



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, December 5, 2024.**

Packet Pages:

- 2 Agenda
- 3-4 Draft Meeting Minutes from 11/7/24
- 5-6 Financial Reports for October 2024
- 7-10 Land Use & Sanitary Reports for October 2024
- 11-12 Violation Status Reports
- 13 Administrative Policy PLSS Perpetuation
- 14-44 Proposed Zoning Ordinance Amendment – Wind Energy Systems
- 45 2025 Land Use Planning & Zoning Committee Calendar
- 46-53 Complaint Review Regarding S&L Holdings, LLC

Land Use Planning & Zoning Committee Meeting Notice

Date: Thursday, December 5, 2024, Time: 9:00 AM
Green Lake County Government Center, County Board Room
571 County Rd A, Green Lake WI

Amended AGENDA

Committee Members

Chuck Buss-chair
Bill Boutwell-vice chair
Curt Talma
Gene Thom
Sue Wendt

Secretary: Karissa Block

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.

This agenda gives notice of a meeting of the Land Use Planning and Zoning Committee. It is possible that individual members of other governing bodies of Green Lake County government may attend this meeting for informative purposes. Members of the Green Lake County Board of Supervisors or its committees may be present for informative purposes but will not take any formal action. A majority or a negative quorum of the members of the Green Lake County Board of Supervisors and/or any of its committees may be present at this meeting. See State ex rel. Badke v. Vill. Bd. of Vill. of Greendale, 173 Wis.2d 553, 578, 494 N.W. 2d 408 (1993).

- 1. Call to Order
- 2. Certification of Open Meeting Law
- 3. Pledge of Allegiance
- 4. Minutes of 11/7/2024
- 5. Department Activity Reports
 - a) *Financial Reports*
 - b) Land use & septic permits
 - c) Violation reports
- 6. Administrative Policy PLSS Perpetuation
- 7. Farmland Preservation Plan Committee Update
- 8. Proposed Zoning Ordinance Amendment – Wind Energy Systems
- 9. Approve 2025 Land Use Planning & Zoning Committee Calendar
- 10. *Per Section 350-57, Review Complaint Regarding S&L Holdings, LLC*
- 11. Public Comment (15 minutes total/3-minute limit per person)
- 12. Committee Discussion
 - a) Future Meeting Dates: January 2, 2025 @ 9:00am
 - b) Future Agenda items for action & discussion
- 13. Adjourn

Microsoft Teams meeting: This meeting will be conducted through in person attendance or audio/visual communication. Remote access can be obtained through the Microsoft Teams link on the agenda posted on the County website’s Events Calendar:

Microsoft Teams meeting

Join on your computer, mobile app or room device

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**GREEN LAKE COUNTY
LAND USE PLANNING AND ZONING
COMMITTEE MEETING MINUTES
Thursday, November 7, 2024**

CALL TO ORDER

Planning & Zoning Chair Chuck Buss called the meeting of the Land Use Planning and Zoning Committee to order at 9:00AM in the Green Lake County Government Center, County Board Room #0902, Green Lake, WI. The requirements of the open meeting law were certified as being met. Public access was available via remote programming as well as in person. The Pledge of Allegiance was recited.

Present: **Bill Boutwell, Curt Talma (Remote), Chuck Buss, Gene Thom, Sue Wendt**

Also Present: **Matt Kirkman**, Land Use Planning and Zoning Director; **Karissa Block**, Deputy County Clerk; **Jeff Mann**, Corporation Counsel; **Ryan Schinke**, Land Use Coordinator/Technician; **Renee Thiem-Korth**, Register of Deeds

APPROVAL OF MINUTES

Motion/second (Boutwell/Wendt) to approve the minutes of the 09/05/2024 meeting. Motion carried with no negative vote.

DEPARTMENT ACTIVITY REPORTS

- Land Use & Septic Permits
- Violation Reports

Kirkman went over Permits and Violations. 4 violations have been resolved since the September meeting. Mann gave an update on Violation Reports. Kirkman discussed POWTS. Discussion held.

REGISTER OF DEEDS REPORT

Renee Thiem-Korth, Register of Deeds, was happy to announce that after 7 months, her office is now officially fully staffed. Korth hired on Kim Sell and she has been a great addition to the Register of Deeds office. Korth shared that her revenue is well over last year's at this time. Korth's office is still working on their scanning and digitizing project.

FARMLAND PRESERVATION PLAN COMMITTEE UPDATE

Kirkman has a group of Farmers put together to participate in the Farmland Preservation Plan. Kirkman will be sending out a letter to anyone wanting to participate with further information.

PUBLIC COMMENT (15 MINUTES TOTAL / 3 MINUTE LIMIT)

Sue McConnell, N4975 Craig Rd – Commented on Farmland Preservation Plan Committee.

Tony Daley, Berlin Journal Newspaper – Asked if the Berlin Journal will be allowed to attend the meeting.

Kirkman stated that the Farmland Preservation meeting will be open to the public, however, will most likely not have public comment/public hearing.

Phillip Anastasi, W6766 Hill St – Commented on Farmland Preservation Plan Committee

Sue McConnell – Commented further on Farmland Preservation Plan Committee

COMMITTEE DISCUSSION

- a. Next meeting date – December 5, 2024 @ 9:00AM
- b. Future agenda items for action & discussion

-Wind Energy Ordinance

ADJOURN

Chair Buss adjourned the meeting at 9:47AM

Respectfully submitted,

Karissa Block
Deputy County Clerk

For 10/01/24 - 10/31/24

Expenditure Summary Report

FJEXS01A

Periods 10 - 10

Land Use & Zoning Month End Expenses

MEE100-10-P&Z

<u>Account No/Description</u>	<u>Adjusted Budget</u>	<u>Y-T-D Encumb</u>	<u>Period Expended</u>	<u>Y-T-D Expended</u>	<u>Available Balance</u>	<u>Percent Used</u>
10 Land Use Planning and Zoning						
53610 Code Enforcement						
24-100-10-53610-110-000 Salaries	319,530.00	.00	37,648.80	257,308.62	62,221.38	80.53
24-100-10-53610-140-000 Meeting Payments	940.00	.00	121.22	938.06	1.94	99.79
24-100-10-53610-151-000 Social Security	24,446.00	.00	2,784.24	19,721.37	4,724.63	80.67
24-100-10-53610-153-000 Ret. Employer Share	22,050.00	.00	2,597.79	18,595.13	3,454.87	84.33
24-100-10-53610-154-000 Health Insurance	109,362.00	.00	5,942.44	59,424.40	49,937.60	54.34
24-100-10-53610-155-000 Life Insurance	524.00	.00	47.43	468.55	55.45	89.42
24-100-10-53610-210-002 Professional Services	9,500.00	.00	887.50	7,687.50	1,812.50	80.92
24-100-10-53610-218-000 VIOLATION NOTICE SERVICE	300.00	.00	.00	.00	300.00	.00
24-100-10-53610-225-000 Phone Service	870.00	.00	48.47	488.42	381.58	56.14
24-100-10-53610-242-000 Print Management	300.00	.00	25.94	283.44	16.56	94.48
24-100-10-53610-307-000 Training	940.00	.00	306.75	890.90	49.10	94.78
24-100-10-53610-310-000 Office Supplies	990.00	.00	3.93	740.19	249.81	74.77
24-100-10-53610-312-000 Field Supplies	200.00	.00	.00	21.08	178.92	10.54
24-100-10-53610-312-001 Non-Metallic Mining Expense	.00	.00	.00	1,749.00	-1,749.00	.00
24-100-10-53610-320-000 Publications-BOA Public Hearing	600.00	.00	.00	3,037.70	-2,437.70	**
24-100-10-53610-320-001 Publications-PZ Public Hearing	3,000.00	.00	.00	2,499.00	501.00	83.30
24-100-10-53610-321-000 Seminars	930.00	.00	.00	885.00	45.00	95.16
24-100-10-53610-324-000 Member Dues	130.00	.00	.00	170.90	-40.90	131.46
24-100-10-53610-330-000 Travel	750.00	.00	.00	499.80	250.20	66.64
24-100-10-53610-352-000 Vehicle Maintenance	838.00	.00	13.74	454.43	383.57	54.23
53610 Code Enforcement	496,200.00	.00	50,428.25	375,863.49	120,336.51	75.75
10 Land Use Planning and Zoning	496,200.00	.00	50,428.25	375,863.49	120,336.51	75.75

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

FEES RECEIVED	OCTOBER				YEAR-TO-DATE				BUDGET	
	2023		2024		2023		2024		2024	
	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT		
LAND USE PERMITS										
Total Monthly Issued Permits	28	5,950	29	12,450	224	52,500	215	\$ 68,900	\$ 60,000	115%
SANITARY PERMITS (POWTS)										
Total Monthly Issued Permits	4	1,120	12	3,585	62	17,240	71	\$ 22,155	\$ 26,000	85%
NON-METALLIC MINING PERMITS										
Annual Permit Fees	-	-	-	\$ -	18	15,650	7	\$ 14,005	\$ 15,200	92%
BOARD OF ADJUSTMENT										
Special Exception	-	-	-	-	-	-	-	-	-	
Variances	-	-	-	-	2	750	5	1,875	-	
Appeals	-	-	-	-	1	375	-	-	-	
Total	-	\$ -	-	\$ -	3	\$ 1,125	5	\$ 1,875	\$ 1,500	125%
PLANNING & ZONING COMMITTEE										
Zoning Change	1	375	-	-	8	3,000	8	3,000	-	
Conditional Use Permits	1	375	-	-	13	4,875	5	1,875	-	
Variance	1	450	-	-	2	900	-	-	-	
Total	3	\$ 1,200	-	\$ -	23	\$ 8,775	13	\$ 4,875	\$ 8,525	57%
MISC.										
Wisconsin Fund	-	-	-	-	-	-	1	50	-	
Fines & Forfeitures	1	200	1	400	8	1,000	21	8,240	-	
Total	1	\$ 200	1	\$ 400	8	\$ 1,000	22	\$ 8,290	-	
SURVEYOR										
Certified Survey Maps	1	180	6	1,110	31	5,415	33	5,955	6,500	
Preliminary and Final Plats	-	-	-	-	-	-	-	-	-	
Applied Funds: County Surveyor	-	-	-	-	1	9,500	-	-	9,500	
Total	1	\$ 180	6	\$ 1,110	32	\$ 14,915	33	\$ 5,955	\$ 16,000	37%
GIS (Geographic Information System)										
Map Sales	-	-	-	-	1	15	-	-	-	
Land Records Transfer	-	-	-	-	-	-	-	-	25,000	
Land Information Grant	-	-	-	-	-	-	-	-	10,000	
Total	-	\$ -	-	\$ -	1	\$ 15	-	\$ -	\$ 35,000	0%
GRAND TOTAL										
									Total	78%

Land Use Permits: 10/1/2024 - 10/31/2024

Town of Berlin

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13791	N7765 37TH AVE	10/03/2024	AMBER TULLY CHRISTEL, KAYLAN TULLY CHRISTEL	4000	Accessory Structure - Agricultural Building	Horse Shed, tin roof, wooden frame		

Town of Brooklyn

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13743	W1917 BELLE MAPPS CT	10/02/2024	JAMES & MAUREEN STERN	410000	Land Disturbing Activity - Impervious Surface Treatment Device	SC-310 Stormtech chambers with stone surrounding chambers per manufacturer	Accessory Structure - Attached Deck/Patio	Shade/Basement Access Patio
13786	N5422 SHORE DR	10/07/2024	LUTY REAL ESTATE HOLDINGS II LLC	115000	Accessory Structure - Boathouse	Boathouse	Land Disturbing Activity - Impervious Surface Treatment Device	Two ¾ inch clear stone infiltration basins sized 10'x3'x3' and 12'x3'x3'
13792	N5673 COUNTY ROAD A	10/03/2024	JUSTINM MAHLIK, SARAHA MAHLIK	2750000	Accessory Structure - Accessory Structure	Breezeway	Land Disturbing Activity - Driveways	Driveway being moved
13796	W2725 HILLSIDE RD	10/07/2024	AMERICAN BAPTIST ASSEMBLY	50000	Accessory Structure - Attached Deck/Patio	Deck		
13799	W3250 BAY RD	10/08/2024	DAVIDR BLOCK, KARLAK BLOCK	935000	Accessory Structure - Attached Garage	Attached Garage	Accessory Structure - Porch	Front Porch
13802	N5751 BROOKLYN G RD	10/10/2024	CONNIEM KLETTKE, KEVINJ KLETTKE	75000	Accessory Structure - Agricultural Building	Agricultural Storage Building		
13806	W1205 ILLINOIS AVE	10/14/2024	HUFFMAN FAMILY WISCONSIN QUALIFIED PERSONAL RESIDENCE TRUST	493000	Accessory Structure - Detached Garage	Nonconforming Detached Garage with Second Story 2 Bedroom Apartment Replacement		
13819	N5493 COUNTY ROAD A	10/29/2024	BRADFORD JAKEL, CARRI JAKEL	200000	Accessory Structure - Retaining Walls	Southern Retaining Wall	Accessory Structure - Stairs/Walkway	Walkway to Lake
13822	W2335 CHESTNUT CT	10/30/2024	ARTHURJ GAGNE, KATELYNJ GAGNE	780000	Accessory Structure - Attached Deck/Patio	Covered Patio	Accessory Structure - Porch	Covered Porch

