

TOWN OF FULTON
Planning & Zoning Committee
2738 W Fulton Center Dr.
Edgerton, WI 53534

Tuesday, October 9th, 2007
6:00 PM

Meeting Minutes

1. Call to Order at 6:00 pm by Hull (sitting in for Sayre). Present were Hull, Farrington, Clift, Teubert, and Clerk Zimmerman. Absent were Sayre, Lichtfuss, Rebman and Sautin.

2. Confirmation of Meeting Notice – Zimmerman confirmed that the notice was published in the Edgerton Reporter on 10/3/07, and posted at CKSD, Edg. City Hall, Fulton Townhall, and the Town of Fulton website on 10/1/07.

3. Approval of Agenda – **Motion** (Farrington, Tuebert) to approve agenda. Carried.

4. Approval of Sept. 11th, 2007, Meeting Minutes - **Motion** (Tuebert, Clift) to approve minutes of 9/11/07. Carried.

5. Public Participation –

A. Citizen Brown indicated he would like to speak when we come to item #10. Hull advised that would be ok.

6. Public Hearing – Conditional Use Permit for Charles Mess, 4121 Miles Rd – pursuant to section 4.3(E) of the Town Zoning Ordinance, request for another accessory building - **Motion** (Farrington, Clift) to open the public hearing. Carried. Charlie Mess advised he wants to build a 30x55 accessory building. Hull asked if he needed to put up the new building before he removes his old building. Charlie's son advised he would be building it and could have the new building up by the end of the year but couldn't guarantee on taking the old one down by then. Hull asked what time frame would work for the removing the old building. Clift asked if Mar. 1st 2008 would be sufficient. Clift also asked what the penalty would be if it wasn't down by then. Mess advised Mar. 1st would be a good date and if it isn't done, then the Town could hire someone to take it down, and bill him for it. **Motion** (Farrington, Tuebert) to close the public hearing.

7. Action for Conditional Use Permit for Charles Mess – Clift asked what restrictions he would have for building it. Schrank advised that there is a 50' setback. **Motion** (Farrington, Clift) to grant the CUP to build the shed, with a tear down date is March 1st, 2008. Carried.

8. Discussion re: denial of CSM in Sept. – Land Division, property owner Nina Finucan, 2939 W Cox Rd.; and discussion/clarification of wording for A-2 district Section 4.3(2)(c) – Hull stated that our attorney advised we cannot deny a land division when it meets the requirements. Teubert advised he voted for the land division last month, for the same reasons that the attorney had. Tuebert said the substantial portion of income section hasn't ever been brought up before.

Ron Combs stated section 2C of the A2 ordinance talks about residential dwelling, and indicated generally when in A1 had the wording, it is generally carried through to A2, however, there are two different wordings. He said it is basically the same context. He

advised in A2, it says one residential dwelling for those resident owners or workers which he feels means that if you would have a second residence on a parcel, you would have to make the substantial living off the parcel. Combs indicated ordinance requires 50' of frontage road, and that is what the parcel has. **Motion** (Teubert, Farrington) to rescind the denial of this CSM from the Sept. meeting. Carried.

9. Certified Survey Map-Land division, property owner Nina Finucan, 2939 W Cox Rd. - Combs advised there were no changes on the map. **Motion** (Farrington, Teubert) to recommend to TB to approve the CSM. Carried.

10. Proposed Draft ordinance amendment for Outdoor Furnaces requiring a Conditional Use Permit (tabled from Sept. by TB) - Hull advised that the Chairman had obtained information that the 15' chimney is not necessary. He advised Chairman Sayre has also suggested adding wording to the ordinance stating the furnaces need to be installed per manufacturer's specifications. Hull asked about the need for a CUP and a building permit, and asked if the board felt both were necessary. Farrington stated a building permit should be required, and then if problems occur, the nuisance ordinance would cover the problem.

Citizen Brown stated his opinion about the draft ordinance. Brown was in favor of an auxiliary permit should be issued. Brown suggested if the board wants to pass this ordinance, the possibly we should invite the area dealers to a meeting. **Motion** (Farrington, Clift) to recommend to TB to table until next month so that they can discuss it with a full board. Carried. Zimmerman asked Citizen Brown to provide her with a list of area dealers so that she could send agendas to them next month. Brown stated he would get a list to her.

11. Proposed Draft Ordinance for Exterior Lighting (tabled from Sept.) – Tuebert explained he didn't think there was a way to enforce this. Walton advised that the way the ordinance is written is for when someone puts in a parking lot, they have to comply with the regulations and it only applies to businesses. Walton advised this is checked by a light meter. Walton advised you could borrow the light meter from an electrician if the Town didn't want to purchase one. Tuebert stated he felt we are starting to get ordinances for everything. Farrington advised there needs to be some guidelines. Walton advised the committee submitted two different ordinances, and one was overly restrictive. He stated this version is a guideline to eliminate light trespass. Farrington stated he felt it is a good idea to have something on the books with some standards. **Motion** (Teubert, Farrington) to recommend to TB to approve the draft ordinance. Carried.

12. Correspondence - none.

13. Adjournment - **Motion** (Farrington, Teubert) to adjourn at 6:40 pm. Carried.

Submitted by,

Connie Zimmerman – Clerk/Treasurer

**Note: These minutes are not official until approved by the board.

There is no audio recording of this meeting – digital recorder failed for this meeting.