

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, June 5, 2014**

**CALL TO ORDER**

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:32 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, Nick Toney**

Absent: **Eugene Henke**

Also Present: **Al Shute**, Land Use Planning & Zoning Director

**Matt Kirkman**, Code Enforcement Officer

**Missy Sorenson**, Code Enforcement Officer

**Carole DeCramer**, Committee Secretary

**Dan Sondalle**, Corporation Counsel

**PLEDGE OF ALLEGIANCE**

Chair Starshak read a tribute to Committee Member Eugene Henke, who passed away on May 26<sup>th</sup>. He asked for a moment of silence in memory of Mr. Henke.

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Motion by Reabe/Moderow, unanimously carried, to approve the May 1, 2014, minutes.**

**4:34 p.m. – Motion by Moderow/Reabe, unanimously carried, to seat Committee Member Nick Toney.**

**PUBLIC COMMENT** - None

**PUBLIC APPEARANCES** - None

**CORRESPONDENCE**

Starshak reported that he received a letter from Attorney Luis Ullenberg and will read that correspondence further down on the agenda.

**PURCHASES** - None

**CLAIMS**

Claims totaling \$7,462.77 were submitted.

**Motion by Reabe/Moderow, unanimously carried, to approve for payment the claims in the amount of \$7,462.77.**

## **APPROVAL OF DEPARTMENT ACTIVITY REPORTS**

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

Shute – Discussed the various aspects of the financial reports.

Sondalle – Discussed the violations.

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

## **DEPARTMENT/COMMITTEE ACTIVITY**

- a. **NR115 updates, if any. Shoreland zoning ordinance amendment**

Shute – There are no updates at this time.

- b. **Discuss the 25-foot setback zoning ordinance amendment**

Shute – Presented an amended ordinance that includes the changes that were discussed at previous meetings, including the Town of Marquette's concerns as expressed by Town Chairman Phil Anastasi and resident Kathleen Moore. There was a general committee consensus that the Town of Marquette's concerns regarding definitions, perceived ordinance language conflicts, and public safety were remedied by the changes that were made as a result of the May meeting. The Committee also agreed that the Town could further address their public safety concern by lowering speed limits.

**Motion by Reabe/Moderow, unanimously carried, to prepare the proposed 25' setback ordinance for an August 7<sup>th</sup> public hearing item.**

- c. **Discuss zoning ordinance amendment – official maps**

Shute – Discussed the proposed zoning ordinance amendment in regard to the official zoning maps. This will be prepared for an August 7<sup>th</sup> public hearing item.

- d. **Discuss high-capacity wells**

Starshak stated that he has seen three new high-capacity wells being constructed in Green Lake County since the last meeting. Requested that this subject continue to be placed on future agendas.

- e. **Discuss wind turbines**

Starshak read a letter he received from Attorney Luis Ullenberg regarding wind turbines. Attorney Ullenberg's biggest concern is that, since the turbines are placed in rural land areas, birds will continue to be killed by the turbines, and that the best placement for the turbines is either on mountains or in the middle of a lake. This will continue to be placed on future agendas.

## **FUTURE COMMITTEE ACTIVITIES**

- a. **Future agenda items**

- Possible amendments to the zoning ordinance.

- b. **Meeting dates**

July 3, 2014

Business Meeting 4:30 p.m.

Public Hearing 6:00 p.m.

**5:19 p.m. Motion by Reabe/Moderow, unanimously carried, to 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:** Robert & Carol Kuphal **General Legal Description:** Spaulding Hill Road, Parcels #004-00601-0000, #004-00583-0000, #004-00581-0000, Located in the SW<sup>1</sup>/<sub>4</sub> of Section 24 and the NW<sup>1</sup>/<sub>4</sub> of Section 25, T16N, R13E, Town of Brooklyn, ±20.0 acres. **Explanation:** Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District.

a) Public Hearing

No comment.

Public hearing closed.

b) Committee Discussion and Deliberation

Kirkman explained the Kuphals' request.

Attorney Sondalle reminded the Committee about the criteria listed in the staff report that must be considered in deciding rezone requests. He also stated that the Town of Brooklyn did not object to the request.

c) Committee Decision

**Motion by Reabe/Moderow, carried on roll call (4-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.**

**Item II: 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 NW<sup>1</sup>/<sub>4</sub> 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

No comment.

Public hearing closed.

b) Committee Discussion and Deliberation

Reabe explained that the Town of Brooklyn Plan Commission discussed this request and requested that the Planning and Zoning Committee postpone this decision until the July 3<sup>rd</sup> meeting. Starshak read a letter from Brooklyn Township Chair Mike Wuest asking for the postponement.

**Motion by Reabe/Tony, unanimously carried, the Stellmacher decision will be postponed until July 3<sup>rd</sup>.**

Tim Jankowski, realtor for the Stellmachers, arrived after the motion was made and Shute suggested to the committee that, to be fair, they allow Mr. Jankowski to speak.

**Motion by Reabe/Moderow, unanimously carried, to allow Tim Jankowski to speak.**

Tim Jankowski, Malcolm Bay Realty, Green Lake, WI – Stated that he appreciated and agreed with the committee’s decision to postpone their decision until July 3<sup>rd</sup>. This will give the Stellmachers a month to get the property into compliance.

**Item III: Owner/Applicant:** Lavern & Loraine Lohrey **General Legal Description:** N2136 Tichora Road, Parcel #010-00085-0000, Located in the SE¼, Section 4, T14N, R13E, Town of Mackford, ±7.36 acres. **Explanation:** Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

No comment.

Public hearing closed.

b) Committee Discussion and Deliberation

Sorenson explained explained the Lohreys’ request and that the Town of Mackford did not object to it.

c) Committee Decision

**Motion by Toney/Moderow, carried on roll call (4-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.**

**Item IV: Owner/Applicant:** Robin Hein & Steven Draeger **General Legal Description:** W2878 State Road 44, Parcels #012-00201-0000 & 012-00210-0000, SE¼ of Section 11 and SW¼ of Section 12, T14N, R12E, Town of Manchester, ±28.0 acres. **Explanation:** Rezone from A-1 Exclusive Agriculture District to A-2 General Agriculture District and R-4 Rural Residential District.

a) Public Hearing

Robin Hein, N1810 County Road U - Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

The Committee agreed that this is a straightforward request and that the Town of Manchester did not object to the request.

c) Committee Decision

**On a motion Moderow/Reabe, carried on roll call (4-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.**

**ADJOURN**

**6:19 p.m. On a motion by Reabe/Moderow, unanimously carried, the meeting was adjourned.**

**RECORDED BY**

Carole DeCramer  
Committee Secretary

**APPROVED ON:**

July 3, 2014