

**AGENDA**  
**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, OCTOBER 29, 2018**

1. **Call to Order**
2. **Roll Call (Establish a Quorum)**
3. **Certification of Compliance with Open Meetings Law**
4. **Approval of the Agenda**
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)**
6. **Approval of September 20, September 24, October 12 and October 18 Meeting Minutes**
7. **Communications**
8. **September Monthly Financial Report for Land Information Office – Andy Erdman**
9. **September Monthly Financial Report for Register of Deeds – Staci Hoffman**
10. **October Monthly Financial Report for Zoning – Matt Zangl**
11. **Discussion on Solar Energy Facilities**
  - **Resolution from the Town of Concord**
12. **Discussion Regarding Entering into a Contract with SRF Consulting Group Inc to Update the Jefferson County Comprehensive Plan and Agricultural Preservation and Land Use Plan**
13. **Discussion and Possible Action Recognizing Climate Change and Urging Congress to Levy a Revenue-Neutral Fee on Carbon in Fossil Fuels**
14. **Discussion and Possible Action on Request to Modify Approval for R3393A-09, Steven & Jody Knoebel, County Road D, Town of Farmington**
15. **Discussion and Possible Action on Petition R4086A-18 for Bill Stroupe, Presented in Public Hearing on August 23 and Subsequently Postponed**
16. **Discussion and Possible Action on Petition R4088A-18 for Gordon Goers, Presented in Public Hearing on August 23 and Subsequently Postponed**
17. **Discussion and Possible Action on Petitions Presented in Public Hearing on October 18:**

**R4101A-18 – Dan Zastrow/Sara Zastrow-Seubert and Ronald Seubert Property:** Rezone 7.16 acre of PINs 030-0813-3614-000 (54.949 Ac) and 030-0813-3614-002 (0.698 Ac) in the Town of Waterloo, and 020-0814-3123-003 (9.032

Ac) in the Town of Milford. The site is at **W7312 Manske Road**. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1960-18 – Dan Zastrow/Sara Zastrow-Seubert and Ronald Seubert Property:** Conditional use to allow a landscape/lawn care business in a proposed A-2 zone at **W7312 Manske Road**. The site is in the Towns of Waterloo and Milford, part of PINs 030-0813-3614-000 (54.949 Ac), 030-0813-3614-002 (0.698 Ac) and 020-0814-3123-003 (9.032 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**R4102A-18 – S&L Land Company LLC, c/o Jeffery Bartolotta/Richard Smith & Jessican Duncan Property:** Rezone approximately 22 acres of PIN 026-0616-3412-002 (15.043 Ac) and 026-0616-3413-003 (23.251 Ac) on **County Road E** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1961-18- S&L Land Company LLC, c/o Jeffery Bartolotta/Richard Smith & Jessican Duncan Property:** Conditional use allowing storage of contractor's equipment and materials/storage of fireworks, racks and equipment for the displays. The site is near **County Road E** in the Town of Sullivan, on PINs 026-0616-3412-002 (15.043 Ac) and 026-0616-3413-003 (23.251 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**R4103A-18 – Brian Neumann/HHL Zastrow Homestead LLC Property:** Rezone approximately 0.03 acres of PIN 006-0716-0922-000 (32.477 Ac) in the Town of Concord to add it to an existing adjoining A-3 zone at **N6830 County Road E**. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4104A-18 – Ronald E Hahm/David Hahm Properties:** Rezone PIN 012-0816-2523-001 (3.245 Ac) owned by David Hahm to sanction the addition of 0.25 acres from 012-0816-2523-000 owned by the Ronald & Anne Hahm Trust. The properties are in the Town of Ixonia, at **W443 Madison Ave**. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4105A-18 – Jim Baker & Nancy Aguire deBaker/Juan & Leah Zalapa Property:** Rezone approximately 1 acre of PIN 014-0614-1824-000 (40 Ac) for a new building site near **N3942 County Road G** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4106A-18 – Todd Tesch/Phyllis Salamone Property:** Create a 1.05-ac building site on **County Road A** in the Town of Sumner from part of PIN 028-0513-0424-001 (35 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4107A-18 – Gary & Jessica Hellenbrand:** Rezone 2.3 acres of PIN 030-0813-3131-000 (40 Acres) around the home at **N7477 County Road O** in the Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4108A-18 – Eggert Acres LLC:** Create a 15-acre Natural Resource zone from part of PIN 020-0814-2041-000 (40 Ac) near **West Rd**, Town of Milford. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

**R4109A-18 – Mark Reinecke:** Rezone to create two, 1.8-ac R-1 lots near **N1108 Olson Rd** in the Town of Sumner from part of PIN 028-0513-1942-000 (12.3 Ac). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

**CU1962-18 – Kenneth & Sue Havlovick:** Request for an addition/modification to CU1777-14 and CU1269-04 which created an extensive on-site storage structure in a Residential R-2 zone. The site is in the Town of Cold Spring on PIN 004-0515-2833-001 (1.259 Ac) at **N516 Fremont Rd**. This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

**CU1963-18 – John Hoffmann:** Request for modification to CU1388-06 which allowed for storage of non-farm equipment in an A-2, Agricultural and Rural Business zone at **W2712 State Road 59**. This site is in the Town of Cold Spring on PIN 004-0515-2534-000 (2.439 Ac), and is requested in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1964-18 – Jeremy Furrer/WEPCO Property:** Conditional use for business services, including audio/video, security and smart home installation on PIN 010-0515-0222-001 (1.16 Ac) in the Town of Hebron. The site is along **N2457 County Road D** in a Community zone. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**CU1965-18 – Glenn & MaryAnn Manke:** Conditional use to allow for outside storage in an A-2 zone at **N8460 Pleasant Valley Road**. The site is in the Town of Watertown on PIN 032-0815-2422-009 (7.84 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1967-18 – Jacob Wegner:** Conditional use to allow two additional duplexes in a Residential R-2 zone at **W3266/W3268 Oak Hill Rd**, Town of Watertown. The site is part of PIN 032-0815-0222-007 (3.003 Ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

**18. Possible Future Agenda Items**

**19. Upcoming Meeting Dates**

**November 9, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203**

**November 15, 7:00 p.m. – Public Hearing in Courthouse Room 205**

**November 26, 8:30 a.m. – Decision Meeting in Courthouse Room 203**

**December 14, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203**

**December 20, 7:00 p.m. – Public Hearing in Courthouse Room 205**

**December 31, 8:30 a.m. – Decision Meeting in Courthouse Room 203?**

**20. Adjourn**

**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.jeffersoncountymi.gov](http://www.jeffersoncountymi.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.*

**STAFF REPORT MINUTES**  
**JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**

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

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

**DATE:** Thursday, September 20, 2018

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

**PLACE:** Room 205, Jefferson County Courthouse, 311 S. Center Ave., Jefferson, WI

**1. Call to Order**

The meeting was called to order by Chairman Nass at 7:00 p.m.

**2. Roll Call**

All Committee members were present at 7:00 p.m. Also present were Matt Zangl, Sarah Higgins, and Lindsey Schreiner of the Zoning Department.

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

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

**4. Approval of Agenda**

Motion by Supervisor Foelker, seconded by Supervisor Jaeckel to move R4092A-18 to the last petition before the text amendment because of a conflict of interest. Motion passed unanimously on a voice vote.

**5. Explanation of Public Hearing Process by Committee Chair**

Chairman Nass explained the evening's proceedings.

**6. Public Hearing**

Zangl read aloud the following notice:

**NOTICE IS HEREBY GIVEN** that the Jefferson County Planning and Zoning Committee will conduct a public hearing at 7 p.m. on Thursday, September 20, 2018, in Room 205 of the Jefferson County Courthouse, Jefferson, Wisconsin. A hearing will be given to anyone interested in the proposals. **PETITIONERS, OR THEIR REPRESENTATIVES, SHALL BE PRESENT.** Matters to be heard are petitions to amend the official zoning map of Jefferson County, a petition to amend the text of the Jefferson County Zoning Ordinance 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 RESIDENTIAL R-1 TO COMMUNITY

**R4091A-18 – Brenda Spies/Paul & Pamela Neis Property:** Rezone all of PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson Road** in the Town of Watertown. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Brenda Spies (N8516 Airport Rd, Watertown, WI) presented herself as the petitioner for this rezone. She stated they would like to build a pole shed with a home inside on the 11 acres with a business. The businesses there would include a U-Haul, snow plowing, Amsoil, trucking, lawn care.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** Judy Halverson (N8563 Jefferson Rd, Watertown, WI) read a letter into record from her mother Marion Draeger (N8501 Jefferson Rd, Watertown, WI). The letter included concerns for a business in the country. Halverson then read into record a letter from her and her husband. The letter included concerns with a business in a primarily rural agricultural/residential area, and how it would affect natural resources, water drainage, property value, noise, and traffic. Copies of the letters were made and put into the file.

**REBUTTAL:** Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that everything would be enclosed, and back in corner where people can't see it. It was also explained that Amsoil is something that people order online.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl then asked if they had been working with the town and county for access approval. Petitioner said yes. Soil test is on file. Zangl also stated that one question for the Committee would be if a final CSM would be required on the property.

**TOWN:** Approved and in the file.

## CONDITIONAL USE PERMIT APPLICATIONS

**CU1953-18 – Brenda Spies/Paul & Pamela Neis Property:** Conditional use to allow for transportation services, a trucking operation, on PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson Road**. This Town of Watertown property is being proposed for a Community zone. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that he has one semi-tractor that he owns that he drives; there are no other drivers. He leaves in morning and comes back at night.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** Judy Halverson (N8563 Jefferson Rd, Watertown, WI) opposed for the same reasons as previously stated.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl asked if the public would come to the site. Petitioner stated public would probably be there for the U-Hauls. Zangl asked about any employees for the trucking business. Petitioner stated it's just himself. Zangl confirmed that hours were just petitioner leaving in the morning and coming back at night.

**TOWN:** Approved and in the file.

**CU1954-18 – Brenda Spies/Paul & Pamela Neis Property:** Conditional use to allow for home occupations on 032-0815-1733-000 (11.1 Acres), **Jefferson Road** in the Town of Watertown. Occupations requested are lawn care, snowplowing, U-Haul rentals and Amsoil distribution. The request is in a proposed Community zone in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Bob Schuett (N8516 Airport Rd, Watertown, WI) explained that they plow snow in winter the and also cut grass. He stated they leave once then come back and there is another shop where some equipment will be.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** Judy Halverson (N8563 Jefferson Rd, Watertown, WI) opposed because they have seen the other property.

**REBUTTAL:** Schuett stated everything will be under one building.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl asked about U-Haul trailers on-site. Schuett stated there would not be more than 4-6 on-site at one time. Zangl asked where these would be stored. Schuett said they would be back in a parking lot surrounded by a berm. The berm will be alongside the road and would help screen the trailers from sight. Zangl asked if there are any employees for that. Schuett answered by saying there is one lady who helps approximately 20 hrs/week. Zangl asked about any lighting. Schuett stated they do have lights for safety and security cameras. Zangl asked about storage area. Right. Shop on airport rd for stuff. Zangl asked about employees and if the public will be coming to the site. Schuett said public would probably be there with for the U-Hauls, but no public present for the lawn care or snow plow end. He added everything would be stored inside or in enclosed trailers. Zangl asked for better explanation of Amsoil. Schuett explained they are Amsoil dealers; some of it can be stored on-site, but most people have it shipped to their home. Zangl asked if there were going to be any signs. Schuett said there is one. Zangl then explained that because of floodplain and wetland on the property, any development/fill will be restricted and will need a permit. Zangl also explained that 2 access points are being proposed.

**TOWN:** Approved and in the file.

## **FROM A-1, EXCLUSIVE AGRICULTURAL AND A-2, AGRICULTURAL AND RURAL BUSINESS TO A-2**

**34093A-18 – Samuel Meyers:** Rezone 7 acres of PIN 010-0615-3331-000 (21.765 Acres) near **W3930 State Road 106** in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this rezone. Meyers stated he is proposing to split the house and barns off from the farm. It is being proposed as an A-2 zone on 7 acres and an A-3 zone on 2 acres to split off. This is the smallest split available to keep all buildings together.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file.

**TOWN:** Approved and in the file.

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### **CONDITIONAL USE PERMIT APPLICATION**

**CU1955-18 – Samuel Meyers:** Conditional use to allow storage of contractor's equipment in a proposed A-2 zone near **W3930 State Road 106**, on PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres). The site is in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this conditional use. Meyers stated he can't speak on behalf of the business.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** Supervisor Reese asked what type of contractor equipment would be present. It was explained that the man refurbishes drill presses, machining tools, etc.

**STAFF:** Given by Zangl and in the file. Zangl asked about hours of operation and if the public would be at the site. Meyers stated he doesn't believe public would be at the site.

**TOWN:** Approved and in the file.

### **FROM A-1, EXCLUSIVE AGRICULTURAL AND A-2, AGRICULTURAL AND RURAL BUSINESS TO A-3, AGRICULTURAL/RURAL RESIDENTIAL**

**R4094A-18 – Samuel Meyers:** Create a 2-acre A-3 zone around the home at **W3930 State Road 106**, part of PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres) in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Samuel Meyers (W9241 State Road 106, Edgerton, WI) presented himself as the petitioner for this rezone. He explained that this petition is for splitting off 2 acres with the house on it.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl also asked what year the house was built. Meyers stated that it was very old. Zangl also added that a question for the committee to consider would be whether or not the property would be considered prime or non-prime.

**TOWN:** Approved and in the file.

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

**R4095A-18 – Brian Statz:** Rezone 4 acres of PIN 014-0615-1131-000 (40 Acres) around the home and buildings at **N4259 County Road D** in the Town of Jefferson. The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Petitioner was not present for public hearing.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** In the file.

**TOWN:** Approved and in the file.

**R4096A-18 – Brian Statz:** Create a 5.2-acre farm consolidation lot around the home and buildings at **N6638 Kroghville Road** in the Town of Lake Mills from part of PIN 018-0713-0843-000 (27.8 Acres). Create a new 2.1-acre building site. The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Petitioner was not present for public hearing.

**COMMENTS IN FAVOR:** None.



**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** In the file.

**TOWN:** Approved and in the file.

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

**R4097A-18 – Brian Statz:** Create a 5.8-acre N zone from PIN 018-0713-0843-000 (27.8 Acres) adjacent to the proposed A-3 zone on **Kroghville Road**, Town of Lake Mills. The request is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Petitioner was not present for public hearing.

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**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** In the file.

**TOWN:** Approved and in the file.

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

**R4098A-18 – John R Schultz:** Rezone approximately 0.5 acre of PIN 018-0713-0344-027 (2 Acres) for it to be absorbed into adjoining A-1 zoned property under the same ownership. The property is at **W8132 County Road B** in the Town of Lake Mills. The request is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance.

**PETITIONER:** John Schultz (W8132 County Road B, Lake Mills, WI) presented himself as the petitioner for this rezone. He discussed the history of the property then went onto state they are looking to restore access in the back. This could be done by giving back 0.5 acres to this parent parcel, which would require the rezone from A-3 back to A-1.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl gave a reminder about the 20 ft setback from the property line and then asked about the septic on the property. Schultz stated that they use city sewer, and also stated the preliminary CSM has the setbacks at 20-25 ft.

**TOWN:** Approved and in the file.

**FROM A-3, AGRICULTURAL/RURAL RESIDENTIAL TO A-2, AGRICULTURAL AND RURAL BUSINESS**

**R4099A-18 – Robert Pizur/AA Fundraiser LLC Property:** Rezone 1.935 acres of PIN 016-0514-1511-025 (2.5 Acres) at **N1611 US Highway 12** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Robert Pizur (N1690 Carlin Rd, Fort Atkinson, WI) presented himself as the petitioner for this rezone. He is proposing this rezone in order to rent out the barn and the workshop to a third party.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl asked about access for the new lot? Pizur explained it would be combined access from the existing driveway. Zangl also asked if there is a septic system on the on A-2 lot. Pizur explained that there are two separate septic systems – one for the house and one for the workshop.

**TOWN:** Approved and in the file.

**CONDITIONAL USE PERMIT APPLICATIONS**

**CU1956-18 – Robert Pizur/AA Fundraiser LLC Property:** Conditional use to allow for mini-warehousing in a proposed A-2 zone at **N1611 US Highway 12**, Town of Koshkonong on PIN 016-0514-1511-025 (2.5 Acres). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Robert Pizur (N1690 Carlin Rd, Fort Atkinson, WI) presented himself as the petitioner for this conditional use. The proposed conditional use would be for the lower part of the barn to become 8 X 10 mini storage units, and the upper part of the barn to be used for bulk storage. The workshop would be split into 4 different sections, and is climate controlled.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** Paula Knaack (N1587 Knaack Ct, Fort Akinson, WI) was concerned about the original petition submitted and approved on 6/21 by the Town Board for 50, 10 x 12 mini storage units over a 3-

4 yr plan, with bulk storage on the north side of property. Her concerns included run off onto their land, waste, and safety for her children.

