



Unapproved Minutes
Iowa County Planning & Zoning Committee
Wednesday, January 27, 2016 – 6:15PM
2nd Floor Conference Room - Courthouse
222 N. Iowa Street
Dodgeville, Wisconsin

**Iowa
 County
 Wisconsin**

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Any subject on this agenda may become an action item unless otherwise noted.

1	Call to order. Supervisor Peterson called the meeting to order at 6pm
	Roll Call.
2	Members Present: Curt Peterson; Carol Anderson; Doug Richter, Ryan Walmer; David Gollon Members Absent: none Staff Present: Scott A. Godfrey
3	Consent Agenda: a) Approve the agenda for this meeting. b) Approve the minutes of the last meeting. Motion to approve by Supervisor Anderson Second by Supervisor Richter Motion carries
4	Report from committee members and an opportunity for members of the audience to address the Committee. No action will be taken. None
5	Petition by Vince Pope to rezone 1.142 acres from A-1 Ag to AR-1 Ag Res in the NW/SE of S28-T8N-R5E in the Town of Arena. Applicant Present: Mr. & Mrs. Pope Town Present: none Godfrey provided the staff report Public comment: none Motion to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board action approving the zoning by Supervisor Anderson Second by Supervisor Richter
6	Petition by Ray & Tiana Poppe and Richard & Teresa Scullion rezone 17 acres from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res and 5 acres from A-1 Ag to C-1 Conservation in the NW/NW of S2-T6N-R1E in the Town of Highland. Applicant Present: Mr. & Mrs. Poppe and Mr. Scullion Town Present: none Godfrey provided the staff report

	<p>Public comment: none</p> <p>Motion to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board action approving the zoning by Supervisor Richter Second by Supervisor Anderson Motion carries</p>
7	<p>Petition by Jean Langer to rezone 19.94 acres from A-1 Ag & B-2 Hwy Business to all B-2 Hwy Business in the N1/2-NE of S7-T7N-R3E in the Town of Clyde. This petition includes a conditional use permit request to allow bed & breakfast lodging; café; art sales and alcohol sales on the 19.94-acre B-2 lot.</p> <p>Applicant Present: none Town Present: none</p> <p>Godfrey provided the staff report</p> <p>Public comment: none</p> <p>Motion to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board action approving the zoning and to include the requested uses allowed by conditional use permit by Supervisor Anderson Second by Supervisor Richter Motion carries</p>
8	<p>Petition by The American Transmission Company for a shoreland zoning special exception permit to allow grading on slopes greater than 20% in Sections 10 & 11 T5N-R3E in the Town of Mineral Point.</p> <p>Applicant Present: none Town Present: none</p> <p>Public comment: none</p> <p>Motion to approve by Supervisor Anderson with the following conditions:</p> <ul style="list-style-type: none"> • The smallest amount of bare ground shall be exposed for as short a time as feasible. There must be a plan for covering the ground that is approved as part of the permit. • Temporary ground cover shall be used and permanent vegetative cover shall be established • Diversion berms or bales, silting basin, terraces, filter fabric fencing, and other methods shall be used to prevent erosion • Fill shall be stabilized according to acceptable engineering standards <p>Second by Supervisor Richter Motion carries</p>

Petition by James Rule to rezone 65.522 acres from A-1 Ag to AB-1 Ag Business in the S1/2-SW1/4 of S9-T6N-R3E in the Town of Dodgeville. This petition includes a conditional use permit request to allow nonmetallic mining on the 65.522-acre AB-1 lot.