Town of Green Lake

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13789	W2940 KAHL RD	10/21/2024	BRYANB BEAUCHAMP, ELIZABETHA BEAUCHAMP	410000	Accessory Structure - Porch	Screen Porch	Accessory Structure - Attached Deck/Patio	Upper Deck
13797	W1842 SANDSTONE AVE	10/07/2024	PRICE FAMILY REVOCABLE TRUST	20000	Accessory Structure - Attached Deck/Patio	Patio		
13800	W1450 SPRING GROVE RD	10/08/2024	ARTHURC KRUG, LORI KRUG	15000	Additions / Alterations - Addition/Alteration to Principal	Dormer Expansion	Accessory Structure - Porch	Front Porch
13801	W3132 BLACKBIRD POINT LN	10/09/2024	GUYM LARSON DECLARATION OF TRUST, MARGARETH LARSON DECLARATION OF TRUST	30000	Land Disturbing Activity - Driveways	Replace gravel driveway with pavers		
13804	W1954 PLEASANT AVE	10/11/2024	GRANTM OLSON, JENNIFERJ WOJNAROWICZ	21000	Additions / Alterations - Addition/Alteration to Accessory Structure	Boathouse Repair	Land Disturbing Activity - Drainage	Excavation and drainage around boathouse
13807	W2087 TULETA HILL RD	10/16/2024	LELAM NEUBAUER, NICHOLASA NEUBAUER	525000	Accessory Structure - Porch	Front Porch	Accessory Structure - Porch	Sun Room
13810	W1712 SANDSTONE AVE	10/21/2024	ROCHELLEL CIEZAK REVOCABLE TRUST	1200000	Accessory Structure - Porch	Side Porch	Accessory Structure - Porch	Three Season Porch
13817	N3122 SUSAN DR	10/29/2024	ANTHONYD PAULI	14000	Accessory Structure - Storage Buildings	Carport with storage area		
13825	W2482 OAKWOOD AVE	10/31/2024	CHRISTOPHERL OSBORN, HEATHERI OSBORN	72000	Accessory Structure - Retaining Walls	Houseside Retaining Wall	Accessory Structure - Retaining Walls	Lakeside Retaining Wall

Town of Kingston

Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
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none								
Town of Mackford								
Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13803	W1836 E MANCHESTER ST	10/11/2024	JOELLEL DUNLAVY, JOHNJ DUNLAVY	489000	Accessory Structure - Attached Garage	Attached Garage	Accessory Structure - Porch	Covered Porch
Town of Manchester								
Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13794	W4376 STATE ROAD 44	10/07/2024	ESTHER BONTRAGER, HARLEYA BONTRAGER	15000	Additions / Alterations - Addition/Alteration to Principal	wood shed and buggy shed combo		
13795	W4376 STATE ROAD 44	10/07/2024	ESTHER BONTRAGER, HARLEYA BONTRAGER	14000	Ag. Structure - Agricultural Building	Hoop barn for growing tomatoes		
13811	N2127 MARQUETTE RD	10/21/2024	WILBUR M & EDNA A BONTRAGER	40000	Ag. Structure - Agricultural Building	new 40' by 80' shed		
13823	W3561 STATE ROAD 44	10/30/2024	EZRA E & MINERVA J PETERSHEIM	19500	Additions / Alterations - Addition/Alteration to Accessory Structure	42 x 30 greenhouse added to existing shed	Accessory Structure - Shed	44 x 80 storage shed
Town of Marquette								
Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13815	W6723 HILL ST	10/29/2024	JOSHUA ROHDE, SAMANTHA ROHDE	400000	Accessory Structure - Attached Garage	Attached Garage	Accessory Structure - Porch	Wrap around covered porch
13816	W6854 JOLIN RD	10/29/2024	JASONT SCHLIMGEN, KRISTINEM SCHLIMGEN	33000	Additions / Alterations - Addition/Alteration to Principal Structure	4 Season Porch Addition		
Town of Princeton								
Permit Number	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
13793	N5131 LUECK LN	10/04/2024	JEFFREY CIRIACKS, TAMMYK KAUFMAN	60000	Accessory Structure - Detached Garage	Detached Garage	Accessory Structure - Accessory Structure	Lean To on Garage
13805	W5445 BEND RD	10/11/2024	RICHARD R & NANCY L LEFEBVRE	120000	Additions / Alterations - Addition/Alteration to Principal Structure	House Addition		
Town of Saint Marie								
Permit 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	Site Address	Issued Date	Owner Name	Estimated Cost	Project_1 Type/SubType	Project_1 Description	Project_2 Type/SubType	Project_2 Description
NONE								

October 2023 Estimated Cost \$3,004,908.00

2023 YTD Estimated Cost \$38,810,309.00

October 2024 Estimated Cost:

2024 YTD Estimated Cost:

\$9,309,500.00

\$56,147,390.00

Sanitary Permits: 10/1/2024 - 10/31/2024

Sanitary Permit	County Permit	Parcel Number	Site Address	Owners	Date Issued	Permit Type	System Type	Plumber Name	Additional Permit Type	Final Insp Date	Ind Site Dsgn	Additional Explanation	County Fee	DSPS Fee	Total Cost to Applicant
202424150		004016320100	W3250 BAY RD	DAVIDR BLOCK, KARLAK BLOCK	10/02/2024	New System	Conventional (Non-Pressurized In-Ground)	Jeffrey Novak		01/02/1900	No	4 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424151		016007660100	W5798 STATE ROAD 23	TIMOTHYG GRESL	10/03/2024	Addition/Modification	Conventional (Non-Pressurized In-Ground)	Arron Lehr		10/09/2024	No	2 bedroom house converted from store	\$ 280.00	\$ 100.00	\$ 380.00
202424152		004005930100	N5751 BROOKLYN G RD	CONNIEM KLETTKE, KEVINJ KLETTKE	10/03/2024	New System	At-Grade	Kent Huseboe		01/02/1900	No	2 bedroom house/shop	\$ 280.00	\$ 100.00	\$ 380.00
202424153		010007340100	W1836 E MANCHESTER ST	JOELLEL DUNLAVY, JOHNJ DUNLAVY	10/03/2024	New System	Conventional (Non-Pressurized In-Ground)	Dustin Hoffmann		01/02/1900	No	3 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424154		016001890000	W3823 STATE ROAD 23	JOHNATHONROBERT WESNER, TONYAMARIE WESNER	10/07/2024	Replacement System	Mound	Jeffrey Novak		10/23/2024	No	3 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424155		012001960300	W3128 STATE ROAD 44 AND 73	MICHAEL J & DAWN M VANDE CASTLE	10/08/2024	Replacement System	Conventional (Non-Pressurized In-Ground)	Ben Kinas		01/02/1900	No	4 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424156		016009230000	N4939 RAY SHORTER RD	PROG ROD-GUN CLUB	10/09/2024	Replacement System	Holding Tank	Ben Kinas		10/21/2024	No	2 bedroom mobile home	\$ 355.00	\$ 100.00	\$ 455.00
202424157		016002980000	N5179 STATE ROAD 73	JOHN D & SHAWN L MCAFEE	10/11/2024	New System	Conventional (Non-Pressurized In-Ground)	Jeremiah Storer		01/02/1900	No	4 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424158		012004130000	N1260 PROSCARIAN RD	ANDREWJ WELHOUSE, SHARONR LUBKEMAN	10/11/2024	New System	Holding Tank	Brian Wright		01/02/1900	No	Shop bathroom	\$ 355.00	\$ 100.00	\$ 455.00
202424160		008002580300	W5848 COUNTY ROAD FF	VERNONL MILLER	10/23/2024	Replacement System	At-Grade	Dustin Hoffmann		01/02/1900	No	4 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
202424161		206012460100	226 S Johnson St	BONNIE RESOP	10/23/2024	New System	Holding Tank	William Thoma		01/02/1900	No	2 bedroom house	\$ 355.00	\$ 100.00	\$ 455.00
202424162		014003941000	W6723 HILL ST	JOSHUA ROHDE, SAMANTHA ROHDE	10/29/2024	New System	Conventional (Non-Pressurized In-Ground)	Ben Kinas		01/02/1900	No	3 bedroom house	\$ 280.00	\$ 100.00	\$ 380.00
Total													\$ 3,585.00	\$ 1,200.00	\$ 4,785.00

Total Sanitary Permits Issued 10/1/2024 - 10/31/2024

System Type	Total Count	New System Total Count	Replacement System Total Count	Revision Total Count
At-Grade	2	1	1	0
Conventional (Non-Pressurized In-Ground)	6	4	2	0
Holding Tank	3	2	1	0
Mound	1	0	1	0
Grand Total	12	7	5	0

Total Sanitary Permits Inspected 10/1/2024 - 10/31/2024

System Type	Total Count	New System Total Count	Replacement System Total Count	Revision Total Count
At-Grade	1	0	1	0
Conventional (Non-Pressurized In-Ground)	6	2	4	0
Holding Tank	3	2	1	0
Mound	2	1	1	0
Grand Total	12	5	7	0

Land Use Violations Report
November 2024

First Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
004009170100	W2955 Hillside Road	John Francis	13736	Shoreland	Retaining wall built within shoreland setback, without a land use permit, and wall is greater than six feet not designed by a professional engineer.
004018310000	W1715 North Street	William J Riebe Living Trust	13775	Zoning	Construction within the sideyard setback
004011040201	N5493 County Road A	Bradford Jakel	13809	Shoreland	No land use permit and structures within shoreland setback.
014004860000	W5352 Puckaway Road	Daniel Kohn	13842	Zoning	Shipping Container without a permit
006001160102	W2498 Oakwood Avenue	Orazio Pollina	13826	Shoreland	Retaining walls within shoreland setback and no LUP for structures
018002970000		Jonathan Marquart	13827	Shoreland	Development in floodplain without determination of floodway vs flood fringe and no LUP
002003570000	N8473 County Road A	Jennifer Krause	12588	Zoning	Construction od a second shed without a permit next to existing shed
002000910000		Tim Drover	13669	Zoning	Tires, boats, trash, potentially a dwelling?

