

OTTAWA PLAN COMMISSION

Meeting Minutes – May 6, 2019

Chairman Rupp called the regular meeting of the Plan Commission to order. Roll call attendance was taken; Commissioners Hausser and Mundschau, as well as Supervisors Graham and Jones were present.

The first item on the agenda was for Discussion/Action of Jeff Donovan, W360 S2899 STH 67, Dousman – conceptual CSM and any necessary waivers. Planner Scherer read from her report. After some discussion, Commissioner Mundschau made a motion to waive items 1, 2 and 9 of the report. The motion was seconded by Commissioner Hausser and carried unanimously.

The next item on the agenda was for Discussion/Action of Jeff Donovan – request for multiple accessory buildings. Planner Scherer read the Ordinance regulations. Mr. Donovan was present in the audience and explained that he would knock down an old shed and build a new detached garage in its place, but would like to salvage the corn crib and barn as they are historic. Commissioner Mundschau made a motion to approve the multiple accessory building request for three accessory buildings as proposed. The motion was seconded by Supervisor Graham and carried unanimously.

The next item on the agenda was for Discussion and Action for Aimee Bloch, W377 S3538 Lake Dr., Dousman – request for a Hobby Kennel Permit. Planner Scherer read the request letter for three dogs. Ms. Bloch was present in the audience and listed the dogs as follows: Cloe 4yr. and Cooper 2 ½ yr. old Golden Doodles and a 1yr. old Quinn Great Dane/lab mix. All of the dogs are altered. Supervisor Graham made a motion to approve the Hobby Kennel request. The motion was seconded by Commissioner Mundschau and carried unanimously.

The next item on the agenda was for Discussion and Action for Morgan and David Hennes, W394 S4568 CTH Z, Dousman – request for a Hobby Kennel Permit. Planner Scherer read the request letter for three dogs as follows: Jewels an 11yr. old and Benny a 1 yr. old Labrador Retriever, and Jackson a 3 month old German Shorthaired Pointer. Chairman Rupp stated that she had received a phone call questioning if there would be noise and barking. Supervisor Jones made a motion to approve the Hobby Kennel request. The motion was seconded by Commissioner Hausser and carried unanimously.

The next item on the agenda for Discussion and Action was for William and Courtney Bastian, S41 W35755 CTH C, Dousman – request for a Hobby Kennel Permit. Planner Scherer read the request letter for 7 dogs as follows: 12 yr., 10 yr., 7 yr., 5 yr., 5 yr., 4 yr., and 2 yr. German Wirehaired Pointers (one other dog died since they made their request). Mr. Bastian was present in the audience and stated that they would not be boarding any dogs, and not adding any dogs after they age out. Planner Scherer read the definitions of Hobby and Commercial Kennels into the record.

Steve Wartinbee, S41 W35751, CTH C, Dousman was in the audience. He stated that he has lived there for 12 years and wants privacy and peace. He said that the previous neighbors had 4-5 dogs that barked constantly and excessively for seven years. He believes trained dogs are at

higher extremes of barking. Hunting dogs do bark. He wants peace and quiet. Mr. Wartinbee added that he thinks it will affect property value of his house and that he worries about his grandchildren with the dogs. There are too many dogs and noise is a concern. This is not a hobby kennel, more space and separation is needed. He opposes the request.

Mrs. Kangas, S41 W355735 CTH C, Dousman was in the audience. She stated that she appreciates the current ordinance regulations and doesn't want neighbors with that many dogs.

Mr. and Mrs. Barz, S42 W35785 CTH C, Dousman were present in the audience. Mr. Barz said the previous property owners had four dogs that would run at large and bark. He's also concerned about his grandchildren. Mrs. Barz stated the same, that she is worried about noise and barking. There are too many dogs.

Mr. Bastian responded the he is a former professional, award winning trainer and has won breeder awards. He has young children himself. His wife stays at home and supervises the dogs. At their previous residence, there was never a complaint regarding the dogs in any way. He doesn't like noisy dogs either, and does not allow it. The dogs are trained and three of them are senior dogs. The dogs are accompanied when outside, and there is a fenced in yard and it will be gated as well.

Planner Scherer read the Hobby Kennel regulations into the record and noted that there were letters of reference that accompanied the Bastian's request.

Supervisor Jones stated that the previous neighbor ruined it for the others. Commissioner Hausser mentioned that the risk of barking seems higher with 7 dogs. Mr. Bastian stated that he guarantees it won't be a problem. His offer to buy the house is contingent on receiving approval of a Hobby Kennel Permit. Commissioner Mundschau stated he is undecided. The risk is high for barking, but also risky for new owner. Supervisor Graham stated that this is a very tough decision.

Supervisor Jones made a motion to deny the Hobby Kennel request based on the perceived risk (nuisance) of barking and incompatibility and not in the public interest of the surrounding area. Commissioner Mundschau seconded the motion. The motion carried 3 – 2 (Supervisor Graham and Chairman Rupp opposed).

The next item on the agenda was for Discussion and Action for Bonnie Schuenke, W394 S3511 CTH Z, Dousman – request for a Hobby Kennel Permit. Planner Scherer read the request letter, and explained that inspections were done. The property is 3 acres in size and there has been one complaint registered with the Town by an adjacent neighbor. The dogs are as follows: 7 yr. old Pitbull/mix, 4 yr. old Mastiff, 12 yr. old Golden Retriever, 10 yr. old Shiba/Chow mix, 14 yr. old Schnauzer/Collie, 2 month old Golden retriever and one foster dog, a 9 yr. old Golden Retriever. A total of 7 dogs. Ms. Schuenke would like up to 2 fosters to be allowed as well.

Ms. Schuenke was present in the audience. She stated that she has bred, trains for competitive obedience and showing as well as rescue work. She has a commercial 5 foot high chain link fence and will install a privacy fence on the side. She will muzzle the dogs if needed for barking. Some of her dogs are currently boarded until she obtains her Permit. She does not have any cats anymore. She keeps the dogs in the house and goes out with them. If they bark, they go back in the house.

Mr. Schuenke stated they are also trying to get rid of the rescues.

Mike Sterk, W394 S3520 CTH Z, Dousman was present in the audience. He has no problems with Ms. Schuenke's dogs. Part of the yard is fenced, they rotate potty breaks and clean up after the dogs, and the dogs are kept in the house.

Mrs. Sterk stated the dogs are friendly and she has no fear of them.

Mr. Burgerino, W394 S3494 CTH Z, Dousman was present in the audience. He has seen more than 10 dogs in that yard. Ms. Schuenke responded that the extra dogs are present when her daughter visits with her dogs on the holiday weekends.

Mr. Murphy, W394 S3495 CTH Z, Dousman was present in the audience. He stated that he brought concerns about Ms. Schuenke's dogs at the prior meeting. He believes they are not being truthful. The dogs bark every night, and even at 4:30 am when he is going to work. He has concern for his grandkids.

Mr. Pape, Hardscrabble Road, Dousman, asked what is the process for correction if there is an issue? How long will it take?

Ms. Svang W379 S5505 CTH ZC, Dousman was present in the audience. She stated that it is the country in this area. She believes it is reasonable to have dogs as long as rules are followed. She believes Ms. Schuenke controls her yard well and has nothing new to add.

Supervisor Jones stated that he is concerned that she is still taking on new dogs. Supervisor Graham stated that she also wants to add foster dogs.

Supervisor Graham made a motion to approve the Hobby Kennel request with the restriction to limit to a maximum of 7 dogs and as they age out, they can be replaced, but no foster dogs. There was no second. Motion failed for lack of a second.

Commissioner Mundschau made a motion to approve the Hobby Kennel request with a limit of the currently owned dogs only (6), and the current foster dog, no new foster dogs, and as the dogs age out that she is limited to a five (5) dog maximum, and that a Hobby Kennel Permit be secured. There was more discussion. Commissioner Mundschau amended his motion to add that no visiting dogs be allowed at any time. The motion was seconded by Supervisor Graham and carried unanimously.

After review by the Plan Commission, Chairman Rupp accepted the list of pending zoning violations.

There was no correspondence.

There was no public comment.

Commissioner Mundschau made a motion to table the approval of March 4, 2019 minutes to the June 3, 2019 meeting. Supervisor Graham seconded the motion and it carried unanimously.

Supervisor Jones made a motion to adjourn. The motion was seconded by Commissioner Hausser and carried unanimously.

Respectfully submitted,

Lori Geyman

Deputy Clerk, Town of Ottawa