

DRAFT MINUTES – Iowa County Planning & Zoning Committee

Thursday, October 27, 2022 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 895 1550 5152

<https://us02web.zoom.us/j/89515505152>

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 6:00 pm

2. Roll Call.

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

Committee Absent: none

Staff Present: Scott Godfrey

Other Supervisors Present: Kevin Butteris, Steve Deal

3. Approve of this agenda.

Motion by Supervisor Lease

Second by Supervisor Masters

Motion carries unanimously

4. Approve the minutes of the September 22, 2022 meeting.

Motion by Supervisor Lease

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 Gollon

Second by Supervisor Masters

Motion carries unanimously

6. Continued petition by Wisconsin Power & Light Company for a Conditional Use Permit to allow an electrical distribution substation on a 7.58-acre lot in the SE/NE of S10-T6N-R5E in the Town of Brigham.

Director Godfrey gave the staff report.

Representatives of Alliant Energy overviewed the sound study and lighting plan included in the application materials.

Public comment:

- Director Godfrey said there are two letters of opposition that were handed out to the committee.
- Carlee Segebrecht said the map in the application is out of date as it does not show the development in the adjacent village subdivision. She stated Alliant Energy made no effort to communicate with the public since the last meeting and that the trees to be a visual buffer are in the subdivision.
- An Alliant Energy representative said there are trees on the WP&L lot.
- Traci Fassbender said the trees have been cleared.

Motion to approve with the following conditions by Supervisor Gollon:

- 1) The existing buffer of trees be maintained or replaced along the west and north line of the lot.
- 2) All lighting shall be directed downward and away from the subdivision to the west and the public roads to the east and south.
- 3) Should the site preparation entail excavation of rock encompassing an area greater than one acre and the materials are to be moved off-site, all relevant nonmetallic mining requirements.

Second by Supervisor Masters

Supervisor Leix stated it is a difficult situation wherein the county is making a decision that impacts village citizens.

Chair Peterson called for a roll call vote:

- Supervisor Gollon: aye
- Supervisor Lease: aye
- Supervisor Masters: aye
- Supervisor Leix: nay
- Chair Peterson: aye

Motion carries with a vote of 4 ayes and 1 nay

7. Petition by Ralph Brownlee and Alsum Farms Inc. to zone 2.85 acres & 2.151 acres from A-1 Ag to C-1 Conservancy in the SE/SW & SW/SE of S14-T8N-R4E in the Town of Arena.

Director Godfrey gave the staff report.

Supervisor Leix asked why these are going to C-1 versus expanding the existing lots. Mr. Brownlee stated he is not prepared at this time to reconfigure the lots so just wants to be able to legally acquire the land.

Public comment: none

Motion 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 Gollon

Motion carries unanimously

8. Petition by Vernon Maier and Richard Gallagher to zone 8.78 acres from A-1 Ag & AR-1 AG Res to all AR-1 Ag Res in the NE/NW of S7-T7N-R5E in the Town of Arena.

Director Godfrey gave the staff report.

Mr. Maier stated he thought this 0.28 acre was his so is acquiring it to expand his yard and provide frontage.

Public comment: none

Motion 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 Lease

Motion carries unanimously

9. Petition by Brian Potts for a Conditional Use Permit to allow short-term rental (Recreational Residential Rental) of a house at 4565 Oak Rd in the Town of Brigham.

Director Godfrey gave the staff report.

Supervisor Gollon asked why there is a minimum number of rental days in the rental policies but not a maximum. Mr. Potts replied the minimum is to ensure better renters

and not a lot of turnover. He said they use the house quite a bit themselves. He said he has used the same terms elsewhere with success.

Public comment: none

Motion to approve with the following conditions by Supervisor Lease with the following conditions:

- 1) The rental policies proposed by the applicant shall be followed:
 - a) Minimum 3-night stay required
 - b) Minimum age to rent of 21 years old
 - c) No parties or events
 - d) No guns or hunting
 - e) No smoking
 - f) No pets (without prior permission of owner)
 - g) No excessive noise that could impact neighbors
 - h) The maximum number of guest be equal to or less than the size the septic system will permit - current system will permit up to 6 guests
 - i) All VRBO and Air BNB rental rules must be followed
 - j) Guests other than those renting the property may not stay overnight
 - k) Guests when combined with the renters are not allowed to exceed the occupancy limit
 - l) Vehicles are to be parked in the driveway and garage only - parking on the road is not permitted
 - m) Fires are permitted only in designated fire pits and/or in woodstoves in the house
- 2) The Conditional Use Permit shall terminate upon the sale of the residence

Second by Supervisor Leix

Motion carries unanimously

10. Petition by Joe Nawrot and Paul Yanna to zone 36.307 acres from A-1 Ag to AR-1 Ag Res in the SE/NW of S7-T7N-R1E in the Town of Highland.

Director Godfrey gave the staff report.

Public comment: none

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

Second by Supervisor Leix

Motion carries unanimously

11. Petition by Adam & Jessica Kreul and William & Tammy McFall to zone 2.52 from A-1 Ag to AR-1 Ag Res in the SW/SW of S34-T5N-R1E in the Town of Mifflin. This petition

includes zoning 37.48 acres with the AC-1 Ag Conservancy overlay district in the E1/2-SE of S34-T5N-R1E in the Town of Mifflin.

Director Godfrey gave the staff report.

Public comment: none

Motion 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 Lease

Motion carries unanimously

12. Petition by David & Christine Ginter to zone 6.08 acres from A-1 Ag to AR-1 Ag Res and 33.92 acres from A-1 Ag to C-1 Conservancy in the SE/SE of S11 & SW/SW of S12 in T4N-R1E in the Town of Mifflin.

