



## **Minutes - February 24, 2022**

**Call to Order:** The meeting of the Rock County Planning & Development Committee was called to order at 7:00 p.m. on Thursday, February 24, 2022. Chair Sweeney presided. Supervisors present in person: Al Sweet, Podzilni, Wes Davis. Supervisors present via Zoom: Robert Potter. Supervisors absent: Wayne Gustina. QUORUM present.

Rock County Staff Present: Andrew Baker (Planning Director), Christine Munz-Pritchard (Senior Planner), Dana Sanwick (Office Coordinator), James Otterstein (Economic Development Director).

Rock County Staff via Zoom: Steve Godding (Planner III).

**Adopt Agenda:** Moved by Supervisor Davis. Seconded by Supervisor Podzilni. ADOPTED

### **Approval of Minutes:**

**Meeting held February 10th, 2022:** Moved by Supervisor Davis. Seconded by Supervisor Podzilni. ADOPTED

**Citizen Participation, Communications and Announcements:** Dana Sanwick announced she is leaving the Office Coordinator position in Planning as she accepted the Accountant position in Finance.

### **Code Enforcement:**

**Review and possible action regarding LD 2021 049 (Turtle Township) – H&L Farm "Tall Trees Subdivision":** Moved with conditions by Supervisor Podzilni. Seconded by Supervisor Davis. ADOPTED

Staff recommends the following conditions pending approval of the subdivision plat:

1. Rural residential lots shall have a minimum lot size 40,000 square feet for single family structures, and 55,000 square feet for two (2) family structures.

a. This minimum requirement is established for POWTS. Some of these lots have Drainage Easement (DE) and Conservation Easements (CE) and could make placement of the building with a POWTS on the property difficult. Building site area with POWTS area should be provided and meet the minimum requirements Per 4.116 –each lot shall meet the following:

- Each residential building shall utilize a POWTS and water well, and the lot shall contain an adequate POWTS area, to include a primary area and replacement area.
- Each lot shall contain a building envelope of two thousand (2,000) square feet excluding front, rear, and side yards in accordance with applicable building setback lines, ESA, and cultural resources, with said building envelope not to be located closer than ten (10) feet from any part of the POWTS area.
- Each lot shall also contain useable open space of not less than seventy percent (70%) of the gross area of the lot, entailing the gross square footage of the lot, less three thousand (3,000) square feet for potential building, driveway, or parking use, less fifty percent (50%) of the POWTS area.2. The lots with double frontage have even further limitations in terms of buildable area. These lots should be verified setbacks can be meet and is buildable.

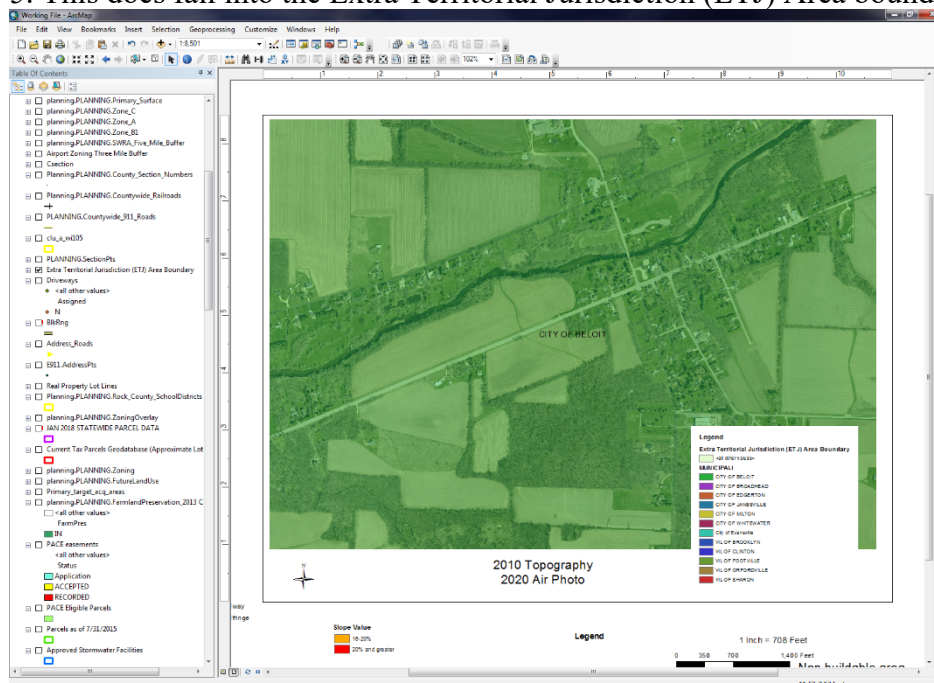
2. Each lot needs to meet the minimum requirements of the Rural Residential District (R-R) zoning district (provided below).

3. 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 lot 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.

4. Utilities shall be installed prior to the final approval of the subdivision plat. And exception to this requirement may be approved if evidence is provided that the utility installation has been paid or in full and there is an agreement as to which contractor is responsible for site restoration and stabilization.

5. This does fall into the Extra Territorial Jurisdiction (ETJ) Area boundary for the City of Beloit.



6. Construction Site Erosion Control Permit shall be obtained from the Rock County Land Conservation Department prior to the start of any clearing and grubbing activity.

7. A Storm Water Management Permit shall be obtained from the Rock County Land Conservation Department prior to the start of construction. Preliminary easements shown on the preliminary plat may be revised based on the approval Storm Water Management Plan.

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. 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 Storm Water Management Plan shall include a driveway culvert size for each lot. Driveway culverts for the large swale planned on the east side of Forest View Drive shall be designed as part of the Storm Water Management Permit process and installed as part of the road construction process.

11. The developer shall be responsible for all costs to the Town of Turtle (or other entity working as the Town's agent) associated with the review of road construction plans and on-site inspections during construction.

12. Road construction plans shall be submitted to and approved by the Town of Turtle or another entity working as the Town's agent. The design shall incorporate the most recent standard road cross-section. The road construction plans shall include a proposed schedule for asphalt pavement and gravel shoulder installation as it relates to the development of lots. The developer shall be responsible for all costs associated with road construction improvements.

13. Construction Plans for the intersections with County Hwy S shall be approved by the Rock County Public Works Department. Specifically, Forest View Drive shall intersect with Hwy S at a 90 degree angle unless otherwise justified in the approval process.

14. Site improvements may be necessary at the intersections to improve safety. This may include

both improvements to the road and/or maintenance of vegetation to improve site distance.

Consideration of any necessary improvements should be made during the road construction plan review process. Due to it being located on a County Road, the Rock County Department of Public Works will need to review and approve the proposed Plat.

15. The developer shall reimburse the Town of Turtle for the installation of the necessary road signs as included and approved in the road construction plans.

16. A performance bond or similar financial instrument shall be provided to the Town of Turtle to provide assurance for the road construction work (e.g. final lifts of asphalt, gravel shoulders, etc) that is scheduled to be completed after the final approval of the subdivision plat. The amount and duration shall be approved by the Town of Turtle and be released only after final acceptance of the roads by the Town of Turtle.

17. Developer shall provide the Town of Turtle as-built plans documenting the construction of the public roads. The level of detail required shall be decided as part of the plan review and approval process.

18. Note on Final PLAT “No buildings which produce wastewater are allowed on Lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.

19. 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.

Excerpt of the Town of Turtle Conditions is included in the Planner's report.

**Review and possible action regarding LD 2021 073 (Lima Township) – Holle (1 Lot CSM):**

Moved with conditions by Supervisor Davis. Seconded by Supervisor Potter. ADOPTED

Staff recommends preliminary approval subject to the following conditions of approval:

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.
  - o Per the A-3 zoning the minimum rear yard Setback is 50 ft. please verify that it meets the minimum setback requirements.
2. Lot 1 is by definition a "Flag lot" in County Ordinance: "A lot whose width at the building site far exceeds its street frontage, containing both a “pole”, a long, narrow strip of land utilized solely to provide vehicular access to the building site, and a “flag”, containing the building site"

The creation of flag lots are generally discouraged by Ordinance (per sec. 4.116(2)), but if they are approved they must meet specific standards (found in 4.116(2)(e)). That section of the Ordinance is included in the packet for reference. The proposed “pole,” if approved through the Land Division process, will greatly exceed the maximum of 250 feet in length allowed by Ordinance. Corporation

Counsel has determined that the P&D Committee has the discretion to waive that requirement based on the exceptions found in the ordinance.

The remained of the parent parcel shall be deed restrict with a no build to preserve farm land and approve the “flag lot”.

3. Parent lot thirty five (35) acres or smaller and not included in a Sub-division plat – CSM required. The parent parcel will be left with 30.58 acres (+/-) and should be included in the CSM.
4. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
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. 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.

**Review and possible action regarding LD 2021 092 (Milton Township) – Tollefson (3 Lot CSM):**  
Moved with conditions by Supervisor Potter. Seconded by Supervisor Davis. ADOPTED

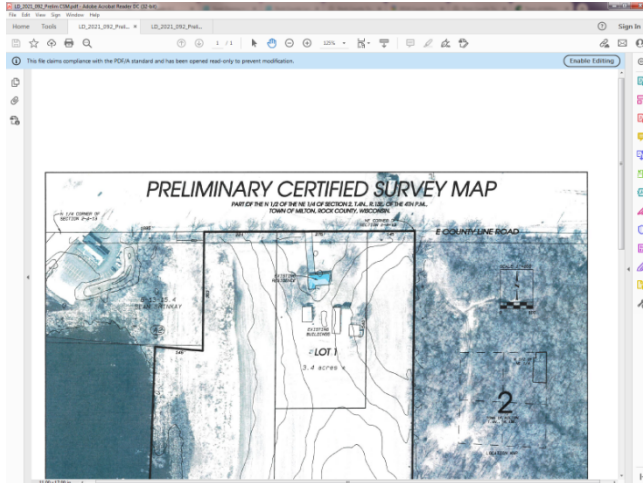
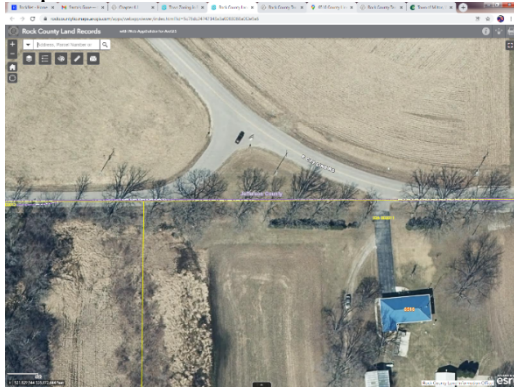
Staff recommends preliminary approval subject to the following conditions of approval:

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. Lot 1 is recommended to be re-zoned to A-3.

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. Lot frontage on a public street shall be at least one hundred (100) feet for all lots without access to a connection to a public sanitary sewer system. It is unclear if proposed lot 3 meets the minimum requirements.

