

**In the Matter Of:**

JCPZM

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**DECISION MEETING EXCERPT 02282022**

*January 26, 2023*

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JEFFERSON COUNTY PLANNING AND ZONING COMMITTEE  
DECISION MEETING  
ROOM 202, JEFFERSON COUNTY COURTHOUSE  
311 CENTER AVENUE, JEFFERSON, WISCONSIN

Monday, February 28, 2022  
8:30 a.m.

\*\*EXCERPTED PORTIONS ONLY\*\*

Transcribed by:  
Christine Aiello

J9255865-2

1 PLANNING AND ZONING COMMITTEE

2  
3 George Jaeckel, Chair

4 Steve Nass, Vice-Chair

5 Blane Poulson, Secretary

6 Matt Foelker

7 Lloyd Zastrow

8  
9  
10 STAFF

11  
12 Brett Scherer, Planning and Zoning Department

13 Sarah Elsner, Planning and Zoning Department

14 Matt Zangl, Planning and Zoning Department

15 Deb Magritz, Planning and Zoning Department

16 Ben Wehmeier, County Administrator

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PROCEEDINGS

(On the record)

(0:00 - 01:20)

CHAIR JAECKEL: (Indiscernible) the Open Meetings Law?

SUPERVISOR POULSON: We are in compliance, Mr. Chairman.

CHAIR JAECKEL: Thank you.

Approval of the agenda. Anybody see anything we need to change out? We have a couple of names here. I think they are all on. We've got the Brunson one, I'm not a hundred percent sure, but it's Concord.

MR. ZANGL: Yeah, Brunson, Steptoe.

CHAIR JAECKEL: Yeah, Steptoe. So we will take them in order when we get down to number 17.

Public comment. Anybody have public comment on anything that's not on the agenda?

Seeing none, approval of January 31st meeting minutes.

SUPERVISOR POULSON: So moved.

SUPERVISOR ZASTROW: Second.

CHAIR JAECKEL: All in favor?

SUPERVISOR POULSON: Aye.

SUPERVISOR ZASTROW: Aye.

SUPERVISOR NASS: Aye.

1 SUPERVISOR FOELKER: Aye.

2 CHAIR JAECKEL: Aye. Motion carries.

3 February 11th.

4 SUPERVISOR POULSON: So moved.

5 SUPERVISOR FOELKER: Second.

6 CHAIR JAECKEL: All in favor?

7 SUPERVISOR POULSON: Aye.

8 SUPERVISOR FOELKER: Aye.

9 SUPERVISOR ZASTROW:

10 SUPERVISOR NASS: Aye.

11 CHAIR JAECKEL: Aye. Carries.

12 February 17th.

13 SUPERVISOR FOELKER: So moved.

14 SUPERVISOR POULSON: Second.

15 CHAIR JAECKEL: All -- all in favor? Aye.

16 SUPERVISOR POULSON: Aye.

17 SUPERVISOR NASS: Aye.

18 SUPERVISOR FOELKER: Aye.

19 SUPERVISOR ZASTROW: Yeah, aye.

20 CHAIR JAECKEL: Motion carries.

21

22

23

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25

1 (14:45 - 30:00)

2 CHAIR JAECKEL: All right. Moving on to  
3 number 17, discussion of possible action on petitions  
4 presented in public hearing on February 17th. Seeing  
5 how we have a fair amount for the Brunson one, why  
6 don't we start with that one, R4379A-22 and conditional  
7 use CU2108-22.

8 MR. ZANGL: All right. So the first Brunson  
9 rezone would be the A-2 zone. Along with that, you  
10 have that conditional use permit. So they are looking  
11 to create approximately a 7.4-acre A-2 zone right where  
12 Sarah's cursor is. That A-2 zone will be for  
13 conditional use for the storage of boats, very similar  
14 to the adjacent property of which would be the same  
15 owner at the end of the -- end of the process. So  
16 that's the conditional use for it. Again, the A-2 zone  
17 is about seven and a half acres, and they have that A-3  
18 zone that they're also creating around the existing  
19 home.

20 This one, we do have a fair amount of letters  
21 in the file opposed to the petition citing some reasons  
22 with the Town's Comprehensive Plan, draining, lighting,  
23 and traffic obstruction, which you heard of during the  
24 public hearing. We do have the letter from the Town of  
25 which they were in favor of this rezone request from

1 the Town Board action.

