

**SAUK COUNTY BOARD OF SUPERVISORS
CONSERVATION, PLANNING, AND ZONING COMMITTEE
Tuesday, June 24, 2014 – County Board Room/Gallery
West Square Building**

Conservation, Planning, and Zoning (CPZ) Committee members present: J. Ashford, J. Dietz, N. Johnson, G. Lehman, E. Peterson, D. Polivka, R. Puttkamer

Others present: D. Brush, B. Cunningham, J. Fish, B. Geenen, B. Geenen, D. Gillette, M. Gillette, K. Hoy, M. Krueger, B. Lohr, D. Lohr, W. Lowe, G. Maxwell, T. McCormick, B. Michalek, P. Pohle, P. Premo, E. Remus, B. Simmert, C. Shanahan, C. Stoleson, C. Stoleson, L. Strozinski, T. Turnquist, L. Volz, T. Wilm

At 9:30 a.m. Chair Lehman 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/Dietz to adopt the agenda. Motion carried, all in favor.

Adopt minutes of previous meeting-June 12: Motion by Polivka/Johnson to adopt the minutes from the June 12 Conservation, Planning, and Zoning Committee meeting. Motion carried, all members in favor.

Public Comment: None.

Communications:

- a. Michalek mentioned that Southwest Badger Resource Conservation and Development requested a letter of support for a grant they will be applying for to the National Fish and Wildlife Foundation and that the letter will be sent to them by June 27.
- b. The annual support services Memorandum of Understanding for the Sauk County Development Corporation is being renewed for six months beginning July 1, 2014, in order to get the agreement on a calendar year renewal basis beginning January 1, 2015.
- c. The Southern Area Association Tour being hosted by Sauk County on July 30 will be posted for the CPZ Committee. Johnson, Lehman, and Polivka may attend.
- d. Staff and NRCS are working on submitting the proposal for the Regional Conservation Partnership Program discussed at the last CPZ Committee meeting and are attempting to partner with neighboring counties in order to make a stronger application.
- e. Lehman mentioned that the Berkshire pigs were not on the site where they were to be removed. Michalek stated the area would be seeded, and staff will be reviewing the site soon.
- f. Lehman reported that the Able Trek Bus Frac Sand Tour is on, and he will be attending.
- g. Environmental Quality Incentives Program (EQIP) is prioritizing funding.

Discussion and possible action on a conditional use permit for a Planned Rural Development (PRD) lot for Rita Shara located in S11,T.11N.R.4E, Town of Westfield, Sauk County pursuant to Subchapter IX of the Sauk County Code of Ordinances: Simmert appeared and presented the

staff report. Lehman asked for yes/no votes for each section of the permit, with all CPZ Committee members voting yes to all sections. Motion by Polivka/Ashford to approve the conditional use permit. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

Update on Chapter 7: Simmert noted that the towns of Ironton and Winfield have not yet adopted the ordinance. Staff are continuing to work with the Town of LaValle regarding their concerns. Our main focus is to get the towns on board before making adjustments. The Town of Winfield has some general concerns regarding the level of regulation and what they feel is appropriate. They want to hold a public hearing in August at the town level in order to gain public input.

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

a. A petition to amend the Sauk County Farmland Preservation Plan map for the Town of Excelsior and correct farmland preservation plan map discrepancies for other towns on land located in the Town of Excelsior, Sauk County, by Sauk County Conservation, Planning, and Zoning.

Lehman called the public hearing to order at 10:02 a.m. He explained the procedures for the public hearing and introduced the committee and staff members.

Michalek stated that conditional uses do not go before the full County Board.

Simmert appeared and presented a staff report. Staff recommends approval of the amendment to the Sauk County Farmland Preservation Plan Map for the Town of Excelsior and various amendments to town FPP maps to remove the preservation area designation from publically owned lands. DATCP has reviewed the maps and intends to certify them.

Seeing no one wished to appear, Lehman closed the public hearing at 10:14 a.m.

Motion by Ashford/Polivka to approve amending the Sauk County Farmland Preservation Plan Map for the Town of Excelsior and various amendments to town FPP maps to remove the preservation area designation from publically owned lands. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

b. Petition #5-2014. A petition to rezone certain land located the Town of Excelsior, Sauk County, from a Resource Conservancy to an Exclusive Agriculture by Joe Fish, Town Chair, on behalf of the Town of Excelsior.

Lehman called the public hearing to order at 10:16 a.m.

Simmert appeared and presented a staff report. The purpose of the rezone request was submitted by the Town of Excelsior to change the zoning of property from a Resource Conservancy to an Exclusive Agriculture Zoning District. The purpose or basis of the rezone request, as stated by the applicant, is to establish a land use zoning program that reflects the vision and objectives of the Town of Excelsior's Comprehensive Plan. Staff recommends the approval of Petition #5-2014.

Joe Fish, appearing in favor, spoke in favor of the rezone on behalf of the Town of Excelsior.

Seeing no one else wished to appear, Lehman closed the public hearing at 10:26 a.m.

Motion by Polivka/Peterson to approve Petition #5-2014. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

c. Petition #6-2014. A petition to consider a subdivision plat and development plan pursuant to Chapter 22 Sauk County Land Division and Subdivision Regulations Ordinance a 12-lot subdivision in S33, T13N. R6E, Town of Delton, Sauk County, by the Ho-Chunk Nation.

Lehman called the public hearing to order at 10:28 a.m.

Shanahan appeared and presented a staff report. The Ho-Chunk Nation is requesting approval of a development plan and preliminary plat for the 'Allan Property.' The development plan proposes the division of two adjacent parcels with a combined area of 35.92 acres into 12 residential lots.

