



**Planning and Development
Committee
Minutes – August 25, 2022
In Person and Via Zoom**

Call to Order: The meeting of the Rock County Planning & Development Committee was called to order at 8:00 am on Thursday, August 25, 2022. Chair Sweeney presided. Supervisors present in person: Sweeney, Podzilni, Sutterlin and Winter. Supervisors present via Zoom: Stevens. QUORUM present.

Rock County Staff Present: Christine Munz-Pritchard (Senior Planner), Michelle Schultz (Real Property Lister), James Otterstein (Economic Development Manager) and Andrew Baker (Director).

Others Present. Ben Tanko, Alliant Energy. Present via Zoom: Tim Kienbaum, Town of Beloit, David Earl and Kristin Belongia, Batterman.

Adopt Agenda: Agenda moved as presented by Supervisor Podzilni, Seconded by Supervisor Sutterlin. ADOPTED

Approval of Minutes:

Meeting held July 28, 2022: Moved by Supervisor Winter, Seconded by Supervisor Sutterlin. ADOPTED

Citizen Participation, Communications and Announcements: None

Code Enforcement:

5A. Review and possible action regarding LD 2022 041 (Beloit Township) – Sweger (1 Lot CSM)

The staff review and recommendation was presented to the Committee and Ben Tanko from Alliant Energy was present to answer questions. He explained that this land division is being proposed so that the substation associated with a solar array development can be on land owned by Alliant, not leased as the panel land will be. The location of the substation was negotiated with the landowners so that it would be located in an area that is less visible (as opposed to be on the road). This leads to a very long flag lot. Flag lots are generally discouraged for many reasons as noted in the staff report. Typically staff would only recommend approval in situations where an existing building site is set a great distance off the road; not for the creation of a new vacant lot. However, this is for utility purpose, not new residential related use. There were questions about the design of the access lane and suitability for emergency purposes. The Town of Beloit considered possibly having the road be dedicated for these reasons, but ultimately decided a

private land would be sufficient. The Committee had questions about decommissioning the site when the useful life of the solar array was exhausted. Ben stated that the substation has grid value regardless of whether the solar array is generating power in terms of the interaction is ATC. It would be unlikely the site would be totally decommissioned, but he would have to check further about those plans for this site or any substation in general. The concern of the Committee is not along the substation site, but also the very long gravel road that would have to be removed and the ground restored.

Motion to table to a future meeting made by Supervisor Winter seconded by Supervisor Sutterin pending a decommissioning plan that can be recorded if it is determined that the substation would not be used long term. Carried.

5B. Minor Land Division, LD 2022 042

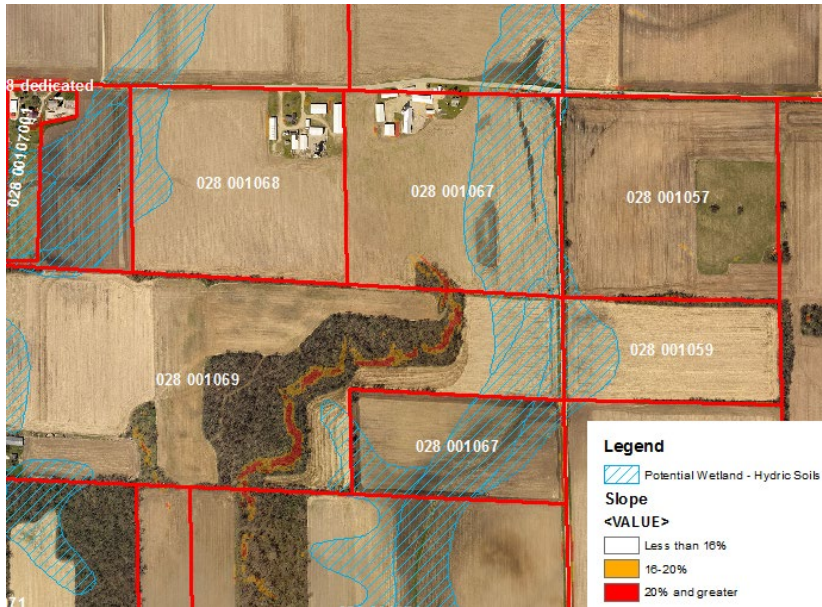
Parcel Number: 6-14-41 Parcel Details for 028 001067

Parcel Number: 6-15-302 Parcel Details for 030 001299

Town: Newark & Plymouth

Motion to approved as recommended with conditions (below) made by Supervisor Winter seconded by Supervisor Podzilni. Carried.

