



# 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, July 5, 2018:

Packet Pages:

- 1-2 **AMENDED** Agenda
- 3-5 Draft meeting minutes from June 7, 2018
- 6-8 Monthly financial reports
- 9-11 Land use permits and sanitary permits issued in May
- 12 Land use violations
- 13-15 POWTS violations
- 16 Public hearing notice
- 17-27 **Item I: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **Request:** Rezone  $\pm 4.5$  acres from A-1 Farmland Preservation District to RC Recreation District.
- 28-37 **Item II: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **Request:** Conditional use permit request for a private campground on a proposed  $\pm 4.5$  acre parcel.
- 38-47 **Item III: Owners/Applicants:** Kent J & June A Quade **Request:** Rezone +8 acres from A-1 Farmland Preservation District to A-2 General Agriculture District. To be determined by certified survey map.
- 48-59 **Item IV: Owner/Applicant:** Mary A Kallas **Request:** Rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.
- 60-73 **Item V: Owner/Applicant:** Gelhar Real Estate Investments, LLC **Agent:** Steven R Sorenson of von Briesen & Roper, sc **Request:** Conditional use permit request for a truck-to-rail transload facility located on  $\pm 5$  acres.

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



**GREEN LAKE COUNTY**  
**Land Use Planning & Zoning Committee**  
**571 County Road A, Green Lake, WI 54941**

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

**Land Use Planning & Zoning Committee Meeting Notice**

**Date: 07/05/18 Time: 5:15 p.m.**  
**Green Lake County Government Center, Room #0902**  
**571 County Road A, Green Lake, WI 54941**

**\*AMENDED AGENDA 06/26/18 cd**

**Committee Members:**

*William Boutwell*  
*Robert Lyon*  
*Harley Reabe*  
*Curt Talma*  
*Peter Wallace*

*Keith Hess,*  
*Alternate*

Carole  
 DeCramer,  
 Secretary

1. Call to Order
2. Pledge of Allegiance
3. Certification of Open Meeting Law
4. Minutes: 06/07/18
5. Public comments: 3-minute limit
6. Public appearances
7. Correspondence
8. Department activity reports
  - a. Financial reports
  - b. Permits
  - c. Violation reports
9. Department/Committee activity
  - a. Planning & Zoning Committee training
  - b. City of Berlin ETZA update and discussion
  - \*c. Update on County eligibility for Wisconsin Fund Grant Program**
10. Future committee activities
  - a. Future agenda items
  - b. Meeting date:  
 August 2, 2018  
 Business meeting 5:15 p.m.  
 Public hearing 6:00 p.m.

**6:00 p.m. Public Hearing**

**Item I: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **General legal description:** N3937 State Road 73, Parcel #014-00556-0000 (±23.1 acres), Part of the NE¼ & SE¼ of Section 16, T15N, R12E, Town of Marquette **Request:** Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District. To be determined by certified survey map.

- a. Public Hearing
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. Execute Determination Form/Ordinance

**Item II: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **General legal description:** N3937 State Road 73, Parcel #014-00556-0000 (±23.1 acres), Part of the NE¼ & SE¼ of Section 16, T15N, R12E, Town of Marquette **Request:** Conditional use permit request for a private campground on a proposed ±4.5 acre parcel.

- a. Public Hearing
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. Execute Determination Form/Ordinance

**Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the Land Use Planning & Zoning Department at 294-4156, not later than 3 days before date of the meeting.**

**GREEN LAKE COUNTY**  
**Land Use Planning & Zoning Committee**  
**571 County Road A, Green Lake, WI 54941**

**Item III: Owners/Applicants:** Kent J. & June A. Quade **General legal description:** Tichora Rd, Parcel #010-00155-0000 (±14 acres), Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, **Request:** Rezone ±8 acres from A-1 Farmland Preservation District to A-2 General Agriculture District. To be determined by certified survey map.

- a. Public Hearing
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. Execute Determination Form/Ordinance

**Item IV: Owner/Applicant:** Mary A Kallas **General legal description:** W2551 Princeton Rd, Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E, Town of Brooklyn **Request:** Rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District. To be determined by certified survey map.

- a. Public Hearing
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. Execute Determination Form/Ordinance

**Item V: Owner/Applicant:** Gelhar Real Estate Investments, LLC **Agent:** Steven R Sorenson of von Briesen & Roper, sc **General legal description:** W987 County Road S, Parcel #010-00183-0100 (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford **Request:** Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.

- a. Public Hearing
- b. Committee Discussion & Deliberation
- c. Committee Decision
- d. Execute Determination Form/Ordinance

11. Adjourn

**Please note: Meeting area is accessible to the physically disabled. Anyone planning to attend who needs visual or audio assistance, should contact the Land Use Planning & Zoning Department at 294-4156, not later than 3 days before date Of the meeting.**

**GREEN LAKE COUNTY  
LAND USE PLANNING AND ZONING  
COMMITTEE MEETING MINUTES  
Thursday, June 7, 2018**

**CALL TO ORDER**

Chair Lyon called the meeting of the Land Use Planning and Zoning Committee to order at 5:15 p.m. in the Green Lake County Government Center, County Board Room, Green Lake, WI. The requirements of the open meeting law were certified as being met.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

**Present: William Boutwell, Robert Lyon, Harley Reabe, Peter Wallace**

**Absent: Curt Talma**

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

**Carole DeCramer, Committee Secretary**

**Dawn N. Klockow, Corporation Counsel**

**APPROVAL OF MINUTES**

**Motion by Reabe/Boutwell, unanimously carried, to approve the 05/03/18 minutes**

**PUBLIC COMMENT - None**

**PUBLIC APPEARANCES - None**

**CORRESPONDENCE - None**

**DEPARTMENT ACTIVITY REPORTS**

**a. Financial reports**

Kirkman discussed the monthly financial reports, land use permits, and septic permits reports.

**b. Permits**

Kirkman explained the list of issued land use and sanitary permits for the month of April.

**c. Violations**

Kirkman discussed the list of land use violations and septic violations. The committee asked that, since some individuals have multiple POWTS violations, the POWTS violations appear on the report in order of importance. The committee also asked that the violation date be included on the report. Since the list is lengthy, the committee directed staff to make the violation notices a higher priority. They'd like to see progress by the July meeting. Corporation Counsel Klockow suggested contacting the software company to learn how to generate letters using the new software.

## **DEPARTMENT/COMMITTEE ACTIVITY**

### **a. 2017 Wisconsin Act 67 – Conditional Use Permits**

Kirkman – Explained that this was enacted last year. The committee discussed incorporating Act 67 – Conditional Use Permits into the zoning ordinance. Klockow advised that the county ordinance must match the newly enacted Act 67. If not, it is not a question of “if” this would be included; it is a matter of “when” it would be incorporated into the county zoning ordinance. The committee directed Kirkman to include that with the next zoning ordinance amendment.

### **b. Planning & Zoning Committee training**

Kirkman – Discussed possible dates for a planning and zoning training session that would be given by the UW-Stevens Point Center for Land Use Education.

### **c. City of Berlin ETZA update and discussion**

Kirkman is working on a draft zoning map of the ETZA parcels (approximately 700) that will eventually be given to the county to administer. He will consult with the City and Town of Berlin to get their opinions on what he is proposing for the zoning. Kirkman talked about the method by which residents will be notified of zoning changes. There was a general consensus that just publishing the proposed rezones is not enough and that the notifications should occur by the use of letters or postcards. Letters would be the preferred method.

### **d. Conditional use permit application process**

Kirkman explained that there are applicants that, when applying for conditional use permits, do not supply the information, as required by county ordinance, that the committee needs when hearing/deciding the request. The committee agreed that they do not want to receive information that is either incorrect or incomplete. Consequently, they would support staff in their attempt to get the necessary information when property owners are applying for conditional use permits.

**6:24 p.m. The committee recessed until 6:30.**

**6:30 p.m. The committee reconvened.**

## **PUBLIC HEARING ITEMS**

*Audio of committee discussion is available upon request from the Green Lake County Land Use Planning and Zoning Department.*

**Item V: Applicant:** Green Lake County Land Use Planning and Zoning Committee **Request:** Amend Code of Green Lake, Chapter 300 of the Floodplain Zoning Ordinance. The purpose of the ordinance amendment is to remain compliant with the National Flood Insurance Program (NFIP) by adopting recent FEMA and WDNR changes to NR116.

### **a. Public hearing**

No one appeared.

**b. Committee discussion and deliberation**

Kirkman briefly explained the reason for the repealing and recreating of the floodplain zoning ordinance. The proposed ordinance has been discussed in length at previous meetings.

**c. Committee decision**

**Motion by Wallace/Reabe, unanimously carried on roll call (4-ayes, 0-nays), to repeal Ordinance 970-2009, as amended, and recreate the ordinance as Chapter 300 Floodplain Zoning Ordinance and forward to the county board for final action.**

**FUTURE COMMITTEE ACTIVITIES**

**a. Future agenda items**

**b. Meeting Date**

There was a general consensus to move the public hearing time to 6:00 p.m., starting with the July committee meeting.

July 5, 2018

Business meeting – 5:15 p.m.

Public hearing – 6:00 p.m.

**ADJOURN**

**6:41 p.m. Meeting adjourned.**

**RECORDED BY**

Carole DeCramer  
Committee Secretary

**APPROVED ON:**

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

FEES RECEIVED		MAY				YEAR TO DATE				BUDGET
		2017		2018		2017		2018		2018
		NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	NO.	AMOUNT	
<b>LAND USE PERMITS</b>										
Residential	New	6	2,600	6	3,000	14	4,500	10	4,000	-
	Alterations	8	1,100	17	2,950	22	3,100	39	7,750	-
Commercial	New	1	800	1	150	1	800	1	150	-
	Alterations	-	-	1	50	2	1,100	4	650	-
Agricultural	New	2	300	2	300	10	1,650	5	1,250	-
	Alterations	-	-	-	-	3	450	1	150	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Other	New	-	-	-	-	-	-	-	-	-
	Alterations	-	-	-	-	-	-	-	-	-
Misc.	Denied/Refunded	-	-	-	-	-	-	-	-	-
	Permit Renewals	-	-	-	-	-	-	-	-	-
<b>Total</b>		17	\$ 4,800	27	\$ 6,450	52	\$ 11,600	60	\$ 13,950	\$ 34,800 40%
<b>SANITARY PERMITS (POWTS)</b>										
Residential	New	2	560	5	1,400	7	2,035	10	2,800	-
	Replacement	11	3,325	7	1,775	18	5,360	15	3,830	-
	Reconnect	-	-	1	355	-	-	2	635	-
	Modify	2	300	1	150	2	300	3	580	-
	Repairs	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
Commercial	New	-	-	-	-	-	-	2	635	-
	Replacement	1	280	-	-	1	280	-	-	-
	Reconnect	-	-	1	280	-	-	1	280	-
	Modify	-	-	-	-	-	-	-	-	-
	Additional Fees	-	-	-	-	-	-	-	-	-
<b>Total</b>		16	\$ 4,465	15	\$ 3,960	28	\$ 7,975	33	\$ 8,760	\$ 24,600 36%
<b>NON-METALLIC MINING PERMITS</b>										
Annual Permit Fees		-	-	-	-	18	14,500	18	15,300	-
<b>Total</b>		-	\$ -	-	\$ -	18	\$ 14,500	18	\$ 15,300	\$ -
<b>BOARD OF ADJUSTMENT</b>										
Special Exception		-	-	-	-	-	-	-	-	-
Variances		-	-	1	375	-	-	3	1,125	-
Appeals		-	-	-	-	-	-	-	-	-
<b>Total</b>		-	\$ -	1	\$ 375	-	\$ -	3	\$ 1,125	\$ 750 150%
<b>PLANNING &amp; ZONING COMMITTEE</b>										
Zoning Change		-	-	2	750	4	1,875	9	3,375	-
Conditional Use Permits		1	375	2	750	3	1,500	4	1,500	-
Ordinance/Comp Plan Amendments		-	-	-	-	-	-	-	-	-
<b>Total</b>		1	\$ 375	4	\$ 1,500	7	\$ 3,375	13	\$ 4,875	\$ 7,000 70%
<b>MISC.</b>										
Rental Weatherization		2	50	-	-	11	275	-	-	-
Wisconsin Fund		-	-	-	-	-	-	-	-	6,500
Applied Funds - Code Enforcement		-	47	-	-	-	589	-	-	-
<b>Total</b>		2	\$ 97	-	\$ -	11	\$ 864	-	\$ -	\$ 6,500 0%
<b>SURVEYOR</b>										
Certified Survey Maps		4	690	3	510	18	3,480	17	2,925	6,000
Preliminary Plats		-	-	-	-	-	-	-	-	-
Final Plats		-	-	-	-	-	-	-	-	-
Miscellaneous		-	-	-	45	-	125	-	204	-
<b>Total</b>		4	\$ 690	3	\$ 555	18	\$ 3,605	17	\$ 3,129	\$ 6,000 52%
<b>GIS (Geographic Information System)</b>										
Map Sales		-	-	-	-	-	107	-	40	200
Land Records Transfer		-	45	-	2,960	-	12,079	-	14,369	27,000
Land Information Grant		-	3,136	-	-	-	9,080	-	9,500	9,080
<b>Total</b>		-	\$ 3,181	-	\$ 2,960	-	\$ 21,266	-	\$ 23,909	\$ 36,280 66%
<b>GRAND TOTAL</b>		40	13,608	50	15,800	134	63,185	144	71,048	\$ 115,930 61%
<b>Total</b>									<b>61%</b>	

<b>POWTS REIMBURSEMENT</b>				
Septic Installation 10/07/15	\$	6,480.00		
Account #18-101-10-49320-000-000			Year- end 2017	May-18
Principal & Interest Payments	\$	4,395.18	\$	45.20
			YTD 2018	Balance
			\$	204.35
			\$	1,880.47

GREEN LAKE COUNTY

For 05/01/18 - 05/31/18

Revenue Summary Report

FJRES01A

Periods 05 - 05

Land Use & Zoning Month End Revenue

MER100-10-P&Z

<u>Account No/Description</u>	<u>Budget Amount</u>	<u>Period Amount</u>	<u>Y-T-D Amount</u>	<u>Balance</u>	<u>Percent Received</u>
10 Land Use Planning and Zoning					
18-100-10-43502-000-000 Wisconsin Fund Grant	6,500.00	.00	.00	6,500.00	.00
18-100-10-44400-000-000 Land Use Permits	34,800.00	6,450.00	13,950.00	20,850.00	40.09
18-100-10-44400-001-000 BOA Public Hearing	750.00	375.00	1,125.00	-375.00	150.00
18-100-10-44400-002-000 PZ Public Hearing	7,000.00	1,500.00	4,875.00	2,125.00	69.64
18-100-10-44400-003-000 Misc	.00	45.20	204.35	-204.35	.00
18-100-10-44409-000-000 Non-Metallic Mining	.00	.00	15,300.00	-15,300.00	.00
18-100-10-44410-000-000 Sanitary Permits	24,600.00	3,960.00	8,760.00	15,840.00	35.61
18-100-10-46131-001-000 GIS Map Sales	200.00	.00	40.00	160.00	20.00
18-100-10-46131-002-000 Strategic Fund	9,080.00	.00	.00	9,080.00	.00
18-100-10-46762-000-000 Certified Survey Maps	6,000.00	510.00	2,925.00	3,075.00	48.75
18-100-10-47411-000-000 Interdepartment transfer/Land Records	27,000.00	.00	2,025.00	24,975.00	7.50
18-100-10-49320-000-000 Applied Funds	9,500.00	.00	9,500.00	.00	100.00
10 Land Use Planning and Zoning	125,430.00	12,840.20	58,704.35	66,725.65	46.80



Expenditure Summary Report

Land Use & Zoning Month End Expenses

Account No/Description	Adjusted Budget	Y-T-D Encumb	Period Expended	Y-T-D Expended	Available Balance	Percent Used
<b>10 Land Use Planning and Zoning</b>						
<b>53610 Code Enforcement</b>						
18-100-10-53610-110-000	Salaries	277,102.00	.00	21,388.80	100,454.69	176,647.31 36.25
18-100-10-53610-140-000	Meeting Payments	600.00	.00	.00	.00	600.00 .00
18-100-10-53610-151-000	Social Security	21,201.00	.00	1,591.34	8,850.65	12,350.35 41.75
18-100-10-53610-153-000	Ret. Employer Share	10,569.00	.00	1,433.06	7,831.17	10,737.83 42.17
18-100-10-53610-154-000	Health Insurance	63,361.00	.00	4,780.08	29,900.40	33,460.60 47.19
18-100-10-53610-155-000	Life Insurance	504.00	.00	41.97	209.85	294.15 41.64
18-100-10-53610-210-002	Professional Services-SRV	9,500.00	.00	1,150.00	3,600.00	5,900.00 37.89
18-100-10-53610-210-003	Miscellaneous Fees	300.00	.00	.00	40.00	260.00 13.33
18-100-10-53610-245-000	Wisconsin Fund Grant	6,500.00	.00	.00	.00	6,500.00 .00
18-100-10-53610-307-000	Training	916.00	.00	110.00	603.03	312.97 65.83
18-100-10-53610-310-000	Office Supplies	3,005.00	.00	226.81	331.17	2,673.83 11.02
18-100-10-53610-312-000	Field Supplies	300.00	.00	.00	60.30	239.70 20.10
18-100-10-53610-320-000	Publications-BOA Public Hearing	500.00	.00	284.50	284.50	215.50 56.90
18-100-10-53610-320-001	Publications-PZ Public Hearing	2,000.00	.00	527.50	1,258.50	741.50 62.93
18-100-10-53610-321-000	Seminars	1,085.00	.00	.00	133.00	952.00 12.26
18-100-10-53610-324-000	Member Dues	100.00	.00	.00	100.00	.00 100.00
18-100-10-53610-330-000	Travel	500.00	.00	159.39	350.14	149.86 70.03
18-100-10-53610-352-000	Vehicle Maintenance	734.00	.00	44.01	124.13	609.87 16.91
18-100-10-53610-810-000	Capital Equipment-CEO Vehicle Purchase	25,000.00	.00	.00	.00	25,000.00 .00
<b>53610 Code Enforcement</b>		<b>431,777.00</b>	<b>.00</b>	<b>31,737.46</b>	<b>154,131.53</b>	<b>277,645.47 35.70</b>
<b>10 Land Use Planning and Zoning</b>		<b>431,777.00</b>	<b>.00</b>	<b>31,737.46</b>	<b>154,131.53</b>	<b>277,645.47 35.70</b>

# Land Use Permits: 05/01/18 - 05/31/18



Parcel Number	Town	Site Address	Owner Name	Permit Fee	Project Cost	Project
002-00272-0100	Berlin	N8684 State Road 49	Brandon M Hess	\$ 150.00	\$ 49,000.00	In-ground pool
002-00739-0000	Berlin	N8564 Seward Drive	Gerald/Mary Ann Bondar	\$ 150.00	\$ 2,410.00	Fence for dogs
004-00433-0100	Brooklyn	W2225 Princeton Rd	Joy A Jones	\$ 150.00	\$ 18,700.00	Detached garage
004-00585-0000	Brooklyn	N5889 Brooklyn G Rd	James R Koepke	\$ 150.00	\$ 93,000.00	Sheep barn
004-00670-0100	Brooklyn	N5397 County Road A	Green Lake County	\$ -	\$ 41,083.00	Repave gravel parking lot
004-00732-0104	Brooklyn	N5422 Shore Dr	G & G Holdings LLC	\$ 150.00	\$ 30,000.00	Retaining walls, fill low area
004-01075-0000	Brooklyn	W3177 Orchard Avenue	Philip T Burkart	\$ 600.00	\$ 450,000.00	Single-family dwelling w/garage
004-01080-0000	Brooklyn	W3139 Orchard Ave	James/Susan Petrowich	\$ 150.00	\$ 17,000.00	Remove elevated patio; regrade slope
004-01730-0000	Brooklyn	Heritage Drive	Keith E Kibler	\$ 400.00	\$ 290,000.00	Single-family dwelling w/garage
004-01134-0000	Brooklyn	W775 Silver Creed Rd	Thomas & Diane Nelson	\$ 500.00	\$ 395,000.00	Single-family dwelling
004-02141-0000	Brooklyn	W2416 Eagles Roost Ln	Steven Blaha	\$ 150.00	\$ 10,000.00	Storage shed
006-00159-0000	Green Lake	W1548 County Road K	Mark A Guderski	\$ 400.00	\$ 242,000.00	Single-family dwelling
006-00752-0101	Green Lake	N4222 Blackbird Point Dr	Peter R Wallace	\$ 150.00	\$ 6,250.00	Addition to existing deck
006-01112-0100	Green Lake	W908 Scott Hill Rd	Green Lake Renewal	\$ 50.00	\$ 100.00	Farmers' market banner
006-01250-0000	Green Lake	N3073 Lake Shore Dr	David W Diamond	\$ 150.00	\$ 20,000.00	Screen porch addition
006-01273-0000	Green Lake	N2923 State Road 44	John/Suze Ann Krebs Family Trust	\$ 150.00	\$ 74,000.00	Detached garage, deck
006-01302-0000	Green Lake	N2864 S Kearley Rd	Keith & Terri Balash	\$ 150.00	\$ 60,000.00	Three-season room, deck

