

**SAUK COUNTY BOARD OF SUPERVISORS
LAND RESOURCES AND ENVIRONMENT COMMITTEE
Tuesday May 24, 2022
County Board Room
Sauk County West Square Building**

Land Resources and Environment (LRE) Committee members present: M. Krueger, D. Polivka, R. Spencer, V. McAuliffe, R. Puttkamer, P. Kinsman, B. Lohr

Others present: L. Wilson, G. Templin-Steward, B. Simmert, T. Hillmann, L. Digmann, I. Cammond, M. Schlupp, C. Fowler, P. Dederich

Absent: L. Eberl (excused)

At 9:01 a.m. Chair Krueger called the Land Resources and Environment Committee meeting to order and certified compliance with Open Meetings Law.

Adopt agenda: Motion by McAuliffe/Puttkamer to adopt the amended agenda as presented. Motion carried, all in favor.

Adopt minutes of previous meetings – May 12, 2022: Motion by Spencer/Kinsman to approve the May 12, 2022 LRE Committee meeting minutes. Motion carried, all in favor.

Public Comment: Matt Elsing, registered in favor of the Lakestone Estate Subdivision. Elsing stated the subdivision is on highway 78 near Merrimac. Elsing stated they have preliminary approval with the town of Merrimac. Elsing stated they will have 19 lake lots 61 off water lots, that are all well and septic lots. Elsing is hoping for approval of the Preliminary Plat and Development Plan for Lakestone Estate's subdivision.

Chris Fehrman, registered in favor of the Lakestone Estate Subdivision.

Communications: Wilson presented the Rittenhouse pasture walk information that is being held on June 2, 2022.

Surveyor

- a. Department Report – Dederich presented the department report.
- b. Review and approval of vouchers – Dederich provided the vouchers in the amount of \$2,800.00. Motion by McAuliffe/Kinsman to approve vouchers in the amount of \$2,800.00. Motion carried, all in favor.

Land Resources and Environment

- a. Review and approval of vouchers – Wilson provided the vouchers in the amount of \$14,910.24. Motion by McAuliffe/Lohr to approve vouchers in the amount of \$14,910.24. Motion carried, all in favor.

Public Hearing: To begin at approximately 9:16 a.m. or soon thereafter. Committee to consider and take possible action at the conclusion of the respective hearing.

- a. Petition #11-2022. A petition to consider a conditional use permit pursuant to s.7.037(7)(g) for the location of a temporary secondary dwelling for ag use. Lands affected by the proposed conditional use is located in part of the SW ¼ of the NW ¼ of Section 27, Township 10 North, Range 05 East, Town of Honey Creek, Sauk County, WI, tax parcel identification number 020-0951-00000 and owned by William and Alma Gasser.

Templin-Steward stated the applicant is not present and would like to table the petition to the end of the public hearings. Motion by Spencer/Kinsman to table Petition 11-2022 until the applicant arrives. Motion carried all in favor.

Applicant is now present for Petition 11-2022 and will be taken off the table at 10:24 a.m.

Templin-Steward appeared and present the background and history.

William and Alma Gasser, applicants, appearing in favor of the request – provided reasoning for the request.

Chair Krueger closed public hearing portion and went into deliberation at 10:38 a.m.

Motion by Polivka/Kinsman to approve a conditional use permit for a temporary secondary dwelling for ag use based on the findings of fact and conclusion of law, subject to the staff analysis and recommended conditions in the staff report. Motion unanimously approved.

b. Petition 12-2022. A petition to consider a conditional use permit pursuant to s.7.027(2)(g) for an agriculture-related business owned by Casey Peetz, applicant, Paul Peetz, property owner. Lands affected by the proposed conditional use are located in part of the SW ¼, NW ¼, of Section 10, T10N, R06E, Town of Sumpter, Sauk County, tax parcel identification number 034-0155-00000.
Hillmann appeared and presented the background and history.

Casey Peetz, applicant stated he has been working out of Eagle Valley selling seed and has outgrown that location and would like to move his business to the new location.

Chair Krueger closed public hearing portion and went into deliberation at 9:38 a.m.

Motion by Polivka/ Spencer to approve a conditional use permit for an agriculture related business based on the findings of fact and conclusion of law, subject to the staff analysis and recommended conditions in the staff report. Motion unanimously approved.

c. Petition 13-2022. A petition to consider a rezone from Resource Conservancy zoning to Commercial zoning and a conditional use permit pursuant to s.7.040(4)(d) for warehousing, self-storage facility, or mini warehousing owned by State 113 LLC, Michelle Gillette. Lands affected by the proposed conditional use are located in part of the NE ¼, NW ¼, of Section 7, T11N, R07E, Town of Greenfield, Sauk County, tax parcel identification number 018-0212-00000.
Hillmann appeared and presented the background and history.

Michelle Gillette, applicant stated she is in favor of the request and will bring the property into compliance.

George Maxwell, appearing in opposition would like the zoning to stay as residential or agriculture.

Chair Krueger closed public hearing portion and went into deliberation at 10:04 a.m.

Motion by Kinsman/Spencer to approve a rezone from Resource Conservancy zoning to Commercial zoning and a conditional use permit for warehousing, self-storage facility, or mini warehousing based on the findings of fact and conclusion of law, and the conditional use permit will be subject to the staff analysis and recommended conditions. Motion unanimously approved.

d. Petition #14-2022. A petition to consider a conditional use permit pursuant to s. 7.038(9)(i) for a mobile tower siting. Lands affected by the proposed conditional use are located in the NW ¼ of the SE ¼ of Section 15, Town 11 North, Range 7 East, Town of Greenfield, Sauk County, tax parcel identification number 018-0474-00000, and owned by Sauk County.
Templin-Steward appeared and presented the background and history.

