

AGENDA
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, July 31, 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 8:30 a.m.

2. Roll Call (Establish a Quorum)

Supervisor Poulson was absent and excused; all other Committee members were present. Also in attendance were Supervisor Anita Martin, staff members Michael Luckey, Matt Zangl, Sarah Elsner, Brett Scherer and Deb Magritz. Attending via Zoom were Register of Deeds Staci Hoffman, Brian Udovich, Terri Persico, Thomas Foelker and S&J.

3. Certification of Compliance with Open Meetings Law

Zangl verified compliance with Open Meetings Law.

4. Approval of the Agenda

It was determined that the Committee would move certain petition items up following the reports to accommodate guests in attendance.

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 June 26, July 14, and July 20 meeting minutes

Motion by Supervisors Nass/Richardson to approve the June 26 minutes as presented. Motion passed 4-0.

Motion by Supervisors Foelker/Richardson to approve the July 14 minutes as presented. Motion passed 4-0.

Motion by Supervisors Richardson/Foelker to approve the July 20 minutes as presented. Motion passed 4-0.

7. Communications

a. Communication from Wisteria Castle, Town of Farmington

Zangl reported on correspondence from Wisteria Castle, noting that they will be providing a one-year report either in January or February of 2024 on their agricultural tourism and what they have done to meet that definition,

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

Hoffman noted that recordings have been very slow, so her office is working on back indexing. However, they are still meeting budget with 59% of proposed revenues realized.

9. June Monthly Financial Report for Land Information Office – Matt Zangl

Retained fees are lower than anticipated, but this is a non-tax levy account.

10. July Monthly Financial Report for Zoning – Matt Zangl

Zangl reported that Zoning revenues are doing pretty well, with each month of 2023 coming in over those of 2022. New homes have been coming in and cell towers earlier in the year account for greater revenues.

The Committee continued to R4485A-23 from agenda item 22, for Penny Cerchio

22. Discussion and Possible Action on Petitions Presented in Public Hearing on July 20, 2023:

APPROVED WITH CONDITIONS R4485A-23 on a motion by Supervisors Nass/Foelker for Penny A Cerchio to rezone part of PIN 024-0516-3421-000 (9.902 ac) to create a 4-ac lot at **W1275 South Shore Dr** in the Town of Palmyra. This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

The Committee continued to agenda item 14 for Thomas & Mark Foelker

14. Discussion and Possible Action on Amending R4474A-23 (Mark Foelker/ABC Acres – PIN 010-0615-2741-000) and R4475A-23 (Thomas Foelker/ABC Acres – 010-0515-1212-000), both in the Town of Hebron, to transfer one acre from R4474A-23 and to add it to R4474A-23 creating a 4.86 acre lot and a 3.87 acre lot

Zangl explained the request to maintain the six acres approved for the two petitions, but to even out the acreage from ABC Acres for each petitioner at 3 acres each. He showed the revised preliminary survey and how the acreage is proposed to be divided. Motion by Supervisors Nass/Richardson to approve the revision and the motion passed 3-0, with Supervisor Foelker abstaining.

The Committee continued to CU2099-23 from agenda item 22 for Jonathan F Jones

APPROVED WITH CONDITIONS CU2099-23 on a motion by Supervisors Nass/Foelker for Jonathan F Jones, allowing a conditional use to allow for up to 9 dogs in an A-3 zone at **W9147 Waldman Rd**, PIN 028-0513-0521-004 (1.062 ac), in the Town of Sumner. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

11. Discussion on Solar Energy Facilities

a. Crawfish River Solar

Crawfish River Solar's quarterly report to the PSC was included in the Committee packets. Zangl reported that three-quarters of the segments have gone live, and the remaining quarter will be live soon. The vegetation phase and clean-up phase are next before turning it over to Alliant. Zangl is hoping to get the Committee a site visit soon.

b. Badger State River

Zangl reported that Badger State Solar is moving forward, hoping to start construction in the Spring. Highway access is being worked out, as is getting plans complete for review and permitting.

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

This project is also in its final stages. The next step is filling the tanks with water to test for leaks, and then slowly discharging the water into the overflow basin and releasing it into the landscape. Construction completion is planned for 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 group decided to approve the ordinances as they were and move them forward to the Planning and Zoning Committee for action as they see fit. They will be on for August's Committee decision meeting when more discussion can take place.

15. Discussion and Possible Action on Request by Timothy Otterstatter for a holding tank waiver at W2866 East Gate Dr on PIN 032-0815-1223-000, Town of Watertown

Zangl explained that the subject is a lower, wetter area and the building and business were approved a few years ago. A letter from the plumber was discussed. Motion by Supervisors Foelker/Nass to approve the request, and the motion passed 4-0.

16. Discussion and Possible Action on Request by Scott Schiefelbein for a holding tank waiver at N6077 Country View, PIN 006-0716-2212-004, Town of Concord

Zangl explained generally the need for a holding tank waiver. He explained this request in particular. No soil test has been completed. Nass asked for more information, including soil borings and the use of the building. Motion by Supervisors Nass/Richardson to postpone action until more information is provided. Motion passed 4-0.

17. Discussion and Possible Action on Replacing a Single-Family Home in an A-1 Zone at N2628 Kutz Road, PIN 016-0614-3541-003 in the Town of Koshkonong

Zangl noted the 2022 ordinance requirements for replacing a single-family home. He described the property and listed some setback limitations and septic system opportunities. Supervisor Martin asked whether it was in a drainage district. Motion by Supervisors Nass/Foelker to approve with a mound system. Motion passed 4-0.

