



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, JUNE 9, 2011 - 8:00 A.M.
FIFTH FLOOR – NORTH WING, ROOM N-1/N-2
ROCK COUNTY COURTHOUSE
JANESVILLE, WI

1. CALL TO ORDER

The meeting of the Rock County Planning & Development Committee was called to order at 8:01 a.m. on Thursday, June 9, 2011 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Wayne Gustina, Marilyn Jensen, Mary Mawhinney and Phil Owens.

Planning & Development staff present: Paul Benjamin (Director), Jennifer Borlick (GIS Mgr.), Colin Byrnes (Code Admin. & Enforcement), James Otterstein (Economic Development Mgr.), David Somppi (Community Development Mgr.), Steve Schraufnagel (Planner III) and Carol Jaggi (Clerk Steno).

Others present: Dave Sauer (City of Evansville Engineer), Jeff Miller (Petty Development), Bob Leuenberger (R.H. Batterman), Bruce Larsen, Dave Rezin, Neal J. Schneider, Dean Pastula and Alice Klink (USDA)

2. ADOPTION OF AGENDA

Supervisor Owens moved to adopt the agenda, Supervisor Gustina seconded. **ADOPTED** as presented.

3. MEETING MINUTES – MAY 26, 2011

Supervisor Jensen moved the approval of the May 26, 2011 committee minutes; second by Supervisor Mawhinney. **APPROVED**.

4. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS

5. CODE ADMINISTRATION & ENFORCEMENT

Mr. Byrnes presented the Staff report.

A. Public Hearing – Shoreland Conditional Use Permit 2011 005 (Union Township) – City of Evansville

Supervisor Owens moved to go into Public Hearing at 8:03 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

Dave Sauer, Engineer for the City of Evansville, presented the City's need for a Shoreland Conditional Use Permit to place a 12" storm water pipe and swale directly above it to convey and control storm water from an existing storm water pond on S. Sixth Street in Evansville. Total ground disturbance is 14,000 square feet. Staff reported the majority of the project is located within the Shoreland/Floodplain of an unnamed tributary of Allen Creek in Union Township. Recently, landowners in this area have submitted documentation to FEMA for altering the boundaries of the Floodplain. With that in mind, it is crucial that

information concerning the specifications of the new infrastructure is conveyed to the DNR for future Floodplain modeling.

Supervisor Owens moved to close the Public Hearing at 8:07 a.m. with a second by Supervisor Gustina. Roll Call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

B. Approval of Shoreland Conditional Use Permit 2011 005 – City of Evansville

Supervisor Mawhinney moved the approval of Shoreland Conditional Use Permit 2011 005; second by Supervisor Owens. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

Conditions of Approval:

1. Install and maintain temporary erosion control measures until the seeded permanent vegetative cover is established.
2. Complete the project according to the approved plan set.
3. Project shall be compliant with the Floodplain Zoning (Chapter 32 Code of Ordinances).
4. Any excess spoil material may not be deposited in the Floodplain without separate approval by the P & D Agency.
5. Obtain all permits or approvals for your projects from the US Army Corps of Engineers, Wisconsin Department of Natural Resources, or other local government agencies before starting your project.
6. This permit expires one year from the date of Committee approval.

C. Public Hearing - Approval of Shoreland Conditional Use Permit 2011 006 – (Janesville Township) – Bruce Larsen

Supervisor Gustina moved to go into Public Hearing at 8:16 a.m. with a second by Supervisor Owens and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

Bruce Larsen, David Rezin, and Neal Schneider presented facts in support for the shoreland conditional use permit to floodproof two sheds and grass walkway to the river.

Dean Pastula who lives beside the applicant believes the request should be denied because application of fill took place in advance of acquiring a permit and this will cause issues with his property.

Staff reported that this application was for an after the fact Shoreland Conditional Use Permit as the project was completed with out a permit.

Supervisor Owens moved to close the Public Hearing at 8:40 a.m. with a second by Supervisor Gustina. Roll Call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

D. Approval of Shoreland Conditional Use Permit 2011 006 – (Janesville Township) – Bruce Larsen

Supervisor Jensen moved the approval of Shoreland Conditional Use Permit 2011 006; second by Supervisor Owens. All in favor – **DENIED** (Yes – 0, No – 5, and Absent – 0).

E. Preliminary Approval of Land Divisions

Supervisor Owens moved the approval of LD 2011 018; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

➤ **LD 2011 018 (Beloit Township) – Turner School District**

CONDITIONS TO BE MET BEFORE ROCK COUNTY FINAL APPROVAL:

1. Existing structure shall meet setback regulations.
2. 35-foot 1/2 ROW to be dedicated along S. Kemmerer Rd.
3. Acceptable soil and site evaluation report received on lot.
4. Utility easement(s) put on lot as requested by utility companies.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before March 24, 2012.
6. As per Section 15.23(8) of The Rock County Land Division Regulations "any land division not receiving final approval within the period of time set forth herein shall be null and void, and the developer shall be required to resubmit a new application for preliminary approval. Extensions may be applied for and may be granted at the discretion of the Committee upon findings that delays are beyond control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur". Extension requests must be made in writing prior to the expiration date listed above.
7. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.

F. Approval of Zoning/Building Site Permit Extension Request Policy (tabled at the May 26, 2011 P & D Meeting)

Supervisor Owens moved to untable the Zoning/Building Site Permit Extension Request Policy; second by Supervisor Gustina. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**.

