



**Planning and Development
Committee
Minutes – March 28, 2024
In Person and Via Zoom**

Call to Order: The meeting of Rock County Planning & Development Committee was called to order at 8:03 am on Thursday, March 28, 2024. Chair Sweeney presided and requested a roll call. Supervisor present in person: Sutterlin and Winter. Supervisors present via Zoom: Tillman and Stevens. Roll call. QUORUM present.

Staff present: Steven Godding (Planner).

Staff present via Zoom: Andrew Baker (Director) and Jennifer Borlick (GIS Manager).

Others present via Zoom: Jeff Garde (Combs), Kristin Belongia (Batterman), and David Earl (Batterman).

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

Approval of Minutes:

Meeting held March 14: Moved by Supervisor Sutterlin, Seconded by Supervisor Winter.
ADOPTED

Citizen Participation, Communications and Announcements: None

Code Enforcement:

Review and Possible Action Regarding LD 2024 001 (Milton Township) – Johnson (2 Lot CSM)

Discussion carried out by Steven Godding (Planner). The Town of Milton is aware of the issues with the limitation on having large animals on a rural residential lot even though there is a barn. Jeff Garde (Combs) mentioned that the landowner is away of the need to remove the driveway on Hwy N and that the buildings will solely be used as outbuildings at this point.

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

LD 2024 001

Tax ID: 026 01200501; Parcel Number 6-13-95.1

7119 E COUNTY RD N MILTON WI 53563-9305

Town of Milton

This is a minor land division located in the Town of Milton. The proposal will create 2 lot from an existing 5-acre (+/-) parcel. The 5-acre lot was created in April of 1994 (LD 94 037) and removed the building from the farmland. It should be noted that the future land use map is marking this area as Large-Scale Agriculture. If the Town approves this land division and zoning change it should also amend the future land use map.



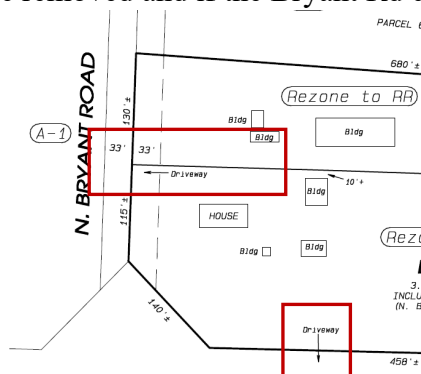
Recommendations: Staff recommends the following conditions subject to approval:

1. Verify the zoning with the Town of Milton. The minimum requirements of the zoning district need to be met. The proposal is to rezone Lot 1 to A-3 and Lot 2 to RR. Lot 2 currently has 3 accessory structures and no residence. This is in direct violation on the Town zoning code and needs to be resolved in writing prior to the County reviewing this land division.
 - § 400-36B(1)Single-family dwellings, one private garage for each residential lot.
 - § 400-36B (8) Accessory buildings, including buildings clearly incidental to the residential use of the property; provided, however, that no accessory building may be used as a separate dwelling unit. There shall be no more than two accessory buildings per lot.

Additionally, it is unclear if “large farm animals (sheep and goats) are permitted on residential zoned lots.



2. Note on Final CSM:
 - a. "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.
 - b. "No buildings which produce wastewater are allowed on Lots until acceptable means of wastewater disposal is approved by the necessary governmental agencies".
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. 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.
5. During the 1994 Land division a condition was placed on the approval that the driveway would be placed on N Bryant Rd. However there is a access point and the address is located on County Highway N. Per the 1994 the County Highway N driveway needs to be removed and if the Bryant Rd driveway is a joint driveway it needs to be documented.



JANESVILLE, WISCONSIN 53545 TELEPHONE: 757-5587

PRELIMINARY APPLICATION RECEIVED BY: ZONING ADMINISTRATOR

RECOMMENDATIONS (REVIEWING AGENCY):

APPROVED X DENIED _____

No Parks Conflict T.S.K. WED 13 APR 74

RECOMMENDATIONS:

Access to Lot 1 will be from BRYANT ROAD

SIGNED: JR Boguszewski DATE: 4-16-94



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.
8. The CSM needs to meet the minimum requirements of 4.112 of the County ordinances.

