

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

April 4, 2017

9:00 a.m.

Grant County Board Room (#264)

Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on April 4, 2017 at 9:00 a.m. by Dwight Nelson, the Conservation, Sanitation, and Zoning Committee Chairman, in the Grant County Board Room #264, 111 S. Jefferson St., Lancaster.

Board members present: Dwight Nelson, Mark Stead, Lester Jantzen, Grant Loy, Dale Hood, and Gabe Loeffelholz. Roger Guthrie Excused. Others present: Lynda Schweikert, Annette Lolwing, Kevin Lange, Justin Johnson, Bob Keeney, Kaitlyn Key, Megan Leibfried, Jason Vondra, Kyle Bennett and Joe Schmelz arrived at 9:10 a.m.

Certification of Open Meeting Law

Annette Lolwing sent the agenda to Karla Schwantes and Linda Gebhard to post in the Administration Building and at the Courthouse, also sent an agenda to Bob Middendorf, WGLR, and was posted in the front of the Ag Service Center Building. Media notices were sent to Karla Schwantes, Linda Gebhard, Herald Independent, Tri County Press, Platteville Journal, and the Muscoda Progressive.

Approval of Agenda

Motion by Dale Hood, seconded by Lester Jantzen to approve the Agenda. Motion carried.

Approval of the Minutes

Motion by Grant Loy, seconded by Gabe Loeffelholz to approve the March 7, 2017 Minutes. Motion carried.

Approval of the Bills

Motion by Lester Jantzen, seconded by Grant Loy to approve the bills. Motion carried.

Public Hearing for Rezones

Chairman Nelson opened the Public Hearing:

#17-03 Megan Leibfried is requesting to change the zoning classification on PIN: 050-00550-0030 of +/- 18.69 ac. from FP to A2 to allow the use of a service trade business.

In Favor: Megan Leibfried and Platteville Twp. approved on March 13, 2017. Stating it is consistent with their Smart Growth Plan. Megan stated that the sole proprietorship will be operated from this smaller facility with the intent of building a home and working out of the home in the future. Facility will be built in the woods and won't be visible from the road. A Conditional Use Permit will be a reduced acreage and will be presented at the May committee meeting.

In Opposition: None

Committee Discussion: Dale Hood questioned the use of the same easement by others to get to the site.

Dwight Nelson closed the Public Hearing:

Motion by Mark Stead that the items are concurrent with all the conditions on the Farmland Preservation Worksheet and to recommend approval of the rezone to the full County Board, seconded by Dale Hood.

Motion carried. (See Attachment A Worksheet)

Chairman Nelson opened the Public Hearing:

#17-05 Jason Vondra is requesting to change the zoning classification on PIN: 052-00636-0000 of

+/- 3.16 ac. from FP to A2 to allow the use of a non-farm residence.

In Favor: Jason Vondra and Potosi Twp. approved March 10, 2017. Jason reported that this property already has a septic and well.

In Opposition: None

Committee Discussion: None

Dwight Nelson closed the Public Hearing:

Motion by Lester Jantzen that the items are concurrent with all the conditions on the Farmland Preservation Worksheet and to recommend approval of the rezone to the full County Board, seconded by Mark Stead.

Motion carried. (See Attachment B Worksheet)

Chairman Nelson opened the Public Hearing:

#17-07 Kyle Bennett is requesting to change the zoning classification on PIN: 060-00490-0000 of +/- 2.0 ac. from FP to A2 to allow for the use of a non-farm residence.

In Favor: Kyle Bennett and Watterstown Twp. approved March 14, 2017.

In Opposition: None

Committee Discussion: Grant Loy asked if there are any other buildings on this parcel, no there is not.

Dwight Nelson closed the Public Hearing:

Motion by Mark Stead that the items are concurrent with all the conditions on the Farmland Preservation Worksheet and to recommend approval of the rezone to the full County Board, seconded by Lester Jantzen.

