

Town of St. Joseph - St. Croix County, WI
Meeting of the Town Board – St. Joseph Town Hall –February 8, 2018, 6:00 P.M. Minutes

Call to Order at 6:00 p.m.

Statement of Public Notice was recited.

Roll Call: Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard were present for the meeting.

Adoption of Agenda: The town board discussed moving agenda items six and eleven up on the agenda.

Motion (Supervisor Bohl, Supervisor Long) to approve those changes in the agenda. **Motion carried.**

Pledge of Allegiance was recited.

The following dates of upcoming meetings and events were discussed:

February 14th: Bass Lake Rehab District Meeting

February 20th Spring Primary

February 21st: Parks, Trails & Recreation Committee Meeting

March 6th: Public Works Committee Meeting

March 7th: Plan Commission Meeting

March 8th: Town Board Meeting

Monthly Status Reports:

1. Building Inspector: Monthly report was submitted.
2. Deputy Zoning Administrator Jay Kimble reviewed his monthly report which included issuing one new driveway permit.
3. Plan Commission: See agenda item number six.
4. Fire Chief: Nothing new to report.
5. EMS Chief: Nothing new to report.
6. Joint Library: Nothing new to report.
7. Parks, Trails & Recreation: See agenda item numbers 5a to 5d.
8. Wisconsin Town's Association: Reviewed the last meetings highlights.
9. Bass Lake Rehab District: Meeting next Wednesday.
10. Internet/Broadband: The town board reminded the residents that the town does not have any exclusive contracts.

Consent Agenda: Motion (Supervisor Long, Supervisor Packard) to approve the consent agenda.

Motion carried.

1. Payment of Bills, Vouchers and POs
2. Approval of Meeting Minutes
 - a. 01-11-2018
 - b. 01-24-2018

New business discussion and possible action on:

1. 2018 Seal Coat and Crack Seal Project: Stantec Representative Lee Mann explained the proposed 2018 Seal Coat and Crack Seal Project to the town board. **Motion** (Supervisor Bohl, Supervisor Long) to instruct Stantec to make plans for sending out bids for the 2018 streets as presented and to be heard at the March town board meeting. **Motion carried.**
2. MS4: Stantec Representative Lee Mann explained his memo update regarding this agenda item.
3. Spring Newsletter: The town board set the article deadline as 02-28-2018.
4. Proposal from Cintas for Facility Services: **Motion** (Supervisor Bohl, Supervisor Long) to approve Cintas at minimum of two rugs and other supplies at 34.50 per month costs. **Motion Amended** (Supervisor Bohl, Supervisor Long) for the purchase of mats, cleaning supplies and paper supplies as needed. **Motion carried.**

Parks, Trails & Recreation Committee Recommendations

5. Recommend asking proposals for
 - a. Town Park and Ball Field
 - b. Maintenance of Outdoor Restrooms at Town Hall
 - c. Mowing and Maintenance at Theilen Cemetery
 - d. Fertilizing Baseball Field

Motion (Supervisor Bohl, Supervisor DeRosier) to direct the clerk's office to draft and send out simple proposals as identified from the Parks, Trails & Recreation Committee. The proposals will be for Town Park and Ball Field, Maintenance of Outdoor Restrooms at Town Hall, Mowing and Maintenance at Theilen Cemetery and fertilizing the baseball field. **Motion carried.**

Plan Commission Recommendations

6. Variance request- 1444 Triangle Drive- John Eral

MOTION (Chair Spaniol, Supervisor Packard) TO APPROVE A WAIVER AND GRANT A VARIANCE OF THE ROAD SETBACK AS REQUIRED BY TOWN OF ST JOSEPH ORDINANCE ARTICLE II ROADS, SECTION 149-4 SETBACKS FOR A PARCEL LOCATED AT 1444 TRIANGLE DRIVE, HOULTON, WI 54082, PARCEL ID 030-2027-20-000, CURRENTLY OWNED BY JOHN ERAL FOR A PRINCIPLE STRUCTURE TO BE BUILT BY J MICHAEL HOMES INC., AS SHOWN ON THE SUBMITTED APPLICATION DATED JANUARY 16, 2018. THE VARIANCE SHALL BE A 83 FEET SETBACK FROM THE CENTER LINE OF TRIANGLE DRIVE.

ADDITIONALLY, THE FOLLOWING FINDINGS OF FACT AND CONDITIONS DO APPLY FOR THE **GRANTING** OF THIS WAIVER AND VARIANCE:

FINDINGS OF FACT: WAIVER OF SETBACK FOR A PRINCIPLE STRUCTURE FROM SETBACK OF TRIANGLE DRIVE AT 1444 TRIANGLE DRIVE, HOULTON, WI 54082

1) John Eral, with J Michael Homes, Inc. listed as Agent, have applied for a waiver of Town of St. Joseph Ordinance ARTICLE II: ROADS 149-4(A) SETBACKS which states the setback for Access Roads is 108 feet from the center of the road or 75 feet from the right-of-way line, whichever is greater.

2) John Eral, with J Michael Homes Inc. listed as Agent, are requesting a waiver to a 83 foot setback from the centerline of Triangle Drive or approximately 50 feet from right-of-way line on the western portion of Triangle Drive and bordering the property located at 1444 Triangle Drive, Houlton, WI 54082.

