

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, May 5, 2016**

**CALL TO ORDER**

Interim Land Development Director Matt Kirkman called the meeting of the Land Use Planning and Zoning Committee to order at 4:33 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: **Robert Lyon, Ben Moderow, Harley Reabe, Rich Slate, Michael Starshak**

Absent:

Also Present: **Missy Sorenson**, Code Enforcement Officer  
**Matt Kirkman**, Interim Department Head/Code Enforcement Officer  
**Dan Sondalle**, Assistant Corporation Counsel  
**Carole DeCramer**, Committee Secretary

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

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

**APPROVAL OF MINUTES**

**Motion by Slate/Moderow, unanimously carried, to approve the corrected minutes of 03/29/16 and 03/31/16, and the minutes of 04/07/16.**

**ELECTION OF COMMITTEE CHAIR**

Kirkman called for nominations for Committee Chair. Slate nominated Ben Moderow for Committee Chair. Moderow respectfully declined.

Reabe nominated Michael Starshak for Committee Chair. Nominations closed.

**Reabe/Slate, unanimously carried, to cast a unanimous ballot for Michael Starshak for Committee Chair.**

Kirkman handed the gavel to Starshak.

**ELECTION OF COMMITTEE VICE CHAIR**

Starshak called for nominations for Committee Vice Chair. Slate nominated Ben Moderow for Committee Vice-Chair. Nominations closed.

**Reabe/Slate, unanimously carried, to cast a unanimous ballot for Ben Moderow as Committee Vice Chair.**

**PUBLIC COMMENT** - None

**PUBLIC APPEARANCES** - None

## **CORRESPONDENCE**

### **a. Correspondence from Jerry Smart regarding the county Surveyor position**

Jerry Smart, Marquette County Surveyor, sent the county clerk an email explaining that he was retiring from Marquette County the beginning of 2017. At that time, he would work on a part-time basis for the Counties of Marquette and Waushara. He would also be interested in working for Green Lake County in whatever capacity he is needed.

Since Mr. Smart was in attendance, Chair Starshak asked Mr. Smart to introduce himself to the committee. Mr. Smart reiterated what he had written in the email and asked that the committee keep him in mind when hiring.

## **PURCHASES** - None

## **CLAIMS**

Claims totaling \$446.49 were submitted.

**Motion by Reabe/Moderow, unanimously carried, to approve for payment the claims in the amount of \$446.49.**

## **INTERIM COUNTY SURVEYOR**

### **a. Per diem rate for interim county surveyor**

Kirkman explained that Don Lenz was required to attend the Land Information Council meeting. Lenz was not sure if he would be paid the \$50 per hour, as the contract states, or if per diems were paid for meeting attendance. After discussing the options, the committee agreed on a \$50 per diem.

**On a motion by Slate/Reabe, unanimously carried on roll call, the committee approved a \$50 per diem per requested meeting for the Interim County Surveyor.**

### **b. Statutory duties of the county surveyor/interim county surveyor**

Kirkman explained that Corporation Counsel Klockow had researched the statutory duties of a county surveyor. That written opinion was shared with the committee members. The committee members will utilize the information for future discussion.

## **DEPARTMENT ACTIVITY REPORTS**

### **a. Permits & others**

Kirkman – Discussed the monthly financials and the land use permits.

Sorenson – Discussed the monthly sanitary permits. The committee asked her to explain the septic system reimbursement that shows up on the report.

### **b. Violations**

Kirkman and Sorenson – Discussed the land use and sanitary violation reports.

### **c. Comprehensive Plan and Farmland Preservation Plan Summaries**

Kirkman reported the following:

- At the last meeting, the committee asked if the invoice listed on the claims form was the final bill from Martenson & Eisele. After researching, Kirkman assured the committee that the consultants are now paid in full.

- Kirkman shared an email he received from Scott Karel, Department of Agriculture, Trade & Consumer Protection, regarding the Green Lake County Farmland Preservation Plan that was recently updated. The email included the new order certifying the plan through December, 2025. Since the plan has already been adopted by the Green Lake County Board, the certification is now complete. The committee asked that a copy of the order be emailed to each of them.

