
**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, January 7, 2016**

CALL TO ORDER

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:34 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met.

Present: **Ben Moderow, Harley Reabe, Rich Slate, Michael Starshak**

Absent: **Nick Toney**

Also Present: **Al Shute**, Land Use Planning & Zoning Director
Carole DeCramer, Committee Secretary
Missy Sorenson, Code Enforcement Officer
Matt Kirkman, Code Enforcement Officer
Dawn Klockow, Corporation Counsel

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Motion by Reabe/Moderow, unanimously carried, to approve the amended agenda.

APPROVAL OF MINUTES

Motion by Slate/Reabe, unanimously carried, to approve the December 3rd minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE

a. 2016 Committee Meeting Calendar

Motion by Moderow/Slate, unanimously carried, to approve the 2016 committee meeting calendar.

PURCHASES - None

CLAIMS

Claims totaling \$1,609.24 were submitted.

Motion by Reabe/Moderow, unanimously carried, to approve for payment the claims in the amount of \$1,609.24.

DEPARTMENT ACTIVITY REPORTS

a. Permits & others

Shute – Discussed the monthly reports.

Sorenson - Reported that the newly implemented septic maintenance program has contributed to the greater amount of septic permits.

Kirkman - Added that the reason for the increase in land use permits is that there were several larger permits issued for projects on Big Green Lake and a local campground applied for quite a few land use permits for sheds, decks, and other miscellaneous structures.

b. Violations

Shute, Sorenson, and Kirkman – Discussed the land use and sanitary violation reports.

Motion by Slate/Moderow, unanimously carried, to approve the monthly activity reports.

DEPARTMENT/COMMITTEE ACTIVITY

a. Report on shoreland zoning update

Shute – Provided the committee with a written report on the DNR training/meeting on the rule changes to NR115 related to shoreland zoning. The DNR has taken the approach that none of the actions that have occurred will change the deadline for updated ordinances. They are encouraging the counties to move forward with ordinance amendments. Shute discussed the ordinance standards fixed by law that are proposed in the Governor’s 2015-2017 Budget Bill. Those include the following: minimum lot and parcel size, building setbacks, vegetation, land-disturbing activity, impervious surfaces, height, and nonconforming structures.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

b. Meeting dates

February 4, 2016

Business Meeting 4:30 p.m.

Public Hearing 5:30 p.m.

5:18 p.m. Recess until 5:30 p.m.

5:30 p.m. Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee for public hearing items and read the rules of public hearing.

PUBLIC HEARING ITEMS

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

Item I: Owner: Dennis J. Cotterill **General legal description:** Parcel #010-00197-0000, W1202 Mackford Hill Rd, A part of the SW¼ of Section 10, T14N, R13E, Town of Mackford, ±3.7835 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

David Cotterill, Brandon, WI – Spoke in favor of this request. Explained that he’d like to purchase the rezoned property and then build a new residence.

Attorney Steve Sorenson, 479 Golf Hill Court, Green Lake, WI, representing A F Gelhar, Inc. – Stated that the Gelhars have a 30-year lease on this property and a right of first refusal. Indicated that this has

been discussed with Dennis Cotterill. Under the terms of the agreement, A F Gelhar can oppose this request but won't because, currently, they have no plans to mine near the proposed site. At the present time, the company will mine just the balance of this property. This needs to be disclosed to the future buyer and the Land Use Planning & Zoning Committee in the event the company would want to use the site for anything, they have the right to do that. There are no immediate plans to use this area; the property owner and buyer should be aware that the possibility exists. The committee needs to know this to avoid future conflicts. In the future, no one wants the new property owner raising issues about mining.

David Cotterill – How far away would they have to stay from the lot lines?

Attorney Sorenson – The lease agreement states that they can mine any part of that property. That means, if they want to mine under buildings, they can. Again, there are no plans to do that, since there is no sand in that area. However, the company has the right to do whatever they want with the entire property.

Shute – Reiterated that regardless of a certified survey map creating new boundaries, the lease covers the entire property. Any berming or mining could cross new boundary lines.

Attorney Sorenson – Yes. Anyone buying property within this area is subject to the lease agreement.

David Cotterill – The lease started in 2010 and is a 30-year lease?

Attorney Sorenson – There is an automatic renewal provision for an additional 30 years, so it's really a 60-year lease.

Public hearing closed.

b) Committee Discussion & Deliberation

Missy Sorenson – The Town of Mackford approved the request.

Moderow – Stated that the committee, when looking at this request, is looking only at the feasibility of the rezone. Whatever happens between the seller and buyer in the future, is between them?

Missy Sorenson – Yes.

Slate – Questioned why the name on the application (Dennis Cotterill) is different than the person who is speaking for the request (David Cotterill).

Missy Sorenson explained that, at the time the application was submitted, she was not aware that Dennis Cotterill would be purchasing the property from Darrell and Nancy Cotterill.

Motion by Slate/Reabe, unanimously carried, to suspend the rules to allow David Cotterill to speak.

David Cotterill – Said that the almost four acres will be rezoned to rural residential. To become an A-2 General Agriculture parcel, another rezone request would be necessary?

Starshak – Yes.

c) Committee Decision

Motion by Slate/Moderow, unanimously carried on roll call (4-eyes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item II: Owner: Rene A. Gellings **Agent:** Steve Eisenga **General legal description:** Parcel #012-00398-0000, W3877 County Road X, A part of the SW¼ of Section 21, T14N, R12E, Town of Manchester, ±33.63 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to R-4 Rural Residential District (±3.37 acres) and A-2 General Agriculture District (±30.26 acres).

a) Public Hearing

Steve Eisenga, Fox Lake, WI – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Explained the request; the Town of Manchester did approve of the request.

c) Committee Decision

Motion Reabe/Slate unanimously carried on roll call (4-eyes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item III: Applicant: Green Lake County Land Use Planning & Zoning Committee. **Explanation:** Adopt ordinance amending the Green Lake County Farmland Preservation Plan.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion & Deliberation

Ken Jaworski, Martenson & Eisele – This has been a two-year process. The Farmland Preservation Plan was certified in July, 2015. The only step left is the approval by the County Board. Once adopted (February, 2016), Al Shute will forward the adopted ordinance to DATCP. You will then receive a close out letter and the new plan will be effective for 10 years.

c) Committee Decision

Motion Slate/Reabe, unanimously carried on roll call (4-eyes, 0-nays), to approve the amended Farmland Preservation Plan as presented and forward to the county board for final action.

Item IV: Applicant: Green Lake County Land Use Planning & Zoning Committee. **Explanation:** Adopt ordinance amending the Green Lake County Comprehensive Plan.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion & Deliberation

Ken Jaworski, Martenson & Eisele – The Green Lake County Farmland Preservation and the Comprehensive Plans were recently used by DATCP for a training session on how to integrate the two plans when going through a comprehensive revision. The Farmland Preservation Plan is one component of the Comprehensive Plan. The Parks Plan and the Health and Human Services Plan (CHIP) are also components of the comp plan. When a change is made to any of the plans, the Comprehensive Plan has to be amended.

Shute – Final county board approval is scheduled the board's February 16th meeting. Mr. Jaworski will be at that meeting to answer questions.

c) Committee Decision

Motion Slate/Reabe, unanimously carried on roll call (4-ayes, 0-nays), to approve the amended Comprehensive Plan as presented and forward to the county board for final action.

ADJOURN

6:09 Motion by Moderow/Reabe, unanimously carried, to adjourn.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

February 4, 2016