

12-18-2023

## Sanitation/Planning & Zoning/Dog Control

Meeting called to order at 6:03 p.m. by James Kuhn in the Monroe County Board Assembly Room 1<sup>st</sup> 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 November 20, 2023 Meeting Minutes.

A **motion** was made by Zach Zebell, seconded by Todd Sparks, to approve the minutes from November 20, 2023 with an amendment on page 2, paragraph four under Haley Jewel Quarantine. Motion carried: 5-0.

**New Employee Introduction-Cindy Stierman, Sanitation & Zoning Specialist.** Alison explained to the Committee that Cindy had planned to attend but had a Christmas event for school for her daughter that was scheduled for the same night. Cindy will be introduced at our January 15, 2024 meeting.

### Public Hearings:

Application of PDC Retreat LLC/Jeffrey Banta for a **conditional use permit** for a Small Business-Event Barn, on property located at 17595 Interior Rd, in part of the SW ¼ of SE ¼, Sec.30, T17N, R1W, in the Town of Tomah, tax ID # 042-00766-0000, 22+ acres. The adjoining land use is residential and agriculture.

Kevin Decora was present to speak on behalf of Jeff Banta due to Mr. Banta being in Florida. Mr. Decora watches the property in the absence of Mr. Banta.

Mr. Banta has approximately 54 acres. Approximately two years ago he built several buildings including an indoor horse arena for riding purposes. Mr. Decora stated that the stable has not had the business as anticipated and Mr. Banta would like to pursue a small business-Event Barn in the arena (80 x 200) shed. Mr. Banta's plan was to hold anniversary events, retirement parties, weddings, etc. He wants to keep the limit to no more than 150 people per event. Mr. Banta also wants to limit the number of events to six or less per year to keep under the state guidelines for alcohol licensing. Mr. Banta would be present for the events and in his absence Kevin Decora would be present. He plans to put some type of removable flooring in the arena during events so it can be easily removed when needed for riding horses. Mr. Decora stated that there is plenty of room for parking for these events. He stated that portable restrooms would be brought in for the events as well.

Howard Hanson-Town Chairman of Tomah was present. Mr. Hansen was informed by Mr. Banta that he held a retirement party this past year, which included over 150 vehicles and they still have plenty of room for parking. Mr. Hansen stated he met with the surrounding neighbors and there were no concerns. One of the neighbors he spoke to stated that they contract with a company to spread manure so they have no control over when it would happen. They were concerned that it could possibly disturb an event and wanted Mr. Banta to be aware of this. Mr. Hansen stated that the Town approved the application with the recommendation to include a condition that the permit would be non-transferable to another owner.

Discussion was held:

A **motion** was made by Mary Cook, seconded by Zach Zebell, to approve the application with the condition that the permit would be non-transferable to another owner, of PDC Retreat LLC/Jeffrey Banta for a **conditional use permit** for a Small Business-Event Barn, on property located at 17595 Interior Rd, Town of Tomah. Motion carried: 5-0.

A petition by Philip and Kimberly Greeno, for a **change of zoning** district from R3-Rural Residential to GA-General Agriculture for a parcel of land at 16237 Huckleberry Rd, Camp Douglas, WI, in the NW 1/4, NE ¼, Sec. 23, T17N, R1E, Town of Oakdale, tax parcel # 030-00642-2000, 5.6 acres.

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Philip and Kimberly Greeno were present. Kimberly explained to the Committee that they have lived on the property for six years. They removed all the dead trees and decided to have cattle. They were unaware that their property was zoned residential and did not allow cattle. They have neighbors across the road that are zoned GA-general agriculture that had cattle and just assumed it was ok. Their children show cattle for events and 4H. They have been raising cattle for the past six years. Philip talked about fencing. He stated that cattle do get out from time to time but when the fencing breaks he fixes immediately. He has a total of 11 head of cattle, one is a bull. He mentioned that the cattle reside at another property that he rents during the Spring, Summer and Fall months. The cattle are only at this property during the Winter months.

Ann Arttus, neighboring property, owner spoke. She had mapping of the surrounding neighbors, (other neighbors wanted to come but were unable to attend the meeting). She stated that there are a total of 11 parcels in our area that are all zoned R-3, Rural Residential. She explained that the cattle get out quite frequently and have been damaging the neighbor's properties. There are approximately 3 acres that the cattle are using due to the buildings on the other 2 acres. She talked about the manure, the amount of manure produced in a day, contamination concerns of their water/wells with this amount of cattle on such a small acreage. She stated the neighbors are all concerned about their safety with the bull which has gotten out several occasions in the past. She also stated that there are trees with 10 feet tall root balls still laying all over the property, there is no pasture to speak of. The neighbors all feel that the values of their properties have gone down due to the destruction of the Greeno's property and its use. She asked if this property would be rezoned to GA-General Agriculture what would stop them from adding more cattle to this property.

