



**Planning and Development
Committee
Minutes – September 14, 2023
In Person and Via Zoom**

Call to Order: The meeting of Rock County Planning & Development Committee was called to order at 8:02 am on Thursday, September 14, 2023. Supervisor Podzilni presided. Supervisors present in person: Sutterlin and Winter. Supervisors present via Zoom: Stevens Supervisors excused: Sweeney. QUORUM present.

Staff present: Andrew Baker (Director), Christine Munz-Pritchard (Senior Planner), Haley Lindquist (GIS Intern), James Otterstein (Economic Development Manager)

Staff present via Zoom: Jennifer Borlick (GIS Manager).

Others Present: Ryan Combs (Combs)

Others Present via Zoom: Jeff Garde (Combs) and Tony Haffelder (Rock Energy Co-Op).

Adopt Agenda: Agenda moved by Supervisor Winter. Seconded by Supervisor Sutterlin. ADOPTED

Approval of Minutes:

Meeting held August 24, 2023: Moved by Supervisor Winter, Seconded by Supervisor Sutterlin. ADOPTED

Citizen Participation, Communications and Announcements: None

Code Enforcement:

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

There was discussion about the public road frontage requirements in the Town Zoning Ordinance to allow a building permit, but also the limitation to access the property with a public road. Chris read note that was drafted to include on the CSM essentially noting the approval would be necessary from the Town of Janesville for any future land use development on the vacant lot (details below). Mr. Combs agreed with the note.

Motion for approval with conditions 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

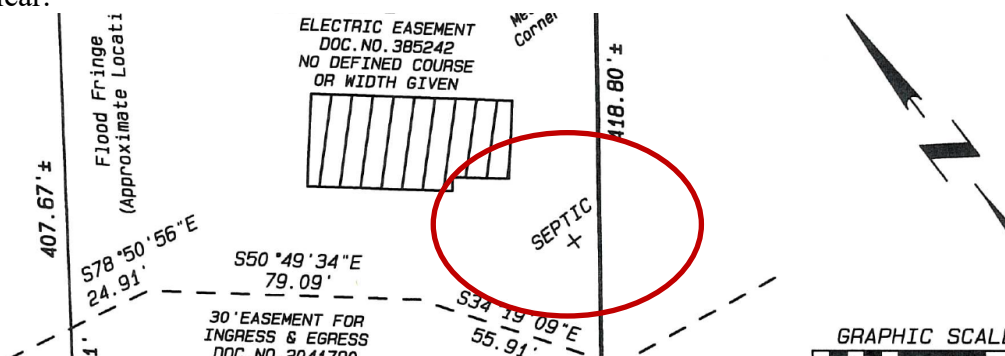
Parcel Number: 6-8-360.5, Tax ID: 016 062005

