



GREEN LAKE COUNTY

571 County Road A, Green Lake, WI 54941

The following documents are included in the packet for the Land Use Planning & Zoning Committee meeting on Thursday, September 7, 2023.

Packet Pages:

- 2 Agenda
- 3-4 Draft Meeting Minutes from 8/3/23
- 5-14 Review, discuss, and possible action for conditional use permit request from Little Green Lodge LLC for a tiki bar, bathroom building, walk-in cooler building, and storage shed at N2811 Park Rd. Markesan, WI.
- 15-31 Non-Conforming Parcel Project Overview
- 32-35 Revenue & Permit reports for July 2023
- 36-37 Violation Reports
- 38-55 **Item I Owner:** Brooks Farm Properties LLC **Agent:** Lee Larson **Site location:** Phelps Rd
General legal description: Parcel 006-00986-0000, part of the NE1/4 of S35,T15N,R12E, Town of Green Lake, 40 acres **Request:** Conditional Use Permit for a 300' communication tower.
- 56-74 **Item II Owner:** Scott & Jeanette Nigbor **Agent:** Lee Larson **Site location:** Puchyan Rd **General legal description:** Parcel 002-00344-0000 part of the NW1/4 of S19,T17N,R13E, Town of Berlin, ±32 acres **Request:** Conditional Use Permit for a 300' communication tower.
- 75-92 **Item III Owner:** Patrick & Brenda Stanton **Agent:** Lee Larson **Site location:** Proscarian Rd
General legal description: Parcel 012-00407-0102, part of the SE1/4 of S21,T14N,R12E, Town of Manchester, ±28.7 acres **Request:** Conditional Use Permit for a 300' communication tower.
- 93-100 **Item IV Owner:** John & Dawn Walz **Agent:** Terry Dixon **Site location:** W6726 Puckaway Rd
General legal description: Parcel 014-00395-0000, part of the NW1/4 of S32,T15N,R11E, Town of Marquette, ±3.95 acres **Request:** Rezone ±3.95 acres from R1, Single-Family Residence District, to R4, Rural Residential District.
- 101-109 **Item V Owner:** Gelhar Real Estate Investments LLC **Agent:** Steve Sorenson **Site location:** W965 County Rd S **General legal description:** Parcel 010-00182-0203, part of the NE1/4 of S10,T14N,R13E, Town of Mackford, ±21.44 acres **Request:** Rezone ±3 acres from A1, Farmland Preservation, to R4, Rural Residential District. To be identified by Certified Survey Map.
- 110-113 **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 modify the maximum accessory structure sidewall height from 15ft to 20ft and to eliminate the maximum accessory structure height, footprint, and volume requirements in the R4, Rural Residential Zoning district.



GREEN LAKE COUNTY
OFFICE OF THE COUNTY CLERK

Matt Kirkman
Director

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

Land Use Planning & Zoning Committee Meeting Notice

Date: Thursday, September 7, 2023 Time: 9:00 AM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI

AGENDA

Committee Members

*Curt Talma,
Chair
Chuck Buss,
Vice- Chair
Bill Boutwell
Gene Thom
Harley Reabe*

Virtual attendance at meetings is optional. If technical difficulties arise, there may be instances when remote access may be compromised. If there is a quorum attending in person, the meeting will proceed as scheduled.

1. Call to Order
2. Certification of Open Meeting Law
3. Pledge of Allegiance
4. Minutes of 08/03/2023
5. Public Comment (3 minute limit)
6. Staff Updates
7. Review, discuss, and possible action for conditional use permit request from Little Green Lodge LLC for a tiki bar, bathroom building, walk-in cooler building, and storage shed at N2811 Park Rd. Markesan, WI 53946.
8. Non-Conforming Parcel Project Overview
9. Department Activity Reports
 - a) Financial reports
 - b) Land use & septic permits
 - c) Violation reports
10. Public Hearing: (Not to begin before 9:30 AM)
Each item below will consist of:
 - a) Public Testimony/Comment: 3-minute time limit
 - b) Committee Discussion & Deliberation
 - c) Committee Decision
 - d) Execute Ordinance/Determination Form

Item I Owner: Brooks Farm Properties LLC **Agent:** Lee Larson **Site location:** Phelps Rd **General legal description:** Parcel 006-00986-0000, part of the NE1/4 of S35,T15N,R12E, Town of Green Lake, 40 acres **Request:** Conditional Use Permit for a 300' communication tower.

Item II Owner: Scott & Jeanette Nigbor **Agent:** Lee Larson **Site location:** Puchyan Rd **General legal description:** Parcel 002-00344-0000 part of the NW1/4 of S19,T17N,R13E, Town of Berlin, ±32 acres **Request:** Conditional Use Permit for a 300' communication tower.

Item III Owner: Patrick & Brenda Stanton **Agent:** Lee Larson **Site location:** Proscarian Rd **General legal description:** Parcel 012-00407-0102, part of the SE1/4 of S21,T14N,R12E, Town of Manchester, ±28.7 acres **Request:** Conditional Use Permit for a 300' communication tower.

Item IV Owner: John & Dawn Walz **Agent:** Terry Dixon **Site location:** W6726 Puckaway Rd **General legal description:** Parcel 014-00395-0000, part of the NW1/4 of S32,T15N,R11E, Town of Marquette, ±3.95 acres **Request:** Rezone ±3.95 acres from R1, Single-Family Residence District, to R4, Rural Residential District.

Item V Owner: Gelhar Real Estate Investments LLC **Agent:** Steve Sorenson **Site location:** W965 County Rd S **General legal description:** Parcel 010-00182-0203, part of the NE1/4 of S10,T14N,R13E, Town of Mackford, ±21.44 acres **Request:** Rezone ±3 acres from A1, Farmland Preservation, to R4, Rural Residential District. To be identified by Certified Survey Map.

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 modify the maximum accessory structure sidewall height from 15ft to 20ft and to eliminate the maximum accessory structure height, footprint, and volume requirements in the R4, Rural Residential Zoning district.

11. Committee Discussion
 - a) Future Meeting Dates: October 5, 2023 @ 9:00 AM
 - b) Future Agenda items for action & discussion
12. Adjourn

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

Microsoft Teams meeting
Join on your computer, mobile app or room device
[Click here to join the meeting](#)
Meeting ID: 263 292 031 073
Passcode: GEoRMe
[Download Teams](#) | [Join on the web](#)

Or call in (audio only)
[+1 920-659-4248,498339025#](tel:+19206594248) United States, Green Bay
Phone Conference ID: 498 339 025#

**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, August 3, 2023**

CALL TO ORDER

Planning & Zoning Chair Curt Talma called the meeting of the Land Use Planning and Zoning Committee to order at 9:00 a.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.

Present: **Curt Talma, Gene Thom, Harley Reabe, Bill Boutwell, Chuck Buss, Jeff Mann**-Corporation Counsel,

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director, **Karen Werlein**, LUP&Z Secretary

APPROVAL OF MINUTES

Motion/second (Boutwell/Reabe) to approve the minutes of the July 7th, 2023 meeting.
Motion carried with no negative vote.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC COMMENTS:

Chair Talma called for public comment.
None

STAFF UPDATES:

Matt Kirkman gave an update on department staff.

PROPOSED ZONING ORDINANCE AMENDMENTS

Kirkman outlined the proposed amendments.

Motion/second (Buss/Boutwell) for Matt Kirkman to bring the zoning ordinance amendment for approval next month.
Motion carried with no negative vote.

2024 PROPOSED BUDGET

Kirkman outlined the proposed 2024 budget.

DEPARTMENT ACTIVITY REPORTS

a. **Financial reports**

Matt Kirkman gave an update on the June revenue report.

b. **Permits**

Kirkman stated there were 23 land use permits and 5 sanitary permits in June.

c. **Violations**

Kirkman outlined the current land use violations and POWTS violations.

RECESS 9:26AM: ***Motion/second (Reabe/Thom)*** to recess at 9:26AM. Motion carried with no negative vote.

Chair Talma called the meeting into session at 9:30AM to conduct the public hearing.

PUBLIC HEARING – 9:30AM

Chair Talma read the rules for the Public Hearing

Item I Owner: Little Green Lodge LLC **Agent:** Anthony Goebel **Site location:** N2811 Park Rd **General legal description:** Parcel 006-01384-0000, 006-00614-0000, part of the NW1/4 of S32,T15N,R13E, Town of Green

Lake, ±1.25 acres **Request:** Conditional Use Permit for tiki bar, bathroom building, walk-in cooler building, and storage shed.

- a. Public Testimony/Comment: Chair Talma called for public input.
Brian Wroblewski, N2821 Park Rd: spoke against the approval of the CUP.
Jim Clark, W2042 Melmar Dr: Little Green Lake Rehab Chairman, spoke of easement reequipment.
Tim Wroblewski, N2821 Park Rd: Spoke against the approval of the CUP.
Shanda Farr, N2810 Park Rd:
Tony Goebel, applicant: Spoke in favor for the approval of the CUP.
Chair Talma closed the Public Hearing.
- b. Committee Discussion & Deliberation: Kirkman presented the Staff Report regarding the CUP request.
The Town of Green Lake approves of the request.
Motion/second (Buss/Boutwell) to suspend rules and let the applicant talk.
Motion carried with no negative vote.
Applicant, Anthony Goebel, went over questions and concerns.
- c. Committee Decision: **Motion/second (Buss/Boutwell)** to approve the CUP request 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. That the owners/applicants are responsible for obtaining permits and licenses from any other regulatory agency, if required.
 3. That the owner/applicant apply for and receive a Land Use Permit prior to making any changes authorized through this conditional use permit approval process.
 4. That within one year of CUP approval the owner/applicant provide appropriate vegetative screening or code-compliant fencing to hide the dumpsters as well as provide privacy screening to neighbors to the parking lot.
 5. That if vegetative screening is utilized instead of privacy fencing, any dead, dying or diseased vegetation shall be removed and replaced with viable and effective, visual-screening vegetation as soon as practicable.
 6. No new structures, authorized by this conditional use permit, shall be located within the Little Green Lake Protection and Rehabilitation District's maintenance easement.
 7. The size of the bathroom building to not exceed 12'x17'.
 8. The size of the walk-in cooler building to not exceed 8'x12'.
 9. The size of the storage shed to not exceed 10'x20'.

Motion failed by no positive vote.

Motion/second (Reabe/Boutwell) to postpone action on the conditional use permit until next meeting, September 7th.

Motion carried with no negative vote.

FUTURE COMMITTEE ACTIVITIES

- a. Future agenda items –
- b. Next meeting date – August 3, 2023

ADJOURN

Chair Talma adjourned the meeting at 10:18AM.

Respectfully submitted,

Karen Werlein, Committee Secretary

Fee Received (Non-Refundable) \$375

Date 5/30/2023

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 Little Green Lodge LLC

Mailing Address 131 N Rolling Meadows Drive

Phone Number 920-251-9004 Email tony@5gbenefits.com

Signature  Date 5/30/2023

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____ Email _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Green Lake Location of Property N2811 Park Road, Markesan, WI 53946 and Lot 2 Certified Survey Map 956 V4

Section 32 Town 15 N Range 13 E

Affected Parcel Number(s) 006-01384-0000 / 006-00614-0000 Affected Acres 1.25

Subdivision n/a Lot n/a Block n/a

CSM n/a Lot n/a or COS n/a

Legal Description _____

Grand view plat lot 1 of certified survey map 956 V4 & that parcel as Desc V415 P19 Lying in SW1/4 NW1/4 Sec 32

Lot 2 Certified Survey Map 954 V4 (a Res of Lot 2 CSM 180) Sec 32

Current Zoning Classification CW and C2 (bar/restaurant and hotel)

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

Currently used and commercially zoned as a bar/restaurant and hotel

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? _____

See attached typed sheet

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

See attached typed document

OPERATIONAL PLAN NARRATIVE (continued)

See attached typed document

Land Use Planning & Zoning Department

Application for Conditional Use Permit

Property Owner: Little Green Lodge LLC (Anthony Goebel)

www.littlegreenlodge.com

Outdoor Restaurant Name: The Terrace at Little Green

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

CURRENT: The business was being used as a full-time restaurant and hotel under the name of Rose's Lakeside Pub. The restaurant serves food and liquor and the hotel is rented by the room through their own direct website and Airbnb.

APPLICANT: The new buyer, Tony Goebel, is an experienced local business owner that lives 18 miles east in Eldorado, WI. He owns a local insurance agency, real estate holding company, and vacation rental management company. He owns numerous large rentals (specifically in Door County) that were a Bed & Breakfast and turned them into successful group rentals and micro-wedding venues. Tony's brother, Noah Goebel and his partner Becky Ruppel will be managing and running "The Terrace" restaurant, tiki bar and food truck. Noah is a bar manager at a high-end restaurant in Fond du Lac. Becky has experience running fish fries and 10+ years of restaurant experience. Tony's sister, Theresa Menting, is one of Fox Valley's top wedding planners. He plans to have this property combine all of their expertise to make it a thriving and successful business.

The property and hotel side of things will be professionally managed and marketed by Little Adventure Vacation Rentals LLC which has employees out of Fond du Lac and is owned by Tony Goebel.

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

The property has always been used as a restaurant and hotel. Current use is using it as a restaurant and a hotel. With the new owners, the building itself is rented to single groups for family reunions, vacations, and small weddings, so booked for private uses. The future use is to still use it as a restaurant and hotel.

- **Describe in detail the proposed use of the property.**

Ownership is already approved to use the property as a restaurant and hotel. We also are approved locally, with the health department, and Green Lake county zoning to park and serve out of food truck that we will park on our property. We want to add a few things to the existing approved CUP so we can better serve the public and improve our space.

1. **Change use of waterfront storage shed to Tiki Bar** - There was an existing storage shed by the waterfront that was falling apart. We worked with Green Lake County zoning to replace it with a new storage shed with the same footprint. We use this currently has storage for boat related items and for alcohol. This shed we would like to use as a Tiki Bar to serve alcohol out of. It is not a new request for a building, only for changing the use from storage to Tiki Bar.
2. **Bathroom Building plus small storage closet** – We are working closely with architects, engineers, and the state DSPS to have our space ADA compliant and following all rules. The state has given us one year to operate the outdoor restaurant using portable ADA outdoor bathrooms, but is requiring us to have a men’s and women’s bathroom accessible OUTSIDE the building closer to the outdoor seating area space. We are expecting the building to be around 12x17 feet. It is difficult to say until we actually start working on the area. We would also want an 8 foot by 12 foot overhang from this building towards the waterfront side of the property. Since this is raising the potential occupancy of the space, the state wants additional bathrooms. Some key considerations to approving this building:
 - a. We need to be approved to build a bathroom building to operate outside.
 - b. The location of where we want to put the bathroom building was previously a location of an existing building that was torn down many years ago. So we are asking to put a building back in the same location that a previous building was already located.
 - c. There is already a permanent fence around the location where this building would need to go. Which blocks some waterfront view.
 - d. Little Green Lodge also owns the cottage that is across the street that would be the most impacted by this building, but it is slightly affected by this new building.
3. **Walk-in Cooler Storage Building** – We would like to have a walk-in cooler on the restaurant side of the road next to where the food and alcohol is being served and next to the bathroom building. It probably will be no larger than 8x12 feet. We will have a roof over the top of the walk-in cooler.
4. **10x20 storage shed on the south end of building.** For safety and security reasons we want our employees and hotel guests to not walk across the road multiple times a day to access items in the storage shed. So we want to take some of the impervious surface from the north end of the property to put a small shed on the south end of the property.

KEY ITEMS:

The committee already approved a storage building that is 16x44 feet to be located in our parking lot side. We have realized that we do not want to take away parking lot space which is why we will ultimately end up not put a storage building here. Plus it is a safety risk to constantly have people walking across the road to access the storage shed.

If the committee will not approve the additional bathroom building to be built on the waterfront side of the property, then we need the committee to change the use of the shed that was approved on the east side (parking lot side) of the building to be a bathroom building with storage. We would then have the bathrooms located across the road and people will need to walk back and forth. This is not an ideal situation because we will have non patrons using our facilities, and it is more dangerous to the public. In working with the state inspector/DSPS, this would still be an acceptable option.

If the committee does not approve the walk-in cooler storage building on the west side of the road then we would have to put the walk-in cooler in the building that the CUP committee already approved for the parking lot side. This is also not ideal because this is where we will store food and alcohol, and leaves it up to much higher risk of theft. We also would have cooks and servers walking across the road to get additional food and alcohol, raising the risk for safety of our staff. We could also use portable refrigerated trailers on the restaurant side, but this is also not ideal or a long-term solution.

There are set-backs that we are dealing with so the set backs will determine the exact size, so we are asking for approval on the uses and the buildings, and given maybe a range for the building size within so many square feet.

- **If applicable, include an operation and/or maintenance plan.**

We do have a full-time maintenance employee that works for our company that is on call for any urgent issues for the property. Our ownership and management is located under 20 miles away as well. We don't have a specific operation and/or maintenance plan that would differ from current use.

- **When will the property be used? (Seasonally? Set daily hours?)**

The building itself will be year-round. The Terrace outdoor restaurant (with Tiki Bar and Food Truck) will operate basically May to October. We are starting this year Friday's and Saturday's but hopefully will expand to more dates next year.

- **What will be done with the current structures, if any? - See attached drawings.**

The existing buildings will stay. The only one we are asking for a change of use on is the waterfront storage shed to be used as storage plus as serving alcohol.

- **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?**

We are proposing the same conditional uses that the building is approved for now. The CUP committee already approved serving alcohol and food outside. In order for us to be compliant with the state, ADA, DSPS, we are being required to build outdoor bathrooms that are more accessible to the public that are using this space. I'm sure one neighbor will complain about blocking the view but this space was previously a building and it currently has a 6 foot privacy fence already there. We do not anticipate any hazards, concerns, or disruptions.

This will be a major positive for the community, for the locals, campground, and those that have properties on the lake. We are wanting to continue to invest in this property to make it a great space to attract people to the area, and a great value add for locals.

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

I don't foresee anything changing for this or an impact on human and environmental health from our business doing the same conditional use as the current owner (restaurant and hotel). Restaurants and bars can currently host outdoor events anytime they want on their property. We are just trying to do this the right way and look long-term by adding more accessible features for patrons.

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

We already own the property and it is zoned as C1 and C2, as a restaurant and hotel. We are choosing to do this part of the property because it is a perfect location for a waterfront outdoor dining area. There is plenty of parking on the other side of the road.

- **How would this business activity meet goals and objectives of the County's Comprehensive Plan? (This will be clear after meeting with Department staff prior to submitting the Conditional Use Permit application, as required above.)**

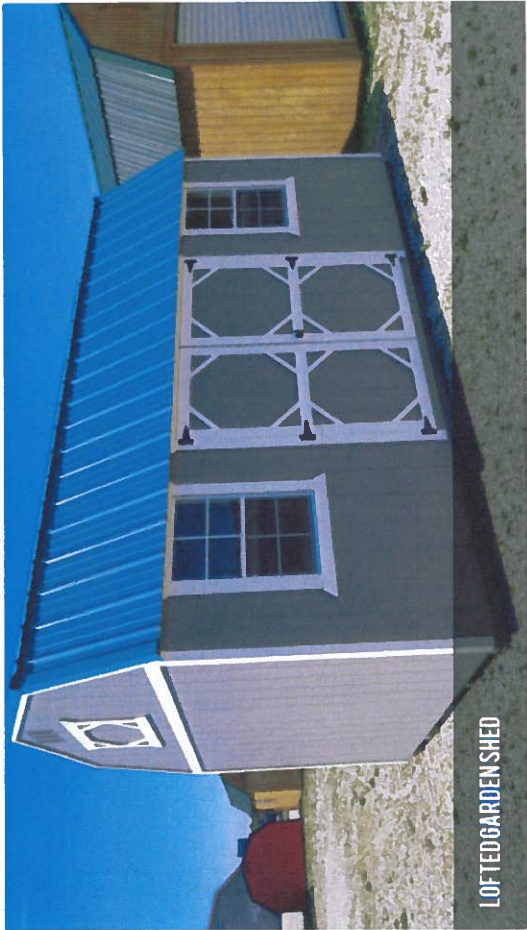
It appears we are meeting the goals and objectives of the County's Comprehensive Plan based on what we have already read and seeing the current commercial zoning approved as a restaurant and hotel. We look forward to working with the Town of Green Lake, Green Lake County, and State of Wisconsin to make this a successful endeavor!

SITE MAP for Little Green Lodge

- N28111 Park Road, Markesan, WI

- #1 – existing storage shed use change to Tiki Bar use
- #2 – Bathroom building of roughly 12'x17'
 - 12 feet from north property line and the minimum required distance from the road.
- #3 – Storage attached to bathroom building for walk-in cooler of 8'x12'.
 - 12 feet from north property line and the minimum required distance from the road.
- #4 – Storage shed of 10'x20'
 - Around 25-30 feet from the road and more than 12 feet from the side set back from the park side





#4 Storage shed example

Color is not selected yet.

10x20 feet
10 feet tall

LP SMART PANEL FEATURES

- 6'3" Sidewalls
- 6'x6' Double LP Doors
- 2 - 24x36 Windows
- Loft Space
- (8' wide buildings have a single 4' door)

STANDARD VINYL FEATURES

- 6'3" Sidewalls
- 6'x6' Double Vinyl Doors
- 2 - 24x36 Windows
- Loft Space
- (8' wide buildings have a single 3' door)

TOWN BOARD ACTION

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Green Lake, County of Green Lake, took the following action on –
(Date) 7-10-2023.

Owner/Applicant: Little Green Lodge LLC

Agent: Anthony Goebel

Site Location: N2811 Park Road, Markesan

General legal description: Parcel 006-01384-0000, 006-00614-0000, Town of Green Lake, ±1.25 acres

Request: Update current Conditional Use Permit to include a Tiki Bar, bathroom building, walk-in cooler building, storage shed.

Planned public hearing date for the above requests: August 3rd, 2023

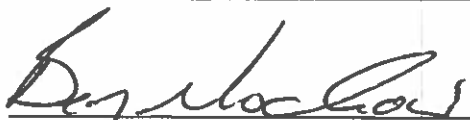
Town Does Not object to and Approves of request *See Notes

No action taken

Objects to and requests denial of request

NOTE: If denial – please enclose Town Resolution of denial

- Reason(s) for objection:


Town Representative

7-10-2023
Date Signed

NOTES: We do not object so long as any buildings or
structures are not built within the sewer easement.
If they are then we would strongly object.

Please return this form to the Land Use Planning & Zoning Office by: July 19th, 2023



Land Use Planning & Zoning Department

County Government Center
571 County Road A
Green Lake, WI 54941

Phone 920-294-4156 Website: <http://www.greenlakecountywi.gov/>

Land Development Code Enforcement County Surveyor GIS Land Information

Date: July 12, 2023

To: Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP)

From: Matt E. Kirkman
Land Use Planning & Zoning Director
Green Lake County
Wisconsin

RE: Farmland Preservation Plan Amendment Certification Application

To Whom it may concern:

Attached please find Green Lake County's Application for Certification of map amendments to the 2016 Farmland Preservation Plan.

In 2017 and 2018 Green Lake County applied to DATCP to amend its 2016 Farmland Preservation Plan Maps as well as its Farmland Preservation Zoning Ordinance. This effort was successful in obtaining DATCP certification and the County Board adopted both amendments.

Green Lake County has been doing its best to keep within the guidelines of the Farmland Preservation Plan. In our 2018 request, there was an allotment of parcels that were included in the Farmland Preservation Plan amendment that were not part of the City of Berlin's ETZA dissolution. These parcels were identified as ... nonconforming to required dimension or use. The property owners were contacted, the nonconformities were identified, and some of the property owners chose to be included in the map amendment. The result has been an improvement in customer service as well as a reduction in zoning changes, violations, and all the associated staff time.

Now five years later, Green Lake County would like to tackle the remainder of its zoned Towns as it relates to parcels that are nonconforming to dimensions or use. A number of parcels have been identified in the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette. Here again, the property owners were contacted, the nonconformities were identified and 100 of these property owners chose to take part in this map amendment project. As a result the Zoning and Farmland Preservation maps for the Towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette have to be amended. However, the text of the Farmland Preservation Plan is not being amended.

Green Lake County had adopted its Farmland Preservation Plan as part of its Comprehensive Plan. As a result, this letter further informs DATCP that Green Lake County is in the process of amending the 2016 Comprehensive Plan. Once DATCP is able to certify these changes to the Farmland Preservation Plan map, the County can adopt the Farmland Preservation Plan Map amendments as an amendment to its Comprehensive Plan. Adoption of the Comprehensive Plan amendment is scheduled to occur prior to January 1, 2024

The remainder of this letter addresses the required components as identified in the Farmland Preservation Application Form, specifically items 4 (a) to (f).

- a. As explained above Green Lake County adopted its Farmland Preservation Plan in February of 2016. In 2018 an allotment of nonconforming parcels in the Town of Berlin were resolved through a comprehensive plan and a zoning map amendment. This amendment produced a higher level of customer service as well as improved efficiencies with department staff. As a result of these successes, Green Lake County is looking to resolve a number of nonconforming parcels in the zoned Townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette. An amendment to the comprehensive plan, by way of amending the Farmland Preservation Plan, and an amendment to the County's zoning map are required.

These changes represent a loss of 118 acres of lands planned as Farmland Preservation Area and an increase of 177 acres to be planned as Farmland Preservation Area. This is a net gain of 60 acres of Farmland Preservation Area planned lands. Also, it should be noted that lands planned as Farmland Preservation Area consist of 100% of lands zoned Farmland Preservation district (A1) as well as lands zoned M1 (Mineral Extraction district) and NRC (Natural Resources Conservancy district).

- b. As stated earlier, the Green Lake Farmland Preservation Plan was adopted in 2016 as part of the Agricultural, Natural and Cultural Resources Element of the Green Lake County Comprehensive Plan. In order to amend the Farmland Preservation Plan the Comprehensive Plan also needs to be amended per Ch. 66.1001 Wis. Stats. Once DATCP has certified this amendment, the Comprehensive Plan amendment related to the Farmland Preservation Plan map changes will be available for viewing on the County's website.
- c. These changes to the Farmland Preservation Plan map resulted from extensive review through aerial photography, historical permitting, and outreach. Once the property owners involved in the project provided their input, the Land Use Planning and Zoning Department began developing the proposed Farmland Preservation Plan and zoning maps. These maps will be shared with the Townships of Brooklyn, Green Lake, Mackford, Manchester and Marquette. These Townships will host public hearings that will display the proposed map changes. Further, Green Lake County will hold public hearings to recommend and formerly adopt the amendment to the Comprehensive Plan and the zoning map amendments. All meetings will include proper notice as required by State Statute. It is the wish of the Green Lake County Land Use Planning and Zoning Committee that DATCP certification of the revised Farmland Preservation Plan Maps is obtained prior to holding these public hearings.
- d. Green Lake County is pleased to report no unresolved issues between the County and Local Units of government. The zoning changes, driving these amendments to the Farmland Preservation Plan map, will have been thoroughly examined by the Towns.
- e. The Green Lake County Zoning Ordinance and the City of Berlin's Zoning Ordinance are currently the only certified farmland preservation ordinances within Green Lake County. Green Lake County administers zoning in six (6) of the counties' ten (10) townships. These townships include Berlin, Brooklyn, Green Lake, Mackford, Manchester, and Marquette. There are four (4) townships that have

not adopted the County's zoning ordinance and they are Kingston, Princeton, Saint Marie and Seneca.

- f. The primary contact for this application submittal is Matt E. Kirkman, Land Use Planning & Zoning Director, Green Lake County. A secondary contact is Noah Brown, Land Use Specialist, also with the Green Lake County Land Use Planning & Zoning Department. Noah has been involved in the aerial photography review, historical permitting research, and the outreach described above.

Please accept this Farmland Preservation Plan Amendment Certification Application for review. Should you have any questions regarding this application, please contact me per the information below. We look forward to certification and the continued implementation of the farmland preservation program in Green Lake County.

Sincerely,



Matt E. Kirkman, Land Use Planning & Zoning Director
Green Lake County
Land Use Planning and Zoning Department
571 County Road A
Green Lake, WI 54941

Phone 920-294-4175

Email mkirkman@greenlakecountywi.gov



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

August 14, 2023

Matt Kirkman, Director
Green Lake County Land Use Planning & Zoning
571 County Road A
Green Lake, WI 54941

Re: Certification of the Green Lake County Farmland Preservation Plan Map Amendment

Dear Matt,

Attached is a department order certifying Green Lake County's Farmland Preservation Plan map amendment under s. 91.16, Wis. Stats. The certification process is now complete.

We look forward to working with you in the future on farmland preservation in Green Lake County. If you have any questions, feel free to contact me.

Sincerely,

Tim Jackson
Farmland Preservation Program
608-224-4630

Wisconsin - America's Dairyland

2811 Agriculture Drive • PO Box 8911 • Madison, WI 53708-8911 • Wisconsin.gov

An equal opportunity employer

**STATE OF WISCONSIN
DEPARTMENT OF AGRICULTURE, TRADE AND CONSUMER PROTECTION**

GREEN LAKE COUNTY FARMLAND PRESERVATION PLAN MAP AMENDMENT FOR THE TOWNS OF BROOKLYN, GREEN LAKE, MACKFORD, MANCHESTER AND MARQUETTE	ARM Division Docket No. 047-00000-P-16 M-0823 ORDER CERTIFYING AMENDMENT TO GREEN LAKE COUNTY'S CERTIFIED FARMLAND PRESERVATION PLAN THROUGH DECEMBER 31, 2025
---	---

INTRODUCTION

Green Lake County has asked the Department of Agriculture, Trade and Consumer Protection (“DATCP”) to certify a proposed amendment to the farmland preservation plan pursuant to s. 91.16, Wis. Stats. DATCP has considered the request and adopts the following decision:

FINDINGS OF FACT

- (1) DATCP is an agency of the State of Wisconsin, and is responsible for administering Wisconsin’s farmland preservation law under ch. 91, Wis. Stats., as repealed and recreated by 2009 Wis. Act 28.
- (2) Green Lake County is a county of the State of Wisconsin.
- (3) In order for a county and its residents to participate in the farmland preservation program, a county must have a state-certified farmland preservation plan. Among other things, the certified plan must clearly designate farmland preservation areas that the county plans to preserve for agricultural use.
- (4) Green Lake County currently has a state-certified farmland preservation plan. The current state certification is scheduled to expire on December 31, 2025.
- (5) Under s. 91.16(8), Wis. Stats., the certification of a farmland preservation plan does not cover any subsequent plan revision (adopted after July 1, 2009) unless DATCP certifies that plan revision.
- (6) On July 21, 2023, DATCP received from Green Lake County a request to certify an amended farmland preservation plan map for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette under s. 91.16, Wis. Stats. The county submitted the application in the form required under s. 91.20, Stats. The application included the certifications required under s. 91.20(3), Wis. Stats.
- (7) On July 21, 2023, DATCP confirmed by letter that the Green Lake County farmland preservation plan map amendment certification application was complete, and that DATCP would proceed to review the complete application.
- (8) Under s. 91.16(3)(a), Wis. Stats., DATCP may certify a county plan based on the county’s certification under s. 91.20(3), Wis. Stats., that the plan meets applicable certification standards under s. 91.18, Wis. Stats.

(9) DATCP may certify a farmland preservation plan if the plan meets applicable statutory standards under s. 91.18, Wis. Stats. DATCP may certify based on the representations contained in the county’s application, but may conduct its own review and verification as it deems appropriate.

(9) Under s. 91.10(2), Wis. Stats., the farmland preservation plan must be consistent with the county comprehensive plan, if the county has a comprehensive plan.

(10) Under s. 91.16(2)(b), Wis. Stats., the certification of an amendment to a certified farmland preservation plan expires on the date that the certification of the farmland preservation plan expires.

(11) Under s. 91.16(9), Wis. Stats., DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

CONCLUSIONS OF LAW

(1) Based on Green Lake County’s certification that the attached county farmland preservation plan map amendment for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette meets applicable certification requirements under s. 91.18, Wis. Stats., DATCP may certify that plan map amendment until December 31, 2025, the date that the Green Lake County farmland preservation plan expires.

(2) Certification does not apply to plan amendments made after the certification date, unless DATCP certifies those amendments.

(3) DATCP may withdraw its certification at any time if DATCP finds that the certified plan materially fails to meet applicable certification standards under s. 91.18, Wis. Stats.

ORDER

NOW, THEREFORE, IT IS ORDERED THAT:


(1) The proposed Green Lake County Farmland Preservation Plan maps for the towns of Brooklyn, Green Lake, Mackford, Manchester and Marquette, dated July 19, 2023, are hereby certified under s. 91.16, Wis. Stats.

(2) The certified farmland preservation plan area for Green Lake County is titled “Farmland Preservation Areas.”

(3) This certification expires at the end of the day on December 31, 2025.

Dated this 14th day of August, 2023.

