

. GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

July 6, 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 July 6, 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, Brian Lucey, and Adam Day. Others present in the County Board room; Erik Heagle, Annette Lolwing, Robert Keeney, Justin Johnson, Shane Drinkwater, Tonya White, Kevin Bickford, Justin Bowers, Michael Hankard, Joe Gingerich, Haley Waller Pitts, Drew Janke, Jim Klemir, Tim Sweeney, Joe Schwarzmamm, Brenda Martin, Curt Breiwa, Bradley and Sherry Swim, Richard Jinkins, Dale Schluter, Bonnie White, Andrew Drewry, David Divine, Dr. Gloria Belken, Doug Steinback, Linda Grice, George Schwarzmamm, Kathy Ladd, Andrea Statz, Theresa Reiter, Dan Heger, Shirley Heger, David White, Rick Zemlicka, Ron and Judy Iverson, Jim Moran, Alexander Luman, Tracy Fillback, Connie Miles, Terry Schaefer, Dan Hershberger, Brittany Erskine, Willie and Joan Driscoll, Mark Stead, Munce Tronsgard, Ben Schroeder, Darrell Wilkinson, John L. Hostetler Jr., and Aaron Stout.

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 July 6, 2023, Agenda

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

Approval of the June 1, 2023, Minutes

Motion by Joe Mumm, seconded by Brian Lucey to approve the June 1, 2023, minutes. Motion carried.

Review & Accept the Bills

Motion by Pat Schroeder, seconded by Adam Day to accept the June bills. Motion carried.

Public Hearing for Rezones

Chairman Northouse opened the Public Hearing

#RZ23-14 John & Leanna Gingerich, Clifton Twp. are requesting to change the zoning classification on PIN: 012-00108-0010 of +/- 18.0 ac. from C-2 to FP to allow for the proposed use of a farm residence.

In Favor: Clifton Twp. approved on June 14, 2023. Joe Gingerich.

In Opposition: None

In Interest: None

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder to recommend approval of the rezone request for John & Leanna Gingerich to the full County Board, seconded by Brian Lucey. Motion carried.

Chairman Northouse opened the Public Hearing

#RZ23-15 Rock Church Cemetery Association and Larry Klaas, Clifton Twp. are requesting to change the zoning classification on PIN:012-00313-0010 & 012-00312-0000 of +/- 12.44 ac. from FP to A-2 to allow for the proposed expansion of a cemetery.

In Favor: Clifton Twp. approved on June 14, 2023.

In Opposition: None

In Interest: None

Committee Discussion: Joe Mumm asked why the difference in acres from 12.44 to 2.44. Justin explained that the 10.0 acres is the existing cemetery, and the 2.44 acres are what is being purchased to be added on to make the cemetery 12.44 acres.

Chairman Northouse closed the Public Hearing

Motion by Adam Day, 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 Joe Mumm. Motion carried. See Attachment A Worksheet.

Public Hearing for Conditional Use Permits

Chairman Northouse opened the Public Hearing

#CUP23-009 Jerry Allen, Liberty Twp. is requesting a Conditional Use Permit on PIN: 028-00201-0010 of +/- 1.33 ac. to allow for the proposed use of long-term storage units under 3.11 (2) (h) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Liberty Twp. approved on April 18, 2023.

In Opposition: None

In Interest: The rezone was presented and approved to change the zoning from C-2 to C-1 at the June 1, 2023, CSZD Committee meeting.

Committee Discussion: None

Chairman Northouse closed the Public Hearing.

Motion by Pat Schroeder to recommend approval of the Conditional Use Permit, seconded by Porter Wagner Motion carried. See Attachment B Worksheet.

Chairman Northouse opened the Public Hearing

#CUP23-010 James & Kimberly Trumm, Watterstown Twp. are requesting a Conditional Use Permit on PIN: 060-00313-0010 of +/- 3.5 ac. to allow for the proposed use of an accessory structure (pole shed) being built prior to a principal structure (home) being established under 3.06 (2) (i) & 3.07 (2) (a) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Watterstown Twp. approved on June 12, 2023.

In Opposition: None

In Interest: Justin stated that this shed will be used to store farm equipment and vehicles.

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Adam Day to recommend approval of the Conditional Use Permit, seconded by Brian Lucey. Motion carried. See Attachment C Worksheet.

Chairman Northouse opened the Public Hearing

#CUP23-011 D & S Wilkie LLC, Wingville Twp. are requesting a Conditional Use Permit on PIN:062-00661-0000 of +/- 3.0 ac. to allow for the proposed use of an accessory structure (shed) being built prior to a principal structure (home) being established under 3.06 (2) (i) & 3.07 (2) (a) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Wingville Twp. approved on June 19, 2023. Darrell Wilkinson

In Opposition: None

In Interest: The proposed use of the shed is to store a skid loader, tractor, and ATV. Dr. Gloria Belken asked for the location of where this shed is in Wingville Twp. Justin responded it is on Townline Road in Section 21.

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner, to recommend approval of the Conditional Use Permit, seconded by Joe Mumm.

