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

STAFF: John Bluemke, Director, Mike Stapleton, Zoning Administrator Debby Olrick, Administrative Secretary, Susan Runnion, Office Administrator

ALSO PRESENT: Harlan Baumgartner, James Grothman, Harold DeYoung, Joe DeYoung, David Cupery

BUSINESS MEETING

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

2. Certification of open meeting law.

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


Motion by Mr. Teitgen for approval of Agenda. Seconded by O’Neill. Motion carried unanimously.

5. Motion by Healy for approval of Minutes of August 1st Planning & Zoning Committee Public Hearing. Seconded by Mr. Baebler to approve. Motion carried unanimously.

6. WAIVER OF ACCESS, DEYOUNG, TOWN OF RANDOLPH –
Harold DeYoung, Petitioner and Owner

Harold DeYoung, Joe DeYoung and David Cupery were present.

Mr. Bluemke presented the staff report. The Town Chair was not present. Mr. Teitgen inquired as to where the 33’ was shown on the plan? Mr. Bluemke illustrated the location on an aerial photomap. Mr. Baebler wanted to confirm it was not cutting through agricultural land.

Mr. Bluemke stated there should be some place to turnaround and Mr. Harold DeYoung said that an easement was available to use the driveway. Mr. Baebler stated that the turnaround was subject to the approval of the Fire Chief. Mr. Bluemke stated that the
Town Chair approved it with a width of 33’. Mr. Joe DeYoung stated that the 33’ was available in easement form. Mr. Healy questioned if the easement was on record and Mr. Harold DeYoung confirmed that it was.

Chair Doug Richmond asked the owner if he owned the entire parcel and Mr. Harold DeYoung replied that they do. Mr. Joe DeYoung said they were creating three new lots, which includes a field and two new sites. Chair Doug Richmond inquired about using that property to create a driveway. Mr. Joe DeYoung replied that it was not a good location for a driveway.

Chair Doug Richmond asked if they could comply? Having concerns about not having 66’ – joint use has been waived in other situations. He said he would prefer 66’. Mr. Teitgen stated that the County ordinance says 33’ for a cul-de-sac. Mr. Bluemke said the concern is reducing below 66’. Thirty-three feet with existing easement is what staff is recommending. Mr. Teitgen inquired about the location of the 66’. Chair Doug Richmond suggested moving the lot over.

Mr. Bluemke inquired if a survey was conducted and confirmed location of the mound system. Mr. Joe DeYoung replied that it was a guess.

Motion by Mr. Healy to approve waiver if the easement is on record and recorded subject to stated conditions. Motion amended by Mr. Tietgen with a condition that turnaround is approved by Fire Chief on Lot #2. Seconded by Mr. O’Neil. Motion carried unanimously.

7. FINAL PLAT OF ANCHOR RIDGE ESTATES, TOWN OF WEST POINT –
Will Sadek, Jeff and Jodi Zersen, Petitioners and Owners

Mr. Grothman of Grothman and Associates was present.

Mr. Bluemke presented the staff report, which recommended approval.

    Motion by Mr. Teitgen to approve Final Plat. Seconded by Mr. Baebler.
    Motion carried unanimously.

8. PRELIMINARY AND FINAL PLAT OF INGLEWOOD PRAIRIE, TOWN OF WEST POINT –
Ruth Heeg, ETAL Petitioner and Owner

Mr. Grothman of Grothman and Associates was present.

Mr. Bluemke presented the staff report, which recommends approval with conditions.
Motion by Mr. Healy to approve the Preliminary and Final Plat with conditions.
1) The road name be approved by the Planning and Zoning Department/Emergency Government.
2) The Town officials sign the Final Plat before it is submitted to the County for signatures.

Seconded by O’Neil. Motion carried unanimously.

9. **DEPARTMENT REPORT**
   a. Financial
      ♦ Out of county travel
         Mr. Bluemke and Mr. Stapleton attending WCCA District meeting in Dodgeville, WI on September 29th

      Motion by Mr. Healy to approve travel. Seconded by Mr. O’Neil.
      Motion carried unanimously.

      ♦ Vouchers to be paid
         Comprehensive planning needed new material. Escort repairs occurred this month and Escort will need tires in future.

      Motion by Mr. Teitgen to approve vouchers. Seconded by Mr. O’Neil.
      Motion carried unanimously.

      ♦ Program Evaluation – deleted from Agenda and replaced with E911

         Mr. Bluemke attended the Town’s association meeting last Monday. Pat Beghin explained 911 and how the process to update fire numbers in the future needs to be developed. Draft of form was distributed and will be sent with a memo to the towns for review. Would like to eliminate multiple site visits and help town to enforce driveway ordinance.

         Mr. Bluemke would like to proceed with the need for lat/long and put ordinance in place. Chair Doug Richmond inquired if the surveyor gets lat/long?

