



Dane County

Minutes - Final

Zoning & Land Regulation Committee

Tuesday, November 11, 2014

7:00 PM

City - County Building, ROOM 354
210 Martin Luther King Jr. Blvd., Madison

A. Call to Order

Chair Miles called the meeting to order at 7:05pm in Room 354.

Staff present: Everson, Lane, Standing, and Violante; David Bursack from
Emergency Management

Youth Governance Members present: Boyce and Wilke.

Present 5 - JERRY BOLLIG, MARY KOLAR, AL MATANO, PATRICK MILES, and BOB
SALOV

B. Public comment for any item not listed on the agenda

No comments made by the public.

C. Consideration of Minutes

[2014](#)
[MIN-419](#) Minutes of the October 14, 2014 Zoning and Land Regulation Committee
Meeting

Attachments: [10-14-14 ZLR minutes.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Minutes of the
October 14th meeting be approved. The motion carried by a voice vote. YGM:2-0.

[2014](#)
[MIN-420](#) Minutes of the October 28, 2014 Zoning and Land Regulation Committee
Meeting

Attachments: [10-28-14 ZLR minutes.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Minutes of the
October 28th meeting be approved. The motion carried by a voice vote. YGM:
2-0.

D. Zoning Map Amendments and Conditional Use Permits from previous meetings

[10669](#)

PETITION: REZONE 10669

APPLICANT: MDW INVESTMENTS LLC

LOCATION: 619 COUNTY HIGHWAY JG, SECTION 19, TOWN OF PRIMROSE

CHANGE FROM: A-1EX Agriculture District TO RH-1 Rural Homes District

REASON: creation of two residential parcels with one being for an existing residence

Attachments: [10669 Staff Update.pdf](#)

[10669 Town.pdf](#)

[10669 density study.pdf](#)

[10669 map.pdf](#)

[10669 Ord Amend.pdf](#)

A motion was made by BOLLIG, seconded by KOLAR, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

YGM: 2-0.

- 1. A Certified Survey Map shall be recorded for a single 5.8-acre lot.**
- 2. The zoning district classification shall be amended to RH-2 for the proposed 5.8-acre lot.**

[10756](#)

PETITION: REZONE 10756

APPLICANT: PATRICK W COFFEY

LOCATION: 4452 RIDGE ROAD, SECTION 12, TOWN OF COTTAGE GROVE

CHANGE FROM: A-1EX Agriculture District TO A-2 (8) Agriculture District

REASON: separating existing residence from farmland

Attachments: [10756 Staff Update.pdf](#)

[10756 Town.pdf](#)

[10756 Density Study.pdf](#)

[10756 map.pdf](#)

[10756 Ord Amend.pdf](#)

A motion was made by KOLAR, seconded by BOLLIG, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote.

YGM: 2-0.

- 1. A deed notice shall be recorded on the undeveloped land of the Coffey Farm that prohibits further residential development.**
- 2. The eastern lot line of the A-2(8) parcel shall be reconfigured to follow the quarter section line.**

[10760](#)

PETITION: REZONE 10760

APPLICANT: JEFFREY J PONGRATZ

LOCATION: 7671 RILES ROAD, SECTION 19, TOWN OF SPRINGFIELD

CHANGE FROM: A-2 Agriculture District TO A-4 Agriculture District and RH-3 Rural Homes District, RH-2 Rural Homes District TO RH-3 Rural Homes District,

REASON: shifting of property lines between adjacent land owners

Attachments: [10760 Staff Update.pdf](#)

[10760 Town.pdf](#)

[10760 Map.pdf](#)

[10760 Ord Amend.pdf](#)

A motion was made by BOLLIG, seconded by SALOV, that the Zoning Petition be recommended for approval. The motion carried by a voice vote. YGM: 2-0.

[10767](#)

PETITION: REZONE 10767

APPLICANT: DANE COUNTY

LOCATION: 3487 COUNTY HIGHWAY T, SECTION 2, TOWN OF BLOOMING GROVE

CHANGE FROM: A-1EX Agriculture District TO RH-2 Rural Homes District

REASON: county-initiated blanket rezone petition for consistency with farmland preservation plan as required by s. 91.38 wis. stats.

Attachments: [10767 Staff Update.pdf](#)

[10767 town.pdf](#)

[10767 Ord Amend.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Zoning Petition be recommended for approval as amended. The motion carried by a voice vote. YGM: 2-0.

