

**PLANNING & ZONING COMMITTEE MINUTES  
NOVEMBER 7, 2017**

PRESENT: Fred Teitgen, Kevin Kessler, Susanna Bradley, Harlan Baumgartner

EXCUSED ABSENT: John Stevenson

STAFF: John Bluemke – Director of Planning & Zoning, Randy Thompson – Planning & Zoning Administrator, Lauren Ramirez – Office Administrator

ALSO PRESENT: Mary Cupery – Columbia County Board of Supervisors  
Lois Schepp – Columbia County Comptroller

**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 November 7, 2017  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Vice Chair Kessler.  
Motion carried unanimously.**

5. Approval of Minutes

**Motion by Mr. Baumgartner to approve Minutes of October 3, 2017  
Planning & Zoning Committee Regular Meeting & Public Hearing.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

6. Guide to County Budget/Finances Discussion

**Items 7-9 were discussed after Public Hearing at 5:05 PM.**

7. Citizen Input
8. CUP Termination

- a. Bob Wedel – Town of Columbus

**Motion by Ms. Bradley to recommend approval of  
Voluntary Termination of Conditional Use Permit 2017-054.**

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

9. Department Report

a. Financial

- Out of County Travel

**Motion by Mr. Baumgartner to approve Out of County Travel.  
Seconded by Vice Chair Kessler.  
Motion carried unanimously.**

- Expenditure Report

**Motion by Vice Chair Kessler to approve Expenditure Report.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

- Fee Schedule

Mr. Bluemke explained handout for proposed Fee Schedule changes.

**Motion by Mr. Baumgartner to approve the proposed fee schedule changes  
to be done in phases - first Amending Ordinance draft to be presented at  
December meeting.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

b. Enforcement

Mr. Thompson presented Enforcement Report.

**10. Public Hearing – 4:05 PM**

Item I- Zoning Change – A-2 General Agriculture to A-1 Agriculture with the A-4 Agricultural Overlay; Leroy & Barbara Yohn, Petitioners – Town of Fountain Prairie

Chair Teitgen opened Public Hearing.

Mr. Bluemke presented Staff Report.

Petitioners were present.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board not present, but Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Vice Chair Kessler to approve rezoning of 21.74 acres from A-2 General Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.  
Seconded by Ms. Bradley.  
Motion carried unanimously.**

Item II- Zoning Change – A-1 Agriculture to A-3 Agriculture Business; Gregory Falk, Petitioner – Town of Dekorra

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present, added one is for farm equipment, one is for his business.

Chair Teitgen asked if anyone has any questions.

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

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

Town Board was present, and Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Ms. Bradley to approve the rezoning of one 4.85 acre lot, and one 2.84 acre lot, both from A-1 Agriculture to A-3 Agriculture Business, effective upon recording of the Certified Survey Map.  
Seconded by Mr. Baumgartner.  
Motion carried unanimously.**

Item III- Conditional Use Permit to use 7.51 Acres of Property as a Contractors Shop; Gregory Falk, Petitioner – Town of Dekorra

Chair Teitgen opened Public Hearing.

Mr. Thompson presented Staff Report.

Petitioner was present and added where it says 5 years on Conditions for Decision #11, wants to clarify he's been doing this for 18 years so this 5 year cap is an issue.

Attorney Daniel Evans with Reuter, Whitish & Evans, SC  
44 E Mifflin Street, Suite 306  
Madison, WI 53703

Present as Mr. Falk's Attorney, Attorney Evans explained Mr. Falk started this business around 20 years ago. He purchases field stones from farmers, clients, etc. to sell for others to use for landscaping, etc. Back when he started, he kept these field stones on the west side of property, until neighbors complained. He does not wish to have to move them back to this spot in 5 years. He stated they are requesting no restriction on time for Condition #11, and also #8 to be revised. He added also that the town has approved with conditions as well.

Gary Leatherberry  
PC Chair, Town Supervisor  
N3076 Smith Road  
Poynette, WI 53955

Mr. Leatherberry explained the town has recommended approval.

Mr. Bluemke reiterated Condition #1, and added that a site plan needs to be approved by Planning & Zoning yet. He also explained need for time cap on A-3.

Sandy Smith  
Town Supervisor  
W8968 Bilkie Road  
Poynette, WI 53955

Ms. Smith explained that since the boulders were moved to the east side, there have been no complaints of any type.

Chair Teitgen asked if anyone has any questions.

Chair Teitgen asked if anyone is in favor of the petition. (no comments)  
Sandy Smith & Gary Leatherberry expressed favor of petition with changes to Conditions.

Attorney Evans presented the Committee with letters recommending approval from neighbors:

Craig & Dori Korfmacher  
W7975 Morse Road  
Poynette, WI 53955

Mike Fountain  
W8024 Morse Road  
Poynette, WI 53955

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

Town Board present and Minutes on file.

Chair Teitgen closed Public Hearing.

