

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, September 3, 2015**

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: **Harley Reabe, Rich Slate, Michael Starshak, Jack Meyers (Alternate)**

Absent: **Ben Moderow, 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

Dawn Klockow, Corporation Counsel

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Reabe/Slate, unanimously carried, to approve the amended August 6th minutes.

PUBLIC COMMENT

PUBLIC APPEARANCES - None

CORRESPONDENCE

a. Request to waive county CSM review fees

Shute explained that the Wisconsin Department of Transportation (DOT) is working on right-of-ways in Green Lake County. In the past, when these areas are surveyed, the county has agreed to waive the certified survey map (CSM) review fees. This request, made by Kevin Boyer, PLS, Survey and Platting Manager for DOT, is for 21 surveys; the review fees would be \$150 per review plus \$15 per lot. The amount waived, if the committee so chooses, would be approximately \$3,465.

On a motion by Reabe/Slate, unanimously carried, the committee agreed to waive the CSM review fees for the upcoming DOT certified survey maps.

b. WCA Resolutions

Shute gave each of the committee members a list of Wisconsin County Association (WCA) resolutions that will be discussed and voted on at the 2015 WCA Annual Business meeting on September 20th in La Crosse. County Board Chair Jack Meyers is a voting member and would like committee input on the issues that pertain to Land Use Planning and Zoning. The resolutions include the following: 1) Review of high-capacity well permit requirements in order to protect water resources and citizen access to those resources, 2) Support protection of our local resources, as well as the health and safety of our citizens, 3) Opposing SB21 and AB21 as it relates to repealing Wisconsin Statutes 145.245, Wisconsin Fund

Program, and 4) Supporting a complete and thorough strategic analysis of industrial frac sand mining. After the discussion, Meyers stated that he would consider the committee's opinions when voting.

PURCHASES - None

CLAIMS

Claims totaling \$11,857.15 were submitted.

Motion by Reabe/Slate, unanimously carried, to approve for payment the claims in the amount of \$11,857.15.

DEPARTMENT ACTIVITY REPORTS

a. Permits & others

b. Violations

Shute – Discussed the monthly report and violation reports.

Kirkman – Discussed the land use violations.

Sorenson – Discussed the sanitary violations.

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

DEPARTMENT/COMMITTEE ACTIVITY

a. Committee meeting times

Starshak explained that there have been some issues with committee members being able to make the 4:30 meeting time. After further discussion, the committee asked that an email be sent to Moderow and Toney asking them to be prepared to discuss this further at the October meeting.

b. Pay-for-performance update

Shute reported that, regarding the director evaluation process, it was decided that a committee member, administrative coordinator, and one or two peers be selected from a list of names provided by the director when evaluating department heads. The personnel chair and administrative coordinator will review the evaluations for consistence. Elected officials will form an accountability group for review of goals.

c. Comprehensive Plan preface & sustainability

Prior to the meeting, Shute had sent a draft copy of the *Concept of Sustainability* and the preface for the Comprehensive Plan update. The committee members made suggestions for changes and Shute said that he will send the suggestions to the consultant, Ken Jaworski, Martenson & Eisele. This will be discussed again at a future meeting when Jaworski is in attendance.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- Committee meeting times

b. Meeting dates

October 1, 2015

Business Meeting 4:30 p.m.

Public Hearing 6:00 p.m.

Motion by Slate/Meyers, unanimously carried, to move public hearing Item IV before Item I.

5:39 p.m. Motion by Reabe/Slate, unanimously carried to recess until 6:00 p.m.

6:00 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 IV: Owner: Robins Nest Resort LLC, Don Dysland **General legal description:** W7004 Puckaway Rd, Parcel #014-00289-0100, Part of Government Lot 2, Section 31, T15N, R11E, Town of Marquette, ±8.69 acres **Request:** Conditional use permit request to: 1) Convert existing cabin into a permanent residence for use by the campground owner, and 2) Modify condition #5 of 04/05/12 Conditional Use Permit.

a) Public Hearing

Don Dysland, W7004 Puckaway Road, Rivers End Resort - Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Code Enforcement Officer Kirkman reviewed the request. The Town of Marquette did not object to and approved the request. He informed the committee that, as a part of the 2009 request, an evacuation plan was implemented in the event of a flood event.

c) Committee Decision

The committee decided that it would be best to decide the request with two separate motions.

Motion by Slate to modify #5 of the conditions to extend the deadline to December 2016.

Motion by Slate/Reabe, unanimously carried, to modify the aforementioned motion.

Motion by Slate/Reabe, unanimously carried on roll call (4-ayes, 0-nays), to extend the deadline in #5 to December 31st, 2016, and to include suggested staff report conditions #11 and #12 as follows:

5) That all existing camping units, except the westerly two camping units, along with any utility service hook-ups located in the floodway, be removed from the floodway before December 1, 2015; the westerly two camping units, along with any utility service hook-ups located in the floodway, be removed from the floodway by December 31, 2016.

11) In the event that the Emergency Evacuation Plan is executed prior to December 31, 2016, no camping units may be allowed to return to the floodway.

12) The vacated camping unit sites (floodway) may only be used for temporary camping, not to exceed 10 consecutive days, and shall not be connected to utilities (i.e. electricity, water and wastewater.)

The committee discussed at length the existing cabin that the owner would like to convert into a permanent home. This would then mean that, with the existing caretaker residence, two residences would be located on the same parcel.

Motion by Slate/Meyers to allow the expansion of the current living space with the condition that: If the present caretaker is no longer there, the mobile home must be removed, the expansion be constructed as presented in the request, and to include suggested staff report condition #10 as follows:

10) The dwelling expansion must meet all applicable ordinance standards including Section 300-18, Article V and Article VII of the County Floodplain Zoning Ordinance.

Roll call: Reabe – aye, Slate – aye, Starshak – nay, Meyers – aye. Motion carried.

The final result of the existing (highlighted in grey), modified, and added conditions reads as follows:

- 1) Each camping unit shall not exceed 400 square feet or the maximum square footage as allowed by the State regulations for a camping unit, whichever is smaller.
- 2) Evidence of approval from the appropriate State and/or local regulatory agency for the campground expansion.
- 3) Effective dust control measures shall be provided for entrances and internal roads within the campground.
- 4) An independent structure such as a deck, landing/stairway, not to exceed 200 square feet in area shall be allowed. Also, one non-permanent storage structure per unit, not to exceed 50 square feet in area shall be allowed. All of the above require a one-time land use permit per unit.
- 5) That all existing camping units, except the westerly two camping units, along with any utility service hook-ups located in the floodway be removed from the floodway before December 1, 2015; the westerly two camping units along with any utility service hook-ups located in the floodway be removed from the floodway by December 31, 2016.
- 6) The campground owner shall provide within 60 days of the CUP request, an update comprehensive site plan for the entire campground area. Said plan shall be received, reviewed and approved by the Land Use Planning & Zoning Department and supersede any prior plan approvals for this campground operation. The plan shall be professionally prepared to scale and accurately show:
 - The camping unit sites approved by the 2009 CUP. These sites shall be based on the 2009 density ratio of 2,800sqft (40'x 70') per camping unit site.
 - The camping unit sites approved by the 2012 CUP. These sites shall be 4,000qft (50'x 80') per camping unit site.
 - Identify camping unit sites by number and identify roads, river, and north arrow.

