

June 6, 2017 5:30 PM

The public hearing and meeting notices were posted and published according to law.

Call to Order: The Plan Commission Public Hearing was called to order by Chairman William Devine at 5:40 PM due to technical difficulties.

Roll Call: Chairman William Devine, George Beasley, Joe Duesler, Carl Johnson, Rich Jacobson, Lois Rethard and LeAnna Rittmann were present.

Others Present: Town Attorney John Miller, Town Engineer Robert Roth, Clerk Marlo Gustafson, and residents Howard Boersma, Lori Greiner, and Herbert Bierman were also present.

Public Hearing: Chairman Devine opened the public hearing at 5:45 p.m. and explained the reason for the public hearing. Town Engineer Roth reported that Ms. Lorelee Greiner submitted a CUP Application package for a Bed and Breakfast Facility at her home and paid the necessary escrow. She also filed her paperwork with Columbia County Planning & Zoning. Her property is zoned A-1 Agricultural Zoning and per Columbia County Zoning Code, Bed and Breakfast facilities are a listed Conditional Use. Roth stated that there will not be any changes to access, parking, lighting or landscaping. Planning & Zoning initially reviewed the application and provided the Town with a CUP Preapplication Report. Ms. Greiner then shared her intentions. She would allow no more than 4 people at one time and no parties would be allowed. She plans to have check-in procedures and will change the code on the door lock after guests check out. Neighbor Herbert Bierman spoke against allowing the Conditional Use Permit. He is concerned that he doesn't have control over who stays there and how long. He also doesn't feel she will have control over the individuals that are staying. Ms. Greiner stated that she would call the Columbia County Sheriff's Dept. if she felt the need for assistance. Supervisor Beasley asked Ms. Greiner if she had experience running a Bed and Breakfast and she replied that she has only stayed at Bed and Breakfast facilities and has never run one herself. Motion Beasley/Rethard to close the public hearing at 6:04 p.m. All in favor by call of roll.

Call Meeting to Order: Chairman Devine called the Plan Commission meeting to order at 6:05 p.m.

Approval of Agenda: Motion by Beasley/Duesler to approve the agenda as amended to accommodate guests. All in favor by call of roll.

Conditional Use Permit for Pine Grove Hideaway – Greiner at W7445 CTH G:

Attorney Miller explained the use of the CUP Action Report which was provided by Columbia County Planning & Zoning Dept. Attorney Miller guided the Plan Commission through each of the criteria for the Findings of Fact section of the Action Report. The Action Report will become part of the record and is attached to these minutes. Motion by Beasley/Jacobson to recommend approval to the Town Board with conditions on attached CUP Action Report. All in favor by call of roll.

Approval of Prior Plan Commission Minutes: Motion by Beasley/Rittmann to approve the minutes of April 11, 2017 as presented. All in favor by call of roll.

Concept Plan for Grading/Drainage Improvements – Boersma at N6702 Donlin Drive:

Mr. Boersma reported that water is running into his basement due to the grade of his yard. Engineer Roth mentioned that this is a regional groundwater issue. Mr. Boersma proposed digging out the ditch on Donlin Drive which has become filled with sediment. This is a request to work in Town Right of Way, but the necessary application was not filled out and submitted yet. Doherty Trucking & Excavating will file the necessary application packet as required. Chairman Devine requests to see the flow line of the culvert inlet and outlet.

CSM Review – Portage Country Club: On behalf of Portage Country Club, Grothman and Associates submitted two Certified Survey Maps showing the division of rural land to accommodate a land sale. A Declaration of Covenants, Conditions and Restrictions document and a Declaration of Access and Parking Easement Agreement document were previously provided and recorded on January 9, 2017. Language was added in a separate agreement requiring town approval before the covenants could be amended or terminated. Language was also added in a Limited Grant of Authority document to provide the town with the right to enforce the covenants. The Agreement and Limited Grant of Authority are to be signed by Scott Oelke, President of Portage Country Club, Inc. Chairman Devine asked for written verification from the Country Club's Attorney or the Country Club confirming that the Country Club's Board of Directors approved these documents and authorized Scott Oelke to sign on behalf of the Country Club. This will have to be provided before the next Town Board meeting on June 20, 2017. Motion Jacobson/Rethard to recommend approval to the Town Board with added verbiage giving Scott Oelke authority to sign on behalf of the Country Club. All in favor by call of roll.

Erosion Control Permit for Mobile Tower – Wolfgram at W8287 CTH P: On behalf of Boyd and Holly Wolfgram, Wireless Group Consultants submitted an Erosion Control Application package with required escrow funds for a Mobile Tower Development (Cell Phone Tower) on Wolfgram’s property. The mobile tower requires roughly 4,000 square feet of construction disturbance, including an additional linear utility trench of approximately 360 feet. Both elements of the construction site trigger the Town’s Erosion Control Ordinance, Chapter 429. The construction site is located within the 100-year floodplain area which is administered by Columbia County Zoning. The proposed gravel compound area will match existing grades based on information provided in the plans. This type of development is allowed within floodplain zoning. The Erosion Control Plan covers in detail the site parameters for construction site runoff and recommends the following measures: (1) Rock construction site entrance to minimize tracked silt onto roadways, (2) Silt fence along downstream contour from disturbance to minimize silt transport offsite, (3) Immediate placement of gravel base to minimize duration of disturbance, and (4) Immediate seeding and mulching of turf areas. Engineer Roth also recommended that the work be inspected by the Town upon completion and reasonable establishment of the facilities. Motion by Duesler/Beasley to recommend approval to the Town Board. All in favor by call of roll.

