PLANNING & ZONING COMMITTEE MINUTES
JANUARY 5, 2010

PRESENT: Douglas Richmond, Harlan Baumgartner, Phil Baebler,
         John Healy, Fred Teitgen

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

ALSO PRESENT: Deb Wopat, Chair-Columbia County Board of Supervisors,
              Lyn Jerde - Portage Daily Register

BUSINESS MEETING

12:30 PM

1. Vice Chair Baumgartner called the meeting to order at 12:30 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 January 5, 2010 Planning &
   Zoning Committee Regular Meeting & Public Hearing
   Seconded by Mr. Baebler.
   Motion carried unanimously.

5. Approval of Minutes

   Motion by Mr. Teitgen to approve Minutes of December 1, 2009 Planning &
   Zoning Committee Regular Meeting & Public Hearing.
   Seconded by Mr. Baebler.
   Motion carried unanimously.

6. Department Report
   a. Planning Update

      Mr. Bluemke explains that work continues in an effort to complete the Town of
      Pacific Comprehensive Plan.

   b. Enforcement
      Mr. Bluemke reviews Enforcement Report.
c. Financial
   - Out of County travel

   Mr. Bluemke to travel to Madison on January 14th for WCA conversion fee discussion. Also Mr. Bluemke to attend State Planning Directors meeting in Stevens Point on January 29th.

   **Motion by Mr. Baebler to approve Out of County travel.**
   Seconded by Mr. Teitgen.
   Motion carried unanimously.

   - Expenditure Report

   **Motion by Mr. Teitgen to approve Expenditure Report.**
   Seconded by Mr. Baebler.
   Motion carried unanimously.

 d. Ordinance Update

   - Town Advisory Committee Update

   Mr. Bluemke explains that ordinance language was provided for the first time. Mr. Roffers to provide comparison between existing and proposed language.

   Next meeting is scheduled for January 27th.

   Vice Chair Baumgartner suggests copying the Town of Randolph and Scott with all Town Advisory Committee documents.

   Mr. Teitgen and Vice Chair Baumgartner note that they are having input sessions with their Town officials.

c. ACT 23 Farmland Preservation

   Mr. Bluemke will be attending next meeting in Madison on January 14th. Also meeting with Columbia County Towns Association at the Town of Otsego Town Hall on January 25th.

   Chair Richmond arrives and 12:57 PM.

f. Conversion Fee Resolution

   Mr. Bluemke explains the purpose of the Resolution is to get the conversion fee delayed.

   He would like to send the Resolution forward to the Columbia County Board of Supervisor approval.
Vice Chair Baumgartner suggests preparation of Resolution which could be used at the town level.

**Motion by Mr. Teitgen to forward Resolution to Columbia County Board of Supervisors for approval.**
Seconded by Mr. Healy.
Motion carried unanimously.

4:00 PM
7. Public Hearing

**Item I- Major Home Occupation – Paul Deich, Petitioner and Owner – Town of Fountain Prairie - Woodworking Shop**

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file. Town recommended approving the Major Home Occupation.

Chair Richmond closes Public Hearing.

**Motion by Vice Chair Baumgartner to approve Major Home Occupation for Woodworking Shop per the stated findings, conclusions and conditions.**
Seconded by Mr. Teitgen.
Motion carried unanimously.

Findings:
1. **Paul Deich is the owner and resides on the subject property.**
2. **The applicant proposes to use an existing building for a woodworking shop where custom furniture would be manufactured, displayed and sold.**
3. **The proposed wood working shop is 32’ x 28’**.
4. **The provisions of Sec. 16-1-13 (g) require a Major Home Occupation Permit for the business as it is described in the application and submittals.**
5. **The proposed parking area can comply with the parking requirements of Sec. 16-1-13 (e)(9)(d).**
6. **The application meets the applicable criteria for home occupations under Sec. 16-1-13 (g)(4).**
7. **The application meets the applicable criteria for conditional uses under Sec. 16-1-18 (e).**
Conclusions:
1. The application qualifies for a Home Occupation Permit.
2. The proposed home occupation is compatible with the general character of the subject property and surrounding area.
3. The proposed use is consistent with the purpose and intent of the ordinance.

