



MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

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

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

Committee Members: Jacob Langenhahn - Chair ; Sara Guild, -Vice-chair; Rick Seefeldt, Allen Drabek, Bill Conway, 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.

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!**

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

1. Call meeting to order

2. Public Comment (15 minute limit) *(Any person who wishes to address the County Board, or one of its committees, during the "Public Comment" portion of meetings, must provide his or her name, address, and the topic he or she wishes to present to the Marathon County Clerk, or chair of the committee, no later than five minutes before the start of the meeting.)*

3. Approval of August 31, 2021 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. Tim Vreeland on behalf of Chad & Jenny Stieber – G-A General Agriculture to R-E Rural Estate – Town of Rib Falls
2. Naef Farms INC (Herbert & Sheri Naef) – G-A General Agriculture to L-D-R Low Density Residential and L-D-R Low Density Residential to G-A General Agriculture – Town of Hewitt
3. Loren Weiland – G-A General Agriculture to R-E Rural Estate – Town of Frankfort
4. Tim Vreeland on behalf of Allen Drabek – R-R Rural Residential to L-D-R Low Density Residential – Town of Frankfort

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 - PIN# 078.2907.021.0977

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

D. Review and Possible Action

1. Update to resolution enabling CPZ to apply for Soil and Water Resource Management Grants

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion


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

1. Update on Fenwood Creek funding request

**MARATHON COUNTY
ENVIRONMENTAL RESOURCES COMMITTEE
AGENDA**

- 2. Progress on River and Lake Projects-aquatic invasive plants, restorations and future goals (Jared Mader and Chris Hamerla)
 - 6. Policy Issues Discussion and Committee Determination to the County Board for its Consideration**
 - 7. Next meeting November 2, 2021 3:00 pm Assembly Room 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: September 28, 2021
Time: 12:30 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, October 5, 2021 at 3:00 p.m., Marathon County Courthouse Assembly Room B-105 500 Forest Street Wausau 54403, at which time the Committee will consider the following:

1. The petition of Tim Vreeland on behalf of Chad & Jenny Stieber to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW ¼ of the SW ¼ Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned is described as Lot #1 (5.344 acres) on the preliminary Certified Survey Map (CSM) submitted with the rezone petition; parent parcel PIN# 066.2905.363.0996.
2. The petition of Naef Farms INC (Herbert and Sheri Naef) to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-D-R Low Density Residential and L-D-R Low Density Residential to G-A General Agriculture described as part of Govt. Lot 3; Section 06, Township 30 North, Range 09 East, Town of Hewitt. The area proposed to be rezoned to L-D-R is described as part of Lot #1 (1.583 acres total) and the area proposed to be rezoned to G-A is described as Outlot 1 (0.414) on the preliminary Certified Survey Map (CSM) submitted with the rezone petition; areas proposed to be rezone have parent parcel PIN#'s 040.3009.065.0995 and 040.3009.065.0997; Address 166937 County Line Road, Merrill WI 54452.
3. The petition of Loren Weiland to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW ¼ of the SE ¼ of Section 18, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as all of the existing Lot #1 (10.10 acres) on the Certified Survey Map (CSM) Vol. 84 Pg. 31, Parcel PIN# 026.2803.184.0989; Address 110156 County Road N, Colby WI 54421.
4. The petition of Tim Vreeland on behalf of Allen and Diane Drabek to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to L-D-R Low Density Residential described as part of the NW ¼ of the NE ¼ of Section 11, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot# 1 on the preliminary Certified Survey Map (CSM) submitted with the rezone petition. Parent parcel is identified Parcel PIN# 026.2803.111.0997; Address 116455 and 116453 Chesak Road, Edgar WI 54426.

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

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

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

Phone Number: 1-408-418-9388

Access Code/ Meeting Number: 146 270 5670

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Jacob Langenhahn



Jacob Langenhahn, Chairman
Environmental Resources Committee



Laurie Miskimins Director
Conservation, Planning, and Zoning Department

Publish: September 20th and 27th, 2021

E-mailed to: Wausau Daily Herald (WDH-Legals@wdhmedia.com) on September 15, 2021 at 8:15a.m.



**Marathon County
Environmental Resources Committee Minutes
Tuesday, August 31, 2021
500 Forest Street, Wausau WI**

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

Also present via Webex, phone or in person: Paul Daigle, Laurie Miskimins, Dominique Swangstu, Dave Decker, Andrew Lynch and Cindy Kraeger – Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Carl Schilling, Patricia Schilling, Anna Judd, Daniel Judd, Dustin Vreeland and Jean Maszk

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. via WEBEX.
2. **Public Comment** – None.
3. **Approval of August 3, 2021 Committee minutes**

Motion / second by Drabek / Schlei to approve of the August 3, 2021 Environmental Resources Committee minutes as distributed. It was noted a clerical error in the call to order which will be corrected.

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. Tim Vreeland on behalf of Carl Schilling – G-A General Agriculture to R-E Rural Estate– Town of Knowlton

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 19.22 acres shown as Lot #1 and Lot #2 on the preliminary Certified Survey Map (CSM) that was submitted with the petition. Swangstu stated areas of the rezone has some DNR mapped wetlands and shoreland overlay areas and there appears to be a small stream located on the western portion of the existing parcel. The navigability of the stream is currently unknown. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

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

Carl Schilling was sworn in and stated the rezone is to split the lot to his son.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:15 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

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

August 31, 2021

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

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

2. Daniel & Anna Judd – U-R Urban Residential to L-D-R Low Density Residential – Town of Knowlton

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 2.4630 acres shown as Lot #4 on an existing survey. The areas proposed to be rezoned has some DNR mapped wetlands and FEMA mapped floodplain areas, additionally the entire parcel is located within the shoreland overlay from Lake DuBay. The property owners did obtain a Letter of Map Amendment (LOMA) which removed additional lands for the regulatory floodplain (near the home). Guild questioned why some parcels are zoned Rural Residential and some are Low Density Residential in the surrounding area. Swangstu stated the vast majority of the parcels in the area are under 1 acre and were existing lots that were developed years ago. Yet, the parcel in questions was zoned LDR initially due to the adjacent parcels and development pattern even though the parcel is large enough to be zoned RR (2 acre minimum). The rezone is question would change the zoning classification from one residential zoning district to another.

Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town of Knowlton has reviewed the application and recommends approval without any concerns.

Anna Judd was sworn in and stated the reason for the rezone would be to raise chickens onsite, she also noted several other neighboring properties across Dubay Drive have chickens.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:25 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

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

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

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

3. Tim Vreeland on behalf of George Harvanek – G-A General Agriculture to R-E Rural Estate and R-E Rural Estate to R-R Rural Residential– Town of Guenther

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the proposed rezone of part of Lot #1 7.472 acres of the preliminary CSM that was submitted with the petition to R-E Rural Estate and all of Lot #2 3.152 acres to R-R Rural Residential. Swangstu additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

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

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:32 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Guild / Drabek to recommend approval to County Board, of the Tim Vreeland on behalf of George Harvanek rezone request. Noting the reasoning provided in the staff

Environmental Resources Committee Minutes

August 31, 2021

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

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

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

- B. Review and Possible Recommendation to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.) – None.
- C. Review and Possible Recommendations to County Board for its Consideration – None.
- D. Review and Possible Action

- 1. The Brickyards Final County Plat – Town of McMillan

Discussion: Decker reviewed the Brickyards Final Plat with the Committee. The preliminary plat was reviewed by the Committee previously and no substantial change from the preliminary plat to the final plat has occurred.

Action: **Motion** / second by Schlei / Conway to approve the Brickyards Final Plat. Motion **carried** by voice vote, no dissent.

Follow through: Committee Chair will sign the Final Plat.

- 2. Provide a memo from ERC in support of funding the Fenwood Creek Watershed through ARPA funds

Discussion: Langenhahn discussed the memo that was included in the meeting packet regarding the funding request for the Fenwood Creek Pilot Watershed Project with ARPA funds.

Action: **Motion** / second by Guild / Seefeldt to forward the memo from ERC in support of funding the Fenwood Creek Watershed through ARPA funds to Human Resources, Finance and Property Committee for their consideration Motion **carried** by voice vote, no dissent.

Follow through: Forward to Human Resources, Finance and Property Committee for action at their next regularly scheduled meeting.

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

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

CPZ

- 1. Update of Fenwood Creek funding request

Discussion: Daigle thanked the Committee for support of the ERC memo for funding the Fenwood Creek Watershed through ARPA funds. Daigle stated that he is working on seeking funding from other agencies. Daigle commented on a \$50,000 grant received for farmers that are interested in trying new superior conservation practices on their land.

- 2. Observations from Fenwood farms during a recent storm

Discussion: Daigle shared a video on water quality in the Fenwood Creek Watershed area related to the different types of soil health practices being implemented and the differences in water quality.

- 3. Update to Animal Waste and Nutrient Management Ordinance

Discussion: Daigle discussed updating the ordinance to include the specific performance standards; tolerable soils, phosphorus index, process wastewater and tillage setbacks. These changes are being suggested by the State.

- 4. UW Discovery Farms Edge of Field monitoring sites coming to Marathon County

Discussion: Daigle discussed the installation of 2 agriculture edge of field monitoring stations in Marathon County which will be in operation October 1st.

- 5. Progress on Conservation related UniverCity projects

Environmental Resources Committee Minutes

August 31, 2021

Discussion: Daigle discussed the various projects UW students are working on within CPZ.

6. Future education series

Discussion: Daigle discussed educating the Committee on ongoing conservation practices or efforts in the county as time would allow on future ERC agendas. Committee members were supportive of future educational presentations when the agenda could accommodate a 10-15 minute presentation.

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

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

Tuesday, October 5, 2021 3:00 p.m. Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI

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

B. Announcements/Requests/Correspondence

- Randy Fifrick was thanked for his years of service on the Committee
- Professional Dairy Producers Wisconsin Tour Sept 21, 2021 Miltrim Farms
- Swangstu stated CPZ received a petition from town zoned town regarding a possible zoning ordinance text amendment that will be brought before the committee in the coming months.

8. **Adjourn** – **Motion** / second by Drabek / Seefeldt to **adjourn** at 4:15 p.m. Motion **carried** by voice vote, no dissent.

Laurie Miskimins, CPZ Director

For Jacob Langenhahn, Chair

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

LM/cek



PETITION FOR ZONE CHANGE
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS



Chad

DS
02/11/21

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):
 7 Xreeland Associate Tin Xreeland + Lorion Stieber
6103 Dawn St. Weston 22883

7 hereby petition to rezone property owned by (Name & Address): See attached Marble Falls Rd
Marathon

from the classification G-7, General Ag to RE, Rural Estate

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

7 Parcel Identification Number (PIN): 066-2905-363-0996

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
No change in use. Adding lands to
existing parcel

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 served by general public facilities.

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

C. What have you done to determine that the land is suitable for the development proposed?
No 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.
Adverse effects are not expected.

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

RECEIVED

(OVER)

APR 19 2021

DS
07/28/21

- F. Demonstrate the need of the proposed development at this location. No development
- G. What is the availability of alternative locations? Be specific. No Alternative
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved?
No Croplands.
- 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. X

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 715-297-1302 Date 4-9-2021

8. Owner's Signature [Signature] Phone 715-297-6810 Date 4-9-2021

(If different)

PETITIONER
OWNER
OWNER

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. _____

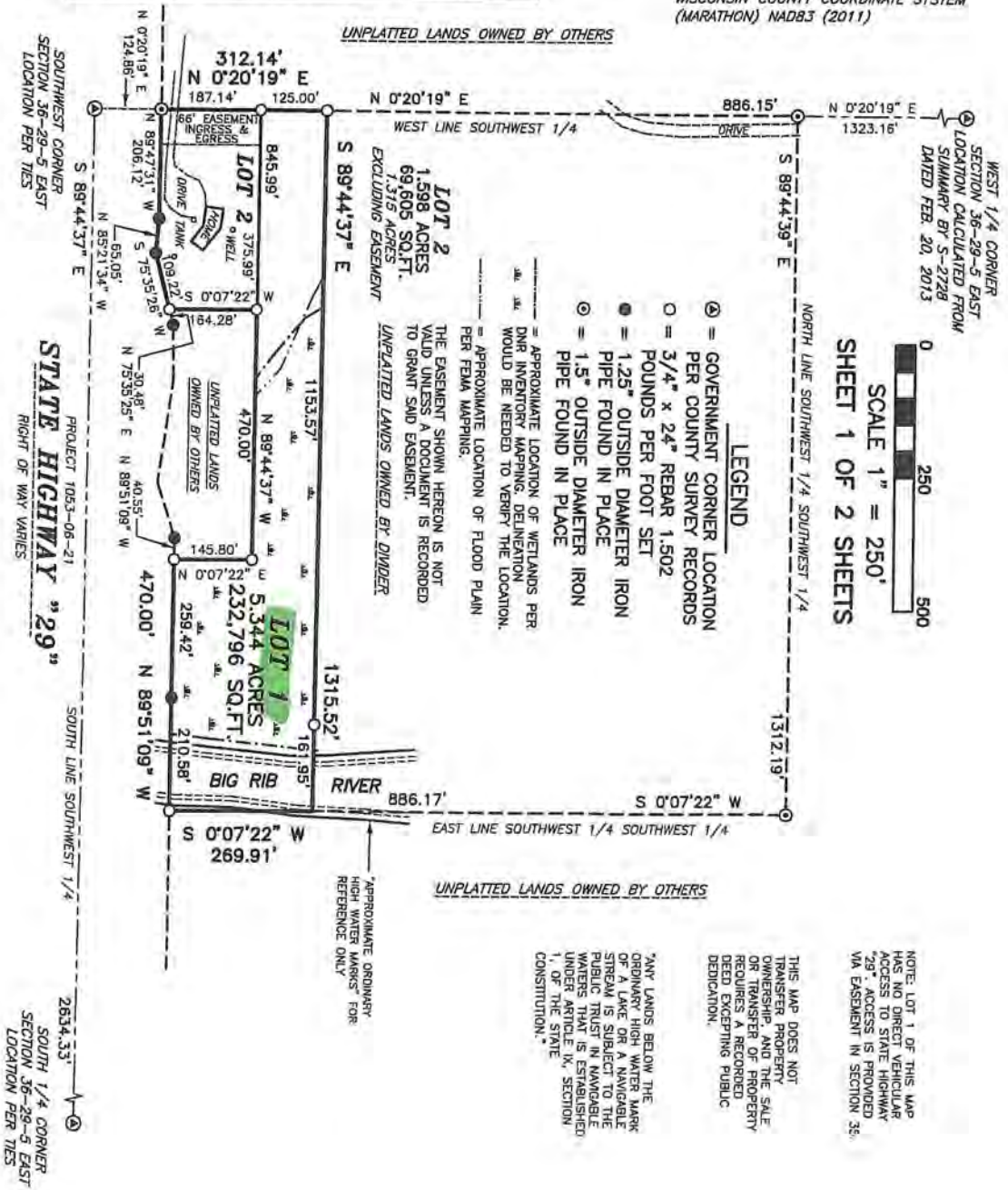
PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4
OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 5 EAST,
TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.
8103 DAWN STREET WESTON, WI. 54476
PH (715) 241-0947 tim@vreelandassociates.us

OWNERS: LORTON STIEBER
MATNARD & SHILA MATTHIAE

FILE #: SD-132 STIEBER 2021
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND

**BEARINGS REFERENCED TO THE
SOUTH LINE OF THE SOUTHWEST 1/4
BEARING S 89°44'37" E PER
WISCONSIN COUNTY COORDINATE SYSTEM
(MARATHON) NAD83 (2011)**



CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, 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 LORTON STIEBER, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 36; THENCE N 0°20'19" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 124.86 FEET TO THE NORTH LINE OF STATE HIGHWAY "29" AND TO THE POINT OF BEGINNING; THENCE CONTINUING N 0°20'19" E ALONG THE WEST LINE OF THE SOUTHWEST 1/4 312.14 FEET; THENCE S 89°44'37" E 1315.52 FEET; THENCE S 0°07'22" W ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 269.91 FEET TO THE NORTH LINE OF STATE HIGHWAY "29"; THENCE N 89°51'09" W ALONG THE NORTH LINE OF STATE HIGHWAY "29" 470.00 FEET; THENCE N 0°07'22" E 145.80 FEET; THENCE N 89°44'37" W 470.00 FEET; THENCE S 0°07'22" W 164.28 FEET TO THE NORTH LINE OF STATE HIGHWAY "29"; THENCE S 75°35'26" W ALONG THE NORTH LINE OF STATE HIGHWAY "29" 109.22 FEET; THENCE N 85°21'34" W 65.05 FEET; THENCE N 89°47'31" W 206.12 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 RIB FALLS, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 8TH DAY OF APRIL, 2021
SURVEY PERFORMED APRIL 7TH, 2021

