

10-16-2023

Sanitation/Planning & Zoning/Dog Control

Meeting called to order at 6:00 p.m. by James Kuhn in the Monroe County Board Assembly Room 1st Floor - Room #1200, 112 South Court Street.

Present: James Kuhn, Cedric Schnitzler, Todd Sparks, Mary Cook, and Zach Zebell.

Also Present: Alison Elliott-Sanitation, Zoning, Dog Control Director

Possible Corrections and Approval of August 21, 2023 Meeting Minutes. (September meeting was cancelled)

A **motion** was made by Todd Sparks, seconded by Cedric Schnitzler, to amend minutes to make a correction on page one. Motion carried 5-0.

A **motion** was made by Zach Zebell, seconded by Todd Sparks, to amend minutes to make a correction on page four. Motion carried 5-0.

A **motion** was made by Todd Sparks, seconded by Zach Zebell, to approve the minutes as amended from the August 21, 2023 meeting. Motion carried: 5-0.

Continuance of Committee Discussion/Decision on the application of Steve Waldner for a conditional use permit for a small business for sorting on property located at 8877 Ellsworth Rd in part of the SW ¼, SE ¼, Section 8, T18N, R1W, 3.05 acres in the Town of LaGrange, Tax Parcel ID# 020-00198-0000. The adjoining land use is agriculture.

A **motion** was made by Mary Cook, seconded by Zach Zebell, to put this discussion back on the floor. Motion carried: 5-0.

Corporation Council, Kerry Sullivan-Flock was present. She reminded the Committee that their vote must be based on substantial evidence and language must be very clear. Kerry brought up points for the Committee to consider, including environmental concerns, needing a better definition of “clean metal sorting”, and a more clear definition of “equipment”.

Zach Zebell stated he received a lot of phone calls from community members who were opposed. He also does not feel that industrial should be allowed in upcoming residential.

Todd Sparks stated he received a lot of phone calls from community members who were against this CUP. Todd said Mr. Waldner has not complied with the items the DNR asked for, nothing has been filed with the state, and he has been up and running this business for a year without any permits.

Discussion held.

Alison stated that if it gets denied, Steve Waldner can appeal it to the Zoning Board of Adjustments.

A **motion** was made by Zach Zebell, seconded by Todd Sparks, to deny the application of Steve Waldner for a conditional use permit for a small business for sorting on property located at 8877 Ellsworth Rd., Town of LaGrange. Motion carried 5-0.

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

- 1) The proposed use is inconsistent with surrounding land uses in the area.
- 2) Concern regarding the applicant’s failure to follow State and Local regulations. This business was established and has already been in operation on this site without any permits.
- 3) Concern regarding the potential environmental impact of air and water pollution from materials on the site.
- 4) The proposed use of an industrial type business is inconsistent with the County’s and Town’s Comprehensive plan which designates residential use for this area.

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Public Hearings:

Application of Joe M. Yoder for a **conditional use permit** for a small business-engine repair, at 18985 Iowa Rd Tomah, WI in part of the SW ¼, SE ¼, Section 33, T17N, R1W, Town of Tomah, parcel number 042-00835-0000, 46.5 acre parcel. The adjoining land use is agriculture and residential.

Joe Yoder was present. He stated he has been in business since 2013 in the Town of Wilton. He has now moved to the Town of Tomah and would like to move his business as well. He had a CUP for his previous site but it does not move with him.

Alison stated that she received an e-mail from the Town of Tomah stating they recommended approval.

Discussion was held:

A **motion** was made by Zach Zebell, seconded by Mary Cook to approve the application for Joe M. Yoder for a conditional use permit for a small business-engine repair auto repair shop with the conditions that the permit would be non-transferable to another owner at 18985 Iowa Rd. Tomah, WI. Motion carried: 5-0.

Application of James & Lisa Stoikes /Chad Morgan-The Towers, LLC, for a **conditional use permit** to install a new 355' guyed cell tower, on property located on Levi Ave, Norwalk, WI in part of the NE 1/4, SE 1/4, Section 34, T16N, R2W, in the Town of Ridgeville, parcel number 034-00742-5000, 31.160 acres. The adjoining land use is residential, woodlands and agriculture.

Chad Morgan was present. He stated that the tower area would have a fence around it. The proposed tower design and siting would be in compliance with Federal and State regulations. A lease has been signed with the property owners, James & Lisa Stoikes.

Alison stated she received a letter from the Town of Ridgeville stating they did not have any community members present at their meeting to object. The Town recommended approval.

Justin & Karen Long, neighboring property owners, were present. They expressed concerns regarding the loss of property value since the tower would be right in front of their house, visible from their living room. They were also concerned about health effects and the flashing lights on the tower.

Chad Morgan stated that the tower would be approximately 800-1000 feet from the Long's residence, around 400 feet from their property line. The lights would be located mid tower and at the top. There are approximately 30 flashes per minute.

Mary Cook asked if the tower could be moved so it was not right in front of the neighbor's living room windows. Chad Morgan stated the location was chosen to be able to meet the setback requirement to the streams running through the property.

Todd Sparks and Cedric Schnizler stated they each have towers right by their houses.

Todd Sparks asked Chad Morgan questions about the Vertical Bridge Company. Committee discussed concerns regarding safety.

