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Topic: Town of Grant Plan Commission May 2024

Time: May 15, 2024 06:30 PM Central Time (US and Canada)

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PLAN COMMISSION MEETING MINUTES
TOWN OF GRANT
April 24 2024

PRESENT: Sharon Schwab (Acting Chairperson), Diana Luecht, Jeanne Eggebrecht (Commissioners), Kathleen Lee (Secretary) Via Zoom: Commissioner Tom Reitter

ATTENDEES/CITIZENS: In person: Julie Marcks, Jodi Lomma **Via Zoom:** Rob Luecht and Heather Grys-Luecht.

CALL TO ORDER

The meeting was called to order at 6:00 pm by S. Schwab.

STATE OF PUBLIC NOTICE

It was stated that the agenda was posted at two posting stations (the Grant Town Hall and the Grant Transfer Station) and on the Town’s website.

APPROVAL OF MINUTES

It was moved by J. Eggebrecht and seconded by D. Luecht to approve the minutes of the March 20, 2024 meeting. The motion was approved with unanimous ayes.

April 16, 2024 (public hearing – zoning ordinance and map) K. Lee explained edits since first draft sent out. J. Marcks requested that her letter be added to the minutes. S. Schwab replied they would be added as they were received prior to the start of the public hearing. She added, the Town Board will need to give final approval of the minutes. It was moved by J Eggebrecht to accept corrected draft and seconded by D Luecht. The motion was approved with unanimous ayes.

ROSENTHAL REQUEST FOR AMENDMENT TO CONDITIONAL USE PERMIT (CUP)

Wendy Rosenthal, owner of Vision Pros LLC, would like to increase the sign size allowed in their 2017 CUP. The current wording of the CUP is “A non-illuminated advertising sign up to eighteen (18) square feet may be installed on the premise off roadway right of way.” S. Schwab stated the Rosenthal business has been going well and they would like a professional sign. She would like to provide them with a provisional permit. **S. Schwab moved to recommend to the Board to amend the CUP to allow a non-illuminated sign up to 32 square feet.** D. Luecht commented that the sign should not be erected until the standalone sign ordinance is approved. Precedent has been set by the Board for a sign size larger than the size stated in the zoning ordinance. S. Schwab repeated her motion, it was **seconded by J. Eggebrecht.** T. Reitter stated our decision should not be made based on the future sign ordinance. S. Schwab mentioned the sign is located on a county road where the speed limit is higher. **The motion passed with all ayes.**

CITIZEN INPUT

J. Marcks commented there are 478 pages of ordinances, resolutions, and policies found on the Town website. She added this is ridiculous and incomprehensible for a town with less than 1900 residents. No one should be required to know these things when they buy property in the Town of Grant. Property rights should not be restricted, and property owners should be able to do as they wish. Town residents pay taxes for roads and should be able to drive any legal vehicle to and from their residence for pleasure, livelihood, or safety as they do now or have done in the past. She supports all her residential neighbor’s activities. They should be able to do as they wish as long as the activity does not interfere with their neighbor’s rights. Neighbors do have the right to not have things crossing lot lines. Air that is breathed, dust, groundwater, and noise are things that cross lot lines. If it is something visible, neighbors should not look at it. Her comment is “you are way over regulating.”

J. Marcks stated people are questioning who this body is called the Plan Commission. S. Schwab asked if there is something that is impeding her ability to use her property as she wishes. J. Marcks responded “no” but added people should not need to come before the Plan Commission to get approval to do anything. Emphasizing, people should not need to come to unelected officials and put on a song and dance routine for approval to use their own property. This includes parking vehicles on their property. If neighbors do not like looking at a pontoon boat, a bus, a recreational vehicle, a semi tractor with a trailer on private property (off the road right-of-way); they should not look.