Review and Possible Action Regarding LD 2024 011 (Fulton Township) – Murphy (2 Lot CSM)

Discussion carried out by Steven Godding (Planner). Much of the lot is located in an area with wet soils, limiting the ability to access the property from Ellendale or Manogue Rd. Jeff Garde (Combs) explained that the current access point already provides driveway access to Hwy 51. They would like to make it a joint driveway. The owner's daughter is looking to divide the southern lot to build her own home.

As noted in the report, staff has concerns with a private driveway running parallel to the lanes of traffic on Hwy 51. This could be confusing to oncoming traffic in northbound lanes.

Motion to postpone until the State looks over and approves the dual-purpose driveway by Supervisor Winter, Seconded by Supervisor Sutterlin. Passed unanimously. CARRIED

LD 2024 011

Tax ID: 012 0730301; Parcel Number 6-6-367.9A

7058 N US HWY 51 JANESVILLE, WI 53545-9622

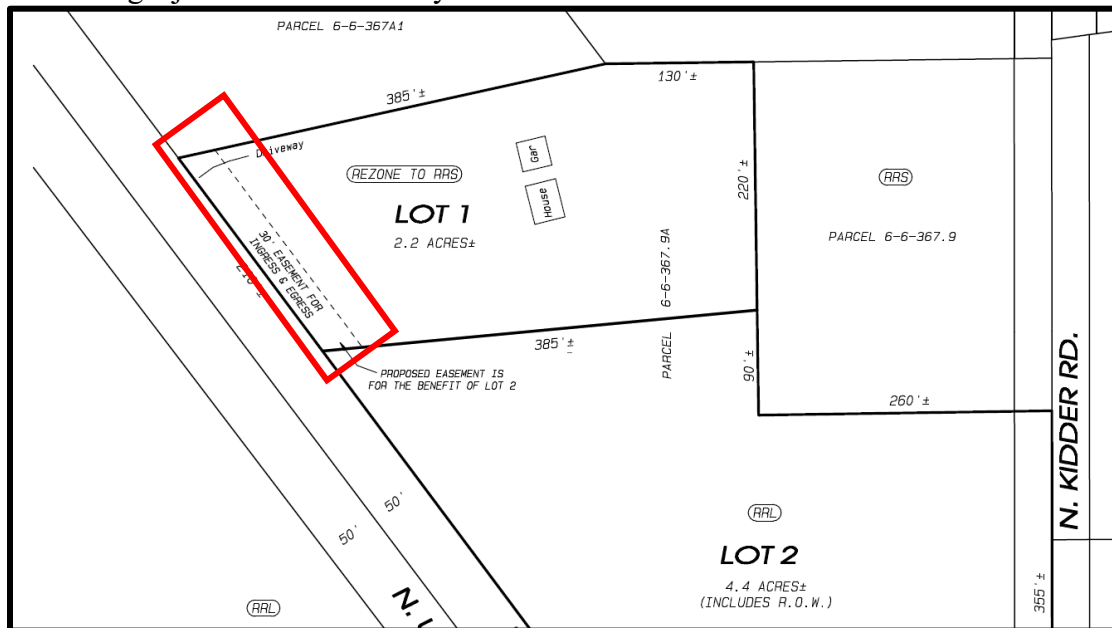
Town of Fulton

Proposed is a minor land division that will create 2 lots out of an existing 7.091 (+/-) acre parcel in the Town of Fulton. Lot 1 is proposed to be 2.2 acres (+/-) and rezoned to RRS. Lot 2 is proposed to be 4.4 acres (+/-).

