PLANNING & ZONING COMMITTEE MINUTES
AUGUST 5, 2008

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

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

ALSO PRESENT: Debra Wopat, Chair -Columbia County Board of Supervisors, J. Robert Curtis, Columbia County Board of Supervisors, Ken Jahn- Two River Signs, Nancy Elsing-Economic Development Corporation

BUSINESS MEETING

10:30 AM

1. Vice Chair Baumgartner called the meeting to order at 10:30 AM.

2. Certification of Open Meeting Law

3. Roll Call-

4. Approval of Agenda

   Motion by Mr. Teitgen to approve Agenda of August 5, 2008 Planning & Zoning Committee Regular Meeting & Public Hearing with the addition of Floodplain Moratorium after Agenda Item #6 and moving Ordinance Updates to first topic under Department Report.
   Seconded by Mr. Baebler.
   Motion carried unanimously.

5. Approval of Minutes

   Motion by Mr. Healy to approve Minutes of July 1, 2008 Planning & Zoning Committee Regular Meeting & Public Hearing.
   Seconded by Mr. Baumgartner.
   Motion carried unanimously.

   Motion by Mr. Healy to approve Minutes of July 16, 2008 Planning & Zoning Committee Special Meeting.
   Seconded by Mr. Baumgartner.
   Motion carried unanimously.
6. Preliminary Plat – Marvin Holzem

Mr. Healy asks where the access to the subdivision would be located.

Mr. Bluemke explains location.

**Motion by Mr. Teitgen to approve Preliminary Plat for Holzem Subdivision with the following conditions.**
Seconded by Mr. Baebler.
Motion carried unanimously.

**Conditions**

1. A variance be approved for three multiple frontage lots, Lots 7 and 8, and Outlot 1, with the condition that the Town identify the road frontage from which they will give driveway permits, and the remaining frontage of Lots 7 and 8, and Outlot 1 be shown as restricted access on the plat.
2. The proposed street names be submitted and approved by the Town and County, including Emergency Government before the Final Plat is submitted for approval.

7. Zoning Permit Renewal Policy

Mr. Bluemke explains that a Zoning Permit Renewal Policy should be created to renew Zoning Permits in situations where original request remains unchanged. Policy should include statement that renewal should occur prior to the original expiration date.

**Motion by Mr. Healy to approve Zoning Permit Renewal Policy with revision.**
Seconded by Mr. Baebler.
Motion carried unanimously.

8. Floodplain Moratorium

Mr. Bluemke explains that the original Moratorium for Development in Flood Hazard should be extended.

**Motion by Mr. Healy to approve new Moratorium for Development in Flood Hazard.**
Seconded by Mr. Teitgen.
Motion carried unanimously.

9. Department Report
   a. Ordinance Updates
      **Signs**

Mr. Bluemke shares suggestion received from Mr. Tim O’Neil and Mr. Eric Anderson.
Mr. J. Robert Curtis submits six page list he prepared of potential issues related to proposed sign ordinance. States that St. Croix County adopted their ordinance in July, 2007 and has limited experience with it.

Mr. Bluemke offers to contact Mr. Curtis to discuss further.

Mr. Teitgen asks the source of professional help that Mr. Curtis received to assist with list of potential issues.

Mr. Curtis states that Ken Jahn of Two River signs was the source.

Mr. Baumgartner expresses appreciation of supervisors sharing information and staff will review the input. Deadline for additional input will be Friday, August 8, 2008.

**Motion by Mr. Baumgartner to consult with Mark Roffers, Vandewalle & Associates for proposed Sign Ordinance review and comment.**

  **Seconded by Mr. Teitgen.**

  **Motion carried unanimously.**

**Mark Roffers, Principal Planner from Vandewalle & Associates**

Mr. Roffers reviews list of suggested overall goals and processes for revising Columbia County Land Use Regulations. Recommends formation of Zoning Advisory Committee and detailed outline for new Zoning Code by the end of September.

Mr. Baumgartner states that we need to accommodate a variety of towns and needs. Suggests adding verbiage to Goal #6 to include all requirements.

**Motion by Mr. Teitgen to adopt overall goals with the adjustment of Item #6 to read “arrive at a better approach for preservation of farmland, open space & rural character” and create Zoning Advisory Committee.**

  **Seconded by Mr. Baebler.**

  **Motion carried unanimously.**

b. Planning Update – Mr. Zirbes reviews Comprehensive Plan status.

c. Enforcement – Mr. Stapleton explains floodplain inspections are complete.

d. Financial
  - Out of County travel – Randy Thompson traveling to Racine, WI next week for FEMA Training

**Motion by Mr. Teitgen to approve Out of County Travel.**

  **Seconded by Mr. Baumgartner.**

  **Motion carried unanimously.**
Expenditure Report

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

2009 Department Budget

Mr. Teitgen would like addition of 2009 Objective – “Increase and improve on sharing information with Land Information Department”. In addition, inquires about Consultant expenses.

