

**WEST ALLIS COMMON COUNCIL  
LICENSE AND HEALTH COMMITTEE  
CITY OF WEST ALLIS**

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**In the Matter of the  
Variance Permit Extension Request of**

**FINDINGS OF FACT,  
CONCLUSION OF LAW, AND  
RECOMMENDATION**

**MOTOR CASTINGS COMPANY,**

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**STATE OF WISCONSIN        )  
  ) ss.  
COUNTY OF MILWAUKEE    )**

Upon deliberation and consideration of the variance permit extension request at the License and Health Committee meeting held on February 17, 2015, the Committee finds:

**FINDINGS OF FACT:**

1. That Motor Castings Company possessed a valid variance permit for its property at 1323 South 65<sup>th</sup> Street, West Allis, Wisconsin.
2. That Motor Castings Company, by representative Joseph Kempen, properly filed a request for extension of its variance permit;
3. That the City Clerk's office properly notified the applicant and nearby property owners by mail on January 29, 2015 of the public hearing scheduled on February 17, 2015. See attached affidavit of City Clerk Monica Schultz;
4. That Motor Castings Company has not found a cost effective solution for further muffling the noise of its dust collector pulsars;
5. That Motor Castings Company has and will continue to turn off the dust collector pulsars from 10:00 p.m. to 7:00 a.m. every day;
6. That Motor Castings Company has agreed to do further sound testing in the summer of 2016;
7. That no person appeared at the February 17, 2015 public hearing to claim that she or he

- would be adversely affected by the extension of the variance permit;
8. That Health Commissioner Sally Nusslock does not oppose the extension of the variance permit;
  9. That the need for the variance permit extension outweighs any adverse impacts of granting the extension;
  10. That, in particular, the variance permit extension will not negatively impact the health, safety, or welfare of the community and will not cause a deleterious effect on the property values or the quality of life in the area.

**CONCLUSION OF LAW:**

1. That the foregoing constitutes a sufficient basis to grant the variance permit extension request of Motor Castings Company.

**RECOMMENDATION:**

1. Therefore, the License and Health Committee recommends to the Common Council of the City of West Allis that the variance permit extension requested by Motor Castings Company be granted for a period of two (2) years.

Dated at this 24 day of FEBRUARY, 2015.

By: 

Michael J. Czaplewski  
License & Health Committee  
West Allis Common Council