Second Notice

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
006010630000	N4941 Horner Road	Hill Creek Acres LLC	13808	Shoreland and Zoning	Building wall without land use permit and building within shoreland setback, structure not permitted in A1 zoning

Sent to Corp. Counsel

Parcel Number	Site Address	Owner Name	Permit #	Violation Type	Violation Description
004003750100	N6264 N lawson Dr	David Santee	13356	Zoning	Establishing a residence without a conditional use permit on C-2 parcel.
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.
020004510000, 020004550000	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.
014001810000	N4356 PINE RD E	PAUL PETERSEN	13618	Zoning	3 Recreational Campers in A-1, Farmland Preservation District
008004680000	W6502 STATE ROAD 44	Carolee Miller	13533	Shoreland	No LUP and building within the shoreland setback. Certified Mailing -unclaimed resent through S.O.
006016860000	W1172 Spring Grove Road	Lizbeth Olsen	13745	Zoning	Fence built without LUP and is not open style or 4 feet in height when within the streetyard setback

Monthly Violations Resolved
1

YTD Violations Resolved
15

Resolved
Riordan

No LUP

POWTS FAILURE REPORT 11/25/2024

Open					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
004009930000	W2059 IRVING PARK RD	CARTER COTTAGE LLC	010024403	Roots growing in the tank unsure if drywell or septic tank.	10/28/2024
006001630000	N4443 HORNER RD	4 PAR LLC	199425	System is failing. CST plans to do a holding tank for the restaurant and mound for the bathrooms.	10/29/2024
016006790100	N5917 CANAL ST	BEDNAREK FAMILY REVOCABLE LIVING TRUST	201224052	Drain field failure system filled in with sand. Onsite by DSPS and County Staff. Has a new sanitary permit. Will require install this fall or next spring.	11/11/2024
Notice Sent					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
004007130100	W2291 HICKORY RD	TINSMAN REVOCABLE TRUST PETER W; VON MAUR TINSMAN REVOCABLE TRUST HEATHER	000148258	Being sold at 8 bedroom house. System is sized for only 5.	10/28/2024
006001600000	N4455 HORNER RD	MIRR RICHARD E	21087	Washing machine is hooked up to the sump pump and discharging on the surface of the ground. Owner is working towards a solution.	11/18/2024
016009230000	W5894 WALTER WILLIAMS RD	PROG ROD-GUN CLUB	202324057	Illegal water lines and potential well issue. Being worked on by plumber	10/21/2024
Final Notice Sent					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
1.54001E+11	145 SHERMAN AVE	LOESL CYNTHIA MARIE; LYSY DEBORAH	15424008	Tank Failure	9/20/2024
Sent To Corp Counsel					
Parcel Number	Site Address	Owner Name	Permit #	Violation Description	Violation Date
004003750100	N6264 N LAWSON DR	SANTEE DAVID ROY	326	Drain field is failing and pump/float wiring is not legal. New install in Dec.	1/31/2024
006001980000	W591 THOMAS RD	WILKE CARL H	00624010	Tank not Watertight	5/18/2022
008004020000	W6712 PARK VIEW LN	; YODER DOROTHY; YODER WILBUR; YODER WILLIAM	00824056	Illegally installed holding tank of some kind. Has new sanitary permit 202424137 installed for new house, waiting on POWTS abandonment.	5/17/2024
016000090000	N6123 SWAMP RD	HEBBE JAMES A	01624006	Tank not Watertight tank repairs ongoing.	4/26/2022
016000900100	N5771 COUNTY ROAD D	ARNESON COURTNEY L	201724075	Drain field failure	6/24/2024
016004630000	N4487 MAPLE LN	KLEIN JUSTIN T	58848	Tank not Watertight	8/5/2022
016004790100	N4185 WICKS LNDG	CLANCY PATRICK J; CLANCY ROBERT J; CLANCY SOWLE COLLEEN	01624043	Illegal holding tank and plumbing	3/31/2020
016008320000	N5528 COUNTY ROAD T	WEIR LAVERNE J	01624079	Tank not Watertight	12/12/2023
016009230000	N4922 RAY SHORTER RD	PROG ROD-GUN CLUB	010024256	Tank Failure	5/29/2021
018006720200	N7506 STATE ROAD 73	CLEMENTS JR CECIL D	000148246	Drain field failure	4/30/2024
020002500400	W2635 FOX RIVER SHRS E	CONN HAROLD A; CONN LEONARD R; CONN MARY	000037515	Tank has roots growing into it. No longer watertight or structurally sound. discharging effluent to the groundwater table.	5/21/2024

December 5, 2024

Administrative Policy – “PLSS Perpetuation”

As it relates to the County Surveyor's Duties & Responsibilities

Since 1970, per Chapter 59.74(2)(i) Wis. Stats, Green Lake County has been engaged in a PLSS (Public Land Survey System) project to locate and re-monument all of its PLSS corner and center monuments that were first set in 1835 to about 1850. History has revealed that these monuments and their tie points tend to be removed or destroyed through road projects, farmers working land, land development projects, or through nefarious acts. Whatever the case may be, it is in the interest of Green Lake County to implement a PLSS perpetuation program that will require that this survey system remain intact and available for the benefit of the citizens of Green Lake County.

Per Ch. 59.74(2)(i) Wis. Stats. *“The records of the corners of the public land survey may be established and perpetuated in the following manner: commencing on January 1, 1970, and in each calendar year thereafter, the county surveyor or a deputy may check and establish or re-establish and reference at least 5 percent of all corners originally established in the county by government surveyors, so that within 20 years or less all of the original corners will be established or re-established and thereafter perpetuated.*

Presently there are 1,861 of these PLSS monuments. The PLSS maintenance program is designed so that 90 to 100 (about 5%) of these monuments would be visited each year by the County Surveyor or their designee. During each visit, the monument and all tie points shall be located. In the event that the monument or any tie point(s) is no longer present the surveyor shall re-set the monument (or tie point) and submit a new monument record (per Wisconsin Administrative Code A-E 7.08.) to the County Surveyor's Office for filing. The County Surveyor or their designee shall bill the County in accordance with the County Surveyor's contract.

It is the intention of this policy to establish a program that maintains the County's Public Lands Survey System monuments on a perpetual 20-year cycle.. This program will eliminate any future and extremely costly re-monumentation projects. The County Surveyor shall execute and/or oversee this program. The costs associated with this program shall be paid for through a combination of levy dollars and/or land information grant dollars.

Benefits of a Wind Energy Ordinance:

1. Adopting serves to best preserve and protect the public health and safety.
2. Requires the wind energy project owner to make reasonable effort to ascertain and accommodate any land use or commercial enterprise located on a nonparticipating property within 0.5 miles of a proposed wind energy turbine site.
3. Requires the wind energy project owner to reasonable minimize the conversion of land from an agricultural use.
4. Requires increased setbacks to occupied commercial buildings, participating residences, non-participating residences, non-participating lot lines, public rights-of-way, utilities (communication).
5. Allows the County to prohibit wind turbines over 1.0 megawatt in residential and commercial zoning districts.
6. Allows County to set noise limits and requires the wind turbine owner to resolve steady pure tones, like whines, whistle, screech or hums promptly. Established a noise complaint procedure.
7. Allows County to apply shadow-flicker requirements and mitigation for nonparticipating residences and occupied community buildings.
8. Allows County to apply signal interference requirements and mitigation that apply to commercial and personal communication in use when a wind energy system begins operation.
9. Allows County to require stray voltage restrictions and rectifications at all dairy and confined animal operations within 0.5 miles of a wind energy facility
10. Allows County to apply construction and operation standards (physical, electrical, and construction operation & maintenance) and emergency procedures.
11. Allows County to apply decommissioning requirements including financial responsibility and site restoration.
12. Allows County to require a complete wind energy system application including many of the above requirements.
13. Requires the wind energy system owner to notice property owners and residents within one mile of the proposed wind energy project.
14. Provides the public with access to the wind energy system's application, including detailed plans.
15. Provides the public an opportunity to participate in a public hearing related to the wind energy system's application, including written comment period.
16. Allows the County to request additional information to better understand the application and whether the application is complete.
17. Requires the owner of a large wind energy system to cooperate with any study of the effects of wind energy systems that is coordinated by a state agency.
18. Provides owners of nonparticipating residences monetary compensation from the owner of the wind energy system based on their proximity to the wind energy system. Annual compensation of \$600 for one turbine within 0.5 miles. \$800 for two turbines within 0.5 miles. \$1,000 for three or more turbines within 0.5 miles.

19. Provides a farm operator within 0.5 miles of the wind energy system monetary compensation as it relates to the discontinuation of aerial spraying practices due to the wind energy system.
20. The owner of the wind energy system is required to provide an annual report documenting the operation and maintenance of the wind energy system on an annual basis.
21. Requires the County be informed of any change in ownership of the wind energy system.
22. Allows the County charge a reasonable fee for the initial application processing (or reimbursement of time and efforts) as well as a land use permit for any developments (including wind turbines) related to the wind energy system.
23. Requires the owner of the wind energy system to obtain written approval prior to making any material change in the approved design, location, or construction. In this case a new application and associated land use permit may be required.
24. Requires the owner of the wind energy system to provide the County with a monthly maintenance log for each wind turbine.
25. Allows the County to contract with a third-party construction inspector to monitor and report on the wind energy system's compliance with permit requirements during construction and operation. The costs of this inspector is to be reimbursed by the wind energy systems owner.
26. Allows the County to contractor with one of more engineers, environmental specialist, planners, or other consultants and experts to perform necessary services in connect ion with the construction of the wind energy system.
27. Allowed the County's Corporation Counsel to contract with outside attorneys to perform necessary services in connection with the construction of the wind energy system.
28. Established a complaint and resolution process.
29. Allows the County to establish a monitoring committee to oversee the resolution of complaint regarding large wind energy systems.
- 30.

A. Wind energy systems

1.) Purpose Statement

The purpose of this ordinance is to incorporate and adopt the requirements of § 66.0401, Wis. Stats. and Wis. Admin. Code Ch. PSC 128 as a local ordinance and to establish local regulations on the installation and use of wind energy systems that are authorized by, compliant with, and no more restrictive than the rules promulgated by the Wisconsin Public Service Commission and that serve to preserve or protect the public health or safety, do not significantly increase the cost of the system or significantly decrease its efficiency, or allow for an alternative system of comparable cost and efficiency.

2.) Land Use Permit

- A. Wind energy systems shall require a land use permit prior to installing, constructing, or modifying the wind energy system.
 - 1. Land use permits for wind energy systems shall be valid until 90 days after the system commences operation.
 - 2. Land use permits for wind energy systems shall expire if construction of the wind energy system is not commenced within 24 months of the date of permit issuance.
- B. A land use permit may not be issued to install, construct, or modify a wind energy system in a township under county zoning unless the system is included in a department approved wind energy system application.
- C. Land use permit fees for wind energy systems under floodplain zoning or shoreland zoning, outside of county zoned townships, shall be in accordance with the land use permit fees associated with the applicable zoning chapter.

3.) Pre-Application

- A. A pre application notice must be filed at least 90 days before an owner files an application to construct a large wind energy system. For applications to construct a wind turbine with a maximum blade tip height exceeding 600 feet the owner shall provide written notice of the wind energy system to the Wisconsin Public Service Commission at least 180 days before the owner files the application.
 - 1. The owner shall use commercially reasonable methods to provide written notice of the planned large wind energy system to the following:
 - A. Landowners within one mile of a planned wind turbine host property.
 - B. The department and any towns, villages, or cities within which the wind energy system may be located.
 - C. Emergency first responders and air ambulance service providers serving a political subdivision within which the wind energy system may be located.
 - D. The Wisconsin Department of Transportation
 - E. The Wisconsin Public Service Commission
 - F. The Wisconsin Department of Natural Resources
 - G. The Wisconsin Department of Agriculture, Trade and Consumer Protection
 - H. The office of the deputy undersecretary of the U.S. Department of Defense.

2. A pre application notice shall be filed at least 60 days before an owner files an application to construct a small wind energy system and the notice shall be provided only to adjacent landowners and the department.
3. Pre application notices for wind energy systems shall include the following:
 - A. A complete description of the wind energy system including the number and size of the planned wind turbines
 - B. A map showing the planned location of all the wind energy system facilities
 - C. Contact information for the owner
 - D. A list of all potential permits or approvals the owner anticipates may be necessary for the construction of the wind energy system
 - E. Whether the owner is requesting a joint application review process and the name of each political subdivision that may participate in the joint review process.

4.) Real Property Provisions

A.) Easement recording required

1. A wind energy system easement or wind access easement shall be recorded under § 706, Wis. Stats. A wind energy system easement or wind access easement shall include the term of the easement and a full legal description of the property subject to the easement.

B.) Wind Lease and Waiver Provisions

2. A wind energy system lease and any waiver of noise or shadow flicker requirements shall hold harmless and indemnify the real property owner for all of the following:
 - a. Any violation of federal, state or local law by the owner of the wind energy system.
 - b. Any damages or bodily injury caused by the construction, operation or decommissioning of the wind energy system.

5.) Existing Property uses

A.) Land Use and Commercial Enterprises

1. An owner shall make reasonable efforts to ascertain and accommodate any land use or commercial enterprise located on a nonparticipating property within 0.5 mile of a proposed wind turbine site if the land use or commercial enterprise exists when the owner gives their pre-application notice, or if complete publicly-available plans for construction are on file with a political subdivision within 30 days of the date the owner gives their pre-application notice.
 - a. For small wind energy systems, only adjacent non-participating properties are required to be accommodated.