2 The Highway Department did review it, and we  
3 do have approval for an access driveway from the  
4 Highway Department. My understanding, and there --  
5 there has been some discussion, no formal complaints to  
6 the County Zoning Department or the County Highway  
7 Department regarding their existing access at W -- just  
8 east there -- 1380. If you zoom in, they have a gate  
9 there.

10 The story that I heard is as people -- as  
11 they come in with a truck and a trailer with a boat on  
12 it, to open that gate, then the back end of the boat is  
13 on the road yet and maybe there's two of them coming at  
14 the same time and then that other one has to wait on  
15 the road for a while potentially obstructing traffic.  
16 I did have that discussion with Pete Gross, the  
17 Realtor, who then talked with the owner; and he would  
18 be willing to rectify that solution, whether they --  
19 with whatever solution needs to be. It could be an  
20 electronic gate that opens ahead of time so they're not  
21 stalling on the road and potentially causing traffic  
22 concerns.

23 Along with the conditional use permit, which  
24 we can talk to later, they are proposing to have a  
25 stormwater retention device. So that will be a



1 proposed condition as some sort of stormwater  
2 management plan/erosion control plan with that  
3 proposal.

4 I believe that is all I have for you now.  
5 There were some concerns about lighting. Again, as I  
6 talked with the Realtor, who talked with the owner,  
7 they were unaware of any of these concerns previously.  
8 So we can put conditions on that they reduce the  
9 lighting. We can put conditions on the conditional use  
10 permit for any traffic concerns or obstruction of  
11 traffic with those gates.

12 SUPERVISOR NASS: Okay. I've got some  
13 questions. One of them is, okay, when we went out and  
14 saw this initially and it was boat storage, I figured  
15 it was boat storage throughout the winter; but it's my  
16 understanding that's not what goes on here. These are  
17 boat storage for people that don't have any place to  
18 put their boat. And so if -- so all summer long, they  
19 can come and get their boat, take it out, then they  
20 bring it back.

21 MR. ZANGL: The --

22 SUPERVISOR NASS: Is that correct?

23 MR. ZANGL: The -- you, as an owner of the  
24 boat, do not come to the site. Staff members from the  
25 company come to the site, pick up the boat, transport

1 it back to their shop in Oconomowoc. I think they've  
2 got one down by Elkhorn. So it's only staff members  
3 coming to get the boat. Now, if they're coming during  
4 the week of the summer to pick up a boat for use on the  
5 weekend, that I'm -- I'm not sure about.

6 SUPERVISOR NASS: Yeah, all right. And the  
7 other thing is what's the -- what's the Town  
8 Comprehensive Plan? You know, how is it not approved  
9 by that plan?

10 MR. ZANGL: That I don't know. My  
11 understanding is the Town Planning Commission denied  
12 it. And then at the Town -- Town Board, it was  
13 approved. I don't know if Lloyd has anything he wants  
14 to -- to add to that. From what I've heard, the A-2  
15 zone of this nature should be within the urban service  
16 area.

17 If you zoom, I'll put the --

18 MS. ELSNER: Uh-huh.

19 MR. ZANGL: -- farm preservation plan on,  
20 you'll see that the -- or the rural hamlet, you'll see  
21 that that boundary line is right on that property. So  
22 to the east is within that area, and to the west is  
23 outside of that area. So from what I have heard,  
24 because it's outside of that area, they would not  
25 recommend the A-2 zone. The Comprehensive Plan should

1 not then be allowing that A-2 zone in that area.

2 Had it be over one more property and within  
3 that zone, that it could be approved.

4 SUPERVISOR NASS: Well, I'm at -- I've -- I've  
5 got the feeling here, you know, there's an awful lot of  
6 people that talk about the inconsistency with their  
7 plan; and in my opinion, I think it should go back to  
8 the Town Board and -- and rectify this. It's their  
9 plan, and they need to rectify this either by changing  
10 their plan if they want to see this rezoned like this  
11 or denying it. Because I --