006-01449-0000	Green Lake	W2867 Kahl Rd	Lori Ann Krueger Living Trust	\$ 150.00	\$ 3,650.00	Cement patio
006-01564-1000	Green Lake	W1966 Tuleta Hill Rd	Chris Barbin	\$ 150.00	\$ 10,000.00	Deck, patio, filling, grading
006-01616-0000	Green Lake	W1656 Sandstone Ave	Jeffrey S Beichel Rev Trust	\$ 800.00	\$ 627,000.00	Single-family dwelling, deck
006-01638-0000	Green Lake	W988 Spring Grove Rd	Mark/Kathleen Tannenbaum	\$ 150.00	\$ 23,500.00	Boathouse
006-01734-0000	Green Lake	W3081 McAfee Rd	Justin Ellis/Allison Giles	\$ 150.00	\$ 25,000.00	Home addition; small garden shed
012-00087-0000	Manchester	N2110 Marquette Rd	Russell G Mace	\$ 150.00	\$ 65,000.00	New cattle shed
012-00149-0000	Manchester	Grand River Road	Vernon/Sara Bontrager	\$ 150.00	\$ 27,000.00	New dog kennel
012-00622-0400	Manchester	County Road G G	Salemville Cheese Co-op	\$ 300.00	\$ 100,000.00	Single-family dwelling
012-00655-0100	Manchester	W3736 County Line Rd	Bruce & Sandra Witthun	\$ 400.00	\$ 250,000.00	Single-family dwelling
014-00401-0000	Marquette	W6870 Jolin Rd	Eugene/Patricia Weihert	\$ 150.00	\$ 1,500.00	Install roof over deck area
016-00769-0000	Princeton	W5913 State Road 23	Derek Crivello	\$ 300.00	\$ 3,250.00	Deck, patio, boathouse
<b>Total</b>				<b>\$ 6,450.00</b>	<b>\$ 2,934,443.00</b>	

## Sanitary Permits: 05/01/18 - 05/31/18



Parcel Number	Town	Site Address	Owners	Permit Fee	Permit Type
002-00307-0600	Berlin	N8709 Landing Road	Scott A Wheeler	\$ 355.00	Reconnect
004-01134-0000	Brooklyn	W775 Silver Creek Road	Thomas E Nelson	\$ 280.00	New system
004-01013-0000	Brooklyn	N6173 N Lawson Drive	Shelley K Schwandt	\$ 280.00	Replacement system
004-01730-0000	Brooklyn	Heritage Drive	Keith E Kibler	\$ 280.00	Replacement system
004-00779-0000	Brooklyn	Skunk Hollow Road	Margaret York Revocable Trust	\$ 280.00	New system
006-01273-0000	Green Lake	N2923 State Road 44	John/Suze Ann Krebs Family Trust	\$ 150.00	Addition/Modification
006-00158-0000	Green Lake	N4469 Horner Road	Laura L Hughes	\$ 150.00	Replacement tank
006-01616-0000	Green Lake	W1656 Sandstone Avenue	Jeffrey S Beichel Rev Trust	\$ 280.00	New system
008-00346-0000	Kingston	N968 County Road H	Wilbur/Norma Bontrager	\$ 280.00	New system
010-00644-0100	Mackford	W1898 County Road AW	Oscar/June R Beale	\$ 280.00	Replacement system
014-00497-0000	Marquette	Puckaway Road	Wilbur L Bontrager	\$ 280.00	New system
016-00242-0000	Princeton	N5511 County Road D	Lois Zuehls	\$ 280.00	Replacement system
016-01756-0000	Princeton	W5285 Oak Tree Court	Carol A Nagorny	\$ 150.00	Replacement system
154-000480000	Village of Marquette	156 Sherman Avenue	Breunig Lakeside Enterprises, LLC	\$ 280.00	Reconnect
154-00055-0000	Village of Marquette	135 Sherman Avenue	John /Paulette Malcyyk	\$ 355.00	Replacement system
<b>Total</b>				<b>\$ 3,960.00</b>	

**Land Use Violations 07/05/18**



Parcel #	Town	Site Address	Owner Name	Vio Type	Violation Description	# Vios	Vio Date
004-00356-0000	Brooklyn	N Lawson	Egbert Excavating, Inc	Zoning	Expansion of a use which requires new conditional use permit	3	4/5/2018
004-00570-0000	Brooklyn	N5736 Spaulding Hill Rd	Thresher, Michael P	Junk	TVs, monitors, ACs, appliances, mattresses, sofa, chairs, sofa	1	5/24/2018
004-02141-0000	Brooklyn	W2416 Eagles Roost Ln	Blaha, Steven C	Zoning	No land use permit before pouring concrete slab	1	5/2/2018
014-00420-0000	Marquette	W6853 Puckaway Rd	Hutton-Okpalaek, Matthew U	Zoning	One vehicle remains on the property as of May 2018	1	8/3/2017
016-00769-0000	Princeton	W5913 State Road 23	Crivello, Derek A	Shoreland	No LUP issued for new structures on property & additions to park mo	2	3/8/2018
016-01519-0000	Princeton	N4442 S Lakeshore Dr	Weslee Wickus Properties, LLC	Shoreland	Patio in setback w/o LUP or mitigation; patio removed by 6/8	2	10/2/2017

# POWTS Violation Report 07/05/18



Parcel #	Town	Site Address	Owner Name	Violation Type	Violation Description	Vio Date	# Vios
4001610000	Brooklyn	W1773 COUNTY ROAD J	IONE PISCHKE IRREV INCOME TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	6/9/2017	1
4002240300	Brooklyn	W516 BROOKLYN J RD	CRUMP GORDON M & SUSAN F	POWTS Violation	Tank overfull and discharging to ground surface.	2/10/2017	1
4002800800	Brooklyn	W740 STATE ROAD 23 49	WOYAK GREGORY A	POWTS Violation	Tank baffles not present or secure.	4/26/2017	1
4002850400	Brooklyn	W586 STATE ROAD 23 49	SHRADER ROBERT & BONNIE	POWTS Violation	Tank failure not structurally sound.	4/26/2017	1
4002860300	Brooklyn	N6219 SUNNYSIDE RD	KELMA AUDREY I	POWTS Violation	Tank failure not structurally sound.	6/6/2017	1
4003110000	Brooklyn	W1287 N LAWSON DR	RICHTER REAL ESTATE LLC JOHN	POWTS Violation	Holding tank overflowing to ground.	10/6/2017	1
4003150200	Brooklyn	W1002 STATE ROAD 23 49	COACHLITE GREEN LAKE LLC	POWTS Violation	Tank overfull and discharging to ground surface.	11/6/2017	4
4003190100	Brooklyn	W1049 STATE ROAD 23 49	ABEL RADENE M	POWTS Violation	Tank failure not structurally sound.	10/23/2017	1
4003200300	Brooklyn	W963 STATE ROAD 23 49	NOLAN WALLENFANG REV INTERVIVOS TRU	POWTS Violation	Tank overfull and discharging to ground surface.	10/17/2017	3
4003650000	Brooklyn	N6269 N LAWSON DR	ROWLEY ARTHUR	POWTS Violation	Holding tank overflowing to ground.	4/24/2018	2
4004060100	Brooklyn	N6310 COUNTY ROAD A	ALVIN DAVID D & DIANA L	POWTS Violation	Tank lid not properly secured with locking device.	4/24/2018	1
4004101211	Brooklyn	W1734 NORTH ST	K J W PROPERTIES LLC	POWTS Violation	Alarm/floats/pump failure in dose tank.	6/12/2017	1
4004250000	Brooklyn	W2466 PRINCETON RD	KOEHN PAUL	POWTS Violation	Top of drywell collapsed.	6/27/2017	3
4004430300	Brooklyn	W2354 STATE ROAD 23	JULI REALTY LLC	POWTS Violation	Tank overfull and discharging to ground surface.	6/16/2017	4
4004700302	Brooklyn	N6057 ROBIN LN	FAUCETTE RONALD & DANI	POWTS Violation	Filter not functioning properly.	7/20/2017	1
4006880000	Brooklyn	W1973 S LAWSON DR	LA MIRE CLARENCE W & JOANN I	POWTS Violation	Tank lid not properly secured.	7/13/2016	6
4006900200	Brooklyn	W2005 IRVING PARK RD	CHIER DEAN	POWTS Failure	Probable surface discharge.	5/19/2017	1
4007710000	Brooklyn	W239 PRAIRIE RD	MACHKOVICH STEVEN E & JENNY L	POWTS Violation	Tank lid not properly secured.	8/21/2017	1
4009310000	Brooklyn	N5325 LAWSON DR	AMERICAN BAPTIST ASSEMBLY	POWTS Violation	Holding tank overflowing to ground.	5/19/2017	2
4009390200	Brooklyn	N5303 PROSPECT DR	STONE WILLIAM H JR & JANETTE	POWTS Violation	Tank overfull and discharging to ground surface.	5/21/2018	1
4010020000	Brooklyn	W2201 HICKORY RD	HYNES TRUST NANCY L CODY	POWTS Violation	Holding tank overflowing to ground.	6/29/2017	6
4010120000	Brooklyn	N6167 N LAWSON DR	JONES LIVING TRUST MARILYN L	POWTS Violation	Holding tank overflowing to ground.	5/29/2018	2
4011380000	Brooklyn	W817 SILVER CREEK RD	DALBKE FAMILY TRUST AGREEMENT	POWTS Violation	Holding tank overflowing to ground.	5/4/2018	3
4017590000	Brooklyn	W2035 TAYLOR LEE LN	SCHABERG DAVID L	POWTS Violation	Filter not functioning properly.	4/21/2017	1
4017750000	Brooklyn	W2615 S VALLEY VIEW DR	LAWSONIA INC	POWTS Violation	Lid on tank not properly secured.	11/8/2017	1
4017810000	Brooklyn	N5959 CASS CT	SHULTZ ANGELA F	POWTS Violation	Tank overfull and discharging to ground surface.	1/31/2018	1
6000800100	Green Lake	N4550 HORNER RD	THORP EDWIN C & HOLLY J	POWTS Violation	Tank failure not structurally sound.	11/17/2017	1
6001500000	Green Lake	W1391 COUNTY ROAD K	EGBERT KATHLEEN MAE	POWTS Violation	Tank lid not properly secured.	9/14/2017	1

6001580000	Green Lake	N4469 HORNER RD	HUGHES LAURA L	POWTS Violation	Tank failure not structurally sound.	6/1/2018	1
6004710100	Green Lake	W103 STATE ROAD 44	NIEMUTH NICHOLAS R	POWTS Violation	Tank overfull and discharging to ground surface.	12/19/2017	5
6008290100	Green Lake	W2710 COUNTY ROAD K	MILLS DEC OF TRUST THOMAS W	POWTS Violation	Tank overfull and discharging to ground surface.	5/9/2017	1
6011080100	Green Lake	W1128 SCOTT HILL RD	FEENEY JOHN S	POWTS Violation	Tank failure not structurally sound.	6/19/2017	1
6012670000	Green Lake	N3129 LAKE SHORE DR	MUNRO EUGENE E	POWTS Violation	Tank overfull and discharging to ground surface.	10/30/2017	2
8000180100	Kingston	W7291 COUNTY ROAD B	LAMBRIGHT SARAH W	POWTS Violation	No vents on dispersal cell to check system for functionality.	6/9/2017	1
8001700000	Kingston	N1634 COUNTY ROAD FFF	BUFFINGTON JOHN C	POWTS Violation	Filter not functioning properly.	12/5/2017	1
10001870000	Mackford	W1161 COUNTY ROAD S	DENK JOEL C	POWTS Failure	Probable surface discharge.	11/9/2017	1
10002500100	Mackford	N1842 N BRAVE RD	LARMAY CONSTRUCTION INC	POWTS Violation	DSPS 382.10(2)(d); Section 145.135(1); Section 334-4C(1)(b)	11/18/2016	1
12002580000	Manchester	N1615 MADISON ST	DARSCH DONALD M	POWTS Violation	Lid on tank not properly secured.	11/1/2017	3
12002910100	Manchester	N1325 COUNTY ROAD S	MAC DONALD GREG & JUDY	POWTS Violation	Tank baffles not present or secure.	10/3/2017	1
14002340100	Marquette	W5620 PINE RD S	GERTH GREGORY J & LORELLE J	POWTS Violation	Tank overfull and discharging to ground surface.	8/22/2017	1
14004060000	Marquette	W6848 JOLIN RD	ESGAR JEFFREY W	POWTS Violation	Tank overfull and discharging to ground surface.	9/3/2017	1
14009120000	Marquette	W6260 LAKEVIEW DR N	DEVALK KEITH A	POWTS Violation	Tank lid not properly secured with locking device.	7/25/2017	1
14009540000	Marquette	W5282 PINE RD N	STEEGER KEITH	POWTS Violation	Tank overfull and discharging to ground surface.	11/7/2017	3
16000690100	Princeton	W4706 STATE ROAD 23 73	GAGNE FORD MERCURY INC	POWTS Violation	Holding tank overflowing to ground.	5/1/2017	2
16000790200	Princeton	N5792 COUNTY ROAD D	GRAETZ DANIEL F & DENISE C	POWTS Failure	Surface discharge of sewage/effluent	10/4/2017	1
16001120100	Princeton	W4537 STATE ROAD 23 73	SORENSEN PATRICK L & LISA M	POWTS Violation	Surface discharge of sewage; Tank lid not properly secured	5/16/2017	6
16001130000	Princeton	W4586 STATE ROAD 23 73	SONDALLE TODD M & BRENDA	POWTS Violation	Tank failure not structurally sound.	5/21/2018	2
16001310300	Princeton	N5890 ELYSIUM CT	CRAM DANIEL C & MARY C	POWTS Violation	Tank overfull and discharging to ground surface.	5/16/2018	1
16001400000	Princeton	W4022 OLD GREEN LAKE RD	MARSCHALL CRYSTAL M	POWTS Violation	Tank overfull and discharging to ground surface.	2/23/2017	28
16001550100	Princeton	W3464 OLD GREEN LAKE RD	HOME OF DIVINE MERCY INC	POWTS Violation	No vents on dispersal cell to check system for functionality.	5/4/2017	1
16001550101	Princeton	No Address Available	BARN IN BETHLEHEM LLC	POWTS Violation	Filter not functioning properly.	5/4/2017	1
16001710000	Princeton	W3351 STATE ROAD 23	HUDZINSKI RAYMOND F/ NELL A TRUST	POWTS Violation	Tank overfull and discharging to ground surface.	5/4/2018	1
16001720000	Princeton	W3457 STATE ROAD 23	BOGUCKE DAVID J	POWTS Violation	Top of drywell collapsed, tank overfull & discharging	11/30/2017	3
16002420000	Princeton	N5511 COUNTY ROAD D	ZUEHLS LOIS	POWTS Violation	Tank overfull and discharging to ground surface.	2/19/2018	3
16004100000	Princeton	N4682 COUNTY ROAD D	KALLAS JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	6/9/2017	1
16004640000	Princeton	N4471 HICKORY LN	OSTROWSKI LEONARD A & CAROL A	POWTS Violation	Filter not functioning properly.	5/18/2018	1
16004650000	Princeton	N4467 HICKORY LN	RYAN LYNN M	POWTS Violation	Lid on tank not properly secured.	7/28/2017	3
16004680000	Princeton	N4429 HICKORY LN	BALKOWSKI DALE ROBERT	POWTS Violation	Holding tank overflowing to ground.	5/24/2018	1
16005790000	Princeton	W5482 LOSINSKI RD	WEGNER JAMES M	POWTS Violation	Tank failure not structurally sound.	9/5/2017	2
16005990000	Princeton	W5847 LOSINSKI RD	SCHMIDT JR ROBERT C	POWTS Violation	Holding tank overflowing to ground.	3/9/2017	2

16006660200	Princeton	N6140 PLEASANT DR	ST LOUIS JOSEPH	POWTS Violation	Tank overfull and discharging to ground surface.	3/17/2017	3
16006770000	Princeton	N5981 CANAL ST	BRUNSON MARY	POWTS Violation	Tank overfull and discharging to ground surface.	1/8/2018	3
16006860100	Princeton	N5599 OAK TREE ACRES	SEEHAVER DARREL C & CAROLYN I	POWTS Violation	Tank lid not properly secured.	1/8/2018	1
16007310100	Princeton	N5698 SODA RD	MC CURDY DONALD M	POWTS Violation	Tank lid not properly secured with locking device.	10/2/2017	1
16007550000	Princeton	N5498 MERRILL LN	HENDERSON NATHAN A	POWTS Violation	Holding tank overflowing to ground.	6/12/2018	2
16007900800	Princeton	W5881 OXBOW TRL	MUNSCH TUCKER T	POWTS Violation	Tank overfull and discharging to ground surface.	11/16/2017	3
16008010300	Princeton	N5591 LOCK RD	CALAMITA MICHAEL J	POWTS Violation	Tank overfull and discharging to ground surface.	5/11/2017	14
16008190100	Princeton	W5431 OXBOW TRL	SWANSON JERRY D	POWTS Violation	Tank lid not properly secured.	6/26/2017	1
16008830100	Princeton	N5108 FOX RIVER LN	MEIDL CHRISTOPHER J	POWTS Violation	Holding tank overflowing to ground.	5/9/2017	2
16009090300	Princeton	N5045 KUHARSKI RD	SOMMERFELDT MICHAEL & TERESA	POWTS Violation	Holding tank overflowing to ground.	7/9/1928	1
16010840000	Princeton	N4611 OAK RD	MARKS PAUL R	POWTS Violation	Tank lid not properly secured.	12/28/2120	2
16010870000	Princeton	N4621 OAK RD	SUMANIS ROBERT A & LAURIE K	POWTS Violation	Tank lid not properly secured.	8/21/2017	1
16011130000	Princeton	N4570 ELM ST	PURPERO CYNTHIA BETH	POWTS Violation	Tank failure not structurally sound.	7/10/2017	1
16014610000	Princeton	N5141 FOX RIVER LN	KIECK WILLIAM A	POWTS Violation	Lid on tank not properly secured.	1/27/2017	14
16014810000	Princeton	W4834 EVERGREEN DR	WCS TRUST	POWTS Violation	Tank lid not properly secured.	11/2/2017	1
16017130000	Princeton	W4860 KRISTINE CT	DOMAN KEN & SHIRLEY	POWTS Violation	Tank overfull and discharging to ground surface.	2/27/2017	1
16017560000	Princeton	W5285 OAK TREE CT	NAGORNY CAROL A	POWTS Violation	Tank failure not structurally sound.	5/10/2018	1
16018080000	Princeton	N5580 SANDCREST LN	WILLIAMS MARIA L	POWTS Violation	Tank failure not structurally sound.	6/27/2017	1
18002320000	St. Marie	N6736 PUCHYAN MARSH RD	WOLTER DIANA A	POWTS Violation	Tank overfull and discharging to ground surface.	6/20/2017	1
18002710700	St. Marie	N6425 RIVER RD	WEDDE ROBERT E	POWTS Violation	Tank baffles not present or secure.	7/11/2017	1
18004300000	St. Marie	N7335 LOCK RD	HAMMEN RANDY M	POWTS Violation	Lid on tank not properly secured.	2/13/2017	3
18004700101	St. Marie	W3749 HUCKLEBERRY RD	WOESHNICK PETER	POWTS Violation	Lid on tank not properly secured.	3/8/2018	1
18006770100	St. Marie	W5586 COUNTY ROAD Y	POLAKOSKI ROLLAND C & CHERYL L	POWTS Violation	Holding tank overflowing to ground.	4/23/2018	1
2.06019E+11	City of Berlin	459 HALLMAN ST	DORO RICHARD J	POWTS Violation	Tank failure not structurally sound.	5/10/2017	1



# NOTICE OF PUBLIC HEARING

The Land Use Planning and Zoning Committee of *Green Lake County* will hold a public hearing in County Board Room #0902 of the Government Center, 571 County Road A, Green Lake, WI, on *Thursday, July 5, 2018, at 6:00 p.m.* to consider the following items:

**Item I: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **General legal description:** N3937 State Road 73, Parcel #014-00556-0000 (±23.1 acres), Part of the NE¼ & SE¼ of Section 16, T15N, R12E, Town of Marquette **Request:** Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District. To be determined by certified survey map.

