

“Preliminary”
Proceedings of the Planning and Zoning Committee
Proceedings of the Milton Town Board
April 9, 2018

1. **Call to Order (PZ)(TB)**

P&Z meeting was called to order by Chair Trescher at 6:30pm- Present were Jim Hanlon, Charlie Rusch, and Scott Barker. Jon Webb was absent.

Town Board was called to order by Chair Meyer at 6:30pm. Present were Supervisors Stalker, Traynor, and Trescher. Supervisor Jon Jennings was absent. Also present were Clerk Granger, Chief Kunkel and 37 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 (PZ)(TB)**

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

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

Chair Meyer would like to recognize Leonard Stalker for his service to the Town, there were several committees he served on. Thank you card given to Supervisor Stalker.

5. **Approve Minutes 3-12-18 (PZ)(TB)**

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

Motion by Stalker to approve the minutes with 3 corrections, second by Traynor. Motion carried

6. **Public Hearing Conditional Use Joel Meier/Meier Investments LLC, 3932 Brunswick Lane, Janesville, to put up a 60x200 pole shed building on lot, building would be used for boat storage, office and shop. Tabled from 3-12-18. Parcel 6-13-46.1; 4.11 Acres; PT NE 1/4, PT SE 1/4, Section 7, in the Town of Milton.(PZ)(TB)**

Tabled from 3-12-18. Chair Trescher asked Joel Meier for site plans. Discussion with Chair Meyer looking at site plans. Chair Trescher verified where outdoor storage would be located, Mr. Meier stated it will be on the East side of the building. Clarification of the 4 things requested from 3/12 meeting. 10x20 lighted sign will be on building, any outside storage will be to east of building, new product display will be on the pond, residence is for owner or caretaker (permitted) as authorized on site plan from 4-9-2018.

Temporary sign at the corner of property is allowed during construction, to be removed when construction is complete and permanent sign is on the Building. Chair Trescher verified that parking will be gravel for now, possible black top in the future per Mr. Meier. Chair Trescher verified that Joel Meier himself will be the resident. Public Hearing Opened.

Charlie Rusch questioned again where outside storage would be, east side on lot line and that will be the only place. Joel Meier stated he is not offering outdoor storage, just for the business supplies. Chair Trescher is concerned about old piers and looking junky, Mr. Meier stated it is not his plan to make it look like a junkyard but a normal business. Chair Meyer stated that the property is quite visible from the road, he verified the building will be the divider, and with the burm from the Go cart track, a lot will not be visible. Mr. Meier has talked with the neighbors about fencing and they have no concerns. Chair Trescher closed the public hearing. P&Z went through application action form for CUP. Chair Meyer defined where the lights will illuminate, not towards residents. Comments from P&Z, Rusch ok with it. Discussion on conditions for CUP. Any storage, new product supply by pond or by eastside of building. Traynor stated as a business owner, he will want to keep it looking nice. Building will block the view mostly. Residence

for owner/caretaker is permitted. Chair Meyer to see and clarify submitted site plans. Should he sell the property, what would next owner do, are we covered in CUP? CUP goes with the Land. Privacy fence is up to him (owner) whether he puts one up. As authorized on site plan dated 4/9/2018. Joel signed plans and sketches. Conditions drafted 7.

Lighted sign 10x20 to be on building, outdoor storage east of building new product on pond, residence caretaker permitted. As authorized on site plan, two outdoor lights not to shine off property, temporary sign to be removed when construction to be completed and permanent sign is on building. Hanlon made motion to recommend the Town Board to approve the CUP with 7 conditions as stated. Second by Barker, Roll call Hanlon- aye Charlie- aye Scott-aye Chair Trescher- aye. Motion carried
Motion by Supervisor Traynor, second by Supervisor Stalker to accept P&Z recommendation to approve CUP with 7 conditions as stated. Chair Meyer stated this is a good use of the property. Roll call Traynor- aye, Stalker-aye Trescher-aye Meyer- aye. Supervisor Jennings absent, Motion carried.

