

NOTICE OF ELECTRONIC MEETING

This meeting will be conducted via electronic videoconferencing/teleconferencing. As such, it is likely that some or all members of, and a possible quorum, may be in attendance via electronic means and not physically present.

In accordance with Wisconsin law, the meeting will remain open to the public. The public may attend in person at the location noted on the agenda. **All public who attend in person are required to wear a face covering and adhere to social distancing.**

The public is encouraged and requested to attend via electronic means.
Pursuant to Section 19.84, Wisconsin Statutes, notice is hereby given to the public that the Iowa County Planning & Zoning Committee will hold a meeting and hearings

Tuesday, January 26, 2021 at 6:00 PM

Conference Call 1-312-626-6799

Zoom meeting ID: 840 1702 5830

<https://us02web.zoom.us/j/84017025830>

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.

Minutes – approved February 25, 2021

1. Call to order. Supervisor Peterson called the meeting to order at 6pm.
2. Roll Call.

Committee Present: Curt Peterson, David Gollon, Don Leix, Kevin Butteris, Mel Masters

Committee Absent: none

Other Supervisors: Steve Deal, Justin O'Brien, John Meyers

Staff Present: Scott Godfrey, David Morzenti, Larry Bierke

3. Approve of this agenda.

Motion to approve by Supervisor Butteris

Second by Supervisor Gollon

Motion carried unanimously

Approve the minutes of the December 30, 2020 meeting.

4. Approve the minutes of the December 30, 2020 meeting.

Motion by Supervisor Leix to approve with the correct date of December 2, 2020

Second by Supervisor Gollon

Motion carries unanimously

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

None

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

Motion by Supervisor Leix

Second by Supervisor Butteris

Motion carries unanimously

7. Petition by Addison Family LLC to rezone 3.23 acres from A-1 Ag to AR-1 Ag Res, 36.77 acres with the AC-1 Ag Conservancy overlay, 7.99 acres from A-1 Ag to C-1 Conservancy, and 3.22 acres from A-1 Ag to C-1 Conservancy in the W ½ of the SW ¼ of S18-T6N-R1E in the Town of Eden.

Director Godfrey overviewed the staff report.

Supervisor Masters confirmed the Town of Eden is in support.

David Addison explained the petition on behalf of the applicant. No further public comment.

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

Second by Supervisor Leix

Motion carries unanimously

8. Petition by Tim Lindholm and Dean Siegenthaler to rezone 20.0 acres from A-1 Ag to C-1 Conservancy in the E ½ of the SW ¼ of S35-T5N-R3E in the Town of Mineral Point.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Masters

Motion carries unanimously

9. Petition by Michelle Klusendorf and Ridgeview Storage to rezone 3.166 acres from A-1 Ag & AR-1 Ag Res to all AR-1 Ag Res in the SE ¼ of the SW ¼ of S35-T5N-R2E in the Town of Mineral Point.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Butteris

Motion carries unanimously

10. Petition by Rick Peterson to rezone 2.0 acres from AB-1 Ag Bus to AR-1 Ag Res and 6.522 acres from AR-1 Ag Res & AB-1 Ag Bus to all AB-1 Ag Bus in the SW ¼ of the SE ¼ of S15-T8N-R4E in the Town of Arena. This petition includes a Conditional Use Permit request to allow a Commercial Livestock Operation and residence on the 6.522-acre lot.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Butteris

Motion carries unanimously

11. Petition by John & Vern Halverson to create two lots of 21.68 acres & 38.45 acres by rezoning from A-1 Ag to AR-1 Ag Res in the NE1/4 of S31-T8N-R5E in the Town of Arena.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Gollon

Motion carries unanimously

12. Petition by Ted & Barbara Sawle to rezone 15.335 acres from A-1 Ag to AR-1 Ag Res and 4.665 acres with the AC-1 Ag Conservancy overlay in the NE/SE of S9-T5N-R5E in the Town of Brigham.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Leix

Motion carries unanimously

13. Petition by Arnold & Teresa Knight to rezone 7.75 acres from A-1 Ag to AR-1 Ag Res and 12.25 acres with the AC-1 Ag Conservancy in parts of Sections 3, 4 & 9 in T5N-R5E in the Town of Brigham.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Butteris

Motion carries unanimously

14. Petition by Iowa County to zone the following lands that have been removed from the City of Mineral Point's extraterritorial zoning jurisdiction:

- a) Cynthia Myers – tax parcel 018-0259.A: to A-1 Agricultural and considered part of the adjacent property; and
- b) Steven Schelkopf & Ryan Hayes – tax parcel 018-0259: to be A-1 Agricultural and considered part of the adjacent property; and
- c) Edward & Lillian Spitzbarth Rev Trust – tax parcel 018-0968: to be A-1 Agricultural and considered part of the adjacent property; and
- d) Finkelmeyer Farms II LLC – tax parcels 018-1114, 018-1116, & 018-1117.B: to be A-1 Agricultural and considered part of the adjacent property; and
- e) Michael & Debra Finkelmeyer Family Trust – tax parcel 018-1113: to be A-1 Agricultural and considered part of the adjacent property; and
- f) Gerald & Shirley Benson – tax parcel 018-1116.A: to be legal nonconforming A-1 Agricultural as it was prior to 2004; and

