

Proceedings of the Planning and Zoning Committee
Proceedings of the Milton Town Board
March 12, 2018

1. Call to Order

P&Z meeting was called to order by Chair Trescher with a full quorum at 6:30pm.

Town Board was called to order by Chair Meyer at 6:30pm Present were Chair Meyer, Supervisors Stalker, Traynor, and Trescher. Absent was Supervisor Jennings. Also present were Clerk Granger, Treasurer Reif, Chief Kunkel and 15 citizens.

2. Confirmation of Meeting Notices

Meeting notices were posted at Lake House, Town Hall, Town's website, 1st Community Bank and published in the Courier.

3. Pledge of Allegiance

Done

4. Approve Agenda

Motion by Webb, second by Barker to approve the agenda. Motion Carried

Motion by Stalker, second by Trescher to approve the agenda. Motion carried

5. Approve Minutes 2-12-18 (PZ)(TB)

Motion by Barker, second by Rusch to approve the minutes. Motion carried

Motion by Stalker to approve the minutes, with four corrections, second by Trescher. Motion carried

6. Public Hearing Conditional Use Joel Meier/Meier Investments LLC, 3932 Brunswick Ln, Janesville, for a CUP to build a 60x200 foot Pole shed Building. The building will include storage for boats, shop and office space to relocate his existing Marine Business. Location of the property is corner of E Hwy 59 and E Vincent Rd, parcel number 6-13-46.1; 4.11 acres, PT NE ¼, PT SE ¼, certified survey map Vol 33 PG 67 Lot 1, Section 7, in the Town of Milton.

Public hearing Opened

Joel Meier of Meier Investments 3932 Brunswick Ln, Janesville spoke, He would like to move his business to this property. The sale is contingent on CUP being approved. Chair Meyer questioned Meier if he plans on having outdoor lighting, or a lighted sign. Meier stated not at this time. Chair Meyer asked him to consider it as it does need to be stated on the CUP, and now is the time to add this so he will not have to come back to the Board. Chair Meyer feels it is appropriate to discuss now. The activity itself of the business is an allowed use. If there is a charge for storage it will need to be in the CUP. Chair Meyer stated somethings that need to be in the CUP storage, outdoor lighting, Outdoor lighting of signs. Joel Meier stated they are planning on building a Caretakers unit above shop. Chair Meyer stated that a Cup is required as well for that. Activity itself storage-repair and sales of docs, winterizing, appear to be an allowed use. The Outdoor Lighting, Lighting of Signs, Commercial storage, and caretaker living quarters will require a CUP. Babiarz says is already zoned for storage. Off season is already stated, Meyer does not see, storage for profit. This is consistent with what we have done before, off season storage facilities are a permitted use. Going by past practices, to apply request conditional use, apply reasonable request. Chair Trescher stated that it is a public hearing, is there any other questions?

How about the audience, Stacy Babiarz- 2209 E Vincent Rd, he wanted to clarify the storage part, because self-storage wasn't addressed on his CUP, his view point is that is already zoned for off season storage, He interprets off season storage to mean campground has docks of its own, storing their own that they rent out.. My interpretation of what is needed for storage, profit needs cup. Board determine.

Consistent. No questions, state it.

Public hearing Closed.

Meyer offers that the ordinances seems to be consistent commercial recreations, determine if compatible with neighborhood? Supervisor Webb has no problem with it, it is consistent with area, but maybe have fencing as a condition, address lighting, storage, residence and sign. Chair Trescher suggests he might want to define general location of sign, probable location of outdoor lighting pole, where it would be adjacent to the neighbors. Chair Trescher states there is no indication of where the Caretakers area will be. Joel responded it will be on the second story above the office space. Chair Meyer's main concern with this application is to avoid having the property look messy, does not want it to look like a salvage yard. Chair Trescher asked where and how much stuff would be outside. He should maybe get some shrub trees, or a fence to hide and address the outdoor stuff. And to make sure it looks good from the road, advertise and look neat. Meier stated his intention is to have it look good. Chair Trescher stated that they need a more detail drawing to look at where everything is purposed to be. The general census is that Meier should come back with a map with all the things he is looking for on the CUP be included. Stalker stated that we are all familiar with the property and to help him out he needs a distinct list of what he is looking to do with property. Chair Trescher stated there is a minimum square foot required for parking lot. M J Meier gave him a list of what should be addressed on the next CUP. She also stated that the sale of this land is contingent on them being granted the CUP, P&Z stated they are all in agreement that it will pass with the right paperwork, explaining everything. Rusch asked if the caretaker has to be an employee of business, otherwise becomes a rental issue. Jon Webb, Scott Barker and all agree that they need to have all the information in front of them to make a recommendation to the Town Board. Scott Barker stated that no one has any issues, do not see how we can legally give a vote and ok before seeing a site plan. Meyer – one of the difficulties to approve need all information with application. Jon Webb makes recommendation to table the CUP until we have a more complete site plan, Scott Barker seconds the motion. It is in your best interest to not proceed without the right documents. Table till April. Carried TB – no recommendation, no action for TB

