

ADAMS COUNTY PLANNING & DEVELOPMENT COMMITTEE
MEETING: February 4, 2009 at 9:00 A.M.
ROOM A231 – COURTHOUSE
FRIENDSHIP, WISCONSIN

At 9:00 A.M. Chairman Glenn Licitar called the Adams County Planning & Development Committee meeting to order with the following members present: Joanne Sumpter, Vice-Chair; Terry James, Secretary; Sylvia Breene; Richard Colby; Mike Keckeisen and Joe Stuchlak. Others present were: Phil McLaughlin, Zoning Administrator; Cathy Allen, Recording Secretary; Greg Rhinehart, County Surveyor. Was this meeting properly announced? Phil McLaughlin stated that it was.

Public Hearings: Myrna Maron – Rezoning Request of a portion of a parcel from an A-1 Exclusive Agricultural District to an A-3 Secondary Agricultural District of the Adams County Comprehensive Zoning Ordinance to allow 5.2 acres to be split off from the 42.34 acres on property located in the NW ¼, NE ¼, Section 3, Township 15, North, Range 5 East, on Fawn Avenue, Town of Springville, Adams County, Wisconsin. Richard Colby made a motion to recommend enactment of the zoning change, on the above described property and forward that recommendation to the County Board for final action. Joe Stuchlak seconded the motion. Roll Call Vote: 7-Yes. Motion carried. Lois J. Jacobs – Rezoning Request from an A-1 Exclusive Agriculture District to an A-3 Secondary Agriculture District of the Adams County Comprehensive Zoning Ordinance to allow the property (40 acres) to be divided on property located in the NW ¼, SE ¼, Section 25, Township 18 North, Range 7 East, on 1st Drive, Town of Richfield, Adams County, Wisconsin. Mike Keckeisen made a motion to recommend enactment of the zoning change, on the above described property and forward that recommendation to the County Board for final action. Richard Colby seconded the motion. Roll Call Vote: 6-Yes. 1-No. (Sumpter) Motion carried. William M. McChesney – Rezoning Request of a portion of a parcel from a Recreational/Residential District to a General Purpose District of the Adams County Shoreland Protection Ordinance to allow agricultural use on property located in the NW ¼, SW ¼ Section 10, Township, 16 North, Range 7 East, at 2552 County Road E, Town of New Chester, Adams County, Wisconsin. (Note: The 37.370 acre parcel is zoned A-2 Agricultural Transition District under the Adams County Comprehensive Zoning Ordinance and is currently used for agriculture) Joe Stuchlak made a motion to recommend enactment of the zoning change, on the above described property and forward that recommendation to the County Board for final action. Terry James seconded the motion. Roll Call Vote: 7-Yes. Motion carried.

Terry James made a motion to recess. Joanne Sumpter seconded the motion. All in favor. Motion carried.

RECESS: 9:50 A.M.

RECONVENE: 10:08 A.M.

Barb Petkovsek, Administrative Coordinator joined the meeting at 10:08 A.M.

Chairman Licitar called the meeting to order and resumed the public hearing for the Proposed Amendments to the Adams County Shoreland Protection Ordinance with approximately thirty eight residents attending, including representatives from the Department of Natural Resources, Scott Watson, DNR Watershed Supervisor and Will Stites.

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Chris Murphy, Land & Water Conservation Department had a presentation explaining the different options on riparian buffers as required in Section 4.00 and Section 6.00 of the Adams County Shoreland Protection Ordinance.

Reesa Evans, Land & Water Conservation Department Lake Specialist, but speaking as a citizen, explained the difference between nonconforming and noncompliant.

Corporation Counsel, Jack Albert joined the meeting at 10:42 A.M.

Terry James mentioned that possibly an ordinance could be enacted requiring realtors to include buffer compliance in their disclosure statements.

Phil McLaughlin made note that Chris Murphy's presentation was very good, but reminded everyone that the Adams County Shoreland Protection Ordinance only pertains to unincorporated areas. He also stated that he had obtained copies of shoreland ordinances from Jefferson and Lincoln Counties with very similar buffer requirements.

Corporation Counsel Jack Albert stated that under Section 6-1.06 of the Ordinance everyone is allowed the opportunity to correct the noncompliant buffer areas by September 30, 2013. He also informed the Committee that he would check into the legality of requiring the noncompliant buffer areas on a Real Estate Disclosure Statement.

Corporation Counsel left the meeting at 11:09 A.M.

Terry James made reference to a letter he received from the Department of Natural Resources stating that NR115 is set for approval sometime this spring and that once passed, counties have two years to bring their ordinances into compliance with NR115, which allows the opportunity for public education.

As this was a Public Hearing, attendees were given the opportunity at this time, to comment on the Ordinance in the order that they had signed in.

Barb Petkovsek left the meeting at 11:22 A.M.

Chairman Licitar adjourned the Public Hearing portion of the meeting at 12:25 P.M.

Corporation Counsel provided the Committee with a copy of a Real Estate Disclosure form in which one of the questions listed was whether the property is in a floodplain, shoreland, etc.

Chairman Licitar closed the Public Hearing portion of the hearing.

Joanne Sumpter made a motion to take a recess. Terry James seconded the motion. Joanne Sumpter amended her motion to take a forty five minute break for lunch. Joe Stuchlak seconded the motion. All in favor. Motion carried.

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Recess: 12:27 P.M.
Reconvene: 1:32 P.M.

Terry James made a motion to deviate from the agenda to attend to item #6 on the business portion of the agenda. After Committee discussion, Mr. James rescinded his motion, and the Committee resumed consideration of the Proposed Amendments of the Adams County Shoreland Protection Ordinance.

