

**2022 AMENDMENT TO SITING AGREEMENT  
BETWEEN MARATHON COUNTY AND  
THE TOWN OF RINGLE  
BLUEBIRD RIDGE RECYCLING AND DISPOSAL FACILITY**

**THIS AMENDMENT TO THE SITING AGREEMENT** (“2022 Amendment”) made this \_\_\_ day of November, 2022 by and between MARATHON COUNTY, a quasi-municipal corporation of Marathon County, Wisconsin, hereinafter referred to as "COUNTY" located at 500 Forest Street, Wausau, Wisconsin and TOWN OF RINGLE, a Wisconsin municipal corporation located at 223207 Abt Road, Ringle, Wisconsin, hereinafter referred to as “TOWN”.

**WITNESSETH:**

**WHEREAS**, the COUNTY and TOWN entered into a Siting Agreement for the Bluebird Ridge Recycling And Disposal Facility executed on May 12, 2014 by the TOWN and May 20, 2014 by the COUNTY (“Siting Agreement”);

**WHEREAS**, the Siting Agreement sets out the rights, duties and obligations of the parties relative to Bluebird Ridge Recycling and Disposal Facility (“BRRDF”) and resolving other issues related to the Solid Waste Management Facility as set forth therein;

**WHEREAS**, as a result of the successful relationship between the parties, the COUNTY, desires to enlarge BRRDF, hereinafter to be known as the “Bluebird Ridge Recycling and Disposal Facility 2022 Western Expansion” (“BRRDF 2022 Western Expansion”);

**WHEREAS**, the BRRDF 2022 Western Expansion will be a phased expansion to include a modification to the current phase 5B and creation of phases 6 through 8 over an additional 34.5 horizontal acres with an additional capacity of approximately 5.2 million cubic yards;

**WHEREAS**, pursuant to Wis. Stat. § 289.3399(c) and on September 16, 2022, the parties successfully mediated the local approval of the TOWN related to BRRDF 2022 Western Expansion;

**WHEREAS**, the Mediated Agreement is attached hereto as Exhibit 1;

**WHEREAS**, this 2022 Amendment is intended to formalize said Mediated Agreements.

**NOW, THEREFORE**, in consideration of the mutual promises, obligations and benefits provided herein, the receipt and adequacy of which is hereby acknowledged, the COUNTY and TOWN agree as follows:

1. As used in this 2022 Amendment, except as modified herein, the meaning of a word shall be in accordance with the definition given those terms defined in the Siting Agreement or in the attached Exhibit and having an initial capital letter in the text of said word. Collectively, the Siting Agreement and this 2022 Amendment shall be referred to herein as “Agreements”. The Definitions of the following are hereby amended as follows:

“Bluebird Ridge Recycling and Disposal Facility” (“BRRDF”) means the landfill cells shown on the site map which is attached hereto and incorporated herein by reference on Exhibit “A”, consisting of five phases having a combined capacity of 2,900,000 cubic yards and further includes the modification to phase 5B and phases 6 through 8 over an additional 34.5 horizontal acres with an additional capacity of approximately 5.2 million cubic yards.

“BRRDF 2022 Western Expansion” means a phased expansion including modification to phase 5B and creation of phases 6 through 8 over an additional 34.5 horizontal acres with an additional capacity of approximately 5.2 million cubic yards.

“Landfill Monitoring Committee” means a committee consisting of seven (7) persons consisting of three persons from the TOWN and three persons from the COUNTY with the seventh member being a neutral ex-officio member who has expertise in landfill operations selected by mutual agreement of the parties and whose duties are as set forth on Exhibit 1 and hereinbelow.

2. Article I is hereby amended to include BRRDF 2022 Western Expansion.

3. Article II, Section 1 of the Siting Agreement is hereby amended to add the following:

The Designated Roadways as set forth in the Siting Agreement are to be the only routes of travel for surveying, planning, environmental monitoring and testing, construction, hauling, disposal operations, maintenance, Closure, Long-Term Care and emergencies at the Solid Waste Management Facility. The TOWN intends and is authorized to enact a local traffic route ordinance and create the office of Town Constable for enforcement of the same. Wisconsin traffic laws require posting of Town Roads as a prerequisite for enforcement. The COUNTY, within thirty (30) days of receipt of the cost of the same by the TOWN, shall reimburse the TOWN for signage under this Section. All signage herein shall be installed by the TOWN at its sole cost and liability. The parties estimate that approximately no more than twelve (12) signs will be needed.

4. Article VI, Section 4 of the Siting Agreement is hereby created to provide as follows:

4. **Landfill Monitoring Committee (“Committee”).**

A. The Committee shall not be established as a public body under Ch. 19 Wis. Stats., nor shall it have official or contractual authority related to the operations at the SWMF.

B. The Committee shall be comprised of seven members.

1. Six members of the Committee shall be appointed by the parties to this agreement (the party members). The 6 party members shall be selected as follows:

- The Director of the Marathon County Solid Waste Department (“Director”) shall provide the Town a list of 6 potential Committee members

- The Town Chair shall provide the Director a list of 6 potential Committee members
- the 6 members selected by the Town Chair shall be residents of the TOWN
- each party shall strike 3 members from the submitted list and those remaining shall constitute the party members of the Committee.

2. The seventh member of the Committee (the ad hoc member) shall be a neutral ex-officio member who has expertise in landfill operations selected by mutual agreement of the parties and whose duties are as set forth on Exhibit 1 and hereinbelow.

C. The Committee shall develop organizational rules governing the Committee, replacement of members, officers and conduct of Committee business. The Committee shall meet at least monthly until otherwise determined by majority vote of the Committee.

D. The COUNTY shall provide the following funding of the Committee:

i. A per diem to Committee members of \$100 per meeting attended, not to exceed twelve (12) meetings per calendar year.

ii. Compensation shall be paid hourly to the neutral ad hoc member not to exceed \$25,000 in total compensation per year.

E. Consistent with other members of the public, the Committee members, the ad hoc member, and any Town official may visit BRRDF for non-technical inspection any time during regular business hours.

F. The Committee members, the ad hoc member, and any Town official may visit the BRRDF for technical inspection upon providing two (2) business day notice as set forth in IN Article VI, Section 3, P.i. with the terms of the 2014 Siting Agreement governing said site visits.

G. The Committee shall monitor, review, investigate and make recommendations related to operations of BRRDF, consistent with the Plan of Operation related to issues including, but not limited to:

- i. Litter/debris control
- ii. Odor control
- iii. Sufficient daily cover
- iv. Well monitoring and testing
- v. Leachate monitoring, testing and migration attenuation
- vi. Greenspace
- vii. Other operational issues involving citizen complaints made from time to time

H. The County shall provide the Committee all documents designated for exchange under the Siting Agreement (See Article VI, Section 1) monthly or more frequently as designated by the Committee.

I. The constituent members of the Committee shall routinely communicate the affairs of the Committee to their respective governing bodies. Should the Committee perceive violations of the Plan of Operation, the Committee shall work closely with the SWD to correct any actual non-conformance. Disagreements related to compliance after consultation and/or attempts at corrective action may be referred by the Committee to the Wisconsin Department of Natural Resources.

5. Article X of the Siting Agreement is hereby amended as follows:

**6. Host Fee Payment.**

A. Per Ton Fee.

The COUNTY agrees to pay the TOWN a per ton host fee for all Solid Waste that goes across the scale or is otherwise accepted at the Solid Waste Management Facility, that is deposited directly or after Storage into BRRDF, and for which the COUNTY receives payment/fees. For any Solid Waste not weighed on a per ton basis, the COUNTY shall use a reasonable conversion rate to evaluate tonnage. The per ton host fee shall be \$2.13 per ton of Solid Waste. This fee shall be in place through December, 2023. Thereafter, the fee shall be adjusted per the annual adjustment set forth in Article X, Section 6.A. of the Siting Agreement. However, the maximum annual CPI increase or decrease set forth in Article X, Section 6.A. shall be limited to a maximum increase or decrease of four (4%) percent.

**10. Sociological Payment.**

The COUNTY shall pay Sociological Payments of up to Thirty Thousand (\$30,000) for purpose of sociological payments to affected residents related to potential impacts associated with the expansion of the landfill, including odor (“Annual Sociological Payment”). The Committee shall, on an annual basis, prepare a sociological payment plan identifying Eligible Recipients and Designated Share of the \$30,000. Each Eligible Recipient shall annually be provided with notice of the available designated share together with a Receipt and Release in form acceptable to the COUNTY. Upon receipt of the Receipt and Release, the COUNTY shall promptly pay the Eligible Recipient the Designated Share. Sociological payments shall commence in 2023; the final payment shall be in 2032 or upon execution of a Second Amendment to the Siting Agreement, whichever occurs first.

The COUNTY shall pay the TOWN within thirty (30) days of full execution of this 2022 Amendment the sum of \$20,000.00 which sum represents the TOWN’s statutory negotiation-arbitration expenses related to this 2022 Amendment.

The COUNTY shall pay the fees of the mediator related to the mediation of this 2022 Amendment.

6. This 2022 Amendment shall amend and modify only the related provisions in the Siting Agreement referenced herein, for the limited purpose hereof, and all other provisions of the Siting Agreement are hereby reaffirmed.

7. In the event of a conflict between any of the terms, conditions or provisions set forth in the Siting Agreement, Exhibit 1 and those set forth in this 2022 Amendment, the terms, conditions and provisions set forth in this 2022 Amendment shall control, subject to Paragraph 6 hereinabove.

8. This 2022 Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute one and the same instrument.

**IN WITNESS WHEREOF**, the parties hereto have executed this 2022 Amendment to amend and modify the Siting Agreement, as of the date and year set forth above, and by so signing this 2022 Amendment, the signatories below certify that they have been duly and properly authorized by their respective entities to make the commitments contained herein, intending them to be binding upon their respective entities and to execute this 2022 Amendment on their behalf.

**[SIGNATURES/ACKNOWLEDGMENTS ON FOLLOWING PAGES]**

**COUNTY OF MARATHON**

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Kurt Gibbs, Chairperson

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Lance Leonhard, Administrator

Dated: \_\_\_\_\_

Attest: \_\_\_\_\_  
Kim Trueblood, County Clerk



**TOWN OF RINGLE**

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Al Christiansen, Chairperson

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Myron Podjaski, Supervisor

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Henry Blarek, Jr., Supervisor

**TOWN OF RINGLE  
LOCAL COMMITTEE**

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Chris Kielman, Chair

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Myron Podjaski, Member

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Scott Habeck, Member

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Mark Kluck, Member

Attest: \_\_\_\_\_  
Paula Zynda, Town Clerk

**RESOLUTION #R-**

**APPROVING THE AMENDED SITING AGREEMENT BETWEEN  
MARATHON COUNTY AND THE TOWN OF RINGLE FOR BLUEBIRD  
RIDGE RECYCLING AND DISPOSAL FACILITY PHASES 6-8**

**WHEREAS**, Marathon County is authorized to establish a solid waste management system pursuant to §59.70(2), Wis. Stats.; and

**WHEREAS**, Marathon County has, pursuant to said authorization, established a solid waste management board pursuant to §2.05(9) of the General Code of Ordinances for Marathon County (Gen Code Ord.); and

**WHEREAS**, the Solid Waste Management Board issued legally required notifications to affected municipalities, pursuant §289.22, Wis. Stats., of their intention to expand, construct and operate a municipal solid waste landfill, Bluebird Ridge Recycling and Disposal Facility, in the Town of Ringle; and

**WHEREAS**, pursuant to §289.33, Wis. Stats., the Town of Ringle adopted a siting resolution and registered their status as an affected municipality and formed a local committee to negotiate terms of amended siting agreement for the operations of Bluebird Ridge Recycling and Disposal Facility Phases 6-8; and

**WHEREAS**, Marathon County and the Town of Ringle settled upon mediated terms for the various facets of the amended siting agreement and Marathon County wishes to begin conducting operations at Bluebird Ridge Recycling and Disposal Facility Phase 6-8 and cannot do so without formal approval of the amended siting agreement by the county board of supervisors; and

**WHEREAS**, the Town of Ringle board of supervisors will independently approve the amended siting agreement and mediated terms; and

**WHEREAS**, the Solid Waste Management Board has reviewed and approved the amended siting agreement; and

**WHEREAS**, the Environmental Resource Committee has also reviewed and approved the amended siting agreement.

**NOW, THEREFORE, BE IT HEREBY RESOLVED AND ORDAINED** that the Board of Supervisors for the County of Marathon does hereby approve the attached Amended Siting Agreement Between Marathon County and the Town of Ringle for Bluebird Ridge Recycling and Disposal Facility Phases 6-8.

**BE IT FURTHER RESOLVED** that all appropriate officers and administration of Marathon County are hereby authorized and directed to implement the terms and conditions of this resolution.

Respectfully submitted this \_\_\_\_\_ day of January 2023.

**Solid Waste Management Board**

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**Environmental Resources Committee**

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**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, November 29, 2022  
500 Forest Street, Wausau WI**

<b>Attendance:</b>	<b><u>Member</u></b>	<b><u>Present</u></b>	<b><u>Not present</u></b>
<i>Chair</i>	Jacob Langenhahn.....	X	} Via in person, Webex Or phone
<i>Vice-Chair</i>	Allen Drabek.....	X	
	Rick Seefeldt .....	X	
	Dave Oberbeck .....	X	
	Andrew Venzke.....	X	
	Tony Sherfinski.....	X	
	Kim Ungerer .....	(Excused) X	
	Mike Ritter.....	X	
	Marilyn Bhend.....	X	
	Rodney Roskopf.....	X	

Also present via Webex, phone or in person: Laurie Miskimins, Nicole DeLonay, Shad Harvey, Garrett Pagel, Kirstie Heidenreich– Conservation, Planning, and Zoning (CPZ); Chris Holman – Deputy County Administrator, Lance Leonhard –County Administrator, Meleesa Johnson & Dave Hagenbucher – Solid Waste, Michael Puerner – Corporation Counsel, Jamie Polley & Tom Lovlien – Parks and Recreation, Steve Buntin – Town of Wausau, Jared Grande – Town of Rib Mountain, Melissa Freund, Carolyn Krimmer

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m.
2. **Pledge of Allegiance to the Flag**
3. **Public Comment** – None.
4. **Approval of November 1, 2022, Committee minutes**

**Motion** / second by Sherfinski/ Drabek to approve of the November 1, 2022, Environmental Resources Committee minutes.

Motion **carried** by voice vote, no dissent.

**5. Operational Functions required by Statute, Ordinance, or Resolution:**

**A. Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**

1. Terrance Marsh – G-A General Agriculture to R-E Rural Estate – Town of Rib Falls

**Discussion:** Pagel was sworn in and noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town of Rib Falls has reviewed the application and recommends approval without any concerns or additional comments.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:12 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

**Action: Motion** / second by Drabek/ Sherfinski to recommend approval to County Board, of the - Marsh rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

October 4, 2022

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

2. Dan & Carolyn Krimmer– R-R Rural Residential to G-A General Agriculture – Town of Plover

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:20 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ritter/Drabek to recommend approval to County Board, of the Krimmer rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

3. Riverside Land Surveying – Nathan Wincentsen on behalf of Thomas and Nichole Buchkowski – G-A General Agriculture to R-E Rural Estate – Town of Reid

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request of Lot #1 shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town of Reid has reviewed the application and recommends approval without any concerns.

Melissa Freund was sworn in and indicated she is available for any questions regarding the Buchkowski rezone.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:30 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Seefeldt/ Roskopf to recommend approval to County Board, of the Buchkowski rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite the rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)

Environmental Resources Committee Minutes

October 4, 2022

1. Town of Rib Mountain –RA-1 to MR-4 & SR-2

Action: **Motion** / second by Oberbeck/ Sherfinski to approve the Town of Rib Mountain rezone and Adoption of a Town Zoning Ordinance and Zoning District Map consistent with Wis. Stats., 60.62(3).

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

2. Town of Wausau – Commercial/ Light Manufacturing District to Agricultural Transition District

Discussion: Corporation Counsel clarified the reasoning for the independently zoned towns to come through the ERC Committee.

Action: **Motion** / second by Sherfinski/ Roskopf to approve the Town of Wausau rezone and Adoption of a Town Zoning Ordinance and Zoning District Map consistent with Wis. Stats., 60.62(3).

Motion **carried** by voice vote, no dissent.

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

C. Review and Possible Recommendations to County Board for its Consideration –

1. Approve the Annual County Forest Work Plan

Discussion: Lovlien referred to the 2023 County Forest Work Plan that was provided in the packet, the work plan is brought to the committees for approval so Parks and Forestry can apply for grants. Lovlien provided clarification to #10 within the work plan.

Action: **Motion** / second by Seefeldt/ Drabek

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

2. Application For County Forest Acreage Share Loan Payment

Discussion: Lovlien discussed the resolution to ask the DNR to approve a roughly \$15,000 interest free loan to use towards forestry maintenance, preservation, and purchase to County Forest land. This is a paid back loan.

Action: **Motion** / second by Ritter/ Venzke

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

3. Revisions to Marathon County General Code Chapter 16

Discussion: Lovlien discussed the change within chapter 16.06(1) that will be corrected. Additional language will be added.

Action: **Motion** / second by Oberbeck/Sherfinski

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

4. Revisions to Marathon County General Code Chapter 19

Discussion: Polley discussed the updates within the Chapter 19. Proposed amendments to chapter 19 include updates to 19.04(2), 19.05(1), 19.08(4) and 19.10(2).

Action: **Motion** / second by Seefeldt/ Drabek

Follow through: Forward to County Board for action at their next regularly scheduled meeting.

5. Adoption of the Westside Master Plan

Discussion: Polley discussed the Westside Master Plan that is being brought to the ERC Committee to be forwarded to the County Board for adoption. The Westside Master Plan covers three areas of interest which include Marathon Park, UWSP at Wausau, and a redevelopment area along West St and Pardee St. Polley indicated this is the final plan developed and is currently in draft form until adopted. This plan has previously gone to the Infrastructure Committee, which indicated the area south of the park be considered a redeveloped area. Polley discussed a few of the improvements that the plan could cover over the next few years. This is the first step in the Westside Master Plan. Adoption of the document does not mean everything in it would be implemented or implemented exactly as recommended in the plan. It is framework of recommendations for what the area could evolve to in the next 15-20 years. Funding availability, changing priorities, community input, further design and analysis could all alter recommendations in the plan and what actually gets implemented. Administrator Leonhard discussed that this is the draft master plan that will need additional evaluation and design as it proceeds forward. The funding will be discussed as the plan is implemented within the next 5 to 10 years. This version of the master plan has been presented to the Parks Commission and HR Finance Committee.

October 4, 2022

Follow through: Requests from the committee were made that language be added indicating this is non-bidding plan, and further engagement with and acknowledgement of the recommendations from the clubs that are associated with Marathon Park is requested prior to the final submittal of the plan for adoption. Motion to forward to the County Board for the educational presentation and return to ERC Committee for final approval.

6. Amended 2022 Capital Project Request – Phase A Closure Project & Funding Sources

Discussion: Hagenbucher discussed funding status of the 2022 Capital Project Request. This project is scheduled to wrap up within the next month or so.

Action: Forward to County Board for action at their next regularly scheduled meeting.

Follow through: **Motion** / second by Sherfinski/ Venzke

7. Negotiated Agreement with the Town of Ringle for siting of Phases 6-8 of Bluebird Ridge

Discussion: This agenda item will be moved to the next ERC Meeting.