Motion carried. (See Attachment C Worksheet)

Zoning Ordinance Revisions

Lynda reported that they are working to revise the Comprehensive Zoning Ordinance. There has been 2 meetings with the Town boards, the first meeting in January was to present a survey to each Zoned township asking what changes they wish to make and the second meeting on March 27th sharing the results of the survey. Items that were discussed: tiny homes, constructing an accessory structure before a primary structure, they did not want to charge a fee, but they also wanted a say in the process. They didn't realize the cost and the time that occurs when you want a conditional use permit, or on a zoning change. Highway setbacks are an issue because they are very restrictive. Didn't seem to have an issue with allowing a 0 foot side line setback. They seemed unsure about the sign and parking lot setbacks. Justin and Lynda will try to have the rough draft out by the end of April for the township's May meetings, then final draft to present at the June CSZC meeting. It will need to go on to the June County Board for their approval. Finally back to the Townships for the adoption of the Comprehensive Zoning Ordinance. Continuing to review maps for changing those small parcels that were labeled as FP to A2 if larger than 1 acre and R1 if smaller than 1 acre to make it consistent with the ordinance. Because this is a major change to the Zoning Ordinance, this is the only time that Townships can chose to opt out of county zoning.

Zoning and Sanitation Report

Lynda reported that the difference in the maintenance and late fees in 2016, 53 compared to 13, in 2017 were due to the date citations were issued. Citations were just issued for those who did not do their maintenance in 2016. They sent out notices to 100 people on the failing list, and requesting them to reply back to our office within 15 days to let us know what their plans were to get into compliance. Also 3 year maintenance reports have been sent out.

Lynda reported that the Grant and Lafayette Counties joined together to host the pumpers and plumbers meeting. There were 48 people that attended. The \$100.00 late fee was brought up to try and prevent landowners from procrastinating their maintenance.

Lynda reported that they are still working on the zoning revisions. Justin has been working on the township maps.

Lynda reported that there is a possible BOA on the docket.

Motion by Dale Hood, seconded by Lester Jantzen to accept the Zoning and Sanitation report. Motion carried.

County Cost Sharing

Started out with \$21,349.05.

Lynda presented tentative approval request for county cost sharing on a closure of waste storage facility for Patrick Bausch, Cassville Twp., \$2,250.00. Motion by Dale Hood, seconded by Mark Stead to approve Patrick's request. Motion carried.

Lynda presented tentative approval request for county cost sharing on a well decommissioning for Vesperman Corp., South Lancaster Twp., \$400.00. Motion by Mark Stead, seconded by Grant Loy to approve Larry Vesperman's request. Motion carried.

Final Balance - \$18,699.05

SWRM Cost Sharing

2016 DATCP Cost Sharing – None to report. Balance remains at \$23,298.00.

2017 DATCP Cost Sharing – None to report. Balance remains at \$43,333.75.

Storage Permit Approval

Lynda reported that Tranel Family Farms, Hazel Green Twp., are constructing a concrete storage facility for 134 dairy cows. They had a private engineer design the project and reviewed by Ralph Hemling. They have paid their \$200.00 permit fee. Motion by Lester Jantzen, seconded by Gabe Loeffelholz to approve his permit. Motion carried.

Lynda reported that Jason Sensenig has withdrawn his permit request for his manure storage design along with a manure storage abandonment design. Lynda informed committee that he may be requesting his earnest money back after construction of the project.

Lynda reported that Pat Bausch has a manure storage structure under a hog building that he is requesting to abandon. He has paid his \$50.00 permit fee. Motion by Mark Stead, seconded by Dale Hood to approve his permit. Motion carried.

Restore Base Funding for Conservation Resolution Approval

Lynda reported that the governor's budget came out and decreased the base funding for staff and support. WI+Land and Water has come up with points of action for each county to help them out with their lobbying to restore the funding to 9.3 million. Mark and Lynda attended the joint finance committee in Platteville for the public hearing. Lynda shared a Resolution to provide adequate resources to support county land conservation and cost-sharing for farmers and other land users. Motion by Mark Stead, seconded by Lester Jantzen to approve the resolution to restore funding from \$8 million back to \$9.3 million. Motion carried.

Joint DATCP/DNR Grant Applicant Approval

Lynda reported that the joint DATCP/DNR grant application is due on April 15, 2017. Each county is eligible for a base of \$75,000.00 to cover staff time. She is requesting \$188,682 for staffing, and \$150,000 for cost-sharing, and requesting no SEG funds for the NMPlans. Motion by Mark Stead, seconded by Dale Hood to approve Lynda to apply for the DATCP/DNR annual grant. Motion carried.

Annual Work Plan Approval

Lynda reported that along with the Land and Water Resource management plan which is due every 5 years, she is also required to do an annual work plan for our goals in 2018. Motion by Grant Loy, seconded by Gabe Loeffelholz to approve Lynda to submit the Annual Work Plan as written. Motion carried.

