

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Wednesday, April 10, 2019**

CALL TO ORDER

Chair Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 5:30 p.m. in the Green Lake County Government Center, UW-Extension Training Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

PLEDGE OF ALLEGIANCE

Present: William Boutwell, Robert Lyon, Harley Reabe, Curt Talma, Peter Wallace

Absent:

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

APPROVAL OF MINUTES

Motion by Reabe/Boutwell, unanimously carried, to approve the 03/07/19 minutes.

PUBLIC COMMENT - None

PUBLIC APPEARANCES

Ben Moderow, Town of Green Lake Chairman – Dilapidated and uninhabitable buildings

Mr. Moderow spoke to the committee about parcels located in the Town of Green Lake that are beyond repair and have become safety issues and health hazards. One of the properties has an above-ground swimming pool that a deer jumped into and drowned. Currently, these types of situations are not covered under the zoning ordinance. Mr. Moderow inquired as to whether or not this would be something that the committee would consider addressing as a zoning ordinance amendment.

The committee directed Kirkman to contact other counties to see how they cover these types of situations. Kirkman will report back at the May 2nd meeting. Kirkman will check with the Health Unit to see what can be done about the swimming pool.

CORRESPONDENCE - None

DEPARTMENT ACTIVITY REPORTS

a. Financial reports

Kirkman discussed the monthly financial reports, land use permits, and sanitary permits reports.

b. Permits

Kirkman explained the list of issued land use and sanitary permits for the months of February.

c. Violations

The committee discussed land use violations and septic violations. Kirkman explained that there is not a report for septic violations due to the fact that suspected violations must be verified by

staff before being considered a legitimate violation. Staff is figuring out a process for the verification of the complaints.

DEPARTMENT/COMMITTEE ACTIVITY

a. Notice of Budgetary Adjustment – Land Information

Kirkman – Explained that the budgetary adjustment form is a tool to adjust for unanticipated revenue or expense increases or decreases. This particular adjustment form is for the Land Information office and is in the amount of \$37,500.00. The reason for the adjustment is that the 2018 grant project extended into 2019. The funds are half state grant and half federal grant. This is for the planned ten year update to the elevation map of the entire county used for hydrological analysis, flood mapping, water and soil erosion conservation, etc.

Motion by Boutwell/Wallace, unanimously carried, to approve the Notice of Budgetary Adjustment and forward to the county clerk for further action.

b. Staff update

Kirkman explained that the vacant code enforcement job has been offered to one of the applicants. The committee will be notified as soon as he finds out whether or not the applicant accepted the county's offer.

c. Amendments to Chapter 338 Shoreland Zoning

Since there was not ample time to continue the review from last month's meeting, Kirkman suggested that the committee consider a special meeting to just discuss the proposed shoreland zoning ordinance amendments. The committee agreed. Possible meeting dates will be sent out to the committee members.

d. Amendment to Chapter 350 Zoning Ordinance – Minimum acreage for Farmland Preservation Zoning District

Kirkman suggested that the minimum acreage for the Farmland Preservation Zoning District be adjusted from fifteen acres to eight acres. The committee directed Kirkman to prepare this amendment for a public hearing at the May 2nd meeting.

e. Uniform Dwelling Code Inspections for the Towns of Princeton and St. Marie

1. Letter from the Department of Safety and Professional Services dated 3/27/19

Kirkman received a letter from Lenny Kanter, UDC Engineering Consultant for the Department of Safety and Professional Services (DSPS). Mr. Kanter explained that DSPS has now assumed direct responsibility for plan review and inspection duties for new one and two family dwellings being built in the towns of Mackford, Princeton, and Saint Marie. Because these municipalities have exercised their right to not adopt the UDC for these dwellings, the enforcement service defers to DSPS. It is possible for the county to assume jurisdiction of the UDC for these towns by either having certified staff do the enforcement or contracting with a local individual or inspection agency that holds the required credentials. Kirkman will be doing more research on this and will report back to the committee. The hope is that each Town will adopt their own UDC ordinance.

6:18 p.m. Recessed the business meeting for the public hearing.

PUBLIC HEARING ITEMS

The committee and attendees moved to the county board room (#0902) for the public hearing portion of the meeting.