Motion carried. See Attachment D Worksheet

Chairman Northouse opened the Public Hearing

#CUP23-012 Living Hope Mennonite Church, Muscoda Twp. is requesting a Conditional Use Permit on PIN:042-00254-0000 of +/-19.17 ac. to allow for the proposed use of a church under 3.07 (2) (c) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Muscoda Twp. approved on May 9, 2023. John L. Hostetler Jr.

In Opposition: None

In Interest: John reported that they do have a permit for the driveway. Justin mentioned that any driveway requests coming off a state highway must go through the D.O.T.

Committee Discussion: Porter Wagner asked if they had to go through the state to get access? Justin stated: Yes, they did go through the state.

Chairman Northouse closed the Public Hearing

Motion by Brian Lucey, to recommend approval of the Conditional Use Permit, seconded by Adam Day. Motion carried. See Attachment E Worksheet.

Chairman Northouse opened the Public Hearing

#CUP23-013 Pelky's Midway LLC, Potosi Twp. is requesting a Conditional Use Permit on PIN:052-00483-0000 of +/- 1.28 ac. to allow for the continued use of a bar under 3.12 (2) (a) of the Grant County Comprehensive Zoning Ordinance. The applicant is required to obtain a zoning permit for the fence and patio that were constructed in 2022.

In Favor: Potosi Twp. approved on May 8, 2023.

In Opposition: None

In Interest: Justin stated that the rezone was approved in June 2023.

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Joe Mumm to recommend approval of the Conditional Use Permit, seconded by Brian Lucey. Motion carried. See Attachment F Worksheet.

Chairman Northouse opened the Public Hearing

#CUP23-014 Louis Vogt, Jamestown Twp. is requesting a Conditional Use Permit on PIN:026-00788-0000, 026-00406-0000, and 026-00402-0000 +/- 30.0 ac. to allow for the continued use of nonmetallic mining under 3.05 E (3) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Jamestown Twp. approved on June 13, 2023. Ben Schroeder.

In Opposition: None

In Interest: One condition has changed on this: it was previously on a 3-year renewal cycle, the town board made a motion to approve a 5-year renewal to make it consistent with all the other nonmetallic mining permits within the County. Ben Schroeder mentioned that it is a sand pit that they have operated out of. It is not a huge sand pit, but it provides concrete sand for Dickeyville and bedding sand for the dairy farms in the area. They are up to date with the DNR permits and with the Southwest Regional Planning with the bonding and reclamation plan. There are no changes with the reclamation plan.

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner to recommend approval of the Conditional Use Permit, seconded by Adam Day.

Motion carried. See Attachment G & H Worksheet.

Chairman Northouse opened the Public Hearing

#CUP 23-015 Scanlan Brothers LLC, Liberty Twp. are requesting a Conditional Use Permit on PIN:028-00131-0000 & 028-00147-0000 +/- 16.3 ac. to allow for the continued use of nonmetallic mining under 3.05 E (3) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Liberty Twp. approved on May 9, 2023.

In Opposition: None

In Interest: The applicant, Peter James, sent in a written statement that they are requesting to renew the Conditional Use Permit. The permit is primarily to provide back fill and sand fill to the Wisconsin State Highway projects along with municipal projects in the area for the City of Lancaster and the City of Fennimore.

Committee Discussion: Brian Lucey asked if this was a 5-year CUP renewal? Justin replied: Yes, it is.

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder to recommend approval of the Conditional Use Permit, seconded by Joe Mumm.

Motion carried. See Attachment I & J Worksheet.

Chairman Northouse opened the Public Hearing

#CUP23-008 Whitetail Wind, LLC, Clifton and Wingville Twp. are requesting a Conditional Use Permit to allow for the use of a large wind energy system under Chapter 270 Subsection III 1.1 of the Grant County Wind Energy Siting Ordinance. The public notice was published on June 15th and June 22nd in the Grant County Herald Independent. The Grant County Herald Independent also disclosed the project size, description, location, public comment procedure, and review date before the Conservation, Sanitation, Zoning Committee (CSZC).

In Favor: Kevin Bickford, Wingville Township Chairman, spoke about the Red Barn wind towers. There were very few issues with landowners signing contracts with Red Barn. The Whitetail Wind Farm has been working with the township very well with any of the road issues.

Justin reported that there were 2 people that registered to speak in favor of the CUP:

Justin Bowers: Did not speak.

Michael Hankard: The Acoustical expert to answer any questions regarding sound.

Justin mentioned that there is a list of people who registered in favor of the zoning request, but didn't wish to speak: Joe Gingerich, Haley Waller Pitts, Jim Klempir, Tim Sweeney, and Drew Janke.

In Interest: Justin introduced Aaron Stout, PRC Wind. He is representing the Whitetail Wind Farm. Aaron reported that this project consists of 23 proposed tower locations with 21 towers being permanent with targeting a construction date of 2024. Aaron is also representing the 36 landowners totaling 5,500 acres. Aaron and Haley Waller Pitts are in attendance to make sure that this project location meets all rules and regulations in Grant County.

In Opposition: Kevin Bickford stated that there have been some communication issues with the contractors, developers, and the landowners. All situations have been dealt with at this time. Kevin mentioned that he doesn't like the constant blinking lights. The talk was that they were going to put lights on top of the towers to only blink when an aircraft is in the area.

