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**WASHINGTON COUNTY  
PLANNING, CONSERVATION AND PARKS COMMITTEE**

Public Agency Center  
West Bend, WI

September 28, 2011  
1:30 p.m.

Present: Michael Bassill, Melvin Ewert, Raymond Heidtke, and Michael Miller. Excused:  
Gerald Schulz, Peter Sorce, and John Stern.

Also present: Administrator Paul Mueller, Deputy Administrator Debora Sielski, Land  
Resources Manager Phil Gaudet, Chairperson Herbert Tennes, County Engineer Scott Schmidt,  
Accounting Supervisor Kelly Cisar, Inspector-in-Charge David Seils, Office Manager Joanne  
Wagner, GIS Manager Eric Damkot, Supervisor Richard Bertram, and County Clerk  
Administrative Assistant Linda Doro.

Vice-Chairperson Miller called the meeting to order at 1:25 p.m. and read the Affidavit of  
Posting.

**PUBLIC HEARING**

**The Washington County Highway Department, SE-1/4, Section 30, Town of Wayne -  
Conditional Use Permit for excavating, filling or grading in a Shoreland, Wetland,  
Floodplain Zoning District (Address: At the County Highway D bridge crossing over the  
Rock River, approximately ¾ mile west of Highway 41)**

*Appearance: Jon Edgren, Highway Commissioner*

Ms. Doro read the Notice of Public Hearing. Mr. Gaudet presented a plat map indicating the  
location of the project. The Washington County Highway Department is requesting approval of  
a conditional use permit to reconstruct the CTH D bridge over the East Branch of the Rock River  
and relocate a parking lot adjacent to the river, which involves wetland filling and mitigation. A  
total of 0.097 acres of wetland fill is proposed as a part of this project. The Highway Department  
is proposing to utilize the Jacobson Wetland Bank in Walworth County with a debit of 0.30  
acres. The proposed reconstruction of the CTH D bridge and relocated parking lot with  
associated wetland filling is in the Theresa Marsh sub-watershed of the Rock River watershed.  
Section 23.03(3)(c)(3) requires the wetland mitigation to be in the same sub-watershed as the  
wetland filling. The Planning, Conservation and Parks Committee must determine if the use of a  
mitigation site, not located in the same sub-watershed, is appropriate in this case. A floodplain  
study has been completed for the impacts of the proposal on the 100 year floodplain, which has  
been reviewed and approved by the DNR and DOT. Mr. Miller opened the public hearing.  
Highway Commissioner Jon Edgren spoke in favor of the project and explained why the  
mitigation is occurring in a different sub-watershed. Mr. Miller closed the public hearing.

Moved by Mr. Bassill, seconded by Mr. Ewert to approve the Conditional Use permit for  
excavating, filing or grading in a Shoreland, Wetland, Floodplain Zoning District for the  
Washington County Highway Department, Section 30, Town of Wayne. Motion carried.

1 **REQUEST FOR SANITARY VARIANCE - RESIDENTIAL HOLDING TANK**  
2 **1864 TIMMERS LLC - SE-1/4 of the NE-1/4, AND NW-1/4 OF THE SW-1/4, SECTION**  
3 **32, TOWN OF WEST BEND (Address: 5151 Timmers Bay Road)**