Conditions for the Decision:
1. The home occupation as described in the application and submittals shall be confined to the interior of the existing structure. Enlargements to the proposed structures, use of other structures or construction of new structures for business-related use shall be subject to further review by the Planning & Zoning Committee.
2. The Home Occupation Permit is not transferable pursuant to Sec. 16-1-13 (g)(6).
3. Signs are allowed with approval of the Planning & Zoning Department.
4. Outside storage or display of materials, equipment or finished products associated with the woodworking shop is not permitted. Waste material may be stored outside if kept in an enclosed environment secured from public view, but not on any side of the structure facing either highway.
5. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
6. If the Planning and Zoning Committee finds that the review criteria of the Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated by the Home Occupation Permit approved by the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Home Occupation Permit.
7. Hours of operation shall be limited to the Monday – Saturday 8:00 am to 5:00 pm.

Item II- Conditional Use Permit – Ronald Nelson, Petitioner and Owner – Town of Lodi - Automobile Repair

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

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

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

Town Board not present, but Minutes on file. Town recommended approving the Conditional Use Permit.
Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve Conditional Use Permit for Automobile Repair per the stated findings, conclusions and conditions.
Seconded by Mr. Baebler.
Motion carried unanimously.

Findings:
1. Ronald and Gale Nelson are the owners of the subject property.
2. The property is currently zoned Commercial, and automobile repair and service are allowed by Conditional Use Permit.
3. The applicants currently operate an automotive repair shop in the existing structure based on a Conditional Use Permit that approved in 1998.
4. As part of the current Conditional Use Permit the area to the south of the existing shop building has been used for storage of vehicles.
5. The Town Board has recommended approval of the application.
6. The application complies with the general criteria of Sec. 16-1-18 (e).

Conclusions:
1. The application qualifies for a Conditional Use Permit.
2. The auto repair business has operated at this location for more than 10 years and there has been no documented evidence submitted that the facility has been detrimental to or endangered nearby residents or businesses.
3. The Columbia County Transportation and Highway Department has approved a variance for the second driveway subject to a 50 foot vision triangle being maintained on the southwest corner of the intersection of CTH V and Martin Drive.

Conditions for the Decision:
1. The approvals of the Town of Lodi hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event County and Town conditions are similar the County condition will apply. However, in the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.
2. The Conditional Use Permit becomes effective recording of a Certified Survey Map which combines Lots 1 and 2 of Certified Survey Map 3075 into one lot.
3. A 50 foot vision triangle shall be maintained in the southwest corner of the intersection of CTH V and Martin Drive, there shall be no vehicles parked in this area or signs placed in this area.
4. Normal hours of operation are limited to 6:30 am to 5:30 pm, Monday through Friday, and 7:00 am to 3:00 pm Saturday. Any operation of the repair shop outside of those hours shall take place only with doors closed.
5. All additional outdoor lighting for the facility shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.

6. There shall be no more than 20 vehicles parked on the pavement in front of the buildings, and any vehicle that will be outside for more than 48 hours must be stored behind the building.

7. All vehicles stored behind the building must also be behind the fence that is parallel to Martin Drive.

8. There shall be no storage of equipment or other material outside in front of the buildings, other than operable wheeled vehicles.

9. No vehicle shall remain inside the fenced storage area for more than 120 days from the time it is placed in the area.

10. A landscaping plan be submitted to and approved by the Planning and Zoning Department no later than March 31, 2010 and be installed no later than August 31, 2010, unless the Department approves a different schedule. All new evergreens to be planted must be at least 4’ high, deciduous trees at least 1 1/2” in caliper, and shrubs at least 1’ high. Within the vision triangle no vegetation shall be higher than 2.5’. The landscaped area, including any mulch and edging and lawn shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

11. All signs shall comply with the current regulations and any new regulations pertaining to electronic changeable copy and graphic display signs.

12. Any amendments to the approved site plans, additions or changes in the design or size of the structures or capacity of the facility, or hours of operation shall be referred to the Town for review and the Committee for action.

13. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

14. If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated in the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the conditional use permit.

Item III - Zoning Change – Commercial to Single Family Residence, Jeff Nehmer, ETAL. Petitioners and Owners – Town of West Point

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.
Chair Richmond asks if anyone is in favor of petition. (no comments)

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

Town Board not present, but Minutes on file. Town recommended approving rezoning.

Chair Richmond closes Public Hearing.

**Motion by Mr. Healy to approve rezoning from Commercial to Single Family Residence.**

**Seconded by Mr. Baebler.**

**Motion carried unanimously.**

**Item IV- Zoning Change – Agricultural to Agriculture No. 2. Philip Bennett, Petitioner and Owner – Town of Arlington**

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Mr. Teitgen clarifies that the legal description was never provided only for the spot rezoning and not the whole property.