1. Note on Final CSM
 - a. “No buildings which produce wastewater are allowed on Lot until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
 - b. “Lots 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.
My understanding is the Town of Newark requires soil testing for approval of CSMs. If this is correct, the soil testing may be placed on the CSM in lieu of the above notes.
2. Zoning should be verified by the Town of Newark. I do not think that the town of Plymouth needs to worry about zoning.
3. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
4. If land disturbance associated with the construction of a driveway exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.
5. Potential Hydric Soils should be shown on the CSM



6. Driveway access location along County Road K (particularly lot 2) should be predetermined and shown on the CSM due to the curve in the road way. This is to guarantee access for the lot.
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. The CSM needs to meet the minimum requirements of 4.112 of the County ordinance.
 - POWTS, Wells, Soil testing and ESA need to be shown on the CSM.
 - Zoning should be verified by the Town.

5C. Minor Land Division LD 2022 046

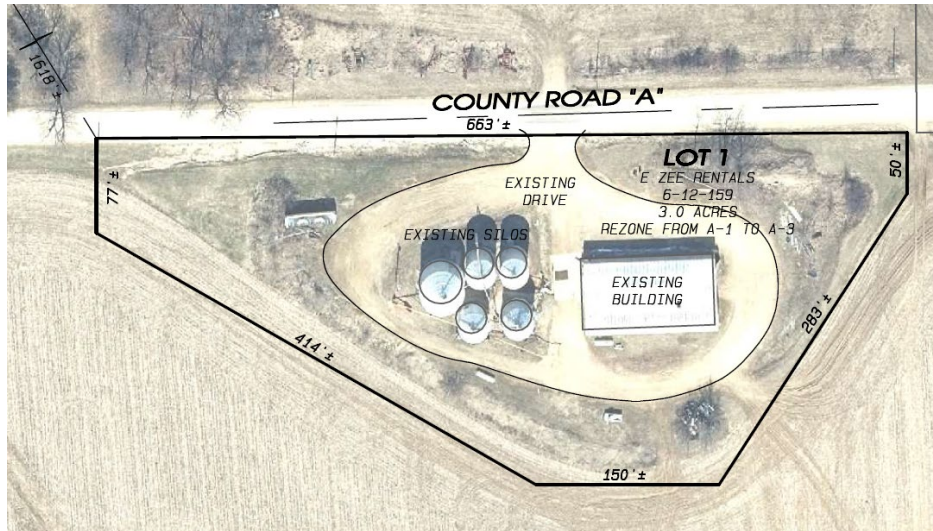
Parcel Number: 6-12-159, Tax ID: 024 029004

17347 W COUNTY RD A EVANSVILLE, WI 53536

Town: Magnolia

Motion to approved as recommended with conditions (below) made by Supervisor Winter seconded by Supervisor Sutterlin. Carried.

1. Per Section 4.4 of the Town of Magnolia zoning code, the proposed lot does not meet the minimum 35 acre requirement of the A-1 zoning district. The lot will need to be rezoned to meet zoning code requirements. Staff recommends SMALL SCALE AGRICULTURAL DISTRICT THREE (A-3).
 - The building need to meet the minimum setback requirements of the A-3 zoning.



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 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.
5. See the table below per the 4.112 Preliminary Land Division requirements.
 - This is missing the well and the POWTS.
 - Zoning should be verified by the Town.
6. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
7. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.

