



MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

Date & Time of Meeting: **Tuesday, February 28, 2023 at 3:00 p.m.**

Meeting Location: **WebEx/Courthouse Assembly Room, B-105, 500 Forest Street, Wausau WI 54403**

Committee Members: Jacob Langenhahn (Chair); Allen Drabek (Vice-Chair); Rick Seefeldt; David Oberbeck; Mike Ritter; Andrew Venzke; Tony Sherfinski; Kim Ungerer; Rodney Roskopf (FSA Rep); Marilyn Bhend (Towns & Villages Association Rep)

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated 12-20-05).*

Environmental Resources Committee Mission Statement: *Provide leadership for the implementation of the County Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to environmental resource initiatives of Marathon County. (Revised: 04/17/12)*

Strategic Plan Goals 2018 - 2022: Objective 5.2 - Promote sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth.

Objective 6.3 - Protect and enhance the quantity and quality of potable groundwater and potable surface water supplies.

Persons wishing to attend the meeting by phone may call into the **telephone conference ten (10) 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.

When you enter the telephone conference, **PLEASE PUT YOUR PHONE ON MUTE!**

The meeting will also be broadcast on Public Access or at <https://tinyurl.com/MarathonCountyBoard>

- 1. Call meeting to order**
- 2. Pledge of Allegiance to the Flag**
- 3. Public Comment (15-minute limit)** *(Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of meetings, must provide his or her name, address in writing, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting. The topic must be relevant to the committee's area of jurisdiction.)*
- 4. Approval of January 31, 2023 Committee minutes**
- 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. Jay Troyer - F-P Farmland Preservation to R-R Rural Residential and G-A General Agriculture - Town of Eau Pleine
 2. Chris Fieri on behalf of Edward and Roseanne Buchberger - F-P Farmland Preservation to R-R Rural Residential - Town of Marathon
 - B. Review and Possible Recommendations to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)
 1. Town of Bergen – Section 6.02(12) – Keeping of Chickens
 2. Town of Mosinee Rezone - A-1 to A/R – 058.2706.161.0994
 - C. Review and Possible Recommendations to County Board for its Consideration – None
Possible Resolution in Support of State Legislation for Salt Pollution Prevention, De-Icer Applicator Certification and De-Icer Applicator Liability Protection
 - D. Review and Possible Action
 1. Jayne Griepentrog Certified Survey Map – Town of Emmet – Tim Vreeland, Surveyor, Vreeland Associates
- 6. Educational Presentations/Outcome Monitoring Reports and Committee Discussion**
 - A. Department Updates: Conservation Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF), Solid Waste
 1. Educational Presentation on the Animal and Plant Health Inspection Service (APPHIS); Jim Tharman, USDA

**MARATHON COUNTY
ENVIRONMENTAL RESOURCES COMMITTEE
AGENDA**

APPHIS

- 2. Forthcoming DNR Updates to the General Code of Ordinance for Marathon County – Chapter 22 – Shoreland, Shoreland-Wetland, and Floodplain Code
- 3. State Legislative Bill Updates

- 7. **Policy Issues Discussion and Potential Committee Determination** – None
- 8. **Next meeting April 4, 2023, 3:00 pm Assembly Room and future agenda items:**
 - A. Committee members are asked to bring ideas for future discussion
 - B. Announcements/Requests/Correspondence
- 9. **Adjournment**

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 at least one business day before the meeting.



SIGNED _____
Presiding Officer or Designee

NOTICE POSTED AT COURTHOUSE:

Date: _____
Time: _____ a.m. / p.m.

EMAILED AND/OR FAXED TO:

News Dept. at Daily Herald (715-848-9361), City Pages (715-848-5887),
Midwest Radio Group (715-848-3158), Marshfield News (877-943-0443),
TPP Printing (715 223-3505)

Date: 02/23/2023 _____
Time: 830am _____

By: nd _____ By: _____
Date/Time/By: _____

County Clerk _____



**Marathon County
Environmental Resources Committee Minutes
Tuesday, January 31, 2023
500 Forest Street, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>	
<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(excused)	
	Tony Sherfinski.....	X		
	Kim Ungerer	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, Jeff Pritchard– Conservation, Planning, and Zoning (CPZ); Chris Holman – Deputy County Administrator, Mike Puerner – Corporation Counsel, Jamie Polley – Parks & Forestry; Kevin Lang – Highways, Kurt Gibbs, Raeann Brandt, Norman Kurtz, John Kennedy, Al Niebur, Ben Niffenegger, Scott Blado, Lucas Koenig, Dorothy Olson, Bruce Wineman

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 January 3, 6 & 24, 2023, Committee minutes**
Motion / second by Drabek/ Oberbeck to approve of the January 3, 6 & 24, 2023, Environmental Resources Committee minutes. Chair Langenhahn noted Supervisor Morache was present for the January 3rd ERC meeting and to add her to the “others present” section of the Jan. 3rd 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. Laurie A Bootz Trustee, on behalf of Magdalen Conrad Trust - G-A General Agriculture to R-E Rural Estate - Town of Elderon

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 Elderon has reviewed the application and recommends approval without any concerns or additional comments. Seefeldt questioned if there is an easement allowing access to the barn to the north, which will be sold separately.

Raeann Brandt was sworn in and indicated she believes there is an easement for the lot to the north.

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 3:16 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Environmental Resources Committee Minutes

January 31, 2023

Action: **Motion** / second by Seefeldt/Sherfinski to recommend approval to County Board, of the Magdalen Conrad Trust 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.

2. Jordan Weaver - RE Rural Estate to RR Rural Residential and from RE Rural Estate to NC Neighborhood Commercial - Town of Hull

Discussion: Pagel noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request described as lot 1 preliminary CSM. 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. Pagel noted, The Town of Hull has reviewed the application and recommends approval without any concerns. Oberbeck questioned the town's future land use map and the staff report, that the map is very different from the rezone request. Shad Harvey was sworn in and stated that the county relies on the town's response to the rezone request. If they say the rezone is in alignment with their future land use, then we accept their opinion on it. Drabek questioned the use of the property.

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 3:28 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Typically, there should be a statement in the staff report indicating a town should update their comprehensive plan and future land use map to reflect the rezone, and the ERC directed staff to update the staff report to this effect. The packet has been amended to reflect that the staff report indicated that the town should update their comprehensive plan to reflect the rezone request to ensure consistency. Future staff reports will also include this.

Mike Puerner from Corporation Counsel indicated the ERC Committee is responsible for the approval/ decline the rezones using the conclusions of law to determine if the standards are met, including that the rezone is substantially consistent with the plans and in relation to the Marathon County Comprehensive Plan, Town Comprehensive Plan, and the Farmland Preservation Plan. In the findings of fact they can state rezone is consistent with the Town Comprehensive Plan because the town indicated it is consistent.

Action: **Motion** / second by Drabek/ Sherfinski to recommend approval to County Board, of the Jordan Weaver rezone request. The ERC Committee recommends noting the town update their comprehensive plan to reflect this rezone. 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.

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

January 31, 2023

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

3. Shad Harvey, Conservation, Planning and Zoning (CPZ) – Text amendment changes to the General Code of Ordinances for Marathon County Chapters 15, 17 and 18

Discussion: Harvey was sworn in and discussed the changes related to the annual text amendments to Chapter 15, 17 and 18 Codes. CPZ held an open house on January 19, 2023. Harvey shared the proposed revisions with the ERC committee.

Harvey noted that the special events update is for temporary events and is only for County Zoned Towns. Mike Puerner indicated that Marathon County has a special events ordinance within the County's General Code of Ordinances that is countywide, but it is not enforceable at this time. There is a county task force being put together to update this ordinance. Kurt Gibbs was sworn in and stated once the task force is created it will involve many departments countywide. Any changes to the countywide ordinance would need to be checked against Chapter 17 to ensure consistency and make it clear which ordinance is used in which circumstances.

Langenhahn asked how many town comments were received. Harvey noted the Town of Guenther was in contact regarding the open house. Harvey also stated CPZ received less than 10 comments from the towns.

There was no additional testimony in favor or opposed to the text amendment changes to the General Code of Ordinances for Marathon County Chapters 15, 17 and 18 Code virtually or in person. Testimony portion of the hearing was closed at 4:06 p.m. Committee deliberated.

Action: **Motion** / second by Ritter/ Seefeldt to approve the text amendment revisions to the Marathon County Chapter 15, 17 and 18 Codes.

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

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.) – None.

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

1. Resolution for use of Environmental Impact Funds (EIF) to fund repair and replacement of aerators at the Big Eau Pleine

Discussion: Lucas Koenig, WDNR Fisheries Biologist, was present and shared a presentation on the renowned fishery in the Big Eau Pleine reservoir, most notably before and after the 2009 fish kill. Ben Niffenegger, Vice President of Environmental Affairs, WVIC, discussed what they do to manage and operate the aerators at the Big Eau Pleine in the winter months to provide oxygen for the fish. Niffenegger explained the history of the aerators, a timeline of the partnership that exists to coordinate the aerators, and how the aerators function at the Big Eau Pleine reservoir. A PBS video from 2009 was shown that went into more detail regarding the detrimental 2009 fish kill and how the aerators are in place to prevent that from happening again. Heidenreich explained how the partnerships between DNR, WVIC, BEPCO, and Marathon County keep the aerators up and running. Heidenreich also stated that the partnership has been contacting multiple contractors to get quotes and cost estimates for the replacement and repair of the key components of the aerators, as they are at the end of their life span (originally from the 1960s). Heidenreich continued regarding how the EIF funding will be used and how the other partners are also contributing large sums of money to the aerator costs via annual maintenance. The ask before the ERC is up to \$175,000 to replace the existing aerators.

The committee discussed and asked additional clarifying questions.

January 31, 2023

Motion / second by Ritter/ Oberbeck for approval of use of the Environmental Impact Funds for the replacement of the aerators at the Big Eau Pleine.

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

Follow through: Forward to HR Finance Committee for action at their next regularly scheduled meeting.

2. Recommendation of Adoption of the Westside Master Plan

Discussion: Jamie Polley briefly reviewed the Westside Master Plan including feedback received from partners and County Board Supervisors following the presentation to the County Board. She reviewed the goal of the masterplan. The plan is a long-term concept plan or vision of the County Board and is subject to changes over time. Polley discussed a few comments that were brought forward by a couple of County Board Supervisors.

The committee discussed and asked a few clarifying questions.

Motion / second by Sherfinski/ Seefeldt to approve the Adoption of the Westside Master plan.

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

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

D. Review and Possible Action - None.

6. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

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

1. Brief Update on Proposed State Legislation related to Salt Pollution Prevention, De-Icer Applicator Certification, and Liability Protection

Discussion: Miskimins mentioned the members of the state legislator are looking for co-sponsors to bring a bill forward that would offer limited liability to deicing applicators. This would be a voluntary action. This effort would align with our strategic plan, 6.3 Strategy D. If this goes to the floor, the ERC may want to consider a letter of support or a resolution in favor of the bill.

2. **Motion** / second by Seefeldt/ Drabek to go into closed session (roll call vote suggested) pursuant to § 19.85(1)(e) for the purpose of conducting other specified public business, whenever competitive or bargaining reasons require a closed session, with updates relative to cost estimates for Marathon Park water project.

Motion **carried** by roll call vote, no dissent.

3. Motion to Return to Open Session (roll call vote not required)

Motion/ Second Drabek/ Ritter to Return to Open Session (roll call vote not required)

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

4. Announcements and/or Action Regarding Closed Session Discussion - None

7. Policy Issues Discussion and Committee Determination to the County Board for its Consideration – None.

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

Tuesday, February 28, 2023, 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

Environmental Resources Committee Minutes

January 31, 2023

B. Announcements/Requests/Correspondence

1. Miskimins announced there are a few Conservation program events coming up in March and April and she will email the ERC further information. These events will be opportunities to interact with farmers and grazers, and learn about conservation efforts in the county

9. **Adjourn** – **Motion**/ second by Drabek/Ritter 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, February 28th, 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 Jay Troyer to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential and G-A General Agriculture, location described as part of the Southwest $\frac{1}{4}$ of the Fractional Northwest $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Fractional Northwest $\frac{1}{4}$ of Section 18, Township 27 North, Range 3 East in the Town of Eau Pleine. The area to be rezoned is described as lots 1 and 2 of the preliminary CSM. Parent Parcel # 020.2703.182.0996.
2. The petition of Chris Fieri on behalf of Edward and Roseanne Buchberger to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential as described in Document Number 586288 and part of the North $\frac{2}{3}$ of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 18, Township 28 North, Range 6 East, Town of Marathon. The area to be rezoned is described as Lot 1 of preliminary Certified Survey Map. Parent Parcel #054.2806.181.0996 and 054.2806.181.0997.

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.

PETITION FOR ZONE CHANGE
FROM FARMLAND PRESERVATION ZONING
 BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Ordinance (I) (we): (Name and mailing address)
Jay Troyer 215504 Westcott Ave Stratford, WI 54484
 hereby petition to rezone property owned by: (Name and mailing address) SAME

from the classification **FP Farmland Preservation** to R-R Rural Residential + G-A General Ag

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 (can be found on tax bill): 020-2703-182-0996

3. The proposed change is to facilitate the use of the land for (be specific - list all proposed uses):
Divide home off from ~~farm~~ croplands.

