



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, JANUARY 13, 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, December 16, 2010 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Marilyn Jensen, Phil Owens, Mary Mawhinney and Wayne Gustina. Absent: None

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes (Code Administration and Enforcement), Andrew Baker (Planner II), Wade Thompson (Planner II), Jennifer Borlick (GIS Manager), David Somppi (Community Development Mgr.), and Cheryl Martin (Accountant). Real Property Description Director, Michelle Schultz was also in attendance.

Others present: Ron Combs (Combs & Associates, Inc), John Kinnett, and Jon Reents.

2. **ADOPTION OF AGENDA**

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

3. **MEETING MINUTES – DECEMBER 16, 2010**

Supervisor Mawhinney moved the approval of the December 16, 2010 Committee minutes; seconded by Supervisor Owens. **APPROVED.**

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

Jennifer Borlick updated the Committee on the 2010 orthophotography project. She reported that the 6-inch orthophotography for the Cities of Beloit and Janesville and the Village of Clinton would be reflowed at no additional cost to the County.

5. **CODE ADMINISTRATION & ENFORCEMENT**

Mr. Byrnes presented the staff report.

A. **Preliminary Approval of Land Divisions**

Staff has reviewed the application and associated documentation and recommended Preliminary Approval of the following Land Division with conditions as indicated:

- **Land Division 2010 066 (Spring Valley Township) – Roger & Kathy Jo Demrow**
LOCATION: 13800 Block w. Lange Road

Due to a typographical error, Supervisor Owens moved to delete Condition #1 as it was presented in the agenda packet; seconded by Supervisor Mawhinney. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Supervisor Jensen moved the Conditional Approval of Land Division 2010 066; seconded by Supervisor Owens. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Conditions To Be Met Before Rock County Final Approval:

1. Existing structures shall meet setback regulations.
2. 33-foot 1/2 ROW to be dedicated along W. Lang Rd.
3. 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.
4. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before January 13, 2012.
5. 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.
6. 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.

B. Public Hearing – Shoreland Conditional Use Permit 2010 018 (Fulton Township) –

John Kinnett

Supervisor Jensen moved to go into Public Hearing at 8:10 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Owens, Mawhinney and Sweeney. Absent: None.

The applicant, John Kinnett, presented his proposed project to construct additional parking and a stormwater management system for the business – the Anchor Inn – located at 709 E. Hwy. 59.

No one else spoke to the issue.

Supervisor Owens moved to close the Public Hearing at 8:18 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

C. Approval of Shoreland Conditional Use Permit 2010 018 – John Kinnett

Mr. Byrnes presented the proposed request for a Shoreland Conditional Use Permit to construct additional parking and stormwater management system for the Anchor Inn.

Discussion took place for locations of the various elements of the stormwater management system plan.

Staff has reviewed the application and recommended approval of the after-the-fact permit subject to the following conditions:

Supervisor Mawhinney moved the Conditional Approval of Shoreland Conditional Use Permit 2010 018; second by Supervisor Owens. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**.

1. The applicant provides written documentation to the Committee to justify the amount of additional parking area proposed. The local zoning ordinance addresses required off street parking based on the number of seats or square footage of the commercial building.
2. The two rain gardens designed to mitigate some of the additional storm water runoff from the site must be installed and maintained according to the approved plan. A covenants and restrictions document (created by the Agency) shall be signed by the applicant and recorded at the Rock County Register of Deeds by the applicant prior to permit issuance.
3. Excavation of the rain gardens and installation of the engineered soil planting bed must be witnessed by P&D Agency or LCD staff.
4. Amendments or modifications to the plan (dated 12/09/10) must receive pre-approval from P&D Staff.
5. Install and maintain temporary erosion control measures until the seeded permanent vegetative cover is established.
6. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Wisconsin Department of Natural Resources, or other local government agencies before starting your project.
7. This permit expires one year from the date of Committee approval, however, all earthwork and grading must be completed and the disturbed areas must be seeded or otherwise stabilized prior to September 15, 2011.

D. Consideration of Fee Reduction for After-the-Fact Shoreland Conditional use Permit 2010 018 – John Kinnett

The double fee (from \$550 to \$1100 for Shoreland Conditional Use Permits) for beginning work prior to obtaining necessary permit approvals is the minimum penalty for violations authorized by ordinance. The Shoreland Zoning Ordinances also allows the Agency to seek monetary forfeiture ranging from \$500 to \$5000 per day per violation. To date, staff has chosen to not proceed with additional penalties for this violation provided that compliance is maintained from this point forward.