B.) Agricultural Use

2. An owner shall design a wind energy system to reasonably minimize the conversion of land from agricultural use.

6.) Siting Criteria

A.) Setback distance and height requirements

1. An owner shall design and construct a large wind energy system using the wind turbine setback distances shown in Table 1.

Table 1

Setback Description	Setback Distance
Occupied Community Buildings	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Residences	1.1 times the maximum blade tip height
Nonparticipating Residences	The lesser of 1,250 feet or 3.1 times the maximum blade tip height
Participating Property Lines	None
Nonparticipating Property Lines	1.1 times the maximum blade tip height
Public Road Right-of-Way	1.1 times the maximum blade tip height
Overhead Communication and Electric Transmission or Distribution Lines — Not including utility service lines to individual houses or outbuildings	1.1 times the maximum blade tip height
Overhead Utility Service Lines — Lines to individual houses or outbuildings	None

2. An owner shall design and construct a small wind energy system using the wind turbine setback distances shown in Table 2.

Table 2

Setback Description	Setback Distance
Occupied Community Buildings	1.0 times the maximum blade tip height
Participating Residences	None
Nonparticipating Residences	1.0 times the maximum blade tip height
Participating Property Lines	None
Nonparticipating Property Lines	1.0 times the maximum blade tip height
Public Road Right-of-Way	None
Overhead Communication and Electric Transmission or Distribution Lines — Not including utility service lines to individual houses or outbuildings	1.0 times the maximum blade tip height
Overhead Utility Service Lines — Lines to individual houses or outbuildings	None

3. An owner shall measure wind turbine setback distances as a straight line from the vertical centerline of the wind turbine tower to the nearest point on the permanent foundation of a building or residence or to the nearest point on the property line or feature, as applicable.
4. An owner shall work with the department and owners of participating and nonparticipating properties to site wind turbines to minimize individual hardships.
5. The owner of a nonparticipating residence or occupied community building may waive the applicable large wind energy system wind turbine setback distances in Table 1 for those structures to a minimum setback distance of 1.1 times the maximum blade tip height. The owner of a nonparticipating property may waive the applicable wind turbine setback distance in Tables 1 from a nonparticipating property line.
6. The owner of an adjacent nonparticipating residence or adjacent occupied community building may waive the applicable small wind energy system turbine setback distances in Table 2.
7. Wind turbines with a nameplate capacity over 1 megawatt shall not be permitted in residential or commercial zoned districts.

7.) Noise

A.) Planning

1. The noise limits in this section apply at the outside wall of a nonparticipating residence or occupied community building that exists when the owner gives their pre-application notice or for which complete publicly-available plans for construction are on file with the department within 30 days of the date on which the owner gives their pre-application notice.
2. An owner shall design the proposed wind energy system to minimize noise at a residence or occupied community building to the extent reasonably practicable.

3. An owner shall design a wind energy system to comply with the noise limits of this chapter under planned operating conditions.

B.) Noise Limits

1. Except as provided in PSC 128.14(4)(b), PSC 128.14(4)(c), and PSC 128.14(5), an owner shall operate the wind energy system so that the noise attributable to the wind energy system does not exceed 50 dBA during daytime hours and 45 dBA during nighttime hours.
2. In the event audible noise due to wind energy system operations contains a steady pure tone, such as a whine, whistle, screech, or hum, the owner shall promptly take corrective action to permanently eliminate the noise. This paragraph does not apply to sound the wind energy system produces under normal operating conditions.

C.) Compliance

1. If an owner uses sound level measurements to evaluate compliance with this section at a nonparticipating residence or occupied community building, those measurements shall be made as near as possible to the outside wall nearest to the closest wind turbine, or at an alternate wall as specified by the owner of the nonparticipating residence or occupied community building. The owner may take additional measurements to evaluate compliance in addition to those specified by this section.
2. Upon receipt of a complaint regarding a violation of the noise limits of this chapter, an owner shall test for compliance with the noise limits of this chapter. The department or a monitoring committee established by the department under this chapter may not require additional testing to show compliance with the noise limits of this chapter if the owner has provided the results of an accurate test conducted within 2 years of the date of the complaint showing that the wind energy system is in compliance with the noise limits of this chapter at the location relating to the complaint.
3. Methods available for the owner to comply shall include operational curtailment of one or more wind turbines. Upon receipt of a complaint about a noise under PSC 128.14(3)(b), the owner shall use operational curtailment to eliminate the noise until the owner permanently corrects the problem.
4. An owner shall evaluate compliance with the noise limits of this chapter as part of pre- and post-construction noise studies. An owner shall conduct pre- and post-construction noise studies under the most current version of the noise measurement protocol as described in PSC 128.50 (2).
 - a. Small wind energy systems are exempt from the pre- and post- construction noise study requirement.

D.) Waiver

1. Upon request by an owner of a wind energy system, an owner of an affected nonparticipating residence or occupied community building may relieve the owner of the wind energy system of the requirement to meet any of the noise limits of this chapter at the affected residence or occupied community building by written contract with the wind energy system owner. Unless otherwise provided in a contract signed by an owner of an affected nonparticipating residence or occupied community building, a waiver by an owner of an affected nonparticipating residence or occupied community building is an

encumbrance on the real property, runs with the land until the wind energy system is decommissioned, and shall be recorded under § 706, Wis. Stats.

E.) Notification

1. Before entering into a contract to waive the noise limits of this chapter, an owner of a wind energy system shall provide written notice of the requirements of PSC 128.14 to the owner of an affected nonparticipating residence or occupied community building.
2. Before the initial operation of the wind energy system, an owner of a wind energy system shall provide notice of the requirements of PSC 128.14 to an owner of a nonparticipating residence or occupied community building within 0.5 mile of a constructed wind turbine that has not entered into a contract to waive the noise limits of this chapter.
 - a. Small wind energy systems shall only be required to provide notice to each adjacent nonparticipating residence or occupied community building.

8.) Shadow Flicker

A.) Planning

1. The shadow flicker requirements in this section apply to a nonparticipating residence or occupied community building that exists when the owner gives their pre-application notice or for which complete publicly-available plans for construction are on file with the department within 30 days of the date on which the owner gives their pre-application notice.
2. An owner shall design the proposed wind energy system to minimize shadow flicker at a residence or occupied community building to the extent reasonably practicable.
3. An owner shall use shadow flicker computer modeling to estimate the amount of shadow flicker anticipated to be caused by a wind energy system and shall design the wind energy system so that computer modeling indicates that no nonparticipating residence or occupied community building will experience more than 30 hours per year of shadow flicker under planned operating conditions.
 - a. Small wind energy systems are not required to utilize any computer modeling of shadow flicker.

B.) Shadow Flicker Limits

1. An owner shall operate the wind energy system in a manner that does not cause more than 30 hours per year of shadow flicker at a nonparticipating residence or occupied community building. If a nonparticipating residence or occupied community building experiences more than 30 hours per year of shadow flicker under the wind energy system's normal operating conditions, the owner shall use operational curtailment to comply with the shadow flicker requirements of this chapter.

C.) Shadow Flicker Mitigation

1. An owner of a wind energy system shall work with an owner of a nonparticipating residence or occupied community building to mitigate the effects of shadow flicker to the extent reasonably practicable.

2. An owner shall provide reasonable shadow flicker mitigation at the owner's expense for a nonparticipating residence or occupied community building experiencing 20 hours or more per year of shadow flicker.
3. An owner shall model shadow flicker and a nonparticipating residence or occupied community building is eligible for mitigation if computer modeling shows that shadow flicker at the nonparticipating residence or occupied community building will be 20 hours or more per year. An owner of a nonparticipating residence or occupied community building is not required to document the actual hours per year of shadow flicker if modeling indicates the nonparticipating residence or occupied community building is eligible for mitigation. A nonparticipating residence or occupied community building that experiences 20 hours or more per year of shadow flicker based on records kept by the resident of a nonparticipating residence or the occupant of an occupied community building shall also be eligible for mitigation.
4. An owner may provide shadow flicker mitigation for any residence or occupied community building in addition to the mitigation required under PSC 128.15(3)(b).
5. The requirement under PSC 128.15(3)(b) to mitigate shadow flicker applies when the owner receives a complaint or request for mitigation regarding shadow flicker for an eligible nonparticipating residence or occupied community building. If shadow flicker mitigation is required, the owner of the wind energy system shall allow the owner of the nonparticipating residence or occupied community building to choose a preferred reasonable mitigation technique, including installation of blinds or plantings at the wind energy system owner's expense.
6. Small wind energy systems are exempt from the requirements to provide shadow flicker mitigation to a non-participating residence or occupied community building.

D.) Waiver

1. Upon request by an owner of a wind energy system, an owner of an affected nonparticipating residence or occupied community building may relieve the wind energy system owner of a requirement under PSC 128.15(2) or PSC 128.15(3)(b) at the affected nonparticipating residence or occupied community building by written contract with the wind energy system owner. Unless otherwise provided in a contract signed by an owner of an affected nonparticipating residence or occupied community building, a waiver by an owner of an affected nonparticipating residence or occupied community building is an encumbrance on the real property and runs with the land until the wind energy system is decommissioned, and shall be recorded under § 706, Wis. Stats.

E.) Notification

1. Before entering into a contract to waive shadow flicker limits, a wind energy system owner shall provide notice of the requirements of PSC 128.15 to individual owners of an affected nonparticipating residence or occupied community building.
2. Before the initial operation of the wind energy system, a wind energy system owner shall provide notice of the requirements of PSC 128.15 to an owner of a nonparticipating residence or occupied community building within 0.5 mile of a constructed wind turbine that has not entered into a contract to waive shadow flicker limits.
3. Small wind energy systems are exempt from shadow flicker notification requirements.

9.) Signal Interference

A.) Planning

1. Except as provided in **the mitigation protocol subsection**, the signal interference requirements in this section apply to commercial communications and personal communications in use when the wind energy system begins operation.
2. An owner shall use reasonable efforts to avoid causing interference with commercial communications and personal communications to the extent practicable.
3. An owner may not construct wind energy system facilities within existing line-of-sight communication paths that are used by government or military entities to provide services essential to protect public safety. An owner must provide information showing that wind turbines and other wind energy system facilities will be in compliance with this requirement.

B.) Commercial Communications Interference Mitigation

1. An owner shall use reasonable and commercially available technology to mitigate interference caused by a wind energy system with commercial communications in use when a wind energy system begins operation. Before implementing mitigation measures, the owner shall consult with affected parties regarding the preferred mitigation solution for commercial communications interference problems. Except as provided in **the mitigation protocol subsection**, an owner shall mitigate commercial communications interference caused by the wind energy system by making the affected party's preferred reasonable mitigation solution effective until either the wind energy system is decommissioned or the communication is no longer in use, whichever is earlier.
2. Small wind energy systems are exempt from the requirement to provide commercial communication interference mitigation.

C.) Personal Communications Interference Mitigation

1. An owner shall use reasonable and commercially available technology to mitigate interference with personal communications in use when a wind energy system begins operation caused by a wind energy system. An owner must use reasonable and commercially available technology to mitigate interference with personal communications that were not in use when the wind energy system began commercial operation, if a wind energy system is causing the interference and the interference occurs at a location at least 0.5 mile from a wind turbine.
2. Before implementing mitigation measures, the owner shall consult with affected parties regarding the preferred mitigation solution for personal communications interference problems. Except as provided in **the mitigation protocol subsection**, an owner shall mitigate personal communications interference caused by the wind energy system by making the affected party's preferred reasonable mitigation solution effective until either the wind energy system is decommissioned or the communication is no longer in use, whichever is earlier.
3. Small wind energy systems are exempt from the requirement to provide personal communication interference mitigation.

D.) Mitigation Protocol

1. An owner shall implement a new technology solution that becomes commercially available before the wind energy system is decommissioned to address interference for which mitigation is required under **this chapter** and for which the original mitigation solution is only partially effective.
 - a. This process shall follow protocols established under PSC 128.50(2)
 - b. Small wind energy systems are exempt from this new technology requirement.

10.) Stray Voltage

A.) Testing Required

1. An owner shall work with the local electric distribution company to test for stray voltage at all dairy and confined animal operations within 0.5 mile of a wind energy system facility pursuant to the stray voltage protocol established by the commission before any wind energy system construction activity that may interfere with testing commences and again after construction of the wind energy system is completed, except as otherwise specified by commission staff under PSC 128.17(1)(b).
2. Before any testing under PSC 128.17(1)(a) begins, an owner shall work with commission staff to determine the manner in which stray voltage testing will be conducted and on which properties. The electric distribution company serving a dairy or confined animal operation where testing is required under PSC 128.17(1)(a) shall conduct or arrange to conduct all required testing at the expense of the owner.

