

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

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

ABSENT: Denise Brusveen

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

ALSO PRESENT: Susan Fisher – Corporation Counsel

1:45 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. Richmond to approve Agenda of July 6, 2021 Planning & Zoning Committee Regular Meeting & Public Hearing.

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

5. Approval of Previous Meeting Minutes

Motion by Mr. Weyh to approve Minutes of June 1, 2021 Planning & Zoning Committee Regular Meeting.

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

6. Citizen Input

No citizen input.

7. Operational Overview

- a. Approval of 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

Mr. Calkins presented quarterly vehicle mileage form.

**Motion by Mr. Richmond to approve the Quarterly Vehicle Mileage Form
for the Planning & Zoning Department.
Seconded by Mr. Stevenson
Motion carried unanimously.**

8. Approval of CUP Site Plan

- Bennett – Town of Lodi

Mr. Calkins presented Staff Report. He explained the Staff Report had incorrect title, but Agenda was correct.

**Motion by Mr. Richmond to approve CUP Site Plan Approval.
Seconded by Mr. Borgkvist.
Motion carried unanimously.**

9. Approval of Driveway Exception

- Baumgardt – Town of Otsego

Ms. Pulver-Johnson presented Staff Report.

**Motion by Mr. Weyh to approve Driveway Exception.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Site Visits (were not needed)

10. Public Hearing – 2:00PM

Item I Plan Map Amendment – Future Land Use Map: Single-Family Residential to Commercial; Petitioner: Tim and Sara Brandsma Living Trust dated 1/27/2014 and Engineered Storage, LLC – Town of Fort Winnebago

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. Borgkvist to recommend approval to amend 2.19 acres, more or less, of the Future Land Use map from Single-Family Residential to Commercial land use designation, all effective upon recording of the Certified Survey Map.

Seconded by Mr. Weyh.

Motion carried unanimously.

Item II Plan Map Amendment – Future Land Use Map: Industrial to Commercial; Single-Family Residential to Commercial; Petitioner: JAG Investments LLC and Town of Dekorra – 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 request. (no comments)

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

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Weyh to recommend approval to amend 2 acres, more or less, of the Future Land Use map from Industrial to Commercial land use designation, all effective upon approval of the rezoning.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Item III Zoning Change – I-2 General Industrial to C-1 Light Commercial
Petitioners: JAG Investments LLC and Town of Dekorra – 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 request. (no comments)

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

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to recommend approval of 2 acres, more or less, from I-2
General Industrial to C-1 Light Commercial, all effective upon recording of the
Certified Survey Map.
Seconded by Mr. Richmond.
Motion carried unanimously.**

Item IV Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and from A-1
Agriculture to A-1 Agriculture with A-4 Agriculture Overlay; Petitioners:
Guy D Senkowski & Judy A Senkowski – Town of Dekorra

Chair Baumgartner opened Public Hearing.

Mr. Calkins 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 present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Stevenson to recommend approval of rezoning 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 5 acres, more or less, from RR-1 Rural Residence to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon recording of the Certified Survey Map.

Seconded by Mr. Borgkvist.

Motion carried unanimously.

Item V Conditional Use Permit – For a Tourist Rooming House; Petitioners: Christopher M Weber & Jessie M Weber – Town of Dekorra

Chair Baumgartner opened Public Hearing.

Mr. Calkins 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 present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Borgkvist to approve Conditional Use Permit for a Tourist Rooming House at W10140 Schiefelbein Road, as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(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. Christopher M and Jessie M Weber are the owners of the subject property.
 - b. The property is already developed with a single-family residence, driveway, and boathouse on site.
 - c. 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.
 - d. 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.

- e. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
- f. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
- g. The site has adequate utilities, including acceptable disposal systems.
- h. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
- i. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Conclusions of Law:

1. The subject property is located in the Town of Dekorra and is zoned R-1 Single-Family Residence. The District uses are listed in Table 12.110.02(1).
2. A Tourist Rooming House is a conditional use within the R-1 Single-Family Residence zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Christopher M and Jessie M Weber are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Code.
5. The petitioner is proposing to use an existing single-family residence as a Tourist Rooming House, which is allowed as a Conditional Use under Table 12.110.02(1).
6. The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Code.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)b. and 12.150.07 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.
8. The standards of Section 12.125.11(1) 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 12.125.10(1). 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 to enable the County to confirm compliance with the standards of this chapter and fulfill state reporting requirements.
 - (g) Conditional use permit may be subject to revocation or alteration if the Planning and Zoning Committee finds that these standards, the recommended Conditions adopted by the Planning and Zoning Committee, or the standards for all conditional use permits in Section 12.150.07(4) are not being met.