Discussion held.

A **motion** was made by Zach Zebell, seconded by Cedric Schnitzler, to approve the application for James & Lisa Stoikes/Chad Morgan-The Towers, LLC for a **conditional use permit** to install a new 355' guyed cell tower on property located on Levi Ave, Norwalk, WI . Motion carried: 3-2. Mary Cook and Todd Sparks voted no.

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A **motion** was made by Zach Zebell, seconded by Mary Cook, to reconsider the Conditional Use Permit. Motion carried: 3-2. Cedric Schnitzler and James Kuhn voted no.

Discussion held.

A **motion** was made by Zach Zebell, seconded by Todd Sparks, to postpone to the next Committee meeting, the Committee discussion and decision to consult with legal counsel on the application of James & Lisa Stoikes/Chad Morgan – The Towers, LLC, for a conditional use permit to install a new 355’ guyed cell tower, on property located on Levi Ave, Norwalk. Motion carried: 5-0.

Petition by Steven Horstman, for a **change of zoning** district from GA-General Agriculture to R3-Rural Residential for a parcel of land on County Hwy BC, Sparta, WI, in the SW 1/4, SE ¼, Sec. 18, T17N, R4W, Town of Sparta, tax parcel #040-00528-2000, 1.699 acres, described as follows:

Lot 4 of Certified Survey Map recorded in Volume 29 CSM Page 140, as Document No. 694742.

Reason for change of zoning is to comply with Town of Sparta requirements for new parcel of this size and the minimum lot dimensions required in the County Zoning Code.

Steven Horstman was present. Alison stated she had not heard anything from the Town of Sparta.

Discussion was held:

A **motion** was made by Cedric Schnitzler, seconded by Zach Zebell, to approve the change of zoning district from GA-General Agriculture to R3-Rural Residential for a parcel of land at County Hwy BC, Sparta, WI. Motion carried: 5-0. Resolution will be forwarded to the County Board for final approval on October 25, 2023.

Application of Clemens Borntreger for a **conditional use permit** for a General Store, at 26326 Hwy 71, Wilton, WI in part of the NE 1/4, SW 1/4, Section 26, T16N, R1W, Town of Wilton, parcel number 048-00535-0000, 21.22 acres. The adjoining land use is residential and agriculture.

Clemens Borntreger was present and explained his proposal to the Committee.

Alison stated she received a letter from the Town of Wilton. The Town recommended approval with the following conditions:

- 1) Stay in compliance with Monroe County
- 2) CUP is nontransferable.
- 3) All signage must be in compliance with State and Local regulations.

A **motion** was made by Mary Cook, seconded by Zach Zebell, to approve the application for Clemens Borntreger, for a conditional use permit for a general supply store with the condition the permit is non-transferable to another owner at at 26326 Hwy 71, Wilton, WI. Motion carried: 5-0.

Resolution to Amend Monroe County Code of Ordinances Chapter 47 - Zoning

- “front” yard setback
- signs
- navigability determination fee

Discussion held.

A **motion** was made by Cedric Schnitzler, seconded by Zach Zebell, to approve resolution to amend Monroe County Code of Ordinances Chapter 47 – Zoning. Motion carried 5-0. This resolution will be forwarded to the full County Board on October 25, 2023 for approval.

FEMA (Federal Emergency Management Agency) Buyout Grant update

Alison stated for grant DR-4402.01 the final close out documents were submitted to FEMA. We are still waiting to hear back from them.

For grant DR-4402.02 FEMA is waiting on corrected deed restrictions. The Town of Portland signed the corrected deed restrictions but the Town of Leon has not yet.

Sanitation & Zoning Dept Questions & Updates

Alison informed the Committee that they hired a new person for the Sanitation/Zoning office. His name is Reece and he is currently going to school in Eau Claire and will graduated in December 2023. He will start fulltime in January 2024, but will be working every Tuesday for the rest of 2023.

Dog Control Dept Questions & Updates

Discussion held.

Financial Report

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

Line item request:

Alison explained that the Confiscated Animals line item in the 2023 Dog Control Budget is over budget by \$1900 as of October. Alison proposes a transfer from donations to cover this shortage.

Discussion was held.

A **motion** was made by Todd Sparks, seconded by Zach Zebell, to approve the request for line item transfer from donations to confiscated animals. Motion carried: 5-0

August

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	608.72	Sanitation		Sanitation Credit	
Zoning	227.91	Zoning		Zoning	182.38
Dog Control	3880.16	Dog Control	42.05	Dog Control LR	890.97 66.00
BOA	1,787.50				
Total	6,504.29		42.05		1139.35

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September

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	1893.58	Sanitation		Sanitation Credit	66.00
Zoning		Zoning		Zoning	143.80
Dog Control BOA	5568.84 55.42	Dog Control		Dog Control LR	479.81
Total	7,517.84				689.61

Set Date for Next Meeting and Possible Agenda Items.

The next meeting will be held Monday, November 20, 2023 and will start at 6:00 pm in 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-James-Oakdale.

A **motion** to adjourn was made by Mary Cook, seconded by Todd Sparks. Motion carried: 5-0.

Meeting adjourned at 7:50 p.m.

Recorded by Cassie Cunitz

The minutes are not official until approved by the Zoning Committee at their next regular meeting.