



MINUTES
Agenda
PLANNING & DEVELOPMENT COMMITTEE MEETING
THURSDAY, NOVEMBER 11, 2021 – 8:00 A.M.
ROCK COUNTY COURTHOUSE N1/N2 CONFERENCE ROOM - (5th Floor)
AND VIA ZOOM

The meeting of the Rock County Planning & Development Committee was called to order at 8:00 a.m. on Thursday, November 11, 2021. Chair Sweeney presided. Supervisors present in person: Al Sweeney, Russ Podzilni. Supervisors present via Zoom: Wes Davis, Robert Potter, Wayne Gustina. QUORUM PRESENT.

Rock County Staff Present: Andrew Baker (Planning Director), Christine Munz-Pritchard (Senior Planner), Dana Sanwick (Office Coordinator), Michelle Schultz (Real Property Lister), Lisa Tollefson (County Clerk).

Rock County Staff via Zoom: Jennifer Borlick (GIS Manager), Steve Godding (Planner III), Terri Carlson (Risk Manager).

Others present: Ryan Combs

Others present via ZOOM: Supervisor Shirley Williams

1. Call to Order
Roll Call

2. Adoption of Agenda

Moved by Supervisor Davis **Seconded** by Supervisor Podzilni
Approved (5-0)

3. **Action Item:** Approval of Minutes of the Planning & Development Meeting held October 28, 2021 at 8:00 am

Moved by Supervisor Podzilni **Seconded** by Supervisor Potter
Approved (5-0)

4. Citizen Participation, Communications and Announcements

5. Code Enforcement

A. **Action Item** Land Divisions: With Conditions

1. 2021 059 (Porter Township) – Benedict (1 Lot CSM) (6-16-233)

Moved With Conditions by Supervisor Davis
Seconded by Supervisor Gustina
Approved (5-0)

Recommended Conditions:

1. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
2. The zoning is A-E. The approval is conditioned on the Town of Porter approving the division as per the Zoning Ordinance and Base Farm Tract requirements (Town minutes attached). Per minutes the 50 acres remaining under easement (or deed restriction).
3. Dedicate a thirty-three foot half road right-of-way along the road at the discretion of the Town.
4. Note on Final CSM:
 - “No buildings which produce wastewater are allowed on Lots 1 until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
 - “Lot 2 contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems.” Proposed lot lines must include the system area with the building which utilizes the system.
5. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
6. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.

*Town of Porter Plan Commission Hearing
Monday, October 18th, 2021, 6:30pm
Porter Town Hall, 8809 N Wilder Road*

Called to order by Sweeney at 6:30pm. Present: PC members - Sweeney, Imhoff, S. Towns, Vielhuber & Slater. Also present: Viney, Fox, Hamilton, Raymond, Franseen, Roethe and 10 residents.

Discussion on Zoning change for Michelle Benedict (aka; Docs Woods LLC) 108 Arbury Court, Cottage Grove, WI. Base Farm Tract 18 Lot number 6-16-233, Lot 1. A-E to A-G 4-3(8)(B)(4)(2), Lot 2. A-E to A-G 4-3(8)(B)(4)(a), Lot 3. Easement lot:

- **Lot 2- Current zoning is AE and they wish to change to AG. Lot size is 9 acres.**
 - **Citizen Input - none**
 - **Imhoff motions to recommend to the Town Board the zoning change from AE to AG, S. Towns 2nd. MC.**

- **Lots 1- Resident wishes to create a 1 acre lot with AG zoning from the remaining 51 acres. Under the easement, the parent lot will remain 50 acres.**

- **Citizen Input- none**
- **S. Towns makes a motion to recommend to the Town Board to create a 1 acre lot zoned AG from AE with the parent lot of 50 acres remaining under easement, Slater 2nd. MC.**

2. 2021 071 (Milton Township) –Oak Ridge Golf Course LLC (1 Lot CSM) (6-13-212A)

Moved With Conditions by Supervisor Gustina
Seconded by Supervisor Podzilni
Approved (5-0)

