

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding ^{DCP CUP} Petition # ⁰²⁴²⁶ ~~2018-0726~~ Dane County ZLR Committee Public Hearing July 24 2018

Whereas, the Town Board of the Town of Montrose having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one): **APPROVED**

DENIED (IF DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

PLANNING COMMISSION VOTE: N/A In Favor N/A Opposed

TOWN BOARD VOTE: 3 In Favor 0 Opposed

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(a), if applicable, are found to be (check one):

SATISFIED

NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

Friday and Saturday Closing hours to 11:00 pm

Music noise level Less than 85 decibels

Review by Town Board every Three years

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Julie L Bigler, as Town Clerk of the Town of Montrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 8-7, 2018.

Julie L Bigler
Town Clerk

August 7, 2018.
Date

Town of Montrose
Regular Board Meeting Minutes
1341 Diane Ave., Belleville WI 53508
Tuesday, August 7, 2018, 7:00 p.m.

Meeting was called to order by Roger Hodel at 7:05 p.m.

Deputy Clerk stated for the record that meeting was posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Randy Francois and Dan Palmer, Treasurer Melissa Salisbury, and Deputy Clerk Linda Miller. Clerk Julie Bigler - excused absence

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve July 3, 2018 Minutes as read and corrected. Motion carried. Line 2 of July 3, 2018 should read as *Clerk stated for the record that meeting was posted according to Open Meeting Laws not Deputy Clerk stated for the record that meeting was posted according to Open Meeting Laws* and crossed off *BOR Meet to Adjourn in last motion on second page.*

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to accept July 2018 Treasurers Report as presented. Motion carried.

Announcements: Condolences to the family of Kevin Ace. Senior Citizen meeting-Two people to join committee from Town of Verona. They will contribute now and Montrose will have a 4% increase or \$22,666.00. New agreement will be drawn up to include Town of Verona.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to accept Expenses by Vendor Summary Report as presented. Motion Carried.

Fireworks permit to possess and display fireworks for Village of Belleville was signed by Roger Hodel. Copy was provided for town files.

Jessica Popp called Roger Hodel to let him know Mark had ruined a three year old fruit tree on her property. Cost was \$45.00. The town will replace with a tree that is the same age.

Committee Reports-Tim Schmitt stated Land Use Committee did not meet in July. Don Schaller and Derek Gobel were issued driveway permits by Tim in July.

Noting presented on proposal to convert section of State Highway 69 into a Town Road

Motion made by Randy Francois, seconded by Dan Palmer, and made unanimous by Roger Hodel to approve Operator License for Breanne Elizabeth Karn. Contingent upon Receiving All Necessary Paperwork and Fees. Motion Carried.

Discussion held on requested changes from Bill Hastings to Conditional Use Permit DCPCUP-2018-02426. Changing closing time from 10:00 p.m. to 11:00 p.m., Review of CUP by Town of Montrose Town Board from three years to five years. **Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve Request from Bill Hastings on Conditional Use Permit DCPCUP-2018-02426 to Change Closing from 10:00 p.m. to 11:00 p.m. on Friday & Saturday and Review CUP every Three Years. Motion Carried.** Bill Hastings informed the board the Wisconsin Dept of Natural Resources granted Bill's permit to keep gravel as is for parking for weddings is now ok. Music in residential area must be less than 85 decibels. Bill will purchase a unit that will measure decibels to make sure it remains under the 85 decibels level. Discussion followed regarding more parking for larger Paoli events as suggested by Roger Lane from Dane County. Roger has interns that could work on the feasibility of this option. Bill Hastings will work with Roger Lane on this and keep the board informed.

Mike Pulvermacher with Dane County talked with Roger Hodel regarding a Nature Conservancy. Mike will come back on September 4th with a specific request for board support.

