

Town of Russell  
Zoning Board of Appeals  
Unapproved Minutes  
August 2, 2021

Meeting called to order at 7:00 p.m. by Bill Kraus, Zoning Board of Appeals Chairman.

Pledge of allegiance followed.

Roll call taken. Zoning Board of Appeals members present include Bill Kraus, Jon Maurer, John Kiehnau, Mark Schuricht, Jerrod Henschel. Others present include Tom Mueller, Sue Watry, Don Turba, Mike Willeford, Jaremy Cobble, Dan Schmahl, Jon Ausloos, Lynette Mierzejewski.

Town Clerk verified notice of meeting was posted on website, town hall bulletin board, and in Tri-County News on July 15, 2021, and July 22, 2021.

Chairman Kraus explained Zoning Board of Appeals meeting was to provide recommendation to the Town Board on conditional use permit application from Tom Mueller, N9463 County Road H, Elkhart Lake. Chairman Kraus then asked Tom Mueller to explain to those present about the conditional use permit application request.

Mr. Mueller explained he has a deer park with tame whitetail deer that people can feed. He also has wolf/dog hybrids that people can interact with. The DNR monitors the whitetail deer and wolf/dog hybrid fencing, etc. This is a form of ag tourism which is good for the community and agriculture is changing. The cabin will be turned into a gift shop selling items related to wildlife/animals.

Numerous questions were asked by those present as well as information shared from various publications.

- Who regulates the deer, fencing. Mr. Mueller stated he is regulated by the Department of Agriculture for the deer and regulated by the DNR for mainly the fencing requirements. He stated he has reports he has to complete stating what he has at deer park.
- What the requirements are for perimeter fencing. Mr. Mueller stated the DNR regulates this.
- Is double fencing required for deer. Mr. Mueller stated no, he has "clean" deer. If a deer dies it needs to be tested.
- How many deer at deer park currently. Mr. Mueller stated 14 deer.
- What percentage of wolf is wolf/dog hybrid. Mr. Mueller stated 90% wolf.
- Questions on fencing height and depth.
- Mr. Mueller stated wolf/dog can come out on leash and this is okay per DNR.

- Mr. Mueller stated the wolf/dog hybrids have rabies vaccine.
- Has 4 wolf/dog hybrids, two are 16-months old, two are 16-week-old pups. Vet said because of being a large breed they would be neutered/spayed at about 10 months old.
- If a wolf/dog hybrid is an exhibit animal, then two fences are required.
- Mr. Mueller stated DNR comes to location to inspect deer every 10 years, for wolf/dog hybrids he does not know how often is required.
- What is law on wolf/dog hybrid interaction with people. Zoning Administrator stated this cannot be done.

Zoning Administrator stated Town Board has requested documentation multiple times, he has sent an email to Mr. Mueller requesting documentation, Chairman Willeford had an attorney send letter in April requesting documentation.

Again requested documentation, Mr. Mueller stated he had documentation and could go and get it.

Question asked about deer that were released from deer park. Mr. Mueller verbally attacked Town Constable for not assisting. Town Constable stated he was not notified by Mr. Mueller that deer were released; he only heard about it from residents who saw the deer (deer do not look like typical whitetail deer). Sheboygan County Sheriff has documentation of when deer were let out. Mr. Mueller stated he did not contact the sheriff or DNR immediately when he discovered the deer were released.

Mr. Mueller the wolf/dog hybrid are microchip mainly for identification.

Mr. Mueller stated he has a Captive Animal License/Permit and DNR was just out there for the fence but has not received the fence certificate yet.

Discussed cabin rental. Mr. Mueller stated initially was for overnight stay. He stated in September 2021 he will turn the cabin into a gift shop because he currently has people staying there through August.

Brought up that he was sent a letter in April to cease and desist rental of the cabin because it was not up to code.

Mr. Mueller became upset; he thought the meeting was just about the wolf/dog hybrid, used multiple expletives directed at the town board and zoning administrator. Mr. Mueller left the meeting at 7:35 p.m. and did not return.

Discussion held after Mr. Mueller left. Zoning Administrator presented documentation of numerous cases of wolf/dog hybrid attacks and why castration needs to be done at 6 months of age.

Discussed the multiple times Tom Mueller has been noncompliant with requests for documentation, i.e. permits, vaccinations, proof of purchase, etc.

Zoning Administrator Jerrod Henschel stated his driving force in preparing the staff report was the Zoning Ordinance Intent which in part is to encourage the wise use of land and promote safety and well being for the residents of the Town of Russell.

Jon Maurer made a motion that due to insufficient documentation the board could not recommend conditional use permit for Tom Mueller. Motion seconded by John Kiehnau. Motion carried.

Motion to adjourn made by Jon Maurer, seconded by Mark Schuricht. Motion carried. Meeting adjourned at 8:30 p.m.

Respectfully Submitted  
Lynette Mierzejewski  
Clerk Town of Russell