7. Public Hearing: Zoning Request and Land Division James Clark, 3635 S Fort Apache Rd Ste 200710, Las Vegas NV, for zoning change from A-1& A-3 to A-2 and creating one addition lot, which will be 23 acres of which 16 acres in Town of Milton and 7 acres in City of Milton. The owner is selling the existing Pheasant Farm operation and existing Pheasant pens and buildings with the 23 acres. Remaining 57 acres will stay A-1. Parcel 6-13-182 & 395.2; S ½ SW ¼ E of Hwy (EXC CSM 19-128) & PT NW ¼ Sec 27 AP OL 116 Certified Survey Map VOL 30 PG 30-33 Lot 2, Section 22, in the Town of Milton (PZ)(TB)

Ryan Combs, split off existing pheasant farm and buildings, open public hearing

Chair Meyer states we did get several calls with questions about the zoning change from A1 to A2. The 23 acres will be sectioned off for 16 acres that contain buildings and operation of pheasant farm with 7 acres in the City. Remaining 57 acres will remain A1, no change, use will stay the same. Thomas Kavanaugh 8216 N. Ridge Trail Milton, asked why they are changing to A2, Chair Meyer explained it is because of size for zoning. Discussion on city part of it. 7 acres will be used as pheasant farm, 16 acres have buildings and pens to maintain business. Preserve pheasant business. Supervisor Stalker stated a disadvantage of township, as city grows, we get smaller. Jim Lamont 248 E Sunset Dr. Milton, stated that it is very hard if we don't have a picture of what the land and plan looks like. Ryan Combs from Combs and associates provided a map for the residents to look at the site plan. Jim Lamont suggested we send map with public notices. Chair Trescher asked if anyone had questions now that they looked at map. Jeannie Maguire 334 Pheasant Ridge, Milton. Spoke and asked if the change to A2 allowed different uses of land. She is concerned about what all they can do with the land. Chair Meyer stated that buildings can be the same with A1 and A2, and A2 is more restricted. What is confusing, 23 is what is removed from original parcel, 7 of 23 in city of Milton, remaining 16 will be divide off to maintain pheasant operation. Eric Quinn 8301 N Ridge trail Milton, asked what other uses could be done with A2. Chair Meyer explained anything not listed as a permitted use, would have to come in for a public hearing before the Board. Bryan Van Horn 7936 N. John Paul Rd. Milton, asked if under A2 if pheasant farm decided to sell the parcel, could they change the use of property? Chair Meyer and Trescher explained the new owner would have to have public hearing, and submit a zoning request. Discussion on differences of A1 and A2 zoning. Chair Meyer stated of the permitted uses, most of allowed uses are general farming uses. Closed public hearing. P&Z went over form recommendation, Rusch made a motion to recommend to the Town Board to approve change in zoning as described and approve land division. Second by Hanlon. Roll call Hanlon-aye Charlie-aye Scott-aye Chair Trescher- aye. Motion Carried.

Town Board - Supervisor Traynor made a motion to accept the recommendation of P&Z to accept Zoning change and Land Division. Second by Supervisor Stalker, roll call Traynor-aye Stalker-aye Trescher- aye Chair Meyer aye- Supervisor Jennings absent, Motion carried.

8. Public Hearing Zoning request and Land Division Scott and Ashley Kowalski, N6417 Delaney Rd Delavan, for zoning change from A-1 to A-2 and creating one additional lot, which will be 15.0 acres in size. Remaining 42.83 acres will remain A-1. Parcel 6-13-96; 57.83 acres; E1/2 NW ¼ of HWY (EXC VOL 237 P 271 FOR HWY) (EXC CSM 37-148) Lot 1, Section 12, in the Town of Milton (PZ)(TB)

Scott Kowalski N6417 Delaney Rd Delavan, stated they are dividing it off for a buildable lot. They will not be building on areas with terrain. As far as the flag shape design, it is this way as to not disturb the farmland. Chair Meyer got a call from County about this, they generally discourage flag shape, but in this situation they are recommending the Town Board to accept it. Discussion on site plan, Scott Kowalski stated he was told they couldn't use a specific area for the driveway. Our only way to maximize use of land was to use flag shape. Chair Trescher opened public hearing. Nadia Horkan 6631 County N, Milton spoke, she lives west of property and wants to know how this will affect her property. Discussion with her from Scott. She is worried about trees by her property, over the years they have been cut down, and continue to cut down. Chair Meyer stated the county would get involved with mass cutting of trees, owners of property can cut trees down as they want as long as it was not a massive amount. Anyone else with questions or comments? Close public hearing. P&Z went over form, not in flood plan, application complete. Motion from Hanlon to recommend to Town Board to approve zoning and land division. Second by Rusch. Roll call Hanlon- aye Charlie-aye Scott-aye Trescher-aye. Motion carried. Motion by Supervisor Stalker to approve zoning request and land division. Second by Traynor. Roll Call Stalker-aye, Traynor-aye Trescher-aye Meyer-aye Supervisor Jennings- absent. Motion carried.

