

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE PUBLIC HEARING

June 1, 2010
Room 3220 – 3rd Floor – Administrative Center
6:00 p.m – 9:14 p.m

MEMBERS PRESENT: Don Meyer, Marilyn Pedretti, Beverly Mach, Donald Bina, Bob Keil, Tina Wehrs, Dennis Manthei
MEMBERS EXCUSED: Bob Keil excused at 6:30 pm, Dennis Manthei excused at 7:00 pm
MEMBERS ABSENT: None
OTHERS PRESENT: Jeff Bluske, Charlie Handy, Bryan Meyer, Jonathan Kaatz, Nathan Sampson (Recorder)

CALL TO ORDER

The Recessed Meeting and Public Hearing of the Planning, Resources and Development Committee was called to order by Don Meyer, Chairman, at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of the Wisconsin Open Meetings Law.

The procedures for tonight's meeting were explained to those gathered. This meeting is being recorded.

Motion Meyer/Keil to move Zoning Petition No. 1841 to be heard first because of the number of interested attendees.

Z – Aye, 0 – No – Motion carried.

ZONING PETITION NO. 1841 Thomas A Ceresa, W4127 Ceresa Dr, West Salem, WI; acting in behalf of Maple Grove Country Club, Inc, W4142 County Road B, West Salem, WI; Craig S. Reedy, N4042 County Road M, West Salem, WI; and Ronald Houser, 874 Country Club Ln, Onalaska, WI; Ceresa Drive Homeowners Association, c/o Kent D & Delane D Sparland, W4238 Ceresa Dr, West Salem, WI. Petitions to rezone Parcel 1 from the Residential District "C" to Commercial District "B", 16 parcels totaling 4.765 acres for parking overflow from large functions and UW-La Crosse Cross Country meet spectator functions, on land described as: Outlot 1 & Lots 1, 2, 3 & 4 of Maple Grove Estates; Outlots 2, 3, 4, 5, 6 & 7 and Lots 45, 46, 47 & 48 of First Addn. to Scenic Valley Addn; Lots 7 & 8 of Maple Grove Estates & N ½ of vacated Franklin St adjacent on the south; and Lots 10 & 11 of Scenic Valley Addn. Together with access over a private drive called Ceresa Dr; and to rezone Parcel 2 from Residential District "A" to Agriculture District "B", 5 parcels totaling 27.3 acres for existing golf course, on lands described as: That part of the S ½-SE of Section 8, T16N, R6W described in tax parcels 7-232-1 and 7-234-1; and those parts of the Gov't Lots 5 & 6 and part of the NE-SE in Section 8, T16N, R6W formerly in First Addn. to Maple Grove Estates described in tax parcels 7-228-1, 7-230-1, 7-231-1, 7-232-1 and 7-234-1; EXCEPT part lying southerly of Scenic Valley Addn. All in the Town of Hamilton.

REMARK Bluske: Normally we have a screen and would show this map – we don't have that tonight, due to power outage.

Appearing in favor: Tom Ceresa, W4127 Ceresa Dr, West Salem, WI 54669, representing Maple Grove Country Club.

Maple Grove County Club (MGCC) applied for large assembly regarding a concert on June 12 (2010). A flag came up because of proposed car parking locations. MGCC has used the two main fields for parking many years, over-flow for the cross-country track meet and banquets, wedding receptions. We have four halls and use the four grass lots for over-flow parking. When the permit was turned over to zoning, we were told those areas couldn't be used for parking. The Sheriff's Department liked the location. The suggestion was to rezone those areas to accommodate the rules of the county. The other lots – the driving range and hole #14 are to clean up something that happened in 1978 where my dad hoped to develop and was never done. We're not supposed to use hole 14 because it's commercial (use) and also the driving range is being used for commercial. We need to bring that into compliance.

QUESTION Bina: When did you decide you needed to get rezoned, was that in May also?

ANSWER Ceresa: I was contacted by the Sheriff's Department regarding the Large Assembly application. They said Zoning put up a flag and said we needed to do something about parking. At that point I contacted the Zoning Department and had a meeting with them.

QUESTION Bina: That was the first part of May?

ANSWER Ceresa: First part of May or late April.

REMARK Bina: It won't get to County Board – they meet the 17th and your party is the 12th, that's one of the problems.

QUESTION Meyer: Will you charge for parking?

ANSWER Ceresa: No. In addition, I've contacted my insurance agent and have talked to most people; I got as far as the Noll residence by the 16th green. I asked people what they thought, if they had any problems, concerns. One concern was insurance, as owner of over ten lots I have the right to have people drive down the road like any resident. I went a step further for the association by contacting my insurance company – we'll include them as an additional insured under this concert so anything that could happen on this road is covered.

QUESTION Meyer: Would you do the same for future concerts?

ANSWER Ceresa: I certainly would, not that I have to, but as a precaution.

QUESTION Pedretti: Have you had other concerts there?

ANSWER Ceresa: This is the first.

QUESTION Bluske: Had there been houses on these lots, on Parcel 1 on the rezoning (map), what would have been your alternative?

ANSWER Ceresa: The driving range would have been the main lot we'd have used.

QUESTION Bluske: For those who have the maps in front of them, there are 3 parcels – they all had number ones on them because they're all MGCC property. The dots indicate they're zoned Commercial District "B". I know the most southerly one is a good portion of a drainage ditch?

ANSWER Ceresa: Correct.

QUESTION Bluske: And the one to the north is a portion of the tee box on number one?

ANSWER Ceresa: Also correct.

QUESTION Bluske: You ever plan on using those two areas for anything commercial?

ANSWER Ceresa: No, no plans to use those.

QUESTION Bluske: If you plan on doing this in the future you'd be parking your cars on the driving range?

ANSWER Ceresa: That's correct.

QUESTION Bluske: How many cars do you think that holds?

ANSWER Ceresa: The driving range? I didn't do an estimate, but looking at the other two lots a guess would be 3,000 to 5,000 cars.

QUESTION Bluske: How many can you get on the Residential "C" lots?

ANSWER Ceresa: 2,500 to 3,000 cars.

REMARK Bluske: So the committee understands, the combination of the large assembly ordinance only affects the operation of over 1,000 attendees. Under 1,000 there's no requirement for parking, staff. That's why they called us, to see if we had any issues. That's when the flags came up for us.

QUESTION Wehrs: For parking in the past, for example the cross-country meet; have you charged for those?

ANSWER Ceresa: We have for the cross-country meet.

QUESTION Wehrs: If there are 2,500 cars coming into that road, how will you make sure people will be able to get out while cars are coming in?

ANSWER Ceresa: The Sheriff's Department along with the staff will make sure the cars get out. There will be 6 deputies out there, we have 16 security guards. According to the large assembly permit, we're required to have eight.

QUESTION Wehrs: What time does it end?

ANSWER Ceresa: The outdoor concert portion ends at 11:30 (pm).

Appearing in favor: Rich Schomburg, W3679 County Road C, West Salem, WI 54669. Chairman for the Town of Hamilton.

As far as the zoning, we don't have a recommendation – we'll take yours for that. As for the residents out there, there's concerns about traffic. When talking with Mike Horstman at the Sheriff's Department, he told me they weren't coming down that residential street. Is that so Tom?

REPLY Ceresa: He's aware they are coming down Ceresa Drive.

REMARK Schomburg: That's not what I heard – that's why I'm concerned. At the meeting two months ago I told him to check with the residents so they knew what was going on. He said he would. I talked to him this last meeting we had, he said he did talk to them. The next day I get a number of calls saying he didn't. It's one of those things from a public relations end; it should have been handled different.

QUESTION Meyer: Are you for or against it (the petition)?

ANSWER Schomburg: For the rezoning, I have no problem – the Town of Hamilton has no problem with the zoning. The biggest share is housekeeping. The 14th green is residential – that needs to be taken care of – getting it where it should be. As far as the concert is concerned, he wants another one. Mike Horstman said they have a 45 day notice at the Sheriff's Department which is some concern. Our next meeting, if he would come in – that wouldn't happen at our meeting until we know this one has been taken care of, so there's no disruption for the residents. If we had to hold a special meeting after that to get it within that 45 days, if everything turned out right, we'd need to take another look at it.

REMARK Bluske: So it's in the record, staff looks at the land use plan for each municipality. The map doesn't call for commercial in that parking area.

REPLY Schomburg: It was mixed development, wasn't it?

REMARK Bluske: No – it was strictly residential

REPLY Schomburg: Mixed use.

REMARK Bluske: We have the map – are you calling recreation mixed use?

Appearing in favor: Blaine Lee, N6304 Bergum Coulee Rd, West Salem, WI 54669.

I'm a Hamilton Supervisor. We don't have a problem with a rezoning of the land – it's mostly housekeeping. We previously okayed this and we're finding out there's a lot of concern – a lot of the residents didn't know about this concert. I think most residents don't have an issue with rezoning the land, it's the concert. The big issue is about the traffic. But in our comprehensive plan, that whole area is designated as mixed use.

No one else appearing in favor.

Appearing in opposition: Bob Arceo, W4261 Ceresa Dr, West Salem, WI 54669.

Our petition speaks for itself. It's a wonderful community. He's parked cars there before – it's really an inconvenience. You couldn't get in – they were backed up all the way to M, B. You either had to go around from La Crosse to get in, or dodge traffic going the other way. God forbid something would happen – a car couldn't get down there.

QUESTION Meyer: So you live in one of these houses along here?

ANSWER Arceo: I'm in a condominium, one of the original condominiums.

REMARK Bluske: He's in parcel 29.

REMARK Arceo: Mr. Ceresa developed this property knowing the road is not up to specs with the County or Township. So we own it – we pay for maintenance, plowing....it's our road. I don't speak for everybody, but I think our petition speaks on our behalf.

QUESTION Meyer: What petition?

ANSWER Bluske: Someone else will speak to that.

Appearing in opposition: Vernetta Moe, W4181 Ceresa Dr, West Salem, WI 54669.

I have two pieces of correspondence to be read into the minutes. The first is from Deems and Sandy Pelishek who live at W4173 Ceresa Drive – they are out of town. They spoke with Mr. Bluske who suggested they write this correspondence and I offered to read it.

"I, Deems Pelishek and my wife Sandra Pelishek, object to petition 1841 to rezone Parcel 1 from Residential District "C" to Commercial District "B".

We do not object to the rezoning of Parcel 2. We also do not object to the parking of cars on the land in Parcel 1. If this is a non-conforming use of this land, cannot a conditional use permit be granted?

This area around the golf course was originally platted out to be developed as a condominium project. Some condominiums were completed and sold to owners with the expectation that it would be developed as such.

After several years this plan was abandoned and it was changed to include single family homes on single family lots. Always both the condo owners and the single family home owners expected this development to stay a residential area along Ceresa Drive.

We cannot believe that putting a commercial area into a residential area conforms to the long range planning of La Crosse County or to its Smart Growth Plan."

The other piece of correspondence is from me and I'll read it quickly.

"By about four years ago, there were approximately 40 single-owner homes and 12 condominiums built along Ceresa Drive, on land all purchased from the Scenic Valley Development Corporation, represented here tonight by Tom Ceresa and marketed to these homeowners as the "beautiful residential area" it is. Until late last summer there was a large sign at the entrance to this private road advertising more residential lots on one of the parcels of land in the rezoning request before us. Now Mr. Ceresa wants to turn this beautiful, quiet residential area into the neighborhood for large-gathering hard rock concerts and park the cars for concertgoers across the street from our homes.

