1. August 20, 2020 CZA Meeting Agenda
   
   Documents:
   
   CZA AUG 20 - AGENDA.PDF

2. August 20, 2020 CZA Meeting Packet
   
   Documents:
   
   CZA AUG 20 - PACKET.PDF

3. August 20, 2020 CZA Supplemental Packet
   
   Documents:
   
   CZA AUG 20 - SUPPLEMENTAL PACKET.PDF
COUNTY ZONING AGENCY

MEETING NOTICE

Thursday, August 20, 2020 at 5:00 p.m.

County Board Room 114
Walworth County Government Center
100 West Walworth Street
Elkhorn, WI 53121

Rick Stacey, Chair – Dave Weber, Vice-Chair
Susan Pruessing, Supervisor – Jerry Grant, Supervisor – Ryan Simons, Supervisor
Richard Kuhnke, Sr., Citizen Member – Jim Van Dreser, Citizen Member

NOTICE: DUE TO THE CONTINUING PUBLIC HEALTH EMERGENCY, THIS MEETING IS PLANNED TO PROVIDE FOR REMOTE OR OFF-SITE ATTENDANCE BY COMMITTEE MEMBERS.

The Walworth County Government Center remains open, but in-person attendance will be severely limited due to State imposed restrictions on group meeting sizes.

ALL INDIVIDUALS ARE STRONGLY ENCOURAGED TO WATCH THE MEETING STREAMING LIVE AT https://tinyurl.com/Aug20CZA

Individuals wanting to provide a Public Comment can do so remotely by telephone, but must contact Shannon Haydin at shaydin@co.walworth.wi.us or at 262-741-7912 on the day of the meeting and at least 30 minutes prior to the start of the meeting to obtain instructions.

(Posted in compliance with Sec. 19.84, Wis. Stats.)

It is possible that a quorum of the County Board or a Committee of the County Board could be in attendance

All discussion items are subject to possible action

AGENDA

V=Items on Videotape

1. Call to Order

2. Roll Call

3. Approval of the Agenda

4. Approval of the Minutes, July 16, 2020 CZA Meeting


6. Subdivision Items:
   a. Old Business – None
b. New Business –

TO BE TABLED AT REQUEST OF APPLICANT

1. **Geneva Springs Subdivision Preliminary Plat**, Geneva Springs Haven LLC., applicant. Proposed 27 lot and 2 out lot residential subdivision plat located in Section 21, Town 2 North, Range 17 East, Town of Geneva. Parcel #s JA320800002 and JA320800003. The proposed plat contains 13.09 acres of land and is zoned R-2 Single Family Residence District (Sewered). The applicant is requesting a modification of street design standards contained in Section 11.3 (e) of the Walworth County Subdivision Ordinance.

7. **Old Business:**

   a. Ordinance Amendments – None

   b. Discussion Items –

      1. **Noise Ordinance update** – Michael Cotter


8. **New Business:**

   b. Ordinance Amendments – None

   c. Discussion Items –

      1. **Triple J Properties of WI** – Amendment of conditional use by expansion of a boat storage facility by less than 25% by construction of a 40 ft. by 80 ft. addition to an existing storage building on lands zoned B-2. Tax Parcel FA161100001A, Delavan Township.

      2. **GRAL, L.P./ Interlaken Condominium Association, Inc.** – Amendment of conditional use for creation of a larger pool parcel by transfer of land from Interlaken Condo Assoc. to GRAL, L.P. for a new pool and amenities to an existing B-5 Planned Commercial Recreational Development and used by the Interlaken Condominium Association subject to a 99 year lease to be granted by GRAL, L.P. Tax Parcels JA 83300003A3, JA 83300003, Geneva Township.

      3. **WCCA Zoning Webinars Fall 2020** – Shannon Haydin

If the above items are completed prior to 5:30 p.m., the committee will recess and reconvene at 5:30 p.m. to continue the public hearing portion of the meeting on Ordinance Amendments, Comprehensive Map Amendments, Rezones and Conditional Uses.

5:30 p.m.

   d. Ordinance Amendments – None
e. Rezones with Conditional Uses –

1. **Treetops Funding, LLC – Owner, Eric Howden – Applicant**, Section 26, Geneva Township. Rezone approximately .4 acres of C-2 Upland Resource Conservation District property to the P-1 Recreational Park District in order to obtain conditional use approval to add a climbing wall structure and a balloon ride business building to a recreational facility. Parts of Tax Parcel JA458600002.

   **TO BE HEARD AT 5:40 P.M. OR AS SOON THEREAFTER.**

2. **Michael Fields Agricultural Institute Inc. – Owner**, Section 30, East Troy Township. Rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses and retail uses on site including use by a church. P-2 portion of Tax Parcel PA120200001.

f. Rezones –

   **TO BE HEARD AT 5:45 P.M. OR AS SOON THEREAFTER.**

1. **John H. and Jennifer Ehlen – Owner**, Section 3, Lyons Township. Rezone approximately 3.25 acres of C-2 Upland Resource Conservation District property to A-1NC Prime Agricultural District to create a +70 acre A-1 zone parcel that would be divisible for family second residence purposes. Part of Tax Parcel NA430800001.

g. Conditional Uses –

   **TO BE HEARD AT 5:50 P.M. OR AS SOON THEREAFTER.**

1. **Eric and Sarah Handley – Owner**, Section 33, Geneva Township. Conditional use approval for approximately 100,000 sq. ft. of land restoration in order to construct a pond and spoils area with drainage way on land zoned A-2 Agricultural Land District. Part of Tax Parcel J G 3300011B.

   **TO BE HEARD AT 5:55 P.M. OR AS SOON THEREAFTER.**

2. **Sterken Farms, Inc. – Owner, Wisconsin Electric Power Company dba WE Energies – Applicant**, Section 29, LaGrange Township. Voluntary conditional use review for a Bluff Creek Liquid Natural Gas (LNG) peaking facility. Voluntary as WE Energies is exempt from local review having obtained Public Service Commission (PSC) of Wisconsin Certificate of Authority (CA). The facility shall supply natural gas to an existing natural gas pipeline during peak demand on the coldest days of the winter. The facility would be installed as a utility on 22.1 acres of A-1 zoned property and consist of a natural gas pretreatment system, natural gas liquefaction system, a 150 ft. tall by 150 ft. diameter LNG storage tank, a LNG Vaporization system, an emergency impoundment area, stormwater basins, truck loading and unloading equipment area, an administrative office and parking lot. Part of Tax Parcel H LG2900005.
3. Maple Lawn Estates, LLC – Owner, Zenda Rail, LLC C/O Allen Polyock – Applicant, Section 33, Linn Township. Conditional use permit review for the installation of new 156 diameter grain storage bin that will be capable of holding 1.4 million bushels of grain, relocation of an existing 15 ft. by 30 ft. block building and to expand an approved 27 ft. diameter storage bin to a 48 ft. diameter bin all as part of an existing grain storage facility as per plan submitted. A-4 portion of Tax Parcel I L 3300003.

TO BE HEARD AT 6:00 P.M. OR AS SOON THEREAFTER.

4. ConAgra Foods Packaged Foods, LLC C/O Kip Guyon (Plant Manager) – Owner, Section 28, 29, 32 and 33, Darien Township. Conditional use permit review and approval on land zoned A-1 Prime Agricultural District to replace an existing smaller 35 million gallon North lagoon that has a ruptured liner with a new 54 million gallon expanded lined earthen North wastewater storage lagoon. The new North lagoon would continue to be used for vegetable processing waste water storage and treatment upon completion. Parts of Tax Parcels B D 2800007, B D 2900007, B D 3200001 and B D 3300014.

TO BE HEARD AT 6:05 P.M. OR AS SOON THEREAFTER.


TO BE HEARD AT 6:10 P.M. OR AS SOON THEREAFTER.

6. Steven Walter – Owner, Section 21, Darien Township. Conditional use approval for a 40 ft. by 24 ft. expansion of an existing building to allow for indoor garage space for vehicles used in a waste hauling business on lands zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District. Part of Tax Parcel B D 2100005A.

TO BE HEARD AT 6:15 P.M. OR AS SOON THEREAFTER.

7. Caryn and Alan Hayden – Owners, Section 11, Sugar Creek Township. Conditional use permit review and approval for a 10 ft. 3 inch by 19 ft. 4 inch utility building for the storage of high speed internet/broadband and phone service including routers, switches, servers and battery backup systems for Edge Broadband on lands zoned A-2 Agricultural. Part of Tax Parcel G SC11000091C.

TO BE HEARD AT 6:20 P.M. OR AS SOON THEREAFTER.

9. Adjournment

Submitted by: Rick Stacey, Committee Chairman
Michael P. Cotter, Director, Land Use and Resource Management Department

Posted: August 14, 2020
COUNTY ZONING AGENCY
MEETING NOTICE

THURSDAY, AUGUST 20, 2020 AT 5:00 p.m.

COUNTY BOARD ROOM 114
WALWORTH COUNTY GOVERNMENT CENTER
100 WEST WALWORTH STREET
ELKHORN, WI 53121

RICK STACEY, CHAIR – DAVE WEBER, VICE-CHAIR
SUSAN PRUESSING, SUPERVISOR – JERRY GRANT, SUPERVISOR – RYAN SIMONS, SUPERVISOR
RICHARD KUHNKE, SR., CITIZEN MEMBER – JIM VAN DRESER, CITIZEN MEMBER

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1. Call to Order

2. Roll Call

3. Approval of the Agenda

4. Approval of the Minutes, July 16, 2020 CZA Meeting


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b. New Business –

**TO BE TABLED AT REQUEST OF APPLICANT**

1. **Geneva Springs Subdivision Preliminary Plat,** Geneva Springs Haven LLC., applicant. Proposed 27 lot and 2 out lot residential subdivision plat located in Section 21, Town 2 North, Range 17 East, Town of Geneva. Parcel #s JA320800002 and JA320800003. The proposed plat contains 13.09 acres of land and is zoned R-2 Single Family Residence District (Sewered). The applicant is requesting a modification of street design standards contained in Section 11.3 (e) of the Walworth County Subdivision Ordinance.

7. **Old Business:**

a. Ordinance Amendments – None

b. Discussion Items –

1. **Noise Ordinance update** – Michael Cotter


8. **New Business:**

b. Ordinance Amendments – None

c. Discussion Items –

1. **Triple J Properties of WI** – Amendment of conditional use by expansion of a boat storage facility by less than 25% by construction of a 40 ft. by 80 ft. addition to an existing storage building on lands zoned B-2. Tax Parcel FA161100001A, Delavan Township.

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**5:30 p.m.**

d. Ordinance Amendments – None
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1. **Treetops Funding, LLC – Owner, Eric Howden – Applicant**, Section 26, Geneva Township. Rezone approximately .4 acres of C-2 Upland Resource Conservation District Property to the P-1 Recreational Park District in order to obtain conditional use approval to add a climbing wall structure and a balloon ride business building to a recreational facility. Parts of Tax Parcel JA458600002.

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9. **Adjournment**

Submitted by: Rick Stacey, Committee Chairman

Michael P. Cotter, Director, Land Use and Resource Management Department

Posted: August 14, 2020
Committee Chair Rick Stacey called the meeting to order at 4:35 p.m.

Roll call – Committee members present in person were Supervisors Rick Stacey, Dave Weber, Ryan Simons, Citizen Members Richard Kuhnke, Sr. and Jim Van Dresar. Appearing via telephone was Supervisor Jerry Grant and Susan Pruessing. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Department Deputy Director Shannon Haydin via video, Senior Planner/Hearing Facilitator Matt Weidensee via video. Present for a portion of the meeting/hearing Senior Urban Conservation Technician/Fay Amerson via video.

A “sign-in” sheet listing attendees on July 16, 2020 was not presented due to the continued COVID-19 threat.

Details of the July 16, 2020 meeting/hearing are on a digital recording which is on file and available to the public upon request/video to view in the agenda center on the website: [www.co.walworth.wi.us](http://www.co.walworth.wi.us)

Dave Weber motioned to approve the agenda as amended to table item 6.b.1.) Geneva Springs Subdivision Preliminary Plat, Geneva Springs Haven LLC.; 8.d.2.) Treetop Funding, LLC; 8.e.2.) Town of East Troy; and 8.f.1.) Eric and Sarah Handley. Seconded by Ryan Simons. Motion carried. 7-favor 0-oppose.

Richard Kuhnke, Sr. motioned to approve the June 18, 2020 CZA Meeting Minutes. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #4:36:47 – 4:40:15

Subdivision Items – Old Business – None

Subdivision Items – New Business –

**THIS ITEM NOT HEARD – Tabled at Request of Applicant.**

Geneva Springs Subdivision Preliminary Plat. Geneva Springs Haven LLC., applicant. Proposed 27 lot and 2 out lot residential subdivision plat located in Section 21, Town 2 North, Range 17 East, Town of Geneva. Parcel #s JA320800002 and JA320800003. The proposed plat contains 13.09 acres of land and is zoned R-2 Single Family Residence District (Sewered). The applicant is requesting a modification of street design standards contained in Section 11.3 (c) of the Walworth County Subdivision Ordinance.

Old Business - Ordinance Amendments – None

Old Business – Discussion Items –
1. Short term rental update and discussion,

Shannon Haydin provides update regarding short term rental status – new applications and 2020 renewals. Discussions for proposed 2021 fee restructuring:

- New: $300; Renewal: $100.

Jim VanDreser motioned to approve the recommended fee amendment with no pro-rating for 2021. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.

Disc Count #4:40:31 – 4:56:59

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. UNILOCK AGGREGATES LLC – Owner, AMENDED CU to expand a gravel extraction area by less than 25% of the existing approval area into an area that was 200 foot setback prior to combination of lands with the neighboring parcel. Section 6, Lafayette Township. Part of Tax Parcel K LF 600005.

Amended 7-16-2020 for expansion into the north 200 ft area no longer needed as a buffer area due to lot line adjustment of the M-3 parcel to the A-1 parcel to the north (see #1, 2, 4, 10 and #12 through 35).

Amended 6-17-10

NAME: Unilock Aggregate LLC
TOWN: LAFAYETTE

A conditional use permit for mineral extraction activities as specified in Section 4.10 of the Zoning Ordinances, Walworth County, Wisconsin on lands zoned M-3 Mineral Extraction District and described as follows:

Tax Parcel #K LF 600005

Has been APPROVED subject to the following conditions:

1. Approved as per plan submitted and amended June 17, 2010 and further amended July 16th, 2020 for expansion into the north 200 ft no longer needed as a buffer area due to lot line adjustment of the M-3 parcel to the A-1 parcel to the north with all additional conditions.

2. All materials brought on site shall be clean and conform with the specifications provided in the request for amended conditional use approved on June 17, 2010 and July 16, 2020. Materials brought on site shall be limited to top soil, clean spoils, recycled concrete, recycled asphalt, pit transfer sand, gravel and limestone and shall be located as identified on the approved plan. Relocation of storage areas for the materials shall not occur without amendment of the reclamation plan and stormwater management plan for the site.

3. That the conditional use be approved upon the County Board approval of the request for a rezone of this property from A-1 Prime Agricultural District to M-3 Mineral Extraction District. The county Board will review the rezone request on December 12, 1995.

4. That the driveway for the pit be located as far from the Pellmann property as possible and that the drive now used by Mr. Radecki might serve as the entrance for the pit (the driveway that goes through Mr. Radecki’s yard).

5. That the SE corner of the land in question should have a berm and be planted with evergreens to reduce the noise and sight objections.

6. That hours of operation shall be 6:00 a.m. to 6:00 p.m. Monday – Friday; 6:00 a.m. to 3:00 p.m. Saturday; No Sunday Operations.

7. That dust control measures shall be taken by the applicant.
8. That the applicant shall submit an acceptable form of bonding to insure proper restoration.

9. That following restoration of the property, the parcel shall be rezoned back to its original zone district.

10. That the road access maintenance agreements shall be filed with the county.

11. That the applicant must meet all Federal, State, and Local Regulations.

12. Time limit for completion of the project shall be set at July 16th, 2030.

13. Implementation of dust and noise control measures shall occur at all times on site.

14. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from The Land Conservation Department. The applicant must follow phases of excavation and restoration as part of the approval under the County’s Land Disturbance Erosion Control and Stormwater Management Ordinance and mining reclamation standards. The applicant must submit a project-sequencing schedule as part of the restoration plan for each phase leading to completion prior to approval. The applicant will be responsible for paying all County fees associated with the reclamation plan review, approval and monitoring for compliance with this approval.

15. A non-metallic Mining Reclamation Permit and Plan must be approved by the Walworth County Land Conservation Division. The applicant shall submit an acceptable form of bonding as part of the restoration plan – The bond shall remain in place for the life of the pit plus one full year after final restoration to allow for final stability review. A copy of the bond and any renewals shall be submitted to the County Land Conservation section of the Land Use and Resource Management Office. Renewals of bonds shall be submitted prior to expiration. The bond shall be released after final restoration and application for rezone back to the approved post mining land use/zone district. The operator will certify to the County Land Conservation Division the completion of reclamation for a portion or the entire mining site.

16. The post mining land use for this site shall be agriculture requiring A-1 zone district designation. This conditional use shall not be valid without a current post mining land use rezone application being on file with Walworth County. The property owner shall submit an application, fee and a post mining reclamation plan to Walworth County allowing for rezone of the property back to the post mining land use /zone district as specified above. The post mining land use rezone application shall be required to be kept current by the property owner during excavation and reclamation of the site. Should ownership of the site transfer prior to receiving Certification of Completion of Reclamation from the County (Sec. 26-293 (a.7)), the new property owner must re-sign the post mining land use rezone application and pay a new post mining land use rezone application fee at the current rezone rate in order to keep this conditional use valid.

17. Road access and maintenance agreements shall be filed with the Town and County prior to hauling materials off site.

18. The County will not be liable for any damage to neighboring wells due to the operation of the project.

19. Any additional office/trailer or structures shall obtain approved zoning and sanitary permits.

20. Approval of the project shall be subject to all applicable gravel pit policies.

21. All material storage locations must be in an approved zoning district.

22. No materials allowed to be brought in from off-site other than those materials specified in the approved operations plan.

23. All topsoil generated from the site must remain on site for use in restoration. All topsoil will be re-graded evenly on the disturbed area.

24. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area. The site may not be dewatered until all sediment has settled in the open water area of the pit.

25. The applicant shall certify that the project plans and the conditions of this approval shall be provided and discussed with the property owner prior to excavation on site and must provide a copy of the certification signed by the owner.

26. Following restoration, the landowner shall petition to rezone the property back to the committee recommended zoning district. The owner of property approved for non-metallic mining shall be required to submit an up-front
application and fee for rezoning the property back to the pre-existing zone district. Upon completion of restoration the County shall hold a public hearing for rezoning of the property back to the original zone district. The County shall not release the required performance bond or surety until the property of concern has been restored.

27. The applicant must obtain a sign permit from the County Zoning Office prior to construction of any new signs on site. No billboards will be allowed to be located in an M-3 district even under a State Hwy permit because the M-3 use is temporary and the signs must be consistent with the required zoning upon restoration.

28. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.

29. The applicant must stipulate that adequate liability insurance will be held at all times during excavation and restoration to cover any damages resulting from the project. The applicant has agreed to provide a copy of the liability insurance coverage document for the file.

30. The applicant will be held solely responsible for maintaining support rights of neighboring property owners. Adequate setbacks from the proposed excavation to neighboring properties shall be provided to prevent damages resulting from potential cave in of the excavation walls.

31. The County will not be responsible for loss of agricultural productivity of the property as a result of this project.

32. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:

33. Recyclable concrete and asphalt material shall be limited to the location and quantities as specified on the approved plan of operations.

34. The property owner shall provide a complete contour map showing the resulting contours in all areas of the project site including the 200 foot buffer areas. The contours shall tie into the neighboring property elevations as to show final grades of restoration.

35. The property owner shall comply with all requirements of the Preliminary Stormwater Review letter created for review of the July 16th, 2020 amendment of the conditional use for the 200 ft. expansion area to the north.

Dated this 17th day of November, 1995.

________________________________________
WALWORTH COUNTY PARK & PLANNING COMMISSION
JAMES VAN DRESER, SECRETARY

Amended this 17th day of June, 2010.

_________________________________________
COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request. Attorney Christina Green indicates the applicant is aware of the conditions.

Jim Van Dreder motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.
Disc Count #4:57:01 – 5:05:13

2. Noise ordinance discussion.
Michael Cotter begins discussion regarding noise ordinance and complaints, and County’s ability to regulate. Jerry Grant requests to talk to Sheriff regarding disorderly conduct.

Discussion by the Committee regarding County involvement and different situations. No action is taken.
Disc Count #5:05:15 – 5:15:10

Meeting paused until 5:30 portion of meeting.

5:30 p.m. meeting recalled by Chair Stacey.

**Ordinance Amendments** – None

**Rezones with Conditional Uses** –

1. **James Steurer Jr. – Owner**, Section 16, Delavan Township. Rezone an approximately 1.89 acre A-1 Prime Agricultural zoned parcel to the M-1 Industrial District in order to bring and existing septic pumping business into compliance by obtaining a conditional use permit for contractor storage and a caretaker’s quarters. Tax Parcel FA 10900001.

**General:**

1. Approved per plans submitted for a septic pumping and hauling business with contractor storage and a single family dwelling as a caretaker/watchman quarters with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. The site shall meet all applicable Federal, State, County and local regulations.
4. The applicant must obtain all required zoning permit approvals including a sign permit.
5. No filling shall be allowed in any wetland areas.
6. No filling shall occur on site without proper permit approvals.
7. Access approval must be obtained from the Town.
8. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.
9. Hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday –Saturday with hours for return of equipment from off site until 9:00 p.m.
10. No burning shall be allowed on site without a State burning facility license and any required local approvals.
11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
12. Use of the single family residences shall be limited to use by a caretaker/watchman and shall be rezoned or removed from premises at the time they no longer needed in connection with the industrial use.
13. If the residences are no longer used for housing a caretaker/watchman, the applicant must notify the Walworth County Zoning Office.

