

1 **PLANNING, CONSERVATION & PARKS COMMITTEE**

2  
3 Public Agency Center  
4 West Bend, WI

February 20, 2008  
1:20 p.m.

5  
6 Present: John W. Stern, Kenneth W. Brandt (arrived at 1:35 p.m.), Donald J. Berchem, Melvin K. Ewert,  
7 Mark T. McCune, Daniel Knodl, and Charlene S. Brady.

8  
9 Also present: Administrator Paul Mueller, Assistant Administrator for Planning, Debora Sielski, Land  
10 Resource Manager Phil Gaudet, and Deputy Clerk Patty Hoerig.

11  
12 Chairman Stern called the meeting to order.

13  
14 **MINUTES**

15 The January 9, 2008 minutes were not available and will be presented for approval at the next meeting.

16  
17 **YEAR END TRANSFERS AND NON-LAPSING ACCOUNTS**

18 Mr. Mueller presented the following non-lapsing requests:

19  
20 Other Operating Supplies (691.431010) - \$397.00, Homestead Hollow (210.592029) - \$2,150.00,  
21 Ackerman Shelter #1 (210.592039) - \$310.00, 2006 Ridge Run Play Equipment (210.592042) -  
22 \$15,481.00, Sandy Knoll Play Equipment (210.592047) - \$30,157.75, Ackerman Shelter #2 (210.592049) -  
23 \$10,060.03, Glacier Sled Hill (210.592053) - \$31,073.50, 2007 Sandy Knoll Walk (210.592058) -  
24 \$99,846.00, Park Conservation Easement (210.592059) - \$197,000.00, Repair & Maintenance  
25 (2801001.423001) - \$6,074.59, Building Repair (2801001.423003) - \$12,679.00, Other Purchased Services  
26 (2802002.424001) - \$27,599.26, Other Office Supplies (2802002.431007) - \$95.75, Other Office Supplies  
27 (2802005.431007) - \$95.75, State Aid-Snowmobile Bridge (2803002.321002) - \$45,250.00, Snowmobile  
28 Bridge Demolition (2803002.491111) - \$45,250.00, Comprehensive Planning Grant (2804002.321001) -  
29 \$43,115.00, Survey Expense (2804002.421054) - \$115.00, SEWRPC (2804002.421061) - \$43,000.00,  
30 Land Record Fees Revenues (2805001.332076) - \$35,102.50, Land Record Expense (2805001.421068) -  
31 \$35,102.50, Other Office Supplies (2806001.431007) - \$404.58, Information Systems (2806001.451010) -  
32 \$5,000.00.

33  
34 Moved by Mr. McCune, seconded by Mr. Berchem to approve non-lapsing the 2007 accounts to 2008 as  
35 presented. Motion carried.

36  
37 **GOLF SECTION - REPAYMENT SCHEDULE – 1994 PROPERTY PURCHASE ADVANCE**  
38 **FROM THE GENERAL FUND**

39 Mr. Mueller discussed several options regarding the \$150,000 advance from the general fund for the  
40 purchase of adjacent property in 1994 at the Golf Course. One option would be to extend the payoff of the  
41 golf course debt by one year. A second option is to forgive the loan and a third option would be to transfer  
42 the property to the Park System. These options will be presented to the Finance Committee.

43  
44 **FUTURE AGENDA ITEMS:**

45 No specific items for future meetings were presented. It was noted the April 9, 2008 meeting may not be  
46 needed due to the special April 1, 2008 meeting.

47

1 **PUBLIC HEARING**

2 **Michael R. and Diana L. Finn, NW ¼, Sec. 30, Town (Village) of Richfield – Conditional Use Permit**  
3 **for excavating, filling or grading in a Shoreland Zoning District (Address: 808 Saint Augustine Road,**  
4 **Colgate – pond).**

5 Appearance: Michael & Diana Finn, Chuck Cundy.

6

7 Ms. Hoerig read the notice of public hearing. Mr. Gaudet presented a plat map indicating the location of the  
8 parcel owned by Michael and Diana Finn. Mr. Gaudet informed the Committee this permit was applied for  
9 last fall prior to Richfield becoming a Village and the Village Administrator of Richfield agreed the County  
10 should handle it, but future requests would be handled by the Village of Richfield. The project is a  
11 proposed pond, to be located in a shoreland zoning district south of the Oconomowoc River. The pond will  
12 be 125 feet from the river and it is not in wetland or floodplain districts. Soils will be placed around the  
13 pond as it constructed and erosion control will be placed around the excavated area. Staff has no reason to  
14 oppose this. The pond should have a safety shelf in place about 10 feet around the edge. The depth of the  
15 pond will be 10 feet in the center. Mr. Stern opened the public hearing and comments were heard. Mr.  
16 Stern closed the public hearing.

