

MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY NOVEMBER 10, 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 8:03 a.m. on Thursday, November 10, 2011 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Phil Owens, Wayne Gustina, and Marilynn Jensen. Mary Mawhinney arrived at 8:14 a.m.

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes (Zoning Administrator), David Somppi (Community Development Mgr.), and Steve Schraufnagel, (Acting Secretary).

The following citizens were also in attendance: Tom Whitney, Bruce Cox, Scott Shadel and Thurlow Nelson.

2. ADOPTION OF AGENDA

Supervisor Owens moved to adopt the agenda with the following changes; Supervisor Gustina seconded. **ADOPTED** with addition of 5E – Disposition of Six Flood Damaged Properties and removal from Directors Report, and addition to Directors Report of an item on C-CAP.

3. MEETING MINUTES – October 27, 2011

Supervisor Owens moved the approval of the October 27, 2011 Committee minutes with the following changes; seconded by Supervisor Jensen. Supervisor Jensen noted that in the motion to approve Land Division 2011 043 a condition was added that approval is based upon Town of Milton approval. Supervisor Jensen also noted a typo under item B; page two of the submitted minutes.
APPROVED 4-0

4. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENT

Director Benjamin suggested to the Committee that there is a need to have a December 1, 2011 meeting to address a housing loan short sale. It was decided to hold a December 1, 2011 meeting to begin at 8:30 a.m.

5. CODE ADMINISTRATION & ENFORCEMENT

A. Public Hearing – Shoreland Conditional Use Permit – Blackhawk RV LLC

Supervisor Owens moved to go into Public Hearing at 8:10 a.m. with a second by Supervisor Gustina and the roll call was read. Supervisors Gustina, Jensen, Owens, and Sweeney were present.

Mr. Byrnes gave background information concerning the need for a Shoreland Conditional Use permit for Blackhawk RV LLC. He handed out colored photos of the site depicting the current situation. The owners of the campground would like to raze the existing building/store and replace it with sand to create a beach area adjacent to Clear Lake in Milton Township.

Mr. Nelson, a renter in the campground, stated that he would like the building to remain.

Mr. Brynes stated that the conditional use is required because of the disturbance of removing the building and bringing in more sand to create the beach.

Supervisor Owens moved to close the Public Hearing at 8:14 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Owens, Jensen, and Sweeney.

At this time Supervisor Mawhinney arrived to the meeting.

B. Action Item: Approval of Rock County Shoreland Conditional Use Permit – Blackhawk RV LLC

Supervisor Sweeney questioned the Agents for Blackhawk RV LLC about the building. Mr. Whitney stated that the building is 100 years old and in need of work. Because the water may again rise, he does not want to put in more money for improvements when a rising Clear Lake could again inundate it. He also mentioned that insurance is an issue because of the continued high water.

Supervisor Jensen moved to approve the Conditional Use Permit for Blackhawk RV LLC; 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.

➤ **Land Division 2011 045 (Porter Township) – Sweeney Farms, Inc**

LOCATION: 11500 Block N. Casey Road.

Staff has reviewed the application, associated documentation and recommended Preliminary Approval of the following Land Division with conditions as indicated: Land Division 2011 045 – Sweeney Farms, Inc.

Chair Sweeney recused himself and Vice-chair Mawhinney took over the chair duties. The Town of Porter has approved this land division.

Supervisor Owens moved the Conditional Approval of Land Division 2011 045; seconded by Supervisor Gustina. All in favor – **APPROVED (Yes – 4, No – 0, Absent – 1)**

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. 33-foot ½ ROW to be dedicated along N. Casey Rd.
3. Following notation on final map: “Since Lots 1 & 2 contain existing buildings which utilize existing private sewage systems no soil evaluation on the lots was required at the time of this survey. However, soils on the lots may be restrictive to the replacement of the existing systems.” Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. 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. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before November 10, 2012.
7. 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.

8. 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 046 (Porter Township) – Sweeney Farms, Inc.**

LOCATION: 11400 Block of N. Casey Rd.

Staff has reviewed the application, associated documentation and recommended Preliminary Approval of the following Land Division with conditions as indicated: Land Division 2011 046 (Porter Township) – Sweeney Farms, Inc.

Chair Sweeney again recused himself and Vice-chair Mawhinney took over the chair duties. The Town of Porter has approved this land division.

Supervisor Jensen moved the Conditional Approval of Land Division 2011 046; seconded by Supervisor Owens. All in favor – **APPROVED** (Yes - 4, No - 0, Absent - 1)

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. 33-foot ½ ROW to be dedicated along N. Casey Rd.
3. Following notation on final map: "Since Lot 1 contains existing buildings which utilize existing private sewage systems no soil evaluation on the lots was required at the time of this survey. However, soils on the lots may be restrictive to the replacement of the existing systems." Also proposed lot lines must include the system area with the building that utilizes the system.
4. Show septic system and well locations for existing structures on final CSM.
5. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before November 10, 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.

