



MINUTES
ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE
THURSDAY, JULY 9, 2009 - 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, July 9, 2009 at the Rock County Courthouse. Chair Al Sweeney presided. Supervisors present: Marilyn Jensen, Mary Mawhinney, and Phil Owens. Supervisors absent: David Diestler

Planning & Development staff present: Scott Heinig (Director), Colin Byrnes (Code Administration & Enforcement Mgr.), Steve Schraufnagel (Planner III), James Otterstein (Economic Development Mgr.), Rich Cannon (County Engineer), Jennifer Borlick (GIS Mgr.), David Somppi (Community Development Mgr.), Carrie Houston (Planner II), Mary Robb (Planner II), Wade Thompson (Planner II), Cheryl Martin (Accountant), and Chris Dornbush (Planning Intern).

Others present: Russ Podzilni (County Board Chair), Terry Thomas (Supervisor), Katie Kudnacic (Supervisor), Wayne Gustina (Supervisor), Steve Lathrop (Combs & Assoc.), Mr. & Mrs. Peter Burno, Sandy Decker (City of Evansville), Joyce Keller (City of Evansville), Rob Davis (Wisconsin DNR), William Gempeler, Doug Zweizig (Plan Commission – Town of Union), Nancy Stabb (League of Women Voters), Larry Harding (Chair – Town of Plymouth), and Michael Moore (Chair – Town of Avon).

2. **ADOPTION OF AGENDA**

Supervisor Owens moved the adoption of the agenda as presented; second by Supervisor Jensen. **ADOPTED.**

3. **MEETING MINUTES – JUNE 25, 2009**

Supervisor Mawhinney moved the approval of the June 25, 2009 Committee minutes; second by Supervisor Owens. **APPROVED as presented.**

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

There was no citizen participation, communication or announcements.

5. **STRATEGIC & COMPREHENSIVE PLANNING**

A. **Presentation: Staff Presentation of the Fundamental Aspects of the Rock County Comprehensive Plan 2035**

Director Heinig introduced the staff that has worked on the plan over the last four years and explained how the creation of the plan has provided an opportunity to work with 29 area units of government. It is the first of its kind in the history of Rock County and is unique to most other Statewide Comprehensive Plans – in that the County does not have a role in Land Use decisions, all zoning decisions are made at the local level. The plan is distinctive and exceptionally written and Director Heinig commended staff for their efforts.

Staff members Wade Thompson, Mary Robb and Carrie Houston then presented a broad overview of the Plan covering these main topics: 1) the need for a County

Comprehensive Plan, 2) the nine elements of a Comprehensive Plan; and 3) the implementation of the Comprehensive Plan.

B. Public Questions & Answers with Staff Regarding the Rock County Comprehensive Plan 2035

The staff then opened up the floor to questions from the public.

Larry Harding asked for clarification on whether Land Division decisions at the County level supercede Land Division decisions at the local or township level. Director Heinig explained that the County does review and process Land Divisions according to the Rock County Land Division Regulations but, it is up to the Town to approve or deny any Land Division and zone the new lot.

On behalf of the Committee, Chair Sweeney expressed his appreciation and thanked Director Heinig and his team members for a job well done. At this time, Chair Sweeney sought a motion recommending a favorable approval of the Ordinance.

C. Recommending Favorable County Board Consideration of Ordinance – Rock County Comprehensive Plan 2035 Adoption Ordinance

Supervisor Mawhinney moved a favorable recommendation of the *Rock County Comprehensive Plan 2035* and that the Ordinance be forwarded to the Rock County Board of Supervisors for adoption; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, Absent – 1).**

6. CODE ADMINISTRATION & ENFORCEMENT

Mr. Byrnes presented the Staff report.

A. Public Hearing – Shoreland Conditional Use Permit 2009 009 – Wisconsin Edison Corp (Abandoned Dam removed on the Yahara River along W. Stebbinsville Rd., NW ¼ of the NW ¼ of Section 2, Porter Township)

Supervisor Owens moved to go into Public Hearing at 9:08 a.m. with a second by Supervisor Mawhinney and the roll call was read. Present: Supervisors Jensen, Mawhinney, Owens, and Sweeney. Absent: Diestler

The dam owner stated that the channel breach referred to in the staff summary was an engineered release as the gates on the dam were not functional at the time of a high water incident.

Supervisor Mawhinney moved to close the Public Hearing at 9:10 a.m. with a second by Supervisor Owens and the roll call was read. Present: Supervisors Jensen, Mawhinney, Owens, and Sweeney. Absent: Diestler

B. Approval of Shoreland Conditional Use Permit 2009 009 – Wisconsin Edison Corp.
Staff reviewed the application and recommended conditional approval of the Shoreland Conditional Use Permit.

Rob Davis (Water Management Engineer with Wisconsin DNR) stated that they plan to fill the breach with tightly compacted clay soils and riprap the upstream side. Funding for the project will come from multiple federally funded sources.

Supervisor Jensen moved the **Conditional Approval** of Shoreland Conditional Use Permit 2009 009 – Wisconsin Edison Corp.; second by Supervisor Mawhinney. **All in favor – APPROVED (Yes – 4, No – 0, Absent – 1).**

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 the 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 your 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, 2009.

