

MINUTES
JACKSON COUNTY ZONING & LAND INFORMATION COMMITTEE
August 14 & 15, 2013

August 14, 2013: **Committee Site Visits.** Committee members in attendance are Gaylord Olson, John Chrest, Norm Stoker and Ray Ransom.

Meeting called to order by Chairman Gaylord Olson at 8:00 a.m., the Site Visits followed.

August 15, 2013: **Committee Meeting and Public Hearings**

Meeting called to order by Chairman Gaylord Olson at 9:30 a.m. Committee members in attendance are Gaylord Olson, John Chrest, Norm Stoker and Ray Ransom. Others present were Lauree Kratcha, GIS Technician; Tim Jeatran, County Surveyor; Beth Storlie, Deputy Surveyor and Zoning Secretary; and Dustin McCune, Zoning Technician.

A Motion by Ray Ransom, to approve the minutes of July 11, 2013, seconded by John Chrest. Additional discussion occurred, as Gaylord Olson recommended a correction to Zone Change Petition # 2013-30 to read as follows: The WI-DNR is requesting a postponement until the appropriate permits and approvals from their agency as well as any permit or approval from the Army Corp of Engineers are issued and received. In the original minutes, it reflected a request to table from the WI-DNR and Army Corp of Engineers, which is erroneous.

A Motion by Norm Stoker, to amend the minutes of July 11, 2013 to read as follows, the WI-DNR is requesting a postponement until the appropriate permits and approvals from their agency as well as any permit or approval from the Army Corp of Engineers are issued and received, seconded by Ray Ransom. Motion carried unanimously.

A Motion by Norm Stoker, to approve the vouchers for payment, seconded by Ray Ransom. Motion carried.

CSM REVIEW:

- Dallas Wilhite is completing a survey for Peter Hermann creating a new lot. There is an existing easement that serves this parent parcel as well as another that were previously created. The owner would like a 66 foot easement shown specifically to serve this newly created parcel, basically having an easement on the existing easement. This newly created parcel will be the only one to receive this easement and it is approximately 133 feet in length.

A Motion by Ray Ransom, to approve a 66 foot easement for Peter Hermann, seconded by John Chrest. Motion carried.

- Lampert-Lee & Associates is completing a survey for Jim Hoffman, Goose Landing Cranberry creating a five acre parcel and they are proposing a 66 foot easement off of the existing private road/easement of Goose Landing Dr.

A Motion by Ray Ransom, to approve a 66 foot easement for Jim Hoffman, Goose Landing Cranberry, seconded by Norm Stoker. Motion carried.

PRELIMINARY PLAT REVIEW – Sparkling Waters, Secluded Land Company

- Tim and Terry have reviewed the proposed plat, Sparkling Waters, located in the Town of Alma. There were a few minor typographical errors that have been corrected already. The preliminary plat meets all requirements of the county's ordinance.

A Motion by John Chrest, to approve the preliminary plat for Sparkling Waters, seconded by Norm Stoker. Motion carried.

A Motion by John Chrest, to adjourn to closed session pursuant to s. 19.85 (1) (c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, seconded by Norm Stoker. Chrest – yes, Stoker – yes, Ransom – yes, and Olson – yes, motion carried.

The committee adjourned to closed session at 9:45 a.m.

Returning to open session at approximately 10:10 a.m.

A Motion by Ray Ransom, to return to open session at 10:10 a.m., seconded by Norm Stoker. Motion carried.

BUDGET REVIEW:

- Tim Jeatran presented the budget for the GIS and Surveyor/Land Information Departments for review. As directed by the County Clerk, the budget was held at a 0% increase except for personnel costs and insurance. Those figures are estimates since they have not been determined by Executive/Finance Committee to date.

A Motion by Ray Ransom, to approve the Surveyor/Land Information and the GIS budgets as presented, seconded by John Chrest. Motion carried.

- Beth Storlie presented the budget for the Recycling and Zoning Departments for review on behalf of Terry Schmidt, who was not present at the meeting. As directed by the County Clerk, the budget was held at a 0% increase except for personnel costs and insurance. Those figures are estimates since they have not been determined by Executive/Finance Committee to date.

Beth explained that one line item was being proposed for an increase in 2014 and that was the Software Maintenance line. Prowest and Associates is increasing the maintenance fee in 2014 due to the increased costs of reprogramming our software due to third party vendor changes (ex. Microsoft Internet Explorer 9 changing to 10). This is a required update as Internet Explorer is the operating system for the software. With an investment of nearly \$70,000.00 for the software, it is necessary for us to maintain it and receive this type of service and updates. The increased cost was a line

item adjustment between other lines that were reduced. She also mentioned that the Recycling budget reflects revenues equal to the expenditures as this program does not receive levy dollars. The program is operated on grant funding and revenues generated from marketed materials. The Recycling Grant continues to be reduced by nearly 40% from previous levels. She said that the department will be requesting Ho-Chunk funds to offset the shortfall in 2013.

A Motion by John Chrest, to approve the Recycling and Zoning Department budgets as presented, seconded by Ray Ransom. Motion carried.

