



MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

Date & Time of Meeting: Tuesday, January 5, 2021 at 3:00 p.m.

Meeting Location: 212 River Drive, Room 5 Wausau 54403

Committee Members: Jacob Langenhahn - Chair ; Sara Guild, -Vice-chair; Rick Seefeldt, Allen Drabek, Bill Conway, Randy Fifrick, Arnold Schlei, Dave Oberbeck, Eric Vogel - FSA Member, Marilyn Bhend – WI Towns & Villages Association (non-voting member)

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.

The meeting site identified above will be open to the public. However, due to the COVID-19 pandemic and associated public health directives, Marathon County encourages (Committee/Board/Commission) members and the public to attend this meeting remotely. To this end, instead of attendance in person, (Committee/Board/Commission) members and the public may attend this meeting by telephone conference. If (Committee/Board/Commission) members or members of the public cannot attend remotely, Marathon County requests that appropriate safety measures, including adequate social distancing, be utilized by all in-person attendees.

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: 146 270 5670

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!

1. Call meeting to order
2. Public Comment (15 minute limit)
3. Approval of December 1, 2020 Committee minutes
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 & Mary Ellen Horst – U-R Urban Residential and G-A General Agriculture to R-R Rural Residential– Town of Holton
 2. 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
 3. Brian and Lisa Bartnik – L-I Light Industrial to G-A General Agriculture – Town of Holton
 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
 5. Re-open the public hearing on the draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan
 - B. Review and Possible Recommendations to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)
 1. Town of Texas – 239891 Chico Rd

**MARATHON COUNTY
ENVIRONMENTAL RESOURCES COMMITTEE
AGENDA**

- 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

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

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

- 1. CPZ – Zoning Ordinance(s) - Education on proposed revisions (memo)
 - a. Chapter 17 – Zoning Code
 - b. Chapter 22 – Shoreland, Shoreland-Wetland, Floodplain Code

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

7. Next meeting February 2, 2021 3:00 pm Room 5 and future agenda items:

- A. Committee members are asked to bring ideas for future discussion
- B. Announcements/Requests/Correspondence

8. 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.

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: 12/23/2020
Time: 2:15 p.m.
By: cek
Date/Time/By: _____

SIGNED  _____

Presiding Officer or Designee

NOTICE POSTED AT COURTHOUSE:

Date: _____
Time: _____ a.m. / p.m.
By: County Clerk

NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Tuesday, January 5, 2021 at 3:00 p.m., 212 River Drive, Room 5, Wausau WI 54403, at which time the Committee will consider the following:

1. The petition of Gary Krueger on behalf of Garrett Weiler and Enos & Mary Ellen Horst to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential and G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 25, Township 29 North, Range 02 East, Town of Holton. The area proposed to be rezoned is described as Lot #1 (2.015 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Areas to be rezone are identified as all of the Parcel PIN# 042-2902-254-0995; Address 108630 Wuertzburg Road, Abbotsford WI 54405 and part of parent parcel PIN# 042-2902-254-0996.
2. The petition of Tim Vreeland on behalf of Dennie & Linda Davis to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential and R-E Rural Estate described as part of the SW ¼ of the NW ¼ of Section 23, Township 29 North, Range 09 East, Town of Easton. The areas proposed to be rezoned to R-R are described as Lot #2 and #4 on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition, whereas the areas proposed to be rezoned to R-E are described as Lot #1 and #3 on the Preliminary CSM. All areas proposed to be rezone have an existing Parcel PIN# 018-2909-232-0992; Address 233048 Eau Claire River Road, Ringle WI 54471.
3. The petition of Brian and Lisa Bartnik to amend the Marathon County Zoning Ordinance to rezone lands from L-I Light Industrial to G-A General Agriculture described as part of the SW¼ of the SW¼ of Section 17, Township 29 North, Range 02 East, Town of Holton. The existing parcel proposed to be rezoned is approximately 3.25 acres in size with a parcel address 101468 Fence Road, Abbotsford, WI 54405. Parcel PIN# 042.2902.173.0996.

Written testimony may be forwarded prior to the hearing to: Jacob Langenhahn – Environmental Resource Committee Chair, Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449. All interested persons will be given an opportunity to be heard. 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.

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Jacob Langenhahn



Jacob Langenhahn, Chairman
Environmental Resources Committee



Paul Daigle, Land and Water Program Director
Conservation, Planning, and Zoning Department

Publish: December 21 and December 28, 2020

E-mailed to: Wausau Daily Herald (WDH-Legals@wdhmedia.com) on December 16, 2020 at 8:15 a.m.



**Marathon County
Environmental Resources Committee Minutes
Tuesday, December 1, 2020
210 River Drive, 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 (<i>excused</i>)
	Bill Conway	X	
	Allen Drabek	X	
	Randy Fifrick.....	X	
	Arnold Schlei	X	
	Dave Oberbeck.....	X	
	Marilyn Bhend	X	
	Eric Vogel		X (<i>excused</i>)

} via Webex or phone

Also present via Webex or phone: Paul Daigle, Dominique Swangstu, Lane Loveland, Dave Decker, Kirk Langfoss, Jeff Pritchard, Jared Mader, Jana Suriano and Cindy Kraeger– Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jason Hake – Deputy Administrator, Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF), Andrew Craig – WI DNR; Rachel Whitehair – UW Extension; Brian Kowalski – City Pages; Peter Weinschenk – Record Review.

1. **Call to order** – Called to order by Vice Chair Guild at 3:05 p.m. via WEBEX.
2. **Public Comment** – None.
3. **Approval of November 3, 2020 Committee minutes**

Motion / second by Schlei / Fifrick to approve of the November 3, 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. 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

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 4.975 acres shown as part of Lot 1 of the Preliminary Certified Map submitted with the petition. The rezone request is related to the expansion of an existing lumber yard/sawmill. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, pertinent site characteristics, the towns input regarding its Comprehensive Plan, as well as the parcels proximity to STH 107 which minimizes the potential impact the sawmill expansion may have on town or county roads in the area. Swangstu read an email received from James Griesbach – Marathon County Highway Commissioner regarding the seasonal weight restrictions on County Hwy u from the driveway of the sawmill east to State Highway 107 allowing trucks to travel from STH 107 to the mill. If the rezone of the described parcel gong from G-A to L-I falls outside of the current posting no change will be made to the seasonal posting unless the change to the seasonal postings are approved by the Marathon County Infrastructure Committee. Swangstu noted that there doesn't appear to be any issues with the existing seasonal limits given the location of the proposed rezone. Additionally, all federal, state, and local permits and approvals are required prior to the start of construction or significant earthwork on the area proposed to be rezoned.

The Town of Rib Falls 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 3:28 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 Rick Kersten (Central Wisconsin Lumber and Tie INC) 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.

Chair Langenhahn arrives and resumes Chair position.

2. The draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan:
The LWRM Plan identifies the existing land and water resource concerns related to soil erosion, surface and ground water pollution with the greatest impacts to Marathon County. The plan also outlines the goals, objectives, strategies, and defined outcomes to address the highest priorities. This includes an implementation strategy and defined accountability, monitoring and tracking efforts

Discussion: Daigle was sworn in and provided a brief overview background on the importance and development of the Plan. The ERC Committee has the ability to listen to public comment, followed by their own input and questions following the public hearing session today and the next scheduled ERC meeting where the hearing will be re-opened. Langenhahn asked for clarification on Chapter 4 page 127 Item #4 if CPZ "staff notifies landowners prior to site visits". Daigle responded that CPZ notifies property owners in advance of any property inspections and also the Castle Doctrine comes into play with employee safety. State law does allow staff access to private property for environmental issues, but staff discuss property access with corporation counsel if the landowner does not cooperate. Langenhahn also questioned landowners being notified of other compliance issues not related to the issue being addressed by the site visit. Daigle clarified that landowners are notified prior to any property inspection that if violations are found they need to be addressed.

Daigle read into the record the email received from Peter Weinschenk, Edgar WI as opposed to the plan for various reasons, but included the Editorial from the Record Review titled "Scrap the Plan".

Action: **Motion** / second by Conway / Drabek to postpone the Marathon County 2021-2030 Land and Water Resource Management Plan public hearing to the next scheduled Committee meeting.

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

Follow through: Bring back to the Committee at the next scheduled Committee 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: Approval of the 2021 County Forest Annual Work Plan

Discussion: The annual resolution and 2021 Work Plan were included in the meeting packet and briefly reviewed. Both have been approved by the Forestry and Recreation Committee. Action is required to forward these to County Board for its consideration. County Board approval is necessary to be eligible for grant funds

Action: **Motion** / second by Fifrick / Schlei to approve the 2021 County Forest Work Plan and forward the resolution to County Board for its consideration.

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

Follow through: The resolution and work program will be forwarded to County Board for its consideration.

2. Resolution: Approval of the 2021 County Forest Acreage Share Loan Payment

Discussion: The annual resolution was included in the meeting packet; if adopted, the interest free

loan may be used for the purchase, development, preservation and maintenance of forest lands.

Action: **Motion** / second by Fifrick / Drabek to approve the 2021 County Forest Acreage Share Loan Payment and forward to County Board for its consideration.

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

Follow through: The resolution will be forwarded to County Board for its consideration at their next regularly scheduled meeting.

D. Review and Possible Action

1. Approval of a proposed public road - Town of McMillan

Discussion: Decker stated the Certified Survey Map (CSM) was including in the meeting packet in which the developer is proposing a dedicated public road with a temporary cul-de-sac that is longer than 850'. The proposed public road is approximately over 2800' long to the end of the temporary cul-de-sac. The Town of McMillan plans to eventually extend the proposed road to County Road "T". The proposed CSM meets all of the zoning requirements for RR zoning district. The Town of McMillan Board approved and signed the proposed CSM. Decker additionally reviewed the reasoning behind why CPZ staff are recommending approval of the proposed CSM allowing for the proposed town road to exceed the maximum allowable length of a dead end road with a cul-de-sac.

Action: **Motion** / second by Schlei /Fifrick to approve the proposed town road to exceed the maximum allowable length of a dead end road with a cul-de-sac. Motion **carried** by voice vote, no dissent.

Follow through: Approve and sign proposed CSM for recording.

2. Review recommended updates to Average Cost worksheet for land conservation practices

Discussion: Daigle discussed the update of average cost share reimbursement rates for farmers. These average costs are used when calculating project costs associated with cost shared conservation practices. State law requires committee approval to use this as a cost control measure. The last update of these average costs occurred in 2018.

Action: **Motion** / second by Conway /Guild to approve the Marathon County 2021 Average Cost for cost share reimbursement.

Follow through: None.

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

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

1. Update on Town Comprehensive Plans

Discussion: Pritchard reviewed the Comprehensive Planning Guidance document that was included in the meeting packet. After Towns update their plans, CPZ staff does receive the updated Town Plan which is also updated on the Town's website.

Action: None.

2. McMillan Marsh Lease Amendment (Lovlien)

Discussion: Lovlien discussed the amendment to the McMillan Marsh lease to include six, 40 acre parcels. County Administrator, Lance Leonhard has signed the amendment which will be forwarded to the Department of Natural Resources.

Action: None.

Follow through: Forward the McMillan Marsh Lease Amendment to the Department of Natural Resources.

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, January 5, 2021 3:00 p.m. 212 River Drive Room 5 Wausau WI

Environmental Resources Committee Minutes
December 1, 2020

- A. Committee members are asked to bring ideas for future discussion
 - B. Announcements/Requests/Correspondence
 - Summary of revisions to Chapter 17
8. **Adjourn – Motion** / second by Schlei / Guild 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

PETITION FOR ZONE CHANGE
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):
Gary R Krueger 220 Sherman St Wausau, WI 54901

hereby petition to rezone property owned by (Name & Address): #1 Garrett Weiler 228455 Rock Elm Lane Abbotsford, WI 54405 #2 Mary Ellen Hout 6284 Kidron Road Apple Creek WI 54606
from the classification UR, General Ag to RR, Rural Residential

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

Parcel Identification Number (PIN): #1 042-2902-254-0995 #2 042-2902-254-0996

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
No change Combining to create one parcel

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

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Already provided

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. No change is planned

C. What have you done to determine that the land is suitable for the development proposed? No proposed development

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. All permits needed will be gotten

E. Explain any potential for conflict with existing land uses in the area. No Anticipated conflict

(OVER)

RECEIVED
NOV 13 2020
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

13308571555

- F. Demonstrate the need of the proposed development at this location. No proposed development
- G. What is the availability of alternative locations? Be specific. None Adjacent parcels being combined
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? Some prime farm land, some of which is not being used now
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. 3/4 Acre being consumed. Remnant continued to be farmed.

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

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

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

7. Petitioner's Signature A. R. K. Phone 715-218-5150 Date 11-11-20
 8. Owner's Signature (1) Grant W. W. Phone 715-650-7881 Date 11-11-20
(2) Mary Ellen Horst 330-857-1550 11-11-20
 Date Fee Received: 11-13-2020 Fee \$600.00 PAYABLE TO MARATHON COUNTY

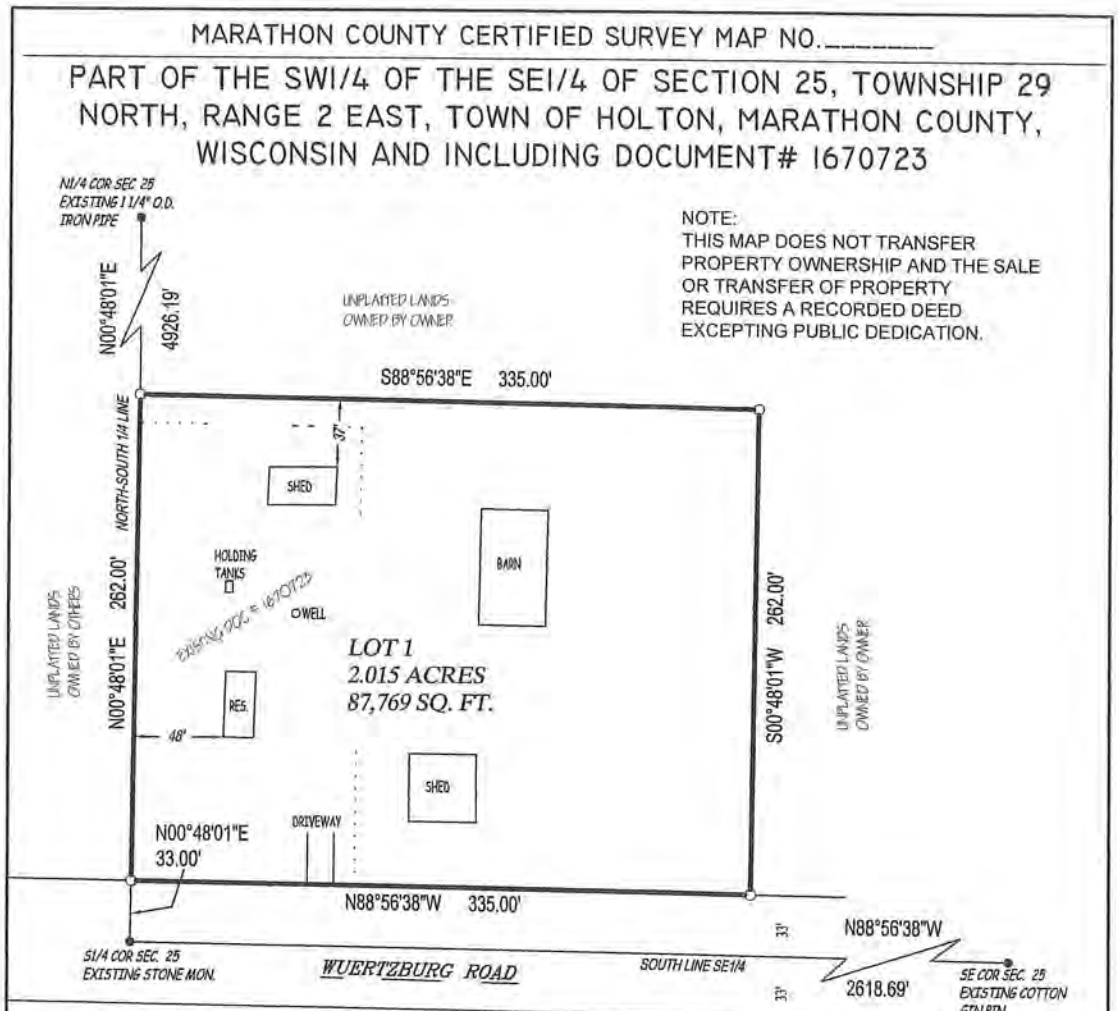
Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC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

MARATHON COUNTY CERTIFIED SURVEY MAP NO. _____

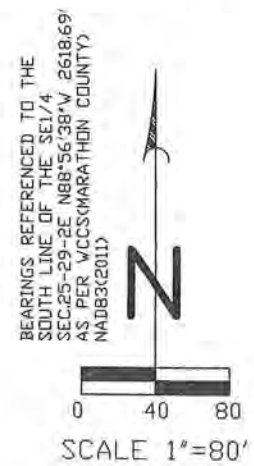
PART OF THE SW1/4 OF THE SE1/4 OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 2 EAST, TOWN OF HOLTON, MARATHON COUNTY, WISCONSIN AND INCLUDING DOCUMENT# 1670723

N1/4 COR. SEC. 25
EXISTING 1 1/4" O.D.
IRON PIPE

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



LEGEND
○ 3/4" X 18" REBAR SET
WEIGHING 1.50 LBS/LIN. FT.



GARY R. KRUEGER PLS NO. 1619
SURVEY COMPLETED 11/30/2020

PREPARED FOR:
OWNERS:
GARRETT WEILER
228455 ROCK ELM LANE
ABBOTSFORD, WI 54405
&
MARY ELLEN HORST
6284 KIDRON ROAD
APPLE CREEK, OH 44606
PROJECT # WEILERLARRY

 KRUEGER SURVEYING LLC
220 SHERMAN ST.
WAUSAU, WI 54401
PHONE: 715-845-6666 CELL: 715-218-5150
EMAIL: KREEGS1619@AOL.COM

THIS DRAWING AND ALL INFORMATION CONTAINED THEREIN IS THE PROPERTY OF KRUEGER SURVEYING LLC AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

DATE: 9/24/2020
DRAWN BY: DRO
SHEET 2 OF 2

MARATHON COUNTY CERTIFIED SURVEY MAP
NO. _____

PART OF THE SW1/4 OF THE SE1/4 OF
SECTION 25, TOWNSHIP 29 NORTH,
RANGE 2 EAST, TOWN OF HOLTON,
MARATHON COUNTY, WISCONSIN AND
INCLUDING DOCUMENT# 1670723

SURVEYOR CERTIFICATE

I, GARY R. KRUEGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY:
THAT I HAVE SURVEYED, DIVIDED AND MAPPED AT THE DIRECTION OF LARRY WEILER, FATHER OF
BUYER, AND JALON HORST, SON OF OWNER, A PARCEL OF LAND LOCATED IN PART OF THE
SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 2 EAST, TOWN
OF HOLTON, MARATHON COUNTY, WISCONSIN AND INCLUDING DOCUMENT# 1670723 AS RECORDED IN
THE OFFICE OF THE REGISTER OF DEEDS FOR MARATHON COUNTY AND IS MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 25; THENCE N00°48'01"E, ALONG THE
NORTH-SOUTH 1/4 LINE, 33.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING N00°48'01"E,
ALONG THE NORTH-SOUTH 1/4 LINE, 262.00 FEET; THENCE S88°56'38"E, PARALLEL TO THE SOUTH LINE
OF THE SOUTHEAST 1/4, 335.00 FEET; THENCE S00°48'01"W, PARALLEL TO THE NORTH-SOUTH 1/4 LINE,
262.00 FEET; THENCE N88°56'38"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF WUERTZBURG ROAD,
335.00 FEET TO THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL IS SUBJECT TO ALL RIGHT-OF-WAYS, RESERVATIONS,
RESTRICTIONS AND EASEMENTS OF RECORD.

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

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 LAND DIVISION
REGULATIONS OF THE COUNTY OF MARATHON AND THE TOWN OF HOLTON IN SURVEYING, DIVIDING
AND MAPPING THE SAME.

THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

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

BY _____

DATE _____

MARATHON CO. CONSERVATION,
PLANNING AND ZONING DEPT,

PREPARED FOR:
OWNERS:
GARRETT WEILER
228455 ROCK ELM LANE
ABBOTSFORD, WI 54405
&
MARY ELLEN HORST
6284KIDRON ROAD
APPLE CREEK, OH 44606



KRUEGER SURVEYING LLC
220 SHERMAN ST.
WAUSAU, WI 54401
PHONE: 715-845-6666 CELL: 715-218-5150
EMAIL: KREEGS1619@AOL.COM

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FURNISHED.

DATE: 9/24/2020

DRAWN BY: DRO

GARY R. KRUEGER PLS NO. 1619
SURVEY COMPLETED 11/30/2020

PROJECT #WEILERLARRY

SHEET 1 OF 2



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

25.34 0 25.34 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

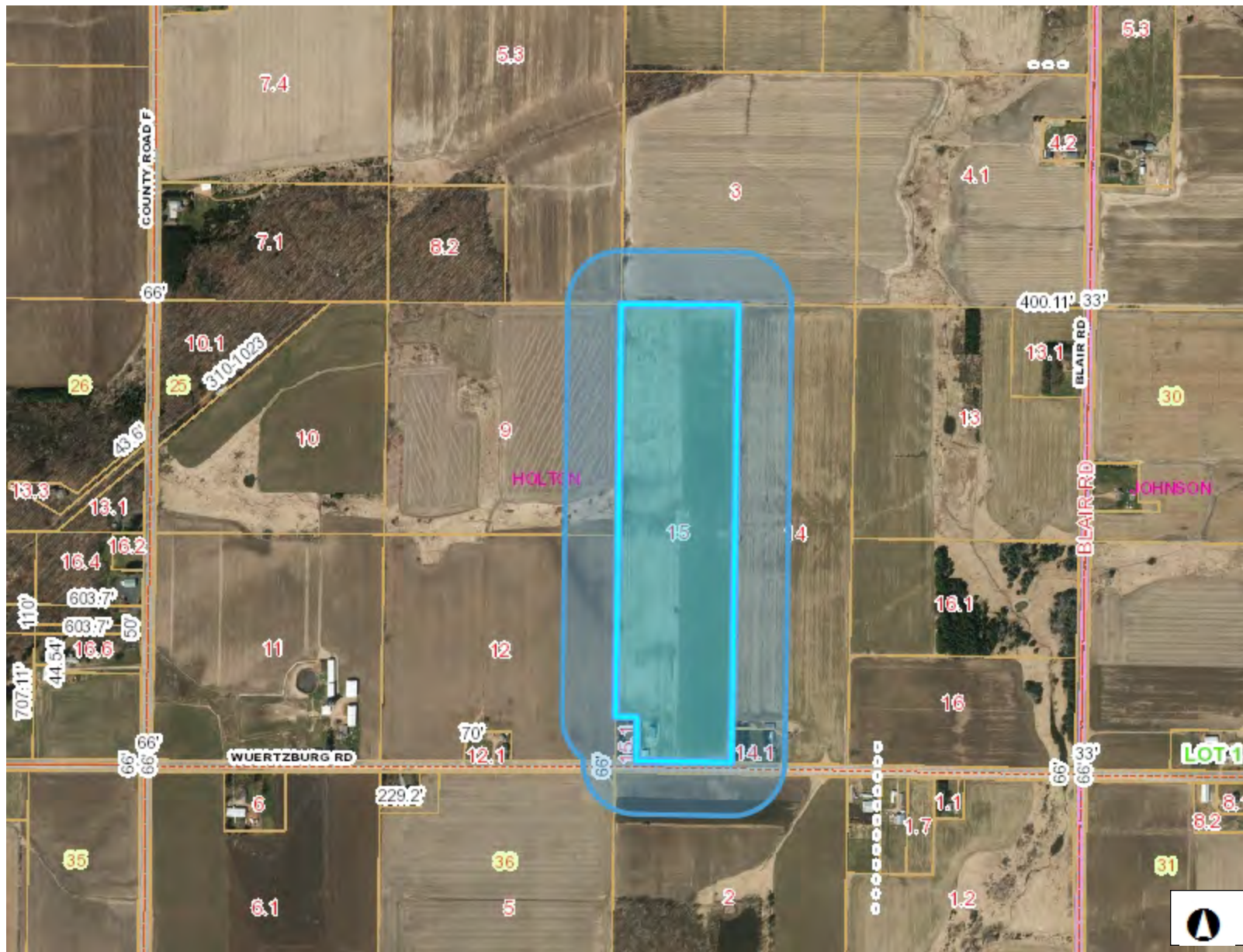
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



- ### Legend
- Parcel Annotations
 - Parcels
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Municipalities
 - 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

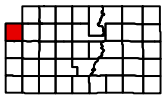
418.75 0 418.75 Feet

NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

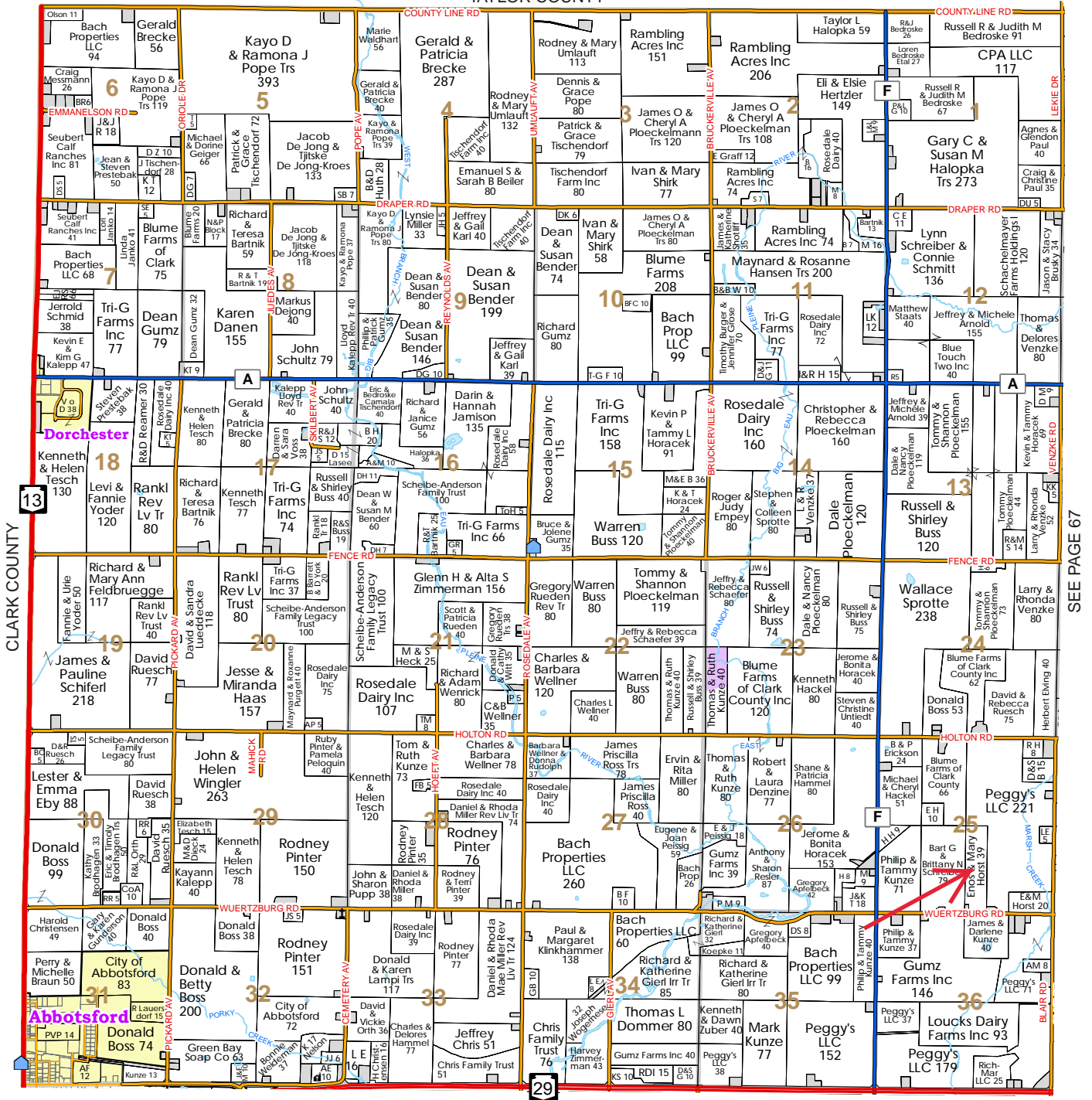


Holton

Township 29N - Range 2E

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TAYLOR COUNTY



SEE PAGE 67

SEE PAGE 47



STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF HOLTON)

RECEIVED

DEC 14 2020

MARATHON CO. CONSERVATION
PLANNING & ZONING DEPT

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Jennifer Schreiber, Clerk of the Town of Holton, 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 Holton Town Board at a meeting held on the 9th day of DECEMBER, 2020.

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 Holton Town Board considered on the 9th day of DECEMBER, 2020, petition of Gary Krueger on behalf of Garrett Weiler and Enos & Mary Ellen Horst to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential and G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 25, Township 29 North, Range 02 East, Town of Holton. The area proposed to be rezoned is described as Lot #1 (2.015 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Areas to be rezone are identified as all of the Parcel PIN# 042-2902-254-0995; Address 108630 Wuertzburg Road, Abbotsford WI 54405 and part of parent parcel PIN# 042-2902-254-0996.

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

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

No Yes Explain: _____

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

No Yes Explain: Showing area wishing to purchase does not interfere with any neighbors

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

No Yes Explain: It is just going to be vacant land

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: He supplied adequate maps and paperwork

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: Currently Property has very little land. Just wants to increase acreage
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: He supplied information from land owners willing to sell to him
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: it is Cropland. Being kept vacant not being taken out of any programs
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: had maps and diagrams
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: We are a farming & family community keeping land available for them
- 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 Holton 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 Jennie Scheerer
 Town Board TOWN OF HOLTON

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 21, 2020 to:

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



**Garrett Weiler and Enos & Mary Ellen Horst
Petition to Rezone Land
Staff Report, January 5th, 2021
Environmental Resources Committee**

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

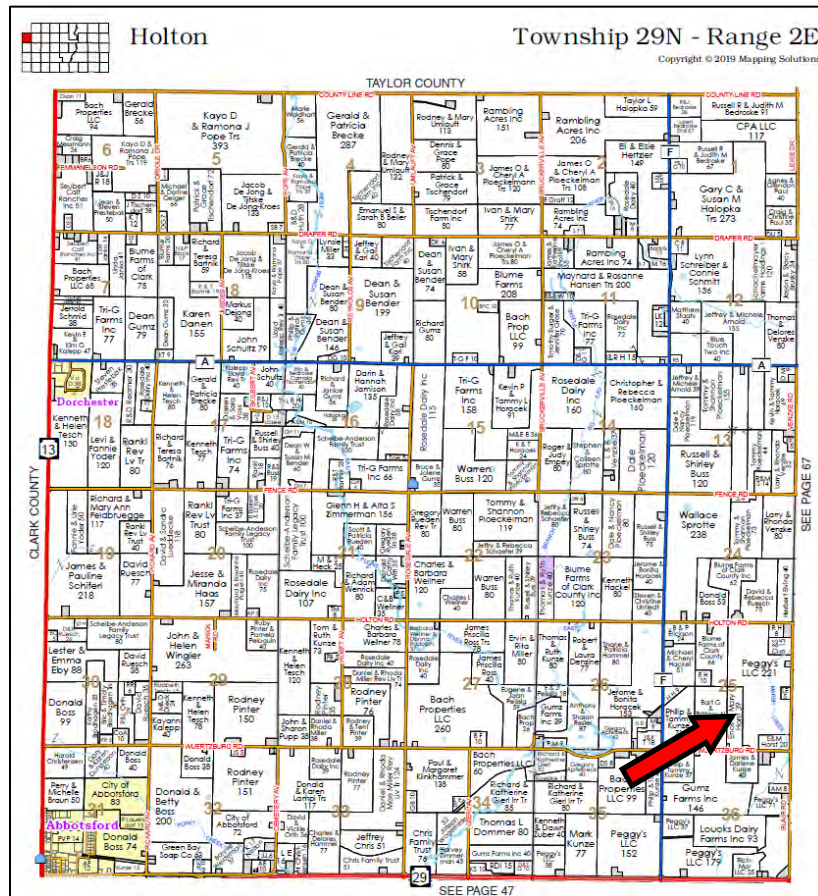
- Town of Holton Town Board Meeting (December 9th, 2020)
- Marathon County Environmental Resources Committee Meeting (January 5th, 2021 at 3:00pm)

PETITIONER: Gary Krueger – 220 Sherman Street, Wausau WI 54401.

