

Iowa County Planning & Zoning Committee-approved 5-24-2023
***Revised 7-20-2023**

Thursday, July 27, 2023 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 538 2607

<https://us02web.zoom.us/j/8405382607>

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; David Gollon; Mel Masters; Don Leix; Tim Lease

Committee Absent: none

Staff Present: Scott Godfrey

Other Supervisors Present: none

3. Approve of this agenda.

Motion by Supervisor Gollon

Second by Supervisor Leix

Motion carries unanimously.

4. Approve the minutes of the June 28, 2023 meeting.

Motion by Supervisor Lease

Second by Supervisor Gollon

Motion carries with Supervisor Leix abstaining.

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

Motion by Supervisor Leix

Second by Supervisor Masters

Motion carries unanimously.

6. Petition by V&V Supremo Foods, Inc. and John & Mary Pitman to rezone 1.97 acres from AB-1 Ag Bus & A-1 Ag to all AB-1 Ag Bus in the NW/SW of S31-T8N-R5E in the Town of Arena.

Applicant present: contingent from Delta 3 Engineering

Town present: David Lucey; Bill Gauger

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

7. Petition by V&V Supremo Foods, Inc. and John & Mary Pitman for a Conditional Use Permit to operate a cheese factory on a 1.97-acre AB-1 Ag Bus lot in the NW/SW of S31-T8N-R5E in the Town of Arena.

Applicant present: contingent from Delta 3 Engineering

Town present: David Lucey; Bill Gauger

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

8. Petition by Jerry Zander to zone four lots of 4.374 acres, 4.402 acres, 4.422 acres & 4.388 acres from A-1 Ag to AR-1 Ag in the W1/2-NE & NE/NW of S22-T6N-R5E in the Town of Brigham. The petition also includes zoning approximately 66.95 acres with the AC-1 Ag Conservancy overlay district.

Applicant present: Mr. & Mrs. Zander

Town present: none

Director Godfrey gave the staff report.

Public Comment: Colleen Moore

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

Second by Supervisor Masters

Motion carries unanimously.

9. Petition by Jonathan Wilder to zone 18.97 acres from A-1 Ag to AR-1 Ag Res in the SE/SE of S34-T8N-R2E in the Town of Clyde.

Applicant present: Jonathan Wilder by Zoom

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

10. Petition by Ivey Construction Inc. and James T Accola to zone 67.94 acres from A-1 Ag & AB-1 AG Bus to all AB-1 Ag Bus in the W1/2-NW of S31-T6N-R3E in the Town of Dodgeville.

Chair Peterson abstained due to a conflict of interest and turned this agenda item over to Vice Chair Gollon.

Applicant present: Dan Ivey

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve by Supervisor Masters

Second by Supervisor Lease

Motion carries with Supervisor Peterson abstaining.

11. Petition by Ivey Construction Inc. and James T Accola for a Conditional Use Permit to allow nonmetallic mining on a 67-94-acre AB-1 Ag Bus lot in the W1/2-NW of S31-T6N-R3E in the Town of Dodgeville.

Applicant present: Dan Ivey

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the conditions that the zoning change is approved by the County Board and associated reclamation plan revision is approved within 12 months by Supervisor Lease

Second by Supervisor Leix

Motion carries with Supervisor Peterson abstaining.

12. Petition by GD Dairy LLC to reduce a 7.5-acre AR-1 Ag Res lot to 2.03 acres and to zone 35 acres from A-1 Ag & AR-1 Ag Res to AB-1 Ag Bus in the Town of Dodgeville.

Applicant present: contingent from Delta 3 Engineering

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

13. Petition by GD Dairy LLC for a Conditional Use Permit to allow a cheese processing and packaging facility, retail sales and associated residence on a 35-acre lot in the Town of Dodgeville.

Applicant present: contingent from Delta 3 Engineering

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve as proposed by Supervisor Gollon

Second by Supervisor Masters

Motion carries unanimously.

14. Petition by Cathy Lacy to zone 2.279 acres from A-1 Ag to AR-1 Ag Res in the NW/SW of S21-T7N-R2E in the Town of Highland.

Applicant present: Cathy Lacy

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix

Motion carries unanimously.

15. Petition by Robert Cretney to zone 20.0 acres from A-1 Ag to C-1 Conservancy in the W1/2-NE of S14-T5N-R2E in the Town of Linden.

Applicant present: Robert Cretney and Atty Dean Lease

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Gollon

Motion carries unanimously.

16. Petition by Steven Massey et al., John Massey, et al., and David Waldera to zone 1.0 acre from A-1 Ag to AR-1 Ag Res in the SE/SE of S18-T5N-R5E in the Town of Moscow.

Applicant present: Mr. Massey
Town present: Joe Hendrickson

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix
Motion carries unanimously.