**Specific:**
14. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if required by ordinance.

15. There shall be no cleaning of the septic waste hauling trucks on the property.

16. All exterior lighting shall be shielded and “dark sky” per ordinance as per the Town.

17. No outdoor storage of unnecessary equipment/materials longer than 72 hours, or it must be screened as per the Town.

Staff presents request and indicates this is consistent with Farmland Preservation, not having been farmed.
Warren Hansen speaks regarding the application.

Richard Kuhnke, Sr. motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

The rezone petition will move forward to the July 23, 2020 Walworth County Board for possible action.
Disc Count #5:34:40 – 5:46:58

TABLED – NO TOWN DECISION

2. Treetops Funding, LLC – Owner, Eric Howden – Applicant, Section 26, Geneva Township. The property owner is requesting to rezone approximately .4 acres of C-2 Upland Resource Conservation District Property to the P-1 Recreational Park District in order to obtain conditional use approval to add a climbing wall structure and a balloon ride business building to an recreational facility. The property of concern is located off a private drive on the north side of Hwy H approximately 180 feet south of the intersection of Hwy H and Hwy NN and is identified as parts of Tax Parcel JA458600002.

Rezones –

5:47 P.M.:
1. Casey and Bertha Mikrut Trust C/O John Mikrut Trustee – Owner, Diane Cocroft – Applicant, Section 27, Geneva Township. Rezone approximately .256 acres of C-4 Shoreland Wetland District property to the R-2 Single Family Residential District in order to match the wetland boundary to delineated field conditions for the creation of a potentially buildable residential lot. Part of Tax Parcel JLCB 00299.

Staff presents request.
Gary Cocroft speaks regarding the application.

Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

Staff clarifies for applicant the process of County Board approval on July 23, 2020. The rezone petition will move forward to the July 23, 2020 Walworth County Board for possible action.
Disc Count #5:47:09 – 5:52:38
THIS ITEM NOT HEARD – WITHDRAWN by Applicant.

2. The Town of East Troy – owner, Section 3, East Troy Township. Rezone an approximately 4.3 acre parcel from P-1 Recreational Park District to P-2 Institutional Park District in order to construct Town municipal buildings on the property. Tax Parcel P ET 300008.

5:55 P.M.:

3. Ronald and Dolores Eddy – Owners, Section 24, Geneva Township. Rezone approximately .49 acres of C-2 Upland Resource Conservation district to C-3 Conservancy Residential District and .16 acres of C-3 to the C-2 District to straighten out property boundaries between neighboring property owners and to increase the size of the neighboring lot. Parts of Tax Parcel JA300000002.

Staff presents request.
Dolores Eddy speaks by phone regarding the application.

Dave Weber motioned to approve. Seconded by Jerry Grant. Motion carried. 7-favor 0-oppose.

Staff clarifies for applicant the process of County Board approval on July 23, 2020. The rezone petition will move forward to the July 23, 2020 Walworth County Board for possible action.
Disc Count #5:55:00 – 5:59:45

Conditional Uses –

TABLED – NO TOWN DECISION

1. Eric and Sarah Handley – Owner, Section 33, Geneva Township. Conditional use approval for approximately 100,000 sq. ft. of land restoration in order to construct a pond and spoils area with drainage way on land zoned A-2 Agricultural Land District. Part of Tax Parcel JG 3300001B.

6:00 P.M.:

2. The Town of Delavan- Owner, Cardinal Engineering – Applicant, Section 22, Delavan Township. Expansion of the existing Delavan park structure by greater than 25% requiring conditional use approval for expansion of public assembly use as if establishing the existing use anew. Part of Tax Parcel F D 2200004.

NAME: Town of Delavan
TOWNSHIP: Delavan

The Town of Delavan is requesting to expand and existing Township of Delavan Park main structure by greater than 25% requiring conditional use approval for expansion of public assembly use as if establishing the existing use anew. There will be 2 additions to the main park building totaling 2059 sq. ft. which is equal to a 33% expansion of the structure. The building will accommodate and elevator and mechanicals with a separate garage space. The building will otherwise be used the same as under the existing 2005 approved CU for public assembly. As stated: The structure will be used for public assembly, weddings, trade shows and other cultural event and performances.
A conditional use permit for use of the town storage building in the township park for governmental and cultural uses, cultural activities, and public assembly uses to be determined by the town, as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned P-1 Recreational Park District and described as follows:

Tax Parcel #F D 2200004

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted as revised and amended July 16th, 20th, 2020 with all additional conditions as stated.

2. The project must meet all Federal, State, County and local regulations.

3. The restrooms within the building must be open to the public when the building is in use.

4. All lighting shall be shielded and directed on site.

5. Any changes to the character, intensity or use of this site including building locations, size or additions not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific

6. All use of the Township building shall be restricted to those identified in the project plan, and narrative as stated: The building will accommodate an elevator and mechanicals with a separate garage space. The structure will be used for public assembly, weddings, trade shows and other cultural events and performances.

Dated this 17th day of March, 2005.

COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN

Staff presents request.
Ryan Cardinal/Cardinal Engineering speaks regarding the application. Ryan Cardinal to provide prints as shown at CZA meeting

Dave Weber motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried. 7-favor 0-oppose.
Disc Count # 6:00:00 – 6:05:21

6:10 P.M.;

3. Milstead, LLC – Owner, John Schnupp – Applicant, Section 6, Walworth Township. Conditional use approval for outdoor food and beverage consumption on the north side of an existing restaurant in order to better serve cliental of the Fire to Fork Restaurant. Part of tax parcel E W 600001B.

General:

1. The Conditional Use for use of a portion of open space for outdoor food and beverage consumption for a restaurant is approved as per the plan submitted with the following conditions.

2. Use of the grounds shall be limited to the uses as stated in the plan of operations.

3. The project must meet with all State, Federal and local approvals.

4. The applicant must obtain all required County Zoning permit including a sign permit for any proposed signage.

5. Sufficient adult supervision by on site workers must be present at all times when facilities are in use.
6. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.

7. The applicant is responsible for obtaining adequate liability insurance and keeping the insurance current during the life of this conditional use.

8. All lighting must be shielded and directed on to the property.

9. All parking must occur in the areas identified on the approved plan. Parking must be marked and meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking for business on site must be in compliance with County requirements within 60 days of this approval.

10. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.

11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. Hours of operation on the outdoor food and beverage area shall be 10:00 a.m. to 11:00 p.m.

14. All outdoor seating and all outdoor food and beverage consumption must be in the area specified on the approved site plan.

15. The outdoor seating area must meet with the commercial building code including all proposed lighting. Open flame tiki torches may not be used as lighting.

16. Any proposed outdoor fire pit/cooking facilities must meet with Local and State requirements.

17. Approved for Fire2Fork’s temporary use for outside dining/serving until the earlier of the Covid-19 issues allow normal indoor seating or June 30, 2021 as per the Town.

18. If outside dining/serving is still needed after June 30, 2021 or Fire2Fork wishes to make the outside dining/serving permanent, Fire2Fork shall be required to come back for additional Town and County conditional use review as per the Town.

19. Total seating indoors and outdoors on the patio combined shall not exceed the maximum of 110.

Staff presents request.
Joy Schnupp speaks regarding the application. Indicates there is some service indoors with tables 10 feet apart - 26 seats inside.
Staff indicates that LURM had taken it upon themselves to allow service prior to hearing.

Jim Van Dreser motioned to approve, amending with maximum total seating of 110 seats. Seconded by Ryan Simons, and as amended. Motion carried. 7-favor 0-oppose.
Disc Count # 6:10:00 – 6:19:22

6:20 P.M.:
4. **Nonmetallic Mining Reclamation Permit** –
   Unilock Aggregates, LLC – owner, has applied for a Nonmetallic Mining Reclamation Plan modification for a nonmetallic mining site to expand their mining activities for an additional
6 acres. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcel K LF 600005, Town of LaFayette. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.

Fay Amerson presents non-metallic mining reclamation application and standards. David Roberts/JSD Engineer speaks regarding the application.

Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried.

7-favor 0-oppose.
Disc Count #6:20:00 – 6:35:20

6:35 P.M.:


General:

1. Approved as per plan submitted for an indoor seasonal boat storage facilities with all additional conditions.

2. No general public sales allowed from the boat storage facility. No business activities other than specified in the plan of operations may be conducted from out of the boat storage facilities.

3. On site hours of operation shall be from 7:00 a.m. to 7:00 p.m. seven days a week. (amended per the Town)

4. Must meet all applicable Federal, State, County and local regulations.

5. Boats to be stored indoors may be located outside for drop-off and pick-up only. Any seasonal trailers and or other boat equipment (piers, boat lifts etc.) storage shall occur indoors.

6. Outside lighting shall be shielded and directed on site.

7. Any on-site fuel storage shall be conducted within a State approved containment facility.

8. The applicant must obtain all required zoning permit approvals including a sign permit if different from the present sign.

9. No burning of waste materials shall occur on site.

10. The applicant must obtain the required Wisconsin Department of Transportation (DOT) access approval for the access as shown on the approved plan. The DOT approval must explain the turning directions allowed for access to the driveway and the effect of the painted (striped area) of divided Hwy 50 on site entrance and exit.

11. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.

12. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.

13. The project site must be kept neat, clean, and mowed in all areas.

14. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.
15. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

16. No permanent greater than three (3) day outside storage of boats, trailers or other boat related equipment and materials (boat trailers, lifts, piers, parts etc.) shall be allowed.

17. The County reserves the authority to require any outside stored boats, or boat related equipment and materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval.

18. No acid washing of boats shall be allowed on site.

19. There shall be no on-site repair or restoration of boats or boat related equipment (lifts, piers etc.) allowed.

20. All exterior lighting shall be shielded and “dark sky” per ordinance as per the Town.

21. A landscape plan must be submitted as per the Town; and approved by the Town.

22. The project must meet with the requirements of a Baxter-Woodman review letter dated 6/30/2020 as per the Town.

23. Boat storage allowed shall be seasonal. No in-and out daily or weekly type service shall be allowed.

Staff presents request.
Joshua Schwartz/Kapur & Associates speaks regarding the application. Indicates no bathroom and no request for holding tank.
Committee questions amount of time a boat is outside. Rep. indicates outside maybe a couple hours – very limited if any. 2 or 3 days would be acceptable to Rep.
Speaking in OPPOSITION: Dave Ripple/Rep for Opposition; Susan Hayden.
Speaking in REBUTTAL: Jeremy Schwartz/Kapur.
Fay / LURM speaks regarding the stormwater management plan submittal and requirements.

Jim Van Dreser motioned to approve as amended in paragraph #3 and adding to paragraph 16 – no permanent outside storage –include boats will not remain outside for longer than 3 days; also add this would not be used as an in-out or concierge service. Seconded by Jerry Grant. Ryan Simons requests #21 landscape plan be Approved. Approved by movant and second.

Motion to Approve and second are withdrawn.

Dave Weber Motions to TABLE to resolve issues concerning runoff, DOT concerns for expansion and the easement for the stormwater plan. Second by Jerry Grant.
Motion carried. 7-favor 0-oppose.
Disc Count # 6:35:42 – 7:29:35

7:29 P.M.:
6. Steve S. Walter – Owner, Section 21, Darien Township. Conditional use review for expansion of a slurry storage facility for industrial wastes to be applied to agricultural
farmland in excess of 25% of the size of the existing approved facility requiring conditional use approval as if establishing the facilities anew. Part of Tax Parcel B D 2100005A.

NAME: STEVEN S. WALTER
TOWN: DARIEN

Amended 7/16/2020 for additional Slurry Storage Tank and dry bunker (see #1, 19 and 20)

A conditional use permit for temporary storage of wastewater from various permitted sources within a slurry storage tank and dry municipal storage area with leachate collection system and to expand the facility storage capacity both an additional 131 ft. diameter by 2819 ft. height slurry storage tank and an additional 70 ft. by 140 ft dry bunker as per plan approved 2/20/2020 7/16/2020 as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned A-1 Prime Agricultural Land District, and described as follows:

Tax Parcel # B D-21-5A

Has been APPROVED after the appropriate findings were made as required by State Farmland Preservation Program s91.75(5) Wis. Stats. subject to the following conditions:

1. This facility is approved per plan submitted and amended 8/18/2016 as a temporary wastewater storage facility for waste to be applied to agricultural land and amended 7/16/2020 for an additional 131 ft. diameter by 2819 ft. height Slurrystore waste storage tank covered by a floating cap and an additional 70 ft. by 140 ft. dry bunker to be to be covered with a pre-engineered steel building roof and walls and include a drainage collection system to pump into the slurry storage tank with all additional conditions.

2. Use of the site shall be strictly limited to the materials specified in the plan of operations. All materials stored on site must be permitted for land application.

3. The hours of operation shall be set from 7:00 a.m. to 5:00 p.m. Monday thru Sunday or after 5:00 p.m. for emergencies.

4. The owner/operator must comply with all Federal, State, County and local regulations or mixed waste regulations, whichever apply. The property owner shall meet all testing and monitoring requirement for the facility prior to land application of the wastewater.

5. All signage must conform to County ordinance standards.

6. The owner shall notify the County if any changes are made regarding operation of this site including quantity, location and type of materials to be stored on site.

7. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

8. If applicable conditions are violated, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.

9. Staff may conduct inspections necessary to ensure site is operated and maintained according to all applicable regulations.

10. The owner must obtain a Land Disturbance, Erosion Control and Stormwater Permit from Land Conservation Office. This permit may require the installation of a stormwater catch basin for drainage from off the loading area and storage areas.

11. The owner/operator shall provide a copy of all required certification from D.N.R. for the conditional use file and keep the certifications current in the County file.

12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:
14. Proper access must be granted by the State Department of Transportation prior to operations.

15. The site shall be used for location of a temporary wastewater storage facility and not as a contractor storage yard for waste hauling equipment for the operator or other slurry tank users.

16. The property owner shall be required to obtain separate approvals for any future use of the site for bio-gas production.

17. The property owner must prepare a spill prevention plan, complying with USEPA and WDNR standards as per the County Conservation Office.

18. The property owner shall meet all terms of the Slurrystore Operations Agreement approved by the Town of Darien Board of Supervisors on August 3, 2010.

19. The new (second) slurry store tank shall be used solely for industrial wastewater and shall not accept other wastewater causing mixed wastewater storage without further amendment of DNR approvals and this conditional use.

20. Approved subject to execution of a Third Amendment to the Walter & Son Haulers, LLC Slurrystore Agreement by and between Steven S. Walter and the Town of Darien as per the Town of Darien.

Dated this 21st day of October, 2010.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request and indicates this is consistent with Farmland Preservation being that industrial waste storage and application on agricultural lands has been approved. Warren Hansen speaks regarding the application. Atty Speerschneider available by phone for questions. James Walter presents schedule of construction and operations. Speaking in FAVOR: Steve Walter
Speaking in OPPOSITION: Josh Wicyk; Ken Truckey
Speaking in REBUTTAL: James Walter

Richard Kuhnke, Sr. motioned to approve as amended. Seconded by Dave Weber. Motion carried. 7-favor 0-oppose.

Disc Count # 7:29:40 – 7:49:46

Adjournment

Dave Weber motioned to adjourn. Seconded by Ryan Simons. Motion carried.
7-favor 0-oppose

The meeting was adjourned at 7:50 p.m.

