

COMMITTEE MEETING

February 6, 2025

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 February 6, 2025, at 9:00 a.m. by Joe Mumm, 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: Joseph Mumm, Pat Schroeder, Mark Vosberg, Larry Jerrett, Gary Northouse, Brian Lucey, and Adam Day. Others present in the County Board room; Annette Lolwing, Robert Keeney, Lucas Finley, Adam Reed, Keith Lane, Brady Bartels, Nate Dreckman, Nick Lange, Chad Freymiller, Sean Dreessens, Joe Kunkel, Casey Kunkel, and Jeremy Hamm. Zoom: Robert Keeney, Emily Schildgen, Mike Adams, Keith Lane, Tonya White, Dan Hirschert, Kaleb Pfohl, Shane Drinkwater, and Wepking's.

Certification of Open Meeting Law

Annette Lolwing sent the agenda to the County Clerk's office to post in the Administration Building, Courthouse, 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 the County Clerk's office, Herald Independent, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

Approval of February 6, 2025, Agenda

Motion by Pat Schroeder, seconded by Brian Lucey to approve the agenda. Motion carried. Mike Adams had requested to do his report around 10:00, as he has several landowner appointments scheduled.

Approval of the January 2, 2025, Minutes

Motion by Gary Northouse, seconded by Pat Schroeder to approve the January 2, 2025, minutes. Motion carried.

Review & Accept the Bills

Motion by Brian Lucey, seconded by Mark Vosberg to accept the January bills. Motion carried.

Zoning/Sanitation Report

Keith presented the Zoning/Sanitation report.

Sanitation permits: There were 4 sanitary permits issued in January 2025 compared to 3 sanitary permits issued in January 2024.

Zoning permits: There were 19 zoning permits that were either completed or in process in January 2025, compared to the 7 zoning permits that were completed in January 2024.

No Board of Adjustments scheduled at this time.

Public Hearing for Rezones

Chairman Mumm opened the Public Hearing

RZ25-02 Kaleb Pfohl, Paris Twp., is requesting to change the zoning classification on PIN:046-00188-0010 +/- 3.05 ac. from FP to A2 for a new non-farm residence.

In Favor: Paris Twp. approved on September 10, 2024. Kaleb Pfohl came on Zoom at 10:16 a.m.

In Opposition: None

In Interest: Nick Lange asked why Kaleb had to rezone, Nick stated that Kaleb doesn't need to rezone, according to the current Farmland Preservation. Nick asked who decides if Kaleb is farming the remaining acreage? Keith and Lucas both stated that the landowner decides if he will be farming the remaining acreage. Keith and Lucas both stated that Kaleb never stated either way if he was going to continue to farm the remaining acres.

Applicant Rebuttal: None

Committee Discussion: Brian Lucey asked how many acres will be left in Farmland Preservation? Adam Reed stated that there will be 8 acres remaining. Brian Lucey asked why wouldn't you just rezone everything to A2? Keith stated that they will be discussing this later. Lucas mentioned that this land is being split from the parent parcel from Randy and Nancy Timmerman. They are selling the land to their son-in-law, Kaleb. Lucas stated that per conversation with Kaleb in the office he was not planning to farm the remaining acres. That's why it is being split and rezoned. Randy and Nancy won't own it anymore. The Timmerman's sold off the 3.05 acres to their son. Nick Lange asked how do you decide, or just take that person's word as to what they are doing with their property? Keith stated that this is how it has been done, and until they prove that they are not following through with their word there is nothing we can do for enforcement. Lucas stated that being in A2 doesn't limit it to no agriculture use or development on the land, it strictly withdraws it away from the Farmland Preservation district. Lucas said that they can not collect the tax credit on those acres anymore. A2 allows for a non-farm residence.

Chairman Mumm 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.

Chairman Mumm opened the Public Hearing

RZ25-03 Leibold North Properties LLC, are requesting to change the zoning classification on PIN:026-01342-0000 +/-12.18 ac. from A2 to C2 for a repair shop for Leibold Irrigation.

In Favor: Jamestown Twp., approved on May 14, 2024. Delta 3 Engineer – Sean Dreessens

In Opposition: None

In Interest: Sean Dreessens mentioned that they currently have a shop on the state line. They are looking to expand their facilities. Sean supplied a map of the area that is to be rezoned. The map also showed the rest of their property, that they are looking in the future to continue rezoning some properties to residential or commercial. They have the potential to do an industrial park or a housing subdivision in that area.

Committee Discussion: Bob Keeney asked about the access to the property. How do you get to the property? The driveway to the property extends off HWY 35 currently. It extends from Illinois into Wisconsin. Keith Lane asked when the access road will be constructed? Sean stated that it is currently under construction and is not paved at this time. Keith Lane asked about the timeline for future development. Sean stated that it probably won't be for the next couple of years. There will be a plan in place and will be phased in, project won't be done all at one time.

Chairman Mumm closed the Public Hearing.

Motion by Brian Lucey to recommend approval of the rezone request for Leibold North Properties LLC to the full County Board, seconded by Adam Day. Motion carried.

Chairman Mumm opened the Public Hearing

RZ25-04 DAS Sanctuary LLC, is requesting to change the zoning classification on PIN:050-00867-0000(pt), +/- 8.1 ac. from FP to A2 for future non-farm residences.

In Favor: Platteville Twp., approved on January 14, 2025.

In Opposition: Dan Hirschert voiced his opposition via Zoom. His family has lived directly east of this parcel for over 40 years. Dan presented his factors to deny this rezone request: 1. Area was zoned as Farmland Preservation for a reason, to preserve agriculture and natural resources. 2. This area was heavily mined in the early days of lead and zinc mining. There are at least 3 piles of tailings that are close to this property, concern with compromised bedrock. 3. The rural nature of this area will be disrupted with the increase traffic on Major Lane. High traffic road in poor condition with many residences. 4. Protected natural resources. 5.

Contamination can occur with on-site septic systems, surface wastewater discharge, lawn runoff, and more impervious surface. Quality of the water is a concern in Blockhouse Creek.

In Interest: None

Applicant's Rebuttal: Casey Kerkenbush, half owner of the DAS sanctuary stated that there was a Platteville mine map that was given to them at the Township meeting. The map did show a little mining activity in the South end of Major Lane. Mining operations were taken into consideration when the lots were planned out. There are 11.2 acres that a neighbor is farming with mostly low soil quality. Casey mentioned that Major Lane has already been developed extensively. Most of the development was on the East side of Major Lane. They are considering their development to be on the West side of Major Lane. This will add up to 4 more houses on the West side.

Committee Discussion: Pat Schroeder asked Mr. Hirschert if he had the opportunity to purchase the land prior to protect his land? Mr. Hirschert stated that No, he didn't have the opportunity to purchase that land. Casey Kerkenbush stated that the property was listed under the open public market, it was public knowledge that that parcel was for sale. It was listed for quite some time before the Kunkel's purchased it.

Committee Discussion: Brian Lucey asked why not just rezone the property to residential? Brian asked why do we make all these Farmland Preservation rezones into Agriculture when it's not agriculture? They are building houses and not kept as farmland. Keeping it in Agriculture gives them the opportunity to put up a chicken coop on their property and they can have other agricultural animals present. For our current ordinance wording there is nowhere in the residential district does it state that allowing any type of farm animals on property for grazing, unless it is adjoining to or abutting an agriculture use. Mr. Kerkenbush stated that the Kunkel's are purchasing the 31.4 acre parcel which will be family residences. The 2 center lots were changed to 205 foot wide to meet current Grant County standards. They need to have at least 100 feet from all neighboring property lines if you have any type of structure that houses any type of animals. They would like to have a small chicken coop in the center 2 lots. Joe Mumm asked how much property was in prime farmland? Lucas stated that there was 3.0 acres of the entire parcel. Bob Keeney asked if the rezone was only for a portion of the complete parcel, not the full parcel? Lucas stated that was correct. Mr. Kerkenbush stated that the 31.4 acres will be sold to Joe and Tammy Kunkel and then the 8.1 acres (which is the 4 lots) to be rezoned for 4 residences. Gary Northouse asked if they were still going to get Farmland Preservation on the woodland? And the prime cropland will be gone? Yes, to both questions.

Chairman Mumm 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 Mark Vosberg. Motion carried. See Attachment B Worksheet.

