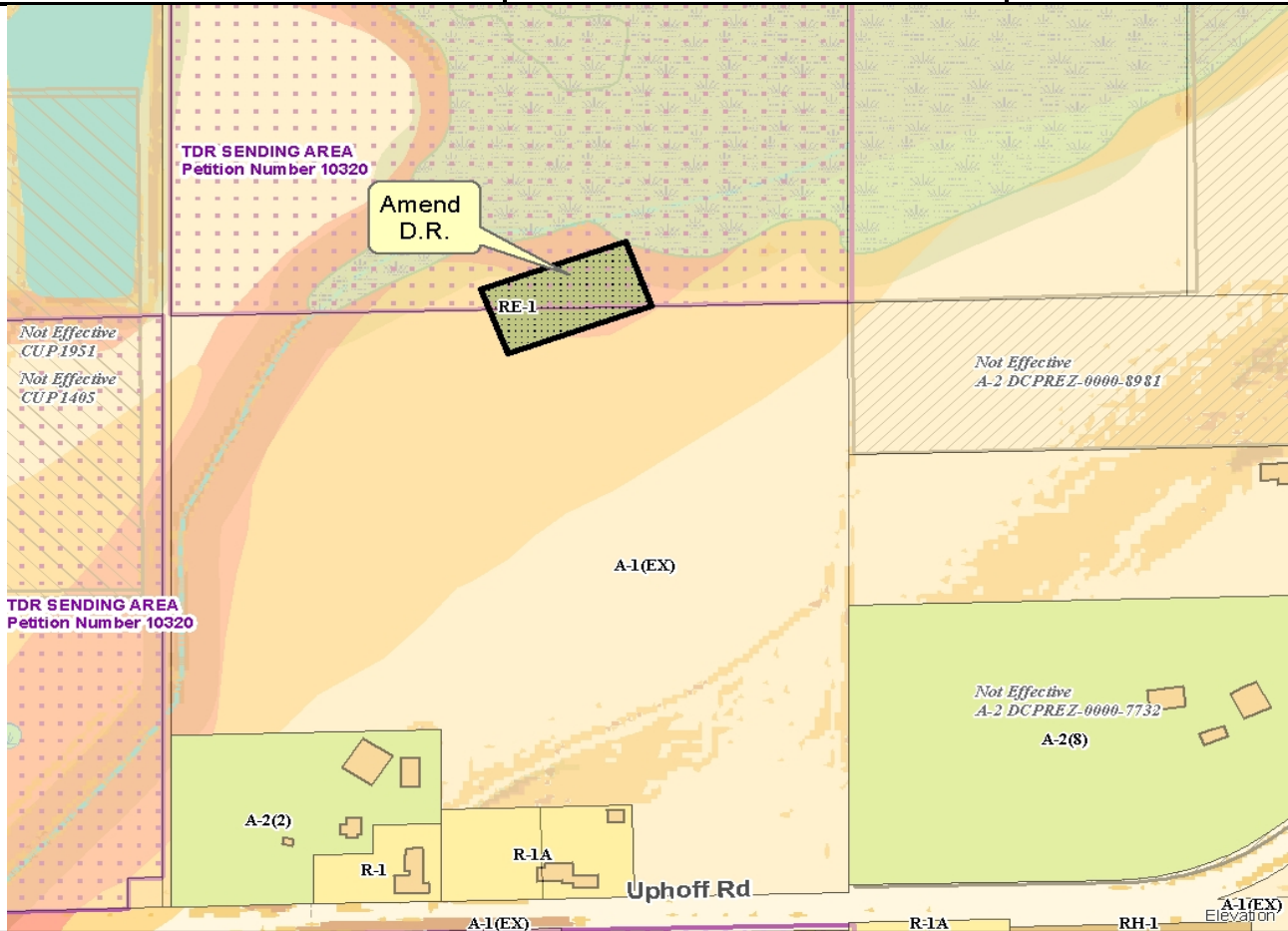




Staff Report

Public Hearing: November 22, 2016	Petition: Rezone 11058
Zoning Amendment: RE-1 Recreational District to RE-1 Recreational District	Town/sect: Cottage Grove Section 15
Acres: 1 Survey Req. No	Applicant Huston Holdings LLC
Reason: Amend deed restriction to allow increased operating hours for model aircraft flying	Location: North of 2342 Uphoff Rd

Zoning and Land Regulation Committee



DESCRIPTION: Madison Area Radio Control Society (MARCS) operates a “flying field” on the subject property where its members can operate radio controlled model aircraft, subject to limitations imposed under previous petition 10898. MARCS is requesting an amendment to existing deed restrictions that limit the hours of operation for “gas & glow” model aircraft. Those restrictions limited the operation of gas & glow model aircraft to 8 times every other Tuesday (10am-2pm) and Saturday (10am-4pm) from April 26, 2016 through June 18, 2016. Electric propelled aircraft are permitted to operate sunrise to sunset, 365 days / year.

Applicant requests that hours and days of operation for gas & glow aircraft be expanded to 6 days per week as follows:

- Mon-Wed-Fri, 10am-3pm;
- Tues-Thurs, 3pm-7pm;
- Sat, 10am-5pm.
- No operations would occur on Sunday.

Gas & glow flights would be logged, and limited to 10 minutes maximum, with 5 minute breaks in between, with no more than two aircraft flying at any time. All gas & glow aircraft would be tested for noise level and limited to no more than 85dB at 50’ away. Applicant also proposes to hold special “Warbird and Scale Rally Events” on Saturdays in the summer. The special events would run from 9am-2pm Saturdays, and MARCS proposes to provide 30 days advance notice of the events to neighboring residents.

DESCRIPTION, continued:

To address concerns raised by neighbors, MARCS proposes the following:

- Neighbors may contact the MARCS' president if a plane seems too loud. The plane will be re-checked for dB level. If it is not the dB level, but the manner in which the plane is flown, the owner will be given notice and if the president receives an additional complaint about the same plane, it will be grounded.
- To stay farther away from the Andrews' residence, gas and glow planes will fly no farther to the East than the Cattle Corral. The exception to this will be if the wind is out of a Westerly direction. Planes will go farther to the East to set-up landing into the wind.

OBSERVATIONS: The property consists of approximately 50% hydric soils. An intermittent stream / drainage ditch, with associated wetlands, is located just north of the property. No sensitive environmental features located in the 1-acre area. Agricultural uses surround the proposed RE-1 lot. There are single-family dwellings located approximately 1100'-1500' to the south.

TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: No resource protection corridors located on the property.

STAFF: Approval of previous petition 10898 effectively established a "probationary" period for the flying of "gas & glow" model aircraft, to assess the nuisance impacts to neighboring residences. Staff have received complaints from at least one neighboring resident, Penny Andrews, who expressed concern that the probationary period of operation between April and June was not sufficient to assess the negative impact of noise associated with the gas & glow planes. As noted above, and included as conditions of approval in the town board action report for the petition, the applicant proposes a number of measures intended to mitigate the noise impact associated with the operation of the gas & glow aircraft.

TOWN: Approved with specific conditions. See attached.