18. Discussion and Possible Action on the Preliminary Plat of Oakland Hills Subdivision in the Town of Oakland near N4510 County Road A owned by John and Anne Didion

Zangl noted that the map has been modified to show the 75-foot setback to wetlands. Access to US Highway 18 has been more or less denied, though there is a reservation shown on the plat for access onto US Highway 18. There have been discussions about what the interchange and access will look like onto County Road A and potentially a second access there. Zangl will ask for an emergency response plan for access.

19. 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

Zangl explained the regulations that would be imposed on existing A-3 divisions: only lots created prior to February 8, 2000 would be eligible for further division; at the most, two additional lots may be requested; all Comprehensive Plan and Farmland Preservation Plan standards must be met. Motion by Supervisors Jaeckel/Richardson to approve the language and begin the amendment process. Motion passed, 4-0.

20. Discussion on Planning and Zoning Department and Land Information Office 2024 Budget

Zangl reported that the budget has a placeholder for another Zoning technician. This may allow agent status with the State which would provide better service to contractors and landowners. He noted that the Zoning and Land Information Departments have met levy goals. In the Land Information budget there is also another placeholder for a GIS person which would allow more services to other municipalities and moving ahead with updates to GIS. He is also proposing a new GPS unit at a cost of about \$3,000 which will help map out septic systems while in the field.

21. Discussion and Possible Action on 2024 Fee Schedule

Zangl reviewed proposed changes. There would be a fee added for shoreland projects, navigability determination, mitigation, impervious surface calculations. A-1 rates would go up depending on size of the project. A fee would be charged for verification letters. Some sanitary permit fees would also be changed. Motion by Supervisors Nass/Foelker to approve the proposed 2024 fee schedule. Motion passed 4-0.

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

22. Discussion and Possible Action on Petitions Presented in Public Hearing on July 20, 2023:

APPROVE WITH CONDITIONS R4480A-23 on a motion by Supervisors Nass/Foelker for Jenny DeBlare/Kimberly M & Mardell E Emslie Trust to rezone part of PIN 014-0615-1521-000 (40.00 ac) to create a 3-ac building site on the **corner of Wolf Rd and S Helenville Rd**, Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4481A-23 on a motion by Supervisors Nass/Foelker for Walter Trust (Sarah Walter)/Roland F & Lois V Zabel (LE) to rezone part of PIN 020-0814-2414-000 (26.820 ac) to create two 1-ac building sites on **Hilltop Rd**, Town of Milford. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

Trust to rezone part of PIN 032-0815-0134-000 (40.00 ac) to create three 1-ac A-3 lots at **W2762 Gopher Hill Rd** in the Town of Watertown. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4483A-23 on a motion by Supervisors Nass/Foelker for Cullen Schmeling/Dane County Growers to rezone part of PIN 028-0513-1932-000 (50.106 ac) to create a 1-ac building site off **Oldson Rd** in the Town of Sumner. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS R4484A-23 & CU2096-23, both on motions by Supervisors Nass/Foelker for Cullen Schmeling/Dane County Growers to rezone part of PINs 028-0513-1932-000 (50.106 ac) zoned A-1 and 028-0513-1933-000 (43.694 ac) zoned A-T to create an approximate 14-ac Natural Resource lot with conditional use to allow for agricultural use including farm-type animals off **Olson Rd** in the Town of Sumner. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

NO ACTION WAS TAKEN ON THIS PETITION BECAUSE NO ONE WAS AT PUBLIC HEARING TO REPRESENT THE PETITION: R4486A-23 & CU2097-23 – Joan Evans Krueger: Rezone all of PIN 012-0816-2222-003 (3.79 ac) with conditional use to allow for carpentry and fabrication business off **North Rd** in the Town of Ixonia. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

APPROVE WITH CONDITIONS R4487A-23 on a motion by Supervisors Foelker/Richardson for K&V Farms LLC to rezone part of PIN 014-0614-1242-000 (39.537 ac) to create an approximate 2.6-acre lot around the existing barn at **N4283 County Road Y** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

APPROVE WITH CONDITIONS CU2098-23 on a motion by Supervisors Nass/Foelker for Kira & Rita Midland to grant a conditional use allowing for up to 7 dogs as household pets in an A-1 zone at **N8362 River Valley Rd**, PIN 012-0816-2214-000 (20.527 ac), in the Town of Ixonia. This is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance. Motion passed 4-0.

23. Possible Future Agenda Items

24. Upcoming Meeting Dates

August 11, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive-**Nass may be absent**
August 17, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
August 28, 8:30 a.m. - Decision Meeting in Highway Department Committee Room, 1425 Wisconsin Dr
September 15, 8:00 a.m. - Site Inspections Beginning at Zoning Office, 222 Wisconsin Drive
September 21, 7:00 p.m. - Public Hearing in Highway Department Training Room, 1425 Wisconsin Dr
September 25, 8:30 a.m. – Decision Meeting Highway Department Committee Room, 1425 Wisconsin Dr.

25. Adjourn

Motion by Supervisors Richardson/Foelker to adjourn the meeting. Motion passed 4-0, and the meeting adjourned at 9:55 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.