D. Review and Possible Action - None.

6. **Educational Presentations/Outcome Monitoring Reports and Committee Discussion**

Department Updates: Conservation, Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF), Solid Waste

1. 2023 Zoning Amendment Updates: Chapter 17 & Chapter 22

Discussion: Harvey updated the committee regarding some of the potential updates to the Marathon County Chapter 17 & Chapter 22 zoning codes, schedule, and next steps. Town input is being accepted through December 16, 2022, and a draft of changes will be presented to the ERC in January. An Open House is also held in January for Towns to come and give final input.

Follow through: Future discussions will take place and forthcoming meetings with the hopes of adoption at the February or March meeting.

7. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration**

A. Review feedback from Executive Committee on Strategic Plan Updates

Discussion: Chair Langenhahn discussed feedback from the Executive Committee regarding the outcomes measures that were forwarded to the Executive Committee. The Executive Committee asked for further clarification of Objective 5.2 Outcome Measure #3 and whether the outcome should be changed. Polley explained the reasoning behind the number in the outcome measure and the ERC agreed to keep it as already presented to the Executive Committee.

Follow through: Langenhahn will take original revisions for Objectives 5.2 & 6.3 back to the Executive Committee; no changes proposed.

B. Update on the Environmental Impact Funds

i. Updated MCDEVCO Loan Program

ii. Potential for funding the Groundwater Plan Efforts

iii. Other potential projects

Discussion: Miskimins presented an overview of the Environmental Impact Funds, what is in the funds, and a status on the last awarded project: the MCDEVCO/POWTS Loan Program. Miskimins also discussed potential for funding Groundwater Plan Efforts and Big Eau Pleine aerators with the remaining EIF balance. Miskimins explained the awarded EIF project of \$650,000 to the POWTS loan program should remain. The remaining \$550,000 could be allocated to other county environmental needs including the Groundwater Plan and the aerator replacement at Big Eau Pleine. Discussion continued regarding the importance behind why the aerator replacement should be considered. The committee discussed potential of using remaining funds.

Follow through: The committee directed CPZ to come back before the ERC in January with further information on the Groundwater Plan and the aerators at the Big Eau Pleine, along with resolutions to move forward to HR Finance and County Board for consideration.

October 4, 2022

**8. Next meeting date, time & location, and future agenda items:**

**Tuesday, January 3, 2022, 2022 3:00 p.m. *Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI***

- A. Committee members are asked to bring ideas for future discussion
- B. Announcements/Requests/Correspondence
  - 1. Reminder of 2023 Environmental Resources Committee Meeting Dates
  - 2. This is Meleesa Johnson's last ERC meeting, as she will be retiring. Thank you for your service to Marathon County.

**9. Adjourn – Motion/ second by Venzke/ Drabek to **adjourn** at 6:09 p.m. Motion **carried** by voice vote, no dissent.**

Laurie Miskimins, CPZ Director

For Jacob Langenhahn, Chair

cc: (via email/web site) ERC members; County Administrator; Corporation Counsel; County Clerk

LM/nd



## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Tuesday, January 3rd, 2023 at 3:00 p.m., Marathon County Courthouse Assembly Room B-105 500 Forest Street Wausau 54403, at which time the Committee will consider the following:

1. The petition of Aaron Karlen on behalf of Tim and Tracey Karlen to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of Lot 2 of Certified Survey Map 14859-66-131, located in the Southeast ¼ of the Northwest ¼ of Section 13, Township 28 North, Range 4 East, Town of Wien. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #084.2804.132.0990.
2. The petition of Tim Vreeland on behalf of Margaret Fuentes to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from R-E Rural Estate to R-R Rural Residential described as Lot 1 of Certified Survey Map recorded in Volume 70, Page 144, Document # 1549681 located in the Northwest ¼ of the Fractional Northeast ¼, of Section 2, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 and Lot 2 of the preliminary CSM. Parent Parcel #048.2607.021.0987.
3. The petition of Richard Kersten and Cristy Wick to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of the Southeast ¼ of the Northwest ¼ of Section 27, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #048.2607.272.0991.

All interested persons will be provided the opportunity to be heard at the public hearing. Those planning to attend this meeting who need some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500. Please call at least one business day in advance of the meeting.

In the event you are unable to attend the public hearing and wish to provide written testimony prior to the hearing please forward to: Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449 Jacob Langenhahn – Environmental Resource Committee Chair.

**We are encouraging people to attend the meeting by phone. Please call into the telephone conference ten minutes prior to the start time indicated above using the following number:**

**Phone Number: 1-408-418-9388**

**Access Code/ Meeting Number: 2482 290 3069**

**PLEASE NOTE: If you are prompted to provide an "Attendee Identification Number" enter the # sign. No other number is required to participate in the telephone conference.**



Jacob Langenhahn, Chairman  
Environmental Resources Committee



Laurie Miskimins Director  
Conservation, Planning, and Zoning Department

**Publish: December 19 & December 26, 2022**

E-mailed to: Wausau Daily Herald ([WDH-Legals@wdhmedia.com](mailto:WDH-Legals@wdhmedia.com)) on December 14, 2022 at 12pm

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):  
Aaron Karlen 308 Brooklyn Ave Edgar WI  
54426

hereby petition to rezone property owned by (Name & Address): Tim & Tracy Tracey  
Karlen P.O. Box 284 Edgar WI 54426

from the classification G-A, General Ag to RR, Rural Residential

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): See attached CSM

Parcel Identification Number (PIN): 084-2804-132-0990

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
A residential Home

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. General Rural Utilities serve the property.  
Access will be through an easement.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.  
No Burden Expected.

C. What have you done to determine that the land is suitable for the development proposed?  
lands are all uplands.

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. No adverse effects expected.

E. Explain any potential for conflict with existing land uses in the area. No Conflict expected. Several like zoned properties in the area

RECEIVED

NOV 07 2022

(OVER)

MARATHON CO. CONSERVATION,  
ZONING DIVISION

- F. Demonstrate the need of the proposed development at this location. This is the area I would like to build a home.
- G. What is the availability of alternative locations? Be specific. No Alternative.  
These are the lands owned by my father.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? The area being rezoned is a field, but there isn't much for cropland on the property.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. The home will be located in the middle of the 3.5 Ac parcel.

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature Aaron Karlen Phone 715-432-7600 Date 10-31-22

8. Owner's Signature Tracey Karlen Phone (715) 544 6893 Date Oct 31 2022

Date Fee Received: \_\_\_\_\_

**Fee \$600.00 PAYABLE TO MARATHON COUNTY**

**Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.**

# CERTIFIED SURVEY MAP

## MARATHON COUNTY NO. \_\_\_\_\_

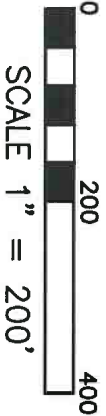
NORTHEAST CORNER  
SECTION 13-28-4 EAST  
SMP SPIKE FOUND

**VREELAND ASSOCIATES, INC.**  
**LAND SURVEYORS & ENGINEERS**  
 6103 DAWN STREET WESTON, WI. 54476  
 PH (715) 241-0947 tim@vreelandassociates.us

PREPARED FOR: **AARON KARLEN**

FILE #: 22-0485 KARLEN

DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND



**LEGEND**

- Ⓐ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- ⊙ = 1" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP

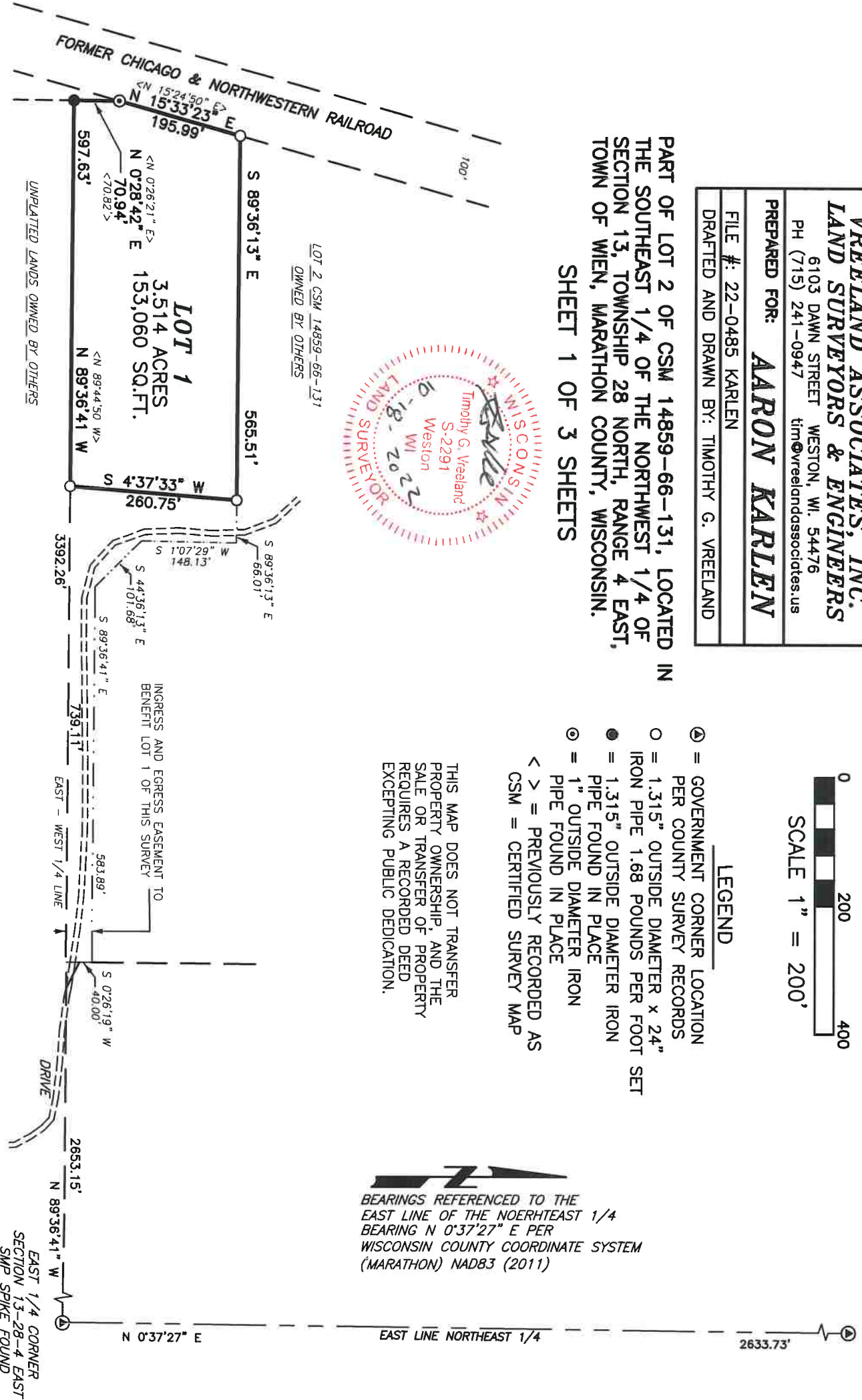
PART OF LOT 2 OF CSM 14859-66-131, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN.

SHEET 1 OF 3 SHEETS



THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPTING PUBLIC DEDICATION.

BEARINGS REFERENCED TO THE EAST LINE OF THE NORTHEAST 1/4 BEARING N 0°37'27" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)



EAST 1/4 CORNER  
SECTION 13-28-4 EAST  
SMP SPIKE FOUND

**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

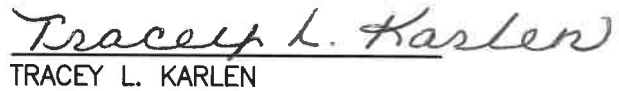
PART OF LOT 2 OF CSM 14859-66-131, LOCATED IN THE SOUTHEAST  
1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 28 NORTH,  
RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN.  
SHEET 3 OF 3 SHEETS

**OWNERS CERTIFICATE OF DEDICATION**

AS OWNERS, WE TIMOTHY J. KARLEN AND TRACEY L. KARLEN, OWNERS, DO HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THE MAP. WE ALSO CERTIFY THAT THIS MAP IS REQUIRED BY s.236.10 OR s.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: THE COUNTY OF MARATHON.

WITNESS THE HAND AND SEAL OF SAID OWNER ON THIS 31 DAY OF October 2022.

  
TIMOTHY J. KARLEN

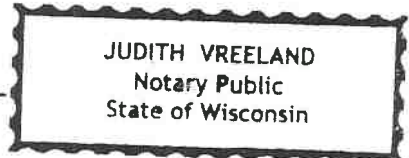
  
TRACEY L. KARLEN

STATE OF WISCONSIN) SS  
MARATHON COUNTY)

PERSONALLY CAME BEFORE ME THIS 31 DAY OF October, 2022, THE ABOVE NAMED TIMOTHY J. KARLEN AND TRACEY L. KARLEN TO ME KNOWN TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

  
NOTARY PUBLIC, MARATHON COUNTY, WISCONSIN

MY COMMISSION EXPIRES 10/30/2023



Grantor for themselves, their heirs, legal representatives, purchasers, successors and assigns, a permanent and perpetual easement for ingress and egress, above, over and through the following described:



**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

PART OF LOT 2 OF CSM 14859-66-131, LOCATED IN THE SOUTHEAST  
1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 28 NORTH,  
RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 3 SHEETS

**SURVEYORS CERTIFICATE**

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF AARON KARLEN, I SURVEYED, MAPPED AND DIVIDED PART OF LOT 2 OF CERTIFIED SURVEY MAP NUMBER 14859, RECORDED IN VOLUME 66 ON PAGE 131, LOCATED IN THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 28 NORTH, RANGE 4 EAST, TOWN OF WIEN, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 13; THENCE N 89°36'41" W ALONG THE EAST - WEST 1/4 LINE 3392.26 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°36'41" W ALONG THE EAST - WEST 1/4 LINE 597.63 FEET; THENCE N 0°28'42" E ALONG THE WEST LINE OF SAID LOT 2 70.94 FEET; THENCE N 15°33'23" E ALONG THE WEST LINE OF SAID LOT 2 195.99 FEET; THENCE S 89°36'13" E 565.51 FEET; THENCE S 4°37'33" W 260.75 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF WIEN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



*Timothy G. Vreeland*

DATED THIS 18TH DAY OF OCTOBER, 2022  
SURVEY PERFORMED OCTOBER 12TH, 2022

TIMOTHY G. VREELAND

P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_

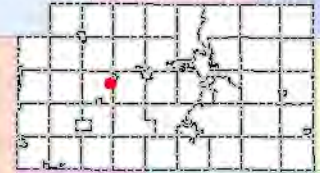
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO \_\_\_\_\_



