

Proceedings of the Planning and Zoning Committee
Proceedings of the Milton Town Board
December 11, 2017

1. Call to Order

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

Chair Meyer called Town Board to order at 6:30pm. Present were Supervisors Jennings, Stalker, Traynor and Trescher. Also present were Clerk Kunkel, Deputy Clerk Glander, Treasurer Reif, Chief Kunkel and 19 citizens.

Scott Barker arrived at 6:31pm.

2. Confirmation of Meeting Notices

Notices were posted at the Milton Town Hall, 1st Community Bank, Lake House Inn, town's website and published in the Courier.

3. Pledge of Allegiance

Done

4. Approval of Agenda

Motion Barker, second Rusch to approve the agenda. Carried.

Motion Traynor, second Stalker to approve the agenda. Carried.

5. Approval of Minutes 10-9-17 (PZ) 10-9-17, 10-19-17, 11-16-17, -11-20-17, 11-27-17, 11-28-17 (TB)

Motion Barker, second Hanlon to approve the minutes. Carried.

Motion Stalker, second Jennings to approve all sets of minutes. Carried.

6. Public Hearing Conditional Use Robert McGuire, 2107 E Vincent Rd, to modify or change 3 conditions on the existing conditional use permit to have a Go Kart Track, building repair and sell karts and a building to entertain parties. Conditions to be modified or changed out of the 21 conditions presently in place are: 1) remove the permanent bathrooms; 2) extend the holiday hours of operation; and 3) remove the alcohol ban. Parcel 6-13-46.10; 4 acres; PT NE ¼, of PT SE ¼, Section 7, in the Town of Milton. (PZ)(TB).

Public Hearing Opened.

Bob Olson, 11508 N Bayveiw spoke as Matt McGuire was out of state due to work. 3 things that would like amended are: 1-remove the bathroom, 2-extend holiday hours of operation, 3-remove the alcohol ban. With people not being able to have alcohol there, feel it is a hindrance. There are 3 check points that people have to go through before they can drive a Kart, so if they have alcohol influence, they won't be able to drive.

Chair Meyer wanted to be specific on the days that they would be extended hours which appear to be Labor Day, Memorial Day and the 1st Sunday in July.

Olson advised they wanted the hours extended from the hours on Saturday-those same hours.

Joe Thompson, 2202 E Vincent: there are 21 conditions, stick to them, licensed bartender 100 feet away where they can get alcohol; how do you separate the landscaping business from the Kart tracks? Is he going to sell and repair Go Karts?

Barker inquired if Thompson felt the existing conditions had been met and Thompson advised that was for them to do the policing, not him. There is a light that shines into their windows that has not been taken care of yet.

Discussion: is he going to sell and repair Karts; just asking for what every other business already had with the alcohol; was told can't bring in alcohol without having a liquor license; people come to the track first on their trips, then go further on their bus for bachelor parties, etc., that's why they want the alcohol; McGuire has an investment in the Karts- is cautious, his business is usually spread by word of mouth for people to come out there; karts are fast but want the place to be safe; saying you want the place to be safe and having alcohol on the premises isn't supporting your issue.

Brianna McGuire, 10639 N Watts Springs Road advised they had +photos of the lights were sent to Bryan Meyer in April of this year that it was fixed, never heard anything back.

Brian Boucek, 11402 Lakeview Drive: beer makes you high, don't feel it should be there.

Stacey Babiarez, 2209 E Vincent: feels it's unreasonable to force a permanent bathroom, porta potty seems to be working; shouldn't have to spend \$10,000-\$15,000 for a permanent bathroom.

Public Hearing Closed.

Extensive Discussion: not remove the alcohol ban; if kids and family are there, don't need alcohol; is a commercial business-review in a year if bathroom is needed; need to protect our residents; no policing unless called-no entry on a bus unless have a warrant; holiday hours 10a-9p-don't feel will reduce that much on their business; renew every 2 years the conditional use; if he is a good business owner, he will know if he needs a new bathroom or not; portable toilets sufficient pending review by the Town Board.

Review and Action form gone over.