17

18 Moved by Mr. McCune, seconded by Mr. Brandt to approve the conditional use permit for excavating,  
19 filling or grading in a shoreland zoning district for Michael & Diana Finn in the Village of Richfield, and to  
20 require a safety shelf and erosion control. Motion carried.

21

22 **PUBLIC HEARING**

23 **Lisa A. Stewart, NE ¼, Sec. 31, Town of West Bend – Conditional Use Permit for excavating, filling**  
24 **or grading in a Shoreland Zoning District (Address: 4648 Cedar Park Drive, West Bend – retaining**  
25 **walls within the setback to the Ordinary Highwater Mark**

26 Appearance: Gary Stewart, Dave Moore-Moore Designs

27

28 Ms. Hoerig read the notice of public hearing. Mr. Gaudet presented a plat map indicating the location of  
29 the parcel owned by Lisa Stewart. Mr. Gaudet informed the Committee the site of the proposed retaining  
30 wall is on the west side of Big Cedar Lake. The subject of this hearing is for the retaining wall being  
31 within setback to the ordinary highwater mark. The retaining wall will be located 48 feet from the lake,  
32 and the house 51 feet from lake, which is approximately the average distance from houses to the lake  
33 allowed by code. The owners are required to put in a buffer, which is to be placed across the whole lake  
34 frontage of the property within 15 feet of the lake, and also along the side lot line to the west to meet  
35 mitigation requirements. The buffer should offset concerns regarding viewing the retaining wall from the  
36 lake. Mr. Stern opened the public hearing and comments were heard. Mr. Stern closed the public hearing.

37

38 Moved by Mr. McCune, seconded by Mr. Brandt to approve the conditional use permit for excavating,  
39 filling or grading in a shoreland zoning district for Lisa Stewart in the Town of West Bend. Motion carried.

40

41 **PUBLIC HEARING**

42 **X-Treme Contractors LLC and Milestone Motors LLC (C/O Sean Collins), NW ¼, Sec. 15, Town of**  
43 **Trenton (Address: 1117 State Highway 33 East, West Bend) To amend the Floodplain Zoning**  
44 **District Map of Washington County as follows: That the map designation of Shoreland/Floodplain**  
45 **Zoning District on the property owned by X-Treme Contractors, LLC and Milestone Motors, LLC**  
46 **(C/O Sean Collins) be revised on the Shoreland/Wetland/Floodplain Zoning District Map to reflect**  
47 **the floodplain redelineation.**

48

49 Ms. Hoerig read the notice of public hearing. Mr. Gaudet presented a plat map indicating the location of  
50 the parcel owned by X-Treme Contractors LLC and Milestone Motors LLC. Mr. Gaudet informed the

1 Committee a survey has been done to redefine the floodplain boundaries. Work was proposed on the  
 2 existing building so the owner chose to have a survey done to meet the floodplain zoning requirements and  
 3 to specify the actual floodplain lines. Mr. Stern opened the public hearing and no comments were made.  
 4 Mr. Stern closed the public hearing.  
 5

6 Moved by Mr. Knodl, seconded by Ms. Brady to amend the floodplain zoning district map on the property  
 7 owned by X-Treme Contractors, LLC and Milestone Motors, LLC in the Town of Trenton. Motion carried.  
 8

9 **DIVISION REPORT**

10 **Geographic Information Systems Division – Eric Damkot**

- 11 • Parcel Mapping Overview
- 12 • Creation of a Land Information Work Plan
- 13 • Review of Other Division Activities and Projects

14  
 15 Moved by Mr. Brandt, seconded by Mr. McCune to approve the Geographic Information Systems Division  
 16 report. Motion carried.  
 17

18 **CONDITIONAL USE PERMIT RECONSIDERATION**

19 **Minor’s Garden Center Inc, SW ¼, Section 14, Town of Jackson – Conditional Use Permit for**  
 20 **excavating, filling, or grading in a Shoreland/Wetland Zoning District (1132 State Highway 60) –**  
 21 **Reconsideration.**

