



THE LAND USE TRACKER

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LAND USE EDUCATION CENTER ESTABLISHED

The Land Use Education Center was established July 2000. It is a joint venture of the College of Natural Resources at the University of Wisconsin - Stevens Point and Cooperative Extension in collaboration with UW systems institutions. It is a focal point for land use planning and management education. As such the Center represents opportunities to respond to needs and priorities of our state-wide clientele and to address state priorities expressed through the comprehensive planning law (Smart Growth).

The Center was established in response to advice of College advisors and the effects of increasing population and patterns of development at odds with sound land and resource management principles. Because the quantity and quality of our natural resources are largely determined by the impacts of human activities on the landscape, the Center was seen as a way to provide administrative focus and programming coordination for land use education.

Land Use Education Center Mission

The Land Use Education Center uses a team-based approach to accomplish its dual missions in campus based undergraduate and graduate education and Extension outreach teaching related to:

- land use planning,
- plan and ordinance administration,
- project impact and regional trends analysis and
- public involvement in local land use policy development.

⇒ We will provide undergraduate, graduate and outreach public education related to land use planning methodologies, plan implementation tools, plan and ordinance administration and related law, project impact analysis, regional impacts/trends analysis and public involvement in policy development.

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Send us your email address and we can send you our next issue!

landcenter@uwsp.edu

THE LAND USE TRACKER NEWSLETTER

The Land Use Education Center is establishing a newsletter to serve part of its mission to educate, keep clientele informed on educational opportunities, and identify emerging land use issues.

This newsletter will be published on a quarterly basis. Although this issue has been sent directly, we will publish all subsequent newsletters on our website. Occasionally we will publish a special issue, if there is a particularly hot issue or a current event warrants discussion. If you do not have web access, please contact us so we can send you our next issue.

The newsletter will include a section on new publications, a questions and answers column, and short articles on land use issues. We would like to include your stories as well. Please submit articles (300-600 words) on land use issues of particular concern in your "neck of the woods."

LAND USE EDUCATION CENTER ESTABLISHED

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- ⇒ We will strive to identify emerging land use issues and alternative public processes and technical approaches for their resolution.
- ⇒ We will provide regular opportunities for continuing education for land use plan and law administrators, planning commissioners, zoning boards, elected officials, state and local agencies and related private sector consultants.
- ⇒ We will provide educational assistance to communities related to land use planning.
- ⇒ We will use a team-based approach integrate on-campus education with student internships, outreach education, research and community services experiences.

OUR STAFF

Michael D. Dresen is the founding director of the Land Use Education Center for the College of Natural Resources and Cooperative Extension at the University of Wisconsin Stevens Point. He previously held positions as land management specialist and lake management specialist with UW-Extension and as conservation warden, water management specialist, planning analyst and director of the state shoreland management program in a career with the Wisconsin Department of Natural Resources. His professional interests include:

- land use and natural resource planning and management,
- land use law administration and land use plan implementation tools, and
- shoreland management including water classification approaches.



Anna Haines is an assistant professor in the College of Natural Resources at the University of Wisconsin - Stevens Point and a land use and community development specialist with the University of Wisconsin-Extension. Haines received her Ph.D. from the University of Wisconsin - Madison in the Department of Urban and Regional Planning. Her research and teaching focuses on land use planning, urban and regional planning, and community and economic development. Her current research project examines the role of workforce development networks in providing job training. A new research project will focus on the role of planning and institutional arrangements on Native American land use management practices in Wisconsin. Her extension work is focusing on comprehensive planning basics from understanding the new planning law and organizing the planning process to planning implementation tools and techniques.



Lynn Markham is the Shoreland and Land Use Educator with the Land Use Education Center. In the past she has been involved with water quality issues as a chemist, microbiologist and teacher. Lynn is currently working in two main areas:

- helping communities that want to protect their lakes and streams develop policies to achieve their goals, and
- providing education about the roles of citizens and government officials in local land use issues.



Barbara (Barb) Borski has been on the UW campus for 35 years having worked with UW-Extension staff for the past eight. She spent seven of those years working with the Environmental Resources Unit with special assignment as logistics coordinator for the WI Lake Leaders Institute and WI Woodland Leaders Institute both designed to educate Wisconsin citizens in becoming stronger lake and woodland leaders in their respective communities. This past year she worked with the Land Use Education Center staff.



