

# **Dane County**

# Meeting Agenda - Final-revised

# **Zoning & Land Regulation Committee**

Consider:

Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?

Tuesday, March 14, 2023

6:30 PM

Hybrid Meeting: Attend in person at the City County Building in Room 354; or Attend virtually via Zoom.

# See below for additional instructions on how to attend the meeting and provide public testimony.

Interpreters must be requested in advance; please see the bottom of the agenda for more information.

Los intérpretes deben solicitarse con anticipación; consulte el final de la agenda para obtener más información.

Yuav tsuam tau thov txog cov neeg txhais lus hau ntej; thov saib hauv qab kawg ntawm qhov txheej txheem rau cov ntaub ntawv ntxiv.

The March 14, 2023 Zoning & Land Regulation Committee meeting will be a hybrid meeting. Members of the public can either attend in person or virtually via Zoom.

The public can attend in person at the City County Building, Room 354 (210 Martin Luther King Jr. Blvd, Madison). OR

The public can access the meeting virtually with the Zoom application or by telephone. To join the meeting in Zoom, click the following link (after you fill out the form, the meeting link and access information will be emailed to you):

https://zoom.us/webinar/register/WN\_LL7Iw7XyQn64rhteLNvM9g

This link will be active until the end of the meeting.

To join the meeting by phone, dial-in using the following toll-free phone number:

1-888-788-0099

#### PROCESS TO PROVIDE PUBLIC COMMENT:

IN PERSON: Any members of the public wishing to register to speak on/support/oppose an agenda item can register in person at the meeting using paper registration forms. IT IS HIGHLY ENCOURAGED TO REGISTER VIA THE ZOOM LINK ABOVE EVEN IF YOU PLAN ON ATTENDING IN PERSON.

In person registrations to provide public comment will be accepted throughout the meeting.

VIRTUAL: Any members of the public wishing to register to speak on/support/oppose an agenda item MUST REGISTER USING THE LINK ABOVE (even if you plan to attend using your phone).

Virtual registrations to provide public comment will be accepted until 30 minutes prior to the beginning of the meeting.

In order to testify (provide public comment) virtually, you must be in attendance at the meeting via Zoom or phone, you will then either be unmuted or promoted to a panelist and provided time to speak to the body.

If you want to submit a written comment for this meeting, or send handouts for board members, please send them to: plandev@countyofdane.com

- A. Call to Order
- B. Public comment for any item not listed on the agenda
- C. Consideration of Minutes

2022 MIN-609 Minutes of the February 28, 2023 Zoning and Land Regulation Committee meeting

Attachments: 2-28-23 ZLR Public Hearing Minutes.pdf

- D. Public Hearing for Zoning Map Amendments, Conditional Use Permits, and Ordinance Amendments
- E. Zoning Map Amendments and Conditional Use Permits from previous meetings

02582

PETITION: CUP 02582

APPLICANT: K&D STONE LLC

LOCATION: WEST OF 430 CENTER ROAD, SECTION 28, TOWN OF RUTLAND CUP DESCRIPTION: expansion of an existing non-metallic mineral extraction operation