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

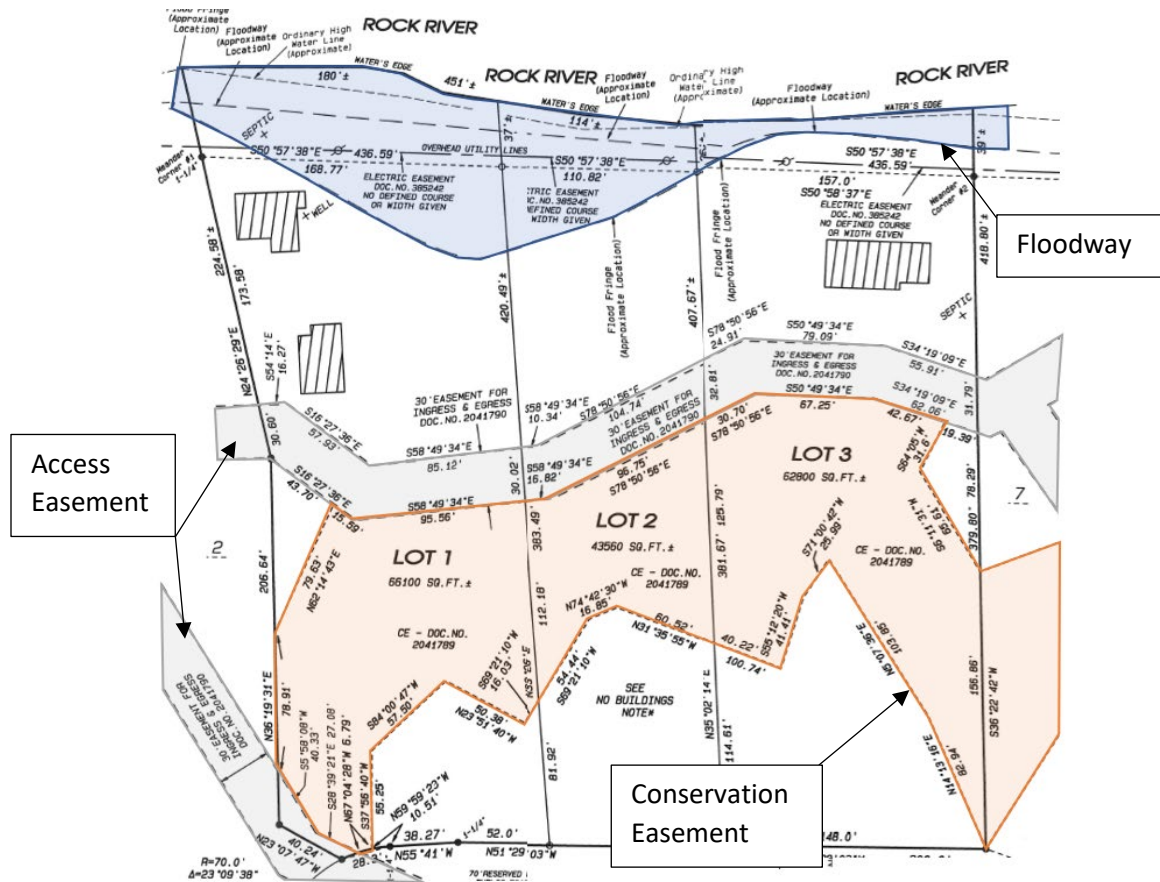
Town of Janesville

Tabled at the August 24th meeting to amend number 6. The following was approved:

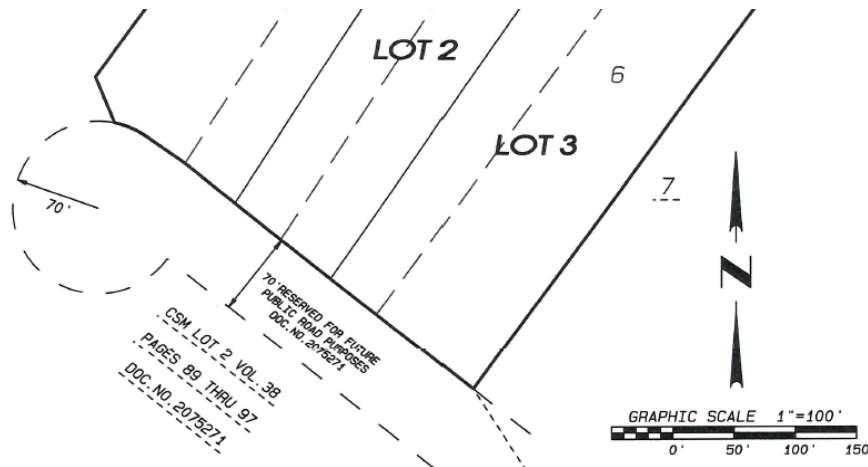
1. Note on Final CSM:
 - a. "The lot contains existing buildings which utilize an existing private sewage system at the time of this survey. However, soils on the lot may be restrictive to the replacement of the existing systems." Proposed lot lines must include the system area with the building which utilizes the system.
 - b. "No buildings which produce wastewater are allowed on lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies".
2. Zoning should be verified by the Town. Single Family Rural Residential District (SF-R).
3. Currently, the septic (POWTS) is being shown as a dot. It is unclear if the whole septic is located on the property or if it overlaps with the adjacent property. This should be made clear.



4. Existing easements shall be shown, and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).



5. 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.
6. 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.



August 24th: 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.

Updated recommendation: Lot 2 is currently not buildable until the 70-foot public road right-of-way is constructed (per Town ordinance). The public road proposal is located on Doc No. 2075271. To clarify: The County controls the shoreland zoning which works as an overlay district regulating such issues as lot size, setbacks, and impervious surface. The Town of Janesville is responsible for the land use such as residential or commercial. A note should be placed on the proposed CSM that reads something to the effect of: The Town of Janesville is solely responsible for the review and approval of any land use development such as residential or commercial that needs to meet the minimum requirements of the Town of Janesville's zoning ordinance.

7. This falls under the ETJ for the City of Janesville.



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.

Review and Possible Action: Regarding LD 2023 016 (Johnstown Township) – Hipsky (2 Lot CSM)

Ryan Combs made note of the lot configuration with already existing lot lines. Jeff Garde (Combs) explained that the town approved the rezoning of the land to M-1. There was also discussion of hydric soils, but that would not impact this sort of development (i.e. no POWTS).