**Item II: Owners/Applicants:** Benjamin M Sutton, Rick M Sutton, Kristine C Panetti, Donald A Slosser, Jr, Rick R Sutton Living Trust **General legal description:** N3937 State Road 73, Parcel #014-00556-0000 (±23.1 acres), Part of the NE¼ & SE¼ of Section 16, T15N, R12E, Town of Marquette **Request:** Conditional use permit request for a private campground on a proposed ±4.5 acre parcel.

**Item III: Owners/Applicants:** Kent J & June A Quade **General legal description:** Tichora Rd, Parcel #010-00155-0000 (±14 acres), Part of the NW¼ of Section 09, T14N, R13E, Town of Mackford, **Request:** Rezone +8 acres from A-1 Farmland Preservation District to A-2 General Agriculture District. To be determined by certified survey map.

**Item IV: Owner/Applicant:** Mary A Kallas **General legal description:** W2551 Princeton Rd, Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E, Town of Brooklyn **Request:** Rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District. To be determined by certified survey map.

**Item V: Owner/Applicant:** Gelhar Real Estate Investments, LLC **Agent:** Steven R Sorenson of von Briesen & Roper, sc **General legal description:** W987 County Road S, Parcel #010-00183-0100 (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford **Request:** Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.

All interested persons wishing to be heard at the public hearing are invited to attend. The public can direct written comments to the Land Use Planning & Zoning Department, Green Lake, WI 54941 or [zoning@co.green-lake.wi.us](mailto:zoning@co.green-lake.wi.us). For information related to the outcome of this public hearing item, contact the Green Lake County **Land Use Planning and Zoning Department** at (920) 294-4156.

*Publish: June 21 & 28, 2018*

LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT  
PUBLIC HEARING

July 5, 2018

ITEM I: REZONE

**OWNER:**

Benjamin Sutton  
Rick Sutton  
Kristine Slosser  
Donald Slosser, Jr.

**APPLICANT:**

same

**REQUEST:** The owners/applicants are requesting a zoning change from A-1, Farmland Preservation District to RC, Recreational District.

**PARCEL NUMBER / LOCATION:** Parcel number 014-00556-0000, being part of the NE¼ and SE¼ of Section 16, T15N, R12E, in the Town of Marquette. The property is located at N3937 State Road 73.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The majority of the land area north and west of the subject site is zoned A-1 Farmland Preservation District. Lands east of the site are a mixture of agricultural, commercial, and residential zoning.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Farmland Preservation Area. According to Flood Boundary and Floodway Map Panel 55047C0115C, all lands under consideration for this request are located out of the general floodplain. The east portion of the proposed lot falls under our Shoreland Zoning ordinance.

**ADDITIONAL INFORMATION / ANALYSIS:** This site has been used as a private campground since at least 2000. It was discovered when the County began the task of placing all septic systems onto the three-year maintenance program. The site contains seven camping units and is also used as storage area for motorcycle trailers. According to the applicants and historical aerial photos, this site has been used as a gravel quarry.

The applicants are requesting a rezone to Recreational District in order to continue the use of a private campground. The proposed lot is ±4.5 acres and the remaining lands will remain in the Farmland Preservation District.

**STATUTORY CRITERIA PER 91.48(1):** Land may be rezoned out of a farmland preservation zoning district (A-1 Farmland Preservation District in Green Lake County) if all of the following are found after public hearing: **(Staff comments in bold type)**

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **The goal of the County's Comprehensive Plan and the County Farmland Preservation Plan is to preserve and protect quality agricultural lands. This request does preserve and protect lands as the area was not historically used agriculturally. The applicants are keeping the quality agricultural lands intact and using a historically mined gravel quarry as the site of the campground.**

- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the County's comprehensive plan as the quality agricultural lands are being preserved while the lands associated with the previous quarry operation are put into a recreational use.**
  
- c) The rezoning is substantially consistent with the county certified farmland preservation plan. **The overall goal of the County certified farmland preservation plan is to maintain the integrity and viability of county agriculture. It is staff's belief that the request does not negatively impact the integrity or viability of county agriculture as no quality farmlands are surrendered to a non-agricultural use. Therefore the rezone substantially consistent with the County's certified farmland preservation plan.**
  
- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or legally restricted to agricultural use. **The Recreational District is intended to provide for limited recreational development, with many of the activities requiring a conditional use permit. This district does not limit or substantially impair current or future adjacent agricultural uses.**

**TOWN OF MARQUETTE:** An Action Form requesting the Town of Marquette's input related to this zoning change request was mailed to the Town Clerk on May 3, 2018.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee 375.00 (not refundable)

Date 2-23-18

Zone Change from A-1 to RC

Conditional Use Permit for Recreation District Private Campground

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Benjamin Sutton, Rick Sutton, Kristine Slosser, Donald Slosser Jr

Mailing Address PO Box 132, Markesan, WI 53946

Phone Number (920) 948 8982 (Rick) / (920) 210 0530 (Kristine)

Signature Rick R. Sutton - Kristine Slosser Date 4/13/2018

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

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

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

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

**PROPERTY INFORMATION**

Town of Marquette Parcel Number 014-00556-0000 Acres 25

Lot - Block - Subdivision - CO Parcel 24.5 a

Section 16 Town 15 North Range 12 East

Location of Property N3937 STH 73

Legal Description Com 130R Not SE Cor Sec 16 Thence W 80K  
N 50R, E 80R, S 50R to POB

Current Zoning Classification A-1 Current Use of Property Rec

Detailed Description of Proposed Use see attached "Exhibit A"

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

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

# Exhibit "A"

To: Land Use Planning & Zoning Department

Subject: Request of rezoning of property Parcel 014-00556-0000, N3937 State Road 73, Town of Marquette

From: Benjamin M. Sutton

Rick M. Sutton

Kristine C. Slosser

Donald A. Slosser Jr.

Rick R. Sutton Living Trust

Our request to rezone are based on the following item.

1. Letter received from the Land Use Planning & Zoning Department stating that we are in violation of current zoning laws.

Detailed Description of Proposed use of property:

1. See Surveyor's Certificate for rezoned area.
2. Based on photograph from 1971, 6 years prior to purchase of property in 1978 this section of parcel was not being utilized for farming.
3. Area is flat. Digging in the area produces rock and sand. The outer edge of area has large rocks and high banks on one side.
4. Invasive species of plant have been growing called buckthorn.
5. Recreational vehicles that are owned by the property owners are parked in the area. Owners are: Donald A. Slosser Jr. 4, Kristine Slosser 2. There are storage areas for property maintenance equipment and smaller recreational vehicles. The amount of recreational vehicle due to change based on property owner.
6. All storage and recreational vehicle and moveable. Nothing is permanent.
7. Compost toilet.
8. Electricity is provided to recreational vehicles to keep batteries charged.
9. Usage of property: 3 of the campers are utilized periodically throughout the year. Holiday weekends, land maintenance, and different hunting periods. No type of extended stays lasting for more than several days. 5 people own the property, coming and going at different times.
10. No advertising of "Camping" is done.

# Exhibit A



## GIS Viewer Map Green Lake County, WI

Floodplain Zoning Districts  
02-03-2010

- MAP NUMBER: 0241FC0-0ANFL-C
- Floodplain ZONE AE
  - Flood-Fringe ZONE AF
  - General Floodplain ZONE A
  - Areas not A or AE are ZONE X
  - Map Panel
  - Cross Section
  - Flood Water Surface Elevation

- ### Zoning Districts
- A-1 Farmland Preservation
  - A-2 General Agriculture
  - C-1 General Commercial
  - C-2 Collective Commercial
  - I Industrial
  - M-1 Mixed Commercial
  - M-2 Business Landfill
  - MPO Historic Resource Corridor
  - R-1 Single Family Residence
  - R-2 Single Family Mobile Home Residence
  - R-3 Multiple Family Residence
  - R-4 Rural Residential
  - RC Recreation
  - AG Adult Oriented Childcare
  - ETZA Extra Territorial Zoning Area

- ### Land Use
- Agriculture
  - Commercial
  - Industrial
  - Mixed Use
  - Public
  - Residential

- ### Base Map
- Parcel
  - Address
  - City Village Town
  - Section
  - State Road
  - County Road
  - City Village Town Road
  - Private Road
  - Lake River
  - River Creek

Time: 1:16:05 PM  
Date: 3/6/2018  
1 inch = 161 feet

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

**NEW FRONTIER LAND SURVEYING**  
234 S. SPRING ST., P.O. BOX 576  
BEAVER DAM, WI 53910  
(920) 885-3904

## PROPERTY DESCRIPTION

[FOR REZONING PURPOSES]

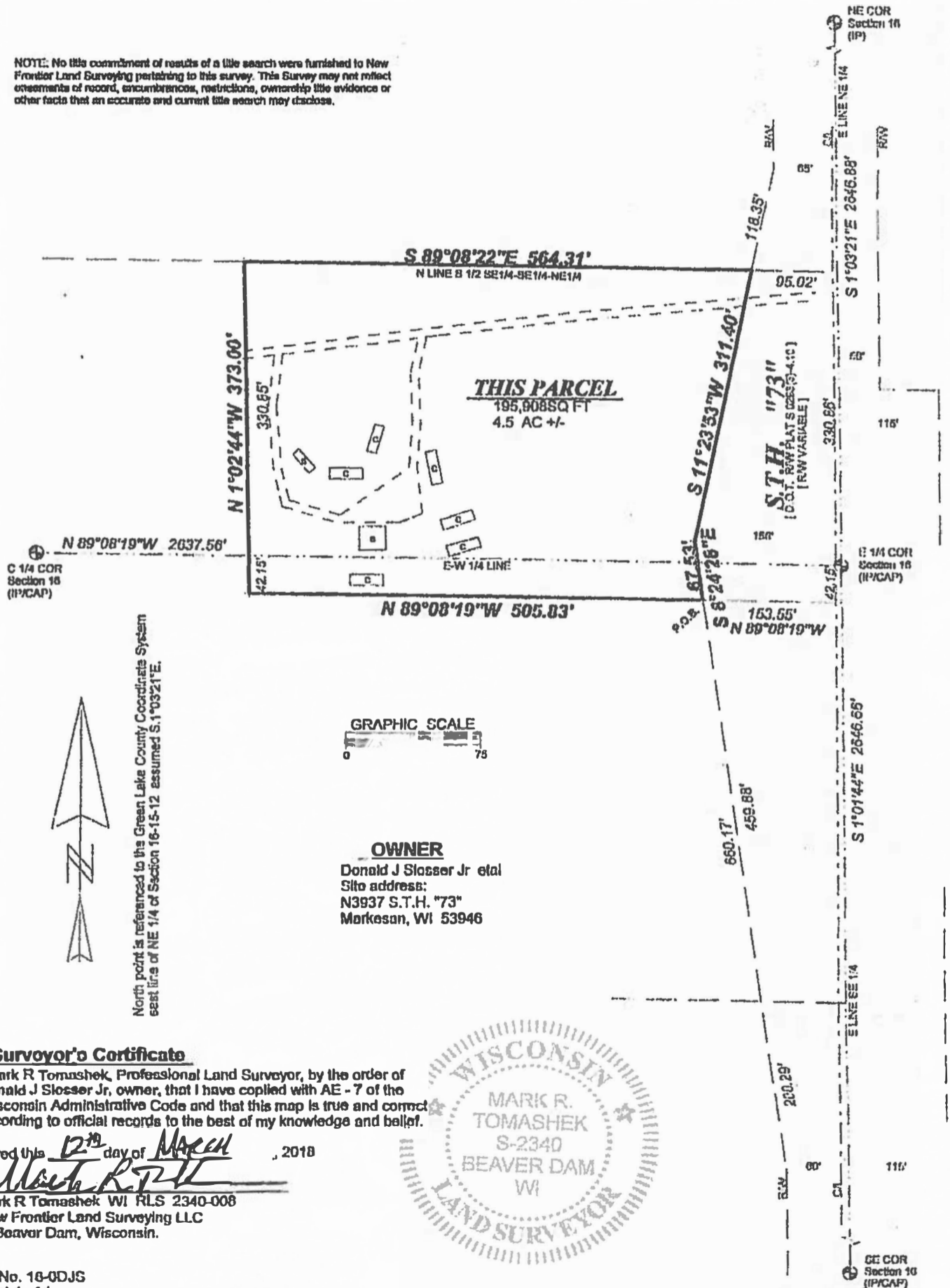
A PART OF THE THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 AND A PART OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 16, TOWN 15 NORTH, RANGE 12 EAST, TOWN OF MARQUETTE, GREEN LAKE COUNTY, WISCONSIN.

*Description: The S 1/2 of the NE 1/4 of the NE 1/4 of the SE 1/4 and the North 42 feet of the N 1/2 of the NE 1/4 of the SE 1/4 of Section 16, Town 15 North, Range 12 East, Town of Marquette, Green Lake County, Wisconsin, except lands described for Highway purposes as shown on D.O.T. Right-of-Way Plat S 0293(3)-4, 10 more particularly described as follows:*

*Commencing at the East 1/4 corner of said Section 16, Town 15 North, Range 12 East; thence S.1°01'44"E. along the east line of the SE 1/4 of said Section 16, 42.15 feet; thence N.89°08'19"W., 153.55 feet to the Point of Beginning; thence continuing N.89°08'19"W., 505.83 feet; thence N.1°02'44"W., 373.00 feet to the north line of the S 1/2 of the SE 1/4 of the NE 1/4; thence S.09°08'22"E. along said north line, 564.31 feet to the westerly right-of-way line of S.T.H. "73"; thence S.11°23'53"W, along said right-of-way line, 311.40 feet; thence S.8°24'26"E. continuing along said right-of-way line, 67.53 feet to the point of beginning.*

*Said parcel has 195,908 square feet or 4.5 acres more or less. Bearings are referenced to the Green Lake County Coordinate System.*

NOTE: No title commitment or results of a title search were furnished to New Frontier Land Surveying pertaining to this survey. This Survey may not reflect encumbrances of record, encumbrances, restrictions, ownership title evidence or other facts that an accurate and current title search may disclose.



North point is referenced to the Green Lake County Coordinate System east line of NE 1/4 of Section 16-15-12 assumed S.1°03'21\"E.



**OWNER**

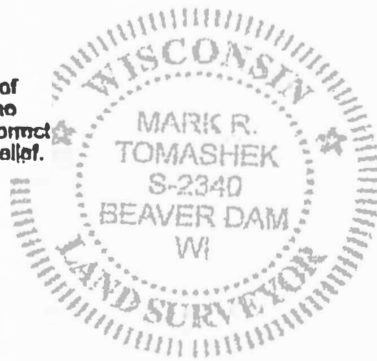
Donald J Slosser Jr et al  
 Site address:  
 N3937 S.T.H. "73"  
 Markesan, WI 53946

**Surveyor's Certificate**

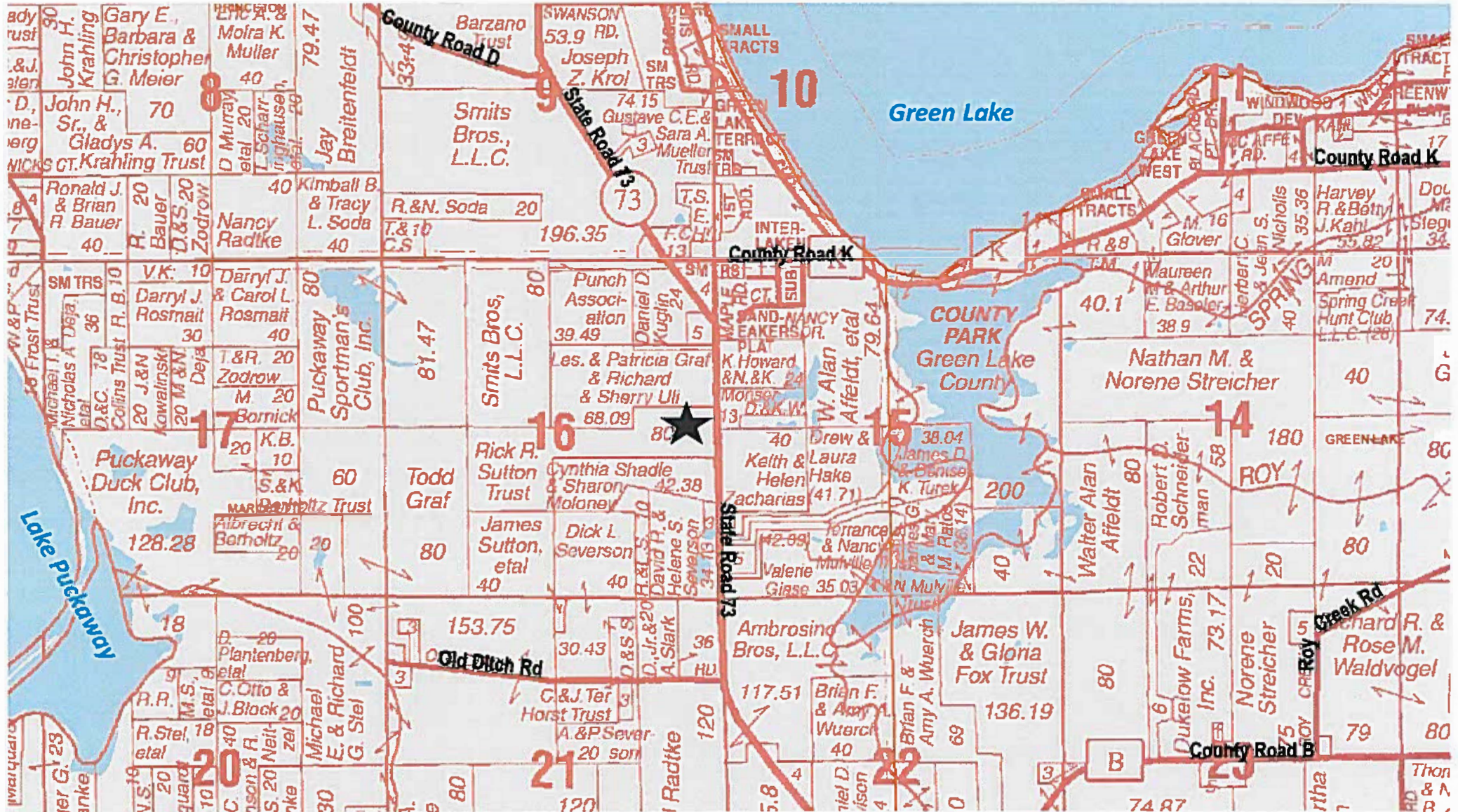
I Mark R Tomashek, Professional Land Surveyor, by the order of Donald J Slosser Jr, owner, that I have complied with AE - 7 of the Wisconsin Administrative Code and that this map is true and correct according to official records to the best of my knowledge and belief.

Dated this 12<sup>th</sup> day of MARCH, 2018

*Mark R. Tomashek*  
 Mark R Tomashek WI RLS 2340-008  
 New Frontier Land Surveying LLC  
 at Beaver Dam, Wisconsin.