Submitted by Sheril Oldenburg, Recording Secretary.
Minutes are not final until approved by the committee at its next meeting.
<table>
<thead>
<tr>
<th>Township</th>
<th>Complainant</th>
<th>Description of Complaint(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ex: Section 10</td>
<td>Ex: Anonymous</td>
<td>Ex: 7 inoperable vehicles</td>
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<tr>
<td>BLOOMFIELD</td>
<td>Nick</td>
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<td>DARIEN</td>
<td>Heather</td>
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<tr>
<td>DELAVAN</td>
<td>Heather</td>
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<tr>
<td>EAST TROY</td>
<td>Darrin</td>
<td>Anonymous Owner has more than one unlicensed / inoperable vehicle.</td>
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<tr>
<td>GENIEVA</td>
<td>Heather</td>
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<tr>
<td>LAFAYETTE</td>
<td>Nick</td>
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<tr>
<td>LAGRANGE</td>
<td>Darrin</td>
<td>Section 35 Anonymous Owner installed steppers or a walkway within 75' of Lauderdale Lake.</td>
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<tr>
<td>Section 14</td>
<td>Anonymous</td>
<td>Section 14 Anonymous Several vehicles that could be unlicensed/inoperable</td>
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<tr>
<td>LINN</td>
<td>Heather</td>
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<td>LINN</td>
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<td>LYONS</td>
<td>Nick</td>
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<td>RICHMOND</td>
<td>Darrin</td>
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<td>SHARON</td>
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<td>SPRING PRAIRIE</td>
<td>Nick</td>
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<tr>
<td>SUGAR CREEK</td>
<td>Darrin</td>
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<td>TROY</td>
<td>Darrin</td>
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<tr>
<td>WALWORTH</td>
<td>Heather</td>
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<tr>
<td>WHITEWATER</td>
<td>Darrin</td>
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<tr>
<td>Township/Tax Key</td>
<td>Complainant</td>
<td>Description of Violation(s)</td>
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<tr>
<td>Ex:B D 100001</td>
<td>Ex:Anonymous</td>
<td>Ex: 7 inoperable vehicles</td>
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<tr>
<td>BLOOMFIELD (Nick)</td>
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<tr>
<td>DARIEN (Heather)</td>
<td>Town</td>
<td>Using commercial property for two businesses when only one business is permitted. Questionable septic system. Inspection on 1-31-2014 with Sanitation. Zoning violation letter sent! 3000 pallets removed - extension granted till 4/8/2014/. pallet company is moving out HOLD till July 1, 2014/ Scheduled for July 17, 2014 public hearing before CZA/ 7-17-14 CZA denied/ Owner will do auto repair per previously approved CJ/ Jan, 2015 Owner is now removing inoperable vehicles, working on sanitation issues and removing addition to rear of garage./ Owner is working on correcting septic system - waiting on weather. 4/15/15 zoning on-site, returned to auto repair. HOLD for Sanitation/ 3-3-17 Town informed County that tires and cars are collecting on the property. Needs inspection/ 4-6-17 violation letter sent/ 4-11-17Owner responded- his tenant left and now he will clean up property within 30 days.</td>
</tr>
<tr>
<td>BSU 00009</td>
<td>Anonymous</td>
<td>Contractor’s storage yard on C-3 property, cutting trees, selling wood, etc. Sent violation letter 6/15/20. Owner called, asked about rezoning and CUP. Spoke to planner, who said not a good probability. Needs to remove equipment.</td>
</tr>
<tr>
<td>DELAVAN (Heather)</td>
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<tr>
<td>FMT1 00002A</td>
<td>Staff</td>
<td>Retaining walls constructed w/o permit approvals w/in 75ft of OHWM. 7/19/18:Sent violation letter 7/27/28.Met w/ owners- they are going to try and prove ret walls were existing prior to re-construction, then apply for necessary permits. 11/12/18:Sent follow-up letter requesting correspondence, 12/3/18:Michelle Keller called- said she will e-mail photos of pre-existing lot conditions. 12/12/18: Convo w/ Michelle- told her landscape/retaining walls in violation &amp; grade change in violation- she was in disbelief of violations and was combative to the idea of restoring shoreyard to the pre-existing condition. Will have meeting in January. 1/26/19:Sent memo- need -build survey for dwelling &amp; garage (per complaint from town), &amp; to call w/in 30 days to set up apt w/ staff regarding violation of shoreyard ret walls &amp; grade change. 2/11/19:As-built survey submitted- all required setbacks met accdg to survey. 2/19/19: Spoke to Randy Keller- he will set up apt w/ zoning &amp; land cons staff to discuss next steps on existing waterfront violation within next 30 days.</td>
</tr>
<tr>
<td>FMT1 00002</td>
<td>Staff</td>
<td>Structures constructed &amp; grade changes within 75ft of OHWM of Delavan Lk w/o approvals. 12/4/18:Site visit. 12/5/18:Sent violation letter. 12/18/18:Violation letter returned to office- forwarded to different address for reg. agent. 12/19/18. 1/2/19:Spoke to Mike McCarthy (RA for association), he will work w/ us to get permits &amp; bring property into compliance.</td>
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<tr>
<td>FIA 00023</td>
<td>Anonymous</td>
<td>Pool too close to lake, grade changes within shoreyard, unpermitted deck too close to lot line, unpermitted increase to impervious surface. 9/19/19:Site visit performed-confirmed complaint. 9/20/19:Sent violation letter, and letter requesting as-built for zoning permit for pool. 10/21/19:Landscaper called- need as-built of parcel including all surfaces, and 1-foot contours.</td>
</tr>
<tr>
<td>FIN3 00081</td>
<td>Anonymous</td>
<td>Several unlicensed/inoperable vehicles on residential property. Sent violation letter 6/9/20. Owner called and will have vehicles removed. Needs site inspection</td>
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<tr>
<td>Township/Tax Key</td>
<td>Complainant</td>
<td>Description of Violation(s)</td>
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</tr>
<tr>
<td>EAST TROY (Darrin)</td>
<td>Anonymous</td>
<td>Owner is running a contractor storage yard and has unlicensed inoperable vehicles on their property.</td>
</tr>
<tr>
<td>PA160600001</td>
<td>Anonymous</td>
<td>Owner is running a contractor storage yard from their property zoned R-2.</td>
</tr>
<tr>
<td>PMR 00107B</td>
<td>Anonymous</td>
<td>Owner is running a contractor storage yard from their property zoned A-2.</td>
</tr>
<tr>
<td>PA260300003</td>
<td>Anonymous</td>
<td>Owner has brought tires back onto the property.</td>
</tr>
<tr>
<td>PA430200001</td>
<td>Anonymous</td>
<td>Owner has several unlicensed /inoperable vehicles on his property that is zoned C-3</td>
</tr>
<tr>
<td>PR 00002</td>
<td>Town Police</td>
<td>Illegal separation of parcels, creating violation of accessory structure on vacant parcel. Signs w/o permits in road right-of-way. 5/3/19: Sent violation letter to owner of both Description of Violation(s)</td>
</tr>
<tr>
<td>GENEVA (Heather)</td>
<td>JAS423000001</td>
<td>Staff</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Patio in shoreland w/o permits. 5/8/18: Violation letter sent- 30 days to respond. 6/7/18: Bild came to office, is helping owner get started w/ permit process- gave until Aug. 1 2018 to have submitted paperwork. 9/5/18: Sent second (reminder) violation letter. Called Builder- said I needed submittal; said he’d bring in paperwork the next day. 1/30/19: Sent 2nd violation letter w/ 30 days to apply for permit/compliance. 4/8/19: Spoke to a builder, who is working on getting permits for Donald Kuta. Gave 1.5 months to get a survey done &amp; come meet w/ staff or apply for permits.</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Accessory structure on parcel without permit approval, and possibly in non-compliant location. 8/15/18: Violation letter sent w/ 30 days to comply. 8/27/18: Met w/ Sandy Busking- gave her permit paperwork, discussed compliant locations for structure. She agreed to apply for permits &amp; move structure to compliant location.</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Illegal separation of parcels, creating violation of accessory structure on vacant parcel. 1/7/19: Sent violation letter w/ 30 days. 2/15/19: Marty Murphy called &amp; spoke to HM- I told him county review is required for this parcel split, and he doesn’t think that is the case. (This was in the same conversation as listed above on J G 3200009.) 11/21/19: Sent email to owners- requesting cooperation toward compliance or citations. 12/11/19: Owner came in for mtg/owner is working on bringing into compliance.</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Signs w/o permits in road right-of-way. 5/3/19: Sent violation letter to owner of both properties- signs violations, structure erected w/o permits &amp; too close to lot line, businesses being operated w/o CUP approvals. 5/7/19: Spoke to representative of owner- will remove illegal signs, get sign permits, removing illegal structure, and make apt w/ Matt to discuss CUPs. 7/24/19: Site visit- site still in violation of everything mentioned above. 7/26/19: Asked township if owner has applied for anything at town yet- they said no.</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>New structures within shoreyard, new parking area within setbacks &amp; road right-of-way, impervious surface increase w/o permits which may exceed allowance, unpermitted vegetation removal within vegetative buffer zone, implied CUP for outdoor food &amp; bev significantly expanded, new non-compliant signs w/o permits. 10/23/19: Site inspection posted 'stop work order' on site while working on parking area. 10/28/19: Mg w/ owner- he denied expansion of implied CUP, new structures, new signage, and most vegetation removal. 11/1/19: Violation letter sent. 12/3/19: Met w/ owner &amp; atty- went over all violations and game plan to move forward for compliance.</td>
</tr>
<tr>
<td></td>
<td>Staff</td>
<td>Structures have been placed within floodplain &amp; shoreyard. New gravel parking area constructed without permit approvals, may not meet required septic setbacks. 11/5/19: Posted Stop Work Order @ site. Piles of dirt in yard intended for filling floodplain/shoreland area- no permits. 11/6/19: Spoke to house builder- discussed requirement for as-built, no filling within shoreyard/floodplain. Also spoke to owner (Lester)- told him requirements of floodplain/shoreland/shoreyard. Discussed timeline for permits/compliance. Discussed as-built survey for house that is required. 11/12/19: Violation letter sent, memo for as-built sent. Owner currently working with staff for permitting and compliance.</td>
</tr>
<tr>
<td></td>
<td>Anonymous</td>
<td>Accessory structure too close to road. Sent violation letter 5/21/20. Owner called, removed structure. Need to site verify.</td>
</tr>
<tr>
<td>Township/Tax Key</td>
<td>Complainant</td>
<td>Description of Violation(s)</td>
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<tr>
<td>LAFAYETTE (Nick)</td>
<td>Anonymous</td>
<td>5-7-18: Complaint of digging in stream and people living in campers on property. 5-8-18: Inspected and spoke to owner. Was asked to leave property. 5-11-18: Sent letter requesting inspection and referencing violations I had seen. 5-23-18: Met owner and his attorney on site. Found a large number of violations. Most violations had to do with the shoreyard and floodplain. There were also approx 7 structures without permits. Met with owners and attorney. They should have a current survey by mid July. We agreed to wait on the survey as it will help everyone involved. 7-24-18: Survey is done, but they are getting the surveyor to add the setback from the stream. 8-7-18: Got message that survey is done. 8-17-18: Attorney says client is going out of town for a week and then they will get me a plan to review.</td>
</tr>
<tr>
<td>LAGRANGE (Darrin)</td>
<td></td>
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<tr>
<td>HA 985000002</td>
<td>Anonymous</td>
<td>Owner is using an accessory structure to house agricultural animals, but the building is not 100’ from the side lot line. Only permitted for residential use.</td>
</tr>
<tr>
<td>LINN (Heather)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>IL 2700012</td>
<td>Neighbor</td>
<td>Structures constructed w/o permits. 5/9/18: Site visit, new structures present. 5/10/18: Violation letter sent. 5/16/18: Mtg w/ owner- told him what is needed for permits, need apt w/ staff &amp; Matt W to discuss use. Owner met w/Matt W, getting paperwork together for permits. 12/5/18: Issued citation. 12/10/18: Met w/ Leonor Hernandez- told her to get updated survey &amp; re-meet to apply for after-the-fact permits, and keep in-touch w/ progress of survey. 1/16/19/Met w/ Leonor &amp; bidr? Still need CUP for outdoor food &amp; beverage. Working on getting a survey, then will meet again to discuss what permits are needed. Extended court hearing to April 3rd 2019. Extending court hearing to May 3rd. 2/25/19: Owner met with engineer and Conservation to discuss the permit. Recommended upcoming event be moved or canceled- that they did not have proper permits to hold such event. 8/21/19: Owner met w/ planning staff- re: CUP. I told owner after-the-fact zoning permits must be submitted before court or they will have to appear &amp; enter plea. Permits submitted later same day. Court hearing extended to Oct. 2 2019. Zoning permit applied for, Cdt'l Use permit applied for. Extending court hearing to December 4th. 12/4/19: Default judgment entered at court hearing- no one showed up for Zenda Tap. 12/11/19: Owner met w/ LURM staff- submitted final materials for CUP hearing. 1/27/20: Site visit- site still noncompliant. 2/11/20: Town called- they are on the Feb. 24th town agenda for CUP.</td>
</tr>
<tr>
<td>IE 00055</td>
<td>Neighbor</td>
<td>Construction of decks/patios w/o permit approvals. 8/2/18: Sent violation letter 8/6/18: Owner called and said landscaper working on submitting paperwork for permits. 8/6/18: Wendy Becker called, said landscaper was in charge of permitting. 8/21/18: Spoke to Dan (landscaper), told him permits were needed &amp; discussed how to alter deck/patio to be compliant. He agreed to apply for after-the-fact permits. Nov. 18: Permits applied for.</td>
</tr>
<tr>
<td>IFR 00003</td>
<td>Staff</td>
<td>Structure (patio) constructed on parcel without permit approvals- and not in compliance with zoning permit issued, nor BOA decisions. Also exceedence of impervious surface allowed on parcel. 12/5/18: Site visit performed. Waiting for site visit to verify compliance.</td>
</tr>
<tr>
<td>ILGH 00001-ILGH 00110</td>
<td>Staff</td>
<td>As-built survey for replacement of existing shorepath, walks &amp; drives not in compliance with permit issued, nor with shoreland ordinance. New retaining walls added &amp; existing ones expanded within 75ft of OHWM. 1/30/19: Sent memo of noncompliance.</td>
</tr>
<tr>
<td>RRB3 00090</td>
<td>Staff</td>
<td>Garage converted into dwelling, used for overnight stays/short-term rentals. 1/31/19: Sent violation letter w/ 30 days.</td>
</tr>
<tr>
<td>Township/Tax Key</td>
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<tr>
<td>IGV 00015</td>
<td>Staff</td>
<td>2/4/19: Posted STOP WORK ORDER on site- large deck being built as well as large enclosed porch. No permits. Sent violation letter. 2/13/19: Builder came into office, got application for zoning permit. 2/20/19: Zoning permit submitted. On hold for sanitation location verification. Issues with septic setbacks. 6/28/19:Sent 2nd violation letter to owner- need some action toward compliance, site still in violation. 7/9/19: Owner's husband called- upset that we cannot permit other parts of permit while this part gets worked out. I told him site needs to be brought into compliance. I told him if deck is required for safety, we would issue permit for additl deck aside from this permit. Sanitation needs to be addressed- he is working on permits for this.</td>
</tr>
<tr>
<td>IL 1000003A</td>
<td>Staff</td>
<td>3/8/19:HM observed 2 new structures in open field w/o permits. 3/13/19:Sent violation letter; 30 days to reply. 3/19/19:Met @ LURM w/ owners- owners are going to work w/ an atty &amp; surveyor, may take bids down, may work on permits. Will let staff know. Working on getting wetland delineation.</td>
</tr>
<tr>
<td>I L 1100001A1</td>
<td>Anonymous</td>
<td>New fence constructed within shoreyard setback. 6/4/19:Site visit by HM, photos of new fence. 6/21/19:Sent viol letter w/ 30 days to comply. 7/8/19:Spoke to Atty on behalf of owner- gave fence regs from ordinance- currently working on getting permits to remove noncompliant fence.</td>
</tr>
<tr>
<td>ICI 00001</td>
<td>Staff</td>
<td>Vegetation removal along shoreline, increase in impervious surface w/o permits. 6/17/19:Site visit. 6/19/19:Sent memo- need as-built for recently constructed garage. Met w/ contractor- went over permit requirements and submittals needed. 2/24/20:Sent certified letter giving 15 days to have permits &amp; as-built submitted.</td>
</tr>
<tr>
<td>IBA 000014</td>
<td>Staff</td>
<td>Patio on boathouse w/o permit approvals &amp; within shoreyard. 4/2019:Staff inspection- concrete patio present. Contractor agreed to remove patio area &amp; replace w/ vegetation. 8/16/19:Staff inspection- concrete patio removed &amp; gravel patio in its place. Contractor notified- disputes that it is a 'pavement'. 8/26/19:Violation letter sent to owner &amp; contractor. Working w/ contractor for permits to construct walkway by boathouse. Currently working on permit for walkway on site- may go for variance. Appealing interpretation at BOA on Jan. 8, 2020.</td>
</tr>
<tr>
<td>ILGT 00026A</td>
<td>Anonymous</td>
<td>Deck &amp; structural alterations to dwelling constructed w/o permit approvals, possible vegetative buffer cutting violations. 1/30/20:Sent violation letter. 2/18/20:Met w/ Iva- discussed setback requirements for deck. She will submit permits. She will have neighbor move cut trees from floodplain area. None were cut in veg buffer, zoning permit submitted. Logs removed from floodplain areas.</td>
</tr>
<tr>
<td>IL 1200003</td>
<td>Anonymous</td>
<td>Signs in noncompliant locations. 1/27/20:Site visit- sandwich board sign in/near road right-of-way. Will send violation letter. 2/24/20:Sent violation letter: 30 days for compliance.</td>
</tr>
<tr>
<td>I303000002</td>
<td>Staff review on plans</td>
<td>Accessory structure on vacant parcel. 1/13/20:Sent violation letter. 1/22/20:Spoke to atty Ed Thompson- told him structure needs to be removed w/ EC permit or needs variance approval.</td>
</tr>
<tr>
<td>Lyons (Nick)</td>
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<tr>
<td>NLC 00081</td>
<td>Town of Lyons</td>
<td>11-29-18:Complaint of junk cars. 11-30-18:Inspection. Spoke to owner. They agreed to work on it. 12-3-18:Letter sent to follow up. 2-5-19:On-site. Spoke to owner. Two vehicles remain. One is being sold and one towed. Owner agreed that property would be compliant by March 1. 3-4-19:Owner called. She inherited vehicles from her dad. She recently found that her dad never put them in his name when he inherited from her grandfather. She is sorting this out with her attorney and DMV. I gave her until April 4.</td>
</tr>
<tr>
<td>NIP 00014</td>
<td>Town of Lyons</td>
<td>8-21-17:Received a complaint about a large number of inoperable vehicles and other scrap on a property in an industrial park. Did on-site inspection and spoke briefly to the owner. He has an auto repair shop, but the property is covered in old vehicles, demolished trailers, etc. Owner was not in a mood to discuss the situation. Told him I would send a letter. Letter sent informing him that he is not zoned properly for an automobile salvage yard/scrap yard. 8-29-17:Spoke to owner. He will work on it and call me back in a couple weeks with a progress report.</td>
</tr>
<tr>
<td>RICHMOND (Darrin)</td>
<td></td>
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<tr>
<td>C R 2700000044</td>
<td>Anonymous</td>
<td>Owner is running a kennel on the property without proper review and approval.</td>
</tr>
<tr>
<td>Township/Tax Key</td>
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<tr>
<td>CR 1700003A</td>
<td>Township</td>
<td>Owner is doing alterations to the structure without proper review and approvals. Owner is also storing and displaying boat lifts and pier sections. Depending on plan for the property this may not be allowed without a conditional use permit.</td>
</tr>
<tr>
<td>SHARON (Heather)</td>
<td>Town FD</td>
<td>Dwelling in part of accessory structure. Contractor's storage yard w/o proper zoning or CUP. 2/11/19: sent violation letter. Was returned as 'unclaimed'. 3/8/19: Site visit- spoke to renter- she said half of detached garage she uses- she didn't know what other half was used for. Gave her my card to give to Philip- that he should call me. Took photos- business equipment in barn. 11/21/19: Re-sent violation letter- 1 certified, 2 uncertified- 30 days or citation. Staff to discuss with Nass' attorney. 1/16/19: Talked to Atty Schroeder- he will have owner try to find proof that dwelling existed in garage prior to 1974. Equipment that may have been contractor storage yard is no longer present on property.</td>
</tr>
<tr>
<td>AA301600001</td>
<td>Anonymous</td>
<td>Structure being constructed w/o permit approvals, auto salvage yard on A-1 zoned parcel. 7/11/19: Issued 2 citations. 8/8/19: Attty called on behalf of STE- wants to get site into compliance. I explained permit process, gave info on auto salvage yards. 8/8/19: Owner submitted after-the-fact zoning permit. 8/21/19: Owner called, scheduled site visit. Extended hearing to Oct. 2 2019. 8/27/19: Met owner on-site- discussed auto salv yard violations. Owner agreed to have site in compliance by Oct. 2 2019.</td>
</tr>
<tr>
<td>AA307100001</td>
<td>Neighbor</td>
<td>Septic system exists on neighbor's property- not ever permitted, tiny home on property w/o permits. 12/20/19: Site visit- these violations exist, plus unpermitted accessory structure. Owner has removed septic, working on selling tiny home, working on permit for accessory structure.</td>
</tr>
<tr>
<td>SPRING PRAIRIE (Nick)</td>
<td>Town FD</td>
<td>Complaint of a taxi business being run from the property with cabs and mini-buses. 2-24-20: Onsite. A van and 2 buses on site. 3-2-20: Violation notice sent.</td>
</tr>
<tr>
<td>SUGAR CREEK (Darrin)</td>
<td>Town FD</td>
<td>7/20/20 - Complaint of multiple vehicles on properties. Inspection conducted. Multiple unregistered/inoperable vehicles found on site. Violation notice sent on 7/20/20.</td>
</tr>
<tr>
<td>GLW 00250</td>
<td>Neighbor</td>
<td>Owner has more than one unlicensed or inoperable vehicle on the property.</td>
</tr>
<tr>
<td>GLW 00349</td>
<td>Anonymous</td>
<td>Owner has more than one unlicensed or inoperable vehicle on the property.</td>
</tr>
<tr>
<td>G SC14000001</td>
<td>Anonymous</td>
<td>Owner has more than one unlicensed or inoperable vehicle on the property.</td>
</tr>
<tr>
<td>GA421300002</td>
<td>Anonymous</td>
<td>Owner has installed an outside light on their building that is shining onto the neighbors property.</td>
</tr>
<tr>
<td>GLW 00094</td>
<td>Anonymous</td>
<td>Owner has more than 6 chickens and also has a rooster on property that is zoned R-1</td>
</tr>
<tr>
<td>GI 00465</td>
<td>Anonymous</td>
<td>Owner has constructed an accessory structure on their property and the neighbors property without proper review and approval</td>
</tr>
<tr>
<td>GLW 00216</td>
<td>NA</td>
<td>Short Term Rental</td>
</tr>
<tr>
<td>TROY (Darrin)</td>
<td>Anonymous</td>
<td>Owner has a light that is creating a glare that is leaving the property.</td>
</tr>
<tr>
<td>T L 3400008A</td>
<td>Anonymous</td>
<td>Owner has a light that is creating a glare that is leaving the property.</td>
</tr>
<tr>
<td>T L 2600011</td>
<td>Township</td>
<td>Owner is allowing camping on their property without proper approval</td>
</tr>
<tr>
<td>Township/Tax Key</td>
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<tr>
<td>WALWORTH (Heather)</td>
<td>Neighbors</td>
<td>May 23, 1986 Junk/scrap yard in a A-4/A-1. Violation since 1986/ citations issued/ waiting for fire inspection reports from Village of Walworth/ received fire inspection reports/ 2017 Mr. Wendeberg wants to build a new building. Property is out of compliance. No permits till property is brought into compliance. 2/14/17 Mr. Wendeberg stopped in office to try and get permit for new building. No new building until property is brought into compliance. March, 2017 Mr. Wendeberg was in office to try and get permit for building. No permits until property is cleaned up. (threats made to staff) September, 2017: Mr. Wendeberg in office asking what is needed for a building permit. Told him no permits until property is cleaned up again.</td>
</tr>
<tr>
<td>EA177000001</td>
<td>Town</td>
<td>Violations of existing CUP for contractors storage yard for landscaping &amp; snowplowing business. Took photos from road; send violation letter on 5/6/19. 5/10/19: Met w/ owner- will work on getting after-the-fact permits for structures, will bring site back into compliance w/ CUP &amp; CUP site plan. 6/28/19: Have heard nothing since 5/10, no permits submitted yet. Sent letter w/ 15 days to submit permits. 7/23/19:Permits submitted. 7/30/19: ZN permit approved, still need to verify site compliance w/ CUP.</td>
</tr>
<tr>
<td>EA155300001</td>
<td>Town</td>
<td>Automobile salvage yard on A-1 zoned parcel, as well as a potential auto-repair business. 6/18/19:Site visit- photos. 6/19/19: Sent violation letter w/ 30 days to comply. 6/24/19: Owner called HM- he said he only works on his own vehicles/family vehicles- no incentive. I told him no business can be operated as such on this parcel as-is. He said he'd move the unlicensed/inoperable vehicles in doors or off-site. 7/3/19: Owner let staff know he is working on getting things together to apply for an addition to existing acc struct to store vehicles.</td>
</tr>
<tr>
<td>EA135000004</td>
<td>Town</td>
<td>Deck constructed on barn w/o permit approvals. 1/23/20:Sent violation letter. 2/25/20:Dave Woodhouse applied for after-the-fact ZN permit for deck. Dave is actively working on pursuing a conditional use permit to bring property into zoning district compliance, then can issue deck permit.</td>
</tr>
<tr>
<td>E W 16000010</td>
<td>Town</td>
<td>Outside storage area expanded into unapproved area on lot- per CUP. 1/30/20:Sent violation letter. 2/4/20:Darrl Frederick called- I explained violation- he will move equipment by mid-March or apply for amendment to CUP. Cdtl use applied for.</td>
</tr>
<tr>
<td>WHITEWATER (Darrin)</td>
<td>Anonymous</td>
<td>Constructed a broadband tower on a property without proper review and approval.</td>
</tr>
<tr>
<td>DSO 00031</td>
<td>Anonymous</td>
<td>Owner is allowing overnight stays in an accessory structure</td>
</tr>
<tr>
<td>Township/Tax Key</td>
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<tr>
<td>Ex:B D 100001</td>
<td>Ex: Anonymous</td>
<td>Ex: 7 inoperable vehicles</td>
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<tr>
<td>BLOOMFIELD (Nick)</td>
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<tr>
<td>DARIEN (Heather)</td>
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<tr>
<td>DELAVAN (Heather)</td>
<td>Anonymous</td>
<td>Spa/hot tub placed on parcel w/o permit approvals, deck built w/o permits, impervious surface increase w/o permits. 2/25/20:Zoning permit submitted. Requested hearing extension to May 20th 2020.</td>
</tr>
<tr>
<td>F D 3200009</td>
<td>Anonymous</td>
<td>Removal of vegetation within veg buffer zone of lake, structure constructed within shoreyard of lake, impervious surface increase on parcel w/o permits.</td>
</tr>
<tr>
<td>F D 3200008</td>
<td>Anonymous</td>
<td>Structure constructed within shoreyard of lake, impervious surface increase w/o permits.</td>
</tr>
<tr>
<td>EAST TROY (Darrin)</td>
<td>Anonymous</td>
<td>The defendant has several unlicensed/inoperable vehicles on land that is zoned A-2.</td>
</tr>
<tr>
<td>PA 50000001</td>
<td>Anonymous</td>
<td>The defendant constructed an accessory structure without proper zoning review and approval.</td>
</tr>
<tr>
<td>P ET 900008/PMGH 00001</td>
<td>Anonymous</td>
<td>The defendant is running an automobile towing business from property that is zoned A-2.</td>
</tr>
<tr>
<td>LAGRANGE (Darrin)</td>
<td>Staff inspection</td>
<td>Placed a trailer and signage for the sale of fireworks without obtaining the proper Zoning permits.</td>
</tr>
<tr>
<td>LAROCANGE (Darrin)</td>
<td>HG23000001</td>
<td>Staff</td>
</tr>
<tr>
<td>LYONS (Nick)</td>
<td>NLC 00081</td>
<td>Town of Lyons</td>
</tr>
<tr>
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<tr>
<td>NIP 00014</td>
<td>Town of Lyons</td>
<td>5-21-17:Received a complaint about a large number of inoperable vehicles and other scrap on a property in an industrial park. Did on-site inspection and spoke briefly to the owner. He has an auto repair shop, but the property is covered in old vehicles, demolished trailers, etc. Owner was not in a mood to discuss the situation. Told him I would send a letter. Letter sent informing him that he is not zoned properly for an automobile salvage yard/scrap yard. 8-29-17:Spoke to owner. He will work on it and call me back in a couple weeks with a progress report.10-20-17:did an inspection. Nobody was on site, but a substantial amount of progress has been made. I called the owner and he said he is still working on it, but progress will slow as the easy stuff went first. He is reliant on others to take the vehicles without titles, etc. He could not give me any kind of timeframe, but I was satisfied for now that he is taking the task seriously so I agreed to give him more time.</td>
</tr>
<tr>
<td>NA356600001</td>
<td>Town Building Inspector and Fire Inspector</td>
<td>Converted single family house into a multi-family house or a boarding house. There was a fire call and the firemen that entered the house were very concerned with the layout/safety. Tax assessor reports confirm it is a 4-unit multi-family. Violation letter sent. Rcvd. 1-15-11. On 2-3-11 I rcvd. A call from a local surveyor who is friends with Mr. Comstock. He is going to try to help resolve the issue. 2-18-11: Attorney called and set up an apppt. for March 16 to discuss the issue. 3-16-11: Met with Don and his attorney. I explained the concerns. They will get back to me in the first week of April.4-12-11: Walk-through inspection set for May 12th. 4-18-11: Fire Inspector called for update.5-12-11: Inspection found structure is a 5 unit multi-family dwelling. 5-13-11: Letter sent requiring a plan and permits to convert to SFR w/in 30 days. Attorney has discussed plans with me. Owner is going to get another attorney's opinion/suggestions on 7-14-11 before we proceed with the permitting/construction. 7-18-11: I left a message for Attorney Rasmussen.7-19-11: Attorney Koch called me back and said he would like to talk to me about this when he gets back from vacation 8-1-11. 7-25-11: Town of Lyons called to check on status. 8-1-11: I called Koch. Koch said he would get back to me by 8-8-11. 8-11-11: I have not heard anything. Citation issued.9-1-11: Met with attorney Koch and brought him up to speed. 9-14-11: Koch requested a jury trial. Trial set for 2-29-12(canceled w/ stip).2-16-12: Stip filed with a no contest plea and agreement to pay forfeiture. 2-5-13:Email sent to Corp.Counsel re:Summons and Complaint. CC suggests one last inspection request. 4-1-13:Owners deny inspection request. 4-2-13:Request for S&amp;C sent to Corp.Counsel.</td>
</tr>
<tr>
<td>RICHMOND (Darrin)</td>
<td>SHARON (Heather)</td>
<td>SPRING PRAIRIE (Nick)</td>
</tr>
<tr>
<td>WHITEWATER (Darrin)</td>
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</table>
NO

