

**PLANNING & ZONING COMMITTEE MINUTES  
JULY 5, 2016**

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

ABSENT AND  
EXCUSED: Fred Teitgen

STAFF: John Bluemke – Director of Planning & Zoning, Randy  
Thompson – Planning & Zoning Administrator, Susan  
Runnion - Office Administrator, Renee Pulver – Land Use  
Specialist

ALSO PRESENT: Vern E. Gove – Chair, Columbia County Board of  
Supervisors, Mary Cupery – Vice Chair, Columbia County  
Board of Supervisors, Susan Fisher – Assistant Corporation  
Counsel, James Grothman – Grothman & Associates, Lyn  
Jerde – Portage Daily Register

**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

**Motion by Ms. Bradley to approve Agenda of July 5, 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 June 7, 2016  
Planning & Zoning Committee Regular Meeting.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

6. Draft Report and Ordinance Amendment – WB Sales – Town of Dekorra

Ms. Bradley comments that this is a local control issue and they don't like the industry, not a zoning matter.

Mr. Bluemke explains that the Town will always have local control and has filed a resolution for disapproval of the petition. Now the action goes to County Board of

Supervisors. The Town of Dekorra will then have 40 days to veto the County Board's decision. We are following statute requirements to get it back to the Board for consideration.

Mr. Bluemke explains there are two venues; the ordinance itself and the site plan review committee for which they local control.

Ms. Bradley asks if this particular type of business could be rejected even in the land is rezoned for industrial use.

Mr. Bluemke responds that if the business meets the criteria for industrial zoning it cannot be rejected. The proposed "use" does meet those criteria. It is "allowed" and you can't pick and choose.

**Motion by Mr. Baumgartner to recommend Ordinance Amendment be forwarded to Columbia County Board of Supervisors for consideration.  
Seconded by Mr. Stevenson.**

**Mr. Bradley – Yes, Mr. Stevenson – Yes, Mr. Baumgartner – Yes  
Acting Chair Kessler – Yes  
Motion carried unanimously.**

7. Determine validity of Protest Petition – WB Sales

Mr. Bluemke explains that a successful protest on a rezoning entails computing the perimeter of the parcel proposed for rezoning and then having owners of at least 50 percent of the property abutting that perimeter go on record as objecting to the proposed rezoning. If the protest was determined valid, the rezoning would require  $\frac{3}{4}$  votes from the Board of Supervisors.

Acting Chair Kessler asks about the third paragraph that states the committee makes the decision.

Mr. Bluemke reports that ownership is not an issue.

**Motion by Mr. Baumgartner to deny the Protest Petition based upon  
Corporation Counsel determination.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Ms. Bradley points out there is a word missing in the memo.

Mr. Bluemke acknowledges the word "not" should be added which was accidentally omitted.

Acting Chair Kessler inquires about simple ownership.

Assistant Corporation Counsel Susan Fisher reports that some of the alleged abutting property actually is right of way for the Canadian Pacific Railroad –and even if the property owner’s land is within 300 feet of the parcel proposed for rezoning, it does not qualify for inclusion because it’s not abutting.

Ms. Bradley comments that she hopes the people in the perimeter will talk to the property owner.

Deb Bennett  
W8384 CTH JV  
Poynette, WI

Ms. Bennett asks how you could abut if you are not within 300 feet.

Assistant Corporation Counsel Susan Fisher responds that this would be a question for legislation as we are following a statutory requirement.

Mr. Bluemke explains that corporation counsel will be present at county board, but the question won’t be brought up if the Committee determines the protest is not valid.

Mr. Baumgartner comments that this is a town issue and the town needs to settle it. We are going by our statutory procedure and it places the consideration into their hands to deliberate to what they should have settled at the beginning.

Acting Chair Kessler commends the town residents for their participation.

8. Preliminary Plat – Loveland Estates – Town of Arlington

**Motion by Mr. Baumgartner to recommend approval of a Preliminary Plat of Loveland Estates subject to the recommended conditions.**

- 1. Developer obtains approval from the Town for all applicable Town ordinances, development agreements and plans.**
- 2. Written verification from the Town that provisions are in place for the donation of money for park purposes per Sec. 16-2-3 (c), or that the Town chooses not to require any dedication of lands or donation of funds under this section.**
- 3. Minutes of Town Board approval of the Final Plat and copies of all signed agreements approved by the Town must be included with the submittal of the Final Plat to the County.**

Seconded by Mr. Stevenson.  
Motion carried unanimously.