TIMOTHY G. VREELAND P.L.S. 2291

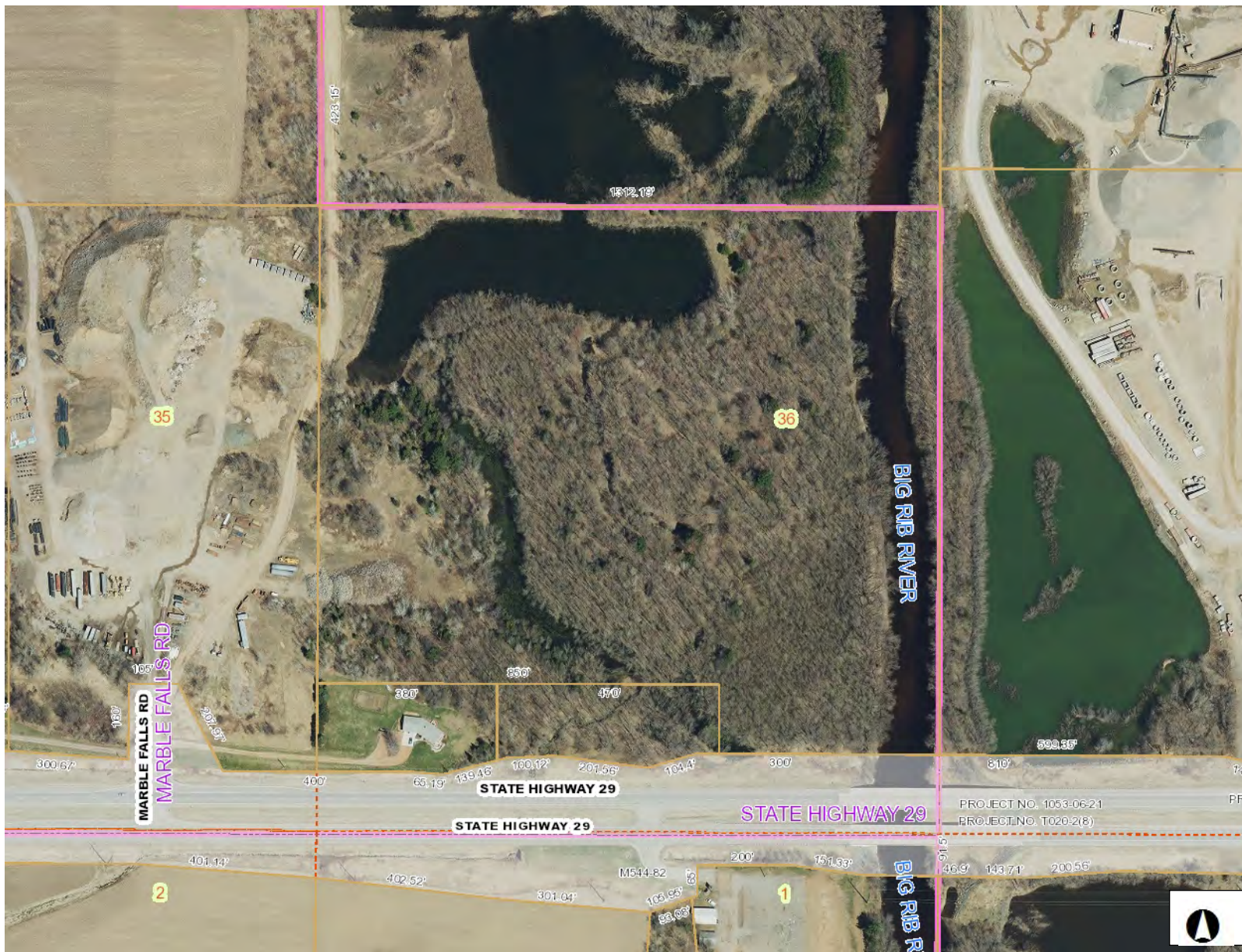
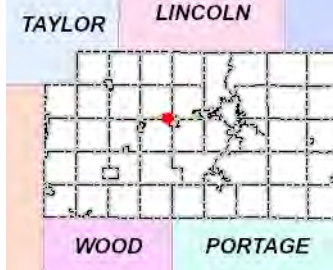
APPROVED FOR RECORDING UNDER
THE TERMS OF THE MARATHON
COUNTY LAND DIVISION REGULATIONS.

BY _____

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



Land Information Mapping System



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

157.66 0 157.66 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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

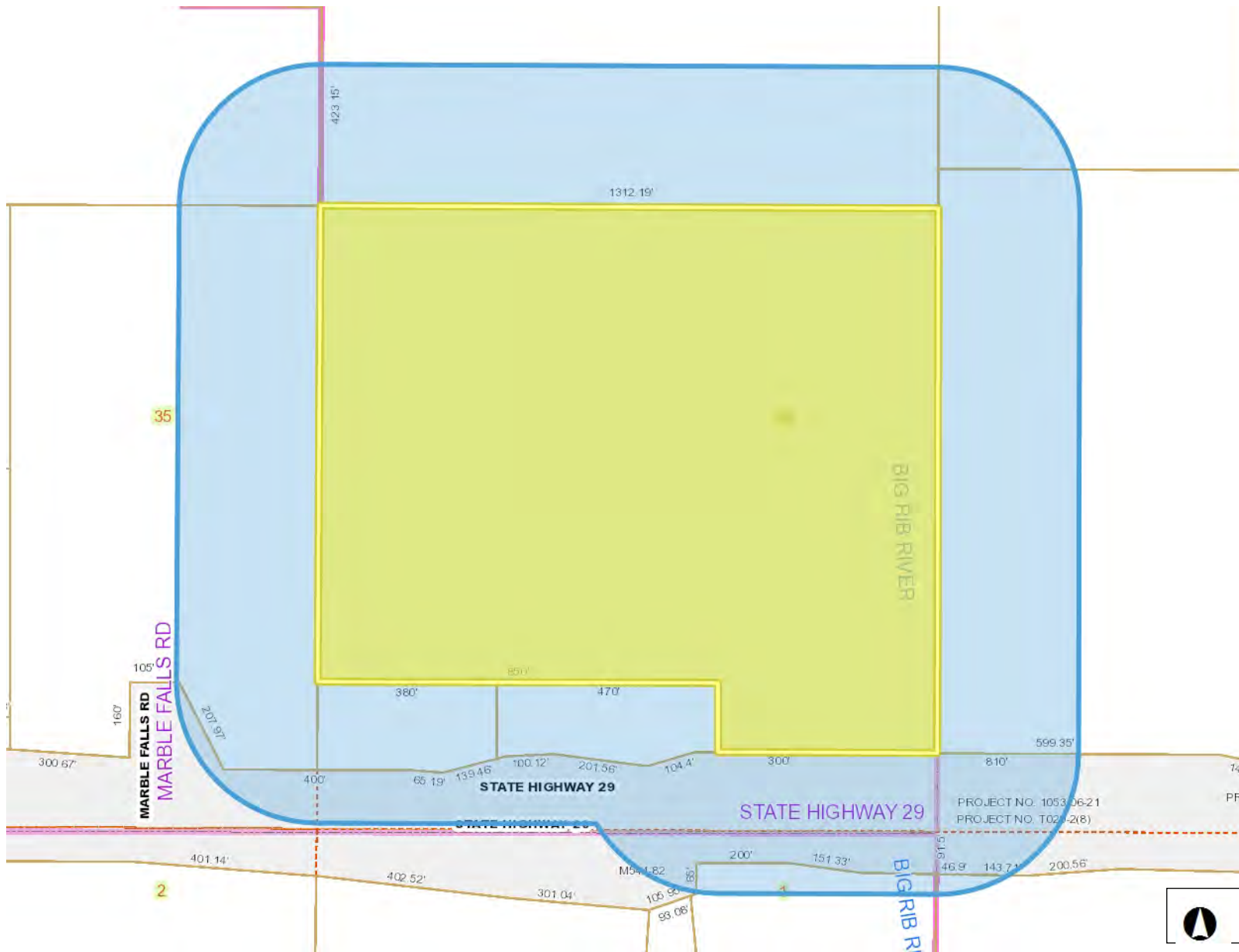
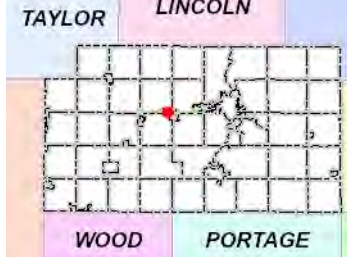
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

PIN# 066-2905-363-0996



Land Information Mapping System



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities

157.66 0 157.66 Feet

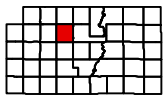


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

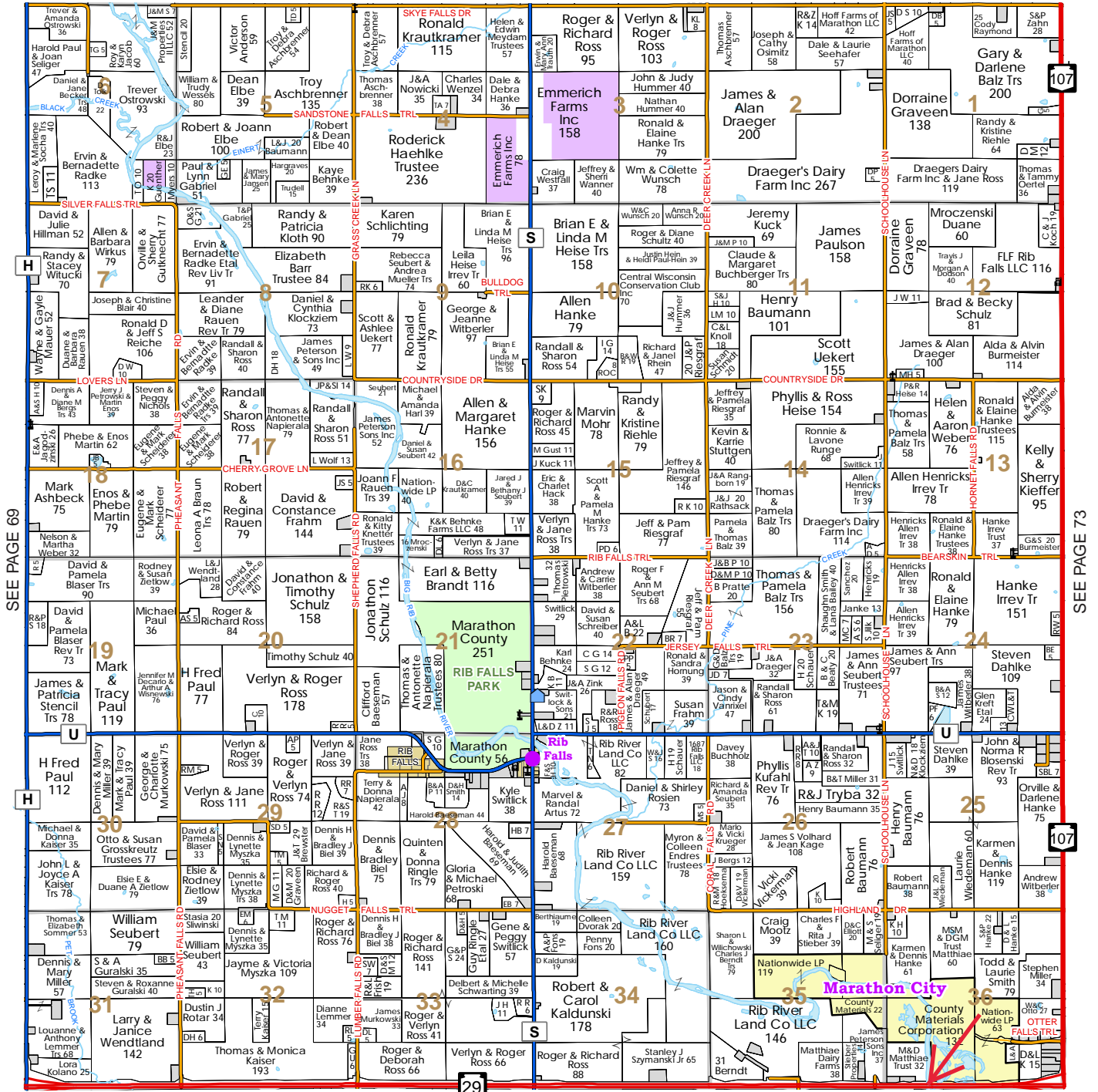


Rib Falls

Township 29N - Range 5E

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SEE PAGE 87



SEE PAGE 66

SEE PAGE 73

SEE PAGE 53

I AM

 4-H PROUD

Volunteer Today
 Inspire for a lifetime

 4-H
 GROWS HERE

R-04-2021

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF RIB FALLS)

RESOLUTION 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 7th day of September, 2021.

RESOLUTION 04-2021

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

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

NOW, THEREFORE BE IT RESOLVED that the Town of Rib Falls Town Board considered on the 7th day of September, 2021, petition of Tim Vreeland on behalf of Chad & Jenny Stieber to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW 1/4 of the SW 1/4 Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned is described as Lot #1 (5.344 acres) on the preliminary Certified Survey Maps (CSM) submitted with the rezone petition; parent parcel PIN# 066.2905.363.0996

The Town of Rib Falls 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: minimal

- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: minimal impact

- 3) Has the applicant determined that the land is suitable for the development proposed?, Explain.
 No Yes Explain: no specific development ident. found

- 4) Has the applicant demonstrated what will have to be done so the development will not cause unreasonable air and water pollution, soil erosion, or adverse effects on rare or irreplaceable natural areas? Explain.
 No Yes Explain: NA

- 5) Is there any potential for conflict with existing land uses in the area?
 No Yes Explain: _____

(OVER)

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

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

Clerk Alycia Sull 9/7/21
 Town Board WR Wunsch 9/7/2021
John F. Hammer 9-7-21
Randall Rosa 09-07-2021

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 September 15, 2021 to:

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



**Chad & Jenny Stieber
Petition to Rezone Land
Staff Report, October 5th, 2021
Environmental Resources Committee**

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

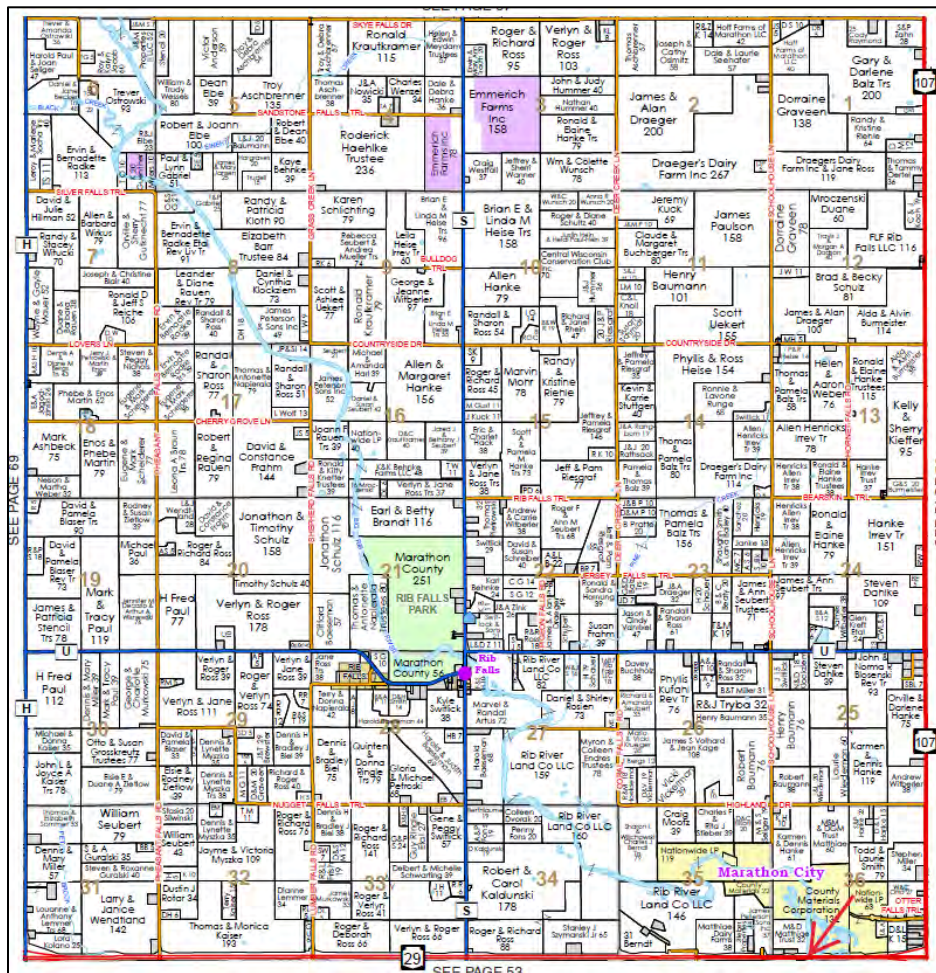
- Town of Rib Falls Town Board Meeting (September 7th, 2021)
- Marathon County Environmental Resources Committee Meeting (October 5th, 2021 at 3:00pm)

PETITIONER: Tim Vreeland (Vreeland Associates) – 6103 Dawn Street, Weston WI

PROPERTY OWNER: Chad & Jenny Stieber – 228830 Marble Falls Rd, Marathon WI 54448

LOCATION OF REZONE REQUEST: Areas proposed to be rezoned are located just north of State Highway 29 along the western boundary with the Town of Rib Falls and corner of the intersection of County Road N and the Village of Marathon City.