Chair Richmond asks if anyone has any questions.

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

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

Town Board not present, but Minutes from 1973 are on file. Town recommended approving rezoning.

Chair Richmond closes Public Hearing.

**Motion by Mr. Teitgen to approve rezoning from Agricultural to Agricultural No. 2. Seconded by Vice Chair Baumgartner. Motion carried unanimously.**

**Item V- Conditional Use Permit– James Peterson & Sons Inc., Petitioner and Michael Hanson, Owner – Town of Dekorra – Temporary Use of property to recycle concrete**

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.
Chair Richmond asks if anyone has any questions.

James Peterson was present and did not have anything to add.

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

Chair Richmond asks if anyone is against the petition.

Alan Breed
3582 E. Dyreson Road
Mcfarland, WI

Highway Interchange doesn’t allow crushing as a permitted or conditional use. Overwhelming concern is related to public safety. An outdoor facility used for recreation is located on the other side of the road during the months proposed. Noise and dust are real concerns. Has concern about zoning regulations that are altered for convenience (for those in power). Town Board approved the CUP and ignored the Comprehensive Plan.

Rick Schmidt, Town Board Chair was present. Town Board consulted with Town Planner and Attorney. Town recommended approval because it was a temporary situation.

Chair Richmond closes Public Hearing.

Mr. Teitgen states verbiage the Town Planner provided states that nothing will preclude planned permanent development and sites will be fully restored.

Motion by Mr. Teitgen to approve Conditional Use Permit for Temporary Use of Property to Recycle Concrete per the stated findings, conclusions and conditions.  
Seconded by Mr. Baehler. 
Motion carried unanimously.

Findings:
1. Michael Hanson/Blue Ice Properties LLC, is the owner of the subject property described in the application.
2. James Peterson Sons, Inc., Applicant, has been awarded a contract for the recycling of concrete as part of the reconstruction of Interstate 90/94 during the 2010 construction period.
3. Applicant proposes a temporary concrete recycling site on the Hanson property that will store and reprocess concrete for proposed 2010 reconstruction of the interstate highway.
4. The proposed site is an existing undeveloped parcel of approximately 17.5 acres in area, of which approximately 3.5 acres would be subject to disturbance under the proposal.
5. The site is directly adjacent to the interstate corridor and project site, permitting direct access to and from the proposed recycling site to the southbound entrance ramp.
6. The application complies with the general review criteria of Sec. 16-1-18 (e) of the Ordinance.
7. The application complies with the criteria for the review of unlisted uses under Sec. 16-1-13 (a)(11) of the Ordinance.
8. The Town of Dekorra 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 Highway Interchange District because it is temporary in nature and the site will be restored in a manner permitting future development of the site for permanent uses of property permitted in that District.
3. The proposed use does not conflict with current use of any adjacent property in 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 ability to establish direct temporary access to the interstate highway corridor, lack of proximity to surface waters that might be impacted by possible off-site erosion, and a relative lack of existing adjacent development.
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.

Conditions of Approval:
1. The approvals of the Town of Dekorra hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event County and Town conditions are similar the County condition will apply. However, in the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.
2. James Peterson Sons, Inc. shall minimize the dispersion of dust from the hauling and stockpiling of concrete, operation of crushing equipment, all vehicles and machinery used on site, and associated driveways. James Peterson Sons, Inc. shall use water to reduce dust from the stockpiles and driveways and all vehicle or machinery traffic areas. A water truck shall
apply water in and around the crushing plant, stockpiles and entrance road as needed and/or as requested by the County and Town to reduce dust.

3. James Peterson Sons, Inc. agrees that all operations will be conducted professionally and conform to industry, state or local standards.

4. James Peterson Sons, Inc. shall obtain highway access approval from the Columbia County Highway Department for the purpose of initial access to the site from CTH CS, and if requested or required by the County shall abandon or remove said driveway upon completion of the project.

5. The temporary access points shall be restored to preconstruction condition no later than December 1, 2010

6. James Peterson Sons, Inc. shall insure that upon completion of contract obligations, the crushing plant, all vehicles and equipment, and stockpiles of concrete whether processed or unprocessed, reclaimed reinforcing steel if any shall be removed from the property, with the site being restored to its preconstruction condition as near as possible no later than May 1, 2011.