Discussion held on damage done on July 20th and 21st (2018) hall rental. **Motion made by Randy Francois, seconded by Dan Palmer, and made unanimous by Roger Hodel to bill an extra the person who rented the hall \$820.00 for damages. Motion Carried.**

Discussion held on changing security deposit. **Motion made by Randy Francois, seconded by Dan Palmer, and made unanimous by Roger Hodel to change security deposit to \$1000.00 effective August 8, 2018. Motion Carried.**

No Public Input

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to Adjourn August 7, 2018 Regular Board Meeting at 8:00 p.m. Motion Carried.

Respectfully Submitted,
Julie L. Bigler, Town Clerk

Minutes are not official until approved by Town Board

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Petition # DCPCUP 2018-02426 Dane County ZLR Committee Public Hearing 7/24/18

Whereas, the Town Board of the Town of Mentrose having considered said conditional use permit application, be it therefore resolved that said conditional use permit is hereby (check one): **APPROVED**

DENIED (IF DENIED, PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

PLANNING COMMISSION VOTE: 3 In Favor 0 Opposed

TOWN BOARD VOTE: 3 In Favor 0 Opposed

Whereas, in support of its decision, the Town Board has made appropriate **findings of fact** that the standards listed in section 10.255(2)(h), Dane County Code of Ordinances, and section 10.123(3)(a), if applicable, are found to be (check one):

SATISFIED

NOT SATISFIED (PLEASE COMPLETE FINDINGS SECTION ON PAGE 2)

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):
Conditions
Motion made by Randy Francois seconded by Dan Palmer and made unanimous by Roger Habel to approve Conditional USE Permit (CUP) Request for William H. Hastings Property Conditions of Conditional Use Permit to be reviewed in Three Years and Times for Music Sunday through Thursday to end at 8:00 pm Friday and Saturday to end at 10:00 pm. Motion Carried

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Julie Bigler, as Town Clerk of the Town of Mentrose, County of Dane, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on 7-3, 20 18.
Julie Bigler
Town Clerk Date July 5, 20 18.

Town of Montrose, Regular Board Meeting, Tuesday, July 3, 2018
1341 Diane Ave., Belleville WI 53508

Meeting was called to order by Roger Hodel at 7:05 p.m.

Deputy Clerk stated for the record that meeting was posted according to Open Meeting Laws.

Present: Chair Roger Hodel, Supervisors Randy Francois and Dan Palmer, Treasurer Melissa Salisbury, and Clerk Julie Bigler.

Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to approve June 5, 2018 Minutes as read. Motion carried.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve June 2018 Treasurers Report as read. Motion carried.

Announcements: July 9th is the revised date to close Highway PB Bridge in Paoli. The new US and State flags are on the poles. Open Book will be July 23rd and Board of Review will be July 30th. Tim Schmitt asked if a new Land Use Chair has been found and was informed no one who has been asked has accepted the position. Roger Hodel received a phone from Dan Elsing regarding a Land Use issue and Roger referred Dan to Tim Schmitt.

Nothing to report on Proposal to Convert Section of State Highway 69 into a Town Road.

Committee Reports: Tim Schmitt reported that two violation letters from Dane County Planning & Development Zoning Division were sent to two Town of Montrose landowners. These violations will be taken care of by Dane County and not Montrose. Tim reported on the Conditional Use Permit (CUP) request by Bill Hastings. Land Use Committee voted 3 in favor 0 opposed, with two absent, recommending the board approve Hasting CUP request.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve Conditional Use Permit (CUP) Request for William H. Hastings Property Conditions on Conditional Use Permit to be Reviewed in Three Years and Times for Music Sunday through Thursday to end at 8:00 p.m. Friday and Saturday to end at 10:00 p.m. Motion Carried

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to approve Operator License for Jennae E. Pica, Contingent Upon Receiving all Paperwork and Fees. Motion Carried

**Motion made by Dan Palmer, seconded by Randy Francois and made unanimous by Roger Hodel to ADJOURN TO CLOSED SESSION on a ROLL CALL VOTE
Chair Roger Hodel yes, 1st Supervisor Randy Francois yes, 2nd Supervisor Dan Palmer yes. Did not go into closed session per request by Julie Bigler to stay in open session.**

Discussion held between the Town Board and Julie Bigler on Wisconsin Employee Trust Funds (ETF)/Wisconsin Retirement System (WRS). More discussion will be necessary.

