

Town of Burns
March 4, 2021
Special Town Board Meeting Minutes

1. The meeting was called to order by Chairman Nuttleman at 8:10 pm. Roll call: Chairman (Chr.) Nuttleman, Supervisor (Sup.) Caulum, Supervisor (Sup.) Hoth, and Clerk (Clk.) Hart-Pollock present. 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. 2021020301. Joseph and Katie Cook, N8962 State Road 162, Mindoro, WI 54644 applies for a conditional use permit to create a 2.88 acre lot for a Non-Farm Residence (NFR) and/or Non-Farm residential appurtenances for a Non-Farm Base Tract as defined in the Town of Burns Zoning Ordinance (TBZO). The Base Tract is made up of Tax Parcels 3-864-0, 3-862-0, and 3-857-0. The Base Tract is 60.62 acres. So, therefore 60.62 acres divided by 21 equals 2.8867, or 2.89 acres developable for NFR uses in the subject Base Tract. A 1.31 non-buildable out lot is also anticipated and requested. Whereas the Town of Burns Planning Commission and Town Board recommend approval of this Conditional Use Permit, (CUP), with the following conditions: **1.** Applicant shall obtain and submit Certified Survey Map (CSM) of the parcel on which the proposed non-farm residence and-or related accessory structures will be located that is consistent with their proposed plot plan map / proposed CSM but the CSM shall not exceed 2.88 acres, the maximum non-farm residential acreage allowed for the subject Base Tract. **2.** The CSM may create or include a second, non-buildable parcel adjacent to Lot 1, Outlot 1, that may be conveyed to the buyer of Lot 1 only. **3.** No residential structures or improvements which shall be allowed on Outlot 1 at any point in time, else the maximum density limitations for non-farm acreage for the subject Base Tract will be exceeded. To make this plain to all, the applicant shall restrict the use of this parcel on the face of the CSM and-or in a Deed, by using the following language, "Outlot 1 is restricted and not buildable for any use. Only open space or agricultural use requiring no buildings or structures is allowed. This restriction is duly enforceable by all means available by the Town or County Zoning Authority having Jurisdiction. "Applicant will record a Right to Farm Nuisance Notice, as provided and for worded in the TBZO Section 17.20(k), which shall be included on or with, the appropriate Plat of Survey, CSM or deed. **4.** Outlot 1 shall never be combined with Lot 1 and shall have a separate Tax Parcel Number from Lot 1. **5.** The location of any existing or proposed structure on the proposed Lot 1 shall comply with all of the Town of Burns Zoning Ordinance (TBZO) building setback requirements except for existing structures as related to the setback from the easements of record. **6.** Applicant will record a Right to Farm Nuisance Notice, as provided for and worded in the TBZO Section 17.2(K), which shall be referenced by, or be included on or with, the appropriate Plat of Survey, CSM or deed. **7.** Applicant shall contact the WI DOT and obtain a driveway permit from WI DOT if a new driveway is required or shall obtain verification the no new DOT permit is required for the proposed land division. **8.** Access will be provided to Lot 1 by means of an existing driveway off of State Road 162 consistent with the submitted project proposal map or plot plan. No access easement shall be provided for Outlot 1 across any parcel at any point in time. **9.** Applicant shall obtain a Town of Burns Zoning & Occupancy Permit, a Town of Burns Building Permit, and any other Permits required to comply with any other applicable Town of Burns, La Crosse County, or State of WI, Ordinances, Codes, or Statutes before starting any construction activity or structural alterations of any sort. **10.** The maximum density allowed for a NFR acreage in the Base Tract shall not exceed 2.89 acres at any time. If the 2.88 acre Lot is approved, -0- acres shall remain for future Non-Farm Residential use and the maximum sitting and or density limitations for this Base Tract will have been reached. **11.** This Conditional Use Permit is approved but shall not become effective until all the conditions listed herein are met, as determined by the Town of Burns Zoning Administrator. **12.** The applicant may request an extension of the time to meet all of the conditions required herein, at no additional cost, via a written request to, and by appearance before the Town Board. **13.** If the applicant has not complied with the above conditions after 12 months from this date of approval, or within the time allowed by any timely extension thereof, the Conditional Use Permit shall never become effective and is null and void. And Whereas no adjoining land owners objected to this CUP at the public hearing held on March 4, 2021. 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 4th day of March 2021. Second made by Sup. Caulum. Voice vote, all ayes, Motion carried.

4. Patrolman Holzhausen presented truck quotes from International, Kenworth, Mack, and Peterbilt. There was discussion between the board and Patrolman Holzhausen on trade-in value, net price, warranties, roadside service, and other items. The quotes came in as follows:

	New Truck Quote	Trade-in Value	Net After Trade-in
International	\$ 88,750	\$20,000	\$68,750
Kenworth	102,700	8,500	94,200
Mack	93,094	15,000	78,094
Peterbilt	90,795	20,000	70,795

Chr. Nuttleman motioned to purchase a Peterbuilt truck for the cost of \$70,795 after trade-in. Second made by Sup. Hoth. Voice vote, all ayes, motion carried. Sup. Hoth motioned to add on the Universal Truck Equipment dump box with the stainless-steel package to the Peterbilt truck for the amount of \$64,593. Second by Chr. Nuttleman. Voice vote, all ayes, motion carried.

5. Will add discussion of driveway permits to the March 10th town bard agenda.
6. Motion by Sup. Hoth to adjourn. Second made by Chr. Nuttleman. Voice vote, all ayes, motion carried. Meeting adjourned at 8:47 pm.

Mel Hart-Pollock, Clerk
Approved: 3-10-2021