

**-GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, August 7, 2014**

CALL TO ORDER

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 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, Michael Starshak

Absent: Nick Toney

**Also Present: Al Shute, Land Use Planning & Zoning Director
Matt Kirkman, Code Enforcement Officer
Missy Sorenson, Code Enforcement Officer
Carole DeCramer, Committee Secretary
Diane Meulemans, Corporation Counsel
Jack Meyers, County Board Chairman (left at 5:00 p.m.)**

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Reabe/Moderow, unanimously carried, to approve the corrected July 3, 2014, minutes.

PUBLIC COMMENT

Merlyn Soda, N7554 State Road 49, Berlin – Commented on the high-capacity wells in Green Lake County. There are ten in his area within a mile of each other. Expressed concern about some of the wastefulness and the inability of the county to regulate the wells.

PUBLIC APPEARANCES - None

CORRESPONDENCE

Shute – Reported that the Farmland Preservation Plan and Comprehensive Plan grant was approved and the department can start submitting invoices for reimbursement. The maximum reimbursement amount is \$30,000.

PURCHASES - None

CLAIMS

Claims totaling \$2,737.45 were submitted.

Motion by Reabe/Moderow, unanimously carried, to approve for payment the claims in the amount of \$2,737.45.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

a. Permits, public hearings, etc.

b. Violations

Shute – Discussed the various aspects of the financial reports.

Shute – Discussed the violations.

Shute also reported that he and the Martenson & Eisele consultant, Ken Jaworski, attended the Wisconsin Towns' Association meeting, held in the Town of Marquette on July 17th, to explain to the towns the farmland preservation plan update process. Mr. Jaworski introduced to the towns the criteria that the committee has adopted for the farmland preservation plan areas. Maps will be developed for each of the towns identifying the qualifying lands. There is no requirement to be zoned to participate in the farmland preservation plan process. Mr. Jaworski emphasized to unzoned towns that they may want to participate because farmers want to claim credits and can do so if the town participates and the lands are identified. The maps for all towns will arrive sometime in October and Mr. Jaworski looks forward to feedback and comments after the towns have had a chance to review the maps. On July 28th, the Farmland Preservation Plan Ad Hoc Committee held an additional meeting to further discuss the goals and objectives part of the plan. There will be a meeting with the City and Town of Berlin (ETZA) to discuss their plans. Mr. Jaworski is scheduled to attend the Land Use Planning and Zoning Committee meeting either in September or October.

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

DEPARTMENT/COMMITTEE ACTIVITY

a. NR115 Updates

Shute – Shared with the committee an email with an attachment related to the proposed changes that have been working their way through the State's approving entities related to NR115. If the changes are signed in September, the changes will take affect this year in the Administrative Code. The State will allow counties two years from the effective date to adopt their ordinances. 2016 would be Green Lake County's deadline.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- Adult oriented district

Shute – Discussed why this chapter should be deleted from the zoning ordinance. Chapter 93 deals with this subject and does not need to be in the Chapter 350 Zoning Ordinance. This will be placed on the September agenda.

- Appendix

Shute – Explained that the appendix needs to be updated to include some of the recent changes to the ordinances. It's a "house cleaning" issue and will also be placed on the September agenda.

Starshak asked that Matt Kirkman present a report at the September meeting on his lakeshore training that he will attend in August.

Corporation Counsel Meulemans requested that the Farmland Preservation Plan update also be placed on the September agenda.

b. Meeting dates

September 4, 2014

Business Meeting 4:30 p.m.

Public Hearing 6:00 p.m.

5:09 p.m. Recessed until 6:00 p.m.

Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee at 6:00 p.m. 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/Applicant: Roger D Baumel **Agent:** Rich Leaver, RLS, Leaver Land Surveying, LLC **General Legal Description:** Lane 6, Part of Parcel #012-00364-0000, Part of the SW¼, Section 19, T14N, R12E, Town of Manchester, ±19.0 Acres. **Explanation:** Rezone from A-1 Exclusive Agriculture to A-2 General Agriculture.

a) Public Hearing

Rich Leaver, RLS, Leaver Land Surveying, LLC, Beaver Dam – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Kirkman – Explained the request. The Town of Manchester approves of the request.

The committee discussed road access to the land area.

c) Committee Decision

Motion by Reabe/Moderow, carried on roll call (3-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

Item II: Owner/Applicant: Del Monte Foods; Federal Emergency Management Agency **General legal description:** Town of Mackford, Part of the NE¼ of Section 8, T14, R13E **Request:** Adopt Revisions to the Flood Insurance Study Report and the Flood Insurance Rate Map.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion and Deliberation

Kirkman – Explained the request and the process of changing the ordinance amendment.

c) Committee Decision

On a motion by Moderow/Reabe , unanimously carried on roll call (3-eyes, 0-nays), to adopt Revisions to the Flood Insurance Study Report and the Flood Insurance Rate Map as presented.

