

**MINUTES OF THE  
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE  
PUBLIC HEARING**

*Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; Jan Roou*

**SUBJECT:** Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use;  
Reclamation Permit Application and Plan, Meeting the Criteria of NR135, Now Under 30-Day Review for 2 Acres by the Land and Water Conservation Department

**DATE:** December 15, 2011

**TIME:** **Immediately Following the Conclusion of a 7:00 p.m. Public Hearing for the Jefferson County Agricultural Preservation and Land Use Plan**

**PLACE:** Room 205, Jefferson County Courthouse, 320 S. Main St., Jefferson, WI

- 1. Call to Order**  
Meeting called to order at 7:17 pm.
- 2. Roll Call**  
All members present.
- 3. Certification of Compliance With Open Meetings Law Requirements**  
Klotz and Reese verified that meeting was held in compliance with open meeting laws.
- 4. Review of Agenda**  
No changes made.
- 5. Public Hearing**

**NOTICE IS HEREBY GIVEN** that the Jefferson County Planning and Zoning Committee will conduct its normal monthly public hearing immediately following the conclusion of the Jefferson County Agricultural Preservation and Land Use Plan Public Hearing scheduled to begin at 7 p.m. on Thursday, December 15, 2011, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard include petitions to amend the zoning ordinance of Jefferson County and applications for conditional use permits. Also heard will be a reclamation permit application and plan meeting the criteria of NR135 received on November 23, 2011 by the Jefferson County Land & Water Conservation Department and now under a 30-day review. A map of the properties affected may be obtained from the Zoning Department. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

## FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL

**3555A-11 – William Ingersoll:** Rezone approximately 1.65 acres of PIN 006-0716-2733-000 (47.448 Acres) near **W1281 Sunnyside Drive** in the Town of Concord.

**Petitioner:** Bill Ingersoll, W1281 Sunnyside Drive: He would like to build a new house for himself and wants to sell existing house to his daughter.

**Favor:** None

**Opposed:** None

**Committee:** None

**Town:** The yellow sheet is in the file with no objection.

**Staff Report:** Klotz gave staff report.

## FROM AGRICULTURAL A-1 TO A-3, RURAL RESIDENTIAL AND N, NATURAL RESOURCES

**3556A-11 & 3557A-11 – Heath Schluter:** Rezone to create a 2-acre lot around **W1658 Froelich Road** and three adjacent new building sites of approximately 2 acres each. Create four Natural Resource zones adjacent of approximately 7.1 acres, 6.3 acres, 6.6 acres and 6.8 acres. The sites are in the Town of Sullivan, all on Froelich Road, part of PIN 026-0616-0932-000 (29.708 Acres)

**Petitioner:** Heath Schluter is from Watertown, Wisconsin and the property address is W1658 Froelich Rd. Schluter would like to rezone a two acre lot around the old farm house and create three new vacant lots. The natural rezone zone would be behind the A-3 lots.

Schluter stated that the proposed lots aren't that deep as to affect the neighboring property vineyard.

**Favor:** None

**Opposed:** Neighbor submitted a letter that was read into the record. His primary concern was the spraying of pesticides on the property that may affect his vineyard.

**Committee:** None

**Town:** Yellow sheet in the file with no objection.

**Staff Report:** Klotz gave staff report.

## FROM AGRICULTURAL A-1 TO N, NATURAL RESOURCES

### **3558A-11 & CU1680-11 – Dennis Schroedl/Robert & Lucile Schroedl Trust Property:**

Rezone approximately 3 acres with conditional use to allow for agricultural practices in a Natural Resource zone. The area is part of PIN 014-0614-0943-005 (13.736 Acres) in the Town of Jefferson, near **N4081 Hickory Court**.

Withdrawn by owner.

## CONDITIONAL USE PERMIT APPLICATIONS

**CU1681-11 – Russell Walton:** Conditional use to allow mineral extraction at **W3978 CTH U** in the Town of Cold Spring, on PIN 004-0515-2834-000 (35.84 Acres) in an A-1 Agricultural zone.

Wisconsin Administrative Code Chapter NR135 and the Jefferson County Non-Metallic Mining Reclamation Ordinance (2007-05), requires the opportunity for public review of the reclamation plan and allow testimony regarding reclamation-related matters. All reclamation-related testimony shall be considered in the reclamation permitting process. The plan is available for public review at the Land and Water Conservation Department, Room 113 of the Jefferson County Courthouse during normal business hours.

**Petitioner:** Russell Walton, 211 Prince St. Whitewater, WI: Walton is proposing to remove sand from this property. The plan is to remove two acres of sand at a time and then restore the site as he goes.

**Favor:** None

**Opposed:** None

**Committee:** None

**Town:** The yellow sheet in located the file with no objection.

**Staff Report:** Klotz gave staff report. Klotz read petitioner's request into the record. Klotz read two letters written by Gerry Kokkonen, Jefferson County Land and Water Conservation Department into the record. Copies of the letters are in the file.

**CU1682-11 – William & Monte Olszewski:** Conditional use as required by Jefferson County Zoning Ordinance Sec. 11.04(f)5 and Wisconsin Administrative Rule ATCP 51 for an intensive ag operation of up to 260 animal units at **W4189 CTH B**. The site is part of PIN 008-0715-1714-000 (36.83 Acres) in an A-1 Agricultural zone in the Town of Farmington.

**Petitioner:** Monte Olszewski, W4153 CTH B: Olszewski is a dairy farmer, applying for a CU for 260 animal units. The Olszewskis do have a nutrient management plan that he is following. Their spreading is compliant with the plan and the plan is updated yearly.

