

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
MEETING MINUTES
Thursday, June 1, 2017**

CALL TO ORDER

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 5:16 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Robert Lyon, Harley Reabe, Michael Starshak, Peter Wallace

Absent: Rich Slate

**Also Present: Matt Kirkman, Land Use Planning and Zoning Director
Missy Sorenson, Code Enforcement Officer
Krista Kamke, Code Enforcement Officer
Carole DeCramer, Committee Secretary
Dawn Klowkow, Corporation Counsel**

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Reabe/Wallace, unanimously carried, to approve the minutes of 05/04/17.

PUBLIC COMMENT - None

PUBLIC APPEARANCES - None

CORRESPONDENCE - None

DEPARTMENT ACTIVITY REPORTS

a. Permits and Others

Kirkman explained the monthly financial reports for the month of April.

b. Violations

Kirkman discussed the list of land use violations. Sorenson discussed the list of septic violations.

Kirkman also discussed the new software for land use and septic permits. With the change in software, the availability of printing the same information on the violation reports is not readily

available. Kirkman explained that he checked with the software representatives from Transcendent and they stated that the other counties that have this software, don't see violation reports because they feel this is a departmental/administrative function and not a committee function. All of the counties, who use this software, have the same format with permits and reports. It could cost additional money to have this report function set up for Green Lake County. Is it necessary for this committee to receive this report? When a violation gets to the point where it is turned over to Corporation Counsel, the committee could be apprised of the situation(s) at that time. The committee discussed this further and agreed that they still want to see the monthly violation reports and it is important that the information that was on the previous months' reports be included on future reports. Kirkman advised the committee that he may have to contact the software company to see if this is a possibility. Corporation Counsel Klockow asked if the committee would be amenable to getting an estimate of the cost for being able to print a report with the same information the old report contained. The committee agreed that this would be a good idea. Kirkman will contact Transcendent for that estimate.

DEPARTMENT/COMMITTEE ACTIVITY

a. Farmland Preservation Zoning District update

Kirkman – Reported that staff has been working on getting the mapping completed. In order to fix the split-zoned parcels to satisfy DATCP, the *Future Land Use Map* in the Comprehensive Plan needs to be modified. When approving the recommended zoning district changes for all of the split-zoned parcels, the Comprehensive Plan's *Future Land Use Map* and the *Farmland Preservation Map* must match. Martenson & Eisele's mapping person met with staff to go through every parcel that is problematic from a farmland preservation and split-zoned perspective. Those issues have now been resolved. The mapping representative will create two maps: a *Future Land Use Map* and a *Farmland Preservation Map* that will be consistent with each other. Staff will continue to contact some of the split-zoned property owners to see if they'll resolve their zoning issues. When all of this is completed, the proposed update will be sent to DATCP by mid-June to be reviewed. It will then be returned to the department for the Comprehensive Plan amendment and then the map amendment to the zoning ordinance. Ken Jaworski, consultant for Martenson & Eisele, estimates that everything should be completed by October.

b. Other Proposed Zoning Ordinance amendments

Kirkman – There is no update at this time.

c. R-2 Single-Family Mobile Home District review

Kirkman – Stated that he had asked Corporation Counsel Klockow for her opinion on the R-2 Single-Family Mobile Home District section of the zoning ordinance.

Corporation Counselor Klockow – Advised that, in her opinion, the existing ordinance is an illegal ordinance and violates the Wisconsin Constitution. If the committee is not ready to completely rewrite this section of the ordinance, she would recommend that the County Board repeal the existing ordinance and then, in time, redraft the ordinance. The ordinance, as it stands

now, makes unnecessary restrictions on the use of private property and it requires the town to hold a referendum. There must be a legislative mandate that would allow this type of referendum and this process is against the Wisconsin Constitution. In summary, this section of the ordinance is not valid and should be repealed and redrafted at a later date.

Kirkman – Suggested that the committee strike out this section of the zoning ordinance when working on the other zoning ordinance amendments. This will be placed on next month's agenda.

Starshak – Directed Kirkman to get the information on the origin, purpose, and effect of the ordinance for the next meeting.

d. Permit tracking software update

Kirkman – Reported that staff has been happy with the new software. Other than the report snafu, it appears to be a good update.

e. Contractor seminar update

Kamke – There was a total of nine contractors who attended the seminar. Those that attended had very good questions. Nine contractors attended. Approximately 100 contractors were invited. There will be another seminar next winter when everyone is less busy. This will be a good time to cover the Farmland Preservation Plan update.

Kirkman – The realtors' group has asked that staff provide this training to their group.

Starshak asked that the committee be sent the training information as well.

6:10 p.m. Corporation Counsel Dawn Klockow was excused.

f. Administrative policy review of "Treated Impervious Surfaces"

Kirkman – This proposed policy was first discussed at last month's meeting. The committee asked that an opinion be obtained on this policy from Charlie Marks, Green Lake Sanitary District. Some of the calculation of the amount of infiltration required was provided by Charlie and Derek Kavanaugh, Land Conservation Department. Some of the surrounding counties, when asked how they handle treated impervious surfaces, were unaware of that section of their ordinance. This will be discussed again at next month's agenda.

6:15 p.m. The committee briefly recessed.

6:30 p.m. The committee reconvened.

PUBLIC HEARING ITEMS

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

Item I: Owner: Robert & Jean Bahn **General legal description:** N7702 County Road F, Parcel #002-00688-0100, Part of the SW¼ of Section 25 and the NW¼ of Section 36, T17N, R13E, Town of Berlin **Request:** Conditional Use Permit request for an event barn.

a) Public hearing

Jean Bahn, N7702 County Road F – Spoke in favor of the request.

Robert Bahn, N7702 County Road F – Spoke in favor of the request.

Public hearing closed

b) Committee Discussion & Deliberation

Sorenson read through staff's suggestions for conditions. The Town of Berlin approved the request.

c) Committee Decision

On a motion by Reabe/Lyon, unanimously carried on roll call (4-eyes, 0-nays, 1-absent), to approve the Conditional Use Permit request with the following conditions:

- 1) **Additional land use permits could be required for other ancillary structures.**
- 2) **A land use permit shall be required for a sign. One freestanding sign shall be allowed with a maximum message area of 32-square feet and a minimum setback of 10 feet from the road right-of-way.**
- 3) **Only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties (low-wattage and low-to-the-ground path style).**
- 4) **The land owner shall provide proof to the Land Use Planning & Zoning Department that compliance with commercial building code requirements is being pursued for the event barn.**
- 5) **POWTS requirements must be satisfied at any and all applicable level(s) of governmental regulation.**
- 6) **The event barn use may occur any day of the week however the hours of operation shall be limited to 11:00 am until 12:00am (midnight).**
- 7) **The event barn use is a temporary use, not to exceed 180 days, as described in SPS 361.03(12) and SPS 314.01(5) Wisconsin Administrative Code, in any one year.**

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

- R-2 Single-Family Mobile Home District review
- Farmland Preservation Zoning District update
- Administrative Policy Review – “Treated Impervious Surfaces”

b. Meeting Date

July 6, 2017

Business meeting – 5:15 p.m.

Public hearing – 6:30 p.m.

ADJOURN

7:05 p.m. The meeting adjourned.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

July 6, 2017