J. Marcks asked “are you going to be regulating what vehicles people bring to, and come and go from their homes?” S. Schwab replied, this past week she received a complaint about a neighbor having unlicensed, junk vehicles in their yard. Their concern included groundwater contamination. The town does not have a mechanism to address abandoned or unlicensed vehicles. The Department of Natural Resources (DNR) may get involved when there is a contaminated well. In the past, the Town sought a nuisance and an unlicensed vehicle ordinance, but the ordinances were not supported by the public. The Town’s job is to protect health, safety, and welfare. J. Marcks stated a farm across the road can have a junked vehicle on the property that is closer to her well than those in the high-density residential zoning district she lives in. She suggested perhaps regulation should be outside of the Town ordinances and instead under the control of the DNR. She has been told that you cannot regulate a farmer. S. Schwab replied, you can regulate a farmer.

J. Marcks stated it maybe should be beyond the power of the town and under county and state control, and the Town should keep its nose out of it. S. Schwab stated it goes back to the Town’s role in providing safety. It is a conundrum. We want to be protective without being overbearing. Out of the 478 pages, most people are not impacted by most of them. The Utility Accommodation Policy will only affect the electric companies and the people putting in fiberoptics. J. Marcks disagreed, stating it was the Utility Accommodation Policy that resulted in the Town claiming a tree. She could not take down a dead tree on the property line, but when it did come down it was based on the Utility Accommodation Policy. “You are overregulating.”

S. Schwab stated she is welcome to go through the ordinances and policies. If you think some are obsolete or nonessential, you are welcome to address that to the Board. J. Marcks stated that an example of being excessive is telling a person that their doors and windows must be kept closed on a five-acre parcel. K. Lee responded that the commissioners were discussing the removal of that condition on the CUP for the dog grooming business, and the applicant stated that it is a State requirement, and it would be appropriate to include it. J. Marcks said any county or state laws do not need to be duplicated by the Town, so it could be taken out. Adding, requiring the doors and windows be kept closed leads to confusion for other business owners. They may wonder if they need to keep their doors and windows closed. It adds to the 478 pages. People should not have to use their time to come before the Plan Commission for permission to use their buildings.

J. Marcks stated Rowdy Jinsky should not have to come in here for a CUP based on somebody who sits two steps above everybody. She is suggesting the if you want to regulate something you should come down to the level of the people. You should realize that you are working for the people. You are way over regulating. With the nuisance ordinance, you had to throw everything in there. Those problems are not occurring in her neighborhood. Rules do not need to be written based on what might happen. You are pitting neighbor against neighbor. It is poor governance to do that. J. Marcks labeled it unnecessary turmoil and pitting town people against one another when over the course of three years, largely through the Plan Commission, the ATV Ordinance was adopted and amended. It led to a revolt and regime change. As a result of the new regime, there were no road grants applied for. Roads are what is needed but nitpicking on ordinances like this led to roads not being addressed. Now the ATV Ordinance basically says, “Be safe, be respectful, enjoy.” That is all that is regulated and all that needs to be said in the first place. S. Schwab replied that the topic of ATVs was very controversial. There were strong opinions on both sides. She needed to listen to both sides. Once the County allowed ATVs/UTVs on county roads, it became a moot point. Our largest ordinance is the Zoning Ordinance. We have that ordinance because we are not under county zoning. All other towns in the county are under Portage County Zoning, except for

Pine Grove who has no zoning. Many things needed to be changed to the ordinance because of Act 67. J. Marcks replied that people should be able to use their private property for whatever they want short of their neighbor's rights. Things should not be regulated which do not affect the town. We could follow the example of Pine Grove and have no zoning. The best way to work things out between neighbors is to not have the Town involved. S. Schwab replied that if we were under County zoning, there would be more restrictions than we currently have.

J. Eggebrecht asked J. Marcks if there was something specific she meant when she commented on people having the right to drive on town roads. She replied that it is coming out of the 222-page Comprehensive Plan. It is probably buried in that Plan. It should not be regulated that tractor trailers cannot be in high density residential. Any trucks including tractor trailers should be allowed. If it is coming from the Comprehensive Plan, that is what I object to. The danger that neighbors are feeling is that they can't bring their work vehicles home. This includes work trailers, pleasure trailers and pontoon boats. They should be able to bring these things home. J. Marcks asked, "Did you tell R. Jinsky that he could not have his work trailer at his house?" S. Schwab responded "no." J. Marcks asked if R. Jinsky was told he needed to put up a mailbox at the storage building site. S. Schwab stated, no she did not tell him that. J. Marcks stated she does not believe a mailbox should be required. She is basing that comment on properties she owns in other counties where a mailbox is not required. She added it is commonplace to take your work trailer or work truck to your residence. J. Eggebrecht stated she believes something is stated about semis. J. Merck replied if you cannot find it yourselves and it is causing consternation, the Town should regulate it. The Town should not be telling people what they can store in their storage buildings. K. Lee stated she heard rumors leading up to the public hearing that some citizens were concerned that the Jinsky storage building was being used for dirt bikes. That concern did not come from the Plan Commission. If it is legal, we are not concerned with what is in the building. The Plan Commission has never discussed the contents of the building. S. Schwab stated that it is concerning that people are spreading rumors.

