PLANNING & ZONING COMMITTEE MINUTES
NOVEMBER 2, 2010

PRESENT: Debra L. Healy Wopat, Fred Teitgen, Doug Richmond, Harlan Baumgartner

ABSENT AND EXCUSED: Mike Weyh

STAFF: John Bluemke, Director, Susan Runnion, Office Administrator

ALSO PRESENT: Lyn Jerde, Portage Daily Register

BUSINESS MEETING

1:30 PM

1. Chair Doug Richmond called the meeting to order at 1:40 PM

2. Certification of Open Meeting Law

3. Roll Call was taken and a quorum declared present.

4. Approval of Agenda

   Motion by Mr. Teitgen to approve Agenda of November 2, 2010 Planning & Zoning Committee Regular Meeting & Public Hearing.
   Seconded by Vice Chair Baumgartner.
   Motion carried unanimously.

5. Approval of Minutes

   Motion by Mr. Teitgen to approve Minutes of September 7, 2010 Planning & Zoning Committee Regular Meeting & Public Hearing.
   Seconded by Ms. Healy Wopat.
   Motion carried unanimously.

6. Department Report

   a. Planning Update - Mr. Bluemke has no new information to report.

   b. Enforcement -- Mr. Bluemke reviews memo relating to the 2010 flood damage.

   c. Financial

      • Out of County travel
        No travel plans at this time per Mr. Bluemke.
Expenditure Report

Motion by Vice Chair Baumgartner to approve Expenditure Report.
  Seconded by Mr. Teitgen.
  Motion carried unanimously.

d. Ordinance Update

  Town Advisory Committee Update

  Mr. Bluemke explains that that each Town will receive (5) copies of the
  updated Zoning Code for review in December, January & February. Four
  Town Quadrant Meetings will take place between December and
  February, 2011. Planning & Zoning Committee approval and
  Adoption/County Board review to occur in May or June, 2011.

  Ms. Healy-Wopat suggests that a representative from the Planning &
  Zoning Committee attend the Town Quadrant Meetings.

4:00 PM

7. Public Hearing

Item I- Zoning Change — Commercial & Recreational to Single Family Residence —
  Jon Stauffer, Petitioner and Leonard Ackerman, Owner — Town of Dekorra

  Chair Doug Richmond opens Public Hearing.

  Mr. Bluemke presents the staff report.

  Chair Doug Richmond asks if anyone has any questions.

  Petitioner Representative was present and commented that he supports the
  proposal.

  Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

  Chair Doug Richmond asks if anyone is against the petition. (no comments)

  Town Board not present, but Minutes on file.

  Chair Doug Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve rezoning from Commercial & Recreational to
  Single Family Residence.
  Seconded by Vice Chair Baumgartner.
  Motion carried unanimously.

Chair Doug Richmond opens Public Hearing.

Mr. Blumke presents the staff report and explains that the proposal of using Fordeg Road has been revised. The access road will now be through the middle of the property and Condition #1 can be eliminated due to this change.

Mr. Teitgen inquires about Town’s reaction to the Wind Turbine project.

JoAnn Wingers, Supervisor – Town of Courtland responds that no meetings were conducted because turbines reside in Randolph & Scott Townships. The builders approached Town of Courtland only for the use of Fordeg Road.

Chair Doug Richmond asks if anyone has any questions.

Chair Doug Richmond asks if anyone is in favor of petition. (no comments)

Mike Jung
N7112 Fordeg Road
Cambria, WI

In Favor of proposal

Ken Pritchard
536 North Sherman
Madison, WI

In Favor of proposal

Rick O’Connor – WE Energies

In favor of proposal will greatly improve access for wind turbines to arrive at the site.

Chair Doug Richmond asks if anyone is against the petition. (no comments)

Town Board representative, JoAnn Wingers – Supervisor, Town of Courtland commented it was a wise decision and trucks won’t have to make curves.

Vice Chair Baumgartner asks if the Town will be compensated for damage to the roads.

Jo Ann Wingers confirms that there is an Agreement with the Town of Courtland.
Mr. Bluemke responds and asks that Condition #1 remain as part of the decision. This will include the access drive and restoring to preconstruction condition per site plan.