B.) Results of Testing

1. An owner and the electric distribution company shall provide to commission staff the results of all stray voltage testing in writing.

C.) Requirements to rectify problems

1. An owner shall work with the electric distribution company and farm owner to rectify any stray voltage problems attributable to the construction and operation of the wind energy system, in compliance with the commission's stray voltage protocol.

11.) Construction and operation

A.) Physical characteristics

1. An owner may not display advertising material or signage other than warnings, equipment information, or indicia of ownership on a wind turbine. An owner may not attach any flag, decorative sign, streamers, pennants, ribbons, spinners, fluttering, or revolving devices to a wind turbine. An owner may attach a safety feature or wind monitoring device to a wind turbine.
2. An owner shall ensure that a wind turbine has a conventional or unobtrusive finish.
3. An owner shall install lighting at a wind energy system that complies with standards established by the Federal Aviation Administration. An owner must use applicable shielding or control systems approved by the Federal Aviation Administration to reduce visibility of lighting to individuals on the ground.
4. An owner shall take appropriate measures to ensure that a wind turbine is not readily climbable except by authorized personnel.

5. An owner shall ensure that all wind turbine access doors and electrical equipment are locked when authorized personnel are not present.
6. An owner shall place appropriate warning signage on or at the base of each wind turbine.
7. An owner shall post and maintain up-to-date signs containing a 24-hour emergency contact telephone number, information identifying the owner, and sufficient information to identify the location of the sign within the wind energy system. An owner shall post these signs at every intersection of a wind energy system access road with a public road and at each wind turbine location.
 - a. Small wind energy systems are exempt from this signage requirement
8. An owner shall clearly mark guy wires and supports for a wind energy system, meteorological tower or other device for measuring wind speeds so that the wires and supports are visible to low flying aircraft under fair weather conditions.

B.) Electrical standards

1. An owner shall construct, maintain, and operate collector circuit facilities in a manner that complies with the national electrical safety code and PSC 114 and shall construct, maintain, and operate all wind energy system facilities in a manner that complies with the national electrical code.
2. An owner shall construct collector circuit facilities for a wind energy system underground to the extent practicable.
 - a. Small wind energy systems are not required to construct collector circuit facilities underground.
3. An owner shall establish an inspection schedule for all overhead collector circuits to ensure that third-party facilities, including cable television and telecommunications cables, are not attached or bonded to overhead collector circuit grounding. If third-party facilities are found attached to the overhead collector facilities, the owner shall ensure that the third-party facilities are promptly removed.
 - a. Small wind energy systems are exempt from the requirement to inspect for and remove third party facilities.

C.) Construction, operation, and maintenance standards

1. An owner shall construct, operate, repair, maintain and replace wind energy system facilities as needed to keep the wind energy system in good repair and operating condition and in a manner that protects individuals from injury.
2. An owner shall utilize all applicable best practices in the placement, construction, operation, and maintenance of its wind energy facilities in order to minimize soil compaction, protect the topsoil, prevent topsoil mixing, and avoid and repair any damage to drainage systems on agricultural land.
 - a. Small wind energy systems are exempt from this requirement.
3. An owner shall describe the applicable best practices that it intends to use in the placement, construction, operation, and maintenance of its wind energy facilities in its application.
 - a. Small wind energy systems are exempt from this requirement.
4. Except for the area physically occupied by the wind energy system facilities, an owner shall restore the topography, soils and vegetation of the project area to original condition after

construction is complete, unless otherwise provided in a contract signed by an affected landowner, considering any modifications needed to comply with DNR requirements.

- a. Small wind energy systems are exempt from this requirement.
5. An owner shall carry general liability insurance relating to claims for property damage or bodily injury arising from the construction, operation or decommissioning of the wind energy system and shall include turbine host property owners as additional insured persons on the policy.
 - a. Small wind energy systems are exempt from this requirement

D.) Emergency Procedure

1. An owner shall notify the department of the occurrence and nature of a wind energy system emergency within 24 hours of the wind energy system emergency.
2. An owner shall establish and maintain a liaison with each political subdivision within which its wind energy systems facilities are located and with fire, police, and other appropriate first responders serving the wind energy system to create emergency plans that include all of the following:
 - a. A list of the types of wind energy system emergencies that require notification to the department within 24 hours of the wind energy system emergency.
 - b. Current emergency contact information for first responders and for the wind energy system owner, including names and phone numbers.
 - c. Procedures for handling different types of wind energy system emergencies, including written procedures that provide for shutting down the wind energy system or a portion of the system as appropriate.
 - d. Duties and responsibilities of the owner and of first responders in the event of a wind energy system emergency.
 - e. An emergency evacuation plan for the area within 0.5 mile of any wind energy system facility, including the location of alternate landing zones for emergency services aircraft.
3. The owner shall review the emergency plan at least annually in collaboration with fire, police and other appropriate first responders to update and improve the emergency plan as needed.
4. The owner shall distribute current and revised copies of the emergency plan to the following:
 - a. The department
 - b. Green Lake County sheriffs office
 - c. Green Lake County Emergency Management Department
 - d. Clerk for any town, city or village within which its wind energy systems facilities are located or that are within one-half mile of any of its wind energy systems facilities.
 - e. Any fire, police, or other first responder identified by the county's emergency management director or the clerk of any city, village, or town who has received a copy of the owner's emergency plans.
5. An owner shall provide annual training for the county's emergency management department, sheriff's department, and any other fire, police, or other first responder identified in the owner's emergency plans. An owner shall provide at least 8 hours of training during each calendar year and is responsible for all direct training costs.

6. An owner of a wind energy system shall do all of the following:
 - a. Furnish its operator, supervisors and employees who are responsible for emergency action a copy of the current edition of the emergency procedures established under this section to ensure compliance with those procedures.
 - b. Train the appropriate operating personnel to ensure they have knowledge of the emergency procedures and verify that the training is effective.
7. If an owner is required to implement its emergency plans as the result of a wind energy system emergency, it shall conduct a review of employee activities to determine whether the procedures were effectively followed. The owner shall provide the county's emergency management director with a copy of its review. If the review results in any changes to its emergency plans, the owner shall distribute the revised emergency plans.
8. Small wind energy systems are exempt from the following emergency procedure requirements:
 - a. An owner of a small wind energy system is not required to establish and maintain a liaison within political subdivisions and with fire, police, and other appropriate first responders serving the wind energy system.
 - b. The owner of a small wind energy system is not required to create emergency plans.
 - c. An owner of a small wind energy system is not required to review emergency plans.
 - d. The owner of a small wind energy system is not required to distribute copies of an emergency plan to the department, fire, police, and other first responders.
 - e. The owner of a small wind energy system is not required to provide annual training for fire, police, or first responders.
 - f. An owner of a small wind energy system is not required to create, distribute, review or train on any emergency procedures.

12.) Decommissioning

A.) Requirement to Decommission

1. An owner of a wind energy system shall decommission and remove the wind energy system when the system is at the end of its useful life.
2. A large wind energy system is presumed to be at the end of its useful life if the wind energy system generates no electricity for a continuous 360-day period.
3. Upon application by the owner, and except when the department finds the owner is not capable of returning the wind energy system to service with a reasonable time, the department shall grant an extension of the time period for returning the large wind energy system to service by one or more additional 180 day periods if the owner demonstrates it is likely the large wind energy system will operate again in the future and any of the following occur:
 - a. The owner submits a plan to the department that demonstrates an ongoing good faith effort to return the large wind energy system to service and outlines the steps and schedule for returning the large wind energy system to service in a reasonable period of time, including by repairing, replacing or repowering the large wind energy system facilities as necessary to generate electricity.

- b. The owner demonstrates that the large wind energy system is part of a prototype or other demonstration project being used for ongoing research or development purposes.
 - c. The owner demonstrates that the large wind energy system is being used for educational purposes.
4. The department may deny a request for an extension if the large wind energy system has not generated any electricity for a continuous period of 540 days or more and the department finds that the owner is not capable of returning the wind energy system to service within a reasonable period of time.
5. A large wind energy system is irrebuttably presumed to be at the end of its useful life if the wind energy system generates no electricity for a period of 540 days and any of the following occur:
 - a. The owner does not request an extension of the time period for returning the large wind energy system to service.
 - b. The department denies a request for an extension and any appeal rights have expired.
6. When decommissioning is required, the owner shall begin decommissioning within 360 days after the wind energy system has reached the end of its useful life. The owner shall complete decommissioning and removal of the wind energy system within 540 days after the wind energy system has reached the end of its useful life.
7. A small wind energy system is presumed to be at the end of its useful life if the wind energy system generates no electricity for a continuous 540-day period.
8. If the owner fails to remove a wind energy system and reclaim the site, the department may remove or cause the removal of the wind energy system and arrange for the reclamation of the site. The cost of removal and reclamation will become a lien upon the property and may be collected in the same manner as property taxes.

B.) Decommissioning Review

1. An owner shall file a notice of decommissioning completion with the county and any political subdivision within which its wind energy systems facilities are located when a wind energy system approved by the department has been decommissioned and removed.
2. The department shall conduct a decommissioning review to determine whether the owner has decommissioned and removed the wind energy system as required by this chapter and whether the owner has complied with its site restoration obligation in this chapter.
3. The owner shall cooperate with the department by participating in the decommissioning review process.

C.) Financial Responsibility

1. The owner of a large wind energy system with a nameplate capacity of one megawatt or larger shall maintain proof of the owner's ability to fund the actual and necessary cost to decommission the large wind energy system and shall ensure the availability of funds necessary for decommissioning throughout the expected life of the large wind energy system and through to completion of the decommissioning activities.
 - a. An owner shall provide financial assurance for the actual and necessary cost to decommission the large wind energy system before commencing major civil

construction activities such as blasting or foundation construction at the large wind energy system site.

2. An owner may comply with financial assurance requirements by choosing to provide a bond, deposit, escrow account, irrevocable letter of credit, or some combination of these financial assurances.
3. Financial assurance shall place the county in a secured position. The financial assurance must provide that the secured funds may only be used for decommissioning the large wind energy system until such time as the county determines that the large wind energy system has been decommissioned or the county approves the release of the funds, whichever occurs first. The financial assurance must also provide that the county may access the funds for the purpose of decommissioning the large wind energy system if the owner does not decommission the system when decommissioning is required.
4. An owner shall provide the county with 3 estimates of the actual and necessary cost to decommission the large wind energy system. The cost estimates shall be prepared by third parties agreeable to the owner and the department. The amount of financial assurance required by the county will be the average of the 3 estimates.
5. The department may periodically request information from the owner regarding industry costs for decommissioning the large wind energy system. If the department finds that the future anticipated cost to decommission the large wind energy system is at least 10 percent more or less than the amount of financial assurance provided under this section, the department may correspondingly increase or decrease the amount of financial assurance required. The department may not adjust the financial assurance under more often than once in a 5-year period.
6. The department may require an owner to submit a substitute financial assurance of the owner's choosing if an event occurs that raises material concern regarding the viability of the existing financial assurance.
7. Small wind energy systems shall be exempt from the requirement to meet financial assurance requirements for decommissioning the system.

D.) Site Restoration

1. Except as provided in PSC128.19(4)(b), if a wind energy system was constructed on land owned by a person other than the owner of the wind energy system, the owner of the wind energy system shall ensure that the property is restored to preconstruction condition, unless otherwise provided in a contract signed by an affected landowner, considering any modifications needed to comply with DNR requirements.
 - a. Small wind energy systems are not required to restore property to preconstruction conditions.
2. If a wind energy system was constructed on a brownfield, as defined in §238.13 (1)(a), Wis. Stats., the owner shall restore the property to eliminate effects caused by the wind energy system, except for the effects of environmental remediation activities, as defined in §238.13 (1)(d), Wis. Stats.
 - a. Small wind energy systems are not required to restore the property to eliminate the effects caused by the small wind energy system.

E.) Decommissioning Completeness

1. An owner shall file a notice of decommissioning completion with the department and the commission when a wind energy system approved by the department has been decommissioned and removed.
2. Within 360 days of receiving a notice of decommissioning, the department shall determine whether the owner has satisfied the applicable decommissioning requirements.