➢ SANITATION

➢ LAND CONSERVATION

CITATION LIST

FOR

AUGUST

2020
MEMORANDUM

TO: Sheriff Kurt Picknell

FROM: Zeke Wiedenfeld
Walworth County District Attorney

RE: ATV and Dirt Bike Noise / Disorderly Behavior On Private Property

Statutes Governing ATVs and Noise

Wisconsin Statute 23.33 governs all-terrain vehicles and utility terrain vehicles that are operated in the State of Wisconsin. This statute governs the operation of ATVs on both public property and private property. Two subsections appears to be relevant to noise emitted from ATVs:

1) 23.33(6)(e) states “Every all-terrain vehicle and utility terrain vehicle is required to be equipped with a functioning muffler to prevent excessive or unusual noise and with a functioning spark arrester of a type approved by the U.S. forest service. This paragraph does not apply to an all-terrain vehicle or utility terrain vehicle that is operated exclusively by means of an electric motor.”

2) 23.33(6m) states “NOISE LIMITS. No person may manufacture, sell, rent or operate an all-terrain vehicle or utility terrain vehicle that is constructed in such a manner that noise emitted from the vehicle exceeds 96 decibels on the A scale as measured in the manner prescribed under the rules promulgated by the department.”

Pursuant to Wisconsin Statute 23.33(12) and (13) these statutes can be enforced by the DNR, the sheriff, or a municipal law enforcement officer and the penalty for violating either of these statutes is a forfeiture not to exceed $250. The rules governing the measuring of noise emitted by an ATV are promulgated by the Department of Natural Resources Administrative Code NR-64.07.
Statutes Governing Dirt Bikes and Noise

Wisconsin Statute 23.335 governs off-highway motorcycles that are operated in the State of Wisconsin. The statute governs the operation of off-highway motorcycles on both public property and private property. Two subsections appear to be relevant to noise emitted from off-highway motorcycles:

1) 23.335(17)(b)4 states “No person may operate a limited use off-highway motorcycle unless it is equipped with...A functioning muffler unless the off-highway motorcycle is propelled by electric power.”

2) 23.335(17)(c) states “No person may operate a limited use off-highway motorcycle unless the limited use off-highway motorcycle is constructed in such a manner that noise emitted from the limited use off-highway motorcycle does not exceed 96 decibels on the A scale as measured in the manner required under rules promulgated by the department.”

Pursuant to Wisconsin Statute 23.335(22)(a) and (23) these statutes can be enforced by the DNR, the sheriff, or a municipal law enforcement officer and the penalty for violating either of these statutes is a forfeiture not to exceed $250. The rules governing the measuring of noise emitted by an ATV promulgated by the Department of Natural Resources Administrative Code NR-64.07 would likely apply to an off-highway motorcycle as well.

Disorderly Behavior On Private Property

“Disorderly conduct” is defined as whoever “in a public or private place engages in violent, abusive, indecent, profane, boisterous, unreasonably loud, or otherwise disorderly conduct.” Wis. Stat. 947.01(1).

When the concept of “reasonableness” has been applied to excessive noise, Wisconsin courts have emphasized that this statute does not protect the hypersensitive from conduct that is generally tolerated by the community at large. All of the circumstances surrounding the noise will be considered in determining the reasonableness of the noise. These circumstances can include, but are not limited to “the light of the hour, the place, the temperature, etc.”

The penalties for disorderly conduct are provided in the criminal code and Walworth County ordinances.

Conclusion

Wisconsin Statutes provide clear limitations on the noise that can be emitted from ATVs and dirt bikes, regardless of where the operation of the ATV or dirt bike occurs or the circumstances surrounding the operation of the ATV or dirt bike. The operation of an
ATV or dirt bike that is in compliance with muffler and noise restrictions provided by the state statutes could still constitute disorderly conduct, depending on the circumstances surrounding the operation of the ATV or dirt bike.

I hope you find this information helpful. Please feel free to contact my office if I can be of any additional assistance. Thank you.

Zeke Wiedenfeld
Zeke Wiedenfeld
District Attorney
Walworth County
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:   

______ REZONE

___X___CONDITIONAL USE

NAME:   ATS, Ltd. C/O Robert Allen - Owner

LOCATION:  The property of concern is located in the SE ¼ of Section 25, Delavan Township and is identified as Tax Parcel FA139700001.

TOWN RESPONSE:   Approved ___X__ Denied: _____ No Action: ___ Tabled_____

ZONING:  The property of concern is zoned B-4 Highway Business District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting conditional use review for recreational vehicle and boat storage by construction of a 90 ft. by 396 ft. storage building on land zoned B-4 Highway Business District. The building is proposed to have no signage with no more than two employees present at a time. There would be no boat sales on site. No retail sales and no customers. Only boat storage shall occur on site. The site is proposed to be served by a holding tank for a service toilet and would have a stormwater basins to offset the large roof impervious surface.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the C Commercial land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north are properties zoned A-2 and P-2.
To the east is property zoned B-2.
To the west and south are lands zoned R-1.

SITE CHARACTERISTICS:  The following soil types are found on this site:

ScB  Class II  St. Charles Silt Loam, 2 to 6% Slopes
MyB  Class II  Miami silt loam, 2 to 6% slopes

IMPACT ON ROADS AND TRAFFIC:

The site is served by Hwy 50 to the north of the parcel.
OTHER RELEVANT DATA – RECOMMENDATIONS:

Staff has issued a review letter to the property owner expressing the following concerns:

LURM must receive the information expressed in the Pre-Application Conference summary including submittal and review for a Preliminary Stormwater Review letter prior to the hearing, completion of the DNR wetland screening process and County sanitation review of the soils for location of a compliant septic system or determination of approved holding tank use.

APPLICATION STATUS: COMPLETE X INCOMPLETE

General:

1. Approved as per plan submitted for an indoor seasonal boat storage facilities with all additional conditions.

2. No general public sales allowed from the boat storage facility. No business activities other than specified in the plan of operations may be conducted from out of the boat storage facilities.

3. On site hours of operation shall be from 7:00 a.m. to 8:00 p.m. seven days a week.

4. Must meet all applicable Federal, State, County and local regulations.

5. Boats to be stored indoors may be located outside for drop-off and pick-up only. Any seasonal trailers and or other boat equipment (piers, boat lifts etc.) storage shall occur indoors.

6. Outside lighting shall be shielded and directed on site.

7. Any on-site fuel storage shall be conducted within a State approved containment facility.

8. The applicant must obtain all required zoning permit approvals including a sign permit if different from the present sign.

9. No burning of waste materials shall occur on site.

10. The applicant must obtain the required Wisconsin Department of Transportation (DOT) access approval for the access as shown on the approved plan. The DOT approval must explain the turning directions allowed for access to the driveway and the effect of the painted (striped area) of divided Hwy 50 on site entrance and exit.

11. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.

12. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.

13. The project site must be kept neat, clean, and mowed in all areas.
14. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

15. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

16. No permanent outside storage of boats, trailers or other boat related equipment and materials (boat trailers, lifts, piers, parts etc.) shall be allowed.

17. The County reserves the authority to require any outside stored boats, or boat related equipment and materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval.

18. No acid washing of boats shall be allowed on site.

19. There shall be no on-site repair or restoration of boats or boat related equipment (lifts, piers etc.) allowed.

20. All exterior lighting shall be shielded and “dark sky” per ordinance as per the Town.

21. A landscape plan must be submitted as per the Town.

22. The project must meet with the requirements of a Baxter-Woodman review letter dated 6/30/2020 as per the Town.
APPLICATION TO AMEND AN EXISTING CONDITIONAL USE PERMIT

The undersigned hereby applies to the Walworth County Zoning Agency pursuant to Division 4.0 of Chapter 74 of the Walworth County Code of Ordinances (Zoning / Shoreland Zoning) for AMENDMENT TO AN EXISTING CONDITIONAL USE APPLICATION and represents as follows:

OWNER OF SITE: Triple J Properties of WI, LLC

ADDRESS: 5495 State Road 50, Delavan, WI 53115

APPLICANT (if other than owner): Jennifer Jarosz

ADDRESS: Same

PHONE NUMBER (Owner): 262-728-5438

PHONE NUMBER (Applicant): 262-215-8157

TAX KEY NUMBER OF SITE: FA 16110000 1A

LEGAL DESCRIPTION OF SITE: 

ZONING DISTRICT: B-2

TYPE OF STRUCTURE: Storage Building

USE OF STRUCTURE OR SITE IN DETAIL (including proposed amendment):

- Proposed addition to existing boat storage building.
- Proposed addition will be approximately 40' x 80' or 3200 sq ft. Existing structures 20800 sqft
- 3200 / 20800 = 15.7% increase

ONLY TO BE COMPLETED IF THE CONDITIONAL USE IS IN AN A-1 ZONING DISTRICT:

I understand that if a non-agricultural conditional use is granted in the A-1 zoning district that has been enrolled in the Farmland Preservation Tax Credit Program, there may be a payback of credits received due the State of Wisconsin.

PROPERTY OWNER'S SIGNATURE

APPLICANT'S SIGNATURE

The following information must be contained in the file before this application will be placed on the Committee agenda for review. (Refer to Division 4 of Chapter 74 if applicable.)

- Plat of survey or scale map of subject site.
- Site Plan showing location of buildings, roads and other pertinent facilities.
- Highway access locations.
- Drainage plan.
- Waste Disposal Plan.
- Operational Plan (including description of proposed amendment).
- Number of employees or users to be accommodated:
- Special plans required to specific operation to control the following:
  - Screening, tree cutting, earthmoving, dust, noise, odors, ash and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration.

DATE: 7/12/2020

SIGNED: [Signature]

PROPERTY OWNER'S SIGNATURE

Fee: [Fee Amount (see schedule)]

APPLICATIONS SHALL BE ACCOMPANIED BY A RECOMMENDATION FROM THE TOWNSHIP. ATTACH THE LETTER OF RECOMMENDATION TO THIS APPLICATION.

The Walworth County Land Zoning Agency may request more information if deemed necessary to properly evaluate your request. LACK OF INFORMATION REQUESTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AMENDMENT TO AN EXISTING CONDITIONAL USE.

Any changes to the character, intensity or use of this site not capable of being discerned by the Land Use and Resource Management Department as consistent with information provided at the original public hearing and the existing conditional use approval must be brought back before the Walworth County Zoning Agency for new conditional use hearing.

Applicants shall schedule a pre-application review of their completed application prior to submittal to the Walworth County Land Use and Resource Management Department. If you have any questions regarding the procedure, please contact the office at 262-741-4972.
Amended August 20th, 2020 for 40 ft. by 80 ft. boat storage expansion (see #1).

NAME: Triple J Properties of Wisconsin, LLC
c/o Jennifer Jarosz

TOWN: Delavan

The property owner is requesting to rezone approximately 1.15 acres of R-1 Single Family Residential (unsewer) property to the B-2 General Business District in order to obtain conditional use approval for expansion of an existing recreation vehicle and boat storage facility and to have a residence outside of the principle business structure. The property owner would like to place a roof over an existing boat hoist used into boat repair services so boats that are removed from trailers do not have to be worked on in the weather. The boat hoist is located to close to the property boundary to be issued a zoning permit for the roof. In order to obtain a permit to construct the roof over the boat hoist the property owner would like to rezone all of the R-1 zoned property to the B-2 district, combine the parcels into one and obtain a conditional use for keeping the residence on the property outside of the principle business structure. The proposed new boat storage building is not plan on being constructed at this time but may be constructed in the future and therefore being proposed now as part of the conditional use review.

Part of Tax Parcels F D 2300008, F D 2300009

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

General:

1. Approved as per plan submitted for expansion of an existing boat repair, sale and storage facility to include antique car repair and sales, including inside and outside car and boat storage and amended August 17, 2017 for an additional boat storage building, roof structure over the boat lift and a residence outside a principle business structure on additional rezoned business area and further amended August 20th, 2020 for a 15% expansion of boat storage building to be 40 ft. by 80 ft to an existing structure with all additional conditions.

2. All outside storage of boats and cars shall be located as identified on the approved plan of operations. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.

3. The project must meet all applicable Federal, State, County and local regulations.

4. The applicant must obtain a sign permit from the County Zoning Office if required by Ordinance.
5. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.

6. Hours of operation shall be Monday through Sunday 6:00 a.m. to 6:00 p.m.

7. The property owner shall use the 24 foot wide commercial access identified on the plan of operations as the exclusive access to the site for commercial purposes and shall keep the access open and unobstructed.

8. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting state requirements.

9. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.

10. The project site must be kept neat, clean, and mowed in all areas.

11. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.

12. Acid washing of boats may be conducted at this facility only on the limestone pad as shown on the site plan. The limestone pad shall be maintained properly on a regular basis.

13. The owner must provide a waste disposal plan stating where all trash, drain oil and other auto and boat fluids are disposed.

14. The painting and finishing area of the auto and boat repair buildings must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust system shall meet all requirements of the code including hours of operation and noise.

15. All cars shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. All parking must be setback 25 feet from the roadway. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking must be in compliance with County requirements within 60 days of this approval.

16. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance. The applicant must comply with all established standards of the Land Restoration and Land Disturbance, Erosion Control and Stormwater Management permits.

17. All outside lighting shall be shielded and directed on site. No additional lighting shall be allowed in the street yard setback areas.
18. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

19. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

20. After the rezone to the B-2 zone district is complete, Tax Parcels F D-23-8 and 9 shall be combined into one parcel and recorded at the County Register of Deeds office.

21. Property containing the residence outside of the principle business structure may not be split off from the principle business property without the residence either becoming a principle business structure or the property on which it is located being rezoned to a residential district.

Dated this 17th day of August, 2017.

 COUNTY ZONING AGENCY
 TIM BRELLENTHIN, CHAIRMAN

c: Town of Delavan, Ryan Simons, Chairman, 5621 Town Hall Road, Delavan, WI 53115
 Town of Delavan, Dixie Bernsteen, Clerk, 5621 Town Hall Road, Delavan, WI 53115
Triple J Properties of WI LLC
Amend CU for 40 ft. by 80 ft. Boat Storage Addition
Section 23, Delavan Township
Zoning Map
APPLICATION TO AMEND AN EXISTING CONDITIONAL USE PERMIT

The undersigned hereby applies to the Walworth County Zoning Agency pursuant to Division 4.0 of Chapter 74 of the Walworth County Code of Ordinances (Zoning / Shoreland Zoning) for AMENDMENT TO AN
EXISTING CONDITIONAL USE APPLICATION and represents as follows:

OWNER OF SITE: GRAL, L.P. (Tax Parcel No. JA83300003) and Interlaken Condominium Association, Inc. (Tax Parcel No. JA833000003A3)


APPLICANT (If other than owner): Anthony A. Coletti, Esq.

ADDRESS: 20 Lakes Office of Anthony A. Coletti, S.C., 101 Evergreen Pkwy., #3, Ekkorn, WI 53121

PHONE NUMBER (owner): GRAL (703.885.0633) Interlaken (262.249.1922)

PHONE NUMBER (Applicant): 262.723.6000

TAX KEY NUMBER OF SITE: JA83300003 and JA833000003A3

LEGAL DESCRIPTION OF SITE: See Parcel Combination Map attached hereto, marked Exhibit A, and incorporated herein by reference.

ZONING DISTRICT: B-5 Planned Commercial-Recreational Business District.

TYPE OF STRUCTURE: Association swimming pool with deck/patio, dressing room, and "splash pad."

USE OF STRUCTURE OR SITE IN DETAIL (including proposed amendment):

See Narrative, attached hereto, marked Exhibit B and incorporated herein by reference and Site Plan and Building Elevations attached hereto, marked Exhibit C, and incorporated herein by reference.

ONLY TO BE COMPLETED IF THE CONDITIONAL USE IS IN AN A-1 ZONING DISTRICT:

I understand that if a non-agricultural conditional use is granted in the A-1 zoning district that has been enrolled in the Farmland Preservation Tax Credit Program, there may be a payback of credits received due to the State of Wisconsin.

PROPERTY OWNER'S SIGNATURE: _______________________

APPLICANT'S SIGNATURE: _______________________

The following information must be contained in the file before this application will be placed on the Committee agenda for review. (Refer to Division 4 of Chapter 74 if applicable.)

- Plat of survey or scale map of subject site.
- Site Plan showing location of buildings, roads and other pertinent facilities.
- Highway access locations.
- Drainage plan.
- Waste Disposal Plan.
- Operational Plan (including description of proposed amendment).
- Number of employees/users to be accommodated:
- Special plans required to specific operation to control the following:
  - Screening, tree cutting, earthmoving, dust, noise, odors, air and water pollution, fire, explosion, glare, heat, radioactivity, electrical disturbance or vibration.

DATE: 8/5/20  SIGNED: _______________________

PROPERTY OWNER'S SIGNATURE: _______________________

Fee: $200.00 (see schedule)

APPLICATIONS SHALL BE ACCOMPANIED BY A RECOMMENDATION FROM THE TOWNSHIP.

ATTACH THE LETTER OF RECOMMENDATION TO THIS APPLICATION.

The Walworth County Land Zoning Agency may request more information if deemed necessary to properly evaluate your request. LACK OF INFORMATION REQUESTED MAY IN ITSELF BE SUFFICIENT CAUSE TO DENY AMENDMENT TO AN EXISTING CONDITIONAL USE.

Any changes to the character, intensity or use of this site not capable of being discerned by the Land Use and Resource Management Department as consistent with information provided at the original public hearing and the existing conditional use approval must be brought back before the Walworth County Zoning Agency for new conditional use hearing.

Applicants shall schedule a pre-application review of their completed application prior to submittal to the Walworth County Land Use and Resource Management Department. If you have any questions regarding the procedure, please contact the office at 262-741-4972.
Amendment of Conditional Use Approval

NAME: GRAL, L.P. (Tax Parcel JA83300003) and Interlaken Condominium Association, Inc. (Tax Parcel JA83300003A3)

TOWN: Geneva

Amended August 20th, 2020 for creation of a larger pool parcel for a new pool and amenities (See #1).

An amendment of conditional use approval for creation of a larger pool parcel for a new pool and amenities to an existing B-5 Planned Commercial Recreational Development and used by the Interlaken Condominium Association subject to a 99 year lease to be granted by GRAL, L.P., as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, on lands described as follows:

Tax Parcel #’s JA83300003A3, JA83300003

Has been APPROVED subject to the following conditions:

1. Approved per plans submitted August 20th, 2020 for creation of a larger pool parcel for a new pool, pool related building and amenities with all additional conditions as stated.