WDACP Deer Damage Claims: Greg Cerven presented 4 Wildlife Damage Abatement Claims. These 4 individuals have met all the requirements for the program. Clem Dressler, claim payment of \$2,978.89; Dan Hershberger, claim payment of \$6,495.39; Mary Kirschbaum claim payment of \$4,135.21, and Lynn Kirschbaum claim payment of \$10,000.00. Motion by Gary Northouse, seconded by Brian Lucey to approve all 4 WDACP payments. Motion carried. Greg Cerven explained the Wildlife Damage Abatement Claims Program rules. The first \$500.00 of the claim is a deductible, so the landowner does not get that portion. Once you get to \$5,000.00 you take 80% of that claim is then paid for up to \$10,000.00 maximum. If a landowner wants a claim on their property, they do have to allow public hunting. When a farmer contacts Greg Cerven, it must be within 14 days of the damage. Greg then goes out to assess the damages to see what he and the landowner can do to stop the damage on their property. If the landowner does not contact Greg within 14 days of the damages,

they are not qualified to receive any claim. The landowner can also be involved in the program and receive shooting permits, but if they sign a waiver that they will not accept the payment then they do not have to provide public hunting on that property. There were 8 individuals signed up for the program for just receiving deer tags to try and control the deer population on their property. To receive those tags Greg still needs to do a farm visit to make sure that there is still evidence of \$1,000,00 damage to the property. The landowner needs to contact Greg before each crop is harvested. Greg has around a 2-week window to get out to the farms and get the appraisal done. The type and time of damage is easy to identify what type of animal is causing the damage. Raccoon are going to go in during the milk stage. Raccoons are typically the animal that does the damage in the corn field. Deer don't bother corn; they bother the soybeans all the time. Question: If the landowner is willing to accept funding and are open to public hunting, how would the public know? Greg stated that the WI DNR has a website that lists all the farmers in the state that have applied for deer damage, which goes county by county which has open book information as to where these properties are. The website lists the names of landowners, location, phone number, and how many tags they have available. Nick Lange asked; Do you need to contact the owner if the land is open for public hunting? Yes, you still need to contact the landowner. The landowner has the right to decline you if the landowner is using the manage control method. There is a log sheet that each hunter needs to sign in when they come. The requirement is 2 hunters per 40 acres of non-tillable ground. If the logbook is signed and there are 2 hunters already on the property, the landowner can refuse you to go on the property. If the logbook is not signed it is first come first served for access to the property. Question: Keith asked if extended family members and friends have access to the property? Yes, family members do count for the amount of hunter's allowed on the property. Farmers are required to shoot a certain number of deer, if they don't have that number met by September 15th, they would not be eligible for payment. Motion by Gary Northouse to approve the 4 deer damage claim payments to the landowners, seconded by Brian Lucey. Motion carried.

NRCS Report: Mike Adams

9:50 a.m. and Mike Adams was not on Zoom. Annette Lolwing gave the NRCS Report for Mike Adams. EQIP

- EQIP Ranking deadline is tomorrow, February 7th.
- NRCS has ranked roughly 80 applications and should know on funding in the next few weeks.

CSP

- CSP Classic application deadline is tomorrow, February 7th
- They have got around 25 applications.

Climate Smart IRA funding has been paused. Any contracts that were funded with IRA funds, NRCS cannot make payments on. This along with several other things we are awaiting more guidance. The Climate Smart IRA is the funding that funds the majority of the EQIP projects.

Pagel Zoning Complaint: Chad Freymiller

Keith reported that Chad Freymiller put in a complaint about a zoning permit that was approved for Pagel's landscaping. Chad Freymiller has some questions on the zoning permit application for Pagel's services regarding parcel ID:028-00233-0000. What ordinance governs the after-the-fact request? Lucas stated that the fee schedule does list the after-the-fact fee requirement for an after-the-fact permit. The fee schedule is listed on the website listing the 5 times after-the-fact fee. Under the administration section of the ordinance, 3.27 (7)(b) fees for permits and appeals. "Monetary fees are herein established to defray the cost of administration of this ordinance and shall be required as part of a permit application and for, but not limited to zoning document review, inspections, rezones, conditional uses, variances and special exceptions. The fees shall be set in a separate fee schedule listed on our website and amended from time to time by the Grant County CSZ Committee". Chad disagreed with Lucas. Lucas informed Chad that there is a fee schedule on the website. Chad mentioned that the approval of this application was set because of side yard and front and back limits. Keith and Lucas went through all of that and submitted it to Grant County Corporate Council to make sure that the review