PROPERTY OWNER: Garrett Weiler – 228455 Rock Elm Lane, Abbotsford WI, 54405.
Enos & Mary Ellen Horst – 6284 Kidron Road, Apple Creek OH, 44606.

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located approximately 2,400 feet west of the intersection of Wuertzburg Road and Air Road. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Gary Krueger on behalf of Garrett Weiler and Enos & Mary Ellen Horst to amend the Marathon County Zoning Ordinance to rezone lands from U-R Urban Residential and G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 25, Township 29 North, Range 02 East, Town of Holton. The area proposed to be rezoned is described as Lot #1 (2.015 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Areas to be rezoned are identified as all of the Parcel PIN# 042-2902-254-0995; Address 108630 Wuertzburg Road, Abbotsford WI 54405 and part of parent parcel PIN# 042-2902-254-0996.

EXISTING ZONING DISTRICT:

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

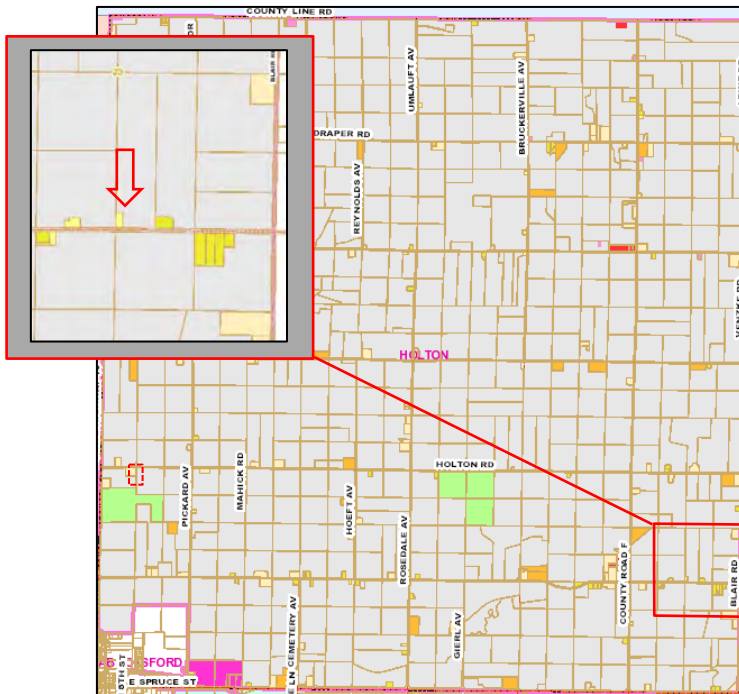
&

U-R: Urban Residential District. The purpose of the U-R district is to encourage relatively greater density residential development in areas generally adjacent to the built up sections of the community or in areas of existing development of such density. The Residential districts are designed to encourage a suitable environment for family life by permitting under certain conditions, such neighborhood facilities as churches, schools, playgrounds, and appropriate institutions and by protecting the residential character against non-compatible uses. The U-R district is to encourage multi-family development at densities up to five dwelling units per acre in areas adjacent to community shopping facilities. Development is to consist primarily of single-family (attached or detached), planned unit development, and multi-family dwellings in groupings which will provide for the efficient development and utilization of community facilities

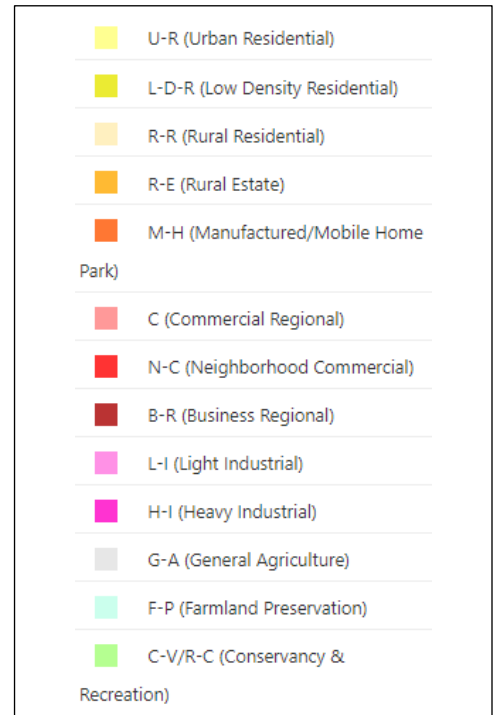
PROPOSED ZONING DISTRICT:

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.

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agricultural (Grey) and Low Density Residential (Yellow). There are also parcels zoned Urban Residential (Light Yellow), Low Density Residential (Yellow), and Rural Residential (Tan) within close proximity to the area in question.



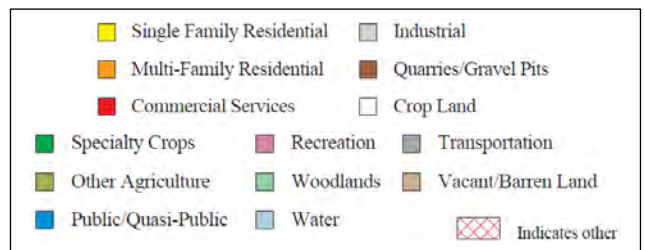
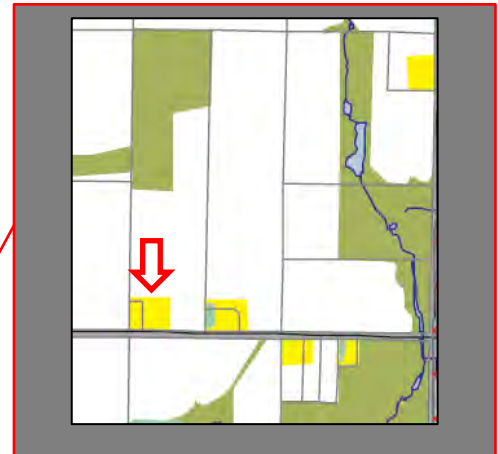
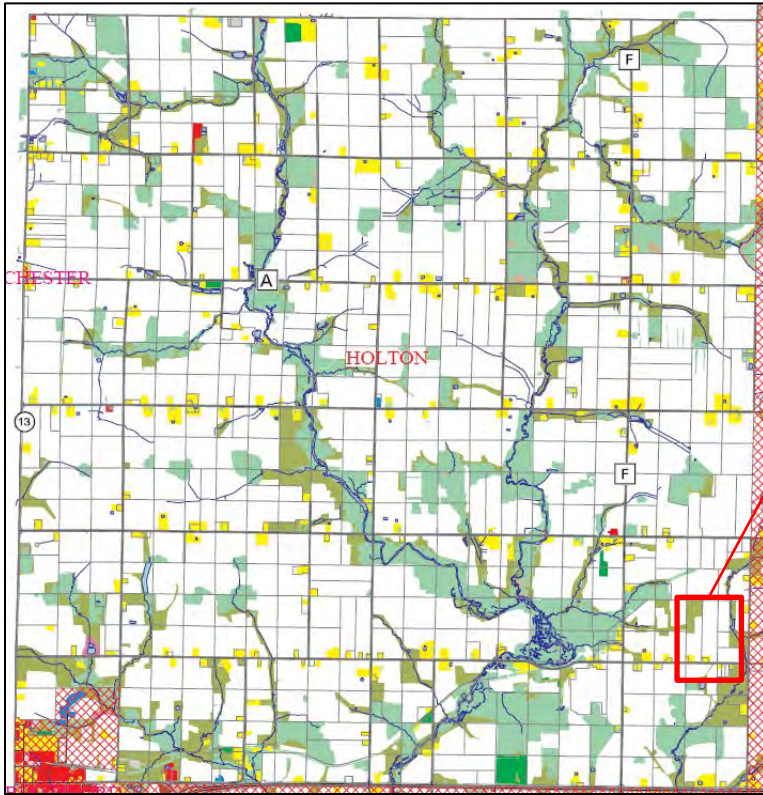
Map #2 Town of Holton Zoning District Map



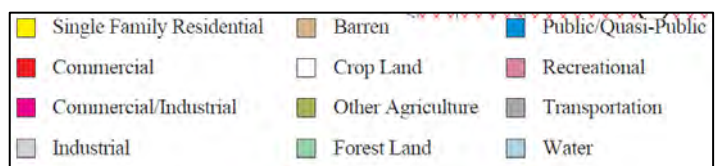
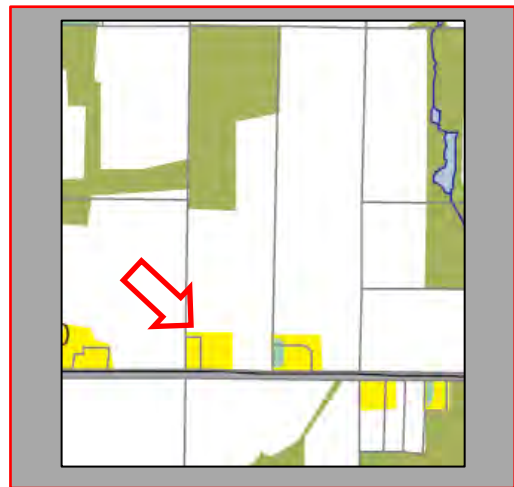
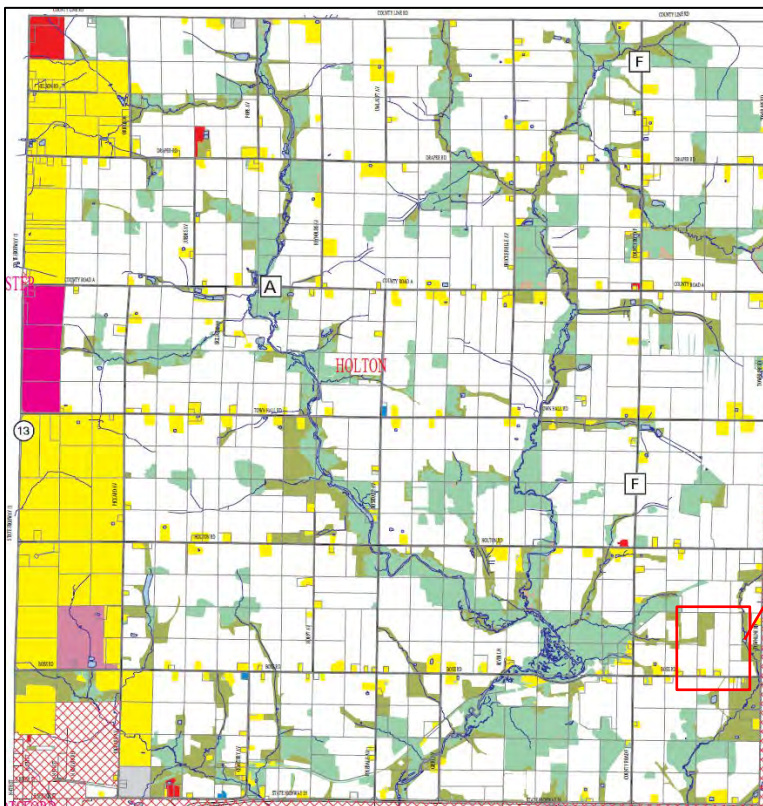
ACREAGE:
2.015 Acres

Legal Notification:
A legal advertisement was published in the *Wausau Daily Herald* on Monday, December 21st, 2020 and Friday, December 28th, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

Existing (2000) Land Use/Land Cover Map – Town of Holton (2006 Comprehensive Plan) The area proposed to be rezoned is designated for single family residential land uses in the towns Comprehensive Plan Existing Land Use Map. Whereas, adjacent land uses include Crop Land, Single Family Residential, and Other Agricultural Land Uses.



TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006): The area proposed to be rezoned is designated for Single Family Residential Land Uses in the Town's Comprehensive Plan Future Land Use Map. Whereas the adjacent land uses include Crop Land, Single Family Residential, Woodland, and Other Agricultural Land Uses.

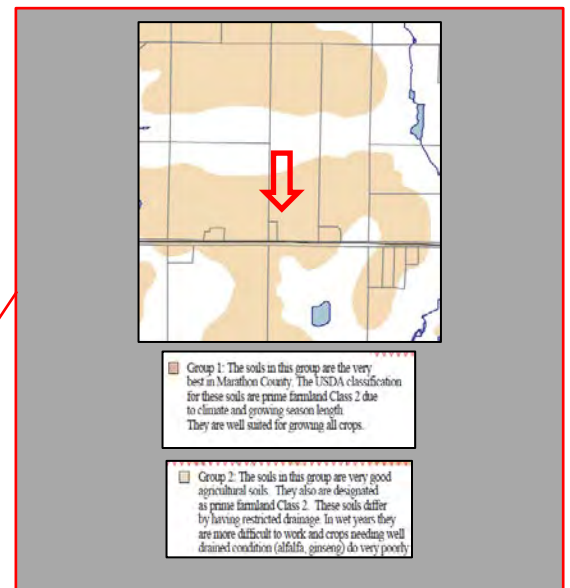
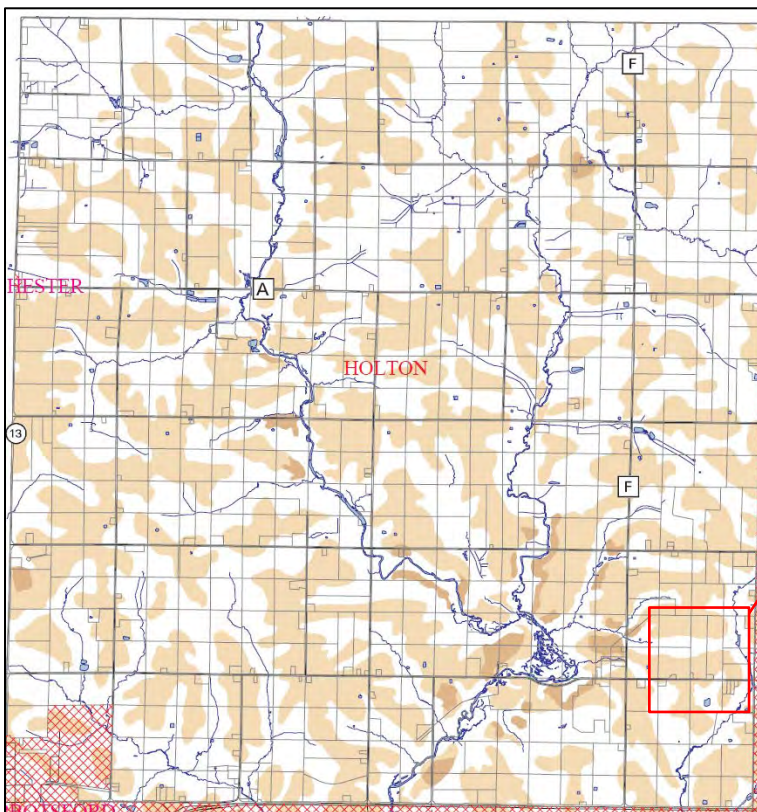


FARMLAND PRESERVATION PLAN: The area in question was designated as a **farmland preservation area** in the Farmland Preservation Plan. Yet, the Town of Holton does not participate in the farmland preservation program and has no parcels zoned F-P within the town.

SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain, DNR mapped wetlands, or waterways located within it. There is a small portion of the area proposed to be rezoned that is within the shoreland overlay (1000 feet from nearby pond).



Prime Farm Soils Map: There are some prime farm soils from Group 2 shown for the parent parcel and area proposed to be rezoned as indicated in the prime farm soils map from the Town of Holton's Comprehensive Plan. There are no prime farm soils from Group 1 (very best) on the area proposed to be rezoned.

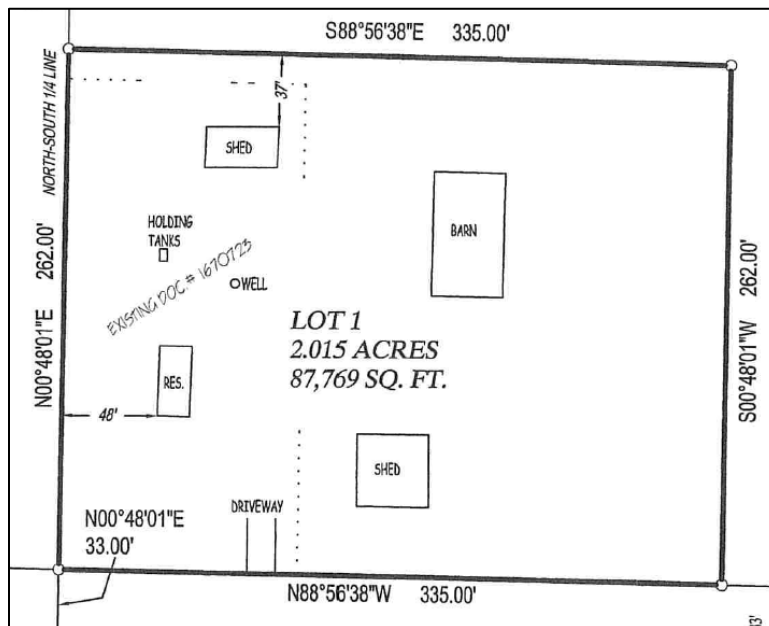


Aerial Photo:



Preliminary Certified Survey Map:

Lot #1 = Parcel in question



Legal Land Description

SURVEYOR CERTIFICATE

I, GARY R. KRUEGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED, DIVIDED AND MAPPED AT THE DIRECTION OF LARRY WEILER, FATHER OF BUYER, AND JALON HORST, SON OF OWNER, A PARCEL OF LAND LOCATED IN PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 29 NORTH, RANGE 2 EAST, TOWN OF HOLTON, MARATHON COUNTY, WISCONSIN AND INCLUDING DOCUMENT# 1670723 AS RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR MARATHON COUNTY AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 25; THENCE N00°45'01"E, ALONG THE NORTH-SOUTH 1/4 LINE, 33.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N00°48'01"E, ALONG THE NORTH-SOUTH 1/4 LINE, 262.00 FEET; THENCE S88°56'38"E, PARALLEL TO THE SOUTH LINE OF THE SOUTHEAST 1/4, 335.00 FEET; THENCE S00°48'01"W, PARALLEL TO THE NORTH-SOUTH 1/4 LINE, 262.00 FEET; THENCE N88°56'38"W, ALONG THE NORTH RIGHT-OF-WAY LINE OF WUERZBURG ROAD, 335.00 FEET TO THE POINT OF BEGINNING.

THAT THE ABOVE DESCRIBED PARCEL IS SUBJECT TO ALL RIGHT-OF-WAYS, RESERVATIONS, RESTRICTIONS AND EASEMENTS OF RECORD.

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

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF SECTION 239.34 OF THE WISCONSIN STATUTES, CHAPTER A-ET OF THE WISCONSIN ADMINISTRATIVE CODE AND LAND DIVISION REGULATIONS OF THE COUNTY OF MARATHON AND THE TOWN OF HOLTON IN SURVEYING, DIVIDING AND MAPPING THE SAME.

THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

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 Town of Holton's Comprehensive Plan shows the area in question is intended for Single Family Residential land uses in the existing and future land use maps. Additionally, there are no prime farm soils from Group 1 in the area proposed to be rezoned and the remnant parcel and farm land will continue to be farmed. As indicated in the Town of Holton's town resolution, the rezone appears to be consistent with the Town's 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.

Some active farmland will be included in the 2.015 acres proposed to be rezoned, yet the remaining farmland (38+/- acres) will continue to be farmed. Area to be rezoned is proposed to expand the existing .77 acre parcel, majority of acreage to be rezoned is currently not being farmed. Rezone appears to minimize the agricultural lands converted.

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 related to a proposed and pending Certified Survey Map submitted to the CPZ department to create the 2.015 acre lot to expand an existing parcel.

b. Adequate public facilities will be or are provided already, yet there is no proposed development at this time.

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 not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Single family use will not change. 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 Holton 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.

TOWN RECOMMENDATION:

On December 9th, 2020 the **Town of Holton** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

The Town of Holton 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 *Jennifer Schaefer*
Town Board TOWN OF HOLTON

STAFF (CPZ) RECOMMENDATION(S):

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone petition minimizes the agricultural lands converted as only .71+/- acres of the active farmland will be converted as a result of the rezone. If approved, the Holton should update their comprehensive plan to reflect the proposed rezone to the Rural Residential (R-R) Zoning District from the General Agricultural (G-A) and Urban Residential (U-R) Zoning District. The future and existing land use maps are already consistent with the rezone in question. The Town of Holton.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



Case: #1
Environmental Resources Committee
Decision Form

Conclusions of Law

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

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

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

Agree disagree insufficient information

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

Agree disagree insufficient information

3. The applicant has demonstrated that...

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

Agree disagree insufficient information

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

Agree disagree insufficient information

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

Agree disagree insufficient information

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

Agree disagree insufficient information

Environmental Resources Committee Decision

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

Approved Motion/ Second

Denied, for the following reasons

Tabled for further consideration

Specify reasons for denial, or additional information requested:

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

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

Describe recommended amendments:

Signature:

Chairman: _____

PETITION FOR ZONE CHANGE
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):
Vreeland Associates ~~715~~- 6103 Dawn St. Wausau
Tim Vreeland

hereby petition to rezone property owned by (Name & Address): Dannie Davis
233098 East Claire River Rd Ringle 54971

from the classification GA, General Ag to R-R, 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): R-E, Rural Estate.
See Attached Survey

Parcel Identification Number (PIN): 018-2909-232-0992

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
To create 4 residential parcels.

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

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. Property is located on a town road served by public utilities.

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

C. What have you done to determine that the land is suitable for the development proposed?
Property supports a home and several sheds. there is some wetland north + east of the ponds otherwise all uplands.

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

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

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(OVER)

OCT 26 2020

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.

- F. Demonstrate the need of the proposed development at this location. The children would like a plot of land.
- G. What is the availability of alternative locations? Be specific. No Alternative. These are the lands I own.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No crop land exists west of Eau Claire River road.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. No consumption of crop lands.

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

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

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

7. Petitioner's Signature [Signature] Phone 715-291-0947 Date 10-30-20
 8. Owner's Signature [Signature] Phone 715-551-1090 Date 10-21-20
 (If different)

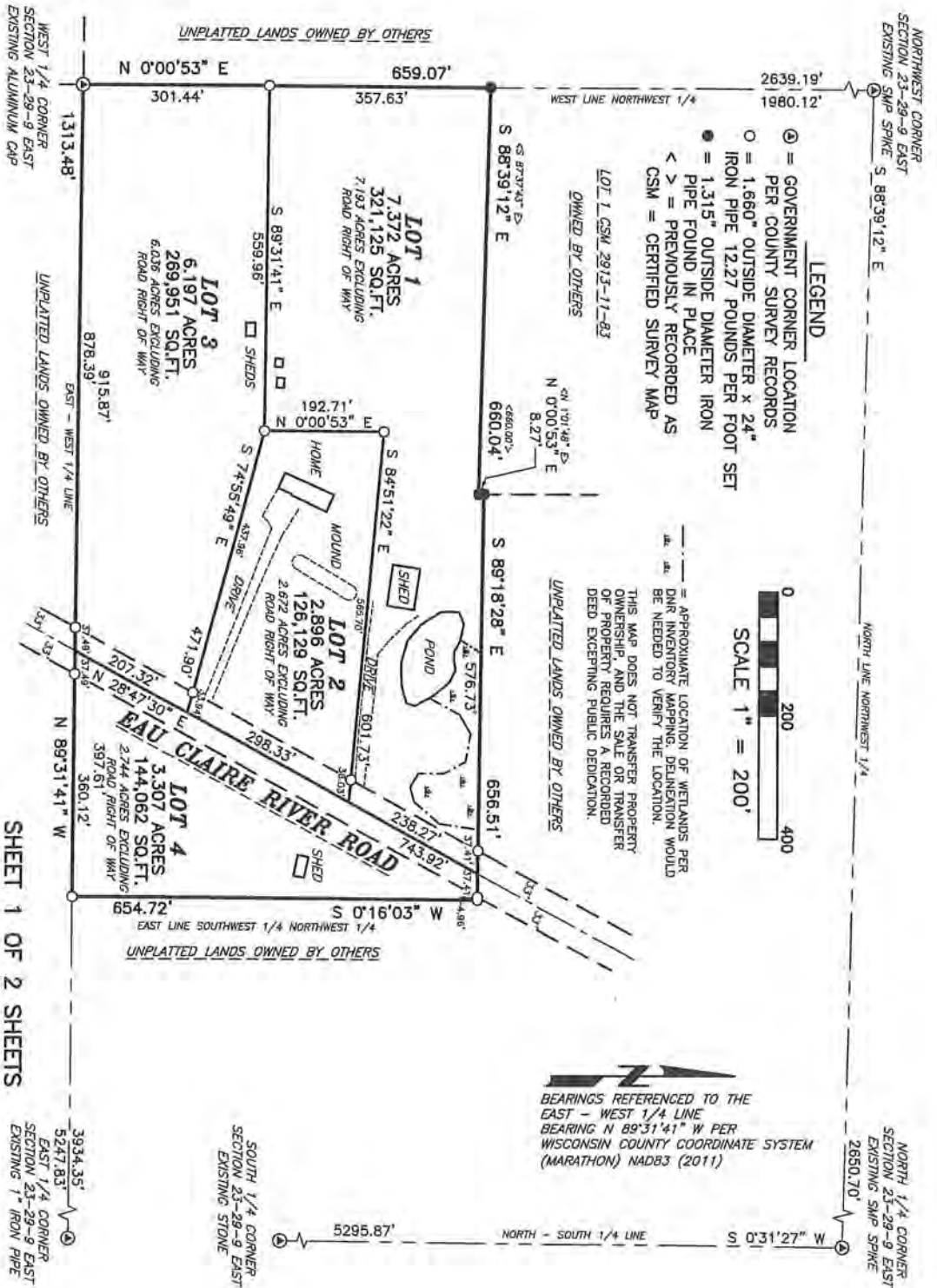
Date Fee Received: _____ Fee \$600.00 PAYABLE TO MARATHON COUNTY

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

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4
OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 9 EAST,
TOWN OF EASTON, MARATHON COUNTY, WISCONSIN.



CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP
29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC. 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us	
OWNER:	DENNIE DAVIS
FILE #:	20-0367 DAVIS
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 2 OF 2 SHEETS

SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF DENNIE DAVIS, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 23, TOWNSHIP 29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST 1/4 CORNER OF SAID SECTION 23; THENCE N 0°00'53" E ALONG THE WEST LINE OF THE NORTHWEST 1/4 659.07 FEET; THENCE S 88°39'12" E ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 2913 660.04 FEET; THENCE N 0°00'53" E ALONG THE EAST LINE OF SAID LOT 1 8.27 FEET; THENCE S 89°18'28" E 656.51 FEET; THENCE S 0°16'03" W ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 654.72 FEET TO THE EAST - WEST 1/4 LINE; THENCE N 89°31'41" W ALONG THE EAST - WEST 1/4 LINE 1313.48 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 EASTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 13TH DAY OF NOVEMBER, 2020
SURVEY PERFORMED OCTOBER 21ST, 2020

TIMOTHY G. VREELAND P.L.S. 2291

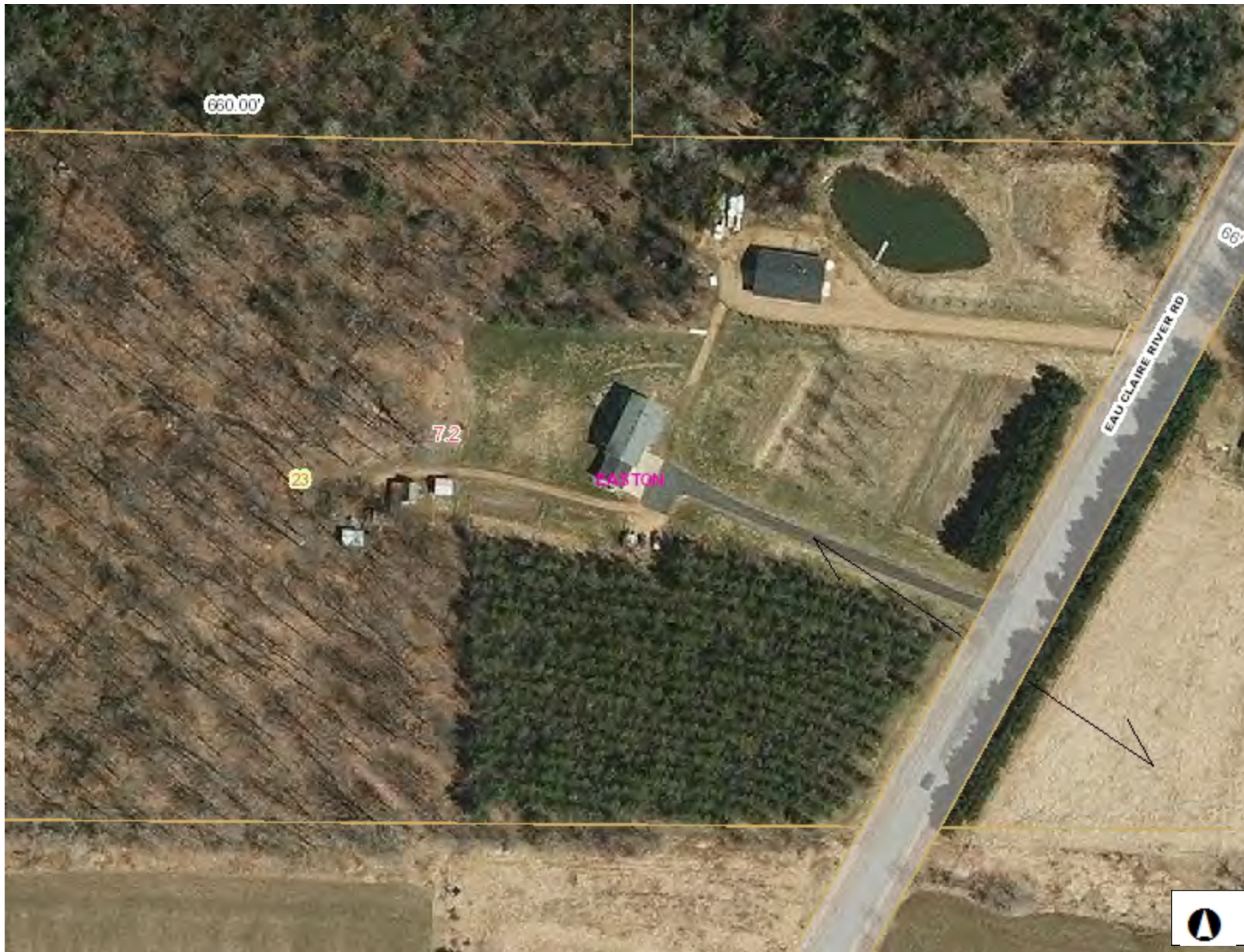
APPROVED FOR RECORDING UNDER
THE TERMS OF THE MARATHON
COUNTY LAND DIVISION REGULATIONS.

