

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, July 7, 2022**

CALL TO ORDER

Planning & Zoning Chair Curt Talma called the meeting of the Land Use Planning and Zoning Committee to order at 4:00 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. Public access was available via remote programming as well as in person.

Present: **Harley Reabe, Curt Talma, Chuck Buss, Bill Boutwell, Gene Thom, Dawn Klockow,**
Corporation Counsel

Absent:

Also Present: **Matt Kirkman,** Land Use Planning and Zoning Director, **Karen Werlein,** Land Use Coordinator, **Caleb Edwards,** Land Use Specialist

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Motion/second (Boutwell/Buss) to approve the minutes of the June 2nd meeting. Motion carried with no negative vote.

PUBLIC COMMENTS:

1. Stephanie Prellwitz: 833 Watson St, spoke on behalf of Green Lake Association. Spoke against item 1 non-metallic mining CUP application.
2. Leah Albers: 470 South St, spoke on behalf of GLA. Spoke against item 1, non-metallic mining CUP application.
3. Jerry Spect: spoke against the CUP request.
4. Richard Martens: W2965 Hillside Rd., spoke against the CUP request.
5. Elaine Houser: 408 Eaton St, spoke against the CUP request.
6. Ernst Neuenfeldt: N5139, spoke against the CUP request.
7. Robert Burke: spoke on behalf of Green Lake Association, spoke against the CUP request.
8. Duane Wetzel : N5145 Skunk Ridge Ln, spoke against the CUP request.
9. Margarete York: N5250 Skunk Hallow Rd, spoke against the CUP request.
10. Tom Penfield: N5267 Brooklyn G Rd, spoke against the CUP request.
11. Carl Nehm: N4805 Prairie Rd, spoke against the CUP request.

Chair Talma called for the Public Hearing portion of the meeting to begin.

PUBLIC HEARING – 4:30PM

Harley Reabe excused himself from the meeting due to a conflict of interest with public hearing item #1

Chair Talma read the rules for the Public Hearing

Item I Owner: Donald Kinas **Agent:** Michael McConnell **Site location:** Intersection of CTH K & Brooklyn G Rd **General legal description:** Parcel 004-00787-0000, part of the SW1/4 of S36, T16N, R13E, Town of Brooklyn, ±40 acres **Request:** CUP for a limestone quarry.

b. Public Testimony/Comment: Chair Talma called for public input.

1. Eric and Ann Godfrey: W14411 Prairie Rd, wrote a letter to the committee against the CUP request.
2. Stephanie Prellwitz: 833 Watson St, spoke on behalf of Green Lake Association. Spoke against the CUP request.
3. Leah Albers: 470 South St, spoke on behalf of GLA. Spoke against the CUP request.
4. Jerry Spect: spoke against the CUP request.

Gene Thom exits the meeting at 4:37PM

5. Catherine Klumb: County Road CC, spoke against the CUP request.
6. Richard Martens: W2965 Hillside Rd, spoke against the CUP request.
7. Danielle Boerson: N6639 Forest Ridge Rd, spoke against the CUP request.
8. Robert Burke: spoke on behalf of Green Lake Association, spoke against the CUP request.
9. Carl Nehm: N4805 Prairie Rd, spoke against the CUP request.
10. Ernst Neuenfeldt: N5139, spoke against the CUP request.
11. Elaine Houser: 408 Eaton St, spoke against the CUP request.
12. Duane Wetzel: N5145 Skunk Ridge Ln, spoke against the CUP request.
13. James Goyette: N5307 Brooklyn G Rd, spoke against the CUP request.
14. Jean Westhuis: N5160 Brooklyn G Rd, spoke against the CUP request.
15. Tom Penfield: N5267 Brooklyn G Rd, spoke against the CUP request.
16. Elmer Smith: N5458 Brooklyn G Rd, spoke in favor of the CUP request.
17. Tim Gerner N5160 Skunk Hallow Rd, spoke against the CUP request.
18. Michael Hawkes: N5663 Lac Verde cir, spoke against the CUP request.
19. John Craig: 509 N Rose Rd, spoke against the CUP request.
20. Susan McConnell: N4975 Craig Rd, spoke against the CUP request.
21. Lisa Reis: N4909 Channel Rd, representing Green Lake Sanitary District, spoke against the CUP request.
22. Michael Hawkes: N5663, spoke again against the CUP request.
23. Michael McConnell: Agent for applicant, spoke in favor of the CUP request.
24. Margarete York: N5250 Skunk Hallow Rd, spoke against the CUP request.
25. Randy Douglas: Representing Badger Engineering, explained the storm water management plan.
26. Phyllis Peterson: N5461 Skunk Hallow Rd, spoke against the CUP request.