4. Total acres in parcel (outside of right-of-way): 22.3 acres

5. Total acres zoned Farmland Preservation: FP 23.04 acres A-4(-M) _____ acres

6. Total acres in farm: 23.04 acres

7. How many acres/square feet are you requesting be changed? 23.04 (acres) square feet

8. Are there improvements (structures) on this parcel in question? Yes No
 What is the current use of the structure(s)? residential + cropland

9. A. What is your reason for requesting this rezone? (Please check and fill in the blanks)
 Develop land for non-agricultural residential use Develop land for recreational use
 Develop land for industrial use Pre-existing use, substandard or nonconforming parcel
 Develop land for commercial use Other: Divide home off cropland

B. How far is the land from a city or village boundary? 5 miles/feet

C. How far is the land from an existing area of similar use? ± 150 miles / feet

D. Is the land served by public sewer? Yes No

E. Is the land served by public water? Yes No

F. Is the land within a sanitary district? Yes No

G. If more than one lot was developed: # of Lots: 2 Average lot size: 5 + 18 Acres

10. 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 serve the proposed development at present, or how they will be provided.
No development. The home being divided from the croplands is around 100 years old. Croplands are being purchased by neighboring farmer.

B. Explain how the provision of these facilities will not be an unreasonable burden to local government.
None expected. No development.

C. What have you done to determine that the land is suitable for the proposed development?
Property is uplands and support an existing home.

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 affects expected.

- OVER -

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 MARATHON CO. CONSERVATION,
 PLANNING & ZONING DEPT.

E. Explain any potential conflict with remaining agricultural uses in the area.

No conflict. Dividing home of with 4.95 Acres.

Cropland being purchased by neighboring farmer.

F. Demonstrate the need for the proposed development in an agricultural area.

No development.

G. What is the availability of alternative locations? Be specific.

No Alternative

H. What is the productivity of the agricultural lands involved?

Lands are productive and will remain that way.

I. Explain how the location of the proposed development has been selected to minimize the amount of agricultural land converted.

No Development. Dividing home from croplands.

J. Explain how the proposed rezoned land is better suited for a use not allowed in the Farmland preservation zoning district.

The lands around the existing home are used as residential. Croplands will remain croplands.

K. Explain how the rezone is consistent with the Marathon County and town's comprehensive plans.

Other parcels in the area are zoned same.

L. Explain how the rezone is substantially consistent with the Marathon County Farmland Preservation plan which is in effect at the time of the rezone.

The home would be allowed to be divide off with 2-4.99 Acres if the remainder was over 35 Ac. Property only contains 23 Acres.

M. Explain how the rezone will not substantially impair or limit current or future agricultural use of other protected farmland.

No Conflict. Croplands will continue to be cropped

11. 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. Include the names of all property owners, existing land uses, and zoning classifications within 300 feet of the boundaries of the property on which the rezone is located. 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 direct mail of the public hearing notice.

If, at the public hearing for this zone change request, the Zoning Committee 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 CPZ Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Minimum of 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.

12. Petitioner's Signature Jay D. Truge Phone 715-650-7522 Date 12-15-22

13. Owner's Signature SAME Phone _____ Date _____
(If different than Petitioner)

Fee \$ 500 - (Checks payable to Marathon County) Date Fee Received: 01/09/2023 \$600.00

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 Committee hearing is recommended.**

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JAN 03 2023

MARATHON CO. CONSERVATION, PLANNING & ZONING DEPT.

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE
 FRACTIONAL NORTHWEST 1/4 AND SOUTHEAST 1/4
 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION
 18, TOWNSHIP 27 NORTH, RANGE 3 EAST, TOWN
 OF EAU PLEINE, MARATHON COUNTY, WISCONSIN.

WEST 1/4 CORNER
 SECTION 18-27-3 EAST
 LOCATION PER TIES

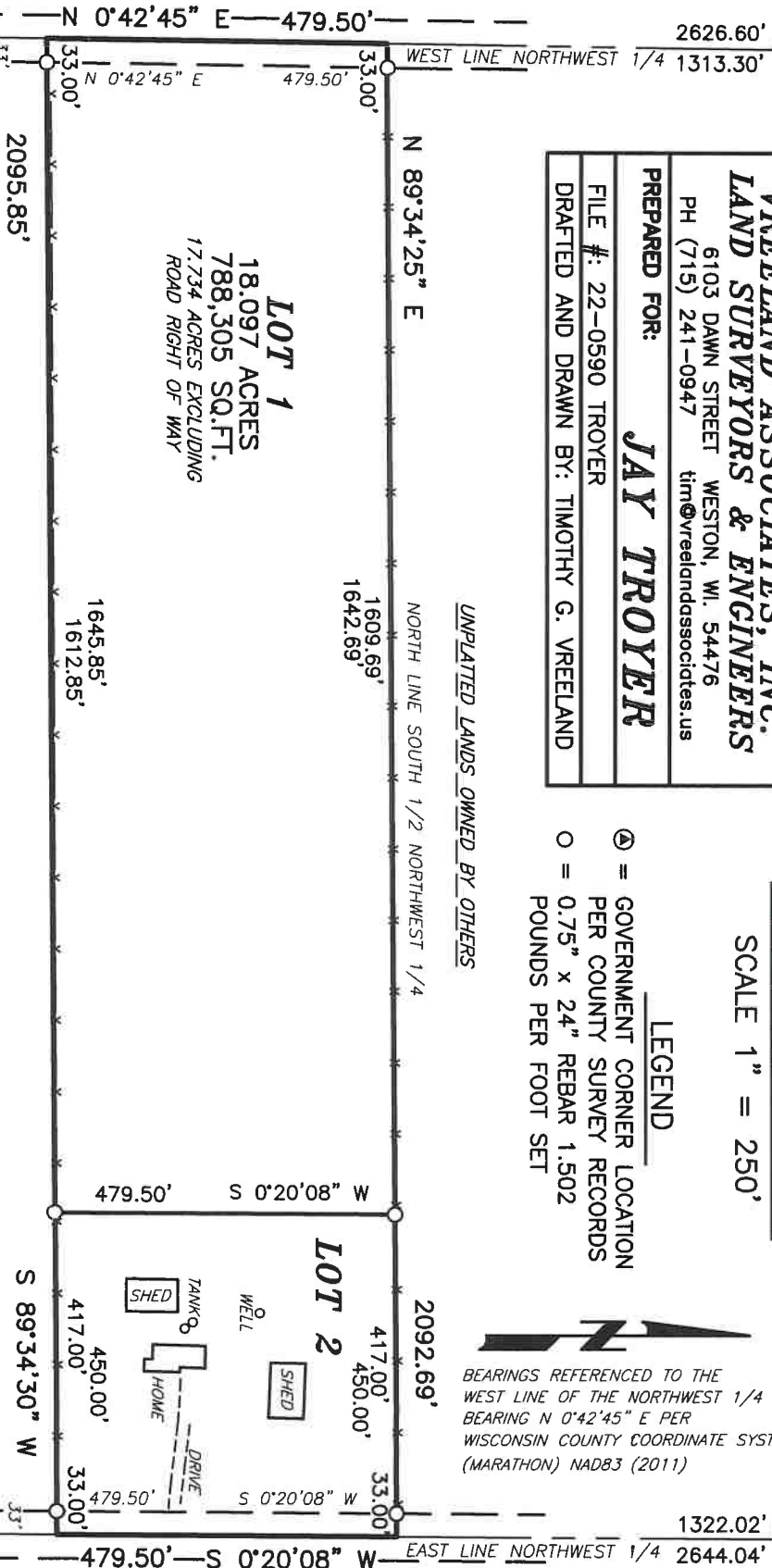
NORTHWEST CORNER
 SECTION 18-27-3 EAST
 EXISTING SPIKE

ABE LINCOLN AVENUE

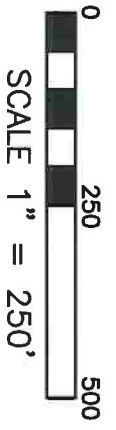
SHEET 1 OF 2 SHEETS

VREELAND ASSOCIATES, INC.	
LAND SURVEYORS & ENGINEERS	
6103 DAWN STREET PH (715) 241-0947	WESTON, WI. 54476 tim@vreelandassociates.us
PREPARED FOR:	
JAY TROYER	
FILE #: 22-0590 TROYER	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

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
 - = 0.75" x 24" REBAR 1.502 POUNDS PER FOOT SET



BEARINGS REFERENCED TO THE
 WEST LINE OF THE NORTHWEST 1/4
 BEARING N 0°42'45" E PER
 WISCONSIN COUNTY COORDINATE SYSTEM
 (MARATHON) NAD83 (2011)



LOT 2
 4.953 ACRES
 215,754 SQ.FT.
 4.590 ACRES EXCLUDING
 ROAD RIGHT OF WAY

LOT 1
 18.097 ACRES
 788,305 SQ.FT.
 17.734 ACRES EXCLUDING
 ROAD RIGHT OF WAY

CENTER 1/4 CORNER
 SECTION 18-27-3 EAST
 EXISTING SPIKE

NORTH 1/4 CORNER
 SECTION 18-27-3 EAST
 LOCATION PER TIES

WESCOTT AVENUE

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHWEST 1/4 AND SOUTHEAST 1/4 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 27 NORTH, RANGE 3 EAST, TOWN OF EAU PLEINE, 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 JAY TROYER, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE FRACTIONAL NORTHWEST 1/4 AND SOUTHEAST 1/4 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION 18, TOWNSHIP 27 NORTH, RANGE 3 EAST, TOWN OF EAU PLEINE, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 18; THENCE N 0°42'45" E ALONG THE WEST LINE OF THE NORTHWEST 1/4 833.80 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 0°42'45" E 479.50 FEET; THENCE N 89°34'25" E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 2092.69 FEET; THENCE S 0°20'08" W ALONG THE EAST LINE OF THE FRACTIONAL NORTHWEST 1/4 479.50 FEET; THENCE S 89°34'30" W 2095.85 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 EAU PLEINE, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



TIMOTHY G. VREELAND

P.L.S. 2291

DATED THIS 14TH DAY OF DECEMBER, 2022
SURVEY PERFORMED DECEMBER 12TH, 2022

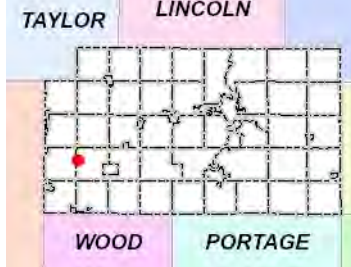
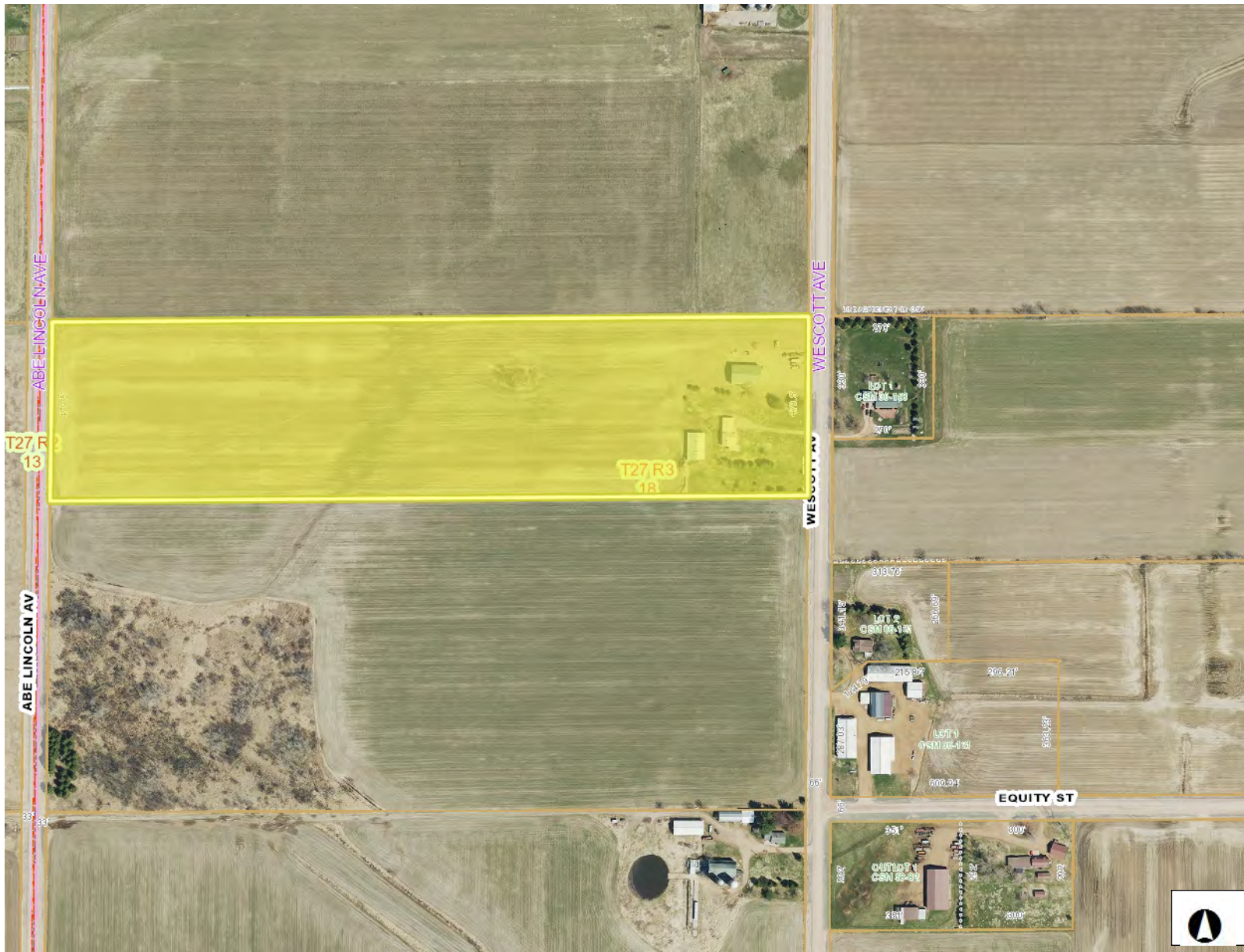
APPROVED FOR RECORDING UNDER
THE TERMS OF THE MARATHON
COUNTY LAND DIVISION REGULATIONS.