Justin read off those individuals that registered to speak in opposition.

Joe Schwarzmann: Concern with the red flashing lights being so bright and are installed much higher on the towers. Joe wants the ADLS (Aircraft Detection Lighting System) as a condition to the CUP.

Brenda Martin: has concerns about the United States Constitution, "freedom of speech" with the wording in their agreements. The landowner agrees to not public oppose or object to the project. Fire hazard concerns. Aerial spraying concerns. The town of Liberty has a comprehensive plan that has to do with wind farms. They cannot place restrictions on installments of wind energy except to preserve public health or safety. Communication concern with the cell phones that are not working as well.

Curt Breiwa: He has sleep and vertigo concerns. Claims that Whitetail has poor respond rates to those who have concerns about the project. Stated that the CUP has not been taken to the township for approval and has not been

properly submitted with the correct paperwork to the CSZD. Health and safety concerns with the noise that they make. Justin stated that the CSZD did correspond with the Corporation Council with statute 59.69 that the CUP is not required to go before the town board. The townships did not have to sign off on any CUP documentation.

Rebuttal: Aaron pointed out that they did in fact take Mr. Breiwa's calls. Aaron stated that he did take responsibility of moving the 2 towers an additional 1,000 feet further from the original location. They have made every effort to work with him.

Brad & Sherry Swim: Everything is based on money. Harm is invisible, you can't see it, it is long term, and doesn't go away. Neighbors are becoming enemies. Some want the project, some don't, and some just want to be left alone. Each individual must do what is right for their neighbors and for themselves.

Richard Jinkins: Warning! Meets all the current rules! The current rules haven't been updated in 5 years. 2014 was the last wind siting council recommendations for setbacks. The setbacks here are 1,250 feet vs. 1.5 miles setbacks in Madison County Iowa.

Dale Schluter: Coming into Livingston there is a sign that reads; Good Earth All Around. Driftless Area concerns. Scenery concerns.

Bonnie White: Concern with the Wind turbines causing chronic health problems caused by flicker. The Wisconsin State Law 59.69 states that conditions are met per this statute. Whitetail has not proved this. Real Estate Values decreasing is a concern. The Comprehensive Zoning Ordinance 3.27 will not grant CUP's if it endangers the public health.

Andrew Drewry: Human health concerns. Noise (infrasound) concerns. States that the wind turbines keep people awake. Health risks for people that have Alzheimers and cardiac arrest.

David Divine: Concern with the height and the number of turbines that are being proposed.

Dr. Gloria Belken: Concern with the health and safety that is caused by the wind turbines. She also has concerns with the views and the scenic beauty.

Rebuttal: Mike Hankard, acoustical consultant from the Madison, WI area. He has heard several comments on infrasound, health, and sleep disorders and how they may impact human health caused from the wind turbines. The study shows that there is no evidence of any noise, sleep and health related issues that is caused by the wind turbines.

Doug Steinback: Concern with the destruction of some of the most productive farmland in Wisconsin. Losing two thousand acres per day of food producing soils in the United States. Solar and Wind Energy is a highly subsidized source of energy.

People that had submitted written statements but have now registered to speak in opposition to the rezone.

Linda Grice: Concerns with the first Red Barn project being passed under secrecy. Concern with the Real Estate values in the community, people leaving the area, tax base decreasing, and with the contracts that landowners are signing.

George Schwarzmann: Concern with the infrasound, health, and the height of the turbines.

Kathy Ladd: Section 66.0401 gives the power to the county to address health and safety issues. In 2019 when the original setbacks were established the average wind turbine was 30 feet. Today, the average size of the wind turbine is 600 feet tall. The 13-year-old setbacks are not keeping up with size of the industrial turbines in Grant County.

Andrea Statz: Concern with health issues that they are experiencing. Future generation concerns.

Theresa Reiter: Has concerns with communications. Concerns with the 1,250' setback provisions that are not far enough.

Others registered in Opposition to the zoning request, but do not want to speak.

Dan Heger, Shirley Heger, David White, Rick Zemlicka, Judy Iverson, and Ron Iverson.

Others that registered that they didn't wish to speak, just here for informational purposes:

Jim Moran, Alexander Luman, Tracy Fillback, Connie Miles, Terry Schaefer, Dan Hershberger, Brittany Erskine, Willie Driscoll, Joan Driscoll, Mark Stead, and Munce Tronsgard.

Written statements of opposition: All these written statements that were turned into the CSZD before the deadline were read into the record.

Dena Kurt: The Whitetail application is difficult to follow. Was it filed/was it not? A flight-detention lighting system should be required to reduce impacts on the rural night landscapes. The PSC 128 statutes are out-of-date. A mandatory health and safety update report has not been filed with the legislature as required by statute in October of 2019.

Chris Klopp: Concern with the beauty, uniqueness, and eco system of the Driftless Area. Other concerns are: Health and safety issues, Property Value Losses and the Loss of Tourism dollars.

Amy Brandemuehl: Deny the Whitetail project until the Wisconsin state codes have been updated with a larger setback distance. Increase the distance from 1,250' to 4,560'.

