

**In the Matter Of:**

JCPZM

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**DECISION MEETING EXCERPT 03282022**

*January 26, 2023*

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JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE  
DECISION MEETING  
ROOM 202, JEFFERSON COUNTY COURTHOUSE  
311 CENTER AVENUE, JEFFERSON, WISCONSIN

Monday, March 28, 2022  
8:30 a.m.

\*\*EXCERPTED PORTIONS ONLY\*\*

Transcribed by:  
Christine Aiello

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PLANNING AND ZONING COMMITTEE

George Jaeckel, Chair  
Steve Nass, Vice-Chair  
Blane Poulson, Secretary  
Lloyd Zastrow

STAFF

Brett Scherer, Planning and Zoning Department  
Sarah Elsner, Planning and Zoning Department  
Matt Zangl, Planning and Zoning Department  
Deb Magritz, Planning and Zoning Department  
Ben Wehmeier, County Administrator

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PROCEEDINGS

(On the record)

(0:00 - 04:00)

CHAIR JAECKEL: Good morning, everybody. I'll call the Planning and Zoning Committee decision meeting to order for March 28th, 2022. We have a quorum. The only one missing is Matt Foelker, and I think he said he wasn't going to make it last weekend -- or two weeks ago, anyhow.

So we are in compliance with the Open Meetings Law?

SUPERVISOR POULSON: We are, Mr. Chair.

CHAIR JAECKEL: Thank you.

Approval of the agenda. Does anybody need any --

SUPERVISOR NASS: So moved to approve as printed.

SUPERVISOR POULSON: Second.

CHAIR JAECKEL: Okay. All in favor.

SUPERVISOR POULSON: Aye.

SUPERVISOR ZASTROW: Aye.

SUPERVISOR NASS: Aye.

CHAIR JAECKEL: Aye. Motion carries.

We have a sign-in sheet. And most of them are all here for item number 13. There's one for 16. So

1 they're all following in order pretty much anyhow.

2 So number five, public comment. Not -- and  
3 not to include petition slated for decision, is there  
4 anybody that's got public comment that's not on the  
5 petitions for decision? Seeing none --

6 FEMALE SPEAKER: Wait. Hold on.

7 MR. ZANGL: You had one.

8 SUPERVISOR ZASTROW: We have one.

9 CHAIR JAECKEL: Do we have one?

10 MALE SPEAKER: My question is the 13, I didn't  
11 know it was up for possible decision, so I would like  
12 to comment on that.

13 SUPERVISOR POULSON: Yeah.

14 CHAIR JAECKEL: That -- that is basically for  
15 decision. It says, discussion and/or decision and  
16 possible action. So it technically doesn't fit because  
17 that could be considered additional information that  
18 wasn't given at public hearing, and that's not allowed  
19 at this point.

20 So anybody else?

21 MR. OLIVERSON: Yeah, I would like to make a  
22 public comment, if I could, please.

23 CHAIR JAECKEL: Sure.

24 MR. OLIVERSON: Yeah, because what I have to  
25 say is just -- can be construed generally. It isn't

1 for a particular item, although it may apply to a few  
2 of them. And I'd like to just say that consistency  
3 should be a primary factor on which zoning decisions  
4 are made. If there are two conflicting criteria to be  
5 considered in evaluating consistency, the first being  
6 Comprehensive Plan -- I mean, Comprehensive Plan, and  
7 the second being individual Board decision; logic and  
8 common sense dictates that the most consistent option  
9 should govern.

10 Town Board decisions could fluctuate every  
11 two years with potential changes in the makeup of the  
12 Board and the degree that each individual Board adheres  
13 to their plan. However, clearly defined Comprehensive  
14 Plan policy is stable for a ten-year period or more,  
15 and it's clearly the most consistent option. I  
16 encourage the Committee to give very serious  
17 consideration to this fact.