Possible Work in Right of Way Permit for Utility Companies: Applications were not submitted in time for this meeting.

Building Inspection Report: Reviewed.

Other Reports: None.

Correspondence: None.

Next Meeting Date: The next meeting will be held on Tuesday, July 11, 2017 at 5:30 p.m.

Adjourn: Motion by Duesler/Rethard to adjourn at 7:45 p.m. All in favor by call of roll.

Marlo Gustafson
Recording Secretary

TOWN BOARD ACTION REPORT – CONDITIONAL USE PERMIT

Regarding Application # 1 Lorelee Greiner Conditional Use Permit for Bed & Breakfast Facility

Whereas, the Town Board of the **Town of Pacific** having considered said Conditional Use Permit application, be it therefore resolved that said conditional use permit is hereby (circle one):

RECOMMENDED FOR APPROVAL

DENIED

PLAN COMMISSION VOTE: In Favor Opposed

TOWN BOARD VOTE: In Favor Opposed

Whereas, in support of its decision, the Town Board has made appropriate findings of fact using the review criteria listed in section 16-150-070 (D), Columbia County Code of Ordinance are found to be (circle one):

SATISFIED

SATISFIED WITH CONDITIONS

NOT SATISFIED

THE CONDITIONAL USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITION(S):

1. Garbage and recycled materials shall be properly stored and disposed of in a legal manner.
2. One unilluminated freestanding sign, no larger than six (6) square feet and no taller than four (4) feet shall be allowed.
3. No more than four (4) guests at one time shall be allowed.
4. Property must remain free from violations from nuisance, disorderly conduct or other illegal activity.
5. Owner shall maintain a guest register with the names and addresses of guests and when they stayed on the premises.
6. Owner shall maintain liability insurance covering the bed and breakfast business operations on the premises.
7. Owner shall prohibit guests from bringing pets onto the premises.
8. Owner shall prohibit guests from partying with others on the premises.
9. Owner shall comply with all permits required by applicable Federal, State and County authorities and all applicable ordinances and regulations.
10. The County Planning & Zoning Department shall have the right of inspection for the purpose of determining compliance with this permit during normal working hours or upon reasonable notice outside of normal hours.
11. If the Planning & Zoning Committee finds that the review criteria of Sec. 16-150-070(D) of Columbia County Zoning Code or the conditions stipulated in the Committee decision are not being complied with, the Planning & Zoning Committee, after a Public Hearing, may revoke the Conditional Use Permit.

*The Town asks that the County confirm that the septic system is adequate for this proposed use.

PLEASE NOTE: The following space, and additional pages as needed, are reserved for comment by the minority voter(s), **OR**, for the Town to explain its approval if the decision does not comply with the relevant provisions of the Town Plan.

I, Marlo Gustafson, WCMC, as Town Clerk of the Town of Pacific, County of Columbia, hereby certify that the above resolution was adopted in a lawful meeting of the Town Board on June 20, 2017.

Town Clerk

Date

FINDINGS OF FACT FOR CONDITIONAL USE PERMITS

For each of the criteria, indicate if the criteria were found to be satisfied, satisfied with conditions, or not satisfied.

PLEASE INDICATE THE APPROPRIATE FINDING
FOR EACH CRITERIA (CIRCLE ONE FINDING)

- | | |
|---|--|
| 1. The establishment, maintenance or operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare of the occupants of surrounding lands. | 1. SATISFIED <u>SATISFIED WITH CONDITIONS</u>
NOT SATISFIED |
| 2. The use will be designed, constructed, operated and maintained so as to be compatible and be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area such that the use will substantially impair or diminish the use, value or enjoyment of existing or future permitted uses in the area. | 2. SATISFIED <u>SATISFIED WITH CONDITIONS</u>
NOT SATISFIED |
| 3. The erosion, potential of site based on topography, drainage, slope, soil type, and vegetative cover. | 3. <u>SATISFIED</u> SATISFIED WITH CONDITIONS
NOT SATISFIED |
| 4. The prevention and control of water pollution including sedimentation, And the potential impacts on floodplain and wetlands. | 4. <u>SATISFIED</u> SATISFIED WITH CONDITIONS
NOT SATISFIED |
| 5. The site has adequate utilities including, if necessary, acceptable disposal systems. | 5. SATISFIED <u>SATISFIED WITH CONDITIONS</u>
NOT SATISFIED |
| 6. Access to streets and highways is suitable, and ingress and egress is designed to minimize traffic congestion and the potential effect on traffic flow. | 6. <u>SATISFIED</u> SATISFIED WITH CONDITIONS
NOT SATISFIED |
| 7. The conditional use shall conform with the standards of the applicable district(s) in which it is located. | 7. <u>SATISFIED</u> SATISFIED WITH CONDITIONS
NOT SATISFIED |

THIS SECTION IS RESERVED FOR FURTHER EXPLANATION OF THE FINDINGS AND CONDITIONS: