



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY September 12, 2019 – 8:00 A.M.
COURTHOUSE CONFERENCE ROOM Second Floor
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 12, 2019 at the Rock County Courthouse. Chair Sweeney presided. Supervisors present: Wes Davis, Wayne Gustina, Phil Owens. Supervisor Mary Mawhinney was absent. QUORUM PRESENT.

Rock County Staff Present: Colin Byrnes (Planning Director) Andrew Baker (Senior Planner), and Kurt Wheeler (Planner III, Acting Secretary).

Others Present: Michelle Schultz Real Property Lister, Brad Heuer County Surveyor, Ron Combs, Attorney-Fred Wesner, Mark Bolbolz, Ryan Combs.

2. **ADOPTION OF AGENDA**

Moved by Supervisor Owens, Seconded by Supervisor Davis. Agenda Adopted (4-0).

3. **MEETING MINUTES – AUGUST 22, 2019**

Motion made by Supervisor Owens, Seconded by Supervisor Gustina to accept the meeting minutes. APPROVED (4-0)

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

None.

5. **CODE ADMINISTRATION AND ENFORCEMENT**

A. **Action Item:** Citizen Objection- Applications of restrictions on CSM Vol. 39 Pgs. 340-342

Mr. Byrnes presented an overview of the restriction and a brief history of the location and building plans. The issue was whether the term "No Residential Construction" as shown on the CSM pertained to a proposed Private On Site Wastewater Treatment System (POWTS) Mound system. Attorney Frederick Wesner ask for clarification on what Residential Construction included. Discussion followed.

Mr. Combs gave a summary of his understanding of the restriction, and discussion followed by the Committee and Staff.

Attorney Fred Wesner spoke and submitted a copy of the original signed Zoning Site Permit as well as a copy of the CSM to the Committee. Discussion followed.

An initial Motion was made and seconded, by Supervisor Owens and Davis to exempt this area from the restriction, but after further discussion, was withdrawn by both supervisors to be reworded.

A Motion was then made by Supervisor Owens and Seconded by Supervisor Davis to grant an exemption for this particular POWTS site from the "No Residential Construction" restriction area located on the CSM in this case only.

Motion made by Supervisor Owens, Seconded by Supervisor Davis (Passed 4-0).

B. **Action Item: Approve, Approve with Conditions or Deny Land Division:**

• **(2019 038) – Johnstown Township - Hoyt**

Motion to approve with conditions made by Supervisor Owens. Seconded by Supervisor Gustina. Approved (4-0)

Conditions:

1. Existing and proposed utility easements shall be shown and proposed utility easements shall be placed on the lots as requested by utility companies (where applicable).
2. Note on final CSM "Lot 1 contains existing buildings which utilize an existing private sewage system that at the time of this survey, However soils on the lot may be restrictive to the replacement of the existing system".
3. Proposed lot lines must include the POWTS area with the building(s) which utilizes the system.
4. Dedicate a 33 foot half road right of way on each side of N. Goede Road at the discretion of the Town of Fulton.
5. Final CSM shall be submitted to and approved by the Agency one year after the preliminary approval.
6. CSM's subject to local approval shall be recorded with the Rock County Register of Deeds within 6 months of their last approval.

• **LD2019 039 (Porter Township) – Vike**

Motion to approve with conditions made by Supervisor Owens with Conditions, Seconded by Supervisor Davis. The Committee also discussed and echoed an additional Condition of Approval placed on the proposal by the Town of Porter restricting the planting of trees which would have a mature height of thirty feet or greater within thirty feet of property lines. Approved (4-0)

Conditions:

1. Existing utility easements shall be shown and proposed easements placed on the lots as requested by utility companies (where applicable).
2. Note on Final CSM: "Lot 1 contains existing buildings which utilize an existing sewage treatment system at the time of this survey, However soils on the lot may be restrictive to the replacement of the existing system".
3. Proposed lot lines must include the system area with the building(s) that utilize the POWTS.
4. Comply with the standards of the Town of Porter Zoning Ordinance related to creating a new lot in an AE Zoning area.
5. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
6. CSM's subject to local approval shall be recorded with the Rock County Register of Deeds within 6 months of their last approval.

- **LD2019 041 (Janesville Township) - Janisch**

Motion to approve with conditions made by Supervisor Gustina with Conditions, Seconded by Supervisor Owens. Approved (4-0)

Conditions:

1. Existing and proposed utility easements shall be placed on the lots as requested by utility companies (where applicable).
2. Note on Final CSM: "Lot 1 contains existing buildings which utilize an existing sewage treatment system at the time of this survey, However soils on the lot may be restrictive to the replacement of the existing system".
3. Proposed lot lines must include the POWTS area with the building which utilizes the system.
4. Dedicate a road right of way along N. Conner Rd. at the discretion of the Town or City of Janesville.
5. CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
6. CSM's subject to local approval shall be recorded with the Rock County Register of Deeds within 6 months of their last approval.

- **LD2019 043 (Harmony Township) - McNutt**

Motion to approve with conditions made by Supervisor Gustina with Conditions, Seconded by Supervisor Davis. Approved (4-0)

Conditions:

1. Existing and proposed utility easements shall be placed on the lots as requested by utility companies (where applicable).

2. Note on Final CSM: "Lot 1 contains existing buildings which utilize an existing sewage treatment system at the time of this survey, However soils on the lot may be restrictive to the replacement of the existing system".
3. Note on Final CSM: "No buildings which produce wastewater are allowed on Lot 1 until acceptable means of wastewater disposal is approved by the necessary governmental agencies".
4. Proposed lot lines must include the POWTS area with the building which utilizes the system.
5. Dedicate a road right of way along N. Tarrant Rd. at the discretion of the Town or City of Janesville as indicated on Preliminary CSM.
6. CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
7. CSM's subject to local approval shall be recorded with the Rock County Register of Deeds within 6 months of their last approval.

6. FINANCE

Action Item:

- A. Committee review of payments
Reviewed
- B. Transfers
None

7. Community Development

- A. **Action Item:** Citizen Objection – Loan Terms for Housing Rehabilitation Projects #093513 D1 and #094407 D2

The applicant, nor representatives were in attendance for the meeting. Mr. Byrnes gave a history and status of the loan agreement, correspondence, and policies regarding this appeal. After lengthy discussion, Supervisor Gustina made a Motion to deny the objection. Seconded by Supervisor Owens. Appeal Denied (4-0).

8. COMMITTEE REPORTS

Chair Sweeney reported that he attended the Town of Fulton Town Board meeting where a representative of a solar company communicated that a proposal was being presented at the State level which was asking for solar power arrays that produce over 50,000 Megawatts of power be exempt from local Town property taxes. He voiced his concern with this proposal.

9.

DIRECTOR'S REPORT:

- A. Mr. Byrnes gave the committee an update of pricing (fee) schedule for the agency with a 3% across the board increase and the dollar amounts associated with such an increase. Discussion followed. The committee suggested bring the fee structure back to the Committee as a future action item.

10. ADJOURNMENT

Supervisors Gustina and Davis Moved and Seconded to adjourn the Committee at 9:07 a.m. All in Favor (4-0).

Respectfully Submitted – Kurt J. Wheeler, Acting Secretary

These minutes are not official until approved by Committee.

Future Meetings/Work Sessions

September 26, 2019 (8:00 am)
October 10, 2019 (8:00 am)
October 24, 2019 (8:00 am)
November 14, 2019 (8:00 am)