



PLANNING & DEVELOPMENT COMMITTEE  
THURSDAY, SEPTEMBER 27, 2012 – 8:00 A.M.  
COURTHOUSE CONFERENCE CENTER - (2<sup>nd</sup> FL – EAST WING)  
ROCK COUNTY COURT HOUSE  
JANESVILLE, WI  
AGENDA

1. Call to Order
2. Adoption of Agenda
3. Minutes of Meeting held Thursday, September 13, 2012
4. Citizen Participation, Communications and Announcements
5. Code Administration & Enforcement
  - A. **Action Item:** Public Hearing Shoreland Conditional Use Permit 2012 002 – ANR Pipeline repair and maintenance of natural gas pipeline on Rock County property along the Rock River (Fulton Township)
  - B. **Action Item:** Approval Shoreland Conditional Use Permit 2012 002 – ANR Pipeline/Rock County
  - C. **Action Item:** Preliminary Approval of Land Divisions
    - LD 2012 032 (Fulton Township) – Glen Thompson
6. Finance
  - A. **Action Item:** Department Bills/Encumbrances/Amendments/Transfers
7. Community Development
  - A. **Action Item:** Project ID 020716D1 – Change Order (+ \$4,120)
  - B. **Action Item:** Project ID 021717D1 – Change Order (+ \$1,320)
  - C. Information Item: Status Report on Community Development Small Cities Block Grant Project (ID 020704D1)
  - D. **Action Item:** Request For Review of Subordination for Community Development Loans
8. Planning Director's Report
  - County Engineer

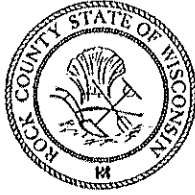
- Village of Orfordville CDBG – Small Cities Grant
  - Ag Infrastructure Mapping
  - Contracting For Housing Inspectors
- 

9. Committee Reports

10. Adjournment

**Future Meetings/Work Sessions**

October 11, 2012 (8:00 AM)  
October 25, 2012 (8:00 AM)  
November 8, 2012 (8:00 AM)  
December 13, 2012 (8:00 AM)



September 10, 2012

### LEGAL NOTICE

Notice is hereby given that the Rock County Planning & Development Committee will hear a request by ANR Pipeline for a Conditional Use Permit for a Shoreland project consisting of repair and maintenance of an existing natural gas pipeline along the Rock River. This request is being made in compliance with Section 16.34(3)(A) of the County Shoreland Zoning Ordinance.

The property is located in the SW1/4 of the SW1/4 of Section 16, Fulton Township. More commonly known as 9236 N. County Highway F.

The Public Hearing will take place in the Courthouse Conference Center, second floor, east wing of the Rock County Courthouse, 51 S. Main Street, Janesville, WI at 8:00 AM on Thursday, September 27, 2012.

Please contact the Rock County Planning & Development Agency with any questions at 608-757-5587.

Paul Benjamin  
Director of Planning, Economic & Community Development

LG2012007 ANR

ROCK COUNTY PLANNING, ECONOMIC, & COMMUNITY  
 DEVELOPMENT AGENCY  
 51 SOUTH MAIN STREET  
 JANESVILLE, WI 53545  
 TEL: (608) 757-5587  
 FAX: (608) 757-5586  
 WEB: WWW.CO.ROCK.WI.US



AGENCY USE ONLY	
Application No.	_____
Date Received	_____
Received by	_____

**SHORELAND CONDITIONAL USE PERMIT APPLICATION**

**APPLICANT INFORMATION**

OWNER INFORMATION							
(1) Name	ANR Pipeline Company				Telephone	832.320.5369	
Address	717 Texas Street, 24th Floor		City	Houston	State	TX	Zip 77002

**PROPERTY INFORMATION**

LOCATION	42°48'26.12"N 89° 5'13.21"W	
Subdivision Name	N/A	
Lot Size	N/A	Present Use see 'Present Improvements' Section for Present Use
Present Improvements on Land	Proposed project area is currently mixed use and includes approximately 50% mowed grass, 40% disturbed gravel access road, 10% ROW scrub/shrub cover.	
Proposed Use or Activity	Pipeline maintenance excavation required for PHMSA pipeline integrity compliance: including inspecting or repairing 64 linear ft of natural gas pipeline and a hydrostatic pressure test.	

**PROJECT INFORMATION**

*Submit site plan (scale not less than 1" = 200') indicating: area to be filled, graded or dredged, existing and proposed structures, and erosion control measures*

Amount of fill in cubic yards	< 441 cubic yards
Amount of disturbed area (square feet)	Approximately 1700 square feet
Planned Completion Date	Tentatively November 2012

Any change in the approved permit requires review by this agency.  
 Any change without prior approval violates the ordinance and will subject applicant to legal action  
 (I/We) hereby request a Conditional Use Permit as authorized in Section 16.23 of the Rock County Zoning Ordinance for: Shoreland and County Property.

**SIGNATURE**

Property Owner \_\_\_\_\_ OR Agent/Surveyor *Mark Johnson per Easements*

Approved by the Rock County Planning & Development Committee on _____
Committee Designee _____ Date _____

**COLIN BYRNES - ANR Pipeline Company**

---

**From:**  
**To:**  
**Date:** 8/20/2012 10:46 AM  
**Subject:** ANR Pipeline Company  
**Attachments:**

---

Colin-

Thank you for going through the Shoreland-Floodplain Permit review process with me earlier today. I have attached a map of the project site and have included some project details below. As we discussed, we will get our application in to you by the end of the week as to make the public meeting on **Thursday, September 13<sup>th</sup>**.

**Project Name:** Maintenance Dig No. 2012.810 (Rock County)

**T/R/S:** NW ¼ of the SW ¼ T04N/R12E/Section 16

**Habitat Type:** 50% mowed grass, 40% disturbed gravel access road, 10% ROW scrub/shrub

**Project Description:** ANR Pipeline Company (ANR), a subsidiary of TransCanada U.S. Pipeline Central, is proposing to conduct a pipeline maintenance excavation required to maintain in compliance with Pipeline Hazardous Materials Safety Administration (PHMSA) pipeline integrity requirements. The Project will consist of repair and maintenance activities on ANR's existing natural gas pipeline at the location shown in the attached figures. Earth disturbance activities associated with the Project will be limited to ANR's existing, previously disturbed right-of-way (ROW).

ANR is proposing routine pipeline maintenance that may include replacing a segment of existing natural gas pipeline, and hydrostatically pressure testing select portions of the pipeline. Workspaces for the Projects will include ANR's existing, previously disturbed rights-of-way (ROW) and pipeyard/laydown areas directly adjacent to the ROW (within active agricultural fields). Total excavation area is expected to be below 1000 square feet, but total excavation volume is anticipated to be greater than 40 cubic yards.

Please let me know if you need any additional information and please confirm that we will need this permit and I will begin preparing the permit application package.