J. Marcks stated I do not want my neighbors to feel threatened in the residences they have built, that they cannot bring long work trailers to their property. It is on your agenda to discuss industrial equipment. She commented that it is the people who own that equipment who fixed the town property when it broke. We need each other. The citizens help clear the snow. Everyone does their share. They need their plow trucks. When the town's equipment failed, it was the citizen's plow truck that allowed people to get to medical appointments. She is not concerned about people not liking the looks of their neighbor's work truck. It does not preserve property value to have an ordinance that says nobody brings work vehicles home or that you can't have a full-size passenger coach bus. J. Marcks said she can be contacted if anyone has any questions.

S. Schwab stated it is not clear where some of the comments about citizens being told certain things originated.

ZONING MAP

a. Parcel 018-22-0730-12.31 was discussed at the 4-16-2024 public hearing. Many objections were voiced regarding the recommended rezone from High Density Residential to Commercial. The location of the parcel was clarified. The two parcels to the west of it are commercial and the recommendation was to make this storage building used for business storage commercial. The 2018 Comprehensive Plan does show this parcel as Commercial on the Existing Land Use Map and Future Land Use Map. It was based on those maps that the recommendation to rezone was initially made. J. Marcks commented that people made mistakes, and then copied those mistakes, and then the mistake got larger. K. Lee replied, it was not a mistake. No one was living on the property and the commissioners considered how it was being used. S. Schwab stated the designation was based on field reconnaissance. J. Marcks asked why they did not find the town road during reconnaissance. It has been designated as a road since 1975. The utility companies knew the road existed, but the Town did not. She provided the example of the Town not being aware of the road right-of-way behind her property. S. Schwab directed the conversation back to the parcel in question. K. Lee stated at the public hearing there was a lot of concern

regarding what kind of business could move into the parcel in the future if it was zoned commercial. J. Marcks asked if Rowdy's (i.e., the owner's) use of the building would be affected. Several people responded "no." J. Marcks asked if he will need to come and do a song and dance before the committee. K. Lee responded, of course not. J. Marcks commented "He did not ask for this. The Town Plan Commission meddled in this." S. Schwab stated that it is being misconstrued. People went out into the field and looked at aerial photos to conclude that the parcel was being used commercially. The owner did not ask for the zoning change, and it can be retained as high density residential. If it remains residential and the owner in the future would want to use it for operating a business, the owner will need to request a CUP or a rezone at that time. K. Lee stated that the current activity does not require a CUP.

D. Luecht asked if the owner and all other property owners involved in zoning changes were notified by letter. K. Lee stated that letters were first mailed to the owners of properties recommended for rezoning, about one-week later letters were sent to the abutting property owners, and then letters were sent to all property owners in the Town. All property owners in the Town will be affected by the proposed ordinance changes as the permitted and conditional uses were amended in all zoning districts. Property owner R. Jinsky did not express a preference regarding the recommended rezone. He did not request the rezone but voiced no objection to it. The building size did not require a CUP when it was constructed.

J. Marcks recommended that in the future, when anything comes up that is different than how a property owner is currently using their property, even when it is something not previously considered by the Plan Commission, careful thought should be given before recommending a rezone or restricting allowed activities. Don't assume you need to require the owner to do or not do something simply based on a residential zoning designation. When you do this, you are telling people to give up their livelihood, where they work, the homes that they built, and their kid's recreation.

