

County Zoning Agency
MINUTES
October 21, 2021 – 5:00 P.M.
100 West Walworth Street
Elkhorn, Wisconsin

Committee Chair Rick Stacey called the meeting to order at 5:00 p.m.

Roll call – Committee members present in person were Supervisors Rick Stacey, Dave Weber, Jerry Grant, Sue Pruessing, Ryan Simons, and citizen member Richard Kuhnke, Sr. Citizen Member Jim Van Dreser was absent. A quorum was present.

County Staff present – Land Use and Resource Management Department Director Michael P. Cotter, Senior Planner/Hearing Facilitator Matt Weidensee, and Josie Hanrahan controlling telephonic appearances. Present for a portion of the meeting / hearing Senior Zoning Officer Nicholas Sigmund and Senior Urban Conservation Specialist Heather Marquardt.

A “sign-in” sheet listing attendees on October 21, 2021 was not presented due to the continued COVID-19 threat.

Details of the October 21, 2021 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

Dave Weber motioned to approve the agenda as amended to table item 10.e.1.) Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust – Owners; 10.e.2.) Millard Properties, LLC C/O Sarah M. Cook – Owner, Randy Johnson, Johnson Sand and Gravel, Inc. – Applicant; 10.e.3.) David Ennis Trust, c/o Sheila M. Kirsch; 10.f.1.) AC Meisner Investments, LLC; 10.g.2.) Biber Investments, LLC C/O John Biber – Owner, Michael Jonas – Applicant. Seconded by Richard Kuhnke. Motion carried. 6-favor 0-oppose

Dave Weber motioned to approve the September 16, 2021 CZA Meeting Minutes as amended with Jim Van Dreser appearing by phone. Seconded by Jerry Grant. Motion carried. 6-favor 0-oppose

Zoning / Sanitation / Land Conservation Enforcement
Disc Count #5:03:09 - 5:03:28

Wendeberg Violation Update – Michael Cotter
Disc Count #5:03:29 – 5:03:54

Introduction of new Senior Urban Conservation Specialist: Heather Marquardt
Disc Count #5:03:55 – 5:05:15

Subdivision Items – Old Business – None

Subdivision Items – New Business –

1. **Lulu Hills Subdivision Preliminary Plat**, Dean Dingman, applicant. Proposed 5 lot and 1 outlot subdivision plat located in Section 12, Town 4 North, Range 17 East, Town of Troy. Parcel # L T 1200004A. The proposed plat contains 29.64 acres of land and is zoned C-2, Upland Resource Conservation District.

**Nick Sigmund presents request.
Warren Hansen speak regarding the request.**

Dave Weber motioned to approve with the following conditions: 1) Approval is subject to addressing all LURM staff concerns and requirements; 2) Approval is subject to obtaining Wisconsin Department of Administration review and making any necessary corrections; 3) Approval is subject to designating that each lot is assigned an equal fractional interest in the outlot and that this be specified in the covenants and restrictions; 4) Approval is subject to submitting the Home Owners Association covenants and restrictions; 5) Approval is subject to meeting all requirements of state statutes and county ordinances. Seconded by Jerry Grant. Motion carried. 6-favor 0-oppose.

Disc Count #5:05:18 – 5:13:09

Old Business - Ordinance Amendments –

1. Possible ordinance amendment to 200' Setback for non-metallic mining – Heather Marquardt

Heather Marquardt reports the LCC had indicated there was no need for a change to the setbacks.

No further action is taken.

Disc Count #5:13:13 – 5:14:17

2. Possible ordinance amendment regarding food trucks – Matt Weidensee

Discussion by Matt Weidensee regarding possible ordinance amendments concerning allowing food trucks and options for different events, zone districts and other relevant language concerning regulations. Discussion by Committee. Staff recommends consideration and revisiting.

This matter will return at the November CZA meeting.

Disc Count #5:14:18 – 5:31:40

Old Business – Discussion Items – None

New Business - Ordinance Amendments – None

New Business – Discussion Items –

1. **Lakeland Community Church – Owner**, Section 25, Delavan Township. Amendment of a CU for a church by addition of two wood pergolas and a small in fill building addition on the west side of the building and a new access drive with parking, an entrance pergola and a wood privacy screening structure on the northeast side of the building being less than 25% of existing structures. Tax Key Parcel FA395600002.

Amended 10/21/2021 for pergolas, small addition, access drive, parking, and screening (see #1).

Amended 12/21/2017 for addition of canopies over the entrances as shown on the revised approved site plan. See #1.

NAME: Lakeland Community Church, Inc. / Richard Holt

TOWN: Delavan

The property owner is seeking conditional use approval for a 31,733 square foot expansion of an existing church with an additional parking lot and stormwater basin enlargement on lands zoned P-1.

Tax Parcel FA395600002.

Has been APPROVED subject to the following conditions:

General:

1. Approved as per plans submitted for a 31,733 square foot expansion of an existing church with sanitary waste facilities, an additional parking lot and stormwater basin enlargement on lands zoned P-1 as per plans stamped received by LURM October, 6, 2016 with all additional conditions **and amended December 21, 2017 for enclosure of an interior court yard area with a precast concrete roof and amended 10/21/2021 for addition of two wood pergolas and a small in fill building addition on the west side of the building and a new access drive with parking, an entrance pergola and a wood privacy screening structure on the northeast side of the building as per new plan submitted .**
2. Any infrastructural expansion of the facility beyond that identified on the approved plan, dated 10-6-16 will require additional conditional use review.
3. The project must meet all Federal, State, County, and local regulations including Walworth County Zoning approvals for all structures located on site.
4. The church must obtain a Land Disturbance, Erosion Control and Stormwater Permit approval from the County Land Conservation Office and the Town Engineer prior to new construction on site.
5. No camping on grounds shall be allowed.
6. No outdoor activities allowed after 10:00pm.
7. Outdoor lighting shall be shielded and directed on site.
8. The access shall be approved by the Department of Transportation and located as identified on the approved plan.
9. No Outdoor PA or sound system will be allowed on site.
10. All conditions applicable to the main church conditional use shall apply to church expansion project.
11. Any changes to the character, intensity, or use of this site not capable of being discerned by the Walworth County Land Management Department as consistent with this approval must be brought before the Land Management Committee for additional conditional use review.
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. The church agrees there will be no expansion or modification of plans submitted, without Town of Delavan approvals as per the Town.
14. The church shall follow the Yerkes Observatory Lighting Standards as per the Town.
15. Execution of a Developer's Agreement between the church and the Town of Delavan prior to construction, including the following as per the Town:
16. A Letter of Credit for all public improvements, as well as private storm water drainage improvements and erosion controls.
 - a) Town approval of storm water drainage plans.
 - b) Town approval of erosion control plans.
 - c) Town approval of landscaping berms and screening required.
 - d) Town approval of lighting, signing, and landscape plans.
 - e) The church is responsible for all outside costs incurred by the Town for engineering review, inspection, and attorney's fees.
 - f) Town approval of dry hydrant system, per Fire Chief.
 - g) Execution of a Municipal Service Agreement between the church and the Town as per the Town.
17. No primary or secondary education facilities allowed on the property as per the Town.
18. The church agrees that it will not expand the building, which appears on the aforementioned plan, past its existing size; unless a municipal sanitary sewer system becomes available, and only after presenting new plans to the Town Plan Commission for approval as per the Town.
19. The church shall be granted approval of the septic system as presented, with the following conditions as per the Town:
 - a) Pre-treatment included, to be as presented
 - b) Full depth of limiting factor to 36", as presented
 - c) Cell size to be no smaller than designed without pre-treatment, as presented
 - d) Dialer system to be installed for alarm notification in case of system failure
 - e) Walworth County Sanitarian to receive copies of 6 month maintenance contract reports, for the life of the system, and reports should include any system failures recorded, all alarm activations and actions taken by owners, and all meter readings within each 6 month period.
20. The church agrees to enter into a Maintenance Agreement for the septic system with a reputable firm, with inspections occurring every 6 months, and more if necessary, and the church further agrees to furnish the Town with a copy of the signed agreement as per the Town.
21. The church agrees that at such time as sanitary sewer, or the ability to hook- up to sanitary sewer becomes available at the intersection of STH 67 & 50, the church at its own expense, will connect and pipe its effluent to that hook-up location as per the Town.
22. The church must obtain sanitation approval for the proposed sanitation system prior to any construction on site. If a Holding Tank is approved, the applicant must provide a copy of the contract between the applicant, waste hauler, and the sanitary treatment facility to insure that all waste is capable of being properly disposed as per the Town.
23. The conditions of this conditional use shall be posted in the Church for future members as per the Town.

24. Construction of an 8' x 12' permanent sign as discussed before the Land Management Committee on 5-17-02 is approved. The sign shall meet with Section 6.3 of the Zoning Ordinance regarding on site premise signs in all business, industrial and park districts.

Dated this 23rd day of March, 2017.

COUNTY ZONING AGENCY
TIM BRELLENTHIN, CHAIRMAN

cc: ~~Atty Robert Vanscoyoc, Sweet & Maier, S.C., 114 N. Church Street, P.O. Box 318, Elkhorn, WI 53121~~
~~Groth Design Group, 700 W. Virginia Street Suite B105, Milwaukee, WI 53204~~
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.

**Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried.
6-favor 0-oppose.
Disc Count #5:31:41 – 5:34:29**

2. **Shaw Partnership LP – Scenic Ridge Campground, Section 2, Richmond Township.** Amendment of conditional use by less than 25% of existing structures for addition of an accessory structure to the caretaker’s quarters to be used for camp storage and a garage. Part of Tax Parcel C R 200008.

Amended 10/21/2021 for addition of a storage shed/garage for the caretaker’s residence (See #1)
Condition #25 modified 2-28-11

NAME: SHAW PARTNERS LP

TOWN: RICHMOND

A conditional use permit for a Planned Campground, a Public and Private Campground, and a single-family caretaker’s residence as specified in Chapter 74, Division 43, Walworth County Code of Ordinances, Walworth County, Wisconsin, on lands proposed to be zoned B-5 Planned Commercial Recreation Business District, and described as follows:

Tax Parcel #'s C R 200003J, C R 200004A and part of Tax Parcel # C R 200008.

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

1. The Conditional Use for a Planned Development Campground with a portion of existing Public Private Campground and a caretaker’s residence **and amended 10/21/2021 for the addition on a storage shed/garage for the caretaker’s quarters** is approved as per the plan submitted with all additional conditions.
2. This approval is for a broad scoping master conditional use for the entire campground as a whole including 213 planned campground sites and 19 public private campground sites for a maximum of 237 campsites. There shall be no more than 232 campsites on the subject property as per the Town.
3. The campground use shall be in compliance with all State, Federal and local regulations including but not limited to State Chapter DHS 178 Campgrounds.
4. The property owner shall provide a copy of the Chapter DHS 178 State Campground permit for the conditional use file.
5. The planned campground sites may contain associated structures and the public private campground sites shall not.
6. There shall be no camp operations allowed in the perimeter yard buffer areas with the exception of the public private units in the specified 200 foot by 400 foot grandfathered area and the planned units listed in condition #43. All perimeter yard

buffer vegetation shall be maintained according to County Ordinance standards. Camping operations shall include parking of boats and garbage dumpster locations.

7. The cabins shall be occupied for transient use only.
8. The County may take enforcement actions for violation of this conditional use against the campground owner and the campsite/cabin users.
9. Use of the grounds shall be limited to normal camping use as stated in the plan of operations.
10. The Campground shall be used for seasonal camping from April 1st to October 31st of each year. Campsite check in hours shall be from 8:00 a.m. to 11:00 p.m.
11. The property owner shall implement quiet hours after 10:00 p.m. until 8:00 a.m. every day as per the Town.
12. The campground shall be used by registered campers and their guests as campers only. Use of the campground by camping guests shall be limited as stated in the "Seasonal Campers Rules and Regulation Manual". Use of the campground shall be limited by the number of off-street parking spaces available within the campground.
13. The capacity of the campground shall not exceed six (6) camp users per campsite. The capacity cap of 6 camp site users per camp site may be exceeded if the users of a camp site are members of an immediate family as specified by State law.
14. After hours check in shall be discouraged and allowed by the owner on emergency basis only. The property owner shall be required to keep record of all emergency check in activities and shall submit the record to the County during the annual review and upon any additional request for review by the County. After hours check in records shall state the reason for allowing the check in.
15. The camping sites and camp units on site shall not be used as a permanent residence or become permanent residential homes.
16. There shall be no day camping during the period when the camp is closed. Camp site users may schedule emergency off season maintenance visits to the camp units with camp owner's approval. Scheduled emergency off season maintenance visits shall be discouraged and only allowed by the property owner to insure human health and safety and for weather protection of private property. Off season emergency maintenance visits shall be limited by the camp owner to one maximum two day emergency visit per Planned Development campsite containing an overwintering private camp unit. The property owner may request additional emergency visits to a camp site beyond the allowable two day visit from the County Zoning Office. The property owner shall be required to keep record of all emergency visits made when the camp is closed for each camp site and shall submit the record to the County during the annual review and upon any additional request for review by the County. Scheduled off season maintenance visits records shall include a statement regarding the purpose of the proposed maintenance visit.
17. The property owner shall submit a plat of survey for a lot line adjustment combining all parcels covered by this conditional use into one parcel and record the document within 6 months of this approval. Ownership of the campground may not be transferred without an access easement for the portion of the front gate access road located on adjacent tax parcel DSR-1.
18. Use of the common area, shall be restricted to those identified in the plan of operations and the approved site plan. There shall be no camping allowed off of the camp sites as located.
19. The master conditional use plan shall identify 300 foot service rings from all water service and 400 foot service rings from all restroom service. All campsites shall be required to be located in at least one of both types of these service rings. However, camping units with self-contained toilet facilities may be located outside of the 400 foot restroom service rings and campsites with on-site water spigots may be outside the 300 foot water service rings. Proposed future sites outside of the required service rings shall not be used until water, restroom, roadway and pathway access, services are provided consistent with all required codes. The master conditional use plan shall show the exterior boundary of each campsite and the location of all structures within each campsite. All roadway and pathway access to the campsites shall be shown on the plan.
20. The transition area shall not be allowed to transition from public private campground use to planned campground use until all sites within the transition area are brought up to the specifications necessary.
21. The property owner shall be required to submit written verifications that the services have been provide for County Land Use and Resource Management Department staff review and approval prior to any new camping use in the proposed expansion and or transition areas.
22. Each campsite shall abut upon a minimum of at least one roadway access or pathway access leading to the roadway.

