

**DODGE COUNTY LAND RESOURCES AND PARKS COMMITTEE
MINUTES
November 16, 2020**

The Dodge County Land Resources and Parks Committee met on November 16, 2020 at 7:00 p.m. on the 1st Floor of the Administration Building, Juneau, Wisconsin.

Chairman Schaefer called the meeting to order. Roll Call was taken. Members present were Allen Behl, Mary Bobholz, Tom Schaefer and Travis Schultz. Larry Schraufnagel was present by phone. The staff present at the request of the Chairman were Bill Ehlenbeck and Joseph Giebel.

Other County Board members in attendance: **None**

The Chairman asked the staff to confirm compliance with the open meeting laws and the public hearing notice requirements. Joseph Giebel noted that the meeting was properly noticed in accord with the open meeting law and noted that the required notices for the public hearings listed on the agenda were posted, mailed and published in accord with the statute and code requirements.

COMMITTEE REVIEW

Grande Cheese Company – Request for preliminary review of a receiving area expansion project to determine if a new conditional use permit will be required for the expansion project. The property is located in part of the NE ¼ of the NE ¼, Section 11, Town of Leroy, the site address being N11689 Dairy Road. Committee review and determination.

Part of the proposed expansion project will be to relocate the milk intake facilities from the west side Dairy Road to the east side of Dairy Road which will allow for additional room for the plant expansion on the west side of the road. The project is planned for construction in three phases starting in early 2021 and completion in 2022. The applicants would like to know if a new conditional use permit will be required for the proposed expansion project.

Motion by Allen Behl to require a new conditional use permit for the proposed expansion project to allow for public comment on the expansion.

Second by Mary Bobholz Vote 4-0 Motion carried.

The hearing procedures were read into the record.

PUBLIC HEARING

Tim and Holly Janz, agent for Glenn Bonner – Request to rezone approximately 7-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District and to rezone approximately 2.24-acres of land from the A-2 General Agricultural Zoning District to the A-1 Prime Agricultural Zoning District to allow for the re-location of a recently approved non-farm residential lot at this location. The site is located in part of the NW ¼ of the NW ¼, Section 13, T12N, R14E, Town of Trenton, the site address being W7667 Walnut Road.

Motion by Mary Bobholz to submit a favorable recommendation to the County Board of Supervisors on the request to rezone approximately 7-acres of land from the A-1 Prime Agricultural Zoning District to the A-2 General Agricultural Zoning District and to rezone approximately 2.24-acres of land from the A-2 General Agricultural Zoning District to the A-1 Prime Agricultural Zoning District to allow for the re-location of a recently approved non-farm residential lot at this location.

Second by Tom Schaefer Vote 4-0 Motion carried.

PUBLIC HEARING

Bradley Mueller, agent for Mueller Real Estate Trust – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 1.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the SE ¼ of the NW ¼, Section 17, Town of Leroy, the site address being W4344 Ledge Road.

Motion by Mary Bobholz to approve the conditional use permit request to allow for the creation of an approximate 1.5-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lot from the County and local municipalities if required, prior to the creation of these lots;
2. The proposed non-farm residential lot shall not exceed 5.74-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
3. Only one single family residential unit may be located on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
4. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
5. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract:
 - 028-1316-1724-000; 028-1316-1723-000; 028-1316-1721-000; 028-1316-1722-000;
6. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
7. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
8. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Allen Behl Vote 5-0 Motion carried.

PUBLIC HEARING

White Oak Builders Inc., agent for Thomas Behling – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow for the creation of an approximate 2-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District. The property is located in part of the NW ¼ of the SW ¼, Section 34, Town of Shields, along the south west end of Wool of Woods Road.

