



**Planning and Development
Committee
Minutes – August 24, 2023
In Person and Via Zoom**

Call to Order: The meeting of Rock County Planning & Development Committee was called to order at 8:04 am on Thursday, August 24, 2023. Chair Sweeney presided and requested a roll call. Supervisors present in person: Sweeney, Sutterlin, Podzilni, and Winter. Supervisors present via Zoom: Stevens. QUORUM present.

Staff present: Andrew Baker (Director), Christine Munz-Pritchard (Senior Planner), Jennifer Borlick (GIS Manager), Haley Lindquist (GIS Intern), and Michelle Schultz (Real Property).

Staff present via Zoom: Brad Heuer (County Surveyor).

Others Present: Ryan Combs (Combs)

Others Present via Zoom: Jeff Garde (Combs), Karen Gaffney (Rock County Resident), and Samantha (did not state her last name).

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

Approval of Minutes:

Meeting held August 10, 2023: Moved by Supervisor Winter, Seconded by Supervisor Sutterlin. ADOPTED

Citizen Participation, Communications and Announcements:

Karen Gaffney (Rock County Resident) made her presence known. She is a resident of N. Rock River Dr. and is in favor of the land division described in 5A.

The introduction of the GIS Intern was announced. Haley Lindquist is currently a senior at the University of Wisconsin Whitewater. Her major is in Geography, with a minor in Environmental Management. She is additionally receiving a certification in GIS. Haley is assisting in uploading and verifying images from the 2020 flight for landuse mapping.

Beginning in September, the Committee meetings will be recorded should they need to be streamed for public viewers. For this Committee, no changes will be necessary.

Code Enforcement:

Review and Possible Action: Regarding LD 2022 082 (Janesville Township) – ABC North River Hills (3 Lot CSM, Lot Combination)

This land division is a transfer between the joint landowners. Originally, there were 14 lots created around existing residences on one parcel. At the time, all but one lot was occupied. There was nothing documented regarding the lack of public road frontage when this was first platted in 2014. The view was the the division was improving the situation, but could not meet all ordinance standards. The decision was silent on the one vacant lot. The concern is the Town Zoning Ordinance requires road frontage to be able to build regardless of when the lot was created. This transfer proposal simply shifts where the vacant lot would be (nothing new). It was originally sent to the Town and the Chair asked for recommendations. The senior planner, Christine Munz-Pritchard, feels that it should not be the responsibility of the staff to make this decision. The Town of Janesville questioned what the long-term goal was and if a road was indeed necessary. Town has already approved the plan “as is”. The lot lines are being adjusted and there is still one vacant lot remaining. Chair Sweeney questioned if Shoreland zoning was a factor when it was regarding frontage requirements. Ryan Combs (Combs) explained that the landowners are looking to divide a portion of Lot 4 to Lot 3 and a portion of Lot5 to Lot 6. This would then better distribute the vacant area between the lots. Even if a road was created, it would not be accessible to some homes due to the slopes. Plans are still pending approval from the City of Janesville. It was pointed out that there is a conflict with the Town ordinance, and request to approve the recommendations with point 6 modified. Supervisor Winter questioned if the properties on the lots would experience complications when attempting to apply for insurance due to there not being public road access. Each lot does have a fire number. Staff’s original suggestion was to put a “no-build” on the lot until there is the 70 ft. road right-of-way established, but that is unlimimately a Town decision and they chose not to. Alternatively, there could be a disclaimer on the CSM to check with local zoning requirements at the time of sale since they are subject to change, meaning the Town could change their ordinance in the future to allow for building without road frontage. The County would strongly discourage this option from a public safety standpoint, etc, but it is not a County ordinance. This is a zoning matter, not a land division matter. Discussion of writing up a alternative note, rather than simply “no-build” and revisiting this land division in a future session.

