



# GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

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The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, June 2, 2022.

Packet Pages:

- 2 Agenda
- 3-6 Draft Meeting Minutes from May 5, 2022
- 7-9 Financial Reports for April 2022
- 10-12 Permit Reports for April 2022
- 13-14 Violation Reports
- 15 Public Hearing Notice
- 16-69 Public Hearing Items

**Item I Owner:** Trillium Hill Land LLC **Agent:** Three Petals RNG, LLC **Site location:** N8273 Cty Rd F **General legal description:** Parcel 002-00426-0000, 002-00427-0000, part of the NW&SW1/4 of S23, T17N, R13E, Town of Berlin, ±10 acres **Request:** CUP for a Renewable Natural Gas (RNG) processing facility.

**Item II Owner:** Steven & Laura Miller **Site location:** W3524 State Rd 44 **General legal description:** Parcel 012-00165-0100 part of the NW1/4 of S10, T14N, R12E, Town of Manchester, ±10 acres **Request:** CUP to operate a woodworking shop.

**Item III Owner:** Toby & Malinda Petersheim **Site location:** N1745 State Rd 44/73 **General legal description:** Parcel 012-00176-0000 part of the SE1/4 of S10, T14N, R12E, Town of Manchester, ±37 acres **Request:** CUP to operate a farm repair and equipment shop.

**Item IV Owner:** Patrick & Brenda Stanton **Site location:** W3711 Cty Rd X **General legal description:** Parcel 012-00407-0100 part of the SE1/4 of S21, T14N, R12E, Town of Manchester, ±32 acres **Request:** Rezone ±3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District. To be identified by certified survey map.

**Item V Owner:** Robert & Michele Leystra **Site location:** W1763 Village Rd **General legal description:** Parcel 010-00119-0000 part of the NE1/4 of S8, T14N, R13E, Town of Mackford, ±1.5 acres **Request:** CUP to operate a contractor/woodworking shop.

**Item VI Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Ch. 350, Zoning Ordinance, more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

If you have questions or need additional information,  
please contact the Land Use Planning & Zoning Department at (920) 294-4156.



# GREEN LAKE COUNTY LAND USE PLANNING & ZONING

Matt Kirkman  
Director

Office: 920-294-4156  
FAX: 920-294-4198

## Land Use Planning & Zoning Committee Meeting Notice

Date: June 2, 2022, Time: 4:00 PM

Location: Government Center, County Board Room #902, 571 County Road A, Green Lake WI

### AGENDA \*Amended Agenda 6/1/22

#### Committee Members

Curt Talma,  
Chair

Chuck Buss  
Vice Chair

Bill  
Boutwell

Gene Thom

Harley  
Reabe

Karen  
Werlein,  
Secretary

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Approval of Minutes: 5/5/2022
5. Public Comments: 3 minute limit
6. \*Correspondence from Samuel Mast
7. \*Public Appearance: Samuel Mast regarding proposed zoning ordinance amendment
8. Department Activity Reports
  - a. Financial reports
  - b. Land use & septic permits
  - c. Violation reports
9. Staff Update
10. Committee considerations related to A-1, Farmland Preservation Rezones
11. Public Hearing: (Not to begin before 4:30 PM)  
Each Item below will consist of:
  - a. Public Testimony/Comment: 10-minute time limit
  - b. Committee Discussion & Deliberation
  - c. Committee Decision
  - d. Execute Ordinance/Determination Form

**Item I Owner:** Trillium Hill Land LLC **Agent:** Three Petals RNG, LLC **Site location:** N8273 Cty Rd F **General legal description:** Parcel 002-00426-0000, 002-00427-0000, part of the NW&SW1/4 of S23, T17N, R13E, Town of Berlin, ±10 acres **Request:** CUP for a Renewable Natural Gas (RNG) processing facility.

**Item II Owner:** Steven & Laura Miller **Site location:** W3524 State Rd 44 **General legal description:** Parcel 012-00165-0100 part of the NW1/4 of S10, T14N, R12E, Town of Manchester, ±10 acres **Request:** CUP to operate a woodworking shop.

**Item III Owner:** Toby & Malinda Petersheim **Site location:** N1745 State Rd 44/73 **General legal description:** Parcel 012-00176-0000 part of the SE1/4 of S10, T14N, R12E, Town of Manchester, ±37 acres **Request:** CUP to operate a farm repair and equipment shop.

**Item IV Owner:** Patrick & Brenda Stanton **Site location:** W3711 Cty Rd X **General legal description:** Parcel 012-00407-0100 part of the SE1/4 of S21, T14N, R12E, Town of Manchester, ±32 acres **Request:** Rezone ±3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District. To be identified by certified survey map.

**Item V Owner:** Robert & Michele Leystra **Site location:** W1763 Village Rd **General legal description:** Parcel 010-00119-0000 part of the NE1/4 of S8, T14N, R13E, Town of Mackford, ±1.5 acres **Request:** CUP to operate a contractor/woodworking shop.

**Item VI Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Ch. 350, Zoning Ordinance, more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

12. Future committee activities
  - a. Future agenda items
  - b. Next meeting date: July 7, 2022
13. Adjourn

**This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the following link:**

Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the Land Use Planning & Zoning office, no later than 3 days before date of the meeting.

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, May 5, 2022**

**CALL TO ORDER**

Planning & Zoning Department Director, Matt Kirkman, called the meeting of the Land Use Planning and Zoning Committee to order at 4:30 p.m. in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met. Public access was available via remote programming as well as in person.

**Present: Harley Reabe, Curt Talma, Chuck Buss, Bill Boutwell, Gene Thom,**

**Absent: Dawn Klockow,** Corporation Counsel

**Also Present: Matt Kirkman,** Land Use Planning and Zoning Director **Karen Werlein,** Land Use Coordinator

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was recited.

**ELECTION OF CHAIR**

Matt Kirkman called nominations for Chair. Supervisor Reabe nominated Curt Talma. Kirkman called for nominations 3 more times. ***Motion/Second (Thom/Buss)*** to close nominations and cast a unanimous ballot for Curt Talma. Motion carried with no negative vote. Curt Talma seated as Chair.

**ELECTION OF VICE CHAIR**

Chair Talma called for nominations for Vice Chair. Supervisor Boutwell nominated Chuck Buss. Talma called for nominations 3 more times. ***Motion/Second (Reabe/Boutwell)*** to close nominations and cast a unanimous ballot for Chuck Buss. Motion carried with no negative vote. Chuck Buss seated as Vice Chair.

**APPROVAL OF MINUTES**

***Motion/second (Boutwell/Reabe)*** to approve the minutes of the April 7th meeting with the following addition (underlined below):

Committee Decision: ***Motion/second (Lenz/Boutwell)*** to approve the CUP request as presented with the following conditions:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. All materials and other wood finishing equipment shall be stocked, piled, or stored in a building. No waste materials from the woodworking shop shall be stacked, piled or strewn about on the subject site.
3. The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.

Chuck Buss spoke regarding a call received from a property owner in the vicinity concerned with the number of commercial operations going on in that town road. That is not built for commercial traffic.

Motion carried with no negative vote.

## **PUBLIC COMMENTS:**

None

## **DEPARTMENT ACTIVITY REPORTS**

### a. **Financial reports**

P&Z Director Matt Kirkman gave an update on the March expenses and revenues.

### b. **Permits**

Matt Kirkman stated there were 21 land use permits and 4 sanitary permits in March.

### c. **Violations**

Matt Kirkman outlined the current land use violations as well as the POWTS violations.

Chair Talma called for the Public Hearing portion of the meeting to begin.

## **PUBLIC HEARING – 4:45 PM**

Chair Talma read the rules for the Public Hearing

**Item I: Owner:** James & Catherine Jackowski **Site location:** N4148 County Rd N **General legal description:** Parcel 006-00178-0000 part of the SE1/4 of S9, T15N, R13E, Town of Green Lake, ±40 acres **Request:** Rezone ±7.8 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District. To be identified by certified survey map.

### a. Public Testimony/Comment: Chair Talma called for public input.

James Jackowski, N4148 Cty. Rd. N, spoke in favor of the rezone request.

Chair Talma closed the Public Hearing.

### b. Committee Discussion & Deliberation: Kirkman presented the Staff Report regarding the rezone request. The Town of Green Lake approves of the request.

### c. Committee Decision: ***Motion/second (Thom/Boutwell)*** to approve the rezone request. To be forwarded to County Board for final approval.

Motion carried with no negative vote.

**Item II: Owner:** Hickory Point Acres, LLC **Applicant:** Paula Gilbertson **Site location:** N3361 Hickory Point Rd **General legal description:** Parcel 014-00277-0000, part of the SW1/4 of S27, T15N, R11E, Town of Marquette, ±39.66 acres **Request:** Rezone ±39.66 acres from R-1, Single-Family Residence District, to RC, Recreation District.

### a. Public Testimony/Comment: Chair Talma called for public input.

Paula Gilbertson, W6122 Hickory Point Rd., spoke in favor of the rezone request.

Chair Talma closed the Public Hearing.

### b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Marquette approves of the request.

### c. Committee Decision: ***Motion/second (Buss/Reabe)*** to approve the rezone request. To be forwarded to County Board.

Motion carried with no negative vote.

**Item III: Owner:** Hickory Point Acres, LLC **Applicant:** Paula Gilbertson **Site location:** N3361 Hickory Point Rd **General legal description:** Parcel 014-00277-0000, part of the SW1/4 of S27, T15N, R11E, Town of Marquette, ±39.66 acres **Request:** Conditional use permit for a recreational resort and bar.

- a. Public Testimony/Comment: Chair Talma called for public input. Paula Gilbertson, W6122 Hickory Point Rd., spoke in favor of the CUP request. Chair Talma closed the Public Hearing.
- b. Committee Discussion & Deliberation: Matt Kirkman presented the Staff Report. The Town of Marquette did not take action on the request.

**Motion/second (Boutwell/Thom)** to suspend the rules to allow the applicant to speak. Motion carried with no negative vote. Applicant spoke on the status of the septic system.

- c. Committee Decision: **Motion/second (Buss/Reabe)** to approve the CUP request as presented with the following conditions:
  1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
  2. Any outdoor lighting shall comply with Section 350-23 of the County Zoning Ordinance.
  3. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.
  4. If prior cabin sites #7 and #11 are to be utilized either as camping units or as cabin sites, and if the prior mobile home site is to be utilized as a camping unit site, a reconnection sanitary permit shall be applied for and issued by the Land Use Planning & Zoning Department prior to any connection being made to the existing POWTS on the property. Due to the age of these POWTS, a soil evaluation shall be required.
  5. Only one shed shall be allowed per cabin, camping unit, or mobile home site and no new shed associated with these sites shall be permitted to be larger than 50 square feet.
  6. Each camping unit footprint shall not exceed 400sqft or the maximum square footage as allowed by the State regulations for a camping unit, whichever is smaller.
  7. An independent structure such as a deck, landing / stairway, not to exceed 200 square feet shall be permitted per camping unit and mobile home site.
  8. All cabin, camping unit and mobile home sites are to be identified by numbers.
  9. Any construction or reconstruction shall be in compliance with Chapter 300 Floodplain Zoning Ordinance.
  10. This conditional use permit allows for up to 11 cabin sites, 6 mobile home sites and one camping unit site (N3349). Prior cabin sites #7 and #11 may be utilized as camping unit sites until such time as new cabins are constructed on these sites.
  11. The conditional use permit request approval shall be contingent upon the County Board's final approval of this rezone request.

Motion carried with no negative vote.

Public Hearing closed and committee resumed the business items of the agenda.

### **Staff Update**

Matt Kirkman gave an update of the new hire, Noah Brown, that will be starting May 23<sup>rd</sup>.

### **Review draft zoning ordinance**

Matt Kirkman outlined and discussed the draft ordinance with committee members.

**FUTURE COMMITTEE ACTIVITIES**

- a. Future agenda items – Zoning Ordinance amendment to be added as a public hearing item for the June meeting.
- b. Next meeting date –June 2nd, 2022

**ADJOURN**

Chair Talma adjourned the meeting at 6:01 PM

**Respectfully submitted,**

**Karen Werlein, Land Use Coordinator**

DRAFT

To ; The Green Lake County

Land Use Planning and Zoning Committee  
and, the Zoning Board

Dear Green Lake County Officials,:

It has come to our attention that there are plans to amend some of the zoning regulations for Green Lake County and the zoned townships.

The section 350-27 A-1 Farmland Preservation District,  
#2. Conditional Uses,

B. (2) referring to (accessory use of an ag building)

Could the building for (accessory use ) be detached from the ag building, even if the size or floor space needs to be less than the ag building ?????

The reason we are making this suggestion is :::::

A building furnished with a heating stove, and or equipment such as, but not limited to welders, torches , etc. and used as a shop, and being attached to a barn or shed that is used for storing hay or straw is not allowed in the Amish Fire Aid plan. This Fire Aid plan is a way the Amish use to help each other replace loss and damage by fire.

Requiring a building twice the size needed for the (accessory) causes twice the footprint otherwise.

B. (6) referring to a farm of 20 acres or more

Less than 20 acre parcels ,leave few options of making a living ,solely by agriculture. Our goals being of working at home with the family. Would it be helpful to the zoning committee, if the Amish were to provide a field -man to submit an annual report to the committee for CUP's , issued to our community members?? This could possibly serve as a valuable link between the Amish community and the County officials.

We understand the county needs a comprehensive plan approved by the state. We also understand that something drives zoning regulations. As representatives of the Amish Community in Green Lake County, we are willing to have a series of discussion , if needed, to see if a plan could be put together, to honestly uphold county requirements, while also allowing the Amish to uphold their principles of making a living at home with the family.

We desire to voice our situation to the board and committee respectfully and honestly. We thank you in advance for your consideration. Our hope is to live in peace with our fellowmen as nearly as possible, in an honest , God-fearing way. We want to pray for our county officials and wish the Lord's Blessings on their decisions.

Truely yours, The Amish Community of Green Lake County

**GREEN LAKE COUNTY  
LAND USE PLANNING ZONING DEPARTMENT**

| FEES RECEIVED                              | APRIL |          |      |          | YEAR-TO-DATE |           |      |           | BUDGET       |            |
|--|-------|----------|------|----------|--------------|-----------|------|-----------|--------------|------------|
|  | 2021  |          | 2022 |          | 2021         |           | 2022 |           | 2022         |            |
|  | NO.   | AMOUNT   | NO.  | AMOUNT   | NO.          | AMOUNT    | NO.  | AMOUNT    |              |            |
| <b>LAND USE PERMITS</b>                    |       |          |      |          |              |           |      |           |              |            |
| Total Monthly Issued Permits               | 31    | 11,050   | 23   | 4,100    | 60           | 21,250    | 69   | \$ 16,900 | \$ 60,000    | 28%        |
| <b>SANITARY PERMITS (POWTS)</b>            |       |          |      |          |              |           |      |           |              |            |
| Total Monthly Issued Permits               | 16    | 4,295    | 2    | 355      | 30           | 8,365     | 13   | \$ 3,455  | \$ 26,000    | 13%        |
| <b>NON-METALLIC MINING PERMITS</b>         |       |          |      |          |              |           |      |           |              |            |
| Annual Permit Fees                         | -     | -        | -    | \$ -     | 5            | 10,800    | 18   | \$ 15,200 | \$ 15,000    | 101%       |
| <b>BOARD OF ADJUSTMENT</b>                 |       |          |      |          |              |           |      |           |              |            |
| Special Exception                          | -     | -        | -    | -        | -            | -         | -    | -         | -            | -          |
| Variances                                  | -     | -        | -    | -        | 1            | 375       | 2    | 750       | -            | -          |
| Appeals                                    | -     | -        | -    | -        | -            | -         | -    | -         | -            | -          |
| <b>Total</b>                               | -     | \$ -     | -    | \$ -     | 1            | \$ 375    | 2    | \$ 750    | \$ 1,125     | 67%        |
| <b>PLANNING &amp; ZONING COMMITTEE</b>     |       |          |      |          |              |           |      |           |              |            |
| Zoning Change                              | 3     | 1,125    | 3    | 1,125    | 5            | 1,875     | 6    | 2,250     | -            | -          |
| Conditional Use Permits                    | 2     | 750      | 2    | 750      | 4            | 1,500     | 12   | 4,500     | -            | -          |
| Variance                                   | -     | -        | 1    | 450      | -            | -         | 1    | 450       | -            | -          |
| <b>Total</b>                               | 5     | \$ 1,875 | 6    | \$ 2,325 | 9            | \$ 3,375  | 19   | \$ 7,200  | \$ 8,525     | 84%        |
| <b>MISC.</b>                               |       |          |      |          |              |           |      |           |              |            |
| Wisconsin Fund                             | -     | -        | -    | -        | -            | -         | -    | -         | -            | -          |
| Fines & Forfeitures                        | -     | -        | -    | -        | 1            | 111       | -    | -         | -            | -          |
| <b>Total</b>                               | -     | \$ -     | -    | \$ -     | 1            | \$ 111    | -    | \$ -      | -            | -          |
| <b>SURVEYOR</b>                            |       |          |      |          |              |           |      |           |              |            |
| Certified Survey Maps                      | 3     | 870      | -    | -        | 8            | 1,725     | 11   | 1,950     | 6,500        | -          |
| Preliminary and Final Plats                | -     | -        | -    | -        | -            | -         | -    | -         | -            | -          |
| Applied Funds: County Surveyor             | -     | -        | -    | -        | 1            | 9,500     | -    | -         | 9,500        | -          |
| <b>Total</b>                               | 3     | \$ 870   | -    | \$ -     | 9            | \$ 11,225 | 11   | \$ 1,950  | \$ 16,000    | 12%        |
| <b>GIS (Geographic Information System)</b> |       |          |      |          |              |           |      |           |              |            |
| Map Sales                                  | -     | -        | -    | -        | -            | -         | -    | -         | -            | -          |
| Land Records Transfer                      | -     | -        | -    | -        | -            | -         | -    | -         | 25,000       | -          |
| Land Information Grant                     | -     | -        | -    | -        | -            | -         | -    | -         | 10,000       | -          |
| <b>Total</b>                               | -     | \$ -     | -    | \$ -     | -            | \$ -      | -    | \$ -      | \$ 35,000    | 0%         |
| <b>GRAND TOTAL</b>                         |       |          |      |          |              |           |      |           |              |            |
|  | 55    | 18,090   | 31   | 6,780    | 115          | 55,501    | 132  | 45,455    | \$ 161,650   |            |
|  |       |          |      |          |              |           |      |           | <b>Total</b> | <b>28%</b> |



