

**TOWN OF MOSEL  
TOWN BOARD PUBLIC HEARING**

**THURSDAY, MARCH 18, 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. at the Mosel Town Hall, W982 County Road FF, Sheboygan. Other Town officials present were Supervisor Dave Scharinger and Clerk-Treasurer Rachel Rehbein. Supervisor Wayne Warnecke was absent. Also present were Attorney Paul Dirkse, Jay Christopher, Attorney John Gunderson, Jerry & Linda Holub, Al & Sandy Loth, Cornelia Thompson, Delpha & Robert McAloon, Sharon Batterman, Mike Langland, Jim Eichmann, Joe & Kay McGrane, Harland & Bev Lee, Bonnie Butzen-Schmitz, Louis Milsted, and Mike Scharl. Clerk-Treasurer Rehbein confirmed proper notice of the meeting.
- II. Public Hearing on a Special Land Use Permit: Jay Christopher, W580 Garton Road, Parcel #59014-187201.**
- A. Presentation of application to operated a 16-Gauge Miniature Railroad of approximately 1,500 ft and construct a roof canopy train depot platform.** Jay Christopher presented his desire to operate a 16-gauge miniature railroad to transport visitors through his botanical gardens. It would be used in late May through November for private use. There would be one engine and 2 passenger units (1 spare passenger unit) that could carry up to 12 adults/children. The length of the train would be 34 ft. with 3 cars, 32 in. wide, 40 in. high. Top speed would be 10 mph. It will be powered by a 3 cycle Kubota 18 HP engine. There would be an air horn that would sound like a car horn and could only be used if the engine were running. The train would only be operated by family members. The track would be 16 in. wide with wood ties, steel spikes, and gravel fill. The train platform would be 30 ft. long and 8 ft wide. The train would not be visible from the neighbor's homes and evergreens and shrubs have been planted to absorb any noise.
- B. Open Floor For Public Testimony/Clerk-Treasurer's Contacts.** Chair Zylman open the floor for public testimony. Apart from general comments, the following had questions which Jay Christopher answered:
1. Jerry Holub: What would be the set hours of operation? *9 a.m.-9 p.m.*
  2. Bonnie Butzen-Schmitz: I can hear Kohler Generator all the time.
  3. Jim Eichmann: Would the train be used for school outings? *Not at this time.*
  4. Al Loth: How will the train be powered? *Not yet determined. Diesel, gas or LP. There are gas and diesel storage tanks on site now.*
  5. Linda Holub: Will there be any more construction? *Track needs to be laid which should take 3-4 weeks. Landscaping 95% complete.*
  6. Bob McAloon: Has heard of no troubles with noise with a miniature train located next to a hospital.
  7. Harland Lee: What is the future use of the south side of Orchard Beach? *Put into crops. Train would not go there.*
  8. Jim Eichmann: Would traffic increase? *No*
  9. Supervisor Scharinger: Where will the train be stored? *Inside*

10. Al Loth: Where stored inside? *Stored on the tracks inside the tunnel.*
11. Jerry Holub: Does this change our Comprehensive Plan? *Attorney Dirkse answered no because the land is still being used as agriculture.*
12. Attorney Dirkse: Does train have a light? *Yes*
13. Sandy Loth: Do you need an operators license from the state? *No*
14. Mike Langland: What are your future plans for the property and the next generation? *Not determined yet. Conditions would stay with the property.*
15. Linda Holub: Would there be an increase in passenger cars or expansion of the track? *Not at this time.*
16. Jim Eichmann: A condition should be that it not be turned commercial (sell tickets to ride).
17. Bob McAloon: Would you have a mechanic who would be allowed to operate? *A mechanic would be allowed to drive.*
18. Harland Lee: Is construction done? *Construction 95% complete.*

Clerk-Treasurer Rehbein did not receive any comments before the public hearing.

- C. Close Floor; Take Action Or Set Date To Do So.** Chair Zylman closed the floor. Attorney Dirkse and Chair Zylman explained what a Special Land Use is. Attorney Dirkse will work with Jay Christopher to develop the Special Land Use Conditions. The Special Land Use will be presented to the Board at their April 15, 2010 Monthly Board Meeting.

**III. Adjourn.** Motion Scharinger/Zylman to adjourn; carried 2-0. Meeting adjourned at 7:27 p.m.

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Dirk Zylman, Chair

ATTEST:

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Rachel Rehbein, Clerk-Treasurer

Approved on April 13, 2010