S. Schwab asked if we decide not to rezone it, should we inform Mr. Jinsky. K. Lee responded yes, but to wait until the Town Board discusses and votes on the Zoning Map.

K. Lee stated prior to the Board considering the map and ordinance, a revised version of the draft map should be obtained, and therefore, a motion would be in order. **It was motioned by S. Schwab to retain parcel 018-22-0730-12.31 as High Density Residential based on public input received at the April 16th public hearing. Second by J. Eggebrecht. No future discussion. Unanimous ayes. Motion carries.**

b. Review residential districts

Following up on concerns expressed by S. Provost during the April 16 public hearing, residential districts along Lake Road were discussed. K. Lee shared a handout (attached) showing the sizes of properties along the west end of Lake Road and a second page showing the current zoning districts. She described the details of the handout. The parcel at 3321 80th Street North is listed as 0.04 acres in size. It is owned by the Kiwanis Foundation and taxes are not paid on the parcel. D. Luecht stated the group is a non-profit organization and they are exempt from paying taxes. K. Lee stated there are three properties larger than two-acres mixed in the high-density residential zoning district. They are 2.02, 2.07, and 3.98 acres in size. There are not a lot of properties zoned high density which are over two-acres as mentioned during the public hearing. Looking at the low-density residential properties, there are two that are less than 2 acres. One is 1.99 acres. The other is owned by the person living at 3421 80th Street with a 7.21-acre parcel. A 0.92-acre parcel is attached to the 7.21-acre parcel. If the Plan Commission was interested in following up on S. Provost's suggestion that some high-density parcels should be low density when they are adjacent to low density, an amendment to the Comprehensive Plan's Future Land Use map would be required. S. Schwab stated that it looks like a lot of thought was given when the zoning districts were originally designated. D. Luecht commented that it looks like these parcels were established as a subdivision. It appears that a large single-owner property was divided, and pieces were sold off. In the past, officials studied the parcels and subdivisions created. Those officials looked to the future and decided to keep some parcels low density and others as subdivisions. They used similar consideration when designating parcels as commercial. If we look into the future, the most likely place for commercial activities to move to is along 80th Street. A future land use map may designate parcels along 80th street

even if they remain residences for now. Commercial companies are looking for locations to place their businesses. If we examine the parcels on Lake Road along Lake Wazeecha/Four Mile Creek, the parcels vary in size because of varying depth. The width and lake frontage are similar in size. J. Eggebrecht asked what was S. Provost's concern? Was it that they should be more consistent? K. Lee believes the concern was if the properties are all residential along the stretch of Lake Road that it is not appropriate for the residences to have different permitted and conditional uses based on being zoned either high density or low density. S. Schwab said he was questioning if the ordinance passed would it change zoning for some properties from high density to low density. The answer to that is no. There is a desire to group parcels together as much as possible into one zoning district and not alternate zoning districts based on the property's size. K. Lee confirmed this handout was shared with S. Provost. She did not look at other residential sections of the town. J. Marcks asked if some individuals owned two properties along Lake Road making their property larger than what was stated. She added that in her neighborhood 75% of the people own two lots. K. Lee said each adjacent parcel has a separate mailing address and different owner names. J. Marcks countered that married couples may not have the same last name, but they could have two properties. K. Lee stated if that were the case it would mean that each named person would receive a separate tax bill at a separate address. If the properties are under different names, they are treated as individual properties. S. Schwab stated she is inclined to **make no changes to zoning along Lake Road** and asked if the commissioners had a different opinion. Following discussion, no changes were made. S. Schwab will follow up with the treasurer regarding the listed size of the Kiwanis property.

ZONING ORDINANCE

The date of the annual meeting during which village powers were established has been determined. The date is April 3, 1962. K. Lee suggested adding that date to the Introduction of the Zoning Ordinance. The commissioners **agreed to adding the date**.

K. Lee provided a handout with the current and proposed zoning ordinance definitions. On the last page she added a few additional definitions based on comments made at the public hearing.

