

**PLANNING & ZONING COMMITTEE MINUTES
APRIL 4, 2017**

PRESENT: Fred Teitgen, Kevin Kessler, Susanna Bradley, Harlan Baumgartner, John A. Stevenson

STAFF: John Bluemke – Director of Planning & Zoning, Randy Thompson – Planning & Zoning Administrator, Lauren Ramirez – Office Administrator

ALSO PRESENT: Mary Cupery – Columbia County Board of Supervisors, Jim Grothman, Grothman & Associates

2:00 PM

1. Call to order
2. Certification of Open Meeting Law
3. Roll Call was taken and a quorum declared present
4. Approval of Agenda

**Motion by Mr. Baumgartner to approve Agenda of April 4, 2017 for
Planning & Zoning Committee Regular Meeting & Public Hearing.
Seconded by Vice Chair Kessler.
Motion carried unanimously.**

5. Approval of Minutes

**Motion by Ms. Bradley to approve Minutes of March 7, 2017
Planning & Zoning Committee Regular Meeting & Public Hearing.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

6. County Highway Dedication
 - a. County Highway J – Town of West Point

Mr. Bluemke presents Staff Report.
 - b. County Highway U – Town of Caledonia

Mr. Bluemke presents Staff Report.

**Motion by Vice Chair Kessler to approve the Dedication of
County Highway J in Town of West Point, and County Highway U in the
Town of Caledonia.**

Seconded by Mr. Baumgartner.

Motion carried unanimously.

7. Waiver of Access – George Stellas Farms LLC – Town of Lewiston

Mr. Bluemke presents Staff Report.

**Motion by Mr. Baumgartner to recommend approval of a Waiver of
Access for Lot 1 to have no frontage on a public road subject to
the following conditions:**

**A note being placed on the CSM that states, "The Planning and Zoning Committee
approved a variance on 4/4/17 for Lot 1 to have no frontage on a public road". The
variance will become effective when the Certified Survey Map is recorded.**

Seconded by Ms. Bradley.

Motion carried unanimously.

Vice Chair Kessler asks if there are driveway length restrictions.

Mr. Bluemke explains the Town is who approves driveway permit.

8. Department Report

a. Financial

- Out of County Travel

Mr. Thompson states there may be travel to Iowa County on the 13th for district meeting.

Motion by Vice Chair Kessler to approve Out of County Travel.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

- Expenditure Report

Motion by Ms. Bradley to approve Expenditure Report.

Seconded by Vice Chair Kessler.

Motion carried unanimously.

- Enforcement Report is distributed and available on the local government portal.

b. Planning/Ordinance Update

A discussion was held regarding potential changes to the Chapter 100 Ordinance with the Committee recommending several items to go to public hearing in May.

Site Visits (were not needed)

9. Public Hearing

Item I- Plan Map Amendment – Future Land Use Map: Agriculture or Open Space to Commercial; Peter Tonn, Petitioner and Owner – Town of Caledonia

Mr. Bluemke presents Staff Report.

Petitioner Peter Tonn is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closes Public Hearing.

**Motion by Mr. Baumgartner to approve Plan Map Amendment from Agriculture and Open Space to Commercial.
Seconded by Ms. Bradley.
Motion carried unanimously.**

Item II- Zoning Change – A-1 Agriculture to C-3 Highway Interchange; Peter Tonn, Petitioner and Owner – Town of Caledonia

Mr. Bluemke presents Staff Report.

Petitioner Peter Tonn is present.

Chair Teitgen asks if anyone has any questions.

Mary Cupery questions what Silt Sock is.

Mr. Tonn thoroughly explains business.

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

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

Town Board not present, but Minutes on file.

Vice Chair Kessler questions why it is proposed for C-3 Highway Interchange opposed to C-1 Light Commercial.

Mr. Bluemke explains C-3 Highway Interchange district allows for Conditional Use Permits. C-3 is making it consistent.

Vice Chair Kessler states in ordinance, description does not fit C-3 Highway Interchange.

Mr. Bluemke explains this fits in C-3 Highway Interchange due to the Conditional Use Permit.

Chair Teitgen closes Public Hearing

Motion by Mr. Baumgartner to approve rezoning from A-1 Agriculture to C-3 Highway Interchange effective upon recording of the Certified Survey Map.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item III- Conditional Use Permit – To operate an erosion control product assembly and distribution business; Peter Tonn – Petitioner and Owner – Town of Caledonia

Mr. Bluemke presents Staff Report.

Petitioner Peter Tonn present.

Chair Teitgen asks if anyone has any questions.

Ms. Bradley questions how many employees are there total.

Mr. Tonn responds 20 total now.

Ms. Bradley questions if Town of Caledonia has restrictions.

