

MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY SEPTEMBER 22, 2011 – 8:00 A.M.
COURTHOUSE CONFERENCE CENTER
SECOND FLOOR – EAST WING
ROCK COUNTY COURTHOUSE
JANESVILLE, WI

1. **CALL TO ORDER**

The meeting of the Rock County Planning & Development Committee was called to order at 8:00 a.m. on Thursday, September 22, 2011 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Marilynn Jensen, Phil Owens, Wayne Gustina and Mary Mawhinney.

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes (Code Administration and Enforcement), David Somppi (Community Development Mgr.) and Neale Thompson (Community Development).

Others present: Michelle Schultz (Real Property), and citizen Peter Ziegler (for applicant Rodney Van Beek).

2. **ADOPTION OF AGENDA**

Supervisor Owens moved to adopt the agenda, Supervisor Gustina seconded. Item 5E was dropped & item 9A was modified to delay discussion of the Surveyor budget until next meeting. **ADOPTED** as amended.

3. **MEETING MINUTES – AUGUST 25, 2011**

Supervisor Owens moved the approval of the September 8, 2011 Committee minutes; seconded by Supervisor Jensen. **APPROVED.**

4. **CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENT**

None at this time.

5. **CODE ADMINISTRATION & ENFORCEMENT**

A. Action Item: Public Hearing – Rock County Shoreland Conditional Use Permit – Rodney Van Beek

Supervisor Owens moved to go into public hearing at 8:03 a.m. with a second by Supervisor Mawhinney and the roll call was read. Present: Supervisors Gustina, Mawhinney, Jensen, Owens, and Sweeney.

Mr. Peter Ziegler, the representative from Wisconsin Waterfowl Association stated that they would prefer not to sign an affidavit accepting Southern Wisconsin Regional Airport Mitigation Responsibilities concerning this project. Supervisor Owens stated that this site is off the NE/SW runway of the Airport and waterfowl can be a hazard and shall be mitigated if problems arise in the future.

Supervisor Owens moved to close the Public Hearing at 8:07 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Owens, Jensen, Mawhinney and Sweeney.

B. Action Item: Approval of Rock County Shoreland Conditional Use Permit – Rodney Van Beek

Supervisor Jensen moved to approve the Shoreland Conditional Use Permit for Mr. Van Beek; seconded by Supervisor Owens. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**

C. **Preliminary Approval of Land Divisions**

Mr. Byrnes presented the Staff report.

Staff has reviewed applications, associated documentation and recommended Preliminary Approval of the following Land Divisions with conditions as indicated: Land Division 2010 043, and 2011 031.

➤ **Land Division 2010 043 (Newark Township) – Phil Nass (Tabled from October 14, 2010)**

Location: 8100 Block W. Hwy. 81

Supervisor Owens moved the removal from the table of Land Division 2010 043; seconded by Supervisor Mawhinney. All in favor – **APPROVED (Yes –5, No – 0, Absent – 0)**. Supervisor Gustina moved the Conditional Approval of Land Division 2010 043; seconded by Supervisor Jensen. All in favor – **APPROVED (Yes –5, No – 0, Absent – 0)**

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. Following notation on final map: “Since Lot 1 contains existing buildings which utilize an existing private sewage system no soil evaluation on the lot was required at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing system.” Also proposed lot lines must include the system area with the building that utilizes the system.
3. Show septic system and well locations for existing structures on final CSM.
4. Location of access shall be shown on the final CSM.
5. If a shared access is needed indicate by a Note on Map: “Require shared access on common property line. Each parcel shall have at least 40% of the access within the property boundaries.”
6. Copy of letter to guarantee State Highway Access Permit from District 1, Wisconsin Department of Transportation received before final approval of CSM if access is to be shared.
7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before September 22, 2012.
8. 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.
9. 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.

➤ **Land Division 2011 031 (Lima Township) – Mary Ellen Pope**
LOCATION: 10,000 Block of N. County Line Road

Supervisor Mawhinney moved the Conditional Approval of Land Division 2011 031; seconded by Supervisor Gustina. All in favor – **APPROVED (Yes - 5, No -0, Absent-0)**

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. 33-foot ½ ROW to be dedicated along N. County Line Rd.
3. Acceptable soil and site evaluation report received on Lot 1.
4. Utility easements 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 September 22, 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.

