

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

*Steve Nass, Chair; George Jaeckel, Vice-Chair; Don Reese, Secretary; Matt Foelker, Blane Poulson*

**ROOM 203, COUNTY COURTHOUSE  
311 S. CENTER AVE., JEFFERSON, WI 53549  
8:30 A.M. ON MONDAY, JULY 30, 2018**

**1. Call to Order**

The meeting was called to order by Vice-Chair Jaeckel at 8:30 a.m.

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

Present at 8:30 were Jaeckel, Reese and Foelker from the Planning and Zoning Committee; Ben Wehmeier, County Administrator; Andy Erdman, Director of Land Information; Staci Hoffman, Register of Deeds; Matt Zangl, Sarah Higgins, Lindsey Schreiner and Deb Magritz of the Zoning Department.

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

Reese verified that the meeting was being held in compliance with Open Meetings Law.

**4. Approval of the Agenda**

No changes were proposed.

**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)**

Sally Williams of W2403 Northside Drive spoke regarding solar farm permitting in Jefferson County. She opposes such a project, and requested that a moratorium be implemented. She feels that current setbacks are inadequate, and that there should be height restrictions, fencing regulations, screening, noise level restrictions, prairie establishment guidelines, restrictions on use of prime ag land, financial guarantees for decommissioning, ground cover, buffering, road repair, ditch maintenance, etc. She would also like a guarantee that her property values will not decrease as a result of the solar farm.

Diane Heerhold of N7087 Hillside Drive said that the goals of the Jefferson County Agricultural Preservation and Land Use Plan are inconsistent with the solar farm project. She proceeded to read excerpts from the Plan.

**6. Approval of June 21, June 25, July 13 and July 19 Meeting Minutes**

Motion by Reese, seconded by Foelker to approve the June 21 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by Foelker to approve the June 25 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by Foelker to approve the July 13 minutes as presented. Motion carried on a voice vote with no objection.

Motion by Reese, seconded by Foelker to approve the July 19 minutes as presented. Motion carried on a voice vote with no objection.

**7. Communications**

Zangl explained that a text amendment for the shoreland ordinance was approved in 2017 and sent to DNR for its approval. The DNR approved it approximately a year later, but meanwhile, the state law changed. A new small amendment was proposed and sent to the Towns for their response. DNR gives three months for counties to adopt the new changes, so the information has been sent to the Towns

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

Erdman reported that document recordings are down about 5%, which seems to be the trend for this area. However, the surveyor's receipts are up a bit.

Nass arrived at 8:38 a.m.

**9. June Monthly Financial Report for Register of Deeds Office-Staci Hoffman**

Hoffman reiterated that recordings are down, but homes are still selling. Refinancing is down however. Vital record recording, ie births are down, but sales of vital records are up. Transfer fees are up, and Laredo contract sales are up. She also reported that she's been asked to serve on Wisconsin Public Records Board. She explained the Laredo program to those present.

**10. July Monthly Financial Report for Zoning-Matt Zangl**

Zangl noted that to date, revenues are \$6,000 short from July, 2017. Things picked up a bit in July, he said.

**11. Discussion and Possible Action on the 2019 Planning and Zoning Department Budget**

Zangl said that his budget is due shortly. He's planning to keep his revenue projections the same as those of 2017.

**12. Discussion on Solar Farm Permitting Process**

Zangl explained that a couple of developers have been looking at the area, one for 150 megawatt facility incorporating 700-800 acres. Another was a little larger, incorporating about 1,000 acres. The developer builds the facility, someone else operates it, and the landowners maintain ownership. Land leases generally run 30-50 year, in various configurations. Life expectancy for the solar panels is 30-40 years. This is relatively new in Wisconsin; Iowa and Walworth Counties are also being looked at for solar farms. Anything over 100 megawatts requires a state permit, a process which takes about two years. Though it is not required after State approval, the State highly recommends that the developer then work with the local municipality. Zangl pointed out that then there is the opportunity for local municipalities to have some control. There is an option in the Zoning Ordinance for a utility as a conditional use in A-1 zone. Another option would be to rezone to A-2 with conditional use.

Jaeckel asked whether we can put something in the ordinance now, or is it too late now that conversation has started. Corporation Counsel will have to be consulted. It is not known whether the developer has applied yet with the State.

Nass would like to see the use of non-permeable areas such as roofs, then non-prime land before using prime ag land for solar farms. He also suggested bonding for removal. He does not agree with allowing A-2 zones for solar farms. Nass feels that we should write an ordinance, or include it in the comprehensive plan update.

Reese spoke with assessors and got a 17-page document from a constituent on the topic. He suggested using farm buildings and industrial parks for solar panels.

Sally Williams interjected that the developers are looking at a minimum of 2,100 acres.

The consensus was that we cannot wait for the comp plan update. This should be kept on the agenda, and if necessary, a special meeting could be held to keep ahead of this.

**13. Discussion and Possible Action on Salvage Yard Licensing**

Zangl reported that salvage yard inspections have been done throughout the month of June. Most seem to be in good order, but it was recommended that Jack's Auto Ranch should be watched. Motion by Reese, seconded by Jaeckel to renew all the licenses, but to continue to keep an eye on Jack's. Motion carried on a voice vote with no objection.

**14. Discussion Regarding the Appeal of Daybreak Foods Inc Conditional Use Permit CU1943-18, Town of Lake Mills to the State of Wisconsin Livestock Facility Siting Review Board**

Zangl and Higgins went to the appeal hearing, and all went well for the County. The Livestock Facility Siting Review Board noted that the County did everything correctly. Jaeckel thanked all involved for doing a good job.