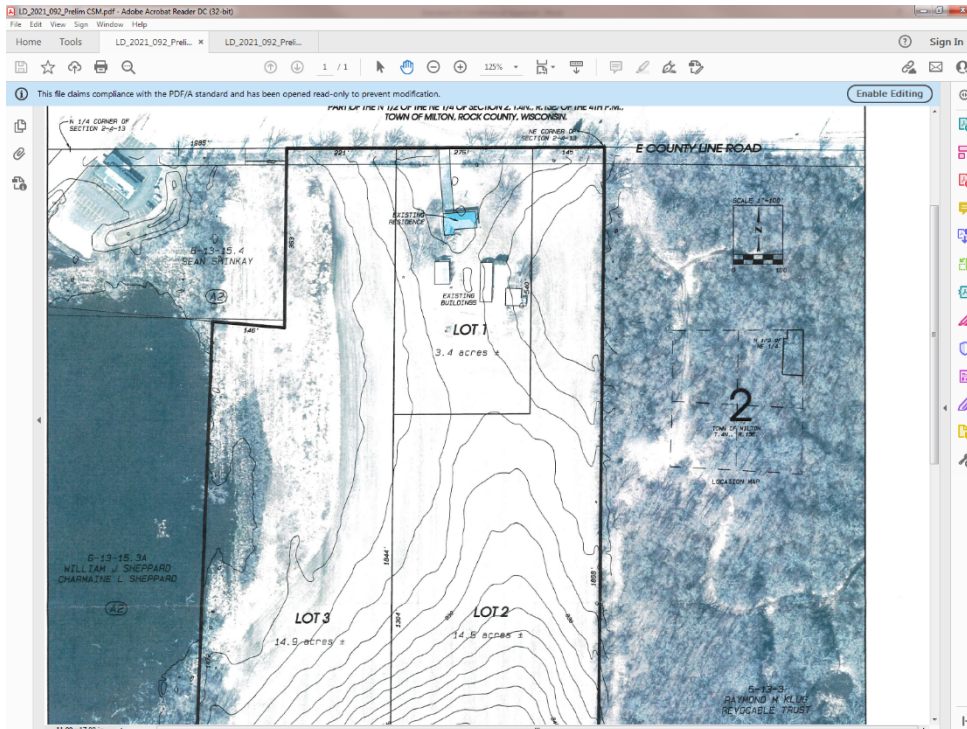


6. Note on Final CSM “No buildings which produce wastewater are allowed on Lots 2 & Lot 3 until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.

7. If land disturbance associated with the construction of the shared driveway exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is require. Please contact Rock County Land Conservation Department.

8. The wetland could be an issue for access. There is to be no building or construction on hydic soils. This needs to be noted in the CSM.

9. The “pole” area is 540 feet (+/-) in length, however the max length per ordinance is 250 feet in length. Location of building needs to be approved by Rock County Planning Department thought the zoning application process in Milton.



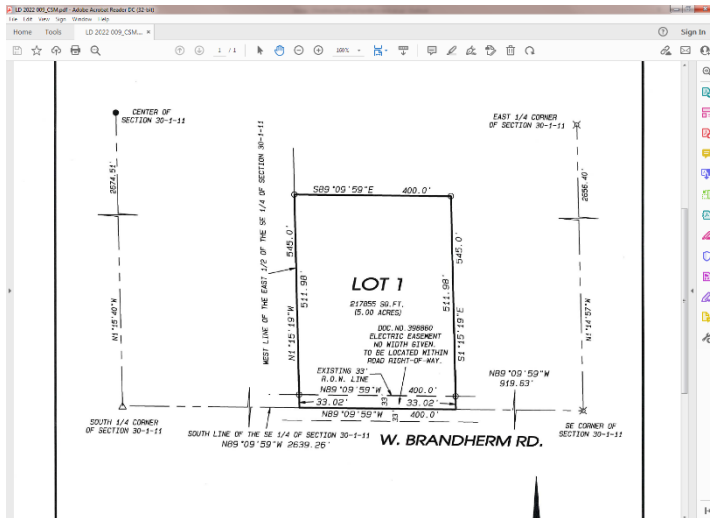
The creation of flag lots are generally discouraged by Ordinance (per sec. 4.116(2)), but if they are approved, they must meet specific standards found in (4.116(2)(e)). The proposed “pole,” if approved through the Land Division process, will greatly exceed the maximum of 250 feet in length allowed by Ordinance.

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

**Review and possible action regarding LD 2022 009 (Newark Township) – Wallisch (1 Lot CSM):** Moved with conditions by Supervisor Davis. Seconded by Supervisor Podzilni. ADOPTED

**Recommendation:** Staff recommends the following conditions subject to approval:

1. Note on Final CSM
  - a. “No buildings which produce wastewater are allowed on Lots 1 until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
2. Zoning should be verified by the Town. This includes both the proposed lot and the parent parcel.
3. Existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable). Currently the CSM does show an electrical easement.



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. Dedicate a thirty-three foot half road right-of-way along the Road at the discretion of 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.

#### **Community Development:**

#### **Economic Development:**

#### **Corporate Planning:**

#### **Finance:**

#### **Information Item: Committee Review of Payments:**

#### **Possible Action Item: Transfers:**

#### **Director's Report:**

#### **Committee Reports:**

#### **Adjournment:** Adjournment at 4:32 p.m.

Moved by Supervisor Davis. Seconded by Supervisor Podzilni. ADOPTED

Respectfully submitted,  
Dana Sanwick - Office Coordinator

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.