We are here to protest the request for rezoning the residential areas where Mr. Ceresa wants parking from Residential land to Commercial land for these reasons:

- 1. If the land is zoned commercial every homeowner whose property abuts the land in question will reside 35 feet or less, the width of Ceresa Drive, from this commercial property, rendering it difficult to keep the public from trespassing on homeowners' property. A serious question of homeowner liability arises.*
- 2. Ceresa Drive is a private road. Allowing an excessive amount of traffic coming to and leaving these concerts will require the Road Owners' Association to take steps to ensure there is adequate/extra insurance coverage for liability purposes.*
- 3. There will likely be significant foot traffic from the potential parking lot on both Ceresa Drive and County Trunk B to access and to leave the concert – at 2:30 – 3:00 in the morning, with the obvious safety questions.*
- 4. There are no streetlights on the road. It is very dark in the area at night and that could contribute to accidents.*
- 5. Ceresa Drive is a dead end street. The only in/out access is right next to the proposed first parking lot next to County B. We are concerned about congestion and access/egress for emergency vehicles such as fire trucks and ambulances.*
- 6. There are many children, especially in the summer, who ride their bicycles up and down the street, and sometimes play near the street. Even though watched by parents, we are concerned about their safety and the possibility of accidents.*
- 7. Excess traffic is bound to cause congestion because Ceresa Drive is too narrow to have traffic running smoothly in both directions.*
- 8. The road is a private drive, yet the owners of the road would get nothing towards maintenance costs for allowing the extra traffic on the road.*

9. *Zoning the land commercial opens the door for allowing a business or lots of rental properties and would likely cause the same problems as mentioned above.*

Thank you for your consideration of these objections.

QUESTION Meyer: Jeff, will you get copies of those?

ANSWER Bluske: I already do. Vernetta – are you going to speak on that?

REPLY Moe: Michelle will speak on that.

Appearing in opposition: Michelle Miller, W4153 Ceresa Dr, West Salem, WI 54669.

I started a petition. We have 48 signatures from people on our road. I got a phone call from my neighbor, upset about this concert. I had no idea about this – I nor my husband were ever contacted. We found out from neighbors what the Ceresa's had planned. Nothing against the Ceresa's – nothing personal. I started this petition because I live across from the open area where these cars will be parked. I have 2 little kids. Cars will be coming in for the concerts, they'll be parked there. There's absolutely no lighting – at night it's pitch black. When you have the cross-country meets come in – we've lived there four years. I always wondered why the cars were coming down our road. Nobody knew anything about it. The cross-country meet is a school related thing – I don't think it's right for the cars to use the private road. The cross-country people are sober moms, dads, grandmas. The hard rock concerts – you'll have people drinking and doing what not and you're parking in these areas with no lighting. You're going to have accidents. I went around with this petition asking people for their thoughts and got a pretty good response.

QUESTION Meyer: Forty-eight out of...?

ANSWER Miller: I'm not sure.

QUESTION Meyer: Jeff, should that be read to us?

ANSWER Bluske: If they treat that as a protest petition, we don't need to read them into the record. The original copy needs to be turned in to the County Clerk a minimum of 24 hours before the County Board meets on the 17th. We check the names for ownership. If it's a valid protest petition and has over 51% of the perimeter owners surrounding what MGCC has, it would force the County Board to a ¾ vote to pass it rather than a majority. If you'd like, I can read them – it's up to you how you want to handle this.

REMARK Meyer: I was asking more for the content of what it said, a paragraph or two.

REPLY Bluske: *"TO THE COUNTY BOARD OF SUPERVISORS, LA CROSSE COUNTY: The undersigned title owner(s) as presented by the circulator, purport to be owners of over 50% of the area proposed to be rezoned or altered (or are abutting owners of over 50% of the total perimeter of the area adjacent to the area proposed to be rezoned or altered) hereby protest the change in zoning classification of the following described lands and for the reason set forth under each signature:"*

They have their reasons, addresses, names.

QUESTION Meyer: It's doable

ANSWER Bluske: Yes

QUESTION Bina: I don't think we need to read them now if staff will check them out.

REPLY Meyer: I wasn't asking for that – I wanted to know what it said.

Appearing in Opposition: Kent Sparland, W4238 Ceresa Dr, West Salem, WI 54669.

I serve as Secretary/Treasurer for Ceresa Drive Homeowners Association. Opposed for same reasons as Vernetta Moe's. Can't imagine even with cross-country meet that can be a safe situation. I contacted the same insurance people as Mr. Ceresa. They have extended coverage but they could not guarantee the Ceresa Drive Homeowners Association would be free of liability. We do have concerns of liability but also safety. Even with a million police officers, how would you control people coming in and out in an emergency situation? Thank you.

QUESTION Meyer: Some of the Association people would be listed on the petition Jeff has?

ANSWER Sparland: Correct. All the people on Ceresa Drive are Association members.

QUESTION Meyer: Most are signed on the Petition?

ANSWER Sparland: I believe so. I signed the petition – I don't know.

QUESTION Bluske: As an officer of the Association, how often does the Association vote on matters that affect the homeowners and the use of the road? Was it voted on?

ANSWER Sparland: No. It's not in our by-laws. It has never come up. We assumed we didn't have the authority to change that. We thought other people on the road – baby-sitting services, garage sales – if those people were allowed to have parking that Tom could have parking for his cross-country meet.

REMARK Bluske: Just so everyone in the room knows, babysitting, occasional rummage sales are allowed residential uses. They don't need any special permit. The commercial portion does, you don't normally see that in a residential area.

REPLY Sparland: That road has never been (inaudible); we didn't know we had the power.

QUESTION Meyer: The upkeep of the road, is that done by the property owners? So, if somebody owns 3 lots they pay 3 times?

ANSWER Sparland: Correct. Each lot has one vote and there's 61 total lots.

Appearing in Opposition: Delane Sparland, W4238 Ceresa Dr, West Salem, WI 54669.
I agree with what Vernetta read and I hope you take that into consideration.

Appearing in Opposition: Patrice Haas, W4175 Ceresa Dr, West Salem, WI 54669.

Right across from the parking lot. My concerns are what Vernetta read and to re-emphasize it's very dark out there and am concerned about the concert goes coming back in the dark, wandering onto our property, knocking into our garage doors. The safety of our houses and people living in them. Using our plants as restrooms. Also, the emergency situation. It's a narrow road if we had to get a fire truck or ambulance in, it would be difficult. Thank you.

Appearing in Opposition: Robert Miller, W4153 Ceresa Dr, West Salem, WI 54669.
I agree with Vernetta Moe. She summed it up well. Thank you.

Appearing in Opposition: Melissa Rude, W4254 Ceresa Dr, West Salem, WI 54669.

Parcel #13. I won't repeat any arguments. Want to express my frustration finding out about a lot of things after the fact. I wasn't aware of the concert until my father e-mailed me. I wasn't aware of the parking situation, until we received the flyer in the mail and husband and I struggled a great deal trying to figure out what that would be used for. We weren't sure if the strip behind our house would be used for parking. We weren't contacted and explained the reasoning for any of that. I'd feel more comfortable with decisions if I were more in the loop.

Appearing in Opposition: Larry Noll, W4206 Ceresa Dr, West Salem, WI 54669.

Serve as President of the Homeowners Association. Tom talked to me and we had a god conversation. Since then I've done some homework and checked into some things we didn't talk about. Some have been brought up – the lack of lighting and safety is a real concern. I don't know that an outdoor concert in the middle of a residential area is something that's happened before. Usually they're in the middle of an open area and there's not a lot of housing close by. I could be wrong. The ones I have heard of are (inaudible). So, that is a concern. Nothing personal, but the safety and liability are a real concern and I support our Association by standing up here and expressing my concerns at this time.

QUESTION Meyer: You're the President?

ANSWER Noll: I am.

QUESTION Meyer: Who was the other fellow?

ANSWER Noll: Ken Sparland – the Secretary/Treasurer; he's on the board also.

QUESTION Bluske: Ceresa Drive, a private road, when we look at the recorded plat is only 25-ft wide. Normally on a town or county road the black top is 20-ft to 22-ft wide. I'm assuming it's blacktopped from your front lot line to the neighbor's across the street?

ANSWER Noll: Correct.

QUESTION Bluske: The maintenance is done based on some kind of agreement. One issue that might pop up – once you get off that Town Road or County Road – that’s the excess right-of-way. It’s the shoulder. You ever see anyone go on your front law to get around?

ANSWER Noll: Yes, quite often.

QUESTION Bluske: You think that will happen now?

ANSWER Noll: That’s something we need to be concerned about.

QUESTION Bluske: Is that the liability you’re talking about?

ANSWER Noll: That’s part of it. There’s just too many red flags that make this a concern. The concept is not a bad idea, don’t know if it was thought out with everything in consideration, to make sure everybody’s safe.

QUESTION Pedretti: If it wasn’t for the parking, the Association would not be opposed to this concert? Is parking the issue?

ANSWER Noll: Safety, lighting – there’s more issues than just the parking. There’s a lot of little kids – it starts in the middle of the afternoon and goes until the next morning. That’s typical for a concert. It’d be tough to keep everybody safe in my opinion.

Appearing in Opposition: Pam Noll, W4206 Ceresa Dr, West Salem, WI 54669.

I agree with Vernetta. I wasn’t home, but Tom came and spoke to my husband. I never thought of the lighting situation. We don’t have street lights, so I’m concerned about the safety.

Appearing in Opposition: Sue Fellom, W4147 Ceresa Dr, West Salem, WI 54669.

Concerned with the things already said. Also the noise. My dogs will be completely stressed out. My kids are young. I have a daycare. I’m afraid if it’s made commercial, if it does develop into something bigger, more traffic, no curbs or sidewalks or lighting. I feel bad when two of my daycare parents’ park on the road and people need to go around, and they’re there for 5-10 minutes. I’m concerned about animals, kids and future development.

Appearing in Opposition: DeeDee Vanriper, W4269 Ceresa Dr, West Salem, WI 54669.

I’m opposed for the reasons already stated.

Appearing in Opposition: Jason Peterson, W4159 Ceresa Dr, West Salem, WI 54669.

I’m #31 on your map. What Vernetta mentioned the letter from Deems – pretty much along the same lines of what I’m concerned about. I think that’s a private drive. With that many cars – people coming down for the cross-country meet, that’s one thing, things like daycare. When you get 500 cars coming down at one time throughout several hours, that’s a different animal.

QUESTION Bluske: It looks like you’re lot #31 so you would end about where a Town Road would start if it ever went in. When part of this subdivision was vacated then re-platted, I think the Town of Hamilton required it be built as a Town Road up until that point? That’s the little slivers that are below like lot #4 on the map, and parcels 1 and 3. It seems like when these lots were to be built on, has the Association been told who’s going to build that portion of the Town Road?

ANSWER Peterson: I don’t know – you’d have to ask one of the officers. Also, the rezoning – I have somewhat of an issue. Some of the things Deem’s had in his letter – condominiums going in, maybe timeshares – that sort of thing. The traffic – I have small children: 7, 5 and a new baby.

Appearing in Opposition: Chris Rude, W4254 Ceresa Dr, West Salem, WI 54669.

My wife stated some items on our behalf. I wanted to add, I heard Mr. Ceresa say he got up to a certain point on the road when he decided to start talking to people about this idea. The point he mentioned is about halfway down the road – I live on the other half of the road. I can only assume everybody from that half of the road down had no idea what was going to happen until other neighbors brought it to our attention. I wanted to add that the premise and intention that we bought our house under was to move to a quiet golf residence. That’s why we bought our home. We understood there’d be no other intentions when we bought our home from Mr. Ceresa. We’d like it to stay that way. Commercial zoning opens this up to other possibilities, none of which we’re comfortable with, none of which we feel will be beneficial to us in any way. Therefore we’re opposed.

Appearing in Opposition: Amy Peterson, W4159 Ceresa Dr, West Salem, WI 54669.