Attachments: CUP 2582 Finding of fact and suggested conditions.pdf

CUP 2582 Memo to ZLR.pdf

CUP 2582 Applicant's response to letter.pdf

CUP 2582 Staff Report.pdf

**CUP 2582 Map** 

**CUP 2582 App** 

CUP 2582 Nuetral - Johnson.pdf

CUP 2582 Opposed - Proctor.pdf

CUP 2582 Opposed - Puttney.pdf

CUP 2582 Opposed - S Foltz.pdf

CUP 2582 Opposed - Simpson 2.pdf

CUP 2582 Opposed - Simpson.pdf

CUP 2582 Opposed - Umhoefer.pdf

CUP 2582 Opposed - Vanderveer.pdf

CUP 2582 Opposed - Weber.pdf

CUP 2582 Opposed - Wethal.pdf

CUP 2582 Opposed - Williams.pdf

CUP 2582 Opposed - Wood.pdf

CUP 2582 Opposed - Bertz.pdf

CUP 2582 Opposed - Celley.pdf

CUP 2582 Opposed - Dilocker.pdf

CUP 2582 Opposed - Georgiades.pdf

CUP 2582 Opposed - K Knutson .pdf

CUP 2582 Opposed - Knutson.pdf

CUP 2582 Opposed - P Foltz.pdf

CUP 2582 Opposed - Peterson.pdf

CUP 2582 Petition in opposition.pdf

CUP 2582 Presentation - Seffrood.pdf

CUP 2582 Suggested Conditions - Porter.pdf

CUP 2582 Suggested Conditions - Seffrood.pdf

CUP 2582 Support - Angeles.pdf

CUP 2582 Town newsletter.pdf

CUP 2582 Opposed - Thiel.pdf

CUP 2582 Opposed - Wood.pdf

CUP 2582 Presentation - Citizen Group.pdf

CUP 2582 Presentation - Larson.pdf

CUP 2582 Presentation - Laundrie.pdf

CUP 2582 Presentation - Spelter.pdf

Marquette County Appraisal submitted by Boerigter.pdf

Spelter - Homberg Deed Restriction.pdf

CUP 2582 Opposed - Anderson.pdf

CUP 2582 Opposed - Bachhuber.pdf

CUP 2582 Opposed - Berning.pdf

CUP 2582 Opposed - Igl.pdf

CUP 2582 Opposed - Seibel.pdf

CUP 2582 Opposed - Spelter.pdf

CUP 2582 Opposed - Stanek.pdf

CUP 2582 Support - Kellerman.pdf

CUP 2582 Support - Uecker.pdf

CUP 2582 - Westerberg Letter to Town.pdf

CUP 2582 Support - Gunby.pdf

CUP 2582 Petition in opposition 2.pdf

CUP 2582 Petition in support.pdf

CUP 2582 Support - Arendt.pdf

Town land use grievance - Sprague.pdf

CUP 2582 Igl submittal.pdf

CUP 2582 Marcusser photos.pdf

CUP 2582 Additional testimony Feb 28.pdf

#### Legislative History

1/24/23 Zoning & Land Regulation postponed to the Zoning & Land Committee Regulation Committee

A motion was made by BOLLIG, seconded by KIEFER, that the Conditional Use Permit be postponed due to no town action and public opposition. The motion carried by the following vote: 3-0. Passed

2/28/23 direction for staff Zoning & Land Regulation

Committee

A motion was made by KIEFER, seconded by BOLLIG, to enter the emails and letters received after the public hearing into the public record. The motion carried by the following vote: 4-0-1. Passed

2/28/23 Zoning & Land Regulation direction for staff

Committee

A motion was made by KIEFER, seconded by BOLLIG, to direct staff to prepare findings of fact and potential conditions in order to be reviewed at the March 14th ZLR Committee meeting. The motion carried by the following vote: 4-0-1. Passed

2/28/23 Zoning & Land Regulation direction for staff

Committee

A motion was made by KIEFER, seconded by RATCLIFF, to close the public

record. The motion carried by the following vote: 4-0-1. Passed

02583 PETITION: CUP 02583

APPLICANT: ARIF M KHAN & SADIA ARIF

LOCATION: 3486 COUNTY ROAD MN, SECTION 2, TOWN OF DUNN

CUP DESCRIPTION: 174' monopole communication tower

Attachments: CUP 2583 Staff Update

CUP 2583 - CityScape Supplemental Memo (analysis of lower tower heigh

CUP 2583 CityScape RF Engineering Report

**CUP 2583 - Tower Photosimulations** 

CUP 2583 - DISH RF Engineer Affidavit

CUP 2583 - Site Plan

CUP 2583 - Fall Zone Letter

CUP 2583 - FCC Statement of Compliance for RF Emissions

CUP 2583 Applicant response to CUP Standards

**CUP 2583 Map** 

CUP 2583 - Applicant Property Value Study - McFarland Waukesha (rec

CUP 2583 - Applicant Property Value Study - McFarland - Greendale (re

CUP 2583 - Applicant McFarland Property Map & List (recvd 021723)