**REBUTTAL:** Pizur stated that he is no longer petitioning for outside storage or mini-storage units in the future. He is now just petitioning for the barn and workshop.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl also asked how many units there would be or the area. Pizur stated the barn is 80 x 50 and the workshop is 30 x 50. Zangl asked about an office and bathroom. Pizur stated there is a bathroom in the workshop and one of the mini storage units in the barn would service as an office. Zangl then asked about outside lighting and hours of operation. Pizur said there would be outside lighting and hours of operation would be 10am - 5 pm, Monday–Friday. Zangl then made mention that an updated plot plan would be needed.

**TOWN:** Approved and in the file.

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**CU1957 – 18 – Dianna & Wade Woelfle:** Conditional use to allow three dogs in a Residential R-2 zone at **N1626 South Main St**, Town of Koshkonong on PIN 016-0514-1611-035 (0.699 Ac). This is in accordance with Sec.11.04(f)2 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Wade Woelfle (N1626 S Main St, Fort Atkinson, WI) presented himself as the petitioner for this conditional use. He explained that they would like to adopt a 3<sup>rd</sup> Chihuahua and that's why they would need the conditional use. All dogs are male and neutered and are primarily indoor dogs. When outside, the dogs are never without leashes.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl also asked how they planned on managing the waste. The petitioner explained they would just pick it up out of their yard and dispose of it.

**TOWN:** Approved and in the file.

**CU1958-18 – Ed Spiegelhoff:** Allow a conditional home occupation plumbing business at **N7085 North Shore Rd** in the Town of Lake Mills, on PIN 018-0713-0231-002 (3.830 Acres). This is in accordance with Sec. 11.04(f)5 of the Jefferson County Zoning Ordinance, proposed in an A-T, Agricultural Transition zone.

**PETITIONER:** Ed Spiegelhoff (N7085 North Shore Rd, Lake Mills, WI) presented himself as the petitioner for this conditional use. He explained that he would like to move his existing business from Rock Lake Rd because of a recent move.

**COMMENTS IN FAVOR:** None

**COMMENTS OPPOSED:** Aaron Zellmer (N7104 North Shore Rd, Lake Mills, WI) had concerns regarding the road not being able to handle the increase in traffic, noise, and the location of the business not being ideal or public safety. He also had questions regarding the public being at the site, and what would govern the petitioner to follow the guidelines and rules.

Terry Davis (N7130 North Shore Rd, Lake Mills, WI) had concerns regarding semi deliveries and how this would affect the safety of her family and others on the road.

Robert Hein (N7116 North Shore Rd, Lake Mills, WI) had concerns with allowing a business into the small residential area and also the blind corners on the road with the increased traffic.

**REBUTTAL:** Spiegelhoff stated that their current business location has had no complaints from neighbors and that there is no manufacturing on-site. The business is used for storing materials to use on jobs and work trucks are taken home by the guys. Nothing else would be stored on-site, except for a couple personal vehicles. There will be no semi deliveries in the future; right now there are construction vehicles there delivering because of the building process but this is not a normal occurrence. The personal use of the building allows for slightly over the allowable square footage per the conditional use permit, and that has all been stated with county.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl also addressed the square footage issue that was brought up. Zangl asked for a clarification on equipment deliveries. Spiegelhoff stated there are supplies that are delivered, but equipment is not dropped off. Zangl asked if everything was delivered straight to the shed itself straight and not on the road. Spiegelhoff explained it is a straight truck that delivers and there is a horseshoe driveway they can back up to. Supplies are delivered inside the existing shed and do not sit outside. Zangl also gave a reminder that if there is ever a time where there's more than 4 employees or an excess of 2500 ft<sup>2</sup> being used for the business, the petitioner would need to apply for an A-2 with a Conditional Use to allow for a bigger business. Zangl also addressed the concerns of how rules and guidelines would be handled. If violations occur, the Committee can revoke conditional use permit.

**TOWN:** Approved and in the file.

**CU1959-18 – Carolyn & Chris Gosdeck:** Conditional use to allow canoe and kayak rentals in a Community zone at **N6980 Kasten Rd** in the Town of Milford, on PIN 020-0714-0434-007 (6.148 Acres). Also allow an extensive on-site storage structure 40' X 60' at this location. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**PETITIONER:** Carolyn Olson-Gosdeck (W6375 Kasten Rd, Lake Mills, WI) presented herself as the petitioner for this conditional use. She explained that they would like to do a canoe/kayak rental business for people to get out with their families and enjoy nature. There is parking in the area on grass. A camper would be set up as an office with port-a-potties available.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** Chairman Nass asked about the hours of operation. Hours of operation would be daylight hours on Friday, Saturday, and Sunday. There would be no lighting, and this would be seasonal. There would be no motorized rentals such as snow mobiles.

**STAFF:** Given by Zangl and in the file. Zangl asked about the proposed shed. The proposed shed would be used for storage for canoes, kayaks, and trailers. Zangl asked about the start and end locations. Carolyn explained that people could be put in at Hubbleton at the public landing and stop at their point, or they have the option of leaving from their point and coming back to it when finished. Zangl also explained that there is floodplain and shore land on the property so different restrictions apply.

**TOWN:** Approved and in the file.

## **FROM A-T, AGRICULTURAL TRANSITION TO A-3, AGRICULTURAL/RURAL RESIDENTIAL**

**R4092A-18 – George Jaeckel/Jaeckel Land LLC Property:** Request to create a 5-acre lot around the home at **W5738 Edgewater Road** in the Town of Koshkonong from parts of PINS 016-0514-0311-002 (4.61 Acres), 016-0614-3443-014 (33.738 Acres), 016-0614-3444-000 (3.9 Acres) and 016-0614-3444-001 (4 Acres). The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

*Chairman Nass noted that Supervisor George Jaeckel would be abstaining from the decision for this petition.*

**PETITIONER:** George Jaeckel (N2756 County Road N, Fort Atkinson, WI) presented himself as the petitioner for this rezone. Jaeckel explained the history of this parcel. The legal residence is zoned off as A-3. Jaeckel also explained that they are asking for 5-acres in order to gain legal access and because of an Indian burial site that's on the property.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl also asked how old the house is. Jaeckel explained the best guess they have is the house was built in 1951.

**TOWN:** Approved and in the file.

## **ZONING ORDINANCE TEXT AMENDMENT**

**R410T-18 – Jefferson County Zoning:** This is a proposal to amend the shoreland provisions of the Jefferson County Zoning Ordinance by creating Sec. 11.10(k)7 and bringing the Ordinance into compliance with Wisconsin Administrative Code Chapter 115.

**PETITIONER:** None.

**COMMENTS IN FAVOR:** None.

**COMMENTS OPPOSED:** None.

**REBUTTAL:** None.

**QUESTIONS FROM THE COMMITTEE:** None.

**STAFF:** Given by Zangl and in the file. Zangl explained this update would bring the Jefferson County Zoning Ordinance into compliance with the DNR shore land provisions and state law.

**TOWN:** 8 towns were in favor of this and 1 town denied the petition.

*Statz was called for again, and no answer.*

**Supervisor Jaeckel moved to adjourn at 8:11 p.m., and was seconded by Supervisor Reese. Motion passed unanimously on a voice vote.**

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

**Supervisor Reese, Planning & Zoning Committee Secretary**

**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, SEPTEMBER 24, 2018**

**1. Call to Order**

The meeting was called to order by Supervisor Nass at 8:30 a.m.

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

Supervisors Reese, Nass, Jaeckel, Foelker and Poulson were in attendance. Also present were staff members Mark Watkins, Andy Erdman, Matt Zangl and Deb Magritz. Guests in attendance were Bob Pofahl, Patti Jo Craig, Lloyd Marks, Brenda Spies, Bob Schuett, Lygia Matthies, Sally Williams, Dianna Woelfle and Sam Meyers.

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

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

**4. Approval of the Agenda**

Action will move to item 11, then to item 17. for Spies and Spiegelhoff consideration, then to item 15.

**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 August 23, August 28, September 14 and September 20, 2018 Meeting Minutes**

Motion by Reese/Jaeckel to approve the August 23 meeting minutes. The motion passed 5-0.

Motion by Reese/Jaeckel to approve the August 28 meeting minutes. The motion passed 5-0.

Motion by Reese/Jaeckel to approve the September 14 meeting minutes. The motion passed 5-0.

No action was taken on the September 20 minutes. They will be acted upon in October.

**7. Communications**

There were no communications.

**8. August Monthly Financial Report for Register of Deeds Office-Staci Hoffman**

Hoffman was unable to attend the meeting, but her report was included in the Committee's packet.

**9. August Monthly Financial Report for Land Information Office-Andy Erdman**

Erdman reported that map sales were about where they should be, but document recordings are down about 5%. He noted that the Highway Department will begin working on a couple of county roads, which should positively impact the County Surveyor's revenues. Reese commented that he likes the graphs provided in the financial reports.

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

Zangl reported that August revenues were up by almost \$9,000 from 2017, but September has slowed. Revenues are \$10,000 short of those in September of 2017.

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

**17. Discussion and Possible Action on Petitions Presented in Public Hearing on September 20, 2018:**

**APPROVED WITH CONDITIONS R4091A-18** – Brenda Spies/Paul & Pamela Neis Property on a motion by Jaeckel/Reese. Rezone all of PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson Road** in the Town of Watertown. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS CU1953-18** – Brenda Spies/Paul & Pamela Neis Property on a motion by Jaeckel/Foelker. Conditional use to allow for transportation services, a trucking operation, on PIN 032-0815-1733-000 (11.1 Acres) on **Jefferson**

**Road.** This Town of Watertown property is being proposed for a Community zone. The request is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** CU1954-18 – Brenda Spies/Paul & Pamela Neis Property on a motion by Foelker/Jaeckel. Conditional use to allow for home occupations on 032-0815-1733-000 (11.1 Acres), **Jefferson Road** in the Town of Watertown. Occupations requested are lawn care, snowplowing, U-Haul rentals and Amsoil distribution. The request is in a proposed Community zone in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** R4093A-18 – Samuel Meyers on a motion by Reese/Foelker. Rezone 7 acres of PIN 010-0615-3331-000 (21.765 Acres) near **W3930 State Road 106** in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**DENIED** CU1955-18 – Samuel Meyers on a motion by Nass/Reese. Conditional use to allow storage of contractor's equipment in a proposed A-2 zone near **W3930 State Road 106**, on PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres). The site is in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** R4094A-18 – Samuel Meyers on a motion by Nass/Jaeckel. Create a 2-acre A-3 zone around the home at **W3930 State Road 106**, part of PINs 010-0615-3331-000 (21.765 Acres) and 010-0615-3334-002 (10.986 Acres) in the Town of Hebron. The request is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVED WITH CONDITIONS** CU1958-18 – Ed Spiegelhoff on a motion by Jaeckel/Poulson. Allow a conditional home occupation plumbing business at **N7085 North Shore Rd** in the Town of Lake Mills, on PIN 018-0713-0231-002 (3.830 Acres). This is in accordance with Sec. 11.04(f)5 of the Jefferson County Zoning Ordinance, proposed in an A-T, Agricultural Transition zone. Motion passed 5-0.

15. **Discussion and Possible Action on Request by Lloyd Marks to Replace the Home at N9198 Gopher Hill Road, PIN Town of Ixonia, at 300 Feet from its Existing Location**  
The Committee had a sketch in their packets showing the proposed new home location in relation to the existing home and an explanation of the Marks' request. Motion by Reese/Poulson to approve as presented. Motion passed 5-0.
12. **Discussion and Possible Action on the Draft Jefferson County Land Information Plan for 2019-2021-Andy Erdman**  
Erdman explained that the Land Information Program is funded by Register of Deeds recording fees, and that the Land Information Plan guides how that money is spent. He noted several important points in the plan meeting needs of various County Departments. Erdman went on to briefly explain the plan approval process, grants available and long-term goals. Motion by Nass/Jaeckel to approve the draft plan. Motion passed 5-0.
13. **Discussion and Possible Action on Proposed US Geological Survey 3D Elevation Program Grant and Ranging (LiDAR) terrain mapping project for 2019- Andy Erdman**  
Erdman spoke about a 2019 LiDAR terrain mapping project at a base cost of \$132,400. He reported that a grant is available for 50% of the project, and that he will also apply for an additional \$50,000 Strategic Initiative Grant. The balance of the project would be covered by retained fees. Motion by Reese/Jaeckel to approve of the project. Motion passed 5-0.
14. **Discussion and Possible Action on Authorization for Change to CU1438-06, Involving a New Sand Storage Area for Hoard's Dairyman Farm, Town of Koshkonong on PIN 016-0614-3422-000 – Mark Watkins**  
Roll call was taken, with Reese, Nass, Jaeckel, Foelker, Poulson, Watkins and Zangl signifying their attendance. Watkins explained that this addendum was submitted to vacate and replace the sand storage area. They are not adding to their animal numbers. The Department of Agriculture and the Jefferson County Land and Water Conservation Department (LWCD) reviewed the proposal, and LWCD recommended approval of this change to the conditional use with stipulations as noted in their memo dated September 18, 2018. The Planning and Zoning Committee accepted that recommendation on a roll call vote, with Reese, Nass, Jaeckel, Foelker and Poulson voting aye.

***PLEASE SEE INDIVIDUAL FILE FOR A COMPLETE RECORD OF THE FOLLOWING DECISION:***

17. **Discussion and Possible Action on Petitions Presented in Public Hearing on September 20, 2018:**

**APPROVED WITH CONDITIONS** CU1957 – 18 – Dianna & Wade Woelfle on a motion by Nass/Reese. Conditional use to allow three dogs in a Residential R-2 zone at **N1626 South Main St**, Town of Koshkonong on PIN 016-0514-1611-035 (0.699 Ac). This is in accordance with Sec.11.04(f)2 of the Jefferson County Zoning Ordinance. Motion passed 5-0.



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

Nass spoke about attending a meeting on this topic last week, and listed multiple questions that arose. Could there be environmental/wildlife corridors for hunting and animal movement? Could there be bonding for removal and site contamination? How would the solar panels be recycled? What would the fencing plan be? What setbacks would be required? What screening would be required? Would there be mitigation for RF interference? What grading and drainage requirements would be imposed? How would vegetation be controlled? Would there be bonding for prairie establishment? How would noise be controlled? What about battery storage? What type of fire and disaster plan-emergency management control would be in place? He read from the Jefferson County Agricultural Preservation and Land Use Plan regarding protections afforded, and suggested using impervious surfaces and non-prime areas. Zangl added that the October 23 County Board meeting may provide more information. Standards and conditions for public safety are already included in the Jefferson County Agricultural Preservation and Land Use Plan and Jefferson County Zoning Ordinance under conditional uses. Nass asked that people let Zangl know of any other ideas that come up.

**16. Discussion and Possible Action on Advisory Resolution for Climate Coalition**

Nass will get a copy of the advisory resolution; any action will be postponed for a future meeting.

**17. Discussion and Possible Action on Petitions Presented in Public Hearing on September 20, 2018:**

**APPROVE WITH CONDITIONS R4098A-18** – John R Schultz on a motion by Jaeckel/Poulson. Rezone approximately 0.5 acre of PIN 018-0713-0344-027 (2 Acres) for it to be absorbed into adjoining A-1 zoned property under the same ownership. The property is at **W8132 County Road B** in the Town of Lake Mills. The request is in accordance with Sec. 11.04(f)6 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVE WITH CONDITIONS R4099A-18** – Robert Pizur/AA Fundraiser LLC Property on a motion by Reese/Foelker. Rezone 1.935 acres of PIN 016-0514-1511-025 (2.5 Acres) at **N1611 US Highway 12** in the Town of Koshkonong. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVE WITH CONDITIONS CU1956-18** – Robert Pizur/AA Fundraiser LLC Property on a motion by Reese/Jaeckel. Conditional use to allow for personal storage-warehousing in an existing building in a proposed A-2 zone at **N1611 US Highway 12**, Town of Koshkonong on PIN 016-0514-1511-025 (2.5 Acres). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVE WITH CONDITIONS CU1959-18** – Carolyn & Chris Gosdeck on a motion by Nass/Jaeckel. Conditional use to allow canoe and kayak rentals in a Community zone at **N6980 Kasten Rd** in the Town of Milford, on PIN 020-0714-0434-007 (6.148 Acres). Also allow an extensive on-site storage structure 40' X 60' at this location. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance. Motion passed 5-0.

**APPROVE R4100T-18** – Jefferson County Zoning: This is a proposal to amend the shoreland provisions of the Jefferson County Zoning Ordinance by creating Sec. 11.10(k)7 and bringing the Ordinance into compliance with Wisconsin Administrative Code Chapter 115. Passed 5-0.

Jaeckel announced that he'd be abstaining from the next vote.

**APPROVED WITH CONDITIONS R4092A-18** – George Jaeckel/Jaeckel Land LLC Property on a motion by Foelker/Reese. Request to create a 5-acre lot around the home at **W5738 Edgewater Road** in the Town of Koshkonong from parts of PINS 016-0514-0311-002 (4.61 Acres), 016-0614-3443-014 (33.738 Acres), 016-0614-3444-000 (3.9 Acres) and 016-0614-3444-001 (4 Acres). The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance. Motion passed 4-0 with Jaeckel abstaining.

