

Minutes – Iowa County Planning & Zoning Committee

Thursday, July 28, 2022 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 898 1072 9169

<https://us02web.zoom.us/j/89810729169>

Health and Human Services Center – Community Room

303 West Chapel St., Dodgeville, WI 53533

For information regarding access for the disabled, please call 608-935-0399.

1. Call to order. Chair Peterson called the meeting to order at 6:00pm

2. Roll Call.

Committee Present: Curt Peterson, Tim Lease, Mel Masters, Don Leix, David Gollon

Committee Absent: none

Staff Present: Scott Godfrey

Other Supervisors Present: Steve Deal, Kevin Butteris

3. Approve of this agenda.

Motion by Supervisor Leix

Second by Supervisor Lease

Motion carries unanimously

4. Approve the minutes of the June 23, 2022 meeting.

Motion by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously

5. Motion to enter into public hearings associated with zoning and/or conditional use permit petitions and ordinance revisions.

Motion by Supervisor Lease

Second by Supervisor Leix

Motion carries unanimously

6. Petition by Jared and Brad Gundlach to zone 2.0 acres from A-1 Ag to AR-1 Ag Res in the NW/NE of S9-T7N-R1E in the Town of Highland.

Applicant present: Jared Gundlach

Town present: Joe Hendrickson and Gary Langfoss

Director Godfrey gave the staff report.

Public comments: none

Motion by to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously

7. Petition by Jim & Michelle Worthington for a Conditional Use Permit to divide an existing AR-1 Ag Res lot into two lots of 16.73 acres & 6.09 acres in the NE/SW of S18-T5N-R5E in the Town of Moscow.

Applicant present: Jim Worthington

Town present: Joe Hendrickson and Gary Langfoss

Director Godfrey gave the staff report.

Public comments: none

Motion by to approve by Supervisor Lease

Second by Supervisor Masters

Motion carries unanimously

8. Recommend adoption of the Warzyn Dam failure analysis as approved by the WDNR in the Town of Moscow. Adoption is by reference within Section 1.5(2)(b) of the Iowa County Floodplain Zoning Ordinance #400.03A.

Director Godfrey gave the staff report.

Supervisor Peterson asked when the dam was built. Bret Peterson, the dam owner, said it was built in 1974.

Supervisor Gollon asked how many acre feet does the dam hold and how high was it. Greg Evans, Mr. Peterson's consultant, said it holds 100 acre feet at the top and is 21 feet tall. He added it has a 42 inch riser, 8 inch drain pipe and 30 foot wide spillway.

Public comments:

- Jim Worthington stated his driveway is often washed out due to the spillway not being kept clean of debris. Mr. Peterson said the spillway is not an issue and that there is the usual debris downstream in the ditch.
- Supervisor Peterson stated the matter before the committee is the dam failure analysis and not the dam itself.
- Jim McCaulley stated his support of the dam for the value it provides in flood protection and that, without it, there would be significantly more damage. He

added his appreciation of Mr. Peterson having the failure analysis done so potentially affected areas downstream can be protected.

- Mr. Worthington continued his complaints of the downstream channel condition.
- Supervisor Gollon called a point of order stating the matter at hand is the dam failure analysis and not to debate the dam itself.

Motion by to approve incorporating the study into the floodplain ordinance by

Supervisor Leix

Second by Supervisor Gollon

Motion carries unanimously

9. Petition by John & Malinda Beiler and the Mound Amish Cemetery Committee for a Conditional Use Permit to allow a cemetery in the NE/SW of S16-T4N-R1E in the Town of Mifflin.

Applicant present: 5 members of the Amish community

Town present: Darrin Stanton and Kevin Butteris

Director Godfrey gave the staff report.

Public comments: none

- Mr. Butteris stated the applicant has not met the town driveway or perpetual care requirements of the town.
- Mr. Stanton added the applicant also has not met the layout and fencing requirements of the town. He said the applicant first came to the town around 2013 with the concept of a cemetery, then buried the first individual in 2020 at which time the county was notified.
- Supervisor Masters asked for clarification of platting requirements. Director Godfrey replied there is an exemption from the statutory requirement for cemeteries owned by a religious entity, but the county can require a plot plan description to its satisfaction.
- Supervisor Masters asked if there is any limit to the number of individuals that can be buried in one plot. Director Godfrey replied he did not think so.
- A representative of the applicant stated there are 5 individuals currently buried in the cemetery. He showed a draft plot plan and where the burials are. He added the plan may yet change. He also said an offer of purchase has been prepared to acquire the railroad property.

