

**SAUK COUNTY BOARD OF SUPERVISORS  
LAND CONSERVATION and PLANNING, ZONING AND LAND RECORDS COMMITTEES  
Thursday, August 9, 2012 – County Board Room/Gallery, West Square Building**

Conservation, Planning, and Zoning (CPZ) Committee members present: J. Ashford, J. Dietz, F. Halfen, J. Lehman, D. Nobs, D. Polivka, R. Puttkamer

Others present: S. Cohoon, M. Cone, B. Cunningham, K. Felton, P. Hasheider, B. Michalek, T. Monroe, N. Moy, T. Moy, M. Palm, P. Pohle, B. Simmert, J. Van Berkel, P. Wedekind

At 9:00 a.m. Vice Chair Ashford called the Conservation, Planning, and Zoning Committee to order and certified to be in compliance with the Open Meetings Law.

Adopt agenda: Motion by Polivka/Nobs to adopt the agenda. Motion carried, all members in favor.

Adopt minutes of previous meeting-July 24: Motion by Polivka/Dietz to adopt the minutes from the July 24 Conservation, Planning, and Zoning Committee meeting. Motion carried, all members in favor.

Lehman arrived at 9:02 a.m. and Puttkamer arrived at 9:03 a.m.

Public comment:

- a. Teacher scholarship recipient presentation-Jennifer Schultz, agriculture and biology teacher at Baraboo High School, presented on the classes she is using the \$300 scholarship towards at UW-River Falls and expressed her appreciation for the scholarship.
- b. Discussed the passing of Dean Steinhorst who worked for NRCS years ago.

Halfen arrived at 9:06 a.m.

Communications:

- a. Cunningham briefly discussed the announcement by NRCS for assistance in drought-affected counties and the deadline application is August 24.
- b. Cunningham informed the Committee that Bev Vaillancourt had notified Michalek about a YouTube video on high-voltage lines and The Cap Times article "Who benefits as high-voltage electric lines crisscross Wisconsin?" (copy provided to Committee).
- c. Cunningham noted that Michalek is at the Highway Department talking about the Dellona property the county may purchase, would need to be approved by the Highway & Parks Committee, then the Property & Insurance Committee, and then by County Board.

Land Records Modernization:

- a. Review of 2013 budget request-Felton discussed the ArcGIS migration. There has been an upgrade for the Enhanced 911 (E911) for the Sheriff's Department. Fleischmann has been working with adjacent counties to incorporate surrounding county data for E911 applications & acquired data sharing agreements. Dane County was not able to share data with Sauk County due to their policies, manipulation of WROC 18" photos was used to incorporate Dane's information into the countywide data layers. Felton explained the 2013 budget and the major

changes from the 2012 budget. Committee requested that notes be provided in the future to explain changing programs. The next step is to pass the proposed budget on to the Finance Committee; no formal approval required by the CPZ Committee because it is not a levy program. If the committee does need to approve, bring to the next meeting.

Update on the request for transfer of funds and extension of Community Development Block Grant for Clark Creek: Van Berkel informed the Committee that he has met with Habitat for Humanity, and they are going to use a lot of the building materials. The burn is also moving forward. It was decided to advertise the sale of the barn behind the Jensen property due to it becoming a disposal issue. Specify that they take it all, foundation could remain, and need to have insurance. Will work with Corporation Counsel.

Review and possible approval of a resolution authorizing acquisition of property in the Clark Creek Watershed: Van Berkel briefly discussed the acquisition and moving expenses involved in the third Clark Creek property. Motion by Ashford/Halfen to approve the resolution. Motion carried, all in favor.

Review and possible approval of a workplan and public participation plan for the rewrite of the Farmland Preservation Plan: Simmert presented an updated process and participation plan. Will present a brief report at the August 16 Towns Association meeting. Discussed where to hold the open houses; the Committee prefers La Valle and Spring Green and to possibly not hold one in Baraboo. The Conservation, Planning, and Zoning Committee is the guiding committee. DATCP has a grant for this process. Committee members were asked to send in suggestions for stakeholder committee members.

Took a break from 9:58 a.m.-10:02 a.m.

Public Hearing: To begin at approximately 10:00 a.m. (Committee to consider and take possible action at the conclusion of the respective hearing)

Petition 11-2012 Ordinance Amendment. A Petition by the Sauk County Conservation, Planning, and Zoning Department to amend the Sauk County Zoning Ordinance to permit, by special exception, warehousing, self-storage facilities, or mini warehousing under the Commercial Zoning District.

Lehman called the public hearing to order at approximately 10:02 a.m. He explained the procedures for the public hearing and introduced the committee and staff members. Announcement was made to limit testimony to three minutes per individual.

Simmert appeared and presented a staff report and background on the request to amend the Sauk County Zoning Ordinance to permit, by special exception, self-service storage facilities and mini-warehousing the commercial zoning district. The amendment clarifies that self-storage facilities, mini-warehousing are considered warehousing as a Special Exception under Section 7.09

Tim Moy, registered in favor, spoke in favor of the staff suggestion to commercial zoning. Thanked the committee for previous approval and for the County Board approval. We are doing this today to avoid legal action and are good business people. Requested the CPZ Committee to use their influence on the Board of Adjustment.

Norbert Moy, registered in favor, had nothing to add.

Michael Cone, registered in favor. He is representing the Mabel David property which has been in the family for 90 some years. The property has been on the market for five years. There has only been one offer on the property. Now the city wants to put something on the property that the family cannot afford. The gateway to the city is not pleasant but that has nothing to do with the Mabel David property. Mabel David had asked that it stay in the family, be it either commercial, housing/apartments, but they have to settle on the storage that the Moys are proposing. The gateway has been formed, and the family cannot afford the taxes. Hope that you will carry through for final approval.