of the setbacks were appropriate for the property. Corporate Council agreed that it was done correctly. Chad asked if you have to have a primary structure to establish a front, side or rear yard? Zoned C2. Chad referenced the blocks that were set and the roof structure that was installed without a permit is the primary structure. Chad also has an issue with Mr. Pagel that in 2021 also did not file for a zoning permit application. Someone anonymously filed a complaint, and it took 5 months to follow up and was granted an after-the-fact permit, then less than 3 years later turns around and does the exact same thing. Chad stated that it down grades his property value that adjoins Mr. Pagels' property. The Pagel site was inspected on 10/10/24 and is in violation according to a document that was sent to Chad. The ordinance talks about infractions. The property that Chad is complaining about is next to the Stitzer post office. Adam Day asked if this zoning permit was applied incorrectly. Lucas stated that there was no permit applied for. Lucas sent Mr. Pagel an after-the-fact order for correction, and Mr. Pagel came in and took care of the after-the-fact permit. Adam asked if the correction has been made? Adam asked what exactly is the complaint, that Chad doesn't like the ordinance? Lucas stated that Chad mentioned that the Zoning Department is not following the wording correctly. Adam asked about the 2021 complaint, when those blocks were erected to make the material holders it was just movable block. Adam feels that it was just an oversight that they felt like they didn't need a permit because they were movable blocks. The issue with the blocks being too close to the property line had been fixed. Adam felt that there was no fault of the zoning staff that the permit had not been issued in 2021. Chad continues to claim that this parcel needs to have a primary structure on the property to set the limits of the side yard and rear yard setbacks. The setbacks for the primary structure are 50 feet from both sides, 50 feet from the rear and 75 feet from the center of the road. The property is 60 feet across the frontage, and 80 feet across the rear. Adam mentioned to Chad that he was OK with the blocks but as soon as he puts a lean-to on top of the blocks Chad is not OK with that. Chad's complaint is that the zoning office is not enforcing the setbacks appropriately. Adam stated that corporate council said that just because he put a lean-to on top of the blocks that already met the requirements that doesn't change anything and that he is OK with it. Keith stated "Yes" that is what corporate said. Adam stated that the complaint is really not with the zoning office it is with corporate council and how they read the law and ordinance. Adam stated that the zoning office took this to the corporation council and the corporation council said that everything in your ordinance and what Pagel's have done is valid within the law. They cannot change the corporation council, the County's attorney, told them. He is the zoning department's top legal advisor. The legal advisor states that Pagel and the zoning department have not done anything wrong. Adam asked Chad why the complaint is with the zoning department and not with corporation council? Chad's issue is that this situation didn't get reviewed until 2 weeks ago by the corporate council. Chad stated again that Pagel's were in violation on 10/10/2024. The violation states that it is a \$200.00 fine per day until the structure is fixed. Chad stated that the zoning department did nothing. Then they approved the permit after-the-fact. Adam stated that the ordinance allows the zoning department to issue the permit which the ordinance allows. Adam again stated that Chad's complaint is with corporation council. Adam explained to Chad that the zoning department done their job, but you feel that it took too long and was approved on 01/02/2025. Adam stated that the zoning department got the after-the-fact complaint, the zoning department done their due diligence and they went through the process. It took longer than you feel that it should have taken, and you want Mr. Pagel fined \$200.00 per day since October 10th or removal of the facility. When the zoning department went to the corporation council, and the corporation council says it is legal, it doesn't violate our ordinance, therefore it would not be allowed for us to remove it or tell them to remove it. The legal advisor of the County says that it is legal. Chad feels that the processes that are in place to complete an application, then it gets reviewed by these gentlemen, if there are questions it is brought to the board, whether it should be approved or not. Chad mentioned that he doesn't feel that the board has any oversight for what they are even doing. The zoning department only has 3 staff to cover 33 townships. Chad says that part of the enforcement is the Sheriff's Department and the CSZ board. This board doesn't have anything in their policy to review what Mr. Lane is doing, or his staff. Joe Mumm asked Chad what does he want to happen today? Chad stated that he wants to know what you guys are going to do to put more oversight on these gentlemen? Adam asked if our ordinance requires a certain time limit to review complaints that are not zoned correctly? Pat Schroeder stated that it is not the committee's job to micromanage the administrator. Chad continues to say...what oversight does the board have over the zoning department? Chad stated that the zoning department's process is garbage. It is straight up garbage. Specifically, A: because