For 04/01/22 - 04/30/22

Revenue Summary Report

FJRES01A

Periods 04 - 04

Land Use & Zoning Month End Revenue

MER100-10-P&Z

| <u>Account No/Description</u>                                 | <u>Budget Amount</u> | <u>Period Amount</u> | <u>Y-T-D Amount</u> | <u>Balance</u> | <u>Percent Received</u> |
|---|----------------------|----------------------|---------------------|----------------|-------------------------|
| 10 Land Use Planning and Zoning                               |                      |                      |                     |                |                         |
| 22-100-10-44400-000-000 Land Use Permits                      | 60,000.00            | 4,100.00             | 16,900.00           | 43,100.00      | 28.17                   |
| 22-100-10-44400-001-000 BOA Public Hearing                    | 1,125.00             | .00                  | 750.00              | 375.00         | 66.67                   |
| 22-100-10-44400-002-000 PZ Public Hearing                     | 8,525.00             | 2,325.00             | 7,200.00            | 1,325.00       | 84.46                   |
| 22-100-10-44409-000-000 Non-Metallic Mining                   | 15,000.00            | .00                  | 15,200.00           | -200.00        | 101.33                  |
| 22-100-10-44410-000-000 Sanitary Permits                      | 26,000.00            | 355.00               | 3,455.00            | 22,545.00      | 13.29                   |
| 22-100-10-46131-002-000 Strategic Fund                        | 10,000.00            | .00                  | .00                 | 10,000.00      | .00                     |
| 22-100-10-46762-000-000 Certified Survey Maps                 | 6,500.00             | .00                  | 1,950.00            | 4,550.00       | 30.00                   |
| 22-100-10-47411-000-000 Interdepartment transfer/Land Records | 25,000.00            | .00                  | .00                 | 25,000.00      | .00                     |
| 10 Land Use Planning and Zoning                               | 152,150.00           | 6,780.00             | 45,455.00           | 106,695.00     | 29.88                   |

For 04/01/22 - 04/30/22

Expenditure Summary Report

FJEXS01A

Periods 04 - 04

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

| <u>Account No/Description</u>                           | <u>Adjusted Budget</u> | <u>Y-T-D Encumb</u> | <u>Period Expended</u> | <u>Y-T-D Expended</u> | <u>Available Balance</u> | <u>Percent Used</u> |
|---|------------------------|---------------------|------------------------|-----------------------|--------------------------|---------------------|
| <b>10 Land Use Planning and Zoning</b>                  |                        |                     |                        |                       |                          |                     |
| <b>53610 Code Enforcement</b>                           |                        |                     |                        |                       |                          |                     |
| 22-100-10-53610-110-000 Salaries                        | 314,134.00             | .00                 | 23,338.72              | 78,342.43             | 235,791.57               | 24.94               |
| 22-100-10-53610-140-000 Meeting Payments                | 940.00                 | .00                 | .00                    | .00                   | 940.00                   | .00                 |
| 22-100-10-53610-151-000 Social Security                 | 24,034.00              | .00                 | 1,699.47               | 7,118.14              | 16,915.86                | 29.62               |
| 22-100-10-53610-153-000 Ret. Employer Share             | 20,422.00              | .00                 | 1,429.62               | 6,059.95              | 14,362.05                | 29.67               |
| 22-100-10-53610-154-000 Health Insurance                | 53,482.00              | .00                 | 3,581.90               | 24,827.60             | 28,654.40                | 46.42               |
| 22-100-10-53610-155-000 Life Insurance                  | 321.00                 | .00                 | 24.06                  | 101.54                | 219.46                   | 31.63               |
| 22-100-10-53610-210-002 Professional Services-SRV       | 9,500.00               | .00                 | 1,100.00               | 2,300.00              | 7,200.00                 | 24.21               |
| 22-100-10-53610-210-003 Miscellaneous Fees              | 300.00                 | .00                 | .00                    | .00                   | 300.00                   | .00                 |
| 22-100-10-53610-225-000 Phone Service                   | 610.00                 | .00                 | 51.50                  | 206.00                | 404.00                   | 33.77               |
| 22-100-10-53610-242-000 Print Management                | 300.00                 | .00                 | 23.51                  | 46.65                 | 253.35                   | 15.55               |
| 22-100-10-53610-307-000 Training                        | 300.00                 | .00                 | .00                    | .00                   | 300.00                   | .00                 |
| 22-100-10-53610-310-000 Office Supplies                 | 790.00                 | .00                 | .00                    | 66.60                 | 723.40                   | 8.43                |
| 22-100-10-53610-312-000 Field Supplies                  | 600.00                 | .00                 | .00                    | .00                   | 600.00                   | .00                 |
| 22-100-10-53610-320-000 Publications-BOA Public Hearing | 500.00                 | .00                 | 244.00                 | 776.00                | -276.00                  | 155.20              |
| 22-100-10-53610-320-001 Publications-PZ Public Hearing  | 3,000.00               | .00                 | 398.00                 | 984.25                | 2,015.75                 | 32.81               |
| 22-100-10-53610-321-000 Seminars                        | 930.00                 | .00                 | .00                    | .00                   | 930.00                   | .00                 |
| 22-100-10-53610-324-000 Member Dues                     | 130.00                 | .00                 | .00                    | 100.00                | 30.00                    | 76.92               |
| 22-100-10-53610-330-000 Travel                          | 820.00                 | .00                 | .00                    | 92.00                 | 728.00                   | 11.22               |
| 22-100-10-53610-352-000 Vehicle Maintenance             | 938.00                 | .00                 | 118.32                 | 227.92                | 710.08                   | 24.30               |
| <b>53610 Code Enforcement</b>                           | <b>432,051.00</b>      | <b>.00</b>          | <b>32,009.10</b>       | <b>121,249.08</b>     | <b>310,801.92</b>        | <b>28.06</b>        |
| <b>10 Land Use Planning and Zoning</b>                  | <b>432,051.00</b>      | <b>.00</b>          | <b>32,009.10</b>       | <b>121,249.08</b>     | <b>310,801.92</b>        | <b>28.06</b>        |

## Land Use Permits: 04/01/2022 - 04/30/2022

### Town of Berlin

| Permit Number | Parcel Number | Site Address          | Issued Date | Owner Name    | Estimated Cost | Project_1 Type/SubType                     | Project_1 Description | Project_2 Type/SubType | Project_2 Description |
|---------------|---------------|-----------------------|-------------|---------------|----------------|--|-----------------------|------------------------|-----------------------|
| 13106         | 002002440100  | N8516 FOREST RIDGE RD | 04/13/2022  | RALPH E EWALD | \$40,000.00    | Addition/Alteration to Accessory Structure | Overhang              | Ag Structure           | Pole Shed             |
| 13111         | 002006880100  | N7702 COUNTY ROAD F   | 04/13/2022  | ROBERT BAHN   | \$45,000.00    | Accessory Structure                        | Ramp addition to barn |                        |                       |

### Town of Brooklyn

| Permit Number | Parcel Number | Site Address         | Issued Date | Owner Name     | Estimated Cost | Project_1 Type/SubType | Project_1 Description                            | Project_2 Type/SubType  | Project_2 Description                             |
|---------------|---------------|----------------------|-------------|----------------|----------------|------------------------|--|-------------------------|---|
| 13013         | 004009290100  | No Address Available | 04/26/2022  | SHARON SHERVEY | \$5,000.00     | Driveway               | Gravel Driveway to Existing Private Drive.       | Stairs/Walkway          | Mulch Walkway not installed in shoreland setback. |
| 13101         | 004011170000  | W883 SILVER CREEK RD | 04/01/2022  | GARY WATANUKI  | \$10,000.00    | Accessory Structure    | Concrete Stoop,Patio                             | Walkway                 | walkway arounf front of house                     |
| 13103         | 004010880000  | W3097 ORCHARD AVE    | 04/07/2022  | MICHAEL STOUT  | \$90,000.00    | Accessory Structure    | 548 sqft Deck                                    | Additions / Alterations | Create Porch from current deck                    |
| 13119         | 004006420100  | W565 BADTKE LN       | 04/26/2022  | LYNNE CONTI    | \$20,000.00    | Accessory Structure    | 360sqft. Deck                                    | Accessory Structure     | 216'sqft. Porch                                   |
| 13122         | 004010770000  | W3165 ORCHARD AVE    | 04/28/2022  | Jim McKean     | \$22,700.00    | Accessory Structure    | 357sqft. Attached Patio, 136sqft. Detached patio | Accessory Structure     | Paving Driveway                                   |

### Town of Green Lake

| Permit Number | Parcel Number | Site Address           | Issued Date | Owner Name   | Estimated Cost | Project_1 Type/SubType                     | Project_1 Description  | Project_2 Type/SubType | Project_2 Description           |
|---------------|---------------|------------------------|-------------|--|----------------|--|--|------------------------|---------------------------------|
| 13099         | 006010940000  | W1240 SPRING GROVE RD  | 04/04/2022  | JAMES LOGAN TRUST                                  | \$10,700.00    | Accessory Structure                        | 4ft tall, open style fence.  |                        |                                 |
| 13104         | 006014980100  | W2752 OAKWOOD BEACH RD | 04/08/2022  | JEROME T & DEBORAH M LANGDON JOINT REVOCABLE TRUST | \$100,001.00   | Accessory Structure                        | Replacing existing deck and stairs on house and garage                                 | Accessory Structure    | Stairs Landing                  |
| 13115         | 006016770000  | W1134 SPRING GROVE RD  | 04/19/2022  | STEVEN P & JOANNE C SWANSON                        | \$15,000.00    | Accessory Structure                        | Replace existing Deck and Stairs   | Accessory Structure    | Two Retaining walls             |
| 13118         | 006002610100  | W541 CENTER RD         | 04/26/2022  | RICHARD R & COLLEEN E SCHROEDER                    | \$2,000.00     | Ag structure                               | Greenhouse   |                        |                                 |
| 13120         | 006019560000  | N2798 LITTLE GREEN RD  | 04/26/2022  | SANDRA J SCHUMACHER                                | \$5,400.00     | Accessory Structure                        | Chain Link Fence   | Accessory Structure    | Patio for Hot tub               |
| 13121         | 006015700100  | W1978 TULETA HILL RD   | 04/27/2022  | SCOTT TAYLOR                                       | \$75,000.00    | Addition/Alteration to Principal Structure | Dwelling Addition to NC Dwelling. 96 sqft applied to Section 338-56 Lateral Expansion. |                        |                                 |
| 13123         | 006014990000  | W2760 OAKWOOD BEACH RD | 04/28/2022  | MARIA RIKKERS                                      | \$41,000.00    | Accessory Structure                        | Replace Existing Landing for Stairs  | Accessory Structure    | Replace Existing Patio and Deck |

### Town of Kingston

| Permit Number | Parcel Number | Site Address         | Issued Date | Owner Name   | Estimated Cost | Project_1 Type/SubType | Project_1 Description              | Project_2 Type/SubType  | Project_2 Description |
|---------------|---------------|----------------------|-------------|--------------|----------------|------------------------|------------------------------------|-------------------------|-----------------------|
| 13124         | 008006870000  | N1412 SPRING LAKE DR | 04/28/2022  | TAMMY ADKINS | \$25,000.00    | Accessory Structure    | 165 sqft of Driveway to be removed | Additions / Alterations | 147 sqft. Mudroom     |

### Town of Mackford

| Permit Number | Parcel Number | Site Address       | Issued Date | Owner Name     | Estimated Cost | Project_1 Type/SubType                     | Project_1 Description | Project_2 Type/SubType | Project_2 Description |
|---------------|---------------|--------------------|-------------|----------------|----------------|--|-----------------------|------------------------|-----------------------|
| 13112         | 010001820100  | W939 COUNTY ROAD S | 04/13/2022  | JEFFERY FULLER | \$80,000.00    | Addition/Alteration to Accessory Structure | Overhang              | Ag structure           | Pole Shed             |

### Town of Manchester

| Permit Number | Parcel Number | Site Address        | Issued Date | Owner Name                                | Estimated Cost | Project_1 Type/SubType | Project_1 Description    | Project_2 Type/SubType | Project_2 Description |
|---------------|---------------|---------------------|-------------|---|----------------|------------------------|--------------------------|------------------------|-----------------------|
| 13100         | 012005110000  | N851 E FRIESLAND RD | 04/01/2022  | SCOT SPIELVOGEL                           | \$150,000.00   | Ag Sturcture           | 4,800 sqft. Storage Shed |                        |                       |
| 13105         | 012004850200  | N554 STATE ROAD 73  | 04/11/2022  | HEATH J & KELLY D BOELTER REVOCABLE TRUST | \$95,000.00    | Accessory Structure    | Detached Garage/Shed     |                        |                       |
| 13113         | 012005690100  | N860 SALEMVILLE RD  | 04/13/2022  | WILMER SCHMUCKER                          | \$25,000.00    | Accessory Structure    | Pole Shed                |                        |                       |

### Town of Marquette

| Permit Number | Parcel Number | Site Address    | Issued Date | Owner Name         | Estimated Cost | Project_1 Type/SubType | Project_1 Description     | Project_2 Type/SubType | Project_2 Description            |
|---------------|---------------|-----------------|-------------|--------------------|----------------|------------------------|---------------------------|------------------------|----------------------------------|
| 13114         | 014001760100  | N4526 PINE RD E | 04/14/2022  | DONALD HOTTENSTEIN | \$36,000.00    | Accessory Structure    | 576 sqft. detached garage | Driveway               | concrete pad in front of garage. |

### Town of Princeton

| Permit Number | Parcel Number | Site Address         | Issued Date | Owner Name                       | Estimated Cost | Project_1 Type/SubType | Project_1 Description  | Project_2 Type/SubType | Project_2 Description  |
|---------------|---------------|----------------------|-------------|----------------------------------|----------------|------------------------|--|------------------------|--|
| 13102         | 016003470200  | W3559 MEREDITH LN    | 04/07/2022  | DAVID GIORDANO LIVING TRUST      | \$60,000.00    | Accessory Structure    | 14'x19' Boathouse  |                        |  |
| 13116         | 016019300000  | No Address Available | 04/20/2022  | PHILLIP SEIPPEL MANAGEMENT TRUST | \$300,000.00   | Principal Structure    | 1,664 sqft Single Family Dwelling  | Accessory Structures   | 1,050 sqft Detached Garaage, 468 sqft. Porch, 374 sqft. Deck |
| 13117         | 016003230900  | W3691 ORCHARD AVE    | 04/22/2022  | LUKE HAAS                        | \$30,000.00    | Accessory Structure    | Altering Existing 160 sqft walkway to a 150 sqft walkway, Patio addition | Driveway               | 110 sqft. Driveway addition                                  |

**Town of Saint Marie**

| Permit Number | Parcel Number | Site Address | Issued Date | Owner Name | Estimated Cost | Project_1 Type/SubType | Project_1 Description | Project_2 Type/SubType | Project_2 Description |
|---------------|---------------|--------------|-------------|------------|----------------|------------------------|-----------------------|------------------------|-----------------------|
|---------------|---------------|--------------|-------------|------------|----------------|------------------------|-----------------------|------------------------|-----------------------|