18 CHAIR JAECKEL: Thank you.

19 Approval of February 17th meeting minutes.

20 MR. GROSS: Can -- can I make a comment also,  
21 but --

22 CHAIR JAECKEL: Sure, Mr. --

23 MR. GROSS: -- (indiscernible).

24 CHAIR JAECKEL: -- Gross, go ahead.

25 MR. GROSS: Okay. I -- I would like to say

1 something to the same note. Mainly, about when an  
2 ordinance is adopted and it's sent to the County, I  
3 would hope that the County would view the County  
4 ordinance and policies and procedures that happen  
5 throughout. And I just want to make that comment.  
6 Thank you.

7 CHAIR JAECKEL: Thank you.

8 Anybody else? Okay. We'll move back on to  
9 number six, approval of February 17th meeting minutes.

10 SUPERVISOR POULSON: So moved.

11 SUPERVISOR NASS: Second.

12 CHAIR JAECKEL: All in favor.

13 SUPERVISOR POULSON: Aye.

14 SUPERVISOR NASS: Aye.

15 SUPERVISOR ZASTROW: Aye.

16 CHAIR JAECKEL: Aye.

17 February 28th meeting minutes.

18 SUPERVISOR POULSON: So moved.

19 SUPERVISOR NASS: Second.

20 CHAIR JAECKEL: All in favor.

21 SUPERVISOR ZASTROW: Aye.

22 SUPERVISOR NASS: Aye.

23 SUPERVISOR POULSON: Aye.

24 CHAIR JAECKEL: Aye.

25 March 4th.



1 SUPERVISOR POULSON: So moved.

2 SUPERVISOR NASS: Second.

3 CHAIR JAECKEL: All in favor.

4 SUPERVISOR NASS: Aye.

5 SUPERVISOR POULSON: Aye.

6 SUPERVISOR ZASTROW: Aye.

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1 (09:15 - 32:30)

2 CHAIR JAECKEL: On to number 13, discussion  
3 and possible action on R4379A-22 and CU2108-22, Donald  
4 and Nancy Brunson.

5 MR. ZANGL: So this is certainly a unique  
6 petition. As you remember, we worked on this one last  
7 month with a petition -- or a motion to -- or an action  
8 to table it until the Town updates their Comprehensive  
9 Plan. From staff perspective, there are some concerns  
10 with that motion because it doesn't give the petitioner  
11 an action item. It doesn't give them an approval or a  
12 denial, and it doesn't give them really any end date of  
13 a potential approval or denial. It's kind of out there  
14 floating in space waiting for something to happen that  
15 we don't know if it's going to happen or when it's  
16 going to happen.

17 So the uncertainty of that does provide some  
18 concerns from staff, from my perspective, and our  
19 counsel's perspective. In addition, so the -- the  
20 formal opinion -- or the formal recommendation from the  
21 Town was to approve. I know you've heard a lot of back  
22 and forth from different members of the public saying  
23 it should be denied or it should be approved,  
24 specifically the Town is, "not following their  
25 Comprehensive Plan." Really, that's at the Town level

1 and that's a Town concern.

2 Again, from my perspective, the Town's formal  
3 decision was to approve it. If the Town has issues  
4 with their recommendation, they should review it at the  
5 Town level. The Town Comprehensive Plan is meant for  
6 the Town to provide guidance and their recommendations.  
7 And if the Town isn't following that, unfortunately,  
8 that's a -- that's a Town issue. At the County level,  
9 again, we'll review it for our plan and ordinances,  
10 which I believe the Committee did, and we had that  
11 discussion last month.

12 And then just one final note, that even if  
13 the Committee were to approve this, County Board were  
14 to approve the rezone, the Town still has the option to  
15 veto the decision. So if the Town reviews their action  
16 and decides that they did not follow their  
17 Comprehensive Plan, that they can simply provide a  
18 resolution to the County clerk after the County has  
19 approved and, therefore, deny the petition. So the --  
20 the Town still has opportunities to change their  
21 decision. Since then, we haven't heard anything from  
22 the Town that they wish to change their decision, their  
23 Town decision is to approve the petition.

24 And right now it -- it's a little gray at the  
25 County level when we're potentially denying something,

1 even though the Town approved it.