23. The master conditional use plan shall provide for off street, and on premise parking for all camping areas in the ratio of not less than one parking space for each camping unit, plus one additional parking space for each motor vehicle operating in connection with such camping. Parking may not be located in any required yard. In addition, parking for motorized vehicles shall be restricted to a maximum of 2 vehicles per campsite as per the Town. Parking may not occur on any roadway. All parking shall be identified on the plan. All parking shall be in compliance with County requirements within 60 days of approval.
24. Parking and storage will not be allowed in the Town right of way, with exception for the ski shows as per the Town.
25. Campsites T-7 through T-12 and SR-1, SR-5, SR-33, **SR-35**, SR-37, SR-46 and SR-48 shall be removed/relocated by ~~December 31st, 2010.~~ ~~(The owner may request to move the deadline to June 1st, 2011.)~~
26. Campsites BR-2, BR-3, AR-10, AR-12, AR-14 and AR-16 shall be relocated by June 1, 2012.
27. The property owner shall construct a five (5) foot high chain link fence, elevated one (1) foot above ground level and three (3) foot from the property line as located on the approved plan as per the Town. Installation of the required fence shall be complete by April 1st, 2011 contingent on County approval and weather conditions as per the Town. All perimeter fencing shall be maintained as identified on the project plan.
28. The applicant must provide a tree cutting and restoration plan meeting ordinance requirements for review and approval. Tree cutting shall be limited to that specified on the approved plan of operations. The property owner shall keep the trees above the roadways trimmed to a height of 14 feet for fire and safety equipment access.
29. There shall be no alterations of the shoreland setbacks or wetlands without obtaining County and State required approvals.
30. As per the Town, all existing roads show on the plan as greater than 12 foot wide shall be maintained at the existing width or a minimum of 16 feet. All roads less than 12 feet wide on the plan shall be widened to 12 foot wide with the exception of Arrowhead Ridge (due to steep sloped terrain), **Lone Wolf Road and Court Road**. If Arrowhead Ridge remains at a width of less than 12 feet then a minimum of two (2) vehicle pull-offs spaced approximately 200 foot apart along the roadway shall be installed. **Lone Wolf Road has been modified to a minimum width of 9 feet and Court Road has been modified to a minimum width of 10 feet.** All proposed future roadways in the expansion areas and transition area shall be a minimum of 16 feet wide. All road maintenance shall be conducted as agreed to and specified in the plan of operations. The roadway near campsites T-8 through T-12 and the recreational area shall not be allowed to encroach into the required perimeter buffer yard. The property owner shall show all historical off-street parking for the cabins in the shoreland area by the lake.
31. Campers' golf carts may not be parked or operated on the public roads as per the Town. ATVs shall not be allowed to operate on site except for the property owner's private use of ATVs.
32. The activities pavilion may contain vending machines but shall not be converted into a retail store or contain outside vendors (retail sale persons).
33. All septic waste treatment and storage facilities must be approved by the County and or State agencies. The property owner must assure that septic waste loads will not increase over time without providing necessary capacity.
34. All existing and new structures shall be required to meet the standards of the County Zoning Ordinance and have required permits and inspections. No additional structures shall be added to the plan without obtaining County zoning permit approval. Structures to be placed on individual Planned Campsites by the site user shall be added to the master conditional use plan for the campground upon zoning permit approval. The owner shall attach a photocopy of the updated master plan showing any new structure to the required zoning permit application. The Zoning Office prior to issuance of a zoning permit shall further review all structure locations. All zoning permit applications shall be signed by the property owner.
35. This permit does not include conditional use approval for any structure (decks, additions, porches, sheds, etc.) or use that is not specifically identified on the master plans for the entire campground as approved and/or amended.
36. Any proposed special event use outside of specified activities for the registered camp users shall require additional conditional use approval or amendment.
37. The applicant must obtain a Land Disturbance, Erosion Control & Stormwater approval from Land Conservation Office prior to construction. All stormwater amenities and areas shall be identified as common areas to be maintained by property owner. 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 materials may be removed from the site.

