

Town of Perry
Minutes of Land Use Committee
Monday, October 16, 2006
Perry Town Hall

1. Call to Order. Chairman Mick Klein Kennedy called the meeting to order at 8:03 PM. Committee members present: Ann Windsor, Ken Hefty, Dean Vogel, and Bird Cupps, and Clerk Mary Price. Also in attendance: Larry Price, Roger Kittleson, Johan Hoff, Dominic Haag, Mary McSherry, Dennis Cleary, Darlene Cleary, Dwayne Iverson, Pat Downing, Carol Watkins, Kevin Kovacs, Susan Kovacs, Sean Timmens, Connie Timmens, Jordan Loeb.
2. Dane County Zoning Petition 9508, Conditional Use Permit 2012, Kennel - Sean Timmens, 10225 Spring Valley Dr.

Susan Kovacs distributed a report to the Committee and the Town Board. Sean Timmens presented information to the Committee and the Town Board. The Committee reviewed the report and the information distributed.

Susan Kovacs reported that no additional conditions were established at the neighbor meeting held on October 11, 2006.

Dean Vogel verified that additional conditions were possible and Sean Timmens suggested further conditions.

Bird Cupps verified that no compromise had been reached at the neighbor meeting.

Susan Kovacs indicated that in her opinion Sean Timmens did not address the neighbors' concerns.

Sean Timmens stated that the issues were addressed in his attorney's letter to neighbors.

The Committee reviewed the status of the driveway easement and Dennis Cleary stated that there are liability concerns and the driveway easement agreement might be withdrawn. The Committee advised that the Site Plan would require review if the driveway plan is amended. Sean Timmens presented informal plans for a revised driveway and the Committee reviewed the soils map.

The Committee reviewed the holding tank/septic system requirements in the Land Use Plan.

The Committee reviewed Dane Co. ordinances for allowed uses within Agricultural Zoning districts.

Dean Vogel moved and Ann Windsor seconded a motion to recommend that action be postponed pending review of an amended driveway plan when presented, and possible additional conditions due to neighbor concerns.

Dean Vogel and Ann Windsor agreed to withdraw the motion.

Dean Vogel moved and Ann Windsor seconded a motion to recommend that the Town Board approve the 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:

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.
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 indoor exercise 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 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 Committee further reviewed the Mandatory Criteria comments, neighbor concerns, solutions for the neighbors' concerns, recourse to enforce conditions, CUP revocation and expiration, and the Town's application/public hearing process.

Motion carried – Yes, 4; No, 1.

3. Recess/Adjourn. Dean Vogel moved and Ken Hefty seconded a motion to recess to a joint meeting with the Town Board, if needed, or to adjourn if the joint meeting is not necessary. Motion carried. The meeting recessed/adjourned at 9:55 PM.

Respectfully submitted,

Mary L. Price, Clerk
