

**MINUTES OF THE  
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE  
DECISION MEETING**

*Steve Nass, Chair; Greg David, Vice-Chair; Don Reese, Secretary; Amy Rinard; George Jaeckel*

**ROOM 203, COUNTY COURTHOUSE  
311 S. CENTER AVE., JEFFERSON, WI 53549  
8:30 A.M. ON MONDAY, JULY 24, 2017**

**1. Call to Order**

The meeting was called to order by Chairman Nass at 8:31 a.m.

**2. Roll Call (Establish a Quorum)**

All Committee members were in attendance. Rob Klotz, Deb Magritz and Matt Zangl from the Zoning Department were also present.

**3. Certification of Compliance with the Open Meetings Law**

Reese verified that the meeting was being held in compliance with open meetings law requirements.

**4. Approval of the Agenda**

Motion by Jaeckel, seconded by David to approve the agenda as presented. Motion carried on a voice vote with no objection.

**5. Public Comment (Not to exceed 15 minutes and not to include petitions slated for decision-members of the public who wish to address the Committee on specific agenda items must register their request at this time)**

There was no public comment.

**Approval of June 26, July 14 and July 20, 2017 Committee Meeting Minutes**

Motion by Reese, seconded by Jaeckel to approve the June 26 meeting minutes are presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by Jaeckel to approve the July 14 meeting minutes as presented. Motion carried on a voice vote with David abstaining.

Motion by Reese, seconded by Jaeckel to approve the July 20 meeting minutes as presented. Motion carried on a voice vote with no objection.

**7. Communications**

Erdman handed out an email which he'd also sent to the Committee on Friday, July 21, and explained the potential of developing a multi-department drone program for the County. A workgroup has been set up to discuss the possibilities. David offered the name of a friend who does drone work, a scientific technician, as a resource. Erdman noted that they are also working with a state-wide coordinator with the Capitol Police as a technical resource.

**8. June Monthly Financial Report for Land Information Office – Andy Erdman**

Erdman reported that revenues are going well-about where he thought they should be. The County Surveyor's revenues are down a little bit, but he has some fairly large projects with Highway coming up.

**9. July Monthly Financial Report for Zoning – Rob Klotz**

Klotz reported that for July we are down about \$3,000 compared with July 2016. However, we are remaining healthy and busy, and should meet or beat revenue projections for the year.

**10. Discussion and Possible Decision on Determination of Completeness for Kevin Horack Livestock Siting, Intensive Ag Hog Operation, 2017 Update to CU996-00 on PIN 032-0815-3434-000 in the Town of**

**Watertown. This amendment is to increase animal numbers to 825 animal units, and add new confinement housing.**

A roll call was taken, with Reese, Nass, Jaeckel, Rinard, David, Klotz and Joe Strupp of the Land and Water Conservation Department (LWCD) signifying their attendance.

Strupp explained that Horacks were modernizing their facility, abandoning four hoop barns for a new barn to house animals. Strupp noted that Horack has turned in all of his application materials, maps and nutrient management plan. Motion by Reese, seconded by Jaeckel to approve finding the application complete based upon the technical review by LWCD. Motion carried on a roll call vote, with David, Rinard, Jaeckel, Nass and Reese all voting in favor. The conditional use will now go to public hearing.

**11. Discussion Regarding the 75-foot Wetland Setback in an Existing R-1 Zone for New Multi-Family Development with Conditional Use as Required for Subdivisions by the Agricultural Preservation and Land Use Plan**

Klotz explained that the Jefferson County Agricultural Preservation and Land Use Plan has language regarding 75-foot wetland setback for subdivisions. Zoning has received an inquiry about conditional use for multi-family, not in a subdivision, but on a lot served by sewer, adjacent to the City of Lake Mills. The 75-foot setback would leave very little area for development on this property. Ryan Quamm, Quamm Engineering spoke. He described the area of wetland delineation, and noted that he has prepared a proposal awaiting feedback. They are looking at perhaps six duplexes for a total of twelve units, and a multi-story apartment building. They would utilize the existing drive and sewer line, and he feels that the proposal would result in a stormwater improvement. A ten-to-fifteen foot setback from the delineated line is proposed for building placement. Klotz noted that there is no statutory requirement for wetland setback. David responded that infill is good, and questioned whether the topography has been changed to create this wetland. Klotz said that there might have been some site alteration due to interstate highway construction. Based upon the facts that the Zoning is already residential, the property is served by public sewer, there was likely site manipulation on this lot, the wetland is not currently mapped on the property, and this is a unique situation, the Committee didn't have a problem with a petitioner applying for conditional use for multi-family housing on the property.