Supervisor Leix made the motion to postpone for up to 60 days to provide time for the applicant to satisfy the town requirements and the conditions listed in the staff report;

Second by Supervisor Leix

Supervisor Masters stated he will only support the motion if the layout shows where individuals have already been buried.

Motion carries unanimously

Director Godfrey told the applicant that he will confer with the town and provide a letter stating all requirements that need to be met.

10. Petition by Joe Meudt and Dodge View Farms Inc. to rezone 2.45 acres and 2.38 acres each from A-1 Ag to AR-1 Ag Res in the N1/2-SE & S1/2-NE of S36-T7N-R3E in the Town of Dodgeville.

Applicant present: Joe Meudt

Town present: none

Director Godfrey gave the staff report.

Public comments: none

Motion by to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval by Supervisor Leix

Second by Supervisor Gollon

Motion carries unanimously

11. Petition by Richard Amble to rezone 6.477 acres from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res in the E1/2-SW of S32-T6N-R5E in the Town of Brigham. The intent is for the balance of the existing 5.55-acre AR-1 lot not included in the 6.477 acres to be zoned to A-1 Ag as part of the adjacent farm.

Applicant present: none

Town present: Jerry Davis

Director Godfrey gave the staff report.

Public comments:

- Mr. Davis said the animal unit request was not heard by the town, but the town doesn't typically provide input on such requests.

Motion by to approve with the condition that the associated certified survey map is duly recorded within 6 months of County Board approval by Supervisor

Second by Supervisor Leix

Motion carries unanimously Gollon

12. Petition by Richard Amble for a Conditional Use Permit to allow up to 6 animal units on a 6.477-acre AR-1 Ag Res lot in the E1/2-SW of S32-T6N-R5E in the Town of Brigham.

Applicant present: none

Town present: Jerry Davis

Director Godfrey gave the staff report.

Supervisor Peterson asked what the current use of the shed on the new lot was. Jerry Zander, Town of Brigham Plan Commission Chair, said it has been used to feed heifers.

Public comments: none

Motion by to approve by Supervisor Gollon

Second by Supervisor Leix

Motion carries unanimously

13. Motion to end the public hearings and resume the regular meeting.

Motion by Supervisor Masters

Second by Supervisor Leix

Motion carries unanimously

14. Discussion with Town of Brigham on proposed revisions to the Town of Brigham Comprehensive Plan. This is a discussion item only and no action will be taken.

Director Godfrey summarized the current proposed revisions from that which was presented previously. He overviewed some questions and concerns of the proposed revisions and the associated town siting ordinance.

Supervisor Masters stated his support for identifying the highway corridor and its planned land uses.

Supervisor Gollon said the term “active agricultural operation” in the proposed revision should be better defined.

Jerry Zander, Town of Brigham Plan Commission Chair, said the town board has not yet reviewed the proposed revisions. He said this has been an ongoing effort for some time and appreciates any input.

Supervisor Lease asked if plan provisions of surrounding towns had been reviewed. Mr. Zander said they had, with the exception of Dane County towns due to being under a different zoning structure.

Supervisor Peterson stated he has had an active quarry on his farm for decades and has seen no detrimental impacts to his livestock operation. He asked why the proposed revisions state a quarry will have detrimental impacts to livestock operations. Town of Brigham Plan Commission member Nancy Meyers said they had heard horses can be bothered by dust generated by a quarry operation.

Supervisor Gollon said the revisions need to be defensible and able to be implemented. He suggested the town continue to work with Director Godfrey and bring the matter back for discussion when ready.

15. Report from the committee members and an opportunity for members of the audience to address the Committee. No action will be taken.

- Supervisor Leix said he got a solicitation from a Texas company to purchase land for a proposed battery farm to store energy created by the wind and solar projects near his property. He asked if this is subject to county oversight. Director Godfrey replied this is the first he has heard of the solicitation and can look into it.
- Ken Kammes said his house in the Hamlet of Edmund recently burned and he is being told he cannot rebuild on the foundation. Director Godfrey explained his lot is part of a platted subdivision and the house was partially off Mr. Kammes's lot into the public road right-of-way. He said a permit cannot be issued to rebuild off the lot, but there is adequate space on the lot to build and meet the setbacks, but the existing foundation could not be used. Supervisor Peterson said this isn't an issue the committee can do anything about and suggested Mr. Kammes continue working with Director Godfrey on options.

16. Director's report

Director Godfrey overviewed the report provided in the packet.

17. Next meeting date and time: Aug. 25, 2022 at 6pm

18. Motion to adjourn

Motion by Supervisor Gollon

Second by Supervisor Leix

Motion carries unanimously. Adjourned at 7:36 pm

Scott A. Godfrey, Director