

TOWN OF SAUKVILLE

Ozaukee County

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**TOWN OF SAUKVILLE
PLAN COMMISSION MINUTES
October 14, 1997
7:30 p.m.**

1. **Call to Order**
All present.
2. **Pledge of allegiance.**
3. **Approval of minutes of September 9, 1997 Plan Commission Minutes.**
Beverung moved to approve; Niehaus seconded; motion carried.
4. **Discussion/referral to public hearing re: Condition Use Application by Cellular One to transfer ownership of tower to U.S. Cellular.**
Hoffman moved to send the matter to public hearing; Niehaus seconded; motion carried.
5. **Discussion/referral to public hearing re: Zichitella Conditional Use Application**
Louis Zichitella reviewed the application and proposed operations. He presented pictures of a new birm and landscaping. A discussion of the current zoning ensued and it was determined that the property is R-1 residential. Heon questioned the height of the structure and the nature of "household occupation" as it applies to their drywall business. Mr. Zichitella contended that he was misled by the former zoning administrator/inspector as to the zoning and need for a conditional use permit. Niehaus questioned their former contention that the neighbors did not object. Subsequently, a petition indicates that the majority of the neighbors do object. LaVelle pointed out that there are similar operations around the township which do not have conditional use permits. He cautioned that we should be even handed in enforcement. Hoffman moved to hold a public hearing on the matter; LaVelle seconded; motion carried.
6. **Discussion/referral to public hearing re: Ciriack Conditional Use Application**
Steve Castner, an attorney representing the Ciriacks, reviewed the application and requested a public hearing. Heon asked why the facility couldn't be built in Cedarburg? He also indicated that he and Smallish indicated that there was some odor from the Cambellport facility. He also expressed concern about traffic, tank wash down and explosive gasses. He also expressed his opinion that since the town does not allow holding tanks for new construction, it may be inconsistent to approve storing sludge in an open vat. He and Smallish discussed the existing conditional use permits held by the Ciriacks and they expressed concern about how these meshed together. Smallish then detailed her inspection of the premises. The birm seems to be adequate but incomplete. The address 3921 Lakeland, listed on the permit, does not exist. The hours of operation for the used auto sales and salvage operations are inconsistent. LaVelle reported that the gravel operation would be finished this year and that a restoration would likely be required next year. Hoffman reported that the County has indicated that they would not have jurisdiction over the project as it is not close enough to a wetland. He also indicated that the legal description was in error. Clarke stated that he had sent the notice

to Superior as would assume they would correct. Heon went on to indicate that the conditional use permit was not being complied with respect to restoration and flagging. Heon asked for a copy to the lease. Castner reported that it is not available yet but would be at the next meeting. The Commission then questioned Trent Nedens of Superior on the operation. Hoffman moved to send the matter to public hearing in November; LaVelle seconded; motion carried

7. Introduction of rezoning/land division request-James & Lauri Gundrum

a) Preliminary review of off-road home plan for above lot-Bill Feld

Lauri Gundrum stated that Bill Feld is no longer interested in the matter. Gundrum requested that 10 acres be rezoned from A-2 to R-1 on Meadowlark Road across from the Fredonia Industrial Park. Heon supported the move in that it would restrict the expansion on the industrial park into the town. There was some question as to the zoning of the other lots nearby. Clarke will research. Hoffman asked that the matter be put on next month's agenda

8. Discussion/action of request by Diane Oligney for a set-back variance for a garage.

Diane Oligney described that her lot is 1.64 acres and is zoned A-2. There is little room to locate her new garage while providing for a future septic system. Hoffman moved to reject the request and send it to the board of zoning appeals; Heon seconded; motion carried. Hoffman directed Clarke to contact the secretary of the board to schedule a hearing.

9. Discussion/action on old Conditional Use Permits

a) Follow-up on Oreskovic permit for honey extraction business, used car dealership, and general repair facility at 3031 Hwy. 33-Al Heon.

Heon indicated that he had little time to investigate and will report on this next month.

b) Follow-up on WGLB tower compliance-Terry Hoffman

Hoffman reported that Richard Carlson of WGLB stated that it would be done within the next month. Members expressed concern that this is the second time it was promised. The lack of a fence presents an attractive nuisance. Clarke asked how we were to enforce conditions. Al Heon moved to directed Clarke to contact Carlson and state that if the project is not complete within 30 days, the commission would take steps to revoke the permit; Beverung seconded; motion carried unanimously.

c) Ciriak's existing Conditional Use Permits-Kate Smallish

This subject was covered under item 6 above.

10. Update on quarry inspection committee-Al Heon

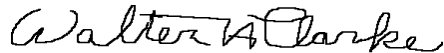
Heon presented his findings on the town's gravel pits. Most are nearly played out, and most have not been restored. He proceeded to detail each site's status. He surmised that the Payne & Dolan site on Lakeland would be played out and restored by the year 2000. The asphalt plant would then be relocated. He also stated that the County's asphalt plant does not have a conditional use permit and is zoned A-1 which does not allow this use. He expressed concern over lack of a restoration plan. Heon urged the commission to establish a policy on enforcement. LaVelle reported on several pits he inspected. He requested that the clerk make up a "permit" as a receipt for the annual quarrying fee. Beverung volunteered to research the conditional use permits for November. Clarke will supply him with the materials.

11. Brief public comments

Hoffman reported on Jean Ware's resignation from the commission. Barbara Jobs stated that the County would not enforce conditional use permits. She complained that the agenda was too general and should contain more detail. She also opined that information was intentionally being withheld on the sludge tank. Ron Aronis urged the board to enforce zoning violations rigorously. Emil Wetzel stated that he believes that the Zichitellas misled the commission on a number of items. How could a man in the construction business not know about permits? Eileen Hoffman complained that the PA system is ineffective.

12. Adjournment

Hoffman moved to adjourn; Heon seconded; motion carried.



Walter H. Clarke, Town Clerk