Ian Cammond, Facilities Director for Sauk County stated this is a replacement for the tower that is out there. Cammond stated that the tower is very important for emergency services dispatching and it also provides services for the Merrimac Fire Department off this tower.

McAuliffe asked if there were any guy wires for this new tower. Cammond stated there is not.

Chair Krueger closed public hearing portion and went into deliberation at 10:22 a.m.

Motion by Spencer/Lohr to approve a conditional use permit for a mobile tower siting based on the findings of fact and conclusion of law, subject to the staff analysis and recommended conditions. Motion unanimously approved.

Discussion and possible action on a Resolution to Authorize a Contract with Michel's Construction Inc. for use of the Summer Oaks Boat Landing.

Wilson stated since the last meeting there was an updated draft contract that was sent Mr. Rice with Michel's Construction. Wilson stated there has not been any response from Michel's Construction. Wilson asked if the item could be postponed until the June 9, 2022 LRE committee meeting. Polivka stated he would like to wait until we hear from Michel's. Lohr stated the verbiage stated if they don't go to the primary site; they would come to the county site. Krueger stated he is uncomfortable with that also, plus whose definition of deteriorating will be used. Krueger stated Corp Counsel is out office until next Wednesday to clarify some of these matters. Krueger suggested we postpone until the June 9, 2022 LRE committee meeting to see if we get a response and clarification on some of the language. Motion by Spencer/Lohr to postpone the Resolution to Authorize a Contract with Michel's Construction for the use of the Summer Oaks Boat Landing until June 9, 2022. Motion unanimously to postpone until the June 9, 2022 meeting.

Discussion and possible action on a Resolution to Amend the 2022 LRE Budget to Include Funding for a Streambank Project at the County Farm.

Wilson stated the resolution is based on the discussion that was had with committee and representatives from the village Loganville for the one project for Water Quality Trading at the County Farm. Wilson stated this resolution outlines the 33 % that committee recommended and will come out of the general fund. Wilson stated that the funding may be spaced out over couple years. Krueger stated that the Finance Director believes we should use ARPA funds. Motion by McAuliffe/Spencer to approve a Resolution to Amend the 2022 LRE Budget to Include Funding for a Streambank Project at the County Farm. Motion unanimously approved.

Discussion and possible action on a Property Line Discrepancy at the County Farm.

Wilson stated that after working with one of the neighboring property owners it was found that our fencing is on their property. Wilson stated that staff thought we could just move the fence, but a red flag was raised, if adverse possession could come into play. Wilson stated that Mrs. Schlupp reached out to Corp Counsel and found out it would be up to the Committee to decide if we just want to move our fence line and figure it out with the lease from the county farm renter, or do we want to move forward with some type a lawsuit for adverse possession since we have maintained it. Schlupp stated that the location is a field road that we do use, the access is from a town road not a state highway, but we do have access off of different roads to this property. Schlupp indicated that we would not be land locked and it does not reduce the cropland acreage. Polivka questioned how many feet of property are we talking about. Schlupp stated it is about a ½ acre. Polivka asked if the fence services the county land or the neighboring land. Schlupp stated that both sides have been cropped. Kinsman stated that he felt since we do have other access to the property, there is not a reason to pursue adverse possession. Polivka stated that if we do the adverse possession, we will have legal fees. Spencer stated we should avoid the adverse possession. Motion by Kinsman/McAuliffe to not pursue any adverse possession and authorize LRE staff to work with the neighboring property owner and County farm renter. Motion approved unanimously.

Discussion and possible action on a Request to Purchase a Portion of the County Farm property.

Wilson stated there is a property owner interested in purchasing a 50' X 320' piece of property at the county farm. Wilson stated that they are looking to construct a detached accessory structure and do not have enough space on their property. Wilson stated that the sale of any property would be a committee decision. Kinsman worried that will this start with other people wanting to buy other pieces of the property. Polivka agreed with Kinsman. Chair Krueger also agreed with Kinsman stating there has already been other parties interested in purchasing. Motion by Kinsman/Spencer to deny the request to purchase a portion of the County Farm Property. Motion passed unanimously.

Discussion and possible approval of a Preliminary Plat and Development Plan for Phase 1 Lakestone Estate's subdivision. Said subdivision is described as being part of government lots 3 and 4, the NW ¼ of the SW ¼, the SW ¼ of the SW ¼, Section 8 all in T.10 N., R. 7 E, Town of Merrimac, Sauk County, Wisconsin containing 49 acres more or less.

Simmert presented the Preliminary Plat and development plan for Phase 1 Lakestone estate's subdivision. Motion by Lohr/McAuliffe to approve the Preliminary Plat and Development Plan for Phase 1 of the Lakestone Estate's subdivision with the following conditions of issuance of a Land use permit for filling and grading that is located within 300 feet of the ordinary high-water mark. Motion passed unanimously.

Presentation on Planning and Zoning Service Area.

Simmert and Fowler presented the Planning and Zoning Service Area information.

Next meeting dates – Thursday, June 9, 2022 and Tuesday, June 28, 2022

Adjournment: Motion by McAuliffe/Kinsman to adjourn. Motion carried, all in favor. Meeting adjourned, 11:33 a.m.

Respectfully submitted,

Brandon Lohr, Secretary