BY _____

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



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

71.23 0 71.23 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

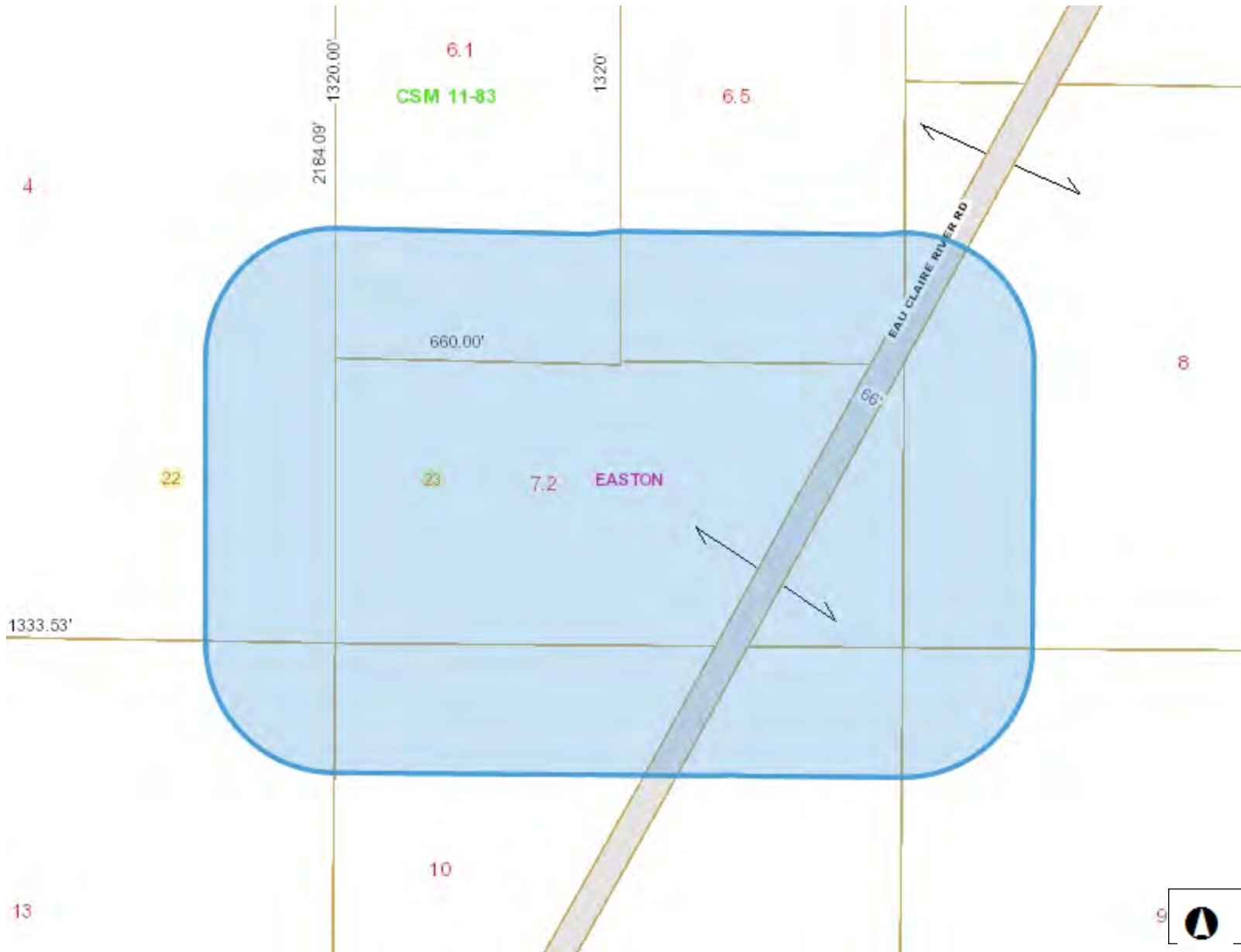
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities

171.97 0 171.97 Feet

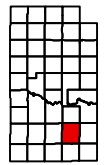


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



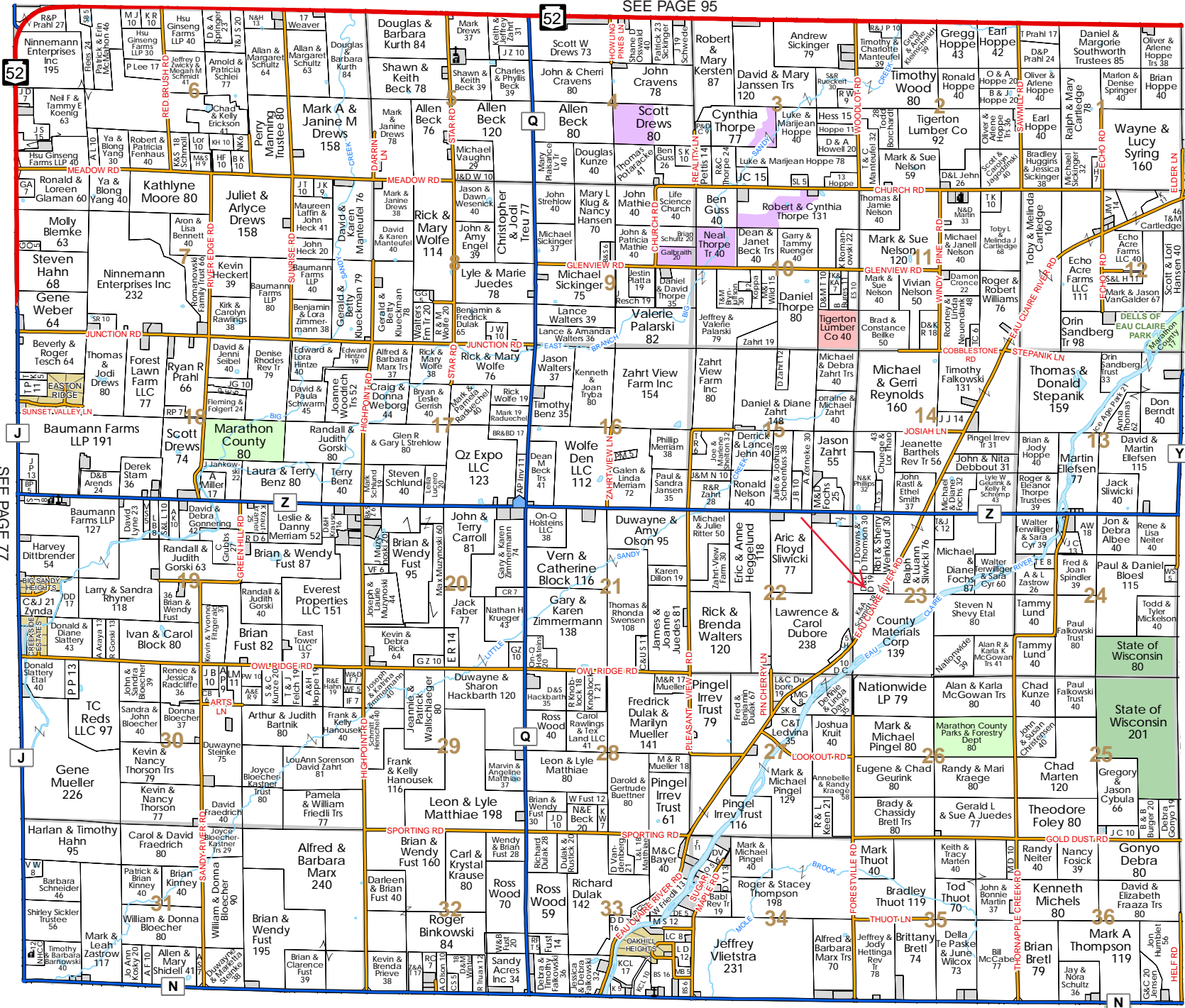
Easton



Township 29N - Range 9E

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SEE PAGE 95



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52

SEE PAGE 81

SEE PAGE 77

SEE PAGE 61

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF EASTON

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Ronald Sieglaff, Clerk of the Town of Easton, 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 Easton Town Board at a meeting held on the 14th day of December, 2020.

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 Easton Town Board considered on the 14th day of December, 2020, petition of Tim Vreeland on behalf of Dennie & Linda Davis to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential and R-E Rural Estate described as part of the SW ¼ of the NW ¼ of Section 23, Township 29 North, Range 09 East, Town of Easton. The areas proposed to be rezoned to R-R are described as Lot #2 and #4 on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition, whereas the areas proposed to be rezoned to R-E are described as Lot #1 and #3 on the Preliminary CSM. All areas proposed to be rezoned have an existing Parcel PIN# 018-2909-232-0992; Address 233048 Eau Claire River Road, Ringle WI 54471.

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

- 1) **Has the applicant provided what public facilities and/or services currently serve the proposed development, what additional services may be required, and how the additional services will be provided?**
 No Yes Explain: _____
- 2) **Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?**
 No Yes Explain: _____
- 3) **Has the applicant determined that the land is suitable for the development proposed? Explain.**
 No Yes Explain: _____
- 4) **Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.**
 No Yes Explain: _____
- 5) **Is there any potential for conflict with existing land uses in the area?**
 No Yes Explain: _____

(OVER)

- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: _____

- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: _____

- 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: _____

- 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 Easton 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 _____
Town Board _____

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 21, 2020 to:

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



**Dennie & Linda Davis
Petition to Rezone Land
Staff Report, January 5th, 2021
Environmental Resources Committee**

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

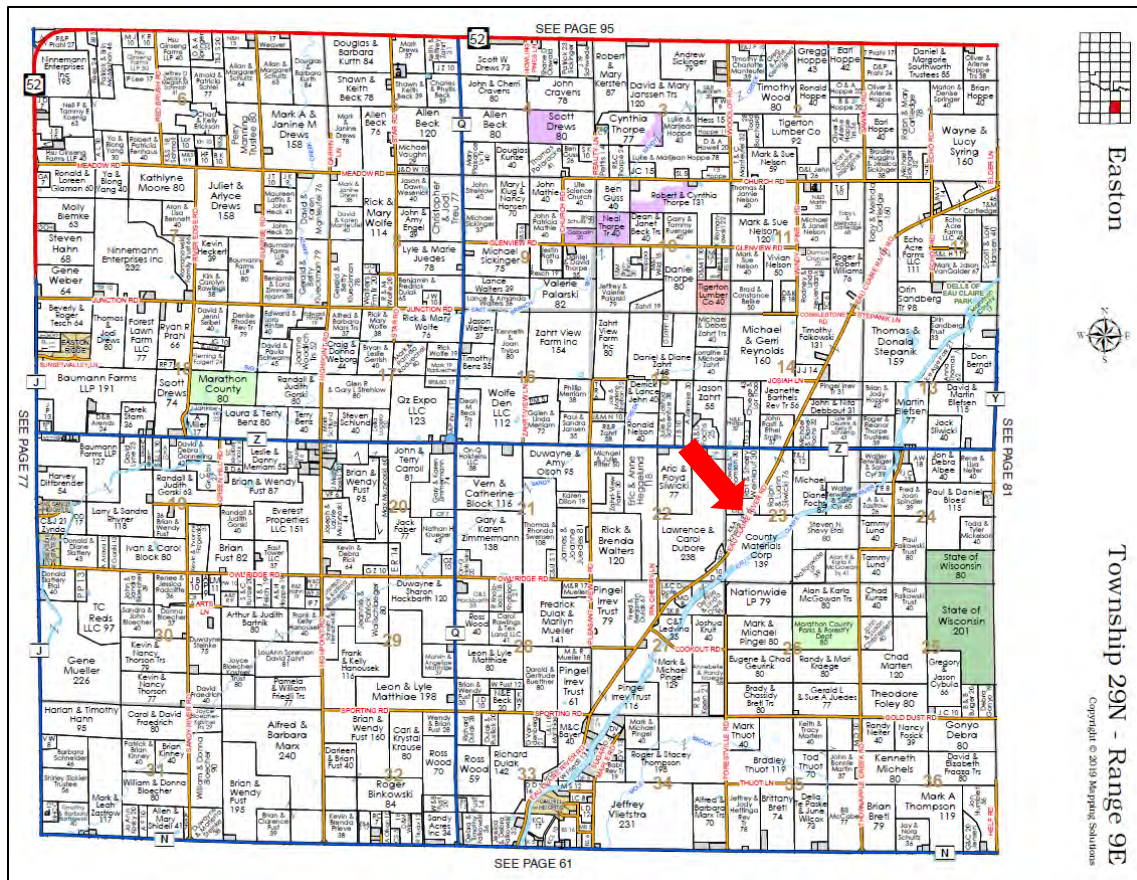
- Town of Easton Town Board Meeting (December 14th, 2020)
- Marathon County Environmental Resources Committee Meeting (January 5th, 2021 at 3:00pm)

PETITIONER: Tim Vreeland – 6103 Dawn & Street, Weston WI.

PROPERTY OWNER: Dennie & Linda Davis – 233048 Eau Claire River Road, Ringle WI 54471.

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located on Eau Pleine River Road approximately 1000 feet west of the Eau Pleine River and 2,200 feet south of the intersection of Eau Pleine River Road and County Road Z. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Tim Vreeland on behalf of Dennie & Linda Davis to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential and R-E Rural Estate described as part of the SW ¼ of the NW ¼ of Section 23, Township 29 North, Range 09 East, Town of Easton. The areas proposed to be rezoned to R-R are described as Lot #2 and #4 on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition, whereas the areas proposed to be rezoned to R-E are described as Lot #1 and #3 on the Preliminary CSM. All areas proposed to be rezone have an existing Parcel PIN# 018-2909-232-0992; Address 233048 Eau Claire River Road, Ringle WI 54471.

EXISTING ZONING DISTRICT:

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

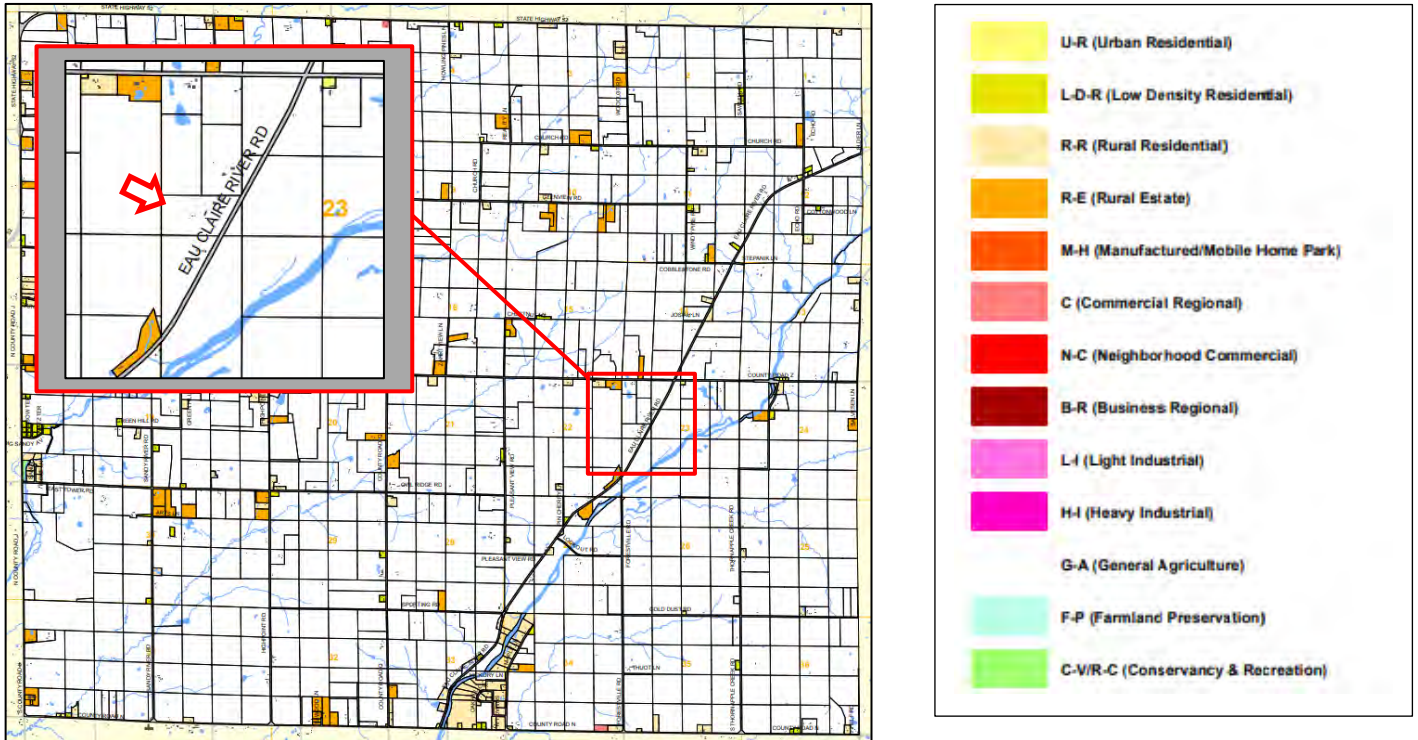
PROPOSED ZONING DISTRICT:

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.

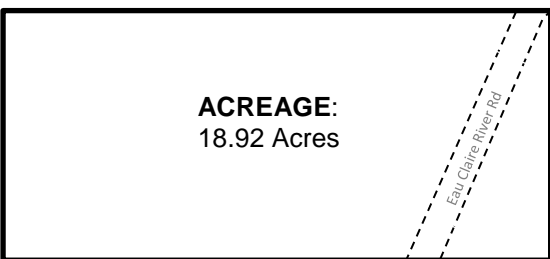
&

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

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agriculture (White). There are also Rural Residential (Tan) and Rural Estate (Orange) zoned parcels within close proximity to the existing parcel in question.



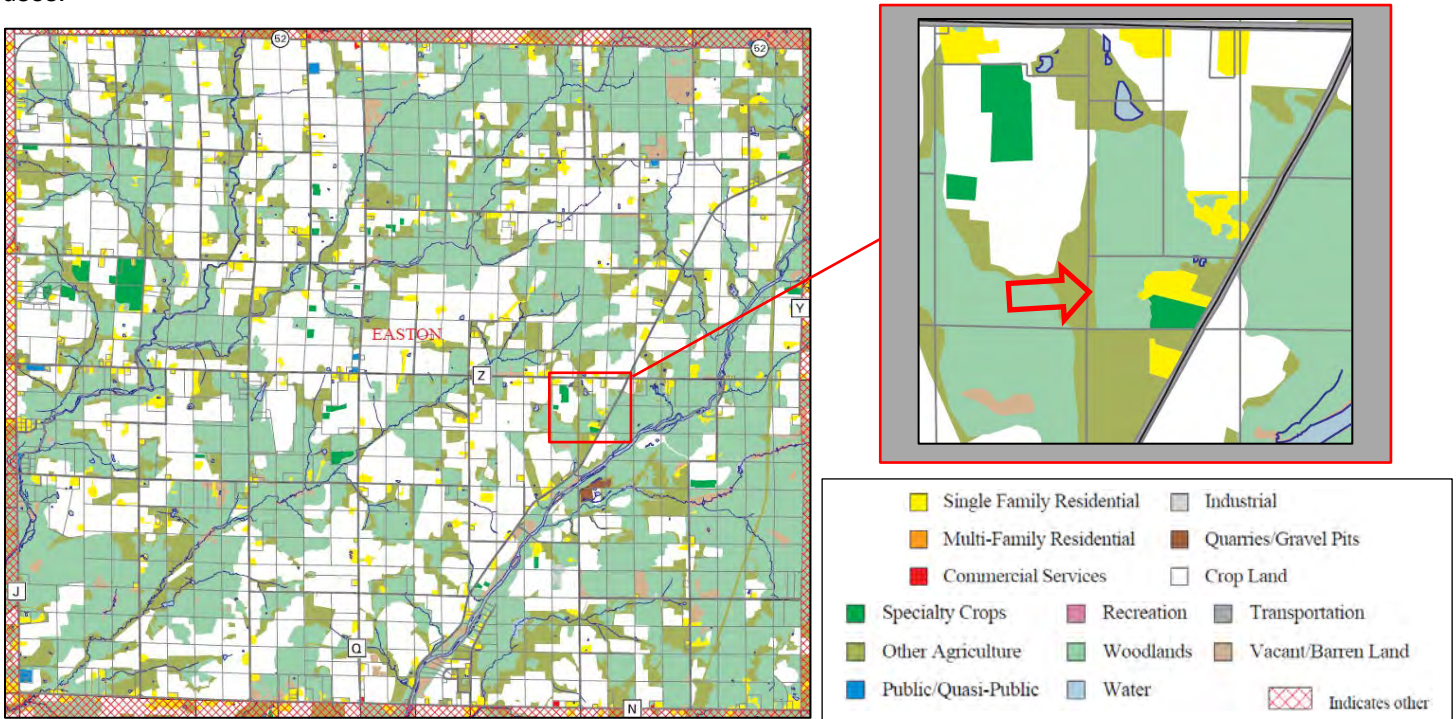
Map #2 Town of Easton - Zoning District Map



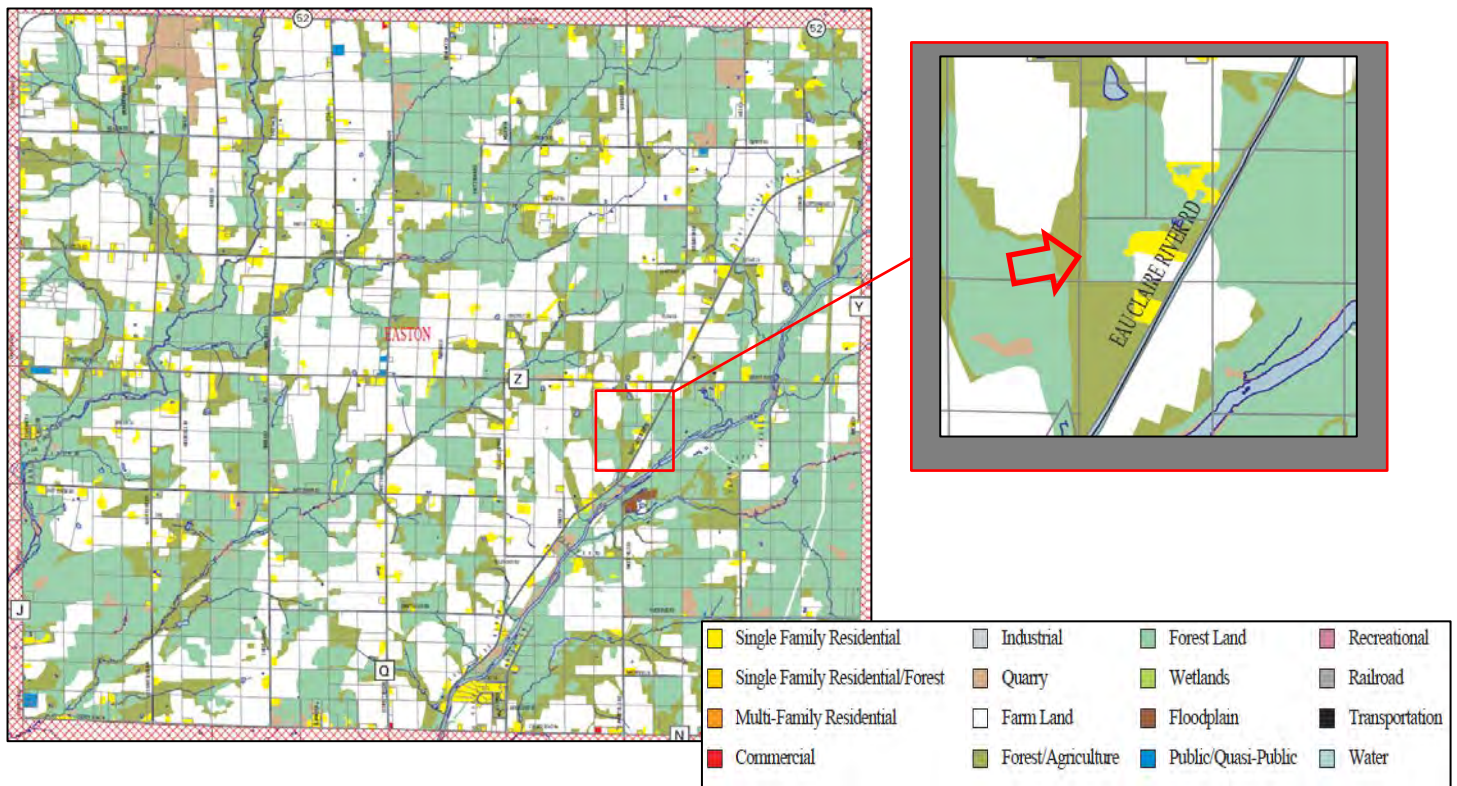
Legal Notification:

A legal advertisement was published in the *Wausau Daily Herald* on Monday, December 21st, 2020 and Monday, December 28th, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

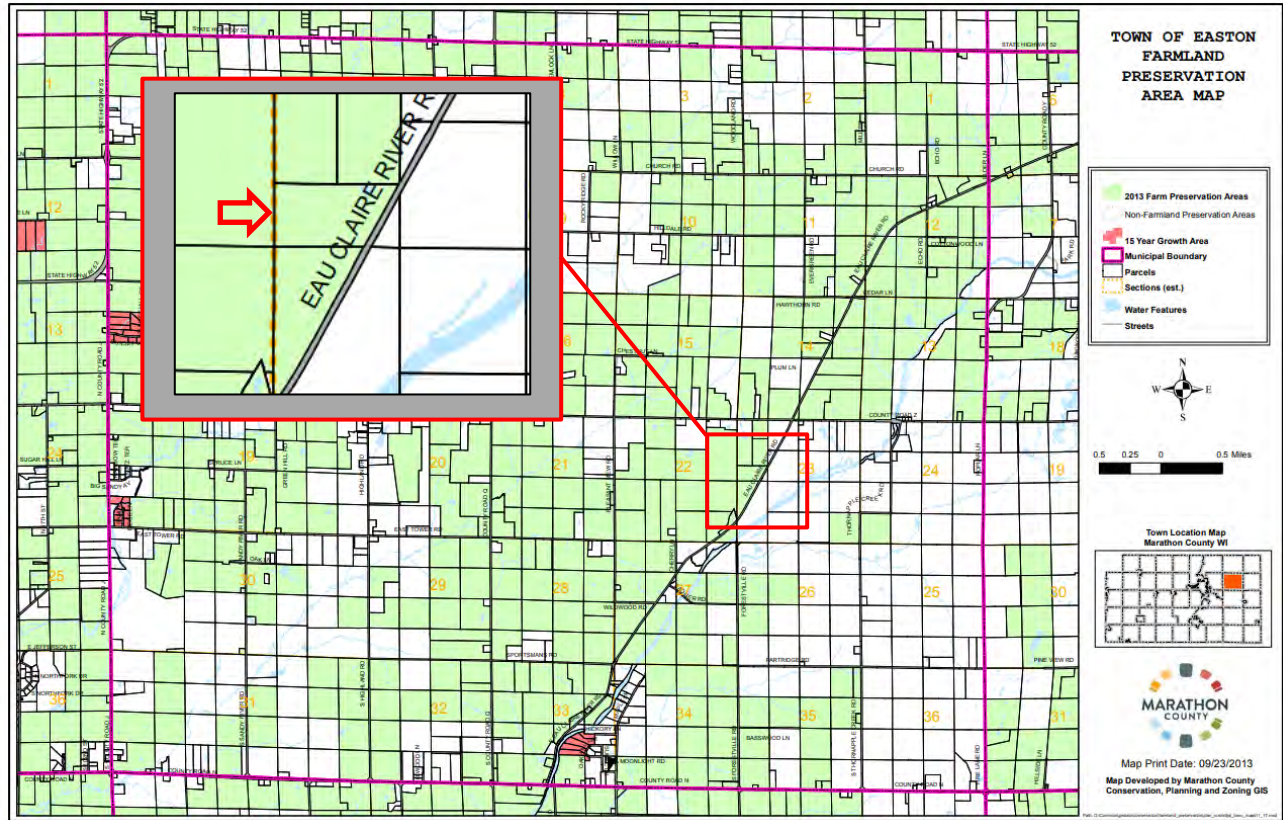
Existing (2000) Land Use/Land Cover Map – Town of Easton (2007 Comprehensive Plan) The area/parcel proposed to be rezoned is shown as Single Family Residential, Woodland, Other Agriculture, Crop Land, and Specialty Crop in the Town's Comprehensive Plan Existing Land Use/Land Cover Map (2000). Adjacent land uses are comprised of similar land uses.



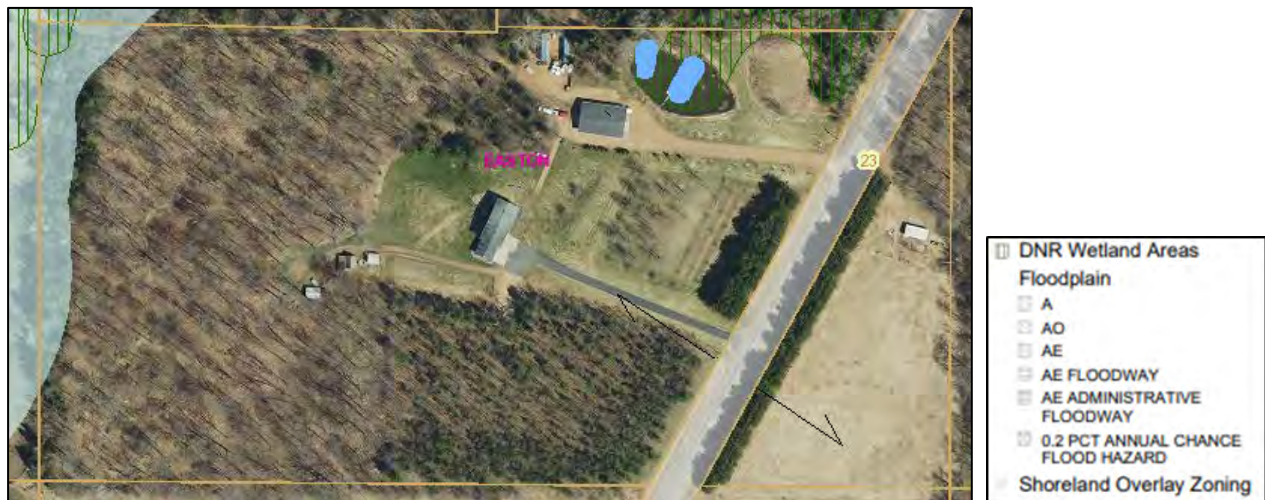
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006): The area/parcel proposed to be rezoned is shown as Single Family Residential, Woodland, Other Agriculture, and Crop Land, in the Town's Comprehensive Plan Future Land Use Map (2007). Adjacent land uses are comprised of similar land uses.



