



**Marathon County
Environmental Resources Committee Minutes
Tuesday, March 1, 2022
500 Forest Street, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn	X	
<i>Vice-Chair</i>	Sara Guild		X
	Rick Seefeldt.....	X	
	Bill Conway	X	via Webex or phone
	Allen Drabek.....	X	
	Randy Ffrrick	X	via Webex or phone
	Dave Oberbeck		X
	Marilyn Bhend		X
	Rodney Roskopf.....	X	

Also present via Webex, phone or in person: Laurie Miskimins, Shad Harvey, Robert Hoffman, Andrew Lynch, Jeff Pritchard, Dave Decker, Nicole Delonay, Peter Fromm Wade, Diane Hanson – Conservation, Planning, and Zoning (CPZ); Jamie Polley, Tom Lovelin - Parks, Recreation and Forestry (PRF); Kurt Gibbs, Bonnie Leick, Jenny Schonherr, Jean Kopplin and Tim Vreeland

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m:-
2. **Public Comment** – None.
3. **Approval of February 1, 2022, Committee minutes**

Motion / second by Drabek / Seefeldt to approve of the February 1, 2022, Environmental Resources Committee minutes as distributed.

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

4. **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. Coni Johnson on behalf of Donald F. Bohy – G-A General Agriculture to R-E Rural Estate – Town of Spencer

Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the rezone request of Outlot 1 on the preliminary Certified Survey Map (CSM) that was submitted with the petition. Hoffman additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

The Town of Spencer has reviewed the application and recommends approval without any concerns or additional comments.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:21 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion /** second by Ffrrick/ Drabek to recommend approval, of the Coni Johnson on behalf of Donald F. Bohy rezone request, noting the reasoning provided in the staff report and conclusions of law. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan 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.

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

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2. Tim Vreeland on behalf of Kenneth P. Leick & Mary D. Leick Revocable Trust – F-P Farmland Preservation to U-R Urban Residential and F-P Farmland Preservation to G-A General Agriculture – Town of Eau Pleine

Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the rezone request to rezone lands from F-P Farmland Preservation to U-R Urban Residential and F-P Farmland Preservation to G-A General Agriculture as shown on the Certified Survey Map (CSM) that was submitted with the petition. The area in question was designated as a Farmland Preservation area, yet according to the Town's Comprehensive Plan, the area in question has no prime farm soils from Group 1 nor Group 2. The rezone is partially consistent with the existing and future land use maps within the town comprehensive plan. It appears no active cropland will be converted as a result of the proposed rezone. The need is related to a proposed land division. CPZ recommends denial of the portion of the petition to rezone lands from F-P to G-A and approval of the portion of the petition to rezone lands from F-P to U-R.

Langenhahn questioned the denial of the petition to rezone lands from F-P to G-A but approval of the portion of the petition to rezone lands from F-P to U-R. Hoffmann stated they recommend denial and explained what the future land use is.

Paul Daigle was sworn in and stated he stands behind the recommendation and indicated an error in the staff report stating the soils map has an error and the soil type on the 40-acre parcel is considered Withee soils, which is prime farmland in Marathon County. Langenhahn questioned if we suggest the recommendation after this information was brought forward.

Tim Vreeland was sworn in and explained the reasoning behind the rezone and the confusion on the application. Vreeland stated the intent of the application was that the lot marked F-P was to stay in F-P and the 0.78-acre parcel be rezoned from F-P to U-R.

Bonnie Leick was sworn in and agreed with Tim Vreeland's statement.

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 3:47 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet

Action: **Motion** / second by Fiffrick/ Seefeldt to recommend denial of the F-P to G-A and approve the F-P to U-R, of the Tim Vreeland on behalf of Kenneth P. Leick & Mary D. Leick rezone request. Noting the reasoning provided in the staff report and conclusions of law. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan and is in the Farmland Preservation Zoning District. The area proposed to be rezone was designated as farmland preservation in the Farmland Preservation Plan, there are prime farm soils on the area in question. The rezone appears to meet all applicable rezone standards.

