

## **PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE**

Monday, October 25, 2010

Administrative Center – Room 3220

3:00 PM

**MEMBERS PRESENT:** Don Meyer, Don Bina, Bob Keil (exc. 4:35 p.m.), Beverly Mach, Dennis Manthei (3:02), Marilyn Pedretti, Tina Wehrs (3:01)

**MEMBERS EXCUSED:** Steven Miller

**MEMBERS ABSENT:** None

**STAFF & GUESTS:** Jeff Bluske, Bryan Meyer, Gregg Stangl, Charlie Handy, Margaret Norden, Nate Sampson, Steve O'Malley, Cheryl McBride, Bryan Jostad, Jake VandeBerg, Mary Meehan-Strub

### **CALL TO ORDER/ROLL CALL**

Chair Don Meyer called the meeting to order at 3:00 p.m.

### **APPROVAL OF MINUTES FROM OCTOBER 4, 2010**

**MOTION** by Pedretti/Keil to approve the Minutes from October 4, 2010. **Motion carried unanimously.** Manthei, Miller, Wehrs excused.

### **PUBLIC COMMENT**

None requested.

### **SUPERVISOR CONFERENCE REPORTS**

Supervisor Mach reported on attending the Complete Streets workshop, and stated it is important to think about moving people when planning roads, rather than thinking only about accommodating cars.

### **COMPLETE STREETS REPORT**

Charlie Handy reported on the Complete Streets workshop that was presented by the Department of Transportation and La Crosse County Health Department. He reported there is potential to amend the subdivision ordinance to add a requirement for Complete Streets that will come to committee. He addressed Supervisor Bina's question regarding costs and obligations to repair bike lanes, and stated that Complete Streets is designed to encourage alternative forms of transportation with less wear and tear on roads. Supervisor Mach also stated that it is less expensive to plan Complete Streets from the beginning, rather than do retrofits later, and to plan developments for multiple forms of transportation.

### **REQUEST TO ADD AN ADDENDUM TO FIDLAR'S MAINTENANCE CONTRACT WITH REGISTER OF DEEDS TO SOLE SOURCE THE REDACTION WORK TO FIDLAR INSTEAD OF DOING MULTIPLE RFP'S**

Bryan Jostad and Cheryl McBride reported that the Register of Deeds has used Fidlar Company's real estate recording and scanning software for 10 years. They reported that by January 1, 2015, all social security numbers must be redacted from on-line records, which will be funded by an additional \$5.00 per document recording fee. The department also plans to scan records from 1851 to 1934. Jostad recommended sole use of Fidlar, based on outstanding service and minimization of risk associated with having one vendor. McBride stated that their cost is competitive with other services. **MOTION** by Manthei/Keil to approve amending the contract with Fidlar Company to be the sole source for the Register of Deed's redaction work. **Motion carried unanimously.**

## **REVIEW AND APPROVE PROCEDURE FOR NONCOMPLIANCE AND NONPARTICIPATION FOR THE FARMLAND PRESERVATION PROGRAM**

Gregg Stangl provided a report on the Wisconsin Farmland Preservation Program and program eligibility requirements. The County has responsibility for compliance monitoring and has authority to issue a Notice of Noncompliance. Stangl recommended issuing Notices of Noncompliance to those who did not respond to the Land Conservation Department's survey, have not actively participated the last 10 years, or wished to be removed from the program. He proposed the following options:

1. The PRD committee would make a motion to remove any noncompliant farmer at the next committee meeting, and the Land Conservation Department would notify the Department of Revenue to stop tax credit collection until/if the farmer becomes compliant again;
2. The PRD committee would direct the Land Conservation Department to issue a Notice of Noncompliance with a 30-day appeals deadline. The following month the committee would hear appeals and take appropriate action;
3. The Land Conservation Department would issue a Notice of Noncompliance to the farmer, and also notify the Department of Revenue and the PRD committee.

Discussion was held regarding the DOR's policy of not releasing names of farmers who apply for tax credits, and procedures for notifying farmers. **MOTION** by Pedretti/Manthei to approve procedure for noncompliance and nonparticipation for the Farmland Preservation Program, using Option #2, with the amendment of the first sentence that the Department of Land Conservation prepares a list of noncompliant participants. **Motion carried unanimously.** Miller excused.

## **PER ACRE FEE FOR FARMLAND PRESERVATION PARTICIPANTS**

Gregg Stangl provided information regarding fees for participants in the Farmland Preservation Program (FPP), which is an unfunded mandate from the State. Stangl reported that there will be \$7,300.00 less in Staffing and Support Grants in 2011, with another decrease anticipated in 2012. He stated the Working Lands Initiative, PACE, AEA and FPP programs will require shifts in staff workload and additional assistance from cooperating agencies to meet demand. He provided information about the FPP fees that other counties have imposed. He proposed the following options for an FPP fee: \$.50/acre for FPP participants; \$50/claimant for FPP participants; \$.50/acre for all cropland acres in La Crosse County, whether or not they participate in FPP. Lengthy discussion followed regarding the demands on staff and imposing fees on farmers who are already financially challenged. Supervisor Bina gave a history of Farmland Preservation vs. Working Lands Initiative, and also questioned whether staff was actually taking on a bigger workload since many farmers are getting away from raising animals. Stangl responded that the Working Lands Initiative involves other opportunities, e.g. PACE and Agriculture Enterprise Areas, but each program requires compliance with all conservation standards. Besides monitoring for compliance, Land Conservation also provides services for soil and water conservation planning, nutrient management planning, surveying, designing and installing conservation practices, and provides cost sharing to assist landowners with meeting the conservation compliance requirements of the program. He stated that beneficiaries of those services need to pay for them. Jake VandeBerg was present from the FSA, and stated that he felt farmers would be willing to pay a fee. Further discussion was held regarding PRD committee recommendations to the Executive Committee and County Board, a timeline for holding hearings before imposing fees, and charging fees for all cropland acres which could encourage more FPP participation, fee differentials for program participants, and charging on a percentage basis. **MOTION** by Wehrs/Bina to recommend to the Executive Committee that Land Conservation Department staff hold two public hearings and come back to the Planning, Resources, and Development Committee in March, 2011, regarding whether and

how to implement Farmland Preservation Program fees. **Motion carried unanimously.** Keil, Miller excused.

#### **CONTINUATION OF ZONING PETITION NO. 1836 FOR DONALD & DORIE J. EARLEY**

Jeff Bluske reported that the zoning petition by Mr. and Mrs. Earley was referred back to committee by the County Board to address the condition placed by the Town of Greenfield.

The PRD Committee placed the following conditions:

- Only two (2) lots in total, no further subdividing (no outlot);
- Maximum of two (2) single family residences allowed in total;
- One (1) animal unit is allowed on each lot (erosion issue);
- The easement created is for the two (2) homes in La Crosse County only.

The Town of Greenfield added the following:

- No motorcycle or ATV track is allowed on either parcel.

Supervisor Pedretti asked if the concern regarding access to Vernon County through one of the lots had been addressed, and Bluske replied that they cannot use the easement.

**MOTION** by Bina/Manthei to approve Zoning Petition No. 1836 for Donald & Dorie J. Earley subject to five restrictions. **Motion carried 4-2-1.** Mach, Pedretti opposed; Keil excused.

#### **CONTINUATION OF ZONING PETITION NO. 1848 FOR PATRICK HOULIHAN; OBO LARRY C. & VIOLA G. GILBERTSON & TERRY GILBERTSON**

Jeff Bluske explained that Larry and Viola Gilbertson requested rezoning their land from Agriculture "A" to Commercial "B", which was approved subject to the following conditions:

- Only an Auto Body Repair Business is allowed;
- Single Family Residence is allowed with 3 or less unrelated inhabitants;
- The local building inspector shall inspect the business portions for compliance with all commercial codes including but not limited to the paint booth(s) and ventilation; sanding and preparation area, fire protection, sanitation and waste products drainage. A statement is required, in writing, from the building inspector.
- The scenic easement is not included in this rezoning.

The Town of Holland added three more conditions, as follows:

- The Holmen Area Fire Department shall inspect the building for compliance with safety of the business and residents;
- Commercial Building Approval by the Department of Commerce;
- An approved Developer's Agreement, signed by the owners and the Town of Holland.

**MOTION** by Pedretti/Manthei to approve Zoning Petition No. 1848 for Patrick Houlihan; OBO Larry C. & Viola G. Gilbertson & Terry Gilbertson with seven conditions. **Motion carried unanimously.** Keil excused.

#### **LA CROSSE AIRPORT OVERLAY DISTRICT**

Jeff Bluske reported on the airport land use plan and overlay district that the City of La Crosse is proposing for a three-mile radius around the municipal airport. They are concerned about the safety of people in certain crash zones, any elevations and reflective materials that would affect airplane safety, and also the noise impact on surrounding development. The City has asked County Zoning and surrounding municipalities to assist with enforcement. There are currently 5,800 parcels affected. The report was informational only. Staff was asked to provide any cost factors when available.

#### **FEMA UPDATE**

Jeff Bluske reported that FEMA would like to incorporate data from the County's LIDAR data in their flood plain zoning maps. He provided a chart that showed the project timeline. He anticipates they will be taking areas out of the flood plain. The new base flood elevations will be published in the Federal Register which will begin the 90 day comment period. These maps will be adopted as part of the La Crosse County Flood Plain Zoning Ordinance.

### **ZONING ORDINANCE**

Jeff Bluske reported that his department is working with Corporation Counsel to redraft the zoning ordinance. Charlie Handy reported that a draft went to all town boards in May, 2010, and they are awaiting official comment from several townships. The PRD committee will consider the draft at their November 29, 2010, meeting before proceeding to public hearing.

### **FUTURE AGENDA ITEMS**

- Zoning Ordinance
- Zoning Website - Supervisor Wehrs proposed changes to the Zoning website to include a link specifically for Town Board members to check information that concerns them.

### **RECESS**

**MOTION** by Pedretti/Manthei to recess until the 6:00 p.m. public hearing. **Motion carried unanimously.** Keil excused. The meeting recessed at 5:25 p.m.

**Approved,** November 29, 2010, Margaret Norden, Recorder