38. The applicant shall submit an outdoor lighting plan for review and approval prior to construction. All lighting shall be shielded and directed on site. There shall be no additional lighting allowed on site except as required by ordinance as per the Town.
39. The seasonal campground is approved subject to the owner maintaining a "Seasonal Campers Rules and Regulation Manual" consistent with all conditions of this conditional use. The property owner shall be held solely responsible for addressing all rules and or restrictive covenants beyond those enforceable by County, State or Federal regulations. The "Seasonal Campers Rules and Regulation Manual" shall 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 rules within the "Seasonal Campers Rules and Regulation Manual" for operation of the campground which in the opinion of the County Land Management Department are inconsistent with County approvals including the plan, amended narrative, ordinances or requirements will require County conditional use review and approval.
40. The master conditional use plan for the campground shall identify the building envelope on each individual campsite within the development and all existing structures meeting the required setbacks prior to approval. A typical envelope diagram shall not be acceptable.
41. The property owner shall locate (stake) the corners of each camping unit pad on each Planned Campground site. A zoning permit shall be required for each camping pad within the Planned Campground sites. Camping units may be replaced within the camping unit pad once a zoning permit is issued so long as the new camping unit fits within the pad as staked. The camping unit located on a Planned Campground site shall be required to be located within the boundaries of the staked camping unit pad. The unit pads shown on the master conditional use plan submitted for the hearing are not approved by this conditional use. All unit pads shall be approved upon review and or issuance of the required zoning permits.
42. The County will review the master conditional use plan and require all structures that have not received zoning permit approval obtain an after the fact zoning permit if they comply with the required zoning regulations. Zoning permits shall be applied for by July 1st, 2011. If structures identified on the plan do not meet the required zoning regulation or have not obtained a zoning permit, the County will send notice to the property owner indicating that the structures will be required to be removed or brought into compliance with the zoning regulations in the time frame agreed to by the Land Use and Resource Management Department. Failure to bring the individual structures into conformance with County ordinances and this approval shall result County enforcement actions as specified by ordinance. The chart attached to exhibit H is here by eliminated from the application and this approval.
43. Camping units 2 through 16 and 21 through 23 may be reconstructed in the same foot print and envelope. However, decks, sheds, and or additions to these camping sites shall only be allowed if proven to the Land Use and Resource Management Department that the additional structures were constructed legally and prior to 1974.
44. The applicant must phase construction substantially in compliance with this approval and the plan of operations as approved. Any changes to phasing, or specified use within each phase must be added to the approved master conditional use plan and plan of operations and reviewed by the Land Management Department. The owner shall provide the Town and County with current "Expansion and Transition Construction Phases" and notify the Town and County in advance of any and all intended construction and improvements.
45. It shall be the property owner's responsibility to assure that all pets are limited to a maximum of three per camp site and all pets shall meet the definition of a household pet as specified in the County Zoning Ordinance.
46. 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.
47. Sufficient adult supervision must be present at all times when the camp is used by children. The property owner shall provide security personnel as specified in the plan of operations.
48. The property owner shall maintain adequate liability insurance for the campground activities and structures and keep the insurance current during the life of this conditional use.
49. The property owner shall immediately notify the County Land Use and Resource Management Department if the caretaker's residence is no longer occupied by a caretaker.
50. This conditional use shall be subject to an annual campground operational permit issuance by the County staff.
51. 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.

- 52. The County reserves the right to rescind this conditional use upon any violation of County regulations.
- 53. There shall be no additional tree cutting other than that specified in the “Seasonal Camper Rules and Regulations or as specified on the approved master conditional use plan.
- 54. There shall be no campground related use on adjacent properties under the same ownership.

Dated this 9th day of November, 2010.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request.

Jerry Grant motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.
Disc Count #5:34:30 – 5:36:12

3. Sterken Farms, Inc. – Owner, Wisconsin Electric Power Company/WE Energies, Applicant, Section 29, LaGrange Township. Amendment of CU for change to the hours of operation for construction of the gas peaking facility. Part of Tax Parcel H LG2900005. Amendment of CU on 10/21/2021 to allow different operation hours (see #4)

NAME: Sterken Farms, Inc.
Wisconsin Electric Power Company / WE Energies, applicant

TOWN: LaGrange

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.

Tax Parcel # H LG2900005

Has been APPROVED subject to the following conditions:

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~~ **7:00 a.m. and 7:00 p.m. with deliveries of materials and supplies limited to daylight hours.**

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.

Dated this 20th day of August, 2020.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

cc: WE Energies, William Burki, 231 W. Michigan Street, Milwaukee, WI 53203
Town of LaGrange, Frank Taylor, Chairman, N7899 County Rd H, P.O. Box 359, Whitewater, WI 53190
Town of LaGrange, Crystal Hoffmann, Clerk, N7899 County Rd H, P.O. Box 359, Whitewater, WI 53190

Staff presents request.

Richard Kunhke, Sr. motioned to approve. Seconded by Sue Pruessing. Motion carried. 6-favor 0-oppose.

Disc Count #5:36:13 – 5:38:07

5:36 p.m.:

Ordinance Amendments –

1. Amendment to Section(s) 74-173 and 74-187 of the Shoreland Zoning Ordinance. ConAgra Foods Packaged Foods, LLC C/O Dave Barrett – Applicant. The applicant is requesting text amendments to the Walworth County Shoreland Zoning Ordinance to allow certain expansions and maintenance of existing industrial, commercial and agricultural buildings in the floodfringe.

Art Hattersley, Michelle Kidd, Todd Boehne and Atty Sarah Slack present request and review of requested ordinance amendments.

This item will move forward to the November 18, 2021 Walworth County Zoning Agency meeting for possible action.

Disc Count #5:44:18 – 5:57:03

Amendments to Multi-Jurisdictional Comprehensive Plan Map 2050 –

1. **Sawyer Investments of East Troy LLC C/O Karl Sawyer– Owner**, Section 16, East Troy Township. Request for a Walworth County 2050 Land Use Plan Map Amendment (LUPMA) to change approximately 1.9 acres of land from the AG4 Agricultural Related Manufacturing Warehousing and Marketing land use category to the C Commercial land use category for an existing excavation business called Sawyer’s Excavating. The LUPMA if approved would accommodate a future request for business zoning on the parcel. Identified as the AG4 land use category portion of Tax Parcel PA397300002.

Staff presents request.

No one appears regarding the application.

Ryan Simons motioned to approve. Seconded by Dave Weber. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the November 9, 2021 Walworth County Board for possible action.

Disc Count #5:57:06 – 6:02:01

Rezones with Conditional Uses –

TABLED FOR BOA VARIANCE IN OCTOBER

1. ~~Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust— Owners, Section 25, Spring Prairie Township. Rezone approximately 91.48 acres of A-1 Prime Agricultural Land District to the M-3 Mineral Extraction District on four different parcels in order to get conditional use review and approval for the expansion of an existing nonmetallic mineral extraction site (gravel pit). Parts of Tax Parcels O-SP2500001A, 1C, 2 and 5.~~

Nonmetallic Mining Reclamation Permit—

~~Johnson Sand & Gravel, Inc. (Wilson Aggregate Trust C/O Scott Wilson and Mary and Robert Skwierawski Trust— Owners), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a 91.48 acre expansion of an existing non-metallic mining site. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcels O-SP2500001A, 1C, 2 and 5, Town of Spring Prairie. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.~~

APPLICATIONS WITHDRAWN.

