

# GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

May 4, 2023

9:00 a.m.

Room #264, Grant County Board Room, Administration Building  
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on May 4, 2023, at 9:00 a.m. by Gary Northouse, the Conservation, Sanitation, Zoning Committee Chairman in Room #264, County Board Room of the Administration Building.

Board members present in the County Board room #264: Porter Wagner, Gary Northouse, Joe Mumm, Pat Schroeder, Adam Day, and Brian Lucey. Others present in the County Board room; Erik Heagle, Annette Lolwing, Robert Keeney, Justin Johnson, Ross Griffin, Shane Drinkwater, and Cody Hoppenjan. Those on Zoom: eheagle, Grant County Board Room, Robert Keeney, Shane Drinkwater, Mike Adams, 608-393-9540 - Chris, 608-723-9191, Chris's iphone, Tonya White, and Mike Adams.

## **Certification of Open Meeting Law**

Annette Lolwing sent the agenda to Tonya White and Karla Schwantes to post in the Courthouse, in the Administration Building, and on the county website. An agenda was also posted in front of the Ag Service Center Building. An agenda was also sent to Bob Middendorf, WGLR. Media notices were sent to Tonya White, Karla Schwantes, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

## **Approval of May 4, 2023, Agenda**

Motion by Pat Schroeder, seconded by Porter Wagner to approve the agenda. Motion carried.

## **Approval of the April 6, 2023, Minutes**

Motion by Brian Lucey, seconded by Adam Day to approve the April 6, 2023, minutes. Motion carried.

## **Review & Accept the Bills**

Motion by Joe Mumm, seconded by Porter Wagner to accept the April bills. Motion carried.

## **Public Hearing for Rezones**

Chairman Northouse opened the Public Hearing

#RZ23-09 Glass & Myers Land LLC, Ellenboro Twp. is requesting to change the zoning classification on PIN: 014-00328-0000 of +/- 2.3 ac. from FP to A-2 to allow for the proposed use of a nonfarm residence.

In Favor: Ellenboro Twp. approved on March 1, 2023.

In Opposition: None

In Interest: Justin reported that on the 1.3-acre lot may potentially be a home built. For the 1.0-acre lot is to establish a shouse. If and when the home gets established on the 1.0-acre lot, they would convert that shouse into a shed/garage for vehicles. Justin had one of the neighbors call in for informational purposes only.

Committee Discussion: Pat stated that as long as they stay with the shouse they can stay there as long as they want, as long as they don't change the use of the property. Brian Lucey asked if it going to be their primary residence? Justin stated that he doesn't know if it is going to be the primary residence. Erik stated that it doesn't matter if it is a primary or a cabin, it is being utilized as a residence.

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder, 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 Adam Day. Motion carried. See Attachment A Worksheet.

## **Public Hearing for Conditional Use Permits**

Chairman Northouse opened the Public Hearing

#CUP23-007 Woodland Terrace MHC, LLC, Platteville Twp., is requesting a Conditional Use Permit on PIN: 050-00932-0000 of +/- 4.82 ac. to allow for a proposed use of long-term storage units under Section 3.11(2) (h) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Platteville Twp. approved on March 13, 2023. Alex Johnson was not in attendance, but Chris participated on the Zoom line.

In Opposition: None

In Interest: On the participation form the Platteville Township stated that if the intended use changes described under this petition, they must bring it back to the Platteville Town Board.

Committee Discussion: Porter Wagner asked if they are making this into storage units? Erik replied, yes, they are. Porter asked, because this is a conditional use permit, the committee can place conditions on the it. Porter wants to see that there is no outside storage allowed in the storage unit area. Justin stated, yes you can place a condition on this conditional use permit but the condition must be enforceable. If there is a condition placed on the CUP and Woodland Terrace didn't follow through with the requirements, it would then make it enforceable. Justin stated that if Woodland Terrace wants to place a condition to include campers etc. for outdoor storage it must be very specific. Erik asked Chris if it is being planned for internal use storage within the buildings and if there plans for any external storage outside of the buildings? Chris replied that they do plan to have outdoor storage. Chris stated that they don't want the site to look like a junk yard. Porter asked: if you parked a car or a camper on site is that the only way that it can be there is if it were drivable, registered, licensed, and must also follow the Platteville Township ordinance? If the committee chose to incorporate the condition placed on Woodland Terrace of no parking of anything in the parking lot area, they could bring it back to the committee at a later date. Pat Schroeder asked if Woodland Terrace came back to the committee and now wishes to park vehicles outside, would there be an additional charge for another CUP on this parcel number? Erik didn't know the answer to that question. Pat would like this to be fair for Woodland Terrace now vs. them having to come back and pay another \$300.00 for another conditional use permit. CUP's lasts forever, except for CUP's for rock quarries. There is an engineering firm working on the design of the storage units. Porter stated that 4.82 acres doesn't really give them a lot of room to be doing much by the time they meet all their setbacks. Adam Day asked Chris if there is only one entrance coming off Classic Lane? Chris stated that yes, they are planning to have at least one access to the property. Adam mentioned the traffic that comes in and out of the dead-end lane and coming off 151, he advised them to have a fairly good security system in place. Joe Mumm asked about setbacks and outside storage. Justin reported that it would be 50' to the center of Classic Lane, 8' to the sides, 30' to the rear property line, and 110' off of Hwy 151. Joe Mumm asked if they choose to park something in the setback area, providing it is not a structure, they can do that, Correct? Erik stated, yes, they can.