Public Input:

Clerk received an email letter from Roy & Nancy McDonnell on June 27, 2018. Copies were made and put in board packet for July 3rd board meeting. Mr. McDonnell was present and discussed with the town board his concerns with issues near his driveway. The board will work with Mr. McDonnell on his concerns. Mr. McDonnell also asked the board about a fire number 1615 that is near bare land that he owns. The board stated it could be removed.

The Town Board receives a list of all bills paid each month, review each bill and stuff the bills into envelopes at each board meeting. The board has decided to continue this process with the additional instructions to the Clerk and Treasurer to pay all bills as they arrive and not mail them until each bill is reviewed at each board meeting. The board also decided to have all bills taken to the Post Office to be mailed instead of using the town's mailbox.

Motion made by Randy Francois, seconded by Dan Palmer and made unanimous by Roger Hodel to adjourn July 3, 2018 BOR Meet to Adjourn and Regular Board Meeting at 8:55 p.m. Motion Carried.

Respectfully Submitted,
Julie L. Bigler, Town Clerk

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**Town of Montrose Land Use Committee
June 25, 2018 Meeting Report**

All Present: Deb Brucaya, Junior Eichelkraut, Tim Schmitt

Absent: Jerome Gobel, Tom Sarbacker

Minutes are not official until approved by land use committee (LUC) members.

Junior moved and Tim seconded to approve as read the minutes of the May 21, 2018 land use committee meeting. Motion carried unanimously.

The only agenda item was a request from William (Bill) Hastings for a conditional use permit (CUP) to allow various public activities at the Paoli Mill historic site, such as weddings, receptions, meetings, outdoor music, and a tap room; and to allow a bed-and-breakfast area on the second floor of the original mill building. Concurrent with this CUP request, Bill was informed by Dane County that a gravel parking area he created violated the county's shoreland protection regulations. County ordinance violations are beyond the town's jurisdiction so Tim redirected discussion back to CUP issues.

Committee members evaluated the merits of the CUP application in view of the six standards in Chapter 10 of the county's zoning ordinance. Under the second standard* committee members discussed limiting the hours when outdoor music could be played to minimize disturbing residential neighbors. Parking and sanitary facilities were discussed under the fourth and fifth standards.** Proposed parking was discussed while parking currently available was found to be adequate; no complaints from neighbors have been received. Renters of this venue bring in portable toilets for their event. Neighbors Steve Berkley and Steve Clawson appeared in support of this CUP request.

Junior moved and Deb seconded to recommend to the town board approval of the request by William H. Hastings for a conditional use permit to allow outdoor entertainment activities, a tap room, and a bed and breakfast at 6890 Paoli Road provided that outdoor music will conclude by 9:00 PM Sunday through Thursday and by 11:00 PM on Friday and Saturday. With the provision as stated in this motion, this request was found to addresses the six standards in Chapter 10 of Dane County's Code of Ordinances. Motion carried unanimously.

* Ch. 10.255(2)(h)2. That the uses, values and enjoyment of other property in the neighborhood for purposes already permitted shall be in no foreseeable manner substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

** Ch. 10.255(2)(h)4. and 5. That adequate utilities, access roads, drainage and other necessary site improvements have been or are being made; and That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

There were no other agenda items. As a public input item, Steve Berkley asked whether his parcel's C-1 zoning allowed the creation of two 2-acre residential lots north of the old Pabst Creamery building. He thought this parcel did not appear on the original plat of Paoli. C-1 zoning allows single and multi-family residences and duplexes as conditional uses. Tim recommended Steve speak with the county.

The meeting adjourned after unanimous approval of Junior's motion and Deb's second to do so.

Submitted by: Deborah A. Brucaya, Recording Secretary, Town of Montrose Land Use Committee