

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting – 4:30 p.m.
Public Hearing Minutes – 6:00 p.m.
February 3, 2010**

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wis. The requirements of the open meeting law were certified as being met.

Present: **Roberta Erdmann, Eugene Henke, Susan McConnell, Howard Sell, Thomas Traxler, Jr.**

Absent:

Also Present: **Al Shute**, County Surveyor/Land Development Director
 Carole DeCramer, Committee Secretary
 Jeff Haase, Assistant Corporation Counsel

Before the meeting began, the committee decided that it would be appropriate for committee member Roberta Erdmann to excuse herself from the Planning and Zoning (P&Z) business meeting to attend the Property and Insurance (P&I) Committee meeting that was also scheduled for 4:30 in the demonstration room of the courthouse. Since the P&I Committee was going to vote on an issue that was of concern to the P&Z Committee members, they asked that she attend that meeting to express the concerns of the P&Z Committee, if necessary.

APPROVAL OF AGENDA

Motion by Traxler/Sell, unanimously carried, to approve the amended agenda. Motion carried.

APPROVAL OF MINUTES

Motion by Sell/Henke, unanimously carried, to approve the January 6, 2009, minutes. Motion carried.

PUBLIC APPEARANCES – None

PUBLIC COMMENT – None

CORRESPONDENCE

Shute – Received an email regarding the agricultural conversion fees. There is a movement around the state to delay the collection of conversion fees until counties have updated their farmland preservation plans and zoning ordinances. Any delay will require legislative action.

PURCHASES – None

CLAIMS

Claims totaling \$481.59 (2009) and \$455.90 (2010) were submitted.

Motion by Traxler/Sell, unanimously carried, to approve the claims in the amount of \$937.49 for payment. Motion carried.

APPROVAL OF DEPARTMENT ACTIVITY REPORT

Motion by McConnell/Henke, unanimously carried, to approve the December, 2009, monthly report. Motion carried.

DISPOSAL OF EQUIPMENT - DEPARTMENT VAN (SAFARI)

Shute – The 1999 Safari has approximately \$1,700 of maintenance work that needs to be done on it. I am recommending that no more money is put into it and that the county disposes of it.

Motion by Sell/Traxler, unanimously carried, to recommend to the Property and Insurance Committee the disposal of the 1999 Safari. Motion carried.

CREATE POLICY PROCEDURE – INTRODUCE AND DISCUSS

Shute – Suggested that the committee create a policy procedure for the department. This is something that could be put on the website. This first policy proposed would be related to payment of agricultural conversion fees. The committee agreed to put this on the March agenda.

DEPARTMENT/COMMITTEE ACTIVITY

- a. Agricultural Zoning Districts
- b. Rural Residential Zoning Districts

Shute distributed copies of a proposed amended ordinance for the agricultural districts. He discussed using a matrix that would list all of the districts and potential uses. This will be discussed more at the March meeting.

The committee also discussed the proposed rural residential zoning districts. Animal classifications were discussed in further detail. There was a general consensus that the committee shouldn't have to put much restriction on landowners. This, too, will be discussed further in March.

GENERAL COMMITTEE DISCUSSION

- a. Such other matters as authorized by law
- b. Future activities

2009 CARRYOVERS

Motion by Henke/Sell, unanimously carried to approve the carryovers and forward them to the Finance Committee for final approval. Motion carried.

5:37 p.m. Motion by McConnell/Henke, unanimously carried, to seat Roberta Erdmann. Motion carried.

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(G) CONFERRING WITH LEGAL COUNSEL REGARDING LITIGATION, WHICH THE COUNTY IS INVOLVED AND/OR IS LIKELY TO BECOME INVOLVED.

