

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting – 4:30 p.m.
Public Hearing Minutes – 6:00 p.m.
July 7, 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: Eugene Henke, Susan McConnell, Rick Perr, Donald Peters, Thomas Traxler, Jr.

Absent:

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Traxler/Peters, unanimously carried, to approve the June 2nd and June 10th, 2010, minutes.

PUBLIC APPEARANCES - None

PUBLIC COMMENT

Attorney Steve Sorenson, Sorenson Law Office, 479 Golf Hill Court, Green Lake – Appeared to provide a few comments regarding the Thomas Kloosterboer variance that was granted by the Green Lake County Board of Adjustment. Dr. Kloosterboer has been in contact with the Department of Natural Resources to work to resolve the issue. He asked that the committee reconsider the appeal that they filed.

Dr. Thomas Kloosterboer – Stated that he is very frustrated with the whole process. He explained that he worked with his contractor, Stan Arnetveit, to apply for a variance through the Board of Adjustment. He documented everything, showed hardship, and surveyed the property. The variance was granted by the Board of Adjustment and now this committee and the Department of Natural Resources have both filed an appeal of that decision. The other thing that is frustrating is the manner in which the property is measured. It was measured one way in 1991 and another way now. I would like to resolve this issue.

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.

1. **CONSULTATION WITH ATTORNEY DEAN RICHARDS**
2. **DISCUSSION OF LEGAL ISSUES; REVIEW PENDING VIOLATION**

4:43 p.m. Motion by Peters/Traxler, 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.

1. Consultation with Attorney Dean Richards
2. Discussion of legal issues; review pending violation

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

6:22 p.m. Motion by Traxler/Perr, unanimously carried on roll call (5-ayes, 0-nays), to resume into open session.

Findings:

McConnell – The committee is directing Attorney Dean Richards to communicate with Thomas and Linda Kloosterboer to negotiate a resolution for appeal of the Board of Adjustment variance decision.

CORRESPONDENCE

Shute:

- A letter from the Town of Green Lake was discussed regarding the Thomas Kloosterboer issue. The Town had concerns about drainage and those concerns have now been resolved.
- A letter from MSA letter was also discussed regarding the comprehensive revision of the zoning ordinances. This will be placed on the August agenda requesting MSA be present at the meeting to discuss this project.

PURCHASES - None

CLAIMS

Claims totaling \$609.63 were submitted.

Motion by Traxler/Perr, unanimously carried, to approve the claims in the amount of \$609.63 for payment.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

Permits/Violations/Budget

Shute – Discussed the various aspects of the report.

Motion by Henke/Peters, unanimously carried, to approve the May, 2010, monthly report.

DEPARTMENT/COMMITTEE ACTIVITY

- a. Agricultural Zoning Districts
- b. Rural Residential Zoning Districts
- c. R-3 and R-4 Districts

Shute – This will be discussed in August with a representative from MSA.

GENERAL COMMITTEE DISCUSSION

- a. Such other matters as authorized by law
- b. Future activities
- c. Interest in Training

The committee asked Attorney Haase's opinion regarding visiting sites. The example given was the Kloosterboer site where Dr. Kloosterboer called committee members and asked if they would visit his property so that he could explain his situation to them. Attorney Haase explained that he would advise against visiting sites. In this particular case, where it is a Board of Adjustment matter, this committee has no jurisdiction over the Board, so visiting the site would serve no purpose. The committee also has to be careful about open meeting requirements and notifying the public when things of this nature are discussed. If a resident wants to talk to a committee member or members, or wants the committee member(s) to visit the site, the resident should be told that this can be discussed once the issue is publically noticed.

PUBLIC HEARING MATTERS

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

Committee Chair McConnell reconvened the meeting of the Land Use Planning and Zoning Committee at 6:25 p.m. for the public hearing item and read the rules of public hearing.

Item I: Owner/Applicant: Scott Langenhorst and Todd Langenhorst **Site Address:** W2961 Princeton Rd, Part of Parcel #004-00834-0000 (Scott) and Parcel #004-00827-0000 (Todd) The subject site (16 ± acres) is located in the NE¼ of Section 23, T16N R12E, Town of Brooklyn

Explanation: The applicants are requesting a rezone from I-Industrial to A-1 Exclusive Agricultural District.

a) Public Hearing

Todd Langenhorst, 912 Thomas Street, Ripon, WI – Also speaking on behalf of his brother, Scott Langenhorst, spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

The committee agreed that this is a positive request in that land is being brought back into an agricultural zoning district.

c) Committee Decision

Motion by Traxler/Henke, unanimously carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to the county board for action.

d) Execute Determination Form/Ordinance

NEXT MEETING DATE

August 4, 2010

- Business Meeting 4:30 p.m.
- Public Hearing 6:00 p.m.

ADJOURN

Motion by Traxler/Peters, unanimously carried, to adjourn.

Time: 7:30 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

August 4, 2010