Thank you,  
 Herry

**Herald M. Schulz**  
*Environmental Scientist*

**CH2M HILL Engineers, Inc.**  
 125 South Wacker Drive, Suite 3000  
 Chicago, IL 60606  
 Desk: 312.873.9782  
 Mobile: 920.562.0382  
 Fax: 312.873.9801  
[www.ch2mhill.com](http://www.ch2mhill.com)



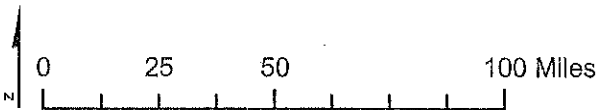
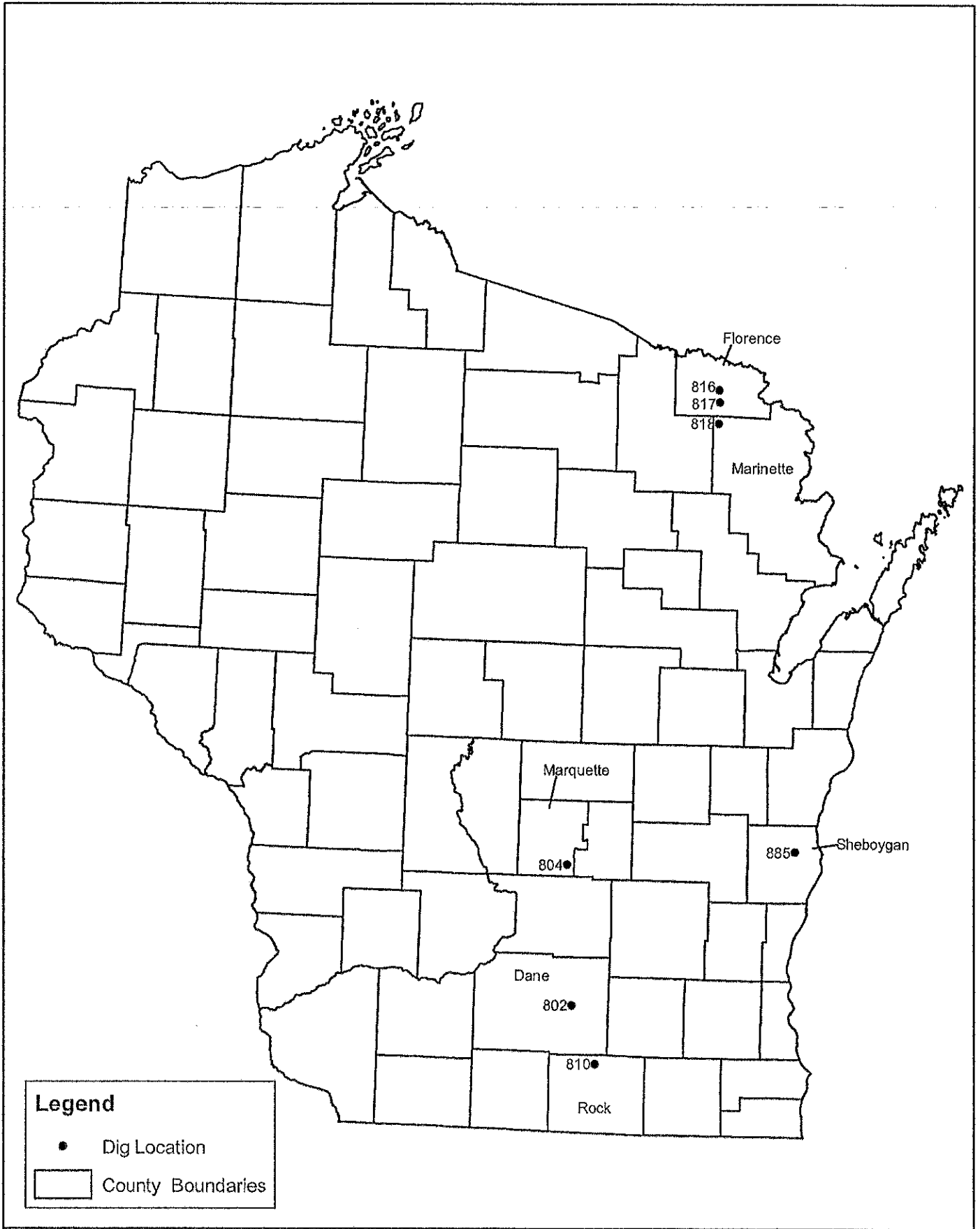


Figure 1 - Site Location Map  
 Wisconsin Anomaly Digs 2012  
 ANR Pipeline Company  
 Wisconsin

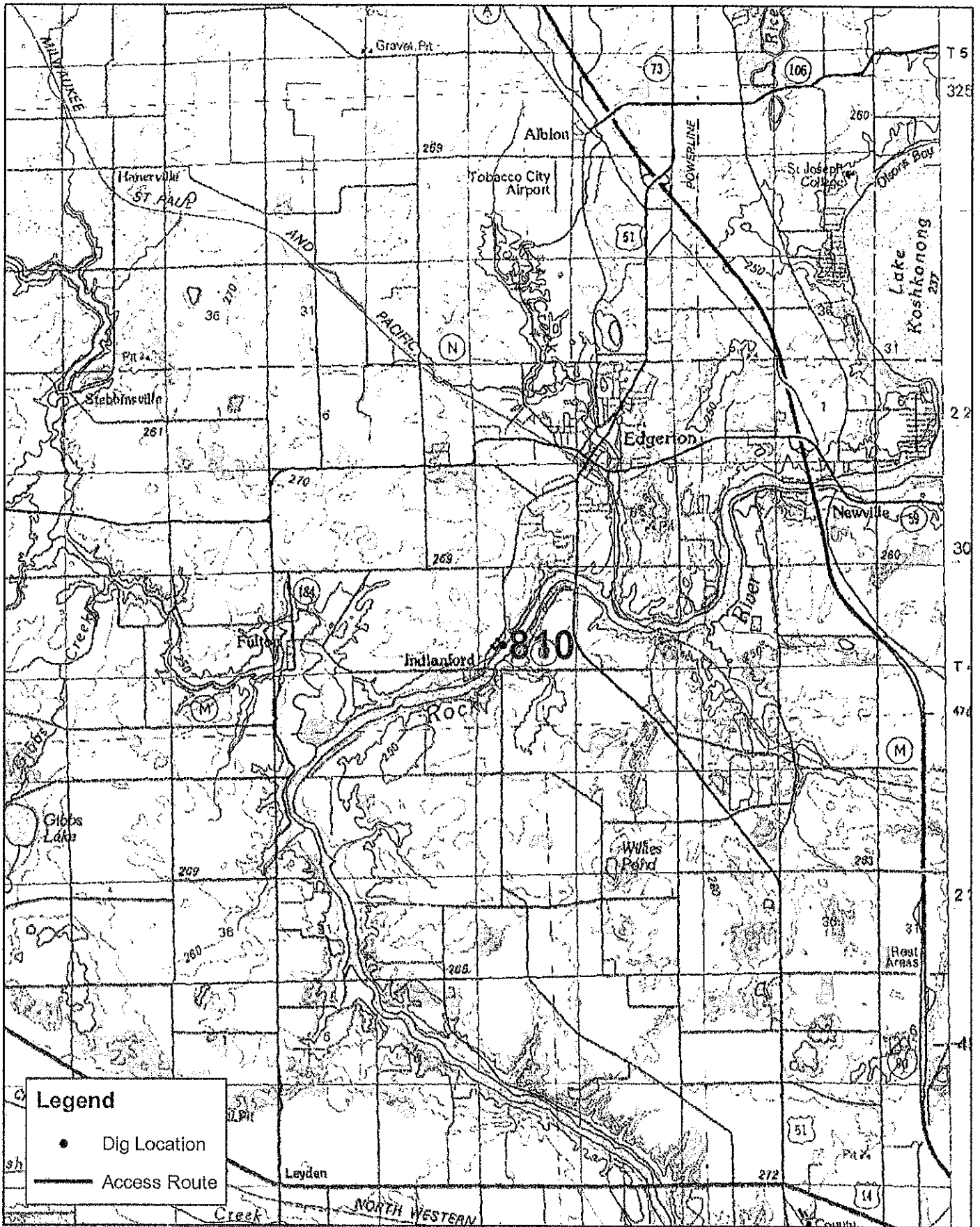


Figure 2E - Topographic Map  
 Wisconsin Anomaly Digs 2012  
 ANR Pipeline Company  
 Rock County, WI