Proposed Policy: Zoning/Building Site Permit Extension request must be applied for prior to permit expiration. The applicant shall provide information regarding the cause of the delay that is beyond their control. The Planning & Development Committee then must deliberate as to the nature of the delays to determine if the applicant could not reasonably complete the permit project due to these factors. The Committee, upon finding that delays are beyond the control of the applicant and that no material change in standards or in conditions has occurred or is reasonably expected to occur, may, at its discretion, grant an extension.

The Committee may extend the permit duration for a maximum of 12 months at \$25 per month. The Committee may consider an additional request on a month-to-month basis if at the end of 12 months the applicant requests another extension.

Supervisor moved the approval of the Zoning/Building Site Permit Extension Request Policy with the amendment stating the maximum extension after one year is 6 months; second by Supervisor Mawhinney.
All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0).**

G. Approval of Zoning/Building Site Permit Extension Request – Petry Development, LLC – Lake Woods First Addition

Supervisor Jensen moved the approval of the Zoning/Building Site Permit Extension Request; second by Supervisor Mawhinney. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0).**

H. Avon Bottoms Project, Alice Klink, USDA

Alice Klink of the USDA presented the committee with handouts detailing the Avon Bottoms Floodplain restoration project along the Sugar River in Avon Township. This entailed procuring permanent Floodplain easements and plantings of native vegetation. The committee was appreciative of the information and asked Ms. Klink to keep them apprised of future endeavors.

6. FINANCE

A. Department Bills /Encumbrances / Transfers

Supervisor Mawhinney moved the approval of payment of the department bills, second by Supervisor Owens. **All in favor - APPROVED (Yes - 5, No – 0).**

7. HOUSING & COMMUNITY DEVELOPMENT

A. CDBG – Emergency Assistance (ID 008065-D2) = \$11,700

Supervisor Owens moved the approval of CDBG-EAP Emergency Assistance Grant for an amount up to \$11,700; second by Supervisor Mawhinney. All in favor – **APPROVED (Yes – 5, No – 0, and Absent – 0).**

B. CDBG – Emergency Assistance (ID 008066-D2) = \$6,800

Supervisor Mawhinney moved the approval of CDBG-EAP Emergency Assistance Grant for an amount up to \$6,800; second by Supervisor Jensen. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

C. CDBG – Emergency Assistance (ID 008067-D1) = \$650

Supervisor Jensen moved the approval of CDBG-EAP Emergency Assistance Grant for an amount up to \$650; second by Supervisor Owens. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

D. CDBG – Small Cities Rehab Program (ID 020667-D2) = \$11,900

Supervisor Jensen moved the approval of Small Cities Rehab Program for an amount up to \$11,900; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

E. 2011 CDBG Small Cities Applications

Mr. Somppi updated the committee on the CDBG – Small Cities application status.

Mr. Somppi stated that the Lead Hazard Control Application is ready and will be sent in today.

F. Potential Conflict of Interest – Yes, None

G. Information Verification Statement

*Conflict of Interest Statement:
There were no Conflict of Interest Statements in regards to the aforementioned Loan / Grant requests.
Information Verification Statement:
All information required for loan approval was verified.*

8. ECONOMIC DEVELOPMENT

A. Resolution – Accepting Wisconsin Community Development Block Grant for Economic Development (CDBG-ED) Funds and Amending the 2011 County Budget.

NOW, THEREFORE, BE IT RESOLVED by the Rock County Board of Supervisors on this _____ day of _____, 2011 hereby accepts the CDBG-ED Contract of \$756,000 and authorizes the County Board Chair and the County Clerk to sign all necessary documents on behalf of the County of Rock with the terms and conditions described within the Wisconsin Department of Commerce’s contract; and that authority is hereby granted to distribute and project funds per that contract; and

<u>A/C Description</u>	<u>Budget At 5/31/2011</u>	<u>Amount of Increase</u>	<u>Amended Budget</u>
2011 CDBG-ED Program			
CDBG-ED Revenue – Federal Aid 64-6415-0000-42100	\$0	\$756,000	\$756,000

Expense

Administrative 64-6415-0000-63110	\$0	\$6,000	\$6,000
Program 64-6415-0000-64604	\$0	\$750,000	\$750,000

Supervisor Owens moved the above resolution; second by Supervisor Gustina.
All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0).**

9. DIRECTOR'S REPORT

Director Benjamin reported that Chairman Sweeney has won the Rod Nilsestuen Award for Working Lands Preservation. This will be presented to Chairman Sweeney on September 28th, Monona Terrace, Madison.

On June 28, at 6:00 p.m., there will be a final public listening session for the Update of Land Division Regulations in the Rock County Courthouse Jury Assembly Room.

Director Benjamin reported that on July 14, a Planning & Development Public Hearing/Workshop is tentatively scheduled.

Director Benjamin reported that there is work being done to assist housing with proper file compilation. Joanna Schuman visited and will be helping us design a working system.

10. COMMITTEE REPORTS

Supervisor Mawhinney viewed the delinquent tax report for Rock County and noted that the City of Edgerton Project with the invalid mortgage is not on that list. Director Benjamin said he would investigate the matter with Treasurer Brown.

11. ADJOURNMENT

Supervisor Owens moved to adjourn the committee at 10:23a.m.; second by Supervisor Gustina. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, June 23, 2011 at 8:00 a.m. The meeting will be held in the 5th Floor Conference Room (N1/N2) of the Rock County Courthouse.**

Prepared by: Carol Jaggi - Acting Secretary