Lot 31. I agree with what the neighbors have said. I don't begrudge Mr. Ceresa's right to have a concert. It's his business – it will bring people to the area, they'll see Maple Grove is a beautiful place. I think he has other options where to park these cars. The other half of the golf course is surrounded by farmers' fields. He mentioned he could use his driving range as well. The night he came and spoke to us, I believe it was after the Town Board Meeting about 8:30 on a Monday. He also wanted to get our thoughts on building two and three story vacation villas along the 18th fairway, the tee box on 17 and the 16th green. Something like a timeshare is the term he used. I don't think his only agenda is to get parking.

No one else appearing in opposition.

REMARK Meyer: There were a number of things stated – I'd like to have your rebuttal, particularly on safety, if you could speak to that now.

REMARKS Ceresa: I want to clarify for the committee when Larry was speaking, he was speaking as an individual, not as the president of the Road Association since they never met regarding this concert or the road, nor have they discussed it or voted on anything. He was speaking as an individual, not as the president of the Association. With regard to safety, I had a "pre-meet" with the La Crosse County Sheriff's Department. They agreed the location of these lots was the best fit for this concert. Because we have done the cross-country meet, they have had about 2,500 runners and spectators each year for the past thirteen years; we know how to handle parking large amounts of cars coming in and out. Being we're not charging for parking, we feel they'll be coming in a lot faster and easier. We have plans to have 9 people on staff handling traffic on County B all the way down the road directing people where to park. We feel they'll come in faster than the cross-country meet because we're not charging. A gentleman commented about traffic backed up to County M. That's never happened, nor will it happen at this event. I've been in contact with the Sheriff's Department – he's confident all the safety issues are addressed. We've discussed how the cars will be coming in and out. We have the security in the designated parking areas to monitor once the concert is out. We have 16 security (staff) – they'll be moved to the parking areas. In addition, as I understand it, the 6 officers will be helping to get the traffic out of the development as well as onto County B. Within the large assembly permit – they wouldn't authorize the permit if these things weren't addressed. That would be my comment to the committee.

REMARK Wehrs: At cross-country meets I've never seen a sheriff directing traffic.

REPLY Ceresa: There hasn't been, just our staff.

REMARK Wehrs: I know for a fact the cars are out to (County Road) B and they're parking on A Marking Road.....

REPLY Ceresa: He said M

REMARK Wehrs: I meant M and parking on A Marking Road – I know because I walk and there are cars parked there even though there are no parking signs.

REPLY Ceresa: They park there because there are no signs that say "No Parking".

REMARK Wehrs: There are signs.

REMARK Meyer: Let's not debate that here.

QUESTION Wehrs: There's never been a sheriff for that?

ANSWER Ceresa: My staff has handled the cross-country meet.

QUESTION Wehrs: Maybe this is for Rich – where's the confusion with the Sheriff's Department that this isn't going down Ceresa Drive?

ANSWER Ceresa: The only thing I can think of that when Rich was speaking, he was speaking as if you spoke with him months ago.

REMARK Schomburg: No, it was about a week ago approximately. I was under the assumption they weren't going.

QUESTION Ceresa: Where did he tell you they were coming in to get to those lots – there's only one way to get in there.

ANSWER Schomburg: That I can't remember.

REMARK Ceresa: It was on the application I submitted.

REPLY Schomburg: He was going to put "no parking" signs on County (Road) B, and said they wouldn't be coming down there, so that's what I assumed.

QUESTION Wehrs: Is there an option on this other side where the cars wouldn't be so close to residences? Do you have enough parking away from those lots to be able to do this without being so close to these lots? It looks like some of these cars will be in peoples' back yards.

ANSWER Ceresa: Again, they'll be in the fields where we've already parked cars for the cross-country meet so it will be no different. The only difference is we've added "Lot C" which is our driving range. That's our over-flow lot. All security, all emergency exits have been addressed with the Sheriff's Department. They're all in the application I submitted. They were confident it was a good plan. One other thing if I could add. They talked about any future plans to develop. Lots 10 & 11, even though they would be rezoned to Commercial, are still bound by the declaration of restrictions. That doesn't change. You can't build a business on those two lots. Even though the zoning would change, they still need to follow that declaration. It has to be single family lots. With regard to the other lots – the zoning already allows them to be single family, duplex, multiple family. Jeff – correct me if I'm wrong – that zoning allows them to be anything under the sun with regard to residential development. So, by changing this, the only thing it allows me to do is park cars there. Lot 45 owned by Craig Reedy, it was my understanding he was going to build a house there in July (2010).

QUESTION Handy: How many votes does it take to amend those declarations?

ANSWER Ceresa: I looked into that – it doesn't really state how you would amend it. As I understand it, it would go to Wisconsin Statutes.

REMARK Handy: Covenants, deed restrictions are managed by the Homeowners Association, so if the by-laws don't state they would probably go to Roberts Rules of Order, which would be a majority of lot owners present at that meeting.

QUESTION Bluske: It's probably 1,100-ft that takes you to the end of that lot 10 and 11. It was originally all residential, then it was vacated and became a Condo Association; that's why the road is 25-ft wide. Same thing indicated that if those lots were built on, it would become a Town Road. Are you familiar with that? The Town will have to go back in its minutes and if that's the case, there won't be a house built back there until there's a Town Road.

ANSWER Ceresa: This is before I got involved, but my recollection is the Town, at some point, must have suggested they leave a 66-ft wide right-of-way in case they decided to have that portion be a Town Road. Since then, after doing the Second Addition to the Scenic Valley Addition, that 66-ft right-of-way has been changed. It's been brought down so at this point it doesn't fall under anything that would allow it to be a Town Road.

REMARK Bluske: It behooves the Town to check up on this because this is very critical. If the Association is responsible, if this road is going to be repaired, there's no sense in repairing it if it will be torn up and made into a Town Road. Normally, the developer pays for the road, I know that was in the minutes; I didn't go back that far because I didn't think it would be an issue, but it is if there will be maintenance done to that part that will be Commercial use. We'd have to find out what year that plat was approved and it would be all in the minutes.

REMARK Robert Arceo: Can I make one comment sir?

REPLY Meyer: Go ahead.

REMARK Arceo: Larry spoke for himself, but I think the petition speaks for itself also.

Correspondence, Bluske: {A site investigation report from the La Crosse County Land Conservation Department read into the record}

QUESTION Bina: Could I ask a question before you go on to the next one? Lots 1741 & 1742 – (referred to in the Land Conservation report) are those the two adjacent to (County Road) B where the swale and the ditch is?

ANSWER Bluske: If you look at your map, it's the first square in the corner – the lots closest to it. They are in the southwest corner of that.

Correspondence, Bluske: The other correspondence comes from the Town of Hamilton. I received it on May 19th, dated May 17th (read into the record) stating the Town Board approved the petition on May 11, 2010.

Staff Recommendation, Bluske: Staff recommendation looks at many things besides zoning and is to deny for the Commercial District – inconsistent with the County Plan and there is no public access point. Staff does recommend approval of the rezoning from Residential District "A" to the Agriculture District "B" for the continued golf course operations.

QUESTION Meyer: You're recommending splitting it?

ANSWER Bluske: Yes.

QUESTION Pedretti: That was my concern – if you zone it to Commercial, just about anything could go in, correct?

ANSWER Bluske: Unless approved as Conditional Zoning. That doesn't address our concern of public access – there is none.

REMARK Pedretti: That was my issue – the Commercial will allow access to those lots, versus now they are residential, they cannot have access.

REPLY Bluske: That's right. It's private for a reason.

REMARK Pedretti: I'm struggling with the suggestion you mix Residential with Commercial along this border here. I understand rezoning for housekeeping. I don't understand why you'd put Commercial next to Residential.

REPLY Bluske: I'm not recommending it.

REMARK Pedretti: Thank you.

QUESTION Wehrs: I'm looking at this diagram from the other night. We talked about a Conditional Use for a golf course in Residential "A", so couldn't we leave it Residential "A" with a Conditional Use Permit for the golf course?

QUESTION Bluske: Are you talking about Parcel 2?

ANSWER Wehrs: Yes.

ANSWER Bluske: Parcel 2 is out in the golf course and the Residential "A" does allow a golf course with a Conditional Use Permit. In the future we're looking at pigeon-holing the operation in the zoning district it belongs in, without the residential use.

QUESTION Wehrs: But then these other uses – forest preserves, grazing, kennels, fur and animal farms, mining, quarries, and gravel pits. So, if we leave it in Residential "A" with a Conditional Use Permit, then it would be single family dwellings with – Conditional Use Permit for a golf course?

ANSWER Bluske: In our discussion with Mr. Ceresa, those two areas back in 1975 or 1978 were all platted for single family homes. That never happened, that's how it got to be rezoned. The rest of those parcels in the dark grey area are zoned Agriculture District "A". That district and the golf course existed prior to our zoning ordinance, so the rest of it is grand-fathered in. We asked him to rezone the Ag. "A" portion to Ag "B" as well – we envision it being a golf course forever. On Ag "B" you can have parking. He could park anywhere he wanted on the golf course now.

REMARK Handy: You could make the Ag "B" conditional, no quarry operations allowed.

QUESTION Wehrs: Or fur and animal farms.

ANSWER Handy: Yes.

MOTION Mach/Meyer to split the request for separate votes on those parcels identified as Parcel "1" and Parcel "2" in the petition.

5 Aye, 0 No, 2 Excused (Manthei, Keil). Motion carried.

Motion Wehrs/Pedretti to recommend denial to rezone Parcel "1" identified in the petition from Residential District "C" to Commercial District "B".

5 Aye, 0 No, 2 Excused (Manthei, Keil). Motion carried.

Motion Pedretti/Mach to recommend approval to rezone Parcel "2" identified in the petition from the Residential District "A" to the Agriculture District "B".

5 Aye, 0 No, 2 Excused (Manthei, Keil). Motion carried.

ZONING PETITION NO. 1836 Donald K & Dorie J Earley, W3209 County Road N, Coon Valley, WI. Petitions to rezone from the Agriculture District "A" with deed restrictions for one single family residence to Agriculture District "A" with no conditions on 10.15 acres in order to create 2-3 additional lots on land described as: Lot 1 of Certified Survey Map No. 97 in Volume 12. Town of Greenfield.

Appearing in favor: Don Earley, W3209 County Road N, Coon Valley, WI.

We are looking to lift the deed restriction to be in compliance with the new Greenfield comprehensive plan.

QUESTION Bina: What is the deed restriction which you have now?

ANSWER Earley: One house on the 10 acres. I don't think that the comprehensive plan has been fully approved yet, but everyone I spoke with indicated that shouldn't be a problem.

REMARKS Bluske: At the business portion of this meeting, just prior to this public hearing, the committee voted to send this on to the county board. So the final plan has just two readings to go.

QUESTION Early: Are there any objections up to this point?

ANSWER Bluske: Well there is no plan right now, it's not passed. There is no plan until it is passed.

QUESTION Pedretti: You want to take these restrictions off, yet you do not know what you want to do with this property?

ANSWER Earley: We just want the property to match the new comprehensive plan.

QUESTION Pedretti: Most zoning, when you come in for a rezone, you would have some sort of plan. Otherwise it is considered speculative zoning which is not highly favored here. So you have no plans and do not know what you want to do?

ANSWER Earley: Our thoughts are for two, five acre lots.

QUESTION Pedretti: But, if we lift those deed restrictions, you theoretically could divide it into five lots, correct?

ANSWER Earley: The area won't allow it, due to the setbacks. The setbacks would not allow it.

QUESTION Pedretti: Two years ago, you requested this and it was denied. Four/Five years ago you came in for a zoning permit for an accessory building and then you constructed a house inside of it, without first getting a permit. Now you are saying that you want us to speculate?

ANSWER Earley: I think that we had the proper zoning and everything, but we just built the house, not the outbuilding.

Appearing in favor: Dorie Earley, W3209 County Road N, Coon Valley, WI.

I believe that all of you may have the information that was sent...the original one with the map. There is a divided driveway shown. The driveway must be the issue this evening. We have the five acres where the pole barn/residence is at. Then there is the driveway and then on the other side the setbacks will be very close to the Vernon County line. I did submit some photos that were supposed to be given to you.