Chris Murphy kept a list of residents concerns and questions from the comment period, addressed the Committee with recommended responses and proposed to answer the questions via the County Web Site.

Mike Keckeisen enquired if the Committee felt that another Public Hearing should be held on a Saturday for a higher public attendance. It was the general consensus that the County had met it's obligations by holding at least four meetings already. Joanne Sumpter made a motion to go forward with the Committee's resolution to pass the revisions to the Ordinance. Joe Stuchlak seconded the motion. Roll Call Vote. 7-yes. Motion carried.

Phil McLaughlin read the revisions aloud to the Committee and all agreed with the wording, with a comment by Terry James regarding a spelling error on page 20, Section 8-6.00.

Terry James made a motion to recommend enactment of the revisions to the Adams County Shoreland Protection Ordinance with the spelling corrections and forward that recommendation to the County Board for final action. Roll Call Vote: 7-Yes. Motion carried.

Chairman Licitar asked if the business portion of the meeting had been properly noticed. Phil McLaughlin stated that it had.

Joanne Sumpter made a motion to approve the agenda. Joe Stuchlak seconded the motion. All in favor. Motion carried.

Phil McLaughlin presented the minutes from the January 7, 2009 Planning & Development meeting to the Committee for review and approval. Richard Colby made a motion to approve the minutes as presented. Mike Keckeisen seconded the motion. All in favor. Motion carried.

Greg Rhinehart, County Surveyor, presented the Surveyor's report for the month of January to the Committee for review and approval. Terry James made a motion to approve the Surveyor's report as presented. Joe Stuchlak seconded the motion. All in favor. Motion carried.

The Committee discussed discontinuance of the Farmland Preservation Program under Exclusive Agricultural Zoning. Mary Ann Bays and Joyce Jefferson, participants under that program voiced their objections to the Committee. Discussion was held. Mike Keckeisen made a motion to remain under the Farmland Preservation Program. Joe Stuchlak seconded the motion. All in favor. Motion carried.

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Phil McLaughlin provided the Committee with an evaluation list to aid them in consistency and informed decisions for conservancy rezoning requests. Joanne Sumpter made a motion to use the checklist for all future conservancy rezoning requests. Joe Stuchlak seconded the motion. All in favor. Motion carried.

Discussion was held regarding the Planning & Zoning Fee Schedule proposal. Joanne Sumpter made a motion to continue with the current fee schedule without any fee increases. Joe Stuchlak seconded the motion. Mr. McLaughlin reminded the Committee that the Department of Commerce has increased the State fee for a sanitary permit by \$25.00 and that the revisions to the Adams County Sanitary Ordinance will be coming before the Committee in the very near future. Joanne Sumpter amended her motion to approve only pages four and five of the fee schedule pertaining to sanitary fees as presented. Phil McLaughlin reminded the Committee that included in the revisions to the Sanitary Ordinance will be additional items that will require permits that are not included in the current fee schedule, such as temporary holding tank use, transfer containers, portable restrooms and Subdivision or Condominium Plat soil and site evaluation review fees. Joanne Sumpter rescinded all previous motions regarding the fee schedule. Richard Colby made a motion to approve the fee schedule as proposed. The motion died for lack of a second. After some discussion, Joanne Sumpter made a motion to approve the revisions to the sanitary permit fees on pages four and five to include any permit requiring a state fee and all fees required for the new permits not previously listed on the fee schedule. Sylvia Breene seconded the motion. All in favor. Motion carried.

Mr. McLaughlin advised the Committee of new publishing requirements for citations that are returned as undeliverable. This procedure will involve fees imposed upon the department that were not included in the 2009 budget calculations and therefore may cause problems with the publications account.

Mike Keckeisen requested to be excused and left at 3:30 P.M.

Mr. McLaughlin stated that he received a request from Richard Dubois, a Town of Leola resident requesting that the County waive the fees for a hearing to rezone a portion of his property out of conservancy. Mr. Dubois owns a mobile home park in which three homes are located in the Conservancy District and he would rather rezone that area than move the homes. Discussion followed. Terry James made a motion to deny the request to waive the fees. Joe Stuchlak seconded the motion. All in favor. (Keckeisen excused) Motion carried.

Joanne Sumpter requested to be excused and left at 3:48 P.M.

Phil McLaughlin presented the Financial Report for the month of December and the Comp-Time Report for the month of January to the Committee for review. Richard Colby made a motion to approve the Financial and Comp-Time Reports as presented. Terry James seconded the motion. All in favor. (Keckeisen & Sumpter excused) Motion carried.

Mr. McLaughlin informed the Committee that he had received a letter from Randy Theisen, Town of Springville Chair regarding excessive setback requirements on side lot lines in R2 Rural Residential

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Districts. This should be addressed when doing the revisions to the Comprehensive Zoning Ordinance.

Terry James asked to be excused from the next Committee meeting on March 4, 2009. He stated that he will find someone to sit in his place.

Glen Licitar made a motion to adjourn until the next regularly scheduled meeting on March 4, 2009. Sylvia Breene seconded the motion. All in favor. Motion carried.

ADJOURNED: 4:00 P.M.

Glenn Licitar, Chair

Joanne Sumpter, Vice-Chair

Terry James, Secretary

Joe Stuchlak

Sylvia Breene

Mike Keckeisen

Richard Colby

Cathy Allen, Recording Secretary

THESE MINUTES HAVE NOT BEEN APPROVED BY THE COMMITTEE.