Map 1: Location of Rezone Request



REQUEST:

The petition of Tim Vreeland on behalf of Chad & Jenny Stieber to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW ¼ of the SW ¼ Section 36, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned is described as Lot #1 (5.344 acres) on the preliminary Certified Survey Map (CSM) submitted with the rezone petition; parent parcel PIN# 066.2905.363.0996.

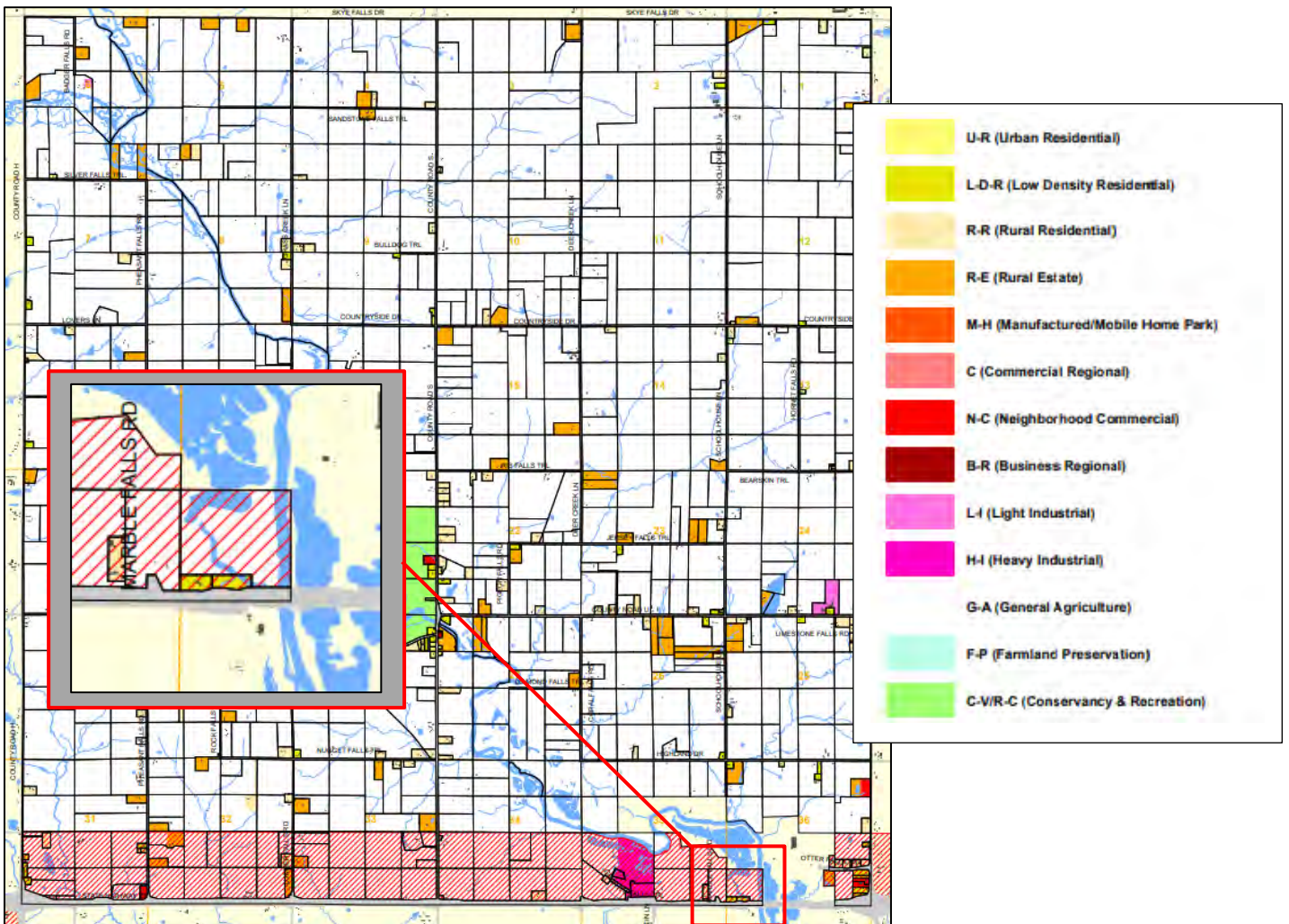
EXISTING ZONING DISTRICT:

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.

PROPOSED ZONING DISTRICT:

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

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agriculture (White) and Low Density Residential (Yellow). Parcel in question is located within the Highway Overlay District (restricted access onto State Highway 29).

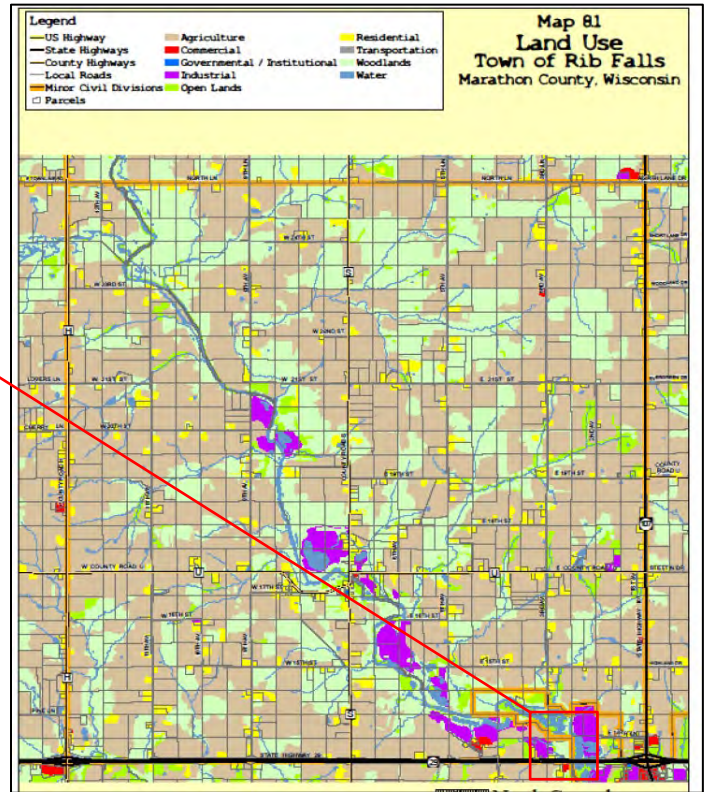
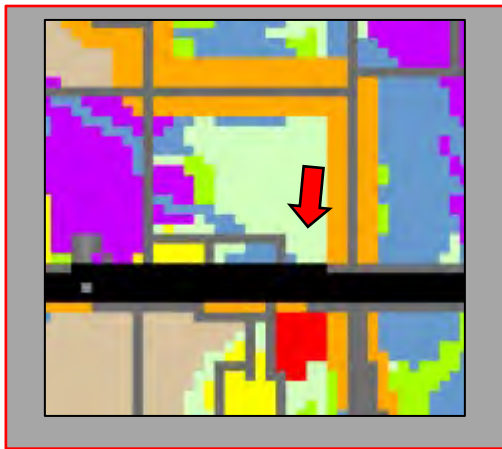


Map #2 Town of Rib Falls Zoning District Map

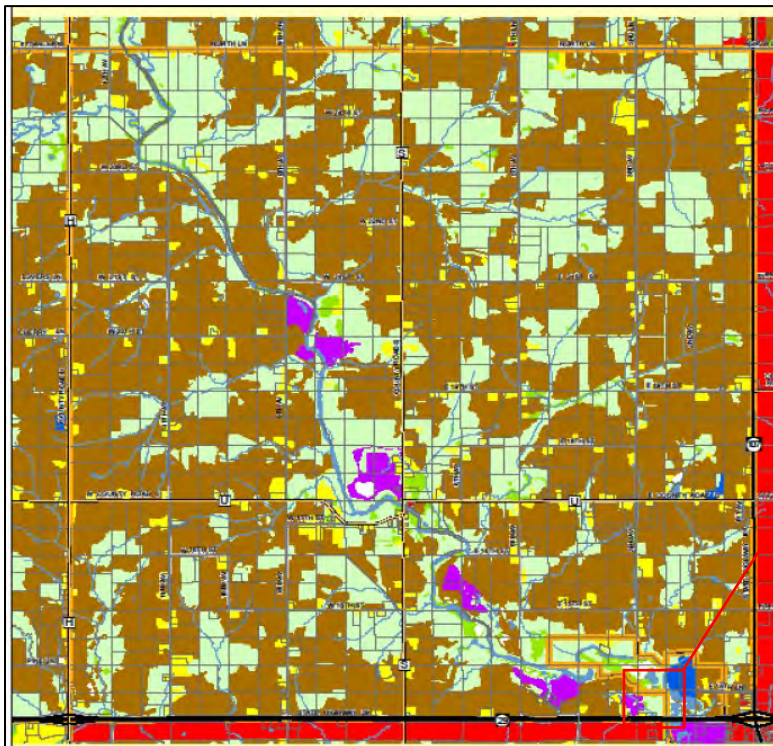
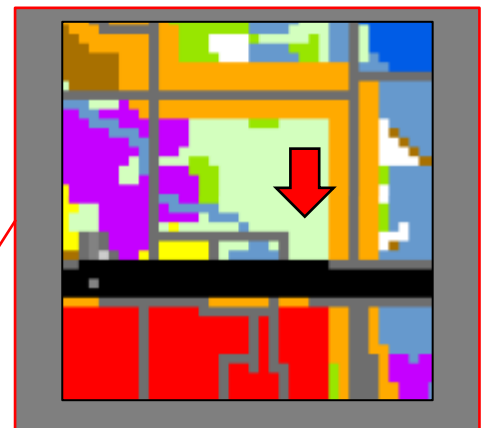
Legal Notification:

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

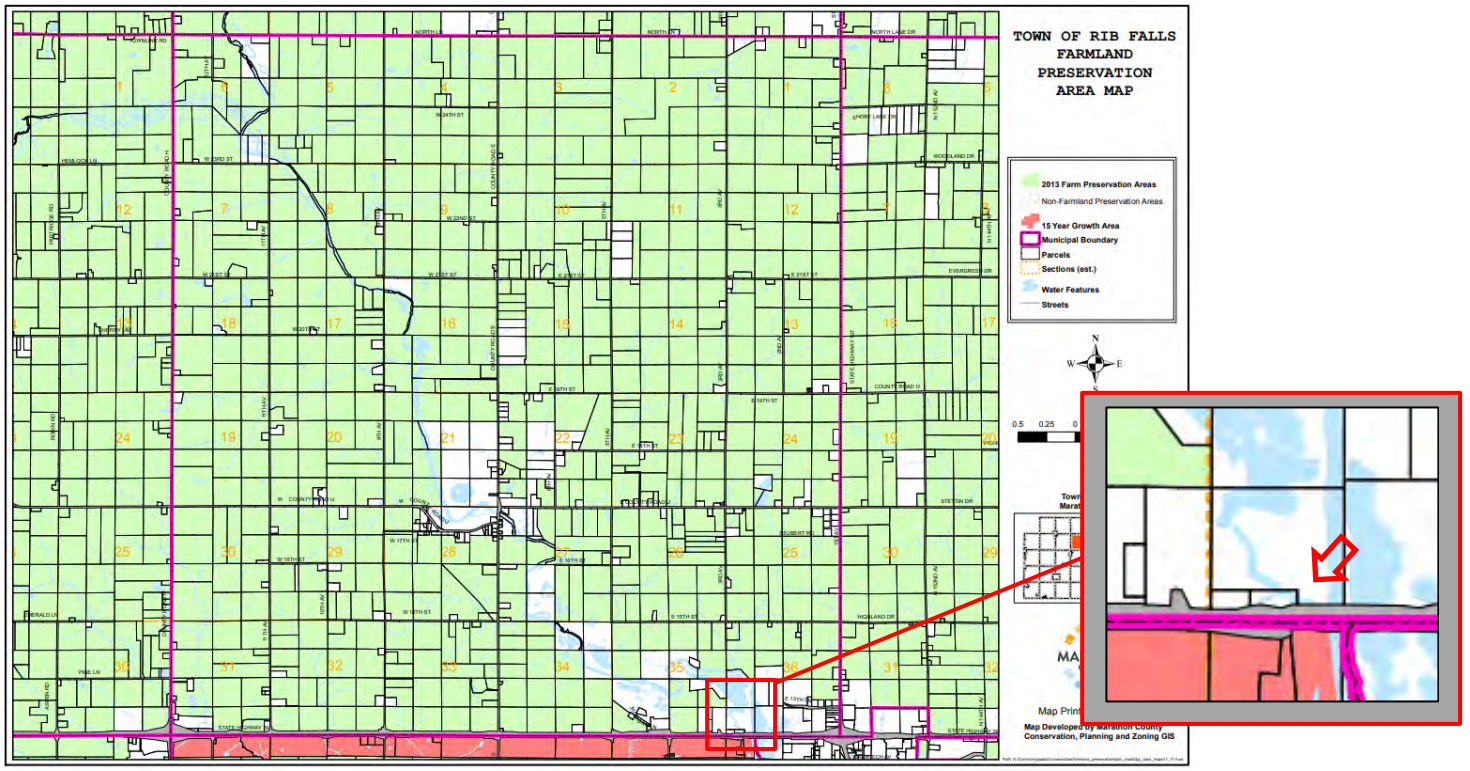
Existing Generalized Land Use/Land Cover Map – Town of Rib Falls (Comprehensive Plan) The area proposed to be rezoned is shown as partially Single Family Residential and woodland uses in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map. Adjacent land uses are comprised of similar land uses including Single Family Residential, Agricultural, Industrial, Commercial, and Woodland uses.



TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2005 Plan): The area proposed to be rezoned is shown as partially Single Family Residential and woodland uses in the Town’s Comprehensive Plan Future Land Use Map. Adjacent land uses are comprised of similar land uses including Single Family Residential, Agricultural, Industrial, Commercial, and Woodland uses.



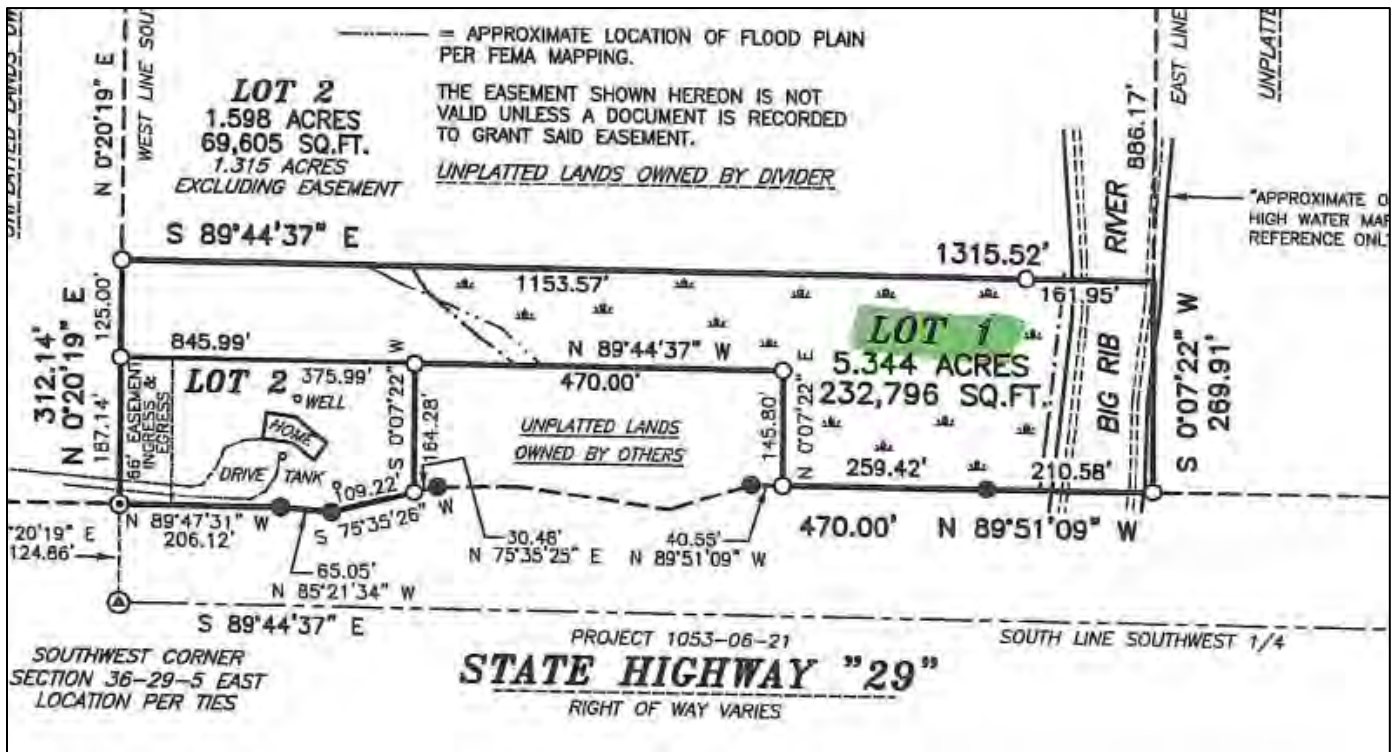
FARMLAND PRESERVATION PLAN: The area in question was designated as a NON- farmland preservation area in the Farmland Preservation Plan. Yet, the Town of Rib Falls does not participate in Farmland Preservation zoning therefore there are no parcels within the town zoned farmland preservation.



