

County Zoning Agency

MINUTES

July 18, 2019 – 5:30 p.m.

100 West Walworth Street
Elkhorn, Wisconsin

Committee Chair Tim Brellenthin called the meeting to order at 5:30 p.m.

Roll call – Committee members present were Supervisors Tim Brellenthin, Dave Weber, Rick Stacey, Susan Pruessing, and Citizen Members Richard Kuhnke, Sr. and Jim Van Dreser. Supervisor Jerry Grant was absent/excused. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Site Planner/Hearing Facilitator Matt Weidensee.

A “sign-in” sheet listing attendees on July 18, 2019 is kept on file as a matter of record.

Details of the July 18, 2019 meeting / hearing are on a digital recording which is on file and available to the public upon request / video to view on our website: www.co.walworth.wi.us

Rick Stacey motioned to approve the agenda. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

Richard Kuhnke, Sr. motioned to approve the June 20, 2019 CZA Meeting minutes. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement – Michael Cotter
Disc Count #5:34:23- 5:35:21

Subdivision Items – Old Business – None

Subdivision Items – New Business – None

Old Business - Ordinance Amendments – None

Old Business – Discussion Items – None

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. **Transformative Arts, Inc. – Owner**, Section 36, Delavan Township. Amend of a conditional use for the Belfrey Theater to allow addition of an employee break room, merchandise sales area and coat check area being less than 25% of the approved existing building size qualifying for amendment review. Tax Parcel F D 3600001.

Amended 7/18/2019 for expansion less than 25% of current structure for the Belfrey Theater to allow addition of a employee break room, merchandise sales area and coat check area (see condition # 1 and 25).

Approved 11/15/2018 for expansion of the caretakers quarters causing expansion of greater than 25% requiring conditional use approval as if establishing the PUD anew.

Amended 10-18-2018 for expansion of a 12 unit hotel/motel with one caretaker dwelling in order to make the already approved hotel/motel units larger and add two parking stalls for a caretaker's dwelling.

Amended 8-16-2018 for outdoor food and beverage on a patio, restroom addition and expansion of to the lobby, expansion of the theater back stage and storage area and hotel/motel use when theater is not used. See conditions #1, 2, 9, 14, 21.

Amended 4-24-2018, condition #1

NAME: Transformative Arts, Inc.

TOWN: Delavan

Tax Parcel #F D 3600001

Has been APPROVED subject to the following conditions:

General:

1. The Conditional Use is approved and per plan and plan of operations submitted for use of the existing Belfry Theater for public assembly uses as a conditional use including: theater, musicals performances, meetings, conferences, weddings and receptions and related activities **and amended April 24, 2018 to include restrooms, utility rooms, revised parking and a holding tank as per the revised site plan dated received 4-19-2018. Amended 8-16-2018 as per plan submitted to allow outdoor food and beverage on a new patio, restroom addition to lobby, expansion of the lobby area, expansion of the back stage and storage area of the theater building and hotel/motel/office use in the existing residential structure when theater is not used with use of the residential structure for staff and performers when the theater is in use. Amended 10-18-2018 for expansion of a 12 unit hotel/motel with one caretaker dwelling in order to make the already approved hotel/motel units larger and add two parking stalls for a caretaker's dwelling and Approved 11-15-2018 for expansion of the caretaker's quarters resulting in total expansion of greater than 25% requiring conditional use approval as if establishing the PUD anew and amended 7/18/2019 as per plan submitted for expansion less than 25% of current structure for the theater to allow addition of employee break room, merchandise sales area and coat check area.**
2. Use of the Theater shall be limited to the uses as stated in the plan of operations. **Any onsite food service shall be in conjunction with the use of the theater for activities specified in the plan of operations. Food service is to be provided to persons while attending a theater performance.**
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 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 keeps 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 meet with requirements of the county zoning ordinance. All parking must be graded and surfaced so as to be dust free. All parking must be in compliance with County requirements within 60 days of this approval. **Parking for hotel/motel use of the existing residential structure shall be covered by the theater parking area. Use of the theater parking area for hotel/motel use shall only occur when the theater is closed to all use until such time as separate parking is reviewed and approved for the hotel/motel use.**
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. All outdoor lighting shall be “dark sky” and shielded from the neighboring properties as per the Town.
14. The hours of operation shall be 8:00 a.m. to 11:59 p.m. during and surrounding the days of performances as per the Town. **Hotel/Motel use shall occur 24 hours per day when the theatre is not in use with check in and checkout between the hours of 8:00 a.m. and 10:00 p.m.**
15. All garbage will be enclosed and removed as per the Town.
16. There shall be no outdoor performances or outdoor speakers/sound systems as per the Town.
17. The Theater shall be connected to a septic or sanitary sewer system within 2 years as per the Town.
18. All traffic must exit the property by use of the Hwy 67 exit as per the Town.
19. Directional traffic signage shall be provided indicating the one-way use of the drive access and exit to the site.
20. The Theater shall have a maximum capacity of 235 people including caterers, band employees, and staff.
21. The property owner shall provide a copy of approval from the appropriate building inspector for the County file prior to use of the Theater for public assembly events **and the residential structure being used for any type of commercial stays by staff/performers or hotel/motel use.**
22. There shall be no enclosure of the drainage swale between the Theatre and the on-site residence without first contacting the WI. D. O. T. for culvert sizing and design standards and obtaining a construction site erosion control and stormwater permit from the County Conservation Office.
23. **Units within the hotel/motel may not constitute dwellings without meeting the 40,000 square foot lot size per dwelling unit.**
24. **Approval subject to all parking meeting County requirements.**
25. ~~The retail sales area for merchandise shall require one additional parking stall per 150 sq. ft. of area floor area. The parking stall shall be accounted for on the amended site plan.~~ No off-street public non-theater use of the retail sales area shall occur during theater events without the addition of one compliant parking stall.