# Land Information Mapping System

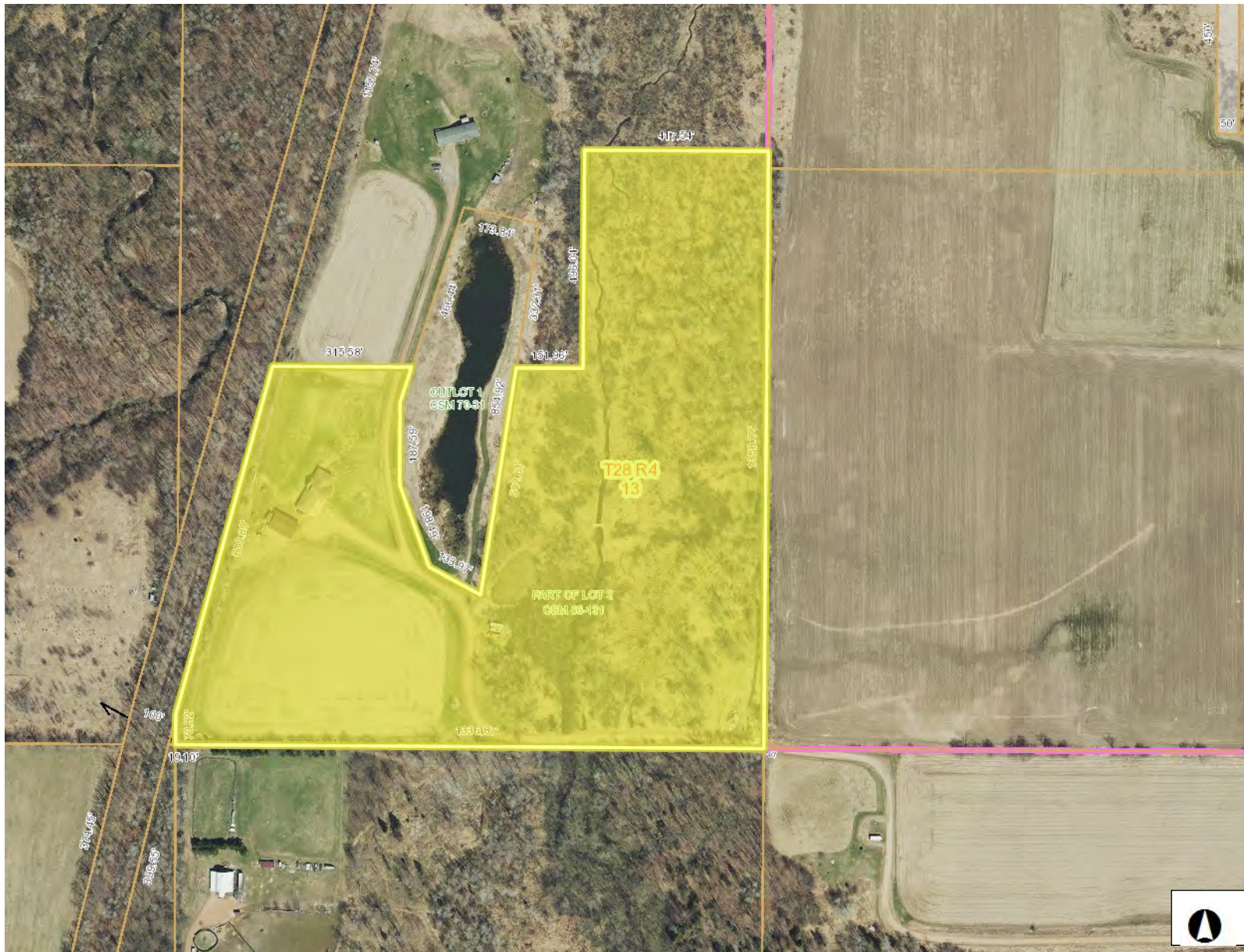
TAYLOR

LINCOLN



WOOD

PORTAGE



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

169.62 0 169.62 Feet



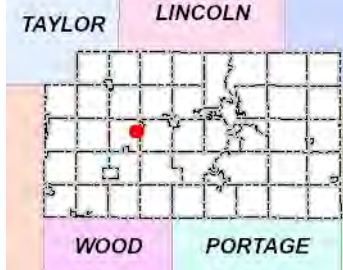
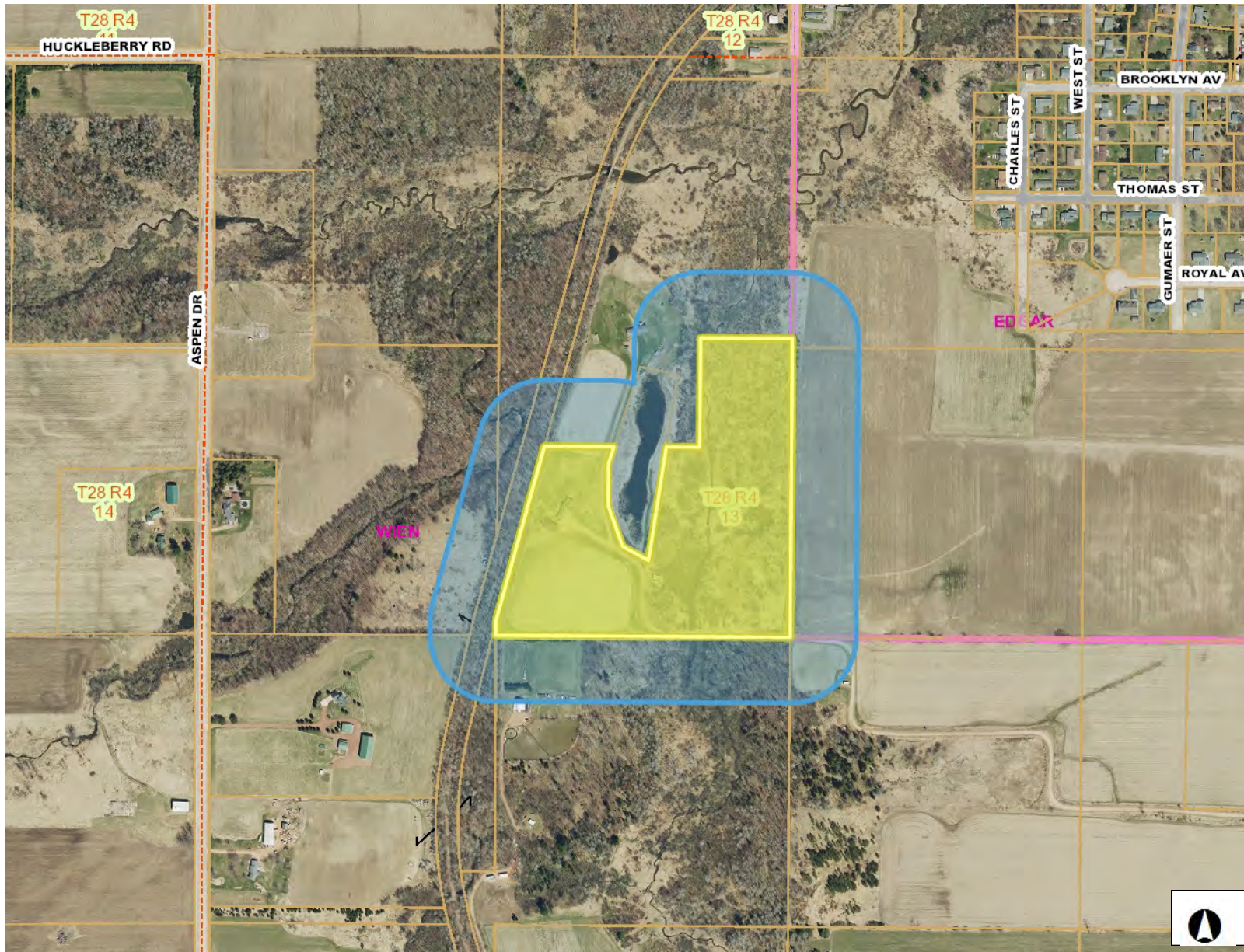
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

## Notes





- ### Legend
- Road Names
  - Parcels
  - Parcel Lot Lines
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Named Places
  - Municipalities
  - 2020 Orthos Countywide
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3

339.25 0 339.25 Feet

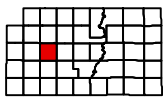


NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

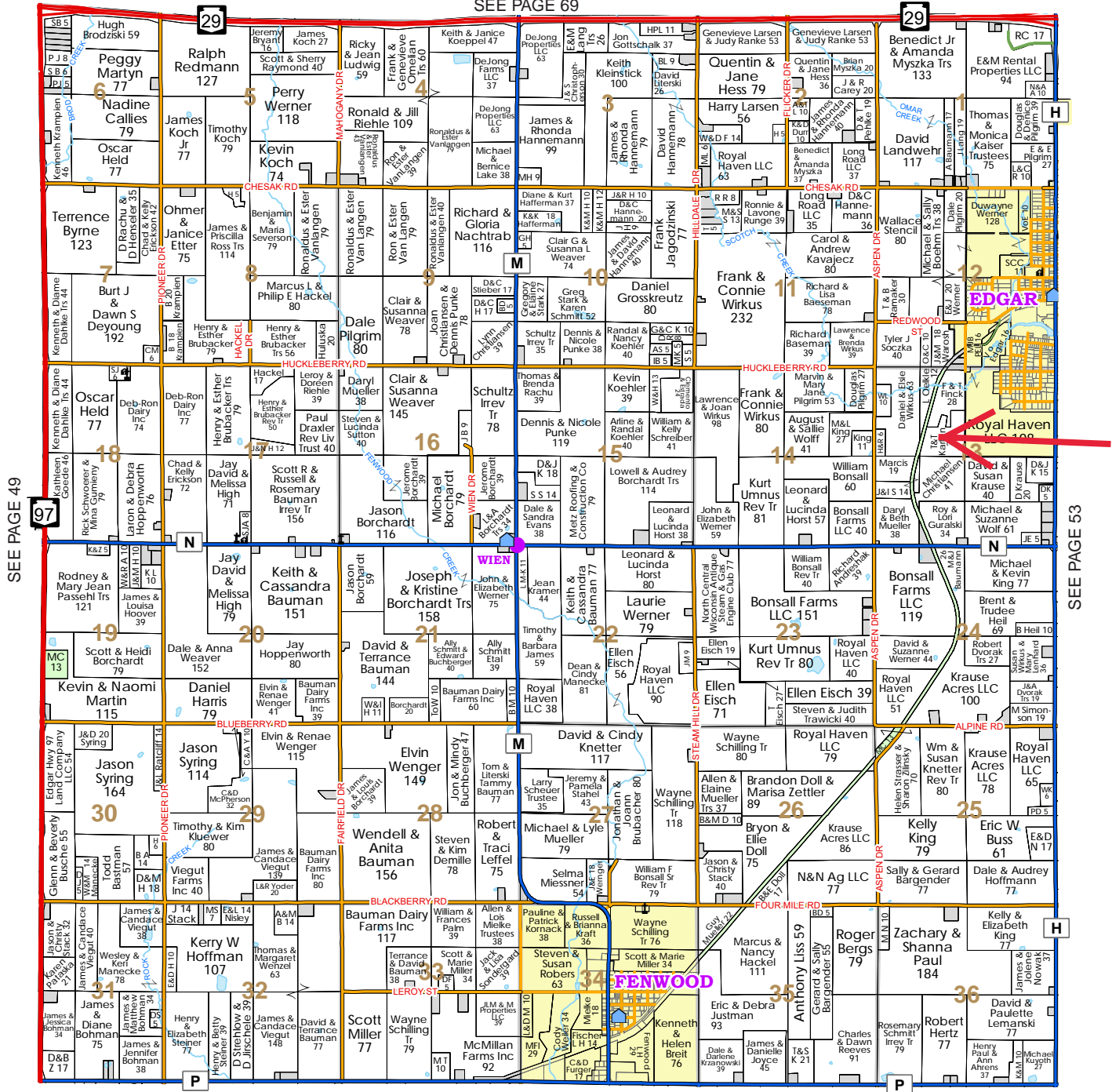
**DISCLAIMER:** The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.  
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes





SEE PAGE 69



SEE PAGE 49

SEE PAGE 53

SEE PAGE 33



Member of AMERICAN LAND TITLE ASSOCIATION



Agent for CHICAGO TITLE INSURANCE COMPANY



MARVIN PILGRIM - President www.runkel.com

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STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF WIEN )

**RESOLUTION ON ZONING ORDINANCE AMENDMENT**

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Diane Drinsinger, Clerk of the Town of Wien, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Wien Town Board at a meeting held on the 14th day of November, 2022.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Wien Town Board considered on the 14th day of November, 2022, petition of Aaron Karlen on behalf of Tim and Tracey Karlen to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as Lot 2 of Certified Survey Map 14859-66-131, located in the Southeast ¼ of the Northwest ¼ of Section 13, Township 28 North, Range 4 East, Town of Wien. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #084.2804.132.0990.

The Town of Wien hereby has considered the following standards for rezoning above property (*use additional sheets if necessary*):

1) **Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?**

No  Yes Explain: \_\_\_\_\_

2) **Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?**

No  Yes Explain: \_\_\_\_\_

3) **Has the applicant determined that the land is suitable for the development proposed? Explain.**

No  Yes Explain: \_\_\_\_\_

4) **Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.**

No  Yes Explain: \_\_\_\_\_

5) **Is there any potential for conflict with existing land uses in the area?**

No  Yes Explain: \_\_\_\_\_

(OVER)

Has the applicant demonstrated the need for the proposed development at this location? Explain.

No  Yes Explain: \_\_\_\_\_

6) Has the applicant demonstrated the availability of alternative locations? Be specific

No  Yes Explain: none needed

7) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?

No  Yes Explain: they don't farm the field

8) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?

No  Yes Explain: not affecting cropland

9) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.

No  Yes Explain: \_\_\_\_\_

10) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?

No  Yes Explain: \_\_\_\_\_

The Town of Wien recommends:  Approval  Disapproval of the amendment and/or zone change.

OR  Requests an Extension\* for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk [Signature]  
Town Board [Signature]  
[Signature]  
[Signature]

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 23, 2022 to:

Marathon County Conservation, Planning and Zoning Department  
210 River Drive  
Wausau, WI 54403



**Aaron Karlen  
Petition to Rezone Land  
Staff Report, January 3<sup>rd</sup>, 2023  
Environmental Resources Committee**

**PETITIONER:**

Aaron Karlen-308 Brooklyn Ave, Edgar, WI 54426

**PROPERTY OWNERS:**

Tim and Tracey Karlen-P.O. Box 284, Edgar, WI 54426

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located 80 acres to the west of the corner of S 3<sup>rd</sup> Ave and Royal Ave.

**REQUEST:**

The petition of Aaron Karlen on behalf of Tim and Tracey Karlen to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of Lot 2 of Certified Survey Map 14859-66-131, located in the Southeast ¼ of the Northwest ¼ of Section 13, Township 28 North, Range 4 East, Town of Wien. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #084.2804.132.0990.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Wien Town Board Meeting (November 14<sup>th</sup>, 2022)
- Marathon County Environmental Resources Committee Meeting (January 3<sup>rd</sup>, 2023, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**Existing Generalized Land Use Map – Town of Wien (Comprehensive Plan 2005)** The area proposed to be rezoned is shown as Woodlands, Crop Land, and Other Agriculture in the Town’s Comprehensive Plan Existing Land Use Map (2000). Adjacent land uses are comprised of Woodlands, Crop Land, Other Agriculture, and Single Family Residential.

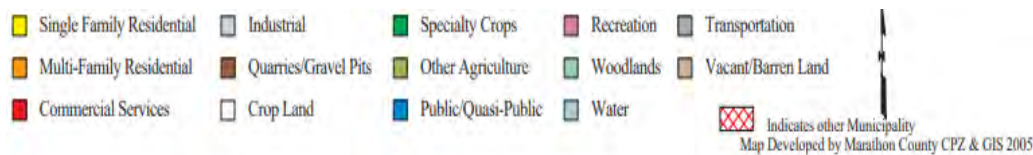
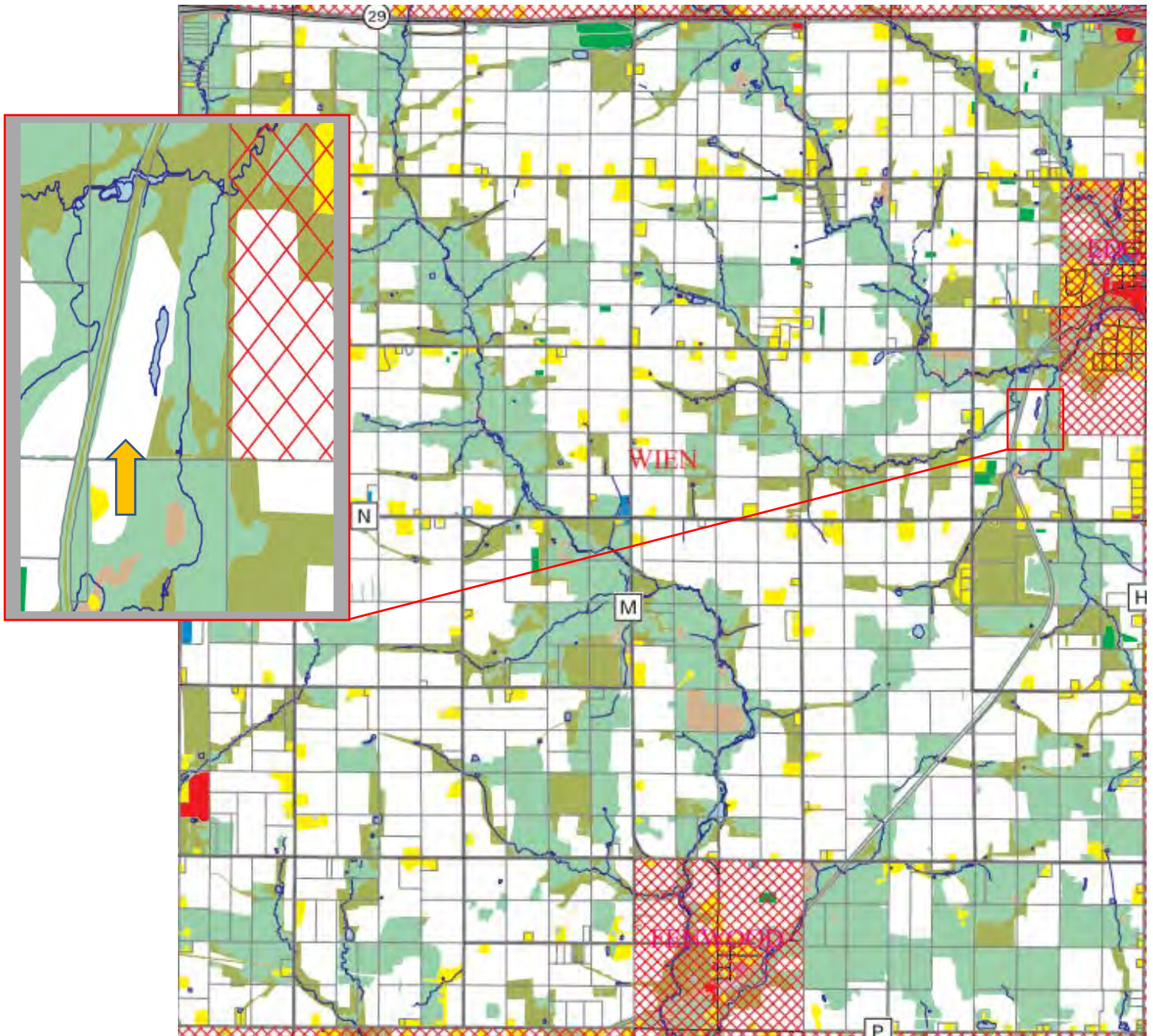
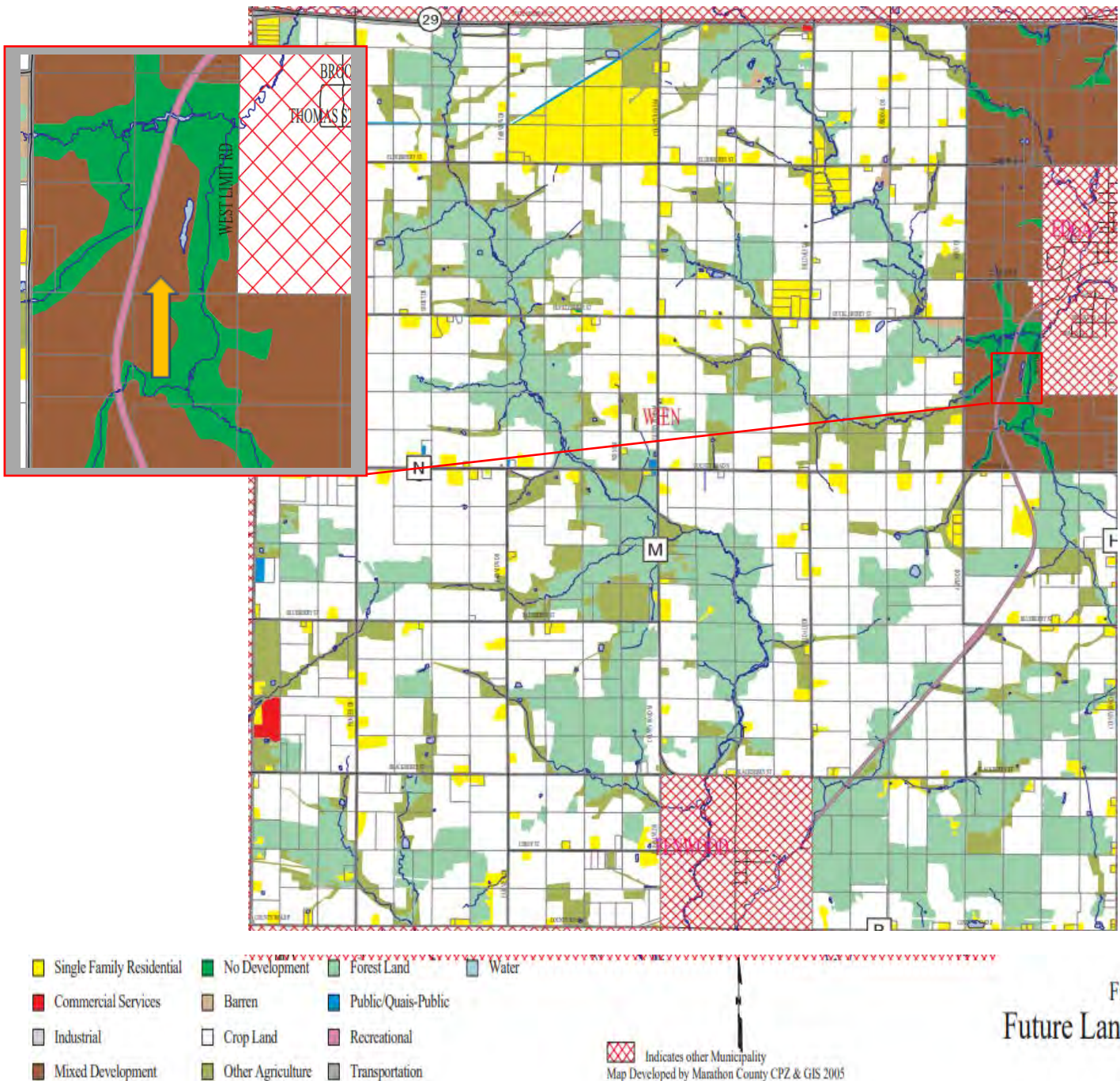


Figure 4-1  
2000 Landuse/Landcover  
WIEN

**PROPOSED ZONING DISTRICT:**

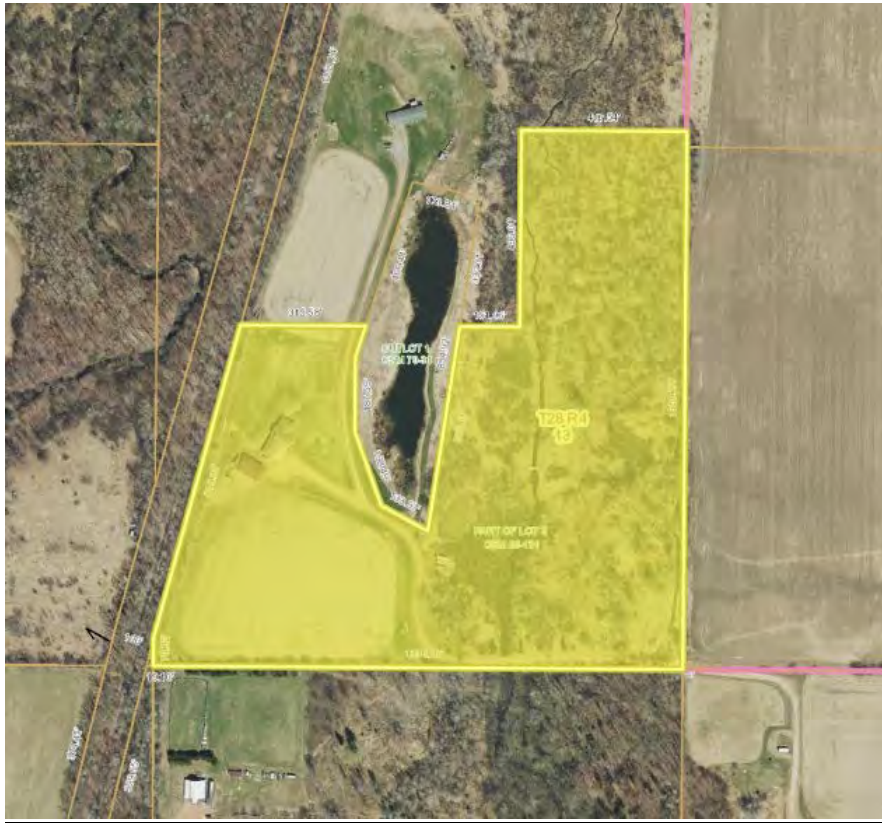
**R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2005 Plan):** The area proposed to be rezoned is shown as Mixed Development in the Town’s Comprehensive Plan Future Land Use Map (2000). Adjacent land uses are comprised of Mixed Development.