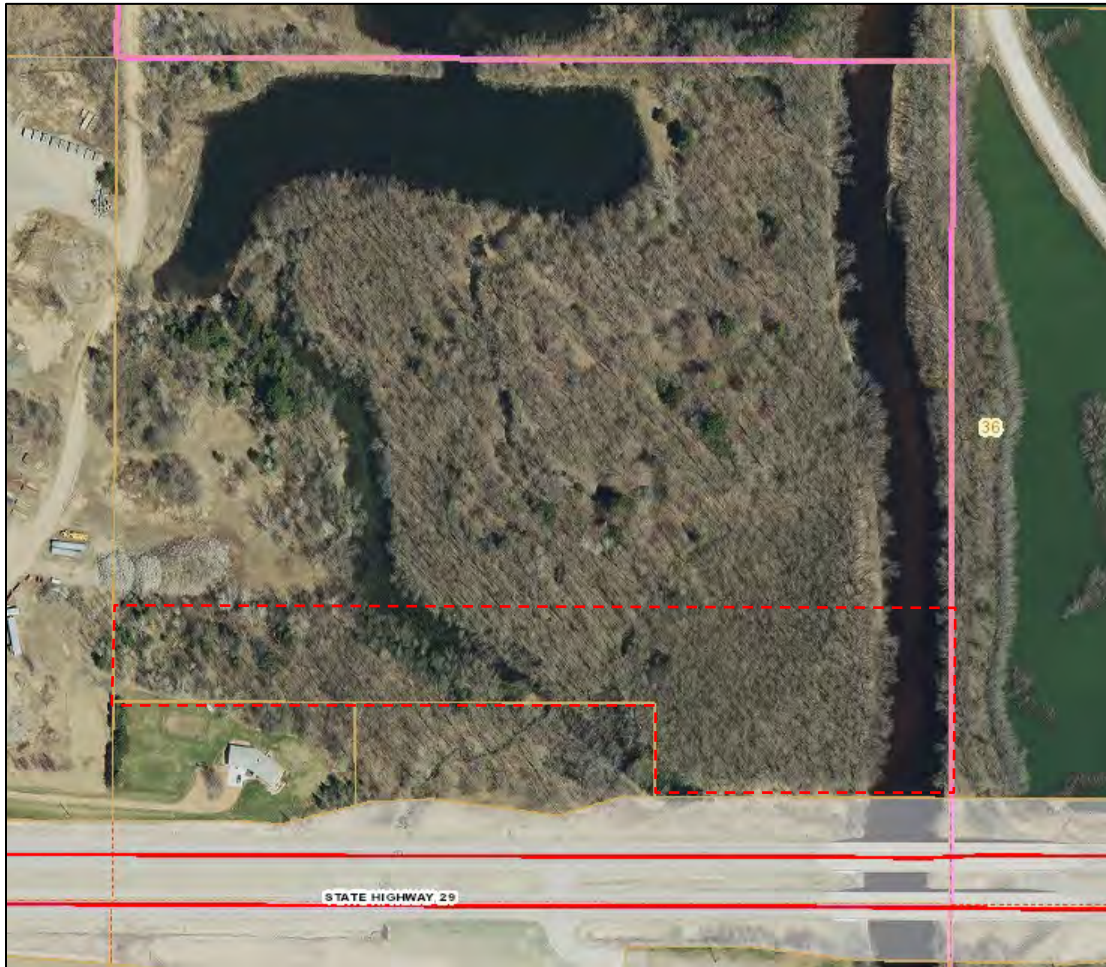
SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has DNR mapped wetlands, is primarily covered by the shoreland overlay as well as has FEMA floodplain areas (Zone A).



Preliminary Certified Survey Map(s):



Aerial Photo:



Red boundary (above) indicate the approximate location proposed to be rezoned, see the preliminary CSM for more specific information and details.

TOWN RECOMMENDATION:

On September 7th, 2021 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?	
<input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes Explain: _____
The Town of Rib Falls recommends: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval of the amendment and/or zone change.	
OR <input type="checkbox"/> Requests an Extension* for the following reasons: _____	
<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>	
Clerk	<i>Alyson Hill</i> 9/7/21
Town Board	<i>WRMunsell</i> 9/7/2021 <i>John F. Hammer</i> 9-7-21 <i>Randall Rosa</i> 09-07-2021

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)

- [Marathon County](#) Comprehensive Plan
- [Town](#) Comprehensive Plan and,
- 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 parcel proposed to be rezoned is shown to be designated for other single family residential and forest land uses in the towns future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area in question was designated as a non-farmland preservation area, yet the town does not participate in farmland preservation zoning. As indicated by the town resolution the town board believes the rezone in questions is consistent with the Towns 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.

It appears no active crop land will be converted as a result of the proposed rezone.

3. The applicant has demonstrated that...

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

a. The need is related to the creation of a new parcel for development.

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

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

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

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

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

The Town of 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 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 Town of Rib Falls should update their comprehensive plan to reflect the proposed rezones. The future and existing land use maps already partially reflect the rezone in question, yet it should be revised to include the whole area proposed to be rezoned.

Based on the information provided above, findings of fact, conclusions of law, and the town recommendation/resolution, 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):

Herbert and Sheri Naef
166937 County Line Road, Merrill, WI 54452

hereby petition to rezone property owned by (Name & Address): Naef Farms, Inc.
167003 County Line Road, Merrill, WI 54452

85
08/13/21

from the classification G-A, General Agriculture to L-D-R, Low Density Residential
part of lot #1 →
outlot on ← LDR Low Density Residential → G-A General Agriculture.

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): Part of Government Lot 3, section 6, Township 30 north, Range 9 east, Town of Hewitt
See attached preliminary certified survey map

Parcel Identification Number (PIN): 040-3009-065-0997 + 040-3009-065-0995

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

Adding a shed and additional lands to an existing residential parcel to benefit future property owners.
present and

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. N/A - no changes regarding public facilities and services

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

C. What have you done to determine that the land is suitable for the development proposed? These properties have been family owned for 2 generations. We propose moving lot lines to better suit the use of the properties.

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. There will be no changes regarding this

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

RECEIVED

AUG 11 2021

(OVER)

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

- F. Demonstrate the need of the proposed development at this location. To move lot lines to add a shed and to benefit present and future owners of the property.
- G. What is the availability of alternative locations? Be specific. No availability for alternative locations.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No - cropland will be added back to the farm. See outlet 1 of attached CSM.
- 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. N/A

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 Herbert May Phone 715-536-9846 Date 8/11/2021
8. Owner's Signature _____ Phone _____ Date _____
(If different)

Date Fee Received: 8-11-2021

RECEIVED
Fee \$600.00 PAYABLE TO MARATHON COUNTY
AUG 11 2021

Attendance at the Public Hearing before the Marathon County Environmental Resources Committee (ERC) 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

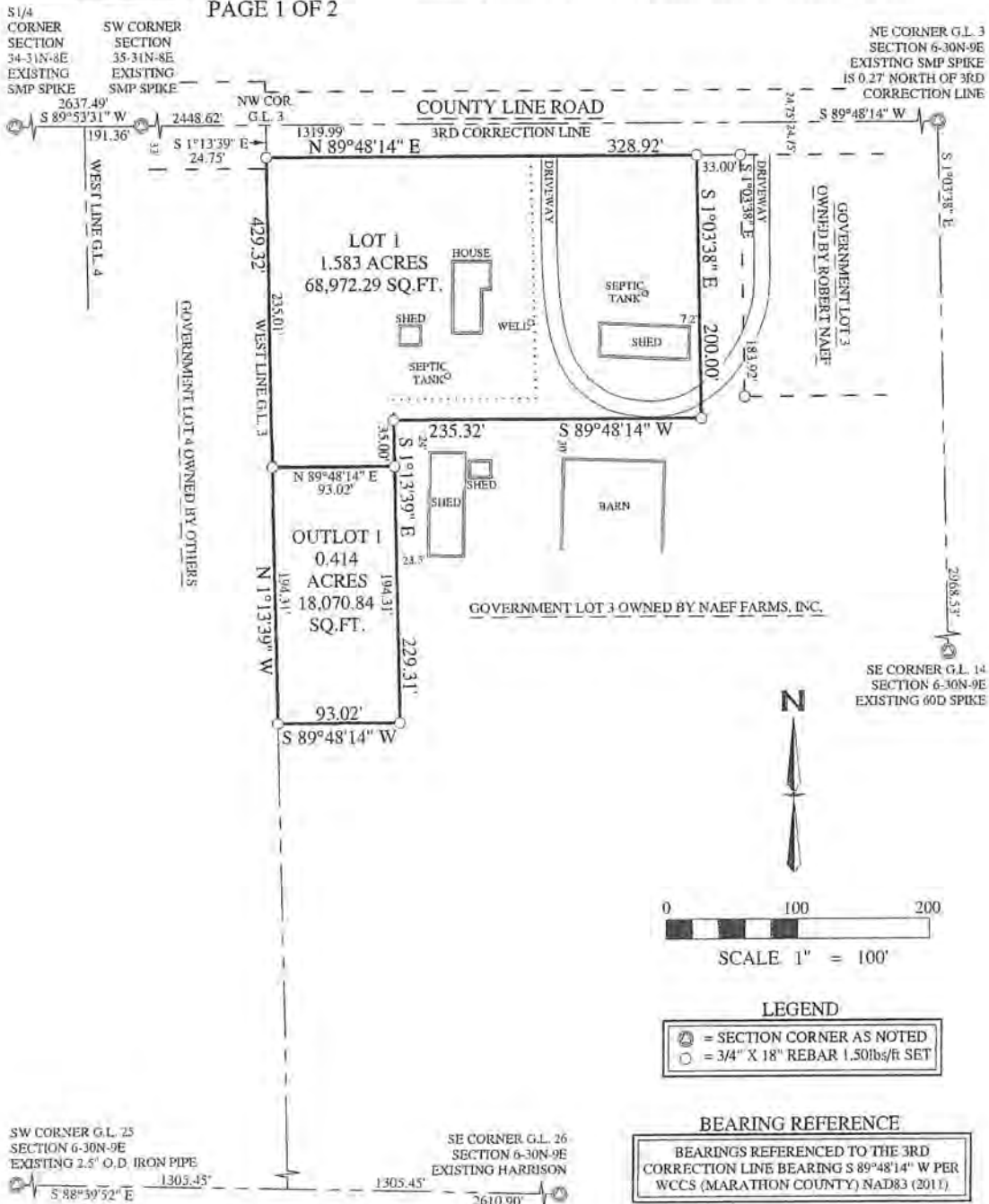
MARATHON COUNTY NO. _____

PART OF THE G.L. 3 OF SECTION 6, TOWNSHIP 30
NORTH, RANGE 9 EAST, TOWN OF HEWITT,
MARATHON COUNTY, WISCONSIN.

NORTHCENTRAL LAND SURVEYING, LLC
163957 OWL RIDGE ROAD, WAUSAU, WISCONSIN 54403
WEBSITE: www.NorthCentralLandSurveying.com
PHONE: 715-297-8343
EMAIL: JasonPflieger@gmail.com
DRAFTED & DRAWN BY: JASON J. PFLIEGER
OWNER OF PROPERTY: HERBERT NAEF/NAEF FARMS, INC
SURVEY PREPARED FOR: HERBERT NAEF
DATE OF FIELDWORK: 7/22/2021
FILE NUMBER: 2021089 NAEF

NOTE:
THIS MAP DOES NOT TRANSFER PROPERTY OWNERSHIP.
SALE OR TRANSFER OF PROPERTY REQUIRES A DEED.

PAGE 1 OF 2



CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

PART OF THE G.L. 3 OF SECTION 6, TOWNSHIP 30
NORTH, RANGE 9 EAST, TOWN OF HEWITT,
MARATHON COUNTY, WISCONSIN.

NORTHCENTRAL LAND SURVEYING, LLC
163957 OWL RIDGE ROAD, WAUSAU, WISCONSIN 54403
WEBSITE: www.NorthCentralLandSurveying.com
PHONE: 715-297-8343
EMAIL: JasonPflieger@gmail.com
DRAFTED & DRAWN BY: JASON J. PFLIEGER
OWNER OF PROPERTY: HERBERT NAEF/NAEF FARMS, INC
SURVEY PREPARED FOR: HERBERT NAEF
DATE OF FIELDWORK: 7/22/2021
FILE NUMBER: 2021089 NAEF

PAGE 2 OF 2

SURVEYORS CERTIFICATE

I, JASON J. PFLIEGER, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF HERBERT NAEF, I SURVEYED, MAPPED AND DIVIDED PART GOVERNMENT LOT 3 OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 9 EAST, TOWN OF HEWITT, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF GOVERNMENT LOT 3 OF SAID SECTION 6, THENCE S 89°48'14" W ALONG THE 3RD CORRECTION LINE, 1319.99 FEET TO THE NORTHWEST CORNER OF GOVERNMENT LOT 3; THENCE S 1°13'39" E ALONG THE WEST LINE OF GOVERNMENT LOT (3), 24.75 FEET TO THE SOUTH LINE OF COUNTY LINE ROAD AND TO THE POINT OF BEGINNING; THENCE N 89°48'14" E ALONG THE SOUTH LINE OF COUNTY LINE ROAD, 328.92 FEET; THENCE S 1°03'38" E 200.00 FEET; THENCE S 89°48'14" W 235.32 FEET; THENCE S 1°13'39" E 229.31 FEET; THENCE S 89°48'14" W 93.02 FEET TO THE WEST LINE OF GOVERNMENT LOT 3; THENCE N 1°13'39" W ALONG THE WEST LINE OF GOVERNMENT LOT (3), 429.32 FEET TO THE POINT OF BEGINNING, SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS 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 HEWITT, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

DATED THIS 10TH DAY OF AUGUST, 2021

JASON J. PFLIEGER P.L.S. 3148-8

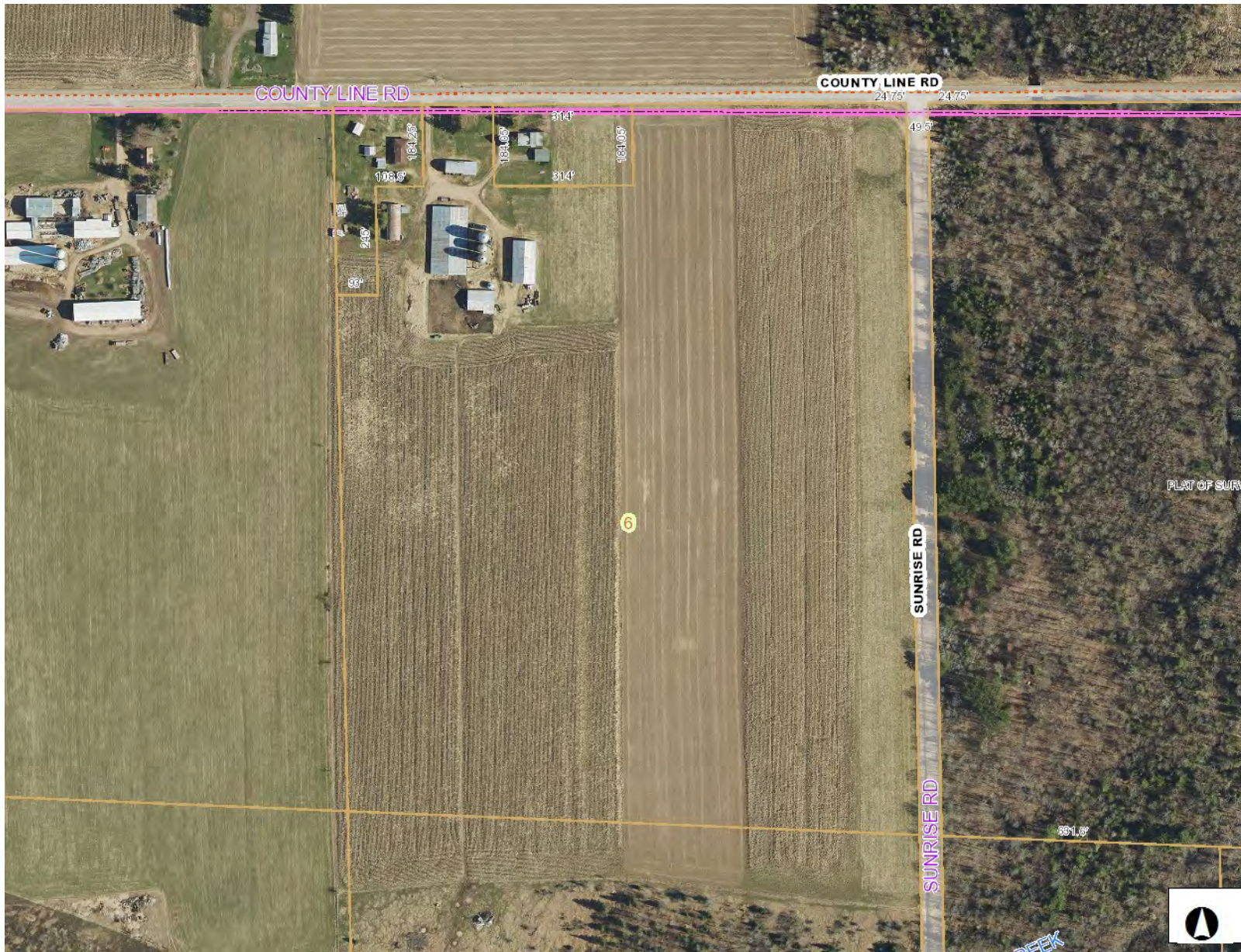
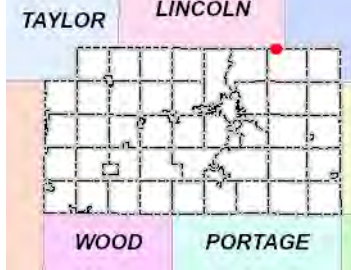
APPROVED FOR RECORDING UNDER THE
TERMS OF THE MARATHON COUNTY
LAND DIVISION REGULATIONS.