STATE OF WISCONSIN,
DEPARTMENT OF AGRICULTURE,
TRADE AND CONSUMER PROTECTION

By 

Robby Personette, Administrator
Division of Agricultural Resource Management

Parties for Purposes of Review Under s. 227.53, Wis. Stats.:

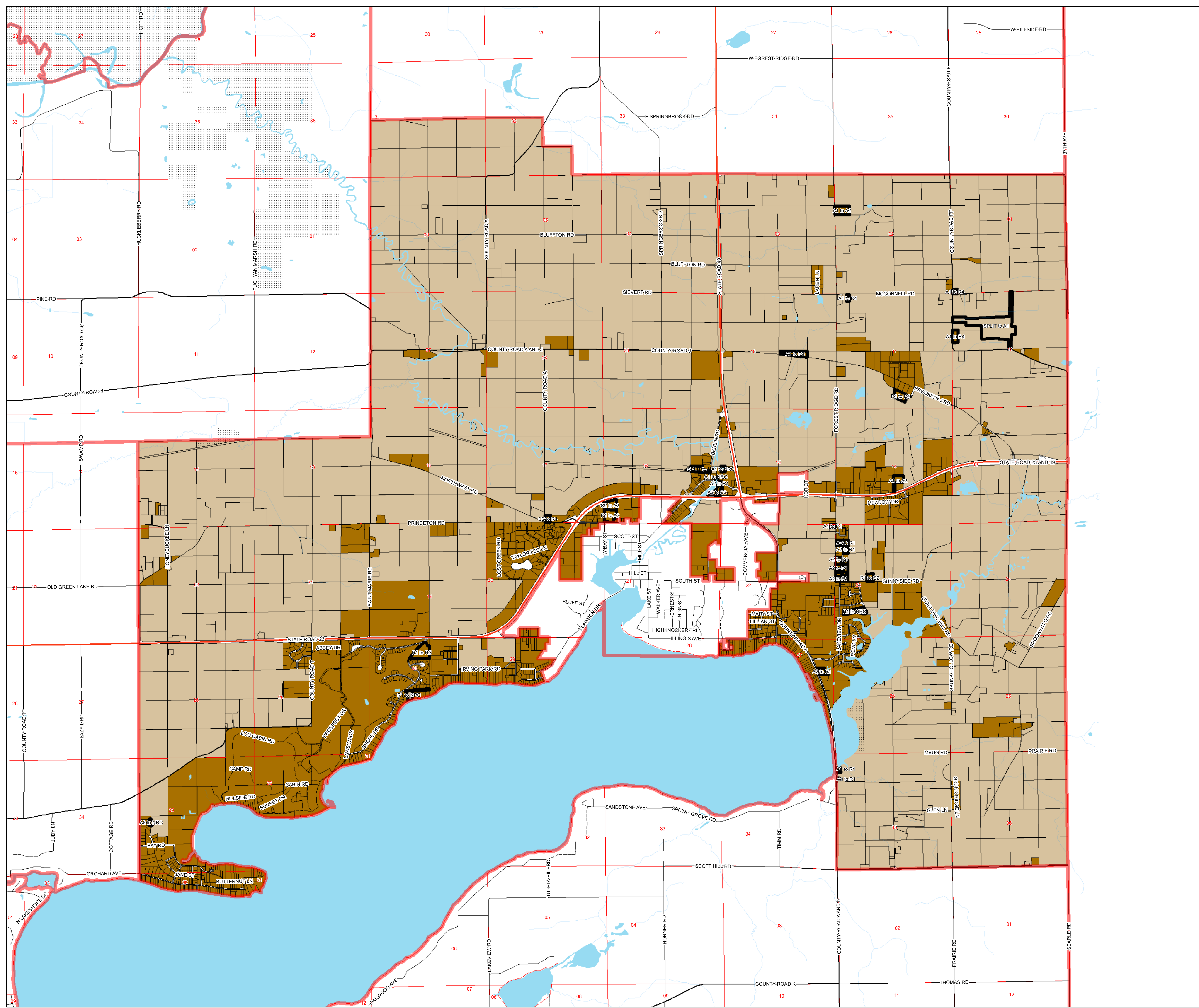
Green Lake County

Copies to:

Matt Kirkman, Director
Green Lake County Land Use Planning & Zoning Dept.
571 County Road A
Green Lake, WI 54941



TOWN OF BROOKLYN
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

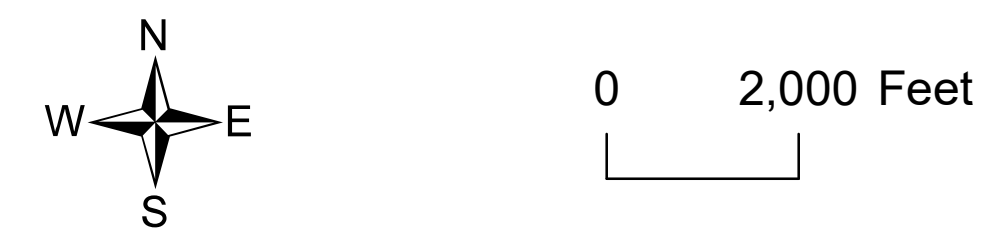
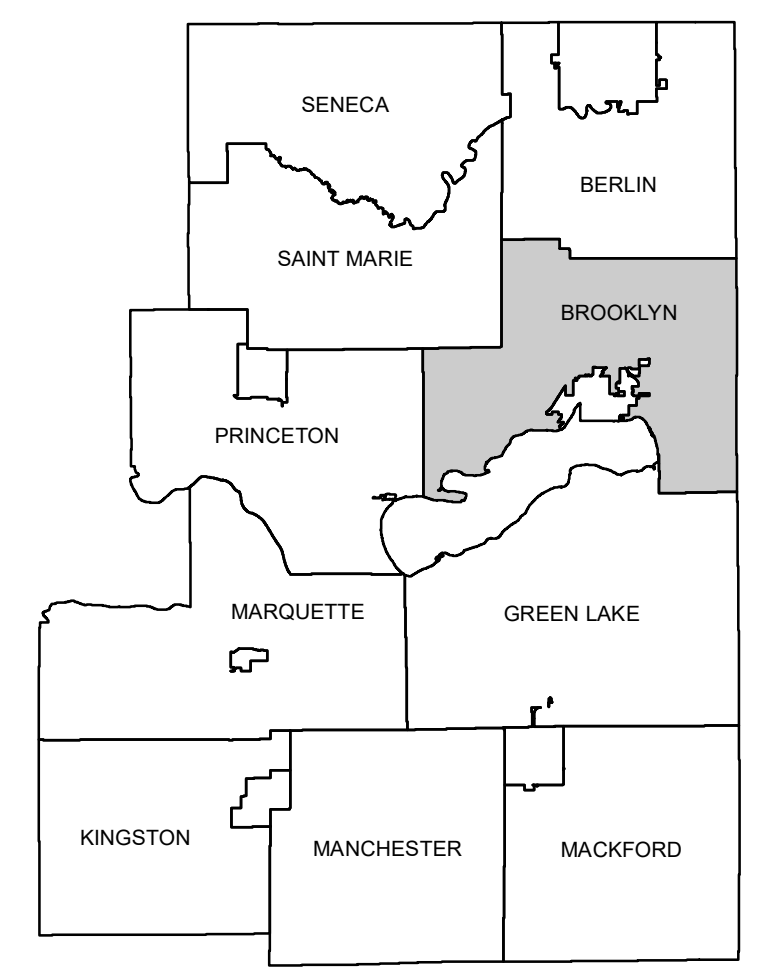
Proposed 2023

- Farmland Preservation Areas
 - Areas of Agricultural Use and Agriculture Related Use
- Nonagricultural Development Areas
 - Areas of Nonagricultural Development

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF BROOKLYN
Green Lake County, WI
Land Use Planning & Zoning

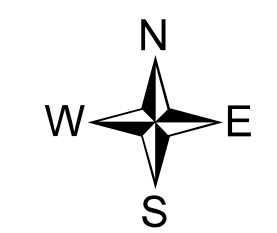
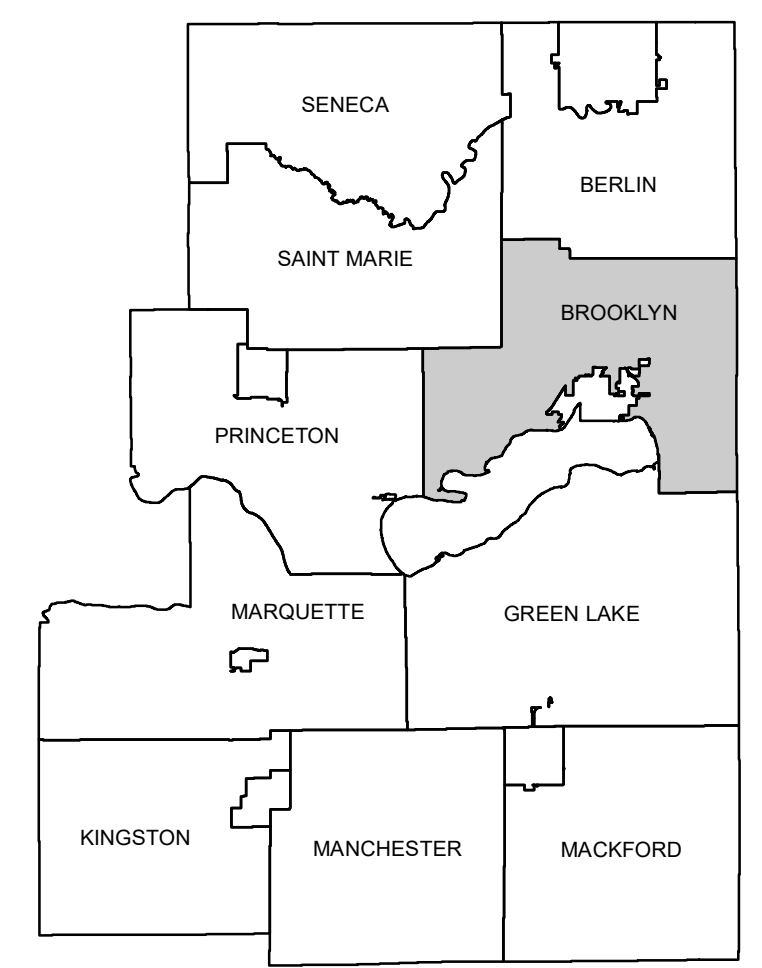
Zoning Ordinance Map
Districts

- A1 Farmland Preservation
- A2 General Agriculture
- C1 General Commercial
- C2 Extensive Commercial
- I Industrial
- M1 Mineral Extraction
- M2 Sanitary Landfill
- NRC Natural Resource Conservancy
- R1 Single Family Residence
- R2 Single Family Mobile Home Residence
- R3 Multiple Family Residence
- R4 Rural Residential
- RC Recreation
- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

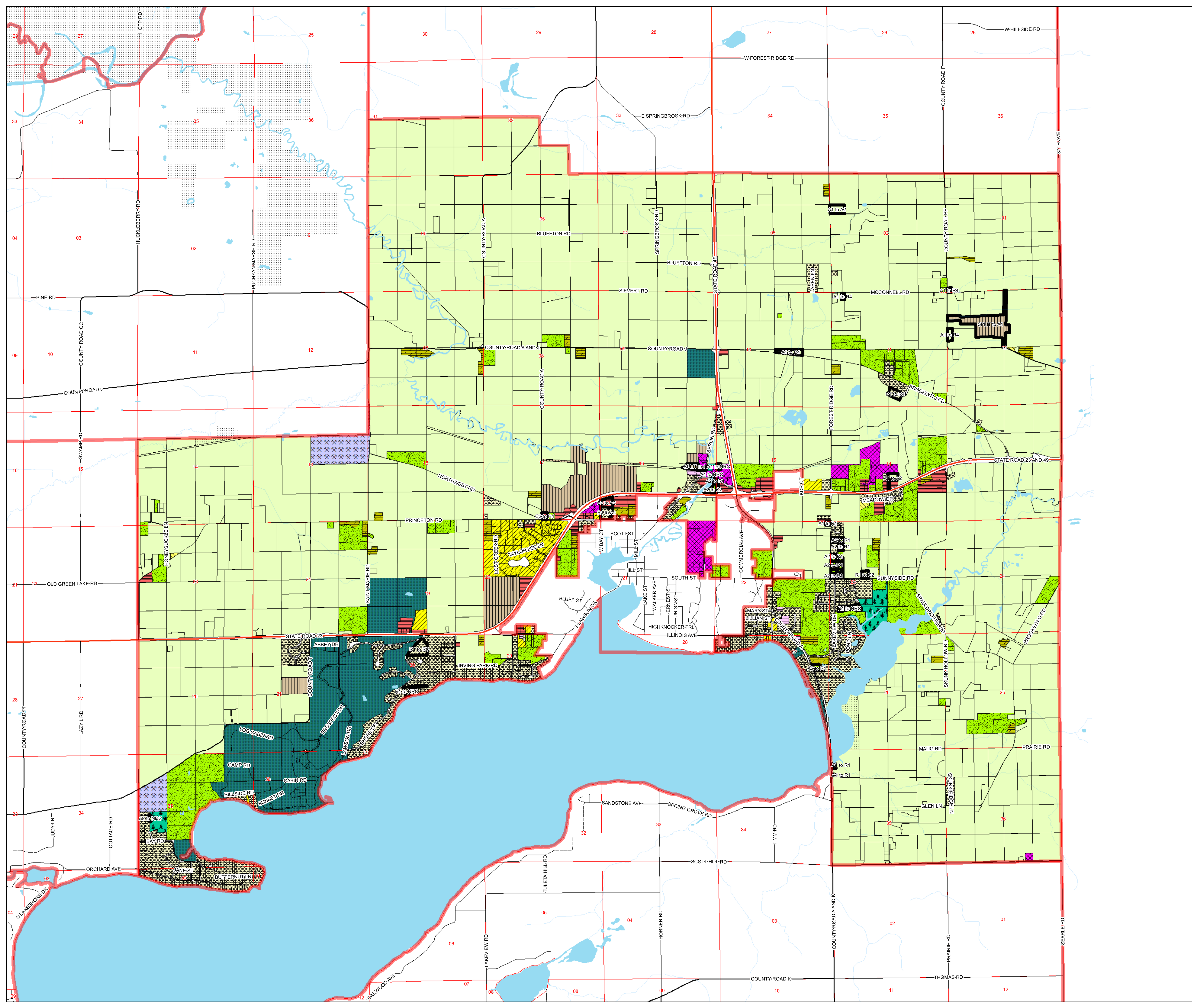
Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land

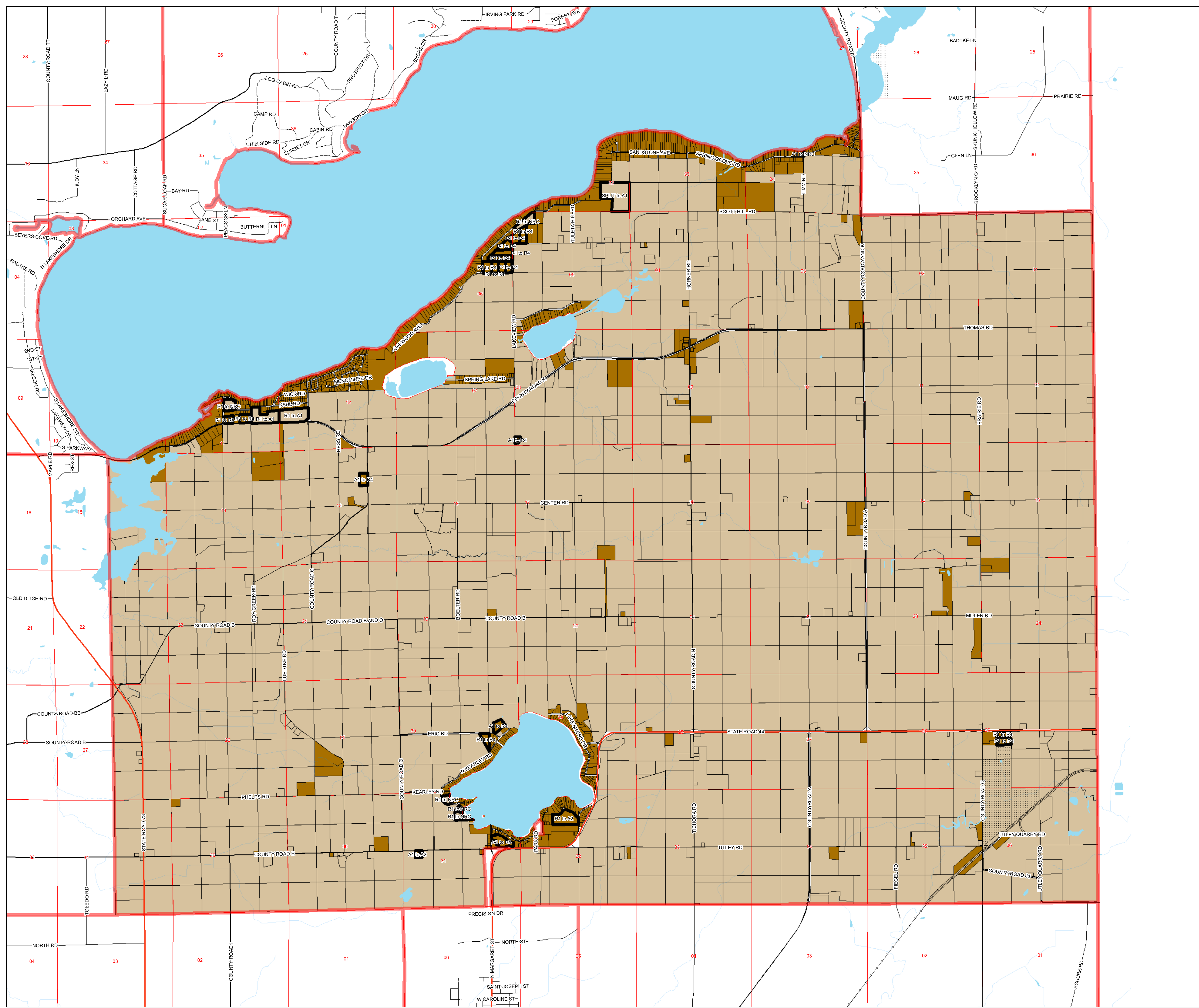


0 2,000 Feet





TOWN OF GREEN LAKE
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

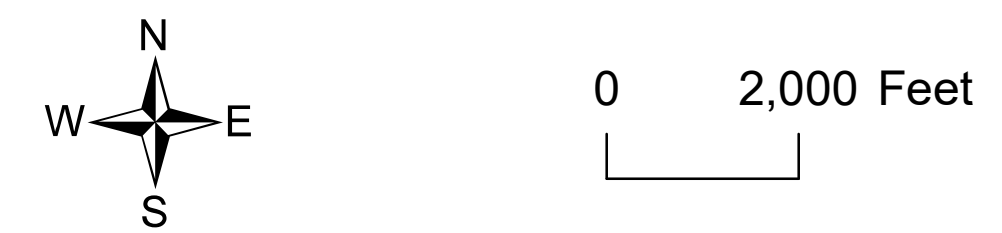
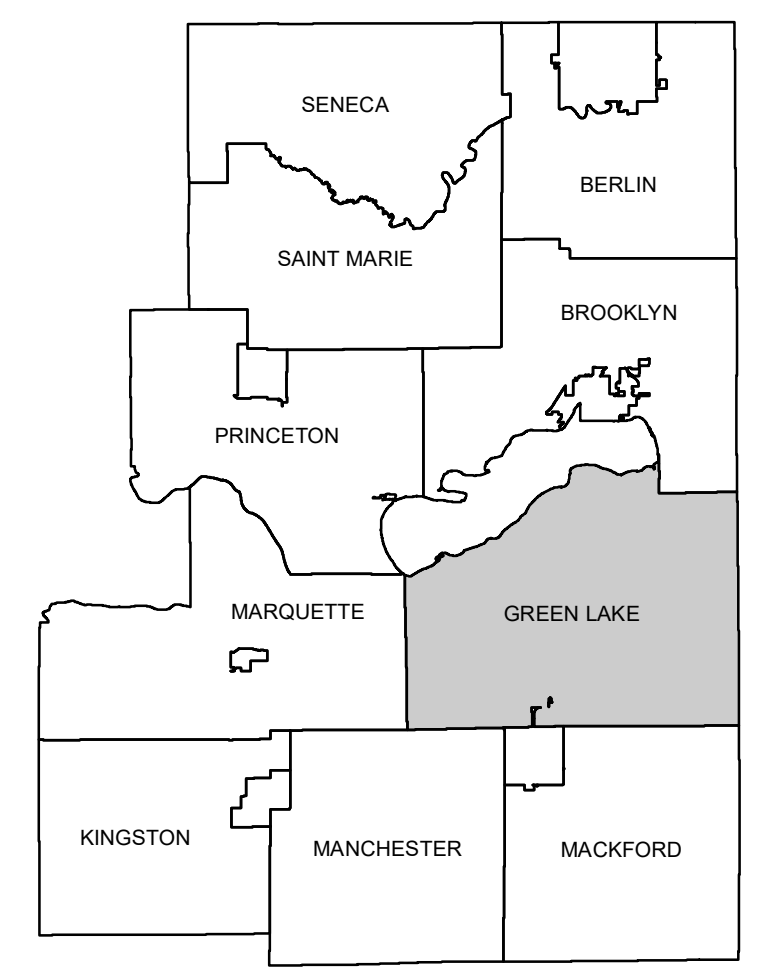
Proposed 2023

- Farmland Preservation Areas
 - Areas of Agricultural Use and Agriculture Related Use
- Nonagricultural Development Areas
 - Areas of Nonagricultural Development

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

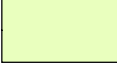
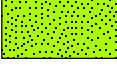
















- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land




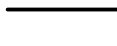









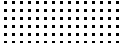
TOWN OF GREEN LAKE
Green Lake County, WI
Land Use Planning & Zoning

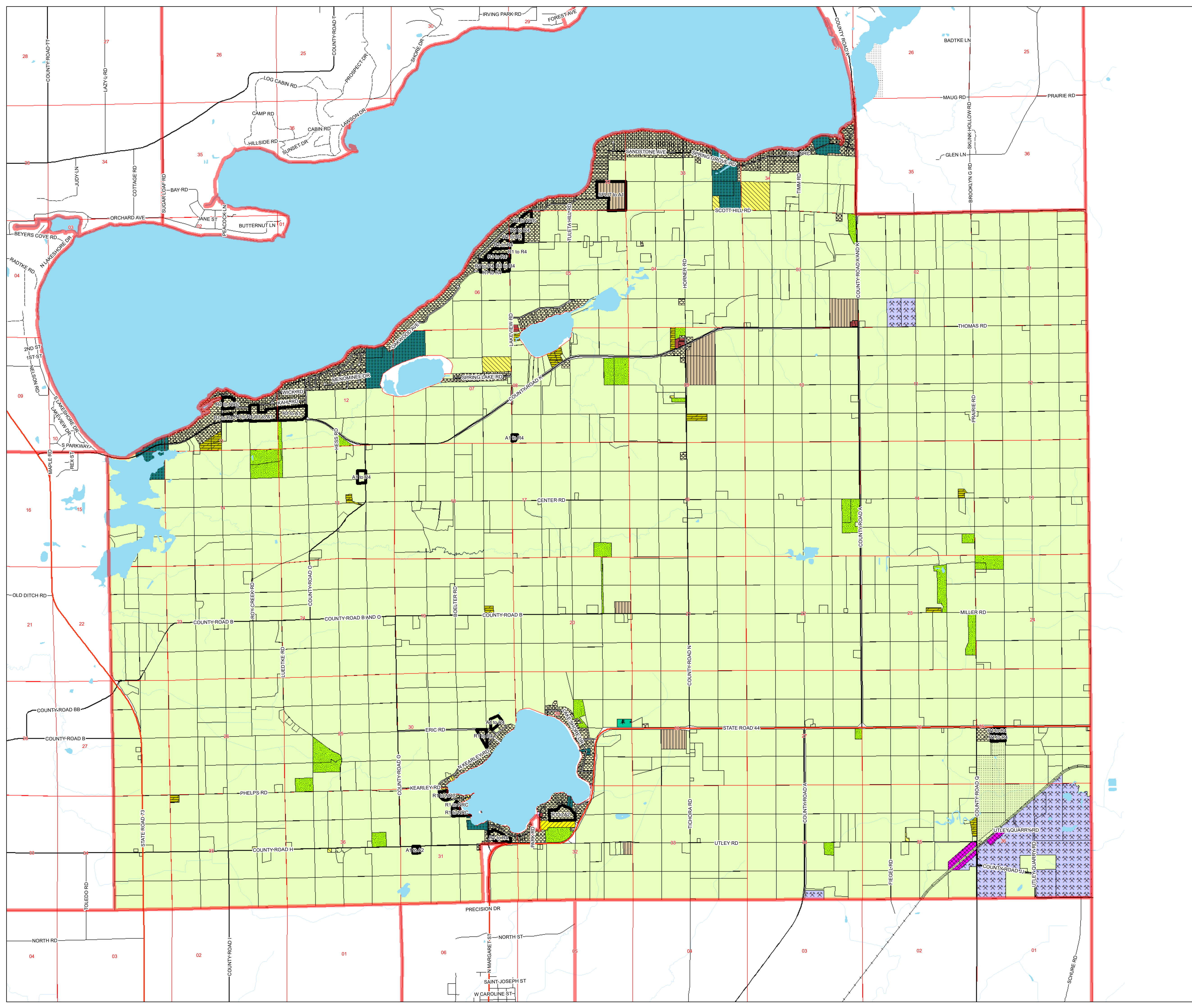
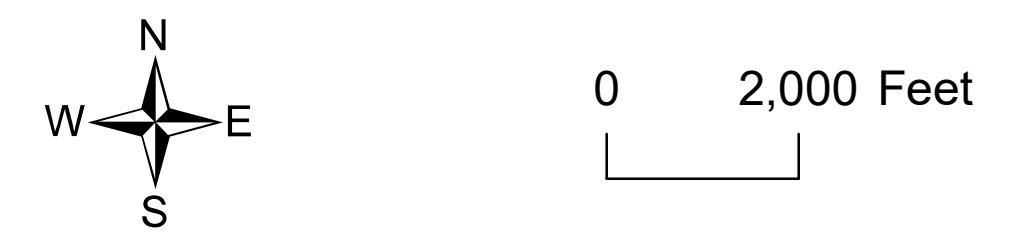
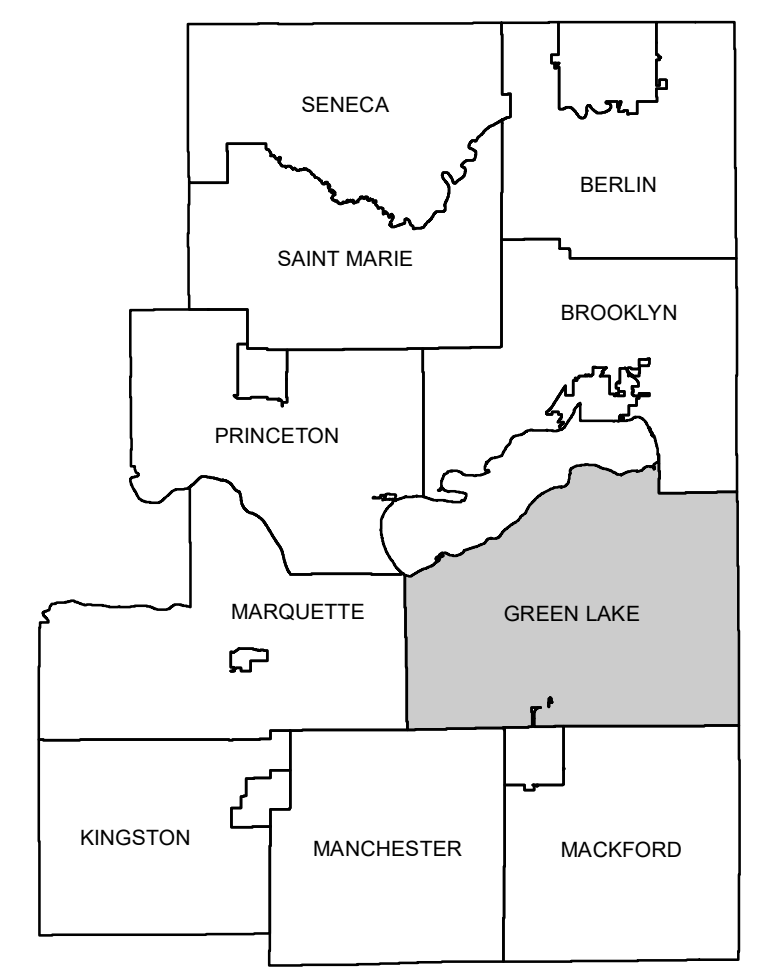
Zoning Ordinance Map
Districts

-  A1 Farmland Preservation
-  A2 General Agriculture
-  C1 General Commercial
-  C2 Extensive Commercial
-  I Industrial
-  M1 Mineral Extraction
-  M2 Sanitary Landfill
-  NRC Natural Resource Conservancy
-  R1 Single Family Residence
-  R2 Single Family Mobile Home Residence
-  R3 Multiple Family Residence
-  R4 Rural Residential
-  RC Recreation
-  AO Adult Orientated Establishment
-  UNZ Unzoned
-  MUN Municipality
-  SPLIT Split Zoning
-  PEND Map Update Pending

Roads

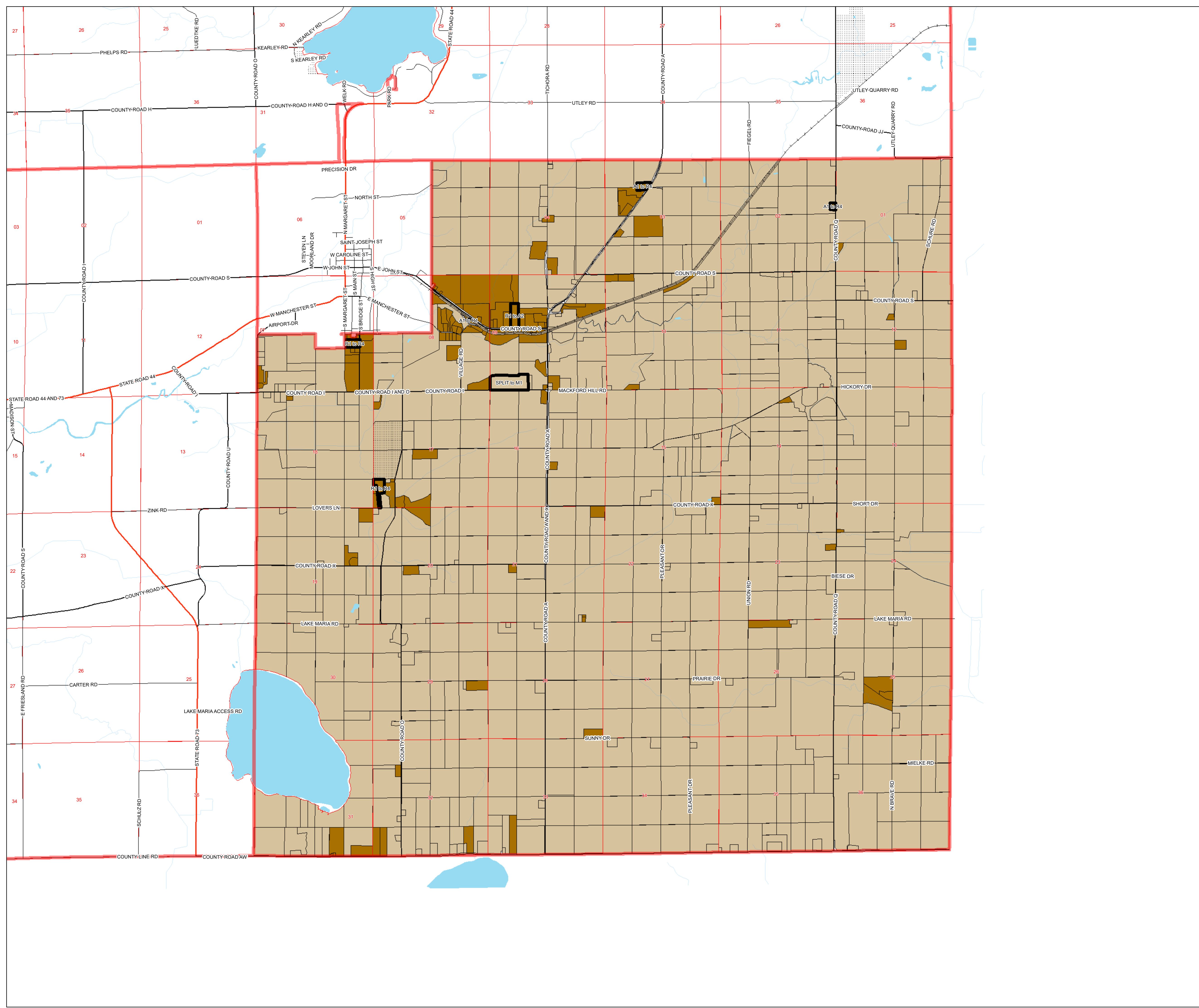
-  State Road
-  County Road
-  City Street, Village Street, or Township Road
-  Private Road
-  Railroad

