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

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

BUSINESS MEETING

11:30 AM

1. Chair Doug Richmond called the meeting to order at 11:34 a.m.

2. Certification of Open Meeting Law

3. Roll Call

4. Approval of Agenda

Reviser Agenda as follows:

Item #6 (Holzern Plat) to be held over until December per Petitioner request
Item #7 (Bill Devine, Chair Town of Pacific) becomes Item #6
Item #7 substitute Didion site plan review

Motion by Mr. Teitgen to approve revised Agenda, Seconded by Mr. Baebler to approve.
Motion carried unanimously.

5. Approval of Minutes

Motion by Mr. O’Neil to approve Minutes of October 3, 2006 Planning & Zoning Committee Public Hearing, Seconded by Mr. Healy to approve.
Motion carried unanimously.
6. Bill Devine, Chair Town of Pacific

Stated his concerns of where county is with ordinance progress. The current ordinance is outdated and antiquated which causes problems for citizens and P & Z Department.

Chair Doug Richmond explains that a decision was made 3 1/2 years ago that the Comprehensive Plan would be completed and then the Ordinance would be revised. It doesn’t make sense to revise the Ordinance first. Jon Steinhaus and Chair Doug Richmond are committed to reaching that goal.

Bill Devine states he would like the board to set a timeframe of goals/objectives/implementation of ordinances. Would like to have outside source come in and write ordinance.

Mr. Bluemke disagrees with need to use outside assistance to create new ordinances, but that will be up to the Board to decide.

Other concern is the 3000 campsites in Columbia County. Campgrounds are a mess – need to know if they are licensed or properly licensed.

7. Didion Site Review
Mr. Bluemke explains that one of the conditions states that amendments to approved site plans be reviewed by the committee. Distributes two site plans for review. The site plans indicate that the cooling towers are moving back from the highway, and the large processing building will move closer to the highway. Overall it’s a better plan.

Mr. Bluemke questions policy for future items similar to this. Should it be listed as Business Item or Public Hearing. Committee decides it should be listed as a Business Item.

Mr. Bluemke reminds committee that an Appeal Proceeding on the Committees decision to approve a Conditional Use Permit for an ethanol plant is scheduled for November 21, 2006 at 1:00 pm in the Law Enforcement building. Mr. Teitgen unable to attend the Appeal, but plans to forward written statement to be distributed and recorded.

8. Department Report
   a. Financial
      • Out of County travel –
        o No travel plans per Mr. Bluemke
      • Vouchers to be paid
        o Standard vouchers processed per Mr. Bluemke

Motion by Mr. Healy to approve vouchers. Seconded by Mr. Baebler.
Motion carried unanimously.
b. Comprehensive Planning –
   Mr. Thompson met with 9 towns to explain land use and introduction to
   land use map preparation. Concerns related to balancing of land values
   and mass development. Expect land use maps to be returned in December
   and January. Will share with CPAC and address concerns at County level.
   Upon completion of a complete draft plan, $2500 will be collected from
   each Town. Mr. Healy inquired if financially “ok” and Mr. Thompson
   responds that there is $100,000, which is allocated towards ordinance
   issues.

c. Enforcement –
   Mr. Stapleton reviews open violations and status of the violations

d. Floodplain Maps/Ordinance
   Mr. Bluemke explains that the DNR and FEMA will present preliminary
   Floodplain maps later this week. Overall mapping quality will be greatly

e. Sign Moratorium –
   Mr. Bluemke explains that the current moratorium expires the end of this
   year. Options for January 1, 2007 include; 1) Enforce current ordinance
   “as is” 2) moratorium extension 3) something in between. Current
   Ordinance will only allow signs in commercial district. There is a need
   for some sign regulations as part of Zoning ordinance. If the moratorium is
   not extended at this time, the Planning & Zoning Department will enforce
   the Ordinance as currently stated.