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

200.00 0 200.00 Feet

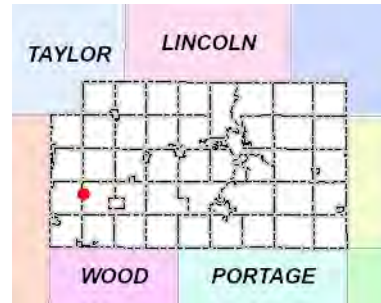
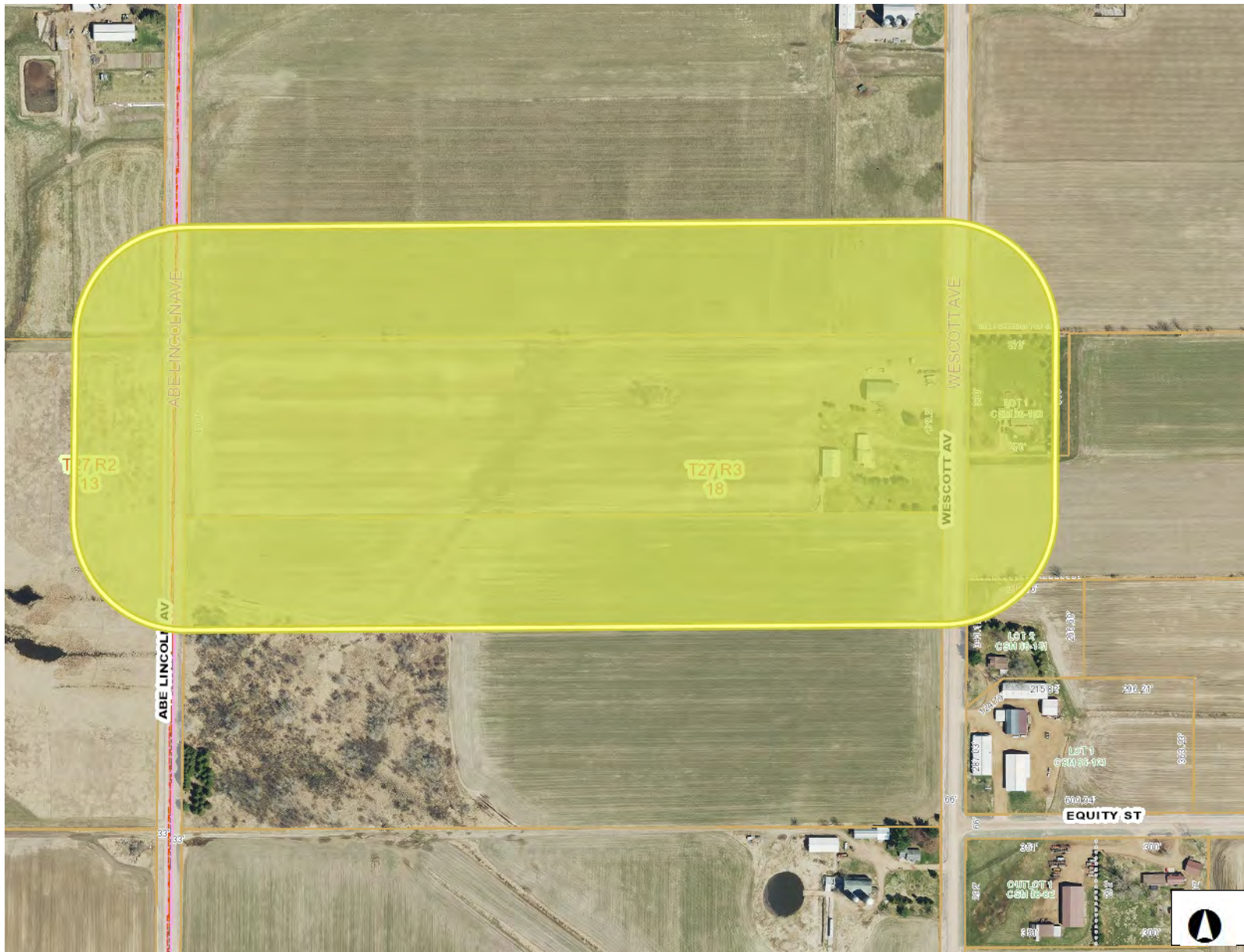


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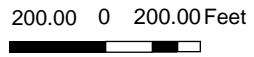
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement 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



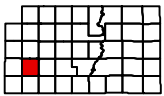
- ### Legend
- Road Names
 - Parcels
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 - Red: Band_1
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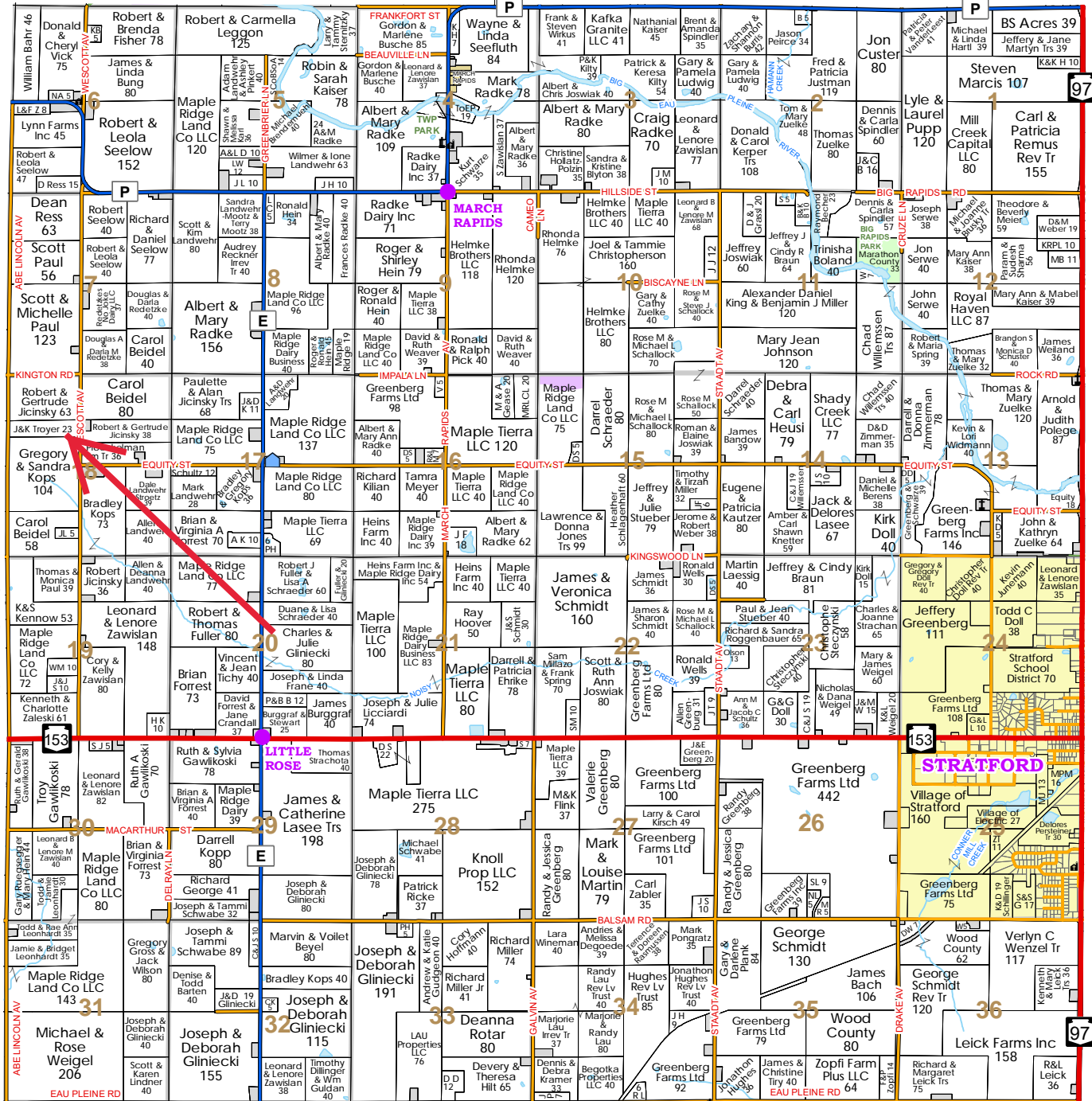
NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



SEE PAGE 49



SEE PAGE 29

SEE PAGE 33

SEE PAGE 13

Need Additional Plat Books?

Extension Marathon County Office
212 River Drive, Suite 3 • Wausau, WI 54403
(715) 261-1230

Call for additional purchase locations.



STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF EAU PLEINE)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Deanna Landwehr, Clerk of the Town of Eau Pleine, 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 Eau Pleine Town Board at a meeting held on the 14th day of February, 2023.

RESOLUTION

WHEREAS, Section 59.69(5)(c)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 Eau Pleine Town Board considered on the 14th day of February, 2023, petition of Jay Troyer to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential and G-A General Agriculture, location described as part of the Southwest ¼ of the Fractional Northwest ¼ and Southeast ¼ of the Fractional Northwest ¼ of Section 18, Township 27 North, Range 3 East in the Town of Eau Pleine. The area to be rezoned is described as lots 1 and 2 of the preliminary CSM. Parent Parcel # 020.2703.182.0996.

The Town of Eau Pleine 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: No development

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

No Yes Explain: No changes No burden

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

No Yes Explain: No development

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: N/A No changes

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: No development
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: N/A
- 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: No land conversion
- 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 Eau Pleine 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 Dorinda Leubke
 Town Board Mark Sandweber
Joseph J. J. J.
Ken Shroy

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 February 17, 2023 to:

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



MEMORANDUM

DATE: January 9, 2023
TO: Eau Pleine Town Board
FROM: Shad Harvey, Land Resources Manager
SUBJECT: Petition for rezone change

Enclosed please find a rezone petition from Jay Troyer on property located in the Town of Eau Pleine. Additional enclosed information related to the petition includes a listing of surrounding landowners and the "Resolution on Zoning Ordinance Amendment". As part of the decision making process, Marathon County Conservation, Planning, and Zoning (CPZ) Department is requesting input from the Town on this petition.

In determining whether to approve or deny a petition, the Environmental Resources Committee (ERC) will be reviewing and strongly considering the completed "Resolution on Zoning Ordinance Amendment", at the public hearing. The Town should assess whether the petition is in accordance with the general objectives of the town comprehensive plan. Thoughtful, detailed comments illustrating the Town's rationale and justification for their recommendation is appreciated. In the event of an incomplete resolution, the ERC may delay a decision in order to return the resolution to the Town for more information.

Please utilize the listing of surrounding property owners to inform neighbors of the Town Board meeting scheduled to review this petition. CPZ will be notifying these landowners in advance of the ERC public hearing scheduled for February 28, 2023.

If you have any questions or concerns, please feel free to contact me at 715-261-6000.
Thank you for your consideration.



Jay Troyer
Petition to Rezone Land
Staff Report, February 28th, 2023
Environmental Resources Committee

PETITIONER:

Jay Troyer-215504 Wescott Ave, Stratford, WI

PROPERTY OWNERS:

Jay Troyer-215504 Wescott Ave, Stratford, WI

LOCATION OF REZONE REQUEST:

The area to be rezoned identified as Lot 1 is located on Abe Lincoln Ave just south of the intersection of Abe Lincoln Ave and Kingston Rd and Lot 2 is located on the West side Wescott Ave.

REQUEST:

The petition of Jay Troyer to amend the General Code of Ordinance for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential and G-A General Agriculture, location described as part of the Southwest ¼ of the Fractional Northwest ¼ and Southeast ¼ of the Fractional Northwest ¼ of Section 18, Township 27 North, Range 3 East in the Town of Eau Pleine. The area to be rezoned is described as lots 1 and 2 of the preliminary CSM. Parent Parcel # 020.2703.182.0996.

PUBLIC HEARINGS/MEETINGS:

- Town of Eau Pleine Town Board Meeting (February 14th, 2023)
- Marathon County Environmental Resources Committee Meeting (February 28th, 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:

F-P Farmland Preservation Zoning. The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. This district is not intended to accommodate non-agricultural growth.

Existing Generalized Land Use Map – Town of Eau Pleine (Comprehensive Plan 2006) The area proposed to be rezoned is shown as Crop Lands, Other Agriculture and Single Family Residential in the Town’s Comprehensive Plan Existing Land Use Map (2006). Adjacent land uses are comprised of Crop Lands, Other Agriculture, and Single Family Residential.