The definition of Home Business was discussed. K. Lee stated at the public hearing, it was stated that the definition as proposed lacked sufficient clarity. In particular, the bullet point "parking of commercial or industrial vehicles and equipment in residential districts" was questioned. During the hearing, it was asked if a fishing boat used for a fishing guide business would trigger the need for a CUP. J. Eggebrecht believes clarification was desired on what is a commercial vehicle. J. Marcks commented that if you want to make people mad, prohibiting commercial vehicles is it. She went on to say, commercial vehicles, company vehicles, and personal vehicles for pleasure or work come and go all the time. The residents of the Town of Grant should not be told to not bring home the vehicles that are contributing to the safety of the Town. K. Lee said not all the current commissioners were on the Plan Commission when this definition was developed. Thoughtful discussion went on for months to develop this definition.

J. Marcks objects to it based on "it is not what people are doing now." It is over regulation and not necessary. It will decrease property values because the truckers will not want to buy the properties. K. Lee asked J. Marcks if it is the bullet point that she objects to or to having a definition of a home business. She objects to all regulations. K. Lee replied we are not going to get rid of the zoning ordinance.

S. Schwab said the reason for having bullet points under the home business definition is people have different opinions. Some people may perceive that there are vehicles coming and going all day for commercial deliveries or that unfamiliar people coming and going. It may be inconsistent with the intent of the district. We need something so that when someone comes forward with a business idea we have a definition to look at. There are things that people might find objectionable. An example of a potentially objectionable business is a sexually oriented business. The Town has given their regulation of such business to the County. There might be something a person finds objectionable at some level because of

traffic or something else. The owner needs to come in to explain their business and it is evaluated in comparison to the intent of the district. Most things are not objectionable and that is why we have the conditional use permit process. She cannot recall anything where we turned the person away. We have allowed a customized machine gun business. We are not trying to be overbearing. We are trying to be protective.

K. Lee agreed that we want to maintain the character of the district. We do not want to require all people with a home business to obtain a CUP. Some businesses run and are not even noticeable. Those businesses do not require a CUP. If a business is making a noticeable difference in the neighborhood, we want the owner to obtain a CUP. When the business operations include noticeable activities as listed in the definition, the business could be changing the character of the neighborhood. J. Marcks stated putting those words in the minutes would “put water on the flame.”

S. Schwab offered an example. She received a call from a competitor regarding an auto repair place. The caller had noticed the start-up of the business on Facebook and was wondering if the new business had a CUP. Some people are trying to undetected and avoid coming to the Plan Commission. It is a competitor complaining that the new business did not have to go through what he had to go through. Both businesses can operate, but the new one needs to come forward. When that happens, the Town can know from a safety perspective that oil, fluids, and gas are being handled properly. This is why town officials want businesses to be disclosed.

J. Marcks asked if a long-haul trucker could bring his tractor and trailer onto 82nd Court? S. Schwab replied I do not see why they can't. J. Marcks questioned what if they are over the gross vehicle weight? S. Schwab replied if they came in loaded it could be a concern. Typically, trucks do not come in loaded. J. Marcks said the truckers do pay taxes that support the roads.

J. Lomma commented that it does not say they can't have the business, but that they need a CUP. J. Marcks said maybe people were confused about that. J. Eggebrecht stated that is why citizens attending the public hearing wanted commercial and industrial vehicles defined. K. Lee asked if those two definitions should be added. J. Lomma said a definition for commercial vehicles already exists. D. Luecht said this goes back to Tammy Salewski's request during the public hearing for more information. She wanted more than just saying that a home business required a CUP. She wanted guidelines and information that people could look at. K. Lee responded that the definition for home business could be expanded or changed to provide additional guidelines. D. Luecht replied she did not think the comments were made based only on the home business definition but included other things. K. Lee agreed, saying small wind turbines were a big issue during the hearing. There was a desire to not use words in the ordinance that people may not understand. K. Lee said some terms are universally understood such as flowers, while others are not. It would not be practical to define every permitted and conditional use listed.