Ken Jaworski, Martenson & Eisele, presented each of the committee members with an 11”X17” summary of the plans’ process. The department received a framed version of the summary. Jaworski stated that it was a token of his appreciation of all of the hard work and good direction.

## **DEPARTMENT/COMMITTEE ACTIVITY**

### **a. Update on shoreland zoning ordinance**

Kirkman reported that AB582 was signed into law. The committee now needs to incorporate AB582 into the WI – DNR model ordinance that also incorporated 167 and Act 55. This is something that will be worked on and brought back to the committee for further discussion. Assistant Corporation Counsel added that the changes also include impervious surfaces, which the committee had chosen not to adopt at the time. The deadline for updating the shoreland zoning ordinance is October, 2016. It would have to go before the County Board for final approval in September.

### **b. Cell tower siting language**

Kirkman – At last month’s meeting, the committee asked that, for this meeting, a quick overview be prepared for the committee. A few years ago, the State of Wisconsin adopted 66.0404 that deals with the location of cell towers. They included some things that the cell tower companies requested. The companies asked that, if the counties don’t have certain criteria in their ordinances, they are not required to apply for permits for these structures. The reason why this is important is because Green Lake County would want some regulation in locating cell towers. There are some things that the committee should consider adopting in the cell tower siting language that could help protect the public interest.

The committee asked that this be placed on next month’s agenda so that they have time to review the proposed language.

### **c. Exclusive Agriculture Zoning District Update**

#### **1. Martenson & Eisele quote for update**

Kirkman – Ken Jaworski, Martenson & Eisele, was contacted regarding a price for assisting the county with this project. He provided a number, but it was more of a time and materials quote. The committee may be interested in obtaining a second quote for this project.

Starshak asked Kirkman if he had a preference as to the consultant heading the project or if the department wants to do this. Kirkman replied that contracting with a consultant would be the best option. Kirkman was directed to obtain two quotes and report back at the next committee meeting.

### **d. Agricultural Enterprise Zoning Areas – 5-minute informational video**

The audio on the video was not working so the committee asked that this be placed on the next agenda.

### **e. Discussion only on merging of departments: Land Use Planning & Zoning and Land Conservation**

*Because of time constraints, the committee asked that this be discussed at the conclusion of the public hearing.*

**f. Discuss permit tracking software opportunity**

Kirkman explained that the department attended a meeting that Land Conservation arranged to learn more about a software program that enables the department to track permits. Kirkman asked the committee for permission to look into this type of software further and possibly obtain competitive bids. Starshak asked that he work with Land Conservation to look at competitive bids and come back to the committee.

Joy Waterbury, County Board Supervisor – Suggested that staff work with IT, Bill Hutchinson, when researching this possibility.

**5:27 p.m. On a motion by Reabe/Lyon, unanimously carried, the committee recessed until 5:30 p.m.**

**5:30 p.m. Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee 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:** Dale & Georgia Schreiber **Agent:** Dick Severson **General legal description:** N2004 Old County Road AS, Parcels 010-00139-0000 & 010-00145-0000, Part of the NE¼ of Section 9, T14N, R13E, Town of Mackford, total affected acres ±18 acres **Request:** Rezone request from A-1 Exclusive Agriculture District to A-2 General Agriculture District and R-4 Rural Residential.

a) Public Hearing

Georgia Schreiber, N2004 Old County Road AS - Spoke in favor of the request.

Dick Severson, N3496 State Road 73 – Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman reviewed the request and reported that the request is consistent with the County's comprehensive plan, and the Town of Mackford did not object to the request.

c) Committee Decision

**On a motion by Reabe/Slate, unanimously carried on roll call (5-ayes, 0-nays), to approve the rezone request as presented and forward to the county board for final action.**

d) Execute Determination Form/Ordinance

**Item II: Owners:** Canaan Properties, Stan Harris **Agent:** Nelson Schrock **General legal description:** W4481 County Road GG, Parcel 012-00622-0300, Part of the NE¼ of Section 31, T14N, R12E, Town of Manchester **Request:** Conditional use permit request for the expansion of an existing cheese plant.