-  Municipal Boundary
-  Parcel
-  Section
-  Waterbody
-  Public Land





TOWN OF MACKFORD
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

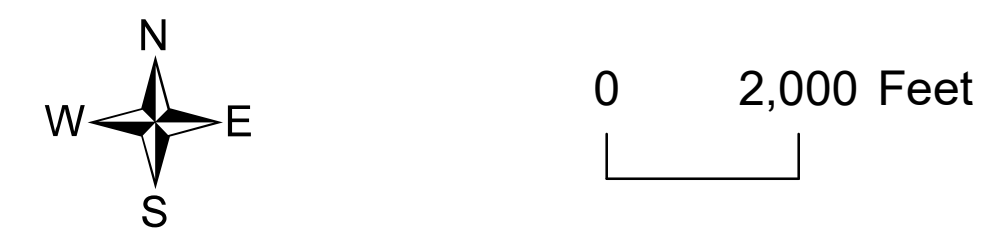
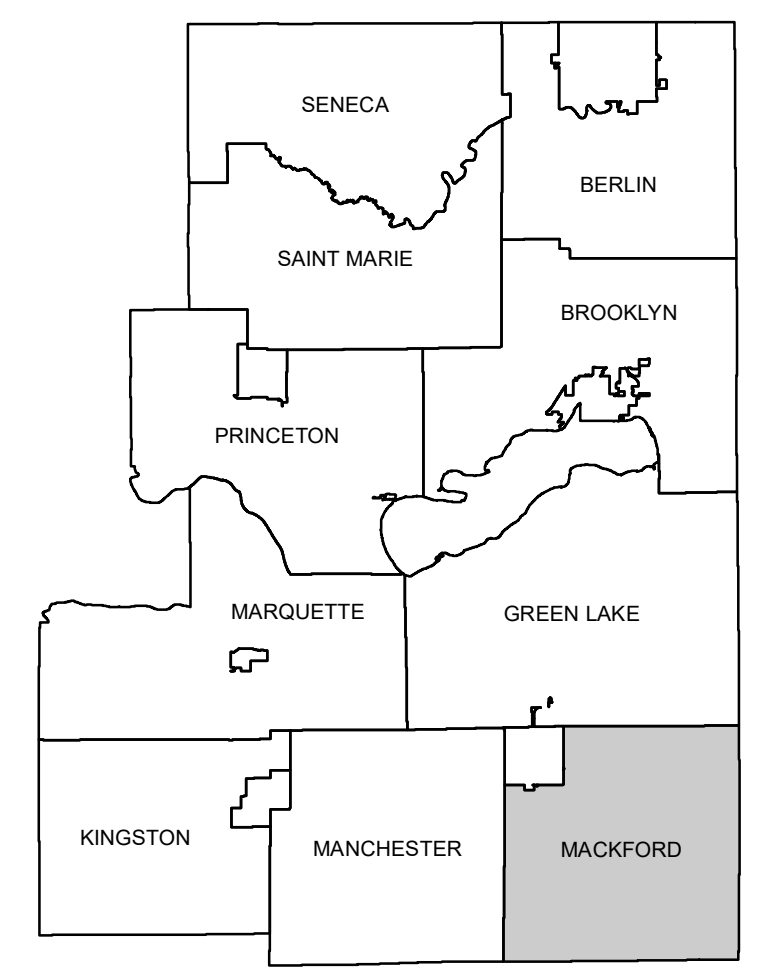
Proposed 2023

- Farmland Preservation Areas
 - Areas of Agricultural Use and Agriculture Related Use
- Nonagricultural Development Areas
 - Areas of Nonagricultural Development

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MACKFORD
Green Lake County, WI
Land Use Planning & Zoning

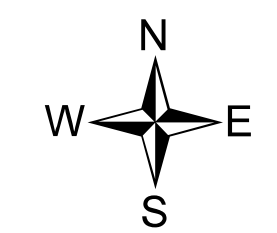
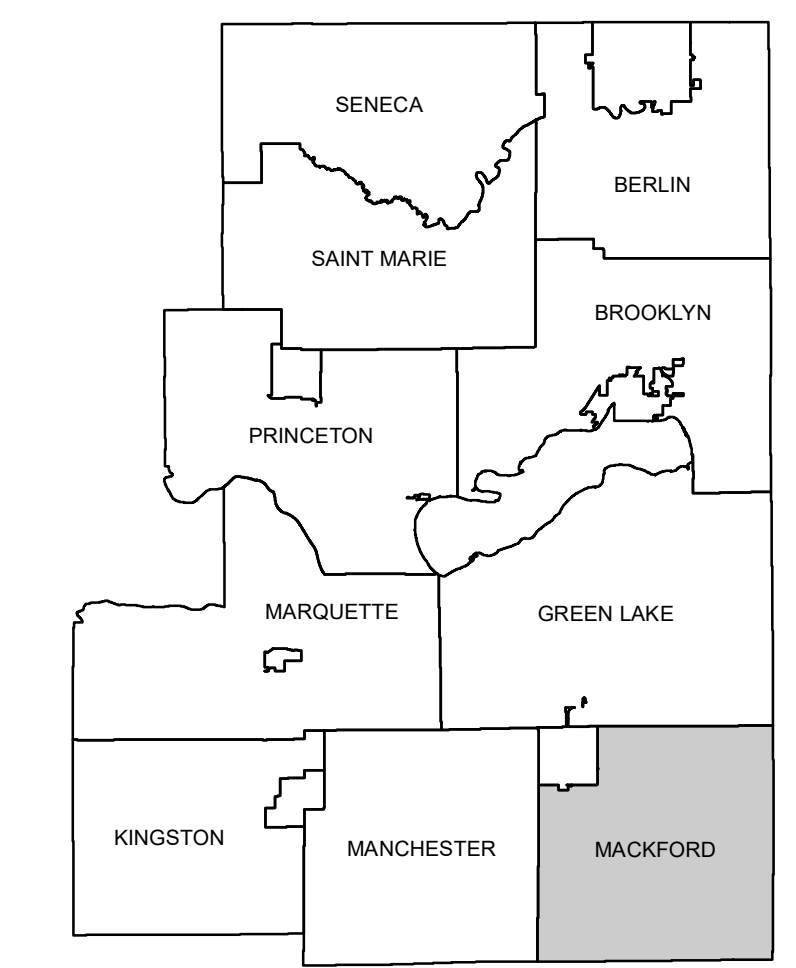
Zoning Ordinance Map Districts

- A1 Farmland Preservation
- A2 General Agriculture
- C1 General Commercial
- C2 Extensive Commercial
- I Industrial
- M1 Mineral Extraction
- M2 Sanitary Landfill
- NRC Natural Resource Conservancy
- R1 Single Family Residence
- R2 Single Family Mobile Home Residence
- R3 Multiple Family Residence
- R4 Rural Residential
- RC Recreation
- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

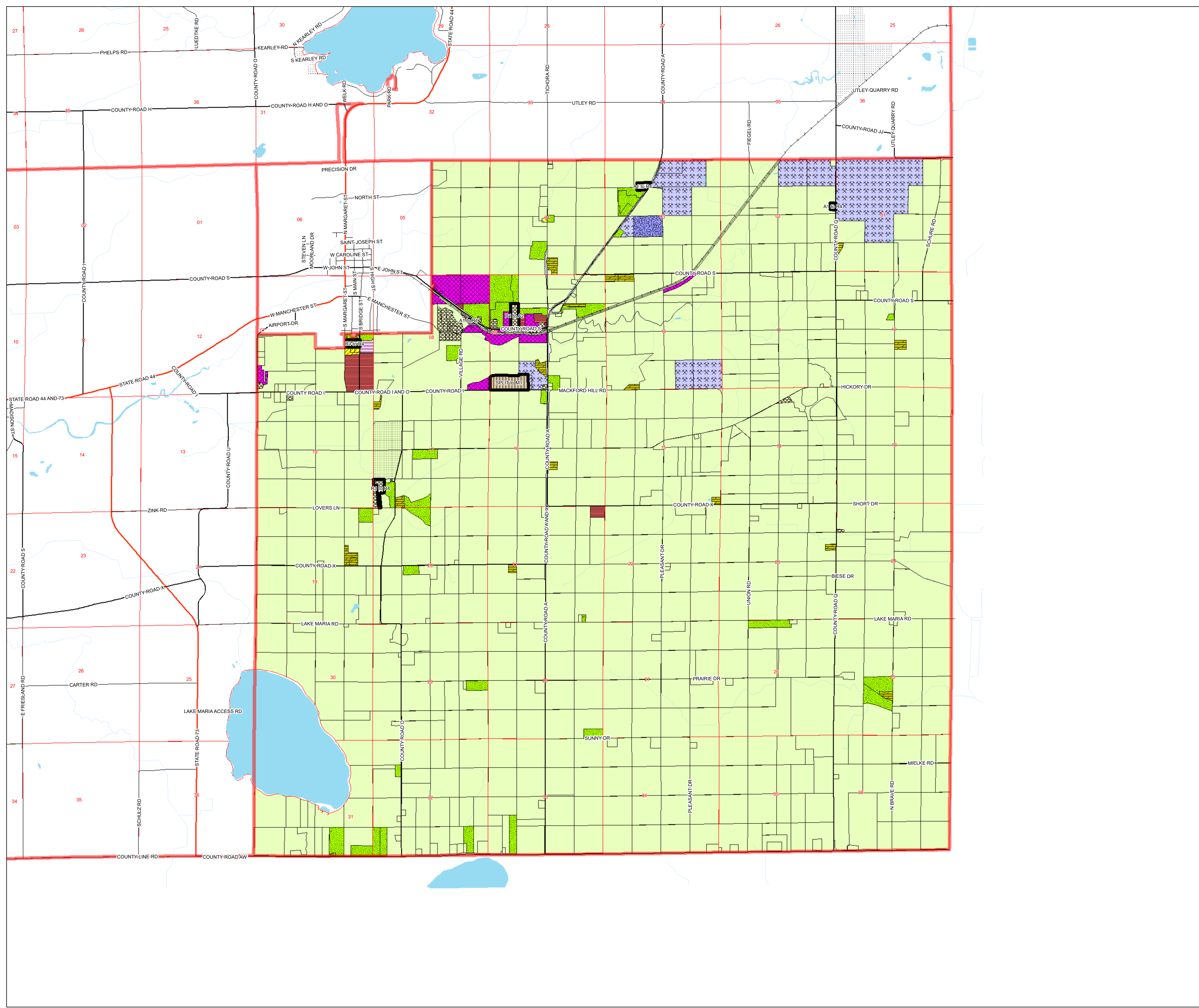
Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land

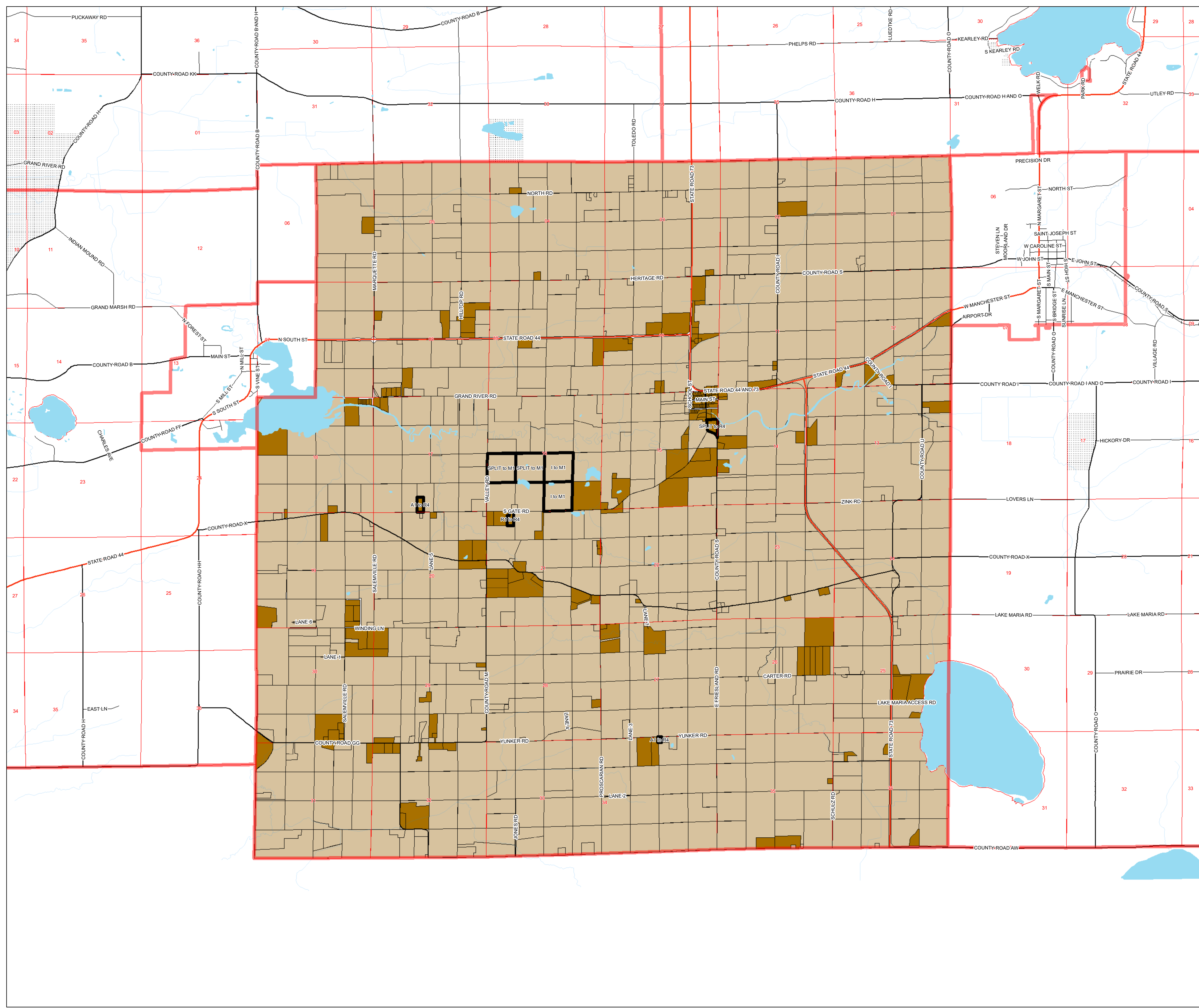


0 2,000 Feet





TOWN OF MANCHESTER
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

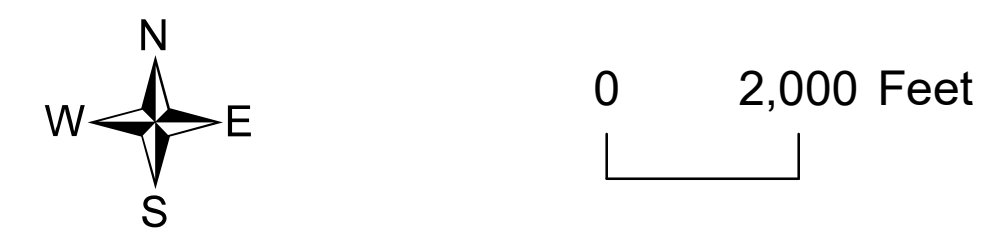
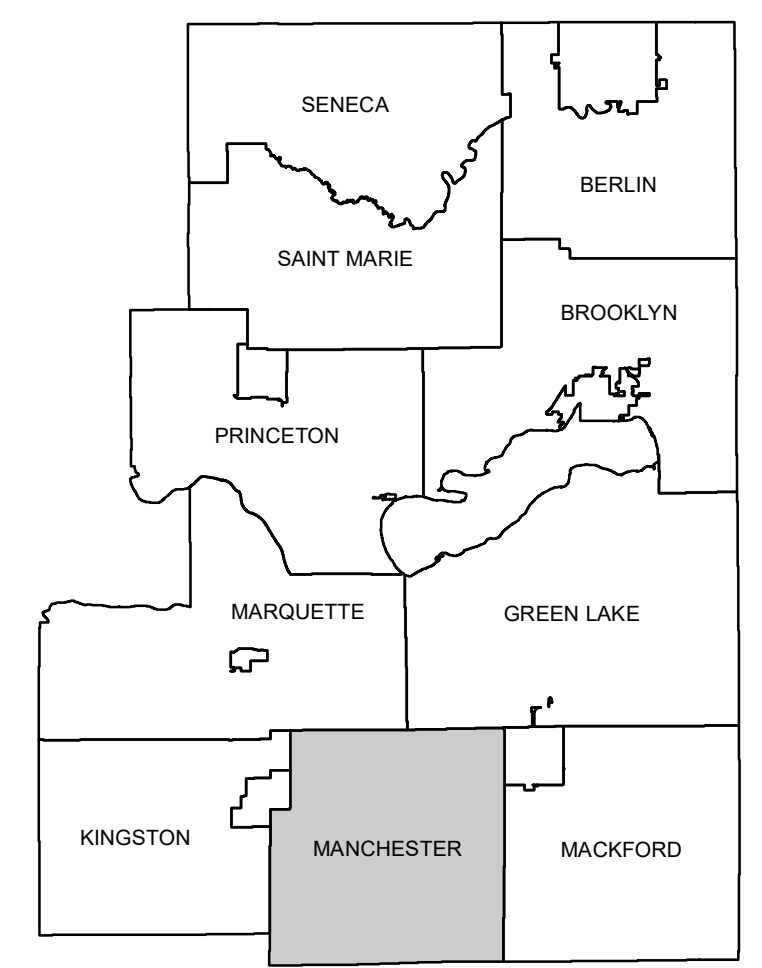
Proposed 2023

- Farmland Preservation Areas**
- Areas of Agricultural Use and Agriculture Related Use
 - Areas of Nonagricultural Development

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MANCHESTER
Green Lake County, WI
Land Use Planning & Zoning

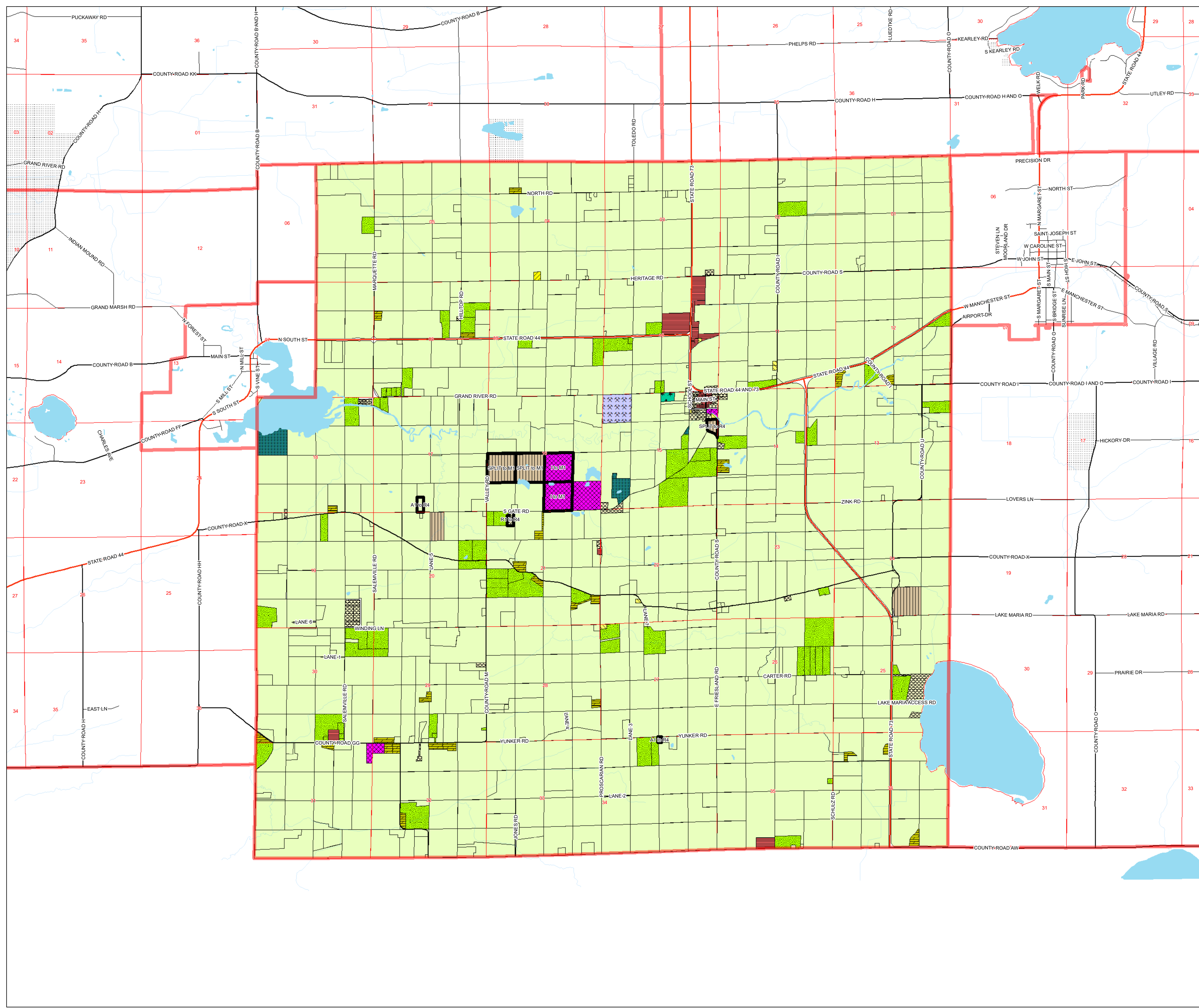
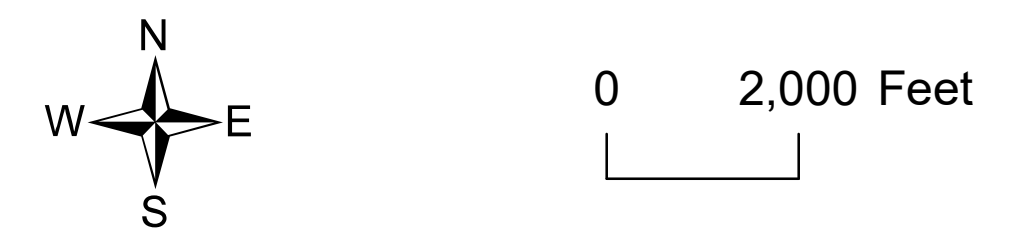
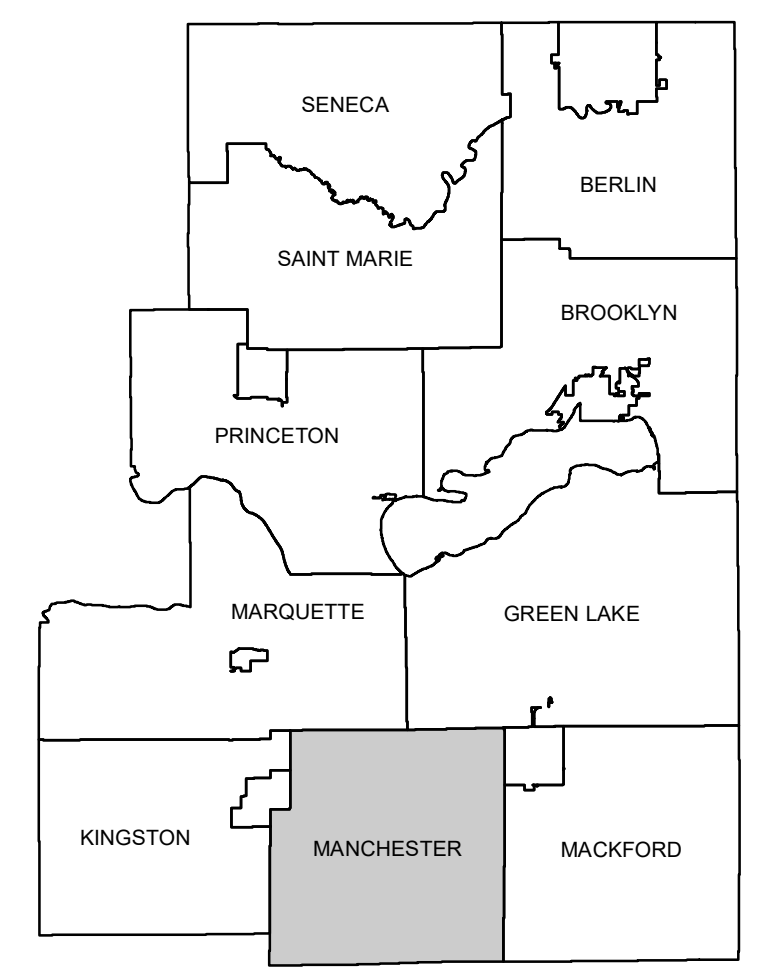
Zoning Ordinance Map Districts

- A1 Farmland Preservation
- A2 General Agriculture
- C1 General Commercial
- C2 Extensive Commercial
- I Industrial
- M1 Mineral Extraction
- M2 Sanitary Landfill
- NRC Natural Resource Conservancy
- R1 Single Family Residence
- R2 Single Family Mobile Home Residence
- R3 Multiple Family Residence
- R4 Rural Residential
- RC Recreation
- AO Adult Orientated Establishment
- UNZ Unzoned
- MUN Municipality
- SPLIT Split Zoning
- PEND Map Update Pending

Roads

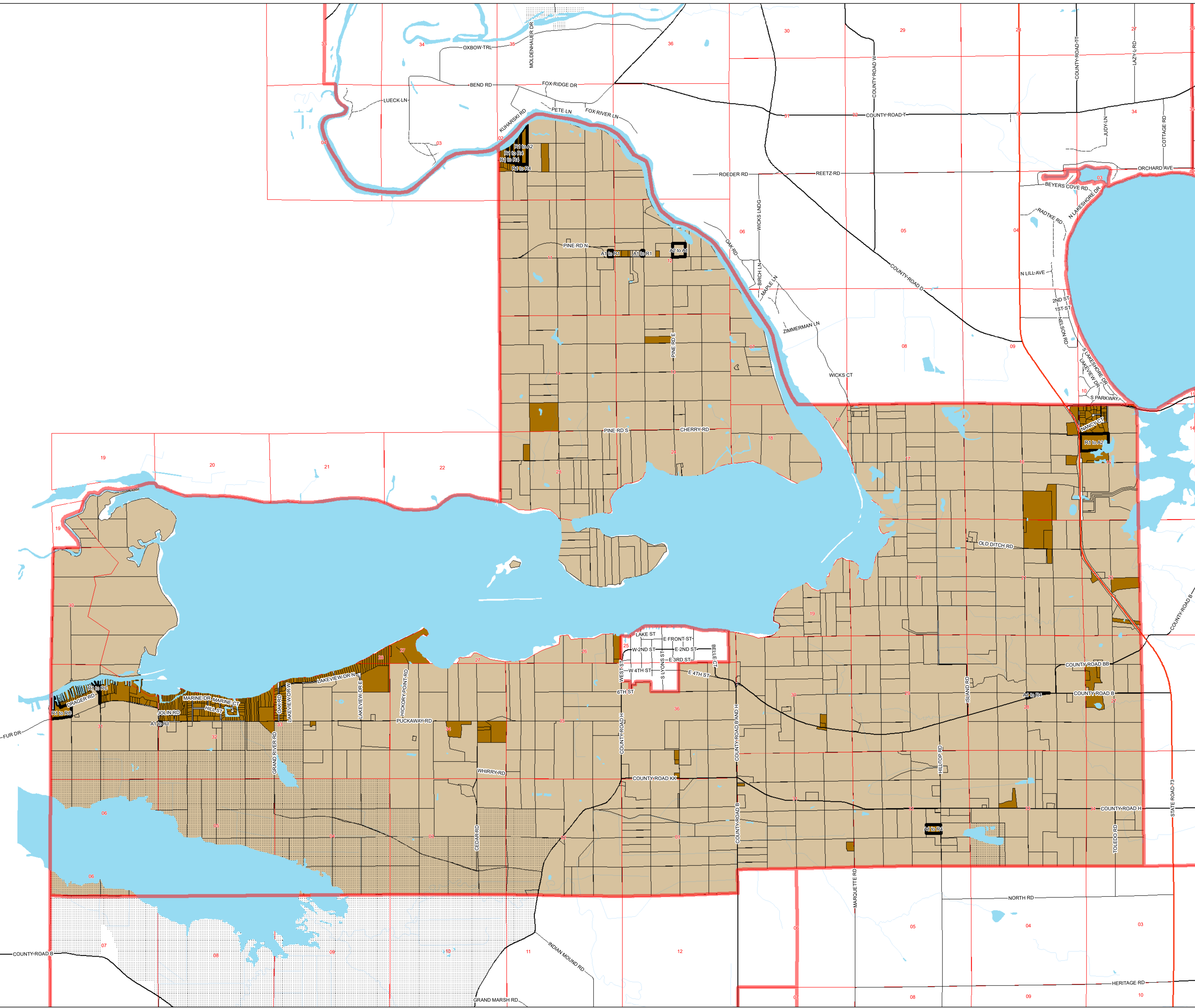
- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad

- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land





TOWN OF MARQUETTE
Green Lake County, WI
Land Use Planning & Zoning



Farmland Preservation Plan Map Areas

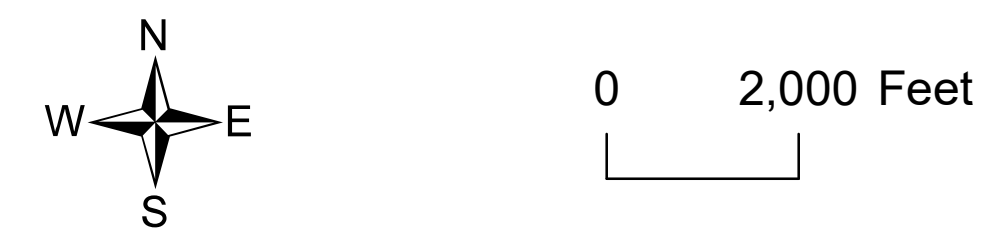
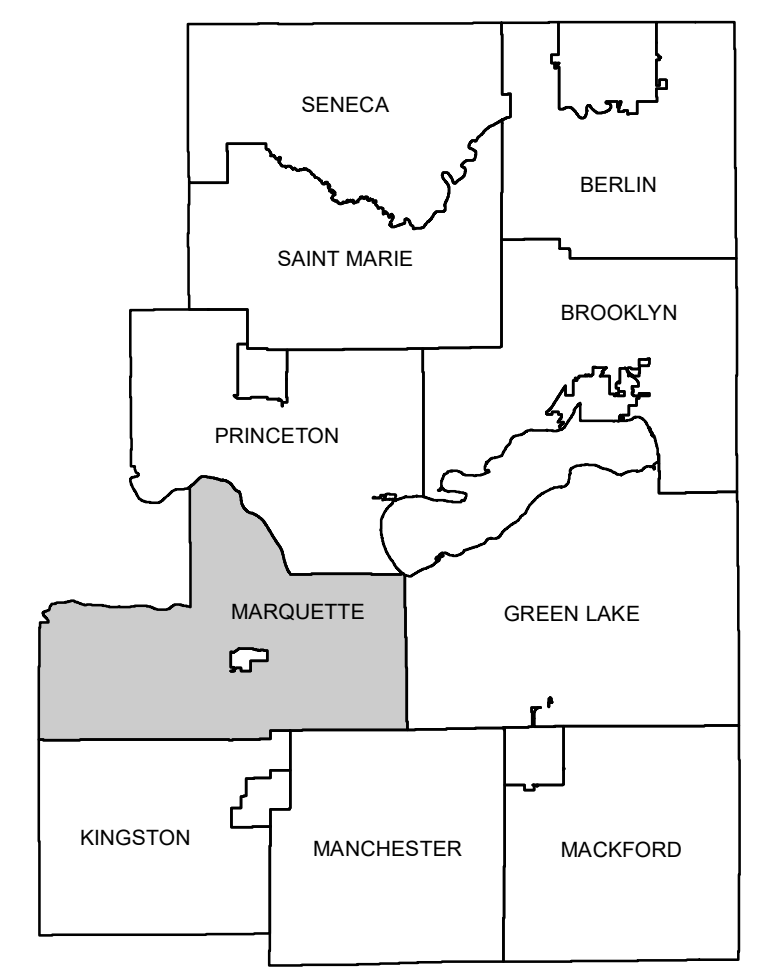
Proposed 2023

- Farmland Preservation Areas**
- Areas of Agricultural Use and Agriculture Related Use
 - Areas of Nonagricultural Development

Roads

- State Road
- County Road
- City Street, Village Street, or Township Road
- Private Road
- Railroad