None

**Town of Seneca**

| Permit Number | Parcel Number | Site Address | Issued Date | Owner Name | Estimated Cost | Project_1 Type/SubType | Project_1 Description | Project_2 Type/SubType | Project_2 Description |
|---------------|---------------|--------------|-------------|------------|----------------|------------------------|-----------------------|------------------------|-----------------------|
|---------------|---------------|--------------|-------------|------------|----------------|------------------------|-----------------------|------------------------|-----------------------|

None

April Estimated Cost:           \$1,282,801.00  
**YTD Estimated Cost:           \$8,356,706.00**

## Sanitary Permits: 4/1/2022 - 4/30/2022

| Sanitary Permit | Parcel Number | Site Address        | Owners                      | Date Issued | Permit Type        | System Type                              | Plumber Name      | Additional Explanation    | Permit Fee \$ (County) | Permit Fee \$ (DPS) |
|-----------------|---------------|---------------------|-----------------------------|-------------|--------------------|--|-------------------|---------------------------|------------------------|---------------------|
| 202224013       | 018005690300  | N6999 STATE ROAD 73 | WALTER FERTIG               | 04/04/2022  | Replacement System | Conventional (Non-Pressurized In-Ground) | Ben Kinas         | 3 Bedroom/ Permit Renewal | 75                     | 0                   |
| 202224014       | 008000200000  | W7170 GRAND AVE     | RYAN L & APRIL M MC CONNELL | 04/05/2022  | Replacement System | Conventional (Non-Pressurized In-Ground) | Hoffmann Plumbing | 5 Bedroom House           | 280                    | 100                 |
| <b>Total:</b>   |               |                     |                             |             |                    |  |                   |                           | 355                    | 100                 |

\* There are additional properties associated with the permit

## Land Use Violations Report

### First Notice

| Parcel Number     | Site Address        | Owner Name              | Permit # | Violation Type  | Violation Description   | Violation Date |
|-------------------|---------------------|-------------------------|----------|-----------------|---|----------------|
| 014001780000      | N4474 Pine Rd E     | Sammie Smith            | 12964    | Zoning          | Camper on A-1 zoned property. Update 12/27/21: Need to verify that camper is moved. Update 2/25/22: Camper unmoved- send out 2nd letter.  | 9/10/2021      |
| 006003320000      | W2353 Center Rd     | Paul & Valerie Albrecht | 13061    | Zonng           | Converted part of a farm shed/shop into a residence. Update 2/28/22: Office meeting. Need sanitary permit before LUP  | 2/16/2022      |
| 002001310200      | N9205 32nd Dr.      | Joseph Hoppa            | 13067    | Vehicles        | There is a blue dump truck and yellow excavator on the property which are not allowed on R-4.   | 2/24/2022      |
| 006005810101      | N2730 Welk Rd.      | Ricky & Ashley Ruck     | 13069    | Zoning          | Commercial sale of firewood on R-1 zoned property. Unoccupied outside storage of trailers without dwelling unit on parcel.  | 2/28/2022      |
| 14003390201, 0204 |                     | Zodrow Properties       | 13086    | Zoning/Vehicles | Trailers and RV on parcels that do not allow for it the way they currently sit. No permitted commercial use on C-2 parcel and no dwelling on R-4 parcel. Violation is happening between both parcels. C-2 & R-4 parcels involved and location is not 100% which equipment and materials are on each parcel. Either way the equipment and materials would not be allowed on either parcel the way it currently sits. Received first notice letter 4/5/22 | 3/11/2022      |
| 004003750100      | N6264 N. Lawson Dr. | David Santee            | 13089    | Zoning          | Using a recreational camper on C-2 zoned property.  | 3/18/2022      |
| 014005060000      | N3091 Cty. Rd. B/H  | Paul Mast               | 13090    | Zoning          | Operating a wood working business in A-1 property without a CUP.  | 3/18/2022      |
| 004004440000      | W2398 State RD      | Philip Mirr             | 13152    | Zoning          | Operating a contractors yard in C2 Zoning (Contractors yard only allowed in Industrial Districts)   | 5/24/2022      |

### Second Notice

| Parcel Number | Site Address            | Owner Name         | Permit # | Violation Type  | Violation Description   | Violation Date |
|---------------|-------------------------|--------------------|----------|-----------------|---|----------------|
| 006007780000  | W3140 Blackbird Point L | Max & Kelly Rawson | 12905    | Shoreland       | Complaint received on 5-24-21. Complaint letter sent on 6-7-21. Office meeting on 6-14-21, confirmed the complaint that the shoreland vegetative buffer zone was removed and planted back into grass. Violation of Shoreland Mitigation Agreement (Doc #386377) and thus a violation of the Shoreland Zoning Ordinance. UPDATE 5/10/22 The stormwater basin authorized herein shall be substituted for the mitigation required under said land use permit. With visual inspection of basin and re-sloping of downspouts toward the basin, the violation shall be considered resolved. | 6/14/2021      |
| 006015970000  | W1530 Sandstone Ave     | Dan & Bev Oconnor  | 13076    | Shoreland       | Land Disturbing Activity inside of 35ft of OHWM. Filling of low spot and grading of upland beach ridge. Update 3/30/22 second notice re-sent due to unclaimed certified mail. Sent to Green Lake address 3/30/22. Matt met on site 5/4/2022   | 11/16/2021     |
| 10003910200   | W2194 Cty Rd X          | David Cotterill    | 12995    | Zoning/Vehicles | Three Structures built without permits (Barn/cabin, Shipping Container, Shed). Update 11/24/21: Spoke with David Cotterill regarding his violations. He said that he is on revision number 3 of his dwelling building plans. He intends to build a new house and a new shed in 2022. I instructed him to apply for a sanitary permit, and a land use permit by the end of the year. He is to include the ice shanty and storage barn structure on that application. The metal shipping container is not allowed on site once the shed is completed.                                   | 10/22/2021     |

### Corporation Counsel

| Parcel Number | Site Address          | Owner Name            | Permit # | Violation Type | Violation Description   | Violation Date |
|---------------|-----------------------|-----------------------|----------|----------------|---|----------------|
| 014009790000  | N3129 Lakevie Drive W | James & Shawn Sanders | 12912    | Zoning         | Aaron was able to view a few items that would indicate a contractors yard and something not allowed in the R-1 District. Aaron walked up the driveway to obtain permission to look at property and was asked to leave by the owner. What can be seen in the photos taken from the road are as follows: dump truck, wood chipper, bucket lift, mini front end loader and skid steer, attachments for mini front end loader and skid steer. Update: 7/8/21 violation letter sent. UPDATE: 8/18/21 Sanders said he might build structure to store equipment. 10/15/21: second violation letter sent for contractors yard in R-1. Sent to Corporation counsel on 2/24/22. CSM review started. Lots being combined to facilitate a detached garage project. Court Hearing-fine assessed. | 6/25/2021      |
| 012002580000  | N1615 Madison St.     | Donald & Nancy Darsch | 13046    | Junk/Vehicles  | Garbage and Junk piles throughout the property. Unlicensed and/or inoperable vehicles. Update 2/15/22: Working with health department. Sent to Corporation counsel on 4/22/22.  | 1/20/2022      |

# POWTS Violation Report

## First Notice:

| Parcel Number | Site Address       | Owner Name              | Permit #  | Violation Type      | Violation Description                                       | Additional Information  |
|---------------|--------------------|-------------------------|-----------|---------------------|---|---|
| 004003750100  | N6264 N LawsonDr.  | DAVID ROY SANTEE        |           | 326 POWTS Violation | Ran hose from a camper to the septic tank                   |   |
| 004009950000  | N5552 Old Oak Ln.  | PAFF FREDERICKA         | 10024391  | POWTS Failure       | System is a Cesspool  | Possibly working with Novak Exc.  |
| 018005690300  | N6999 State Rd. 73 | WALTER FERTIG           | 21127     | POWTS Failure       | Tank failure  | Permit issued 4/4/22  |
| 016008010300  | N5591 Lock Rd      | TAMI CALAMITA           | 37516     | POWTS Failure       | Tank overflow   | Unknown when installed, discovered system on 1-8-2020   |
| 006003320000  | W2353 Center Rd    | VALERIE & PAUL ALBRECHT | 201624077 | POWTS Violation     | Holding tank used when another type of system could be used | Renovated shed to a residence, holding tank is not allowed unless design flow is less than 150 gpd, or no other system would be permittable |
| 016007980500  | N5588 Lock Rd      | THOMAS KUJAC            | 202024007 | POWTS Failure       | Not all wastewater is run into new septic system            |   |

## Second Notice:

| Parcel Number | Site Address         | Owner Name                | Permit # | Violation Type | Violation Description     | Additional Information                                     |
|---------------|----------------------|---------------------------|----------|----------------|---------------------------|--|
| 002002110000  | N8725 WHITE RIDGE RD | BLOCK KELIE               | 131      | POWTS Failure  | Tank not watertight       |  |
| 004008740000  | N5533 LAWSON DR      | AMERICAN BAPTIST ASSEMBLY | 398126   | POWTS Failure  | Tank not watertight       | Working with a contractor. Will replace                    |
| 006010220701  | W1740 SANDSTONE AVE  | WOOD SIMON                | 159178   | POWTS Failure  | Tank not watertight       | Email from Pollesch. Plan to abandon system                |
| 014001720000  | W5156 PINE RD N      | HEINECKE RANDAL R ET AL   | 26724    | POWTS Failure  | Tank not watertight       | Working with Contractor. Waiting on soil test              |
| 014008340000  | W4052 COUNTY ROAD H  | NOWATZSKI KATHY           | 1424052  | POWTS Failure  | Tank not watertight       |  |
| 016002370000  | N5549 COUNTY ROAD W  | MILLIS NICHOLE            | 26761    | POWTS Failure  | Tank not watertight       | Has new permit app   |
| 016002620600  | N5193 COUNTY ROAD D  | MARCOE ELYSE              | 1624026  | POWTS Failure  | Tank not watertight       | Talked with owner. Will have neighbor(plumber) look at it. |
| 016006780100  | N5973 CANAL ST       | WILSON SAVANNAH           | 25526    | POWTS Failure  | Tank not watertight       | Permit expired 4/21  |
| 016007700000  | W5897 STATE ROAD 23  | HAZELWOOD WANETTA ET AL   | 26752    | POWTS Failure  | Tank not watertight       | Talked with owner. Not known to be working with contractor |
| 018000570000  | W3602 PINE RD        | BREWER DOUGLAS & SALLY    | 258      | POWTS Failure  | Tank not watertight       | Working with Novak. Planning to install new system         |
| 154000890000  | 150 W 2nd St         | KENNETH & JEAN KOERNER    | 593      | POWTS Failure  | probable siface discharge | Permit app expires 12/21                                   |
| 006001350000  | N4474 LAKEVIEW RD    | GREGORY ZIER              | 18201    | POWTS Failure  | Tank failure              | Permit app expires 12/21                                   |

## Corp Counsel

| Parcel Number | Site Address             | Owner Name        | Permit # | Violation Type      | Violation Description     | Additional Information |
|---------------|--------------------------|-------------------|----------|---------------------|---------------------------|------------------------|
| 016009230000  | W5880 WALTER WILLIAMS RD | PROG ROD-GUN CLUB | 1002450  | POWTS Failure       | Tank unsound              | Will abandon in spring |
| 016009230000  | W5886 WALTER WILLIAMS RD | PROG ROD-GUN CLUB | 10024249 | POWTS Failure       | Tank failure              | Has new permit         |
| 016009230000  | N4922 RAY SHORTER RD     | PROG ROD-GUN CLUB | 10024256 | POWTS Failure       | Tank failure              | Will abandon in spring |
| 016009230000  | N4914 RAY SHORTER RD     | PROG ROD-GUN CLUB | 1002457  | POWTS Failure       | Tank failure              | Will abandon in spring |
| 016009230000  | N4904 RAY SHORTER RD     | PROG ROD-GUN CLUB | 10024259 | POWTS Failure       | Tank compromised          | Has new permit         |
| 016009230000  | W5894 WALTER WILLIAMS RD | PROG ROD-GUN CLUB | 10024095 | POWTS Failure       | Tank unsound              | Has new permit         |
| 016009230000  | N4939 RAY SHORTER RD     | PROG ROD-GUN CLUB | 10024523 | POWTS Failure       | Tank failure              | Has new permit         |
| 206017580000  | 271 MCKITTRICK ST        | JERRY NEWTON      | 20624022 | Failure to maintair | Failure to maintain POWTS |                        |

## NOTICE OF PUBLIC HEARING

The Green Lake County Land Use Planning and Zoning Committee will hold a public hearing in County Board Room #0902 of the Green Lake County Government Center, 571 County Road A, Green Lake, WI, on **Thursday, June 2, 2022, at 4:30 p.m.** to consider the following requests:

**Item I Owner:** Trillium Hill Land LLC **Agent:** Three Petals RNG, LLC **Site location:** N8273 Cty Rd F **General legal description:** Parcel 002-00426-0000, 002-00427-0000, part of the NW&SW1/4 of S23, T17N, R13E, Town of Berlin, ±10 acres **Request:** CUP for a Renewable Natural Gas (RNG) processing facility.

**Item II Owner:** Steven & Laura Miller **Site location:** W3524 State Rd 44 **General legal description:** Parcel 012-00165-0100 part of the NW1/4 of S10, T14N, R12E, Town of Manchester, ±10 acres **Request:** CUP to operate a woodworking shop.

**Item III Owner:** Toby & Malinda Petersheim **Site location:** N1745 State Rd 44/73 **General legal description:** Parcel 012-00176-0000 part of the SE1/4 of S10, T14N, R12E, Town of Manchester, ±37 acres **Request:** CUP to operate a farm repair and equipment shop.

**Item IV Owner:** Patrick & Brenda Stanton **Site location:** W3711 Cty Rd X **General legal description:** Parcel 012-00407-0100 part of the SE1/4 of S21, T14N, R12E, Town of Manchester, ±32 acres **Request:** Rezone ±3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Item V Owner:** Robert & Michele Leystra **Site location:** W1763 Village Rd **General legal description:** Parcel 010-00119-0000 part of the NE1/4 of S8, T14N, R13E, Town of Mackford, ±1.5 acres **Request:** CUP to operate a contractor/woodworking shop.

**Item VI Applicant:** Green Lake County Land Use Planning & Zoning Committee **Explanation:** The Committee is requesting amendments to the Code of Green Lake County, Ch. 350, Zoning Ordinance, more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

All interested persons wishing to be heard at the public hearing are invited to attend. For further detailed information concerning this notice and for information related to the outcome of public hearing items, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

*Publish: May 19, 2022*



## Land Use Planning and Zoning Committee Staff Report

Public Hearing

June 2, 2022

### Item I: Conditional Use Permit (CUP)

**Owner:**

Trillium Hill Land LLC/ David Jones

**Applicant:**

Three Petals RNG LLC/ Mark Hill and  
Jared Williams

**Request:** The owner/applicant is requesting a conditional use permit to operate a renewable natural gas processing facility.

**Parcel Number/ Location:** The request affects parcel 002-00426-0000 (±51.44 acres). The parcel is located in the SE ¼ of the NW ¼ of Section 23, T17N, R13E, and the SW ¼ of the NW ¼ Section 23, T17N, R13E, Town of Berlin. The site is located South of County Rd V and West of County Rd F.

**Existing Zoning and Uses of Adjacent Area:** The parcel referenced above is zoned A-1, Farmland Preservation District. The property is currently being used as woods, farm field, and a large manure pit. Most of the surrounding lands are also zoned as A-1 with the exception of two properties zoned as R-4, Rural Residential District. The surrounding lands appear to be predominantly used for farm crops with some woods and single-family residences.

**Additional Information/Analysis:** Trillium Hill Farm first started and has been operating a dairy farm on this property since 1983. Three Petals RNG is a developer and operator that focuses on the production and delivery of renewable natural gas (RNG) from dairy manure. The Co-CEOs of the company have been in the RNG industry for more than 15 years and have helped build eight dairy RNG projects in Wisconsin. The RNG facility will consist of an anaerobic digester, boiler, compressors, gas purification equipment, emissions control technology, and equipment to inject RNG into a natural gas pipeline. Gas processing equipment, an office, and electrical room will be housed in containers and small buildings. Compressed natural gas trailers or a pipeline connection will be used to transmit RNG into natural gas. The facility will take manure from the dairy farm and run it into the anaerobic digester where it will break down into natural gas. The gas will then be collected and purified before it is injected into a nearby natural gas pipeline. The remaining solids left from the manure will be moved into the existing manure pit and then land applied to farm fields. The facility will operate 24 hours a day, every day. Staff will be at the facility 8-10 hours a day Monday through Friday, excluding holidays. There will be no major changes to existing structures on the property except for the existing manure pit which will collect waste from newly built facility. A new 2.5-million-gallon anaerobic digester will be built along with several other buildings (see site plan). Some major hazards for this facility are manure spills, pressurized gas, and hydrogen sulfide in the gas. The digester is designed in a way that if there is a spill the manure will run into the existing manure pit. There are also safety

controls in place to monitor the pressurized gas and hydrogen sulfide in the gas. The facility employees, farm personnel, and local first responders would be trained for the hazards in the facility. This location was chosen due to the size of the dairy operation at Trillium Hill Farm and its proximity to a natural gas pipeline.

