

GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING COMMITTEE MEETING MINUTES
Thursday, October 6, 2011
Business Meeting – 4:30 p.m.
Public Hearing – 6:00 p.m.

CALL TO ORDER

Committee Chair McConnell called the meeting of the Land Use Planning and Zoning Committee to order at 4:38 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, Susan McConnell, Don Peters, Thomas Traxler, Jr.

Absent: John Gende

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

APPROVAL OF AGENDA

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

APPROVAL OF MINUTES

Motion by Henke/Peters, unanimously carried, to approve the September 8, 2011, minutes.

PUBLIC APPEARANCES - None

PUBLIC COMMENT - None

BOARD OF ADJUSTMENT APPOINTMENT OF SHERWOOD ZINK

At the September 20th County Board meeting, County Board Chair Dan Priske requested that the Board approve the appointment of Sherwood Zink to the Board of Adjustment as an alternate. The County Board voted to approve the appointment of Mr. Zink. After that meeting, some of the Planning and Zoning Committee members began to re-think the way in which that appointment occurred. The committee discussed how Chair Priske had, previously, set a policy whereby the Board of Adjustment and the Planning and Zoning Committee had an opportunity to meet individuals who were interested in Board of Adjustment positions. They would also receive resumes detailing education and experience. Somehow these steps were skipped with this particular appointment when Chair Priske took it to the County Board without any other input and asked for a vote of approval. The committee further agreed that the appointment was in direct violation of a Wisconsin State Statute that prohibits having two Board of Adjustment members from the same township on the Board. Mr. Zink's residence is in the Town of Green Lake and there is an existing Board of Adjustment member from that township.

McConnell stated that she would ask that Assistant Corporation Counsel Haase draft a letter to Priske stating that it has come to the committee's attention that the appointment was done in violation of State Statute. The committee would ask that Mr. Priske unappoint Mr. Zink. Haase advised the committee that, according to State Statute, the county board chair is the individual who appoints BOA members. This committee cannot demand he unappoint anyone. Haase

further advised that it would make sense for this committee to have input and it may be a good idea to invite Priske to the next committee meeting to discuss and set a procedure. The committee agreed that they would like this placed on the October County Board agenda and the November Planning and Zoning agenda.

CORRESPONDENCE

Shute distributed copies of a flyer from Jan Londowski for her upcoming *From the Land* festival. This is something that the committee asked her to do on an annual basis when her conditional use permit request was discussed and approved.

Shute asked the committee if it would be best to move Town of Berlin Chairman Bob Bahn and City of Berlin Zoning Administrator Mary Lou Neubauer to the December meeting agenda. There are five public hearing items for November and that meeting could get lengthy. The committee directed Shute to invite them to the December 8th meeting.

Shute explained that Carole DeCramer will be off of work for 6-8 weeks due to surgery. Since she does a substantial amount of work on the public hearing items, he suggested that the committee think about moving any December public hearing requests to the January meeting when she'll be back. The committee agreed that, for those applicants that can wait, they should be held until the January public hearing.

Traxler stated that, as Chair of the Ad Hoc Committee, he would like to report that both Land Conservation and Land Use Planning and Zoning reduced their budgets by 3% and came into compliance. There will not be a consolidation of the two departments now or in the near future. He also thanked everyone who contributed, noting Don Peter's contribution to the Ad Hoc Committee.

PURCHASES - None

CLAIMS

Claims totaling \$455.47 were submitted.

Motion by Traxler/Henke, unanimously carried, to approve the claims in the amount of \$455.47 for payment.

APPROVAL OF DEPARTMENT ACTIVITY REPORTS

Shute – Discussed the various aspects of the activity report.

Motion by Henke/McConnell, unanimously carried, to approve the August, 2011, monthly reports.

DEPARTMENT/COMMITTEE ACTIVITY

- a. **Agricultural Districts**
- b. **Wind Energy Ordinance**

Haase reported that he has a rough draft of the wind energy moratorium, but nothing final yet.

ASSISTANT CORPORATION COUNSEL, REPORT FINDINGS OF RESEARCH FOR COMPREHENSIVE REVISION OF ZONING ORDINANCE

Attorney Haase reported that he has been researching the procedures for a comprehensive revision of the zoning ordinance. The State Statutes do provide a specific procedure for county ordinances to be valid. He has not yet had an opportunity to speak to Corporation Counsel John Selsing about this and would like to do that before further discussion. In the meantime, Traxler directed Shute to speak to County Clerk Marge Bostelmann regarding any funds that may be available for hiring a firm to do a comprehensive revision of the zoning ordinance. McConnell further advised Shute to call several companies to get some idea of the cost.

GENERAL COMMITTEE DISCUSSION

a. Such other matters as authorized by law

b. Future activities

- Henke asked about the driveway for the Town of Brooklyn. Short discussion on this topic.
- Traxler stated that he would like the following on the November agenda: comprehensive revision of the zoning ordinance; the Sherwood Zink appointment to the Board of Adjustment; and the Town of Brooklyn driveway.

2012 BUDGET

Shute said that he wasn't at the last Finance Committee meeting. McConnell reported that no action took place.

NEXT MEETING DATE

November 3, 2011

Business Meeting - 4:30 p.m.

Public Hearing - 6:00 p.m.

5:54 p.m. Motion by Traxler/McConnell, unanimously carried, to take a five-minute recess.

PUBLIC HEARING ITEMS

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

Committee Chair Sue McConnell reconvened the meeting of the Land Use Planning and Zoning Committee at 6:02 p.m. for public hearing items and read the rules of public hearing.

Item I: Applicant: Wesley F Stibb **Location:** N5499 County Road T, Parcel #004-00880-0000, Part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ Exc CSM 29, also Exc Parcel 880.2, Section 25, T16N R12E, Town of Brooklyn, \pm 8.55 acres. **Explanation:** Request to rezone 8.55 acres from A-3 Light Agriculture District to I-Industrial.

a) Public Hearing

Wesley Stibb, N5499 County Road T – Spoke in favor of the request.

Public hearing closed.

- b) Committee Discussion and Deliberation
- c) Committee Decision

On a motion by Henke/Peters, unanimously carried on roll call (4-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 II: Applicant: Wesley F Stibb **Location:** N5499 County Road T, Parcel #004-00880-0000, Part of the SE¼ of the NW¼ Exc CSM 29, also Exc Parcel 880.2, Section 25, T16N R12E, Town of Brooklyn, ± 8.55 acres. **Explanation:** Conditional use permit request for a contractor's yard.

- a) Public Hearing

Public hearing closed.

- b) Committee Discussion and Deliberation
- c) Committee Decision

Motion by Traxler/Peters, unanimously carried on roll call (4-ayes, 0-nays), to approve the conditional use request with the following conditions:

- 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) **Proof that all Commercial Building Code requirements have been satisfied in relation to the proposed new structure (if applicable).**
- 3) **Outdoor lighting installations shall be adequately shielded or hooded so that no direct light, excessive glare or illumination is cast upon other properties.**
- 4) **The conditional use permit approval is contingent upon the County Board's approval of the rezone request.**

- d) Execute Determination Form/Ordinance

ADJOURN

Motion by Traxler/Peters, unanimously carried, to adjourn.

Time: 6:17 p.m.

RECORDED BY

Carole DeCramer
Committee Secretary

APPROVED ON:

November 3, 2011