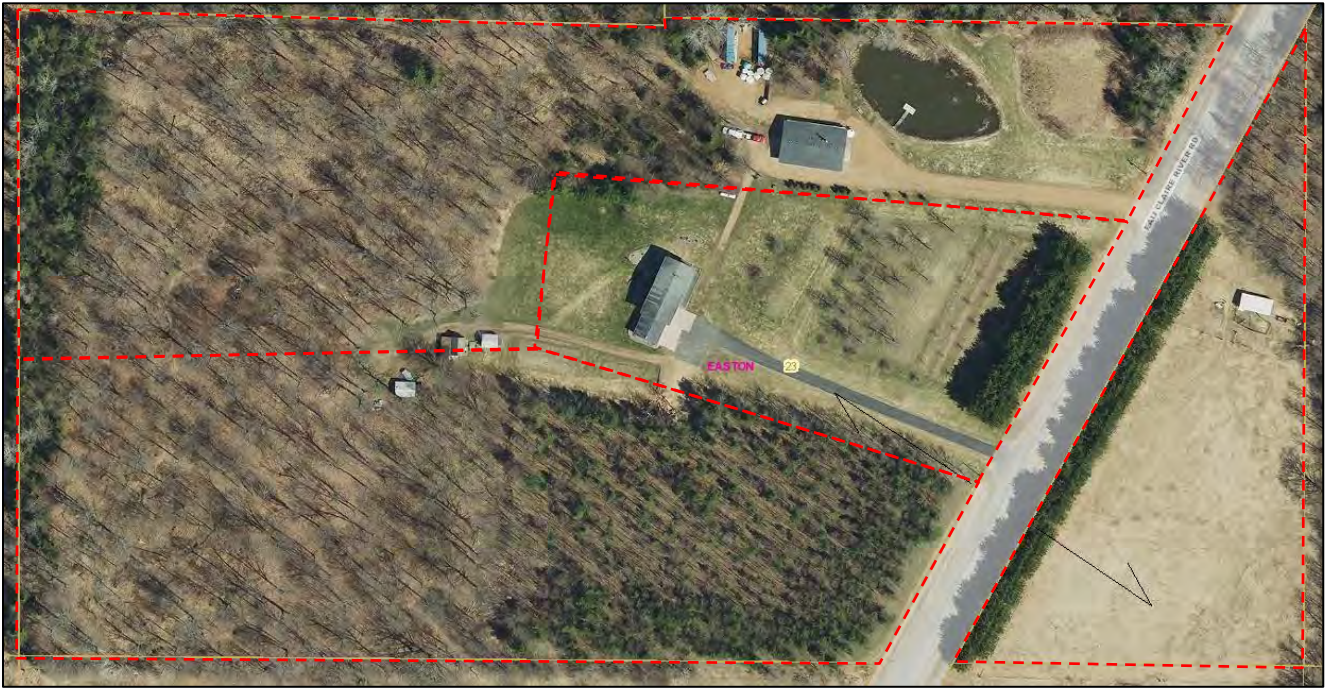
FARMLAND PRESERVATION PLAN: The parcel in question was partially designated as a farmland preservation area in the Farmland Preservation Plan, yet the town does not participate in farmland preservation zoning. Therefore, there are no parcels within the Town of Easton that are zoned farmland preservation.



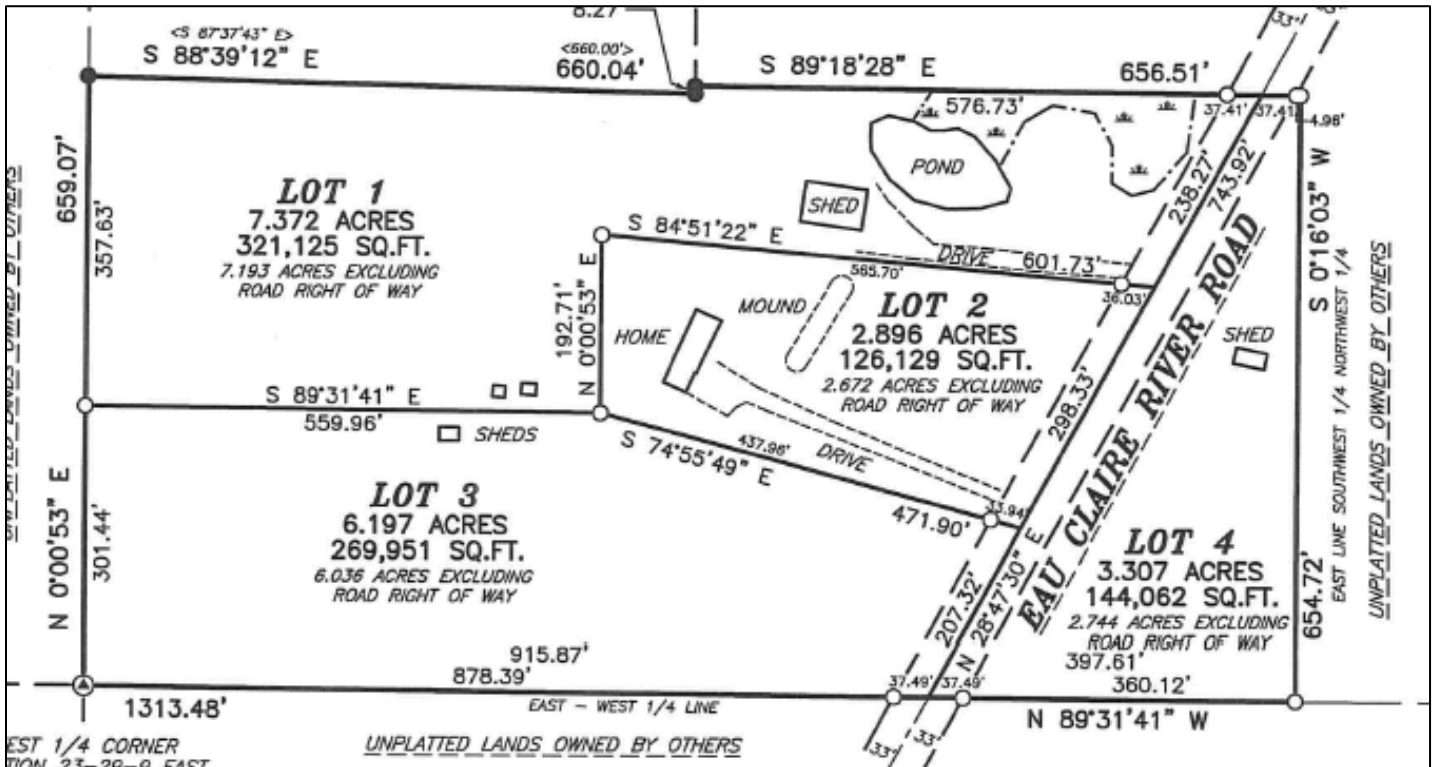
SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain yet it does have some shoreland overlay areas from a nearby waterway (navigability unknown) as well as some DNR mapped wetlands. The pond located on the northeastern portion of the lot appears to have been manmade and is not subject to shoreland regulations, yet given there are wetlands also in the area pertinent wetland regulations apply.



Aerial Photo:



Preliminary Certified Survey Map:



*Lots #2 and #4 proposed to be rezoned to Rural Residential
Lots #1 and #3 proposed to be rezoned to Rural Estate*

TOWN RECOMMENDATION:

On December 14th, 2020 the **Town of Easton** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

<p>The Town of Easton recommends: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval of the amendment and/or zone change.</p> <p>OR <input type="checkbox"/> Requests an Extension* for the following reasons: _____</p> <p>_____</p> <p>_____</p> <p><small>*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.</small></p> <p style="text-align: right;">Clerk <u><i>Paul D. Snyff</i></u> Town Board <u><i>[Signature]</i></u> <u><i>[Signature]</i></u> <u><i>[Signature]</i></u></p>
--

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 Town of Easton's Comprehensive Plan has already designated part of the proposed parcel to the single family residential land use, additionally the Rural Estate zoning district allows for some agricultural and forestry uses. The area proposed to be rezoned also does not participate in the Farmland preservation program and is not zoned farmland preservation. As indicated in the town resolution, the rezone appears to be consistent with the Town of Easton 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.

There is no active cropland on the parcel proposed to be rezoned, yet it appears there may be a pine plantation/stand on the southernmost parcel proposed to be rezoned to R-E.

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 related to a pending Certified Survey Map submitted to our department to create parcels to be given/sold to the children of the current owner.

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.

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. (There is no proposed development onsite at this time.)

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

The Town of Easton 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. If approved, the Easton should update their comprehensive plan to reflect the proposed rezone to the Rural Estate (R-E) and Rural Residential (R-R) Zoning Districts from the General Agriculture (G-A) Zoning District. The future and existing land use maps should reflect the current residential use on the parent parcel as well as the proposed residential use on the area proposed to be rezoned. The rezone also appears to be consistent with the purpose and intent of the Towns Comprehensive Plan as indicated by the town resolution.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



Case: #2
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
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS**

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

Brian and Lisa Bartnik
101468 Fence Road Abbotsford WI 54405

hereby petition to rezone property owned by *(Name & Address)*: Brian and Lisa Bartnik

101468 Fence Road Abbotsford WI 54405

from the classification LI, light industrial to GA, general agricultural

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)*:

SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 29 NORTH, RANGE 05 EAST
TOWN OF HOLTON, MARATHON COUNTY, WISCONSIN

Parcel Identification Number (PIN): 042-2902-173-0996

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

The current 3 acre parcel would be joined with 7 additional acres purchased from Richard & Teri Bartnik to allow us to expand our current household. The home will be expanded, additionally, we will have an attached, but separate office space to do business for Bartnik Trucking Inc. All uses are currently happening, just in less square footage

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

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. The current public facilities and services that serve the current residence/business would remain the same and would not be affected.

There is no expected increase in traffic volume, police patrolling or differences in how the fire department would contain a fire should one occur.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.

There would be no increased services need for our property due to the zoning change.

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

We have already spoke to the county sanitary staff to determine whether our current septic tanks are large enough to allow us to add additional square footage to the home and add an additional attached, but separate office space. The land supports our current residence/office and the addition is not changing any thing drastically, so we feel the land will not have a negative impact due to the re-zoning.

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. With the addition to the home and office, there will be changes

to the landscape such as moving and/or removing dirt. However, we plan to complete all landscaping within the year we build to ensure there are no erosion issues or negative impact to the current land. We currently have and are keeping the holding tanks, so no waste water discharge will occur and there will not be any hazardous waste as a result of the zoning change or the addition of square footage.

E. Explain any potential for conflict with existing land uses in the area. We do not expect any objection from any neighbor.

We are on a corner lot, the acreage to the north is owned by family. We have discussed the addition with all property owners adjacent to our property, they did not express any concerns. All other property is across the road and is agricultural, so no residence will be effected by the re-zone and there would be no negative effects of the re-zone on the agricultural property across from our current property.

(OVER)

- F. Demonstrate the need of the proposed development at this location. We currently have our business and home located at the current property. The re-zone will allow us to build additional personal space and office space to keep a better work/life balance and to help our employees feel more comfortable (they currently have to walk across the kitchen, dining room and living room to access the current business office space). The location allows us to be able to offer farmers competitive milk hauling rates as we are currently located in close proximity to our clients and dairy plants.
- G. What is the availability of alternative locations? Be specific. To our knowledge there is not an alternative location where we could be grouped with other entities similar to our line of business. We feel we are in the appropriate location as our business is hauling milk and milk biproducts, therefore, being in the agricultural community makes sense. If we considered moving to another location, such as an industrial district we feel it would be a detriment to our clients and a detriment to our family as our business nature is like farming, we must operate 365 days a year and in most case 24/7.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? We are not proposing changing any cropland. If we are able to re-zone, it will allow us lessor set backs compared to the set backs we currently have to comply with in light industrial zoning. The re-zone to general agriculture would mean we have to purchase additional acreage, however we have no intention on changing the additional 7 acres we would be purchase, we are ONLY looking to expand on the current 3 acres we own now.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. Crop land is not being consumed by this zone change.

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

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

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

7. Petitioner's Signature Lisa M. Bartsch Phone 715-305-9497 Date 11/15/2020

8. Owner's Signature Lisa M. Bartsch Phone 715-305-9497 Date 11/15/2020
(if different)

Date Fee Received: November 16, 2020

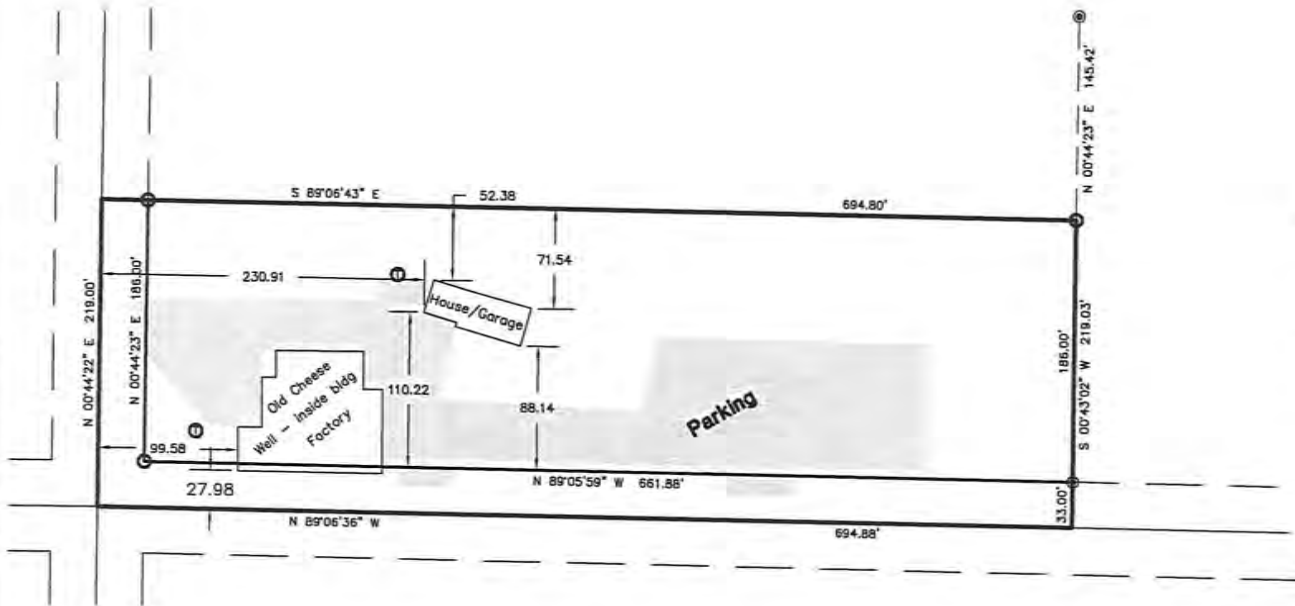
RECEIVED
 Fee \$600.00 PAYABLE TO MARATHON COUNTY
 NOV 16 2020

MARATHON CO. CONSERVATION,
 PLANNING & ZONING DEPT.

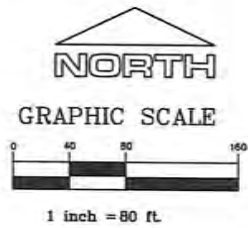
Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC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

Plat of Survey

OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 17, TOWNSHIP 29 NORTH, RANGE 02 EAST
TOWN OF HOLTON, MARATHON COUNTY, WISCONSIN



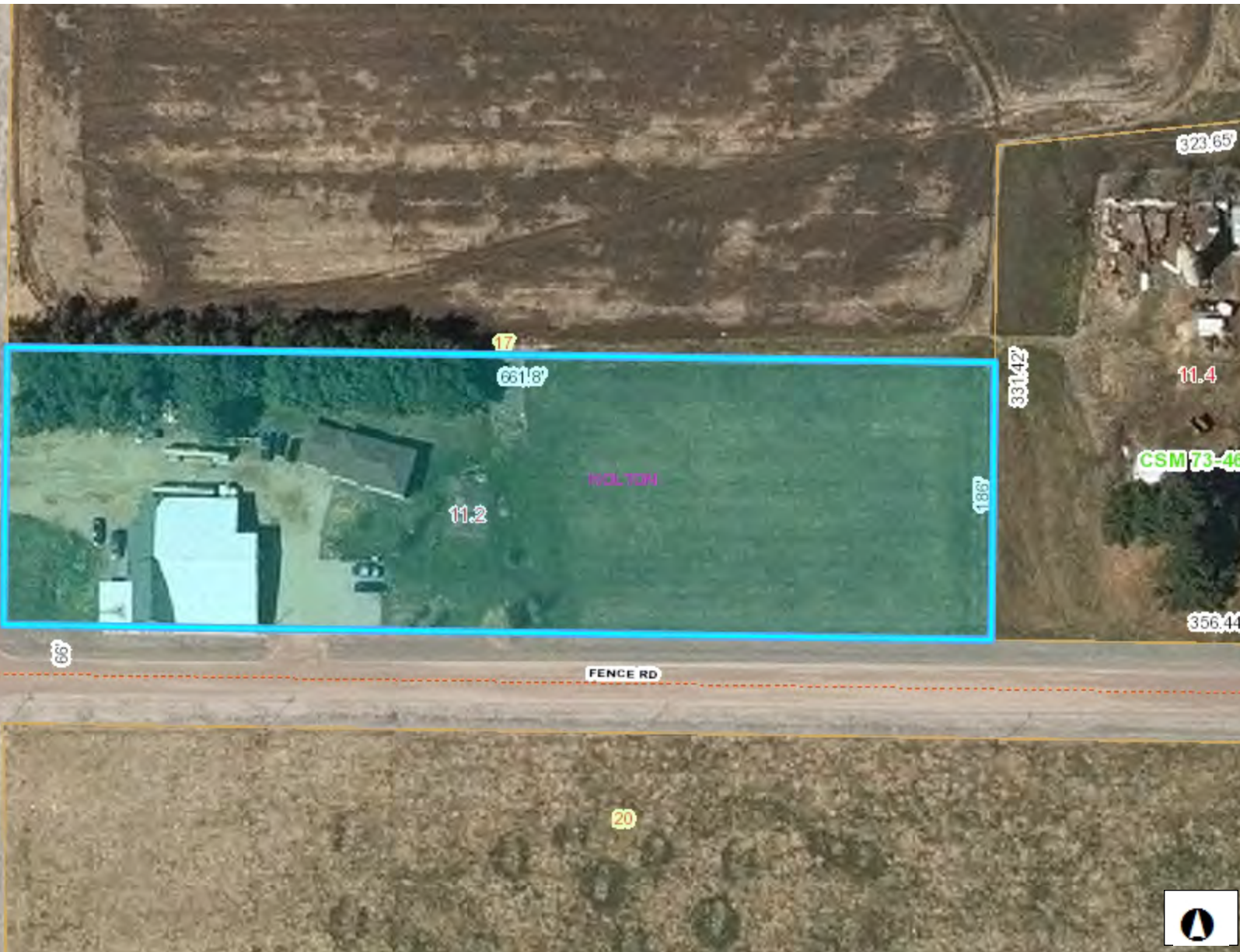
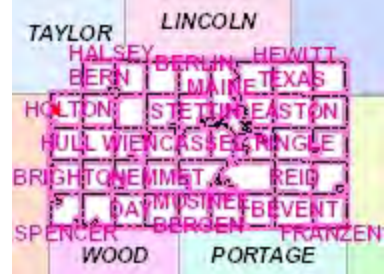
- ⊕ SEPTIC VENT/TANK
- ⊙ WELL
- x- FENCE
- 1" X 18" OD IRON PIPE WEIGHING 1.13 LBS/LINEAL FOOT SET
- FOUND 2" ID IRON PIPE
- ⊙ FOUND 1" OD IRON PIPE
- ▲ FOUND PK NAIL OR RR SPIKE
- ⊠ FOUND GOV'T CORNER
- () RECORD DATA



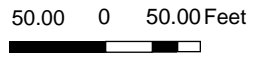
SURVEY PROVIDED BY:
PLOVER RIVER LAND CO. 2625 NORTHWESTERN AVENUE WAUSAU, WI 54403 (715)448-2229



Land Information Mapping System



- Legend**
- Parcel Annotations
 - Parcels
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Municipalities
 - 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3



NAD_1983_HARN_WISCRS_Marathon_County_Feet

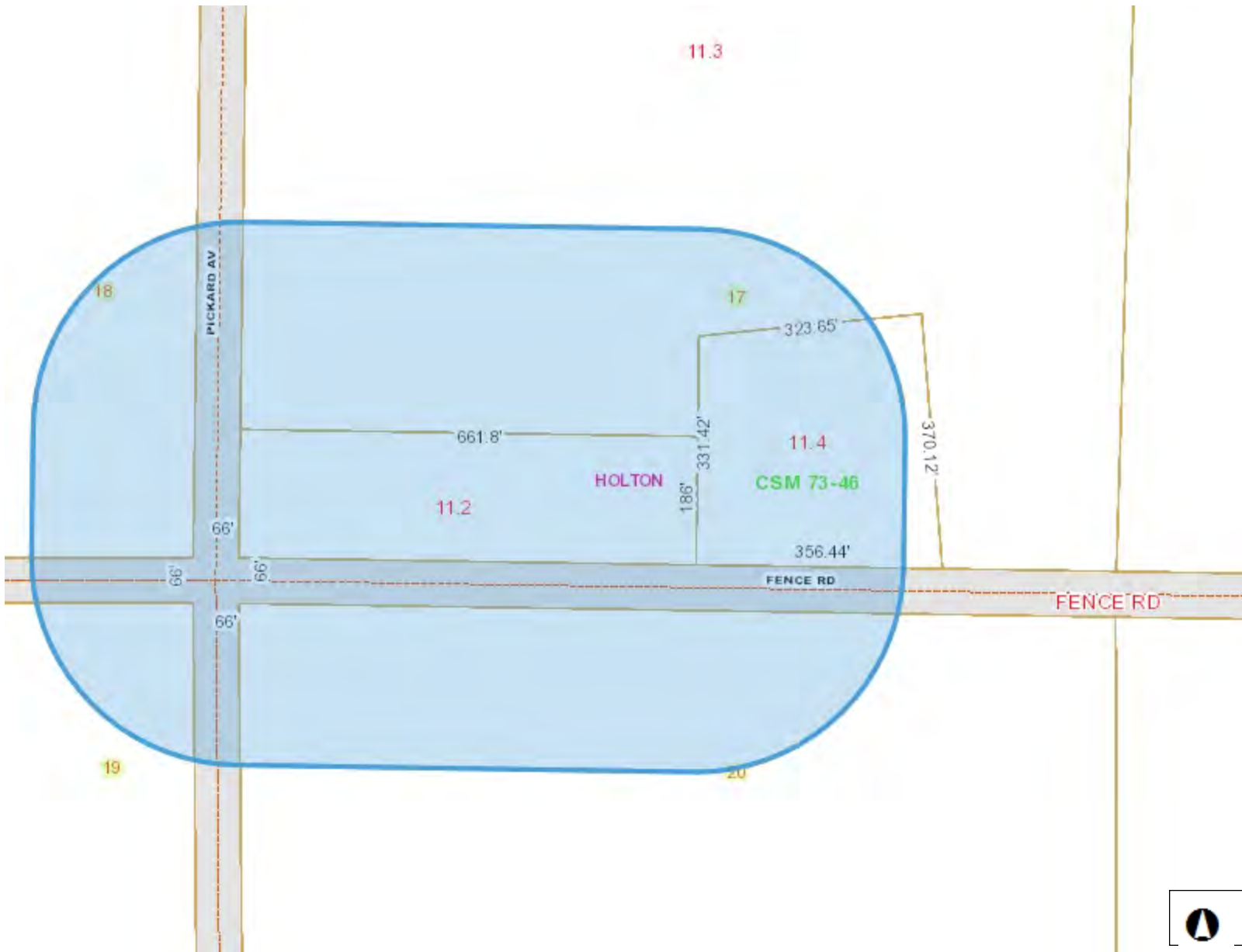
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities

107.82 0 107.82 Feet

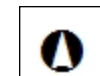


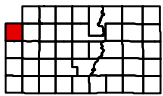
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



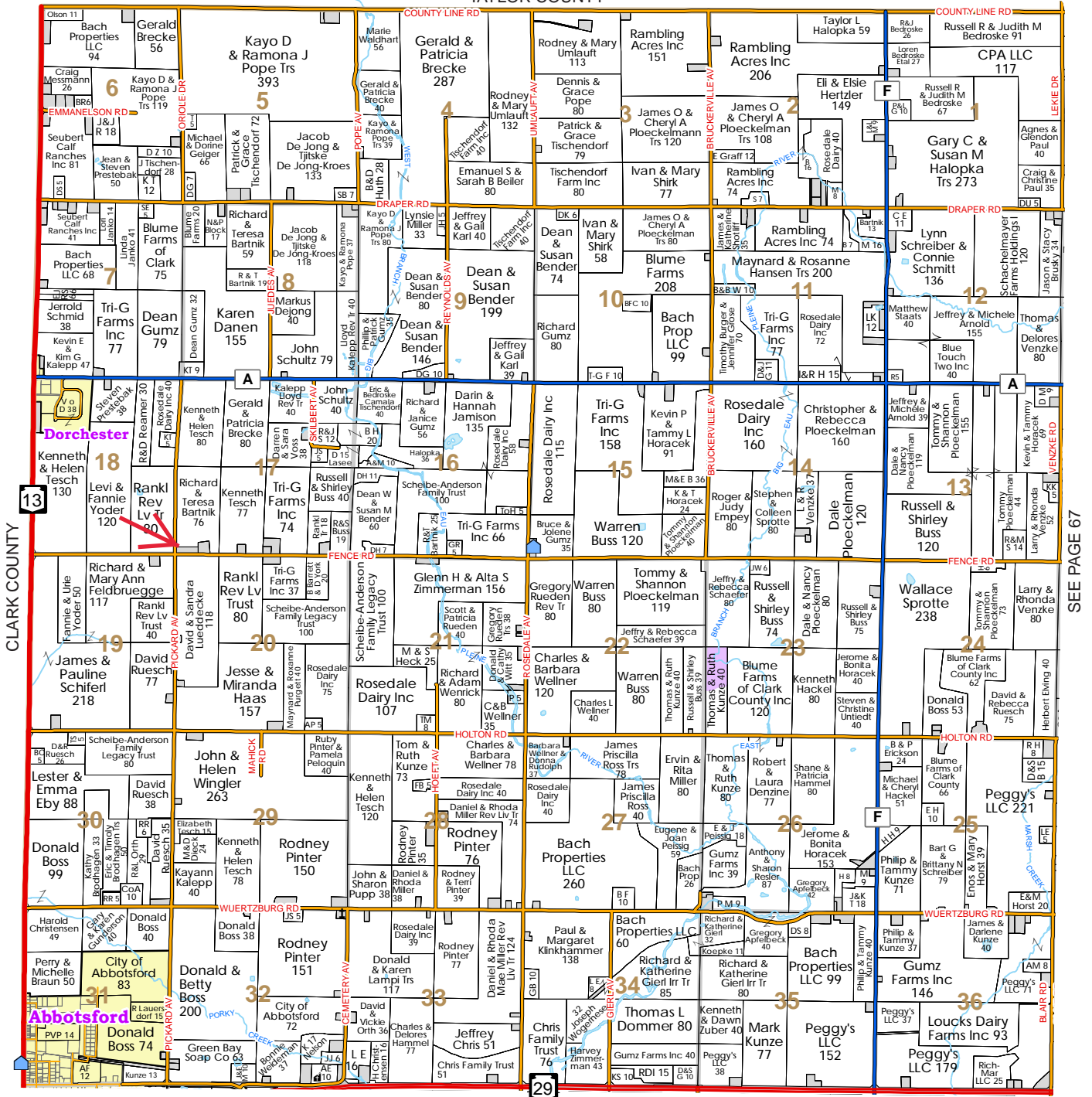


Holton

Township 29N - Range 2E

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TAYLOR COUNTY



SEE PAGE 47



RECEIVED
DEC 14 2020
MARATHON COUNTY CONSERVATION
PLANNING & ZONING DEPT

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF HOLTON

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Jennifer Schreiber, Clerk of the Town of Holton, 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 Holton Town Board at a meeting held on the 9th day of December, 2020.

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 Holton Town Board considered on the 9th day of December, 2020, petition of Brian and Lisa Bartnik to amend the Marathon County Zoning Ordinance to rezone lands from L-1 Light Industrial to G-A General Agriculture described as part of the SW $\frac{1}{4}$ of the Section 17, Township 29 North, Range 02 East, Town of Holton. The existing parcel proposed to be rezoned is approximately 3.25 acres in size with a parcel address 101468 Fence Road, Abbotsford, WI 54405, Parcel PIN# 042.2902.173.0996.

