

**Hearing Minutes**  
**Spring Green Plan Commission**  
**Wednesday, January 19, 2022**

**Hearing held via Zoom & Teleconference due to COVID 19 Health Emergency**  
**7:00 pm**

1. Prem called the Hearing to order at 7:06 p.m. as a Hearing of the Spring Green Plan Commission.  
Members present: Greg Prem, Patrick Hagen, Ed Lilla, Brad Hutnik, David Saperstein, Jason Frazier, and Michael Broh.  
Others present: Wendy Crary, Vikki Stingley, Laurie & Donn Dell, Robin Reid, Peggy Ring, Jeff Johnson, Cassidy Roeming-Johanek, Todd Deibert, Shay Freund, Ashley Klaes, Mike Stoddard, Sam Robbins, Jason Falteisek, Linda Schwanke, Jeff Freel, James Harwood, Damian Barta, Irv Snyder, Julie Freund, Valley Sentinel, Barb Ramsden, Mike Curran, Clinton Kane, Fred Iausly, Andrea Winder, Lawrence Crurinez, Laura Callan, Janet Fike, Charity Roel, Molly O'Neill, Audrey James, and six unidentified call-in/zoom participants in attendance. Ann Kasten – 7:08 pm, Ben (unknown) – 7:09 pm, Nate Robson – 7:10 pm, Unknown – 7:29 pm. Jacob Sarauer – 7:32 pm.
2. Crary appointed minute taker.
3. Motion by Hagen, second by Hutnik, to approve agenda. Motion passed with all in favor.
4. Consideration of a request by Clinton Kane & Jill Janssen Kane for a conditional use permit for “Commercial Kennel & Dog Boarding” on parcel #032-0658-1, S12904 Pearl Road, Town of Spring Green. Prem explained to all in attendance the purpose of the hearing and requested that anyone wanting to speak state their name for a list prior to beginning. All individuals on the list wanting to speak would then be called upon in order. The consensus of the Plan Commission was that each individual should try to keep their comments to two minutes. The following individuals indicated they would like to speak in regards to the request; Shay Freund, Cassidy Roening-Johanek, Molly O'Neill, Charity Roel, Jeff Johnson, Damian Barta, Ashley Klaes, Audrey James, and Andrea Winder.  
Shay Fruend stated, “My understanding is that they already have a facility and this is for whelping females”. Fruend made comments regarding her thoughts about this type of facility.  
Cassidy Roening-Johanek stated, “I feel this is incredibly inhumane and it gives a very negative image on the village, the area, and the state”.  
Molly O'Neill inquired about the email submitted by Barb Ouimet. Prem informed all in attendance that he would read the email in its entirety during the meeting. O'Neill said, “I've come to accept the idea that this is going to happen but want to ensure there are restrictions and I have concerns about barking”.  
Charity Roel stated, “I live in the Westwood neighborhood and I have concerns about the noise, smell, and home values”.  
Jeff Johnson stated, “I live 2,000 feet south of this property and the farm lane runs along the property line, I want assurances about runoff and noise”.  
Damian Barta said, “I attended a meeting at the library and I'm convinced by the arguments made at that meeting”.  
Ashley Klaes stated, “I'm the president of dog rescue, as I sit here, I am a voice for the voiceless, consider how the puppies are separated and their health and well-being”. “Quarterly inspections are not enough, will the owners be notified, how often are the dogs bred, and what about their health and well-being?”  
Audrey James said “I one hundred percent echo what's been said, testing is not necessary and this is a local issue of dogs being bred for profit”. “This is deplorable and should not be approved”.  
Andrea Winder stated, “My personal opinion is this entire industry is disgusting and deplorable”. “The practical consequences are smell and noise, I make a final plea that you think long and hard about this”.  
Attorney Mike Curran said, “I respect everyone's opinion on the matter and I am willing to answer any questions the commission may have”.  
Janet Fike said, “I'm calling from Belgium and the breeding of beagles is inhumane and deplorable”. Fike made comments regarding pain and torture of animals.  
Ashley Klaes commented again regarding quarterly inspections, how often animals are bred, federal guidelines, and minimum standards.

Molly O'Neill inquired about what federal guidelines have to be followed.

Prem informed everyone in attendance the applicants are required to follow Federal USDA standards and guidelines along with DATCP.

Molly O'Neill asked, "Can the village give stricter standards?"

Audrey James commented, "My understanding was the entire purpose of the hearing was to request stricter regulations".

Shay Fruend asked, "Are you in fact utilizing licensed veterinary services?". Fruend commented regarding Parvo and other zoological diseases.

David Saperstein gave point of reference and the history surrounding the request. Saperstein said, "We are court ordered to grant this request, that ship has sailed".

There were no additional comments regarding this item.

5. General Public Comment: There was no general public comment at this time.
6. Adjourn. Motion by Broh, second by Frazier, to adjourn at 7:50 p.m. Motion passed with all in favor.