         Mr. Bluemke distributed a draft of a form with Lat/long and access on first page and second part – is the draft Department Permit form

   b. Comprehensive Planning
Mr. Bluemke briefly reported Comprehensive Plan status by handing out the Comprehensive Plan Progress Report. Mr. Thompson provided maps with 35 acres locations at last meeting. Looking at processes to share with Towns.

Mr. Steinhaus, Chair Doug Richmond, Mr. Baumgartner met with Jefferson County. Have a copy of Jefferson County Comprehensive Plan from 1999. Need to consider concept of Identified Ag areas. Some people don’t mind 35-acre rule – they just shouldn’t be located in middle of field.
Density standards greater than 35 acres could occur by individual town action

c. Correspondence

Mr. Bluemke distributed a letter from the Town of Newport related to concern about tourist rooming houses. This is also a problem in Town of Lodi (E-mail from attorney). Many factors to be considered; farm dwelling – enforcement regarding running business. Health & Human Service Department is conducting inspections and provided list of places being inspected. Problem with state licensing requirements is it doesn’t take into account land use.

d. Enforcement

Mike Stapleton reported on pending enforcement actions.

Meeting recessed at 12:30 P.M. for tour of public hearing sites.

Public Hearing reconvened at 4:00 P.M.

ITEM I: A PETITION BY LEON R. MCQUEEN, CAMBRIA, WI, TO REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENCE

Property on East Bush Road, described as Lot 1 of Certified Survey Map Number 3408, Section 13, T12N, R10E, Town of Wyocena. Intent: To build a single-family dwelling. A map of the land to be rezoned is on file in the Planning and Zoning Department.

Mr. Bluemke presented the staff report.

Petitioner was present and did not have anything to add.

Chair Doug Richmond asks if anyone is in favor of petition?
Chair Doug Richmond asks if anyone is against the petition?

Mr. Bluemke confirmed there was no representation of the Town Board present, but minutes were on file as approving rezone.

Chair Doug Richmond declared the public hearing was closed.

Motion by Mr. Teitgen, to recommend approval of rezoning the property from Agriculture to Single Family Residence. Seconded by Mr. Healy. Motion carried unanimously.

ITEM II: A PETITION BY TIM M. AND ANGELINA T. LARSON, TO REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENCE AND AGRICULTURAL TO COMMERCIAL.

Property at N7912 STH 44, described as part of Lots 1 and 2 of Certified Survey Number 2209, Section 36, T13N, R10E, Town of Marcellon. Intent: To operate an automobile and farm machinery repair business. A map of the land to be rezoned is on file in the Planning and Zoning Department.

Mr. Bluemke presented the staff report.

Petitioner and Attorney John Miller were present and did not have anything to add.

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

Alicia Larson
203 Gillette St., Apt #3
Pardeeville

She supports the business. Her father made a good living and supported family with business.

Reverend Nathan Kline
N7631 STH 22
Residence behind
W6144 Haynes Road
Pardeeville, WI

In favor, runs a honest and fair business. Tim has offered niche in market. I appreciate it.

Chair Doug Richmond asks if anyone is against the petition?
Chair Doug Richmond inquires if the Town Board is present?

Yes, Town board present –Gerald McElroy Chair, Town of Marcellon confirmed approval at last meeting.

Chair Doug Richmond declared the public hearing was closed

Motion by Mr. Baebler to approve rezoning from Agricultural to Single Family Residence and Agriculture to Commercial, effective upon the approval of a Conditional Use Permit for a small vehicle and farm equipment repair facility and upon the recording of a Certified Survey Map. Seconded by Mr. O’Neil. Motion carried unanimously

ITEM III: A PETITION BY TIM M. AND ANGELINA T. LARSON, FOR A CONDITIONAL USE PERMIT UNDER SECTION 16-1-9(2)(G)(J) AND SECTION 16-1-18 OF THE COLUMBIA COUNTY ZONING ORDINANCE TO OPERATE AN AUTOMOBILE AND FARM MACHINERY REPAIR BUSINESS

Property at N7912 STH 44, described as part of Lots 1 and 2 of Certified Survey Number 2209, Section 36, T13N, R10E, Town of Marcellon. A map of the land is on file in the Planning and Zoning Department.

Mr. Bluemke presented the staff report and 19 associated conditions were referenced.

Petitioner and Attorney John Miller were present.

Mr. Baebler had questions regarding Condition #6 related to 8:00 a.m.-5:00 p.m. public business hours (requested vs. proposed). Mr. Miller said the petitioner did understand recommended conditions.

Mr. Teitgen questioned the hours of operation 8:00 a.m. – 6:00 p.m. and if additional hours were appropriate?

Motion by Mr. Teitgen to change Condition #6 to change the hours of 8:00 am to 6:00 pm to allow people to pick vehicles after work. Seconded by Mr. O’Neil. Motion approved.

Chair Doug Richmond asks if anyone is in favor of the petition?

Chair Doug Richmond asks if anyone is against the petition?
Chair Doug Richmond inquires if the Town Board is present?