2. The project must meet all Federal, State, County and local Ordinances.

3. The applicant shall be responsible for meeting all requirements of the Condominium Ownership Act (State Chapter 703) and the County Subdivision Control Ordinance. The transfer of ownership of any units may only include, therewith, a fractional interest in the site on which the unit is located and such transfer shall not result in the subdivision of minor subdivision as defined under the Walworth County Subdivision Control Ordinance.

4. This project consists of a larger area for a new pool, pool building and amenities. The proper preservation, care and maintenance by the original and all subsequent owners of the exterior design of the condominium and all common structures, facilities, essential services, access and open spaces shall be assured by deed restriction referencing the condominium declaration.

5. Use of the common area, private areas and limited common areas shall be restricted to those identified in the plan of operations and the approved condominium declaration.
6. The roads shall meet County road standards as provided for in the County Land Division Ordinance. The owner must meet all Town, County and/or State highway access requirements.

7. The declaration for the condominium association must assure that sewerage waste load will not increase over time without providing necessary sewerage capacity. The applicant shall provide verification of available sewerage capacity for the project prior to construction starting on site.

8. The applicant must obtain all required zoning permit and sanitary approvals prior to any construction on site. No additional structures shall be added to the plan without obtaining County approval and a zoning permit. This permit does not include conditional use approval for any amenity that is not specifically identified on the project plans as approved. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All structures will be required to meet the requirements of the zoning ordinance.

9. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances. All grading must be conducted consistent with the approved Land Disturbance Erosion Control and Stormwater Management plan. All topsoil generated from the site must be evenly distributed back onto the site on the areas from which it was removed or in areas in need of the topsoil. No soil may be removed from the site without County approval. An operation and maintenance plan for each stormwater best management practice must be prepared and included in the covenants and restrictions or other documents governing the homeowner association created for this development. The plat prepared for this development must show the location and label each stormwater best management practice planned to serve the development.

10. The applicant must provide a tree cutting, landscaping and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan and narrative.

11. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site.
12. The County reserves the right to rescind this amendment to the conditional use upon any violation of County regulations.

13. The property owner shall be held solely responsible for addressing all restrictive covenants beyond those enforceable by County regulations (including those within the condominium declaration). The Condominium declaration must be submitted to the County Land Management Department for review for consistency with County ordinances and requirements and the conditional use approval. Any wording of the condominium declaration, which in the opinion of the County Land Management Department is inconsistent with County approvals including the plan, amended narrative, ordinances or requirements will require County conditional use review and approval.

14. The applicant must phase construction substantially in compliance with the approved plan, use restrictions and condominium declaration and condominium law. Any ownership or specified use within must be added to the condominium declaration by addendum and reviewed by the Land Management Department for approval.

15. Application with Walworth County for approval of the condominium plat and recording of the condominium plat shall occur within 6 months of this conditional use approval. The condominium plat shall be accompanied by the complete condominium declaration.

16. Any changes to the character, intensity or use of this site not capable of being discerned by the Land Management Department as consistent with this approval must be brought before the County Zoning Agency for additional conditional use review.

Specific:

17. The roadways are intended to remain private. The roadway shall be identified as a common element in the condominium declaration and on the approved plan.

18. No boat access to the lake is approved as part of this approval.

19. This conditional use is only valid if all jurisdictional municipal approvals are granted for the development.

20. Any future extension of the roadway into the shoreland area will require the roadway to comply with the road width and easement requirements of the County Shoreland Zoning Ordinance.
21. No backwashing of the filter systems from the swimming pools into the stormwater treatment facility shall be allowed.

Dated this 13th day of December, 2005.

_______________________________________________
COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN
GRAL, L.P. & Interlaken Condo Assoc.
Amend of CU to Create a Larger Pool Parcel
for Pool area to be lease by GRAL L.P. to
Interlaken Condo for 99 years
Section 32, Geneva, Township
Zoning Map
Good morning!

I am excited to announce a new series of zoning webinars offered by the Center for Land Use Education. There are two introductory sessions designed for newly appointed plan commission, governing body, and zoning board members. There are also three advanced sessions geared for veteran officials and staff.

Role of the Plan Commission - Thursday, August 13, 2020, 3-4 pm  
Role of the Zoning Board - Thursday, August 20, 2020, 3-4 pm  
New Rules for Conditional Uses - Tuesday, September 29, 2020, 10-11 am  
Variances - Thursday, October 29, 2020, 10-11 am  
Refreshing Your Zoning Ordinance - Monday, November 30, 2020, 10-11 am

Details are attached and are available on our Eventbrite page:

https://www.eventbrite.com/e/zoning-webinars-registration-112871838708

We hope you can join us!

Becky & Lynn

Center for Land Use Education
UW-Stevens Point, College of Natural Resources
UW-Madison, Division of Extension
800 Reserve Street  
Stevens Point, WI 54481  
715-346-4322  
rroberts@uwsp.edu & lmarkham@uwsp.edu  
www.uwsp.edu/cnr-ap/clue

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To view this discussion on the web visit https://groups.google.com/d/msgid/wcca/c0aee359-c208-44cc-880e-aaf7be74fcc2o%40googlegroups.com.
ZONING WEBINARS
5-Part Series
August - November
Attend one or multiple sessions!

The Center for Land Use Education is offering a new 5-part webinar series designed to orient new and continuing officials and staff to their roles and responsibilities related to zoning.

Divided into two tracks, the Basic Sessions are designed for newly elected and appointed officials, clerks, administrators, and others who are new to planning and zoning. The Advanced Sessions are for those looking to expand their knowledge of specific zoning topics. Planning and zoning staff, experienced officials, and individuals who have completed the basic training sessions are encouraged to attend.

Webinars will be recorded. Recordings will be made available to registered participants of individual sessions.

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<tr>
<th>Role of the Plan Commission</th>
<th>Thursday, August 13, 2020, 3-4 pm</th>
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<tbody>
<tr>
<td></td>
<td>This session will introduce three primary tools for land use decision-making: the comprehensive plan, zoning ordinance, and subdivision ordinance. We’ll take a closer look at zoning decisions and review different rules that apply when your plan commission and elected officials adopt and apply ordinances.</td>
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<tr>
<th>Role of the Zoning Board of Adjustment/Appeals</th>
<th>Thursday, August 20, 2020, 3-4 pm</th>
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<tbody>
<tr>
<td></td>
<td>This session will cover decisions typically assigned to the zoning board of adjustment or appeals, including variances, administrative appeals, and conditional uses. We’ll take a closer look at the quasi-judicial role of the zoning board and how their decisions impact communities.</td>
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<tr>
<th>New Rules for Conditional Uses</th>
<th>Tuesday, September 29, 2020, 10-11 am</th>
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<tr>
<td></td>
<td>Take a deep dive into conditional uses! Designed for planning and zoning staff and experienced officials, this session will review new rules that apply to conditional uses. Learn how to apply the new standards, and discuss how to update your ordinance, forms, and procedures.</td>
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<tr>
<th>Variances</th>
<th>Thursday, October 29, 2020, 10-11 am</th>
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<td>Designed for planning and zoning staff and the zoning board of adjustment or appeals, this session will take a closer look at variances. Learn about different types of variances, legal standards for granting a variance, and how to create a complete record for the courts.</td>
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<tr>
<th>Refreshing Your Zoning Ordinance</th>
<th>Monday, November 30, 2020, 10-11 am</th>
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<td>From a simple rezone to complex ordinance updates, learn about the process for updating your zoning ordinance. Take a closer look at how communities are addressing new and emerging land uses, replacing long lists of dated uses with use categories, and incorporating graphics and other user-focused features.</td>
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## Who Should Attend?

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<thead>
<tr>
<th>Level</th>
<th>Session</th>
<th>Governing Body</th>
<th>Plan Commission</th>
<th>Zoning Board</th>
<th>Staff</th>
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<td><strong>Basic Sessions</strong></td>
<td>Role of the Plan Commission</td>
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### Workshop Cost

Participants may attend one or multiple sessions. Basic Sessions are Free. Advanced Sessions are $20 each.

### Handbooks

Print copies of the Plan Commission Handbook and Zoning Board Handbook may be purchased at the time of registration for an additional cost of $25 apiece. These handbooks are recommended for new and continuing officials but are not required to attend the workshop. The handbooks are also accessible, free of charge, at: [www.uwsp.edu/cnr-ap/clue](http://www.uwsp.edu/cnr-ap/clue).

### Registration

Registration is through Eventbrite: [Online Registration Link](http://www.uwsp.edu/cnr-ap/clue). Registration ends midnight before each session. Questions? Email landcenter@uwsp.edu or phone 715-346-3783
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION: __ X _____ REZONE

_______ CONDITIONAL USE

NAME: Treetops Funding, LLC C/O Lee Tenzer – Owner, Eric Howden - Applicant

LOCATION: The property of concern is located in the SE ¼ of Section 23 and the NE ¼ of Section 26 of Geneva Township and is identified a part of Tax Parcel JA458600002.

TOWN RESPONSE: Approved ___ Denied: _____ No Action: __ X___ Tabled _____

ZONING: The property of concern is zoned C-2 Upland Resource Conservation District.

The requested zoning is P-1 Recreational Park District. The rezone is accompanied by a conditional use petition for addition of a climbing wall and hot air balloon company storage building to the recreational center.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting to rezone approximately .4 acres of C-2 Upland Resource Conservation District Property to the P-1 Recreational Park District in order to obtain conditional use approval to add a climbing wall structure and a balloon ride business building to the Geneva Lake Canopy Tours (LGCT) recreational facility. The climbing wall is located in the area of the proposed rezone. The climbing wall itself is approximately 14 ft. by 14 ft. at the base. The total structure height would be 36 ft. The rezone area is 80 ft. by 80 ft. by 62 ft. by 82.5 ft. The larger area is need for the guy wire supports and climbing belay posts used to anchor the ropes for safety of individuals climbing the wall. The climbing tower would have four walls. Three of the wall would be rock climbing surfaces and the fourth would have multiple surfaces such as cargo nets and rope ladders. The use of the climbing wall would be offered to customers of LGCT business. LGCT is also looking to collaborate with Lake Geneva Balloon Company (LGBC) by providing a base of operations for the hot air balloon ride company. A pole building is proposed to be built at the top of the driveway access to the LGCT near the west side of the parking lot. The pole building would be used to store the equipment and trailers for the LGBC. Customers of the LGBC would use the LGCT welcome center as a meeting place and cars would park in the existing LGCT parking lot. The balloon rides occur in the morning and evening so it is anticipated there would be ample parking as the zip line activities are stated to be highest during the afternoon hours. It is anticipated there would be around 70 balloon rides per year serving about 300 guests. The flight crew consists of one pilot and four ground crew members that follow the balloon and pick the equipment and customers. The business would both be part of the recreational facility, provide their customers with an outdoors recreational experience and therefore complement each other.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the AG1 Other Agricultural Rural Residential and Other Open Lands, E Extractive and PEC Primary Environmental land use categories.
COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is Hwy 12 and land zoned A-2.
To the east is property in the City of Lake Geneva.
To the west are lands zoned B-2, A-2 and C-2.
To the south is property zoned B-4 and the City of Lake Geneva.

SITE CHARACTERISTICS: The following soil types are found on the area of the rezone:

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
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<tbody>
<tr>
<td>CrE2</td>
<td>VII</td>
<td>Casco-Rodman Complex, 20 to 30% slope, eroded</td>
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<tr>
<td>MpC2</td>
<td>III</td>
<td>McHenry Silt Loam, 2 to 6% slopes, eroded</td>
</tr>
<tr>
<td>FsC2</td>
<td>III</td>
<td>Fox Loam, 6 to 12% slope, eroded</td>
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</tbody>
</table>

IMPACT ON ROADS AND TRAFFIC:

The site is served by a private drive off of Hwy H to the north of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: ___X___ COMPLETE   _________INCOMPLETE
Treetops Funding LLC
Rezone C-2 to P-1
W/ CUs for Climbing Tower
And Balloon Company as part of a Recreational Facility
Section 25, Geneva Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  

________REZONE

__X__CONDITIONAL USE

NAME:  Treetops Funding, LLC C/O Lee Tenzer – Owner, Eric Howden - Applicant

LOCATION:  The property of concern is located in the SE ¼ of Section 23 and the NE ¼ of Section 26 of Geneva Township and is identified a part of Tax Parcel JA458600002.

TOWN RESPONSE:  Approved ___  Denied: _____  No Action: ___X__  Tabled_____  

ZONING:  The property of concern is zoned C-2 Upland Resource Conservation District.

The requested zoning is P-1 Recreational Park District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting to rezone approximately .4 acres of C-2 Upland Resource Conservation District Property to the P-1 Recreational Park District in order to obtain conditional use approval to add a climbing wall structure and a balloon ride business building to the Geneva Lake Canopy Tours (LGCT) recreational facility.  The climbing wall is located in the area of the proposed rezone.  The climbing wall itself is approximately 14 ft. by 14 ft. at the base.  The total structure height would be 36 ft.  The rezone area is 80 ft. by 80 ft. by 62 ft. by 82.5 ft.  The larger area is need for the guy wire supports and climbing belay posts used to anchor the ropes for safety during individual wall climbs.  The climbing tower would have four walls.  Three of the wall would be rock climbing surfaces and the fourth would have multiple surfaces such as cargo nets and rope ladders.  The use of the climbing wall would be offered to customers of LGCT business. LGCT is also looking to collaborate with Lake Geneva Balloon Company (LGBC) by providing a base of operations for the hot air balloon ride company.  A pole building is proposed to be built at the top of the driveway access to the LGCT near the west side of the parking lot.  The pole building would be used to store the equipment and trailers for the LGBC.  Customers of the LGBC would use the LGCT welcome center as a meeting place and cars would park in the existing LGCT parking lot.  The balloon rides occur in the morning and evening so it is anticipated there would be ample parking as the zip line activities are stated to be highest during the afternoon hours.  It is anticipated there would be around 70 balloon rides per year serving about 300 guests.  The flight crew consists of one pilot and four ground crew members that follow the balloon and pick the equipment and customers.  The business would both be part of the recreational facility, provide their customers with an outdoors recreational experience and therefore complement each other.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the AG1 Other Agricultural Rural Residential and Other Open Lands, E Extractive and PEC Primary Environmental land use categories.
COMPATIBILITY WITH SURROUNDING LAND USES:
To the north is Hwy 12 and land zoned A-2.
To the east is property in the City of Lake Geneva.
To the west are lands zoned B-2, A-2 and C-2.
To the south is property zoned B-4 and the City of Lake Geneva.

SITE CHARACTERISTICS: The following soil types are found on the area of the rezone:

CrE2 Class VII Casco-Rodman Complex, 20 to 30 % Slope, eroded
MpC2 Class III McHenry Silt Loam, 2 to 6% slopes, eroded
FsC2 Class III Fox Loam, 6 to 12% slope, eroded

IMPACT ON ROADS AND TRAFFIC:
The site is served by a private drive off of Hwy H to the north of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: ____X_____COMPLETE _________INCOMPLETE

Amended July 16th, 2020 for a climbing tower and pole building for house hot air balloon equipment and transport as part of a recreational facility. (see #1 and 38 – 42).
Amended 5-21-15 for New CU for trail use and amendment to extend Welcome Center and add additional yurt – see #1, 6, 10, 12, 13, 14, 16, 22, 29, 30, 32 amended and 33-37 added (all bold)

NAME: TREETOPS FUNDING, LLC

TOWN: GENEVA

A conditional use permit for creation of an area for a rope-swing, zip line adventure park with commercial trail system as amusement activity and a recreational area as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned P-1 Recreational Park District and C-2 Upland Resource Conservation District, and described as follows:

Tax Parcel #'s J G 2300008, J G 2300018, J G 2400008, J G 2400011, J G 2500007, and J G 2600001
JA436900001

Has been APPROVED subject to the related rezone passing County Board and the following conditions:

1. The Conditional Use for a zip line adventure park and a system of trails that would be used commercially for non-motorized biking, hiking, cross country skiing and snow shoeing as amusement activity in the P-1 and a recreational park in the C-2 areas is approved as per the plan submitted and amended (9-16-10) to allow a temporary off-site Welcome Center with a shuttle bus and to use portions of the site not needing gravel pit restoration prior to restoration certification and further amended for extension of off-site Welcome Center 5-21-15 and further amended July 16th, 2020 for a climbing tower and a pole building to house hot air balloon equipment and transport as part of a recreational facility with all additional conditions.
2. Use of the grounds shall be limited as stated in the plan of operations with no approval for camping on site.

3. The project must meet with all State, Federal and local requirements.

4. The applicant must obtain all required County Zoning permits including sign permits meeting with all ordinance requirements.

5. Hours of operation shall be as stated in the plan of operations from 7:00 a.m. to 9:00 p.m.

6. Sufficient adult supervision must be present at all times when the zip line and commercial trails adventure park is in use.

7. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.

8. The property owner must obtain a tree cutting and landscaping plan approval prior to alteration of the trees and construction of trails on site.

9. The project site must meet with all County sanitary requirements.

10. The applicant obtaining liability insurance and keep the insurance current during the life of this conditional uses.

11. All lighting must be shielded and directed on to the property. The owner will need to obtain approval of a lighting plan prior to installing any type of sports field lights for nighttime use.

12. Parking must meet with requirements of the county zoning ordinance. All parking must be in compliance with County requirements within 60 days of this approval.

13. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approvals.

14. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approvals, then those changes must be brought before the County Zoning Agency for approval.

Specific:

15. The total capacity of the site by adventure park users shall be set at 250 visitors.

16. Use of the designated outdoor and indoor food and beverage area shall be limited to visitors of the zip line adventure park who are scheduled to take one of that day’s daily tours. The service shall be short order sandwiches, snacks and drinks. No alcoholic beverages shall be allowed on site. Service shall not constitute a full service restaurant.

17. Tours of the park shall begin at 8:00 a.m. and be completed by 8:30 p.m. The last tour shall complete one-half hour before close.

18. All ropes and platforms shall be required to be removed within 60 days if the adventure course is no longer in use.
19. This approval does not include a campground or a caretaker’s residence. The property owner shall be required to obtain a separate conditional use approval for camping or a caretaker’s residence to be located on the site.

20. No outdoor loud speakers or music shall be allowed on site.

21. The applicant must obtain a certification of restoration for the gravel pit from the County Conservation Division of LURM prior to use of the portions of the site needing restoration as depicted on the restoration plan. The certification shall include specific requirement providing time periods for permanent stabilization of the steep slopes.

22. The property owner may use ATVs and golf carts as a means of transport of visitors on the site. The ATVs and golf carts shall be driven by staff only. The site shall not be used as an ATV track/park by visitors. All motorized transport shall be restricted to the trails identified in the plan of operations. No motorized vehicles shall be allowed within the 150 foot buffer zone as per the Town.

23. The access road to the site must meet the access road width requirements and be stabilized in order to handle daily traffic proposed by the adventure park. This may include placements of asphalt on the existing road base if required by the Conservation Division during review of the erosion control permit application and plan.

24. Access (stairs/ladders) to the zip line rope platforms shall be closed off or removed prior to close of the park each day.

25. The Conservation Division recommends the site plan be modified to relocate the portions of the parking lot along the south property line to establish reclaimed slopes that can be stabilized with vegetation, rather than structural methods. The applicant will provide a construction and grading detail of this area.

26. The proposed structures for establishing zip-lines and any needed access roadways or trails are located on steep slopes and within Primary Environmental Corridor. If it is determined additional or improved access is needed, that will result in additional land disturbing activities or vegetation removal, it may be necessary for the County Zoning Agency to review and approve the plan modification and a more detailed land disturbance map for the project site.

27. The property owner shall file a deed restriction stating that the P-1 area may not be separated from the C-2 area.

28. The property owner shall file a CSM combining all tax parcels into one eliminating the interior parcel boundaries within one year of this approval.

29. The site plan shall provide for a 150 ft. buffer from the adjacent cemetery. The trail system for hiking and biking shall be allowed in the 150 ft. cemetery buffer as per the Town.

30. The property owner shall obtain approval of the amendment of the conditional use to add two three instructional yurts for use by staff to the site plan as shown from the Town prior to addition of the yurts to the site.
31. The temporary Welcome Center shall be located at N3219 County Road H as center of operation with transportation to and from the facility only being by way of a shuttle bus and operation of any ATV vehicles across County Road H shall be strictly prohibited as per the Town.

32. The off-site Welcome Center shall be allowed to be used until January 1st, 2017 by which time the onsite welcome center shall have been built as per the Town. The conditional use will be required to come back to the Town for additional review by January 1st, 2017.

33. There shall be no motorized vehicles allowed in the 150 ft. buffer zone as per the Town.

34. The property owner shall install signs along the trail noticing the proximity to the cemetery and cautioning against noise as per the Town.

35. No jumps, ramps or other obstacles shall be added to the trails.

36. The adventure park shall not be used for events separate from the zip line and use of the commercial trails as open to the public for a fee on a per person basis without additional conditional use approval.

37. The property owner shall obtain Conservation Office review of the proposed trail construction prior to installation of any new trails consistent with condition #7 of this approval.

38. Hours of operation for the climbing wall shall be the same as stated for the recreational facility in condition #17.

39. Certified adult supervision shall be present at all time while the climbing wall is being used.

40. No hot air balloons shall take off or land on the recreational facility property.

41. Hours of operation for storage of hot air balloon equipment and transport shall be from 5:00 a.m. to 11:00 p.m.

42. The pole building constructed for storage of hot air balloon equipment shall be used at all times as part of a recreational facility and not for general off season storage or mini-warehouse storage.

Dated this 21st day of May, 2015.

_______________________________________
COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

cc: Lake Geneva Canopy Tours, N3219 County Rd H, Lake Geneva, WI 53147
Town of Geneva, Joseph F. Kopecky, Chairman, N3496 Como Road, Lake Geneva, WI 53147
Town of Geneva, Debra L. Kirch, Clerk, N3496 Como Road, Lake Geneva, WI 53147
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  __X_____REZONE

_______CONDITIONAL USE

NAME:  Michael Fields Agricultural Institute – Owner

LOCATION:  The property of concern is located in the NW ¼ of Section 30, East Troy Township and is identified a part of Tax Parcel PA120200001

TOWN RESPONSE:  Approved _X__ Denied: ______ No Action: ___ Tabled_____

ZONING:  The property of concern is zoned P-2 Institutional Park District.