Steve Cohoon, appearing in favor, noted that the Town of Baraboo agrees with the communications it has had with CPZ Department staff.

Terry Monroe, registering in favor, declined to speak.

Pat Wedekind, registering in favor, no need to speak.

Paul Hasheider, registering in favor, no not need to speak.

Mike Palm, registering in opposition. Here today to object to the ordinance amendment as presented. Questioning whether mini-storage is appropriate use. Special exception in a commercial district. Take some time to think about where you are promoting this type of development where it is not specifically mentioned. We see commercial as commercial (retail where you purchase), there is no purchase at this facility. Think that mini-storage needs to be looked at as a special exemption. The neighboring land use needs to be taken into account when approved, look at the status of development at the present time and in the future. The property is surrounded by city property. It does not fit the city's comprehensive plan for mini-storage.

Seeing no one else wished to appear, Lehman closed the public hearing portion at 10:20 a.m.

Motion by Polivka/Nobs to adopt the ordinance amendment.

Simmert noted that the additional wording is meant to provide clarification. It has been zoned to commercial and that will be moving forward.

Michalek clarified that this has been done this way for 20 some years, it has been going through the BOA, and this is just meant for clarification.

Motion by Halfen/Dietz to amend motion to list as a separate number item.

There is not a need to have a definition for warehousing because it is identified in state statutes. Corporation Counsel recommendation is that it is not needed.

Vote on the amended motion – Dietz and Halfen in favor; Ashford, Lehman, Nobs, and Polivka opposed.

Vote on original motion to adopt the ordinance amendment. Motion carried, all in favor.

Demonstration by Land Records Assistant/Intern on allowable septage spreading areas:  
Hardwick presented a map of potentially allowable septage spreading areas in the counties.

This is a start point and testing would need to be done on properties. Discussed the shortage of state staff performing septic inspections. Committee recommended checking on what a company in Arcadia is doing which may provide an alternative for handling the septage. Some states have a drain field/septic systems (dumping station).

Approval of attendance at Twilight Meeting on Wednesday, August 22, at Blue Star Dairy Farm, Arlington: Lehman may attend and no formal approval was required due to only one CPZ Committee member attending.

#### Conservation, Planning, and Zoning Department

a. Department reports and updates: Michalek updated the Committee that at their March 27 meeting they directed staff to look into three acceptable forms of financial assurance on Nonmetallic Mining Reclamation Ordinance 24.07(4). The company was able to obtain their board for quarrying mining. This will be included with the rest of the ordinance revisions

b. Simmert updated the Committee on his meeting with DATCP staff regarding ATCP 49/Chapter 91. Discussion at the meeting focused on retaining the current Conditional Use Permit/Planned Unit Development (CUP/PUD) Program with some minor modifications. The administrative rule would need to add to the definition of base farm tract to enable this outcome. The rule is supposed to be in place in January, 2014. We also turned over our draft definitions to assist DATCP with the rule drafting process.

c. Review and approval of vouchers: Motion by Nobs/Ashford to approve vouchers in the amount of \$22,921.97. Motion carried, all in favor.

#### Reports:

a. Natural Resources Conservation Service (NRCS) report: Brian Pillsbury stated he is the current acting District Conservationist (DC) due to Brereton's retirement. Christopher Miller was hired as her replacement and will be starting as the new District Conservationist for Sauk County on October 7. Dealing with drought issues, Driftless Area applications, a new emergency initiative for forage cover crop for the 36 Wisconsin drought counties was just announced, and 50 managed haying contracts were approved and have gone out.

b. Farm Service Agency (FSA) report: Puttkamer expressed his frustration with filing of disaster relief paperwork.

c. Foresters' report: Livingston discussed the burning restrictions on the southern part of the state and that they have been lifted in several southwest counties including Sauk. They have been busy running on or staffing for fires. Anticipating some tree mortality due to drought. Maples appear to have been hit hard on some sites. A bigger impact may be the potential for secondary insect and disease impacts on drought-stressed trees. These impacts may occur over the next couple years. In Sauk Co. there are 60 Managed Forest Law (MFL) enrollments for 2013 entry amounting to about 3,000 acres, bringing the total MFL acres in the county to about 48,000. There were 20 re-enrollments for the Conservation Reserve Program (CRP) tree plantations. Less than 50% met stocking eligibility likely due to lack of maintenance and/or deer and rodent impacts. Working on a tree planter repair which would run around \$2,000-\$2,500 (a new planter is around \$10-15,000). The other option is to purchase a rebuilt planter for about \$4000 and then try and sell ours for possibly \$1000.

d. Economic Development Committee report: Polivka stated that there is another meeting on August 22. There was discussion on the Ski Hi Road intersection.

e. Mirror Lake District report: Nobs noted that their annual meeting will be on August 18.

f. Lake Virginia Management District report: Nobs stated that September 8 will be their annual meeting.

Nobs left at 11:02 a.m.

g. Lake Redstone Management District report: Dietz stated that their annual meeting was last Saturday. The lake management consultant did a presentation. Working on grants to do the five year plans. Consultant said the lake is plant starved, he said the soils in bottom lake are not conducive to what they would like there. They are happy with CPZ Department's assistance.

Next meetings of the Conservation, Planning, and Zoning Committee will be held at 9:00 a.m. on Tuesday, August 28; Thursday, September 13; Wednesday, September 26.

Motion by Ashford/Polivka to adjourn at 11:37 a.m. Motion carried, all members in favor.

Respectfully submitted,

Don Nobs, Secretary