

Proceedings of the Planning and Zoning Committee
Proceedings of the Milton Town Board
May 14th, 2018

1. Call to order (PZ)(TB)

P&Z called to order by Chair Trescher at 6:02pm. Present were Charlie Rusch, Scott Barker, Jon Webb, Chair Trescher- absent Jim Hanlon (Hanlon arrived at 6:18 PM). Did have quorum

Town Board was called to order by Chair Meyer at 6:02pm. Present were Supervisors John Traynor, Beth Drew, Marian Trescher and Chair Meyer. Supervisor Jennings was absent. Did have quorum. Also present were Clerk Granger, Treasurer Reif, Chief Kunkel and 16 citizens.

2. Confirmation of Meeting Notices

Meeting Notices were posted at Lake House, Town Hall, 1st Community Bank and published in the Milton Courier

3. Pledge of Allegiance

Done

4. Multiple Dog License for Mary Keeler

Mary Keeler moved here about a year ago has 3 dogs, lives at 11209 N Tahoe Dr. Edgerton. Motion (Traynor, Trescher) Motion Carried.

5. Appointment for Board of Adjustment, Planning and Zoning

Jon Webb is up for Planning and Zoning and Gary Getchel is up for Board of Adjustment. Motion (Traynor, Trescher) to appoint each for a 3 year term. All in favor, Motion carried.

6. Approve Agenda (PZ)(TB)

(PZ) Motion to approve agenda (Webb, Barker) Motion carried

(TB) Motion to approve agenda (Traynor, Drew) Motion carried

7. Approve Minutes 4-9-2018(PZ)(TB)

(PZ) Motion to approve minutes with one correction (Barker, Rusch) Motion carried. Webb abstained

(TB) Motion to approve (Trescher, Traynor) Drew abstained. Motion Carried.

8. Annual Farmstead Permit Review(PZ)

Chair Trescher stated there is only 4 now, she called on Blackhawk RV LLC 3534 E Blackhawk Dr, Ann Peterson 3534 E Blackhawk Milton present. No changes

Motion to recommend to committee to approve (Webb, Barker). All aye, Motion Carried.

Hanlon absent. Norman Peterson 6327 E State Rd 59 Milton- Peggy Peterson 6333 E High St Milton, present, trailer is at 6327 E State Rd 59, no changes. Motion to approve

(Webb, Barker) Motion Carried. Vicki Vogel 11300 N Vogel Rd present, no changes,

Motion to approve (Webb, Rusch). Motion Carried. Brenda Traynor 7102 E County Rd

N Milton. She called and is not present, needed on farm for calves – John Traynor 11027

N State Hwy 26 Milton spoke on Sisters behalf. No changes. Motion to approve (Webb, Barker). Motion Carried.

9. Public Hearing on Zoning application and Land Division, Marian Trescher, 9209 N Trescher Rd, Milton, Zoning change from A-1 to A-3, dividing off 5 acres with existing buildings and rezoning the property to A-3. Parcel 6-13-147; 79 Acres; E 1/2 SE 1/4 (ESC CSM 19-266 E 33' W 1/2 SE 1/4, Section 18, in the Town of Milton.(PZ)(TB)

Chair Trescher recused herself, P&Z nominated Charlie Rusch to be Chair, Motion (Webb, Barker). Rusch opened public hearing. Ron Combs here to speak on behalf of Trescher, 9209 N Trescher Rd, Milton. She will be dividing off 5 acres with the existing buildings and rezoning the property to A-3. Chair Meyer stated they are taking 5 acres off, 75 acres about to remain. 79 total, Land division was approved last month. (Jim Hanlon arrived at 6:18pm)- There are no conflicts, remains Ag zoning. Rusch asked if anyone wanting to speak, no one. He closed the public hearing. P&Z went over form. Webb recommends to TB to approve the zoning application, Second by Barker. Roll call- Webb, Barker, Hanlon, Rusch- all aye. Marian Trescher-abstained. Motion carried. TB – Motion to approve the zoning change (Traynor,Drew). Roll call Traynor, Drew, and Chair Meyer-all aye. Trescher abstained. Supervisor Jennings absent. Motion carried.