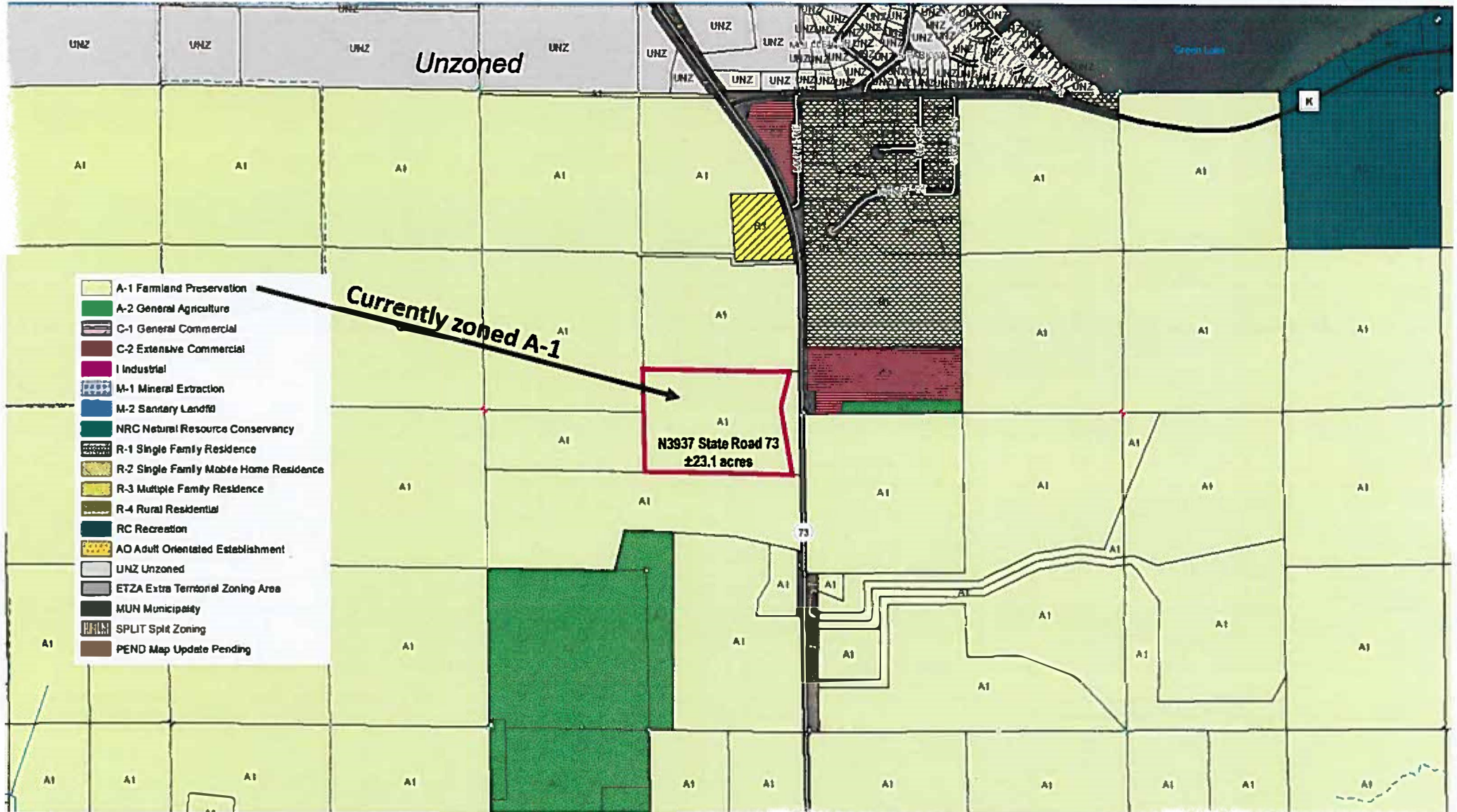


**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District.**





**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
 N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
 Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District.**



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District.**



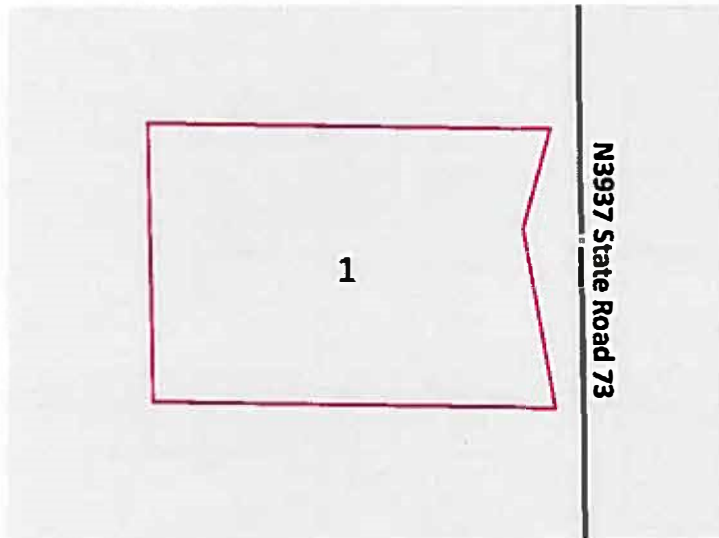
**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District.**



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Rezone ±4.5 acres from A-1 Farmland Preservation District to RC Recreation District.**

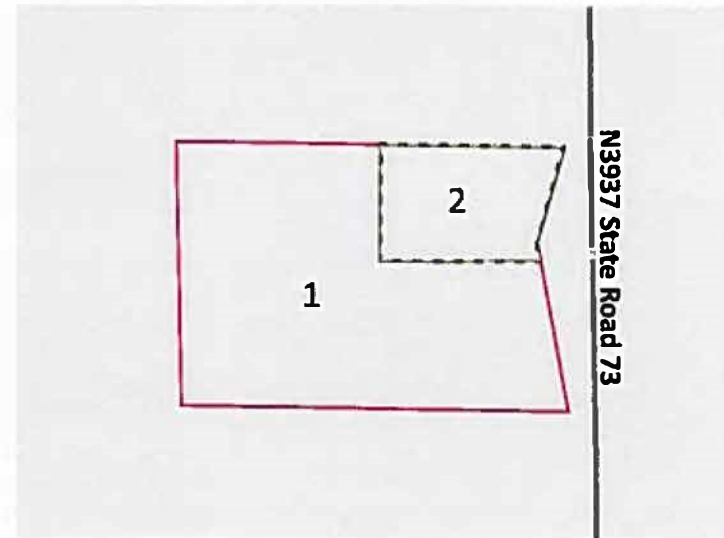
**Existing Configuration:**

**1 = ±23.1 acres zoned A-1 Exclusive  
Agriculture District**



**Proposed Configuration:**

**1 = ±18.6 acres (remnant parcel) remains  
zoned A-1 Exclusive Agriculture District  
2 = ±4.5 acres rezoned to RC Recreation  
District.**



**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**  
**PUBLIC HEARING**

July 5, 2018

**ITEM II:      CONDITIONAL USE PERMIT**

**OWNER:**

Benjamin Sutton  
Rick Sutton  
Kristine Slosser  
Donald Slosser, Jr.

**APPLICANT:**

same

**REQUEST:** The owners/applicants are requesting a Conditional Use Permit for a private campground.

**PARCEL NUMBER / LOCATION:** Parcel number 014-00556-0000, being part of the NE¼ and SE¼ of Section 16, T15N, R12E, in the Town of Marquette. The property is located at N3937 State Road 73.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The majority of the land area north and west of the application site is zoned A-1 Farmland Preservation District. Lands east of the site are a mixture of agricultural, commercial, and residential zoning.

The site under consideration for this conditional use permit is currently zoned A-1, Farmland Preservation District. This conditional use is contingent on a successful rezoning to RC, Recreation District.

**ADDITIONAL INFORMATION / ANALYSIS:** This site has been used as a private campground since at least 2000. It was discovered when the County began the task of placing all septic systems onto the three-year maintenance program. The site contains seven camping units and is also used as storage area for motorcycle trailers. Based on the narrative provided by the applicants, the request is to continue to use the existing seven camping units, with the option to add an eighth camping unit in the future. The subject site is used seasonally from April through November.

Campgrounds are a permitted use in the Recreational District, with an approved Conditional Use Permit.

**STANDARDS FOR REVIEW OF CONDITIONAL USE PERMIT:** It is the charge of the Green Lake County Land Use Planning and Zoning Committee to assign any conditions they feel necessary with this use. Section 59.69(5e) Wis. Stats. was created to guide the factual review of conditional use requests:

Section 59.69(5e)(b)1. "If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence."

Section 59.69(5e)(a)2. "'Substantial evidence' means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion."

**GENERAL CRITERIA FOR REVIEW OF CONDITIONAL USE REQUESTS:**

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

**TOWN RECOMMENDATION:** An Action Form requesting Town of Marquette input related to this conditional use permit request was mailed to the Town Clerk on May 3, 2018.

**COUNTY STAFF COMMENTS:** This request should be reviewed by the Committee to determine if it meets the standards of a conditional use permit as listed above. If the Committee is proposing to approve this request, the following conditions may be appropriate:

- 1) No more than 8 camping units shall be allowed as part of this conditional use request.
- 2) Each camping unit shall not exceed 400 ft<sup>2</sup>, or the maximum square footage as allowed by the State agency regulating campgrounds, whichever is smaller.
- 3) If so required by the County Construction Site Erosion Control and Stormwater Management Ordinance, review and approval of an erosion control and stormwater management plan by the County Land Conservation Department will be required.
- 4) Proof of state and/or local approval of the campground expansion from the appropriate regulatory agency.
- 5) No further expansion or addition of structures and/or uses shall occur without review and approval through future conditional use permit(s).
- 6) POWTS requirements must be satisfied at any and all applicable level(s) of governmental regulation.
- 7) Any independent structure, such as a deck, screened porch, and stairway and landing used in conjunction with the camping unit shall be allowed. Such structure shall not exceed 400 square feet or the square footage of the associated camping unit, whichever is less. Also, one independent accessory storage structure, not to exceed 50 square feet, shall be allowed per camping unit. Within 30 days of the removal of the camping unit, the associated independent structures shall either be removed from the campsite or utilized by another camping unit.
- 8) Land use permits shall be obtained for all new structures.
- 9) The conditional use permit shall be contingent upon the rezone request approval and the recording of the Certified Survey Map.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee 375.00 (not refundable)

Date 7-23-18

Zone Change from A-1 to RC

Conditional Use Permit for Recreation District Private Campground

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Benjamin Sutton, Rick Sutton, Kristine Slosser, Donald Slosser Jr

Mailing Address PO Box 132 Markesan, WI 53946

Phone Number (920) 948 8982 (Rick) (920) 210 0530 (Kristine)

Signature Rick R. Sutton - Kristine Slosser Date 4/13/2018

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

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

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

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

**PROPERTY INFORMATION**

Town of Marquette Parcel Number 014-00556-0000 Acres ± 25a

Lot - Block - Subdivision - rezoned area 4.5a ±

Section 16 Town 15 North Range 12 East

Location of Property N3937 5TH 73

Legal Description Com. 130R Not SE Cor Sec 16 Thence W 80R N 50R, E 80R, S 50R to POB

Current Zoning Classification A-1 Current Use of Property Rec

Detailed Description of Proposed Use see attached "Exhibit B"

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

Fees: Zone Change \$375  
Conditional Use Permit \$375.00  
Variance \$375.00  
Special Exception \$375.00

# Exhibit B

April 23,2018

Conditional Use Permit: Description of Proposed Use

Location: Parcel 014-00556-0000, N3937 State Road 73, Town of Marquette

Owners: Benjamin M. Sutton, Rick M. Sutton, Kristine c. Slosser, Donald A. Slosser, Rick R. Sutton Living Trust

Current Zoning: Request zoning change, 4 acres of 25 acre parcel from A-1 to Recreational.

Request: To allow camping and storage.

Compliance to Letter: Notice of Violation

Description of Proposed Use:

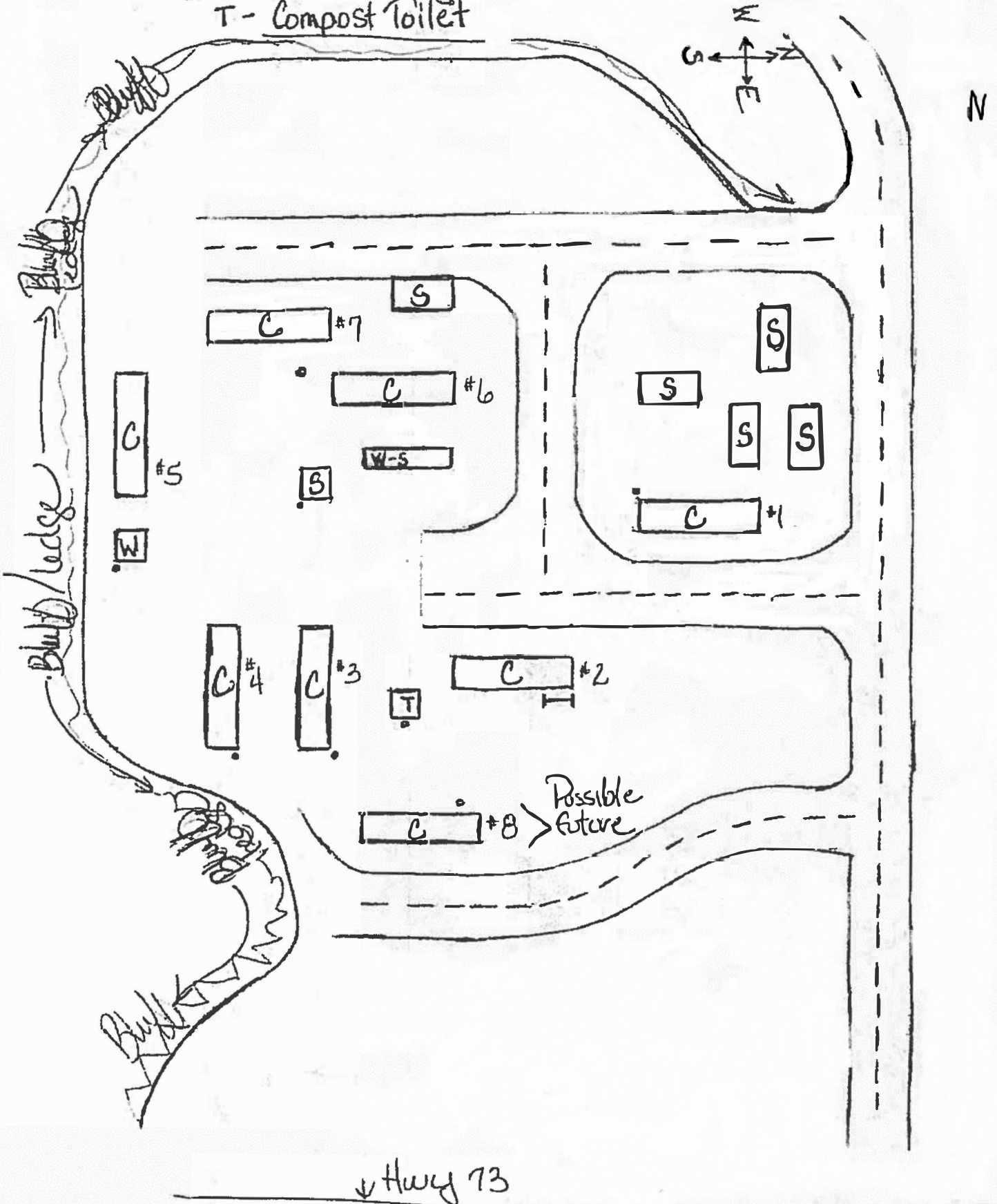
1. See surveyor's Certificate for rezoned area. Attachment #1
2. See drawing of camping area. (Drawing includes storage and camper location that current recreational vehicle and storage and possible future). Attachment #2
3. See area photo of camper location. Attachment #3
4. Based on 1971 photo, area had once been used as a quarry. Attachment #4
5. Area is flat. Digging in the area produces rock and sand.
6. Area is surrounded by earth ledge on one side.
7. Well on sight. See Attachment #2
8. Electrical on sight. See Attachment #2
9. Compost toilet on sight. See Attachment #2
10. Area is secluded. Neighbors all distance away. See Attachment #3
11. Area is utilized periodically throughout out the year from April until November.
12. No long period of time lasting more than several days.
13. Area used during the different hunting periods, long holiday weekends, and land maintenance.
14. 5 owners coming and going at different times.
15. Storage of smaller recreational vehicles: 4-wheel vehicles, boats, land maintenance, small trailers.



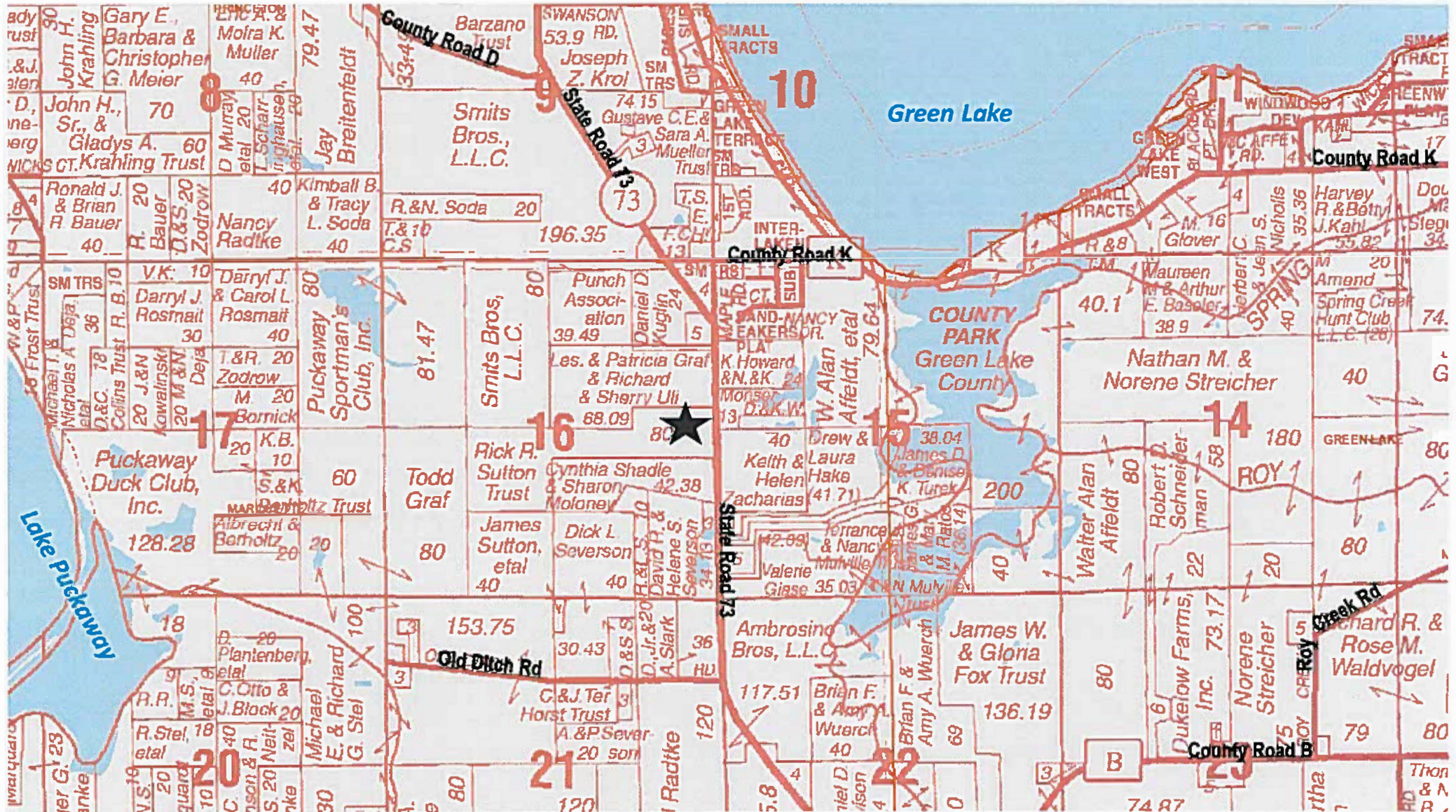
16. Area is kept clean. Garbage and recycles are collected and taken home after each visit.
17. Promote the planting of trees in areas where recreational vehicles are not. The clearing of invasive Buckthorn.
18. Onsite Wastewater Treatment Systems (POWTS) will be installed to comply. List of local septic pumping services. Attachment #5
19. Lp service provided by AmeriGas, located in Beaver Dam, WI.
20. Request of rezoning to Town of Marquette. Contact Town of Maquette official. Attend meeting regrading rezoning.
21. Contact Allison Mc Cormick regarding rules and regulations for "private campground".
22. Continue to work with Green Lake County during process.