1. The zoning district classification shall be amended to A-2(4).

[CUP 2291](#)

PETITION: CUP 2291

APPLICANT: WISCONSIN ELECTRIC POWER / ENBRIDGE ENERGY

LOCATION: 5635 CHERRY LANE, SECTION 14, TOWN OF MEDINA

CUP DESCRIPTION: pumping station for an existing petroleum pipeline

Attachments: [CUP 2291 Staff Update.pdf](#)

[Enbridge Letter to ZLR 11-06-2014.pdf](#)

[Madison 350 Request to ZLR.pdf](#)

[CUP 2291 Town.pdf](#)

[CUP 2291 Map.pdf](#)

[CUP 2291 Map 2.pdf](#)

[CUP 2291 Corp Counsel opinion on Pipeline Safety Act.pdf](#)

[2291 letter from Enbridge re bonding requirement.pdf](#)

[CUP 2291 Enbridge Presentation.pdf](#)

[CUP 2291 Sound Study.pdf](#)

[CUP 2291 Letters of support.pdf](#)

[2291 App.pdf](#)

A motion was made by BOLLIG, seconded by MATANO, that the Conditional Use Permit be postponed to the Zoning & Land Regulation Committee meeting on 12/9/2014. Staff is direct to pursue a condition requiring a surety bond for assurances of spill clean up due to the increase pressure that the pumping station will create on the existing line. Staff will work with Risk Management and Corporation Counsel to determine the language of the surety bond. The bond shall list Dane County as a insurer, determine the risk associated with a spill, ensure the restoration of lands, and required an environmental study be conducted after clean-up. The motion carried by a voice vote. YGM: 2-0.

1. The Committee would like more information regarding the 2006 WDNR Environmental Assessment Report regarding Enbridge Line 61. The Committee would like to know if the report accounted for the proposed increase in pressure of pipeline and the transportation of tar sands.
2. The Committee also requested that Enbridge produce documentation regarding proof of insurance for a catastrophic event.
3. The Committee would like the WDNR to review the scope of the pipeline assessment to see if an Environmental Impact Statement is needed.

Registrants in favor: Mike Rossler, Steven Schulz, Casey Healy, Robert Dayle, Aaron Madsen, Angela Black, Jeff Vercauteren, Jennifer Smith, Anthony Anestasi, Joseph Lotegeluaki, David Branson, Charlie Vandergriff.

Registrants in opposition: Margaret Moilel, Donald Gibbard, Patricia Hammel, Bruce Noble, Laura Schlachter, Joanna Swartzberg, Carole Blemker, Judith Stadler, Kevin McGettigan, Cathy Loeb, Judy Skog, Terry Lohr, Laura Berger, Mary Jo Froden, David Griffeath, Kevin Corrado, Kate Schulte, Liz Tempte, Margaret Roark, Mary Beth Elliott, Kathleen Carns, Nancy Harrison-Nodna, Marilyn Ferl, Thomas Bristow, Steve Spieckerman, Carl Whiting, Peter Anderson, Ronalee Monroe, Nikki Spoon, Lori VanCaster, Deanna Letts, Selene McHugh, Elizabeth Ward, Paul Fieber, Harry Bennett, Kelly Kearns, Rebecca Wahl, Maury

Smith, Carl Whiting, David Schwab, Tim Cordon, Susan Nossal, Herman White
Rabbit, K. White Rabbit, Tom McClintock.

E. Plats and Certified Survey Maps

[2014 LD-043](#) Preliminary Plat - Bella Vista, Town of Springdale, Section 10/11
(11 lots, 155 acres)
Acceptance of application and schedule for a future consideration
pursuant to established committee policy.

Attachments: [acceptance letter.pdf](#)
[Standing review.pdf](#)
[aerial.pdf](#)
[2014-10-14 PrePlat.pdf](#)
[14-25.pdf](#)

Motion by Kolar, seconded by Bollig to accept the preliminary plat. The motion carried by a voice vote.

[2014 LD-045](#) Final Plat - Windswept, Town of Burke, Section 24
(6 lots, 18.6 acres)
Staff recommends approval

Attachments: [conditional.pdf](#)
[aerial.pdf](#)
[Burke Windswept plat review 031814.pdf](#)
[120246-FP.pdf](#)

Motion by Bollig, seconded by Kolar to approve the final plat conditionally. The motion carried by a voice vote.