Yes, Town board present –Gerald McElroy Chair, Town of Marcellon confirmed approval at last meeting with conditions of the Zoning office.

Chair Doug Richmond declared that the public hearing was closed.

Motion by Teitgen with findings, conclusions and conditions as amended. Seconded by Healy.

Findings:
1. The property is owned by Tim and Angelina Larson.
2. The Larson’s are proposing to operate a small vehicle and farm equipment repair business out of an existing structure, per Sec. 16-1-9(2)(g) and (j).
3. The Marcellon Town Board has recommended approval of the Conditional Use Permit, with conditions.
4. The application complies with the general criteria of Sec. 16-1-18 (e) of the Columbia County Zoning Ordinance.
5. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:
1. The proposed use is a commercial related use that is consistent with the purpose and intent of the ordinance.
2. The proposed use complies with all applicable standards and criteria.
3. The application qualifies for a Conditional Use Permit.

Conditions for the Decision:
1) The conditions requested by the Town of Marcellon at the June 12, 2006 meeting 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 meeting 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 shall not become effective until the rezoning of Lot 2 is in force.
3) Storage, defined as vehicles or equipment either waiting for repair or having been repaired, must occur only in the area shown on the site plan, and storage shall be limited to a total of 10 vehicles or pieces of farm equipment. No semi-truck and trailer storage or repair is allowed. No vehicles, other than those owned by the business shall be stored on the site for more than two weeks, and business vehicles in the parking lot shall be included in the 10 space limitation.
4) The parking lot shall adhere to the dimensions of the site plan and any area expanded by vehicles either being parked or moved, snow plowing or other operations outside the defined parking area shall be returned to vegetation as soon as practical.

5) The driveway from STH 44 shall not be used for business purposes and must be posted as not being the entrance to the repair facility.

6) Hours of operation are from 8:00 A.M. to 6:00 P.M., Monday through Friday, and 8:00 A.M. to 3:00 P.M. On Saturdays. This does not preclude the operator from working inside with the doors closed after the hours of operation when the business is open to public.

7) All work shall be conducted inside and the operator shall not use Vaughn Road for testing vehicles.

8) No vehicle sales, private or commercial, shall occur on the property.

9) The business shall not be expanded beyond the operator and his immediate resident family.

10) Oil and other waste products, non-recyclable items, scrap iron, tires and batteries must be disposed off site in appropriate facility. All of these items must be stored inside until they are removed from the site.

11) There shall be no outside storage of any materials associated with the business, except for vehicles and wood used to heat the garage and stored per the site plan.

12) Per the site plan the landscaping required includes evergreen trees, 5 feet tall at the time of planting, planted 15 feet on center to screen the parking lot from STH 44, and deciduous trees 3/4 inch in diameter to help screen wood storage shall be installed no later that Dec. 1, 2006. The landscaped area shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

13) A 6 foot tall wood fence shall be installed between the wood being stored and the tree planting along the east side of Lot 2, and the wood fence shall be properly maintained in good condition.

14) New lighting for the facility shall be oriented so that the lighting element (or transparent shield) is not visible from an adjacent residential or motel property. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.

15) No ground signs or signs on the building shall be allowed unless they are reviewed by the Town and approved by the Planning and Zoning Department.

16) Any amendments to the approved site plan and additions or changes in the design or size of the structure shall be referred to the Town for review and the Committee for action.

17) No wastewater or water containing petroleum can be run onto the ground of the subject property.

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

19) 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.

Motion carried unanimously

ITEM IV: A PETITION BY NORMAN C. AND PATRICIA A. WAUGH, POYNETTE, WI, TO REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENCE

Property on Bilkie Road, located in part of the E ½ of the NW ¼, Section15, T11N, R9E, Town of Dekorra. Intent: To build 4 single-family residences. A map of the land to be rezoned is on file in the Planning and Zoning Department.

Mr. Bluemke presents the staff report.

Petitioner and Attorney John Miller were present.

Chair Doug Richmond asks if anyone is in favor of the petition?

Chair Doug Richmond asks if anyone is against the petition?

Town Board was present. Kim Lindholm, Supervisory #1 and stated that the Comprehensive Plan endorses preservation of land which is included as part of this development.

Also representing the Town was Bill Morris -Plan Commissioner – Town of Dekorra-
W10680 Kelly Drive
Cluster development preserves open space – good example, very happy.

Chair Doug Richmond declared that the public hearing be closed

Motion by Mr. Teitgen to approve the rezoning. Seconded by Mr. Baebler. Approve the rezoning from Agriculture to Single Family Residence effective upon recording of the approved Certified Survey Map.