**Favor:** None

**Opposed:** Donna Hartwig: Ms. Hartwig has concerns about the manure and the odor. The manure on the fields was very thick, smells and attracts a lot of flies.

**Committee:** Reese: Did you have a nutrient management plan for 2004? The petitioner responded yes.

**Town:** The yellow sheet in the file with no objection.

**Staff Report:** Klotz gave staff report. The Jefferson County Land and Water Conservation Department letter was read into the record.

**CU1683-11 – Acclaim Performance Horses, Inc./LJP Farm, LLC Property:** Conditional use to allow a commercial stable for boarding, breeding and training of horses at **N2726 Mehring Road** on PINs 010-0615-3614-000 (3.424 Acres) and 010-0615-3614-004 (21.096 Acres) in the Town of Hebron and 026-0616-3123-001 (15.934 Acres) in the Town of Sullivan. The properties are zoned A-1, Agricultural.

**Petitioner:** Kathy Sindorf , W5873 CTH T Watertown: Sindorf stated that they are a breeding and boarding facility on Mehring Road for about 90 horses. Approximately 60 horses are owned by the company and the other 30 horses are being boarded. Sindorf is involved with about 4 different 4-H clubs. They have taken in horses that the Jefferson County Sheriff's Department has seized and sold them at auction. They are not proposing additional structures at this time. They are working with Land and Water Conservation and NRCS for a manure storage plan. Sindorf stated that the Committee had copies of the plans showing the three parcels. After comments from the public, Sindorf stated that they are addressing the manure management problems. The petitioner stated that the maximum number of animals would be 90 horses. Sindorf stated that the auctions are being moved to the fair park. They no longer do shows at the facility and are moving towards solely breeding. They do have about 6 parties a year and do special events such as a Halloween festival. The parking is around the barn area but they are trying to arrange more parking.

**Favor:** None

**Opposed:** Fred Benkert, 2374 Woodland Park Dr. Delafield, WI 53018: Benkert owns property north of the petitioner's property. Benkert commented that when the farm first operated they had no complaints but then the business rapidly expanded and they experienced problems. Benkert had photos of runoff problems from the property. He has concerns on the lack of vegetation on the property. Benkert explained different areas of concerns of runoff on the property. He asked that the petitioners cut down on the number of horses on the property. Benkert stressed the need for manure management. He would like a third party to evaluate the land management for the property.

Mary Taylor, N2745 Mehring Rd.: Taylor lives across the street from Acclaim and is concerned about the manure management of the property.

Lorraine Lindl, W2562 STH 106 Jefferson, WI: Lindl lives on the corner of Mehring and STH 106. She too expressed her concerns about manure management. Lindl complains that horses are coming onto her property. She expressed concerns about the auctions and all of the vehicles parking along the road.

Klotz read letter from Attorney Dixon Gahnz

Klotz read e-mail in file from Jefferson County Sheriff's Office.

Klotz read letter from Mark Watkins, Director of Jefferson County Land and Water Conservation Department.

**Committee:** None

**Town:** Randy Thorman from Town of Hebron: The Town had no objection but since they approved the petition there have been concerns from the neighbors that the Town was unaware of. They would like the County to table the petition until the Town can review the petition again.

Klotz read a letter from Town of Hebron.

**Staff Report:** Klotz gave staff report. Klotz explained the history of the commercial stable.

Joe Strupp from the Jefferson County Land and Water Conservation Department was present and explained the contact he has had with the petitioner. Strupp stated that they do need to establish vegetation to reduce the runoff.

Klotz read some of the activities off the web page. Klotz asked the petitioner for a parking plan and additional information from NRCS for manure management.

**CU1684-11 – Beverly J Paulsberg:** Conditional use to allow an extensive on-site storage structure in a Residential R-2 zone at **N9287 Bartlain Court**. The site is part of PIN 012-0816-1211-013 (2.108 Acres) in the Town of Ixonia.

**Petitioner:** Roger Lindsay, N9287 Bartlain Court: Lindsay has a detached garage that he added on to the garage and found out later he needed a conditional use. Lindsay states he has gone to the Town of Ixonia and was approved. Mr. Lindsay stated that the structure is used for his personal use only.

**Favor:** None

**Opposed:** None

**Committee:** None

**Town:** The yellow sheet in the file with no objection.

**Staff Report:** Klotz gave staff report.

**CU1685-11 – Geoffrey R Warda:** Conditional use to allow greater shoreland cutting at **N1068 Lake Drive** than is allowed by Sec. 11.10(e)2 of the Jefferson County Zoning Ordinance. The site is on PIN 028-0513-1941-012 (3.4 Acres) in a Residential R-1 zone, Town of Sumner.

**Petitioner:** Geoffrey Warda, N1068 Lake Drive: Warda was present to request an after-the-fact clean up on his property. He discussed the 2008 flooding and how it damaged his property. He stated that he has retained Patrick Quicken from UW Whitewater. He would like to start planting next spring.

**Favor:** None

**Opposed:** None

**Committee:** None

**Town:** The yellow sheet is in the file with no objection.

**Staff Report:** Klotz gave staff report. Explained that we need additional information for the restoration plan and that the plan must meet density requirements. .

## **5. Adjourn**

Motion by Reese, seconded by David to adjourn. Motion passed on a voice vote with no objection. Meeting adjourned at 8:36 pm.

Don Reese, Secretary