

**TOWN OF MOSEL**

**PLANNING & ZONING COMMISSION PUBLIC HEARING and MEETING  
AND  
TOWN BOARD PUBLIC HEARING and MEETING**

**MARCH 16, 2010**

**MINUTES**

- I. Call To Order and Verification of Meeting Duly Noticed.** Town Chair Dirk Zylman called the meeting to order at 6:30 p.m. Other Town officials present were: Supervisor Wayne Warnecke; Planning and Zoning Commission Chair Al Loth and members Cathy Kanouse, Nathan Athorp, Ralph Mayer and Warren Wunsch; and Town Attorney Paul A. Dirkse, who took acted as recording secretary. Absent were Town Supervisor Dave Scharinger and Planning & Zoning Commission members Barb Bitter and Ron Vandoske. Also present were Kohler Co. representatives (Scott Anderson, Aina Henegar and Max Grube), Bill Presutti, Paula Duveneck, Lynn Pagel, Randy Rautmann, Marvin Jumes, Mike Langland, James Hoell, and Paul Gavin. Chairman Zylman indicated he had checked with Town Clerk/Treasurer Rachel Rehbein, who verified compliance with the open meetings law.
- II. Combined Public Hearing of the Planning & Zoning Commission and Town Board**
- A. Presentation by the Kohler Co. concerning its request to:**
- 1. Amend Zoning Code § 7.06 J (2)(c) in order to allow limited overnight lodging as part of a bird hunting preserve operated as a conditional use in the A-1 Prime Agricultural District. (Draft Ordinance No. 2010-01).**
  - 2. Amend its existing Conditional Use Permit for a Bird Hunting Preserve (located on Dairyland Drive, between Garton Road and Rowe Road and west of the Union Pacific Railroad) to allow overnight lodging at the proposed clubhouse for up to 4 people during the non-hunting season (April 1 to September 30), and to change the permit review period from every 2 years to every 5 years.** Scott Anderson gave a brief presentation concerning Kohler Co.'s request to allow limited overnight lodging at the proposed clubhouse for up to 4 people during the non-hunting season (April 1 to September 30), and to change the permit review period from every 2 years to every 5 years.
- B. Clerk-Treasurer's Contacts.** Chairman Zylman indicated that Ms. Rehbein had received no contacts, except correspondence from Mike Koenig in favor of the proposal, which Mr. Zylman read.
- C. Public Comments.**
- 1. Paula Duveneck:** questioned the 5 year vs. 2 year term of the permit.
  - 2. Marvin Jumes:** question concerning the kitchen facilities of the cabin.
  - 3. Mike Langland:** question concerning the shed shown on the map.
  - 4. Bill Presutti:** asked whether residents could view the property.
  - 5. Lynn Pagel:** stated her general opposition to the project, and asked whether the lodging required an entirely new application.

6. Chairman Zylman indicated that Kohler Co. had filed a report of the limited use of the property for the past year for hunting activities.
7. Marvin Jumes: had questions concerning the property's use.
8. Paula Duveneck: asked about the dates lodging would be allowed.
9. Aina Henegar: indicated that Kohler Co. wanted to replace or supplement a cabin which River Wildlife members occupied in Kohler, which did not have electricity or indoor plumbing.

Public hearing was closed. Supervisor Warnecke asked the length of expected stay (2-7 nights). Motion Warnecke/Zylman to recess the Town Board; carried 2-0. Town Board recessed at 6:53 p.m.

**III. Planning & Zoning Commission Meeting.** Al Loth called the meeting to order at 6:53 p.m.

- A. **Approval of the September 1, 2009 and November 3, 2009 meeting minutes.** Motion Kanouse/Athorp to approve the minutes of the September 1, 2009 meeting; carried 5-0. Motion Athorp/Wunsch approve the minutes of the November 3, 2009 meeting; carried 5-0.
- B. **Take action on the requested zoning change (Item II.A.1., above).** Following a discussion concerning the maximum number of persons to allow, motion Athorp/Mayer to recommend approval of the proposed amendment to Zoning Code § 7.06 J (2)(c) which would exclude lodging for more than 4 persons as part of a bird hunting preserve operated as a conditional use in the A-1 Agricultural District; carried 5-0. Motion Kanouse/Athorp to adjourn the Planning & Zoning Commission meeting; carried 5-0. The Planning & Zoning Commission was adjourned at 7:06 p.m.

**IV. Town Board Meeting.** Motion Warnecke/Zylman to reconvene the Town Board; carried 2-0. The Town Board reconvened at 7:06 p.m. The Town Board received additional public comment from: Paul Gavin (questioning why Kohler Co. was not being given permission for a higher number of occupants; Scott Anderson replied that small size of the cabin didn't allow for many more occupants, but another amendment could be requested if there was demand for. It was also confirmed there would be no tenting.)

- A. **Take action on the requested zoning change (Item II.A.1, above).** Motion Warnecke/Zylman to approve Ordinance 2010-01 to amend the zoning code as recommended by the Planning & Zoning Commission; carried 2-0.
- B. **Take action on Kohler Co.'s request to amend its conditional use permit (Item II.A.2., above).** Motion Warnecke/Zylman to amend the term of Kohler Co.'s existing conditional use permit from 2 to 5 years; carried 2-0. Town Attorney Dirkse will prepare for the April meeting an amendment to the conditional use permit concerning the term and lodging changes.

**V. Adjourn.** Motion Warnecke/Zylman to adjourn; carried 2-0. Meeting adjourned at 7:22 p.m.

Respectfully submitted by Paul A. Dirkse, Town Attorney, for

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Rachel Rehbein, Town Clerk/Treasurer

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Dirk Zylman, Town Chair

Approved on: April 13, 2010