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

Minor Land Division #LD 2023 016

Parcel Number: 6-9-72, Tax ID: 018 001072

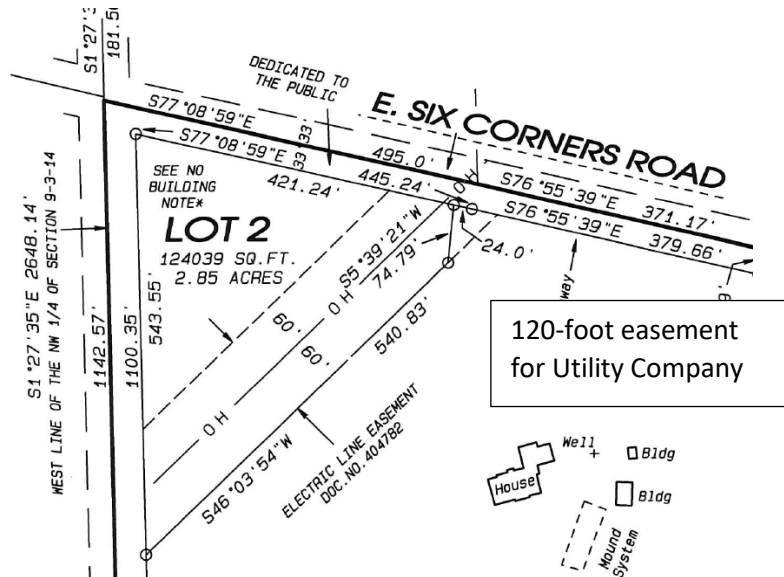
9716 E SIX CORNERS RD WHITEWATER, WI 53190

Town of Johnstown

1. The Town needs to give directions regarding the zoning on lot 2.

Lot 2: Per Agricultural District One (A-1) (4) (A) *Minimum Lot Size: No minimum acreage for conditional use permits issued under Section (3)(N) (Utility or Governmental Uses that are consistent with agricultural use and are found to be necessary in light of the alternative locations available for such uses.), except as determined by the Planning and Zoning Committee and as required by county land division ordinances.* The Town should consider issuing a CUP and A-1 zoning due to it being solely for utility purposes. Due to setbacks and access the lot can only be used for utilities.

2. Due to this being located at the intersection of County Road KK and E Six Corners Rd, the location of the driveway should be established during the CSM process. The access will need to follow the Rock County Driveway access Policy at Rock County, in addition to the Town of Johnstown's requirements.
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. The remainder of lot 2 is being used by the utilities company. This should be noted on the CSM. It is unclear if this lot could be re-purposed due to lot restrictions.



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 systems." Proposed lot lines must include the system area with the building which utilizes the system.
5. If land disturbance associated with the construction of a driveway that exceeds 100 feet then a Rock County Construction Site Erosion Control Permit is required. Please contact Rock County Land Conservation Department.
6. Dedicate a 33-foot half road right-of-way along the roadway at the discretion of the town. This survey is showing the road dedicated.
7. There are potential hydric soils located on this property. This should be indicated on the CSM.



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.

Review and Possible Action: Regarding LD 2023 050 (Union Township) – Union Farms LLC (1 Lot CSM)

It was determined that this land division had not yet been approved by the Town of Union.

Motion to be tabled until approved by Town by Supervisor Winter, Seconded by Supervisor Sutterlin. Passed unanimously. CARRIED

LD 2023 050

Tax ID: 040 0030040104; Parcel Number 6-20-15.4

Town of Union

Tabled for Town discussion.

Review and Possible Action: Regarding LD 2023 067 (Lima Township) – Kenyon (3 Lot CSM)

This lot is being divided because they are attempting to settle the estate by splitting up any assets.

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

LD 2023 067

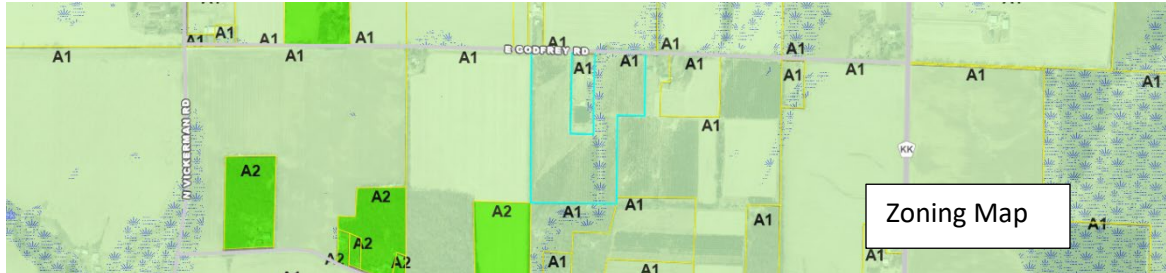
Tax ID: 022 0250050101; Parcel Number: 6-11-119A.1

Tax ID: 022 02500703; Parcel Number: 6-11-119.5

8926 E GODFREY RD MILTON, WI 53563-9722

Town of Lima

1. Per Section 4.3 of the Town of Lima zoning code, the proposed lot does not meet the minimum 35-acre requirements of the A-1 zoning. The lot will need to be rezoned to meet zoning code.