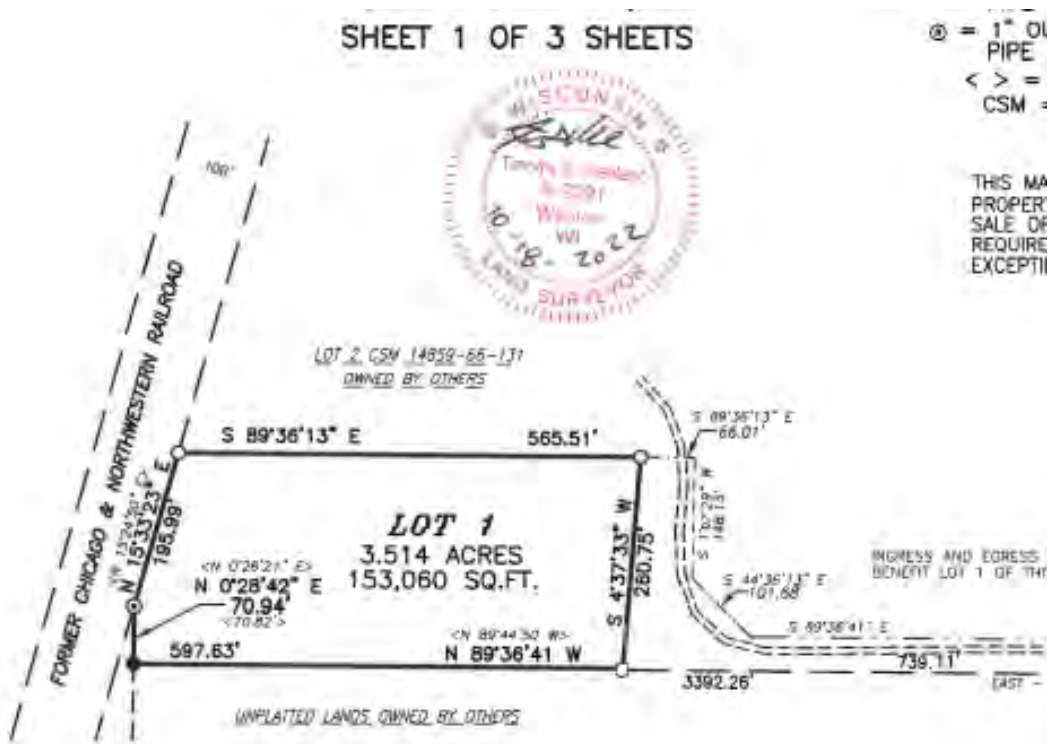


**FARMLAND PRESERVATION PLAN:** The Town of Wien does not participate in Farmland Preservation.

# Aerial Photo



# Certified Survey Map



## **TOWN RECOMMENDATION:**

On November 14<sup>th</sup>, 2022, the **Town of Wien** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

**1.** The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Mixed Development in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area in question was not designated as a farmland preservation area. The Town of Wien does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

**2.** The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

**3.** The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division to build a Single-Family Home.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely on private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

**4.** The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

**5.** The Town has approved the proposed rezone of the property.

The Town of Wien Town Board has recommended approval of this rezone petition.

**6.** All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.





**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

---

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

---

---

---

Signature:

Chairman: \_\_\_\_\_

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

General Application

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):  
Tim Vreeland Vreeland Assoc.  
6103 Dawn St. Weston 54476
- hereby petition to rezone property owned by (Name & Address): Margaret Fuentes  
153463 South Rd Mosinee 54455
- from the classification RE, Rural Estate to RR, Rural Residential
2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): LOT 1 CSM 15562-70-144
- Parcel Identification Number (PIN): 098-2607-021-0987
3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):  
Divide home off property with 2 Acres
4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).
- A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Existing home on public road.
- B. Explain how the provision for these facilities will not be an unreasonable burden to local government.  
No burden
- C. What have you done to determine that the land is suitable for the development proposed?  
Home is existing.
- D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas.  
No Adverse effects
- E. Explain any potential for conflict with existing land uses in the area. No conflict.  
Several like zoned parcels in area

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(OVER)

F. Demonstrate the need of the proposed development at this location. No development.

G. What is the availability of alternative locations? Be specific. No Alternative

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No Cropland

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted.

NA

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature [Signature] Phor 715-291-0947 Date 11-3-22

8. Owner's Signature [Signature] Phone 715-297-3733 Date 10/31/2022  
(If different)

Date Fee Received: 11/21/2022 \$600.00

Fee **\$600.00** PAYABLE TO MARATHON COUNTY

**Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.**

# CERTIFIED SURVEY MAP

MARATHON COUNTY NO. \_\_\_\_\_

LOT 1 CSM 15562-70-144, LOCATED IN THE NW1/4 OF THE FRACTIONAL NE1/4, SECTION 2, TOWNSHIP 26 NORTH, RANGE 7 EAST, TOWN OF KNOWLTON, MARATHON COUNTY, WISCONSIN.

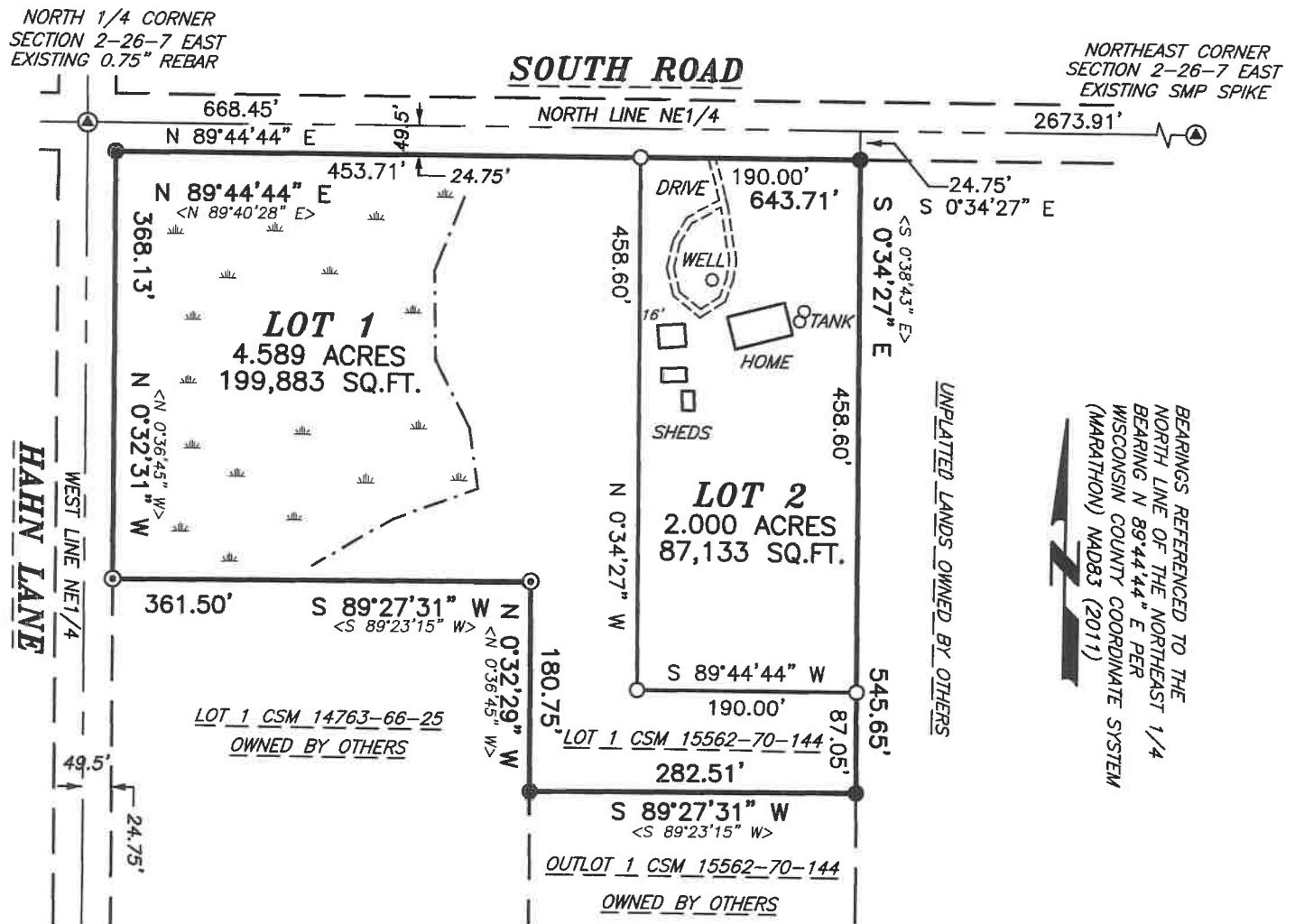
**VREELAND ASSOCIATES, INC.**  
**LAND SURVEYORS & ENGINEERS**

6103 DAWN STREET WESTON, WI. 54476  
PH (715) 241-0947 tim@vreelandassociates.us

PREPARED FOR: **MARGARET FUENTES**

FILE #: 22-0549 FUENTES

DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND



--- = APPROXIMATE LOCATION OF WETLANDS PER DNR INVENTORY MAPPING. DELINEATION WOULD BE NEEDED TO VERIFY THE LOCATION.

THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP, AND THE SALE OR TRANSFER OF PROPERTY REQUIRES A RECORDED DEED EXCEPTING PUBLIC DEDICATION.

- LEGEND**
- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
  - = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
  - = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
  - ⊙ = 1" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
  - < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP

**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

LOT 1 CSM 15562-70-144, LOCATED IN THE NW1/4 OF THE  
FRACTIONAL NE1/4, SECTION 2, TOWNSHIP 26 NORTH, RANGE  
7 EAST, TOWN OF KNOWLTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

**SURVEYORS CERTIFICATE**

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE  
DIRECTION OF MARGARET FUENTES, I SURVEYED, MAPPED AND DIVIDED LOT 1 OF CERTIFIED  
SURVEY MAP NUMBER 15562, RECORDED IN VOLUME 70 ON PAGE 144, LOCATED IN THE  
NORTHWEST 1/4 OF THE FRACTIONAL NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 26 NORTH,  
RANGE 7 EAST, TOWN OF KNOWLTON, MARATHON COUNTY, WISCONSIN. SUBJECT TO ALL  
EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE  
LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN  
SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN  
ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN  
OF KNOWLTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND  
MAPPING THE SAME.

DATED THIS 3RD DAY OF NOVEMBER, 2022  
SURVEY PERFORMED OCTOBER 31ST, 2022

\_\_\_\_\_  
TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING BY THE  
TOWN OF KNOWLTON.

DATE \_\_\_\_\_

BY \_\_\_\_\_  
TOWN OF KNOWLTON

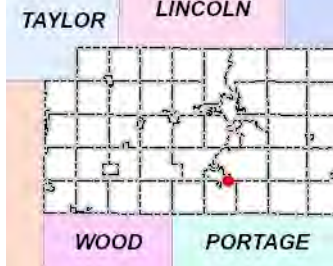
APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO \_\_\_\_\_



# Land Information Mapping System



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

136.66 0 136.66 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

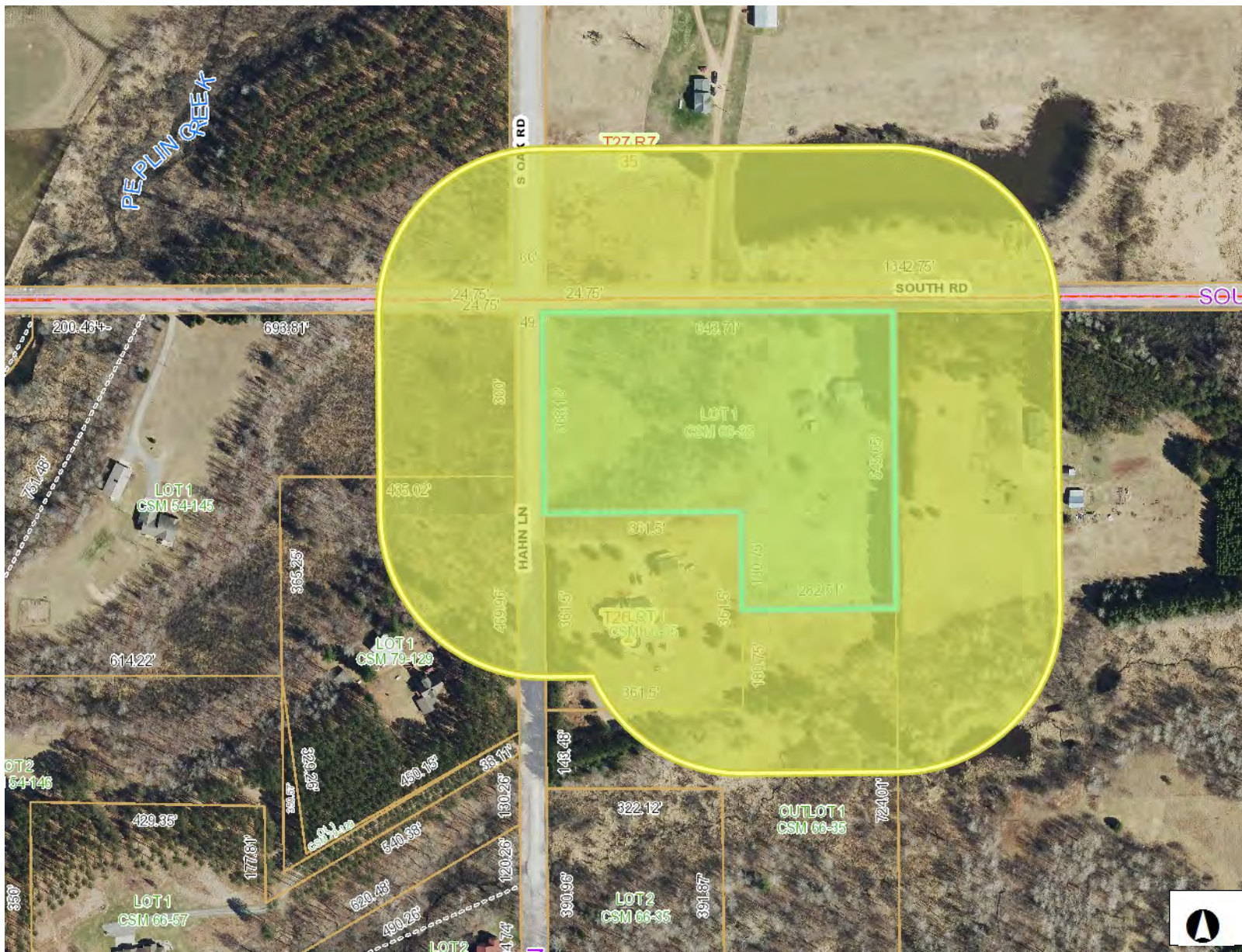
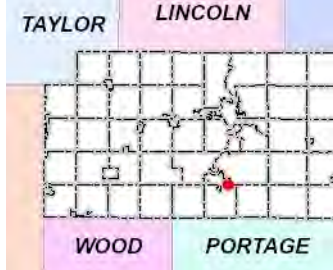
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