**12. Discussion and Possible Decision on the Request for Holding Tank Waiver on the Charles Schaller Property at W8679 White Crow Rd, Town of Sumner on PIN 028-0513-2112-012**

Klotz began by saying that this property is very unique, on Carcajou Point which is one of the best arrowhead fields in the state. This is a cataloged burial site on the state historical register. Mr. Schaller needs a new septic, and allowing a holding tank without doing soil tests will require less land disturbance than a septic system would. Rinard asked whether this was a year-round residence; it is not. John Broyhan, archeologist for the Wisconsin Historical Society explained that there are Oneota burial sites in the area, and that they would like to minimize land disturbance for that area. It is also an area that has never been cultivated, an extremely rare occurrence. Mr. Schaller will have to hire a private consulting archeologist to be on site during excavation, and installation of a holding tank without soil tests will reduce his investment in the project. Human remains have been found mainly in the southern part of the area, according to Broyhan. Klotz went on to say that holding tanks are usually a last resort; pumping becomes expensive and may result in discharge to the lake. Mr. Schaller reiterated that he doesn't live on this property permanently, but usually visits once a week. The cottage will one day go to his nephews who live nearby in Wisconsin, so the likelihood of permanent residency by them is slight. In response to Jaeckel's question about how long ago this was discovered and/or mapped as a burial site, Broyhan responded that the Wisconsin's Burial Site Law was passed in 1986. Klotz went on to say that we don't want to put property owners in a position of having to spend tens of thousands of dollars extra to meet these regulations. Nass added that these properties probably should not have been developed, but since it was, the least amount of disturbance is preferred. In his opinion, keeping the development to a minimum, ie a holding tank is the best situation. Jeff Simes, Jefferson County On-Site Waste Systems Technician, asked whether the plan is to put the holding tank where the septic tank now exists. If so, a narrow trench would have to be dug to accommodate a suction line. Motion by Jaeckel, seconded by Rinard to waive the requirement to have borings and to approve a holding tank due to the fact that this property is a known archeological site in an undisturbed area of known encampments and burials. The less disturbance is more appropriate. Motion carried on a voice vote with no objection.

**13. Discussion and Possible Decision on the Request for Holding Tank Waiver on the Jefferson County Salt Shed Property at N6496 County Shop Road, Town of Concord on PIN 006-0716-1521-001**

Simes reported that this area consists of two-to-three feet of fill, and is heavily mottled. Jaeckel, Reese and Klotz added that it is only a satellite shed, with very limited use of the sanitary facilities, and no option by soils. Motion by Reese, seconded by Jaeckel to approve the holding tank because of the conditions stated. Motion carried on a voice vote with no objection.

14. **Discussion and Possible Decision on the Request for Temporary Holding Tank Waiver on Jellystone Park Condominium Property at N551 Wishing Well Lane, Town of Koshkonong, on PIN 016-0513-2533-242**  
Klotz explained that Steve Cline has hired Jeff Hammes to mediate his existing problem and install temporary holding tanks now, but a system later. Simes reported on his site inspection. Cline wants temporary holding tanks. Cline went on to say that he is proposing replacement in an area approved for campground expansion. He hopes to have it rectified by Memorial Day, 2018. Klotz added that this is a violation, with Department of Health and DNR involved. Cline says he will be very proactive, because pumping costs are \$800 per week for two tanks at 13,000 gallons total. Motion by Nass, seconded by Jaeckel to approve the temporary holding tank waiver with the following conditions: a soil test shall be completed within the next 30 days; a plan for installation shall be submitted to the Zoning Department by December 31, 2017; and the system shall be installed by Memorial Day, 2018. Motion carried on a voice vote with no objection.
15. **Discussion and Possible Decision on the Request by Robert and Margaret Kozub to Reconfigure the 2-Acre A-3 Lot at N4153 Bear Hole Road, Town of Jefferson, PIN 014-0615-1612-001**  
Klotz briefly explained. Kannard went on to say that the reconfiguration would keep the lot size at 2 acres, put the driveway on the lot and meet setbacks. Motion by Reese, seconded by Jaeckel to approve the reconfiguration as proposed. Motion carried on a voice vote with no objection.
16. **Discussion and Possible Decision on the Request to Reconfigure PIN 024-0516-1022-001 owned by the Jay and Janet Slaughter Trust in the Town of Palmyra in Order to Add to an Adjoining A-3 Zoned Lot**  
Klotz explained that this is a swap between two adjoining property owners, an interior lot line adjustment. The petitioners will have a plat of survey done to accomplish this. Motion by Nass, seconded by Jaeckel to approve the reconfiguration as proposed. Motion carried on a voice vote with no objection.
17. **Discussion and Possible Decision on the Request by Kathy Zimmerman for Lot Line Adjustment at N6815 County Road Q on PIN 020-0714-0922-004, Town of Milford**  
Klotz explained this lot adjustment as proposed. Motion by Nass, seconded by Reese to approve. Of course, if the neighbor whose land is affected does not approve, this cannot happen. Motion carried on a voice vote with no objection.
18. **Discussion and Possible Decision on Salvage Yard Licenses**  
Klotz noted that most yards have done a great job, but most cars, following an accident, must be inspected prior to crushing, which may cause them to be outside fencing for a time. He recommended that the Committee relicense all the current salvage yard licenses. Motion by Jaeckel, seconded by Reese to relicense all the currently licensed salvage yards. Motion carried on a voice vote with no objection.

