



May 12, 2015 – Walworth County Board of Supervisors

**Report of the County Clerk Regarding
Communications Received After the Agenda Mailing**

The following items were placed on Supervisors' desks and are attached to this cover sheet:

County Clerk

Kimberly S. Bushey
County Clerk

- Correspondence from John & Mary Knipper in regard to short term rentals – To be referred to the County Zoning Agency
- Correspondence from State of Wisconsin, Department of Natural Resources - Amendment to the Regional Water Quality Management Plan – Village of Walworth (To be referred to the Land Conservation Committee)
- Correspondence and electronic copy of application from the Public Service Commission of Wisconsin in regard to Pre-application by American Transmission Company to Build and Place in Service a New 138 kV Transmission Line Between the Spring Valley Substation, in Kenosha County and the North Lake Geneva Substation in Walworth County, to Build a New 138/69 kV Substation in Kenosha County and to Build or Rebuild Other Lines and Facilities in the Project Area – To be placed on file (The electronic format/disk can be viewed in the County Clerk's Office.)
- Correspondence and 2014 Annual Report from Walworth County Sheriff's Office – To be placed on file (The Sheriff's Office 2014 Annual Report can be viewed in the County Clerk's Office)
- *Walworth County Aging & Disability Resource Center News*, May 2015 – To be placed on file

These items were received after the agenda mailing before the meeting. Other items that were placed on the Supervisors' desks at the meeting are not included on this report. Please contact the County Clerk's office for information regarding those items.

100 W. Walworth
PO Box 1001
Elkhorn, WI 53121
262.741.4241 tel
262.741.4287 fax

Memo

To: Deb Grube, Walworth County Zoning

From: John and Mary Knipper

Date: May 5, 2015

Re: Short Term Rentals in Residential Zoning: ≤30 days

We are writing to express our concern regarding the continued practice by property owners of providing their homes as short term rentals in R2 zoning. Over the past few years, I have given written and oral comments on this matter at both Walworth County and Town of Delavan meetings. It is my understanding that the county prohibits short term rentals of less than 30 days in residential zoning and I have contacted a county representative to provide them with addresses in our subdivision where this practice is wide spread. Most recently, I was told that action by the county is on hold awaiting the outcome of cases that are in litigation related to these situations.

We are a private subdivision, South Shore Manor on Delavan Lake, zoned R-2 in the Town of Delavan. Our roads are private also, and we own and supervise a boat launch, park and beach that is funded by dues and special assessments to the member property owners. For about a decade, a number of homes are now used year round as short term rentals most often as weekends, several days and one week at a time. The rental fees are high, in keeping with motels, hotels, lodging houses, resorts and Bed & Breakfast Inns throughout the county.

Most properties are platted at 40 x 100 foot lots so we are close to our neighbors and parking can be a challenge under normal conditions. The subdivision is friendly and the relationships are cordial and respectful and we have always been able to discuss and reach mutually acceptable solutions when issues arise. This is not the case in these short term rentals since the owners are not present and the renting occupants are not known to any of us, therefore, there are not opportunities for relationships to be fostered.

Below is a list of some of the situations that are troubling to many of us who reside in areas where short term rentals take place:

- loud noise and music and refusals to temper these behaviors, with a response by them of "we paid lots of money to do what we want" as part of the rental fees
- parking in neighboring driveways and fire lanes...it is nearly impossible to find out which house where the renters are staying so that we can access our own homes, driveways and parking areas
- It is not uncommon to arrive back from a day or evening out, only to find that our own property parking contains cars that we do not know and we must drive around the subdivision in hopes of finding a neighbor that can allow us to park there and walk to our own home until we can ID the unknown owners

- speed limits exceeded and requests for compliance met with abuse and cursing
- trash left behind that is not contained upon leaving at the end of the rental period

I have approached the town on several occasions, and expressed concerns at public meetings. We even asked each committee member/supervisor if this would be an acceptable situation for them, their children and grandchildren, and the answer was a resounding 'NO'.

If we wanted to live 10 feet from a motel, we would have sought such a mixed neighborhood. We did not choose that option but now it is thrust upon us without enforcement actions by either town or county. We are told to just call the police and let them take care of the behaviors. We have done that, and do not wish to spend our time going through this over and over again. Most often this happens in the very late evening or into the early morning hours.....I suggest that the role of our enforcement professionals be more respected and used more judiciously within the wider community.