# Land Information Mapping System



## Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

136.66 0 136.66 Feet



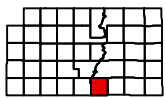
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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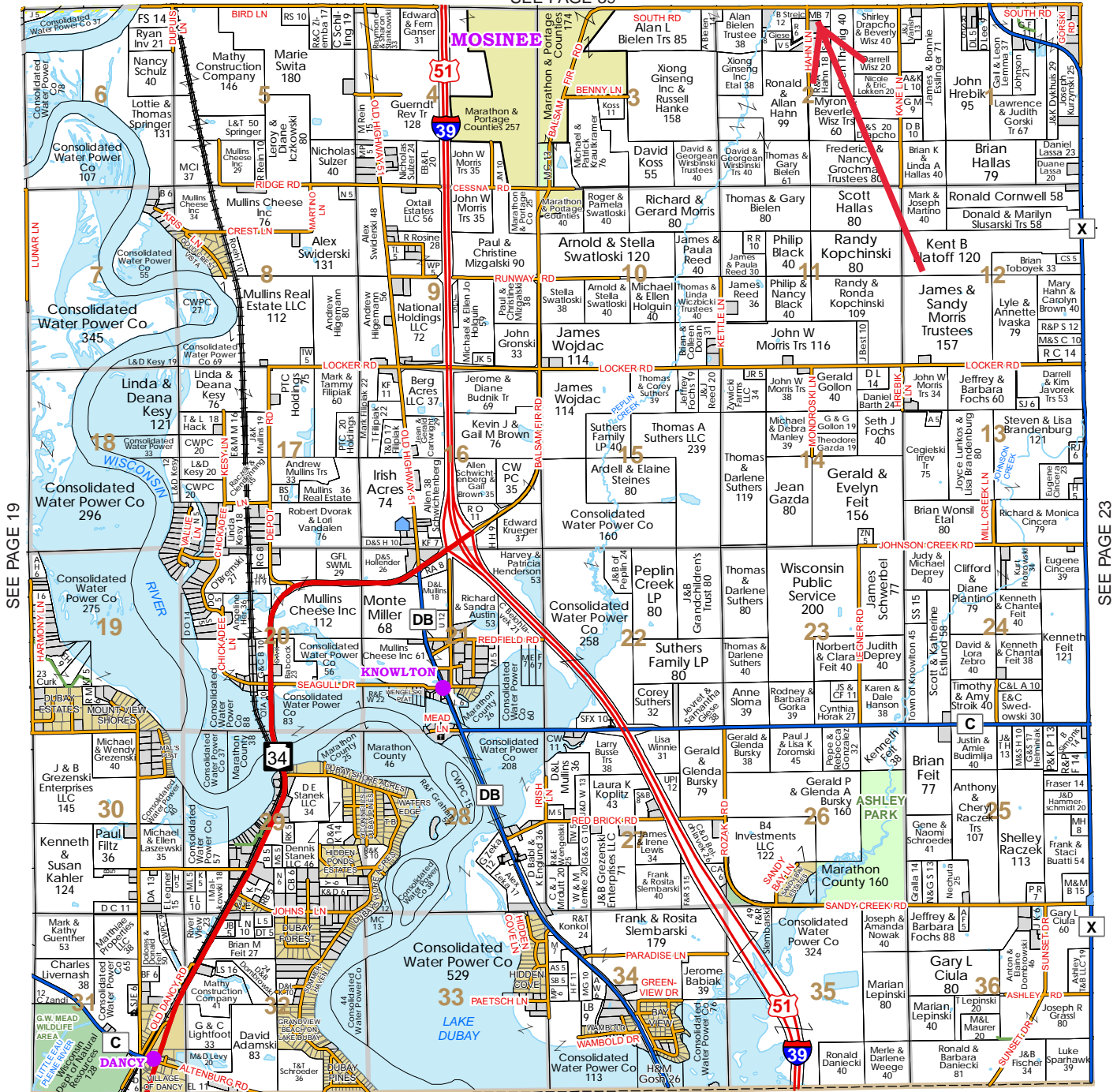
THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes





SEE PAGE 39



SEE PAGE 19

SEE PAGE 23

PORTAGE COUNTY

**Tim Schindler**  
**Auctioneer LLC**  
**FARM • HOUSEHOLD • ESTATE**  
 N14555 Sandhill Ave. • Curtiss, WI 54422  
 (715) 223-4014  
[www.schindlerauction.com](http://www.schindlerauction.com)  
[info@schindlerauction.com](mailto:info@schindlerauction.com)

STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF KNOWLTON )

**RESOLUTION ON ZONING ORDINANCE AMENDMENT**

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alan Fochs, Clerk of the Town of Knowlton, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Knowlton Town Board at a meeting held on the 12th day of December, 2022.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Knowlton Town Board considered on the 12th day of December, 2022, petition of Tim Vreeland and Associates on behalf of Margaret Fuentes to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from R-E Rural Estate to R-R Rural Residential described as Lot 1 of Certified Survey Map recorded in Volume 70, Page 144, Document # 1549681 located in the Northwest 1/4 of the Fractional Northeast 1/4, Section 2, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 and Lot 2 of the preliminary CSM. Parent Parcel #048.2607.021.0987.

The Town of Knowlton hereby has considered the following standards for rezoning above property (use additional sheets if necessary);

1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?

No  Yes Explain: NA

2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?

No  Yes Explain: \_\_\_\_\_

3) Has the applicant determined that the land is suitable for the development proposed? Explain.

No  Yes Explain: \_\_\_\_\_

4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.

No  Yes Explain: NA

5) Is there any potential for conflict with existing land uses in the area?

No  Yes Explain: \_\_\_\_\_

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: NA
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific  
 No  Yes Explain: NA
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: \_\_\_\_\_
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: NA
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of Knowlton recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk *Alyssa*  
 Town Board *Jim Mover*  
*Sharon Brown*

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 23, 2022 to:

Marathon County Conservation, Planning and Zoning Department  
 210 River Drive  
 Wausau, WI 54403



**Margaret Fuentes  
Petition to Rezone Land  
Staff Report, January 3<sup>rd</sup>, 2023  
Environmental Resources Committee**

**PETITIONER:**

Tim Vreeland of Vreeland Associates-6103 Dawn St, Weston, WI 54475

**PROPERTY OWNERS:**

Margaret Fuentes-153463 South Rd, Mosinee, 54455

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located on the Southeast corner of the intersection of South Rd, S Oak Rd, and Hahn Ln.

**REQUEST:**

The petition of Tim Vreeland on behalf of Margaret Fuentes to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from R-E Rural Estate to R-R Rural Residential described as Lot 1 of Certified Survey Map recorded in Volume 70, Page 144, Document # 1549681 located in the Northwest  $\frac{1}{4}$  of the Fractional Northeast  $\frac{1}{4}$ , of Section 2, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 and Lot 2 of the preliminary CSM. Parent Parcel #048.2607.021.0987.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Knowlton Town Board Meeting (December 12<sup>th</sup>, 2022)
- Marathon County Environmental Resources Committee Meeting (January 3<sup>rd</sup>, 2023, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**R-E Rural Estate District.** The purpose of the R-E district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family medium residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the County. Limited agricultural activities and livestock are allowed in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**Existing Generalized Land Use Map – Town of Knowlton (Comprehensive Plan 2005)** The area proposed to be rezoned is shown as Woodlands, Crop Land, Single Family Residential, Vacant/Baren Land, and Other Agriculture in the Town's Comprehensive Plan Existing Land Use Map (2005). Adjacent land uses are comprised of Woodlands, Crop Land, Other Agriculture, Vacant/Baren Land, and Single Family Residential.

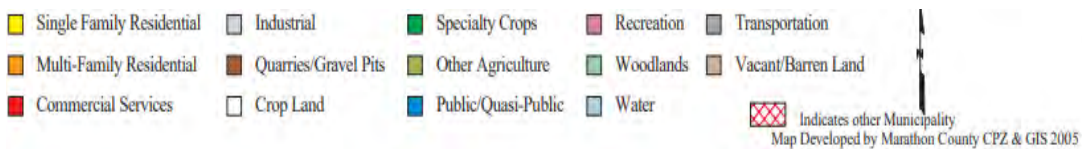
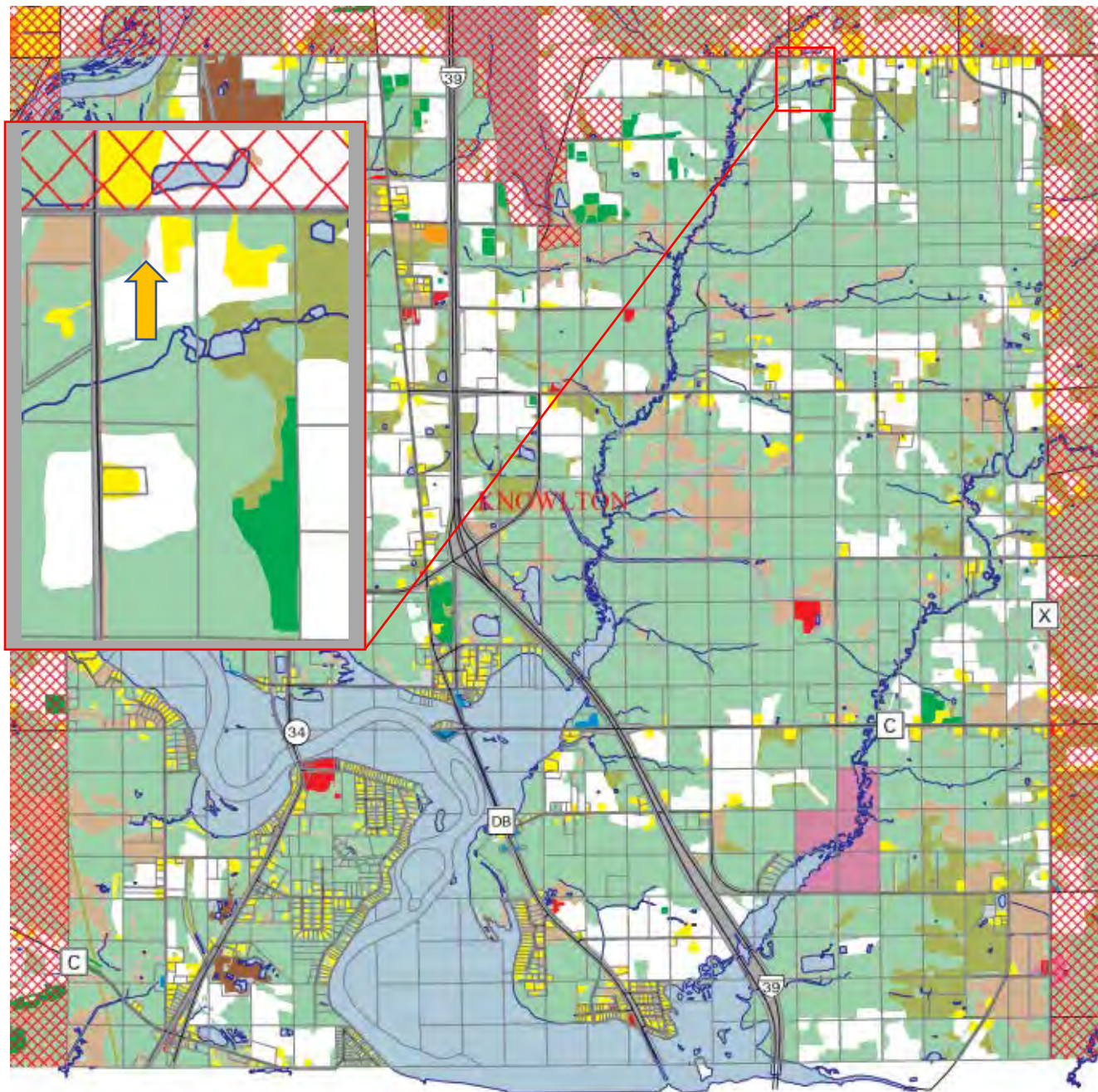


Figure 4-1  
2000 Landuse/Landcover  
KNOWLTON

**PROPOSED ZONING DISTRICT:**

**R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2005 Plan):** The area proposed to be rezoned is shown as Single Family Residential and Wetlands in the Town’s Comprehensive Plan Future Land Use Map (2005). Adjacent land uses are comprised of Crop Land, Wetlands, and Single Family Residential.

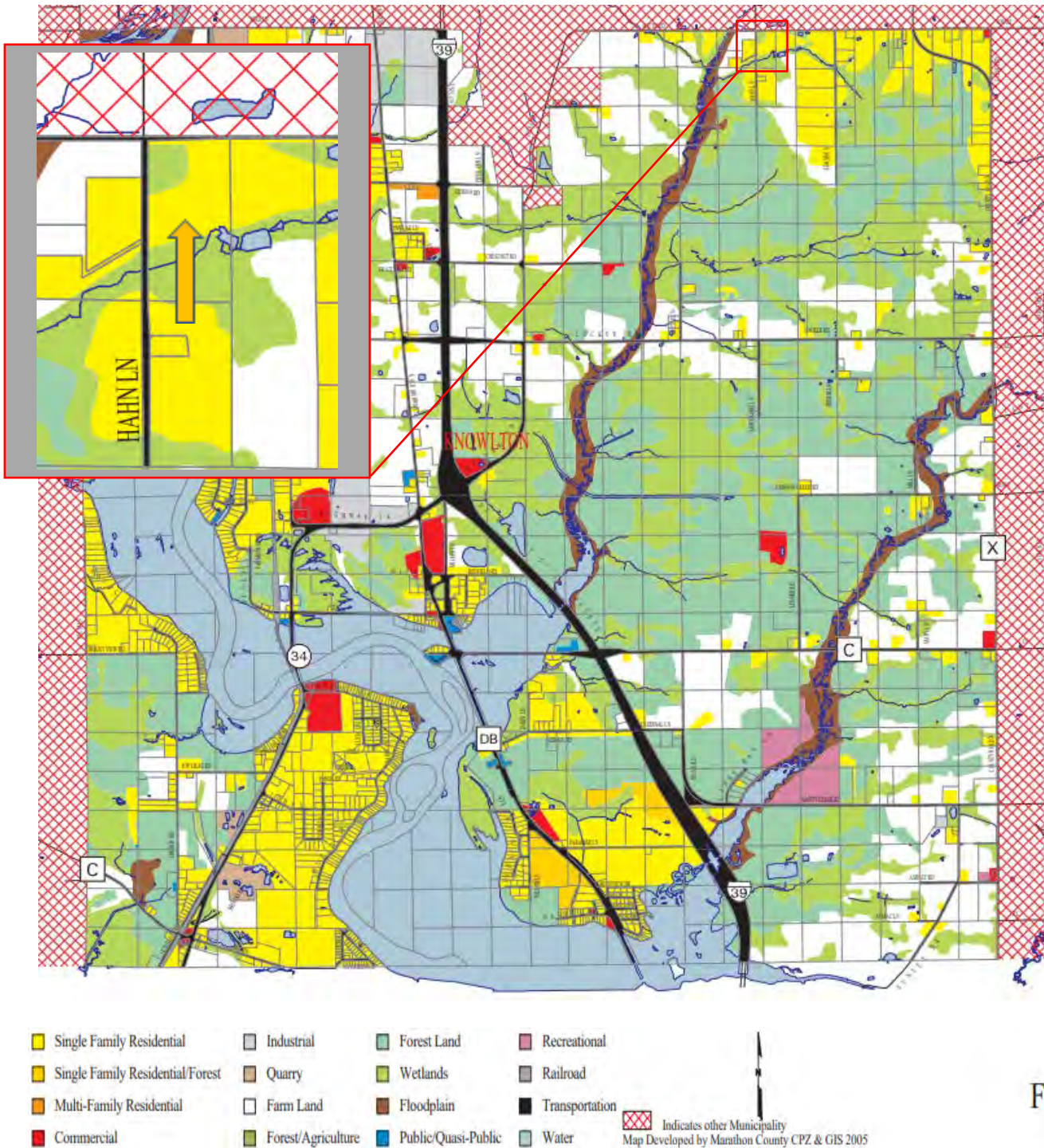


Figure 3-1  
Future Land Use  
KNOWLTON

**FARMLAND PRESERVATION PLAN:** The Town of Knowlton does not participate in Farmland Preservation.

# Aerial Photo



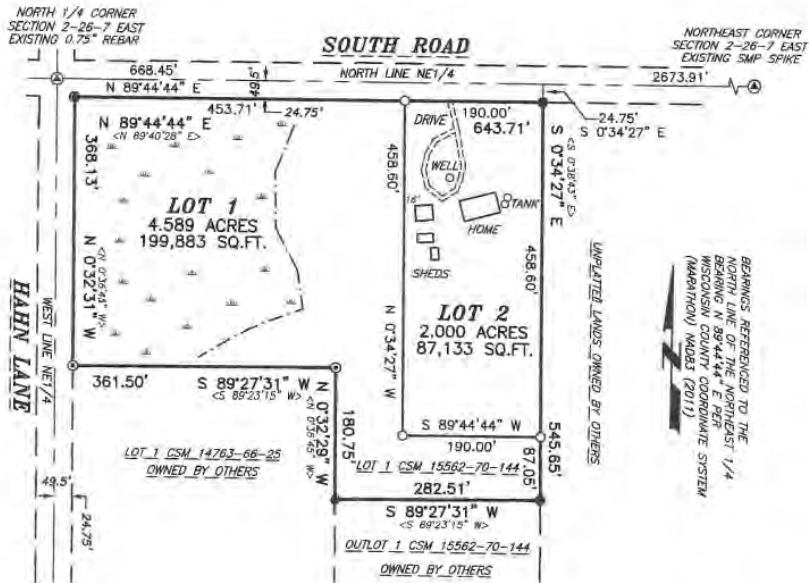
## Certified Survey Map

1/4 EAST, TOWN OF KNOWLTON, MARATHON COUNTY, WISCONSIN.

**VREELAND ASSOCIATES, INC.**  
**LAND SURVEYORS & ENGINEERS**  
 6103 DAWN STREET WESTON, WI. 54476  
 PH (715) 241-0947 tim@vreelandassociates.us

PREPARED FOR:  
**MARGARET FUENTES**

FILE #: 22-0549 FUENTES  
 DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND



0 150 300  
 SCALE 1" = 150'

## **TOWN RECOMMENDATION:**

On December 12<sup>th</sup>, 2022, the **Town of Knowlton** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Wetlands and Single Family Residential in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area in question was not designated as a farmland preservation area. The Town of Knowlton does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Knowlton Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.





**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

---

---

---

---

Signature:

Chairman: \_\_\_\_\_

PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):

Richard Kersten & Cristy Wick

6300 Birch St #260, Weston WI 54476

hereby petition to rezone property owned by (Name & Address): Laura Koplitz 151400 Red Brick Rd Mosinee WI 54455

from the classification \_\_\_\_\_, general agriculture \_\_\_\_\_ to \_\_\_\_\_, rural residential \_\_\_\_\_.

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): Lot 1 of proposed CSM

Parcel Identification Number (PIN): 04826072720991

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):

Divide and build a new single family residence

4. Please address the following criteria as best as you can. These are the "standards for rezoning" which will be addressed at the public hearing. (Use additional sheets if necessary).

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. None

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. Provided privately, no burden anticipated

C. What have you done to determine that the land is suitable for the development proposed? preliminary perk test by Star Environmental Inc and Survey completed by Plover River Land Co Inc

D. Explain what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion or adverse effects on rare or irreplaceable natural areas. no anticipated impact

E. Explain any potential for conflict with existing land uses in the area. no conflict anticipated

RECEIVED

NOV 10 2022

MARATHON CO. CONSERVATION,  
PLANNING DEPT

Zoning Division - Marathon County CPZ Dept. - 210 River Drive Wausau, WI 54403-5449

(OVER)

- F. Demonstrate the need of the proposed development at this location. \_\_\_\_\_  
 land offered by family to divide for new single family residence
- G. What is the availability of alternative locations? Be specific. \_\_\_\_\_  
 None, land offered by family to divide for a new single family residence
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved?  
 small portion is used as hay field
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to  
 minimize the amount of agricultural land converted. \_\_\_\_\_  
 small corner of hay field to be converted

5. Include on a separate sheet (no larger than 11 x 17) a drawing of the property to be rezoned, at a scale of 1"=200 ft or larger. Show additional information if required. **(If larger sheets are required to adequately portray the site, include ten (10) copies).**

All property owners within 300 feet of the parent parcel proposed for rezoning are parties in interest, and will be notified by Marathon County Conservation, Planning, and Zoning Department of the public hearing notice via direct mail.

