

Town of Perry
Minutes of Town Board meeting
Monday, October 16, 2006
Perry Town Hall

1. Call to order. Chairman Pat Downing called the meeting to order at 10:00 PM. Supervisors Larry Price and Roger Kittleson and Clerk Mary Price were present. Also in attendance: Johan Hoff, Dominic Haag, Mary McSherry, Dennis Cleary, Darlene Cleary, Dwayne Iverson, Carol Watkins, Kevin Kovacs, Susan Kovacs, Sean Timmens, Connie Timmens, Jordan Loeb, Mick Klein Kennedy, Ann Windsor, Dean Vogel, Ken Hefty and Bird Cupps.

2. Dane County Zoning Petition 9508, Conditional Use Permit 2012,
Kennel - Sean Timmens, 10225 Spring Valley Dr.

Chairman Pat Downing reviewed the Petition's background and reported a memo received from Dane Co.'s Corporate Counsel on a different matter, "as a general rule, a legislative body may rescind an action if properly presented." He stated that zoning is not final until signed by the County Executive, and his County Board motion to send it back to the Town was based on Johan Hoff's letter. The Town Board again approved the Petition with a split vote. The ZLR returned the Petition again based on neighbors' statements. He stated that he and the ZLR sent it back because they believed there was new information that should be heard.

Roger Kittleson reported that he facilitated the neighbor meeting held on Oct. 11th. He indicated that he has carefully weighed the pros and cons, the facts presented, the plans, the neighbor concerns and hoped for compromise.

Larry Price thanked the Land Use Committee for conducting the public hearings, meetings and site views. He stated that the Land Use Committee's recommended CUP conditions are measurable and a violation would be grounds for revocation.

Larry Price moved and Roger Kittleson seconded a motion to approve Dane Co. Zoning Petition 9508 to rezone 2 acres from RH-2 to A2(2), and approve Conditional Use Permit 2012 with the following conditions, contingent on the approval of an amended driveway plan, if necessary:

1. the kennel is limited to twenty-four (24) kennel pens.
2. the maximum occupancy is limited to thirty-six (36) dogs.
3. outdoor exercise sessions are limited to the hours of 7:00 AM to 8:00 PM, and up to two (2) dogs allowed outdoors per session, one (1) dog per side.
4. all outdoor sessions must be supervised, i.e. no dogs left unattended.
5. one 2-hour cleaning session per day with up to six (6) dogs transferred to outdoor pens per cleaning session.
6. noise limited to less than 30 decibels measured at one hundred (100) feet from the kennel building.
7. excessive barking to be controlled, e.g. bark collars.
8. a liquid waste holding tank to be installed and a weekly solid waste management service must be provided.
9. no field/hunting dog training with guns allowed on parcel.

10. kennel building to be constructed per building specifications for noise abatement as submitted.

The Board discussed the zoning change, the ZLR process, violations enforcement, neighbors' noise concerns, petitions presented, the Land Use Plan's mandatory criteria.

Pat Downing moved to amend the motion to reduce the number of kennel pens to 12 pens. Motion died for lack of a second.

Roll call vote:

Roger Kittleson, Yes; Larry Price, Yes; Pat Downing, No. Motion carried.

3. Adjourn. Larry Price moved and Roger Kittleson seconded a motion to adjourn. Motion carried. The meeting adjourned at 11:05 PM.

Respectfully submitted,

Mary L. Price, Clerk
