

MINUTES OF THE TOWN OF WASHINGTON BI-MONTHLY TOWN BOARD MEETING
January 7, 2010

Members Present: Micheal Peterson, Karen Tomesh, Donald Perry, Charles Bauer

Staff Present: Janelle Henning, Diane Krinkie

Members/Staff Absent: Michael Stacy

A quorum being present Chrm. Peterson called to order the bi-monthly Town Board meeting of the Washington Town Board at 7:00 p.m., on Thursday, January 7, 2010, at the Town Municipal Building, 5750 Old Town Hall Road.

PLEDGE OF ALLEGIANCE

Minutes:

Supv. Tomesh moved TO APPROVE THE MINUTES OF THE DECEMBER 17, 2009 BI-MONTHLY TOWN BOARD MEETING. The motion was seconded by Supv. Bauer.

Aye 4 Nay 0

Public Hearing:

Chrm. Peterson opened the public hearing for a conditional use permit request for Matt Schuebel to operate a home occupation for a contractor business (Asbestos Removal Co.) and to construct an accessory structure in excess of 1200 sq. ft. (3065 sq. ft.) located at 5440 Blackberry Road, Eau Claire, WI 54701.

Todd Andrews from Eau Claire County Planning and Development stated Eau Claire County Committee on Planning and Development will be holding a public hearing next Tuesday, January 12, 2010 at 7:00 p.m. and will be held in the Eau Claire County Board Room. Todd Andrews reviewed the Conditional Use Permit request of Matt and Laura Schuebel for a home occupation and to construct an accessory structure in excess of 1200 sq. ft. Eau Claire County Planning and Development staff reviewed the request and recommends the conditional use permit be denied.

Matt Schuebel, 5440 Blackberry Road, Eau Claire, WI 54701: Stated his company and employee comply with all the regulations of the Department of Health and the DNR. In twenty four years of being in business the company has not been cited for any violations. Chairman Peterson asked Matt Schuebel if prior to buying his home if he was aware he would need to obtain a Conditional Use Permit for his home business and the accessory out building. Matt stated he was not aware of a need for a Conditional Use Permit.

John Kelly, Walters Buildings Salesmen. John stated he was at the meeting on behalf of Matt and Laura Schuebel. John was contacted by Matt Schuebel in mid-December regarding designing an accessory building. John stated as they design the buildings they try to have the structures blend with the environment even if it is a steel clad structure.

Dave Ponick, 5462 Chokecherry Road; stated his property backs up to the Schuebel property. Mr. Ponick expressed his concerns regarding an asbestos company and oversized accessory structure in a residential area and the effects it would have on the neighborhood and the wildlife in the area which the entire neighborhood enjoys. Mr. Ponick requested the Board deny the request for the Conditional Use Permit based on the concerns of the neighbors.

Dr. Patrick Macken, 1425 Elderberry Lane. Stated he and his wife have been residents of the Town of Washington for over thirty years. For various concerns related to hazardous waste, spills which could contaminate the neighborhood water system, and continued non-compliance issues. Dr. Macken requested the Board deny the Conditional Use Permits of Matt Schuebel due to the numerous non-compliance issues and the valid concerns of the neighborhood.

Marilyn Lee, 1825 Priory Road, stated she has been a resident for fifty years and has concerns regarding a commercial Asbestos business in the residential neighborhood. Marilyn requested the Board deny the request for the Conditional Use Permits of Matt and Laura Schuebel.

Ron Peterson, 1647 Elderberry Lane; stated the contractor business does not fit within the limits of a home occupation as described in Chapter 18.23 of the zoning code. An accessory structure, more than two and one half times the allowed square footage on the parcel in this zoning district is not appropriate. Ron also stated that contractor vehicle traffic may be minimal, but the number of vehicles and trailers along with a large commercial dumpster does not fit in with the residential nature of the neighborhood and Rural Homes (RH) District zoning. Ron requested the Board deny the requested Conditional Use Permits based on the reasons he stated.

Paula Persing, 1501 Elderberry Lane, stated they have lived on the property for eleven years. A commercial business does not fit in the residential neighborhood. There has been additional traffic flow on the street where children are walking daily to catch the school bus at Priory and Blackberry Road. Paula requested the Board deny the requested Conditional Use Permits of Matt Schuebel based on her reasons and those of the neighborhood.

Cathy Sullivan (? Sultan), 1451 Blackberry Road, stated she is the closest neighbor to the Schuebels. Ground water contamination is a huge concern. To build an accessory structure of the size suggested it would be extremely difficult to construct something that would blend in the way the house is currently sitting on the property. Cathy requested the Board deny the requested Conditional Use Permits of Matt Schuebel for a home business and an accessory structure based on the concerns of the entire neighborhood.

Tom Maassen, 5698 Pine Road; stated Walters Buildings built an accessory structure three years ago and needed to go through the process of obtaining a Conditional Use Permit prior to building. Tom stated he would be in favor of the accessory building, **but not the commercial business.**

Bill Wright 1330 Elderberry Road; stated he has concerns related to water and air quality, and having a hazardous waste business in a residential neighborhood. Bill requested the Board deny the requested Conditional Use Permits of Matt Schuebel.

Admin. Henning has received phone calls and letters from residents who were unable to attend the meeting and who are in opposition of the Conditional Use Permits being requested by Matt Schuebel. The phone calls include Stanley and Inez Campbell, Richard Steitz, Marvin and Lorrie Franson. Letters which were received from residents were Mark and Ruth Rosauer, John Melrose, Todd Wright, Andra Palmer, William and Bonnie Wright.

