PLANNING & ZONING COMMITTEE MINUTES
MARCH 4, 2008

PRESENT: Douglas Richmond, Phil Baebler, Tim O’Neil, John Healy, Fred Teitgen

STAFF: John Bluemke, Director, Michael Stapleton, Zoning Administrator, Susan Runnion, Office Administrator, Randy Thompson, Planning Administrator

ALSO PRESENT: Harlan Baumgartner, Chair - Columbia County Board of Supervisors, Debra Wopat, Vice Chair – Columbia County Board
of Supervisors

BUSINESS MEETING

11:00 AM

1. Chair Doug Richmond called the meeting to order at 11:00 AM

2. Certification of Open Meeting Law

3. Roll Call

4. Approval of Agenda – Combine Signs Fee and Request for Proposal discussion with Ordinance Update

   Motion by Mr. Healy to approve Agenda of March 4, 2008 Planning & Zoning Committee Regular Meeting & Public Hearing, Seconded by Mr. Teitgen. Motion carried unanimously.

5. Approval of Minutes

   Motion by Mr. O’Neil to approve Minutes of February 5, 2008 Planning & Zoning Committee Regular Meeting & Public Hearing. Seconded by Mr. Teitgen. Motion carried unanimously.

6. John Simonson Variance to Land & Subdivision Ordinance

   Mr. Bluemke explains there is an existing landscaping supply and contracting business at site. Rezoning proposed on today’s Agenda to accommodate propane distribution business.
Motion by Mr. Teitgen to approve Variance Access with Conditions as Stated.
Seconded by Mr. Baebler.
Motion carried unanimously.

7. Department Report
   a. Financial
      • Out of County travel – None expected per Mr. Bluemke
      • Expenditure Report
      • Sign Fees

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

b. Enforcement –
   Mr. Stapleton explains the resolution to Schave property will require funding from homeowner. Dave Padley status requires meeting with Town Board.

c. Planning Update –
   Mr. Thompson would like to develop list of questions/processes when items come through the Town. Difficult to work on Town Ordinance when amended County Ordinances are not in place.

d. Ordinance Update –
   • Sign Fee Schedule
     Mr. Bluemke asks Committee to reference the revised proposed Sign Ordinance and related Fee Schedule.

     Mr. O’Neil asks if new signs would be included in Fee requirement.

     Mr. Bluemke confirms the intent and feels it’s a good way to keep track of pre-existing and new signs.

     Suggestion made to change Fee Schedule to “Plus $2.00 per sq. ft.”

Motion by Mr. Teitgen to strike “$50.00” from Sign Fee Schedule and make it a straight $2 per square foot for signs larger than 32 sq. ft. and to charge $25 for sign structure improvements and maintenance. Seconded by Mr. Healy
Motion carried unanimously.

Mr. Richmond asks if input received from Ken Jahn.

Mr. Bluemke responds that he did not receive input from Ken but did receive input from his son, and feels that appropriate changes have occurred from last discussion.
Mr. O’Neil states that he likes the proposed Sign Ordinance, but fears it will be perceived as “anti-business”.

Mr. Bluemke responds that the proposed Ordinance is not more restrictive than DOT on Interstates and State Highways, but will be more restrictive with County roads.

Mr. Teigen points out it is more liberal than his Town ordinance and recommends sending to County Board for approval.

Mr. Richmond did receive comments from Ken Jahn and feels they should be considered. Copies to be distributed to Planning & Zoning Committee. Wants an Ordinance that is supported by Columbia County Economic Development Corp. and other parties.

- Request for Proposal

Mr. Teigen suggests that RFP be forwarded to appropriate entities. Suggests the County Board members should review and approve the option of waiting until all ordinances are amended because they will be disappointed if Ag Districts are not moving forward.

Mr. Bluemke explains that an amended Exclusive Ag District would have to be to DATCP prior to October 1st in order maintain tax credits in 2009 from the State of Wisconsin.

Mr. Baumgartner explains that Towns do not want to enforce Ordinances at their level and want County amended ordinances in place soon. RFP must reflect the fact that consultant needs to listen to the Town’s desires.

Mr. Bluemke suggests posting RFP on WAPA/APA website and possibly in the newspaper.

Mr. Teigen states that consultants on the list he has should be specifically contacted.

Mr. Baumgartner feels that a list of reference is very important.

Motion by Mr. Teigen to solicit consultant Proposals based on RFP provided.
Seconded by Mr. O’Neil.
Motion carried unanimously.

