Town of Fulton Minutes
Tuesday, February 11, 2025 @ 6:00 PM
2738 W Fulton Center Dr. Edgerton, WI
Joint Planning & Zoning Comm. & Town Board Meeting

1. Call to Order-Chairman Sayer called the meeting to order at 6:00 pm. All TB members were in attendance except Supervisor Hull, who was absent. PZ members present were Munz-Prichard, Stange and Kendellen. Sayer and Amundson were absent. Also in attendance was Chief Kunkel, Clerk Siclovan and 11 residents.

2. Confirmation of Meeting Notice-Clerk Siclovan confirmed meeting notices as follows: Posted at: CKSD, Carl's Shell, Fulton Town Hall, & www.townoffulton.wi.gov on *2/06/25*

Published: Edgerton Reporter on 12/18/24, 01/07/25, 01/23/25, 01/30/25, 02/07/25

3. Approve Meeting Minutes of January 14, 2025- **Motion** (Munz-Prichard, Stange) to approve PZ meeting Minutes of January 14, 2025. Motion carried **Motion** (Farrington, Thompson) to approve TB meeting Minutes of January 14, 2025. Motion carried

4. Citizen Comment – *No formal action will be taken during this meeting, although issues raised may become part of a future agenda. Participants are allotted a 3-minute speaking period for citizen comment.* Matt Falk, 10990 N Gladys Dr, Edgerton spoke regarding a business being run out of a unit located at 747 E Mallwood Dr, Edgerton. States Outlaw Detailing & Customs doing auto/body repair at location. Creating traffic from 5pm until midnight and all-day Saturday. Falk reports also loud exhaust noise and parking well over the 15-minute limits. John Kessler, 10991 N Gladys presented a website for Outlaw Detailing and Customs to Board. Also reports lights from building flooding into his house. Kessler states barrier trees are 1-foot tall, and do not meet the required 4 ft tall barrier. Linda Hrycyk, 10991 N Gladys Dr, Edgerton also spoke on complaints listed above.

5. Reports
   - Police: Rock County Sheriffs Kunkel and Vertz present and discussed January's activities. Noted speed patrol on Hwy 51 and Hwy 59. Resident reported speeders on Consolidated School Rd between 5-6pm. Sheriffs will add the street and time of day to their patrol. Chief Kunkel reported 266 events, 4 crashes, 83 citations and 41 warnings by Town police in January 2025.
   - CKSD: per Rich all running smooth - Boat Patrol: closed for season -Tourism Commission: No report - Water Utility: No report- Lake District: No report -Fire/EMS: Chief Pickering present. Reports 38% increase in activity for January, 33 911 calls, staffing remains solid and finances are in the green. Pickering reports a special meeting that was called to discuss impact fees and determine interest from municipalities. Each municipality would have to enact the impact fee and does not require full District participation. The Fire District will support and assist any municipality that has interest in enacting an impact fee. Fee would apply once house is sold to an individual.

6. Correspondence: Clerk reported correspondence from Town Web and the increase for 2025. ($620-$900), Bright Speed letter of support, and Humane Society report of 1 cat intake for the month of January.

7. Application of Steven McLenachen, 499 E Mall Court, Edgerton, WI, tax parcels 6-6-782 & 6-6-132 for a CSM, transfer to adjoining owner 16649 SF and adjust lot line to construct accessory structure. Zoning will remain RRS. **Motion** (Munz-Prichard, Stange) to approve application of Steven McLenachen, 499 E Mall Court, Edgerton, WI, tax parcels 6-6-782 & 6-6-132 for a CSM, transfer to adjoining owner 16649 SF and adjust lot line to construct accessory structure. Zoning will remain RRS. Motion carried

8. An application has been filed by Frogg, LLC-Robert Morrison, Jr., 6307 W State Road 59, Edgerton, requesting an amendment to the land use plan map adopted as part of the Town Comprehensive Plan. The application requests that the land use plan map be amended to change the land use designation

