

**MINUTES**  
**ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE**  
**THURSDAY OCTOBER 27, 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, October 27, 2011 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Phil Owens, Wayne Gustina, Mary Mawhinney, and Marilyn Jensen.

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

Others present: Michelle Schultz (Real Property), Don Barnes (County Surveyor) and the following citizens: Clare Kralovec, Ben Coopman, Ron Combs, and Steve Lathrop.

2. **ADOPTION OF AGENDA**

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

3. **MEETING MINUTES – October 13, 2011**

Supervisor Jensen moved the approval of the October 13, 2011 Committee minutes; seconded by Supervisor Mawhinney. It was noted that there were several typos that will be taken care of. **APPROVED** as amended.

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

Michelle Schultz commented on the Rock County Light Detection and Ranging (LIDAR) project to generate topographic mapping. FEMA flew the County to supplement the County's LIDAR flight. It has been discovered that there are some gaps in coverage between the two flights. It will cost the County \$12,500 to fill in those gaps. Grant dollars may be available and will be applied for to help pay for this flight. Supervisor Owens suggested that FEMA should be asked if they have any additional money for the project.

5. **CODE ADMINISTRATION & ENFORCEMENT**

A. **Preliminary Approval of Land Divisions**

Mr. Byrnes presented the Staff report.

Staff has reviewed the application, associated documentation and recommended Preliminary Approval of the following Land Division with conditions as indicated: Land Division 2011 043 (Milton Township) – Peter Layton LLC.

Clare Kralovec (applicant's representative) stated that the Town of Milton has tabled this land division until such time that the County approval is completed.

Supervisor Owens offered adding as a Condition of Approval a requirement that the Town of Milton approves the lot split.

➤ **Land Division 2011 043 (Milton Township) – Peter Layton, LLC**

Location: 3200 Block E. County Road N.

Supervisor Owens moved the Conditional Approval of Land Division 2011 043; seconded by Supervisor Gustina. The motion is amended to include the Town of Milton approval. All in favor – **APPROVED (Yes –5, No – 0, Absent – 0)**

Conditions To Be Met Before Final Approval:

1. 40-foot ½ ROW to be dedicated along E. County Road N.
2. Following notation on final map: “No building which produces wastewater allowed on lot.”
3. Utility easements put on lots as requested by utility companies.
4. Note on Map: “Require shared access on common property line. Each parcel shall have at least 40% of the access within the property boundaries.”
5. Restricted access shown on map: “No further driveway access allowed on lot.”
6. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 27, 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.

**B. Action Item: Ordinance Revision – Repeal and Re-creation of the Rock County Land Division Resolution.**

Mr. Brynes informed the Committee that the resolution approving the re-creation and repeal of the Land Division Ordinance is ready for their signatures. Several typos were noted and will be corrected before the November 17, 2011 County Board’s Forat reading and Public Hearing.

Ron Combs requested that staff provide the changes that have been made between August 5<sup>th</sup> edition and the current edition. Mr. Wade Thompson stated that the major change was moving certain parts to the Memorandums of Agreement (MOA) section of the ordinance. Mr. Combs raised further questions concerning the Environmentally Sensitive Areas (ESA).

At this time Supervisor Mawhinney made a motion to table this item until the next meeting so committee members and staff could further study the issues at hand. (This motion was later withdrawn)

It was decided to see if Corporation Counsel was available for questions. Director Benjamin left the meeting to check on Corp. Counsel’s availability. Chair Sweeney stated that this item on the agenda would be revisited when Director Benjamin returned. The Committee decided to continue with the next agenda item.

Corporation Counsel Eugene Dumas arrived to answer questions concerning the MOA’s and Conservation Easements. He suggested changing the wording to Section 38-9(3) to;

*"The committee shall encourage, land division or other development activity, including any activity stipulated in an MOA, to occur in a manner the committee deems will not significantly degrade, deplete, or compromise the function or integrity of any environmentally sensitive areas (ESA)."*

Staff was directed to make those changes.

Supervisor Owens moved to approve the Resolution supporting the Land Division Regulation Update; second by Supervisor Gustina. All in favor – **APPROVED AS AMENDED (Yes – 5, No – 0, Absent – 0)**

6. **FINANCE**

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

Supervisor Mawhinney moved the approval of the payment of the department bills; second by Supervisor Owens. 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 007053D1 (\$25,090)**

Supervisor Jensen moved the approval of Project ID 007053D1; second by Supervisor Owens. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**

B. **Action Item: Project ID 020690D1 (\$650)**

Supervisor Jensen moved the approval of Project ID 02069D1; second by Supervisor Gustina. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**

At 9:10 a.m. Chair Sweeney requested a 5-minute recess to await the return of Mr. Benjamin. At 9:17 a.m. Mr. Benjamin returned with Mr. Dumas and the meeting was called back to order.

C. **Action Item: Request for Partial Release of Rock County – Community Development Loan (ID 02623D1)**

Director Benjamin summarized the issue at hand concerning this particular loan. This agency issued a loan for a septic system replacement. This property was later involved in a land division where the buildings and ten acres were separated from the remaining farmland. The property is being foreclosed on and the sale of the farmland will aid in the repaying of some of the liens on the property. Staff is recommending that the partial release of the mortgage be approved.

Supervisor Gustina moved the approval of the Partial Release; second 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 Contract for Updating Town of Porter Zoning Ordinance.**

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

9. **Budget Review**

A. **Surveyor**

Supervisor Owens questioned Mr. Barnes about his equipment.

**B. Real Property Description**

No questions at this time.

**C. Planning Agency**

Director Benjamin explained that there are some potential grants on the horizon that the agency may be interested in applying for. He also mentioned that after January 1, 2012, the agency would not be receiving revenue from Building Site Permits unless the agency has a MOA with local Towns.

**10. Planning Directors Report**

➤ **I-90/39 Project**

Planning Director Paul Benjamin has been in contact with Public Works Director Ben Coopman about the project. Mr. Coopman is the point person for the DOT concerning this project.

➤ **Disposition of Six Properties Acquired with Emergency Assistance Funding**

Mr. Byrnes will be making a presentation to the Staff Committee on November 8 concerning the six properties obtained from the Emergency Assistance Funding Grant due to being substantially damaged from the 2008 flood. They must remain in open space and the final step in this process is determining the final disposition of these properties.

➤ **Assembly Bill 303**

Director Benjamin stated that he is working on a resolution opposing this bill and will have it ready for the next meeting.

➤ **208 Water Quality Planning**

Mr. Benjamin stated that a pre-application is to be submitted shortly for a grant to fund Water Quality Planning in the Beloit Area. This grant would be used for gathering information on existing conditions. The City of Beloit, Town of Beloit, and Town of Turtle are partnering with Rock County in this project.

**11. COMMITTEE REPORTS**

There were no committee reports at this time

**12. ADJOURNMENT**

Supervisor Gustina moved to adjourn the committee meeting at 10:15 a.m.; seconded by Supervisor Owens. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, November 10, 2011 at 8:00 a.m.**

Prepared by: Steve Schraufnagel -- Acting Secretary