

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, May 3, 2018**

CALL TO ORDER

Land Use Planning & Zoning Director Matt Kirkman called the meeting of the Land Use Planning and Zoning Committee to order at 5:16 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: **William Boutwell, Robert Lyon, Harley Reabe, Curt Talma, Peter Wallace**

Absent:

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director
Carole DeCramer, Committee Secretary
Dan Sondalle, Assistant Corporation Counsel
Keith Hess, Committee Alternate

APPROVAL OF AGENDA

Motion by Wallace/Lyon, unanimously carried, to move agenda items #6 and #7 to #5 and #6, and to approve the amended agenda.

ELECTION OF COMMITTEE CHAIR

Kirkman called for nominations for Committee Chair.

Wallace nominated Robert Lyon for Committee Chair.

Motion by Reabe/Wallace, unanimously carried, to close nominations and cast a unanimous ballot for Robert Lyon for Committee Chair.

Kirkman handed the gavel to Chair Lyon.

ELECTION OF COMMITTEE VICE CHAIR

Lyon called for nominations for Committee Vice Chair.

Wallace nominated Reabe for Committee Vice Chair.

Motion by Wallace/Boutwell, unanimously carried, to close nominations and cast a unanimous ballot for Harley Reabe as Committee Vice Chair.

APPROVAL OF MINUTES

Motion by Reabe/Wallace, unanimously carried, to approve the 04/05/18 minutes

CORRECTION OF 11/02/17 MINUTES

Kirkman explained that, at the 11/02/17 meeting, when the committee approved to amend Chapter 350 zoning articles III, IV, VI, VII, VIII, IX, XI, XIII, and Appendix A, there was an error on the ordinance that listed the text of the ordinance but not the zoning maps. After reviewing the audio tape of that meeting, staff found and corporation counsel agreed, that the information that was presented and approved was correct. The mistake was the omission of the words “and maps” from the drafted ordinance and the incorrect wording of the motion that was made. A new motion would reflect what was actually done and said.

Motion from 11/02/17 minutes:

Motion by Lyon/Wallace, unanimously carried on roll call (4-eyes, 0-nays), to amend Chapter 350, Zoning, Articles III, IV, VI, VII, VIII, IX, XI, XIII, and Appendix A. (See attached for ordinance text amendments.)

Corrected motion from 11/02/17 audio tape:

Motion by Reabe/Lyon, unanimously carried on roll call (4-eyes, 0-nays), to forward the zoning map and text amendments to County Board with Committee’s recommendation to approve.

Motion by Wallace/Reabe, unanimously carried, to approve the correction of the minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE - None

DEPARTMENT ACTIVITY REPORTS

a. Financial reports

Kirkman discussed the monthly financial reports, land use permits, and septic permits reports.

b. Permits

Kirkman explained the list of issued land use and sanitary septic permits for the month of March.

c. Violations

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

d. POWTS inventory & maintenance update

Kirkman explained the deadline for the POWTS inventory and maintenance update and how missing the deadline for the updates is tied to the Wisconsin Fund. Because the county missed the deadline, DSPS informed the county that qualifying Green Lake County Wisconsin Fund

applicants will not be eligible for receiving grant money for new septic systems. Corporation Counsel Klockow will look into this further.

e. Discuss Floodplain Ordinance

A copy of the proposed ordinance was sent to WI-DNR and their response included additional language. Corporation Counsel Klockow advised Kirkman that, with the added language, another public hearing should be scheduled for the June meeting in order to publish the additional language.

Motion by Boutwell/Talma, unanimously carried, to approve the additional updates as required by the WI-DNR.

f. Discussion related to the status of the City of Berlin's ETZA in the Town of Berlin

Kirkman explained how and why, in 1990, the ETZA was originally created in the Town of Berlin in cooperation with the City of Berlin. The City of Berlin would now like to dissolve the ETZA agreement and the 1,000+ affected parcels would now fall under the County's zoning ordinances. This is a concern for the county because it will create much more work.

The committee suggested meeting with the City of Berlin. Lyon asked that he be advised of the date so that he can attend.

DEPARTMENT/COMMITTEE ACTIVITY - None

6:31 p.m. The committee recessed until 6:40.

