

Minutes of the Land Use, Parks and Environment (LUPE) Committee

Tuesday, March 24, 2020

Chair Zimmermann called the meeting to order at 8:30 a.m.

Present: Supervisors Dave Zimmermann, Keith Hammitt, Steve Whittow, Bill Mitchell and Chuck Wood; **Absent:** Tom Schellinger and Kathleen Cummings.

Also Present: Legislative Policy Advisor Sarah Spaeth, Parks System Manager Rebecca Mattano, Planning and Zoning Manager Jason Fruth, Community Development Manager Kristin Silva, County Board Chair Paul Decker and Chief of Staff Mark Mader.

Approve Minutes – February 18, 2020

MOTION: Hammitt, second by Mitchell to approve the minutes of February 18. Motion carried 5-0.

Future Agenda Items

Wood asked that Lake Management Districts from Eagle Springs and Pretty Lake be invited to the future agenda item related to septic systems.

Future Meeting Date

- April 7, 2020

Discuss and Consider Ordinance 174-O-102 Authorize Participation In Wisconsin Outdoor Motorized Recreational Trails Aid For Waukesha County Snowmobile Trails

Mattano discussed this ordinance which authorizes the County to participate in Wisconsin Outdoor Motorized Recreational Trails Aid for the purpose of maintaining, acquiring, insuring or developing lands for public snowmobile use. The State requires the County to coordinate, apply for, and disburse snowmobile funds and execute a separate agreement with the Waukesha County Snowmobile Association, Inc. which includes all required grant documentation for funding to be provided to the County. The grant funds to be received and disbursed have been incorporated in the department's 2020 budget.

MOTION: Whittow moved, second by Mitchell to approve Ordinance 174-O-102. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-103 Approve Distribution Easement To Wisconsin Electric Power Company To Install, Operate, Maintain, Repair, Replace And Extend Overhead And Underground Utility Facilities On Waukesha County Property Known As Menomonee Park

Mattano discussed this ordinance which authorizes the County to grant a first Distribution Easement which will allow Wisconsin Electric Power Company to install, operate, maintain, repair, replace and extend overhead and underground utility facilities on Waukesha County property at Menomonee Park. Wisconsin Electric Power Company, d/b/a We Energies, has requested to install, operate, maintain, repair, replace and extend overhead and underground utility facilities at the park.

It is deemed necessary to allow We Energies to install, operate, maintain, repair, replace and extend overhead and underground utility facilities for the purpose of transmitting electric energy, signals, television and telecommunication services, including the customary growth and replacement thereof. This Easement will replace the previously approved, unrecorded Easement approved by the County Board in April of 2019.

MOTION: Hammitt moved, second by Wood to approve Ordinance 174-O-103. Motion carried 5-0.

Ordinance 174-O-114 Modify The 2020 Budget To Accept Additional Home Investment Partnership (HOME) Program Funds, Community Development Block Grant (CDBG) Funds, Program Income Funds, And Home Program Fees For The 2020 Program Year

Silva discussed this ordinance which modifies the 2020 Park and Land Use Community Development Grant Fund to increase appropriation authority for operating expenditures by \$211,974 to match the HUD approved CDBG grant and HOME program award amounts. The 2020 HUD awarded amounts for the County's CDBG program is \$1,464,022 which is \$59,013 higher than the 2020 adopted budget appropriations of \$1,405,009. In addition, the 2020 HUD awarded amounts for the County's Home Investment Partnership (HOME) program is at \$1,447,991 which is \$152,961 higher than the 2020 adopted budget appropriations of \$1,295,030. The adopted budget is not based on the final HUD grant notification due to timing delays in receiving the Federal budget appropriation grant award notification. This ordinance also modifies the 2020 budget to appropriate additional operating expenditures of \$390,763 including \$117,201 for the CDBG program and \$273,562 for the HOME program for higher program income received in 2019 than budgeted to match HUD records. The additional budget expenditures are offset with the related program income resulting in no tax levy impact. The ordinance also increases the HOME program charges for service revenue fees by \$31,199 to \$74,240 and appropriates \$27,199 to operating expenditures for subgrantee loans and \$4,000 to interdepartmental charges for copy and postage costs. Furthermore, this ordinance authorizes sub grantee agreements necessary to cover allocations to be made by the County Executive, Community Development Block Grant Board and HOME Consortium Board for the increased funding. This ordinance results in no direct tax levy impact.

MOTION: Wood moved, second by Whittow to approve Ordinance 174-O-114. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-095 Amend The Text Of The Town Of Eagle Zoning Code By Repealing And Recreating Subsection 500.522(A)(1) Of The Town Of Eagle Zoning Code Relating To The Public (P-1) District (RZ59)

Fruth discussed this ordinance which will amend the Town of Eagle Zoning Code Subsection 500.522(A)(1) Public (P-1) District to include K-12 schools and facilities and lands used for telecommunications or utilities. A public hearing was held and the subject matter of this ordinance was approved by the Eagle Town Board on February 3, 2020. The matter was subsequently referred to and considered by the Waukesha County Park and Planning Commission which is also recommending approval.

