

NOTICE OF PUBLIC HEARING
JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker and Lloyd Zastrow

SUBJECT: Map Amendments to the Jefferson County Zoning Ordinance and Requests for Conditional Use Permits

DATE: Thursday, May 20, 2021

TIME: 7:00 p.m. (*Courthouse doors will open at 6:30*)

PLACE: Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI
OR Via Zoom Videoconference

Meeting ID: 957 3344 0565

Passcode: Zoning

Register in advance for this meeting:

<https://zoom.us/j/95733440565?pwd=eHZRbHZXWXhlUnlKdkhtOXhoTmtNZz09>

After registering, you will receive a confirmation email containing information about joining the meeting.

1. **Call to Order**
 - The meeting was called to order by Chairman Jaeckel at 7 p.m
2. **Roll Call**
 - All Committee members were present at 7 p.m. Also present was Sarah Elsner and Brett Scherer of the Zoning Department.
3. **Certification of Compliance with Open Meetings Law**
 - Supervisor Poulson verified that the meeting was being held in compliance with open meetings law.
4. **Approval of Agenda**
 - Motion by Supervisor Nass and seconded by Supervisor Foelker to approve the agenda as presented. Motion passed 5-0 on a voice vote.
5. **Explanation of Public Hearing Process by Committee Chair**
 - Chairman Jaeckel explained the evening's proceedings.
6. **Public Hearing**
 - Elsner read aloud the following notice:

NOTICE IS HEREBY GIVEN that the Jefferson County Planning and Zoning Committee will conduct a public hearing on May 20, 2021, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. Members of the public will be allowed to be heard regarding any petition under consideration by the Planning and Zoning Committee. **PETITIONERS, OR THEIR REPRESENTATIVES SHALL BE PRESENT EITHER IN PERSON OR VIA ZOOM.** Matters to be heard are petitions to amend the official zoning map of Jefferson County and applications for conditional use permits. A map of the properties affected may be obtained from the Zoning Department. Individual files, which include staff finding of fact, are available for viewing between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, excepting holidays. If you have questions regarding these matters, please contact Zoning at 920-674-7131.

FROM A-1, EXCLUSIVE AGRICULTURAL TO A-2, AGRICULTURAL/RURAL BUSINESS

R4310A-21 – Crawfish River Solar/Anfang Properties LLC, Owner: Rezone 7.4 acres of PIN 014-0614-0543-001 (44.5 acres) near **W6646 US Highway 18** for a local utility in the Town of Jefferson. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Emily Straka & Matt Klemente presented themselves as the petitioners. The petitioners are looking to rezone 7.4 acres for a sub-station that connects to the solar farm system.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file

TOWN: In favor.

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

R4311A-21 – Stewart & Dianna Hassler: Create a 2.052-acre building site on **Kasten Lane** from part of PIN 032-0815-1844-001 (35.1 acres) in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Stewart and Dianna Hassler (W6981 County Road V) presented themselves as the petitioners. Stewart said he is looking for a farm residency. He said the land where they want the house is not agriculturally productive. The remaining land will be used for agricultural. Stewart said they were approved by the town and variance was approved for not having the minimum amount of frontage on May 13, 2021.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file

TOWN: In favor. Elsner said the Variance for road frontage was approved by the Board of Adjustment on May 13th, 2021.

R4312A-21 – Andrew & Lisa Werner/Trapp Trust Property: Create a 3.14-acre lot around the existing home and buildings at **N7567 County Road X**, Town of Watertown on PIN 032-0815-3314-000 (38.48 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Andrew Werner (251 Stone Field Drive) presented himself as the petitioner. Werner said he is looking to create a lot around the existing home and buildings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner asked if the home was built before 1975? The petitioner said yes. Elsner asked if the remaining A-1 would have access? The petitioner said yes. Elsner also said Jefferson County Highway Department approved the existing access and will not need additional permits.

TOWN: In favor.

R4313A-21 – Tim Windl & Helen Zahn: Create two, 2-acre building sites on **Willow Road** from part of PIN 032-0814-1421-002 (28.398 acres) in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Tim Windl (N845 Riverbend Road) presented himself as the petitioner for this rezone. Windl is looking to create two 2-acre lots. He also said both proposed lots are non-prime.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner asked if the remaining A-1 land has access. The petitioner said yes. Elsner asked about the general location and steep slopes on the property. The petitioner said they would not be building on any of the steep slopes.

TOWN: In favor.