The requested zoning is B-2 General Business District. The rezone is accompanied by a conditional use petition for a Planned Unit Development with Church use.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting to rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses and retail uses on site including use by a church. The property is intended to be transferred to the Yggdrasil Land Foundation. Michael Fields Agricultural Institute Inc. would continue to be a tenant user of the site along with multiple other proposed businesses and a church with up to 40 people.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the G Governmental and Institutional land use categories for the rezone area and PEC Primary Environmental Corridor in the wetland portion of the property.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned R-1 and the Village of East Troy.
To the east are properties zoned A-4.
To the west is land zoned A-2
To the south is property zoned C-4, C-1 and A-1.
SITE CHARACTERISTICS: The following soil types are found on this site:

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</tr>
<tr>
<td>WhA</td>
<td>Class II</td>
<td>Warsaw silt loam, 0 to 2% slope</td>
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</tr>
<tr>
<td>Ac</td>
<td>Class IV</td>
<td>Adrian muck</td>
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IMPACT ON ROADS AND TRAFFIC:

The site is served by a two private drive off of Townline road to the west of the parcel. One paved drive and one gravel drive.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The barn would have to obtain variances for changing the zone district and use of the building.

Proposed church would be a change of use. Structures with a change of use not meeting the required setbacks would require a variance from the Board of Adjustment. Depending on the structure that is going to be used for church activities a variance may be needed as the Zoning Ordinance states church structures shall not be less than 50 ft. from any lot line. The site plan needs to show the location, seating capacity and size of church use area. Parking and any possible signage for the church shall be required to be shown on the site plan and demonstrate both shall adhere to the Zoning Ordinance standards.

The area for the retail space would have to be shown on the site plan so as to come up with the proper parking requirements. The park would also need to be shown on the plan. If the retail space for the farming and gardening is on the neighboring property in the A-4 zoned area then a separate conditional use for a Farmer’s Market would be required.

Wedding and events (Public Assembly Uses) have not been reviewed as the narrative stated they are not being done at this time.

All uses proposed under a PUD conditional use must be defined so that proper parking and setbacks can be known. The parking lot should be drawn out showing the layout of the drives, stalls, and size. Each stall has to be at least 180 sq. ft. and the drives at least 24 ft. wide. Parking in a B-2 district is required to be setback 25 feet from the road right of way and 25 ft. from any residential (i.e. R-1) zoned property.

A septic designer must evaluate the existing septic systems for each building based on current use and proposed use. The Sanitation Department will need to be provided a baseline showing what is existing vs. what may be needed based on the proposed uses. The proposed tenants/ businesses create different waste flows/ waste streams that need to be taken into account to ensure any current or proposed system can handle these wastes. Anytime change or modify of the waste flows are proposed by change of the uses on site such as in this case, there needs to be documentation showing the existing septic systems can handle the proposed modifications.

A proposed four lot certified survey map of approximately 20 acres of Michael Fields Agricultural Institute property was submitted August 28, 2019. A conditional CSM approval letter was sent September 11, 2019. This conditional approval required several items to be addressed before providing a revised copy for final review and approval. The CSM will need to be approved prior to action on the rezone and conditional use.
On June 1, 2020 LURM received an email from the surveyor including a draft copy of the CSM with revisions for review. Some additional minor changes still needed to be made. In addition, this draft had changed the proposed CSM from 4 lots to 3 lots. That change will require the proposed CSM to go back through the review process at the State of Wisconsin Department of Administration. The applicants must reach out to the Town of East Troy and the Village of East Troy to determine if the Town and/or Village feels they need to re-review a change of that type.

The request for a Planned Unit Development (PUD) which includes Commercial land uses in the Governmental and Institutional land use area will need to be justified as consistent with the Land Use Plan prior to County action on the rezone petition.

In order to review a conditional use petition LURM must have a plan of the areas to be used by the various uses. The area may not be labeled as likely or potential. If a conditional use permit is issued for areas designated on the site plan and the designated areas change then an amendment to the conditional use for the PUD would be required at the time of the proposed change.

The asphalt within the 25 foot setback from the R-1 zoned area labeled on the site plan as pavement to be removed should be drawn as removed rather than to be removed and if the asphalt is still present then have it removed prior to the hearing on the rezone and conditional use.

There is a 100 year floodplain boundary line extending to the east side of the barn along a drainage channel that may or may not be present on site. Explanation of the drainage along this area will need to be provided prior to a decision on the rezone and conditional use.

APPLICATION STATUS: ________COMPLETE  ____X_____INCOMPLETE
the summer of 2020. YLF is seeking to rezone the western 2.04 acres, currently P2, to B2 and has received approval from the Town of East Troy to do so (letter from the town has been submitted previously). In addition, Yggdrasil is requesting two Conditional Use Permits:

1) Planned Unit Development for multiple business tenants
2) Church conditional use for up to 40 people

Figure 2: Survey Map showing the remaining 8.87 acres that will transfer to Yggdrasil Land Foundation in summer 2020. Approximately 2.04 acres is zoned P2, and applicant is requesting this portion to be zoned B2. See full CSM attached.

The transfer of the 8.87 acres to YLF is taking place because a) MFAI no longer needs the whole campus to carry out their work b) MFAI is presently unable to make the necessary investments in deferred maintenance that are needed on the campus and c) because all parties concur that a new vision is needed for the campus. MFAI will continue as one tenant on the campus and YLF will make major investments in upgrades and needed repairs.
Michael Fields Agricultural Institute
Rezone and CU
P-2 to B-2 W/
CU for PUD and Church
Section 30, East Troy Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  _______ REZONE  
___X___ CONDITIONAL USE

NAME:  Michael Fields Agricultural Institute – Owner

LOCATION:  The property of concern is located in the NW ¼ of Section 30, East Troy Township and is identified a part of Tax Parcel PA120200001

TOWN RESPONSE:  Approved  __  Denied:  ______  No Action:  __X__  Tabled  ______

ZONING:  The property of concern is zoned P-2 Institutional Park District.  The requested zoning is B-2 General Business District. The rezone is accompanied by a conditional use petition for a Planned Unit Development with Church use.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting to rezone approximately 2.3 acres being all of the P-2 Institutional Park District zoned property on the parcel to the B-2 General Business District in order to obtain a conditional use permit approval for a Planned Unit Development (PUD) for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church. The property is intended to be transferred to the Yggdrasil Land Foundation. Michael Fields Agricultural Institute Inc. would continue to be a tenant user of the site along with multiple other proposed businesses and a church with up to 40 people.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the G Governmental and Institutional land use categories for the rezone area and PEC Primary Environmental Corridor in the wetland portion of the property.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned R-1 and the Village of East Troy.  
To the east are properties zoned A-4.  
To the west is land zoned A-2  
To the south is property zoned C-4, C-1 and A-1.
SITE CHARACTERISTICS: The following soil types are found on this site:

- WhB Class II Warsaw silt loam, 2 to 6% slope
- WhA Class II Warsaw silt loam, 0 to 2% slope
- Ac Class IV Adrian muck

IMPACT ON ROADS AND TRAFFIC:

The site is served by a two private drive off of Townline road to the west of the parcel. One paved drive and one gravel drive.

OTHER RELEVANT DATA – RECOMMENDATIONS:

The barn would have to obtain variances for changing the zone district and use of the building.

Proposed church would be a change of use. Structures with a change of use not meeting the required setbacks would require a variance from the Board of Adjustment. Depending on the structure that is going to be used for church activities a variance may be needed as the Zoning Ordinance states church structures shall not be less than 50 ft. from any lot line. The site plan needs to show the location, seating capacity and size of church use area. Parking and any possible signage for the church shall be required to be shown on the site plan and demonstrate both shall adhere to the Zoning Ordinance standards.

The area for the retail space would have to be shown on the site plan so as to come up with the proper parking requirements. The park would also need to be shown on the plan. If the retail space for the farming and gardening is on the neighboring property in the A-4 zoned area then a separate conditional use for a Farmer’s Market would be required.

Wedding and events (Public Assembly Uses) have not been reviewed as the narrative stated they are not being done at this time.

All uses proposed under a PUD conditional use must be defined so that proper parking and setbacks can be known. The parking lot should be drawn out showing the layout of the drives, stalls, and size. Each stall has to be at least 180 sq. ft. and the drives at least 24 ft. wide. Parking in a B-2 district is required to be setback 25 feet from the road right of way and 25 ft. from any residential (i.e. R-1) zoned property.

A septic designer must evaluate the existing septic systems for each building based on current use and proposed use. The Sanitation Department will need to be provided a baseline showing what is existing vs. what may be needed based on the proposed uses. The proposed tenants/ businesses create different waste flows/waste streams that need to be taken into account to ensure any current or proposed system can handle these wastes. Anytime change or modify of the waste flows are proposed by change of the uses on site such as in this case, there needs to be documentation showing the existing septic systems can handle the proposed modifications.

A proposed four lot certified survey map of approximately 20 acres of Michael Fields Agricultural Institute property was submitted August 28, 2019. A conditional CSM approval letter was sent September 11, 2019. This conditional approval required several items to be addressed before providing a revised copy for final review and approval. The CSM will need to be approved prior to action on the rezone and conditional use.
On June 1, 2020 LURM received an email from the surveyor including a draft copy of the CSM with revisions for review. Some additional minor changes still needed to be made. In addition, this draft had changed the proposed CSM from 4 lots to 3 lots. That change will require the proposed CSM to go back through the review process at the State of Wisconsin Department of Administration. The applicants must reach out to the Town of East Troy and the Village of East Troy to determine if the Town and/or Village feels they need to re-review a change of that type.

The request for a Planned Unit Development (PUD) which includes Commercial land uses in the Governmental and Institutional land use area will need to be justified as consistent with the Land Use Plan prior to County action on the rezone petition.

In order to review a conditional use petition LURM must have a plan of the areas to be used by the various uses. The area may not be labeled as likely or potential. If a conditional use permit is issued for areas designated on the site plan and the designated areas change then an amendment to the conditional use for the PUD would be required at the time of the proposed change.

The asphalt within the 25 foot setback from the R-1 zoned area labeled on the site plan as pavement to be removed should be drawn as removed rather than to be removed and if the asphalt is still present then have it removed prior to the hearing on the rezone and conditional use.

There is a 100 year floodplain boundary line extending to the east side of the barn along a drainage channel that may or may not be present on site. Explanation of the drainage along this area will need to be provided prior to a decision on the rezone and conditional use.

APPLICATION STATUS: ________COMPLETE  ____X____INCOMPLETE

General:

1. Approved per plans submitted for a Planned Unit Development (PUD) for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church with all additional conditions.

2. All uses shall be located as defined on the plan of operations.

3. This conditional use contains an overall umbrella approval for the PUD for multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church on one parcel and an individual conditional use for each enterprise. Enforcement actions may be taken on the PUD as a whole or the conditional use approvals individually.

4. No business activities other than specified in the plan of operations may be conducted from out of the multiple offices, businesses, commercial kitchen rental and retail uses on site including use by a church.

5. The site shall meet all applicable Federal, State, County and local regulations.

6. The applicant must obtain all required zoning permits including sign permits.

7. No filling shall be allowed in any wetland areas.

8. No filling shall occur on site without a site grading plan and proper permit approval.
9. All areas shall be kept neat, clean and mowed.

10. All outside lighting shall be shielded and directed on site.

11. No fuel storage shall be located on site.

12. Access approval must be obtained from the Town of East Troy and be submitted for the conditional use file prior to operation on site.

13. All cars and trucks shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off street parking area shall be graded and surfaced so as to be dust free and properly drained. All parking areas shall be clearly marked. All parking shall be properly install prior to use of the site.

14. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.

15. The hours of operation shall be from 6:00 a.m. to 9:00 p.m.

16. No outside storage of building construction equipment or materials shall be allowed on site at the conclusion of building construction for the project.

17. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if require by ordinance.

18. No burning of waste materials shall occur on site.

19. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.

20. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Linn and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.

21. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

22. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals. Both office building and mini-warehouse storage building construction must be occurring in order to be considered exercising this conditional use.

Specific:
23. There shall be no through access from other property outside of the lot development allowed on the private drive without additional Town and County approval.

24. The property owner must obtain specific Town approval for the type of surface to be installed for the drives providing access to the facilities.
research will be housed in the Main Building's basement lab and consists of plant research focused on organic corn breeding. The white barn on the property provides supplemental storage and staging areas for Michael Fields' research activities.

IV. Variance for non-conforming White Barn on campus

In 2006, Walworth County approved a Town of East Troy resolution vacating 8 feet of the Townline Road Right of Way to bring the White Barn on the western edge of the property into compliance. Previously, the western end of the barn encroached on the ROW. The July 6\textsuperscript{th} CSM from Michael Gresson shows the resulting lines (Excerpt from CSM is below). The recorded resolution is also included in these documents. With this application for a rezone, Yggdrasii will be approaching the County Board of Adjustment for a variance related to the use under B2 zoning.

\[\text{RECEIVED} \quad \text{JUL 08 2020} \]
\[\text{WALWORTH COUNTY LAND USE RESOURCE MANAGEMENT DEPT.}\]

V. Aerial View of Campus Spaces:

- Paved Parking Area
- Main Building
- Gravel Parking Area
- Garden Shed for use by on farmers on adjacent parcel to the east (PA1202000002): equipment and tool storage, supplies, cooler storage for vegetables and flowers.
VI. Floorplans and Spaces:

Main building: 6920 rentable square feet

1st floor kitchen and pantry: 500 sq feet

Main Building

1st floor offices: 840 sq feet

Main Building

2nd floor Office: 1300 sq feet

Main Building

2nd floor church meeting space: 1500 sq feet

3rd Floor Mezzanine

Office: 780 sq feet.

Main Building

Mezzanine

Main Building

Basement 3090 sq

Basement lab: 2000 sq feet for research and storage.
White Barn: 2925 rentable square feet

2nd floor (Main Floor)
Offices: 450 sq feet

3rd floor Offices: 475 sq feet

Lower level Offices: 2000 sq
VII. Floodplain/drainage

There is a small section of 100-year flood plain that extends north into the P2 parcel, along the east side of the main building (pictured in blue outline below). We are aware of this issue and will not alter the floodplain area without first consulting with zoning officials. Currently, this is a somewhat wet area and water drains south to Honey Creek, as indicated with the orange arrow.

VIII. Septic and Fire Considerations

We will be consulting with County Sanitation and Fire officials to ensure that we are in compliance in those areas.

IX. Parking Needs and Plan

Please see the attached Parking Plan from Kapur, showing 36 spaces. Parking calculations are as follows:
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  
___X_____ REZONE

_____ CONDITIONAL USE

NAME:  John Ehlen - Owner

LOCATION:  The property of concern is located in the NE ¼ of Section 3, Lyons Township and is identified as part of Tax Parcel NA430800001.

TOWN RESPONSE:  Approved ___  Denied: _____  No Action: ___X___  Tabled _____

ZONING:  The property of concern is zoned C-2 Upland Resource Conservation District.

The requested zoning is A-1NC Prime Agricultural Lands Holding District.

PROJECT DESCRIPTION:

The application indicates:  The property owner is requesting to rezone approximately 3.25 acres of C-2 Upland Resource Conservation District property to A-1NC Prime Agricultural Lands Holding District to create a +70 acre A-1/A-1NC zone parcel that would be divisible for family second residence purposes. The application reads “Second dwelling on farm. Need to rezone 3 acres from C-2 to A-1 so there will be 70+ acres to support 2 farm residences.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies the rezone area as the Other Agricultural Rural Residential and Other Open lands (5 to 34 acres per dwelling) land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is property zoned A-1.
To the east is property zoned A-1, A-2 and A-5.
To the west are lands zoned C-2 and C-4.
To the south are properties zoned C-2 and A-1.

SITE CHARACTERISTICS:  The following soil types are found on this site:

FsC2  Class III  Fox Loam, 6 to 12% slope, eroded
FsB  Class II  Fox Silt Loam, 2 to 6% Slope
AzA  Class II  Aztalan loam
Cw  Class III  Colwood silt loam
Ph  Class II  Pella Silt Loam
The rezone area contains 100% prime farm soils

IMPACT ON ROADS AND TRAFFIC:

The site is served by North Road to the west of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: ___X____COMPLETE  _________INCOMPLETE
MAP AND LEGAL DESCRIPTION

FOR

PROPOSED REZONE: (C-2 TO A-1)

PART OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4308, RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR WALWORTH COUNTY, WISCONSIN IN VOLUME 27 OF CERTIFIED SURVEY MAPS ON PAGE 334, BEING LOCATED IN PART OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15, TOWNSHIP 2 NORTH, RANGE 18 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF LYONS, WALWORTH COUNTY, WISCONSIN DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF SAID LOT 1, BEING THE EAST 1/4 CORNER OF SAID SECTION 3; THENCE NORTH 00°9'02" WEST ALONG THE EAST LINE OF SAID LOT 1, 453.45 FEET TO THE PLACE OF BEGINNING; THENCE SOUTH 88°38'10" WEST 258.88 FEET; THENCE NORTH 03°14'39" WEST 566.43 FEET; THENCE NORTH 07°58'10" EAST 259.68 FEET TO A POINT ON THE EAST LINE OF SAID LOT 1; THENCE SOUTH 00°57'02" EAST ALONG SAID EAST LINE 572.16 FEET TO THE PLACE OF BEGINNING. CONTAINING 3.25 ACRES OF LAND MORE OR LESS.

PREPARED FOR: JOHN H. AND JENNIFER ELEEN
1175 NORTH ROAD
BURLINGTON, WI 53105

PREPARED BY: B.W. SURVEYING, INC.
412 N. PINE STREET
BURLINGTON, WI 53105
(262)-767-0273
JOB NO. 8168-REZONE

GRAPHIC SCALE

SCALE: 1" = 400'

BEARINGS HEREIN RELATE TO THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NO. 4308, ASSUMED BEARING SOUTH 00°57'11" EAST.

ROBERT J. WETZEL
S-1778
JUNE 24, 2020
John Ehlen
Rezone A-1 to C-2
Section 3, Lyons Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION: _______REZONE

___X___CONDITIONAL USE

NAME: Eric Handely - Owner

LOCATION: The property of concern is located in the SW ¼ of Section 33, Geneva Township and is identified as part of Tax Parcel J G 3300011B.

TOWN RESPONSE: Approved X Denied: _____ No Action: ____ Tabled_____ 

ZONING: The property of concern is zoned A-2 Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting conditional use approval for approximately 100,000 sq. ft. of land restoration in order to construct a pond, spoils area and drainage way on land zoned A-2 Agricultural District.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the AG1 Other Agricultural Rural Residential and Other Open Lands (five to 34 acres per dwelling) land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north are properties zoned A-2 and C-3.
To the east is property zoned C-3.
To the west is land zoned R-1 and B-2.
To the south is property zoned C-2, R-1 and B-4

SITE CHARACTERISTICS: The following soil types are found on this site:

MyB Class II Miami silt loam, 2 to 6% slopes
ScA Class I St. Charles Silt Loam, 0 to 2% Slopes
MwC2 Class III Miami Loam, 6 to 12% slope, eroded
Ph Class II Pella Silt Loam

IMPACT ON ROADS AND TRAFFIC:

The site is served by Hwy 50 to the south of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:
The proposed pond would be constructed on top of a hill with a 36 foot drop in elevation to the bottom of the drainage swale. If the pond were to breach, there could be a substantial flood concern.

APPLICATION STATUS: _______COMPLETE _______INCOMPLETE

General:

1. Approved as per plan submitted as Land Restoration for a pond with all additional conditions.

2. Time limit for completion of the project shall be established, as one year from the date of this approval.

3. The applicant must obtain a Land Disturbance, Erosion Control and Stormwater permit from Land Conservation. The applicant must comply with all established standards of the Land Restoration and Land Disturbance, Erosion Control and Stormwater Management permits.

4. The applicant must follow phases of excavation and restoration as part of the approval under the County’s Land Disturbance Erosion Control and Stormwater Management Ordinance. The applicant must submit a project-sequencing schedule for each phase leading to completion prior to approval.

5. Implementation of dust and noise control measures shall occur at all times on site.

6. Hours and days of operation shall be set at 6:00 a.m. to 6:00 p.m. Monday through Friday and 6:00 a.m. to noon on Saturday. No work shall be conducted on holidays.

7. Any additional Office/trailer or structures shall obtain approved County zoning and sanitary permits.

9. The project shall meet all applicable Federal, State and local regulations.

10. All soil and equipment storage must be in an approved location.

11. No materials shall be brought in from off-site other than those materials specified in the approved operations plan.

12. All soil generated from the site must remain on site for use in restoration. All topsoil will be graded evenly on the disturbed area consistent with the approved restoration plan.

13. All site dewatering shall be conducted so as to prevent sedimentation outside of the project area. The site may not be dewatered until all sediment has settled in the open water area of the disposal site.

14. No storage of chemicals and petroleum products shall occur on site.

15. The County shall not be party to the land restoration project. The applicant shall be held solely responsible for any damages resulting from use of the site. The County will not be liable for any damage to the property affected by the fill or to any neighboring property or drain tiles due to the project.

16. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific:
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION __________ REZONE

_____ X _____ CONDITIONAL USE

NAME: Sterken Farms, Inc. C/O Leon R. Sterken – Owner, Wisconsin Electric Power Company dba We Energies - Applicant

LOCATION: The property of concern is located in the NW, SW and SE ¼s of Section 29, LaGrange Township and is identified as Tax Parcel H LG2900005.

