

APPROVED MINUTES

TOWN OF WILSON PLAN COMMISSION

January 12, 2015 Meeting

CALL TO ORDER & DECLARATION OF OPEN MEETING:

Meeting was called to order by Vice Chair June Spoerl at 6:30 PM and declared an open meeting.

PRESENT: Vice Chair June Spoerl, Commissioners MaryAnn Bergin, Fred Goebel, Guy Jones, Jim Kummer, Dave Schleicher, and Rich Ternes. **Absent:** Chair Doug Fuller. **Others:** Town Attorney John St. Peter, Gerald Bertsch, Jane Kettler, Jayne Zabrowski, Nancy DesJardins, Dan Rostollan, Rudy & Nancy Baumann, and Mary Alice Eschweiler.

HEARING:

- 1.) The Town of Wilson Plan Commission will hold a Public Hearing on the possible revocation, non-renewal, or renewal of a Conditional Use Permit originally issued to Charles and Christy Mikula on June 20, 2007 for the operation of a dog kennel.

For the record, neither Christy Tichel (Mikula), Anthony Keyport, nor Charles Mikula was present.

Public Hearing Speakers:

Mary Alice Eschweiler, 32022 West Highway K, Hartland, WI

Her qualifications for speaking tonight include:

- Delegate to the American Kennel Club for the Waukesha Kennel Club (Club Of Clubs, Not People)
- Involved in the Sport of Dogs for over 50 Years
- An American Kennel Club Judge

She was in attendance as a concerned citizen of the State of Wisconsin with the following thoughts. The American Kennel Club believes in the right of citizens to breed dogs in a responsible manner and according to local ordinances and legal limits. The American Kennel Club has its own inspection program to uphold and maintain standards for those who choose to breed dogs which includes commercial kennels. To her knowledge, Kinship Kennels does not register their dogs with the American Kennel Club meaning they are not open to inspection by them. Therefore, she felt Kinship Kennels is this Board's responsibility and that of the State and in order to make a more informed decision about renewal of this CUP, we need to ask ourselves the following two questions:

1. Is Kinship Companion Kennels being run within our legal guidelines and terms and within the State's legal limits?
2. Are these dogs being treated humanely?

To answer these two questions, she noted we need to ask how many dogs are on the premises, what breed of dogs are there, and what are the physical condition of the dogs?

There were no other speakers.

This Public Hearing was closed at 6:36 PM.

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NEW BUSINESS:

- 2.) Approval of Draft Minutes (December 8, 2014)

Motion by Goebel, seconded by Ternes to approve the December 8, 2014 draft minutes as amended; motion carried with no nay votes and no abstentions.

- 3.) The Town of Wilson Plan Commission will make a recommendation regarding the revocation, non-renewal, or renewal of a Conditional Use Permit originally issued to Charles and Christy Mikula on June 20, 2007 for the operation of a dog kennel.

The applicant's Legal Counsel, Joseph Cincotta was not present tonight as his wife was in labor. A letter was received today from him. In this letter he mentioned that Christy and Anthony Keyport had more hospital issues the past several weeks and was hoping to have a further hearing on the renewal of the CUP so that he could get more info to us and that Kinship Kennels could take further steps to make progress with their operation. In his letter he also gave the status on various issues such as:

- The LLC Formation (New Entity Formed 12/12/14)
- The LLC Operating Agreement (Anthony Keyport –Main Decision Maker)
- Licensure (Still Pending)
- Property Ownership (Issues with Transference of Title from Charles Mikula to Christy Mikula)
- Payment of Local License Tax/Fee (Prefers One-Time Payment Vs. Many Times)
- CUP Conditions, Should Address The Following Issues:
 - Address Number of Dogs by Reference to State Regulations Based On Size of Facility
 - Inspection Entering Property by Town be Limited to the Facility and Not the Residence
 - Discussion Given to What Breeds Are Going To Be Raised and Acknowledged in CUP

Our Town's Legal Counsel provided to us tonight his draft of a revised CUP. This draft was more formal and structured as follows:

- General Conditions (Legal Conditions)
- Special Conditions
- Exhibit A (List of Special Conditions)

Under Exhibit A's List of 14 Special Conditions for the CUP, the Plan Commission, after further discussion tonight, recommended the following number of dogs at any time for the following:

- Item #6: No more than 35 dogs over five months of age shall be kept on the kennel premises
Item #7: No more than 20 dogs of five months of age or less shall be kept on the kennel premises
Item #8: No more than 55 dogs shall be kept on the kennel premises, regardless of their age

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Commissioner Spoerl recommended changing Mikula to Kinship or LLC anywhere listed in the CUP or Exhibit A.

She also recommended the address being changed to be 8509 Middle Road on Page 1 of the CUP.

Legal Counsel noted Charles Mikula was listed in the first paragraph on Page 1 of the CUP. After a title search, Charles still has an interest in the property (part of a divorce decree). Legal recommended as long as Charles has an interest in the real estate, that we leave him on the CUP.

Motion by Goebel, seconded by Spoerl recommending the Town Board renew based on the new Conditional Use Permit (CUP) with modifications specified; motion carried with no nay votes and no abstentions.

- 4.) Park and Forestry Proposed Changes to Ordinance, Chapter 30 Public Parks. Gerald Bertsch and Jane Kettler presented their recommended changes. It was recommended they resubmit a better draft being more general and only listing exceptions. They were also informed to contact Town Clerk, Georgene Lubach, to be put back on our agenda.

OLD BUSINESS:

- 5.) Sign Ordinance – Possible revision to Sign Ordinance 29.02 Administration. The Town's Legal Counsel provided a draft sign ordinance with amendments requested by the Plan Commission. One amendment dealt with the administration verbiage. This was taking away the Town Clerk's responsibility of approving permits and giving this responsibility to the Building Inspector. The Building Inspector would examine and approve the sign permit applications and the Town Clerk would issue the permits and collect payments. The other amendment dealt with sign heights and overlay language near the I-43 and County Road V Interchange. The Plan Commission now needs to provide where this overlay applies. This item is being tabled to next month's meeting (February 9, 2015) when Chair Doug Fuller would be available.

CORRESPONDENCE:

- 6.) Approved Plan Commission Minutes (November 10, 2014)

The next Plan Commission Meeting will be held Monday, February 9, 2015, at 6:30 PM.

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ADJOURN:

Motion by Schleicher; seconded by Spoerl to adjourn; motion carried with no nay votes and no abstentions; and meeting adjourned at 7:57 PM.

Minutes Submitted By: MaryAnn Bergin, Secretary
Georgene Lubach, Interim Clerk

UNOFFICIAL