

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

George Jaeckel, Chair; Steve Nass, Vice-Chair; Blane Poulson, Secretary; Matt Foelker, Cassie Richardson

SUBJECT: Planning and Zoning Committee Decision Meeting
DATE: Monday, June 26, 2023
TIME: 8:30 a.m.
PLACE: County Highway Department Committee Room, 1425 Wisconsin Drive, Jefferson, WI

YOU MAY ATTEND VIRTUALLY BY FOLLOWING THESE INSTRUCTIONS:

Register in advance for this meeting:

https://zoom.us/meeting/register/tJEkf--hpj4pHd2y7-u8i9MUTAbnqMB_1Qxy

Meeting ID: 959 8698 5379

Passcode: Zoning

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 Supervisor Jaeckel at 8:31 a.m.

2. Roll Call (Establish a Quorum)

All Committee members were present at 8:31 a.m. Also present was Staci Hoffman, Register of Deeds; Zoning Department staff Matt Zangl, Sarah Elsner, Brett Scherer, Deb Magritz. Attending via Zoom were staff members Ben Wehmeier, County Administrator and Brian Udovich. Guests attending via Zoom were Chris Lockery, Allison Kemp, Sam Kemp, and William Springer.

3. Certification of Compliance with Open Meetings Law

Supervisor Poulson verified compliance with open meetings requirements.

4. Approval of the Agenda

Motion by Supervisors Poulson/Richardson to approve the agenda, with a change to move up agenda items for the convenience of guests present.

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.

6. Approval of May 25, June 2, June 9 and June 15 meeting minutes

Motion by Supervisors Nass/Foelker to approve the May 25 minutes as presented. Motion passed 5-0.

Motion by Supervisors Foelker/Nass to approve the June 2 minutes as presented. Motion passed 5-0.

Motion by Supervisors Poulson/Richardson to approve the June 9 minutes as presented. Motion passed 5-0.

Motion by Supervisors Richardson/Nass to approve the June 15 minutes as presented. Motion passed 5-0.

7. Communications

- a. Update on CU2065-22, N2486 Rock River Road, Town of Koshkonong owned by Robert Steven Parnell, PIN 016-0514-0222-012
Scherer reported that after the conditional use denial last fall, Mr Parnell removed all but two of his dogs, so he is in compliance.

8. **May Monthly Financial Report for Register of Deeds – Staci Hoffman**

Hoffman explained that her office revenues are at 36% of budget for recordings. However, transfer fees and copy fees are keeping the office at 50% of budget.

9. **May Monthly Financial Report for Land Information Office-Matt Zangl**

Zangl noted that the Land Information Office revenues follow the retained fees of the Register of Deeds.

10. **June Monthly Financial Report for Zoning – Matt Zangl**

Zangl went on to say that June’s revenues were a little over those of June 2022.

THE COMMITTEE WENT TO AGENDA ITEM 16 AT THIS POINT AND FOLLOWED WITH SEVERAL PETITIONS FROM AGENDA ITEM 19:

16. Discussion and Possible Action on allowing a shared septic system via easement for W7766/W7768 Lamp Rd on PIN(s) 028-0513-1141-033 & 028-0513-1141-034 in the Town of Sumner

Zangl explained that the request was for one holding tank to serve two houses on separate lots. Elsner further noted that the owner previously applied for and was denied a variance to combine the lots. An easement would be required to accommodate this latest request. After discussion, there was a motion by Supervisor Nass/Richardson to approve the request conditioned upon having a sanitary permit approved for the holding tank. Motion passed 5-0.

19. Discussion and Possible Action on Petitions Presented in Public Hearing on June 15:

APPROVED WITH CONDITIONS R4474A-23 on a motion by Supervisors Nass/Poulson for Dan Higgs/ABC Acres Property to rezone 4-ac of PIN 010-0615-2741-000 (20.744 ac) to add it to the existing A-3 zoned property at **N3080 Haas Road**, Town of Hebron. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0, with Foelker abstaining.

APPROVED WITH CONDITIONS R4475A-23 on a motion by Supervisors Nass/Poulson for Dan Higgs/Thomas & Rene Foelker and ABC Acres, Owners to rezone all of PIN 010-0515-1212-001 (1.243 ac) owned by Foelker and part of PIN 010-0515-1212-000 (38.767 ac) owned by ABC Acres to create a 5.2-ac lot at **N2018 Frommader Rd**, Town of Hebron. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0, with Foelker abstaining.

APPROVED WITH CONDITIONS R4478A-23 on a motion by Supervisors Nass/Richardson & CU2093-23 on a motion by Supervisors Jaeckel/Richardson for Samuel & Allison Kemp/Nieman Trust, Owner to rezone approximately 2.2 ac of PIN 016-0514-2924-000 (13.648 ac) with conditional use for an event venue at **W6770 Pond Rd**, Town of Koshkonong. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Both motions passed 5-0.

11. **Discussion on Solar Energy Facilities**

a. **Crawfish River Solar**

Zangl gave an update to the Crawfish River Solar project. It appears that by the end of July, 2023, the whole site may go live. The Committee would like to go on two site visits there-one shortly and one after the vegetation is established.

b. **Badger State River**

Discussions on this project continue. It appears that construction will begin no later than Spring of 2024.

12. **Discussion on WE Energies Liquefied Natural Gas (LNG) Facility in the Town of Ixonia**

Zangl reported that construction on the project continues. The latest work was the pour of the bottom of the containment area. The contractor has been great to work with and very responsive to concerns. Completion is expected at the end of the year.