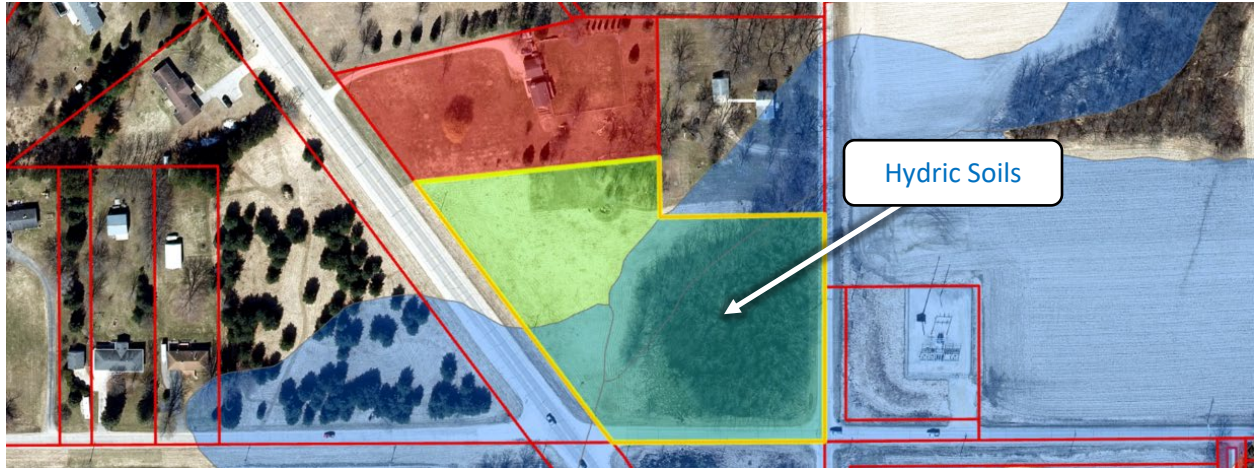


Staff comments:

1. Verify the zoning with the Town of Fulton. The minimum requirements of the zoning district need to be met. The proposed minor land division is to rezone Lot 1 to RRS and keep Lot 2 RRL.
2. Proposed is a 30-foot-wide easement for ingress and egress for Lot 2 which will be utilizing the existing driveway on proposed Lot 1. This is unsafe because of the potential hazard for oncoming traffic going northbound on US Highway 51. In this case the hazard is a driver moving southbound on the driveway, which is generally on a curve, could give the impression of southbound highway traffic over the centerline in the northbound lane. Planning staff recommends moving the existing access south to the proposed lot line and utilizing a joint access driveway.



3. There are hydric soils present on Lot 2.



4. This land division does fall into the Extra Territorial Jurisdiction (ETJ) Area boundary for the City of Janesville.
5. Note on Final CSM:
“No building which produce wastewater are allowed on lot until acceptable means of wastewater disposal is approved by the necessary governmental agencies.”.
6. Existing easements shall be shown, and proposed utility easement(s) shall be placed on lots as requested by utility companies (where applicable).
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. Meet the minimum requirements of 4.112 Preliminary Land Division listed.

Review and Possible Action Regarding LD 2024 016 (Town of Beloit) – Riverstone Subdivision #2 – 20 Lots (Beloit Township)

Discussion carried out by Steven Godding (Planner). It was noted that an outlot was designated for storm water management in the first phase. Kristin Belongia (Batterman) confirmed that there is a residence association set to be in place. As of now, the owner of the lots is taking responsibility, but it is part of the developer’s agreement to create an HOA. It was also discussed that there are buildable areas on each of the river frontage lots outside of steep slope areas. Both the City of Beloit and Town of Beloit have approved this action item.

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

LD 2024 016

Tax ID: 004 2300003; Parcel Number: 6-2-2195.100C

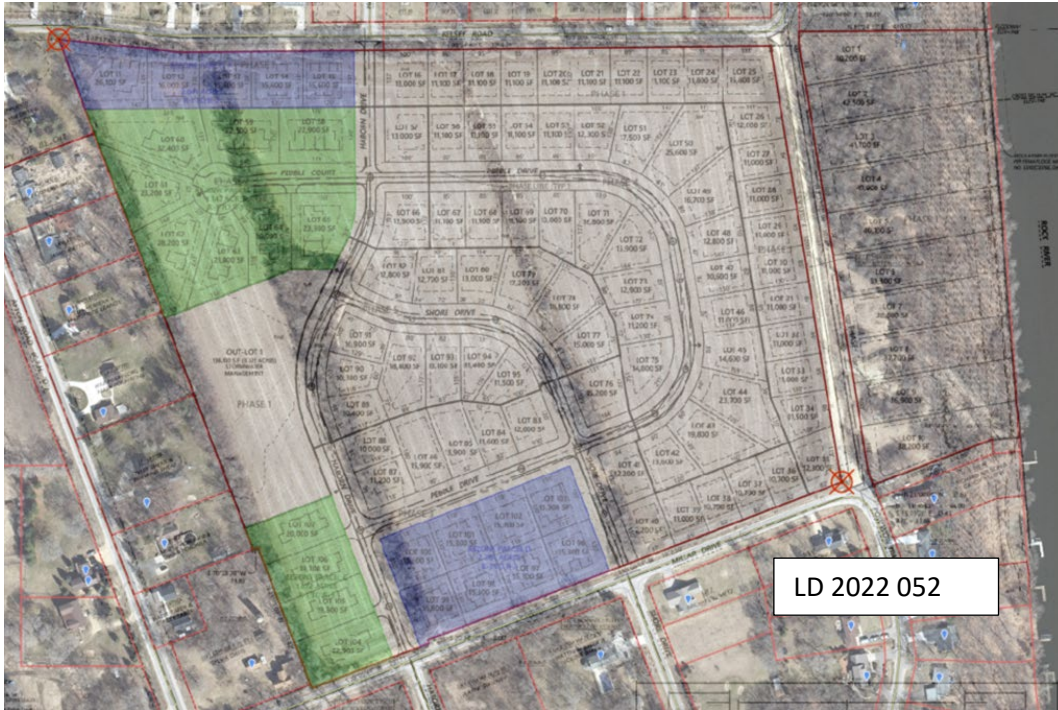
Tax ID: 004 2300002; Parcel Number: 6-2-2195.100B

