



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, MAY 13, 2010 - 8:30 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 8:30 a.m. on Thursday, May 13, 2010 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Wayne Gustina, Marilyn Jensen, Phil Owens, and Mary Mawhinney. Supervisors absent: None

Planning & Development staff present: Paul Benjamin (Director), Colin Byrnes (Code Admin. Mgr.), Cheryl Martin, (Accountant), Steve Schraufnagel (Planner III), and Andrew Baker (Planner II)

Others present: Mike Birkholz (Town of Turtle), Blake Hullah, (Town of Turtle), Jeff Tenney, Dorothy Tenney, Darrell Simmonides, (Town of Turtle), Don Jones (Town of Turtle), Roger Anclam (Town of Turtle), Anita LaCoursiere (ATC), Brad Adee (ABC LLC), Jon Radloff, (MARS), John Garvin (ATC) and Carolyn N. Thomas.

2. **ADOPTION OF AGENDA**

Supervisor Owens moved the adoption of the agenda as presented; second by Supervisor Mawhinney. Chair Sweeney noted the following changes to the agenda: Item 4. Election of Vice Chair will be deleted. Items 7 G. and 7 H. (Approval of Land Divisions) will be moved before Item 7 A. **ADOPTED** as Amended.

3. **MEETING MINUTES – APRIL 22, 2010**

Supervisor Jensen moved the approval of the April 22, 2010 Committee minutes; seconded by Supervisor Gustina. **APPROVED as presented.**

4. **SET MEETING DAY AND TIME**

Supervisor Owens moved to change the Committee meeting time to 8:00 a.m. on the second and fourth Thursdays of the month; seconded by Supervisor Gustina. **APPROVED (Yes – 4, No – 1, Absent – 0).**

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

Director Benjamin stated he has scheduled speakers to present topics related to planning, economic or community development on upcoming Tuesdays for the next two months beginning May 25th. Information on each presenter will be posted on the Rock County Planning and Development website.

Code Administrator, Colin Byrnes updated the committee on two South River Road properties that were substantially damaged in the 2008 flooding.

Mr. Byrnes also informed the committee that properties on Clear Lake have no designated Floodplain. The county does not have jurisdiction because the Floodplain Ordinance does not apply.

6. CODE ADMINISTRATION AND ENFORCEMENT

A. Preliminary Approval of Land Divisions

Staff has reviewed the application and associated documentation and recommended Preliminary Approval of the following Land Division with conditions as indicated: Land Division 2010 015.

➤ **Land Division 2010 015 (Fulton Township) – Roger Amundson**

LOCATION: W. Stone Farm Road

Supervisor Mawhinney moved the Conditional Approval of Land Division 2010 015; second by Supervisor Owens. **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 1/2 ROW to be dedicated along W. Stone Farm Rd.
3. Following notation on final map: “Since lots 1&2 contains existing buildings which utilize an existing private sewage systems no soil evaluation on the lots was required at the time of this survey. However, soils on the lots may be restrictive to the replacement of the existing systems.” 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 13, 2011.
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.

B. Final Land Division Extension Request – LD 2009 016 (Bradford Township) – Leland Schauer

LOCATION: 13000 Block of E. Bradford Townhall Rd.

Staff has reviewed the request for a Land Division Extension and recommended a 6 – month extension with conditions.

Supervisor Jensen moved the Approval of an extension for Land Division 2009 016; second by Supervisor Gustina. **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 1/2 ROW to be dedicated along E Bradford Townhall 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 April 23, 2010.
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.

C. Public Hearing – Shoreland Conditional Use Permit 2010 002 (Plymouth, Rock & Beloit Township) – American Transmission Co.

Supervisor Mawhinney moved to go into Public Hearing at 8:55 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

Mr. Baker provided an overview of the project to expand an existing substation and replace or reframe utility poles along an existing transmission line between the Bass Creek Substation and the Town Line Road Substation.

No comments from the public were given.

Supervisor Mawhinney moved to close the Public Hearing at 8:58 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

Supervisor Mawhinney moved the Conditional Approval of Land Division 2010 0002; second by Supervisor Gustina. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

D. Approval of Shoreland Conditional Use Permit 2010 002

Staff has reviewed the application and recommends approval with conditions as indicated.

Supervisor Owens moved to approve Shoreland Conditional Use Permit 2010-002; second by Supervisor Jensen. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

Conditions To Be Met Before Final Approval:

1. Complete the project according to approved plans or field modifications approved by staff based on on-site conditions.
2. Obtain all other necessary permits from Federal, State, and Local Agencies for the project.
3. Apply for and obtain a combined Rock County Erosion Control and Storm Water Management Permit from the Rock County Land Conservation Department (permit approved as of the date of this application).
4. This permit expires one year from the date of Committee approval.

E. Public Hearing – Shoreland Conditional Use Permit 2010 007 (Janesville Township) – ABC LLC

Supervisor Owens moved to go into Public Hearing at 9:03 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

Mr. Byrnes provided an overview of the project for demolition of a residence and accessory structures and site restoration along the Rock River.