6. If the Environmental Resources Committee, at the public hearing for this zone change request, is unable to make a recommendation based upon the facts presented and/or request additional information, clarification or data from the petitioner, Town Board, or any other source, that information shall be supplied to the Conservation, Planning, and Zoning Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Twenty four hour notice is required for all agenda items. If the requested information, etc. is not supplied, the zone change petition is denied and will only appear on the agenda as a report. No additional testimony will be accepted. The petitioner (applicant) may re-apply at any time to bring the matter back before the Committee. **No exceptions to this policy will be granted.**

7. Petitioner's Signature [Signature] Phone 715-370-9898 Date 11/9/2022  
 8. Owner's Signature [Signature] Phone 715-693-4128 Date 11-9-2022  
 (If different,)

Date Fee Received: 11-10-2022 \$600.00 Fee **\$600.00** PAYABLE TO MARATHON COUNTY

**Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC hearing is recommended.**

LOT 1  
CSM 39

833

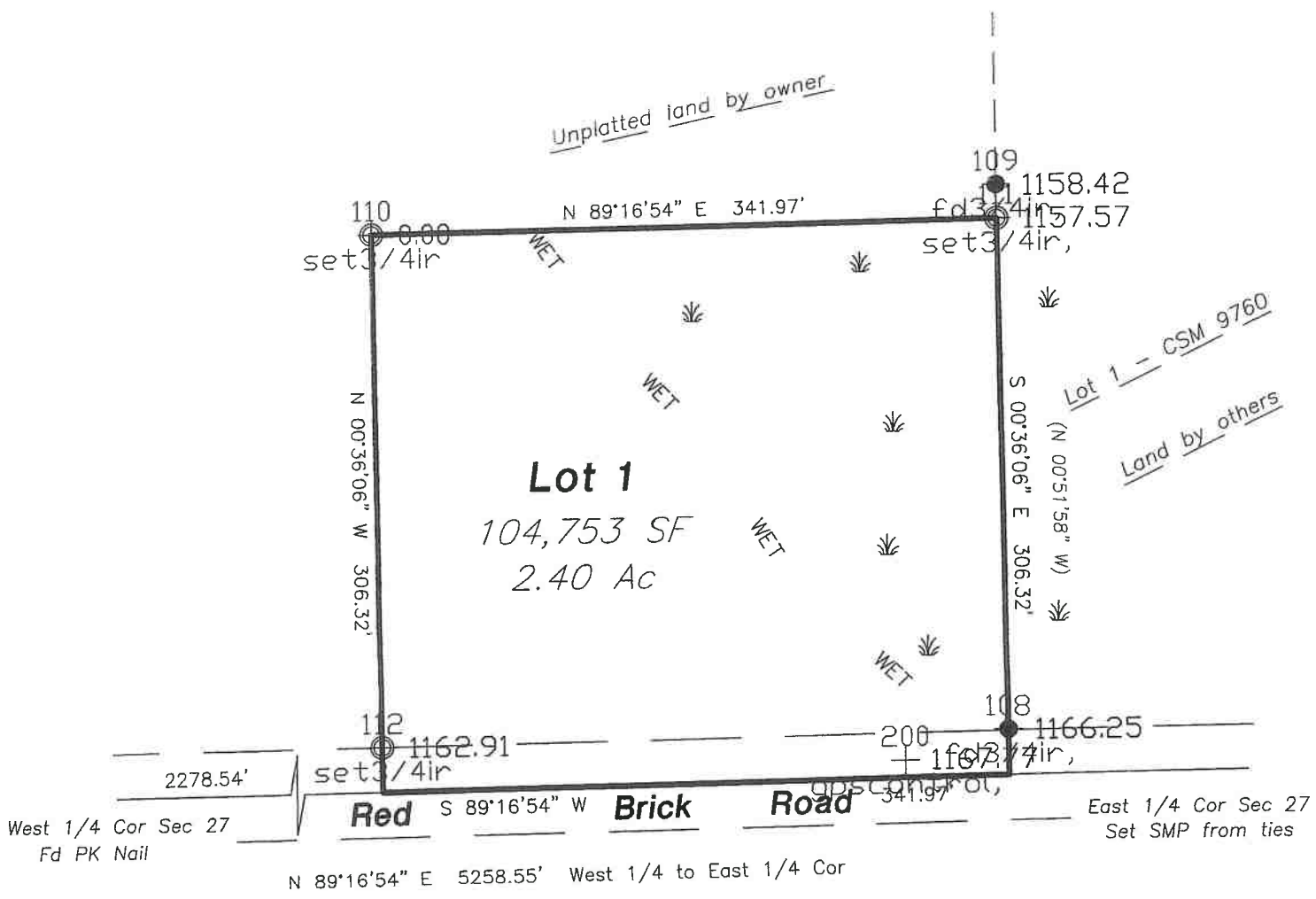
383'

RED BRICK RD

526.5'

BRICK RD





—WET— Wetland Boundary

The wetland boundary shown hereon is scaled from the WisDNR wetland inventory mapping and may not accurately represent the true wetland boundary.

- ⊙ 3/4" X 18" IRON ROD WEIGHING 1.13 LBS/LINEAL FOOT SET
- FOUND 3/4" IRON ROD
- ⊙ FOUND 1" OD IRON PIPE
- ▲ FOUND PK NAIL OR RR SPIKE
- ⊠ FOUND GOV'T CORNER
- ( ) RECORD DATA



GRAPHIC SCALE



1 inch = 1 ft.

APPROVED FOR RECORDING UNDER THE TERMS OF THE MARATHON CO. LAND DIVISION CODE

BY \_\_\_\_\_

DATE \_\_\_\_\_  
 MARATHON COUNTY CONSERVATION PLANNING AND ZONING DEPT.  
 CPZ TRACKING # \_\_\_\_\_

Bearings are referenced to the East line of the SW 1/4 of Section 25 assumed to bear N 1° 19' 50" E

NOTE: Recording this Certified Survey Map does not transfer property rights. It is necessary to subsequently record a deed to transfer ownership.

106 1162.44  
fd3/4lr,

107 1161.82  
fd3/4lr,

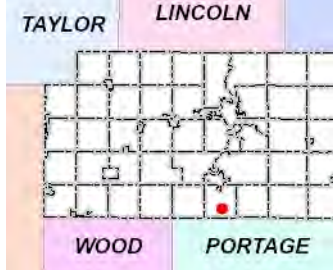
112 1162.91  
set3/4lr

108 1166.25  
gpscont100,

110 990  
set3/4lr

109 1158.42  
fd3/4lr  
set3/4lr,

104,753 SF  
2.40 Ac



### Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

162.88 0 162.88 Feet

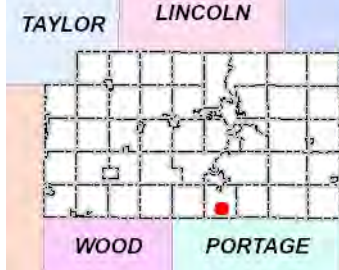
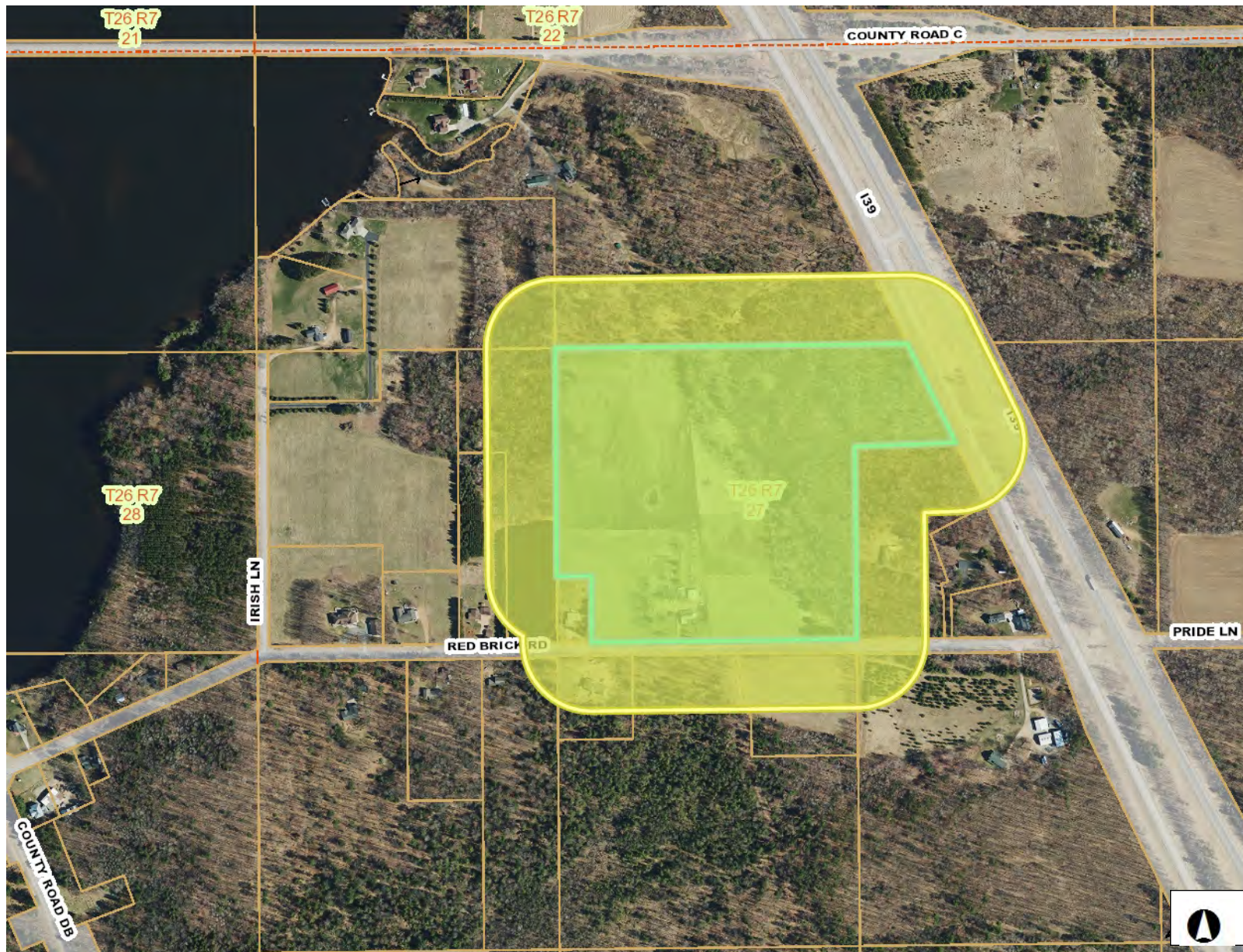


NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means. Marathon County-City of Wausau will not be responsible for any damages which result from third party use of the information and depictions herein or for use which ignores this warning.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes





- ### Legend
- Road Names
  - Parcels
  - Parcel Lot Lines
  - Land Hooks
  - Section Lines/Numbers
  - Right Of Ways
  - Named Places
  - Municipalities
  - 2020 Orthos Countywide
    - Red: Band\_1
    - Green: Band\_2
    - Blue: Band\_3

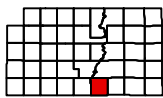
325.77 0 325.77 Feet



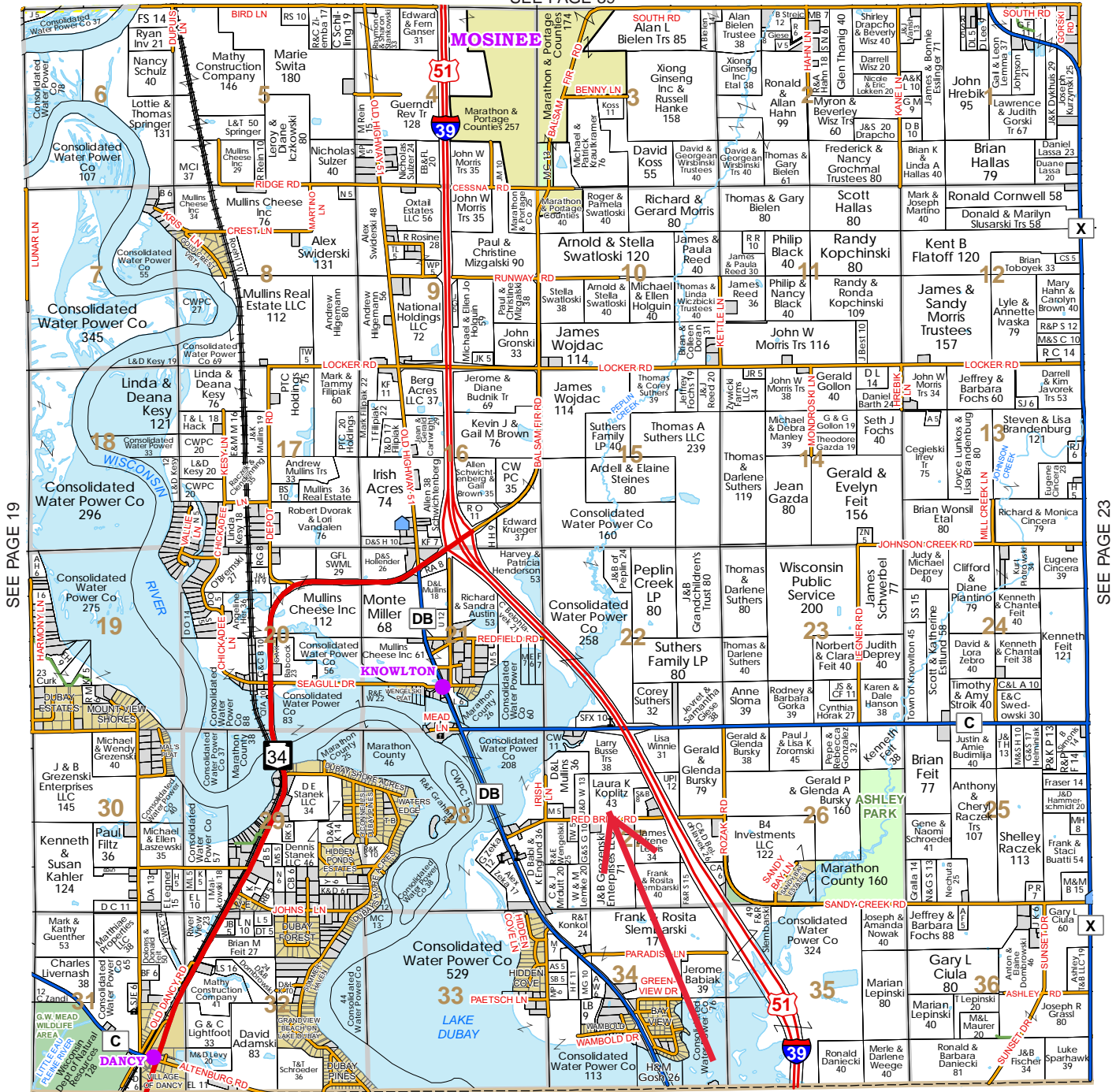
NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes



SEE PAGE 39



SEE PAGE 19

SEE PAGE 23

PORTAGE COUNTY

**Tim Schindler**  
**Auctioneer LLC**  
**FARM • HOUSEHOLD • ESTATE**  
 N14555 Sandhill Ave. • Curtiss, WI 54422  
 (715) 223-4014  
[www.schindlerauction.com](http://www.schindlerauction.com)  
[info@schindlerauction.com](mailto:info@schindlerauction.com)

STATE OF WISCONSIN )  
MARATHON COUNTY )  
TOWN OF KNOWLTON )

**RESOLUTION ON ZONING ORDINANCE AMENDMENT**

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alan Fochs, Clerk of the Town of Knowlton, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Knowlton Town Board at a meeting held on the 12th day of December, 2022.

RESOLUTION

WHEREAS, Section 59.69(5)(e)3., Wisconsin Statutes, provides that if a town affected by a proposed amendment disapproves of the proposed amendment, the town board may file a certified copy of a resolution adopted by such board disapproving of the petition with the Environmental Resources Committee prior to, at or within ten (10) days after the public hearing, and

WHEREAS, if the town board of the town affected in the case of an ordinance relating to the location of boundaries of districts files such a resolution, the Environmental Resources Committee may not recommend to the County Board approval of the petition without change, but may only recommend approval with change or recommend disapproval.

NOW, THEREFORE BE IT RESOLVED that the Town of Knowlton Town Board considered on the 12th day of December, 2022, The petition of Richard Kersten and Cristy Wick to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-G General Agriculture to R-R Rural Residential described as part of the Southeast 1/4 of the Northwest 1/4 of Section 27, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #048.2607.272.0991.

The Town of Knowlton hereby has considered the following standards for rezoning above property (use additional sheets if necessary);

- 1) Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?

No  Yes Explain: NA

- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?

No  Yes Explain: \_\_\_\_\_

- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.

No  Yes Explain: \_\_\_\_\_

- 4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.

No  Yes Explain: NA

- 5) Is there any potential for conflict with existing land uses in the area?

No  Yes Explain: \_\_\_\_\_

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific.  
 No  Yes Explain: NA
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?  
 No  Yes Explain: MINIMAL
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?  
 No  Yes Explain: house will be on edge of field.
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.  
 No  Yes Explain: \_\_\_\_\_
- 11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?  
 No  Yes Explain: \_\_\_\_\_

The Town of Knowlton recommends:  **Approval**  **Disapproval** of the amendment and/or zone change.

OR  **Requests an Extension\*** for the following reasons: \_\_\_\_\_

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk [Signature]  
 Town Board [Signature]  
[Signature]  
[Signature]

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 23, 2022 to:

Marathon County Conservation, Planning and Zoning Department  
 210 River Drive  
 Wausau, WI 54403



**Richard Kersten and Cristy Wick on behalf of Laura Koplitz  
Petition to Rezone Land  
Staff Report, January 3<sup>rd</sup>, 2023  
Environmental Resources Committee**

**PETITIONER:**

Richard Kersten and Cristy Wick-6300 Birch St #260, Weston, WI 54476

**PROPERTY OWNERS:**

Laura Koplitz-151400 Red Brick Rd, Mosinee, WI 54455

**LOCATION OF REZONE REQUEST:**

Area proposed to be rezoned is located on Red Brick Rd approximately .4 miles East of the intersection of Irish Ln and Red Brick Rd.

The petition of Richard Kersten and Cristy Wick on behalf of Laura Koplitz to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of the Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  of Section 27, Township 26 North, Range 7 East, Town of Knowlton. The area proposed to be rezoned is described as Lot 1 of preliminary CSM. Parent Parcel #048.2607.272.0991.

**PUBLIC HEARINGS/MEETINGS:**

- Town of Knowlton Town Board Meeting (December 12<sup>th</sup>, 2022)
- Marathon County Environmental Resources Committee Meeting (January 3<sup>rd</sup>, 2023, at 3:00pm)

**Legal Notification:**

A legal advertisement was published in the *Wausau Daily Herald*. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

**EXISTING ZONING DISTRICT:**

**G-A General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels or lots within a five year period. This district provides for limited residential development with modest densities that require relatively large land areas that are compatible with the surrounding rural land use activities. The district is intended to provide towns with multiple options to guide growth and development in concert with the comprehensive planning efforts.

**Existing Generalized Land Use Map – Town of Knowlton (Comprehensive Plan 2005)** The area proposed to be rezoned is shown as Woodlands, Crop Land, and Other Agriculture in the Town’s Comprehensive Plan Existing Land Use Map (2000). Adjacent land uses are comprised of Woodlands, Crop Land, Other Agriculture, Vacant/Barren Land, and Single Family Residential.