22 Appearance: Kurt Minor  
 23

24 Mr. Gaudet stated this item was taken up approximately three years ago when the County was notified that  
 25 work was being done in a shoreland zoning district. A public hearing was scheduled in April of 2005,  
 26 however, a request was made to the County from the DNR to table action on the conditional use permit  
 27 until the DNR resolved violation permit issues for this property. In January 2008, the County received  
 28 confirmation from the DNR that these issues have been taken care of. The County is dealing with a small  
 29 portion in shoreline zone. There has been some excavating and filling in a small portion in the shoreland  
 30 zone and it was restored to the grade that was there. Mr. Gaudet has no objection to issuing the conditional  
 31 use permit.  
 32

33 Moved by Mr. Brandt, seconded by Mr. Berchem to approve the conditional use permit for excavating,  
 34 filling, or grading in a Shoreland/Wetland Zoning District for Minor’s Garden Center, Inc. in the Town of  
 35 Jackson. Motion carried.  
 36

37 **APPROVING AUTHORITY SUBDIVISION**

38 **Thull Industrial Park, SE ¼, Sec. 31, Town of Trenton – Pre-Preliminary Plat Review – 22 lots**  
 39 **(Developer – JT Roofing)**

40 Appearance: Peter Hurth-Baudhwin Inc.  
 41

42 Mr. Hurth stated they are requesting approval for 22 lots of an industrial park on the north side of Hwy NN  
 43 in the Town of Trenton. Mr. Hurth would like to come back next month with a preliminary plat based on  
 44 comments received today. The Town has requested the developer to provide a bond and a letter of credit  
 45 for the final asphalt lift before they would approve the certified survey maps. Mr. Gaudet presented the  
 46 pre-preliminary plat map indicating the location of the lots. Staff forwarded this to the County Highway  
 47 Department because of the relationship to the highway and they have no problems with it. The sites have  
 48 been soil tested for septic system and have been found adequate for a mound system for each site. There  
 49 needs to be careful grading as to not loose the site location for the mound systems. Staff has forwarded this

1 to the Land & Water Division because of storm water erosion control and there are no major concerns. The  
2 developer will check with the Town of Trenton on the issue of future access.

3  
4 **PUBLIC HEARING**

5 **To amend the Floodplain Zoning District map of Washington County as follows:**

- 6 a) **That the map designation of the Shoreland/Wetland Zoning District be amended on the**  
7 **Shoreland/Wetland/Floodplain Zoning District Map to a Shoreland Zoning District. Part of**  
8 **the NE ¼, Section 6, Town of Erin**
- 9 b) **That the map designation of Shoreland/Wetland/Floodplain Zoning District be amended on**  
10 **the revised Shoreland/Wetland/Floodplain Zoning District Map. Part of the SE ¼, NE ¼, SW**  
11 **¼, and NW ¼, Section 3, Town of Erin**
- 12 c) **That the maps designation of the Shoreland Zoning District be amended on the**  
13 **Shoreland/Wetland/Floodplain Zoning District Maps to a revised Shoreland Zoning District.**  
14 **Part of the NE ¼ and NW ¼, Section 36, Town of Hartford. Part of the SW ¼, Section 23,**  
15 **Town of Trenton**
- 16 d) **That the maps designation of the Shoreland/Wetland Zoning District be amended on the**  
17 **Shoreland/Wetland/Floodplain Zoning District Maps to a revised Shoreland/Wetland Zoning**  
18 **District. Part of the SE ¼, Section 25, and NE ¼, Section 36, Town of Jackson. Part of the NW**  
19 **¼ and SW ¼, Section 26, Town of Jackson. Part of the NW ¼, Section 29, Town of Jackson.**  
20 **Part of the NW ¼, Section 27, Town of Farmington. Part of the NW ¼, Section 5, Town of**  
21 **Trenton. Part of the NE ¼, Section 27, Town of Polk.**
- 22 e) **That the map designation of the non-Shoreland Zoning District be amended on the**  
23 **Shoreland/Wetland/Floodplain Zoning District Map to a Shoreland Zoning District. Part of**  
24 **the SW ¼ and SE ¼, Section 33, Town of Jackson**
- 25 f) **That the maps designation of the Shoreland Zoning District be amended on the**  
26 **Shoreland/Wetland/Floodplain Zoning District Maps to a Shoreland/Wetland Zoning District.**  
27 **Part of the SE ¼, Section 7, Town of Jackson. Part of the NW ¼, Section 27, Town of West**  
28 **Bend.**

29  
30 Mr. Stern opened the public hearing and stated that staff would cover all items requested by the public.