- C - Camper
- W - Well
- S - Storage
- W-S - Wood Storage
- T - Compost Toilet

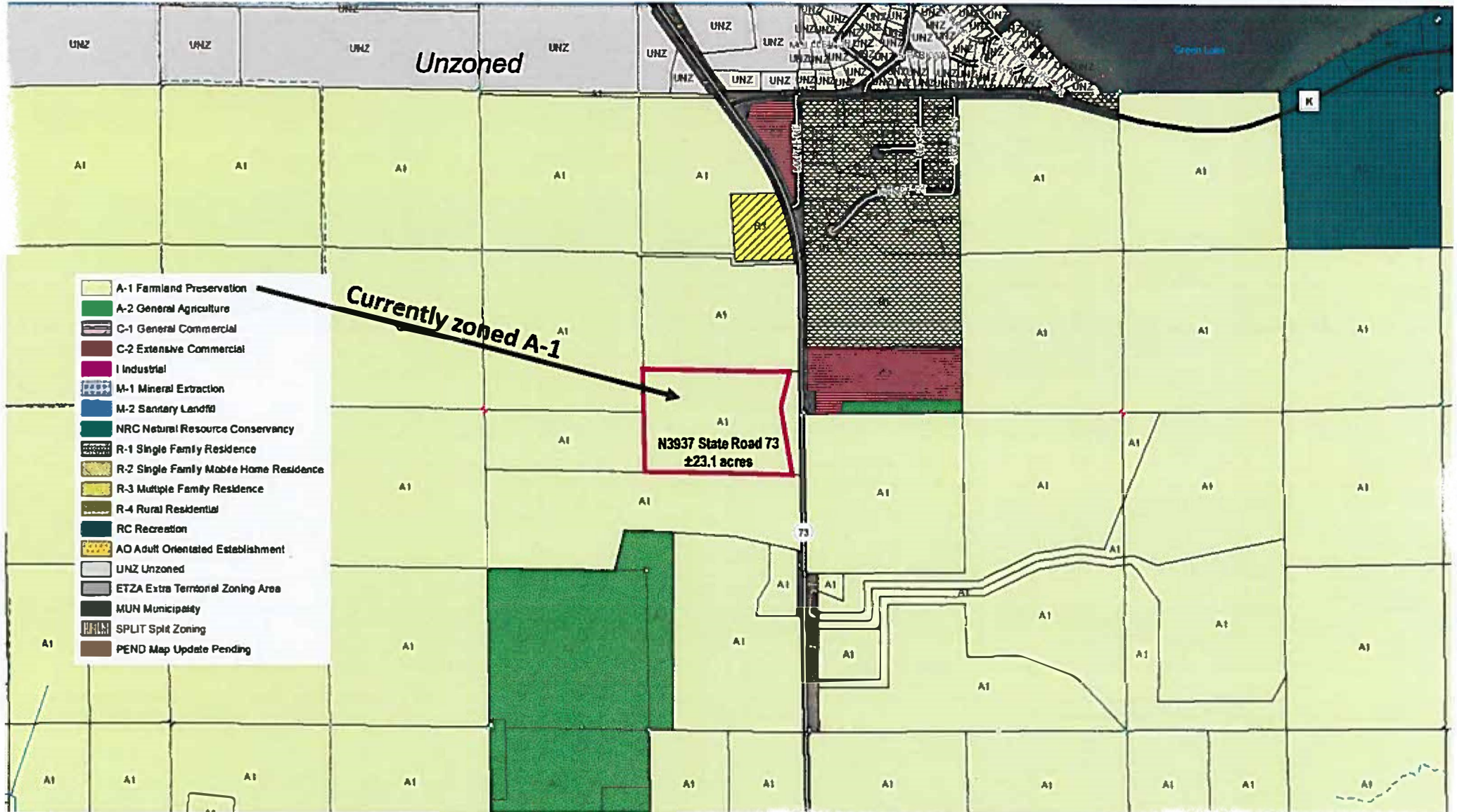
- - Electrical
- H - Electrical Board
- ≡ - Gravel Road



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Conditional use permit request for a private campground.**



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust N3937  
 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
 Conditional use permit request for a private campground.**



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T15N, R12E  
Conditional use permit request for a private campground.**



**Benjamin M. Sutton, Rick M. Sutton, Kristine C. Panetti, Donald A. Slosser, Jr., Rick R. Sutton Living Trust  
N3937 State Road 73, Parcel #014-00556-0000, (±23.1 acres), Part of the NE¼ and SE¼ of Section 16, T1 5N,  
R12E Conditional use permit request for a private campground.**



**ITEM III: ZONING CHANGE**

**OWNER:**

Kent & June Quade

**APPLICANT:**

same

**REQUEST:** The owner/applicant is requesting a zoning change from A-1 Farmland Preservation District to A-2 General Agriculture District, ±8 acres.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 010-00155-0000, located in the NW¼ of Section 9, T14N, R13E, Town of Mackford. The site proposed for zoning change is located at the NW corner of County Road A/S and Tichora Road.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcel in question is A-1, Farmland Preservation District and lands surrounding the subject site are a mixture of A-1, Farmland Preservation District, R-1, Single-Family Residence District, A-2, General Agriculture District, C-2, Extensive Commercial District, and I, Industrial District.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Nonagricultural Development Area. According to Flood Boundary and Floodway Map Panel 55047C0204C, all lands under consideration for this request are located out of the general floodplain.

**ADDITIONAL INFORMATION / ANALYSIS:** According to the application, the applicant would like to subdivide ±8 acres in order to put the ownership into a LLC. A grain dryer and grain bins were recently permitted on this site. The remaining acreage will remain with the applicant's other lands and in the A-1, Farmland Preservation District.

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

- a) The land is better suited for a use not allowed in the farmland preservation zoning district. **A goal of the county's comprehensive plan and of the county Farmland Preservation Plan is to preserve and protect quality agricultural lands. As A-2, General Agriculture District allows for agricultural uses, this request continues to preserve and protect agricultural lands in Green Lake County.**
- b) The rezoning is consistent with any applicable comprehensive plan. **The proposed rezone is consistent with the county's comprehensive plan as it upholds the goals and objectives, most prominently the goals, to preserve the agricultural characteristic of the county.**
- c) The rezoning is substantially consistent with the county certified Farmland Preservation Plan. **The overall goal of the county's certified Farmland Preservation Plan is to maintain the integrity and viability of county agriculture. The proposed parcel is located in a nonagricultural development area, however, it is staff's belief that the request does not negatively impact the integrity or viability of the County's plan.**

- d) The rezoning will not substantially impair or limit current or future agricultural use of the surrounding parcels of land that are zoned for or are legally restricted to agricultural use. **The A-2, General Agriculture District will not impair or limit any current or future agricultural use as all permitted A-1, Farmland Preservation District uses are also permitted in this district.**

**TOWN OF MACKFORD:** An Action Form requesting the Town of Mackford's input related to this zoning change request was mailed to the Town Clerk on May 3, 2018.



Please type or use black ink

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

GENERAL APPLICATION

Fee 375 (not refundable)  
Zone Change from A1 to A2  
Conditional Use Permit for \_\_\_\_\_

Date 4-25-18

Other \_\_\_\_\_

PROPERTY OWNER / APPLICANT (1)

Name Kent J and June A Qvade  
Mailing Address W11879 Cty Rd A W Randolph WI 53956  
Phone Number 920-296-5369  
Signature \_\_\_\_\_ Date \_\_\_\_\_

PROPERTY OWNER / APPLICANT (2)

Name Kent Qvade  
Mailing Address W11879 city A  
Phone Number \_\_\_\_\_  
Signature [Signature] Date 4-26-18

PROPERTY INFORMATION

Town of Mackford Parcel Number(s) 010-00155-0000  
Acres 14.16 Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision \_\_\_\_\_  
Section 09 Town 14N North Range 13 East  
Location of Property \_\_\_\_\_

Legal Description COM NE COR OF THE SE 1/4 OF THE NW 1/4 SEC 9  
THENCE W80R; S428.15'; E42R; S50.35'; E22R; N6R; E16R; N22R TO POB ALSO  
COM 22R S OF THE NE COR OF SAID 1/4-1/4; THENCE W16R; S10R; E16R; N10R TO POB  
Current Zoning Classification A1 Current Use of Property General Ag

Detailed Description of Proposed Use Taking 8 acres and seperating it into  
a LLC for a grain dryer and bins. Remaining acreage  
on same deed as other lands and greater than 15 acres so  
can remain zoned A-1. 8 acres to be identified by cert. survey map.

PLEASE PROVIDE A DETAILED SITE PLAN WITH THE APPLICATION

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



Green Lake County

1 inch = 208 feet

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

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

Time: 9:32:07 AM  
 Date: 4/24/2018

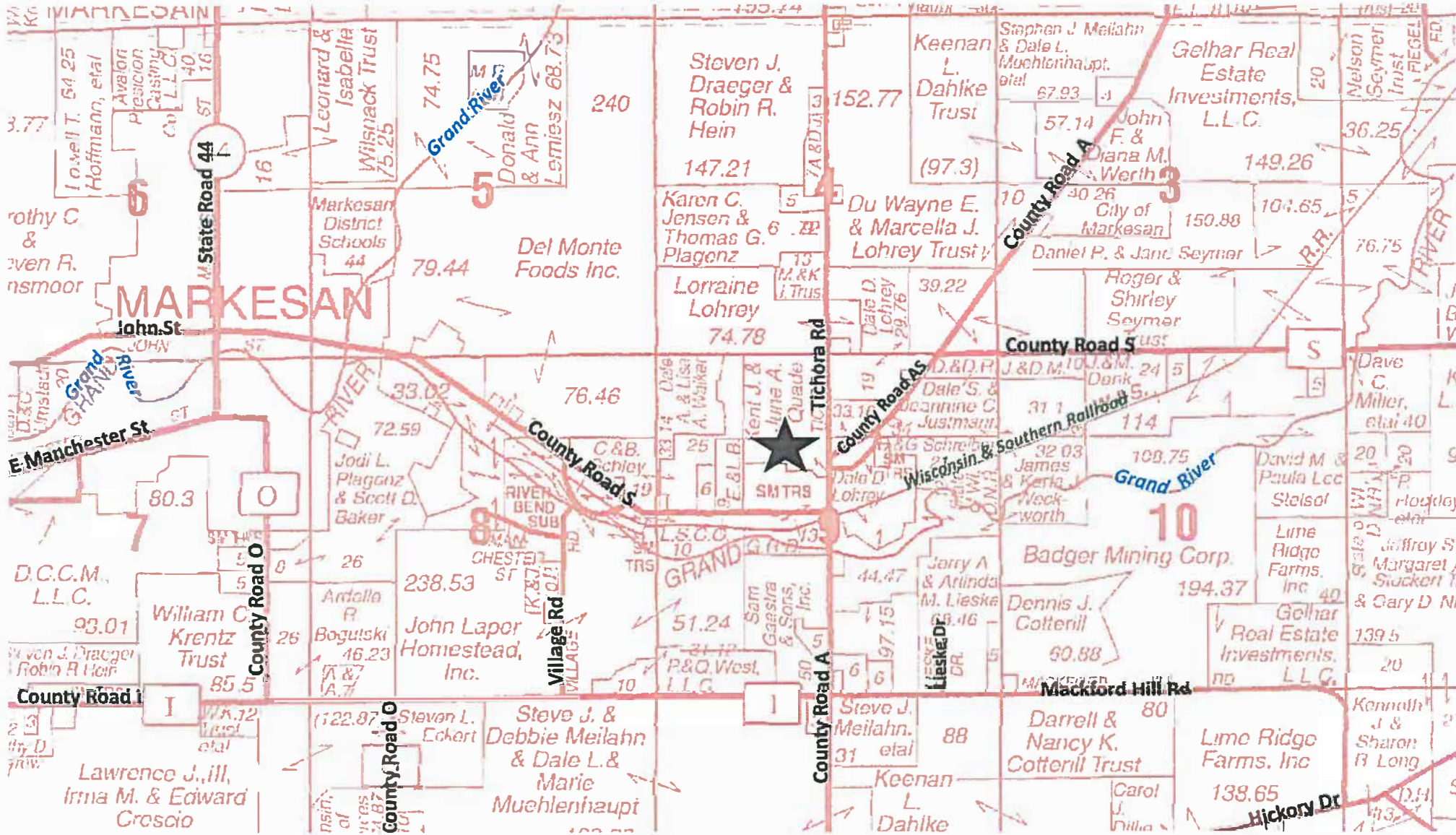
Note: *Aprox. 8 acres will be surveyed close to these lines, and identified by CSM.*



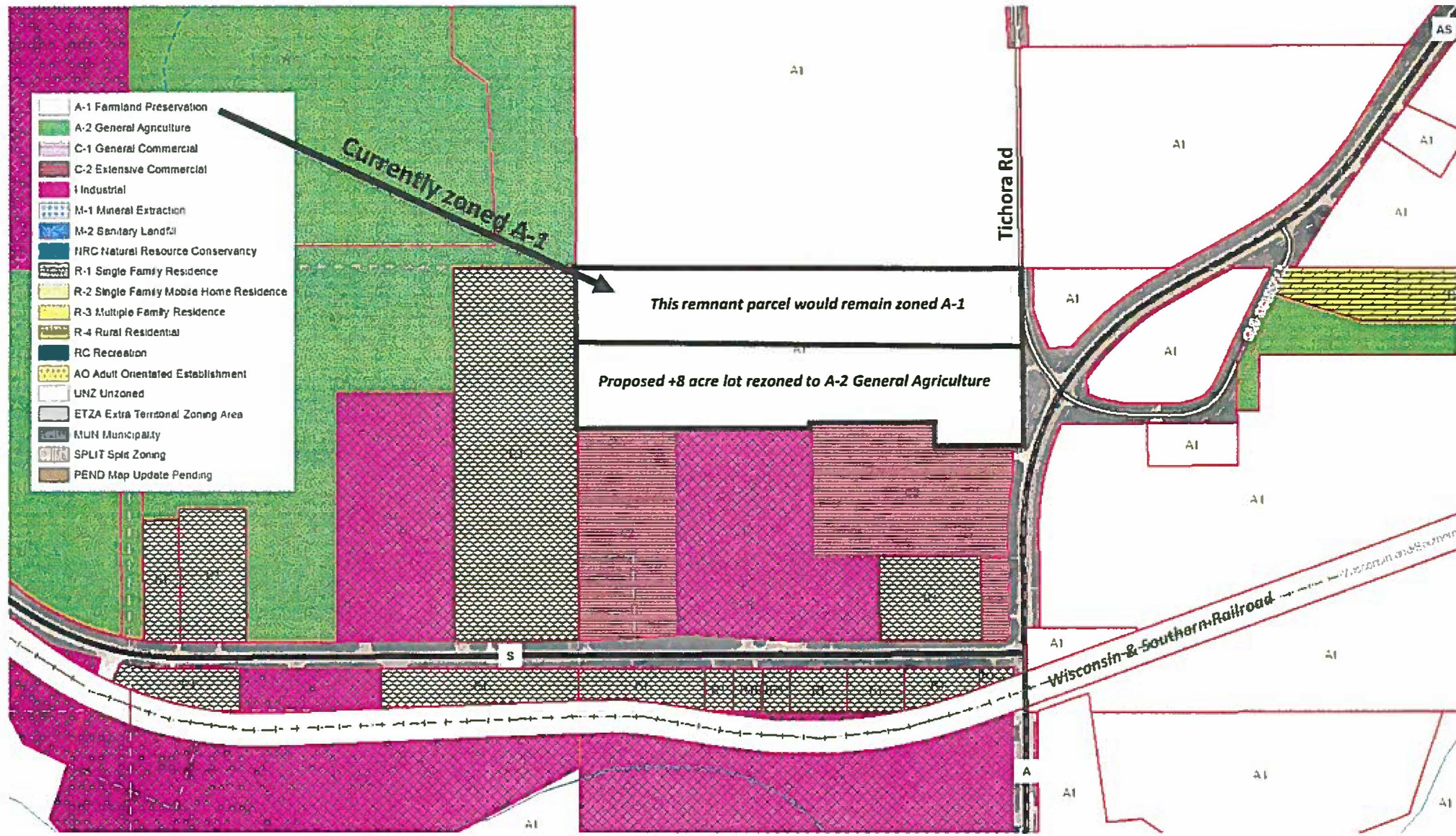
**Kent J. and June A. Quade – Town of Mackford**

**Tichora Road, Parcel #010-00155-0000, ±14 acres, Part of the NW¼ of Section 09, T14N, R13E**

**Request to rezone +8.0 acres from A-1 Farmland Preservation District to A-2 General Agriculture District.**



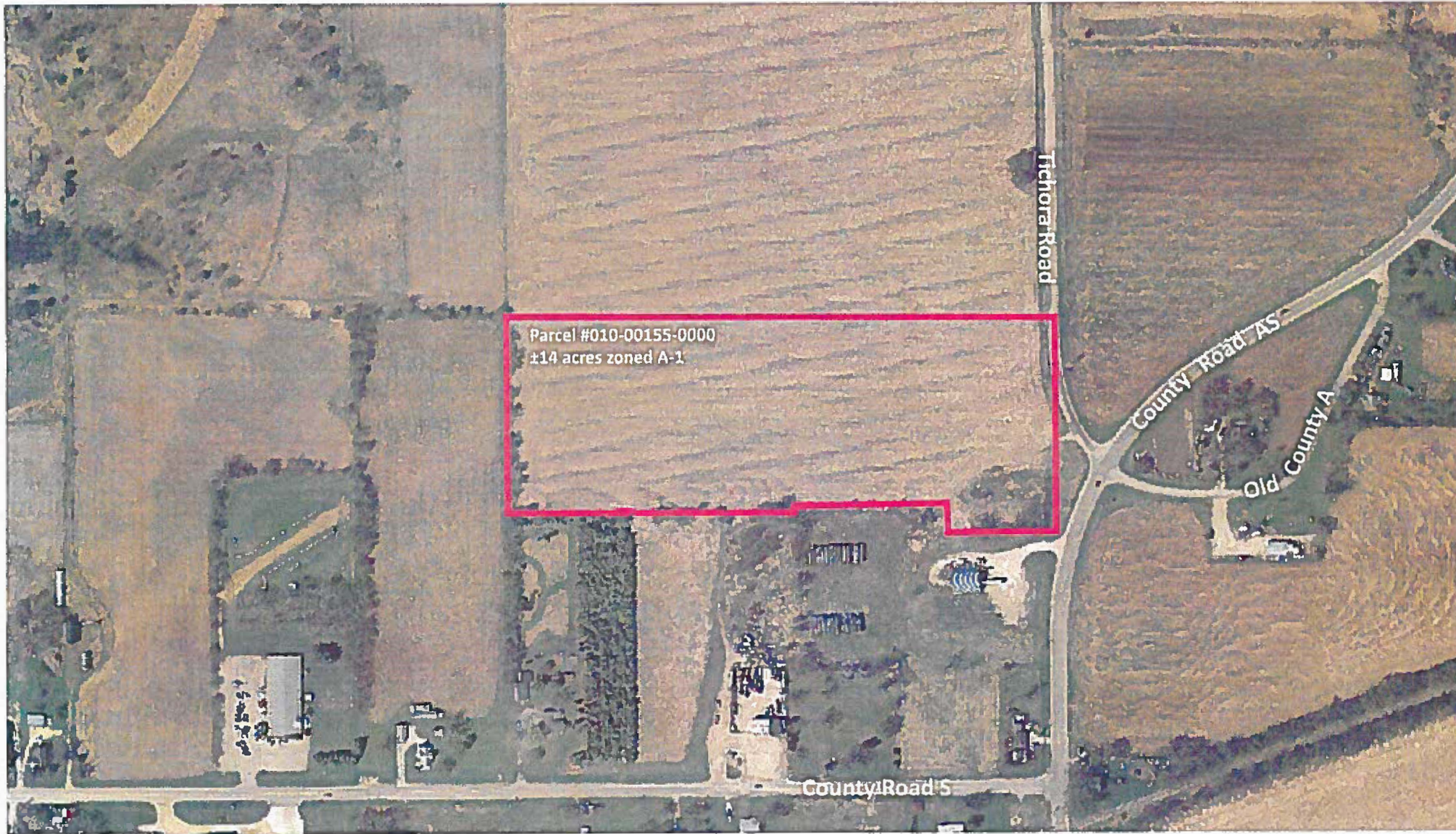
**Kent J. and June A. Quade – Town of Mackford**  
**Tichora Road, Parcel #010-00155-0000, ±14 acres, Part of the NW¼ of Section 09, T14N, R13E**  
**Request to rezone +8.0 acres from A-1 Farmland Preservation District to A-2 General Agriculture District.**



Kent J. and June A. Quade – Town of Mackford

Tichora Road, Parcel #010-00155-0000, ±14 acres, Part of the NW¼ of Section 09, T14N, R13E

Request to rezone +8.0 acres from A-1 Farmland Preservation District to A-2 General Agriculture District.