SURVEYOR'S REPORT – see report

- Ralph and I have been observing survey corners to obtain GPS points in the Towns of Brockway and Manchester doing maintenance and tie sheets on them.
- They've been doing maintenance on the HARN stations to mow down weeds and grass that are overgrown.
- Starting back in Bear Bluff setting corners. Tim's back is better now after a few weeks of treatment after injuring it while surveying in the Town of Millston.
- We are approved for the WLIP Base Budget Grant for 2013, but have not received the funds from the DOA. They should be arriving shortly.
- Ayres and Associates will be here on August 28th to answer any questions we may have about the 2015 WROC flight. The meeting begins at 10:00 a.m. and anyone is welcome.
- One large component of the Modernization Plan is updating corners with coordinates and improving the parcel mapping. There are a lot of corners with coordinates yet to be updated as well as the related mapping that needs to be done. This may need to be contracted out to a firm to assist with this update. This would be a project that the Base Budget Grant would fund and it is a priority of the Department of Administration as well as other agencies for the creation of statewide parcel mapping.

GIS TECHNICIAN'S REPORT

- Map requests are up. Working on a new Sportman's map for the Chamber of Commerce & others. The Chamber is in charge of updating the data on the back, Lauree is doing the map. They plan on printing the map and having it ready by this year's hunting season.
- Only reval's are remaining to be submitted.
- Caught up on splits at this time. Getting ready for tax season as much as possible since Lauree's fall will be very busy with conference attendance, her wedding and honeymoon.

ZONING REPORT – Terry Schmidt.

- The Recycling Grant for 2013 was reduced from previous awards by nearly 40%. For the past two years, we have requested Ho-Chunk Nation funds to offset this shortfall and we are recommending this for 2013 as well. The proposed resolution was read into the minutes.

A Motion by John Chrest, to approve the resolution requesting Ho-Chunk Nation funds for the countywide Recycling Program, seconded by Norm Stoker. Motion carried.

- Ron Pelham visited the office on August 8th to discuss the second citation that was issued to him for the illegal fill within the floodplain. He is pleading not guilty and requesting a conference with the court, Corporation Counsel, WI-DNR and the Zoning Department. Mr. Pelham informed Terry that this type of activity was occurring just down the road from his property and he felt that if we are pursuing action against him, it should also be considered for this other violation. Terry reassured him that he will follow up on the complaint about this additional issue upon returning from his vacation.

PUBLIC HEARINGS

Due to having a joint request by the Jackson County Zoning and Land Information Committee as well as the Jackson County Land Conservation and Agriculture Committee, the order of the public hearing was amended as follows:

- **TEXT AMENDMENT # 2013-38** as requested by the Jackson County Zoning Department and the Jackson County Land Conservation Department. The request is to change Section 16.11 (3) (c) 2 of the Jackson County Shoreland Ordinance and Section 23.07 (3) (f) of the Jackson County Livestock and Animal Facility Licensing Ordinance. The current setback requirement for any new barnyards, feedlots, buildings confining animals, expanded or substantially altered feedlots is 150 feet from a river, creek or stream. The proposal is to change the 150 foot setback to 300 feet. The proposed text amendment changes are available at the Jackson County Zoning Department or the Jackson County Land Conservation Department.

Of the township positions received prior to the hearing, nine support the text amendment, four took no position and two opposed being the Town of Albion and Town of Northfield. No additional public comment received.

A Motion by John Chrest, to approve text amendment # 2013-38 for Jackson County Zoning and Jackson County Land Conservation Departments, seconded by Ray Ransom. Motion carried unanimously.

- **ZONE CHANGE PETITION # 2013-30** as requested by James L. Hoffman for Goose Landing Rail on property located in the NW1/4-NW1/4, Section 28, and the NE1/4-NE1/4, Section 29, all in T23N, R4W, Town of Alma, Jackson County, WI. The request is to rezone .896 acres of wetland into the upland area. This will allow for filling of the

affected wetland for rail spur construction. The affected wetlands will be mitigated per WI-DNR requirements.

No additional information has been received to date.

A Motion by Ray Ransom, to approve the continued postponement for zone change petition # 2013-30 for James Hoffman, Goose Landing Rail, seconded by Norm Stoker. Motion carried unanimously.

- **CONDITIONAL USE PERMIT PETITION # 2013-32** as requested by David Dolesy on property located in the NW1/4-NW1/4, Section 3, T21N, R6W, Town of Springfield, Jackson County, WI. The request is to allow for the storing of vehicles, the sale of vehicles and some service work on the existing parcel which is zoned in the R-2 (Residential) District.

Township supports the request with no conditions. The petitioner stated he is keeping client vehicles at the property for storage to rebuild and restore them until his clients have the funds for this work, as well as his own collectibles. The committee stressed that the property is in non-compliance with the ordinance currently as this type of activity is not allowed within a residential district. If they granted the conditional use, it would only continue the non-compliance and they would not be standing with the language of the ordinance.