S. Schwab asked if there is anything we want to change with the home business definition? There was a lot of thought put into the definition when it was written. It requires one or more triggers. K. Lee pointed out that it says “may” and not that everyone with a trigger will require a CUP. J. Eggebrecht is wondering about the commercial or industrial vehicle, asking what does that truly mean? There is a definition for Commercial Motor Vehicle of “any vehicle used for commercial purposes that is five-ton rated capacity or larger” in the definition list. There is not a definition for industrial vehicles in our list. J. Eggebrecht found the following definition, “Powered industrial trucks, as defined by OSHA, include any mobile power-propelled trucks used to carry, push, pull, lift, stack, or tier materials. This includes, but is not limited to, forklifts, pallet jacks, and powered hand trucks.” She went on to say that there are gray areas that OSHA cannot define regarding industrial vehicles. So, she had difficulty finding an appropriate definition. What she did find does not always describe something driven on the road.

Just because something is used for a business, such as a boat, it does not mean it is a commercial vehicle or commercial equipment. Because a bus is used for a band does not make it a commercial vehicle. The band bus may not meet the definition of five-ton commercial motor vehicle.

J. Lomma recommended changing the trigger limit from one or more to two or more. Having a semi tractor trailer in your yard does not necessarily mean you have a business. J. Marcks asked “and it is not objectionable to a high-density residential area?” Conversation continued regarding the number of triggers that would make a home business more than incidental. K. Lee commented triggers which change the character of the district is what is concerning and would lead to the need for a CUP. Some communities use as a CUP trigger of a business utilizing more than 25% of the square footage of the building. We had no intention of entering homes to make the 25% determination so that is not part of our definition. J. Eggebrecht asked if this applies to high or low residential, or both. The answer is both. D. Luecht said when she thinks of commercial vehicles, she visualizes a truck used by an electrician or a food truck. Their home base is their residence. When it comes to semis, most of those drivers work for someone else.

Bullet points were reviewed.

- *Business activities that are inconsistent with the intent and character of the zoning district.* The statement is subjective. There was an attempt to write clear zoning district intents and therefore have a standard for comparison. The bullet point was retained as stated.
- *Selling retail goods or services to the public that generates vehicular traffic.* It can be difficult to measure if additional traffic has been generated. K. Lee believes the commissioners in place when the definition was written were thinking of a constant stream of traffic. She added hopefully the bullet points will be useful to the Zoning Administrator (ZA) when questioned by a citizen regarding the need for a CUP. At times the prior ZA would direct the citizen to meet with the Plan Commission. Often individuals were told a CUP was not required. J. Marcks commented that the people need to meet with you, you are just too controlling. S. Schwab replied that people do want guidance and parameters as to what they can expect in the community in which they live. The Grant community wanted independence to create its own zoning. J. Marcks replied that all that needs to be said is “Be safe. Be responsible. Enjoy.” You do not need to define everything. J. Lomma stated she prefers to have some guidance. J. Eggebrecht said we are not here to control people. D. Luecht added safety is the objective. The bullet point was retained as stated.
- *Commercial deliveries by vehicle larger than a box truck (e.g. UPS/FedEx).* Box trucks tend to be everywhere, and they are allowable. The bullet point was retained as stated.
- *Parking of commercial or industrial vehicles and equipment in residential districts.* This bullet point was discussed earlier.
- *Employees not related that are working on the premises.* K. Lee mentioned that some communities allow one unrelated person to work on the premises before requiring a CUP. This would be different than an employee meeting at the business owner’s home to drive together to a job site. The bullet point was retained as stated.
- *Advertising sign.* Not discussed.

The idea of changing the number of triggers from one to two was revisited. K. Lee believes the original number was based on the idea that sometimes one trigger is alarming enough to require a CUP. J. Lomma said you are trying to identify businesses that might go beyond incidental and suggest in those situations additional rules (conditions) are required.

T. Reitter commented that the home business definition has been thoroughly reviewed in the past as well as tonight and we need to approve it and move on. We heard tonight that the zoning ordinance may have too many words and may lead to a reduction of civil liberty. We as citizens have a responsibility to create documents that provide comfort. There are a lot of words, but he can interpret all of them to make perfect sense. Our definitions are trying to cover all the other points made in the document. What he heard tonight is at the other extreme and decreases the ordinance down to three words. The world we live in does not allow for that. Everyone needs to know what is expected. We are

not trying to overregulate. Regarding home business, the first question that comes to mind is can anyone tell it is going on. We have good method to tackle a knotty problem.