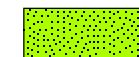

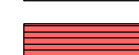





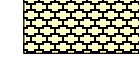




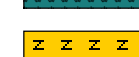



- Municipal Boundary
- Parcel
- Section
- Waterbody
- Public Land















TOWN OF MARQUETTE
Green Lake County, WI
Land Use Planning & Zoning

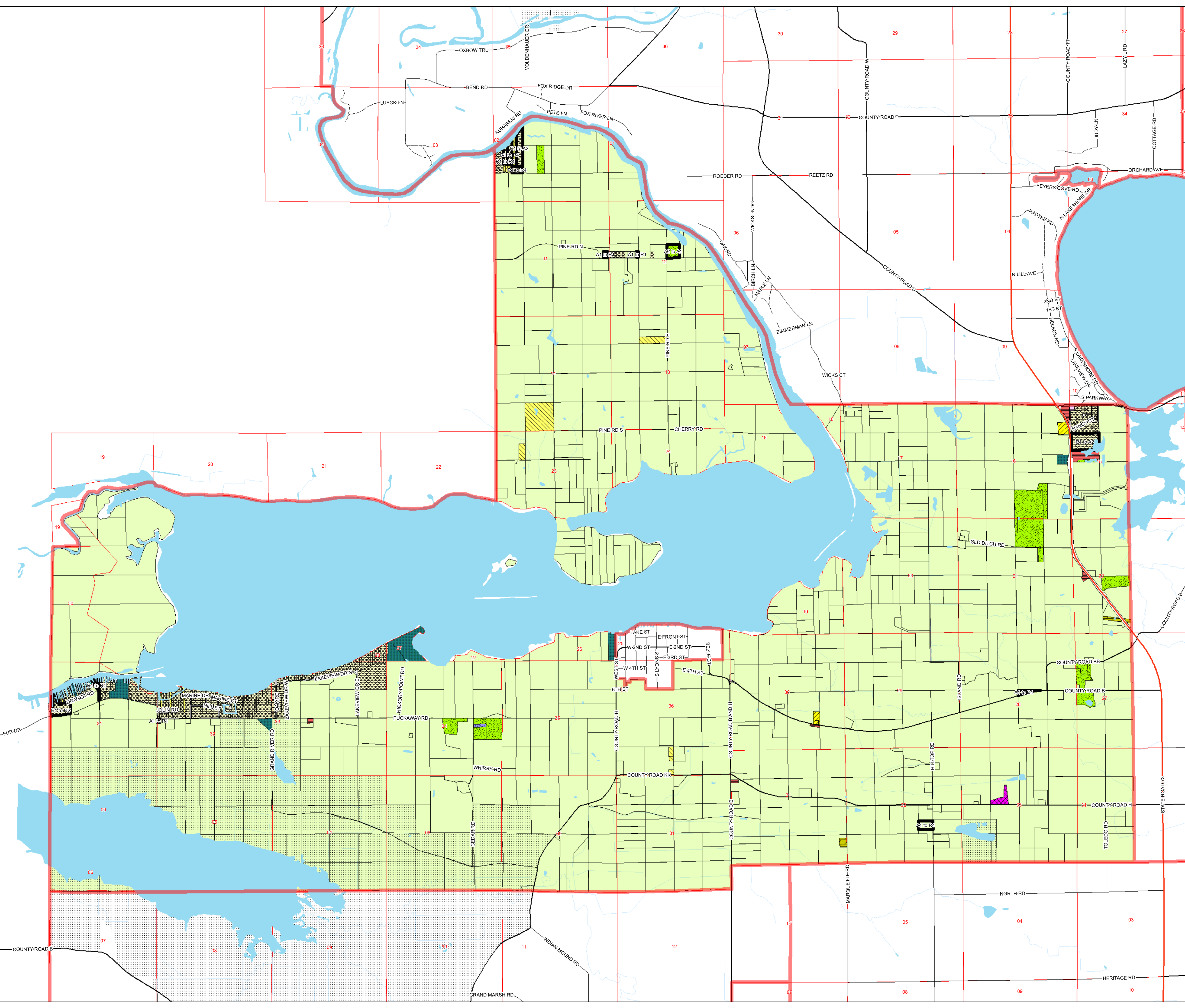
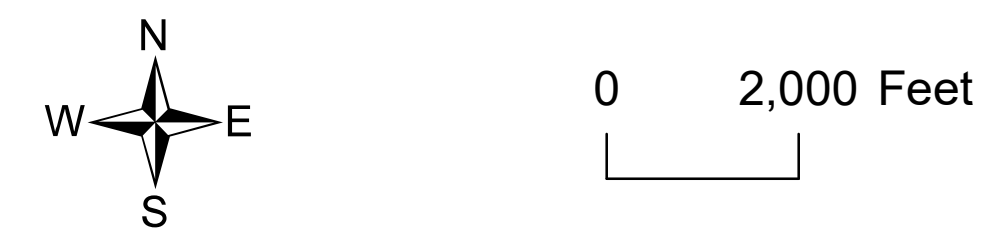
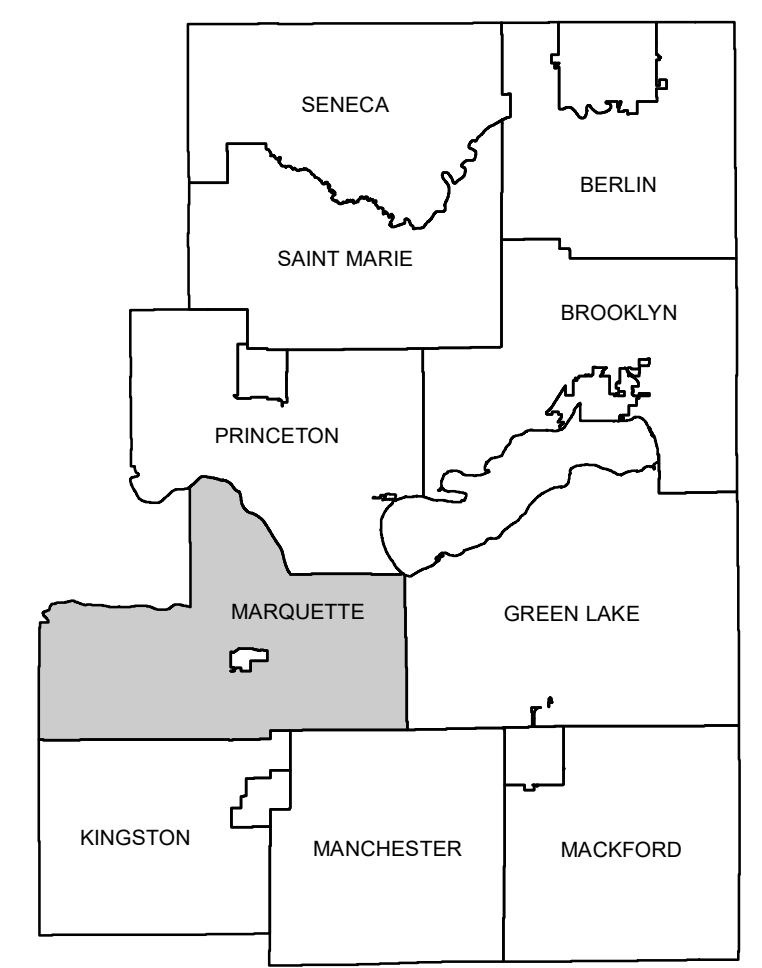
Zoning Ordinance Map
Districts

-  A1 Farmland Preservation
-  A2 General Agriculture
-  C1 General Commercial
-  C2 Extensive Commercial
-  I Industrial
-  M1 Mineral Extraction
-  M2 Sanitary Landfill
-  NRC Natural Resource Conservancy
-  R1 Single Family Residence
-  R2 Single Family Mobile Home Residence
-  R3 Multiple Family Residence
-  R4 Rural Residential
-  RC Recreation
-  AO Adult Orientated Establishment
-  UNZ Unzoned
-  MUN Municipality
-  SPLIT Split Zoning
-  PEND Map Update Pending

Roads

-  State Road
-  County Road
-  City Street, Village Street, or Township Road
-  Private Road
-  Railroad

-  Municipal Boundary
-  Parcel
-  Section
-  Waterbody
-  Public Land



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

FEES RECEIVED	JULY				YEAR-TO-DATE				BUDGET	
	2022		2023		2022		2023		2023	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS										
Total Monthly Issued Permits	14	2,950	20	4,750	144	34,350	131	\$ 37,550	\$ 60,000	63%
SANITARY PERMITS (POWTS)										
Total Monthly Issued Permits	6	1,905	10	2,335	41	10,985	44	\$ 11,920	\$ 26,000	46%
NON-METALLIC MINING PERMITS										
Annual Permit Fees	-	-	-	\$ -	18	15,200	20	\$ 16,550	\$ 15,200	109%
BOARD OF ADJUSTMENT										
Special Exception	-	-	-	-	-	-	-	-	-	-
Variances	-	-	-	-	2	750	-	-	-	-
Appeals	-	-	-	-	-	-	-	-	-	-
Total	-	\$ -	-	\$ -	2	\$ 750	-	\$ -	\$ 1,500	0%
PLANNING & ZONING COMMITTEE										
Zoning Change	-	-	2	750	7	2,625	5	1,875	-	-
Conditional Use Permits	1	375	1	375	13	4,875	9	3,000	-	-
Variance	-	-	-	-	1	450	-	-	-	-
Total	1	\$ 375	3	\$ 1,125	21	\$ 7,950	14	\$ 4,875	\$ 8,525	57%
MISC.										
Wisconsin Fund	-	-	-	-	-	-	-	-	-	-
Fines & Forfeitures	1	50	2	500	1	50	16	6,140	-	-
Total	1	\$ 50	2	\$ 500	1	\$ 50	16	\$ 6,140	-	-
SURVEYOR										
Certified Survey Maps	3	510	2	330	25	4,365	16	2,730	6,500	-
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	-
Applied Funds: County Surveyor	-	-	-	-	1	9,500	-	-	9,500	-
Total	3	\$ 510	2	\$ 330	26	\$ 13,865	16	\$ 2,730	\$ 16,000	17%
GIS (Geographic Information System)										
Map Sales	-	-	-	-	-	-	-	-	-	-
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	-
Land Information Grant	-	-	-	-	-	-	-	-	10,000	-
Total	-	\$ -	-	\$ -	-	\$ -	-	\$ -	\$ 35,000	0%
GRAND TOTAL										
	25	5,790	37	9,040	253	83,150	241	79,765	\$ 162,225	
									Total	49%

Land Use Permits: 07/01/2023 - 07/31/2023

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
13453	002007970300	N9574 MEADOWLARK LN	07/10/2023	ADAMR KRAMER, ANISSAM KRAMER	\$599,873.00	Principal Structure	2,275 Single Family Dwelling	Accessory Structures	Patio, porch, attached garage
13459	002000410000	W858 KLONDIKE RD	07/14/2023	JAMES E & STACEY L POLK	\$80,000.00	Agricultural Building	Pole Building w/ 10ft Lean to.		

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
13455	004004800402	W1954 S LAWSON DR	07/10/2023	GEARING HOMES LLC	\$36,000.00	Accessory Structure	Detached Garage 9ft Sidewalls		
13466	004009300700	W3041 PHEASANT RUN	07/26/2023	FAMILY CLIMB LLC	\$80,000.00	Accessory Structure	Boathouse 8 feet sidewall 5/12 roof pitch		

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
13301	006010220704	W1736 WHITE CIR	07/25/2023	BETH BARKER, WILLIAMM BARKER	\$48,000.00	Accessory Structure	Boathouse 9-foot sidewall 6/12 roof pitch		
13449	006016260000	W1062 SPRING GROVE RD	07/19/2023	JUST DESSERTS LLC	\$65,000.00	Land Disturbing Activity	permeable driveway	Accessory Structures	Two retaining walls, walkway, detached paver area for garbage cans
13457	006000200000	W687 COUNTY ROAD K	07/11/2023	WILLIAMJ KOLLER	\$50,000.00	Addition/Alteration to Principal Structure	2nd Story addition	Addition/Alteration to Principal Structure	Kitchen Addition
13458	006008050000	W2818 OAK TERRACE LN	07/12/2023	JODIS KRISTOPHER, ROBBM KRISTOPHER	\$80,000.00	Addition/Alteration to Principal Structure	Family Room Addition and covered Porch		
13462	006012350000	W2074 TULETA HILL RD	07/25/2023	LYNNM SMITH, ROBERTW SMITH	\$300,000.00	Principal Structure	2,040 Single Family Dwelling	Accessory Structures	screen porch, covered porch, deck, driveway
13463	006010220705	W1734 WHITE CIR	07/25/2023	DAVIDBLAKE HILTABRAND JR TRUST	\$68,000.00	Accessory Structure	Boathouse 9-foot sidewall 6/12 roof pitch		

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
None									

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
13382	010003910200	W2194 COUNTY ROAD X	07/07/2023	DAVID G COTTERILL	\$90,000.00	Principal Structure	2,114 Single Family Dwelling	Accessory Structures	Shed, porch, patio, attached garage
13451	010006130000	W2470 COUNTY ROAD AW	07/06/2023	MATT BOELTER FARMS LLC	\$575,000.00	Ag. Structure	Cattle Barn		

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
13452	012001150000	N2001 HILLTOP RD	07/07/2023	BRADYV JACOBSON	\$7,000.00	Accessory Structure	Wood Storage 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
13448	014007100000	W3898 COUNTY ROAD B	07/05/2023	RICKY R AND THERESA A KLAWITTER LIVING TRUST	\$3,000.00	Accessory Structure	Lean to Shed		
13454	014003110100	W7270 PUCKAWAY RD	07/10/2023	OCEAN HOUSING LLC	\$6,400.00	Accessory Structure	Attached Screened Deck		

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
13464	016003980200	N4550 N LILL AVE	07/25/2023	STEVENSON REVOCABLE LIVING TRUST	\$90,000.00	Accessory Structure	Boathouse 9-foot sidewalls 6/12 roof pitch		
13465	016010540000	W3423 ORCHARD AVE	07/25/2023	MARKG HELBACH, MORNAM HELBACH	\$25,000.00	Accessory Structure	Replace roof, foundation, and porch remodel		

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									

July Estimated Cost: \$2,203,273.00
YTD Estimated Cost: \$26,375,405.00

Sanitary Permits: 7/1/2023 - 7/31/2023

Permit Number	Parcel Number	Address	Owners	Date Issued	Permit Type	SystemType	Plumber Name	Additional Explanation	Permit Fee \$ (County)	Permit Fee \$ (DSPS)
202324041	012005480000	W4201 WINDING LN	AMOSO YODER, ROSANNA YODER	7/26/2023	Replacement System	Conventional (Non-Pressurized In-	Ben Kinas	5 Bedroom Renewal	\$ 280.00	\$ 100.00
202324042	012003960101	W3986 COUNTY ROAD X	EDITHO PETERSHEIM, JOHNT PETERSHEIM	7/26/2023	Replacement Tank Only	Mound	Ben Kinas	3 Bedroom House	\$ 150.00	\$ -
202324043	010004490100	W1364 LAKE MARIA RD	DOUBLE S DAIRY LLC	7/26/2023	Replacement System	Conventional (Non-Pressurized In-	Ben Kinas	3 Bedroom House	\$ 280.00	\$ 100.00
202324035	004002590100	W121 STATE ROAD 23 AND 49	ED PRIEBE SALES & SERVICE LLC	7/6/2023	Replacement System	Conventional (Non-Pressurized In-Ground)	Daniel Egbert	4 Bedroom House and Shop Renewal before expiration	\$ 75.00	\$ -
202324039	004010360300	W1917 BELLE MAPPS CT	JAMES & MAUREEN STERN	7/17/2023	Reconnect	Conventional (Non-Pressurized In-	Daniel Egbert	4 Bedroom House	\$ 280.00	\$ -
202324036	016004630000	N4487 MAPLE LN	JUSTINT KLEIN	7/7/2023	New System	Holding Tank	Jeffrey Novak	3 Bedroom House	\$ 355.00	\$ 100.00
202324037	004004100528	W1704 NORTH ST	NORWEGIAN WAYS BUILDERS LLC	7/7/2023	New System	Mound	Jeffrey Novak	Shop Employees	\$ 280.00	\$ 100.00
202324040	206010710200	373 LESKEY ST	PATRICIAA MENTUIS	7/19/2023	Replacement System	Conventional (Non-Pressurized In-	Jeffrey Novak	2 Bedroom House	\$ 280.00	\$ 100.00
202324038	002007970300	N9574 MEADOWLARK LN	ADAMR KRAMER, ANISSAM KRAMER	7/10/2023	New System	In-Ground Pressure	William Thoma	3 Bedroom House	\$ 280.00	\$ 100.00
Total:									\$ 2,260.00	\$ 600.00

Land Use Violations Report

First Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
008002340200		Marjorie Stellmacher	13414	Land Division	1. 315-14.B.(1), <15 acres with no CSM. 2. 315-39.B., substandard to area and lot width. 3. 315-39.C., Substandard to road frontage. Update: Deed needs Lisa Hall's signature and she won't be up to sign until early August (lives in Texas). So the combination deed can't be recorded until that time.
004003390204		Zodrow Properties	13086	Zoning/Vehicles	Three (3)Trailers, an RV, scrap wood and dock / boardwalk sections, multiple compost / leaf piles stored on R4 parcel with no principal dwelling and in conflict with April CUP conditions.
004003750100	N6264 N Lawson Dr	David Santee	13460	Zoning	Operating a long term rental in a zoning district that does not allow long term rentals as an allowed use.
012001270100	W4419 St.Rd 44	Scott Schmeckpeper	13365	Zoning	Building without a land use permit. Building within rear yard setback. (Surveyor is working on land combination)
014005110201	N2875 Nicolet Rd	Carolyn & Corneal Troyer	13383	Zoning, Junk	movement of mobile home and construction of basement without a permit. Inoperable camper/mobile home and trailer/trailer frame. Junk includes: plastic drums, metal drums, ac unit, chest freezers, appliances, propane tanks, bins, buckets, lumber, etc. scattered throughout property. 3 boats on property when two rec vehicles allowed on R-4 zoned parcel. Waiting on certified mail receipt. Otherwise will have Sheriff's deputy serve the notice.
006005810101	N2730 WELK RD	Ashley & Rick Ruck	13442	Zoning	Storage of recreational trailer on R1 lands with no dwelling unit. Processing of logs to firewood for commercial sale.

Second Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
020004510000, 02000451	Hopp Road Right of way	Hopp	13395	Floodplain	Installed three sets of three culverts in 2008 without WDNR or County Zoning approval. Resolution is to remove all three sets of culverts to restore natural flooding conditions. Update: Joe said he would work with the Town's attorney to draft a legal letter to Mike Arrowhead of Walleyes for Tomorrow. The letter would be worded in such a way that Walleyes for Tomorrow will be responsible for removing the culvert sets on both parcels.
006010270200	W1774 Sandstone Ave	Jessie Blythe	13450	Shoreland	Fence within Shoreland Setback
004004440000	W2398 State RD	Philip Mirr	13152	Zoning	Operating a contractors yard in C2 Zoning. LUP&Z Meeting 10/5/23
004003750100	N6264 N lawson Dr	David Santee	13356	Zoning	Establishing a residence without a conditional use permit on C-2 parcel.

Monthly Violations Resolved

2

YTD Violations Resolved

13

Mcguire
Vourvoulas

POWTS Violation Report

First Notice:

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description	Additional Information
016004630000	N4487 MAPLE LN	KLEIN, JUSTIN T	58848	POWTS Failure	Tank not Watertight	Owner working with Novak Exc. Has new Sanitary Permit
016007980501	N5588 LOCK RD	KUJAC, THOMAS	202024007	POWTS Failure	Wastewater not all going to new septic system.	House was placarded by Health Department. Violation Process on Hold
016008010300	N5589 LOCK RD	CALAMITA, TAMI LYNN	37516	POWTS Failure	Tank not Watertight	Has new permit
020000570000	W2957 COUNTY RD F	ZIETLOW, DONNA	2024003	POWTS Failure	Tank not Watertight	Owner working with Thoma Exc.
010005620400	W1645 LAKE MARIA RD	DAVISON, STEVEN ANNA	18147	POWTS Failure	Tank not Watertight	Has new permit
014001720000	W5156 PINE RD N	HEINECKE, RANDAL R ET AL	26724	POWTS Failure	Tank Failure	Restarted violation notice process per C.C.
006010221104	N5107 SANDSTONE AVE	VANDERVELDE NANCY	624041	POWTS Failure	Tank not watertight	
006010221105	N5113 SANDSTONE AVE	VANDERVELDE NANCY	624042	POWTS Failure	Tank not watertight	Working with Kinas on a sanitary permit to resolve both violations.

Second Notice:

016005550000	N6682 COUNTY ROAD Y	SWANKE RICHARD S	1624049	POWTS Violation	No San. Permit for work done to existing POWTS.	Owner working with Wagner Exc.
006001980000	W591 THOMAS RD	WILKE CARL H	624010	POWTS Failure	Tank not Watertight	Has new permit
006003320000	W2353 CENTER RD	ALBRECHT PAUL C; ALBRECHT VALERIE	201624077	POWTS Violation	House's holding tank is not allowed, needs drain field system.	Has new permit
006010220701	W1740 SANDSTONE AVE	WOOD MAUREEN ; WOOD SIMON	159178	POWTS Failure	Tank not watertight	Working to reconfigure one system and abandon the two others.
016000090000	N6123 SWAMP RD	HEBBE JAMES A	1624006	POWTS Failure	Tank not Watertight	Working with Kinas to install a new system.
016007700000	W5897 STATE ROAD 23	HAZELWOOD WANETTA ET AL	26752	POWTS Failure	Tank Failure	Has new permit
018000570000	W3602 PINE RD	BREWER DOUGLAS & SALLY	258	POWTS Violation	Tank unsound	Has new permit
004009950000	N5552 OLD OAK LN	PAFF, REAL ESTATE TRUST FREDERICKA	10024391	POWTS Failure	System is a Cesspool	Working with Novak to do a holding tank due to proposed sewer project.

Corp Counsel:

008005940000	W6521 W NORTH ST	BARKER RHONDA K	11	POWTS Failure	Tank Failure	
016009230000	W5886 WALTER WILLIAMS R	PROG ROD-GUN CLUB	10024249	POWTS Violation	Tank Failure	Has new permit
016009230000	N4939 RAY SHORTER RD	PROG ROD-GUN CLUB	10024253	Conversion	Tank Failure	Has new permit
016009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	10024256	POWTS Failure	Tank Failure	Has new permit
002002110000	N8725 WHITE RIDGE RD	BEDNAREK DAVID ; BLOCK KELIE J	131	POWTS Failure	Tank unsound	Tank abandonment in process

Fee Received (Non-Refundable) \$375.00

Date 6/12/23

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 Allan Brooks

Mailing Address W774 Center Rd. Markesan, WI 53946

Phone Number 920-229-2537 Email brooks.allan@rocketmail.com

Signature Allan Brooks Date 6-6-23

AGENT IF OTHER THAN OWNER

Name Cloud 1, LLC - Bug Tussel Wireless - Lee Larsen (agent)

Mailing Address 417 Pine St. Green Bay, WI 54301

Phone Number 608-276-5555 Email lee.larsen@btussel.com

Signature Lee Larsen Date 6-6-23

PROPERTY INFORMATION

Town of Green Lake Location of Property Farm Field on Phelps Road

Section 35 Town 15 N Range 12 E

Affected Parcel Number(s) 006-00986-0000 Affected Acres 1

Subdivision _____ Lot _____ Block _____

CSM _____ Lot _____ or COS _____

Legal Description NE 1/4 of the NE 1/4 of sec. 35, Township 15 North, Range 12 East,
Town of Green Lake, Green Lake County, WI

Current Zoning Classification Ag

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

Farm Field

May 15, 2023

Ms. Alicia Broeren
Bug Tussel 1, LLC
130 Walnut St.
Suite 306
Green Bay, WI 54305 - 1060



B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject:	Fall Certification Letter	
Arcosa Designation:	Arcosa Project Number:	A148
	Arcosa Site Name:	Markesan
Engineering Firm Designation:	B+T Group Project Number:	168126.001.01.0001
Site Data:	Markesan	
	300' Guyed Tower	

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of Bug Tussel 1, LLC, B+T Group is pleased to submit this "Fall Certification Letter" for the 300' guyed tower to be constructed at the Markesan site.

This tower will be designed in accordance with the TIA 222-G standard for Green Lake County, WI. The tower will be designed to support antennas and transmission lines for four wireless carriers. The design criteria are more particularly described as follows:

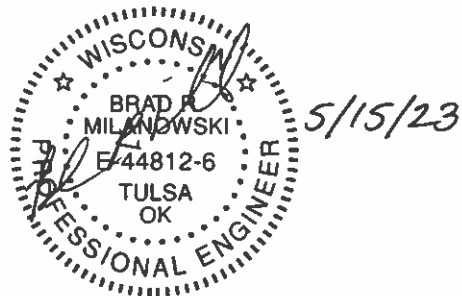
Design Wind Speed: 90mph 3-sec gust (no ice), 40mph 3-sec gust (1/2" ice)
Structure Class: II
Exposure Category: C
Topographic Category: 1

295'—Wireless Carrier 1 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
285'—Wireless Carrier 2 (CaAa= 200 Sq. Ft.) w/ (12) 1 5/8" transmission lines
275'—Wireless Carrier 3 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
265'—Wireless Carrier 4 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines

Currently it is our understanding that this structure be designed such that, if a failure were to occur, the tower would fall within a radius of 150' from the base of the structure. It should be understood that communication structures are designed in accordance with strict structural standards and it is extremely rare that well maintained towers fail under normal operational conditions. However, in the highly unlikely event that this tower were to experience operational failure, the failure mode would most likely be compression buckling. In a compression buckling failure, it is reasonable to assume a structure of this type would most likely collapse and fall on itself within a radius of 150' from the base of the tower. It should be understood that this opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the tower failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself.

I hope this letter satisfies your concerns. Please let me know if I may be of further assistance.

Fall letter prepared by: Daniel Hast, E.I.
Respectfully submitted by B+T Engineering, Inc.



Brad Milanowski, P.E.



RAMAKER
employee-owned
(608) 643-4100 www.ramaker.com



cloud
417 PINE STREET
GREEN BAY, WI 54301
PH. (920) 940-0147

MARK	DATE	DESCRIPTION

MARKESAN B


PHILIPS ROAD
MARKESAN, WI 53048
MARKESAN, WI 53048
MARKESAN, WI 53048
MARKESAN, WI 53048

OVERALL SITE PLAN WITH AERIAL




56188
C-1





RAMAKER
ENGINEERING CONSULTANTS
(608) 643-4100 www.ramaker.com



cloud1
417 PINE STREET
GREEN BAY, WI 54301
PH.: (920) 940-0147

MARKESAN B

PROJECT NO: 2022020202
DATE: 04/24/2023

PROJECT TITLE: MARKESAN B

PROJECT LOCATION: MARKESAN, WI 53044

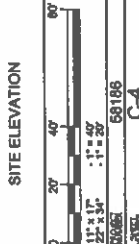
PROJECT OWNER: MARKESAN B, INC.

DATE OF CONTRACT: 04/24/2023

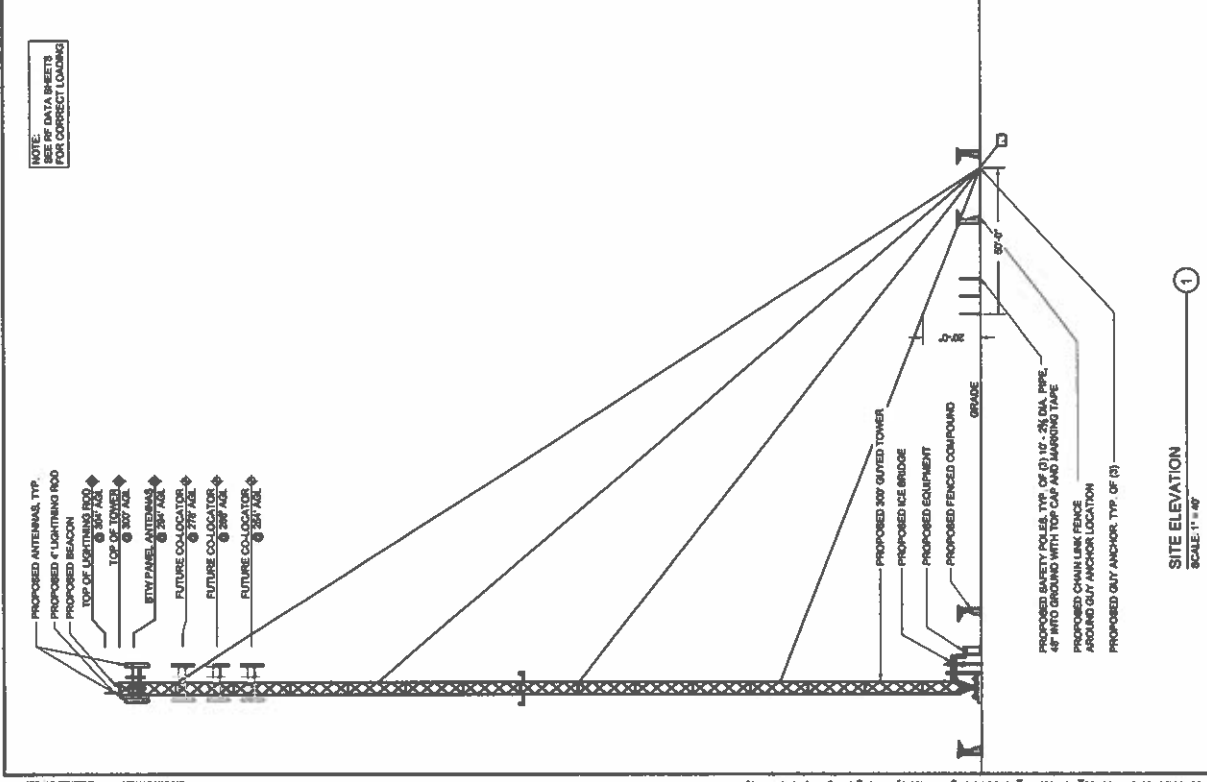
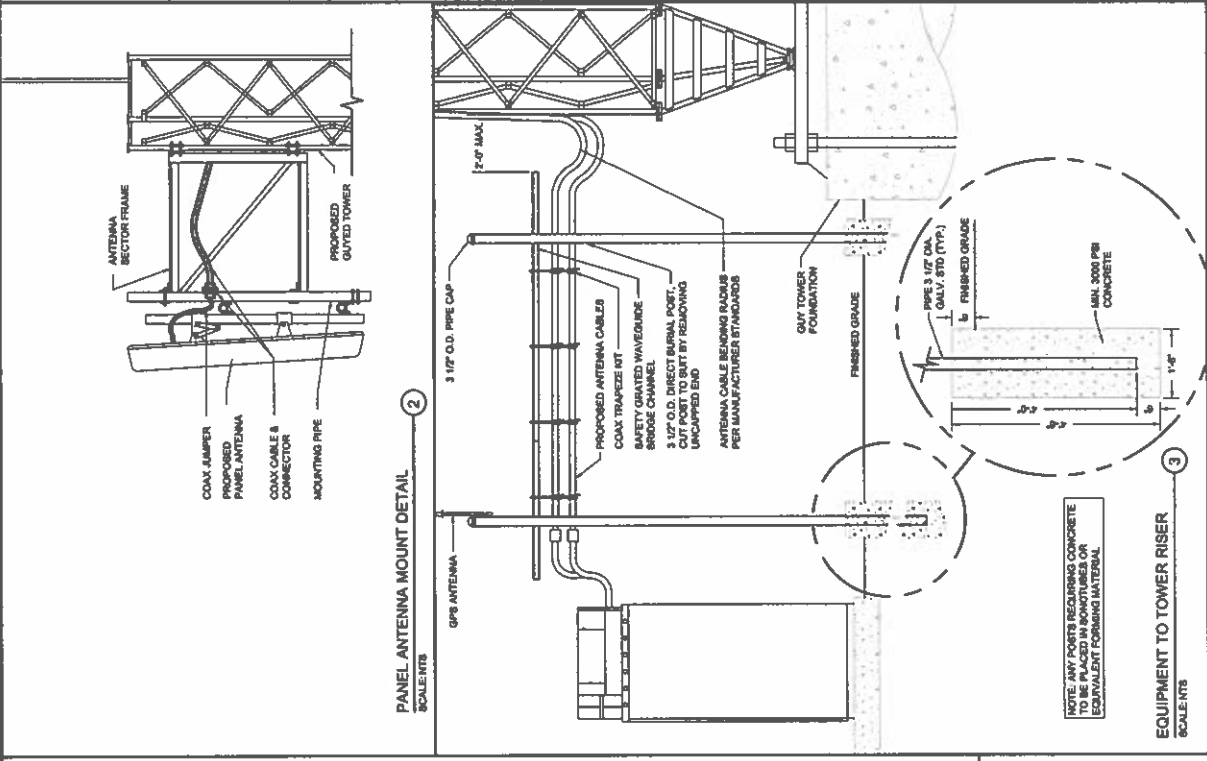
SHEET NO: 60186

SHEET TOTAL: C-4

SITE ELEVATION



SCALE: 1" = 40'



NOTE: USE RF DATA SHEETS FOR CORRECT LOADING

Copyright © 2023, Ramaker & Associates, Inc. All Rights Reserved. DRAWING BY: LJK CHECKED BY: SEM

1:5510058189/CAD7857188, Markesan B, 2022020202, Printed on Apr 24, 2023, 1:43pm

AFFIDAVIT OF KRISTOFFER JENNINGS

STATE OF WISCONSIN)
) ss.
COUNTY OF BROWN)

I, the undersigned, being duly sworn, state as follows:

- 1. I am an adult resident of the State of Wisconsin and a radio-frequency engineer employed by Bug Tussel Wireless, LLC and Cloud 1, LLC.
2. I make this affidavit in support of Cloud 1, LLC's application to the Town of Green Lake and Green Lake to construct a new communications tower located at: Tax Key Number: 6009860000 (Owned by: BROOKS FARM PROPERTIES LLC, Allan Brooks, W774 Center Rd. Markesan, WI 53946).
3. Bug Tussel Wireless, LLC is a duly licensed mobile service provider and shall be the anchor tenant on the Cloud 1, LLC tower proposed property.
4. One of my job responsibilities is to design and direct the placement of the Bug Tussel Wireless antenna facilities throughout its entire mobile service network.
5. Attached hereto and incorporated herein is a true and correct copy of an analysis performed by me which reviews existing tower structures within one (1) miles of the proposed tower location, and I have found that there are no collocation prospects for Bug Tussel Wireless, LLC. The attached RF analysis supports my findings.
6. Towers that are under 200 ft. in height are generally not populated in searchable national tower databases as they are generally not registered by the FCC. Further, because of the reduced height of a tower below 200 ft. in height vs. that in this affidavit here, they are not considered suitable for our use as they as they do not allow for proper coverage of the necessary area for our network needs.
7. The proposed site will Bug Tussel Wireless fixed internet services.