Alison gave a handout from another neighbor next to the Greeno's, Ben Grilley. Mr. Grilley had some of the same concerns:

- 1) Manure management-never hauls away the manure.
- 2) Ground water. He has had bacteria problems in his well/water twice since he moved in, he feel it's due to the manure sitting everywhere.
- 3) Fencing/containment, cattle have been in his yard numerous times, leaving divots and eating flowers by the house.
- 4) Property value: Everyone living on Huckleberry Rd or nearby on Horizon have suffered significant property value loss. He clear-cut most of the property and brought in several makeshift buildings, and started a forest fire in the process of clearing the land.

Mr. Grilley's email stated he absolutely has nothing against farming, in the right place. However he felt that raising more than one or two beef cattle on 5 acres in the middle of a residential neighborhood should not be permitted, especially without attempting to go through the proper channels first.

The Oakdale Town Board submitted an email which was read by Jim Kuhn. It stated the Town Board discussed the rezoning from Phillip and Kimberly Greeno at a Board meeting. The Town Board voted to deny the petition for change of zoning and for the zoning to remain R3-Rural Residential.

Mr. Greeno informed the Committee that he has been working with the DNR and has gotten permits for burning the tree stumps but he can only burn so many at a time before the permit expires.

Public Hearing was closed and discussion opened to the Committee.

Todd Sparks spoke explaining that he is currently working with strategic planning Committee. He talked about the County's Farmland Preservation Plan and how it is in support of and encourages agriculture. He spoke regarding soils and how manure is good for soils and agriculture.

Alison stated that the Town of Oakdale adopted zoning in 1984, these parcels were designated as R3-Rural Residential at that time. The County's Comprehensive Plan was adopted around 2010 which recommended a housing density of one dwelling per 35 acres in this area.

Discussion was held:

A **motion** was made by Todd Sparks, seconded by Cedric Schnitzler, to approve the petition by Philip and Kimberly Greeno, for a **change of zoning** district from R3-Rural Residential to GA-General Agriculture for a parcel of land at 16237 Huckleberry Rd, Camp Douglas, WI. Town of Oakdale: Motion carried: 3 yes, 2 no (Mary Cook & Jim Kuhn)

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The resolution will be forwarded to full County Board on January 24, 2024 for approval.

**Sanitation & Zoning Dept Questions & Updates**

FEMA (Federal Emergency Management Agency) Buyout Grant update

Alison updated the Committee on the FEMA buyout Grants. Alison stated that FEMA had a problem with the original wording of the Department of Natural Resources (DNR) deed restrictions for three of the properties. FEMA has finally provided their requested changes. The amended deed restrictions were recorded at Register of Deeds and sent to Wisconsin Emergency Management (WEM) on 12-12-2023. WEM will now be able to proceed with the final closeout.

Discussion was held.

**Dog Control Dept Questions & Updates**

We started to sell 2024 Dog licenses as of 12-1-2024. Reminder to get your dog licenses.

January meeting we will be discussing Dog Shelter improvements.

**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 \$2000 as of December. Alison proposes a transfer \$1000 from Conferences/seminars and \$1000 from Mileage to cover this shortage.

Discussion was held.

A **motion** was made by Zach Zebell, seconded by Mary Cook, to approve the request for line item transfer from Conferences/seminars and mileage to confiscated animals in the 2023 Dog Control Budget. Motion carried: 5-0

**Line item transfer:**

Alison explained that there was an additional cost of \$68 to file amended deed restrictions on three of the properties that were purchased and returned to open space using the FEMA buyout grant. The Zoning Dept. line item, Federal Emergency Management Agency for the FEMA buyout grant did not have any monies in it for the 2023 budget as it was anticipated that these grants would be closed out in 2023 with no additional cost. However FEMA required the amendment to the deed restrictions. It is proposed to transfer \$68 from the Zoning Dept Office Supplies line item to the FEMA grant line item to cover this expense. This will be submitted to FEMA for reimbursement as part of the grant expenses.

Discussion was held:

A **motion** was made by Zach Zebell, seconded by Mary Cook, to approve the line item transfer from zoning office supplies to the FEMA grant line item to cover the additional expenses in the 2023 Zoning Dept. budget. Motion carried: 5-0.

Discussion was held.

**November 2023**

Department Vouchers		Interdepartmental Transfers		Credit Card Voucher	
Sanitation	2,001.25	Sanitation		Sanitation Credit	66.00
Zoning	371.70	Zoning		Zoning	95.56

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Dog Control BOA	3,500.08 65.00	Dog Control		Dog Control LR	1,122.13
<b>Total</b>	<b>5,938.03</b>				<b>1,283.69</b>

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

The next meeting will be held Monday, January 15, 2024 and will start at 6:00 pm in the Monroe County Justice Center Monroe County Board Assembly Room 1<sup>st</sup> Floor - Room #1200, 112 South Court Street, Sparta, WI 54656. Agenda items: (1) CUP-Town of Oakdale Fairview-Smart Sand/Oakdale Electric Coop-(Electric Substation)

A **motion** to adjourn was made by Zach Zebell, seconded by Mary Cook. Motion carried: 5-0.  
Meeting adjourned at 7:03 p.m.

*Recorded by Gretchen Jilek*

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