

Town of Perry
Minutes of the Land Use Committee
Tuesday, May 6, 2008
Perry Town Hall

1. Call to Order. Chairman Dean Vogel called the meeting to order at 8:10 PM. Committee members Ann Windsor, Ken Hefty, and Bird Cupps and Clerk Mary Price were present. Also in attendance: Brent Radtke, Scott Herrmann, Roger Kittleson, Michele Kittleson, Mick Klein Kennedy, Lori Oehlhof, Dan Fricke.
2. Minutes of Previous Meeting – March 4, 2008. Ann Windsor moved and Ken Hefty seconded a motion to approve the minutes of the Land Use Committee meeting held on March 4, 2008 as published. Motion carried.
3. Applications – Public Hearings and recommendations.
 - a. Ryan and Lori Oehlhof, 365 Tyvand Rd., accessory building. Lori Oehlhof presented additional information as requested. The Committee reviewed the information presented at the site view and a letter received from Dane Co. Zoning Administrator Roger Lane to clarify the County’s rules and policies for accessory building size.

Ken Hefty moved and Ann Windsor seconded a motion to recommend approval of the building permit application for an accessory building as submitted by Ryan and Lori Oehlhof.

The Committee noted that the proposed site is on Fair soil, requires no additional driveway access, and the building size is in compliance with Dane Co. Zoning requirement, and meets the setback requirements.

Motion carried.
 - b. Roger Kittleson, 385 CTH H, accessory building. The Committee reviewed additional information presented by Roger Kittleson.

Ann Windsor moved and Ken Hefty seconded a motion to recommend approval of the building permit application for an accessory building as submitted by Roger Kittleson.

The Committee reviewed the application and comments received at the site view and noted that the proposed site, an existing site, is on Poor soil and will use the existing driveway.

Motion carried.
 - c. Brent Radtke, Conditional Use permit, 254 STH 78. The Committee reviewed the application and the Town Board’s request for a recommendation.

Ken Hefty moved and Dean Vogel seconded a motion to recommend approval of the Condition Use permit.

The Committee reviewed the Land Use Plan’s Mandatory Criteria to determine compliance with the following sections:
SECTION 3 GOALS AND POLICIES
A primary goal of the Town of Perry is to preserve productive farmland for continued agricultural use and to maintain agriculture as a major economic activity within the Township.
SECTION 8 DEFINITIONS

Definitions:

Development - is any construction of a new structure or any enlargement, conversion, or relocation of an existing structure. Development also includes construction of new private driveways, excavation, mining, landfill, or any permanent land disturbance that changes the use of the land.

Disturbance of Soil - is any permanent disruption of the surface of the soil that alters the topography or changes the slope.

Slope is the natural slant or inclination of the ground before any disturbance takes place. This slant is expressed as a percentage of the vertical rise divided by the horizontal length. Thus, a slope that rises 10 feet over a distance of 100 feet horizontal is a 10% slope.

SECTION 5 EVALUATION CRITERIA FOR ZONING CHANGE

Mandatory Criteria

(d) Steep Farmland Because these lands all exceed a slope of 20%, no development will be allowed.

Ken Hefty moved and Dean Vogel agreed to amend the original motion, to recommend approval of the Condition Use permit per Dane Co. Chapter 103123(3)(h) – “Conditional uses in the A-1 Exclusive Agriculture District. Non-metallic mineral extraction operations that comply with s.91.75(9), Stats., section 10.191 and chapter 74, as applicable. The application shall include a description of the operation, a site plan and a reclamation plan.”, for use as a “borrow site” for fill to be used in the DOT STH 78 reconstruction project, contingent on recording a Deed Notice describing the site as shown on the 2008 Dane Co. Soils Map [soil type and slope] and per the surveyor’s drawing, and allowing no further development on the site. Motion carried.

4. Dane Co. Ordinance Amendment 54 – Conditional Use Permit. The Committee reviewed the proposed amendment to Dane Co. Chapter 10 – Conditional Use Permits. Ann Windsor moved and Ken Hefty to recommend approval of Dane Co. Chapter 10 Ordinance Amendment 54. Motion carried.
5. Dane Co. Ordinances and Zoning District Fact Sheets. Clerk Mary Price distributed Dane Co. Ordinances and Zoning District Fact Sheets describing Dane Co. Zoning ordinances and policies.
6. Schedule meetings. Site views will be conducted on Saturday, May 31, 2008 and public hearings will be held on Tuesday, June 3, 2008 to consider applications.
7. Adjourn. Ken Hefty moved and Ann Windsor seconded a motion to adjourn. Motion carried. The meeting adjourned at 9:45 PM.

Respectfully submitted,
Mary L. Price, Clerk