2:00 PM
9. View Sites

4:00 PM - Called to order

10. Postponed Item

Item I – Zoning Change – Agriculture to Single Family Residence and Agriculture with
   Agricultural Overlay District, Grand Developments LLC, Petitioner and Owner
   – Town of Dekorra – Postponed from September 5, 2006

   Chair Doug Richmond asks if the committee members have any questions?
   Mr. O’Neil comments that letters from Mr. Hazelbecher and Mr. Bechler were
   both very thorough. Postponement was to make sure the process was forthright.
   This project does well by preserving open space and providing for homes

Motion by Mr. Teitgen to recommend approval of rezoning subject to recording of
   the Final Plat.
   Seconded by Mr. O’Neil
   Motion carried unanimously.
11. Public Hearing

Item I – Zoning Change – Agriculture to Rural Residential and Agriculture to with an Agricultural Overlay, Michael Smith, Petitioner and Owner – Town of Columbus

Mr. Bluemke presents the staff report.

Petitioner representative for Michael Smith present and did not have anything to add.

Mr. Teitgen inquires about access once the parcel is separated. Town Chair, Eugene Damm responds that they could have an ag driveway off a town road.

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

Chair Doug Richmond asks if anyone is against the petition?

Eugene Dam, Town Chair stated the Town is in favor of the rezoning.

Chair Doug Richmond declared the public hearing closed.

Motion by Mr. O’Neil to recommend approval of rezoning from Agriculture to Rural Residential and Agriculture to Agriculture with an Agriculture Overlay, effective upon the recording of an approved Certified Survey Map.

Seconded by Mr. Baebler

Motion carried unanimously.

Item II – Conditional Use Permit – American Transmission Company, Petitioner and Owner – Town of Columbus, 69kv Electric Transmission Line

Mr. Bluemke presents the staff report.

Petitioner was present and comments that they contacted two owners and that the Town issued a road crossing permit.

Mr. O’Neil inquires as to where substation comes from and petitioner explains that it is 1.5 miles north.

Town Board Chair, Eugene Damm explained that there wouldn’t be poles in the right-of-way. Didn’t take formal action at town board, but would if necessary on Monday night. Committee feels it is not necessary.
Chair Doug Richmond asks if anyone is in favor of petition?

Chair Doug Richmond asks if anyone is against the petition?

Chair Doug Richmond declared the public hearing closed.

Motion by Mr. Healy to approve Conditional Use Permit for a 69KV Electric Transmission Line subject to the following findings, conclusions and conditions. Seconded by Mr. O’Neill
Motion carried unanimously.

Findings:
1. The project is a multi-jurisdictional project between three companies, ATC, Adams Columbia REC, and the Columbus Water & Electric Utility ATC.
2. The project will assist in making electric service in the area more reliable.
3. The application complies with the general criteria of Sec. 16-1-18 (e) of the Columbia County Zoning Ordinance.
4. Title 16, Chapter 1 of Columbia County Code of Ordinance is applicable to this site.

Conclusions:
1. The proposed use 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 applicant and owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

Item III – Conditional Use Permit – Cynthia Lee, Petitioner and Owner – Town of Caledonia, Group Retreat Lodge

Mr. Bluemke distributed recently received e-mail.
Petitioner was present and would like the item postponed.

Motion by Mr. Teitgen to approve postponement of Item III
Seconded by Mr. O’Neill
Motion carried unanimously.

Item IV – Conditional Use Permit – David & Dotty Sutfin & Frank and Teisha Damit, Petitioners and Owners – Town of Lodi, Warehouse/Storage

Mr. Bluemke presents staff report.
Petitioner was present and states a structure would be mainly for personal storage and he is ok with the conditions.

Town Board filed minutes.

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

Chair Doug Richmond asks if anyone is against the petition?

Chair Doug Richmond declared the public hearing closed.

Motion by Mr. Healy to approve Conditional Use Permit for Warehouse/Storage subject to the following findings, conclusions and conditions.

Seconded by Mr. Teitgen
Motion carried unanimously.

Findings:
1. The property is owned by David and Dotty Sutfin and Frank and Teisha Damit Jr.
2. The applicants are proposed to construct a 3,200 square foot warehouse.
3. The application complies with the general criteria of Sec. 16-1-18(e) of the Columbia County Zoning Ordinance.
4. Title 16, Chapter 1 of the Columbia County Code of Ordinance is applicable to this site.
5. The Town of Lodi has recommended approval of the warehouse.

