

**PLANNING & ZONING COMMITTEE MINUTES  
APRIL 6, 2021**

PRESENT: Harlan Baumgartner, John Stevenson, Denise Brusveen,  
Mike Weyh, Tom Borgkvist, Doug Richmond

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

ALSO PRESENT: Susan Fisher – Corporation Counsel

**1:30 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 Agenda

**Motion by Mr. Borgkvist to approve Agenda of April 6, 2021 Planning & Zoning  
Committee Regular Meeting & Public Hearing.  
Seconded by Ms. Brusveen.  
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Mr. Borgkvist to approve Minutes of March 2, 2021  
Planning & Zoning Committee Regular Meeting.  
Seconded by Ms. Brusveen.  
Motion carried unanimously.**

6. Citizen Input

No citizen input.

7. Operational Overview

- a. Approve Expenditure Report

Mr. Calkins presented Expenditure Report. Reviewed out of ordinary expenses.

**Motion by Mr. Weyh to approve Expenditure Report.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

- b. Department Budgets, Compensatory Time, Out of County Travel
- c. Director's Staff Report/Update
- d. Review of Vehicle Mileage Form

**Motion by Ms. Brusveen to approve Vehicle Mileage Form for the  
Planning & Zoning Department.  
Seconded by Mr. Borgkvist.  
Motion carried unanimously.**

8. Approval of Residential Relocation

- Fiene – Town of West Point

Mr. Calkins presented Staff Report.

Mr. Richmond asked questions on location and request.

Ms. Pulver-Johnson and Mr. Calkins explained request and ordinance requirement for request.

**Motion by Mr. Weyh to approve the Residence Relocation.  
Seconded by Ms. Brusveen.  
Motion carried unanimously.**

9. Postponed Public Hearing Item

- Mark E. & Cheryl L. Coughlin Town of Fountain Prairie Rezone-Public Hearing Held November 3, 2020

Mr. Calkins reviewed Staff Report.

**Motion by Mr. Borgkvist to approve the rezoning 1.63 acres, more or less, from A-1  
Agriculture to RR-1 Rural Residence and 38.19 acres, more or less, from A-1  
Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon  
recording of the Certified Survey Map.  
Seconded by Mr. Weyh.  
Motion carried unanimously.**

**Site Visits** (were not needed)

10. Public Hearing – 2:09PM

Item I            Zoning Change- A-1 Agriculture to AO-1 Agriculture and Open Space;  
Petitioners: Donald Bleich & Patricia Heiman – Town of Columbus

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was not present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Weyh to recommend approval of .5 acres, more or less, from A-1 Agriculture to AO-1 Agriculture and Open Space, all effective upon recording of the Certified Survey Map.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item II- Zoning Change: A-1 Agriculture to RR-1 Rural Residence, and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Carl & Susan Benck Family Trust u/a dated 5-8-2017 – Town of Columbus

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Agent Scott Hewitt was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to recommend approval of 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 30 acres, more or less, from A-1**

**Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item III Conditional Use Permit – For Shoreland-Wetland Protection Ordinance for Filling & Grading; Petitioners: Heinze Dairy LLC & Wisconsin Department of Natural Resources – Town of Lewiston

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present. He said he is just going to establish adjacent wetland. He said some people from DNR can tell you more- some dirt moving around- some deeper areas for permitant water areas.

Josh Brown from the DNR was present as well. He stated he is overseeing project- just moving draining tile- creating shallow scrapes- to improve flood continuation and wildlife habitat.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to approve Conditional Use Permit for Shoreland-Wetland Protection Ordinance for Filling & Grading at N8759 Muskrat Road, in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.  
Seconded by Mr. Weyh.  
Motion carried unanimously.**

**Findings of Fact:**

1. Heinze Dairy, LLC is the owner of the subject property. The Wisconsin Department of Natural Resources is the applicant of the requested Conditional Use Permit.
2. The owner of the property and the applicant are proposing to fill and grade areas within 300 feet of the ordinary high-water mark of the Big Slough which exceed an aggregate of 10,000 square feet.
3. Filling and grading in excess of 10,000 square feet within 300' of the ordinary high-water mark of a navigable body of water requires a Conditional Use Permit under Subsection 12.530.06 of the Columbia County Shoreland-Wetland Protection Ordinance.

4. Floodplain, wetland, and woodlands are present on the property and along the shoreline of the Big Slough.
5. Upon review of the guidelines in Subsection 12.560.05(4) 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, and associated with the particular conditional use if specified in Subchapter 16-125.

**Conclusions of Law:**

1. The subject property is located in the Town of Lewiston and is zoned A-1 Agriculture. The District uses are listed in Table 12.105.02(1).
2. Mark and Beth Heinze of Heinze Dairy LLC, and the Wisconsin Department of Natural Resources are the petitioners for a Conditional Use Permit. The petition followed the procedures of Subsection 12.560.050(3) of the Columbia County Shoreland-Wetland Protection Ordinance.
3. The Columbia County Planning and Zoning Committee has the authority under Subsections 12.560.030(2)(3) and 12.560.05 the Columbia County Shoreland-Wetland Protection Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

**Conditions for the Decision:**

1. Stormwater management and erosion control plans shall be submitted to the Planning and Zoning Department.
2. All earthmoving and final establishment of vegetation shall be completed by December 31, 2022.
3. The owner shall comply with and obtain all necessary permits as required by applicable federal, state and local regulations. A copy of the State approvals shall be submitted to the Planning and Zoning Department.
4. 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.
5. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.560.05(4) 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.

11. Adjourn

**Motion by Mr. Borgkvist to adjourn meeting.  
Seconded by Ms. Brusveen.  
Motion carried unanimously.**

Meeting adjourned at 3:01 PM

Respectfully Submitted,



John Stevenson, Secretary  
Planning and Zoning Committee



Recording Secretary  
Lauren Ramirez, Office Administrator

cc: Committee Members  
Vern Gove, County Board Chair  
Bob Koch, County Board Vice Chair  
James Foley, County Board Vice Chair