8. 2007 Annual Report-

Mr. Bluemke reviews Annual Report.

Motion by Mr. O’Neil to approve 2007 Annual Report. Seconded by Mr. Teigen.
Motion carried unanimously.
9. Evaluation of Director (Closed Session)

Motion by Mr. O’Neil for closed session at 12:30 PM. Seconded by Mr. Teitgen. 
Motion carried unanimously.

Motion by Mr. Healy to return to open session at 12:50 PM. Seconded by Mr. 
Teitgen. 
Motion carried unanimously.

1:00 PM
10. View Sites

4:00 PM
11. Postponed Items

Item I – Sign Regulations – Tabled from January 8, 2008

Motion by Mr. Teitgen to postpone deliberation on Sign Regulation Ordinance to 
Planning & Zoning Committee Regular Meeting & Public Hearing on April 1, 2008. 
Seconded by Mr. O’Neil. 
Motion carried unanimously.

12. Public Hearing

Item I- Zoning Change – Commercial to Industrial, John C. Simonson, Petitioner and 
Owner – Town of Lewiston

Chair Doug Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

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. Town recommended approving 
the rezoning.

Chair Doug Richmond closes Public Hearing.

Motion by Mr. O’Neil to approve rezoning from Commercial to 
Industrial effective upon recording of the Certified Survey Map and a 
deed restriction that prevents the two lots from being conveyed 
separately. Seconded by Mr. Baebler.
Motion carried unanimously.

Item II - Zoning Change – Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay, Scott & Michelle Skindzelewski, Petitioners and Owners – Town of Springvale

Petition withdrawn

Item III – Conditional Use Permit – The Kraemer Company, LLC, Petitioner & Harold K. Jenkins, Owner – Town of Marcellon – Limestone Quarry

Chair Doug Richmond opens Public Hearing.
Mr. Stapleton presents staff report.

Mr. O’Neil inquires about conditions to restrict Oak Harvest. Possible November – March limitation which needs to be added.

Mr. Stapleton agrees that it should have been included in the Staff Report.

Need Minutes of Town Board Meeting.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present –

Bob Jewell – Kraemer Co
1480 St. Lukes Ave.
Plain, WI

The following people are present to support Kraemer Company Quarry project:
Dick Brano – Real Estate
Benny Steffen – Project Manager
Dick Brish – Viking Explosive
Buck Sweeney – Attorney for Axley Brynelson, LLP
Sue Courter – Real Estate Group

Mr. Jewell points out area surrounding purposed quarry on map and states they were able to reach ½ of residents via letters or phone calls.

Chair Doug Richmond asks if anyone is in favor of petition.

Susan Courter
Courter Resource Group
2405 Doty Street
Oshkosh, WI
Geologist with specialty in ground water. No question that additional local aggregate resources are needed.

Walter Krueger
Declined to speak.

Judd Becker
N8601 Dolgner Road
Pardeeville, WI

Would like to get together with both parties to work out a plan. Need to stick together vs. fight about issues.

Violet McElroy
N9202 McElroy
Pardeeville, WI

Land has never been cultivated and has remained the same way for years --- couldn’t get money for crops.

Dan Jerome
No reply

Dan Jerome
No reply

Lynn Radke
No reply

Paul Ammann
W7707 Patchin Road
Pardeeville, WI

I work for a crusher. Where will material come from if we don’t open it?

Tom Dettman
N904 Dettman road
Lodi, WI

Need more jobs and the price of fuel going up. I have a couple pits within 2 miles of my house and never been a problem --- fill and shooting.

Bob Sweeney
Axley Brynelson, LLP

Conditions in Staff Report are approved by Kraemer Co.
Peter Conran  
Axley Brynelson, LLP  

Nothing to add  

Joseph Ratczak  
N9473 Comstock Road  
Pardeeville, WI  

Marcellon been host to numerous pits. . .nothing new. I know the property — ideal location for a quarry. Unless you lived their all of your life here, when you go by you won’t even notice it. I calculated tonnage and trucks — 50 year life — 35 weeks — not open during winter months — tonnage = average 20 ton load = 28-30 loads per day — Monday through Friday.  

Barb Lang  
N9073 Fenske Road  
Pardeeville, WI  

Lived on CTH EE and familiar with Triemstra pit. Quarry truckers are local guys and they learn the road. Regarding blasting — we lived there for 9 years — never felt it and never heard about damage. There are other quarries in Columbia County — we have a lot of restaurants — does that mean we don’t need anymore?? We do need fuel and a supply jobs. Most important, if it meets all the zoning regulations and laws — can’t take away personal property owners right to do with that property because of emotions.  