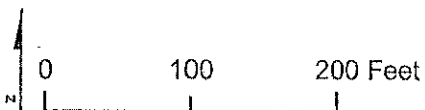
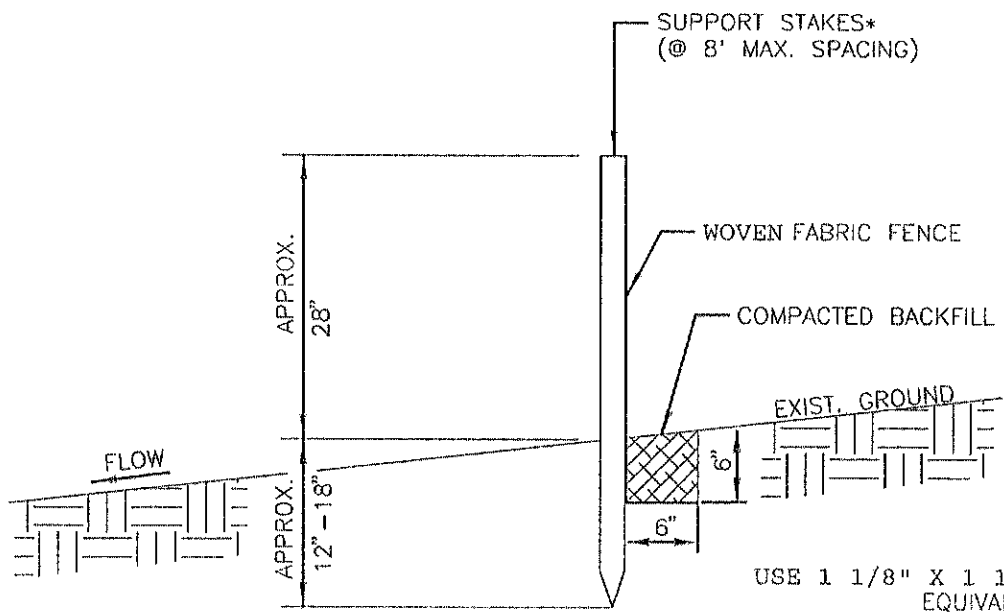
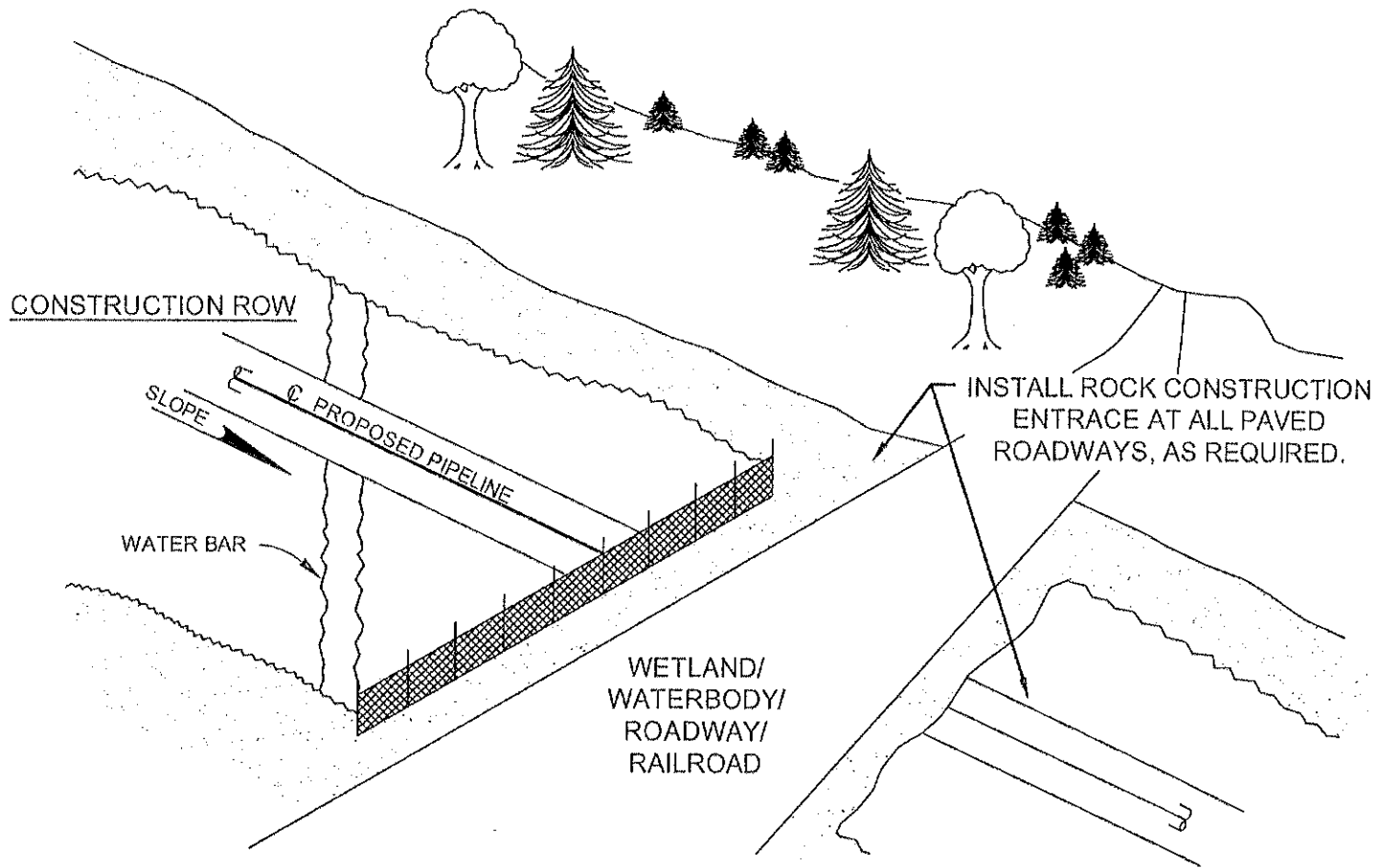


Figure 3 - Erosion Control Plan  
 Dig 2012.810  
 Wisconsin Anomaly Digs 2012  
 ANR Pipeline Company  
 Rock County, Wisconsin

6






- NOTES:
1. Silt fence must be left in place until vegetation has been established.
  2. Filter fabric fence must be installed at existing level grade.
  3. Sediment must be removed where accumulations reach 1/2 the above ground height of the fence.