2 CHAIR JAECKEL: And with that, we need a  
3 motion to take it off the table, and I will so move.

4 SUPERVISOR POULSON: Second.

5 CHAIR JAECKEL: Is there any discussion on  
6 that? All in favor. Aye.

7 SUPERVISOR NASS: Aye.

8 SUPERVISOR POULSON: Aye.

9 SUPERVISOR ZASTROW: Aye.

10 CHAIR JAECKEL: Okay. Now, I guess I will  
11 start it off. I know Mr. Nass has said it, and I --  
12 I'd like to kind of follow that along. Ever since I've  
13 gotten on the Committee, you know, as much as sometimes  
14 it pains me to support some Town decisions, their  
15 decision at the Town level was to approve it. And, you  
16 know, regardless, I guess, which way, you know, the  
17 Town wants to take action and go back on it, if they do  
18 decide to, I think we have our -- our -- our  
19 prerogative to approve this, because as far as we've  
20 seen it, it does meet our plan.

21 The Town's comprehensive, if I'm not  
22 mistaken, is technically out of date right now, if I  
23 heard that right, so it's not -- I guess, it's not our  
24 issue to decide with if each Town has their  
25 Comprehensive Plan up to our plan. So is there any

1 other comments?

2 SUPERVISOR NASS: I'll -- I'll add in -- in  
3 here a couple -- a couple questions I have. And, one,  
4 is an out-of-date plan enforceable?

5 MR. ZANGL: That's a very gray area.

6 SUPERVISOR NASS: That's --

7 MR. ZANGL: And --

8 SUPERVISOR NASS: -- my first question. All  
9 right. And I knew that was what the answer was going  
10 to be. Two, it -- I don't know the exact wording of --  
11 of their plan, other than they showed us the map last  
12 time. And it's always been my understanding, and  
13 correct me if I'm wrong, but Town Plans get  
14 incorporated into our -- into our County Plan, we have  
15 to take that into consideration.

16 And -- and I have a -- my -- as I stated last  
17 time, I have a concern of being essentially an -- an --  
18 an accomplice in not following the rules. And I -- I  
19 don't want to put my -- myself into that position or  
20 this Board into that position of not following the --  
21 our own rules and their rules. So that's my concern  
22 with this.

23 I -- I don't inherently have any problem with  
24 the development. I think it's natural, and it's  
25 probably a good idea; but the point is, is I -- I just

1 don't -- I -- I can't push myself over that edge not  
2 knowing the specific wording in their plan other than  
3 the map. I'd like to know that before I make a  
4 decision.

5 MR. ZANGL: I looked at the Town's  
6 Comprehensive Plan, and I have sections here. It could  
7 go either way. There are sections where it falls that  
8 you could approve it. There's sections where it falls  
9 that it could be denied, because it's not in the rural  
10 hamlet. The rural hamlet is the boundary of that  
11 parcel. It -- the one with the buildings on is in the  
12 rural hamlet, and the one outside of it is.

13 So the literal interpretation of it's not in  
14 the rural hamlet, sure, I can see that argument; but  
15 then the following sentence in that section says, or  
16 adjacent to. So I think there is some flexibility.  
17 Any future businesses that do locate in Concord should  
18 be limited to locations within the hamlet, adjacent to  
19 properties currently zoned for business purposes.

20 So I think there's an argument either way  
21 with that one sentence, and that's just one sentence.

22 SUPERVISOR NASS: So here's -- let me take  
23 this other question a step further. Does that include  
24 an A-2 zone? Is that -- or -- or does that mean that  
25 they mean a business zone? Which we haven't done in

1 rural areas, which would be consistent, because would  
2 -- my question would be, and I'm sitting here as if,  
3 you know, I'm -- let -- let -- let's take, for example,  
4 I'm a district judge and I don't know anything about  
5 sewing. So my next question would be, as a district --  
6 as a judge would be, in this interpretation, would --  
7 would the Town Board approve an A-2 zone anywhere else  
8 out in their district? And --

9 MR. ZANGL: So that --

10 SUPERVISOR NASS: -- would -- would that --  
11 would creating an A-2 zone for tractor repair  
12 somewhere, not even near the Concord center, just  
13 somewhere in the Township of Concord, would that  
14 violate their land use plan?

