

T H E T O W N O F  
**MERRIMAC**

56911 State Highway 113 – P.O. Box 115  
Merrimac, WI 53561

**MINUTES OF THE PLANNING & ZONING COMMISSION**  
**September 15, 2010; 7:00pm**

Present were Richard Grant, Chair; John Gaedke, Tim Healy, Doug Hill, Eva Spear, Ron Lestikow, and Frank Olah. Also present was Tim McCumber, Town Administrator; Atty. Richard Cross for Town's Attorney Natalie Bussan, and Town Planner Mike Slavney.

Grant called the meeting to order; McCumber certified compliance with the open meetings law. The commission considered the minutes of the August 18, 2010 commission meeting. Motion by Grant to accept with a correction, second by Healy. Motion passed.

The commission discussed a preliminary conditional use allowing for the continuance of the mobile home park located at Horseshoe Ct., Rick DuBois, prospective buyer. McCumber recapped the meeting from last month. Grant asked why we might be shifting from the Planned Area Development (PAD) to Conditional Use (Permit). McCumber recapped the change from the Planned Area Use to Conditional Use permit based on a change in law. He also noted that, as the question was raised, the trailer that burned down at the Walsch property was a legal non-conforming property subject to a Board of Appeals decision. The owner of the trailer was left with the variance process because the owners were not interested in seeking a PAD to bring the property into conformance with the zoning commission. Cross spoke to the difference between a CUP and a PAD as they work within the ordinance and also noted that the ordinance has changed since the Walsh fire. Slavney supported the Cross' opinion and felt that ordinance 11.02 (6) needs some modification with a PAD, but did agree that the CUP process is more restrictive. Grant asked if the commission moves this plan forward, he wanted to know if the town could amend 11.02 (6) within the CUP itself. It was clarified the town would have to change the ordinance. McCumber outlined the process that would have to take place if the board needs to change 11.02 (6), and work on the language of the P.A.D. A motion to bring forward an ordinance amendment to Section 11 and to recommend proceeding the conditional use process was made by Grant, second by Hill. Slavney commented that under a conditional use permit that we will be working through the process both ethically and legally. Motion passed.

Under the **ADMINISTRATOR'S REPORT**, McCumber reported the town has issued 39 building permits with a value of \$632k. McCumber also reported Riverland Conservancy converted \$1 million of property into tax exempt status, a move that will cost each tax payer in town \$.10 per thousand based on last year's tax bill.

Motion to adjourn by Gaedke, second by Hill. Motion passed.