If we wanted to operate a business in R-2, we would have had to seek approvals from both the town and the county. Short term rentals are a business, and do not belong in R-2 zoning. While it is not in our respective roles to follow up on the fees, it is likely that most of these owners do not record or report the earnings as required in both state and federal law.

There is often the point made by owners that they should be permitted to do what they wish on their private property. Our response to that is no matter where one may own property, town, city, village, urban or rural, there needs to be master planning for every community that allows for the uses of residential, commercial, industry, recreation, retail, and open spaces that meet the needs and land use that is sustainable, fair and balanced. Within each of these land uses, there will also be some restrictions that allow for consistency and protection of each of the user communities.

We are a neighborhood, and feel quite comfortable in knowing who resides in the houses that our young folks pass by on their way to a friend's house, the park and the beach. Even riding a bike takes on a different tone when there are 10-12 complete strangers per short term rental partying and acting rowdy as the children pass by. This was never a problem until recent years, and has reached a level of great concern. Again, when we asked at the town level, this met with a clear "not acceptable" if it was happening in their neighborhood.

We will be away on vacation at the time of the upcoming zoning meeting, but we respectfully ask that this written testimony be provided as part of that meeting. We strongly oppose short term rentals of <30 days in residential zoning and enforcement of this zoning be prompt and consistent.

We ask each of you, "Would this business be acceptable to you as an owner and resident of single family zoning?"

Thank you for your consideration of these concerns,

John and Mary Knipper
2320 Lake Shore Drive
Delavan WI 53115

262/206-1728
maryknipper6@gmail.com



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott Walker, Governor
Cathy Stepp, Secretary

101 S. Webster St.
Box 7921
Madison, Wisconsin 53707-7921
Telephone 608-266-2621
FAX 608-267-3579
TTY Access via relay - 711

April 29, 2015

DNR File No. SE-0147

Mr. David L. Stroik, Chairman
Southeastern Wisconsin Regional Planning Commission
W239 N1812 Rockwood Drive
P.O. Box 1607
Waukesha, WI 53187-1607

RECEIVED
WALWORTH COUNTY CLERK
2015 MAY - 7 AM 9:59

SUBJECT: Amendment to the Regional Water Quality Management Plan -
Village of Walworth

Dear Mr. Stroik:

We have completed our review of the subject amendment request received by the Department on April 2, 2015. The Department hereby approves the sewer service area amendment request, which adds approximately 113 acres, located on the south side of School Road within the southern half of U.S. Public Land Survey Section 23 and the northern half of U.S. Public Land Survey Section 26, Township 1 North, Range 16 East, to the Fontana-Walworth sanitary sewer service area (see Map 1).

The subject area is proposed to be developed as single-family residential use as identified in the Village of Walworth Comprehensive Plan. The subject area contains a one-acre wetland as shown on the 2010 Wisconsin Wetlands Inventory. There are no environmental corridors or isolated natural resources areas in the subject area.

The proposed amendment was requested by the Fontana-Walworth Water Pollution Control Commission (FWWPCC) on January 6, 2015. A public hearing was held on March 10, 2015, and the FWWPCC approved the amendment following the public hearing. The amendment was adopted by SEWRPC per Resolution No. 2015-04 on March 18, 2015.

This plan amendment becomes part of SEWRPC Community Assistance Planning Report No. 219, *Sanitary Sewer Service Area for the Villages of Fontana and Walworth and Environs, Walworth County, Wisconsin*, dated June 1995, which is part of the SEWRPC Planning Report No. 30, *A Regional Water Quality Management Plan for Southeastern Wisconsin 2000*, and will be forwarded to the US Environmental Protection Agency to meet the requirements of the Clean Water Act of 1987 (Public Law 92-500 as amended by Public Law 95-217) and outlined in the federal regulations 40 CFR, part 35.

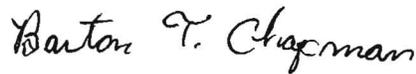
This review is an equivalent analysis action under s. NR 150.20 (2) (a) 3, Wis. Adm. Code. By means of this review, the Department has complied with ch. NR 150, Wis. Adm. Code, and with s. 1.11, Stats.