ZONING BOARD WORKSHOPS

Since last fall the Land Use Education Center, in cooperation with the UW-Extension Local Government Center and the Wisconsin Attorney General's Office, held eight workshops for zoning boards across the state which reached a record number of 1250 board members. Counties, cities, and villages appoint citizens to a zoning board which acts like a court to make important zoning decisions. Members of the zoning boards deal with complex and controversial issues and can benefit from this type of training in legal issues. The Land Use Education Center has produced a new Zoning Board Handbook for members to reference when making their decisions. Topics included in the zoning board workshops and handbook include:

- Role & authority of the zoning board
- Conduct of meetings & legal requirements for decisions
- Conflicts of interest
- Variances, appeals & conditional uses
- Relationship to other governmental bodies

⇒ To schedule a zoning board workshop in your area, contact your County Extension office or the Land Use Education Center.



PLAN COMMISSION WORKSHOPS

Attached you will find an agenda and calendar for the Plan Commission workshops. The Land Use Education Center is planning for these workshops to take place late fall and early winter. We will conduct approximately seven (7) workshops around the state. The idea is to accommodate different regions of the state by covering any local topics or issues within the workshops, such as cell towers, forest fragmentation or farmland preservation. In addition, in the more urbanized part of the state the workshops may focus more on village and small city needs in relation to plan commissions than other parts of the state where the workshops may focus more on town needs.

We would appreciate if you could review the attached agenda to see where you might like to participate and review the attached calendar to see if the identified dates overlap with an already scheduled event.

We are anticipating that these workshops will cost \$25.00 and will include refreshments during the break and plan commission materials in a three-ring binder.

Dates and Places

December 7 – Stevens Point

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PUBLICATIONS

The Land Use Education Center has produced a series of publications over the past year, some with the Department of Natural Resources and the Office of Land Information Services of the Department of Administration. Unless otherwise specified, these publications are available from the Land Use Education Center. If you would like a copy please contact us.

Zoning Board Handbook. This handbook is intended to assist zoning board members, local government officials and citizens in understanding the role of the zoning board and the procedures and standards with which their decisions must comply.

Speakers List for Shoreland Issues. This list is for lake organizations and other conservation groups seeking information about issues ranging from the effects of shoreland development to methods for protecting water quality to grant opportunities.

The Shoreland Friends Guidebook. This guidebook serves as a 'how-to' guide for County Zoning Administrators and local groups that want to educate shoreland property owners about shoreland stewardship practices and related regulations.

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LAND USE PLANNING CURRICULUM CHANGES AT UWSP

The Land Use Planning program in the College of Natural Resources at University of Wisconsin—Stevens Point changed. Students graduate with a Bachelor of Science in Resource Management with an emphasis in Land Use Planning.

Big Changes

- 1) All students must earn credits in an **internship**. These are practical experiences within the field of planning. This coming fall, a graduate assistant, Heidi Hoover, will be helping Assistant Professor Anna Haines in devising employer and intern work expectations. By next summer we expect to have approximately 15 students in internships around the state.
- 2) A **methods course** was added also to the planning curriculum. Prior to these changes, two courses only focused on land use planning. One course focused on different types of planning such as economic development, transportation and natural resources, and the process of planning. The other course focused on implementation tools with particular focus on natural resources. This new course will bring a methodological dimension to the program. The course, "Land Use Planning and Project Impact Analysis" will focus on the methods, tools and techniques for analyzing community-level data and individual projects.

Internships

Local officials interested in hiring an intern should plan for necessary funding in this year's budget cycle and contact Anna Haines at 715-346-2386. Examples of intern projects include: assembling and analyzing data for the required comprehensive planning elements such as issues and opportunities and the agricultural and natural resources element, preparing educational pieces important to a planning and/or zoning office, or helping with enforcement and inspection of zoning and other ordinances.

For more information on this program, please visit the website at: www.uwsp.edu/cnr

WEBSITE IS ON ITS WAY

The Land Use Education Center website is under construction.