(Signature) Kristoffer Jennings

(Date) 05/12/23

Kristoffer Jennings

Subscribed and sworn to before me this 12 day of May, 2023.

Derek Barber, Notary Public
Brown County, Wisconsin
My Commission Expires Permanent



May 13, 2023

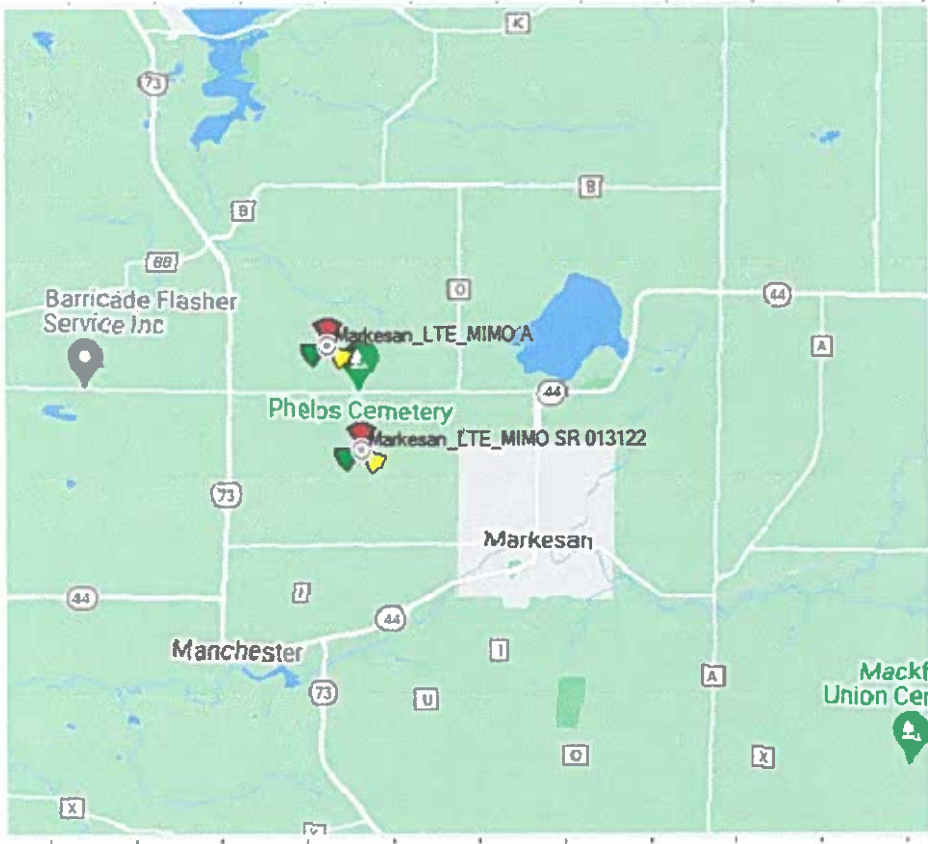
RF Analysis – Markesan

Search Ring Center: 43.719064, -89.024708

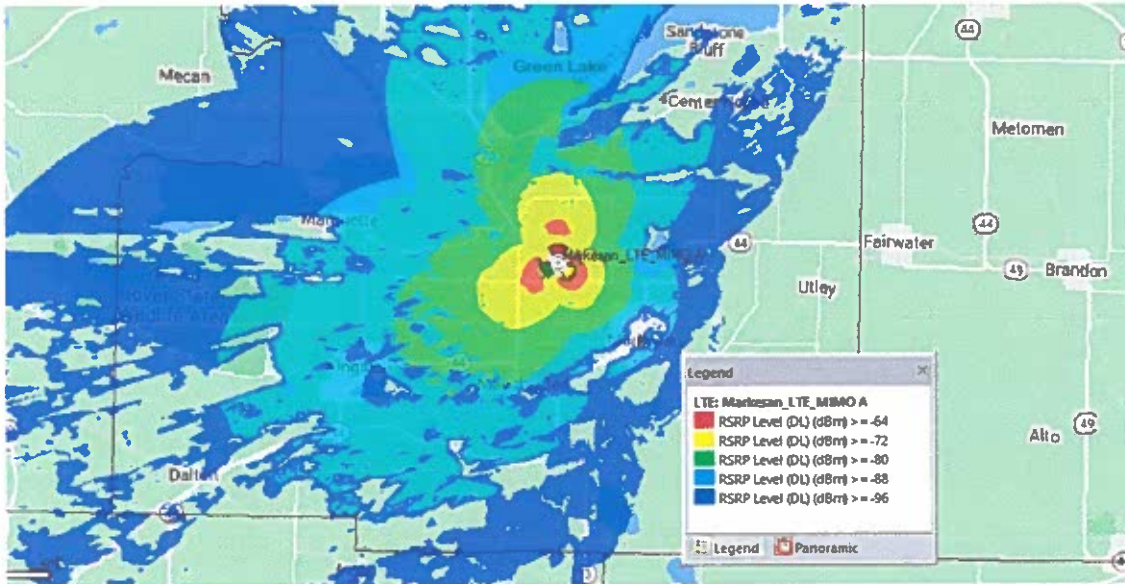
Proposed Tower Location: 43.733835929, -89.031809995

Towers within a 1-mile radius: Zero

The first map shows multiple locations. The first is the search center (Markesan_LTE_MIMO SR 013122), the second is the proposed location (Markesan_LTE_MIMO A), and the other candidates (Markesan_LTE_MIMO B) that were submitted but not selected for build.



This next map shows the coverage from the proposed location. We are proposing to build a 300' tower for Bug Tussel Wireless fixed internet. This is a very good location for our tower. There are no existing structures in the search area that we could collocate on, so building a new tower makes sense.



Conclusion:

The proposed Markesan_LTE_MIMO A site is the optimal location for Bug Tussel Wireless to build a new tower. There are no collocation options within (1.0) mile of this locality. This location is also a good fit with our plan to provide broadband service to rural Wisconsin.

Submitted by:

Kris Jennings

RF Engineer

Bug Tussel Wireless, LLC

kris.jennings@bugtusselwireless.com

920-819-3606



LICENSE OR PERMIT BOND

Bond 354228326

LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, That we, BUG TUSSEL 1, LLC
417 Pine Street, Green Bay, WI 54301
as Principal, and the Liberty Mutual Insurance Company, a MA corporation,
as Surety, are held and firmly bound unto GREEN LAKE COUNTY, WI, as Obligee,
in the sum of

Twenty Thousand and 00/100 Dollars (\$20,000.00)

for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed and sealed this 15th day of May, 2023

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to demolish as remove the tower at the Markesan Site, Parcel #6009880000 by the Obligee.

NOW, Therefore, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER; 1. This bond shall continue in force:

Until, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

Until canceled as herein provided.

2 This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

BUG TUSSEL 1, LLC Principal

By [Signature]



Liberty Mutual Insurance Company

By [Signature] Roxanne Jensen Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No 8208139-354019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth does hereby name, constitute and appoint, Brian L. Krause, Kelly Cody, Roxanne Jensen, Trudy A. Szalewski

all of the city of Milwaukee state of WI each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 10th day of June, 2022.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 10th day of June, 2022 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1128044
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

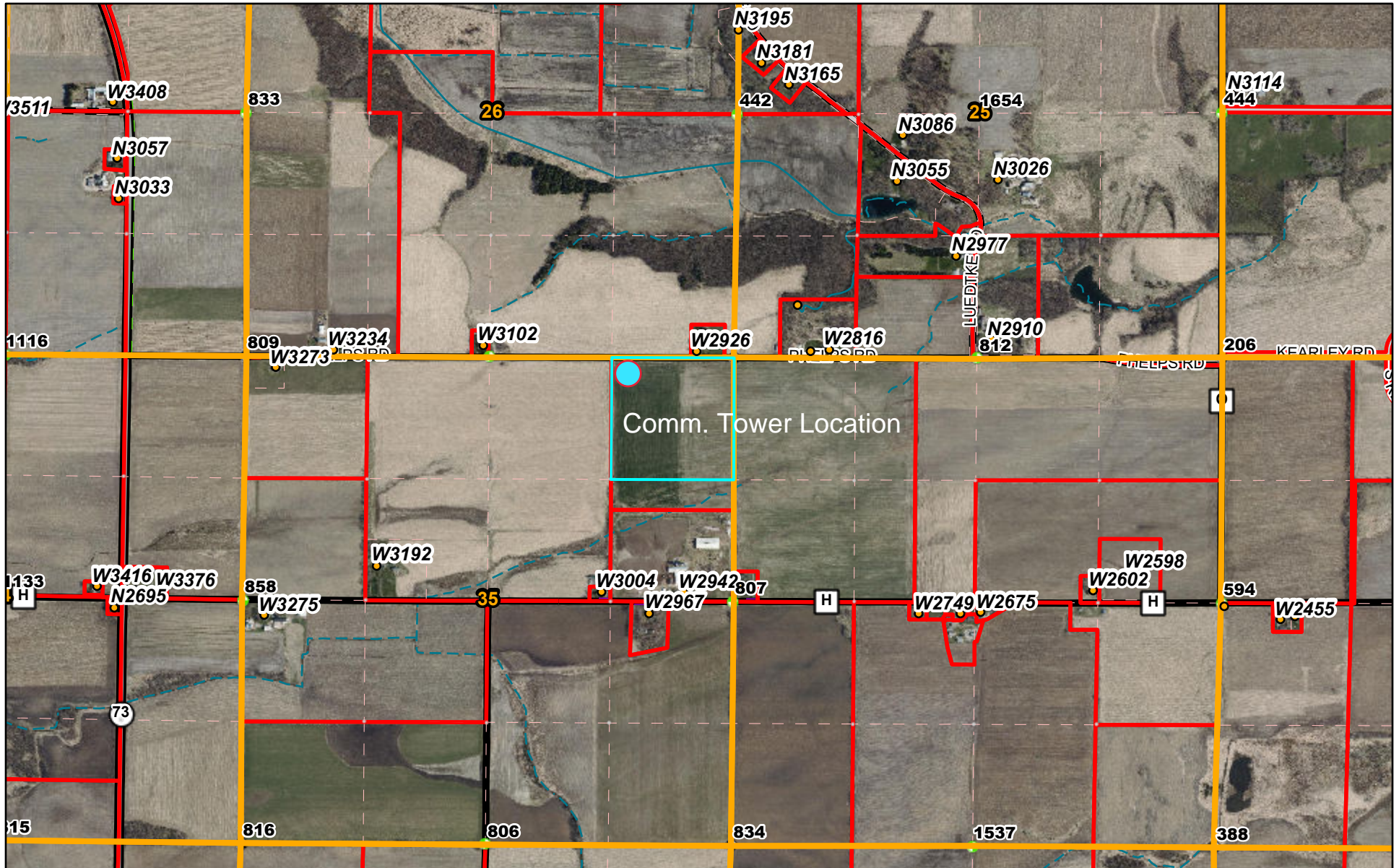
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 15th day of May, 2023.



By: Renee C. Llewellyn
Renee C. Llewellyn, Assistant Secretary

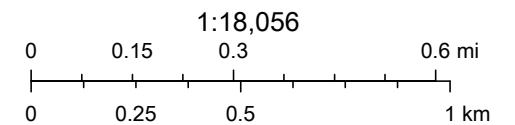
For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

P.H. Map Brooks CUP, TGL

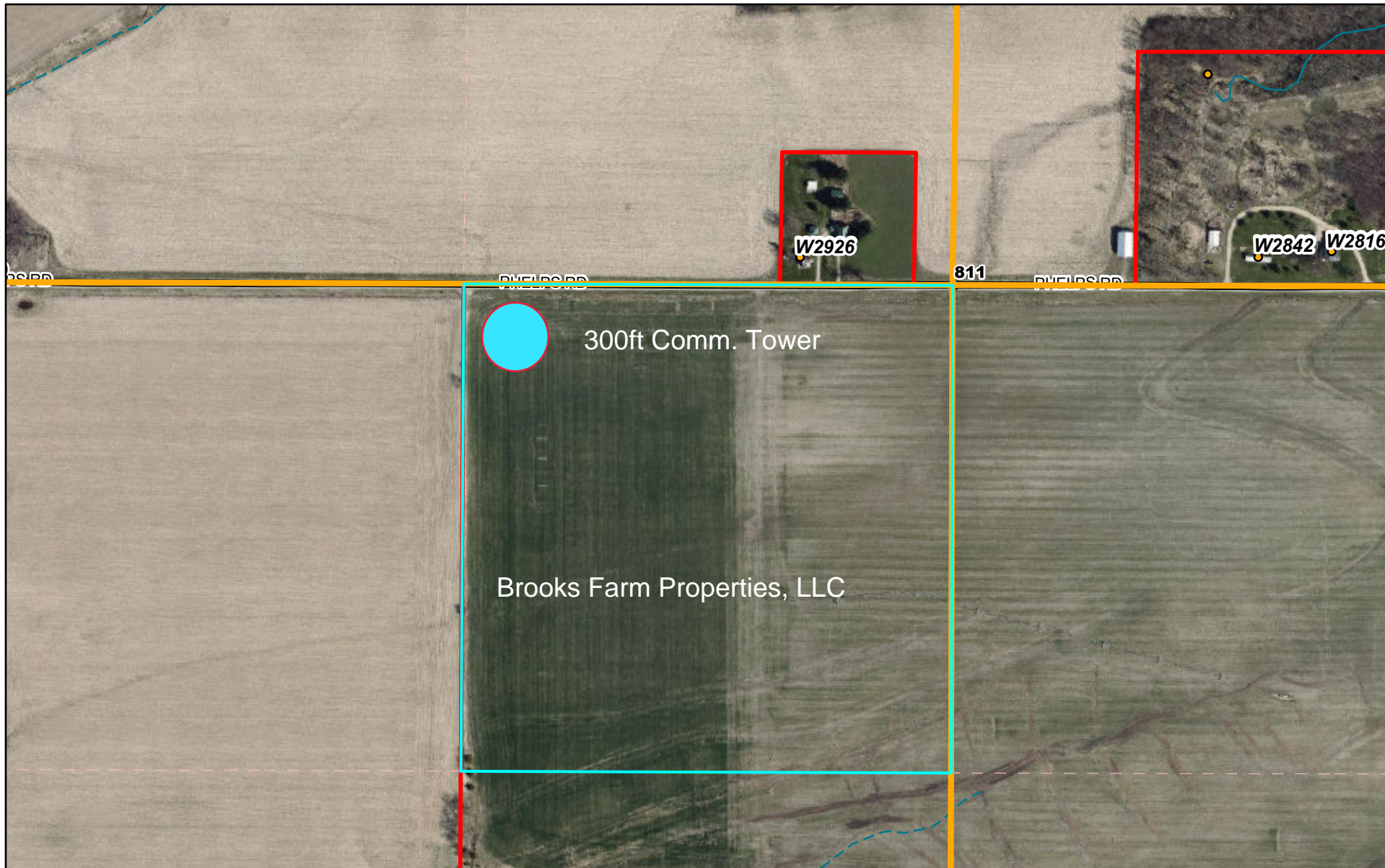


8/11/2023, 11:02:51 AM

- Address Corner
- Section
- ⊕ QUARTER
- ⊕ SECTION
- ⊕ CENTER
- ⊕ SUB

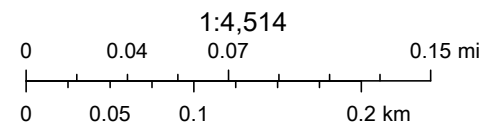


P.H. Map Brooks CUP, TGL



8/11/2023, 10:58:56 AM

- Address Corner
- SUB
- ▭ Section
- SECTION



LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

ITEM I: **CONDITIONAL USE PERMIT (CUP)**

OWNERS:

Brooks Farm Properties LLC

APPLICANT:

Cloud 1 – Lee Larsen

REQUEST: The owners and applicant are requesting a conditional use permit to construct a 300-foot tall communication's tower to include a high-speed internet service facility, as well as associated ground equipment.

PARCEL NUMBER / LOCATION: The request affects parcel 006-00986-0000, located in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, T15N, R12E, Town of Green Lake. The subject site is south of Phelps Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site is located a little more than mile an a half due west of Little Green Lake. The parcel of land impacted by this request is zoned A-1, Farmland Preservation District. The predominant zoning and land use around the parcel is agricultural. There are several small acreage parcels nearby that are utilized as rural residences.

ADDITIONAL INFORMATION / ANALYSIS: The conditional use permit application states that the subject property is currently used as cropland. The proposal would include the equipment compound, tower, chain-link fence, and three guy wire anchor locations. All of these are included in the leased area being provided by the property owners.

Per Chapter 66.0404(4)(a) through (w), (See page 3 of 3), the only way this project could be stopped would be if the owners/applicant refused to comply with the statutory requirements that are reflected in Green Lake County zoning ordinance Section 350-44. The Land Use Planning & Zoning Department will make sure the owners/applicant adhere to these requirements.

The purpose of this conditional use permit hearing is to notify the public of the impending project. In doing so, the adjacent property owners have the opportunity to attend a public hearing to find out specifics and give testimony, and to voice any concerns regarding the project.

GENERAL STANDARDS FOR REVIEW OF CONDITIONAL USE REQUESTS: Subject to the limitations outlined above, 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 Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of the proposed use in terms of the standards found in Section 350-56 "Review of permit application; standards and conditions" of the County Zoning Ordinance. The Committee need not consider requirements that would apply to the local Town, other County, State or Federal entities of jurisdiction.

COUNTY STAFF COMMENTS: Normally, the Committee would be able to approve or deny this project based on the zoning ordinance's general criteria for review of conditional use permits. However, the State of Wisconsin Statutes have determined that these projects are effectively pre-approved so long as the project maintains compliance with Statutes. When the Committee approves this conditional use permit request, the following conditions should be required:

1. All of the provisions of the County Zoning Ordinance and State Statutes shall be adhered to by the owners/applicant.
2. A permit bond in the amount of \$20,000 shall be provided to the Land Use Planning & Zoning Department, prior to Land Use Permit issuance, which obligates the applicant to restore the subject site back to pre-development conditions in the event that the tower is taken out of service for a period of time exceeding 1 year.
3. The owners/applicant shall apply for and have been issued a fire number for the subject site prior to land use permit issuance.

TOWN OF GREEN LAKE: An Action Form requesting the Town's input related to this conditional use permit request was mailed to the Town Clerk on July 13, 2023. The Town was unable to vote on this as there were not enough Town Board supervisors to make a quorum.

- (4) LIMITATIONS. With regard to an activity described in sub. (2) (a) or a class 2 collocation, a political subdivision may not do any of the following:**
- (a)** Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.
 - (b)** Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.
 - (c)** Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.
 - (d)** Charge a mobile radio service provider a fee in excess of one of the following amounts:
 - 1.** For a permit for a class 2 collocation, the lesser of \$500 or the amount charged by a political subdivision for a building permit for any other type of commercial development or land use development.
 - 2.** For a permit for an activity described in sub. (2) (a), \$3,000.
 - (e)** Charge a mobile radio service provider any recurring fee for an activity described in sub. (2) (a) or a class 2 collocation.
 - (f)** Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.
 - (g)** Disapprove an application to conduct an activity described under sub. (2) (a) based solely on aesthetic concerns.
 - (gm)** Disapprove an application to conduct a class 2 collocation on aesthetic concerns.
 - (h)** Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
 - (i)** Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.
 - (j)** Prohibit the placement of emergency power systems.
 - (k)** Require that a mobile service support structure be placed on property owned by the political subdivision.
 - (L)** Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
 - (m)** Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.
 - (n)** Limit the duration of any permit that is granted.
 - (o)** Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.
 - (p)** Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
 - (q)** Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.
 - (r)** Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.
 - (s)** Consider an activity a substantial modification under sub. (1) (s) 1. or 2. if a greater height is necessary to avoid interference with an existing antenna.
 - (t)** Consider an activity a substantial modification under sub. (1) (s) 3. if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.
 - (u)** Limit the height of a mobile service support structure to under 200 feet.
 - (v)** Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.
 - (w)** Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

Fee Received (Non-Refundable) 375.⁰⁰

Date 6/22/23

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 Scott Nigbor

Mailing Address W2379 Puchyan Road, Berlin, WI 54923

Phone Number 920-572-0887 Email snigbor@centurylink.net

Signature *Scott Nigbor* Date 6-12-23

AGENT IF OTHER THAN OWNER

Name Cloud 1, LLC / Bug Tussel Wireless Lee Larsen (agent)

Mailing Address 417 Pine St. Green Bay, WI 54301

Phone Number 608-276-5555 Email lee.larsen@btussel.com

Signature *Lee Larsen* Date 6-12-23

PROPERTY INFORMATION

Town of Berlin Location of Property Farm Field on Puchyan Road

Section 19 Town 17 N Range 13 E

Affected Parcel Number(s) 002-00344-0000 Affected Acres _____

Subdivision _____ Lot _____ Block _____

CSM _____ Lot _____ or COS _____

Legal Description The Northwest Quarter of the Northwest Quarter, EXCLUDING Certified Survey Map #1380 recorded in Volume 5 of Certified Survey Maps on page 1380 in the Green Lake County Registry, all in Section 19, Township 17 North, Range 13 East, Town of Berlin, Green Lake County

For informational purposes only:
Property Address: 002-00344-0000, Berlin, WI 54923
Tax Key Number: 002-00344-0000

Current Zoning Classification Ag

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

Farm Field

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? Proposing to construct a 300' guyed tower on Scott's farming parcel to provide rural hi-speed broadband internet.

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. See site plan. About an acre of land is used

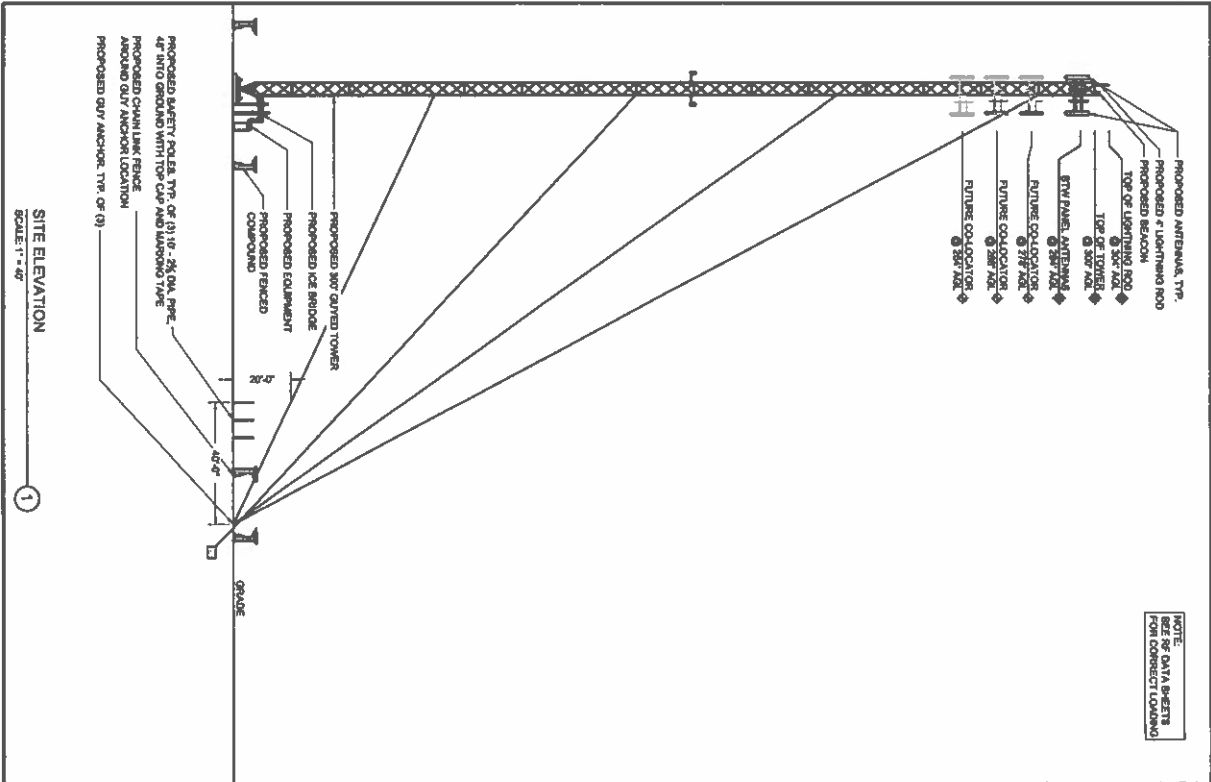
If this box is checked, provide the following information:

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

OPERATIONAL PLAN NARRATIVE

Bug Tussel has been around since early 2000. We provide hi-speed internet to rural families.

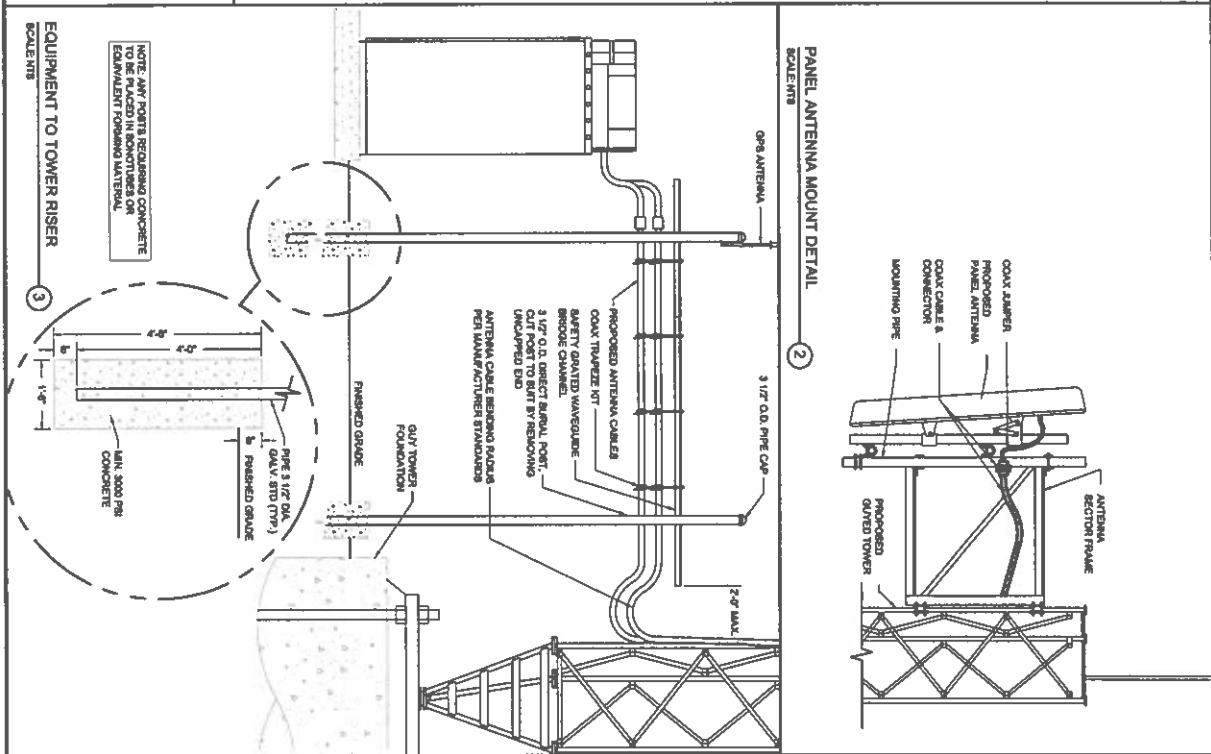
Once constructed the tower would be visited about 4 times a year for maintenance check ups.



NOTE:
SEE FOR DATA SHEETS FOR CONCRETE FORMING

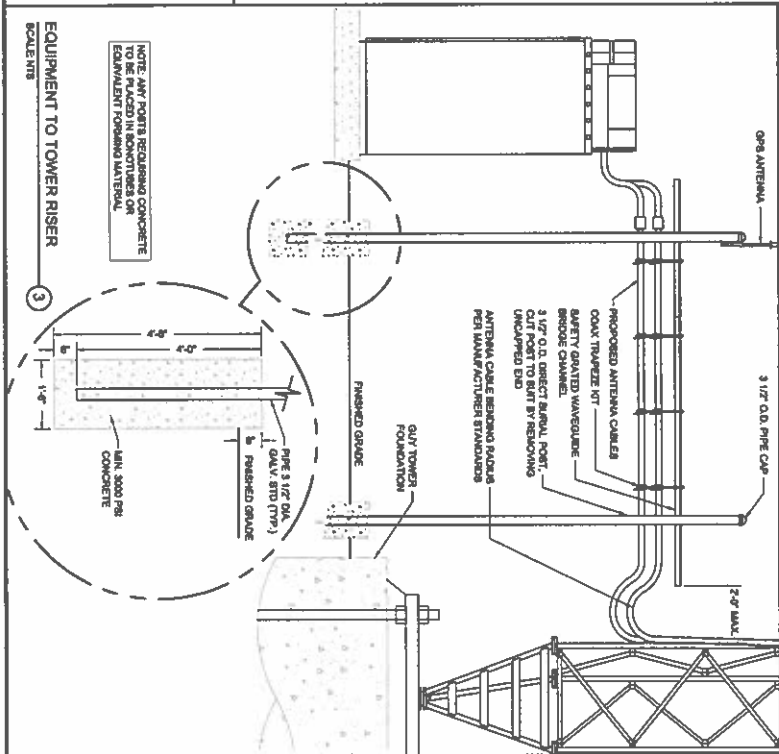
SITE ELEVATION
SCALE: 1" = 40'

1



PANEL ANTENNA MOUNT DETAIL
SCALE: 1/8\"/>

2



EQUIPMENT TO TOWER RISER
SCALE: 1/8\"/>

3

NOTE: SEE FORMS REGARDING CONCRETE TYPE AND FINISH FOR FORMS ON THIS DRAWING FOR EQUIPMENT FOUNDATION MATERIAL.

PROJECT INFORMATION:
 PROJECT: WHITE RIVER
 ADDRESS: 117 PINE STREET
 GREEN BAY, WI 54901
 TALK: 920.040.0147
 FAX: 920.040.0147

CLIENT: GREEN BAY
DATE: 04/20/2023
SCALE: 1" = 40'

RAMAKER
ENGINEERING
 (608) 643-4100 www.ramaker.com

bugtussel
WIRELESS

417 PINE STREET
 GREEN BAY, WI 54901
 PH: (920) 940-0147

0 20' 40' 80'

1" = 40'

20' = 1" = 40'

40' = 1" = 40'

80' = 1" = 40'

DATE: 04/20/23
 DRAWN BY: LMK
 CHECKED BY: SEW
 PROJECT: WHITE RIVER
 SHEET: C-4

June 16, 2023

Ms. Alicia Broeren
Bug Tussel 1, LLC
130 Walnut St.
Suite 306
Green Bay, WI 54305 - 1060

B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject:	Fall Certification Letter	
Arcosa Designation:	Arcosa Project Number:	A226
	Arcosa Site Name:	White River
Engineering Firm Designation:	B+T Group Project Number:	168395.001.01.0001
Site Data:	White River	
	300' Guyed Tower	

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of Bug Tussel 1, LLC, B+T Group is pleased to submit this "Fall Certification Letter" for the 300' guyed tower to be constructed at the **White River** site.

This tower will be designed in accordance with the TIA 222-G standard for Green Lake County, WI. The tower will be designed to support antennas and transmission lines for four wireless carriers. The design criteria are more particularly described as follows:

Design Wind Speed: 90mph 3-sec gust (no ice), 40mph 3-sec gust (1/2" ice)
Structure Class: II
Exposure Category: C
Topographic Category: 1

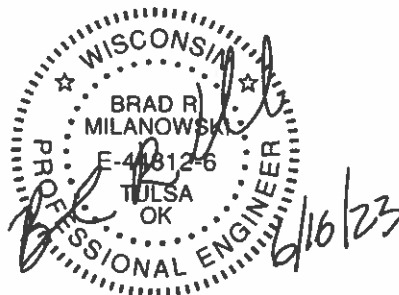
295'—Wireless Carrier 1 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
285'—Wireless Carrier 2 (CaAa= 200 Sq. Ft.) w/ (12) 1 5/8" transmission lines
275'—Wireless Carrier 3 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
265'—Wireless Carrier 4 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines

Currently it is our understanding that this structure be designed such that, if a failure were to occur, the tower would fall within a radius of 150' from the base of the structure. It should be understood that communication structures are designed in accordance with strict structural standards and it is extremely rare that well maintained towers fail under normal operational conditions. However, in the highly unlikely event that this tower were to experience operational failure, the failure mode would most likely be compression buckling. In a compression buckling failure, it is reasonable to assume a structure of this type would most likely collapse and fall on itself within a radius of 150' from the base of the tower. It should be understood that this opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the tower failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself.

I hope this letter satisfies your concerns. Please let me know if I may be of further assistance.

Fall Letter prepared by: Andrew Fisher
Respectfully submitted by B+T Engineering, Inc.
License: 44812-6, Expires: 07/31/2024

Brad Milanowski, P.E.



