

November 21, 2016

Sanitation/Planning & Zoning/Dog Control

Meeting called to order at 6:03 p.m., by Chairman, Doug Path

Present: Doug Path, Paul Steele, Cedric Schnitzler, Rod Sherwood and Dan Olson.

Also Present: Alison Elliott-Sanitation, Zoning, and Dog Control Administrator.

Possible Corrections and Approval of October 17, 2016 Meeting Minutes.

A **Motion** was made by Paul Steele and seconded by Douglas Path to approve the minutes from the October 17, 2016 meeting. Motion carried, 5-0.

Public Comment (3 minutes each): No comments

Public Hearings

Application of **Steven Cruz** for a conditional use permit for a salvage yard-auto on property located at 1357 Admiral Rd, in part of the SW 1/4, NW 1/4, Section 3, T19N, R4W, in the Town of Little Falls, parcel number 026-00048-5000, 20 acres. The adjoining land use is agriculture and woodlands.

Steve Cruz was present to explain his reason for applying for a conditional use permit. He stated that he was notified by Alison that he can only have two unlicensed vehicles stored outside. He is here to get a conditional use permit so that he can have more than two unlicensed vehicles. He stated he has no intention of starting an auto salvage yard. He primarily likes to restore classic cars as a hobby only with his children. He currently has all of his vehicles moved behind his garage. Parts are stored outside but are behind his garage. He has also put in a fence to help with the privacy and site of the vehicles.

Alison received a letter from the Town of Little Falls in response to the application submitted by Steve Cruz for a conditional use permit. The town board is submitting a favorable recommendation regarding this application with the following stipulations.

- 1) No retail Sales.
- 2) The maximum number of non-registered vehicles not in a building to be limited to fifteen.
- 3) No donations to increase the number of vehicles will be accepted.
- 4) Vehicle sight line will not be visible from the roads.
- 5) The town reserves the right to inspect with the owner the area outlined on the conditional use permit application map.
- 6) If granted, the conditional use permit will be reviewed for renewal by the town board 5 years from the date of issuance.

Alison read an opinion from the Monroe County Corporation Counsel stating that the requested condition number 6 could not be legally placed on this type of conditional use permit.

Nancy Van Dalsem, Little Falls planning Commission member was in the zoning office on November 16, 2016. She wanted to share a concern that she hadn't thought of at the Town meeting. It was her understanding that if Mr. Cruz was not selling vehicles or parts that he would not need a salvage yard license from the state and if not would he also be exempt for the DNR requirements for runoff from a salvage yard. She brought this up because she is concerned about contamination of the spring fed pond on his property and the outlet stream that flows onto the neighbors.

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Mr. Cruz explained that he stores all his waste materials in 55 gallon drum contains and takes them to a waste facility where they are disposed of.

Mr. Cruz asked if the limit of 15 vehicles included trailers, ATV's, tractors, lawn mowers, etc. that are stored on the property.

Alison explained that if these are items being used for personal use they are not included in the 15 vehicle limit. However, having numerous unused lawn mowers, ATV's, etc would be considered salvageable materials and would not be acceptable as the permit is worded for autos.

Discussion was held:

A **Motion** was made by Paul Steele, and seconded by Rodney Sherwood to approve the Conditional Use Permit for a salvage yard on property located at 1357 Admiral Rd, Town of Little Falls with the following conditions.

- 1) No retail sales.
- 2) The maximum number of non-registered vehicles not in a building to be limited to fifteen.
- 3) No donations to increase the number of vehicles will be accepted.
- 4) Vehicle sight line will not be visible from the roads.

Motion carried: 5-0.

Application of Atlee A. Yoder for a conditional use permit for a small business/firewood bundling, on property located 27454 Kiln Ave, in part of the NE ¼ of NW ¼, Sec. 13, T16N, R1W, in the Town of Wilton, tax ID # 048-00262-0000, 40 acres. The adjoining land use is primarily agriculture.

Mr. Yoder was not present for the meeting. Alison stated he would like to apply for a conditional use permit for starting a small business selling firewood bundling to local business such as Kwik Trip.

The Town of Wilton Board approved the issuance of a conditional use permit to Atlee A. Yoder for a small business/firewood bundling with the understanding that Mr. Yoder is in full compliance with all county regulations and zoning codes. Alison stated that Mr. Yoder is in compliance with all zoning codes at this time.