a) Public Hearing

Tom Sugars, Architect and Director of the Canaan Properties project, Thomas Design Architect, Fond du Lac, WI – Spoke in favor of the request; addressed what is being done to mitigate the in regard to the nine recommended conditions listed in the staff report.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman reviewed the request and reported that the Town of Manchester did not object to the request.

c) Committee Decision

**On a motion by Slate/Moderow, unanimously carried on roll call (5-ayes, 0-nays), to approve the conditional use permit as presented with the conditions as set forth in the staff report:**

- 1) **The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any “development” related to this industrial operation.**
- 2) **Adequate dust control measures be taken due to vehicular traffic to and from this site as well as during unloading and loading of dry materials.**
- 3) **That all outdoor lighting installations be located no closer than three feet to an abutting property line, and shall be adequately shielded or hooded so that no direct light, excessive glare, or illumination is cast upon other properties.**
- 4) **Evidence that compliance with commercial building code requirements for structures that are the subject of this request is being pursued by the landowner.**
- 5) **No expansion of existing use through expanding existing structures, additional structures and/or expanding the activity area shall occur without review and approval through future Conditional Use Permit(s).**
- 6) **The septic system (POWTS) be evaluated for compliance with Chapter 383, Wis. Administrative Code. If the POWTS is not sufficient for the required daily wastewater flow, the owner/applicant shall bring the POWTS into compliance.**
- 7) **Written confirmation from the WDNR that the existing ridge & furrow wastewater treatment system is adequate for the proposed expansion and if not, evidence that a permit has been issued for a code-compliant system be submitted to the Green Lake County Land Use Planning & Zoning Department prior to issuance of a land use permit.**
- 8) **A stormwater management plan and a maintenance schedule shall be approved by Green Lake County Land Conservation Department and shall be submitted to the Green Lake County Land Use Planning & Zoning Department prior to land use permit issuance.**
- 9) **A written complaint in regards to abnormally wet field conditions from and adjacent property owner will trigger review by the Green Lake County Land Conservation Department (LCD) and, if an impact is confirmed, the owner / applicant shall implement an LCD-approved mitigation plan that will resolve the issue.**

d) Execute Determination Form/Ordinance

**Item III: Owner:** Robin’s Nest Resorts, LLC **Agent:** Don Dysland **General legal description:** Parcels #014-00288-0104 & #014-00288-0105, being Lots 3 & 4 of Certified Survey Map 3424, All located in Gov’t Lot 2, lying south of the river, located on Puckaway Rd in Section 31, T15N, R11E,

Town of Marquette, ±5.1 acres **Request:** Rezone request from R-1 Single-Family Residence District to RC Recreational District.

a) Public Hearing – Continued from the 02/04/16 public hearing  
Bill Wiedenbeck, W6976 Puckaway Road – Spoke against the request. Provided a timeline of his request to rezone his property (Exhibit A).

Ken Jarvis, W6980 Puckaway Road - Spoke against the request. Provided a written summary of why the requests should be denied (Exhibit B). Also provided a copy of an article from the *Journal of Real Estate Finance and Economics* regarding the impact of mobile home parks on the value of single-family homes (Exhibit C).

Don Waldrop, W6988 Puckaway Road – Spoke against the request. Provided a written summary of a summary of conflicts with the requests (Exhibit D).

Kathleen Moore, W6710 Marine Drive – Spoke against the request. She was asked by the Town of Marquette to assist them in their comprehensive plan updating process in 2013. A copy of the list she created for areas that should be addressed was shared with the committee (Exhibit E). The area that Mr. Dysland purchased and now wants to rezone was on that list as an area that the Town needed to discuss. The Town chose not to address the zoning of that area, and the property owner chose not to attend those meetings as well.

Gail Harter, W7076 Puckaway Road – Spoke against the request.

Randy Schmidt, W6990 Puckaway Road – Spoke for the request.

Rod Huber, W7004 Puckaway Road – Spoke for the request.

Matt Roehsler, W7098 Puckaway Road – Spoke against the request.