6:40 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: Owners/Applicants: Dan W & Kathleen M Dumke and Lynn W & Lisa M Dumke
General legal description: South Gate Rd, Parcel #012-00394-0000 (±40 acres), Part of the NW¼ of Section 21, T14N, R12E, Town of Manchester **Request:** Rezone ±35 acres from I-Industrial District to A-1 Farmland Preservation District, and ±5 acres from I-Industrial District to R-4 Rural Residential District. To be determined by certified survey map.

- a) Public hearing

No one appeared.

Public hearing closed.

- b) Committee decision

Kirkman explained the request and read through the criteria for rezoning these parcels. Also, the Town of Manchester did not object to and approved the request.

c) Committee decision

Motion by Reabe/Wallace, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item II: Owners/Applicants: Brave Industries, LLC – Robert Hargrave **General legal description:** W594 State Road 23 49, Parcel #004-00285-0200 (±1 acre), Lot 1, Certified Survey Map 1364, Part of the SE¼ of Section 14, T16N, R13E, Town of Brooklyn **Request:** Conditional use permit request for an addition to a metal fabrication job shop.

a) Public hearing

No one appeared.

Public hearing closed.

b) Committee discussion & deliberation

Kirkman explained the request and read through the suggested conditions. Also, the Town of Brooklyn did not object to the request.

c) Committee decision

Motion by Wallace/Boutwell, unanimously carried on roll call (5-ayes, 0-nays), to approve the conditional use permit request as presented with the following 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 owners/applicants shall apply for and receive a County Land Use Permit prior to commencing any development related to this request.**
- 3. The owners/applicants shall apply for and obtain a new Sanitary Permit prior to any land use permit issuance.**
- 4. No industrial wastes shall be disposed into the POWTS.**
- 5. 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.**
- 6. Where outside lighting fixtures are used, the lighting shall occur with no direct glare affecting adjoining properties.**
- 7. Outside storage shall be limited to the designated area on the CUP site plan.**
- 8. Evidence that compliance with commercial building code requirements for the structures that are the subject of this request is being pursued by the landowner and applicant (if applicable) and shall be provided to the Land Use Planning & Zoning Department prior to land use permit issuance.**

Item III: Owners/Applicants: David Radtke **General legal description:** N3503, N3507, N3511 State Road 73, Parcel #014-00682-0000 (±1 acre) and #014-00687-0000 (±34.8 acres),

Part of the NW¼ & SW¼ of Section 22, T15N, R12E, Town of Marquette **Request:** Rezone ±2 acres from A-1 Farmland Preservation District to C-2 Extensive Commercial District. To be determined by certified survey map.

- a) Public hearing

No one appeared.

Public hearing closed.

- b) Committee discussion & deliberation

Kirkman explained the request and read through the criteria for rezoning these parcels. Also, the Town of Marquette did not object to and approved the request.

- c) Committee decision

Motion by Reabe/Boutwell, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item IV: Owners/Applicants: Mark A. Guderski Successor Co-Trustee **General legal description:** W1548 County Road K, Parcel #006-00159-0000 (±5 acres), Part of the NW¼ of Section 9, T15N, R13E, Town of Green Lake **Request:** Rezone ±5 acres from C-2 Extensive Commercial District to R-4 Rural Residential District.

- a) Public hearing

Tom Guderski, County Road K – Spoke in favor of the request.

Public hearing closed.

- b) Committee discussion & deliberation

Kirkman explained the request and read through the criteria for rezoning these parcels. Also, the Town of Green Lake did not object to and approved the request.

- c) Committee decision

Motion by Talma/Wallace, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.

Item V: Applicant: Green Lake County Land Use Planning and Zoning Committee **Request:** Amend Code of Green Lake, Chapter 300 of the Floodplain Zoning Ordinance. The purpose of the ordinance amendment is to remain compliant with the National Flood Insurance Program (NFIP) by adopting recent FEMA and WDNR changes to NR116.

Close public hearing.

Motion by Talma/Wallace, unanimously carried, to schedule this for the June 7th public hearing.

FUTURE COMMITTEE ACTIVITIES

- a. Future agenda items**
- b. Meeting Date**
 - June 7, 2018
 - Business meeting – 5:15 p.m.
 - Public hearing – 6:30 p.m.

ADJOURN

7:24 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

DRAFT