

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE
Business Meeting & Public Hearing Minutes – July 1, 2009 – 4:30 p.m.**

CALL TO ORDER

Committee Chair Sue McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 p.m. in the Green Lake County Courthouse, County Board Room, Green Lake, Wis. The requirements of the open meeting law were certified as being met.

Present: **Roberta Erdmann, Eugene Henke, Susan McConnell, Howard Sell, Thomas Traxler, Jr.**

Absent:

Also Present: **Al Shute**, County Surveyor/Land Development Director
Carole DeCramer, Committee Secretary
Jeff Haase, Assistant Corporation Counsel

APPROVAL OF AGENDA

Motion by Sell/Erdmann, unanimously carried, to approve the amended agenda and move items 14 and 15 after item 10. Motion carried.

APPROVAL OF MINUTES

Motion by Erdmann/Henke, unanimously carried, to approve the May 27, 2009, and June 3, 2009, minutes (with one correction: under the John Hoppa item, the minutes list a business plan which should be corrected to read operational plan). Motion carried.

PUBLIC APPEARANCES – None

PURCHASES – None

CLAIMS

Claims totaling \$1,036.28 were submitted.

Motion by Traxler/Sell, unanimously carried, to approve the claims in the amount of \$1,036.28 for payment. Motion carried.

APPROVAL OF DEPARTMENT ACTIVITY REPORT

Motion by Erdmann/Henke, unanimously carried, to approve the May, 2009, monthly report. Motion carried.

DEPARTMENT/COMMITTEE ACTIVITY

- a) **Agricultural Zoning Districts**
- b) **Rural Residential Zoning Districts**

Shute – A handout was given to each of the committee members which inserted some of the conditional uses and permitted uses into the proposed ordinance. These were taken from surrounding counties' ordinances. The list is intended to be a starting point for discussion purposes and will be discussed again next month.

GENERAL COMMITTEE DISCUSSION

a. Such other matters as authorized by law

Shute – The governor’s budget was approved including the Farmland Preservation items. There were some very minor modifications. There should be information flowing to the counties on the impact of the Working Lands proposal.

b. Future activities

CLOSED SESSION PER WISCONSIN STATE STATUTE 19.85 (1)(G) CONFERRING WITH LEGAL COUNSEL REGARDING LITIGATION, WHICH THE COUNTY IS INVOLVED AND/OR IS LIKELY TO BECOME INVOLVED.

(DISCUSSION OF LEGAL ISSUES) AND

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. (PERSONNEL MATTERS)

4:43 p.m. Motion by Erdmann/Traxler, unanimously carried on roll call (5-eyes, 0-nays), to move to closed session per Wisconsin State Statute 19.85(1)(g) Conferring with legal counsel regarding litigation, which the county is involved and/or is likely to become involved and 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. Motion carried.

RESUME INTO OPEN SESSION TO DISCUSS FINDINGS OF CLOSED SESSION

5:35 p.m. Motion by Sell/Erdmann, unanimously carried on roll call (5-eyes, 0-nays), to resume into open session. Motion carried.

Findings of closed session:

The committee will continue to look into the 2010 budget.

5:49 p.m. Recess.

6:00 p.m. Meeting reconvened.

PUBLIC HEARING MATTERS

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

Item I: Owners/Applicants: American Baptist Assembly **Site Address:** Hillside, Camp, & Log Cabin Roads, Parcel #004-00914-0000, SW¼ of the NE¼ Sec 35 exc W 1R thereof (Part of Govt Lot 2) & exc Lot 1 CSM 3229 lying therein, and Parcel #004-00916-0000, SE¼ of the NE¼ Sec 35 exc Lots 1170, 1171, 1173 of Lawsonia Estates Plat Now AC exc Lot 1 CSM 1462 and that Pt Lot 1 CSM 1472 lying therein exc CSM 1756 & exc CSM 1867 exc CSM 2341 V11, Both parcels in Section 35, T16N R12E, Town of Brooklyn (±7.4818 Acres) **Explanation:** The owner is requesting a variance to

create a land area that will not have access to or frontage on a public road. Whereas, Section 315-34.A. of the County Land Division Ordinance requires a newly created land area to have frontage on a public road as ownership access.

- a) Public Hearing

Paul Higgins – Vice President of Finance, W2511 State Road 23 - Spoke in favor of the request.

Public hearing closed.

- b) Committee Discussion

The committee discussed the ownership of the roads and easements regarding access.

- c) Committee Decision

Motion by Erdmann/Traxler, unanimously carried on roll call (5-eyes, 0-nays), to approve the variance request with the following conditions:

- 1) **That the property stays recreational for the duration of ownership.**
- 2) **That, until a means of access is provided to a public road right-of-way, an easement is created for the purpose of serving this site. This easement shall be recorded in the County Register of Deeds Office and a copy provided to the Land Use Planning and Zoning Department prior to the approval of the Certified Survey Map.**

Motion carried.

- d) Execute Determination Form/Ordinance

OWNERS/APPLICANTS: JOHN D HOPPA & STEPHANIE B BUHROW **SITE ADDRESS:** N7471 FOREST RIDGE RD, PARCEL #002-00662-0000, LOT 1 CERTIFIED SURVEY MAP 2993 V15 INC THAT PARCEL DESC V741 P334, TOWN OF BERLIN, SECTION 34, T17N R13E, (±40.68 ACRES) **EXPLANATION:** THE OWNERS ARE REQUESTING A CONDITIONAL USE PERMIT FOR PROCESSING, PACKAGING, AND SELLING THEIR FARM PRODUCTS.

- b) Committee Discussion and Deliberation – Continued from June 3, 2009

Attorney Haase advised the committee that some of the neighbors' concerns, voiced at the June 3rd public hearing, will be under the State of Wisconsin's jurisdiction.

After reviewing the information that was given to them by John Hoppa and Stephanie Buhrow, the committee agreed that they do not have all of the information that is normally given to them for a conditional use request. There are too many unanswered questions and asked that Mr. Hoppa and Ms. Buhrow meet with Al Shute to figure out exactly what they still need to submit for the committee's review.

Motion by Erdmann/Sell, unanimously carried, to lay over the Hoppa/Buhrow item until the August 5th meeting. Motion carried.

NEXT MEETING DATE

August 5, 2009

- Business Meeting 4:30 p.m.
- Public Hearing 6:00 p.m.

ADJOURN

Motion by Sell/Henke, unanimously carried, to adjourn. Motion carried.

Time: 7:10 p.m.

Recorded by Carole DeCramer
Committee Secretary

APPROVED ON:

August 5, 2009