Motion to table until the next meeting, on September 14th, by Supervisor Winter, Seconded by Supervisor Sutterlin. Passed unanimously. CARRIED

Lot Combination, LD 2022 082

Parcel Number: 6-8-360.3, Tax ID: 016 062003

Parcel Number: 6-8-360.4, Tax ID: 016 062004

Parcel Number: 6-8-360.5, Tax ID: 016 062005

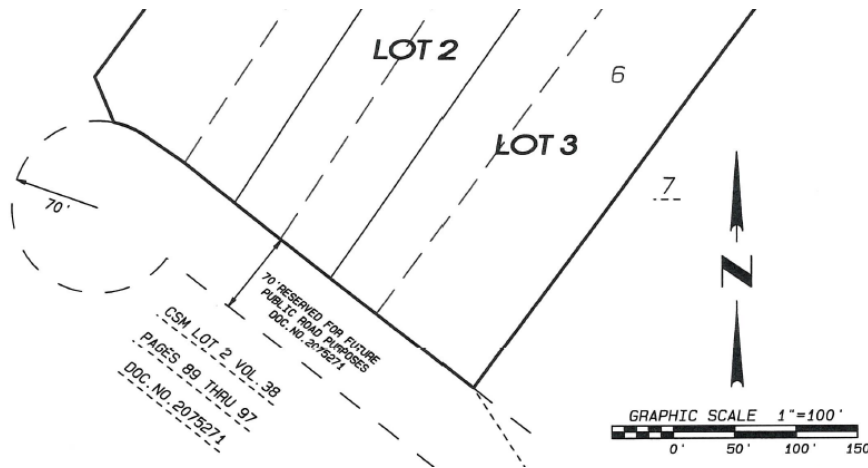
Parcel Number: 6-8-360.6, Tax ID: 016 062006

Town of Janesville

Tabled for the next meeting to amend number 6 condition that current reads:

1. Per both County and Town ordinance all residential lots shall have access to public right of way to be buildable.

- a. Town of Janesville Ordinance: 4.3 Structures to have access. Every residential building hereafter erected or moved shall be on a lot adjacent to a public street and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.
- b. Rock County Ordinance: 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 and at least fifty (50) feet for all lots with access to a connection to said system or fronting a cul-de-sac.



Lot 2 is currently not buildable until the 70-foot public road right-of-way is constructed (per both County and Town ordinance). The public road proposal is located on Doc No. 2075271. A note should be placed on the proposed CSM that reads something to the effect of: *Construction of new dwelling units is prohibited until public access is constructed.* Additionally, a plan shall be put in place at the time of public road construction to remove the current private access that is substandard.

Review and Possible Action: Regarding LD 2023 028 (Milton Township) – Union Farms LLC (1 Lot CSM)

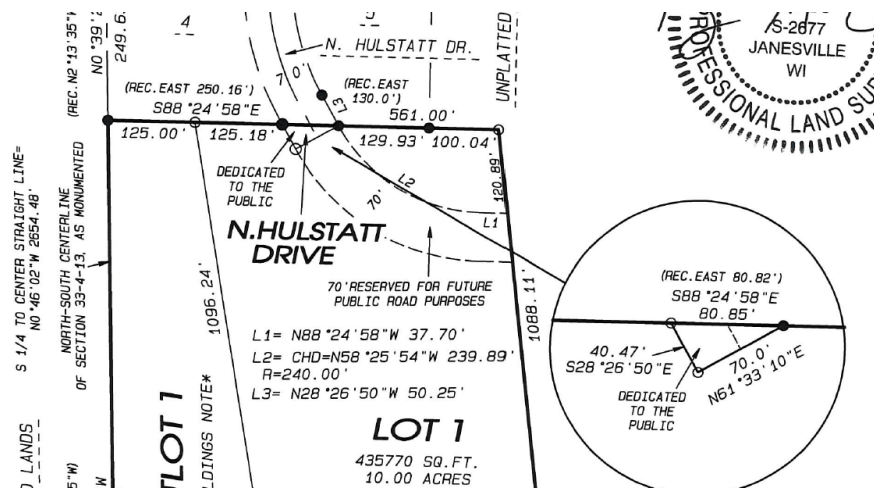
This land division has previously been brought before the Town of Milton. Supervisor Winter asked if Lot 1 was a buildable lot. There is an outlot near the lot that is deemed unbuildable for various reasons. One potential reason could be that there is no public access. There is also a 40% slope on the outlot. The parent parcel is to be combined with the Northern parcel. It will still be classified as Agricultural (A) 1 for tax purposes. The lot could be further divided in the future and the recommendation is that of such to avoid potential future issues. At this point, lot does not meet frontage requirements.

Motion for approval with conditions by Supervisor Sutterlin, Seconded by Supervisor Winter. Passed unanimously. CARRIED

Minor Land Division # LD 2023 028
Tax ID: 026 033031; Parcel Number: 6-13-247
Town of Milton

1. Frontage – The length of the front lot line of a lot abutting a street. 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.

Dead-end streets need to have a circular end, either this is a cul-de-sac or looping to an existing roadway. The turnaround can be temporary. The “Turnaround” areas this should be where the setback are place from and not the property line (setback should start at cul-de-sac, not property line).



A note should be added that to the CSM that reads something to the effect of: *All setbacks to established the building envelope should be measured from the temporary turnaround easement.*

Additionally, prior to approval the Town needs to establish who will be responsible for construction of the roadway. The County require something in writing prior to approval.

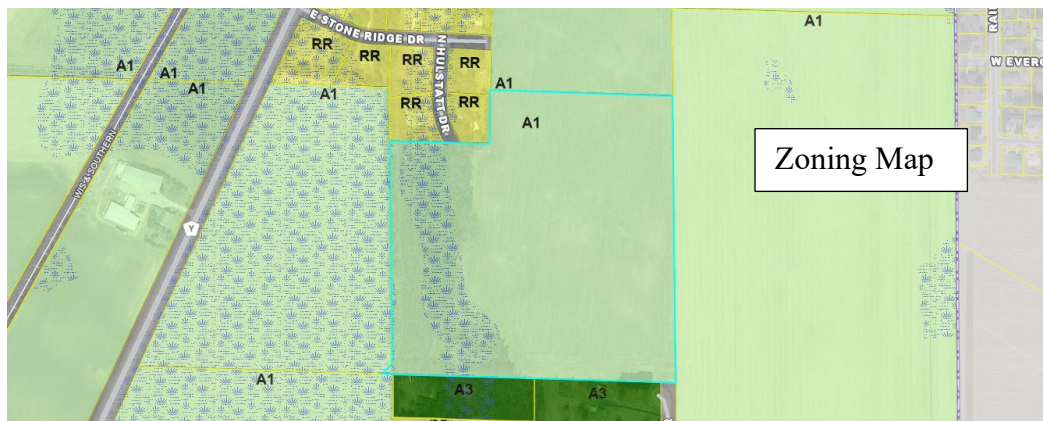
It should be pointed out there is currently a temporary turnaround located on N. Hulstatt Dr. You can see the turn around on N. Hulstatt Dr from two different view points.



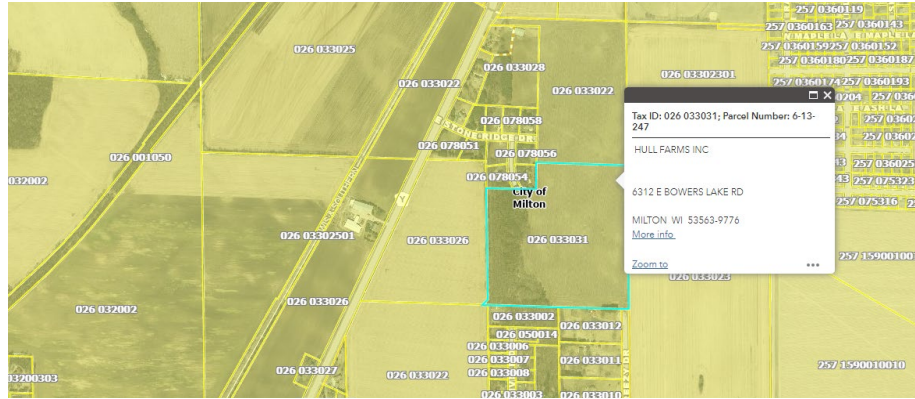
2. Per County ordinance, lots 35 acres or smaller require a CSM. The lot is currently 37.38 acres (+/-). Proposed Lot 1 is 10 acres and the out lot is 5 acres (+/-), this will leave the remainder of the lot under the 35-acre threshold, the remainder of the lot needs to be added to the CSM.

The added parent parcel does not meet the 100 foot frontage requirements for new lots. A NO BUILD, with an Outlot 2 shall be added.

3. Any existing easements shall be shown and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
4. The property needs to meet the minimum requirements of the Town zoning.



5. Note on Final CSM:
 - a. Note on Final CSM “No buildings which produce wastewater are allowed on Lot until acceptable means of wastewater disposal is approved by the necessary governmental agencies”.
6. This lot may fall under extraterritorial jurisdiction with the City of Milton and may need additional approvals.



