

Buffalo County Minutes

Committee/Board: Zoning Committee

Date of Meeting: January 12, 2017

Electronic and Hardcopy Filing Date: January 17, 2017

The meeting was called to order at 5:30 p.m. by Lou Anne Roby, chairperson. Roll Call showed that Lou Anne Roby, John Kriesel, Bernard Brunkow were in attendance. Michael Taylor entered meeting at 5:35 p.m.

Others present for all or part of the public meeting include Mike Owecke, Zoning Administrator, Adam Adank and Julie Lindstrom, Zoning Department staff, Dave Boniface-Mississippi River Regional Planning Commission (MRRPC). Others may have been in attendance that did not sign in.

Minutes are summarized as follows:

Public Comments Relating to the Agenda: There were no public comments.

Meeting Minutes. Motion by Mr. Brunkow, seconded by Mr. Kriesel to approve the minutes from the December 12, 2016, Zoning Committee meeting as printed. All in favor. Carried.

Zoning Ordinance Revision.

Mr. Owecke explained that he would like to wait for the committee to approve the Board of Adjustment (BOA) chapter of the Zoning Ordinance until the BOA has had time to review it; it will be on the agenda for the BOA when they meet on January 24, 2017 for a public hearing.

Mr. Boniface commented that if the Zoning Committee have any changes to this chapter they should be made before it goes to the BOA for review. The committee had no additional comments or changes to the BOA chapter at this time.

Mr. Owecke explained that the next item on the comprehensive zoning ordinance revision is special uses that will be addressed in the county; there are quite a few special uses; three have been completed at this time; ordinance pertained to Kennels, Manufactured Home Communities and Mobile Tower Siting (Communication Towers). Mr. Owecke continued by saying that the committee should take them home for review and action at the next Zoning Committee meeting. Mr. Owecke stated that junk yards and salvage yards will be a special use and how the county wants to manage them; this will be a challenge for the county. Mr. Owecke continued by saying that other special uses that have been identified are campgrounds, temporary asphalt plants, cemeteries, use and placement of camping trailers and RV's.

Mr. Boniface stated that camping trailers and RV's will be referred to as recreational dwellings and being able to define the difference between a cabin/recreational dwelling as opposed to a permanent home. Mr. Boniface continued by saying that a deciding factor can be the number of days it is lived in or whether it has plumbing or not.

Mr. Owecke had available the Town of Mondovi, first draft map of zoning districts which was completed by Jason Poser, Buffalo County, GIS staff and showed a comparison with the map that was

submitted by the Town. Mr. Owecke pointed out the districts on the map making note that the City of Mondovi does their own zoning so that area was left blank or white on the map.

Mr. Boniface explained that he worked with the Town of Mondovi when they completed their Zoning District map for submittal and continued by saying that at the Town meeting they first identified all the businesses, then industries, residential and finished with the agricultural districts. Map was reviewed.

Ms. Roby questioned and learned that the Town of Montana has turned in their zoning district data in the form of a spreadsheet listing all the parcel numbers in the Town and each parcel with a zoning district designation. Town of Montana has been remonumented and Jason Poser stated that he will not need a map; spread sheet as submitted will provide enough information to create the zoning district map; all Towns have submitted a first draft Zoning District map of their Town at this time.

Mr. Boniface state that he attended a meeting of the Town of Montana and told those attending the meeting to keep informed, so they know what is going on; don't rely on here say; submit your map because it is a draft; no decisions have been made at this time and your map will show what you want and not what the county thinks you want.

UDC Inspector Contract. Mr. Owecke explained that this is a review of the building inspector, Fred Weber Inspections, who does the building inspection for Buffalo County. Mr. Owecke continued by saying that he has never received a complaint about Mr. Weber's work being less than what it should be; he is credentialed in all the areas he works in; he was audited last year by the Wisconsin Department of Safety and Professional Services (DSPS) and the report of the audit reflected that DSPS found nothing outstanding that needs correction. It was the consensus of the committee and motion by Mr. Kriesel, seconded by Ms. Roby to retain his services for another year. All in favor. Carried. Mr. Owecke stated that Mr. Weber has 58 entities (cities, towns, villages, etc.) that he covers.