**Motion by Mr. Baumgartner to approve a Conditional Use Permit to use 7.51 Acres of property as a contractors shop to operate a trucking, etc. located at W7888 E Morse Road as proposed in the application and accompanying submittals with the following Findings, Conclusions and Conditions of Approval.**

**Seconded by Chair Teitgen.**

**Motion by Chair Teitgen to amend Condition #11 from: ".....sorting for a period of 5 years. The lot will then be rezoned back to A-1 Agriculture after the 5 year period either by the owner or the County." To "...sorting. The lot will then be rezoned back to A-1 Agriculture at such time as either another use is proposed other than the current use, the current use ceases, business on this 2.8 acre parcel ceases, or the lot is sold separately."**

**Seconded by Mr. Baumgartner.**

**Motion carried unanimously.**

**Motion by Chair Teitgen to amend Condition #8 from "...recycled must not be visible from public right-of-way." To "recycled must have adequate screening from public right-of-way."**

**Seconded by Ms. Bradley**

**Motion carried unanimously.**

**Motion by Mr. Baumgartner, seconded by Chair Tietgen to approve the Conditional Use Permit with Amendments.**

**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 Exhibit 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. Also, 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 site based on topography, drainage, slope, soil type and vegetative cover is minimal.
- d. The prevention and control of water pollution including sedimentation, and the potential impacts on floodplain and wetlands is not an issue as there are no mapped floodplain or wetlands.
- e. The site has adequate utilities including, if necessary, 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 will be zoned A-3 Agriculture Business District which District uses are stated in Section 16-105-020.
2. Gregory T. Falk is requesting a Conditional Use Permit on lands he owns, which petition followed the procedures of Section 16-150-070(C). of the Columbia County Zoning Code.
3. Mr. Falk is to operate the contractor shop for Falk Trucking LLC for Landscape, excavation, trucking and snow removal business which is allowed as a Conditional Use Permit under Section 16-105-020 of the Columbia County Zoning Code.
4. The Dekorra Town Board has reviewed and approved the Conditional Use Permit with conditions in accordance with Section 16-105-070 of the Columbia County Zoning Code.
5. The Columbia County Planning and Zoning Committee has the authority under Section 16-150-030(B)(3) and Section 16-150-070 of the Columbia County Zoning Code to conduct public hearings, review and decide on requests for conditional use permits.

**Conditions for the Decision:**

1. Any agreement between the Town of Dekorra and Mr. Falk is hereby incorporated by reference as part of this Conditional Use Permit; however, the County is not responsible for enforcing said agreement, unless an individual point of agreement is specifically included below as a condition of approval. In the event that the Town submits a finding of noncompliance with any item of

- the above referenced agreement 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.
2. This Conditional Use Permit shall become effective when the new lots are rezoned to A-3 Agriculture Business and the Department approves the site plan.
  3. This Conditional Use Permit replaces the 1997 Conditional Use Permit for a Farm Family Business.
  4. Processing and screening of black dirt, sand and gravel is allowed in the designated area on the site plan.
  5. No rock crushing will be allowed.
  6. Hours of operation:
    - a. General hours of operation will be from 6:30 am to 6 pm Monday through Friday and 6:30 am to 12:00 pm Saturday, and no work on Sunday.
    - b. Processing/Shredding of dirt, sand and gravel, and the loading and unloading of rocks shall be limited to the hours of 7:00 am to 5:00 pm Monday through Friday and 7:00 am to 12:00 pm Saturday.
    - c. The hours of operation may vary when responding to emergency situations such as, but not limited to: storm damage, erosion and flooding.
    - d. Incidental equipment repair, and pick up and return of work vehicles, may occur outside these hours.
    - e. Winter hours may vary depending upon the demand and necessity for snow removal and salting operations.
  7. All parking, storage of materials, machinery and equipment (business or personal use) must be located inside a structure or in the delineated areas on the approved site plan.
  8. Materials removed from job sites and stored on site until it is recycled must have adequate screening from public right-of-way.
  9. Salt Storage on property must be in compliance of Chapter Trans 277 Requirements.
  10. The Existing Fence Line and Pine Tree Buffer will remain and be maintained to ensure adequate screening from the public right of way and adjacent properties as delineated on the approved site plan.
  11. The 2.8 acre lot located on the Site Plan will only be used for rock/boulder storage and sorting. The lot will then be rezoned back to A-1 Agriculture at such time as either another use is proposed other than the current use, the current use ceases, business on this 2.8 acre parcel ceases, or the lot is sold separately.
  12. All new lighting shall be oriented so that the lighting elements (or transparent shield) are not visible from an adjacent property or right-of-way. The use of shielded luminaries and careful placement of fixtures is encouraged to facilitate compliance with this requirement.
  13. Significant modifications to the approved site plan must be reviewed and approved by the Town and the County.
  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. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
16. 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.

Item IV- Revisions to Title 16 Chapter 500 – Shoreland Wetland Protection Ordinance

Chair Teitgen opened Public Hearing.

Mr. Bluemke reviewed proposed changes.

Chair Teitgen asked if anyone had any comments.

Chair Teitgen closed Public Hearing.

**Motion by Mr. Baumgartner to recommend County Board approves amendments to Title 16 Chapter 500 as presented.**

**Seconded by Vic Chair Kessler.**

**Motion carried unanimously.**

11. Adjourn

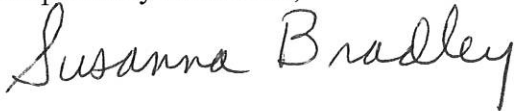
**Motion by Vice Chair Kessler to adjourn meeting.**

**Seconded by Ms. Bradley.**

**Motion carried unanimously.**

Meeting adjourned at 5:45 PM

Respectfully Submitted,



Susanna Bradley, Secretary  
Planning and Zoning Committee



Recording Secretary  
Lauren Ramirez, Office Administrator

cc: Committee Members  
Vern Gove, County Board Chair



Mary Cupery, County Board Vice Chair