J. Eggebrecht stated if we change it to two or more triggers it might be viewed as more acceptable. We have sincerely looked at the definition following citizen input. D. Luecht believes the triggers identify what goes beyond an incidental home business. Individuals would be able to identify when they need a CUP. This is not an iron rule, it is a definition. **There was consensus that the wording be changed to “Two or more of the following go beyond of the following go beyond an incidental home business and may furthermore require a conditional use permit.”**

The definition list was reviewed for completeness of terms. Several additional terms were suggested at the public hearing. The following were discussed and added:

- **Event Barn – A repurposed agriculture building used for purposes such as hosting weddings or other public events.** Regulation of event barns will be left to the state.
- **Wind Turbine, Small - Also known as micro wind turbines or urban wind turbines, are wind turbines that generate electricity for small-scale use. Small turbines range in size from 20 Watts to 100 kilowatts. Micro wind turbines range in size from 20- to 1000-Watt.** T Reitter stated if the turbine is over 1000 watt, you are talking about serious power. There is a fire danger. Issues related to noise and size are what make the turbines a concern in residential areas. Micro wind turbines will not be listed as a separate definition.
- **Solar, Roof Mounted Installations – A photovoltaic system that has its electricity-generating solar panels mounted on the rooftop of a residential or commercial building or structure.** T. Reitter commented that most residents would not have a system larger than 10 kilowatts.
- **Solar, Ground Mounted (Free Standing) Array – A photovoltaic system that is mounted on the ground using specially designed frames.**
- **Solar installations - An array of photovoltaic cells mounted in a framework that supply solar electricity to electrical equipment, the main components of a solar power system are photovoltaic (PV) panels, a DC to AC power converter (called an inverter) and a rack system that holds the PV panels in place.** K. Lee had included this definition as an example. Roof mounted and ground mounted is terminology found in residential districts, whereas installations are mentioned in agricultural districts. T Reitter stated that thing being distinguished here it that when your solar array reaches a certain size it has commercial value. The definition is general in nature, but it is fine to leave it.
- K. Lee stated utilities, substations, communication towers, and wind generators are conditional uses in most zoning districts. She is not sure if they need definitions. Wind turbines are defined in residential districts. T. Reitter commented that utilities are generally regulated, substations are engineered structures, and the only personal application of communication towers are those for ham radios operators. They all fall into the category of commercial progress. They need to be worded in a way of progress in society. The town reserves the right to have a conversation when people want to construct these types of structures. S. Schwab noted there is a Tower Ordinance. T. Reitter said his point is these things tend to be commercial in nature or on a larger scale than would be applicable in a residential situation. They may apply to agriculture situations when communication between workers is desired. Any definitions should be structured around that thought process. These are the structures the town wants to know are going in. That does not mean we are trying to regulate it. We need to make a reasonable judge whether it fits our situation. We should identify that they fit in some of our situations. S. Schwab stated we can return to these definitions.
- T. Reitter suggested adding tiny homes as a definition. K. Lee replied they are not discussed in the ordinance. Changes would need to be made to the minimum house size. T. Reitter replied that if they were added, there would be a lot of interest. Detached residence(s) of owner(s) or

operators was mentioned as having a connection to tiny homes. K. Lee said that use was added to allow business owners to live on the parcel in a structure not attached to the business. Living in an attached residence was previously allowed. The use focuses on commercial properties. “Rental residential units” allow someone other than the business owner to live on the property. Maybe the two uses could be combined into one use.

K. Lee commented that some of the new uses in the ordinance were added following a citizen request to do something. It could be viewed as reactionary, but that is not necessarily bad. The Plan Commission should be reacting to the citizens of the Town. T. Reitter agreed. We need to listen when people come to us with ideas asking if it will fit. We are trying to put ourselves into a position where we can make it happen.

K. Lee suggested that between now and the next meeting that the commissioners review the zoning ordinance to identify terms that require a definition that are currently not defined.

FUTURE MEETING DATES

- May 15
- June 19
- July 17 (T Reitter is not available)

Future agenda items should include the Sign Ordinance, the fee schedule, and updating the permit forms to include granting permission for the Zoning Administrator, Town Board and Board of Appeals to enter the property.

