

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
MEETING MINUTES
Thursday, February 7, 2013
Business Meeting – 4:30 p.m.
Public Hearing – 6:00 p.m.**

CALL TO ORDER

Committee Chair Starshak called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 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: **Eugene Henke, Ben Moderow, Don Peters, Harley Reabe, Michael Starshak**

Absent:

Also Present: **Al Shute**, County Surveyor/Land Development Director
Carole DeCramer, Committee Secretary
Daniel Hurst, Corporation Counsel

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

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

4:33 p.m. Motion by Peters/Moderow, unanimously carried to seat Committee Member Harley Reabe.

APPROVAL OF MINUTES

Motion by Peters/Reabe, unanimously carried, to approve the January 3, 2013, minutes, with clarifications.

PUBLIC APPEARANCES

Shute – Shared correspondence received from Landmark Services Cooperative regarding what has been done so far to alleviate the noise issues. The company representative stated that the noise level has been decreased by eight to ten decibels. The committee agreed that the company has done what was requested of them and directed Shute to contact the company and thank them for the update. The committee also requested that in May or June, Landmark Services provide another update to the committee that would include another set of noise-level readings using the same locations as the original testing. A hard copy of the readings should be submitted to the department.

PUBLIC COMMENT

Bart Williams, 2420 Skyline Drive, West Bend – Stated that he would like to begin working with the committee on various issues. Land division examples were given as to what he can potentially do with his lands and what issues could arise from the land divisions. As the committee moves forward with amending ordinances, he would like to attend future meetings with the prospect of bringing in other county landowners so that everyone can work with the committee to develop better ordinances. Asked that the process be explained to him so that he may begin to plan on attending future meetings.

Starshak asked that he contact either Shute or DeCramer for further information.

CORRESPONDENCE

Shute – Attorney Jon Wilsnack provided Corporation Counsel Dan Hurst correspondence regarding the Town of Manchester’s wish to opt out of county zoning. Attorney Wilsnack is attempting to find the resolution whereby the Town of Manchester originally joined the county.

Starshak – In other correspondence, a letter was sent by Bart Williams to all committee members regarding the Housey rezone request. This will be discussed further during the public hearing segment of the meeting.

PURCHASES - None

CLAIMS

Claims totaling \$1,877.11 (\$900.00 for 2012 and \$977.11 for 2013) were submitted.

Motion by Peters/Henke, unanimously carried, to approve the claims in the amount of \$1,877.11 for payment.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

- a. Permits, public hearings, etc.
- b. Violations – land use and sanitation

Shute – Discussed the various aspects of the reports.

Motion by Henke/Reabe, unanimously carried, to approve the activity and violation reports as presented.

DEPARTMENT/COMMITTEE ACTIVITY

- a. Land Division Ordinance Amendments

The committee reviewed the proposed land division ordinance page by page, discussing in depth the proposed changes.

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)

5:47 p.m. Motion by Peters/Reabe, unanimously carried on roll call (5-eyes, 0-nays), to move to 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)

RESUME INTO OPEN SESSION FOR FINDINGS OF CLOSED SESSION.

6:06 p.m. Motion by Henke/Reabe, unanimously carried on roll call (5-ayes, 0-nays), to resume into open session.

Findings:

The committee accepted the evaluation for Alan K. Shute and will forward it to his personnel file.

FUTURE AGENDA ITEMS

a. Future Activities

1. Land Division Ordinance review

NEXT MEETING DATE

March 7, 2013

Business Meeting - 4:30 p.m.

Public Hearing - 6:00 p.m.

6:07 p.m. Motion by Reabe/Moderow, unanimously carried, to briefly recess before the public hearing.

Committee Chairman Starshak reconvened the meeting of the Land Use Planning and Zoning Committee at 6:13 p.m. 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: Applicant: Green Lake Area Animal Shelter **Agents:** Missy Sorenson and Robert Hawse
General Legal Description: N6217 Busse Drive, Parcel #004-00307-0700, Lot 1 Certified Survey Map 2072, Part of the SW¹/₄, Section 15, T16N, R13E, Town of Brooklyn, ±1.066 acres
Explanation: Conditional use permit request for expansion to an existing animal shelter building.

- a) Public Hearing

Robert Hawse, N7225 Springbrook Road, representing the Green Lake Area Animal Shelter - Spoke in favor of the request.

Public hearing closed

- b) Committee Discussion and Deliberation

Reabe – This was unanimously approved by the Town of Brooklyn Plan Commission and the Town of Brooklyn Town Board.

Peters – This is a non-profit organization and provides a public service. Requested that the conditional use permit request fee be waived.

Reabe – Agreed with Peters and added that the shelter runs on donations without help from the Town of Brooklyn or Green Lake County.