Conditions for the Decision:

1. The Conditional Use Permit shall not be transferable to another owner.
2. The Tourist Rooming House shall not be rented for a period of less than seven days or more than 180 days within any consecutive 365-day period. There shall be a minimum of one calendar week per month where no tourists occupy the residence.
3. Accessory structures and camping units shall not be used as habitable structures.
4. Pets shall be contained on the rental property and must remain tied up or leashed.
5. Quiet hours shall be 10:00 pm – 8:00 am on weekdays and 11:00 pm – 8:00 am on weekends. Noise levels at the property line shall not exceed 55 dBA during these hours.
6. All fires shall be located within proper fire pit structures and shall be extinguished during established quiet hours.
7. The use of fireworks shall be prohibited.
8. The use of firearms shall be prohibited.
9. Special events or parties in which more than twice the permitted number of occupants are temporarily present on the premises shall be prohibited.
10. Parking shall be provided on-site, on a paved surface or within the garage, with a maximum of 2 vehicles allowed.
11. Occupancy associated with the Tourist Rooming House shall be limited to 6 persons.
12. A 24-hour contact number shall be provided to the Planning and Zoning Department, Town Chair, Town Clerk, and Town Constable. This number shall be posted near the primary entrance door on a sign no larger than 12"x18". If the owner does not live within one hour's drive of the tourist rooming house, there shall be a local contact person.
13. A sign shall be placed inside, near the door, stating the hazards of swimming in the river.
14. A state sales tax number shall be obtained and provided to the Planning and Zoning Department and Town Clerk.
15. The well and sanitary system shall comply with County and State requirements.
16. The property shall remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
17. Garbage and recycled materials shall be properly stored and disposed of regularly.
18. The owner's website or other advertising site shall state that there are local government conditions and restrictions associated with this Tourist Rooming House in order to maintain a predominately single-family, owner-occupied character of the surrounding area.
19. The availability of the Tourist Rooming House to the public and tourists/transients shall not be advertised on site.
20. 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.
21. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
22. 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.
23. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) 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.
24. In addition to any State required license fee, each operator of a Tourist Rooming House shall provide the County with an annual fee and an annual report on a form furnished by the County to confirm compliance with any applicable requirements or conditions of approval.
25. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and Christopher M and Jessie M Weber, 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. Property lines must be physically delineated by a fence, although the fence does not have to be designed to contain the pets on the property. Pet behavior must meet applicable Town ordinances.
- b. The operator of the Tourist Rooming House shall provide the Town with an annual fee and an annual report on a form furnished by the Town.

Item VI 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: Dennis J Grady Revocable Trust dated 9/16/2020 – Town of Lowville

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. Richmond to recommend approval of rezoning 2.85 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 34.65 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 VII 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: Diane C Tomlinson, Marvin K Tomlinson, et al., and Applicant: David Falk – Town of Lowville

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 recommend approval of rezoning 1.64 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 33.36 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. Borgkvist.

Motion carried unanimously.

Item VIII Conditional Use Permit – For a Multiple-Family Use (3-8 Units);
Petitioner: Raymond W Voss Revocable Trust dated 1/18/2017, and
Applicant: Portage Oneida Properties LLC/The Gardner Co Inc. – Town
of Pacific

Chair Baumgartner opened Public Hearing.

Mr. Calkins 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. Richmond to approve Conditional Use Permit for a Multiple-Family Use (3-8 Units) at Tourist Rooming House at N6186 US Highway 16-51, as proposed in the application and accompanying submittals and subject to the following

Findings, Conclusions, and Conditions of Approval.

Seconded by Mr. Stevenson.

Motion carried unanimously.