Discussion was held:

A **Motion** was made Rodney Sherwood, seconded by Dan Olson, to approve the Conditional Use Permit for a small business/firewood bundling on property located at 27454 Kiln Ave, Town of Wilton. Motion carried, 5-0.

Application of Lois Leaird and Richard Huber for a conditional use permit for a small business/wood working, on property located at 18184 Iceland Rd, in part of the NW ¼ of NW ¼, Sec. 34, T17N, R4W, in the Town of Sparta, tax ID # 040-01149-3600, 2.83 acres. The adjoining land use is primarily residential.

(Received a phone call on 10-20-2016, Leaird/Huber will be postponed until December meeting due to Town meeting scheduling).

A **Motion** was made by Paule Steel, seconded by Rodney Sherwood to postpone the public hearing for the Conditional Use Permit for Lois Leaird and Richard Huber until the next meeting which will be held Monday, December 19, 2016. Motion carried: 5-0.

Application for Thomas Gerke for a conditional use permit for a small business-transportation company on property located at 21102 Kettle Rd, Norwalk, WI, in part of the SE1/4, of the SW1/4, Section 7, T16N, R1W, in the Town of Wilton, Tax Parcel ID# 048-00143-0001 & 048-00143-0002. The adjoining land use is agricultural.

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Mr. Gerke was present to address the committee regarding his application for conditional use permit to run his small business-transportation company. Conditional Use Permit application was postponed from last month's meeting due to questions that could not be answered regarding the use of the roads traveled for the business. Mr. Gerke explained that he currently has 7 trucks and has no concerns complying with the county and local road weight restrictions. He explained that many of the trucks coming in are mostly empty. They would like to be able to utilize the shop located at 21102 Kettle Road for repair, which will mostly occurs on the weekends.

The Wilton Town Board had approved the issuance of the permit with conditions that Mr. Gerke haul up to 40 tons from Kelp Ave to his driveway located at 21102 Kettle Rd. Currently Kettle road is banned as a 10 ton road. Mr. Gerke is required to follow seasonal road bans according to the county standards on the town roads as well. They requested that he will not haul going south down Kettle Road from his driveway. Town of Wilton did call the Town of Ridgeville to get feedback on their concerns regarding the road conditions and they were in agreement with their conditions.

Discussion was held:

A **Motion** was made by Cedric Schnitzler and seconded by Rodney Sherwood to approve the Conditional Use Permit to operate a small business-transportation company on property located at 21102 Kettle Rd, Town of Wilton with the following conditions:

- 1) No more than 40 ton limit-Kelp Ave to driveway on 21102 Kettle. .
- 2) Comply with seasonal weight restrictions/bands, and can only go as far as the driveway on property on Kettle Rd.
- 3) No entrance or exit going south on Kettle Road.

Motion carried: 5-0.

Application of Shelly Muller and Jeff Laumer for a conditional use permit to operate a vehicular service business on property located at 7352 Jackpot Ave, in part of the NE1/4, of the NW1/4, Section 3, T16N, R4W, in the Town of Leon, Tax Parcel ID# 022-00070-2500. The adjoining land use is residential.

Charles Betthausser, attorney was present to represent Shelly Muller and Jeff Laumer, who were also present. Mr. Betthausser addressed the Committee showing a diagram of where Jeff would be working on the vehicles. Mr. Betthausser had asked the couple to try and work with their neighbors and find out what some of their main concerns are to help resolve this situation. Some of the main concerns included:

- a) Increase of traffic, traffic going back and forth on the road.
- b) The maintenance of that road due to the heavy traffic and weight of the vehicles, large vehicles-Humvee military truck, 26,000 lbs.
- c) The noise of working on military vehicles as they are very loud.
- d) Containing of the hazardous waste. Should have a hold tank for these hazard materials.
- e) Currently materials are draining into one of the neighbor's yards and going into the ground.

Mr. Betthausser informed the Committee that Jeff does mechanical work only. He does not paint vehicles. The materials that are draining currently into the ground are not hazardous materials. Mr. Betthausser called the DNR regarding a holding tank being installed and having them come out to inspect it. The DNR informed him that it is not necessary to have an inspection but they would come out and inspect if requested.