15. **Discussion and Possible Action on Koshkonong Lake Estates, Town of Koshkonong**  
Zangl explained the situation to date. The preliminary plat and engineering plans have all been submitted and approved by the Town. The developer's agreement has not yet been signed, but Jaeckel noted that it is down to a couple of points yet to be worked out. Motion by Jaeckel, seconded by Foelker to approve the preliminary plat pending Town approval.
16. **Discussion and Possible Action on R4069A-18 for Brent and Regina Mosher, Town of Waterloo, Presented in Public Hearing on June 21 and Subsequently Postponed for Redesign**  
Zangl noted that a letter from the Moshers had been received. After discussion, it was determined that no new action would be taken.
17. **Discussion and Possible Action on Petitions Presented in Public Hearing on July 19, 2018:**

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

**FROM A-1, EXCLUSIVE AGRICULTURAL TO A-3, AGRICULTURAL/ RURAL RESIDENTIAL**

**APPROVE A MODIFICATION OF R4071A-18 – Craig Frohmader/Robert & Marilyn Frohmader Trust Property WITH CONDITIONS** on a motion by Jaeckel, seconded by Foelker, to create a 2-acre building site on **County Road Q** in the Town of Aztalan from part of PIN 002-0714-1711-000 (53.05 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE R4072A-18 – David A Staude WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel, to create a 3-acre lot around the farm buildings at **N7253 Woody Lane**, Town of Concord, from part of PIN 006-0716-0412-000 (46.94 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE R4073A-18 – Robert Fry WITH CONDITIONS** on a motion by Jaeckel, seconded by Foelker, to create a 5-acre farm consolidation lot with existing home and farm buildings at **N5880 County Road D** in the Town of Farmington, part of PIN 008-0715-2341-000 (40.161 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE R4074A-18 – Jason & Jennifer Schroedl WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel, to create a 2.0565-acre lot around the home and buildings at **N5060 Christberg Road**, Town of Farmington, on PIN 008-0715-3141-000 (38.4 Acres). This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE R4076A-18 – Damrow Trust, c/o Donna Christian WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel, to create a 3-acre lot with the home at **W1811 & W1813 State Road 16** from part of PIN 012-0816-1744-000 (35 Acres). The site is in the Town of Ixonia. This is being done in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE R4077A-18 – Anthony & Karen Schadt WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel to create a 3-acre farm consolidation lot around the home and buildings at **N8741 Kelm Lane** in the Town of Watertown from part of PIN 032-0814-1324-000 (26 Acres). This is being done 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 AND A-2, AGRICULTURAL AND RURAL BUSINESS TO A-3, AGRICULTURAL/RURAL RESIDENTIAL**

**POSTPONE R4075A-18 – Samuel & Kenlon Meyers** on a motion by Nass, seconded by Foelker to create a 9-acre farm consolidation and lot combination around the home and buildings at **W3930 State Road 106** in the Town of Hebron from part of PINs 010-0615-3331-000 (21.8765 Acres) and 010-0615-3334-002 (10.986 Acres). This is being done 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

**APPROVE R4078A-18 – Dan Zastrow WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel to rezone part of PIN 018-0713-3622-000 (40 Acres), and all of PINs 018-0713-3623-000 (40 Acres) and 018-0713-3632-000 (53.128 Acres) near **Mud Lake Road** in the Town of Lake Mills to create an approximate 110-acre Natural Resource zone. This is being done in accordance with Sec 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

## CONDITIONAL USE PERMIT APPLICATIONS

**APPROVE CU1950-18 – John Schwarz WITH CONDITIONS** on a motion by Reese, seconded by Jaeckel, a conditional use for an extensive on-site storage structure in a Residential R-2 zone at **W5867 Hedrick Drive**. This is on PIN 016-0514-1513-005 (1.386 Acre) in the Town of Koshkonong. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

**APPROVE CU1951-18 – Tim Haversack/Timothy Haversack & Julie Zander Property WITH CONDITIONS** on a motion by Jaeckel, seconded by Reese, a conditional use for an extensive on-site storage structure in a Residential R-2 zone at **N9672 Oak Hill Road**. This is on PIN 032-0815-0221-007 (1.41 Acres) in the Town of Watertown. This is being done in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance. Motion carried on a voice vote with no objection.

## ZONING ORDINANCE TEXT AMENDMENT

**APPROVE R4079T-18 – Jefferson County** on a motion by Jaeckel, seconded by Foelker, a text amendment to Sec. 11.05, 11.09 and 11.11 of the Jefferson County Zoning Ordinance in order to comply with Wisconsin Statutes regarding conditional use permits, variances, substandard lots and non-conforming structures. Motion carried on a voice vote with no objection.

18. **Discussion on Prime/Non-Prime Areas and Available Splits**  
Zangl explained that the Soil Survey of Jefferson County is a good tool, and was created in 1965 with actual soil sampling.
19. **Workshops for Local Planning and Zoning Officials-August 30 and September 27, Middleton Public Library**  
Wehmeier said that he is trying to get per diems and registration paid for attendees. Nass encouraged Committee members to attend.
20. **Possible Future Agenda Items**  
Solar farms
21. **Upcoming Meeting Dates**  
August 20, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203-Reese questionable  
August 23, 7:00 p.m. – Public Hearing in Courthouse Room 205  
August 28, 10:00 a.m. – Decision Meeting in Courthouse Room 203  
September 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203  
September 20, 7:00 p.m. – Public Hearing in Courthouse Room 205  
September 24, 8:30 a.m. – Decision Meeting in Courthouse Room 203
22. **Adjourn**  
Motion by Jaeckel, seconded by Reese to adjourn the meeting. Motion carried on a voice vote with no objection, and the meeting adjourned at 10:05 a.m.



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.*

