PLANNING & ZONING COMMITTEE MINUTES
MAY 5, 2009

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

ABSENT AND EXCUSED: Harlan Baumgartner

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

ALSO PRESENT: Robert Westby, Vice Chair – Columbia County Board of Supervisors, Jim Grothman- Grothman & Associates, Jeffrey Clark-Lathrop & Clark LLP, Lyn Jerde-Portage Daily Register

BUSINESS MEETING

12:00 PM

1. Mr. Teitgen called the meeting to order at 12:00 PM

2. Certification of Open Meeting Law

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

4. Approval of Agenda

   Mr. Bluemke would like to remove Revocation of Conditional Use Permit for Kennel – April Carlson and add topic of Septic Maintenance.

   Motion by Mr. Baebler to approve Agenda of May 5, 2009 Planning & Zoning Committee Regular Meeting & Public Hearing with the deletion of Revocation of Conditional Use Permit for Kennel – April Carlson and addition of Septic Maintenance.
   Seconded by Mr. Healy.
   Motion carried unanimously.

5. Approval of Minutes

   Motion by Mr. Healy to approve Minutes of April 7, 2009 Planning & Zoning Committee Regular Meeting & Public Hearing.
   Seconded by Mr. Baebler.
   Motion carried unanimously.
5. A note be placed on the Plat reserving 30 feet of land on Lots 17 -21 directly adjacent to the STH 73 right of way for the planting of trees and shrubs which planting is the responsibility of the developer to install and maintain in accordance with a landscape plan approved by the Planning and Zoning Department.

6. Developer obtains approval from the Town for all applicable Town ordinances, agreements and plans.

7. Minutes of Town Board approval of the Final Plat and copies of all signed agreements approved by the Town must be included with the submittal of the Final Plat to the County.

7. Department Report

a. Planning Update – Mr. Thompson distributes revised Amendment Plan process for Comprehensive Plan. Discussion takes place regarding proposal of $500 fee for process. Mr. Thompson suggests sending out notices for plan amendment and conducting public hearing.

Mr. Teitgen would like to move forward and provide list of issues and then amend the plan per the list.

Mr. Bluemke suggests discussing the list at the next meeting.

Mr. Thompson confirms that the list will be refined and discussed at the next meeting.

b. Enforcement - Mr. Stapleton reviews Enforcement Report

c. Financial
   - Out of County travel – Mike to travel to WCCA District Meeting in Monroe on 5-15 and DNR Board Meeting on 5-26 in Baraboo.

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

   **Expenditure Report**

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

   **Line Item Transfers**

   **Motion by Mr. Teitgen to approve Line Item Transfers**
   Seconded by Mr. Healy
   Motion carried unanimously.
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. Teitgen to approve rezoning from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay effective upon the recording of the Certified Survey Map. Seconded by Mr. Healy. Motion carried unanimously.

Item II- Zoning Change – Agricultural to Rural Residential, Charles E. Brown II, Petitioner and Owner – Town of West Point

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Mr. Teitgen inquires about lot line to center line or dedicated right-of-way.

Planning and Zoning staff recommended Agricultural Overlay.

Petitioner asked if he has concerns about wanting to build on property.

Petitioner replies there would be an interest to build farm buildings.

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.
Petitioner (Mike Bakken) was present and adds that the Town of Arlington made it part of the Erosion Control Plan. Also notes that Staff Report and Exhibit A refer to 1993 Condition Use Permit which should be 2003.

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

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

John G. Stevenson
N2079 Pine Hollow
Lodi, WI

Has concern about asphalt processing within 800 feet of his house. His health issues could be affected by fumes.

Visibility issue with people leaving Richards Road heading west at stop sign that won’t see cars coming from the south.

Attorney Clark responds that the Town Engineer reviewed and it met all conditions required for visibility standards.

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

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve modification of Conditional Use Permit for expanded operations area with the addition of Conditions 5 & 6 (as listed below) and corrected 1993 date changed to 2003 subject to the following findings, conclusions and conditions.

Seconded by Mr. Baebler.

