

MINUTES
JACKSON COUNTY ZONING & LAND INFORMATION COMMITTEE
May 16 & 17, 2012

May 16, 2012: Committee Site Visits

Meeting called to order by Vice Chairman Gaylord Olson at 1:00 p.m., the Site Visits followed.

May 17, 2012: Committee Meeting and Public Hearings

Meeting called to order by Vice Chairman Gaylord Olson at 9:00 a.m. Committee members in attendance are Gaylord Olson, Ray Ransom, Margaret Rewald, John Chrest and Norm Stoker. Others present were Tim Jeatran, County Surveyor; Terry Schmidt, Zoning Administrator; Dustin McCune, Zoning Technician and Beth Storlie, Administrative Assistant.

A Motion by Norm Stoker, to nominate Gaylord Olson as Chairman of the Zoning and Land Information Committee, called three times for other nominations.

A Motion by John Chrest, to close nominations and cast unanimous ballot for Gaylord Olson as Chairman, seconded by Margaret Rewald. Motion carried.

A Motion by Norm Stoker, to nominate Ray Ransom as Vice Chairman of the Zoning and Land Information Committee, called three times for other nominations.

A Motion by Gaylord Olson, to close nominations and cast unanimous ballot for Ray Ransom as Vice Chairman, seconded by John Chrest. Motion carried.

A Motion by Ray Ransom, to approve the April 12, 2012 minutes, seconded by Norm Stoker. Motion carried.

A Motion by John Chrest, to approve the vouchers for payment, seconded by Margaret Rewald. Motion carried.

SURVEYOR'S REPORT – Tim Jeatran, see report.

- Completed the section corner maintenance and protection for upcoming highway and road construction projects and have been busy drawing tie sheets for the corners that Tim did maintenance on.
- Starting a project in the Town of Franklin, Section 5. There is very limited re-establishment of the government corners in this area and a local surveyor needs them re-established in order to complete a private survey. This will be a big project and take over two weeks to complete.

Discussed how tie sheets or GPS survey work in the field and how corners are recovered for the committee.

- Gave a status report for the Town of Bear Bluff survey and reported on the interior corners that need to be set.
- Forestry discovered a garage encroachment to county land off of Castle Mound Rd. Jim Zahasky will be contacting the landowners and informing them in writing of the encroachment. Terry added that no land use permit was ever issued for the garage structure that is encroaching.
- WI-DOT stated that the new GPS CORS base stations should be operational later this summer. The CORS base stations utilize cell phone transmissions for GPS work, it allows for greater range and not having to set up additional base stations for completing surveys. This will save as much as two hours each day in the field because of not having to set-up these additional base stations. If Tim moves to this method utilizing the CORS stations, it would require adding a \$30.00 per month data plan to his cell phone from Verizon.
- Tim, Dustin and Terry attended training with the Department of Justice given by Jeff Kostner on identifying marijuana farms or meth labs on public lands. They found it to be very informational and beneficial.
- The WLIP Base Budget Grant application was submitted on May 4th. We should find out about funding by the end of June. The project that we have allocated these funds to will scan and index additional deed documents for the Register of Deeds Office.

GIS TECHNICIAN'S REPORT - Lauree Kratcha.

- Assessment rolls continue to come in and the committee reviewed the status report. The Statements of Assessment are due by the mid July to the Department of Revenue. Lauree explained the assessment reform going on with the state. By 2013, all assessment information is required to be in digital format.
- E911 Atlas updates are still being completed with recommended edit updates from all agencies. This has become a long, drawn out process because too many individuals had input on the edits. This will need to change for any future updates.
- Spillman updates and conversion will be finalized in early June. The software was installed yesterday on the new GIS server and Lauree continues to move mapping data over to this server.
- Lauree performed a demo of the PayGOV.com payment option that has been added to the county's parcel mapping site on WG Xtreme at ADC. PayGOV and ADC worked together to develop a tool button on the website that was added to the County Treasurer's information.

ZONING REPORT – Terry Schmidt

- Discussed the current policy and procedures for zone change petitions and conditional use request public hearing with the committee, especially regarding non-metallic mining issues. Terry recommends that the zone change petition be separated from the conditional use hearing as two separate hearings. Townships are confused about the two hearings, separating them to individual months would help clarify this for them that they act on the appropriate item in the appropriate manner. Additionally, the zone change petitions would be able to move forward through County Board before the conditional use was considered. The non-metallic mining issues are complex and there are numerous items to consider for granting or conditionally granting the conditional use. Much more staff hours are spent on these types of requests. He question if a fee change should occur for the non-metallic mining hearings as they require additional field work, plan review, and ordinance enforcement. Terry added that the fees vary greatly with other counties; Trempealeau County has a graduated scale based on the acreage involved with the request. Terry will research the fee schedules of the surrounding area and report back to the committee at the May meeting.

