

**SAUK COUNTY BOARD OF SUPERVISORS
LAND RESOURCES AND ENVIRONMENT COMMITTEE
Tuesday, December 28, 2021
County Board Room
Sauk County West Square Building**

Land Resources and Environment (LRE) Committee member present: M. Krueger, R. Nelson (zoom), V. McAuliffe, R. Puttkamer, D. Polivka, B. Lohr, R. Curry

Others Present: L. Wilson, B. Simmert, G. Templin-Steward, L. Digmann, Cassandra Fowler (zoom)

Absent: P. Kinsman (excused)

At 9:00 am Chair Krueger called the Land Resources and Environment Committee meeting to order and certified the meeting is compliant with the Open Meeting Law.

Adopt agenda – Chair Krueger requested as part the adoption of the amended agenda, that item 8 be postponed until the January 13, 2022 LRE committee meeting. Motion by McAuliffe/Curry to adopt the amended agenda as noted, item 8 to be postponed until January 13, 2022 LRE meeting. Motion carried, all in favor.

Adopt minutes of previous meeting- December 9, 2021 - Motion by Curry/McAuliffe to approve the December 9, 2021 LRE Committee meeting minutes. Motion carried, all in favor.

Public comment – None

Communications – Wilson reminded everyone of the Sauk ADA Audit & Transition Plan public meeting that will be held on January 10, 2022 at 5:30 p.m.

Review and approval of vouchers - Motion by McAuliffe/Polivka to approve the vouchers in the amount of \$89,793.14. Motion carried, all in favor.

Discussion on proposed amendments to Chapter 7: Zoning in regard to kennels.

Fowler presented the proposed amendments to Chapter 7, regarding kennels. Polivka said he had no questions or concerns but appreciates the work that Fowler and Attorney Desmond has done so far. Krueger wondered what happens from here. Fowler explained that there will be a more formal draft presented to the Townships. Krueger asked if there was any input from the Townships. Fowler stated there has not been much feedback. Polivka would like to see the Towns have some time to review.

Discussion and possible action on emergency repairs to the Delton Dam.

Chair Krueger postponed this item to the January 13, 2022 LRE committee meeting. Matt Stieve was not available for the meeting.

Public Hearing: To begin at approximately 9:15 a.m. or soon thereafter. Committee to consider and take possible action at the conclusion of the respective hearing.

a. Petition #24-2021 Conditional Use. A petition to consider a conditional use permit pursuant to s.7.030(2) for a private school/facility. Lands affected by the proposed conditional use are located in part of the NE ¼, SW ¼ and part of the W 1/2, SE ¼, of Section 10, T10N, R3E, Town of Bear Creek, Sauk County, and as further described in Petition 24-2021. Tax parcel identification number 004-0562-10000. (Hearing postponed from the November 30, 2021 LRE meeting)

Templin-Steward appeared and provided background and history.

Krueger asked what an all-weather driveway was. Templin explained. Krueger wondered why the recommendations went from I to N. Templin stated that is incorrect and it will be changed.

John Borntreger, applicant appearing in favor of the request.

Seeing as no one else wished to speak, Chair Krueger closed this portion of the public hearing and the committee went into deliberation.

Motion by Polivka/Curry to approve the conditional use permit, for a private school/facility based upon the staff findings of fact and conclusion of law with the recommended conditions as noted. Motion carried, all in favor.

b. Petition #26-2021. A petition to consider a conditional use permit pursuant to s7.027(2)(g) to operate an agricultural related business. Said conditional use is located in the Town of Prairie du Sac, Sauk County. Lands affected by the proposed conditional use are located in the SW ¼, SW ¼, Section 5, T9N, R6E, Town of Prairie du Sac, and as further described in Petition 26-2021. Tax parcel identification number 028-0116-00000.

Templin Steward appeared and provided background and history. Polivka asked if the trucks were parked on the lot prior to the shed being built. Templin stated not to her knowledge. Polivka wondered if it was not exclusive ag would there still be a problem. Polivka understands removing exhibit E since the DNR is involved when dealing with a fuel trucking business.

George Urban, applicant appearing in favor of the request. Urban applauded Templin for the good job she has done. Urban would like to see exhibit E removed. Urban stated that the trucks were parked there prior to the shed being built. Polivka asked how many acres is on this parcel. Urban stated he has 30 acres on this parcel. Polivka wondered if the trucks are full when they are parked. Urban stated they are empty. Nelson asked if the trucks could be parked at the depot where they fill up. Urban stated that would not be possible. Nelson noted the Town's conditions that only 3 trucks be parked on the property and asked where the spare truck is parked. Urban stated one of his employees takes vehicle home. Krueger stated that the town would like the CUP renewed every 5 years and questioned considering a 2-year renewal.