Item I: Owners/Applicants: AEC Island, LLC – Paul Schwandt & Dan Timm

General legal description: W1702 North Street, Town of Brooklyn, Parcel #004-00410-0502 (±5.72 acres); Part of the SE¼, Section 17, T16N, R13E **Request:** Conditional use permit request for a contractor’s yard, engine performance business, mini-warehousing, and 3 leased storage buildings.

a. Public hearing

Paul Schwandt, 605 W. Caroline Street, Markesan – Spoke in favor of the request.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read the conditional use permit criteria and conditions as presented in the staff report as well as the recommended nine conditions. The Town of Brooklyn approved the request with conditions.

c. Committee decision

Motion by Reabe/Boutwell, unanimously carried on roll call (5-ayes, 0-nays), to approve the conditional use permit request 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. **If on-site lighting is proposed, only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties or adjacent traffic (low-wattage and low-to-the-ground path style).**
3. **Outside storage of materials and other items must be limited to the designated area on the CUP site plan.**
4. **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.***
5. **All motor vehicles stored on site must be in roadway worthy condition and have current WDOT registration.**
6. **All accessory equipment stored on site must be in workable condition.**
7. **All construction materials stored on site must be suitable for future use.**
8. **Storage of construction debris and other material not suitable for future use is prohibited.**
9. **Anything stored on site that does not meet the above conditions must be stored within an enclosed structure.**

Item II: Owner/Applicant: Manchester Rod & Gun Club, Dale Justmann **General legal description:** Parcel #012-00283-0100, Lot 1 CSM1659 (±1 acre), Part of the SW¼ of Section 15, T14N, R12E, Town of Manchester, and Parcel #012-00285-0000, Lot 2 CSM1659 (±18

acres), Part of the SW¼ of Section 15, T14N, R12E, Town of Manchester **Request:** Request to rezone ±19 acres from I-Industrial District and A-1 Farmland Preservation District to RC-Recreation District.

a. Public hearing

No one appeared.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read the rezone criteria as presented in the staff report. The Town of Manchester approved the request.

c. Committee decision

Motion by Boutwell/Reabe, 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.

Item III: Owner/Applicant: Manchester Rod & Gun Club, Dale Justmann **General legal description:** Parcel #012-00283-0100, Lot 1 CSM1659 (±1 acre), Part of the SW¼ of Section 15, T14N, R12E, Town of Manchester, and Parcel #012-00285-0000, Lot 2 CSM1659 (±18 acres), Part of the SW¼ of Section 15, T14N, R12E, Town of Manchester **Request:** Conditional Use Permit request for a rod and gun club and related activities.

a. Public hearing

Paul Schwandt, 605 W. Caroline Street, Markesan – As an adjoining property owner, Mr. Schwandt did not speak for or against the request. He asked that the committee enforce the conditions of the permit.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read the conditional use permit request criteria and conditions as presented in the staff report. The Town of Manchester approved the request.

Chair Lyon commented that he has concerns about range safety and the physical barriers providing physical safety for the participants and adjoining neighbors. He would like to list another condition that the club meet the safety requirements as set forth in the state statutes.

Kirkman responded that the barriers have to be designed to be high enough to absorb all errant shots.

c. Committee decision

Motion by Wallace/Reabe, unanimously carried on roll call (5-ayes, 0-nays), to approve the conditional use permit request 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. If on-site lighting is proposed, only the subject site shall be illuminated, and the lighting shall occur with no direct glare affecting adjoining properties or adjacent traffic.
3. Shooting activities shall from sunrise to 10:00 p.m. on illuminated ranges, and all other ranges shooting shall occur from sunrise to sunset.
4. The conditional use approval is contingent upon the rezone being approved by the County Board on April 16th.
5. The ranges shall meet the safety requirements as set forth in the state statutes.

Item IV: Owners/Applicants: Charles Edwin Hutchinson, Holly Ann Sina, Donald John Hutchinson, III **General legal description:** County Road J, Parcels #004-00137-0000, #004-00142-0000, #004-00141-0000, ±120 acres, Part of the SW¼ and SE¼ of Section 7, T16N R13E, Town of Brooklyn **Request:** The owners are requesting a zoning change from A-1, Farmland Preservation District to R-4, Rural Residential District, in order to ultimately create three lots no larger than 5.9 acres by certified survey map.

a. Public hearing

Don Hutchinson, W5861 Hillcrest Drive, La Crosse, WI – Spoke in favor of the request.

Sandy Thompson, 660 E. Woodland Road, Lake Forest, IL – Spoke against the request.

Attorney Steven Sorenson, 479 Golf Hill Court, Green Lake, WI, representing Sandy Thompson – Spoke against the request.

Public hearing closed.

b. Committee discussion and deliberation

Kirkman – Read the rezone criteria as presented in the staff report. The Town of Brooklyn approved the request.

c. Committee decision

Motion by Talma/Reabe, carried on a 4:1 vote, to approve the rezone request as presented and forward to the county board for final action.

Boutwell – aye, Lyon – nay, Reabe – aye, Talma – aye, Wallace – aye.

FUTURE COMMITTEE ACTIVITIES

a. Future agenda items

b. Next meeting date

May 2, 2019

Business meeting – 5:15 p.m.

Public hearing – 6:00 p.m.

ADJOURN

7:40 p.m. Meeting adjourned.

RECORDED BY

Carole DeCramer, Committee Secretary

APPROVED ON:

May 2, 2019