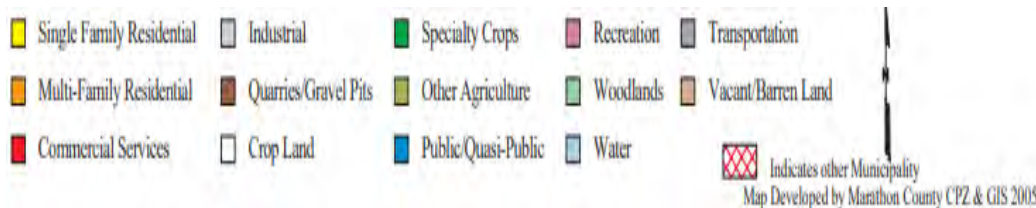
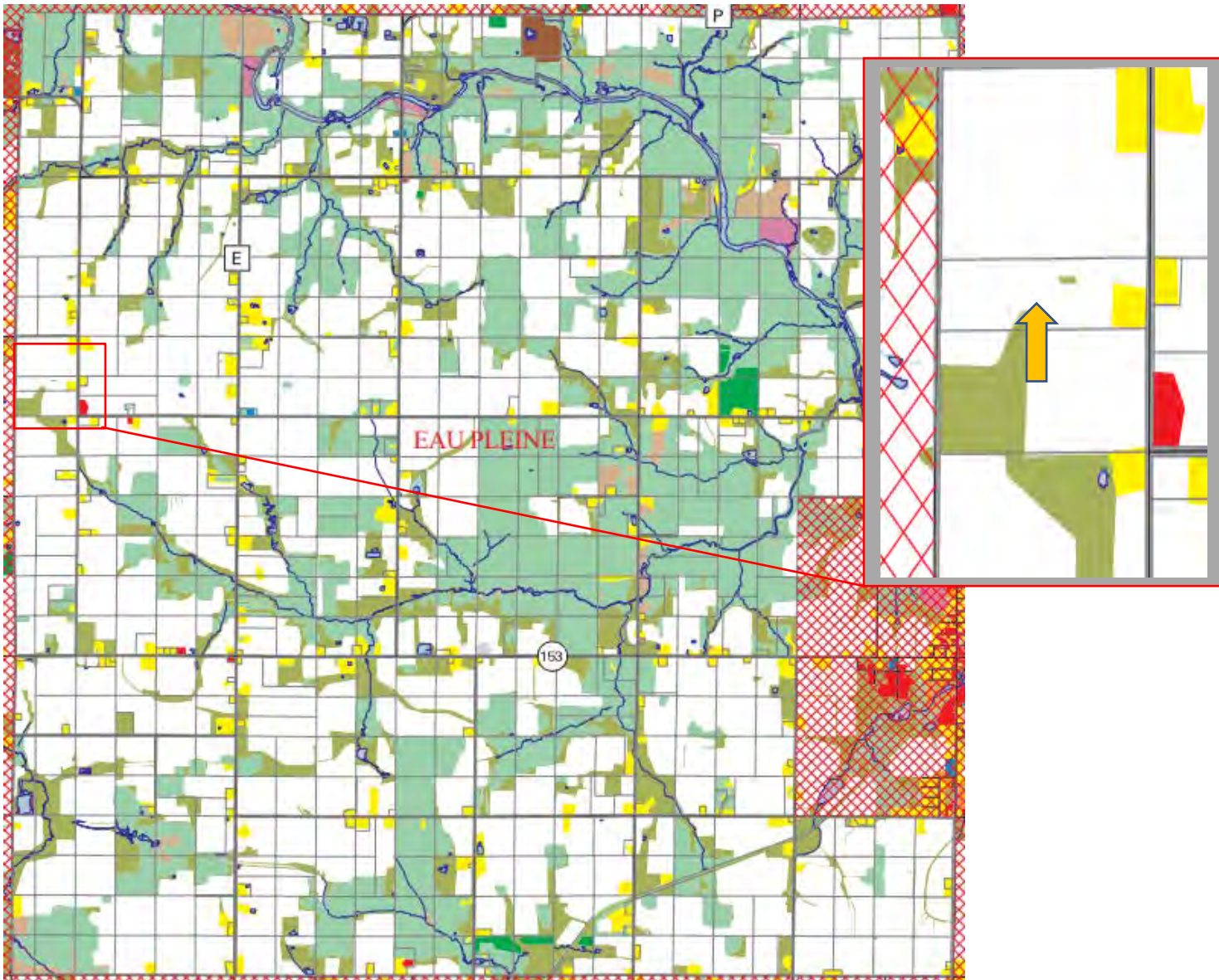


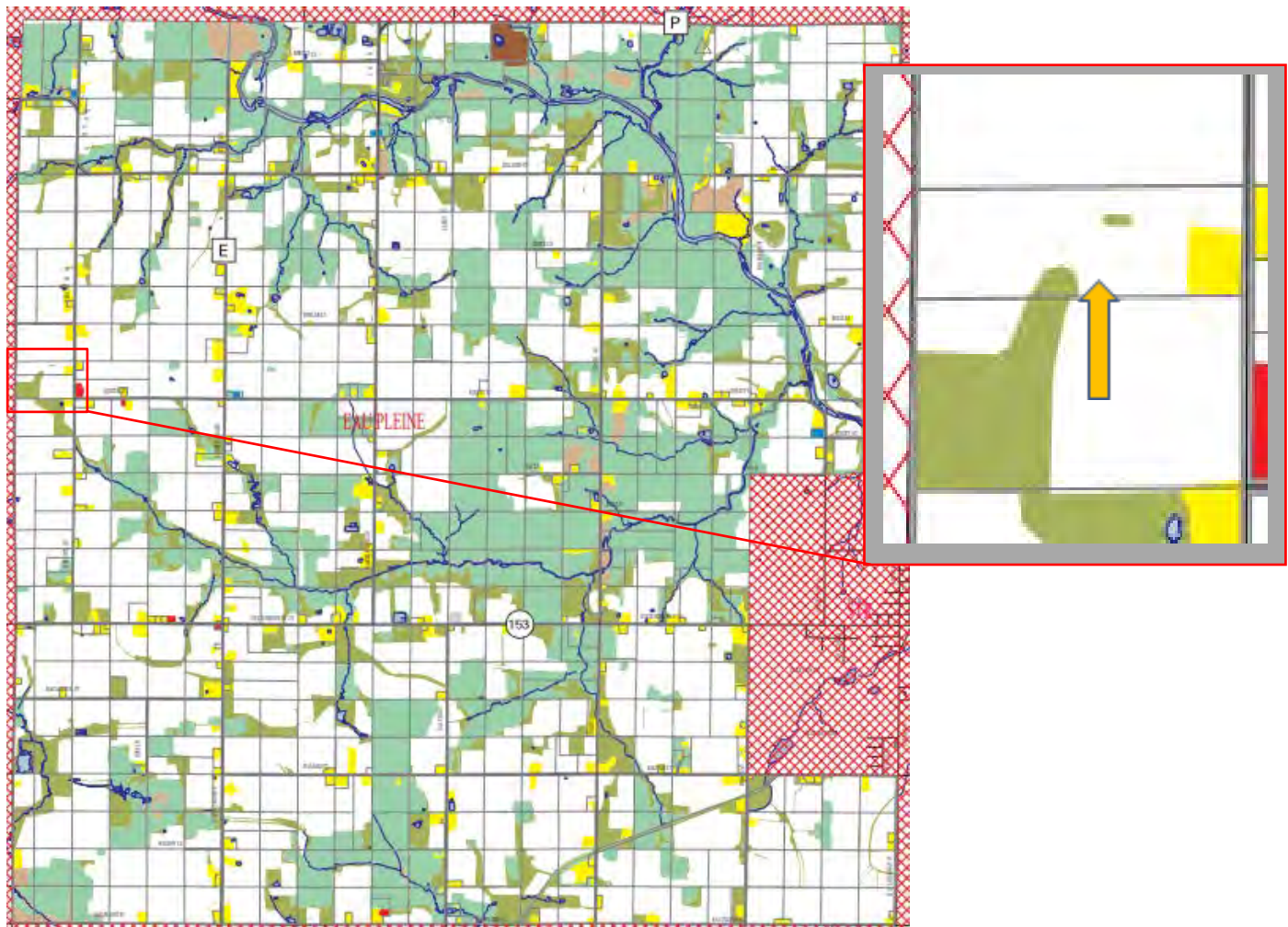
Figure 4-1
2000 Landuse/Landcover
EAU PLEINE

PROPOSED ZONING DISTRICT:

Lot 1: 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.

Lot 2: 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 (2006 Plan): The area proposed to be rezoned is shown as Crop Lands, Other Agriculture, and Single Family Residential in the Town's Comprehensive Plan Future Land Use Map (2006). Adjacent land uses are comprised of Crop Lands, Other Agriculture, and Single Family Residential.



- | | | |
|---------------------------|-------------------|---------------------|
| Single Family Residential | Barren | Public/Quasi-Public |
| Commercial | Crop Land | Recreational |
| Industrial | Other Agriculture | Transportation |
| Quarry | Forest Land | Water |

Indicates other Municipality
Map Developed by Marathan County CPZ & GIS 2005

Figure 3-1
Future Land Use
EAUPLEINE

TOWN RECOMMENDATION:

On February 14th, 2023, the **Town of Eau Pleine** 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, Crop Lands, and Other Agriculture 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 Town of Eau Pleine participates in farmland preservation zoning. The area in question was designated as a farmland preservation area. 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 as it will continued to be farmed.

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 Eau Pleine 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's 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. Should the rezone be approved by Marathon County Board of Supervisors, CPZ staff recommend that the town update its Comprehensive Plan to reflect the zoning change, if applicable.



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:

- 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
FROM FARMLAND PRESERVATION ZONING
 BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Ordinance (I) (we): (Name and mailing address) CHRIS FIERI
5310 WILLOW STREET, WESTON WI 54476

hereby petition to rezone property owned by: (Name and mailing address) EDWARD AND ROSEANNE BUCHBERGER
225088 COUNTY ROAD "B" MARATHON WI 54448

from the classification **FP Farmland Preservation** 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): A PARCEL OF LAND DESCRIBED IN DOCUMENT NUMBER 586288 AND PART OF THE NORTH 2/3 OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 LYING WEST OF COUNTY ROAD B, LOCATED IN SECTION 18, T28N, R6E, TOWN OF MARATHON, MARATHON COUNTY, WISCONSIN.

Parcel Identification Number / PIN (can be found on tax bill): 05428061810996 AND 05428061810997

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
RESIDENTIAL PURPOSES. THE LAND IS BEING COMBINED AS THE HOME OWNED BY THE BUCHBERGERS HAS A SEPTIC MOUND SYSTEM ON THE JAMES BLUME PROPERTY. THE CSM IS TRIGGERING THE REZONE

4. Total acres in parcel (outside of right-of-way): 4.129 acres

5. Total acres zoned Farmland Preservation: FP 4.129 acres A-4(-M) _____ acres

6. Total acres in farm: 4.129 acres

7. How many acres/square feet are you requesting be changed? 4.129 acres / square feet

8. Are there improvements (structures) on this parcel in question? Yes No

What is the current use of the structure(s)? RESIDENTIAL

9. A. What is your reason for requesting this rezone? (Please check and fill in the blanks)

<input type="checkbox"/> Develop land for non-agricultural residential use	<input type="checkbox"/> Develop land for recreational use
<input type="checkbox"/> Develop land for industrial use	<input checked="" type="checkbox"/> Pre-existing use, substandard or nonconforming parcel
<input type="checkbox"/> Develop land for commercial use	<input type="checkbox"/> Other: _____

B. How far is the land from a city or village boundary? 995 miles / feet

C. How far is the land from an existing area of similar use? 0 miles / feet

D. Is the land served by public sewer? Yes No

E. Is the land served by public water? Yes No

F. Is the land within a sanitary district? Yes No

G. If more than one lot was developed: _____ # of Lots: _____ Average lot size: _____

10. 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 serve the proposed development at present, or how they will be provided.
THE PARCEL IS SERVED BY POWER AND NO FURTHER FACILITIES WILL BE NEEDED

B. Explain how the provision of these facilities will not be an unreasonable burden to local government.
NO BURDEN FORSEEN - PRE-EXISTING RESIDENTIAL HOME

C. What have you done to determine that the land is suitable for the proposed development?
THE PROPERTY HAS BEEN SURVEYED TO ENSURE THE NEW PARCEL MEETS THE REQUIRED ACREAGE SET FORTH IN THE ZONING CODE FOR MARATHON COUNTY.

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.
NOTHING

- OVER -

E. Explain any potential conflict with remaining agricultural uses in the area.

NO CONFLICT FORSEEN

F. Demonstrate the need for the proposed development in an agricultural area.

IT IS AN EXISTING RESIDENTIAL STRUCTURE WITH THE SEPTIC MOUND ON ANOTHERS PROPERTY

G. What is the availability of alternative locations? Be specific.

NONE

H. What is the productivity of the agricultural lands involved?

NO AGRICULTURAL LANDS WILL BE AFFECTED

I. Explain how the location of the proposed development has been selected to minimize the amount of agricultural land converted.

NO AGRICULTURAL LAND WILL BE CONVERTED

J. Explain how the proposed rezoned land is better suited for a use not allowed in the Farmland preservation zoning district.

THE EXISTING HOME AND SEPTIC WAS PRESENT BEFORE FARMLAND PRESERVATION WAS IN PLACE. PARCELS WERE GRANDFATHERED INTO FARMLAND PRESERVATION, EVEN THOUGH IT'S USE WAS RESIDENTIAL.

K. Explain how the rezone is consistent with the Marathon County and town's comprehensive plans.

THE COMBINATION OF THE LOTS FIXES AN ENCRANCHING SEPTIC SYSTEM, THIS ALLOWS THE LANDOWNER TO MAINTAIN THE SYSTEM. THIS FITS THE COMPREHENSIVE PLAN BY BEING THE HEALTHIEST AND SAFEST COUNTY.

L. Explain how the rezone is substantially consistent with the Marathon County Farmland Preservation plan which is in effect at the time of the rezone.

THE REZONE PROPOSED WILL NOT HINDER ANY FARMLAND WHICH IS CONSISTANT WITH THE MARATHON COUNTY FARMLAND PRESERVATION PLAN. BY BEING THE HE

M. Explain how the rezone will not substantially impair or limit current or future agricultural use of other protected farmland.

NONE OF THE PROPERTY INVOLVED HAS BEEN FARMED, AND DUE TO THE SEPTIC SYSTEM, ~~AND~~ MOST LIKELY WILL NOT BE FARMED.

11. **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. Include the names of all property owners, existing land uses, and zoning classifications within 300 feet of the boundaries of the property on which the rezone is located. 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 direct mail of the public hearing notice.