Richard Ebert, W7007 Puckaway Road – Spoke for the request.

James Harter, W7076 Puckaway Road – Spoke against the request.

Suzanne Dysland, W340N4867 Road O, Nashotah, WI – Spoke for the request.

Joe Curzio, Chicago, member of the Robin’s Nest community – Spoke for the request.

Joe Schultz, St. Francis, WI, member of the Robin’s Nest community – Spoke for the request.

Greg Albright, Milwaukee, WI – Spoke for the request.

Don Dysland, W340N4867 Road O, Nashotah – Spoke for the request.

Christopher Roehsler, W7098 Puckaway Road – Spoke against the request.

Christopher Schlessinger, Sr., member of the Robin’s Nest community – Spoke for the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman – Discussed the list of decision-making criteria that the committee should consider when hearing a rezone request. The list consists of the following:

**1. Consistency with long-range planning (comprehensive plan)**

The committee, in the past, has looked at the Town's Comprehensive Plan to see if the request is consistent with the Town's comprehensive plan. After reviewing this practice with Corporation Counsel Klockow, it made sense to discontinue the review of the Town's Comprehensive Plan because the Town does that. It made more sense to review the County's Comprehensive Plan for consistency. After comparing Robin's Nest Resorts rezone request with the County's Comprehensive Plan, staff and corporation counsel found it to be consistent.

Assistant Corporation Counsel Dan Sondalle asked if Klockow had a written opinion regarding the above. Kirkman advised that she had provided that to the committee via email.

**2. Nature and character of parcel**

After studying the area, staff believes the nature and character of the parcel are conducive to the RV campground use. The area that is proposed to be rezoned is not located in the floodplain and would allow the campground more space to locate camping units in case of a flood.

**3. Use of surrounding lands**

The use of the surrounding lands appears to be seasonal/residential. Residential and recreational uses tend to be conflicting land uses; however, there have been few to no complaints about the campground use under the current owner. Priority must be given to maintaining, by conditional use permit, the cohesive existence of the existing uses.

**4. Overall scheme or zoning map**

There appears to me a mix of residential and recreational zoning. The proposed rezone request is consistent with that scheme.

**5. Consideration of interest of public health, morals, and safety**

The RV campground has operated for years just north of this location. The addition of more lands incorporated into this activity should not negatively impact the public health, morals, and safety. On the contrary, the subject site is out of the floodplain and would provide the campground with additional space to relocate camping units in the floodplain or in case of flood.

**6. Promote public welfare, convenience, and general prosperity**

The public welfare, convenience, and general prosperity is tied to a cohesive existence that are, traditionally, incompatible uses that have, under the current owner, managed to defy that trend. The committee, with the help of the conditional use permit, can help to maintain this cohesiveness.

c) Committee Decision

Starshak asked for committee comments.



Slate read the following statement (Exhibit F):

There is a lot of negative talk; however, it's important to remember that there are many others who also made their voices heard by electing a town board to look out for the Citizens' and the Township's best interests.

I support the zoning change request and here are some of my reasons:

- Last February, the Town Board Chairman asked for and was granted more time for the Township to re-examine the previously approved action.
- From my understanding, the additional time and extra meetings did not change the Town Board's mind.
- The campground was first established in the 1950's and there was potential to expand because the whole area was zoned Recreational.
- Since then, the campground expanded at least two times without any reported problems.
- By all accounts, the campground is a very good benefit for the area.
- There are not records of any code violations, noise or nuisance complaints, or complaints that the campground facilities or the trailers are in bad shape.
- It sounds like those using the campground love it and keep coming back because it is a nice, clean, and quiet place to get away from the big, congested city.
- As a resident of Southern Green Lake County, I can understand why people come to the area to relax.
- We have great fishing, wonderful people, hospitality; it's just a great place to bring up children and for families.
- It is also very important to remember the campground gives back!
- The campground pays its fair share in taxes and other fees, which have significantly increased over the last 65 years.
- The campground also plays an important part of Green Lake County and State of Wisconsin's growing tourism industry.
- Additional people will help contribute and strengthen our Local, County, and State economies.
- Finally, on a more personal note, I believe this committee should not create red tape for businesses that follow the rules and want to make the best use of their property.
- Planning and Zoning, at its core, should encourage and help regulate how a parcel of land may be used as well as to look out for the public's best interest, health, safety, and well-being.
- Conditions placed on a property should regulate building site plans and placement and size of structures, not dictate how business should be conducted.
- There are way too many other State, County, and Local regulations doing that already.