9. Waiver of Access – Carl Paulsen & Sandra Paulsen – Town of Lewiston

**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 7/5/16 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 Ms. Bradley.  
Motion carried unanimously.**

10. Rezones – Town of Courtland

a. Anthony & Kathleen Raley

Acting Chair Kessler asks if anyone has any questions.

**Motion by Ms. Bradley to recommend Resolution to Approve Town of Courtland Zoning Ordinance Amendment be presented to the Columbia County Board of Supervisors.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

b. Lynn Wingers

Acting Chair Kessler asks if anyone has any questions.

**Motion by Mr. Baumgartner to recommend Resolution to Approve Town of Courtland Zoning Ordinance Amendment be presented to the Columbia County Board of Supervisors.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Acting Chair Kessler asks if this requires A-4 Agricultural Overlay.

Mr. Bluemke confirms the Town Ordinance does not require it.

c. Adam Erdmann

**Motion by Ms. Bradley to recommend Resolution to Approve Town of Courtland Zoning Ordinance Amendment be presented to the Columbia County Board of Supervisors.  
Seconded by Mr. Baumgartner.  
Motion carried unanimously.**

Mr. Baumgartner asks why the committee must review if Town of Courtland has their own Zoning Code.

Mr. Bluemke reports that it is required by state statute.

11. Department Report

a. Planning Update/Ordinance Update

- Shoreland Wetland Ordinance consideration later in the meeting.

b. Financial

- Out of County Travel

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

- Expenditure Report

**Motion by Ms. Bradley to approve Expenditure Report.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

c. Enforcement

Enforcement Report is distributed and available on local government portal.

12. Board of Adjustment – Re-Appointments

**Motion by Mr. Stevenson to recommend William Gretzinger and Norman Wills re-appointments for permanent members of Board of Adjustment Committee to be forwarded to Executive Committee and Columbia County Board of Supervisors.**

**Seconded by Ms. Bradley.**

**Motion carried unanimously.**

**Site Visits** (were not needed)

13. Public Hearing

Item I- Map Amendment – Future Land Use Map: Agriculture or Open Space and Single Family Residential to Agriculture or Open Space and Single Family Residential & Farmland Preservation Map: Farmland Preservation Area and Developed/Infill Area to Farmland Preservation Area and Developed/Infill Area; Amalia W. Ryan Revocable Living Trust, Petition & Owner – Town of West Point - Postponed

**Motion by Acting Chair Kessler to postpone the petition.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item II- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Carl Paulsen & Sandra Paulsen, Petitioners and Owners – Town of Lewiston

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

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

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler 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. Baumgartner.  
Motion carried unanimously.**

Item III Map Amendment – Recreational to Single Family Residential; Portage Country Club – Swan Lake Vista on the Lake, Petitioner & Owner – Town of Wyocena

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and he has no additional comments.

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler closes Public Hearing.

**Motion by Mr. Baumgartner to approve Map Amendment from Recreational to Single Family Residential.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

Item IV- Zoning Change – A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence; Bryan Wendt & Heather Wendt, Petitioners and Owners– Town of Wyocena

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

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

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler closes Public Hearing.

**Motion by Ms. Bradley to approve rezoning from A-1 Agriculture and R-1 Single Family Residence to RR-1 Rural Residence effective upon recording of Certified Survey.  
Seconded by Mr. Stevenson.  
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; Jesse Gentz & Joanna Gentz, Petitioners and Owners– Town of Wyocena

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

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

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler 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 VI- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Ronald Senft & Delores Senft, Petitioners and Owners– Town of Springvale  
Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they had a mobile home there since 1962 which burnt. Their grandson has a double wide and they want to get it legal.

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler 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 A-1 Agriculture with A-4 Agricultural Overlay; William Ingraham & Laurel Ingraham, Petitioners and Owners– Town of Dekorra

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

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

Acting Chair Kessler asks if anyone has any questions.



