

January 18, 2016

## **Sanitation/Planning & Zoning/Dog Control**

Meeting called to order at 6:03 p.m., by Chairman, Paul Steele

Present: Paul Steele, Gail Chapman, Cedric Schnitzler, and Douglas Path: Absent: Teddy Duckworth  
Also Present: Alison Elliott-Sanitation, Zoning, and Dog Control Administrator, and Members of the Public

Possible Corrections and Approval of December 21, 2015 Meeting Minutes.

A **Motion** was made by Cedric Schnitzler, seconded by Gail Chapman to approve the minutes from the December 21, 2015 meeting. Motion carried, 4-0.

Public Comment (3 minutes each): None.

## **Public Hearings**

Petition for Bonnie Sesolak for a **change of zoning** district from Business to R3 Rural Residential on a parcel of land located at 11247 Emerson Rd, Tomah WI, in part of the NE1/4 of the NE1/4, Section 29, T18N, R1W, in the Town of LaGrange, Lot 1 of 13CSM109 Doc # 488081. Reason for change is selling property and it needs to be zoned residential only in the event of a rebuild.

Bonnie was present to address the reason for rezoning. She is currently selling her property and during the process was informed by the buyer's lender that they wanted it to be changed from business to residential in the event they would need to rebuild.

Paul Steele read an email from the Town of LaGrange stating that they had no objections and approved the change of zoning from Business to Rural Residential.

Discussion was held.

A **Motion** was made by Cedric Schnitzler, seconded by Douglas Path to approve the change of zoning for 11247 Emerson Rd, Tomah from Business to R-3 Rural Residential. The resolution will be forwarded to the County Board on January 27, 2016. Motion carried, 4-0.

Application for a **conditional use permit** for Robert & Melva Harkness and Diane Schreck for a small business-state licensed family day care on property located on 23655 Flute Ave, in part of the NW1/4, of the SE1/4, Section 32, T18N, R1W, Town of La Grange, Tax Parcel ID# 020-01250-2500 & #020-01250-2000, 0.92 acres total.

Diane was present and addressed the Committee and public. She stated that she is purchasing the property from Robert & Melva Harkness and would like to relocate her current business to this property. She currently runs a Family Daycare business at 619 Kilbourn and has her state licenses.

Paul Steele read an email from the Town of LaGrange stating that they had no objections and approved the conditional use permit.

Discussion was held:

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**A Motion** was made by Cedric Schnitzler, seconded by Gail Chapman to approve the conditional use permit for a small business-state licensed family day care at 23655 Flute Ave, Town of LaGrange. Motion carried, 4-0.

Application for a **conditional use permit** for Kelly Geisser for a Dog Breeding Kennel, on property located at 6030 Hamlet Ave, in part of the SE ¼ of NE ¼, Sec. 20, T17N, R4W, in the Town of Sparta, tax ID # 040-00558-0001, 5.0 acres.

Kelly was present and addressed the Committee and public explaining her proposal. She would like to have a Dog Breeding Kennel with 8 runs. Her husband explained that he is building a 14 x 24 pre-manufactured shed to house the dogs and will also be putting up a privacy fence.

Pat Jenkins-a neighbor in the area spoke on behalf of Mrs. Geisser and had no problems or issues with the proposal.

Kevin Raymer, Town of Sparta Supervisor, was present from the Town of Sparta. He stated the Town was in favor of approving the application however they had a suggested condition.

- 1) They could not have more than three individual noise complaints within a year.
- 2) If there were more than three complaints than it would be revisited and possible revoked.
- 3) The complaints would have to be documented by either a human officer or law enforcement.

Kelly also addressed the committee and public and stated she was told that the complaints had to come from the local community, neighbors, etc. not people passing by or from other town municipalities.

Discussion was held.

**A Motion** was made by Gail Chapman, seconded by Douglas Path to approve the conditional use permit for a Dog breeding kennel in the town of Sparta with the following conditions: If three written and signed noise complaints are documented from separate local residents within a consecutive 12 month time period then the permit would be revisited and possibly revoked. The complaints need to be investigated by either a humane officer or another law enforcement agency. Motion carried, 4-0.

Petition for Shelly Muller for a **change of zoning district**, from GA-General Agriculture to B-Business on part of a parcel of land located at 7352 Jackpot Avenue, Sparta, WI.

Jeff Laumer addressed the committee and public on behalf of Shelly Muller since he is the one who will be running the vehicle repair business at the current address. Currently the property is zoned GA-general agriculture and needs to be rezoned to B-Business. Jeff explained what type of repairs he has been doing for the past year and was not aware that he needed property to be zoned as business. He is here today to make things right and get the proper zoning necessary to run his business.

Greg Selbrede-Chairman from the Town of Leon was present on behalf of the Town. The Town had voted unanimously against the zoning request. Greg explained the reason why it was denied was due to the plot plan that was given to them, spot zoning, 2 small areas on the existing parcel is what they denied. Splitting the 1.7 acres, 0.23 for business and to keep the rest of the property as GA. The town did not feel this was appropriate.

Paul Steele opened the floor for discussion for or against:

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**Neighbors that were present and spoke against the rezoning:**

Tom & Susan Doyle  
Linda and Claude Nevin  
Charles and Lynette Steyer

Issues that were discussed:

Concerned about the noise level, working late hours and working outside of the building, the larger vehicles (military trucks from Fort McCoy) do not fit into his workshop. These heavy vehicles are damaging the roads traveling up and down their quiet neighborhood. Waste materials: where is it going when he is working outside of his shop? Concerned about the run off of the fluids where it is going and how the ground might get contaminated and the effect it will have on their wells. They have all been living in their community for 20-30 plus years and do not want to have a business in their quiet residential neighborhood. They enjoy the quietness they currently have hearing the nature of birds, wildlife, etc. and the quietness they have. They feel this will all be jeopardized with this business of noisy trucks and equipment. They did not build there to have all these values taken away from them. They also have concerns about the values of their homes in the event of reselling.