Motion by Mary Bobholz to approve the conditional use permit request to allow for the creation of an approximate 2-acre nonfarm single family residential lot within the A-1 Prime Agricultural Zoning District subject to the following conditions:

1. The applicant shall obtain the required land division approvals for the proposed lots from the County and local municipalities if required, prior to the creation of these lots;
2. The lots shall be modified in accord with the Town recommendations to include the 33' strip of land along the north side of the proposed 2-acre lot to be dedicated to the Town for Town Road purposes;
3. The proposed 33' wide strip of land for road purposes is accepted by the Town prior to recording of a certified survey map for the 2-acre lot
4. If the road improvements are not installed at the time the certified survey map is submitted for approval, the developer/owner shall, before recording the certified survey map, enter into a contract with the Town agreeing to install the required road improvements in accord with the Town approvals;
5. The lots shall meet the road frontage, lot access, lot width and lot area requirements of the Code;
6. The proposed non-farm residential lot shall not exceed 3.8-acres in area unless the lot is successfully rezoned out of the A-1 Prime Agricultural Zoning District;
7. Only one single family residential unit may be constructed on the proposed non-farm residential lot unless this lot is successfully rezoned into a zoning district which allows additional residential units;
8. The acreage of the proposed non-farm residential lot shall count towards the total non-farm residential acreage that can be created from the base farm tract for this property;
9. A "Notice of Zoning Limitations" document shall be recorded with the Dodge County Register of Deeds Office for the following parcels which make up the "base farm tract" which notifies the potential buyers of these parcels that there may be limitations as to the number of new lots that can be created from this base farm tract: 040-0914-3432-000 and 040-0914-3423-000;
10. The owner and subsequent owners of this non-farm residential lot hereby agree to comply with Subsection 9.2, Right to Farm provisions of the Dodge County Land Use Code and that they will not cause unnecessary interference with adjoining farming operations producing agricultural products and using generally accepted agricultural practices, including access to active farming operations;
11. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
12. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Larry Schraufnagel

Vote 4-0

Motion carried.

PUBLIC HEARING

Mark Dodge, agent for Bertram Communications, agent for the Town of Fox Lake – Request for a Conditional Use Permit under the Land Use Code, Dodge County, Wisconsin to allow the construction of an approximate 330' wireless broadband tower on this site. The property is located in part of the NE ¼ of the NE ¼, Section 15, T13N, R13E, the site address being W10543 County Road F.

Motion by Mary Bobholz to approve the conditional use permit request to allow the construction of an approximate 330' wireless broadband tower on this site subject to the following conditions:

1. A County Land Use Permit for the construction of the tower shall be obtained by the applicant prior to beginning construction.
2. The proposed tower shall meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the Federal Government with the authority to regulate towers and antennas.
3. The tower shall be painted with alternate bands of aviation orange and white paint as specified in Section 4.9.3.A.1 of the Code.
4. The design of the buildings and related structures at this tower site shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities to the natural setting and built environment per 4.9.3.A.2.
5. The tower shall be lighted, in accord with the applicable FAA and other regulations.
6. The tower and all accessory structures shall satisfy all applicable setback requirements of Chapter 5 of this Code.
7. The tower and antennas shall not be used for any advertising.
8. The tower shall be enclosed by security fencing and shall be equipped with an appropriate anti-climbing device sufficient to deter the general public from obtaining access to the site.
9. The tower shall be designed, structurally, electrically and in all respects to accommodate co-location of both the applicant's equipment and comparable equipment for at least three additional users and shall make access to the tower and tower site for additional users at a fair and reasonable price.
10. The site shall be landscaped to satisfy the requirements of Section 4.9.3.F of the Code. A copy of the landscaping plans shall be submitted to the Department for review and approval prior to the approval of the conditional use permit.
11. Any change and/or expansion of the tower site, including any change in height of the tower and antennas above 330' may require that a new Conditional Use Permit be obtained.
12. The applicant shall submit a copy of a signed agreement to the Department between the property owner and the owner of the tower and supporting equipment and buildings detailing requirements for the abandonment and subsequent removal based on the provisions of Section 4.9.3.G.1 of the Code. This agreement shall contain provisions binding said agreement in future property owners and future owners of a tower, antennae and all supporting equipment and buildings prior to the issuance of the land use permit.
13. The decision of the Committee shall expire one year after the decision is filed with the Department unless construction has been diligently pursued, a Certificate of Zoning Compliance has been issued, the use is established, or the Conditional Use Permit is renewed, for a period not to exceed one year.
14. The Conditional Use Permit shall also expire upon termination of a project or if the rights granted by the permit are discontinued for 180 consecutive days.

