

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

In the Matter of the
Variance Permit Extension Request of

FINDINGS OF FACT,
CONCLUSION OF LAW, AND
RECOMMENDATION

MOTOR CASTINGS COMPANY,

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 65th 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 the control technology needed to satisfactorily comply with the decibel level is available only at a prohibitive cost;
11. 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 three (3) years.

Dated at this 6 day of March, 2015.

By: 

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