



IOWA COUNTY OFFICE OF PLANNING & DEVELOPMENT

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Pursuant to Section 19.84 and 59.69, Wisconsin Statutes, notice is hereby given that the Iowa County Planning & Zoning Commission will hold public hearings and meeting on **Wed., June 27, 2007 at 6:00PM**, or as soon thereafter as possible, in the **County Board Room (2nd floor)** of the Iowa County Courthouse in the City of Dodgeville, Wisconsin. For information regarding access for the disabled, please call 935-0399. Additional information about the petitions, including maps, can be obtained from the Office of Planning & Development.

Draft Minutes

1. Call to order. Ehr called the meeting to order at 6:00 pm
2. Roll Call. Godfrey read the roll.

Committee present: Bill Ehr, Diane McGuire Bob Bunker, Joe Thomas

Committee not present: Dwayne Hiltbrand

Staff present: Scott A. Godfrey; Mike Bindl

3. Certification of notice for this meeting. Godfrey stated this meeting was duly noticed and posted as required by law.

Motion to accept by McGuire

Second by Bunker

Motion carries unanimously

4. Review and approval of the June 20, 2007 minutes.

Motion to approve by Thomas

Second by McGuire

Motion carries unanimously

5. Approval of agenda.

Motion to approve by Bunker

Second by Thomas

Motion carries unanimously

6. Petition by Richard Crook to change the zoning of 38.07 & 2 acres from A-1 Ag to AR-1 Ag Res being part of the NW/SW of S8-T6N-R3E in the Town of Dodgeville.

Applicant present: Richard Crook
Town present: Curt Peterson
Public comment: none

Motion to approve by McGuire
Second by Thomas
Motion carried unanimously.

7. Petition by Tim Tibbits to change the zoning of 18.943 acres from AR-1 Ag Res to B-2 Hwy Bus being in part of the NW/SE of S5-T4N-R2E in the Town of Linden.

Applicant present: Tim Tibbits
Town present: Larry Wolfe
Public comment: none

Motion to approve by Bunker
Second by Thomas
Motion carried unanimously.

8. Petition by Tim Tibbits for a conditional use permit to allow archery equipment sales, taxidermy and a residence on a 18.943-acre B-2 Hwy Bus lot being in part of the NW/SE of S5-T4N-R2E in the Town of Linden

Applicant present: Tim Tibbits
Town present: Larry Wolfe
Public comment: none

The town verified that it does not recommend any conditions imposed.

Motion to approve without conditions by Thomas
Second by Bunker
Motion carried unanimously.

9. Petition by Patrick & Marilyn Elliot to change the zoning of 9.966 acres from A-1 Ag to AR-1 Ag Res being in part of the NE/SE of S23-T5N-R3E in the Town of Mineral Point.

Applicant present: Marilyn Elliot
Town present: John Lawinger
Public comment: none

Motion to approve by Thomas
Second by McGuire
Motion carried unanimously.

10. Petition by Don Winch to change the zoning of 9.75 acres from A-1 Ag to AR-1 Ag Res being in part of the W1/2 -NE of S6-T7N-R5E in the Town of Arena.

Applicant present: John Halverson (representing Mr. Winch)

Town present: Bill Gauger, Dave Lucey, Terry Denruiter

Public comment: Mrs. Brown asked for clarification on location of proposed lot and if it can be further developed/divided. Godfrey addressed her questions.

Motion to approve by McGuire with the condition that the remainder of the parent property be added by deed into the adjoining A-1 property of a neighbor in order to not create a nonconforming sub-40-acre lot

Second by Bunker

Motion carried unanimously.

11. Petition by Rich Schoenberg to change the zoning of 15.01 acres from A-1 Ag to AR-1 Ag Res being in part of the NW/SE & NE/SW of S12-T8N-R5E in the Town of Arena.