Reabe – Stated that he felt Rich (Slate) did a good job expressing his feelings as well.

Starshak – It is important that the public show up for these meetings and express their feelings and concerns. It's also important for the public to have the facts. Many times there are discussions about things like this and we find out later that some of them were assumptions or rumors. This particular development has come before us and a lot of concerns were raised that the public did not have the opportunity to voice their concerns to the local government so this committee did send it back to the Town of Marquette to give them an opportunity for local residents to voice their concerns within their community. As Committee Member Slate said, the committee here doesn't judge certain values. We have things that we look at, we defer to our department, our professionals to see if it's in line with the State and County regulations, and then we make a judgement based on those things with input from the public. I want to assure all of you that we have heard your concerns and we will deliberate on this appropriately.



**On a motion by Slate/Reabe to approve the rezone request as presented and forward to the county board for final action.**

Further discussion:

Moderow - Asked Assistant Corporation Counsel Sondalle's opinion on the whole issue with the rezone request being consistent with the Town of Marquette Comprehensive Plan and the County Comprehensive Plan.

Sondalle - Corporation Counsel Dawn Klockow has rendered a written opinion that she provided to the staff and committee members.

Starshak - Reiterated that Corporation Counsel did look at this request and found it not to be inconsistent with the County Comprehensive Plan. It's also important to remember that the Comprehensive Plan is an advisory document.

Sondalle advised the committee to have her written opinion included with the record (Exhibit G). The committee agreed.

**The motion was carried on a 4:1 roll call vote (Lyon - abstain, Moderow - aye, Reabe - aye, Slate - aye, Starshak - aye)**

d) Execute Determination Form/Ordinance

**Item IV: Owner:** Robin's Nest Resorts, LLC **Agent:** Don Dysland **General legal description:** Parcel #014-00289-0100, being Lot 1 of Certified Survey Map 3410, and Parcels #014-00288-0104 & #014-00288-0105, being Lots 3 & 4 of Certified Survey 3424, all located in part of Gov't Lot 2, lying south of the river, located at W7004 Puckaway Rd in Section 31, T15N, R11E, Town of Marquette, ±13.87 acres **Request:** Conditional use permit request to expand an RV campground.

a) Public Hearing - *Continued from the 02/04/16 public hearing*  
Kathleen Moore, W6710 Marine Drive - Stated that, in her opinion, the application is not complete. Spoke against the request.

Ken Jarvis, W6980 Puckaway Road - Spoke against the request.

Don Waldrop, W6988 Puckaway Road - Spoke against the request.

Don Dysland, W340N4867 Road O, Nashotah - Spoke for the request.

Suzanne Dysland, W340N4867 Road O, Nashotah - Spoke for the request.

Gail Harter, W7076 Puckaway Road - Spoke against the request.

Public hearing closed.

b) Committee Discussion & Deliberation

Kirkman gave a summary of the request. The campground will have a maximum of 74 sites. He will be allowed to expand into the newly rezoned area. The committee has the final say as to how many sites, but 74 sites seem like a logical number. The submitted narrative is the owner's explanation as to what new things he wants to do with this property. The committee should also consider the following general criteria for review of conditional use permit requests as listed in the staff report:

1. Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
2. Will be designed, constructed, operated, and maintained so as to be harmonious, and 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
3. Will not be hazardous or disturbing to existing or future neighboring uses; and
4. Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
5. Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; and that the persons or agencies responsible for the establishments of the proposed use shall be able to provide adequately any such service; and
6. 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.