12 MR. ZANGL: Zoom (indiscernible).

13 SUPERVISOR NASS: It's in -- it's in our rules  
14 not to overrule the --

15 CHAIR JAECKEL: Yeah.

16 SUPERVISOR NASS: -- Town Plan.

17 CHAIR JAECKEL: (Indiscernible).

18 SUPERVISOR NASS: So --

19 SUPERVISOR: (Indiscernible).

20 CHAIR JAECKEL: Right, but we did get the  
21 approval from the Town Board, and that's where I want  
22 to ask Lloyd on it, why the -- I mean, I understand,  
23 too, from being on Town, the Planning Committee is an  
24 advisory --

25 SUPERVISOR NASS: Yeah.

1 CHAIR JAECKEL: -- committee. They're not the  
2 rule maker. So the Board must have decided that there  
3 was good reason for it that they said, yeah, we want  
4 it, and the Planning Committee didn't.

5 So I guess I was going to ask you that today,  
6 Lloyd. You're on the Board, right? I mean --

7 SUPERVISOR ZASTROW: Yep. I'm also on the --

8 CHAIR JAECKEL: Committee?

9 SUPERVISOR ZASTROW: -- Committee. I'm the --

10 CHAIR JAECKEL: I mean --

11 SUPERVISOR ZASTROW: -- Chair of the  
12 Committee.

13 CHAIR JAECKEL: Okay. So did you vote for it  
14 on the -- on the Plan Committee or against the --

15 SUPERVISOR ZASTROW: I abstained.

16 CHAIR JAECKEL: Abstained --

17 SUPERVISOR ZASTROW: I needed some --

18 CHAIR JAECKEL: -- okay.

19 SUPERVISOR ZASTROW: -- questions answered --

20 CHAIR JAECKEL: Yeah, okay.

21 SUPERVISOR ZASTROW: -- so I abstained.

22 CHAIR JAECKEL: I mean --

23 SUPERVISOR ZASTROW: And then okay. The  
24 property is owned by an elderly couple, okay? And of  
25 course, you know, I -- you know, my decisions here, and

1 at the Town level, I like to throw common sense into  
2 the ring for, you know, certain things. The fact that  
3 it borders the hamlet directly, it borders a site that  
4 currently has the buildings on it; if we would allow  
5 something like this in the Town, because it doesn't  
6 affect anything else, it's out of -- it's set back from  
7 the highway with a few trees out front of it, you'd  
8 never know it was there.

9 And the traffic situation -- well, also this  
10 older couple, they've lived there a long time, have  
11 financial troubles and they can now bail out if they  
12 sell this property and remain living there in the  
13 farmhouse. If they can't sell this, they probably --  
14 they would probably have to sell the home and move  
15 elsewhere. So, you know, that's the commonsense thing.  
16 Okay, you've got property that you can make some money  
17 on. It's in a -- in an area that is suited for having  
18 this because there's a lot right next to it with the  
19 same identical buildings, the same owner is involved  
20 with both. If this was taking place an eighth of a  
21 mile away separated from this, I would not be for it;  
22 but since it's next to something that already exists,  
23 Bill and I felt that it's an okay thing.

24 As far as being a traffic hazard, I come down  
25 Highway B six times a month to come to these meetings,

1 and many other times besides.

2 CHAIR JAECKEL: Uh-huh.

3 SUPERVISOR ZASTROW: In the last four years  
4 since the buildings have been here, I saw one boat  
5 going in, and he was pulled off the road. It wasn't  
6 one of the big ones. It was just a normal boat. And  
7 as you can see, it's right near that intersection. So  
8 the speed in that area should not be more than 25 miles  
9 an hour because they're just picking up speed to take  
10 off or declining your speed to approach Highway F  
11 there. So it's not a highway hazard.

12 As far as the lighting aspect, all the lights  
13 are mounted on the site front of the buildings to the  
14 ground.

15 CHAIR JAECKEL: Uh-huh.

16 SUPERVISOR ZASTROW: There are no light poles,  
17 you know, shining in front of anything. So, you know,  
18 that's not a problem anymore than all of the farms  
19 around who have mercury lights on their property, okay?  
20 So, you know what, this was a commonsense issue that  
21 Bill and I both felt, well, this could work. So that's  
22 -- any other questions?

