

**PLANNING & ZONING COMMITTEE MINUTES
NOVEMBER 1, 2022**

PRESENT: Denise Brusveen, Doug Richmond, Adam Hahn, Harlan Baumgartner

EXCUSED ABSENT: Andrew Kolberg

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

ALSO PRESENT: Susan Fisher – Corporation Counsel

2:45 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 November 1, 2022 Planning & Zoning Committee Regular Meeting & Public Hearing with moving Public Hearing Item # 6 to after #2.
Seconded by Mr. Hahn.
Motion carried unanimously.**

5. Approval of Previous Meeting Minutes

**Motion by Mr. Baumgartner to approve Minutes of October 4, 2022 Planning & Zoning Committee Regular Meeting.
Seconded by Mr. Richmond.
Motion carried unanimously.**

6. Citizen Input
7. Chairman's Update
8. Operational Overview
 - a. Approval of Expenditure Report

Mr. Calkins presented Expenditure Report and reviewed out of ordinary expenses.

**Motion by Mr. Richmond to approve Expenditure Report.
Seconded by Mr. Baumgartner.
Motion carried unanimously.**

- b. Department Budgets, Compensatory Time, Out of County Travel

c. Director’s Staff Report/Update

9. County Highway Dedication

- Town of Dekorra/Preuss – Town of Dekorra

Mr. Pulver-Johnson reviewed Staff Report.

Motion by Mr. Baumgartner to recommend adoption of the Resolution for the Dedication of County Highway J-V in the Town of Dekorra.

Seconded by Mr. Richmond.

Motion carried unanimously.

10. Action on Access Variance

- Goetz – Town of Caledonia

Ms. Pulver-Johnson reviewed Staff Report.

Motion by Mr. Hahn to recommend approval of an Access Variance for Lot 1 to have no frontage on a public road subject to the following conditions: A note being placed on the CSM stating: “A variance to Section 12.210.04(5) was approved by the Planning and Zoning Committee on November 1, 2022 to waive road frontage requirements for Lot 1 with access provided via Document No. 912883.” The variance will become effective upon recording of the Certified Survey Map.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

3:00 PM

11. Public Hearings

Item I Plan Map Amendments – Future Land Use Map: Industrial to Commercial and Agricultural or Open Space; Commercial to Agricultural or Open Space; Farmland Preservation Plan Map: Developed/Infill Area to Farmland Preservation Area; Petitioners: Betsy Preuss LLC c/o Richard and Betsy Preuss and Town of Dekorra – Town of Dekorra

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Scott Hewitt – Grothman & Associates, agent for petitioner, was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Richmond to recommend approval to amend 0.16 acres, more or less, of the Future Land Use map from Industrial to Commercial, 35.02 acres, more or less, of the Future Land Use map from Industrial and Commercial to Agriculture or Open Space, and to amend 10.23 acres, more or less, of the Farmland Preservation Plan map from Developed/Infill Area to Agriculture or Open Space, all effective upon the recording of the Certified Survey Map.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

Item VI Zoning Change – AO 1 Agriculture and Open Space to C-1 Light Commercial, AO-1 Agriculture and Open Space to RR-1 Rural Residence, AO-1 Agriculture and Open Space to A-1 Agriculture with A-4 Agricultural Overlay, and from C-1 Light Commercial to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Betsy Preuss LLC c/o Richard and Betsy Preuss, and Town of Dekorra – Town of Dekorra

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Scott Hewitt – Grothman & Associates, agent for petitioner, was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Richmond to recommend approval of 0.16 acres, more or less, from AO-1 Agriculture and Open Space to C-1 Light Commercial, 7.19 acres from AO-1 Agriculture and Open Space and C-1 Light Commercial to A-1 Agriculture with A-4 Agricultural Overlay, and 3.04 acres, more or less, from AO-1 Agriculture and Open Space to RR-1 Rural Residence, all effective upon recording of the Certified Survey Map.

Seconded by Mr. Baumgartner.

Motion carried unanimously.

Item II Zoning Change – A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioners: Leonard Blau & Luke Blau – Town of Caledonia

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Petitioner was present.

Chair Brusveen asked if anyone has any questions.

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

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

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Hahn to recommend approval of 24.17 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, all effective upon the recording of the Certified Survey Map.
Seconded by Mr. Baumgartner.
Motion carried unanimously.**

Item III Conditional Use Permit – For Shoreland Filling and Grading; Applicant: Bella Island LLC c/o Tom Anderson – Town of Pacific

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Tomas Toro – Grothman & Associates, agent for petitioner, was present.

Chair Brusveen asked if anyone has any questions.

Chair Brusveen asked if anyone is in favor of the petition.

Nancy Beasley was present.
1110 Saddle Ridge West
Portage, WI

Ms. Beasley voiced concern with DNR approval.

Tomas Toro stated they are still meeting wetland setbacks and location of proposed site for CUP.

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

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

Chair Brusveen closed the Public Hearing.

**Motion by Mr. Hahn approve Conditional Use Permit for Shoreland Filling and Grading located at Saddle Ridge West as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.
Seconded by Mr. Baumgartner.
Motion carried unanimously.**

Findings of Fact:

1. Bella Island, LLC is the owner of the subject property and the applicant for shoreland filling and grading.
2. The owner of the property is proposing to fill and grade areas within 300 feet of the ordinary high-water mark of Swan Lake which exceed an aggregate of 10,000 square feet.