Haley Mokros: Would like the Whitetail project denied until the Wisconsin state codes have been updated with a larger setback distance. Setbacks to increase from 1,250' to 4,560'.

Rick Zemlicka: Concern with the PSC for the lack of filling vacancies on the council and failed to file a report with the legislature every 5 years. Wants to see the setbacks increase from 1,250' to 4,560'.

Barbara & Frank Polizzi: They wish to deny the Whitetail proposal until Wisconsin state codes increase the setbacks for the much larger turbines.

Lily Long: She would have liked more time to have studied the health effects of the larger windmills. Contracts are one-sided and unfair to the landowners. Landowners lose control of the land, selling the land, or getting an operating loan. What is the effect of the traffic using the township roads? Who will pay for the damages to the township roads?

Kerry Long: Concern with too many known & unknown risks of the proposed Whitetail Wind project. The unknown health, safety, financial liability and short term and long-term effects on the landowners.

Nancy Signer: Nothing was attached to her email.

Rob Danielson: Concerns that the Whitetail Wind application was not for public access in an appropriate time frame. There was not much time to view a large application. Concern about the negative health impacts. He wishes for the committee to deny the Whitetail proposal until Wisconsin state codes have been updated for a larger setback distance from 1,250' to 4,560'.

Sandy Herges: She has concerns with the setbacks of the industrial wind turbines from residential homes & schools. Concerns with the health and infrasound. The 2012 Wind Siting rules are out of date.

Dave & Donna Swanson: She states that Whitetail should be denied until Wisconsin state codes have been updated with larger setback distances from 1,250' to 4,560'. Additional electricity is not needed in Grant County. Project is expensive and will be paid for by us on our electrical bills. Better alternatives exist for providing energy. Serious economic consequences for tourism and land values. Destruction of our scenic, unique landscape, and rural character.

David White: Requesting that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setbacks to account for the greater impacts of modern wind turbines.

Gloria Adams: Deny the Whitetail proposal to allow for a larger setback distance from 1,250' to 4,560'. Concern for the health, safety and wellbeing of residents.

Mary G.: No attachments or comments to her email.

Robert Jinkins: Requesting that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setbacks to account for the greater impacts of modern wind turbines and to allow for a larger setback distance from 1,250' to 4,560'.

Pat Jinkins: Concern with the negative impact on her health.

Chris Ladd: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setback distance to account for the greater impacts of modern wind turbines. Instead of using the 1,250' setback used by Allele, to change the average setback distance to 4,560'.

Judith Kordus: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setbacks to account for the greater impacts of modern wind turbines. Setbacks to be changed from 1,250' to 4,560'.

Mike & Lisa Wagner: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setback distance to account for the greater impacts of modern wind turbines. Setbacks to be changed from 1,250' to 4,560'.

Michelle Citron: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setback distance to account for the greater impacts of modern wind turbines. Setbacks to be changed from 1,250' to 4,560'. The report due to the Wisconsin Citizens by October 14, 2019, was never filed.

Kyle Fitzsimmons: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setback distance to account for the greater impacts of modern wind turbines. Setback to be changed from 1,250' to 4,560'.

Lila Zastrow & Dave Hendrickson: Requests that the Whitetail proposal be denied until Wisconsin state codes have been updated with larger setback distance to account for the greater impacts of modern wind turbines.

Roberta and Kim Barham: The installation of industrial wind turbines is a scourge to the unique Driftless Region as well as a threat to human health and wildlife. Proper setbacks are required.

Robert & Nicole McCarthy: Concern with the farming community, health, the environment, and decreased land values.

Stan Nodolf, S & M Land, LLC and D & S Land LLC: Whitetail Wind lied to the landowner. There was only to be a path through their cropland for power and crane movement. Now they were told that a possible building site and a potential lay-down yard could be on their land. It now shows 2 paths instead of just one.

No Name: No more windmills in Grant County. Destroying land and the view. They aren't making any more farmland.

Applicants Rebuttal: Aaron Stout made a few comments on the health and safety concerns that were brought up. The state has considered these issues in detail and has established the setbacks that are on the requirements. Setbacks do include sound and shadow which in this case actually far eclipse at 1,250'. The public feels that the Whitetail Wind installs the towers at 1,250' setback. This is not the case, there is no single tower in that entire project that is 1,250'. The setbacks around sound and shadow actually far outweigh these effects. It also scales with the height of the turbine. As the turbine gets taller the shadow gets calculated to the flicker actually goes further away. In many cases they are closer to 3,000' on these shadow towers. When there are sound affects initially, the 45 decimal requirements again push them back to more than 1,250'. The 45 decimals of sound and 20 hours of shadow are more sensitive than a lot of the projects that were built in the Midwest. They do closely align with what is the standard in the Midwest. Those setbacks were designed after a comprehensive study on health and safety. This has been accounted for by the state and those setbacks are actually adhere to with their permit application. In their studies the sound and shadow studies do account for those, and they have a thorough write up how they comply with all the setback regulations.