**NO ACTION TAKEN-PETITIONER DID NOT ATTEND THE PUBLIC HEARING.** R4095A-18 – Brian Statz: Rezone 4 acres of PIN 014-0615-1131-000 (40 Acres) around the home and buildings at **N4259 County Road D** in the Town of Jefferson. The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**NO ACTION TAKEN-PETITIONER DID NOT ATTEND THE PUBLIC HEARING.** R4096A-18 – Brian Statz: Create a 5.2-acre farm consolidation lot around the home and buildings at **N6638 Kroghville Road** in the Town of Lake Mills from part of PIN 018-0713-0843-000 (27.8 Acres). Create a new 2.1-acre building site. The request is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**NO ACTION TAKEN-PETITIONER DID NOT ATTEND THE PUBLIC HEARING.** R4097A-18 – Brian Statz: Create a 5.8-acre N zone from PIN 018-0713-0843-000 (27.8 Acres) adjacent to the proposed A-3 zone on **Kroghville Road**, Town of Lake Mills. The request is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

**18 Possible Future Agenda Items**

**19. Upcoming Meeting Dates**

**October 12, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203-Poulson will be absent**

**October 18, 7:00 p.m. – Public Hearing in Courthouse Room 205**

**October 29, 8:30 a.m. – Decision Meeting in Courthouse Room 203**

**November 9, 8:00 a.m. – Site Inspections Beginning in Courthouse Room 203**

**November 15, 7:00 p.m. – Public Hearing in Courthouse Room 205**

**November 26, 8:30 a.m. – Decision Meeting in Courthouse Room 203**

**20. Adjourn**

Motion by Reese/Jaeckel to adjourn. Motion passed 5-0 and the meeting adjourned at 10:10 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.*

**JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE**  
**SITE INSPECTION MEETING MINUTES**

*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**  
**8:00 A.M. ON FRIDAY, OCTOBER 12, 2018**

**1. Call to Order**

The meeting was called to order by Vice-Chairman Jaeckel at 8:01 a.m.

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

Planning and Zoning Committee members present at 8:01 were George Jaeckel, Don Reese and Matt Foelker. Staff members in attendance were Mark Watkins, Matt Zangl and Deb Magritz.

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

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

**4. Approval of the Agenda**

No changes were proposed to the agenda.

**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 were no public comments.

**6. Communications**

Zangl reported that proposals for the upcoming comprehensive plan update are being reviewed. Interviews with prospective consultants will be held on Wednesday, October 17 at 1:30 p.m. and will include Chairman Steve Nass. Zangl hopes to have a consultant chosen by the October 23 County Board meeting.

He also reported that FEMA wants substantial damage estimates of the County done, and that that work will be starting shortly.

**7. Discussion and Possible Action on Authorization for Change to CU1438-06, Involving a Water Testing Suspension Memo for Hoard's Dairyman Farm, Town of Koshkonong on PIN 016-0614-3422-000 – Mark Watkins**

A roll call was taken, with Reese, Jaeckel, Foelker, Zangl and Watkins signifying attendance. Watkins explained the testing of outflow water from the basin that has taken place at Hoards Dairyman Farm, and that the sampling has generally trended down since October of 2017. Based upon requirements, going forward, the Land and Water Conservation Department (LWCD) recommends that the Planning and Zoning Committee considers the basin abandoned and that continued testing be suspended, but leaves in the right for LWCD to do further testing at its own expense. Watkins noted that the structure is currently half full of water due to wet conditions. That water could be used for back flush of the new system, irrigation or dilution of material in the new basin.

Nass arrived at 8:07 a.m. during this discussion.

Motion by Reese/Foelker to approve the memo dated September 20, 2018 regarding outflow water testing at Hoards Dairyman Farm. A roll call vote was taken with Reese, Nass, Jaeckel and Foelker all voting aye.

The Committee left for the following site inspections:

**8. Site Inspections for Petitions to be Presented in Public Hearing on October 18, 2018:**

**CU1962-18 – Kenneth & Sue Havlovick:** Request for an addition/modification to CU1777-14 and CU1269-04 which created an extensive on-site storage structure in a Residential R-2 zone. The site is in the Town of Cold Spring on PIN

004-0515-2833-001 (1.259 Ac) at **N516 Fremont Rd.** This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

**CU1963-18 – John Hoffmann:** Request for modification to CU1388-06 which allowed for storage of non-farm equipment in an A-2, Agricultural and Rural Business zone at **W2712 State Road 59.** This site is in the Town of Cold Spring on PIN 004-0515-2534-000 (2.439 Ac), and is requested in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1964-18 – Jeremy Furrer/WEPCO Property:** Conditional use for business services, including audio/video, security and smart home installation on PIN 010-0515-0222-001 (1.16 Ac) in the Town of Hebron. The site is along **N2457 County Road D** in a Community zone. This is in accordance with Sec. 11.04(f)9 of the Jefferson County Zoning Ordinance.

**R4102A-18 – S&L Land Company LLC, c/o Jeffery Bartolotta/Richard Smith & Jessican Duncan Property:** Rezone approximately 22 acres of PIN 026-0616-3412-002 (15.043 Ac) and 026-0616-3413-003 (23.251 Ac) on **County Road E** in the Town of Sullivan. This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1961-18- S&L Land Company LLC, c/o Jeffery Bartolotta/Richard Smith & Jessican Duncan Property:** Conditional use allowing storage of contractor's equipment and materials/storage of fireworks, racks and equipment for the displays. The site is near **County Road E** in the Town of Sullivan, on PINs 026-0616-3412-002 (15.043 Ac) and 026-0616-3413-003 (23.251 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**R4103A-18 – Brian Neumann/HHL Zastrow Homestead LLC Property:** Rezone approximately 0.03 acres of PIN 006-0716-0922-000 (32.477 Ac) in the Town of Concord to add it to an existing adjoining A-3 zone at **N6830 County Road E.** This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**CU1965-18 – Glenn & MaryAnn Manke:** Conditional use to allow for outside storage in an A-2 zone at **N8460 Pleasant Valley Road.** The site is in the Town of Watertown on PIN 032-0815-2422-009 (7.84 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**R4104A-18 – Ronald E Hahm/David Hahm Properties:** Rezone PIN 012-0816-2523-001 (3.245 Ac) owned by David Hahm to sanction the addition of 0.25 acres from 012-0816-2523-000 owned by the Ronald & Anne Hahm Trust. The properties are in the Town of Ixonia, at **W443 Madison Ave.** This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**CU1967-18 – Jacob Wegner:** Conditional use to allow two additional duplexes in a Residential R-2 zone at **W3266/W3268 Oak Hill Rd,** Town of Watertown. The site is part of PIN 032-0815-0222-007 (3.003 Ac). This is in accordance with Sec. 11.04(f)2 of the Jefferson County Zoning Ordinance.

**R4108A-18 – Eggert Acres LLC:** Create a 15-acre Natural Resource zone from part of PIN 020-0814-2041-000 (40 Ac) near **West Rd** in the Town of Milford. This is in accordance with Sec. 11.04(f)12 of the Jefferson County Zoning Ordinance.

**R4101A-18 – Dan Zastrow/Sara Zastrow-Seubert and Ronald Seubert Property:** Rezone 7.16 acre of PINs 030-0813-3614-000 (54.949 Ac) and 030-0813-3614-002 (0.698 Ac) in the Town of Waterloo, and 020-0814-3123-003 (9.032 Ac) in the Town of Milford. The site is at **W7312 Manske Road.** This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**CU1960-18 – Dan Zastrow/Sara Zastrow-Seubert and Ronald Seubert Property:** Conditional use to allow a landscape/lawn care business in a proposed A-2 zone at **W7312 Manske Road.** The site is in the Towns of Waterloo and Milford, part of PINs 030-0813-3614-000 (54.949 Ac), 030-0813-3614-002 (0.698 Ac) and 020-0814-3123-003 (9.032 Ac). This is in accordance with Sec. 11.04(f)7 of the Jefferson County Zoning Ordinance.

**R4107A-18 – Gary & Jessica Hellenbrand:** Rezone 2.3 acres of PIN 030-0813-3131-000 (40 Acres) around the home at **N7477 County Road O** in the Town of Waterloo. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4106A-18 – Todd Tesch/Phyllis Salamone Property:** Create a 1.05-ac building site on **County Road A** in the Town of Sumner from part of PIN 028-0513-0424-001 (35 Ac). This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

**R4109A-18 – Mark Reinecke:** Rezone to create two, 1.8-ac R-1 lots near **N1108 Olson Rd** in the Town of Sumner from part of PIN 028-0513-1942-000 (12.3 Ac). This is in accordance with Sec. 11.04(f)1 of the Jefferson County Zoning Ordinance.

**R4105A-18 – Jim Baker & Nancy Aguire deBaker/Juan & Leah Zalapa Property:** Rezone approximately 1 acre of PIN 014-0614-1824-000 (40 Ac) for a new building site near **N3942 County Road G** in the Town of Jefferson. This is in accordance with Sec. 11.04(f)8 of the Jefferson County Zoning Ordinance.

## **9. Adjourn**

Motion by Reese/Jaeckel to adjourn the meeting. Motion passed 4-0; the meeting adjourned at 11:35 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.jeffersoncountyiwi.gov](http://www.jeffersoncountyiwi.gov).**

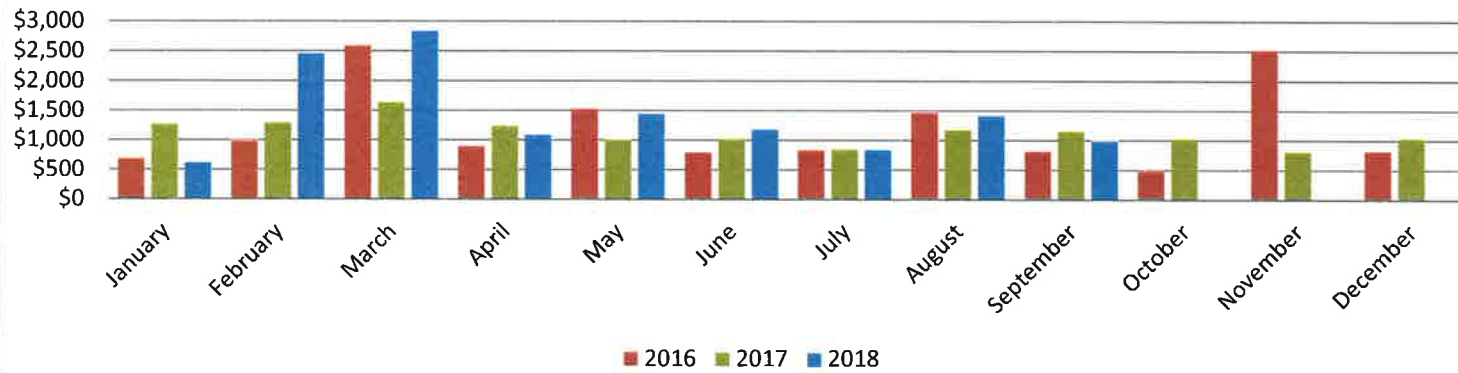
A quorum of any Jefferson County Committee, Board, Commission or other body, including the Jefferson County Board of Supervisors, may be present at this meeting.

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.*

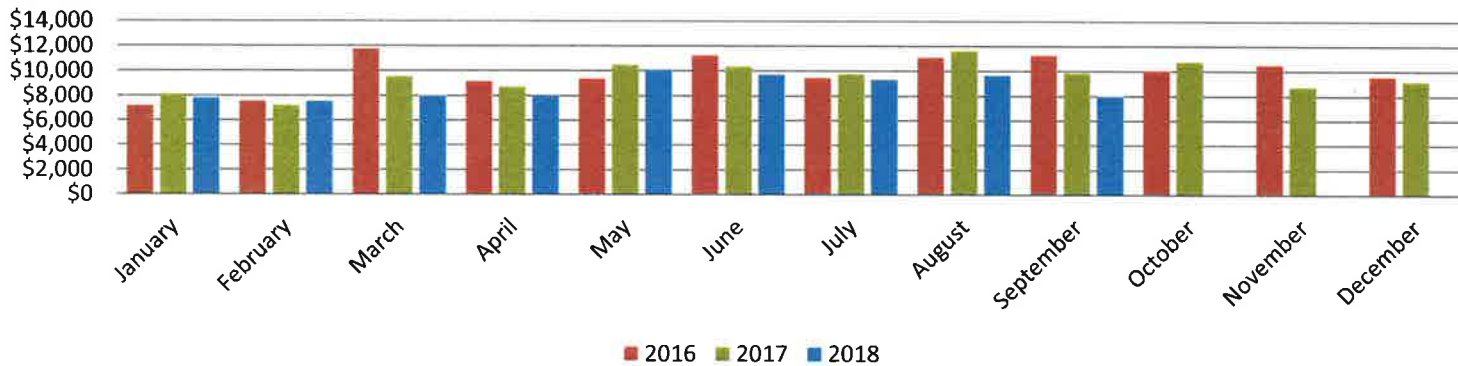
## Land Information Monthly Revenue Report September 2018

**Land Information Office Remote Access and Map Sales**



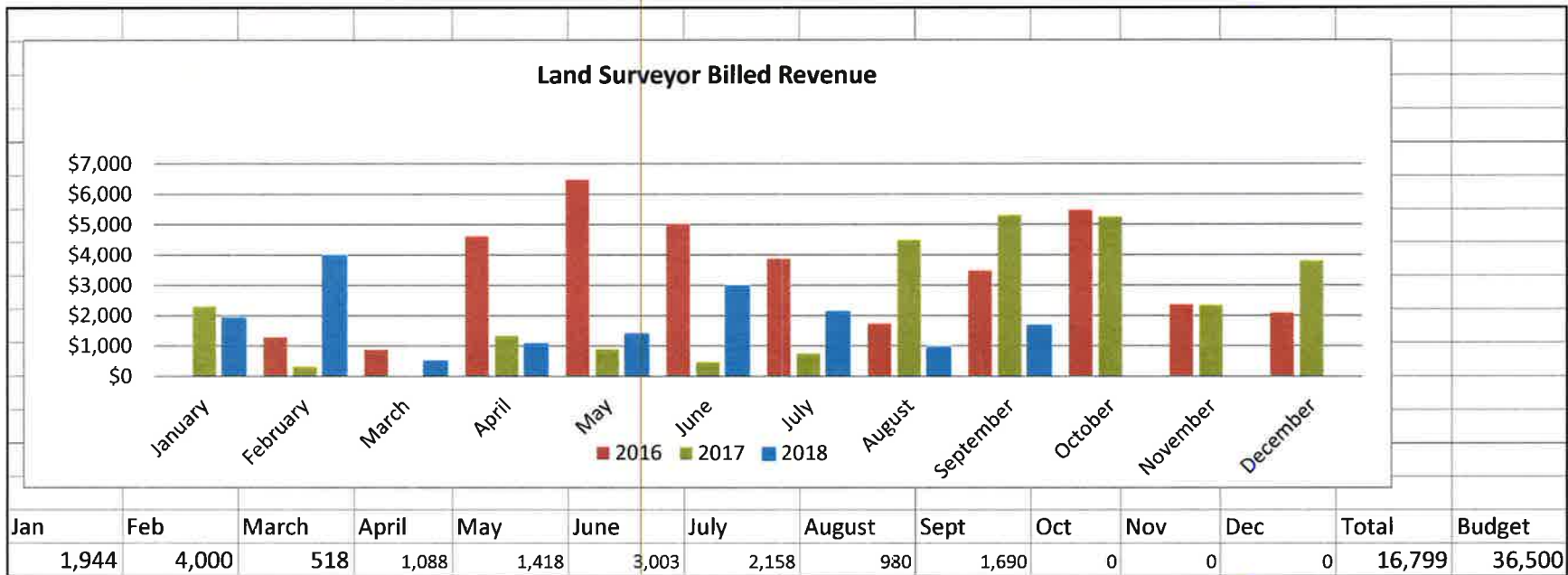
Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total	Budget
1,148	2,414	2,844	1,096	1,459	1,194	849	1,432	1,001	0	0	0	13,437	14,900

**Land Information Program Retained Fee Revenue**



Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Total	Budget
9040	6720	8040	8,080	10,144	9,776	9,402	9,721	8,048	0	0	0	78971	117442

## Land Information Monthly Revenue Report September 2018



10/22/2018  
14:46:03

Jefferson County  
FLEXIBLE PERIOD REPORT

PAGE 1  
glflxrpt

FROM 2018 09 TO 2018 09

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/>							
100 General Fund							
<hr/>							
13001 Register Of Deeds							
<hr/>							
13001 511110 Salary-Permanent Regular	69,536	0	69,536	5,348.80	.00	64,187.20	7.7%
13001 511210 Wages-Regular	100,521	0	100,521	6,736.00	.00	93,785.00	6.7%
13001 511220 Wages-Overtime	110	0	110	.00	.00	110.00	.0%
13001 511310 Wages-Sick Leave	0	0	0	126.41	.00	-126.41	.0%
13001 511320 Wages-Vacation Pay	0	0	0	101.93	.00	-101.93	.0%
13001 511330 Wages-Longevity Pay	375	0	375	.00	.00	375.00	.0%
13001 511340 Wages-Holiday Pay	0	0	0	366.67	.00	-366.67	.0%
13001 511350 Wages-Miscellaneous (Comp)	0	0	0	113.25	.00	-113.25	.0%
13001 511380 Wages-Bereavement	0	0	0	362.40	.00	-362.40	.0%
13001 512141 Social Security	12,868	0	12,868	968.64	.00	11,899.36	7.5%
13001 512142 Retirement (Employer)	11,426	0	11,426	881.39	.00	10,544.61	7.7%
13001 512144 Health Insurance	52,607	0	52,607	4,507.30	.00	48,099.70	8.6%
13001 512145 Life Insurance	103	0	103	11.49	.00	91.51	11.2%
13001 512150 FSA Contribution	750	0	750	.00	.00	750.00	.0%
13001 512173 Dental Insurance	3,780	0	3,780	316.00	.00	3,464.00	8.4%
13001 531243 Furniture & Furnishings	4,500	0	4,500	.00	.00	4,500.00	.0%
13001 531298 United Parcel Service	10	0	10	.00	.00	10.00	.0%
13001 531311 Postage & Box Rent	3,600	0	3,600	.00	.00	3,600.00	.0%
13001 531312 Office Supplies	4,000	0	4,000	796.05	.00	3,203.95	19.9%
13001 531313 Printing & Duplicating	100	0	100	.00	.00	100.00	.0%
13001 531314 Small Items Of Equipment	3,066	0	3,066	.00	.00	3,066.00	.0%
13001 531324 Membership Dues	245	0	245	.00	.00	245.00	.0%
13001 532325 Registration	2,095	0	2,095	.00	.00	2,095.00	.0%
13001 532332 Mileage	890	0	890	201.65	.00	688.35	22.7%
13001 532335 Meals	157	0	157	.00	.00	157.00	.0%
13001 532336 Lodging	2,220	0	2,220	642.16	.00	1,577.84	28.9%
13001 532339 Other Travel & Tolls	500	0	500	.00	.00	500.00	.0%
13001 533225 Telephone & Fax	200	0	200	25.02	.00	174.98	12.5%
13001 535242 Maintain Machinery & Equip	36,810	0	36,810	276.35	.00	36,533.65	.8%
13001 571004 IP Telephony Allocation	543	0	543	45.25	.00	497.75	8.3%
13001 571005 Duplicating Allocation	102	0	102	8.50	.00	93.50	8.3%
13001 571009 MIS PC Group Allocation	10,810	0	10,810	900.83	.00	9,909.17	8.3%
13001 571010 MIS Systems Grp Alloc (ISIS)	2,899	0	2,899	241.58	.00	2,657.42	8.3%
13001 591519 Other Insurance	694	0	694	271.74	.00	422.26	39.2%
TOTAL Register Of Deeds	325,517	0	325,517	23,249.41	.00	302,267.59	7.1%
GRAND TOTAL	325,517	0	325,517	23,249.41	.00	302,267.59	7.1%



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Jefferson County  
 FLEXIBLE PERIOD REPORT

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REPORT OPTIONS

	Field #	Total	Page Break
Sequence 1	1	N	N
Sequence 2	9	Y	Y
Sequence 3	0	N	N
Sequence 4	0	N	N

Report title:

FLEXIBLE PERIOD REPORT

Includes accounts exceeding 0% of budget.  
 Print Full or Short description: F  
 Print full GL account: N  
 Sort by full GL account: N  
 Print Revenues-Version headings: N  
 Print revenue as credit: Y  
 Print revenue budgets as zero: N

From Yr/Per: 2018/ 9  
 To Yr/Per: 2018/ 9  
 Budget Year: 2018  
 Print totals only: N  
 Format type: 1  
 Double space: N  
 Suppress zero bal accts: Y  
 Amounts/totals exceed 999 million dollars: N  
 Roll projects to object: N  
 Print journal detail: N  
 From Yr/Per: 2017/ 1  
 To Yr/Per: 2017/12  
 Include budget entries: Y  
 Incl encumb/liq entries: Y  
 Sort by JE # or PO #: J  
 Detail format option: 1  
 Multiyear view: D

10/22/2018  
14:47:13

Jefferson County  
FLEXIBLE PERIOD REPORT

PAGE 1  
glflxrpt

FROM 2018 09 TO 2018 09

	ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	ACTUALS	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
<hr/>							
100 General Fund							
<hr/>							
13001 Register Of Deeds							
<hr/>							
13001 411100 General Property Taxes	163,333	0	163,333	13,611.08	.00	149,721.92	8.3%
13001 412300 RE Transfer Fee County Portio	-175,000	0	-175,000	-20,345.40	.00	-154,654.60	11.6%
13001 451301 RE Recording/Filing Fees	-195,000	0	-195,000	-15,075.00	.00	-179,925.00	7.7%
13001 451303 Copy Fees County Portion	-53,000	0	-53,000	-4,903.05	.00	-48,096.95	9.3%
13001 451305 Land Info/Deeds Fee	-23,700	0	-23,700	-2,724.50	.00	-20,975.50	11.5%
13001 451307 Document Review Fees	-50	0	-50	.00	.00	-50.00	.0%
13001 451309 Birth Funds County Portion	-11,000	0	-11,000	-923.00	.00	-10,077.00	8.4%
13001 451310 Marriage Fund County Portion	-7,000	0	-7,000	-947.00	.00	-6,053.00	13.5%
13001 451311 Death Fund County Portion	-24,000	0	-24,000	-1,977.00	.00	-22,023.00	8.2%
13001 451316 Divorce Fund County Portion	-100	0	-100	-16.00	.00	-84.00	16.0%
TOTAL Register Of Deeds	-325,517	0	-325,517	-33,299.87	.00	-292,217.13	10.2%
GRAND TOTAL	-325,517	0	-325,517	-33,299.87	.00	-292,217.13	10.2%

10/22/2018  
14:47:13

Jefferson County  
FLEXIBLE PERIOD REPORT

PAGE 2  
glflxrpt

REPORT OPTIONS

	Field #	Total	Page Break
Sequence 1	1	N	N
Sequence 2	9	Y	Y
Sequence 3	0	N	N
Sequence 4	0	N	N

Report title:

FLEXIBLE PERIOD REPORT

Includes accounts exceeding 0% of budget.  
Print Full or Short description: F  
Print full GL account: N  
Sort by full GL account: N  
Print Revenues-Version headings: N  
Print revenue as credit: Y  
Print revenue budgets as zero: N

From Yr/Per: 2018/ 9  
To Yr/Per: 2018/ 9  
Budget Year: 2018  
Print totals only: N  
Format type: 1  
Double space: N  
Suppress zero bal accts: Y  
Amounts/totals exceed 999 million dollars: N  
Roll projects to object: N  
Print journal detail: N  
From Yr/Per: 2017/ 1  
To Yr/Per: 2017/12  
Include budget entries: Y  
Incl encumb/liq entries: Y  
Sort by JE # or PO #: J  
Detail format option: 1  
Multiyear view: D

<b>Register of Deeds</b>	<b>Sept 2018</b>	<b>Output Measures</b>			<b>YR to Date</b>	<b>Current Yr Target</b>
<b>Program/Service Description</b>		<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>Totals</b>	<b>%</b>
Documents Recorded		1,395	1,206	1,005	9,929	78%
Vital Records Filed		239	221	197	143	61%
Vital Record Copies		921	1,101	1,353	10,885	98%
ROD Revenue (Gross Total)		\$ 162,803.25	\$ 171,901.92	\$ 138,345.45	\$ 1,241,032.93	116%
Transfer Fees		\$ 21,920.40	\$ 24,130.92	\$ 18,477.18	\$ 184,183.98	105%
LIO Fees		\$ 11,272.00	\$ 9,856.00	\$ 8,673.00	\$ 83,557.00	77%
Document Copies		\$ 3,137.25	\$ 5,320.82	\$ 4,716.55	\$ 44,321.71	84%
Laredo		\$ 1,125.00	\$ 2,151.50	\$ 2,749.00	\$ 24,307.00	103%
ROD Revenue to General Fund		\$ 50,548.65	\$ 53,621.24	\$ 44,713.73	\$ 440,157.69	90%
Percentage of Documents eRecorded		38%	49%	50%	53%	53%
Budget Goals Met		Yes	Yes	Yes	Yes	Yes
Back Indexing Real Estate		211	1,962	1,209	10,355	52%
Redaction of Vital Records		N/A	N/A	507	15,368	100%

**Wisconsin Register of Deeds Association:**

*Working on possible legislation to be agents for Social Security and DMV for name change purposes*

*Implemented electronic certification of recorded documents*

**Wisconsin Electronic Recording Council:**

*Collaborating with PRIA on interstate notarization recognition*

*Updating Chapter Adm 12*

**Wisconsin Counties Association Board of Directors:**

*Attended the following sessions at the WCA conference in La Crosse, Women in Government, Improving Broadband in Rural Areas*

*presented Register of Deeds in the new eWorld, Understanding Generational Differences in the Workplace*

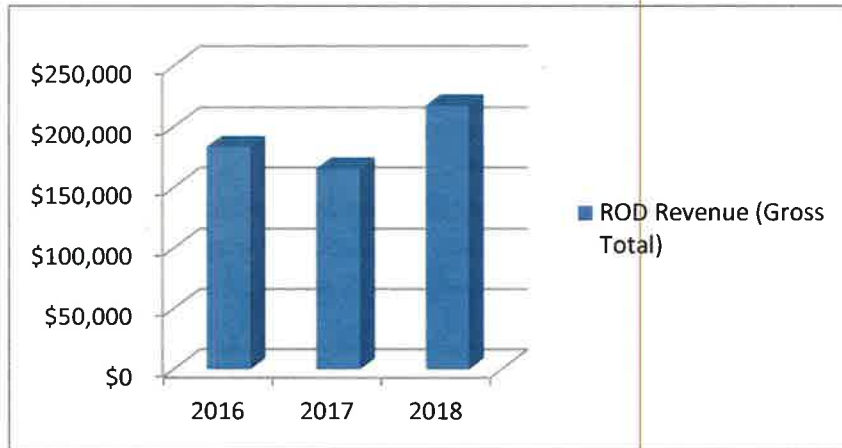
**Wisconsin Historical Records Advisory Board:**

*No new activity this month*

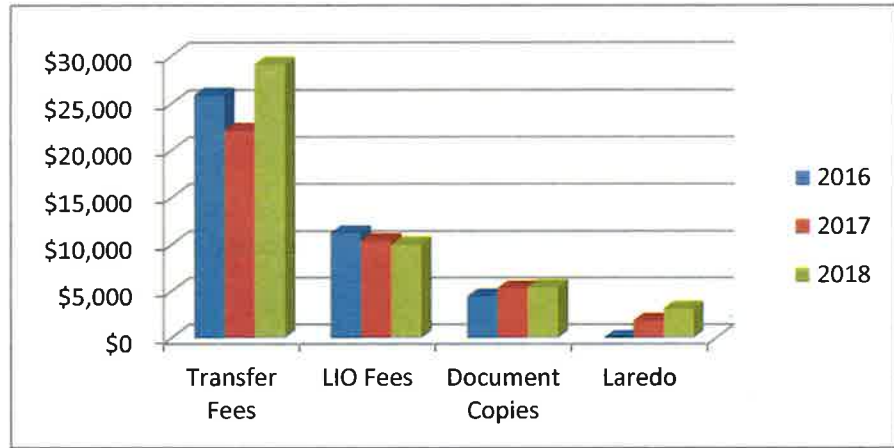
# Register of Deeds Monthly Budget Report

Sept 2018

## ROD Total Gross Revenues



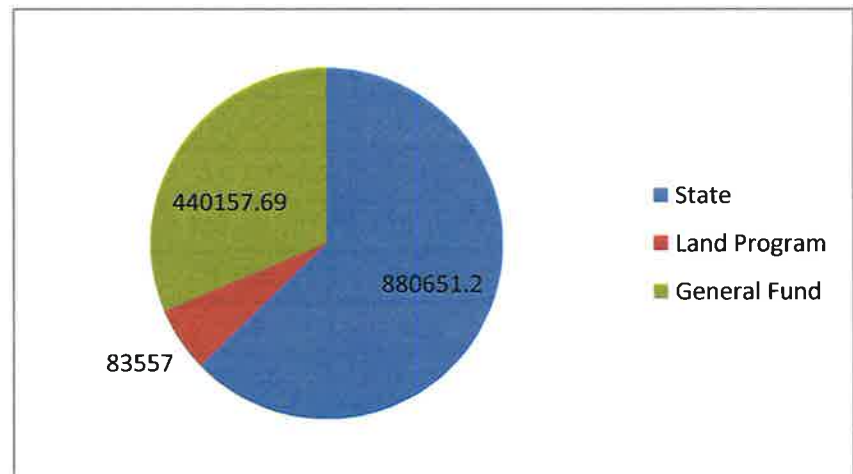
## Land Related Revenue



## Vital Records



## Year to Date Revenue Payout



**Jefferson County Planning and Zoning Department**  
**Monthly Ledger Report**  
**10-26-2018**

	OP	PPC	MC	PSS(	STF	FQAS	FAA	FPFC	SRFWF	ZOF	WFG	Refunds	2018 Totals	2017 Total	Diff
MTH	7101.432099	7101.451002	7101.472003	7101.432002	7101.458010	7101.458015	7101.458014	7101.458001	7101.458002	7101.441002	7102.421001				
Jan	6,535.00	518.33		2,475.00	200.00							55.00	9,728.33	11,149.58	-1421.25
Feb	9,170.00	275.50		1,550.00	100.00							500.00	11,095.50	10,873.50	222
Mar	12,375.00	37.83		3,150.00	450.00							50.00	16,012.83	14,561.73	1451.1
Apr	17,960.00	30.34		5,775.00	1,100.00							475.00	24,865.34	22,717.76	2147.58
May	14,470.00	23.61	3.75	3,775.00	1,700.00								19,972.36	23,281.83	-3309.47
June	21,675.00	97.38		5,000.00	800.00							330.00	27,572.38	29,870.26	-2297.88
July	12,065.00	91.81		2,875.00	750.00							250.00	15,781.81	20,784.29	-5002.48
Aug	15,370.00	7.08		10,800.00	800.00								26,977.08	18,226.44	8750.64
Sept	15,870.00	2.00		7,875.00	700.00								24,447.00	29,100.00	-4653
Oct	11,795.00	4.29	5.00	3,125.00	200.00								15,129.29	22,445.90	-7316.61
Nov														17,601.00	-17601
Dec														21,685.00	-21685
Total	137,285.00	1,088.17	8.75	46,400.00	6,800.00							1,660.00	191,581.92	242,297.29	-50715.37

2017 Actual Zoning Deposit:\$240,846.96

2018 Budget Revenues: \$222,190.00

2018 Deposits YTD:\$191,581.92

Town of Concord, Jefferson County, WI

RESOLUTION TO ESTABLISH DESIRED CONDITIONAL USE PERMIT GUIDELINES  
FOR UTILITY SCALE SOLAR ENERGY FACILITIES

**WHEREAS:** The *Town of Concord Comprehensive Land Use Plan* was developed over a 3 year period with a high degree of community input and involvement. It has the following visions and goals:

1. The overall vision statement is as follows:

*"It is the expressed intent of this Comprehensive Land Use Plan to maintain the agrarian and rural character of the Town of Concord. The basis of this direction is the overwhelming response by Town citizens to the following: the 1996 Household Survey for the Town of Concord administered by Jefferson County, the 2003 and 2005 surveys done by the Town of Concord Park and Plan Commission, visioning sessions held in 2006, the responses to the Citizen Questionnaire sent out in November 2008, and the majority of citizen input during the preparation of this Plan. The direction given by the majority of respondents in all of these cases indicates both a longstanding and a continued desire to maintain the rural character of the Town. Additionally, a plan with this goal will be in keeping with the policies of Jefferson County toward preservation of agricultural lands and open space."*

2. In Chapter 1.A. Vision Statements, the Plan states "In Concord's visioning workshops, comprehensive planning meetings, and related surveys, the community input has been consistent and clear that the rural character and quality of life of the Town are of the utmost importance to the majority of the citizens of Concord."
3. In Chapter 1.A.1., the stated town goal is that "Town residents will continue to enjoy the quality of life associated with rural living and the Town's agricultural base."
4. Chapter 2.A states "1. The Town of Concord will retain a quiet, rural atmosphere." and "2. The Town will consist mainly of agricultural lands and productive farmland."
5. Chapter 5.A. states "5. Agricultural lands will not be compromised by establishment of land uses that are incompatible with farming." and "7. Non-farmers will continue to benefit from the aesthetics of their rural properties and the quality of life they currently enjoy."
6. Chapter 8.A. states "5. The rural quality of life enjoyed by Town residents will be characterized by continued low traffic volumes and limited scale of development." and "7. New businesses will be small-scale, locally owned operations that are compatible with the Town's rural character and agricultural land use."
7. Chapter 10.A. states "5. The rural character of the Town and the quality of life enjoyed by the current residents of the Town will not be compromised by excessive new residential or commercial development." and "9. All new non-residential development will be limited to the hamlet area."

