

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, December 7, 2017**

CALL TO ORDER

Committee Vice-Chair Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 5:15 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: **Robert Lyon, Harley Reabe, Rich Slate, Peter Wallace**

Absent: **Michael Starshak**

Also Present: **Matt Kirkman, Land Use Planning and Zoning Director**
 Carole DeCramer, Committee Secretary
 Dawn N. Klockow, Corporation Counsel

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Slate/Wallace, unanimously carried, to approve the minutes of 11/02/17.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE

Kirkman – Reported that he received a letter from DSPS regarding the delinquency of the maintenance inventory that was required by statute and due in October, 2017. The county had a five-year period in which to complete the inventory, but the inventory was not completed. DSPS notified the department that, because of the missed deadline, the Wisconsin Fund grant money will be withheld until the inventory is completed. The Wisconsin Fund is for county residents who can apply for and receive, if they qualify, for money to replace septic systems. This has now become a priority for the department. The code enforcement officer in charge of the program has stated that she expects to have the inventory completed by the end of January. Two families have applied for the Wisconsin Fund grant money which is disbursed later in 2018 so the inventory should be completed well ahead of the disbursement. Kirkman stated that a copy of the letter will be sent to the committee members and updates will be given monthly.

DEPARTMENT ACTIVITY REPORTS

a. Permits and Others

Kirkman discussed the monthly financial reports, land use permits, and septic permits reports. Correction on the land use permit town listings.

b. Violations

Kirkman discussed the list of land use violations and septic violations.

DEPARTMENT/COMMITTEE ACTIVITY

a. Floodplain Zoning Ordinance update

Kirkman – Updated the committee on the next ordinance amendment. There are a few amendments that should be made to the floodplain zoning ordinance so this is something that is being worked on and will be placed on future agendas.

b. 2018 committee meeting calendar

Motion by Slate/Wallace, unanimously carried, to approve the 2018 committee calendar.

5:43 p.m. The committee recessed prior to the public hearing.

6:30 p.m. The committee reconvened.

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: Landmark Services Cooperative **Agent:** Mike Elder, Chief Operating Officer **General legal description:** W1646 County Road S, Parcel #010-00151-0100, Lot 1 Certified Survey Map 865, Part of the NW¼ of Section 9, T14N, R13E, Town of Mackford, ±6.0 acres **Request:** A modification to the conditional use permit approved in April, 2017, to install a 30,000 gallon anhydrous ammonia storage tank instead of the planned 12,000 gallon tank.

a) Public hearing

Elmer Bock, W1618 County Road S – Has no issues with the enlarged tank; would like to see the area blacktopped for dust control.

William Glover, Location Manager for Landmark, 110 James Street, Kingston – Explained why Landmark has decided to invest in a larger tank rather than staying with the 12,000 gallons as were approved with the April, 2017, conditional use permit. Also explained that Landmark has to abide by emergency safety rules in the event of a leak or spill.

6:35 p.m. Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – As stated in the staff report, Landmark Services Cooperative applied for and was previously granted a conditional use permit for an office and equipment storage. In April, 2017,

another conditional use permit was granted for two 18,000 anhydrous ammonia gallon tanks and one 12,000 gallon anhydrous ammonia tank, along with parking and storage space. This request is requesting to replace the 12,000 gallon tank with the 30,000 gallon tank. The Town of Mackford did not object to and approved of the request.

The committee asked to suspend the rule to allow the representatives to answer additional questions.

Motion by Slate/Wallace, unanimously carried, to suspend the rule to allow Landmark Cooperative Services to answer committee questions.

Reabe – Requested that the applicant be obligated to notify the authorities if there is a leak at any time.

Steve McElroy, N9607 Fenske Road – Landmark has an emergency response plan. It's updated with evacuation plans and shared with the county emergency government officials. The company rule for leaks is to call 911.

Lyon – Expressed concerns about dust control and asked what has changed since April that a bigger tank is now needed.

Glover – There are concerns on some of the older tanks. New rules are coming that may be affecting the 12,000 gallon tank. While considering buying a new replacement tank, it may be best to just go with the 30,000 gallon tank right away to make sure that the company is covered. Regarding the dust control, the driveway needs to be redone and repaired.

McElroy – Explained that there is much less traffic with the anhydrous tanks than with the grain part of the business.

b) Committee Decision

Motion by Slate/Wallace, unanimously carried on roll call, to replace the 12,000 gallon tank with up to a 30,000 storage tank with the following seven conditions:

- 1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).**
- 2. The owner/applicants shall apply for and receive a County Land Use Permit prior to commencing any development related to this request.**
- 3. In areas that are not paved, adequate dust control measures be taken so as to not allow unreasonable amounts of dust to escape the subject site.**
- 4. Where outside lighting fixtures are used, the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).**
- 5. Outside storage of LP tanks, fertilizer buggies, and trailers must be limited to the designated area on the CUP site plan.**
- 6. Landmark Services Cooperative to provide the Land Use Planning & Zoning Department with State approvals of anhydrous ammonia tank and transfer station installation prior to land use permit issuance.**

7. **Landmark Service Cooperative to notify the Sheriff's Department, local Fire Department and Emergency Services of new anhydrous ammonia storage and distribution system installation.**

Reabe – Advised that the committee include in condition #7 the Green Lake County Emergency Manager.

Motion by Reabe/Lyon, to amend the motion to include in #7 the verbiage *Green Lake County Emergency Services Manager*.

7. **Landmark Service Cooperative to notify the Green Lake County Emergency Services Manager, the Sheriff's Department, local Fire Department and Emergency Services of new anhydrous ammonia storage and distribution system installation.**

Roll call on the amendment to the motion: Reabe - aye, Lyon – aye, Slate – aye, Wallace – aye. Motion carried.

Motion to approve the request, as amended. Roll call: Slate – aye, Wallace – aye, Lyon – aye, Reabe – aye. Motion carried. The request is approved.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

b. Meeting Date

January 4, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:30 p.m.

ADJOURN

6:52 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

January 4, 2018