CUP 2583 DISH Site Plan Ground (recvd 022123)

CUP 2583 - CTH MN Access Permit

CUP 2583 - Applicant Town of Dunn CUP Response 020623

**CUP 2583 Full Application** 

CUP 2583 Public Comment - Priscilla Riecks

CUP 2583 Public Comment - Steve Riecks

CUP 2583 Village of McFarland Opposition Ltr (recvd 022123)

CUP 2583 Riecks photo.pdf

CUP 2583 - McFarland Adopted Comp Plan Transportation Map

CUP 2583 - McFarland-East-Side-Plan Proposed Street Network

CUP 2583 - Additional neighborhood photos

Legislative History

2/28/23 Zoning & Land Regulation postponed to the Zoning & Land

Committee Regulation Committee

A motion was made by MCGINNITY, seconded by RATCLIFF, that the

Conditional Use Permit be postponed due to public opposition and lack of town

action. The motion carried by the following vote: 5-0. Passed

## F. Plats and Certified Survey Maps

2022 LD-017 Final Plat - Glacier's Trail

Town of Middleton

Staff recommends conditional approval

**Attachments:** conditional approval

Glaciers Trail Final Plat 2023.02.08

IAT map

GlaciersTrailMiddletonSection32

#### G. Resolutions

#### H. Ordinance Amendment

## I. Items Requiring Committee Action

2022 DISC-035 DISCUSSION OF THE APPROVAL OF CONDITIONAL USE PERMIT #2578

FOR A 195' SELF-SUPPORT COMMUNICATION TOWER LOCATED ON THE PROPERTY AT 1576 SPRING ROAD, SECTION 3, TOWN OF DUNKIRK WITH POSSIBLE MOTION TO RECONSIDER AT A FUTURE MEETING

Attachments: CUP #2578 Iron Mountain Letter.pdf

CUP 2578 Corporation Counsel.pdf

CUP 2578 Applicant's response to reconsideration.pdf

Cothren WisDOT email.pdf

WISDOT - Questions re Matson Airport

Location map.pdf

CUP #2578

2022 PRESENTATION ON RURAL CULTURAL RESOURCE PLANNING GUIDE

PRES-229 PROJECT

Attachments: Cultural and Historic Preservation Toolkit.pdf

2022 ACT-338 CREATION OF CULTURAL RESOURCE PLANNING GUIDE SUBCOMMITTEE

Attachments: Background and suggested motion for 2022 ACT-338.pdf

## J. Reports to Committee

2022 RPT-761 Road naming process in proposed subdivisions

Attachments: Chapter 76 Road Names

Road names

2022 RPT-762 Annual reclamation report for non-metallic mineral extraction operations

Attachments: Spreadsheet

Dane County #128

<u>DaneCountyMineralExtraction</u>

2022 RPT-771 ZLR Rules and Procedures review

<u>Attachments:</u> <u>ZLR-Rules-and-Procedures</u>

## K. Other Business Authorized by Law

## L. Adjourn

Questions? Contact Planning and Development Staff, 266-4266, or plandev@countyofdane.com.

NOTE: If you need an interpreter, translator, materials in alternate formats or other accommodations to access this service, activity or program, please call the phone number below at least three business days prior to the meeting.

NOTA: Si necesita un intérprete, un traductor, materiales en formatos alternativos u otros arreglos para acceder a este servicio, actividad o programa, comuníquese al número de teléfono que figura a continuación tres días hábiles como mínimo antes de la reunión.

LUS CIM: Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnub ua hauj lwm ua ntej yuav tuaj sib tham.

(608) 266-4266