Jeff stated he does work inside and outside of his shop. He does not have more than 7 licensed vehicles at one given time. He only has room for two vehicles inside the shop due to space. He stated that he works on both regular vehicles and military vehicles such as Humvee's about 50/50. This is not is regular job. He works full time at Fort McCoy. He works evenings and weekends and is basically done at night by 8:30-900.

Discussion was open to the public: The following people spoke with the following concerns: Tom and Sue Doyle, Cathy Malzacher, and Robert Nichols Jr.

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- 1) Waste water materials, oil, etc. Concerned about the health and safety of the neighborhood and community. There has been waste draining into one of the neighbor's yards.
- 2) Traffic coming and going all day long and sometimes late evening hours.
- 3) Noise level. Work has been done on weekends and holiday weekends and is very noisy, large military vehicles are a big concern.
- 4) Semi-trucks, UPS trucks coming and going with supplies and the damage to their road.
- 5) Value of their homes.
- 6) Hours of service.

Mr. Betthausen mentioned that Shelly and Jeff had recently put in \$5000 worth of trees for a sound barrier and privacy for the business.

Discussion was held:

A **Motion** was made by Rodney Sherwood, seconded by Paul Steele to approve the conditional use permit to operate a vehicular service on property located at 7352 Jackpot Ave, Town of Leon with the following conditions:

1. A holding tank shall be installed for the drain in the existing shed where the vehicular service is being performed.
2. The Department of Natural Resources will perform an inspection on the facility.
3. No work involving loud noises will be done from the hours of 8:30 p.m. to 8:00 a.m. This includes transporting or driving military vehicles down the driveway, running engines and using air tools.
4. No work involving loud noises will be done on legal holidays to include Christmas Eve. This includes transporting or driving military vehicles down the driveway, running engines and using air tools.

Motion carried: 5-0.

Dog Control:

Replace fencing for play yards: Further discussion will be held at the December meeting. Amber informed Alison that they may have found someone to install the fencing if the county is willing to pay for the materials.

Lobby/Office addition: Alison spoke with Jack Dittmar from the Highway department to make sure the area of the addition would not interfere with their access to stock piles. Jack informed Alison that there was no concern with access but to keep in mind was when snow is plowed the area to each side of the addition will not be done with the trucks and would need to be shoveled. This was ok with the shelter staff, they would be willing to remove the snow. Further discussion will be held at the December committee meeting.

Renew restricted animal permit for Kevin Huff **Wolf-Hybrid Foster Facility Resolution**

Discussion was held regarding the yearly renewal process for restricted animal permit for Kevin Huff as well as Kevin's facility being used to foster Wolf-Hybrids.

A **motion** was made by Paul Steel, seconded by Doug Path to renew the restricted animal permit for Kevin Huff. Motion carried: 5-0

A **motion** was made by Paul Steele, seconded by Rodney Sherwood to approve the resolution for a Wolf-Hybrid foster facility provided by Kevin Huff-. Motion carried: 5-0.

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Sanitation & Zoning:

Proposed amendments to Ch 47- Town veto of CUP.

Alison spoke with Andy Kaftan regarding the ordinances regarding the proposed amendments to Chapter 47, Town veto of CUP. There are still some issues that need to be looked into and Andy will get back to Alison. There were several Town Chairman present for discussion regarding the issue.

Discussion was held:

Further discussion will be held at another time.

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

Department Vouchers		Prepaid Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	1318.27	Sanitation	0	Sanitation	117.41	Sanitation	9.44
Zoning	107.34	Zoning	0	Zoning		Zoning	197.40
Dog Control BOA	1522.13 27.17		0	Dog Control		Dog Control	367.28
Total	2974.91	Total	0		117.41	Total	574.12

Vouchers were reviewed by Committee.

Discussion was held:

Set Date for Next Meeting and Possible Agenda Items.

The next regular meeting will be on Monday, December 19, 2016 and will be at 6:00 pm at the Rolling Hills Auditorium.

There are currently two conditional use permits for the month of December.

A **motion** to adjourn was made by Cedric Schnitzler seconded by Dan Olson. Motion carried, 5-0.

Meeting adjourned at 8:30 p.m.

Recorded by Gretchen Jilek