



**Marathon County  
Environmental Resources Committee Minutes  
Tuesday, January 5, 2021  
210 River Drive, Wausau WI**

<b>Attendance:</b>	<b><u>Member</u></b>	<b><u>Present</u></b>	<b><u>Not present</u></b>
<i>Chair</i>	Jacob Langenhahn.....	X	} via Webex or phone
<i>Vice-Chair</i>	Sara Guild.....	X	
	Rick Seefeldt .....	X	
	Bill Conway .....	X	
	Allen Drabek .....	X	
	Randy Fifrick.....	X	
	Arnold Schlei .....	X	
	Dave Oberbeck.....	X	
	Marilyn Bhend .....	X	
	Eric Vogel .....	X	

Also present via Webex, phone or in Room 5: Paul Daigle, Dominique Swangstu, Lane Loveland, Jeff Pritchard, Dave Decker, Robert Hoffman, Jared Mader, Kirk Langfoss and Cindy Kraeger– Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jason Hake – Deputy Administrator, Tom Radenz – REI Engineering; Rachel Whitehair – UW Extension; Larry Weiler, Gary Krueger, Jon Blume, Jeff Downs, Lee Ann Podruch, Bill Schoenowski, Tim Vreeland, Lisa and Brian Bartnik, Clark Eckhoff and Brian Thout.

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. via WEBEX.

2. **Public Comment** – None.

3. **Approval of December 1, 2020 Committee minutes**

**Motion** / second by Drabek / Conway to approve of the December 1, 2020 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. Gary Krueger on behalf of Garrett Weiler and Enos & Mary Ellen Horst U-R Urban Residential and G-A General Agriculture to R-R Rural Residential – Town of Holton

**Discussion:** Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 2.015 acres shown as Lot 1 of the Preliminary Certified Map (CSM) submitted with the petition. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. Additionally, the remaining farmland (38 acres) will continue to be farmed.

The Town of Holton has reviewed the application and recommends approval without any concerns.

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

**Action:** **Motion** / second by Fifrick / Guild to recommend approval to County Board, of the Gary Krueger on behalf of Garrett Weiler and Enos & Mary Ellen Horst rezone request. 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. 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. The petition of Tim Vreeland on behalf of Dennie & Linda Davis – G-A General Agriculture to R-R Rural Residential and R-E Rural Estate – Town of Easton

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request in which the areas proposed to be rezoned to R-R are described on Lot#2 and Lot #4 on the Preliminary CSM and the area proposed to be rezoned to R-E are described as Lot #1 and #3 on the Preliminary CSM.. Swangstu stated there is also a shed located on proposed lot #1 which is used for maple syrup processing, the use of which is permitted within the R-E zoning district. Based on the information provided the rezone appears to meet all applicable rezone standards and requirements. Swangstu also provided information and the reasons why CPZ staff are recommending approval of the rezone request.

The Town of Easton has reviewed the application and recommends approval without any concerns.

Vreeland was sworn in and stated the parcel is being created for the children of the family.

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

Action: **Motion** / second by Fifrick / Schlei to recommend approval to County Board, of the Tim Vreeland on behalf of Dennie & Linda Davis rezone request. 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. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet.

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

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

3. Brian & Lisa Bartnik – L-I Light Industrial to G-A General Agriculture Town of Holton

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of the existing parcel proposed to be rezoned approximately 3.25 acres which will be combined with the 7+/- acres adjacent agricultural lands to create a compliant parcel as it related to the minimum parcel size for the GA zoning district (10 acres). Swangstu stated the need of the rezone is related to the proposed expansion of the existing home onsite as well as agricultural business space. The agricultural business related facility/building located on the property is considered an existing non-conforming structure due to the fact it is partially located within the road Right of Way and does not meet applicable setbacks. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

Lisa Bartnik was sworn in and stated the property was purchased in the early 1970's by her father in law and it is her understanding there have been no issues with the Town with the location of the agricultural facility/building. The building onsite (besides the single family home) is currently being used as maintenance shop for tractors and milk trucks for their milk hauling business. The owners currently have no intention of expanding the business at this time.