REMARKS Bluske: Those pictures were supposed to be on the computer.

REMARKS Earley: That is too bad as this is my second time coming here and with the photos we have residents on our right hand side and they are lots. On the opposite side there are lots on bigger parcels and then we are just right across the road. I would just appreciate if you guys would take a look at the lots in contrast to what we are proposing.

QUESTION Bluske: Just so the committee knows, the map that you have was their last proposal because they did not submit a map proposal for the two or three lots. The application sheet that was made, I spoke with Chad VandenLangenberg this afternoon prior to this meeting, the original application has two residential homes, then it was changed to two or three, specifically. The application materials ask for a site plan drawing showing the layout of the plan. He said that he did not get one, so he used the one from last time. If that is what you are concentrating on, what is the proposed outlot going to be? Will that be an easement to access both of the lots?

ANSWER Earley: Yes, there will be a driveway agreement

QUESTION Bluske: Is that also going to allow access to land in Vernon County by anyone other than you?

ANSWER Earley: No, that hasn't changed. That was recommended by Chad as there were no changes.

REMARKS Bluske: The reason that I mention that for the committee, we did drive out there and went down the driveway that is there. The county driveway ordinance indicates that driveways have to be spaced 500 feet apart. The Martin's and the Ostrum's have driveways, so there could not be a driveway on lot number 2.

QUESTION Bluske: Do you have a shared driveway maintenance agreement on the proposed driveway easement?

ANSWER Earley: Not until this has been approved. We can submit it, but we wanted to take one step at a time.

REMARKS Bluske: When the committee is rezoning a parcel, they are looking at the whole package on how you are going to develop the property.

QUESTION Earley: I did submit a statement that once this is approved, there would be one access, not another one. There cannot be another driveway entrance onto "N". That is why we are proposing a dual access. Did everyone get my statement?

ANSWER Bluske: Yes, they have all read your impact statement.

Appearing in opposition: Patti Martin, S106 County Road N.

I am going to read a letter that my husband and I put together. We were not aware that this came before you two years ago, so we are glad that we were aware of it this time. Our property lies along the length of the Earley Property. Before the Earley's purchased this ten acre piece, they approached us to purchase land to access their hunting land in Vernon County. We directed them to Irma Kluth and they subsequently purchased this ten acre piece of property. One year later they asked us to sign a letter in support of allowing them to build a new residence on this property. Dorie said that they loved to hunt and planned on being there a long time. She also stated that they had no intentions on building any other homes there. This seemed reasonable to us and we signed the letter of support. Now, three or four years later, they are proposing another new home here. We feel that this additional home could bring us additional noises such as dogs barking, kids, leaf blowing, lawn mowing and all the additional noises of close up neighbors. A couple of weeks ago, Dorie mentioned that they were looking to sell their house in two or three months to move closer to town. If this is approved, it will leave us with an environment much different than when they first moved here. The request for property zoned Agricultural District "A" with no conditions can be divided into half-acre lots if there were no governing restrictions imposed. The access through this property to the 80 acre property in Vernon County could provide additional subdivision into five acre lots or two acre lots pending a Hamburg Township rezoning. Five acre lots were developed along our south lot line by Mike Earley, Don's father. Once the rezoning starts, we feel that this may lead to many more homes all along the north, east and south side of our property. This would result in a loss of the country lifestyle which is why we moved out here 30 years ago. We have concerns about stormwater runoff and lowering of the water table depth. Our well is 275 feet deep and most of our neighbors have had to go 500 feet deep to get water. In a neighborly goodwill gesture, we supported the

one home on this agricultural property provided that there were no other homes built on this property. Along with our neighbors, we are opposed to opening the door to this type of development in this rural agricultural area.

QUESTION Bina: You mentioned that when they came in a few years ago for this you did not receive a notice of the public hearing?

ANSWER Martin: No.

REMARKS Bina: You should have gotten a notice as everyone within 300 feet would have gotten one. It did get turned down at that point in time.

Appearing in opposition: Greg Martin, S106 County Road N, Coon Valley, WI.

I have a petition that went to all of our closest neighbors. These are neighbors on County Road N and/or are adjoining the Earley parcel. The petition read that we are against zoning petition #1836 to allow for two or three additional homes on this 10 acre parcel. We are against this development. There are 23 signatures of the neighbors which are closest to this property. Also, Irma Kluth is the trustee for the Kluth Trust she made a comment that she has talked to Greg Martin and he will speak for me and vote no on this request.

QUESTION Meyer: There are 23 signatures here, but they can't all be within 300 feet?

ANSWER Bluske: I don't know that.

REMARKS Martin: They are not. These are all people who are along the same ridge as we are and have the same feelings about development in our area. I did not pick and choose; I merely went down the line in both directions and asked how they felt about this petition. I really do not want one more house there. We agreed with the Earley's when they came in and we were concerned about more homes going in at that time. I am also concerned that, with the access to the 80 acres behind, they could develop that area in Vernon County.

QUESTION Wehrs: Do you guys farm? Do you have a farm out there?

ANSWER Martin: We do have a tree farm and have planted 7000 trees out there on our property and 50 acres in Vernon County. Most of it is in Vernon County and only a small portion of it is in LaCrosse County.

QUESTION Wehrs: But, you are not farming it?

ANSWER Martin: No, not animals, just a tree farm.

QUESTION Bina: Well, we don't have any control over what happens in Vernon County. Do you realize that the comprehensive plan for the Town of Greenfield was changed to allow residential use of these lands if approved?

ANSWER Martin: I never knew about that.

QUESTION Bina: You do understand that it is in the town plan now, then?

ANSWER Martin: I do understand that and have talked to Rhonda Helgeson and she said that they were in the process of developing a plan. That is the first I had heard about it and that was about a week ago.

QUESTION Bina: Are all of the signatures you collected from LaCrosse County or are some from Vernon?

ANSWER Martin: There are some from each.

QUESTION Bluske: Are you going to drop that off tonight or are you still getting signatures? What is the status of that?

ANSWER Martin: We didn't go all the way down the road and felt that this would be enough. We did not find anyone who was in favor of additional homes there.

REMARKS Bluske: For the record, a protest petition can have as many signatures on it as you feel is comfortable to satisfy the committee and the county board. If it is used to determine the linear footage of adjacent ownership, then it becomes a valid protest petition. Then, it may require a $\frac{3}{4}$ vote instead of a simple majority by the county board.

REMARKS Martin: We do have signatures from Irma Kluth, ours of course and also from Seichter's.

QUESTION Bluske: The Earley's had submitted signatures on forms that appear to be a pre-made form for neighbor's who were in agreement, when was that done? There was no date on those; I should have asked the Earley's that question.

ANSWER Martin: You would have to ask them.

QUESTION Bluske: You don't remember when you signed them?

ANSWER Martin: Yes, I do, that was three or four years ago, that was just for this one existing home.

REMARKS Bluske: It appeared that these were submitted as part of this file.

QUESTION Manthei: Are the signatures from Vernon County of any value at all?

ANSWER Bluske: If they are adjacent on the south line and we know who they are, yes, we can use them as a protest.

QUESTION Bluske: Could the chairman ask the Earley's to come forward to allow me to show them some of the new evidence?

(Chairman calls the petitioners back for rebuttal)

QUESTION Bluske: Did I show you these...they were turned in but did not have a date on?

ANSWER Earley: Yes, those were submitted the very first time when we were turned down two years ago. Per Chad, we are doing everything the same as last time due to the fact that the Town of Greenfield submitted their town plan to you.

REMARKS Bluske: Chad would not have told you to use old signatures.

REMARKS Earley: That would have been the very first time we came to you two years ago.

REMARKS Bluske: They were in this folder, though.

REMARKS Earley: I put them back in there because it is the same instance; just the Town of Greenfield plan has been changed.

QUESTION Bluske: So, you did not contact the neighbors again?

ANSWER Earley: No, not since two years ago.

REMARKS Don Earley: The way I understand it is that they are worried about a development in there. But, the way the road is and the required setbacks, they are only going to allow one house in there. The existing house and one more on approximately 5 acre lots.

QUESTION Pedretti: The rezone petition says two or three additional lots, so why are you asking for three?

ANSWER Earley: Outlot 1 is probably what it is. That is the driveway which is an easement. Then there are lots 2 and 3.

QUESTION Pedretti: The petition calls for two or three additional homes on this parcel.

ANSWER Earley: It could be.

QUESTION Bina: A few years ago when you came in, I remember that you wanted to build a new house for yourself instead of where you are at. Did that change now? You are not building a house for yourself anymore?

ANSWER Earley: If we can sell the house we are in, we would build a new house across the driveway. We would keep half of it and sell half of it.

QUESTION Bina: Jeff, would that be a sellable piece of property? Where his shop is and house is? Is it a house?

ANSWER Bluske: A portion of the pole building was given a permit for occupancy. If it were enlarged or changed, it would need a permit. As for the size of the parcel, the plan that was submitted shows lot 2 and lot 3, plus the outlot...this could be saleable. The county surveyor would need to look at lot 2 as any lot on a county highway has to have 200 feet of average depth. He will need to determine that. We didn't have anything to take a look at, even though it was in the old file, there are no dimensions associated with that. Maybe the surveyor that did this took a look at that.

REMARKS Earley: Harding said that, the way it gets narrower and narrower, the ability to divide that again was not there.

QUESTION Bluske: You do have a maintenance agreement over Outlot 1 for both parties?

ANSWER Earley: Correct.

QUESTION Bluske: Would you retain ownership of that for access to your property in Vernon County?

ANSWER Earley: We would probably retain ownership of that.

QUESTION Bina: The neighbors said something about you may move closer to town. Is this going to be your house or somebody else's?

ANSWER Earley: If we can sell the house we are currently in, it is too big. We just had one that graduated high school and another that needs to be out. We would then downsize and build a new house across the driveway. If someone were to offer me an exuberant amount for that other lot and want to build their new house there, it would be sold.

REMARKS Bina: So, you would sell the existing structure and build new.

REMARKS Earley: I would prefer to sell the house we are in and build a new one, but I would not be against selling the other five acre lot.

Correspondence: (Read into the record) Email from Steve Mader, Town Chairman. Next town meeting is June 9th. Need to see an exact layout. Need to allow neighbors a chance to speak. Also, a phone call from Steve Mader asking if we were recommending to hold this over until the town plan has been adopted by the county.

Department recommendation: The proposal is consistent with the proposed town plan and county map. Drainage across the middle of the parcel is to the south. It is the top of the Coon Creek watershed. The average depth does not comply with the required 200 foot average depth. Staff recommendation is to approve as Agricultural District "A" subject to the recording of new deed restrictions as follows: only two lots in total with no further subdividing with a maximum of two single family homes and only two animal units allowed on the total of the 10.15 acres.

QUESTION Bina: So, you are recommending only two lots. The existing house and one additional if it fits.

ANSWER Bluske: Yes, only if it fits. We have not addressed the subdivision control.

REMARKS Bina: Evidently, the town is saying the same thing.

REMARKS Bluske: They have to know what the proposal is.

QUESTION Earley: Would that also have Outlot 1 as the access?

ANSWER Bluske: If that is how you would access it, unless you would deed it to the town for town road.

REMARKS Pedretti: I am struggling with the fact that there is not a plan. There isn't anything more than this is what we might do, this is where we might head. Plus it says two to three additional homes. And the fact that the Town of Greenfield plan is not officially passed yet and they have not looked at this petition yet.

Motion by Wehrs/Mach to postpone this for one month until the Town of Greenfield has a chance to look at it and the plan is voted on and we have answers to the question of what is proposed.

Discussion on Motion:

Remarks Earley: We did meet with the Town of Greenfield, but they told us that their hands are tied on making any recommendations until the comprehensive plan was finalized.