4 *Appearance: David Moore, Moore Designs*

5 Mr. Seils presented a plat map indicating the location of the parcel owned by 1864 Timmers,  
6 LLC. The owners have six cottages at the Timmers Restaurant property that they want to rebuild  
7 or remodel, and there is the need to replace the private onsite wastewater treatment systems  
8 (POWTS) that currently serve the cottages. The owners are requesting a sanitary variance to  
9 install holding tanks to serve these cottages instead of installing mound systems in the common  
10 areas of the property. Certified Soil Tester, Eric Schmitz, has identified areas on the property  
11 that mound areas could be installed to serve the cottages. The owners are requesting a sanitary  
12 variance to install holding tanks because if mound systems would be installed, several large trees  
13 would have to be removed, which would change the aesthetics of the property. Locating several  
14 mound systems in the open area near the restaurant would alter the aesthetics and the potential  
15 use of the open area, which is used for outdoor events such as weddings, and other large  
16 gatherings. Also, the cottages will be seasonal use and using holding tanks will disturb the least  
17 amount of natural area. Mr. Seils stated it is the Planning and Parks Department's position that  
18 the sanitary variance is not warranted, due to the soil test identifying mound areas that could be  
19 installed to serve the cottages. Mr. Moore spoke in favor of the sanitary variance and reiterated  
20 the owners' concerns if mound systems would be installed instead of holding tanks. Mr.  
21 Schmitz's letter was read and it is his recommendation to install holding tanks rather than mound  
22 systems which would if installed, affect the aesthetics and use of the property.

23  
24 Mr. Miller requested to abstain from the vote because his son-in-law works for Moore Design.  
25 Mr. Mueller suggested the owner reinvestigate the site and look at alternative locations. Moved  
26 by Mr. Bassill to grant the sanitary variance for a residential holding tank to 1864 Timmers LLC.  
27 Motion failed for lack of a second.

28  
29 Moved by Mr. Heidtke, seconded by Mr. Ewert to postpone action on the sanitary variance  
30 request until further information, including additional soil testing and system design options is  
31 received. Motion carried with Mr. Bassill voting no.

32  
33 **OBJECTING AUTHORITY SUBDIVISION - PRELIMINARY PLAT REVIEW -**  
34 **MOUNT VERNON ESTATES, SE-1/4, SECTION 15, CITY OF HARTFORD**

35 *Appearance: Frederick Wittenberger, Owner*

36 Mr. Gaudet presented the preliminary plat map for the subdivision. The property is located off  
37 of Hilldale Drive just to the west of Cricket Drive, and adjacent to the southeast corner of the  
38 Washington County Golf Course. A total of 15 lots and one outlot are proposed. This  
39 development is currently a condominium seeking to be approved as a subdivision. Two of the  
40 lots have been developed. A portion of the development is in a Shoreland and floodplain zoning  
41 district. The subdivision will be served by City sewer and water and stormwater. Mr. Mueller  
42 expressed a concern with lot 11 that is almost entirely in the floodplain. Mr. Gaudet stated it  
43 may be possible to build in a flood fringe, but you have to meet the elevation requirements and  
44 there could not be a basement below the flood protection elevation. Mr. Mueller stated the  
45 subdivision plat should be prominently marked so that a potential property owner purchasing lot  
46 11 will know that there will be a serious impact on the lot from the flood fringe.

1 Moved by Mr. Ewert, seconded by Mr. Heidtke to indicate no objection to the preliminary plat of  
2 Mount Vernon Estates, but instruct the Planning and Parks Department to send a letter to the  
3 City of Hartford strongly recommending that lot 11 be reconsidered because of the flood fringe,  
4 or prominently mark the subdivision plat so a potential property owner purchasing lot 11 will  
5 know that there will be a serious impact on that lot from the flood fringe. Motion carried.  
6

7 **FARMLAND PRESERVATION PLAN ADVISORY COMMITTEE REQUEST FOR**  
8 **PCPC TO CONSIDER LOCAL GOVERNMENTS REQUEST TO CHANGE PROPOSED**  
9 **FARMLAND PRESERVATION AREA**

10 Ms. Sielski reported that at their August 3, 2011, meeting, the Farmland Preservation Plan  
11 Advisory Committee requested that the PCPC consider an issue regarding the Town of Barton's  
12 request to allow parcels currently zoned Exclusive Agriculture, but not within a farmland  
13 preservation area (FPA) due to a lower LESA score, be allowed in the proposed FPA. The  
14 reasoning behind the Town of Barton's request is that the Town has a large block of land  
15 currently zoned Exclusive Agriculture and a lower LESA score on several of the parcels was  
16 preventing that block from staying together.  
17