Per Starshak's request, Kirkman also reviewed the recommended conditions listed in the staff report:

1. Each camping unit shall not exceed 400 square feet or the maximum square footage as allowed by the State regulations for a camping unit, whichever is smaller.
2. Evidence of approval from the appropriate State and/or local regulatory agency for the campground expansion.
3. Effective dust control measures shall be provided for entrances and internal roads within the campground.
4. An independent structure such as a deck, landing/stairway, not to exceed 200 square feet in area shall be allowed. Also, one non-permanent storage structure per unit, not to exceed 50 square feet in area shall be allowed. All of the above require a one-time land use permit per unit.
5. That all existing camping units, except the westerly two camping units, along with any utility service hook-ups located in the floodway be removed from the floodway before December 1, 2015; the westerly two camping units, along with any utility service hook-ups, located in the floodway, be removed from the floodway by December 31, 2016.
6. The campground owner shall provide within 60 days of the CUP approval, an updated comprehensive site plan for the entire campground area. Said plan shall be received, reviewed and approved by the Land Use Planning & Zoning Department and supersede any prior plan approvals for this campground operation. The plan shall be professionally prepared to scale and accurately show:

- The camping unit sites approved by the 2009 CUP. These sites shall be based on the 2009 density ratio of 2,800sqft (40'x 70') per camping unit site.
  - The camping unit sites approved by the 2012 CUP. These sites shall be 4,000qft (50'x 80') per camping unit site.
  - Identify camping unit sites by number and identify roads, river, and north arrow.
  - Floodway and flood-fringe boundaries along with adequate storage area for any personal property removed during a flood event.
  - POWTS detail such as tank, vents, etc.
7. Preparation and recording of a Certified Survey Map for the new property boundary to include all lands regulated by this CUP.
  8. Any expansion or structural alterations of existing building structures (non-camping units) shall require review and approval by the Land Use Planning and Zoning Committee.
  9. The campground must meet all 12 provisions of Section 300-21. of the County Floodplain Zoning Ordinance including annual update of Emergency Evacuation Plan which is due for 2015.
  10. The dwelling expansion must meet all applicable ordinance standards including Section 300-18, Article V and Article VII of the County Floodplain Zoning Ordinance.
  11. In the event that the Emergency Evacuation Plan is executed prior to December 31, 2016, no camping units may be allowed to return to the floodway.
  12. The vacated camping unit sites (floodway) may only be used for temporary camping, not to exceed 10 consecutive days, and shall not be connected to utilities (i.e. electricity, water, and wastewater.)

If the Committee moves to approve this request the following conditions may be appropriate:

13. The updated comprehensive site plan shall include all camping unit sites approved by this request. The dimensions of each site shall be described on the plan as well as each site shall be numbered. Also, the plan shall identify all new roads, accesses, parking areas, and vegetative screening.
14. The conditional use permit request approval would be contingent upon the county board's final approval of the rezone request.

Kirkman added that the Town of Marquette submitted a town board action form regarding their decision on the request. They did not object to the request; however, they did have a condition that stated the following: *The Town Board recommends not to exceed 74 units total. Also recommends putting up privacy fence starting on Puckaway Road set back 150' north 8' high and then strongly suggest to proceed further north to right-of-way, go east 150'.*

Assistant Corporation Counsel Sondalle reminded the committee about the criteria listed in the staff report (a-f), as pointed out by Kirkman,

Reabe questioned whether or not the county has received the campground's emergency evacuation plan for 2015. Kirkman replied that it was received.

The committee discussed an emergency egress. After careful consideration, the committee asked that a 15<sup>th</sup> condition be added as follows: An emergency driveway access shall be provided to carry through the westerly access road, as shown on the applicant's concept plan, to Puckaway Road, subject to Town approval. Gating shall be permitted.

**Motion by Slate/Reabe, unanimously carried, to suspend the rules to allow the public to comment.**

Gail Harter, W7076 Puckaway Road – The Town did recommend that a fence be erected but I'm not seeing that in the staff report.

The committee discussed the Town-recommended fence versus a vegetative buffer. Moderow stated that he feels that a vegetative buffer is much more appealing.

Ken Jarvis, W6980 Puckaway Road – Asked that the committee consider a vegetative buffer on the east side as well.