17. Petition by Steven Massey et al., John Massey, et al., and David Waldera for a Conditional Use Permit to allow animal units on a 1-acre lot in the SE/SE of S18-T5N-R5E in the Town of Moscow.

Applicant present: Mr. Massey
Town present: Joe Hendrickson

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve up to two animal units as defined in the Iowa County Zoning Ordinance by Supervisor Masters

Second by Supervisor Gollon
Motion carries unanimously.

18. Petition by Brad Grundahl to zone 5.78 acres from A-1 Ag to AR-1 Ag Res in the W1/2-SW of S24-T5N-R5E in the Town of Moscow.

Applicant present: Mr. & Mrs. Grundahl
Town present: Joe Hendrickson

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Leix
Motion carries unanimously.

19. Petition by Martin Limmex to zone 8.79 acres from AR-1 Ag Res to RB-1 Rec Bus in the SE/NE of S22-T8N-R3E in the Town of Wyoming.

Applicant present: Mr. Limmex by Zoom

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

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

Second by Supervisor Masters

Motion carries unanimously.

20. Petition by Martin Limmex for a Conditional Use Permit to allow animal units; horse stable including boarding, grooming and training; associated single family residence; and art gallery on a 8.79-acre RB-1 lot in the SE/NE of S22-T8N-R3E in the Town of Wyoming.

Applicant present: Mr. Limmex by Zoom

Town present: none

Director Godfrey gave the staff report.

Public Comment: none

Motion to approve with the following conditions by Supervisor Masters

1. The short-term rental be only part of the year and not a full-time use, thus considered Recreational Residential Rental.

2. The maximum number of guests for the short-term rental be limited to the sizing of the septic system based on 2 persons per bedroom. The current system is sized for up to 3 bedrooms, so 6 guests would be the current limit.

3. The use of the horse stable is only for registered guests of the short-term rental

Second by Supervisor Gollon

Motion carries unanimously.

21. Consideration to suspend, modify or revoke the Conditional Use Permit granted per ZH2103 and modified per ZH2855 that allows used vehicle sales with conditions on a B-2 Hwy Bus lot being parcel 002-1043.AA in the Town of Arena as provided for in Section 4.0 of the Iowa County Zoning Ordinance.

Director Godfrey provided a staff report.

David Lucey and Bill Gauger attended to represent the Town of Arena.

Mr. Bertrang and his partner were present and handed out recent photographs showing the final non-operational vehicles have been removed from the property.

There was general discussion over the potential use of the fenced-in area of the property with a consensus reached by the committee and town board members that the area is not to revert to storing non-operational vehicles.

Director Godfrey stated his opinion that the current conditions of the Conditional Use Permit have been met. They are:

- Vehicle limit reduced to 80 including car, truck, trailer, motorcycle lawnmower, boat or camper
- All dismantled or non-running vehicles must be removed from property or stored inside a building
- Dismantling of vehicles must be done inside a building

Motion by Supervisor Masters acknowledging compliance of the imposed Conditional Use Permit conditions has been achieved and the property will be subject to ongoing monitoring;

Second by Supervisor Leix

Motion carries with Supervisor Gollon voting against.

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

Motion by Supervisor Masters

Second by Supervisor Lease

Motion carries unanimously.

23. *Consideration of a Temporary Use Permit for Katy Cleary & Daniel Gollon to hold two flea markets and vendor shows on their 10.02-acre AB-1 Ag Bus lot at 4820 Brennan Rd in the Town of Dodgeville.

Motion to approve as proposed by Supervisor Leix

Second by Supervisor Masters

Motion carries with Supervisor Gollon abstaining.

24. Discussion of the current provisions of the Iowa County Zoning Ordinance and potential revisions.

Director Godfrey handed out an annotated copy of the proposed revisions to the ordinance for the committee to review.

It was agreed to distribute the draft to all towns and give 60 days for review/comment with the scheduling of a public hearing to follow.

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

Chair Peterson handed out an article in the May 2023 Wisconsin Towns Association Report where a staff attorney responds to questions about local authority over wind turbine projects.

Supervisor Leix commented former Public Service Commissioner Ellen Nowak has taken a job with the American Transmission Company.

Rick Zemlicka stated his opinion that Wisconsin statutes provide for local regulation of wind turbine projects for public health and safety purposes that are more restrictive than state siting standards. He said this is what Clear Lake, WI area attorneys are saying as they lobby town boards to adopt ordinances doing so.

26. Director's report

Director Godfrey overviewed the report included in the packet.

27. Next meeting date and time: August 24, 2023 at 6:30pm following joint public hearing with the Town of Dodgeville Plan Commission on proposed revisions to their respective comprehensive plans

28. Motion to adjourn

Motion by Supervisor Leix

Second by Supervisor Masters

Motion carries unanimously. Adjourned at 7:23pm

Scott A. Godfrey, Director