Chrm. Peterson called the public hearing closed for further discussion by the Town Board.

Supv. Perry stated the new zoning plan which was a three year project has just been completed. A commercial business needs to be in a commercial area not in a residential zoning area.

Discussion closed:

Supv. Bauer moved TO DENY THE CONDITIONAL USE PERMIT REQUEST FOR MATT SCHUEBEL TO OPERATE A HOME OCCUPATION FOR A CONTRACTOR BUSINESS (ASBESTOS REMOVAL CO.) AND TO CONSTRUCT AN ACCESSORY STRUCTURE IN EXCESS OF 1200 SQ. FT. LOCATED AT 5440 BLACKBERRY ROAD, EAU CLAIRE, WI 54701. The motion was seconded by Supv. Perry.

Aye 4, Nay 0

Chrm. Peterson opened the public hearing to amend conditional use permit CUP2005-26, CUP2001-59 for the Snow Biz fundraising event to include a snow cross snowmobile race at the Brackett Bar located at 6135 Maplewood Ct., Fall Creek, WI 54742.

Todd Andrews from the Eau Claire County Planning and Development reviewed the request to amend the current Conditional Use Permit to allow snowmobile racing on the premises of Brackett Bar, including a half mile track through I RACE Inc.

Staff recommends approval of amending the existing conditional use permit to allow snowmobile racing at the Snow Biz event with conditions outlined by Eau Claire County Planning and Development.

No one spoke in favor or opposition.

Chrm. Peterson called the public hearing closed for further discussion by the Town Board.

Supv. Perry moved TO APPROVE THE RACE AMENDMENT PERMIT WITH THE ADDITION OF RACE TIMES **OF** 8:00 AM TO 4:00 PM **AND** THE TRACK WILL BE DEMOLISHED AFTER RACE END, NO LATER THAN 5:00 P.M. THE DAY AFTER THE EVENT. THE PERMIT WILL BE REVIEWED ON AN ANNUAL BASIS BY EAU CLAIRE COUNTY AND TOWN OF WASHINGTON BOARDS. UNDER CONDITION **“G”** THE TOWN OF WASHINGTON WILL BE NAMED ON THE INSURANCE POLICIES. The motion was seconded by Supv. Tomesh.

Aye 4, Nay 0

Property Addresses in the Town of Washington

The Planning and Development Department of Eau Claire County conducted a study of the concerns of property addresses in the Town of Washington. Six different addressing problems were noted from the study. There were addresses on the wrong street, address wrong on odd and even sides of the road, address numbers out of sequence and East/West numbers were on North/South roads.

The addressing system is primarily for emergency services the County will communicate this information to the residents needing address changes. There are no changes needed to any commercial addresses.

Todd Andrews will provide Admin. Henning a listing of the addresses needing changes in the Town of Washington.

Administrators Report:

On December 24 it was predicted we would get a total of 12 plus inches of snow which we did not receive. If we would have known it was going to rain as long as it did the plows would have stayed out longer to remove the slush from the roads. In the areas of Drier, Harless and Harold Roads **we** will plow the roads again to accommodate the residents and improve driving conditions in these areas. Plowing has gone well, the road crew is very committed to the work they do for the Town of Washington.

The office is busy with taxes and licensing, in addition preparing for these hearings and providing information. The annual financial audit has been scheduled for March 8 and 9. **We** are gathering preliminary reports and data for the audit and sending it to Baker Tilly.

The Town received nomination papers from Supervisor Tomesh, Supervisor Perry, and Randall Lahr for the 2010 Town Board Supervisor races.

Clerk/Treasurer's Report:

No Report.

Checks:

Supv. Perry moved TO APPROVE CHECKS #19804 THROUGH #19891 TOTALING \$42,955.66. The motion was seconded by Supv. Tomesh.

Aye 4 Nye 0

License:

Supv. Tomesh moved TO APPROVE THE BARTENDER'S LICENSE FOR ERIC WALLENDAL. The motion was seconded by Supv. Perry.

Aye 4 Nye 0

Chairman's Report:

Chrm. Peterson stated the Brackett Bar needs to review current liquor license and the premises for which the license covers. Admin. Henning stated during the next liquor license renewal process the premises for the Brackett Bar will need to be reviewed and determine the premises to incorporate the Snow-Biz event in their annual liquor license permit.

Supervisor's Report:

Supv. Perry stated he received several compliments on both the road crew and office staff from residents.

Citizen's Input:

None.

Future Zoning Requests:

None.

Items for Next Meeting's Agenda:

None.

Adjournment:

Supv. Perry moved TO ADJOURN. The motion was seconded by Supv. Tomesh. The meeting adjourned at 9:28 p.m.

THE BOARD'S NEXT MEETING WILL BE AT 7:00 P.M. ON
THURSDAY, JANUARY 21, 2010, AT THE TOWN MUNICIPAL BUILDING,
5750 OLD TOWN HALL ROAD.

Diane Krinkie,
Deputy Clerk

Attendance: Matt Schuebel, Laura Schuebel, Cory Ruppert, Mike DeGrasse, David Ponick, Minette Ponick, Cecil Berlin, Patrick Macken, Ruth Ann Macken, Mariln Lee, John Kelly, Ron Peterson, Bill Wright, Cathy Sultan, Michel Sulton, Mary Dixon, Jack Dixon, Ginger Hooper, Tom Matssen, Gene Nicolet, Laura Nicolet, Dale Young, Loretta Young, Paula Persing.