This website will be set up to accomplish several informational needs:

1. To give citizens of Wisconsin access to the latest information on land use issues.
2. To provide a website for Cooperative Extension's CNRED Land Use Team to disseminate publications, presentation and other materials to other teams, to team members, to extension educators and the public.
3. To provide a forum for land use discussions.
4. To provide a forum for sharing local experiences.

A key part of the structure of this site is to make it comfortable for extension educators to share and use information on a regular basis. To accomplish this feat, we will make part of the website for extension use only. We can share draft presentations, fact sheets, etc. before they are disseminated to the "public" part of the site.

The homepage will show Land Use Teams, Land Use Team Resources, Key Topics, General Resources, Discussion Forum, Calendar of Events, Links and Search.

The main topics identified so far for the Key Topics section includes: Hot topics/what's coming, Legislation, Local government regulations, Planning approaches/models, Planning elements, Property rights/legal issues, Public participation, Resources, Taxation, Tools, and Zoning.

Under construction!

We're working on it.



NEW LEGISLATION—LEGISLATIVE UPDATE

U.S. Supreme Court decision on Palazzolo v. Rhode Island dated June 28, 2001.

The U.S. Supreme Court affirmed in part a Rhode Island Supreme Court denial of a **takings** claim but remanded the matter for further determinations. This case involved tidal wetlands. I don't see this case as a departure from established law regarding takings and, given the facts of the case, I would expect the final decision of the Rhode Island Court to likewise deny the takings claim. In fact the decision affirms the "whole parcel test" regarding total deprivation of use...which poorly informed property rights advocates tend to ignore. The next to last paragraph of the decision (immediately below) sums things up succinctly.

The State Supreme Court did not err in finding that petitioner failed to establish a deprivation of all economic use, for it is undisputed that his parcel retains significant development value. Petitioner is correct that, assuming a taking is otherwise established, a State may not evade the duty to compensate on the premise that the landowner is left with a token interest. This is not the situation in this case, however. A regulation permitting a landowner to build a substantial residence on an 18-acre parcel does not leave the property "economically idle." Lucas, supra, at 1019. Petitioner attempts to revive this part of his claim by arguing, for the first time, that the upland parcel is distinct from the wetlands portions, so he should be permitted to assert a deprivation limited to the latter. The Court will not explore the point here. Petitioner did not press the argument in the state courts, and the issue was not presented in his certiorari petition. The case comes to the Court on the premise that petitioner's entire parcel serves as the basis for his takings claim, and, so framed, the total deprivation argument fails. Pp. 21–23. 4. Because petitioner's claims under the Penn Central analysis were not examined below, the case is remanded. Pp. 7, 22.

Here is a web site for U.S. Supreme Court decisions. <http://supct.law.cornell.edu:8080/supct/>
Also see www.envpoly.org/papers/ppalazolo2.htm for another perspective.

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CALENDAR OF EVENTS

September 12, Rhinelander, 4:30-8:30 pm

Shaping the Future of Your Lake

Contact Wisconsin Association of Lakes for a brochure at 1-800-542-5253.

October 2, Wisconsin Rapids, 7:45-4:15 pm

Land Use Planning Around Airports

Contact Judy Harding, Wisconsin Department of Transportation, 608-267-1223 or judy.harding@dot.state.wi.us

October 11-13, Appleton (Paper Valley Hotel)

Community Open Space Summit

Contact Urban Open Space Foundation at www.uosf.org or 608-255-9877

November 7-9, Madison

21st International Symposium of the North American Lake Management Society

Contact website for more information: www.nalms.org/symposia/madison/index.htm

The Local Government Center has a series of on-going programs. A **Financial and Elections Administration for Towns and Villages** workshop will be taught around the state in September and October. Contact the website for specific dates and places: www.uwex.edu/lgc/program/workshops.htm or call 608-262-9960.

Mark your calendars!

*Check out the exciting
and informative events
happening around the
State.*

HOW TO HIRE A PLANNING CONSULTANT

What is a Request for Proposals?

A “Request for Proposals” or RFP is an advertisement by a community that seeks proposals for conducting a certain service or for providing a product. The RFP outlines the services that your community wants accomplished and provides necessary background for consultants to review.

What are the benefits of an RFP?