7. Review Lot Combination for Stephen Hocking

Lots located 1306 E Road 5, Edgerton, Mallwood estates. Steve Hocking is here, he ran sewer to what was the existing house, used that sewer plenty of grade for it. Lot size is big enough to be buildable, just shy of acre, Chair Meyer stated the reason he is before the Town Board is the County is making sure there is not a conflict. Mr. Hocking will need a final plat, final recording of it. Using local surveyor, Deerfield not as familiar, getting plat signed, signature line, town clerk, rock county signature, county clerk, treasurer or Town Chair. Approval here authorizes signature made. He did go through Rock County for Shore land. All set. Any other question Webb made motion to recommend, second by Rusch to TB to approve carried. TB- motion Traynor second by Stalker to -carried. Chair Meyer explained next steps to Mr. Hocking.

8. Confirm next meeting date 4-9-18. Confirmed.

9. Adjourn P&Z

Jon Webb made a motion to adjourn, second by Barker. P&Z adjourn at 7:13pm

10. Bartender License

Motion by Stalker, second Trescher to approve. Carried

11. Public Hearing petition to be annexed into Koshkonong Sanitary District 1

Paperwork has been started for petition to be annexed, Supervisor Traynor is looking for the Towns approval- Chair Meyer clarified that all physical costs of doing this process will be on Joel Meier. Supervisor Traynor stated the design is for future additions. No cost for town. Supervisor Trescher stated that on the request number 2 – read Town of Milton, and district #1, added to form. Clerk Granger will make the corrections. Motion by Trescher to approve the petition of annexation into Koshkonong Sanitary District number one Town of Milton, for Joel Meier, second Stalker, Stalker aye, Traynor aye Chair Meyer aye. Carried

12. Bonnie Starck applying for Class B and Class C wine License for Great Spirits Pub, 3407 E Blackhawk Dr. Blackhawk Campground

Bonnie Starck 9507 E County Rd N is present –Chair Meyer asked about background check. She was found guilty of a Class C felony, and owes back state sales tax. Chair Meyer believes because of felony and tax issues we cannot approve. Bonnie Starck spoke to her attorney and this was 15 years ago, she wouldn't throw herself under the bus. She was not aware of the tax issue and is working on it. This was brought up to the manager of Blackhawk, but Bonnie wasn't aware of issues. Chair Meyer asked Officer Kunkel if there was a way to get the felony off record, Chief Kunkel stated statute 125 state law does not make a difference. Traynor made a motion to deny, second by Trescher. Carried

13. Consideration of Street lights in Newville Community

A formal request was made about installing street lights intersection of Crestwood and Maple Beach and Crestwood and Superior. Discussion –Chair Meyer noticed a couple of street lights burnt out. Chair Meyer will check with Alliant on approving policy and included in the monthly fee is installation and maintenance of Lights. What is the Boards wishes on lighting? Traynor suggests one light at Crestwood and Maple Beach is needed, Trescher drove by today and agrees. Chair Meyer stated they will use discretion to locate closest to the transformer. His guess is southwest corner has closest transformer, Motion by Traynor approve request of a new street light at Crestwood Dr. and Maple Beach rd., second Trescher. Motion Carried. Chair Meyer will work with Clerk to create email and submit to Alliant. Chair Meyer also stated that a long time ago the Board approved a street light at Hwy 59 and Clear Lake Rd. That never happened- Chair Meyer will follow up with Alliant.

14. Vacation of Lake Street

Chair Meyer advised this is similar to one done just down the block. Attorney Michael S. Oellerich is present on behalf of Joe and Patricia Janowiak. He is here for the introduction of a resolution to vacate a portion of a 20' x 100' public right-of-way between Lot 33 and Lot 34 located north of the northerly right-of-way line of East Koshkonong Drive in Section 6, of the Maple Beach Subdivision #2, in the Town of Milton. Should the Board determine to introduce this resolution, Michael's office will proceed by recording the Lis Pendens and will provide all other notices require by law. Then following a public hearing in May which will be within the 40 day window, the Town Board may officially adopt the resolution. Attorney Michael will put notice in newspaper and will work with the clerk to get notices out. Chair Meyer stated this needed a Class 3 notice, and Attorney Oellerich agreed. He stated the law firm will personally serve the neighbors of notice and introduction on resolution. Nowlan and Mouat

will work with Combs and associates to have all paperwork filed correctly and with the register of Deeds. Chair Meyer talked to Maple Beach, and we have a signed letter from them with their approval. Motion to introduce the resolution as drafted, Motion Trescher to approve, second by Traynor. Motion Carried Meyer read WHEREAS pursuant to § 66.1003(4)(a) of the Wisconsin Statutes, proceedings may be initiated by the Town Board of the Town of Milton by the introduction of a resolution declaring, since the public interest requires it, that a public way is vacated and discontinued; WHEREAS, pursuant to § 66.1003(4)(b) of the Wisconsin Statutes, a hearing on the passage of such resolution shall be held, and notice stating when and where the resolution will be acted upon and stating what public way is proposed to be discontinued shall be properly given;