**Hearing Minutes**  
**Spring Green Plan Commission and**  
**Joint Extraterritorial Zoning Committee**

**Wednesday, January 19, 2022**

**Hearing held via Zoom & Teleconference due to COVID 19 Health Emergency**  
**Immediately following the Hearing at 7:00 pm**

1. Prem called the Hearing to order at 7:51 p.m. as a Hearing of the Spring Green Plan Commission, and Joint Extraterritorial Zoning Committee.  
Members present: Greg Prem (JEZC), Patrick Hagen, Ed Lilla (JEZC), Brad Hutnik (JEZC), David Saperstein, Jason Frazier, and Michael Broh.  
Town JEZC members present: Fred Iausly, Jason Falteisek, and Irv Snyder.  
Others present: Wendy Crary, Vikki Stingley, Laurie & Donn Dell, Robin Reid, Peggy Ring, Jeff Johnson, Cassidy Roeming-Johanek, Todd Deibert, Shay Freund, Ashley Klaes, Mike Stoddard, Sam Robbins, Linda Schwanke, Jeff Freel, James Harwood, Damian Barta, Julie Freund, Valley Sentinel, Barb Ramsden, Mike Curran, Clinton Kane, Andrea Winder, Lawrence Crurinez, Laura Callan, Janet Fike, Charity Roel, Molly O'Neill, Audrey James, Ann Kasten, Ben (unknown), Nate Robson, Jacob Sarauer, and seven unidentified call-in/zoom participants.
2. Crary appointed minute taker.
3. Motion by Iausly, second by Falteisek, to approve agenda. Motion passed with all in favor.
4. Consideration of a request by J&J Total Lawn Care LLC/James Harwood to rezone parcel #032-0038, located on USH 14, Town of Spring Green from EAT Extraterritorial Agricultural Transition District to B-8 Extraterritorial Highway Commercial District. Harwood stated, "I'm looking to expand my business and this will be more for retail." "I'm not looking to moving everything, just more visibility and more area". There were no additional comments regarding this item.
5. General Public Comment: There was no general public comment at this time.
6. Adjourn. Motion by Snyder, second by Iausly, to adjourn at 7:55 p.m. Motion passed with all in favor.

**Minutes**  
**Meeting of the Village of Spring Green Plan Commission**  
**And Joint Extraterritorial Zoning Committee**  
**Wednesday, January 19, 2022**  
**Meeting held via Zoom & Teleconference due to COVID 19 Health Emergency**  
**Immediately following the Hearings at 7:00 p.m.**

1. Prem called meeting to order at 7:55 p.m. as a Meeting of the Spring Green Plan Commission, and Joint Extraterritorial Zoning Committee.  
Members present: Greg Prem (JEZC), Patrick Hagen, Ed Lilla (JEZC), Brad Hutnik (JEZC), David Saperstein, Jason Frazier, and Michael Broh.  
Town JEZC members present: Fred Iausly, Jason Falteisek, and Irv Snyder.  
Others present: Wendy Crary, Vikki Stingley, Laurie & Donn Dell, Robin Reid, Peggy Ring, Jeff Johnson, Cassidy Roeming-Johanek, Todd Deibert, Shay Freund, Ashley Klaes, Mike Stoddard, Sam Robbins, Linda Schwanke, Jeff Freel, James Harwood, Damian Barta, Julie Freund, Valley Sentinel, Barb Ramsden, Mike Curran, Clinton Kane, Andrea Winder, Lawrence Crurinez, Laura Callan, Janet Fike, Charity Roel, Molly O'Neill, Audrey James, Ann Kasten, Ben (unknown), Nate Robson, Jacob Sarauer, and seven unidentified call-in/zoom participants. Unknown – 8:12 pm. Unknown – 8:20 pm. Ryan Kane – 8:45 pm. Unknown – 8:52 pm.
2. Crary appointed minute taker.
3. Snyder asked to move item #8 ahead of item #5, and to remove item #7. Motion by Snyder, second by Falteisek, to approve meeting agenda with the stated changes. Motion passed with all in favor.
4. Approve minutes from the December 8, 2021 Spring Green Plan Commission, Downtown Design Committee, and Joint Extraterritorial Zoning Committee Meeting. Motion by Snyder, second by Iausly, to approve minutes from the December 8, 2021 Spring Green Plan Commission, Downtown Design Committee, and Joint Extraterritorial Zoning Committee Meeting. Motion passed with all in favor.
8. Discussion and possible action on the consideration of a request by J&J Total Lawn Care LLC/ James Harwood to rezone #032-0038, located on USH 14, Town of Spring Green from EAT Extraterritorial Agricultural Transition District to B-8 Extraterritorial Highway Commercial District. Prem stated, "We did get some input at the last meeting and there were concerns regarding access". Harwood replied, "We're working with Jewell and DOT for the USH 14 access". Iausly said, "There are concerns regarding the placement of the driveway in this area, the concerns are more about safety". Iausly also commented about the high groundwater table in this area. Prem stated, "The applicant is aware of the high groundwater issue and it is important that this use does not effect neighboring properties". Snyder said, "This is the last property to dry out in wet conditions". Iausly said, "If you can avoid a shared driveway that would be preferred". Lilla asked, "Is it actually a shared driveway or a shared access point?". Harwood explained it would be two driveways next to each other as one large access point. Motion by Broh, second by Snyder to recommend approval to the Village Board to rezone parcel #032-0038, located on USH 14, Town of Spring Green from EAT Extraterritorial Agricultural Transition District to B-8 Extraterritorial Highway Commercial District contingent upon Harwood obtaining ownership of the property. Joint Vote: Motion passed with all in favor.
5. Convene as the Plan Commission. Motion by Hutnik, second by Lilla to convene as the Plan Commission at 8:14 p.m. Motion passed with all in favor.
6. Discussion and possible action on the consideration of a request by Clinton Kane & Jill Janssen Kane for a conditional use permit for "Commercial Kennel & Dog Boarding" on parcel #032-0658-1, S12904 Pearl Road, Town of Spring Green. Prem said, "This application was initially filed in 2019". Prem explained for the benefit of the audience and new Plan Commission members that the JEZC recommend approval of the use with eight conditions. The Plan Commission denied the conditional use and the court order remands the conditional use back to the Plan Commission. The Plan Commission is required to approved the use with reasonable and measurable conditions. Prem said, "We received input yesterday from the applicant". Prem read the list submitted by the applicant's attorney. Prem read Barb Ouimet's email for all in attendance. Prem said, "The JEZC's recommendation is valid from 2019, we can approve as recommended or refer back to the JEZC for further review". Saperstein stated, "I don't accept the recommendation and the conditions need to be re-evaluated by the JEZC". Saperstein continued by commenting that the judge ordered the Conditional Use but did not include the conditions. Saperstein referenced 4.01 and 4.04 of the Zoning Ordinance. Saperstein said, "We have heard from countless vocal opposition and the applicants proceeded with the process". Saperstein continued by advocating the Plan