USE 1 1/8" X 1 1/8" OAK OR HICKORY WOOD OR EQUIVALENT STEEL STAKES

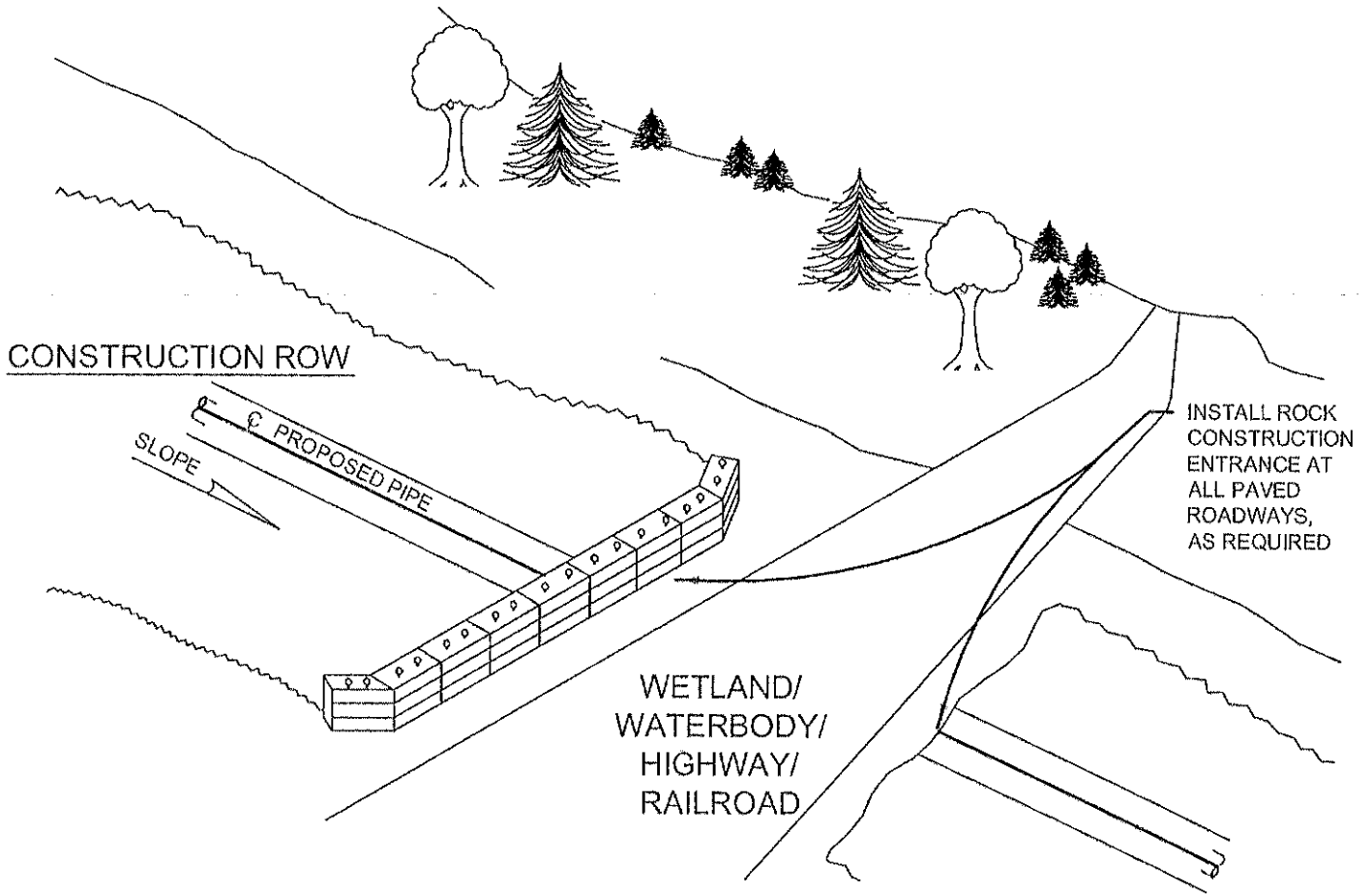
ENG. RECORD		DATE
DRAWN BY:		
DRAWING APPROVAL		
PROJECT APPROVAL		
SURVEY DATE:		
SCALE:		
PROJECT ID:		
FILE NAME:		

 **TransCanada**  
In business to deliver  
**ANR Pipeline Company**

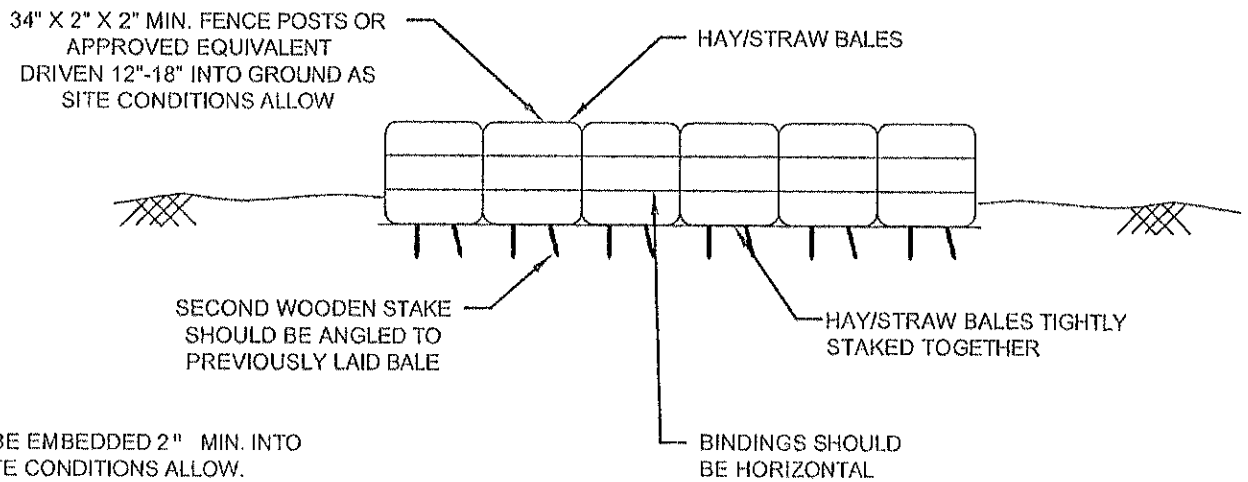
# TYPICAL SILT FENCE INSTALLATION 7

NO	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
REVISIONS					

DWG. NO. **PLAN - 4**



FRONT VIEW



NOTES:

1. HAY BALES TO BE EMBEDDED 2" MIN. INTO GROUND AS SITE CONDITIONS ALLOW.
2. SEDIMENT SHALL BE REMOVED WHEN ACCUMULATIONS REACH 1/2 THE ABOVE GROUNDS HEIGHT OF THE BARRIER.
3. HAY/STRAW BALES REMOVED FOR ACCESS PURPOSES DURING THE DAY MUST BE REINSTALLED AFTER THE CONSTRUCTION ACTIVITY HAS PASSED THROUGH OR BY THE END OF THE DAY.

ENG. RECORD	DATE
DRAWN BY:	
DRAWING APPROVAL	
PROJECT APPROVAL	
SURVEY DATE:	
SCALE:	
PROJECT ID:	
FILE NAME:	

 **TransCanada**  
*In business to deliver*  
**ANR Pipeline Company**

**TYPICAL  
HAY/STRAW  
BALE INSTALLATION**

**8**

DWG. NO.

**PLAN - 5**

NO	DATE	BY	DESCRIPTION	PROJ. ID	APPR.
REVISIONS					



**ROCK COUNTY GOVERNMENT**  
*Planning & Development Agency*

**MEMORANDUM**

**TO:** Rock County Planning and Development Committee

**THROUGH:** Paul Benjamin, Director, Planning & Development Agency

**FROM:** Planning & Development Agency Staff

**SUBJECT:** Shoreland Conditional Use Permit #2012 002 – ANR Pipeline/Rock County, SW1/4 SW1/4  
Section 16, Fulton Township

**DATE:** September 20, 2012

**Summary:**

The Rock County Shoreland Zoning Ordinance (Chapter 16 of the Rock County Code of Ordinances) has jurisdiction within 1,000 ft of the ordinary high-water mark of lakes, ponds and flowages and within 300 ft of the ordinary high-water mark of navigable rivers or streams or to the landward side of the floodplain, which ever is greater. In addition to provisions for Shoreland Permits (which are issued by staff), the Ordinance also has provisions for Shoreland Conditional Use Permits. These types of permits require a public hearing and review and action (either deny, approve or approve with conditions) by the P&D Committee.

Rock County P&D Staff has received the request of the ANR Pipeline Company (easement holder) for a Conditional Use Permit to grade over 1,000 square feet and/or place more than 40 cubic yards of fill in the Shoreland and Floodplain Zoning District of the Rock River in Fulton Township. The purpose of this project is for repair and maintenance of an existing natural gas pipeline located on Rock County property at 9236 County Highway F.

**Recommendation(s) or Action(s):**

Staff has reviewed the application and recommends approval of Shoreland Conditional Use Permit 2012 002.

If the P&D Committee approves the permit the following conditions should be included:

1. Complete the project according to approved plans or field modifications approved by staff based on on-site conditions.
2. Obtain all other necessary permits from Federal, State, and Local Agencies for the project.
3. Apply for and obtain a combined Rock County Erosion Control from the Rock County Land Conservation Department.
4. This permit expires one year from the date of Committee approval.