Tax ID: 004 2300001; Parcel Number: 6-2-2195.100A (Outlot)

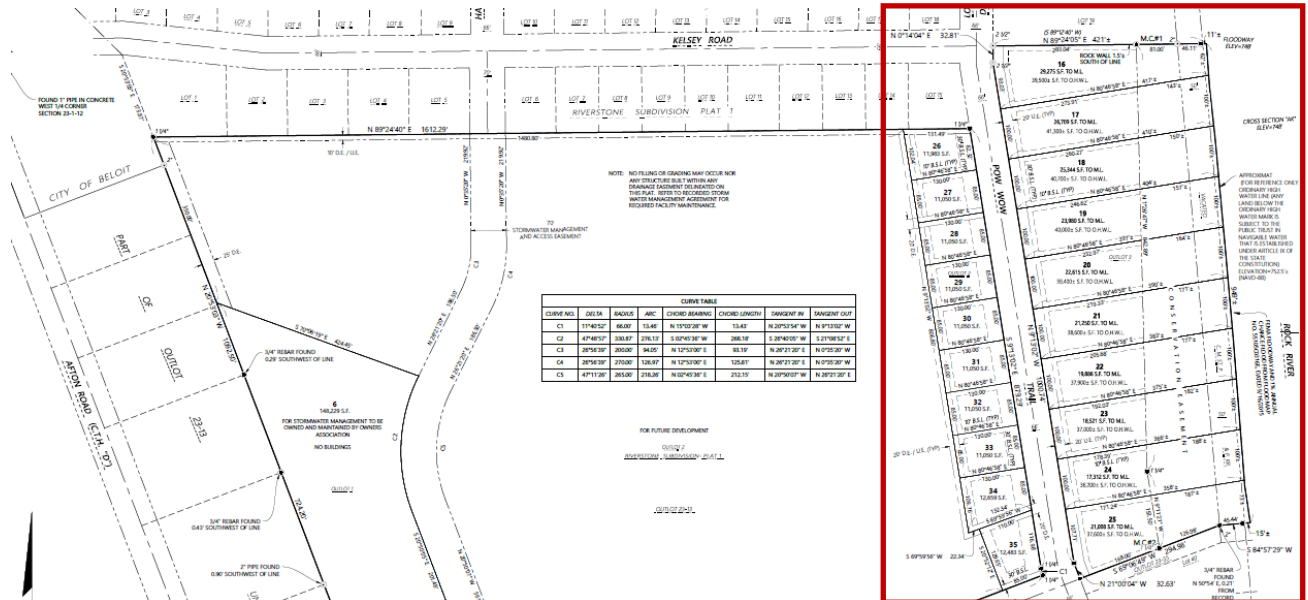
Town of Beloit



This is the second phase of a subdivision plat located in the Town of Beloit. The original Land Division review happened in 2022 (LD 2022 052) and was 107 lots and 1 outlot located on an existing 52.47-acre (+/-) lot. This first reviewed layout includes a curb cut on Kelsey Rd and two curb cuts on W Millar Dr. There is currently a “dirt road” that runs north and south, connecting Pow Wow Trail and Lookout Drive.



The Plat 2 Riverstone Subdivision is creating the 20 lots located along Pow Wow Trail Road on the East side of the proposed development. Lots 16 through 25 are located on the Rock River. Lots 26 through 35 are smaller lots located along the west side of Pow Wow Trail.