of the time frame, then sending it to corporate oversight. He claims that it doesn't take an attorney to determine a primary structure. Chad stated that he will fight that fight on the corporate side. Chad is challenging this board to have more oversight. Because his complaint is that we don't have enough staff. Keith Lane forwarded the emails to the County Administrator, Chairman of the CSZ committee, the County Board Chairman, and Pat Schroeder the township chairman. Pat Schroeder stated that the zoning department has always been there to assist him with any issues. Keith Lane asked Chad if he would like us to see us put in place to address situations by a certain time frame? Chad stated that it would help. Chad mentioned that he feels that the board needs to be more aware of what is happening within the zoning department. Pat informed Chad that we have a new Administrator, and he is in a learning curve. Chad stated that our after-the fact fees are ridiculously high. Lucas stated that the permit fee is \$100.00 based off of \$100,000 being the price point that it increases. Brian Lucey stated that he does agree a lot of times whether it's a full county board meeting or committee meetings they do kind of get blind cited by issues like this. Brian would like to get an email up front. As a county Brian feels that there is a poor job of communicating of certain items. Brian asked if corporation council is defining setbacks differently than the zoning staff is defining setbacks? Chad said "Yes" because the ordinance is very clear what the setbacks are. There is a block in the ordinance that shows the setbacks for R1, Farmland. Chad would assume that they are taking the permit application which is not accurate in this case. Chad would like a follow-up at the next committee meeting. Chad states that this is a disaster....Chad stated that perhaps the county committee should step up and offer their assistance with the zoning department staff as there is no money to bring on more staff. Keith has agreed to work on the zoning process. Bob Keeney stated that the order for correction was issued to the Pagel's within 90 days of the complaint being filed. Bob Keeney is the Mt. Hope town clerk, and he understands where you are coming from but there needs to be an understanding that they have unincorporated villages within themselves. Bob Keeney asked Chad that a complaint was filed, when was the order for correction issued? Chad mentioned that he would be happy if it were 90 days. Bob stated that the order for correction was the start of the process, which was within 90 days. The block that he is referring to Bob had on the computer. General setbacks: opening comment is that the home that Chad owns is non-conforming because it doesn't meet setbacks, because it is in a small parcel. It states that a Commercial must be 1 acre, Chad's parcel is not 1 acre in size. Bob stated that there are variances and allowances to make things work because they are in a township. Chad asked Bob if we have a process that lays out the procedure if a variance happens? Chad stated that Mr. Pagel did not request a variance. Bob: Correct. The challenge that Bob is trying to say is that it is getting to be a bigger problem even in areas... Chad even stated that there are properties that are unusable under its current zoning. Bob mentioned that we need to look at our ordinance for smaller parcels especially in the Kieler area. Bob stated that there are exceptions to every rule. Keith stated that we want to discuss the small parcels in Ellenboro. They are not zoned properly and haven't been since 1970. Bob made a comment that the zoning office is short on staff. We don't have enough staff to drive around the county to look for possible issues. Chad stated that we are now making excuses, that we are just to figure it out. Chad stated that this issue is insane!!!!

Discussion of the Definition of a Single-Family Residence in the Number Allowed at the End of an Easement Access - Nick Lange

Nick wants the committee to look at the ordinance to see how many residents is allowed on an access easement. Nick asked why do we have it as single-family residents instead of parcels? Nick stated that we are creating issues by putting so many people on a little road with no restrictions, who maintains the road? Keith asked Nick as to what parcel size he is looking at for a minimum parcel size. Nick stated not parcel size but the number of parcels. Keith stated that size will factor into the number of parcels. Keith stated that if we have 6 parcels and there is enough space, are we going to set that we have an acreage size which limits to 3. Nick is having issues with the amount of the potential traffic utilizing the road and who will be maintaining the road. Pat Schroeder stated first of all, Nick needs to find out if that road is receiving state aid from the state. Nick stated that the road is getting state aid on the road up to his mailbox. The access easement that goes past the mailbox is partially on his property. Pat asked if the township comes down there will they open that road as an access road? Nick stated that he doesn't want them to extend that road to a township road. Pat stated that if people own land down there. Bob Keeney asked Nick if he lives on Rock Lane, yes, he does. Bob asked Nick when was