Don Waldrop, W6988 Puckaway Road – Agreed with Mr. Jarvis. A site and sound barrier would help reduce noise.

Christopher Roehsler, W7098 Puckaway Road - Asked that the campground have more than just a vegetative buffer.

Don Dysland, W340N4867 Road O, Nashotah – Stated that he is willing to sit down and talk about the buffer but it needs to be reasonable.

Moderow – Prefer to see a vegetative buffer as opposed to a fence.

Reabe - Agreed with Moderow. It should be an evergreen that is full year round and should grow to a minimum height of 5'.

Condition 16 would read: A vegetative screen, as proposed on the applicant's conditional use permit concept plan, shall be established to grow to a minimum of 5 feet in height and must retain its foliage year round.

Bill Wiedenbeck, W6965 Puckaway Road – Would like the same barrier on the east side as is required on the west side.

Rod Huber, W7004 Puckaway Road, manager of the campground - There have not been noise complaints in the previous 10 years. Consider that when considering these barriers.

Don Dysland, W340N4867 Road O, Nashotah – Asked that the buffer installation be proportional to the number of sites that go in at one time. Unsure of the number of trees that the committee is requiring.

The committee agreed that he should plant the buffer as he adds campsites. The buffer does not have to be planted at 5'; they have to grow to be at least 5'. The committee also agreed that there should not be a time limit of 5 years. It should be open-ended.

Kirkman reminded the committee that this won't all happen within the year. It could take as long as 6 years. The committee could add a condition that limits the campground to 74 sites maximum; 24 new sites shall be allowed to be installed over the course of the next five years.

After further discussion, the committee agreed that Condition 17 would read: This conditional use permit allows for a total of 74 camping unit sites on the subject property. The additional 24 camping unit sites are to be established over time with no sunset date.

Julie Waldrop, W6988 Puckaway Road – Reiterated that the same buffer is needed on the east side.

Moderow suggested that the east side buffer be planted as he expands the campground.

Sondalle questioned the exact location of the buffer and asked that it be described so he understands it.

Reabe – Suggested that the buffer on the east line be developed at the completion of Lots 71-76.

The committee agreed that Condition 18 would read: A vegetative screen along the east property line, from the building setback to the existing fence line, shall be established at the completion of any of sites 71-76 as shown on the applicant's conditional use permit concept plan. Size requirements are the same as those listed in Condition 16.

Don Dysland, W340N4867 Road O, Nashotah – Asked for clarification on the trees and whether he has to plant 5' trees or they have to grow to a minimum of 5'.

Reabe explained to Mr. Dysland that he can plant seedlings if he wants; they just have to grow to a minimum height of 5'.

When asked how many or how close they will be planted, the committee stated that they don't get that specific. The applicant is required to create a screen with a minimum height.

Joy Waterbury, Green Lake County Supervisor – Asked if Lot 77 would be developed before the other lots.

Starshak responded that, on the concept plan, it would be Lots 71-76.

Ken Jarvis, W6980 Puckaway Road – Asked for clarification on the language "of completion of."

Starshak stated that, once he completes any of Lots 71-76, the vegetative screen must be established.

c) Committee Decision

**On a motion by Slate/Moderow, carried unanimously on roll call (5-ayes, 0-nays), to approve the conditional use permit request with the following 18 conditions:**

- 1. Each camping unit shall not exceed 400 square feet or the maximum square footage as allowed by the State regulations for a camping unit, whichever is smaller.**