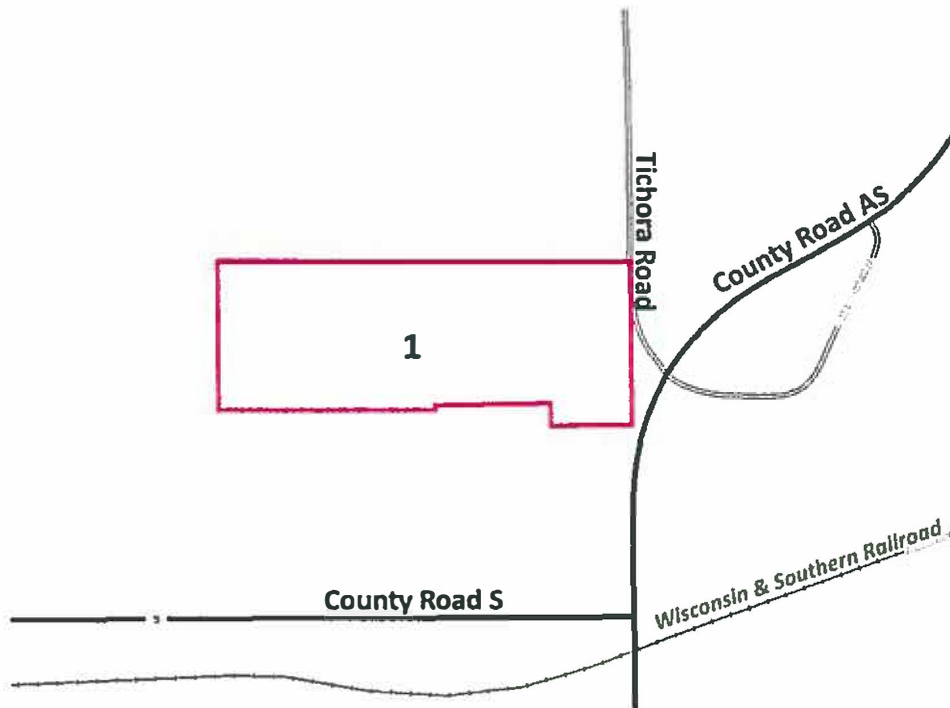
**Kent J. and June A. Quade – Town of Mackford**  
**Tichora Road, Parcel #010-00155-0000, ±14 acres, Part of the NW¼ of Section 09, T14N, R13E**  
**Request to rezone +8.0 acres from A-1 Farmland Preservation District to A-2 General Agriculture District.**



**Kent J. and June A. Quade – Town of Mackford**  
**Tichora Road, Parcel #010-00155-0000, ±14 acres, Part of the NW¼ of Section 09, T14N, R13E**  
**Request to rezone +8.0 acres from A-1 Farmland Preservation District to A-2 General Agriculture District.**

Existing configuration:

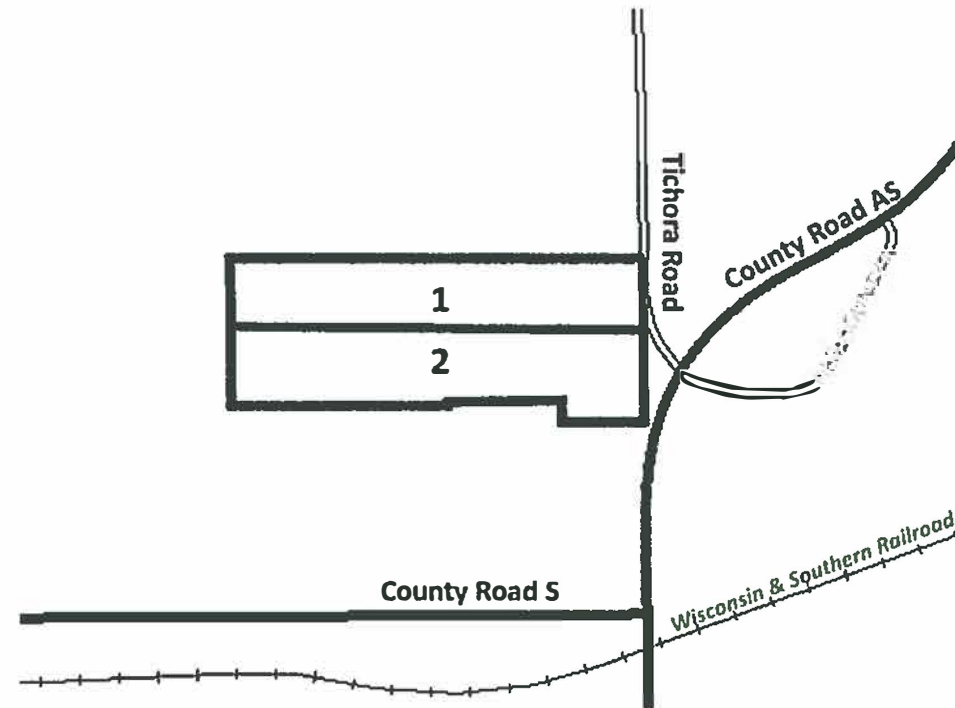
1 = ±14 acre parcel zoned A-1 Farmland Preservation District



Proposed configuration:

1 = ±6 acre remnant parcel remains along with the 40-acre parcel to the north zoned A-1 Farmland Preservation District

2 = newly created ±8.0 acre parcel rezoned from A-1 Farmland Preservation to A-2 General Agriculture



**TOWN BOARD ACTION**  
Rezoning Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Marquette, County of Green Lake, took the following action on \_\_\_\_\_.

Does not object to and approves of  \_\_\_\_\_

No action taken \_\_\_\_\_

Objects to and requests denial of \_\_\_\_\_

Reason(s) for objection \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* NOTE: If denial – please enclose Town Resolution of Denial.**

**Owner/Applicant:** Kent J. & June A. Quade

**General legal description:** Part of the NW¼ of Section 09, T14N, R13E, Town of Marquette

**Parcel numbers:** #010-00155-0000 (±14 acres)

**Location of request:** Tichora Road

**Planned public hearing date:** July 5, 2018

**Request:** Rezone +8 acres from A-1 Farmland Preservation District to A-2 General Agriculture District. To be determined by certified survey map.

Steve Dawson  
Town Representative

5-14-18  
Date Signed

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

Please return this form to the Land Use Planning & Zoning Office by: May 21, 2018



**LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT**  
**PUBLIC HEARING**

July 5, 2018

**ITEM IV: ZONING CHANGE**

**OWNER:**

Mary A. Kallas

**APPLICANT:**

same

**REQUEST:** The owner/applicant is requesting a zoning change for ±3 acres from A-2, General Agriculture to R-4, Rural Residential District.

**PARCEL NUMBER / LOCATION:** The affected parcel number is 004-00853-0000, located in the NE¼ of Section 24, T16N, R12E, Town of Brooklyn. The site proposed for zoning change is located at W2551 Princeton Road.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The current zoning of the parcels in question is A-2, General Agriculture. The lands surrounding the subject site are a mixture of agricultural zoning districts.

The Green Lake County Farmland Preservation Plan identifies the land under consideration for this zoning change to be in a Non-Agricultural Development Area. According to Flood Boundary and Floodway Map Panel 55047C110C, all lands under consideration for this request are located out of the general floodplain.

**ADDITIONAL INFORMATION / ANALYSIS:** According to the application, the owner/applicant would like to separate ±3.0 acres with the existing buildings and sell the new created lot. The remnant lot will remain A-2, General Agriculture.

**SUGGESTED ZONING CHANGE CRITERIA:** When considering a request for zoning change, recent court cases have cited the following decision-making criteria:

- a) consistency with long-range planning (comprehensive plan)
- b) nature and character of parcel
- c) use of surrounding land
- d) overall scheme or zoning map
- e) consideration of interest of public health, morals, and safety
- f) promote public welfare, convenience, and general prosperity

**STAFF COMMENTS:** The following county staff comments are based on the previously-stated criteria:

- The request is consistent with the County comprehensive plan as lands are not being rezoned out of the Farmland Preservation zoning district. Rather these lands are considered areas of non-agricultural development. This is consistent with a rural residential use.
- The nature and character of the parcel is conducive to rural residential use based on area and location. The rural residential is located near other agricultural lands and single family dwellings.
- The use of the surrounding lands is agricultural.
- The overall zoning scheme appears to be agricultural. The proposed rezone is consistent with that scheme.
- It would appear the request is consistent with community goals relating to public health, morals, and safety as well as the public welfare, convenience, and general prosperity.

**TOWN OF BROOKLYN:** An Action Form requesting the Town of Brooklyn’s input related to this zoning change request was mailed to the Town Clerk on May 11, 2018.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee \$375 (not refundable)

Date 4-30-18

Zone Change from A-2 to R-4 (Rural Residential)  
(General Ag)

Conditional Use Permit for \_\_\_\_\_

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Mary A. Kallas

Mailing Address W2551 Princeton Rd

Phone Number 920-294-0262

Signature Mary A Kallas Date 4-30-18

**AGENT IF OTHER THAN OWNER**

Name \_\_\_\_\_

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

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

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

**PROPERTY INFORMATION**

Town of Brooklyn Parcel Number 004-00853-0000 Acres 28.993

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

Section 24 Town 16 North Range 12 East

Location of Property W2551 Princeton Rd

Legal Description NE 1/4 of the NE 1/4 of Sec 24, excluding CSM 3074 and including CSM 1043

Current Zoning Classification A-2 Current Use of Property Residential and wood lands

Detailed Description of Proposed Use Would like to separate home from the larger parcel to sell. Remaining lands will stay A-2 Land area to be rezoned +30 acres not including right-of-way.

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

Fees: Zone Change \$375  
Conditional Use Permit \$375.00  
Variance \$375.00  
Special Exception \$375.00

# CONCEPT PLAN

CONCEPT PLAN FORMARY A. KALLAS LOCATED IN PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 16 NORTH, RANGE 12 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.



*Donald W. Lenz*  
DONALD W. LENZ -  
WI Professional Land Surveyor License No. S-2003  
Dated the 1st Day of May 2017

**OWNER(S)**  
MARY A. KALLAS  
W2551 PRINCETON ROAD  
GREEN LAKE, WISCONSIN 54941



**GREEN LAKE SURVEYING COMPANY**  
P.O. BOX 131  
Green Lake, Wisconsin 54941  
Phone: (920) 294-6666  
survey@greenlakesurveyingcompany.com  
www.greenlakesurveyingcompany.com



SCALE: 1" = 100'  
100' 0' 100'

FILE NAME: G8805-21 con 1.dwg

## PRINCETON ROAD

**MARY A. KALLAS**  
PART OF TAX PARCEL NO. 004-00853-0000  
**NW 1/4 SW 1/4**  
**PROPOSED LOT 1**  
**B-4 ZONING**  
**GROSS AREA**  
3.53 ACRES  
153,630 SQ. FT.  
**NET AREA**  
3.10 ACRES  
134,852.33 SQ. FT.

UNPLATTED LANDS BY OWNER

TAX PARCEL NO. 004-00853-0000

UNPLATTED LANDS BY OWNER

TAX PARCEL NO. 004-00853-0000

TAX PARCEL NO. 004-00853-0000

UNPLATTED LANDS BY OWNER

Job Number: G8805-24 612-21

# CONCEPT PLAN

CONCEPT PLAN FORMARY A. KALLAS LOCATED IN PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWN 16 NORTH, RANGE 12 EAST, TOWN OF BROOKLYN, GREEN LAKE COUNTY, WISCONSIN.



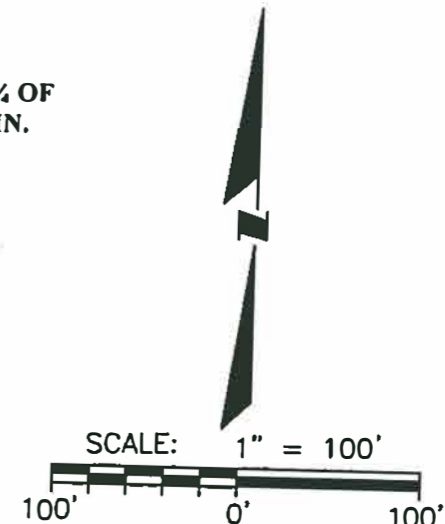
*Donald W. Lenz*

**DONALD W. LENZ -**  
 WI Professional Land Surveyor License No. S-2003  
 Dated this 1st Day of May 2017

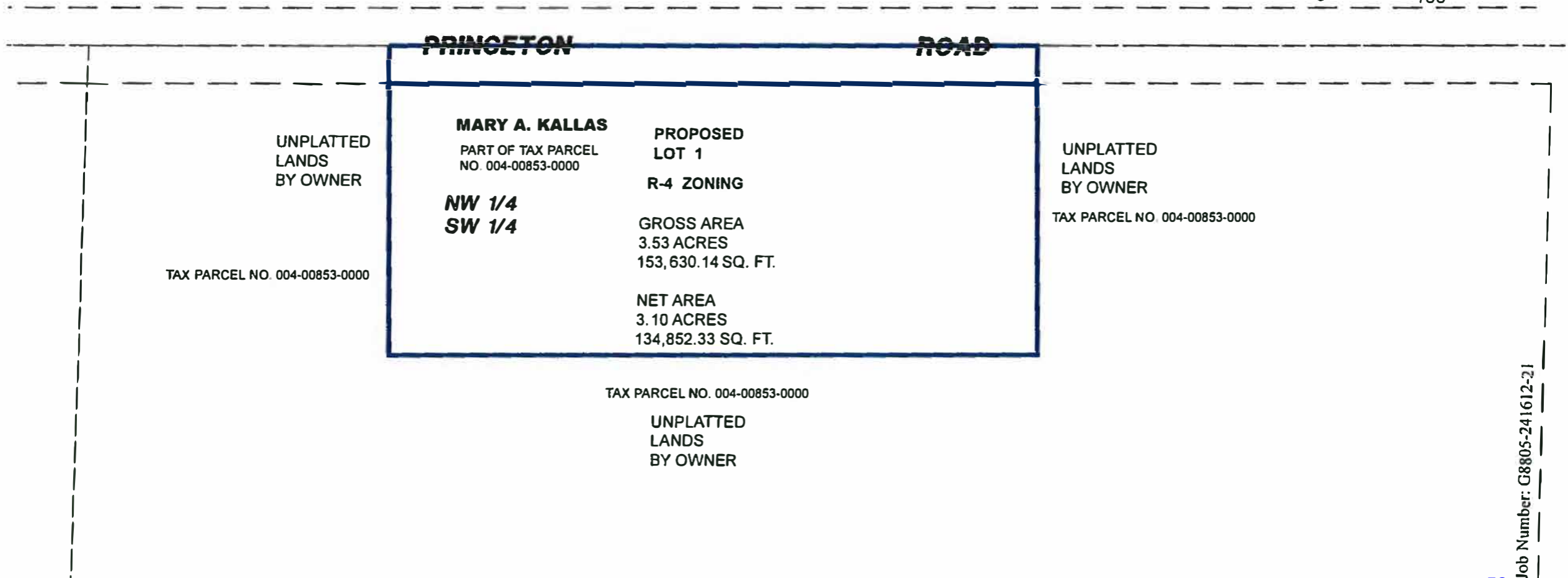
**OWNER(S)**  
 MARY A. KALLAS  
 W2551 PRINCETON ROAD  
 GREEN LAKE, WISCONSIN 54941



**GREEN LAKE SURVEYING COMPANY**  
 P.O. BOX 131  
 Green Lake, Wisconsin 54941  
 Phone (920) 294-6666  
 survey@greenlakesurveyingcompany.com  
 www.greenlakesurveyingcompany.com

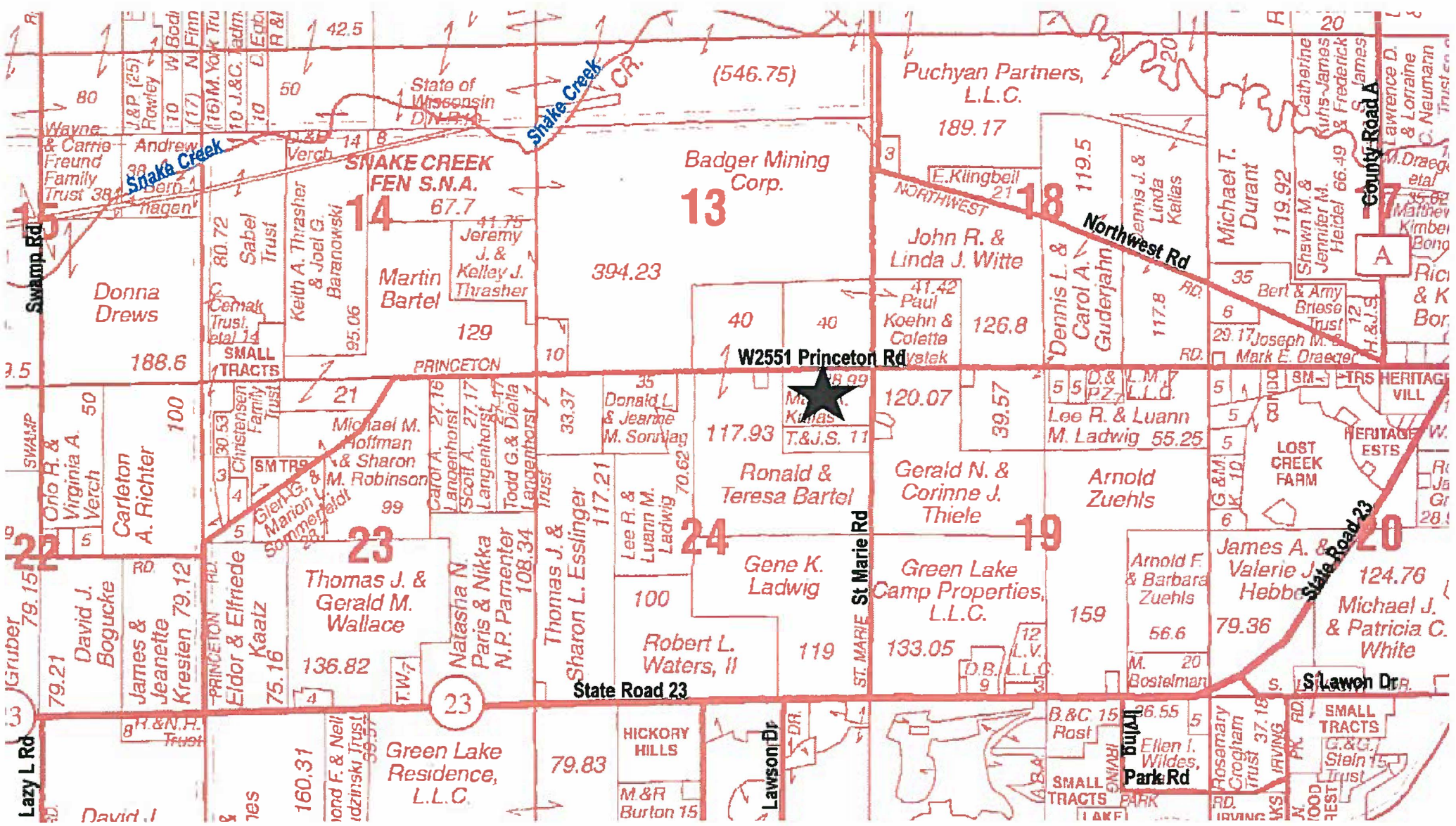


FILE NAME: G8805-21cont1.dwg

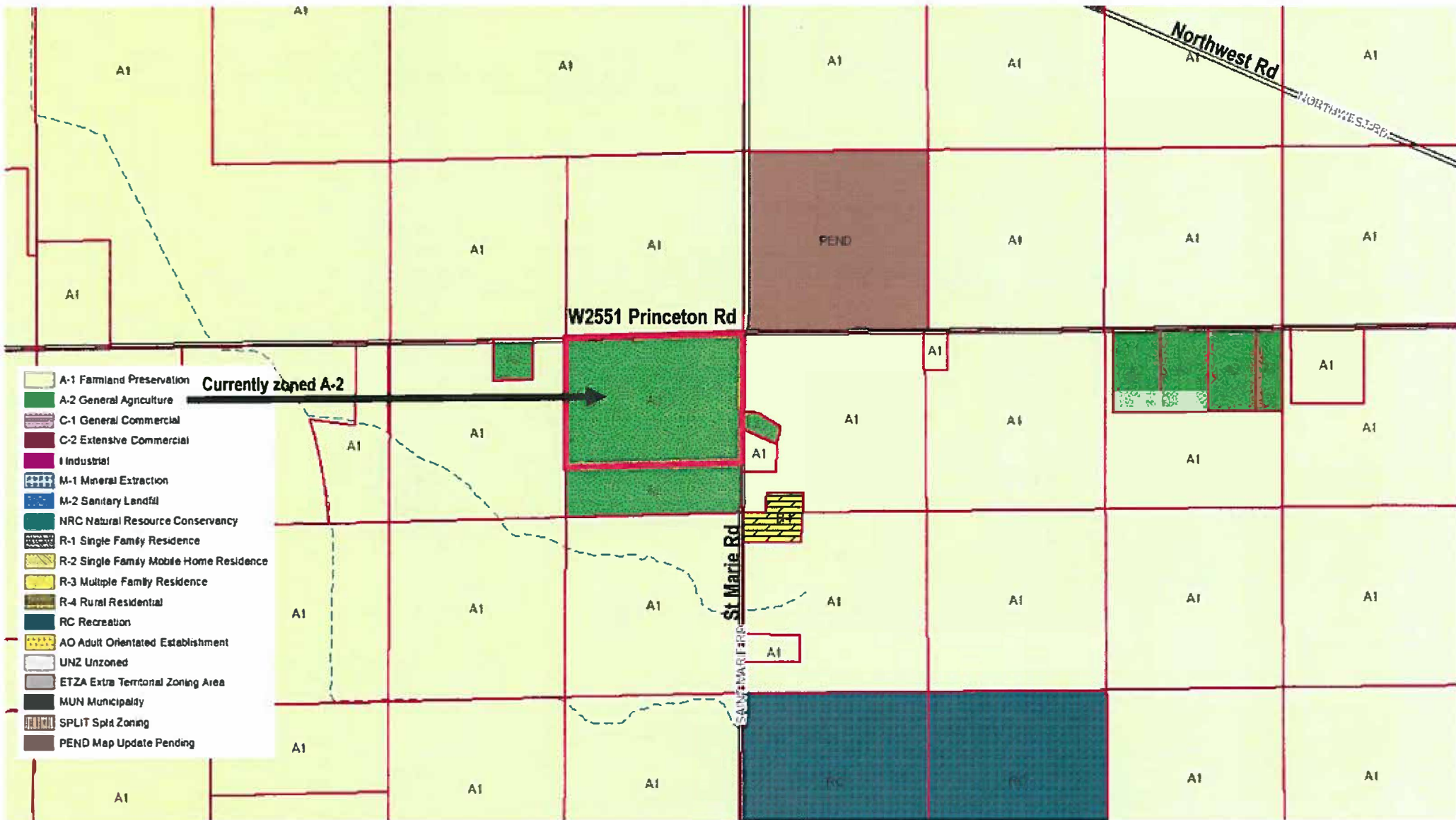


Job Number: G8805-241612-21

**Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn**  
**Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E**  
**Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.**



**Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn**  
**Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E**  
**Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.**

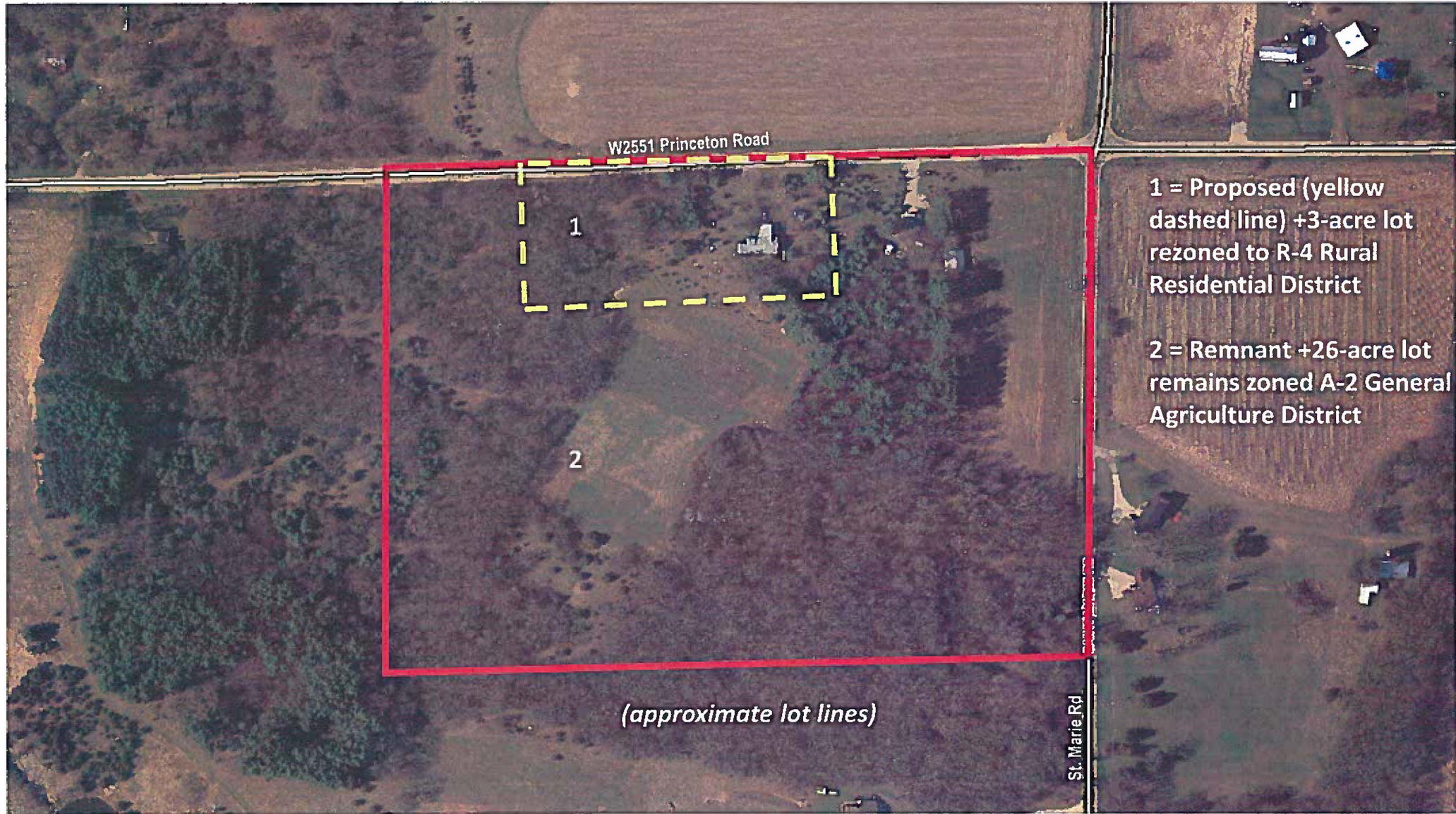


**Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn  
Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E  
Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.**





Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn  
Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E  
Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.



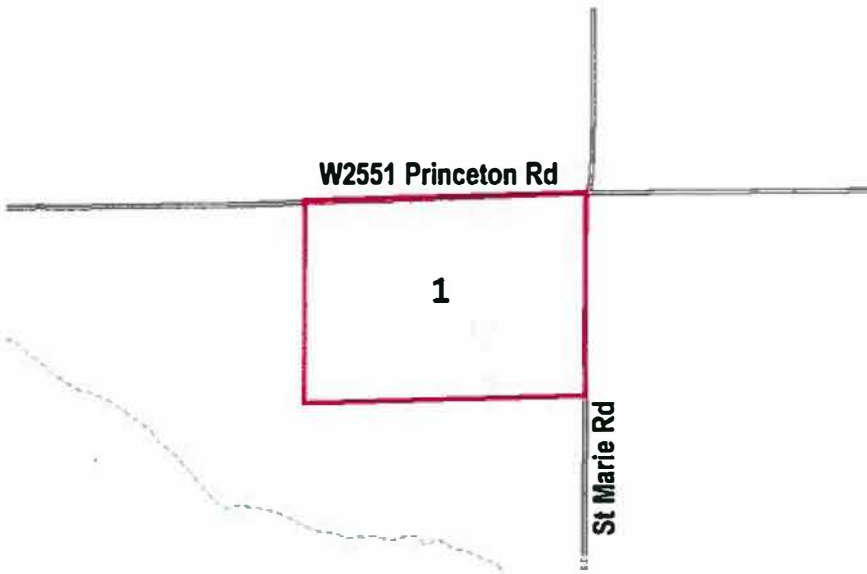
**Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn  
Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E  
Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.**



Mary A. Kallas – W2551 Princeton Road, Town of Brooklyn  
Parcel #004-00853-0000 (±29 acres), Part of the NE¼ of Section 24, T16N, R12E  
Request to rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District.

**Existing Configuration:**

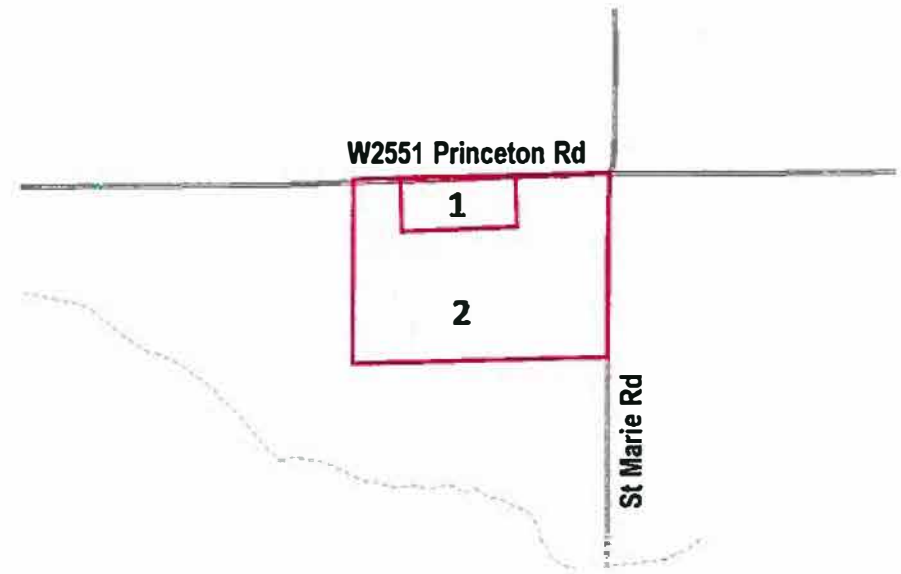
1 = ±29-acre lot zoned A-2  
General Agriculture District



**Proposed Configuration:**

1 = +3-acre lot rezoned to R-4 Rural Residential  
District

2 = Remnant +26-acre lot remains zoned A-2  
General Agriculture District



**TOWN BOARD ACTION**

Rezone Request

Dear Land Use Planning and Zoning Committee:

Please be advised that the Town Board of Brooklyn, County of Green Lake, took the following action on 12 June 2018.

Does not object to and approves of X

No action taken \_\_\_\_\_

Objects to and requests denial of \_\_\_\_\_

Reason(s) for objection \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**\*\* NOTE: If denial – please enclose Town Resolution of Denial.**

**Owner/Applicant:** Mary A. Kallas

**General legal description:** Part of the NE¼ of Section 24, T16N, R12E, Town of Brooklyn

**Parcel numbers:** #004-00853-0000 (±29 acres)

**Location of request:** W2551 Princeton Road

**Planned public hearing date:** July 5, 2018

**Request:** Rezone +3 acres from A-2 General Agriculture District to R-4 Rural Residential District. To be determined by certified survey map.

Mike West Town Chair  
Town Representative

12 June 2018  
Date Signed

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

Please return this form to the Land Use Planning & Zoning Office by: May 21, 2018

# LAND USE PLANNING AND ZONING COMMITTEE STAFF REPORT

PUBLIC HEARING

July 5, 2018

## ITEM V: CONDITIONAL USE PERMIT

**OWNER:**

Gelhar Real Estate Investments LLC

**AGENT:**

Steven Sorenson, Attorney

**REQUEST:** The owner/applicant is requesting a conditional use permit for a truck-to-railroad transload facility.

**PARCEL NUMBER / LOCATION:** The subject site, parcel 010-0183-0100 is located in part of the NE1/4 of Section 10, T14N, R13E, Town of Mackford; being a strip of land 150 feet south of and parallel to the south railroad right-of-way. The site is located west of W965 CTH S.

**EXISTING ZONING AND USES OF ADJACENT AREA:** The subject site is zoned I – Industrial District. The surrounding properties are all zoned A-1, Farmland Preservation District. There are lands to the NW that are zoned M-1, Mineral Extraction and M-2, Sanitary Landfill. Gelhar’s mining sites, that are zoned M-1, are located approximately 0.5 miles to the north and 0.7 miles to the southeast.

**ADDITIONAL INFORMATION / ANALYSIS:** The subject site was rezoned to Industrial District in October 2012 and received a conditional use permit on January 2, 2013 for the truck – to – rail transload facility. However, the price of sand decreased significantly after the approval and this project never began. There is an existing transload track on the south side of the railroad within the right-of-way. The plan is to install a dead end railroad spur south of the right-of-way that will store railcars. The transload facility is for the mining operation located north and southeast of this site. This site will primarily be a truck-to-rail transload station.

The site currently has an existing shed, above ground fuel storage tank and portable toilet. There are no new, permanent structures anticipated at this time for this site. There will be lighting, fall protection equipment for employees and utilities such as electric and phone. Railroad depot/yard and trucking terminals are listed in the zoning ordinances as permitted in the I, Industrial District, with an approved conditional use permit.

**STANDARDS FOR REVIEW OF CONDITIONAL USE PERMIT:** It is the charge of the Green Lake County Land Use Planning and Zoning Committee to assign any conditions they feel necessary with this use. Section 59.69(5e) Wis. Stats. was created to guide the factual review of conditional use requests:

Section 59.69(5e)(b)1. “If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in the county ordinance or those imposed by the county zoning board, the county shall grant the conditional use permit. Any condition imposed must be related to the purpose of the ordinance and be based on substantial evidence.”

Section 59.69(5e)(a)2. “‘Substantial evidence’ means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.”

**GENERAL CRITERIA FOR REVIEW OF CONDITIONAL USE REQUESTS:**

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

**COUNTY STAFF COMMENTS:** This request should be reviewed by the Committee to determine if it meets the standards of a conditional use permit as listed above. If the Committee is proposing to approve this request, the following conditions may be appropriate:

- 1) No additional expansion or addition of structures and/or uses shall occur without review and approval through future Conditional Use Permit(s).
- 2) The owner/applicant must have a Certified Survey Map completed for the Industrial zoned lands before any land use permit will be issued. This will remedy the split-zone issue with this parcel.
- 3) The owner/applicant shall apply for and receive a County Land Use Permit prior to commencing any “development” related to this industrial operation.

**TOWN OF MACKFORD:** An Action Form requesting the Town of Mackford’s input related to this conditional use permit request was mailed to the Town Clerk on May 15, 2018.

Please type or use black ink

Return to: Green Lake County  
Planning & Zoning Department  
492 Hill St, PO Box 3188  
Green Lake, WI 54941

**GENERAL APPLICATION**

Fee \$375.00 (not refundable)

Date 04/30/2018

Zone Change from \_\_\_\_\_ to \_\_\_\_\_

Conditional Use Permit for truck to rail transload facility

Other \_\_\_\_\_

**PROPERTY OWNER / APPLICANT**

Name Gelhar Real Estate Investments, LLC

Mailing Address 826 Layton Drive, Ripon, WI 54971

Phone Number (920) 398-9566

Signature James Gelhar

Date 04/30/2018

**AGENT IF OTHER THAN OWNER**

Name Steven R. Sorenson of von Briesen & Roper, s.c.

Mailing Address 2905 Universal Street, Suite 2, Oshkosh, WI 54904

Phone Number (920) 232-4846

Signature 

Date 4/30/2018

**PROPERTY INFORMATION**

Town of Mackford Parcel Number 010-00183-0100 Acres 5+/-

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

Section 10 Town 14 North Range 13 East

Location of Property W965 County Road S

Legal Description The parcel of land owned by the Applicant, being approximately five (5) acres and being described as a parcel located in part of the NE 1/4 of Section 10, T14N, R13E, Town of Mackford, being a strip of land 150 feet south of and parallel to the south railroad R/W.

Current Zoning Classification I - Industrial Current Use of Property farmland / rail spur

Detailed Description of Proposed Use The applicant proposes using the property as a Transload Facility. This would be a truck-to-rail transload facility located south of County Road S in Green Lake County near the contiguous railroad right of way. This site will primarily facilitate rail shipments from the neighboring A.F. Gelhar Co. location. Please refer to attached Site Plan for additional details.

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

Fees: Zone Change \$375  
Conditional Use Permit \$375.00  
Variance \$375.00  
Special Exception \$375.00

## **APPLICATION PERMIT DETAIL**



## APPLICATION PERMIT DETAIL

### Operational Plan Commentary:

Washed, dried and screened sand is transferred from bottom dump trucks to railcars using inclined covered conveyors. The conveyor has a fabric dust filter, which is an integral component of the conveyor controlling dust emissions from the drop end of the conveyor. The top of the conveyor unit forms a seal with the rail car where the sand enters the rail car. The operations are year-round.

The initial rail siding construction on WSOR property commenced with the submission by AECOM (a national environmental and engineering firm specializing in air, water, and storm water permitting) of an Erosion Control and Storm water Management Plan to the WDNR in December 2010. Initial construction for the rail spur on WSOR property and the access road on Applicant's property commenced approximately in February 2011 and was completed in August 2011. The current site maintains a 25 foot area south of the access road vegetated with the stipulated WisDOT Seed Mix No. 20.

Approximately 40-60 truckloads of industrial sand are currently unloaded per day, up to 6 days a week, at the rail terminal. Operating hours are currently 20 hours per day, with local Plagenz drivers operating two, 10-hour shifts. 24 hour per day operations are feasible, 6 days a week, on an as needed basis.

AECOM further determined that the site is exempt from the need to obtain an air permit under NR 406 and NR 407 (Wisconsin Administrative Code). Furthermore, AECOM estimated that the theoretical maximum quantity of sand that can be handled in this operation without reaching permitting thresholds is just less than 83 tons per hour. If the terminal operator determines in future that it will exceed this level, the company will apply for an air permit prior to those levels being reached.

### Specifics Involving the Conditional Use:

The specific purpose of the proposed project is to construct a secondary rail spur from WSOR property onto Applicant's property, which is adjacent and roughly parallel to the existing spur on WSOR property, for the purposes of expanding rail car storage and loading capacity and to improve overall operating efficiency. The applicant is **NOT** applying to place any permanent silos on this site. The only permanent structures expected on site will be the new rail track, lighting and fall protection for employee safety, and the establishment of select utilities (electric, telephone, etc.).

### Conditional Use Standards:

**A) Will the site have a negative effect upon the health, safety, and general welfare of occupants of surrounding lands?**

No. The proposed operation is immediately adjacent to an existing and operating transload facility. The site will consist of an improved access road, a small office/storage shed, portable bathroom, portable lights, and spur track all located on the Wisconsin Southern Railroad property. The mobile conveyors are located on both Applicant's and WSOR property. The operation is a low impact operation consisting

of trucks of sand from nearby A.F. Gelhar Company, Inc. processing operations being delivered and transferred to railcar via mobile conveyors. The mobile conveyors are gravity fed and have operating dust collection systems in place to minimize fugitive dust. The dust collectors are maintained to manufacturer's guidelines. There is absolutely no pneumatic handling of sand at this site now or contemplated in the future. Any safety lighting fixtures constructed at the site will be done in a manner to minimize impact of surrounding home owners.

**B) Will the site be designed, constructed, operated and maintained so as to be harmonious and be appropriate in appearance with the existing or intended character of the general vicinity and that such a use will not change the essential character of the same area?**

Yes. The site is located in a predominantly agricultural and sand mining region of Green Lake County. There is an existing permitted and operating sand mine and processing plant that operates 7 days a week, 24 hours per day directly north of the terminal; and a permitted and operating seasonal sand mine directly south of the rail terminal. Both of these mining operations are within eye site of the central rail terminal. Additional sand and aggregate mining operations are located in the northeast and southwest of the site. Furthermore, the 5 acre industrial site request was laid out to maintain minimal impact and low profile. Specifically: (1) the site location preserves green area owned by Applicant directly to the north of the tracks and bordering CTY S, thus preventing the need to remove trees running parallel on the north side of the WSOR mainline track; (2) the new spur to be constructed on Applicant's property will be placed approximately parallel to the existing spur on the adjacent WSOR property; (3) the new spur will be constructed so that it will be predominantly located on the existing access road on Applicant's property, thus negating the removal of any significant green area; (4) the site design was specifically intended to maintain the existing agricultural field to the south; and (5) the terminal operator, D&I Silica LLC, is neither requesting, nor intending, to place sand silos at this facility.

**C) Will the site be hazardous or disturbing to existing or future neighboring uses?**

No. The site is an extension of an existing transload facility, and is operated with industry best practices including dust collection systems on conveyance units, and dust mitigation on the access road. In addition, the volumes of sand handled at this site will not exceed the thresholds mandating air permitting. Silica sand is an abundant, naturally-occurring, chemically-inert material (non-combustible and non-flammable), and the site at both current and projected volumes does not require an air permit based on the AECOM findings. While concerns are sometimes raised regarding whether respirable crystalline silica can cause occupational silicosis after exposures to high concentrations for ten (10) years or more, there are no reports in the United States of cases of silicosis from ambient exposures to the general population (per personal communication with Certified Industrial Hygienist and Master of Public Health, Robert E. Glenn, who is retired from the US Public Health Service where he served as the Director of Occupational Lung Disease Research for the National Institute for Occupational Safety and Health).