**WHEREAS:** The *Jefferson County Agricultural Preservation and Land Use Plan* adopted Feb. 14, 2012, has the following goals:

1. Chapter 1, pg. 7, the first stated goal is to "Preserve the "rural character" and aesthetic quality of Jefferson County." the fourth stated goal is to "Minimize nonagricultural development on prime agricultural soils." These goals are reiterated in Chapters 2 and 3.
2. Appendix D: Development Design Guidelines/ Rural Communication and Utility Facilities Guidelines states "4. Communication towers, utility transmission or distribution lines, and utility facilities should be located in a manner that minimizes the impact on current and potential future farming practices. All facilities and access drives should minimize the loss of tillable agricultural land."

**WHEREAS:** The *Jefferson County Zoning Ordinance* last amended Aug. 8, 2017, states the purpose of the A-1 zoning district on pg. 24 “The A-1 Exclusive Agricultural district is intended to promote continued agricultural uses on the best quality agricultural land; protect and encourage long-term investments in food, fiber, and other resource-related production; be a state-certified farmland preservation zoning district ... preserve rural character and manage nonfarm development; and provide reasonable opportunities for agriculturally-related businesses and home occupations.” on pg. 25 utilities are permitted as a conditional use in A-1 zoning as follows: “ j. Transportation, communication, pipeline, electrical transmission, utility, or drainage use that qualifies under §91.46(4) of the Wisconsin Statutes.”

**WHEREAS:** In Chapter 91 of Wisconsin State statutes, utilities are considered conditional uses in Farmland Preservation zoning only if: 91.46(4)(c) “The use is reasonably designed to minimize conversion of land, at and around the site of the use, from agricultural use or open space use.” There is no provision in Chapter 91 or Jefferson County zoning for a private large-scale commercial/ industrial development as a permitted use in a farmland preservation zoning district.

**WHEREAS:** In Chapter 196 of Wisconsin State Statutes, a proposed utility “will not have undue adverse impact on...ecological balance, public health and welfare... and aesthetics of land and water and recreational use.” (196.491(3)(d)(4)) “The proposed facility will not unreasonably interfere with the orderly land use and development plans for the area involved.” (196.491(3)(d)(6)) For a large electric generating facility, brownfields...are used to the extent practicable. (196.491(3)(d)(8))

**WHEREAS:** The development of a utility scale commercial solar farm is inconsistent with the above listed tenets of 2009 *Town of Concord Comprehensive Land Use Plan*, the *Jefferson County Agricultural Preservation and Land Use Plan* (adopted Feb. 14, 2012), the *Jefferson County Zoning Ordinance No. 11* (last amended April 17, 2018), with *Wisconsin Statutes Chapter 91 Farmland Preservation*, 91.46(4), and with the intent of *Wisconsin State Statutes Chapter 196 Regulation of Public Utilities* (196.491(3)(d)(4,6,8))

A utility scale industrial Solar Energy Facility (SEF) is a commercial/ industrial development. Such a development has no rural character and would in fact significantly diminish the rural character of the area which in large part is created by the visual scenic impacts and quiet beauty and serenity of the natural landscape, farm animals, and wildlife. Additionally, the quality of life and health of the residents may be decreased by the audio, visual, view, light, noise, vibration, electrical, radio interference, and other effects attributable to solar facilities.\* Such a development does not support the intent of Farmland Preservation zoning or of Wisconsin Statutes Ch. 91 and 196 which seek to minimize the conversion of agricultural land to utility development. Such a development would also interfere with the orderly land use and development plans for the area involved by creating scattered industrial development throughout a rural residential area.

**NOTWITHSTANDING** the above, the Town of Concord acknowledges that the Public Service Commission of the State of Wisconsin may issue permits allowing the development of ground mounted utility scale commercial SEFs on multiple parcels of prime farm land in the agricultural preservation zoning district within the town.

**PURPOSE OF RESOLUTION:** The *Town of Concord Comprehensive Land Use Plan* Ch. 8.B.6. states “The Town will discourage the establishment of any businesses that would reasonably be expected to have a negative impact on the rural character of the Town of Concord and establish conditions of approval that fully mitigate any negative impacts of business operations for which permits are granted.” In keeping with that goal, the Town of Concord wishes to establish desired guidelines for the siting of SEFs permitted by the State PSC in the A-1 zoning district (or land zoned out of A-1 to accommodate such a development). The Town of Concord desires to institute these guidelines to safeguard the rural character and ensure the aesthetic quality of the Town of

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\* list of effects is from Invenergy Solar Development North America LLC, *Participation Easement Agreement* filed with the Wisconsin PSC for the Badger Hollow Solar Project.



Concord; the quality of life, health, safety, and property values of non-participating landowners; fertility of the soil; maintenance of drainage ditches; and the financial security of the taxpayers.

The Town of Concord would like to ensure to the extent possible, some degree of adherence to the intent and vision of The Town of Concord Comprehensive Plan which its citizens took such time and effort to develop under the direction of Wis. stats. 66.1001.

The Town of Concord adopts this resolution to put forth desired minimum guidelines for the siting of ground mounted solar arrays in Industrial/ commercial utility scale SEFs. These guidelines are not addressing residential solar use, or a small solar array that is on a farm or other business, exclusively for onsite energy usage.

## **A. FINDINGS**

### **1. General findings**

- a) While solar energy is a semi-renewable energy resource of electricity generation, and under some circumstances it may reduce the use of nonrenewable energy sources, the possible benefits must be balanced against potential negative impacts to local citizens, local economy, and local ecosystems.
- b) Regulation of the siting and installation of solar arrays is necessary for protecting the health, safety, and well-being of neighboring property owners, the general public, the local economy and local ecosystems.
- c) Installation of large-scale industrial solar energy facilities, if improperly sited and maintained, can create drainage problems through erosion and lack of sediment control of the facility and of access roads. Such installation may also harm farmlands through contamination and construction methods utilized.
- d) In certain circumstances, industrial solar energy facilities can cause electromagnetic interference with some types of communications.
- e) The Town of Concord and its citizens desire to maintain the pastoral, rural nature of this region. An industrial solar energy facility is in conflict with the culture and character of this community.

### **2. Findings Regarding Noise Impacts**

The Town of Concord concludes that a maximum outside audible Sound Pressure Level (SPL) of 35 dBA or 5 dBA over ambient, whichever is lower, in the Town of Concord is necessary to protect residents from the adverse health effects associated with continuous noise from a utility scale solar plant based on the following findings:

- a) Utility scale solar plants have the potential to be a significant sources of noise from inverters, tracking motors, and transformers, which, if improperly sited, may negatively impact the health of residents, particularly in areas of low ambient noise levels.
- b) Noise is an annoyance that can negatively impact health, producing negative effects such as sleep disturbance and deprivation, stress, anxiety and fatigue. WHO defined annoyance as a feeling of displeasure associated with any agent or condition believed by an individual to adversely affect him or her. According to WHO, health should be regarded as "a state of complete physical, mental and social wellbeing, and not merely the absence of disease or infirmity." Under this definition, noise has a significant impact on the quality of life and noise annoyance is an adverse health effect. (See WHO 1999, Ch. 3.8; Dr. Harry 2/2007, pg. 22)
- c) Living in a rural environment, in comparison with a suburban area, increases the risk of residents being impacted by noise from nearby commercial/ industrial developments because of the low

ambient Sound Pressure Level (SPL) in rural environments. (See Pedersen and Waye, 3/1/2007, p. 485)

- d) The International Standards Organization recommended community noise limits for rural areas be set at a SPL of 35 dBA during the day, 30 dBA during the evening and 25 dBA at night. (Alberts, Daniel J., pg. 18, Table 9, ISO 1996-1971 Recommendations for Community Noise Limits)

## **B. DEFINITIONS**

**Developer:** the Solar Energy Facility (SEF) applicant, developer, facility owner, and/or operator with legal control of the project, including heirs, successors and assigns, who has filed an application for development of a Solar Energy Facility.

**Farm parcel or property:** a property zoned A-1 whose primary purpose is for farming

**Farm residence:** a residence on a farm parcel or property

**Health:** a state of complete physical and mental well-being, not merely the absence of disease or infirmity. This definition was adapted from the World Health Organization definition of health in "Guidelines for Community Noise", pages 19 and 20.

**Noise:** any unwanted sound. Not all noise needs to be excessively loud to represent an annoyance or interference.

**Non-participating parcel or property:** a parcel of real estate that is neither a Project Parcel nor Participating Parcel. The owner of such a parcel has not signed a lease agreement with the SEF developer nor granted easement to the developer upon, over or across his/ her property for any electromagnetic, audio, visual, view, light, noise, vibration, electrical, radio interference or other effects which may be generated by the solar facility.

**Participating parcel or property:** a parcel of real estate that is not a Project Parcel, but is subject to an agreement between the owner and the SEF developer allowing the construction of all or part of a SEF closer to a Participating Parcel property line or structures on the Participating Parcel than would be permitted under these guidelines in the absence of such an agreement. The owner of such a parcel must enter into a written agreement with the SEF developer granting easement upon, over or across his/ her property for any electromagnetic, audio, visual, view, light, noise, vibration, electrical, radio interference or other effects which may be generated by the solar facility.

**Project Parcel or property:** a parcel of real estate on which all or any part of a SEF will be constructed. The owner of such a parcel has entered into a written lease agreement with the SEF developer.

**Property Line:** a recognized and mapped property parcel boundary line.

**Residential parcel or property:** a property where the predominant use is for residential purposes.

**Solar Array:** An active solar energy system that converts sunlight into electricity using photovoltaic modules as solar collectors. Such a system has multiple solar collectors, and might include transformers, generators, batteries, and other pertinent structures and/or facilities.

**Solar Collector:** A device that converts sunlight into electricity.

**Solar Energy Facility (SEF):** A commercial electricity-generating facility whose primary purpose is to supply electricity for off-site uses or export to the wholesale market. A SEF consists of one or more solar arrays and other accessory structures and buildings, including substations, electrical infrastructure, generators, transmission lines, and other appurtenant structures and/or facilities. An SEF is the principal land use for the parcel on which it is located.

**Solar farm:** A marketing term for a SEF

### **C. GUIDELINES**

1. **Noise** - Based on the above findings regarding community noise, noise emitted by a SEF shall not exceed 35 dBA, or 5 dBA over background ambient noise levels, whichever is lower, when measured from the nearest property line of any non-participating residential property, church, or other inhabited property or when measured from within 20' of any buildings on a non-participating farm parcel.
2. **Setbacks**
  - a) The following minimum setbacks are to be measured from the exterior of the fencing and gates which are required around the perimeter of the SEF. No part of the SEF may be closer to a property line than the setbacks listed below. Landscaping to provide buffering may occur within the setback.
    - (1) 150' from the nearest property line of a non-participating residential parcel.
    - (2) 170' from the residence and any other buildings on a non-participating farm parcel.
    - (3) 50' from the property line of the tillable acreage of a non-participating farm parcel.
    - (4) 115' from the right-of-way (ROW) of a town road.
    - (5) 30' from the edge of drainage ditches to allow for movement of equipment necessary to maintain the ditches.
  - b) Setback of inverters is dependent on noise level. They must be set back a minimum of 500' from the nearest property line of a non-participating residential parcel and 520' from any buildings on a non-participating farm parcel. A larger setback may be necessary to ensure compliance with noise limits set in Section C.1.
  - c) Setback of the solar collector modules and associated tracking motors is dependent on noise level. They must be set back to a distance that ensures compliance with noise limits set in Section C.1.
3. **Buffer**
  - a) The SEF shall be **fully buffered** from residential development with **at least** the following guidelines.
  - b) A continuous evergreen vegetative buffer shall be present and maintained at all times around the perimeter of the exterior of the fencing where occupants of neighboring non-participating residential properties and non-participating farm residences can see into the SEF. The evergreen vegetative buffer shall be composed of evergreen trees or shrubs of a type which at planting shall be a minimum of 4 feet in height and which shall be maintained at maturity at a height of not less than 15 feet. The evergreen trees or shrubs shall be spaced no more than ten feet apart (from the base of tree or shrub to the base of tree or shrub). At maturity, the evergreens shall form a continuous buffer.
  - c) The evergreen vegetative buffer shall be carefully planted and shall be maintained in good condition.
  - d) The evergreen vegetative buffer requirements specified herein shall continue notwithstanding the fact that a SEF is no longer operational and/or falls into disuse unless and until such SEF is dismantled and removed from the parcel or parcels of land upon which it was constructed.
  - e) The developer shall submit some form of financial guarantee such as a bond, letter of credit, or cash deposit equal to one hundred twenty-five (125) percent of the costs to meet the buffer area standard. The financial guarantee shall remain in effect until vegetation is sufficiently established.

4. **Height** - the height of the solar collectors may not exceed 13'
5. **Lighting/ Glare**
  - a) Any lighting for the SEF shall be installed for security and safety purposes only. Except for lighting that is required by the FCC or FAA, all lighting shall be shielded so that no glare extends beyond the boundaries of the facility.
  - b) Reflection angles for solar collectors shall be oriented such that they do not project glare onto adjacent properties or roadways.
6. **Visibility**
  - a) SEF shall not be sited in such a way as to "completely surround" a non-participating parcel. SEF may only be sited on 2 adjacent sides of a non-participating parcel on participating parcels abutting the non-participating property.
  - b) SEF shall not be sited in such a way that the residents of a non-participating parcel situated above the SEF look down on a "sea" of solar modules.
  - c) SEF shall not be situated in such a way that residents of a non-participating parcel situated below the SEF look up at a hill side full of solar modules.
  - d) The goal for siting of the SEF would be on level ground that is on the same plane as abutting non-participating parcels to minimize the residents' view of the solar arrays.
7. **Ground cover**— The following provisions shall be met related to the clearing of existing vegetation and establishment of vegetated ground cover.
  - a) Soils shall be planted and maintained for the duration of operation in perennial vegetation to prevent erosion, manage run off, and improve soil.
  - b) Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season. Blooming shrubs may be used in buffer areas as appropriate for visual screening.
  - c) Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from the Wisconsin Department of Natural Resources, County Soil and Water Conservation District, Land and Water Conservation Department or Natural Resource Conservation Service.
  - d) The developer shall submit a financial guarantee in the form of a bond, letter of credit, or cash deposit equal to one hundred twenty-five (125) percent of the costs to meet the ground cover standard. The financial guarantee shall remain in effect until ground cover is sufficiently established.
8. **Tree Removal**
  - a) Large-scale removal of mature trees on the site is discouraged.
  - b) No removal of trees in the road rights-of-way is permitted unless trees are in the right-of-way of a participating property or unless permission to remove trees is obtained from the town board.
9. **Grading** - Minimal grading should be performed so that top soils shall not be removed during development of the SEF.

**10. Power and communication lines** - Power and communication lines running between banks of solar collectors and to nearby inverters and electric substations or interconnections with buildings shall be buried underground.

**11. Electromagnetic Interference**

- a) SEF shall be sited and operated so that the facility does not cause interference with emergency (fire, police/sheriff, ambulance) radio communications, television, Internet service, telephone (including cellular and digital), microwave, satellite (dish), navigational, or radio reception in neighboring areas.
- b) The developer and/or operator of the SEF shall be responsible for the full cost of any remediation necessary to correct any problems or provide equivalent alternate service, within thirty (30) days of being given notice. This includes relocation or removal of a problematic array, or any other equipment, transmission lines, transformers, and other components related to the interference.

**12. Public Roads**

- a) SEF developer shall, prior to the initiation of construction, provide a description and map of all town roads to be used in connection with the construction of the SEF. Developer shall consult with the Town Board for load paths and restrictions on their respective roads or bridges. The Town shall document, by means of videotape and PASER rating, the condition of all roads to be used in the Town in construction of the SEF prior to beginning and after completion of the construction of the SEF.
- b) At the developer's expense, the developer shall contract with qualified contractors to repair any damage to roads due to transportation of equipment and facility components. In the event a hazardous road condition exists that is not promptly corrected by the developer, the Town Board may order emergency road repairs be performed by qualified contractors, and the developer shall promptly reimburse the Town for reasonable emergency road repair costs.
- c) The SEF developer shall submit a financial guarantee in the form of a bond, letter of credit, or cash deposit to the town for repair of roads in an amount determined by the Town. Weather permitting, the final Road Repair Obligations shall be completed to the reasonable satisfaction of the Town Board within six (6) months after completion of construction of the SEF, or as soon thereafter as weather conditions permit.

**13. Testing of soil and groundwater**

- a) The Developer is responsible to provide a current written list of all chemicals used for maintenance, etc. of the SEF (e.g. pesticides, herbicides, cleaners). This list shall include quantity and frequency of application of each of these chemicals.
- b) The Developer will permit and fund post-construction environmental studies deemed appropriate. Studies will include periodic monitoring of soil and of wells and drinking water supplies for any and all chemical residue from the SEF.
- c) At a minimum, random soil and water testing will be performed on a yearly basis.
- d) The developer shall submit a financial guarantee in the form of a bond, letter of credit, or cash deposit to cover the costs of soil and water testing and any remediation necessary should contamination of soil or ground water occur.