Per the town ordinance the Town should consider the following for removing land from farmland preservation.

Rezoning Land Out of a Farmland Preservation Zoning District:

(1) Except as provided in sub. (3), the Town of Lima may not rezone land out of the farmland preservation zoning district unless the Town of Lima finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

- (a) The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.
- (b) The rezoning is consistent with any applicable comprehensive plan.
- (c) The rezoning is substantially consistent with the County of Rock farmland preservation plan, which is in effect at the time of the rezoning.
- (d) The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

(2) Farm dwellings and related farm structures existing as of October 23, 1979 may be separated from the farm plot provided that no parcel thus created shall exceed ten (10) acres or be less than one (1) acre. The remaining portion of the original parcel shall conform to the standards of this district, and the new parcel should be rezoned to the A-2 district.

(3) Subsection (1) does not apply to any of the following:

- (a) A rezoning that is affirmatively certified by the Wisconsin Department of Agriculture, Trade and Consumer Protection under Chapter 91, Wis. Stats.
- (b) A rezoning that makes the farmland preservation zoning ordinance map more consistent with the county farmland preservation plan map, certified under Chapter 91, Wis. Stats., which is in effect at the time of the rezoning.

(4) The Town shall by March 1 of each year provide to the DATCP and the County a report of the number of acres that the political subdivision has rezoned out of a Farmland

Preservation Agricultural Zoning District during the previous year and a map that clearly shows the location of those acres.

2. Existing easements shall be shown, and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
3. Note on Final CSM: Note on Final CSM:
 - “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.
 - “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 locations.
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. There are currently 3 access points on E Godfrey Rd however just 2 shown on the CSM. Additionally, on residential lots, there is generally one access point per lot. These lots may need to have a joint access point depending on the long term plan.



6. Dedicate of 33-foot half road right of way at the discretion of the Town.
7. Per the 2002 024 CSM Conditions required:

CONDITIONS TO BE MET BEFORE FINAL APPROVAL:

1. 33 foot 1/2 ROW to be dedicated along Grodfrey Road.
2. Restricted access shown on map: "No further access allowed on lot."
3. Following notation on Final Map and in Deed: "This lot is being attached to an existing lot and cannot be sold as a separate building site. Also, no building which produces wastewater allowed on this lot."
4. Currently zoned A-1. Recommend reduce to 5 acres and obtain Conditional Use Permit from Town of Lima.
5. 20 foot wide drainage easement to be located on lot in natural drainageway beginning along east side of lot approximately 170 feet south of centerline of Godfrey Road.
6. Final Map to be submitted to, and approved by Planning & Development Agency, on or before April 9, 2003.

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. Meet the minimum requirements of 4.112 preliminary land division.

Corporate Planning

Modifying the American Rescue Plan Act (ARPA) Childcare Grant Program

Supervisor Sutterlin motions to discuss the resolution, Supervisor Podzilni seconds the motion.

Supervisor Sutterlin explained the resolution and James added further details. This Resolution modifies the previously approved program by the County Board to account for the amendments that were made on the Board floor prior to approval. WECA, the administrators of the program, made suggested changes essentially to “make the math work” and allow the program to function efficiently from an eligibility standpoint.

Supervisor Stevens expresses unsupportive of the resolution, stating she was working toward a program that would have \$3 million in funding instead of the \$1.5 million that was approved. Discussion regarding how \$1.5 million is a start and can be funded further once the program is running and utilized if deemed necessary.

Supervisor Sutterlin motions to approve the resolution as presented before the Committee, Supervisor Winter seconds the motion. CARRIED 3-1 (Supervisor Stevens as No)

Finance

Review August Payment

James Otterstein (Economic Development Manager) discussed the payments for the internship and externship programs, which are funded through ARPA monies.

Director's Report: None

Committee Reports: None

Adjournment: Adjournment at 8:41 A.M.

Moved by Supervisor Sutterlin, Seconded by Supervisor Winter. APPROVED

Respectfully Submitted,

Ilana Eisenberg, Office Coordinator