Commission does not approve the conditions recommended by the JEZC. Attorney Laura Callan informed everyone that the judge ordered the application be remanded to the Plan Commission for further review. The applicant cannot change or revise the scope of the request. Sections 4.01 and 4.04 are subordinate to Act 67. The Village must approve the Conditional Use Permit with reasonable and measurable conditions. The applicant provides evidence that the conditions can be met. Saperstein inquired about the interpretation of Act 67. Saperstein said, "Given the location, my question is, is it reasonable to limit the number of litters and number of dogs?". Attorney Laura Callan replied, "You're right to question and the court didn't give any guidance or advisory opinions". Hagen asked, "How did the JEZC arrive at these conditions?". Prem gave a brief explanation and overview of how the conditions were created. Iausly responded, "We had well over two hours of public comment and the conditions were set during that time". Lilla explained that his approach for reviewing the application was pragmatic. Lilla said, "We as the JEZC felt these conditions were reasonable". Snyder commented, "We as a committee were able to view the site and based the conditions on that site visit". Broh clarified the Plan Commissions decision in 2019. Broh stated, "At this time I do think the conditions are appropriate and I am in favor of approving". Falteisek asked, "Has legal counsel reviewed the eight conditions?". Prem replied, "No and as previously stated the ambiguity of Act 67 makes this difficult". Saperstein advised rejecting and re-assessment of the conditions. Hutnik said, "As stated previously that ship has sailed, this is a commercial kennel and I agree the conditions are a starting point". Prem stated, "There are two distinct directions, approval of the conditions or send it back to the JEZC for revisions but I think we need to give direction". Hagen said, "I have concerns regarding the number of dogs and there were numerous individuals that spoke this evening". Lilla spoke regarding the JEZC conditions and possible revisions. Lilla said, "I'm not opposed to revisiting the conditions". The Plan Commission reviewed the eight conditions recommended by the JEZC and discussed each one individually at length. Prem stated, "We have touched upon all eight conditions and it appears we have a consensus that modifications are needed for the stated conditions". Motion by Broh, second by Saperstein to take no action and forward to a joint meeting of the Plan Commission & JEZC next month. Motion passed with all in favor.

7. Convene as the Plan Commission and Joint Extraterritorial Zoning Committee. This agenda item was removed during the approval of the meeting agenda.
8. Discussion and possible action on the consideration of a request by J&J Total Lawn Care LLC/ James Harwood to rezone #032-0038, located on USH 14, Town of Spring Green from EAT Extraterritorial Agricultural Transition District to B-8 Extraterritorial Highway Commercial District. This agenda item was moved ahead of item #5 during the approval of the meeting agenda.
9. General Public Comment: Barta said, "This is a great example of democracy at work, thank you, it was exemplary". There was no additional general public comment at this time.
10. Adjourn. Motion by Lilla, second by Frazier, to adjourn at 10:01 p.m. Motion passed with all in favor.