#### 14. Fire Prevention and Emergency Response Plan and Requirements.

An application for a SEF shall include a fire prevention and emergency response plan. The plan shall describe the potential fire and emergency scenarios that may require a response from fire, emergency medical services, police or other emergency responders. The plan shall designate the specific agencies that would respond to a potential fire or other emergencies, shall describe all emergency response training and equipment needed to respond to a fire or other emergency, shall include an assessment of the training and equipment available to the designated agencies, shall provide for any special training or emergency response equipment that the designated agencies need to use in responding to a potential fire or other emergency, shall provide information on how the SEF or section of SEF will be shut down if necessary to handle an emergency, and shall provide information on how the emergency personnel will gain access to the SEF to address the emergency in a timely manner. All necessary special equipment and special training of personnel shall be at the developer's cost.

#### 15. Decommissioning - A decommissioning plan shall be required to ensure that facilities are properly removed after their useful life.

- a) The plan shall include provisions for removal/ recycling of all structures, power lines, cables, and foundations **in their entirety** including recycling of all solar PV modules and restoration of soil and vegetation
- b) Decommissioning plans shall outline the anticipated means and cost of removing the system at the end of its serviceable life or upon its becoming a discontinued use. The cost estimates shall be made by a competent party, such as professional engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the system.
- c) Decommissioning of the system must be completed within one year from either of the following: A. The end of the system's serviceable life; or B. The system becomes a discontinued use.
- d) A system shall be considered a discontinued use after one year without energy production.
- e) The Developer shall submit an acceptable letter-of-credit, bond, or other form of security that is sufficient to cover the cost of removal at the end of each SEF array's useful life as detailed in the decommissioning plan. Such surety shall be at least \$10,000 for each acre of a solar array and not less than 125% of the cost estimate for decommissioning. This calculation will not take into account any estimated salvage values.
- f) This surety will assure the faithful performance of the decommissioning terms. The Developer will be responsible for assuring that any subsequent Assigns of the SEF, will provide acceptable surety to prior to any transfer of ownership.
- g) The projected Decommissioning costs will be reviewed a minimum of every five (5) years. The SEF owner will adjust their security to any changes from the original calculation.
- h) The full amount of the bond or security shall remain in full force and effect until all necessary site restoration is completed to return the site to a condition comparable to what it was prior to the construction of the SEF.

#### 16. Property Value Guarantees

The SEF Developer shall assure that there will be no loss in real property value for any property within 1000 feet of the SEF. To legally support this claim, the Developer shall consent in writing to a Real Property Value Protection Agreement as a condition of approval for the SEF. (see 17. below for example

of agreement which could be put in place) This Agreement shall provide assurance to non-participating property owners (i.e. those with no solar facilities on their property) near the SEF, that they have some protection from SEF-related real property values losses.

#### **17. SEF Property Value Protection Agreement (sample agreement)**

The Developer guarantees that there will be no loss in real property value within 1000 feet of the SEF, due to the SEF. Any non-participating property owner(s) included in that area who believe that their property may have been devalued due to the SEF, may elect to exercise the following option:

- a) All appraiser costs are paid by the SEF Developer, from an Escrow Account established for that purpose. The developer or current owner of the SEF and the property owner shall each select a licensed appraiser. Each appraiser shall provide a detailed written explanation of the reduction, if any, in value to the real property ("Diminution Value"), caused by the proximity to the SEF. This shall be determined by calculating the difference between the current Fair Market Value (FMV) of the real property and what the FMV would have been at the time of exercising this option, assuming no SEF was proposed or constructed.
  - (1) If the higher of the Diminution Valuations submitted is equal to or less than 25% more than the other, the two values shall be averaged ("Average Diminution Value": ADV). If the higher of the Diminution Valuations submitted is more than 25% higher than the other, then the two appraisers will select a third licensed appraiser, who shall present to SEF developer and property owner a written appraisal report as to the Diminution Value for the real property. The parties agree that the resulting average of the two highest Diminution Valuations shall constitute the ADV.
  - (2) In either case, the property owner may elect to receive payment in the amount of the ADV from Developer. Developer is required to make this payment within 60 days of receiving said written election from property owner.
- b) Other Agreement Conditions:
  - (1) If a property owner wants to exercise this option, they must do so within 10 years of the SEF receiving final approval for construction.
  - (2) A property owner may elect to exercise this option only once.
  - (3) The Developer and the property owner may accept mutually agreeable modifications of this Agreement, although the developer is not allowed to put other conditions on a financial settlement (e.g. confidentiality). If the property owner accepts some payment for property value loss based on an alternative method, then that acceptance and payment shall be considered an exercise of this option.
  - (4) This Agreement applies to the property owner of record as of the date of the SEF approval, and is not transferrable to subsequent owners.
  - (5) The property owner of record as of the date of the SEF approval must reasonably maintain the property from that time, until they choose to elect this option.
  - (6) The property owner must permit full access to the property by the appraisers, as needed to perform the appraisals.

- (7) The property owner must inform the appraisers of all known defects of the property as may be required by law, as well as all consequential modifications or changes to the property subsequent to the date of the SEF application.
- (8) This Agreement will be guaranteed by the Developer (and all its successors and assigns), for 10 years following the SEF receiving final approval, by funding of an escrow account established for that purpose. This account will ensure execution of all aspects of this Agreement.
- (9) Payment by the Applicant not made within sixty (60) days will accrue an interest penalty. This will be twelve percent (12%) annually, from the date of the written election from property owner.
- (10) For any litigation regarding this Agreement, all reasonable legal fees and court costs will be paid by the Developer.

#### D. REFERENCES

Droz, John. "NC Model Solar Law", available at: <http://wiseenergy.org/nc-solar-energy-info/>

--. California County Planning Directors Association. "Model Solar Energy Facility Permit Streamlining Ordinance". Feb. 3, 2012. available at: <http://www.ccpda.org/en/model-sef-ordinance/145-ccpda-solar-energy-facility-permit-guidelines-approved-2012-02-03>

Alberts, Daniel J., "Addressing Wind Turbine Noise", Lawrence Technological University, Oct. 2006, available at <https://milwaukee.gov/ImageLibrary/Groups/cityGreenTeam/documents/AddressingWindTurbineNoise.pdf>

Berglund B., Lindvall, T. and Schwela D., "Guidelines for Community Noise", World Health Organization 1999, available at [http://www.quietskiescoalition.org/files/WHO\\_Guidelines\\_for\\_Community\\_Noise.pdf](http://www.quietskiescoalition.org/files/WHO_Guidelines_for_Community_Noise.pdf)

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Pedersen, Eja and Person Waye, Kerstin, "Wind Turbine Noise, Annoyance and Self- Reported Health and Well-being in Different Living Environments", Occup Environ Med, March 1, 2007, 64:480-486. <http://www.livingstoncounty-il.org/wordpress/wp-content/uploads/2014/11/PR-Ex.-82-Pedersen-and-Waye-2007.pdf>



Town of Concord, Jefferson County, WI  
RESOLUTION TO ESTABLISH DESIRED CONDITIONAL USE PERMIT GUIDELINES  
FOR UTILITY SCALE SOLAR ENERGY FACILITIES

Be it resolved that the Town of Concord Town Board adopts this document as its expressed opinion in the matter of ground mounted utility scale Solar Energy Facilities on farmland in the Town of Concord. Further, the Town of Concord submits the guidelines contained herein to be the minimum desired guidelines followed in the siting of such a development should the State Public Service Commission give approval for such a project.

The Town Board directs the Town Clerk to send a copy of this resolution to the Jefferson County Planning and Zoning Committee. In the event that an application for a ground mounted utility scale Solar Energy Facility is submitted to the State Public Service Commission, the Clerk is directed to submit a copy of this resolution and desired guidelines to the PSC for the docket in question.

This resolution is hereby adopted at the regular Town Board meeting of the Town of Concord on the \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Brian Neumann, Town Clerk

\_\_\_\_\_  
Bill Ingersoll, Town Chairman

\_\_\_\_\_  
Lloyd Zastrow, Town supervisor

\_\_\_\_\_  
Ted Mueller, Town supervisor

Appendix Q

**MANITOWOC COUNTY  
CORPORATION COUNSEL**  
1010 SOUTH EIGHTH STREET  
MANITOWOC, WISCONSIN 54220

TELEPHONE: 920-683-4062      FAX: 920-683-5182

**MEMORANDUM**

DATE: Wednesday, March 28, 2018

TO: Tim Ryan, Director, Department of Planning and Zoning

FROM: Peter J. Conrad, Corporation Counsel

SUBJECT: County Permitting of Town of Two Creeks Solar Energy Project

You have advised that Manitowoc County is likely to be a site of a large solar energy project, which is to be located in The Town of Two Creeks. NextEra Energy Resources, the developer of that project, has approached you to discuss, *inter alia*, the need for zoning permits from Manitowoc County. To that end, you have asked two questions regarding the County's authority to issue permits for this type of project. Following is a summary of the questions you have asked, as well as an analysis and my opinion on the answer to those questions.

**QUESTION(S) PRESENTED**

1. Can Manitowoc County require zoning or setback permits for a solar energy project that is larger than 100 megawatts, and which will be regulated by the Public Service Commission?
2. If permits are required, does each solar array require a permit or rather is a permit required for each power conversion unit?

**BRIEF ANSWER(S)**

1. No. The State has preempted Manitowoc County's authority to required permits for this project in two respects. First, the State has preempted local authority to required permits for any utility project that requires a certificate of public convenience and necessity ("CPCN"). Given the size of this particular project, a CPCN is required. Second, regardless of whether a CPCN is needed, the State has preempted the County from regulating renewable energy projects of this type, *i.e.* solar.
2. Because the answer to question 1 is "no," there is no need to address question 2.

## DISCUSSION

The first question presented is whether Manitowoc County can require zoning or setback permits for a solar power project that will be regulated by the Public Service Commission.<sup>1</sup> The simple answer to this question is “no.” Manitowoc County is preempted from regulating this project by two separate state statutes. First, Wis. Stat. § 196.491(3)(i) prohibits the County from requiring permits for any utility project that requires a CPCN. A CPCN is required given the size of the proposed solar energy system. Second, regardless of whether a CPCN is needed, Wis. Stat. § 66.0401 prohibits Manitowoc County from regulating projects involving solar energy systems unless the County’s regulation satisfies one of three conditions. Manitowoc County’s current ordinance makes it impossible to satisfy any of those three conditions; therefore, the statute prohibits Manitowoc County from imposing any restriction on the proposed solar energy system, which would include requiring a permit.

The first statute that prohibits Manitowoc County from regulating the proposed project is Wis. Stat. § 196.491(3)(i). Pursuant to that statute, the Wisconsin legislature has preempted the ability of the County to regulate any utility that is subject to a CPCN.<sup>2</sup> Wisconsin Stat. § 196.491(3)(i) provides:

(i) If installation or utilization of a facility for which a certificate of convenience and necessity has been granted is precluded or inhibited by a local ordinance, the installation and utilization of the facility may nevertheless proceed.

In *American Transmission Co., LLC v. Dane County*, 2009 WI App 126, 321 Wis. 2d 138, 772 N.W.2d 731, the Wisconsin Court of Appeals considered whether this statute prohibited the county from requiring permits for the construction of three transmission lines that were subject to a CPCN. After reviewing the language of Wis. Stat. § 196.491(3)(i), the court concluded:

[I]n Wis. Stat. § 196.491(3)(i) the legislature has expressly withdrawn the power of municipalities to act, once the PSC has issued a certificate of public convenience and necessity, on any matter that the PSC has addressed or could have addressed in that administrative proceeding.

*Id.*, ¶ 2.

The court went on to explain that “[l]ocal ordinances, such as zoning ordinances, cannot impede what has been determined to be of public convenience and necessity.” *Id.*, ¶ 13 (quoting *RURAL v. PSC*, 2000 WI 129, ¶ 65, 239 Wis. 2d 660, 619 N.W.2d 888). As the court further explained:

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<sup>1</sup> Because the answer to the first question is “no” there is no need to address the second question, which was predicated on an affirmative answer to question one.

<sup>2</sup> For purposes of this memo, it is understood that the solar energy project will require a CPCN because it is designed for nominal operation at a capacity of 100 megawatts or more. See Wis. Stat. § 196.491(3)(a)(1); See also Wis. Stat. § 196.491(1)(e) and (g) defining “facility” and “large electric generating facility” respectively.

Wis. Stat. § 196.491(3)(i) “abrogates,” in the [RURAL] court’s own words, local regulations that govern the same subject matter that the PSC is required by statute to consider in granting a certificate for public convenience and necessity.

*Id.*, ¶ 15.

In the case at bar, the developer is proposing to construct a solar energy system that would be designed for nominal operation at a capacity of 100 megawatts or more. Therefore, the solar energy project would require a CPCN under Wis. Stat. § 196.491(3)(a)(1). The court has made it clear; because this project requires a CPCN and because Manitowoc County would be permitting the same subject matter for which the CPCN is granted, any authority that the County may have had over this project has been abrogated by the legislature. Stated simply, Manitowoc County cannot require the developer of the solar energy system to obtain County zoning permits as Manitowoc County’s authority has been preempted by Wis. Stat. § 196.491(3)(a)(1).

Notwithstanding Wis. Stat. § 196.491(3)(i), Manitowoc County is preempted from regulating this project because the legislature has passed a statute that severely limits the County’s authority to regulate solar energy projects. Due to legislative concerns about diminishing supplies of nonrenewable energy resources, the legislature passed Wis. Stat. § 66.0401 to encourage the use of renewable sources of energy by removing potential legal impediments. *State ex rel. Numrich v. City of Mequon Bd. of Zoning Appeals*, 2001 WI App 88, ¶ 18, 242 Wis. 2d 677, 626 N.W.2d 366. More particularly, Wis. Stat. § 66.0401 was passed to preempt local governments, including counties, from regulating solar energy systems unless one of three specific statutory criteria are met. *Ecker Bros. v. Calumet County*, 2009 WI App 112, ¶ 10, 321 Wis. 2d 51, 772 N.W.2d 240. As the Court of Appeal explains: “Wis. Stat. [§ 66.0401] represents a legislative restriction on the ability of local governments to regulate solar and wind energy systems.” *Numrich*, 2001 WI App 88, ¶ 17. That statute reads in relevant part:

(1m) AUTHORITY TO RESTRICT SYSTEMS LIMITED. No political subdivision may place any restriction, either directly or in effect, on the installation or use of a solar energy system<sup>3</sup>...unless the restriction satisfies one of the following conditions:

- (a) Serves to preserve or protect the public health or safety.
- (b) Does not significantly increase the cost of the system or significantly decrease its efficiency.
- (c) Allows for an alternative system of comparable cost and efficiency.

Wis. Stat. § 66.0401(1m).

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<sup>3</sup> A solar energy system is defined as: “[E]quipment which directly converts and then transfers or stores solar energy into usable forms of thermal or electrical energy.” Wis. Stat. § 13.48(2)(h)1.g.

The courts have interpreted this statute to prohibit local governments from regulating solar energy systems through use of uniform regulations, *e.g.* setback, height, and noise restrictions. *See, e.g. Ecker Bros.*, 2009 WI App 112, ¶ 10. Rather, the Wisconsin Court of Appeals has held “that Wis. Stat. § 66.0401(1) requires a case-by-case approach, such as a conditional use permit procedure...” *Id.*, ¶ 21. Absent such a procedure, “an owner may construct a [solar] energy system without a permit or other prior approval.” *Id.*, ¶ 11.

In the case at bar, Manitowoc County Code § 8.09(4)(g) provides that “[u]tilities consistent with Wis. Stat. § 91.46(4)” are a conditional use in the Exclusive Agriculture zoning district.<sup>4</sup> The solar energy system being proposed would meet the definition of a “utility” as defined by MCC § 8.07.<sup>5</sup> Therefore, it appears that Manitowoc County would have an appropriate procedure in place to regulate solar energy systems in the Exclusive Agriculture zoning district. However, a close review of Wis. Stat. § 91.46(4) demonstrates that is not the case. That statute provides:

(4) TRANSPORTATION, COMMUNICATIONS, PIPELINE, ELECTRIC TRANSMISSION, UTILITY, OR DRAINAGE USE. A transportation, communications, pipeline, electric transmission, utility, or drainage use qualifies for the purposes of sub. (1) (f) if the political subdivision determines that all of the following apply:

(a) The use and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district.

(b) The use and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations, or are specifically approved under state or federal law.

(c) The use is reasonably designed to minimize conversion of land, at and around the site of the use, from agricultural use or open space use.

(d) The use does not substantially impair or limit the current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.

(e) Construction damage to land remaining in agricultural use is minimized and repaired, to the extent feasible.

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<sup>4</sup> For purposes of this memo, it is understood that all of the land on which the solar energy system will be constructed is zoned Exclusive Agriculture (EA).

<sup>5</sup> MCC § 8.07 defines utility as follows:

“Utility” means a building and related premises used to provide essential services, such as an electrical power substation, gas regulation station, microwave radio relay, sewage pumping station, static transformer station, telegraph and telephone exchange, water pumping station, water tower, or water well. It includes any conduit, duct, equipment, line, pipe, pipeline, pole, tank, tower, wire, or other structure located on the premises that are used to deliver the service, but does not include high-voltage transmission lines used for the transmission or distribution of electricity.