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from Rural- Residential Sensity Small(R-RS) to Special Use (SU)for a portion of Tax Parcel 012 01304/012 013043/Parcel 6-6-50.1&6-6-50.4 (29.4 & 7.6 acres), located on W State Road 59. A land division/lot combination and rezone of the property to create 2 separate parcels: *Lot 1 (30.76 +/- acres) will include parcel 6-6-50.1, 6-6-50.2 and most of 6-6-50.4. Parcel 6-6-50.1 (2.68+/- acres) contains a residence along W State Road 59 associated with the business, is currently zoned Residential Rural Small (RRS) and will be rezoned to Special Use (SU). Lot 2 includes all of Parcel 6-6-50.3 and part of Parcel 6-6-50.4 (0.37+/- acres) currently zoned as SU will be rezoned as Residential-Rural Density Large (R-RL) and combined with Parcel 6-6-50.3. Lot 2 (8.49+/- acres) will be zoned R-RL.*

A.) Public Hearing-Comp Plan amendment; Ordinance 2025-01-**Motion** (Munz-Prichard) to open public hearing. Motion carried. Fire Chief Pickering voices his support for Frog, LLC noting better logistics for fire department. **Motion** (Munz-Prichard) to close public hearing. Motion carried

B.) Discussion/Action by PZ-recommendation for TB Ordinance 2025-01 **Motion** (Munz-Prichard, Stange) to recommend approval to TB of Ordinance 2025-01. Motion carried

C.) Discussion/Action by TB Ordinance 2025-01 **Motion** (Farrington, Thompson) to accept PZ recommendation to approve Ordinance 2025-01. Motion carried

A.) Public Hearing-Rezone; Ordinance 2025-02-**Motion** (Munz-Prichard) to open public hearing. Motion carried. No one present to speak. **Motion** (Munz-Prichard) to close public hearing. Motion carried.

B.) Discussion/Action by PZ (recommendation for TB) Ordinance 2025-02. **Motion** (Munz-Prichard, Stange) to recommend approval of Ordinance 2025-02 with all MSA recommendations for land division and rezone. Motion carried.

C.) Discussion/Action by TB Ordinance 2025-02-**Motion** (Farrington, Thompson) to accept all PZ recommendations to approve Ordinance 2025-02. Motion carried.

A.) Public Hearing-CUP-**Motion** (Munz-Prichard) to open public hearing. Motion carried. No one present to speak. **Motion** (Munz-Prichard) to close public hearing. Motion carried.

B.) Discussion/ Action by PZ re: CUP. Munz-Prichard read aloud the MSA recommendations for conditions of approval: "1) Property along 59, @ 220 feet east of present driveway entrance (area in front of current office/parking) is exempt from the 8'fence requirement. The fence applies to areas where auto yards are visible from the road. 2) Residential use shall not be expanded beyond current use. Residential use is permitted so long as occupant/use is connected to business. If ever discontinued for residential use, the property shall be converted to uses associated with the surrounding lot." **Motion** (Munz-Prichard, Stange) to recommend to TB approval of CUP with conditions set by MSA, except to strike line in 2 which reads 'residential use is permitted so long as occupant/use is connected to business.' Motion carried.

C.) Discussion/Action by TB for CUP **Motion** (Thompson, Farrington) to accept PZ recommendations set above and approve CUP with those conditions. Motion carried.

9. Discuss/Action re Resolution 2025-02 recommending amendment to the Town of Fulton Comprehensive Plan 2040. Ordinance to follow on agenda. **Motion** (Munz-Prichard, Stange) to approve Resolution 2025-02. Motion carried

10. Discuss/Action regarding application filed by John Petersen, Etal., 740 E Knudsen Rd, Edgerton, requesting an amendment to the land use plan map adopted as part of the Town Comprehensive Plan. The application requests that the land use plan map be amended to change the land use designation from Rural-Residential Large (R-RL) to Ag-General (AG) for a

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portion of Tax Parcel 012 032040010 /Parcel 6-6-122A (10.7acres), located on E Kundsen Rd. A rezoning of the property, to enlarge an existing parcel (10.7+/-acres) to be rezoned to Ag-General has also been requested and will be considered at the public hearing.