QUESTION Bina: Is the comprehensive plan still pending? I thought we had approved it as part of the package a month or two ago?

ANSWER Handy: The Town of Greenfield has adopted their plan. The county has adopted by resolution, but not by ordinance. The ordinance has not seen its first reading, yet.

QUESTION Bina: Will they need to pay an additional fee?

ANSWER Bluske: Yes. If we are looking for more information, then they have to. In the instructions...once a public hearing is scheduled on a petition to rezone the representative must be present at the public hearing to present their application to the committee and answer any questions the committee may have. Should an appearance not be made or if insufficient information be presented, the petition will not be considered by the Planning, Resources and Development Committee and it will be deferred to be placed on the agenda for the next scheduled public hearing. The petitioner will be required to pay the additional expenses which are incurred due to the postponement.

REMARKS Pedretti: And I am not comfortable voting on something that seems like speculative zoning.

QUESTION Meyer: Do you know if the Town Board wants here?

ANSWER Earley: When we presented to the board over a month ago, they said that they can't do anything due to the comprehensive plan not being an ordinance yet. I don't think they know what to do as the plan is not an ordinance yet.

QUESTION Meyer: Jeff, can you talk to Steve Mader and find out what they want to do?

ANSWER Bluske: I received the email from him this morning at 6:56am.

5 Aye, 0 No, 2 Excused (Manthei, Keil). Motion carried.

ZONING PETITION NO. 1839 Dave Cornell, N3287 County Road OA, La Crosse, WI; agent for Clements Family Inc, d/b/a Fox Hollow Golf Course, Roadside & Fox Hollow Banquets; and acting in behalf of Donna Tremain, W3745 County Road M, West Salem, WI. Petitions to rezone from Agriculture District "A" to Commercial District "B" - Parcels labeled 1 in order to expand customer's parking and include lands used for outdoor commercial uses; and to rezone from the Agriculture District "A" and Commercial District "B" to Agriculture District "B" - Parcels labeled 2 in order to terminate the existing Conditional Use Permit No. 302 for the golf course operations; all on lands described as: Parcel 1 - Part of the NE-NE of Section 29, T16N, R6W lying westerly of the creek and northerly of Old County Road O and northeasterly of County Road O; EXCEPT that part already zoned Commercial District "B"; and that part of said NE-NE lying northerly of the following described line: Commencing at the northwest corner; thence S42°47'18"E 802.23'; thence N66°57'06"E 301.40' to west right-of-way of County Road OA & the POB of said line; thence S66°57'06"W 301.40'; thence Northwesterly 680' more or less to a point on the west line of said NE-NE 231' south of said northwest corner & the terminus of said line. EXCEPT that part already zoned Commercial District "B", being 3.1 +/- acres; AND Parcel 2 - Lot 3 of Fox Hollow Addition, ALL that part of the NE ¼, and that part of the SE-NW of Section 29, T16N, R6W lying west of County Road OA, east and southerly of Fox Hollow Drive, and southerly of the following described line: Commencing at the northwest corner of the NE-NE; thence S42°47'18"E 802.23'; thence N66°57'06"E 301.40' to the west right-of-way line of County Road OA & the POB of said line; thence S66°57'06"W 301.40'; thence Northwesterly 680' more or less to a point on the west line of said NE-NE 231' south of said northwest corner & the terminus of said line. EXCEPT the following parcels: 1) Fox Hollow Addition, EXCEPT Lot 3; 2) Lot 2 Certified Survey Map No. 128 Volume 6; 3) Certified Survey Map No. 124 Volume 6; 4) Part of the SE-NE added to and described in tax parcel 2-357-3; 5) Part of the E ½-NE described in tax parcel 2-351-1; 6) Lot 2 of Certified Survey Map No. 93 Volume 8; 7) R.P.S. Condominium; 8) Fox Hollow Condominium; and 9) Lots 3 & 4 of Certified Survey Map No. 9 Volume 7, being 109.2 +/- acres. Town of Barre.

Appearing in favor: Dale Clements, N3230 Fox Hollow Dr. LaCrosse WI.

I just have a quick question for Jeff. Why is Donna Tremain's name on there?

ANSWER Bluske: I researched that because I knew someone would ask. The east half of that parcel was purchased on land contract and we do not have a deed satisfying that yet. I do have a copy of that and will show it to you when I find it.

REMARKS Clements: We are just rezoning a portion of land by the clubhouse which has been Ag. "A" with a Conditional Use Permit for a golf course. Our maintenance shop is on there and there is a shelter on there and we thought that we would like to get that into the commercial district portion of the property. Basically it starts behind the first tee box and then slants back to the banquet hall. And the rest was Ag. "A" with Conditional Use Permit for a golf course that we would like to rezone to Ag. "B". The Town of Barre has approved this request at their last meeting.

QUESTION Bina: This is where you keep your trailers and everything on top of the hill?

ANSWER Clements: Yes.

QUESTION Bina: There isn't going to be any filling or grading on there?

ANSWER Clements: No, it is a gravel parking lot right now.

QUESTION Bina: Because the tail end of lot 1 gets pretty close to the creek at the tail end of it. But, you won't get any closer than that?

ANSWER Clements: No, once the road gets changed, that will become your property, the county's.

QUESTION Pedretti: According to this map, lot 1A is mostly commercial, is that not so?

ANSWER Bluske: Yes.

QUESTION Pedretti: It was included to get it all on the same page, or what?

ANSWER Bluske: Well, except that part already zoned commercial, so it is just that little sliver.

QUESTION Bluske: The white portion of 1A, is there any parking available on that strip there?

ANSWER Clements: No, it is too low down by the creek and it is all grown up with trees.

QUESTION Bluske: You are intending to have a concert out there, correct, but you will have less than 1000 people?

ANSWER Clements: We are limiting it to 600.

QUESTION Bluske: The parking that you have can be accommodated in all of the commercial you have or agreements you have with neighbors.

ANSWER Clements: Yes, and that has been approved by the Town Board.

Appearing in opposition: None.

Correspondence: Letter from the Town of Barre dated May 28th. The Town of Barre met on May 11, 2010 and approved the zoning changes for Zoning Petition #1839.

Department recommendation: After checking with the town plan and it does agree with what they call the town center. We recommend approval of both zoning changes and concur with their request.

QUESTION Pedretti: I am looking at this compared with the other one and this is just basically housekeeping is what it is, correct?

ANSWER Bluske: Exactly.

REMARKS Pedretti: The first portion you are going to change to commercial and it is a commercial corridor along there and we are not talking about any residential. It is already commercial along there.

REMARKS Bluske: For the grey portion on the map in front of you...when county zoning went into effect in 1953, the county looked at town centers and in 1953 they thought this is where they wanted to see town centers. They took a 300 foot strip on both sides of the road, calling it commercial, thinking that this is

where the commercial would happen. It did not follow any property lines. This is how the grey area got the way it is.

QUESTION Pedretti: But, that portion that is not 1A, but 1 is a maintenance shop and it is already commercial, so you're just cleaning it up.

ANSWER Bluske: Correct.

**Motion by Pedretti/Bina to Approve Zoning Petition #1839.
5 Aye, x No, 0 Excused (Keil, Manthei). Motion carried.**

CONDITIONAL USE PERMIT NO. 810 Steven L & Lynn L Hockenbery, 2904 Pierce Ave, La Crosse, WI. Petitions to operate a construction business with outside storage of an 8.5-ft X 18-ft enclosed utility trailer on 0.50 acres zoned Residential District "A" and described as follows: Lot 9 Block 2 Richmond Addition. Town of Campbell.

Appearing in favor: Steve Hockenbery, 2904 Pierce Ave. Town of Campbell.

That is all that I am asking for. I heard through the grapevine that the rumor is that I plan to build a big building and that is not the case. I am asking to allow storage of an 18 foot trailer.

QUESTION Bluske: Can you describe the trailer?

ANSWER Hockenbery: It is an enclosed trailer and I submitted a picture of it.

QUESTION Bina: So, it is an enclosed trailer that you pull around?

ANSWER Hockenbery: Correct, and my tools and stuff are locked up in it.

QUESTION Pedretti: And you don't leave tools or construction materials sitting out?

ANSWER Hockenbery: Nope. And it is not parked in the right-of-way

QUESTION Bluske: Even though you may have filed an impact statement here, tell the committee if you have employees, your hours of operation, how you work, how you take orders, etc?

ANSWER Hockenbery: Basically it is by phone call. If someone calls, I will go look at their project. No work is performed at my house; no materials are delivered at my house. I may paint a door in my garage or something. Then, I would load it in my trailer and haul it to the site. My hours vary anywhere from 8 or 9 in the morning until 4 or 5 in the afternoon. Nothing is left outside; the garage is not a mess.

QUESTION Pedretti: You don't have three or four employees parking on the street?

ANSWER Hockenbery: I do not have any employees at all. I am the only employee.

QUESTION Bluske: How long have you been doing this here?

ANSWER Hockenbery: I have lived there approximately 24 years and had the trailer since 1995. But, I've been doing this since 1974 and I've been in the county.

QUESTION Bluske: Do you pay personal property tax in the Town of Campbell right now?

ANSWER Hockenbery: No, because it is mine personally and it is not business equipment. Everything that I have I use at home and then use it to help my dad, etc.

QUESTION Bluske: So, you don't report your income?

ANSWER Hockenbery: I do report my income.

QUESTION Bluske: And you have a state tax number?

ANSWER Hockenbery: Yes, because it is a corporation, Inc.

REMARKS Bluske: I don't know if you are exempt from personal property or not, that is up to the town assessor.

REMARKS Hockenbery: I am certified through the state.

Appearing in opposition: Jeffrey Foellmi, 1503 Caroline St.

I am on the south side of French Island and he is on the north side of French Island. The reason that I am opposed to this is that over a period of about a year, the Town of Campbell has taken on their own comprehensive plan and committee. This gentleman is on the committee, appointed by the board, most of the people on there are supervisor's or people who are supportive of the board. I feel that he should be denied because anytime there is a meeting regarding canopies, they are opposed and against them. They only approve them for the summer months, say April to October. Because people use them for storage and people don't have the funds to build garages. They are buying these at a cheaper cost to put on the property to put their ATV's, Boats, etc. to put other things under it instead of using tarps. Mr. Hockenbery is against having canopies covering these things. But, Mr. Hockenbery has two garages besides his trailer which covers his things and he does not care about anybody else. As a resident of French Island and the Town of Campbell I think that he should be denied by the county because an issue came up on LaFond Ave. where a lady wanted a steel framed structure.

REMARKS Meyer: I would ask that you stay on this subject.

REMARKS Foellmi: That is a different subject, but anyway, the county approved that one and the town denied it. He is on that committee. I am asking that the county deny Mr. Hockenbery for his Conditional Use Permit in the Town of Campbell.

QUESTION Bluske: Did the Town Board ever take action on this?

ANSWER Foellmi: The Town Board took action and approved Mr. Hockenbery.

REMARKS Bluske: We do not have any correspondence from the town. We do have correspondence what they are calling a Board of Adjustment but this is not a Board of Adjustment issue.

QUESTION Hockenbery: Jeff, do you have that correspondence from Travis the day that I came in and did the application when that came in to see Chad as I was at his desk when that came across? It would have been around 10:00am as we had our zoning meeting the day before.

ANSWER Bluske: It does not appear to be in the folder.

QUESTION Hockenbery: But, you can get that from Chad?

ANSWER Bluske: Yes. We can verify that.

Correspondence: From the Town of Campbell, dated May 8th. The Town Planning Commission met on April 8, 2010 and recommended approval of this Conditional Use Permit.

QUESTION Pedretti: Is that normal or typical behavior to go through Board of Adjustment for a CUP?

ANSWER Bluske: No, not really. This may have been a misunderstanding.