TOWN RESPONSE: Approved: _____ Denied:_____ No Action:__X__ Tabled:_____

ZONING: The property is zoned District A-1 Prime Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting voluntary conditional use review for a Bluff Creek Liquid Natural Gas (LNG) peaking facility. The County Conditional Use review is voluntary as WE Energies is exempt from local review having obtained Public Service Commission (PSC) of Wisconsin Certificate of Authority (CA). The facility shall supply natural gas to an existing natural gas pipeline during peak demand on the coldest days of the winter. The facility would be installed as a utility on 22.1 acres of A-1 zoned property and consist of a natural gas pretreatment system, natural gas liquefaction system, a 150 ft. tall by 150 ft. diameter LNG storage tank, a LNG vaporization system, an emergency impoundment area, stormwater basins, truck loading and unloading equipment area, an administrative office and parking lot.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the AP Prime Agricultural land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

The property is surrounded by lands zoned A-1.

SITE CHARACTERISTICS: The following soils are found on the development site: % of Site

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
<th>% of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>PtA</td>
<td>Class I</td>
<td>Plano Silt Loam, gravelly substratum, 0 to 2% slope</td>
<td>2%</td>
</tr>
<tr>
<td>PtB</td>
<td>Class II</td>
<td>Plano Silt Loam, gravelly substratum, 2 to 6% slope</td>
<td>70%</td>
</tr>
<tr>
<td>LyC2</td>
<td>Class IV</td>
<td>Lorenzo loam, 6 to 12% slope, eroded</td>
<td>3%</td>
</tr>
<tr>
<td>LyB</td>
<td>Class III</td>
<td>Lorenzo loam, 2 to 6% slopes</td>
<td>5%</td>
</tr>
<tr>
<td>WhB</td>
<td>Class II</td>
<td>Warsaw silt loam, 2 to 6% slope</td>
<td>20%</td>
</tr>
</tbody>
</table>

The site contains 97% prime farm soils.
IMPACT ON ROADS AND TRAFFIC:

The site is served by a private commercial drive to be installed off of Hwy O to the west of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: _____X_____COMPLETE  __________INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[ ] The activity will not convert land that has been devoted primarily to agricultural use.

[ ] The activity will not limit the surrounding land’s potential for agricultural use.

[ ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[ ] The activity will not conflict with agricultural operations on other properties.

General:

1. Approved as per plan submitted for a Liquid Natural Gas (LNG) peaking facility consist of a natural gas pretreatment system, natural gas liquefaction system, a 150 ft. tall by 150 ft. diameter LNG storage tank, a LNG vaporization system, an emergency impoundment area, stormwater basins, truck loading and unloading equipment area, an administrative office and parking lot with all additional conditions as added.

2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan) excluding the LNG storage tank.

3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.

4. Construction related activities are only allowed on site between sunrises to sunsets.

5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.

6. All spoils spreading activities must be conducted in the approved identified locations.

7. All access to the site must be made as identified on the approved plan.

8. All contractor storage yards shall be located as identified on the approved plan and used as specified.

9. The applicant shall meet all applicable Federal, State and local regulations.
10. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.

11. The owner shall notify the County if any changes are made regarding operation of this site including quantity, location and type of materials to be stored on site.

12. The applicant is responsible for removal of the utility building if it is no longer in use. If the utility discontinued for a continuous period of 12 months, it may be considered abandoned. Abandoned utilities may be required to be removed within 90 days.

13. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.

14. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

15. The Land Use and Resource Management Department staff may conduct inspections necessary to ensure site is operated and maintained according to all applicable regulations.

16. The owner/operator shall provide a copy of all required certification from Public Service Commission (PSC) of Wisconsin and WI. D.N.R. for the conditional use file and keep the certifications current in the County file.

17. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

18. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

19. The property owner must prepare a spill prevention plan, complying with USEPA and WDNR standards as per the County Conservation Office.

20. The Liquid Natural Gas (LNG) peaking facility shall be removed and the property graded back to acceptable agricultural contours under approval of a new conditional use permit for agricultural land restoration upon termination of use.
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION  __________REZONE

_____X____CONDITIONAL USE

NAME: Maple Lawn Estates, LLC C/O Allen Polyock - Owner, Zenda Rail, LLC C/O Jake Polyock – Applicant

LOCATION: The property of concern is located in the NE ¼ of Section 33, Linn Township and is identified as the A-4 zoned portion of Tax Parcel I L 3300003.

TOWN RESPONSE: Approved: _____ Denied:_____ No Action: _X___ Tabled:_____

ZONING: The property is zoned A-4 Agricultural Related Manufacturing Warehousing and Marketing District. The A-4 zoned area has a current conditional use for a grain storage facility.

PROJECT DESCRIPTION:

The application indicates: The property owner is requesting conditional use permit review for the installation of new 156 diameter grain storage bin that will be capable of holding 1.4 million bushels of grain, relocation of an existing 15 ft. by 30 ft. block building and to expand an approved 27 ft. diameter storage bin to a 48 ft. diameter bin for soybean cleaning byproducts all as part of an existing grain storage facility as per plan submitted. The new 156 ft. diameter bin is designed to replace the lost outside ground storage area that was on the neighboring property as that area is now been approved for off season boat storage. The project could accommodate roughly 100 more trucks per year based on an average annual crop yield. The interior storage will alleviate any past issues of noise and dust caused by the former ground storage pile.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the AP Prime Agricultural land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north are lands zoned M-2, A-4 and A-1.
To the west are lands zoned A-4 and A-1.
To the south and east are properties zoned A-1.
SITE CHARACTERISTICS: The following soils are found on the site:

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
<th>% of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>FsA</td>
<td>Class II</td>
<td>Fox silt loam, 0 to 2% slopes</td>
<td>15</td>
</tr>
<tr>
<td>FsB</td>
<td>Class II</td>
<td>Fox Silt Loam, 2 to 6% Slope</td>
<td>10</td>
</tr>
<tr>
<td>CeB2</td>
<td>Class III</td>
<td>Casco Loam, 2 to 6% slope, eroded</td>
<td>15</td>
</tr>
<tr>
<td>CeC2</td>
<td>Class IV</td>
<td>Casco Loam, 6 to 12% slope, eroded</td>
<td>2</td>
</tr>
<tr>
<td>SeA</td>
<td>Class I</td>
<td>St. Charles Silt Loam, gravelly Substratum, 0 to 2% slope</td>
<td>15</td>
</tr>
<tr>
<td>SeB</td>
<td>Class II</td>
<td>St. Charles Silt Loam, gravelly Substratum, 2 to 6% slope</td>
<td>35</td>
</tr>
<tr>
<td>GP</td>
<td></td>
<td>Gravel Pit</td>
<td>7</td>
</tr>
<tr>
<td>MmA</td>
<td>Class II</td>
<td>Matherton silt loam, 1 to 3% slopes</td>
<td>1</td>
</tr>
</tbody>
</table>

The site contains 92% prime farm soils.

IMPACT ON ROADS AND TRAFFIC:

The site is served by a private drive off of Zenda Road to the east of the parcel.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: X COMPLETE _______INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[ ] The activity will not convert land that has been devoted primarily to agricultural use.

[ ] The activity will not limit the surrounding land’s potential for agricultural use.

[ ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[ ] The activity will not conflict with agricultural operations on other properties.

The grain elevator is an allowable use in the A-4 District as a farm related use and is consistent with the Walworth County Land Use Plan 2050 and the Farmland Preservation Statutes.

Amended 8-20-2020 for expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building.
Amended for additional leg elevator and dump pit 3-20-2014

NAME: Maple Lawn Estates, LLC c/o Allen, Gail – Owners, Zenda Rail, LLC C/O Jake Polyock - Applicant

Gordon Polyock Family Trust
Jeanette H Polyock Trust
TOWN: Linn

AMENDED Conditional Use to allow expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin resulting in less than 25% of the size of existing structures approved by a conditional use and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building.

The application indicates: An amendment of the existing conditional use is proposed for the addition of a leg elevator and dump pit to serve existing approved grain silos. The elevator and dump pit will improve grain routing between the storage silos.

Tax Parcel(s) I L3300003

Has been APPROVED subject to the following conditions:

General:

1. Approved as per revised plan submitted June 23, 2011 and amended to allow an additional 78 foot diameter grain storage bin and a dual zoned driveway as recommended by the Town and amended as per plan submitted March 14, 2013 to allow the addition of a 60 ft. diameter grain silo, a grain dryer alteration from a 20 ft. X 20 ft. dryer to a 30 ft. diameter dryer and a leg elevator tower and amended March 20, 2014 for an additional leg elevator and dump pit and further amended August 20th, 2020 to allow expansion of an approved 27 ft. diameter grain storage bin to a 48 ft. diameter bin and a new conditional use approval for a 156 foot diameter grain bin and relocation of an existing 15 ft. by 30 ft. block building as per plan submitted as a grain elevator facility with all additional conditions.

2. Must meet all applicable Federal, State, County and local regulations.

3. Outside lighting shall be shielded and directed on site.

4. The applicant must obtain all required zoning permit approvals including a sign permit.

5. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.

6. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.

7. The applicant must submit a road access and maintenance agreements with the governing municipality prior to hauling to the site.

8. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval. Vehicle parking for trucks arriving prior to operation hours shall be located as identified on the approved plan of operations.

9. The project site must be kept neat, clean, and mowed. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.
10. Implementation of dust and noise control measures shall occur at all times on site.

11. Any additional Office/trailer or structures shall obtain conditional use approval and an approved zoning and sanitary permit.

12. No general public sales allowed on premises.

13. No business activities other than specified in the plan of operations may be conducted from out of the facilities.

14. Outside storage shall be limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods shall be allowed in the required setback areas.

15. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.

16. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.

17. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

Specific conditions:

18. Grain elevators must have proper ventilation meeting the requirements of the State and Federal codes. Exhaust systems shall meet all requirements of the State and Federal code including hours of operation and noise.

19. The owner shall obtain approval of a pollution prevention plan from the County Land Conservation Office and a hazardous spill plan from the State if required by law.

20. The property owner must provide a copy of the easement crossing the neighboring property for the railroad spur for the conditional use file prior to this conditional use being valid.

21. The property owner must provide a copy of the agreement with the railroad company providing for the installation and use of the railroad spur for the conditional use file.

Dated this 18th of April, 2013.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN
Dated this 20th day of March, 2014.

_________________________________
COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN
Maple Lawn Estates LLC C/O Jake Polyock
Amend CU for Addition Grain Storage
And CU for 156 ft. Diameter Bin
Section 33, Linn Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION  __________REZONE

X CONDITIONAL USE

NAME:  ConAgra Foods Packaged Foods, LLC C/O Kip Guyon, Plant Manager - Owner

LOCATION:  The property of concern is located in the SW, SE, NE and NW ¼, of Section 28, 29, 32 and 33 respectively in Darien Township and is identified as parts of Tax Parcels B D 2800007, B D 2900007, B D 3200001 and B D 3300014.

TOWN RESPONSE:  Approved:  X  Denied:  ____  No Action:  ____  Tabled:  ____

ZONING:  The property is zoned A-1 Prime Agricultural District.

PROJECT DESCRIPTION:

The application indicates: ConAgra Foods is requesting conditional use permit review and approval on land zoned A-1 Prime Agricultural District to replace and expand an existing smaller 35 million gallon North Lagoon that has a ruptured liner with a new 54 million gallon expanded lined earthen wastewater storage lagoon. The new North Lagoon would continue to be used for vegetable processing waste water storage and treatment upon completion.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The County 2035 Land Use Plan identifies this area as the land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north is land zoned A-1 and M-3.
To the west are lands zoned A-1.
To the south are properties zoned A-1, A-4 and M-1.
To the east are lands zoned A-1, M-2, R-1, P-2 and the Village of Darien.

SITE CHARACTERISTICS:

The following soils are found on the site:  % of Site

<table>
<thead>
<tr>
<th>Soil Code</th>
<th>Class</th>
<th>Description</th>
<th>%</th>
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</thead>
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<tr>
<td>Dt</td>
<td>Class II</td>
<td>Drummer silt loam, gravelly substratum</td>
<td>15%</td>
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<td>EgA</td>
<td>Class II</td>
<td>Elburn Silt Loam, gravelly substratum, 1 to 3% slope</td>
<td>25%</td>
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<tr>
<td>PtA</td>
<td>Class I</td>
<td>Plano Silt Loam, gravelly substratum, 0 to 2% slope</td>
<td>30%</td>
</tr>
</tbody>
</table>
WhB  Class II  Warsaw silt loam, 2 to 6% slope  10%
WhC2  Class III  Warsaw silt loam, 6 to 12% slope, eroded  20%

The site contains 100% prime farm soils.

IMPACT ON ROADS AND TRAFFIC:

The site is served by a private drive off of Hwy X to the south of the parcel. The drive crosses a railroad.

OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: _____X______COMPLETE  __________INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[  ]  The activity will not convert land that has been devoted primarily to agricultural use.

[  ]  The activity will not limit the surrounding land’s potential for agricultural use.

[  ]  The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[  ]  The activity will not conflict with agricultural operations on other properties.

The A-1 zone district includes agricultural related uses of wastewater lagoons and wastewater storage facilities that are used to hold wastewater that will be agriculturally land applied. Therefore this use is consistent with Farmland Preservation.

A conditional use permit for an industrial waste storage pond as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands zoned A-1 Prime Agricultural Land District, and described as follows:

Part of Tax Parcel #’s B D 2800007, B D 2900007, B D 3200001, and B D 3300014

Has been APPROVED after the appropriate findings were made as required by State Farmland Preservation Program Sec. 91.46 Wis. Stats. Subject to the following conditions:

1. This facility is approved per plan submitted as a temporary wastewater storage facility for wastewater from ConAgra Foods Packaged Foods, LLC vegetable process plant to be applied to agricultural land with all additional conditions.

2. Use of the site shall be strictly limited to the materials (process vegetable wastewater) specified in the plan of operations. All materials stored on site must be permitted for land application.
3. There shall be no other users of the wastewater storage facility.

4. The owner/operator must comply with all Federal, State, County and local regulations. The property owner shall meet all testing and monitoring requirement for the facility prior to land application of the wastewater.

5. All signage must conform to County ordinance standards.

6. The owner shall notify the County if any changes are made regarding operation of this site including quantity, location and type of materials to be stored on site.

7. The site shall be maintained in a nuisance free condition. The owner shall be held solely responsible for the control of dust, odors, fire, vermin, insects, rodents, filth, groundwater and surface water contamination and windblown materials resulting from past and future operations on this site.

8. If applicable conditions are violated, Walworth County may require a clean-up schedule, modification of the process operation or termination of the operation and this conditional use permit.

9. Staff may conduct inspections necessary to ensure site is operated and maintained according to all applicable regulations.

10. The owner must obtain a Land Disturbance, Erosion Control and Stormwater Permit from Land Conservation Office. This permit may require the installation of a stormwater catch basin for drainage from off the loading area and storage areas.

11. The owner/operator shall provide a copy of all required certification from D.N.R. for the conditional use file and keep the certifications current in the County file.

12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

14. Proper access must be granted by the State Department of Transportation prior to operations.

15. The site shall be used for location of a wastewater storage facility solely for the food processing plan.

16. The property owner must prepare a spill prevention plan, complying with USEPA and WDNR standards as per the County Conservation Office.

17. The wastewater storage lagoon shall be removed and the property graded back to acceptable agricultural contours under approval of a new conditional use permit for agricultural land restoration upon termination of use.
Dated this 17th day of February, 2011.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN
CONSTRUCTION DRAWINGS
FOR
NORTH LAGOON MODIFICATIONS
CONAGRA FOODS PACKAGED FOODS, LLC
DARIEN, WISCONSIN FACILITY
WALWORTH COUNTY, WISCONSIN
JUNE 2020
Prepared By
Foth
20C010

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<td>TITLE SHEET</td>
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<td>PROJECT LOCATION MAP</td>
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<td>EXISTING CONDITIONS</td>
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<td>PROPOSED DRAINAGE CONTROL PLAN</td>
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<td>PROPOSED GAS VENTILATION SYSTEM</td>
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<td>DETAILS 9</td>
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<td>DETAILS 10</td>
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</table>

SITE LOCATION MAP
WALWORTH COUNTY

COUNTY LOCATION MAP
NOT TO SCALE
GROUNDWATER LIFT STATION - PLAN VIEW

NOTE: ALL INTERNAL PIPING TO LIFT STATION AND VALVE BOX SHALL BE 4" HDPE HD100.
2 TYPICAL BALLAST DETAIL

NOT TO SCALE

12 30'x20' BONHOMME Geotextile

60 MIL HOLE LINER

2 LAYERS OF 1 1/2' COARSE AGGREGATE

6" THICK LAYER OF UNSTABLE SOIL

12 30'x20' BONHOMME Geotextile

1 TYPICAL AERATOR CENTER SUPPORT DETAIL

NOT TO SCALE

12" x 10" x 1/2" STEEL PLATE (TYP.)

2" X STRONG PIPE WELD TO PLASTIC LINER AND PLANT WELD ALL AROUND (TYP.)

3" CL. COVER (TYP.)

18" CONCRETE PEDESTAL WITH 4" REINFORCEMENT AT 12" OD EACH WAY

3" CONCRETE PEDESTAL WITH 4" REINFORCEMENT AT 12" OD EACH WAY

12" x 10" x 1/2" STEEL PLATE (TYP.)

36" CON. 1/2" W/ WELD 2 EXPANSION ANCHOR 4 2" LONG (NO)
Conagra Foods
CU for Expansion of Wastewater Storage Lagoon
Sections 28, 29, 32, 33 Darien Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  
_______ REZONE  
___X___ CONDITIONAL USE

NAME:  Alex and Helen Wasyliw – Owners, S&P Premier Investments/Pinno Buildings C/O Greg Dziedzic - Applicant

LOCATION:  The property of concern is located in the SW ¼ of Section 23, Delavan Township and is identified as Tax Parcel FA186700001.

TOWN RESPONSE:  Approved  ___  Denied:  _____  No Action:  ___X___ Tabled

ZONING:  The property of concern is zoned B-2 General Business District.

PROJECT DESCRIPTION:
The application indicates: The property owners are requesting conditional use review and approval for a Planned Unit Development (PUD) for office space, retail and off season mini-warehouse storage principle uses on a proposed C.S.M. lot on lands zoned B-2 General Business District. The property is to be served by public sewer and proposed a private road. The private road crosses the lot containing the PUD and serves two other lots of a proposed three lot C.S.M. The PUD lot is served by stormwater management basins on easements.

CONFORMANCE WITH COUNTY LAND USE PLAN:
The Walworth County 2050 Land Use Plan identifies this area as the C Commercial land use categories. Approximately half of the 3 lot development is in the shoreland area of Delavan Lake.

COMPATIBILITY WITH SURROUNDING LAND USES:
To the north is property zoned B-2, A-1 and P-2
To the east is property zoned B-2, R-5 and P-2
To the west is land zoned B-4.
To the south is property zoned B-2.

SITE CHARACTERISTICS: The following soil types are found on this site:

MyB  Class II  Miami silt loam, 2 to 6% slopes
RaA-  Class IIw  Radford silt loam, 0-3% slopes.
**IMPACT ON ROADS AND TRAFFIC:**

The site is served by of the parcel a proposed private road off of Town Hall Road to the north of the property.

**OTHER RELEVANT DATA – RECOMMENDATIONS:**

The application will need to be filled out correctly including the property owner’s name and address on the ownership line and have the signature of the current property owner.

The project indicates the road would be private and on an easement but shows a T-turnaround rather than the required 60 foot diameter cul-du-sac. The Walworth County Subdivision Control Ordinance requires all private roads that terminate to have the required cul-du-sac. A T-turnaround could be approved as a modification of the road standard for a roadway that will be dedicated to the Town. If the roadway is to remain private on an easement then the site plan must be revised to show the required cul-du-sac. A roadway on an easement would not allow for future through access from the neighboring property. A maintenance agreement shall be required to be provided demonstrating how the roadway in the easement will be managed.

The Conservation Office has reviewed the site development plan and the preliminary storm water management plan for the application referenced above and respectfully provide the following comments.

1. The site development plan includes the construction of a private roadway to access three proposed commercial lots. The preliminary storm water management plan review application indicated this development will require approximately 146,000 square feet of land disturbance and will result in the establishment of over 112,461 square feet of impervious surfaces, (driveways, roof tops, parking lots). An exhibit should be prepared to determine how the impervious surfaces under full build-out conditions was calculated.

2. A preliminary storm water management plan was submitted to the Walworth County Land Conservation Division on June 25, 2020 and was prepared by Cardinal Engineering. The submittal was incomplete. A soil investigation and evaluation of the site for infiltration and within the footprint of the proposed storm water management facilities was not provided. The Land Conservation Division Staff will prepare a storm water management review letter after the required soil morphological investigation and evaluation for infiltration and the planned storm water management facilities has been submitted.

3. The site development plan shows the location of two storm water management practices and a storm water conveyance system consisting of vegetated swales. It appears a wet detention pond and a "dry-basin" are planned to manage storm water runoff under developed conditions. The planned storm water management best management practices must be labeled on the development plan and the storm water management plan with the correct technical name, (wet detention pond, vegetated swale and infiltration basin or bioretention device.)

4. The storm water management practices must be located on an outlot(s). Section 26-16 of the Walworth County Storm Water Management Ordinance states:

   *Ownership (of the storm water BMPs) shall be the same as those assigned the maintenance responsibilities....*

   *For subdivisions, all storm water BMPs that collect runoff from more than one lot shall be located on outlots. For all privately owned outlots, ownership shall be by proportional undivided interest for all property that are within the control of applicant and drain to the BMP. However, the applicant may combine ownership of more than on BMP within the site.*
5. Access. The development plan and the storm water management plan must include a 15' wide access easement of adequate soil conditions or surfacing to withstand loads produced by standard construction equipment to perform inspection and maintenance of all features of storm water management practices.

6. The operation and maintenance plan for the storm water management plan should include a method to dewater the wet detention pond to facilitate dredging accumulated sediment, when needed.