(DISCUSSION OF LEGAL ISSUES) AND CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85(1)(C) CONSIDERING EMPLOYMENT, PROMOTION, COMPENSATION OR PERFORMANCE EVALUATION DATA OF ANY PUBLIC EMPLOYEE OVER WHICH THE GOVERNMENTAL BODY HAS JURISDICTION OR EXERCISES RESPONSIBILITY. (ANNUAL REVIEW FOR COUNTY SURVEYOR/LAND DEVELOPMENT DIRECTOR)

5:38 p.m. Motion by Erdmann/McConnell, unanimously carried on roll call (5-ayes, 0-nays), to move to closed session per Wisconsin State Statute 19.85 (1)(G) Conferring with Legal Counsel

regarding litigation, which the County is involved and/or is likely to become involved and Closed session per Wisconsin State Statute 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Motion carried.

6:00 p.m. Eugene Henke excused himself.

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

6:22 p.m. Motion by Traxler/Sell, unanimously carried on roll call (4-eyes, 0-nays), to resume into open session. Motion carried.

6:23 p.m. Five-minute recess.

PUBLIC HEARING MATTERS

Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.

Committee Chair Sue McConnell 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.

Item I: Owner/Applicant: Daniel L. Egbert d/b/a Egbert Excavating, Inc. **Site Address:** NE Corner of Hwy 23 & Busse Rd, Parcel #004-00304-0600, Lot 1 CSM 2301, Section 15, T16N R13E in the Town of Brooklyn, (±.5 Acres) **Explanation:** The owner/applicant is requesting a conditional use permit to construct a multi-unit condominium warehouse building to match existing buildings on adjacent property.

a) Public Hearing

Daniel Egbert, W1302 N. Lawson Drive, Green Lake - Spoke in favor of this request.

No one else appeared.

Public hearing closed.

b) Committee Discussion and Deliberation

Shute – There has never been an approved stormwater management plan for the previous five-building project. There should be a condition to make sure that there is not a repeat of that with this new request.

c) Committee Decision

Motion by Erdmann/Traxler, unanimously carried on roll call (4-eyes, 0-nays), to approve the conditional use request to recommend approval of the conditional use request with the following conditions:

1) That the owner/applicant consults with the Land Conservation Department to:

- Determine through the scope of the proposed project, if any negative impact will occur to adjoining properties from stormwater produced on the subject site.
 - Create, if deemed necessary by the Land Conservation Department, a stormwater drainage plan that will address any stormwater issues on the subject site that will negatively impact an adjoining property.
 - Execute the stormwater drainage plan pursuant to standards developed with the Land Conservation Department.
- 2) That the owner/applicant submit a Landscape and Maintenance Plan for the entire complex indicating all landscaping and buffering showing berms, natural areas, plant type, location of plants and size of planting for review and approval by the Land Use Planning and Zoning Department; and that all approved landscaping be install within 12 months of this approval; and that all dead and dying plants be replaced immediately with the same or similar plant species and size as per the original approval.
 - 3) That the owner/applicant submits a revised building site plan prior to issuance of a Land Use Permit and the start of construction to identify any of the Town's and this committee's conditions of approval.
 - 4) That the proposed "Future Road" as shown on the submitted site plan must be accepted as a public town road by the Town of Brooklyn and recorded as a Certified Survey Map, as requested by the Town of Brooklyn.
 - 5) That dust control, approved by the Committee shall be provided.
 - 6) No additional expansion of the operation or addition(s) to structures shall occur without review and approval through future Conditional Use Permit(s).
 - 7) Outdoor lighting requirements, at a minimum, shall meet the setback and illumination standards as required by Chapter 350-23.
 - 8) If applicable, proof that all necessary commercial Code requirements have been satisfied.
 - 9) The applicant will provide evidence of satisfying all of the above conditions prior to issuance of a land use permit.

Motion carried.

- d) Execute Determination Form/Ordinance

NEXT MEETING DATE

March 3, 2010

– Business Meeting 4:30 p.m.

– Public Hearing 6:00 p.m.

ADJOURN

Motion by Sell/Erdmann, unanimously carried, to adjourn. Motion carried.

Time: 7:06 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

March 3, 2010