As for potential disturbance, there will not be any additional rail switches per day. In fact, the addition of the new spur on the industrial site may reduce the need for a daily switch due to the availability of

additional railcar storage on site. The addition of the new rail spur and the ability to load more than one rail car at a time will reduce noise and truck-idling time currently incurred at the site.

**D) Will the site be detrimental to property in the immediate vicinity or to the community as a whole?**

No. This site falls within the existing character of the surrounding area, including existing sand mines, railroad operations, and farmland. The site further improves the preservation of rail service to the Markesan area, as previously discussed by Jim Lombard of the WSOR. The site also improves the economic viability of several local employers, including A.F. Gelhar Company, Inc., D&I Silica, LLC, and Plagenz Trucking.

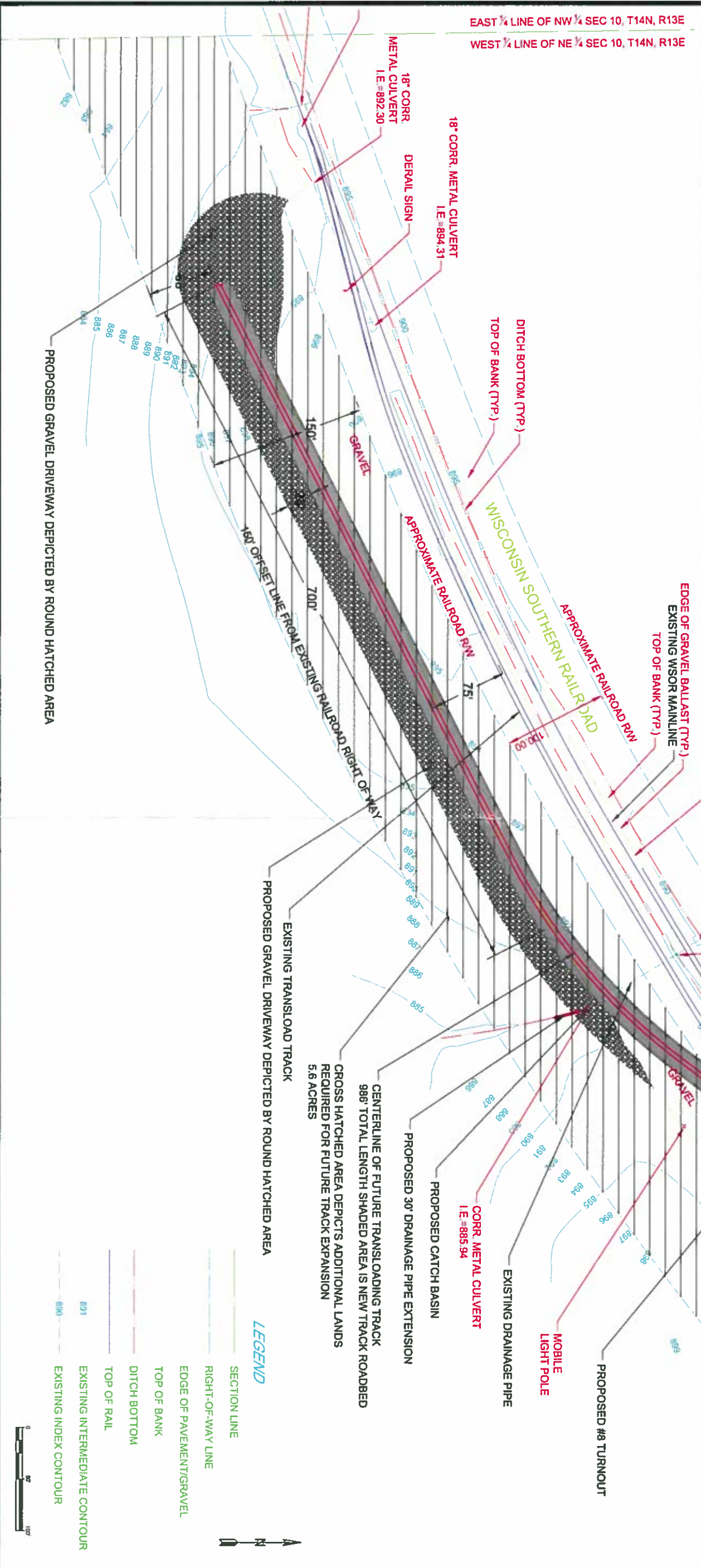
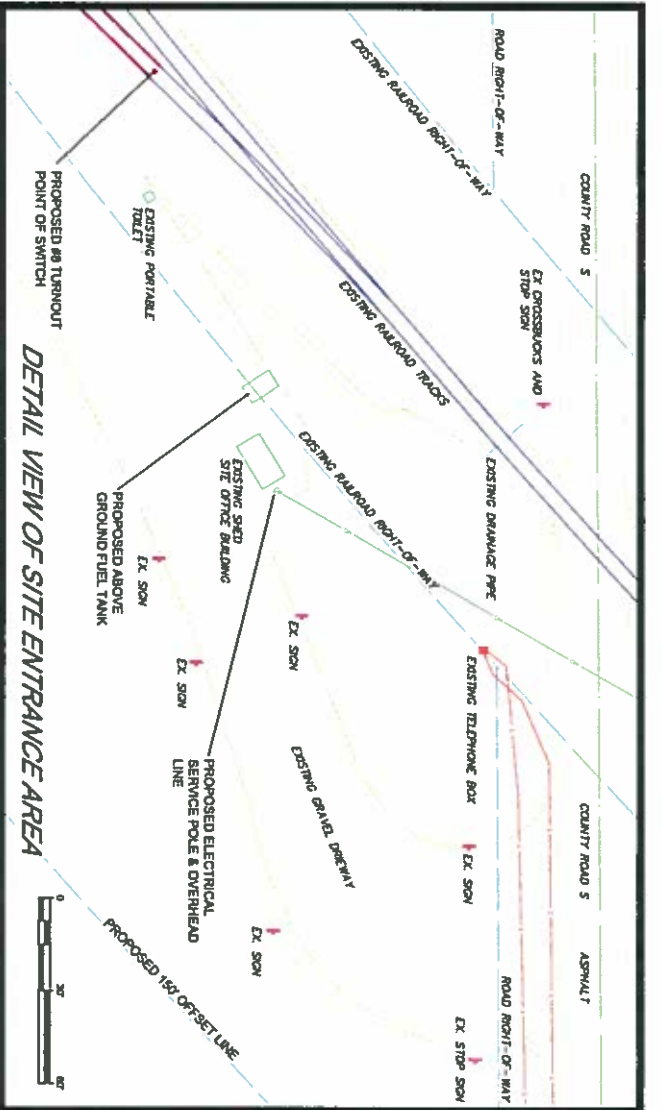
**E) Will the site be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structure, and schools, and that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service?**

Yes. The site is currently easily accessed by approximately one mile of recently improved CTY S, which was paid for by the terminal operator, D&I, LLC, working in partnership with A.F. Gelhar Company, Inc. The County Highway Department has discussed with the Applicant and terminal operator that during extreme snow events, it may not be feasible to clear Cty S roadway immediately and, therefore, in those events it is understood that operations at the terminal may need to be suspended. The Applicant and operator will work with the County Highway Department in these cases.

**F) Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public or private streets or roads?**

CTY S road is not a major traffic lane, and the direct access to the site was established working with the County Highway Department. The access road to the terminal is maintained by the terminal operator. The existing rail crossing has recently been improved by the WSOR.

# SITE PLAN



NO.	DATE	BY	REVISIONS

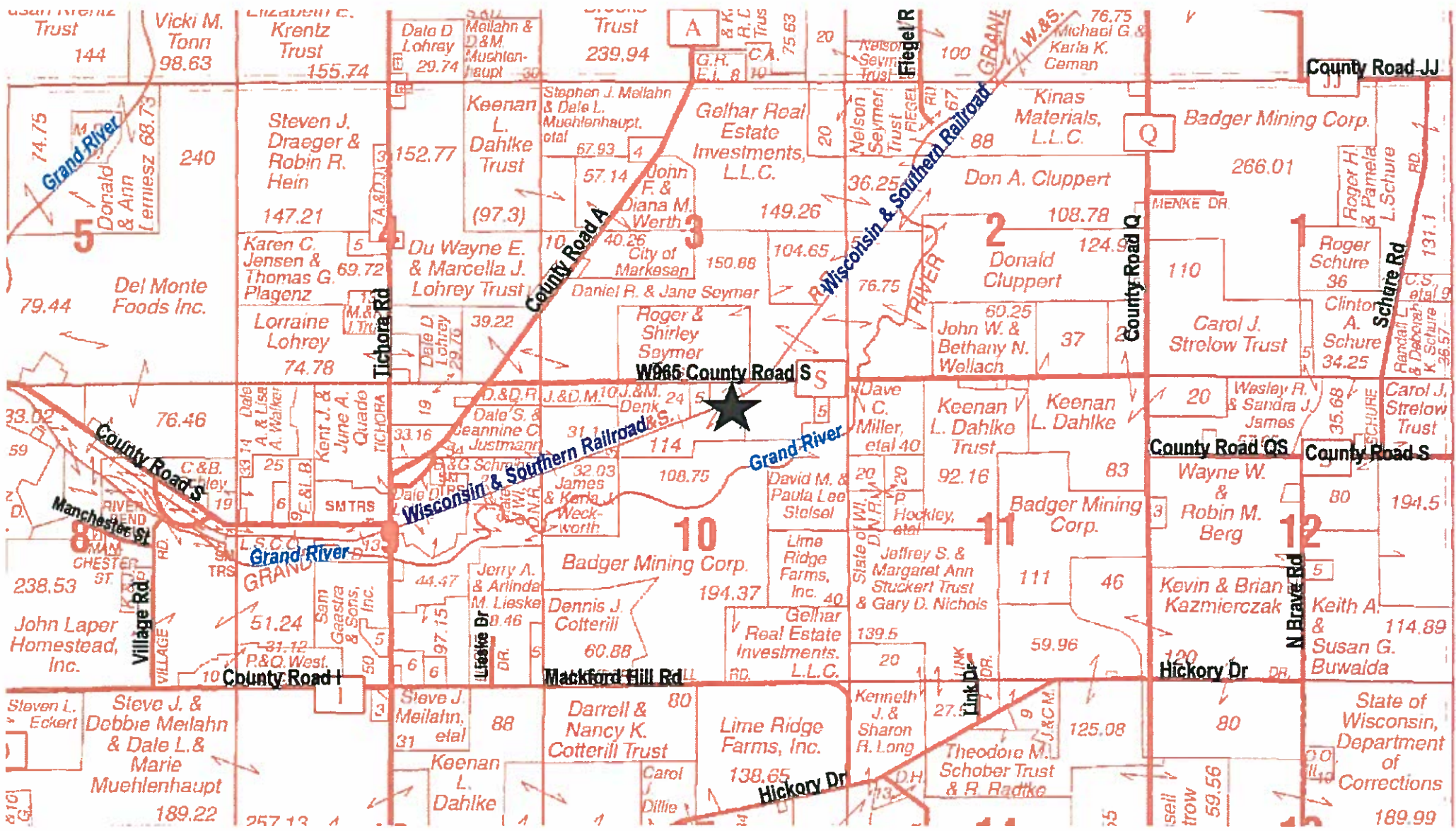
AF GELHAR REAL ESTATE

AF GELHAR TRANSLOAD FACILITY  
 MARKESAN, WI  
 TRANSLOAD SITE PLAN  
 FUTURE TRANSLOAD TRACK AREA

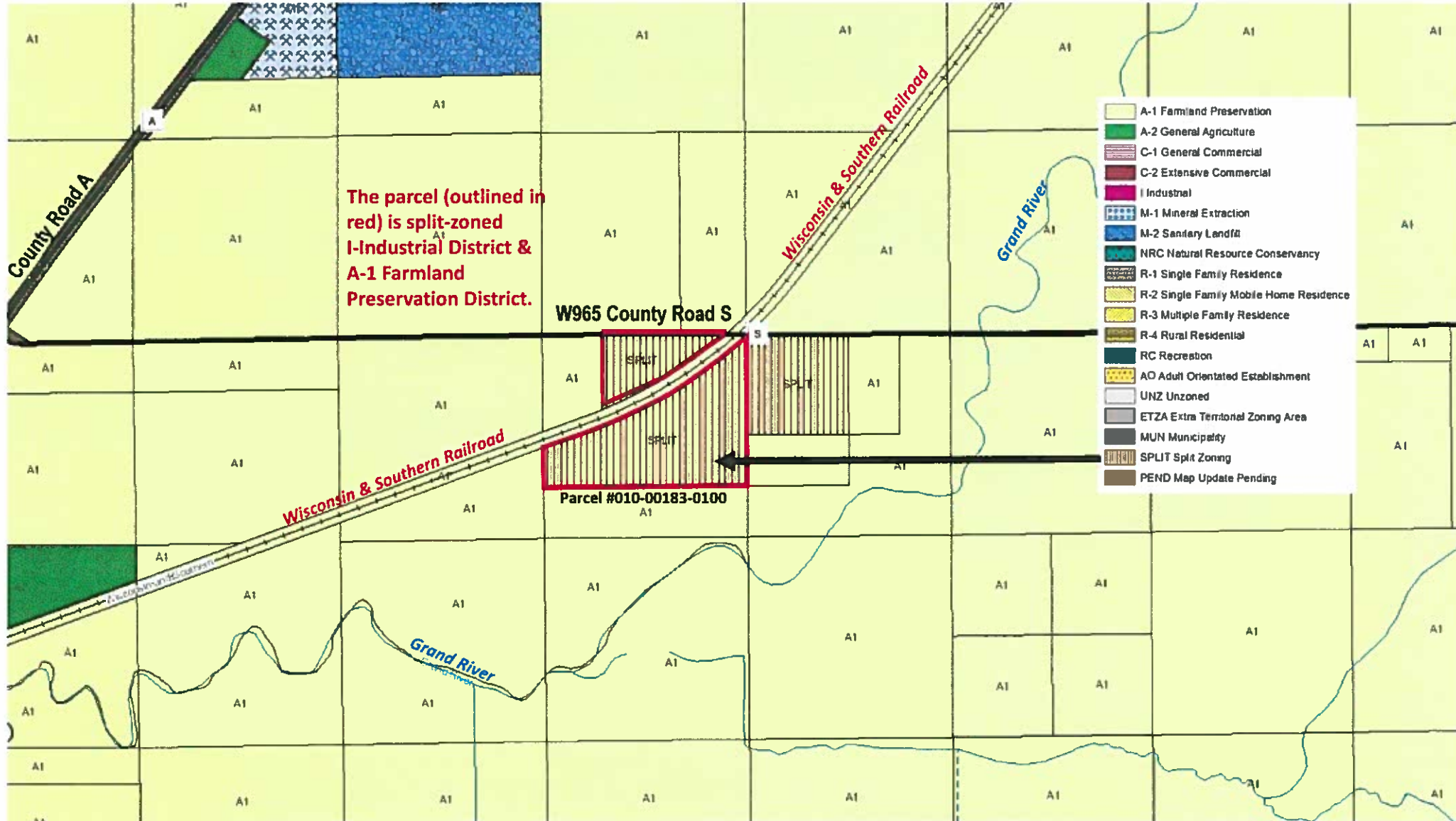
DATE: 8/14/2012  
 DRAWN BY: RCB/PLS  
 SCALE: 1" = 50'  
 PROJECT: 110002  
 SHEET NO: CT-1.05



**Applicant: Gelhar Real Estate Investments, LLC Agent: Steven R. Sorenson of von Briesen & Roper, s.c.**  
**W987 County Road S, Parcel #010-00183-0100, (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford**  
**Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.**

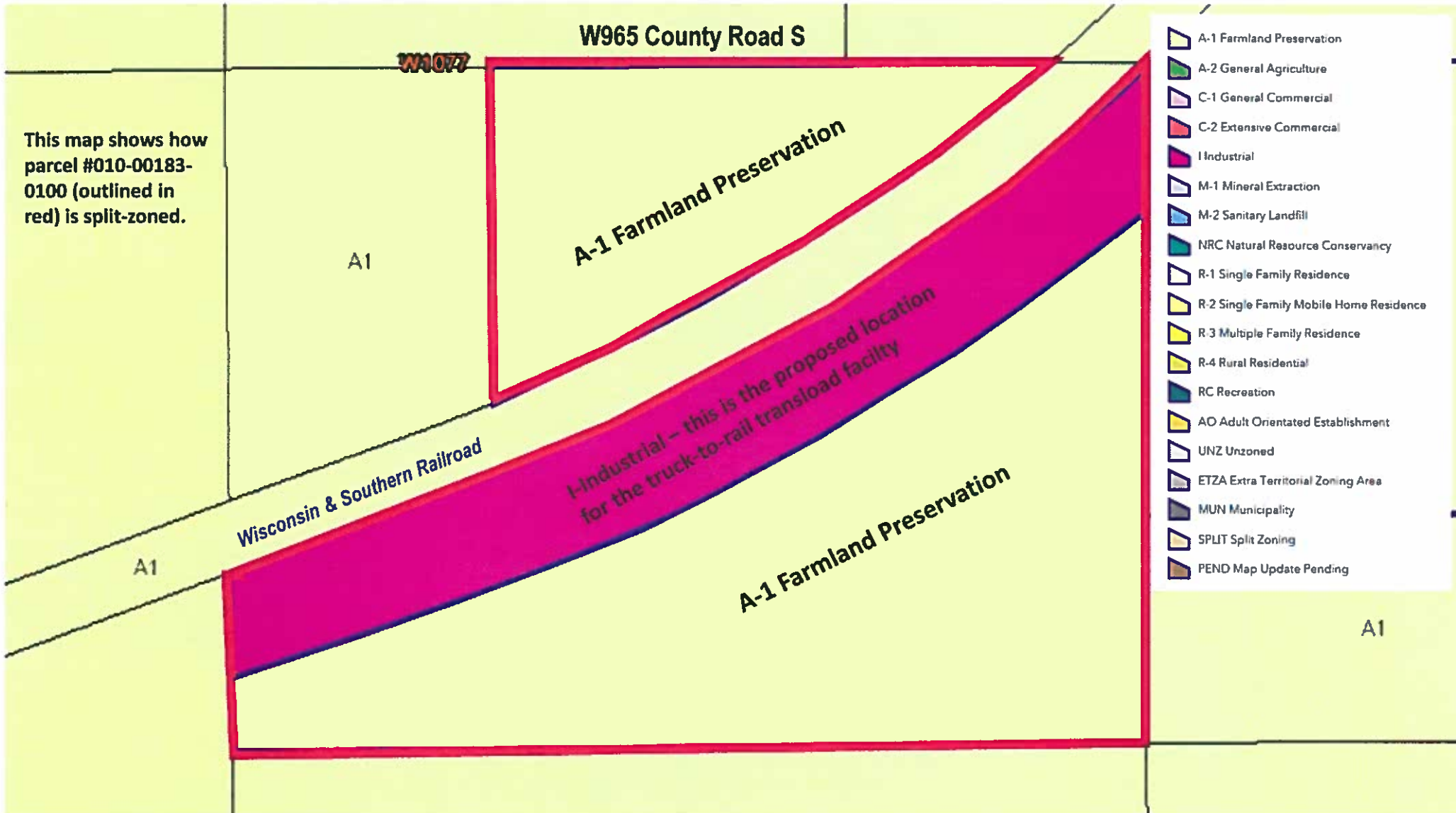


**Applicant: Gelhar Real Estate Investments, LLC Agent: Steven R. Sorenson of von Briesen & Roper, s.c.**  
**W987 County Road S, Parcel #010-00183-0100, (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford**  
**Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.**





**Applicant:** Gelhar Real Estate Investments, LLC **Agent:** Steven R. Sorenson of von Briesen & Roper, s.c.  
**W987 County Road S, Parcel #010-00183-0100, (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford**  
**Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.**



**Applicant: Gelhar Real Estate Investments, LLC Agent: Steven R. Sorenson of von Briesen & Roper, s.c.**  
**W987 County Road S, Parcel #010-00183-0100, (±22 acres), Part of the NE¼ of Section 10, T14N, R13E, Town of Mackford**  
**Conditional use permit request for a truck-to-rail transload facility located on ±5 acres.**