BY: _____

DATE: _____
MARATHON COUNTY DEPARTMENT OF
CONSERVATION, PLANNING & ZONING
CPZ TRACKING NO. _____



Land Information Mapping System



Legend

- Road Names
 - Parcels
 - Parcel Lot Lines
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Named Places
 - Municipalities
- 2020 Orthos Countywide
- Red: Band_1
 - Green: Band_2
 - Blue: Band_3

168.11 0 168.11 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

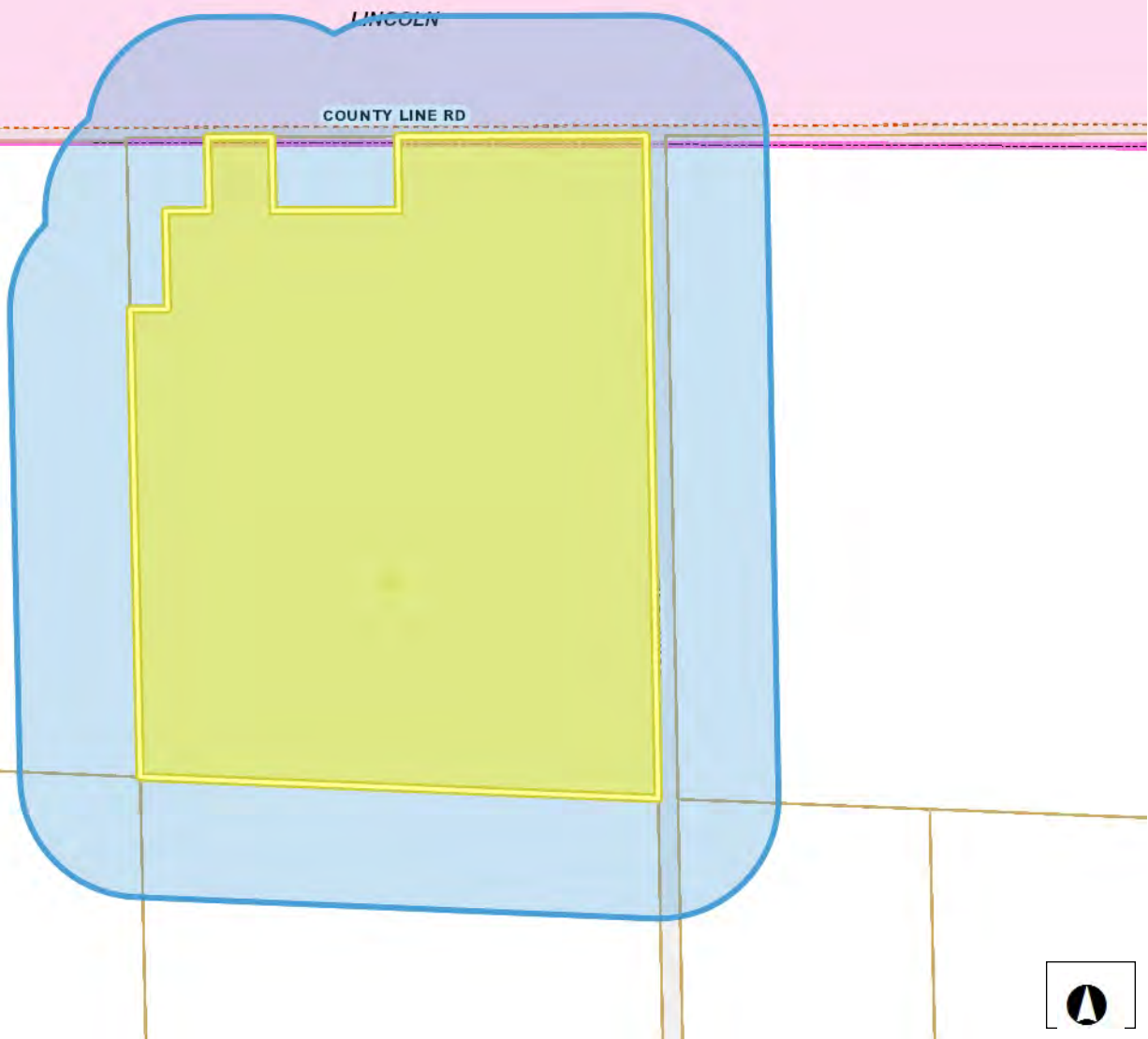
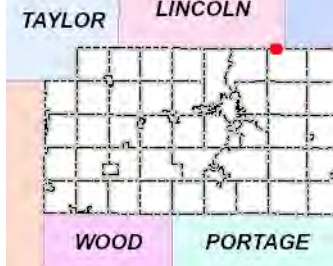
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities



224.14 0 224.14 Feet

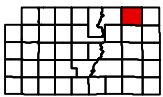


NAD_1983_HARN_WISCRS_Marathon_County_Feet

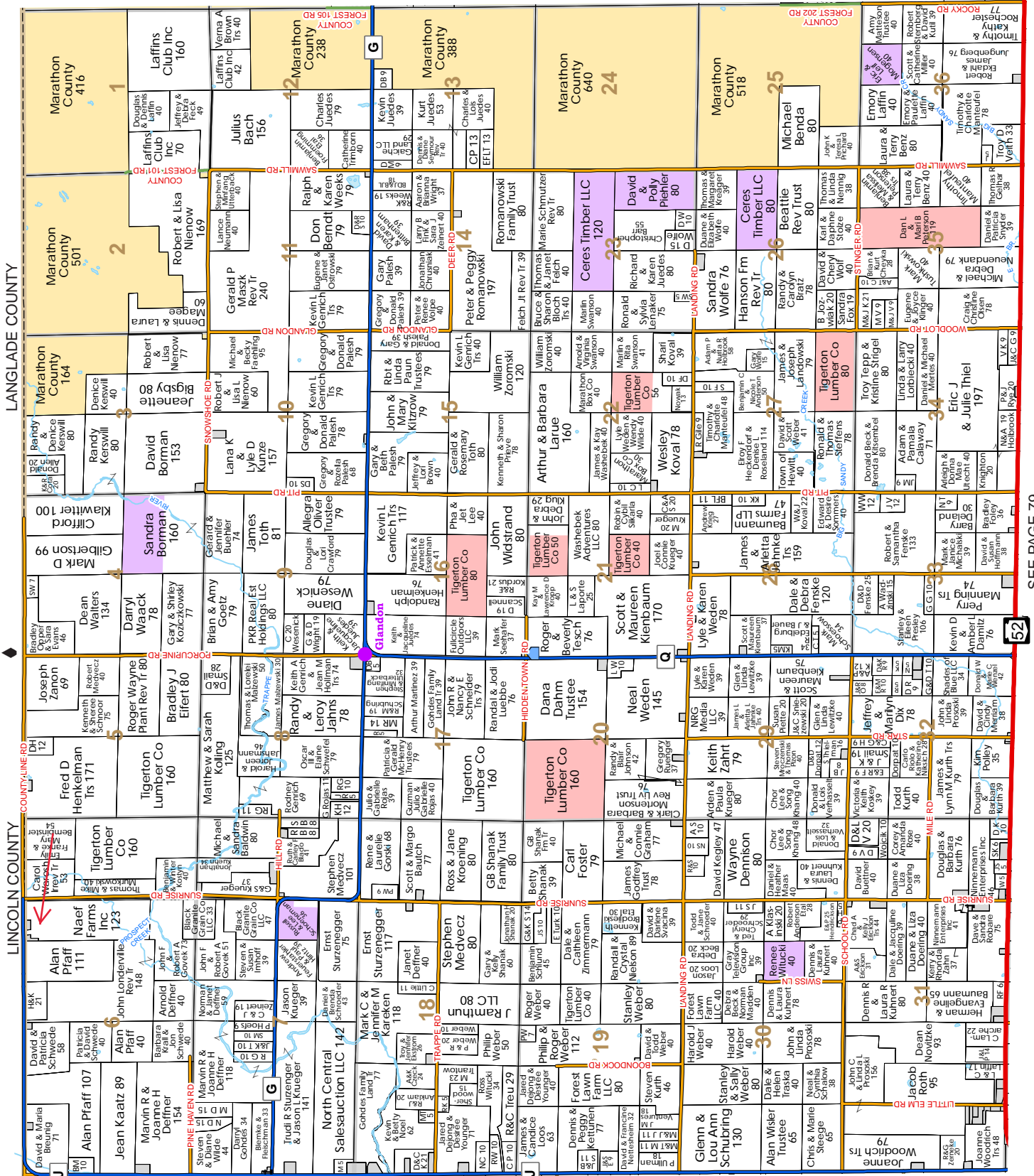
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



SEE PAGE 97



SEE PAGE 93

SEE PAGE 79

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF HEWITT)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Maya Sturzenegger, Clerk of the Town of Hewitt, 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 Hewitt Town Board at a meeting held on the 13th day of September, 2021.

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 Hewitt Town Board considered on the 13th day of September, 2021, petition of Naef Farms INC (Herbert and Sheri Naef) to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-D-R Low Density Residential and L-D-R Low Density Residential to G-A General Agriculture described as part of Govt. Lot 3; Section 06, Township 30 North, Range 09 East, Town of Hewitt. The area proposed to be rezoned to L-D-R is described as part of Lot #1 (1.583 acres total) and the area proposed to be rezoned to G-A is described as Outlot 1 (0.414) on the preliminary Certified Survey Map (CSM) submitted with the rezone petition; areas proposed to be rezone have parent parcel PIN#'s 040.3009.065.0995 and 040.3009.065.0997; Address 166937 County Line Road, Merrill WI 54452

The Town of Hewitt 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: Residential

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

No Yes Explain: N/A

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

No Yes Explain: N/A

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

No Yes Explain: N/A

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: N/A - no development has been proposed.
-
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: N/A
-
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: _____
-
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: N/A
-
- 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 Hewitt 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 Judith Stuegen
Don Khasart
Scott Kosky

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 September 15, 2021 to:

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



Herbert & Sheri Naef (Naef Farms INC) Petition to Rezone Land Staff Report, October 5th, 2021 Environmental Resources Committee

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

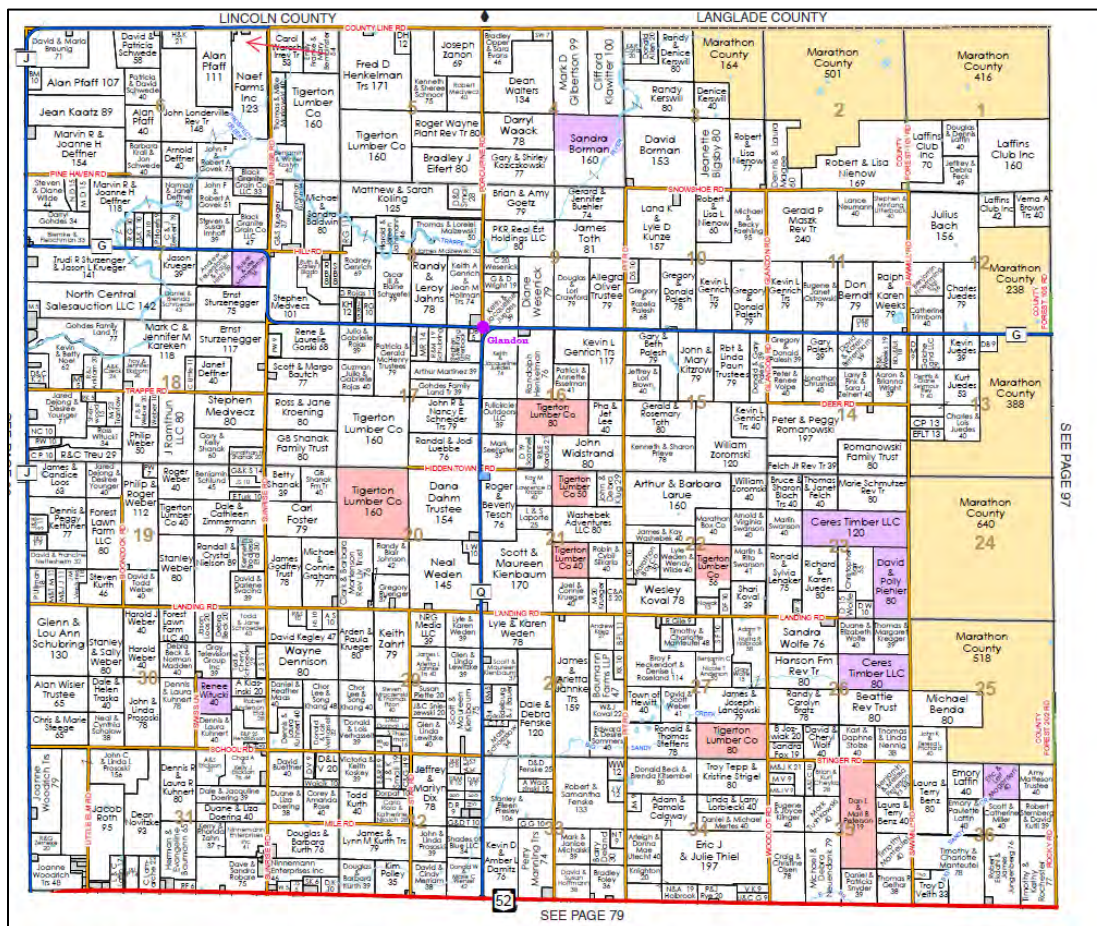
- Town of Hewitt Town Board Meeting (September 13th, 2021)
- Marathon County Environmental Resources Committee Meeting (October 5th, 2021 at 3:00pm)

PETITIONER: Naef Farms INC – 167003 County Line Rd, Merrill, WI 54452

PROPERTY OWNER: Herbert & Sheri Naef – 166937 County Line Rd, Merrill, WI 54452

LOCATION OF REZONE REQUEST: Areas proposed to be rezoned are located on the southern side of County Line Road, approx. 7,200 feet east of the intersection of County Line Road and County Road J.

Map 1: Location of Rezone Request



REQUEST:

The petition of Naef Farms INC (Herbert and Sheri Naef) to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-D-R Low Density Residential and L-D-R Low Density Residential to G-A General Agriculture described as part of Govt. Lot 3; Section 06, Township 30 North, Range 09 East, Town of Hewitt. The area proposed to be rezoned to L-D-R is described as part of Lot #1 (1.583 acres total) and the area proposed to be rezoned to G-A is described as Outlot 1 (0.414) on the preliminary Certified Survey Map (CSM) submitted with the rezone petition; areas proposed to be rezoned have parent parcel PIN#'s 040.3009.065.0995 and 040.3009.065.0997; Address 166937 County Line Road, Merrill WI 54452.

EXISTING ZONING DISTRICT(S):

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.

&

L-D-R Low Density Residential District. The purpose of the L-D-R district is to accommodate single-family residential use along existing streets and to promote single-family residential development (involving the extension of new streets) where sanitary sewer and municipal water may be available. The densities are intended to provide for areas of suburban character in the community and to prevent excessive demands on sewerage and water systems, streets, schools, and other community facilities. The districts are intended to avoid overcrowding by requiring certain minimum yards, open spaces, and site area while making available a variety of dwelling types and densities to serve a wide range of individual requirements and thereby providing a more orderly and efficient extension of public facilities.