23 SUPERVISOR NASS: From -- from my standpoint,  
24 I -- I agree with you, you know, absolutely. And when  
25 we looked at the property, it seemed like a natural

1 there between two -- you know, but again, I -- and --  
2 and I would be fine if the Town Board would approve it,  
3 but I think the Town Board is in violation of their own  
4 plan. And -- and if they want to do this, amend the  
5 plan, and then we can do it. Because I can't sit here  
6 as a Zoning Committee and having, in our plan saying,  
7 we honor the plans --

8 CHAIR JAECKEL: Yeah.

9 SUPERVISOR NASS: -- of the towns.

10 CHAIR JAECKEL: Uh-huh.

11 SUPERVISOR NASS: If the board over there  
12 wants to choose to violate their own law, that's their  
13 business; but not -- I'm not going to do it.

14 CHAIR JAECKEL: Yeah, uh-huh. They're going  
15 to have up to eight more of these buildings there.  
16 That's what --

17 SUPERVISOR NASS: Yeah.

18 CHAIR JAECKEL: Up to eight.

19 SUPERVISOR NASS: Yeah. And -- and I agree to  
20 it. It's a natural, it's good for them. They can  
21 still -- so I have no problems with -- with -- with  
22 rezoning it, but I don't -- I won't violate the plan.

23 CHAIR JAECKEL: Right, yeah, I agree.

24 SUPERVISOR NASS: And I -- for all the reasons  
25 that Lloyd said, I agree with you, those are all good

1 reasons; and those are all good reasons to amend your  
2 plan.

3 SUPERVISOR ZASTROW: Send it back.

4 SUPERVISOR NASS: Right.

5 CHAIR JAECKEL: Yeah, I mean, my -- my  
6 comment is I think it's totally natural to go that way.  
7 I mean, we always tell everybody, no matter what we're  
8 rezoning, to try to cluster things. So to me that  
9 totally fit the idea, regardless of anybody's personal  
10 financial issues or not, it fits, at least to my  
11 thought. I don't know, does the Town not have an  
12 exception in their plan for, you know, growth at all?  
13 That -- that's what hits me funny.

14 I think most towns have that in their plans,  
15 that there is allowable growth. I mean, you look at  
16 the rest of it, and it's all pretty well-built up in  
17 there. You -- you -- you can't squeeze it --

18 SUPERVISOR NASS: Right.

19 CHAIR JAECKEL: -- somewhere else within the  
20 hamlet, so I think they got --

21 SUPERVISOR NASS: I mean, yeah, I agree with  
22 you, George. They've got plenty of reason to amend  
23 their plan.

24 CHAIR JAECKEL: I -- yeah. I --

25 SUPERVISOR NASS: I mean, the -- the whole



1 list that Lloyd gave, and I agree with you. Just do  
2 that, and then we can approve it.

3 CHAIR JAECKEL: I mean, normally -- normally  
4 other than, how do I want to say, the -- the Plan  
5 Committee's opposition to it, I mean, a few of the  
6 neighbors that are only citing the -- the plan; to me  
7 it doesn't hold a lot of water, because we would -- we  
8 were to approve an A-2 zone like that as long as it was  
9 like that in any other jurisdiction throughout the  
10 county.

11 SUPERVISOR NASS: Uh-huh.

12 CHAIR JAECKEL: We -- we would -- we wouldn't  
13 even second guess this.

14 SUPERVISOR NASS: Uh-huh.

15 CHAIR JAECKEL: So I -- I -- I absolutely have  
16 no problems with it just for the functionality of the  
17 way it is designed and -- and looks. I mean, they  
18 said, you know, I guess, you know, we're -- I'm just  
19 talking the rezone right now, but if we got into the  
20 conditional use, I mean, they're basically bending over  
21 backwards saying they'll do whatever it takes to --

22 MR. ZANGL: Uh-huh.

23 CHAIR JAECKEL: -- you know, make it --

24 SUPERVISOR NASS: Yeah.

25 CHAIR JAECKEL: -- work.

1 SUPERVISOR ZASTROW: And just wanted to  
2 comment that I just -- those are comments that have to  
3 be brought up at our Town meeting. I -- you know,  
4 someone said they've been there for four years. I  
5 didn't think it was that long. But I've never had a  
6 complaint of any type. They operate a fantastic  
7 business.