7. James Peterson Sons, Inc. shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Item VI - Conditional Use Permit – James Peterson & Sons Inc., Petitioner, Steve Strye, ETAL, Owner – Town of Dekorra – Temporary Use of Property to Recycle Concrete

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

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

Chair Richmond asks if anyone is against the petition.

Alan Breed
3582 E. Dyreson Road
Mcfarland, WI

Highway Interchange doesn’t allow crushing as a permitted or conditional use. Hard to conceive loophole for this to take place. Commercial business will be impacted by this type of operation. Public safety needs to be address. How will these safety issues be taken care of? Influence by influential and powerful and this may be taking place. Town Board promised to provide documents showing consistency with Comprehensive Plan. Urge to disapprove.

Rick Schmidt, Town Board Chair was present. This is a temporary use for infrastructure and it’s not private it’s for the interstate. Town recommended approving rezoning and Minutes are on file.
Chair Richmond closes Public Hearing.

Motion by Mr. Baebler to approve Conditional Use Permit for Temporary Use of Property to Recycle Concrete per the stated findings, conclusions and conditions.

Seconded by Mr. Teltgen.
Motion carried unanimously.

Findings:
1. Steven Strye, et al, is the owner of the subject property described in the application.
2. James Peterson Sons, Inc., applicant, has been awarded a contract for the recycling of concrete as part of the reconstruction of Interstate 90/94 during the 2010 construction period.
3. Applicant proposes a temporary concrete recycling site on the Strye property that will store and reprocess concrete for proposed 2010 reconstruction of the interstate highway.
4. The proposed site is an existing undeveloped parcel 22.27 acres in area, of which approximately 6 acres would be subject to disturbance under the proposal.
5. The site is directly adjacent to the interstate corridor and project site, permitting direct temporary access to and from the proposed recycling site to the northbound traffic lanes.
6. The application complies with the general review criteria of Sec. 16-1-18 (e) of the Ordinance.
7. The application complies with the criteria for the review of unlisted uses under Sec. 16-1-13 (a) (11) of the Ordinance. Attachment C of the staff report is specifically adopted as the findings of the Planning and Zoning Committee regarding compliance with this section.
8. The Town of Dekorra 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 Commercial District because it is temporary in nature and the site will be restored in a manner permitting future development of the site for permanent uses of property permitted in that District.
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 ability to establish direct temporary access to the interstate highway corridor, the parcel size, which allows for undisturbed buffer areas to provide additional protection against potential erosion and sedimentation in addition to active
erosion control measures that will be employed, and a relative lack of existing adjacent development.

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.

Conditions of Approval:

1. The approvals of the Town of Dekorra hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event County and Town conditions are similar the County condition will apply. However, in the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.

2. James Peterson Sons, Inc. shall minimize the dispersion of dust from the hauling and stockpiling of concrete, operation of crushing equipment, all vehicles and machinery used on site, and associated driveways. James Peterson Sons, Inc. shall use water to reduce dust from the stockpiles and driveways and all vehicle or machinery traffic areas. A water truck shall apply water in and around the crushing plant, stockpiles and entrance road as needed and/or as requested by the County and Town to reduce dust.

3. James Peterson Sons, Inc. agrees that all operations will be conducted professionally and conform to industry, state or local standards.

4. James Peterson Sons, Inc. shall obtain highway access approval from the Town of Dekorra for the purpose of initial access to the site from Smokey Hollow Road if needed for initial site preparation, and if requested or required by the Town shall abandon or remove said driveway upon completion of the project.

5. The temporary access points shall be restored to preconstruction condition no later than December 1, 2010

6. James Peterson Sons, Inc. shall insure that upon completion of contract obligations, the crushing plant, all vehicles and equipment, and stockpiles of concrete whether processed or unprocessed, reclaimed reinforcing steel if any shall be removed from the property, with the site being restored to its preconstruction condition as near as possible no later than May 1, 2011.

7. James Peterson Sons, Inc. shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Item VII- Conditional Use Permit -- Trierweiler Construction and Supply Inc., Petitioner, Morn's Mini Warehouse, Inc., Owner -- Town of Dekorra -- Temporary Use of Property for Concrete Batch Plant

Chair Richmond opens Public Hearing.
Mr. Bluemke presents the staff report. Would like to amend by incorporating Town of Dekorra agreements at Item #1. Also change date in Item #4 to May 1, 2011.

