



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, OCTOBER 28, 2010 - 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 8:00 a.m. on Thursday, October 28, 2010 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Marilyn Jensen, Phil Owens, Mary Mawhinney and Wayne Gustina. Absent: None

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes, (Sr. Planner, Code Administration & Enforcement), Steve Schraufnagel (Planner III), Jennifer Borlick (GIS Mgr.), Rich Cannon, (County Engineer), David Somppi (Community Development Mgr.), Neale Thompson (Housing Specialist), and Cheryl Martin (Accountant). Rock County Surveyor, Don Barnes, Real Property Director, Michelle Schultz and Parks Director Lori Williams were also in attendance.

Others present: Steve Tupper, Ken Willing, and David Weimiller.

2. **ADOPTION OF AGENDA**

Supervisor Owens moved to adopt the agenda; seconded by Supervisor Gustina. **ADOPTED** as presented.

3. **MEETING MINUTES – OCTOBER 14, 2010**

Supervisor Jensen moved the approval of the October 14, 2010 Committee minutes; seconded by Supervisor Mawhinney. **APPROVED.**

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

No citizens addressed the Committee.

5. **CODE ENFORCEMENT**

Mr. Byrnes presented the staff report.

A. **Preliminary Approval of Land Divisions**

Staff has reviewed the applications and associated documentation and recommended Preliminary Approval of the following Land Divisions with conditions as indicated: Land Division 2010 047 and 2010 048.

➤ **Land Division 2010 047 (Turtle Township) – Eugene Clark**

LOCATION: 6700 Block E. Buss Rd.

Supervisor Owens moved the Conditional Approval of Land Division 2010 047; seconded by Supervisor Mawhinney. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
 2. 33-foot ½ ROW to be dedicated along E. Buss 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. 70-foot wide Drainage Easement to be located on Lot 1 in natural swale.
 6. Drainage Easement to be located on Lot 1 for the drainage swale to handle a 25-year design storm.
 7. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 28, 2011.
 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.
- **Land Division 2010 048 (Porter Township) – Viney Farms, Inc.**
LOCATION: 9800 Block W. STH 59

Supervisor Owens moved the Conditional Approval of Land Division 2010 048; seconded by Supervisor Jensen. All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).

Conditions To Be Met Before Final Approval:

1. Acceptable soil and site evaluation report received on Lot 1.
2. Show the location of the on-site soil test on the preplanned lot map.
3. Utility easements put on lot as requested by utility companies.
4. Require a Rock County Land division Conservation Easement. In addition, 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.

5. Copy of letter to guarantee State Highway Access Permit from District I, Wisconsin Department of Transportation received before final approval of CSM.
6. Lot 1 to be pre-planned due to being in an environmentally significant area. Lot drawing to include slopes over 12%, hydric soils, floodplain, conservation easement, utility easements, lot access location, 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. 1% Annual Chance floodplain line on Final Land Division as per Official Floodplain Zoning Map.
8. Land Division abutting a state trunk highway or connecting highway to comply with DOT Trans. 233.
9. Final CSM (1 year time frame) submitted to and approved by the Planning and Development Agency on or before October 28, 2011.
10. 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.
11. 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. Removal of Conservation Easement for Steep Slopes on Lot 7, Pinewood Estates, First Edition

Applicant, Steve Tupper addressed the committee and requested that the area be removed from designation as a Conservation Easement.

Staff had reviewed the request for removal of the area designated as conservation easement and recommended conditional approval.

Supervisor Owens moved to approve the request for removal of the area designated as Conservation Easement (CE) for Steep Slopes on Lot 7, Pinewood Estates, 1st Edition; seconded by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Condition To Be Met Before Final Approval:

1. An Affidavit indicating that the CE is removed and recorded.

C. Approval of Change of Use for Controlled Access on CTH N (Van Altena)

The Rock County Public Works Committee reviewed and approved the Change of Use request at their 10/19/2010 committee meeting. Planning Staff have reviewed the request and also recommended changing the Field Entrance to a Private Entrance on Parcel 6-13-72.

Supervisor Owens moved to approve the request for a Change of Use of an existing Field Entrance to a Private Entrance for a proposed residential lot along Access Controlled CTH N; seconded by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

D. Approval of Shoreland Conditional Use Permit 2010 017 – Bass Creek Dam Association (Tabled 10/14/10)

Supervisor Gustina moved to remove this item from the table; seconded by Supervisor Owens. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Parks Director, Lori Williams reported that Mr. Willing (Bass Creek Dam Assoc. representative) addressed the Public Works/Parks Committee at their October 19th meeting regarding the Dam Association's possible donation of the land as County Parks Space. She reported that the Committee moved to approve this preliminarily knowing that Planning & Development may not approve the request and knowing that the Public Works Committee and County Board may not approve the land donation.

Supervisor Gustina moved to Conditionally Approve granting Shoreland Conditional Use Permit 2010 017 with the added requirement that the site plan reflect American Disabilities Act (ADA) compliance, if necessary; seconded by Supervisor Jensen. All in favor – **APPROVED** (Yes – 5, No – 0, Absent – 0).