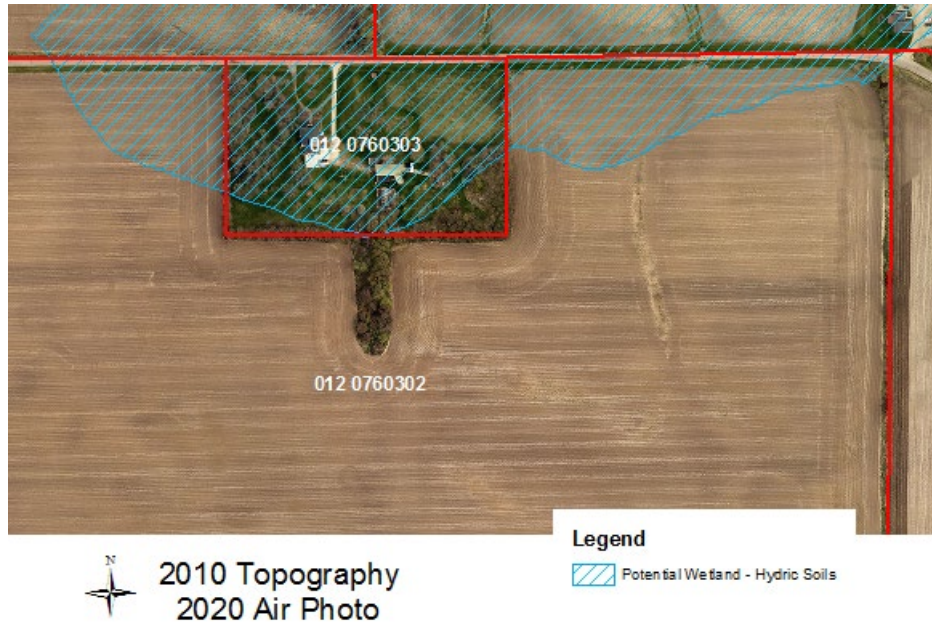
5D. Minor Land Division LD 2022 047

Tax ID: 012 076030 3 Parcel Number: 6-6-378.3

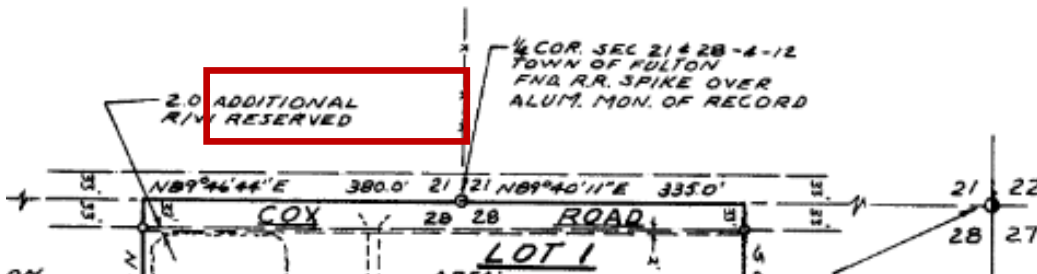
Town: Fulton

Motion to approved as recommended with conditions (below) made by Supervisor Sutterlin seconded by Supervisor Podzilni. Carried.

1. The new lot is recommended to be rezoned to the Residential-Rural Density Small (R-RS) district. Both lots need to meet the minimum building setback and lot sizes.
2. Existing easements shall be shown, and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
3. Potential hydric soils should be shown on the CSM.



4. Note on Final CSM:
 - "No buildings which produce wastewater are allowed on Lot 2 until acceptable means of wastewater disposal is approved by the necessary governmental agencies." It should also be noted that there are potential hydric soils on the location.
 - "The lot 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. Dedicate of 33 foot half road right of way.. Fulton has historically dedicated the ROW. The road dedication should be taken into account with the minimum lot size. Additionally, per the original CSM there is a 2 foot additional ROW reservation.



6. If land disturbance associated with the construction of a driveway exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.
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. Meet the minimum requirements of 4.112 Preliminary Land Division listed.
 - The lot needs to meet the minimum zoning requirements for that district.
 - Preliminary CSM does not show the POWTS, Private well or ESA.

