

**PLANNING & ZONING COMMITTEE MINUTES
MAY 3, 2016**

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

ABSENT AND
EXCUSED: Kevin Kessler

STAFF: John Bluemke – Director of Planning & Zoning, Randy
Thompson – Planning & Zoning Administrator, Susan
Runnion - Office Administrator

ALSO PRESENT: Mary Cupery – Vice Chair, Columbia County Board of
Supervisors, James Grothman – Grothman & Associates

3:00 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

Mr. Bluemke suggests moving Item 8b (Fees for CSM Review) after Item IX.

**Motion by Mr. Baumgartner to approve revised Agenda of May 3, 2016 for
Planning & Zoning Committee Regular Meeting & Public Hearing.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

5. Approval of Minutes

**Motion by Mr. Baumgartner to approve Minutes of April 5, 2016 and April 19,
2016 Planning & Zoning Committee Regular & Special Meeting.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

6. Waiver of Access – Hahn – Town of Dekorra

Mr. Baumgartner inquires about why we are allowing 24 feet.

Mr. Bluemke clarifies that it is an existing 24 foot access easement that serves two lots. The new part of the easement is 33 feet which starts at the end of the 24 foot easement.

Motion by Mr. Baumgartner to recommend approval of a Waiver of Access for Lot 2 having 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 5/3/16 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 Mr. Stevenson.

Motion carried unanimously.

7. Waiver of Access – Stevenson – Town of Dekorra

Motion by Mr. Baumgartner to recommend approval of a Waiver of Access for Lot 2 having 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 5/3/16 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 Mr. Stevenson.

Motion carried unanimously.

8. Department Report

a. Planning Update/Ordinance Update

Mr. Bluemke explains upcoming Ordinances which include a minor matter with a legal description.

Resolution of Denial for WB Tanks has some issues. After consideration by Joe Ruf and me, we will accept the Resolution. If someone else wants to challenge it, they may. We will write it up and it will be part of the Business portion of the meeting. We will recommend that County Board deny based on the Town's recommendation. County Board can deny the petition or bring it back to consider or Town can veto if they choose.

Chair Teitgen asked if Chair Gove was consulted.

Mr. Bluemke said if County Board denies the ordinance we could be sued. Our suggestion can take us out of the legal loop.

- Shoreland Wetland Ordinance Discussion

Discussion takes place relating to impervious surface and mitigation issues.

Chair Teitgen suggests changing verbiage relating to boathouse height to "from the floor to the bottom of the structure above".

Mr. Thompson explains that we can't regulate walls, but there is a 22 foot height limit on accessory structures.

Mr. Thompson explains the point system proposal. Mitigation recommended by the State must be equal to the amount disturbed.

Chair Teitgen suggests changing verbiage to “lineal foot vs actual items”. He would also like “shoreland stabilization per DNR permit” to be added. Maybe it could be three points as it’s a significant investment and an important mitigation measure.

Mr. Thompson states that we don’t include an overhang as part of the footprint. If it’s more than three feet, then it is not measured.

Chair Teitgen agrees that would be more palatable.

Mr. Thompson explains they received good feedback from the presentations. Joe Wajnert feels we should look into the highly developed areas and classify 30% impervious before mitigation starts.

Ms. Bradley asks how you would know what is considered “highly developed”.

Mr. Thompson explains that it would be an urban cluster area under the census. Examples would include Harmony Grove, Swan Lake, Tipperary. Next month he will provide more analysis and will conduct a Public Hearing in July.

b. Financial

- Out of County Travel

Mr. Bluemke not aware of any travel at this time.

- Expenditure Report

Motion by Mr. Baumgartner to approve Expenditure Report.

Seconded by Ms. Bradley.

Motion carried unanimously.

c. Enforcement

Enforcement Report is distributed and available on local government portal.

Site Visits (were not needed)

10. Public Hearing

Item I- Map Amendment – Agriculture or Open Space to Single Family Residential & Farmland Preservation Area to Developed/Infill Area; Timothy and Darci Pfeil, Petitioners and Owners – Town of West Point

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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 Map Amendment from Agriculture or Open Space to Single Family Residential & Farmland Preservation Area to Developed/Infill Area.

Seconded by Ms. Bradley.

Motion carried unanimously.