The Town of Holton 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: Through maps, written explanation along with in person explanation
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: It will not affect neighbors does not change the overall town #s
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.
 No Yes Explain: They went through many different Depts. Land is vacant that they are purchasing
- 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: Through different explanations and and not changing make up totally of Property
- 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: Thorough explaining to Zoning Committee & Board the reason / need for change
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: only this land works because it adjoins current property
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: Vacant land - Really no change
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: Really just need to own the land to fulfill zoning requirements
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: not changing the land - just owners
- 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: We are in total agreement to let the Board this proceed

The Town of Holton 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 Jennifer Schmecker
 Town Board Town of Holton

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before December 21, 2020 to:

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



Brian & Lisa Bartnik
Petition to Rezone Land
Staff Report, January 5th, 2021
Environmental Resources Committee

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

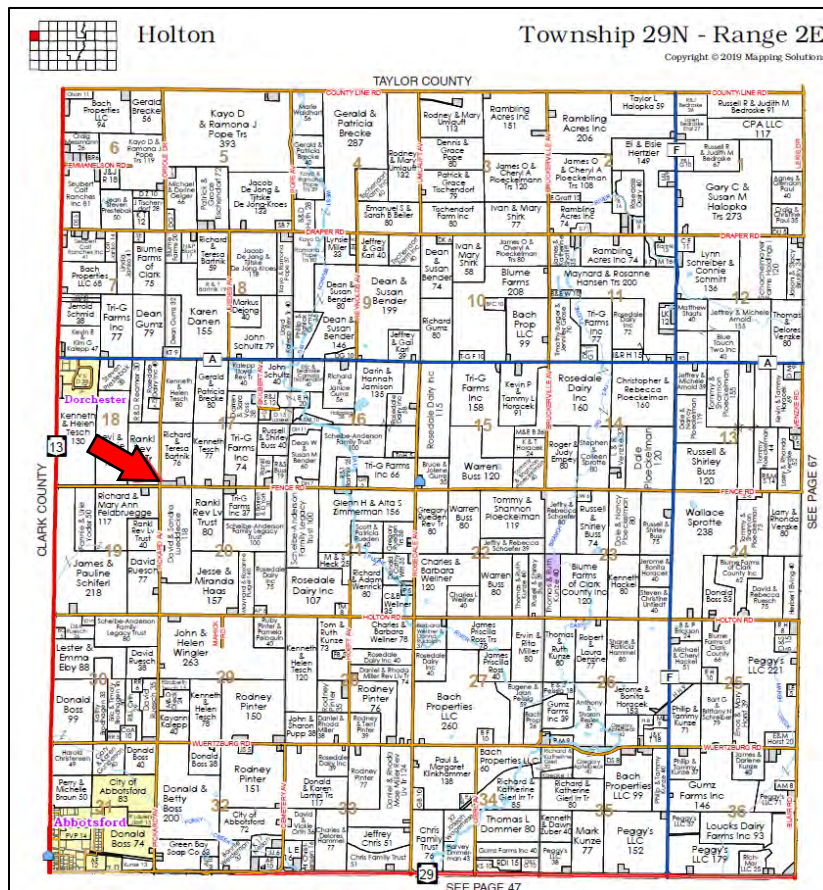
- Town of Holton Town Board Meeting (December 9th, 2020)
- Marathon County Environmental Resources Committee Meeting (January 5th, 2021 at 3:00pm)

PETITIONER: Brian and Lisa Bartnik – 101468 Fence Road, Abbotsford WI 54405

PROPERTY OWNER: (Same) Brian and Lisa Bartnik – 101468 Fence Road, Abbotsford WI 54405

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located on the northeast corner of the intersection of Fence Road and Pickard Ave. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Brian and Lisa Bartnik to amend the Marathon County Zoning Ordinance to rezone lands from L-I Light Industrial to G-A General Agriculture described as part of the SW¼ of the SW¼ of Section 17, Township 29 North, Range 02 East, Town of Holton. The existing parcel proposed to be rezoned is approximately 3.25 acres in size with a parcel address 101468 Fence Road, Abbotsford, WI 54405. Parcel PIN# 042.2902.173.0996.

EXISTING ZONING DISTRICT:

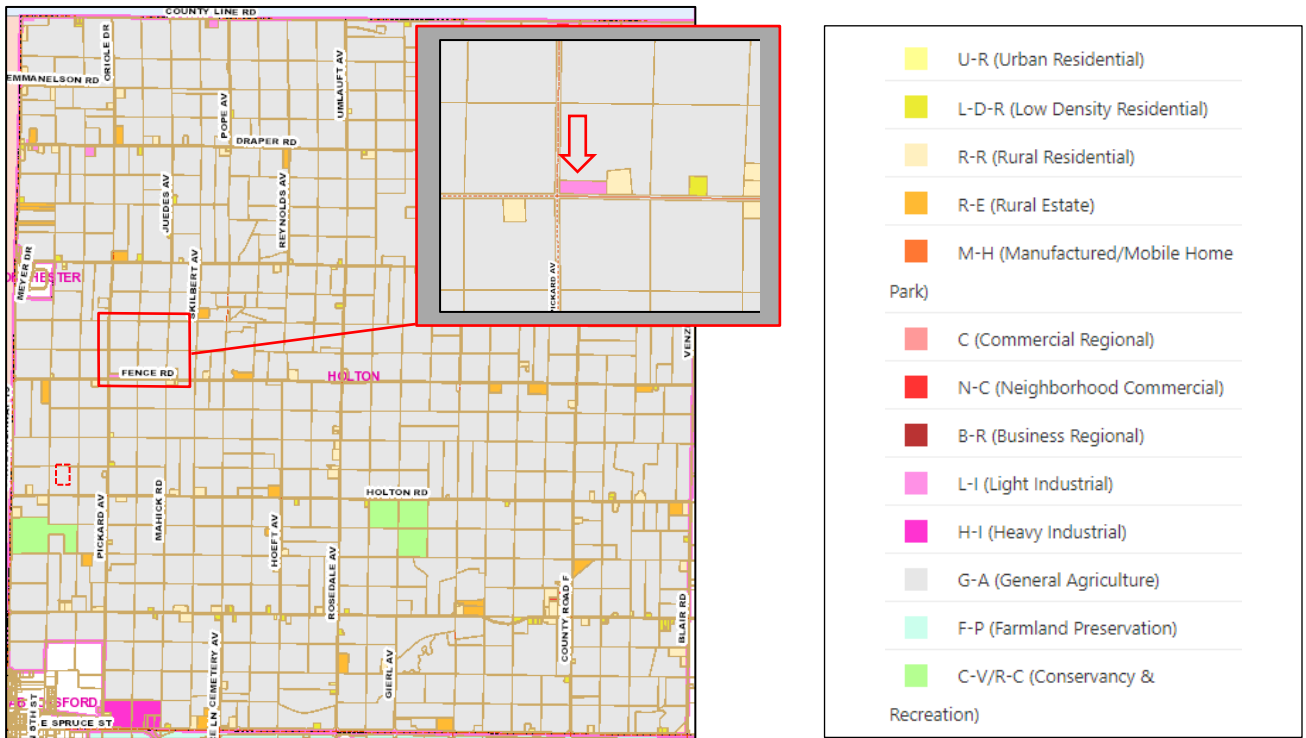
L-I: Light Industrial. Industrial Research and Office district. The purposes of the L-I district are:

1. To provide an environment exclusively for and conducive to the development and protection of modern administrative facilities and research institutions that are office-like in physical appearance and service requirements.
2. To provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from the encroachment of residential, retail, and institutional uses unless otherwise specified in this ordinance. The uses allowed are those which, because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts.

PROPOSED ZONING DISTRICT:

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

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agricultural (Grey) and Rural Residential (R-R). There are also parcels zoned Low Density Residential (Yellow), General Agriculture (Grey), and Rural Residential (Tan) within close proximity to the area in question.

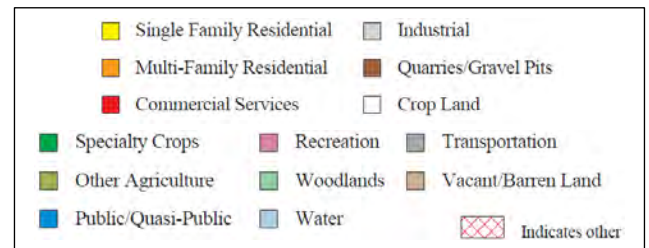
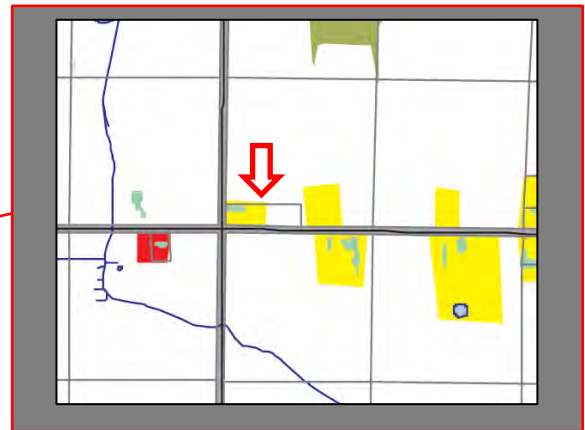
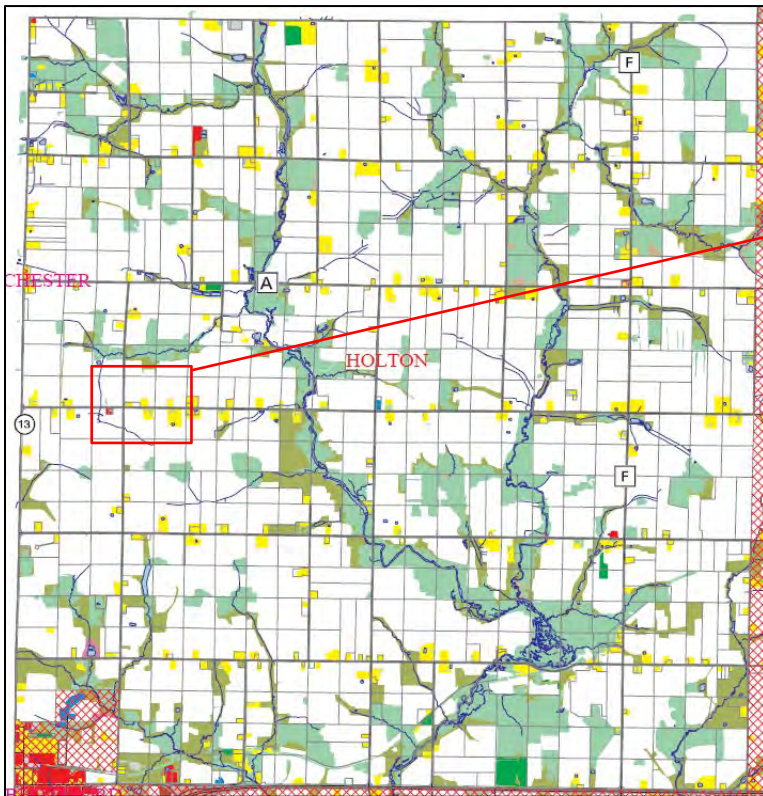


Map #2 Town of Holton Zoning District Map

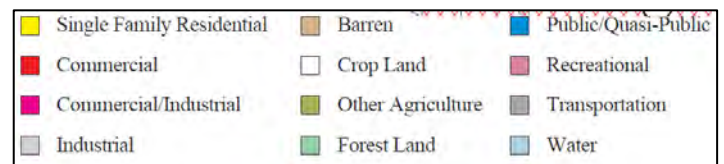
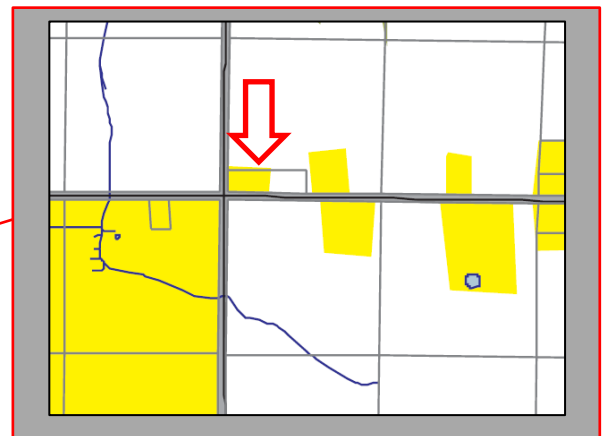
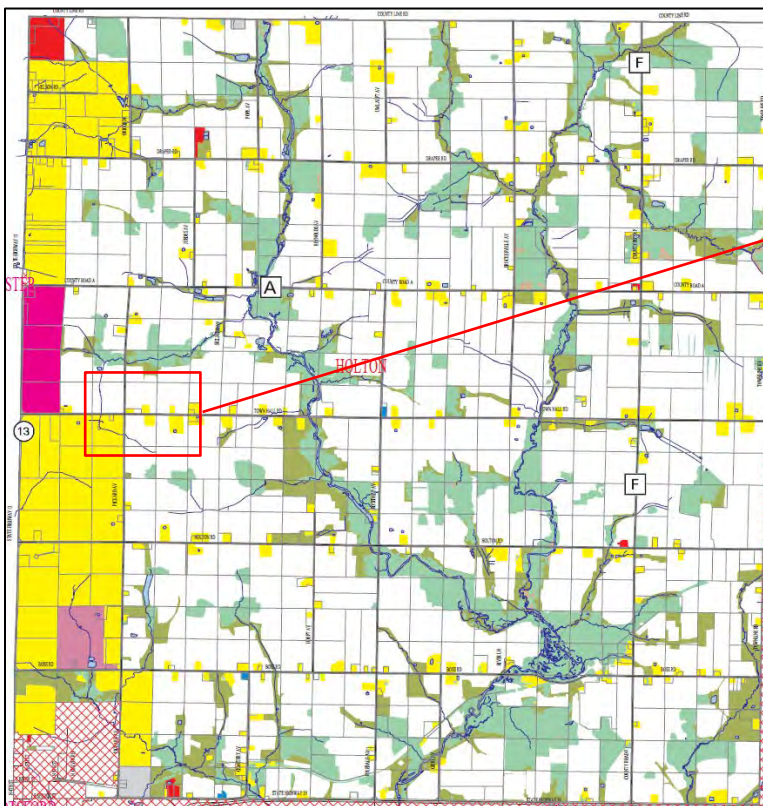
ACREAGE:
3.25 acres

Legal Notification:
A legal advertisement was published in the *Wausau Daily Herald* on Monday, December 21st, 2020 and Friday, December 28th, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

Existing (2000) Land Use/Land Cover Map – Town of Holton (2006 Comprehensive Plan) The existing parcel proposed to be rezoned is designated for Single Family Residential and Crop Land, Land Uses in the towns Comprehensive Plan Existing Land Use Map with some Woodlands shown along the western property line. Whereas, adjacent land uses include Crop Land, Single Family Residential, and Other Agricultural Land Uses.



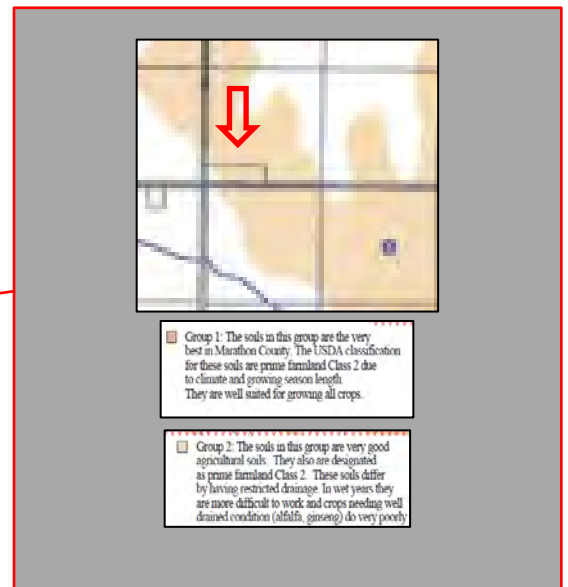
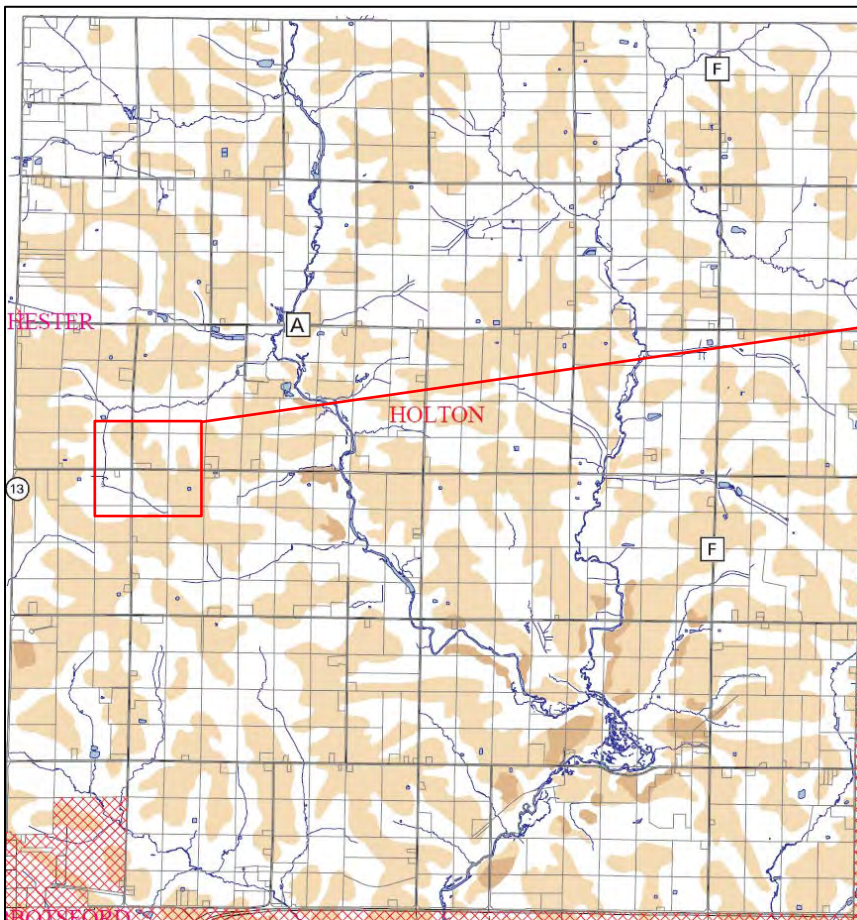
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006): The existing parcel proposed to be rezoned is designated for Single Family Residential and Crop Land, Land Uses in the Town's Comprehensive Plan Future Land Use Map. Whereas the adjacent land uses include Crop Land and Single Family Residential Land Uses.



FARMLAND PRESERVATION PLAN: The area in question was designated as a **farmland preservation area** in the Farmland Preservation Plan. Yet, the Town of Holton does not participate in the farmland preservation program and has no parcels zoned F-P within the town.

SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain, DNR mapped wetlands, waterways nor any shoreland overlay areas located within it.

Prime Farm Soils Map: There are some prime farm soils from Group 2 shown for the parent parcel and area proposed to be rezoned as indicated in the prime farm soils map from the Town of Holton's Comprehensive Plan. There are no prime farm soils from Group 1 (very best) on the area proposed to be rezoned.



Aerial Photo:



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 Town of Holton's Comprehensive Plan shows the area in question is intended for Single Family Residential and Crop Lane, land uses in the existing and future land use maps. Additionally, there are no prime farm soils from Group 1 on the existing parcel proposed to be rezoned. As indicated in the Town of Holton's town resolution, the rezone appears to be consistent with the purpose and intent of the Town's 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 active farmland will be converted as a result of the rezone. The existing 3.5+/- parcel proposed to be rezoned will be combined with (7+/-) adjacent agricultural lands to create a compliant parcel as it relates to the minimum parcel size for the General Agricultural Zoning District (10 acres).

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 related to the proposed expansion of the existing home onsite as well as agricultural business related facilities. Rezoning will make the home compliant as it relates to use and setback to the road.

b. Adequate public facilities will be or are already provided.

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 not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Single family use will not change. 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 Holton 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.

TOWN RECOMMENDATION:

On December 9th, 2020 the **Town of Holton** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

The Town of Holton 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

Town Board

Jennifer Schmecker
TOWN OF HOLTON

STAFF (CPZ) RECOMMENDATION(S):

The rezone meets will meet all the zoning district standards as it relates to size, frontage, access, and dimension, once combined with the additional 7+/- acres to the north. The rezone petition will not result in the conversation of active farmland, and will be combined with adjacent lands. If approved, the Holton should update their comprehensive plan to reflect the proposed rezone to the General Agricultural (G-A) Zoning District from Light Industrial (L-I). The future and existing land use maps are already partially consistent with the rezone in question. Additionally, it appears the original/existing zoning classification of the parcel may have been incorrectly designated based on the uses onsite, the proposed rezone would bring the existing home into compliance with the zoning regulations as well as allows the Milk Distribution/Processing facility to operate as a permitted use.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors.



Case: #3
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
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

25.
10-20

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):
Rock Kersten 136602 Co. Rd U Marathon

hereby petition to rezone property owned by (Name & Address): Steven Dahlke
136924 Co. Rd. U Marathon

from the classification GA, General Ag. to L-I, Light Industrial.

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 attache CSM

Parcel Identification Number (PIN): 066-2905-244-0993

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
Adding lands to existing property zoned L-I

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

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. All public facilities are existing.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government. No burden expected. Existing sawm. ll.

C. What have you done to determine that the land is suitable for the development proposed?
The lands are upland. We would like to add 5 Ac to existing L-I property

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

E. Explain any potential for conflict with existing land uses in the area. No conflict since abutting lands are zoned L-I

(OVER)

F. Demonstrate the need of the proposed development at this location. More lands are needed for the Sawmill.

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

H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? Croplands will be consumed, ~~is~~ Not much alternative if we want to expand the business.

I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. Only 5 Acres of the 113 acre farm will used.

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

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

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

7. Petitioner's Signature Ree L Kutz Phone 715-680-0900 Date 9-15-2020
 8. Owner's Signature Steven A. Dabke Phone 715-680-0204 Date 9-15-2020
(If different)

Date Fee Received: _____

Fee **\$600.00** PAYABLE TO MARATHON COUNTY
RECEIVED
 SEP 29 2020

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

CERTIFIED SURVEY MAP

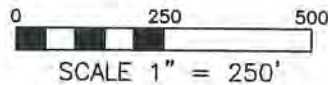
MARATHON COUNTY NO. _____

PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947	tim@vreelandassociates.us
OWNER:	
CENTRAL WI LUMBER & TIE & STEVEN DAHLKE	
FILE #: K-255 KERSTEN	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 1 OF 2 SHEETS

EAST 1/4 CORNER SECTION 24-29-5 EAST SMP SPIKE FOUND

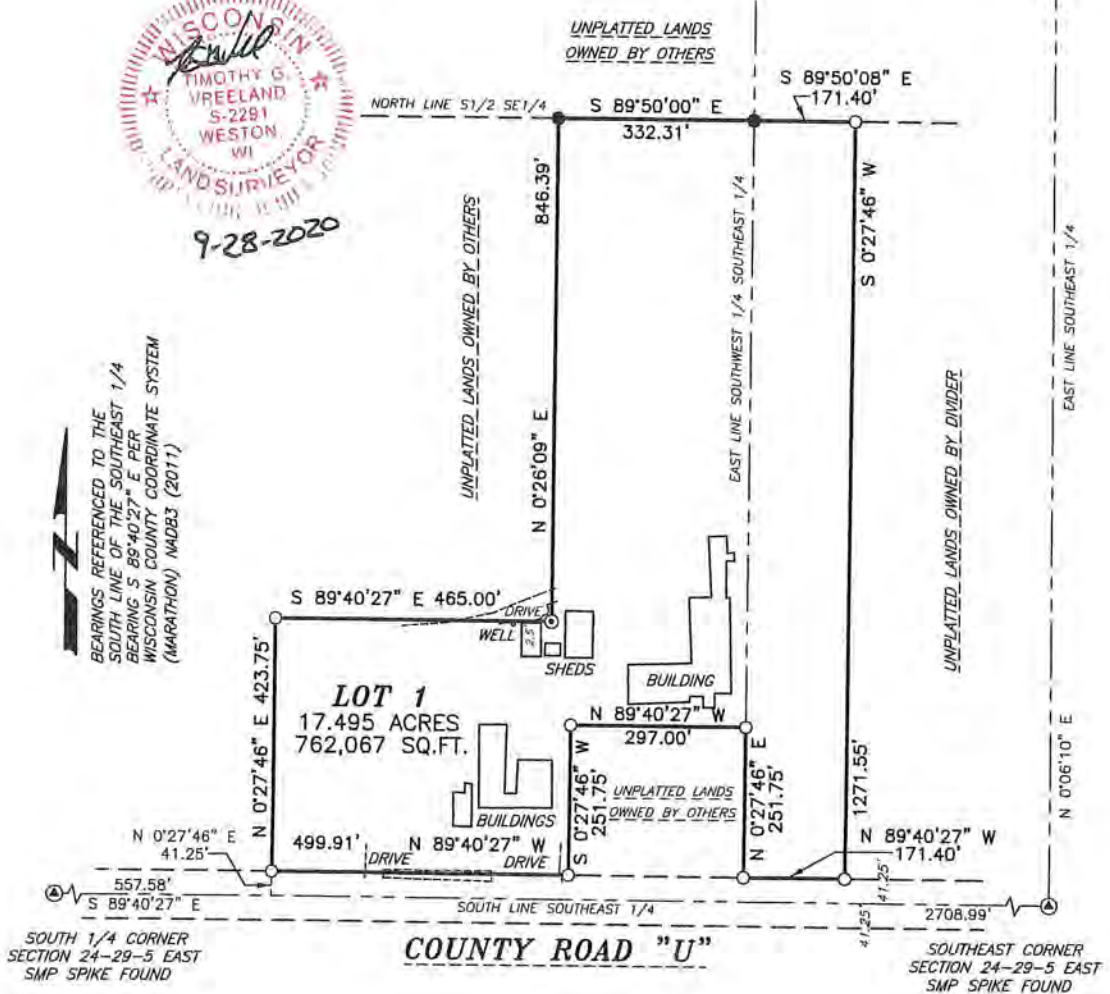


LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
- = 1.5" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- ⊙ = 3/4" x 18" REBAR 1.502 POUNDS PER FOOT SET



BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 BEARING S 89°40'27" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)



SOUTH 1/4 CORNER SECTION 24-29-5 EAST SMP SPIKE FOUND

COUNTY ROAD "U"

SOUTHEAST CORNER SECTION 24-29-5 EAST SMP SPIKE FOUND

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, 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 RICK KERSTEN, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/2 CORNER OF SAID SECTION 24; THENCE S 89°40'27" E ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 557.58 FEET; THENCE N 0°27'46" E 41.25 FEET TO THE NORTH LINE OF COUNTY ROAD "Q" AND TO THE POINT OF BEGINNING; THENCE CONTINUING N 0°27'46" E 423.75 FEET; THENCE S 89°40'27" E 465.00 FEET; THENCE N 0°26'09" E 846.39 FEET; THENCE S 89°50'00" E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 332.31 FEET; THENCE S 89°50'08" E ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 171.40 FEET; THENCE S 0°27'46" W 1271.55 FEET TO THE NORTH LINE OF COUNTY ROAD "U"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "Q" 171.40 FEET; THENCE N 0°27'46" E 251.75 FEET; THENCE N 89°40'27" W 297.00 FEET; THENCE S 0°27'46" W 251.75 FEET TO THE NORTH LINE OF COUNTY ROAD "Q"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "U" 499.91 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 THE TOWN OF RIB FALLS, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 28TH DAY OF SEPTEMBER, 2020
SURVEY PERFORMED SEPTEMBER 15TH, 2020

TIMOTHY G. VREELAND P.L.S. 2291



Land Information Mapping System



Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

125.59 0 125.59 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

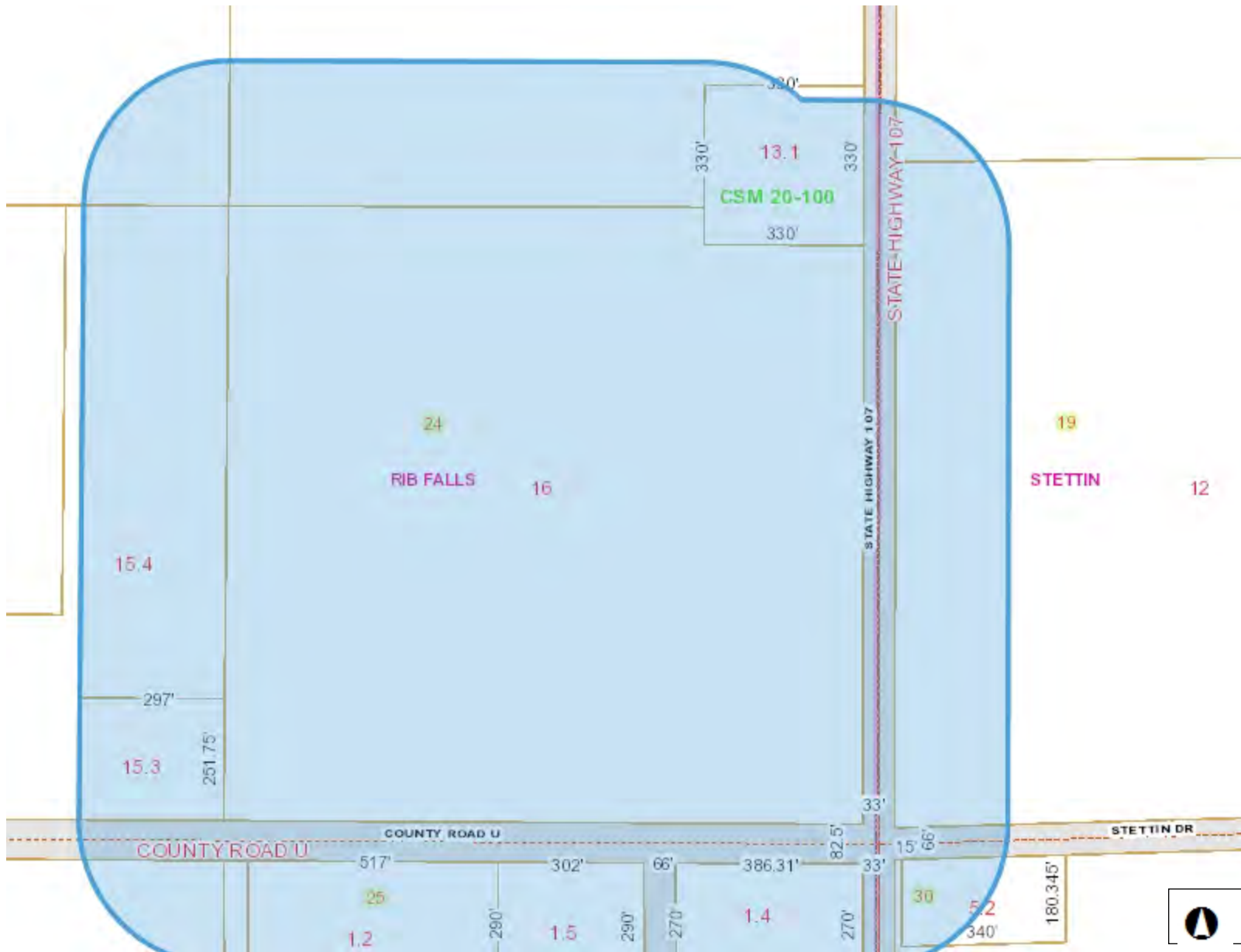
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Parcel Annotations
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- Section Lines/Numbers
- Right Of Ways
- Municipalities

153.77 0 153.77 Feet

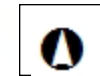


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



RECEIVED
NOV 11 2020
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.

STATE OF WISCONSIN
MARATHON COUNTY
TOWN OF RIB FALLS

TOWN OF RIB FALLS: RESOLUTION 2020-05 ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alysia Seliger, Clerk of the Town of Rib Falls, 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 Rib Falls Town Board at a meeting held on the 10th day of November 2020.

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 Rib Falls Town Board considered on the 10th day of November 2020, petition by Rick Kersten (Central Wisconsin Lumber & Tie INC.) on behalf of Steve Dahlke to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-1 Light Industrial described as part of the S ½ of the SE ¼ of Section 24, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned (approximately 4.975 acres) is described as part of Lot 1 (17.495 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel address 136924 County Road U, Marathon WI 54448. Part of parent parcel PIN# 066.2905.244.0993

The Town of Rib Falls hereby has considered the following standards for rezoning above property
Note: Talked to Rick Kersten on November 9, 2020: Andy Johnson

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: The intent of the rezone request is to provide a land base that will support an expansion of an existing business. At this time, the potential facility expansion limited to 5 acres of site. At this time, no additional public services or infrastructure are required. Note that additional buildings may be added that are consistent with the business.

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

No Yes Explain: NA

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

No Yes Explain: The land is located on a County Trunk roadway and less than 0.5 miles from a State Highway intersection which makes for good access.