5E. Minor Land Division #LD 2022 050

Tax ID: 018 00115001 Parcel Number: 6-9-150A

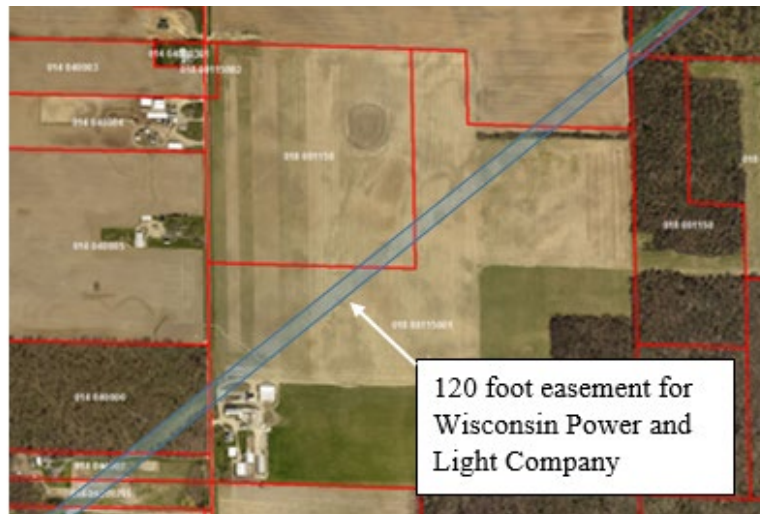
Town: Johnstown

Motion to approved as recommended with conditions (below) made by Supervisor Winter seconded by Supervisor Sutterlin. Carried.

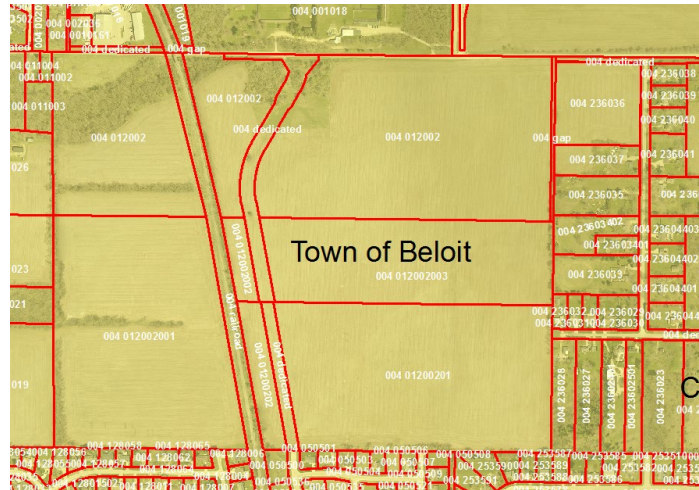
1. The Town needs to give directions regarding the A-1 ordinance.
 - a. Agricultural District One (A-1) (3)(L) A parcel not exceeding five acres or less than three acres may be separated from the farm plot for the purpose of construction of single family dwellings occupied by parents or children of the farm operator, provided that the remaining portion of the original parcel shall conform to the standards of this district, and the new parcel shall conform to the standards of the A-3 District.
2. There may be some non-conforming structures off the road right of way. These should be documented in the CSM.



