



MINUTES
PLANNING & DEVELOPMENT COMMITTEE MEETING
THURSDAY, DECEMBER 12, 2019 – 8:00 A.M.
ROCK COUNTY COURTHOUSE CONFERENCE CENTER – 2ND FLOOR RM 250
JANESVILLE, WI

The meeting of the Rock County Planning & Development Committee was called to order at 8:00 a.m. on Thursday, December 12, 2019 at the Rock County Courthouse. Chair Sweeney presided. Supervisors present: Phil Owens, Mary Mawhinney, Wayne Gustina Supervisor Davis was absent. QUORUM PRESENT.

Rock County Staff Present: Colin Byrnes (Planning Director) Andrew Baker (Senior Planner), Kurt Wheeler (Planner III, Acting Secretary), Dana Sandwick, Rock County Planning Office Coordinator and Brad Heuer County Surveyor.

Others Present: Ryan Combs, Mary Wells, Ryan Spies, Gus Small, Evan Sayre, Dana Dockocil, Tricia Lombardo, and Kathryn Kuecker.

1. Adoption of Agenda

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

2. **Action Item:** Approval of Minutes of the Planning & Development Meeting held Thursday November 14, 2019 at 8:00 am.

Moved by Supervisor Mawhinney, **Seconded** by Supervisor Owens.
Approved (4-0)

3. Citizen Participation, Communications and Announcements
None

4. Community Development

A. **Action Item:** Citizen Objection to Determination made by the Planning Director to deny a Request for Reconsideration of Income Determination for a Housing Rehabilitation Loan.

This item was initially postponed until after item (F) to give the applicant time to arrive.

Mr. Byrnes gave an overview of the application denial and discussion took place on the requirements of the program.

Kathryn Kuecker (Applicant) explained her situation and reason for the objection to the determination, giving information to the Committee regarding employment, home condition, and financial responsibilities.

Extensive discussion followed.

An initial **Motion** to Deny the appeal was made by Supervisor Owens, **Seconded** by Supervisor Sweeney. After discussion this motion was withdrawn.

After continued discussion by the committee and questions to the applicant, a **Second Motion** was made by Supervisor Mawhinney, **Seconded** by Supervisor Sweeney to approve the loan using CDBG funding with the ability for the loan to be reviewed within 1 year with the waiving of the subordination fee. In the meantime a payment of \$25.00 a month will be made by the applicant to the Planning and Development Agency.

5. Code Enforcement

- A. **Action Item:** Public Hearing for a Shoreland Conditional Use Permit for MHC Blackhawk LLC (aka Blackhawk Campground) to fill and grade to elevate roads and camp sites to address persistent high water associated with Clear, Duck and Mud Lakes in Milton Township.

Moved to go into Public Hearing by Supervisor Owens, **Seconded** by Supervisor Mawhinney. Time: 8:17 am.

Mary wells spoke to the Committee and asked about the fill areas as proposed. She commented that the homes on the North side of the lake were permanent residences that could not be moved, and felt that the campground project may only add to the high water issues.

Ann Roe representative of the Clear Lake Residents Association asked questions regarding the lake levels and shared a concern over septic systems on the lake as well as runoff from non-residential properties on the lake. She cited a study that had been done by Beloit College students into the contributing factors of the lake levels and water quality issues.

Tricia Lombardo, representative from MSA explained the drainage patterns associated to the lakes as well as the need for the fill to elevate and restore the road system of Blackhawk Campgrounds.

Mr. Byrnes elaborated on the current water levels and ultimate purpose of the project.

Chair Sweeney asked Ms. Roe if a larger (regional) study had been looked at or proposed.

Extensive discussion and questions followed.

Moved to go out of Public Hearing by Supervisor Mawhinney, **Seconded** by Supervisor Owens. Time: 8:35 am.

- B. **Action Item:** Approve, Approve with Conditions or Deny a Shoreland Conditional Use Permit for MHC Blackhawk LLC (aka Blackhawk Campground) to fill and grade to elevate roads and camp sites to address persistent high water associated with Clear, Duck and Mud Lakes in Milton Township.

After extensive discussion a **Motion to Table** and for the applicants to come back with additional retention area(s) regarding the "Sewer Circle" area in addition to what was already on the plan was made by Supervisor Mawhinney, **Seconded** by Supervisor Owens. Tabled (4-0)

- C. **Action Item:** Public Hearing for an Extension Request for Shoreland Conditional Use Permit 2018 004 - Hurd Farm, Inc./Rock Road Companies, Inc. Nonmetallic Mine at 106 E. Hurd Rd, Fulton Township

Motion to go into Public Hearing made by Supervisor Owens, **Seconded** by Supervisor Mawhinney. Time: 9:13

Ryan Spies from Rock Road gave an overview of the original Conditional Use Permit activities to date as well as the proposed plans a reasons for the permit extension.

Questions and discussion followed.

Evan Sayre, Town Board Chair from Fulton Township spoke regarding issues associated to the current permit as well as future responsibilities of Rock Road going forward. He was supportive of the permit extension.

Mr. Baker gave additional information regarding the shoreland area and reclamation requirements.

Motion to go out of Public Hearing made by Supervisor Owens, **Seconded** by Supervisor Gustina. Time: 9:30 am.

- D. **Action Item:** Approve, Approve with Conditions or Deny an Extension Request for Shoreland Conditional Use Permit 2018 004 - Hurd Farm, Inc./Rock Road Companies, Inc. Nonmetallic Mine at 106 E. Hurd Rd, Fulton Township.