Wetlands: No mapped wetlands

Wetland Indicator Soils: Site includes units of RcB (Rietbrock silt loam)

Soil type: RcB (Rietbrock silt loam) and FgB (Fenwood-Rozelleville silt loam)

Bedrock; Commonly less than 5 ft below surface grade

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?

No Yes

No irreplaceable natural areas are impacted. Town did discuss issues such as sanitary systems, stormwater and construction site erosion, and wetland considerations would be to be processed with local and State agencies.

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

No Yes Explain: The business is located near an active farm and residential area. The business site has operated in the Town for many years.

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

No Yes Explain: The business needs additional, contiguous land to expand facilities for lumber processing and storage.

7. Has the applicant demonstrated the availability of alternative locations? Be specific

No Yes Explain: To expand adjacent to the existing facilities, the land to the north and east seem the most reasonable.

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

No Yes Explain: Some cropland may be converted to other uses. The soil type is Fenwood-Rozelleville which is a productive soil.

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

No Yes Explain: The proposed expansion of facility space would be limited to approximately 5 acres.

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

No Yes Explain: The Rib Falls Comprehensive Plan does recognize the following considerations:

- a. Community Character – the support of business that preserves working lands (woodland and cropland) and rural character.
- b. Community Services – the zoning proposal will have minimal impact or demands on community services such as sanitary system, public water supply systems, fire service, and solid waste management.
- c. Transportation and Infrastructure – the business access roads are County and State roadways. No demand for Town road support is required.
- d. Land use – there will be the loss of farmland as the site/facilities are expanded. This is balanced with the developed of a business that supports local woodland management.
- e. Natural Resources – the facility does not threaten unique natural resources, groundwater, or surface water features of the Town.
- f. Economic Activities – the Town supports the development of existing local business, as well as businesses that support land-based activities such as woodland management.

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

X No Yes Explain:

The Town of Rib Falls 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 g. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Alycia Seliger / WDR

Town Board [Signature]

Myron J. DeBeaup

John J. Hammer

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 fom1 before November 20, 2020 to:

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



Steven Dalkke
Petition to Rezone Land
Staff Report, January 5th, 2021
Environmental Resources Committee
(Referred back to the ERC by County Board
12/15/2020)

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

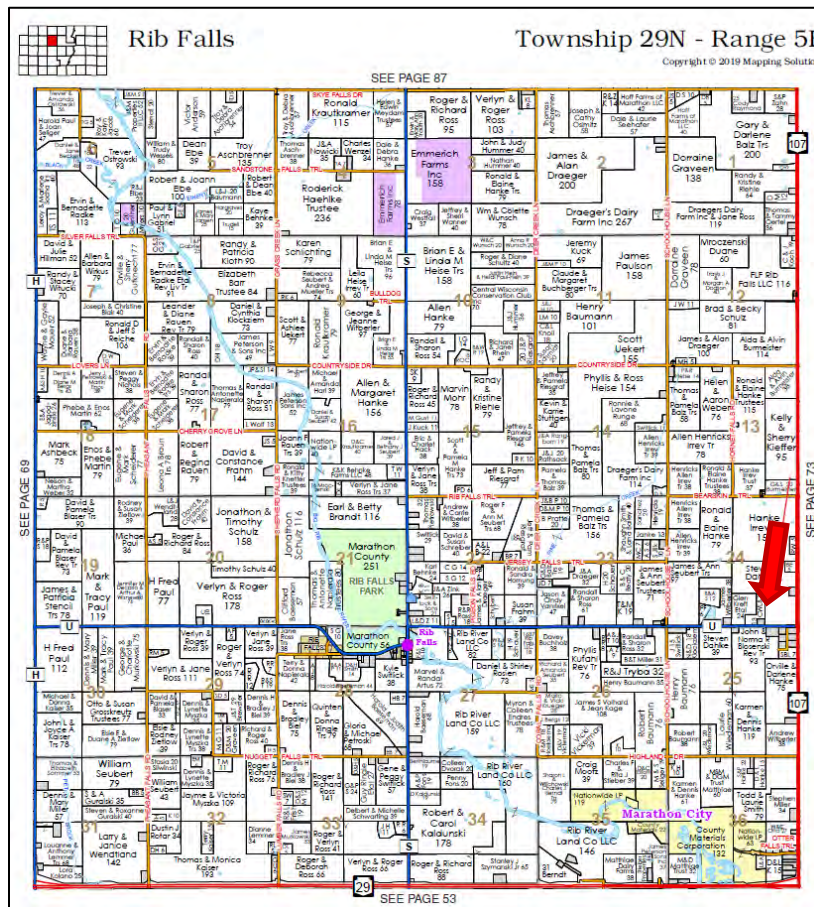
- Town of Rib Falls Town Board Meeting (*November 10th, 2020*)
- Marathon County Environmental Resources Committee Meeting (*December 1st, 2020 at 3:00pm*)
 (January 5th, 2021 at 3:00pm)

PETITIONER: Rick Kersten (Central Wisconsin Lumber & Tie INC – 136602 County Road U, Marathon WI

PROPERTY OWNER: Steven Dahlke – 136924 County Road U, Marathon WI

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located approximately 1,000 feet west of the intersection of County Road U and State Highway 107. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Rick Kersten (Central Wisconsin Lumber & Tie INC.) on behalf of Steve Dahlke to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-I Light Industrial described as part of the S ½ of the SE ¼ of Section 24, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned (approximately 4.975 acres) is described as part of Lot 1 (17.495 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel address 136924 County Road U, Marathon WI 54448. Part of parent parcel PIN# 066.2905.244.0993.

EXISTING ZONING DISTRICT:

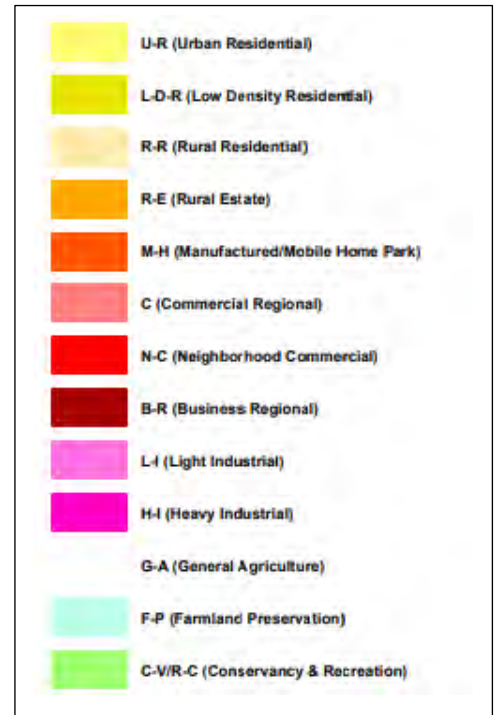
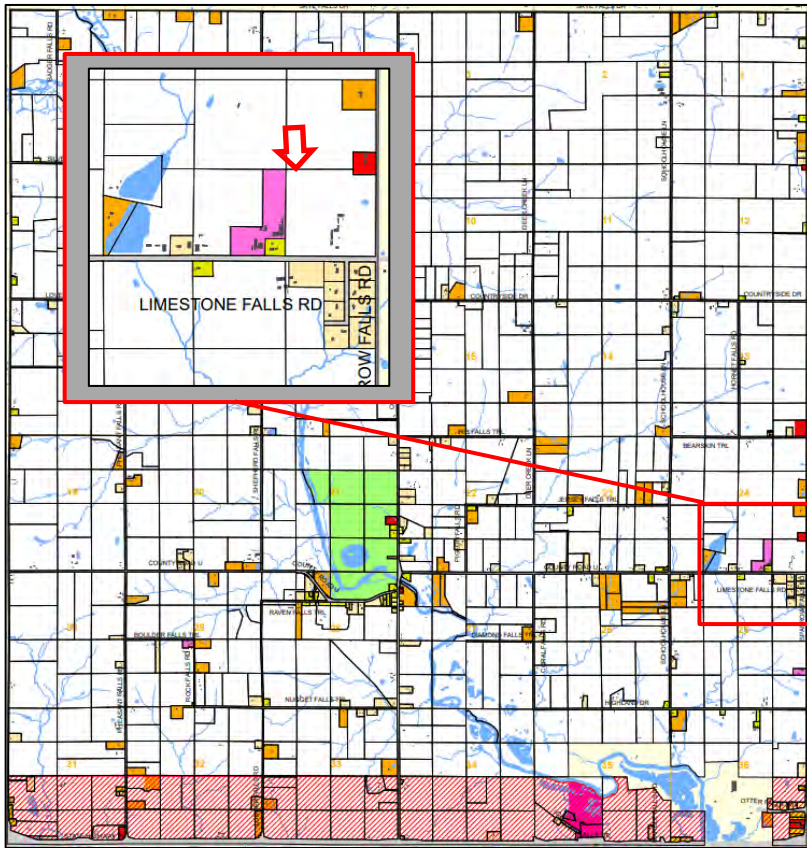
G-A: General Agricultural. The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels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

PROPOSED ZONING DISTRICT:

L-I: Light Industrial. Industrial Research and Office district. The purposes of the L-I district are:

1. To provide an environment exclusively for and conducive to the development and protection of modern administrative facilities and research institutions that are office-like in physical appearance and service requirements.
2. To provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from the encroachment of residential, retail, and institutional uses unless otherwise specified in this ordinance. The uses allowed are those which, because of their normally unobjectionable characteristics, can be in relatively close proximity to residential and commercial districts.

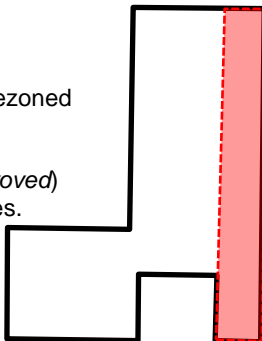
EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agriculture (White), Low Density Residential (Yellow), and Light industrial (Pink). There are also Rural Residential and Rural Estate zoned parcels within close proximity to the area in question.



Map #2 Town of Rib Falls - Zoning District Map

4.975 Acres to be rezoned
Shown in red

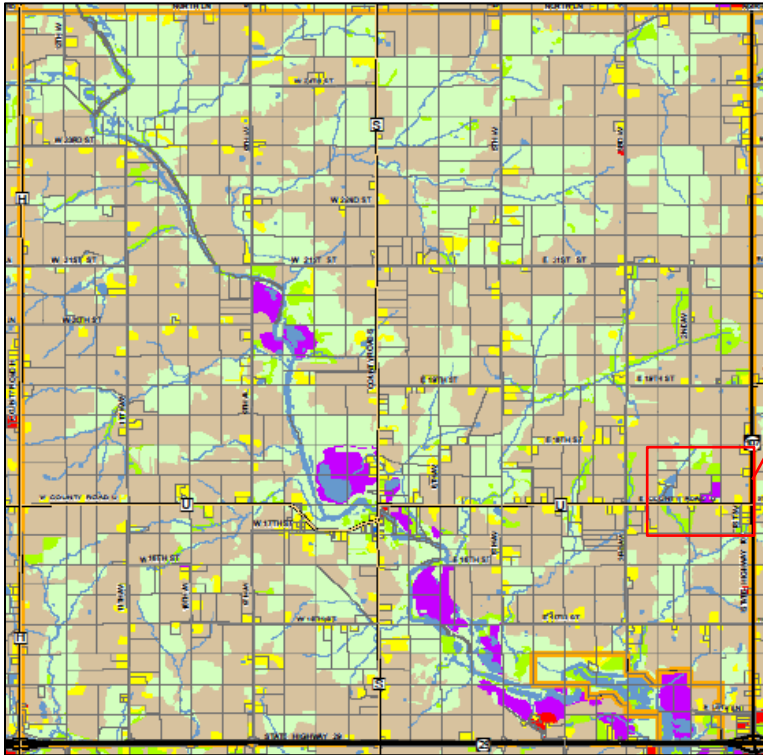
Final Parcel (if approved)
to be 17.495 acres.



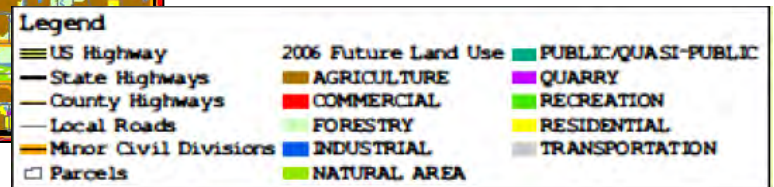
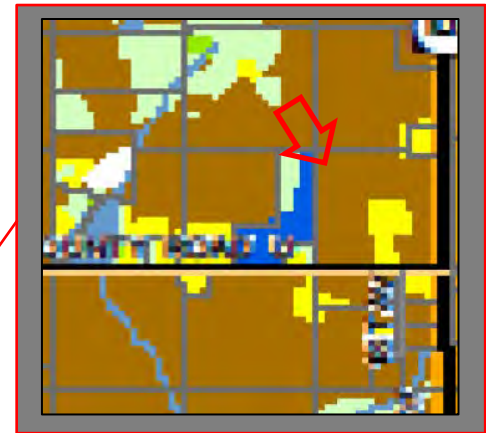
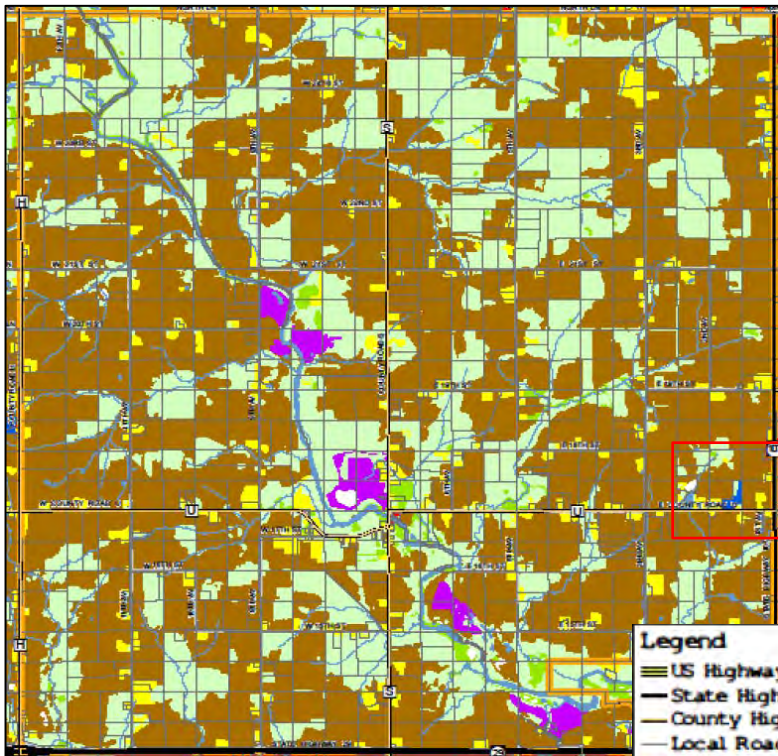
Legal Notification:

A legal advertisement was published in the *Wausau Daily Herald* on Monday, November 16th, 2020 and Monday, November 23rd, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

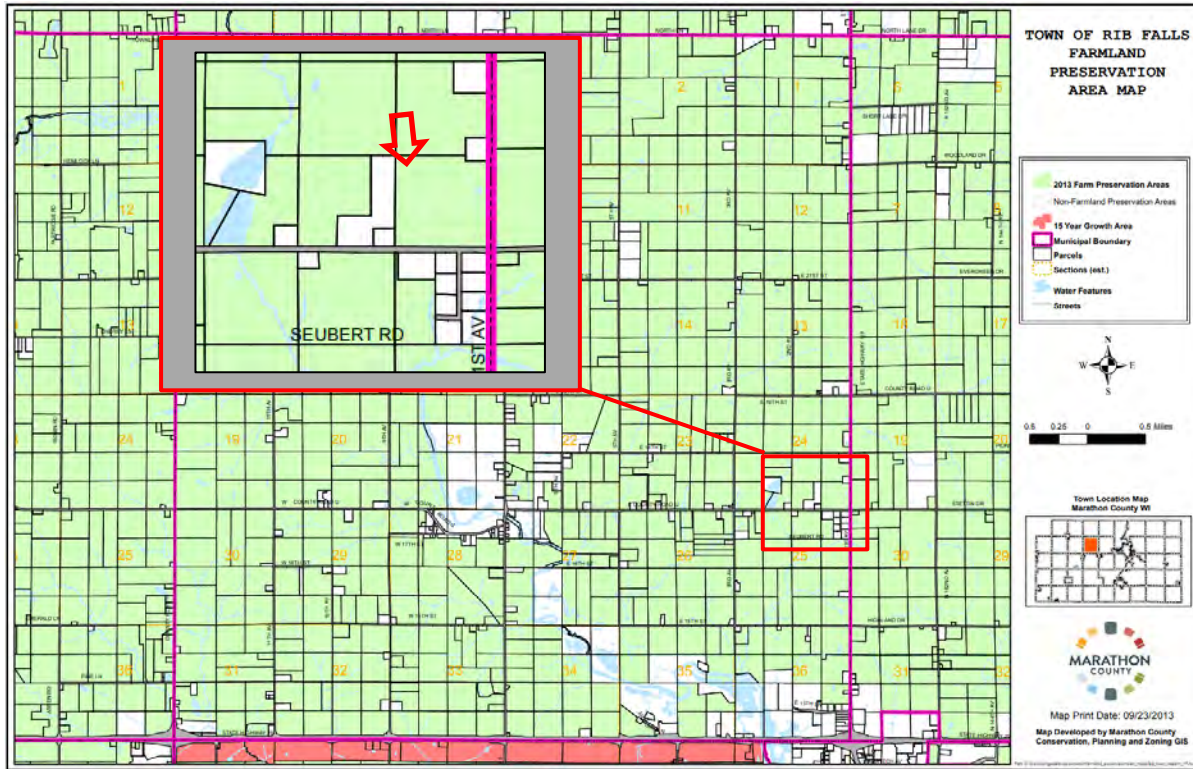
Existing (2000) Land Use/Land Cover Map – Town of Rib Falls (2017 Comprehensive Plan) The area proposed to be rezoned is shown as Agricultural land in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map (2000). Whereas, adjacent land uses include Agricultural, Residential, and Industrial Land Uses.



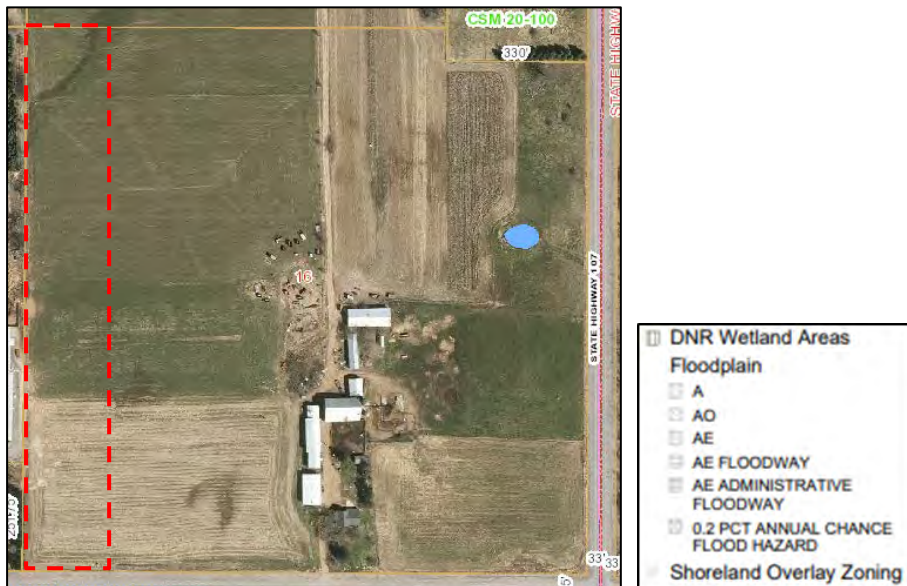
TOWN COMPREHENSIVE PLAN (2017) FUTURE LAND USE MAP (2006): The area proposed to be rezoned is shown as Agriculture in the Town’s Comprehensive Plan Future Land Use Map. Whereas, adjacent land uses include Residential, Forestry, and Industrial land uses. Area will be rezoned to be combined by Certified Survey Map (CSM) to the parcel to the west shown as Industrial and forestry.



FARMLAND PRESERVATION PLAN: The area in question was designated as a farmland preservation area in the Farmland Preservation Plan, yet the town does not participate in farmland preservation zoning. Therefore, there are no parcels within the Town of Rib Falls that are zoned farmland preservation.

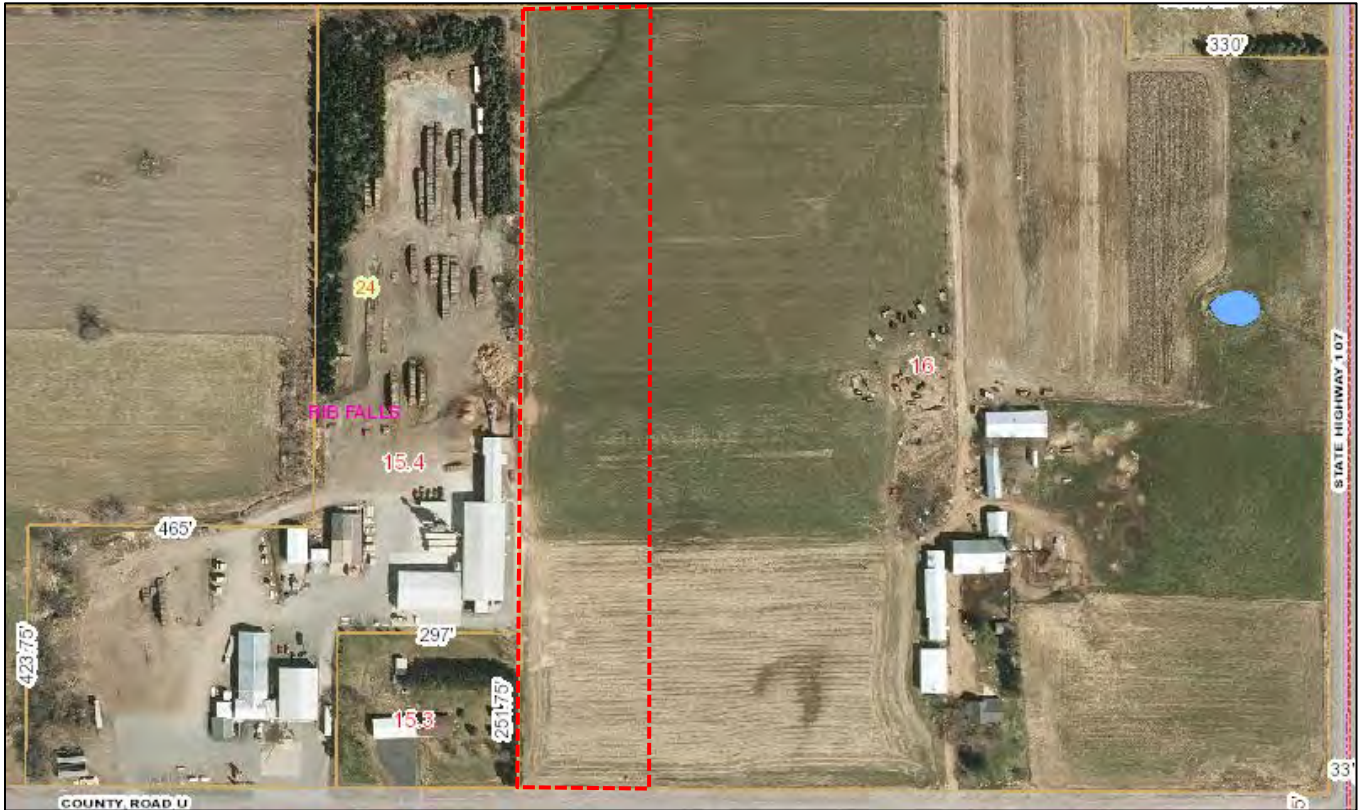


SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain, shoreland areas, DNR mapped wetlands. Yet the parent parcel does appear to have a pond located on the eastern side of the parcel, the pond appears to be manmade and would not be subject to shoreland regulations if deemed non-navigable.

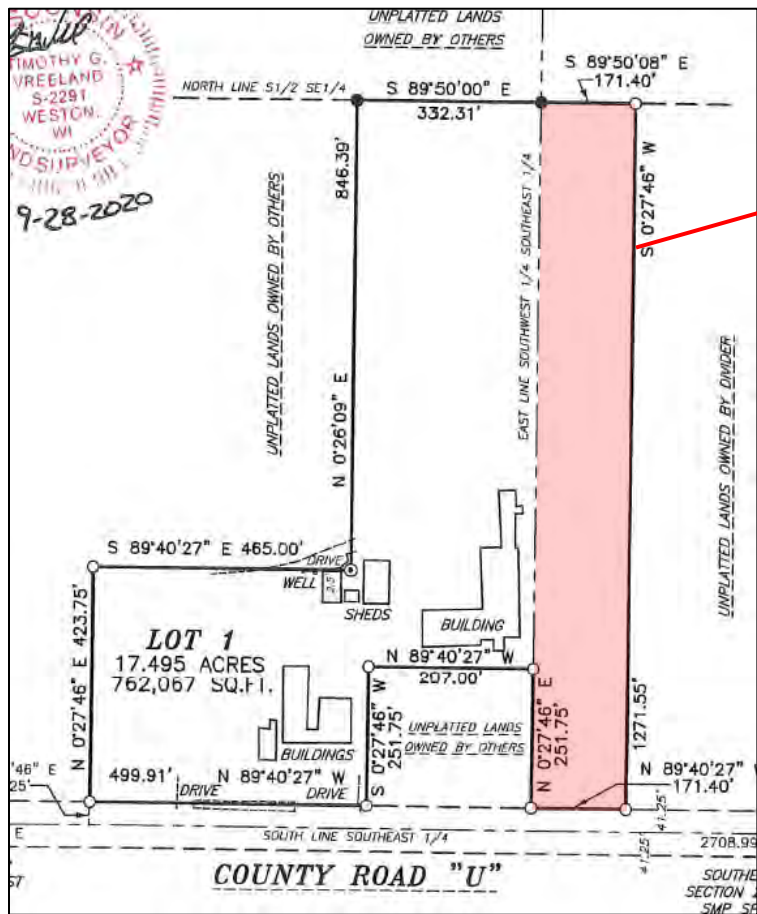


Red boundary shown above is approximate and should be used as a reference, for specific lot dimensions and location please see the preliminary CSM on the following page.

Aerial Photo:



Preliminary Certified Survey Map:



Area proposed to be rezoned (shown in red)

TOWN RECOMMENDATION:

On November 10th, 2020 the **Town of Rib Falls** Town Board Recommended Approval to Marathon County's Environmental Resources Committee.

11. Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?
X No Yes Explain:

The Town of Rib Falls 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 g. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Alycia Selinger/MDW

Town Board W. B. ...
Myra J. DeBoer
John J. Hammer

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 Town of Rib Falls Comprehensive Plan shows the area in question is intended to be agricultural land uses in their future land use map. Although the rezone appears to be inconsistent with the future land use map, the town has identified how the rezone meets the purpose and intent of the Comprehensive Plan. It appears the future land use map as well as other maps within the plan were created in 2006 and the town did not update these maps when they went through a Comprehensive Plan revision in 2017. The clip below was included in the town resolution as reasoning why this rezone meets the Town of Rib Falls Comprehensive Plan.

Question #10 the Town Resolution:

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

- No Yes Explain: The Rib Falls Comprehensive Plan does recognize the following considerations:
- a. Community Character – the support of business that preserves working lands (woodland and cropland) and rural character.
 - b. Community Services – the zoning proposal will have minimal impact or demands on community services such as sanitary system, public water supply systems, fire service, and solid waste management.
 - c. Transportation and Infrastructure – the business access roads are County and State roadways. No demand for Town road support is required.
 - d. Land use – there will be the loss of farmland as the site/facilities are expanded. This is balanced with the developed of a business that supports local woodland management.
 - e. Natural Resources – the facility does not threaten unique natural resources, groundwater, or surface water features of the Town.
 - f. Economic Activities – the Town supports the development of existing local business, as well as businesses that support land-based activities such as woodland management.

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.

Agricultural lands converted does appear to have been minimized as approximately 5 acres will be rezoned from the General Agricultural Zoning District and the remaining 32 acres will continue to be farmed. The area proposed to be rezoned is adjacent to an existing Light Industrial parcel and 86% of the existing General Agricultural parcel will continued to be farmed. Any and all proposed developments on the area proposed to be rezoned will need to meet the applicable standards of the Light Industrial Zoning District which are intended to guide develop in a manner in which adjacent land uses are minimally impacted.

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 related to the expansion of an existing Lumber Yard/Sawmill. There doesn't appear to be any alternative locations.

b. Proposed area to be rezoned is adjacent to an existing Light Industrial Parcel. The below email was sent from the County Highway Commissioner (James Griesbach) regarding access and seasonal weight restrictions on County Road U.

From: James Griesbach
Sent: Wednesday, November 11, 2020 11:29 AM
To: Cindy Kraeger <Cindy.Kraeger@co.marathon.wi.us>
Cc: Jacob Langenhahn <Jacob.Langenhahn@co.marathon.wi.us>
Subject: RE: Rick Kersten (Central WI Lumber and Tie Inc) on behalf of Steve Dahlke rezone

This email is in regards to the Public Hearing taking place on December 1st, 2020 the rezone of Rick Kersten on behalf of Steve Dahlke. Currently Marathon County Highway has seasonal weight restrictions on County Road "U" from the driveway of the sawmill east to State Highway 107 allowing trucks to travel from STH 107 to the mill. If the rezone of described parcel going from general agriculture to L-I Light Industrial falls outside of the current posting, no change will be made to our seasonal posting. Any changes to our seasonal postings would need to be approved by the Marathon County Infrastructure Committee.

Please read this into the record.

James M. Griesbach
Marathon County Highway Commissioner

1430 West Street
Wausau, WI 54401
715.261.1801 office
715.581.4756 cell

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 not result in any unreasonable air and water pollution as all pertinent regulations apply and will need to be adhered to. Agricultural uses onsite will not change. 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 Rib Falls 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 above email (Question #3) was sent from the County Highway Department regarding access yet there doesn't appear to be any concerns at this time. The rezone in question appears to already be located in the area allowing for access to and from the Sawmill and Highway 107.

STAFF (CPZ) RECOMMENDATION(S):

No Change to the original recommendation given on December 1st, 2020.

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone petition does appear to minimize the agricultural lands converted as 86% of the existing General Agricultural Parcel will continue to be farmed as a result of the rezone. If approved, the Town of Rib Falls should update their comprehensive plan to reflect the proposed rezone from the General Agricultural Zoning District to the Light Industrial (L-I) Zoning District. The future and existing land use maps should be revised to reflect the approved rezone. The rezone also appears to be consistent with the purpose and intent of the Towns Comprehensive Plan as the town has identified in their resolution. The town has noted in their resolution that there is the potential for conflict with adjacent land uses in the area stating (Question #5 in Town Resolution) *“The business is located near an active farm and residential area. The business site has operated in the Town for many years.”* The area in question and the existing L-I parcel are located on a County Road (County Road U) and are within close proximity to Highway 107 (1000 feet) which should minimize any impact the Sawmill expansion (or any other permitted or conditionally approved use) would have town roads and other non-industrial land uses.