Mark Brounacker  
W6178 Horkan Road  
New Lisbon, WI  

Representing Union Workers 139. Need to keep jobs local and economy strong  

Robert McElroy  
W5806 Military Road  
Pardeeville, WI  

Becker and Bradley did not receive opposition. Formed a group that is against Harold Jenkins — don’t see the difference. I feel that this group is picking on a person.  

Dick Schafe  
W11435 Ade Road  
Portage, WI
Hauled gravel out of Kraemer pits for years – none over weight. They do a good job of running the pit and Columbia County needs pits. Dump trucks built the roads

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

Chair Doug Richmond asks if anyone is against the petition.

Jim Ledlow  
W5959 Hwy CM  
Pardeeville, WI

Submits petition signed by Marcellon approximately 366 residents.

Lucy Karstens  
N9570 Old 22  
Pardeeville, WI

Refers to Figure 6 which indicates neighboring homes – relatively few homes – 6430 feet away. Total of nearly 60 homes. Main concern is what happens with two operations so close together and water tables are destroyed. Who is responsible?

Richard Tye  
W5501 Turner Road  
Pardeeville, WI

West buffer – dimension of buffer 100’. Would the buffer be all the way around??

Mr. Stapleton responds that we have not discussed maintaining tree buffer on all sides.

John Pierce  
W5749 Turner Road  
Pardeeville, WI

My house not marked on map. Just trying to figure out what it means. Noise levels, what is acceptable and not? Spoke with Mr. Bluemke regarding decibels which were related to red winged black bird. Don’t want the noise levels --- I hear Amish kids, dogs, regular noise --- I like the sounds – I can hear the existing pit. Kraemer has no vested interest – only their own. Would like to finish Land Use Plan and then they can resubmit.
Mr. Bluemke explains an incident when measuring decibels at property lines --- high recorded decibels was a black bird.

Barb Hill
W6012 CTH EE
Pardeeville, WI

House left off original map. Make them responsible for all conditions mentioned. Never been more proud and embarrassed --- "radicals" --- we don’t fit that definition. Need to reunite.

Lee Wilcox
W7015 CTH CM
Portage, WI

Reclaimed site will be of low value for wildlife or plants. This is largest remaining tract in Marcellon per County Comprehensive Plan 2030 — (environmental corridor). Jenkins sites qualifies for special consideration in 2 categories — slope and (12%) and woodlots 20 acres and greater.

Ted Nicholson
N9858 STH 22
Pardeeville, WI

County Comprehensive Plan 2030 adopted last September. Refers to handout reviewing Goals that apply.

Lydia Morris —
Bud Morris

Decline to speak

Pat Burgett
N9506 Old Hwy 22
Pardeeville, WI

Quote Roberts Rules of order — Henry Roberts — General of Army — "Where there is no law, but every man does what is right in his eyes there is the least in liberty."

If you are going to have freedom — prevent one man’s freedom from infringing on another’s — some see benefit. $20M insurance coverage seems like small amount for massiveness. 17 million tons of materials — think you would demand larger insurance. Trees are lungs of the earth.

Debbie Ledlow
Relinquish speaking time

Nadalce Savoy
N8579 Staufenbeil
Portage, WI

Reads letter from the University of Wisconsin – Dept of Forest and Wildlife Ecology – has concerns about fragmentation –

Rod & Lydia Morris
Relinquish their speaking time
Susan Winter
N9858 State Road 22
Pardeeville, WI

Forwarded long letters that showed the standards were in consistent – point by point analysis. After I sent the reports in and saw the recommendation you made, disappointed. I spent hours and hours looking at the criteria and future plan. I took hours to analyze this based on the criteria and long range plan. I don’t see that in your report. Assessed value needs to come from realtors and appraisers, reasonable people know that. Nothing submitted related to property values. Thought they should be acting as citizens’ watch dogs. Don’t see the criteria you should be using. Please vote “no”.

Mark Yackley
W7027 Polinske Road
Portage, WI

Work 2nd shift and took day off because I feel strongly about town meeting and petition. More names on petition than town board election. Work in law enforcement – no cop, no stop rule. How can mine be agricultural use? Don’t want open pit mine – would rather have a dump. I want to be a good neighbor to all the people who live with it.