R4314A-21 – Douglas & Kathleen Miller: Create a 3.7-acre lot around the home and buildings at **N7667 County Road P** from part of PIN 032-0815-3611-000 (30 acres) in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Douglas Miller (N7667 County Road P) presented himself as the petitioner for this rezone. Miller is looking to create a 3.7-acre lot around the existing homes and buildings.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner asked when the home was built and is there is access for the remaining A-1 land? The petitioner said there was no home before 1994 and there is access for the remaining A-1 land.

TOWN: In favor.

FROM A-1, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCE

R4315A-21 – Douglas & Kathleen Miller: Create a 5.3-acre partially wooded lot adjoining a proposed A-3 lot at **N7667 County Road P**, Town of Watertown, from part of PIN 032-0815-3611-000 (30 acres). This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Douglas Miller (N7667 County Road P) presented himself as the petitioner for this rezone. Miller is looking to create a 5.3-acre Natural Resource zone adjoining his proposed A-3 lot.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file.

TOWN: In favor, conditioned that Natural Resource zone can not be sold separately from the proposed A-3 zone.

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

R4316A-21 – Vione Lightfield/Verdal Anderson Property: Create a new 2.1-acre building site near **N1941 County Road A** in the Town of Sumner from part of PIN 028-0513-0924-000 (20 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Michael Rumpf (152 West Main Street) presented himself as the petitioner for this rezone. The petitioner is looking for a 3-acre consolidation and a 2.1-acre building site near the old farmstead. The petitioner is looking to rezone the marsh areas to a natural resource zone. He said the variance for the natural resource zone was granted by the Board of Adjustment. The petitioner also said he is in contact with Jefferson County's Highway Department.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner said access for the 2.1-acre new building site will need be approved by Jefferson County's Highway Department. Elsner asked how old the home was for the 3.0-acre consolidation? The petitioner said it was built before 1975. Elsner said highway will not need any access permits for the 3.0-acre consolidation.

TOWN: In favor.

R4317A-21 – Vione Lightfield/Verdal Anderson Property: Create a 3-acre farm consolidation lot at **N1941 County Road A**, Town of Sumner, from part of PIN 028-0513-0924-000 (20 acres). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

PETITIONER: Michael Rumpf (152 West Main Street) presented himself as the petitioner for this rezone. See R4316A-21 for details.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file

TOWN: In favor.

FROM A-1, EXCLUSIVE AGRICULTURAL TO N, NATURAL RESOURCE

R4318A-21 – Vione Lightfield/Verdal Anderson Property: Create a 20-acre Natural Resource zone from PIN 028-0513-0814-000 (20 acres) in the Town of Sumner near **County Road A**. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Michael Rumpf (152 West Main Street) presented himself as the petitioner for this rezone. See R4316A-21 for details.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. See R4316A-21 for details.

TOWN: In favor.

R4319A-21 – Vione Lightfield/Verdal Anderson Property: Create an 8-acre Natural Resource zone from PIN 028-0513-0922-001 (20 acres) in the Town of Sumner near **County Road A**. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

PETITIONER: Michael Rumpf (152 West Main Street) presented himself as the petitioner for this rezone. See R4316A-21 for details.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. See R4316A-21 for details.

TOWN: In favor.

CONDITIONAL USE PERMIT APPLICATIONS

CU2073-21 – Affordable Storage of Fort Atkinson LLC: Allow a 36-unit reconfiguration and expansion of the storage facility at **N1171 Old 26 Road**, Town of Koshkonong, on PIN 016-0514-2022-006 (3.203 acres). The property is zoned A-2, Agricultural & Rural Business. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

PETITIONER: Shawn Walters () presented himself as the petitioner for this Conditional Use. Walters is looking for a building to store his personal items.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: Paul Swart (N1165 Old 26 Rd.) spoke in opposition of the conditional use. Swart stated he was concerned with the location of the building, town lighting ordinance, not being on a town road, drainage of the site, if there was a security system in place, hours of operation and fencing.

An opposition letter was also submitted by Ross Weber.

REBUTTAL: Walters said he will comply with any lightning ordinances, there 24/7 security on-site, and can look into adding a fence if needed. He also said it will just be for his personal items, not business or renting out more units.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner asked what is being stored outside? The petitioner said boats, trailers, RVs and cars and is currently permitted on the conditional use. Elsner asked what size will the building be? The petitioner said it will be 150 feet by 30 feet and will be no higher than 16 feet in height. Elsner asked if he would be willing to follow any town lighting ordinances? The petitioner said yes. Elsner asked if there would be any bathrooms/plumping? The petitioner said no.

TOWN: In favor.

