PLANNING & ZONING COMMITTEE MINUTES
DECEMBER 4, 2007

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

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

ALSO PRESENT: Harlan Baumgartner, Chair -Columbia County Board of Supervisors

BUSINESS MEETING

11:30 AM

1. Chair Doug Richmond called the meeting to order at 11:35 AM.

2. Certification of Open Meeting Law

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

4. Approval of Agenda

Motion by Mr. Healy to approve Agenda of December 4, 2007 Planning & Zoning Committee Regular Meeting & Public Hearing, Seconded by Mr. Baebler.  
Motion carried unanimously.

5. Approval of Minutes

Motion by Mr. Teitgen to approve Minutes of November 4, 2007 Planning & Zoning Committee Regular Meeting & Public Hearing, Seconded by Mr. Baebler.  
Motion carried unanimously.

Motion by Mr. Healy to approve Minutes of November 28, 2007 Planning & Zoning Committee Special Meeting & Public Hearing, Seconded by Mr. Baebler.  
Motion carried unanimously.

6. 2008 Fees
Mr. Bluemke proposes Zoning Permit fee schedule amendment for new, additions and alterations of structures in Commercial and Industrial Zoning Districts. The fee would be $500.00 for initial structure and $2.00 for each additional $1,000.00 of construction cost over $300,000. This would be effective on January 1, 2008.
Motion by Mr. Baebl for fee schedule amendment for new, additions and alterations of structures in Commercial and Industrial Zoning Districts. The fee would be $500.00 for initial structure and $2.00 for each additional $1,000.00 of construction cost over $300,000 effective January 1, 2008, Seconded by Mr. Teitgen. Motion carried unanimously.

7. Department Report
   a. Financial
      • Out of County Travel - Richard Biech to travel to Rockton for WCCA District Code Administration meeting

Motion by Mr. Healy to approve Out of County Travel for Richard Biech, Seconded by Mr. O’Neil. Motion carried unanimously.

• Expenditure Report
Motion by Mr. Teitgen to approve Expenditure Report. Seconded by Mr. O’Neil. Motion carried unanimously.

b. Enforcement
   Mike Stapleton reviews report.

   Chair Doug Richmond inquires about possible action against Country Life Ministries operation.

   Mr. Bluemke will consult with Joe Ruff regarding potential “Injunctive Relief”.

c. Comprehensive Planning
   Brian Zirbes distributes spreadsheet and reviews Town’s progress in pursuing recommended Comprehensive Plans.

d. Ordinance Update

   Discussion takes place about proposed Sign Ordinance draft. Next step would be to forward to Town’s for review and comment. This could occur prior to January Planning and Zoning Committee Meeting and County Board.

   Motion by Mr. Teitgen to proceed with Sign Ordinance draft. Seconded by Mr. Healy. Motion carried unanimously.

Discussion continues about the Ordinance changes related to Zoning Districts. Districts to be revised at this time include Rural Residential, Rural Residential Cluster, Exclusive Agriculture, Agriculture Overlay and associated changes.
Motion by Mr. Teitgen to proceed with Zoning District ordinance revisions for Rural Residential, Rural Residential Cluster, Exclusive Agriculture and Agriculture Overlay. Seconded by Mr. O’Neil. Motion carried unanimously.

2:00 PM
8. View Sites

4:00 PM
9. Public Hearing

Item I – Zoning Change – Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay, Rodney Gross, Petitioner & Owner – Town of Hampden

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

Town Board was present and stated that the Town recommended approving the rezoning.

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

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

Motion by Mr. Teitgen to approve rezoning from Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay effective upon recording of Certified Survey Map. Seconded by Mr. O’Neil. Motion carried unanimously.

Item II – Zoning Change – Agricultural to Agricultural No. 2 – Linda Link (formerly Paul Kerl), Petitioner and Owner – Town of Otsego

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Petitioner present and did not have anything to add.