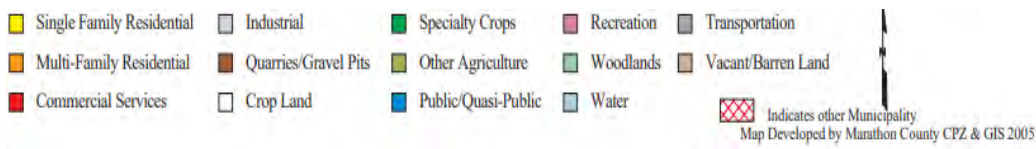
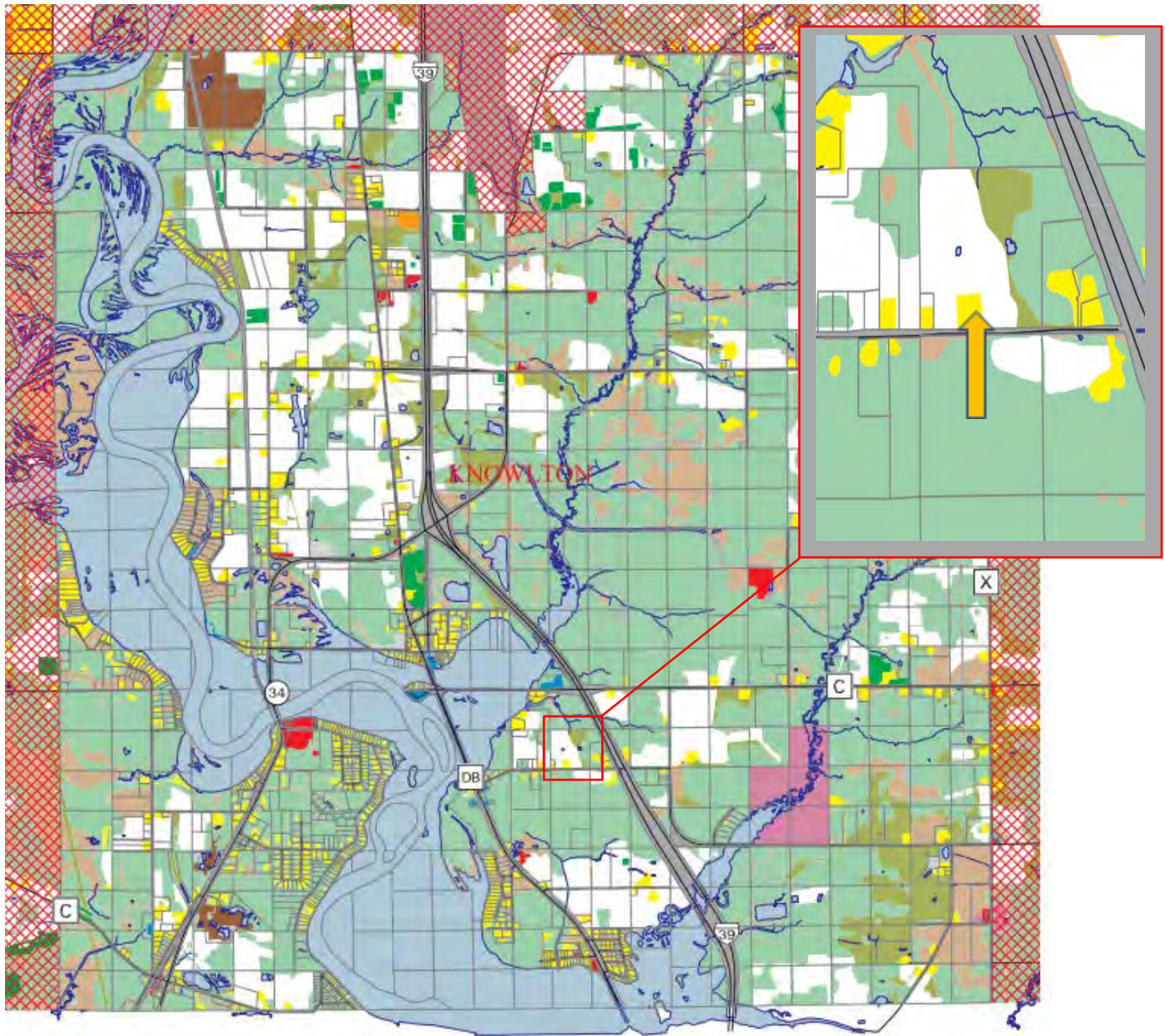


Figure 4-1  
2000 Landuse/Landcover  
KNOWLTON

**PROPOSED ZONING DISTRICT:**

**R-R Rural Residential District.** The purpose of the R-R district is to accommodate single-family residential use along existing streets, to preserve the rural character while promoting open space single-family residential development (involving the extension of new streets), and to separate agricultural uses from other more extensive community development within the county. Limited agricultural activities are permitted in this district. These areas may or may not be serviced by municipal water and sanitary sewer.

**TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2007 Plan):** The area proposed to be rezoned is shown as Single Family Residential and Wetlands in the Town's Comprehensive Plan Future Land Use Map (2005). Adjacent land uses are comprised of, Forest, Forest/Agriculture Land, and Single Family Residential.

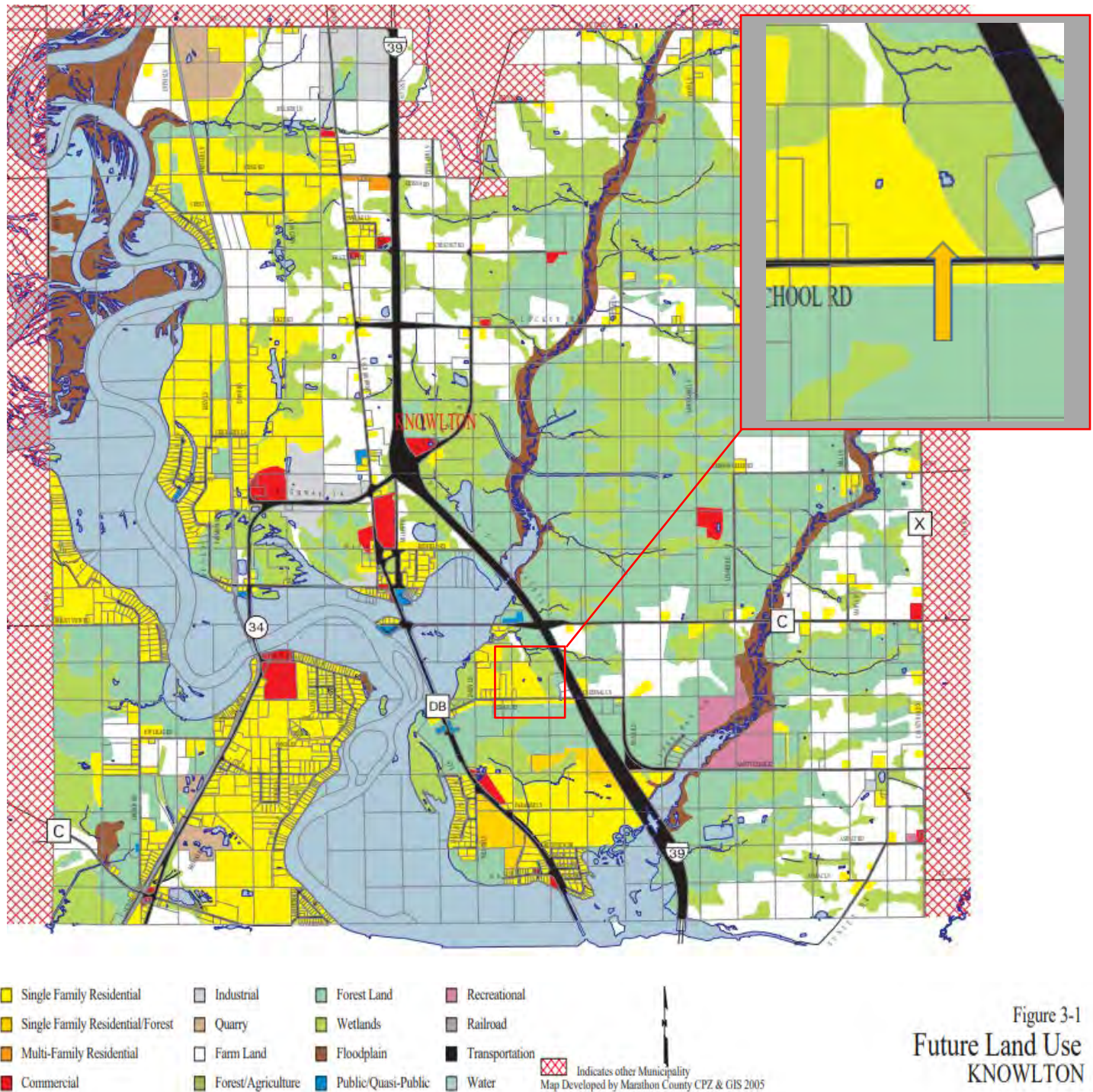


Figure 3-1  
Future Land Use  
KNOWLTON

**FARMLAND PRESERVATION PLAN:** The Town of Knowlton does not participate in Farmland Preservation.

# Aerial Photo



# Certified Survey Map





## **TOWN RECOMMENDATION:**

On December 12<sup>th</sup>, the **Town of Knowlton** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

### **Staff Comments regarding ERC Conclusions of Law:**

1. The rezoning is substantially consistent with the following plans. (*note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan*)

- a. [Marathon County](#) Comprehensive Plan
- b. [Town](#) Comprehensive Plan and,
- c. Marathon County [Farmland Preservation Plan](#).

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated as Single Family Residential and Wetlands in the Town's future land use map, CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area in question was not designated as a farmland preservation area. The Town of Knowlton does not participate in farmland preservation zoning. As indicated by the town's future land use map and resolution/recommendation it appears the rezone is consistent with the purpose and intent of the Comprehensive Plan.

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

No farmland will be consumed.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
- c. Providing public facilities will not be an unreasonable burden to the local government.

**a.** The need is for a proposed land division.

**b.** All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable).

**c.** No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

All Federal, State, and Local permits and approvals are required for any applicable development onsite. Additionally, the proposed rezone will likely not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Any disturbance greater than one acre would need a DNR Stormwater Management Permit.

5. The Town has approved the proposed rezone of the property.

The Town of Knowlton Town Board has recommended approval of this rezone petition.

6. All concerns from other agencies on the proposed rezone have been addressed? (*DNR, Highway, DOT*) What are the concerns?

The county was not made aware of any concerns from other agencies.

---

### **STAFF (CPZ) RECOMMENDATION(S):**

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone also appears to be consistent with the purpose and intent of the Town's Comprehensive Plan and as indicated by the town resolution. Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



**Case: #1**  
**Environmental Resources Committee**  
**Decision Form**

**Conclusions of Law**

Marathon County Environmental Resources Committee (ERC) must consider all of the following standards in their decision. Please review and explain how the request does or does not meet each of these standards.

To approve a rezone, ERC must answer 'agree' to each of these standards. If the ERC recommends approval, but answers 'disagree' to any of these questions, a plan/ordinance changes, and/or additional information is required to satisfy the criteria.

1. The rezoning is substantially consistent with the following plans. *(note how the proposed relates to the future land use plan and the vision, goals, objectives, and policies of the plan)*
- a. [Marathon County](#) Comprehensive Plan
  - b. [Town](#) Comprehensive Plan and,
  - c. Marathon County [Farmland Preservation Plan](#).

Agree       disagree       insufficient information

---

---

2. The location of the proposed development minimizes the amount of agricultural land converted and will not substantially impair or limit current or future agricultural use of other protected farmland.

Agree       disagree       insufficient information

---

---

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
- b. Adequate public facilities are present or will be provided *(note impacts on roads, water, sewage, drainage, schools, emergency services, etc.)*, and
- c. Providing public facilities will not be an unreasonable burden to the local government.

Agree       disagree       insufficient information

---

---

4. The rezoning will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas.

Agree       disagree       insufficient information

---

---

5. The Town has approved the proposed rezone of the property.

Agree       disagree       insufficient information

---

---

6. All concerns from other agencies on the proposed rezone have been addressed? *(DNR, Highway, DOT)* What are the concerns?

Agree       disagree       insufficient information

---

---

**Environmental Resources Committee Decision**

On the basis of the above findings of fact, conclusions of law, and the record in this matter, the Marathon County Environmental Resources Committee finds that the rezoning is:

- Approved      Motion/      Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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- An amendment to the county comprehensive plan is needed to approve this petition.
- An amendment to the county farmland preservation plan is needed to approve this petition.

Describe recommended amendments:

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Signature:

Chairman: \_\_\_\_\_



**TOWN OF WESTON, MARATHON COUNTY, WISCONSIN**

**ORDINANCE NO. 2022-001**

**AN ORDINANCE TO APPROVE THE REZONING OF 228503 POPLAR LANE, TOWN OF WESTON, MARATHON COUNTY, WISCONSIN.**

WHEREAS, the Plan Commission of the Town of Weston having held a public hearing on the 15<sup>th</sup> day of November 2022, on the application described below for the zoning of the property described herein; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Town Board of Supervisors, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Town Board Supervisors of the Town of Weston do ordain as follows:

SECTION 1: On the application (Project 20220317) of Tim Vreeland, 6103 Dawn Street, Weston, for the following territory now comprising a part of the RR-2 Rural Residential 2 Acre zoning district, located in Section 5, Township 28 North, Range 8 East, Town of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

**RR-5 Rural Residential – 5 Acre:** The area to be rezoned is described as Lot 1 of Certified Survey Map Number 6587 found in Volume 24 on Page 202. (Document #955063) The property is also known as 228503 Poplar Lane, Wausau, WI 54403.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designation shall take effect upon the publication of this ordinance. If the rezoning of any lands by this Ordinance does not take effect within 180 days of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Town of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 15th day of November, 2022.

BOARD OF SUPERVISORS

By: Milton G Olson  
Milt Olson, its Chair

Attest:

Robin Huempfer  
Robin Huempfer, its Clerk

APPROVED: 11/15/20 22

PUBLISHED: \_\_\_\_\_



Application for Rezone  
**REZONE DETERMINATION BY THE TOWN OF WESTON  
PLAN COMMISSION**

Project Number: **20220317 / ORD 2022-001** Hearing Date: **November 15, 2022**  
Applicant: **Tim Vreeland, 6103 Dawn St, Weston WI 54476, on behalf of Dave Jensen, 228506 Camp Phillips Road and Kyle & Katrina Mattek, 228357 Poplar Ln, Wausau WI 54403**  
Location: **228503 Poplar Lane and 228506 Camp Phillips Road**  
Description: **LOT 1 CSM VOL 24 PG 202 (#6587) (DOC #955063)  
Section 5, Township 28 N; Range 8 E, Town of Weston, Marathon County, Wisconsin.**

The Town of Weston, pursuant to the Town of Weston Zoning Code, Article 16 Processes, Section 94.16.03 Amendments to the Official Zoning Map (Rezoning), hereby makes the following findings and evaluation to the Town of Weston Plan Commission:

**GENERAL INFORMATION:**

Current Zoning: **RR-2 Rural Residential – 2 Acres**  
Definition: 94.2.02(1)(c) The RR-2 district is intended for mainly single family detached residential development on minimum two acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section.  
Proposed Zoning **RR-5 Rural Residential – 5 Acres**  
Definition: 94.2.02(1)(d) The RR-5 district is intended for mainly single family detached residential development on minimum five acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section.  
Future Land Use: **Single Family Residential - Unsewered**  
FLU Description: Single family residences, home occupations, small-scale institutional, recreational, and agricultural uses, all served by private waste treatment (septic) systems.

**DETERMINATION:**

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?  
**Yes.**
2. Does the rezoning further the purpose and intent of this Chapter?  
**Yes, this rezoning is furthering purposes:**  
**(2) Implementing the Comprehensive Plan to the extent possible under zoning;**  
**(6) Encouraging the protection of natural resources;**  
**(7) Preventing the overcrowding of land and undue concentration of population;**  
**(8) Preserving and enhancing property values;**  
**(11) Managing growth and the impacts of land development; and**  
**(12) Preserving and enhancing community appearance and quality of life.**
3. Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?
  1. A mistake was made in mapping on the Official Zoning Map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be

demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Town may intend to stop an undesirable land use pattern from being perpetuated.

2. Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.
3. **Growth patterns or rates have changed, thereby creating the need for a rezoning.**

4. Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

**Yes. It's just moving lot lines between two properties.**

**BACKGROUND INFORMATION:**

The Mattek's will be purchasing some land from Dave Jensen. Their property at 228503 Poplar Lane will be rezoned to RR-5 so that some of Mr. Jensen's property at 228506 Camp Phillips Road can be added to the Mattek property via CSM.

**STAFF ANALYSIS AND COMMENT:**

Staff is in favor of this rezone and the proposed Certified Survey Map.

The zoning request is considered a "Down Zoning Ordinance" under Wis. Stat. §§66.10015(1)(a), as "By decreasing the development density of the land to be less dense than was allowed under its previous usage." An ordinance may be enacted by the Town [a political subdivision] by a two-thirds majority, except if the request is initiated by the landowner, which then only requires a simple majority. Since this is initiated by the landowner a simple majority is required.

**CURRENT PROPERTY CONDITIONS:**

228503 Poplar Ln currently has an existing home (New Lot 1 of CSM). 228506 Camp Phillips Rd has a cabin on it.

**PLAN COMMISSION ACTION OPTIONS [Process is outlined in Sec. 94.16.03(6)]:**

- 1) Plan Commission recommends approval of the rezone request and forwards the recommendation on to the Town Board at the November 15, 2022, meeting.
- 2) Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Town Board at their November 15, 2022, meeting.
- 3) Plan Commission takes no action, and the request moves on to the Town Board at their November 15, 2022, meeting with no recommendation.

**ACTIONS TAKEN:**

<b>Town Plan Commission Determination – 11/15/22:</b>	<b>RECOMMEND APPROVAL &amp; FORWARD TO BOARD</b>
<b>Town Board of Supervisors Action – 11/15/22:</b>	<b>APPROVED</b>
<b>County Board of Supervisors Action –</b>	<b>APPROVE / DENY</b>

STATE OF WISCONSIN )  
COUNTY OF MARATHON )  
TOWN OF WESTON )

**RESOLUTION #TW-2022-01  
COUNTY REVIEW RESOLUTION**

WHEREAS, the Town Board of Supervisors of the Town of Weston has heretofore amended the Town Zoning Ordinance and accompanying Zoning Map, and;

WHEREAS, the Town on due notice conducted a public hearing on the proposed amendment(s), and;


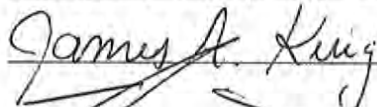

WHEREAS, the proposed amendment(s) has been given due consideration by the Town Board in open session, and;

WHEREAS, the proposed amendments are compatible with the adopted comprehensive plan for the Town;

NOW, THEREFORE BE IT RESOLVED, that pursuant to §60.62(3) Wis. Stats, the Town Board of Supervisors of the Town of Weston does hereby request review by the County Zoning Committee and subsequent recommendation for County Board approval of the attached Zoning Ordinance and accompanying Zoning Map.

Dated this 15<sup>th</sup> day of November 2022.

Signed by the Board of Supervisors of the Town of Weston:

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

I, Robin Huempfer, Clerk of the Town of Weston, Marathon County, State of Wisconsin, do hereby certify that the attached is a true and correct copy of a Zoning Resolution adopted by a majority vote of the Town Board of Supervisors of the Town of Weston on November 15, 2022.

  
\_\_\_\_\_  
Town Clerk (signature)

11/15/2022  
\_\_\_\_\_  
Date







**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

LOT 1 OF CSM 6587-24-202 AND THAT PART OF THE SOUTHEAST 1/4 OF  
THE FRACTIONAL NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 28 NORTH,  
RANGE 8 EAST TOWN OF WESTON, MARATHON COUNTY, WISCONSIN.