Motion carried unanimously

ITEM V: A PETITION BY GRAND DEVELOPMENTS, LLC, WAUNAKEE, WI, TO REZONE FROM AGRICULTURAL TO SINGLE FAMILY RESIDENCE AND AGRICULTURAL OVERLAY DISTRICT.
Properties on CTH CS and Smith Road, located in part of the NE ¼ of the NE ¼, SE ¼ of NE ¼, SW ¼ of the SE ¼, and the SW ¼, Section 35, and part of the SE ¼ of the SE ¼, and the SW ¼ of the SE ¼, Section 34, Town of Dekorra. Intent: To build single-family homes. A map of the land to be rezoned is on file in the Planning and Zoning Department.

Mr. Bluemke presents the staff report.

Petitioner and Attorney Jeffrey Clark were present.

Mr. Clark stated he would like an opportunity to reply after public comment. Dekorra has a Comprehensive Plan because of the effort of many citizens, planners and consultants. Plan is what is the issue. People can disagree on development but elected officials have to follow adopted plan. Staff says development meets the Comprehensive Plan. Issue not about the concerns of citizens – but about Comprehensive Plan. To develop under 35 acre rule not an option under Comprehensive Plan.

Mr. Teitgen stated that he would like to see a condition added to the staff recommendation for approval requiring a study of the collective effects of the subdivision well and on-site septic systems within a boundary of ½ mile beyond the proposed single family residence zoning districts in the plat, and that such a study be performed by a firm specializing in this area of expertise acceptable to Columbia County Planning and Zoning.

Mr. Clark stated the following has occurred; 1) Town soils report by Tom Robson – soil testing on site. His report claims soils are suitable on-site. 2) Well water issued raised at end of process. Information submitted from Sam’s over 1000 wells in this town and – close proximity. Been in business over 50 years. Never seen negative impact – should not be required by this developer – not required by other developers. Unfair topic at this late date. Is there an example of well going dry in this area? If so, people to back – then condition would be legitimate – conclude.

Mr. Bluemke notes that the soil tester was Scott Hewitt not Tom Robson.

Mr. Teitgen states that 35 acre lots are a possibility because the CSM’s creating 35 acre lots were recorded prior to the Comprehensive Plan being adopted.

Chair Doug Richmond asks if anyone is in favor of petitioner?

John Kelly
N3188 CTH V
Lived in area for most of life. Good way to keep land and develop too. No worry of septic or well. Good plan– in favor.
David Ruhnke  
N2997 Stein Road  
Transplant from Chicago – own 40 acre parcel directly across from site.  
Wildlife suffering – not the case. All criteria have been met. It will be 5-7 years  
before homes go in. 84 cars will not be leaving at the same time. Doesn’t  
understand opposition of landowners. Tax revenue may go up along with property  
values. Strongly recommend.

Joe Knox  
W8499 Bilkie road  
Taxation will help. We are going to get development – good plan recommend it.

Diane Kelly  
N3188 CTH V  
Could be worse. Likes plan and woods being saved. She watched traffic counts.  
People worried about traffic. There is traffic because it is a beautiful place. Just  
drain the lake and traffic problems will go away.

Chair Doug Richmond asks if anyone is in opposition of petitioner?

Larry Gates  
Dekorra – former Supervisor  
W7350 Hickory Lane  
TDR – had to be abide within tax boundary lines. Mr. O’Connor did not follow  
rules – not suitable for development. Waited until April to present to Board –  
delay for 30 days or reject.

Ardell Johnson  
N3850 Tipperary Road  
Dekorra Citizens Group – community members regarding Legacy Oaks. Pre-  
meeting package 300 signatures of community members. Threatens charm and  
will dilute character of area. All volunteers – please do not vote without looking  
at facts. Need slow measured growth

Pat Kaiser  
N2735 Smith Road  
Live 3/10 mile south of subdivision. Two prior hearings, many Dekorra and Lodi citizens – 22 people attended 6 in favor – 16 against / 41 people attended – 6 in favor – 35 against. Despite the public opinion Town unanimously approved the rezoning request. Concerned about rural character. Unique area. Surrounding O’Connor property has 1 house per every 110 acres. This opposite of wishes. If approved it would set precedence. Limited hunting will increase deer herd. Farmland will have deer damage.
Sheri Hicks  
N2544 Smith Road  
Listen with open mind – not a rubber stamped meeting. Weigh all concerns.  $650,000 homes – elimination of wildlife – Smith Road is unsafe.

Gary Leatherberry  
N3076 Smith Road  
Live in Dekorra. Mid-July learned of development. Eliminate TDR because of steep slopes. Reconsider TDR. Reviews dates and events leading up to today’s meeting. Opposes because of inconsistency.

Tom Osmanski  
W10702 Becker Road  
Is the law of the plan being enforced? Preserve by prohibiting. Town should supply more details. Enforce erosion control measures – quality and quantity of runoff. Forty homes could generate 10 million gallons of wastewater. Uphold the law. Plain wrong for the area.

Dave Johnson  
W10276 CTH CS  
Deviation from Comprehensive Plan. No public input. No amendment procedures followed.