A Motion by Ray Ransom, to approve the policy change to separate the zone change petitions from conditional use hearings into two separate hearings, seconded by Margaret Rewald. Motion carried.

- Rewriting the Floodplain Ordinance to meet the new FEMA mapping and standards set forth by the WI-DNR and FEMA. A copy of the proposed language needs to be reviewed and approved by both the DNR and FEMA prior to moving to public hearing for adoption. Deadline for adoption is September 28, 2012.
- The Hatfield Sanitary District held a meeting recently; we were not invited to attend this meeting. It was brought to our attention that our office was bad mouthed by individuals in attendance. They have some confusion regarding ordinance policy and what they can do legally for enforcement specifically for travel trailers located within the sanitary district. These travel trailers were burying the large plastic tanks under the units. The Sanitary District prohibits these tanks by ordinance now; we will not issue any further permits for non-plumbing systems within the Hatfield Sanitary District. But they also continued to say that they prohibit travel trailers being located within the district. This is not in their ordinance. We register these units through the Zoning Ordinance language, Terry has to do some changes to the Zoning Ordinance anyway, which probably would be completed until the Floodplain Ordinance is amended. He is recommending a text amendment to the Zoning Ordinance to the section addressing travel trailer/camping units that the County will register these types of units only if they meet the requirements and are not prohibited by a local sanitary district ordinance or board.
- Received an email with a draft of the Regulation for County Highway Use Ordinance from Paul Millis, Corporation Counsel. This will address some the concerns regarding road use for non-metallic mining. This is something that we will need to keep in

consideration for these types of proposals while the ordinance is moving through the approval process. The committee questioned if the road weight limits could be adjusted in the interim time until the ordinance is adopted.

- The Sanitary Ordinance text amendments are moving to the full County Board this month.
- Cardboard collection has been going very well. Russell has developed a collection route and we are gaining revenue from baling this type of material.
- Appliance and Electronics Round-up went very well, we had two semi's full.
- Tire Round-up is scheduled for this Saturday, May 19th.
- Terry is part of a regional consortium that has been debating and discussing solid waste issues to address the future needs of the region as landfills reach capacity or start closing. They have been operating as county staff of administrators and directors but would like to start pulling in oversight committee members into the discussions. This is have these oversight members up to speed with the solid waste programs and have the support if at some point changes or decisions need to be done by county boards. This is a huge issue; we have not had a landfill in Jackson County for a long time. It's working now to contract it out to the Veolia's or Waste Management's, but this may need to change in the future.

PUBLIC HEARINGS

- **ZONE CHANGE PETITION # 2012-15** as requested by William D. Bethke on property located in the NE1/4-NE1/4, NW1/4-NW1/4, SW1/4-NW1/4, SE1/4-NW1/4, NW1/4-SW1/4, SE1/4-SW1/4, NE1/4-SE1/4, NW1/4-SE1/4, SW1/4-SE1/4, all in Section 7, T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change 239.5 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District for the extraction of sand from the site. A conditional use permit is required to operate a sand mining facility within the M-2 District.

The petitioner requested a postponement of the request as he was unable to attend. Testimony will be received from interested parties.

Resolution from the Town of Cleveland Board was read into the minutes requesting an extension of twenty days to register opposition to the request.

Public comment received in opposition to the request.

A Motion by John Chrest, to deny zone change petition # 2012-15 for William Bethke, called three times for a second. Motion fails due to no second.

A Motion by Ray Ransom, to postpone zone change petition # 2012-15 for William

Bethke, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2012-20** as requested by Jackson Sands LLC and agent, Douglas Weinkauff on property located in the SW1/4-NW1/4, SE1/4-NW1/4, NW1/4-SW1/4, NE1/4-SW1/4, NW1/4-SE1/4, the east twenty acres of the SW1/4-SW1/4, and the SE1/4-SW1/4, all in Section 19, and that part of the NW1/4-NW1/4 lying north of Trump Coulee Rd., Section 30, all in T21N, R6W, Town of Springfield, Jackson County, WI. The request is to change 271.47 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District. This will allow for a conditional use permit to be requested for the operation of a non-metallic mineral (sand) mining site.

The petitioner requested a postponement of the request as he was unable to attend. Testimony will be received from interested parties.

Public comment received in opposition to the request. A copy of a petition in opposition was presented.

