



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, MAY 12, 2011 - 8:00 A.M.
COURTHOUSE CONFERENCE CENTER – (2ND 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, May 12, 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), Colin Byrnes (Code Admin. & Enforcement), Jennifer Borlick (GIS Mgr.), David Somppi (Community Development Mgr.), and Carol Jaggi (Clerk Steno).

Others present: Ron Combs (Combs & Associates, Inc.), Anthony Fortin (R.H. Batterman), Todd Needham (R.H. Batterman) and Dan Schreiber (Town of Beloit)

2. ADOPTION OF AGENDA

Supervisor Owens moved to adopt the agenda, Supervisor Gustina seconded. **APPROVED.**

3. MEETING MINUTES – APRIL 28, 2011

Supervisor Jensen moved the approval of the April 28, 2011 Committee minutes; seconded by Supervisor Mawhinney with the following: change "exit" to "close" (page 3, line 1) **APPROVED with corrections.**

4. CITIZEN PARTICIPATION, COMMUNICATIONS AND ANNOUNCEMENTS

Ms. Borlick reported on the status of the County LiDar project. The Department of Commerce has awarded us funding to have the LiDar processed for the remainder of the County and in addition will fund the creation of a FEMA accuracy report. By September 2011, a county-wide LiDar will be available for the county to use.

5. CODE ADMINISTRATION & ENFORCEMENT

Mr. Byrnes presented the Staff report.

A. Public Hearing – Shoreland Conditional Use Permit 2011 003 (Beloit Township) – Town of Beloit

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

Dan Scheiber (Town of Beloit), Anthony Fortin (R.H. Batterman) and Todd Needham (R.H. Batterman), as representatives for the Town of Beloit, explained the building project for Preservation Park. The proposal includes

construction of a walking path, parking lot, playground, lighting and grading within the Shoreland/Floodplain District of the Rock River.

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

B. Approval of Shoreland Conditional Use Permit 2011 003 – Town of Beloit

Supervisor Gustina moved the approval of Shoreland Conditional Use Permit 2011 003; second by Supervisor Mawhinney. 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 project 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 – Shoreland Conditional Use Permit 2011 004 (Turtle Township) – Rock County Public Works Dept.

Supervisor Owens moved to go into Public Hearing at 8:13 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

The Rock County Public Works Department project in the Shoreland/Floodplain District consists of replacing a short span bridge over a tributary of Turtle Creek with a series of box culverts on East CTH J. Total ground disturbance is 18,400 square feet and 920 cubic yards of fill will be placed on site. The majority of the project is located within the Floodplain of an unnamed tributary of Turtle Creek. Therefore, it is crucial that information concerning the specifications of the new infrastructure is conveyed to the DNR for future Floodplain modeling. Additionally, Turtle Creek is considered an Exceptional Water Resource and this tributary empties into it a short

distance from the project. DNR permitting is required to ensure the impact of the culvert also does not impede the movement of aquatic species.

Supervisor Gustina moved to close the Public Hearing at 8:17 a.m. with a second by Supervisor Mawhinney. Roll Call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens and Sweeney. Absent: None

D. Approval of Shoreland Conditional Use Permit 2011 004 Rock County Public Works Dept.

Supervisor Mawhinney moved the approval of Shoreland Conditional Use Permit 2011 004; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

Staff recommends approval subject to the following conditions:

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 project 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.

E. Preliminary Approval of Land Divisions

- **LD 2011 012 (Harmony Township) – United Supply, LLC**
LOCATION: 3700 Block N. Henke Rd.

Supervisor Jensen moved the approval of LD 2011 012; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

Conditions To Be Met Before Rock County Final Approval:

1. Existing structures shall meet setback regulations.
2. 40-foot 1/2 ROW to be dedicated along N. Henke 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. 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 May 12, 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.
- **LD 2011 013 (Center Township) – Dean Dorn**
LOCATION: 7300 Block W. O'Neil Rd.

Supervisor Jensen moved the approval of LD 2011 013; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

Conditions To Be Met Before Rock County Final Approval:

1. 33-foot 1/2 ROW to be dedicated along W. O'Neil Rd.
2. Acceptable soil and site evaluation report received on lot.
3. Show the location of the on-site soil test on the preplanned lot map.
4. Utility easements put on lot as requested by utility companies.
5. Require a Rock County Land Division Conservation Easement for kettle topography/groundwater protection area. Note on face of CSM: "Prior to any land disturbing activity on the parcel, the Conservation Easement boundaries shall be marked with highly visible flagging tape. Erosion control measures are also required if the Conservation Easement is down slope from disturbance."