F. Resolutions

[2014
RES-330](#)

2015 DANE COUNTY OPERATING BUDGET APPROPRIATIONS RESOLUTION

Attachments: [2014 RES-330 Sub 2.pdf](#)
[Sub 2 Amendments.pdf](#)
[Amnds P&F 11-10-14 Sub 1.pdf](#)
[Amnds P&F 11-5-14.pdf](#)
[Amnds EXEC 10-16-14.pdf](#)
[Amnds HHN 10-21-14.pdf](#)
[Amnds EANR 10-21-14.pdf](#)
[Amnds PWT 10-28-14.pdf](#)
[Amnds EANR 10-28-14.pdf](#)
[Amnds PP&J 10-28-14.pdf](#)
[2014 RES-330.pdf](#)
[Amnds P&F 11-3-14.pdf](#)

No amendments were suggested.

[2014
RES-331](#)

2015 DANE COUNTY CAPITAL BUDGET APPROPRIATIONS RESOLUTION

Attachments: [2014 RES-331 Sub 2.pdf](#)
[Sub 2 Amendments.pdf](#)
[Amnds P&F 11-10-14 Sub 1.pdf](#)
[Amnds P&F 11-5-14.pdf](#)
[2014 RES-331.pdf](#)
[Amnds HHN 10-21-14.pdf](#)
[Amnds EANR 10-21-14.pdf](#)
[Amnds PWT 10-28-14.pdf](#)
[Amnds EANR 10-28-14.pdf](#)
[Amnds PP&J 10-28-14.pdf](#)
[Amnds P&F 11-3-14.pdf](#)

No amendments were suggested.

[2014
RES-355](#)

2015-2017 DANE COUNTY LEGISLATIVE AGENDA

Attachments: [2014 Res 355 Legislative Agenda 2015-2017.pdf](#)

This Resolution was postponed until the November 25th ZLR Committee meeting.

[2014
RES-367](#)

**AUTHORIZING EMPLOYMENT SERVICES AGREEMENT FOR
DIRECTOR OF DEPT. OF PLANNING AND DEVELOPMENT (TODD
VIOLANTE)**

Attachments: [2014 RES-367.pdf](#)
[2014 RES-367 Fiscal Note.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Resolution be recommended for approval. The motion carried by a voice vote. YGM: 2-0.

G. Ordinance Amendment

[2014
OA-042](#)

AMENDING THE DANE COUNTY FARMLAND PRESERVATION PLAN

Attachments: [2014 OA-042.pdf](#)
[Farmland Preservation Plan Text Amendments.pdf](#)
[FPP 10 Farmland Preservation Plan Map.pdf](#)
[DATCP 2014 DaneCo FPP 2014 complete.pdf](#)
[Farmland Preservation Plan COMPLETE 11-11--2014.pdf](#)

A motion was made by MATANO, seconded by KOLAR, that the Ordinance be recommended for approval. The farmland preservation plan was adopted with edits as of November 6, 2014 pursuant to DATCP approval. The motion carried by a voice vote. YGM: 2-0.

[2014
OA-054](#)

**AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF
ORDINANCES, REGARDING PROCEDURE FOR CONDITIONAL USE
PERMIT APPEALS**

Attachments: [2014 OA-054.pdf](#)

A motion was made by MATANO, seconded by BOLLIG, that the Ordinance be postponed to the next Zoning & Land Regulation Committee on 11/25/2014. The motion carried by a voice vote. YGM: 2-0.

1. Matano questioned whether the procedure should include directions for the County Board regarding how the Board should view the appeal. Should the Board review the actions of the ZLR Committee or should the petition be review on its own merits. Miles stated that any changes that are made to the ordinance amendment should be reviewed by DCTA.

H. Reports to Committee

[2014 LD-044](#) Report of approved Certified Survey Maps

Attachments: [November.pdf](#)

I. Other Business Authorized by Law

[2014](#)
[RPT-455](#)

Review and approval of the 2015 Zoning and Land Regulation Committee Schedule

Attachments: [2015 proposed zlr calendar.pdf](#)

The Committee approved the 2015 ZLR meeting schedule with two changes. The March work meeting will be moved to Wednesday, March 11th and there will not be a work meeting in June.

J. Adjourn

A motion was made by KOLAR, seconded by BOLLIG, to adjourn the meeting at 9:35pm. The motion carried unanimously.

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 hnuv ua hauj lwm ua ntej yuav tuaj sib tham.