The approval of this sewer service area amendment does not constitute approval of any other local, state, or federal permit that may be required for sewer construction or associated land development activities.

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions must be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review must name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30 day period for filing a petition for judicial review.

Sincerely,



Barton T. Chapman, P.E., Chief
Wastewater Section
Bureau of Water Quality

cc:

Donna Schut, Clerk/Treasurer, Village of Walworth, 227 N. Main Street, P.O. Box 400, Walworth, WI 53184

Theresa Linneman, Clerk, Village of Fontana-on-Geneva Lake, 175 Valley View Drive, P.O. Box 200, Fontana, WI 53125

Joseph Abell, Chairperson, Town of Walworth, W6741 Brick Church Road, P.O. Box 1001, Elkhorn, WI 53184

Kimberly S. Bushey, Walworth County Clerk, 100 W. Walworth Street, P.O. Box 1001, Elkhorn, WI 53121

Michael P. Cotter, Director, Walworth County Land Use and Resource Management Department, P.O. Box 1001, Elkhorn, WI 53121

Neal Frauenfelder, Planning Manager, Walworth County Department of Land Management, P.O. Box 1001, Elkhorn, WI 53121

Doug York, Superintendent, Fontana-Walworth Pollution Control Commission, P.O. Box 850, Walworth, WI 53184

Eric Nitschke, Southeast Regional Director, WDNR - Milwaukee

Lisa Helmuth – WDNR – WQ/3

Josie Lathrop – WDNR – WQ/3



Public Service Commission of Wisconsin

Ellen Nowak, Chairperson
Phil Montgomery, Commissioner
Mike Huebsch, Commissioner

610 North Whitney Way
P.O. Box 7854
Madison, WI 53707-7854

April 29, 2015

Re: Pre-application by American Transmission Company to
Build and Place in Service a New 138 kV Transmission
Line Between the Spring Valley Substation, in Kenosha
County and the North Lake Geneva Substation in Walworth
County, to Build a New 138/69 kV Substation in Kenosha
County and to Build or Rebuild Other Lines and Facilities in
the Project Area

137-CE-167

To the Person Addressed

Enclosed is a copy of an application filed April 27, 2015, with the Public Service Commission (Commission) by American Transmission Company LLC (ATC). ATC seeks authority to construct and place into operation facilities referenced above. Following Wis. Stat. § 196.491(3)(a) and Wis. Admin. Code § PSC 111.51(4), the Commission has directed the applicant to send an electronic copy of the above application to the clerk of each municipality, town, and county in which the facilities will be located and to the public library in the project area. Please place the application copy, along with a printed copy of this letter, in an area where it will be available for public review until May 2016.

When the Commission finds the application complete, a final copy of the above will be mailed to you. Correspondence with interested parties and landowners potentially affected by the project will list your office as a location where the public may review the project application.

All documents relating to the project may be viewed through the Electronic Regulatory Filing system at the Commission's website, <http://psc.wi.gov/>. The docket number listed above is required to access the documents.

If you have questions regarding this letter, please contact me at (608) 267-8967.

Sincerely,

Paul R. Rahn

Paul R. Rahn
Docket Coordinator
Gas and Energy Division

PRR:jlt:DL: 00971250

RECEIVED
WALWORTH COUNTY CLERK
2015 MAY -5 PM 5:14



Walworth County Sheriff's Office

1770 County Road NN - Post Office Box 1004 - Elkhorn, Wisconsin 53121-1004

www.co.walworth.wi.us

Kurt Picknell, Sheriff Kevin Williams, Undersheriff

Memorandum

To: Trish Sommers, County Clerk's Office
From: Wendy Werner (ext. 4410) *Wendy*
Date: May 8, 2015
Re: Sheriff's Office Annual Report 2014

RECEIVED
WALWORTH COUNTY CLERK
2015 MAY - 8 PM 2: 00

Hi Trish,

Enclosed are 14 copies of our Annual Report for distribution at the next County Board meeting please. There are 3 extra copies also. Can you please see that Mr. Bretl receives one. Let me know if you have any questions.

Thanks very much!

/wjw