13.) Application

A.) Application requirements

1. An owner shall file an application to construct a wind energy system with the department.

B.) Contents of an application

1. An owner shall complete and file an application with the department that includes all of the following:
 - a. Wind energy system description and maps showing the locations of all proposed wind energy facilities.
 - b. Technical description of wind turbines and wind turbine sites.
 - c. Timeline and process for constructing the wind energy system.
 - d. Information regarding anticipated impact of the wind energy system on local infrastructure.
 - e. Information regarding noise anticipated to be attributable to the wind energy system.
 - f. Information regarding shadow flicker anticipated to be attributable to the wind energy system.
 - g. Information regarding the anticipated effects of the wind energy system on existing land uses within 0.5 mile of the wind energy system.
 - h. Information regarding the anticipated effects of the wind energy system on airports and airspace.
 - i. Information regarding the anticipated effects of the wind energy system on line-of-sight communications.
 - j. A list of all state and federal permits required to construct and operate the wind energy system.
 - k. Information regarding the planned use and modification of roads within the political subdivision during the construction, operation, and decommissioning of the wind energy system, including a process for assessing road damage caused by wind energy system activities and for conducting road repairs at the owner's expense.
 - l. A copy of all emergency plans developed in collaboration with appropriate first responders and political subdivisions. An owner may file plans using confidential filing procedures as necessary.
 - i. Small wind energy systems are not required to provide emergency plans.
 - m. A decommissioning and site restoration plan providing reasonable assurances that the owner will be able to comply with the decommissioning requirements of this chapter.

- i. Small wind energy systems are not required to submit a decommissioning and site restoration plan.
 - n. A representative copy of all notices issued under PSC 128.30(5) and PSC 128.105 (1) (a) and 128.42 (1).
 - o. Any other information necessary to understand the construction, operation or decommissioning of the proposed wind energy system.
- 2. Any document or paper filed or otherwise submitted by an owner or any other interested party that relates to an application must be 8-1/2 x 11 inches in size. A person who wishes to submit a paper that is larger than 8-1/2 x 11 inches in size shall also submit a reduced copy that is 8-1/2 x 11-inches in size.

C.) Accuracy of Information

- 1. The owner shall ensure that information contained in an application is accurate.

D.) Duplicate copies

- 1. Each copy of the application shall include all documents, drawings, maps, worksheets, and other materials that are included in the original application.
- 2. The owner shall submit 10 physical copies of the application to the department and one copy of the application to the clerk of each town in which any wind energy system facility is located.
- 3. The owner shall submit 1 digital copy of the application to the department in a format that is acceptable to the department.

E.) Notice to Property Owners and Residents

- 1. On the same day an owner files an application for a wind energy system, the owner shall, under § 66.0401(4)(a)3, Wis. Stats., use commercially reasonable methods to provide written notice of the filing of the application to property owners and residents located within one mile of the proposed location of any wind energy system facility.
 - a. Written notice of the filing of the application shall be provided by the owner only to property owners and residents located adjacent to the small wind energy system.
- 2. The notification shall include all of the following:
 - a. A complete description of the wind energy system, including the number and size of the wind turbines.
 - b. A map showing the locations of all proposed wind energy system facilities.
 - c. The proposed timeline for construction and operation of the wind energy system.
 - d. Locations where the application is available for public review.
 - e. Owner contact information.
- 2. After the department receives an application for a wind energy system, a notice under § 66.0401(4)(a)1, Wis. Stats shall be published. The notice shall include:
 - a. A brief description of the proposed wind energy system and its proposed location
 - b. The locations where the application is available for public review.
 - c. The method and time period for the submission of public comments to the department.
 - d. The approximate schedule for review of the application by the department

F.) Public Participation

1. The department shall make an application for a wind energy system available for public review at a local library and at the Green Lake County Government Center (571 County Road A, Green Lake, WI, 54941) and may post copies at other publicly accessible locations. The department shall also provide public access to the application electronically.
2. The department shall hold at least one public hearing during the initial 90-day application review period for the purpose of receiving public comments and to inform the public about a proposed wind energy system. The first meeting shall be noticed under § 985.07(2), Wis. Stats. Additional meetings shall be noticed under § 985.07(1), Wis. Stats or § 985.07(2), Wis. Stats.
3. Written comments will be accepted for 10 days following each public hearing.
 - a. Written comments shall be mailed, hand delivered, or emailed to the department.
 - b. Written comments postmarked up to 10 days following the public hearing shall be accepted.

G.) Joint Application Review

1. If the wind energy system is proposed to be located in more than one political subdivision with jurisdiction over the wind energy system, the political subdivisions involved may conduct a joint application review process on their own motion or upon request. If an owner requests a joint application review, the owner shall include the request in its pre application notice the department. If the owner requests a joint application review process, the political subdivisions involved shall approve or deny this request within 60 days of receipt of the owner's notice of intent to file an application.
2. Except as provided in § 66.0401(4)(a)2, Wis. Stats., if the department elects to conduct a joint application review process, the process shall be consistent with this chapter and the political subdivisions shall establish the process within 90 days of the date the political subdivisions receive the owner's notice of intent to file an application. The department may follow the review process of another political subdivision for purposes of conducting a joint application review process concurrently with the other political subdivision. If a joint application review process is adopted, the owner shall file the joint-review process application with all of the political subdivisions participating in the joint review process.

14.) *Application Completeness*

A.) Complete Applications

1. An application is complete if it meets the content requirements of this chapter and PSC128.50 (1).
2. The department shall determine the completeness of an application, and shall notify the owner in writing of the completeness determination, no later than 45 days after the day the application is filed. An application is considered filed the day the owner notifies the department in writing that all the application materials have been filed. If the department determines that the application is incomplete, the notice provided to the owner shall state the reasons for the determination.
3. An owner may file a supplement to an application that the department has determined to be incomplete. There is no limit to the number of times that an owner may re-file an

application. For incomplete applications, the owner shall provide additional information as specified in the notice determining the application is incomplete.

4. An additional 45-day completeness review period shall begin the day after the department receives responses to all items identified in the notice determining the application is incomplete.
 - a. If the owner fails to provide additional information specified in the notice of an incomplete application within 90 days, the application will be deemed abandoned. The owner may refile the application at a later date, subject to payment of new applicable fees.
5. If the department does not make a completeness determination within the applicable review period, the application is considered to be complete.

B.) Requests for additional information

1. The department may request additional information necessary to understand the wind energy system after determining that an application is complete.
 - a. An owner shall respond to all inquiries made subsequent to a determination of completeness in a timely, complete, and accurate manner.

15.) Application Review

A.) Conditions for approval

1. An owner shall provide information about whether it has consulted with and received any non-binding recommendations for construction, operating, or decommissioning the wind energy system from any federal or state agency and whether the owner has incorporated the non-binding recommendation into the design of the wind energy system.
 - a. Small wind energy systems are not required to provide this information.
2. An owner shall cooperate with any study of the effects of wind energy systems that is coordinated by a state agency.
 - a. Small wind energy systems are not required to cooperate with studies coordinated by a state agency.
3. An owner shall offer an agreement to the owner of a nonparticipating residence, if the residence is located within one-half mile of a constructed wind turbine, that includes the following initial annual monetary compensation of \$600 for 1 turbine located within one-half mile of a nonparticipating residence, \$800 for two turbines located within one-half mile of a nonparticipating residence, and \$1,000 for 3 or more turbines located within one-half mile of a nonparticipating residence.
 - a. The initial annual monetary compensation under this section shall apply to agreements entered into in 2011. For agreements entered into in 2012 and thereafter, the initial annual amounts shall increase each year by the greater of two percent or the increase in the Consumer Price Index, as described in §196.374 (5) (bm) 2, Wis. Stats.
 - b. An agreement offered under this subsection shall specify in writing any waiver of a requirement or right under this ordinance or PSC 128 and whether the landowner's acceptance of payment establishes the landowner's property as a participating property under this ordinance or PSC 128.

- c. Small wind energy systems are exempt from this compensation requirement to a non-participating residence.
6. An owner shall offer an agreement that includes monetary compensation to a farm operator farming on a nonparticipating property located within one-half mile of a constructed wind turbine if the farm operator demonstrates all of the following:
 - a) Substantial evidence of a history, before the wind energy system owner gives its pre application notice, of using aerial spraying for pest control or disease prevention for growing potatoes, peas, snap beans, or sweet corn on all or part of the farm field located within one-half mile of a constructed wind turbine.
 - b) A material reduction in potato, pea, snap bean, or sweet corn production or a material increase in application costs on all or part of a farm field located within one-half mile of a constructed wind turbine as a result of the wind energy system's effect on aerial spraying practices.
 - c) Small wind energy systems are exempt from this compensation requirement to a farm operator.
4. An owner shall submit a copy of all necessary state and federal permits and approvals to the county within 30 days of the owner's receipt of any permit or approval that was not provided with the owner's application.
5. An owner shall, on or before January 31 of each year, file an annual report with the department documenting the operation and maintenance of the wind energy system during the previous calendar year.
 - a. Small wind energy systems are not required to submit an annual report to the department.
6. An owner shall provide proof it has met all required financial assurance requirements of this chapter.

B.) Decision by the department

1. Once the owner is notified the application is complete, the department shall have 90 days to approve or deny the application. A written decision to approve or deny the application shall be provided to the owner and the commission.
2. The review period may be extended upon written notice to the applicant for one or more of the following reasons; but the total time for all extensions may not exceed 90 days:
 - a. Up to 45 days if additional information is needed.
 - b. Up to 90 days if the owner makes a material modification to the application.
 - c. Up to 90 days for other good cause specified in writing.
3. If the department fails to act within the 90 days, or within any extended time period, the application will be considered approved.

C.) Application Approval

1. The department shall provide the owner a duplicate original of the decision. The owner shall record the duplicate original with the Green Lake County Register of Deeds.
2. A written record of the decision shall be kept by the department until at least 7 years after the system is decommissioned.

D.) Application Denial

1. A written decision shall specify the reason(s) for denial.
2. A written record of the decision shall be kept by the department for at least 7 years after the decision to deny is issued.

E.) Records

1. The record of a department decision shall include:
 - a. The approved application and all additions or amendments to the application.
 - b. A representative copy of all notices issued under PSC 128.105(1), 128.30(5), and 128.42(1)
 - c. A record of any public meetings and any hearings related to the application. The record may be an electronic recording, a transcript prepared from an electronic recording, or a transcript prepared by a court reporter or stenographer. The record shall include any documents or evidence submitted by meeting or hearing participants.
 - d. Copies of any correspondence or evidentiary material that the department considered in relation to the application, including copies of all written public comments.
 - e. Minutes of any Green Lake County, board, council or committee meetings held to consider or act on the application.
 - f. A copy of the written decision to grant or deny the application.
 - g. Other materials that the department prepared to document its decision-making process.
 - h. A copy of any ordinance cited in or applicable to the decision.

16.) *Change in Ownership*

- A. An owner shall provide the department with notice of any change in ownership of the wind energy system on or before the effective date of the change.
- B. A notice of change in ownership of the wind energy system shall include information showing that the applicable financial responsibility requirements will be met following the change in ownership.

17.) *Costs and Fees*

- A. The application review fee for large wind systems is \$1000 and is \$500 for small wind systems. This fee only covers the wind energy system application review process. Individual land use permits shall be obtained for each wind turbine. The fee for each land use permit shall be based on Article XII of this chapter. An owner shall pay at least 50% of the application review fee prior to the department decision to approve or deny the application.
 1. The department shall give written notice to the owner of its intent to require 50% payment of the application review fee.
 - i. Notice shall be given within 10 days of the date the application is deemed complete.
 - ii. The notice shall contain an estimate of the fee.

- B. An owner shall not be required to pay 50% of the application review fee if the department fails to give written notice to the owner within 10 days of the date the application is deemed complete.
- C. An owner is responsible for paying all costs incurred by the county in connection with monitoring compliance during construction and assessing when wind energy facilities are not maintained in good repair and operation condition.
- D. The county shall invoice the applicant or owner for the actual and necessary costs incurred pursuant to this ordinance. The owner shall reimburse the county for those costs within 15 days of the date of invoice.