9. **Public Hearing Conditional Use Application of Stacey Barbiarz, 2209 E Vincent Rd, to add utilities to the 10 camp sites. Parcel 6-13-46.6; 4 acres, PT NE ¼ of PT SE ¼, Section 7, in the Town of Milton (PZ)(TB)**

Stacey Barbiarz 2209 E Vincent, Milton. Stacey thanked Leonard Stalker for his time on the Board. He would like to add utilities including electric, water and sewer to his 10 campsites. Chair Trescher opened public hearing. Stacey has been talking to the County about the sewer system. The tanks are close to building, use current septic system. Stacey believes the size is big enough. There is two separate systems, the kitchen is on its own. He believes this won't require another septic system. Chair Meyer stated a permit from county will be needed, the Health department makes a review. Discussion was had on concerns about campers pulling in and going on neighbor's property. Discussion also about campers walking to and from Go-kart track.

Stacey stated he plans on putting up T-post with rope along the 10 campsites, about 200 foot in length. Sanitary permit and electric permit from building inspector. Closed public hearing. P&Z go over CUP form. Chair Meyer states that a permit from the Town Building inspector will be needed for electricity and a permit will be necessary from the County for sewer. Motion by Barker to recommend to the Town Board to approve CUP with conditions of 1. Allow utilities (electric, sewer and water) 2. Maximum of 10 campsites. 3. All proper permits are obtained. 4. Require a fence be built on the west lot and they line the complete length of the 10 sites. The fence at a minimum must be wooden snow fencing. Second by Hanlon. Roll call, Hanlon-aye, Rusch-aye, Barker-aye, Chair Trescher, aye. Motion Carried. Motion by Stalker to approve CUP with the conditions listed, Second by Traynor. Roll call Stalker-aye, Traynor- aye, Trescher-aye, Chair Meyer-aye. Absent- Supervisor Jennings, Motion Carried.

10. **Land Division for Marian Trescher 9209 N Trescher Rd, Milton;79 acres; land division area 74 acres; making 2 lots- 37.2 acres in size, A-1(PZ)(TB)**

Chair Meyer asked P&Z and Town Board if anyone objected to discussion as this is in regards to Chair Trescher's property. All said no. Chair Trescher explained this is to subdivide 74 acres to 2 lots. Linda Roherty (Chair Trescher's daughter) is selling her current house to her son in July and is wanting to build a new house on the property. Chair Trescher needs to divide the land and put it in Linda's name for financing. Motion by Rusch to recommend to the Town Board to approve land division. Second by Hanlon. Motion carried. Chair Trescher abstained. Motion by Traynor to approve land division, Second by Stalker. Motion carried. Trescher abstained. Motion carried.

11. **Public Hearing Conditional Use Application of Peter Layton, N429 Ox Bow Bend, Milton, for a conditional use permit to allow the current Tallgrass Restoration Business being run at 3219/3129 E County Rd N to move into the new location and continue operations. Location of the property is 3001 State Road 59, Parcel 6-13-51, total acres 1.62, ALL LD LYG S & E OF A LN COM CNT SEC N ALG CL CES 161' TO POB, W 97.35', S 127' M/L TO N LN HWY BEING**

END OF SAID LN & COM CNT SEC E 9.48 RD, N 24.4 RD W 9.48 RD S TO POB (EXC HWY) (EXC ALL LD LYG N & W OF ABV DESC LN) Section 8, in the Town of Milton(PZ)(TB).

