

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, January 2, 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: **Eugene Henke, Ben Moderow, Don Peters, Harley Reabe, Michael Starshak**

Absent:

Also Present: **Al Shute**, County Surveyor/Land Development Director
Matt Kirkman, Code Enforcement Officer
Missy Sorenson, Code Enforcement Officer
Carole DeCramer, Committee Secretary

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Reabe/Moderow, unanimously carried, to approve the December 5, 2013, minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

DISCUSSION OF LANDMARK SERVICES COOPERATIVE'S CONDITIONAL USE PERMIT

Shute – The public hearing for this issue will take place on February 6th.

CORRESPONDENCE

Shute – Shared the UW-Extension WISLine seminar series brochure. Asked that interested committee members call the day before the seminar so that material can be copied for them. The first of the five series will be held on Wednesday, January 15th, from 10:30 a.m. to 12:00 noon.

PURCHASES - None

CLAIMS

Claims totaling \$1,003.24 were submitted.

Motion by Moderow/Reabe, unanimously carried, to approve for payment the claims in the amount of \$1,003.24.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

- a. **Permits, public hearings, etc.**
- b. **Violations**

Shute – Discussed the various aspects of the reports.

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

DEPARTMENT/COMMITTEE ACTIVITY

a. Continued discussion on 25-foot setbacks

Starshak – At the last meeting, Al (Shute) brought information that stated this setback has been in effect since 1957 with a possible modification in 1963.

Shute – There were ordinance amendments but none that changed the 40-foot setback.

Starshak – This is in contrast to what some people in the community thought. They believe that changes had been made to the setback over the years.

Shute – According to the minutes, the committee has decided to coincide this with the DNR NR115 updates.

Kirkman – Reported that, at the recent WCCA meeting that was held in Rockton, he was told that the Natural Resources board approved the extension and the law. The Natural Resources Board anticipates the NR115 updates to be done by May 1st, 2014.

Shute – Based on the Natural Resources Board action, there is a new deadline of May, 2016.

Starshak and Reabe both stated that the committee can't wait two years and that, if the setback is going to be changed, it should be done sooner than later.

Starshak – If we want to work on this 25-foot setback, we have to develop our own parameters in light of what the DNR might do.

Peters – Could the DNR NR115 deadline of May, 2016, affect the 25-foot setback and what the committee would be doing now? We shouldn't be putting a lot of work into something and then it becomes null and void.

Starshak – The whole idea of working on the 25-foot setback on water-front property was to increase the utilization of that property. This is what we have to remember so that we keep this in mind and as our direction and not get caught up in other things. There are so many things that we are considering here and it would be easy to lose our way. We've put a lot of time into this already and, given the time that it will take to complete, we need to take hard steps now to get it done.

There was a committee consensus that the setbacks should be as consistent as possible.

Peters – I just want the property owners to utilize as much of their property as possible without undue constraints. As Al (Shute) mentioned, you can build right to the right-of-way on a state highway but around the lake you can't. We seem to penalize lake property owners enough and they contribute substantially to the county. We have to be reasonable.

The committee discussed at length linking the 25-foot setback to riparian lots. Shute will have something in written form for the February meeting.

b. NR115 updates, if any. Shoreland zoning ordinance amendment

This was discussed in length under a.

c. Comprehensive Plan and Farmland Preservation Plan update/action

Shute – Two formal submittals came in; one from Martenson & Eisele and the other from MSA Professional Services. Both have complied with references. The pricing information is with each proposal.

Starshak – The committee would like time to review the submittals. This should be placed on the February agenda. The representatives from each of the companies should be present to discuss their proposals.

d. Outlot 2, Estates of Lawsonia; restrictive covenant issue update

Reabe – Reported that the representatives have entered into an agreement with the Town of Brooklyn whereby some of the lots are not taxed at their full value. Certain areas will be developed before other areas.

Shute – They had asked for a 30-day extension because they were making progress and were going to make some modifications to the restrictive covenant agreement. The committee agreed to additional 30 days with no further expansions.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- Landmark Services Cooperative
- Continued discussion on 25-foot setbacks
- NR115 shoreland zoning ordinance amendment updates, if any.
- Representatives from Martenson & Eisele and MSA Professional Services to discuss their proposals for updating the Farmland Preservation Plan and the Comprehensive Plan
- AI asked for a special meeting, not to exceed an hour. Will find February dates and email.

b. Meeting dates

February 6, 2014

Business Meeting 4:30 p.m.

Public Hearing 6:00 p.m.

5:32 p.m. Recess 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: Rebecca J Nyboer Ratering **General Legal Description:** W2099 County Road AJ, Parcel #004-00158-0000, Part of the SW¹/₄ of Section 8, T16N, R13E, Town of Brooklyn, ±10.0 acres **Explanation:** Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

a) Public Hearing

No one appeared.

Shute – Explained the applicant’s proposed plans for the rezoned lands.

Reabe – The Town of Brooklyn and the Plan Commission approved this request.

Sorenson – Explained the type of soils that are mentioned in the staff report.

Public hearing closed.

b) Committee Discussion and Deliberation

c) Committee Decision

On a motion by Reabe/Peters, carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

d) Execute Determination Form/Ordinance

Item II: Owner/Applicant: Dornfeld Farms, Inc. – Michael Dornfeld **General Legal Description:** W4438 County Road GG, Parcel #012-00561-0000, Part of the SW¼ of Section 29, T14N, R12E, Town of Manchester, ±5.91 acres **Explanation:** Rezone request A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

No one appeared.

Kirkman – Explained the applicants’ proposed plans for the rezoned lands.

Sorenson – The Town of Manchester approved the request.

Public hearing closed.

b) Committee Discussion and Deliberation

c) Committee Decision

On a motion by Henke/Peters, carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

d) Execute Determination Form/Ordinance

ADJOURN

On a motion by Moderow/Reabe, unanimously carried, the committee adjourned.

Time: 6:08 p.m.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

February 6, 2014