Dated this 15th day of November, 2018.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: 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

Staff presents request.

Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

Disc Count #5:35:28 – 5:38:37

2. **Gage Marine – Owner, Gilbank Construction, Inc. – Applicant, Section 25, Delavan Township.** Amend of a conditional use for enlarging existing boat storage buildings. The expansion includes installing a 10 ft. extension on one side of one building and two sides of a

second and combining two approved boat storage building into one larger boat storage building with and increased height of 45 feet. Tax Parcel FA403600001

Amended 7/18/2019 for enlarging, combining and elimination of approved boat storage buildings as per plan submitted (See #1 and #15).

NAME: VANCE MATHER (CHAPMAN HOLDINGS, LLC, APP.)

TOWN: DELAVAN

A conditional use permit for outdoor and indoor commercial boat storage facilities as specified in Chapter 74, Division 4, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned A-4 Agricultural Related Manufacturing, Warehousing and Marketing District, and described as follows:

Part of Tax Parcel #F D 2500015

Being a redivision of Lot 2, Certified Survey Map No. 1098 and other unplatted lands all located in the Southeast ¼ of the Northwest ¼ of Section 25, and the Northeast ¼ of the Southwest ¼ of Section 25, all in Town 2 North, Range 16 East, Town of Delavan, Walworth County, Wisconsin, described as follows:

Commencing at the Southwest corner of the Northwest ¼ of said Section 25; thence North 88°52'12" East along the North line of the Southwest ¼ of said Section 25 "as monumented" being the North Line of Certified Survey Map No. 1788 and the South line of Certified Map No. 1098, 1334.10 feet to the Place of Beginning; thence North 89°05'18" East along the South line of Lot 1 of Certified Survey Map No. 1098, 377.12 feet to the Westerly line of Lot 2 of Certified Survey No. 1098; thence North 17°28'07" East along the Westerly line of said Lot 2, 449.74 feet to the Northerly line of said Lot 2 and the Southerly line of S.T.H. "50"; thence South 59°41'36" East along the Northerly line of said Lot 2 and the Southerly line of said S.T.H. "50", 367.39 feet to the Easterly line of said Lot 2; thence South 16°58'11" West along said Easterly line, 248.41 feet to the Southerly line of said Lot 2; thence South 89°05'34" West along said Southerly line, 139.90 feet; thence South 01° 26'53" West 123.66 feet; thence North 89°10'56" East 162.32; thence South 49°17'45" East 56.98 feet; thence South 01°41'36" East 302.65 feet; thence South 89°06'39" West 820.12 feet to the West line of the East ½ of the Southwest ¼ of said Section 25 "as monumented" being the East line of Certified Survey Map No. 1788 and Certified Survey Map No. 2107; thence North 01°00'36" West along said East line, 463.98 feet to the Place of Beginning, containing 10.000 acres.