It is important that the Committee maintain the purpose and intent of the County Zoning Ordinance when reviewing and approving a request of this nature. The following criteria are to be used by the Committee when making conditional use permit decisions:

**General Standards for Review of Conditional Use Requests:** When reviewing a conditional use permit, the Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards:

- a) If an applicant meets or agrees to meet all of the requirements specified in this chapter and any conditions imposed by the Committee, based on substantial evidence, the Committee shall grant the conditional use permit.
- b) Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- c) The requirements and conditions must be reasonable and, to the extent practicable, measurable, and may include conditions such as the permit's duration, transfer, or renewal.
- d) The applicant must demonstrate that the application and all requirements and conditions related to the conditional use, are or shall be satisfied, and supported by substantial evidence. The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.

*Substantial evidence is defined as: facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

No conditional use permit shall be issued or approved with conditions by the Committee unless it shall find the conditional use:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and

- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies responsible for the establishment of the proposed use shall be able to provide, adequately, any such service; and
- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

**County Staff Comments:** This request should be reviewed by the Committee to determine if it meets the general criteria for review as listed above. If the Committee wishes to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. Any outdoor lighting shall comply with Section 350-23 of the County Zoning Ordinance.
3. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.
4. The applicant shall create an emergency response plan and register it with the local fire department prior to operations. The applicant shall make themselves available for annual meetings with the fire department and other first responders to review proper safety protocols in the event of an emergency. The applicant will have a person with authority to supervise emergency response operations on the plant premises and shall be on-call. Applicant shall inform Green Lake County and local first responders of the names and phone numbers of the persons with authority to supervise emergency response operations and post these names at the entrance to the facility.
5. The applicant shall keep dust to a minimum.
6. Noise- Equipment generating significant noise will be contained inside containers or buildings. Outside noise is limited to building ventilation, fans, and truck traffic.
7. Waste- Domestic waste from restrooms will be handled in an appropriate septic system. Waste products from facility will be disposed of in accordance with all environmental regulations.
8. The Green Lake County Land Use Planning and Zoning Department, Town Building inspector or designee may enter the premises of the operation to inspect those premises with reasonable advance notice to ascertain compliance or to investigate an alleged violation. Anyone inspecting the property will be escorted by the applicant and will comply with all safety regulations.
9. The final design and site plans of the RNG facility will be submitted to Green Lake County Land Use Planning and Zoning Department for processing the conditional use application to ensure it meets the requirements of the conditional use permit and ordinance requirements

**Town of Berlin:** An Action Form requesting the Town's input related to this CUP request was emailed to the Town Clerk on April 14, 2022. The Town Board does not object to and approve of request.

Fee Received (Non-Refundable) \_\_\_\_\_

Date \_\_\_\_\_

By signing and submitting this completed application with public hearing fee, the applicant or agent requests the Land Use Planning & Zoning Committee consider the conditional use permit request at the next available public hearing.

**PROPERTY OWNER / APPLICANT**

Name ~~Mike Jones~~ David Jones

Mailing Address N 8273 County Rd F Berlin WI 54923

Phone Number 920 896 3528 Email trilliumhillfarm01@gmail.com

Signature David R. Jones Date 3/9/22

**AGENT IF OTHER THAN OWNER**

Name Three Petals RNG, LLC (Mark Hill or Jared Williams)

Mailing Address 10196 Rawsonville Rd. Belleville MI 48111

Phone Number 804 704 1974 Email Jared@NovillaRNG.com or Mark@NovillaRNG.com

Signature Jared Williams Date 2/28/22

**PROPERTY INFORMATION**

Town of Berlin Location of Property N8273 COUNTY ROAD F BERLIN, WI 54923

Section 23 Town 17 N Range 13 E

Affected Parcel Number(s) 002-00426-000, 002-00427-0000, 002-00428-00000 Affected Acres 10

Subdivision N/A Lot N/A Block N/A

CSM \_\_\_\_\_ Lot \_\_\_\_\_ or COS \_\_\_\_\_

Legal Description NE1/4 OF THE SW1/4 SEC 23 EXC .13 ACRES (M/L) FOR HWY RECD V328 P551

Current Zoning Classification A-1 Farmland Preservation District

Present Use of Property: (List all current uses and improvements, i.e. home, store, farm field, wooded, etc.)  
Dairy farm including farm buildings, manure lagoons, and a house.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PROPOSAL** - Use separate or additional sheet(s) IF necessary

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? \_\_\_\_\_

Refer to attached narrative.

If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. \_\_\_\_\_

Refer to attached site plan drawing.

If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section \_\_\_\_\_.

Explain how your proposal meets or exceeds these requirements.

**OPERATIONAL PLAN NARRATIVE**

Refer to attached narrative.

GREEN LAKE COUNTY (WI) DESCRIPTION AND CONDITIONS  
FOR CONDITIONAL USE PERMIT FOR THREE PETALS RNG, LLC BIOGAS PROJECT  
LOCATED AT TRILLIUM HILL FARM

What is the history of the business and/or applicant?

- Three Petals RNG, LLC is a developer and operator that focuses on the production and delivery of Renewable Natural Gas (RNG) sourced from dairy manure. The Co-CEOs of Three Petals RNG have been in the RNG industry for over 15 years and have been a part of building 8 dairy RNG projects in Wisconsin.

What is the history of the property and its current use?

- Trillium Hill Farm is a dairy located at N8273 County Road F, Town of Berlin, WI 54923. Trillium Hill Farm is owned by the Jones family who originally built the dairy in 1983. They continue to own and operate the dairy today.

Describe in detail the proposed use of the property.

- The RNG processing facility will be located at Trillium Hill Farm dairy. The RNG processing facility will consist of an anaerobic digester, boiler, compressors, gas purification equipment, emissions control technology, and the equipment necessary to inject RNG into a natural gas pipeline. Gas processing equipment, an office, and electrical room will be housed in containers and small buildings. Compressed Natural Gas trailers or a pipeline connection will be used to transmit RNG into a natural gas pipeline.

When will the property be used? (Seasonally? Set Daily hours?)

- The facility will be operated 24 hours per day, 365 days per year. The facility will be normally staffed 8-10 hours per day, Monday through Friday, excluding state holidays.

What will be done with the current structures, if any?

- The installation of the RNG processing facility will not require any changes to the existing structures at Trillium Hill Farm.

Will any new structures be built? If yes, how will they be used and where will they be located?

- A 2.5-million-gallon digester will be installed along with several small buildings and containers that will house the equipment necessary to create biogas in the digester and pipeline quality Renewable Natural Gas. (See attached facility layout for additional details)
- Three Petals RNG will apply for and receive all required local, state and federal permits before construction activities or operations effected by those permits commences.

What hazards, concerns, or disruptions may your proposed use pose to neighboring properties and the community as a whole? How can those concerns be addressed?

- The equipment that will be installed at Trillium Hill Farm has been designed to ensure the safety of the environment as well as the people that work around it. The major hazards associated with this facility are manure spills, pressurized gas, and hydrogen sulfide in the gas. The digester will be located uphill from an existing manure lagoon so if a leak occurred, the manure would be contained and flow directly into the lagoon. There are multiple levels of safety controls built into the manure conveyance and gas processing systems. A computerized controller will constantly monitor pressures, temperatures, flow rates and gas quality throughout these systems. If any of these signals are outside of pre-set parameters, the controller will automatically shut down the entire system and/or activate an alarm to notify company personnel. All gas that is not being sold into the natural gas pipeline will be destroyed in a flare or thermal oxidizer. Employees, farm personnel, and local first responders will be trained in the hazards of the facility.

What will be done to protect the human and environmental health of the surrounding area from negative impacts of this use?

- Most of the items listed in the section above apply to this section as well. The facility is being located in an area that will allow for unlikely manure leaks to be easily contained. In addition to the safety controls throughout

the facility, Three Petals RNG will have a robust environmental compliance and safety program to ensure that all employees are properly trained, and that all environmental and safety regulations are met.

Why was this property chosen for this business activity? How will this use benefit the community by being located on this specific property?

- Trillium Hill Farm was chosen as the location to install a dairy RNG facility because of the size of the farm, the proximity to a natural gas pipeline, the current manure management practices, and the high quality of dairy that the Jones family maintains.
- The RNG facility will reduce the amount of emissions coming from the existing lagoons, will create 2 well-paying full-time jobs for people in the local community, will inject a negative carbon intensity “CI” gas into the local pipeline, and will create multiple jobs for skilled trades during construction.

Additional information to consider during approval process by the Land Use Planning and Zoning Department:

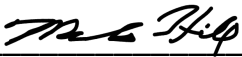
- The Applicant shall create an emergency response plan and register it with the local fire department prior to operations. The Applicant shall make themselves available for annual meetings with the fire department and other first responders to review proper safety protocols in the event of an emergency. The applicant will have a person with authority to supervise emergency response operations on the plant premises and shall be on-call. Applicant shall inform Green Lake County and local first responders of the names and phone numbers of the persons with authority to supervise emergency response operations and post these names at the entrance to the facility.
- The Applicant shall keep dust to a minimum.
- Non-intrusive lighting will be used
- Noise – Equipment generating significant noise will be contained inside containers or buildings. Outside noise is limited to building ventilation, fans, and truck traffic.
- Waste – domestic waste from restrooms will be handled in an appropriate septic tank, holding tank or tied into dairy’s septic system. Waste products



from plant activities will be disposed of in accordance with all environmental regulations.

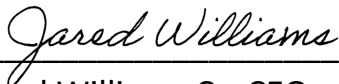
- The Zoning Administrator, Green Lake County Building Inspector or designee may enter the premises of the operation to inspect those premises with reasonable advance notice to ascertain compliance or to investigate an alleged violation. Anyone inspecting the property will be escorted by the Applicant and will comply with all safety regulations.
- The final design and site plans of the RNG facility will be submitted to Green Lake County Land Use Planning and Zoning Department for processing the conditional use application to ensure it meets the requirements of the conditional use ordinance requirements and any other ordinances.
- If additional structures need to be erected, the zoning administrator shall be contacted to inquire what type of permits, if any, will be required for such additions, and confirming such additional structures will or will not impact the other conditions of this permit.

### **Three Petals RNG, LLC**



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Mark Hill Co-CEO



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Jared Williams Co-CEO

# THREE PETALS RNG PRODUCTION FACILITY

## At TRILLIUM HILL FARM

N8273 COUNTY ROAD F, TOWN OF BERLIN, WI 54923

-2022-

PLAN INDEX

| SHEET NO. | DESCRIPTION       |
|-----------|-------------------|
| 2         | OVERALL SITE PLAN |
| 3         | SITE PLAN         |

PROJECT DESCRIPTION:

**TRILLIUM HILL FARM**

SURVEYED & DESIGNED BY:

**Moore+Bruggink**  
Consulting Engineers  
2020 Monroe Ave.  
Grand Rapids, MI 49505  
(616) 363-9801 mailbox@mbce.com

**BERLIN APPROVAL**

NAME, CITY MANAGER

DATE  
PREPARED UNDER SUPERVISION OF

ENGINEER, P.E.

REGISTRATION NO.

**Moore+Bruggink**

ORGANIZATION

2020 MONROE NW GRAND RAPIDS, MI 49505

ADDRESS



PROJECT LOCATION MAP



Know what's below.  
Call before you dig.

P:\220124\01 Trillium Farms Preliminary Engineering - Novilla\CAD\DWG\220124\01 COVER SHEET.dwg\_3/9/2022 7:55:54 AM JAGGERN, HOFFMAN

DATE: 03/09/22

JOB NUMBER: 220124.01

SHEET NUMBER

1

P:\220124.01 Trillium Farms Preliminary Engineering - Novilla\CAD\DWG\220124.01\_DESIGN-1\_layout.dwg\_3/9/2022 9:33:16 AM\_JAGGER N. HOFEMAN



| SETBACK DISTANCES  |          |
|--|----------|
| MANURE RECEPTION TANK: LIQUID-TIGHT                              | 50 FT    |
| MANURE LOADING AREA  | 50 FEET  |
| MANURE STORAGE STRUCTURE: FABRICATED, LIQUID-TIGHT               | 100 FEET |
| MANURE STORAGE STRUCTURE: EARTHEN, EXCAVATED OR NON-LIQUID TIGHT | 250 FEET |

\*NO NAVIGABLE WATER BODIES WITHIN 2 MILES



PLAN SCALE: 1" = 200'



**Moore+Bruggink**  
 Consulting Engineers  
 2020 Monroe Ave.  
 Grand Rapids, MI 49505  
 (616) 363-9801 mail@mbce.com

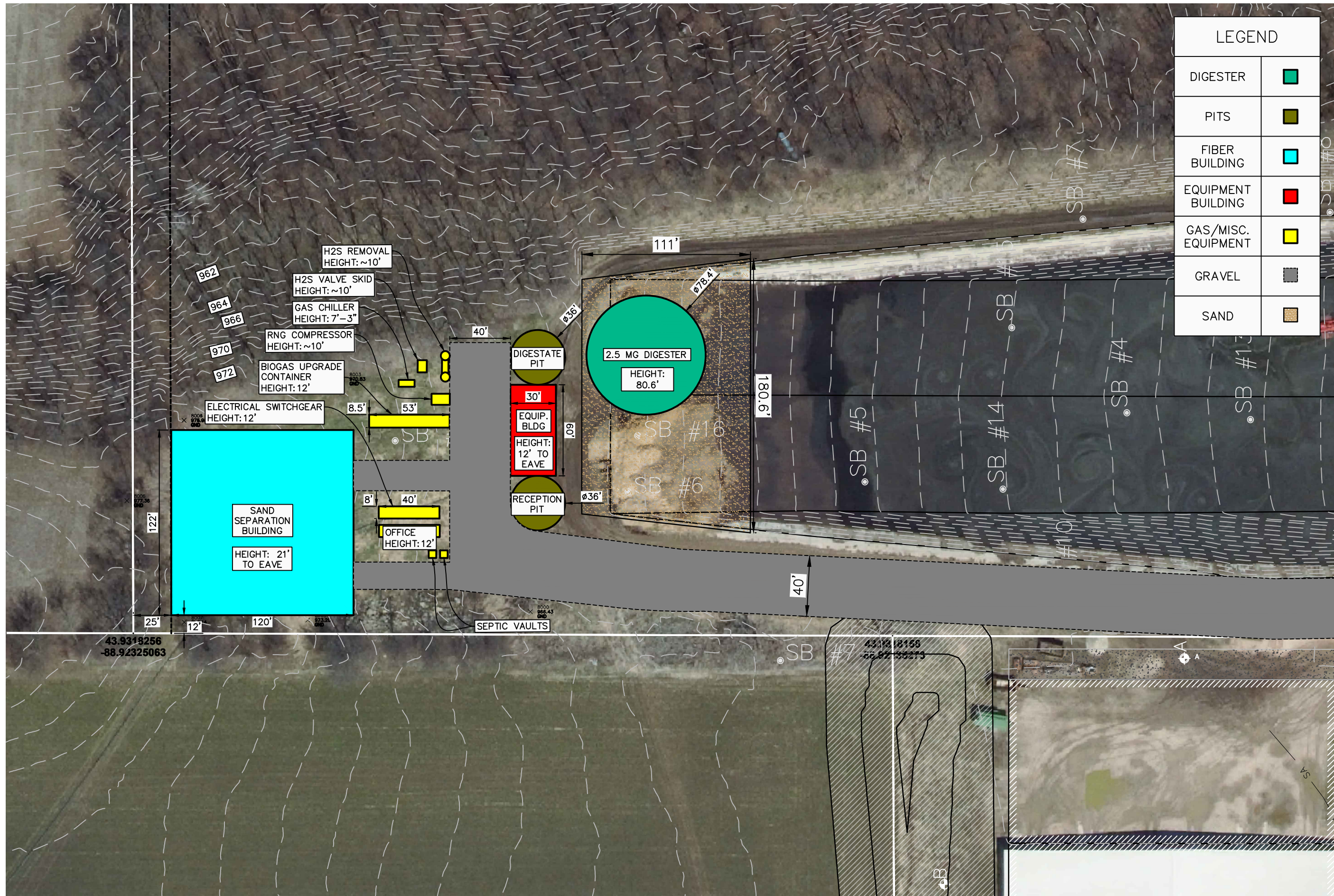


**OVERALL SITE PLAN**  
 For  
**THREE PETALS RNG**  
 N8273 COUNTY ROAD F  
 BERLIN, GREEN LAKE COUNTY, WISCONSIN

|                     |           |
|---------------------|-----------|
| FIELD SURVEY / DATE | N/A       |
| PROJECT NO.:        | 220124.01 |
| DESIGN DRAWN BY:    | JNH       |
| DESIGNED BY:        | JNH       |
| CHECKED BY:         | ALD       |
| PLAN DATE:          | 03/09/22  |

SHEET NUMBER  
**2 OF 3**

P:\220124.01 Trillium Farms Preliminary Engineering - Novilla\CAD\DWG\220124.01\_DESIGN-1\_layout.dwg, 3/9/2022 9:33:38 AM, JAGGER N. HOFEMAN



| LEGEND              |  |
|---------------------|--|
| DIGESTER            |  |
| PITS                |  |
| FIBER BUILDING      |  |
| EQUIPMENT BUILDING  |  |
| GAS/MISC. EQUIPMENT |  |
| GRAVEL              |  |
| SAND                |  |



PLAN SCALE: 1" = 60'



**Moore+Bruggink**  
 Consulting Engineers  
 2020 Monroe Ave.  
 Grand Rapids, MI 49505  
 (616) 363-9801 mailbox@mbce.com



**SITE PLAN**  
 For  
**THREE PETALS RNG**  
 N8273 COUNTY ROAD F  
 BERLIN, GREEN LAKE COUNTY, WISCONSIN

|                     |           |
|---------------------|-----------|
| FIELD SURVEY / DATE | N/A       |
| PROJECT NO.:        | 220124.01 |
| DESIGN DRAWN BY:    | JNH       |
| DESIGNED BY:        | JNH       |
| CHECKED BY:         | ALD       |
| PLAN DATE:          | 03/09/22  |

SHEET NUMBER  
**3 OF 3**

# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Berlin, County of Green Lake, took the following action on –

(Date) May 16, 2022

**Owner/Applicant:** Trillium Hill Land LLC/ David Jones **Applicant:** Three Petals RNG, LLC

**Site Location:** N8273 County Road F, Berlin

**General legal description:** Parcel 002-00426-0000, 002-00427-0000, part of the SW & NW1/4 of S23, T17N, R13E, Town of Berlin, ±10 affected acres

**Request:** CUP for a Renewable Natural Gas(RNG) processing facility.

**Planned public hearing date for the above requests:** June 2, 2022

**Town Does Not object to and Approves of request**

**No action taken**

**Objects to and requests denial of request**

**NOTE:** If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

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Brenda Muehle  
Town Representative

5/16/2022  
Date Signed

**NOTES:** Board recommends that the town board be added along with zoning administrator, Cty. building inspector or designee may enter the premises of the operation to inspect those premises with reasonable advance notice.