7. If land disturbance associated with the construction of a driveway exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is required. Please contact Rock County Land Conservation Department.
8. Final CSM shall be submitted to and approved by the Agency within one year after preliminary approval.
9. Final CSM shall be recorded with the Rock Co. Register of Deeds within 6 months of final approval.
10. The CSM needs to meet the minimum requirements of 4.112 of the County ordinances.
11. Additionally, Per the Town of Milton the Land division and rezoned approved with the following contingencies:
 - a. Site map be followed.
 - b. Outlot 1 attached to 6-13-246 to the west.
 - c. Future contingencies as propered by Rock County Planning and Development
 - d. Lot 1 A-1 to A-3, have reserved public road purpose, future.

Lot not labeled, will be combined with lot 6-13-243 to the North.

Review and Possible Action: Regarding LD 2023 061 (Fulton Township) – Backyard Properties of Rock County LLC (2 Lot CSM)

This land division was brought before the Committee for approval. It was denied by the City of Edgerton and sent back to the Committee. Until there is a road built, this is considered a flag lot. There is a buyer for the front portion of the land. There needs to be a note added on the CSM that Lot 2 is a “no build” until the road is built or is annexed.

Motion for approval with condition that it be first approved by the city by Supervisor Winter, Seconded by Supervisor Podzilni. Passed unanimously. CARRIED

Land Division #LD 2023 061

Parcel Number: 6-6-77, Tax ID: 012 01908

Town of Fulton

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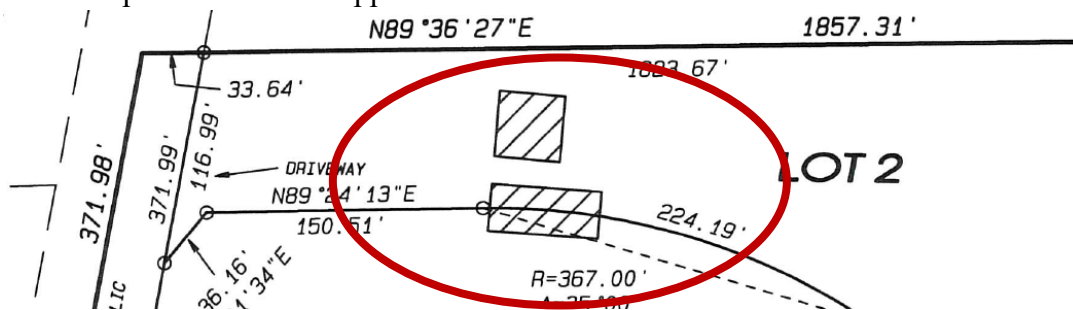
Flag lots shall be allowed only in special circumstances when various factors render creation of a more proportionate lot, in length and width, unachievable. The “pole” of a flag lot shall not exceed two hundred fifty (250) feet in length unless additional length is needed to either avoid significant degradation or depletion of ESA, cultural resources, productive agricultural soils, and/or woodlands, or disruption of efficient agricultural operations. The “pole” shall be used exclusively for vehicular access with specified improvements including landscaping, fencing, utilities, mailboxes, and signs also permitted on the “pole”. The “pole” shall maintain a minimum width of one hundred (100) feet for all lots without access to a connection to a public sanitary sewer system, and fifty (50) feet for all lots with access to a connection to said system, for the entire length of

the “pole”. No “pole” shall be located within two hundred (200) feet of another on the same side of the street unless said “poles” utilize a joint driveway.

Per Planning Meeting on August 24th 2023: a “No building until” street is constructed should be placed on Lot 2.

4. 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." It should also be noted that there are potential hydric soils on the location.
 - b. “Lots containing 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. There is going to be a lot line that is locating on an existing building. This needs to be removed prior to the final approval of the CSM.



6. Dedicate of 33- foot half of the road right of way at the discretion of the Town. Fulton has historically dedicated the ROW.
7. This does fall into the Extra Territorial Jurisdiction (ETJ) Area boundary for the City of Edgerton.



8. Driveway access falls under the Rock County DPW. All driveway should be documented on the CSM.



9. 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.
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.

Meet the minimum requirements of 4.112.

Review and Possible Action: Regarding LD 2023 063 (Janesville Township) – Rollingwood Eleventh Addition (30 Lot Subdivision)

Ryan Combs provided a revised plat that will make one change to the original recommendation by the planner (one lot was going to be sold to the neighbor before platted, but that fell through so the area is now part of the subdivision. This is the second time bringing this Action before the Committee following a modification of the layout. This is the eleventh and final additions to the Rollingwood subdivision.