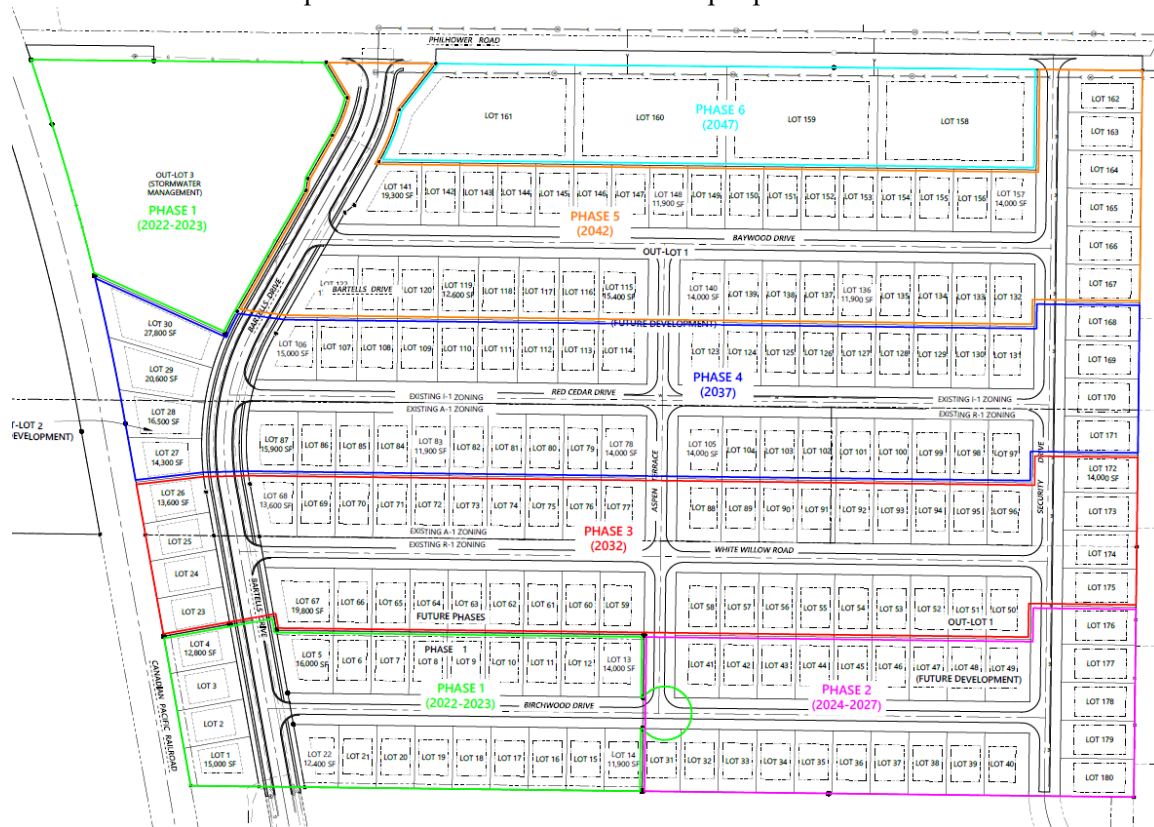
3. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable). There is an easement that runs through the property. It is an estimated 120 feet wide.



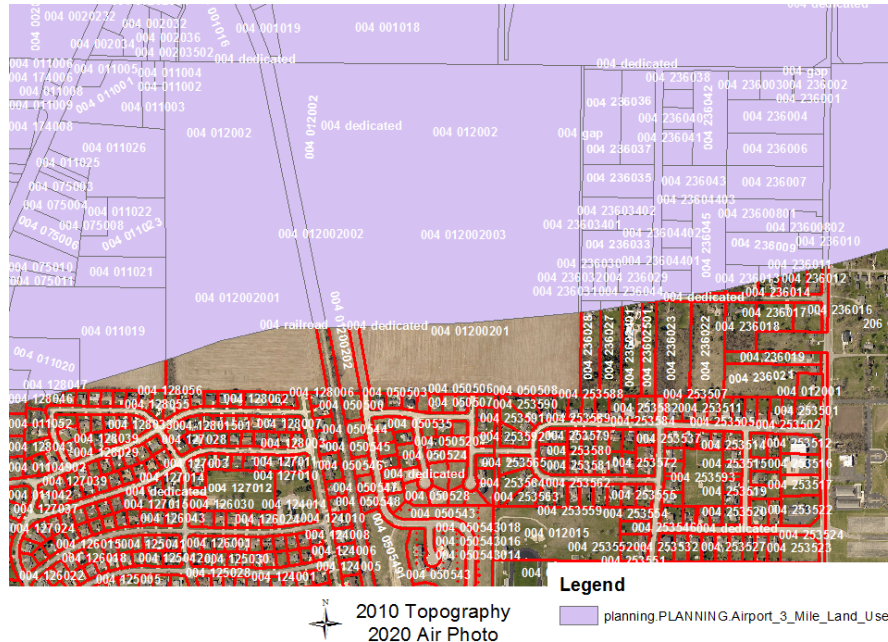
4. Note on Final CSM:
 - a. "Lot 1 contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing



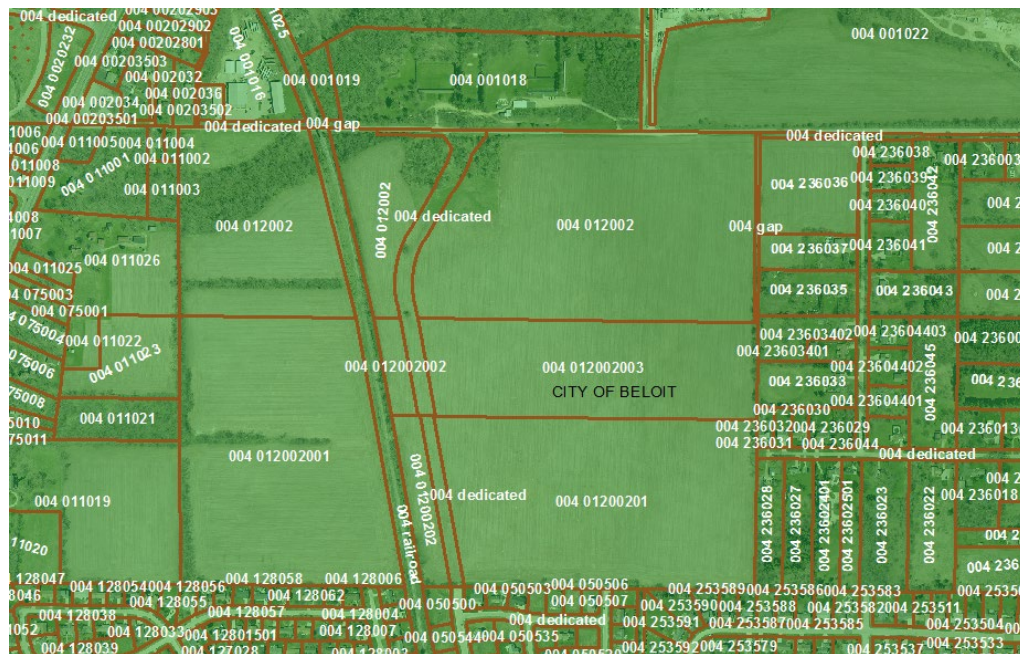
2. Generally, Plats require utilities to be installed prior to the final approval of the subdivision. Currently the plat phasing is not clear. Phases need to be written out and filed with the Plat. The phase information should include utilities requirement that need to be installed per phase.