Findings of Fact:

1. Upon review of the guidelines in Section 12.150.07(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. Raymond W Voss Revocable Trust dated 1/18/2017 is the owner of the subject property.
 - b. The property is already developed with a motel, garage, driveway and parking lot on site.
 - c. 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.
 - d. 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.
 - e. The erosion potential of the site, based on topography, drainage, slope, soil type, and vegetative cover is minimal.
 - f. There is no existing or anticipated water pollution including sedimentation, and no impacts on floodplain and wetlands.
 - g. The site has adequate utilities, including acceptable disposal systems.
 - h. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow.
 - i. The Conditional Use shall conform to the standards of the applicable district(s) in which it is located.

Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned C-1 Light Commercial. The District uses are listed in Table 12.115.02(1).
2. Multiple-Family Use is a conditional use within the C-1 Light Commercial zoning district.
3. The proposed use is consistent with the purpose and intent of the Columbia County Zoning Code.
4. Raymond W Voss Revocable Trust dated 1/18/2017, Portage Oneida Properties LLC, and The Gardner Company Inc are the petitioners for a Conditional Use Permit. The petition followed the procedures of Section 12.150.07(3) of the Columbia County Zoning Code.
5. The petitioner is proposing to convert an existing motel to an apartment building, which is allowed as a Conditional Use under Table 12.110.02(1).
6. The Pacific Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 12.150.07 of the Columbia County Zoning Code.
7. The Columbia County Planning and Zoning Committee has the authority under Sections 12.150.03(2)b. and 12.150.07 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Conditions for the Decision:

1. The site shall be developed in accordance with the approved site plan, dated May 13, 2021. Any significant changes to this site plan (as defined by a building modification equal to or greater than 25 percent of the existing square footage), or outright change of use as defined by the Columbia County Zoning Ordinance, shall be reviewed and approved by the Town and Planning and Zoning Committee.
2. All vehicles parked on site shall remain operable and road worthy.

3. The parking lot shall be for the parking of tenant and owner automobiles only. No other vehicles, machinery, or equipment, including boats, RVs, or other camping units shall be stored on site.
4. All parking shall be provided on-site. There shall be no parking in the road right-of-way.
5. Within six (6) months of the date of approval of this Conditional Use Permit, the applicant/owner shall have a sanitary evaluation completed and submitted to the Planning and Zoning Department. A Private On-Site Waste Treat System (POWTS) that complies with Chapter 12.300 Columbia County Private Sewage Systems Ordinance and SPS 383 Wisconsin Administrative Code shall be maintained.
6. Within six (6) months of the date of approval of this Conditional Use Permit, the applicant/owner shall provide the Planning & Zoning Department with Emergency Response Number application(s) in order to for the Department to determine and authorize proper addressing requirements for the new apartments.
7. Landscaping, as indicated on the approved site plan shall be installed no later than October 1, 2021. Landscaping shall be maintained and replaced within nine (9) months, if said vegetated dies.
8. Garbage and recycled materials shall be properly stored and disposed of regularly.
9. The waste and recycle management area shall be enclosed with a fence no later than October 1, 2021.
10. The parking lot shall be striped no later than September 1, 2022. The parking area shall be maintained and repaved as needed.
11. All exterior lighting shall be oriented so that the lighting elements (or transparent shield) are not visible from adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement. All lighting shall comply with Subsection 12.140.07 of the Columbia County Zoning Code.
12. The existing motel sign shall be removed by December 31, 2022. New signage shall comply with Subsection 12.145 of the Columbia County Zoning Code.
13. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
14. 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.
15. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.150.07(4) 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.
16. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Pacific and Raymond W Voss Revocable Trust dated 1/18/2017 and Portage Oneida Properties LLC/The Gardner Co 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.
 - a. Adherence to the Development Agreement as presented by the Town Attorney. Modifications to any term of the Development Agreement shall be subject to Town approval.
 - b. Adherence to the Declaration of Covenants, Restrictions, and Conditions as presented by the Town Attorney. Modifications to any term of the Declaration shall be subject to Town approval.

Item IX 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: H Gary Bierman & Denise L Bierman – Town of Pacific

Chair Baumgartner opened Public Hearing.

Mr. Calkins 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 recommend approval of rezoning 1.99 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.

Item X Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Kevin A Falk & Kristie R Falk – Town of Springvale

Chair Baumgartner opened Public Hearing.

Mr. Calkins 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 present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to recommend approval of rezoning 30.88 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., all effective upon recording of the Certified Survey Map.
Seconded by Mr. Stevenson.
Motion carried unanimously.**

Item XI 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: Larry Breneman, Merwyn Breneman, et al., and Applicants: William Baumgardt & Barbara Baumgardt – Town of Otsego

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.

