

PUBLIC HEARING AND REGULAR MEETING MINUTES DRAFT

**Town of Big Flats Plan Commission
Public Hearing and Regular Meeting
Wednesday, November 21, 2018, 6:00 pm
Big Flats Town Hall
1104 County Rd. C, Arkdale, WI 54613**

1. Call to Order 6:14 pm
2. Roll Call: Todd Peterson, Wendy Goerke, Michael Clark present, Ray Quimby and Mark Reed absent. One citizen and Zoning Administrator were also present.
3. Certify Posting of the Meeting: Jay Jocham reported that the Hearing was legally posted and Class II noticed.
4. Approval of Public Hearing and Regular Meeting Agenda: Wendy approved, Mike second, all in favor.

5. **Open Public Hearing**

6. Comprehensive Plan Map Amendment requested by Town Board:

Conduct a public hearing on the proposed Comprehensive Plan amendment to the Land Use Maps regarding parcel number No. 004-00132-0000 described as NE ¼, NE ¼, T19N R5E Section 25 by SRT Investments (landowner). Comments requested on a 5-acre (+) portion of the parcel (also known as 1403 Browndeer Ave) to be divided from existing 40-acre parcel and change on land use designation from Agricultural (A-1) to Rural Residential (R-2).

A short discussion on CSM draft map submitted by Lambert-Lee & Associates prepared for SRT Investments. No serious concerns were expressed. No citizen input received by telephone or mail.

7. **Close Public Hearing: 6:35 pm**

Regular Meeting:

1. Call to Order 6:35 pm
2. Roll Call: Todd Peterson, Wendy Goerke, Michael Clark present, Ray Quimby and Mark Reed absent. One citizen and Zoning Administrator were also present.
3. Consideration and possible action regarding the following:
4. Recommend Comprehensive Plan Map Amendment by resolution to the Town Board:

Amend Land Use Maps regarding parcel numbers No. 004-00132-0000 described as NE ¼, NE ¼, T19N R5E Section 25 by SRT Investments (landowner). Proposed 5-acre (+) portion of the parcel (also known as 1403 Browndeer Ave) to be divided from existing 40-acre parcel and change on land use designation from Agricultural (A-1) to Rural Residential (R-2).

Wendy Goerke recommended amending the Land Use Maps to allow for the division of the parcel as stated, Todd Peterson second, all in favor.

5. Review suggestions with legal comments to Section 4G in Land Use and Zoning Ordinance for future amendment:

Re-define standards in definitions: Camping Unit: Any portable device or vehicle, whether towed or self-propelled, including, but not limited to, recreational vehicles, hitch-mount pull-behind trailers, pop-up tent trailers, campers meant to be affixed to the bed of trucks and converted vehicles such as buses, trucks, trailers, slide-out units or fifth-wheels. Such vehicles may be with or without complete kitchen and toilet facilities, self-contained water and sewage systems and designed to be used as a temporary dwelling for travel, recreation, or vacation use. "Camping Unit" does not include mobile homes, manufactured homes and "Park Models".

Suggest recommendation to remove "recreational vehicles" in the "including but not limited to" language, since under 4G, under sub. 1, 2, 4, 5 and 6 all keeps Recreational Vehicle and Camping Unit separate and regulates both. Consider adding in "designed for and used as a temporary or seasonal dwelling."

3. Service Hook-Up:

- a. All Independent Camping Units are prohibited from any permanent hook-up to a septic system or water supply (well) except in a licensed campground. Any connections must be temporary and flexible.

No auxiliary vessels external to the camper vehicle or non-permanent structure intended for the accumulation of sewage shall be allowed, including, but not limited to, rolling containers, barrels, pits, buckets.

No sewage shall be permitted or be deposited upon the ground or into lakes, rivers, ponds, streams or wetlands. Commercially manufactured portable toilets, commonly referred to as "Porta-Potties", may be permitted if they are regularly serviced by a Wisconsin state-licensed provider of portable toilet services.

All septic systems or holding tanks on the parcel shall have a sanitary permit issued by Adams County Zoning.

- b. Independent Camping Units may be hooked up temporarily to electric by way of an extension cord extending from a disconnect box.

4. Use:

- a. Additional "seasonal" camping is allowed (not to exceed three Recreational Vehicle or Camping Units) between April 1 and Oct 31.