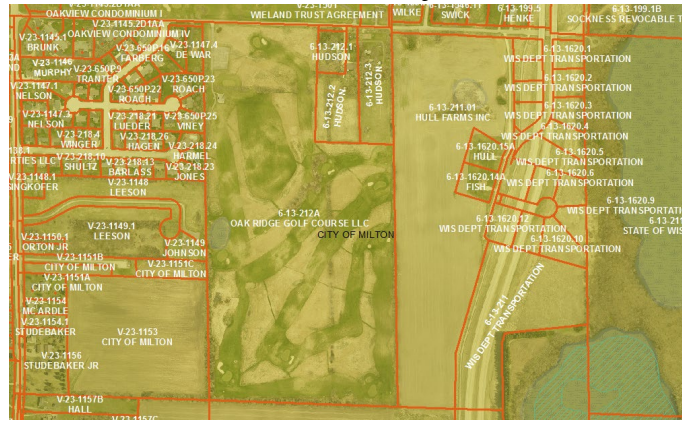
Recommended Conditions:

1. Any additional existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
2. The thirty-three foot half road right of way along the entire frontage of the parent parcel. Shall be deeded or dedicated to the Town of Milton.
3. Zoning should meet the minimum requirements of the lot per Town of Milton Zoning Ordinance.
4. There is a parking lot that is location on both properties. This should be removed with in two years of the final CSM.



5. Note on Final CSM: “Lot 1 contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems.” Proposed lot lines must include the system area with the building which utilizes the system.

6. This falls under the extraterritorial jurisdiction of the City of Milton.



7. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
8. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.

3. 2021 075 (Lima Township) – Kenyon (2 Lot CSM) (6-11-119.3)

Moved With Conditions by Supervisor Davis
Seconded by Supervisor Potter
Approved (5-0)

Recommended Conditions:

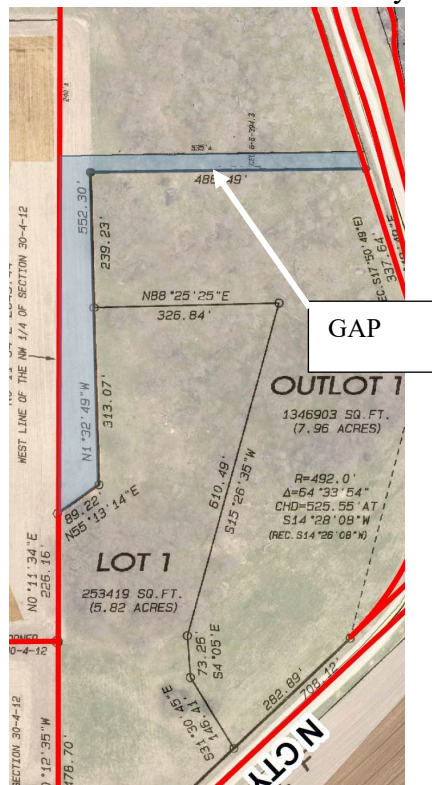
1. Per Section 4.3 of the Town of Lima zoning code, the proposed lots do not meet the minimum 35 acre requirements of the A-1 zoning district. The lots will need to be rezoned to meet zoning code requirements. Recommend rezoning to A-2 - Lot Area 10 to 34.99 acres & A-3 - Lot Area 3 to 9.99 acres.
2. If land disturbance associated with the construction of the shared driveway exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is required. Please contact Rock County Land Conservation Department.
3. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
4. Note on Final CSM: “Lot 2 contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems.” Proposed lot lines must include the system area with the building which utilizes the system.
5. Note on Final CSM “No buildings which produce wastewater are allowed on Lots 1 until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.

6. Dedicate a thirty-three foot half road right-of-way along the Road at the discretion of the Town.
 7. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
 8. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
4. 2021 076 (Fulton Township) –Sayre Joint Farms LLC (1 Lot CSM) (6-6-394.3 & 6-6-394.1)