A.) Public Hearing-Comp Plan Amendment; Ordinance 2025-03 **Motion** (Munz-Prichard) to open public hearing. No one present to speak. **Motion** (Munz-Prichard) to close public hearing. Motion carried.
B.) Discussion/Action by PZ (recommendation for TB) Ordinance 2025-03-**Motion** (Munz-Prichard) to recommend to TB approval of Ordinance 2025-03. Motion carried
C.) Discussion/Action by TB Ordinance 2025-03 **Motion** (Thompson, Farrington) to accept PZ recommendation and approve Ordinance 2025-03. Motion carried

A.) Public Hearing-Rezone; Ordinance 2025-04 **Motion** (Munz-Prichard) to open public hearing. Motion carried. No one present to speak. **Motion** (Munz-Prichard) to close public hearing. Motion carried
B.) Discussion/Action by PZ (recommendation for TB) Ordinance 2025-04 **Motion** (Munz-Prichard, Stange) to recommend to TB approval of Ordinance 2025-04 which shall include all recommendations of Rock County. Motion carried.
C.) Discussion/Action by TB Ordinance 2025-04- **Motion** (Thomspon, Farrington) to accept the PZ recommendation of approval for Ordinance 2025-04 which shall include all recommendations of Rock County. Motion carried.

11. Discuss/Action regarding an application for a conditional use permit (CUP) pursuant to Ordinance 425-3-2(F)(1)(a) from Kim Stratton on behalf of American Transmission Company, LLC, for parcels:
    6-6-367, located 7021 N Consolidated School Rd., Janesville, WI.
    6-6-436, located 6738 N. Consolidated School Rd., Janesville, WI.
    6-6-425.1, located 6827 N Consolidated School Rd., Janesville, WI.
    6-6-436.4, located 2221 W. Manogue Rd., Janesville, WI.
    6-6-436.01, located 2237 W. Manogue Rd., Janesville, WI.

They are requesting ATC to install a transmission line structure on an existing electric transmission line to support the building of a new 0.3-mile 138kV-transission line. The new 0.3-mile line will connect the newly built Rock Energy Cooperative substation (located on the Michigan Wisconsin Pipeline Co parcel 6-6-425.1) to the electric grid via existing 138 kV transmission line that crosses W. Manogue Road to the east. The new 0.3-mile line will follow Manogue Rd. on the south side with the structures located on private property. The easement for the new structures has been obtained.
A.) Public Hearing **Motion** (Munz-Prichard) to open public hearing. Motion carried. Linda Downing, 6738 N Consolidated School Rd., Edgerton requests to know why on notice for 6-6-425.1 Michigan Wisconsin Pipeline Co is named. Linda says this is wrong and needs to be corrected. Kim Stratton of ATC, LLC present and responds the information was taken from the current tax bill. No one else present to speak. **Motion** (Munz-Prichard) to close public hearing. Motion carried

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12. B.) Discussion/Action by PZ (recommendation for TB) **Motion** (Munz-Prichard, Stange to recommend to TB approval of conditional use permit (CUP) pursuant to Ordinance 425-3-2(F)(1)(a) from Kim Stratton on behalf of American Transmission Company, LLC, for parcels:
    6-6-367, located 7021 N Consolidated School Rd., Janesville, WI.
    6-6-436, located 6738 N. Consolidated School Rd., Janesville, WI.
    6-6-425.1, located 6827 N Consolidated School Rd., Janesville, WI.
    6-6-436.4, located 2221 W. Manogue Rd., Janesville, WI.
    6-6-436.01, located 2237 W. Manogue Rd., Janesville, WI.