Mr. Bluemke explains Consultant expenses are covered in Comprehensive Planning budget.

Motion by Mr. Baumgartner to approve 2009 Department Budget.
Seconded by Mr. Teitgen.
Motion carried unanimously.

2:00 PM
10. View Sites

4:00 PM

11. Public Hearing

Item I - Zoning Change – Agricultural to Single Family Residential, Marc A. Nelson & Doug E. Nelson, Petitioners and Owners – Town of Arlington

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Mr. Teitgen asks if entire parcel is being rezoned.

Mr. Bluemke confirms that it is.

Petitioner is present.

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 rezoning.
Chair Richmond closes Public Hearing.

**Motion by Mr. Teitgen to approve rezoning from Agricultural to Single Family Residential.**
**Seconded by Mr. Baebler.**
**Motion carried unanimously**

**Item II– Zoning Change – Agricultural to Rural Residential & Agricultural to Agricultural with Agricultural Overlay, Marvin & Helen Manke, Petitioners and Owners – Town of Arlington**

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Petitioner represented by Scott Hewitt of Grothman & Associates. He stated that the Town Engineer visited the site and issued a driveway permit 30’ west of the existing driveway.

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 rezoning.

Chair Richmond closes Public Hearing.

**Motion by Mr. Baumgartner to approve rezoning from Agricultural to Rural Residential and Agricultural to Agricultural with Agricultural Overlay effective upon the recording of a Certified Survey Map.**
**Seconded by Mr. Baumgartner.**
**Motion carried unanimously.**

**Item III– Conditional Use Permit for Temporary Meteorological Wind Transmission Tower, Wind Capital Group, LLC, Petitioner and Sherri & Lloyd Manthe, Owners – Town of Arlington**

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Mr. Teitgen inquires about height of proposed wind tower.
Petitioner was represented by Tom Green of Wind Capital Group. He explains the height of the wind turbine would be 265' and require a 450' setback.

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 a temporary 197 foot meteorological tower subject to the following findings, conclusions and conditions.
   Seconded by Mr. Healy.
   Motion carried unanimously.

Findings:

1. The property is owned by Lloyd and Sherri Manthe.
2. Wind Capital Group is proposing to erect a 197 foot temporary meteorological tower.
3. The Arlington Town Board has reviewed and recommended approval of the Conditional Use Permit.
4. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:

1. The application qualifies for a Conditional Use Permit
2. This proposed use is consistent with the purpose and intent of the ordinance.
3. The proposed use does not conflict with current use of any adjacent property, 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 and has appropriate highway access.
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 commercial 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:

1. The conditions requested by the Town of Arlington in its July 2, 2008 minutes are 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 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 tower shall be located at least 450 feet from any property line.

3. The Owners shall insure that the tower and associated materials on this property be removed and the site restored to preconstruction condition prior to August 1, 2010, unless an extension is approved by the Town and County prior to August 1, 2010.

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

5. 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 IV—Conditional Use Permit for Temporary Meteorological Wind Transmission Tower, Wind Capital Group, LLC, Petitioner and Alan Kaltenberg, Owner—Town of Leeds

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Chair Richmond asks if anyone has any questions.

Mr. Teitgen inquires about putting the test tower in the same height range as wind turbine.

Petitioner was represented by Tom Green of Wind Capital Group. He explains they test wind in general elevation.

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

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

James Foley, Town Board Supervisor was present. Town unanimously recommended approving the Conditional Use Permit.

Chair Richmond closes Public Hearing.

**Motion by Mr. Healy to approve Conditional Use Permit for a temporary 197 foot meteorological tower subject to the following findings, conclusions and conditions.**

Seconded by Mr. Baebler.

Motion carried unanimously.
Findings:

1. The property is owned by Allan Kaltenberg.
2. Wind Capital Group is proposing to erect a 197 foot temporary meteorological tower.
3. The Leeds Town Board has reviewed and recommended approval of the Conditional Use Permit.
4. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:

1. The application qualifies for a Conditional Use Permit
2. This proposed use is consistent with the purpose and intent of the ordinance.
3. The proposed use does not conflict with current use of any adjacent property, 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 and has appropriate highway access.
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 commercial 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:

1. The conditions requested by the Town of Leeds in its June 16, 2008 minutes are 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 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 tower shall be located at least 300 feet from any property line.
3. The Owners shall insure that the tower and associated materials on this property be removed and the site restored to preconstruction condition prior to August 1, 2010, unless an extension is approved by the Town and County prior to August 1, 2010.
4. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
5. 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 V- Conditional Use Permit for a Wireless Telecommunication Tower – Edge Consulting Engineers, Inc. Petitioner and Gordon & Mary Ann Hartmann, 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 was represented by Edge Consulting Engineers, Inc. They will secure the lease on the subject property (Staff Report, Findings - Revise Item 2) and there will be five carriers (Staff Report, Findings - Revise Item 3).