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

1. Approved as per plan submitted **and revised 7/18/2019 for enlarging and eliminating boat storage buildings. The expansion includes installing a 10 ft. extension on one side of Building #2 and two sides of Building #3 and combining two approved boat storage building (#4 and #7) into one larger boat storage building (Now #4) with and increased height of the combined building to 45 feet and eliminating two other approved buildings (#5 & 6) as per plan submitted 7-9-2019** with all additional conditions for phased indoor and outdoor boat storage.
2. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. 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 if different from the present sign.
7. No burning of waste materials shall occur on site.
8. The applicant must obtain the required Town, County and/or State Highway approval for the access.
9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
10. 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. 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.

11. The project site must be kept neat, clean, and mowed in all areas.
12. 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:

13. No marina or boat repair activities may occur in the A-4 boat storage area.
14. The A-4 area must be combined with the B-2 parcel in order to meet the required 50-foot road access requirements.
15. The following conditions are required per the Town's request: The buildings shall have a maximum height of 31 feet with exception for the 7/18/2019 amended allowing for combining two previously approved boat storage structures into one building (#4) which shall have a maximum height of 45 feet. All outside boat storage in the B-2 zoned area shall be screened from view from Hwy 50. Outside storage in the A-4 area shall only be located north of buildings 1 & 2 as depicted on the plan (Project # 2005043). Screening must be installed to the south of buildings 1 & 2 so no outside stored boats can be seen from the south of the property. All boats stored outside shall be covered in white shrink rap.

Dated this 9th day of May, 2006.

COUNTY ZONING AGENCY
RICHARD KUHNKE, SR., CHAIRMAN

Staff presents request.

Jim Van Dreser motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

Disc Count #5:38:40 – 5:41:57

Ordinance Amendments – None

Rezones with Conditional Uses –

1. **Karl Sawyer – Owner**, Section 16, East Troy Township. The property owner is requesting to rezone approximately 9.85 acres of R-1 Single Family Residential (unsewered) property to the B-4 Highway Business District in addition to rezoning small areas of A-1 Prime Agricultural, B-4, and C-1 and C-4 shoreland and non-shoreland wetland areas to match wetland boundaries to delineated field conditions and correct zone boundaries to lot lines in order to obtain conditional use approval for a mini-warehouse storage facility. Parts of Tax Parcels P ET1600001 and 6B.

General:

1. Approved as per plan submitted for mini-warehouse storage facilities with all additional conditions.
2. No general public sales allowed from the storage facility. No business activities other than specified in the plan of operations may be conducted from out of the storage facilities.
3. On site hours of operation shall be from 6:00 a.m. to 6:00 p.m. 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 burning of waste materials shall occur on site.
8. The applicant must obtain the required Town, County and/or State Highway approval for the access.
9. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management permit from the County Conservation Office if required by ordinance.
10. 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. 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.
11. The project site must be kept neat, clean, and mowed in all areas.
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 for mini-warehouse storage facilities 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. Mini-warehouse storage building construction must be occurring in order to be exercising this conditional use.

Specific:

14. The access approval is granted for only Phase I of the project (buildings #2 through #7). This conditional use is therefore approved for only Phase I (buildings #2 through #7) along with mass grading of the whole site and implementation of the stormwater management facilities. The property owner will be required to come before the Walworth County Zoning Agency (CZA) for review of an Application for Amendment of a Conditional Use for all other building construction within the other Phases of the development once access approval is granted for those phases as shown on the site plan.
15. The requirements of the stormwater implementation plan and grading plan shall be followed regardless of the phased construction of the buildings. Phase I of the development plan or the construction phasing must include the construction of all of the planned stormwater management practices to serve the facility under full built-out conditions; unless staff approval is granted to allow stormwater basin #4 along Highway 43 to be installed with phase III buildings #12 and #13.
16. Tax Parcels P ET1600001 & P ET1600006B shall be lot line adjusted in order to eliminate concern for driveway and storage building encroachment on the setbacks between the parcel boundaries.
17. There shall be no black dirt mixing and grinding, materials or contractor storage or other business activities requiring zoning approvals on site without first obtaining the required zoning approvals.