Chuck Buss exits the meeting at 5:48PM.

Recess at 5:48PM due to no quorum.

Gene Thom returns to meeting at 5:49PM.

Chuck Buss returns to meeting at 5:50PM.

Quorum is met, meeting continues at 5:50PM.

27. Ernst Neuenfeldt: N5139, spoke again against the CUP request.
28. Mark Lindquist, N5111 Skunk Ridge Ln, spoke against the CUP request.
29. Robert Burke: spoke on behalf of Green Lake Association, spoke again against the CUP request.
30. Stephanie Prellwitz: 833 Watson St, spoke on behalf of Green Lake Association. Spoke again against the CUP request.
31. John Sina: N5702 Spaulding Hill Rd, spoke against the CUP request.

32. Carl Nehm: N4805 Prairie Rd, spoke again against the CUP request.
33. Edward Roepsch: N5159 Forest Glen Beach Rd, spoke against the CUP request.
34. Phyllis Peterson: N5461 Skunk Hallow Rd, spoke again against the CUP request.
35. Richard Martens: W2965 Hillside Rd, spoke again against the CUP request.
36. Oswald Kinan: W1580 State Rd 23, spoke in favor of the CUP request.

Chair Talma closed the Public Hearing.

- c. Committee Discussion & Deliberation: Kirkman presented the Staff Report regarding the CUP request. The Town of Brooklyn did not take action on the request and was handled administratively.
- d. Committee Decision: ***Motion/second (Buss/Boutwell)*** to approve the CUP request with the following conditions:
 1. No additional expansion or addition of structures, mined area, and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
 2. Any outdoor lighting shall comply with Section 350-23 of the County Zoning Ordinance.
 3. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency.
 4. Pollution Prevention Best Management Practices Plan must be followed
 5. Hours of Operation are from Monday- Friday from 5:30am to 6:00pm and Saturday from 6:00am to 3:00pm. Blasting may only occur Monday-Friday 9:00am to 3:00pm.
 6. ~~The Committee should decide whether to grant extended hours or night hours. (Example: Operator may operate past the regular hours of operation one day a month no earlier than 5:00 am and no later than 10:00pm)~~
 7. All mining equipment should have mufflers (when applicable).
 8. Emission Control Plan must be followed.
 9. Operator must obtain an erosion control permit through the Green Lake County Land Conservation Department.
 10. Owner must obtain and follow an Erosion control and Storm Water Management Plan.
 11. Owner must obtain and follow a Stormwater Pollution Prevention Plan.
 12. Owner must receive a Non-metallic Mining Reclamation Permit.
 13. Owner to study the proposed site for the presence of shallow groundwater by installing five small diameter groundwater monitoring wells completed from the soil/bedrock upward to the ground surface. One well to be centrally located and the other four to be along the four property lines and within the 100ft buffers. The study must show that the flow of groundwater supplying Mitchel Glen, Powell Springs and White Creek will not be decreased.
 14. The elevation of groundwater within the proposed mining site shall be determined. This shall be accomplished by installing two groundwater monitoring wells, one in the NW corner and the other in the SE corner of the proposed site. Each well to be constructed from the anticipated terminal depth of the quarry to the ground surface.
 15. No mining of limestone shall occur below the aquifer or within five feet of the elevation of the spring orifice of White Creek (923.43ft above sea level).
 16. A site-specific study to be provided to the Land Use Planning & Zoning Department, performed by a qualified professional and reviewed and approved by the WDNR's hydrogeologist Dave Johnson, to study the site for sulfides. If the study indicates the site contains unsafe levels of sulfide minerals, and will be environmentally adverse to the nearby springs or groundwater the CUP shall be deemed void.