7. The storm water management plan should consider the establishment of native plantings and not mowing around the perimeter of the wet detention pond to discourage geese.

8. The WisDOT should review and approval of the location of the proposed wet detention pond to insure that the location and the discharge point is acceptable within or near their ROW.

9. Well Separation. The location of any storm water management facility must be certain distances from public, community and private wells. The preliminary storm water management plan should insure these clearances will be met by locating the wells near the development site.

APPLICATION STATUS: _______COMPLETE   ____X_____INCOMPLETE

General:

1. Approved per plans submitted for a Planned Unit Development for indoor off season/mini-warehouse storage and an office building with offices and potential retail sales with all additional conditions.

2. All storage areas shall be located as defined on the plan of operations.

3. This conditional use contains an overall umbrella approval for the PUD for the indoor off season/mini-warehouse storage and an office building with offices and potential retail sales on one parcel and an individual conditional use for each enterprise. Enforcement actions may be taken on the PUD as a whole or the conditional use approvals individually.

4. No general public sales allowed from the indoor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities or proposed office building.

5. The site shall meet all applicable Federal, State, County and local regulations.

6. The applicant must obtain all required zoning permits including sign permits.

7. No filling shall be allowed in any wetland areas.

8. No filling shall occur on site without a site grading plan and proper permit approval.

9. All areas shall be kept neat, clean and mowed.

10. All outside lighting shall be shielded and directed on site.

11. No fuel storage shall be located on site.

12. Access approval must be obtained from the Town of Delavan and be submitted for the conditional use file prior to operation on site.
13. All cars and trucks shall be parked in the marked spaces as identified on the approved plan of operations. Use capacity of the site shall be restricted by the cars capable of being parked in the marked spaces as identified on the plan. Parking must meet with requirements of the county zoning ordinance. The off-street parking area shall be graded and surfaced so as to be dust-free and properly drained. All parking areas shall be clearly marked. All parking shall be properly installed prior to use of the site.

14. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction if required by Section 26 of the Walworth County Code of Ordinances. The construction activities of this development must comply with the Walworth County Land Disturbance, Erosion Control and Stormwater Management standards contained in Section 26 of the Walworth County Code of Ordinances.

15. The storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m.

16. No outside storage of building construction equipment or materials shall be allowed on site at the conclusion of building construction for the project.

17. The owner/applicant must obtain County Land Conservation Office approval of a spill prevention plan (SPP) and a stormwater pollution prevention plan for this site if required by ordinance.

18. No burning of waste materials shall occur on site.

19. The property owner must maintain adequate liability insurance during use of the property and keeps the insurance current during the life of this conditional use.

20. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Linn and their agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property prior to this conditional use being valid.

21. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

22. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals. Both office building and mini-warehouse storage building construction must be occurring in order to be considered exercising this conditional use.

Specific:

23. The tee turnaround on the private road shall be replaced with the required 60 foot diameter cul-du-sac and all setbacks shall be adjusted for the change in the roadway easement.

24. There shall be no through access from other property outside of the three lot development allowed on the private drive without additional Town and County approval. There shall never be more that 10 lots or units served by the private roadway.
25. The building envelope for the office building must be removed from the portion of the property affected by the stormwater basin drainage easement.

26. The property owner must obtain specific Town approval for the type of surface to be installed for the drives providing access to the storage units.

27. Phase I of the development plan or construction plan must include the construction of all the planned stormwater management practices to serve the facility on all three lots under full built-out conditions.
S&P Premier Investments
CU for PUD
Section 23, Delavan Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

**TYPE OF PETITION**

- __________ REZONE  
- __________ CONDITIONAL USE

**NAME:** Steven S. Walter – Owner,

**LOCATION:** The property of concern is located in the SE ¼ of Section 21, Darien Township and is identified as part of Tax Parcel B D-21-5A.

**TOWN RESPONSE:** Approved: _____ Denied:_____ No Action:__X___ Tabled:_____

**ZONING:** The property is zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District.

**PROJECT DESCRIPTION:**

The application indicates: The property owner is requesting to increase the size of a building currently used as an office and shop by adding a 24 ft. wide addition to the structure used as part of an existing wastewater hauling and disposal business in excess of 25% of the pre-existing structures requiring conditional use approval as if establishing the use anew. The additional area is needed for parking of trucks and equipment. No additional employees are proposed due to the expansion. The same hours of operation as the existing business use are proposed.

**CONFORMANCE WITH COUNTY LAND USE PLAN:**

The County 2050 Land Use Plan identifies this area as the part AG4 Agricultural Related Manufacturing, warehousing and Marketing and AP Prime Agricultural land use categories.

**COMPATIBILITY WITH SURROUNDING LAND USES:**

**SITE CHARACTERISTICS:** The following soils are found on the site:

<table>
<thead>
<tr>
<th>Soil</th>
<th>Class</th>
<th>Description</th>
<th>% of Site</th>
</tr>
</thead>
<tbody>
<tr>
<td>PtA</td>
<td>Class I</td>
<td>Plano Silt Loam, gravelly substratum, 0 to 2% slope</td>
<td>55%</td>
</tr>
<tr>
<td>PtB</td>
<td>Class II</td>
<td>Plano Silt Loam, gravelly substratum, 2 to 6% slope</td>
<td>45%</td>
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</table>

The site contains 100% prime farm soils.

**IMPACT ON ROADS AND TRAFFIC:**

The site is served by Hwy 14 to the west of the parcel.
OTHER RELEVANT DATA – RECOMMENDATIONS:

APPLICATION STATUS: [X] COMPLETE  [] INCOMPLETE

FINDINGS FOR CUP:

Please confirm that finding were made that the CUP is consistent with agricultural use base on consideration of the following as required by s. 91.46 Wisconsin Statutes:

[ ] The activity will not convert land that has been devoted primarily to agricultural use.

[ ] The activity will not limit the surrounding land’s potential for agricultural use.

[ ] The activity will not conflict with agricultural operations on land subject to farmland preservation agreements.

[ ] The activity will not conflict with agricultural operations on other properties.

An Agricultural Related Use in the A-4 zone district would be consistent with Farmland Preservation standards.

See conditions # 1 and 14 change by new CU approval.

General:

1. Approved as per plan submitted and revised 8/20/2020 for a 24 ft. by 40 ft. addition to the office/shop building for vehicle and equipment storage as a contractor storage area for a wastewater hauling and disposal business with all additional conditions.

2. Storage limited to material and goods directly associated with business. Outside storage shall be limited and located as identified on the plan of operations. No outside storage areas shall be allowed in the required setback areas.

3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with hours after 6:00 p.m. for off premise work and returning of equipment to the premises seven days a week.

4. Must meet all applicable Federal, State, County and local regulations.

5. Outside lighting shall be shielded and directed on site.

6. The applicant must obtain all required zoning permit approvals including a sign permit.

7. No fill, debris, branches or leaves may be brought back and disposed of on site. No burning of waste materials shall occur on site.

8. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office. The applicant must submit and obtain approval of a landscaping plan from the County Conservation Office.
9. All parking and access to the site shall meet County requirements. All parking shall be installed according to County requirements within 60 days of this approval.

10. The project site must be kept neat, clean, and mowed.

11. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

12. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

Specific:

13. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.

14. No equipment storage may occur on the A-1 zoned property by the wastewater storage tanks.
Steven Walter
CU for Expansion of a Shop Building
Section 21, Darien Township
Zoning Map
This report was prepared prior to the public hearing. This report may be supplemented or amended to reflect the review of additional information presented at the public hearing and written material submitted up to the meeting at which the decision is made by the Walworth County Zoning Agency.

PRELIMINARY STAFF PLANNING REPORT TO THE WALWORTH COUNTY ZONING AGENCY

TYPE OF PETITION:  
_____ REZONE  
__X__ CONDITIONAL USE

NAME: Caryn and Alan Hayden - Owners

LOCATION: The property of concern is located in the SW ¼ of Section 11, Sugar Creek Township and is identified a part of Tax Parcel G SC1100001C.

TOWN RESPONSE: Approved __X__  Denied: _____  No Action: ___  Tabled____

ZONING: The property of concern is zoned A-2 Agricultural District.

PROJECT DESCRIPTION:

The application indicates: The property owners are requesting conditional use permit review and approval for a 10 ft. 3 inch by 19 ft. 4 inch utility building for the storage of high speed internet/broadband and phone service equipment including routers, switches, servers and battery backup systems for Edge Broadband on lands zoned A-2 Agricultural.

CONFORMANCE WITH COUNTY LAND USE PLAN:

The Walworth County 2050 Land Use Plan identifies this area as the AG1 Other Agricultural Rural Residential and Other Open Lands (five to 34 acres per dwelling) land use categories.

COMPATIBILITY WITH SURROUNDING LAND USES:

To the north and west is property zoned A-2.  
To the east and south are property zoned R-1.

SITE CHARACTERISTICS: The following soil types are found on this site:

WhB  Class II Warsaw silt loam, 2 to 6% slope

IMPACT ON ROADS AND TRAFFIC:

The site is served by a separate utility drive off of Hwy A to the south of the parcel.
OTHER RELEVANT DATA – RECOMMENDATIONS:

Edge Broadband is using an agricultural building in Whitewater Township on Hwy P that was converted illegally into the business headquarters. The violation includes improper zoning and potential fill in wetlands for the parking area on which the business keeps its equipment. The Land Use and Resource Management Department had begun enforcement actions on this site on July 25th, 2019 and has yet to receive application for the required rezoning and conditional use to bring the headquarters site into compliance. This headquarters building would be used in conjunction with the equipment building proposed by this conditional use.

APPLICATION STATUS: _____X____COMPLETE   _______INCOMPLETE

General:

1. Approved as per plan submitted for a 10 ft. 3 inch by 19 ft. 4 inch utility building for the storage of high speed internet/broadband and phone service equipment including routers, switches, servers and battery backup systems with all additional conditions as added.

2. Any proposed buildings shall be of an earth tone or neutral color (I.E. beige or tan).

3. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.

4. Construction related activities are only allowed on site between sunrises to sunsets.

5. The applicant must obtain a Land Disturbance Erosion Control and Stormwater Management permit from the County Land Conservation Office prior to any construction activities occurring on site.

6. All spoils spreading activities must be conducted in the approved identified locations.

7. All access to the site must be made as identified on the approved plan.

8. All contractor storage yards shall be located as identified on the approved plan and used as specified.

9. The applicant shall meet all applicable Federal, State and local regulations.

10. The applicant shall make all necessary arrangements for use and crossing of public roadways with the State, County and Town Highway Departments.

11. The pre-existing contours of all floodplain areas affected by the utility installation must be adequately matched during restoration so as to meet the requirements of the County shoreland/floodplain regulations.

12. If the Land Management Department determines that changes in either the character of the use or the intensity of the use are not consistent with this approval, then those changes must be brought before the County Zoning Agency for approval.

13. Failure to actively exercise this conditional use within three years of the approval date shall result in automatic dismissal without prejudice. The property owner may request a time extension for actively exercising the conditional use. A time extension for actively exercising the conditional use must be requested in writing during the original three year period. Any extension requested during the three year
active exercise period greater than one year beyond the original three year period shall require additional Town and County committee approvals.

14. The applicant is responsible for removal of the utility building if it is no longer in use. If the utility discontinued for a continuous period of 12 months, it may be considered abandoned. Abandoned utilities may be required to be removed within 90 days.

15. The owner of the property shall release, indemnify and hold harmless Walworth County and its agents and employees from all liability, claims, demands, causes of action, costs, or losses for personal injuries, property damage or loss of life or property as a result of exercising this approval.

Specific:
January 26, 2018

John Olson, Administrator
Town of Delavan
5621 Town Hall Road
Delavan, WI 53115

RE: WIS 50 Corridor Study
Project Limits: IH 43 – WIS 67
Walworth County
Project ID: 3170-10-00

Dear Mr. Olson,

The Wisconsin Department of Transportation (WisDOT) has decided to end the WIS 50 Corridor Study that began in 2007. Work on the WIS 50 Corridor Study has ended as of January 23rd, 2018. This update is being sent to all involved stakeholders to provide information related to the termination of this study.

The study began as a method to examine long-term needs of the corridor. Valuable information has been developed by this activity, which may be applied toward future improvements that focus on preserving the existing corridor. The Department recognizes the importance of this corridor to the economy, and it fully intends to make improvements to keep people, goods and services moving safely and efficiently. The Department is focused on the preservation and maintenance of the existing roadways across the State.

It is possible that a differently scoped project will use part or all the information gathered as part of this study. Any future transportation improvements along the corridor will progress under a separate environmental review process, in accordance with all applicable laws and regulations.

While no reconstruction of the corridor is planned, the Department will continue to monitor and evaluate this roadway for future needs. We encourage you to continue to work with us regarding potential developments adjacent to the highway in this area. We would like to continue to work together so that we can minimize future real estate impacts should corridor reconstruction occur in the future.

WisDOT is simply making sure all involved stakeholders are aware that the WIS 50 Corridor Study has been ended. Please let me know if you have any questions and thank you for your past participation and assistance with this study.

Sincerely,

Andrew Wheeler, P.E. WisDOT Southeast Region Project Manager.
(262) 548-8794
Andrew.Wheeler@dot.wi.gov

Cc: Dewayne Johnson, P.E. WisDOT Southeast Region Director
Tony Barth, P.E. WisDOT Systems Planning Chief
MEMO

Date: August 19, 2020

To: Walworth County Zoning Agency
    Matthew Weidensee, Senior Planning Specialist

From: Fay Amerson, Senior Urban Conservation Specialist
       Walworth County Conservation Division

Re: ATS Limited (Bob Allen)
    Tax Key Parcel # FA13900001 Town of Delavan
    Construction of a commercial building for boat storage, driveways, vegetated swales, and wet detention pond for storm water management.

The Walworth County Land Conservation Division has determined the preliminary storm water management plan for the ATS development site, referenced above, is complete and complies with the Walworth County storm water management performance standards and plan requirements contained in Section 26, Article I of the Walworth County Code of Ordinances.

A revised preliminary storm water management plan was submitted to the Walworth County Land Conservation Division on August 13, 2020. The plan includes the following additions and refinements:

1. A cross-section and profile for the two planned vegetated swales have been added to the preliminary storm water management plan and are presented on Sheet 6 of the plan set submitted. The vegetated swales are located on the front side of proposed building (parallel to STH 50) and on the rear side of the proposed building. These vegetated swales will transport storm water runoff to a proposed wet detention pond, under built-out conditions.

There will be minimal encroachment into the existing berm located on the rear side of the building and on the south property line.

2. A 15' wide access lane has been added to the preliminary storm water plan and is presented on Sheet 8 of the plan set submitted. This access lane is necessary to perform inspections, maintenance and repairs for the proposed wet detention pond.

3. The footprint of the wet detention pond had been slightly modified and the outlet structure has been relocated to provide a 15' clearance to the east property line. This will provide access to the outlet structure for inspection and maintenance, when required.

4. The flow path of the outlet from the proposed wet detention pond has been assessed and is illustrated on a drainage map submitted with the revised plans. Discharges from the built wet detention pond will follow an existing flow path that is well vegetated and discharging to Baily Road.

5. The locations of private wells on adjacent properties have been identified and submitted to Walworth County. The proposed wet detention pond is not located within 25 feet of any private well.

6. An agreement has been drafted to convey to the Town of Delavan an easement and right-of-way for the purpose of inspecting and performing maintenance of the storm water management facilities on the parcel.

100 West Walworth Street
   P. O. Box 1001
   Elkhorn, WI 53121
Conservation Division
   262-741-4972 tel
   262-741-4973 fax
Applicant: We Energies
Property Owner: Sterkin Farms, Inc.
Township: Town of LaGrange
Site Location: CTH O
Tax Key Parcel # HLG2900005

Preliminary storm water management plan prepared by: Burns and McDonnell Eng., Inc. (Randy Sedlacek, P.E.)
Preliminary Plans Reviewed: This review is based on a Preliminary Storm Water Management Plan submitted to Walworth County Land Conservation Division on August 17, 2020.

County Authority: Chapter 26 (Environment) Walworth County Code of Ordinances (Article I and Article II)

Purpose of Review: The purpose of this preliminary storm water review letter is to insure site planning for any land development proposal accounts for compliance with State and County Storm Water Management Performance Standards and to insure the development plan demonstrates sufficient land is allocated to manage storm water runoff generated under full development conditions proposed. The preliminary storm water management review provides the applicant with information relevant to state and county storm water management performance standards applicable for the proposed development and provides guidance and recommendations for the preparation of final engineering plans.

Current Land Use Conditions: The current land cover is agricultural.

Development Plans. The development plan includes construction of a natural gas liquidation treatment facility, liquid gas storage tank, a fire-protection water tank, mechanicals, an administration building, truck loading area, access road, a permanent storm water management pond, an emergency impoundment basin, temporary construction yards, a temporary sediment basin for construction and temporary parking area for construction equipment and construction employees.

Planned Storm Water Management practices: A wet detention pond is planned to manage storm water runoff under developed conditions. The preliminary storm water calculations (modeling print-outs) indicate the use of ditches and diversion swales, but a site plan was not provided to show where these conveyance features will be established. The final engineering must include a detailed final grading plan to show how runoff will be conveyed from the developed site to the planned storm water management pond.

County Land Conservation Division Comments.

1. Total Proposed Land Disturbed. The preliminary storm water management review letter application form, indicates 1,521,000 square feet will be disturbed to implement the development plan. The total impervious surface that will be established under built conditions will cover 885,000 square feet.

2. Soil and Site Evaluation Report. Soil exploration and evaluation for the planned storm water management practices was not submitted. This evaluation shall be undertaken and the findings included in the final engineering to ensure the planned storm water management practices are viable and account for any site limitations or opportunities. A soil examination must be conducted for two soil pits within the proposed footprint of the storm water wet detention pond. The soil exploration and evaluation should extend 5 feet below the bottom of the proposed permanent storm water management pond. The soil evaluation should determine the type of liner required for the storm water pond. In additon, the soil evaluation should extend 5 feet below the bottom of the proposed wet detention pond. The final engineering shall provide the soil exploration and evaluation report.

3. Compliance with WDNR Technical Standards. The proposed storm water management practices must comply with WDNR Technical Standards for Construction and Post-Construction Storm Water Management. The design, construction and maintenance of the permanent wet detention pond shall comply with the standards and specifications contained in WDNR Technical Standard # #1001.

The final Storm Water Management Plan shall provide additional evaluation of the soil conditions and include an evaluation for the use of a liner, using Appendix D of the WDNR Technical Standard #1001.

Sheet SK-CG0004 of the plan set submitted, includes a conceptual typical section of the proposed wet detention pond. The final engineering shall include additional specific construction details, (cross-section, outlet specifications, liner specification) for the permanent wet detention pond and any conveyance system planned to transport runoff to the planned management practice and the location of each element on a site plan with a scale of 1”=40’.

4. Operation and Maintenance Plan. An operation and maintenance plan for the permanent storm water management practice (wet detention pond and conveyance system) shall be prepared and recorded according to the requirements outlined in Section 26-16 of the Walworth County Code of Ordinances, related to Storm Water Management.
5. Additional comments. The final storm water management plan and the construction site erosion and sediment control plan and permit shall be approved by the Walworth County Land Conservation Division.

6. Construction Site Erosion and Sediment Control Plan. A separate construction site erosion and sediment control plan shall be prepared and submitted to Walworth County for approval and include the plan elements listed in Section 26, Article II of the Walworth County Code of Ordinances. A list of some, not all, of the Construction Site Erosion and Sediment Control Plan elements are listed below:

- A dewatering plan must be included in the construction site erosion and sediment control plan and included with the final engineering. The dewatering plan must comply with WDNR Technical Standard #1061.

- Construction details for the temporary sediment control basin, including cross-sections and outlet control device shall be included with the final engineering. The planning, construction and maintenance of the sediment basin shall comply with the standards and specifications contained in WDNR Technical Standard # 1064.

- A dust control plan shall be prepared and included in the final engineering.

- A project schedule and sequencing plan must be included in the final engineering.

- A site stabilization plan must be prepared and included in the final engineering and include methods and schedules for any temporary stabilization and the final stabilization or landscaping.

- A restoration plan for the temporary construction areas, construction yards (lay-down areas) and sediment basin must be prepared and included in the final engineering.

- A waste management plan shall be prepared and included in the final engineering. Concrete or mortar washout. Discharges from the washing of any concrete truck, chutes, drum or mortar drum must be managed. A leak proof container must be used to collect any concrete washout water so that the caustic material does not reach the soil surface and migrate offsite or into surface water or into groundwater. If concrete washout is planned on the site, a concrete washout area with a best management practice should be designated and used on the project site. See https://www3.epa.gov/npdes/pubs/concretewashout.pdf

- The final engineering must show the disposal location and provide the stabilization methods for all of the material that is excavated or generated from the development site and not reused for the construction of the facility. It is recommended that the volume of excavated material for the construction of the temporary sediment basin and the permanent storm water pond and impoundment feature be determined.

- The contact information of the general contractor, the grading contractor, the landscape contractor and the person responsible for conducting the required site inspections for construction erosion and sediment control.

Additional Comments:

Sheet SK-CG0004 of the preliminary storm water management plan submitted includes multiple construction details (silt fence, rumble plate, rock check dam, conceptual wet detention pond). A site plan showing the location of these features shall be included in the final construction site erosion and sediment control plan and storm water management plan.

A subsurface agricultural drainage tile exploration should be undertaken and including in the final engineering to locate any tile system within the development site. A plan to relocate, repair, or abandon any agricultural tile encountered during construction should be prepared and included in the final engineering.

The construction of this development site must obtain all WDNR Construction Activity and Post-construction Permits. Copies of WDNR Permit Coverage shall be submitted Walworth County prior to the approval of the Storm Water Management Permit and Construction Site Erosion and Sediment Control Permit.

Preliminary Storm Water Review Prepared by: Fay U. Amerson
Date: 08/19/202