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 rezoning.

Chair Richmond closes Public Hearing.

Motion by Mr. Teitgen to approve Conditional Use Permit for a wireless communication tower subject to the following findings, conclusions and conditions.

   Seconded by Mr. Baebler.
   Motion carried unanimously.

Findings:

1. The property is owned Gordon and Mary Hartman.
2. Edge Consulting Engineers, Inc. will secure a lease on the subject property for the purpose of erecting a wireless communications tower and associated equipment.
3. The applicant proposes a 225 foot tower capable of supporting the antennas of five service providers.
4. The proposed site is subject to the requirements of Title 16, Chapter 6, and the Columbia County Wireless Communications Ordinance.
5. Sec. 16-6-7 (b)(2) requires that a conditional use permit be obtained for a new tower subject to the provisions of Sec. 16-1-18 of the Columbia County Zoning Ordinance.
6. The proposed project is consistent with Goal 1, Objectives 5, 6, & 7 of Element 4 of the County Comprehensive Plan.
7. The Town of West Point has recommended approval the wireless tower.
8. The application complies with the requirements of Chapter 16-6, subject to the filing of certain additional documents that must be submitted prior to the issuance of a zoning permit for site development and construction.
9. The application also complies with the general criteria of Sec. 16-1-18 (e) of the Columbia County Zoning Ordinance.

Conclusions:

1. The proposed use is consistent with the purpose and intent of Title 16, Chapter 6.
2. The proposed use is also consistent with the purpose and intent of Title 16, Chapter 1.
3. The proposed use complies with all applicable standards and criteria.
4. The application qualifies for a Conditional Use Permit.

Conditions:

1. Prior to or at the time of application for a zoning permit for construction of the tower, the applicant shall submit all applicable information necessary to meet the standards and requirements of Title 16, Chapter 6 of Columbia County Code of Ordinance, Wireless Communications.
2. The applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
3. 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 VI- Revocation of Conditional Use Permit for a Temporary Utility Staging Area—Welded Construction L.P., Petitioner and Daniel Berg, Owner– Town of Wyocena

Chair Richmond opens Public Hearing.

Mr. Bluemke presents the staff report.

Mr. Teitgen asks how the building tied into the Conditional Use Permit.

Mr. Bluemke responds that a separate document was involved and confirms that a Zoning Permit was issued for the structure. Explains that it is not in compliance with original site plan.

Mr. Teitgen asks why we are revoking a permit that has expired.

Mr. Bluemke explains we have to deal with the permit as it exists.

Chair Doug Richmond asks if someone inspected at the time of permit issuance.
Mr. Bluemke explains that it was inspected.

Petitioner explains that they building will be used to store hay and didn’t realize there was a conflict of interest. He originally requested expiration of Conditional Use Permit for December 2008, but request was changed by Planning & Zoning Committee.

Discussion takes place about various equipment remaining at the site, electrical pedestal and Road Bond expiration.

Chair Richmond asks if anyone has any questions.

Petitioner was present.

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 letter on file.

Chair Richmond closes Public Hearing.

Motion by Mr. Baumgartner to recommend revoking Conditional Use Permit that allows for Temporary Utility Staging Area with revised Condition #6 to read “The Owner shall insure that all construction equipment, trailers and associated materials on the property to be removed and the site restored to preconstruction condition prior to October 1, 2008”.

Seconded by Mr. Teitgen.

Motion carried unanimously.

1. The Conditional Use Permit will not become effective until the Department is notified, in writing, that prior to occupying the site that East Bush Road has been inspected per the Towns request and that the Town has the performance bond noted in the Town’s May 17, 2007 Board minutes.
2. Welded Construction, LP agrees that all operations will be conducted professionally and conform to industry, state or local standards.
3. Traffic advisory signs shall be installed on STH 22 in locations approved by the State and at points on East Bush Road as approved by the Town of Wyocena.
4. Welded Construction shall ensure that mud and other debris on STH 22 or East Bush Road that is a result of traffic and equipment moving on and off the site be immediately removed.
5. Welded Construction, LP 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 be removed and the site restored to preconstruction condition prior to October 1, 2008.

7. The Owner and Welded Construction, LP shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

10. Adjourn

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

Meeting adjourned at 5:30 PM.

Respectfully submitted,

[Signature]
Fred Teitgen, Secretary
Planning and Zoning Committee

[Signature]
Susan Runnion
Recording Secretary
Office Administrator

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