Motion for approval with condition to amend point 5 in explanation and omitted point 4 from the original recommendation by Supervisor Sutterlin, Seconded by Supervisor Winters. Passed unanimously. CARRIED

Subdivision Plat: **Revised: LD 2023 063**, Previous: LD 2022 071, LD 2021 015

Parcel Number: 6-8-23A, Tax ID: 016 003005

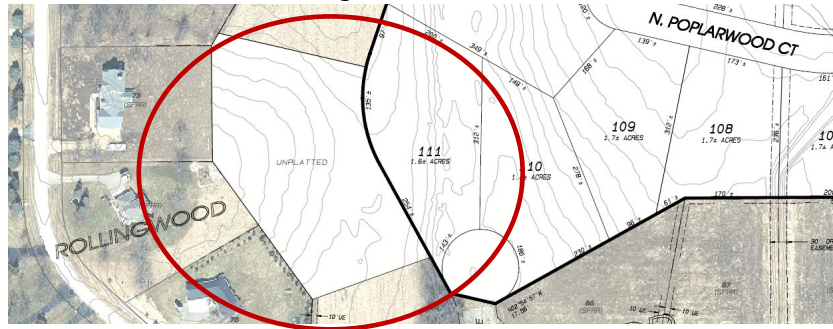
Parcel Number: 6-8-28, Tax ID: 016 004005

Parcel Number: 6-8-26.4, Tax ID: 016 00400104

Town of Janesville

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

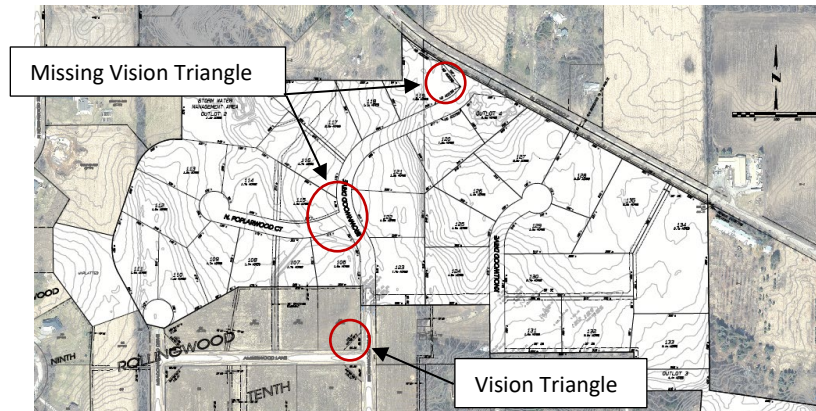
landlocked. It needs to be added to an adjacent lot or labeled as an outlet. There should be a reference to which lot it is being added to.



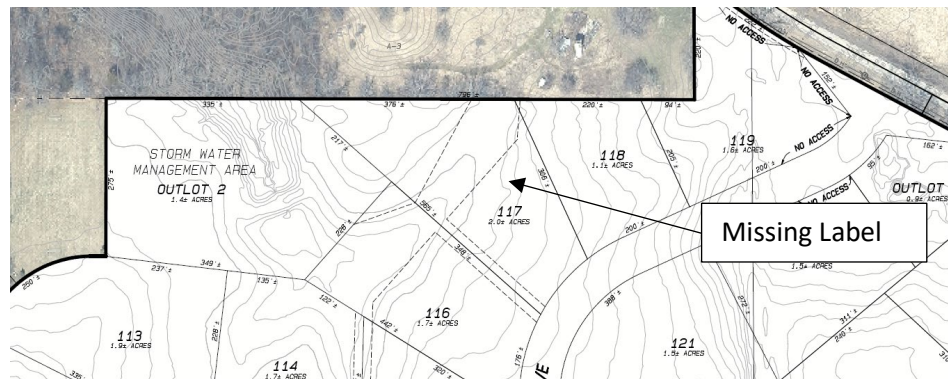
The area has been added to the Plat which created 2 new lots. The amendment was presented at the 8/24/2023 Planning Meeting. The “new lots” need to meet the minimum requirements of a lot.



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 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.
 - b. A vision triangle should be placed around intersections. These were included on Rollingwood Tenth Addition and should be included in this as well.



