

**PLANNING & ZONING COMMITTEE MINUTES
APRIL 2, 2019**

PRESENT: Kevin Kessler, Harlan Baumgartner, John Stevenson, Mike Weyh, Tom Borgkvist

STAFF: Kurt Calkins – Director of Planning & Zoning, Lauren Ramirez – Office Administrator, Renee Pulver-Johnson – Principal Land Use Planner

ALSO PRESENT: Jim Grothman – Grothman & Associates, Susan Fisher – Corporation Counsel

3:30 PM

1. Call to order
2. Certification of Open Meeting Law & confirmed meeting was properly noticed and published
3. Roll Call was taken and a quorum declared present
4. Approval of Revised Agenda

**Motion by Mr. Borgkvist to approve Revised Agenda of April 2, 2019
Planning & Zoning Committee Regular Meeting & Public Hearing.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Vice Chair Baumgartner to approve Minutes of March 5, 2019
Planning & Zoning Committee Regular Meeting with correction.
Seconded by Mr. Weyh.
Motion carried unanimously.**

6. Citizen Input

No citizen input at this time.

7. Operational Overview

- a. Approve Expenditure Report

Mr. Calkins presented Expenditure Report

**Motion by Vice Chair Baumgartner to approve Expenditure Report.
Seconded by Mr. Weyh.
Motion carried unanimously.**

- b. Department Budgets, Compensatory Time, Out of County Travel
Mr. Calkins reviewed out of county travel.
 - c. Director's Staff Report/Update
Mr. Calkins reviewed upcoming internship position, POWTS Citation process.
8. Chairman's Update
Chair Kessler briefly reviewed WISE meeting he attended last month.
 9. Approval of Revised Planning & Zoning Intern Job Description

**Motion by Vice Chair Baumgartner to approved Revised
Planning & Zoning Intern Job Description.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

10. Action on Access Variance

- Nitschke – Town of Newport

Ms. Pulver-Johnson reviewed Access Variance.

**Motion by Mr. Weyh to recommend approval of an Access Variance for Lots 1-3 to have no frontage on a public road subject to the following conditions:
A note being placed on the CSM that states, "A variance to Section 16-210-040(E) was approved by the Planning and Zoning Committee on April 2, 2019 to waive road frontage requirements for Lots 1-3 with access provided via Documents 770592 and 765614." The Variance will become effective upon the recording of the Certified Survey Map.
Seconded by Mr. Borgkvist.
Motion carried unanimously.**

Site Visits (were not needed)

11. Public Hearing – 4:00PM

Item I- Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4
Agricultural Overlay; Petitioners: Robert & Patricia Trapp – Town of
Hampden

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Stevenson to approve rezoning of 40 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.
Seconded by Vice Chair Baumgartner.
Motion carried unanimously.**

Item II- Conditional Use Permit – For an Agritainment or Agritourism: Wedding and Other Events Venue; Petitioners: Smokey Hollow Farm LLC c/o Jerry Gilbert, and Gilbert Family Trust – Town of Dekorra

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioner was present.

Chair Kessler asked if anyone is in favor of the petition.

Michael Bruchs is present.

N9001 CTH CS

Poynette, WI

Mr. Bruchs states he is in favor of the petition.

Chair Kessler asked if anyone else is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

Motion by Vice Chair Baumgartner to approve a Conditional Use Permit for an Agritainment or Agritourism: Wedding and Other Events Venue located at N3056 Smokey Hollow Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.

Seconded by Mr. Borgkvist.

Motion carried unanimously.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 16-150-070(D) of the Columbia County Zoning Code, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - b. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - c. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - d. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - e. The site has adequate utilities, including acceptable disposal systems.
 - f. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - g. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Dekorra and is zoned A-1 Agriculture. The District uses are listed in Table 16-105-020(1).
2. Smokey Hollow Farm LLC, c/o Jerry Gilbert is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.
3. The petitioners are proposing to operate an agritainment or agritourism facility within the A-1 Agriculture zoning district, which is allowed as a Conditional Use under Table 16-105-020(1) of the Columbia County Zoning Code..
4. The Dekorra Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-150-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Sections 16-150-030(B)(2) and 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Recommended Conditions for the Decision:

1. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Dekorra and Smokey Hollow Farm LLC, c/o Jerry Gilbert, are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of the agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement 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 is not transferable to another owner.
3. The Conditional Use Permit is associated with an operating farm. The farm consists of parcels 490.01, 490.03, and 490.04 in the Town of Dekorra. Any transfer of land from these parcels without the approval of the Town and the County will void this Conditional Use Permit.
4. The Conditional Use Permit shall remain in effect only as long as the operating farm produces a farm income. Said income must be verified by the owners at the request of the County.
5. All parking for a contracted event must be located on-site.
6. The tent area shall only be used for contracted events, and is not open to the public.
7. Lighting for the facilities shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties or Smokey Hollow Road. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
8. The use of fireworks is prohibited.
9. There shall be no food preparation on site without valid licenses and adequate facilities. Until all applicable licenses are obtained, all food and drink for events must be catered or potluck.
10. Amplification devices and live music staging areas must be located within the pavilion or tent. Sound from amplified music shall not exceed 65 dBA at any property line.
11. There shall be no amplified sound between 9:00 pm on the day of the event to 12:00 pm the following day.
12. Events shall end at 10:00 pm, plus an additional hour for clean-up immediately following the event (11:00 pm).
13. Events shall be limited to 20 between May 14 and October 2, with no more than 2 events per week.
14. All trash and litter shall be picked up and placed in appropriate receptacles within 12 hours of an event.
15. No overnight lodging or camping associated with contracted events is permitted.
16. Significant modifications to the site plan, including construction of the pavilion, shall require review and approval by the Town and County.
17. The owner's website or other advertising and rental contracts shall state the approved conditions associated with this use.

18. **The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.**
19. **The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.**
20. **If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070(D) of the Columbia County Zoning Code 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 III- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Kimberly & Scott Van Etten, Petitioners – Town of Dekorra

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Mr. Stevenson to approve rezoning of 4 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 31 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Item IV- Conditional Use Permit – For a Mini-Warehouse Expansion, William Spahn Trust, and Interstate Warehouse LLC, Petitioners – Town of Dekorra

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Agent Jim Grothman were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

Motion by Mr. Weyh to approve a Conditional Use Permit for a Mini-Warehouse Expansion located on Highway CS as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.

Seconded by Mr. Borgkvist.

Motion carried unanimously.

1. **Upon review of the guidelines in Section 16-150-070(D) of the Columbia County Zoning Code, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:**
 - a. **The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.**
 - b. **The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.**
 - c. **The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.**
 - d. **There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.**
 - e. **The site has adequate utilities, including acceptable disposal systems.**
 - f. **Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.**
 - g. **The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.**

Recommended Conclusions of Law:

1. **The subject property is located in the Town of Dekorra and is zoned C-3 Highway Interchange. The District uses are listed in Table 16-115-020(1).**
2. **Interstate Warehouse and Storage, c/o Travis Clary, is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.**
3. **The petitioners are proposing to expand an existing mini-warehouse facility within the C-3 Highway Interchange zoning district, which is allowed as a**

Conditional Use under Table 16-115-020(1) of the Columbia County Zoning Code.

- 4. The Dekorra Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-150-070 of the Columbia County Zoning Code.**
- 5. The Columbia County Planning and Zoning Committee has the authority under Sections 16-150-030(B)(2) and 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.**

Recommended Conditions for the Decision:

- 1. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Dekorra and Interstate Warehouse and Storage, c/o Travis Clary, are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of the agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement 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 property shall not involve the on-site holding, storage, or disposal of hazardous wastes as defined by State Statutes, and there shall be no outdoor storage.**
- 3. Aside from storage, no business activity shall be operated from or outside of any portioned area within a mini-warehouse.**
- 4. Lighting for the facilities shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties or County Highway CS. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement. A lighting plan shall be submitted to the Planning and Zoning Department prior to issuance of a zoning permit for any mini-warehouse.**
- 5. Prior to issuance of a zoning permit for any mini-warehouse, the applicant shall submit a landscaping plan to the Planning and Zoning Department in compliance with Section 16-140-060(B)(4).**
- 6. Prior to issuance of a zoning permit associated with land disturbing and development activities, the applicant shall submit a stormwater management plan and erosion control plan, prepared and stamped by a licensed engineer qualified in stormwater management planning.**
- 7. Signage must comply with Section 16-145 of the Columbia County Zoning Ordinance.**
- 8. Significant modifications to the approved site plan must be reviewed and approved by the Town and County.**
- 9. The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.**
- 10. The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.**

11. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070(D) of the Columbia County Zoning Code 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- Zoning Change – C-2 General Commercial to C-3 Highway Interchange; Interstate Warehouse, Petitioner – Town of Dekorra

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board not present, but Approval is on file.

Chair Kessler closed the Public Hearing.

**Motion by Vice Chair Baumgartner to approve rezoning of 3.95 acres, more or less, from C-2 General Commercial to C-3 Highway Interchange, effective upon recording of the Certified Survey Map.
Seconded by Mr. Borgkvist.
Motion carried unanimously.**

Item VI- Conditional Use Permit – For Sales, Distribution, Mixing, Blending and Storage of Seeds; Springvale Link LLC, c/o Scott Link, and Link Enterprises LLC, c/o Jason Link, Petitioners – Town of Springvale

Chair Kessler opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Kessler asked if anyone has any questions.

Petitioners were present.