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of 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. Yet, staff would request the ERC consider all the previously discussed concerns and rezone standards to make an informed determination.



Case: #4 (2nd Hearing)
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: _____

**Below is the link to the Marathon County
Draft Land and Water Resource Management Plan 2021-2030**

www.co.marathon.wi.us/lwrp

STATE OF WISCONSIN)
COUNTY OF MARATHON)
TOWN OF TEXAS)

WHEREAS, the Town Board of Supervisors of the Town of TEXAS has heretofore been petitioned to repeal and re-adopt the following (Check all that apply)...

- Town Zoning Ordinance
- Zoning Map, and;

WHEREAS, the Town on due notice conducted a public hearing on the proposed Ordinance and/or map, and;

WHEREAS, the proposed Ordinance and map have been given due consideration by the Town Board in open session, and;

WHEREAS, a comprehensive plan has been adopted by the Town, and the proposed Ordinance and/or map are compatible with the adopted comprehensive plan;

NOW, THEREFORE BE IT RESOLVED, that pursuant to §60.62(3) Wis. Stats, the Town Board of Supervisors of the Town of TEXAS 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 14th of December, 20 20

Signed by the Board of the Town of Duluth:

Paul Anderson
Alvin Walter

CERTIFICATION

I, Lorraine I Beyersdorff, Clerk of the Town of TEXAS, 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 TEXAS on December 14, 20 20.

Lorraine I Beyersdorff
Town Clerk (signature)

12-14-20
Date

Send this completed form along with your amendments, and a map, to:
Zoning and Regulatory Services
Marathon County Conservation, Planning & Zoning (CPZ) Department
210 River Drive
Wausau WI 54403 5449

RECEIVED
DEC 15 2020
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT



Land Information Mapping System

TAYLOR	LINCOLN	
HALSEY	BERLIN	HEWITT
BIERN	MAINE	TEXAS
HOLTON	STETTIN	EASTON
HULL	WIENCASSE	RINGLE
BRIGHTON	EMMET	REID
DAY	MUSTINE	BEVENT
SPENCER	BERGEN	FRANZEN
WOOD	PORTAGE	



- ### Legend
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 - Blue: Band_3
 - Surrounding_Counties
 - CLARK
 - LANGLADE
 - LINCOLN
 - PORTAGE
 - SHAWANO
 - TAYLOR
 - WAUPACA
 - WOOD



182.86 0 182.86 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

TOWN OF TEXAS REZONING APPLICATION

Please fill out all forms attached to this document for the purposes of a Re-Zoning request. Submittal is required 25 business days prior to the next Planning Commission meeting. See Town of Texas fee schedule for all required fees. All plans are reviewed by the Planning Commission and Town Board. The Town Board meets on the 2nd Monday of every month, and the Planning Commission meets 1st Monday of every month unless there are conflicts with holidays then they usually are prior to the Town Meeting in that month. A public hearing will be scheduled after application is reviewed. Please submit re-zoning fee and submit initial escrow account, when applicable.

715 N 13th St
Wausau

Property Owner

Name: Travis Mikes & Jodi ~~Mike~~ Mikes

Company Name: _____

Address: 239891 Chico Rd

City: Wausau State: Wj Zip: 54403

Phone: 715-310-2109 Email: TMikes1212@outlook.com

Applicant/Agent representing owner

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Property Location or Legal Description Sec 34-30-08PT of NW 1/4 NW 1/4 - LOT

1 CSM #18591 DOC#1804551. LOCATION: NW 1/4 NW 1/4, SEC. 34, T30N, R8E

Tax Key Number: 078-3008-342-0994

Current Zoning of Parcel: M-2

Parcel Size: _____ or 5 acres

Requested Zoning of Parcel: A-1

Anticipated date of Construction: Spring of 2021

Assessed Value of the project and land total value: 400,000.00

Please describe and justify the need for the requested rezoning. Please state how your request complements surrounding land uses and conforms to all zoning ordinances and the Comprehensive Plan.

Jodi and I would like to build a house on the property

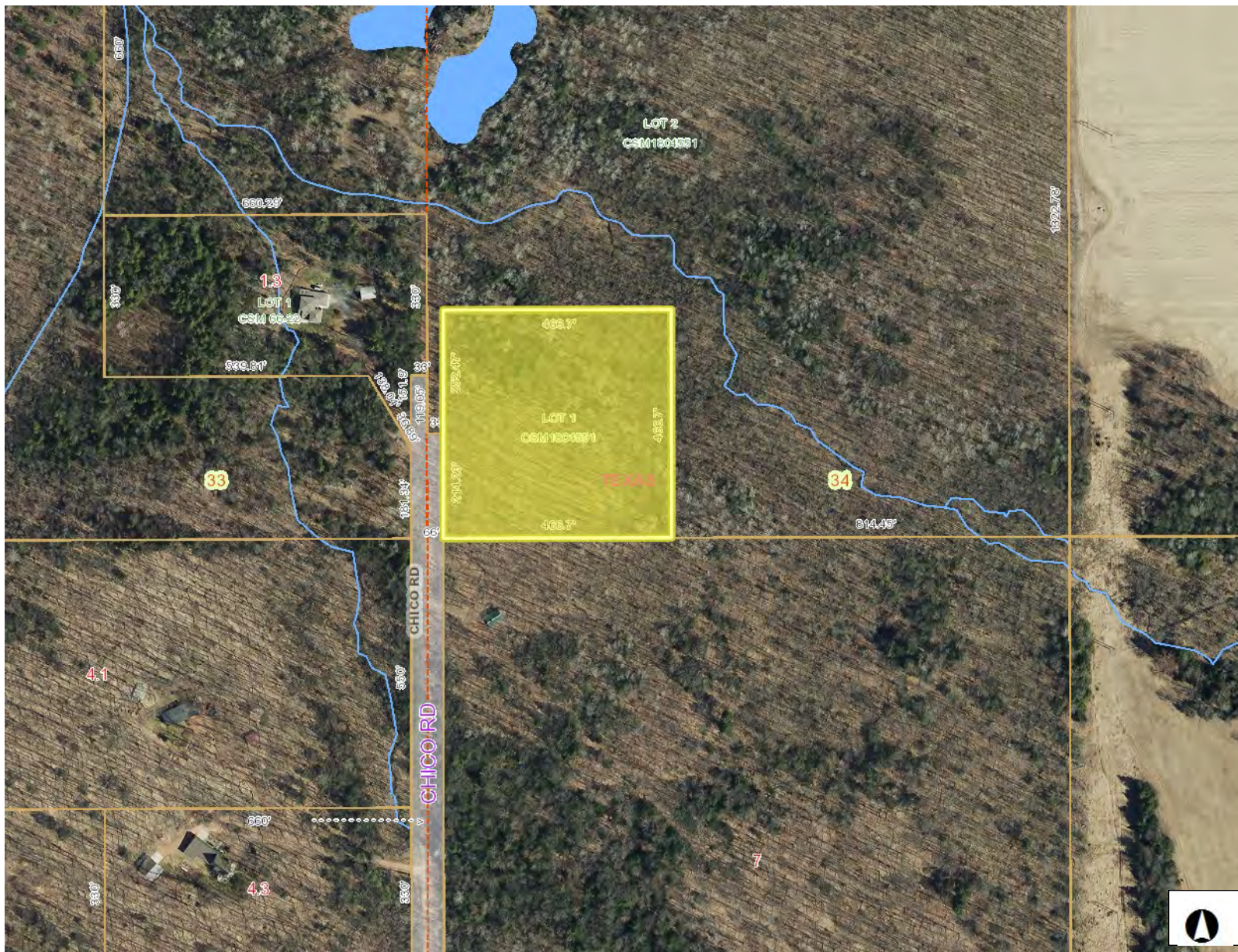
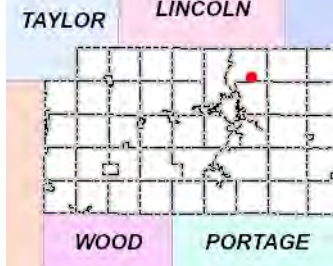
Please list the property owner names, addresses, and Tax Key numbers for all properties that lie within 300 feet of the area where the rezone is requested. Use of the County GIS System will help with parcels in area and owner names.

Property Owner Name Address Tax Key Number

- Wallace Lewitzke and Carelita Lewitzke 239785 Chico Rd. 078-3008-342-0997
- Denis and Janine Daniels 239884 Chico Rd 078-3008-331-0988
- Nora Jean Spatz 1610 Meadow View Rd 078-3008-331-0989
- Wesley J Salzmann 239634 Chico Rd 078-3008-331-0993



Land Information Mapping System



Legend

Road Centerlines

- US
- State
- County
- Local
- Private

Road Names

- ▭ Parcels
- ▭ Parcel Lot Lines
- Land Hooks
- ▭ Section Lines/Numbers
- ▭ Right Of Ways
- ▭ Named Places
- ▭ Municipalities
- City-Village
 - ▭ CITY
 - ▭ VILLAGE
- Streams-Rivers
- ▭ Lake-Ponds
- 2020 Orthos Countywide
 - ▭ Red: Band_1
 - ▭ Green: Band_2
 - ▭ Blue: Band_3

152.31 0 152.31 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Marathon County

Owner (s):

**MIKES, TRAVIS J
SITTE, JODI J**

Location:

NW1/4 NW1/4,Sect. 34, T30N,R8E

Mailing Address:

**TRAVIS J MIKES
JODI J SITTE
715 N 13TH ST
WAUSAU, WI 54403**

School District:

6223 - WAUSAU

Request Mailing Address Change

Tax Parcel ID Number: Tax District:

078-3008-342-0994 078-TOWN OF TEXAS

Status:

Active

Alternate Tax Parcel Number:Government Owned:Acres:

5.0000

Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.):

SEC 34-30-08 PT OF NW 1/4 NW 1/4 - LOT 1 CSM #18591 DOC #1804551

Site Address (es): *(Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.)*

239891 CHICO RD WAUSAU, WI 54403



**“Royal Vista”
Town of Rib Mountain
Preliminary County Plat
Staff Report
Environmental Resources Committee
January 5, 2021**

PLAT REQUIREMENTS

- **Survey**
 - Plat 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**
 - Plat is located in Rib Mountain and is town zoned with MR-4 (Mixed Residential) zoning. This district is intended to permit development which has a moderately high density community character which lies somewhere between suburban and urban. The land use standards for this district permit both single-family detached residential development and certain types of moderately high density single-family attached development permitted by right, and both moderately high density single-family attached development and certain types of multi-family development permitted as a conditional use, as well as a variety of related institutional land uses. Density and intensity standards for this district are designed to ensure that the Mixed Residential (MR-4) District shall serve as a designation which preserves and protects the moderately high density residential community character of its area. A variety of residential development options are available in this district, with a Maximum Gross Density (MGD) of 4 dwelling units per gross acre.
- **Environmental Conditions**
 - Storm Water Management Plan (SWMP) was submitted with the preliminary plat.
 - Erosion Control Plan included with SWMP.
 - There are no wetland areas within this subdivision.
- **Sanitary Sewer**
 - Sanitary sewer will be provided by the Rib Mountain Sanitary District.
- **Access**
 - All proposed lots will have access to an improved private road which connects to Bittersweet Road.
 - The Marathon County Highway Department is aware of the design and supports the layout for access.

NOTES

Prior to the submittal of the Royal Vistas preliminary plat for approval, a concept plat meeting was held on October 8th to discuss the plat. Present at that meeting were representatives from Rib Mountain, REI Engineering, Marathon County and the BPW Development, LLC. Design concepts and plans were discussed and agreed upon by all parties involved. This preliminary plat reflects the designs discussed in the concept plat meeting.

RECOMMENDATION

Based on the information provided, CPZ staff recommend that the Environmental Resources Committee approve the proposed preliminary County plat of “Royal Vistas”.

PRELIMINARY PLAT OF ROYAL VISTAS

A SUBDIVISION PLAT BEING ALL OF LOT 39 OF CERTIFIED SURVEY MAP NUMBER 18660, RECORDED AT THE MARATHON COUNTY REGISTER OF DEEDS OFFICE AS DOCUMENT NUMBER 1809981, BEING PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 16, TOWNSHIP 28 NORTH, RANGE 7 EAST, ALL IN THE TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, JOSHUA W. PRENTICE, WISCONSIN PROFESSIONAL LAND SURVEYOR S-2852, DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE AND BELIEF: THAT I HAVE SURVEYED, MAPPED AND DIVIDED A PARCEL OF LAND BEING ALL OF LOT 39 OF CERTIFIED SURVEY MAP NUMBER 18660, RECORDED AT THE MARATHON COUNTY REGISTER OF DEEDS OFFICE AS DOCUMENT NUMBER 1809981, BEING PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, SECTION 16, TOWNSHIP 28 NORTH, RANGE 7 EAST, ALL IN THE TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THAT THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 162,338 SQUARE FEET, 3.727 ACRES, MORE OR LESS.

THAT I HAVE MADE THIS SURVEY, DIVISION AND MAP THEREOF AT THE DIRECTION OF THE BPW DEVELOPMENT, LLC, OWNER OF SAID PARCEL.

THAT SAID PARCEL IS SUBJECT TO EASEMENTS, RESTRICTIONS, AND RIGHT-OF-WAYS OF RECORD.

THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 236 OF THE WISCONSIN STATUTES, WISCONSIN ADMINISTRATIVE CODE A.E.7 AND THE SUBDIVISION REGULATIONS OF THE TOWN OF RIB MOUNTAIN, CITY OF WAUSAU, MARATHON COUNTY AND THE WISCONSIN DEPARTMENT OF ADMINISTRATION.

THAT THIS MAP IS A CORRECT AND ACCURATE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF SAID PARCEL, AND OF THE DIVISION THEREOF MADE.

DATED THIS 21st DAY OF DECEMBER 2020

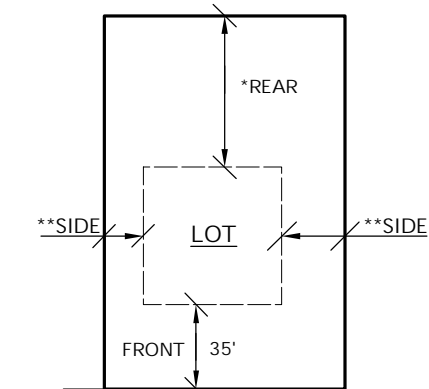
REI ENGINEERING, INC.
JOSHUA W. PRENTICE
WI P.L.S. S-2852



OWNER:
BPW DEVELOPMENT, LLC
901 STATE HIGHWAY 52
WAUSAU, WI 54403
715-571-8022

ENGINEER:
REI ENGINEERING
JIM BORYSENKO P.E.
4080 N. 20TH AVENUE
WAUSAU, WI 54401
715-678-9784

SURVEYOR:
REI ENGINEERING
JOSHUA W. PRENTICE WI PLS S-2852
4080 N. 20TH AVENUE
WAUSAU, WI 54401
715-675-9784



MINIMUM SETBACK REQUIREMENTS
LANDS WITHIN THE TOWN OF RIB MOUNTAIN

MR-4 ZONING

FRONT YARD/STREET - 35'

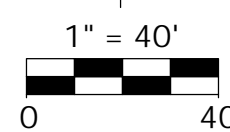
REAR YARD - 25'

SIDE - 10' OR 12'

FROM SECTION 17.093 OF THE RIB MOUNTAIN ZONING CODE

*REAR YARD SETBACK = 25 FEET FROM BUILDING (HOME) TO REAR PROPERTY LINE & 10 FEET FROM BUILDING (ACCESSORY) TO SIDE PROPERTY LINES.

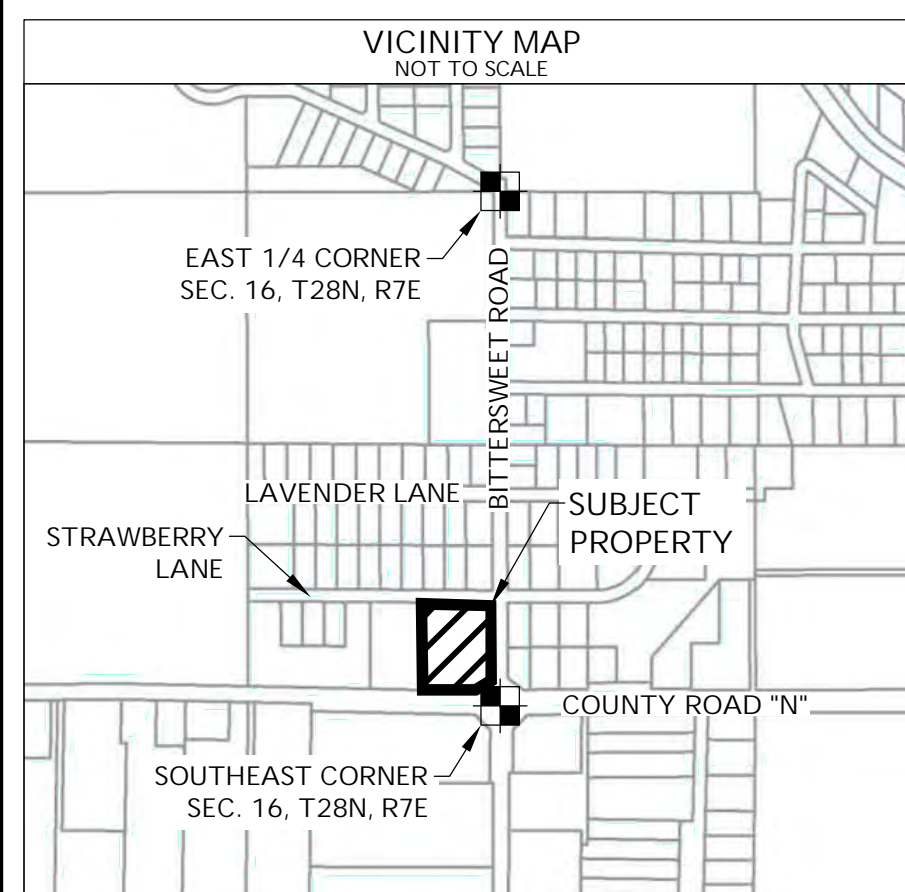
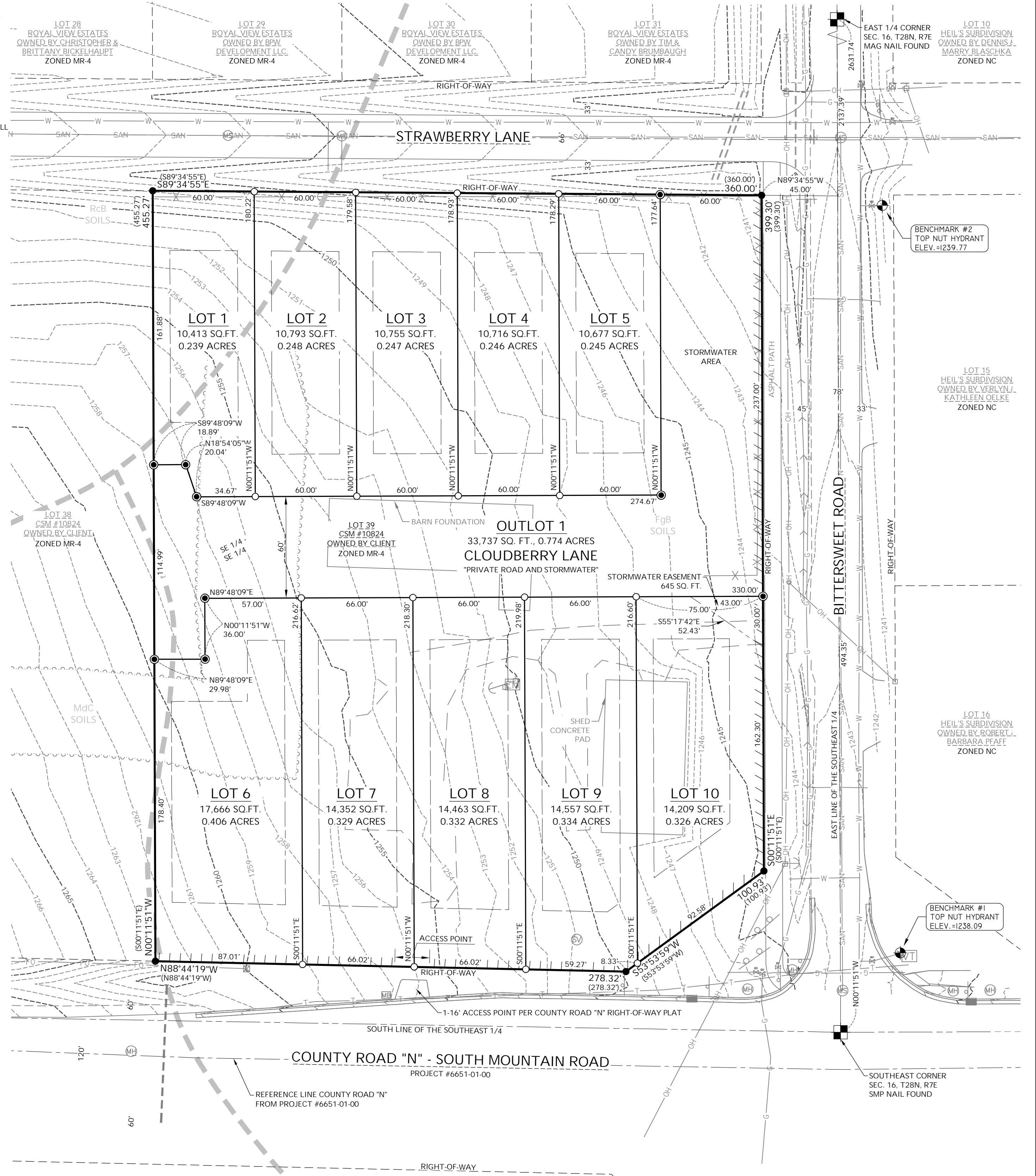
**SIDE YARD SETBACK = 10 OR 12 FEET FROM BUILDING (HOME) TO SIDE PROPERTY LINES & 10 FEET FROM BUILDING (ACCESSORY) TO SIDE PROPERTY LINES.



LEGEND	
○	1 1/4 IN. O.D. X 18 IN. IRON PIPE WEIGHING 1.68 LBS./LIN. FT. SET #10X18" REBAR WEIGHING 4.303 LBS./LIN. FT. SET (UNLESS NOTED)
●	1-1/4 IN. O.D. IRON PIPE FOUND
(126.00')	RECORDED BEARING/LENGTH
126.00'	MEASURED BEARING/LENGTH
⊥	WATER VALVE
⊥	GUY CABLE
⊥	POWER POLE
⊥	ELECTRIC METER
⊥	MANHOLE
⊥	SANITARY SEWER MANHOLE
⊥	UTILITY PEDESTAL
⊥	STORM INLET
⊥	MAILBOX
⊥	UTILITY VAULT
⊥	GAS VALVE
---	EDGE OF GRAVEL
---	EDGE OF ASPHALT
---	CURB AND GUTTER
---	UNDERGROUND FIBER OPTIC LINE
---	UNDERGROUND GAS LINE
---	UNDERGROUND TELEPHONE LINE
---	OVERHEAD UTILITIES
---	WATER MAIN
---	SANITARY SEWER
---	STORM WATER
---	MINOR CONTOUR
---	MAJOR CONTOUR
---	PROPERTY LINE
---	TREE LINE
---	BUILDING SETBACK LINE
---	SOIL BOUNDARY LINE
---	DOUBLE POST SIGN
---	SIGN
---	SEPTIC VENT

GENERAL NOTES:

- BEARINGS AND COORDINATES ARE BASED ON THE MARATHON COUNTY COORDINATE SYSTEM, NAD83 (2011) DATUM, AND ARE REFERENCED TO THE EAST LINE OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 28 NORTH, RANGE 7 EAST, MEASURED TO BEAR NORTH 00°11'51" WEST.
- ELEVATIONS ARE REFERENCED TO THE NAVD 88 DATUM AND ESTABLISHED BY USING THE WISCONSIN NETWORK. TWO BENCHMARKS ARE SHOWN ON THE MAP.
- THERE DOES NOT APPEAR TO BE ANY STRUCTURES ON THE SUBJECT PROPERTY AT THE TIME OF SURVEY.
- BUILDING SETBACKS ARE AS FOLLOWS:
FRONT/STREET SETBACK = 35 FEET
SIDE YARD SETBACK = 10 OR 12 FEET FROM BUILDING (HOME) TO SIDE PROPERTY LINES & 10 FEET FROM BUILDING (ACCESSORY) TO SIDE PROPERTY LINES
REAR YARD SETBACK = 25 FEET FROM BUILDING (HOME) TO REAR PROPERTY LINE & 10 FEET FROM BUILDING (ACCESSORY) TO SIDE PROPERTY LINES
HEIGHT = 35 FEET (HOME) & 18 FEET (ACCESSORY)
- PUBLIC UTILITIES - THE SOURCE INFORMATION FROM PLANS AND MARKINGS PROVIDED BY OTHERS WAS COMBINED WITH OBSERVED SURFACE EVIDENCE OF UTILITIES TO DEVELOP THE APPROXIMATED LOCATION OF THE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF ALL UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY OR RELIABLY DEPICTED. IN ADDITION, IN SOME JURISDICTIONS, 811 UTILITY LOCATE REQUESTS FROM SURVEYORS MAY BE IGNORED OR PARTIALLY RESPONDED TO WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED. THE CLIENT IS ADVISED THAT EXCAVATION AND/OR A PRIVATE UTILITY LOCATE REQUEST MAY BE NECESSARY.
- FIELD WORK WAS COMPLETED ON 11-11-2020.

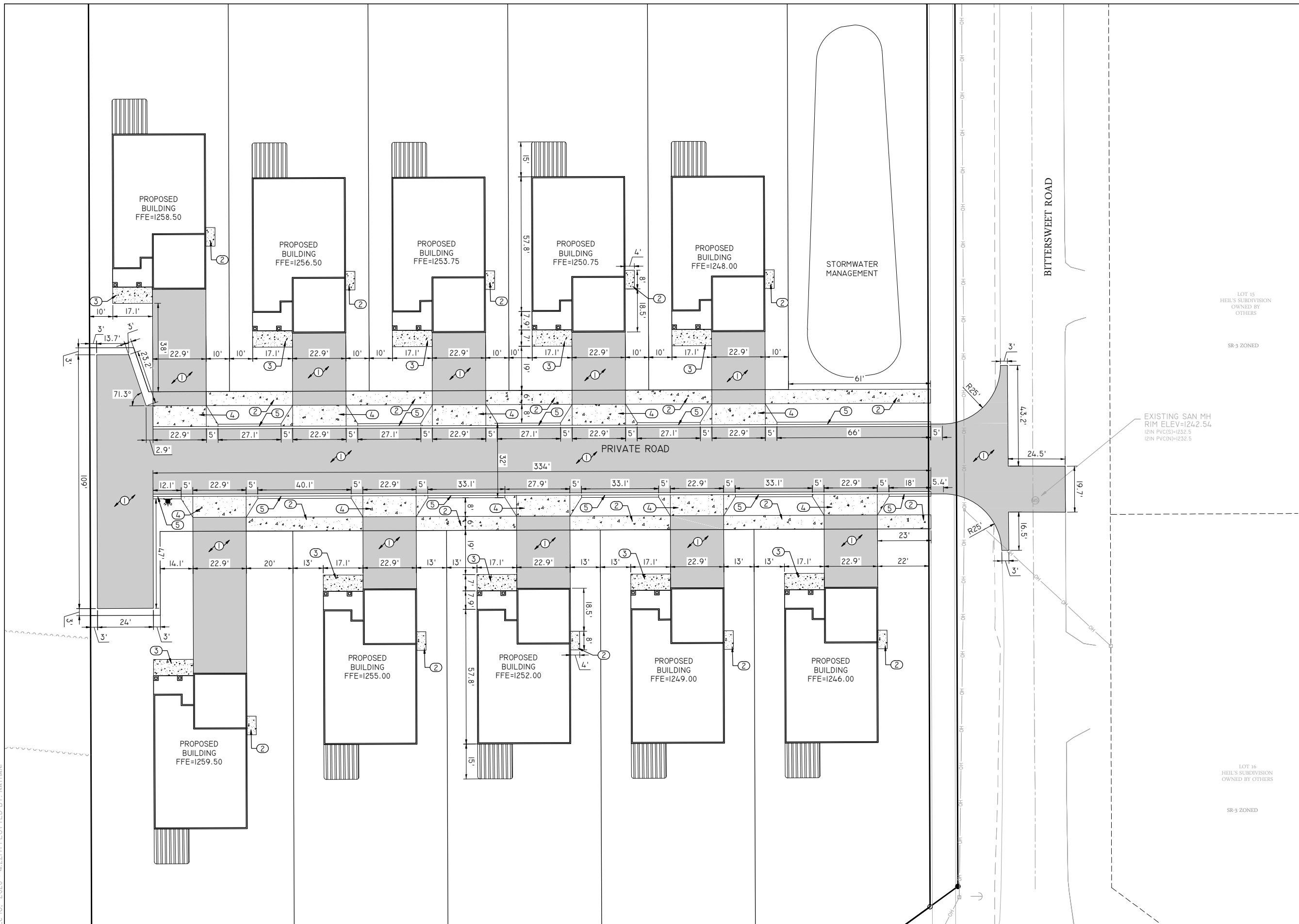


KEYED NOTES

1. ASPHALT PAVEMENT. SEE DETAIL A/C800.
2. 4" CONCRETE SIDEWALK. SEE DETAIL B/C800.
3. 6" CONCRETE APPROACH. SEE DETAIL C/C800.
4. 6" CONCRETE DRIVEWAY ENTRANCE. SEE DETAIL D/C800.
5. 24" MOUNTABLE CURB AND GUTTER. SEE DETAIL E/C800.

NOTES:

- (A) BUILDINGS AND PARKING SPACES ARE PARALLEL AND PERPENDICULAR TO PROPERTY LINE LABELED, XX°XX'XX", AS TAKEN FROM THE SURVEY.
- (B) ALL DIMENSIONS ARE TO THE BACK OF CURB OR FACE OF INTEGRAL CURB, UNLESS OTHERWISE NOTED.
- (C) PRIVATE & PUBLIC UTILITY COORDINATION INCLUDING GAS, ELECTRIC, AND TELECOMMUNICATIONS SHALL BE COORDINATED BY THE CONTRACTOR.



