

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting – January 5, 2011, 4:30 p.m.**

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:35 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wis. The requirements of the open meeting law were certified as being met.

Present: **Eugene Henke, Susan McConnell, Rick Perr, Donald Peters, Thomas Traxler, Jr.**

Absent:

Also Present: **Al Shute**, County Surveyor/Land Development Director
Carole DeCramer, Committee Secretary
Jeff Haase, Assistant Corporation Counsel
Daniel Priske, County Board Chairman

Audio of the meeting is available upon request from the Green Lake County Land Use Planning and Zoning Department.

APPROVAL OF AGENDA

Motion by Traxler/Henke, unanimously carried, to approve the amended agenda.

APPROVAL OF MINUTES

Motion by Henke/Peters, unanimously carried, to approve the December 2, 2010, and December 22, 2010, minutes.

PUBLIC APPEARANCES

a. **Jack Meyers, County Board Supervisor; Chapter 350**

McConnell – Reported that Mr. Meyers phoned and said that he would not be able to attend tonight's meeting, but would be able to attend the February 2nd meeting.

PUBLIC COMMENT - None

CORRESPONDENCE- None

PURCHASES - None

CLAIMS

Claims totaling \$2,421.71 were submitted.

Motion by Traxler/McConnell, unanimously carried, to approve the claims in the amount of \$2,421.71 for payment.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

Permits/Violations/Budget

Shute – Discussed the various aspects of the report.

Motion by Peters/Perr, unanimously carried, to approve the November, 2010, monthly report.

DEPARTMENT/COMMITTEE ACTIVITY

a. Amendment to Chapter 350; Accessory Building Structure Height

Shute – The only change to the proposed ordinance was how staff would deal with human habitation. This will be placed on the February 2nd agenda for a public hearing.

WORKSHOP – PROPOSED SHORELAND PROTECTION ORDINANCE

Shute began the discussion by explaining that the complete revision of the Shoreland Protection Ordinance is a result of the State of Wisconsin adopting the NR115 rule and imposing a deadline of February, 2012, for all counties to review and revise their shoreland protection ordinances to comply with the rule. Counties may use the model ordinance developed by the Wisconsin DNR that covers the minimal standards of the NR115 rule to write ordinances. County ordinances may be more restrictive, if they so choose. Under current ordinance, there is a 40' street yard setback. NR115 does not require a setback and staff did not include one in the original draft. When reviewing this section of the proposed ordinance, the committee thought that, to protect the public, a setback of 25' would be appropriate and that change is included in the proposed draft.

Other changes to the Shoreland Protection Ordinance would be the impervious surface standard. The current ordinance does not have limits to hard surface you place on your property. The new standards allow impervious surfaces up to 15% and, once you exceed 15% and reach the 30% maximum, permits may be issued for construction and alterations with a mitigation plan. The plan would offer help to offset the negative impacts from the impervious surfaces. The impervious surface would apply to the first 300' back from the ordinary high water mark. This is the way the NR115 rule was written. The committee agreed that the impervious section, where the percentages would apply, would be the first tier from the ordinary high water mark to the public or private road. The other standard that has changed is that the NR115 now has a height standard; however, it only applies in the 75' setback area. From the ordinary high water mark inland 75', no structure can exceed 35' in height. Also in the draft, the committee did not use the enforcement language from the NR115 rule. With Assistant Corporation Counsel Haases' help, and one or two other attorneys from the area, enforcement language has been recently amended. The proposed draft includes current language for fees.

Attorney Steve Sorenson and Attorney Jenna Walker, Sorenson Law Office – Offered suggestions as to how they feel the draft ordinance should be changed. These changes will be typed up and sent to the Land Use Planning and Zoning Department for further discussion and consideration.

Stan Arnetveit, Design Specialty Builders – Discussed several aspects of the proposed ordinance and offered his opinions on them.

Wesley Stibb, Outdoor Impact – Discussed permeable pavers and asked that the committee take those into consideration when amending this ordinance.

Arnold Knight, W4966 State Road 44, Markesan, WI – Urged the committee to recognize that when adopting new standards to not just consider Big Green Lake. All shorelands should be considered. Also questioned the definition of shoreland.

Lynn Miller, Contractor from Markesan, WI – Asked if this new ordinance would affect every setback in the county.

Orlo Bierman, Lake Real Estate – Questioned several aspects of the proposed ordinance.

GENERAL COMMITTEE DISCUSSION

- a. Such other matters as authorized by law
- b. Future activities

The committee agreed that it was encouraging to see such a good turnout for the workshop and that it would be helpful to schedule another workshop for February 23rd.

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(G) CONFERRING WITH LEGAL COUNSEL REGARDING LITIGATION, WHICH THE COUNTY IS INVOLVED AND/OR IS LIKELY TO BECOME INVOLVED. DISCUSSION OF LEGAL ISSUES; REVIEW PENDING VIOLATION

6:34 p.m. Motion by Peters/Traxler, unanimously carried on roll call (5-ayes, 0-nays), to move to closed session per Wisconsin State Statute 19.85 (1)(G) Conferring with Legal Counsel regarding litigation, which the County is involved and/or is likely to become involved. (Discussion and review of pending legal issues and violations.)

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

6:58 p.m. Motion by Peters/Henke, unanimously carried on roll call (5-ayes, 0-nays), to resume into open session.

Findings:

McConnell:

The committee received an update from the attorney regarding the Board of Adjustment hearing and status conference with Dr. Kloosterboer.

NEXT MEETING DATE

January 26, 2011 – No meeting

February 2, 2011

- Business Meeting 4:30 p.m.
- Public Hearing 6:00 p.m.

ADJOURN

Motion by Peters/McConnell, unanimously carried, to adjourn.

Time: 7:01 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

February 2, 2011