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

Chair Doug Richmond asks if anyone is against the petition. (no comments)
Town Board was present and stated that the Town recommended approving the rezoning.

Motion by Mr. Teitgen to approve rezoning from Agricultural to Agricultural No. 2 contingent upon suitable Driveway/Access Permit to property.
Seconded by Mr. Baehler.
Motion carried unanimously.

Item III – Zoning Change – Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay. Lawrence Ziegler. Petitioner and Owner – Town of Lodi

Mr. Bluemke presents the staff report.

Petitioner not present, but represented by Agent, Tony Gallagher.

Chair Doug Richmond asks if anyone has any questions.

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

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

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

Motion by Mr. O’Neil to approve rezoning from Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay effective upon the Certified Survey Map being recorded.
Seconded by Mr. Baehler.
Motion carried unanimously.

Item IV – Zoning Change – Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay. Gary Leatherberry. Petitioner and Owner – Town of Arlington

Mr. Bluemke presents the staff report.

Chair Doug Richmond asks if anyone has any questions.

Mr. Teitgen inquires about need for an appropriate driveway access.

Petitioner explains he plans to use existing field access.

Petitioner present and did not have anything to add.

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

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

Motion by Mr. Teitgen to approve rezoning from Agricultural to Rural Residential and Agriculture to Agriculture with Agriculture Overlay contingent upon Driveway/Access Permit and the Certified Survey Map being recorded. Seconded by Mr. O'Neil. Motion carried unanimously.


Mr. Bluemke presents the staff report and revision to “Findings of Fact” - Item #6 – The Town of Marcellon has recommended a 12-year time limit on a new Conditional Use Permit.

Chair Doug Richmond asks if anyone has any questions.

Mr. Teitgen asks how many years Phase II will be in operation.

Ted Helleckson replies it will be approximate 6 years.

Petitioner present and did not have anything to add.

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

Richard Breneman
N9099 Staufenbeil Road
Pardeeville, WI

Town Board supervisor in favor

Helen McDonald Rawson
W6295 County Road CM
Pardeeville, WI

Town Board Supervisor states that Town Board has approved and the contingencies are acceptable.

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

Town Board present and Minutes of file. Town recommended approving the Conditional Use Permit.
Motion by Mr. Healy to approve Conditional Use Permit to Expand Quarry Operations and Hot Mix Asphalt Plant
And adopt the findings, conclusions and conditions.
Seconded by Mr. Baebler.
Motion carried unanimously.

Findings:

1. William Becker is the owner of Parcel 634 of the existing site approved in 1995.
2. William Becker is the owner of Parcel 636, where additional mining is proposed.
3. Cliff Bradley is the owner of Parcel 635, a 16.5 foot wide strip of land extending from STH 22 to the southwest corner of Parcel 633, the NE ¼ SW ¼ of Sec. 34, also owned by Bradley.
4. The original Conditional Use Permit approved the site for an 11-year period, which expires at the end of the current calendar year.
5. The applicant seeks an extension of the Conditional Use Permit to permit completion of mining on Parcel 634, which contains unmined reserves of sand and gravel. The time period is unspecified in the application.
6. The Town of Marcellon has recommended a 12-year time limit on a new Conditional Use Permit.
7. The applicant proposes mining on an additional 12 acres in the SW ¼ SW ¼, Parcel 636, not included within the original Conditional Use Permit.
8. The original permit, as a condition of approval, limited asphalt production on site to 4 consecutive weeks per year.
9. The applicant seeks undefined modifications to the limits on asphalt production.
10. The Town of Marcellon has recommended approval including up to 180 days of asphalt production.
11. Tax Parcel 635, a 16.5-wide strip of land in the NW ¼ SW ¼ owned by Cliff and Marilyn Bradley, does not contain proven reserves and is not proposed for mining, but will be subject to truck and equipment traffic related to the mining of the other stated lands.
12. Parcel 633, approved for mining as part of the original permit, has been fully restored to agricultural use.
13. The existing driveway located at N7754 will be used as the entrance for the nonmetallic mining site throughout its active site life.
14. A Conditional Use Permit is required to extend the approved site life and to authorize additional mining on Parcel 636.
15. Nonmetallic mining sites are permitted in the Agricultural District upon approval of a Conditional Use Permit.
16. Nonmetallic mining sites are consistent with agricultural use for the purposes of Sec. 91.75 (9)(b), Wisconsin Statutes.
17. If a Conditional Use Permit is approved, an amendment to the current reclamation plan must be submitted to address additional approved mining on Parcel 636.