Please return this form to the Land Use Planning & Zoning Office by: **May 20<sup>th</sup>, 2022**

## Land Use Planning and Zoning Committee Staff Report

Public Hearing

June 2, 2022

### Item II: Conditional Use Permit (CUP)

**Owner:**

Steven and Laura Miller

**Applicant:**

Same

**Request:** The owner/ applicant is requesting a conditional use permit to operate a wood working shop as an agricultural accessory use.

**Parcel Number/ Location:** The request affects part of parcel 012-00165-0100 (±10.0 acres). The parcel is located in the SE ¼ of the NW ¼ of Section 10, T14N, R12E, Town of Manchester. The site address is W3524 State Rd 44.

**Existing Zoning and Uses of Adjacent Area:** The ±10.0-acre parcel referenced above is zoned A-2, General Agriculture District. The property is primarily used for pasture, woods, farm crops, and some livestock. It also has a single-family residence where the owner resides as well as two barns/sheds and one barn/stable. The neighboring parcels to the north, west, and south are all zoned as A-1, Farmland Preservation District and appear to mainly be used for farm crops and some farm residences. The property to the east is zoned as C-2, Extensive Commercial District and appears to mostly be used for farm crops and a residence.

**Additional Information/Analysis:** Since a woodworking shop is not a listed conditional use in the A-2 district it must meet the same conditional use requirements found in the A-1 district. The current A-1 district does not allow a non-ag business to be operated in a building on this property unless more than 50% of that building was dedicated towards an agricultural use. A 24'x53' addition will be added to two existing sheds in order to combine them and make one larger 24'x133' building. There will also be another smaller 7'x8 addition on this building bringing the building to 3,248 Square feet in area. The shop would take up approximately 49.8% (1,616 Square Feet) of the new buildings space. The rest will be used for agricultural activities. Historically there has always been a house on the property and it appears the property was mostly used agriculturally. The woodworking shop would make vanities, cabinets, trim, furniture, and do some staining as well. The shop would be open year-round Monday through Saturday from 7:00 am to 4:00 pm. The sawdust will be collected and reused for animal bedding. Any unused stain or varnish will be either be reused or disposed of according to DNR guidelines.

It is important that the Committee maintain the purpose and intent of the County Zoning Ordinance when reviewing and approving a request of this nature. The following criteria are to be used by the Committee when making conditional use permit decisions:

**General Standards for Review of Conditional Use Requests:** When reviewing a conditional use permit, the Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards:

- a) If an applicant meets or agrees to meet all of the requirements specified in this chapter and any conditions imposed by the Committee, based on substantial evidence, the Committee shall grant the conditional use permit.
- b) Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- c) The requirements and conditions must be reasonable and, to the extent practicable, measurable, and may include conditions such as the permit's duration, transfer, or renewal.
- d) The applicant must demonstrate that the application and all requirements and conditions related to the conditional use, are or shall be satisfied, and supported by substantial evidence. The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.

*Substantial evidence is defined as: facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

No conditional use permit shall be issued or approved with conditions by the Committee unless it shall find the conditional use:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies responsible for the establishment of the proposed use shall be able to provide, adequately, any such service; and
- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

**County Staff Comments:** This request should be reviewed by the Committee to determine if it meets the general criteria for review as listed above. If the Committee wishes to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. All materials and other wood finishing equipment shall be stocked, piled, or stored in a building. No waste materials from the woodworking shop shall be stacked, piled or strewn about on the subject site.
3. The total cumulative hours worked by paid employees, excluding the owner(s), shall not exceed 160 hours per week.

**Town of Manchester:** An Action Form requesting the Town's input related to this CUP request was emailed to the Town Clerk on April 14, 2022. No action form returned.



Fee Received (Non-Refundable) 375.00

Date 3/25/22

By signing and submitting this completed application with public hearing fee, the applicant or agent requests the Land Use Planning & Zoning Committee consider the conditional use permit request at the next available public hearing.

**PROPERTY OWNER / APPLICANT**

Name Steven Miller  
Mailing Address W3524 Hwy 44 Markesan, WI 53946  
Phone Number N/A Email N/A  
Signature Steven D. Miller Date 3-11-22

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Phone Number \_\_\_\_\_ Email \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Manchester Location of Property W3524  
Section 10 Town 14 N Range 12 E  
Affected Parcel Number(s) 012-00165-0100 Affected Acres .08  
Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
CSM 2895 V14 Lot 1 or COS \_\_\_\_\_  
Legal Description \_\_\_\_\_

Current Zoning Classification Ag 2

Present Use of Property: (List all current uses and improvements, i.e. home, store, farm field, wooded, etc.)

The property is currently use for pasture and also some is used for crops. There's also a house, barn, and some sheds on the property.

**PROPOSAL** - Use separate or additional sheet(s) IF necessary

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? I will be adding and addition and converting it to a wood working shop.

If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. wood working shop 24x65 - 7x8 motor room

If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section \_\_\_\_\_.  
Explain how your proposal meets or exceeds these requirements.

**OPERATIONAL PLAN NARRATIVE**

This property is currently used as a primary residence. I will be starting up a new wood working shop in the current structures and maybe part of the new structures. The only hazard that I'm aware of is the sawdust, which will be blown into a bin and used as bedding. The new structure will be located between the shop and another outbuilding to connect the two, with most of the new part and the other outbuilding used for ag storage. I will be making vanities, cabinets, and maybe some trim.

Hours- Mon. - Sat 7 am. - 4 pm. year around

One shed converted to a wood working shop putting an addition to connect the shop to another shed

**PROPOSAL** - Use separate or additional sheet(s) IF necessary

Describe **specifically** the nature of this request (List all proposed uses of the parcel.) What do you plan to do? \_\_\_\_\_

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If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. \_\_\_\_\_

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If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section \_\_\_\_\_.  
Explain how your proposal meets or exceeds these requirements.

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**OPERATIONAL PLAN NARRATIVE**

Hazards. Maybe some staining and varnishing in the future. Any unused stain or varnish will be saved for later use or disposed of accordingly to DNR guidelines.

I already owned the property and have some room for a wood working shop.

I will be offering for the people that want some vanities or other wood furniture or household furnishings.

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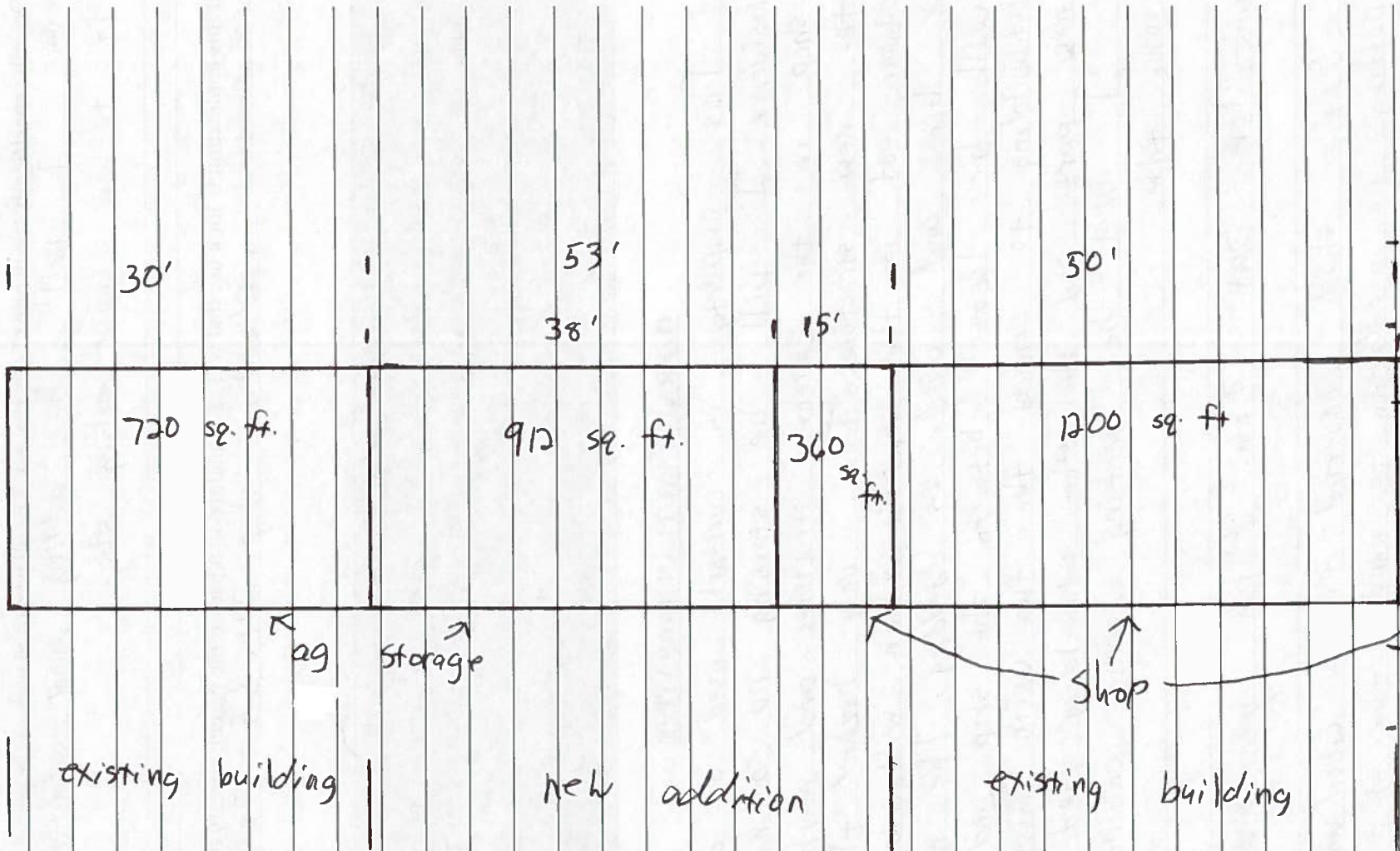
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OPERATIONAL PLAN NARRATIVE (continued)



existing building

new addition

existing building

1632 Sq. Ft Ag use

1616 Sq. Ft wood working Shop

50.2%

49.8%



Green Lake County

1 inch = 73 feet

Geographic Information System (GIS)  
<https://gis.co.green-lake.wi.us/>

**GIS Viewer Map**  
 Green Lake County, WI

Time: 8:23:03 AM  
 Date: 3/25/2022

Note:



## Land Use Planning and Zoning Committee Staff Report

Public Hearing

June 2, 2022

### Item III: Conditional Use Permit (CUP)

**Owner:**

Toby and Malinda Petersheim

**Applicant:**

Same

**Request:** The owner/applicant is requesting a conditional use permit to operate a farm implement and metal working shop.

**Parcel Number/ Location:** The request affects part of parcel 012-00176-0000 (±37.14 acres). The parcel is located in the SW ¼ of the SE ¼ of Section 10, T14N, R12E, Town of Manchester. The site address is N1745 Hwy 44 and 73.

**Existing Zoning and Uses of Adjacent Area:** The ±37.14 acre parcel referenced above is zoned A-1, Farmland Preservation District. The property is primarily used for pasture and field crops. It also has a single-family residence where the owner resides along with a few barns and sheds. The parcels to the north, south, west, and east are mostly zoned as A-1 and appear to be used mostly for farm fields. There are some A-2, General Agriculture District properties to the west which are used as a cemetery. To the southeast most of the properties are zoned R-1, Single Family Residence District which appear to have houses and are used residentially.

**Additional Information/Analysis:** Originally the owner only built and maintained their personal farm equipment, but over time he started working on his neighbors' tools and the business grew from there. The owner/applicant is requesting a conditional use permit to allow for a farm implement and repair shop along with a metal working shop. Currently the shop is located in a 43'x58' building and they may possibly add a 24'x43' addition to the building within the next five years. There is also a 100'x100' outdoor storage area to store some of the larger equipment produced or repaired by the shop. The applicant would focus on repairing farm tools and machines as well as making new farm equipment. The applicant estimates that roughly 25% of the business may be for non-ag related products (tree stands, shop tools, odd jobs...). The hours of operation would be Monday through Saturday from 7:30am and 6:00pm. Any scrap metal will be temporarily stored outside in a 40'x15' area until it is picked up by Fond du Lac Iron and Metal Salvage. This manufacturing use would meet the requirements to be allowed in the A-1 District by a conditional use permit if they can remain primarily a farm implement/repair business. If the business starts to move towards producing mostly non-ag related items, then they would need to meet the conditional use requirements for a non-ag related business in the A-1 district and the building would have to have a primary ag-related use.

It is important that the Committee maintain the purpose and intent of the County Zoning Ordinance when reviewing and approving a request of this nature. The following criteria are to be used by the Committee when making conditional use permit decisions:

**General Standards for Review of Conditional Use Requests:** When reviewing a conditional use permit, the Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards:

- a) If an applicant meets or agrees to meet all of the requirements specified in this chapter and any conditions imposed by the Committee, based on substantial evidence, the Committee shall grant the conditional use permit.
- b) Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- c) The requirements and conditions must be reasonable and, to the extent practicable, measurable, and may include conditions such as the permit's duration, transfer, or renewal.
- d) The applicant must demonstrate that the application and all requirements and conditions related to the conditional use, are or shall be satisfied, and supported by substantial evidence. The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.

*Substantial evidence is defined as: facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

- a) No conditional use permit shall be issued or approved with conditions by the Committee unless it shall find the conditional use: Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies responsible for the establishment of the proposed use shall be able to provide, adequately, any such service; and
- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

**County Staff Comments:** This request should be reviewed by the Committee to determine if it meets the general criteria for review as listed above. If the Committee wishes to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. Hours of operation / manufacturing shall occur between 7:30am and 6:00pm.
3. Outdoor storage relating to the shop's products/services, materials, and scrap metal shall only occur in the designated areas.
4. The business must be primarily focused on making and repairing farm implements/machinery.

**Town of Manchester:** An Action Form requesting the Town's input related to this CUP request was emailed to the Town Clerk on April 14, 2022. The Town Board does not object to and approve of request.



Fee Received (Non-Refundable) 375.00

Date 3/25/2022

By signing and submitting this completed application with public hearing fee, the applicant or agent requests the Land Use Planning & Zoning Committee consider the conditional use permit request at the next available public hearing.

