



**MINUTES
PLANNING & DEVELOPMENT COMMITTEE MEETING
THURSDAY, OCTOBER 8, 2020 – 8:00 A.M.
Meeting was teleconferenced using Zoom**

The meeting of the Rock County Planning & Development Committee was called to order at 8:00 a.m. on Thursday, October 8, 2020. Chair Sweeney presided. Supervisors present: Al Sweeney, Wes Davis, Wayne Gustina, Russ Podzilni, and Supervisor Robert Potter. QUORUM PRESENT.

Rock County Staff Present:, Andrew Baker (Acting Planning Director), Kurt Wheeler; (Planner III), Dana Sandwick; Rock County Planning Office Coordinator, Randy Terrones; Assistant County Administrator and Rich Bostwick; Rock County Board Vice-Chair.

Others in Attendance: Ron Combs

1. Call to Order:
2. Adoption of Agenda
Moved by Supervisor Podzilni, **Seconded** by Supervisor Potter. **Adopted (5-0)**
3. Approval of Minutes of the Planning & Development Meeting held Thursday, September 24, 2020 at 8:00 am.
Moved by Supervisor Potter, **Seconded** by Supervisor Gustina. **Approved (5-0)**
4. Citizen Participation, Communications and Announcements.
None
5. Code Enforcement
 - A. **Action Item:** Approve, Approve with Conditions or Deny Preliminary Land Divisions:
 - 2020 034 (Porter Township) – Dyhr (5 Lot Subdivision)
Moved by Supervisor Podzilni with Conditions, **Seconded** by Supervisor Potter.
Approved with Conditions and contingent on the approval of a variance with the Town of Porter (5-0)

Conditions:

1. County approval is conditioned on the Town of Porter first acting on, and approving, the necessary zoning change.
2. Utility easements to be located on lots as requested by utility companies.
3. Utilities shall be installed prior to the final approval of the subdivision plat.
4. Note on Final Plat shall indicate no access on Hwy 14.
5. Note on Final Plat: No buildings which produce wastewater shall be allowed on Lots 1-5 until an acceptable means of wastewater disposal is approved by the necessary governmental agencies.
6. Lots 3 and 4 (around the cul-de-sac) have 80 feet of road frontage, which meets/exceeds the County Land Division Ordinance standard on a cul-de-sac (i.e. 50 feet). However, The Town of Porter Zoning Ordinance requires 100 feet of frontage in the Residential-Rural District with no noted exceptions for cul-de-sac layouts. In their review of the requested zoning change, Town of Porter Officials should decide if the reduced frontage is suitable in this circumstance or if a variance should be requested from the Town Board of Adjustment.
7. The proposed lots have physical features including kettle/depressional topography (Lots 3 and 4), continuous woodland area and steep slopes (defined as 16% or greater) which should be preserved according to the standards of the Rock County Land Division and Management Ordinance. In this case the average slope just north of the cul-de-sac is approximately 22%. If the Town and P&D Committee grants approval of these lots, there should be consideration for placing restrictions on the lots which would indicate approved options for a building site and access. The final Plat shall indicate a potential building sites consistent with Town of Porter and Rock County Ordinances. The Memorandum of Agreement between the Town and County includes provisions for Staff to make recommendations in this regard where applicable based on site characteristics. The revised preliminary plat indicates proposed build sites which address the steep slope and kettle topography concerns, with the exception of some crossing of the steep slope area with driveways on lots 3 and 4. That concern is addressed in Condition 9 below.
8. Areas of slopes greater than 16% and kettle/depressional topography shall be delineated on the final plat on applicable lots based on existing topographic data. Agency staff shall have the discretion to approve the extent of the delineated boundaries on the final plat on behalf of the P&D Committee. A note on the final plat shall indicate a prohibition of buildings, accessory buildings and earth-disturbing activity within the delineated areas unless otherwise noted on the plat. Any exception to this restriction shall include minimal encroachment into the areas of steep slopes and a specific grading and erosion control plan.
9. If disturbance in steep slopes is approved by this action, the applicant shall provide an engineered plan to construct a driveways in the steep slopes as per the detailed standards of the Town of Porter Zoning Ordinance Sec. 4-3(3) prior to final plat

approval. The requirement to have driveway plans approved prior to final plat approval is due to the challenges there will be in meeting said standards on this site, particularly on Lots 3 and 4. As noted above, the average slope from the end of the cul-de-sac to the top of the hill is 22%. There is also a concern with the runoff, not to mention the safety, of a steep driveway intersecting the public road. The revised preliminary plat shows conceptually how driveways on the proposed lots can meet the 13% maximum grade requirement of the Town Ordinance, however additional detailed plans will be necessary to show compliance with the Ordinance, particularly Sec. 4-3(3)(B)(2) which specifies pavement width, side slopes, curve radius and turnout spacing requirements. These standards are included to address safe ingress and egress for the residents and emergency responders.