Conclusions:
1. The proposed use is as a warehouse 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 Lodi in its October 31, 2006 minutes on 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. There shall be no storage of equipment or other material outside of the buildings.
3. Any amendments to the site plan shall be reviewed and approved by the Department with significant changes being referred to the Town and Committee for action.
4. All signage must be reviewed by the Town and approved by the Planning & Zoning Department.

5. A landscaping plan, reviewed by the Town, be submitted to and approved by the Planning and Zoning Department no later that March 1, 2007, and installed by June 1, 2007 or as approved by the Zoning Administrator. At the time of planting the minimum size of the planting shall be as follows: deciduous trees 3/4 inch in diameter; evergreen trees 4 feet in height; shrubs 12 inches in height. The landscaped area, including any mulch and edging and lawn shall be maintained, and all planting shall be maintained and replaced if diseased or dead.

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

7. The operator shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.

8. If the Planning and Zoning Committee finds that the review criteria of the Section 16-1-18(e) of the Columbia County Zoning Ordinance or the conditions stipulated by the Conditional Use Permit approved by 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 – Grand River Distribution, Petitioner and Owner – Town of Courtland, Filling and Grading over 10,000 Sq. Ft. in Shoreland Area

Mr. Stapleton reviews staff report and explains that the pond is a pollution control devise to minimize erosion during construction. In addition, silt fences and barriers would be required between graded area and the stream.

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

Lynn Wingers,
509 North High Street
In favor

Chair Doug Richmond asks if anyone is against the petition?

Tom Jansma
W801 Cabbage Road
Concern regarding run off onto the road and his farm will hold the water. If Didion site is big enough – why do they need a variance?
Christa Westerberg represents Cambrians for Thoughtful Development
632 W. Main Street
Distributes letter and outlines concerns 1) committee doesn’t have all the
information needed 2) application not complete 3) not sure of what is going
on at the site 4) piece mail issue. Needs to look at one big plan. Secondly,
concerned with erosion control plan. Not comfortable with relying on DNR
review to protect Columbia County. DNR can’t substitute for our review.
Finally CUP doesn’t satisfy ordinance standards – sedimentation, impact on
roadways, and damage to local properties. Work with the Jansma’s to
alleviate their concerns. Plan doesn’t fit site – all about convenience to
applicant. Grading would be feet from navigable water. Impose a bond for
roadways, property owners, pollution, etc. Haven’t selected vendor for
erosion control and they are building now.

Chair Doug Richmond asks if anyone is against the petition?

Sara Lloyd
W1631 CTH P
Distributes letter. States that a public hearing should not occur on a general
election day. Consider in the future – how much civic duty can one person
do in one day.

Concerned that when she attended Town Courtland – Town Chair was
informing citizens that the Didion Agenda Item was a “done deal” just
needed to give recommendation as town.

Claims discrepancies in site plan and erosion control plan. Any changes for
site plan need to come back for review. Now they have acquired another
parcel and grading is occurring. New parcel needs to be rezoned – and
should be part of entire plan.

Karen Dettman
N7057 Hwy 146
Letter submitted by Sara Lloyd

John Domino
307 Mary Street
Project needs to be reviewed at Land and Water Conservation department,
Army Corp and DNR. Have created a mess of roads and ditches – without
proper authorization. Profits over people
John Mueller
307 Mary Street
This my testimony - hands out sheet referencing Shoreland Wetland Protection Ordinance and Columbia County Zoning Ordinance and blank pages

Chair Doug Richmond asks if anyone is against the petition?

Discussion regarding ditches continues. Sara Lloyd points out that they have been filled in. John Didion explains flow of water and confirms they are not filling in any wetland. Mr. Bluemke states that criteria in place not to allow more water flow after development than prior to development.

JoAnn Wingers, Town of Courtland Supervisor confirmed that the Town approved CUP and forwarded it to County

Chair Doug Richmond declared that the public hearing closed.

