

TOWN OF RIB MOUNTAIN
PLANNING COMMISSION MEETING
May 8, 2019

Chairperson Harlan Hebbe called the meeting of the Plan Commission to order at 6:00 pm. Other Plan Commission members present included Tom Steele, Jay Wittman and Ryan Burnett. Also present were Community Development Director, Steve Kunst and Building Inspector / Assistant Zoning Administrator, Paul Kufahl. Jim Hampton was excused.

MINUTES:

Motion by Tom Steele, second by Jay Wittman to approve the minutes of the April 24, 2019 Plan Commission meeting. Motion carried 4-0.

PUBLIC HEARINGS:

- a. *Stratford Sign Company LLC, agent, requests conditional use approval for a pylon sign exceeding 10 feet in height at the property addressed 2107 Robin Lane. Parcel #34.102807.005.029.00.00. Docket #2019-14.*

Community Development Director, Steve Kunst, stated the applicant seeks conditional use approval for the installation of new 18-foot-tall multi-tenant pylon sign at the former Ethan Allen property. He noted the proposal calls for the removal of the existing pylon sign and relocating the new sign to facilitate a long-term plan for further development on the southern half of the site. Additionally, Kunst noted the proposed sign is planned to be 117.5 square feet in area and does not conflict with any of the required standards for pylon signs in excess of 10 feet in height.

Commissioners questioned the area of signage and how it effects the remaining signage for the property. Kunst indicated that because the parcel has significant road frontage on both the highway and Robin Lane, the remaining allowable business signage would still be substantial.

Jay Wittman asked the applicant what considerations went into the sign location, area and height. Al Thorne and Cory Holzauer, applicants, indicated they wanted the sign to be visible for both North and Southbound traffic on Hwy 39/51/29. They noted the new location and overall size of the sign it would make it visible to southbound traffic above the Robin Lane overpass and northbound traffic would be able to see the sign around the current North Mountain Road exit signage.

Ryan Burnett and Tom Steele asked whether any of the existing vegetation would be thinned and if there are any restrictions on the quantity of trees removed. Holzauer indicated they do plan to remove some of the trees to make the sign more visible and to clean up the property. Kunst also noted that selective cutting, up to 40 percent, of the trees is permitted and additional removal could be allowed with an approved development project.

Steele confirmed any future development would require Plan Commission approval and access to the future development site is limited. Kunst acknowledged all future development on the site would need to come through the Planning Commission and the applicant has planned for a shared access.

Wittman asked about the sign's composition. Thorne stated the sign is an aluminum frame with Lexan panels and is internally lit. Commissioners questioned the impact of such a large sign on the overall allowable parcel signage. Staff indicated because of the parcels street frontage the allowable signage is near the 500 square foot maximum, and while the 117.5 square feet of pylon signage is removed from the overall area, there will be ample signage remaining for additional business signage.

Chairperson Hebbe opened and closed the public hearing at 6:10pm, receiving no public comment.

Commissioners asked staff if there were any suggested considerations as part of a motion. Kunst indicated he would recommend conditioning an approval upon removal of the existing pylon sign prior to installation of the new pylon sign.

Motion by Tom Steele, second by Jay Wittman to recommend approval for the Conditional Use request for a pylon sign exceeding 10 feet in height at the property addressed 2107 Robin Lane, conditioned upon removal of the existing freestanding sign prior to installation of the proposed sign. Motion carried 4-0.

OLD BUSINESS:

- a. *Joe Schira, owner, requests conditional use approval for a Low-Density Animal Husbandry use at the property addressed 7509 Red Bud Road. Parcel #34.202807.011.003.00.00. Docket #2019-12.*

Kunst stated the applicant seeks Plan Commission approval for a low-density husbandry use to allow the keeping of a mix of animals at their property near the south end of Red Bud Road. He indicated the subject property is zoned Estate Residential-1, which allows for conditional use review for the keeping of animals of husbandry, of which the landowner requests approval for up to 10 equines (e.g. horses), 20 bovines (e.g. beef cattle), 500 poultry (e.g. chickens/ducks), and 20 Bovidae (e.g. sheep). Kunst also noted the applicant holds approximately 93 acres in common ownership, meaning the maximum number of animal units capable of being considered is 93.

Additionally, Kunst noted the Plan Commission held a public hearing on this application on Wednesday, April 24th, and during the public comment period residents identified concerns with uncontained animals, potential odors, impacts on adjacent property values, and rodent management. Kunst stated the request was tabled at the last meeting and staff was directed to meet with the applicant to address the list of questions and concerns provided in the agenda.

At the request of the Plan Commission, Joe Schira, applicant, addressed the previous meetings questions and concerns as follows.