Approval to Let Erik's Truck Out for Bids Once New Truck Arrives

Lynda requested that once we receive the new truck, she would like to place an ad in the paper to accept sealed bids. Motion by Mark Stead, seconded by Lester to approve Lynda to advertise for sealed bids for the 2002 F150 once the new one arrives. Motion carried.

CSZD Administrator Report

Lynda asked if there was anything to report of those who attended the conference. The auction items that were donated by Grant County raised \$151.00 for the Youth and Education programs. The WLWCA was a good Conference.

Lynda reported that they had 31 people who attended the NMFE Update Class on March 13th & 14th at UW Platteville. There were 14 that need additional help in the office. Very appreciative of UW Platteville with the assistance with the computers, printers, and the students that help out.

Lynda mentioned that the 2016 Annual Report is printed and out for delivery.

Lynda shared a Lunch Menu from Vesperman Farm to select from for the SAA Tour.

Lean Update

Lynda reported that Brad has updated the pumpers and plumbers on the new maintenance form. April 3rd there were 2,338 maintenance forms mailed out. Will start to track information as they are returned. The information will be used in the Lean process.

Lynda reported that Joyce is taking over the lead in the "Stepping Up" project with Unified.

Lynda reported that she will be a new facilitator on the Facility Dude Lean Project.

FPP Report: Kevin Lange

- ❖ Kevin reported that he has 1 Cancellation of Notice of Noncompliance with Farmland Preservation for Danny and Michelle White, Mount Hope Twp. They have submitted a DATCP approved Nutrient Management Plan. Motion by Mark Stead, seconded by Lester Jantzen to accept the Cancellation of Notice of NonCompliance. Motion carried.
- ❖ Kevin reported that he has laid out 70.0 acres of contour strips, a 40.0 acre contour job, and another 68.0 acres where scheduled.
- ❖ Kevin has been busy with Farmland Preservation, Certificates of Compliance. These were all mailed out last year in January and February. He has been making copies, corrections/revisions, and new Certificates of Compliance.
- ❖ Kevin has been working on several CREP contracts. Will continue to work on those contracts until he's told to stop because of the national acre cap being filled. New contracts and some that will be expiring this fall.
- ❖ Kevin reported that the Tree Sale pick up is scheduled for April 21st.
- ❖ Kevin reported that Arbor Day and Stewardship Day is coming up. Will be delivering 1595 litanies for 13 churches, 507 activity books for 9 schools, 15 trees for 15 schools.
- ❖ Lynda mentioned that there is a DATCP report with the number of claims with the old law, Schedule FPC/Agreements, and the new law, Schedule FPC-A, the zoned townships and the FPP payments per County for FY2016. We have 450 +/- landowners in compliance.

NRCS Report: Joe Schmelz

- ❖ Joe reported that the EQIP 2nd batching and ranking was completed on March 31st. Should find out by the end of the week who is funded. Still have the 2nd batching deadline for June 2nd for the EQIP Initiatives with Honeybee, Cover Crop, Soil Health and Trout Unlimited RCPP.
- ❖ Local Workgroup Meeting will be on June 14, 2017 from 9:00 to 11:00 a.m. at the Belmont Community Building.
- ❖ Continuing to go through all the CSP applications with walkovers on the farm.
- ❖ Joe reported that the CRP HELI acres are out. There were 6 or 7 people that had paperwork completed on our side and with FSA but were not approved in the system soon enough, therefore they did not have a CRP HELI contract. They have the option to let it expire after September 30th or sign up for the Monarch seed planting. If they opt for the Monarch planting for the CRP sign up they are required to destroy the existing CRP cover and replant.
- ❖ We have received the Fish and Wildlife seed for the 22 people to stop by and pick it up.
- ❖ Joe reviewed the Operational Agreement between NRCS and the Grant County Conservation, Sanitation and Zoning Department so we can stay co-located together. Section 6 compliance files are not to be used for enforcement and must follow the confidentiality policy.

FSA Report:

Gabe Loeffelholz reported that FSA is still in search of a CED, and Dennis Hottenstein is retiring on April 28th.

RC&D/WLWCA/LWCB Report: Dale Hood

RC&D has not met. Nothing else to report.

Motion by Lester Jantzen, seconded by Dale Hood to go into closed session at 10:37 a.m. per state statute 19.85(1)(c) in considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, specifically as it relates to the performance evaluation of the Administrator of the Conservation, Sanitation, and Zoning Department. Roll Call: 6 Yes, 0 Nay, 1 Excused. Motion carried.