2. ~~Millard Properties, LLC C/O Sarah M. Cook— Owner, Randy Johnson, Johnson Sand and Gravel, Inc.— Applicant, Section 4, Sugar Creek Township. Rezone Approximately 90.64 acres of A-1 Prime Agricultural Land District to the M-3 Mineral Extraction District in order to obtain conditional use permit approval for a non-metallic mine (gravel pit). Part of Tax Parcel G-SC 400001.~~

Nonmetallic Mining Reclamation Permit—

~~Johnson Sand & Gravel, Inc. (Millard Properties, LLC C/O Sarah M. Cook— Owner), has applied for a Nonmetallic Mining Reclamation Plan and permit approval for a 90.64 acre non-metallic mining site. The plans are available for review at the Walworth County Land Use & Resource Management Department. The mining site is located on Tax Key Parcel G-SC 400001, Town of Sugar Creek. The Walworth County Land Conservation Division will consider reclamation-related public comments in their decision to approve the reclamation permit.~~

TABLED - NO TOWN DECISION

3. ~~David Ennis Trust C/O Sheila M. Kirch— Owner, Robert LaRocque— Applicant, Section 35, Darien Township. Rezone approximately 1.25 acres of P-1 Park District property to the B-4 Highway Business District in order to obtain conditional use review and approval for Public Assembly and Outdoor Food and Beverage for a wedding and event venue. Tax Parcel BA143400001.~~

Rezoning –

TABLED - NO TOWN DECISION

1. ~~AC Meisner Investments, LLC C/O Christopher Meisner~~ – Owner, Section 26, LaFayette Township. ~~Rezone approximately .16 acres of P-2 Institutional Park District land that was once a Town garage to the M-1 Industrial District in order to use the existing garage for car repair or warehousing as principle uses. Tax Parcel K-LF2600011.~~
2. **Lester Ballarin – Owner**, Section 33, Geneva Township. Rezone approximately .1 acre of C-4 Lowlands Resource Conservation District property to the R-1 Single Family Residential District in order to correct the wetland boundary to delineated field conditions and allow area for construction of a garage. Part of Tax Parcel JCON 00017.

Staff presents request.

Atty Christina Green speaks regarding the application. Magdalena Ballarin is available for questions.

Dave Weber motioned to approve. Seconded by Ryan Simons. Motion carried. 6-favor 0-oppose.

The rezone petition will move forward to the November 9, 2021 Walworth County Board for possible action.

Disc Count #6:02:10 – 6:08:03

Conditional Uses –

1. **S.T. Evenignasiak, LLC C/O Steven Ignasiak – Owner, Bulk Materials Trucking – Applicant**, Section 26, LaFayette Township. Conditional use to add two trucking company offices, repair shops and parking areas for Bulk Materials Trucking and T-3 Trucking to an existing Planned Unit Development (PUD) providing for other similar truck depot and repair uses on property zoned M-2 Heavy Industrial District. Part of Tax Parcel K LF 2600001.

Amended 10/21/2021 for half of Building #3 and all of Building #7 to be used for Bulk Materials Trucking and buildings 5 and 6 for T-3 trucking. See #1, 27, 42 and 43.

Amended 6/15/2017 for contractor storage for temporary project facilities, length of storage time for in transit materials, increased storage areas see #s 1, 27, 35, 39, 40, 41.

Amended 3/23/2017 for the addition of a pier construction business with all other conditions as shown, and with the revised site plan.

NAME: S T Evenignasiak LLC c/o Steven Ignasiak – Owner

TOWN: LaFayette – Part of Tax Parcel K LF-26-1

Has been **APPROVED** subject to the following conditions:

General:

1. Approved as per plan submitted and narrative submitted for multiple conditional uses as a Planned Unit Development (PUD) being a truck depot, truck depot with truck and heavy construction equipment repair and ~~retail truck part service, a pier construction business~~, **contractor storage for temporary projects for buildings # 7 & 8 and amendment to the existing PUD to allow addition to the length of storage time for in transit material and alternate and increased storage area locations for various equipment and materials as specified by a revised site plan and narrative as approved 6/15/2017 10/21/2021 as an indoor and outdoor in transit materials storage depot and amended 10/21/2021 for use of half of building**

#3 for offices for RSR Services and half for Bulk Materials Trucking, all of Building #7 for Bulk Materials Trucking and buildings 5 and 6 for T-3 trucking with all additional conditions.

2. All uses 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 a sign permit.
5. The applicant must obtain the required State Highway D.O.T. 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 from 7:00 a.m. to 7:00 p.m. Monday through Saturday for the indoor and outdoor in transit materials storage depot and retail sales of truck parts. Hours of operation shall be 7:00 a.m. to 11:00 p.m. Monday through Saturday for the truck repair facility. Hours of operation shall allow parking of trucks and trailers on site 24 hours per day, seven days a week.
12. Truck drivers shall not spend the night in the trucks on site.
13. All perimeter fencing shall be maintained as identified on the project plan.
14. The operator shall obtain adequate liability insurance and keep the insurance current during the life of this conditional use.
15. Public retail sales of truck parts shall be restricted to the area identified on the site plan.
16. No general public sales allowed from the indoor and outdoor in transit materials storage depot.
17. No business activities other than specified in the plan of operations may be conducted from out of the truck depot facilities.
18. 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.
19. No storage of chemicals, petroleum products and flammable materials shall occur on site unless stored in a containment facility meeting State requirements.
20. The owner must provide a waste disposal plan stating where all trash, drain oil and other auto fluids are disposed and shall follow the approved plan during operations on site.
21. Staff may conduct inspections necessary to ensure site is operated and maintained according to applicable regulations.
22. Any changes to the PUD that may affect this approval must obtain additional County conditional use review and approval.
23. 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.
24. 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.
25. 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:

26. All inventories of truck parts, trailer parts, and equipment parts to be use or sold on site shall be kept indoors at all times except for parts located in the temporary use outdoor storage location. Truck parts, trailer parts and equipment parts stored in the temporary use outdoor storage location shall be removed within 14 days of being stored outdoors.

27. No outside storage other than the trucks, trailers, equipment and materials in transit specified in the approved plan of operations shall to be stored in the designated outside storage areas. **Materials not on trailers shall be set on pallets, or wood dunnage as needed, and shall be wrapped as needed.** All trucks, trailers, equipment and materials in transit shall be allowed to be stored on site for a maximum of 14 contiguous days at which point they shall be removed as specified on the approved site plan and amended narrative as approved 10/21/2021. according to the following area time specification:

Areas 1-4: To be used by Fifth St. Transport LLC and RSR Services for short term 30 days or less truck and custom trailer parking.

Area 5: To be used by to be used by Fifth St. Transport LLC and RSR Services for trailer for up to 1 year for the businesses rental and storage fleet.

Area 6: Trailer parking and in house storage of supplies for Fifth St. Transport LLC up to 3 years.

Area 7: Fifth St. Transport LLC and RSR Services long term storage of equipment and materials intended for reuse by the onsite businesses up to 3 years.

Areas 8-9: Overflow parking of trailers for no longer than 1 year.

Area 10 has been designated on the site plan as area for building materials storage such as steel, wall panels, structural steel and wood, concrete blocks, fence posts and other building materials to be contained , palletized and transportable.

