

GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE MEETING MINUTES
Wednesday, February 2, 2011
Business Meeting – 4:30 p.m.
Public Hearing – 6:00 p.m.

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 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, Donald Peters, Thomas Traxler, Jr.

Absent: Rick Perr

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 agenda.

APPROVAL OF MINUTES

Motion by Traxler/Henke, unanimously carried, to approve the corrected January 5, 2010, minutes.

PUBLIC APPEARANCES

a. Jack Meyers, County Board Supervisor; Chapter 350

Mr. Meyers was not able to attend tonight's meeting and will be asked to attend the March 2nd meeting.

PUBLIC COMMENT - None

CORRESPONDENCE

Shute – Gave each of the committee members a Wisconsin County Surveyors Association brochure that he obtained from a recent seminar.

PURCHASES - None

CLAIMS

Claims totaling \$1,283.71 were submitted.

Motion by Traxler/Peters, unanimously carried, to approve the claims in the amount of \$1,283.71 for payment.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

Permits/Violations/Budget

Shute – Discussed the various aspects of the report. Traxler suggested that *Wetland Restoration*, under *Land Use Permits*, be removed from the report since the department seldom takes in any

revenue for this activity. He also questioned *Animal Waste*, under *Miscellaneous*. This seems to be a Land Conservation area rather than Land Use Planning and Zoning. Shute advised the committee that the animal waste category could be removed from the report, but permits will be issued through this department until the ordinance is amended to allow the change.

Motion by Henke/Peters, unanimously carried, to approve the December, 2010, monthly report.

DEPARTMENT/COMMITTEE ACTIVITY

a. Review/Discussion of Comments from January 5, 2011, Workshop Related to Proposed Shoreland Protection Ordinance

Shute – Reviewed the comments from the workshop. Comments from Attorney Steven Sorenson have not been received. County Board Chairman Dan Priske asked that Shute contact Attorney Sorenson to see if he would send those comments to the committee. The next workshop is scheduled for February 23rd.

GENERAL COMMITTEE DISCUSSION

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

Henke – Requested that the Farmland Preservation conversion fees be placed on the February 23rd agenda; he feels that the county's portion of the fees are too high and should be reviewed

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 AND CLOSED SESSION PER WISCONSIN STATUTE 1985(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY. (ANNUAL REVIEW FOR COUNTY SURVEYOR/LAND DEVELOPMENT DIRECTOR)

5:26 p.m. Motion by Henke/McConnell, unanimously carried on roll call (4-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.) and Closed Session per Wisconsin Statute 1985(1)(c) considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. (Annual review for County Surveyor/Land Development Director)

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

6:22 p.m. Motion by Traxler/Henke, unanimously carried on roll call (4-ayes, 0-nays), to resume into open session.

Findings:

McConnell:

The committee reviewed violation reports with Assistant Corporation Counsel Haase. The employment evaluation for County Surveyor/Land Development Director Al Shute was also discussed by the committee.

Motion by Peters/Henke, unanimously carried, to accept the personnel evaluation and forward to the Personnel Committee.

NEXT MEETING DATE

February 23, 2011 – Business Meeting 4:30 p.m.

March 2, 2011

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

PUBLIC HEARING MATTERS

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

Committee Chair Sue McConnell reconvened the meeting of the Land Use Planning and Zoning Committee at 6:30 p.m. for public hearing items and read the rules of public hearing.

Item I: Owner/Applicant: ABN Plainfield Trucking, LLC **Agent:** Brandon Ruffalo **Site Address:** N1766 & N1724 CTH U; Affected Parcels #010-00097-0102, #010-00098-0800, #010-00098-0700, #010-00098-0900; All located in the SW¹/₄ of the SW¹/₄, Section 7, T14N, R13E, Town of Mackford, to be identified by Certified Survey Map, ± 21.11 acres. **Explanation:** The applicant is requesting a rezone from A-1 Exclusive Agriculture District to I-Industrial, C-2 Extensive Commercial to I-Industrial, and A-1 Exclusive Agriculture District to R-1 Single-Family Residence District.

- a) Public Hearing

Henke – The Town of Mackford is in favor of this request.

Public hearing closed.