Peter Layton, N429 Ox Bow Bend Milton. Mr. Layton stated they have purchased this property and plan on moving the existing business to this property, there were small changes to plan as to where the lean to would be located, now on the east side and back of building. Chair Trescher opened public hearing. Mr. Layton stated there will be a sign located on the front of the building, the only lights will be above the entrance doors facing downward. Mr. Layton stated that where the building will be located, he is working with Thor to sell him a small section of property to square off land. Chair Meyer discussed the type of business that will be located there and it appears to fit A3 zoning. Closed public hearing. P&Z went over action form. Motion by Rusch to recommend to Town Board to approve CUP and Land sale/transfer with these following conditions. 1. Accessory building can be a maximum of 8,500 square feet. 2. Purpose is land restoration business. 3. According to site plan and purchase of adjacent land approximately .55 acres. Second by Barker. Roll call, Barker-aye, Hanlon-aye, Rusch-aye, Chair Trescher-aye, Motion Carried. Motion by Traynor to approve CUP and land sale/transfer with conditions listed. Second by Stalker. Roll Call Stalker-aye, Traynor-aye, Trescher-aye, Chair Meyer aye, Jennings absent. Motion carried.

12. **Discussion/possible action on Sale/transfer between adjacent lots, Peter Layton, N429 Ox Box Bend, Milton, 2903 E State Rd 59; Parcel 6-13-55; PT SE ¼ NW1/4 COM 141' N E-W1/4 LN ON N-S1/2 LN, W 110, S 141',NW 356',N 652',E 466', S 510' TO POB & ALL LD LYG N & W OF A LN DESC AS COM CNT SEC N ALG CL SEC 161' TO POB, W 97.35' S 127' M/L TO N LN HWY BEING END OF SAID LN (EXC HWY) (EXC LD LYG S & E OF ABV DESC LN)(PZ)(TB)**

See above, 11 and 12 were combined.

13. **Confirm next meeting date** 5-14-18 6:00PM

Confirmed.

14. **Adjourn P&Z**

Barker made a motion to adjourn P&Z, Second by Hanlon. P&Z adjourned at 8:59pm

15. **Discussion/action on preliminary resolution for special assessment for New Fire Numbers**

Chair Meyer read from the report on proposed special assessments for address signs against properties located in the Town of Milton from Attorney Dave Moore. Discussion was had on assessment and process. Public note. Proposal on record.

16. **Bartender License for Kelly J Schroeder**

Motion by Traynor to approve License, Second by Stalker. Motion carried.

17. **Citizens to be Heard**

None

18. **Bills-** Patrick Clark (assessor) was not paid in February 2017. \$1,416.67 to be paid to him.

Motion by Stalker to pay bills as submitted with payment to Assessor, Second by Traynor. Motion carried.

19. **Treasurer's Report**

Motion by Traynor to place on file as submitted, second by Trescher. Motion carried

20. **Building Inspector's Report**

Chair Meyer stated the inspector is having zoning questions on a regular basis, and there is a need for a zoning officer.

21. **Police Department's Report**

Chief Kunkel thanks Leonard for time with the Town and his support of the Police Department. Lindsey Bittorf gave her letter of resignation, she is taking a fulltime job with the County. Chief Kunkel recommends the Town hire Elijah Millard, he has been working for the Sheriff's Department for 4 years now. Motion made by Traynor, second by Stalker to approve the hire of Millard. Motion carried. Chief Kunkel stated there are ongoing parking issues down by Morgan Corporation, The Town of Harmony has asked that the Town Police swing through there. Discussion on parking tickets and traffic violation. Motion made by Traynor that the Town of Milton will not charge the Town of Harmony by the hour for parking tickets in regards to Morgan Corporation, these will be traffic violations and handled as such. Second by Trescher. Motion Carried.

22. Chairman's Report

I 90 preconstruction meeting. April 19th 1:00pm in Edgerton. Discussion on roads.

23. Correspondence

Supervisor Traynor reminded Board of Ridge the Roads. Clerk Granger reminded the Board of Annual meeting on April 17, 2018

24. Fire Commission Report

Leonard Stalker was honored by the commission for his time. The Fire department is holding a 4-wheeler raffle. They are on budget or below budget for salaries. They will be burning the building at 3001 State Road 59 on Sunday April 15th.

25. CKSD Report

Meeting Wednesday April 11th, presentation

26. Adjourn

Motion by Stalker to adjourn, Second by Traynor. Meeting adjourned at 9:44pm

Respectfully submitted this 11th day of April, 2018

Marcy Granger, Town Clerk

"Minutes are not official until approved by Town Bard and P&Z"