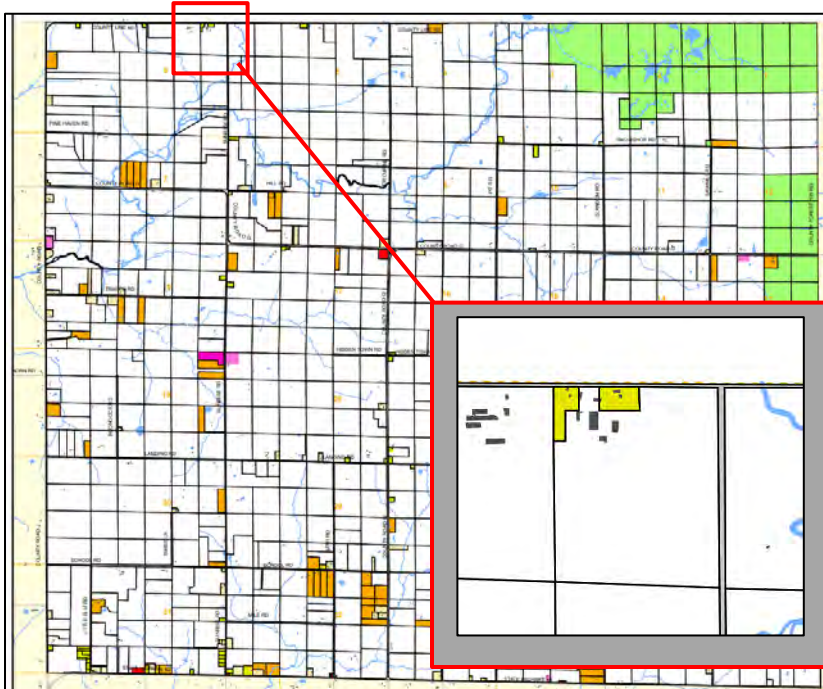
PROPOSED ZONING DISTRICT(S):

L-D-R Low Density Residential District. The purpose of the L-D-R district is to accommodate single-family residential use along existing streets and to promote single-family residential development (involving the extension of new streets) where sanitary sewer and municipal water may be available. The densities are intended to provide for areas of suburban character in the community and to prevent excessive demands on sewerage and water systems, streets, schools, and other community facilities. The districts are intended to avoid overcrowding by requiring certain minimum yards, open spaces, and site area while making available a variety of dwelling types and densities to serve a wide range of individual requirements and thereby providing a more orderly and efficient extension of public facilities.

&

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 Agriculture (White) with a few Residential zoned parcels within close proximity.



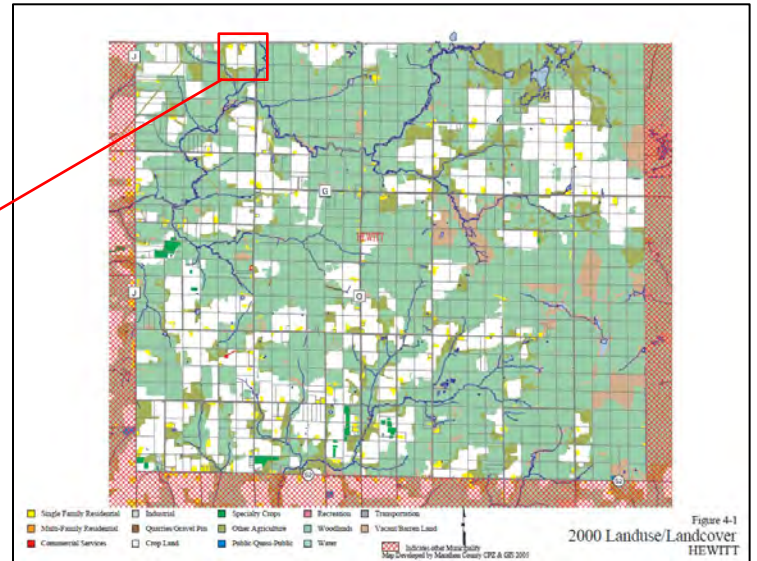
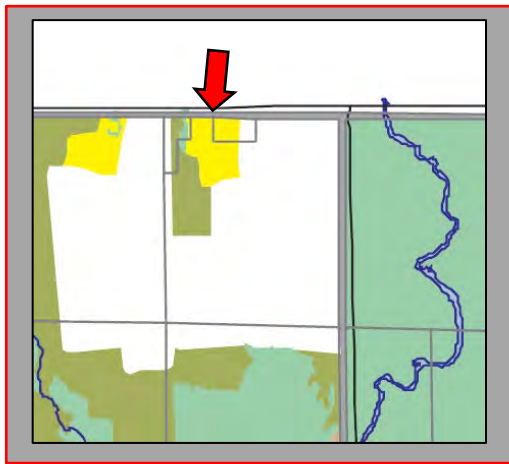
Map #2 Town of Hewitt Zoning District Map



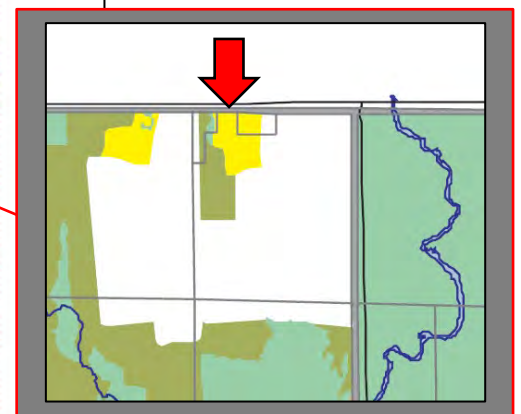
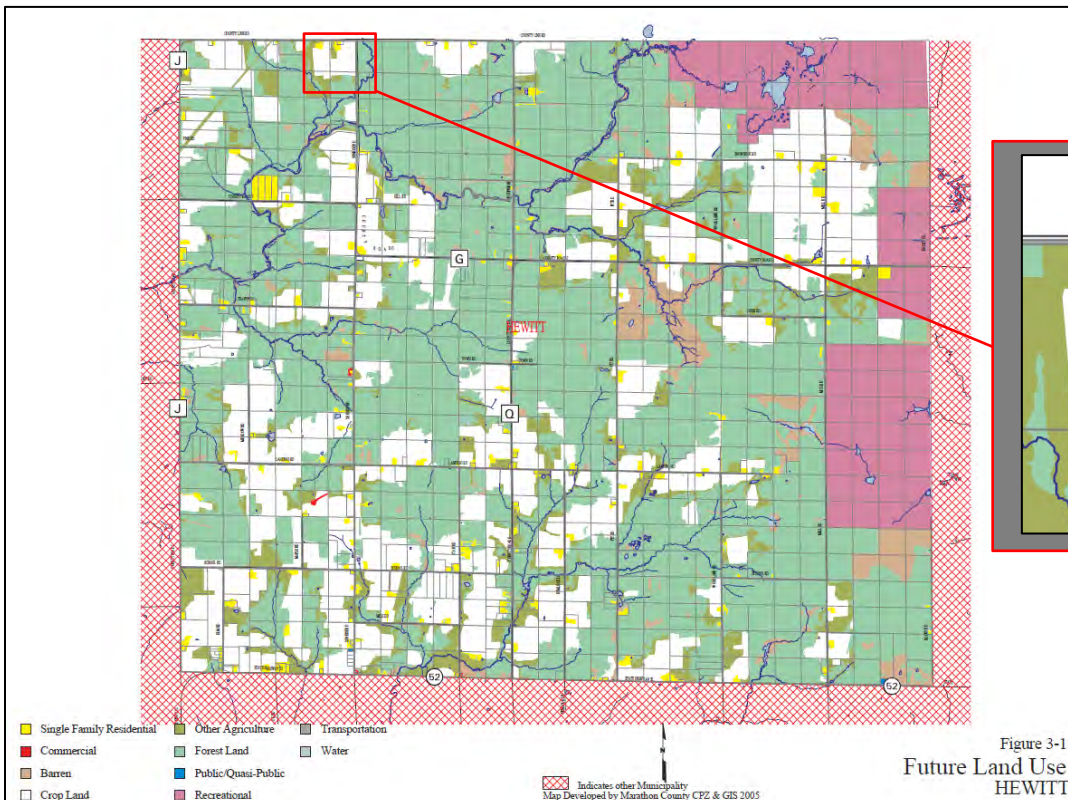
Legal Notification:

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

Existing Generalized Land Use/Land Cover Map – Town of Hewitt (Comprehensive Plan) The areas proposed to be rezoned is shown as partially Single Family Residential, woodland, Crop Land, and other Agricultural land uses in the Town's Comprehensive Plan Existing Land Use/Land Cover Map (2000). Adjacent land uses are comprised of similar land uses.



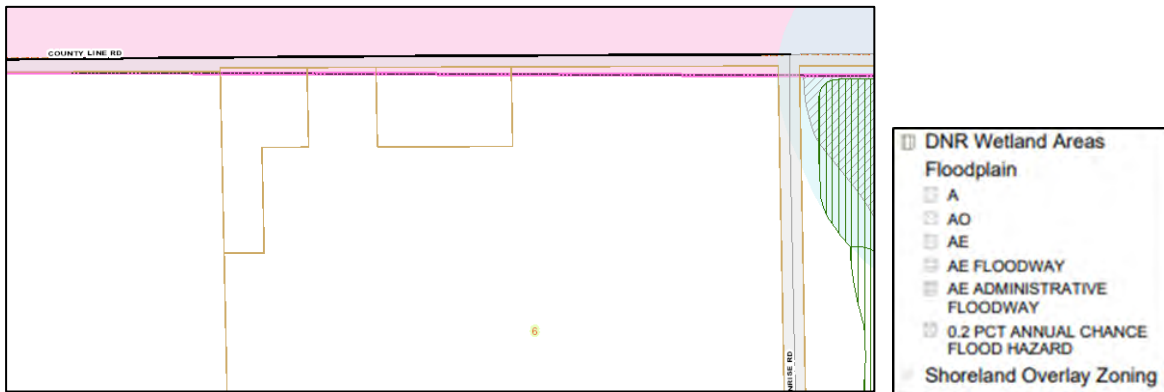
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2005 Plan): The areas proposed to be rezoned is shown as partially Single Family Residential, woodland, Crop Land, and other Agricultural land uses in the Town's Comprehensive Plan Future Land Use Map (2005). Adjacent land uses are comprised of similar land uses.



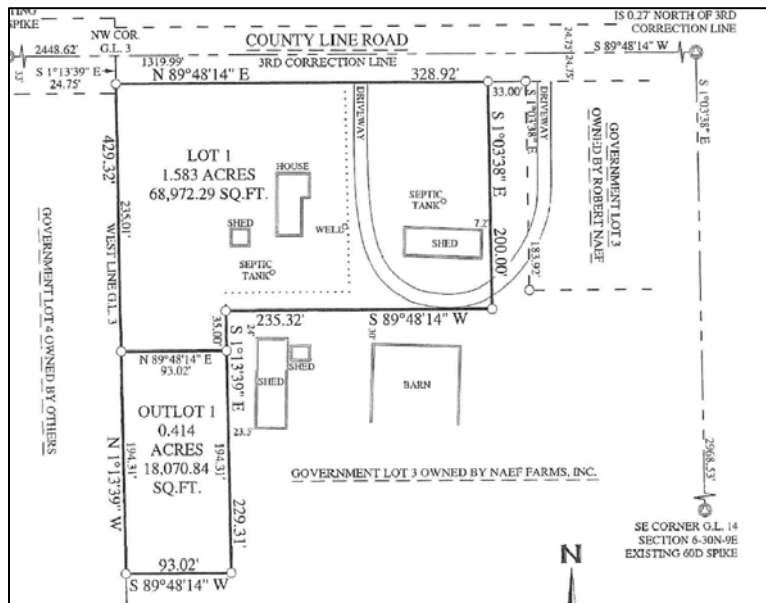
FARMLAND PRESERVATION PLAN: The areas in question were designated as a farmland preservation areas in the Farmland Preservation Plan. Yet, the Town of Hewitt does not participate in Farmland Preservation zoning therefore there are no parcels within the town zoned farmland preservation.



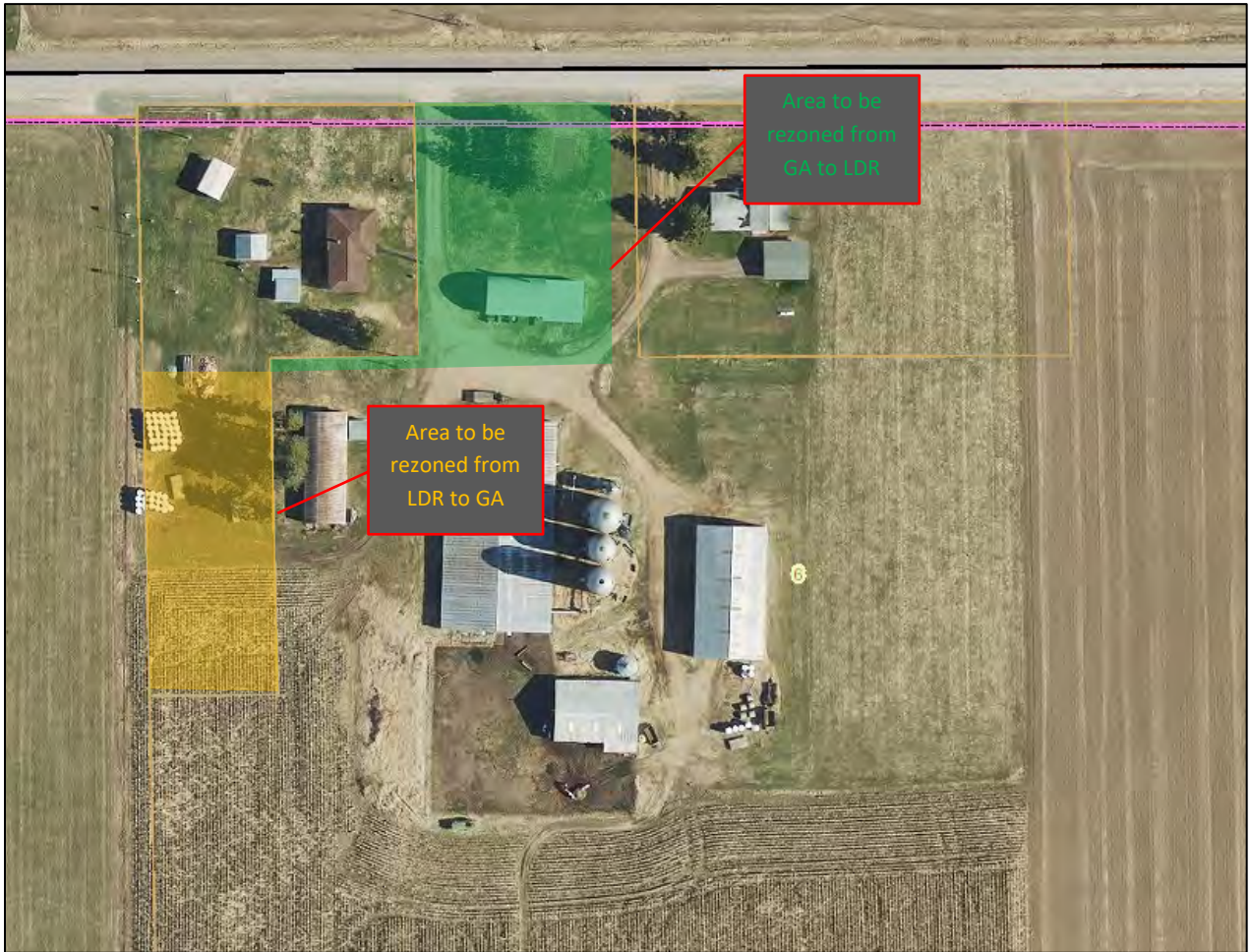
SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The areas proposed to be rezoned has no DNR mapped wetlands, shoreland overlay areas not any FEMA floodplain areas.



Preliminary Certified Survey Map(s):



Aerial Photo(s):



Shaded boundaries (above) indicate the approximate locations proposed to be rezoned, see the preliminary CSM for more specific information and details.

TOWN RECOMMENDATION:

On September 13th, 2021 the **Town of Hewitt** 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?
 No Yes Explain: _____

The Town of Hewitt 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 Therese Stuzanowicz
Don Vosharski
Keith Krosky

NOTE: If you recommend disapproval of this request...

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 parcel proposed to be rezoned is shown to be designated for other single family residential, Crop Land, and Woodland uses in the towns future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. As indicated in the town resolution, the town board believes the rezone is consistent with the purpose and intent of their comprehensive plan. The area in question was designated as a farmland preservation area, yet the town does not participate in farmland preservation zoning.

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.

It appears no active crop land will be converted as a result of the proposed rezone.

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 parcel expansion and reconfiguration.

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

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

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

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

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

The Town of Hewitt 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 Town of Hewitt should update their comprehensive plan to reflect the proposed rezones. The future and existing land use maps already partially reflect the rezone in question, yet it should be revised to include all the areas 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):
Loren Weiland, 110156 County Road N, Colby WI 54421

hereby petition to rezone property owned by (Name & Address): Loren Weiland, 110156 County Road N, Colby WI 54421

from the classification G-A General Agriculture ~~R-E, Rural Estate~~ to R-E, Rural Estate

DS
09/17/21

2. The legal description of that part of the property to be rezoned is (include only the description of the land proposed to be rezoned. You may need to have a surveyor draft this description): Lot 1 of Certified Survey Map No. 17524 Vol. 84 Pg. 31, part of SW 1/4 SE 1/4 Section 18 Township 28 North, Range 3 East
Parcel Identification Number (PIN): 026-2803-184-0989

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
Dividing the existing 10.44 acres parcel into two 5+ acre 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. County Road N currently serves the existing parcel and will adequately serve both parcels after division. No change to other public facilities.