***PLEASE SEE INDIVIDUAL FILES FOR A COMPLETE RECORD OF THE FOLLOWING DECISIONS:***

19. **Discussion and Possible Decision on Petitions Presented in Public Hearing on July 20, 2017:**  
**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3978A-17 – Ronald Ulsberger: Rezone 0.51 acre of PIN 014-0615-0212-007 (10.55 Acres) to add it to an adjoining A-2 zone near **W3092 US Highway 18** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3979A-17 – Brian Allen: Create a 1-acre building site on **Piper Road** from part of PIN 004-0515-2244-001 (5.289 Acres) in the Town of Cold Spring in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3980A-17 – Curtis Pernat: Rezone a 1.1581-acre lot on **Rockvale Road** on PIN 012-0816-2733-000 (35.19 Acres) by consolidation of parcels of record from

012-0816-2732-000 (35.31 Acres). This is in the Town of Ixonia, and is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Reese R3981A-17 – Ronald & Lori Draeger: Create a 3-ac farm consolidation lot at **N7543 County Road O**, a 1-ac lot around the home at N7533 County Rd O and a 1-ac vacant lot adjacent. These lots are proposed from PIN 030-0813-3124-000 (40 Ac) in the Town of Waterloo, in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3982A-17 – Rodney Johnson: Create a 6-acre building site on County Road E from part of PIN 032-0815-1444-000 (40.816 Acres) in the Town of Watertown, in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by David R3983A-17 – Ryan & Meliza Ritacca: Rezone to create a 2.5-acre lot around the buildings at **N8937 County Road E**, a 1.3-acre building site and a 2-acre building site adjacent. The proposal is in the Town of Watertown, on PIN 032-0815-1133-003 (12.27 Ac), and is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3984A-17 – Dan Marks/Richwood Ranch LLC: Create a 2-acre building site with existing farm buildings on **Rome Oak Hill Rd** in the Town of Sullivan from part of PIN 026-0616-2821-000 (24.11 Ac). This is in accordance with Sec. 11.04(f) 8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection..

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3985A-17 – Dan Marks/Richwood Ranch LLC: Create a 2-acre farm consolidation lot at **N3281 Rome Oak Hill Rd**, one 4-ac and one 2-ac vacant lot, all from part of PINs 026-0616-2824-000 (34.31 Ac) and 026-0616-2821-000 (24.11 Ac) in the Town of Sullivan. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