10. Public Hearing on Vacated Lake Street (PZ)(TB)

Open public hearing, Certified survey map. Tim Lindau, Attorney for Joe and Patricia Janowiak, 1339 E Koshkonong Dr, Town of Milton, homeowner that requested this discontinuance of Lake Street. Procedurally it has been 40 days since the proposed resolution declaring vacation of public-right-of-way. They have received admission of service from all neighbors, and associations. All parties have received an email from the County. Mr. Baker stated the general understanding is the street is vacate, street not being used, enable client to meet setback requirements for addition. No intentions to go into existing setback, no issues with drainage to go through property. Simply allows setback requirements. Colin Byrnes, back in day to put in subdivision the area was set as a right away, suggest to give drainage easement, available down the road to take care of easement. Drainage easement left on there. Discussion on drainage and what might be needed. We look and ask for recommendation from P&Z, final word from TB. Webb question, would this stop from future use of land for shed, no fences, nothing put in to disturb it. Permission would be needed from TB. Could show easement, land owner to convey vacating 10ft, one way, 10ft the other way. – Attorney stated the Board can approve process on condition that evidence of recorded easement, survey map, verbage in resolution, reserve drainage easement. Detail terms,certified survey map,ink on map 10ft easement from here to here. Alter resolution, take action tonight, will get document with language needed. Chair Meyer, to recommend to approve with new language. No signing tonight. If property sold, will be in title search. Resolution has to be recorded. Language will state. Chair Trescher thinks it is important to have that language. Anyone wishing to speak/ Close public hearing. Motion by Webb to recommend with drainage area in the Resolution, Second by Hanlon. Approval of vacation with addition of Public storm water easement being added on to deed. Roll call Webb-aye, Hanlon-aye Rusch-aye, Barker-aye, Chair Trescher-aye- Motion carried.

TB- storm easement 20 feet needed. Drew asked for clarification. Figure out, 20ft means 10ft on both sides. Resolution is procedural in what needs to be done. Certified survey map not required. Resolution with easement added on. Resolution to both properties. Motion by Drew, Second by Traynor to accept, Roll call- Traynor-aye, Drew-aye, Trescher- aye, Meyer-aye. Absent is Jennings- Motion carries.

11. Public Hearing on Special Assessment for the Fire numbers- Discussion/possible action on adopting final resolution(PZ)(TB)

Open Public hearing

Thomas Lasse-8714 N Trescher Rd, Milton received letter about this, his big question is why? They create eye sore. He sees the new flags in Janesville and feels they are ugly looking flags, he objects to it. Chair Meyer, asked if he has sign now, Discussion on the new signs, cost and reasoning behind it. All about public safety, and helping emergency responders find addresses. Colin Byrnes and Kurt Wheeler showed an example of the signs, and had discussion on timeline for installing new signs where needed. The signs will be installed with new hardware. Not for vacant property. November or December line item on tax bill. Show as special assessment. 4 properties sharing driveway will require 2 signs. There will be cost added for mailings. Close public hearing.

Motion made to recommend to TB the approval of special assessment (Webb, Hanlon) all in favor. Motion carried

TB- Motion to approve (Traynor, Drew) Clarification with Colin. All in favor- Motion carried.

12. Review Lot combination for David and Melissa Hubbard. The lots are parcels 6-13-91.3 & 6-13-91.4, total acres to be 2.53, PT NE 1/4 SW 1/4, Certified Survey Map, VOL 32 pg 102-106 Lot 3 and 4. Section 11 in the Town of Milton (PZ)(TB)

Lot combination, lots 3 and 4. Any comments? Webb recommends to TB to approve, Second Rusch, all in favor, Motion carried

TB- Motion by Traynor, second by Drew -all in favor, Motion carried.

13. Annual Liquor-Amusement Machine-Cigarette-Bartender Licenses 7-1-18 to 6-30-2019(see attached sheets)

Applications for agent, amusement , cigarette, licenses. Bars and agents. Lists for bartender application. 63 bartenders, one concern with an open issue-ticket for serving minor. Otherwise they are all fine. 62 nothing to report. Folder from Fire inspector, all in compliance as of May 1st. No other issues. Motion to approve 62 bartenders, table Pastorius until 6/11 meeting (Traynor, Trescher). All in favor Motion carried.

Bars, applications for agents,

Renewal, Buckhorn, Motion to approve (Traynor, Trescher) all in favor, Motion carried

Discussion on if comments be made, Attorney Frank Lettenberger and Chair Meyer had discussion on if public could speak. Chair Meyer will give each party a chance to speak.

Jrs Pub, nothing new unchanged, Motion to approve (Traynor, Drew) All in favor Motion carried.

Lucy's hideaway, nothing new unchanged Motion to approve (Drew,Trescher) All in favor Motion carried.

Pettit's Lakeview, nothing new, Motion to approve (Traynor, Trescher) All in favor, Motion carried.

Pettit's Countryview, nothing new, Motion to approve (Traynor, Drew) All in favor Motion carried.

Snuffly still, nothing new, Motion to Approve (Traynor, Trescher) All in favor Motion carried.

Stagecoach, nothing new, Motion to approve (Traynor, Drew) All in favor, Motion carried

59ers nothing new, Motion to approve (Trescher,Drew) Chair Meyer states there is a motion on floor, Attorney Frank Lettenberger speaking behalf on Miss Starck. There is on going controversy with this establishment, and he opposes liquor license for Miss Starck. Attorney Lettenberger stated there is problems with zoning and with tenants upstairs from the bar, would the board please take this into consideration. Stacey Barbiarz stated himself and his wife live in the residence above the business. Chair Meyer states there is no zoning issue, and there is a conditional use permit to allow Mr. Barbiarz to live in the apartment. Motion still on floor. All in favor, Motion Carried.

Motion to approve BlackHawk and Lakeland Campgrounds (Trescher, Traynor) All in favor, Motion carried.

Capones Cellar,nothing new, Motion to approve (Traynor, Trescher), All in favor, Motion carried.

