right-of-way.

Mr. Klafka was informed that the CUP would not be forwarded for public hearing and Town Board approval until he has submitted the \$150 CUP fee. His public hearing would be scheduled for the Monthly Town Board Meeting, the month following his fee submission. He will be sent a draft of the CUP.

Nathan Wolosek made a motion to approve the CUP with the stated conditions. Ron seconded the motion. The motion carried with unanimous ayes.

TOWN BOARD REPORT

- The Local Government Summit on Energy and Resilience occurred today
- The Galles request for rezoning and Comprehensive Plan amendment is on the tonight's agenda of the Portage County Planning and Zoning Committee.
- There is a Farmland Preservation webinar scheduled for Thursday, November 19, 2015.
- A letter was received from John Holdridge, Chairperson from Town of Hull, regarding the R-2 Single Family zoning ordinance which is being revised by Portage County. The letter was given to Jim Wendels so a response could be given. The Town will likely not join the proposed ad-hoc committee as we are not under county zoning.
- A Frac Sand Mining Workshop is scheduled for Monday December 14 starting at 9 am.
- Committee members are welcome to attend any of the workshops. Any expenses incurred would be covered by the Town as representatives of the Plan Commission.

ZONING ADMINISTRATOR REPORT

- A citizen on 90th Street North wishes to place a temporary building on the property. The building would be stored on the property during the winter months only. A question was posed regarding the necessity of a permit. The temporary building functions like an accessory building. It was the consensus of the Plan Commission members that an accessory building permit is needed.
- The Building Permit/Fees Issued for the Month of October report was distributed. A total of \$595 was collected. This included three UAPs, a deck, five accessory buildings, an address, a driveway, and a CSM review.

- A map of the Kertis CSM review was distributed. Approximately 100 feet was transferred from lot 2 to lot 1.
- Dave Tosch would like to move 3.28 acres from the 3821 90th Street South residential property and add it to the commercial property located at 9031 County Road WW. He owns both properties. A revision to Comprehensive Plan and the zoning district is required to make this change. This request will be added to the January Plan Commission agenda.
- Discussion took place regarding a proposed tower and compound location for a Portage County sheriff/ambulance simulcast tower. This is one of six towers to be constructed in the county. An email was forwarded by Marty Rutz to Plan Commission members on 11/13/2015 regarding the tower. The tower would be 250 feet tall. Based on cost, a new tower is preferred over collocating. The proposed location is at the NE corner of 95th Street N. and Elm Street. Okray has offered this site, but other sites within 5 square miles would be considered. This site is adjacent to residential property. Citizen resistance to the location would likely occur. Matthew Fleming, Procurement Director from Portage County, has been informed that this is not a good location from a residential standpoint. Potential alternative sites were discussed. Crop-dusting planes will not fly within ¼ mile of a tower. Recommended sites include a cranberry bed or land owned by Up River Gun Club. The north side of the Okray cranberry marsh could be a possibility. The required distance between towers was not known and could eliminate that as a site. The south end of the gun club, near a cranberry marsh is a possible location. A CUP would be needed to have the tower at that location. It was suggested to invite Matthew Fleming to the December Plan Commission Meeting. As a response to a question posed at the October meeting, Sharon Schwab stated it is not necessary to waive the permit fee for towers used for municipal or emergency purposes per Wisconsin Towns Association legal counsel.

PROPERTY ON TOWNLINE ROAD NORTH OF CTH W

Discussion on emails recently sent regarding a property on Townline Road just north of CTH W. This property was thought to be shoreland and under the jurisdiction of Portage County, but changes in state statutes make this no longer true. Marty has recently picked up 30 tires from the property. It may be necessary to have the house condemned by the Portage County Health Department.

FUTURE MEETINGS (updated)

December 16, 2015

- Initiate Comprehensive Plan update – Kristen Johnson should be invited, but she should also be given alternative dates.
- Communication Tower

January 5, 2016

- Tosch rezone

January 20, 2016

February 9, 2016

February 17, 2016

March 1, 2016

March 23, 2016

FARMLAND PRESERVATION

The Future Land Use map showing only L1 Enterprise Agriculture and L2 Intermediate Agriculture was updated to identify land the Plan Commission believes should be designated as farmland preservation. Sharon will take the draft to Rod Sutter, so a map can be made.

Revisions were made to the Conditional Uses of the A-1 Exclusive Agriculture District as follows:

- “and meeting Wisconsin State Statute 91/46(2)” was added to Conditional Use 1
- “not permitted in the principal use section” was deleted from Conditional Use 2
- Conditional Use 6, “Commercial fish and fur farming” was deleted. Fur farms were added to the Permitted Uses.
- Conditional Use 7 was reworded to “Dairies Processing Plant”. It previously read Dairies (Processing)
- “Utility and communication uses must meet the requirements in Wisconsin State Statute 91.46(4).” Was added to Conditional Use 12
- “Non-metallic mining operation must meet Wisconsin State Statute 91.46(6).” Was added to Conditional Use
- Conditional Use 15, “If a pivot irrigation system is removed, a public hearing could be held and the land it was on could possibly be rezoned” was deleted.

Adding a statement on how to rezone was suggested. Property owners need to know that processes exist to rezone depending on conditions. Following discussion, a statement was not added.

We need to know when Portage County plans to finish working on Farmland Preservation. An extension to submit is possible.

Nathan Wolosek will call Barry Jacowski, chairman of the Farmland Preservation Committee, regarding using an overlay versus using the Exclusive Agriculture section of the Zoning Ordinance.

ADJOURNMENT

The meeting was adjourned by Jim Wendels at 10:23 pm

Respectfully submitted,

Kathleen D. Lee
Plan Commission Secretary