20.) Post Construction Requirement

- A. Within 90 days of the date a wind energy system commences operation, the owner shall file with the department and the Wisconsin Public Service Commission an as-built description of the wind energy system, an accurate map of the wind energy system showing the location of all wind energy system facilities, geographic information system information showing the location of all wind energy system facilities and current information identifying the owner of the wind energy system.
- B. An owner shall in the filings under this subsection label each wind turbine location with a unique identifier consistent with the information posted at the wind turbine location under PSC 128.18 (1)(g).
- C. Small wind energy systems are exempt from the post construction filing requirement.

21.) Modifications to an Approved Wind Energy Facility

A. Material Change

- 1. An owner may not make a material change in the approved design, location or construction of a wind energy system without the prior written approval of the department.
- 2. An owner shall submit an application for a material change to an approved wind energy system to the department.
 - a. An application for a material change shall contain information necessary to understand the material change.
 - b. An application for a material change is subject to PSC 128.30 (1), (3) to (5), (6) (a) and (b), and (7) and PSC 128.31 to PSC 128.34.

B. Review Limited

- 1. The department may not reopen the merits of the earlier approval but shall consider only those issues relevant to the proposed change.
- 2. The department may hold at least one public meeting to obtain comments on and to inform the public about a proposed material change to an approved wind energy system.

22.) Compliance Monitoring

A.) Monitoring Procedure

- 1. An owner shall maintain a maintenance log for each wind turbine. The log must contain the following information regarding any maintenance performed on the wind turbine:
 - a. Date and time maintenance was performed.
 - b. Nature of the maintenance performed.

- c. Reason for the maintenance.
2. An owner shall, at the owner's expense, provide the department with a copy of the maintenance log for each wind turbine for each month within 5 calendar days after the end of the month.
3. The department may retain such consultants or experts as it deems necessary to assess and determine whether the wind energy system facilities are compliant or to assess whether the wind energy system facilities are being maintained in good repair and operating condition.

B.) Third Party Construction Inspector

1. The department may contract with a third-party inspector to monitor and report to the department regarding the owner's compliance with permit requirements during construction and operation.
2. The inspector monitoring compliance shall also report to a state permitting authority upon the state permitting authority's request.
3. The inspector shall make monthly written reports to the department.
4. The owner shall reimburse the department for the actual and necessary cost of the inspector.

C.) Small wind energy system exemption

1. Small wind energy systems shall be exempt from the compliance monitoring **subsection**.

23.) Consultants

- A. The department is authorized to contract with one or more engineers, environmental specialists, planners, and other consultants and experts to perform necessary services in connection with this section.
- B. The corporation counsel is authorized to contract with outside attorneys to perform necessary services in connection with this section.

24.) Complaints

A.) Making a complaint

1. An aggrieved person may make a complaint regarding failure by an owner to comply with an obligation under this chapter.
2. A complaint shall be made first to the owner of the wind energy system pursuant to a complaint resolution process developed by the owner.
3. A complainant may petition the department for review of a complaint that is not resolved within 45 days of the day the owner receives the original complaint.
 - a. The petition for review must be filed with the department within 90 days of the date of the original complaint.
 - b. The petition must include the following:
 1. Name, address, and telephone number of the person filing the petition.
 2. Copy of the original complaint to the owner.
 3. Copy of the owner's initial response.
 4. Statement describing the unresolved complaint.
 5. Statement describing the desired remedy.

6. Any other information the complainant deems relevant to the complaint.
7. Notarized signature of the person filing the petition.
- c. The department shall forward a copy of the petition to the owner by certified mail within 10 days of the department's receipt of the petition.
4. The department shall issue a written decision and may take such enforcement action as it deems appropriate with respect to the complaint.
 - a. The department may retain such consultants or experts as it deems necessary to complete its review.
 - b. The department's decision is subject to review under §66.0401 (5), Wis. Stats.

B.) Complaint Resolution

1. An owner shall use reasonable efforts to resolve complaints regarding a wind energy system and shall investigate complaints regarding a wind energy system at the owner's expense.
2. Upon receipt of a complaint, an owner shall provide the complainant with a copy of the notice described in **PSC 128.42(1)**. Within 30 days of receiving a complaint, an owner shall provide an initial response to the complainant.
 - a. Small energy systems are exempt from the notice and response requirements.
 - b. The response must include the following:
 1. Name, address, and telephone number of the person filing the response.
 2. Statement describing the actions taken by the owner in response to the complaint.
 3. Statement of the reasons why the owner believes that the complaint has been resolved or why the complaint remains unresolved.
 4. Statement describing any additional action the owner plans or is willing to take to resolve the complaint.
 5. Any other information the owner deems relevant to the complaint.
 6. Notarized signature of the person filing the response
3. An owner shall make a good faith effort to resolve complaints within 45 days of receiving a complaint. An owner shall notify the department of complaints that have not been resolved within 45 days of the date the owner received the original complaint.
 - a. Small wind energy systems are exempt from the requirements to resolve complaints in 45 days or to notify the department of unresolved complaints within 45 days.
 - b. The notice must include the following:
 1. Name, address, and telephone number of the person filing the notice.
 2. Statement describing the actions taken by the owner in response to the complaint.
 3. Statement of the reasons why the complaint remains unresolved.
 4. Statement describing any additional action the owner plans or is willing to take to resolve the complaint.
 5. Any other information the owner deems relevant to the complaint.
 6. Notarized signature of the person filing the answer.
4. An owner shall maintain a log of all complaints received regarding the wind energy system. The owner shall include in the log the name and address of each complainant, the nature of each complaint, and the steps taken to resolve each complaint. An owner shall provide a

copy of a complaint log monthly, at no cost, to the department. An owner shall make any complaint log available to the commission upon request.

- a. Small wind energy systems are exempt from the requirement to keep a log of all complaints.
5. An owner shall develop a complaint resolution process that is consistent with PSC 128.40(2).
 - a. An owner shall, before construction of a wind energy system begins, provide the department with a written copy of the owner's complaint resolution process. An owner shall provide the department with a written copy of any changes to the complaint resolution process at least 30 days prior to implementing the change
 - b. Small wind energy systems are not required to develop a complaint resolution process.

25.) Monitoring Committee

A.) Committee

1. The department may establish a monitoring committee to oversee resolution of complaints regarding a large wind energy system. A monitoring committee shall include on the committee a member who is a local employee of an owner of a large wind energy system and, if in existence, at least one nonparticipating landowner residing in the Green Lake County within 0.5 mile of a wind turbine that is located in the Green Lake County.
 - a. A committee may not be created to monitor a small wind energy system.

B.) Duties

1. A monitoring committee may do any of the following:
 - a. Maintain a record of all complaints brought to it.
 - b. Require the owner to provide the committee with information regarding the owner's response to any complaint forwarded to the owner by the committee.
 - c. Recommend to the department a reasonable resolution to a complaint based upon the information gathered by the committee.

C.) Multiple Jurisdictions

1. If a wind energy system is located in more than one political subdivision with jurisdiction over the wind energy system and multiple political subdivisions decide to establish a monitoring committee, the political subdivisions shall jointly establish a single monitoring committee to oversee resolution of complaints regarding the wind energy system.

26.) Notice to Property Owners

A.) Notice of process for making complaints

1. Before construction of a wind energy system begins, an owner shall provide written notice of the process for making complaints and obtaining mitigation measures to all residents and landowners within 0.5 mile of any wind energy system facility. An owner shall include in the notice the requirements under **PSC 128.40 (1)** for submitting a complaint to the owner, a petition for review to the department, and an appeal to the commission, and shall include a contact person and telephone number for the owner for receipt of complaints or concerns during construction, operation, maintenance and decommissioning.

2. Small wind energy systems are exempt from this notification requirement.

B.) Notice to the department

1. An owner shall, before construction of a wind energy system begins, provide the department with a copy of the notice issued pursuant to **PSC 128.42(1)**, along with a list showing the name and address of each person to whom the notice was sent and a list showing the name and address of each political subdivision to which the notice was sent.
2. An owner shall, before construction of a wind energy system begins, file with the department the name and telephone number of the owner's contact person for receipt of complaints or concerns during construction, operation, maintenance, and decommissioning. The owner shall keep the name and telephone number of the contact person on file with the department current.
3. Small wind energy systems are exempt from this notification requirement.

B. Definitions

Commercial communications- includes communications used by government and military entities for emergency purposes, licensed amateur radio service, and non-emergency communications used by agricultural, business, government, and military entities including aviation radar, commercial mobile radio service, fixed wireless service, global positioning, line-of-sight, microwave, personal communications service, weather radar, and wireless internet service.

Commission- means the Wisconsin Public Service Commission

Collector surface- means any part of a solar collector that absorbs solar energy for use in the collector's energy transformation process. "Collector surface" does not include frames, supports and mounting hardware.

Collector use period- means 9 a.m. to 3 p.m. standard time daily.

Daytime hours- the hours beginning at 6:00 a.m. standard time and ending at 10:00 p.m. standard time daily.

Decommissioning- means removal of all of the following:

1. The above ground portion of a wind energy system, including wind turbines and related facilities, except for access roads if removal has been waived by the property owner.
2. All below ground facilities, except the following
 - a. Underground collector circuit facilities
 - b. Those portions of concrete structures 4 feet or more below grade.

Department - means the Green Lake County Land Use Planning and Zoning Department

Director - means the director of the Green Lake County Land Use Planning and Zoning Department.

DNR- means the Wisconsin Department of Natural resources

Impermissible interference- means the blockage of wind from a wind energy system or solar energy from a collector surface or proposed collector surface for which a permit has been granted under this section during a collector use period if such blockage is by any structure or vegetation on property, an owner of which was notified under §66.0403(3)(b), Wis. Stats. “Impermissible interference” does not include:

1. Blockage by a narrow protrusion, including but not limited to a pole or wire, which does not substantially interfere with absorption of solar energy by a solar collector or does not substantially block wind from a wind energy system.
2. Blockage by any structure constructed, under construction or for which a building permit has been applied for before the date the last notice is mailed or delivered under §66.0403(3)(b), Wis. Stats.
3. Blockage by any vegetation planted before the date the last notice is mailed or delivered under §66.0403(3)(b), Wis. Stats. unless a municipality by ordinance under §66.0403(2), Wis. Stats. defines impermissible interference to include such vegetation.

Large wind system- has a capacity of less than 100 megawatts but more than a wind energy system that has a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts.

Maximum Blade Tip Height- means the nominal hub height plus the nominal blade length of a wind turbine, as listed in the wind turbine specifications provided by the wind turbine manufacturer. If not listed in the wind turbine specifications, “maximum blade tip height” means the actual hub height plus the blade length.

Nameplate capacity- means the nominal generating capacity of a wind energy system, as listed in the wind turbine specifications provided by the wind turbine manufacturer.

Nighttime hours- The hours beginning at 10:00 p.m. standard time and ending at 6:00 a.m. standard time daily.

Nonparticipating property- means real property that is not a participating property.

Nonparticipating residence- means a residence located on nonparticipating property.

Occupied community building- means a school, church, or similar place of worship, daycare facility, or public library.

Owner- means

1. person with a direct ownership interest in a wind energy system, regardless of whether the person was involved in acquiring the necessary rights, permits and approvals or otherwise planning for the construction and operation of a wind energy system.
2. At the time a wind energy system is being developed, a person who is acting as a wind energy system developer by acquiring the necessary rights, permits and approvals for or by planning for the construction and operation of a wind energy

system, regardless of whether the person will own or operate the wind energy system.

Participating property- means any of the following

1. A turbine host property.
2. Real property that is the subject of an agreement that does all of the following.
 - a. Provides for the payment of monetary compensation to the landowner from an owner regardless of whether any part of a wind energy system is constructed on the property.
 - b. Specifies in writing any waiver of a requirement or right under this chapter and that the landowner's acceptance of payment establishes the landowner's property as a participating property.

Participating residence – means a residence located on participating property

Personal communications- includes wireless telecommunications, personal communications service, radio, television, wireless internet service, and other systems used for personal use purposes.

Political subdivision- has the meaning given in § 66.0401(1e)(c), Wis. Stats.

Residence- means an occupied primary or secondary personal residence including a manufactured home as defined in § 101.91(2), Wis. Stats., a hospital, community-based residential facility, residential care apartment complex or similar facility, or a nursing home. "Residence" includes a temporarily unoccupied primary or secondary personal residence. "Residence" does not include any of the following:

1. A recreational vehicle as defined in § 340.01(48r), Wis. Stats., notwithstanding the length of the vehicle.
2. A camping trailer as defined in § 340.01(6m), Wis. Stats.
3. A permanently abandoned personal residence.