15 MR. ZANGL: That I don't -- I don't know. The  
16 specific section that I was -- or that sentence I was  
17 reading just says businesses. So I could see that  
18 being an A-2 zone or a business zone or any sort of  
19 business that's proposed. And I lost my train of  
20 thought. I know there are A-2 zones out there. I'm  
21 not -- not a hundred percent sure on their location.  
22 Generally, we leave that up to the Town to determine  
23 and review in their recommendation to the County. In  
24 this case, the Town's approval was a -- the Town's  
25 recommendation was approval.

1           And I -- I certainly get where you're coming  
2 from, Steve, and the County should take that into  
3 consideration; but then at the end of the day, we have  
4 to look at our Comprehensive Plan and our ordinances  
5 and leave the towns out of it. Just for that same  
6 reason, because if you're a district attorney or a  
7 district judge looking at this going, well, the Town's  
8 formal decision was approve, sure, the Town did not  
9 follow their Comprehensive Plan, but that's still a  
10 Town issue and not necessarily a County issue; because  
11 the -- the Town's formal decision was to approve the  
12 petition. Whether they made a valid decision or did  
13 not make a valid decision is more or less at the Town's  
14 level in my opinion.

15           At the County level, we should review it  
16 based on that formal decision and if it fits into our  
17 plans.

18           SUPERVISOR NASS: And my question is, does our  
19 plan include their plan?

20           MR. ZANGL: Not necessarily. That section was  
21 changed a little bit. I -- I think we still reference  
22 the Town's comprehensive plans, but like you said  
23 before, we should give consideration to the plan. So  
24 in cases like this where it arises, I think the County  
25 does have the flexibility to make a decision based on



1       ours and -- and leave the Town issue at the Town.

2               SUPERVISOR NASS: Well, if I would vote in the  
3 affirmative here, then I would -- I would want to know  
4 what other A-2 districts have been created since -- in  
5 the last ten years there, because then I have another  
6 piece of consistency to base my vote on. In other  
7 words, if -- if they've done these other A-2s out  
8 there --

9               MR. ZANGL: Zoom in over farm.

10              SUPERVISOR NASS: -- well, then that's been a  
11 consistent --

12              MS. ELSNER: Okay.

13              MR. ZANGL: (Indiscernible).

14              SUPERVISOR NASS: -- pattern that they've set  
15 up, and thus --

16              MS. ELSNER: I'm going to take the prelims  
17 off.

18              MR. ZANGL: Put the zoning, that.

19              SUPERVISOR NASS: -- thus --

20              MS. ELSNER: Yeah, I did.

21              SUPERVISOR NASS: -- it's -- it's a  
22 consistent pattern --

23              MS. ELSNER: It's -- it's super  
24 (indiscernible).

25              SUPERVISOR NASS: -- too, that -- that --

1 that --

2 MR. ZANGL: (Indiscernible).

3 SUPERVISOR NASS: -- they have -- that they  
4 have interpreted --

5 MR. ZANGL: (Indiscernible) on.

6 SUPERVISOR NASS: -- theirs as A-2 as a  
7 commerce --

8 MR. ZANGL: They're all hamlet.

9 SUPERVISOR NASS: -- business zone.

10 MS. ELSNER: There's an A-2 right there.

11 MR. ZANGL: But the rural -- the --

12 MS. ELSNER: Yeah.

13 MR. ZANGL: Oh, but you're going to see it  
14 underneath it.

15 MS. ELSNER: It's super --

16 MR. ZANGL: You have to turn the zoning off.

17 MS. ELSNER: It's super slow today.

18 MR. ZANGL: The zoning is on the top layer.

19 Put the farm on because -- yeah.

20 So I know we just did that rezone to the  
21 south. It looks like that one, oh, was that in --

22 Zoom in right here. Right -- where was that?  
23 Right in here. So I think that A-2 zone is right  
24 there. Put the zoning back on.