    They are requesting ATC to install a transmission line structure on an existing electric transmission line to support the building of a new 0.3-mile 138kV-transission line. The new 0.3-mile line will connect the newly built Rock Energy Cooperative substation (located on the Michigan Wisconsin Pipeline Co parcel 6-6-425.1) to the electric grid via existing 138 kV transmission line that crosses W. Manogue Road to the east. The new 0.3-mile line will follow Manogue Rd. on the south side with the structures located on private property. The easement for the new structures has been obtained. Motion carried.
13. C.) Discussion/Action by TB **Motion** (Farrington, Thompson) to accept PZ recommendation and approve conditional use permit (CUP) pursuant to Ordinance 425-3-2(F)(1)(a) from Kim Stratton on behalf of American Transmission Company, LLC, for parcels:
    6-6-367, located 7021 N Consolidated School Rd., Janesville, WI.
    6-6-436, located 6738 N. Consolidated School Rd., Janesville, WI.
    6-6-425.1, located 6827 N Consolidated School Rd., Janesville, WI.
    6-6-436.4, located 2221 W. Manogue Rd., Janesville, WI.
    6-6-436.01, located 2237 W. Manogue Rd., Janesville, WI.

    They are requesting ATC to install a transmission line structure on an existing electric transmission line to support the building of a new 0.3-mile 138kV-transission line. The new 0.3-mile line will connect the newly built Rock Energy Cooperative substation (located on the Michigan Wisconsin Pipeline Co parcel 6-6-425.1) to the electric grid via existing 138 kV transmission line that crosses W. Manogue Road to the east. The new 0.3-mile line will follow Manogue Rd. on the south side with the structures located on private property. The easement for the new structures has been obtained. Motion carried.

12. Adjourn Planning & Zoning -**Motion** (Munz-Prichard, Stange) to adjourn Planning & Zoning at 6:54 pm. Motion carried

13. Discuss/Action ERSA Case Appeal-Board directs to Clerk to inform Attorney Schroeder they will not be seeking an appeal.

14. Discuss/Possible Action Ordinance 2025-05 Short Term Rentals-Board discussed some changes to be sent to Attorney. -Page one change A) to Rock County from Dane County and ask if page 3 lines 6 and 10 are separate for a reason of if they can be combined. Clerk to forward to Town attorney.

15. Discuss/Possible Action Ordinance 2025-06 ATV. Board discussed Ordinance as written and requested changes be sent to Town attorney for revision. Page 2 B (1) (ii) change from 3 or more to 4 or more tires, clarify and possible rewrite on page 3, C (2), add to page 3 C (3) HWY-59 and Hillside and HWY-59 and Goede. (E) add not to exceed 35 mph or lesser if posted, G- Operators requirements add must use hand signals if not equipped with turn signals. (Ask attorney about night restrictions if not equipped with turn signals) page 4 (8) add to end of sentence, unless engaged in snowplowing, page 4 (H) add have volunteered to provide funds for petitioning County for County roads. Board also requests

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the additions of the following: The Town Board retains the right to close any Town road t o ATV/UTV operation for any reason, including but not limited to special events, unlawful use, and road construction or repair. Said closures of Town roads to ATV/UTV use may occur without prior notice. The Town accepts no liability for the operation of ATV/UTV's on any Town road under the provisions of this ordinance. Operation of ATV/UTV's is at the operator's own risk. Clerk to send to Town attorney.

16. JP Land Development multiple ordinance violations of 334-6- Dangerous Openings and Excavations. Letters sent 1/10/25 via certified mail, received 1/21/25 by Josh Petry. Clerk reported to Board via information from building inspector that Lots 1, 26-27 and 50-53 do have snow fencing around dangerous openings. Board request Clerk to send another certified letter giving an extension for remaining dangerous openings to be fenced no later than February 21, 2025.

17. Pay bills/Sign checks/Approval of Voucher list & Financial Statements **Motion** (Farrington, Thompson) to Pay bills/Sign checks/Approval of Voucher list & Financial Statements. Motion carried.

18. Adjournment-**Motion** (Thompson, Comstock) to adjourn at 7:44pm. Motion carried

Respectfully submitted by,
Laura Siclovan, Clerk/Treasurer

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