Committee Discussion: Pat Schroeder stated that Liberty Township has a lot of people who are opposed to the Whitetail Wind project. Pat stated that he can't put a windmill on his property because he is an elected official. Pat doesn't want someone to tell him what he can do with his land. Pat stated that these issues need to go to the state to our elected officials. Pat would like to make a motion to put up the ADLS lighting on the towers and to have a larger setback for the towers. Ben Wood stated that we can't be more restrictive than what the law allows. Not sure about the motion sensory lights but the setbacks we are stuck with. Porter Wagner stated that most of these are regulated by the state. Once the request is sent to the state, they only have 90 days from the submission of the application then it would automatically pass without any conditions attached. Adam Day stated that he understands that everyone has concerns, but a couple of points from a statement from Mr. Jinkins, that everything that we have today meets all the current rules. Adam stated that it interferes with the relationship of the neighbors and it's all about money. When the landowners sign those contracts, it is their responsibility to know what they are signing. It is not a board or a committee issue if a landowner signed a contract and upsets his neighbor, but we don't have much of a choice of trying to put some restrictions on the CUP. Aaron stated that they request the

FAA to approve a lighting plan. This plan is required and approved by the FAA. This is a government policy and Whitetail adheres to that regulation as well. Ben Wood stated that we can't place a restriction on installation more restricted than the rules promulgated by the commission, PSC. Adam Day asked if we are being more restrictive if we are requesting a certain type of lighting. Justin Johnson stated that in Appendix F there is an FAA form within the application. Aaron pointed out and read a section in the PCS 128.18 section C of the application. Brian Lucey talked about the setbacks that haven't been updated, which they need to be. Brian feels that there should be some updates before they approve anymore windmills. Grant County will potentially be bringing in \$80 million in tourism this year. The Driftless Area brings in a lot of tourism to the area. It's a big deal for the small business owners. How are those windmills going to affect the beauty of the Driftless Area? The County Board spends \$5,000 a year for tourism in Grant County. When we hear of a rezone or CUP, we get the comments from the local township. This CUP did go to the township of Wingville. Clifton township opted not to comment. According to state statutes, Condition Use Permits don't have to go to the Township for their comments. Ben Wood stated that nothing must go to the state level. The state has not updated their rules so nothing from here must go to the state level. The only thing that would go to the state level is to have (Travis Tranel) go start making changes. What this committee is doing today is deciding whether they meet the criteria for their Conditional Use permit. The law is: did they meet the criteria for the Conditional Use? Ben reminded the committee of Act 67 which is another rule that basically says that you cannot arbitrarily deny a Conditional Use Permit. Did they meet the criteria that was in front of you at that time? Yes. You can not put things in front of people that cannot be met. You must give criteria, and once the criteria is met you must give a Conditional Use Permit. A Conditional Use Permit can have conditions. Our legislature is in favor of wind energy. We must follow the applicable laws that are given to us by them. You can place conditions if they are not more restrictive. We cannot be more restrictive than those laws. The commission was to give us information on all those things, they have not done that. If the criteria are met, you must approve the Conditional Use Permit. Erik read PSC 128.03 with political subdivision authority, a political subdivision may not place any restrictions either directly for or in effect on the installation or use of a wind energy system except by adopting an ordinance that complies with this chapter and statute 66.0401 that it's not more restrictive than this chapter. Justin mentioned a housekeeping note that is covered under statute 66.0401, if no action is taken, there is a 90-day window for the project to be approved, that 90-day window lapses which was started on May 24, 2023.

Pat Schroeder made a motion to close the public hearing, Adam seconded the motion. Motion carried.

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder, seconded by Gary Northouse to approve the Conditional Use Permit with the condition of changing the tower lights with the motion sensor lights contingent they are approved by the FAA. Prior to construction of the project information needs to be submitted to the department for the change of that. Motion carried. Brian Lucey Opposed.

Attachment K Worksheet

Adam Day made a motion to take a 5-minute recess.

Zoning/Sanitation Report

Sanitation - Erik reported that Brad Digman left on June 16th to go back to Delta 3. Erik removed the in-house at grade fee because of this. We have no delegated agent in house anymore. Erik will be taking care of most of the sanitary permit approvals and soil tests. Justin is taking care of most of the installations until Jim can take his test. Sanitation permits issued through June 30th. 2022 – 66 permits, 2023 – 53 permits. 3-year maintenance forms; 2022-813 with 34 that came in late from the previous year, 2023 – 628 with 73 that came in late from the previous year.

Zoning - Erik reported that we have had 103 permits through June 30th, 2022, compared to 118 zoning permits as of June 30th, 2023. In 2022, there were 29 public hearings compared to 23 public hearings this year.

There have been 2 navigability determinations completed this year so far.

Citations are getting pushed back due to priorities.

Permission to Hire a Sanitation Technician

This position was approved by Gary Northouse on June 5, 2023. Motion by Adam Day, seconded by Joe Mumm to approve Erik to hire a Sanitation Technician. It has been posted for a month and have no applications yet.

Farmland Preservation Program

Erik reported that Nancy Ames passed away and the new owner of the property is looking to enroll. Patricia Feist passed away and her property is out of the FPP. Jeff and Sue Funk have voluntarily opted out of FPP.