Andrea Johnston
2606 Coolidge Street
Madison, WI

Ms. Johnston appeared via Zoom and stated concerns regarding flooding.

Ruth Adams
N3432 Williams Road
Rio, WI

Mr. Calkins presented and read in an email for the record from Ruth Adams, with photos, against petition. Ms. Adams expressed concerns regarding flooding, trespassing, and destruction of her property.

Kerrie Bennett
Ruth Adams
Ken & Linda Adams
N3432 Williams Road
Rio, WI

Mr. Calkins presented and read in an email for the record from Kerrie Bennett, against petition. Ms. Bennett expressed concerns regarding petitioner's proposed driveway, noise (being there is an existing boarding facility close), wastewater contamination, endangerment of native wildlife,

wastewater runoff, toxins and sewage, flooding, traffic, dust, trespassing, wildlife, endangered plants, the eco-system, groundwater contamination, and the peace and serenity of the area.

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

Chair Baumgartner asked if there are any questions.

Mr. Richmond asked questions regarding location of other boarding facility, and open hours of proposed use.

Mr. Weyh questioned about driveway location.

Ms. Pulver-Johnson stated they are using the existing; however, when they get driveway for residence, they'll need to make adjustments, and obtain proper permits. Ms. Pulver-Johnson added that this property is not mapped floodway, and if they were near mapped floodway, they'd have to follow regulations and setbacks to make right.

Chair Baumgartner stated this was not an issue that was brought up at the town.

Chair Baumgartner asked if there are any other questions or comments.

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Weyh to recommend approval of rezoning 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. Borgkvist.

Motion carried unanimously.

Item XII Major Home Occupation – Dog Boarding & Training Facility; Petitioners: Larry Breneman, Merwyn Breneman, et al, Applicants: William Baumgardt & Barbara Baumgardt – Town of Otsego

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner was present and added the facility near-by as discussed in the previous item, only does boarding.

He and Ms. Baumgardt addressed noise and waste concerns.

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

Chair Baumgartner asked if anyone is against the petition.

Mr. Calkins stated comments/concerns of emails he read in for Item XI from Ms. Adams and Ms. Bennett, pertain to this as well for the record.

Chair Baumgartner asked if any else is against the petition.

Andrea Johnston
2606 Coolidge Street
Madison, WI

Ms. Johnston appeared via Zoom and stated she has same concerns.

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

Chair Baumgartner asked if anyone has any other questions/concerns.

Mr. Weyh addressed noise concerns, as Condition of Decision #10 specifies regulation on this.

Ms. Pulver Johnson stated that this condition is standard for this use; however, cannot be put on gunshot noise.

Mr. Weyh pointed out that anyone can have that noise, and this Conditions makes other noise enforceable.

Mr. Richmond stated he has concerns about hours of operation.

Ms. Baumgardt explained boarding hours and why nights/weekends are necessary.

Mr. Richmond pointed out alternative potential agricultural animal use and noise without conditions such as this.

Town Board present, and Approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to approve Conditional Use Permit for a Major Home Occupation – Dog Boarding & Training Facility at Williams Road, as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.
Seconded by Mr. Weyh.**

Motion carried unanimously.

Item XIII Amendments to Chapter 12, Subchapter 100

Chair Baumgartner opened Public Hearing.

Mr. Calkins presented Draft Amending Ordinance.

Chair Baumgartner asked if anyone has any questions.

Mr. Calkins read in email from Kevin Kessler with comments/concerns.

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

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

Chair Baumgartner closed the Public Hearing.

Motion by Mr. Richmond to recommend to County Board approval of Amendments to Chapter 12, Subchapter 100 – Columbia County Zoning Ordinance.

Seconded by Mr. Borgkvist.

Motion carried unanimously.

11. Adjourn

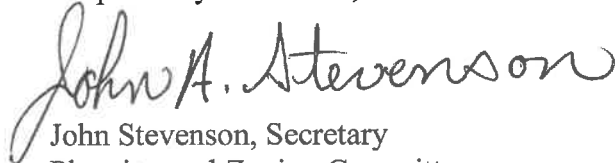
Motion by Mr. Richmond to adjourn meeting.

Seconded by Mr. Weyh.

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