

**PLANNING & ZONING COMMITTEE MINUTES
JUNE 16, 2020**

PRESENT: Harlan Baumgartner, John Stevenson, Denise Brusveen

ABSENT: 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

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 Agenda

**Motion by Ms. Brusveen to approve Agenda of June 16, 2020 Planning & Zoning Committee Special Meeting & Public Hearing.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Ms. Brusveen to approve Minutes of March 3, 2020 Planning & Zoning Committee Regular Meeting.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

**Motion by Ms. Brusveen to approve Minutes of May 27, 2020 Planning & Zoning Committee Special Meeting.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

6. Citizen Input

No citizen input.

7. Operational Overview

- a. Approve Expenditure Report

Motion by Mr. Stevenson to recommend approval of 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 35 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 Ms. Brusveen.

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; Petitioner: John G Krueger – Town of Newport

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Agent Jim Grothman was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to recommend approval of 3.84 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 31.12 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 Ms. Brusveen.

Motion carried unanimously.

Item III Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Roger J Taylor & Elsie R Taylor – Town of Otsego

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Agent Jim Grothman was present.

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

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Stevenson to approve a Conditional Use Permit for a Contractor's Shop located at W9840 County Road X as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.
Seconded by Ms. Brusveen.
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 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 Lewiston and is zoned C-2 General Commercial. The District uses are listed in Table 16-115-020(1).

the Committee Decision are not being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.

- 16. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Lewiston and Joseph Fisher and Jessica Goetz are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.

Item VI Conditional Use Permit – For a Saw Mill; Petitioners: Guy D Senkowski & Judy A Senkowski – Town of Dekorra

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to approve a Conditional Use Permit for a Saw Mill located at N3757 McMillian Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.

**Seconded by Ms. Brusveen.
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

the requirements of Section 16-140-060(B)(4) of the Columbia County Zoning Code.

7. A minimum setback of 10' shall apply from all new structures to the edge of the mapped floodplain, unless a hydraulic and hydrologic analysis is completed to define the extent of the floodfringe and floodway on the property, and/or a Letter of Map Amendment (LOMA) is approved by the Federal Emergency Management Agency (FEMA).
8. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
9. The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
10. Lighting for the facilities shall be oriented so that the lighting element (or transparent shield) is not visible from adjacent properties or McMillian Road. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
11. 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.
12. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
13. 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.
14. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and Guy D and Judy A Senkowski are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.
 - a. The Town Engineer 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.
 - b. Prior to installation of any future building indicated on the site plan, the owner shall submit for Town staff/consultant approval an erosion control plan, building elevations, and proposed exterior lighting for such building. Following such approval, the owner shall obtain a building permit from the Town.
 - c. Per Section 11.04 of the Town Code, any additional site lighting shall comply with "dark sky" standards (e.g., no up lighting, spotlights) and future buildings shall be designed to blend with the surrounding natural environment.

Motion by Mr. Stevenson to approve rezoning of 8 acres, more or less, from A-1 Agriculture to A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.

Seconded by Ms. Brusveen.

Motion carried unanimously.

Item IX Zoning Change – A-2 General Agriculture to RR-1 Rural Residence and from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioner: Foxfire Enterprises, LLC – Town of Wyocena

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

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

Town Board not present, but Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to approve rezoning of 1.41 acres, more or less, from A-2 General Agriculture to RR-1 Rural Residence, and 20.21 acres, more or less, from A-2 General Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.

Seconded by Mr. Weyh.

Motion carried unanimously.

Item X Conditional Use Permit – For a Single-Family Residence; Petitioner: Gartland Brothers, Inc. – Town of Wyocena

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present.

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

to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Conditions for the Decision:

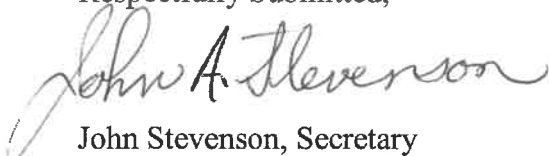
1. A zoning permit for the single-family residence shall be obtained within 1-year of approval of the Conditional Use Permit or the Conditional Use Permit shall be considered void.
2. The Conditional Use Permit shall be valid while the single-family residence remains on the property, and be binding upon the owner(s), their heirs, successors, and assigns.
3. The owner shall comply with and obtain all necessary permits required by applicable federal, state, and local regulations.
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. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
6. 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.
7. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Wyocena and Gartland Brothers, Inc are hereby incorporated as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement(s) or condition(s), unless an individual point of the agreement(s) or condition(s) is specifically included above as a condition of approval. Any additional Town agreements or conditions are listed below. In the event that the Town submits a finding of noncompliance with any of the item(s) listed below, 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.

6. Adjourn

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

Meeting adjourned at 4:48 PM

Respectfully Submitted,



John Stevenson, Secretary
Planning and Zoning Committee