Discussion of committee:

- A) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
 - a. Chuck Buss: Feels that the presentation given by the agent, McConnell, demonstrates that it will not have a negative effect.
- B) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
 - a. Boutwell discussed the need for further studies of the site.
- C) Will not be hazardous or disturbing to existing or future neighboring uses; and
- D) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
 - a. Kirkman discussed that condition #14 will give answers to this question.
 - b. Boutwell inquired about the drainage
 - c. Buss discussed that the drainage is covered under the storm water management plan. Believes the water coming off the quarry will be less hazardous than agriculture chemicals.
- E) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies responsible for the establishment of the proposed use shall be able to provide, adequately, any such service; and
- F) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.
 - a. Kirkman discussed that what Kinas said in public comment is that the trucks entering and leaving will be only on County Road K.

Motion/second (Buss/Boutwell) made a motion to suspend the rules to allow the committee to ask questions to Mr. McConnell, the agent. Motion carried with no negative vote.

Buss: questioned the agent if the hours of operation were for crushing.

Thom: recommended the hours of blasting be reduced from the normal business hours. Monday-Friday 9:00am-3:00pm.

Talma: How often does the company blast at the quarry? McConnell answered: several times in a season.

Motion/second (Buss/Boutwell) made a motion to amend the original motion to change condition #5 to: Hours of operation are from Monday-Friday from 5:30am to 6:00pm and Saturday from 6:00am to 3:00pm. Blasting may only occur Monday-Friday 9:00am to 3:00pm. Motion carried with no negative vote.

Motion/second (Thom/Boutwell) made a motion to suspend the rules to allow the committee to ask questions to Ms. Prellwitz. Motion carried with no negative vote.

Ms. Prellwitz recommended to the committee to include language for sulfide studies.

Motion/second (Buss/Boutwell) made a motion to amend the original motion to add condition #16: A site-specific study to be provided to the Land Use Planning & Zoning Department, performed by a qualified professional and reviewed and approved by the

WDNR's hydrogeologist Dave Johnson, to study the site for sulfides. If the study indicates the site contains unsafe levels of sulfide minerals, and will be environmentally adverse to the nearby springs or groundwater the CUP shall be deemed void.
Motion carried with no negative vote.

All in favor of the original motion. None opposed.

Roll Call: Buss, aye; Boutwell, aye; Talma, aye; Thom, abstain; Reabe, recuse.

Motion/second (Boutwell/Buss) made a motion to go into recess for 5 minutes. Motion carried with no negative vote.

Motion/second (Buss/Thom) made a motion to return to the public hearing. Motion carried with no negative vote.

Harley Reabe returned to the meeting at 7:25PM.

Item II Owner: Donald Kinas **Site location:** Intersection of CTH K & Brooklyn G Rd **General legal description:** Parcel 004-00787-0000 part of the SW1/4 of S36, T16N, R13E, Town of Brooklyn, ±40 acres **Request:** Nonmetallic Mining Reclamation Permit.

- a. Public Testimony/Comment: Chair Talma called for public input.
Debbie Zeratsky: 344 Lac Verde Cir, wondering how the reclamation process happens.
Michael Hawkes: N5663 Lac Verde Cir, voiced his concerns with the reclamation plan.
Stephanie Prellwitz: 833 Watson St, spoke on behalf of Green Lake Association. Voiced her concerns with the reclamation plan.
Edward Roesch: N5159 Forest Glen Beach Rd, questioned the reclamation cost.
Michael McConnell: agent, spoke to the questions and concerns.