Conclusions

1. The proposed use is consistent with the purpose and intent of the Ordinance and applicable provisions of Chapter 91, Wisconsin Statutes.
2. The proposed use complies with all applicable standards and criteria, including the provisions of Title 16, Chapter 7, the Columbia County Nonmetallic Mining Ordinance.
3. The sand and gravel pit is compatible with the agricultural 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.
4. The Planning & Zoning Department is unaware that the operation of the site has resulted in complaints of any kind since its approval in 1995.
5. It is necessary to include Tax Parcel 635 in a new Conditional Use Permit because those lands will be subject to mining-related traffic that can result in land disturbance that would be subject to the reclamation requirements of county ordinance and state law.
6. The application qualifies for a Conditional Use Permit.

Conditions

1. The permit shall be for a 12 year period as recommended by the Town of Marcellon.
2. The Planning and Zoning Department shall have the right of inspection, upon reasonable notice to the owner/operator, for the purpose of determining compliance with this permit and the approved Reclamation Plan.
3. The pit area shall not be used for the parking, refueling, servicing or repair of vehicles and equipment other than screening and processing equipment requiring a location in the pit area. No fuel shall be stored in the mine site area as delineated in the submittals other than truck-mounted storage tanks.
4. The owner and operator shall require all trucks, excavation and processing equipment to have exhaust systems that meet or exceed current industry standards to ensure that noise levels are kept at or below allowable limits. The level of noise or sound generated by the facility or equipment shall not exceed 65 decibels at the property line.
5. The owner and operator shall minimize the generation of airborne dust resulting from excavating, screening, processing and hauling operations within the mine site and on the driveway as needed or upon request of the Town or County.
6. Hours of operation, including, but not limited to, excavating, crushing, screening, stockpiling, loading and hauling as well as processing asphalt are limited to the hours between 6:00 a.m. to 6:00 p.m. Monday through Friday.
and 7:00 a.m. to 4:00 p.m. on Saturdays. Necessary 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 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 or Village consent to an email notification. The operation of the asphalt plant of normal hours of operation shall count as an allowed day in determining the total number of allowed days during a calendar year.

7. There shall be no changes to the proposed mine operation regarding the depth, extent, proposed final grades or phasing sequence without the prior written approval of the Planning and Zoning Department, which shall have the right to determine whether such changes require further review by the Planning and Zoning Committee or revisions to the Reclamation Plan.

8. No ground signs, except for directional or informational, shall be allowed unless they are reviewed by the Town and approved by the Planning and Zoning Department.

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

10. If the Planning and Zoning Committee finds that the review criteria of Section 16-1-18(c) 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.

10. Adjourn
    Motion by Mr. Baebler to adjourn meeting. Seconded by Mr. O’Neil.
    Motion carried unanimously.

Next meeting at Columbia County Administration Building
Meeting adjourned at 4:45 pm.

Respectfully submitted,

[Signature]
Fred Teitgen, Secretary
Planning and Zoning Committee
Recording Secretary
Planning and Zoning Committee Minutes

December 4, 2007

Susan Runnion
Office Administrator

cc: Committee Members
    Harlan Baumgartner, County Board Chair
    Debra Wopat, County Board Vice Chair
    Susan M. Moll, County Clerk