Kosh Lake House, nothing new, Motion to approve (Traynor, Drew), All in favor, Motion carried.

Beacon LLC new agent, change ownership of business. Discussion on how he new Agent will be involved, operator on the grounds. Samantha Starck -9507 E County Rd N, Milton, Spoke she is going to be the new owner and operator of Beacon, in charge of everything, My mom will only be doing the food aspect of it. Samantha will be on site with business, some management responsibilities. Hands on in some way. Any questions for Samantha, Motion to approve Traynor, no second, Motion fails for time being.

Request to speak from Stacey Barbiarz- 2209 E Vincent Rd, There is several sources, and has been known, that Bonnie is taking over, with Daughters name on license, it is going to be Bonnie that will be behind it, Bonnie did work for me, she stole, she lies and was fraudulent, This is her way of getting around process, she is good, acts like sister Teresa, she will get what she wants, I did take her to court, did settle with her. With Blackhawk, she was denied a Liquor license, she tore the place apart, personally he feels she is not good for our Community. Mr. Barbiarz has never meet daughter, smoke and mirrors, she is welcome to sue me. Chair Meyer stated that the Board recognizes all what Mr. Barbiarz stated is hear say. Any one else to speak. Attorney Lettenberger stated Samantha Starck has legally submitted all documents with the State and they are all in Samantha's name. Chair Meyer stated the Board can approve or deny any agent without cause. Both Chair Meyer and Supervisor Drew stated this is a long term

relationship between all agents and the Board. They are reviewed annually. Any further discussion? Motion to approve (Drew,Traynor) All in favor, Motion carried.

14. Confirm next meeting date 6-11-2018

Motion (Webb, Hanlon)

15. Adjourn P&Z

Motion to adjourn (Webb,Hanlon) P&Z adjourned at 7:47pm

16. Review Clerk probationary period (vacation 6-18/6-21

Hired current clerk, 6 month probationary period is up and the Board is addressing performance, record that probation period reviewed. Chair Meyer- impressed by how much Marcy absorbed since taking on the job. 4 seasons of job, hasn't seen everything yet, quick learner, quite efficient, Webb agreed, from the Town Board perspective. Recommend to continue, Stacy Babiarz, spoke, very nice very knowledgeable, open to the public. Chair Meyer and Clerk Granger had discussion as to change in hours. Office hours are now Monday- Wednesday 6:30-4:30pm and Thursdays 6:30-3:30pm. Motion to approve 4 continuous days off- anytime from now through June 2018.

(Traynor,Trescher) All in favor- Motion carried.

17. Citizens to be Heard

Thomas Lasse 8714 N Trescher Rd, Milton He is here in place on Jonathan Rowe (Clear Lake President) he couldn't make it. The water on Clear Lake is up again, not doing serious damage yet. It is about 3 feet short of where it is was in 2008. The one house that survived that flood now has water up to basement. The Clear Lake association would like to see the Town Board instate no wake on lake. And 2nd, create an ordinance to allow Chief Kunkel to put up no wake, and take down when not needed anytime, so they do not have to come before the Board each time. Discussion on Clear Lake and measures to take to be able to monitor water levels. It was stated the Clear Lake association would be willing to pay for any signs needed to be made for NO WAKE. Clarification on ordinance in place for Clear Lake. Discussion on ordinances, and signage. Supervisors Drew, Traynor and Trescher believe the No wake needs to go into effect now. Chair Meyer spoke with Chief Kunkel about posting NO Wake until further notice. For the record, impose temp slow no wake on all of Clear Lake until further notice. Clerk will post on website, Chief Kunkel will let safety boat patrol know.

18. Bills

Motion to pay bills as submitted (Traynor,Trescher) all in favor. Motion carried

19. Treasurer's report

Motion to place on file (Traynor, Drew). all in favor. Motion carried.

20. Building Inspector's report

Any comments, calls with zoning questions. Collecting permit fee with penalty soon. Discussion on review of contract for Building Inspector and Discussion on the Town getting a Zoning officer, Clerk will put on June Agenda, will check with Jim Check on pricing for zoning officer.

21. Police Department's Report

Read report and placed on file. Breaking in the weather went good.

22. Chairmans report

County Town association 7pm at Turtle Town Hall, Maple Beach complaint about Sand on street, Public Works Director is new.

23. Correspondence

Supervisor Traynor spoke about forming a Highway committee, 3 member committee. Add discussion/possible action for Highway Committee on June agenda. Highway report on agenda, Roads to repair-Mallwood Dr and N Ridge, Manogue and Kennedy (by the Kennel), Manogue, 2 driveways at Adam Clifts. John Paul Rd, south of McFarland pheasant farm. Serns road at horse farm. Serns Rd by Apple orchard. Boat patrol report.

24. Fire Commission Report

Wednesday May 16, 2018 at City Hall 7:00pm

25. CKSD report

Moving forward

26. Adjourn

Motion to adjourn (Traynor, Drew) adjourned at 9:34pm

Respectfully submitted this 22nd Day of May 2018

Marcy Granger

Town Clerk

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