

ZONING & PLANNING COMMITTEE

July 15, 2014

Minutes of July Regular Meeting

Land o' Lakes Town Hall Plan Commission Room

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Agenda Item #1: Call to Order. The Chairman calls the Zoning & Planning Committee Meeting to Order at 10:04 AM at the Land o' Lakes Town Hall, 4431 CTH B, Land o' Lakes, WI.

Members Present: Ken Anderson; Chuck Hayes; Carolyn Ritter; Vernon Wiggerhauser.

Others Present: Dawn Schmidt, Zoning Administrator; David Sadenwasser, Deputy Zoning Administrator; Lynn Bybee, Town of Land o' Lakes; Richard Turnquist, Town of Land o' Lakes; Mike Barth, WE Energies; Al Jablonowski, WE Energies; Gary Jamrozy, WE Energies; Kenneth Teske, WE Energies; Tom Radenz, REI Engineering; Gary Goska, Eliason Realty; Sheila Bernier; Larry Price; Michelle Sparks.

Agenda Item #2: Approve Agenda. Motion by Carolyn Ritter, seconded by Chuck Hayes, to approve the agenda in any order to be discussed by the Chair. All say aye, motion carried.

Agenda Item #3: Approve 6/5/2014 Regular Monthly Meeting Minutes. Motion by Carolyn Ritter, seconded by Vern Wiggerhauser, to approve the minutes of the 6/5/2014 regular monthly meeting as presented. All say aye, motion carried.

Agenda Item #5: Public Hearing on CUP Application #2-2014. Please see minutes of CUP #2-2014 Public Hearing.

Agenda Item #6: Discussion and Action on CUP Application #2-2014. The Committee discusses the Findings of Fact on an item by item basis.

Item #1: That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, comfort, or general welfare.

Mr. Wiggerhauser notes that there will be no hazardous materials stored on the property, and that the precedent for this concern has been set by the numerous other business located nearby.

Mr. Hayes states that the case could be made that this facility will enhance public safety, comfort and general welfare by allowing a faster and more dependable response to utility emergencies. He also states that steps have been taken to reduce light and sight issues and notes that the Town Board supported to project. Ms. Ritter agrees.

Item #2: That the uses, values, and enjoyment of other property in the neighborhood for purposes already permitted shall in no foreseeable manner be substantially impaired or diminished by establishment, maintenance or operation of the conditional use.

Ms. Ritter states that she has concerns about the effect of the proposed facility on the neighboring properties but does not feel that they would rise to the level of "substantial" impairment, etc.

Mr. Anderson notes that a change in the status quo always creates upset until the new status quo is established.

Item #3: That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Discussion regarding existing development along CTH B.

Item #4: That adequate utilities, access roads, drainage and other necessary site improvements have been or will be provided.

Mr. Anderson expresses concerns that the rain gardens be maintained after they are installed.

Ms. Ritter states that she is pleased by the willingness of the applicant to plant trees along the side lot line to shield the light and noise.

The Committee notes that plans for all utilities were submitted with the application.

Item #5: That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Mr. Hayes discusses the potential for increased truck traffic and states that there will not be an appreciable increase.

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Mr. Wiggenhauser brings up the possibility of providing an amber flasher on CTH B during times of utility emergencies. Discussion of the suggestion and general traffic congestion along CTH B.

Item #6: That the conditional use shall conform to all applicable regulations of the district in which it is located.

Mr. Hayes states that conformance with the regulations of the General Business (GB) zoning district have been shown and documented.

Discussion regarding potential conditions on issuance of a Conditional Use Permit (CUP).

ZA Dawn Schmidt states that she feels a condition be put on the permit stating that all town requirements be met. Discussion regarding the wording and implications of the condition.

The Chairman reads the requirements for appealing the decision.

Motion by Chuck Hayes, seconded by Vern Wiggenhauser, to approve Conditional Use Permit #2-2014 with the condition that the applicants must comply with all planting conditions of the Town of Land o' Lakes.

Roll call vote:

Ken Anderson - In favor

Chuck Hayes - In favor

Carolyn Ritter - In favor

Vern Wiggenhauser - In favor

Motion carried (4-0).