The Town of Holton has reviewed the application and recommends approval without any concerns.

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:35 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrick / Vogel to recommend approval to County Board, of the Brian & Lisa Bartnik rezone request. 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. 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. Re-open the Rick Kersten (Central Wisconsin Lumber and Tie INC.) on behalf of Steve Dahlke – G-A General Agriculture to L-I Light Industrial – Town of Rib Falls postponed from 12-15-2020 County Board agenda.

Discussion: Swangstu was sworn in and noted this rezone was previously approved by the Committee in December but was postponed at the December 15, 2020 County Board and sent back to the Committee due to the agent/applicant requesting to reduce the area of the rezone by 1 acre. After discussion with the owner and agent it was agreed to move forward with the original application as previously submitted. Swangstu stated the rezone before the committee is the exact same rezone petition as presented in December with no changes to the staff recommendation or area to be effected as a result of the rezone

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:43 p.m.

Action: **Motion** / second by Ffrick / Vogel to recommend approval to County Board, of the re-opening of Rick Kersten (Central Wisconsin Lumber and Tie INC.) on behalf of Steve Dahlke rezone request. 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. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law as described in the CPZ staff report included in the ERC packet

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

5. Re-open the public hearing on the draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan

Discussion: Daigle was sworn in and recapped the LWRM Plan timeline with the committee's accomplishments of learning the history; accepting the goals and outcomes of the plan, the LWRM Plan meets the needs of county, citizens and farmers of Marathon County. Staff, Committee members and people whom provided technical input were recognized. If the LWRM Plan is approved by the Committee it needs to be presented and approved by the State Land and Water Conservation Board and then on to County Board in February.

The following people provided comment via WEBEX of support of the LWRM Plan.

Rachel Whitehair

Jon Blume

The following individuals provided comments of support of the plan. (A complete record of these comments are available at CPZ). Daigle read the comments into the record.

Matthew Oehmichen – EPPIC and the Tech advisory team

Ben Niffenegger, Manager Environmental Affairs, WVIC.

Peter Arnold

Michael Tiboris, Clear Water Farms Director River Alliance of Wisconsin

Rick Parkin

Wayne Breitenfeldt, Wausau Dairy Farmer

Bob Jehn

John Kennedy – Big Eau Pleine Citizens Organization

Matthew Oehmichen and Jason Cavadini

Leann Hogart

Chairman Langenhahn read into the record the email dated November 6, 2020 from Peter Weinschenk seeking a defense of the LWRM Plan by an ERC member.

There was no additional testimony in favor or opposed to draft Marathon County 2021-2030 LWRM Plan. Testimony portion of the hearing was closed at 4:15 p.m.

Fifrick made comments in support of the plan, as the ERC representative on the Local Advisory Committee. Stated strong diverse individuals on committee representing interests of the county.

Action: **Motion** / second by Fifrick / Seefeldt to recommend approval to County Board of the Marathon County 2021-2030 Land and Water Resource Management Plan.

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

Follow through: Forward to County Board for action at the February scheduled meeting.

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

1. Town of Texas – 239891 Chico Rd

Discussion: Swangstu stated the Town of Texas is town zoned and the rezone petition submitted was intended to change the zoning classification/district from M-2 to A-1 at the property located at 239891 Chico Rd. The zoning change was approved at the town board meeting on December 14, 2020. Although the town is town zoned, County Board approval is still needed per Wis. Stats.

Action: **Motion** / second by Fifrick / Schlei to recommend approval to County Board, of the Town of Texas zone change. Motion **carried** by voice vote, no dissent

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

C. Review and Possible Recommendations to County Board for its Consideration - None

D. Review and Possible Action

1. Royal Vistas Preliminary County Plat – Town of Rib Mountain

Discussion: Decker discussed the details of the Royal Vista Preliminary County Plat. Prior to the submittal of the Royal Vistas Preliminary Plat for approval, a concept plat meeting was held to discuss the plat. Design concepts and plans were discussed and agreed upon by all parties. The preliminary plat reflects the designs discussed at the concept plat meeting.