2. Evidence of approval from the appropriate State and/or local regulatory agency for the campground expansion.
3. Effective dust control measures shall be provided for entrances and internal roads within the campground.
4. An independent structure such as a deck, landing/stairway, not to exceed 200 square feet in area shall be allowed. Also, one non-permanent storage structure per unit, not to exceed 50 square feet in area shall be allowed. All of the above require a one-time land use permit per unit.
5. That all existing camping units, except the westerly two camping units, along with any utility service hook-ups located in the floodway be removed from the floodway before December 1, 2015; the westerly two camping units, along with any utility service hook-ups, located in the floodway, be removed from the floodway by December 31, 2016.
6. The campground owner shall provide within 60 days of the conditional use permit approval, an updated comprehensive site plan for the entire campground area. Said plan shall be received, reviewed and approved by the Land Use Planning & Zoning Department and supersede any prior plan approvals for this campground operation. The plan shall be professionally prepared to scale and accurately show:
  - The camping unit sites approved by the 2009 CUP. These sites shall be based on the 2009 density ratio of 2,800sqft (40'x 70') per camping unit site.
  - The camping unit sites approved by the 2012 CUP. These sites shall be 4,000qft (50'x 80') per camping unit site.
  - Identify camping unit sites by number and identify roads, river, and north arrow.
  - Floodway and flood-fringe boundaries along with adequate storage area for any personal property removed during a flood event.
  - POWTS detail such as tank, vents, etc.
7. Preparation and recording of a Certified Survey Map for the new property boundary to include all lands regulated by this CUP.
8. Any expansion or structural alterations of existing building structures (non-camping units) shall require review and approval by the Land Use Planning and Zoning Committee.
9. The campground must meet all 12 provisions of Section 300-21. of the County Floodplain Zoning Ordinance including annual update of Emergency Evacuation Plan which is due for 2015.
10. The dwelling expansion must meet all applicable ordinance standards including Section 300-18, Article V and Article VII of the County Floodplain Zoning Ordinance.
11. In the event that the Emergency Evacuation Plan is executed prior to December 31, 2016, no camping units may be allowed to return to the floodway.
12. The vacated camping unit sites (floodway) may only be used for temporary camping, not to exceed 10 consecutive days, and shall not be connected to utilities (i.e. electricity, water, and wastewater.)



13. The updated comprehensive site plan shall include all camping unit sites approved by this request. The dimensions of each site shall be described on the plan as well as each site shall be numbered. Also, the plan shall identify all new roads, accesses, parking areas, and vegetative screening.
14. The conditional use permit request approval would be contingent upon the county board's final approval of the rezone request.
15. An emergency driveway access shall be provided to carry through the westerly access road, as shown on the applicant's conditional use permit concept plan, to Puckaway Road, subject to Town approval. Gating shall be permitted.
16. A vegetative screen, as proposed on the applicant's conditional use permit concept plan, shall be established to grow to a minimum of 5 feet in height and must retain its foliage year round.
17. This conditional use permit allows for a total of 74 camping unit sites on the subject property. The additional 24 camping unit sites are to be established over time with no sunset date.
18. A vegetative screen along the east property line, from the building setback to the existing fence line, shall be established at the completion of any of sites 71-76 as shown on the applicant's conditional use permit concept plan. The requirements are the same as those listed in Condition 16.

d) Execute Determination Form/Ordinance

**8:10 p.m.** Upon the completion of the public hearing, the committee resumed with the rest of the business portion of the meeting.

**DEPARTMENT/COMMITTEE ACTIVITY**

**e. Discussion only on merging of departments: Land Use Planning & Zoning and Land Conservation**

Kirkman asked for some direction as to what he and Paul Gunderson, Land Conservation, should be doing for next month's meeting.

Starshak – Give the committee a list of pros and cons in summary form. A great financial analysis is not necessary.

Gunderson – We don't know the structure so that's hard to do. I will be bringing this up at the Land Conservation committee meeting. With two new committee members, this should be discussed again I want their opinions. I will then meet with Matt and create a summary.

Moderow – Whatever we do, we need to move this along rather than kicking this down the road every month.

Reabe – Put dollar values on your concepts. That means something, too.

**FUTURE COMMITTEE ACTIVITIES**

**a. Future agenda items**

1. Exclusive Ag Zoning District update and quotes
2. Shoreland Protection Ordinance
3. Cell Tower Siting Zoning Ordinance Section

**4. Land Use Planning Department/Land Conservation Department merger**

**b. Meeting dates**

June 2, 2016

Business Meeting 4:30 p.m.

Public Hearing 5:30 p.m.

**ADJOURN**

**8:16 p.m. The meeting was adjourned.**

**RECORDED BY**

Carole DeCramer

Committee Secretary

**APPROVED ON:**

June 2, 2016