Zoning Administrator Comments. Mr. Owecke handed out end of year 2016 permit application summary totals for the year. He also had available 2015 end of year permit application summary for comparison. It was noted that there were 80 more permits issued in 2016 compared to 2015. Mr. Owecke commented the increase was mostly because we are permitting farm structures. Reports were reviewed and discussed. Mr. Owecke commented that septic permits were up probably due to an effort by the county to get a complete inventory of all septic systems and those added to the inventory with a lot of them identified as failing systems, which reflects the replacement of the failing systems. Mr. Owecke stated that Adam Adank is working trying to get the final inventory of septic systems in the county; WI, state has a deadline of 2017 for counties to have a complete inventory of all private septic systems in each county.

Mr. Owecke reported that there is a new form from the county administration office that will need to be completed when a committee sends a resolution or ordinance to the county board.

Mr. Owecke commented on the issue of BNSF; fines on ice fishermen crossing the railroad tracks and the ability of the railroad to issue a citation for trespassing. Mr. Owecke continued by saying that petitions were put for signatures, (there is kind of state wide movement to put an end to that) and ended up with fifty to sixty signatures that were sent to the state in opposition of railroad being able to issue fines. Mr. Boniface stated that he does not believe they have handed out any citations, just warnings and continued by saying that it is was in the original charter for the railroad that they could enforce it, but they have not in the past and only until recently have they enforced their ability to do so and continued by saying that it is a safety issue. Mr. Taylor stated that the Fountain City Rod & Gun Club

also completed petitions and his personally got 127 signatures and that was only one location. Ms. Roby questioned and learned that it is a state thing and not a federal thing.

Mr. Owecke reported that the Corp of Engineers held an informational meeting in Cochrane, mid-December, which he attended. He continued by saying that the Corp is rolling out their program for disposal of dredged sand; letting us know that they will be coming to Buffalo County and one way or another they will be taking land here whether we like it or not. Mr. Owecke explained that the Corp has a process they have to follow; an appraisal is completed on the parcels they want and they have to offer a fair market value; the landowner also can have an appraisal completed if they want and the two parties can negotiate; the Corp was not willing to disclose what parcels they are looking at right now stated they have not identified them yet. Mr. Owecke stated that one of his issues is the only place they claim they have to off load is the Alma Harbor and if they are coming south with the material, all those trucks are running through Alma and that is 100's of trucks each day. Mr. Owecke continued by saying that he encouraged the Corp to look into the possibility of using the old power plant site; they have a dock there they can unload from; that would bypass the City of Alma. The Corp responded by saying they would look into it. Mr. Kriesel questioned and learned that yes, the Corp would have to lock through the dam with each barge load and it would take longer and cost the Corp more money. Mr. Kriesel stated that the power plant site would have limited space and Mr. Owecke stated once the power plant is down, there will be more room. Mr. Owecke continued by saying that he has done some research on industrial sand mines and truck traffic and one of the effects over looked is diesel exhaust when you have 100's of trucks going through the same place and there is considerable evidence that it can have a serious impact on health. Mr. Owecke stated that he addressed a letter to the Corp; they have to do an environmental assessment and asked them to make diesel exhaust from truck traffic part of their environmental assessment. Mr. Owecke stated that the Corp said it would be part of their assessment.

Mr. Owecke reported that last year state Wisconsin passed legislation to allow Towns in Dane County to opt out of county wide zoning at any time. Mr. Owecke also had a White Paper from Dane County on why Towns should stay with county wide zoning. Mr. Owecke stated that it doesn't pertain to Buffalo County, but if we get there, it is something that the county could look at and do some things similar to discuss the benefits of being party of county wide zoning and how it would hurt a town if they leave. Mr. Owecke stated that this is the first time this has been done in WI and it was done by a special law. Mr. Adank questioned and learned that a Town could get back into county wide zoning whenever they want to as well.

Ms. Roby reported that the Committee of the Board is asking for departments to come up with short range planning for the year ahead and asked that it be an agenda item for the next zoning committee meeting.

The next meeting was scheduled for Thursday, February 9th at 5:30 p.m.

The meeting was adjourned at 6:20 p.m.

Respectfully Submitted,

Julie Lindstrom
Zoning Administrative Assistant