

**EXECUTIVE COMMITTEE ON BEHALF OF
PLANNING & ZONING COMMITTEE MINUTES
APRIL 30, 2020**

PRESENT: Dan F. Drew, James E. Foley, Vern E. Gove, Barry Pufahl,
JoAnn Wingers

STAFF: Kurt Calkins – Director of Planning & Zoning, Lauren
Ramirez – Office Administrator

Special Notice Columbia County Resolution No-05-20 (Emergency Declaration). The Columbia County Executive Committee hosted these public hearings typically held by the Planning & Zoning Committee. The Columbia County Executive Committee acted on behalf of both the Planning & Zoning Committee and the County Board, following the close of each public hearing pursuant to Resolution No-05-20 (Emergency Declaration).

April 30, 2020 Public Hearing Minutes

Public Hearing – 9:15 AM

Item I Plan Map Amendment – Future Land Use Map: Commercial to Single-Family Residential; Petitioner: Zachary Stone – Town of Lodi

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

**Motion by Mr. Foley to recommend approval to County Board to amend 1.02 acres, more or less, of the Future Land Use map from Commercial to Single-Family Residential land use designation, effective upon approval of the Certified Survey Map.
Seconded by Mr. Pufahl.**

Item II- Zoning Change: C-2 General Commercial to R-1 Single Family
Residence; Petitioner: Zachary J Stone – Town of Lodi

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

**Motion by Mr. Foley to recommend approval of 1.02 acres, more or less, from C-2
General Commercial to R-1 Single-Family Residence, effective upon recording of
the Certified Survey Map.
Seconded by Ms. Wingers.
Motion carried unanimously.**

Item III Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1
Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioner:
Yelks Maple Lawn Farm LLC c/o Elizabeth Rowe & James Yelk – Town
of Hampden

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

Motion by Mr. Drew to approve rezoning of 4 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 36 acres, more or less, from A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.

**Seconded by Ms. Wingers.
Motion carried unanimously.**

Item IV Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay; Petitioner: Alan R Borde & Patti Jo Borde – Town of Lowville

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone is in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

Motion by Ms. Wingers to approve rezoning of 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, effective upon recording of the Certified Survey Map.

**Seconded by Mr. Drew.
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; Petitioner: Alan R Borde & Patti Jo Borde – Town of Lowville

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

Motion by Ms. Wingers to approve rezoning of 4.64 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 65.36 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay.

Seconded by Mr. Foley.

Motion carried unanimously.

Item VI Zoning Change – A-1 Agriculture to RR-1 Rural Residence and A-1 Agriculture with A-1 Agriculture with A-4 Agricultural Overlay;
Petitioner: John G Krueger – Town of Newport

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

Motion by Mr. Foley to approve rezoning of 5 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and and 30 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay.

Seconded by Ms. Wingers.

Motion carried unanimously.

Item XII 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: Grant Guildner – Town of Newport

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

Motion by Mr. Drew to approve rezoning of 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, effective upon recording of the Certified Survey Map.

Seconded by Mr. Foley.

Motion carried unanimously.

Item VIII Conditional Use Permit: For a Tourist Rooming House; Petitioner: Sarah L Mayne – Town of Wycena

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Petitioner was not present, but had comment read in.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

Chairman Gove closed the Public Hearing.

**Motion by Mr. Foley to approve a Conditional Use Permit for a Tourist Rooming House located at N7394 Country Club Road as proposed in the application and accompanying submittals and subject to the following Findings, Conclusions and Conditions of Approval.
Seconded by Ms. Wingers.
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 Wyocena and is zoned R-1 Single-Family Residence. The District uses are listed in Table 16-110-020(1).
2. Sarah L Mayne 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 Wyocena 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.
 - 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 16-125-090(A). 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 16-150-070(D) are not being met.

Conditions for the Decision:

1. The Conditional Use Permit shall not be transferable to another owner.
2. Accessory structures shall not be used as habitable structures.
3. Pets shall be prohibited.
4. Quiet hours shall be 10:00 pm – 8:00 am on weekdays, and 11:00 pm – 8:00 am on weekends.
5. All fires shall be located within proper fire pit structures and shall be extinguished during established quiet hours.
6. The use of fireworks shall be prohibited.
7. The use of firearms shall be prohibited.
8. Special events or parties shall be prohibited.
9. Parking shall be provided on-site, with a maximum of 2 vehicles allowed.
10. Occupancy associated with the Tourist Rooming House shall be limited to 6 persons.
11. A 24-hour contact number shall be provided to the Planning and Zoning Department and Town Clerk. 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.
12. A state sales tax number shall be obtained and provided to the Planning and Zoning Department.

13. The property must remain free and clear from citation and charges for nuisance, disorderly conduct, or other illegal activity.
14. Garbage and recycled materials shall be properly stored and disposed of regularly.
15. The owner's website or other advertising site shall state that there are conditions associated with this use.
16. 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.
17. The owner shall comply with and obtain all necessary permits required by applicable federal, state and local regulations.
18. 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.
19. Any agreement(s) or condition(s) pertaining to this Conditional Use Permit between the Town of Wyocena and Sarah L Mayne 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 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; Petitioner:
Mark E Polnow – Town of Wyocena

Chairman Gove opened Public Hearing.

Mr. Calkins presented Staff Report.

Agent Scott Hewitt present via teleconference.

Chairman Gove asked if anyone has any questions.

Chairman Gove asked if anyone is in favor of the petition.

Chairman Gove asked if anyone in favor of the petition. (no comments)

Chairman Gove asked if anyone is against the petition. (no comments)

Town Board not present, but was notified.

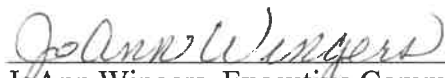
Chairman Gove closed the Public Hearing.

Motion by Mr. Foley to approve rezoning of 3.81 acres, more or less, from A-1 Agriculture to RR-1 Rural Residence, and 31.19 acres, more or less, from A-1 Agriculture to A-1 Agriculture with A-4 Agricultural Overlay, effective upon recording of the Certified Survey Map.

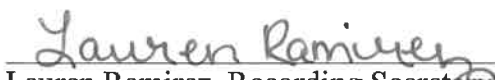
Seconded by Ms. Wingers.

Motion carried unanimously.

Respectfully Submitted,



JoAnn Wingers, Executive Committee Secretary



Lauren Ramirez, Recording Secretary

cc: Committee Members
Vern Gove, County Board Chair
Dan Drew, County Board 1st Vice Chair
James Foley, County Board 2nd Vice Chair