C. Request to Waive Fees for Shoreland Conditional Use Permit 2009 009 – Wisconsin Edison Corp.

Supervisor Mawhinney moved to waive the Conditional Use Permit fees with the exception that the applicant (Wisconsin DNR) be responsible for the costs of legal notice publications – not to exceed \$150; second by Supervisor Jensen. **All in favor – APPROVED (Yes, 4, No – 0, Absent – 1).**

D. Preliminary Approval of Land Divisions

Staff has reviewed the application and associated documentation and recommended Approval of the following Land Divisions: 2009 036 and 2009 037 with conditions as indicated.

Supervisor Mawhinney moved the Conditional Approval of Land Divisions 2009 036 and 2009 037; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, Absent – 1).**

➤ **Land Division 2009 036 (Rock Township) – Jeff Noss**

LOCATION: 5414 W. Noss Rd.

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. Noss Rd. & S. Bakke 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 July 9, 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.

➤ **Land Division 2009 037 (Center Township) – Kenneth Fenrick**

LOCATION: 8100 Block of W. Fenrick Rd.

Conditions To Be Met Before Final Approval:

1. Existing structures shall meet setback regulations.
2. 35-foot 1/2 ROW to be dedicated along W. Fenrick Rd.
3. Following notation on final map: “Since Lots 1 & 2 contain existing building which utilize an existing private sewage system(s) 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 system(s).” 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 July 9, 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.

6. FINANCE

A. Department Bills & Encumbrances

Supervisor Mawhinney moved the approval of a funds transfer for the Comprehensive Planning Grant budget line item and the payment of the department bills; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

7. HOUSING & COMMUNITY DEVELOPMENT

Mr. Somppi presented the Staff report.

- A. **CDBG Emergency Assistance Grant (Project ID 008011) = \$24,999**
 Supervisor Jensen moved the approval of CDBG – Emergency Assistance Grant (Project ID 008011) for an amount up to \$24,999; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

- B. **CDBG Emergency Assistance Grant (Project ID 008018) = \$3,278**
 Supervisor Mawhinney moved the approval of CDBG – Emergency Assistance Grant (Project ID 008018) for an amount up to \$3,278; second by Supervisor Jensen. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

- C. **CDBG Emergency Assistance Grant (Project ID 008027) = \$11,250**
 Supervisor Owens moved the approval of CDBG – Emergency Assistance Grant (Project ID 008027) for an amount up to \$11,250; second by Supervisor Mawhinney. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

- D. **Request for Lien Assumption for Lead Hazard Control 07001D1(\$3513.90 = LHC-CDBG Match) and Housing Rehabilitation 020415D1 (\$10,293 = Block Grant Revolving Funds) Loans**
 The property owners currently have an offer to \$125,000 to purchase the property and are requesting to settle their payoff for less than the amount owed. Staff recommended approval of a transfer or assumption of both loans to the new buyer.

 Supervisor Jensen moved to request the lien assumption of both loans by the proposed buyer; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

- E. **Resolution Authorizing 2009 Neighborhood Stabilization Program Grant**
 Staff introduced the grant resolution for emergency assistance for redevelopment of abandoned and foreclosed homes and residential properties.

NOW THEREFORE BE IT RESOLVED, that the Rock County Board of Supervisors on this ____ day of _____, 2009 hereby accepts the Neighborhood Stabilization Program funds for \$166,004 from the Wisconsin Department of Commerce – Division of Housing & Community Development and authorizes the County Board Chair and County Clerk to sign the respective grant agreement documents on behalf of the County of Rock; and,

BE IT FURTHER RESOLVED, that the 2009 County Budget be amended as follows:

<u>Source of Funds:</u>	<u>Budget at 7/01/2009</u>	<u>Amount of Increase/Decrease</u>	<u>Amended Budget</u>
64-6411-0000-42200 State Aid	-0-	\$166,004	\$166,004
 <u>Use of Funds:</u>			
64-6411-0000-63110 Administration Expense	-0-	\$11,582	\$11,582
64-6411-0000-64913 Project Expense	-0-	\$154,422	\$154,422

Supervisor Mawhinney moved the above resolution; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

F. Resolution Authorizing 2009 Neighborhood Stabilization Program Grant Mutual Cooperation Agreement Between Rock County and the Cities of Beloit and Janesville

Staff introduced the resolution authorizing the entering into a cooperative agreement between Rock County and the Cities of Beloit and Janesville.

NOW THEREFORE BE IT RESOLVED, that the Rock County Board of Supervisors on this ___ day of _____, 2009 hereby enters into a mutual cooperation agreement to administer the Neighborhood Stabilization Program grant with the Cities of Beloit and Janesville; and,

BE IT FURTHER RESOLVED, that the County Board Chair and County Clerk are authorized to sign the respective Cooperation Agreement on behalf of the County of Rock.

Supervisor Jensen moved the above resolution; second by Supervisor Owens. **All in favor – APPROVED (Yes – 4, No – 0, and Absent – 1).**

G. Status of Lead Hazard Control (LHC) Grant Project (ID 0701811)

Mr. Somppi provided a brief update on Lead Hazard Control Grant Project-ID 0701811. No other issues were raised.

There were no Conflict of Interest Statements in regards to these requests.

8. ADJOURNMENT

Supervisor Owens moved to adjourn the committee at 9:57 A.M.; second by Supervisor Mawhinney. **ADOPTED** by acclamation.

The next meeting of the Planning & Development Committee will be **Thursday, August 13, 2009 at 8:30 AM.**

Prepared by: Scott Heinig - Acting Secretary