Staff recommended that the minimum penalty for this action be enforced and that the fee remain at \$1100.

Supervisor Owens moved to deny a reduction for the application fee for After-the-Fact Shoreland Conditional Use Permit 2010 018; seconded by Supervisor Gustina. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0).**

E. Approval of Removal of Restriction on Lot 2, CSM Volume 22, pages 145 & 146 – Ronald Brown

Staff has reviewed the request for removal of the restriction on Lot 2, CSM Volume 22, pages 145 & 146 indicating, "No building which produces wastewater allowed on lot" and recommended approval with the following conditions as indicated:

Supervisor Owens moved to approve the request to remove the aforementioned restriction with conditions as indicated; seconded by Supervisor Gustina. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0).**

1. Documentation that the soil test is reviewed and approved by the County Sanitarian.
2. Town of Milton approves the Affidavit (County will be the last to sign Affidavit).
3. Proof that the Affidavit is recorded.

F. Rock County Land Division Ordinance Update

Wade Thompson and Colin Byrnes reported to the Committee on the ongoing timeline and process for the updating of the Rock County Land Division Ordinance. Area surveyors and Rock County Corporation Counsel have conducted a review of the draft ordinance. A Listening Session, to receive public and local government input, will be held on February 15, 2011 at 6:00 PM. The meeting location is the Jury Assembly Room located on the 2nd floor of the Rock County Courthouse.

6. SEMI-ANNUAL REPORTS

The Real Property Lister's Dept., Surveyor's Office, and the Planning & Development Agency submitted documentation showing that no department member attended any training, conference, or convention that exceeded the cost of \$1,000 in the last six months.

7. 2011 SURVEYOR'S INSTITUTE

Don Barnes (County Surveyor) submitted a copy of a request to Craig Knutson for authorization of out-of-county travel to attend the annual Surveyor's Institute in Wisconsin Dells, Wisconsin.

8. FINANCE

A. Department Bills/Encumbrances/Pre-Approved Encumbrances/Amendments/Transfers

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

9. HOUSING & COMMUNITY DEVELOPMENT

Mr. Somppi presented the staff report.

A. CDBG-EAP Emergency Assistance Project (ID 008061D1) = \$24,000

Supervisor Jensen moved the approval of CDBG-EAP Emergency Assistance Program funds (Project ID 008061D1) for an amount up to \$24,000; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

Supervisor Mawhinney left the meeting at 9:15 a.m.

B. CDBG-EAP Emergency Assistance Project (ID 008062D1) = \$6,500

Supervisor Owens moved the approval of CDBG-EAP Emergency Assistance Program funds (Project ID 008062D1) for an amount up to \$6,500; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 4, No – 0, and Absent – 1).

C. OHHLHC Lead Hazard Control (LHC) / CDBG Revolving Fund Project (ID's 007037D1 & 020629D1) = \$21,644

Supervisor Gustina moved the approval of Lead Hazard Control (LHC) / CDBG-RLF Project funds (Project ID 007037D1 & 020629D1) for an amount up to \$21,644; second by Supervisor Owens. All in favor – **APPROVED** (Yes – 4, No – 0, and Absent – 1).

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.

10. DIRECTOR'S REPORT – PLANNING

Director Paul Benjamin reported on Planning Department activities:

- He and staff member Rich Cannon attended a HUD sponsored training in Annapolis, Maryland December 14 – 17th. A meeting with the Rock County Lead Hazard Control Grant sub-recipients and the County will be held on January 14th to discuss grant and performance goals.
- The Planning Dept. will be working on Rock County redistricting. The Wisconsin Counties Association (WCA) will be conducting a training seminary on January 24th in Stevens Point, which Staff will attend.
- The Planning Department Staff continue to meet with Rock County Towns regarding their zoning ordinance updates.

11. COMMITTEE REPORTS

There were no Committee Reports.

12. ADJOURNMENT

Supervisor Owens moved to adjourn the committee at 10:02 a.m.; second by Supervisor Gustina. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, January 27, 2011 at 8:00 a.m.**

Prepared by: Cheryl Martin - Acting Secretary