AFFIDAVIT OF KRISTOFFER JENNINGS

STATE OF WISCONSIN)
) ss.
COUNTY OF BROWN)

I, the undersigned, being duly sworn, state as follows:

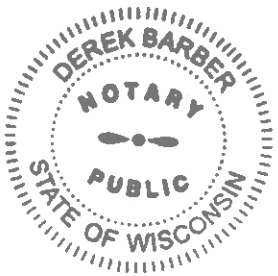
1. I am an adult resident of the State of Wisconsin and a radio-frequency engineer employed by Bug Tussel Wireless, LLC and Cloud 1, LLC.
2. I make this affidavit in support of Cloud 1, LLC's application to the Town of Berlin and Green Lake County to construct a new communications tower located at: Tax Key Number: 2003440000 (Owned by: Scott Nigbor, W2379 Puchyan Road, Berlin, WI 54923).
3. Bug Tussel Wireless, LLC is a duly licensed mobile service provider and shall be the anchor tenant on the Cloud 1, LLC tower proposed property.
4. One of my job responsibilities is to design and direct the placement of the Bug Tussel Wireless antenna facilities throughout its entire mobile service network.
5. Attached hereto and incorporated herein is a true and correct copy of an analysis performed by me which reviews existing tower structures within one (1) miles of the proposed tower location, and I have found that there are no collocation prospects for Bug Tussel Wireless, LLC. The attached RF analysis supports my findings.
6. Towers that are under 200 ft. in height are generally not populated in searchable national tower databases as they are generally not registered by the FCC. Further, because of the reduced height of a tower below 200 ft. in height vs. that in this affidavit here, they are not considered suitable for our use as they do not allow for proper coverage of the necessary area for our network needs.
7. The proposed site will have Bug Tussel Wireless fixed internet services.

Kristoffer Jennings
(Signature)

06/13/2023
(Date)

Kristoffer Jennings

Subscribed and sworn to before me
this 13 day of June, 2023.
Derek Barber, Notary Public
Brown County, Wisconsin
My Commission Expires Permanent



June 13, 2023

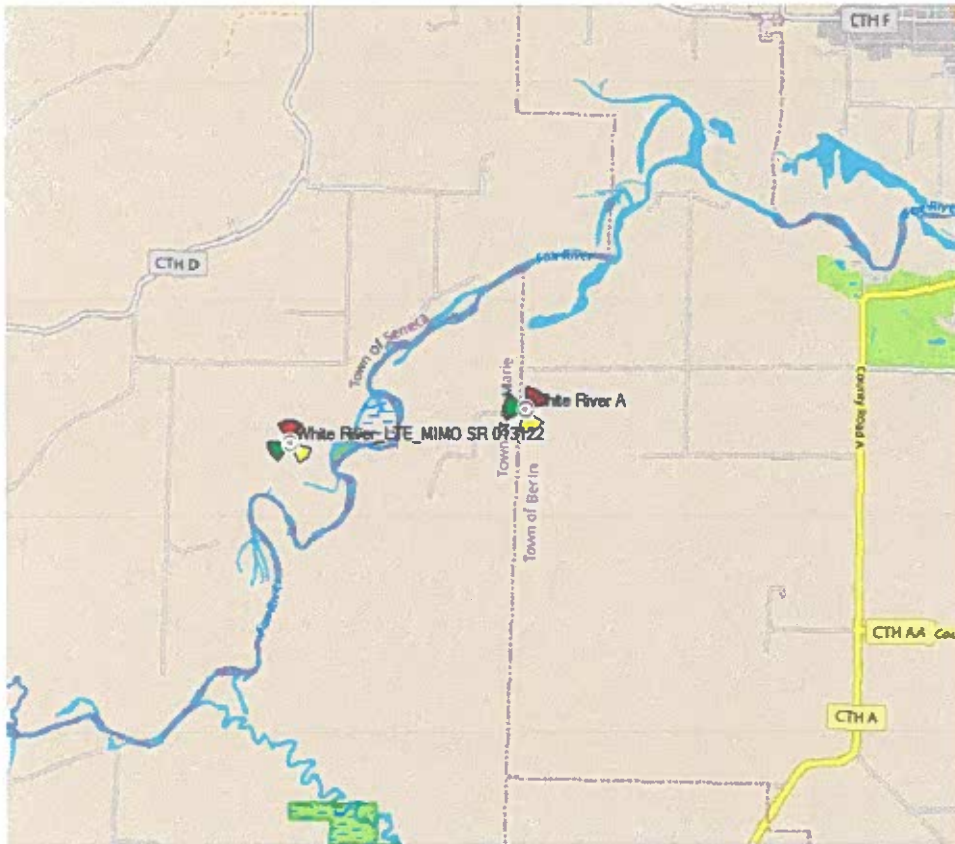
RF Analysis – White River

Search Ring Center: 43.932084 , -89.032498

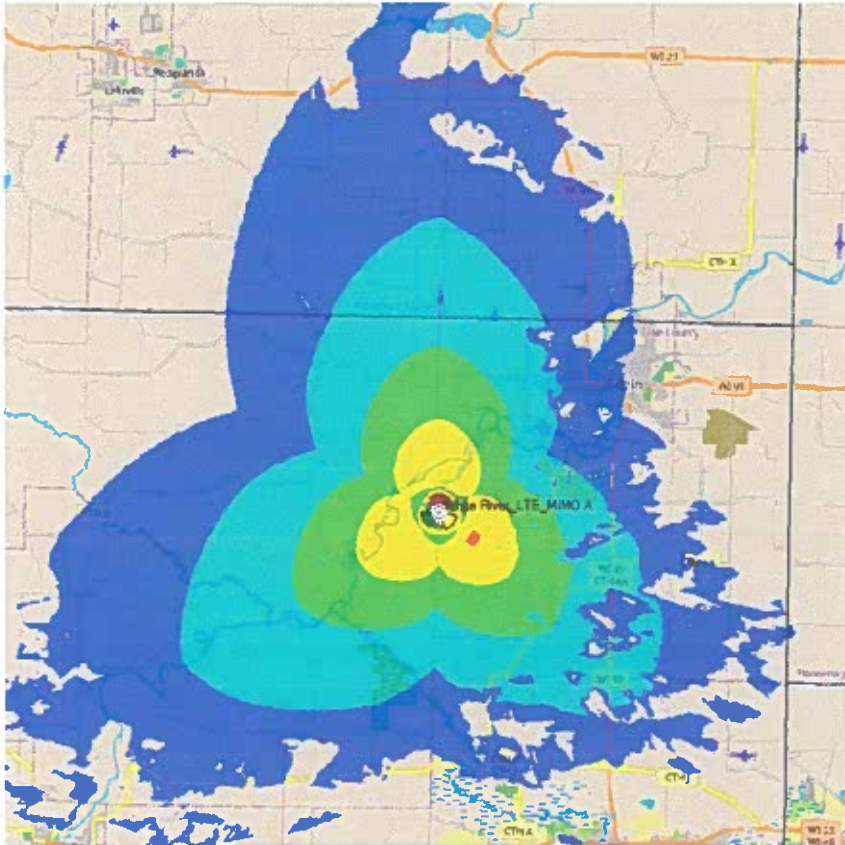
Proposed Tower Location: 43.935210895, -89.005478981

Towers within a 1-mile radius: Zero

The first map shows multiple locations. The first is the search center (White River_LTE MIMO SR 013122), the second is the proposed location (White River_LTE MIMO A),



This next map shows the coverage from the proposed location. We are proposing to build a 300' tower for Bug Tussel Wireless fixed internet. This is a very good location for our tower. There are no existing structures in the search area that we could collocate on, so building a new tower makes sense.



Conclusion:

The proposed White River A site is the optimal location for Bug Tussel Wireless to build a new tower. There are no collocation options within (1.0) mile of this locality. This location is also a good fit with our plan to provide broadband service to rural Wisconsin.

Submitted by:

Kris Jennings

RF Engineer

Bug Tussel Wireless, LLC

kris.jennings@bugtusselwireless.com

920-819-3606



LICENSE OR PERMIT BOND

Bond 354228344

LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, That we, BUG TUSSEL 1, LLC
417 Pine Street, Green Bay, WI 54301
as Principal, and the Liberty Mutual Insurance Company, a MA corporation,
as Surety, are held and firmly bound unto GREEN LAKE COUNTY, WI, as Obligee,
in the sum of

Twenty Thousand and 00/100 Dollars (\$20,000.00)

for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed and sealed this 15th day of June, 2023.

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to demolish remove the tower at the White River Site, Tax Parcel #2003440000 by the Obligee.

NOW, Therefore, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER; 1. This bond shall continue in force:

Until, or until the date of expiration of any Continuation Certificate executed by the Surety

OR

[X] Until canceled as herein provided.

2 This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

BUG TUSSEL 1, LLC Principal

By [Signature]



Liberty Mutual Insurance Company

By Roxanne Jensen Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8209723-354019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian Krause, Kelly Cody, Marc Sacia, Roxanne Jensen, Trudy A. Szalewski

all of the city of Milwaukee state of WI each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 3rd day of April, 2023.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

State of PENNSYLVANIA ss
County of MONTGOMERY

On this 3rd day of April, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

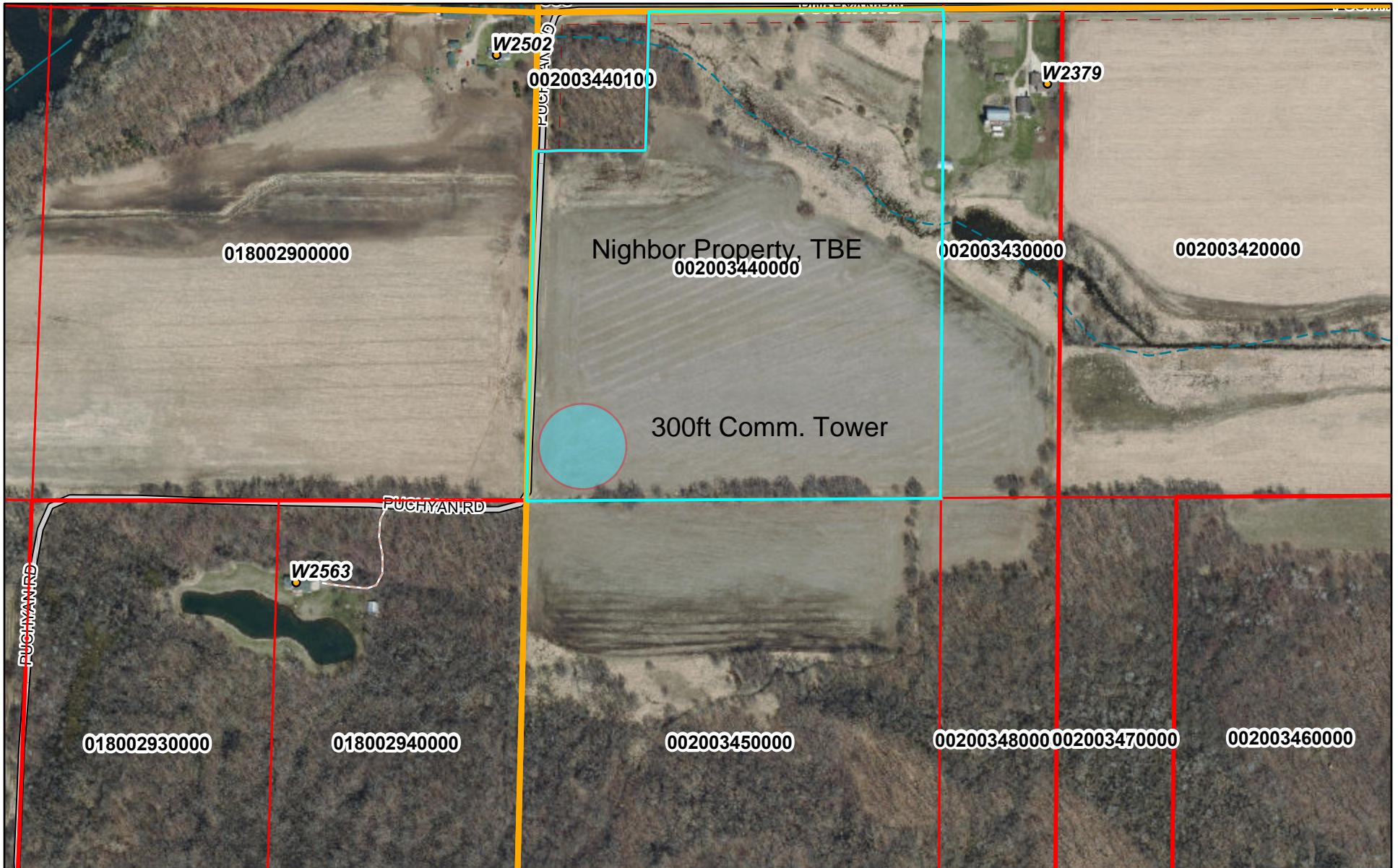
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 15th day of June, 2023.



By: Renee C. Llewellyn, Assistant Secretary

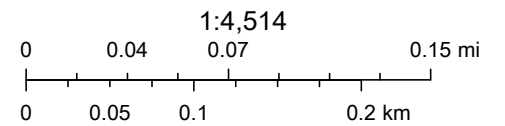
For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

P.H. Map Nighbor CUP, TBE

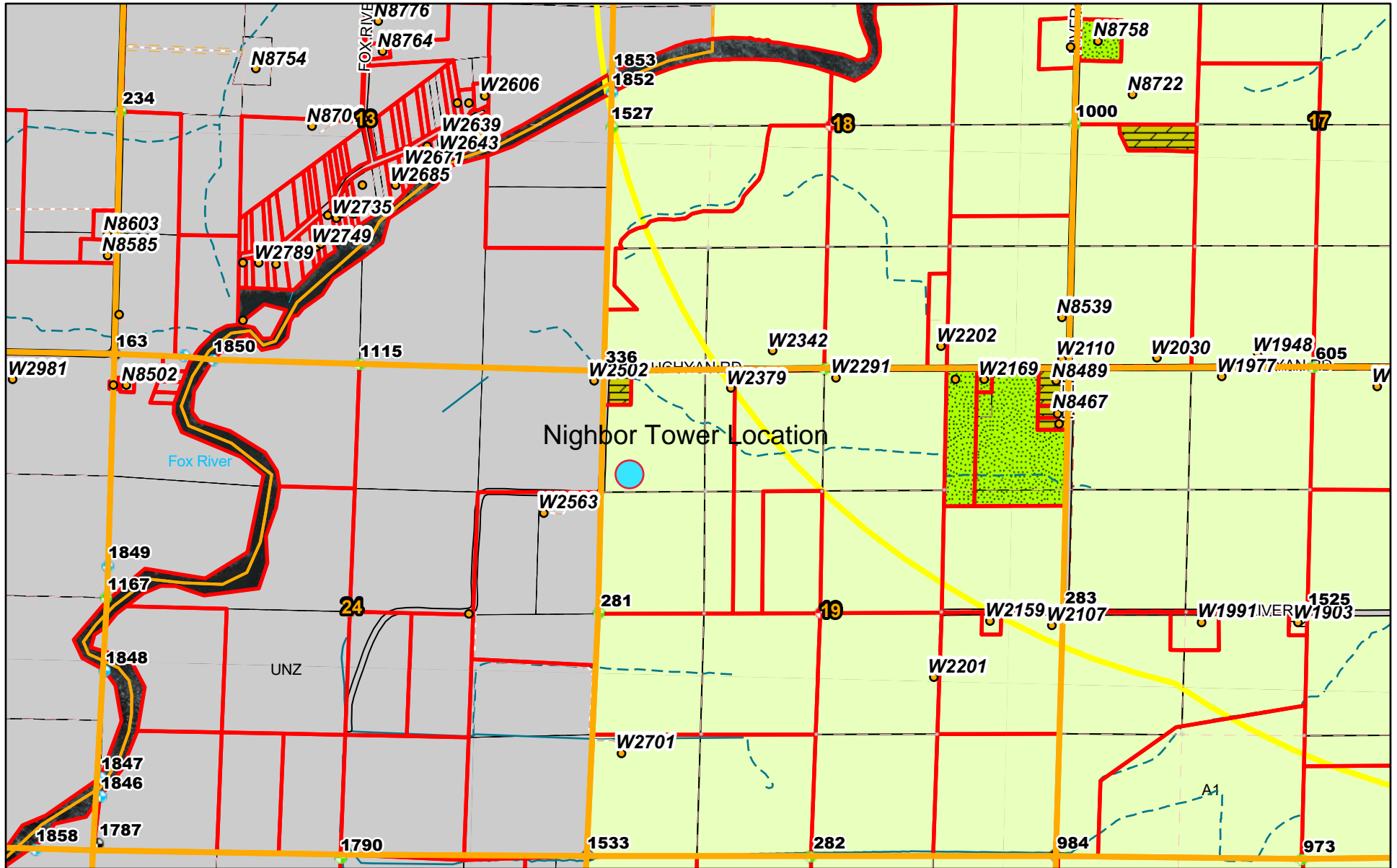


8/11/2023, 10:44:03 AM

- Address Corner
- SUB
- ▭ Section
- ⊕ SECTION
- ▭ TaxParcel

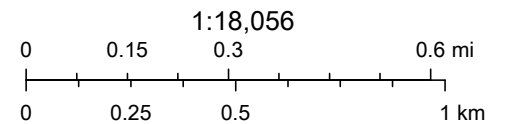


P.H. Map Nighbor CUP, TBE (Zoning)



8/11/2023, 10:54:15 AM

- Address Corner
- Section
- SECTION
- CENTER
- QUARTER
- MEANDER
- SUB



LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

ITEM II: CONDITIONAL USE PERMIT (CUP)

OWNERS:

Scott & Jeanette Nighbor

APPLICANT:

Cloud 1 – Lee Larsen

REQUEST: The owners and applicant are requesting a conditional use permit to construct a 300-foot tall communication's tower to include a high-speed internet service facility, as well as associated ground equipment.

PARCEL NUMBER / LOCATION: The request affects parcel 002-00344-0000, located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, T17N, R13E, Town of Berlin. The subject site is in the SW corner of the above parcel just east of Puchyan Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site is located about a mile southeast of the Fox River. The parcel of land impacted by this request is zoned A-1, Farmland Preservation District. The predominant land use around the parcel is agricultural or undeveloped wetlands. There are four farm residences within a half mile of the proposed use. Immediately west of the proposed use are lands that are in the unzoned Town of St. Marie. To the north, south and east are lands mostly zoned A-1.

ADDITIONAL INFORMATION / ANALYSIS: The conditional use permit application states that the subject property is currently used as farm field. The proposal would include the equipment compound, tower, chain-link fence, and three guy wire anchor locations. All of these are included in the leased area being provided by the property owners.

Per Chapter 66.0404(4)(a) through (w), (See page 3 of 3), the only way this project could be stopped would be if the owners/applicant refused to comply with the statutory requirements that are reflected in Green Lake County zoning ordinance Section 350-44. The Land Use Planning & Zoning Department will make sure the owners/applicant adhere to these requirements.

The purpose of this conditional use permit hearing is to notify the public of the impending project. In doing so, the adjacent property owners have the opportunity to attend a public hearing to find out specifics and give testimony, and to voice any concerns regarding the project.

GENERAL STANDARDS FOR REVIEW OF CONDITIONAL USE REQUESTS: Subject to the limitations outlined above, 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 Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of the proposed use in terms of the standards found in Section 350-56 "Review of permit application; standards and conditions" of the County Zoning Ordinance. The Committee need not consider requirements that would apply to the local Town, other County, State or Federal entities of jurisdiction.

COUNTY STAFF COMMENTS: Normally, the Committee would be able to approve or deny this project based on the zoning ordinance's general criteria for review of conditional use permits. However, the State of Wisconsin Statutes have determined that these projects are effectively pre-approved so long as the project maintains compliance with Statutes. When the Committee approves this conditional use permit request, the following conditions should be required:

1. All of the provisions of the County Zoning Ordinance and State Statutes shall be adhered to by the owners/applicant.
2. A permit bond in the amount of \$20,000 shall be provided to the Land Use Planning & Zoning Department, prior to Land Use Permit issuance, which obligates the applicant to restore the subject site back to pre-development conditions in the event that the tower is taken out of service for a period of time exceeding 1 year.
3. The owners/applicant shall apply for and have been issued a fire number for the subject site prior to land use permit issuance.

TOWN OF BERLIN: An Action Form requesting the Town's input related to this conditional use permit request was mailed to the Town Clerk on July 13, 2023. The Town Board did not object to and approved of the request.

- (4)** LIMITATIONS. With regard to an activity described in sub. (2) (a) or a class 2 collocation, a political subdivision may not do any of the following:
- (a)** Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.
 - (b)** Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.
 - (c)** Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.
 - (d)** Charge a mobile radio service provider a fee in excess of one of the following amounts:
 - 1.** For a permit for a class 2 collocation, the lesser of \$500 or the amount charged by a political subdivision for a building permit for any other type of commercial development or land use development.
 - 2.** For a permit for an activity described in sub. (2) (a), \$3,000.
 - (e)** Charge a mobile radio service provider any recurring fee for an activity described in sub. (2) (a) or a class 2 collocation.
 - (f)** Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.
 - (g)** Disapprove an application to conduct an activity described under sub. (2) (a) based solely on aesthetic concerns.
 - (gm)** Disapprove an application to conduct a class 2 collocation on aesthetic concerns.
 - (h)** Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
 - (i)** Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.
 - (j)** Prohibit the placement of emergency power systems.
 - (k)** Require that a mobile service support structure be placed on property owned by the political subdivision.
 - (L)** Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
 - (m)** Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.
 - (n)** Limit the duration of any permit that is granted.
 - (o)** Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.
 - (p)** Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
 - (q)** Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.
 - (r)** Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.
 - (s)** Consider an activity a substantial modification under sub. (1) (s) 1. or 2. if a greater height is necessary to avoid interference with an existing antenna.
 - (t)** Consider an activity a substantial modification under sub. (1) (s) 3. if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.
 - (u)** Limit the height of a mobile service support structure to under 200 feet.
 - (v)** Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.
 - (w)** Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

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)
August 21, 2023.

Owner/Applicant: Scott & Jennifer Nigbor

Agent: Bug Tussel Wireless – Lee Larson

Site Location: Puchyan Road, Berlin

General legal description: Parcel 002-00344-0000, Town of Berlin, ±32 acres

Request: Conditional Use Permit for a 300' communication tower.

Planned public hearing date for the above requests: September 7, 2023

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:

Brenda Mueckley
Town Representative

8/21/23
Date Signed

NOTES: _____

Please return this form to the Land Use Planning & Zoning Office by: **August 23rd 2023**

Fee Received (Non-Refundable) 375.00

Date 6/22/23

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 Pat Stanton

Mailing Address N4982 Liner Rd. Brandon, WI 53919

Phone Number 920-872-0311 Email stanpat221@gmail.com

Signature *Pat Stanton* Date 6-12-23

AGENT IF OTHER THAN OWNER

Name Cloud 1, LLC, Bug Tussel Wireless Lee Larsen (agent)

Mailing Address 417 Pine St. Green Bay, WI 54301

Phone Number 608-276-5555 Email lee.larsen@btussel.com

Signature *Lee Larsen* Date 6-12-23

PROPERTY INFORMATION

Town of Manchester Location of Property Farm field on Proscarian Rd

Section 21 Town 14 N Range 12 E

Affected Parcel Number(s) 012-00407-0102 Affected Acres _____

Subdivision _____ Lot _____ Block _____

CSM _____ Lot _____ or COS _____

Legal Description Seperate page

Current Zoning Classification Ag

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

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? Proposing to construct a 300' guyed tower on the Stanton parcel to provide rural high speed broadband internet.

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. See site plan, about an acre being used.

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

Bog Tussel has been in business since early 2000's. We provide high-speed internet to rural families.

Once constructed the tower would be visited 4 times per year for maintenance check-ups.

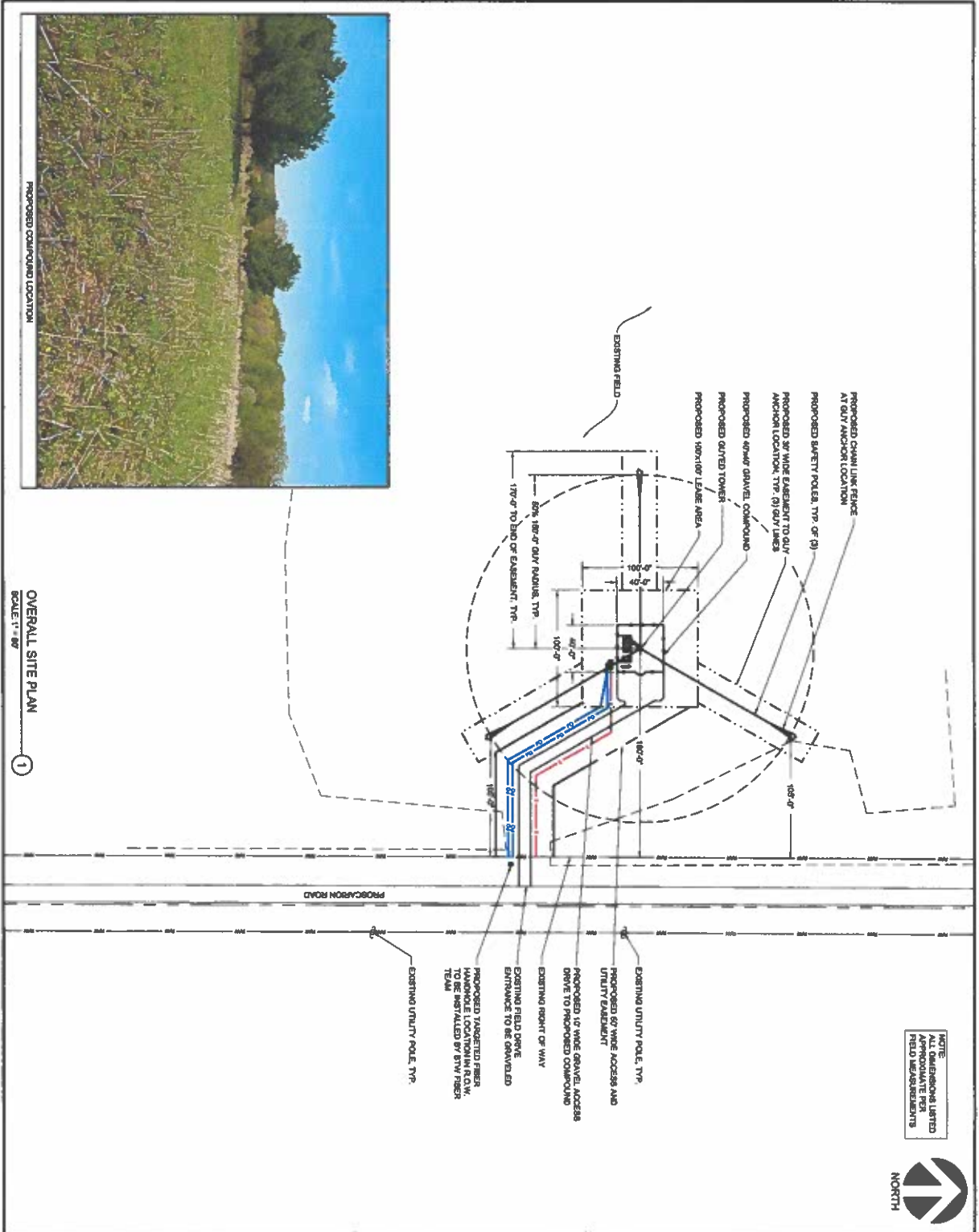


PROPOSED COMPOUND LOCATION

OVERALL SITE PLAN



SCALE: 1" = 80'



NOTE:
 ALL DIMENSIONS LISTED
 ARE PERMITTED BY
 PROPOSED PERMITS



NORTH

(808) 643-4100 www.ramaker.com

417 PINE STREET
 GREEN BAY, WI 54301
 PH: (920) 840-0147

DATE	DESCRIPTION	BY	DATE

PROJECT TITLE: MANCHESTER

PROJECT INFORMATION:
 PROPOSED COMPOUND
 GREEN BAY, WI
 GREEN BAY, WI
 GREEN BAY, WI

OVERALL SITE PLAN

SCALE: 1" = 80'

DATE: 5/30/23

PROJECT: C-2

June 12, 2023

Ms. Alicia Broeren
Cloud 1 Services, LLC
130 Walnut St.
Suite 306
Green Bay, WI 54305 - 1060



B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject:	Fall Certification Letter	
Arcosa Designation:	Arcosa Project Number:	A214
	Arcosa Site Name:	Manchester
Engineering Firm Designation:	B+T Group Project Number:	168372.001.01
Site Data:	Manchester	
	300' Guyed Tower	

To Whom it May Concern:

As Requested by Arcosa Telecom Structures on behalf of Cloud 1 Services, LLC, B+T Group is pleased to submit this "Fall Certification Letter" for the 300' guyed tower to be constructed at the **Manchester** site.

This tower will be designed in accordance with the TIA 222-G standard for Green Lake County, WI. The tower will be designed to support antennas and transmission lines for four wireless carriers. The design criteria are more particularly described as follows:

Design Wind Speed: 115 mph ultimate 3-sec gust (no ice), 40mph 3-sec gust (3/4" ice)
Structure Class: II
Exposure Category: C
Topographic Category: 1

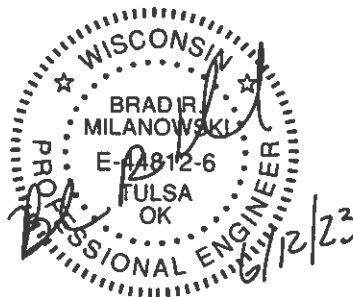
295'—Wireless Carrier 1 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
285'—Wireless Carrier 2 (CaAa= 200 Sq. Ft.) w/ (12) 1 5/8" transmission lines
275'—Wireless Carrier 3 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines
265'—Wireless Carrier 4 (CaAa= 150 Sq. Ft.) w/ (12) 1 5/8" transmission lines

Currently it is our understanding that this structure be designed such that, if a failure were to occur, the tower would fall within a radius of 150' from the base of the structure. It should be understood that communication structures are designed in accordance with strict structural standards and it is extremely rare that well maintained towers fail under normal operational conditions. However, in the highly unlikely event that this tower were to experience operational failure, the failure mode would most likely be compression buckling. In a compression buckling failure, it is reasonable to assume a structure of this type would most likely collapse and fall on itself within a radius of 150' from the base of the tower. It should be understood that this opinion does not consider unpredictable extreme catastrophic events for which the structure is not designed. However, any damage to surrounding property caused by the tower failing during such an event would be relatively insignificant when compared to the damage caused to the surrounding property by the event itself.

I hope this letter satisfies your concerns. Please let me know if I may be of further assistance.

Respectfully submitted by B+T Engineering, Inc.

Brad R. Milanowski, P.E.



AFFIDAVIT OF KRISTOFFER JENNINGS

STATE OF WISCONSIN)
) ss.
COUNTY OF BROWN)

I, the undersigned, being duly sworn, state as follows:

1. I am an adult resident of the State of Wisconsin and a radio-frequency engineer employed by Bug Tussel Wireless, LLC and Cloud 1, LLC.
2. I make this affidavit in support of Cloud 1, LLC's application to the Town of Manchester and Green Lake County to construct a new communications tower located at: Tax Key Number: 012004070100 (Owned by: Patrick Stanton, N4982 Liner Rd. Brandon, WI 53919).
3. Bug Tussel Wireless, LLC is a duly licensed mobile service provider and shall be the anchor tenant on the Cloud 1, LLC tower proposed property.
4. One of my job responsibilities is to design and direct the placement of the Bug Tussel Wireless antenna facilities throughout its entire mobile service network.
5. Attached hereto and incorporated herein is a true and correct copy of an analysis performed by me which reviews existing tower structures within one (1) miles of the proposed tower location, and I have found that there are no collocation prospects for Bug Tussel Wireless, LLC. The attached RF analysis supports my findings.
6. Towers that are under 200 ft. in height are generally not populated in searchable national tower databases as they are generally not registered by the FCC. Further, because of the reduced height of a tower below 200 ft. in height vs. that in this affidavit here, they are not considered suitable for our use as they do not allow for proper coverage of the necessary area for our network needs.
7. The proposed site will have Bug Tussel Wireless fixed internet services.

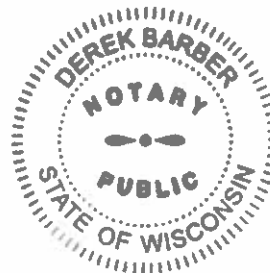
Kristoffer Jennings
(Signature)

06/13/2023
(Date)

Kristoffer Jennings

Subscribed and sworn to before me
this 13 day of June, 2023.