Motion Hanlon, second Rusch to recommend to the Town Board 1-portable toilets are sufficient pending review by the Town Board within 1 year and every even year thereafter 2-Sunday hours of operation proceeding Memorial Day, Labor Day and the 4th of July-that falls on a Monday, being 10am to 9pm, 3-alcohol ban remains in effect for the safety of the track; existing CUP stands as is just these conditions are amended. Vote: Hanlon-aye, Rusch-aye, Barker-aye, Trescher-aye. Carried with 1 absent.

Traynor advised that he had a concern of no trained staff for the alcohol but he sees both sides of the fence.

Motion Traynor, second Stalker to accept the recommendation of P&Z. Vote: Stalker-aye, Traynor-aye, Jennings-aye, Trescher-aye, Meyer-aye. Motion carried.

7. Public Hearing on Zoning Application and Land Division Weitcloud LLC, 616 Midland Rd, Janesville, WI for a zoning change from A1 to A2 and creating 1 additional lot. Location is 8916 N John Paul Road; lot to be created and zoned A2 will be 10.8 acres and will have the existing buildings on it-new parcel being transferred to Dan Weitzel. Remaining 49.2 acres will stay A1. Parcel 6-13-176; NW ¼ of NE ¼, Section 22, in the Town of Milton (PZ) (TB).

Public Hearing Opened.

Ryan Combs, Combs and Associates spoke and advised that they were requesting a rezone to break off a parcel with the buildings, thus the land division also.

Dan Weitzel spoke advising that he has no plans for any future development on this parcel; wants to get back into the Town of Milton; not looking to sell off acreage or divide the parcel.

Public Hearing Closed.

Review and Action form gone over.

Motion Barker, second Rusch to recommend to the Town Board to approve the zoning and land division change with acceptance from Rock County and the City of Milton, from A1-A2 and to be recorded with a CSM within 1 year. Vote: Hanlon-aye, Rusch-aye, Barker-aye, Trescher-aye. Motion carried with 1 absent.

Motion Stalker, second Traynor to accept the recommendation of P&Z. Vote: Stalker-aye, Traynor-aye, Jennings-aye, Trescher-aye, Meyer-aye. Motion carried.

8. Land Division Seward Living Trust, 10206 N Trescher Rd, to create another lot. New lot will be 10.3 acres-no future plans at this time, remaining 22.8 acres to stay with Seward's. Parcel 6-13-61; total acres of 34; NW ¼, SW ¼, Section 8, in the Town of Milton. (PZ)(TB)

Ryan Combs, Combs and Associates spoke again advising that Hoveland wants to purchase the one lot before someone else does; no plans for the lot at this time.

Chair Meyer advised that once the land is divided off, the CUP needs to be approved for anything they want to do with the land. Important that whomever gets the land knows what is expected of them.

Barker advised that it should be approved with the condition that the owner must come back to the town to be approved for a CUP for the salvage yard as it does not follow the 10.3 acres.

Dave Natter spoke as he is the commercial broker handling this and he has 3 buyers that are interested, can they continue as a junk yard? Chairman Meyer advised no, they have to apply with a CUP for this.

Motion Barker, second Rusch to recommend to the Town Board to approve the land division of the 10.3 acres without the CUP of the salvage yard. Vote: Hanlon-aye, Rusch-aye, Barker-aye, Trescher-aye. Motion carried.

Motion Traynor, second Stalker to accept the recommendation of P&Z. Vote: Stalker-aye, Traynor-aye, Jennings-aye, Trescher-aye, Meyer-aye. Carried.

9. Confirmation of next meeting date/time 1-8-18

Charlie Rusch will be gone. Others can make it.

10. Adjourn P&Z

Motion Hanlon, second Rusch to adjourn. Carried and P&Z adjourned at 8:22pm.

11. Citizens to be Heard

Brian Bogan, 1720 E Road 5; President of the Mallwood Association; concerned as to why no money was allocated for

Mallwood; we are trying to make the area up there better and not getting any help.

Chief Kunkel advised that he had an officer spend over 26 hours up there policing junked vehicles, when feel that your association could be doing some of this.

Chair Meyer explained the levy limit worksheet and how the money if it's set aside for Mallwood, is taken out of our whole town levy, and cuts had to be made this year in a lot of areas.

Cory Lind, 1722 E Road 2; VP of Mallwood; said it would have been nice for a letter to be sent advising of no levy.