This language may be better to add to the zoning district section (i.e. under Section 3, Sub. 1, for R-1, one indefinitely parked recreational vehicle unit per lot. Perhaps we'd want this language updated to say "Recreational Vehicle or Camping Unit" and then add language to say "during the camping season, two additional camping units not to exceed a total of three (3) may be placed on a lot."

Add to definitions what "Camping Season" is, and clarify there that "Camping Season shall mean from April 1 through October 31."

- b. No Recreational Vehicle or Camping Unit may be used as a year-round permanent dwelling. For purposes of this section, "permanent human habitation" means the use and occupation by a human being of a given camper vehicle or non-permanent structure as a place for shelter, sleeping, cooking, eating and other occupation typical of what is commonly understood as being that of a living quarter. Non-parcel owners must have written permission from the parcel owner.

- c. Recreational Vehicles and Camping Units shall be maintained in a safe condition and shall not have an appearance that has a negative effect on neighboring properties. Unlicensed camping units in a state of disrepair will be declared a nuisance under town Ordinance 33.

- d. A property owner may store their own camping unit on their own property (if it is an improved parcel with a dwelling, septic and water) without being subject to any limitations as long as there is a seasonal or year-round dwelling on the same parcel.

Consider adding to the zoning districts, since we have somewhat similar language for recreational vehicles and number allowed.

- e. Recreational Vehicles not to exceed one indefinitely parked unit per lot. Two additional vehicles are allowed during the camping season.

This language reads like what we have for zoning district. We may consider the same type of language suggested under sub. a, and just apply it to both Camping Unit and Recreational Vehicle under the zoning district section.

- f. No Recreational Vehicle or Camping Unit allowed to be parked on parcels without first obtaining a driveway permit and fire number.

This works here, or may be added to the language under zoning districts.

5. Improvements:

- a. No external additions, piers, deck(s) or concrete pads shall be affixed or attached to any Recreational Vehicle or Camping Unit.

6. License:

- a. All Recreational Vehicles and Camping Units must have a valid license displayed on vehicle, maintain current registration with the DOT and be "Road Ready" at all times.

- b. Any un-licensed Vehicles, Recreational Vehicles or Camping Units will constitute a violation of this Ordinance and therefore be subject to a forfeiture of not less than \$50.00 for each offense.

- 7. Enforcement: Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with, or who resists the enforcement of any of the provisions of this Ordinance, may be issued a citation for such violation and shall be required, upon conviction, to forfeit not less than \$50.00 for each offense, together with court costs and all fees. Each day that a violation continues to exist shall constitute a separate offense.

Change #7 as "Violations and Penalties", however Section 10 provides for penalties that would apply and leave that section as the de facto area where enforcement and penalties exist for the zoning ordinance.

- 1) *Use a range, for example "not less than \$50 nor ore than \$500, plus the applicable surcharges, assessments and costs for each violation."*
- 2) *Use an escalator, for example "First Offense Penalty: Any Person who shall violate any provision of this Ordinance shall, upon conviction thereof, forfeit not less than Fifty Dollars (\$50.00), nor more than Five Hundred Dollars (\$500.00), together with all applicable costs and fees; Second Offense Penalty: Any person who shall violate any provision of this Ordinance as a second or subsequent offense shall, upon conviction thereof, forfeit a deposit of not less than Fifty Dollars (\$50.00) nor more than One Thousand Dollars (\$1,000.00), together with all applicable costs and fees."*

"Other Remedies: The Town shall have any and all other remedies afforded by the Wisconsin Statutes in addition to the forfeitures and costs of prosecution above. The Town may bring an action in the Circuit Court for Adams County, WI for the abatement of the offense and an injunction prohibiting continued and/or future use of the premise, property, etc. in a manner, which would violate the requirements of the Ordinance."

Zoning Administrator will assemble suggested revisions into the Zoning Ordinance for the next Plan Commission Meeting after the holidays.

6. Citizens Input: Comments regarding clarification of language. Recommendation by Ray Quimby (by telephone) to have Larry Beck take his place on the Plan Commission. Motion to have appointment on the December Board Meeting Agenda. All in Favor.
7. Adjourn: Motion made by Todd Peterson to Adjourn, Second By Wendy, all in favor at 7:15 pm.

Minutes prepared by Jay Jocham, Zoning Administrator
November 28, 2018