B. Explain how the provision for these facilities will not be an unreasonable burden to local government.
Dividing the land will not require additional public facilities.

C. What have you done to determine that the land is suitable for the development proposed?
In the future, a well will need to be added on the western parcel and a septic system will need to be added on the eastern parcel. No testing has been completed at this time.

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. Other than the addition of a well and septic, there should not be any other natural areas disturbed. An existing building (barn) on the eastern property would be converted into a residence in the future.

E. Explain any potential for conflict with existing land uses in the area.
Creating a separate parcel for a future residence will not create any conflicts with existing land uses.

RECEIVED

AUG 12 2021

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

(OVER)

- F. Demonstrate the need of the proposed development at this location. Dividing land I
currently own to be able to transfer to family in the future.
- G. What is the availability of alternative locations? Be specific. No other available lands
to meet my goals.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved?
Land is not currently being used as cropland. Farm uses have
been abandoned.
- 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. Land is not being used as cropland.

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]
 8. Owner's Signature [Signature]
 (If different)

Phone 715 223 7161 Date 7-31-21
 Phone _____ Date 7-31-21

Date Fee Received: 8-12-2021

RECEIVED
 Fee \$600.00 PAYABLE TO MARATHON COUNTY
 AUG 12 2021

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.

PREPARED FOR:
 LOREN WEILAND
 110156 COUNTY ROAD N
 COLBY, WI 54421

PROJECT #WelandLoren

THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF ALL LAND DATA AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.

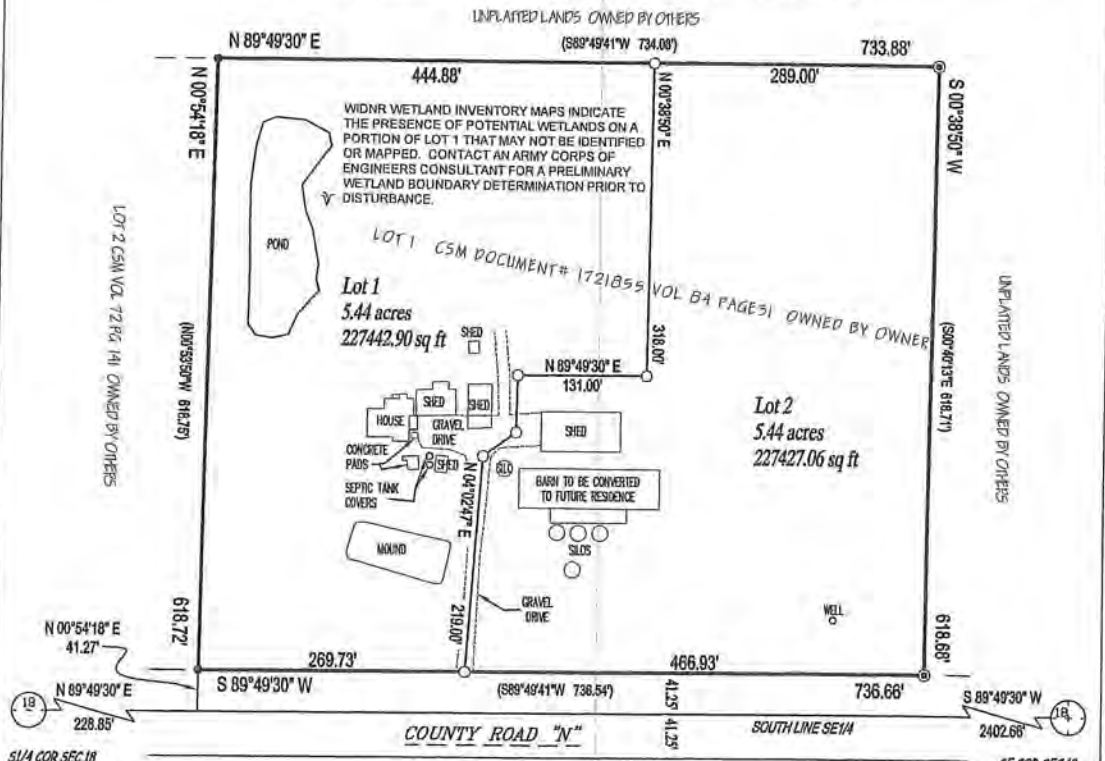
ALL LAND DATA



GENE WADZINSKI
 OWNER
 211 S. 58TH AVENUE
 WAUSAU WI 54401
 PHONE: 715-218-5151
 LLDEVL@AOL.COM

DRAWN BY: KTS
 SHEET 1 OF 2
 FIELD COMPLETE
 Date: / / 21

MARATHON COUNTY CERTIFIED SURVEY MAP NO. _____ DOCUMENT NO. _____
 ALL OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1721855 BEING PART OF THE
 SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 3 EAST,
 TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN




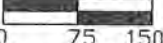
S1/4 COR SEC 18
 S/N FOUND PER
 TIE SHEET

SE COR SEC 18
 S/N FOUND PER
 TIE SHEET

LEGEND

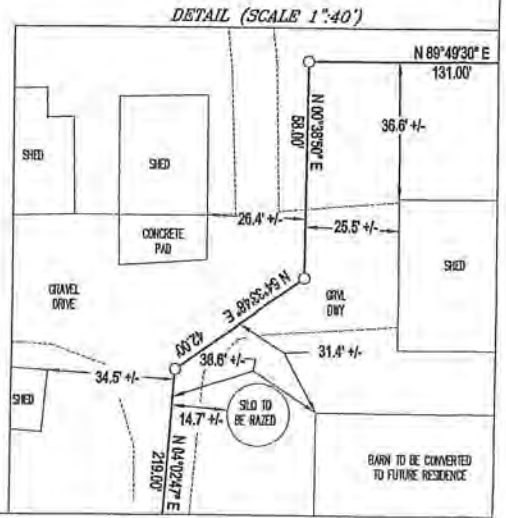
- 1 3/4" O.D. X 18" IRON PIPE SET WEIGHING 1.68 LBS/LIN. FT.
- EXISTING 1" O.D. IRON PIPE
- ⊙ EXISTING 1 3/4" O.D. IRON PIPE
- I WOOD LATH SET
- () RECORDED AS
- ▽ WETLAND

ASSUMED BEARINGS REFERENCED TO THE SOUTH LINE OF THE S1/4 SEC. 18-28-3E N89°49'30"E 6631.5'





SCALE 1"=150'

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



GENE J. WADZINSKI PLS NO. 2400
 SURVEY COMPLETED / / 2021

PREPARED FOR: LOREN WEILAND 110156 COUNTY ROAD N COLBY, WI 54421		GENE WADZINSKI <small>OWNER</small> 211 S. 58TH AVENUE WAUSAU WI 54401 PHONE: 715-218-5151 LLDVLS@AOL.COM
PROJECT #WellandLorenDesc <small>THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF ALL LAND DATA AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS EXPRESSLY FURNISHED.</small>		DRAWN BY: KTS SHEET 2 OF 2 FIELD COMPLETE Date: / /21

MARATHON COUNTY CERTIFIED SURVEY MAP NO. _____ DOCUMENT NO. _____

ALL OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NO. 1721855 BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 3 EAST, TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN

SURVEYOR CERTIFICATE

I, GENE J. WADZINSKI, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY: THAT I HAVE SURVEYED, DIVIDED AND MAPPED AT THE DIRECTION OF LOREN WEILAND, OWNER, ALL OF LOT 1 OF CERTIFIED SURVEY MAP DOCUMENT NUMBER 1721855 RECORDED IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, BEING PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 18, TOWNSHIP 28 NORTH, RANGE 3 EAST, TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SECTION 18; THENCE N89°49'30"E, ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4, 228.85 FEET; THENCE N00°54'18"E, TO THE NORTH RIGHT-OF-WAY LINE OF "COUNTY ROAD N", BEING THE SOUTHWEST CORNER OF LOT 1 OF A CERTIFIED SURVEY MAP RECORDED IN DOCUMENT 1721855 IN THE MARATHON COUNTY REGISTER OF DEEDS OFFICE, 41.27 FEET TO THE POINT OF BEGINNING. THENCE CONTINUING N00°54'18"E ALONG THE WEST LINE OF SAID LOT 1, 618.72 FEET; THENCE N89°49'30"E, ALONG THE NORTH LINE OF SAID LOT 1, 733.88 FEET; THENCE S00°38'50"W ALONG THE EAST LINE OF SAID LOT 1, 618.68 FEET; THENCE S89°49'30"W, ALONG THE SOUTH LINE OF SAID LOT 1 BEING THE NORTH RIGHT-OF-WAY LINE OF "COUNTY ROAD N", 736.66 FEET TO THE POINT OF BEGINNING.

SAID PARCEL IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAYS OF RECORD.

THAT SUCH PLAT IS A CORRECT REPRESENTATION OF ALL EXTERIOR BOUNDARIES OF THE LAND SURVEYED. THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF CHAPTER 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 FRANKFORT 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.
 CPZ TRACKING# _____

GENE J. WADZINSKI PLS NO. 2400
 SURVEY COMPLETED / /2021

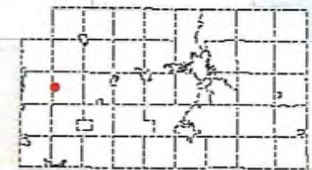


WAUSAU

Land Information Mapping System

TAYLOR

LINCOLN



WOOD

PORTAGE



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- County Zoning ZCR
 - U-R (Urban Residential)
 - L-D-R (Low Density Residential)
 - R-R (Rural Residential)
 - R-E (Rural Estate)
 - M-H (Manufactured/Mobile Home Park)
 - C (Commercial Regional)
 - N-C (Neighborhood Commercial)
 - B-R (Business Regional)
 - L-I (Light Industrial)
 - H-I (Heavy Industrial)
 - G-A (General Agriculture)
 - F-P (Farmland Preservation)
 - C-V/R-C (Conservancy & Recreation)
- 2020 Orthos Countywide
 - Red: Band_1
 - Green: Band_2
 - Blue: Band_3

77.41 0 77.41 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

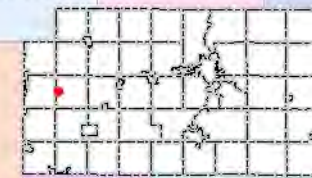
Notes



Land Information Mapping System

TAYLOR

LINCOLN



WOOD

PORTAGE



Legend

- Road Names
- Parcels
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 - Red: Band_1
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63.14 0 63.14 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

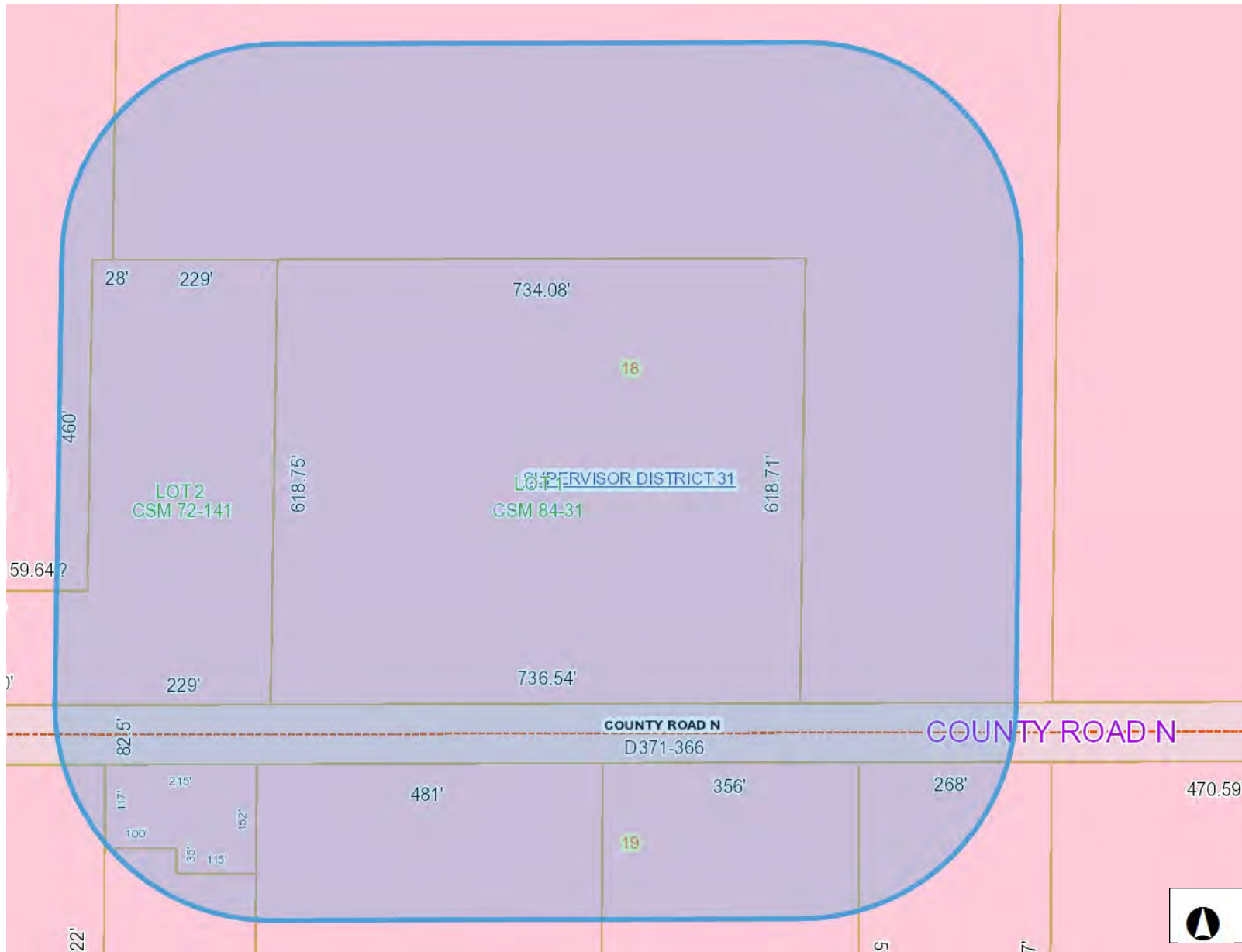
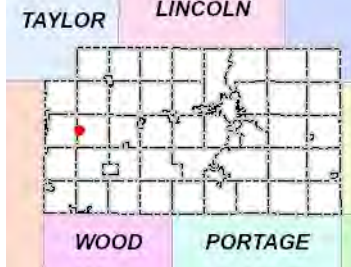
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- Supervisor Districts
 - <all other values>
 - 1
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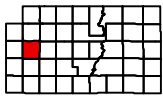


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

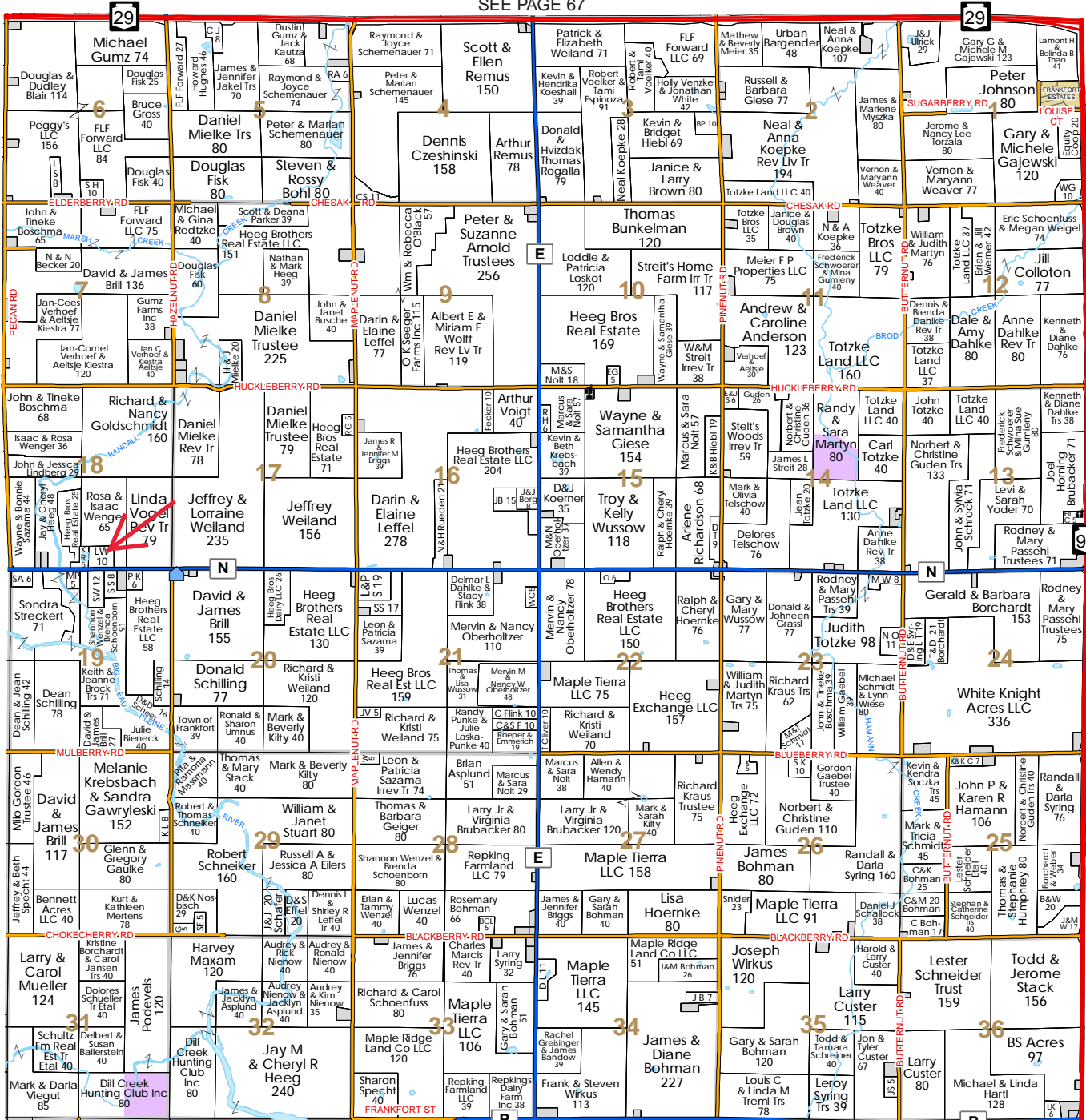


Frankfort

Township 28N - Range 3E

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SEE PAGE 67



Burnett Transit, Inc.