Applicant Present: James Rule

Town Present: Greg Jewell, Plan Commission Chair

Godfrey provided the staff report

Public comment: Supervisor Peterson invited public comments in an informal format as part of the discussion

Motion to approve by Supervisor Anderson with the conditions requested by the Town of Dodgeville and included in the Staff Report with the following clarifications:

- 1) Emergency operations under condition #13 may include lighting
- 2) Condition #13 hours of operation may include occasional weekend hauling with the intent to match the current operations where previously crushed materials are occasionally hauled from the site, primarily by subcontractors

The conditions are listed below and are to incorporate the clarifications above:

- 1) Approval of the Conditional Use Permit by the Town of Dodgeville Board
- 2) Approval of the Conditional Use Permit by Iowa County
- 9 3) The conditional use permit shall be valid for five years, during which the landowner and operator agree to a minimum annual inspection by the County and/or Town for the purpose of monitoring compliance with all imposed conditions. The conditional use permit may be extended for another five-year term provided compliance with all imposed conditions is verified. The public shall be made aware of the date of the yearly inspection by public notice.
- 4) Successful Non-Metallic Mining Permit from Iowa County...this includes:
 - Reclamation standards contained in Subchapter II of Chapter NR135, Wisconsin Administrative Code
 - Operation and reclamation shall be conducted in a manner that meets groundwater quality standards pursuant to Wisconsin Administrative Code NR140
 - This permit is good for five years
- 5) Blasting operations shall follow the current Iowa County Nonmetallic Zoning Ordinance (Nonmetallic Mining Reclamation Ordinance): Section 4.5 "Nonmetallic Mining Sites – one acre or greater"
 - Blasting shall, at a minimum, comply with the provisions listed in SPS 3-7, Wis. Administrative Rule. At sites where there is a principal structure on neighboring property within 500 feet of the shared property line with the mining site, blast charges may be required to be reduced in size as blasting activity nears the property line
 - Land owners wishing to have notice of blast schedule shall notify operator with email information so the mine owner can provide notice to the land owners.
- 6) Mine expansion shall follow the areas shown on attached Exhibit A
- 7) Evergreens shall be planted in three staggered rows in the area shown on attached Exhibit B
- 8) A minimum four strand barbed wire fence shall be constructed as shown on Exhibit B with warning signs
- 9) Evergreens shall be planted and the fence shall be constructed by June 30, 2016. The Town of

Dodgeville will require additional screening if mining operations are not being adequately screened by the use of evergreen trees. This may require the building of a berm, or other suitable screening where necessary to adequately screen the crushing operations. This condition shall be evaluated at the required annual site inspection by the Town of Dodgeville.

- 10) The owner of the mine shall maintain the trees and replant if necessary for the duration of an active nonmetallic mining permit
- 11) The owner of the mine will never have an asphalt plant or other industrial operation, excluding the current crushing operation
- 12) No commercial traffic associated with the mine will ever use Green Leaf Drive
- 13) Hauling hours of operation be limited to the hours of 6:30am to 6:00pm Monday through Friday. Blasting be limited to the hours of 7:00am to 5:00pm Monday through Friday. Crushing operation be limited to the hours of 7:00am to 6:00pm Monday through Friday. In cases of emergency (flood or natural disaster) hours may be extended for hauling purposes to include weekends.
- 14) No lighting will be allowed outside the hours of operation. In case of emergency, lighting will be allowed outside the usual hours of operation.
- 15) If any claims for damage are made against the mine, the Town shall be made aware of said claim. This information will be used in evaluation of renewal or the conditional use permit.
- 16) Declaration of Conditions, Covenants and Restrictions limiting nonmetallic mining be granted to the Town of Dodgeville for tax parcels 008-1077 and 008-0938 owned by James Rule. This declaration shall limit expansion of this mine into tax parcels 008-1077 and 008-0938 and does not restrict any other uses.
- 17) The incorporation of Conditions 3, 5, 6, 7, 8, 9 and 10 into the associated nonmetallic mining reclamation plan as an amendment per NR 135.24.