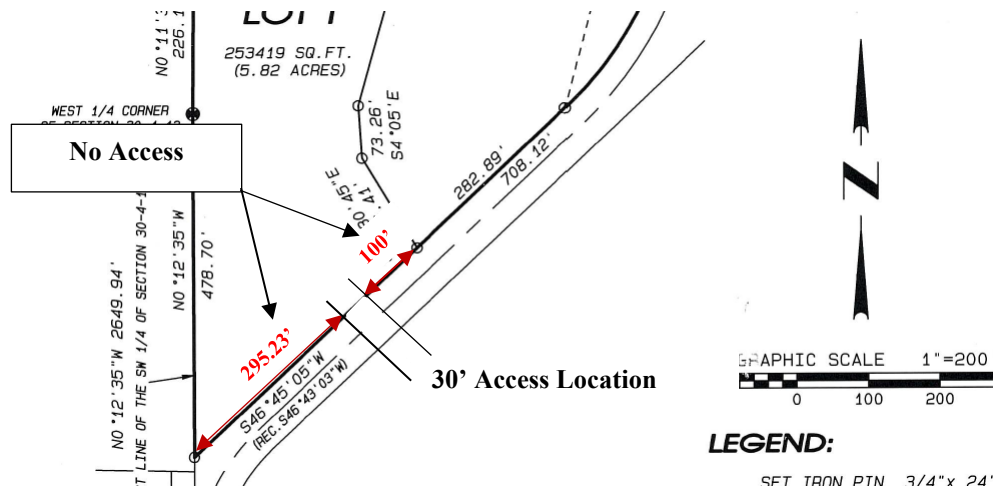
Moved With Conditions by Supervisor Potter
Seconded by Supervisor Gustina
Approved (5-0)

Recommended Conditions:

1. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
2. There looks like there is a GAP in the survey. This should be fixed.



3. The Outlot, when recorded, should show that it is not a buildable lot.
4. The road is mislabeled. It should be C.T.H. “H”.
5. “No Access” should be added for Lot 1 along C.T.H. “H” as shown below.



6. 4.112 Preliminary Land Division requirements need to be met.
7. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
8. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
9. See planner report from the Town of Fulton Below.

MSA recommends conditional approval of the application, with the following conditions:

- Applicant must record the final CSM from the 2020 Donstad Rezone and Land Division Application for W. Gibbs Lake Rd, as approved, and present evidence of that recording to the Town. Changes to the Donstad CSM will require a new review and approval for the Donstad CSM prior to recording, and a new review of the Sayre CSM.
- The 1.3 acre remnant, if created, must have a deed restriction prohibiting sale except in conjunction with parcel 6-16-206 (in the Town of Porter).
 - Note: MSA consulted with Rock County staff about this remnant piece – the County does not support this approach because it creates a separate tax parcel. The County recommends including this land area as part of the other new lots created in the Town of Fulton and then establishing a deed restriction requiring continued use as cropland, and allowing permanent access and use for that purpose by the owner of parcel 6-16-206 in the Town of Porter.
 - If the approach recommended by the County is taken, proposed Lot 1 would no longer meet the requirement in section 425-4-3(H)(d)(5) that 90% of the area of interest being classified as “not prime farmland”. However, the proposed restriction to require use as cropland is consistent with the intent of the ordinance. This situation is particular to the town boundary issue, otherwise the

recommendation would be to attach the remnant to the parcel in Porter.

- Applicant shall provide a final Certified Survey Map for signature and recording with the Rock County Register of Deeds meeting the requirements of Section 380-19 of the Town's Land Division Code upon approval of the land division and rezoning applications.
- Applicant shall file with Rock County affidavits for Lot 1 and Outlot 1 to restrict further land divisions and on Outlot 1 to restrict development of new residences.

6. Community Development

7. Economic Development

8. Corporate Planning

A. **Action Item:** *Resolution: Adoption of Final Rock County Supervisory District Plan* (Note: Maps will not be available until all municipalities adopt wards)

Moved by Supervisor Davis **Seconded** by Supervisor Potter
Approved (5-0)

Brief question and answer session occurred between the committee members and Lisa Tollefson (County Clerk).

B. **Action Item:** *Resolution: Amending the Rock County Land Information Plan*

Moved by Supervisor Podzilni **Seconded** by Supervisor Davis
Approved (5-0)

9. Finance

A. Information Item: Committee Review of Payments

B. **Action Item:** Transfers

10. Director's Report

A. Discuss November and December Meeting Dates

11. Committee Reports

12. Adjournment

Moved by Supervisor Podzilni **Seconded** by Supervisor Gustina
Approved (5-0)

Future Meeting Dates
December 16th, 2021