CU2074-21 – Linda Schroeder: Allow an extensive on-site storage structure in a Residential R-2 zone on **Long Drive**, Town of Koshkonong on PIN 016-0513-2511-018 (0.979 acre). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

PETITIONER: Tom Patterson (N737 Mulligan Way) presented himself as the petitioner for this conditional use. Patterson is looking to put up a detached structure for the homeowner to store their camper in. The building will be 1,100 square feet and 21 feet tall. Patterson says it helps to comply with the subdivision conveyance.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED: None.

REBUTTAL: None.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Elsner asked the height of the building? Patterson said it would be 21 feet in height. Elsner asked what the north lot line setback would be? Patterson said it would be 40 feet from the north lot line. Elsner asked if there would be any outside storage or bathrooms in the structure? Patterson said no outside storage and no bathrooms.

TOWN: In favor.

CU2072-21 – Brattset LLC/Damon & Kirsten Brattset: Allow for mineral extraction on PIN 024-0516-0522-000 (25.193 acres,) Town of Palmyra, at **N2463 State Road 106** in an A-1, Exclusive Agricultural zone.

PETITIONER: Randy Johnson presented himself as the petitioner for this conditional use. The petitioner is looking to do a sand and gravel extraction mine for local projects. He said it would be open from 5-7 years. The mine would crush and screen the materials mined. Truck hauling of the material would take place April and November.

COMMENTS IN FAVOR: None.

COMMENTS OPPOSED:.

Scott Mann (N2356 State Road 106) spoke in opposition of the conditional use. Mann said he lives nearby, south of the pit. He said 300 days out of the year, the wind blows NW which will cause dust issues to surrounding land owners. He was also concerned about truck traffic and noise. He said trucks will be coming in starting at 6am Monday through Saturday which will cause lots of noise and dust.

Justin Thomas (N2462 State Road 106) spoke in opposition of the conditional use. Thomas said he lives across from the pit's exit. Thomas agrees with the other speakers opposed to the conditional use. He has concerns with the time of operation and the exposed soil.

William and Dolores Van Duzor (N2495 State Road 106) spoke in opposition of the conditional use. Van Duzors said they live adjacent to the pit. They said they have a recreation pond that is open to the pit. The Van Duzors said they are worried about the tar smells, noise, dust, hours, traffic. They said there is no benefit for others, except for the pit being reclaimed after the operation.

Kenneth Flak (N2445 State Road 106) spoke in opposition of the conditional use. Flak is concerned with earth tremors, snow/rain, air quality and adjacent buildings being damaged from the mining operation. He agreed with the past speakers in opposition.

REBUTTAL: Randy Johnson said the materials will not be process off-site and no concrete/asphalt mixing will take place. He said the elevation is 10 feet below 106, which will create a natural sound buffer. Johnson said they are not opposed to adding trees or berms. Johnson also said, the hours will start at 7am, not 6am. Johnson said the trucks will be equipped with mufflers and meet emission standards. Johnson explained the reclamation process and they will reclaim the area as soon as possible.

QUESTIONS FROM COMMITTEE: None.

STAFF: Given by Elsner in the file. Gerry Kokkonen with Jefferson County's Land & Water Conservation Department explained the seed mix, planting density and reclamation plan.

TOWN: In favor.

A reclamation plan and permit application meeting the criteria of NR 135 and Jefferson County Ordinance was received March 16, 2021 by the Jefferson County Land & Water Conservation Department. The applicant plans to extract sand and gravel. The area of extraction will not exceed 10 acres at any one time and will be reclaimed to grassland with an approved naturally occurring seed mix.

Wisconsin Administrative Code Chapter NR 135.20 and Jefferson County Ordinance allows for a public informational hearing regarding the reclamation plan. All reclamation related public testimony shall be considered upon final review of the plan. The plan is available for public viewing in the Land & Water Conservation Department, Room 113 of the Jefferson County Courthouse. Please call the Land & Water Conservation Department at 920-674-7110 or 920-674-7117 to set up an appointment for viewing the plan.

Supervisor Nass moved to adjourn at 8:20 p.m., and was seconded by Supervisor Poulson. Motion passed 5-0 on a voice vote.

Minutes prepared by: *Brett Scherer*
Zoning/On-Site Waste Management Technician
Jefferson County Planning and Zoning Department

Supervisor Poulson, Planning & Zoning Committee Secretary

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 24 hours prior to the meeting so that appropriate arrangements can be made.

A recording of the meeting will be available from the Zoning Department upon request. Further information about Zoning can be found at www.jeffersoncountywi.gov