## **ROCK COUNTY GOVERNMENT**

*Planning & Development Agency*

### **INTEROFFICE MEMORANDUM**

**TO:** Rock County Planning and Development Committee

**THROUGH:** Paul Benjamin, Director, Planning & Development Agency

**FROM:** Planning & Development Agency Staff

**SUBJECT:** Preliminary Approval of Land Division

**DATE:** September 20, 2012

#### **Summary:**

The following Land Divisions are seeking Preliminary approval from the P&D Committee:

- 2012 032 (Fulton Township) – Glen Thompson

#### **Recommendation or Action:**

P&D Agency Staff recommends Preliminary Approval of Land Division 2012 032 with conditions as presented.



Application Number: \_\_\_\_\_ LD 2012 032

# PRELIMINARY MINOR LAND DIVISION – APPLICATION: REVIEW, RECOMMENDATION, AND ACTION FORM

## AGENCY REVIEW

1. Applicant has contacted Town, Rock County Planning and Development Agency, and City(s)/Village (if applicable) officials and these parties have determined land division is feasible:  Yes  No
  2. Land division is consistent with Town's Comprehensive Plan – Future Land Use Map:  Yes  No
  3. Land division is located in a Farmland Preservation zoning district certified by the State of Wisconsin:  Yes  No  
If you answered Yes, proceed to 4. If you answered No, proceed to 5.
  4. Land division meets Town Base Farm Tract and any other applicable Farmland Preservation zoning district requirement:  Yes  No
  5. Land division is in an Agricultural Resources Priority Area, per the Rock County Farmland Preservation Plan:  Yes  No
  6. Land division will require a zoning change:  Yes  No
  7. Preliminary minor land division application is complete:  Yes  No
- If you answered Yes to 7., proceed to 9. If you answered No to 7., indicate the missing information below, 7a. – 7e. After all missing information is supplied, proceed to 8. An Agency recommendation (10.) will not be provided until all missing information has been supplied by the applicant.

	Missing Information
7a. A map clearly marked "PRELIMINARY PLAT OF SURVEY OR CERTIFIED SURVEY MAP", identifying the land division area and containing all of the following information:	<input type="checkbox"/>
a. Location of the land division area by section, township, and range:	<input type="checkbox"/>
b. Approximate location and dimension of all EXISTING streets and property lines, including name and ownership (if applicable), in and adjacent to the land division area:	<input type="checkbox"/>
c. EXISTING/PROPOSED County, Town, and City/Village (if applicable) zoning designations of all EXISTING/PROPOSED lot(s) and outlot(s), in and adjacent to the land division area:	<input type="checkbox"/>
d. Approximate location and dimension of all EXISTING/PROPOSED lot(s), outlot(s), and block(s), numbered for reference, in the land division area:	<input type="checkbox"/>
e. Indication of all PROPOSED lot(s) and outlot(s) use if other than single-family residential, in the land division area:	<input type="checkbox"/>
f. Distance from all PROPOSED lot(s) and outlot(s) point of beginning to section corner or quarter corner, in the land division area:	<input type="checkbox"/>
g. Approximate location, dimension and name (if applicable) of all of the following, whether EXISTING or PROPOSED, in the land division area:	<input type="checkbox"/>
(1) Buildings:	<input type="checkbox"/>
(2) Streets, alleys, and public ways:	<input type="checkbox"/>
(3) Driveways:	<input type="checkbox"/>
(4) Rail lines:	<input type="checkbox"/>
(5) Private water wells or water supply systems:	<input type="checkbox"/>
(6) Private onsite wastewater treatment systems or public sanitary sewer systems:	<input type="checkbox"/>
(7) Any other public utilities:	<input type="checkbox"/>
(8) Easements (Utility, drainageway, pedestrian way, etc.):	<input type="checkbox"/>
(9) Vegetative land cover type:	<input type="checkbox"/>
(10) Environmentally sensitive areas (Floodplain, steep slope, etc.):	<input type="checkbox"/>
(11) Productive agricultural soils, cultural resources, and woodlands:	<input type="checkbox"/>
(12) Surface water features:	<input type="checkbox"/>
(13) Drainageways:	<input type="checkbox"/>
(14) Detention or retention areas:	<input type="checkbox"/>
(15) Cemeteries:	<input type="checkbox"/>
(16) Bridges/culverts:	<input type="checkbox"/>
(17) Rock outcroppings:	<input type="checkbox"/>
h. Approximate location, dimension, name (if applicable), and purpose of all dedicated public parks or outdoor recreation lands, or any other public or private reservation, including any conditions, in the land division area:	<input type="checkbox"/>
i. Preliminary concept for connection with existing public sanitary sewer and water supply system or an alternative means of providing water supply and treatment and disposal of sewage, in the land division area:	<input type="checkbox"/>
j. Preliminary concept for collecting and discharging stormwater in the land division area:	<input type="checkbox"/>

**AGENCY REVIEW**

	Missing Information
k. Scale, north arrow, and date of creation:	<input type="checkbox"/>
l. Any other information required by the Agency:	<input type="checkbox"/>
7b. Map prepared at a scale not to exceed two hundred (200) feet to the inch, with the map pages numbered in sequence if more than one (1) page is required, and total map pages identified on each page:	<input type="checkbox"/>
7c. Map prepared by a land surveyor licensed in Wisconsin:	<input type="checkbox"/>
7d. All required application form information and required party's signature on the application form:	<input type="checkbox"/>
7e. A hard copy of the application form and the map, an electronic copy of the map in a format compatible with the Agency's Geographic Information System (GIS), and application fee:	<input type="checkbox"/>
8. Preliminary minor land division application is complete:	<input checked="" type="checkbox"/> Yes
9. Preliminary minor land division application has been provided to other reviewing parties for review and comment, and if these parties have comments, said comments have been provided to the Agency:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If you answered No, the application must be provided to other reviewing parties before completing any further sections of this form.	

**AGENCY RECOMMENDATION**

10. Agency recommendation:  Approve  Approve With Conditions  Deny

11. If you answered Approve With Conditions to 10., list conditions (Use additional sheet (2a) if necessary):

- Note on Final Map: "Special Building Conditions: No building which produces wastewater allowed on Lots 1 & 2
- until acceptable means of wastewater disposal is approved by permitting government agencies."
- Existing structures shall meet setback regulations

12. Agency recommendation rationale and findings of fact (Use additional sheet (2a) if necessary):

AGENCY SIGNATURE: <u>Colin M. Brynes</u>	DATE: <u>8/27/2012</u>
TITLE: <u>Administrator - Rock County Planning, Economic &amp; Community Development Agency</u>	

**TOWN ACTION**

13. Town action:  Approve  Approve With Conditions  Deny

14. If you answered Approve With Conditions to 13., list conditions (Use additional sheet (2a) if necessary):

- Lot 1 has documentation for permanent & legal road access.
- Lot 1 A3 zoning contingent upon RUP for more than two accessory buildings
- Lot 2 A2 zoning

15. Town action rationale and findings of fact (Use additional sheet (2a) if necessary):

TOWN SIGNATURE: _____	DATE: _____
TITLE: _____	

PLEASE RETURN THIS FORM, VIA POSTAL MAIL OR EMAIL, TO:

ROCK COUNTY PLANNING, ECONOMIC & COMMUNITY DEVELOPMENT AGENCY  
 51 N. MAIN ST.  
 JANESVILLE, WI 53545  
 EMAIL: BRYNES@CO.ROCK.WI.US

**ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION**

16. Committee action:  Approve  Approve With Conditions  Deny

17. If you answered Approve With Conditions to 16., list conditions (Use additional sheet (2a) if necessary):

- 
- 
- 

18. Committee action rationale and findings of fact (Use additional sheet (2a) if necessary):

COMMITTEE SIGNATURE: _____	DATE: _____
TITLE: <u>Chair - Rock County Planning &amp; Development Committee</u>	

**AGENCY RECOMMENDATION**

11. If you answered Approve With Conditions to 10., list conditions:

- 3. 1/2 ROW 40 ft. dedicated to the public.
- 4. Final CSM to be submitted to and approved by the Planning and Development Agency on or before 9/27, 2013
- 5. Certified Survey Maps that are subject to local approval must be recorded within 6 months of their last approval and 24 months of the first approval.
- 6. Note: Lot configuration does not meet Sec. 38-16(2)(e) Flag lots ("pole" is longer than 250 ft.). It appears
- 7. the layout maintains efficient agricultural operations. This fact allows the "pole" to exceed maximum length.
- 8. A Joint Easement for the existing driveway to be used by owners of Lots 1 & 2 until such time as driveway permit is approved for Lot 2.
- 9.
- 10.