Staff presents request and indicates this is consistent with Farmland Preservation. Warren Hansen and Karl Sawyer speak regarding the application. Warren Hansen questions the need for amending the conditional use as opposed to a full approval. Committee confirms the amendment is not a public hearing. Warren Hansen asks to amend the stormwater requirement in that they want to build only 3 initially of the stormwater basins and do the last with future phases. Discussion is had by the Committee regarding any amendment of the stormwater plan and possibly tabling the matter for discussion with the stormwater specialist. The property owner agrees to do all phases to not have the matter tabled. Committee asks if the CU can be approved with Fay Amerson to review basin request. Dave Weber motioned to approve with amendment to paragraph #15 and the requested installation of the last basin with the construction of the last buildings to be

**approved by Fay Amerson. Seconded by Rick Stacey. Motion carried.
6-favor 0-oppose.**

The rezone petition will move forward to the August 15, 2019, Walworth County Board for possible action.

Disc Count #5:44:27 – 6:16:34

Rezones –

1. **Markehl Development, LLC – Owner, James S. Markehl – Applicant**, Section 25, Troy Township. Rezone approximately 2.53 acres of A-4 Agricultural Related Manufacturing, Warehousing and Marketing District area of a dual zoned A-4 and R-1 zoned property to the R-1 Single Family Residential District (unsewered) in order to create a 4.52 acre R-1 zoned lot. Identified as the A-4 portion of Tax Parcel LHC 00001.

Jim Markell speaks regarding the application.

Dave Weber motioned to approve. Seconded by Richard Kuhnke, Sr. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the August 15, 2019, Walworth County Board for possible action.

Disc Count #6:16:41 – 6:20:37

Conditional Uses –

1. **WRS Holding, LLC – Owner, Bruce Reek – Applicant**, Section 19, Lyons Township. The property owner is requesting conditional use approval for a Planned Unit Development (PUD) to allow three business on one parcel each with separate conditional use review. The businesses would be an indoor plumbing contractor storage yard, indoor vehicle repair and storage and a hemp botanical extraction and indoor plant growing facility. The property of concern is located on the east side of Vista Drive approximately 300 feet south of the intersection of Vista Drive and Madaus Street in the Lyons Industrial Park and is identified as Tax Parcel NIP 00011.

General for a PUD:

1. Approved as per plan submitted for a three suite PUD with all additional conditions.
2. This conditional use contains an overall umbrella approval for the PUD and individual conditional uses for the three suites within and outside of the building. Enforcement actions may be taken on the PUD as a whole or the conditional use approval for each suite individually.
3. 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.
4. The owner/applicant must obtain all required zoning and sanitary approvals prior to use of the site for the three suite PUD.
5. The owner must meet all Town, County and/or State highway access requirements.
6. No structures shall be placed in the open space outside of the current structure without additional Committee approval.
7. The project must meet all Federal, State, County and local Ordinances.

8. This Planned Unit Development (PUD) is approved as a three suite building for Expert Plumbing to be located in suite #1. Tyler Winikates vehicle storage and repair in Suite #2 and Geneva Pure Solutions, LLC extraction and manufacturing of products from botanicals (hemp) in suite #3. Any changes to the PUD that may affect this conditional use must obtain additional County conditional use review and approval.
9. The proper preservation, care and maintenance by the original and all subsequent owners of the design of the PUD and all common structures, facilities, essential services, access and open spaces including use of the open space shall be assured by deed restriction referencing the plat.
10. The County reserves the right to rescind this conditional use upon any violation of County regulations.
11. The property owner shall be held solely responsible for addressing all restrictive covenants or association rules beyond those enforceable under County ordinance and regulations.
12. 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. 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. 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.
14. 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:

15. The septic system must meet all requirement and have approval from the County Sanitation Office prior to use of the site for this PUD.

General for a contractor storage yard for a plumbing business:

1. Approved per plans submitted for a contractor storage facility and office for a plumbing business with indoor and outdoor storage in suite #1 with all additional conditions.
2. All storage areas, materials and equipment shall be located as defined on the plan of operations.
3. No general public sales allowed from the indoor and outdoor contractor storage facility. No business activities other than specified in the plan of operations may be conducted from out of the contractor storage facilities.
4. The site shall meet all applicable Federal, State, County and local regulations.
5. The applicant must obtain all required zoning permits including sanitation and sign permits.
6. No filling shall occur on site without a site grading plan and proper permit approval.
7. All areas shall be kept neat, clean and mowed.
8. All outside lighting shall be shielded and directed on site.
9. All fuel storage shall be located within a State approved containment facility.
10. Access approval must be obtained from the Town and be submitted for the conditional use file prior to operation on site.
11. 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. 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.

