

Town of Burns  
November 29, 2022  
Special Town Board Meeting Minutes

1. The meeting was called to order by Chairman Nuttleman at 7:26 pm. Roll call: Chairman (Chr.) Nuttleman, Supervisor (Sup.) Caulum, and Clerk (Clk.) Hart-Pollock present. Supervisor (Sup.) Hoth and Treasurer (Tr.) Anderson absent. Chr. Nuttleman noted the meeting was properly posted.
2. There were no citizens' concerns reported.
3. Motion by Chr. Nuttleman to approve Conditional Use Permit No 20221109001 Arndt Family Trust, W138 Davis Road, Bangor, WI. The undersigned, Arndt Family Trust, hereby petitions the Town Board for a Conditional Use Permit as provided in the Town of Burns Zoning Ordinance Chapter 17 (TBZO) to: grant a Conditional use Permit (CUP) to create a lot for a non-farm residence and or non-farm residential appurtenances in the Farmland Preservation District as provided for under Town of Burns Zoning Ordinance 17.35(6)(c). On land that is zoned: Farmland Preservation District. And is described as follows: Town 17N Range 5W, Section 13, SE-NE EX BEG SW COR N 1584.6 FT E 275FT S 1584.6 FT W 275FT to POB SUBJ to ESMT IN V498 P179. Property address: W138 Davis Road, Bangor, WI 54614 a.k.a. Tax Parcel 3-251-0. Whereas the Town of Burns Planning Commission and Town Board recommend approval of this Conditional Use Permit, (CUP), with the following conditions: **1.** The Base Tract is a Non-Farm Base Tract as defined in the TBZO. **2.** The Base Tract is made up of Tax Parcels 3-251-0 and 3-247-0. **3.** The Base Tract is 69.04055 acres as indicated in the Town of Burns GIS and may be referred to as BT-1019. **4.** Consistent with TBZO, 1/21" of the Base Tract's acres may be developed for NFR use. Therefore 69.04055 acres divided by 21=3.29 or 3.29 acres developable for NFR uses. No more than 3.29 acres may be used for NFR's in this Base Tract provided prime agricultural land is not devolved (unless there is no reasonable alternative) and the TBZO siting and density limitations are not exceeded. **5.** The proposed 2.1-acre Lot 1 substantially occurs in the area that compromised the original farm residence on the Base Tract and the related outbuildings and the creation of Lot 1 will not convert prime agriculture land. **6.** Consistent with the TBZO at 17.35(2)(N), by use of the Town of Burns GIS, zero -0- acres in the Base Tract can be deemed to be used for pre-existing Non-Farm Residential use. **7.** The proposed 2.1 acres for Lot 1, plus all existing, pending, or approved NFR CUP's for the Base Tract does not exceed the 3.29 acres allowed for NFR uses and appurtenances in this Base Tract can be deemed to be used for pre-existing Non-Farm Residential use. **8.** If the 2.1 acres lot is approved, then 1.19 acres will remain to be used for an additional, future NFR's if all TBZO requirements can be met. **10.** The application is consistent with and meets the standards for allowing the CUP as specified in the TBZO section 17.2 thru Section 17.20(5), Section 17.20(6), and Section 17.35(6). And whereas no adjoining land owners objected to this CUP at the public hearing held on November 29, 2022. Thereby be it resolved that the Town of Burns Town Board does here by approve CUP #2021020301 with the above terms and conditions. Dated this 29<sup>th</sup> day of November 2022. Second made by Sup. Caulum. Voice vote, all ayes, Motion carried.
4. There were no concerns.
5. Motion by Chr. Nuttlman to adjourn. Second made by Sup. Caulum. Voice vote, all ayes, motion carried. Meeting adjourned at 7:30 pm.

Mel Hart-Pollock, Clerk  
Approved: 1/11/2023