Vote to come out of closed session. Motion by Mark Stead, seconded by Lester Jantzen to approve. Motion carried.

Vote on satisfactory Performance Appraisal to allow scheduled step increase. Motion by Lester Jantzen, seconded by Grant Loy to approve. Motion carried.

Motion by Mark Stead, seconded by Dale Hood to set the next meeting for May 2, 2017 at 9:00 a.m. Motion carried.

Motion by Lester Jantzen, seconded by Mark Stead to adjourn. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen.

(Attachment A Worksheet)
Review of Standards for Rezoning Land out of Farmland Preservation

Date: 3/16/17 Landowner: Megan Leibfried

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

☒ Yes

or

☐ No

Explain:

- Proposed use is for massage therapy (service trade business): Not prime farmland (wooded)
2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

☒ Yes

or

☐ No

or

☐ N/A

Explain: FP to A2. Town Board approved on 3/13/17 stating it's consistent with Comp. Plan

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. ☒ Yes ☐ No

Development occurring in wooded area - Not Prime Farm ground

5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. ☒ Yes ☐ No

Not prime farmland and not close to established farm operations

5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. ☒ Yes ☐ No

structure will be located in wooded area

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. ☒ Yes ☐ No

Already in a platted subdivision

5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. ☒ Yes ☐ No

Service trade business

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

☒ 6.4 Located in a Farmland preservation zoning district

☐ 6.5 Covered by a Farmland Preservation Agreement

☐ 6.6 Covered by an agricultural conservation easement

☐ 6.7 Otherwise legally protected from nonagricultural development

Yes

or

☐ No

Explain:

- 7 The CSZC ☒ recommends / ☐ does not recommend approval to the Grant County Board of Supervisors
(Circle one)

Mark Dale

(Attachment B Worksheet)
Review of Standards for Rezoning Land out of Farmland Preservation

Date: 3/15/17 Landowner: Jason Vondra

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

☒ Yes

or

☐ No

Explain:

proposed use is for a nonfarm residence. Not in prime farmland

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

☒ Yes

or

☐ No

or

☐ N/A

Explain: *FP to A2. Town Board approved on 3/10/17*

Stating it is consistent w/ comprehensive plan

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

- 5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. ☒ Yes ☐ No

Residence will not be placed in prime farmland

- 5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. ☒ Yes ☐ No

No established farm operation on property currently

- 5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. ☒ Yes ☐ No

No prime farmland present

- 5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. ☐ Yes ☐ No ☒ N/A

Not a platted subdivision

- 5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. ☒ Yes ☐ No

Nonfarm Residence

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

☒ 6.4 Located in a Farmland preservation zoning district

☐ 6.5 Covered by a Farmland Preservation Agreement

☐ 6.6 Covered by an agricultural conservation easement

☐ 6.7 Otherwise legally protected from nonagricultural development

Yes

or

☐ No

Explain:

- 7 The CSZC ☒ recommends/does not recommend approval to the Grant County Board of Supervisors
(Circle one)

Hester/Mark

(Attachment C Worksheet)
Review of Standards for Rezoning Land out of Farmland Preservation

Date: 3/15/17 Landowner: Kyle Bennett

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

☒ Yes

or

☐ No

Explain:

proposed use is for nonfarm residence. Not in prime farmland

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

☒ Yes

or

☐ No

or

☐ N/A

Explain:

*Residence won't be located in prime farmland
Townboard Voted it is consistent w/ Comp Plan 3/14/17*

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

- 5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. ☒ Yes ☐ No

No prime farmland present

- 5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. ☒ Yes ☐ No

Development occurring in area that is not prime farmland

- 5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. ☒ Yes ☐ No

No prime farmland present

- 5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. ☐ Yes ☐ No ☒ N/A

Not a platted subdivision

- 5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. ☐ Yes ☐ No ☒ N/A

No ag-related development occurring

- 6 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

☒ 6.4 Located in a Farmland preservation zoning district

☐ 6.5 Covered by a Farmland Preservation Agreement

☐ 6.6 Covered by an agricultural conservation easement

☐ 6.7 Otherwise legally protected from nonagricultural development

Yes

or

☐ No

Explain:

- 7 The CSZC ☒ recommends / ☐ does not recommend approval to the Grant County Board of Supervisors
(Circle one)

Mark Gester