Motion carried unanimously.

Findings:
1. Marvin Plenty is the owner of the subject property described in the application.
2. Northwestern Stone, LLC, holds a lease with the owner allowing the mining of nonmetallic minerals on the premises.
3. The applicant proposes an expanded operations area between the north side of the quarry area and Richards Road, which will be used for material storage and could potentially be used for temporary concrete and asphalt production.
4. There is an existing C.U.P. for the quarry approved by the Planning & Zoning committee on August 5, 2003.
5. The original conditions of approval for the 2003 C.U.P. remain in effect.
6. The proposed expanded area will be used for accessory storage, processing and related operations other than direct mining of limestone.
Chair Richmond opens Public Hearing.

Mr. Stapleton presents the staff report.

Chair Richmond asks if anyone has any questions.

Petitioner, Mike Bakken, is present and states that dates in Staff Report referencing Conditional Use Permit need to be changed from 1993 to 2003.

Mr. Teitgen inquires about processing concrete and asphalt at the same time. Also inquires about noise levels and addition of 65 decibel limitation at property lines which would not include the crusher.

Mr. Bakken confirms that concrete batch and asphalt would not be processed at the same time.

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

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

John G. Stevenson
N2079 Pine Hollow
Lodi, WI

Doesn't have a problem with the cement, but concerns about fumes from asphalt. Doesn't think it's a good thing.

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

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve Conditional Use Permit for temporary concrete and asphalt plant in existing quarry site with modifications to the dates referenced in Staff Report from 1993 to 2003, striking the word "Modification" in summary of Recommendations/Conditions, in Condition 2 striking the words "Village" and "Asphalt" revising "plant" to plants" and adding Conditions relating to one batch plant located on the site at one time and any noise related to batch plant should not reach 65 decibels at the property line, subject to the following findings, conclusions and conditions.

Seconded by Mr. Healy.
Motion carried unanimously.

Findings:

1. Marvin Plenty is the owner of the subject property described in the application.
maintenance such as welding, tire repair, or changing of engine fluids may be conducted at other times provided such activities do not constitute a nuisance. The operation of a portable concrete or asphalt plant on the premises shall be allowed for 120 days per calendar year, with the allowed days occurring between May 15 and November 1 of the calendar year. In the event a contract awarded to the petitioner requires night paving, the petitioner agrees to provide three (3) days advance to the Town and any surrounding neighbors who have requested notice. Said notice shall identify the job and the number of nights required for after-hours operation. Notice shall be in writing unless the individuals, Town consent to an email notification. The operation of the plants normal hours of operation shall count as an allowed day in determining the total number of allowed days during a calendar year.

3. There shall not be a concrete plant and asphalt plant located simultaneously at the site.

4. Any noise associated with a batch plant should not reach 65 decibels at the property line.

5. Northwestern Stone, LLC agrees that all operations will be conducted professionally and conform to industry, state or local standards.

6. The expanded portion of the site is subject to the requirements of Title 16, Chapter 7 and W.A.C. Chap. NR 135., and is subject to staff approval of a modification of the reclamation plan.

7. Northwestern Stone, LLC shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Item VI- Zoning Change – Commercial and Agricultural to Single Family Residential, Clayton & Lynn Beal, Petitioners and Helen Trapino, Owner – Town of Otsego

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

Chair Richmond closes Public Hearing.

Motion by Mr. Baebler to approve rezoning from Agricultural to Single Family Residential and Agricultural to Agricultural with Agricultural Overlay.
Seconded by Mr. Healy.
Motion carried unanimously.

Item IX- Revocation of Conditional Use Permit for Kennel- April Carlson, Petitioner and Owner – Town of Marcellon

-Deleted from Agenda-

11. Adjourn

Motion by Mr. Teitgen to adjourn meeting.
Seconded by Mr. Healy.
Motion carried unanimously.

Meeting adjourned at 5:15 PM.

Respectfully submitted,

[Signature]
Fred Teitgen, Secretary
Planning and Zoning Committee

[Signature]
Recording Secretary
Susan Runnion
Office Administrator

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