Rock Lane turned into a township road to Nick's mailbox? Nick had no idea. It has been a township road since 2007 since he has lived there. Keith stated that if they are limiting or designing a change, there will be a need to have limitations on the size. Nick stated, one per access easement. If the zoning department is going to allow more, why isn't it parcels instead of single-family homes? There are 5 parcels along with his parcel along this access easement. Nick asked who gets to build the houses? First come first served. Keith stated that whoever has the resources to build first. Nick asked why would you ever be creating parcels and not have the ability to build on it later? Pat asked Nick how he would establish a parcel? Pat said that you need to purchase a chunk of land, and you can establish parcels. Nick stated that the zoning department should be reviewing surveys as they come in to make sure they are in conformance. Keith stated that information goes through the register of deeds. Nick stated that this should be put in our ordinance to review each survey before it is recorded. Lucas stated that sometimes we don't even see a survey. Lucas stated that there are so many out of county engineering firms that do come into the county to do surveys, and they just assume that the landowner has already done the correspondence to get it recorded at the Register of Deeds. There are a few survey groups that send every survey through Lucas and call beforehand. Pat Schroeder stated that a banker isn't going to loan any money to an individual unless they can prove ownership of that parcel. Adam Day mentioned that if you change it from a single family dwelling it is one last review to take a look at it to make sure that it is correct before any new builds. If the land is changed to a parcel and we don't have access to that immediately you are putting the cart before the horse. You are not going to get each and every survey. If you leave it as a dwelling you know before that is zoned or before any permits were given, but the zoning department is the last one that has eyes on it, and it may not have been done correctly in the beginning but before it is permitted the last set of eyes are coming from the zoning department. Adam strongly suggests that we do not change that away from the dwelling. If you change it to a parcel, then you have to follow every transaction that happens prior to a sale. Adam stated that if you leave it as a parcel and that sale happens it becomes conforming or nonconforming and you have to put eyes on it and that comes from the Register of Deeds office. Now you expect the zoning department to confirm complaints on issues like that within x number of days when the county board states there is no money to hire another staff member. Then we need to work with the register of deeds to make sure that every parcel conforms before or during a sale. Adam stated that cannot happen. Adam stated that by reviewing every parcel from the register of deeds is setting up the zoning department to fail. Nick stated that it should make their job easier, and they wouldn't have to do so many rezones in odd instances. Adam states that if he buys the land as a parcel having it zoned is one thing, then he decides that he wants to build a house on it, it would need to be rezoned anyway. Keith stated that this is an issue that he has on his list of protocol for this situation that was just mentioned. Nick would like the number of dwellings off of an easement reduced. Lucas stated that issue is between landowners. It is just like a subdivision; they have an agreement between all the homeowners. Lucas stated that he has seen easements on deeds and who is responsible for the maintenance of the driveway etc. Nick still has issues with the parcels as first come first served for who is eligible to build a house first. Adam mentioned that the regulation comes at the end when there are 3 dwellings already there and you can't zone it this way, that is where your last regulation is by saying that we left it as 3 single family dwellings (homes) and there are 5 parcels and #4 comes and says that I want to build a home, we would say sorry we have an ordinance that says 3 houses is the max. New owner states that he just bought the property and he isn't able to build on it, well that is the responsibility of the purchaser of that property to know what he can and can't do with that property. If there are already 3 homes on there and you make it into 5 parcels you would be making a huge mistake by making this into a parcel. If there are 5 parcels and down this road you can have 3 houses, and the 3 houses are already used is the person's responsibility to know what that ordinance says. Nick mentioned that if there are 3 dwellings, you will now need to upgrade that road to a township road. Nick asked is it your responsibility to upgrade the entire road to a township road? So, is it your whole responsibility to upgrade the road? Nick stated that if you get so many parcels you need to dedicate the road as a township road plus upgrade the driveway to a township road. Adam states that is why before anything comes to us it goes to your township. Adam stated that it is the township's responsibility. Adam stated the before it gets to the CSZD the township has voted 3 in favor, 4 in favor etc. Brian Lucey asked if the Tranel property went to the township prior to coming to the zoning department to be rezoned? No, it did not need to be rezoned. Brian stated that they did not go to the township. Adam stated that they didn't have to be rezoned. Adam stated that everything that is rezoned

goes before the township first. Brian asked if they create parcels and you have them zoned, then why would you go to the township to have them rezoned? Adam stated that once you put a structure on it then it has to come to the CSZC. Adam stated that is when you start your tract of 3 single family dwellings on those parcels. Brian stated until it goes to corporation council then maybe we could put 5 houses there. Adam asked when you would have to change the ordinance, it has to be published. Brian stated that corporation council said that the Tranel house can be built on Farmland Preservation and does not need to be rezoned. Brian Lucey agrees with Nick, you cannot sell parcels more than you can sell homes. Keith asked how do we want to address it? Nick stated that there needs to be some regulation on parcel creation. Adam stated that the zoning department better hire some more people. Pat said that we should hire another corporation council too. Keith mentioned that he had his property parceled and was not sold until 15 years later. It doesn't necessarily mean that when he created that parcel that wasn't a sale it was created inside the farm and was held later. You can establish many parcels within a piece of property and not have a sale. Nick stated that we should review every new parcel creation. Nick stated that whatever is decided when are you going to require the road to be upgraded? Currently, Rock Lane is a substandard road. Bob Keeney asked what is Nick's definition of a substandard road? Nick stated that there is no turn around they use his personal driveway. Nick wants to know when does the township upgrade their road and who does it? The school district is not required per say responsible to come to your driveway. Chad Freymiller asked if there are parcels at the end of your road, you personally own the road. Nick stated that he only owns a portion of the easement that they access their property. Chad stated that there is an easement for a field road and there is currently 1 dwelling. According to Chad there is already a state law that says townships will provide a road to more than 3 residences, meaning dwellings. If there are 3 other parcels there that are R1 and once they fill, they will take some of your land to make a road, they will pay you, but they will use eminent domain which the township has the right to build a road for the 3 dwellings at the end of the lane. There is already a state statute in place to manage that. Pat stated that if you have an easement going through your property you loose control of the property. Mark asked if the easement was Nick's. Nick stated that he didn't know who it belongs to. Bob Keeney was looking at a map on the WI D.O.T site and Rock Lane is not a town road to his mailbox. Bob is also curious if Rock Lane is receiving funding. Nick states that all the survey maps show that township road ends at his mailbox. Keith asked if the committee members wanted to do a Yes, No or want this to change? Or do you want to look at more information and come back? Nick wants to be included in the correspondence and on the March agenda. Pat stated that the township should have a file of maps to show the roads. This agenda item was tabled until the March meeting.