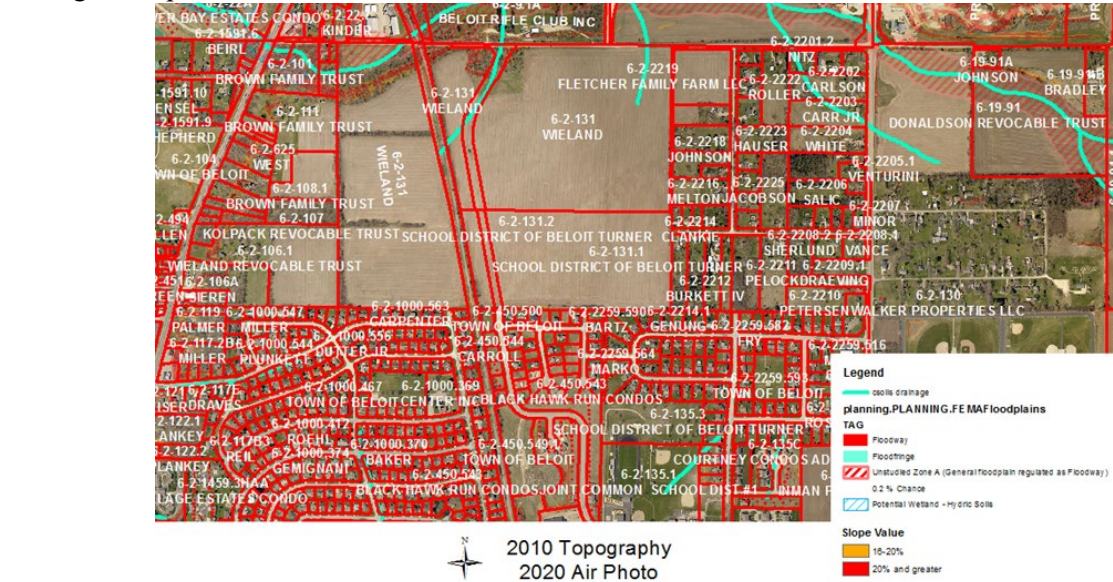
3. Each lot needs to meet the minimum requirements of the zoning district. At this time it is zoned R1: Single Family Residential zoning district, I-1 Light Industrial District and A1: Exclusive Agricultural District. Some of the zoning will need to be changed to a district that permits Single-Family Dwellings. Each lot needs to meet the minimum requirements of the intended zoning district. These lots should be verified to ensure that the lot is buildable.
4. This falls under the Zone D –Three (3)-Mile Jurisdictional Boundary of the Rock County Airport and Airport Overlay Zoning District. Chapter 4.327 (3) E (ordinance attached below)



5. Utility easements to be located on lots as requested by utility companies.
 - a. Per 4.116 (4)(a) An easement, entailing a minimum of eight (8) feet on each side of all rear lines or side lot lines, running across lots or along front lot lines where necessary, shall be required for the installation of utility facilities. If required, such easements shall be noted as "Utility Easement" on the CSM or Subdivision Plat.
6. This does fall into the Extra Territorial Jurisdiction (ETJ) Area boundary for the City of Beloit.



7. A Storm Water Management Permit shall be obtained prior to the start of construction, or as otherwise required by the Town of Beloit Ordinance. Preliminary easements shown on the preliminary plat may be revised based on the approval Storm Water Management Plan. It should be noted there is a small drainage



8. A Homeowners Association shall be responsible for maintenance of the storm water management facilities if the Developer does not retain responsibility for long term maintenance, unless other arrangements are agreed to by the Town. Evidence of the documentation to establish the Homeowners Association shall be provided prior to final plat approval. In the event that homeowners association is not recorded the Town reserves the right to maintain and special assess to the property owners. Per code: Outlots - Any parcel not designated as a lot, public street, or public dedication, must be designated as an outlot. This includes private roads, right-of-way islands, areas for future development, and all other non-buildable parcels retained by the developer or lot owners. **In this case the outlot is being used for stormwater and should be deeded to all the lots in the subdivision.**

In the event of an issue the Town reserves the right to maintain and special assess to the property owner's maintenance of the storm water management.

The management and restrictions association with the storm water facilities, including all drainage easements, shall be specified in the Association Documentation or other similar recorded maintenance document and noted on the final plat on each applicable lot. Final approval of the management and restrictions shall come as part of the Storm Water Management Permit process.

9. A note shall be included on the final plat which states “No filling or grading may occur nor any structure built within any drainage easement delineated on this Plat. Refer to recorded storm water management agreement for required facility maintenance.”
10. The Town of Beloit will oversee and approve the construction of any public infrastructure installed as part of this development. The cost sharing of any construction will be established in separate arrangements between the Town and future developers.
11. Final subdivision plat to be submitted and approved by the Planning and Development Agency within thirty-six (36) months of the date of Preliminary approval by the Planning and Development Committee.

Community Development: None

Finance:

Information Item: Committee Review of Payments: There were no questions.

Possible Action Item: Transfers: None

Director's Report:

Andrew explained new Office Coordinator accepted the position yesterday and will be starting on September 16th.

Committee Reports:

None

Adjournment: Adjournment at 9:36

Moved by Supervisor Podzilni, Seconded by Supervisor Suttlin. APPROVED

Respectfully submitted,
Andrew Baker, Director

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.