Agenda Item #4: Public Comment on Agenda Items. There is no comment on any additional agenda items.

Agenda Item #7: Ordinance 2014-05A: Amendment #85-241 – Pickerel Lake Rezone. The Committee signs the ordinance amendment approved at the June 5, 2014 regular monthly meeting.

Agenda Item #9: Resolution: Proposed Amendment to Chapter 5 of the St. Germain Zoning Ordinance – Dead-ends and Cul-de-Sacs. ZA Dawn Schmidt states that she has reviewed the proposed changes and that there are no conflicts with the Vilas County General Zoning Ordinance or the Vilas County Subdivision Control Ordinance. She also states that Corporation Counsel has signed off on the resolution.

ZA Dawn Schmidt states that town zoning ordinance changes must be approved by the County Board and that is done through a resolution submitted by the Committee.

Motion by Chuck Hayes, seconded by Carolyn Ritter, to approve the resolution as presented.

Mr. Wiggenhauser states that he cannot support the resolution because the contents were not presented to him prior to being asked to vote. He asks that in the future all information regarding proposed resolutions be sent to him prior to the meeting.

ZA Dawn Schmidt states that if the proposed changes are not in conflict with Vilas County ordinances, then the Committee may not turn down the request. She states that the Zoning Office would not present changes to the Committee that were not in conformance with County ordinance.

Three say aye, one says nay. Vern Wiggenhauser opposed. Motion carried.

Agenda Item #10: Sanitary Maintenance Card Labels and Address Requests. ZA Dawn Schmidt and Mr. Sadenwasser discuss the process by which the public buys copies of the mailing labels for maintenance cards from the Zoning Office, including upcoming changes regarding who will print the labels. It is proposed that in the future a list of names will be made available in electronic or paper format but the County will no longer offer printing of the labels. It is also discussed that in the future the information will be made available on an arbitrary date regardless of climate conditions.

ZA Dawn Schmidt and Mr. Sadenwasser discuss advertisements for septic pumping and inspections that closely mirror the official Vilas County Maintenance Cards. Discussion regarding potential ways to denote the official maintenance cards.

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Motion by Chuck Hayes, seconded by Carolyn Ritter, to support the maintenance card label and address procedure changes. All say aye, motion carried.

Agenda Item #11: Future Zoning Vehicle Requirements. ZA Dawn Schmidt states that the current 2006 Mercury Grand Marquis that is assigned to the Zoning Office for their use is beginning to require frequent and costly repair. She also notes that it is getting close to the mileage at which County vehicles are often sold.

Mr. Hayes states that he needs to leave and would like to participate in the discussion on this matter.

The Chairman directs that this be placed on the agenda for the August regular meeting.

Agenda Item #12: NR 115. ZA Dawn Schmidt states that she is working on incorporating the NR 115 changes into our Shoreland Zoning Ordinance and that she expects to have proposed changes to present to them at the August meeting.

Agenda Item #13: Letters and Communications. ZA Dawn Schmidt inform the Committee that the Wisconsin Department of Natural Resources will be holding a Floodplain/Flood Insurance Workshop at the Cloverland Town Hall on August 26, 2014 at 2:00 PM. ZA Dawn Schmidt informs the Committee that she is sending the four Deputy Zoning Administrators to natural shoreline habitat restoration certification training in July, August, and September. Mr. Anderson asks Ms. Schmidt about her response to a memorandum from the Vilas County Clerk regarding Committee consolidation. ZA Dawn Schmidt responds that she responded that the Zoning Committee should remain as its own committee.

Agenda Item #14: Review Statistics and Budgets. ZA Dawn Schmidt presents the statistics to the Committee. Mr. Anderson asks about how the increased workload is affecting the staff. Discussion regarding morale and workload.

Agenda Item #15: Confirm August regular meeting date, time, and location. The August regular meeting will be held on Tuesday, August 5, 2014 at 10:00 AM at the Vilas County Courthouse.

Agenda Item #16: Adjournment. **Motion by Carolyn Ritter, seconded by Vern Wiggerhauser, to adjourn. All say aye, motion carried. The meeting is adjourned at 12:47 PM.**

Minutes reflect the recorder's notations and are subject to approval by the appropriate board or committee.