Township took no position.

A Motion by John Chrest, to postpone zone change petition # 2012-20 for Jackson Sand LLC, seconded by Margaret Rewald. Motion carried.

- **CONDITIONAL USE REQUEST # 2012-22** as requested by Mathias T. Baker on property located in the SW1/4-NE1/4, Section 18, T20N, R6W, Town of Franklin, Jackson County, WI. The request is to allow for filling and grading work within a shoreland area for a new stream crossing. The request may also involve the removal of vegetation within the 35 foot buffer zone.

Township supports the request. This project is being designed and regulated by the NRCS Office.

A Motion by Ray Ransom, to approve conditional use request # 2012-22 for Mathias T. Baker, seconded by John Chrest. Motion carried.

- **CONDITIONAL USE REQUEST # 2012-23** as requested by Frederick and Carol Reichhoff on property located in the NE1/4-SW1/4, Section 30, T20N, R5W, Town of Irving, Jackson County, WI. The request is to allow for filling and grading work within a shoreland area for a new stream crossing. The request may also involve the removal of vegetation within the 35 foot buffer zone.

Township supports the request. This project is being designed and regulated by the NRCS Office.

A Motion by Norm Stoker, to approve conditional use request # 2012-23 for Frederick and Carol Reichhoff, seconded by Margaret Rewald. Motion carried.

The committee took a brief recess at 1:05 p.m. and reconvened at 1:20 p.m.

- **ZONE CHANGE PETITION # 2012-24** as requested by Russell Scheilfer on property known as Lot 1 of CSM 3583 located in the SE1/4-SW1/4, Section 6, T19N, R5W, Town of Melrose, Jackson County, WI. The request is to change 2.04 acres of the Official Zoning Map from the A-1 (Agriculture) District to the R-2 (Residential) District for the construction of a single family home.

The petitioner requested a postponement of the request as he was unable to attend.

A Motion by Norm Stoker, to postpone zone change petition # 2012-24 for Russell Scheilfer, seconded by Margaret Rewald. Motion carried.

- **ZONE CHANGE PETITION # 2012-25** as requested by Legacy Bogs LLC on the following properties: NE1/4 except 6 acres for residence, SW1/4 except 6 acres for residence, N1/2 of the SE1/4, and the SE1/4-SE1/4 of Section 13; the W1/2 of the SW1/4- SW1/4, the SE1/4-SW1/4 and the S1/2 of the SE1/4 of Section 14; the SE1/4-SW1/4 and the S1/2 of the SE1/4 of Section 15; the NE1/4, the NE1/4-NW1/4, the SE1/4-NW1/4, the NE1/4-SW1/4 except for 3 acres for residence and the N1/2 of the SE1/4 of Section 22; the NE1/4, the NE1/4-NW1/4, the NE1/4-SW1/4, the N1/2 of the SE1/4, the East 14 acres of the W1/2 of the NW1/4-NW1/4, the West 6 acres of the W1/2 of the NW1/4-NW1/4, the East 14 acres of the W1/2 of the SW1/4-NW1/4, the West 6 acres of the W1/2 of the SW1/4-NW1/4, the East 14 acres of the W1/2 of the NW1/4-SW1/4 and the West 6 acres of the W1/2 of the NW1/4-SW1/4 of Section 23; and the N1/2 of the NE1/4, the N1/2 of the NW1/4, the SW1/4-NW1/4 and the NW1/4-SW1/4 of Section 24; all in T20N, R1E, Town of Bear Bluff, Jackson County, WI. The request is to change 1,705 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District for non-metallic mineral extraction. The petitioner also requests a conditional use permit to allow for non-metallic mineral sand extraction with the M-2 District. The property will revert back to the A-2 (Forestry and Limited Agriculture) District once the mining operation is completed.

Township supports the request with the stipulation that the Town of Bear Bluff permit and requirements are met.

The committee has concerns over the total amount of acreage that is proposed to change and questioned if the amount was truly accurate or could be reduced since it is reflecting active cranberry production acreage as well. A DNR Impact Study is being performed to determine the total acreage that could be disturbed. Terry recommended that the petition request acreage be amended to reflect the results of the DNR Impact Study. He noted that a draft ordinance has been created to address the Jackson County Highway road maintenance issues.

A Motion by Norm Stoker, to approve zone change petition # 2012-25 for Legacy Bogs

LLC with the stipulation that the acreage be amended to reflect the accurate acreage based on the DNR Impact Study, seconded by John Chrest. Motion carried.

Discussion occurred regarding the conditional use permit.

