

**TOWN of MAY
WASHINGTON COUNTY
PLANNING COMMISSION
January 29, 2015**

The Planning Commission of the Town of May met for their regular meeting on Thursday, ber 29, 2015. Those in attendance included: John Arnason, Chairman; Lester Rydeen, Mark Dupre, Jyneen Thatcher, Steve Magner, and Don Rolf. Absent: Chad Nelson, and Alternates Jeff Chase and William Still. Also present: Nate Sparks, Town Planner, NAC; and Linda Klein, Town Clerk. Chairman Arnason called the meeting to order at 7:00 pm.

Approval of Minutes - Arnason suggested that the October and December minutes be approved, along with minutes from this meeting, at the next official Planning Commission meeting. All agreed.

Public Hearing

Ordinance 2014-10 Storage of Business Equipment in Detached Building

Planner Sparks presented the reason behind this ordinance. When an application came forward earlier in 2014 for a variance to build a detached outbuilding, a person attending the public hearing pointed out that Town Code prohibits storage of business equipment in a detached accessory structure. The applicant for the variance had been parking business-related vehicles in his driveway; construction of the building would allow him to park these vehicles inside the new structure. The applicant was approved for the variance, and he was advised he could park his business-related vehicles in the new building, as long as it was clear he was not operating the business from his residence.

This ordinance amends this section of the code by allowing business storage, with some conditions.

Arnason moved, seconded by Rolf, to open the public hearing. Hearing no comments from the public, Arnason moved, seconded by Rolf, to close the public hearing.

The general consensus of the commission was that the language may be a bit more restrictive than necessary, and they suggested the following:

“...is amended by adding the following: Businesses which only operate off-site, do not regularly have employees coming on site, and where on-site business related equipment and materials, if any, are generally stored inside a building; and that the property owner usually only comes and goes once a day, are not considered small businesses and may operate without a Small Business Permit. This property owner may have business vehicles parked outside, which may display identifying business information. The Town may reasonably direct where such vehicles are parked, and they will be subject to all the provisions of the Town Code related to exterior storage of vehicles and equipment (Section 705.10 Exterior Storage)”

Noting that the goal is to prohibit a nuisance, and at the same time, creating a threshold where the property owner does not appear to be operating a business, Arnason moved, seconded by

Rydeen, to recommend to the Town Board that they adopt Ordinance 2014-10 as modified by the Planning Commission. All approved.

Public Hearing

Ordinance 2014-11 Amendment to Firearms Ordinance

Planner Sparks explained that this modification is being put in place as a result of a law enforcement officer stating that the current reading of the ordinance is difficult to enforce.

Arnason moved, seconded by Rolf, to open the public hearing. Hearing no comments from the public, Arnason moved, seconded by Rolf, to close the public hearing.

The commission discussed the way in which this ordinance is written, especially Section 504.03, Exceptions. They agreed that discharging a firearm on your own property is exempt from the 500 foot rule. However, if a neighboring residence is 500 feet or less from your residence, the setback prohibition still applies as related to the neighboring residence.

They suggested the following wording for that section:

No one is exempt from the 500 foot residence setback prohibition for discharging a firearm as stated in 504.02B as it applies to neighboring residences, unless they have dated, written permission from the adjacent owner or occupier of the neighboring residence agreeing that the adjacent property owner has permission to discharge a firearm closer than 500 feet from the neighboring residence.

Arnason moved, seconded by Dupre, to recommend to the Town Board that they adopt Ordinance 2014-11 Amendment as modified by the Planning Commission. All approved.

Hearing no further business, Arnason moved, seconded by Dupre, to adjourn. All approved.

Respectfully submitted,

Linda L. Klein
Town Clerk