Exhibit A

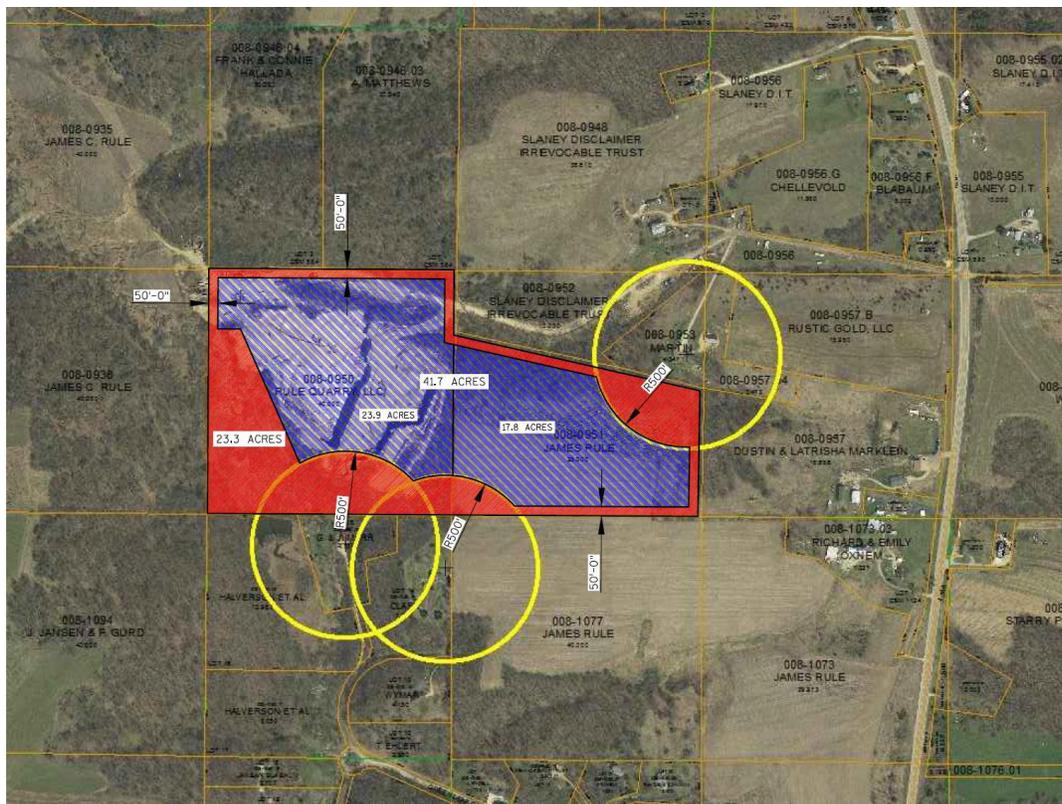
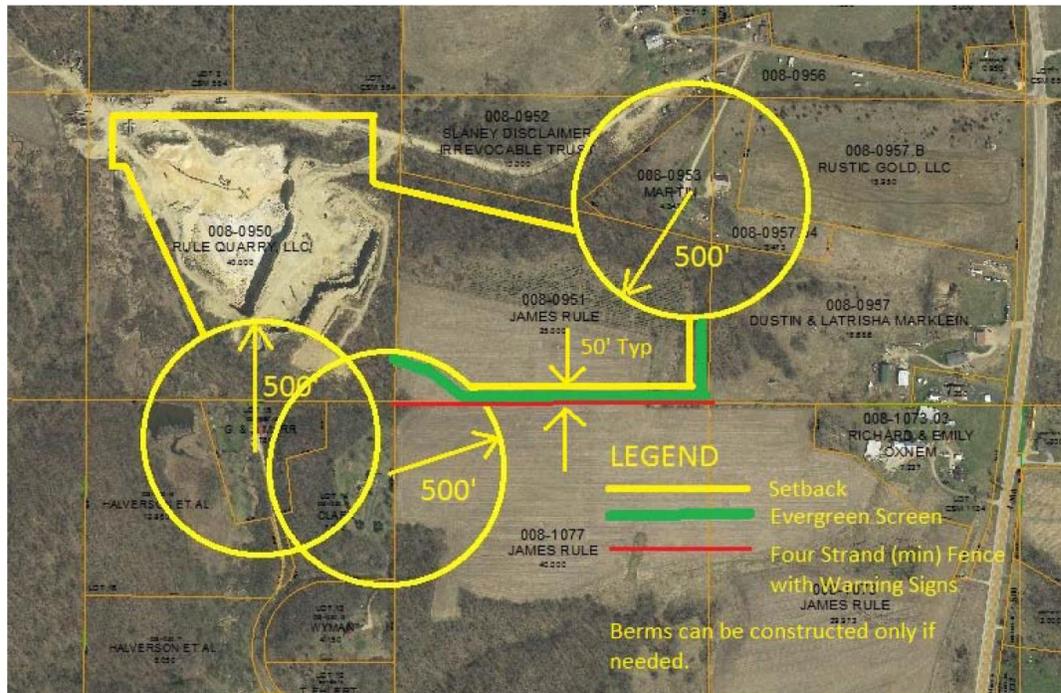