County Cost Sharing: Beginning Balance \$41,822.27/Ending Balance \$37,783.21

Erik presented tentative approval request for county cost sharing on a well decommissioning for Greg & Terri Jewett, Wingville Twp., \$808.00. Motion by Porter Wagner, seconded by Adam Day to approve the Jewett's cost share request. Motion carried.

Erik presented final approval request for county cost sharing on a waste facility closure for RBM Land LLC, Wingville Twp., \$4,039.06 cost sharing. Motion by Pat Schroeder, 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 \$59,500.00/Ending Balance \$59,500.00

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

Storage Permit Approval

None

CSZD Administrator Report

Meetings

- Executive Committee on June 13th – retention committee presentation.
- County Board on June 20th
- BOA on June 21st - Department recommended approval, BOA board passed the request.
- Tyler Munis training on June 27th and June 28th. Erik was going to attend on June 29th, work didn't allow it. Annette went to Tyler Munis training on June 20th thru June 22nd.
- Erik will be out of the office on July 13th & 14th for the county con meeting in Stevens Point.
- There is an upcoming BOA set up for August.

Information

- The FP Plan was initially approved by DATCP, still needs a 30-day public comment/review period. Erik is planning to bring this to the committee and County Board in August for approval. Working on grant reimbursement.
- Sent out letters to the town chairmen of the townships letting them know that as of July 1st we will be sending our correspondence (permits, etc.) via email to the town clerks email listed.
- No tri-state soil judging this year, schedule conflict. Possibly looking at setting one up in the spring, possibly in April.
- Received official approval of our LWRM 5-year update from DATCP.
- Office has been very busy.
- Working with DATCP, John & Brady on changing how we handle FPP. Looks like we may have been giving landowners too much leeway and need to tighten things up. Meeting with Brady, John and DATCP on Monday, July 10, 2023, to go over processes and ideas. Also looking to bring back the farmer written class (possibly), and update classes.

- WL+W, Capitol Update and Dues are increasing \$50.00 in 2024. The joint finance committee decided to a statewide cut on County Conservation Departments. They are cutting it from this years' level which is already low. WL+W lobbied for \$18 million for county conservationists, they decided to give the counties \$10.9 million which is less than what we are getting right now. In 2025, they are projecting to give us \$11.2 million which we are getting less than that right now. This budget decrease will affect our staff and support reimbursement and our DATCP cost sharing.

Continuous Improvement

No Report.

NRCS Report: Mike Adams

Erik Heagle presented the NRCS report.

- EQIP – 4 NWQI applications preapproved for funding. Obligation deadline is July 28th.
- 1 Prescribed Grazing application preapproved for funding.
- CRP – Working on status reviews and sign ups.
- CSP – No Update.
- Compliance checks – completed in June for Highly Erodible Land and Wetland Compliance.

FSA Report: Emily Schildgen

Erik Heagle presented the FSA report.

- Reminder for the upcoming deadlines– July 14th, 2023, PARP & ERP Phase 2 deadline.
- July 17, 2023, is the spring crop reporting deadline. Typically, it is July 15th, but the 15th lands on a Saturday this year so the producers will receive a few extra days.
- July 26, 2023, is the Organic Dairy Marketing Assistance Program (ODMAP) deadline.
- The May margin for the DMC program came in at \$4.83 cwt. All those payments were disbursed to the producers on Wednesday, July 5th.
- CRP Emergency haying is not authorized at this time. If it does open up, the earliest that producers could hay their CRP would be after the primary nesting season which goes through August 1st.
- COC nomination period is open for LA 2 which is the following townships: Marion, Mt. Ida, North Lancaster, Liberty, Fennimore, Hickory Grove, Watterstown, Muscoda, Castle Rock, Wingville, and Clifton. Please reach out to the office if you have any questions about COC or eligible to hold office.

The next meeting is scheduled for August 3, 2023, at 9:00 a.m. in the County Board room. Motion by Adam Day, seconded by Joe Mumm to approve the time and date of the August 3rd meeting.

Motion carried.

Motion by Pat Schroeder, seconded by Joe Mumm 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: 7/6/23 Landowner: Larry Klaas + Rock Church Cemetery Association

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 addition is an extension of a current abutting use

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 6/14/23.

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

Existing cemetery is located on prime farmland soil.

- 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

If approved, ≈ 2.44 ac would be taken out of the 60 ac farm

- 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

Proposal is an extension from an existing use + ≈ 58 ac would remain in the farm

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

Not a platted subdivision + 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 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:

Proposed addition to the Cemetery would take ≈ 2.44 ac out of the 60 ac farm.