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner to not allow any outside storage. Porter rescinds his motion and would let Platteville Township worry about the appearance of the property. Motion by Porter Wagner, to recommend approval of the Conditional Use Permit, seconded by Adam Day. Motion carried.

## **Public Hearing for Ordinance Amendment**

Chairman Northouse opened the Public Hearing

Petition #23-01 Ordinance Amendment request to Chapter 315 Section 3.23 (3) (a) of the Grant County Comprehensive Zoning Ordinance to allow for reduced vision corner setbacks for roads with speeds posted 40 mph or less. The reduced vision corner setbacks would utilize current Wisconsin Department of Transportation standards. Ross Griffin and Cody Hoppenjan want to build onto their homes, they both live on corner lots that have vision corner setbacks. Because of the vision corner setbacks that are in the Comprehensive Zoning Ordinance neither home does not meet all the vision corner setbacks. Therefore, neither landowner is eligible to build on to their home therefore the zoning permit would not be issued. The Ordinance establishes a vision corner distance per road classifications. If goes from classifications of town road, county roads, and state highways whereas the Department of Transportation goes by a posted speed limit. If this Ordinance Amendment would be

approved, the amendment would not be more restrictive than what our current ordinance is and enforces. For the 40 miles an hour speed zone the D.O.T. will be more restrictive above 40 mph.

In Favor: Ross Griffin & Cody Hoppenjan

In Opposition: None

In Interest: Letters reflecting the Ordinance Amendment for the vision corner setbacks were sent out to all townships. We did not hear anything back from any of the townships. The correspondence dates: Corporation Council on April 3<sup>rd</sup>, Highway Department was on April 18<sup>th</sup>, and the letter to the towns were sent out on April 14<sup>th</sup>. No comments from any of the locations that the correspondence was sent to.

Committee Discussion: Porter Wagner asked if the 90' setback is just the vision corner. Once the homeowners want to start building, they still need to meet all the other setback requirements. Brian Lucey mentioned that he attended the Jamestown town board, and this was also an agenda item. All 5 members of the board spoke in favor of the Ordinance Amendment.

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner to recommend approval of the Ordinance Amendment to the full County Board, seconded by Brian Lucey. Motion carried.

### **Zoning/Sanitation Report**

Sanitation - Erik reported that at the end of April 2023 we have 27 sanitation permits, with 38 permits in 2022. Erik reported that Brad Digman has completed 1 new gravity at grade septic plan review so far. We have only received 120 3-year maintenance fees so far in 2023, we were at 289 in 2022. Around 2500 3-year maintenance forms have been sent out. There are approximately 50 current orders for correction's and 100 active citations for sanitation. Erik mentioned that there have been 12 septic systems installed so far this year.

Working at getting Jim set up to take the POWTS test with DSPS. Jim is not able to test until July in Deforest.

Zoning - Erik reported that we have had 61 zoning permits as of April 30<sup>th</sup> this year compared to 58 zoning permits last year. This year there are 9 permit extensions & revisions compared to 1 in 2022. There are 26 active orders for correction & citations.

### **Farmland Preservation Program**

Erik reported that there are 9 letters of noncompliant. 4 of the letters are for landowners that are deceased. A couple of letters are parcels that have been split in many ways. Others have been switched over to their children. There are a few that have sold land to new owners, and the new landowner does not want to participate. There was also one person that was in FPP that didn't realize it, but he didn't want to be in FPP. They signed a form to voluntarily opt out of FPP.

**County Cost Sharing:** Beginning Balance \$44,993.66/Ending Balance \$44,160.18

Erik presented tentative approval request for county cost share for a grassed waterway for Ruth Wiederholt, Jamestown Twp., \$297.28, and 2023 DATCP cost sharing of \$8,181.12 for a total of \$8,478.40. Motion by Adam Day, seconded by Porter Wagner to approve Ruth's grassed waterway. Motion carried.

Erik presented final approval request for county cost sharing on a well decommissioning for Noble Farms Inc. Lima, Twp., \$536.21. Motion by Porter Wagner, seconded by Joe Mumm to approve payment. Roll Call: 6 Yes, 0 No, 0 Absent. Motion carried.