- Floodway and Flood-fringe boundaries along with adequate storage area for any personal property removed during a flood event.
 - POWTS detail such as tank, vents, etc.
- 7) Preparation and recording of a Certified Survey Map for the new property boundary.
 - 8) Any expansion or structural alterations of existing building structures (non-camping units) shall require review and approval by the Land Use Planning and Zoning Committee.
 - 9) The campground must meet all 12 provisions of Section 300-21. of the County Floodplain Zoning Ordinance including annual update of Emergency Evacuation Plan which is due for 2015.
 - 10) The dwelling expansion must meet all applicable ordinance standards including Section 300-18, Article V and Article VII of the County Floodplain Zoning Ordinance.
 - 11) In the event that the Emergency Evacuation Plan is executed prior to December 1, 2016, no camping units may be allowed to return to the floodway.
 - 12) The vacated camping unit sites (floodway) may only be used for temporary camping, not to exceed 10 consecutive days, and shall not be connected to utilities (i.e. electricity, water and wastewater.)
 - 13) In the event that the current caretaker of the campground is no residing on the subject site, the caretaker's mobile home must be removed.
 - 14) The expansion of the campground owner's residence be constructed as presented in the request.
- d) Execute Determination Form/Ordinance

Item I: Owner: Double S Dairy, LLC **General legal description:** N1440 County Road A, Parcel 010-00343-0000 & 010-00344-0000, Part of the SE¼, Section 16, T14N, R13E, Town of Mackford, ±4.0 acres **Request:** Rezone request from A-1 Exclusive Agriculture to R-4 Rural Residential.

- a) Public Hearing

Miranda Heidel, N1440 County Road A - Spoke in favor of the request.

Public hearing closed.

- b) Committee Discussion & Deliberation

Code Enforcement Officer Sorenson reviewed the request. The Town of Manchester did not object to and approved the request.

- c) Committee Decision

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

- d) Execute Determination Form/Ordinance

Item II: Owner/Applicant: Harvey F. & Elaine R. Daane Joint Revocable Trust **Agent:** David Daane **General legal description:** N639 North Brave Rd, Parcel #010-00514-0000, #010-00516-0000 & #010-00517-0000, Part of the SW¼, Section 25, T14N, R13E, Town of Mackford, ±41.56 acres **Request:** Rezone request from A-1 Exclusive Agriculture to R-4 Rural Residential (±4.29 acres) and A-2 General Agriculture (±37.27 acres).

- a) Public Hearing

Dave Daane, W10859 County Road CC, Beaver Dam - Spoke in favor the request.

Public hearing closed.

- b) Committee Discussion & Deliberation

Code Enforcement Officer Kirkman reviewed the request. The Town of Mackford did not object to and approved the request.

- c) Committee Decision

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

- d) Execute Determination Form/Ordinance

Item III: Owner/Applicant: Robert Bahn **Agents:** James & Vicky Silloway **General legal description:** Forest Ridge Rd, Parcel #002-00497-0100, Lot 2 Certified Survey Map 3507, Part of the SW¼ & SE¼, Section 26, T17N, R13E, Town of Berlin, ±9.8753 acres **Request:** Rezone request from A-1 Exclusive Agriculture to A-2 General Agriculture.

- a) Public Hearing

Bob Bahn, N7702 County Road F - Spoke in favor of the request.

Public hearing closed.

- b) Committee Discussion & Deliberation

Code Enforcement Officer Sorenson reviewed the request. The Town of Berlin did not object to and approved the request.

- c) Committee Decision

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

- d) Execute Determination Form/Ordinance

Item V: Owner: Darwin & Janice Kelm Living Trust **General legal description:** W2704 County Road I, Parcel #012-00214-0000 & #012-00211-0000, Part of the SE¼ and SW¼ of Section 12,

T14N, R12E, Town of Manchester, ±3.5 acres **Request:** Rezone request from A-1 Exclusive Agriculture to R-4 Rural Residential.

a) Public Hearing

Tracey Kelm, W2740 County Road I – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Code Enforcement Officer Sorenson reviewed the request. The Town of Manchester did not object to and approved the request.

c) Committee Decision

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

ADJOURN

7:03 p.m. On a motion by Reabe/Slate, unanimously carried, the meeting was adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

October 15, 2014