31  
32 Mr. Gaudet presented the plat map of the NE ¼, Section 6 of the Town of Erin and part of the SE ¼, NE ¼,  
33 and NW ¼, Section 3 of the Town of Erin and stated the proposed change is to correct a map error.

34  
35 Mr. Gaudet presented a plat map of the part of the NE ¼ and NW ¼, Section 36 in the Town of Hartford  
36 and stated the pond along Powder Hill Road has been determined not to be navigable, therefore the  
37 shoreline designation for 1,000 feet around the pond would be removed.

38  
39 Mr. Gaudet presented a plat map of the part of the SW ¼, Section 23 in the Town of Trenton and stated the  
40 change is along Knollwood Road in the south part of Section 23. The DNR has determined the stream north  
41 of Knollwood Road is not navigable, therefore the stream designation and shoreline zoning designation for  
42 that portion would be removed.

43  
44 Appearance: Dennis Fischer.

45 Mr. Gaudet presented a plat map of the part of the NW ¼ and SW ¼, Section 26 in the Town of Jackson.  
46 The change involves the stream designation in the northwest portion of the section. Due to potential  
47 development, staff requested the DNR to complete a navigability determination of the stream. The DNR  
48 concluded that the stream is navigable and therefore, will be included in the shoreland zoning district.

1 Mr. Gaudet presented a plat map of the part of the SE ¼, Section 25 to the north and a portion of the NE ¼,  
2 Section 36 to the south in the Town of Jackson. The change is the removal of a navigable stream  
3 designation.

4  
5 Appearance: Robert Stykes

6 Mr. Gaudet presented a plat map of the part of the NW ¼, Section 29 in the Town of Jackson. The change  
7 is the addition of wetland to the portion of the map which is within the Twin Creek subdivision. Lot 3 in  
8 the Twin Creek subdivision has already been built on. In reviewing the current application for the house on  
9 that lot it was found that not all the wetlands which were actually on the lot were correctly mapped. The  
10 change would show the wetlands on the county map. The stream has been declared navigable by the DNR.

11  
12 Appearance: Mark Faral, Mark Will

13 Mr. Gaudet presented the plat map of the part of the NE ¼, Section 27 in the Town of Polk.  
14 There is an area of the stream that has been determined by the DNR to be navigable and would be added to  
15 the shoreland zoning map.

16  
17 Appearance: Daniel Kashner

18 Mr. Gaudet presented the plat map of the part of the SW ¼ and SE ¼, Section 33 in the Town of Jackson.  
19 The change to the plat map is to add a stream designation north of the floodplain, which is further to the  
20 south.

21  
22 Mr. Gaudet presented the plat map of the part of the SE ¼, Section 7 in the Town of Jackson and stated  
23 wetland designation within the shoreline zone would be added in the area just northeast of the bridge that  
24 was constructed over the stream.

25  
26 Mr. Gaudet presented the plat map of the part of the NW ¼, Section 27 in the Town (corrected 03-05-08)  
27 of West Bend showing the wetland delineation that was done regarding the county landing.

28  
29 Moved by Mr. McCune, seconded by Mr. Ewert to approve amending the Floodplain Zoning District Map  
30 of Washington County as listed in items A thru F above. Motion carried.

## 31 32 **DIVISION REPORT**

### 33 **Planning Division – Debora Sielski**

- 34 • Comprehensive Planning
- 35 • Public Participation Process
- 36 • Comprehensive Plan Approval Schedule
- 37 • Dispute Resolution Subcommittee
- 38 • Other Planning Division Activities
- 39 • Annual Report to the Department of Administration

40  
41 Moved by Mr. Berchem, seconded by Mr. Knodl to approve the Planning Division report. Motion carried.

## 42 43 **LAND USE DIVISION - STATUS OF CHAPTER 23 REVISIONS**

44 Appearance: Kim Nass, County Attorney

45  
46 Mr. Gaudet stated staff is looking at an entire rewrite of Chapter 23 of the Code to make changes per  
47 recommendations by the County Attorney. The Committee discussed proposed language for the revisions  
48 and Mr. Gaudet noted that all changes will be subject to DNR approval.

49

1 **DISCUSS REQUESTED CLARIFICATION ON DRAFT CHAPTER X – HOUSING ELEMENT**  
2 Moved by Mr. Knodl, seconded by Mr. McCune to remove Table X41 from Chapter X. Motion carried.