Action: **Motion** / second by Fifrick / Conway to approve the Royal Vistas Preliminary Plat located in the Town of Rib Mountain. Motion **carried** by voice vote, no dissent.

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

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

A. Department Updates: Conservation Planning and Zoning (CPZ)

1. CPZ – Zoning Ordinance – education on proposed revisions (memo)

a. Chapter 17 – Zoning Code

Discussion: Swangstu reported back to the Committee the Town input received from County and Town Zoned towns as well as explained the summary of revisions as well as the memo included in the meeting packet. Swangstu provided the recommended text revisions based on the input provided by the county zoned towns (town officials and residents) as well as Conservation, Planning and, Zoning staff whom administer the zoning ordinance.

Swangstu stated a similar memo and the same summary of proposed text amendments was mailed to the Town Clerks and Town Chairs for their additional input. A summary of the text amendments was included in the meeting packet and will be available on the CPZ website when the draft ordinance is posted. The committee had a few questions regarding specific proposed amendments which will be addressed at the next ERC meeting/public hearing after additional input is provided by the effected towns. The committee was asked to again review and provide input on the text amendments based on the summary of revisions as well as based on the full draft ordinance when it is made available online. The public hearing for these proposed amendments will be held during the February 2, 2021 ERC meeting. Additionally, an open house has been scheduled for 210 River Drive, Wausau WI 54403 on January 14<sup>th</sup>, 2021 so the public, towns, and committee members have any additional questions or recommendations prior to the public hearing in February. Discussion occurred regarding Chapter 17.204 and Chapter 17.301 Special Event and Permitted Temporary Uses and the standards and requirements that apply. The committee also requested additional input from the impacted towns regarding the proposed revision and use, and would like to see a proposal (proposed

text language) at the next ERC meeting which addresses town input and the initial intent behind a proposed revisions.

Comments were received from:

Brian Thuot expressed concerns about the event/use standards and requirements as it relates to the total number of events that can be held within 1 year. He stated there isn't necessarily an issue with the total number of events allowed per year but believes there should be more flexibility when it comes to event cancellations and having the ability to reschedule an event if one day of the event cannot take place due to weather or other unforeseen factor. Thuot also stated these events can be very costly for the event organizers and if an event needs to be cancelled for weather or other reason there is no way for the organizers to recoup all the moneys spent on the event, which could result in the loss of 10's of thousands of dollars for one event.

Clark Ickhoff is in support of Ralph Merwin to support the community with events held throughout the year.

Swangstu was directed to contact the county zoned towns to get more information and input regarding the existing language as well as to inquiry to see if there is any interest in changing the existing standards. Possible changes/topics could include increasing or decreasing the number of events allowed, asking if the existing code fits the needs of the Town events, as well as identify what problems the proposed revisions would address. Lastly, CPZ will identify what the role and authority zoning has regarding these uses/events.

Action: **None.**

Follow through: CPZ staff to continue to draft language and hold open house/public hearing in the upcoming month.

b. Chapter 22 – Shoreland, Shoreland-Wetland, Floodplain Code

Discussion: Swangstu discussed updating and clarifying the language within the ordinance to match State standards.

Action: **None.**

Follow through: CPZ staff to continue to draft language / public hearing in the upcoming month.

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

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

**Tuesday, February 2, 2021 3:00 p.m. 212 River Drive Room 5 Wausau WI**

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

B. Announcements/Requests/Correspondence

8. **Adjourn – Motion** / second by Conway / Seefeldt to **adjourn** at 4:55 p.m. Motion **carried** by voice vote, no dissent.

Paul Daigle, Land and Water Program Director

For Jacob Langenhahn, Chair

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

PD/cek