Ms. Healy-Wopat asks if turbine parts are arriving by truck or rail.

Mr. O'Connor-WE Energies replies that towers will come by truck and blades, generators will arrive by rail.

Chair Doug Richmond closes Public Hearing.

Motion to approve with the following findings, conclusions, and conditions carried, but not unanimously.

Ms. Healy-Wopat – Yes, Chair Doug Richmond – Yes, Vice Chair Baumgartner,

Mr. Teitgen – No, – The proposed Conditional Use is associated with a very large wind turbine installation. These large installations are, in my opinion, a blight on our rural landscape, and their viability depends to a great extent on large government subsidies. Also, our state leaders have been convinced to take away virtually any local regulation on siting and suitability of these installations. The large sums of money being spent on these installations, even in areas of the state where wind maps indicate low feasibility, would be better spent on new technology nuclear plants, which have a much greater ability to supply the levels of future energy needs of this country. Therefore I will be voting “no” although the PSC has approved the project.

Findings:

1. Pentrebach LLC is the owner of the subject property described in the application.
2. Vestas-American Wind Technology Inc., applicant, is constructing wind turbines in the Glacier Hills Wind Park in the Towns of Scott and Randolph.
3. Applicant proposes a temporary staging area that will be used to off-load and store components for wind turbines.
4. The proposed site is an existing undeveloped parcel about 12 acres in area and is directly adjacent to the rail line on which the components will be delivered.
5. The application complies with the general review criteria of Sec. 16-1-18 (e) of the Ordinance.
6. The Town of Courtland has recommended approval of the proposed temporary use of the site.
Conclusions:

1. The application qualifies for a Conditional Use Permit under the general review criteria of Sec. 16-1-18 (e) and the criteria for unlisted uses under Sec. 16-1-13 (a) (11).
2. This proposed use is consistent with the purpose and intent of the Agriculture District because it is temporary in nature and the site will be restored in a manner permitting future agriculture uses.
3. The proposed use does not conflict with current use of any adjacent property over the long term due to its temporary nature, nor does it limit the usefulness of adjacent properties for uses permitted under their current zoning classifications.
4. The property is physically well suited for the proposed use due to the location of the rail line and its proximity to the Glacier Hills Wind Park.
5. The proposal does not present a likelihood of any unacceptable impacts when considered in light of the general criteria of Sec. 16-1-18 (e).
6. The development is compatible with the character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.

Decision:

Approval is granted for a temporary utility staging area as shown on the plans accompanying the application as modified to accommodate a driveway, subject to the following conditions:

1. The Conditional Use Permit will not become effective until the Department is notified, in writing, that prior to occupying the site that the Town of Courtland has signed an agreement with Vestas- American Wind Technology, Inc. regarding any repairs needed on Fordeg Road as a result of this project.
2. Vestas- American Wind Technology, Inc. agrees that all operations will be conducted professionally and conform to industry, state or local standards.
3. Vestas- American Wind Technology, Inc. shall obtain a permit from the County Highway and Transportation Department for access onto County Highway P.
4. If needed traffic advisory signs shall be installed on Fordeg Road and County Highway P in locations approved by the County Highway and Transportation Department and the Town of Courtland.
5. Vestas-American Wind Technology, Inc. shall notify the County and Town of any spills on the site that can contaminate soil and all contaminated soil must be properly removed and disposed in accordance with applicable environmental regulations.
6. The Owner shall insure that all construction equipment, trailers and associated materials on this property are removed and the site, including the driveway is restored to preconstruction condition prior to November 30, 2011.
7. The Owner and Vestas-American Wind Technology, Inc. shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

8. Adjourn

Motion by Mr. Teitgen to adjourn meeting.
Seconded by Vice Chair Baumgartner.
Motion carried unanimously.

Meeting adjourned at 4:35 PM.

Respectfully submitted,

Fred Teitgen, Acting Secretary
Planning and Zoning Committee

Recording Secretary
Susan Runnion, Office Administrator

cc: Committee Members
Robert R. Westby, County Board Chair
Andy Ross, County Board Vice Chair