Applicant present: Rich Schoenberg , John Halverson (surveyor) Kay Millonzi (attorney)

Town present: Bill Gauger, Dave Lucey, Denruiter

Public comment:

- Ron Kvamme expressed concern over adding another user to the existing easement over the drive that crosses his property.
- Ed Meier expressed concern over further development in the area
- Judy Roller expressed concern over further development of the area changing its rural character and causing an increase in noise and potential impacts to groundwater

Motion to approve by McGuire with the condition that a new driveway easement and agreement is approved by all parties who are subject to the agreement and the town prior to the County Board acting on the petition

Second by Thomas

It was clarified that this recommendation would be forwarded to the County Board for its July meeting and, if verification of satisfaction of the condition has not been received by the county office by that date, the Board will carry the petition over to the August meeting

Motion carried unanimously.

12. Petition by Bill & Minnie Gauger for a conditional use permit to allow the stockpiling and distribution of sand on an existing 3.81-acre B-2 Hwy Bus lot and 40-acre B-4 Ind lot in the W1/2-SE1/4 of S8-T8N-R5E in the Town of Arena.

Applicant present: Bill & Minnie Gauger
Town present: Dave Lucey Terry Denruiter
Public comment: none

Motion to approve by Thomas with the condition that the storage and distribution of the sand shall terminate within 36 months from the date the pond excavation begins

Second by Bunker

Motion carried unanimously.

13. Petition by Deer Valley Golf and Frank Weeks to change the zoning of 260.6 acres from A-1 Ag & B-2 Hwy Bus to all Hwy Bus in part of S9&16-T6N-R5E in the Town of Brigham.

Applicant present: Todd King
Town present: Rita Zander, Otis Nelson and Doug Reeson
Public comment: none

Motion to approve by McGuire

Second by Thomas

Motion carried unanimously.

14. Petition by Deer Valley Golf and Frank Weeks for a conditional use permit to allow a residence; farming; golf course; and clubhouse with retail sales, bar and restaurant in part of S9&16-T6N-R5E in the Town of Brigham.

Applicant present: Todd King
Town present: Rita Zander, Otis Nelson and Doug Reeson
Public comment: none

The town verified that it does not recommend any conditions imposed.

Motion to approve all requested uses without conditions by Bunker

Second by Thomas

Motion carried unanimously.

**Ehr called for a 5-minute break.

15. Continued petition by WA Towers and Bruce Paull for consideration of Conditional use permit to allow a telecommunication tower with facilities on A-1 Ag land in part of the NE/SE of the S14 and NW/SW of S13; all in the T6N-R4E in the Town of Ridgeway.

Applicant present: Bruce Paull, Ben Southwick (attorney), David Wolfe and Todd Anderson

Town present: Robert Thomas, Rich Strutt and Tom McGraw

Attorney Southwick was given the opportunity to make an opening statement on behalf of the applicant.

Godfrey reviewed the report from the past two hearings indicating where there was yet missing information as required by the county's ordinance.

Public Comment: (not listed in order of appearance)

Attorney MacDonald referred to an existing WI Supreme Court Case Law that forbids approving a conditional use permit upon an incomplete application, among other reasons for either postponing action or denying the petition.

Speaking in favor: Ben Southwick (attorney for applicant)
Bruce Paull (property owner)
David Wolfe (WA Towers)
Todd Anderson (WA Towers)

Speaking in opposition: Daniel MacDonald (attorney for Bickfords)
Linda Lynch
Greg Paradise
Richard Hibma
Trudy Brooke
Paul Bickford
Bob Thomas
Richard Strutt
Tom McGraw
Cindy Bickford

Town meeting minutes were added to record by Ben Southwick.

Petitions in opposition were added to the record by Daniel MacDonald.

**Ehr called for a short break. Hearing resumed at 8:34pm.

Ehr summarized the reasons for opposition to be an existing WI Supreme Court Case Law that prohibits action on a conditional use permit when the application is incomplete, which is the case with this petition and a potential lack of conformity with the town's plan. As such, Ehr suggested consideration of postponing action until the application is complete.

Motion by McGuire to postpone up to 90 days allowing time for the applicants to complete the application

Second by Bunker

Wolfe stated this would not be enough time and stated 6 months would be better.

McGuire amended the motion to be up to 6 months; Bunker agreed.

Motion carried unanimously

16. Review and action on expenditures/vouchers.

No vouchers

17. Discussion of next meeting date and agenda.

No discussion

18. Adjournment.

Motion to adjourn by McGuire

Second by Bunker

Motion carried unanimously. Adjourned at 8:40 pm