12. Agency recommendation rationale and findings of fact:

**TOWN ACTION**

14. If you answered Approve With Conditions to 13., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

15. Town action rationale and findings of fact:

**ROCK COUNTY PLANNING AND DEVELOPMENT COMMITTEE ACTION**

17. If you answered Approve With Conditions to 16., list conditions:

- 3.
- 4.
- 5.
- 6.
- 7.
- 8.
- 9.
- 10.

18. Committee action rationale and findings of fact:



- Land Surveying
- Land Planning
- Civil Engineering

RECEIVED

AUG 30 2012

ROCK CO. PLANNING, ECONOMIC AND  
COMMUNITY DEVELOPMENT AGENCY

August 28, 2012

Rock County Planning  
Colin Byrnes  
51 S. Main Street  
Janesville, WI 53545

RE: Glen Thompson, LD 2012 032

Colin,

I am writing in regard to the land division for Glen Thompson. We are requesting approval of the lot configuration as presented in order to maintain efficient agricultural operations and keep more of the tillable lands with the larger parcel. We feel this configuration is acceptable because we are dealing with existing buildings.

Combs & Associates, Inc.

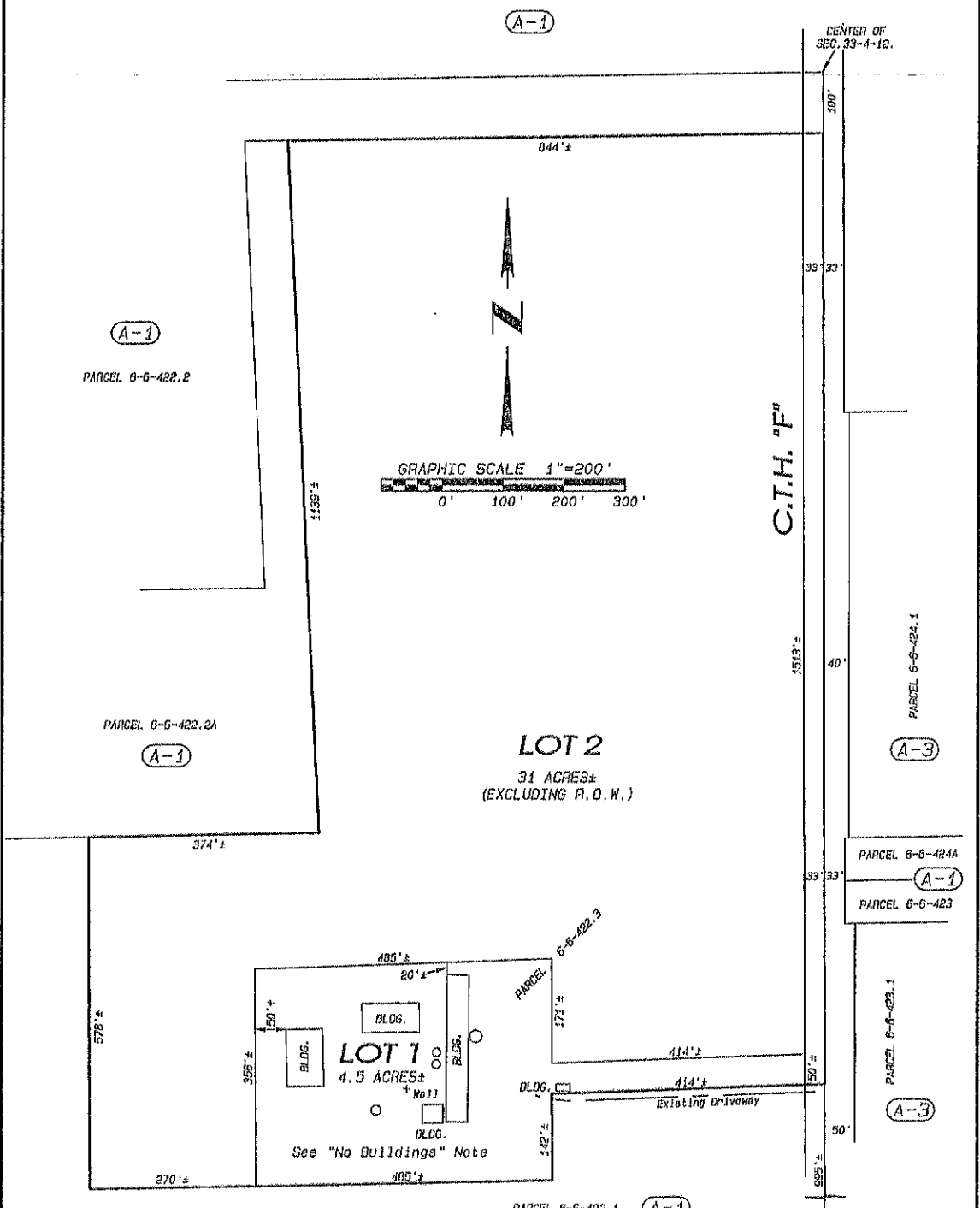
A handwritten signature in black ink, appearing to read "S Lathrop", written in a cursive style.

Steven Lathrop, Vice President



# PRELIMINARY CERTIFIED SURVEY MAP

LOCATED IN THE NE 1/4 OF THE SW 1/4 AND IN THE SE 1/4 OF THE SW 1/4 OF SECTION 33, T.4N., R.12E. OF THE 4TH P.M., TOWN OF FULTON, ROCK COUNTY, WISCONSIN.



NOTES:  
 THIS MAP IS SUBJECT TO ANY AND ALL EASEMENTS AND AGREEMENTS, RECORDED AND UNRECORDED.  
 THE BASIS OF BEARINGS IS ASSUMED.

NO BUILDING WHICH PRODUCES WASTEWATER ALLOWED ON LOT 1 UNTIL ACCEPTABLE MEANS OF WASTEWATER DISPOSAL IS APPROVED BY THE NECESSARY GOVERNMENTAL AGENCIES.