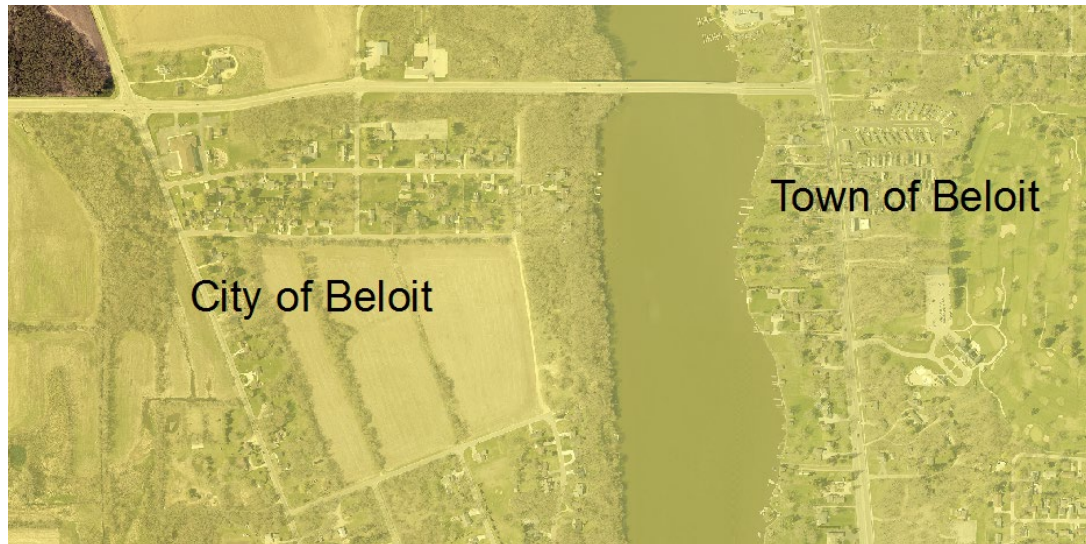


Recommendation

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

1. This area is in the City of Beloit Water Quality 208. There are sanitary manholes shown on the plans in the road way. However after reviewing the POWTS on GIS, it doesn't

look like there are lines that are close. The agreement to service this area should be included with the PLAT.



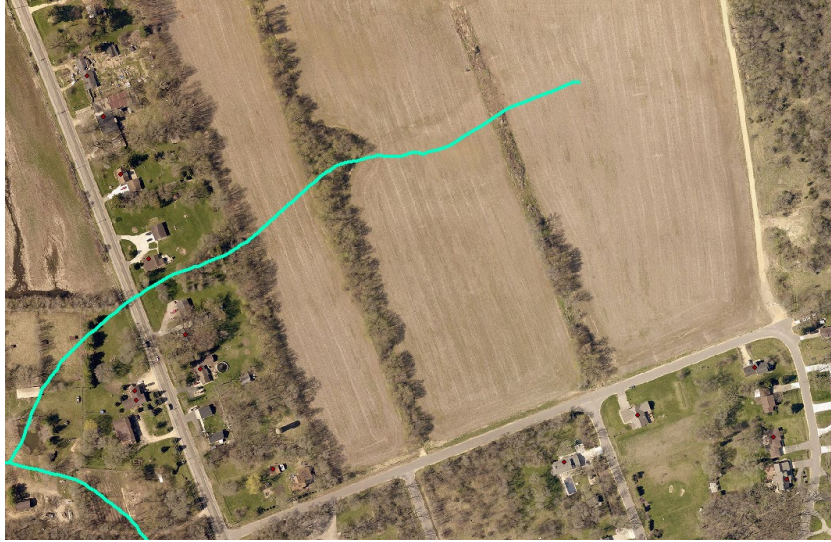
- Each lot needs to meet the minimum requirements of the zoning district. At this time, it is zoned R1: Single Family Residential zoning district with a Shoreland overlay district. The lots with double frontage have even further limitations in terms of buildable area. These lots should be verified setbacks can be meet and is buildable.



<https://experience.arcgis.com/experience/cca0f50ff3fa41088974835c21fe6b5d>

- Show the buildable area on the lots 1 through 10 located in the shoreland overlay district area. This district has FEMA, Hydric Soils and Steep Slopes which should be shown on the PLAT as not buildable. This looks like it has been included with a conservation easement on the proposed Plat 2 showing that the lots are buildable.