Motion to approve with the conditions that are included in Section 4.21(b)(d) as well as a condition that the Applicant have a meeting with the Town of Fulton to revisit responsibilities of the permit made by Supervisor Mawhinney, **Seconded** by Supervisor Owens. Passed (4-0).

- E. **Action Item:** Approve, Approve with Conditions or Deny Preliminary Land Divisions:

- LD2019 052 (Fulton Township) – Roscoe Development

Mr. Baker presented the land Division to the Committee and explained the reasoning.

Motion to approve made by Supervisor Mawhinney, **Seconded** by Supervisor Owens. Approved (4-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easements shall be placed on lots as requested by utility companies (where applicable).
- 2). Existing sanitary sewer facilities on the property shall be floodproofed to the flood protection elevation (786.9 feet) or upgraded to eliminate infiltration if necessary.
- 3). Current regional floodplain shall be delineated on final plat with a note prohibiting land disturbance.
- 4). Areas of greater than 20% slope shall be delineated on the Plat with a note prohibiting land disturbance.
- 5). Note on Final Plat shall indicate that all basement elevations shall be at 780 feet minimum (i.e. above ordinary River elevation).
- 6). Note on Final Plat shall indicate that there shall be no openings with an elevation below 786.9 (i.e. Flood Protection Elevation).

7).The plan for long-term ownership of Outlot 1 shall be submitted prior to Final Plat approval.

8).If the ownership of Outlot 1 is intended to be multiple individuals or an association a land use plan shall be approved prior to Plat approval.

9). Dedicate forty foot half road right of way along E Mallwood Dr as shown on the preliminary plat.

10). Final Plat shall be submitted to and approved by the Agency within three years after preliminary approval.

11). Final Plat shall be recorded with the Rock Co. Register of Deeds within 6 months of the final approval.

- LD2019 057 (Janesville Township) – Thom

Mr. Baker presented the land Division to the Committee and explained the reasoning.

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

Conditions:

- 1). Existing easements shall be shown and proposed utility easement(s) 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 private sewage system at the time of this survey. However, soils on lot may be restrictive to the replacement system".
- 3). Proposed lot lines must include the POWTS area with the building which utilizes the system.
- 4). Dedicate a 50-foot half road right-of-way along US Highway 14.
- 5). Evidence of the approval of a joint driveway granted by Wisconsin DOT shall be provided prior to final approval.
- 6). Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.

7). Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of the final approval.

- LD2019 060 (Union Township) – Hanson
Mr. Baker presented the land Division to the Committee and explained the reasoning.

Motion to approve made by Supervisor Mawhinney, **Seconded** by Supervisor Owens. Approved (4-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easement(s) 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 private sewage system at the time of this survey. However, soils on 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 thirty three foot half road right of way along W Holt Rd at the discretion of the Town of Union.
- 5). Provide documentation that Town of Union and Village of Brooklyn have provided the necessary rezoning approvals.
- 6). Consider reconfiguration of the proposed lot to include only land within Union Township and all lands north of W Holt Rd.
- 7). Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
- 8). Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of the final approval.

- LD2019 064 (Milton Township) – Kelly

Mr. Baker presented the land Division to the Committee and explained the reasoning.

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

Conditions:

- 1). Existing easements shall be shown and proposed utility easement(s) 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). Dedicate 33 foot half road right of way along N Bowers Lake Rd at the discretion of the Town or City of Milton.
- 4). Area of slopes greater than 16% on each lot shall be delineated and labeled "No Land Disturbance or Buildings"
- 5). Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
- 6). Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of the final approval.

- LD2019 068 (Union Township) – Sayre

Mr. Baker presented the land Division to the Committee and explained the reasoning.

Motion to approve made by Supervisor Mawhinney, **Seconded** by Supervisor Gustina. Approved (4-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
- 2). Note on Final CSM: "Lots 1&2 contain existing buildings which utilize an existing private sewage 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 thirty three foot half road right of way along County Hwy C.
- 5). Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
- 6). Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of the final approval.

- LD2019 076 (Johnstown Township) – Manke

Mr. Baker presented the land Division to the Committee and explained the reasoning.

Motion to approve made by Supervisor Gustina, **Seconded** by Supervisor Mawhinney. Approved (4-0)

Conditions:

- 1). Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
- 2). Note on Final CSM: "Lots1 contains existing buildings which utilize an existing private sewage 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). 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 Rock Co. Register of Deeds within 6 months of the final approval.

F. **Action Item:** Recommendation to the Rock County Board a Resolution Authorizing 2020 Orthoimagery and LIDAR Contracts with Ayres Associates, Inc. and Authorizing Memorandums of Understanding (MOU) with Participating Municipalities.

Mr. Byrnes gave an overview and explanation of the project and its uses, both historically and current day.

Motion to recommend this Resolution to the full Rock County Board of Supervisors made by Supervisor Owens, Seconded by Supervisor Mawhinney. All in Favor (4-0).

6. Finance

A. Information Item: Committee Review of Payments Reviewed

B. **Action Item:** Transfers
None.

7. Committee Reports
None.

8. Directors Report

A. 2020 Census "Complete Committee"

Mr. Byrnes and Ms. Borlick gave an overview of the U.S. Census Bureau Complete Committee project.

9. Adjournment

Moved by Supervisor Gustina, Seconded By Supervisor Owens. Time: 10:58 am.

Respectfully Submitted – Kurt J. Wheeler, Acting Secretary

These minutes are not official until approved by Committee.

Future Meetings/Work Sessions

January 9, 2020 (8:00 am)
January 23, 2020 (8:00 am)
February 13, 2020 (8:00 am)
February 27, 2020 (8:00 am)