Cal Barden
N8319 Penske Road
Pardeeville, WI

Amon opened pit in 1994 – complete – 9 acre field is eroding away – wildlife gone and washed away. Need to take 9 acre field out of production. Survey states that 67% said no more open mining.

Jane Strocke
W6502 CTH CM
Pardeeville, WI
Smart Growth – has been working on Marcellon plan since 2003 and nearing completion - possibly April 2009. Dedicated group has spent several hours. If the Planning & Zoning Committee doesn’t deny I request they table their request until Marcellon Land Use Plan is complete.

Connie Davis
N9506 Hwy 22
Pardeeville, WI

House not shown on map. Concerns include view obstruction and deer fall off Triemstra edge. Make part of my living as an artist. Look at what the community wants – close to 400 signatures – voting population of 550. Please consider as whole – landowner does not live on property and will not be affected.

Mary Ortman –
Relinquish speaking time

Gregory Keep
N9757 Dalton Road
Pardeeville, WI

No one has singled out Mr. Jenkins. Being a farmer, I buy 400 tons of lime and I realize that I need it, but at what cost? I buy from a pit in Rio ---- I pay extra to have that limo delivered.

Land owner rights — situation where you have rules and regulations. In America it is a privilege to own property, not a right. Treat land we own and neighbors with respect.

Someday I will give my farm to my daughter – I hope that land is still intact.

David Stott
N9596 ST 22
Pardeeville, WI

How many pedestrians we have on the road? Dozens and hundreds of school children.

Dan Killoran
W5919 Turner Road
Pardeeville, WI

Spent time working at Unimin -27 years mining sand. Very similar to limestone pit. As a mechanic and lub man – spills are a concern. If hose breaks – there are gallons of fluid. With spill kit some soaks into the ground.
Gates, signs, fences do not keep kids out – trespassing – would it matter if they are killed?

Gary Goodrich
Relinquish speaking time

Mary Joles
N9268 Comstock
Pardeeville, WI

Concerned about special needs daughter. Loud noises and will have bad affect. Worried with dynamite sound and reaction to hitting herself. Have put time and money to protect house and surrounding area. Need to consider this. Life is hard enough because she requires 100% supervision all the time.

Peter McKeever
Attorney – Concerned Citizens of Marcellon (CCM) –

Refers to letter from last week – Today another letter. Letters review legal basis to turn down and choose the people. Don’t have authority without Town approval. WI Administrative Code requires restoration to a condition at least as suitable that existed before the lands were affected by the mining operations. Currently proposed restoration doesn’t come close to restoring the site. Amon has submitted file opposing the pit – your packet doesn’t include all the correspondence. Safety issue not addressed in staff report. Possibility there may be endangered species. Community will accept decision they don’t like if they participate in decision. Need conditions such as tarps on the trucks and others I have listed. Need evidence that property values will not be affected. Stats show we have need, but this is the wrong location.

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

Chair Doug Richmond asks if petitioner would like to speak:

Robert Sweeney
Axley Brynelson, LLP

Does application meet the standards of what Columbia County requires? Tonight first night offered to discuss conditions. Woods with limestone on top. Subjectivity goes into this – does it meet standards? Ag Plans are plans and have to be adaptable. Amon spoke against it because they are competition.

Town Board is present, Richard Brenneman, Town Chair. Indicates they have been advised by the Town’s legal counsel not to comment.
Chair Doug Richmond asks if any other questions? (no comments)

Chair Doug Richmond closes Public Hearing

Chair Doug Richmond asks for a motion to delay decision until next Planning & Zoning Committee meeting because we have received correspondence tonight. We want to take inventory and confirm we have all received the same information.

Chair Doug Richmond thanks everyone for their participation.

**Motion by Mr. Teitgen that due to the many pieces of information very recently received, some only today, and not always to all staff and committee members, that deliberation be delayed until the April 1st Planning & Zoning Committee Meeting and no further information will be accepted after today’s hearing.**

Seconded by Mr. Healy.

Motion carried unanimously.

13. Adjourn

**Motion by Mr. Healy to adjourn meeting. Seconded by Mr. Baeblar.**

Motion carried unanimously.

Meeting adjourned at 6:25 PM.

Respectfully submitted,

Fred Teitgen, Secretary
Planning and Zoning Committee
Recording Secretary

[Signed]

Susan Runnion
Office Administrator

cc: Committee Members
Harlan Baumgartner, County Board Chair
Debra Wopat, County Board Vice Chair