- To select the best or most appropriate consultant for your community.
- To focus on necessary tasks to meet statutory provisions and specific tasks desired by your community.
- To provide a rational and fair process for reviewing all submitted proposals, weigh the various options presented, including the fees, products, meetings, schedule and completion dates.
- To explain clearly to citizens, other local government units, and local officials why your community is seeking to prepare a comprehensive plan, what it wants the plan to achieve, and the basic process it intends to follow in preparing the plan.
- To provide your community with insights, observations and approaches to better understand community issues.
- To become wiser and better prepared to select a consultant and avoid unanticipated problems along the way.

What is a Request for Qualifications?

An RFQ is a community’s request for a list of qualified consultants who have previously performed similar tasks in the past for other communities. Gaining knowledge of firms which have previously developed comprehensive plans for similar sized communities gives your community a foothold in the process of hiring a consultant. Background material from these firms should help your community to understand the consultants’ depth of expertise in comprehensive planning. The process of developing an RFQ and receiving consultants’ responses may bring new planning ideas to your community as you move forward in the RFP process.

TIP: Don’t confuse a Request for Qualifications with a Request for Quotes (for materials and equipment).

Does our community need to prepare an RFP if we are going to work with the county or the regional planning commission?

Preparing an RFP is critical even if your community is considering contracting with a regional planning commission or county planning department to prepare your community’s comprehensive plan. Like a consulting firm, these public planning agencies should submit a formal response to the community’s RFP. This will benefit your community by better understanding the public agencies’ proposal for your plan, overall project timeline and anticipated products that it will deliver to your community. The RFP process will also benefit these agencies because the RFP assists them to understand your community needs, and to recommend a suitable approach and products before entering into the planning process.

What should we include in the RFP?

The general content of an RFP should include the following material:

- A title page with the name of the project and your community’s contact information.
- An introduction to your community’s project.
- A brief overview of your community’s history.
- Scope of services.

TIP: Background information is important because it provides consultants with a solid understanding of the issues facing your community.

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- Other studies, plans, inventories completed and/or adopted.
- Any specific labeling requirements for the submission package.
- The beginning and deadline dates for proposal submissions by consultants.
- The types of deliverables your community is expecting the consultant to produce.
- The community’s evaluation process for selecting a consultant.
- Equal opportunity clause.
- Non-collusion affidavit.
- A statement of liability (your community shall not be liable).
- Attachments such as maps, drawings, and lists of on-going projects and studies.

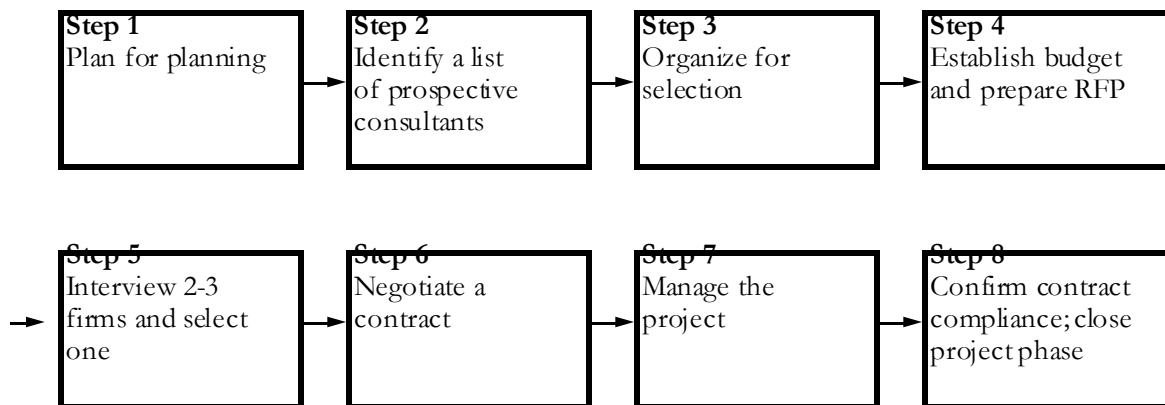
TIP: The RFP should specifically state the minimum requirements and expectations you have for developing a comprehensive plan.

What should the scope of services include?

A basic list of services is outlined below.