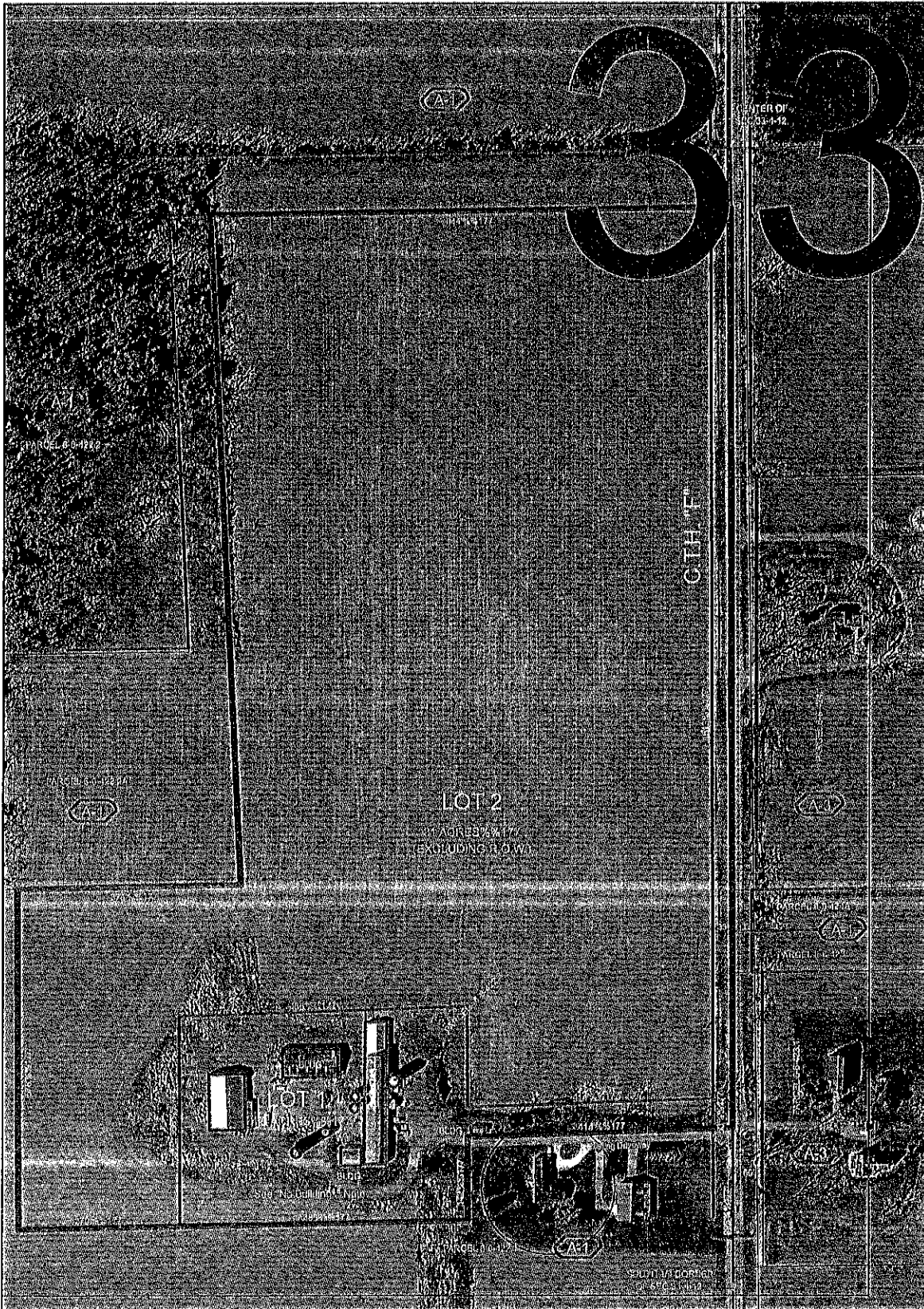
Project No. 112 - 202 For THOMPSON DATE: AUGUST 7TH, 2012

**Combs & Associates**

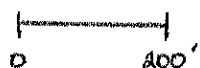
- LAND SURVEYING
- LAND PLANNING
- CIVIL ENGINEERING

109 N. Milwaukee St.  
 Janesville, WI 53540  
 www.combsurvey.com

tel: 608 752-0575  
 fax: 608 752-0534



1" = 200'



Account Number	Name	Yearly Pront Appropriation Spent	YTD Expenditure	Encumb Amount	Unencumb Balance	Inv/Enc Amount	Total
6464000000-63200	PUBL/SUBCR/DUES	1,507.00	57.2%	1,096.57	-233.99	644.42	
		09/13/12	-VN#052237	MUNIZ-PRITCHARD,CHRIS		120.00	
	P1202912-PO#	09/13/12	-VN#041314	HOMETOWN NEWS GROUP		25.00	
				CLOSING BALANCE	499.42		145.00
6464000000-64200	TRAINING EXP	2,245.00	6.6%	148.53	0.00	2,096.47	
		09/13/12	-VN#023669	BYRNES,COLIN		235.00	
		09/13/12	-VN#052237	MUNIZ-PRITCHARD,CHRIS		275.00	
	P1202958-PO#	09/13/12	-VN#023968	CURSOR CONTROL INC		400.00	
				CLOSING BALANCE	1,186.47		910.00
	PLANNING			PROG-TOTAL-PO		1,055.00	

I HAVE EXAMINED THE PRECEDING BILLS AND ENCUMBRANCES IN THE TOTAL AMOUNT OF \$1,055.00 INCURRED BY PLANNING. CLAIMS COVERING THE ITEMS ARE PROPER AND HAVE BEEN PREVIOUSLY FUNDED. THESE ITEMS ARE TO BE TREATED AS FOLLOWS  
 A. BILLS AND ENCUMBRANCES OVER \$10,000 REFERRED TO THE COUNTY BOARD,  
 B. BILLS UNDER \$10,000 TO BE PAID.  
 C. ENCUMBRANCES UNDER \$10,000 TO BE PAID UPON ACCEPTANCE BY THE DEPARTMENT HEAD.

PLANNING & DEVELOPMENT COMMITTEE APPROVES THE ABOVE. COM-APPROVAL \_\_\_\_\_ DEPT-HEAD  
**SEP 27 2012** DATE \_\_\_\_\_ CHAIR



**ROCK COUNTY GOVERNMENT**  
*Planning & Development Agency*  
**INTEROFFICE MEMORANDUM**

**TO:** Rock County Planning & Development Committee  
**THROUGH:** Paul Benjamin, Director, Planning & Development Agency  
**FROM:** David Somppi, Community Development Manager  
**SUBJECT:** Community Development Division  
**DATE:** September 20, 2012

**ACTION ITEMS:**

- A. Project ID: # 020716D-1 CO Funding Source: CDBG-Revolving Fund  
Proposed Project Total Amount = \$ 4,120
- B. Project ID: # 020717D-1 CO Funding Source: CDBG – Revolving Fund  
Proposed Project Total Amount = \$ 1,320

**Staff Recommendation:** Staff recommends approval of the above noted request.

**INFORMATION ITEMS:**

- A. Status Report on Community Development Small Cities Block Grant Project (Project ID 020704D1)

ROCK COUNTY PLANNING & DEVELOPMENT AGENCY  
51 SOUTH MAIN STREET  
JANESVILLE, WISCONSIN 53545

ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE  
CHANGE ORDER # 1

Date: September 20, 2012

Project Number: 020716D-1 CO

Program Type: CDBG-Program Income

Assessed Value: \$ 124,400

Total Pre-Rehab Mortgages \$ 58,770

Contractor: JD Environmental - \$ 4,120

\*\*\*\*\*

**CHANGE ORDERED:** Install good quality gutters and downspouts. Reconstruct bathroom exterior foundation structures. Install new sill plates. Remove wall & floor surfaces. Install wall & floor structural joists and plates. Replace wall studs. Reconstruct bathroom floor and walls structural lumber.

**REASON for CHANGE ORDER:** Gutters, downspouts, and gutter coverings were not included in the original project estimate. The bathroom exterior foundation structure requires reconstruction. The wall and floor joists are rotted and require replacement. Wall surfaces and subfloor require replacement. This work is required to reconstruct the bathroom.

\*\*\*\*\*

Original Contract Amount	\$ <u>38,942.00</u>
Previous Change Orders	\$ <u>0.00</u>

Change Order Addition	\$ <u>4,120.00</u>
Change Order Deduction	\$ <u>0.00</u>
Revised Contract Amount	\$ <u>43,062.00</u>

\*\*\*\*\*

This document shall become an amendment to the Contract and all stipulations and covenants of the Contract shall apply hereto.

\_\_\_\_\_  
Signature of Contractor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

Approved by: \_\_\_\_\_  
Al Sweeney - Chair - Rock County Planning & Development Committee

ROCK COUNTY PLANNING & DEVELOPMENT AGENCY  
51 SOUTH MAIN STREET  
JANESVILLE, WISCONSIN 53545

ROCK COUNTY PLANNING & DEVELOPMENT COMMITTEE  
CHANGE ORDER # 1

Date: September 20, 2012

Project Number: 020717D-1 CO

Program Type: CDBG-Program Income

Assessed Value: \$ 80,700

Total Pre-Rehab Mortgages \$ 0

Contractors: All Phase Construction - \$ 1,320

\*\*\*\*\*

**CHANGE ORDERED:** Install good quality gutters and downspouts, install good quality gutter covering material.

**REASON for CHANGE ORDER:** Gutters, downspouts, and gutter coverings were not included in the original project estimate. These items will keep drainage water away from the house and foundation.