If, at the public hearing for this zone change request, the Zoning Committee 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 CPZ Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Minimum of 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.**

12. Petitioner's Signature Christopher L. Fier Phone 715-241-7500 Date 1-4-23

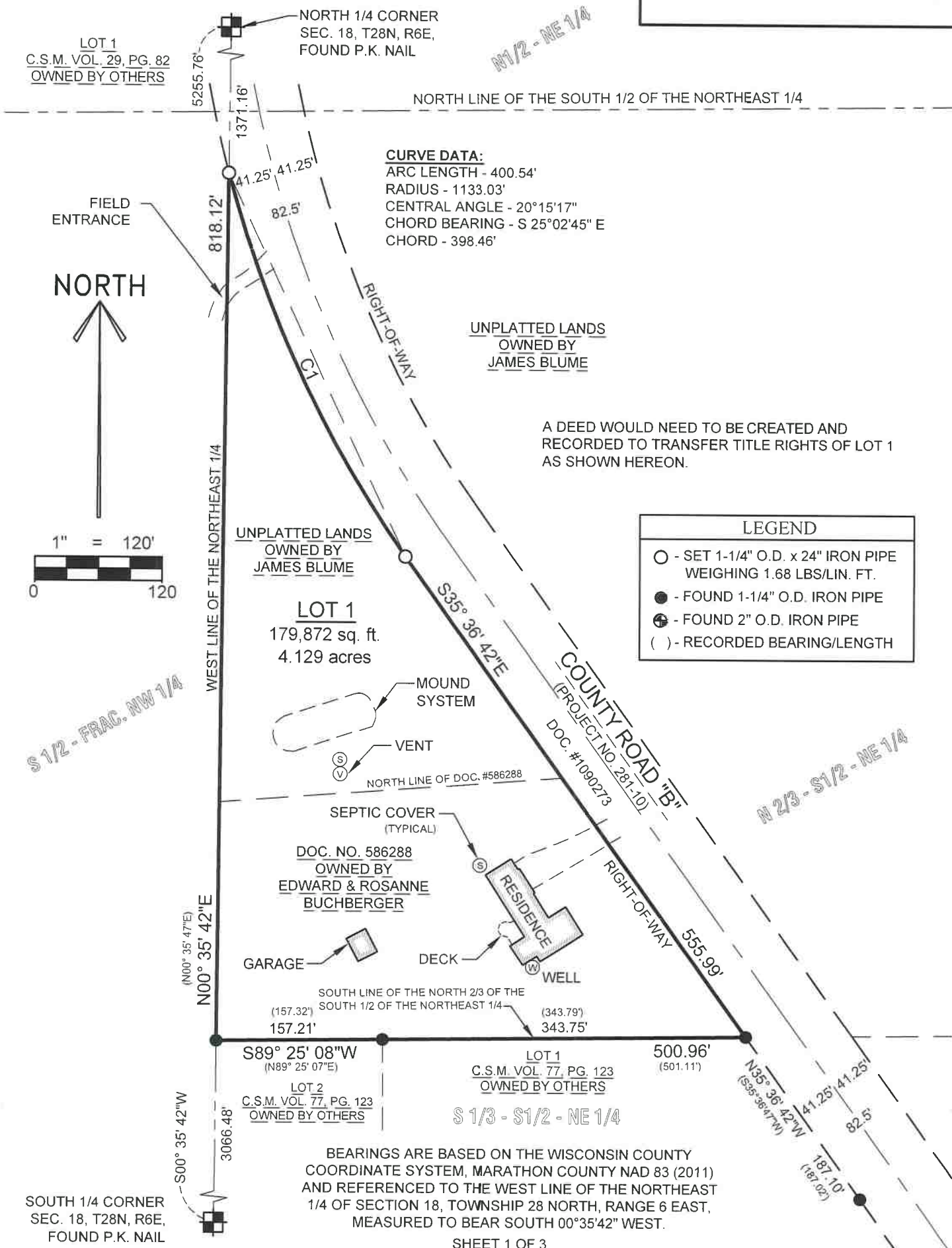
13. Owner's Signature Erin J. Buckner Phone 715-443-2332 Date 1-4-23
(If different than Petitioner)

Fee \$ 600.00 - (Checks payable to **Marathon County**) Date Fee Received: 01/09/2023 \$600.00

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 Committee hearing is recommended.**

MARATHON COUNTY CERTIFIED SURVEY MAP NO. _____

Of a parcel of land described in Document Number 586288, and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon, Marathon County, Wisconsin.



RIVERSIDE LAND SURVEYING LLC
5310 WILLOW STREET, WESTON, WI 54476
PH 715-241-7500 - FAX 715-355-6894
email - mail@riversidelandsurveying.com

DRAWN BY C.L.F.	DATE DECEMBER 20, 2022
CHECKED BY N.J.W.	PROJECT NO. 3991
PREPARED FOR: EDWARD BUCHBERGER	

MARATHON CO. CERTIFIED SURVEY MAP NO. _____

Of a parcel of land described in Document Number 586288, and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon, Marathon County, Wisconsin.

I, Christopher L. Fieri, Professional Land Surveyor S-2954, hereby certify to the best of my knowledge and belief: That I have surveyed, mapped and divided a parcel of land described in Document Number 586288, and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon, Marathon County, Wisconsin, described as follows:

Commencing at the North 1/4 corner of said Section 18; Thence South 00°35'42" West along the West line of said Northeast 1/4, 1371.16 feet to the West right-of-way line of County Road "B", the beginning of a tangential curve to the left, and the point of beginning; Thence along said West right-of-way line, 400.54 feet along the arc of said curve, said curve having a radius of 1133.03 feet, a central angle of 20°15'17" and a chord that bears South 25°02'45" East for a distance of 398.46 feet; Thence South 35°36'42" East along said West right-of-way, 555.99 feet to the South line of the North 2/3 of the South 1/2 of the Northeast 1/4; Thence South 89°25'08" West along said South line, 500.96 feet to the West line of said Northeast 1/4; Thence North 00°35'42" East along said North line, 818.12 feet to the point of beginning.

That the above described parcel of land contains 179,872 square feet or 4.129 acres, more or less;

That said parcel is subject to all easements, restrictions and right-of-ways of record;

That I have made this survey, division and map thereof at the direction of Edward Buchberger, Agent of said parcel;

That I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and the subdivision regulations of Marathon County and the Town of Marathon in Surveying, Mapping and Dividing the same.

That said map is a correct and accurate representation of the exterior boundaries of said parcel and the division thereof.

Dated this _____ day of _____

Riverside Land Surveying LLC
Christopher L. Fieri
P.L.S. No. 2954

Approved for recording under the terms of the Marathon Co. Land Division Regulations.

By _____

Date _____
Marathon County Department of Conservation,
Planning and Zoning
CPZ Tracking No. _____

TOWN OF MARATHON

Approved for recording under the terms of the Town of Marathon Land Division Regulations.

By _____

Date _____

 RIVERSIDE LAND SURVEYING LLC 5310 WILLOW STREET, WESTON, WI 54476 PH 715-241-7500 - FAX 715-355-6894 email - mail@riversidelandsurveying.com	DRAWN BY C.L.F.	DATE DECEMBER 20, 2022
	CHECKED BY N.J.W.	PROJECT NO. 3991
	PREPARED FOR: EDWARD BUCHBERGER	

MARATHON CO. CERTIFIED SURVEY MAP NO. _____

Of a parcel of land described in Document Number 586288, and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon, Marathon County, Wisconsin.

Owners Certificate

I, Lawrence Blume, Executor of the James Blume Estate, hereby certify that I have caused the land described on this Certified Survey Map to be surveyed, divided, and mapped as represented on this Certified Survey Map. I also understand that a deed will need to be prepared and recorded to transfer title rights to Lot 1. I also certify that this Certified Survey Map is required to be submitted to the following for approval: Marathon County, and the Town of Marathon.

Dated this _____ day of _____, 2023.

Lawrence Blume,

State of Wisconsin)

ss

Marathon County)

Personally came before me this _____ day of _____, 2023, the above named Lawrence Blume, Executor of the James Blume Estate, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

Notary Public

State of Wisconsin

MY COMMISSION EXPIRES _____.



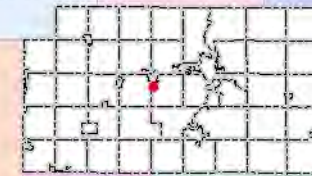
DRAWN BY C.L.F.	DATE DECEMBER 20, 2022
CHECKED BY N.J.W.	PROJECT NO. 3991
PREPARED FOR: EDWARD BUCHBERGER	