Exhibit B



Second by Supervisor Gollon

Godfrey offered the following clarifications on the conditions:

- 1) For condition #3: the 5-year CUP duration corresponds with the reclamation permit duration of 5 years under separate ordinance
- 2) For condition #4: it should be clarified that neither the Town nor the County has authority to enforce the provisions of NR140 Wisconsin Administrative Rule and that the intent is that any infraction of said Rule...presumably identified by the Dept. of Natural Resources...may be grounds for suspending or revoking the conditional use permit
- 3) For conditions #7, 8, 10: the satisfaction of these conditions shall be at the Town's determination
- 4) For condition #13: a request by the mine operator to exceed the hours of operation shall be made in writing to the County and the County shall forward to the Town for mutual review and consideration
- 5) All conditions imposed at this time should be also attached to the reclamation permit, if relevant, for consistency.

Motion carries

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Motion to convene a public hearing on proposed revisions to Sections 2.8 & 2.9 of the Iowa County Zoning Ordinance relating to violations and penalties.

Motion by Supervisor Richter to convene into public hearing

	<p>Second by Supervisor Walmer Motion carries</p> <p>Godfrey gave the staff report</p> <p>Public Comment:</p> <ul style="list-style-type: none"> • James Heisner asked for an explanation of the current penalties <p>Motion by Supervisor Anderson to close the public hearing and return to the open session Second by Supervisor Richter Motion carries</p>
11	<p>Possible action on proposed revisions to Sections 2.8 & 2.9 of the Iowa County Zoning Ordinance relating to violations and penalties.</p> <p>Motion by Supervisor Walmer to recommend approval of the revisions as proposed to the Iowa County Board of Supervisors Second by Supervisor Richter Motion carries</p>
12	<p>Motion to convene a public hearing to recommend adoption of a dam failure analysis for the Wright (Taliesin) Dam located in the SW/NW of S30-T8N-R4E in the Town of Wyoming. Adoption is by reference within Section 1.5(2)(b) of the Iowa County Floodplain Zoning Ordinance #400.03A.</p> <p>Motion by Supervisor Richter to convene into public hearing Second by Supervisor Anderson Motion carries</p> <p>Godfrey gave the staff report</p> <p>Public Comment: none</p> <p>Motion by Supervisor Richter to close the public hearing and return to the open session Second by Supervisor Anderson Motion carries</p>
13	<p>Possible action on adopting the dam failure analysis for the Wright (Taliesin) Dam by reference within Section 1.5(2)(b) of the Iowa County Floodplain Zoning Ordinance #400.03A.</p> <p>Motion by Supervisor Anderson to recommend approval of the revision to the floodplain ordinance by adoption of the dam failure analysis as proposed to the Iowa County Board of Supervisors Second by Supervisor Richter Motion carries</p>
14	<p>Director's Report</p> <ul style="list-style-type: none"> a) Office activity and programs b) Violations update

	<p>Godfrey gave his report, which included the 2015 End of Year Report</p> <p>County Administrator Larry Bierke joined the meeting.</p> <p>Supervisor Peterson requested an update on the pending violation case in the Town of Arena involving a used auto lot. Godfrey explained an onsite visit January 8th that included himself, Town of Arena Board members, a DNR Warden and a WDOT official that resulted in findings of issues under all jurisdictions. Godfrey stated the property owner has been provided time to present a plan to address all issues which will be considered by this Committee. Consensus was to have this as an agenda item on next month's meeting</p>
15	Next meeting date and time – February 24, 2016 at 6pm
	Adjourn
16	<p>Motion by Supervisor Gollon to adjourn</p> <p>Second by Supervisor Richter</p> <p>Motion carries. Adjourned at 7:30pm</p>