Second by Travis Schultz Vote 5-0 Motion carried.

TOWN REZONING PETITION

1. Town Rezoning Petition – **Robert and Brenda Herbert** – Part of the SW ¼ of the NW ¼, Section 20, Town of Theresa, Dodge County, Wisconsin, the site address being W2032 Gill Road. Petition to rezone approximately 4.4-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland preservation Zoning District to the A-2 General Agricultural Zoning District has been submitted by the Town of Theresa Town Board to the Dodge County Board of Supervisors for approval. Committee review and recommendation to the County Board.

Motion by Travis Schultz to submit a favorable recommendation to the County Board of Supervisors on the petition to rezone approximately 4.4-acres of land under the Town of Theresa Zoning Ordinance, from the A-1 Farmland preservation Zoning District to the A-2 General Agricultural Zoning District.

Second by Mary Bobholz Vote 5-0 Motion carried.

ADMINISTRATIVE BUSINESS

PLANNING AND ECONOMIC DEVELOPMENT

- A. Update on Revolving Loan Fund Closeout
- B. Bill Ehlenbeck provided the Committee with an update on the process and status of the Closeout of the Revolving Loan Fund. The County Board approved the full buyout of the Revolving Loan Fund at their last meeting. The Department is working with Corp Counsel to finalize a contract with MSA Professional Services to write the necessary grants. The final closeout paperwork has been filed by the Department and we now are waiting to hear back from DOA indicating they have accepted the buyout. Following the approval by DOA, the County will return the full program amount of roughly \$1.6 million to the State and then file the grant applications to get the entire closeout money back for eligible projects in the County. The Henry Dodge building elevators project is the only identified eligible County project on the Capital Improvement Plan. Two municipal road projects have been identified as eligible and could receive the additional funds not needed for the County elevators project.

C. Review and approve Wisconsin Fund Grant payout;

In 2020, Dodge County had one request for financial assistance through the Wisconsin Fund Private Onsite Wastewater Treatment System Replacement Financial Assistance Program seeking a total of \$5737.00 in grant funds. Due to the high volume of statewide applicants and limited grant funds available for this year the state adjusted the final grant amounts. The request for the state grant funds was approved for approximately 47.6% of the grant amount.

The grant amount received by the County was \$2,733.00. The staff requests payout of the following grant:

<u>OWNER</u>	<u>TOWN</u>	<u>GRANT AMOUNT</u>
Timothy and Debra Christopherson	Ashippun	\$2733.00

Total Payment Request: \$2733.00

Motion by: Travis Schultz to authorize the Wisconsin Fund Grant Payments as shown.

Second by: Mary Bobholz Vote: 5-0 Motion Carried

The minutes from the October 19, 2020 meeting were reviewed by the Committee.

Motion by Mary Bobholz to approve the minutes as written.

Second by Larry Schraufnagel Vote: 5-0 Motion carried.

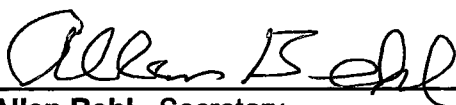
No Committee Member Reports

No Additional Per Diems

Motion by order of the Chairman to adjourn the meeting.

Meeting adjourned at 8:40 PM.

Respectfully Submitted,



Allen Behl, Secretary

Disclaimer: The above minutes may be approved, amended or corrected at the next committee meeting.