**PROPERTY OWNER / APPLICANT**

Name Toby Petersheim

Mailing Address N1745 ST Rd 44/73 Markesan, WI 53946

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Signature Toby Petersheim Date 3-23-22

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Manchester Location of Property N1745 Hwy 44 73

Section 10 Town 14 N Range 12 E

Affected Parcel Number(s) 012-00176-0000 Affected Acres 0.32

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

CSM \_\_\_\_\_ Lot \_\_\_\_\_ or COS \_\_\_\_\_

Legal Description \_\_\_\_\_

SW 1/4 of the SE 1/4 Sec 10 EXC Parcels 177+178 Also Exc land for Hwy Purpose EXC CSM 2837 EXC That Part Desc V613 P92

Current Zoning Classification A-1

Present Use of Property: (List all current uses and improvements, i.e. home, store, farm field, wooded, etc.)

Home, Barn + out buildings on @ 3 acres land  
58 acres Tillable, 10 acres Pasture, 10 acres Wooded  
Dairy Farm, Produce, Farm Shop

**PROPOSAL** - Use separate or additional sheet(s) IF necessary

Describe specifically the nature of this request (List all proposed uses of the parcel.) What do you plan to do? We repair and build new farm tools (cultivators manure spreaders, binders etc.) also some shop tools

If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area. building size 43x58  
some tools are stored outside that are either done or here to repair

If this box is checked, provide the following information:  
Proposed use has additional minimum development standards in Section \_\_\_\_\_  
Explain how your proposal meets or exceeds these requirements.

**OPERATIONAL PLAN NARRATIVE**

- I started repairing my own tools then neighbors wanted me to help them, so I started fixing some of the neighbors tools. The business just grew a little that way.
- We plan to continue repairing farm machinery, produce equipment, and with this we do a little, maybe 25% of our work is to fix tools for other shops, we also build new farm and produce equipment. Basically whatever is steel we can fix, or build
- The shop is used daily, usual working hours about 7:30am - 6pm.
- We have considered adding 24' on the west end of the existing shop, when we have a manure spreader, 4 row corn planter or something else bigger like that, we are pretty tight for working on them. (Addition in 3-5 years)
- I do not know that I would be doing something

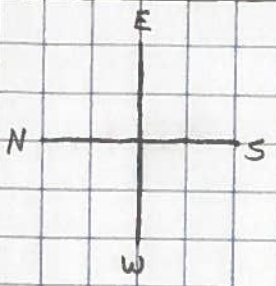
OPERATIONAL PLAN NARRATIVE (continued)

that would negatively impact our neighbors or environment.

- outside storage of finished or pending repaired items 100' x 100'.

- Pick up of repaired items varies from 1 week to 2 months.

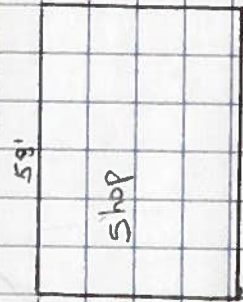
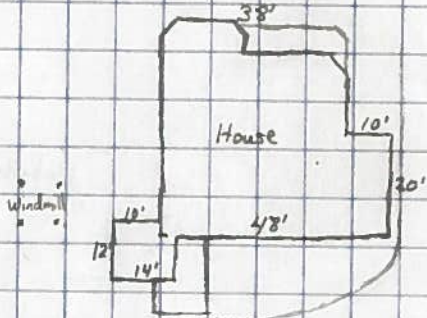
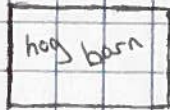
- scraps or waste taken to Fond du Lac Iron + metal salvage place.



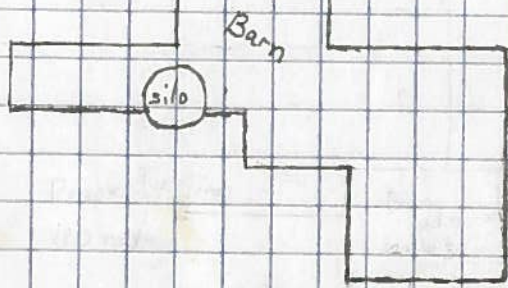
1-□ = 10'

Soil type = Silty Clay

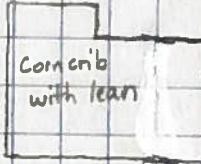
2% Slope



possible future expansion



outside storage



Joly Petersheim

3-25-22



1 inch = 73 feet

Geographic Information System (GIS)  
<https://gis.co.green-lake.wi.us/>

**GIS Viewer Map**  
 Green Lake County, WI

Time: 9:12:50 AM  
 Date: 3/25/2022

Note:

*Joby Petersheim*



# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on –  
(Date)           MAY 9, 2022          .

**Owner/Applicant:** Toby & Malinda Petersheim

**Site Location:** N1745 State Rd. 44/73, Markesan

**General legal description:** Parcel 012-00176-0000 part of the SE1/4 of S10, T14N, R12E, Town of Manchester, ±37 acres

**Request:** CUP for a repair and farm equipment shop.

**Planned public hearing date for the above requests:** June 2, 2022

**Town does not object to and approves of request**

**No action taken**

**Objects to and requests denial of request**

**NOTE:** If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

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          Corrine Krueger            
**Town Representative**

          5/9/2022            
**Date Signed**

**NOTES:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please return this form to the Land Use Planning & Zoning Office by: **May 20th, 2022**

## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

June 2, 2022

### ITEM IV: ZONING CHANGE

**OWNER:**

Patrick and Brenda Stanton

**APPLICANT:**

Same

**REQUEST:** The applicants are requesting a zoning change for ±3.0 acres from A-1, Farmland Preservation District to R-4, Rural Residential District. To be identified by certified survey map.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 012-00407-0100, located in the SW ¼ of the SE ¼ of Section 21, T14N, R12E, and the SE ¼ of the SE ¼ of Section 21, T14N, R12E, Town of Manchester. The site proposed for the zoning change is located at W3711 County Rd X.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of parcel 012-00407-0100 is A-1. Most of the lands surrounding this parcel are also zoned A-1, Farmland Preservation District. There is one property zoned as R-4, Rural Residential District to the west and one R-2, Single Family Mobile Home Residence District property to the southeast. There is also a neighboring parcel zoned as A-2, General Agriculture District to the west. The current use of the property has a residence and appears to be mostly used as wildlife habitat/woods. There is a creek/drainage ditch that runs on the southern border of the proposed parcel. The adjacent property uses appear to be mainly for farm crops, woods, and residences.

**ADDITIONAL INFORMATION / ANALYSIS:** Parcel 012-00407-0100 is ±32.3 acres of A-1, Farmland Preservation District. Most of the property appears to be left unfarmed and has been left as woods or wildlife habitat with a residence and some old building foundations on the newly proposed parcel.

The soils on this property fall between class II, class III, and class IV. Class II soils are defined as “soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices”. Class III soils are defined as “soils that have severe limitations that reduce the choice of plants, require special conservation practices, or both”. Class IV soils are defined as “soils that have very severe limitations that reduce the choice of plants, require very careful management, or both”.

About 1.52 acres are considered as class II soils however, 0.39 acres are located in a drainage way for all the surrounding farm fields and are only considered class II if they are drained. Therefore only 1.13 acres are effectively class II soils for the proposed parcel. Class III and Class IV soils occupy 1.51 acres of the proposed parcel. Based on the soils of the proposed parcel only 1.13 acres or 37% of the property considered as soils most suitable for farming. (See attached soil map)

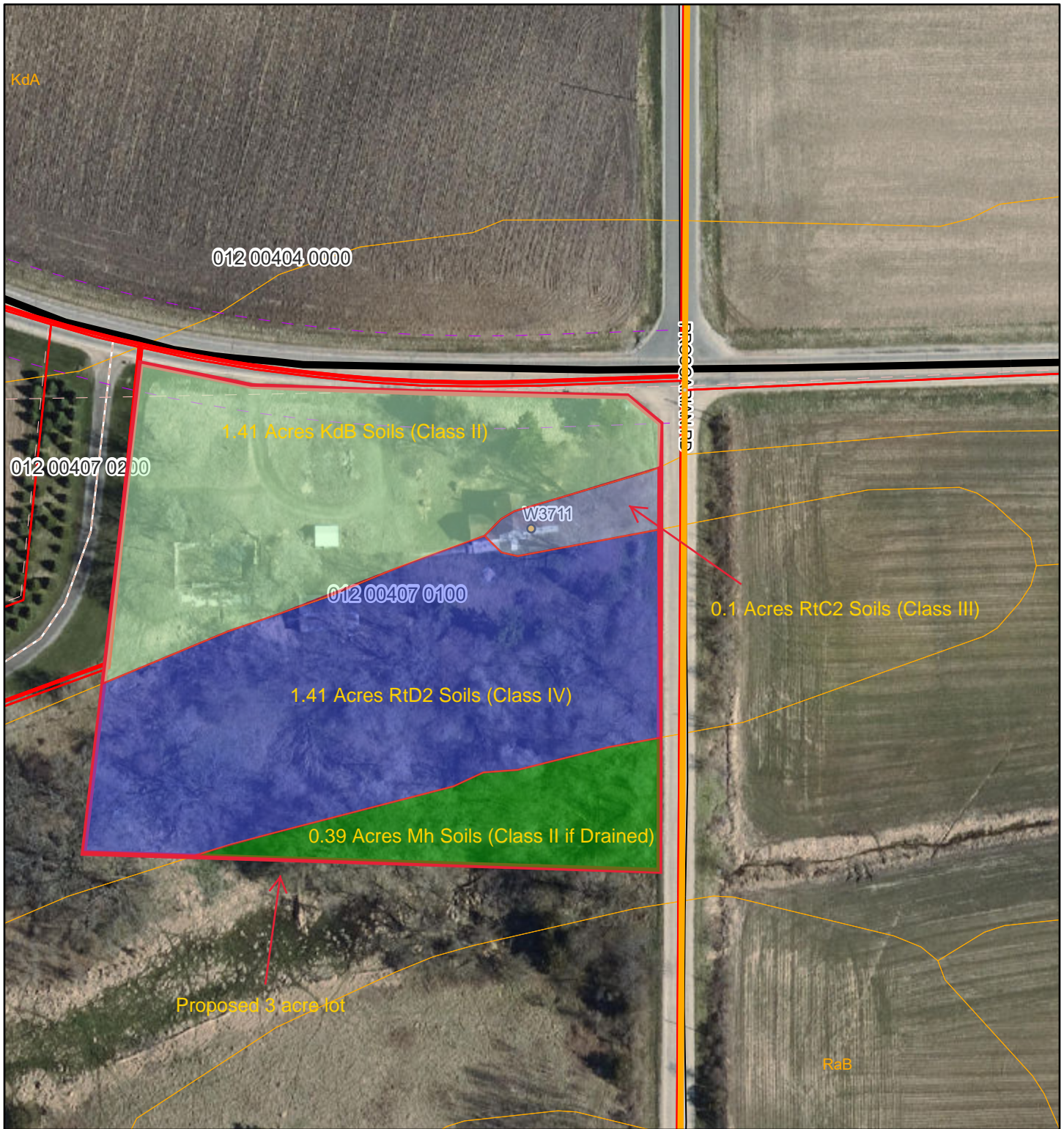
**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district if all of the following are found after public hearing: **(Staff comments in bold)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **Based on there being 37% good soils for agriculture and 63% poor soils for agriculture, the old building foundations in the class II soils, and the proximity of the drainage ditch severely limit the agricultural activities that could be conducted on this parcel. It could be argued that the lands associated with the proposed parcel are better suited to the rural residential use than the uses allowed in the Farmland Preservation District.**
  
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives, most prominently the goal to preserve the rural characteristic of the county. Section 350-41 of the County Zoning Ordinance states that the R-4 district is intended to provide for limited rural residential use development, require a large residential lands area to maintain the rural character, and to accommodate uses that are not urban in nature**
  
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the county certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture...without damaging the economic and social environment or the natural resources..." Due to R-4's uses being complimentary and not in conflict with agricultural lands and uses, it is staff's belief that the request does not negatively impact the integrity or viability of county agriculture and is, therefore, substantially consistent with the county's certified Farmland Preservation Plan.**
  
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The R-4, Rural Residential District is intended to provide for limited rural residential use development, but also require a larger area to maintain the rural character and to accommodate uses like light agriculture. The R-4 district is intended not to impair or limit future agricultural use of surrounding parcels.**

**TOWN OF MANCHESTER:** An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on April 14, 2022. The Town Board did not object to and did recommend approval of this request.



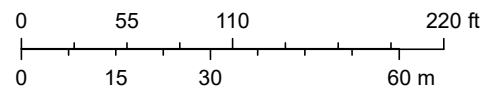
# GIS Viewer Map



5/26/2022, 11:31:33 AM

1in:100 ft

- Address
- Corner
- SUB
- ▭ Section
- ▭ TaxParcel



Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
571 County Road A  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee 375 (not refundable) Date 3/30/22  
Zone Change from A-1 to R-4  
Conditional Use Permit for \_\_\_\_\_  
Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Pat Stanton  
Mailing Address N4982 Limer Rd Brandon WI 53919  
Phone Number 920-872-0311  
Signature Pat Stanton Date 3-30-22

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
Phone Number \_\_\_\_\_  
Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Manchester Parcel Number 012-00407-0100 Acres ± 32.3  
Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Section 21 Town 14 North Range 12 East  
Location of Property W3711 Cty Rd X  
Legal Description See Attached

Current Zoning Classification A-1 Current Use of Property \_\_\_\_\_  
Residence, and wildlife Habitat  
Detailed Description of Proposed Use \_\_\_\_\_  
The house would be used as more of a residential area and possible Hobby farm

**PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION**

- Fees: Zone Change \$375
- Conditional Use Permit \$375.00
- Variance \$375.00
- Special Exception \$375.00
- NMM Reclamation Permit \$450

- ① New use would be for house and be used as a hobby farm
- ② R-4 Allows for Ag uses

③

Steep slopes on South part of property  
On the North there are several older building foundations



Green Lake County

1 inch = 148 feet

Geographic Information System (GIS)  
<https://gis.co.green-lake.wi.us/>

**GIS Viewer Map**  
 Green Lake County, WI

Time: 9:53:36 AM  
 Date: 3/30/2022

Note:

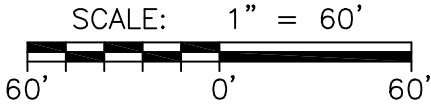


# CONCEPT PLAN

CONCEPT PLAN FOR PATRICK STANTON AND BRENDA L. STANTON LOCATED IN PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ AND IN PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 21, TOWN 14 NORTH, RANGE 12 EAST, TOWN OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN.

OWNER(S)  
PATRICK STANTON  
BRENDA L. STANTON  
N4982 LINER RD  
BRANDON, WI. 53919

SURVEY ADDRESS  
PATRICK STANTON  
BRENDA L. STANTON  
W3711 COUNTY ROAD "X"  
MARKESAN, WI. 53946



Green Lake Surveying Company  
A Division Of



General Engineering Company

P.O. Box 131 • W1734 North St. • Green Lake, WI 54941  
920-294-6666 (Green Lake Office)  
dlenz@generalengineering.net

**DONALD W. LENZ -**  
WI Professional Land Surveyor License No. S-2003  
Dated this 1st Day of April 2022.

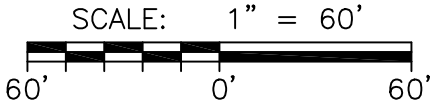


# CONCEPT PLAN

CONCEPT PLAN FOR PATRICK STANTON AND BRENDA L. STANTON LOCATED IN PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ AND IN PART OF THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 21, TOWN 14 NORTH, RANGE 12 EAST, TOWN OF MANCHESTER, GREEN LAKE COUNTY, WISCONSIN.