- 5 The CSZC recommends/does not recommend approval to the Grant County Board of Supervisors

(Circle one)

Adm / Joe

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR JERRY ALLEN
4032 COMMERCIAL ST, LIBERTY TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Jerry Allen owns property located within the SW ¼ of the NW ¼ of Section 9, Township 5 North, Range 2 West, Liberty Township, Grant County, WI. Such property consists of tax parcel number PIN:028-00201-0010
2. On March 20th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) disclosed to the applicant that a rezone would be required from Commercial-2 to Commercial-1 to allow for reduced property line setbacks in regard to proposed long term storage units under section 3.11 (2) (h).
3. On June 20th, 2023 the Grant County Board of Supervisors approved the rezone request from Commercial-2 to Commercial-1
4. On April 18th, 2023, the Liberty Township Town Board recommended approval for the CUP request to allow for the use of long term storage units. 3 were in favor and 0 opposed.
5. On April 19th, 2023, the CSZD received the complete CUP application.
6. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
7. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does or does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR JAMES & KIMBERLY TRUMM
CIRCLE DR., WATTERSTOWN TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. James & Kimberly Trumm own property located within the NE ¼ of the SE ¼ of Section 19, Township 8 North, Range 2 West, Watterstown Township, Grant County, WI. Such property consists of tax parcel number PIN:060-00313-0010
2. On March 30th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) disclosed to the applicant that a Conditional Use Permit would be required under sections 3.06 (2) (i) & 3.07 (2) (a) to allow for the proposed use of a shed (used to store bobcat, vehicles, etc.) prior to a home (principal structure) being established.
3. On June 13th, 2023, the Watterstown Township Town Board recommended approval for the CUP request to allow for the use of an accessory being established prior to a principal structure being established. 3 were in favor and 0 opposed.
4. On June 15th, 2023, the CSZD received the complete CUP application.
5. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
6. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does** or **does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR D& S WILKIE LLC
2188 TOWNLINE RD, WINGVILLE TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. D & S Wilkie LLC own property located within the SE ¼ of the SE ¼ of Section 31, Township 6 North, Range 1 West, Wingville Township, Grant County, WI. Such property consists of tax parcel number PIN:062-00661-0000
2. On May 16th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) disclosed to the applicant that a Conditional Use Permit would be required under sections 3.06 (2) (i) & 3.07 (2) (a) to allow for the proposed use of a shed prior to a home (principal structure) being established.
3. On June 19th, 2023, the Wingville Township Town Board recommended approval for the CUP request to allow for the use of an accessory being established prior to a principal structure being established. 3 were in favor and 0 opposed.
4. On June 20th, 2023, the CSZD received the complete CUP application.
5. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
6. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does or does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR LIVING HOPE MENNONITE CHURCH
2402 HWY 133, MUSCODA TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Living Hope Mennonite Church owns property located within the NW ¼ of the NW ¼ of Section 7, Township 8 North, Range 1 West, Muscoda Township, Grant County, WI. Such property consists of tax parcel number PIN:042-00254-0000
2. On May 23rd, 2023 the Conservation, Sanitation and Zoning Department (CSZD) disclosed to the applicant that a Conditional Use Permit would be required under section 3.07 (2) (c) to allow for the proposed use of a Church.
3. On May 9th, 2023, the Muscoda Township Town Board recommended approval for the CUP request to allow for the use a Church. 3 were in favor and 0 opposed.
4. On May 23rd, 2023, the CSZD received the complete CUP application.
5. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
6. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve or deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does or does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR PELKY'S MIDWAY LLC
5979 US HIGHWAY 61/35, POTOSI TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Pelky's Midway LLC, owns property located within the SE ¼ of the NW ¼ & SW ¼ of the NE ¼ of Section 23, Township 3 North, Range 3 West, Potosi Township, Grant County, WI. Such property consists of tax parcel number PIN:052-00483-0000
2. On February 7th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) issued an order for correction in regard to a fence and patio that were constructed without a zoning permit during the summer of 2022. One of the permitting requirements included a CUP per section 3.12 (2) (a) in regard to the use of the bar.
3. On June 20th, 2023 the Grant County Board of Supervisors approved a rezone request to the Commercial-2 Zoning District.
4. On April 10th, 2023, the Potosi Township Town Board recommended approval for the CUP request to allow for the use a bar. 3 were in favor and 0 opposed.
5. On May 8th, 2023, the CSZD received the complete CUP application.
6. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
7. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does** or **does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

Conditional Use Permit for Non Metallic Mining in Farmland Preservation

Date: 7/6/23 Landowner: Louis Vogt

The Grant County Conservation, Sanitation and Zoning Committee may issue a conditional use permit for a proposed land use as they determine in writing that the proposed use meets applicable conditions under this section. The CSZC may issue the permit subject to any additional conditions which the CSZC deems necessary to carry out the purpose of this ordinance.

1. The operation complies with all of the following: ☒ YES ☐ NO
 - a. Subchapter I of ch. 295, Wis. Stats., and rules promulgated under that subchapter.
 - b. Applicable provisions of Chapter 180, the Non-Metallic Mining Reclamation Ordinance
 - c. Any applicable requirements of the WI Dept. of Trans. concerning the restoration of non-metallic mineral extraction sites.
2. The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district. ☒ YES ☐ NO
Allows CUP for use
3. The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law. ☒ YES ☐ NO
Site is existing
4. The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use. ☒ YES ☐ NO
Ag is surrounding site
5. The operation does not substantially impair or limit the current or future agricultural use of other protected farmland. ☒ YES ☐ NO
Subdivision nearby

The CSZC ☒ approves ☐ does not approve the Conditional Use Permit with the following conditions if applicable. Circle one
Porter / Adam

1. The conditional use permit requires the landowner to restore the affected land after the non-metallic mineral extraction operation is completed. The permit shall require the landowner to restore the land to a condition suitable for agricultural use, according to a written restoration plan included with the permit. Note: see s. 91.46 (6), Wis. Stats.