3. Filling and grading in excess of 10,000 square feet within 300' of the ordinary high-water mark of a navigable body of water requires a Conditional Use Permit under Subsection 12.530.06 of the Columbia County Shoreland-Wetland Protection Ordinance.
4. Floodplain and wetland are present on the property and along the shoreline of Swan Lake.
5. Upon review of the guidelines in Subsection 12.560.05(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. 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, and associated with the particular conditional use if specified in Subchapter 12.125.

Conclusions of Law:

1. The subject property is located in the Town of Pacific and is zoned R-2 Multiple Family Residence. The District uses are listed in Table 12.110.02(1).
2. Tom Anderson of Bella Island LLC is the petitioner for a Conditional Use Permit. The petition followed the procedures of Subsection 12.560.050(3) of the Columbia County Shoreland-Wetland Protection Ordinance.
3. The Columbia County Planning and Zoning Committee has the authority under Subsections 12.560.030(2)(3) and 12.560.05 the Columbia County Shoreland-Wetland Protection Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Conditions for the Decision:

1. All earthmoving and final establishment of vegetation shall be completed by December 31, 2023.
2. The owner shall comply with and obtain all necessary permits as required by applicable federal, state and local regulations. A copy of the State approvals shall be submitted to the Planning and Zoning Department.
3. 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.
4. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.560.05(4) 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.

Item IV Conditional Use Permit – Shoreland Filling and Grading; Applicant: Crystal Lake LLC c/o Steve Bodenschatz – Town of West Point

Chair Brusveen opened Public Hearing.

Mr. Calkins presented Staff Report.

Applicant was present.

Chair Brusveen asked if anyone has any questions.

Chair Brusveen asked if anyone is in favor of the request. (no comments)

Chair Brusveen asked if anyone is against the request. (no comments)

Chair Brusveen closed the Public Hearing.

Mr. Bodenschatz turned in for the record, a signed petition from 19 neighbors in favor of the request.

Motion by Mr. Baumgartner to approve Conditional Use Permit for Shoreland Filling and Grading located at N586 Schoepp Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions, and Conditions of Approval.

Seconded by Mr. Richmond.

Motion carried unanimously.

Findings of Fact:

1. Crystal Lake Park LLC is the owner of the subject property.
2. The owner of the property is proposing to fill and grade areas within 300 feet of the ordinary high-water mark of Crystal Lake which exceed an aggregate of 10,000 square feet.
3. Filling and grading in excess of 10,000 square feet within 300' of the ordinary high-water mark of a navigable body of water requires a Conditional Use Permit under Section 12.530.06(2) of the Columbia County Shoreland-Wetland Protection Ordinance.
4. Upon review of the guidelines in Section 12.560.05(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. 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, and associated with the particular conditional use if specified in Subchapter 12.125.

Conclusions of Law:

1. The subject property is located in the Town of West Point and is zoned R-3 Mobile Home Park and AO-1 Agriculture and Open Space. The District uses are listed in Tables 12.105.02(1) and 12.110.02(1).
2. Steve Bodenschatz of Crystal Lake Park LLC is the petitioner for a Conditional Use Permit. The petition followed the procedures of Subsection 12.560.050(3) of the Columbia County Shoreland-Wetland Protection Ordinance.
3. The Columbia County Planning and Zoning Committee has the authority under Subsections 12.560.030(2)(3) and 12.560.05 the Columbia County Shoreland-Wetland Protection Ordinance to conduct public hearings, review, and decide on requests for Conditional Use Permits.

Conditions for the Decision:

1. All earthmoving and final establishment of vegetation shall be completed by December 31, 2023.

2. The owner shall comply with and obtain all necessary permits as required by applicable federal, state and local regulations. A copy of the State approvals shall be submitted to the Planning and Zoning Department.
3. 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.
4. If the Planning and Zoning Committee finds that the review criteria of Subsection 12.560.05(4) 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.

Item V Zoning Change – A-1 Agriculture to RR-1 Rural Residence, and from A-1 Agriculture to -1 Agriculture with A-4 Agricultural Overlay; Petitioner: Kurt C Kassner – Town of Lewiston

Chair Brusveen opened Public Hearing.

Ms. Pulver-Johnson presented Staff Report.

Scott Hewitt – Grothman & Associates, agent for petitioner was present.

Chair Brusveen asked if anyone has any questions.

Scott Hewitt stated that map was corrected to connect A-4 parcel to residential lot- and office has correct legal description on file.

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

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

Chair Brusveen closed the Public Hearing.

Motion by Mr. Richmond to recommend approval of 3 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence and 32 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. Baumgartner.

Motion carried unanimously.

12. Adjourn

Motion by Mr. Richmond to adjourn meeting.

Seconded by Mr. Hahn.

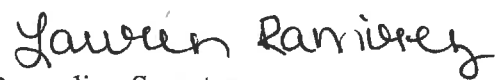
Motion carried unanimously.

Meeting adjourned at 3:35 PM

Respectfully Submitted,



Adam Hahn, Secretary
Planning & Zoning Committee

A handwritten signature in black ink that reads "Lauren Ramirez". The signature is written in a cursive, flowing style.

Recording Secretary

Lauren Ramirez, Office Administrator

cc: Committee Members
 County Board Chair
 County Board Vice Chair