Ethan Remus, appearing in favor, spoke in favor of the rezone. He noted that the Town Board approved the final plat, and they are changing Giebel Road to Giebel Court.

Larry Volz, appearing in favor, stated the Town of Delton approved this and spoke in favor.

Carlyle Stoleson, registering in opposition, requested to see a map for the area being discussed. Remus provided him a map.

Carolyn Stoleson did not wish to speak.

Seeing no one else wished to appear, Lehman closed the public hearing at 10:41 a.m.

Motion by Ashford/Dietz to approve Petition #6-2014. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

d. Petition #7-2014. A petition to consider a conditional use permit pursuant to 7.037(4) of the Sauk County Zoning Ordinance for a Multiple Family dwelling, 2 units on land located in S30, T10N. R6E, Town of Prairie du Sac, Sauk County, by Leanord & Dianne Strozinski.

Lehman called the public hearing to order at 10:43 a.m.

Simmert appeared and presented a staff report. This is the first conditional use permit under the CPZ Committee's authority. The purpose of the petition is to bring an existing multiple family dwelling into compliance with the zoning ordinance.

Len Strozinski, appearing in favor, spoke in favor of the conditional use permit.

Seeing no one else wished to appear, Lehman closed the public hearing at 10:50 a.m.

Lehman asked for yes/no votes for each section of the permit, with all CPZ Committee members voting yes to all sections. Motion by Peterson/Dietz to approve Petition #7-2014. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

e. Petition #8-2014. A petition to rezone certain land from a Resource Conservancy to a Recreation Commercial zoning district and a petition to consider a conditional use permit for a recreation facility, outdoor pursuant to 7.035(3) and 7.053, eating establishment, with alcohol, liquor, or malt beverages pursuant to 7.031(2) and stable and equestrian facility pursuant to 7.027(12) of the Sauk County Zoning Ordinance by Daniel & Michelle Gillette. Said rezone and conditional use is located in the Town of Greenfield, Sauk County, Wisconsin.

Lehman called the public hearing to order at 10:51 a.m.

Shanahan appeared and presented a staff report. The purpose of the rezone is to establish a ranch themed event venue and provide for a children's equine training and educational facility.

Simmert stated as part of the rezone the applicants are applying for a conditional use permit.

Dan Gillette and Michelle Gillette, appearing in favor, spoke about their plans for the property. The Town of Greenfield Town Board approved the plan.

Terry Turnquist, appearing in favor, spoke on behalf of the Town of Greenfield in favor of the rezone and conditional use permit.

Kimberly Hoy, appearing in opposition, spoke against the rezone.

George Maxwell, registering as interest may appear, spoke against the rezone.

Bob Geenan, appearing as interest may appear, spoke against the rezone.

Bridgitte Geenen, appearing as interest may appear, spoke against the rezone.

Seeing no one else wished to appear, Lehman closed the public hearing at 11:35 a.m.

Motion by Polivka/Peterson to approve the rezone. After some discussion, the question on the rezone issue was called for. Ashford, Lehman, Peterson, Polivka in favor; Dietz and Johnson opposed. Motion carried, 4-2.

Opened up for discussion on the conditional use permit (CUP). Lehman asked for yes/no votes for each section of the permit. Section III: Conditional Use Standards-Lehman, Polivka, Peterson voted yes; Ashford, Dietz, Johnson voted no. There was a tie, and a majority vote is required to pass. The rezone will go forward to the county board. The conditional use permit will not go forward. They can reapply for a new CUP.

Motion by Ashford/Dietz to deny the CUP because it did not meet the Section III standards. Vote was three to three. Ashford/Dietz/Johnson and Lehman/Polivka/Peterson.

Motion to approve the CUP by Lehman/Polivka. Vote was Lehman/Polivka/Peterson and Ashford/Dietz/Johnson. Due to being a tie vote, the CUP will not go forward.

Puttkamer is unable to vote on zoning issues.

f. Petition #9-2014. A petition to consider a conditional use permit pursuant to 7.033(1) of the Sauk County Zoning Ordinance for a home-based business on land located in S22, T10N. R6E, Town of Sumpter, Sauk County, by David Lohr.

Lehman called the public hearing to order at 12:21 p.m.

Simmert appeared and presented a staff report. The purpose of the conditional use permit is for a home-based moving business.

Brandon Lohr, appearing in favor, spoke in favor of the CUP.

Seeing no one else wished to appear, Lehman closed the public hearing at 12:25 p.m.

Lehman asked for yes/no votes for each section of the permit, with all CPZ Committee members voting yes to all sections. Motion by Ashford/Johnson to approve Petition #9-2014. Motion carried, all in favor. Puttkamer unable to vote on zoning issues.

g. Petition #10-2014. A petition to rezone certain land located in S21, T12N. R6E, Town of Baraboo, Sauk County, from a Commercial to an Agriculture zoning district by Deutsche National Trust c/o Jake Wilm.

Lehman called the public hearing to order at 12:27 p.m.

Shanahan appeared and presented a staff report. The purpose of the rezone request is to allow Jake Wilm, the applicant, to occupy the existing residence without also engaging in a commercial operation.

Randy Puttkamer, appearing in favor, spoke in favor of the rezone on behalf of the Town of Baraboo.

Seeing no one else wished to appear, Lehman closed the public hearing at 12:37 p.m.

Motion by Ashford/Johnson to approve Petition #10-2014. Motion carried, all in favor. Puttkamer is unable to vote on zoning issues.

Next meetings of the Conservation, Planning, and Zoning Committee will be held on Thursday, July 10, and Tuesday, July 22, at 9:00 a.m. Motion by Ashford/Peterson to adjourn at 12:38 p.m. Motion carried, all members in favor.

Respectfully submitted,

Dennis Polivka, Secretary