Even a cursory review of the Wis. Stat. § 91.46(4) factors demonstrates that those factors have no relationship to the Wis. Stat. § 66.0401 criteria. Therefore, it cannot be said that Manitowoc County has a procedure in place to determine whether any restriction the County would impose on a solar energy system would meet the statutory criteria.

Wisconsin Stat. § 66.0401 makes plain, an owner may construct a solar energy system without a county zoning permit when the county lacks a procedure to determine if any permit it issues or any permit condition it imposes: (1) serves to preserve or protect the public health or safety; (2) does not significantly increase the cost of the system or significantly decrease its efficiency; or, (3) allows for an alternative system of comparable cost and efficiency. *Ecker Bros.*, 2009 WI App 112, ¶ 11. In this case, Manitowoc County does not have such a procedure in place. Thus, the County is without the authority to regulate the proposed solar energy system or require a zoning or setback permit for that system. *Id.*, ¶ 11.



RESOLUTION # SS-12/17

TO: HONORABLE MEMBERS OF THE LA CROSSE COUNTY  
BOARD OF SUPERVISORS

ITEM # 12-9

**BOARD ACTION**

Adopted: ☒  
For: 26  
Against: -  
Abstain: -  
Abs/Excd: 3  
Vote Req: -  
Other Action: -

**EXECUTIVE  
COMMITTEE  
ACTION**

Adopted: ☒  
For: 8  
Against: 0  
Abstain: 0  
Abs/Excd: 1

**RE: RECOGNIZING CLIMATE CHANGE AND URGING CONGRESS TO LEVY A REVENUE-NEUTRAL FEE ON CARBON IN FOSSIL FUELS**

**WHEREAS**, climate scientists worldwide are in near-unanimous agreement that the Earth is warming rapidly which is causing changes in climate that are perilous to the Earth's natural systems and to human civilization; and,

**WHEREAS**, the primary cause of that warming is human activity, especially through the combustion of fossil fuels which emit greenhouse gases such as carbon dioxide (CO<sub>2</sub>); and,

**WHEREAS**, the continued use of fossil fuels is being supported by a market failure whereby the costs of carbon emissions are not included in the price of fossil fuels; and,

**WHEREAS**, the urgent need to transition away from fossil fuels can best be accomplished with a market-based program, namely a revenue-neutral carbon fee on fossil fuel producers with a corresponding rebate or dividend to consumers; and,

**WHEREAS**, using a revenue-neutral carbon fee and dividend to reduce carbon emissions would have the following benefits:

1. The carbon fee would incentivize the development and use of energy efficiency and low carbon energy sources and minimize the need for onerous governmental energy regulations and subsidies that attempt to forecast winners and losers.
2. The transition to low-carbon energy sources will provide a range of additional benefits including enhanced public health, job creation and strengthening of the U.S. economy, increased energy security, and increased local energy development in rural areas.
3. Even though the carbon fee would temporarily increase energy costs including electric rates, and the cost of living, those costs would be offset by the revenue returned to households on an equal basis as a dividend such that the bottom 55-60% of households by income would break even or receive more in dividends than they would pay in higher living expenses.

**NOW THEREFORE BE IT RESOLVED**, by the La Crosse County Board of Supervisors that the County Board strongly urges the United States Congress to pass legislation that levies an annually increasing revenue-neutral fee on the carbon in fossil fuels at the point of production or importation, that would be sufficient to:

- a. Encourage individuals and businesses to produce and use less fossil fuels;
- b. Make the transition from fossil fuels less onerous to consumers and to the economy by returning to Americans on an equal basis all of the revenues gained from the fee;
- c. Reduce U.S. CO<sub>2</sub> emissions to 10% of 1990 levels by 2050;
- d. Encourage similar actions by other nations trading with the United States, by suitable carbon-content-based fees for imports, and rebates for exports, to nations that have not taken such actions.

**RE: RECOGNIZING CLIMATE CHANGE AND URGING CONGRESS TO LEVY A REVENUE-NEUTRAL FEE ON CARBON IN FOSSIL FUELS**

**BE IT FURTHER RESOLVED**, that the La Crosse County Clerk is directed to forward a copy of this resolution to the County's Congressional delegation to include Senator Ron Johnson, Senator Tammy Baldwin and Representative Ron Kind.

**FISCAL NOTE:** There is no cost to the County.

Date: DEC 13, 2017

**COMMITTEE CHAIR**

Date: December 13, 2017

**RECORDING CLERK**

	Reviewed Only	Recommended	Not Recommended	
Co. Admin.	<u>SO</u>			Requested By: Mike Giese
Fin. Director				Date Requested: December 7, 2017
Corp. Counsel				Drafted By: Steve O'Malley
Board Chair	<u>[Signature]</u>			

Adopted by the La Crosse County Board this 21 Day of December, 2017

STATE OF WISCONSIN  
COUNTY OF LA CROSSE

I, Ginny Dankmeyer, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original resolution required by law to be in my custody and which the County Board of Supervisors of La Crosse County adopted at a meeting held on the 21<sup>st</sup> day of December 2017.

[Signature]  
Ginny Dankmeyer, La Crosse County Clerk





31 **Whereas:** Implementing a carbon fee and dividend policy would be economically beneficial to  
32 United States taxpayers by subsidizing low carbon utility generation or providing rebates for  
33 United States taxpayers to minimize financial stress in the transition to renewable energy;

34  
35 **Whereas:** The policy created by the Citizens' Climate Lobby (CCL) includes equal monthly  
36 dividends (rebates) from carbon fees paid to every United States household which can help  
37 ensure that families and individuals can afford the energy they need during the transition to low  
38 carbon economy, while the dividends will stimulate the economy;

39  
40 **Whereas:** This particular policy would impose a carbon fee on greenhouse gases and fossil fuels  
41 at the point where they first enter the economy;

42  
43 **Whereas:** The fee would be regulated by the Department of Energy, placed in the Carbon Fees  
44 Trust Fund, and then rebated to American households;

45  
46 **Whereas:** Each month, all American households would be given equal per-person dividend  
47 payments, with a ½ payment per child under 18 years old and a limit of two children per family;

48  
49 **Whereas:** These dividend payments would make up 100% of the net carbon fees collected each  
50 month;

51  
52 **Therefore be it resolved:** The University of Wisconsin-Stevens Point (UWSP) Student  
53 Government Association (SGA) calls upon the United States House of Representatives and  
54 United States Senate to implement a revenue-neutral carbon fee and dividend policy for United  
55 States taxpayers;

56  
57 **Therefore be it further resolved:** UWSP SGA supports the revenue-neutral carbon fee and  
58 dividend policy proposed by CCL;

59  
60 **Therefore be it finally resolved:** Upon passage by SGA, this resolution be forwarded to UWSP  
61 SGA President Sean Piette, UWSP SGA Vice President Katrina Hansen, UWSP SGA Chief of

62 Staff Robert Abrahamian, UWSP Chancellor Bernie Patterson, UWSP Vice Chancellor Al  
63 Thompson, Governor Scott Walker, Stevens Point Citizens' Climate Lobby Chapter Leader Dan  
64 Dieterich, Citizens' Climate Lobby Executive Director Mark Reynolds, Citizens' Climate Lobby  
65 Legislative Director Daniel Richter, President Donald Trump, Vice President Mike Pence,  
66 Speaker of the House Paul Ryan, Representative Mike Gallagher (WI), Representative Sean  
67 Duffy (WI), Representative Glenn Grothman (WI), Representative Mark Pocan (WI),  
68 Representative Jim Sensenbrenner (WI), Representative Gwen Moore (WI), Representative Ron  
69 Kind (WI), Senator Ron Johnson (WI), Senator Tammy Baldwin (WI), Senate Majority Leader  
70 Mitch McConnell (KY), House Minority Leader Nancy Pelosi (CA), Senate Minority Leader  
71 Chuck Schumer (NY), Senator Bernie Sanders (VT), United States Senate Committee on  
72 Finance, Climate Solutions Caucus, Mayor of Stevens Point Mike Wiza, City Council President  
73 Meleesa Johnson  
74  
75 **Authors:** College of Natural Resources Caucus Chair Jeidy, Environmental and Sustainability  
76 Affairs Director DeLain, Chief of Staff Abrahamian  
77  
78 **Sponsor(s):** Senator of the College of Letters and Sciences Gilarski  
79  
80 **Sponsoring Committee(s):** Environmental and Sustainability Issues Committee

**Mike Arney (Wauwatosa) and Nancy Gloe (Brookfield) are working on resolutions in their respective communities asking for federal action on climate change. When they spoke with a Brookfield alder about this, he said they needed to help the other alders understand how climate change will affect the City of Brookfield in the future. Nancy and Mike then went through WICCI's *Wisconsin's Changing Climate-Impacts and Adaptations*, and compiled the attached information that may be useful to you should you decide to introduce a climate resolution in your own city or county.**

**I also came across this study that came out on October 10<sup>th</sup>. It too may be of some interest to you:**

**<https://midwestepi.org/2017/10/10/new-study-warns-of-changing-climates-impact-on-midwest-infrastructure/>**

### **Likely climate change impacts to Brookfield, Wisconsin, Excerpted from "Wisconsin's Changing Climate: Impacts and Adaptation" 2011**

This work represents the work of 200 researchers, managers, educators and other experts with intimate knowledge of Wisconsin and its climate, waters, fish and wildlife, forests and other natural communities, cities, farms and public health. While climate change in Wisconsin will bring some benefits to human health, such as fewer deaths from exposure to very cold temperatures, scientists agree that, overall, we will see more negative than positive impacts.

The warming Wisconsin has experienced to date is consistent with the global trend. The past three decades have been Earth's warmest since reliable surface temperature records began to be kept in 1850, with a global average increase of about 1.5 degrees Fahrenheit over that period.

Climate change affects water resources, natural habitats, agriculture, coastal regions, society and the built environment. Our understanding of the full extent of climate change impacts on human health, on a state and local scale, is in its infancy. According to our state's best climate scientists-using the most recent computer models-Wisconsin's warming trend will not only continue, but the rate of warming will increase considerably by the middle of this century. Although future precipitation patterns are more difficult to discern, Wisconsin climatologists believe the state is likely to continue its trend toward more precipitation overall.

- New or more severe public health challenges will arise as heat waves become more frequent and climate conditions boost air pollutants such as smog and particulate matter. In the Chicago area, for example, occurrences of ground-level ozone exceeding current air quality standards are expected to increase from the present average of about two days per summer to about 17 days per summers by the end of the century. Smog damages lung tissue and worsens conditions such as asthma and chronic lung disease and it is particularly risky for children because they often spend considerable amounts of time in outdoor activities where they are likely to inhale air pollutants and to breathe them more deeply into their lungs.

Particulate pollution aggravates asthma and increases respiratory and heart disease. Unlike smog, which is worse in hot months because of its dependence on sunlight and high temperatures, particle pollution can reach unsafe concentrations at any time of year.

Milwaukee, Racine and Waukesha counties currently do not meet National Ambient Air Quality Standards for fine particle pollution. If Wisconsin faces climate conditions more favorable to the formation of particle pollution, such as warmer winters coupled with increased water vapor in the air, the combination will likely result in an increase in concentrations of particulate matter. Pollen production is increasing as well. All of these air pollutants worsen asthma and other respiratory diseases. The cost of lost time to work and school and increased hospitalization will likely be significant.

- Southeast Wisconsin is becoming warmer and wetter. The decades ahead are likely to bring changes much more profound than those seen so far. By 2050 statewide annual average temperatures are likely to warm by 6-7 degrees. Temperature increases are projected to be greatest in winter, with earlier springs, beyond current conditions. Night time temperatures are expected to increase more than day time temperatures.

In summer, southern Wisconsin could see three or more weeks of temperatures over 90 degrees. Similarly, the number of winter nights below zero degrees is projected to decrease significantly.

- Both the frequency and magnitude of heavy rainfall events has been increasing in Wisconsin. There will be more precipitation overall. Large storm events are more likely in spring and fall. Statewide, the amount of precipitation that falls as rain, rather than snow, is projected to increase significantly and freezing rain is more likely to occur. This trend is already well underway in Southeast Wisconsin.

When heavy rainfall or groundwater infiltration exceed the capacity of wastewater treatment systems, waterborne diseases multiply because human pathogens, and their communicable diseases, are introduced into the environment. In many places, current infrastructure is not equipped to handle the projected increases in frequency of heavy storms and subsequent runoff. This also increases the risk of flooding to businesses and homes and raises new threats to our drinking and wastewater systems and puts more stress on the durability of our roads and buildings. Expanding insect ranges also increase the risk of disease.

- The cost of repairing damaged stormwater systems, sewage treatment plants, bridges and roads could be a considerable expense to the city and taxpayers.

- Rising air temperatures, shifting precipitation patterns and increases in heavy rain events will lead to a variety of secondary effects on our natural and built environments. A shift to more rainfall in winter and spring will increase runoff when the ground is frozen or plant cover is reduced or absent, means sediment and nutrient loading to lakes and streams will also increase.

More runoff from projected heavy seasonal rainfalls will likely increase sediment and nutrient inputs to lakes and wetlands, leading to more blue-green algae blooms in lakes and loss of diversity in wetlands. There will also be less soil moisture which will impact amphibians. For example, the beach at Foxbrook Park may need to be closed on a regular basis and there may be fewer or no calls from chorus frogs in wetlands in the spring.

- The warming climate will benefit species such as grey squirrels, white tailed deer, European starlings and Canada geese. There will be more nuisance wildlife and fewer desirable species. More starlings will mean fewer woodpeckers, for example.

In summary climate change related hazards will increasingly damage property, disrupt business operations, interrupt services, cause an increase in humane illness and disease, cause polluted runoff to lakes and streams during storms and alter natural habitats and cause species loss.

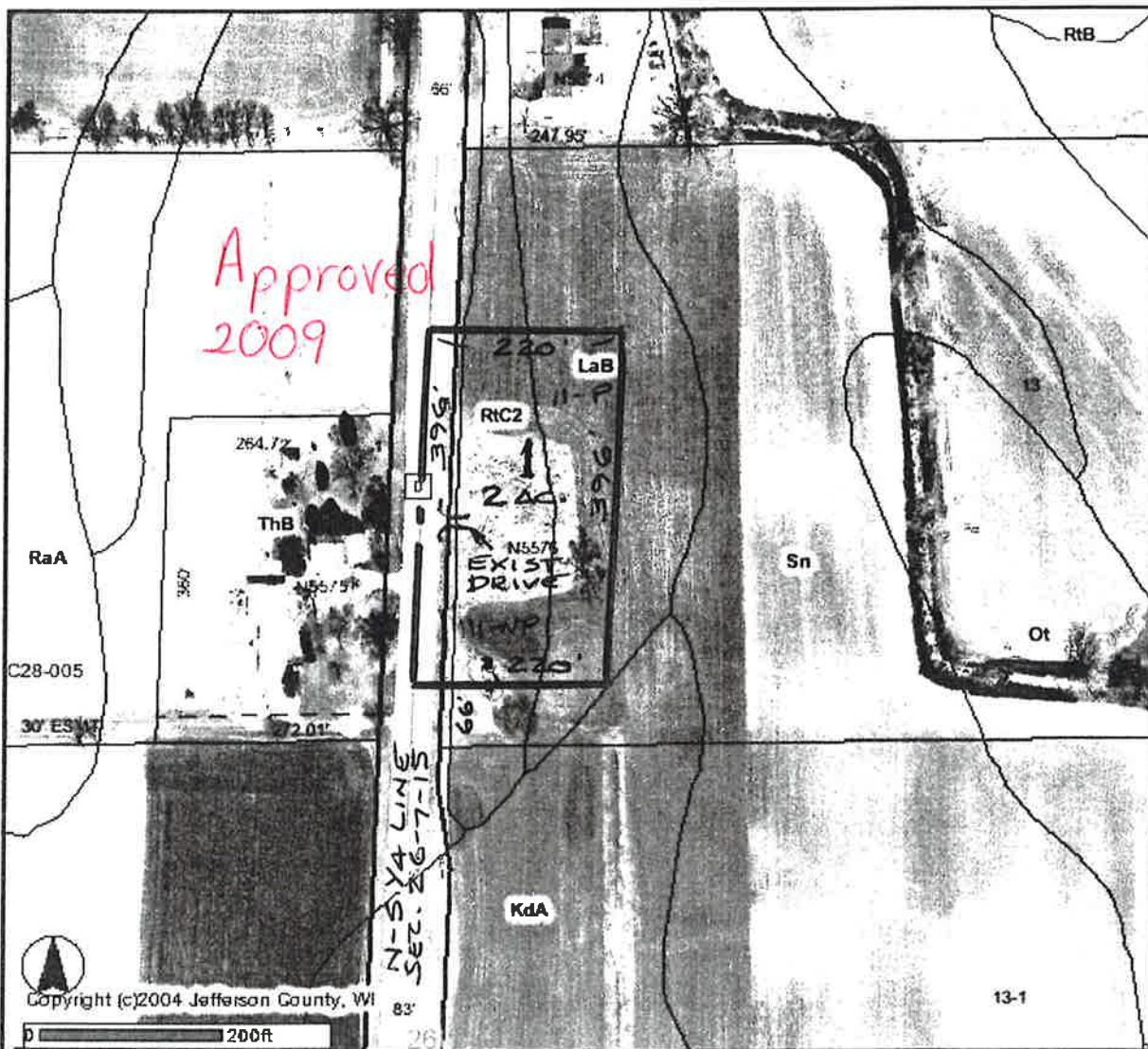
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The appropriate frame work for a municipality to discuss climate change is risk management. Wisconsin's Changing Climate book suggests many ways we can adapt to these changes and add resilience to our natural and built environment. Adaptation, however, is not a substitute for mitigation which aims to reduce the rate at which greenhouse gasses enter the atmosphere.