Land Information Mapping System

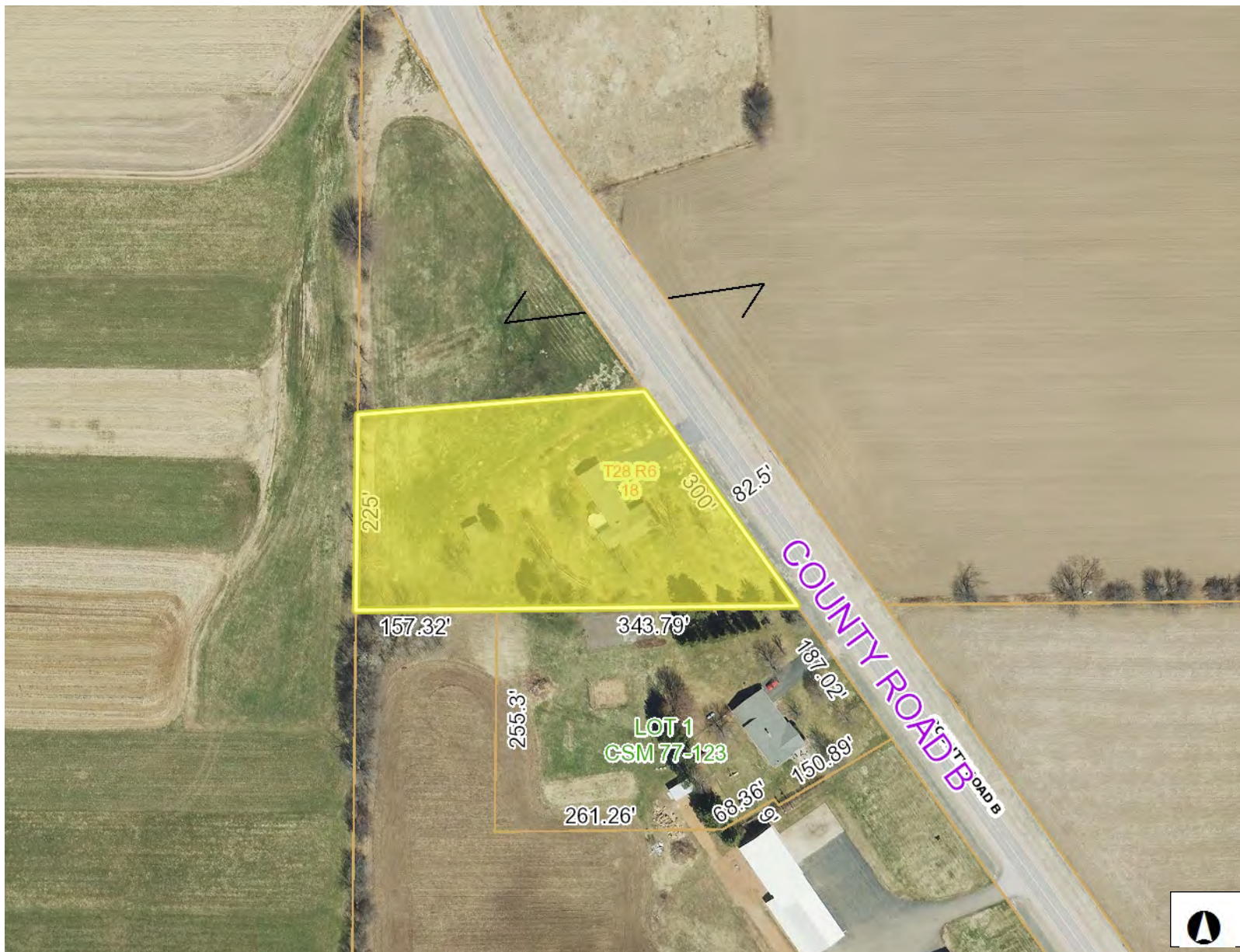
TAYLOR

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

85.45 0 85.45 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

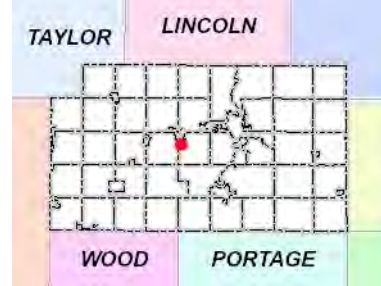
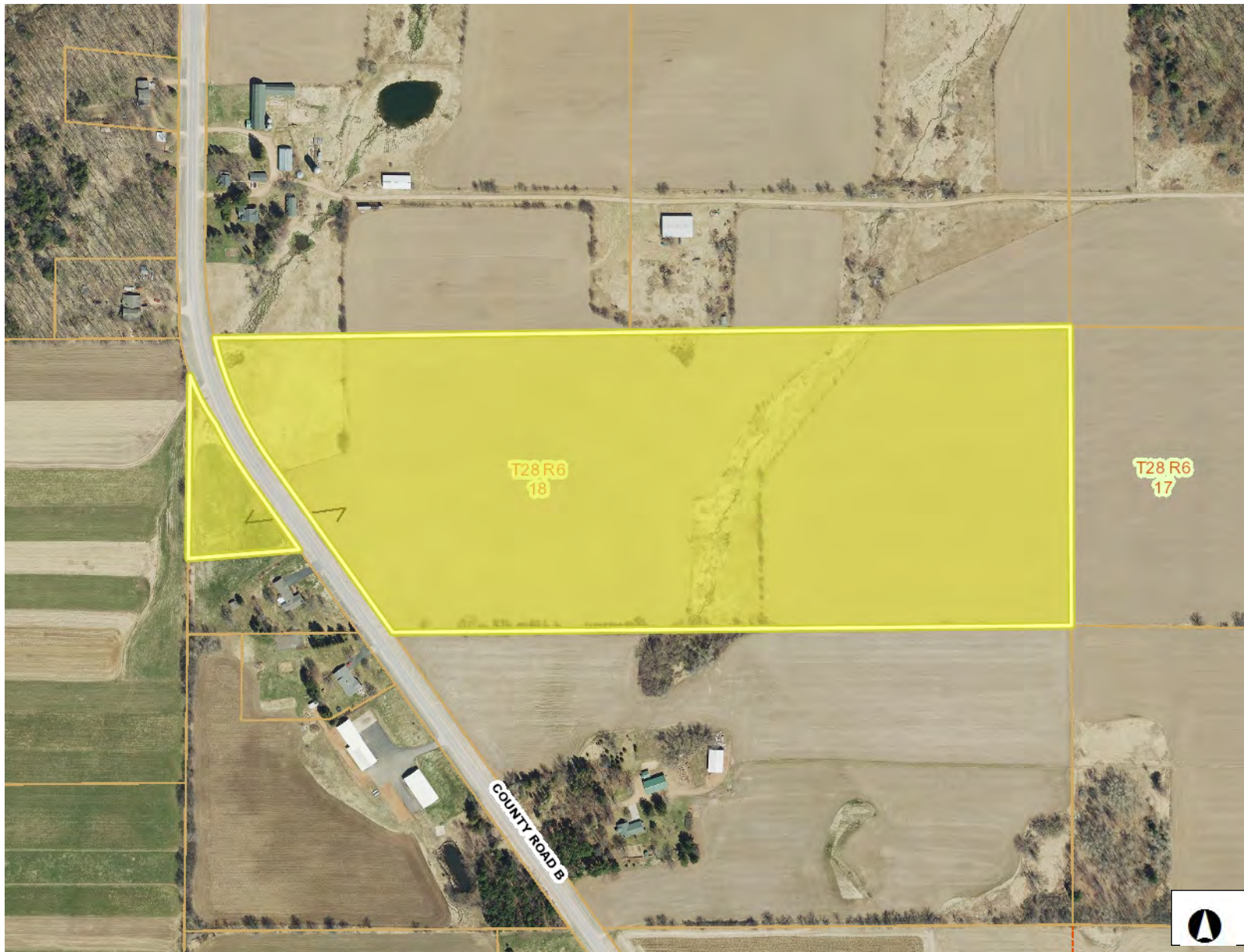
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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

220.45 0 220.45 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

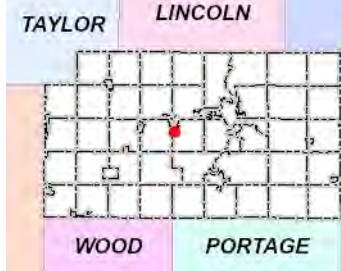
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Notes



Land Information Mapping System



Legend

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- Municipalities
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 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

170.90 0 170.90 Feet

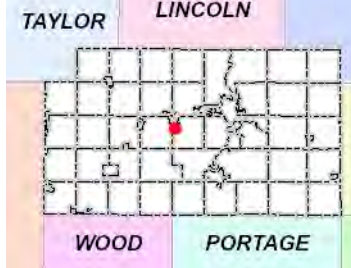
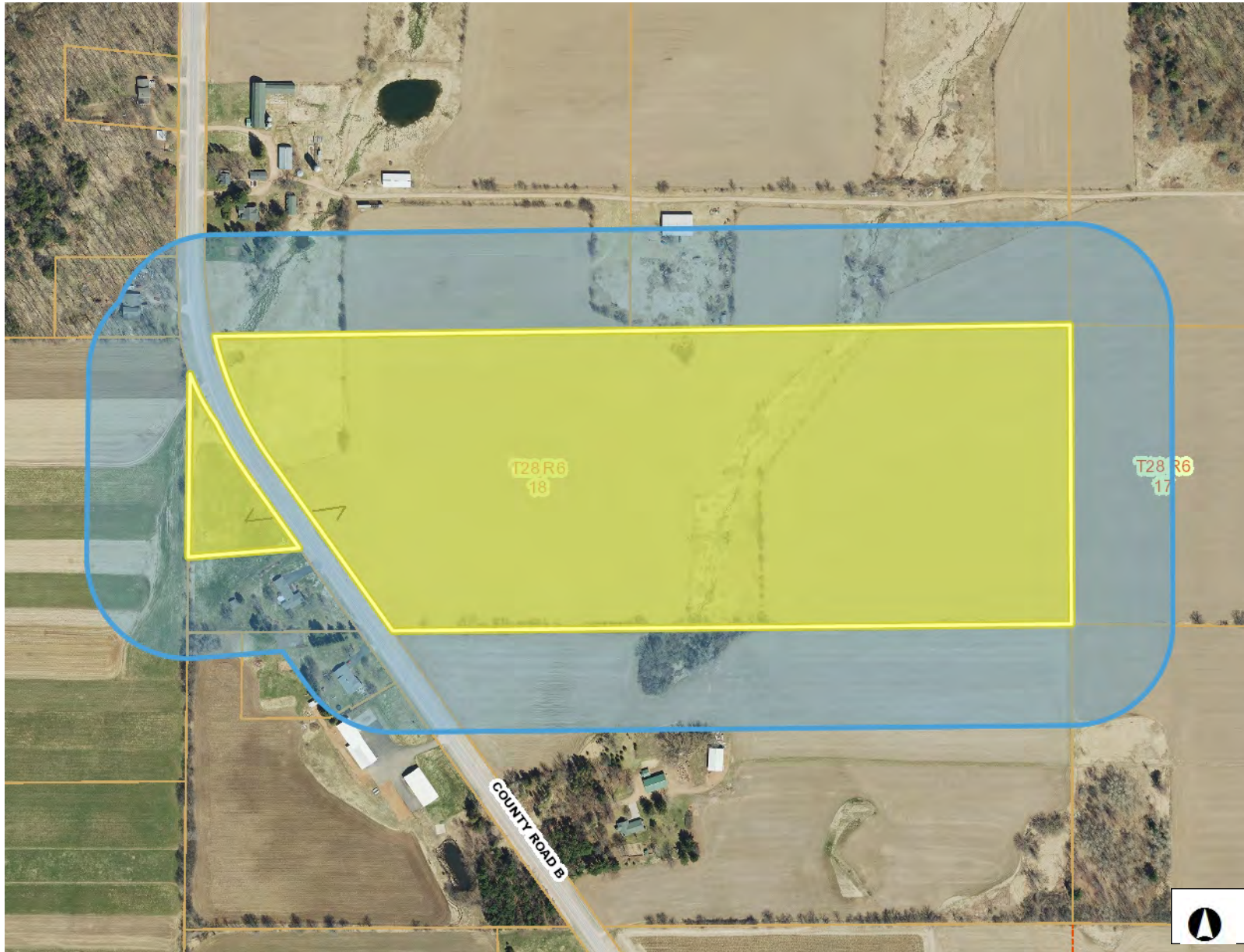


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



Legend

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- Parcels
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220.45 0 220.45 Feet

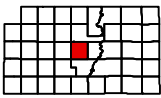


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



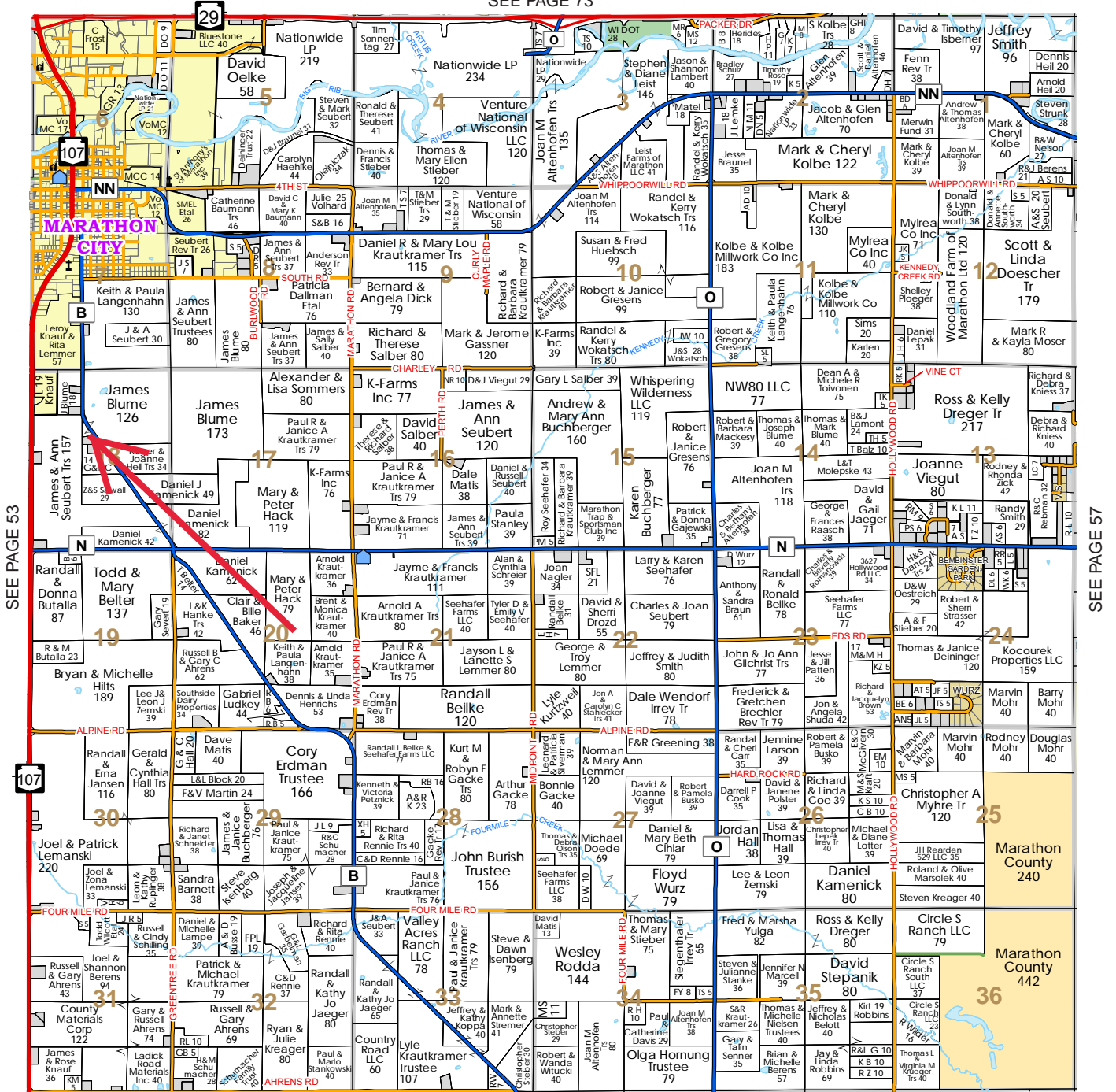


Marathon

Township 28N - Range 6E

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SEE PAGE 73



SEE PAGE 37



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STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF MARATHON)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Kelley Blume, Clerk of the Town of Marathon, 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 Marathon Town Board at a meeting held on the 23rd day of February, 2023.

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 Marathon Town Board considered on the 23rd day of February, 2023, petition of Chris Fieri on behalf of Edward and Roseanne Buchberger to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential as described in Document Number 586288 and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon. The area to be rezoned is described as Lot 1 of preliminary Certified Survey Map. Parent Parcel #054.2806.181.0996 and 054.2806.181.0997.

The Town of Marathon 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: No Issues
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: No burden to local government
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.
 No Yes Explain: It is already being used as proposed
- 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: No unreasonable changes
- 5) Is there any potential for conflict with existing land uses in the area?
 No Yes Explain: This property has already been used for the proposed use. The proper paper work was not completed

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: it is being used as proposed currently
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: N/A
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: No changes in current activity
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: N.A.
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: SEE Below # 11
- 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: this action clears up some technicalities that were not followed thru with previously

The Town of Marathon 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: Kelley S Blume
 Town Board: [Signature]
Bernie Dick

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 February 17, 2023 to:

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



**Edward and Roseanne Buchberger
Petition to Rezone Land
Staff Report, February 28th, 2023
Environmental Resources Committee**

PETITIONER:

Chris Fieri-5310 Willow Street, Weston, WI 54476

PROPERTY OWNERS:

Edward and Roseanne Buchberger-225088 County Road B, Marathon, WI 54448

LOCATION OF REZONE REQUEST:

Area proposed to be rezoned is located on County Rd B, just south of the village limits of Marathon City.

REQUEST:

The petition of Chris Fieri on behalf of Edward and Roseanne Buchberger to amend the General Code of Ordinances for Marathon County Chapter 17 Zoning Code to rezone lands from F-P Farmland Preservation to R-R Rural Residential as described in Document Number 586288 and part of the North 2/3 of the South 1/2 of the Northeast 1/4 of Section 18, Township 28 North, Range 6 East, Town of Marathon. The area to be rezoned is described as Lot 1 of preliminary Certified Survey Map. Parent Parcel #054.2806.181.0996 and 054.2806.181.0997.

