

**PLANNING & ZONING COMMITTEE MINUTES  
SEPTEMBER 1, 2020**

**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

**ALSO PRESENT:** Jim Grothman – Grothman & Associates, Susan Fisher –  
Corporation Counsel, James Foley 1<sup>st</sup> Vice Chair

**1:45 PM**

1. Call to order Chair Baumgartner called the meeting to order at 1:45 PM
2. Certification of Open Meeting Law & confirmed meeting was properly noticed and published-Calkins confirmed the meeting was noticed and the hearing published.
3. Roll Call was taken and a quorum declared present-all members present.
4. Approval of Agenda

**Motion by Mr. Borgkvist to approve Agenda of September 1, 2020 Planning &  
Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Ms. Brusveen.  
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Mr. Stevenson to approve Minutes of August 4, 2020  
Planning & Zoning Committee Meeting.  
Seconded by Mr. Weyh.  
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. Borgkvist Motion carried unanimously.**

Item II Zoning Change – A-1 Agriculture and A-2 General Agriculture to A-2 General Agriculture; Petitioners: Craig C Trautman, Terrie Audiss, & Liegel Revocable Living Trust – Town of Marcellon

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner (Trautman) 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 is not present but recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to approve rezoning of 10.07 acres, more or less, from A-1 Agriculture and A-2 General Agriculture to A-2 General Agriculture, effective upon recording of the Certified Survey Map.**

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

Item III 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: Gregory C Ebert – Town of Hampden

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner (Ebert) 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 is not present and recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Stevenson to approve rezoning of 1.8 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 38.2 acres, more or less, from A-1**

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

Town Board is not present and recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist to approve rezoning of 2.6 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 32.4 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon the recording of the Certified Survey map.**

**Seconded by Mr. Wehy.**

**Motion carried unanimously.**

Item VI      Zoning Change – A-1 Agriculture to I-2 General Industrial; Petitioner: Vita Plus Corporation c/o Robert Tramburg – Town of Columbus

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

Petitioner (Tramburg) 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 is not present and recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Weyh to approve rezoning of .44 acres, more or less, from A-1 Agriculture to I-2 General Industrial, effective upon the recording of the Certified Survey map.**

**Seconded by Mr. Borgkvist**

**Motion carried unanimously.**

Item VII      Conditional Use Permit – For General Manufacturing: Feed Mill; Petitioner: Vita Plus Corporation c/o Robert Tramburg – Town of Columbus

Chair Baumgartner opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Chair Baumgartner asked if anyone has any questions.

2. The site shall be developed in accordance with the approved site plan and any applicable ordinances, including the Columbia County Shoreland-Wetland Protection and Floodplain Ordinances.
3. The owner and operator shall minimize the generation of airborne dust resulting from hauling operations.
4. A lighting plan shall be submitted to the Planning & Zoning Department for all lighting over 150 watts in accordance with Section 16-140-070 prior to issuance of any zoning permit.
5. Stormwater management and erosion control plans meeting the criteria of Section 16-140-090 shall be submitted to the Planning & Zoning Department in the form of a Land Disturbance Application prior to issuance of any zoning permit.
6. Signage shall comply with Section 16-145 of the Columbia County Zoning Code.
7. There shall be at least one specifically designated off-street loading area, which shall be depicted on a plan submitted with or prior to an application for a zoning permit. This loading area shall not interfere with general vehicle access and parking; shall not require the loading, maneuvering, or unloading within the public right-of-way, and shall be designed for safe loading, maneuvering, and unloading.
8. Any significant changes to the approved site plan shall be reviewed and approved by the Town and County.
9. One parking space shall be provided for each employee on the largest working shift.
10. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
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. 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.
13. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Columbus and Vita Plus Corporation 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 VIII      Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4  
Agricultural Overlay; Petitioner: Shirley A Skogen Living Trust Dated  
1/23/1998 – 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)

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

Town Board is not present and recommended approval is on file.

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 is not present and recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Borgkvist approve rezoning of 2.6 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 32.4 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon the recording of the Certified Survey map.  
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.

**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 16-110-020(1).
2. Global Property Services LLC is the petitioner for a Conditional Use Permit. The petition followed the procedures of Section 16-150-070(C) of the Columbia County Zoning Code.
3. 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 16-110-020(1).
4. The Dekorra Town Board has reviewed and recommended approval of the Conditional Use Permit, with conditions, in accordance with Section 16-150-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Sections 16-150-030(B)(2) and 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review, and decide on requests for Conditional Use Permits.
6. The standards of Section 16-125-010(A) 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.

being complied with, the Planning and Zoning Committee, after a public hearing, may revoke the Conditional Use Permit.

22. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Dekorra and Global Property Services 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 shall be physically delineated by a fence. Pet behavior must meet applicable Town ordinances.
  - b. Aside from ordinary maintenance and repair, any enlargement, modification, intensification, or change in prior approval condition for such use shall require a new review, approval, and license under Town of Dekorra Municipal Code of Ordinances Section 6.10.
  - c. Two exits are required per bedroom.
  - d. Rentals cannot exceed 30 consecutive nights.
  - e. The Tourist Rooming House shall be unoccupied by tourists or transients a minimum of one calendar week per month.
  - f. The Tourist Rooming House shall not be rented on a month to month basis.
  - g. The Tourist Rooming House must meet all requirements associated with a single-family dwelling under Town and County ordinances, except where such ordinances provide for waivers for pre-existing dwellings.
  - h. In addition to any State license fee, each operator a Tourist Rooming House shall provide the Town of Dekorra with an annual fee and an annual report on a form furnished by the Town to enable the Town to confirm compliance with any requirements or conditions of approval, the standards of this section, and any State reporting requirements. The license shall not be transferable to another owner.

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; Petitioner: Beverly J Thiele Revocable Trust – Town of Leeds

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 is not present and recommended approval is on file.

Chair Baumgartner closed the Public Hearing.

**Motion by Mr. Weyh to approve rezoning of 2 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 76.54 acres, more or less, from A-1**