

ADAMS COUNTY PLANNING & DEVELOPMENT COMMITTEE
MEETING: October 1, 2008 at 9:00 A.M.
ROOM A231/County Board Room – 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 and Cathy Allen, Recording Secretary. Was this meeting properly announced? Phil McLaughlin stated that it was.

Public Hearings: Paul E. Joseph/U.S. Cellular – Conditional Use Permit under Section 3-5.03 of the Adams County Comprehensive Zoning Ordinance to allow a Cellular radio telephone base station with up to a 199' antenna tower and a prefab radio shelter on property located in the NW ¼, NW ¼, & Pt. of the SW ¼, NW ¼, Section 13, Township 15 North, Range 5 East, Lot 1 of CSM 3634 at 1490 State Road 82, Town of Springville, Adams County, Wisconsin. Mike Keckeisen made a motion to approve the Conditional Use Permit on the above described property. Joanne Sumpter seconded the motion. Roll Call Vote: 7-Yes. Motion carried. William P. & Sandra D. Block – Conditional Use Permit under Section 5-6.03(A) of the Adams County Comprehensive Zoning Ordinance to allow a single wide manufactured home in an R2 Rural Residential District on property located in the NE ¼, NW ¼, Section 13, Township 15 North, Range 6 East, Lot JJ and the E. 38 ft. of Lot KK CSM 444 at 756 Fish Court, Town of Springville, Adams County, Wisconsin. Joe Stuchlak made a motion to approve the Conditional Use Permit on the above described property. Terry James seconded the motion. Roll Call Vote: 7-Yes. Motion carried. Wilbur E. & Lillian R. Nelson, Etal – Rezoning Request from an A1 Exclusive Agriculture District to an A-3 Secondary Agricultural District of the Adams County Comprehensive Zoning Ordinance to allow the property to be divided between family members on property located in the SE ¼, SW ¼ & SW ¼, SE ¼, of Section 9, and the NE ¼, NE ¼, Section 16, all in Township 14 North, Range 6 East, Town of Dell Prairie, Adams County, Wisconsin. Joe Stuchlak made a motion to approve the request and recommend enactment of the zoning change, on the above-described property, to the County Board for final action. Terry James seconded the motion. Roll Call Vote: 7-Yes. Motion carried.

9:50 a.m. Barb Petkovsek; Administrative Coordinator and Jack Albert, Corporation Counsel joined the meeting.

Chairman Licitar adjourned the Public Hearing portion of the meeting and asked if the business portion had been properly noticed. Mr. McLaughlin stated that it was.

Mike Keckeisen made a motion to approve the agenda. Sylvia Breene seconded the motion. All in favor. Motion carried.

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

Mike Keckeisen made a motion to recess. Sylvia Breene seconded the motion. All in favor. Motion carried.

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RECESS: 9:55 a.m.
RECONVENE: 10:10 a.m.

To start the discussion of the Adams County Shoreland Protection Zoning Ordinance and possible moratorium on enforcement of certain sections of it, Mike Keckeisen read Section 6-1.06 of the Adams County Shoreland Protection Zoning Ordinance to the attending public.

Phil McLaughlin and Terry James read aloud from e-mails that were sent to both of them; Scott Watson, Watershed Supervisor from the Department of Natural Resources stated that the shoreland buffer restoration sections are as relevant and appropriate today as they were during the original development and adoption of the ordinance and encouraged the Committee to “carefully review the shoreland ordinance, but to keep shoreland buffer restoration as an important element of the ordinance.”

Reesa Evans, Land & Water Lakes Specialist stated that this is not a “proposed ordinance” it is already in effect.

Joanne Sumpter stated that the Shoreland Protection Ordinance was adopted in 1971, with revisions in 1990 and April of 2008, with copies sent to Towns, Lake Associations, Lake Districts, etc.

Discussion was held clarifying the 35’ buffer and 30% rule.

Chris Murphy stated that the Planning & Zoning Department is the regulatory agency and Land & Water Department provides technical assistance to them. Murphy further stated that Columbia, Sauk, Portage and Wood Counties all have shoreland ordinances with the same requirements for nonconforming parcels. He also states that NR115, when passed, will be passive in nature; something will have to trigger the restoration requirements (e.g.: permit). And the riparian buffer is cheapest and easiest to do.

Corporation Counsel stated that in regards to Section 6-1.06 of the ordinance, the wording is passive in nature; aggressive would be “all nonconforming uses shall be discontinued.” Nonconforming uses will not be sought out, but would need a triggering event, such as applying for a permit. He also advised the Committee against instituting a moratorium on enforcement.

Everyone in attendance was given a chance to voice their concerns, most of which centered on Section 6-1.06, nonconforming uses and the need to record a maintenance plan and/or mitigation plan with the Adams County Register of Deeds office.

Terry James made a motion for the Adams County Shoreland Zoning Ordinance to remain as is until further implementation of wording in certain Sections can be worked out. Joe Stuchlak seconded the motion. All in favor. Motion carried.

Mike Keckeisen made a motion to take a recess. Sylvia Breene seconded the motion. All in favor. Motion carried.

RECESS: 1:20 P.M.
RECONVENE: 2:15 P.M.

Phil McLaughlin stated that rezonings from Conservancy to Recreational/Residential under the Adams County Shoreland Protection Zoning Ordinance should be considered on an individual basis. It is possible to grant a request, but reduce the acreage requested by the petitioner. Also to be considered is whether it is an existing building, etc. Joanne Sumpter suggested that such comments be listed in the standards for review in the staff findings.

Discussion was held regarding a shared full time secretary. It was the consensus of the committee that Mr. McLaughlin tries to keep the full time secretary position in his department.

Phil McLaughlin informed the committee that the Adams County Comprehensive Zoning Ordinance would have to be revised for Adams County residents to continue being eligible for Farmland Preservation Tax Credits. There are currently only six people enrolled in the Farmland Preservation Program under exclusive Ag zoning. If we did not revise the ordinance, those few people could apply for a plan through the Land & Water Office for next year, but would lose tax credits for this year. Mr. McLaughlin stated that he would bring those revisions to the Committee through a Public Hearing, possibly in November.

Phil McLaughlin presented the minutes from the September 3, 2008 Committee Meeting to the Committee for review. Terry James made a motion to approve the minutes as presented. Joanne Sumpter seconded the motion. All in favor. Motion carried.

Phil McLaughlin presented the Financial Report for the month of August and the Comp-Time Report for the months of August and September to the Committee for review. Joanne Sumpter made a motion to approve the Financial and Comp-Time Reports as presented. Joe Stuchlak seconded the motion. All in favor. Motion carried.

Correspondence: None.

Public participation: None.

The Committee set a special Committee Meeting for October 8, 2008 to discuss the Adams County Shoreland Protection Zoning Ordinance verbiage and possible recommendations for language changes, making note that this is not a public hearing, with the regular monthly meeting on November 5, 2008 at 9:00 a.m. Terry James made a motion to adjourn. Joanne Sumpter seconded the motion. All in favor. Motion carried.

ADJOURNED: 2:55 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.