

PLAN COMMISSION MEETING MINUTES

July 20, 2021

Call to Order Plan Commission Meeting: The meeting was called to order by Chairperson Tom Winker order at 7:00 p.m. Pledge of Allegiance recited. Quorum established. Verification of compliance with WI Open Meetings Law.

Also In Attendance: Plan Commission members Charlie Parks (7:29), Tom Bichler, Matt Fuller, Brian Schmidt, Dennis Dimmer, Jeremy Risch, and Keith Schueller, Secretary Ginger Murphy and approximately 35 interested people. Al Poull excused.

Agenda item order was shifted to accommodate Calvin Gall's schedule conflict and order numbering corrected. Motion Bichler/Schueller to accept the amended agenda, and all voted in favor.

Minutes: Motion Fuller/Dimmer to approve the June 16, 2021, minutes; motion carried unanimously.

Land Division/Rezone: Daniel & Ardell Ansay, 546 Silver Beach Rd (01-012-09-002.00), request to separate 2.03 acres with existing structures from a 114.17-acre parcel in A-1 zoning district and rezone to A-2. The remaining acreage will remain in A-1 Farmland Preservation. The request is allowed by ordinance. Motion Fuller/Dimmer to recommend town board approval; motion carried unanimously.

ATV/UTV Ordinance: Winker stated Bill Janeshek had misspoke in regard to the access line in his motion to adopt an ATV/UTV ordinance at the Town Board meeting on July 6, 2021. Janeshek's motion was to mirror the Discharge of Firearms Ordinance which includes Sauk Trail Rd. The proposed line for access will be west of Lake Church Rd and Clay Ridge Rd. Christine Symchych forwarded her research of about 20 existing ATV/UTV ordinances to town board and plan commission members. Limited road access outside of neighborhood areas is consistent in all ordinances.

Consistencies found in some include:

- Regulated hours of operation
- Limited speed limits
- Speed lower than 10 mph within 150 yards of a home
- Liability insurance same as that required of an automobile
- Traffic must stay to the left and in a single file
- Head lights, tail lights and brake lights must be operable and displayed at all times
- No presence of open intoxicants
- Under age 18 must wear a helmet/under age 16 must complete a safety certificate
- No riding until signs are installed
- Club pays for signage

Discussion ensued involving issues of lack of ordinance enforcement, perceived unsafe operation on paved roads, autos with trailers parked on Lake Church/Clay Ridge to access allowable roads, and insurance requirements. Fuller asked for thought of what happens if all neighboring communities allow access, and what if people purchase \$30,000 vehicles due to the fact it is their perceived right and then the town pulls the ordinance. Bichler wants to monitor activity and offered to do the monitoring. Winker stated he received a suggestion to tabulate complaints and review annually. Questions about anonymous complaints and how to research for validity. The ATV club wants to be notified of violations so they can investigate as well. Winker stated the DNR needs to be contacted with all complaints.

Hours of Operation: Winker opened discussion regarding hours of operation. Winker and Dimmer agree with 5 am – 11 pm. Fuller suggested ½ hour before sunrise and ½ hour after sunset.

Parks arrived at 7:29, and Winker brought him up-to-speed on the discussion. Parks stated the town attorney should be contacted for guidance on enforceability. He questioned the DNR's authority to enforce rules enacted by the town and suggested tabling the issue until after consultation and review

of the attorney's findings. His suggestion was not well-received by people in favor of road access. Winker stated attorney review of the ordinance is necessary but this discussion needs to move forward.

Discussion returned to hours of operation. Winker 5-11, Schmidt 5-11, Risch 5-11, Dimmer 5-10 or 11, Schueller 5-11, Fuller 5-9, and Bichler 5-9.

Access Boundary: Winker suggested Lake Church Rd. and Clay Ridge Rd. Fuller suggested I-43 for general (non-resident) users only, but consensus felt it too confusing - either yes or no; not who. In agreement with Lake Church and Clay Ridge Roads: Winker, Risch, Schueller, Dimmer, Bichler, Schmidt

Speed Limit: Fuller suggested 35 mph. Bichler agreed. Dimmer says follow state law. In favor of following state law: Winker, Dimmer, Schueller, Risch, Schmidt.

Insurance: Liability insurance same as that required of an automobile.

Noise: Radios are to be played within personal space.

Minors: State law says all ATV/UTV operators born on or after January 1, 1988, who are at least 12 years old for ATVs and 16 years old for UTVs must complete a safety certification course and must possess the certification. Operators age 12-15 must be accompanied by a parent or legal guardian in verbal and visual control. Operators under age 18 must wear a helmet.

No presence of open intoxicants.

Dimmer reiterated points to be included in correspondence with Atty. Alexy:

- Hour of operation 5 am – 11 pm
- Ordinance reviewed annually
- Lake Church Road/Clay Ridge Road boundary
- Proof of insurance
- Operate at posted speed limits
- Music kept within personal space

These points as well as prohibition of open intoxicants will be forwarded to the town attorney. Upon attorney reply, the proposed ordinance will be reviewed by the Plan Commission.

Conditional Use Permit Request – Calvin Gall: Calvin Gall, 6073 Lake Church Rd (01-052-0002.001), request for conditional use permit to house racing pigeons. Mr. Gall stated he has been training and racing pigeons since he was a kid as a family hobby. He will house 50-70 birds depending on the season. The birds are housed in an enclosed structure. In concern of neighboring properties, Fuller asked if he would ever keep more than 70 birds, and the answer was no. Neighbor Kerry Hunsicker was present and welcomed his hobby. The Clerk stated 15 neighboring property owners were informed of his request with no comments received. Motion Fuller/Schueller to recommend approval, and all voted in favor. Motion carried.

Zoning Ordinance Update: Parks reported Rick Kania recently submitted information for review but has not had a chance to review it. Discussion will take place at the next meeting.

Adjourn: Motion Dimmer/Fuller to adjourn at 8:31.

Respectfully Submitted,
Ginger Murphy