

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, July 3, 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: **Ben Moderow, Michael Starshak, Nick Toney**

Absent: **Harley Reabe**

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

APPROVAL OF AGENDA

Motion by Moderow/Toney, unanimously carried, to approve the amended agenda.

APPROVAL OF MINUTES

Motion by Moderow/Toney, unanimously carried, to approve the June 5, 2014, minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

KEN JAWORSKI, MARTENSON & EISELE – FARMLAND PRESERVATION PLAN UPDATES

Ken Jaworski, Martenson & Eisele – Shared a summary of the progress made by the Farmland Preservation Plan Ad Hoc Committee. The committee has met three times so far and is making good progress. There is a great exchange of ideas and directives. The next scheduled committee meeting is July 28th.

Shute – Reported that he had submitted a grant application to DATCP asking for funds to help pay for the Farmland Preservation Plan update. He then received information from Lynn Hess (DATCP) that four counties had not submitted grants and Green Lake County was one of them. It was re-submitted (emailed) on June 2nd and didn't hear anything so a call was placed to Lynn Hess and she responded that she had received it. There will not be a penalty for submitting the grant application late. On June 12th, Shute received an email from Lynn stating that the request for an extension would need to be sent to the Secretary in writing. On June 23rd, the request was emailed and also sent regular mail. An email was received from Lynn stating that she received the request and it was on the Secretary's desk for his signature. Green Lake County will likely get the \$30,000 grant request and the extension. Starshak congratulated Shute on getting the grant funded and saving the taxpayers money.

CORRESPONDENCE

PURCHASES - None

CLAIMS

Claims totaling \$3,256.43 were submitted.

Motion by Moderow/Toney, unanimously carried, to approve for payment the claims in the amount of \$3,256.43.

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.

The committee discussed the cost to the county for having to chase the various violations. People abuse the system and it may be time to initiate higher fines.

Motion by Toney/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 high-capacity wells

Jernette Krenz sent a letter to Chairman Starshak and that letter was read into the record by Secretary DeCramer. Ms. Krenz explained in her letter the issues she has with an adjoining property owner who has a high-capacity well and whose irrigation system has destroyed several of her trees. She stated that she and her neighbors are deeply concerned about the effects of high capacity wells and asked that the committee do something to protect them from these effects.

Starshak – This is one example of people being concerned about this topic. We need to stay on top of this issue. Information was shared regarding how many high-capacity wells there are in Green Lake County. They are not highly regulated and don't know the long-term impact of the wells.

c. Discuss wind turbines

Starshak – This is another issue in which the committee needs to stay informed. The limitations are handed down from the State and the limits don't always cover the concerns. Green Lake County depends on tourism and the impact of turbines may affect the aesthetics of the county.

Moderow – When the push for the turbines began in Columbia and Fond du Lac Counties, the grain prices were low and farmers were looking for additional revenue. Now the grain prices are higher and the farmers are more reluctant to give up cropland. The turbines eat up a lot of room. The higher return of grain prices may curtail the increase of wind turbines.

d. 2015 Budget

Shute – Presented the proposed 2015 budget with a zero levy increase for operating costs.

Motion by Toney/Moderow, unanimously carried to approve the proposed 2015 budget.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- Zoning ordinance

b. Meeting dates

August 7, 2014

Business Meeting 4:30 p.m.

Public Hearing 6:00 p.m.

5:33 p.m. Recessed 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: Owners/Applicants: Waldmar Rink, Holly R Larson, Heidy M Reihbandt, Gerald H Rink
Agent: Gerald H Rink, Agent **General Legal Description:** N465 County Road M, Parcels #012-00550-0000, #012-00557-0000, #012-00558-0000, #012-00563-0000, & #012-00566-0000, Part of the NW¼, NE¼, SW¼, and SE¼ of Section 29, T14N, R12E, Town of Manchester, ±3.57 acres.
Explanation: Rezone request from A-1 Exclusive Agriculture to R-4 Rural Residential.

a) Public Hearing

Gerald Rink – N465 County Road M, Cambria, WI – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Sorenson – Explained the request and that no ag lands are being lost. He has secured an easement to the property. The Town of Manchester does not object to the request.

c) Committee Decision

Motion by Moderow/Toney, carried on roll call (3-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

Item II: Owner/Applicant: Outdoor Properties, Wesley Stibb **General Legal Description:** North Lawson Drive, Parcel #004-00308-0401, Located in part of the SW¼, Section 15, T16N, R13E, Lot 4 Certified Survey Map 1277, Town of Brooklyn, ±1.136 acres. **Explanation:** Conditional Use Permit for a single-family residential use in the same building with a commercial use.

a) Public Hearing

No one was present to comment.

Public hearing closed.

b) Committee Discussion and Deliberation

Kirkman – Explained that Mr. Stibb wants his new commercial building to include residential use for himself. This use is only allowed by conditional use permit in this district.

c) Committee Decision

On a motion by Toney/Moderow, unanimously carried on roll call (3-eyes, 0-nays), to recommend approval of the conditional use permit request with the following conditions:

- 1) The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any “development” related to this request.**
- 2) Evidence that compliance with both commercial and residential building code requirements for the retail sales/office building/single-family dwelling is being pursued by the landowner.**
- 3) The property owner shall record an affidavit in the Green Lake County Register of Deeds Office that restricts the residential use described in this request to the property owner and his immediate family and states that the residential use shall cease when discontinued by the owner of the premises for a period of 12 months.**
- 4) Any future residential use shall require a new conditional use permit.**

Item III: Owner/Applicant: Alan B. Lippart, DVM **Legal Description:** W2455 County Road H O, Parcel #006-00591-0100, Lot 1 Certified Survey Map 1428, Section 31, T15N, R13E, Town of Green Lake, ±1.411 acres. **Explanation:** Conditional Use Permit for an animal clinic, animal hospital, animal kennel, animal shelter, and animal veterinary clinic.

a) Public Hearing

Alan B. Lippart, W2455 County Road H O, Markesan – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Kirkman – Explained that Dr. Lippart needed to apply for a conditional use permit before a land use permit could be issued in this district for improvements.

The committee discussed possible conditions for the conditional use permit. There was also discussion regarding the “animal shelter” portion of the request. Dr. Lippart asked that it be removed from the request.

c) Committee Decision

On a motion by Moderow/Toney, unanimously carried on roll call (3-ayes, 0-nays) to recommend approval of the conditional use permit request with the following conditions:

- 1) The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any “development” related to this request.**
- 2) 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).**
- 3) Any new signage shall comply with Section 350-43. Signs. of the Green Lake County Zoning Ordinance.**
- 4) Evidence that compliance with commercial building code requirements for structures that are the subject of this request is being pursued by the landowner, if applicable.**
- 5) Evidence shall be presented to Green Lake County’s Land Use Planning & Zoning Department, within a year of land use permit issuance, that the Tri-County Health Consortium is aware of the kennel use by a license or a letter stating that no license is required.**

Item IV: 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 NW¼ 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

This was completed on June 5, 2014; however, the committee agreed to suspend the rule to allow someone to speak. No one appeared.

b) Committee Discussion and Deliberation

c) Committee Decision

Kirkman – Reminded the committee that Town of Brooklyn Chairman Mike Wuest had written a letter stating that the Town of Brooklyn Plan Commission recommended denial to the Town Board but had not yet provided to the County a resolution stating such.

Motion by Ben/Toney, unanimously carried, to postpone this decision until the August 7th meeting.

ADJOURN

6:44 p.m. Without objection, the meeting was adjourned.

RECORDED BY
Carole DeCramer
Committee Secretary

APROVED ON:
August 7, 2014