ZONING COMMITTEE MINUTES
JANUARY 6, 2010

Chairman Willingham called the meeting of the Rusk County Zoning Committee to order at 2:10 p.m. in the Law Enforcement Center at the Rusk County Courthouse. Members present were Dave Willingham, Kathy Mai, Tom Costello, Cliff Taylor and Phil Schneider. Staff present: CeCe Tesky and Monica Kenealy.

Costello/Mai motion to approve the minutes of the November 4th and November 16th meetings and the public hearings. Carried.

The next meeting will be on February 10th, 2010 at 2:00 P.M.

BILLS

Mai/Costello motion to approve bills. Carried.

CSM's

1 lot CSM for Al and Linda Grefshiem in the Town of Big Bend. This is a mapping of an existing remnant parcel belonging to the Grefshiem’s. Schneider/Costello motion to approve the csm, pending the surveyor’s review. Carried.

DISCUSSION AND POSSIBLE ACTION

Review conditional use permit activities for Nitek bar and campground. Jackie Nitek provided an update. No changes since October meeting. Kathy Lembezeder issued the campground permit as a year-around campground. Discussion about changing the condition on the permits prohibiting outdoor music production. Tesky had talked to Rich Summerfield and he thought a new permit may need to be issued because of public hearing requirements, but would look into it further. The zoning committee may be able to change the conditions without having to issue an entire new permit. Willingham suggested holding a public hearing to change a specific condition on the conditional use permits. Costello asked about putting limits or probation on the condition. Tesky is to ask Rich to look into it and if Rich agrees with requiring a public hearing, it could be held in February.

Consider forwarding to county board proposed language for Floodplain Ordinance revisions. Tesky received a voicemail from FEMA stating that they are not going to delay implementation of the floodplain maps. Rusk County will have to adopt the maps by the February 3rd deadline. Tesky was supposed to receive a letter, but has not, as of the meeting today. Discussion about a resolution for county board. No action was taken since no correspondence had been received by FEMA. Committee would like Tesky to find out when we will expect to receive a response.

Closed Regular meeting at 2:58 P.M. for Public Hearing.

Reconvened regular meeting at 3:14 P.M.
NOT COMMITTEE APPROVED
Tesky handed out the staff recommendations for Grajewski scrap metal transfer station.
Taylor/Costello motion to approve the conditional use permit with the following conditions:

1. Permit is based on application submitted at time of approval. Permit is issued for a scrap metal transfer station. Facilities include an office, a large building for storing materials, a scale, a crane and a place to park the vehicles used for transporting salvage material. Scrap will be stored onsite in large trailers and in the large building (barn).
2. All required local and state approvals and permits shall be obtained, including an operation license from the Department of Transportation and Stormwater permit from the WI DNR.
3. Hours of operation shall be 7 AM to 8 PM, Monday – Saturday. Owner will limit unnecessary noise in the event of neighbor request or funeral at the nearby cemetery.
4. No salvageable materials shall be stored outdoors on the property for more than 1 month.
5. Dust shall be controlled by the property owner if it becomes a nuisance. Owner will limit times that traffic may become backed up onto the public highway because of customers waiting to unload.
6. Screening:
   1) Screening may be required so machinery and storage materials used for the business are not noticeably visible from other currently developed property, nor from the public right-of-way of CTH I. The screening shall be a minimum of eight-feet in height and shall be kept in good repair.
7. Setbacks:
   1) 250-feet from a residential dwelling and/or well. Property owner’s residence and well are exempt from this provision.

Motion carried.

DISCUSSION AND POSSIBLE ACTION (cont.)

Review findings of the secondary effects of Adult Entertainment Facilities on public health, safety and welfare. Tesky explained that it is important for the voting members to understand that the purpose of the language is regulate the secondary effects of 1st amendment protected adult entertainment facilities. Several court cases and studies have been compiled which provide the evidence of the secondary effects and Tesky will be sending a link to this document so board members can review it prior to their decision. Schneider/Costello motion to send resolution to the county board. Carried.

Review NR115. Tesky provided the committee with the language approved by the legislature. The county must revise their ordinance within 2 years of the effective date, which will be around March 1, 2010. Taylor suggested putting it off for at least 1 year.

ZONING ADMINISTRATOR’S REPORT ON MONTHLY ACTIVITIES

Non-metallic mining reclamation annual reports went out to operators. Much time has been spent on floodplain issues. The audit for the sanitary program will be soon.

Willingham adjourned the meeting at 4:00P.M.

Monica S. Kenealy
Secretary/Bookkeeper