SHEET 2 OF 2 SHEETS

**SURVEYORS CERTIFICATE**

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF DAVE JENSEN, I SURVEYED, MAPPED AND DIVIDED ALL OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 6587, RECORDED IN VOLUME 24 ON PAGE 202 AND THAT PART OF THE SOUTHEAST 1/4 OF THE FRACTIONAL NORTHEAST 1/4 OF SECTION 5, TOWNSHIP 28 NORTH, RANGE 8 EAST TOWN OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 5; THENCE N 2°33'34" W ALONG THE EAST LINE OF THE NORTHEAST 1/4 326.73 FEET; THENCE S 89°05'45" W 127.04 FEET TO THE WEST LINE OF CAMP PHILLIPS ROAD AND TO THE POINT OF BEGINNING; THENCE S 89°06'56" W 543.90 FEET; THENCE N 2°18'35" W ALONG THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16761 452.05 FEET; THENCE S 89°07'06" W ALONG THE NORTH LINE OF SAID LOT 1 634.66 FEET TO THE EAST LINE OF POPLAR LANE; THENCE N 2°07'46" W ALONG THE EAST LINE OF POPLAR LANE 199.90 FEET; THENCE N 89°08'35" E ALONG THE NORTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 6587 638.66 FEET; THENCE N 88°56'13" E 471.37 FEET TO THE WEST LINE OF CAMP PHILLIPS ROAD; THENCE S 4°22'15" E ALONG THE WEST LINE OF CAMP PHILLIPS ROAD 316.39 FEET; THENCE S 11°46'39" E ALONG THE WEST LINE OF CAMP PHILLIPS ROAD 343.44 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

THAT SUCH MAP IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED AND THE DIVISION AND THE CERTIFIED SURVEY MAP THEREOF MADE.

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF WESTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 23RD DAY OF AUGUST, 2022  
SURVEY PERFORMED AUGUST 16TH, 2022

\_\_\_\_\_  
TIMOTHY G. VREELAND P.L.S. 2291

APPROVED FOR RECORDING UNDER  
THE TERMS OF THE MARATHON  
COUNTY LAND DIVISION REGULATIONS.

BY \_\_\_\_\_

DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO \_\_\_\_\_

REVIEWED AND APPROVED FOR  
RECORDING BY THE TOWN OF  
WESTON

DATE: \_\_\_\_\_

\_\_\_\_\_  
TOWN OF WESTON



## MARATHON COUNTY GROUNDWATER PLAN OVERVIEW

### **INTRODUCTION**

Groundwater is the major source of all water consumption in Marathon County. Understanding the condition and quantity of our groundwater resources, and identifying concerns and strategies to address those concerns, is critical to maintaining quality of life and economic well-being for all of Marathon County. Most, if not all, counties in our region of the state are attempting to understand the same things and for the same reasons.

The Marathon County Groundwater Plan has not been updated since 2001. The suggested Environmental Resources Committee (ERC) updates to the Marathon County Strategic Plan affirm a major outcome for Objective 6.3 (*Protect and enhance the quantity and quality of the potable groundwater and potable surface water supplies.*) should remain to develop a Groundwater Plan for adoption by the County Board, by December of 2024. Marathon County Conservation, Planning, and Zoning is tasked with development of this Groundwater Plan.

### **GROUNDWATER PLAN OBJECTIVES**

- Obtain a comprehensive and consistent data set by which to evaluate the condition of groundwater in Marathon County.
  - At a minimum, this data should include the levels of nitrates and coliform bacteria that are found in tested wells, and testing for atrazine in the county's prohibition areas.
- Work with a regional group of stakeholders to identify greatest concerns as it relates to groundwater in our county. Then, determine what appropriate and realistic actions that can be taken to address those concerns based on the new data set and other external sources of data that are relevant and complementary to this work.
  - This work would inform the same discussions at the ERC Committee and County Board should any actions be deemed worthy of consideration for the county to undertake.

### **PROJECT OUTLINE**

**Data collection and interpretation** - Includes collection and analysis of 1000 well water tests, as well as, summarizing any existing/available data. Summarize data and trends to understand the movement of inorganic and organic substances, aquifer potential use, limitations, and yield. Collect existing data from potential partners and the Marathon County Health Department Lab and map the data using GIS to provide meaningful geographic context.

The first step in updating the County Groundwater Plan must be a concentrated data collection effort. Over the last 20+ years there have been small efforts of data collection that have provided glimpses into what the state of groundwater might be in Marathon County. Most data are significantly dated, and no effort has been a comprehensive, wholistic look at Marathon County's groundwater. Many parts of the county are "data deserts" that have no data or context of the current groundwater status.

**Public Education, Outreach, and Stakeholders Meetings** – Initially focus will be on education to encourage landowners to participate in the testing and connect them to resources and the appropriate professionals, if tests reveal they have a water quality issue. Following the testing, the Groundwater Workgroup will organize and conduct a series of workshops throughout the county to engage the public the results of the well testing campaign. The workshops will discuss the condition of groundwater in Marathon County, potential concerns, and what types of strategies should be considered to protect and enhance groundwater supplies in the county. This group will also be engaged in determining priority strategies, where to focus efforts based on water quality issues, and making recommendations to the Marathon County Board on strategies the county should consider or implement.

It is anticipated that three sets of workshops/outreach events will take place during the development of the Groundwater Plan. These events will largely make use of the library branches and scheduled events or meetings. However, there will be a lot of advertising and outreach conducted to try and draw people to events or to participate in a survey.

**Plan Development & Strategy Implementation Document** –

The Marathon County Groundwater Workgroup will analyze the data collected from the well testing campaign and develop a plan that establishes groundwater quality and quantity concerns, along with developing future strategies to address concerns and reach the overall goal of a safe water supply for all Marathon County citizen. The plan will identify priority strategies and actions and establish the roles and responsibilities in beginning to implement strategies.

**PROJECT TEAM**

The Groundwater Plan, including testing, will be a collaborative effort. While staff at Conservation, Planning, and Zoning staff will oversee testing and planning efforts, at the heart of this process will be a Marathon County Groundwater Workgroup.

This group will include regional partners, technical advisors, and major stakeholders. The goals of this group are to provide a dynamic framework to the plan that can adjust over time to gather input from all stakeholders, help complete the work that goes into the plan and its updates over time and create a collaborative atmosphere conducive to identifying the priority groundwater issues and strategies to address these issues. There needs to be a collaborative approach (a “aqua-shed coalition”) to defining and addressing our groundwater concerns in the county because no one organization or group can accomplish this work on its own.

Through this planning effort a regional approach will be established to complement the core effort, to address strategies identified in the groundwater plan, and collaboration will continue for future emerging issues. This group will also be tasked with supporting CPZ in developing training and workshops throughout the testing and plan development.

## **COSTS\***

### **Option #1:**

#### **Data Collection & Interpretation**

Comprehensive testing across the county for nitrates and coliform bacteria, with some specific sampling for atrazine or other elements as identified by the Groundwater Workgroup.

- 1000 tests for nitrates and coliform bacteria at an average cost of \$50/test = \$50,000
- Sampling for atrazine in prohibition areas and/or other determined priority elements/contaminants = \$20,000
- Additional data gathering and analysis (socioeconomic trends, spatial data, survey and stakeholder analysis): \$20,000

#### **Public Education, Outreach, and Stakeholders Meetings**

- Outreach materials (postcards, door hangers, survey, website for testing phase and workshops): \$25,000
- 3 sets of meetings/workshops at up to 10 locations each time (outreach/advertising, materials, refreshments): \$30,000

#### **Plan Development & Strategy Implementation Document:**

- Document assembly (writing and reproduction of two documents): \$10,000

**Total Request of Environmental Impact Funds (authorize up to)\*: \$175,000**

### **Option #2:**

#### **Data Collection & Interpretation**

Comprehensive testing across the county to include nitrates, coliform bacteria, pesticides (including atrazine), and metals. Some additional sampling for other elements as identified by the Groundwater Workgroup.

- 1000 tests at average cost of \$155/test: \$155,000
- Additional sampling based on gaps in data: \$20,000
- Additional data gathering and analysis (socioeconomic trends, spatial data, survey and stakeholder analysis): \$20,000

#### **Public Education, Outreach, and Stakeholders Meetings**

- Outreach materials (postcards, door hangers, survey, website for testing phase and workshops): \$25,000
- 3 sets of meetings/workshops at up to 10 locations each time (outreach/advertising, materials, refreshments): \$30,000

#### **Plan Development & Strategy Implementation Document:**

- Document assembly (writing and reproduction of two documents): \$10,000

**Total Request of Environmental Impact Funds (authorize up to)\*: \$275,000**

\*While this document is looking at Environmental Impact Funds, there are other potential funding sources that could complement an effort funded with contingency or be used exclusively for funding this effort (e.g., ARPA, CIP "Planning Fund", Tax Levy, Sales Tax)

## **REQUEST BEFORE THE ENVIRONMENTAL RESOURCES COMMITTEE**

The request before the Environmental Resources Committee (ERC) is to approve a resolution to go to the HR Finance & Property Committee, and the County Board, requesting use of Environmental Impact Funds (or other funding avenues) to immediately begin the groundwater plan update and offer private well water testing to 1000 landowners in Marathon County. This document provides the additional background and context on the Groundwater Plan effort to assist the ERC in vetting this request.

While other options, such as ARPA, may be another viable funding source for well water testing and the groundwater update, waiting for approval of ARPA funds until spring could result in less funding sources available to landowners to mitigate water issues, they discover through the testing process. Right now, federal and state programs have funds available to landowners to help mitigate well water issues. The guarantee that these funds will be available even a year from now is uncertain. Further the Environmental Impact Funds are set aside to fund environmental programs and projects that will have positive impacts to our community. The Groundwater Plan will be an effort for the entire county, to identify concerns and priorities, and develop partnerships and strategies that will protect groundwater throughout the area.

## **FAQS**

### ***How will water sampling locations and parameters be determined?***

Initially a grid sampling approach will be used to ensure sampling is spatially distributed across the county. Using GIS data and mapping, CPZ will identify and outreach to landowners within each grid (likely by township) to try and obtain a certain number of samples within each area. A certain number of days and locations will be established throughout the county for CPZ to distribute bottles to the landowners and then pick them back up. If we identify gaps in the sampling, CPZ will go back to those areas again to see if we can get more volunteers to test.

At minimum, all water would be tested for nitrates and coliform bacteria (e.coli). Further, a sampling for atrazine in our atrazine prohibition areas would be done, and additional atrazine tests may be done in areas determined to be at risk for higher levels of atrazine.

If more funding is approved, then the water testing could be expanded to include testing for metals and pesticides. Ultimately, the Groundwater Workgroup would determine what the testing should cover and if certain sample areas might need to be tested for additional elements due to things like existing concerning data, the underlying bedrock, localized land use, etc.

### ***Will water sampling for this effort be mandatory?***

All testing will be voluntary. To get a comprehensive sample across all of Marathon County, CPZ may go back and do additional outreach to some areas more than others to fill in data gaps, but no landowner would be required to test.

### ***Can the Marathon County Health Department conduct the water testing?***

The Marathon County Health Department is State certified to conduct testing for nitrates and coliform bacteria. They would be the likely choice if funding is approved for Option #1. If Option #2 is funded, labs like the UW Steven's Point Water and Environmental Analysis Lab (UWSP WEAL) are certified to conduct the more comprehensive testing. The goal is for a consistent data set, therefore, limiting testing to one lab is the preferred method.

***What happens if a landowner gets tests results indicating there is a problem with their water?***

There are no regulatory consequences for landowners who receive water test results above established standards. The goal would be to connect these landowners with resources from state and federal programs (whether that is a funding or technical assistance) to treat or repair their wells. Currently there are a few programs available to landowners to mitigate or repair well water issues, but first they need the well testing data to identify if an issue exists.

***How will the planning effort manage messaging and setting expectations for the public?***

The planning effort will develop an action framework on how outreach will occur to county landowners. The outreach will include providing education and resources to landowners, along with scheduled events in dispersed geographic locations that are convenient for all involved. When well test kits are distributed, those landowners will receive a flyer from CPZ describing the timeline and potential outcomes from their test. All staff and members of the workgroup will be trained to have a “common voice” of what the message will be to the public, along with the information we are providing them.

***How are other counties funding these types of efforts? Have we considered cost-sharing options where the landowner pays some of the cost for the testing?***

Multiple counties in Wisconsin are fully funding some level of testing for their landowners. Some are doing this in support of planning efforts, others because they have water quality concerns. Counties that have provided some level of funding to well testing include Adams, Barron, Chippewa, Dodge, Green, Kewaunee, Portage (\$2.3 million for testing and repairs) and Sauk. Some Counties have funded it through their budgets, others are using ARPA funds.

Counties like Adams and Portage have even established regular well-testing programs in perpetuity, where on a regular basis they go back and sample the same areas to attempt to track trends.

Options for cost-sharing, where the landowner pays some of the testing cost, or agrees to reimburse the county if they secure funds to repair or treat a well have been discussed. All these options come with administrative oversight and costs that are likely more than the money the county would recover. Also, by providing a free test, the likelihood of getting widespread participation will increase.

***What about the state funds announced in October 2022? Why can these not be made available for landowners to test their wells?***

Through the state’s program, a landowner will only get their well testing paid for if they first pay for getting two well tests up front, get a well test that exceeds health standards, and then receive approval from DNR staff for mitigation or reconstruction funds through the program. The state will then reimburse the landowner for the costs of their initial testing, but it is not a program designed to just pay for testing. Also, if landowners pursue testing on their own, there is no easy way for the county to get a consistent and comprehensive data set for our planning efforts.

***What other data is available for use in the Groundwater Plan? What about existing Marathon County or DATCP data?***

The Marathon County Health Lab does have a small data set that they are willing to share with the Groundwater Workgroup, but much of the data is not geographically distributed throughout the county and does not include the full testing parameters of what is needed to write a comprehensive groundwater plan. The Groundwater Workgroup will also utilize data that is publicly available through the UWSP WEAL Lab, although this data set is also very limited. Data is not available to Marathon County through DATCP’s farm well testing requirements.



Chapter 17					
Amendment #	Title	Section in (Proposed Code)	Initial Potential Change	Reason For Change	Final Recommended Change
1	Chapter 17	Chapter 17 (Whole Document)	General code reference updates, spelling, formatting, and grammatical corrections.	Update Code to reflect most recent state code references, and correct existing spelling, formatting, grammatical errors.	See draft ordinance for corrected grammar and code updates. <b>(Grammar and Code updates are not yet completed in draft).</b>
2	8	17.804.05	Addition and clarification between requirements for a use variance and area variance.	Wisconsin Supreme Court distinguishes between use and area variances. Currently our code does not address use variances.	Recommend to keep current language the same. It was found that an update to our application form is all that was needed.
3	2	17.203.05	Remove Conditional Use process for Accessory Building(s) exceeding the dimensional limitations of Table 6. (For personal/private use and/or accessory to the principal use of the lot). Pair this removal with an increase in dimensional standards for residential structures in table 6.	Clean up potential loop hole. This particular conditional use process is considered an area variance which has a process and standards in place.	Remove Conditional Use process for Accessory Building(s) exceeding the dimensional limitations of Table 6. (For personal/private use and/or accessory to the principal use of the lot). Pair this removal with an increase in dimensional standards for residential structures in table 6. <b>(See table 3 and table 6 of the draft ordinance for proposed changes).</b>
4	2	17.202.02	Include Density of Dwelling units into the schedule of regulations	State statute 66.1001(2)(h) states that counties regulate densities. It is referenced in multiple areas in our code as a key factor in regulating 17.204.18 Multi-Family Dwellings, 17.204.19 Conservation Development. Without densities included regulating the number of Dwelling units in Multi-Family Dwellings and Conservation Development areas is not possible.	Include net dwelling densities back into the schedule of regulations. Add clarity regarding how net dwelling density is calculated and what is applicable too. (Subdivisions, Multifamily Developments, Conservation Developments). <b>(See Chapter 17.202.02 of the draft ordinance for proposed language).</b>
5	1	17.101.06(C)	Include a new section regarding zoning reviews for land divisions.	Wisconsin state statute update to 236.45 removed the authority of Section 18.004.03 of Chapter 18 Land Division Ordinance to require a CSM (and review) for sale or exchanges that are less than 5 acres, and where a new lot is not created. Not having this review process prevents the County from insuring the newly adjusted parcels are conforming to the size requirements and standards of their respective zoning districts as well as ensuring a legal sanitary system remains possible. The addition of this section would allow the county to prevent non-conforming parcels from being created in County zoned towns.	Include new Section and text requiring a review of sale or exchange documents for parcels under 10 acres to ensure it abides by zoning district standards and POWTS standards <b>(See Chapter 17.101.06(C) of draft ordinance for proposed language).</b> (Update Chapter 15 and 18 updated to remain consistent).
6	3	17.204.65	Require: Hours of operation, Emergency Management (Category Breakdown number of People.	To better protect public health and safety.	Include additional requirements for events with 500 or more guests such as Traffic control plan and or Emergency Management plan <b>(See Chapter 17.204.65 of the draft ordinance for proposed language).</b>
7	2	17.204.57(B)	Recommended by the Town of McMillan Town Board. Removal of Major Home Occupation Conditional Use Permit Exemption for businesses that primarily conduct work off site.	To better protect the integrity of zoning districts by requiring all new Major Home Occupations to go through the Conditional Use Permit process.	Removal of Major Home Occupation Conditional Use Permit Exemption for businesses that primarily conduct service off site. <b>(See Chapter 17.204.57(B) of the draft ordinance for proposed language).</b>

Chapter 15					
Amendment #	Title	Section in (Proposed Code)	Initial Potential Change	Reason For Change	Final Recommended Change
1	NA	15.40(16)	Include requirement for sale and exchange reviews.	To ensure consistency among codes. To ensure sale or exchange does not affect the parcels ability to have a legal sanitary system.	Add sub section in powers and duties to include review of sale or exchange documents <b>(See Chapter 15.40(16) for proposed language)</b> .

Chapter 18					
Amendment #	Title	Section in (Proposed Code)	Initial Potential Change	Reason For Change	Final Recommended Change
1	2	18.002.03	Addition referencing review requirement for Sale or Exchange in chapters 15,17.	To address the changes to State statute 236.45 and regulatory codes consistent.	Add sub section to reference chapters 15 and 17 for the purpose of requiring a review of sale or exchange documents. <b>(See Chapter 18.002.03 for proposed language)</b> .
2	4	18.004.03	Update Requirements for sale and exchange to reflect Wis Stat 236.45.	Update to ensure code is following state statutes.	Remove previous requirements and reference back to chapter 15 and 17 <b>(See Chapter 18.04.03 for proposed language)</b> .

To review full drafts of Chapters 15, 17, and 18 of The General Code of Ordinances for Marathon County please visit:

<https://tinyurl.com/2btbpy6e>

Look under the 2023 Drafts for Review header. An Open House to submit comments on the drafts will be held Thursday, January 19th, 2023, from 10AM to 6PM, at the Marathon County Conservation, Planning, & Zoning Department, located at 210 River Drive, Wausau, WI 54403.

Hard copies of the draft are available upon request to [Shad.Harvey@co.marathon.wi.us](mailto:Shad.Harvey@co.marathon.wi.us)