- Data collection and analysis.
- Facilitation of a visioning exercise and issues identification.
- Facilitation of goals and objectives based on vision and issues.
- Development and implementation of a public participation procedures/plan.
- Coordination and outreach efforts with other state, regional, and local governments and agencies in developing the comprehensive plan.
- Preparation of comprehensive plan document which includes nine elements as required under the comprehensive planning law.
- Print and distribute the Comprehensive Plan document.
- Review of plans at the local, state, county and regional planning commission level affecting the study area.
- Review of existing zoning and other types of ordinances and recommended changes to make them consistent with the provisions of the new Comprehensive Plan.
- Recommendations regarding adoption by your community of any land use control ordinances. Developing such an ordinance may or may not be a part of this contract.
- Attendance at meetings with staff and the public.
- Development of a plan adoption ordinance per s. 66.1001(4), Stats.

How to Hire a Planning Consultant: A Process for Hiring



To get a copy of the complete guide, you can download it from the OLIS website at: www.doa.state.wi.us/olis/index.asp.
 If you would like the printed guide sent to you, please contact Barbara Borski at 715-346-3738 or email at bborski@uwsp.edu.

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Plan Commission workshops continued

January 9 – Eau Claire
 January 10 – Hayward
 January 11 – Rhinelander
 January 18 – Waukesha
 February 1 – De Pere
 No date set for Dodgeville – Southwest Wisconsin



Possible Special Topics

The Land Use Education Center can provide speakers and materials for the following four topics. If your region is interested in one of these, please contact Anna Haines at 715-346-2386 or ahaines@uwsp.edu.

- Property Rights
- Communication or Cell Towers
- Forest Fragmentation
- Farmland or Openspace Preservation

If you are interested in another topic for your region, you will need to identify an appropriate speaker and materials.

Agenda

Time	Session Title	
9:00 — 9:30 am	Under comprehensive planning law, who needs to organize a plan commission and when, how?	
9:30 — 10:15 am	What are the roles and duties of a plan commission?	
10:15 — 10:30 am	Break	
10:30 — 11:15 am	How should we conduct our meetings and hearings?	How should we deal with non-conforming structures, uses and lots?
11:15 — 12:00 pm	How do we hire a planning consultant?	Special topics (to be identified by region)
12:00 — 12:45 pm	How do we plan for our natural resources? An introduction to the natural resources element guidebook.	
12:45 — 1:15 pm	Final questions and wrap-up.	

Please contact Anna Haines to discuss Plan Commission workshops with her. Her number is 715-346-2386 or email her at ahaines@uwsp.edu.

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Publications continued

Water Classification CD. This CD of educational materials includes fact sheets, PowerPoint presentations and decision matrices which have been used by local communities involved in water classification or related issues such as buffer protection and the effects of impervious surfaces on water quality.

How to Hire a Planning Consultant. If your community is considering hiring a planning consultant to prepare your comprehensive plan or one element of it, this guidebook is for you. It is geared more towards small communities in Wisconsin, but should be helpful to all communities undertaking this process. It is a step-by-step guide on how to prepare a "Request for Proposal" to hire a planning consultant. This guide is available on the web or through www.doa.state.wi.us/olis/index.asp or contact landcenter@uwsp.edu or call us at 715-346-3783 to order a copy.

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For more on legislative updates, the Wisconsin American Planning Association's newsletter is available on their website at www.uwm.edu/Org/wapa/. Richard Lehmann provides a quarterly update.

A special exception to the variance rule?

State Court Of Appeals Decision - District II Wisconsin

Fabyan v. Waukesha County Board of Adjustment - June 20, 2001

This case is a first in that no reported Wisconsin case has directly compared a variance with a special exception. The subject of the debate was construction of an accessory garage on a steep slope adjacent to Pewaukee Lake in the Town of Delafield, Waukesha County. Property owners sought permission to exceed the permitted floor area ratio (FAR) requirements of the Waukesha County Shoreland and Floodland Protection Ordinance that limits the total floor area of buildings as a percentage of lot area.