- He indicated he has no intent to keep bison on his property and understands that would create concern from residents related to containment of the animals.
- Animals would initially be housed in the existing detached building with potential for expansion of the building or construction of a new barn type structure.
- He indicated the building is currently 34 feet by 50 feet.
- Grain and feed will be stored in the existing detached building
- General cover and partial enclosures will be provided to protect the animals from the weather.
- The plan is to confine all animals to the field areas near the home, likely to be about 3 acres in area, and does not plan to allow animals to open pasture.
- He plans to process individual animals himself on site and would consider offsite processing for larger quantities if the Commission felt it necessary.
- He indicated the farming operation is purely a hobby interest and would only consider selling some of the poultry items to family and friends given the quantity of animals he is requesting.
- He anticipated that animal waste would be minimal and he would be able to manage it onsite or spread it on his fields.
- He indicated that the total number of animals on site at a given time may never reach the request quantities, but he wished to keep his options open to allow for a variety of species and reduce the likelihood he would need to come back to the Plan Commission for additional approvals.

Commissioners asked the applicant when he plans to install the containment fencing and how he plans to contain the chickens and geese. Schira indicated he plans to have a fence in place by fall of this year and the chickens would be confined to a coop, noting the local predatory wildlife would not allow for free ranging chickens. He did note geese would likely be free to roam, however their tendencies are to stay close to home. Additionally, he indicated the fenced area would be close to his home and would provide a 15 to 20-acre buffer to any adjacent residences.

Steele asked the applicant to provide a realistic quantity for each animal group. Schira anticipated a maximum of four (4) horses, ten (10) beef cattle, 500 total poultry, and 20 total sheep and/or goats.

The Commission expressed additional concerns about the processing of animals and disposal of remains. Schira noted he has experience with the processing of animals and would like the ability to do so on site and be able to teach his grandchildren those skills. He indicated the animal remains would likely be limited and he plans to spread or bury them on his property. Additionally, he felt the use was unobtrusive to his neighbors given the size of his property and location of his home and intended confinement areas.

Commissioners reiterated they did not wish for this use to become a commercial endeavor. The applicant acknowledged the concern and noted the only things that may be sold were poultry products or an extra steer on occasion to manage his herd and maintain the approved quantities. Commissioners asked if the applicant plans to keep roosters and if he anticipated any issue with noise for adjacent property owners. Schira indicated he does plan to keep roosters in order to maintain a variety of poultry species, but does not feel noise would be an issue given his location.

Wittman summarized the discussion highlighting no bison were intended to be kept, all large mammals and chickens were planned to be contained within a limited area near the applicant's home, the

containment area would need to be in place prior to acquisition of the animals, no commercial processing or selling was to occur on site, and the applicant and Commission needed to agree on quantities of each animal group.

In an effort to provide some flexibility for the applicant, the Commission discussed a combined total of 15 horses and cattle, of which only 10 can be cattle, 500 poultry, and 20 goats and/or sheep.

Burnett clarified that approval of this request does not allow the applicant to expand his current detached building. Kunst noted it does not and that additional approvals or ordinance modifications would be needed prior the buildings expansion.

Motion by Jay Wittman, second by Tom Steele to recommend approval of the Conditional Use request for a Low-Density Animal Husbandry use at the property addressed 7509 Red Bud Road, conditioned upon the following items:

- **Adequate fencing to be installed and maintained to contain all non-poultry animals prior to acquisition of those animals.**
- **Horses and Cattle shall not exceed 15 total animals.**
- **Poultry shall not exceed 500 total animals and be cooped, with the exception of a few geese.**
- **Sheep and Goats shall not exceed 20 total animals.**
- **The applicant understands the Plan Commission does not wish to see any type of commercial processing of the animals on site.**
- **The use is to remain a hobby farm and not for commercial purposes.**
- **The applicant is aware of the neighbors concerns as it relates to potential disturbances.**

Motion carried 4-0.

CORRESPONDENCE / QUESTIONS / TOWN BOARD UPDATE:

Town Board - Kunst indicated that all agenda items from the previous Plan Commission meeting were approved as recommended.

Traffic Impact Analysis – Kunst anticipated the Town will be receiving a draft traffic report for Lilac Ave and will be comparing that information with the existing improvement plans and address any potential changes needed to facilitate future development.

New Members – Hebbe noted he had spoken with all interested candidates and recommended two new candidates for appointment prior to the next meeting.

Next Meeting – Kunst indicated there would be a conditional use request from TDS for the placement of their communications building on the Town owned property near the Public Safety building.

Residency Requirements – Kunst noted State Statute does not require residency in order to serve on the Town’s Planning Commission, however the decision to appoint a business owner or property owner will need to be a Town Board decision.

PUBLIC COMMENT: None

ADJOURN:

Motion by Tom Steele, second by Ryan Burnett to adjourn the Plan Commission Meeting. Motion carried 4-0. Meeting adjourned at 7:01 pm.

Respectfully Submitted,

Paul Kufahl, Building Inspector / Assistant Zoning Administrator