Derek Barber, Notary Public
Green County, Wisconsin
My Commission Expires Permanent



June 13, 2023

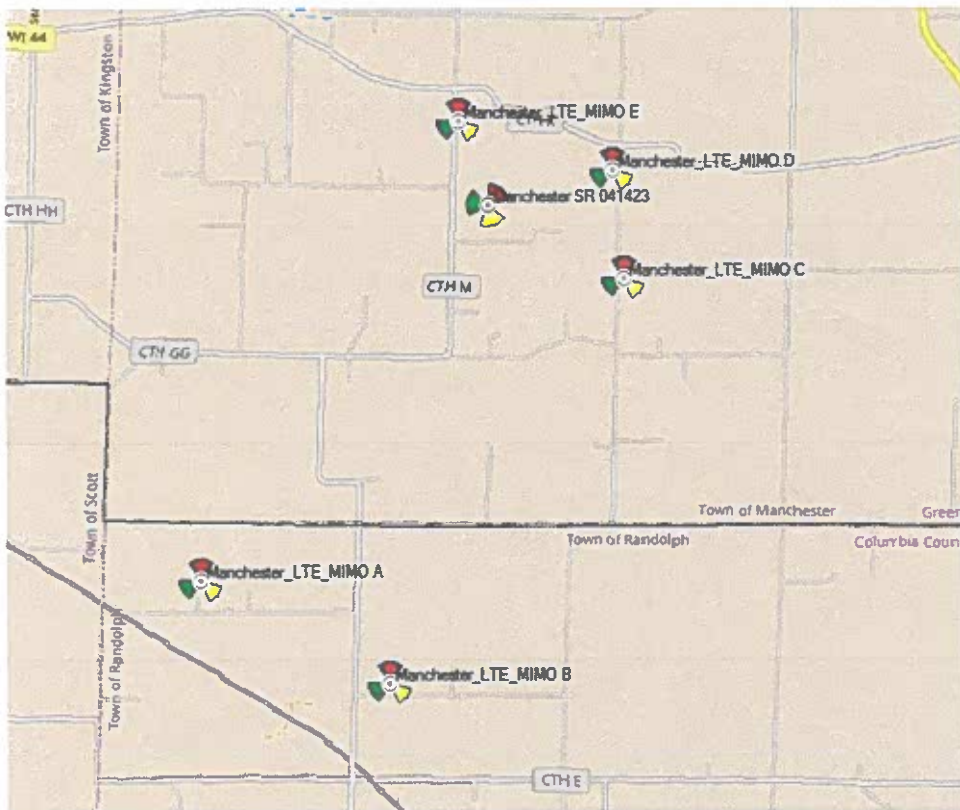
RF Analysis – Manchester

Search Ring Center: 43.65957466, -89.082364716

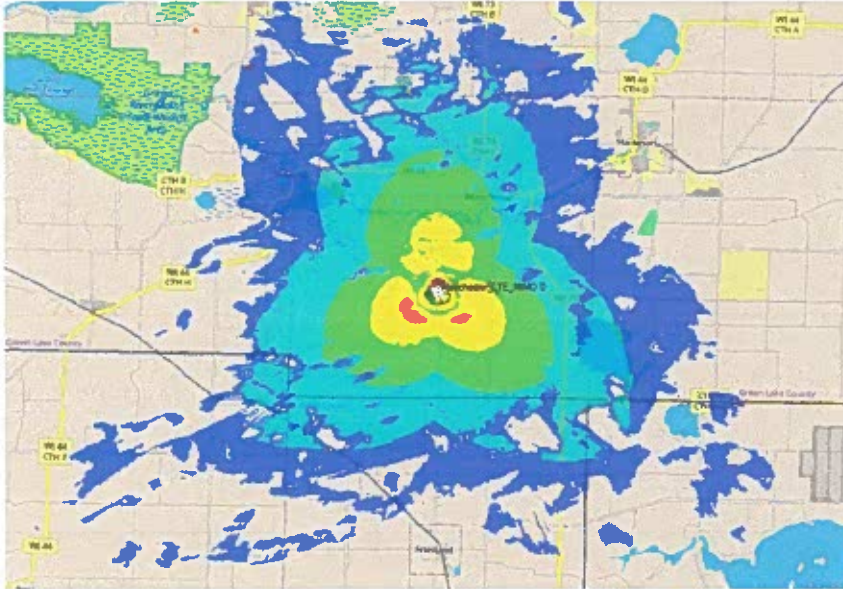
Proposed Tower Location: 43.66280942, -89.067714991

Towers within a 1-mile radius: Zero

The first map shows multiple locations. The first is the search center (Manchester_SR 041423), the second is the proposed location (Manchester_LTE MIMO A), also shown but not selected for build are (Manchester_LTE MIMO A, Manchester_LTE MIMO B, Manchester_LTE MIMO C, Manchester_LTE MIMO E)



This next map shows the coverage from the proposed location. We are proposing to build a 300' tower for Bug Tussel Wireless fixed internet. This is a very good location for our tower. There are no existing structures in the search area that we could collocate on, so building a new tower makes sense.



Conclusion:

The proposed Manchester D site is the optimal location for Bug Tussel Wireless to build a new tower. There are no collocation options within (1.0) mile of this locality. This location is also a good fit with our plan to provide broadband service to rural Wisconsin.

Submitted by:

Kris Jennings

RF Engineer

Bug Tussel Wireless, LLC

kris.jennings@bugtusselwireless.com

920-819-3606



LICENSE OR PERMIT BOND

Bond 354228342

LICENSE OR PERMIT BOND

KNOW ALL BY THESE PRESENTS, That we, CLOUD 1 SERVICES, LLC
417 Pine Street, Green Bay, WI 54301
as Principal, and the Liberty Mutual Insurance Company, a MA corporation,
as Surety, are held and firmly bound unto GREEN LAKE COUNTY, WI

in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00)

for which sum, well and truly to be paid, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed and sealed this 12th day of June, 2023

THE CONDITION OF THIS OBLIGATION IS SUCH, That WHEREAS, the Principal has been or is about to be granted a license or permit to do business as remove the tower at the Manchester Site, Tax Parcel #012-00407-0102 by the Obligee.

NOW, Therefore, if the Principal well and truly comply with applicable local ordinances, and conduct business in conformity therewith, then this obligation to be void; otherwise to remain in full force and effect.

PROVIDED, HOWEVER; 1. This bond shall continue in force:

Until , or until the date of expiration of any Continuation Certificate executed by the Surety

OR

[X] Until canceled as herein provided.

2 This bond may be canceled by the Surety by the sending of notice in writing to the Obligee, stating when, not less than thirty days thereafter, liability hereunder shall terminate as to subsequent acts or omissions of the Principal.

CLOUD 1 SERVICES, LLC Principal

By [Signature]



Liberty Mutual Insurance Company

By [Signature] Roxanne Jensen Attorney-in-Fact



This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

Certificate No: 8209723-354019

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian Krause, Kelly Cody, Marc Sacia, Roxanne Jensen, Trudy A. Szalewski

all of the city of Milwaukee state of WI each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seats of the Companies have been affixed thereto this 3rd day of April, 2023.



Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company
West American Insurance Company

By: [Signature]
David M. Carey, Assistant Secretary

State of PENNSYLVANIA
County of MONTGOMERY ss

On this 3rd day of April, 2023 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



Commonwealth of Pennsylvania - Notary Seal
Teresa Pastella, Notary Public
Montgomery County
My commission expires March 28, 2025
Commission number 1126044
Member Pennsylvania Association of Notaries

By: [Signature]
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS: Section 12. Power of Attorney.

Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts: Section 5. Surety Bonds and Undertakings.

Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 12th day of June, 2023.

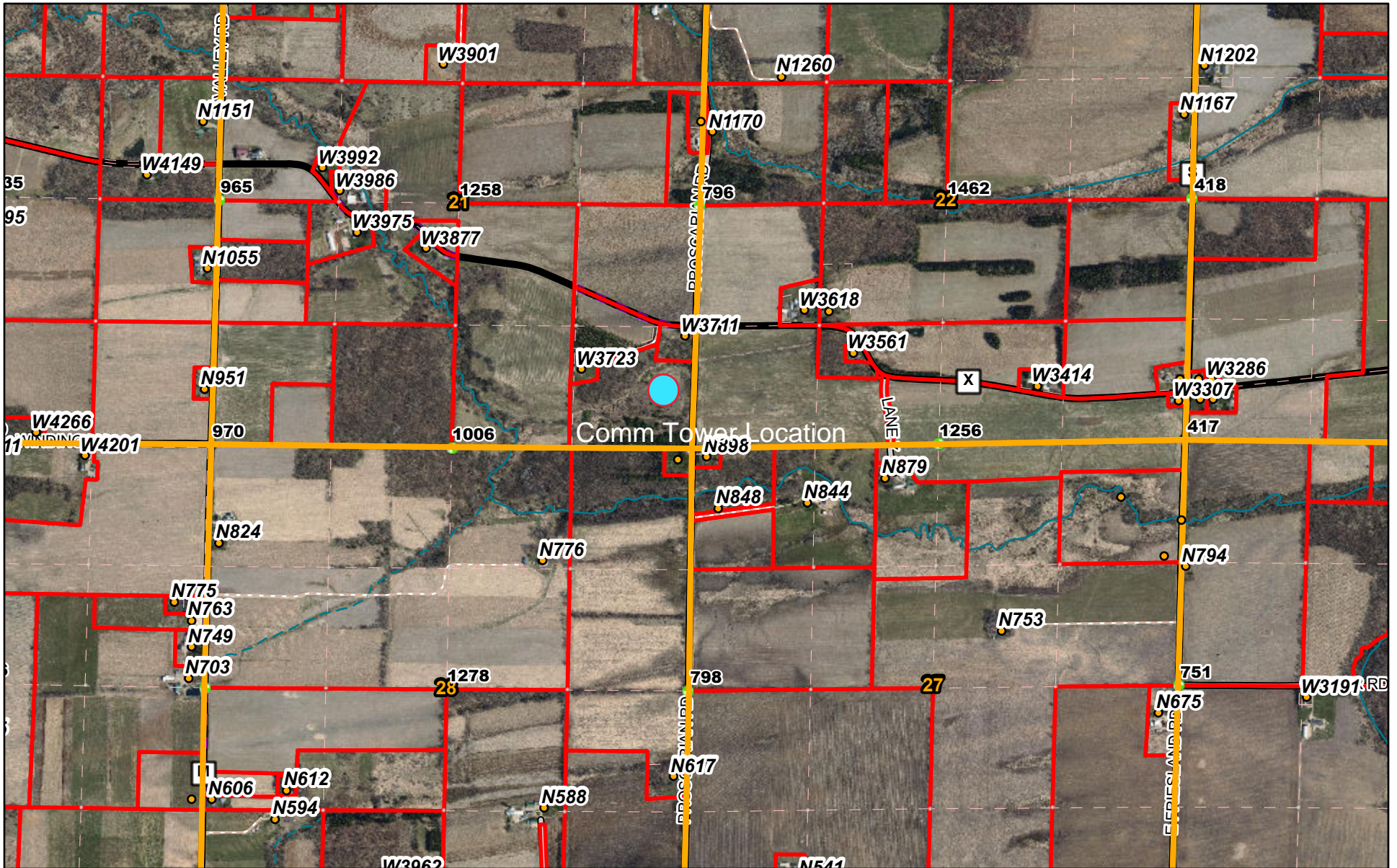


By: [Signature]
Renee C. Llewellyn, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

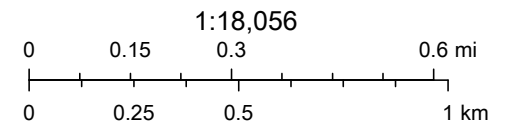
For bond and/or Power of Attorney (POA) verification inquiries, please call 610-832-8240 or email HOSUR@libertymutual.com.

P.H. Map Stanton CUP, TMN

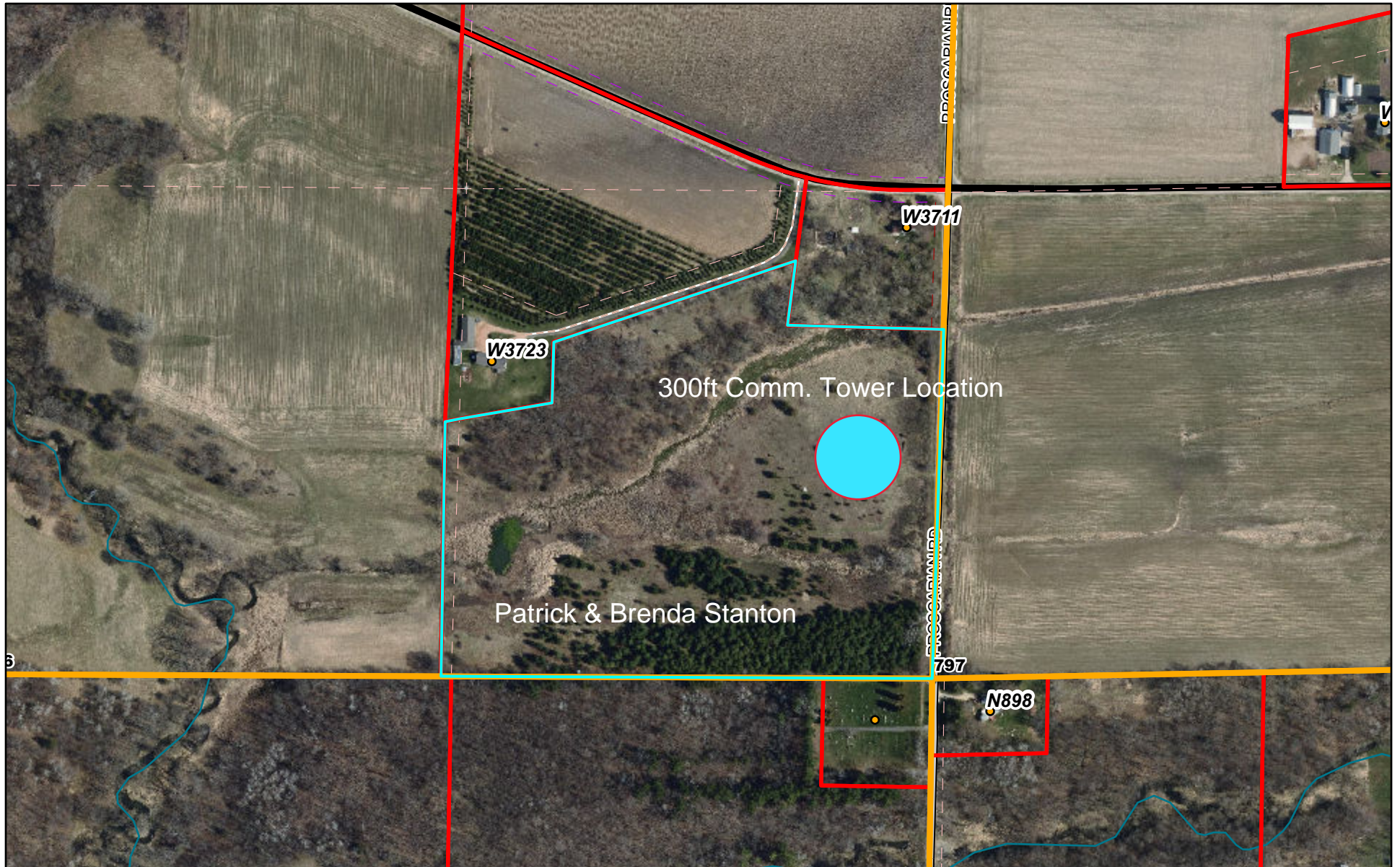


8/11/2023, 11:12:07 AM

- Address Corner
- Section
- ⊕ QUARTER
- ⊙ SECTION
- ⊙ SUB
- ⊕ CENTER

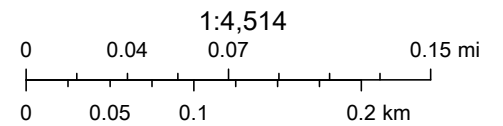


P.H. Map Stanton CUP, TMN



8/11/2023, 11:08:53 AM

- Address Corner
- SUB
- ▭ Section
- ⊕ SECTION



LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

ITEM III: CONDITIONAL USE PERMIT (CUP)

OWNERS:

Patrick & Brenda Stanton

APPLICANT:

Cloud 1 – Lee Larsen

REQUEST: The owners and applicant are requesting a conditional use permit to construct a 300-foot tall communication's tower to include a high-speed internet service facility, as well as associated ground equipment.

PARCEL NUMBER / LOCATION: The request affects parcel 012-00407-0102, located in the SE¼ of the SE¼ of Section 21, T14N, R12E, Town of Manchester. The subject site is just west of Proscarian Road.

EXISTING ZONING AND USES OF ADJACENT AREA: The subject site is located about 3 miles SE of Grand Lake (Village of Kingston) and about 3 miles NW of Lake Maria (Town of Manchester). The parcel of land impacted by this request is zoned A-1, Farmland Preservation District. The predominant land use around the parcel is agricultural or undeveloped wetlands. There are several farm and/or rural residences within a mile of the proposed use. Zoning districts in proximity to the proposed use range from A-1 down to R-4 (Rural Residential).

ADDITIONAL INFORMATION / ANALYSIS: The conditional use permit application states that the subject property is currently used as hay field and for hunting. The proposal would include the equipment compound, tower, chain-link fence, and three guy wire anchor locations. All of these are included in the leased area being provided by the property owners.

Per Chapter 66.0404(4)(a) through (w), (See page 3 of 3), the only way this project could be stopped would be if the owners/applicant refused to comply with the statutory requirements that are reflected in Green Lake County zoning ordinance Section 350-44. The Land Use Planning & Zoning Department will make sure the owners/applicant adhere to these requirements.

The purpose of this conditional use permit hearing is to notify the public of the impending project. In doing so, the adjacent property owners have the opportunity to attend a public hearing to find out specifics and give testimony, and to voice any concerns regarding the project.

GENERAL STANDARDS FOR REVIEW OF CONDITIONAL USE REQUESTS: Subject to the limitations outlined above, 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 Committee shall take into consideration, among other things, the recommendation of the affected town and the particular facts and circumstances of the proposed use in terms of the standards found in Section 350-56 "Review of permit application; standards and conditions" of the County Zoning Ordinance. The Committee need not consider requirements that would apply to the local Town, other County, State or Federal entities of jurisdiction.

COUNTY STAFF COMMENTS: Normally, the Committee would be able to approve or deny this project based on the zoning ordinance's general criteria for review of conditional use permits. However, the State of Wisconsin Statutes have determined that these projects are effectively pre-approved so long as the project maintains compliance with Statutes. When the Committee approves this conditional use permit request, the following conditions should be required:

1. All of the provisions of the County Zoning Ordinance and State Statutes shall be adhered to by the owners/applicant.
2. A permit bond in the amount of \$20,000 shall be provided to the Land Use Planning & Zoning Department, prior to Land Use Permit issuance, which obligates the applicant to restore the subject site back to pre-development conditions in the event that the tower is taken out of service for a period of time exceeding 1 year.
3. The owners/applicant shall apply for and have been issued a fire number for the subject site prior to land use permit issuance.

TOWN OF MANCHESTER: An Action Form requesting the Town's input related to this conditional use permit request was mailed to the Town Clerk on July 13, 2023.

- (4)** LIMITATIONS. With regard to an activity described in sub. (2) (a) or a class 2 collocation, a political subdivision may not do any of the following:
- (a)** Impose environmental testing, sampling, or monitoring requirements, or other compliance measures for radio frequency emissions, on mobile service facilities or mobile radio service providers.
 - (b)** Enact an ordinance imposing a moratorium on the permitting, construction, or approval of any such activities.
 - (c)** Enact an ordinance prohibiting the placement of a mobile service support structure in particular locations within the political subdivision.
 - (d)** Charge a mobile radio service provider a fee in excess of one of the following amounts:
 - 1.** For a permit for a class 2 collocation, the lesser of \$500 or the amount charged by a political subdivision for a building permit for any other type of commercial development or land use development.
 - 2.** For a permit for an activity described in sub. (2) (a), \$3,000.
 - (e)** Charge a mobile radio service provider any recurring fee for an activity described in sub. (2) (a) or a class 2 collocation.
 - (f)** Permit 3rd party consultants to charge the applicant for any travel expenses incurred in the consultant's review of mobile service permits or applications.
 - (g)** Disapprove an application to conduct an activity described under sub. (2) (a) based solely on aesthetic concerns.
 - (gm)** Disapprove an application to conduct a class 2 collocation on aesthetic concerns.
 - (h)** Enact or enforce an ordinance related to radio frequency signal strength or the adequacy of mobile service quality.
 - (i)** Impose a surety requirement, unless the requirement is competitively neutral, nondiscriminatory, and commensurate with the historical record for surety requirements for other facilities and structures in the political subdivision which fall into disuse. There is a rebuttable presumption that a surety requirement of \$20,000 or less complies with this paragraph.
 - (j)** Prohibit the placement of emergency power systems.
 - (k)** Require that a mobile service support structure be placed on property owned by the political subdivision.
 - (L)** Disapprove an application based solely on the height of the mobile service support structure or on whether the structure requires lighting.
 - (m)** Condition approval of such activities on the agreement of the structure or mobile service facility owner to provide space on or near the structure for the use of or by the political subdivision at less than the market rate, or to provide the political subdivision other services via the structure or facilities at less than the market rate.
 - (n)** Limit the duration of any permit that is granted.
 - (o)** Require an applicant to construct a distributed antenna system instead of either constructing a new mobile service support structure or engaging in collocation.
 - (p)** Disapprove an application based on an assessment by the political subdivision of the suitability of other locations for conducting the activity.
 - (q)** Require that a mobile service support structure, existing structure, or mobile service facilities have or be connected to backup battery power.
 - (r)** Impose a setback or fall zone requirement for a mobile service support structure that is different from a requirement that is imposed on other types of commercial structures.
 - (s)** Consider an activity a substantial modification under sub. (1) (s) 1. or 2. if a greater height is necessary to avoid interference with an existing antenna.
 - (t)** Consider an activity a substantial modification under sub. (1) (s) 3. if a greater protrusion is necessary to shelter the antenna from inclement weather or to connect the antenna to the existing structure by cable.
 - (u)** Limit the height of a mobile service support structure to under 200 feet.
 - (v)** Condition the approval of an application on, or otherwise require, the applicant's agreement to indemnify or insure the political subdivision in connection with the political subdivision's exercise of its authority to approve the application.
 - (w)** Condition the approval of an application on, or otherwise require, the applicant's agreement to permit the political subdivision to place at or collocate with the applicant's support structure any mobile service facilities provided or operated by, whether in whole or in part, a political subdivision or an entity in which a political subdivision has a governance, competitive, economic, financial or other interest.

Please type or use black ink

Return to: Green Lake County
Planning & Zoning Department
571 County Road A
Green Lake, WI 54941
(920) 294-4156

GENERAL APPLICATION

Fee \$375⁰⁰ (not refundable)
Zone Change from R1 to R4
Conditional Use Permit for _____
Other _____

Date 6/28/23

PROPERTY OWNER / APPLICANT (1)

Name JOHN WALZ
Mailing Address 2925 N. BALTIMORE AVE
Phone Number 303-242-9547
Date 6/28/2023

* Signature _____ DocuSigned by: _____ Date _____

PROPERTY OWNER / APPLICANT (2)

Name SELLERS REAL ESTATE AGENT *- Terry Dixon*
Mailing Address TDIXON@MIDWESTLIFESTYLEPROPERTIES.COM
Phone Number 608-677-0750 UNITED COUNTRY
Signature _____ Date _____

PROPERTY INFORMATION

Town of MARQUETTE Parcel Number(s) 014-00395-0000
Acres 3.95 Lot 1 Block _____ Subdivision _____
Section 32 Town 15 North Range 11 East
Location of Property W6726 PUCKAWAY RD.
Legal Description LOT 1 CSM 2448 V 11 SEC 32

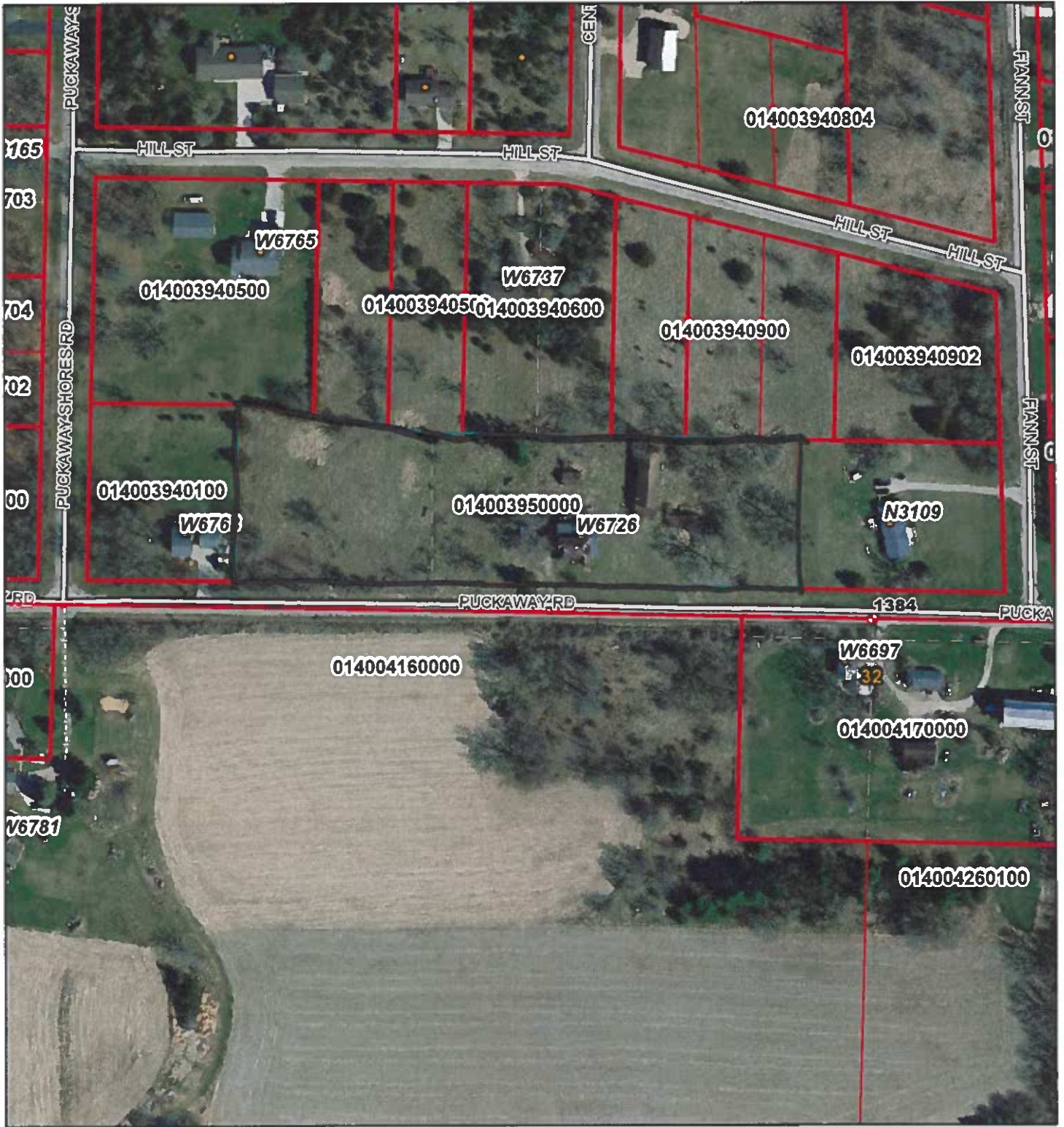
Current Zoning Classification R1 Current Use of Property _____
FOR SALE

Detailed Description of Proposed Use HOMESTEAD
PROPERTY CURRENTLY FOR SALE - PROSPECTIVE BUYERS
ARE AMISH FAMILIES. MAIN TRANSPORTATION ARE HORSES
R-1 TO R-4 TO HAVE HORSE OTHER LARGE LIVESTOCK

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

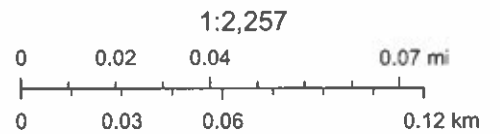
Fees: Zone Change \$375.00
Conditional Use Permit \$375.00
Special Exception \$375.00
Variance/Appeal \$375.00