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

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

3. Cory Arndt on behalf of Oliver W. & Arlene D. Hoppe – G-A General Agriculture to R-E Rural Estate and R-R Rural Residential to R-E Rural Estate – Town of Easton

Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the rezone request acres shown as Lot 1 & 2 of the Preliminary Certified Survey Map (CSM) submitted with the petition. Hoffman additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town of Easton has reviewed the application and recommends approval without any concerns or additional comments.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:59 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet

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Action: **Motion** / second by Fifrick / Drabek to recommend approval, of the Cory Arndt on behalf of Oliver W. & Arlene D. Hoppe rezone request. Noting the reasoning provided in the staff report and conclusions of law. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan 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.

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

4. Reopen the public hearing on text amendment changes to the General Code of Ordinance for Marathon County Chapter 17 Zoning Code <https://bit.ly/3K0t1a6>

Discussion: Laurie Miskimins was sworn in and discussed the changes related to the annual text amendments to Chapter 17 Zoning Code. At the previous committee meeting on February 1, 2022, the committee was briefed on the proposed revisions. CPZ was directed to look at additional text amendment options regarding the shipping containers and bring back possible changes to the General Code of Ordinance for Marathon County Chapter 17 Zoning Code at the next scheduled meeting. Miskimins explained that CPZ recommends the following regarding the shipping containers; 1) Continue to prohibit shipping containers in the smaller residential districts (U-R, L-D-R, and R-R), and monitor requests in these districts over the next year to see if this should be reconsidered; 2) Permit shipping containers in the F-P, G-A, N-C, C, B-R, L-I, and H-I districts; 3) Require a Conditional Use Permit in the R-E and C-V/R-C districts, as these can sometime be smaller parcels. Also, limit any parcel with five acres or less to one permanent shipping container; and 4) Change the language related to materials/appearance from "encouraged" to "shall" *match the character of the use to which they are an accessory, as well as the district of which they are located*. As it relates to further regulation on look/character, the County has historically limited what they do there, as it is difficult to enforce. Additionally, the Zoning Administrator can enforce screening requirements on any shipping container and could use this for a proposal where a container is in a denser neighborhood.

Miskimins did note, CPZ received two additional comments regarding Chapter 17. The Town of McMillan shared they wanted to know why garage door heights are limited to 12 feet in residential districts and Town of Marathon questioned why our code does not prohibit trees being planted along property lines. The Chapter 17 Zoning Code does allow for people to apply for a conditional use permit for garage doors larger than 12 feet, so no change is recommended. County Corporation Counsel reviewed research related to tree setbacks/regulating trees on property lines and found there is no case law to support the County regulating this, nor nothing in statute that gives us authority to do so. Therefore, no change to the Zoning Code is recommended.

Conway recommends CPZ Staff be present at the County Board for explanation purposes and spelling out the different abbreviations for zoning code.

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 4:13 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrick / Seefeldt to approve the text amendment changes to the General Code of Ordinances for Marathon County Chapter 17 Zoning Code and move to County Board.

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

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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 –

2. Restructuring .75 FTE Motorized Recreation Coordinator to 1.0 FTE Recreation Coordinator

Discussion: Jamie Polley discussed the position request and duties of the Recreation Coordinator. This position would work under the direction of the Recreation Superintendent and would primarily manage the snowmobile and ATV grant programs predominately during the winter and assist the Recreation Superintendent in the summer with aquatics.

Gibbs questioned if Administration/ Finance has weighed in on this situation. Polley stated she has spoken with Lance Leonard and Administration, and they are in favor of this because it is considered budget neutral.

Langenhahn questioned the levy impact.

Action: **Motion** / second by Seefeldt/ Conway to recommend approval of restructuring .75 FTE Motorized Recreation Coordinator to a 1.0 FTE Recreation Coordinator and forward to Human Resources and Finance Committee.

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

D. Review and Possible Action

1. Red Parrot Preliminary County Plat – Town of Knowlton

Discussion: Decker discussed the details of the Red Parrot Preliminary Plat.