A Motion by Ray Ransom, to postpone conditional use permit petition # 2013-32 for David Dolesy, seconded by John Chrest. Motion carried unanimously.

- **ZONE CHANGE PETITION # 2013-34** as requested by Legacy Bogs LLC on property known as Government Lot 14 except the west 100 feet of the north 330 feet, Government Lot 13 except the west 100 feet of the north 330 feet, the NW1/4-SE1/4, the SW1/4-SE1/4, the SE1/4-SW1/4 except 3 acres for the road right-of-way and except approximately the west 100 feet, the NE1/4-SW1/4 except approximately the west 100 feet; all located in Section 1, T20N, R1E, Town of Bear Bluff, Jackson County, WI. The request is to rezone 220.82 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District to allow for non-metallic mineral extraction.

Township took no position, but stated a need for more information on the scope of the operation. WI-DNR comments were read into the minutes. Public comment received in opposition.

The petitioner stated that they did not attend the town board meeting. They plan utilizing a slurry line to the Meadow Valley property or trucking the material out to Cranberry Rd.

Gaylord Olson II stated that this request would be the third that Legacy Bogs has brought through. The first request has had the conditional use permit issued and has

been permitted for the extraction (dig and haul) operation, but the second request has only had the zone change approved. The conditional use permit for the 2nd operation has not been granted yet as several stipulations of approval has not been completed or permitted.

A Motion by Norm Stoker, to approve zone change petition # 2013-34 for Legacy Bogs LLC, seconded by John Chrest. Motion carried.

- **ZONE CHANGE PETITION # 2013-36** as requested by Brian Dobson on property known as Lot 1 of CSM 2410 located in the NE1/4-SW1/4, Section 18, T21N, R5W, Town of Albion, Jackson County, WI. The request is to change 4.13 acres of the Official Zoning Map from the R-2 (Residential) District to the R-6 (Rural Residential) District. This will allow for the keeping and maintaining of livestock and poultry at the site.

Township supports the request. Petitioner plans on raising beef and chickens for his personal consumption. Intends on utilizing a portion of the garage for animal confinement or build a small shed.

Gaylord Olson II stated that he met with Brian about the proposal and he would recommend a limit of two adult cows and two calves less than 600 lbs., which equals 3 animal units, chickens are not an issue with animal units. Brian added that he intends on bringing the calves to full butcher weight, which would increase the animal units. Gaylord stated that the maximum he would recommend in that case is four animals but no sediment or manure runoff can leave the site, all Land Conservation Department standards are met and proper management practices followed. Additionally the R-6 District requires a minimum of 200 feet from an animal confinement structure to any adjoining residential structure, so the distance from the garage to the neighbor's home must be 200 feet or more.

A Motion by John Chrest, to approve zone change petition # 2013-36 for Brian Dobson with the stipulation of a maximum of four animals at the site, no runoff and all Land Conservation standards are followed, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2013-33** as requested by John and Jill Higgins on property located in the NE1/4-SW1/4, the NW1/4-SW1/4, and the NW1/4-SE1/4, all in Section 9, T21N, R4W, Town of Adams, Jackson County, WI. The request is to change 116.8 acres of the Official Zoning Map from the A-1 (Agriculture) District to the R-2 (Residential) District. This will allow for future development of single family homes at the site.

Township supports the request.

A Motion by Ray Ransom, to approve zone change petition # 2013-33 for John and Jill Higgins, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2013-35** as requested by DeWayne George on property known as Lot 2 of CSM 1983 located in the NE1/4-NE1/4, Section 18, T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change 2.0 acres of the Official Zoning Map from the R-2 (Residential) District to the B-2 (Outlying Business) District. The B-2 District would allow for the trailer sales, vehicle service work and the storing of vehicles which is currently occurring at the site.

Township supports the request. Petitioner stated that he has been operating the trailer sales and vehicle service business at this location since 1998. The committee stated that there is an accumulation of other items and junk around the property that needs to be cleaned up.

A Motion by John Chrest, to approve zone change petition # 2013-35 for DeWayne George with the stipulation that the clean-up of the property and removal of junk items continues, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2013-37** as requested by owners – Joan Will, Michael and Patricia Griesback, Clifford and Richard Boullion and agent – Fairchild Rail LLC on property located in the NW1/4-NE1/4, the SW1/4-NE1/4, the NE1/4-SE1/4 and the SE1/4-SE1/4, Section 2, T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change approximately 75 acres of the Official Zoning Map from the A-1 (Agriculture) District to the M-2 (Industrial Extraction) District.

The petition was read into the minutes but Zoning Administrator Terry Schmidt was not available, there was a potential of a procedural issue with the town board meeting, there is a conflict of interest with Jackson County Corporation Counsel and no legal opinion was available prior to the hearing.

A Motion by Ray Ransom, to postpone zone change petition # 2013-37 for Fairchild Rail LLC, agents, seconded by Norm Stoker. Motion carried unanimously.

A Motion by Norm Stoker, to adjourn the meeting, seconded by John Chrest. Motion carried. Meeting adjourned at 12:00 p.m.