

**RESOLUTION 2021-003**

**Sponsor: Chairman Larry Kau**

**TOWN OF PALMYRA**

WHEREAS, on February 15, 2021, the Town of Palmyra received an application from Jefferson County Planning and Zoning Department for petition # **R4309A-21-John and Michelle Mehring**, seeking to re-zone a portion of parcel #024-0516-3342-001 from I to A-3; and

WHEREAS, at the March 8, 2021 Palmyra Town Board meeting, during Mr. Mehring's presentation of his proposed re-zone, Mr. Mehring mistakenly stated that he had contacted adjacent property owners and they had no objection; and

Whereas, within the week of March 8, 2021, after the Palmyra Town Board approved the re-zone on March 8, 2021, the Palmyra Town Board and the Jefferson County Zoning Committee received numerous letters of objection from adjacent property owners, and

WHEREAS, Wis. Stat. #59.69 2(f) states: "Whenever a county development plan, part thereof or amendment thereto is adopted by ..... the board, a duplicate copy shall be certified by the clerk and sent to the municipal clerks of the municipalities affected thereby; and

WHEREAS, the Jefferson County Board, on February 9, 2021 voted unanimously to approve the updated "Comprehensive Plan" and "Farmland Agricultural Preservation and Land Use Plan"; and

WHEREAS, the Jefferson County Board failed to provide notice of the updated Comprehensive Plan and Farmland Agricultural Preservation and Land Use Plan to the Clerk of the Town of Palmyra until April 6, 2021; and

WHEREAS, when considering the Mehring re-zone petition the Palmyra Town Board had not yet received the updated Comprehensive Plan and Farmland Agricultural Preservation and Land Use Plan; and

WHEREAS, when considering the Mehring re-zone petition, the Palmyra Town Board did not consider the following Land Use Goals as set forth in the updated Jefferson County Comprehensive Plan and Farmland Agricultural Preservation and Land Use Plan:

1. "Preserve and enhance the county's rural character, including community character, farmland, and natural resources... ". In fact, the proposed re-zone is adjacent to the Southern Kettle Moraine Forest and is not within a residential area.

3. "Ensure that new development aligns with the existing development and preserves and enhances the natural environment of the county." In fact, Residential development in this area does not align with existing development and detracts from the natural environment of the Kettle Moraine Forest; and

WHEREAS, when considering the Mehring re-zone petition the Palmyra Town Board did not consider the following Agricultural, Natural and Cultural Resources Goals:

1. *"Preserve, protect and enhance the quality and quantity of Jefferson County's natural and cultural resources..."* This re-zone neither protects nor enhances the natural and cultural resources.
3. *"Preserve, protect and expand the natural resources of the county for use and enjoyment by future generations of residents and visitors."* Residential development in this area will not protect the natural resources of the county and in fact will create the opportunity for conflict between home-owners and visitors to the State Natural Area, as it is immediately adjacent to the Bald Bluff Parking Area and the Ice Age Trail.
4. *"Protect sensitive environmental corridors and resources, wildlife habitat and local cultural and historic resources for current and future residents."* In fact, this property is adjacent to the Ice Age Trail and immediately adjacent to the Southern Kettle Moraine Forest's Bald Bluff. All but a very small portion of the proposed re-zone lies within an environmental corridor. Residential development in this area will be in direct opposition to Goal 4 of the Agricultural, Natural and Cultural Resources Goals.
6. *"Carefully plan for siting of development to protect agricultural, natural and cultural resources within the county."* In fact, residential development in this area will not protect the natural and cultural resources, i.e. the Kettle Moraine Bald Bluff and the associated natural areas and the natural and cultural resources within this area, including the areas frequented and considered sacred by Indigenous Peoples; and,

WHEREAS, as a result of both the applicant's initial misunderstanding of adjoining landowners' concerns and thus the Palmyra Town Board's misunderstanding, and the lack of communication from the County Zoning Department regarding the vision and goals of the Jefferson County Comprehensive Plan and Jefferson County Agricultural Preservation Plan; and

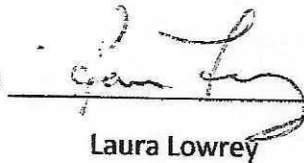
WHEREAS these issues resulted in the Palmyra Town Board's initial decision to approve **R4309A-21-John and Michelle Mehring** on March 8, 2021; and,

WHEREAS members of the Palmyra Town Board individually and in concert requested that the petition be returned to the Palmyra Town Board for reconsideration, but it was not, and,

Whereas, WI Statute 59.69 6 states: *The county clerk shall submit under par. (g), within 7 days of its enactment, any ordinance relating to the location of boundaries of districts only to the town clerk of the town in which the lands affected by the change are located. Such an ordinance shall become effective 40 days after enactment of the ordinance by the county board unless such town board prior to such date files a certified copy of a resolution disapproving of the ordinance with the county clerk.*

NOW, THEREFORE, BE IT RESOLVED that the Town Board of the Town of Palmyra does hereby veto the decision made on May 11, 2021 by the Jefferson County Board of Supervisors to approve **R4309-21-John and Michelle Mehring: Re-zone to create three new building sites south of N252 CTY Rd. H in the Town of Palmyra from part of PIN 024-0516-2444-001.**

ADOPTED




6/14/2021

Laura Lowrey

CLERK/TREASURER

ADOPTED



6/14/2021

Larry Kau

TOWN CHAIRPERSON