12. 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.
13. The building contractor storage facilities hours of operation shall be from 6:00 a.m. to 6:00 p.m. with hours for return of equipment from off site until 9:00 p.m.
14. All equipment stored outside shall be owned or operated by the business.
15. 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.
16. No burning shall be allowed on site without a State burning facility license and any required local approvals with submittal for the conditional use file.
17. 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.
18. 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.
19. 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.
20. 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:

General for vehicle storage and repair:

1. Approved as per plan submitted for vehicle storage and repair with all additional conditions.
2. There shall be No outside storage of stock or trade.
3. 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.
4. 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.
5. All outside lighting shall be shielded and directed on site. No additional lighting shall be allowed in the street yard setback areas.
6. Hours of operation shall be Monday through Saturday 6:00 a.m. to 6:00 p.m. and closed on Sunday. There are use of the suite by the public for the vehicle storage and repairs.
7. The project must meet all applicable Federal, State, County and local regulations.
8. The applicant must obtain a sign permit from the County Zoning Office or State DOT.
9. 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.

10. 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:

11. The repairs on cars shall be cosmetic detailing and repairs such as replacement of sensors and fuses. There shall be no engine repairs, oil changing or car washing conducted on site.

General for extraction of essential oils (CBD) from hemp and manufacturing of products from botanicals/hemp and an indoor plant/hemp growing facilities:

1. Approved as per plan submitted for the extraction of essential oils (CBD) from hemp and manufacturing of products from botanicals/hemp and indoor plant/hemp growing facilities with all additional conditions.
2. All uses of the site shall meet applicable Federal, State, County and local regulations including commercial building inspection.
3. Outside lighting shall be shielded and directed on site.
4. The applicant must obtain all required zoning permit approvals including sign permits.
5. The applicant must obtain the required approval for any changes to the access.
6. No fill, debris, branches or leaves may be disposed of on site. No burning of waste materials shall occur on site.
7. The applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by ordinance.
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 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, fluid/oils spills, 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. On site hours of operation shall be 24 hours per day seven days a week.
12. The operator shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
13. No on-site general public sales shall be allowed from the facility.
14. No business activities other than specified in the plan of operations may be conducted from out of the facilities.
15. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
16. The owner must provide a waste disposal plan stating where all trash, by products and other fluids are disposed and shall follow the approved plan during operations on site.
17. Walworth County staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
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. No outside storage areas for materials are shown on the site plan. No outside storage of materials has therefore been approved by this conditional use. Outside storage is limited to the type, quantities and location of material identified on the plan of operations. No outside storage areas including displays of goods are allowed in the required setback areas.
21. All trucks, trailers and equipment in transit shall be allowed to be stored on site for a maximum of 90 contiguous days at which point they shall be removed from the property.
22. The County reserves the authority to require any outside stored materials to be removed from the site within 48 hours of a determination the storage is inconsistent with this approval, has become unsightly or is detrimental to human health and safety.
23. No outside storage of chemicals shall occur on site.
24. The industrial building 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.
25. No dumping of chemical waste shall be conducted outside of the building. All discharge of chemical waste to the holding tank or septic system shall be pre-approved by the County sanitarian.
26. All flammable waste materials shall be stored in a non-flammable, enclosed container and be gated in a non-combustible fence.
27. 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.
28. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.
29. All waste shall be removed from the facility for disposal, composting or pelletized in house for use as animal bedding, mulch or fuel.
30. Leftover ethanol from cleaning the extraction system will be collected and handled by a recycling service. The system shall be designed to minimize water usage. Odors from the extraction process shall be minimized inside the building.

Frank Rizzo speaks regarding the application. Discussion regarding the sizing of the septic system.

Dave Weber motioned to approve. Seconded by Jim Van Dreser. Motion carried. 6-favor 0-oppose.
Disc Count #6:20:41 – 6:36:50

Adjournment

Dave Weber motioned to adjourn. Seconded by Rick Stacey. Motion carried. 6-favor 0-oppose

The meeting was adjourned at 6:37 p.m.