A Motion by Ray Ransom, to approve conditional use permit # 2012-25 for Legacy Bogs LLC with the stipulation that all local, county, state or federal standards, regulations and permits are met and obtained and that the acreage is amended to meet the results of the DNR Impact Study, seconded by Margaret Rewald. Motion carried.

- **ZONE CHANGE PETITION # 2012-26** as requested by Bruce McBain on property known as Lot 10 of CSM 3360 located in the SW1/4-NE1/4, Section 3, T22N, R3W, Town of Adams, Jackson County, WI. The request is to change 2.0 acres of the Official Zoning Map from the B-1 (Central Business) District to the R-1 (Residential) District for a single family home.

Township opposed the request, but Terry discussed the petition with the Town of Adams Chairman, Harley Boehm. Mr. Boehm stated they don't oppose the zone change but have issues with the campground operation. The petitioner amended the request to two-1/2 acre lots or one acre to be changed.

A Motion by John Chrest, to approve zone change petition # 2012-26 for Bruce McBain with the stipulation that the acreage is amended to one acre and the town board approves, seconded by Ray Ransom. Motion carried.

- **ZONE CHANGE PETITION # 2012-29** as requested by J R Nemitz Cranberry Company Inc. on the following properties: the S1/2 of the NE1/4, NE1/4-NW1/4, the S1/2 of the NW1/4, the SW1/4, and the SE1/4 of Section 18; the NE1/4, the NW1/4, the SW1/4 except 3 acres for residence, the NW1/4-SE1/4, the S1/2 of the SE1/4 of Section 19; the SW1/4-NW1/4, the W1/2 of the SE1/4-NW1/4, the W1/2 of the NE1/4-SW1/4, the NW1/4-SW1/4, and the SW1/4-SW1/4 of Section 20; the NW1/4 and the NW1/4-SW1/4 of Section 30; all in T20N, R1E, Town of Bear Bluff, Jackson County, WI. The request is to change 1,703 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the M-2 (Industrial Extractive) District for non-metallic mineral extraction. The petitioner also requests a conditional use permit to allow for non-metallic mineral sand extraction within the M-2 District. The property will revert back to the A-2 (Forestry and Limited Agriculture) District once the mining operation is completed.

Township supports the request with the stipulation that the Town of Bear Bluff permit and requirements are met.

The committee has concerns over the total amount of acreage that is proposed to change and questioned if the amount was truly accurate or could be reduced since it is reflecting active cranberry production acreage as well. A DNR Impact Study is being performed to determine the total acreage that could be disturbed. Terry

recommended that the petition request acreage be amended to reflect the results of the DNR Impact Study. He noted that a draft ordinance has been created to address the Jackson County Highway road maintenance issues especially since truck traffic would be traveling on Cty Rd HH.

Public comment was received in opposition to the request. Concerns over private wells, foundations and property values were expressed.

A Motion by Norm Stoker, to approve zone change petition # 2012-29 for J R Nemitz Cranberry Company Inc. with the stipulation that the acreage be amended to reflect the accurate acreage based on the DNR Impact Study, seconded by John Chrest. Motion carried.

Discussion occurred regarding the conditional use permit.

A Motion by Margaret Rewald, to approve conditional use permit # 2012-29 for J R Nemitz Cranberry Company Inc. with the stipulation that all local, county, state or federal standards, regulations and permits are met, that all Highway road standards and agreements are met, that independent study of private wells be conducted within a ½ mile of the boundary of the proposed acreage and that the acreage is amended to meet the results of the DNR Impact Study, seconded by John Chrest. Motion carried.

- **ZONE CHANGE PETITION # 2012-30** as requested by Kathryn Hammond on property located in the NE1/4-SE1/4, Section 19, T21N, R5W, Town of Albion, Jackson County, WI. The request is to change 1.5 acres of the Official Zoning Map from the A-1 (Agriculture) District to the R-2 (Residential) District for the construction of a single family home.

Township supports the request.

A Motion by Ray Ransom, to approve zone change petition # 2012-30 for Kathryn Hammond, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2012-31** as requested by Gerald Miller on property located in Government Lot 2, Section 2, T20N, R4W, Town of Manchester, Jackson County, WI. The request is to change 1.5 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District to the R-2 (Residential) District for the construction of a single family home.

Township supports the request.

A Motion by Ray Ransom, to approve zone change petition # 2012-31 for Gerald Miller, seconded by Margaret Rewald. Motion carried.

A Motion by Norm Stoker, to adjourn the meeting, seconded by Margaret Rewald. Motion carried. Meeting adjourned at 2:30 p.m.