

ADAMS COUNTY
PLANNING & ZONING COMMITTEE
MEETING MINUTES: November 5, 2014

Chairman Joe Stuchlak called the Adams County Planning & Zoning Committee meeting to order at 3:00 P.M with the following members present: Barb Morgan, Larry Babcock, Al Sebastiani, Randy Theisen, Mark Hamburg and Rocky Gilner. Others present were: Phil McLaughlin, Zoning Administrator; Cathy Allen, Recording Secretary; Greg Rhinehart, County Surveyor and Wally Sedlar, Land & Water Conservation. Pledge of Allegiance. Was this meeting properly announced? Phil McLaughlin stated that it was. Roll call. Al Sebastiani made a motion to approve the agenda as noticed. Barb Morgan seconded the motion. All in favor. Motion carried.

Public Hearings: Al Sebastiani informed Chairman Stuchlak that he would be abstaining from the first hearing.

Richard L. & Marjorie Y. Colby/BugTussel Wireless – Conditional Use Permit request under Section 5-3.03 (A) (21) of the Adams County Comprehensive Zoning Ordinance construction of a 250' self supporting communications tower with associated ground equipment, fenced compound and access driveway on property located in the NE ¼, NW ¼, Section 29, Township 16 North, Range 6 East, Town of Easton, Adams County, Wisconsin. Ray Bildings and Ken Franzen of Bug Tussel Wireless, LLC were present along with Mr. & Ms. Colby. Project Manager Ray Bildings explained that they have co-located on seven of the proposed eighteen sites in Adams County, with three sites left to construct, this being one of those three. Testimony against the construction of the tower was given by adjacent land owner Janina Ostapiuk. There were three others present against the request, who did not wish to speak. Discussion followed. Randy Theisen made a motion to grant the Conditional Use. Larry Babcock seconded the motion. Roll Call Vote: 6 – Yes. Motion carried.

Carl E. & Jane A. Dostal – Rezoning request of a portion of two 40 acre parcels (approximately 20 acres) from an A1 Exclusive Agriculture District to an I1 Industrial District to allow Industrial use on properties located in the NE ¼, SW ¼, & NW ¼, SW ¼, Section 4, Township 17 North, Range 6 East, on 11th Avenue, Town of Adams, Adams County, Wisconsin. Carl Dostal was present to explain that rezoning to an Industrial Zoning District is required before proceeding with plans for a water bottling plant. There were no objections from the Town, Highway or DNR. Larry Babcock asked if they would be using the natural spring flow actually pump the water. Mr. Dostal explained that the DNR prefers a high capacity well because of water clarity. Adams Town Supervisor Bill Euclide stated concerns regarding the Town or neighbors wells going dry and possibly requiring a performance or security bond to help alleviate the costs in such a case. Floyd Roberts was present in support of the rezone but had concerns over who would be monitoring any developments and taking care of environmental and economic issues that may arise. Mary Lou Silka is against the rezoning with concerns about not having an environmental study done first. Phil McLaughlin read the list of permitted uses in an Industrial District indicating that once the rezoning was granted, any of those uses could be undertaken. Mark Hamburg stated that he was prepared to make a motion but asked if they were not putting the cart before the horse by approving the rezone without an environmental impact statement. Corporation Counsel Ken Wagner was brought in for guidance in the matter. Phil explained to Mr. Wagner that the DNR does not put a limit on the amount of water that can be pumped by a high capacity well, but the Committee needed to know if there was some way to address the issue. Discussion followed regarding an Environmental Impact Study and a limit to how many gallons of water could be bottled per day. Mr. Wagner stated that while conditions cannot be placed on a rezoning, there could be an agreement drawn up and attached to the Ordinance, as long as all parties were agreeable. Mark Hamburg made a motion to approve the rezoning request pending the return of a favorable Environmental Impact Study and forward that recommendation to the County Board for final approval. Additionally included in the motion, Mr. Dostal must sign an agreement including the following two items: 1) that no more than 600,000 gallons of water be bottled per day and 2) in the event of an unfavorable Environmental Impact Study, the property would revert back to an A1 Exclusive Agriculture District. Larry Babcock seconded the motion. Roll Call Vote: 7 – Yes. Motion carried

Chairman Stuchlak closed the Public Hearing portion of the meeting and stated that Public Participation would be taken as needed.

Randy Theisen made a motion to approve the minutes from the October 1, 2014 meeting as presented. Barb Morgan seconded the motion. All in favor. Motion carried.

Greg Rhinehart presented the surveyor's report for the month of October to the Committee for review. Barb Morgan made a motion to approve the Surveyor's report as presented. Randy Theisen seconded the motion. All in favor. Motion carried.

Jody Helgeson submitted a written report on Register of Deeds office activities and Land Information. Mark Hamburg made a motion to accept the Register of Deed and Land Information reports as presented. Randy Theisen seconded the motion. All in favor. Motion carried.

Woodland Tree Protection Ordinance: Mr. McLaughlin brought the Committee's attention to the Draft of a Forest Recreation District. Bill Euclide informed the Committee that thousands of acres of MFL land were deforested last year. This is a concern for the pulp and lumber industries. It was noted that there are properties being tested for frac sand. Mr. McLaughlin stated that maps have been created for forestry areas by looking at existing landscapes via air photos. Discussion was held. Randy Theisen made a motion to take the Draft of FR-1{35} & FR-1{15} Forest Recreation Districts to Public Hearing. Mark Hamburg seconded the motion. It was the consensus of the Committee to schedule the Public Hearing for Tuesday January 13, 2015 at 7:00 P.M. at the Community Center. All in favor. Motion carried.

Discussion was held regarding a letter to plumbers/pumpers requesting cost quote for pumping septic systems that remain noncompliant after deadline and several tickets have been issued. It was the Committee's consensus that input from Corporation Counsel is needed. Randy Theisen made a motion to table the discussion until the regularly scheduled meeting in January. Larry Babcock seconded the motion. All in favor. Motion carried.

Planning & Zoning Updates: None.

Financial Report for September was presented to the Committee for review. Larry Babcock made a motion to approve the Financial Report as presented. Mark Hamburg seconded the motion. All in favor. Motion carried.

Correspondence: None. Randy Theisen stated that he has been receiving nothing but good reports on Inspector Joe Jackson.

The next meeting was scheduled for December 3, 2014 at 1:00 P.M.

The next meeting will be held at 3:00 P.M. on Wednesday November 5, 2014.

Barb Morgan made a motion to adjourn. Al Sebastiani seconded the motion. All in favor. Motion carried.

Adjourned: 5:10 P.M.

Joe Stuchlak, Chair

Rocky Gilner

Barb Morgan, Vice-Chair

Larry Babcock

Randy Theisen

Mark Hamburg

Al Sebastiani

Cathy Allen, Recording Secretary

THESE MINUTES HAVE NOT BEEN APPROVED BY THE COMMITTEE.