

Zoning Board of Appeals Minutes
February 2, 2021

- 1) Call to Order: Meeting was called to order at 5:00pm by John Jung.
- 2) Pledge of Allegiance: Pledge was recited.
- 3) Roll Call: Present: Craig Majewski, John Jung, Tom Capper, , 1 seat vacant.
Excused: Scott Chicoine. John Jung led the meeting in Scott's absence.
Staff present: Mark Mommaerts, AICP (Planner).
- 4) Approve Minutes: Motion (Majewski/Capper) to approve the June 16, 2020 minutes. Motion carried 3-0.
- 5) Public participation: Alex Koch, N9219 N Harwood Road, stated that manure cannot be kept within 300-feet of the stream so he questioned how close the property line it will be kept, what about the manure in the pasture, and it is detrimental to his property if manure is kept tight up to the property line. Patrick Beach, N9215 N Harwood Road, stated the manure will be mixed with straw to allow for a stackable pile and that the property naturally slopes toward the creek or to the southeast so it will not run onto adjacent property and that the existing dirt pile will be removed. ZBA Jung asked about the length and width of the pasture. Mr. Beach stated that in the northwest corner of the property that the pasture is 30-feet wide and extends approx. 60-feet towards the east. He also stated that it is a hobby operation, not a big operation, and is being done for his daughter. ZBA Capper asked about the number of cattle. Mr. Beach stated they will start with 2-3 and see how it goes with up to 6-9 in future years. He stated that he has a farmer willing to take the manure. ZBA Jung asked if the manure storage will come from the manure in the building or from the pasture. Mr. Beach explained it will be for all the manure, but mostly from the building. Kelly Koch, N9219 N Harwood Road, stated that mixing straw with manure is not a solution and that it will negatively affect their property. Julene Baldwin, N9275 N Harwood Road, stated that the property is declining and why, if neighbors are opposed, can it be approved. Mr. Beach stated that he does not appreciate lies from neighbors. Planner Mommaerts stated that the issue at hand is the variance request for livestock on property less than 3-acres.
- 6) Items for Discussion and Possible Action: The following items were discussed:
 - a. Variance – Beach – N9215 N. Harwood Road. Planner Mommaerts stated Initially, there was concern about the number of livestock being raised on the property. At the December meeting, the applicant stated that he would start with 2-3 cattle and

work his way up to a dozen. He stated that this is a project he is working on with is children and would like to teach them along the way. Concerns were raised about the location of manure storage and runoff into the stream along the south side. The Zoning Board directed staff to obtain information from Calumet County regarding manure storage. This information is attached in a memo dated December 29, 2020 from Anthony Reali, County Conservationist. A quick review of the memo is that due to the navigable stream, manure storage is not allowed within 300-feet of the stream, which leave only a small location in the northwest corner of the property to store manure. According to Mr. Reali, the Village could require a crop consultant to prepare a plan to see if the nutrient management standards can be met. This would be a cost to the applicant. There is no county or village permit needed, but if the applicant/property owner is found to be in violation, then there could be daily fines. Concerns regarding food and water were addressed by the applicant who stated that there is a well on the property that will be able to provide water. He also stated that he lives within miles of the property and plans to be at the property daily to tend to the livestock. If he cannot be there, then someone from his family will be. Concerns regarding shelter were addressed by the applicant who stated that in addition to the 3-season pasture (along the north and west side of the property), there will be a 4-season pasture where the livestock will have access to the interior of the building. At the December meeting, the Zoning Board approved a motion to postpone action until more information can be provided, including a more detailed site plan indicating pasture dimension, time frame of when the building will be cleaned up and fencing installed, and information from Calumet County. The information from Calumet County is provided. A detailed site plan from the applicant will be provided as well. ZBA Jung expressed concern about the size of the manure storage area and the amount of manure there may be. Planner Mommaerts stated that the Calumet County Conservationist stated that a crop consultant could develop a nutrient management plan for the site. Mr. Beach was asked if he was okay with the decision being postponed until a nutrient management plan or manure storage plan could be developed. Mr. Beach stated that he was okay with the postponement. Motion (Capper/Majewski) to postpone, with verbal approval from Patrick Beach, until a nutrient management plan and/or manure storage plan can be submitted to the Village. Motion carried 3-0.

- 7) Items for Discussion: None.
- 8) Announcements/Correspondence/Meeting Attendance: None.
- 9) Adjourn: Motion (Majewski/Capper) to adjourn at 5:31pm. Motion carried 3-0.

Dated: February 3, 2021

Prepared by: Mark Mommaerts, AICP, Planner

Craig Majewski 6/1/2021

Craig Majewski, Secretary Date
Zoning Board of Appeals