

PLAN COMMISSION MEETING MINUTES June 16, 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 Al Poull, Charlie Parks, Tom Bichler, Matt Fuller, Brian Schmidt, Dennis Dimmer, Jeremy Risch, and Keith Schueller, Secretary Ginger Murphy and approximately 73 interested people.

Minutes: Motion Fuller/Dimmer to approve the May 26, 2021, minutes; motion carried.

Charlie Parks noted Rick Kania, SEWRPC will be assisting in zoning ordinance revisions free of charge toward the end of summer.

ATV/UTV Road Access: Tom Winker informed attendees there would be no public comment. He feels there is a 50/50 split in favor and opposed to the atv/utv ordinance. He does not think the Lakeshore ATV/UTV Club members will create any problems, but there's always the 5% that ruin it for everyone else. Matt Fuller stated the club members asked for access to the lake on town roads, but not access to the beach which would be in violation of DNR and riparian laws. He stressed the fact the beach access is not allowable. County and state roads access are the restricted to areas posted 35 mph or less. Town roads are 55 mph, therefore the speed limit for ATVs/UTVs would be the same. Dennis Dimmer stated there no private roads will be accessible. He also stated ATV/UTV use is legal on the roads for farm use, and he feels other citizens should have the same right. Fuller felt the area will become more popular and crowded if the roads open. He has no issue with the club and believes they are respectable members and residents. Fuller pointed out that if a rider gets an OWI on an ATV/UTV, they pay a fine but it will not impact the driver license. Dimmer stated the Village of Random is open to ATVs and says there is minimal usage. Keith Schueller stated the vehicles will only run most likely in the summer months. Winker stated the Town of Farmington has not seen much of a change since opening their town roads. Dimmer said bicyclists pay nothing toward roads whereas ATVs/UTVs require a license. Fuller believes there will be convoys of these vehicles with noise. When riding in a group, there is the tendency is to stay with the group when approaching a stop sign and going through it. The vehicles are getting bigger, faster and louder. Fuller says it makes sense for the communities up north to cater to such activity as their bread and butter is tourism. There is no economic advantage to the Town to allow access to the roads. This ordinance does not seem to be in line with the goals the Town has been following up until now. Tom Bichler spoke of the potential Town involvement in possible legal issues. Al Poull says he is opposed to the ordinance. Dimmer says noise is no louder that a motorcycle. Jeremy Risch does not think opening the roads will draw more people. Parks feels the newer vehicles equipped with boom boxes will disrupt the community. He stated the town has spent much time working on land uses, and maybe this is not exactly land use, but the resident survey resulted in people wanting the peace and quiet of the Town. The Town has never adopted an ordinance requested by a small group of people for the entire town to adhere to. Ordinances are designed to work in the interest of the majority of people. This ordinance is geared toward a small group, and he does not feel this is in the best interest of the Town. Parks pointed out ten reasons why he is opposition of this ordinance:

1. Enforcement. The sheriff will refer incidents to DNR. The sheriff's office will then perform the clerical work of writing a report and sending it to DNR for enforcement. Ozaukee County has one DNR agent. The Town cannot enforce this ordinance.
2. Confrontations between riders and private citizens.
3. An ordinance will not change the fact that these vehicles are already using the roads.
4. The ordinance presented by the Club is too broad.

5. ATV/UTVs are not designed for road use.
6. Residential density is east of I-43, and residents chose this area for its' peace and serenity.
7. Concern of introducing this use on Town roads relinquishing the control over something presently controlled, and uncertainty about a rapidly changing ATV industry.
8. ATV/UTV use is an overload on roads with narrow shoulders considering traffic, pedestrians, bicycles, and horses.
9. Better to prevent rather than to react and undo.
10. Approximately 250 people took time to voice their objections, and the Town Board should not dismiss this point.

Poull stated the Town's insurance rate could increase and referred to correspondence from Atty. Alexy. Schueller stated the noise from the vehicles are heard for maybe a ¼ mile and it's gone. Motion Winker/Dimmer to allow ATV/UTV access to town roads.

In favor: Winker, Dimmer, Schmidt, Risch, Schueller

Opposed: Bichler, Fuller, Parks, Poull

Motion Fuller/Parks not to adopt the ordinance created by a third party and have the Plan Commission review and revise the ordinance. All voted in favor. Motion carried.

Motion Fuller/Bichler to adjourn at 8:08

Respectfully Submitted,
Ginger Murphy