Mr. Tonn responds they felt the County's guidelines and restrictions were sufficient.

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

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

Town Board is not present, but Minutes on file.

Chair Teitgen Closes Public Hearing.

Motion by Vice Chair Kessler to approve Conditional Use Permit for Peter Tonn for his business, Silt Sock, located at N6100 Johnson Road in Portage, to operate an erosion control product assembly and distribution business subject to the following Findings, Conclusions and Conditions of Approval.

Seconded by Ms. Bradley.

Motion carried unanimously.

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 Exhibit 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 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.**

Conclusions of Law:

- 1. The application qualifies for a Conditional use Permit under Sec. 16-115 020 and the criteria for Conditional uses under Sec. 16-150-070D.**
- 2. This proposed use is consistent with the propose and intent of the C-3 Highway Interchange District**
- 3. The proposed use does not conflict with current use of any adjacent property over the long term as it fits the existing and planned character of the area, nor does it limit the usefulness of adjacent properties for uses permitted under their current zoning classifications.**
- 4. The property is physically well suited for the proposed use due to the location of transportation infrastructure.**
- 5. The proposal does not present a likelihood of any acceptable impacts when considering the general criteria of Sec. 16-150-070D.**

6. The development is compatible with the character of the general vicinity and will not change the character of the area as to substantially impact current or future permitted uses in the vicinity.

Conditions for the Approval:

1. The Conditional Use Permit will become effective when the new Certified Survey Map creating Lot 2 is approved and recorded and the CUP shall only be in effect on this Lot.
2. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Caledonia and Peter Tonn 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.
3. The owners agree the project will be conducted professionally and in accordance with the drawing and plans submitted to Columbia County.
4. A landscaping plan shall be submitted to the County for review and approval.
5. Shared driveway must be approved by the Town or their representative and a separate easement document be recorded.
6. New exterior lighting for the facility shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
7. All manufacturing and assembly activities, aside from parking, loading, and outdoor storage, shall take place inside of an enclosed building.
8. Outdoor storage is allowed, but such storage area shall be surrounded by a fence, wall or landscape screen suitable to buffer the storage area from surrounding developed properties and public right-of-ways. No outdoor storage area may be located within a front yard.
9. Except for vehicles entering and leaving the property, the noise level generated by the facility or equipment shall not exceed 65 decibels at the property line.
10. Vents and mechanical units: All chimney and fireplace vents shall be enclosed in a chase constructed of materials similar to those materials used on the main part of the building. Metal housings designed by the vent manufacturer to enclose the chimney vents are acceptable. All building-mounted heating, ventilating, and air-conditioning equipment shall be designed to be integral with the building architecture and screened from public rights-of-way, either through strategic placement in a particular location on the building or site, or through placement of opaque fence, wall or (where ground-mounted) landscaping around such facilities.

11. **Loading docks:** Loading docks shall be designed as integral elements to the building site. All loading docks shall be screened from public view through placement of opaque fence, wall or landscaping around such docks.
12. **Outdoor waste/recycling containers:** Outdoor solid waste/recycling containers (dumpsters) shall not be allowed in the front yard, shall be placed on a permanent hard surface, and shall be fully screened by an opaque fence or wall and gate.
13. Any significant changes to the submitted site plan shall be reviewed and approved by the Town and County.
14. The Owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
15. If the Planning and Zoning Committee finds that the review criteria of Section 16-150-070D 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 IV- Zoning Change – A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; Russell & Lu Ann Kook, Petitioners and Owners – Town of Caledonia

Mr. Bluemke presents Staff Report.

Petitioner Russell Kook is present.

Mr. Kook explained he is getting over hurdle to sell or refinance and is rezoning for that purpose.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes are on file.

Chair Teitgen Closes Public Hearing.

Motion by Ms. Bradley to approve rezoning from A-1 Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

Item V- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Tony Zeman, Petitioner and Owner – Town of Lodi

Mr. Bluemke presents Staff Report.

Petitioner Tony Zeman is present.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, Minutes on file.

**Motion by Vice Chair Kessler to approve rezoning from A-1 Agriculture to RR-1 Rural Residence and 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 VI- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; George Stellas Farm LLC, Petitioner and Owner – Town of Lewiston

Mr. Bluemke presents Staff Report.

Jim Grothman is present representing Petitioner.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board is present and Minutes are on file.

**Motion by Mr. Baumgartner to approve rezoning from A-1 Agriculture to RR-1 Rural Residence and 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 VII- Conditional Use Permit – Tourist Rooming House; George Stellas Farm LLC, Petitioner and Owner – Town of Lewiston

Mr. Bluemke presents Staff Report.

Jim Grothman is present representing Petitioner.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board is present and Minutes are on file.

Chair Teitgen Closes Public Hearing.