Mr. Baumgartner inquires about the sliver of land by the interstate.

Mr. Grothman explains there is a billboard located there and he likes to hunt, so they are expanding hunting land and including the billboard.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler closes Public Hearing.

**Motion by Ms. Bradley to approve rezoning from 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 VIII- Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Vernon Karman, James Woodward & Joseph Woodward, Petitioners and Owners– Town of Dekorra

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was represented by Jim Grothman and he has no additional comments.

Acting Chair Kessler asks if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Acting Chair Kessler 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 approval and upon recording of the Certified Survey Maps.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Item IX Map Amendment – Future Land Use Map: Agriculture or Open Space and Single Family Residential to Agriculture or Open Space and Single Family Residential & Farmland Preservation Map: Farmland Preservation Area and Urban Transition Area and Urban Transition Area to Farmland Preservation Area and Urban Transition Area– Susan L. Ziegler Living Trust, Petitioner & Owner – Town of Arlington

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

The Petitioner was present and states they have no additional comments.  
Acting Chair Kessler asks if anyone has any questions.

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

Acting Chair Kessler asks if anyone is against the petition.

Bill Priske – Research Products  
300 E. James Street  
Poynette, WI

Representing Research Products a business just north of property. Don't want to be affected by the proposal as daily they run 20-50 trucks down Loveland Road. They do not want to go through Poynette to get to the highway.

Acting Chair Kessler asks if these concerns were presented to the town board.

Mr. Priske responds "yes".

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

Town Board not present, but Minutes on file.

Acting Chair Kessler closes Public Hearing.

**Motion by Mr. Baumgartner to approve Map Amendment; Future Land Use Map: Agriculture or Open Space and Single Family Residential to Agriculture or Open Space and Single Family Residential & Farmland Preservation Map: Farmland Preservation Area and Urban Transition Area and Urban Transition Area to Farmland Preservation Area and Urban Transition Area .**

**Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item X- Zoning Change – R-1 Single Family Residence & A-1 Agriculture to R-1 Single Family Residence and RR-1 Rural Residence and R-1 Single Family

Residence and A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Susan L. Ziegler Living Trust, Petitioner and Owner– Town of Arlington

Acting Chair Kessler opens Public Hearing.

Mr. Bluemke presents staff report.

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

Acting Chair Kessler asks if anyone has any questions.

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

Acting Chair Kessler asks if anyone is against the petition.

Bill Priske – Research Products  
300 E. James Street  
Poynette, WI

Don't want business to be affected by the proposal as mentioned before.

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

Town Board not present, but Minutes on file.

Acting Chair Kessler closes Public Hearing.

**Motion by Ms. Bradley to approve rezoning from R-1 Single Family Residence & A-1 Agriculture to R-1 Single Family Residence and RR-1 Rural Residence and R-1 Single Family Residence and 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 Final Plat of Loveland Estates.  
Seconded by Mr. Stevenson.  
Motion carried unanimously.**

Item XI- Repeal and Replace Title 16 Chapter 5- Shoreland Wetland Protection Ordinance

Acting Chair Kessler asks if anyone has any questions.

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

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

Acting Chair Kessler closes Public Hearing.

**Motion by Mr. Baumgartner to recommend the Repeal of Title 16 Chapter 5 and Creation of Title 16 Chapter 500 – Shoreland & Wetland Ordinance be presented to the Columbia County Board of Supervisors.**

**Seconded by Mr. Stevenson.**

**Motion carried but not unanimously.**

Acting Chair Kessler states that in Chair Teitgen absence it should be known that he retains concern about highly developed areas and discretion and flexibility of state laws which is why he voted the way he did.

14. Adjourn

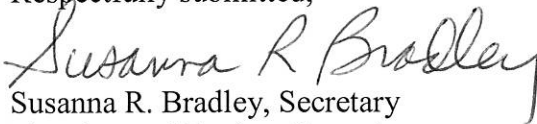
**Motion by Ms. Bradley to adjourn meeting.**

**Seconded by Mr. Stevenson.**

**Motion carried unanimously.**

Meeting adjourned at 4:51 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