Action: **Motion** / second by Drabek / Seefeldt to approve the Red Parrot Preliminary Plat located in the Town of Knowlton. Motion **carried** by voice vote, no dissent.

Follow through: The final plat will be submitted for future committee action. Approval by County Board is not required.

2. Request from Executive Committee to review and provide input and priorities on Administrator's 2022 Work Plan

Discussion: Langenhahn explained that each standing committee was given a chance to provide a review of the 2022 Work Plan and identify the priorities the Administrator should address first and foremost. Gibbs explained that due to the Deputy County Administrator vacancy and the growing workload on the current Administrator, that capacity is limited. Discussion followed and the committee selected the following as high priority: how the ARPA funds will be distributed; the Comprehensive Plan/ Strategic plan refresh and creating a long- term facilities plan. Conway indicated he would like to see more focus on environmental impacts in the Comprehensive Plan/ Strategic plan and questioned if the Executive committee would/could add to the County Administration Work Plan regarding the Fenwood Creek Project.

Action: **Motion** / second by Seefeldt / Conway to have the ERC priorities forwarded to the Executive Committee to review. Motion **carried** by voice vote, no dissent.

Follow through: Forward to the Executive Committee for review.

3. Review and possible approval of update to Schedule of Deposits regarding CPZ citation amounts.

Discussion: Daigle brought forward recommendations for changes to the Schedule of Deposits (as listed in the packet). Gibbs questioned if the update in the forfeiture include court costs, which Daigle indicated they are in fact included.

Action: **Motion** / second by Conway / Seefeldt to approve the changes to the Schedule of Deposits. Motion **carried** by voice vote, no dissent.

Follow through: Approval by County Board is not required.

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

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

1. Introduction of Shad Harvey – Land Resources Manager

Discussion: Miskimins introduced Shad Harvey, the new Land Resources Manager for CPZ.

2. MCDEVCO POWTS Loan Update

Discussion: Miskimins provided an update. CPZ staff met with MCDEVCO staff. MCDEVCO reported they have had approximately 10-15 phone inquiries about the loan program and have distributed several loan applications but have not received any of the applications back or have not approved any loans to date. CPZ has given approximately 20 verification forms for homeowners, verifying their systems would qualify for the loan program (MCDEVCO verifies income requirements). Generally, the loan program was set up to mimic the Wisconsin Fund grant program. CPZ is getting more requests than ever about the loan program so there is a need, but adjustments need to be made to make it a successful *loan* program.

Follow through: CPZ Director and County Administrator will continue conversations with MCDEVCO and bring back suggestions for program improvement.

3. Update of Fenwood Creek Funding request

a. SB-968 Fenwood Creek Bill introduced at Senate Natural Resources and Energy Committee

Discussion: Daigle discussed SB-968 and the testimony that he provided at a public hearing last week. There appears to be support for this bill and there is consideration occurring to move this bill to the Executive Session and possibly expediting it.

4. Outstanding Young Farmer-runner Awarded to Mike and Gina Redetzke, Colby

a. Sponsored by: Partnership for Progressive Agriculture, Vita Plus, Rural Mutual, Short Lane Ag and the Eau Pleine Partnership for Integrated Conservation

Discussion: Daigle highlighted The Redetzke Family and their conservation efforts on their farm in Marathon County.

5. 2021 County Forest Division Annual Report

Discussion: Tom Lovelin briefly reviewed the County Forest Division Annual Report (included in meeting packet). This has been approved by the Forestry and Recreation Committee.

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

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

Tuesday, April 5, 2022, 2022 3:00 p.m. *Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI*

A. Committee members are asked to bring ideas for future discussion

1. Suggested revisions to the MCDEVCO POWTS Loan program

B. Announcements/Requests/Correspondence

Robert Hoffman – Land Use Technician has accepted a position with the Department of Natural Resources. Congratulations Robert. Thank you for your service to Marathon County.

8. **Adjourn – Motion** / second by Seefeldt/ Roskopf to **adjourn** at 5:30 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 Clerk

LM/nd