25 So the red line is the rural hamlet.

1 MS. ELSNER: Yeah, it's --

2 MR. ZANGL: We have that A-2 --

3 MS. ELSNER: -- over here.

4 MR. ZANGL: -- zone for the storage buildings.

5 Just south of there, that's technically out of it. And

6 that one we just updated not too long ago. I know that

7 was there previously, but again, he expanded it and

8 he's making it bigger.

9 Put the farm. There you go.

10 See on A-2 way -- A-2 way to the --

11 MS. ELSNER: Right here.

12 MR. ZANGL: -- west. Yeah, you've got a

13 couple in --

14 MS. ELSNER: And right here.

15 MR. ZANGL: -- there. I don't know what those

16 are off the top of my head.

17 MS. ELSNER: And up here.

18 SUPERVISOR NASS: And when were they done?

19 MS. ELSNER: Right here.

20 SUPERVISOR NASS: Were they done before or

21 after they approved their plan?

22 MR. ZANGL: If you just click on the A-2 zone,

23 and I'll hit this line over. Do it again. Zoom up or

24 scroll up and then keep going. It will give you the --

25 now you're on the A-1. Zoom in and click on the A-2.

1 Yeah.

2 MS. ELSNER: That's --

3 SUPERVISOR NASS: Essentially --

4 MS. ELSNER: -- (indiscernible) A-2.

5 SUPERVISOR NASS: -- has the Town already  
6 established a precedent --

7 MR. ZANGL: No, that one.

8 SUPERVISOR NASS: -- that I can say, okay,  
9 this is what they've been interpreting -- this is how  
10 they've been interpreting --

11 MR. ZANGL: And I don't know --

12 SUPERVISOR NASS: -- their plan?

13 MR. ZANGL: -- the --

14 MS. ELSNER: This one.

15 MR. ZANGL: -- petition number. Click on a  
16 different one.

17 CHAIR JAECKEL: (Indiscernible).

18 MS. ELSNER: This is --

19 MR. ZANGL: That was --

20 MS. ELSNER: -- 1996.

21 MR. ZANGL: -- 1996 was that rezone.

22 SUPERVISOR NASS: It was just --

23 MS. ELSNER: '96.

24 SUPERVISOR NASS: -- prior to the plan.

25 MR. ZANGL: You've got to keep clicking that.

1 So that was --

2 MS. ELSNER: 2011.

3 MR. ZANGL: -- 2011 is an A-2 there. I don't  
4 know what that one is off the top of my head.

5 If you go out to the east, we just did that  
6 landscape business for that guy. Oh, but he didn't --

7 SUPERVISOR NASS: (Indiscernible) --

8 MR. ZANGL: -- get his approved.

9 SUPERVISOR NASS: -- at least.

10 MR. ZANGL: We did a landscape business out to  
11 the east that was approved, but he -- that's the guy  
12 that didn't get the final certified survey map done, so  
13 it's not mapped accordingly.

14 SUPERVISOR NASS: But it was approved?

15 CHAIR JAECKEL: Yeah.

16 MR. ZANGL: It was approved, yeah.

17 MS. WILLIAMS: I can answer your question.

18 MALE SPEAKER: George, I can answer your --

19 MS. WILLIAMS: Because I know --

20 MALE SPEAKER: -- question, too.

21 MS. WILLIAMS: -- everything that's been  
22 approved since then.

23 CHAIR JAECKEL: No. Right --

24 MS. WILLIAMS: And I know --

25 CHAIR JAECKEL: Right now this is between the

1 Committee here. We're --

2 MS. WILLIAMS: But I did submit a letter for  
3 -- for the public hearing. So you have the letter that  
4 outlines what we've approved since then. Did you not  
5 read my letter?

6 MS. ELSNER: (Indiscernible).

7 MS. WILLIAMS: You have a copy of it.

8 MR. ZANGL: To their point, there are quite a  
9 few letters in the file.

10 MS. ELSNER: (Indiscernible).

11 MR. ZANGL: I can look through it, but then I  
12 would -- technically, I feel like I should look through  
13 and read everyone's letter over again. And, you know,  
14 if we need to do that, we can go down that road, or we  
15 can go back to public hearing also if we need to go  
16 down to that forum.

