

**TOWN OF ADDISON
MINUTES OF THE PLAN COMMISSION**

September 1, 2022

The meeting was called to order by Chairman Bingen at 7:00 PM. This meeting has been properly noticed.

The Pledge of Allegiance was recited.

ROLL CALL: Members present: Robert Bingen, Lisa Anderson, Steve Fieweger, Leroy Infalt, Gary Karnitz, Jerry Priesgen, and Dan Wolf. 13 others were present.

APPROVAL OF AGENDA: Motion by Priesgen to approve the agenda. Seconded by Infalt. Motion carried.

APPROVAL OF MINUTES: Motion by Fieweger to approve the August 4, 2022 minutes. Seconded by Karnitz. Motion carried.

PUBLIC HEARING:

Conditional Use Hearing for Construction of an Accessory Structure where a Principal Structure Is Not Established- Joseph Toth, Blueberry Rd, Sec 16. Joseph Toth was present. He explained that he would like to build a 12'x 12' shed on his vacant property on Blueberry Rd. He has an adjacent property at 465 Elder Ln. Toth eventually wants to build a house on the property. Chairman Bingen made a request for public comment. Don Heesen, 6211 Blueberry Rd, Allenton, WI 53002 was present and questioned if the camper and pallets will be removed from the property once the shed is built. Toth said yes. Bingen made two more requests for public comment and upon hearing none further, motion by Priesgen to close the public hearing. Seconded by Karnitz. Motion carried.

Conditional Use Hearing for Construction of a Flagpole Exceeding Height Limits- Badger State Waste, 6588 Hwy W, Sec 10. Jack Krell was present from Badger State Waste. They will be constructing a 55' flagpole with a 50' flag, 25 feet from the building towards the south. The flag will be lit. Chairman Bingen made a request for public comment. Administrator Fieweger explained that she received a call from a neighboring property owner, Bill Hayes, 910 W Decorah Rd, West Bend, WI 53095, and he has no issues with the pole being constructed. Bingen made two more requests for public comment and upon hearing none further, motion by Anderson to close the public hearing. Seconded by Fieweger. Motion carried.

Conditional Use Hearing for Accessory Storage of Materials or Goods- Flavors of Grace LLC, Weis St, Sec 16. Kent Schmidt was present from Flavors of Grace. He explained that he would like two (2) storage containers to store tables, chairs, and kitchen equipment that they rent out. This would save them from having to bring them in and out of the building. They are also running out of storage space inside. Administrator Fieweger received a letter from Patricia Strupp, 716 Weis St, Allenton, WI 53002 that she would be in favor of the containers if they are hidden from the road. Tony Priesgen, 3773 Teri Ln, Hartford, WI 53027 also owns adjacent property and he called and said that he has no objections to the storage containers. Bingen made three requests for public comment and upon hearing none, motion by Infalt to close the public hearing. Seconded by Wolf. Motion carried.

NEW BUSINESS:

Conditional Use Permit for Construction of an Accessory Structure where a Principal Structure is Not Established- Joseph Toth, Blueberry Rd, Sec 16. Joseph Toth was present. Administrator Fieweger presented a draft CUP. Bingen read the cup aloud. Priesgen asked when the camper and pallets would be removed from the property. Toth stated by October 30 it will all be gone. Bingen asked if the shed will be staying if he builds a house on the property. Toth intends to utilize the shed for the future home. Karnitz would like the wording for letter "B" of the conditional use permit changed to reflect personal use as a shed, not recreation use. Motion by Karnitz to approve CUP A-22-010 with the change of wording to letter "B". Seconded by Anderson. Motion carried.

Conditional Use Permit for Construction of a Flagpole Exceeding Height Limits- Badger State Waste, 6588 Hwy W, Sec 10. Jack Krell was present. Administrator Fieweger presented a draft CUP. Bingen read the CUP aloud. Krell explained that the employees gifted the 55' flagpole and 50' flag to the owners. Bingen asked if the flag will be lighted? Krell said at this time they are considering using solar powered lights to light up the flag. They will be running electric to the pole as well. Krell will be responsible for raising and lowering the flag as needed. Motion by Wolf to approve CUP A-22-011 as presented. Seconded by Priesgen. Motion carried.

Conditional Use Permit for Accessory Storage of Materials or Goods- Flavors of Grace LLC, Weis St, Sec 16. Kent Schmidt was present. Administrator Fieweger presented a draft CUP. Bingen read the CUP aloud. Bingen asked what size containers Schmidt is proposing. He said 8' x 40'. Priesgen stated that he would like the containers to be painted to cover any writing or names that are on the container. Bingen asked if they will be stored to the back of the lot. Schmidt said yes. Anderson questioned if the placement of the containers will be on gravel or concrete. Schmidt stated concrete. Wolf asked if the location is in shoreland. It is not. Wolf also stated that he does not feel this is the right area to have storage containers. Bingen questioned if this was a permanent solution to their storage problem. Schmidt said yes, for now. They would possibly consider other options, but probably not for the 3 years. Karnitz asked what the height of the fence around the property is. Schmidt stated 8 feet. Motion by Fieweger to approve CUP A-22-012 with the addition to letter "F" to add the containers must be painted. Seconded by Anderson. Wolf voted against the motion. 5 aye votes, 1 nay. Motion carried.

Review of Conditional Use Permit A-21-008- RBK Properties LLC, 5744 Black Walnut Dr, Sec 34. Ryan Kuhn and Andy Messig were present. Kuhn stated that they are scheduled for their first race on December 10th & 11th, 2022. They also have the potential for 2 more races. January 6 & 7, 2023 and February 4 & 5, 2023. The season ends April 4, 2023. Kuhn is requesting the practices to be allowed to begin on November 15, 2022, weather permitting. Priesgen said the Plan Commission has not had any complaints, so he would be in favor of that. Kuhn asked if they would be able to decrease the number of portable bathrooms that are onsite. Priesgen stated he would like to see the number stay the same until there is a good pattern of spectators. Kuhn would like to amend the hours of operation. They would like longer hours so they do not become noncompliant with the permit. Bingen suggested Friday nights until 6:00 PM for practice, and race days we could allow them to run until 7:00 PM. He said we don't want to extend the hours too late or there is the potential for complaints. Karnitz asked if there was any damage

to the retention pond? Kuhn said very minimal and they did fix it. He would like to change the date under letter "M" to allow them longer complete the repairs. It was quite wet when they were trying to repair the retention pond. Fieweger suggested changing the date to June 30, 2023. Infalt was concerned of the potential for heavy rains going into the summer and making it harder to get to the pond for repair. Anderson suggested changing the date to June 30, yet they should still try for sooner. Karnitz questioned if the track was in the same location as last year. Kuhn said there are some minor changes to the location. Karnitz said a new map should be send to Administrator Fieweger so she can add it as an exhibit in the renewal permit. Kuhn questioned if they would be able to have food trucks on site. Bingen explained at this time no, but the Plan Commission is in discussion to allow them at some point. They will have to return if and when an ordinance change is made to amend the CUP. Motion by Karnitz to approve the renewal permit A-22-013 with the following changes:

- Letter "A" change beginning date to November 15, 2022.
- Letter "B" change Friday track activity hours to 3:00-6:00 pm. Saturday track activity hours to 7:00 am to 7:00 pm. Sunday remains the same. Add event dates.
- Letter "M" change completion date of repairs to June 30, 2023.
- Letter "O" change permit dates to November 15, 2022 thru April 2, 2023.

Seconded by Priesgen. Motion carried.

Discussion Regarding Land Division- Dawn & Mike Peters, 6494 Aurora Rd, Sec 13. Dawn & Mike Peters were present. They would like to divide off the farmhouse and buildings making approximately a 5 acre parcel to sell. Bingen explained that this would be a farm consolidation and it could be done, but the remainder of the parcel would need to be deed restricted. The Peters' agreed. They also were curious if they could sell approximately 4-6 acres of wooded land to one of the neighbors. The Commission said this is possible, but it has to be attached to an existing parcel. No more buildable parcels are allowed. The consensus of the board was to proceed with the farm consolidation.

Discussion and Possible Action Regarding CUP A-12-011- Joseph Rossetto, 4914 State Hwy 175, Sec 34. Chairman explained that Rossetto still has not proceeded with the eviction of the current tenant, who does not have a CUP to operate at the current location. Rossetto left a voicemail message that he was ill and could not attend the meeting. He would like a 30-day extension. Karnitz suggested a 15-day extension. He said the place is getting messy. There are cars parked all over the road and in the driveway. Bingen suggested pulling the CUP, deny the extension, and recommend legal action to the Town Board. Motion by Fieweger to rescind CUP A-12-011 for noncompliance and recommend to the Town Board to proceed with legal action against the property owner and tenant. Seconded by Priesgen. Motion carried.

Discussion Regarding Land Division- Todd Schellinger, 5815 Hwy U, Sec 19. Todd Schellinger was present and explained he would like to divide 5-15 acres of his property to sell to a friend to build a house on. Bingen explained that our ordinances only allow for 1.5 to 2.5 acres. We did this to allow small parcels and not waste farmland. Priesgen would like to table this discussion until the property is cleaned up. Administrator Fieweger had sent a noncompliance notice to Schellinger back in March 2021. Bingen asked how the cleanup is going. Schellinger said slow. Infalt said he felt it is getting worse. Motion by Priesgen to table the land division until the cleanup of the property is completed. Seconded by Infalt. Motion carried.

Discussion Regarding Zoning Ordinance Amendment to Allow Food Trucks- Administrator Fieweger presented some information regarding the food trucks. She explained that other places require a Direct Sellers permit for the food truck to operate. If a business would like a reoccurring food truck on their property they need to obtain a conditional use permit. The Plan Commission discussed some options on how to allow the food trucks for private functions, but not on town or village streets. It was also discussed that the better place to implement this would be in the General Code of Ordinances, not the Zoning Ordinance. Discussion continued. Motion by Priesgen to table until more information can be presented and discussed. Seconded by Fieweger. Motion carried.

COMMUNICATIONS:

Administrator Fieweger sent a noncompliance letter to a resident for a storage container that he does not have a permit for. He will be coming to the October meeting to discuss the permit. Bingen updated the board on the progress that has been made at 5923 Hwy 33. The eviction has happened, and everything is cleaned up with the exception of 100-200 tires. Administrator Fieweger has contacted the property owner and she will set up an inspection once the tires are removed. Karnitz asked about a storage container at a residents' property that was to be moved out of sight and has not been. Administrator Fieweger will look into it and send a notice if needed.

ADJOURNMENT:

Motion to adjourn by Karnitz. Seconded by Infalt. Motion carried unanimously at 8:40 p.m.

Jill Fieweger
Zoning Administrator