Department recommendation: The department recommends approval subject to 7 conditions:

- 1.) Permit allowed to run a construction business.
- 2.) No employees or employee vehicles on this site.
- 3.) No outside storage of business equipment other than the business trailer.
- 4.) No advertising on site or on the trailer.
- 5.) One unmarked utility trailer allowed and no ladders are to be allowed on the trailer during storage at the residence.
- 6.) The local assessor is to be notified yearly about personal property associated with this business to determine exempt status.
- 7.) This permit is non-transferrable

QUESTION Meyer: Can you live with those conditions?

ANSWER Hockenbery: No problem, other than the one regarding the assessor's office.

Motion by Wehrs/Pedretti to approve as specified.

5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.

ZONING PETITION NO. 1840 Joseph W Katchever & Tami M Plourde, W5985 County Road OS, Onalaska, WI. Petitions to rezone from the Residential District "A" to Agriculture District "A", a 0.782 acre

parcel in order to keep some poultry on land described as: Lot 1 of Certified Survey Map No. 22 Volume 3. Town of Medary.

Appearing in favor: Joe Katchever, W5985 County Road OS.

We bought this house about two years ago this July. It is a residence with a big yard and is zoned Residential District A. It is kind of the opposite of the rest of the zoning as far as the Town of Medary around us. I have neighbors to the left and right of my house and to the rear. The front of the property is on County Road OS. Directly across the street is zoned Ag. "A" as most of the properties in the Town of Medary are. I purchased this property with the intentions of raising my family there and being there for awhile. We got some chickens last summer and thought that since we were outside the city limits it would not be a problem. They are all hens so they don't make a sound. Then I received a ticket on my door that said I could not have them and that is what stirred this up. I am looking to rezone it to Ag. "A" which I have been told would allow me to keep the chickens. I am on good relations with my abutting neighbors and I think they enjoy the chickens around. I have just under an acre that is fenced in with a privacy fence out front and a five foot fence around the rest of the property. I did prepare an impact statement, have you had a chance to read that? I don't think there is a lot of community impact at all. There are a number of cities which allow you to keep chickens.

QUESTION Bina: You have the City of Onalaska on both sides of you?

ANSWER Katchever: Yes.

QUESTION Bina: But you are in the Town of Medary?

ANSWER Katchever: Yes, do you have this map?

QUESTION Bina: I do, but I guess I'm wondering why things got so mixed up?

ANSWER Katchever: I don't know. I was under the assumption and I was told that it was not in the city and that outdoor animals wouldn't be a problem. I am not completely surrounded, if the map were bigger, there are a number of properties in the township. On the same block, just to the east of Pralle Rd. they keep horses and goats over there.

QUESTION Wehrs: How many chickens do you have?

ANSWER Katchever: Two

QUESTION Wehrs: How many do you intend to have?

ANSWER Katchever: We had five. I am not interested in farming or commercial enterprise. They are just outdoor pets.

QUESTION Wehrs: Are those the only animals you intend to have and do you have a coop?

ANSWER Katchever: They have a hen house they go in at night. They hang around the yard during the day.

QUESTION Pedretti: Does the Town of Medary have any opposition to this?

ANSWER Katchever: I could not get on their meeting on the 11th, but I did speak with Linda Seidel and she didn't seem to have any reason to oppose it and whatever zoning changes which were made since she is on the board, she's gone along with what you have decided here.

QUESTION Pedretti: Where did you get the ticket from, I assumed it was the township?

ANSWER Bluske: It was the Humane Society.

REMARKS Katchever: Yes, the Humane Society. I didn't know they issued tickets.

QUESTION Mach: So, what does the Humane Society want you to do? They don't want you to have the chickens because you are not caring for them adequately.

ANSWER Katchever: No, nothing like that. It states that the keeping of chickens or agricultural animals is a violation of the LaCrosse County Zoning Ordinance. The township did not express opposition, but I was unable to get onto their agenda.

QUESTION Handy: whose name is on that?

ANSWER Katchever: Mr. Chad VandenLangenberg

QUESTION Bluske: Joseph, you indicated that you had spoken to all of your neighbors and that nobody is complaining. But, evidently somebody is for the Humane Society or the Heath Department to react to this. So the committee knows, when they are at large in the yard, they get out sometimes. Have they gotten out?

ANSWER Katchever: They did get out at that time.

REMARKS Bluske: That is the issue and that is why there are complaints and why our department is involved.

REMARKS Katchever: The UPS guy came and instead of leaving the package at the front door, he went around to the back and left the gate open. There is a latch on the gate. All my neighbors that I know, I've only been there a couple of years; they are all city of Onalaska people. The lot to the east of me and directly west, which are most of my neighbors enjoy the chickens around. I didn't go get a petition or anything.

Appearing in opposition: Steve Hayes, 2019 Sandlewood Dr., City of Onalaska.

My property is directly south. We just became aware of it just a little while ago, less than a week. We have had conversations about the chickens and it is of a little more concern than what Joe thinks it is. OS is a busy road and if the chickens are out there it may cause some safety concerns. I did hear that one of the chickens were hit out there when it was out on its own. The other thing is that it is residential all around even though it is kind of piecemeal. If it get's zoned agricultural, but to me it raises a concern as it opens the door to something else.

Appearing in opposition: Ryan Root, 2011 Sandlewood Dr.

I am the property to the southwest of Joe's property. I have a couple of concerns. Along with Steve, I feel the same that zoning it agriculture it opens it up to livestock, roosters, etc. He hasn't had any roosters yet. I'm not sure if there is a way to just allow the chickens or if it opens it up for everything. There have been concerns regarding the chickens getting out. Two occasions for sure I've seen them out and the Humane Society and Police Department chasing them around and looking for them. I don't feel negatively towards the chickens, but we were never told about them. I don't know why he thinks that we are automatically ok with it. We found out as we were notified by our alderman and I guess that the Town of Medary doesn't have to notify us. All of a sudden one day the chickens were there. I guess that because of the ticket, he decided to proceed with this request.

Appearing in opposition: Marc Wilson, 2119 Sandlewood Dr.

I am behind him too. There are five lots behind him and rather than what Joe said, all five of us are here tonight and as far as I can tell all five of us are against this. I will take credit for calling the Humane Society and the Police Department a couple of times. In late April I called as they were down to south 21st Street. The officer came by and contacted animal control. On May 14th I called animal control as there was another one loose and I felt we may as well start getting a record of what was going on here. As mentioned, this was kind of sprung on us without notice and he's never talked to me about this. It is a heavily residential area and Sandlewood has maybe 90 single family homes on quarter acre lots or less. County Road OS is a major road that is only going to get worse. This doesn't seem like an area where you want to introduce livestock into and this does open that door. Therefore, we vote no.

Appearing in opposition: Pamela Jorgeson, 2103 Sandlewood Dr.

I moved in about the same time that Joe moved in about two years ago. I am also directly southeast of this lot and his fence line is directly in my backyard. The chickens are still farm animals and they do squawk. My bedroom window is right there. They do run loose. My dog definitely knows when they are out. I wish that he would have had the consideration to notify us. We have, I believe, six of us here tonight and he never mentioned this to any of us. I really don't want the chickens if we don't have to have them. And, I don't want other farm animals either. If I wanted to live on a farm I would not be where I am. County Road OS is also a very busy road. It could be very dangerous.

Appearing in opposition: Vernell Glenn, 2111 Sandalwood Dr.

My opinion is pretty much the same as my neighbors. I moved into a residential area and I have nothing against hens or livestock but would prefer to keep it strictly residential.

Appearing in opposition: Jack Roe, City Alderman of the 3rd District.

I wanted to come forward and mention that this area is residential now and to keep it that way would be a good thing to do. Just not allowing one individual to switch their property to Ag. "A" just because it is in Medary. If you look at the map for the 3rd district of Onalaska, I was quite shocked to see how little residential there are in district 3 that are still in Medary. I haven't gotten to the bottom of it, but am still working on why that is that they wanted to be excluded from the city. The city does have an ordinance against livestock and chickens. This has been brought up a couple of times in front of the council, within the past few months even. The city is really against the raising of chickens, even if it is for eggs or the chicken itself. I did go around the neighborhood and they seemed like they were not notified which I think is a poor example of how government works. You can see that they were very much against this proposal and the fact that they were not aware in advance. I did have one resident right adjacent to this property that has sold his property and he inclined that he was not opposed to the chickens. There was one positive aspect, but that individual is moving outside the city limits.

QUESTION Meyer: Are you saying that the residents were not advised of this hearing?

ANSWER Roe: When I went around the neighborhood they were not informed that this was taking place. When I spoke with the 5 or 7 total individuals, none of them were notified, even though their property is adjacent to this.

QUESTION Meyer: Jeff, can you answer that?

ANSWER Bluske: Does the City of Onalaska notify anybody in the Town of Medary? Enforcement notices go to those affected by the county ordinance. In this case it is just the Town of Medary residents. In all respect to the City of Onalaska, the Village of Holmen and the Village of West Salem, if some of their property does fall within that, we are capable of sending out notices and if the County Board changes their policy on that, we certainly can. We did send a notice to city hall.

REMARKS Roe: That is how I got notified. I got a notice in my mailbox through city hall and I felt it was my duty to contact these people.

REMARKS Bluske: We also send a notice to the County Board Supervisor for that district as well. The process ended up working the way it was supposed to, but not for each individual owner. That is something we could change in the future if you would like. In the Village of Holmen, and this is why I bring this up, is that they have a wellhead protection and they routinely vote against anything that may contaminate any wells.

REMARKS Roe: And that is something that I didn't even touch on. Out in the agricultural areas, there are requirements when you are raising chickens, you have to have so much acreage to get rid of the chicken manure. That is another question...what is he doing to get rid of the manure. He is surrounded by city limits besides the one property across the street from him. What is happening with that? These are concerns that we did have.

Correspondence: No correspondence. For the record, the Town Board requested the rezoning of this property back in 1966 from Agricultural District A to Residential District A. Everything between OS and I-90.

Department recommendation: We have taken a look at the Town of Medary plan and the County Plan on this and it calls for strictly residential. Therefore, even though I am not against chickens, we need to recommend denial based on the comp plan. This is not a place for agricultural animals.

REMARKS Pedretti: The first time I drove by this property I noted that it looked pretty wooded and it looks pretty big and it might be a good place for a chicken or two. I also looked across the way. The second time I drove by I went behind the neighborhood and thought this is really residential and it has to be a struggle to have animals considered farm animals. I am all for people being able to do their own gardening and raising things on their own, but this is way too residential so I would have to go along with the staff recommendation on this.

Motion by Pedretti/Bina to deny.

5 Aye, x No, 0 Excused (Keil, Manthei). Motion carried.

SPECIAL EXCEPTION PERMIT NO. 2010-06 Joe Ledvina acting in behalf of the La Crosse School District, 807 East Ave S, La Crosse, WI. Petitions to pulverize and remove an existing driveway along with portions of black topped parking areas; then to bring in approximately 75 cubic yards of fill to bring the excavated areas to existing grade; approximately 7,100 square feet is affecting those areas located within 300' of the ordinary high water mark of the Mississippi River Shoreland District, on lands zoned Agriculture District "A" and described as: Part of Gov't Lot 9 in Section 19, T16N, R7W described in tax parcel 4-726-0. Town of Campbell.

Appearing in favor: Joe Ledvina, 3320 E. Fairchild, LaCrosse, WI.

What we are doing here is replacing our parking lot. It is time in our capital improvement budget to replace that. As part of that, we are looking at the overall traffic pattern at Summit School. We wanted to eliminate the other side, going down the hill. This will serve two purposes. If you have heard recently, the school would like to become an environmental school. We thought that we could eliminate some pavement and curb some of the runoff going into the Mississippi or whatever slough that may be. We can sod that and plant some trees there. We would change the traffic pattern for safety reasons and for environmental reasons. Our civil engineer has been working with Mary Jo Webster from the DNR and she has suggested some things that we are doing and have made those adjustments and tonight we come for permission to do that.

