

PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

Monday, June 4, 2012

Administrative Center – Room 3220

3:34 p.m.

MEMBERS PRESENT: Marilyn Pedretti (Chair), Richard Becker (Excused from 3:56 p.m. to 5:03 p.m.), Dave Holtze, Peg Jerome, Andrew Londre

MEMBERS EXCUSED: Tina Wehrs

MEMBERS ABSENT: Marlane Anderson

STAFF & GUESTS: Nathan Sampson, Charlie Handy, Gregg Stangl, Bryan Meyer, Steve O'Malley, David Lange, Cheryl McBride, Mary Meehan-Strub, Karl Green, Maureen Freedland, Keith Carson, Tim Holtan, Betsy Bloom, Annette Kirchhoff(Recorder)

APPROVAL OF MINUTES FROM April 30, 2012

MOTION by Becker/Holtze to approve the Minutes of April 30, 2012 with correction.

5 Aye, 0 No, 1 Excused (Wehrs). Motion carried unanimously.

PUBLIC COMMENT

None.

SUPERVISOR CONFERENCE REPORTS

None

CONSENT AGENDA (INFORMATIONAL)

MOTION by Holtze/Becker to receive and file items a, b, c & e on the following Consent Agenda.

5 Aye, 0 No, 1 Excused (Wehrs). Motion carried unanimously.

- a. Historical Sites Preservation Committee of May 4, 2012
- b. Sustainable La Crosse Commission minutes of February 23, 2012 & March 22, 2012
- c. Report on Contracted Services with Buffalo County
- d. Legal Opinion on Discussion Outside Public Hearing (The legal opinion was not ready, will be covered in next regular Business Meeting.
- e. Memo on Distribution of Staff Recommendations

APPROVE COST-SHARE AGREEMENT FOR OPLAND FARMS

No action from this committee was needed as the bid came in under \$20,000.

APPROVE THE FINAL PLAT OF TLD HOLDINGS CAMPBELL, TOWN OF CAMPBELL

Bryan Meyer presented and explained that this is the same plat brought to the committee at the April 30, 2012 meeting as a preliminary plat. The Plat has been reviewed by the Wisconsin Department of Administration Plat Review with no problems. Bryan also explained that in reality this should have been a Certified Survey Map (CSM) but the Town of Campbell insists that any land division out there that takes place as a subdivision.

MOTION by Becker/Londre to approve.

5 Aye, 0 No, 1 Excused (Wehrs). Motion carried unanimously.

CONSIDER A REQUEST TO REMOVE ACCESS RESTRICTION FOR LOT 28 OF PRAIRIE WOODS ADDITION, SECTION 35, TOWN OF HOLLAND

Bryan Meyer presented a portion of the plat of Prairie Woods Addition. Part of the approval process for this Addition was that restrictions were placed on certain lots. The focus is on Lot 28 of that subdivision. In order to remove that access restriction both town and county need to back off on that restriction if the committee so chooses. Town of Holland did pass a resolution removing the access restriction. For future reference and ease with title searches, there will need to be a recorded document showing the restriction was removed. This document will be recorded by the land owner at the landowner's expense.

Tim Holtan, W8059 August Ave, Holmen, WI 54636. Mr. Holtan explained his reason for the request to remove the restriction.

MOTION by Holtze/Becker to concur with the request to allow the opening of the easement block onto Rotterdam Avenue for Lot 28 and that a recordable document be recorded with the Register of Deeds by the applicant.

4 Aye, 1 No (Pedretti), 1 Excused (Wehrs). Motion carried.

APPROVE PRELIMINARY PLAT OF COTTONWOOD ESTATES NORTH, TOWN OF HOLLAND

Bryan Meyer presented the Plat of Cottonwood Estates North. Myer went on to explain that the subdivision originally came through as a whole forty in August of 2008 and was approved by the PR&D Committee at that time. After approval, the developer decided to proceed in phases creating Cottonwood Estates South, which was approved back in 2010, and now Cottonwood Estates North as a Preliminary Plat.

MOTION by Becker/Jerome to approve the Preliminary Plat of Cottonwood Estates North in the Town of Holland.

Gregg Stangl commented that Land Conservation will not require another stormwater management plan.

5 Aye, 0 No, 1 Excused (Wehrs). Motion carried unanimously.

CONTINUED DISCUSSION REGARDING ZONING ORDINANCE MINOR AMENDMENTS

Charlie Handy explained that the three (3) concepts on the handout "Parcel Splits on Pre-Existing Farm Residence and Existing Farm Buildings" is the same as what was proposed at the last meeting with the only addition being the exact language as it would appear in the ordinance for making each of the three (3) concepts work. The Towns expressed an interest in seeing this issue addressed as they proceed in their process of adopting county wide zoning. Handy explained the different concepts along with possible results of each if made part of the ordinance.