8. A Storm Water Management Permit shall be obtained prior to the start of construction. 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 drainage line running through the property and should be taken into consideration when developing the stormwater management plan.

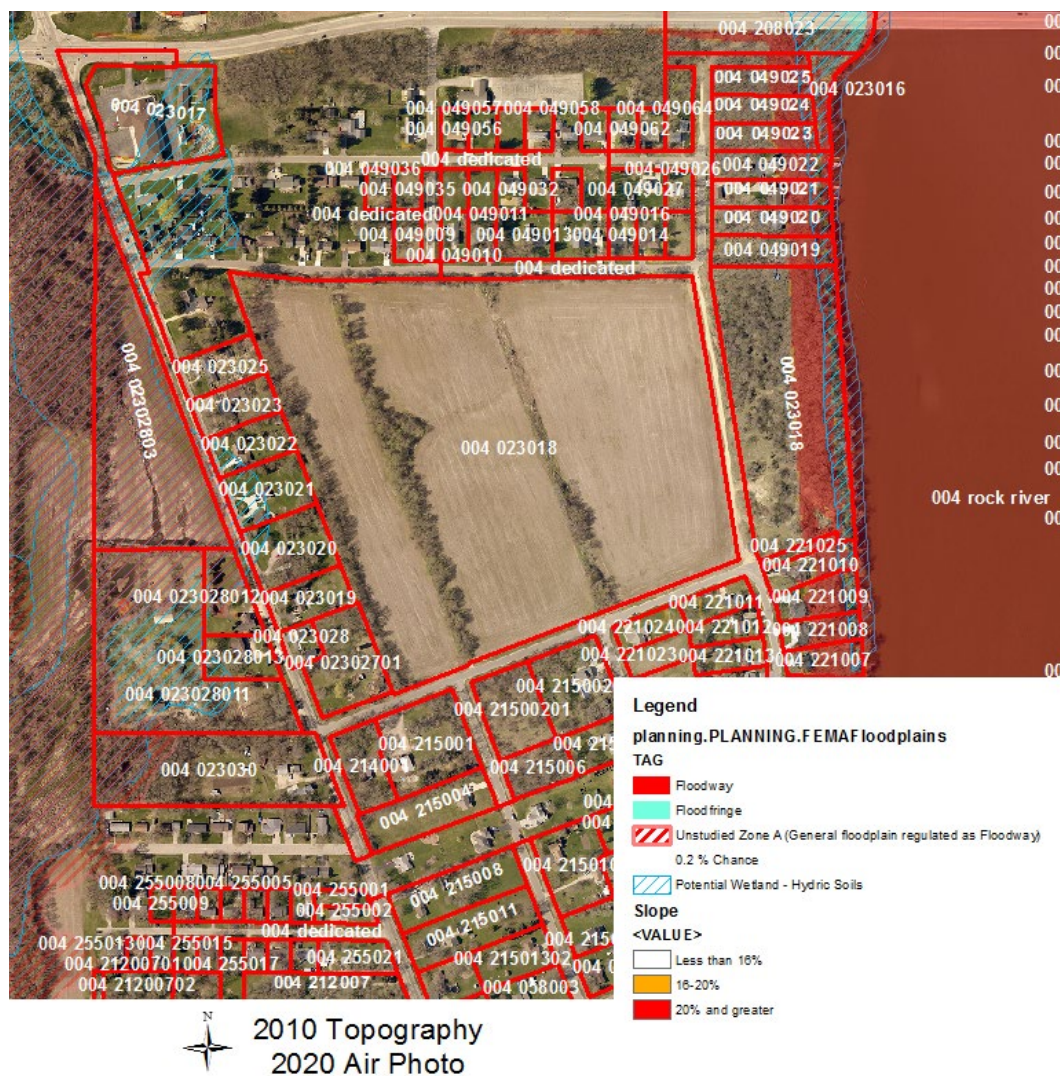


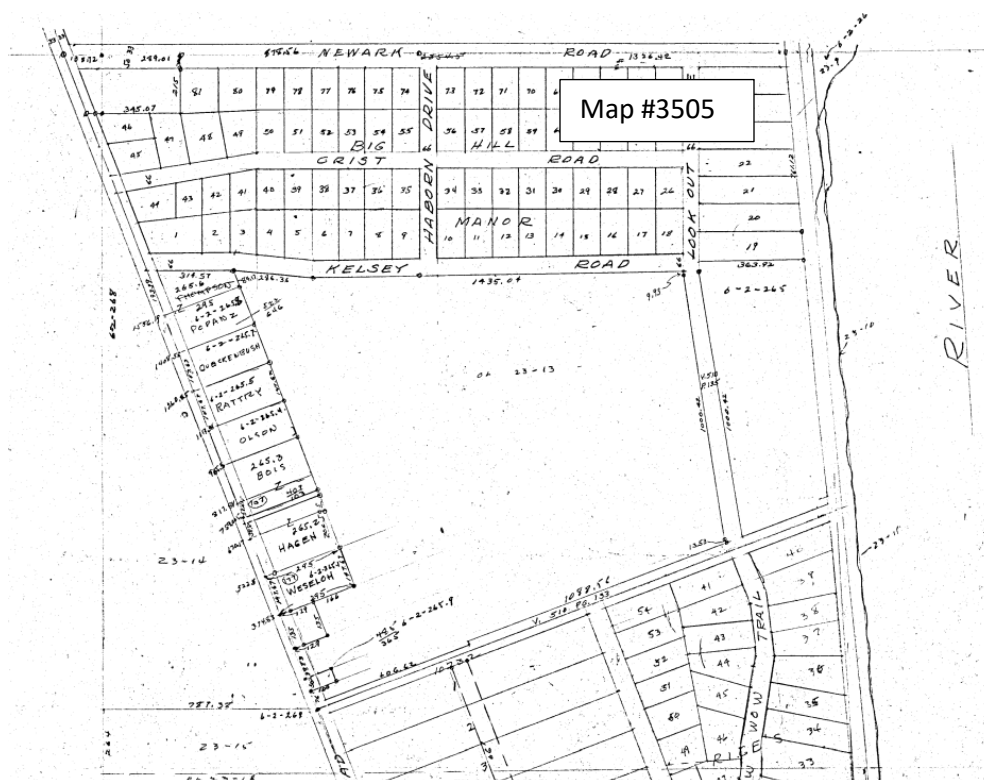
9. A Homeowners Association shall be responsible for maintenance of the storm water management facilities if the Developer does not retain responsibility for long term maintenance. Evidence of the documentation to establish the Homeowners Association shall be provided prior to final plat approval. In 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.

10. 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.”
11. The developer shall be responsible for all costs to the Town of Beloit (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 Beloit 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. 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. This may include a traffic study to review traffic control at intersections, the proposed width of roadway and sidewalks.
14. The developer shall reimburse the Town of Beloit for the installation of the necessary road signs as included and approved in the road construction plans.
15. A performance bond or similar financial instrument shall be provided to the Town of Beloit 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 Beloit and be released only after final acceptance of the roads by the Town of Beloit.
16. Developer shall provide the Town of Beloit 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.
17. 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”.