## Jefferson County Geographic Information System

Print

Close

\_SELE-  
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Hydro  
NamesMinor  
Hydro  
NamesLand  
Survey-  
sMajor  
Road  
Center-  
linesCounty  
(cont)

x

: varion systems

## DISCLAIMER

This map is not a substitute for an actual field survey or on sight investigation. The accuracy of this map is limited by the quality of the records from which it was assembled. Other inherent inaccuracies occur during the composition process. Jefferson County makes no warranty whatsoever concerning this information.

**JEFFERSON COUNTY  
PRELIMINARY REVIEW FOR CERTIFIED SURVEY**

A division of land located in the SW1/4 of the NE1/4 section 26, Town 7N, Range 15E,  
Town of Farmington, Jefferson County, Wisconsin, on Parcel Number 008-0715-2613-000

Date Submitted: 1-13-2009

Owner: Steve Knoebel  
Address: N5648 S. Farmington Rd.  
Helenville, WI 53137

Surveyor: Woodman & Associates, S.C.  
Address: 210 Madison Avenue  
Fort Atkinson, WI 53538

Phone: 920-593-8272

Phone: 920-563-8162

Intent & Description of Parcel to be Divided:

**Note to be Placed on Final CSM:**

X Rezoning  
Allowed Division within Existing Zone  
Farm Consolidation [Pre-1975 Home w/  
35+ Acres Remaining-See 11.04(f)5]  
35+ Acre Lot in A-1 Zone

Petition # 3393A-09 Zoning A-3  
Check for Subsequent Zoning  
Changes with Jefferson County

See attached sheet

Addition to info required by Sec. 236.34 of State Statutes,  
Sec. 15.04(f) of the Jefferson County Land Division  
Subdivision Ordinance requires that the following be  
shown:

- Existing buildings, watercourses, drainage  
ditches and other features pertinent to proper  
division
- Location of access to public road, approved  
by the agency having jurisdiction over the  
road
- All lands reserved for future public  
acquisition
- Date of the map
- Graphic scale

**NOTE:** Surveyor has the responsibility to check  
applicability of extraterritorial plat regulations and the  
possible necessity approvals/signatures from the  
municipality with review authority.

**NOTE:**

Area and dimensions of this proposed lot are  
approximate only and in most cases will vary from the  
final survey data.

Town Board Approval Donald Reese  
(Includes access approval if applicable)

Date 6-16-09

County Highway Approval  
(If Applicable)

Date \_\_\_\_\_

Zoning Office Approval DR 15208

Date 10-19-07



Jim  
9/24/18

OK  
9/20/18

# CERTIFIED SURVEY MAP

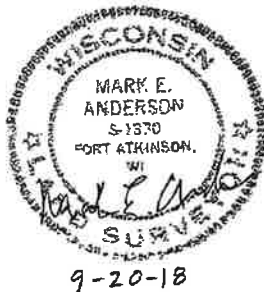
Part of the SW¼ of the NE¼ of Section 26, T7N, R15E,  
Town of Farmington, Jefferson County, WI

## NOTES:

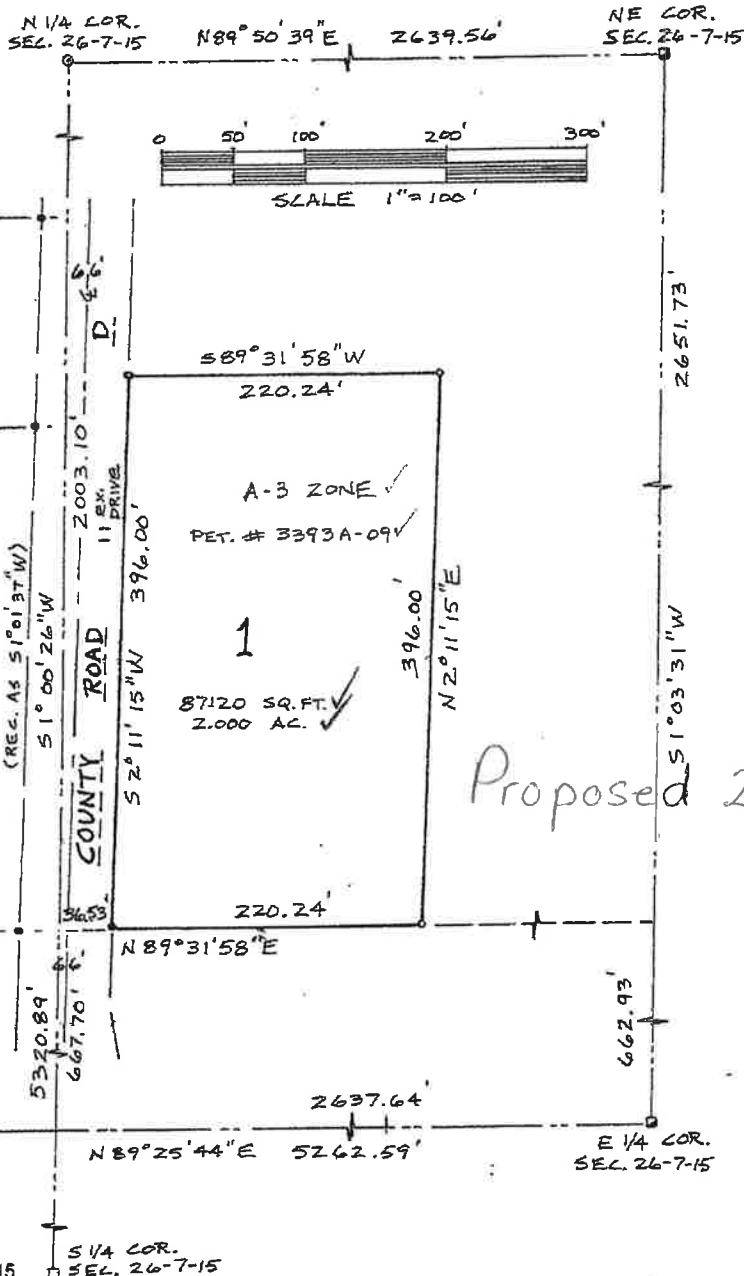
Assumed North referenced to the N-S ¼ line of  
Section 26-7-15 bearing S1°00'26"W.

This lot may be subject to any and all easements  
or agreements either recorded or unrecorded.

- Found 4" Diameter Aluminum Monument
- Found 2" Diameter Aluminum Monument
- Found 1½" Iron Pipe
- Found 1¼" Iron Pipe
- Set ¾"x18" Iron Rod Weighing 1.50 #/ft.



9-20-18



Proposed 2018

Owners/Subdividers  
Steven J. & Jody L. Knoebel  
Revocable Trust dated Feb. 5, 2015  
N5648 S. Farmington Road  
Helenville, WI 53137

Sheet 1 of 2

JN 09-02

**ANDERSON LAND SURVEYING LLC**  
W6141 Star School Road, Fort Atkinson, WI 53538

**Professional Land Surveyor**  
Phone (920) 563-8162

JEFFERSON COUNTY

## PRELIMINARY REVIEW FOR CERTIFIED SURVEY

A division of land located in the SE ¼ of the SW ¼ of Section 36, Town 6 N, Range 13 E, Town of Oakland, Jefferson County, Wisconsin, on Parcel Number(s) 022-0613-3634-000

Date Submitted: June 6, 2018

Revised: 9-26-18 FIELD ENTRANCE

**Owner:** William F. Stroupe Trust c/o William Stroupe

Address: W7462 County Road C

City, ST Zip: Fort Atkinson, WI 53538

Phone: 920-563-4636

**Note to be placed on final CSM**

Petition # \_\_\_\_\_ Zoning \_\_\_\_\_

Check for subsequent zoning changes with Jefferson County Planning and Zoning Department.

Surveyor: Anderson Land Surveying LLC

**Address:** W6141 Star School Road

City, ST Zip: Fort Atkinson, WI 53538

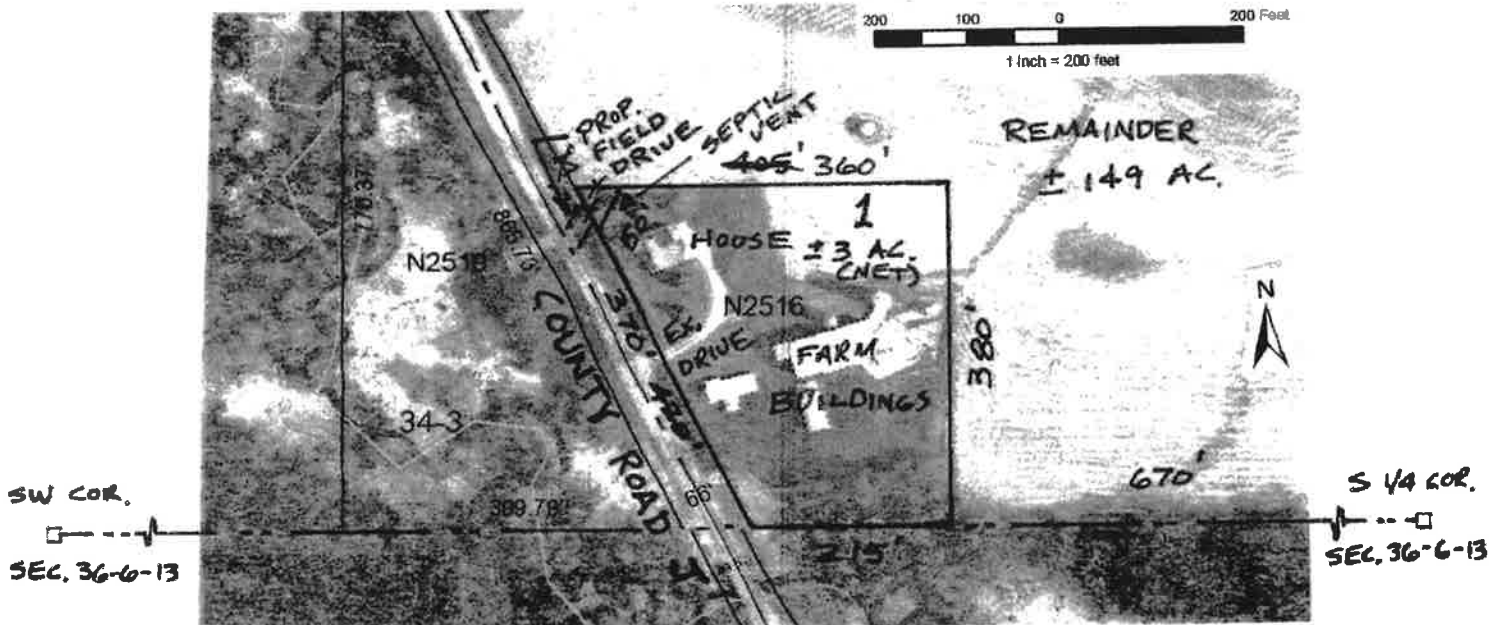
Phone: 920-563-8162

In addition to the info required by Section 236.34 of State statutes, Sec. 15.04(f) of the Jefferson County Land division/Subdivision Ordinance requires that the following be shown:

- Existing buildings, watercourses, drainage ditches and other features pertinent to the proper division.
- Location of access to a public road, approved by the agency having jurisdiction over the road.
- All lands reserved for future public acquisition.
- Date of the map
- Graphic Scale

☒ Rezoning☐ Allowed Division within an existing Zoning District☐ Survey of Existing Parcel

Intent and Description of Parcel to be Divided: Create an approximately 3 acre Farm Consolidation A-3 lot with existing house and farm buildings for sale.



**NOTE: Areas and dimensions on this Preliminary are approximate only and in most cases will vary from the Final survey data.**

Town Board Approval \_\_\_\_\_ Date \_\_\_\_\_  
(Includes Access approval if applicable)

County Highway Approval \_\_\_\_\_ Date \_\_\_\_\_  
(if applicable)

Extraterritorial Approval \_\_\_\_\_ Date \_\_\_\_\_  
(If applicable)

County Surveyor Approval \_\_\_\_\_ Date \_\_\_\_\_

Zoning Office Approval \_\_\_\_\_ Date \_\_\_\_\_

Please submit four copies to Jefferson County Planning & Zoning, 311 S Center Ave. Room 201, Jefferson, WI 53549

18-17

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4  
OF SECTION 34, TOWNSHIP 8 NORTH, RANGE 13 EAST OF THE  
FOURTH PRINCIPAL MERIDIAN, IN THE TOWN OF WATERLOO  
COUNTY OF JEFFERSON, STATE OF WISCONSIN.

NW COR NE 1/4  
SECTION 34-8-13  
N=411938.623  
E=2251085.468

NORTH LINE NE 1/4 SECTION 34-8-13

N89°38'00"W

NE COR NE 1/4  
SECTION 34-8-13

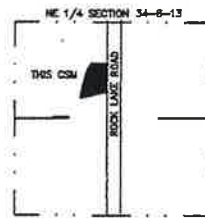
N=411921.652  
E=2253738.405

## PREPARED BY:

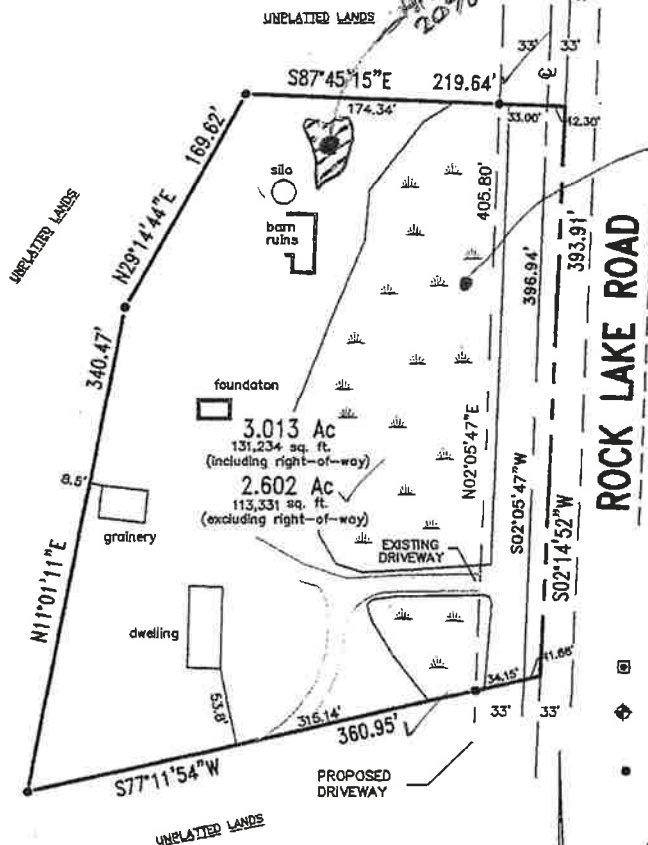
FRANKLIN J. LEHMAN  
N6795 COUNTY RD A  
LAKE MILLS, WI 53551  
(262) 787-8788  
(262) 901-5116  
JOB NO 180305CSM

## PREPARED FOR:

GOERS TRUST  
N7562 ISLAND DR  
PARDEEVILLE WI 53954  
PARCEL ADDRESS:  
N7635 ROCK LAKE RD  
WATERLOO WI 53594



VICINITY MAP  
SCALE: 1" = 2000'



FRANKLIN J. LEHMAN, P.L.S. 2211  
DATE: AUGUST 1, 2018

## LEGEND

- FOUND JEFFERSON COUNTY MONUMENT  
4" X 6" CONCRETE MONUMENT WITH BRASS CAP
- FOUND JEFFERSON COUNTY MONUMENT  
MAGNETIZED ALUMINUM CAPPED
- SET 0.75" DIA x 18" IRON ROD  
WEIGHING NOT LESS THAN  
1.13 lbs/lin foot



SCALE 1" = 100'

NOTE: BEARINGS HEREON RELATE TO GRID NORTH  
OF THE OF THE WISCONSIN STATE PLANE  
COORDINATE SYSTEM, SOUTH ZONE, (NAD 83)  
COORDINATES PROVIDED BY JEFFERSON COUNTY

North referenced to identifiable  
direction of 1/4 Section [236.20(2)(i)]

THIS INSTRUMENT DRAFTED BY FRANKLIN LEHMAN PLS-2211

SHEET 1 OF 1

PETITION # \_\_\_\_\_ ZONING A-3  
Check for subsequent zoning changes  
with Jefferson County Zoning