Tim Hineline  
N3134 hooker Road  
Lives 600 ’ of subdivision. Plan discourages development on slopes. If true conservation subdivision -slopes – 12 – 20% should not be developed. Costly and difficult to maintain. No meeting held regarding slope. Emergency vehicles difficult to navigate in bad weather.

Denise Byrne  
Crooked Lane  
Open meeting 1-5-06 Comprehensive Planning meeting. Strike TDR. No newspaper notice of this rezoning meeting. Intentional lack of notification. Question intent of Town – if common practices and procedure?

Jim Cork  
N3541 Tipperary Road  
Allot my time for next speaker

Marilyn Gerdes  
N3541 Tipperary Road  
May, 2006 - preliminary plat. June 22, 2006 – closed door meeting. Plan resubmitted without following procedure. Plat concept approved – August 8, 2006. Plat plan was provided to town attorney less than one week before the meeting. Did not have time to review. Miraculously approved. Resubmitted
preliminary plat that changed – 4000 sq ft building added. What is the hurry? Why was public ignored?

Linda Brereton
W11251 CTH V
Concerned about water – quality and quantity- manganese- radon, etc. What provisions are in place? Quality of lakes and wetlands – require study from independent and $1 M bond from developer.

Mercedes Chmura
W10688 Becker Road
Concerned about wildlife and wetland quality. Endangered species swept aside at Dekorra Town meeting. Deer related accidents will increase.

Dana Quigley
N2656 Smith Road
½ mile south of subdivision. Traffic study 5 am – 8pm Smith Road and CS – 2554 vehicles. Need 55 mph to change to 45 mph for safety.

Cookie Quigley
N2656 Smith Road
No graded shoulders. Heavy rains wash out edges. Go 55 mph vs speed limit – hills dangerous. Need to stop before entering driveway. Many have blind spots on driveways. Can’t handle additional traffic

Lars Petersen
N2657 Smith Road
Speed limit concern, driveway on hill. Find many deer and car pieces. Against because of increase in traffic.

Lisa Baldwig
N2900 Smith Road
Traffic 80 more cars every day. People don’t slow down when approaching road. CS – 55 mph. Just to get mail – concerns. No shoulders, multiple accidents.

Carol Monson
N3790 Tipperary Road
Property owner since 1947. Builder who builds 2 custom homes per year. On construction sites daily. Concern is hillside. Potential for construction erosion and run off. 4 streams on O’Conner property. Run-off a problem that cannot be contained. Cannot control erosion now – what will occur in future? Ongoing for several years - -not an urban community.
Bobbi Hahn  
W10850 Fox Glen Road  
Community character difficult to define. Many homes on slopes. All night lighting – I don’t want to see lights. My retired mother’s income will not cover increase in taxes. Read letter from Margo Holzman – Feels plan is against Carl Lee’s desires.

Ken Erdahl  
W10850 Fox Glen Road  
The development does not fit the plan by putting buildings on steep slopes. TDR areas were to be defined by parcel numbers and not the plat book. Intent of TDR not followed – not enough sending areas. Thinks the Board made a mistake which you could override.

Tom Hayes  
W10611 CTH V  
Notified in June of project. 35 houses are too many for the area. Lived there for 15 years. Needs much better use. Listen to the people.

Ruth Nancy Banach  
W10592 CTH V  
Representing senior citizens. Can you guarantee no increase in taxes. Fixed income Don’t put me out of my home.

Dave Dody  
305 Lodi Street  
Re-consider and say no

Jane Hineline  
N3134 Hooker Road  
Concern was lack of notification. Not notified and not listened to – crowds were ignored – not representing us. We are here as a group – listen to us.

Chair Doug Richmond - Town Board present – yes  
Kim Lindholm – (Supervisor #1 – Dekorra)  
W10933 Corning Street  
This process occurred over 1.5 years – 300 people involved – 1600 others not heard from – support the development.

Bill Morris –Chair Planning Commission  
W10680 Kelly Drive  
Made ordinances per Comprehensive Plan. This subdivision was reviewed for 1.5 years. We demanded changes – they made changes – feel very strongly that they have met law and satisfied majority of people.
Rick Schmidt  
N4044 Keebaugh Road  
I found out on my own where the postings were. Look on your own. I did not witness closed meetings.

Randy Crawford (Supervisor #3 – Dekorra)  
N7790 Phillips Road  
Own 155 acres – no problem with surrounding subdivision. Never any problems – should be a nice development. In favor.

Gary Leatherberry  
W9528 Richards Road  
Request to not have Fred Teitgen vote on this issue.

Chair Doug Richmond responded that consultation with Corporate Counsel/Columbia County did occur and they felt there wasn’t a conflict of interest.

Mr. Clark stated that 240 acres are being preserved by conservation easement which is being created in return for limited development. Addressed to Plan Commission and Town Board prior to today. That’s what triggered studies – etc. Road designed to handle more cars than were counted. Subdivision entrances designed in a safe manner. Town Board was evaluating. Process was all followed. He confirmed that different plans were submitted because of changes and input of citizens – and plan commission – town planner – concerns about plan or plat.