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

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3986A-17 – Dan Marks/Richwood Ranch LLC: Rezone to create a 31.5-acre Natural Resource zone from part of PINs 026-0616-2824-000 (34.31 Acres) and 026-0616-2842-001 (30 Acres) on **Rome Oak Hill Road** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Reese R3987A-17 – Pete Gross/Land Hunter LLC: Create a 1-acre farm consolidation lot at **N3698 Rome Oak Hill Rd** and two, 3-acre vacant building sites adjacent, from PINs 026-0616-1744-000 (40 Ac) and 026-0616-2011-001 (20 Ac). The sites are in the Town of Sullivan, and in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Reese R3988A-17 – Pete Gross/Land Hunter LLC: Rezone to create a 14-acre Natural Resource zone from part of PINs 026-0616-1744-000 (40 Ac), 026-0616-2011-004 (0.2 Ac) and 026-0616-2122-002 (0.28 Ac) in the Town of Sullivan. The property is on **Rome Oak Hill Rd**; this is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3989A-17 – Pete Gross/Land Hunter LLC: Create two, 2-acre vacant building sites on **Rome Oak Hill Rd** in the Town of Sullivan from part of PIN 026-0616-2011-001 (20 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by David R3990A-17 – Pete Gross/Land Hunter LLC: Rezone 15 acres for a Natural Resource zone on **Rome Oak Hill Rd** in the Town of Sullivan, from PINs 026-0616-

2011-001 (20 Acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Rinard R3991A-17 –Paul Holt/ Bernard Gilbert Property: Create a 3.2-acre building site on **Carlin Trail** in the Town of Palmyra from PIN 024-0516-2424-000 (32 Acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel R3992A-17 – Paul Holt/Bernard Gilbert Property: Create a 4.1-ac A-2 zone on **Carlin Trail** from PIN 024-0516-2424-000 (32 Ac) in the Town of Palmyra. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Reese CU1921-17- Paul Holt/Bernard Gilbert Property: Conditional use in the proposed A-2 zone to allow for veterinary facility/dog kennel/ dog training on **Carlin Trail** on PIN 024-0516-2424-000 (32 Acres). The Town of Palmyra proposal is in accordance with Sec. 11.04(f)7. Conditional Uses x. of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Rinard, seconded by Jaeckel CU1922-17- Art & Leslie Boettcher: Conditional use for a duplex on PIN 012-0816-2513-051 along **Madison Ave** in the Town of Ixonia, on PIN 012-0816-2513-051 (0.459 Ac). This proposal is in a Community zone, and is being done in accordance with Sec. 11.04(f)9 Conditional Uses f. of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED WITH CONDITIONS** on a motion by Jaeckel, seconded by Rinard CU1923-17 – James & Stacy Hill: Conditional use for a 1,080 sq ft, 16-ft high extensive on-site storage structure in a Residential R-2 zone at **N8589 River Rd**, Town of Watertown. The site is on PIN 032-0815-1343-002 (6 Ac); this is being requested in accordance with Sec. 11.04(f)2 Conditional Uses j. of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVED** on a motion by Reese, seconded by Rinard R3993T-17 - Jefferson County: Text amendment to Sec. 11.10 Shoreland Provisions of the Jefferson County Zoning Ordinance in order to comply with NR115 Administrative Rule, and Acts 167 and 391 adopted by the State Legislature on March 23 and April 27, 2016. Motion carried on a voice vote with no objection.

**20. Possible Future Agenda Items**  
2018 Budget

- 21. Upcoming Meeting Dates**  
**August 11, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203**  
**August 17, 7:00 p.m. – Public Hearing in Courthouse Room 205**  
**August 28, 8:30 a.m. - Decision Meeting in Courthouse Room 203-Klotz will be absent**  
**September 8, 8:00 a.m. - Site Inspections Beginning in Courthouse Room 203**  
**September 21, 7:00 p.m. – Public Hearing in Courthouse Room 205**  
**September 25, 8:30 a.m. - Decision Meeting in Courthouse Room 203-Reese will be absent**

- 22. Adjourn**  
Motion by Jaeckel, seconded by Reese to adjourn the meeting. Motion carried on a voice vote with no objection, at 10:44 a.m. Motion carried on a voice vote with no objection.

  
Don Reese, Secretary

If you have questions regarding the petitions, please contact the Zoning Department at 920-674-7131. Petition files referenced on this agenda may be viewed in Courthouse Room 201 between the hours of 8:00 a.m. and 4:30 p.m.,

**Monday through Friday, excluding holidays. Materials covering other agenda items can be found at [www.jeffersoncountywi.gov](http://www.jeffersoncountywi.gov).**

*A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.*

**Individuals requiring special accommodations for attendance at the meeting should contact the County Administrator at 920-674-7101 at least 24 hours prior to the meeting so that appropriate arrangements can be made.**

*A digital recording of the meeting will be available in the Zoning Department upon request.*