DRAWING FILE: P:\7000-7099\7071A HALL PROPERTY\DWG\Plans\7071A-C100-SITE-2020.DWG LAYOUT: C100
PLOTTED: Dec 16, 2020 - 4:22PM PLOTTED BY: NATHANP

REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784, FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM



**CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING**



DATE	REVISION	BY	CHK'D	DESIGNED BY: GSW	CHECKED BY: JJB
				SURVEYED BY: REI	APPROVED BY: JJB
				DRAWN BY: NAP	DATE: 12/15/20

SITE PLAN
ROYAL VISTAS
TOWN OF RIB MOUNTAIN
MARATHON COUNTY, WISCONSIN

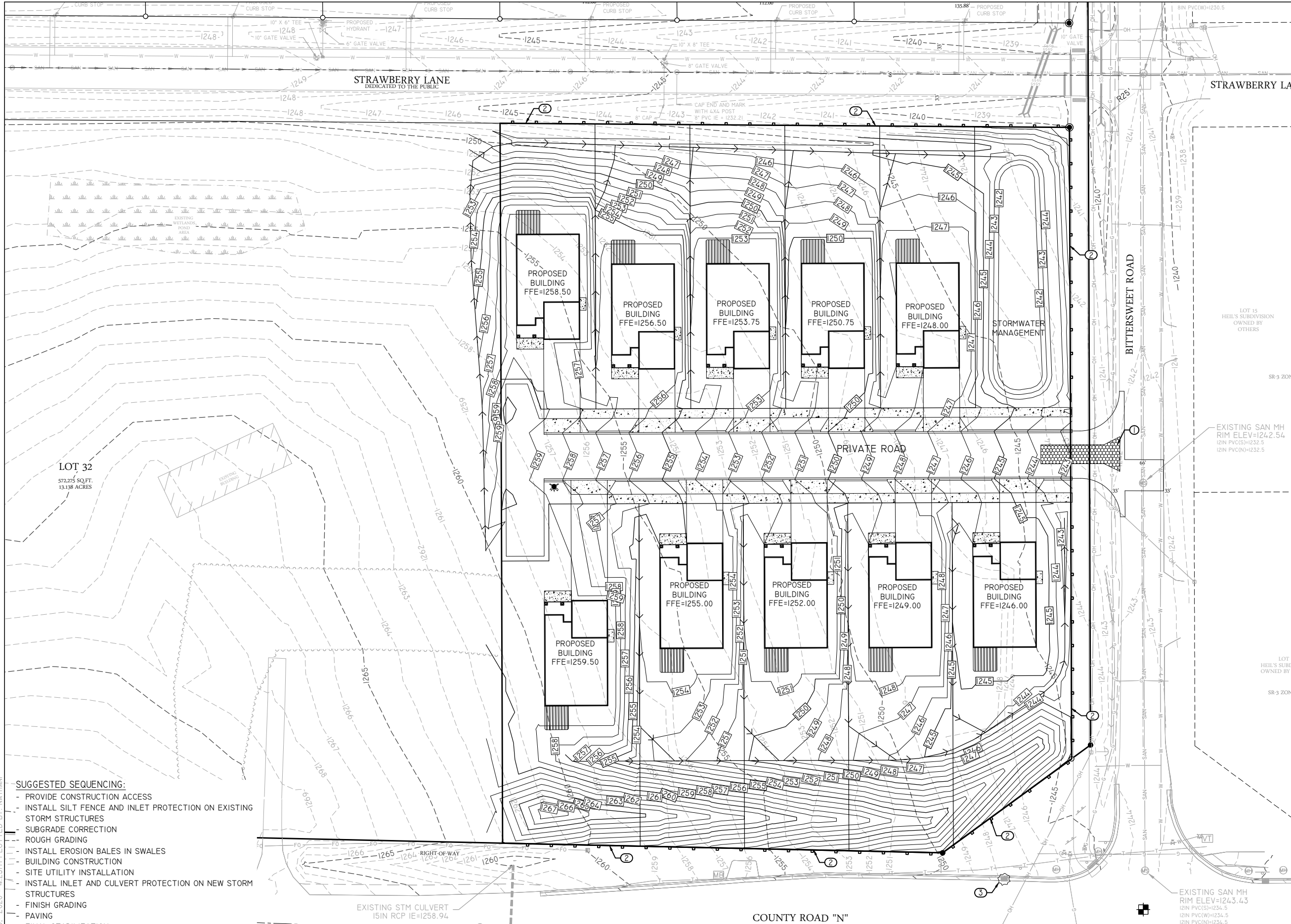
REI
REI No. 7071A
SHEET C100

KEYED NOTES

- TEMPORARY CONSTRUCTION ENTRANCE/EXIT. SEE DETAIL A/C810.
- INSTALL SILT FENCE. SEE DETAIL B/C810.
- PROVIDE INLET PROTECTION. SEE DETAIL C/C810.
- INSTALL LIGHT RIPRAP ON TYPE R GEOTEXTILE FABRIC. SEE DETAIL D/C810.
- CONSTRUCT VEGETATED DRAINAGE SWALE. SEE DETAIL F/C810.
- INSTALL DITCH CHECKS @ MAX. OF 200-FT INTERVALS OR EVERY 2-FT OF DROP. SEE DETAIL E/C810.
- INFILTRATION POND.
TOP = XXXX.XX
BOTTOM = XXXX.XX
5' WEIR = XXXX.XX
- WET DETENTION POND. USE AS SEDIMENT BASIN DURING CONSTRUCTION
TOP = XXXX.XX
BOTTOM = XXXX.XX
10'-WIDE WEIR = XXXX.XX
INSTALL TYPE A LINER FROM ELEVATION XXXX.XX-XXXX.XX PER SPECIFICATIONS OF APPENDIX D OF WDNR TECHNICAL STANDARD 1001. SEE DETAIL H/C810.

NOTES:

- CONTRACTOR IS RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
- CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND COORDINATING ALL PROPOSED UTILITY RUNS, INSTALLATIONS AND RELOCATIONS.
- CALL DIGGERS HOTLINE @ 811 OR 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.
- ADJUST ALL MANHOLES, INLETS, AND VALVE BOXES TO FINISH GRADE.
- INSTALL WISDOT CLASS I, TYPE B EROSION MAT ON ALL REVEGETATED SLOPES 4:1 OR GREATER AND WITHIN SWALE BOTTOMS.
- CONTRACTOR SHALL ABIDE BY THE WDNR CONSERVATION PRACTICE STANDARDS FOR INSTALLATION AND MAINTENANCE OF EROSION CONTROL.
- GRADING CONTRACTOR SHALL ENSURE POSITIVE DRAINAGE BETWEEN PROPOSED IMPROVEMENTS AND EXISTING CONTOURS.
- IN AREAS WHERE THE PARKING LOT DRAINS INTO ADJACENT GRASS AREAS, MAINTAIN ASPHALT 1" ABOVE GRASS.
- SPOT ELEVATIONS SHOWN ALONG CURBLINE DENOTE FLOWLINE UNLESS SPECIFIED. REFER TO LAYOUT PLAN FOR CURB TYPES.
- WETLAND DELINEATION COMPLETED BY STAR ENVIRONMENTAL ON XXXX.X, 20XX. NO WETLAND DISTURBANCE IS PERMITTED WITH THIS PROJECT.

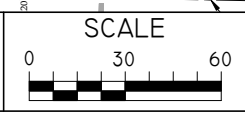


- SUGGESTED SEQUENCING:
- PROVIDE CONSTRUCTION ACCESS
 - INSTALL SILT FENCE AND INLET PROTECTION ON EXISTING STORM STRUCTURES
 - SUBGRADE CORRECTION
 - ROUGH GRADING
 - INSTALL EROSION BALES IN SWALES
 - BUILDING CONSTRUCTION
 - SITE UTILITY INSTALLATION
 - INSTALL INLET AND CULVERT PROTECTION ON NEW STORM STRUCTURES
 - FINISH GRADING
 - PAVING
 - FINAL STABILIZATION

REI Engineering, INC.
4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784, FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM



CIVIL & ENVIRONMENTAL ENGINEERING, SURVEYING



DATE	REVISION	BY	CHK'D	DESIGNED BY: GSW	CHECKED BY: JJB
				SURVEYED BY: REI	APPROVED BY: JJB
				DRAWN BY: NAP	DATE: 12/15/20

GRADING & EROSION CONTROL PLAN
ROYAL VISTAS
TOWN OF RIB MOUNTAIN
MARATHON COUNTY, WISCONSIN

REI
REI No. 7071A
SHEET C200

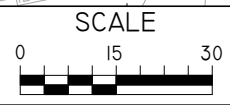
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REI Engineering, INC.
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 EMAIL: MAIL@REIENGINEERING.COM



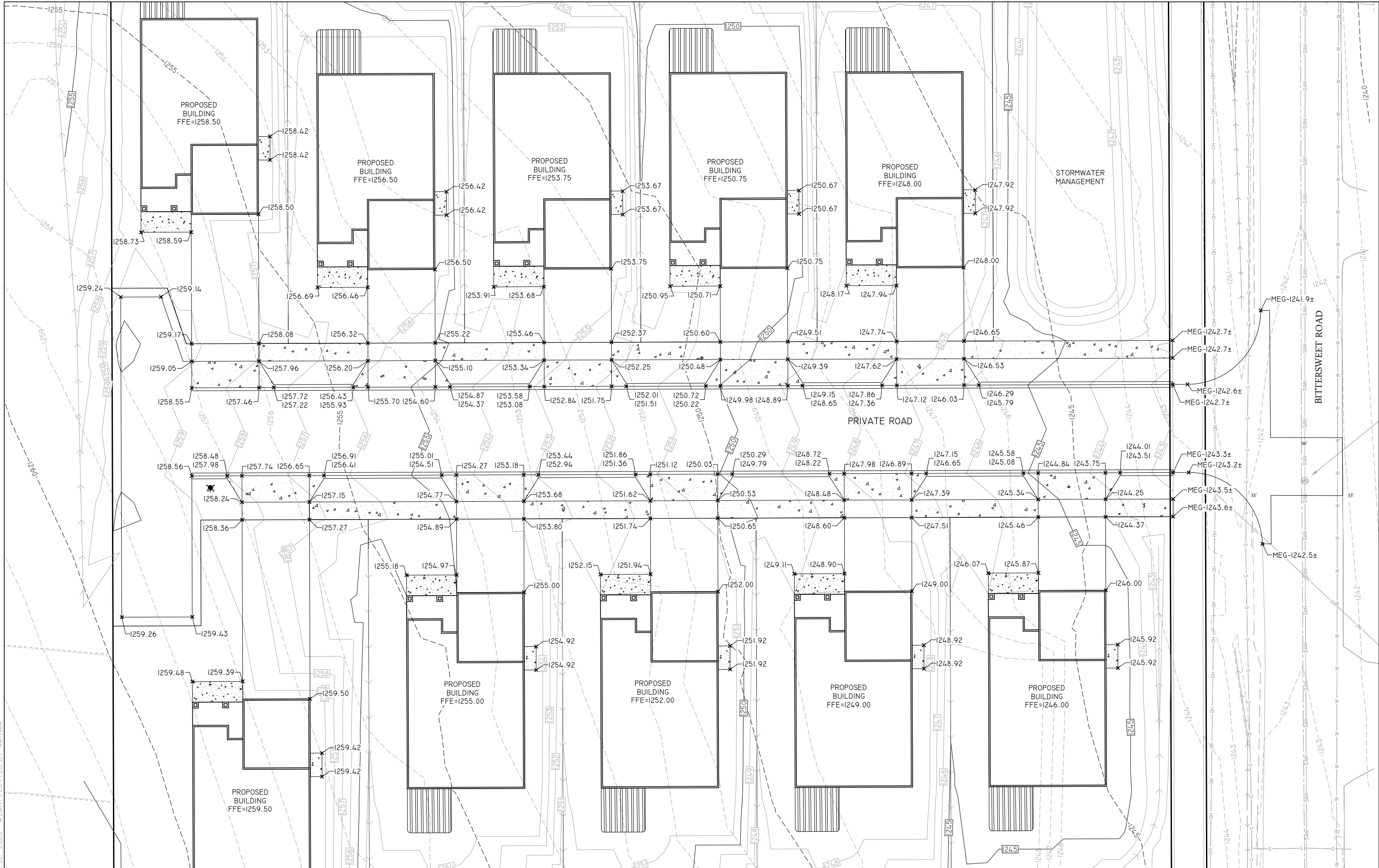
**CIVIL & ENVIRONMENTAL
 ENGINEERING, SURVEYING**



DATE	REVISION	BY	CHK'D	DESIGNED BY: GSW	CHECKED BY: JJB
				SURVEYED BY: REI	APPROVED BY: JJB
				DRAWN BY: NAP	DATE: 12/15/20

SPOT GRADING PLAN
 ROYAL VISTAS
 TOWN OF RIB MOUNTAIN
 MARATHON COUNTY, WISCONSIN

REI
 REI No. 7071A
 SHEET C201



8" CAP
8" PVC IE = 1232.21

KEYED NOTES

1. INSTALL STORM INLET & GRATE. SEE DETAIL A/C820.
2. INSTALL SANITARY MANHOLE. SEE DETAIL B/C820.
3. INSTALL INSULATION OVER WATER PIPE AT CROSSING. SEE DETAIL C/C820.
4. INSTALL CURB STOP.
5. INSTALL WATER SERVICE LATERAL WITH CURB STOP / SHUT-OFF. SEE DETAIL F/C820.
6. INSTALL WATER GATE VALVE. SEE DETAIL G/C820.
7. INSTALL SANITARY SERVICE LATERAL @ 1.00% MINIMUM. SEE DETAIL H/C820.
8. INSTALL POND OUTLET STRUCTURE.
9. INSTALL FIRE HYDRANT.
10. INSTALL 8" WATER MAIN.
11. INSTALL 8" SANITARY MAIN.

NOTES:

- (A) CONTRACTOR RESPONSIBLE FOR MAINTAINING A MIN. COVER OF 7.5' GRADE OVER PROPOSED WATER LINE.
- (B) CONTRACTOR IS RESPONSIBLE FOR LOCATING & VERIFYING ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION, AND IS RESPONSIBLE FOR ANY DAMAGE TO THEM DURING CONSTRUCTION.
- (C) CONTRACTOR IS RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES AND COORDINATING ALL PROPOSED UTILITY RUNS, INSTALLATIONS AND RELOCATIONS.
- (D) CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE REQUIRED HORIZONTAL AND VERTICAL PIPE SEPARATION BETWEEN SEWER AND WATER PIPES. SEE DETAIL D/C820. VERTICAL CLEARANCES ARE MEASURED FROM OUTSIDE PIPE DIAMETER, HORIZONTAL CLEARANCES ARE MEASURED FROM PIPE CENTER.
- (E) SEE DETAIL K/C820 FOR PIPE BEDDING.
- (F) CALL DIGGERS HOTLINE @ 811 OR 1-800-242-8511 AT LEAST 3 WORKING DAYS PRIOR TO EXCAVATING.
- (G) CONTRACTOR IS RESPONSIBLE FOR PROVIDING A MEANS TO LOCATE NON-METALLIC WATER AND SEWER (SANITARY AND STORM) PER SPS 382.
- (H) PRIOR TO INSTALLATION OF SANITARY AND WATER SERVICES, CONFIRM SIZE AND LOCATION WITH GENERAL CONTRACTOR.
- (I) THE CONTRACTOR RESPONSIBLE FOR THE INSTALLATION OF SITE UTILITIES SHALL PROVIDE A TEMPORARY CAP OR PLUG AT BUILDING TERMINATION. REFER TO PLUMBING PLANS FOR CONTINUATION OF WORK INSIDE THE BUILDING.
- (J) PIPE LENGTHS PROVIDED ARE GIVEN TO CENTER OF STRUCTURE OR END OF END STRUCTURE.

LOT 15
HEIL'S SUBDIVISION
OWNED BY
OTHERS

SR-3 ZONED

EXISTING SAN MH
RIM ELEV=1242.54
12" IN PVC(S)=1232.5
12" IN PVC(N)=1232.5

LOT 16
HEIL'S SUBDIVISION
OWNED BY
OTHERS

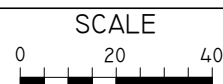
SR-3 ZONED

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4080 N. 20TH AVENUE
WAUSAU, WISCONSIN 54401
PHONE: 715.675.9784, FAX: 715.675.4060
EMAIL: MAIL@REIENGINEERING.COM



**CIVIL & ENVIRONMENTAL
ENGINEERING, SURVEYING**



DATE	REVISION	BY	CHK'D

DESIGNED BY: GSW CHECKED BY: JJB
SURVEYED BY: REI APPROVED BY: JJB
DRAWN BY: NAP DATE: 12/15/20

UTILITY PLAN
ROYAL VISTAS
TOWN OF RIB MOUNTAIN
MARATHON COUNTY, WISCONSIN

REI
REI No. 7071A
SHEET C300



MEMORANDUM

DATE: December 23, 2020

TO: Environmental Resource Committee (ERC)

FROM: Dominique Swangstu, Marathon County Zoning Administrator

SUBJECT: 2021 TEXT AMENDMENTS TO THE MARATHON COUNTY GENERAL CODE OF ORDINANCES – CHAPTER 17 AND CHAPTER 22

As many of you are aware, each year Marathon County Conservation, Planning and Zoning (CPZ) reviews Chapter 17 of the General Code of Ordinances – Zoning Code to propose any text amendments that have been noted throughout the past year. Additionally, CPZ reviews other ordinances and in 2021 will be making basic changes to Chapter 22 (Shoreland, Shoreland-Wetland, and Floodplain Code) to keep the ordinance up to date, make grammatical changes, as well as provide clarity. The Marathon County Environmental Resources Committee (ERC) will be reviewing and discussing these proposed changes and forwarding to County Board for action. In addition to ERC's review, CPZ is seeking input from Towns and citizens as well. This memo will outline the opportunities to provide input to these proposed ordinance change, a similar memo has been sent to the County Zoned Towns.

At the January 5th, 2021 ERC meeting the proposed text amendments to Chapter 17 and updates to Chapter 22 of the Marathon County General Code of Ordinances will be reviewed and CPZ staff will document any comments/questions about the proposed amendments from the committee. As always, input can be provided during the Public Comment portion of the meeting.

In addition, CPZ will be hosting an Open House on January 14th, 2021 from 10:00am to 5:00pm for additional input on the proposed revisions. If you do not feel comfortable coming to the office in person, feel free to give our office a call or send us an email to ask questions or provide your comments/recommendations. This will enable staff to modify the draft code language in preparation for the public hearing to be held during the ERC meeting on February 2nd, 2021 and possible County Board action on February 25th, 2021.

- Digital copies of the *Summary of Revisions* (for Chapter 17 and 22) can be found within the January 5th, 2021 Environmental Resources Committee (ERC) packet.
- Draft ordinances will be posted on the Conservation, Planning, and Zoning website when completed. (Tentative Date: January 11th, 2021)

CPZ's goal is to have the ERC recommend approval based on CPZ staff recommendations and town input at their February 2th, 2021 meeting and forward to the Marathon County Board of Supervisors for action at their meeting on February 25th, 2021 meeting. This will allow changes to be reflected in preparation for the upcoming building season and prior to county elections.

As always, CPZ would like to answer any questions or concerns prior to the public hearing. If you have any questions or concerns regarding these text amendments, please call me at 715-261-6000 or send us an email at CPZ@co.marathon.wi.us.

Amendment #	Title	Section (in proposed code)	Policy Discussion and Possible Change - P	Proposed Change	Reason for Change
1	Chapter 17	Chapter 17 (Whole Document)		Spelling, Formatting, and/or Grammatical Corrections	Spelling, Formatting, Consistency, and/or Grammatical Corrections
2	Chapter 17.202	17.202.02 (Table 2) Schedule of Regulations & 17.202.03(C) Footnotes to the Schedule of Regulations		Remove the Maximum Density (Units/Acre) standards and requirements associated with Maximum Density Based on Net Developable Area.	Current standard is partially inconstant with the sections intent and in some instances the requirements conflict with other standards within the ordinance.
3	Chapter 17.202	17.202.02 (Table 2) Schedule of Regulations & 17.202.03(C) Footnotes to the Schedule of Regulations		Create a new method of calculating max lot coverage percentages for each of the residential zoning districts. Similar standards currently in Table 6 will be removed to ensure consistency and clarify. Increased % associated with the maximum lot coverage allowed within a residentially zoned parcel.	Address the confusion related to when the (existing standard) maximum lot coverage within the buildable area applies. This change will ensure the maximum lot coverage applies to both principal structures and accessory structures and is calculated using the total area of a parcel rather than just the lot coverage within the buildable area.
4	Chapter 17.202	17.202.03 Footnotes to the Schedule of Regulations		Clarify when the county would allow a parcel to be developed or to be created when it doesn't meet the minimum frontage standards of Chapter 17.202.	Provide flexibility regarding existing and proposed parcels that do not have sufficient access/frontage, all while ensuring future developments and land divisions meet all the applicable standards.
5	Chapter 17.202	17.202.05 Substandard Lots		Include language that provides flexibility for pre-existing parcels that do not meet the current frontage or access requirements of Chapter 17, while taking into consideration different site characteristics, feasible alternatives, road right-of-way width, as well as other factors.	Provide flexibility regarding existing sub-standard parcels that currently do not meet the minimum frontage requirements of Chapter 17.202
6	Chapter 17.202	17.202.08 Principle Building		Provide clarification regarding principle building designations within the commercial, industrial and agriculturally zoned parcels.	Clarification regarding only allowing one residential principle structure on a parcel as well as address commercially, industrial, and agriculturally zoned districts where a residents wouldn't be the principle use.
7	Chapter 17.203	Section 17.203.05 Table of Permitted Uses (Table 3)		Insert links to the Metallic Mining standards for the different Metallic Mining activities/uses already within the ordinance.	Provide a link directly to the standards associated with the Metallic Mining Uses.
8	Chapter 17.203	Section 17.203.05 Table of Permitted Uses (Table 3)		Insert specific use related language associated with Accessory Buildings that are proposed to exceed the dimensional limitations of Table 6 as well as those private accessory buildings proposed on residential lots prior to a principle building.	More clarification regarding the specific use and when a Conditional Use Permit can be applied for.
9	Chapter 17.204	Section 17.204.23 Farm Consolidation		Insert language within the ordinance that provides clarity regarding what standards and regulations apply to the newly created parcel through the farm consolidation process. If a parcel meets the standards for a farm consolidation the parcels dimensions as well as any uses onsite need to meet all the applicable regulations within the Rural Residential Zoning District.	Clarity regarding the administration and interpretation of the zoning ordinance.
10	Chapter 17.204	Section 17.204.42 Public or Self Storage		Update use standards in regard to storage building circulation, to include the need to get emergency services approval on the site plan to ensure the facility is designed to allow for adequate emergency vehicle access. Update use standard related to buffering when adjacent to residential zoning districts, proposed change will reference the Screening and Buffering standards of Title 6 to provide more flexibility regarding what type of screening the department would require in certain instances.	The change to the circulation requirement will not change the administration of the ordinance but gives the department authority to deny a proposed storage facility development if emergency services are unable to safely access the buildings in the case of a emergency. The change to the buffering standards will ensure there is more consistency within the ordinance and more options to meet the purpose and intent of having a buffer along residentially zoned parcels
11	Chapter 17.204	Section 17.204.59 Recreational Vehicles (Private)		Include more standards associated with private recreational vehicle storage and use.	Current language is unclear when a recreational vehicle was in use or being stored. New language provides uniform standards for more consistent administration and interpretation of the ordinance.
12	Chapter 17.204	Section 17.204.65 Special Event, Transient Amusements, and Temporary/Intermittent Events	P	Insert more standards and requirements for Special Event, Transient Amusements, and Temporary/Intermittent Events to provide more consumer protection and to minimize the potential conflict with adjacent properties and land uses. Discuss a change to the number of events allowed in a year and/or the duration of the events permitted through.	Provide more standards and requirements for special events to better protect the health, safety, and welfare of the residents of Marathon County. Possibly change the maximum number of events allowed per year as well as discuss the duration of such events.

13	Chapter 17.204	Section 17.204.62 Concrete and/or Blacktop Mix Plant, Processing, Stockpiling, and Recycling of Road Building Materials		Revision will address and allow for both temporary and permanent Concrete and/or Blacktop Mix Plant, Processing, Stockpiling, and Recycling of Road Building Materials.	To allow for a resident/applicant to apply for a permanent facility.
14	Chapter 17.301	Section 17.301.05 Permitted Temporary Uses	P Requires DATCP Approval	Include same standards proposed for the Special Event, Transient Amusements, and Temporary/Intermittent Events in Section 17.204.65. All proposed changes to this section require DATCP approval. Discuss a change to the number of events allowed in a year and/or the duration of the events permitted.	Provide more standards and requirements for special events to better protect the health, safety, and welfare of the residents of Marathon County. Possibly change the maximum number of events allowed per year as well as discuss the duration of such events.
15	Chapter 17.301	Section 17.301.06		Remove outlot section	Ensure consistency in administration of the ordinance.
16	Chapter 17.301	Chapter 17.301.11 Minimum Lot Size		Create a new section "17.301.11 Minimum Lot/Parcel Size" to clarify the minimum lot size standard of the Farmland Preservation zoning district and the creation of new parcels/lots. All proposed changes to this section require DATCP approval.	Address the issues and confusion regarding the minimum lot size standard for the farmland preservation zoning district.
17	Chapter 17.305	Section 17.305.04		Remove the prosecution section of the airport protection height given it is duplicative with the ordinance prosecution section.	Remove the prosecution section of the airport protection height given it is duplicative with the ordinance prosecution section.
18	Chapter 17.401	Section 17.401.01(C) General Standards Applicable to all accessory structures		Relocate standards associated with temporary buildings to the accessory structures section from section 17.402.04	Consistency
19	Chapter 17.401	Section 17.401.02 Accessory Buildings		Remove "Accessory Structure allowed prior to principle structure" row, standard addressed in Table 2. Update table #6 to remove the maximum lot coverage standard, the new lot coverage standard is shown in Table #2 addressed above.	Provide consistency and clarify regarding lot coverage maximums for a given zoning district as well as remove repetitive language.
20	Chapter 17.401	Section 17.401.04 Swimming Pools		Create language that allows for pools to be located closer than 15 feet to the principle building (setback for accessory structures to the principle building)	This is a common sense change to allow for pools to be located close proximity of the home. There should be no change in administration of the standards just further codification of the requirements. Additionally there is language within this proposed section that only allows the pool to be closer than 15 feet to the home if there is adequate unobstructed access to the rear yard, so there is no effect on the accessibility of emergency vehicles in the event of a fire or other emergency.
21	Chapter 17.402	Section 17.402.03 Sidewalks		Remove standard to require sidewalks along U-R zoned parcel, not practicable in a rural ordinance.	Remove the requirement for all U-R developments to construct a sidewalk along the parcel boundaries. This current standard is not feasible or beneficial in the majority of the county given its rural character
22	Chapter 17.404	Chapter 17.404.01 Mobile Tower Siting		Incorporate standards associated when a mobile tower can be permitted within the Farmland Preservation zoning district to be consistent with Chapter 17.301 and Wis. Stat. Chapter 91.	Provide more protection of our farmland within the zoning district. change will require proposed towers to take the intent of the zoning district into consideration when planning the site as well as during construction
23	Chapter 17.407	Section 17.407.02 Prohibited Uses		Simplification of standards to be more concise and clear	Provide clarity and concise language
24	Chapter 17.801	Section 17.801.06 Schedule of Fees	P	In regard to after the fact permit fees, the proposed change will allow the zoning administrator to make discretionary decisions on when a permit fee shall be double if a project has started prior to the issuance of a zoning permit.	the proposed change will provide better customer service and create flexibility in certain situations. The proposed change would give the department the expressed ability to make these determinations on if the AFT fee would apply or not on a case by case basis.
25	Chapter 17.802	Section 17.802.2 Application Requirements		Incorporate more detailed language and standards regarding what is required to be shown on a site plan and what needs to be submitted with a zoning permit application.	Ensure applications submitted have all the required information staff need to ensure the project or development will meet all applicable setbacks and regulations.
26	Chapter 17.802	Section 17.802.04 Expiration of Zoning Permits	P	Provide a form of relieve as it relates to a unforeseen event, or situation that has had an effect on entire town or county such as a pandemic, epidemic, or natural disaster. The proposed change gives the zoning administrator the discretionary ability to extend the deadline for commencement or completion of a zoning permit while taking a factors into consideration such as permit issuance date, the effect the event/situation has had on the availability of building supplies or labor, as well as any county or statewide order (by executive/legislative order or other superseding authority)	Provide flexibility when an event/situation effects a large area and the ability of residents to either start or complete a project associated with a zoning permit. (Ex/ COVID-19 affected the availability of building materials, building cost, as well as available labor)
27	Chapter 17.803	Section 17.803.02(M)(3) Application Procedures		Reincorporate language that was deleted in 2020 "Nonmetallic mining activities will be considered to be continuous if the nonmetallic mining reclamation permit is maintained as specified in General Code of Ordinances for Marathon County Chapter 21 Nonmetallic	Correct error in the ordinance.
28	Chapter 17.805	Section 17.805.11(G) Non-conforming uses		Removal of the Non-Conforming as to Parking section	Section is repetitive of Title 6
29	Chapter 17.805	Section 17.805.12 Non-conforming Structures	P	Replace existing language related to the relocation of non-conforming structures to allow for an existing non-conforming structure to be relocated in a manner that does not increase the level of non-conformity.	Common sense approach to relocation of a non-conforming structure if it reduces the effect the structure would have on adjacent lands of which it is currently non-conforming to.
30	Chapter 17.902	Chapter 17.902 General Definitions		Insert the DATCP definition for "Farm Residents"	More consistency and clarification regarding G-A and F-P farm consolidations and the establishment of farm residences.
31	Chapter 17.902	Chapter 17.902 General Definitions		Create new definition for rear lot line when the parcel is triangular or irregular lots.	More common sense definition for "rear lot line", which provides more clarity.
32	Chapter 17.902	Chapter 17.902 General Definitions		Create a definition for "Recreational Vehicles (Private)"	Definition will provide clarity when regulating these private recreational vehicle uses.
33	Chapter 17.902	Chapter 17.902 General Definitions		Insert a definition for "substantial evidence"	Clarity when applicants are looking to determine if information can be considered substantial evidence.

Amendment #	Title	Section (in proposed code)	Proposed Change	Reason for Change	Effect on Town
1	Chapter 22	Whole Ordinance	Grammatical Errors, formatting, corrections (Including a correction to the penalty requirements within the Enforcement and Penalties section)	Consistency and clarity	none
2	Title 2	Section 22.205.02 <i>Establishment of a Vegetation Buffer when mitigation is required</i>	Provide clarification in the language when reviewing and determining the allowable establishment of a vegetative buffer, when mitigation is required.	Clarity and consistency	More clarity for residents regarding mitigation requirements
3	Title 2	Section 22.205.03 <i>Permitted Maintenance Vegetation Buffer Zone</i>	Insert Language associated with what is permitted within the vegetative buffer and viewing and access buffer.	Insert language to support the purpose and intent of the ordinance	More clarity for residents with what is allowed within the vegetative buffer.
4	Title 3	Section 22.301.05 <i>(Floodplain) Official Maps</i>	Update Flood study/data information in the Official Maps section, including the removal of outdated Flood studies/data and insertion of updated and new flood data and information. Change is necessary to bring/keep the floodplain ordinance up to date,	Update list of applicable flood studies, Dam Failure Analysis, etc.	none
5	Chapter 22.501	Section 22.501.01 <i>Shoreland Definitions</i>	Update the definition for structure and insert a definition for vegetation/vegetated.	Clarity and consistency	none
6	Chapter 22.502	Section 22.502.01 <i>Floodplain Definitions</i>	Update the definitions for Basement, Person, Private Onsite Waste Treatment Systems (POWTS)	Clarity and consistency	none