Area at the entrance of gravel pit east of building #8 as designated on the approved plan shall be used for storage of attachments for equipment (i.e. plows, buckets, grader blades).

All storage areas, conditions for storage, materials to be stored and time limits as specified in the June 14th, 2017 Town approved revised narrative (including changes in red) dated received June 15th, 2017 by Walworth County LURM Department are approved as part of this conditional use permit. (see attached narrative)

28. 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.

29. No outside storage of chemicals shall occur on site.

30. Any painting and finishing areas of 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.

31. 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.

32. All flammable waste materials shall be stored in a non-flammable, enclosed container and be gated in a non-combustible fence.

33. 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.

34. No occupancy shall be allowed for the business activity approved by this conditional use until all conditions of approval are met.

35. The property owner shall be required to conduct an annual Tier III study as per the Town.

36. All transient loads shall be stored on non-pervious surfaces as per the Town.

37. The conditional use shall be valid for five years from this approval date. The property owner may apply for a renewal of the conditional use within six months of expiration. The renewal shall be subject to inspection and approval by the County as per the Town.

38. No fill shall be placed in the buffer area identified on the north end of the outside storage area for transient storage. No storage activities shall be located within the buffer area.
39. **The County LURM Office shall review the setbacks for County Zoning Ordinance compliance as per the Town.**
40. **At no time will any storage occur outside of the designated storage area nor will the storage not be contained or transportable as per the Town.**
41. **The property shall be viewed for compliance annually by the County as per the Town.**
42. **The outside yard shall not be used for auto salvage, a recycling center, tire collection and/or private outside storage of recreational vehicles and boats. All materials not specifically identified as temporary storage for a trucking depot, truck repair or truck part storage as specified on the site plan and narrative shall be removed from the premises.**
43. **The entire property shall be brought into compliance within 90 days of County approval as per the Town.**

Dated this 16th day of July, 2015.

COUNTY ZONING AGENCY
RICK STACEY, CHAIRMAN

Staff presents request.

Steve Ignasiak speaks regarding the application.

Speaking in FAVOR: Ken Amon.

Jerry Grant motioned to approve. Seconded by Dave Weber. Motion carried.

6-favor 0-oppose.

Disc Count # 6:08:09 – 6:18:36

TABLED – NO TOWN DECISION

2. ~~**Biwer Investments, LLC C/O John Biwer – Owner, Michael Jonas – Applicant, Section 28, Delavan Township. Outdoor food and beverage conditional use approval on a patio for a bar located in the B-2 General Business District. Tax Parcel F-D 2800019.**~~
3. **Payne & Dolan, Inc. c/o Brian Endres V.P., Clint Weninger Land Resource Manager for Payne & Dolan - Applicant, Section 1, LaFayette Township. Conditional use approval for 10-year intermittent placement and use of a portable asphalt plant within an existing nonmetallic mineral extraction site zoned M-3 Mineral Extraction District with opportunity to renew the use for an additional 10 years. Part of Tax Parcel K LF 100001B.**

General:

1. Approved as per plan submitted for a temporary portable asphalt plant to be located as identified for a maximum of ten years from the date of this approval 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 brought back and 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 if required by ordinance.
7. The owner shall amend the reclamation plan for the gravel pit to include measure to be taken to remove the asphalt plant from the site to the satisfaction of the County Conservation Office.
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.
9. The project site must be kept neat and clean.
10. Implementation of dust and noise control measures shall occur at all times 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. On site regular hours of operation shall be from 6:00 a.m. to 6:00 p.m. Monday through Saturday with hours unit 9:00 p.m. for return of equipment from off site work. No operations of the asphalt plant or hauling of materials for asphalt shall be conducted on Sunday or County designated holiday.
13. No regular operation involving asphalt production shall occur after operation hours with the exception of the operation of the heating element for the plant, which may operate continuously.
14. Request for after-hours operations of the asphalt plant for nighttime roadwork outside of the regular operating hours can be made by notice to the Town and Walworth County Land and Resource Management Department. Approval of such after-hours requests may be assumed upon notice unless the County identifies project specific human health and safety concerns and provides a response to the notice.
15. The operation of the plant shall be in accordance with the Wisconsin DNR Bureau of Air Management permit requirements.
16. Odor control agents shall be considered for used during operation of the asphalt plant to reduce nuisance odors.
17. No storage of chemicals and petroleum products shall occur on site unless stored in a containment facility meeting State requirements.
18. Recycled asphalt shingles may be used in the asphalt production but must be stored in a containerized fashion prior to being incorporated into the asphalt plant.
19. The asphalt plant will be removed and the site cleaned up with a sunset date of ~~September 16th~~ October 21, 2031.

Specific conditions:

20. The ten year approval of the use of the temporary asphalt plan is allowed up to the end of phase 2/the beginning of phase 3 (re: mining in the water table) as per the Town.
21. All recycled concrete and asphalt, whether in the pit or exported out of the pit shall meet with County requirements as per the Town.
22. Waste asphalt from the plant will be stockpiled onsite adjacent to the asphalt plant. All waste asphalt will be recycled within the plant or taken off-site within the same year produced. Recycled materials may remain onsite until excavation below the water table begins, as previously approved as per the Town.
23. **The applicant may request an extension for use of the temporary asphalt plant prior to the expiration of this conditional use.**

Staff presents request.

Bill Buglass speaks regarding the application.

Dave Weber motioned to approve as amended with condition #23. Seconded by Jerry Grant. Motion carried. 6-favor 0-oppose.

Disc Count # 6:18:51 – 6:30:48

4. **Anthony and Michelle DiMauro – Owners, Section 10, Sugar Creek Township.** Conditional use review and approval for a farm family business wedding barn, farm food service and a farm school. Part of Tax Parcel GA282100001.