3) John Eral, with J Michael Homes Inc. listed as Agent, have requested a waiver and a variance before the construction of this principle structure.

4) Pursuant to St. Joseph Code Section 80-17D, the Town Board makes the following findings with respect to the request for a variance under St. Joseph Town Code 80:

a) The granting of this variance is consistent with the purpose and intent of Chapter 80

b) There are exceptional circumstances and unusual conditions that pertain to this property and are not so general or recurrent in nature as to suggest that Chapter 80 or Chapter 149 should be changed

c) This variance is not granted solely on the basis of economic gain or loss. There **is not** a self-imposed hardship.

d) Granting of this variance will not create substantial detriment to adjacent property or materially impair or be contrary to the purpose and spirit of Chapter 80 or the public safety or interest.

5) As provided in St. Joseph Town Code Chapter 149-19, the Town Board has heard this request for a waiver from Chapter 149 ROADS, DRIVEWAYS, etc and the literal provisions of this chapter where

strict enforcement would be impractical or unduly burdensome because of circumstances unique to the individual property under consideration and it has been demonstrated by the applicant that the waiver **is** in keeping with the spirit and intent of this chapter.

a) The purpose of the waiver is not based exclusively upon a desire to increase the value of the income potential of the parcel of land

b) The granting of such waiver **is** necessary for the preservation and enjoyment of substantial property rights of the applicant and the alleged uniqueness or special circumstances **have not** been created by any person having an interest in the waiver

c) The granting of the waiver will not materially adversely affect the health, safety or general welfare of persons residing or working in the neighborhood of the property and will not, under the circumstance of this particular case, be materially detrimental to neighborhood aesthetics or injurious the property or improvements of the neighborhood

d) This waiver **is not** based on a mere inconvenience, a financial hardship or a self-created hardship for the applicant

e) This waiver shall provide only the minimum relief necessary to alleviate the hardship

6) The exceptional circumstances are as follows:

a) The setbacks of the two adjacent properties are approximately 50 feet from the right-of-way of Triangle Drive.

b) The small size of this lot, approximately 1 acre, limits the buildable area for this principle structure and the 75 foot setback from the right-of-way of Triangle Drive creates a hardship for construction of the home indicated on the submitted plans.

c) The placement of this principle structure at a 50 foot setback from the right-of-way would not interfere with the setbacks from the Septic drainfield. Strict compliance would place the structure within the setback for the Septic system.

7) This waiver and grant of variance pertains only to this principle structure and does not apply to any other structure or area within the parcel located at 1444 Triangle Drive, Houlton, WI 54082.

1) The Town of St. Joseph may incur additional fees including, not limited to, Building Inspection Fees, Attorney's Fees, and other costs, and other expenses pertaining to this waiver/variance request. The Town of St. Joseph will seek reimbursement of these costs from the applicant once they are determined.

2) The Plan Commission has recommended to the Town Board **APPROVAL** of the Waiver and granting of the variance at its regularly scheduled meeting held Wednesday, February 7, 2018.

3) This waiver and grant of a variance in no way pertains to, allows for, or affects other State and/or Federal laws, rules, or other requirements relating to this property. This setback variance/waiver only applies to the auxiliary structure that was the subject of the waiver application and is described in paragraphs 2 and 3.

4) If a septic system and drain field must be moved to accommodate the construction of this principle structure for which this variance is granted, other setback requirements pertaining to those structures cannot be waived by this variance. It is recommended that the new septic system and drain field permits be obtained and all other septic system requirements, such as perk tests, be completed prior to any construction or soil disturbance in preparation of the building of this principle structure for which the variance has been applied for.

Motion carried after a roll call vote. Chair Spaniol and Supervisors Bohl, Long, DeRosier and Packard voted in favor of the motion.

Public Works Recommendation

7. Job description for tractor operator was tabled.

Unfinished/Old Business

8. Bass Lake Hypolimnetic Withdrawal Feasibility Study: Chair Spaniol informed the town board that the grants have not been determined for the project.
9. Greenspace Trail Property Acquisition with St. Peter's United Church of Christ: Chair Spaniol informed the residents at the meeting that property has been purchased by the town.
10. Greenspace Trail Property Acquisition with Waldroff property: Chair Spaniol provided the update that the other side's attorney is reviewing the contact.
11. Update on the Houlton MHP, LLC Mobile Home Park: The new manager of MHP introduced himself to the town board. The town board reminded the manager of some of the issues that have occurred in the past. The manager provided updates to address the town board's questions.
12. Election Worker Compensation: **Motion** (Supervisor Bohl, Supervisor Long) to change the Election Chief's compensation to \$14 an hour and Poll Worker's compensation to \$12 an hour starting with the next election. **Motion carried.**
13. Mowing for Private Use: The town board determined that the town is unable to provide this service due to state law.

Public Comment: Supervisor Bohl stated that he wanted the Public Work's Building placed on an upcoming election and Mark Simpson stated that video monitoring system is in and on.

Budget Year-To-Date was reviewed.

Items for next Plan Commission or Town Board Agendas: None

Adjournment: **Motion** (Supervisor Long, Supervisor Packard) to adjourn. **Motion carried.**