### **SWRM Cost Sharing**

**2022 DATCP Cost Sharing:** Beginning Balance \$4,931.12/Ending Balance \$4,931.12

**2023 DATCP Cost Sharing:** Beginning Balance \$8,181.12/Ending Balance \$0.00

**2021 MDV Cost Sharing:** Beginning Balance \$0.00/Ending Balance \$0.00

## **Storage Permit Approval**

Kieler Farms applied for a permit for new construction with under roof calf manure stacking pad. Erik approved the permit.

James Busch, Cuba City, has applied for a permit for 2 earthen waste storage facility closures. Erik approved the permit.

North Side Genetics LLC applied for a permit for new/replacement of transfer system and leachate runoff control system. Erik approved the permit.

## **CSZD Administrator Report**

### **Meetings**

- Erik attended a Department Head and Retention Committee meeting on April 13<sup>th</sup>.
- Erik and Justin met with a new renewable energy company on April 19<sup>th</sup> to discuss wind siting (Avangrid) in Cassville, Bloomington, and Glen Haven areas.
- Erik attended a Land Info meeting on April 20<sup>th</sup>.
- Erik attended a non-metallic mining webinar on enforcement/compliance on May 2<sup>nd</sup>.

### **Information**

- Erik reported that the tree sale set up was on April 28<sup>th</sup>. Erik thanked Annette for doing an awesome job on it.
- Erik and his team say thank you to the county board supervisors for the cookout. They really appreciated it.
- Erik reported that the FP Plan is initially approved by DATCP, it needs a 30-day public comment/review period. Erik is planning to bring the FP plan to the committee and to county board in July for approval. A copy has been sent to Robert Keeney and Ben Wood.
- Erik started to work on the camper ordinance. No clear language on camper use and have had numerous complaints from the public and townships are being received on this. More details to come. We plan to involve the townships on the drafting of this.
- Erik reported that Brady Bartels will be starting as a soil conservationist on May 22<sup>nd</sup>.
- Erik has a conference talk in Dubuque on May 18<sup>th</sup> for the County planning & Zoning Officials of Iowa. There will be a panel discussion on renewable energy projects with some consultants and project coordinators.
- Erik stated that they are getting ready for flood damage assessments. They will be working with Steve Braun. Erik, Justin, and Jim are getting prepared for flood damage issues and FEMA prep.
- Justin and Jim each will be off for a week; Traci is off a few days and Erik will be off the 12<sup>th</sup> – 16<sup>th</sup>.
- Letters will be sent out to the town chairmen of the townships along the Mississippi about flood response and working with our office on damaged structures in the floodplain.

## **Continuous Improvement**

The conservation projects get spot checked by DATCP every 3 years. Erik is looking to receive additional job approval for streambanks and manure pit closures.

## **NRCS Report: Mike Adams**

- Mike Adams reported that the weather is starting to get nice, so they are working on CRP status reviews on contracts that will expire in 2024.
- NRCS will be signing up highly erodible land reenrolls.
- The first week of June, NRCS will be working on compliance reviews for highly erodible land, and wetland compliance. NRCS will be notifying landowners by May 15<sup>th</sup>, giving them a 2 week notice but not more than a month.
- NRCS is offering an EQIP 2 sign up. May 19<sup>th</sup> is the deadline to sign up. It is limited funding. It is not all the same fund pools that were offered in the fall. A couple larger fund pools are the Sinsinawa Watershed and a fund pool for CNMP's and Forest Management Plan Development.

- They are certifying some spring practices: tree planting, waterways that were built and some dam construction going on right now.
- There are a couple of CSP applications to process.
- The District Conservationist, Andy Walsh, Iowa County, has accepted a new position at the Area Office as an Area Resource Conservationist.

**FSA Report: Emily Schildgen**

No report.

The next meeting is scheduled for June 1, 2023, at 9:00 a.m. in the County Board room.

Motion by Joe Mumm, seconded by Pat Schroeder to adjourn the meeting. Motion carried.

Respectfully Submitted by Annette Lolwing for Porter Wagner

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 5/3/23 Landowner: Glass + Myers Land LLC

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:

Both lots are located on non prime farmland soil

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: Per Township Participation Form on 3/1/23

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

3.1: 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 would occur on non prime farmland soil if approved

3.2 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 operations and/or floodplain + shoreland areas nearby

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

The remaining +/- 103.7 acres would remain in the FP District

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

Not an existing subdivision or sanitary district

3.5 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 being proposed.

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

- 4.1 Located in a Farmland preservation zoning district
4.2 Covered by a Farmland Preservation Agreement
4.3 Covered by an agricultural conservation easement
4.4 Otherwise legally protected from nonagricultural development

Yes or No

Explain: Development would be located on non prime farmland soil if approved.

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

Pat/Adam