REMARKS Bluske: Mary Jo Webster is actually with the LaCrosse County Land Conservation Department. You may have also been dealing with Carrie Olson from the Department of Natural Resources.

REMARKS Ledvina: Yes, that is correct.

QUESTION Bluske: So, up on top, when we were measuring this project, on the north side of the school, we did not find anything that was within the 300 feet from the ordinary high water mark. Are you doing any filling, grading or blacktopping that we should know about up there.

ANSWER Ledvina: No, you mean up on the north side?

REMARKS Bluske: Yes.

REMARKS Ledvina: No, we are working with the Town of Campbell trying to connect into the property from the street that exists there so that we can have bus drop-offs up there and parent drop-offs in the current location. We are meeting with the Town of Campbell on Monday on that.

Appearing in favor: Hermit King, 1833 Aikin Rd., LaCrosse, WI 54603.

I am just north of the school. That steep hill there is all blacktop and as far as I am concerned, if we can put dirt and grass in there it will be a good thing. The traffic pattern is pretty hectic right now; if we eliminate that hill it will be a good thing. I do work for the school district in building and grounds.

QUESTION Bluske: What is the timeline on this?

ANSWER Ledvina: As soon as you approve this we will get started on the project and hope to have it complete by August 10, 2010.

Appearing in favor: Jeffrey Foellmi, 1503 Caroline St.

I have been dealing with this school for 9 years. In those years, that hill, in the wintertime, is a little different. It can get slippery. This is a substantial improvement and is a good thing. It will be costly, but it will be worth it. I do agree with this and the county approving it.

Appearing in opposition: None.

Correspondence: (Letter, read into record) Dated May 26, 2010 from Carrie Olson with the WDNR. No DNR Stormwater or Chapter 30 permit is required as the disturbance amounts are minimal and under the amount under state authority. No objection. (Letter, read into record) From Mary Jo Webster, addressed

to Joe Ledvina. The plan submitted meets the requirements of Chapter 21 and a permit is issued subject to conditions.

Department recommendation: Staff recommends approval subject to six conditions:

1. Permit is granted to perform excavation to remove an asphalt driveway, perform grading and to add approximately 75 cubic yards of fill to land lying within the Shoreland District of the Mississippi River.
2. All conditions of the Erosion Control Permit issued by the La Crosse County Land Conservation Department shall be complied with until the site is fully finished, including keeping the sediment logs in place until all ground is stabilized.
3. Absolutely no sediment is allowed to flow into any storm drains.
4. All materials taken from the school site shall be taken to approved sites outside the Shoreland District.
5. Any disturbance of land within the county right of way shall be approved of by the County Highway Commissioner.
6. This permit expires before school start date in the fall of 2010.

Motion by Bina/Mach to approve with conditions.

5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.

ZONING PETITION NO. 1842 James & Roberta Degenhardt, 369 Clark St N, West Salem, WI; acting in behalf of Robert S & Gloria D Nuttleman & the Nuttleman Trust, N4639 County Road M, West Salem, WI. Petitions to rezone from the Transitional Agriculture District to Agriculture District "A", a 4.723 acre parcel in order to make new residential improvements on land described as: Lot 2 of Certified Survey Map No. 102 Volume 13. Town of Hamilton.

Appearing in favor: James & Roberta Degenhardt, 369 Clark St N, West Salem, WI.

REMARK Degenhardt, James: We've been talking with the Nuttleman Family about the property, purchasing the property. We understand it has to be rezoned. There's six buildings on the property now. We'd be looking at tearing them down and rebuilding a house with an attached garage sitting back further on the property. Right now the house that's sitting there is probably 60 feet from the road. We propose to build on the property that would be about 150 feet back from the road. Where the grain barn is, the building there. There's a barn there now, it's kind of on a bank and right now you can go on the south side of it and access the bottom and on the north side you can access the hay mow. Along with the house and attached garage we'd like to rebuild a good sized barn there and that is 33-ft by 100-ft, 112-ft long. Doing it in that the same spot where the bank is, it'd be a nice layout to have the bottom access and the top from the north side. Another building that sits on the hillside, on the slope there, that's probably a 30 by 20. You have a bottom access to it and a top. Down the road we may like to put that same setting back in there. I believe at one time it was probably a beautiful farm location and we would like to in time restore it the same way if we could. We have met with the Town of Hamilton in a meeting last month and they have approved this to go to this step. We would like to ask the county zoning committee to approve this change. We have been working with the Nuttleman's to do this.

REMARK Degenhardt, Roberta: All of the existing buildings do need to come down and the house, everything will come off, it will be clean.

REMARK Degenhardt, James: We would have to have a new septic system put in to upgrade it. So we're asking to move the house. That's why we're moving it to this other location.

QUESTION Pedretti: Did you do a certified survey map and this land is part of the Nuttleman's right?

ANSWER Degenhardt, Roberta: There is a certified survey map.

REMARK Pedretti: That's the next step though.

REMARK Bluske: I can pass that around. That's showing the lot size and where all the existing buildings are right now.

REMARK Pedretti: We drove in there and it definitely is not something you want to try and renovate.

REMARK Degenhardt, James: But in its day it was a nice farm setting.

REMARK Pedretti: It looked like it.

REMARK Degenhardt, Roberta: Actually we uncovered the rock garden there that's been under things for 25 years. It's very nice. We worked hard there last weekend.

QUESTION Bluske: On the map we're showing there's an access easement that maybe some neighbors use. Do you understand you can't build on top of that? How many people are actually using that back there now?

REMARK Degenhardt, James: I believe there's just one.

REMARK Degenhardt, Roberta: Well no one actually has used it in the last, probably 20 years I believe. They don't really use it. It's overgrown there are trees in there. Thing about the easement, the markers are there and we know we have to stay away from it. But no one actually does use it. If you went through there, there's a tree right in there. It kind of goes in and then it goes next to the barn, goes down and there's a culvert, and it goes up. The person that owns the property back there, he's the only one that has that easement.

QUESTION Bina: Do you use it as a farm access road?

ANSWER Degenhardt, Roberta: No. There's another road right on the corner there, a gravel road, that's what the Nuttleman's use to go in there.

REMARK Degenhardt, James: That property is the Nuttleman property.

REMARK Degenhardt, Roberta: And that belongs to them.

QUESTION Bluske: The other question deals with when we hear there's going to be big buildings, is there going to be any kind of business use of those buildings we're going to have to know about, because if we don't ask, no one tells us?

REMARK Degenhardt, James: No business. Our business will be staying in town. This is just private.

ANSWER Degenhardt, Roberta: And we thought just because the noise with the interstate there, I think some of those buildings and the house kind of muffle a little bit of that noise and we're kind of concerned when we take everything down what kind of noise we're going to get over here because I don't have anything to block it, where now it's very quiet over there. But I think those buildings; even though they're run down, I think they help muffle that noise a little bit.

QUESTION Pedretti: You're not taking the trees down, just the buildings?

ANSWER Degenhardt, James: Right, just the buildings.

REMARK Pedretti: Some trees I'm sure.

ANSWER Degenhardt, Roberta: Right, some trees have to come down.

REMARK Bluske: Just so you're aware so you don't get too far down the road with your plans but there are certain requirements on the number of outbuildings that you can have and the sheer size of them. So you may want to check with our staff on those.

REMARK Degenhardt, James: Ok.

REMARK Bina: You may not get a 100 foot barn, or a 112 foot barn. You could put a 100 beef in there easily.

REMARK Bluske: Check that out.

REMARK Degenhardt, James: Or it could stand there another 20 years in that shape.

REMARK Bina: I suggest you check it out though first.

REMARK Degenhardt, James: We'll do that then if it's approved.

Appearing in favor: Rich Schomburg, W3679 County Road C, West Salem, WI 54669. Chairman for the Town of Hamilton.

REMARK Schomburg: I think this would be a good rezone here because the buildings haven't been used for a great number of years and I think it would be an asset to the township to have new buildings there and taken care of. I don't know about that barn business, we'll talk about that. There is a restriction on 'X' number of feet on the building, so that's something he can check with you people. So other than that, I think it's a good fix for the township.

Appearing in favor: Robert Nuttleman, N5290 Moos Road, West Salem, WI.

REMARK Nuttleman: After looking at the Degenhardt's plans, I think it's a perfect place for this. We got four and three quarters acres roughly. It would never work as farm land, so what else would we do with it?

QUESTION Bluske: You didn't want to sell all of it to them evidently?

ANSWER Nuttleman: Well it still wouldn't help him because it's only 19 acres in there.

REMARK Bluske: That's true.

REMARK Nuttleman: So why would we?

Appearing in opposition: None.

Correspondence: None.

Department recommendation: Approve as presented.

Motion Wehrs/Bina to approve as presented.

5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.

ZONING PETITION NO. 1843 Phyllis M & Richard T Thaldorf, W5378 County Road T, Holmen, WI. Petitions to rezone from the Exclusive Agriculture District to Agriculture District "A", a 2.0 acre parcel in order to make new residential improvements on land described as: Part of the SE-NE of Section 14, T18N, R7W described as commencing at the E¼ corner of said Section 14; thence N45°47'07"W 1238.85' to a point on the north right-of-way of County Road T & the POB; thence along said right-of-way N58°20'03"W 396'; thence N31°39'57"E 220'; thence S58°20'03"E 396'; thence S31°39'57"W 220' to the POB. Town of Farmington.

Appearing in favor: Phyllis M & Richard T Thaldorf, W5378 County Road T, Holmen, WI.

QUESTION Thaldorf, Phyllis: Do you have the letter from Chad Vandenlangenberg?

QUESTION Bluske: Date April 19th?

ANSWER Thaldorf, Phyllis: April 19th, yes.

REMARK Bluske: Yes I do, they don't.

QUESTION Thaldorf, Phyllis: Maybe I could send these around to them?

REMARK Bluske: Certainly.

REMARK Thaldorf, Phyllis: Ok, in 1986 we were given a permit so that we could build on a farm that's been in my family for 125 years. It's like 74 acres. Building on land that was zoned Exclusive Agricultural District. In 2007, I owned this with two of my sisters and we decided that since we didn't really own the land where our house was located, that we should divide it up so that we'd have ownership. Because if anything were to happen to my older sister, who has nine children and their spouses, we would end up like 16 people dictating the land that our house sat on. At that time I guess we actually created a zoning ordinance violation but it wasn't ever acted on. But in 2010, then it was determined that we were under a zoning ordinance violation and as it stated we need to get acreage rezoned. And to go along with the Town of Farmington, we needed to rezone at least two acres. So that's what we're asking to be allowed to do. Even though the petition says that it's for residential improvements, it's my understanding but maybe I'm wrong, from Chad's letter that we have to do this to come back in compliance with the board so that we eliminate the zoning ordinance violation, otherwise we can't continue, I understand, to live in our house without citations being issued. We were requesting to build a storage unit and that's what created this, or brought to mind this violation. We might still be doing that and I guess that's approved because letters have been sent out to all the property owners around us. It appears nobody really cares. They probably would like it because we wouldn't have so much stuff sitting around, it would all be in a nice storage unit after that. So if anyone has any questions. The Town Board, I spoke to Mr. Raabe, who is the Chairman of the Town of Farmington, and he basically, I have the idea that it would be fine with them as long as we were rezoning two acres. He did request that if you could send him information from this meeting. I do have his name and address if you would want that. Then we were to meet with them on June 15th.

QUESTION Bina: You said you lived there for how many years?

ANSWER Thaldorf, Phyllis: We just built the home and occupied it January 1st of 1997.

REMARK Bina: 97, ok. Well, Jeff, I don't quite understand what took place here. This was Exclusive Ag.

QUESTION Bluske: It was much larger; you said a 107 acre farm?

ANSWER Thaldorf, Phyllis: No, just 74 acres.