Mr. Clark said the Town Board addressed most of the issues. Engineer has submitted erosion control plans as part of process. Developer complying with ordinances. No variance of ordinance has been requested. Didn’t need one because we met the ordinance. Town Board supports the plan. Silent majority took the time serve and meet as part of Comprehensive Plan Committee. If you reject, you will reject efforts of Plan Commission and actions of those individuals elected to Town Board elected by citizens of town, efforts of plan commission and consultants. It took courage for planning commission members to follow plan and enforce it. 15 towns that are in planning process. Why should they continue if their work is not going to be enforced by the County.

Chair Doug Richmond assured participants that all of the letters were read and thanked people for participating.

Mr. O’Neill stated that after listening to testimonies and observing parcel there still are some issues. The Comprehensive Plan is new. However, citizens have concern about process being violated, which was supported by 1-2 letters. Mr. O’Neill proposed that a decision be delayed for one month for citizens and attorneys to further review concern. Perhaps they could get back to us after process was determined as legitimate.
Motion by Mr. O’Neil to table the petition for the October meeting. Seconded by Mr. Mr. Baebler.

Mr. Teitgen asks if the Town will see information and respond? Perhaps Town legal counsel to assure Board followed process. Mr. Bluemke reminds everyone of the importance of receiving the proper information being requested. Chair Doug Richmond asks what is specifically required? Mr. O’Neill responds that it’s not his specific concern - but attorney should investigate.

Mr. Bluemke states there should be no doubt about the process being followed, but in fact there are two processes being mentioned; the adoption of the Plan and how this rezoning item came onto the agenda.

Mr. O’Neil suggests tabling for one month to clarify citizens concern for correct procedures being followed who made recommendations in light of new Comprehensive Plan. Mr. Teitgen suggested that once there are documented concerns the town would have the right to review concerns. Chair Doug Richmond suggest the Town’s attorney have one week prior to P & Z meeting - need more than one week – motion for one month. Chair Doug Richmond asks if motion being amended?

Mr. O’Neil states that because of time restraints – offer the citizens or legal representative time to review issues and present to Town Attorney – for further review for following month – Reconsider in two month window verses one.

Amend Motion by Mr. O’Neil, to allow 30 days for citizens and/or legal counsel to present concerns to Town legal counsel and then information will be brought to us for November meeting. Seconded by Mr. Baebler

Roll call vote taken by Susan Runnion

Phil Baeblner – Yes
Doug Richmond – Yes
Fred Teitgen – Yes
John Healy – Yes
Tim O’Neil – Yes

Motion carried unanimously to amend the motion.

Roll call on Motion as amended.

Phil Baeblner – Yes
Doug Richmond – Yes
Fred Teitgen – No
John Healy – Yes
Tim O’Neil – Yes

Motion carried.

Chair Doug Richmond states there will be a 5-minute break

Meeting recessed 6:55 pm
Meeting Reconvened 7:00 pm

ITEM VI: A PETITION BY GRAND RIVER DISTRIBUTION, LLC, JOHNSON CREEK, WI, FOR A CONDITIONAL USE PERMIT UNDER SECTION 16-1-11(2)(N) AND SECTION 16-1-18 OF THE COLUMBIA COUNTY ZONING ORDINANCE FOR CONSTRUCTION OF AN ETHANOL PLANT

Property on Cabbage Road, located in part of the NE ¼ of the SW ¼, Section 5, T12N, R12E, Town of Courtland. A map of the land is on file in the Planning and Zoning Department.

Mr. Bluemke presents the staff report.

Petitioner and Attorney John Miller were present.

Dow Didion from Didion Milling explained that this request is an expansion of an existing business. Traffic study was conducted traffic study including second study which showed less impact. Water issue – have permit from DNR for high capacity wells and protection of Town of Courtland. Air pollution draft air permit – 74 pages of regulations. Air monitors – stack testing – record keeping and safety plans in place several areas. Proximity to school – 4/10 of mile and screened by wall. Real estate values refer to Monroe accessor 16% increase in real estate value – and agent proximity on shorter period of time. Size of parcel and current site – near 40 acres more than adequate. Regarding statements that we shouldn’t be trusted – we don’t care about village – had issues, but they were rectified. We reacted and won’t allow again. Village of Cambria to bring up additional concerns and requests. Over last 60 days they (Didion) has not been contacted by the Village.

Todd Potas - Natural Resource Group-
Handles environmental permitting and compliance. Many stack and emission tests. Permit application prepared by their firm

Bernie Fenilan –
Ground water – sandstone has good aquifer. All high capacity 500 gallons per minute require permits. Water levels same as 30 years ago at time of installation Cambria 2000 gallons per minute- 9 square mile area – adequate water – small % available being used even with addition.
Tim Breunig – Agra Industries -
Six years experience. All site considerations and safety – location 10.1 acre site. Other considerations fire suppression all met and local fire department for protection during construction and final completion. During construction – 100% safety minded.