Mr. O’Neil points out that this has been another controversial issue that has been going on for a while. Purpose of the pond is to preserve stream and without it we will be damaging the stream. It should be created as quickly as possible.

The Committee suggested that an additional condition be added required that the site be inspected, at least monthly.

Motion by Mr. Teitgen to approve Conditional Use Permit for grading in excess of 10,000 square feet in a Shoreland area subject to the following findings, conclusions, and conditions.

Seconded by Mr. O’Neil.

Motion carried unanimously.

Findings:

1. The property is owned by Grand River Distribution, LLC a subsidiary of Didion Milling Inc.
2. Grand River Distribution, LLC, on October 3, 2006, received a Conditional Use Permit to construct and operate an ethanol production facility on the subject property per Sec. 16-1-11(2)(n).
3. A small unnamed stream flowing through the east end of the subject property is a navigable stream, and adjacent lands within 300 feet of the stream are defined as “Shorelands” that are subject to the provisions of Title 16, Chapter 5, the Columbia County Shoreland-Wetland Protection Ordinance.
4. Section 16-5-61 (b) requires a Conditional Use Permit for filling or grading in excess of 10,000 square feet in Shoreland areas within 300 feet of navigable waters where there is drainage toward the water.
5. A Conditional Use Permit required by the provisions of the Shoreland-Wetland Protection Ordinance is reviewable under the general standards of Section 16-5-93 (b).

6. Didion Milling, Inc. has filed a Commercial Building Site Erosion Control Notice of Intent with the Wisconsin Department of Commerce.

7. Didion Milling, Inc. has received a Waterway General Permit from the Department of Natural Resources permitting the construction of a stormwater retention pond that will disturb a land area of approximately 48,000 sq. ft., or 1.1 acres, in the shoreland area.

8. The approved Waterway General Permit, Docket #GP-SC-2006-11-2118UR, states under Section VIII, Findings of Fact, that the project will not cause environmental pollution as defined in s. 299.01 (4), Wisconsin Statutes.

9. Grading and erosion control plans for the site indicate additional proposed grading not related to the stormwater retention pond, for a total land disturbance 68,000 square feet, or 1.56 acres, lying within the shoreland area.

10. The Planning & Zoning Committee determines that the proposed project, in consideration of the review standards of Section 16-5-93 (b), if constructed in accordance with the plans as submitted, would not cause adverse impacts relating to those standards.

Conclusions:

1. The Planning & Zoning Committee has authority under Section 16-5-93 (a) to approve a Conditional Use Permit required by Section 16-5-61 (b).

2. The proposed grading and stormwater retention pond construction in the area subject to the provisions of Title 16, Chapter 5, in consideration of the standards of Section 16-5-93 (b), will not cause unacceptable adverse impacts relating to those standards if the project is constructed in accordance with the plans as submitted.

3. The Application qualifies for a Conditional Use Permit.

Conditions:

1. The applicant shall comply with the required Permit Conditions of Section 16-5-63.

2. Erosion control practices within the Shoreland Area shall be maintained in working condition until the Planning & Zoning Department approves their removal based on inspection and verification of sufficient establishment of vegetative cover.

3. The Planning & Zoning Department shall have the right to inspect erosion control practices on lands subject to this permit, upon notice to the property owner, until such time that the Department approves the establishment of vegetative cover sufficient to warrant removal or termination of such practices.

4. The Planning & Zoning Department shall have the authority to order corrective measures where it is determined that erosion control practices specified in the Erosion Control Plan are not properly installed or maintained.
5. The Planning and Zoning Department to inspect the grading authorized by this permit at least monthly until project completion, with reports of such inspections being forwarded to the Committee.

11. Adjourn

Motion by Mr. Baebler to adjourn meeting, Seconded by Mr. Healy
Motion carried unanimously.

Next meeting at Law Enforcement facility
Meeting adjourned at 5:40 pm

Respectfully Submitted,

[Signature]
Fred Teitgen, Secretary
Planning and Zoning Committee

Recording Secretary,

[Signature]
Susan Runnion
Office Administrator

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