County Cost Sharing: Beginning Balance \$28,067.75/Ending Balance \$26,759.00

Brady presented an extension request from Gary & Deb Dresen, Cassville Twp., for a 6-month extension to July 1, 2025, for their 4 manure storage closures. Motion by Pat Schroeder, seconded by Mark Vosberg to approve the extension request to July 1, 2025. Motion carried.

Brady presented final approval request to county cost sharing for a well decommissioning for Patrick Yelinek, Clifton Twp., \$916.75. Motion by Mark Vosberg, seconded by Brian Lucey to approve payment. Roll Call: 6 Yes, 0 No, 1 Excused. Motion carried.

Brady presented tentative approval request for county cost sharing on a well decommissioning for Jack Pagenkopf, Fennimore Twp., \$392.00. Motion by Adam Day, seconded by Mark Vosberg to approve Jack's request. Motion carried.

2025 DATCP Cost Sharing Requests: Beginning Balance \$73,454.00/Ending Balance \$73,454.00

Brady presented tentative approval request for 2025 DATCP cost sharing for 1,013 feet of grassed waterways for Karen Yelinek, Clifton Twp., \$3,190.95. Motion by Pat Schroeder, seconded by Brian Lucey to approve Karen's grassed waterway request. Motion carried.

FPP Report

Brady Bartels reported that he has an agreement for Raymond & Mary Kirschbaum, Marion Twp., who are not in a zoned township but have failed to submit a nutrient management plan. Brady presented Notice of Noncompliance with Farmland Preservation Program for 47 landowners that have failed to turn in their nutrient management plans. There was 1 landowner that had signed the voluntarily opt out of the Farmland Preservation Program as he didn't want to submit a nutrient management plan every year. Motion by Adam Day, seconded by Larry Jerrett to approve the list of those 48 Notice of Noncompliance with the Farmland Preservation Program. Pat Schroeder Abstained. Motion carried.

Keith reported that Terry Laufenberg stopped by the office looking for a Certificate of Compliance for his taxes. He was not found in our system. He had a Nutrient Management Plan completed. Erik had left and Keith's position was open, and Steve's position wasn't filled yet. Application went into his file but was not completed with having an actual farmland preservation contract signed. Keith contacted DATCP to ask what the response for this is. Retroactive farmland preservation contracts and nmp's, we have set up a field visit with Mr. Laufenberg. If there are any findings of any red flag items that would disqualify him for 2024. Keith will bring any red flag findings back to the committee to see if they would want to approve it or not. We will make sure that he is signed up for farmland preservation for 2025 tax credits. Brady mentioned that Terry did not state that he wanted to be in the farmland preservation program nor fill out an application he just dropped off his nmp and assumed that he was in the program. Landowner did not follow through on his part and assumed that we would take care of the rest of it.

Brady gave an update on the Charles Vesback complaint. Brady went out with the area engineer, Taylor Smagacz, and discussed some options for the farm. The farm has a failing vegetated treatment area and is located too close to the stream that a new vegetative treatment area cannot be built to the standards that they need to follow, and the siting is not a good area for it. Conclusion: Brady and Taylor are going to have Charles do a nutrient management plan because he does have very small acres to apply manure on. Charles has quite a few head of cattle on the lot. They want to make sure that they have enough acres to apply all the manure to the number of acres he has control over. If he can prove that all the manure can be used, they can then look into possible roof gutters on the buildings, roofing his lot would be more costly option for him. Possibly reduce some of the impervious service on the lot by only allowing the cattle to utilize a portion of the lot instead of the full lot.