Con Elfes – Hays Group -
Insurance for ethanol. Handles more fortune 500 than any other insurance company in world. Sprinklers – no need for fire suppression – usually out before fire department arrives. Safety training for employees. Own engineers on site to work with owners. Industry growing quickly. Delta T is a design company – they adopt fm standards.

Mr. Teitgen inquire if there have been any fires?

Con Elfes responds they are usually dry fires, which are contained in dryer. Now more sophisticated driers. Usually human error – no process loss in the industry that he is aware of.

John Miller – Attorney introduces Eric McCloud

Eric McCloud – Attorney-
We encourage a decision tonight. Village has counsel – (Dick Lehman – counsel for Village). Information is not new. All information you have received prior to tonight. Impact on items have been addressed at great length.

Chair Doug Richmond ask if anyone in favor of Petitioner? He requests the limitation of three minutes per speaker. He states that people can relinquish time to someone else.

Chair Doug Richmond asks if anyone is in favor of the petitioner?

Don Wingers
W2043 CTH A
I have letter in favor – submitted to Board.

Randy Link –
Steve Schlemlign was a DNR employee – handled air and water permits. Not the lawyers – people work for DNR and State – strong feeling. Unrealistic conditions from Village of Cambria. Didion has been fair with agreement and trust fund Cambria has had time.
Lynn Wingers  
W1910 STH 146  

Glenn Schraeder  

Ron Minick  
N2708 CTH A  
In support of WI Corn Growers. Ethanol bright light to corn growers. Vote in support.

Jeffrey Bump  
N9093 CTH E  

Wayne Nelson (Sons -Scott & Larry Nelson)  
Poynette  
Tough farming and we need improvement to support farmers. Agricultural needs your help – approve.

Gary Hellenbrand  
W6146 Hall Road  
Sending our own to Iraq. Buying oil –need to make our own fuel.

Mary Claire Lanser  
Lanser Public Affairs  
Everyone stand up in support.

Majority of room stands up

Chair Doug Richmond asks if anyone in is opposition of petitioner?

Wayne Smith  
101 Hillcrest Drive  
Relinquish time
John Doucette
301 Robert Street
Relinquish time

Dick Lehman – Attorney representing Village of Cambria
CUP should be denied – zoned industrial – way too small have large facility with such impact. ROW – leaves 8.5 acres. If you approve – conditions in memo should be added 1) all existing state and federal be cleaned up 2) air quality paid for by developer throughout village 3) Grant CUP with delayed effective date 4) Determine who owns cabbage road 5) zoning forbids ethanol production, but – applicants proposing corn milling and ethanol. Village needs time to amend and clarification to take place. Another condition – odor abatement and response plan (recording and sharing complaints). Condition – property value protection (detailed). Financial ability to enforce to mitigate any conditions of (set up fund – escrow 2.5 cents per gallons produced - $40 million first year production ($1M on-going). If granted and never built – revert zoning back to Agricultural. CUP and Deed Restriction be recorded against Deed

Dave Bender – Garvey McNeil & McGillivray
Issue is inconsistent with criteria in ordinance and uses (schools & residence). Urged to trust will not have environmental impact – no adverse impacts. Problems have current permits and not have complied. DNR turned up a number of violations. DNR inspections– considered beauty contests. Postpone until DNR permits are issued and are sufficient. Should arrive in next few months

Sarah Lloyd -Cambrians for Thoughtful Development
W1631 CTH P
Represents Cambrians for Thought Development since 2002. People from all around the country- supplement hand-out of concerns. Concerned about Staff Report because it doesn’t recognize Cambria as Village which is directly impacted. In ordinance - Criteria #6 requires proper access and Didion doesn’t have access. Checked with DOT for driveway permit. There was a road but taken away from DOT. No clear to access to plan. Produced 2 site plans – how can we know which they are talking about. Inappropriate to make a decision today because they did not fill review criteria. Trust Didion? – DNR will protect us? Chronological summary of open violations -please consider. Issues about aquafier being drained (article from Madison paper). Monroe ethanol plant – Sarah Lloyd has been there. Perhaps think about Lena, IL. Reference forwarded –email from Heidi Thorp who experienced terrible odors, vomiting, burning eyes and throat. Sue EPA to get action on their complaint. Reference photo - Cambria sits in bottom of valley. If emissions drop reference photo. Wind study – look at it carefully – was conducted at Dane County Airport. Topography – need third party study –40 million gallons. We need protection. Planning and Zoning is thinking about future? Protect citizens of Cambria and Courtland. A lot at stake – do not rush through this.
Leonore Neumann  
109 E. Commerce  
Relinquish time to Sarah Lloyd

Jim Pharo  
102 Hillcrest  
Relinquish time

Jeff Schumacher  
207 Evans Drive  
Relinquish time

Dallas Rupus -  
216 West First Street  
Refer to hand-out. Don Nelson recognized for efforts. Concern is odor.  
Minnesota has had violations – air pollution standards not met. Refers to Lena –  
even best operations can emit pollution – don’t place near people. 2004  
impromptu survey – changes made to plant. Owners of plant want to be good  
neighbors. Governor’s presentation. Some companies hope they don’t get caught.  
Take short cuts – money not more important than humans. Will plant bring  
soldiers home earlier? Are negative impacts worth it? Deny CUP because of  
proximity to Village of Cambria.