No comments from the public were given.

Supervisor Owens moved to close the Public Hearing at 9:05 a.m. with a second by Supervisor Mawhinney and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

F. Approval of Shoreland Conditional Use Permit 2010 007

Staff has reviewed the application and recommends approval with conditions as indicated.

Supervisor Jensen moved to approve Shoreland Conditional Use Permit 2010-007; second by Supervisor Owens. **All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).**

Conditions To Be Met Before Final Approval:

1. Any project modifications or additions shall be submitted to Staff for review and approval.

2. Install and maintain temporary erosion control measures until seeded permanent vegetative cover is established. Ground disturbance shall be kept to a minimum.
3. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Department of Natural Resources, or other local government agencies before starting the project.
4. 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 September 15, 2010.

G. Public Hearing – Shoreland Conditional Use Permit 2010 008 (Turtle Township) – Town of Turtle

Supervisor Mawhinney moved to go into Public Hearing at 9:10 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

Mr. Byrnes provided an overview of the project for construction of a parking area and canoe/kayak launch along Turtle Creek.

No comments from the public were given.

Supervisor Mawhinney moved to close the Public Hearing at 9:13 a.m. with a second by Supervisor Gustina and the roll call was read. Present: Supervisors Gustina, Jensen, Mawhinney, Owens, and Sweeney. Absent: None

H. Approval of Shoreland Conditional Use Permit 2010 008 – Town of Turtle

Staff has reviewed the application and recommends approval with conditions as indicated.

Supervisor Jensen moved to approve Shoreland Conditional Use Permit 2010-008; second by Supervisor Mawhinney. All in favor – APPROVED (Yes – 5, No – 0, Absent – 0).

Conditions To Be Met Before Final Approval:

1. Any project modifications or additions shall be submitted to Staff for review and approval.
2. Install and maintain temporary erosion control measures until seeded permanent vegetative cover is established. Ground disturbance shall be kept to a minimum.
3. Obtain Rock County Erosion Control Permit from Rock County Land Conservation Department (Fee waived Municipal project).
4. Obtain all permits or approvals for your project from the US Army Corps of Engineers, Department of Natural Resources, or other local government agencies before starting the project.
5. 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 September 15, 2010.

7. **FINANCE**

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

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

8. **HOUSING & COMMUNITY DEVELOPMENT**

A. **Rock County CDBG - Small Cities Preliminary Application**

Mr. Somppi reported that a preliminary application for the Community Development Block Grant – Small Cities funds had been submitted to the Wisconsin Department of Commerce on behalf of Rock County. The maximum allowable amount of \$650,000 was requested. Rock County's preliminary application included the following municipalities: The towns of Bradford, Clinton, Johnstown, Lima, Magnolia, Plymouth, Porter, Spring Valley, and the Village of Clinton.

Rock County additionally worked with other Rock County municipalities outside the Cities of Beloit and Janesville on submittal of preliminary applications. Those applicants included: Town of Avon, City of Edgerton, Town of Beloit, Town of Center, Town of Rock and Town of Turtle.

B. **Close-Out Report for Hazard Control Grant (WILHB 0344-06)**

The County of Rock, Wisconsin received a \$1,100,000 Office of Healthy Homes – Lead Control Grant from the U.S. Dept. of Housing & Urban Development in 2006.

The grant was administered by the Rock County Planning and Development Agency. Sub-grantees were the City of Beloit & and city of Janesville, Rock County, Wisconsin.

The grant was used to provide funds to remove lead hazards from 85 housing units. About 30 Rock County contractors and suppliers worked on these rehabilitation projects including minority, women and small business contractors. Thirty-six people received training, job skills and/or certifications in lead hazard control work and 215 residents benefited from the work done.

C. **Properties with Rock County – Community Development Loans that are Proposed for Foreclosure due to Non-Payment of Property Taxes**

Mr. Somppi reported on 3 Community Development loans that have unpaid property taxes. Because the taxes have not been paid on the properties since 2006, the County Treasurer's Office is obligated to initiate County foreclosure proceedings. Contact will be made with the loan recipients as to the following: 1) whether the customer is aware of the situation concerning property taxes, and 2) assess the customer's ability to make the properties current with property tax payments. Rock County Community Development does not have a funding source that can assist with the payment of property taxes.

Planning staff will keep the Planning & Development Committee informed of this situation.

D. **Bankruptcy of Property with Rock County Community Development Mortgage**

Mr. Somppi provided information concerning a bankruptcy of property with a Rock County Community Development mortgage.

E. Housing Procedure Manual Update

As a result of a meeting on April 23rd between the Community Development staff and the Wisconsin Department of Commerce, several items will be addressed in a proposed update of the Rock County Housing Procedures Manual. The finalized draft will be sent to the Wisconsin Department of Commerce for final approval.

9. ADJOURNMENT

Supervisor Gustina moved to adjourn the committee at 10:00 A.M.; second by Supervisor Mawhinney. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, May 27, 2010 at 8:00 AM.**

Prepared by: Cheryl Martin - Acting Secretary