17 SUPERVISOR: Those were issues as part of  
18 public hearing?

19 MR. ZANGL: Huh?

20 SUPERVISOR: Those were issues --

21 SUPERVISOR ZASTROW: Yes.

22 SUPERVISOR: -- as public -- part of public  
23 hearing?

24 MR. ZANGL: Yeah.

25 SUPERVISOR ZASTROW: Yes.

1 SUPERVISOR NASS: I find that that would be  
2 helpful to me, but we'll continue discussion  
3 (indiscernible).

4 CHAIR JAECKEL: Lloyd.

5 SUPERVISOR ZALSTROW: Well, I just have a  
6 comment here to your -- to your comment, Steve. Would  
7 they have approved it if it were somewhere else?

8 CHAIR JAECKEL: Uh-huh.

9 SUPERVISOR ZALSTROW: And since I'm one --

10 SUPERVISOR NASS: Right.

11 SUPERVISOR ZASTROW: -- of the offices who  
12 voted in favor of this, I did comment that if it were  
13 somewhere else separate from this, I would not have  
14 approved it, but because it's connected to an existing  
15 same type of business, I saw it as an okay thing.

16 CHAIR JAECKEL: (Indiscernible).

17 SUPERVISOR ZASTROW: And Mr. Ingersoll also,  
18 that was his opinion of this whole process. It's --  
19 and a little bit of common sense also comes in, the  
20 fact that it does combine the two and doesn't create --

21 CHAIR JAECKEL: Yeah.

22 SUPERVISOR ZASTROW: -- a new area.

23 So --

24 CHAIR JAECKEL: Yeah.

25 SUPERVISOR ZASTROW: -- or a (indiscernible).

1 MR. ZANGL: So, Steve, based on  
2 Ms. Williams's letter, she references a number of A-2  
3 zones, and those include two requests to enlarge  
4 existing A-2 zones for businesses that were  
5 longstanding in the Town, Stern, which must be that  
6 larger one that we originally were looking at for a  
7 lumber business, and Pop for boat storage, was that --

8 MS. ELSNER: Uh-huh.

9 MR. ZANGL: -- other A-2 we were looking at.

10 SUPERVISOR NASS: But that's within the --  
11 their -- that's already within their -- their --

12 MR. ZANGL: No, outside of.

13 SUPERVISOR NASS: It's outside?

14 MR. ZANGL: Outside of the rural hamlet.  
15 These are all -- all outside of the rural hamlet --

16 SUPERVISOR NASS: Okay.

17 MR. ZANGL: -- as I believe. Two small A-2  
18 zones for the storage of contractor's equipment so that  
19 the resident homeowner can store equipment for a  
20 business, which was operated on that site, Ott, which  
21 is a concrete equipment, and Baris (phonetic), which is  
22 a landscape equipment, and that's the one I was also  
23 referencing. And a request for A-2 for the use of the  
24 property, that will remain the same; but in order for  
25 them to sell it, and that was (indiscernible) and one



1 request for beekeeping, which is the Cleefish  
2 (phonetic) property.

3 SUPERVISOR NASS: Okay. So those are all A-2s  
4 outside of --

5 MR. ZANGL: Correct.

6 SUPERVISOR NASS: -- of the prescribed lines?

7 MR. ZANGL: Correct.

8 SUPERVISOR NASS: Okay.

9 CHAIR JAECKEL: I mean, I have to agree with  
10 Lloyd, too. I mean, to join this, it's just going  
11 basically across the fence line is all it is. It's not  
12 like we're crossing the river or the road and jumping,  
13 you know, kitty-corner from it. It -- it -- it ties  
14 in, and to me it just makes so much sense to keep, you  
15 know, that type of a business right next to that type  
16 of a business, not to try to move it around.

17 If you look at the rest of the hamlet, I  
18 don't know, you know, even if there -- you know, if  
19 anybody else has land for sale with access, you know,  
20 that would accommodate a business like this.

