

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE  
MINUTES  
April 16, 2018**

The Dodge County Land Resources and Parks Committee met on April 16, 2018 at 7:00 p.m. on the 1<sup>st</sup> Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Tom Schaefer, Allen Behl, William Muche and Joseph Marsik. Members excused were Janice Bobholz. The staff present at the request of the Chairman were Bill Ehlenbeck and Joseph Giebel.

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Mr. Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

The agenda was reviewed.

Motion by William Muche to approve the agenda and allow the Chairperson to go out of order as needed to efficiently conduct the meeting. Second: Allen Behl Motion carried.

**COMMITTEE REVIEW OF PENDING CONDITIONAL USE PERMIT**

**Franklin Lehman, agent for Sandra Sykes** – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 3-acre non-farm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SW ¼ of the NW ¼, Section 35, Town of Shields, the site address being N358 Barry Road. Decision laid over on April 2, 2018 - Committee review and decision.

Motion by Joseph Marsik to approve the conditional use permit application to allow for the creation of an approximate 3-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 3.9-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
  - 040-0914-3522-000; 040-0914-3523-000;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use

- Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee is valid for one year.

Second by William Muche    Vote 4-0    Motion carried.

**The hearing procedures were read into the record.**

**PUBLIC HEARING**

**Dodge County Land Resources and Parks Committee** - Petition to amend Appendix 1 of the Floodplain Zoning Ordinance, Dodge County Wisconsin by adding the Beaver Dam River Dam Failure Inundation Shadow analysis information for the Upper Beaver Dam River Dam located in Section 4, City of Beaver Dam and to amend Section 1.5 (1) of the Ordinance to incorporate exemptions to the floodplain ordinance provisions for lands that are adjacent to farm drainage ditches.

Motion by William Muche to report favorably on the petition to amend the Floodplain Zoning Ordinance as proposed.

Second by Allen Behl            Vote 4-0            Motion carried.

**PUBLIC HEARING**

**Dodge County Land Resources and Parks Committee** – Petition to amend the Land Use Code, Dodge County, Wisconsin in order to bring the Code into compliance with the recently amended Wisconsin State Statutes – 2017 Acts 67 and 68. The petition includes amendments related to limiting the authority of the County to regulate development on substandard lots and requiring the merging of lots; requiring the issuance of a conditional use permit under certain circumstances; clarifying the standards for granting certain variances, clarifying the provisions for when a land use permit is not required, and clarifying the requirements related to the repair, rebuilding, and maintenance of certain nonconforming structures. The petition also includes changes to the Certified Survey Map and Plat submission provisions of the Code and a series of miscellaneous housekeeping amendments to the Code that are necessary in order to clarify certain definitions used in the Code, to clarify the height exceptions that are allowed for accessory structures, to clarify the filling, grading, dredging, ditching, tiling and excavation regulations allowed under the Code, to clarify the provisions relating to the accommodations that are allowed for the disabled, to remove the Administrative Adjustment provisions of the Code, to clarify certain uses that are allowed in the Code and to correct an error in the list of urbanized roads listed in Appendix 1 of the Code.

Motion by Allen Behl to report favorably on the petition to amend the Dodge County Land Use Code as proposed.

Second by Joseph Marsik    Vote 4-0            Motion carried.

**PUBLIC HEARING**

**Dodge County Land Resources and Parks Committee** – Petition to amend the Shoreland Protection Ordinance, Dodge County, Wisconsin in order to bring the Code into compliance with the recently amended Wisconsin State Statutes – 2017 Acts 67 and 68. The petition includes amendments related to the public hearing notice requirements, the criteria for issuing a conditional use permit, the criteria for establishing conditions for a conditional use permit and the expiration date for a conditional use permit. The petition includes amendments related to the clarification of the standards for granting certain variances, the burden of proof standards for the applicant and the expiration date for variance decisions. The petition also includes amendments related to the repair, rebuilding, and maintenance of certain nonconforming structures and the clarification of the regulations dealing with the enforcement of shoreland related violations that have been in place for more than 10 years.

Motion by William Muche to report favorably on the petition to amend the Dodge County Shoreland Protection Ordinance as proposed.

Second by Joseph Marsik    Vote 4-0        Motion carried.

**ADMINISTRATION**

1. Discuss Committee procedure for incorporating former Land Information Committee items.

Bill Ehlenbeck provided the committee with a sample agenda and a revenue report from the former Land Information Committee to give the Committee an idea of the information and reports that the Land Information Committee were responsible for. The Land Resources and Parks Committee decided that they would like to see a quarterly report on the revenue and the department activity for the Land Information items. The Department heads would not need to attend the meeting unless they felt it was necessary to discuss certain items. Any items that need Committee approval will be placed on an agenda for review at any time.

**PARK SYSTEM**

1. Consider, discuss and take action on Gold Star Trail Grant Applications.

Motion by Joseph Marsik to approve the resolution to allow the Parks staff to submit additional grant applications for the Gold Star Trail.

Second by Allen Behl            Vote 4-0        Motion carried.

2. Consider, discuss and take action on Ledge Park Overlook Grant Application.

Motion by Allen Behl to approve the resolution to allow the Parks staff to submit a grant application for the Ledge Park Overlook construction project.

Second by William Muche    Vote 4-0        Motion carried.

3. Consider, discuss and take action on Memo of Understanding with Okeeg Cemetery Assoc. for egress at Astico Park.

Motion by William Muche to approve the Memo of Understanding with Okeeg Cemetery Association that would continue to allow the Cemetery Association to use the Astico Park campsite for exiting the cemetery for graveside services. The agreement is for 5-years and will auto-renew for another 5 year term unless cancelled by either party. This agreement is an update and extension to the previous agreement in force the past 10 years.

Second by Allen Behl            Vote 4-0            Motion carried.

4. Report on Park projects and activities update.

Bill Ehlenbeck provided an update on the online park reservation system. The park campsite maps and camping data has been given to the software company for setup of the reservation system. This should take 2 to 3 weeks to set up the program. The staff is hopeful that the system would be ready to go live by June 1, 2018 after testing and credit card merchant implementation.

Bill indicated that the construction of the Gold Star Trail is progressing. Some drainage concerns raised by Highway Department staff, require 2 culvert adjustments along with fabric placement and rip-rap to correct. Also discovered a conflict with the County snowmobile trail crossing. Staff will be working with the local club and consultant to address.

The Friends group is holding a public tour at Nitschke Mounds Park on April 28th. Members are welcome to attend and learn more about the mounds and the Park.

Park staff are looking into possible funding for the next phase of the Gold Star Memorial Trail and have applied for 2 grants to help cover the cost of a feasibility study for the next section of the trail from Horicon to Beaver Dam.

Seasonal staffing for the Parks is set with the exception of Ledge Park. The Department is having difficulty filling the two seasonal staff positions at Ledge Park.

Bill informed the Committee of the pending effort to create a Beaver Dam Lake District. The Department is expected to be involved with legal description and tax parcel reviews, but the required public hearing will likely be held by the Land and Water Conservation Committee.

### **OTHER BUSINESS**

1. The minutes from the April 2, 2018 meeting were reviewed by the Committee.

Motion by Joseph Marsik to approve the minutes as written.

Second by William Muche            Vote: 4-0            Motion carried.

2. The minutes from the January 19, 2018 Land Information Committee meeting were reviewed by the Committee.
3. No Committee Member Reports
4. No additional Per Diems.

Motion by order of the Chair to adjourn the meeting.

Meeting adjourned at 8:28 p.m.

Respectfully Submitted,



Secretary

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