Chair Kessler asked if anyone is in favor of the petition. (no comments)

Chair Kessler asked if anyone else is against the petition. (no comments)

Town Board Chair Scott Link is present. He states he abstained from voting due to he is Petitioner. Town Approval is on file.

Chair Kessler closed the Public Hearing.

Motion by Mr. Weyh to approve a Conditional Use Permit for the Sales, Distribution, Mixing, Blending and Storage of Seeds, located on Old B Road, as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Recommended Findings of Fact:

1. Upon review of the guidelines in Section 16-150-070(D) of the Columbia County Zoning Code, and with the explanation of the criteria in Attachment A of the Staff Report, the Committee finds the following:
 - a. The establishment, maintenance, or operation of the proposed use will not be detrimental to or endanger the public health, safety, or general welfare of the occupants of surrounding lands.
 - b. The use will be designed, constructed, operated, and maintained so as to be compatible, and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value, or enjoyment of existing or future permitted uses in the area.
 - c. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - d. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - e. The site has adequate utilities, including acceptable disposal systems.
 - f. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - g. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Recommended Conclusions of Law:

1. The subject property is located in the Town of Springvale and is zoned A-1 Agriculture. The District uses are listed in Table 16-105-020(1).
2. Springvale Link, LLC, c/o Jason Link, is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.
3. The petitioners are proposing to operate a sales, distribution, mixing, blending, storage of seeds facility within the A-1 Agriculture zoning district, which is allowed as a Conditional Use under Table 16-105-020(1) of the Columbia County Zoning Code.

4. **The Springvale Town Board has reviewed and approved the Conditional Use Permit in accordance with Section 16-150-070 of the Columbia County Zoning Code.**
5. **The Columbia County Planning and Zoning Committee has the authority under Sections 16-150-030(B)(2) and 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.**

Recommended Conditions for the Decision:

1. **Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Springvale and Link Enterprises, LLC, c/o Jason Link, are hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement or conditions, unless an individual point of the agreement or condition is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of the above referenced agreement 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. **Lighting for the facilities shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties or Old B Road. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.**
3. **There shall be no more than 6 full time and 12 part time employees. Any increase to this number shall require Planning & Zoning Department review to verify parking and sanitary facilities can accommodate the additional employees.**
4. **Traffic flow and parking shall be in accordance with the approved plans.**
5. **Signage must comply with Section 16-145 of the Columbia County Zoning Ordinance.**
6. **A landscaped transitional yard shall be installed in accordance with the approved landscaping plan.**
7. **Prior to issuance of a zoning permit associated with land disturbing and development activities, the applicant shall submit a stormwater management plan and erosion control plan, prepared and stamped by a licensed engineer qualified in stormwater management planning. A Notice of Intent to the Department of Natural Resources shall also be submitted.**
8. **Significant modifications to the approved site plan must be reviewed and approved by the Town and County.**
9. **The Planning and Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.**
10. **The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.**
11. **If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070(D) of the Columbia County Zoning Code 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 VII- Revisions to Title 16 Chapter 100

Chair Kessler opens Public Hearing.

Mr. Calkins reviewed proposed changes.

Chair Kessler asks if anyone has any questions.

Member from public asked for brief explanation of proposed changes.

Mr. Calkins reviewed changes.

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

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

Chair Kessler closes Public Hearing.

Motion Vice Chair Baumgartner to recommend County Board approval of Amendments to Title 16 Chapter 100 – Zoning Ordinance.

Seconded by Mr. Weyh.

Motion carried unanimously.

Item VIII- Revisions to Title 16 Chapter 200

Chair Kessler opens Public Hearing.

Mr. Calkins reviewed proposed changes.

Chair Kessler asks if anyone has any questions.

Member from public asked for brief explanation of proposed changes.

Mr. Calkins reviewed changes.

Chair Kessler asks if anyone is in favor of petition.

Mr. Grothman stated he believed these revisions were good and in the right direction.

Chair Kessler asks if anyone else is in favor of the petition. (no comments)

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

Chair Kessler closes Public Hearing.

**Motion Mr. Weyh to recommend County Board approval of Amendments to Title
16 Chapter 200 – Zoning Ordinance.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

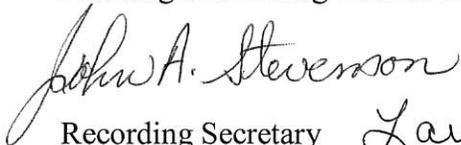
12. Adjourn

**Motion by Mr. Stevenson to adjourn meeting.
Seconded by Vice Chair Baumgartner.
Motion carried unanimously.**

Meeting adjourned at 4:39 PM

Respectfully Submitted,

John Stevenson, Secretary
Planning and Zoning Committee



Recording Secretary
Lauren Ramirez, Office Administrator



cc: Committee Members
Vern Gove, County Board Chair
Dan Drew, County Board Vice Chair
James Foley, County Board Vice Chair