Jeff readdressed everyone again on comments that were made. He admitted that he cannot fit the larger vehicles in his shop but stated he agrees that there is a concern with the waste materials and does have containers for the waste materials when working with these vehicles. He understands that these old military vehicles are going to have issues with oil spill, etc and is prepared when working on them. He also stated that he has younger children and does not work late hours. He stated that in the beginning his neighbors had all welcomed him and knew about the business and were excited about it. Nevins are probably the closest to his property but no one else should have an issue regarding the noise level. He has one other neighbor that is just right next to him (Andreas DeGraaf) and had no complaints from them. He currently does not do heavy repairs in this shop. He does not have the space for doing heavy transmissions, or changing engines. He basically is doing light repairs.

Discussion was held.

Committee member had addressed Greg Selbrede if the Town was looking for something specific from the zoning committee. Greg made the comment that the reason the Town denied was due to the spot zoning of the property. Greg also asked Alison if she would explain the process why this particular property had to be rezoned before applying for a Conditional Use permit.

Alison explained that some businesses are allowed in the General Agricultural zoning district as a conditional use however vehicular service is not. It is a conditional use permit in the Business zoning district not in General Agriculture. So in this case, due to the type of business, the property needed to be zoned to Business first and then apply for the conditional use permit.

**A Motion** was made by Douglas Path, seconded by Paul Steele to postpone the public hearing and reschedule for next month after the Town of Leon would have further discussion. Motion failed due to tie vote, 2yes-2no (Gail Chapman and Cedric Schnitzler).

**A Motion** was made by Cedric Schnitzler, and seconded by Gail Chapman to deny the application for change of zoning. Motion failed due to tie vote, 2yes-2no (Douglas Path and Paul Steele)

Discussion was held.

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**A Motion** was made by Douglas Path, seconded by Paul Steele to amend the request for change of zoning boundary to include the entire parcel, to send back to the Town of Leon for review with the changed boundary and to postpone the public hearing until February 15, 2016. Motion carried, 3-1(Cedric Schnitzler).

Application for a **conditional use permit** for Roslyn R. LeMoine and Cloud 1 LLC/Ken Franzen for placement of a 300' guyed wire cell tower on property located at 4060 Jackpot Ave. in part of the SW ¼ of SW ¼, Sec. 31, T17N, R4W, in the Town of Sparta, tax ID # 040-01025-0000 on 14.0 acres.

Ken Franzen was present to explain the proposal. He is looking at putting up a 300 ft. guyed tower on the property owned by Rosely LeMoine, 4060 Jackpot Ave, Town of Sparta. The primary use of this tower will be to provide wireless internet to the surrounding area. It will be designed to accommodate 4 other antenna for future collocations. They would use the existing driveway that leads to the back of her property.

Kevin Raymer, Town of Sparta Supervisor, spoke on behalf of the Town of Sparta. The Town is not against the proposal.

Discussion was held.

**A Motion** was made by Cedric Schnitzler, seconded by Douglas Path to approve the conditional use permit for a wireless cell tower at 4060 Jackpot Ave, Town of Sparta. Motion carried, 4-0.

**Dog Control:**

No new discussion.

**Sanitation & Zoning:**

New Employee update, Land Information Officer.

Welcome to Jeremiah Erickson who will be joining us in the Sanitation/Zoning/Planning department as the new Land Information Officer. Jeremy has transferred in to this position from the Real Property Lister and is currently training his replacement. He will join us within the coming week.

New truck bids in Feb.

Alison has sent out a request for bids on 2 new trucks to replace the current 1998 and 2001 trucks that the Sanitation and Zoning Department have. Bids are due February 5<sup>th</sup>, 2016 by 4:00pm and will be opened publicly February 8<sup>th</sup>, 2016 at 9am.

Resolutions for amendments to the Shoreland and Floodplain ordinances will be discussed at the Feb meeting with public hearings to be scheduled for March. The Resolution for Rural Addressing Ordinance changes will be discussed in Feb. and do not require a public hearing. All resolutions will need to be forwarded to the Full County Board for final approval.

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**FINANCIAL REPORT - VOUCHERS - INTER-DEPARTMENTAL TRANSFERS – CREDIT CARD EXPENDITURES – LINE ITEM TRANSFERS – BUDGET ADJUSTMENTS**

<b>Department Vouchers</b>		<b>Prepaid Vouchers</b>		<b>Interdepartmental Transfers</b>		<b>Credit Card Voucher</b>	
Sanitation	506.09	Sanitation	0	Sanitation	33.79	Sanitation	
Zoning	555.77	Zoning	0	Zoning	0	Zoning	75.42
Dog Control BOA	1413.34		0	Dog Control	0	Dog Control	748.32
<b>Total</b>	<b>2475.20</b>	<b>Total</b>	<b>0</b>		<b>33.79</b>	<b>Total</b>	<b>823.74</b>

Vouchers were reviewed by committee.

**Set Date for Next Meeting and Possible Agenda Items.**

The next regular meeting will be on Monday, February 15, 2016 and will be at 6:00 pm at the Rolling Hills Auditorium.

Some agenda items for next month are a change of zoning, conditional use permit, rescheduled change of zoning and review of a preliminary plat.

**A Motion** to adjourn was made by Cedric Schnitzler, seconded by Gail Chapman. Motion carried 4-0.

Meeting adjourned at 7:55 p.m.

*Recorded by Gretchen Jilek*