D. Information Item: Corporation Counsel Review of Revised Rock County Land Division Regulations:

Mr. Byrnes informed the Committee that staff has met with Corporation Counsel and a few more edits have been proposed including the removal of Sale Between Adjoining Land Owner Land Division. These edits will be included in the Memorandum of Agreement (MOA) Section of the Ordinance that staff has been introducing to the Towns.

E. Information Item: Executive Order to Extend deadline for County Adoption of NR 115 Shoreland Zoning:

The deadline for the adoption of the revised NR 115 Shoreland Zoning has been extended from February 1, 2012 to February 1, 2014. However, Rock County intends to meet the original February 1, 2012 deadline.

6. **Redistricting**

A. Information Item: Final Report

Mr. Benjamin stated that the County Board Supervisory Redistricting maps were adopted at the last County Board Meeting and that the new maps will be distributed to the Supervisors.

7. **FINANCE**

A. **Action Item: Department Bills/Encumbrances/Amendments/Transfers**

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

8. **HOUSING & COMMUNITY DEVELOPMENT**

Mr. Somppi presented the staff report.

A. **Action Item: Public Meeting for the 2010 – 2012 Rock County Community Development Block Grant Housing Repair Program**

Dave will provide.

B. **Information Item: Housing & Community Development Division Report**

The Rock County Planning Agency was not awarded grant funds for removing lead hazards in homes.

9. **2012 Budgeting**

A. **Information Item: 2012 Budget Proposals for Real Property, Surveyor and Planning & Development Departments**

Michelle Schultz of Real Property stated that her budget is cost-to-continue. The Surveyor's budget will be discussed at a later meeting. The Planning Agency will not be filling the .5 clerical position.

B. **Action Item: 2012 Board of Adjustment Application Fees**

Supervisor Owens moved to approve the \$750 application fee for Board of Adjustment. Seconded by Supervisor Gustina. After discussion Supervisor Owens amended his motion to \$760. This failed for lack of a second. Supervisor Mawhinney moved to adjust the fee to \$800. Supervisor Owens seconded the motion. All in favor – **FAILED (Yes- 2, No -3 (Gustina, Jensen, & Sweeney), Absent- 0)** Supervisor Owens moved to make the fee \$750. Supervisor Gustina seconded the motion. All in favor – **APPROVED (Yes -3, No -2 (Mawhinney, Owens), Absent- 0)**

10. **Planning Director's Report**

➤ **208 Water Quality Planning with Beloit-Area Municipalities**

A Technical Advisory Committee has been established and a grant will be applied for and work will commence in January 2012. Harry Mathis has been appointed the City of Beloit Public Works Director.

➤ **Janesville Area Metropolitan Planning Organization (MPO) meeting (October 3, 2011)**

Chair Sweeney stated that he and Planning Director Paul Benjamin are on the agenda and will discuss rail issues in the region.

➤ **Phosphorus Trading**

Director Benjamin stated that there would be a grant application in the works in the near future.

➤ **Circuit Court Access Program (CCAP)**

Director Benjamin stated that staff will continue to gather more information and will get back to the Committee at a later meeting.

- **Wisconsin Counties Association (WCA)**
Director Benjamin will be speaking at the Conference on “Consolidation of Services” on Monday, September 26.
- **Gathering Waters Rod Nilsestem Award**
Director Benjamin reminded the Committee that Chair Sweeney is to receive the first Rod Nilsestem Award Thursday, September 29, in Madison.

11. **COMMITTEE MEETING DATES – NOVEMBER & DECEMBER**
Committee meetings were set for November 10th at 8:00 a.m. and December 8th at 8:00 a.m.

12. **COMMITTEE REPORTS**
There were no committee reports at this time

13. **ADJOURNMENT**
Supervisor Mawhinney moved to adjourn the committee meeting at 10:05 a.m.; seconded by Supervisor Owens. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, October 13, 2011 at 8:00 a.m.**

Prepared by: Cheryl Martin – Acting Secretary