ZONING ADMINISTATOR REPORT

There were 13 permits issued for a total of \$1165. This includes one porch, one new residence, one accessory building, one cabin, one address, two utility accommodation polices, a certified survey map, three driveways, a deck, and a class 2 collocation. Out of the \$1165, \$500 is pending for the class 2 collocation.

ADJOURMENT

The meeting was adjourned at 9:03 pm.

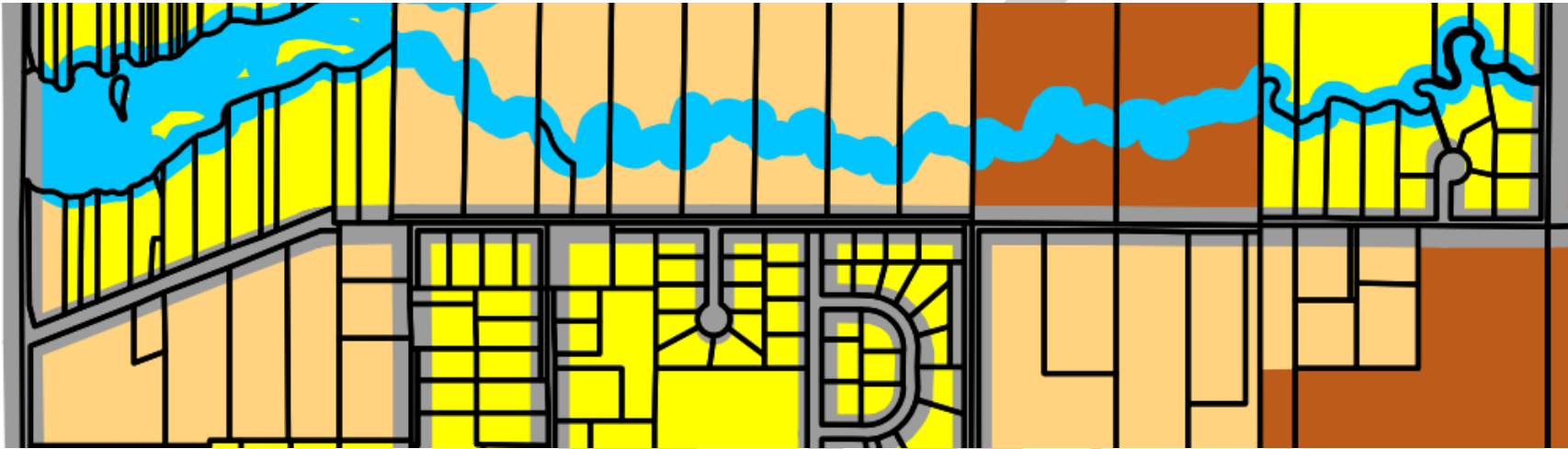
Respectfully submitted,

Kathleen D Lee

Plan Commission Secretary



HIGH DENSITY	HIGH DENSITY	LOW DENSITY	LOW DENSITY
8021 Lake - 0.92	8510 Lake – 0.90	3221 80th - ?? 0.04	3310 85 th – 2.0
8031 Lake - ?	8520 Lake – 0.91	8511 Lake – 9.99	3360 85 th – 3.53
8121 Lake - ?	8530 Lake - 0.91	8531 Lake – 9.99	
8131 Lake – 1.4	8540 Lake – 0.71	8611 Lake – 8.90	
8141 Lake 2.02 (871 sq ft over)	8610 Lake – 2.07 (3049 sq ft over)	8631 Lake – 9.99	
8161 Lake – 1.74	8630 Lake – 1.21	3421 80 th – 7.37	
8221 Lake – 1.8	3210 87 th – 0.68	? Lake – 0.92	
8231 Lake - 1.17	3311 85 th – 1.45	8130 Lake – 5.16	
8241 Lake - 3.92 (1.92 acres over)		8210 Lake – 5.16	
8321 Lake - ?		8300 Lake – 5.16	
8341 Lake - ?		8330 Lake 1.99 (436 sq ft under)	



DRAFT