OWNER(S)  
 PATRICK STANTON  
 BRENDA L. STANTON  
 N4982 LINER RD  
 BRANDON, WI. 53919

SURVEY ADDRESS  
 PATRICK STANTON  
 BRENDA L. STANTON  
 W3711 COUNTY ROAD "X"  
 MARKESAN, WI. 53946



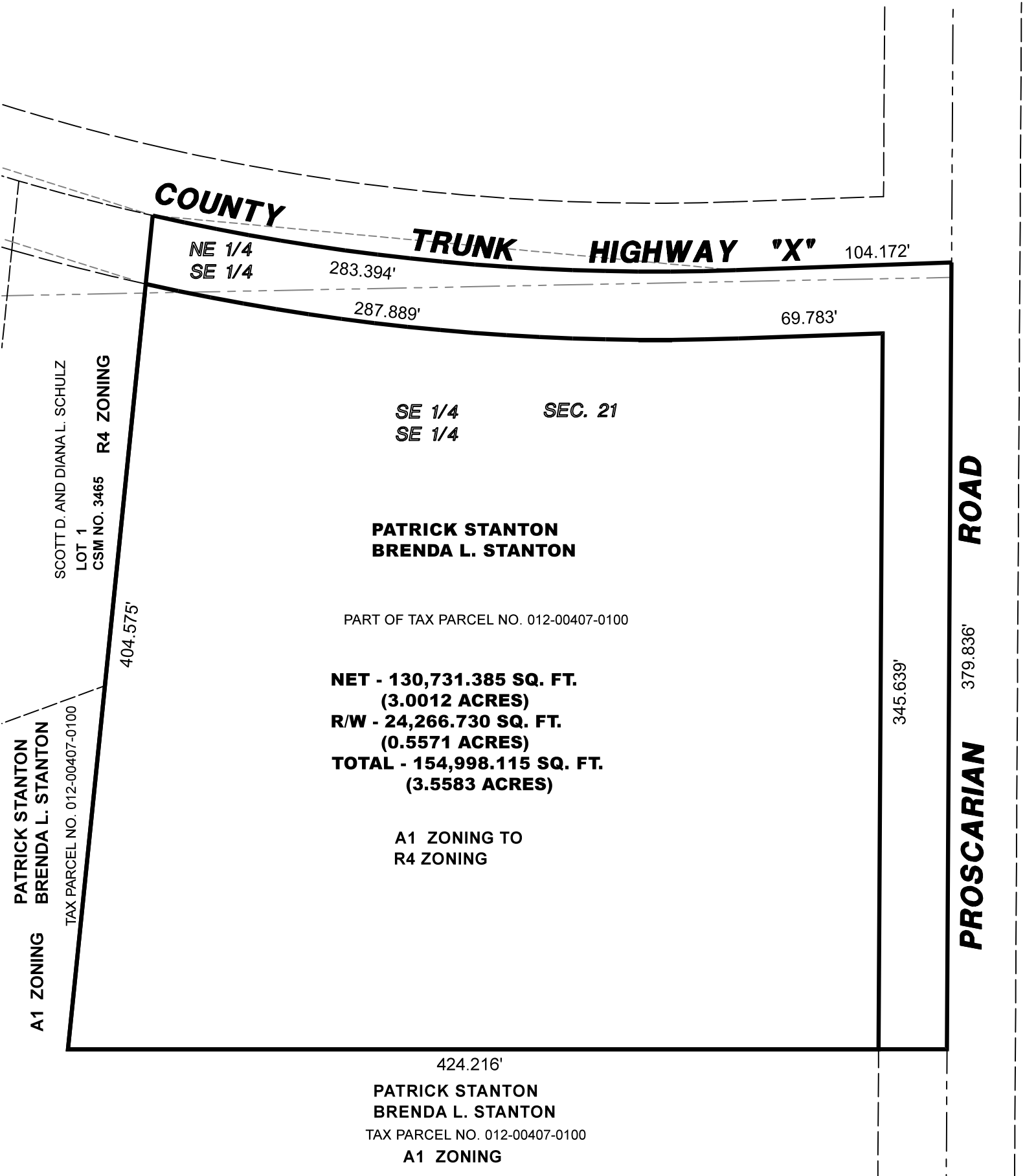
Green Lake Surveying Company  
 A Division Of



General Engineering Company

P.O. Box 131 • W1734 North St. • Green Lake, WI 54941  
 920-294-6666 (Green Lake Office)  
 dlens@generalengineering.net

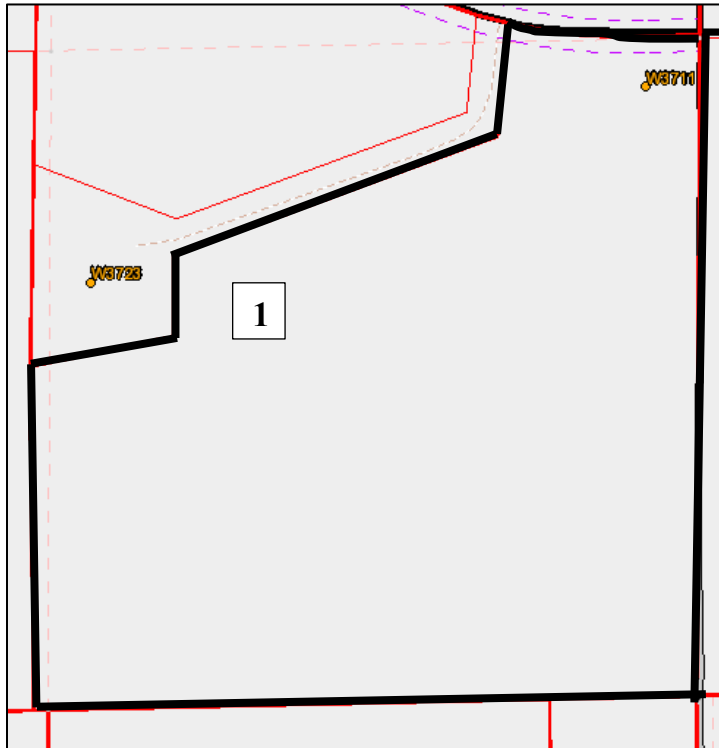
DONALD W. LENZ -  
 WI Professional Land Surveyor License No. S-2003  
 Dated this 1st Day of April 2022.



**Owner: Patrick & Brenda Stanton**  
**Town of Manchester, Parcel #012-00407-0100**  
**Part of the SE1/4 of Section 21, T14N, R12E**

**Existing Configuration**

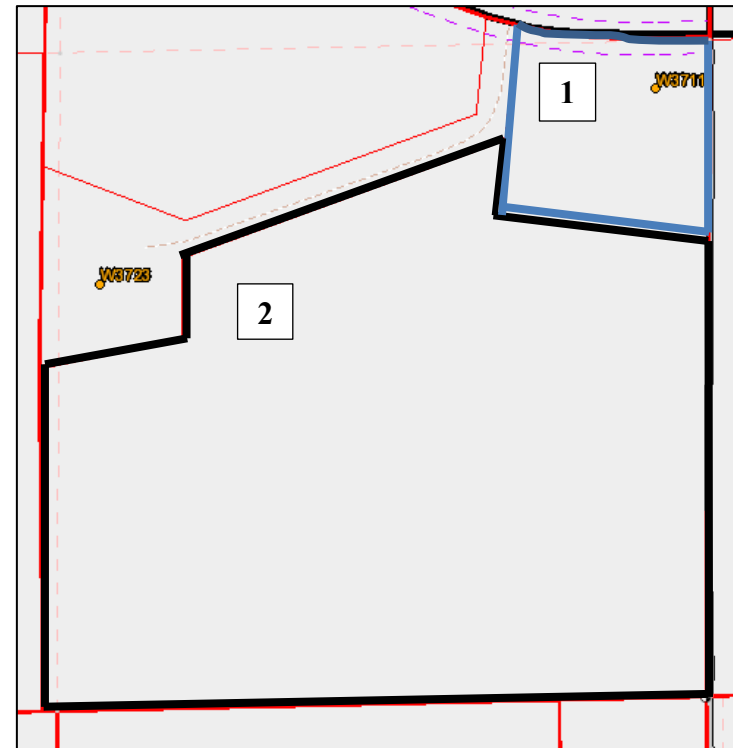
1 = ±32.33 acre parcel zoned A-1, Farmland  
Preservation District



**Proposed Configuration**

1 = ±3 acre parcel zoned R-4, Rural Residential District

2 = ±29.33 acre parcel zoned A-1, Farmland  
Preservation District



# TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Manchester, County of Green Lake, took the following action on –  
(Date)           MAY 9, 2022          .

**Owner/Applicant:** Patrick & Brenda Stanton

**Site Location:** W3711 County Rd X, Markesan

**General legal description:** Parcel 012-00407-0100 part of the SE1/4 of S21, T14N, R12E, Town of Manchester, ±32 acres

**Request:** Rezone ±3 acres from A-1, Farmland Preservation District, to R-4, Rural Residential District.

**Planned public hearing date for the above requests:** June 2, 2022

**Town does not object to and approves of request**

**No action taken**

**Objects to and requests denial of request**

**NOTE:** If denial – please enclose Town Resolution of denial

- Reason(s) for objection:

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          Corrine Krueger            
**Town Representative**

          5/9/2022            
**Date Signed**

**NOTES:** \_\_\_\_\_

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Please return this form to the Land Use Planning & Zoning Office by: **May 20th, 2022**



## Land Use Planning and Zoning Committee Staff Report

Public Hearing

June 2, 2022

### Item V: Conditional Use Permit (CUP)

**Owner:**

Robert and Michele Leystra

**Applicant:**

Same

**Request:** The owner/applicant is requesting a conditional use permit to operate a contractor's shop, woodworking shop, and skull cleaning/animal mounting business.

**Parcel Number/ Location:** The request affects parcel 010-00119-0000 (±1.5 acres). The parcel is located in the SE ¼ of the NE ¼ of Section 8, T14N, R13E, Town of Mackford. The site address is W1763 Village Rd.

**Existing Zoning and Uses of Adjacent Area:** The parcel referenced above is zoned I, Industrial District. The property is currently being used as a contractor's shop, private garden, and there is a chicken coop on the property. The neighboring properties to the south, east, and west are zoned as Industrial, but appear to be either undeveloped or used agriculturally except for Landmark Services CO OP which is an industrial use. To the North there are some properties zoned as R-1, Single Family Residential which are used residentially. There is also some land zoned as A-1, Farmland Preservation District and A-2 General Agriculture District which is used for field crops.

**Additional Information/Analysis:** Before the current owner bought this property there was a house which has since been taken down and the property was used mostly residentially. In 2014 the owner built the current shop and has used it to store materials for their drywall and tiling business. The owner also started a skull cleaning business back in 2015 out of their residence on another property. The owner would like to move their skull cleaning business to this property. They also operate a woodworking shop; however, the woodworking is mainly focused on making mounts to go along with their skull cleaning business.

For the skull cleaning process, the skulls are put in a container with flesh eating beetles that remove any cartilage or flesh left on the skulls, then the skulls are dipped in a peroxide solution to "whiten" them. The beetles used by the owner cannot live through winter and the building they are kept in has insecticides sprayed on the outside. The building is also designed to be airtight to limit the smell. The peroxide solution is reused for future skull cleanings. The facility will operate from 7am to 9pm everyday year-round. A new 10'x16' shed would be built to house the beetles and store skulls. This property was chosen because it is industrially zoned and is also in a more rural setting.

It is important that the Committee maintain the purpose and intent of the County Zoning Ordinance when reviewing and approving a request of this nature. The following criteria are to be used by the Committee when making conditional use permit decisions:

**General Standards for Review of Conditional Use Requests:** When reviewing a conditional use permit, the Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of each proposed use in terms of the following standards:

- a) If an applicant meets or agrees to meet all of the requirements specified in this chapter and any conditions imposed by the Committee, based on substantial evidence, the Committee shall grant the conditional use permit.
- b) Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.
- c) The requirements and conditions must be reasonable and, to the extent practicable, measurable, and may include conditions such as the permit's duration, transfer, or renewal.
- d) The applicant must demonstrate that the application and all requirements and conditions related to the conditional use, are or shall be satisfied, and supported by substantial evidence. The Committee's decision to approve or deny the conditional use permit must be supported by substantial evidence.

*Substantial evidence is defined as: facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.*

No conditional use permit shall be issued or approved with conditions by the Committee unless it shall find the conditional use:

- a) Will not have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands; and
- b) Will be designed, constructed, operated, and maintained so as to be harmonious, be appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area; and
- c) Will not be hazardous or disturbing to existing or future neighboring uses; and
- d) Will not be detrimental to property in the immediate vicinity or to the community as a whole; and
- e) Will be served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, and schools; the persons or agencies responsible for the establishment of the proposed use shall be able to provide, adequately, any such service; and

- f) Will have vehicular approaches to the property that shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads.

**County Staff Comments:** This request should be reviewed by the Committee to determine if it meets the general criteria for review as listed above. If the Committee wishes to approve this request, the following conditions may be appropriate:

1. No additional expansion or addition of structures and/or uses relating to this conditional use permit shall occur without review and approval through future conditional use permit(s).
2. Any outdoor lighting shall comply with Section 350-23 of the County Zoning Ordinance.
3. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.
4. Storage of materials must comply with standards listed in Chapter 350, Zoning Ordinance, of the Code of Green Lake County. *This implies that no vehicles without proper registration may be stored on the property, unless fully enclosed in a structure. Similarly, no materials or equipment shall be stacked or stored in a manner that shall be of such character as to adversely affect the property values and general desirability of the neighborhood.*
5. Beetles and Skulls must be stored indoors.

**Town of Mackford:** An Action Form requesting the Town's input related to this CUP request was emailed to the Town Clerk on April 14, 2022. No action form returned.

Fee Received (Non-Refundable) 375

Date 3-30-22

By signing and submitting this completed application with public hearing fee, the applicant or agent requests the Land Use Planning & Zoning Committee consider the conditional use permit request at the next available public hearing.

**PROPERTY OWNER / APPLICANT**

Name Robert and Michele Lexstra

Mailing Address P.O. Box 182

Phone Number 920948 6741 Email \_\_\_\_\_

Signature [Signature] Date 3-30-22

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

Mailing Address \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**PROPERTY INFORMATION**

Town of Mackford Location of Property W1763 Village Rd

Section 8 Town 14 N Range 13 E

Affected Parcel Number(s) 010-00119-0000 Affected Acres \_\_\_\_\_

Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

CSM \_\_\_\_\_ Lot \_\_\_\_\_ or COS \_\_\_\_\_

Legal Description See Attached

Current Zoning Classification \_\_\_\_\_

Present Use of Property: (List all current uses and improvements, i.e. home, store, farm field, wooded, etc.)

Contractors Shop, Shop building, Chicken Coop, Garden

**PROPOSAL** - Use separate or additional sheet(s) IF necessary

Describe specifically the nature of this request (List all proposed uses of the parcel.) What do you plan to do? Contractors Shop, Woodworking Shop, Skull Cleaning

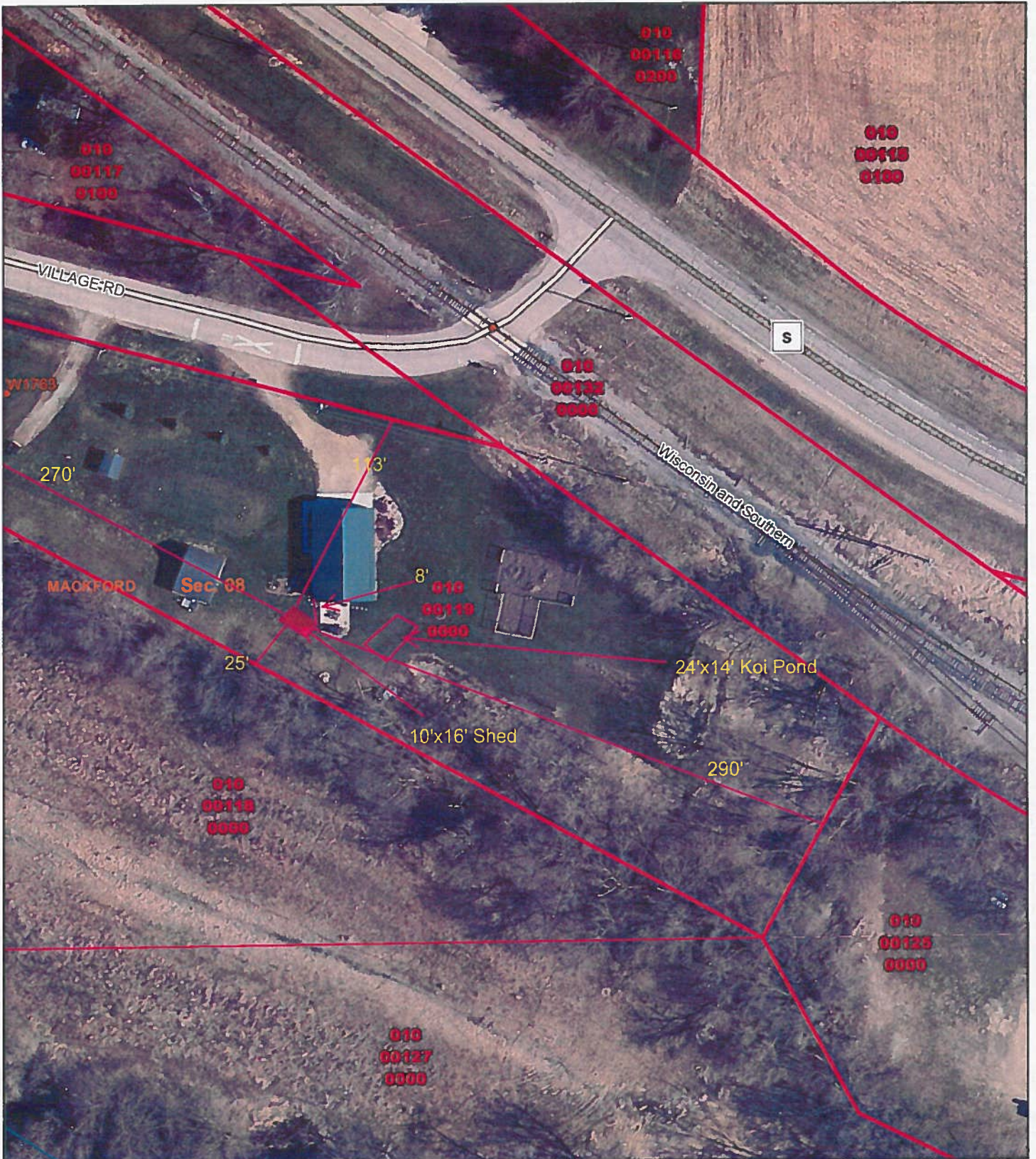
If this application is for a use that will be contained to a part of the parcel, specify the exact dimensions of the affected area.