Motion by Ms. Bradley to approve a Conditional Use Permit for a Tourist Rooming House, as proposed in the application and accompanying submittals, together with the following Findings of Fact, Conclusions of Law, and Conditions for the Decision.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Findings of Fact:

1. Upon review of the guidelines in Section 16-150-070D. 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 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.
2. The proposed tourist rooming house is consistent with the County Comprehensive Plan, Section 6.0 Goal 3 Objective 3 - Foster tourism that promotes the natural resource base and unique historical heritage of Columbia County.

Conclusions of Law:

1. The subject property is located in the Town of Lewiston and is zoned RR-1 Rural Residence which District uses are stated in Section 16-110-020.

2. George Stellas Farms LLC is the petitioner and owner for a Conditional Use Permit which petition followed the procedures of Section 16-150-070 C. of the Columbia County Zoning Code.
3. The petitioner is proposing to operate a Tourist Rooming House which is allowed as a Conditional Use Permit under Section 16-105-120 of the Columbia County Zoning Code.
4. The Lewiston Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-105-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030 B. 3. and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for conditional use permits.
6. The standards of Section 16-125-110 A of the Columbia County Zoning Code as noted below are applicable:
 - a) Occupancy shall be limited to two persons per bedroom, plus an additional two persons. At no time may the number of guests exceed eight regardless of the number of bedrooms in the unit. Two exits are required for each bedroom.
 - b) The number of guest vehicles allowed on site is limited to the number of bedrooms in the tourist rooming house. On-street parking is prohibited. No recreational vehicle or tent may be used for living or sleeping purposes.
 - c) Must meet all requirements associated with a single-family dwelling in Section 16-125-090(A). A legally constructed single-family dwelling with less square feet than the current requirement can be considered for a tourist rooming house. The appearance or use of the tourist rooming house shall not be altered in a manner that would cause the premises to differ from its residential character either by the use of colors, materials, construction, lighting, signs, or the emission of sounds, odors, dust or vibrations that carry beyond the premises.
 - d) The availability of the tourist rooming house to the public shall not be advertised on site.
 - e) Must be licensed by the State of Wisconsin.
 - f) In addition to any state required license fee, each operator of a tourist rooming house shall provide Columbia County with an annual fee and an annual report on a form furnished by the County to enable the County to confirm compliance with any conditions of approval, the standards of this chapter and any state reporting requirements.
 - g) The Conditional Use Permit shall not be transferable to another owner.
 - h) Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards or the standards for all conditional use permits in Section 16-150-070D are not being met.

Conditions for the Decision:

1. Any agreement or conditions pertaining to this Conditional Use Permit between the Town of Lewiston and George Stellas Farms LLC 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 the review the Conditional Use Permit.
2. The Conditional Use Permit becomes effective when the RR-1 Rural Residence zoning is in place.
3. The Conditional Use Permit is not transferable to another owner.
4. Accessory buildings cannot be used as habitable structures.
5. No more than 2 pets are allowed.
6. Pet behavior must meet County and Towns ordinances.
7. Quiet hours on weekdays are between 10 PM and 8 AM and on weekends and holidays 11 PM and 8 AM.
8. No fires.
9. No fireworks are allowed at any time.
10. No hunting by renters.
11. Renters are not allowed firearms, bows, paintball guns, slingshots or other weapons.
12. No ATV, dirt bikes or other motorized equipment other vehicles licensed for highway use and used for transportation to and from the property.
13. Provide the Planning and Zoning Department, Town Chair, Town Clerk and Town Constable with a 24 hour contact number.
14. No sign posted advertising the tourist rooming house.
15. A sign no larger than 12" by 18" shall be placed near the primary entrance door with a 24 hour contact number in case of a complaint or emergency. If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person.
16. A state sales tax number must be obtained and provided to the Planning and Zoning Department.
17. Property must remain free from citation and charges for nuisance, disorderly conduct or other illegal activity.
18. Garbage and recycled materials shall be properly stored.
19. Owner's website or other advertising shall state there are conditions associated with this use.
20. 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.
21. The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
22. 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

April 4, 2017

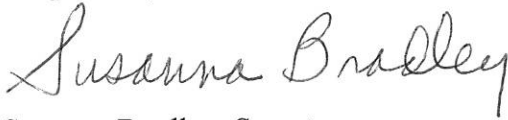
Planning and Zoning Committee, after a public hearing may revoke the Conditional Use Permit.

11. Adjourn

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

Meeting adjourned at 4:38 PM

Respectfully Submitted,



Susanna Bradley, Secretary
Planning and Zoning Committee



Recording Secretary
Lauren Ramirez, Administrative Assistant

cc: Committee Members
Vern Gove, County Board Chair
Mary Cupery, County Board Vice Chair