- b) Committee Discussion and Deliberation
- c) Committee Decision

Motion by Traxler/Henke, unanimously carried on roll call (4-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to the county board for action.

- d) Execute Determination Form/Ordinance

Item II: Owner/Applicant: ABN Plainfield Trucking, LLC **Agent:** Brandon Ruffalo **Site Address:** N1766 CTH U; Affected Parcels #010-00097-0102, #010-00098-0800, #010-00098-0700, #010-00098-0900; All located in the SW¹/₄ of the SW¹/₄, Section 7, T14N, R13E, Town of Mackford, to be identified by Certified Survey Map, ± 21.11 acres. **Explanation:** The applicant is requesting a conditional use permit for a trucking terminal on the industrial-zoned lands.

- a) Public Hearing
- b) Committee Discussion and Deliberation
- c) Committee Decision

Motion by Henke/Peters, unanimously carried on roll call (4-eyes, 0-nays), to approve the conditional use request with the following conditions:

- 1) **No additional expansion or addition of structures and/or uses shall occur without review and approval through future Conditional Use Permit(s).**
- 2) **The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any “development” related to this industrial operation.**
- 3) **Signage shall comply with Section 350-43. Signs. of the Green Lake County Zoning Ordinance.**
- 4) **Areas used to park inoperable equipment shall be identified and adequately screened from view (i.e. fencing, vegetation, etc.).**
- 5) **The vegetative screen between dwelling and commercial use must remain in place.**
- 6) **An operational plan, along with a written description, shall be submitted answering the following:**
 - a. **Type of business (retail, wholesale, etc.)**
 - b. **Hours of operation**
 - c. **Traffic and delivery patterns, parking, etc.**
 - d. **Number of employees**
 - e. **Other relevant items**
- 7) **An approval of this conditional use permit is subject to County Board approval of the zoning change.**

d) Execute Determination Form/Ordinance

Item III: Owner/Applicant: Linda Holloway **Site Address:** N5307 Brooklyn G, Parcel #004-00619-0100, Lot 1 CSM 1297, SW¼ of the SE¼, Section 25, T16N, R13E, Town of Brooklyn, ± 8.358 acres. **Explanation:** The applicant is requesting a conditional use permit for a two-day living history festival.

a) Public Hearing

Linda Holloway, N5307 Brooklyn G Road – Spoke in favor of the request.

Kirk Ermatinger, N5383 Brooklyn G Road – Submitted a letter listing questions/concerns. (Shute went through the list, giving Mrs. Holloway an opportunity to address each of the concerns.)

b) Committee Discussion and Deliberation

c) Committee Decision

Motion by Traxler/Henke, unanimously carried on roll call (4-eyes, 0-nays), to approve the conditional use request with the following conditions:

- 1) **No additional expansion of the festival use without review and approval through future Conditional Use Permit(s).**
- 2) **No buildings or structures shall be erected for festival use unless they can be easily converted to and for agricultural use.**
- 3) **Festival signage shall comply with Section 350-43. Signs. of the Green Lake County Zoning Ordinance.**
- 4) **That the owner/applicant coordinates on an annual basis with the County Sheriff’s Department and/or Highway Department to ensure a safe pedestrian and vehicular environment.**

d) Execute Determination Form/Ordinance

Item IV: Applicant: Green Lake County Land Use Planning and Zoning Committee **Explanation:** Request to amend Code of Green Lake County, Chapter 350 of the Zoning Ordinance, Chapters 350-15, 350-16, 350-27, 350-28, 350-29, 350-38, 350-39, 350-40, and 350-41. The purpose of the ordinance amendment is to allow for design flexibility of accessory building structures to work within current day architecture, yet preserve the purpose and intent of the zoning ordinance. The proposed ordinance is available for review and inspection at the County Land Use Planning & Zoning Department.

a) Public Hearing

No one attended.

b) Committee Discussion and Deliberation

c) Committee Decision

Motion by Traxler/Peters, unanimously carried on roll call (4-eyes, 0-nays), to recommend approval of the proposed ordinance amendment and forward to the county board for action.

d) Execute Determination Form/Ordinance

ADJOURN

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

Time: 7:06 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

March 2, 2011