Conditions to be met before final approval:

1. The applicant shall submit a site plan that is in compliance with the provisions of the Floodplain Zoning Ordinance for review and approval. The Site plan shall indicate location and size of access, parking area based upon number of vehicles and sized appropriately, delineate gravel placement and amount and whether ground will be excavated for gravel placement. Additionally, no gravel shall be placed in the Floodway, wheel stops shall be placed around the parking area to prevent vehicles driving to the Creek and appropriate signage indicating the usage of the access (type of watercraft, hours of operation, ownership etc.).
2. Amendments or modifications to the plan must receive pre-approval from P&D Staff.
3. At the completion of the project, the applicant shall submit an as-built certification signed by a registered professional engineer or registered land surveyor that the project is in compliance with the permit issued.
4. Install and maintain temporary erosion control measures until the seeded permanent vegetative cover is established.

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. The Site Plan shall be Americans with Disabilities Act (ADA) compliant, if necessary.
7. This permit expires one year from the date of Committee approval, however, all earthwork and grading must be completed and the disturbed areas must be seeded or otherwise stabilized prior to November 15, 2010 or if weather is a factor Staff shall determine suitable completion date.

E. Administrative Quarterly Report

Staff reviewed the quarterly administrative report with the committee.

6. FINANCE

A. Department Bills/Encumbrances/Pre-Approved Encumbrances/Amendments/Transfers

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

B. 2011 Budget Review

- **Surveyor**
County Surveyor Barnes reported that the department continues to operate on a Cost-to-Continue budget.
- **Real Property**
Real Property Director Michelle Schultz reported that the department budget included some changes in allocation of funds and replacement of equipment.
- **Planning & Development**
Planning and Development Director Paul Benjamin reported that next year's budget included significant cross charges for Planning activities. The largest portion of the charge is to the Community Development Program to facilitate the management of the workload associated with several large multi-year grants.

7. HOUSING & COMMUNITY DEVELOPMENT

Mr. Somppi presented the Staff report.

A. Resolution Authorizing 2010 – 2-13 Community Development Block Grant – Small Cities Grant

Staff introduced the resolution that authorizes the County's acceptance of the 2010-2012 Community Development Block Grant (CDBG) – Small Cities Contract for \$650,000 from the Wisconsin Department of Commerce-Bureau of Housing. The purpose of this Grant is to provide funding to rehabilitate and/or purchase owner-occupied homes in the designated program area.

"NOW, THEREFORE, BE IT RESOLVED, that the Rock County Board of Supervisors on this _____ day of _____, 2010 hereby accepts the Community Development Block

Grant (CDBG) Program Contract for \$650,000 from the Wisconsin Department of Commerce – Bureau of Housing and authorizes the County Board Chair and County Clerk to sign the respective Contract on behalf of the County of Rock; and,

BE IT FURTHER RESOLVED, that the 2010 County budget be amended as follows:

<u>Revenue:</u>	Budget at <u>1/1/2010</u>	Increase <u>(Decrease)</u>	Amended <u>Budget</u>
64-6416-2012-42100 Federal Aid Revenue	- 0 -	\$650,000	\$ 650,000
<u>Expense:</u>			
64-6416-2012-63110 Administration Expense	- 0 -	\$ 82,500	\$ 82,500
64-6411-2012-64912 Project Expense	- 0 -	\$567,500	\$567,500

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

B. CDBG Revolving Loan Project (ID 020578) = \$15,013

Supervisor Owens moved the approval of CDBG Revolving Loan Project (ID 020578) for an amount up to \$15,013; second by Supervisor Gustina. All in favor – **APPROVED** (Yes – 5, No – 0, and Absent – 0).

C. Request to Review Staff Decision Concerning a Subordination Request

Per the existing “Subordination-Alteration Policy” in the Rock County Housing Procedures Manual, Staff has denied an applicant’s request for subordination of their loan. According to the Procedures Manual, the applicant may request a review of a staff decision presented to the Committee. Mr. Somppi presented the specific terms of the loan and the applicant provided the Committee with information to support the request. Discussion followed.

Supervisor Jensen moved to approve the request for subordination; second by Supervisor Owens. All in favor – **APPROVED (Yes – 5, No – 0, Absent – 0)**.

D. Housing Specialist Report

Mr. Thompson provided the Committee with follow-up information on a previously approved loan recipient that is involved in a foreclosure.

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.

8. DIRECTOR’S REPORT – PLANNING

Director Benjamin reported on the following:

- Staff continue to meet with various Towns regarding Farmland Planning & Zoning Ordinance updating.

- Completion of the Land Division Ordinance update is expected by the end of this year.
- Work on the update of the Shoreland Ordinance continues and is scheduled for completion in the fall of 2011.
- The Planning department continues to work with the Health Dept. on a Sanitary Permit agreement/policy for Sewer Service Areas.

9. **COMMITTEE REPORTS**

There were no Committee Reports.

10. **DIVISION REPORT: COUNTY ENGINEER**

Mr. Cannon provided a preliminary outline for the scheduled updating of the County's Access Control Ordinance. This ordinance dictates public and private access points on the County Highway system.

11. **ADJOURNMENT**

Supervisor Owens moved to adjourn the committee at 11:00 a.m.; second by Supervisor Mawhinney. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, November 11, 2010 at 8:00 a.m.**

Prepared by: Cheryl Martin - Acting Secretary