8 SUPERVISOR NASS: Yeah. And I guess that's --

9 SUPERVISOR ZALSTROW: Our -- our --

10 SUPERVISOR NASS: -- you know --

11 SUPERVISOR ZALSTROW: -- hamlet plan is very  
12 small --

13 SUPERVISOR NASS: Uh-huh.

14 SUPERVISOR ZALSTROW: -- very limited.

15 SUPERVISOR NASS: Uh-huh.

16 SUPERVISOR ZALSTROW: And part of the hamlet  
17 is that mountain that you see on the --

18 SUPERVISOR NASS: Yeah.

19 SUPERVISOR ZASTROW: -- right side.

20 CHAIR JAECKEL: Yeah.

21 SUPERVISOR NASS: Yeah.

22 SUPERVISOR ZASTROW: You can't do anything  
23 with that.

24 SUPERVISOR NASS: Right, right.

25 SUPERVISOR ZASTROW: So there's no flat area

1 anywhere else. And then you've got all these highways  
2 coming through the hamlet using up space, too.

3 SUPERVISOR NASS: Well, and so I say, Lloyd,  
4 with all these things, just go back to your Town Board  
5 and say, let's amend the plan.

6 SUPERVISOR POULSON: Well, at the meeting,  
7 they said they were draw -- writing a new plan, they  
8 were --

9 MR. ZANGL: Uh-huh.

10 SUPERVISOR POULSON: -- working on  
11 replacing --

12 SUPERVISOR NASS: Oh, okay.

13 SUPERVISOR POULSON: -- the plan with a newer  
14 plan --

15 MR. ZANGL: Yeah.

16 SUPERVISOR POULSON: -- weren't they?

17 SUPERVISOR: (Indiscernible).

18 MR. ZANGL: Yeah, their plan is "expired."  
19 They're past their ten-year renewal --

20 SUPERVISOR: Wow.

21 MR. ZANGL: -- and they're in the process of  
22 working to update their plan.

23 SUPERVISOR NASS: So to me, I would just -- I  
24 -- I wouldn't deny this. I just, I would postpone this  
25 until it's -- until the plan is amended. That's my

1 motion.

2 SUPERVISOR POULSON: Yeah. And I'll second  
3 that motion.

4 CHAIR JAECKEL: Okay. I'll call the vote on  
5 the motion to postpone. All in favor say aye.

6 SUPERVISOR POULSON: Aye.

7 SUPERVISOR NASS: Aye.

8 SUPERVISOR FOELKER: Aye.

9 CHAIR JAECKEL: Aye.

10 SUPERVISOR ZASTROW: Aye.

11 CHAIR JAECKEL: Opposed? Motion carries.  
12 We're going to leave the conditional use off. We do  
13 have the rezone for the farm consolidation for the  
14 Brunsons, as well, if we're --

15 MR. ZANGL: Yes.

16 SUPERVISOR NASS: Yeah, that we can do  
17 right --

18 MR. ZANGL: Yeah.

19 SUPERVISOR NASS: -- now.

20 CHAIR JAECKEL: Yeah.

21 SUPERVISOR NASS: That's fine. I'll make a  
22 motion to approve (indiscernible) on it.

23 SUPERVISOR POULSON: Second.

24 CHAIR JAECKEL: Any other discussion? Do you  
25 want to read your famous words?

1 SUPERVISOR POULSON: Oh, yeah, yeah. That  
2 one. Standards for rezoning out of A-1 exclusive  
3 agricultural and unnatural resources per 91.48,  
4 Wisconsin State Statutes and 11.11(c)6, Johnson County  
5 Zoning Ordinance.

6 MS. MAGRITZ: And likely, you condition an  
7 approval upon --

8 MR. ZANGL: Yeah, these are all screwed up.

9 MS. MAGRITZ: Yeah, okay. I see. I see.  
10 I'll put recording of the final certified survey map.

11 \* \* \*

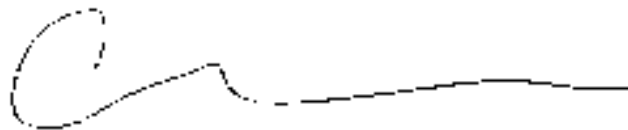
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I, CHRISTINE AIELLO, do hereby certify that I transcribed the audio, and that the foregoing is a true and complete transcription of the audio transcribed under my personal direction.

IN WITNESS WHEREOF, I do hereunto set my hand at Blaine, Washington, this 15th day of February, 2023.



---

Christine Aiello

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