21 SUPERVISOR ZASTROW: Yeah.

22 SUPERVISOR NASS: Well, I don't have -- to me,  
23 the discussion about the business, itself, and whether  
24 -- it doesn't make any difference to me. To me, it's  
25 being consistent. And if the Town Board has

1 consistently approved A-2 zones outside of that center,  
2 it only seems to be consistent and fair to do this,  
3 too. Because apparently, by their definition, A-2 does  
4 not constitute a -- what they would refer to as a  
5 business.

6 You know, that's -- I mean, that's the  
7 consistency that I've seen, and that hasn't been the  
8 same Town Board over the last ten years, either.

9 CHAIR JAECKEL: Uh-huh, yeah.

10 SUPERVISOR NASS: Yeah. So --

11 CHAIR JAECKEL: And -- and has the Planning  
12 Committee been --

13 SUPERVISOR ZASTROW: Bill and --

14 CHAIR JAECKEL: -- the same over ten years,  
15 too?

16 SUPERVISOR ZASTROW: Bill and I have been on  
17 the Board. Bill, I think, has been on 17 years. I've  
18 been on 27 years. So --

19 SUPERVISOR NASS: That's consistency.

20 What do you think, Blane?

21 SUPERVISOR POULSON: Well, I'm thinking along  
22 the same lines that you are at this point, because it  
23 seems like there is consistency. I was with you  
24 initially on we shouldn't go outside of their plan, but  
25 it looks like we've been going outside of their plan

1 for sometime. And unfortunately, they're behind on  
2 updating theirs. And we're in a gray area whether  
3 their -- whether their plan applies or not since it's  
4 expired.

5 So by that, if you want to go by that logic  
6 that it's expired, then it automatically defaults to  
7 the Comprehensive Plan.

8 CHAIR JAECKEL: Correct.

9 SUPERVISOR POULSON: And so and I get the  
10 feeling from the Township area that this is an area  
11 that if they had renewed their plan, they would  
12 include. And from the standpoint that if -- if you  
13 include some of that development around Concord  
14 Center --

15 MR. ZANGL: Put that --

16 SUPERVISOR POULSON: -- that -- that --

17 MR. ZANGL: -- one back on.

18 SUPERVISOR POULSON: -- releases pressure on  
19 more -- on other rural areas if you've got an outlet  
20 there. And I -- I see they have other outlets there,  
21 too, but I understand where it's, you know, the  
22 business wants to be consolidated in one spot. So my  
23 opinion at this point personally is that it can be  
24 approved because that's consistent with what the  
25 Township has approved in the past. And I can't really

1 say that their -- their land use plan, in all  
2 certainty, applies at this point because it's expired.

3 CHAIR JAECKEL: Yeah, agreed. So any other  
4 discussions? I would make a motion to approve the  
5 rezone. We've got to do that separate, right? Rezone  
6 and the conditional use, or can they be combined in the  
7 same motion?

8 MR. ZANGL: I'd say on this one just do them  
9 separate so we can get --

10 CHAIR JAECKEL: Okay.

11 MR. ZANGL: -- the reasons for the rezone and  
12 conditional use separately.

13 CHAIR JAECKEL: I will make a motion to  
14 approve the rezone.

15 SUPERVISOR POULSON: I'll second that. And  
16 I'll add as part of the discussion, the other thing  
17 that -- that pushes me that direction is when he read  
18 this and --

19 Read that part again about adjacent to.

20 MR. ZANGL: Future -- any future businesses  
21 that do locate in Concord should be limited to  
22 locations within the hamlet, adjacent to properties  
23 currently utilized for business purposes.

24 SUPERVISOR POULSON: Okay. So it is adjacent  
25 to, yeah.

1 CHAIR JAECKEL: Yeah.

2 SUPERVISOR NASS: What page is that on?

3 MR. ZANGL: Fifty-seven.

4 CHAIR JAECKEL: Any other discussion? All in  
5 favor of the rezone, signify by saying aye.

6 SUPERVISOR POULSON: Aye.

7 SUPERVISOR ZASTROW: Aye.

8 SUPERVISOR NASS: Aye.

9 CHAIR JAECKEL: Aye. Opposed. Four to zero  
10 for the rezone. And the reasons are basically we've  
11 noted that the Town has approved other ones and it is  
12 adjacent to an existing business property.