\*\*\*\*\*

Original Contract Amount	\$ <u>14,700.00</u>
Previous Change Orders	\$ <u>0.00</u>

Change Order Addition	\$ <u>1,320.00</u>
Change Order Deduction	\$ <u>0.00</u>
Revised Contract Amount	\$ <u>16,020.00</u>

\*\*\*\*\*

This document shall become an amendment to the Contract and all stipulations and covenants of the Contract shall apply hereto.

\_\_\_\_\_  
Signature of Contractor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

Approved by: \_\_\_\_\_  
Al Sweeney - Chair – Rock County Planning & Development Committee



**ROCK COUNTY GOVERNMENT**  
*Planning & Development Agency*  
**INTEROFFICE MEMORANDUM**

**TO:** Rock County Planning & Development Committee  
**FROM:** Paul Benjamin, Director Planning & Development  
**SUBJECT:** Subordination Request for Community Development Loans  
Property Address: 423 Newville St., Edgerton, WI 53534  
**DATE:** September 27, 2012

Attorneys Bass & Moglowsky have been retained by JP Morgan Chase Bank, N.A. to commence a foreclosure action against the above noted property.

Currently, Rock County has three (3) mortgages on this property. Two (2) of the three (3) mortgages have Subordination Agreements that have been filed as shown below:

- A. \$ 4,283.51 mortgage (dated 7/17/98) – *Subordination Agreement for \$10,000 dated 8/24/04*
- B. \$ 8,450.00 mortgage (dated 3/13/02) – *Subordination Agreement for \$89,000 dated 11/10/03*
- C. \$10,738.95 mortgage (dated 11/14/97) – **No** *Subordination Agreement Filed*

During the commencement of the foreclosure process, the attorneys discovered that there was no subordination document for mortgage "C". In addition, the subordination document for mortgage "A" should have been subordinated to the finance institution's \$89,000 mortgage "B".

Representative's counsel submitted two (2) new requests for the subordination of mortgages "A" and "C" that were received on July 20<sup>th</sup> and July 26<sup>th</sup>, 2012 respectively.

Agency Staff are requesting the Planning & Development Committee make a determination on the approval of this request.

NOTE: Rock County Community Development Subordination Policy states that "Rock County does not create or draft the subordination or mortgage alteration document. The party requesting the subordination creates or drafts the document. Under no circumstances will Rock County create or draft this document."

**BASS & MOGLOWSKY, S.C.**  
**ATTORNEYS AT LAW**

Arthur M. Moglowsky  
Steven W. Moglowsky  
Penny G. Gentges  
Shawn R. Hillmann  
Jennifer J. Collins  
Joshua J. Brady

501 WEST NORTSHORE DRIVE, SUITE 300  
MILWAUKEE, WISCONSIN 53217

TEL: (414) 228-6700  
FAX: (414) 228-6620

*Associates*

Linnea A. DeBraal  
David M. Potteiger

July 18, 2012

**RECEIVED**

JUL 20 2012

ROCK CO. PLANNING, ECONOMIC AND  
COMMUNITY DEVELOPMENT AGENCY

Rock County Plainning & Development Agency  
51 South Main Street  
Janesville, WI 53545

Re: Request for Subordination  
Property Address: 423 Newville St., Edgerton, WI 53534

To Whom it May Concern:

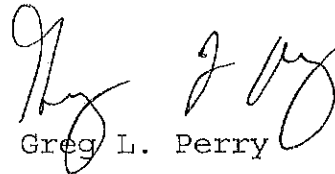
Our office has been retained by JPMorgan Chase Bank, N.A. to commence a foreclosure action against the referenced property.

Our office obtained updated title and discovered that two (2) Subordination Agreements have not been properly recorded at the Rock County Register of Deeds Office. Please review enclosed Request for Subordination.

If you have any questions, please contact me at your earliest possible convenience. Thank you in advance for your time.

Very truly yours,

BASS & MOGLOWSKY, S.C.

  
Greg L. Perry

Enclosures



**BASS & MOGLOWSKY, S.C.**  
**ATTORNEYS AT LAW**

Arthur M. Moglowsky  
Steven W. Moglowsky  
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TEL: (414) 228-6700  
FAX: (414) 228-6620

*Associates*

Linnea A. DeBaal  
David M. Potteiger

July 18, 2012

**RECEIVED**

JUL 26 2012

ROCK CO. PLANNING, ECONOMIC AND  
COMMUNITY DEVELOPMENT AGENCY

Rock County Plainning & Development Agency  
51 South Main Street  
Janesville, WI 53545

Re: Request for Subordination  
Property Address: 423 Newville St., Edgerton, WI 53534

To Whom it May Concern:

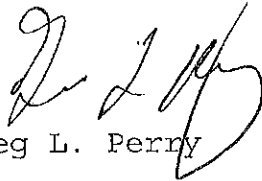
Our office has been retained by JPMorgan Chase Bank, N.A. to commence a foreclosure action against the referenced property.

Our office obtained updated title and discovered that two (2) Subordination Agreements have not been properly recorded at the Rock County Register of Deeds Office. Please review enclosed Request for Subordination.

If you have any questions, please contact me at your earliest possible convenience. Thank you in advance for your time.

Very truly yours,

BASS & MOGLOWSKY, S.C.

  
Greg L. Perry

Enclosures

**From p. 24 of the Housing Procedures Manual for Rock County**

**A. Applicant Appeal Process/Complaint Procedure/Review of Administrative or Committee Decisions**

An applicant may appeal a decision of program staff, administrators or the Planning & Development Committee as provided by Wisconsin Statutes. Such request must be made in writing. These requests must be based on interpretations of the Housing & Community Development Policy & Procedure Manual.

If appropriate, staff decisions may be reviewed by the Director of the Planning & Development Agency. A specific request from the customer must be directed to the Planning Director.

The Chair of the Planning & Development Director Committee would receive this request and determine if additional information is required. The Chair of the Planning & Development Director Committee would then review the request based on the Housing & Community Development Policy & Procedure Manual. The Director would then communicate his/her decision to the applicant.

determine if this request would become an Agenda item for consideration by the Planning & Development Committee.

**B. Review of Planning & Development Director Decision**

An applicant may appeal a program decision of the Planning & Development Director. Such a request must be made in writing.

Such communications or requests are to be directed to the Chair of the Planning & Development Committee, either directly or through the Planning & Development Committee staff. Such a request would be noted by the Planning & Development Committee through the "Communications & Announcements" items of the Planning & Development Committee Agenda.

The Planning & Development Committee Chair would receive this request and determine if additional information is required. The Chair would then determine if this request would become an agenda item for consideration by the Planning & Development Committee.

The public will be notified of this request through the minutes of the Rock County Planning & Development Committee.

If the Planning & Development Committee considers the request, they must use the following standards for review:

- Modification of the regulation in question does not result in a violation of State and/or Federal program rules.
- Application of the regulation will result in an undue hardship on the applicant.

- The hardship resulting from application of the regulation must be peculiar to this applicant and does not apply to applicants and/or properties in general.
- Modification of the regulation in question does not adversely affect the public interest or Rock County's financial status.

Appendix 'K' of the Housing Procedures Manual provides the form to be completed by the applicant for this type of request.

**APPENDIX K**

**ROCK COUNTY PLANNING & DEVELOPMENT AGENCY – COMMUNITY DEVELOPMENT PROGRAM**

**REQUEST FOR REVIEW OF STAFF / COMMITTEE DECISION**

DATE OF REQUEST \_\_\_\_\_ LOAN NUMBER \_\_\_\_\_

STAFF DECISION TO BE REVIEWED: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REASON FOR REQUEST: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date Request Received: \_\_\_\_\_  
 Specific Policy / Policy Decisions To Be Reviewed: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_