General for a wedding barn:

1. Approved as per plan submitted for use of an existing barn and ancillary outdoor use for seasonal rental for family events (weddings, baby showers, anniversaries, family reunions, and similar family related events) as a Farm Family Business Wedding Barn with a maximum capacity of 90 guests with all additional conditions.
2. The Farm Family Business Wedding Barn in the A-1 zoning district is limited to a use that is conducted by the owner or operator of a farm that requires no buildings, structure or improvements other than the existing barn on the farm. The Wedding Barn is limited to two non-farm family employees and does not impair or limit the current or future agricultural use of the farm or of other protected farmland. Caterers and band members shall not be considered employees of the farm family business wedding barn if hired by the family renting the barn.
3. Farm Family Business wedding barn events shall be limited to 12 per year. The property owner shall keep of log of all family events held in the barn including the name of the family, purposes of the gathering, dates, times and total capacity proposed. The property owners shall make the log available to the Town and or County upon request. This conditional use approval is subject to annual review.
4. The site must meet all applicable Federal, State, County and local regulations.
5. Rental of the family event barn shall be by appointment only.
6. The barn must have been in existence on site as an agricultural structure five years prior to the request to use the barn for family events.
7. The structural design of the barn shall remain as a barn or (as it existed as a barn) with the exception of electrical, plumbing and ADA requirements necessary to meet the commercial building code. There shall be no furnaces, air conditioning or kitchens etc. installed in the barn.
8. The capacity of the wedding barn shall be no greater than that allowed by the State Commercial Building Code/Fire Code including caterers, band employees, and staff.
9. The property owner shall provide a copy of the commercial building permit and fire code permit approval from the appropriate building inspector/fire inspector for the County file prior to use of the barn for approved events. Bathrooms: No more than 2 bathroom stalls in a building. Portable toilets shall be provided for additional service and a pumping contract shall be provided to the county to assure maintenance and removal at the end of the season.
10. All food and beverages shall be brought on site by the family renting the barn for the specific family event or by a caterer hired by the family renting the barn.
11. No permanent liquor license shall be applied for or issued for the premises under this approval as a farm family business. The wedding barn shall not become a bar/tavern.
12. Alcoholic beverages sold on site must be purchased from and dispensed by a licensed provider. All alcoholic beverages sold on site must be served by a certified bartender in compliance with all laws and regulations established by appropriate governmental units including no service to underage or intoxicated guests.
13. No retail sales other than beverages during an event shall be allowed on site.
14. There shall be a detailed approved site plan identifying outdoor areas used for a farm family business wedding barn use such as but not limited to outside cooking, bonfires, outdoor music, party tents, the parking area and portable toilets if provided.
15. Outdoor bonfires shall be in an acceptable location within a fire ring as specified on the site plan.
16. There shall be no fireworks or firework displays launched from the Farm Family Business wedding barn during events.
17. Event hours shall be from Friday and Saturday from 9:00 a.m. to 12:00 a.m. (midnight) and Sundays 9:00 a.m. to 6:00 p.m. during the months of May, June, July, August, September and October.
18. Garbage shall be removed from the property on the Monday after the event, at the latest.

19. Parking shall be made available on site during the use of the wedding barn for family events. There shall be no parking on the public or private streets. Exclusive (non-burdened) access to the parking area must be provided. All parking shall meet the size, setback and separation distances of the County Zoning Ordinance. All parking must be graded and surfaced to be dust free. All parking must occur in the areas identified on the approved plan. All parking shall be marked on site by post and rope marking at a minimum.
20. Adult supervision must be present at all times when facilities are in use.
21. The property owner shall be responsible for obtaining adequate liability insurance and keeps the insurance current during the life of this conditional use.
22. The applicant shall obtain a Walworth County sign permit prior to placement of any sign on site. Signage is limited to one sign per parcel and does not exceed nine square feet in area, is located at least five feet from the road right-of-way, at least ten feet from a side property line and shall not exceed six feet in height and shall be located at least 50 feet from any intersection.
23. All lighting must be shielded and directed on to the property and extinguished at the close of each day's event.
24. The applicant must obtain an approved Land Disturbance, Erosion Control and Stormwater permit from Land Conservation if required by Ordinance.
25. Any changes in the proposed use of the property shall require additional Town and County approvals including potential need for a rezone review and new decision to a zone district that allows public assembly prior to continued operations. A rezone and conditional use approval will be required for any proposal to expand the facilities beyond the use of existing barn and designated outside area.
26. This conditional use for a farm family business wedding barn shall be subject to an annual staff zoning review for compliance with zoning issues subject to an annual \$100 zoning request review fee.
27. There shall be no more than four pets allowed on site at any time without approval for a kennel from the Town and County.
28. The conditional use only applies to the use of the barn and outside area. There shall be no wedding barn use of the house.
29. 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.
30. 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.
31. 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:

Farm Food Service:

General:

1. Approved as per plan submitted for farm food service as meals hosted as on the farm dining experience highlight products that are grown on the host farm including beef, vegetables, honey, and eggs with all additional conditions.
2. Dinners on the farm shall be limited to ~~50~~ **90** patrons per event.
3. Different local chefs on a rotating schedule shall prepare the meals. Chefs would be allowed to operate under their own private catering licenses with food products from the farm prepared in the chefs own commercial kitchens and then brought back to the farm to be served.
4. The approval for farm food service is limited to sales of ancillary non-agricultural and agricultural items not produced on the farm subject to a detailed plan. The items not grown or created on the farm would be breads, grains, fruits and dairy products.

5. Meals paired with alcoholic beverages shall not exceed 24 oz. of beer or wine per person of legal alcoholic beverage drinking age per meal event.
6. Evening meals would occur no more than once per week during the growing season of May through October. Farm dinners shall be allowed on either Thursday, Friday or Saturday evenings between 4 p.m. to 10 p.m.
7. Four off-season meals shall be allowed to be served between November through April during the same days and hours of the seasonal meals.
8. Farm brunches shall be allowed to be served on Sundays between 11 a.m. and 3 p.m. during the same season as the seasonal evening meals
9. No non-approved business activities may be conducted from out of the facilities.
10. Storage shall be limited to material and goods directly associated with business. There shall be no outside storage.
11. Outside use shall be limited to that described in the plan of operations.
12. The site must meet all applicable Federal, State, County and local regulations.
13. Outside lighting shall be shielded and directed on site.
14. The applicant must obtain all required zoning permit approvals including sign permit approval.
15. The number of employees shall be limited to the owners and two (2) non-farm family employees.
16. There shall be no outside music or outside amplified sound on site.
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 applicant must obtain a County Land Disturbance Erosion Control and Stormwater Management Permit from the County Conservation Office if required by the ordinance.
19. Parking for farm food service 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 to be dust free. All parking must be compliant with County requirements.
20. The property owner must obtain the required County sanitary permit approval for facilities to be located on site.
21. The project site must be kept neat, clean, and mowed.
22. The owners of the property shall release, indemnify and hold harmless Walworth County, the Town of Walworth 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.
23. 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.
24. 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:

25. The property owner shall provide a copy of approval from the appropriate building inspector for the County file prior to use of the structure.
26. The property owner shall provide a fire protection plan that has received review from the fire department and submit a copy for the conditional use file prior to use of the buildings.

27. All music played on a farm shall be acoustic with no amplified sound system. Music shall be allowed for ambiance, free for the event, with no ticket sales.