6. Lot 1 to be pre-planned due to being in an environmentally significant area. Lot drawing to include slopes over 12%, kettle topography, utility easements, access location, conservation easement, soil test area and building envelope. No Conservation Easement Area shall be contained within the Building Envelope as depicted on the pre-planned lot. A copy of the lot layout to be placed on file with the committee designee. Submit for approval ten (10) days prior to submitting final map.
7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before May 12, 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.

➤ **LD 2011 014 (Fulton Township) – Phillip Nass**

LOCATION: 3500 Block Stone Farm Rd.

Supervisor Gustina moved the approval of LD 2011 014; second by Supervisor Mawhinney. All in favor – **APPROVED** (Yes – 5, No – 0, and 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 Stone Farm 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. 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 May 12, 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.

6. **REDISTRICTING**

A. **Ad Hoc and Technical Support Committee Update**

Ms. Borlick reported that the County Board has approved the Tentative Redistricting Supervisory Plan. She will make a presentation at tonight’s County Board meeting that will explain what criteria was used to make the changes.

7. **FINANCE**

A. **Department Bills /Encumbrances / Transfers**

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

8. **HOUSING & COMMUNITY DEVELOPMENT**

A. **CDBG – Small Cities Project (ID 020678D1) = \$29,282**

Supervisor Mawhinney moved the approval of an increase for CDBG-Small Cities Project funds for an amount up to \$29,282; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

B. **CDBG – Small Cities Project (ID 020679D1) = \$8,137**

Supervisor Gustina moved the approval of an increase for CDBG-Small Cities Project funds for an amount up to \$8,137; second by Supervisor Owens. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

C. **CDBG – Small Cities Project (ID 020686D1) = \$11,251**

Supervisor Jensen moved the approval of an increase for CDBG-Small Cities Project funds for an amount up to \$11,251; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

D. **Lead Hazard Control / CDBG – Small Cities Project (ID’s 007049D1 and 020687D1) = \$14,793**

Supervisor Owens moved the approval of Lead Hazard Control/CDBG - Small Cities Project for an amount up to \$14,793; second by Supervisor Gustina. All in favor – **APPROVED** (Yes –5, No – 0, and Absent – 0).

E. Lead Hazard Control / CDBG – Small Cities Project (ID's 007047D1 and 020685D1) = \$13,580 (Tabled from 4/28/11)

Supervisor Gustina moved to untable Lead Hazard Control/CDBG-Small Cities Project (ID's 007047D1 and 020685D1; second by Supervisor Jensen. All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).

Mr. Somppi presented assessment information and photographs of the property to the committee.

Supervisor Gustina moved the approval of Lead Hazard Control/CDBG-Small Cities Project for an amount up to \$13,580; second by Supervisor Mawhinney. MOTION FAILED (Yes – 2, No – 3, Absent – 0).

F. Resolution Authorizing Submission of the 2011 Rock County Application for Lead Hazard Control Grant Funds

NOW, THEREFORE IT BE RESOLVED, that the Rock County Board of Supervisors duly assembled this _____ day of _____ 2011, hereby approves and authorizes the preparation and filing of an application for the 2011 Healthy Homes and Lead Hazard Control Program through the U.S. Department of Housing & Urban Development; and,

BE IT FURTHER RESOLVED, that the Rock County Board of Supervisors authorizes the County Board Chair and County Clerk to sign the respective documents on behalf of the County of Rock; and

BE IT FURTHER RESOLVED, that authority is hereby granted to the Rock County Planning and Development Agency to take the necessary steps to prepare and file an appropriate application for funds under this Program in accordance with this application.

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

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.

9. DIRECTOR'S REPORT

Director Benjamin reported that he, Supervisor Owens and Gustina and Andrew Baker are scheduled to attend a May 13th meeting on the Rock River Basin.

Director Benjamin reminded the committee of the Rock County Town Clerk's Informational Meeting (Land Division Procedures Update) on May 19th. The meeting will be held in the 2nd Floor Conference Center – Room 250.

10. COMMITTEE REPORTS – NONE

11. **ADJOURNMENT**

Supervisor Gustina moved to adjourn the committee at 9:46 a.m.; second by Supervisor Owens. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, May 26, 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