Chair Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

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

Chair Richmond asks if anyone is against the petition.

Alan Breed
3582 E. Dyreson Road
McFarland, WI

Commercial Zoning arguments remain consistent with previous discussion. Believe this request is irregular. Town of Dekorra did not act on CUP on 12-8-09 and did not discuss at Planning Meeting on 12-17-09. Plan Commission meeting was cancelled. Large amount of traffic will be intimidating for those who frequent business. Encourage disapproval.

Rick Schmidt, Town Board Chair was present. The meeting was posted and did occur. Town unanimously recommended approving rezoning and Minutes are on file.

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve Conditional Use Permit as amended for Temporary Use of property for Concrete Batch Plant per the stated findings, conclusions and conditions.
Seconded by Mr. Baebler.
Motion carried unanimously.

Findings:

1. Mom's Mini Warehouse Inc., is the owner of the subject property described in the application.
2. Trierweiler Construction and Supply Co. Inc., Applicant, has been awarded a contract for to operate temporary concrete batch plant as part of the reconstruction of Interstate 39/90/94 during the 2010 construction period.
3. Petition proposes a temporary concrete batch plant site on Mom’s property that will provide concrete for the proposed 2010 reconstruction of the interstate highway.
4. The proposed site is a parcel of approximately 11 acres in area, of which approximately 3.5 acres would be subject to disturbance under the proposal.
5. The site is in close proximity to the interstate corridor and project site.
6. The application complies with the general review criteria of Sec. 16-1-18 (e) of the Ordinance.

7. The application complies with the criteria for the review of unlisted uses under Sec. 16-1-13 (a) (11) of the Ordinance.

8. The Town of Dekorra 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 Commercial District because it is temporary in nature and the site will be restored in a manner permitting future development of the site for permanent uses of property permitted in that District.

3. The proposed use does not conflict with current use of any adjacent property in 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 its proximity to the interstate highway corridor.

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.

Conditions of Approval:

1. The approvals of the Town of Dekorra hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said conditions, unless an individual condition is specifically included below as a condition of approval. In the event County and Town conditions are similar the County condition will apply. However, in the event the Town submits a finding of noncompliance with any item of the above referenced letter for which the County has not assumed direct enforcement authority, upon written request by the Town the County reserves the right to review the Conditional Use Permit.

2. Trierweiler Construction and Supply Co. Inc. shall minimize the dispersion of dust from the hauling and stockpiling of aggregate, operation of the batch plant, all vehicles and machinery used on site, and associated driveways. Trierweiler Construction and Supply Co. Inc. shall use water to reduce dust from the stockpiles and driveways and all vehicle or machinery traffic areas. A water truck shall apply water in and around the crushing plant, stockpiles and entrance road as needed and/or as requested by the County and Town to reduce dust.
3. Trierweiler Construction and Supply Co. Inc. agrees that all operations will be conducted professionally and conform to industry, state or local standards.

4. Trierweiler Construction and Supply Co. Inc. shall obtain highway access approval from the Columbia County Highway Department for the purpose of access to the site from CTH CS, and if requested or required by the County shall abandon or remove said driveway upon completion of the project and be returned to preconstruction condition no later than May 1, 2011.

5. At the request of the County or Town traffic advisory signs shall be installed when the batch plant is operational and aggregate is being hauled to the site.

6. Prior to the commencement of hauling aggregate to and concrete from the plant site, the Trierweiler Construction and Supply Co. Inc. or the State shall take a video inventory of the conditions of all haul roads to establish existing conditions of the haul roads and shall be responsible for damage to roadway pavement, shoulder/base and culvert failures resulting from hauling associated with the project and undertake the proper repairs to bring the roads back to their originally documented condition.

7. Trierweiler Construction and Supply Co. Inc. shall insure that upon completion of contract obligations, the batch plant, plant, all vehicles and equipment, and stockpiles of aggregate whether processed or unprocessed, and aggregate base shall be removed from the property, with the site being restored to its preconstruction condition as near as possible no later than May 1, 2011.

8. Trierweiler Construction and Supply Co. 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 5:05 PM.

Respectfully submitted,

[Signature]

Fred Teitgen, Secretary
Planning and Zoning Committee
Recording Secretary
Susan Runnion
Office Administrator

cc: Committee Members
Debra Wopat, County Board Chair
Robert Westby, County Board Vice Chair