PUBLIC HEARINGS/MEETINGS:

- Town of Marathon Town Board Meeting (February 23rd, 2023)
- Marathon County Environmental Resources Committee Meeting (February 28th, 2023, at 3:00pm)

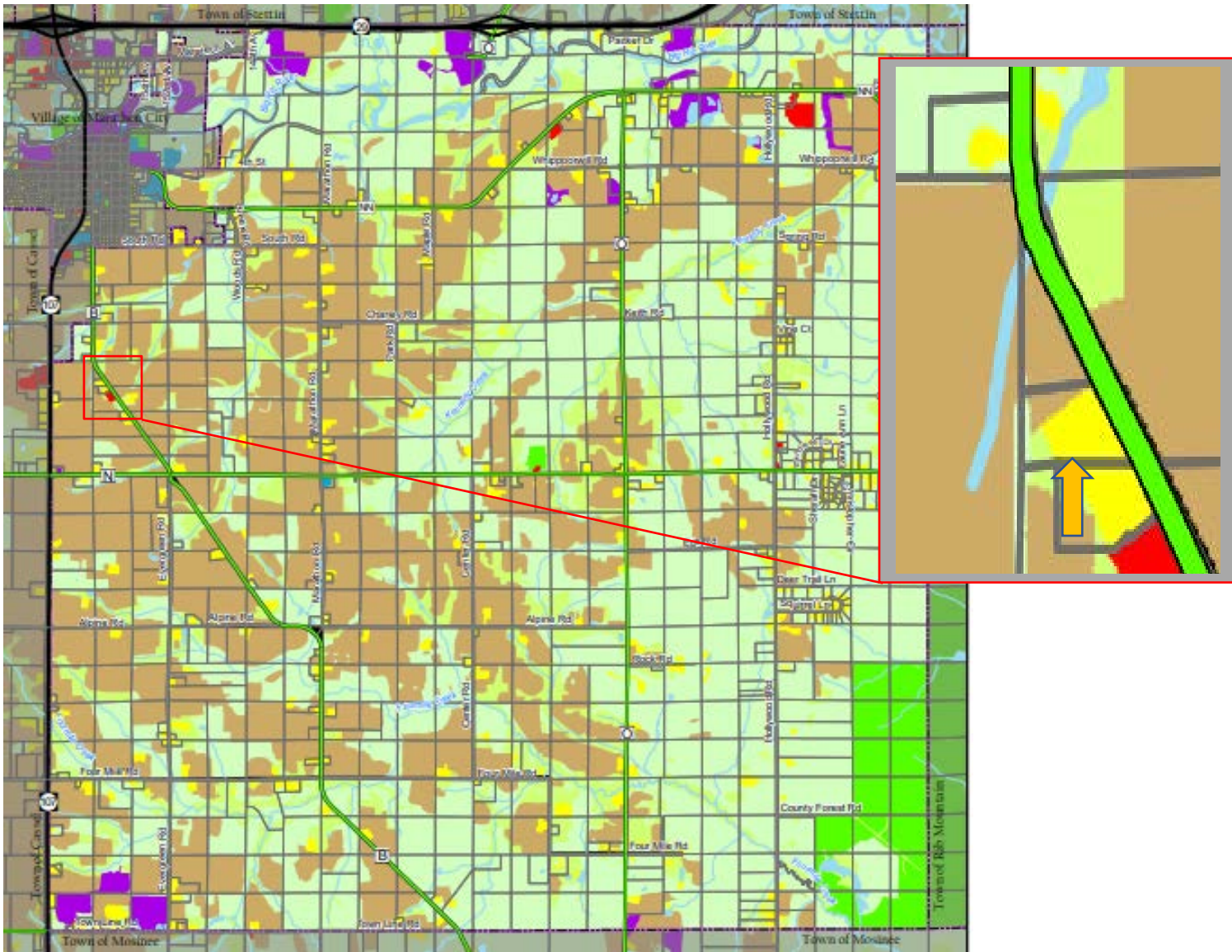
Legal Notification:

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:

F-P Farmland Preservation Zoning. The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. This district is not intended to accommodate non-agricultural growth.

Existing Generalized Land Use Map – Town of Marathon (Comprehensive Plan 2017) The area proposed to be rezoned is shown as Agriculture, Open Lands, and Residential in the Town’s Comprehensive Plan Existing Land Use Map (2017). Adjacent land uses are comprised of Open Lands, Agriculture, and Residential.

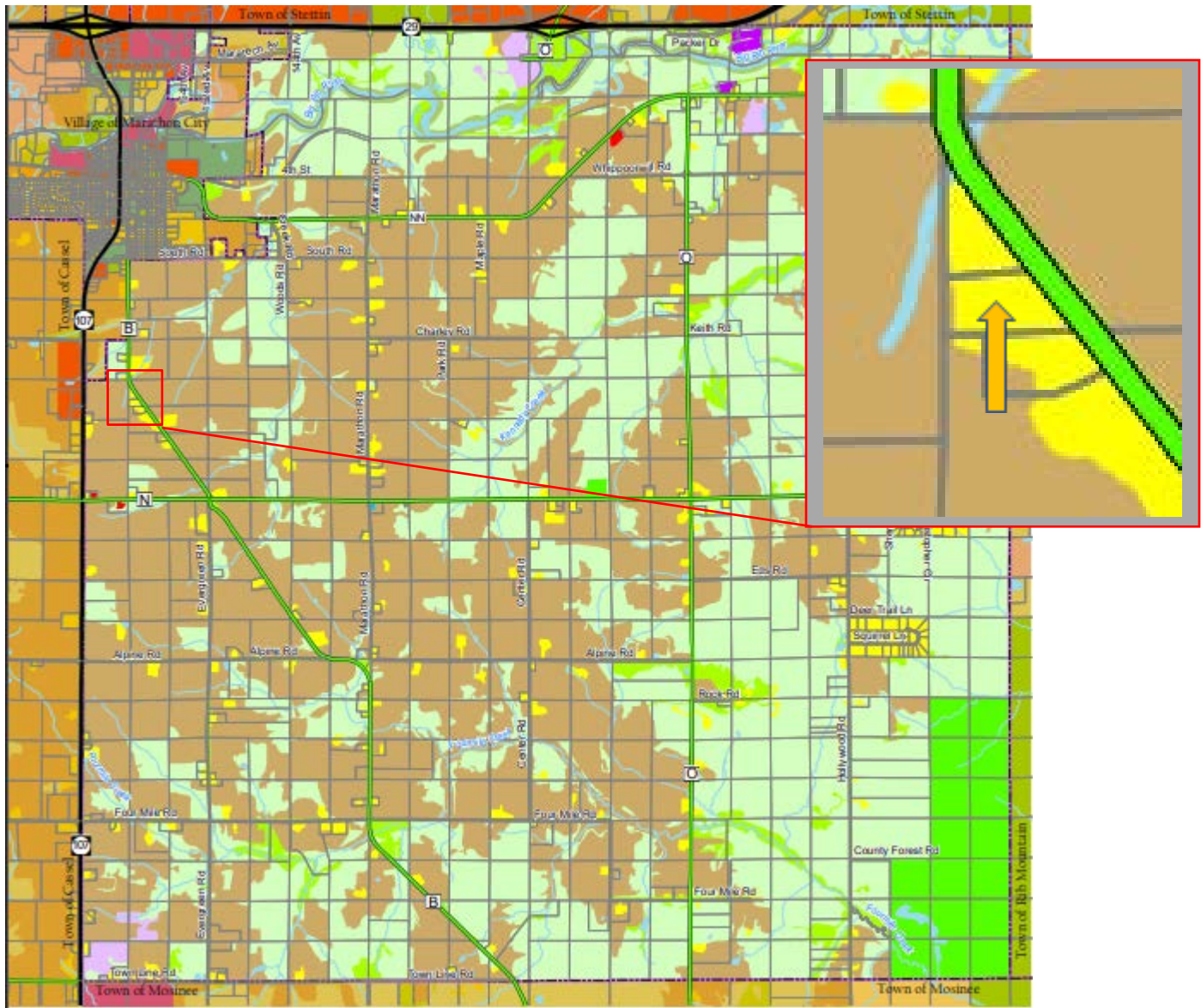


Legend	Map 5 Existing Generalized Land Use Town of Marathon Marathon County, Wisconsin	
Minor Civil Divisions	Agriculture	Outdoor Recreation
US Highway	Commercial	Residential
State Highways	Governmental / Institutional	Transportation
County Highways	Industrial	Water
Local Roads	Open Lands	Woodlands
Parcels		

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 (2017 Plan): The area proposed to be rezoned is shown as Single Family Residential in the Town’s Comprehensive Plan Future Land Use Map (2017). Adjacent land uses are comprised of Agriculture and Single Family Residential.



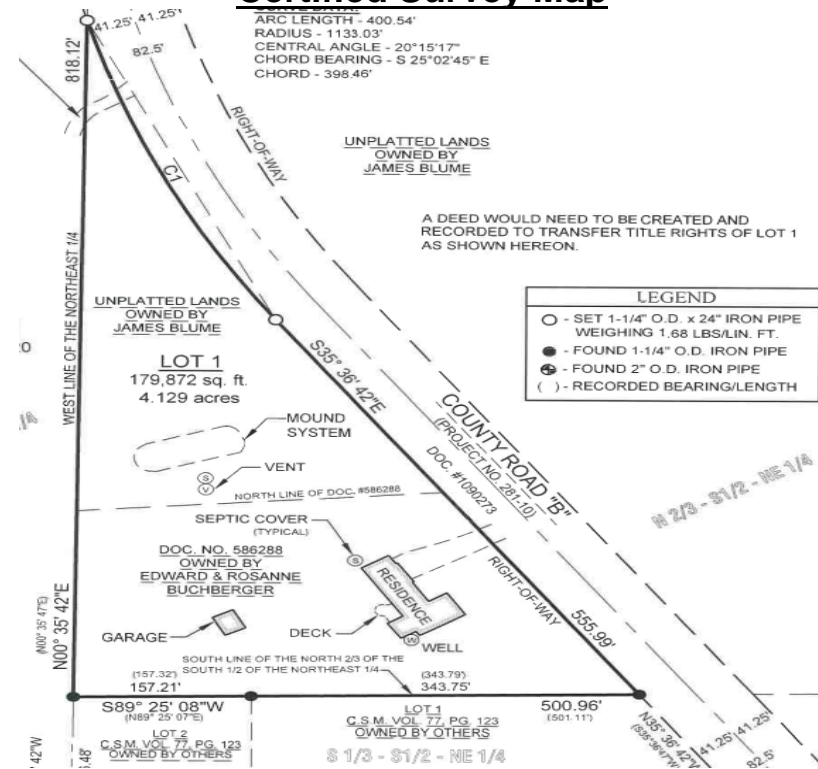
Legend			<p>Map 6 Future Land Use Plan Town of Marathon Marathon County, Wisconsin</p>
<ul style="list-style-type: none"> Minor Civil Divisions US Highway State Highways County Highways Local Roads Parcels 	<ul style="list-style-type: none"> Agriculture Agricultural/Residential Commercial Industrial Multi-Family Residential Single Family Residential Open Lands 	<ul style="list-style-type: none"> Woodlands Public/Quasi-Public Quarry Outdoor Recreation River Corridor Water 	

FARMLAND PRESERVATION PLAN: The Town of Marathon participates in Farmland Preservation. Approximately 4.129 acres of Farmland Preservation area will be lost.

Aerial Photo



Certified Survey Map



TOWN RECOMMENDATION:

On February 23rd, 2023, the **Town of Marathon** 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 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 Town of Marathon participates in farmland preservation zoning. The area in question was designated as a farmland preservation area. 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 as the area is not currently being farmed.

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 to combine the parcels in order for the approved sanitary system to be located on the same parcel as the house it serves.

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 Marathon 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's 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. Should the rezone be approved by Marathon County Board of Supervisors, CPZ staff recommend that the town update its Comprehensive Plan to reflect the zoning change, if applicable.



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:

- 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: _____

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

ALL OF LOTS 4 AND 5 OF KAFKA'S MAPLE GROVE COURT, LOCATED IN THE NORTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 AND THAT PART OF THE SOUTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 27 NORTH, RANGE 5 EAST, TOWN OF EMMET, MARATHON COUNTY, WISCONSIN.

<i>VREELAND ASSOCIATES, INC.</i> <i>LAND SURVEYORS & ENGINEERS</i> 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us
PREPARED FOR: <i>JAYNE GRIEPENTROG</i>
FILE #: 22-0516 GRIEPENTROG
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

SHEET 2 OF 3 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF JAYNE GRIEPENTROG, I SURVEYED, MAPPED AND DIVIDED ALL OF LOTS 4 AND 5 OF KAFKA'S MAPLE GROVE COURT, LOCATED IN THE NORTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 AND THAT PART OF THE SOUTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 27 NORTH, RANGE 5 EAST, TOWN OF EMMET, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 31; THENCE S 1°03'59" E 939.28 FEET TO THE POINT OF BEGINNING; THENCE S 0°49'13" E ALONG THE EAST LINE OF SAID LOT 5 379.72 FEET; THENCE S 0°03'39" W ALONG THE SOUTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 1290.27 FEET; THENCE N 40°38'50" W 358.40 FEET; THENCE N 45°29'05" W 558.07 FEET; THENCE N 10°16'45" E 641.21 FEET; THENCE N 4°03'57" E ALONG THE SOUTH LINE OF SAID LOT 5 55.88 FEET; THENCE N 76°32'34" W ALONG THE SOUTH LINE OF SAID LOT 5 200.59 FEET; THENCE S 19°20'18" W ALONG THE SOUTH LINE OF SAID LOT 5 74.68 FEET; THENCE S 88°37'47" W ALONG THE SOUTH LINE OF SAID LOT 5 97.26 FEET; THENCE S 89°05'36" W ALONG THE SOUTH LINE OF SAID LOT 4 220.38 FEET; THENCE N 0°06'12" E ALONG THE WEST LINE OF SAID LOT 4 202.86 FEET; THENCE S 87°22'42" E ALONG THE SOUTH LINE OF MAPLE GROVE COURT 220.67 FEET; THENCE 325.91 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE WEST WHOSE RADIUS IS 60.00 FEET, WHOSE CENTRAL ANGLE IS 311°13'28" AND WHOSE CHORD BEARS N 0°04'38" W 49.55 FEET; THENCE N 0°04'38" W ALONG THE WEST LINE OF SAID LOT 5 115.10 FEET; THENCE 82.56 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST WHOSE RADIUS IS 50.00 FEET, WHOSE CENTRAL ANGLE IS 94°36'42" AND WHOSE CHORD BEARS N 46°55'11" E 73.50 FEET; THENCE S 83°35'01" E ALONG THE NORTH LINE OF SAID LOT 5 139.59 FEET; THENCE N 1°05'27" E ALONG THE NORTH LINE OF SAID LOT 5 50.43 FEET; THENCE S 81°13'17" E ALONG THE NORTH LINE OF SAID LOT 5 639.45 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 EMMET, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

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

BY _____

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

TIMOTHY G. VREELAND P.L.S. 2291
DATED THIS 20TH DAY OF JANUARY, 2023
SURVEY PERFORMED JANUARY 17TH, 2023

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

ALL OF LOTS 4 AND 5 OF KAFKA'S MAPLE GROVE COURT, LOCATED IN THE NORTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 AND THAT PART OF THE SOUTH 1/2 OF THE FRACTIONAL NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 27 NORTH, RANGE 5 EAST, TOWN OF EMMET, MARATHON COUNTY, WISCONSIN.