18 Several Advisory Committee members believe that the set of criteria used to determine the FPA  
19 should remain consistent throughout the County and that the Advisory Committee should not  
20 allow Towns/Villages to provide reasonable rationale, such as a lower LESA score, to allow  
21 other parcels within an FPA. Ms. Sielski reported a motion was defeated five to eight on a vote  
22 for local governments to stick with the criteria for establishing FPA's as originally set by the  
23 Advisory Committee. Since the motion was defeated, the Advisory Committee is allowing local  
24 governments to make revisions to the FPA's based on reasonable rationale, but Advisory  
25 Committee members requested that she present both sides of the discussion from this motion to  
26 the PCPC for consideration.  
27

28 The Planning and Parks Department staff is recommending that the PCPC follow the action by  
29 the majority of the Advisory Committee members. This would continue the County's intent of  
30 developing the Farmland Preservation areas based on countywide criteria and allowing local  
31 governments to revise the FPA's only based on reasonable rationale. The PCPC members  
32 agreed with the recommendation presented by Planning and Parks Department staff.  
33

34 **DIVISION REPORTS**

35 Administration Division - Joanne Wagner and Scott Schmidt

- 36 • Office Activities Update
- 37 • Engineering Assistance Update
- 38

39 Geographic Information Systems Division - Eric Damkot

- 40 • Redistricting
- 41 • Software and Website Upgrades
- 42 • Review of other Division Activities and Projects
- 43

44 Land Use Division – Phil Gaudet

- 45 • Permit Activity
- 46 • Chapter 23 (Shoreland, Wetland & Floodplain Zoning) Revision

- 1 • Training
- 2 • Federal Emergency Management Agency (FEMA) Map Modernization
- 3 • Private Onsite Wastewater Treatment System (POWTS) Software Installation

4  
5 Moved by Mr. Heidtke, seconded by Mr. Bassill to accept the Administration Division, GIS  
6 Division, and Land Use Division reports. Motion carried.

7  
8 **FLOODPLAIN MAPPING PROJECT PROPOSAL UPDATE, REPAYMENT**  
9 **SCHEDULE**

10 Mr. Mueller distributed a memorandum regarding the request to seek a loan from the General  
11 Fund, in the amount of approximately \$566,300, to study three watersheds. The proposal is to  
12 repay the General Fund from Retained Fees over a 12 to 13 year period. This proposal was  
13 presented to the Finance Committee at their meeting this morning and the Finance Committee is  
14 interested in reducing the payback period to no more than 10 years. Mr. Mueller is  
15 recommending that the PCPC agree with the proposal of the Finance Committee to not exceed  
16 10 years for payback. However, if the Department would not have adequate funding to complete  
17 the repayment at the end of 10 years, the remaining indebtedness would be paid by either future  
18 retained fees or the capital improvement plan.

19  
20 Moved by Mr. Bassill, seconded by Mr. Ewert to proceed with the floodplain mapping project,  
21 and the repayment schedule of 10-years recommended by the Finance Committee, even though  
22 the PCPC is recommending a 12 to 13 year repayment schedule. Motion carried.

23  
24 **LETTER OF ENDORSEMENT FROM WASHINGTON COUNTY IN SUPPORT OF**  
25 **GRANT APPLICATION - SUSTAINABLE COMMUNITIES REGIONAL PLANNING**  
26 **GRANT PROGRAM**

27 Moved by Mr. Ewert, seconded by Mr. Heidtke to send a letter to the Southeastern Wisconsin  
28 Regional Planning Commission endorsing their submittal of an application for a FY 2011  
29 Sustainable Communities Regional Planning grant from the US Department of Housing and  
30 Urban Development. Motion carried.

31  
32 **AGENDA ITEMS FOR FUTURE MEETINGS**

33 None.

34  
35 **NEXT TENTATIVE MEETING DATE**

36 The Planning, Conservation and Parks Committee will tentatively meet on Wednesday, October  
37 27, 2011, at 1:00 p.m.

38  
39 **ADJOURNMENT**

40 Moved by Mr. Heidtke, seconded by Mr. Bassill to adjourn the meeting at 3:24 p.m. Motion  
41 carried.