

1-17-2022

Sanitation/Planning & Zoning/Dog Control

Meeting called to order at 6:02 P.M. by Alan McCoy.

Present: Cedric Schnitzler, Alan McCoy, Jim Kuhn, Ron Luethe and Mary Cook

Also Present: Lisa Aldinger Hamblin, Corporation Counsel. Alison Elliott-Sanitation, Zoning, Dog Control Administrator, and Jeff Leis-on-call-Humane Officer.

Possible Corrections and Approval of December 20, 2021 Meeting Minutes.

A **motion** was made by Ron Luethe, seconded by Mary Cook to approve the minutes from the December 20, 2021 meeting. Motion carried: 5-0.

Conditional Use Permit:

Tracy Schaitel for a conditional use permit for a small business for a Dog Daycare on property located at 8175 Idol Ave, in part of the SW 1/4, SW 1/4, Section 35, T17N, R4W, Town of Sparta, parcel number 040-01194-3000, 1.79 acres. The adjoining land use agriculture & residential.

Tracy was present and submitted a handout to the Committee members. Tracy stated she is estimating a 30' x 40' shed. To be built on the east side of the property. She stated proposed hours of operation would be from 6:30 a.m. to 6:00 p.m. She is planning on having 10 full-time dogs/day with spots for 5 part-time dogs per week. So there could be a total of 15 dogs on site at any time. She is also planning on having a fenced in area on the back side of the building for outdoor exercise.

The Committee stated they would like to see a business plan including the specific building site with setbacks and dimensions for the building, fencing location, hours of operation, number of dogs, how proof of the dog's vaccinations/licensing would be kept.

Discussion was held:

A **motion** was made by Jim Kuhn, seconded by Ron Luethe to postpone the application of Tracy Schaitel for conditional use permit for the purpose of a Dog Daycare on property 8175 Idol Ave, Town of Sparta until February 21, 2022 to give Tracy more time to bring back the information requested by the Committee. Motion carried: 4 yes-1 no (Cedric Schnitzler).

Kyle Schmitz for a conditional use permit for a Sporting Clay Course/Trap and Skeet Shoot located at 12833 County Hwy XX, Norwalk, WI, in part of the E ½, Section 28, T16N, R3W, in the Town of Wells, 200 acres. The adjoining land use is woodland and agriculture.

The Committee has reviewed materials presented from the applicant and the public at the December 21, 2021 public hearing. The Committee considered applicable Wis. State Statute (59.69(5e)) Conditional Use Permits. The Committee also considered the recommendation of the Town Board from their October 14, 2021 meeting. The Committee pointed out the purpose and intent of the zoning code as stated in Sec. 47-2 and 3 of the Monroe County Code of Ordinances is in part to prevent and control water pollution, protect property values and implement the County's general plan. One of the goals of the County's Comprehensive Plan under the land use element is to limit potential land use conflicts.

The Committee had a question regarding the County's Liability for potential injuries resulting from a use they issued a permit for. Corporation Counsel Lisa Aldinger Hamblin responded that State case law and statute address that the County has immunity from legal action when acting under legislative authority or in a judicial or quasi-judicial role. The action taken by the Committee would be of such a nature, however, that would not prevent legal action from being brought.

A **motion** was made by Ron Luethe, seconded by Mary Cook to deny the conditional use permit application for Kyle Schmitz for a Sporting Clay Course/Trap and Skeet Shoot located at 12833 County Hwy XX, Norwalk, WI Town of Well. Motion carried: 5-0.

In summary, reasons for denial of the application are as follows:

- 1) At the Town of Wells October 14th, 2021 board meeting it was unanimously decided to not recommend the approval of the permit as written based on:
 - a) Use does not comply with the Town of Wells Comprehensive Plan
 - b) Safety concerns of the town board and community
 - c) Devaluation of the neighboring properties
 - d) Environmental issues
- 2) Location of shooting range. According to Brenda Von Rueden, DNR Shooting Range Program Manager, this site is not suited for its intended use due to steepness of slope, drainage into waterways and wet areas, and difficulty to clean up steel shot and other debris in this terrain (wooded slopes). Reference was made to best management practices for lead outdoor shooting ranges.
- 3) Maps of the site indicate slopes, drainage lines, and floodplain. Water will runoff these steep slopes into the tributary to the Little La Crosse River (trout stream) and beyond.
- 4) US EPA 1971 Clean Water Act includes non-toxic shot, such as steel shot to be a pollutant. There is a very high risk of steel shot and other debris getting into the river system.
- 5) Property values. Federal Housing Administration (FHA) and Department of Housing and Urban Development (HUD) reports state a 6 to 10% decrease in property values due to neighboring uses including gun ranges. Committee received eight (8) letters from realtors stating that property values will decrease because of shooting ranges.
- 6) Enforceability. From the County's perspective it would be very difficult if not impossible to enforce conditions set forth for this intended use especially considering the environmental conditions of slope, stream, and wetland impacts at this site. There is also the risk of liability to the County if environmental impacts are found.

Office relocation:

Nothing new to report at this time.

Sanitation & Zoning

FEMA Floodplain Mitigation Grant –Nothing this month. Presentation next month.
DNR municipal flood control grant-Nothing this month. Presentation next month.

1-17-2022

Zoning Fee Amendments – Committee was presented with a history of the current fee schedule. Discussion was held.

Chapter 47 amendments Alison went over proposed changes and additions to the Zoning Code. A letter will be sent with these proposed changes to the Zoned Towns inviting comment. Committee will discuss comments at the February meeting.

Chapter 50 amendments-Nothing at this time.

Dog Control

Town of Wilton Dog Resolution

Becky Pitel, Town of Wilton Clerk and Dawn Pingel, Town of Wilton Treasurer were present.

Chapter 5 amendments, Nothing at this time. Alison reported Corporation Counsel is working on wording to amend the way a viscous dog determination is appealed. Once wording is drafted it will be brought before the Committee for discussion.

Financial Report

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

Discussion was held.

December 2021

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	1736.79	Sanitation		Sanitation Credit	116.00
Zoning	344.18	Zoning		Zoning	147.10
Dog Control BOA	989.78	Dog Control		Dog Control	484.91
Total	3,070.75				748.01

Set Date for Next Meeting and Possible Agenda Items.

The next meeting will be held Monday, February 21, 2022 and will start at 6:00 pm at the at the Monroe County Justice Center Monroe County Board Assembly Room 1st Floor - Room #1200, 112 South Court Street, Sparta, WI 54656.

Agenda items: (1) CUP-Town of Wilton, discussion of CUP application for Tracy Schaitel.

A **motion** to adjourn was made by Cedric Schnitzler, seconded by Ron Lueth. Motion carried:5-0.

Meeting adjourned at 7:40.

Recorded by Cassie Cunnitz

Submitted by Alison Elliott