Director Godfrey provided the staff report.

Public comment:

- Director Godfrey said there is one letter of support and two letters of opposition that have been handed out to the committee.
- Kevin Butteris asked for a clarification of uses allowed in the C-1 district.

Supervisor Gollon confirmed that any intent to change the C-1 to another zoning district in the future will require the same process.

Motion 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

13. Petition by David & Christine Ginter for a Conditional Use Permit to allow up to 6 animal units on a 6.08-acre AR-1 Ag Res lot in the SW/SW of S12 in T4N-R1E in the Town of Mifflin.

Chair Peterson asked what existed for buildings. Kevin Butteris said there is a house, shed and about 2 acres of pasture.

Supervisor Lease asked if there is any credibility to the concerns on well impact by the letter from a neighbor. Director Godfrey replied it is a case-by-case situation that depends upon the well construction, number of animals, etc.

Public comment: none

Motion to approve up to 6 animal units by Supervisor Leix

Second by Supervisor Lease
Motion carries unanimously

14. Petition by Jacob Glick for a Conditional Use Permit to operate a Commercial Kennel in the A-1 Ag district at 4330 Ivy Rd in the Town of Mineral Point.

Director Godfrey gave the staff report.

Supervisor Masters asked if there are any inspections by the State. Director Godfrey said there are inspections for compliance with the State license.

Supervisor Lease asked if there have been any complaints. Director Godfrey said the nearest neighbor did call to clarify the application and said the kennel has been in operation for a couple of years, but he had no complaints.

Public comment: none

Motion to approve with the following conditions by Supervisor Masters:

- 1) All dogs must have a Town of Mineral Point dog license
- 2) The operator must maintain all required State licenses
- 3) All provisions of a Commercial Kennel in the county's zoning ordinance must be complied with
- 4) The Conditional Use Permit shall terminate upon the sale of the property if including the buildings.

Second by Supervisor Leix
Motion carries unanimously

15. Petition by Jordan & Megan Tibbits to zone 3.22 acres from AR-1 Ag Res to AB-1 Ag Bus in the NW/SW of S24-T5N-R2E in the Town of Mineral Point.

Director Godfrey gave the staff report.

Public comments: none

Motion to approve with the condition that the associated Conditional Use Permit is approved by Supervisor Masters

Second by Supervisor Gollon
Motion carries unanimously

16. Petition by Jordan & Megan Tibbits for a Conditional Use Permit to operate a Commercial Livestock Operation on a 3.22-acre AB-1 Ag Bus lot in the NW/SW of S24-T5N-R2E in the Town of Mineral Point.

Supervisor Leix asked what limit should be placed on the number of pigs. Mr. Tibbits explained there are about 30-40 pigs of up to 50 pounds there for parts of the year, but

no farrow pigs. He said manure is hauled and spread on the home farm on Lost Grove Rd.

Public comment: none

Motion to approve with the following conditions by Supervisor Leix:

- 1) The house on the lot must be occupied by either the owner or operator of the Commercial Livestock Operation.
- 2) The operation permits a maximum of 50 pigs.

Second by Supervisor Lease

Motion carries unanimously

17. Petition by Kenneth & Melissa Bartz to zone 3.643 acres from A-1 Ag to AR-1 Ag Res and 36.363 acres from A-1 Ag to C-1 Conservancy in the NE/NW of S1-T5N-R4E in the Town of Ridgeway.

Director Godfrey gave the staff report

Public comment: none

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

Second by Supervisor Leix

Motion carries unanimously

18. Petition by Shawn Cassidy and Raymond Harris to zone 1.367 acres from A-1 Ag & AR-1 Ag Res to AR-1 Ag Res and 0.115 acre from AR-1 Ag Res to C-1 Conservancy in the SW/SE of S13-T4N-R4E in the Town of Waldwick.

Director Godfrey gave the staff report

Public comment: none

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

Second by Supervisor Masters

Motion carries unanimously

19. Petition by Dean Crook II to zone 10.98 acres from A-1 Ag to AR-1 Ag Res in the SE/NW & SW/NE of S3-T7N-R3E in the Town of Wyoming.

Director Godfrey gave the staff report

Public comment: none

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

20. Petition by Charles Glass and Sneed Creek Holdings for a Conditional Use Permit to allow short-term rental (Recreational Residential Rental) of a house at 5640 State Road 23 in the Town of Wyoming.

Director Godfrey gave the staff report

Public comment: none

Motion to approve with the following conditions by Supervisor Gollon:

- 1) The maximum number of occupants be limited to the capacity of the septic system based on 2 persons per bedroom. Currently, the system is sized for 3 bedrooms.
- 2) The applicant obtains and maintains any required State licensing.
- 3) The Conditional Use Permit shall terminate upon the sale of the residence

Second by Supervisor Lease
Motion carries unanimously

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

Motion by Supervisor Gollon
Second by Supervisor Lease
Motion carries unanimously

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

none

23. Director's report

Director Godfrey overviewed the report included in the packet.

Supervisor Gollon asked Director Godfrey to provide an estimate of the cost to administrate the POWTS maintenance program to see if the filing fees are adequate to offset.

24. Next meeting date and time: December 1, 2022 at 6pm

25. Motion to adjourn

Motion by Supervisor Gollon

Second by Supervisor Lease

Motion carries unanimously. Adjourned at 7:15 pm

Scott A. Godfrey, Director