If this box is checked, provide the following information:

Proposed use has additional minimum development standards in Section \_\_\_\_\_  
Explain how your proposal meets or exceeds these requirements.

**OPERATIONAL PLAN NARRATIVE**

- Shop built in ~~2014~~ 2014. Started Skull Cleaning around 2015, has ~~to~~ been involved in construction since 1985
- Property used residentially before Applicant bought property.
- Contractors Shop for Drywall + Tiling business, De fleshing Skulls for European mounts using beetles and chemicals, Woodworking Shop goes along with the construction and skull mounting use
- Skull mounting process: use beetles to remove flesh + cartilage then dipped in a peroxide solution to dry
- Year round, Mon-Sun 7:00 AM - 9:00 PM
- ~~Shop~~ Existing Shop used for Woodworking + Contractors Shop.
- New Shed will be used for Skull + beetle storage, May Add utility shed
- Smell of decaying animals, Beetles, Chemicals  
↳ Inside sealed building      ↳ Unable to live outside, insecticide around building
- ↳ Re-used, Skulls washed off once dipped
- Industrially Zoned, Away from the village but still close



Green Lake County

1 inch = 74 feet

Geographic Information System (GIS)  
<https://gis.co.green-lake.wi.us/>

### GIS Viewer Map

Green Lake County, WI

Time: 10:51:22 AM  
 Date: 3/30/2022

Note:



## LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

June 2, 2022

### ITEM VI: ZONING ORDINANCE AMENDMENT

**REQUEST:** The Green Lake County Land Use Planning and Zoning Department is requesting an amendment to the Code of Green Lake County, Chapter 350 of the Zoning Ordinance; more specifically more specifically to add a public nuisance section, place limits on conditional uses in the A-1 zoning district, allow a detached residential use in the C-1, C-2 and I zoning districts, allow a contractor's yard as a conditional use in the C-2 zoning district, allow more than one principal residential structure in the R-3 zoning district, exempt driveways and some walkways from structure setbacks, exempt irrigation and manure piping structures from highway setbacks and add or modify several definitions.

**ADDITIONAL INFORMATION / ANALYSIS:** Presently, the County Zoning Ordinance address public nuisances under the nonconforming use section. There is little detail to the ordinance standard, and the standard requires the nuisance to be "of such character as to adversely affect the property values and general desirability of the neighborhood." It is difficult to prove the required adverse effects, and so the legal term "public nuisance" was utilized, and a definition of "junk" was developed. A list of what the County considers "junk" was created that is more encompassing than the previous standard. Also, prohibited activities are clearly listed and exceptions are provided.

In addition to the new ordinance standards described above, this ordinance amendment

- Excepts the R-3, Multi-family Residence from the one main residential building per lot requirement.
- Limits a Farmland Preservation zoned property to no more than two "agriculture-related" or two non-agriculture related conditional uses or any combination therein.
- Non-agriculture related conditional uses will now require a farm residence and the parcel containing the conditional use will be at least 20 acres in area.
- The option of a detached single-family dwelling has been provided in addition to a single-family residential use, established in the same building as the commercial or industrial use, in the C-1, C-2 and I zoning district as a CUP.
- The contractor's yard use has been added as a CUP in the C-2 zoning district.
- Walkways, not greater than 36" in width, and all driveways are exempted from side and street yard setbacks.
- Irrigation and liquid manure transport piping and structures, necessary for underground pipeline maintenance, are permitted to be within the highway setback.
- Definitions were added for "contractor's equipment", "contractor's yard or shop", and "patio".

**SUMMARY:** This ordinance amendment addresses difficulties in resolving junk violations by eliminating arbitrary ordinance standards and inserting language that is easily administered and enforced. The amendment emphasizes agricultural uses as the principal use in the Farmland Preservation zoning district by limiting non-agricultural CUPs and “agriculture-related CUPs, and by requiring a farm residence and at least a 20-acre farm. Also the amendment includes several necessary changes that would provide property owners with more use of their properties like allowing a contractor’s yard as a CUP in C-2, like allowing more than one main residential building in the multi-family residence district, like allowing both attached and detached residences in the commercial and industrial districts and allowing service and access structures for underground irrigation and liquid manure transport piping to be placed within the highway setback. These amendments further the orderly administration and enforcement of property development within the County.

**STAFF COMMENTS:** The Land Use Planning and Zoning Committee has several options in this regard, and they are as follows:

- ❑ Forward onto the County Board with recommendation to adopt as proposed.
- ❑ Hold another public hearing to take additional public comment.
- ❑ \*Reject as proposed.

\* In the event that these amendments are not adopted, the capability for the County to resolve public nuisance junk violations will remain diminished. A continued watering-down of the Farmland Preservation district’s purpose will continue to occur. A continuation of “uncommon sense” ordinance standards requiring a business owner to reside in the same building as their business as opposed to a separate detached residence, like not allowing lands zoned for extensive commercial use to be utilized as a contractor’s yard, like not allowing multiple principal residences in the multi-family residential zoning district, will occur. These amendments enhance a property owner’s ability to use their property in accordance with their respective zoning district while restricting other property owners from using their properties in ways inconsistent with the purpose of their zoning district, **both essential functions of any zoning ordinance.**



**ORDINANCE NO. -2022**

**Amending Ch. 350 – Zoning, Ordinance 146-76**

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 21st day of June 2022, does ordain as follows:

- 1 **WHEREAS**, an amendment is necessary to update the County's Zoning Ordinance.

Roll Call on Ordinance No. -2022

Submitted by Land Use Planning & Zoning Committee:

Ayes , Nays , Absent , Abstain

Passed and Enacted/Rejected this 21st day of June 2022.

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Curt Talma

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William Boutwell

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County Board Chairman

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Harley Reabe

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ATTEST: County Clerk  
Approve as to Form:

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Charles Buss

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Corporation Counsel

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Gene Thom

2 **NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY**  
3 **OF GREEN LAKE DOES ORDAIN AS FOLLOWS:**

4 Section 1. Green Lake County Ordinance, No.146-76 adopted by the Green Lake County  
5 Board of Supervisors on June 15, 1976 and as amended from time-to-time is amended as  
6 follows (deletions are in ~~strikeout~~, additions are in underline):  
7

8 **Article III: General Provisions, Amendments as follows:**  
9

10 **§ 350-13** Compliance required; number of buildings per lot; existing construction.

- 11  
12 B. Every residential building hereafter erected, converted, enlarged or structurally  
13 altered shall be located on a lot, and in no case, except as provided in Sections  
14 350-40.A.(9) and 350-40.B.(5), shall there be more than one main residential  
15 building on one lot. **[Amended 11-14-2017 by Ord. No. 22-2017]**  
16

17 **§ 350-14** Nonconforming uses, structures and lots or parcels.

- 18  
19 D. ~~No building shall be erected, structurally altered or relocated and no lumber,~~  
20 ~~materials, furniture or other equipment shall be stocked, piled or stored in a~~  
21 ~~manner that shall be of such characters as to adversely affect the property~~  
22 ~~values and general desirability of the neighborhood. Reserved.~~  
23

24 **§ 350-16** (~~Reserved~~) Public Nuisances Affecting Real Property  
25

- 26 A. Definitions for purposes of this section.  
27

28 **PUBLIC VIEW**

29 Observation from any location exterior to the property.  
30

31 **JUNK:** Any of the following that are visible from public view:

- 32 1. Motorized vehicles or motorized equipment of any type, if not currently capable  
33 of motorized operation including, but not limited to, cars, vans, trucks, recreation  
34 vehicles, watercraft, motor homes, lawn mowers, snow blowers, outboard  
35 motors, go-carts, mopeds, scooters and mini-bikes.  
36 2. Non-motorized vehicles intended to transport persons or property on a road or  
37 highway, including trailers and bicycles, if not currently safe to use on the road.  
38 3. Vehicle parts  
39 4. Tires, with or without rims  
40 5. Interior appliances and electronic equipment not in use including, but not limited  
41 to, cooktop range and ovens, refrigerators, dishwashers, fans, clothes dryers,  
42 clothes washers, microwaves, televisions, screens, audio equipment,  
43 computers, arcade games and vending machines.  
44 6. Interior plumbing and mechanical fixtures not in use including, but not limited to,  
45 toilets, sinks, piping, bathtubs, tub surrounds, water heaters/tanks, water

- 46 softeners, humidifiers, dehumidifiers, wood-burning stoves, furnaces and related  
47 pipng and ductwork.  
48 7. Interior furniture that is abandoned, discarded or damaged including, but not  
49 limited to, sofas, recliners, mattresses, bed frames, dressers, credenzas, desks,  
50 tables and chairs.  
51 8. Outdoor recreation equipment that is disassembled or broken including, but not  
52 limited to, trampolines, above-ground swimming pools, swimming pool  
53 components and patio furniture.  
54 9. Building components or construction materials not installed or in use including,  
55 but not limited to, doors, windows, siding, shingles, lumber and flooring.  
56 10. Outdoor fixtures or containers not currently in use including, but not limited to,  
57 fuel tanks, propane tanks, liquid barrels and air conditioners.  
58 11. Scrap metal, plastic, glass or wood not in use.  
59 12. Any other item similar in nature to the above list.

60  
61 B. Prohibited Activities. No person, group of persons, company firm, corporation, or  
62 any other entity shall within the unincorporated areas of the county,

- 63 1. Operate an unlicensed junkyard.  
64 2. Store any junk outside a building and within public view for a period of any part  
65 of five (5) or more days during any thirty (30) day period.  
66 3. Leave any dead animal not buried or otherwise legally disposed of for a period  
67 of more than three days on the premises.  
68 4. Store or dispose of any solid waste or other junk except in accordance with all  
69 applicable state and local regulations.

70  
71 C. Exceptions.

- 72 1. This section is not intended to regulate or place limitations on any legally  
73 licensed junkyard, salvage dealer, sanitary landfill or other junk, waste disposal  
74 or storage activity for which a valid license from the state and/or other  
75 necessary municipal issuing authority is required and has been issued and all  
76 such licenses are in full force and effect.  
77 2. This section does not regulate or place limitations on junk that is stored inside a  
78 closed building.  
79 3. This section is not intended to prohibit the proper outside storage of licensed  
80 and operable motor vehicles.

81  
82 **Article IV: Zoning Districts, Amendments as follows:**

83  
84 **§ 350-27 A-1 Farmland Preservation District.**

85 (2) Conditional uses:

86 (a) Agriculture-related uses. (See Subsection D for "agriculture-related use"  
87 definition.) No more than two agriculture-related uses or any combination of  
88 agriculture-related uses or uses described in (b) below, shall be allowed on  
89 contiguous lands under common ownership.

90 (b) A business, activity, or enterprise, whether or not associated with an

91 agricultural use, and is not a dog breeding facility or a dog breeder as defined  
92 in ATCP 16, which meets all of the following requirements: **[Amended 9-21-**  
93 **2021 by Ord. No. 30-2021]**

94 [1] It is conducted on a farm by an owner or operator of that farm.

95 [2] It requires no buildings, structures, or improvements other than those  
96 described in Subsection D(1) and (3) of the definition of "accessory use."

97 [3] The total cumulative hours worked by paid employees, excluding the  
98 owner(s), shall not exceed 160 hours per week.

99 [4] It does not impair or limit the current or future agricultural use of the farm  
100 or other protected farmland.

101 [5] A farm residence is already established on the same parcel as the  
102 business, activity or enterprise.

103 [6] The farm is at least 20 acres in area.

104 [7] No more than two businesses, activities or enterprises, whether or not  
105 associated with an agricultural use, including any agriculture-related uses  
106 from (a) above, shall be allowed by conditional use permit per farm.

107 **§ 350-32 C-1 General Commercial District.**

108 B. Conditional uses. An application for a conditional use permit shall not be  
109 approved unless, at a minimum, it complies with the conditions and standards set  
110 forth in Article VII, Conditional Use Permits.

111 (2) One single-family residential use may be allowed on a lot or parcel in this  
112 district. The single-family residence shall only be occupied by the owner or  
113 operator of established in the same building with the commercial use.

114 **§ 350-33 C-2 Extensive Commercial District.**

115 B. Conditional uses. An application for a conditional use permit shall not be  
116 approved unless, at a minimum, it complies with the conditions and standards set  
117 forth in Article VII, Conditional Use Permits.

118 (1) One single-family residential use may be allowed on a lot or parcel in this  
119 district. The single-family residence shall only be occupied by the owner or  
120 operator of established in the same building with the commercial use.

121 (16) Contractor's yard or shop (inside material storage only). **[Added 3-19-2019**  
122 **by Ord. No. 2-2019]**

123 **§ 350-34 I Industrial District.**

124 A. Permitted uses. Any use permitted in the C-2 Extensive Commercial District  
125 except residential, educational or institutional uses, with the following provisions:

126 ~~(1) There may be one single family residential use established in the same~~  
127 ~~building with any commercial use.~~

128 ~~(2) There may be a dwelling for the owner, watchman or caretaker employed on~~  
129 ~~the premises and members of his family in connection with any wholesale or~~  
130 ~~industrial trade.~~

131 B. Conditional uses. The following are permitted as conditional uses, provided that  
132 consideration is given to such matters as the creation of nuisance conditions for  
133 the public or the users of nearby areas and the creation of traffic hazards, and  
134 that any use is not in conflict with any laws of the State of Wisconsin or any  
135 ordinances of Green Lake County governing nuisances. An application for a  
136 conditional use permit shall not be approved unless, at minimum, it complies with  
137 the conditions and standards set forth in Article VII, Conditional Use Permits.

138 (29) One single-family residential use may be allowed on a lot or parcel in this  
139 district. The single-family residence shall only be occupied by the owner or  
140 operator of the commercial or industrial use.

141 **§ 350-40 R-3 Multiple-Family Residence District.**

142 A. Permitted uses. **[Amended 11-14-2017 by Ord. No. 22-2017]**

143 (9) Dwelling, multiple-family, three to eight units. The dwelling may contain all the  
144 dwelling units, or the dwelling units may be located in multiple separate  
145 buildings.

146 B. Conditional uses. Conditions and standards for a conditional use permit are set  
147 forth in § 350, Article VII, Conditional Use Permits. **[Amended 11-14-2017 by**  
148 **Ord. No. 22-2017]**

149 (5) Dwelling, multiple-family, nine plus units. The dwelling may contain all the  
150 dwelling units, or the dwelling units may be located in multiple separate  
151 buildings.

152 **Article V: Nonbuilding Structures, Amendments as follows:**

153

154 **§ 350-43.3 Driveways, & walkways**

155 Driveways and walkways shall comply with the following:

156

157 A. Driveways and walkways may be allowed within the side yard and street yard  
158 setbacks within the street yard.

159

160 B. Walkways no greater than 36 inches in width may be allowed within the side and  
161 rear yard setbacks.

162 **Article VI: Highway Setback Lines, Amendments as follows:**

163

164 § 350-52 Structures permitted within setback lines.  
165 A. The following kinds of structures may be placed between the setback lines and  
166 the highway:

167 (10) Irrigation and liquid manure transport piping and structures that are  
168 necessary for underground pipeline maintenance.

169 **Article XIII: Word Usage and Definitions, Amendments as follows:**

170  
171 § 350-77 Word usage and definitions.

172 **CONTRACTOR'S EQUIPMENT**

173 Means all apparatus, machinery, vehicles and other things required for the  
174 execution and completion of work or assembly of work by any building trade or  
175 other contractor.

176 **CONTRACTOR'S YARD or SHOP**

177 Means any land, building or structure used for the purpose of storing contracting  
178 equipment and material or performing shop work or assembly work by any building  
179 trade or other contractor.

180 **PATIO**

181 A residential accessory structure, used as an outdoor space for leisure, dining,  
182 cooking, or similar use, that consists of a surface layer, including but limited to  
183 concrete, pavers, bricks, tiles, asphalt or stone (e.g. flagstone, limestone,  
184 bluestone, slate, granite, gravel, stone screenings) and the supporting base layers  
185 extending subgrade to the underlying soil.

186 Section 2. This ordinance shall become effective upon passage and publication.

187 Section 3. The repeal and recreation of any section herein shall not have any effect on  
188 existing litigation and shall not operate as an abatement of any action or proceeding then  
189 pending or by virtue of the repealed sections.

190 Section 4. All ordinances and parts of ordinances in conflict herewith are hereby  
191 repealed.