GIS Viewer Map

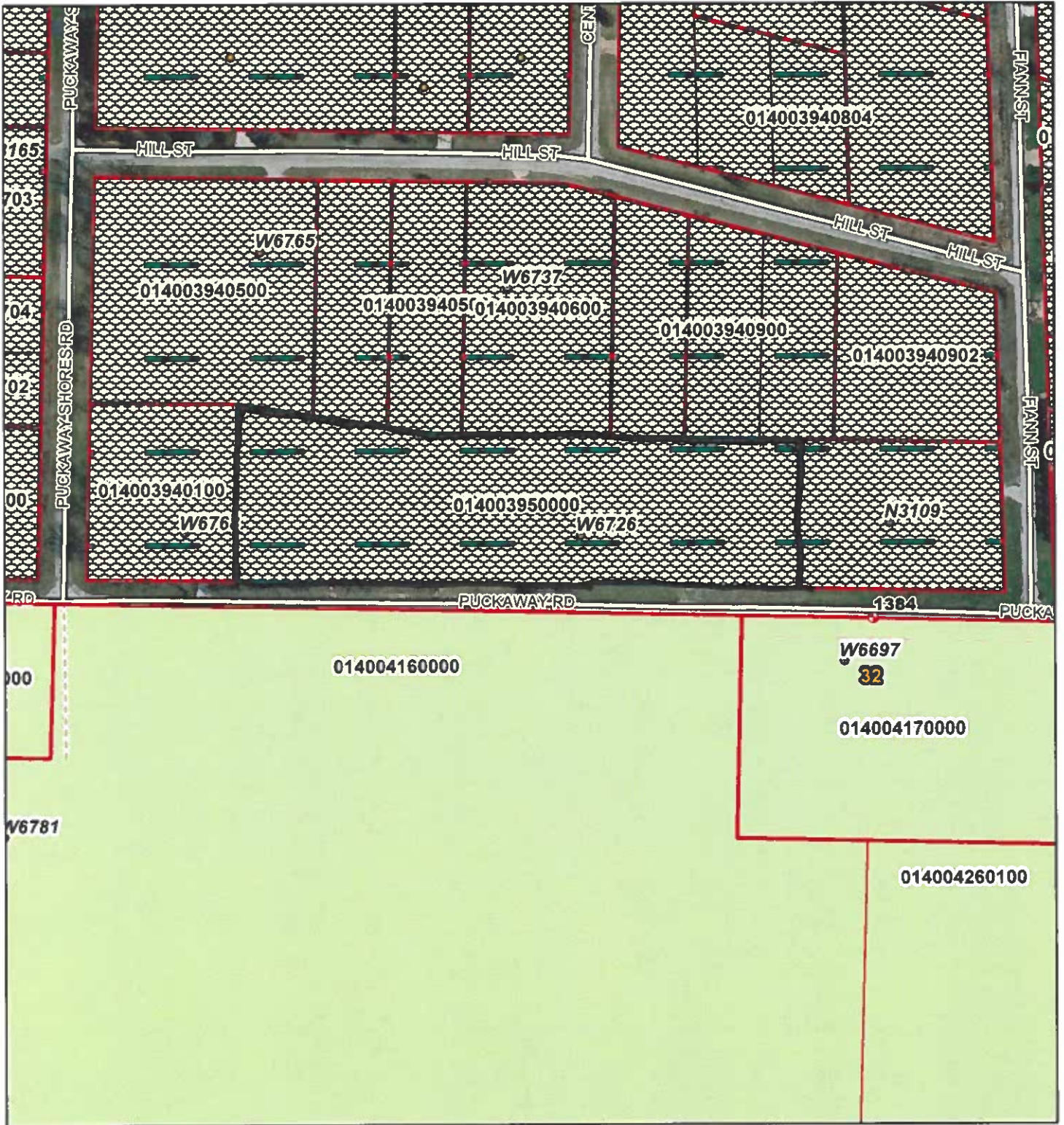


6/29/2023, 11:35:29 AM

- Address Corner
- ▭ Section
- ▭ TaxParcel
- CENTER

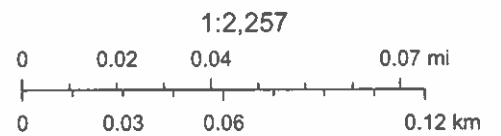


GIS Viewer Map

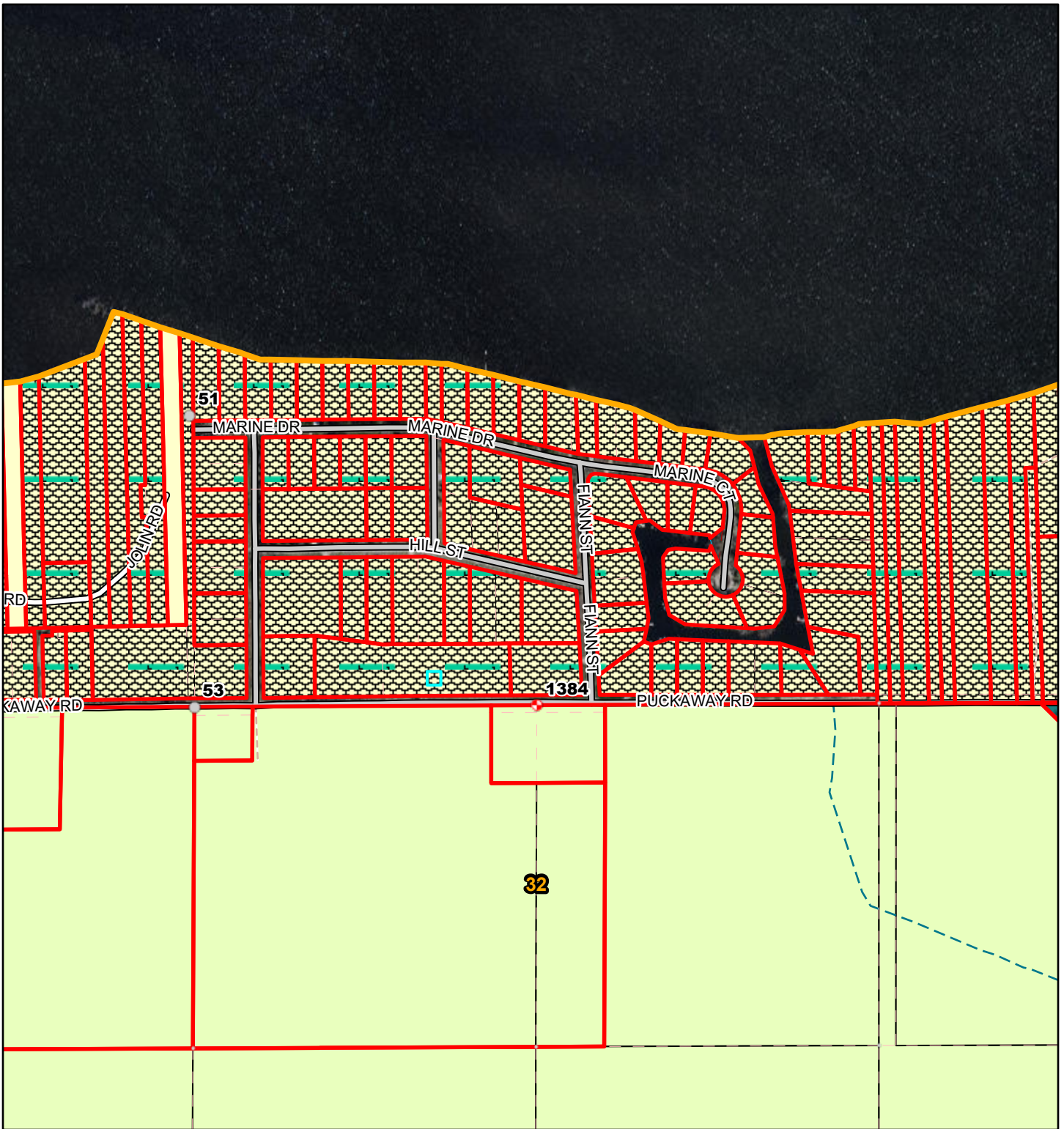


6/29/2023, 11:36:40 AM






- Address Corner
- ▭ Section
- ▭ TaxParcel
- CENTER

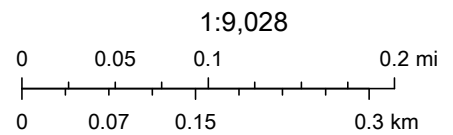


GIS Viewer Map

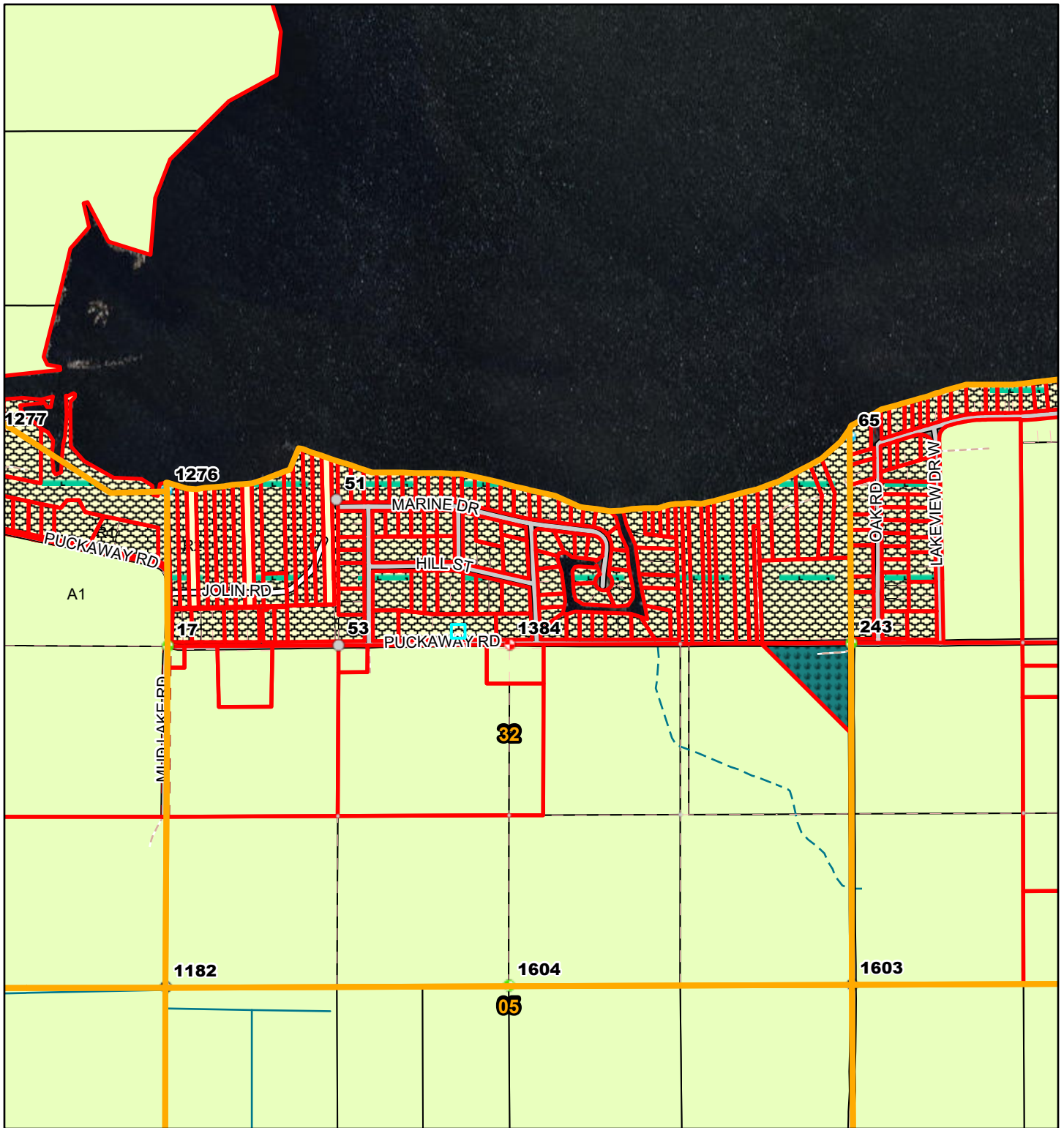


7/14/2023, 9:54:12 AM

-  Section
-  GOVLOT
-  Corner
-  SUB
-  CENTER










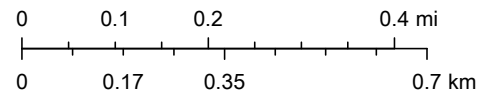
GIS Viewer Map



7/14/2023, 9:53:27 AM

1:18,056

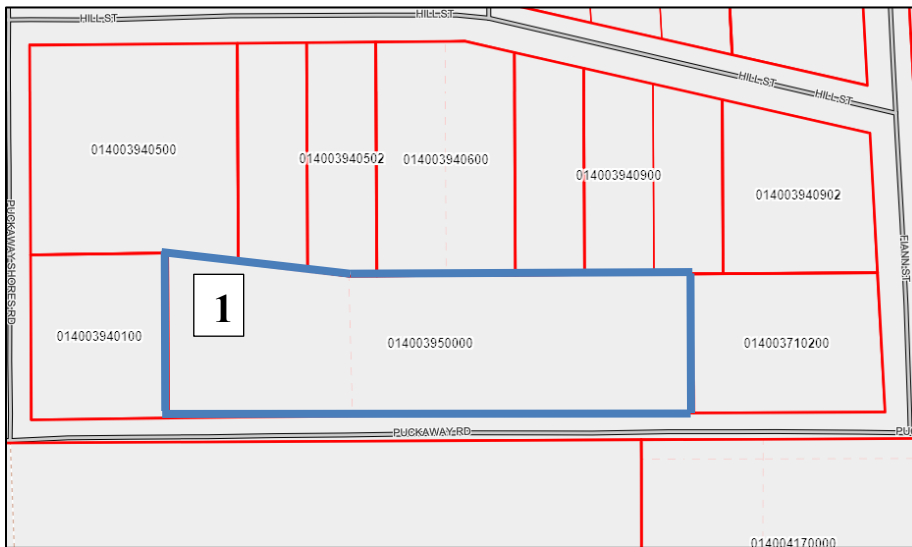
- | | | |
|---|---|--|
|  Section |  QUARTER |  GOVLOT |
| Corner |  CENTER |  SUB |
|  SECTION |  MEANDER | |



**Owners: John A & Dawn M Walz
Town of Marquette
Parcel #014-00395-0000
Part of the NW1/4 of Section 32, T15N, R11E**

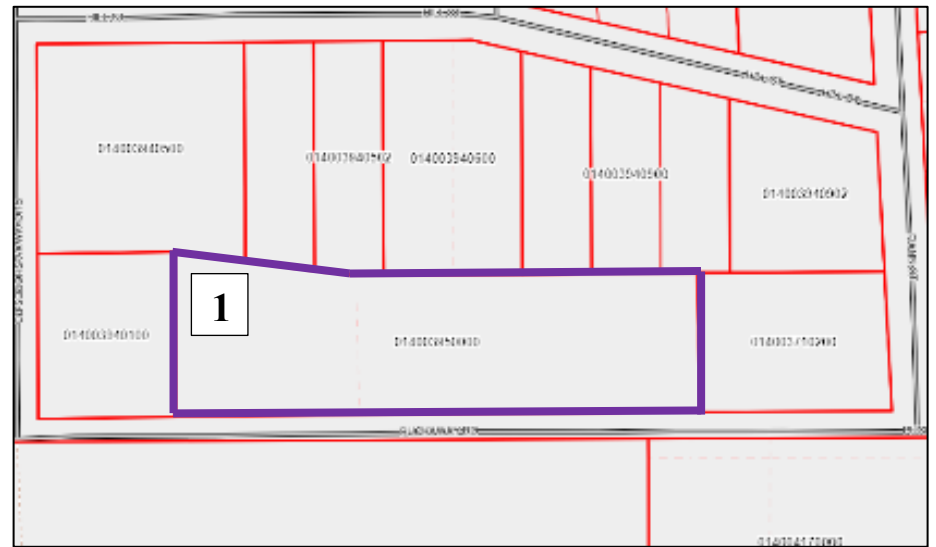
Existing Configuration

1 = ±3.59 acre parcel zoned R-1, Single-Family Residence



Proposed Configuration

1 = ±3.59 acre parcel zoned R-4, Rural Residential District



Land Use Planning & Zoning Public Hearing 09/7/2023

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

ITEM IV: ZONING CHANGE

OWNER:

John Walz

APPLICANT:

Terry Dixon

REQUEST: The applicant is requesting a zoning change for ±3.95 acres from R-1, Single Family Residence District to R-4, Rural Residential District.

PARCEL NUMBER / LOCATION: The request affects parcel numbered 014-00395-0000. The parcel is located in the SE ¼ of the NW ¼ Section 32, T15N, R11E, Town of Marquette. The site address is W6726 Puckaway Rd.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of parcel 014-00395-0000 is R-1 and has a house with a few outbuildings. The parcel has some open land that appears to not be used for anything currently. The surrounding lands north of Puckaway Road are zoned R-1 and appear to mostly be used residentially with some parcels being vacant. The neighboring lands south of Puckaway Road are zoned A-1, Farmland Preservation District and appear to be used mostly for agricultural farm fields with a couple farm residences. There are no wetlands, and the property does not fall under floodplain zoning. A portion of the property does fall under shoreland zoning.

ADDITIONAL INFORMATION / ANALYSIS: The current use of the property is residential. The intention is to rezone the parcel together so that it could be sold to some prospective buyers such as an Amish family. A rezone to R-4 would allow animals as the prospective buyers would own horses and other livestock. The property is a homestead property.

REZONING CRITERIA PER §350-75.A.: Land may be rezoned if all of the following are found after public hearing: **(Staff comments in bold)**

The amendment is consistent with community land use plan (comprehensive plan). **The proposed rezone is consistent with the county's comprehensive plan.**

The amendment will not be detrimental to property in the immediate vicinity or to the community as a whole. **The properties north of the road are all used residentially, however the neighboring properties to the south of the road all used agriculturally. This property would serve as a transition zone from residential to agricultural properties.**

The amendment will not have a significant adverse impact on the natural environment (i.e., air, water, noise, stormwater management, soils, wildlife, vegetation, etc.), or the impact could be mitigated by management practices on the site or in the immediate vicinity. **The property would be used similarly to how it is currently used now. The property may add new agricultural uses but would not be as extensive as nearby agricultural properties.**

The amendment will not have a significant adverse impact on the ability to provide adequate public facilities or services (i.e., highways, streets, water, sewage, drainage, schools, emergency services, etc.). **Rezoning parcel to R-4 would not adversely impact the ability to provide adequate public facilities or services as the parcel already has been served before.**

The amendment allows a more viable transition to planned land uses on adjacent properties than the current zoning designation. **The parcel is located in between residential uses to the north and agricultural south. The property shares lot lines with R-1 zoned parcels but is close to agricultural used lands. The purpose of R-4 zoning is to be a transitional zone between agricultural and residential uses.**

The amendment will not result in inappropriate spot-zoning (i.e., use is inconsistent with surrounding properties and serves only a private, rather than public interests). **Spot-zoning would not be an issue since the properties to south are zoned agriculturally and the northern properties are zoned residential.**

TOWN OF MARQUETTE: An Action Form requesting the Town's input related to this zoning change request was sent to the Town Clerk on 7/13/2023.

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 375.00 (not refundable)

Date 6/30/23

Zone Change from A-1 to R-4

Conditional Use Permit for _____

Other _____

PROPERTY OWNER / APPLICANT

Name Gelhar Real Estate Investments, LLC

Mailing Address % Steven R Sorensen PO Box 301, Ripon, WI 54971

Phone Number 920-232-4846

Signature [Signature] Date 6-30-2023

AGENT IF OTHER THAN OWNER

Name _____

Mailing Address _____

Phone Number _____

Signature _____ Date _____

PROPERTY INFORMATION

Town of Mackford Parcel Number _____ Acres _____

Lot _____ Block _____ Subdivision _____

Section 10 Town 14 North Range 13 East

Location of Property W965 County Rd S

Legal Description see attached

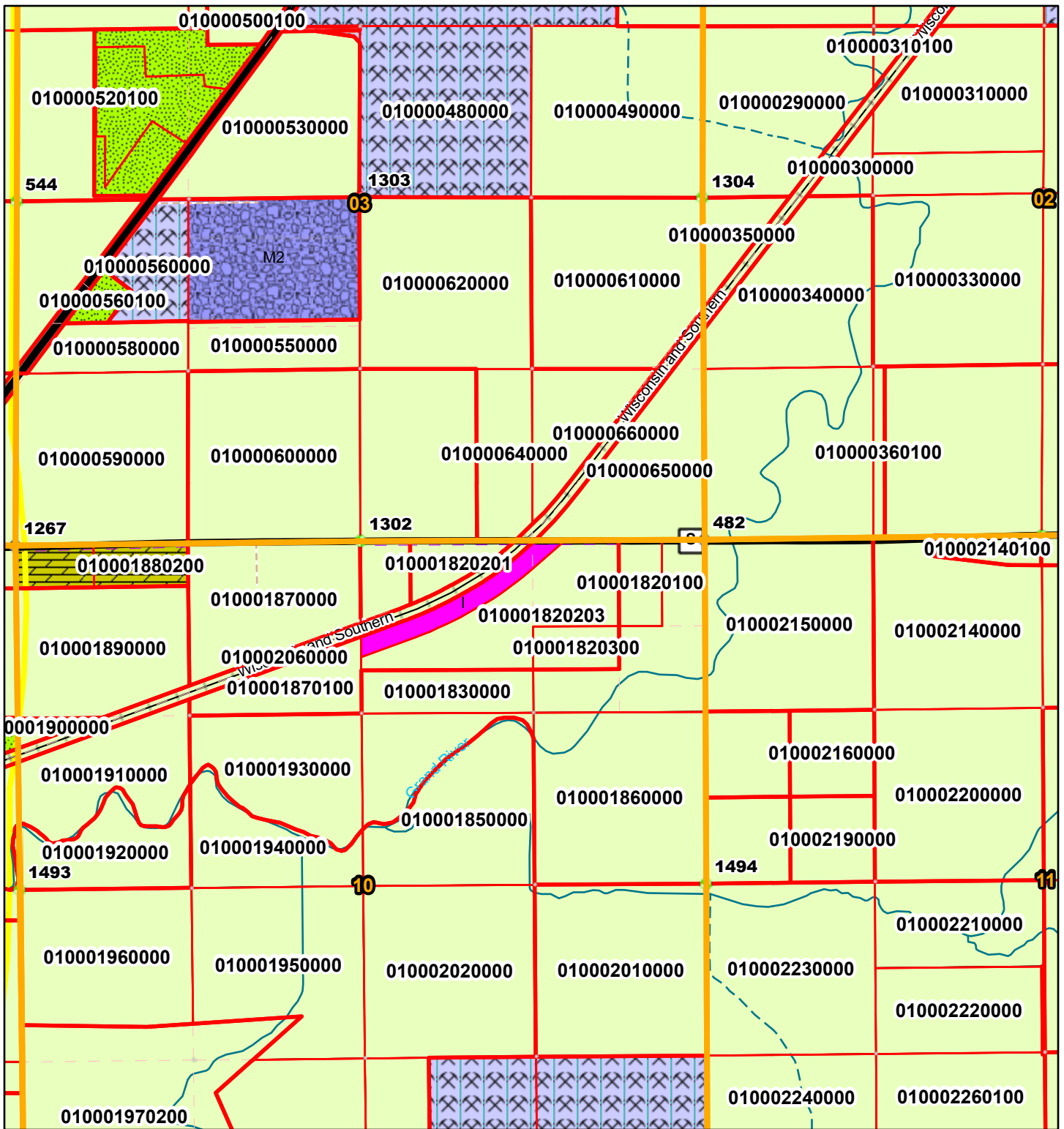
Current Zoning Classification A-1 Current Use of Property Rural Residential

Detailed Description of Proposed Use Wooded lands with dwelling to be divided from larger parcel. Parcel to be surveyed off and sold to current tenant.

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

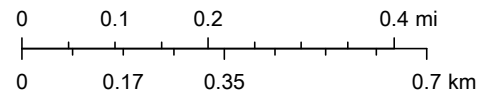
GIS Viewer Map



7/14/2023, 2:13:55 PM

1:18,056

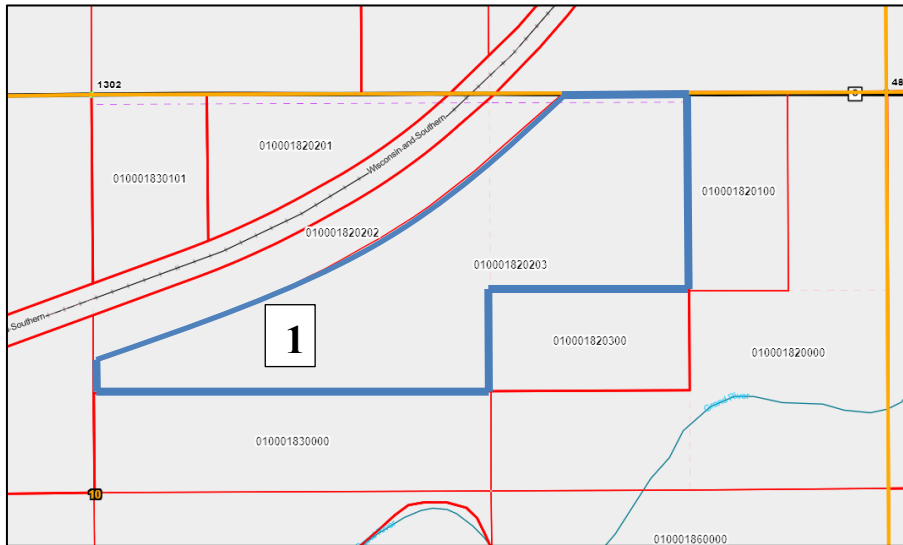
- Section
- CENTER
- Corner
- SUB
- SECTION TaxParcel
- QUARTER



**Owners: Gelhar Real Estate Investments LLC
Town of Mackford
Parcel #010-00182-0203
Part of the NE1/4 of Section 10, T14N, R13E**

Existing Configuration

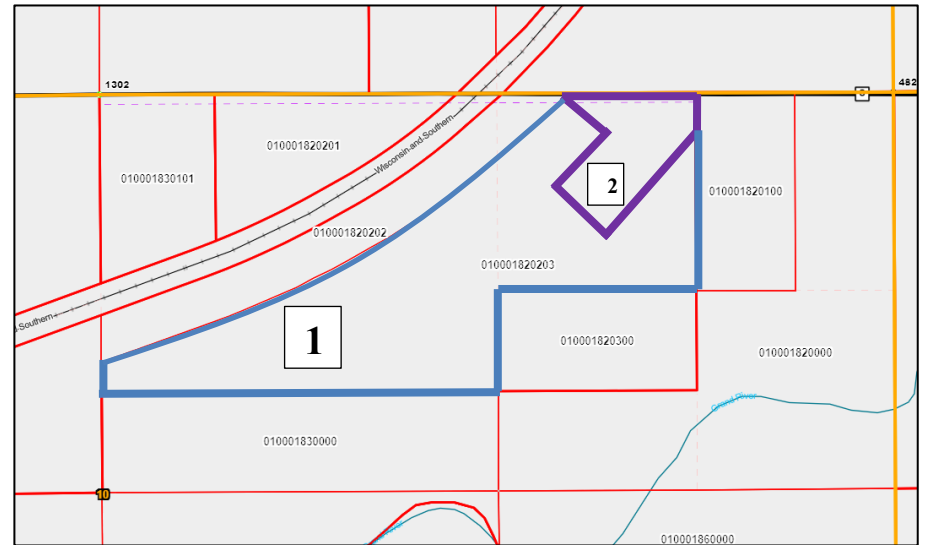
1 = ±21.38 acre parcel zoned A-1, Farmland Preservation District



Proposed Configuration

1 = ±18.02 acre parcel zoned A-1, Farmland Preservation District

2 = ±3.36 acre parcel zoned R-4, Rural Residential District



LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

ITEM V: ZONING CHANGE

OWNER:

Gelhar Real Estate Investments

APPLICANT:

Same

REQUEST: The applicants are requesting a zoning change for ±3 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 is 010-00182-0203(±21.44 acres), located in the N ½ of the NE ¼ of Section 10, T14N, R13E, Town of Mackford. The site address for the proposed zoning change is W965 County Rd S.

EXISTING ZONING AND USES OF ADJACENT AREA: The current zoning of parcel 010-00182-0203 is A-1. This property is currently used for agriculture as most of the property is a farm field. There is a residence on the property as well. Most of the lands surrounding this parcel are also zoned A-1 with one parcel to the west zoned I, Industrial District. Most of the surrounding uses are agricultural in nature with some areas being left in the natural state of a wetland and floodplain for the Grand River. The I, zoned parcel is used as part of the railway system running near the property.

ADDITIONAL INFORMATION / ANALYSIS: The area of rezone has been utilized as a residence for over 20 years and is intended to be split so the house can be sold.

The soils on this property fall between class II and class III, there are no class I soils at the site location. Class I soils are defined as “soils have few limitations that restrict their use”. 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”.

Attached soil map represents 3.4 acres, a little bit more than what the rezone is planned for. About ±2.83 acres are considered as class III soils. This equates to 83% of the acreage as class III soils with 17% of the soils being class II soils. (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. **The proposed area to be rezoned has 83% of the soils as a class III soil. Only 17% of the soils are class II soils. The land to be rezoned has not been farmed and has been utilized as a residence for the past 20 years based on aerial photos. It could be argued either way as for what the best use is for this property.**

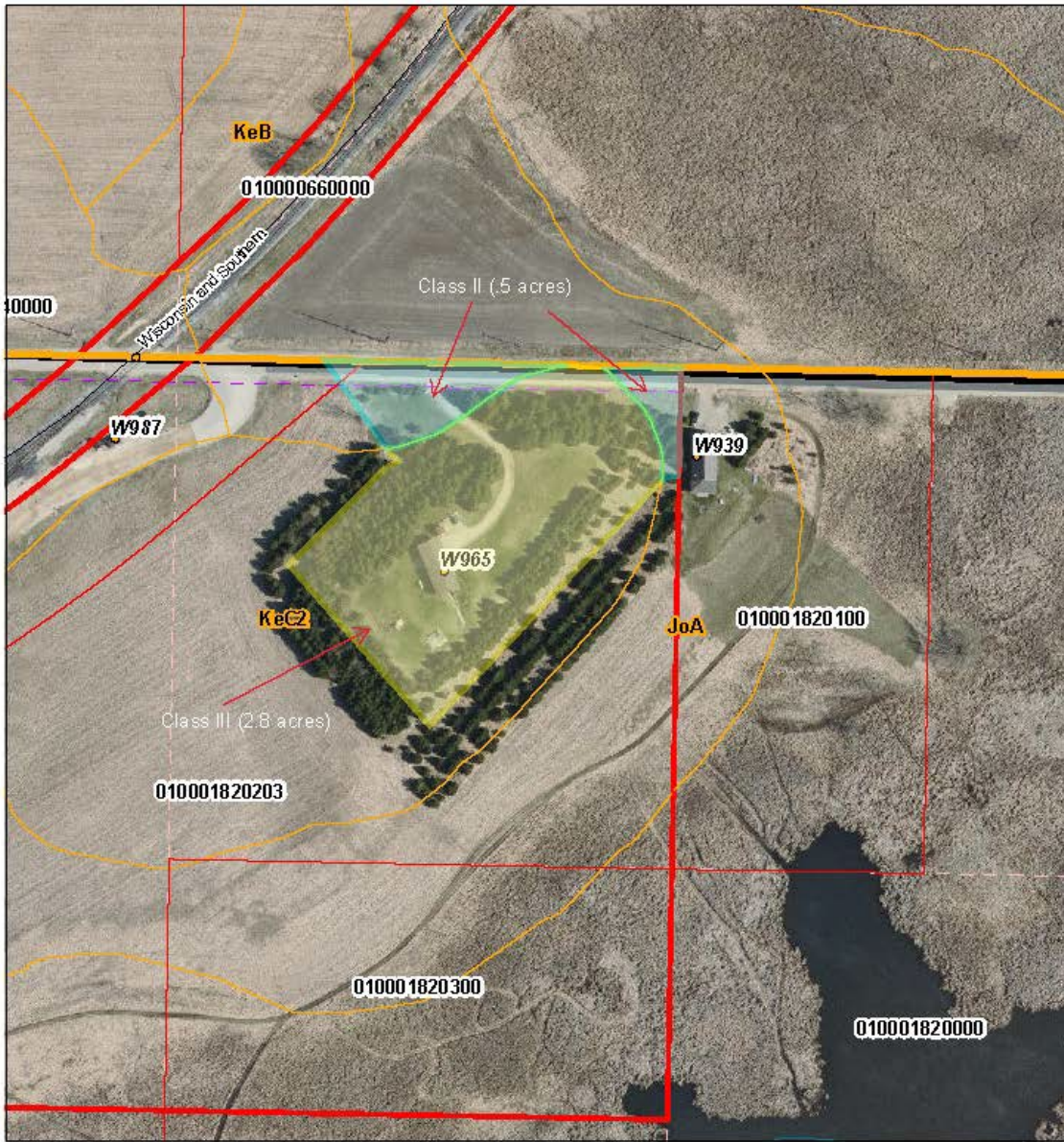
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan** as it upholds the goals and objectives, most prominently the goal to preserve the rural characteristic of the county. Section 350-41 of the County Zoning 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.**

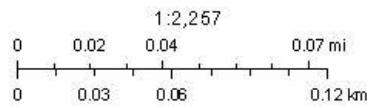
TOWN OF MACKFORD: An Action Form requesting the Town's input related to this zoning change request was emailed to the Town Clerk on July 13, 2023. The Town Board did not return the action form.

GIS Viewer Map



8/16/2023, 1:36:13 PM

-  Address
-  TaxParcel
-  Section
-  Soil
- Corner
- SUB



Green Lake County, WI
www.greenlakecountywi.gov

ORDINANCE NO. –2023

Amending § 350-41, R-4 Rural Residential District

The County Board of Supervisors of Green Lake County, Green Lake Wisconsin, duly assembled at its regular meeting begun on the 19th day of September, 2023, does ordain as follows:

1 WHEREAS, the Green Lake County Land Use, Planning & Zoning Committee has
2 determined that the current detached accessory building structure standards in the R-4,
3 Rural Residential Zoning District are overly restrictive, especially in comparison to
4 surrounding counties.

5
6 WHEREAS, the higher amounts of acreage found in R-4 districts are better able to fit
7 larger buildings.

8
9 WHEREAS, the significant costs associated with building and materials will naturally
10 regulate the size of construction.

11
12 NOW, THEREFORE, THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY
13 OF GREEN LAKE DOES ORDAIN AS FOLLOWS:

14
Section 1. Green Lake County Ordinance, § 350-41, R-4 Rural Residential District, E. Accessory Structure Standards, Ordinance No. 30-2021 enacted on September 21, 2023 be, and it hereby is, AMENDED.

Roll Call on Ordinance No. – 2023

Aye , Nay , Absent , Abstain

Submitted by Land Use, Planning and Zoning Committee:

Passed & Enacted/Rejected this ___
day of April 2023

Curt Talma, Chair

David Abendroth, County Board Chairman

Charles Buss, Vice-Chair

Attest: County Clerk
Approved as to Form: Elizabeth Otto

Bill Boutwell

Corporation Counsel Jeff Mann

Harley Reabe

Gene Thom

15 Section 2. § 350-41, R-4 Rural Residential District, E. Accessory Structure Standards is
16 amended as follows:

- 17
- 18 (1) Setbacks: same as principal structure.
- 19
- 20 (2) Height: ~~25 feet maximum; ground floor surface to peak.~~ **None. However, there**
21 shall be no sidewalls above the ground floor ceiling joist. Ground floor sidewalls
22 shall not exceed ~~15~~ **20** feet in height.
- 23
- 24 (3) **Structure Footprint:** Area: ~~1,500 square foot maximum footprint (ground floor)~~
25 **None.**
- 26
- 27 (4) Volume: ~~25,000 cubic feet maximum volume~~ **None.**
- 28
- 29 (5) Human habitation of a detached accessory building structure may be allowed,
30 however shall be limited to 20% of the footprint area or 300 square feet,
31 whichever is less. This standard shall apply to only one detached accessory
32 building per lot or parcel.
- 33
- 34 (6) In no case is a shipping or storage container(s) to be utilized as a residential
35 accessory building structure.
- 36

37 Section 3. This ordinance shall become effective upon passage and publication.

38

39 Section 4. The amendment of this chapter herein shall not have any effect on existing
40 litigation and shall not operate as an abatement of any action or proceeding then pending or
41 by virtue of the repealed or amended sections.

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

September 7, 2023

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 to modify the maximum accessory structure sidewall height from 15ft to 20ft and to eliminate the maximum accessory structure height, footprint and volume requirement in the R4, Rural Residential District.

ADDITIONAL INFORMATION / ANALYSIS: Presently, the County Zoning Ordinance restricts accessory structures specification in the R-4, Rural Residential zoning district. These structures are limited as to maximum garage door height and overall height, maximum footprint, and volume. When compared to surrounding counties, that have a zoning district that is comparable to our R4 district, these restrictions are especially limiting. Every surrounding county, with a comparable zoning district, either allows for much larger accessory structures or has no limitations on these structures whatsoever.

The R4 zoning district's area standards when compared to the other residential zoning district are much larger, however, all of the residential zoning districts share the same accessory structure limitations. The maximum footprint is 1500sqft, maximum sidewall height is 15ft, maximum overall height is 25ft and the maximum volume is 25,000cuft. These standards seem appropriate for half-acre lots, but the R4 district area standards are at least 3 acres and up to 8 acres. The proposed zoning ordinance amendment would increase the maximum sidewall height to 20ft and eliminate the other limitations in the R4 district.

SUMMARY: This ordinance amendment addresses inconsistencies between Green Lake County and adjoining counties as it relates to accessory structure specifications. Further, the broader allowances for these structures will allow R4 property owners to construct appropriately sized buildings to store larger personal equipment.

There is a concern that removing the restrictions on these structures in the R4 would give way to an epidemic of massive outbuildings on still relatively small lots that do not have a required agricultural use. Furthermore, it could also lead to these property owners utilizing these massive outbuildings for uses not allowed in the R4 district. While these concerns are not unfounded, those that choose to build on this large of scale will be aware that their building(s) use is restricted to personal use. Furthermore, the significant costs associated with buildings and materials should also have the effect of limiting the impact of this amendment.

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 accessory structure standards of the R4 district will continue to mirror those of the strictly residential R1, R2 and R3 zoning districts. Property owners with larger personal equipment would continue to have to find off property storage space. Also, the property owners as well as the County would miss out on any advantage associated with the additional development of these R4 parcels. These amendments enhance a property owner's ability to use their property in accordance with their respective zoning district while insulating adjoining property owners from any use that is inconsistent with the purpose of their zoning district, **both essential functions of any zoning ordinance.**