Motion by Peters/Reabe, unanimously carried, to waive the \$375 fee for the Green Lake Area Animal Shelter.

c) Committee Decision

On a motion by Reabe/Henke, carried on roll call (5-eyes, 0-nays), to approve the conditional use permit request as presented with the following conditions:

- 1) **No additional expansion or addition of structures and/or uses shall occur without review and approval through future Conditional Use Permit(s).**
- 2) **The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any development.**
- 3) **Any new signage shall comply with Section 350-43. Signs. of the Green Lake County Zoning Ordinance.**
- 4) **Evidence that compliance with commercial Building Code requirements for structures that are the subject of this request is being pursued by the landowner, if applicable.**
- 5) **That the applicant meets all State and/or County storm water and erosion control standards.**

d) Execute Determination Form/Ordinance

Item II: Applicant: Calvin & Julie Van Buren **General Legal Description:** W3273 Phelps Road, Parcel #006-00992-0000, Part of the NW¼, Section 35, T15N, R12E, Town of Green Lake, ±3 acres **Explanation:** Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

No one appeared.

b) Committee Discussion and Deliberation

The Town of Green Lake approved the rezone request.

c) Committee Decision

On a motion by Henke/Reabe, carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

d) Execute Determination Form/Ordinance

Item III: Applicant: Ben & Carolyn Strebelinski **General Legal Description:** W3233 County Road V, Parcel #002-00436-0000, 002-00437-0000, 002-00443-0000, Part of the NW¼, Section 24, T17N, R13E, Town of Berlin, ±18.66 acres **Request:** Rezone 14.61 acres from A-1 Exclusive Agriculture District to A-3 Light Agriculture District, and 4.05 acres from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

Carolyn Strebelinski, W3233 County Road V - Spoke in favor of the request.

Public hearing closed.

b) Committee Discussion and Deliberation

The Town of Berlin approved the rezone request.

c) Committee Decision

On a motion by Reabe/Moderow, carried on roll call (5-eyes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

d) Execute Determination Form/Ordinance

Item IV: Applicant: Marian Housey, Proscarian Farm LLC **General Legal Description:** Parcel #012-00543-0000, Part of the SE¼, Section 28, T14N, R12E, Town of Manchester, ±3.61 acres
Request: Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

a) Public Hearing

Greg Jones, N6933 Highway 146, Cambria, rents the adjoining farm land - Spoke against the request.

William McFarland, 2616 N. 83rd Street, Wauwatosa – Spoke against the request.

Bart Williams, 2420 Skyline Drive, West Bend – Spoke against the request.

Irene Williams, 2420 Skyline Drive, West Bend – Spoke against the request.

Jeff Jones, N6933 Highway 146, Cambria – Spoke against the request.

Public hearing closed.

b) Committee Discussion and Deliberation

Henke - Stated that he looked at the property and that it is a wooded piece of land with the old foundation. As Chairman of the Town of Mackford, he reported that the town approved the request.

Peters – Many of the comments by those opposed to the request seem to think that this can be further divided and more than one home would be able to be built in this area. It cannot be divided and, if the R-4 rezone request is approved, will only have one home built on it.

Reabe – Agreed with Peters and Henke and said that the application conforms to the R-4 as far as the criteria. This shouldn't be a problem.

Moderow – Also agreed and said that this request is consistent with the comprehensive plan.

Shute added that the R-4 district allows one main living unit, which includes duplexes, one building. Can't divide the land into three ownerships; minimum lot size is 3 acres.

Public hearing closed.

- c) Committee Decision

On a motion by Moderow/Reabe, carried on roll call (5-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

- d) Execute Determination Form/Ordinance

Item V: Applicant: Andrew & Shelly Bernhagen **General Legal Description:** N1446 County Road S, Parcel #012-00248-0000, Part of the SW¼, Section 14, T14N, R12E, Town of Manchester, ±7 acres **Request:** Rezone from A-1 Exclusive Agriculture District to R-4 Rural Residential District.

- a) Public Hearing

Andy Bernhagen, N1446 County Road S – Spoke in favor of the request.

Public hearing closed.

- b) Committee Discussion and Deliberation

The Town of Manchester approved the rezone request.

- c) Committee Decision

On a motion by Peters/Reabe, carried on roll call (5-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

- d) Execute Determination Form/Ordinance

Item VI: Applicant: Andrew & Deborah Jahnke **Agent:** Matthew A Jahnke **General Legal Description:** N1542 State Road 73, Parcel #012-00239-0000, Part of the NE¼, Section 14, T14N, R12E, Town of Manchester, ±10.0 acres **Request:** Rezone from A-1 Exclusive Agriculture District to A-3 Light Agriculture District.

- a) Public Hearing

Deborah Jahnke, N1542 State Road 73 – Spoke in favor of the request.

Vicki Jahnke, N1542 State Road 73, wife of agent Matthew A. Jahnke – Spoke in favor of the request.

- b) Committee Discussion and Deliberation

The Town of Manchester approved the rezone request.

- c) Committee Decision

On a motion by Reabe/Peters, carried on roll call (5-ayes, 0-nays), to recommend approval of the rezone request as presented and forward to County Board for final action.

d) Execute Determination Form/Ordinance

ADJOURN

On a motion by Peters/Henke, unanimously carried, the committee adjourned.

Time: 7:04 p.m.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

March 7, 2013