13 Now, on the conditional use --

14 MR. ZANGL: Deb has got some --

15 CHAIR JAECKEL: Oh, Deb, sorry.

16 MS. MAGRITZ: No, that's quite all right.  
17 Likely, you would condition your approval upon road  
18 access approval by the maintaining authority, receipt  
19 of suitable soil test; receipt of and recording of the  
20 final certified survey map. The fact that rezoning  
21 shall be null and void and have no effect one year from  
22 date of County Board approval unless all applicable  
23 conditions have been completed by that date. And then  
24 soil test required if bathrooms are proposed.

25 CHAIR JAECKEL: Deb, who -- does Blane have to

1 read his --

2 SUPERVISOR POULSON: No.

3 CHAIR JAECKEL: -- into it?

4 SUPERVISOR POULSON: No.

5 SUPERVISOR NASS: No.

6 CHAIR JAECKEL: No, okay.

7 SUPERVISOR POULSON: Because it's not a  
8 residential.

9 CHAIR JAECKEL: Okay.

10 SUPERVISOR POULSON: It's not a residential.

11 CHAIR JAECKEL: And then CU2108-22.

12 SUPERVISOR POULSON: I'll make a motion to  
13 approve.

14 CHAIR JAECKEL: Second. Any other discussion  
15 on this? All in favor. Aye.

16 SUPERVISOR POULSON: Aye.

17 SUPERVISOR NASS: Aye.

18 SUPERVISOR ZASTROW: Aye.

19 CHAIR JAECKEL: Opposed? Motion carries.

20 MS. MAGRITZ: And likely you would condition  
21 that upon the stormwater management plan; no customers  
22 onsite, only employees; and no outside storage.

23 MR. ZANGL: And you remember we had those  
24 couple of those other items with the cars potentially  
25 backing up on to --

1 SUPERVISOR: Yeah.

2 MR. ZANGL: -- the road, so work --

3 SUPERVISOR: Yes.

4 MR. ZANGL: -- with the County Highway  
5 Department to reduce any conflict or traffic backing  
6 up.

7 SUPERVISOR: Well, one of the things, I  
8 thought about that, Matt, would -- would be if it comes  
9 down to the point where the Highway Department -- the  
10 Highway Department says, look, you have to put a turn  
11 light in there, who's going to be responsible for that?

12 MR. ZANGL: I don't think it will go up to  
13 that point.

14 SUPERVISOR: Okay.

15 MR. ZANGL: But we'll keep that in mind. And  
16 if it does get to that point, we'll bring it back to  
17 you guys for review. I think that's really all I was  
18 looking for. They had some screening that could be --  
19 or they have screening as part of the plan, but I think  
20 we'll (indiscernible).

21 MR. GROSS: Yeah.

22 MR. ZANGL: So if you want a motion to accept  
23 those.

24 CHAIR JAECKEL: Motion to accept the  
25 conditions for the conditional use.

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SUPERVISOR: Second.  
CHAIR JAECKEL: All in favor.  
SUPERVISOR POULSON: Aye.  
SUPERVISOR NASS: Aye.  
SUPERVISOR ZASTROW: Aye.  
CHAIR JAECKEL: Aye.  
SUPERVISOR NASS: One last question, we -- we  
did do the farm consolidation last time?  
MR. ZANGL: Yeah.  
SUPERVISOR NASS: Okay.  
MR. ZANGL: Yeah.  
SUPERVISOR NASS: So that one is done.  
CHAIR JAECKEL: Okay.

\* \* \*

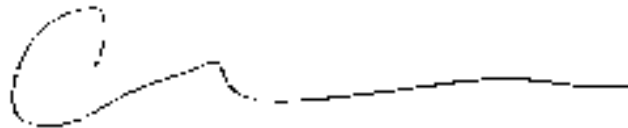


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I, CHRISTINE AIELLO, do hereby certify that I transcribed the audio, and that the foregoing is a true and complete transcription of the audio transcribed under my personal direction.

IN WITNESS WHEREOF, I do hereunto set my hand at Blaine, Washington, this 15th day of February, 2023.



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Christine Aiello

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