

On Tuesday, May 17, 2016 at 7:30 p.m. Town Board Vice Chair John Roxbury, Jr. called the regular monthly Town Board meeting to order. Other Supervisors present were Jim Kusler, Eugene Stoeckel, and Mark Riverblood. Chair Greg Anderson arrived at 7:35 p.m. and chaired the remainder of meeting.

Approve Minutes

A motion was made by Eugene Stoeckel and seconded by Mark Riverblood to approve the minutes of the April 19, 2016 regular monthly meeting as printed. Motion Carried.

Approve Financial Report

A motion was made by Jim Kusler and seconded by Eugene Stoeckel to approve the Financial Report for April 2016 as submitted. Beginning Balance of Township funds was \$609,721.64; total receipts of \$7,121.46; total disbursements of \$28,954.62; leaving a balance of \$587,888.48. Motion Carried Unanimously.

Old Business

There was no old business to discuss.

New Business

This first item on the agenda was an IUP request by Brad & Kim Hayes to operate a Pizza Farm & Gathering Place, Section 35.

John Roxbury stated that the IUP cannot be granted and explained how CUP's and IUP's are tied to the land they are granted for except an IUP has time conditions. He explained that an IUP needs to follow the same requirements as a CUP and must follow all of the ordinances and he feels that this request does not meet the definitions as a use. Mr. Roxbury stated that the closest thing it comes to is a home occupation but the activity must be conducted in the home or accessory structure, not outside. He felt that the application also did not provide enough of the details as required in Ordinance 300:230, part 1.

Mr. Anderson stated that the Planning Commission and Zoning Administrator did not see anything wrong with the request. Mr. Anderson stated that he feels it would be good use and is in favor of the request.

Mr. Riverblood stated that even though something isn't specifically named in the Ordinances doesn't mean that it should not be allowed when something similar exists. He explained that most home occupations have customers that are outside of the residence.

Brad Hayes stated that he would like to extend the hours to 11:00.

Mr. Riverblood asked if there would be music. Mr. Hayes explained that they would just have a stereo playing. Mr. Riverblood stated that if there were noise complaints they would have to shut it down.

Mr. Riverblood asked if they could move forward with the Interim Use and state some findings of fact in regards to a home occupation to provide some clarification. He also explained that this use was similar to someone who sells trailers because the customer primarily stays outside but all of the operations and paperwork are handled inside the home.

Mr. Anderson stated that they could also have a one year review to make sure everything is acceptable to everyone.

Eugene Stoeckel stated that he is in favor of commercial but he fails to see how this use fits into the Ordinances. He also explained that he is concerned with having livestock and food on the same premise because of biosecurity and the problems with the bird flu. Mr. Anderson stated that the Health Dept. will be responsible for addressing those issues.

John Roxbury, Jr. stated that the property involved was used extensively in the last few years by the previous owners' relatives for the dumping of raw sewage further out from the house. Mr. Anderson stated that should have been applied according to the MPCA. Mr. Roxbury stated that the MPCA made several visits out there. Mr. Anderson stated how that would be a separate issue than what is being addressed now, and that would involve the MPCA. Mr. Anderson stated that if previous owners were doing something wrong, they are the ones that would have to deal with it.

Mark Riverblood motioned to approve the IUP for the Hayes to operate a Pizza Farm & Gathering Place, Section 35, with the following recommendations suggested by the Planning Commission and not extending the hours of operation.

1. Hours of operation: 4:00 p.m. to 10:00 p.m.
2. Handicapped parking must be provided, paved or blacktopped; one space.
3. Must contact and get approval from Health Department for outdoor cooking and serving.
4. Interim use be reviewed yearly.
5. Interim use is not transferrable.
6. Adequate parking must be provided on gravel and/or blacktop surface; no parking allowed on Alpha Road.
7. Provide restrooms: Men's, Women's and Accessible Unisex.
8. One sign will be allowed; no larger than 2 ft. x 3 ft.
9. All lighting must be downcast and directed away from County Rd 1.

Ms. Skille stated that she has known Mr. Hayes for 5 years and she thinks that what they are planning would be a good thing for the community and would be safe for people to attend and eat.

Jim Kusler seconded the motion. Eugene Stoeckel and John Roxbury, Jr. were opposed. Motion Failed since a 4/5 vote was required. Mr. Anderson stated that he would have voted in favor.

Mr. Riverblood stated that it may be helpful to contact a MAT attorney to describe the scope of what the definition of a home occupation is. The Board asked the Clerk to check with the attorney and get them some more information and they can review it again at next months' meeting.

Mark Riverblood motion to approve the Outdoor Events, Car Shows, for Moonshine Bar & Grill on June 4th and also for Long Siding Bar & Grill for July 16th. John Roxbury, Jr. seconded the motion. Motion Carried.

Open Forum

Barry Hatch asked the Board is he could get a variance so he could get a park model trailer and leave it on his son's property year round. He has some health issues and needs to stay in the area instead of traveling around.

Mr. Anderson stepped down from the discussion.

Randy Hatch stated that he would be willing to do whatever is necessary in order to have his father stay on his property with a trailer. He stated that it would be temporary and not interested in any kind of footings or poured concrete, and the trailer he is looking at is on wheels and made for year round use.

The Clerk stated that Loren Kohnen, the Zoning Administrator, said a park model was not allowed and that if the trailer was there year round, it would need to be considered a dwelling and would need to meet building requirements.

Mr. Riverblood stated that it may benefit everyone to have a staff meeting with Loren Kohnen to talk everything through and maybe there is a way it can work through an IUP.

The Board asked the Clerk to talk to Mr. Kohnen to see what would qualify as temporary and do some more research to see if anything else can be done.

Supervisor's Reports

John Roxbury, Jr. gave an update on the City of Princeton's Planning Commission.

Eugene Stoeckel gave an update on the Fire Advisory Board.

Jim Kusler gave an update on the Planning Commission.

Clerks Business

The Clerk stated that the outdoor event that was approved for Moonshine Bar consisted of only a car show and not a burnout contest as was being advertised by Moonshine. The Board agreed to have the Clerk send them a letter stating that the burnout was not allowed at this event and if they wanted to hold such an event they would need to come in for another staff meeting and hold a special meeting for approval.

The Clerk stated that there were some blacktop issues on County Line Road and asked Erickson Asphalt to give a price to patch the holes. She stated that the bid came in at \$14,000. The Board stated they did not want anything cut out, they just wanted the holes filled. The Clerk stated she would talk to Erickson again.

The Clerk stated that she has had some complaints about some roads needing gravel and wanted to know if the Board wanted to gravel the roads that were not done last year. The Board agreed to have the Clerk coordinate with West Branch and Duane Baker to gravel the roads that needed it and also correct the corner issue on Brickton, which involved pulling the ditch back, reshaping and installing reflective posts on the curve.

John Roxbury, Jr. motioned to approve \$40,000 for those road issues. Eugene Stoeckel seconded the motion. Motion Carried.

Approve Payment of the Bills

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to approve payment of the bills, Check numbers 11210-11248. Motion Carried.

Adjourn

A motion was made by John Roxbury, Jr. and seconded by Eugene Stoeckel to adjourn the meeting at 8:20 p.m. Motion Carried.

Respectfully submitted,

Connie Wubben
Clerk/Treasurer

Attendees: Brad Hayes, Ms. Skille,