CSZD Administrator Report

Meetings

- January 29, 2025 – Keith, Joe, and Annette attended the SAA meeting in Portage. Area level poster judging was done. Grant County had a first-place winner in grades 2-3, and a third-place winner in the grades 7-9

Information

- Keith received a complaint about a lighted sign off State Hwy 151 north of Dickeyville at 4686 US Hwy 151. It is a real estate sign on her family's property. DOT is looking into it.
- The SWIGG Study update: information from the Grant, Iowa, and Lafayette County information has been accepted for publication in the journal *Water Research*. It is one of the top journals in their field, which is a further testament of the value of the study that we helped complete.
- Poster Contest Results: Handouts were provided.
- Annette has started the 2024 Annual Report and is asking for articles and information. We will be doing the paper version again this year with a digital copy and post it to our website.
- Between Brady and Keith, they have the T&E (Threatened and Endangered) training set up for May 22nd. Which will allow our department to do our own Threatened and Endangered reviews for our own projects rather than to rent out Iowa County personnel to do it. The cost of the training is \$100.00 per hour for a 2-hour training course. Every 5 years they will need to do a refresher course.

- Updates on the H&H requirements. The H&H requirements at the SAA meeting, we put forth that we would like for the land and water to go to the state and DATCP to discuss the requirements of the H&H studies. They are pushing that every project will be required to do a H&H study which would put an additional cost to our projects, \$6,000 to \$15,000. This would include any projects that are within the shoreland and floodplain. They have not been enforcing those studies and they now want every one of them done.
- The WLWCA Annual Conference in Green Bay on March 5-7. Keith, Annette, Brady and Steve will be attending.
- Keith has completed the 2024 DATCP work plan for what was actually completed in 2024. That has been submitted. Keith is now working on the 2025 projected work plan, should have that completed by the end of next week.
- We need to get our SWRM funding grant application turned in within the next 10 days. This is based off the salaries and workflow.
- Keith mentioned that we came across a couple of zoning situations, one in Ellenboro and the other in Fennimore. We had 2 individuals that want to put garages on their properties but the zoning that they have been in has been traced back to 1970's when zoning first started in WI, and they are zoned as A2 and is a residential site not meeting any of our standards. Ellenboro by lot size is very small to meet those standards. There is also a zoning situation in Fennimore being zoned as A2.

Continuous Improvement

None

FSA Report: Emily Schildgen

Emily reported that with the 1-year Farm Bill extension that was signed in December 2024, program policy and signups are starting to roll out in the last month. The office has 2 signups that opened within the last couple weeks.

- 1) DMC (Dairy Margin Coverage) Program is a safety net program for dairy producers on their milk. The 2025 signup will be just like the 2024 signup. January 29th was the first day for producers to begin signing up for 2025 coverage and the deadline to signup is March 31, 2025. This program is kind of like an insurance policy that has a premium associated with it. There is also a \$100 administration fee that is due at the time of signup, but the premiums are not due until September 1, 2025
- 2) ARC/PLC (Ag Risk Coverage/Price Loss Coverage) is a crop subsidy program that has been around for a while and opened on January 21, 2025. The signup deadline for 2025 program year is April 15, 2025. Due to this getting in when the office is usually starting crop reporting, we are really trying to push to get it done by the end of March instead. The staff have started reaching out to people about completing the program signup.

Staffing update – Farm Programs did lose an employee to the Farm Loan team within our office the middle of January. With the current hiring freeze, that means we do not have the option to backfill that position at this time.

The next meeting is scheduled for March 10, 2025, at 11 a.m. in the County Board room.

Motion by Adam Day, seconded by Pat Schroeder to adjourn the meeting. Motion carried.

Respectfully Submitted by Annette Lolwing for Mark Vosberg

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 2/25 Landowner: Kaleb C Pfohl

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: 2.7 ac in prime farmland

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

☒ Yes or No or N/A

Explain: This ± 3.08 ac are planned to be used for a non-farm residence

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

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

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

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

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

- 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: 2.7 ac in the rezone listed as prime

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

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 2/3/25 Landowner: DAS Sanctuary 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: 3.5 ac in prime farmland

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

☒ Yes or No or N/A

Explain: This ± 8.1 ac are planned to be used for non-farm residences

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

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

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

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

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

- 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: 3.5 ac in the rezone are listed as prime

- 5 The CSZ recommends ~~does not recommend~~ approval to the Grant County Board of Supervisors

(Circle one)