Chair Meyer apologized for that as one wasn't directed to be sent out. Lind felt that he was paying as much as if he lived on a town road, so why shouldn't Mallwood be able to get funding. He understood the levy situation but still felt that something should have been given to Mallwood.

Frank Boucek, 11402 N Lakeview Dr; very disappointed that we are not paying more attention to this area of the town; there are over 300 families to take care of in that area; asked that more attention by given to this area of the town; they contribute a lot from their taxes.

12. Bartender Application Valerie K Mackey

Motion Traynor, second Stalker to approve. Carried.

13. Appointment of Election Workers for 2018-2019 Cycle

Motion Trescher, second Stalker to approve the list of 32 names for election workers for the 2018-2019 cycle. Carried.

14. Humane Society Contract

Differences were noted: name change, increase of \$300, 3% increase for 3rd year.

Motion Stalker, second Trescher to approve the contact. Carried.

15. Local Road Maintenance Contract for 2018

Motion Stalker, second Jennings to approve the contract. Carried with Traynor abstaining.

16. Otter Creek Cemetery/Records/Going Digital/ Possible Committee for working on this

Trescher advised that we have had this in the budget for a couple of years and felt it needs to get worked on; updated and get the records to the clerk for record keeping. Trescher inquired if Bob Barker was still willing to work on this and Chief Kunkel advised that he is. Maps have to be copied so will be going to Office Depot or Staples to get this done.

Discussion took place. Chair Meyer appointed a temporary committee for the Otter Creek Cemetery and the official records will go to the clerk's office when completed; committee members are Trescher, Traynor and Chief Kunkel.

17. Approval of Invoice from General Code on Ordinances

Motion Trescher, second Jennings to approve the invoice from General Code not to exceed \$2,290. Carried.

18. Discussion on Treasurer Duties

Discussion: assist with payroll, W-2's, primary contact and be available for dog licenses; have extra office hours for dog licenses, taxes, assessments, handle window and phone traffic, 2-3 days a week for a couple of months.

19. Deputy Clerk Salary

Trescher advised she felt we should increase the salary for the deputy clerk if Sandy does it for training purposes for 2018.

Discussion: should be a cap on it; certain number of hours; months; rate of pay; Becky still at \$14/hr.

Motion Traynor, second Trescher to approve up to \$2,000 and 100 hours, not to exceed 6 months, at a rate of \$20/hour for Sandy as Deputy Clerk. Carried.

20. Bills

Motion Traynor, second Stalker to approve the bills. Carried.

21. Treasurer's Report

Motion Stalker, second Traynor to place the report on file. Carried.

Treasurer Reif also submitted a list of 5 invoices that go back to 2008 and have been unable to get them paid-if they could be written off.

Motion Trescher, second Jennings to right off the list of 5 dated 12-8-17. Carried.

22. Building Inspector's Report

Submitted.

23. Police Department's Report

Submitted reports for October and November. Chief Kunkel reported that they have had about a 95% clearance rate in Mallwood with the junked vehicles and only 3 citations were issued for non-compliance. Started the seat belt grant in November; Cody St. Michael resigned so being short an officer would like to hire Jim Jelenick for patrolman. Motion Jennings, second Trescher to approve the hiring of Jelenick for the Police Department. Carried.

24. Chairman's Report

Chair Meyer advised that he continues to get calls about occupancy permits for Lakewood's, but they have been slowing down; Chris Canal is requesting the letters of credit be released. Traynor advised that he was against that due to the roads and what transpired with them-won't be holding up well at all. Traynor recommended that the roads letters not be released and the part that Chris Murphy from the county was involved with for the land conservation he approves of. Traynor further advised that the warranty for the roads may not even be sufficient to cover his concerns.

Chair Meyer advised that he received a call from a resident on Koshkonong Drive and he wanted the road paved and it was explained why that would not be taking place and why.

25. Correspondence

None

26. Fire Commission Report

Meeting is the 3rd Wednesday.

27. RRSP Report

No Quorum for the meeting on Wednesday; side scanner unit was donated to the group.

28. CKSD Report

Traynor advised they have a lot going on; meeting is Wednesday.

29. Adjourn

Motion Jennings, second Stalker to adjourn. Carried and meeting was adjourned at 9:58pm.

Respectfully submitted this 12th day of December, 2017

Sandra Kunkel, Town Clerk, WCMC

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