The appellant, in opposing the zoning board decision to grant the owners' request, argued that the grant of the special exception was actually a disguised grant of a variance pursuant to Wis. Stat. §59.694(7)(c). Appellant then argued that the owners failed to qualify for a variance by not demonstrating unnecessary hardship as required by the statute and *State v. Kenosha County Board of Adjustment*, 218 Wis. 2d 396, 577 N.W.2d 813 (1998).

Three hearings were held before the zoning board, the last two in response to court ordered remands. In its decision the Court of Appeals cited the usual standards for judicial review of administrative decisions and again reiterated "in matters of discretion we may not substitute our discretion for that committed to the board." The Appeals Court cited authorities on zoning law and practice:

"...many zoning boards [in error] not only treat the definitions of the two [special exceptions and variances] as synonymous, but act accordingly.¹

The decisive difference between these forms of relief is that a variance is "authority extended to a property owner to use his property in a manner forbidden by the zoning enactment," while an exception "allows him to put his property to a use which enactment expressly permits."²

The Court relied on good definitions for both forms of relief in the Waukesha County ordinance and on language that allowed, as a special exception, limited relaxation of the FAR requirements provided certain conditions were met. Although a previous State Supreme Court has equated a conditional use with a special exception³, the Waukesha ordinance distinguishes between them.

1. E.C. Yokley, *Zoning Law and Practice* §20-4, at 254 (4th ed. 1979)

2. Robert M. Anderson, *American Law of Zoning* §20.03, at 416 (4th ed. 1996)

3. *State ex rel. Skelly Oil Co. v. Common Council*, 58 Wis.2d 695, 207 N.W.2d 585 (1973)

BETTER MEETING MANAGEMENT

Conduct of Zoning Board Hearings

The zoning board makes important and often controversial decisions about the application of local zoning laws. Members of the public and most elected officials believe it to have much more latitude and discretion in its decision-making than it does. An announcement of the order of events at hearings and information regarding the role of the board can promote orderly hearings and public support for its decisions. The board chair and members can use the checklist below to prepare for and conduct hearings.

ZONING BOARD CHECKLIST

- 1 Prior to meeting/hearing [board secretary or designated staff]
 - o A. Arrange for alternate/s (due to anticipated absence or conflict of interest)
 - o B. Send agenda, applications and staff reports to board members
 - o C. Comply with open meeting law/public notice requirements
 - o D. Arrange for tape recording (meeting minutes) or a court reporter
 - 2 Preliminary matters at meeting
 - o A. Distribute and collect appearance slips [secretary]
 - o B. Call meeting to order [chair]
 - o C. Take roll and confirm that a quorum is present [secretary]
 - o D. Confirm compliance with open meeting law and public notice requirements [members]
 - o E. Read agenda and amend as necessary (reorder hearings) [chair & members]
 - o F. Inform the public in attendance of hearing procedures (see the following script) [chair]
 - 3 Public hearings
 - o A. Open first public hearing [chair]
 - o B. Read application or appeal [secretary]
 - o C. Report on any site inspection [secretary]
 - o D. Request statement by the applicant [chair with questions by board]
 - o E. Read staff report [zoning department with questions by board]
 - o F. Report on related correspondence [secretary]
 - o G. Disclose any ex parte communication [board]
 - o H. Request statements of witnesses (pro/con/information) [chair with questions by board]
 - o I. Request response by the applicant (or after each witness) [chair with questions by board]
 - o J. Request response by the zoning department [chair with questions by board]
 - o K. Final questions [board]
 - o L. Close record & hearing [chair]
 - 4 Deliberation and decision (many boards conduct all hearings before deliberating on decisions)
 - o A. Findings of fact (based on ordinance jurisdiction & standards)
 - ⇒ Determine whether application contains information necessary to make decision
 - ⇒ Determine whether board has authority to make decision
 - ⇒ Record pertinent facts from record/hearing on decision form
 - o B. Conclusions of law
 - ⇒ Specify applicable legal standards
 - ⇒ Determine which facts relate to the legal standards
 - ⇒ Determine whether legal standards are met (agree on any permit conditions)
 - o C. Order and Determination
 - ⇒ Decide/vote on case
 - ⇒ Direct any action to be taken by zoning administrator
 - 5 Repeat steps 3 and 4 for other hearings
 - 6 Other agenda items
- Adjourn meeting
-

The structured hearing process prompted by use of the checklist and information in the following text read by the zoning board chair or secretary prior to hearings will encourage petitioners, witnesses and the public to become knowledgeable participants in the hearing process before the board.