13. Discussion on Air, Surface Water, Groundwater, and Health Concerns Relating to Animal Operations and their Regulation

- a. Erosion Control and Stormwater Management Ordinances
The next meeting will be held the meeting of June 27.

14. Discussion and Possible Action on Conditions of Approval for CU2089-23, renewing a conditional use for mineral extraction at N2795 Ebbert Ln in the Town of Oakland on PIN 022-0613-3513-000

Zangl asked whether the Committee wants to continue with the original conditions of approval or wants to develop new conditions. The Committee determined to use the original conditions, but to modify them to take out the wordiness. Motion by Supervisors Jaeckel/Poulson to use the original conditions but to simplify the verbiage. Motion passed 5-0.

15. Discussion and Possible Action on increasing the size of the proposed lot for R4464A, Lee Allen Rickerman, PIN 032-0815-1814-000 in the Town of Watertown

After explanation by Zangl and Committee discussion, it was determined that the lot could remain the same size and the soil test must be on the lot.

17. Discussion and Possible Action on 2023 Salvage Yard License

Zangl described the state of several of the County salvage yards. The Marty property is under review to make sure they meet their conditions of approval. Staff is in discussions with Jack's Auto Ranch's new owner. The North Helenville Road property needs some work, and Highway 18 Salvage has junk outside its fenced area. The Committee put Highway 18 Salvage on an 18-month renewal cycle and will ask Corporation Counsel to write a letter to that operator. The other salvage yards' licenses were renewed for one year on a motion by Supervisors Jaeckel/Poulson with conditions. Motion passed 5-0.

18. Discussion and Possible Action on Amending the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan along with the County Zoning Ordinance to allow A-3 lots to be subdivided

The proposal would only apply to lots A-3 lots created between 1975 and 2000, using all other current standards for prime and non-prime ag land lots. This would not require a rezoning, but would necessitate a public hearing and Committee review.

19 Discussion and Possible Action on Petitions Presented in Public Hearing on June 15:

APPROVE WITH CONDITIONS R4472A-23 on a motion by Supervisors Poulson/Foelker & CU2092-23 on a motion by Supervisors Poulson/Foelker for the Stock Family Farm/Joseph & Justine Church/James & Steven Mesmer Properties to create a 2.6-ac lot from part of PINs 026-0616-2013-000 (35.91 ac) owned by Mesmer and 026-0616-2042-001 (37.728 ac) owned by Church, with conditional use for a farm store **near W1844 Bente Rd**, Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS R4473A-23 on a motion by Supervisors Jaeckel/Richardson for Ryan Koehler on the Timothy & Debra Koehler Property to rezone parts of PINs 014-0614-1431-000 (51.015 ac) zoned A-T and 014-0614-1434-000 (51.381 ac) zoned A-1 and create a 2-ac building site near **N3865 County Rd K** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS R4476A-23 on a motion by Supervisors Jaeckel/Poulson for George Golich to rezone 2 ac of PIN 016-0614-3632-001 (8.5 ac) for a new building site near **W5250 State Rd 106** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS R4477A-23 on a motion by Supervisors Jaeckel/Poulson for Loren Lindl to rezone approximately 9.6 ac of PIN 010-0615-3512-000 (40 ac). The site is on the Bark River **near Hess Ln**, Town of Hebron. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS R4479A-23 on a motion by Supervisors Poulson/Richardson for John & Marcia

Herr Trust to rezone approximately 0.7 ac of PIN 026-0616-2424-001 (19.628 ac) to add it to an adjoining A-2 lot at **W315 Herr Rd** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS CU2091-23 on a motion by Supervisors Nass/Poulson for Christopher Fetzer and the Durelle Chopp Trust Property and grant a conditional use on PIN 012-0816-2143-002 (8.92 ac) and allow mini-warehousing on **Oak Drive**, Town of Ixonia. This is in accordance with Sec. 11.04(f)3 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS CU2094-23 on a motion by Supervisors Jaeckel/Poulson for Scott & Dana Scherer and grant a conditional use for an 1,800 square foot extensive on-site storage structure, 15.5 feet in height in a Residential R-2 zone at **W6021 Friedel Rd**, Town of Koshkonong, on PIN 016-0514-1033-030 (0.795 ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

APPROVE WITH CONDITIONS CU2095-23 on a motion by Supervisors Poulson/Foelker for Mary Kuppe and grant a conditional use to allow keeping of four dogs as household pets on a non-commercial basis in a Residential R-1 zone at **N4412 Wolff Rd**, Town of Oakland, on PIN 022-0613-0812-037 (1.571 ac). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

SUPERVISOR RICHARDSON LEFT THE MEETING AT THIS TIME.

APPROVE R4480T-23 on a motion by Supervisors Poulson/Foelker for Jefferson County Zoning allowing a text amendment to the Jefferson County Zoning Ordinance for changes to shoreland provisions in Sec. 11.10 which will bring the ordinance into compliance with recent DNR updates and will allow for updated mitigation practices on shoreland properties. Motion passed 4-0.

20. Possible Future Agenda Items

21. Upcoming Meeting Dates

July 14, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
July 20, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
July 31, 8:30 a.m. - Decision Meeting Highway Department Committee Room, 1425 Wisconsin
August 11, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
August 17, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
August 28, 8:30 a.m. - Decision Meeting Highway Department Committee Room, 1425 Wisconsin Dr

22. Adjourn

Motion by Supervisors Foelker/Poulson to adjourn the meeting. Motion passed, 4-0 and the meeting adjourned at 10:17 a.m.

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 at 222 Wisconsin Drive 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.

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.