REMARK Bluske: 74 acre farm. Legally, which they did end up doing, they split off a parcel that contained 35.63 acres.

REMARK Thaldorf, Phyllis: My older sister took the larger tax parcel, which was 39 acres. And my other sister and I...

REMARK Bluske: They divided it.

REMARK Thaldorf, Phyllis: And at that point since I didn't have the 17 acres anymore, we were apparently in violation.

REMARK Bluske: Once she went under the 35 acres and she built her house under that; once she went to 17 they're in violation. And then we catch that when someone wants to make an improvement.

REMARK Thaldorf, Phyllis: We didn't know that was going to be any problem because it's still our intentions, and there are heirs that we continue to preserve this farm as the unit that it is. It did make a difference.

REMARK Bluske: And her sister who owns the other 18 or whatever acres.

REMARK Thaldorf, Phyllis: One has another 17 acres that we split up.

REMARK Bluske: That's across the creek or something; she'll have to go through this whenever she wants to do something.

REMARK Handy: Actually your surveyor should have been able to catch that.

REMARK Thaldorf, Phyllis: Well I don't know what happened because the certified survey maps in 2007 were submitted and everything but I don't know what happened.

REMARK Mach: I just want to make a comment. I have three sisters. Four of us divided up land like you did with your sisters. Luckily I think we did everything legal. But you never know.

REMARK Bina: That's in South Dakota though.

REMARK Thaldorf, Richard: Eventually this is all going to go back to her sister's children.

REMARK Thaldorf, Phyllis: Our nephews and nieces will all own it as it is now. Family farm, same as always.

QUESTION Bluske: When your surveyor surveyed, did he put some stakes out there so you know that your well and septic are all on this two acre piece?

ANSWER Thaldorf, Phyllis: Exactly. All the trees we planted. He made sure all the apple trees and all that got in the two acre parcel the way he surveyed it.

QUESTION Pedretti: Clarification. So the 17.27 acres that this is surrounded by, no one is anticipating that you're going to build a house on there?

ANSWER Thaldorf, Phyllis: No, I can say this is going to stay as a farm unit.

REMARK Pedretti: Just have to get that in the record, so that in five years someone doesn't come in say they want to.

ANSWER Thaldorf, Phyllis: No it will never be changed.

REMARK Pedretti: Thank you.

REMARK Bluske: And again for the committees benefit, they had to pay the conversion fee. They didn't want to convert the whole 17 acres and pay that fee so they went with the town's minimum requirement of two acres.

Appearing in opposition: None.

Correspondence: None.

Department recommendation: Approve as presented.

Motion Bina/Pedretti to approve as presented.

5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.

SPECIAL EXCEPTION PERMIT NO. 2010-07 Brian Korth with St. Joseph Construction Co., W2786 State Road 33, La Crosse, WI; acting in behalf of Jack Edwards for Brookveiw Mobile Home Court LLC, 901 Rose St, La Crosse, WI. Petitions to properly abandon an existing waste water treatment pond which lies within the Shoreland District of Mormon Coulee Creek, by removing the effluent, sludge, and liner, then installing a new clay liner and placing fill and top soil to the 738' contour and finishing with seeding and mulch, on

an area approximately 110-ft X 260-ft, on land described as: Part of the SW-SE of Section 20, T15N, R6W and part of the NW-NE of Section 29, T15N, R6W described in tax parcel 6-492-0. Town of Greenfield.

Appearing in favor: Brian Korth, W4233 Tower Ln, La Crosse, WI 54601.

REMARK Korth: What we're requesting is to get a permit to pump the water out of the existing pond, take the sludge out, have that pumped out, then take the liner, haul that to the landfill, then fill it up with clay, whatever fill we need, seed and mulch it, and have it drain the way my plans shows.

QUESTION Bina: So you aren't going to have a settling pond there at all then?

ANSWER Korth: Nope, the DNR had them put a different kind of system in. And so it goes through a different kind of chlorinating system and stuff and then it goes right into the creek. It hasn't been used since last; I would think last fall was when it was abandoned.

QUESTION Pedretti: I'm assuming there's DNR permits and such?

ANSWER Korth: I've been dealing with Julia Stephenson with the DNR. I think you've been in contact with her.

REMARK Bluske: Yes I have.

REMARK Korth: And then also with Carrie Olson and with the Land Conservation. I need an Erosion Control Permit to do this.

REMARK Bluske: I've heard two different things here about that water that's in that pond, that it was going to be pumped in trucks and hauled out of here or pumped into the current system that they have.

REMARK Korth: We're going to pump it into the current system that's there.

QUESTION Bluske: Is it going to be done in stages?

ANSWER Korth: Mark Johnson is the guy that takes care of it down there. He said I could pump between an hour and an hour and a half every day. I'm figuring it's going to take me about a week. I've got a three or four inch pump that I'll put in there. It's really close to the building where I'll pump it in. He's going to be there when we do it so he can let us know how high we can get the system. But it will take us about a week to pump the water so we don't overflow it.

QUESTION Bina: So it's going into a tank and it's going to be chlorinating and whatever else to neutralize it?

ANSWER Korth: It's going to go through the whole system to go out.

REMARK Bluske: And then it's dumped into the creek once that water is treated.

REMARK Korth: Right and this Julia Stephenson is going to be there when we're doing stuff and she's going to be out there the whole time.

QUESTION Bluske: Now maybe you could explain to the committee, if you know why you have to put a new liner in there. Is it going to be mounded?

ANSWER Korth: We don't even technically have to put a new liner in the bottom. She asked what kind of dirt we're going to use and I said we're going to put a couple foot of clay because we're getting it from a quarry. And she goes; well clay is the best thing. But we don't really need to put a liner in.

QUESTION Bluske: Is it stopping the filtration? Or you don't have to worry about the filtration.

ANSWER Korth: No because there's already a plastic liner there. So nothing's going through that supposedly. So we're going to pump the water out, we got Advanced Pumping lined up to come and pump all the sludge and he'll dispose of it. And then the liner and if there is some bad dirt there, that's all going to go to La Crosse County Landfill. And she'll be overseeing everything.

QUESTION Bluske: Beginning to end, how long is it going to take?

ANSWER Korth: Well pumping is going to take the longest, getting the water pumped out. It's only going to take a day to haul the liner out. And we anticipate probably three to four days to haul the dirt in and cap it. There is top soil on site already once we take the, I don't know if you went out there, there's some berms that are around the whole thing. That's all top soil. We'll push them in, then have it fairly flat so there's not a lot of water running. We're going to go with the elevations that we had an engineer draw.

QUESTION Handy: September 1st?

ANSWER Korth: We'll be done before that.

QUESTION Bina: So it isn't going to be a ponding area?

ANSWER Korth: No.

REMARK Bina: Then you'd have another problem.

REMARK Korth: Right. No it's going to be the way it's drawn up there. Fairly flat. We want it really flat so water doesn't flow fast. When I met Matt from the Land Conservation out there; him and I both went out and this is what he recommended. And then I had a surveyor draw something up.

QUESTION Bluske: We've been talking with Gordon Stinson, he's with the local DNR office, because we had a question that this area is partially being mapped as being in the floodway. And he thinks that the map might be incorrect, but in order to correct it we might end up requesting a letter of map correction for that. I don't know if the other DNR person that you're talking to indicated any of that?

ANSWER Korth: She never said.

REMARK Bluske: We're still following up on that to find out what the procedure should be. Because normally the water doesn't flow diagonally, you know through a parcel like that so we've got concerns too.

REMARK Handy: That's to Jack's benefit to get that corrected.

QUESTION Bluske: And then the town has some concerns over access and which route you're going to take. Are you aware of all that?

ANSWER Korth: Ya, I got a letter from him. I don't know if you got the same letter.

REMARK Bluske: I do.

REMARK Korth: From Steve Mader because I talked to him on the phone. He just wants us coming in the shortest possible road. And not too heavy of loads, which we can't carry that much weight anyways, what he said.

REMARK Bluske: That liner will be pretty heavy anyways if it's water logged.

REMARK Korth: But you can't be putting that much on the trucks otherwise they won't come out anyways.

REMARK Bluske: That's why some of us were worried about it being wet and getting out of the truck and stuff like this; you know leaking out of the corners and dripping all over the highway.

REMARK Korth: Or if worse comes to worse, we'll take the liner and put it to the side and let it dry out.

REMARK Bluske: Let it dry out first. Alright that's common sense.

QUESTION Korth: I've got a question. On getting this corrected, am I supposed to do something to get that corrected or is the DNR going to get back to you?

ANSWER Bluske: Gordon Stinson, he's on vacation all week. I think they had a furlough on Friday or something too and couldn't get a hold of him. We're still trying to find this out.

QUESTION Korth: Should I get in contact with you some time? Or will you call me?

ANSWER Bluske: I'll probably have Nate.

REMARK Korth: I've got your card.

QUESTION Korth: So I really can't do nothing out there yet? I can start working on this and it won't be a problem? As long as it goes through.

REMARK Bluske: You see any smiles here or no.

REMARK Korth: Or if I should get this corrected first.

REMARK Handy: You don't need to get the flood plain issues corrected.

REMARK Korth: I can get my work done as long as it's ok.

REMARK Bluske: That's right.

REMARK Korth: I want to get it taken care of, but I'll tell Jack to get it taken care of.

REMARK Bluske: Jack will have to.

Appearing in opposition: None.

Correspondence:

1) Letter from the Town of Greenfield dated May 13, 2010 stating the board voted to accept this request with conditions that the area must be seeded, a no access is allowed unless under 80,000# gross combination and only a direct route is allowed into the site. Do not use circle roads for access, provide entry pad and any damage to the town road has to be repaired. If heavier than above you will have to provide access off CTH-M on private property or offer an alternate solution.

2) A copy of Erosion Control Permit 1042-10 issued by Matt Hanewall dated May 7, 2010, and supporting documentation was received May 25, 2010.

3) An email dated May 26, 2010, was received from Carrie Olson, Department of Natural Resources stating that the Department had no objections and that a Chapter 30 Permit would not be required.

4) Email(s) from the Floodplain Engineer, Gordon Stinson, with the Department of Natural Resources dated May 28, 2010, stating that no Letter of Map Change (LOMC) is required if the fill is kept below the base flood elevation (BFE) of 735.5-ft.

Department recommendation: To approve with 10 conditions.

1. This permit is specifically to properly abandon the existing wastewater treatment lagoon at the Brookview Mobile Home Court which lies within the Shoreland District of Mormon Coulee Creek. Site is approximately 100-ft. wide X 250-ft long.
2. The existing effluent, sludge, and liner shall be removed to an approved site not in any Shoreland District.
3. A new clay liner shall be installed according to Department of Natural Resources specifications.
4. Clean fill and topsoil shall be graded to a final elevation of 738.0-ft keeping the existing drainage patterns along the east and west ends.
5. The site shall be seeded and mulched immediately when filling is finished.
6. All vegetation between the creek and lagoon shall be maintained.
7. The Town of Greenfield has concerns about vehicle traffic, traffic pattern and weight limits and repair of the road is required at the owner's expense.
 - a) Use of the town road is approved if gross combination weight is under 80,000 pounds.
 - b) Direct access to County Road M is via a direct route; none of the internal streets also known as circle streets can be used.
8. We believe the current floodplain map is incorrect by indicating a portion of this lagoon is in the floodway, and which lagoon was constructed prior to the original maps being accepted in 1985. If so, a Letter of Map Change (LOMC) would be required.
9. No construction or parking on top of this site when finished.
10. This permit expires September 1, 2010.

**Motion Pedretti/Mach to approve with 10 conditions.
5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.**

**Motion Pedretti/Wehrs to adjourn.
5 Aye, 0 No, 2 Excused (Keil, Manthei). Motion carried.**

Hearing adjourned at 9:14 p.m.

*Approved 6/28/2010
Nathan Sampson, Recorder*