SHEET 3 OF 3 SHEETS

OWNERS CERTIFICATE

AS OWNERS, WE HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS MAP TO BE SURVEYED, DIVIDED AND MAPPED 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: MARATHON COUNTY.

JEFFREY C. GRIEPENTROG

JAYNE M. GRIEPENTROG

STATE OF WISCONSIN)
MARATHON COUNTY) SS

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2023, THE ABOVE NAMED JEFFREY C. AND JAYNE M. GRIEPENTROG 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 _____



Certified Survey Map (CSM)
Town of Emmet
Staff Report
Environmental Resources Committee
February 28, 2023

CSM REQUIREMENTS

- **Survey**
 - The proposed CSM complies with Chapter 236.34 of the Wisconsin Statutes, Chapter A-E7 of the Wisconsin Administrative Code and Chapter 18 of the Marathon County Code of Ordinances regarding subdivisions and mapping.
- **Zoning**
 - The proposed CSM is in the Town of Emmet and must meet the Town zoning requirements.
- **Environmental Conditions**
 - Wetlands and floodplain areas are shown on the CSM. All Lots created under this CSM are located within the Shoreland Overlay area - no adverse impact.
- **Sanitary Sewer**
 - According to our records on file for 1994-SAN-0402, the septic system serving the house on Lot 1 will be within the proposed property line. We do not have any records for the cabin outside of an inventory number of INV-SAN-7570 and this system will also not be affected by the proposed property lines. The previously recorded plat does not contain soil tests and any new septic systems proposed will require new soil tests.
- **Access**
 - The proposed lots will have access to Maple Grove Court.

PREVIOUS APPROVALS

- **None**

NOTES

This proposed Certified Survey Map crossed the exterior boundary of "Kafka's Maple Grove Court", a recorded subdivision. State statute 236.34(1)(dm) states that any CSM that crosses the exterior boundary of a recorded subdivision must be approved by the Environmental Resources Committee.

RECOMMENDATION

Based on the information provided, CPZ staff recommend that the Environmental Resources Committee approve this proposed Certified Survey Map.

1-22-23

Marathon County Zoning,

The Town of Bergen has passed this Chicken Ordinance on January 9, 2023. at our town meeting. It will be ran in the Mosinee Times the next two weeks. What we need now is the county approval.

Thank-you.

Mary Gilbert

**TOWN OF BERGEN, MARATHON COUNTY, WISCONSIN
AN ORDINANCE CREATING
SECTION 6.02(12) ENTITLED
"KEEPING OF CHICKENS"**

The Town Board of the Town of Bergen, Marathon County, Wisconsin, do ordain as follows:

Section 1: Section 6.02(12) of the Code of Ordinances of the Town of Bergen entitled "Keeping of Chickens" is hereby created to provide as follows:

Sec. 6.02(12). – Keeping of Chickens.

The keeping and raising of chickens on a residential lot where such activity is clearly accessory to the principal residential use, as opposed to a principal "Agricultural Use" shall be a permitted use within the RS-1 District. Any Person keeping chickens in the RS-1 District shall comply with the following requirements:

- (a) The maximum number of chickens permitted per lot shall be four (4) chickens per half-acre. Each acre shall be rounded up to the nearest half-acre and only contiguous half-acres shall be counted for the purpose of determining the maximum number of chickens allowed.
- (b) No person shall keep a rooster.
- (c) No person shall keep a hen over eight weeks of age in a principal building.
- (d) Any slaughtering shall take place in a completely enclosed building.
- (e) Chickens shall be kept in a chicken coop and chicken pen ("Chicken Enclosure") at all times and the Chicken Enclosure shall be located in the back yard.
- (f) Chicken coops shall be constructed in a workmanlike manner, be moisture-resistant and either raised up off the ground or placed on a hard surface such as concrete, patio block or gravel. Chicken coops shall provide a humane environment for chickens and be large enough to provide at least three-square feet per chicken, adequate ventilation, and adequate protection from the weather.
- (g) the Chicken Enclosure area may not exceed twenty percent (20%) of the lot area.
- (h) No Chicken Enclosure shall be located closer than ten (10) feet from the principal building, twenty-five (25) feet from a side lot line, and thirty-five (35) feet from the rear lot line.

(i) The Chicken Enclosure shall comply with Section 3.11 of the Town Ordinances.

(j) Chicken Enclosures shall be kept and maintained in a sanitary manner to not disturb the use and enjoyment of neighboring lots due to noise, odor, or other adverse impacts and to prevent the attraction of rodents and other pests.

Section 3: If any provisions of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

Section 4: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 5: This Ordinance shall be in full force and effect from and after its date of passage and publication as required by law.

Adopted this ____ day of _____, 2023.

TOWN OF BERGEN

By: _____
Mike Gebert, Chairman

ATTEST:

By: _____
Jodi Maguire, Deputy Clerk

Adopted: _____
Published: _____

STATE OF WISCONSIN)
COUNTY OF MARATHON)
TOWN OF Marathon)

WHEREAS, the Town Board of Supervisors of the Town of Mosinee has heretofore been petitioned to amend 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,

NOW, THEREFORE, pursuant to §60.62(3) Wis. Stats, the Town Board of Supervisors of the Town of Mosinee 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 9th of January, 20 23

Signed by the Board of the Town of Mosinee:

Jerry Knott

CERTIFICATION

I, William Bowering, Clerk of the Town of Mosinee, 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 the Town of Mosinee on Sept 14, 20 20.

William Bowering
Town Clerk (signature)

1/15/23
Date

Send this completed form along with your amendments to:
Marathon County Zoning Department, 210 River Drive Suite 1, Wausau WI 54403 5449

Town of Mosinee
149340 Remington Road
Mosinee WI 54455

Please update the county map to reflect the rezone of parcel 058-2706-161-0994 from A-1 to A/R for land owned by Harley & Kathy Peterson.

Thank you,

Bill Bruening, Clerk

**TOWN OF MOSINEE
NOTICE OF APPLICATION FOR ZONE CHANGE**

Notice is hereby given that a public hearing will be held to hear and consider the following request for a zone change:

Harley & Kathy Peterson, 18305 32nd Ave N. Plymouth, MN 55447 request to rezone the following parcel from A-1 (General Agriculture) to A/R (Agricultural/Residential)

The PIN of the property to be rezoned is 058-2706-161-0994

The legal description is as follows:

Part of NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 16, Township 27 Range 6E. Town of Mosinee, Marathon County

Said hearing will be held on August 31, 2020, at 6:00 p.m., at the Town of Mosinee Town Hall, 143990 Lenz Road, Mosinee, WI.

Town Board

Town of Mosinee

William Bruening, Clerk

**Town of Mosinee
Planning Commission Meeting
Minutes from August 31, 2020**

Meeting was called to order at 6:00 pm by Cory Tomczyk.

Roll call was taken. Members present were Amy Baumann, Robert Fochs, Alan Cihlar, Cory Tomczyk, and Tim Sulzer.

Everyone stood and recited the Pledge of Allegiance.

Fochs made a motion to approve the meeting minutes from June 2, 2020, seconded by Cihlar. Motion carried unanimously.

It was determined that the agenda had an error for Item #5, as the topic was not to discuss a conditional use permit, but a request for a rezone.

Harley and Kathy Peterson of 18305 32nd Ave N, Plymouth, MN, explained their request to rezone their parcel # 058-2706-161-0994 from A-1 (General Agriculture) to A/R (Agricultural/Residential). It's currently an approximate 24 acre parcel that use to be part of 60+ acres land parcel. They currently live in Plymouth, MN, and would like to build a permanent residence and live on their land to be closer to maintain the property. He currently hunts on the land, has a shed where equipment is stored, has an orchard in back and gardens as well. Part of the property has agricultural use and some is in the wetlands. The house would be situated on the front of the parcel near the existing shed, and would not utilize any current ag use land. *(The future land use map shows its prime farm land, but Cihlar said it's not. Sulzer said we need to make this correction to the land maps next time they get updated.)*

Discussions ensued among the commission members. Fochs said the smart usage for the property would be to rezone it A/R to be able to enjoy the land to the fullest. Cihlar clarified this would not be a spot zoning decision. Decisions are based off the inaccuracies of the maps prepared by Marathon County. Tomczyk discussed the difference between A-1 and A/R properties. A-1 requires 35 acres to build on, and A/R requires 2-5 acres, depending on the location. The majority of the land is in the wetlands, and the portion that's NOT in the wetlands is approximately 7 acres. With up to 5 acres minimum for A/R, the Peterson's couldn't create another building parcel.

Fochs made a motion to approve the rezone request, and Cihlar seconded. Motion carried unanimously.

Fochs made a motion to adjourn, Cihlar seconded.

Meeting was adjourned at 6:28pm.

Respectfully submitted by Amy Baumann

Town of Mosinee
Minutes from September 14, 2020
Town Board Meeting

The meeting was called to order at 6:12 pm by Chairman Steve Hagman

Roll call was taken. Present included Steve Hagman, Jerry Kurth, Tim Sulzer, Julie Kurth and Bill Bruening

For the next 48 minutes the board proceeded to process payments and other administrative paperwork.

The pledge of alliance was recited

Jerry Kurth moved; Tim Sulzer moved to approve the agenda

Jerry Kurth moved; Tim Sulzer seconded to approve the August 10, 2020 minutes as read.

Tim Sulzer moved; Jerry Kurth seconded to approve the treasurer report as read.

Road supervisor Gorski presented the following report. We do have a situation where a mailbox is mounted in such a way the it interferes with road operations. The road signs are ready. Bark and Springbrook are in good shape, we plan to grade Goldas tomorrow.

Steve Hagman moved; Jerry Kurth seconded to replace the drain tile in the Town garage.

Jerry Kurth moved; Tim Sulzer seconded to accept the proposal from Charlies Hardware to replace the Town Hall water softener for \$1701.70.

Motion was made and seconded to approve the Planning Commission recommendation to approve the Harley and Kathy Peterson rezone request.

It has come to the Town Board attention that there was not an animal unit's assignment for horses in the town ordinances. While there are tables to reference for most other animals, due to a technicality in the ordinances, the horses to not have an animal units value. After discussion the board decided to assign a value of 1 animal unit to a horse.

The board discussed adoption of the new nuisance ordinance and conducted a roll call vote. Sulzer – Yes, Kurth – Yes, Hagman – Yes.

The board will hold two meeting to work on the budget.

August 24, 2020 6:30 pm – Revenue

September 28, 2020 – Expense and Final Budget

Jerry Kurth moved; Tim Sulzer seconded to adjourn 7:50 pm.

Respectfully Submitted
William Bruening, Clerk

Marathon County

Owner (s):
PETERSON, HARLEY
PETERSON, KATHY

Location:
NE1/4 NE1/4,Sect. 16, T27N,R6E

Mailing Address:
HARLEY PETERSON
KATHY PETERSON
141577 BURMA RD
MOSINEE, WI 54455

School District:
3787 - MOSINEE

Request Mailing Address Change

Tax Parcel ID Number: Tax District: Status:
058-2706-161-0994 058-TOWN OF MOSINEE Active

Alternate Tax Parcel Number: Government Owned:Acres:
29-162706-001-002-00-00 23.9200

Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.):
SEC 16-27-06 PT OF NE 1/4 NE 1/4 - LOT 2 CSM VOL 79 PG 123 (#16922) (DOC# 1677075)

Site Address (es): (Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.)
141577 BURMA RD MOSINEE, WI 54455

Taxes

0 Lottery credits claimed

Tax History

* Click on a Tax Year for detailed payment information.

Tax Year*	Omitted	Tax Bill	Taxes Paid	Taxes Due	Interest	Penalty	Fees	Total Payoff
2022		\$5,358.56	\$0.00	\$5,358.56	\$0.00	\$0.00	\$0.00	\$5,358.56
2021		\$886.14	\$886.14	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2020		\$706.83	\$706.83	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2019		\$696.73	\$696.73	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2018		\$695.53	\$695.53	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2017		\$638.88	\$638.88	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2016		\$769.16	\$769.16	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
2015		\$1,182.42	\$1,182.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total								\$5,358.56

'PAY TAXES' button may be used to pay the SECOND installment for all municipalities except for the City of Wausau. It may also be used to pay past year delinquent taxes for all municipalities. If the first installment is not received by the municipality by January 31 of the year due, interest and penalty will also be due. Please contact the County Treasurer's Office at (715) 261-1150 for exact amount due if after January 31 or if taxes are 3 years or more delinquent.

NOTE: Current year tax bills may not be processed by the county.

Interest and penalty on delinquent taxes are calculated to **January 31, 2023.**

Assessments

Districts

Documents

Notes

Parcel History

Permits