Janine Godfriaux-Leystra, Town Chair for Prairie du Sac and, Secretary of plan commission, stated that the Town has approved this with some conditions. Godfriaux-Leystra stated once it was determined that it was an ag business, they could have 3 trucks on site. Godfriaux-Leystra stated the town would like Exhibit E taken off since it is covered in a couple places and would like to see Urban reapply in 5 years just to make sure all conditions still being met.

Nancy Culver, speaking in opposition to the request, mentioned concerns of public noticing, environmental issues, and animal welfare.

Jon Accola appearing in opposition to the request, spoke of being the closest neighbor to the business where the trucks are parked and suggested hours of operation add as a condition.

Chair Krueger read the letter from Scott Fredericksen into the record.

Matt Hutter, appearing as interest may appear, has concerns with the fuel that is being stored on the property and request the CUP be reviewed in 2 years.

David Timberlake, appearing as interest may appear stated his concerns about the retention tanks and future business at this site.

Curry asked if hours of operation can be a condition on this type of zoning. Templin-Steward explained. McAuliffe asked about the applicants testy on the land use permit that was received. Templin-Steward explained how permits are reviewed and conditions of approval are placed. Nelson stated he is concerned with the fuel tanks on the property. Templin-Steward stated that the application states the fuel onsite is being used by the applicant for his personal, agricultural, and recreational vehicles. She verified the fuel cannot be used for the ag related business.

George Urban, applicant, reappearing, addressed the hours of operation and the fuel being stored onsite.

McAuliffe asked if the trucks are owned Urban. Urban stated he owns the trucks. Curry asked what the typical work hours in day are. Urban stated 4:30 am to 4:30 or 5:00 pm.

Nelson asked staff is a condition could be placed for noise. Templin-Steward stated you could as long as it was based on some measurable requirements. Wilson cautioned the committee on doing so, as the department has no way to measure noise, and it could be difficult to enforce. Templin-Steward noted that these types of complaints are typically reported to the sheriff's office under the nuisance ordinance.

Seeing as no one else wished to appear, Chair Krueger closed this portion of the public hearing and the committee went into deliberation.

Motion by Polivka/McAuliffe to approve the conditional use request, with conditions recommended by staff, other than condition E. The committee discussed.

Motion by Nelson/Krueger to amend the motion to include a condition that any fuel stored on the property shall only be used by Mr. Urban for the farming/personal use on this property and cannot be used for any part of the ag related business. The committee discussed.

Motion by Nelson to amend the amended motion to restrict hours from 6:00 a.m. to 6:00 p.m. Motion fails for the lack of a second.

The committee continued to discuss the motion to amend. Motion by Nelson/Krueger to amend the motion to include a condition that any fuel stored on the property shall only be used by Mr. urban for the farming/personal use on this property and cannot be used for any part of the ag related business. Motion carried 4-2 with Polivka and Lohr in opposition.

The committee returned to the original motion by Polivka/McAuliffe to approve the conditional use request, with conditions recommended by staff, other than condition E. Motion includes amendment to add condition, as noted in the previous motion. Motion carried, 5-1 with Nelson in opposition.

Discussion and possible approval of a reduced access easement width pursuant to s. 22.15 and reduced lot frontage on an access easement pursuant to s. 22.14 of the Sauk County Land Division and Subdivision Regulations Ordinance for Churchill Revocable Trust, S12 T13N R4E Town of Winfield.

Brian presented the background and history of the request. Motion by McAuliffe/Nelson to approve a reduced access easement width and reduce lot frontage on an access easement in the Town of Winfield. Motion carried, all in favor.

Discussion and possible action on Final Project Report and Cost Summary for Lake Virginia Management District 2020 Lake Management Grant.

Wilson presented the final project report and cost summary for Lake Virginia Management District 2020 Lake Management Grant and asked to approve the final payout. Polivka asked if all requirements were met. Wilson stated that all requirements have been met. Motion by Polivka/Puttkamer to approve the final project and cost and to make the final payment for the Lake Virginia Management District 2020 Lake Management Grant.

Discussion and possible action on Final Project Report and Cost Summary for Lake Redstone Protection District 2020 Lake Management Grant.

Wilson presented the final project report and cost summary for Lake Redstone Protection District 2020 Lake Management Grant and asked to approve the final payout. Wilson stated that all requirements have been met. Motion by McAuliffe/Puttkamer to approve the final project and cost and to make the final payment for the Lake Redstone Protection District 2020 Lake Management Grant.

Next meeting dates – Thursday, January 13, 2022 and Tuesday, January 25, 2022.

Motion by McAuliffe/Curry to adjourn at 11:36 a.m. Motion carried, all in favor.

Respectfully submitted,

Ross Curry, Secretary