ZONING BOARD ANNOUNCEMENT OF PROCEEDINGS

Role of the Board

The _____ county board of adjustment (city/village/town board of appeals) is an appellate board required by state law in any municipality that has adopted a zoning ordinance. The board does not have authority to amend or repeal any provision of the zoning ordinance. Its authority is limited to appeals regarding interpretations of ordinance provisions and orders of zoning officials, consideration of variances to dimensional standards and (if assigned by ordinance) consideration of conditional use permits. The criteria that the board must use in making these decisions are established in state laws and local ordinances. The board functions like a court. Its purpose is to give a full and fair hearing to any person whose property interests are affected by these matters. Its duty is to apply the zoning ordinance and appropriate legal standards to the facts of each case. The board meeting and public hearings are open to the public. A taped recording is being made of the proceedings (or a reporter is recording the proceedings).

Expiration and Revocation of Permission to Develop

Any permission to develop granted by a decision of the board must be authorized by obtaining the necessary building, zoning and other permits. Construction must be substantially completed within _____ months of the date permits are issued. This period will be extended if a court order or operation of law postpones the final decision and for other good cause.

Permission to develop may be revoked for violation of any of the conditions imposed by the board. The applicant will be given notice of the violation and an opportunity to be heard.

Appeal of Board Decisions

A decision of the board may be appealed by commencing an action in the circuit court for this county within 30 days after the date of filing of the decision in the office of the board. An applicant that commences construction prior to expiration of the appeal period assumes the risk of having the board decision overturned.

Order of Events for Hearings

Each hearing will be opened by reading the application or appeal. The board's site inspection report (if any) will then be read. The applicant/appellant's statement and the zoning department report will each be followed by related board questions. Witness testimony (from those that have submitted appearance slips and alternating among those in favor, those opposed and those appearing to provide information) and related board questions are next, followed by responses from the applicant and zoning department and any remaining board questions. If the board has all of the necessary facts, it will close the record on the matter, deliberate and decide this matter before proceeding to the next hearing. Decisions will be reduced to writing, filed in the office of the board and mailed to parties as soon as practicable. Minutes of board meetings and decisions are available in the Zoning Department.

Instructions for Witnesses

Anyone wishing to speak should complete an appearance slip and deliver it to the board secretary. You must be recognized by the board chair in order to speak. When called upon as a witness, you may be sworn (if required by board bylaws). Please address your comments and questions to the chair and state:

- your name and place of residence;
- whether you represent a group or association;
- your qualifications to speak on this matter or the source of your information; and
- whether you favor, oppose, or are only providing information in this matter and your concerns.

Please confine your testimony to facts related to the case at hand and avoid repetitive testimony. You will be limited to __ minutes.

Contested cases

A contested case provides a more formal hearing process similar to a court trial. The announcement above should be modified to reflect the requirements described below. A contested case is a proceeding in which:

- testimony is taken under oath,
- parties have a right to review and object to evidence presented by other parties,
- objections are entered in the record, and
- parties may cross-examine witnesses who present testimony.

In contested cases, a party may object to the introduction of written materials or photographs as evidence unless they are given an opportunity to question the writer/photographer and to provide a written reply regarding the evidence. Contested cases usually include a complete written record of the proceedings (often by a court reporter).

CONTEST!!!!

NAME THIS NEWSLETTER!

WE NEED TO NAME THIS NEWSLETTER. SEND YOUR BRAINSTORM NEWSLETTER NAMES TO LANDCENTER@UWSP.EDU BY AUGUST 31.

OUR VERY SENSITIVE AND WELL MEANING STAFF WILL CHOOSE THE NEWSLETTER NAME THEY LIKE BEST (AND HOPEFULLY REFLECT THE NEWSLETTER'S INTENT). THE WINNER WILL RECEIVE A BEAUTIFUL LAND USE EDUCATION CENTER MUG (AS SOON AS THEY ARE ORDERED AND WE RECEIVE THEM!)

Land Use Education Center



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