MOTION: Hammitt moved, second by Wood to approve Ordinance 174-O-095. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-096 Amend The District Zoning Map Of The Town Of Eagle Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The SE ¼ Of Section 11, T5N, R17E, Town Of Eagle, Waukesha County, Wisconsin, From The Rural Residential (RR) District To The Public P-1 District (RZ58)

Fruth discussed this ordinance which will rezone property located at W351 S7510 Hwy 59 in the Town of Eagle to the P-1 District allow a proposed private school. A public hearing was held and the subject matter of this ordinance was approved by the Eagle Town Board on February 3, 2020. The matter was subsequently referred to and considered by the Waukesha County Park and Planning Commission which is also recommending approval.

MOTION: Mitchell moved, second by Wood to approve Ordinance 174-O-096. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-098 Amend The Waukesha County Shoreland And Floodland Protection Ordinance District Zoning Map Of The Town Of Vernon And The District Zoning Map Of The Town Of Vernon Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NE ¼ Of Section 10, T5N, R19E, Town Of Vernon, Waukesha County, Wisconsin, From The A-5 Mini Farm District To The B-3 General Business District (Town And County) (RZ51)

Fruth discussed this ordinance which will rezone approximately three acres of property in the Town of Vernon located on the south side of CTH ES, to the B-3 District to allow a poured concrete foundation business. The property is subject to town and county zoning. A public hearing was held and the subject matter of this ordinance was approved by the Vernon Town Board on January 8, 2020. The matter was subsequently referred to and considered by the Waukesha County Park and Planning Commission which is also recommending approval.

MOTION: Hammitt moved, second by Mitchell to approve Ordinance 174-O-098. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-099 Amend The District Zoning Map Of The Town Of Brookfield Zoning Code By Conditionally Rezoning Certain Lands Located In Part Of The NW ¼ Of Section 31, T7N, R20E, Town Of Brookfield, Waukesha County, Wisconsin, From The B-3 Office And Professional Business District To The B-2 Limited General Business District (RZ57)

Fruth discussed this ordinance which will rezone property located at 21725 and 21755 Longview Drive in the Town of Brookfield to the B-2 District to allow a proposed multi-tenant commercial building. After proper notice was given, a public hearing was held and the subject matter of this ordinance was approved by the Brookfield Town Board on November 5, 2019. The matter was subsequently referred to and considered by the Waukesha County Park and Planning Commission which is also recommending approval.

MOTION: Mitchell moved, second by Wood to approve Ordinance 174-O-099. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-100 Adopt Text Amendments To The Waukesha County Shoreland And Floodland Protection Ordinance Modifying The Conditional Use Provisions For Contractor's Yards (RZ52)

Fruth discussed this ordinance which will amend the Waukesha County Shoreland and Floodland Protection Ordinance conditional use provisions by incorporating language reducing the minimum acreage requirements for contractor's yards in the B-3 General Business, Q-1 Quarrying and M-1 and M-2 Industrial Districts. The department held a public hearing on January 16, 2020 and the proposed amendments were considered and approved by the Waukesha County Park and Planning Commission on February 20, 2020.

MOTION: Whittow moved, second by Wood to approve Ordinance 174-O-100. Motion carried 5-0.

Discuss and Consider Ordinance 174-O-101 Adopt Text Amendments To The Waukesha County Zoning Code Modifying The Conditional Use Provisions For Contractor's Yards (RZ53)

Fruth discussed this ordinance which will amend the Waukesha County Zoning Code conditional use provisions, by incorporating language reducing the minimum acreage requirements for contractor's yards in the B-3 General Business, Q-1 Quarrying and M-1 and M-2 Industrial Districts. The department held a public hearing on January 16, 2020 and the proposed amendments were considered and approved by the Waukesha County Park and Planning Commission on February 20, 2020.

MOTION: Wood moved, second by Mitchell to approve Ordinance 174-O-101. Motion carried 5-0.

Motion to Allow Secretary Whittow to Approve the Final Set(s) of Committee Minutes on Behalf of the Committee

MOTION: Hammitt moved, second by Wood to allow Secretary Whittow to approve the final set(s) of committee minutes on behalf of the committee. Motion carried 5-0.

Legislative Update

Spaeth said the Wisconsin State Senate postponed their last scheduled floor session in light of the recent public health crisis.

MOTION: Hammitt moved, second by Whittow to adjourn at 9:04 a.m. Motion carried 5-0.

Respectfully submitted,

Steve Whittow

Steve Whittow
Secretary