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR LOUIS VOGT
1659 PLUM HOLLOW RD, JAMESTOWN TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Louis Vogt, owns property located in Sections 7 & 18, Township 1 North, Range 2 West, Jamestown Township, Grant County, WI. Such property consists of tax parcel number PIN:026-00788-0000, PIN:026-00406-0000, PIN:026-00402-0000
2. On February 10th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) notified the landowner and operator (BARD Materials) that the current conditional use permit expires on 6/4/23. The deadline was not met and the CSZD notified the operator that the operation could not continue until a CUP was reissued.
3. On June 13th, 2023, the Jamestown Township Town Board recommended approval for the CUP request to allow for the continued use of nonmetallic mining under section 3.05 E (3). 5 were in favor and 0 opposed.
4. The CSZD confirmed with Chairman, Steve Freese, that the expiration period was changed from a three year renewal to a five year renewal.
5. On June 15th, 2023, the CSZD received the complete CUP application.
6. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
7. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does** or **does not** meet the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:

Conditional Use Permit for Non Metallic Mining in Farmland Preservation

Date: 2/6/23 Landowner: Scanlan Brothers LLC

The Grant County Conservation, Sanitation and Zoning Committee may issue a conditional use permit for a proposed land use as they determine in writing that the proposed use meets applicable conditions under this section. The CSZC may issue the permit subject to any additional conditions which the CSZC deems necessary to carry out the purpose of this ordinance.

1. The operation complies with all of the following: ☒ YES NO
 - a. Subchapter I of ch. 295, Wis. Stats., and rules promulgated under that subchapter.
 - b. Applicable provisions of Chapter 180, the Non-Metallic Mining Reclamation Ordinance
 - c. Any applicable requirements of the WI Dept. of Trans. concerning the restoration of non-metallic mineral extraction sites.
2. The operation and its location in the farmland preservation zoning district are consistent with the purposes of the farmland preservation zoning district. ☒ YES NO
Allows for use under CUP
3. The operation and its location in the farmland preservation zoning district are reasonable and appropriate, considering alternative locations outside the farmland preservation zoning district, or are specifically approved under state or federal law. ☒ YES NO
Site was previously mined for sand
4. The operation is reasonably designed to minimize the conversion of land around the extraction site from agricultural use or open space use. ☒ YES NO
Meets NR 135
5. The operation does not substantially impair or limit the current or future agricultural use of other protected farmland. ☒ YES NO
Site was previously mined for sand

The CSZC ☒ approves / ☐ does not approve the Conditional Use Permit with the following conditions if applicable.
Circle one

1. The conditional use permit requires the landowner to restore the affected land after the non-metallic mineral extraction operation is completed. The permit shall require the landowner to restore the land to a condition suitable for agricultural use, according to a written restoration plan included with the permit. Note: see s. 91.46 (6), Wis. Stats.

2.

Joe / Pat

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR SCANLAN BROTHERS LLC
11825 US HWY 61, LIBERTY TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Scanlan Brothers LLC, owns property located in the SW ¼ of the SW ¼ of Section 6 & NW ¼ of the NW ¼ of Section 7, Township 5 North, Range 2 West, Liberty Township, Grant County, WI. Such property consists of tax parcel number PIN:028-00131-0000 & PIN:028-00147-0000
2. On February 10th, 2023 the Conservation, Sanitation and Zoning Department (CSZD) notified the landowner that the current conditional use permit expires on 7/6/23.
3. On May 9th, 2023, the Liberty Township Town Board recommended approval for the CUP request to allow for the continued use of nonmetallic mining under section 3.05 E (3). 3 were in favor and 0 opposed.
4. On May 23rd, 2023, the CSZD received the complete CUP application.
5. On June 22nd, 2023 and June 29th, 2023, a public notice was published in the County's official newspaper for the CUP request.
6. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZD finds that the conditional use **does** or **does not** meet the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
 - (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
 - (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - (6) That adequate prevention and control of water pollution including sedimentation are being provided;
 - (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
 - (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
 - (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
 - (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source; and
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
 - (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Conservation, Sanitation & Zoning Committee; and
 - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.
2. The agency under Ch. 315 Subsection 3.27 (5) (c) shall consider the following criteria:

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR WHITETAIL WIND, LLC
CLIFTON & WINGVILLE TOWNSHIPS, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Whitetail Wind, LLC, is proposing to install up to 21 wind turbines within the Townships of Clifton and Wingville, Grant County, WI
2. On May 24th, 2023 the Department received an application for a conditional use permit to allow for the use of a large wind energy system. On May 26th, 2023, the Department confirmed that the application received on May 24th, 2023 is complete pursuant to Section V 5.1 of the Grant County Wind Energy System Siting Ordinance.
3. On June 15th, 2023 a public notice was published in the County's official newspaper disclosing the project size, description, location, public comment procedure, and review date before the Conservation, Sanitation and Zoning Committee (CSZC).
4. On June 15th, 2023 and June 22nd, 2023, a public notice was published in the County's official newspaper for the CUP request.
5. On July 6th, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.