Handy explained to the committee the reason for this item is that previously there existed the ability to do farm consolidation through Farmland Preservation in Chapter 91 of State Statutes prior to the adoption by the State of the Working Lands Initiative. Farm consolidation allowed a farm and its buildings to be consolidated in a Certified Survey Map of less than five (5) acres. That is no longer allowed by State Statute. Complaints about cost and bureaucracy in the variance process for landowners to keep those buildings that have become non-conforming initiated this process which will allow the PR&D Committee to waive the requirements requiring landowners to tear down the non-conforming buildings.

It was agreed by the committee at the last meeting to put a couple of options together and those options would be sent on to the towns association unit for their opinion. Committee could choose all three options or select one or two to send on to the towns.

Londre recommended that all three options go out to the townships so they can determine.

Discussion ensued on pros and cons of sending all three.

MOTION by Becker/Holtze to send number 2 and number 3.

5 Aye, 0 No, 1 Excused (Wehrs).

SIGN ORDINANCE APPEAL PROCEDURE

Committee members were given a revised handout "Appeal Standards and Guidelines" with the addition of item 3D as requested by committee at the April 30, 2012 PR&D Business Meeting.

Carson (Olympus Media) requested to listen to rationale of the staff and reserve the right to comment after discussion of committee.

At the last meeting the consensus of the committee was follow those appeal standards that were adopted in Chapter 33. Sampson and Handy gave an overview of the sign ordinance appeal process and discussed whether the committee felt the people within the neighborhood as well as the sign companies should be given the due notice of that appeal process. Discussion of burden of proof, appeal standard, fees and notification area proceeded as well as the procedure required to appoint fees for appeals.

Comments from the public and sign companies were heard on what signs are allowed, when an appeal is needed and what constitutes a hardship. Dave Lange Corp Counsel, followed with an explanation from a legal standpoint of what would be allowed or not allowed in the process. Continued discussion on concerns

that the ordinance is too restrictive and doesn't allow opportunity to appeal as well as costs of mailing the notices to the public. Notifications can get very expensive. Staff recommendation is to stay within the 150 feet of the property involved in the appeal process. Concerns from committee were discussed that 150 feet is not far enough.

**Motion by Jerome/Londre for staff to amend 3D to take out 150 (feet) and replace with 300 (feet).
5 Aye, 0 No, 1 Excused (Wehrs).**

Committee requested that staff bring to the next meeting the Appeal Standards and Guidelines in legal form as well as a proposed fees schedule.

APPROVAL OF FARMLAND PRESERVATION PLAN AS AN AMENDMENT TO THE COUNTY COMPREHENSIVE PLAN

Handy read into record a letter received by DATCP dated March, 5, 2012 certifying La Crosse County contingent upon county adopting the Farmland Preservation Plan in the form certified. Copies of the Farmland Preservation Plan were distributed to the members not already in possession of one. Handy asked the committee if they were ready to approve it here and send it on to the next available county board meeting or allow committee to look it over and then bring it back to another committee meeting.

Corp Counsel explained that the Plan would still need to come to the committee in the form of an ordinance.

Consensus of the committee is to wait until next month when the ordinance is ready.

DISCUSSION ON REQUEST FOR MORATORIUM ON FRAC SAND MINING PRESENTATION

Karl Green presented a power point on the process of Frac Sand Mining outlining why La Crosse County is prime for mining this type of sand, the pros, cons and expense of said mining to the county.

Gregg Stangl presented a power point presentation on reclamation of mines.

Nate Sampson gave a handout along with a comparison of Frac Sand Mining under the existing and adopted Zoning Ordinance.

Committee discussed whether or not we need a moratorium or if the current and adopted ordinance gave the county enough protection without a moratorium. Consensus of staff was that the county is protected under the ordinance.

**Motion by Jerome/Becker to return this discussion item to next month's agenda.
5 Aye, 0 No, 1 Excused (Wehrs).**

FUTURE AGENDA ITEMS

Fee Schedule

RECESS

**Motion by Jerome/Holtze to recess at 5:57 p.m.
5 Aye, 0 No, 1 Excused (Wehrs).**

The meeting recessed at 5:57 p.m.

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting. Annette Kirchhoff, Recorder