➤ **Land Division 2011 047 (Harmony Township) – Terrance J. Mc Cann Etal.**

LOCATION: 2500 Block N. Harmony Townhall Rd.

Supervisor Sweeney reassumed his Chair duties. Conditions will be added stating that County approval is contingent upon City of Janesville and Town of Harmony approval.

Supervisor Jensen moved the Conditional Approval of Land Division 2011 047 with the added conditions that City of Janesville and Town of Harmony shall approve before County approval; seconded by Supervisor Owens. All in favor – **APPROVED** (Yes - 5, No - 0, Absent - 0)

- D. Action Item: Approval of Zoning/Building Site Permit Extension Request – Shadco LLC.**
Mr. Brynes informed the Committee that the applicant was issued a Zoning/Building Site Permit on February 21, 2011 and since the project has not yet been started due to extenuating circumstances, he is asking for an extension of seven months to September 21, 2012.

Mr. Shadel stated that he did not receive his Town permit until July, 2011 and this has delayed him enough that the project will not be completed by the February 21 due date of the County permit.

Supervisor Owens moved the extension of seven months for the Building/Site permit; seconded by Supervisor Gustina. **All in favor – APPROVED (Yes – 4, No – 1, Absent – 0)** Motion approved with Supervisor Mawhinney voting in the negative.

- E. Information Item: Presentation to the County Board Staff Committee on Disposition of Six Properties Flood Damaged Properties Acquired with Emergency Assistance Funding.**
Mr. Brynes gave an update to the Committee on his report to the County Board Staff Committee (CBS). The CBS Committee will decide at one of their next meetings how the disposition of the 6 properties will be handled. The properties must be kept in open space and cannot be sold to another individual for building purposes.

6. FINANCE

- A. 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)**

7. HOUSING & COMMUNITY DEVELOPMENT

Mr. Somppi presented the staff report.

- A. Action Item: Project ID 008070D1 (\$5,070)**

Supervisor Jensen moved the approval of Project ID 008070D1; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0)**

- B. Action Item: Project ID 020693D1 (\$17,534)**

Supervisor Gustina moved the approval of Project ID 020693D1; second by Supervisor Jensen. **All in favor – APPROVED (Yes – 4, No – 0, Absent – 1)**

- C. Action Item: Change Order – Project – ID 020649D1 (+\$400)**

Supervisor Jensen moved the approval of the Change Order; second by Supervisor Owens. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0)**

- D. Action Item: Resolution Authorizing Receipt of Additional Community Development Block Grant – Emergency Assistance Funds. Authorizing Revision To Grant Periods, and Amending the 2011 Planning & Development Agency Budget.**

Supervisor Mawhinney moved the approval of the Resolution; seconded by Supervisor Owens. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0)**

8. CORPORATE PLANNING

- A. Action Item: Resolution for the Review & Authorization of Agency Contracts for Updating Town of Magnolia and Town of Center Zoning Ordinances.**

Supervisor Mawhinney moved the approval of the Contract with Towns of Magnolia and Center; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0)**

9. **Planning Directors Report**

➤ **County Planning Director's Meeting (October 28, 2011)**

• **AB 303**

This bill is intended to modify the Comprehensive Planning Law by allowing municipalities to opt out of their Comprehensive Plan if they so desire. The Assembly has passed their version of the bill and should go to the Senate in the spring. Director Benjamin is composing a resolution opposing AB 303.

• **Draft Amendment to Chapter 236, Wis. Statutes**

An amendment to the Roger's Case may shortly be submitted. This case dealt with public improvements and which municipality has the responsibility for installation of such improvements.

➤ **208 Water Quality Planning: Discussion with DNR**

Director Benjamin stated that Technical and Policy Committees will soon be appointed to aid staff in updating the 208 Water Quality Plan. The City of Beloit, Town of Beloit, and Town of Turtle are partnering with Rock County in this project.

At 9:38 a.m. Chair Sweeney had to leave the meeting to attend another committee meeting. Vice-Chair Mawhinney assumed the Chair duties.

➤ **Debriefing with HUD on Application or Lead Hazard Control Funding (November 11, 2011)**

Director Benjamin stated that the Department did not receive the Lead Grant that staff had applied. Staff went over the reasons with a representative from HUD why the grant was not approved and received some tips that will be utilized when applying for the next grant that is due in spring, 2012.

➤ **C-CAP Program**

Mr. Benjamin distributed a handout enumerating the reasons for foreclosures in the Rock County Housing Program from 1993 to November 2011. Mr. Benjamin also submitted an example of a simple search on C-CAP and it was determined that this may not be the right tool to help in determining eligibility for a County Housing loan.

10. **COMMITTEE REPORTS**

There were no committee reports at this time

11. **ADJOURNMENT**

Supervisor Gustina moved to adjourn the committee meeting at 9:50 a.m.; seconded by Supervisor Jensen. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, December 1, 2011 at 8:30 a.m.**

Prepared by: Steve Schraufnagel – Acting Secretary