PSC 128- means Wis. Admin. Code Ch. PSC 128, Wind Energy Systems.

Shadow Flicker- means a pattern of moving shadows cast on a residence or an occupied community building caused by sunlight shining through moving wind turbine blades resulting in alternating changes in light intensity.

Small wind energy system- means a wind energy system that has a total installed nameplate capacity of 300 kilowatts or less and that consists of individual wind turbines that have an installed nameplate capacity of not more than 100 kilowatts.

Solar collector- means a device, structure or a part of a device or structure a substantial purpose of which is to transform solar energy into thermal, mechanical, chemical or electrical energy.

Solar energy- means direct radiant energy received from the sun.

Standard time- means the solar time of the ninetieth meridian west of Greenwich.

Turbine Host Property- means real property on which at least one wind turbine is located.

Wind access easement- means a written document that creates a legal interest in real property that restricts the use of the property to avoid interference with the wind resource on another property.

Wind energy system- has the meaning given in § 66.0403(1)(m), Wis. Stats., and is used to convert wind energy to electrical energy.

Wind energy system easement- means a written document that creates a legal interest in real property that permits an owner to place, construct or operate a wind turbine or other wind energy system facility on the property.

Wind energy system emergency- means a condition or situation at a wind energy system that presents a significant threat of physical danger to human life or a significant threat to property or a natural event that causes damage to wind energy system facilities.

Wind energy system facility- means any component of a wind energy system, such as a wind turbine, collector circuit, access road, electric system interconnection facility or operation and maintenance facility.

Wind energy system lease- means a written agreement between a landowner and an owner that establishes the terms and conditions associated with the placement, construction or operation of a wind turbine or other wind energy system facility on a landowner's property.

Changes to the rest of 350

The following sections of Chapter 350 will require edits to comply with these proposed changes

- 350-19(c) – allow wind turbines exception
- 350-20 – add a call out for turbines? (turbines can have setbacks waived)
- 350- Article IV to allow certain solar/wind energy systems in certain districts

☐ § 350-27 A-1 Farmland Preservation District.

[Amended 6-17-2008 by Ord. No. 935-08; 2-15-2011 by Ord. No. 989-2011; 11-14-2017 by Ord. No. 22-2017]

A. Purpose. The purpose of this district is to promote areas for uses of a generally exclusive agricultural nature in order to protect farmland and to allow participation in the state's farmland preservation program. Land zoned under this district must comply with the following:

(1) Permitted uses:

- (a) Agricultural uses. See Subsection D for agricultural use definitions.
- (b) Not including the specified accessory uses identified in Subsection A(2), other accessory uses, including the farm residence. See Subsection D for "accessory use" definition.
- (c) Upon prior notification to the county, transportation, utility, communication, or other uses that are required under state or federal law to be located in a specific place or that are authorized to be located in a specific place under a state or federal law that preempts the requirement of a conditional use permit for those uses.

- We can ban development of over 1 mW turbines in residential or commercial districts
 - <https://docs.legis.wisconsin.gov/statutes/statutes/66/iv/0401/4/f/2>
 - so probably allow below 1 mW in all districts but ban over 1mW in
 - R1, R2, R3, R4, C1, C2

- This is added to the siting section of this section

☐ § 350-24 **Districts established.**

[Amended 6-17-2008 by Ord. No. 935-08; 8-21-2012 by Ord. No. 1033-2012; 10-15-2013 by Ord. No. 1070-2013; 8-19-2014 by Ord. No. 1093-2014; 11-14-2017 by Ord. No. 22-2017]

- A. The Farmland Preservation District is regulated by Ch. 91, Wis. Stats. and certified by the Department of Agriculture, Trade and Consumer Protection. All permitted and conditional uses provided to this district are listed in § 350-27.
- B. The permitted and conditional uses listed under all other zoning districts represent uses that are consistent with the purpose and intent of each zoning district. In cases where an unlisted use is proposed, the Land Use Planning and Zoning Department shall determine its consistency with a zoning district. A conditional use permit shall be required for any proposed use which the Land Use Planning and Zoning Department determines consistent with a zoning district, but also determines that the effect of the proposed use on the character of the neighborhood and the location's suitability for development warrants additional review.

- Fee Schedule

- Calumet County

Large Wind Energy System	\$500/turbine (per Ch. 79)
Small Wind Energy System or MET Tower	\$275/turbine/tower (per Ch. 79)
Decommissioning Plan Update	\$50 (per Ch. 79)

- Manitowoc County

Small Wind Tower -----	\$350.00
Large Wind Tower -----	\$2,500.00 +1,000.00 p/tower

- We should probably do a review fee and then do a LUP per tower kind of like Manitowoc County.

Planning & Zoning
2025

January						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May						
S	M	T	W	T	F	S
				1	2	3
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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June						
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22	23	24	25	26	27	28
29	30					

July						
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August						
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				



October						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Notes:

Jan 2	P&Z Committee
Jan	NO County Board
Feb 6	P&Z Committee
Feb 18	County Board
Mar 6	P&Z Committee
Mar 18	County Board
Apr 4	P&Z Committee
Apr 15	County Board
May 1	P&Z Committee
May 20	County Board
Jun 5	P&Z Committee
Jun 17	County Board
Jul 3	P&Z Committee
Jul	NO County Board
Aug 7	P&Z Committee
Aug 19	County Board
Sept 4	P&Z Committee
Sept 16	County Board
Oct 2	P&Z Committee
Oct 21	County Board
Nov 6	P&Z Committee
Nov 11	County Board
Dec 4	P&Z Committee
Dec 16	County Board

 = P&Z Meetings
 = County Board Meetings

Approved: __/__/__

COMPLAINT FORM

Date 11-19-24	Time 9:00 <input checked="" type="checkbox"/> am <input type="checkbox"/> pm	Type of Complaint <input checked="" type="checkbox"/> In Person <input type="checkbox"/> Telephone <input type="checkbox"/> In Writing <input type="checkbox"/> Other
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NOTES 11-19-24

A faint, circular watermark illustration of a coastal scene. It features a sailboat on the water, a lighthouse on a rocky shore, and birds flying in the sky. The entire scene is enclosed within a circular border with a striped pattern on the left side.

Name/Subject S+L Holdings Complaint

Tax ID # 004-003/4-0200, -0300, -0400, + -0501

[illegible]

INSPECTION SKETCH

A large rectangular area filled with a light gray dashed grid, intended for drawing or sketching. The grid consists of small squares.

In the bottom-left corner of the page, there is a small black crosshair symbol (+).

FINDINGS OF INVESTIGATION	
Next Action	
Signature	Date

GREEN LAKE COUNTY

INSPECTION REPORT

Land Use Planning & Zoning
571 County Road A
Green Lake, WI 54941
Phone: (920) 294-4156

Property Owner S and L Holdings LLC		Contractor/Builder	
Site Address State RD 23		Tax ID # 004-00314-0201	
City, State, Zip, Township TBY		Land Use Permit #	Permit Card Posted? <input type="checkbox"/> Yes <input type="checkbox"/> No
Date 11-19-24	Time 3 : 20 <input type="checkbox"/> am <input checked="" type="checkbox"/> pm	Witnesses Noah Brown, Max Richards	

NOTES

A Complaint was alleged that the landowner was using the property in a way that does not follow the conditions listed in the CUP LUP2 Staff stopped out on site and noticed numerous piles of tree trunks and piles of what appeared to be crushed asphalt.

SKETCH



Inspection Type

- ☐ Wall Form
- ☐ Final
- ☒ Complaint
- ☐ Violation
- ☐ Other _____

Setbacks Measured

Front (1) _____
Front (2) _____
Side (1) _____
Side (2) _____
Rear _____
Shore _____
Length _____
Width _____
Height _____

Status

- ☐ Compliant
- ☐ Violation
- ☐ Re-Inspection Req'd

Inspector's Signature _____

Date _____

11-19-24



Kirkman, Matt

From: Kirkman, Matt
Sent: Thursday, November 21, 2024 9:15 AM
To: lee.garro@gmail.com
Subject: Wood pile
Attachments: 071124 S&L Holdings TBY CUP Approval.pdf

Lee,
Please review your CUP approval letter (attached). Specifically, focus on conditions 1, 2, and 10. It is quite early in the process to have your CUP reviewed and potentially revoked. The LUP & Z Committee has a public meeting on Thursday, December 5th. It is this Department's duty to present to the Committee this new use of your property. If they feel that your new use is a violation of any of the CUP conditions (again see 1, 2, & 10), a public hearing will be scheduled. At that meeting the LUP&Z Committee could add new conditions or even revoke your CUP for "boat storage building, individual storage units and a sales office".

If you want to avoid this conflict, I would suggest you remove the wood piles from your commercial lot prior to the December 5th meeting. You can always request an update to your CUP to add the outdoor wood-burning use including the external storage of wood (woodpile) or even a wood storage building.

Please let me know what your plan of action will be.

Matthew E. Kirkman
Director
Land Use Planning & Zoning Department
Green Lake County
Wisconsin
mkirkman@greenlakecountywi.gov



Land Use Planning & Zoning Department

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

Phone 920-294-4156 Website: www.greenlakecountywi.gov

Land Development Code Enforcement County Surveyor GIS Land Information

July 17, 2024

S&L Holdings WI, LLC
Lee Garro
PO Box 436
Green Lake, WI 54941

Re: Conditional Use Permit request for parcels **#004-00314-0200, -0300, -0400, & -0501.**

On July 11, 2024, the Green Lake County Planning & Zoning Committee considered the Conditional Use Permit (CUP) request that you applied for on 02/15/2024. The Committee's decision was to **conditionally approve** your CUP request regarding:

Item #3: Owner: S&L Holdings WI, LLC, **Agent:** Lee Garro, **Location:** Highway 23 & 49, **Parcels:** 004-00314-0200, -0300, -0400, & -0501, **Legal Description:** Lots 2,3,4 and Outlot 1 of CSM 1202, located in Section 15, T16N, R13E, Town of Brooklyn, ±3.88 acres **Request:** The owners are requesting a Conditional Use Permit for a boat storage building, individual storage units, and a sales office.

The conditions applicable to this CUP are as follows:

General 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. No outside storage of materials and other items is allowed.
3. An "As-Built" certificate of survey shall be provided to the Land Use Planning & Zoning Department within one year of the project completion. The certificate of survey shall show all existing buildings, building setback dimensions to lot lines, all access locations, electrical distribution equipment, easements, and any stormwater management appurtenances.
4. Any outdoor lighting shall comply with Section 350-23 of the County Zoning Ordinance.
5. Prior to construction, all parcels must be combined into a single parcel through a CSM.
6. A fire number application must be applied for and issued before Land Use Permit approval.
7. The applicant must obtain a Land Use Permit before any building construction starts.
8. No buildings shall be taller than 35 feet at peak height.
9. Also prior to land use permit issuance, documentation shall be provided to the Land Use Planning & Zoning Department indicating that the owner/applicant has applied for a stormwater and erosion control permit from WDNR.

Town of Brooklyn Conditions:

10. All items/materials shall be stored within the building(s) authorized under this CUP application.
11. A copy of the State-approved commercial building plans shall be provided to the Land Use Planning & Zoning Department prior to land use permit issuance.
12. This CUP may ultimately be revoked in accordance with Section 350-57 of the County Zoning Ordinance.
13. The DOT be contacted about a right turn lane being installed to the entrance when Highway 23 is done next year and approved.
14. Detailed site plan showing all setbacks and lot lines.
15. Commercial building plans previewed by the Town Building Inspector and the State for approval.
16. Approval from the County and State for proposed signs.

Additional Committee Conditions:

17. A vegetative screen shall be planted along the east and west lot lines of the new CSM lot (see #5 above) to provide privacy to neighboring property owners.
18. Floor plans shall be submitted to the Land Use Planning & Zoning Department prior to land use permit issuance.

If you have questions, please feel free to contact the Land Use Planning & Zoning Department.

Sincerely,

Ryan Schinke

Ryan Schinke
Land Use Planning & Zoning Department

CC: Kathleen Morris, Town of Brooklyn Clerk
Mike Wuest, Town of Brooklyn Chairman