- c. Some of the areas have what look like easements but they are not labeled. An example below, this area looks like it's a drainage easement, but it has not been labeled.



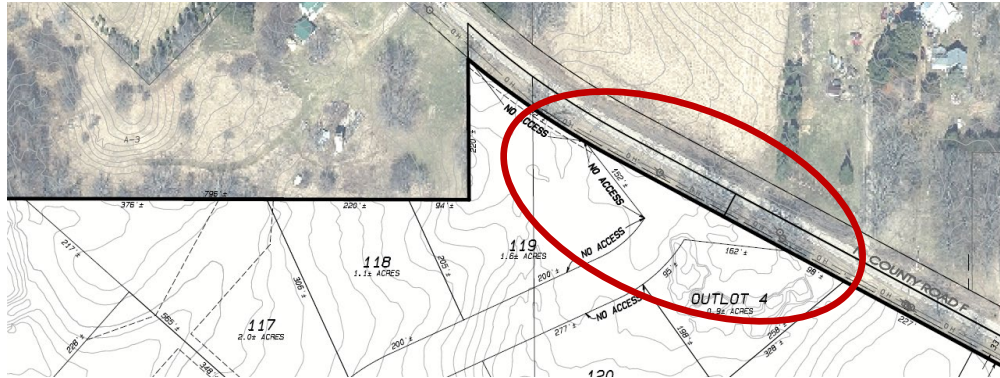
- d. There is a label of outlet 4, however it looks like there are only 3 outlets.
6. A Homeowners Association shall be responsible for maintenance of the storm water management facilities if the Developer does not retain responsibility for long term maintenance, unless other arrangements are agreed 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 outlet. 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 outlet 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.

7. 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.”
8. 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."
9. 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.
10. A Storm Water Management Permit shall be obtained from the Rock County Land Conservation Department prior to the start of construction. This Phase of the subdivision does not include storm water storage. A larger facility is located in a future phase. The approval of a Storm Water Permit may dictate that temporary facilities be constructed as part of this addition or that the area planned in a future addition be constructed at this time.
11. A note shall be included on the final plat which states “Refer to recorded storm water management agreement for required facility maintenance.”
12. The Storm Water Management Plan shall include a driveway culvert size for each lot.
13. The developer shall be responsible for all costs to the Town of Janesville (or other entity working as the Town’s agent) associated with the review of road construction plans and on-site inspections during construction.
14. Road construction plans shall be submitted to and approved by the Town of Janesville 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.
15. Site improvements may be necessary at the intersection of Brownwood Drive and County Road F 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. Rock County Department of Public work will need to review and approve the intersection.



This intersection will most likely need to be a Type B2 intersection as the traffic volume on CTH F is 1,300 and it could potential be over 100 ADT on Knollwood Drive.

16. Berming or other landscaping should be included on any of the lots that are along County Road F. This will discourage any additional driveways in this area.
17. The developer shall reimburse the Town of Janesville for the installation of the necessary road signs as included and approved in the road construction plans.
18. A performance bond or similar financial instrument shall be provided to the Town of Janesville 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 Janesville and be released only after final acceptance of the roads by the Town of Janesville.
19. Developer shall provide the Town of Janesville 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.
20. 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.

Director's Report:

Review and Discussing Proposed 2024 Fee Schedule (No Action)

Part of the budget meeting that was held in early August 2023, there was discussion about adjusting the fee schedule for land divisions and zoning permits. The last time a change was implemented was 4 to 5 years ago. The proposed increase would be 5% and adjusting the numbers to make them rounder. There is the possibility of looking at slimming down the fee schedule as well. The new fee schedule should be set before 2024 to bring it before the Committee. At this point, the amount of money received in fee has exceeded what was quoted in the budget at least for the last couple years. Ryan Combs also suggested revisiting how land division fees are collected, particularly for large subdivisions. He would like to see an alternative the limits the amount collected rather than simply the per lot fee. There are various

proposals as far as the amount to charge. Andrew provided a comparison to other Counties for the Committee to consider a few years ago, but no action was taken. The department would like to ensure that there is adequate compensation for the work being done. There is no goal for fee collection, i.e. fees should fund a certain FTE staff

Committee Reports: None

Adjournment: Adjournment at 9:23 A.M.

Moved by Supervisor Sutterlin, Seconded by Supervisor Podzilni. APPROVED

Respectfully Submitted,

Ilana Eisenberg, Office Coordinator

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.