10. Based on the scope of private driveway construction, a permit may be required from the Land Conservation Department for Erosion Control and possibly Storm Water Management.
 11. Road construction plans shall be submitted to and approved by the Town of Porter or another entity working as the Town's agent (such as the Rock County Public Works Department). The design shall incorporate the most recent standard road cross-section. The road construction plans shall include a proposed schedule for asphalt pavement and gravel shoulder installation as it relates to the development of lots. The developer shall be responsible for all costs associated with road construction improvements.
 12. The developer shall be responsible for all costs to the Town of Porter associated with the review of road construction plans and on-site inspections during construction.
 13. A performance bond or similar financial instrument shall be provided to the Town of Porter to provide assurance for the road construction work (e.g. final lifts of asphalt, gravel shoulders, etc) that is scheduled to be completed after the final approval of the subdivision plat. The amount and duration shall be approved by the Town of Porter and be released only after final acceptance of the roads by the Town of Porter.
 14. Developer shall provide the Town of Porter as-built plans documenting the construction of the public roads. The level of detail required shall be decided as part of the plan review and approval process.
 15. Final subdivision plat to be submitted and approved by the Planning and Development Agency within thirty-six (36) months of the date of Preliminary approval by the Planning and Development Committee.
- 2020 042 (Janesville Township) – Gross (2 Lot CSM)

Moved by Supervisor Potter with Conditions, **Seconded** by Supervisor Podzilni
Approved with Conditions (5-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easements shall be placed on lots as requested by utility companies (where applicable).
 - 2). Note on Final CSM “No buildings which produce wastewater are allowed until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
 - 3). Note on Final CSM “Lot 2 contains existing buildings which utilize an existing sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the system”
 - 4). Final CSM shall be submitted to and approved by the agency within one year after preliminary approval.
 - 5). Final CSM shall be recorded with the Register of Deeds within 6 months of final approval.
 - 6). Proposed lot lines must include the system area with the buildings which utilize the system.
- 2020 052 (Porter Township) – Sayre (1 Lot CSM)

Moved by Supervisor Davis with Conditions, **Seconded** by Supervisor Potter
Approved with Conditions (5-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easements shall be placed on lots as requested by utility companies (where applicable).
- 2). Note on Final CSM “Lot 1 contains existing buildings which utilize an existing sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the system”
- 4). Final CSM shall be submitted to and approved by the agency within one year after preliminary approval.
- 5). Proposed Lot lines must include the POWTS area with the buildings that utilize the system rather than the easement as shown on the Preliminary CSM.
- 6). Comply with the standards in the Town of Porter Zoning Ordinance related to creating a new lot in an AE District.
- 7). Final CSM shall be recorded with the Register of Deeds within 6 months of final approval.

8). Proposed lot lines must include the system area with the buildings which utilize the system.

6. Community Development

- A. **Action Item:** Citizen Appeal of ineligibility decision for CDBG loan application for 6103 Greenvale Dr. Milton

Moved by Supervisor Davis, **Seconded** by Supervisor Potter.

Mr. Baker gave an overview of the applicant's situation and project. After discussion the Committee voted to approve the Appeal and move forward on the application.

7. Finance

- A. Information Item: Committee Review of Payments
Reviewed

- B. **Action Item:** Transfers
No Transfers.

8. Directors Report.

Mr. Baker shared a communication that several Towns within Rock County are applying for a Broadband Grant to bring broadband communications to their Towns.

Mr. Baker also updated the Committee on the search for the open Senior Planner position within the Agency.

9. Committee Reports
None.

10. Adjournment: **Moved** by Supervisor Davis, **Seconded** by Supervisor Gustina,
All in Favor, Time: 8:29

Respectfully Submitted – Kurt J. Wheeler, Acting Secretary

These minutes are not official until approved by Committee.

Future Meetings/Work Sessions

October 22 2020 (8:00 am)
November 12, 2020 (8:00 am)