Item II- Zoning Change – A-1 Agriculture to R-1 Single Family Residence and R-1 Single Family Residence to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Timothy and Darci Pfeil, Petitioners and Owners – Town of West Point

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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 rezoning from A-1 Agriculture to R-1 Single Family Residence and R-1 Single Family Residence to A-1 Agriculture and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay effective upon recording of Certified Survey.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item III Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Kristen Anderson, Petitioner and Owner – Town of Columbus

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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 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 Certified Survey.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item IV- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Joseph and Amanda Zander, Petitioners and Owners – Town of Columbus

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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. Stevenson 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 Certified Survey.
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; Robert and Linda Hahn, Petitioners and Owners – Town of Dekorra

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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 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 Certified Survey.
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; Chad and Ellen Stevenson, Petitioners and Owners – Town of Dekorra

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

Chair Teitgen asks if anyone is in favor of 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 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 Certified Survey.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item VII- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Dana and Judith Roberts, Petitioners and Owners – Town of Hampden

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Mr. Baumgartner asks if the petitioner has a driveway permit.

Petitioner responds “yes”.

Chair Teitgen closes Public Hearing.

Motion by Mr. Stevenson 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 Certified Survey.

**Seconded by Ms. Bradley.
Motion carried unanimously.**

Item VIII- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1
Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Lance Roesler,
Petitioner and Owner – Town of Springvale

Chair Teitgen opens Public Hearing.

Mr. Bluemke presents staff report. The Town Plan Commission has recommended the rezoning, but it will be contingent upon Town Board approval.

The Petitioner was represented by Jim Grothman and states they have no additional comments.

Chair Teitgen asks if anyone has any questions.

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

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

Town Board has not met at this time.

Chair Teitgen closes Public Hearing.

**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 Town of Springvale approval and
recording of Certified Survey.
Seconded by Ms. Bradley.
Motion carried unanimously.**

Item IX- Repeal Title 16 Chapter 2 and Create Title 16 Chapter 200 – Land Division
and Subdivision Ordinance

Chair Teitgen opens Public Hearing.

Mr. Bluemke explains that the Public Hearing Notice and proposed Ordinance was sent to every Town in the County without comment. Five or six Towns have their own Subdivision Ordinances. Eighty acre topic needs to be brought to the Town's attention. The County's Ordinance will be more restrictive.

Mr. Bluemke reviews the changes that were made by recommendation from the last meeting. He distributes hand-out with Flag Lot revision.

Discussion takes place as to whether a Public Hearing for variances is necessary, and the Committee agrees that there have been no problems to date without public hearings being required.

Mr. Stevenson has concerns about tax implications for the Town.

Mr. Grothman points out that you are not taxed or it is minimal. He states that Towns have mixed feelings about dedicating right-of-ways or leaving in Town control. The County would prefer dedication. Example would be property owner cutting down a tree in the right-of-way. Municipalities have been taken to court in some instances. It is a public right-of-way because of usage. Municipalities would like to eliminate potential litigation.

Mr. Stevenson asks if it will stay a Town Road.

Mr. Bluemke verifies the dedication only applies to County Roads.

Mr. Grothman replies that he wants to see the “net” and “gross”. It makes sure that if the County comes through to fix the road they will have access. The County owns the land, but the property owner maintains.

Mr. Bluemke explains to eliminate a dedicated right-of-way it must be vacated. This is the statutory process.

Chair Teitgen asks Mr. Stevenson if there is specific language that he doesn’t like.

Mr. Stevenson states he has concern over the reduction of acreage that is taxable.

Mr. Grothman shares example of property owner in Town of Lodi received tax bill for property in right-of-way for several miles and it was \$3.00. She ended up dedicating it to the City.

Mr. Bluemke states that some may not be charged.

Mr. Baumgartner points out that the right-of-way in Town of Otsego is not taxed.

Chair Teitgen asks if anyone has any questions.

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

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

Chair Teitgen closes Public Hearing.

**Motion by Ms. Bradley to recommend the Repeal of Title 16 Chapter 2 and
Creation of Title 16 Chapter 200 – Land Division and Subdivision Ordinance be
presented to the Columbia County Board of Supervisors.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Fees for CSM Review

Mr. Bluemke explains proposal to increase fees relating to review of Certified Survey Maps and addition of retractment and combination review fees. Columbia County fees are low in comparison to surrounding counties.

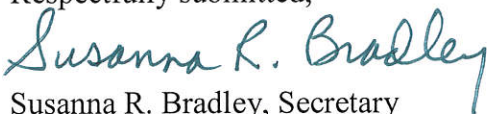
**Motion by Mr. Baumgartner to recommend Amendments to Title 9 Chapter 1
Section 12 – Planning and Zoning be presented to the Columbia County Board
of Supervisors.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

10. Adjourn

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

Meeting adjourned at 4:57 PM

Respectfully submitted,



Susanna R. Bradley, Secretary
Planning and Zoning Committee



Recording Secretary
Susan Runnion, Office Administrator

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