18. 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:

Action Item: Approval of Intergovernmental Cooperation Agreement with City of Beloit and City of Janesville related to Completing an Analysis of Impediments to Fair Housing and 2025 – 2029 Consolidated Plan

Director Baker started the discussion on this action item. The last time the plan was reviewed was in 2019 – 2020. An example of topics address in the last plan was suggestions to amend of the current zoning ordinances to include smaller homes, making recommendations to change terms of evictions and how it cycles through the small claims court an reviving the contract with Legal Action to ensure that it continues to include hours dedicated to Rock County. The selected consultant for the work is a company based in Atlanta, Georgia. They are planning on coming to the area at three times, at least, soon to conduct surveys, public hearing, etc. The cost to the County for the plans are covered by program administration funds from our grants, therefore no direct levy impact or budget amendment necessary.

Motion for approval of action item with authorization to sign presented by Supervisor Sutterlin, Seconded by Supervisor Winter. Passed unanimously. CARRIED

Director's Report:

Director Baker noted that Jennifer Borlick let him know the 2024 air photo flight was completed. April 11, 2024, would be the next meeting with the present Committee members before a new committee is formed after the reorganization meeting on April 16th..

Committee Reports: None

Adjournment: Adjournment at 8:53 A.M.

Moved by Supervisor Winter, Seconded by Supervisor Sutterlin. APPROVED

Respectfully Submitted,

Ilana Eisenberg, Office Coordinator

NOT OFFICIAL UNTIL APPROVED BY COMMITTEE.