Item III Owner: United Church Camps Inc **Agent:** Glenn Svetnicka **Site location:** W1057 Spring Grove Rd **General legal description:** Parcel 006-01079-0000 part of the NE1/4 of S34, T16N, R13E, Town of Green Lake, ±13.35 acres **Request:** RZN ±0.74 acres from RC, Recreation, to R-1, Single-Family Residence District. To be identified by certified survey map.

- b. Public Testimony/Comment: Chair Talma called for public input.
Rev. James Schleif, interim executive director, spoke in favor of the rezone request.
Chair Talma closed the Public Hearing.
- c. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Green Lake approves of the request.
- d. Committee Decision: **Motion/second (Thom/Boutwell)** to approve the rezone. To be forwarded to County Board for final approval.
Motion carried with no negative vote.

Item IV Owner: James & Emma Miller **Site location:** W4511 Winding Ln **General legal description:** Parcel 012-00554-0200 part of the NW1/4 of S29, T14N, R12E, Town of Manchester, ±21 acres **Request:** CUP to operate a small engine sales & service shop.

- a. Public Testimony/Comment: Chair Talma called for public input. No comments or testimony.
Chair Talma closed the Public Hearing.

- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Manchester approves of the request.
- a. Committee Decision: **Motion/second (Reabe/Thom)** to approve the CUP 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. Hours of operation are between 7:30am to 4:00pm Monday through Saturday.
 3. Storage of materials must comply with standards listed in Chapter 350, Zoning Ordinance, of the Code of Green Lake County. *This implies that no vehicles without proper registration may be stored on the property, unless fully enclosed in a structure. Similarly, no materials or equipment shall be stacked or stored in a manner that shall be of such character as to adversely affect the property values and general desirability of the neighborhood.*
 4. Any waste oil, gas, or grease must be stored and disposed of following Wisconsin DNR Guidelines

Motion carried with no negative vote.

Item V Owner: Robert L Seward Revocable Living Trust **Site location:** End of Gladys Court **General legal description:** Parcel 002-00297-0600 part of the SW1/4 of S16, T17N, R13E, Town of Berlin, ±1.3 acres **Request:** RZN ±1.3 acres from RC, Recreation District, to R-1, Single-Family Residence District.

- a. Public Testimony/Comment: Chair Talma called for public input.
John Blazel: agent, spoke in favor of the rezone request.
Chair Talma closed the Public Hearing.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Berlin approves of the request.
- c. Committee Decision: **Motion/second (Buss/Reabe)** to approve the rezone. To be forwarded to County Board for final approval.
Motion carried with no negative vote.

Item VI Owner: Sadie Hawk Enterprises LLC **Agent:** Billie Jo Zirger **Site location:** W1955 S Lawson Dr **General legal description:** Parcel 004-00688-0000 & 004-00689-0000 part of the NW1/4 of S29, T16N, R13E, Town of Brooklyn, ±5 acres **Request:** RZN part of parcel zoned C-1(General Commercial District) and part of parcel zoned R-3(Multiple-Family Residence District) to R-1(Single-Family Residence District), ±20,000 square feet (±.46 acres). To be identified by certified survey map.

- a. Public Testimony/Comment: Chair Talma called for public input.
BJ Zirger: N1955 S Lawson Dr, spoke in favor of the rezone request.
Chair Talma closed the Public Hearing.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Brooklyn's Chairman approved the request administratively.

- d. Committee Decision: ***Motion/second (Reabe/Buss)*** to approve the rezone. To be forwarded to County Board for final approval.
Motion carried with no negative vote.

Chair Talma asked for more public comment. None.
Public comments closed.

Motion/second (Boutwell/Reabe) to move agenda item 6 and 8 to next month's Planning & Zoning Meeting.

FUTURE COMMITTEE ACTIVITIES

- a. Future agenda items –
- b. Next meeting date – August 4th, 2022

ADJOURN

Chair Talma adjourned the meeting at 7:50PM

Respectfully submitted,

Karen Werlein, Land Use Coordinator