Floyd Knight –  
Relinquish time to Dallas

Sharon Dykstra  
229 South Madison Street  
Live less than one mile from plant. Main concerns traffic and water. Did not visit  
site today. Semi’s have difficulty with directions and streets. Many semi’s could  
have accidents. Water concern - 8-27-2006 State Journal Article – acquafier fallen 60’. What will occur in 5-10 years? Other alternatives for fuel – vs  
alternatives for replacing water.

Dedria Thayer  
209 East Edgewater  
I am not against ethanol. Village of Cambria – those are our houses – who will  
protect us? Pollution and safety concerns – heavy polluters. Safety issue – any  
fires at Ethanol. 2-22-05 Iowa a grain dryer fire ---several examples. What would  
happen in our Village?

Ann Smedema  
325 Scott Street  
Traffic concerns – 40,800 trucks per year – plus Seneca and Del Monte =  
100,000+ trucks. And other trucks and cars. Blocking 146 would leave Village
without exit. Lung association figures about truck emission combined with stacks.

John Mueller
307 Mary Street
Currently there is a lawsuit against EPA for not updating their standards. Also not keeping up with medical understanding – working toward goal now. Add emission with increased traffic – cumulative effect - makes air pollution. Need performance guarantees – if approved.

Mary Jansma
W1897 Cabbage Road
Lighting plan. Lived there since 1999. Water affected. Seneca fill affected wildlife. 4 am stack drafts hits Cambria. Property has decreased because of plant. They don’t follow rules. Add 70’ silo ask for forgiveness later. Compliance – no building permits or silo’s. Just started mowing this summer. That’s my impact study –

Anita Nelson
Newport Township
Farmer’s wife. Many folks getting financial gain – corn is very poor price. People not gaining because they will feel the affects. They have to struggle so hard to keep something from not occurring. State of WI should consider the top soil and loss of soil - need to grow corn. Be the conscientious for the land and people that live in the area. They will be affected forever.

Bonnie Smith
101 Hillcrest Drive
Comprehensive Plan Vision – “Economic Development” – has commitment ----- which is not compatible.

Tom Williams
206 E. Florence

Chair Doug Richmond inquires if anyone from the Town Board is present?

Yes, Glenn Smits (Town Chair – Town of Courtland)
Town board studied all the issues – visited other plants – and heard good things. Development agreement was 100%. As Town we encourage approval and do not delay.

Dale Drachenburg -VP Operations – Didion responds to the issues regarding open violations. He states that they had an exemption letter from DNR person
that died. Another person took on violation. Would not compromise safety of employees. Will take violation vs compromise safety of employees.

John Miller – introduces the following people:

Todd Potas – Natural Resource Group – 
15 years experience. Compliance items – many facilities add control and odor emissions. Some items do have odor that need controlled. Didion has state-of-the art that other facilities didn’t have. (thermo – oxidizer). Lena facility did not have oxidizer at time of complaint. Will control drying and fermentation and load out over and above source of emissions (and law). Existing milling added additional controls – all below minor source thresholds for both milling and ethanol. Odor abatement plan – all controls that were mentioned. Action plan for odor complaints. Meteorological data taken into account for proper dispersion.

Pete Turrant – Agra Industries –

Eric McCloud -
Who owns land under the road – owned by adjacent property owners – Village can’t condemn. Didion not interested in selling and Village has no jurisdiction. Most of what Village is asking for is covered by other issues. Why can’t we trust the DNR to regulate rules – various standards have been satisfied. We have enough information. Attorney Bender gives same comment for every location - never appropriate at any location. Look at staff recommendations and experts that advise this committee.

Chair Doug Richmond declares public hearing closed.

Motion by Mr. Teitgen - would like opportunity for whole committee and staff to review the volume of information and postpone action to next month to allow for time to review documents – complex issue. Seconded by O’Neil.

Chair Doug Richmond agrees there are two sides to the story, one chance to do it right – and need to take the time.

Chair Doug Richmond state only deliberation and disposition at next meeting – no public hearing.

Motion to postpone to next month, carried unanimously.

Motion by Mr. Teitgen. Seconded by Healy to adjourn meeting.
Motion carried unanimously
Next meeting at Law Enforcement facility
Meeting adjourned at 9:30 pm

Respectfully Submitted,

Fred Teitgen, Secretary
Planning and Zoning Committee

Recording Secretary,

Susan Runnion
Office Administrator

Cc: Committee Members
   Harlan Baumgartner, County Board Chair
   Jeanne Miller, County Clerk