15. Discussion and Possible action on Charley Bluff

Informal discussion to take place with the Charley Bluff homeowners association and the Town. Andrew Wilkins 11614 N. Lake St, Milton is present. There has always been an informal agreement between the Town of Milton and the Bluff association in regards to the park out in Charley Bluff. Andrew would like to make it a formal one or at least have it in written that the Bluff can use the park and carry the insurance for the park because of the playground equipment. Discussion was had. Chair Meyer suggested to draft a resolution, stating this is what we agree to and allow and the Term of duration of how long it will last and each party give 30,90 day notice to discontinue. The other issue is there is a small section that the County owns. Discussion was had on paperwork Andrew provided from the County, County owns this section because of non-payment of taxes dated in 1965. Recording of deed for property Town of Milton mentioned, county kept it. Supervisor Traynor suggested the Town approach the County to see if they can deed the section over to the Town. Traynor states Rock County Planning and Development can be slow going. The Town will ask to expedite due to failing playground structure. Randy Torres in Administrative office is who to contact. Traynor then suggests that the Bluff Association can at that time make the Town an offer to purchase the land. Discussion on Zoning of this land and others in Charley Bluff. Discussion had about Lake St. This may require a surveyor. Similar to vacate process. Chair Meyer will check with Attorney Moore.

16. Discussion and possible action on recent water damage

An informal Discussion. There was a lot of calls with flooding from rain on frozen ground. Variety of issues, water in basements etc. What will the Town do about future water concerns. The frost went out and some went away. Off Eagle Dr. a new house is being built, lowest point up to 4 feet of water in basement. Neighbor had flooding indirect result, any obligation to private land when flooding occurs is the homeowners. Chair Meyer feels the person who bought lot and building house, the subdivision was approved years ago, and today would not be approved. County would require there to be an out lot. They didn't put restrictions on lot. Serns road was very bad, the worst Supervisor Stalker has seen. This was an Act of God, not flooding due to water levels in lake or rivers etc. Vincent road, Rock County emergency management was in contact with Chair Meyer. The Board advised people to wait a couple of days and the water would go down. They do sympathize with people. Supervisor Traynor received over 200calls. Beth Drew asked if there was any long term damage. Just some heaving of the road, nothing washed out. Some pot holes opened up.

17. Review of setback requirements for Stagecoach

Stagecoach is considering addition to building, checking with Town on setback requirements. What they are doing doesn't further infringe on existing setback, ordinance reads. Good to go. Pursuant to State and local permit, no variances needed.

18. Citizens to heard

None.

19. Bills

No comments or questions. Traynor made motion to approve to pay bills as submitted, second Trescher. Motion carried

20. Treasurer's report

Motion by Traynor to place on file, second by Stalker. Motion carried

21. Building Inspectors report

Submitted, Chair Meyer raised the question of when there is a penalty to the homeowner, who should collect this fee. Either the Town or Building Inspector. Chair Meyer will have a conversation with home office for GEC. In the contract and fee schedule it does not state who should collect penalty. Easy discussion, The Town wants the penalty. Will have Clerk and Treasurer look into where the fee for the past fine went in regards to Longhenrys. Chair Meyer will call Dan first, if he resists, will send invoice. Follow up.

22. Police Department report

Chief Kunkel submitted his report.

23. Chairman's Report

Chair Meyer, Trescher, Drew, Reif and Granger attending training for Board of Review. On Monday March 5th we meet with Towns of Lima and Harmony boards. Mark Schulz was appointed interim Judge. March 5th of this month is effective date. 4 year judge term will be on spring 2019 ballot. Judge will sign up for training in May. Discussion on when to start pay for Judge. The vote to put him in office was effective March 5th. He can be a Judge until training occurs. He was appointed effective immediately. Based on case load different discussion, if he is our judge, he should paid him. Trescher and Traynor agree to pay Mark Schulz starting March 2018.

24. Correspondence

Fire meeting- safety potential road closures for the bridges- clarify no scheduled road closures, 45 day road closure, Discussion on Road Closures. Temporary lane on east side of Hwy project.

Town of Fulton has roads posted as weight limit set. Old kidder property Tall Grass restoration has plans to add more buildings. Discussion.

A lot of calls on water issues and plowing issues. Bayview Court snow plows did some damage.

Towns Association Meeting Thursday March 15 2018

Johns Disposal called to see if residents are happy with current recycling schedule- any complaints.

Notify Johns of Town of Milton Bulk pick up schedule

Jon Bergman Clear Lake Rd called with issues of neighbors and shooting guns, discussion had.

25. Fire commission

Recognize 30yrs for Chris Lukas. Typical business next meeting March 21st 4:00 City hall

26. CKSD

Meeting Wednesday night, Clerk will email John and Lynn with Annexation paperwork.

27. Adjourn

Motion to adjourn by Traynor, second Stalker. Carried and meeting was adjourned at 9:12 pm

Respectfully submitted this 14th day of March, 2018

Marcy Granger, Town Clerk

“Minutes are not official until approved by Town Board and P&Z”