General for a farm school:

1. Approved per plans submitted for a farm school with all additional conditions.
2. Outdoor lighting shall be shielded and directed on site.
3. The farm school shall not have more than ~~12~~ 40 students present on site at one time.
4. The school shall be responsible for maintaining proper liability insurance at all times on the property.
5. Must meet all Federal, State, County and local regulations.
6. Access shall be as indicated on the approved plan.
7. The owner shall obtain Land Disturbance, Erosion Control and stormwater approval if required by Ordinance.
8. 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.
9. 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:

10. The property owner shall receive and keep record of permission slips. The permission slips are to be signed and dated by the legal guardians for the days any child shall be present on site without a legal guardian.
11. Six workshops per season (May through October) are allowed to be held regarding the subject matter as expressed in the application narrative during the times specified as follows: The Farm School is proposed for the purpose of holding educational workshops related to what is done on the farm. The workshops would be held regarding the following subjects:
 - a) Beekeeping, crafts with beeswax, infusing honey.
 - b) Flower arranging, flower growing, seed swapping, and flower pressing.
 - c) Gardening, seed saving, crop planning.
 - d) Watercolor painting
 - e) Raising farm animals
 - f) Fermentation and canning
12. All classes would take place in and around the barn as specified on the site plan. The entire barn is 30 ft. by 100 ft. The room inside the barn that would be used is 30 ft. by 32 ft. The outside corridor surrounding the event barn is 42 ft. by 120 ft.
13. **The conditional use shall return to the Walworth County Zoning Agency for a one-year staff review.**

Staff presents request and indicates this is consistent with Farmland Preservation. Michelle and Anthony DiMauro speak regarding the application. Requesting 20 to 30 people present for workshops. Requesting 90 people present for farm meals. Workshop number requested changed to 40. Applicants respond to committee questions.

Speaking in FAVOR: Joe Staller

Dave Weber motioned to approve. Seconded by Jerry Grant. Staff recommends 90 dinner patrons and 40 attendees at farm school/workshops. One-year report by staff is

**requested by Committee. Friendly amendment is approved by motion and second.
Motion carried. 6-favor 0-oppose.
Disc Count # 6:30:49 – 6:59:04**

5. **Dollar Dairy Farm, Inc. C/O Larry Krueger – Owner, Guardian Pipeline Company C/O Bob Oosterhouse – Applicant, Section 11, Darien Township.** Conditional use approval to allow Guardian Pipeline Company to construct a gas valve meter station on an easement with an eight foot by 28 foot equipment building as a utility. Part of Tax Parcel B D 1100008.

General:

1. Approved as per plan submitted for a gas valve meter station on an easement with an eight foot by 28 foot equipment building as a utility 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:

**Staff presents request and indicates this is consistent with Farmland Preservation.
Bob Oosterhouse speaks regarding the application.**

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

Disc Count # 6:59:07 – 7:02:09

6. **Henri J. and Melinda H. Kinson – Owners, Convergence Energy, LLC C/O Steve Johnson – Applicant**, Section 6, Sugar Creek Township. Conditional use approval to construct a 19.8 KW (48 solar panels) ground mounted solar system in the backyard of their home to provide an estimated 85% of the electric supply for the onsite residence. Tax Parcel G SC 600003E.

General:

1. Approved as per plan submitted for a 19.8 KW ground mounted solar system being 1068 sq. ft. in area to cover the homeowner's personal electricity usage at the property and overproduction of electric power fed to the grid with all additional conditions as stated.
2. Construction plans for the site shall be submitted to the County Zoning Office for review and permit approvals prior to the project beginning.
3. Construction related activities are only allowed on site between sunrise to sunset.
4. All easements must be use for the purpose for which they were granted.
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. 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 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.
13. The applicant is responsible for removal of the solar panel array if it is no longer in use. If the solar panel array is not operated during a 12 months period, it shall be considered abandoned. Abandoned solar panel arrays may be required to be removed within 90 days.
14. 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.
15. All installation of the solar panel array must comply with Wisconsin Administrative Code Chapter PSC 119 for interconnection distributed generation facilities.

Specific:

Staff presents request.

Steve Johnson/Convergence Energy speaks regarding the application.

**Ryan Simons motioned to approve. Seconded by Dave Weber. Motion carried.
6-favor 0-oppose.**

Disc Count # 7:02:10 – 7:05:07

7. **Sorg Holdings, LLC C/O John Sorg – Owner, Angus-Young Associates C/O Tyler Allison – Applicant, Section 8, Darien Township.** Conditional use approval to expand an existing use of a sausage production and meat market facility by greater than 25% requiring conditional use approval as if establishing the use anew. The A-4 portion of Tax Parcel B D 800012.

General:

1. Approved as per plan submitted for expansion of an existing meat processing packing and sales facility by greater than 25% with all additional conditions.
2. On site, hours of operation shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday and 8:00 a.m. to 3:00 p.m. on Saturdays for the sausage store to be operated by up to five employees. Up to 23 employees shall work on meat processing, deliveries and miscellaneous farm duties from 7:00 a.m. to 5:00 p.m. Monday through Saturday.
3. The facility shall meet all applicable Federal, State, County and Local regulations includes all food processing, health and safety requirements and USDA meat processing regulations.
4. All meat processing waste shall be disposed of according to required State regulations. There shall be no disposal of meat processing waste on site.
5. The property owner shall provide copies of verification of all State requirements for the conditional use file upon request by the County.
6. Storage has be limited to material and goods directly associated with business. There shall be no outside storage areas.
7. Waste from the animals housed within the A-4 zone district area shall be subject to a waste management/nutrient management plan to be obtained from the Walworth County Conservation Office.
8. Outside lighting shall be shielded and directed on site.
9. The applicant must obtain all required zoning permit approvals including a sign permit.
10. No burning shall occur on site without obtaining a commercial burn permit from the State and meeting any requirement of the local Township.
11. The applicant must obtain a Walworth County Land Disturbance Erosion Control and Stormwater Management Permit from the Walworth County Conservation Office.
12. 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.
13. The project site shall be kept neat, clean, and mowed.
14. Any changes to the character, intensity or use of this site not capable of being discerned by the Walworth County Land Management Department as consistent with this approval must be brought before the Walworth County Zoning Agency for additional conditional use review.

Specific

Staff presents request

Tyler Allison/Angus Young Associates and John Sorg speak regarding the application.

Richard Kuhnke, Sr. motioned to approve. Seconded by Ryan Simons. Motion carried. 6-favor 0-oppose.
Disc Count # 7:05:12 – 7:10:56

Adjournment

Ryan Simons motioned to adjourn. Seconded by Jerry Grant. Motion carried. 6-favor 0-oppose

The meeting was adjourned at 7:11 p.m.

Submitted by Sheril Oldenburg, Recording Secretary.
Minutes are not final until approved by the committee at its next meeting.