3  
4 Mr. Brandt was excused at 3:55 p.m.

5  
6 **DISCUSS REQUESTED CLARIFICATIONS ON DRAFT CHAPTER XI – TRANSPORTATION**  
7 **ELEMENT**

8 Moved by Mr. Ewert, seconded by Ms. Brady to approve the changes to Chapter XI as discussed. Motion  
9 carried.

10  
11 **REVIEW AND CONSIDER APPROVAL OF DRAFT CHAPTER IX – LAND USE ELEMENT**

12 Ms. Sielski distributed the preliminary draft of Chapter IX of the Comprehensive Plan.

13  
14 Moved by Mr. Ewert, seconded by Mr. Knodl to approve the removal of the second policy item on the  
15 bottom of pg 14. Motion carried with Ms. Brady voting No.

16  
17 Moved by Mr. McCune, seconded by Mr. Ewert to amend the original motion to leave the policy as is but  
18 remove “no” and add “*only authorized structures*” in the second policy item on the bottom of pg 14.  
19 Motion carried.

20  
21 Moved by Mr. Knodl, seconded by Mr. Ewert to approve the draft of Chapter IX with changes. Motion  
22 carried with Mr. McCune voting No.

23  
24 **REVIEW AND CONSIDER APPROVAL OF DRAFT CHAPTER XII – UTILITIES AND**  
25 **COMMUNITY FACILITIES ELEMENT**

26 Ms. Sielski distributed the draft and gave a brief explanation of Chapter XII of the Comprehensive Plan.

27  
28 Ms. Brady requested a change on pg 13 under the Public Agency Center, to change “Aging” to “ADRC”.  
29 Ms. Brady also requested a change on Table XII-6, pg 11a, to change “*Duerrwaechter Memorial Library*”  
30 to “*Germantown Community Library*”.

31  
32 Moved by Mr. Knodl, seconded by Ms. Brady to approve Chapter XII with changes. Motion carried with  
33 Mr. McCune voting No.

34  
35 **PRESENTATION OF MULTI-JURISDICTIONAL DISPUTE RESOLUTION PROCESS,**  
36 **BYLAWS, INTERGOVERNMENTAL AGREEMENT AND SAMPLE RESOLUTIONS**

37 Appearance: Jim Bennett, Town of Hartford Chairman

38  
39 Ms. Sielski distributed the draft and gave a brief explanation of the Multi-Jurisdictional dispute resolution  
40 process, bylaws, intergovernmental agreement and sample resolutions.

41  
42 Mr. McCune requested a change on pg 7, section 11, to insert “100% of” in the first sentence between  
43 “cover and the”, to read “cover 100% of the....”.

44  
45 Moved by Mr. McCune, seconded by Mr. Knodl to approve the insertion of “100% of” as requested.  
46 Motion carried.

47  
48 Mr. Berchem requested a change on pg 1, section 5, to change “officials” to “representative”.  
49

1 Moved by Mr. Berchem, seconded by Mr. Knodl to approve the change of “officials” to “representative” as  
2 requested. Motion carried.

3

4 **REVIEW AND CONSIDER APPROVAL OF DRAFT CHAPTER XIV –**  
5 **INTERGOVERNMENTAL COOPERATION ELEMENT**

6 Ms. Sielski distributed the draft of Chapter XIV – Intergovernmental Cooperation Element and gave a brief  
7 explanation.

8

9 Mr. Berchem requested a change to a portion for The Health Department and would like it to read, “*The*  
10 *Health Department enforces regulations to protect public health. The Health Department regularly works*  
11 *collaboratively with other County departments, local units of government, other county health departments*  
12 *and other state health agencies to include but are not limited to surveillance investigation control and*  
13 *prevention of communicable diseases.*”

14

15 Moved by Mr. Berchem, seconded by Mr. Knodl to approve the change for the Health Department portion  
16 as requested. Motion carried.

17

18 The Committee requested the underlined paragraph for The Town of Barton under the Cooperative  
19 Planning Efforts and Ordinance Administration be deleted.

20

21 Moved by Mr. Ewert, seconded by Mr. Berchem to approve Chapter XIV as amended and forward to the  
22 County Board. Motion carried with Mr. McCune voting No.

23

24

25 **ADJOURNMENT**

26 Moved by Mr. Knodl, seconded by Ms. Brady to adjourn at 5:18 p.m. Motion carried.

27

28

29

30

Brenda J. Jaszewski, County Clerk