- g) Robert Steffes – tax parcel 018-1117.A: to be A-1 Agricultural and considered part of the adjacent property; and
- h) Gary & Carol Steffes – tax parcel 018-1126: to be A-1 Agricultural and considered part of the adjacent property; and
- i) Gary & Carol Steffes – tax parcel 018-1136: to be legal nonconforming A-1 Agricultural as it was prior to 2004; and
- j) Steven & Marsha Bertram – tax parcels 018-1137.A, 018-1137.01 & 018-1141.A: to be A-1 Agricultural and considered part of the adjacent property; and
- k) James & Janice Kowalczyk – tax parcels 018-1137.03, 018-1139.A & 018-1141.02: to be zoned AR-1 Agricultural Residential; and
- l) Seth Ziegler – tax parcel 018-1137.05: to be zoned AR-1 Agricultural Residential; and
- m) Larry & Jane Dolphin Rev Trust – tax parcel 018-1136.A: to be zoned AR-1 Agricultural Residential; and
- n) Mark & Brenda Steffes – tax parcel 018-1135.A: to be zoned B-3 Heavy Business; and
- o) Mark Steffes – tax parcel 018-1135.B: to be zoned AR-1 Agricultural Residential; and
- p) Gevelinger Inc. – tax parcels 018-0266.01, 018-0269, 018-0269.01 & 018-0278: to be A-1 Agricultural and considered part of the adjacent property; and
- q) Dodge Point Country Club LLC – tax parcels 018-0267 & 018-0271: B-2 Highway Business with a Conditional Use Permit to allow a golf course and country club to be part of the adjacent property.

Director Godfrey overviewed the staff report.

No public comment.

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

Second by Supervisor Leix

Motion carries unanimously

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

Motion by Supervisor Gollon

Second by Supervisor Masters

Motion carries unanimously

16. Discussion of revisions to Ordinance No. 400.17 Iowa County Wind Energy System Siting Ordinance.

Supervisor Peterson asked those who participated in a Wisconsin Counties Association webinar yesterday regarding county authority to regulate wind and solar for their impressions.

Director Godfrey said the webinar clarified there is very little authority provided by statute over these projects and that, for wind in particular, a county ordinance can only regulate the siting standards of PSC 128 and cannot be more restrictive. He said the question is whether those standards that the county can enforce are of enough public benefit to offset the cost and liability.

Supervisor Meyers, County Administrator Larry Bierke and Corporation Counsel Morzenti gave their impressions from the webinar which were in the same vein. Mr. Morzenti added that appeals to a county decision under its ordinance ultimately can be appealed to the Public Service Commission, so the county doesn't have the final say on an issue.

The committee discussed the advantages and disadvantages of revising the existing ordinance to include more of the PSC 128 siting standards versus rescinding it altogether versus doing nothing. Supervisor Gollon questioned the value of having an ordinance at all, given the limits to authority in statute and the liability it creates for the county.

Supervisor O'Brien asked if the secured leases for large wind projects hinder the planned growth for those areas. Director Godfrey stated the approval of these large projects is that of the Public Service Commission and the county has no authority to deny an approved project, thus the true authority to deny a project lies with the individual landowners.

Supervisor Meyers stated the mandate for renewable energy will only increase in the near future and Iowa County happens to have the wind resource favorable to wind projects. He added the decision is between the landowner and developer.

Supervisor Peterson stated the options are to either move forward with a revision, do nothing, or rescind the existing ordinance. He called for a motion.

Motion by Supervisor Gollon to do nothing and keep the existing ordinance
Second by Supervisor Leix

Supervisor Leix asked if the existing fee resolution should at least be looked at.

Motion carries unanimously.

17. Consideration of revising Section XV of Ordinance number 400.13 Iowa County Mobile Tower Siting Permit Ordinance to remove the requirement of a written driveway or access approval.

Director Godfrey said Section XV of the ordinance is not consistent with statute and creates liability to the county. He added that its elimination from the ordinance in no way nullifies any county or local access or driveway ordinance. It just does not make the access or driveway approval a prerequisite to issuing a permit under ordinance 400.13.

Motion by Supervisor Masters to move forward with a public hearing on the proposed revision

Second by Supervisor Gollon

Motion carries unanimously

18. Director's report

Director Godfrey overviewed the report included in the committee packet

19. Next meeting date and time: February 25, 2021 at 6pm

20. Motion to adjourn

Motion to adjourn by Supervisor Gollon

Second by Supervisor Butteris

Motion carries unanimously. Adjourned at 7:30pm