Item III: Owner/Applicant: American Baptist Assembly/Green Lake Conference Center
General Legal Description: Part of Parcel #004-00734-0000 and #004-00889-0000, Along Shore Drive, Section 25, T16N, R12E, and Section 30, T16N, R13E, Town of Brooklyn, ±7.96 acres. **Explanation:** Final plat of the Plat of Merigold.

a) Public Hearing

Ben Mott, President of the ABA and GLCC, W2511 State Road 23, Green Lake – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Shute – Explained how the final plat has gotten to this point, including the preliminary plat submittal. There have been no objections. The department has no objections and they have fulfilled all of the ordinance requirements and preliminary plat conditions.

Reabe – Reported that the final plat was approved by the Town of Brooklyn.

c) Committee Decision

On a motion by Reabe/Moderow, unanimously carried on roll call (3-eyes, 0-nays) to approve the Final Plat of the Merigold Plat

Item IV: Owner/Applicant: Green Lake County Land Use Planning & Zoning Committee
Request: Proposed ordinance amendment to Article IV of Chapter 350 Zoning Ordinance, Section 350-38. R-1 Single-Family Residence District, Section 350-39. R-2 Single-Family Mobile Home Residence District, Section 350-40. R-3 Multiple Family Residence District; Article VI, Section 350-50. Setback distances, and Article XIII, Section 350-77. Word usage and definitions. The purpose of the proposed amendments is to provide for a lesser street-yard setback (25') for structures on certain riparian lots and parcels that front on public Town road right-of-ways.

a) Public Hearing

Phil Anastasi (Town of Marquette Chairman), W6766 Hill Street, Markesan – Spoke against the request (citing safety concerns regarding two lots on Puckaway Road in the Town of Marquette).

Stan Arnetveit, Design Specialty Builders, W788 Woodland Circle - Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Starshak - Thanked the public for their input. Commented on not chasing revenue over safety issues.

Shute – Explained how the 175’ lot depth was figured into the ordinance amendment.

The committee discussed at length the public comments and concerns.

Motion by Reabe/Moderow, unanimously carried, to allow Mr. Anastasi to speak.

Mr. Anastasi suggested changing the footage to 170’.

On a motion by Reabe/Moderow, unanimously carried, to allow Mr. Arnetveit to speak.

Mr. Arnetveit disagreed with the suggestion to change the requirement to 170’.

Starshak – Added that there are options for the Town of Marquette which could include a three-way stop sign.

c) Committee Decision

On a motion by Reabe/Moderow, to recommend approval, as presented, of the proposed ordinance amendments that would provide for a lesser street-yard setback (25’) for structures on certain riparian lots and parcels that front on public Town road right-of-ways.

Moderow – aye, Reabe – aye, Starshak – nay. Motion carried.

Item V: Owner/Applicant: Green Lake County Land Use Planning & Zoning Committee
Request: Proposed ordinance amendment to Article IV of Chapter 350 Zoning Ordinance, Section 350-24. Districts established, Section 350-25. District boundaries, and Section 350-26. Official map. The purpose of the ordinance amendments is to provide for an official zoning map stored and maintained through a digital electronic media process and will be a modernization of the current hard copy paper zoning maps.

a) Public Hearing

No one appeared.

Public hearing closed.

b) Committee Discussion and Deliberation

Shute – Explained what is going on with the GIS digital mapping and how the ordinance amendment updates that section of the ordinance.

c) Committee Decision

On a motion by Moderow/Reabe , unanimously carried on roll call (3-ayes, 0-nays) to recommend approval of the proposed ordinance amendments, as presented, that would provide for an official zoning map stored and maintained through a digital electronic media process and will be a modernization of the current hard copy paper zoning maps.

Item VI: Owner/Applicant: Stellmacher Family Irrevocable Intervivos Trust **Agent:** Dennis M. Green, RLS, Ripon Land Surveying **General Legal Description:** N6860 Forest Ridge Rd, Parcel #004-00213-0400, being Lot 1 of Certified Survey Map #3391, located in the NW¼ of Section 11, T16N, R13E, Town of Brooklyn, ±35.0 acres. **Explanation:** Rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

a) Public Hearing

This was completed on June 5, 2014.

b) Committee Discussion and Deliberation

c) Committee Decision

Kirkman – Reminded the committee that Town of Brooklyn Chairman Mike Wuest had written a letter stating that the Town of Brooklyn Plan Commission recommended denial to the Town Board but had not yet provided to the County a resolution stating such. The resolution is now on file.

Motion by Reabe/Moderow, carried on roll call (0-ayes, 3-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

ADJOURN

7:23 p.m.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

September 4, 2014