211025 Hwy 13 • Spencer, Wisconsin 54479
Terminals in Spencer, Colby and Dorchester

Phone:
715-659-4391 or 800-231-4391

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF FRANKFORT)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Kelly Wussow, Clerk of the Town of Frankfort, 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 Frankfort Town Board at a meeting held on the 13th day of September, 2021.

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 Frankfort Town Board considered on the 13th day of September, 2021, petition of Loren Weiland to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW ¼ of the SW ¼ of Section 18, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as all of the existing Lot #1 (10.10 acres) on the Certified Survey Map (CSM) Vol. 84 Pg. 31, Parcel PIN# 026.2803.184.0989; Address 110156 County Road N, Colby WI 54421

The Town of Frankfort 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 Frankfort 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 September 15, 2021 to:

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



**Loren Weiland
Petition to Rezone Land
Staff Report, October 5th, 2021
Environmental Resources Committee**

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

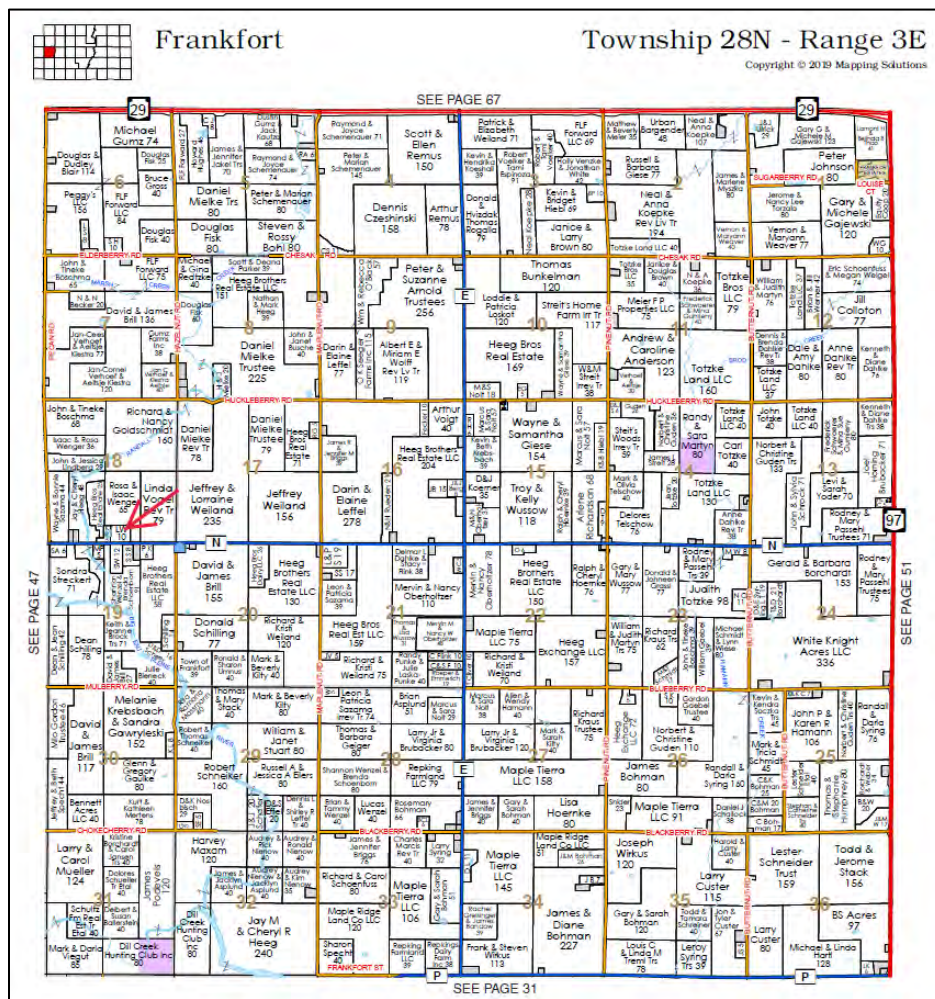
- Town of Frankfort Town Board Meeting (September 13th, 2021)
- Marathon County Environmental Resources Committee Meeting (October 5th, 2021 at 3:00pm)

PETITIONER: Loren Weiland – 110156 County Rd N, Colby WI 54421

PROPERTY OWNER: (Same) Loren Weiland – 110156 County Rd N, Colby WI 54421

LOCATION OF REZONE REQUEST: Areas proposed to be rezoned are located on the 2,200 feet east of the intersection of Pecan Road and County Road N.

Map 1: Location of Rezone Request



REQUEST:

The petition of Loren Weiland to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-E Rural Estate described as part SW ¼ of the SE ¼ of Section 18, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as all of the existing Lot #1 (10.10 acres) on the Certified Survey Map (CSM) Vol. 84 Pg. 31, Parcel PIN# 026.2803.184.0989; Address 110156 County Road N, Colby WI 54421.

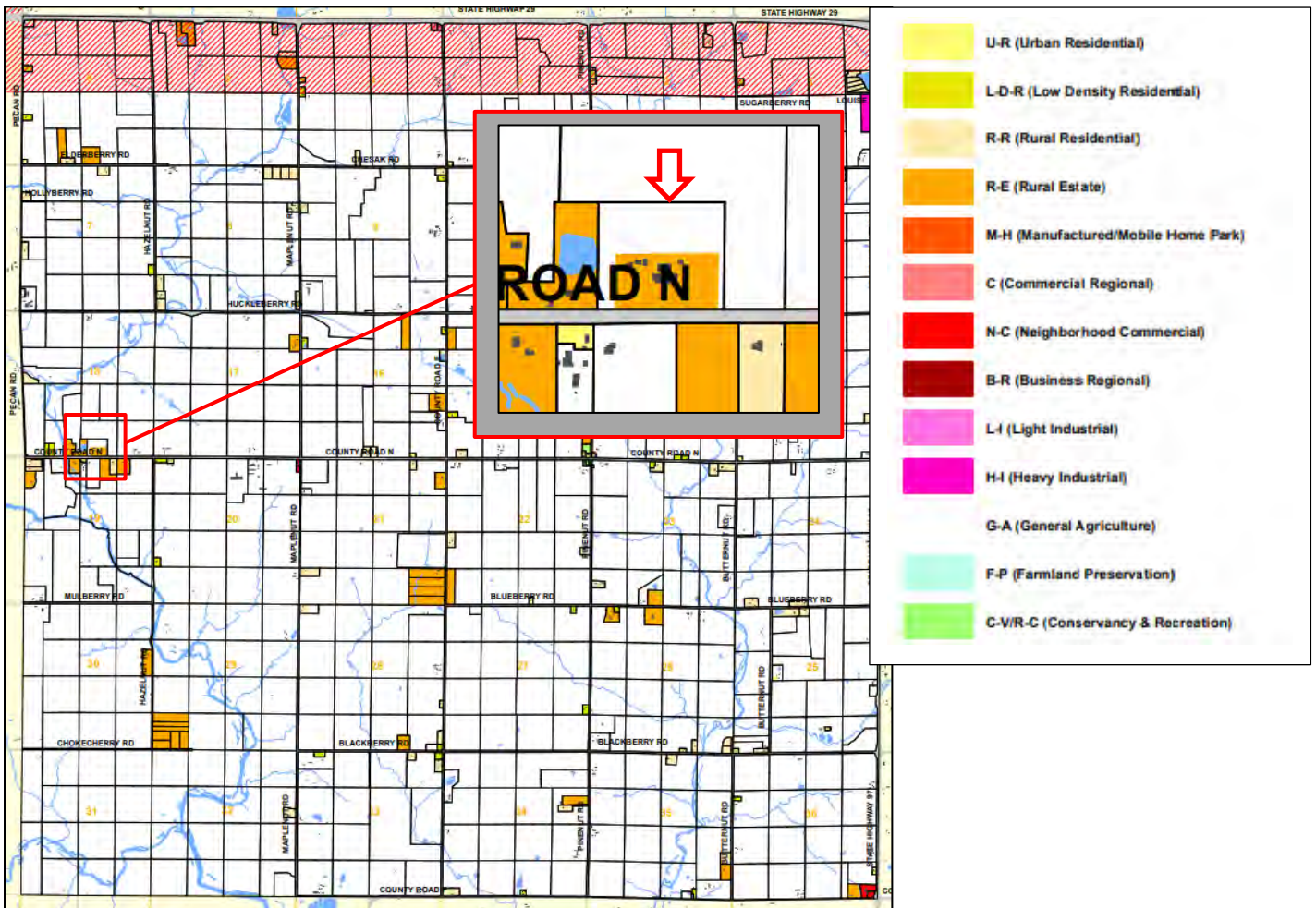
EXISTING ZONING DISTRICT:

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-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) and Rural Estate (Orange), with a few Rural Residential (Tan) and Low Density Residential (Yellow) zoned parcels within close proximity.



Map #2 Town of Frankfort Zoning District Map

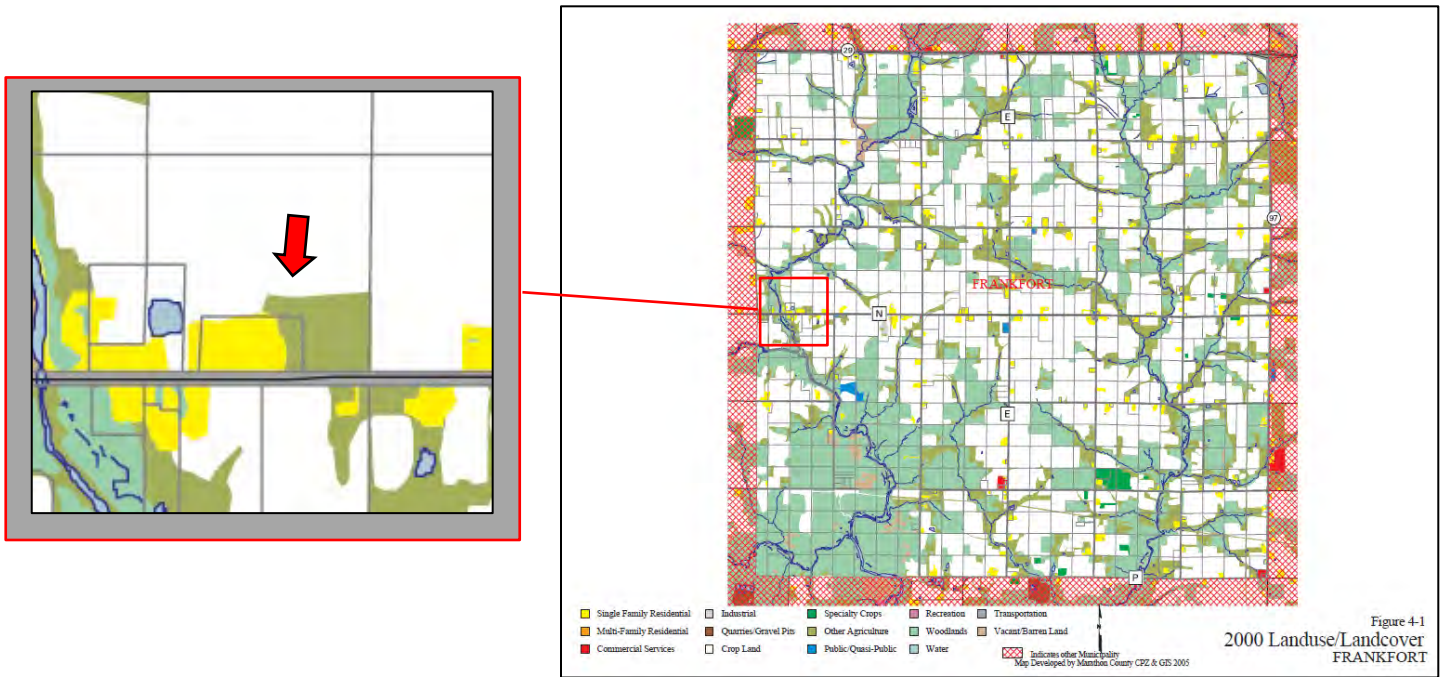


Approx. 6 acres of the parent parcel to be rezoned from GA to RE

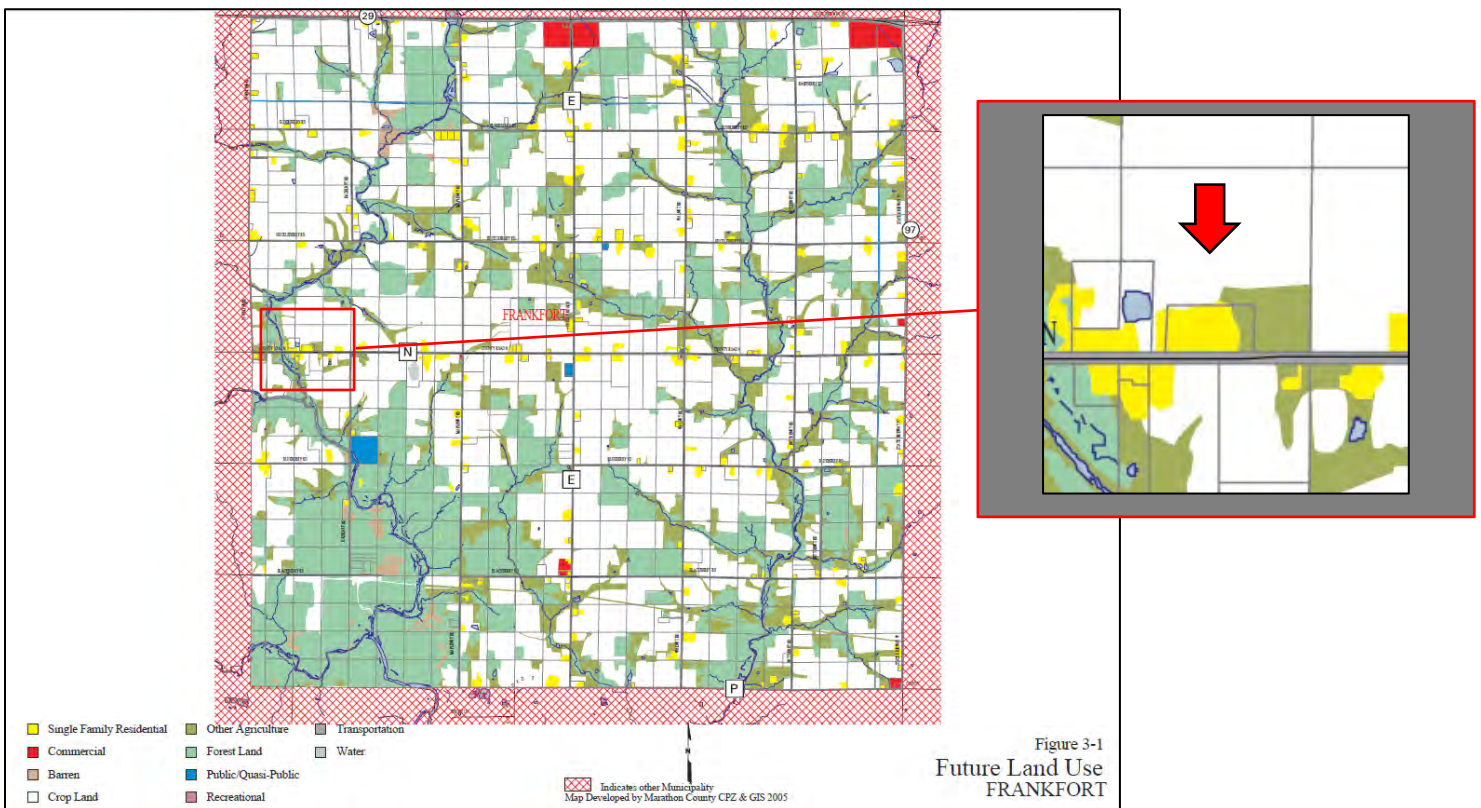
Legal Notification:

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

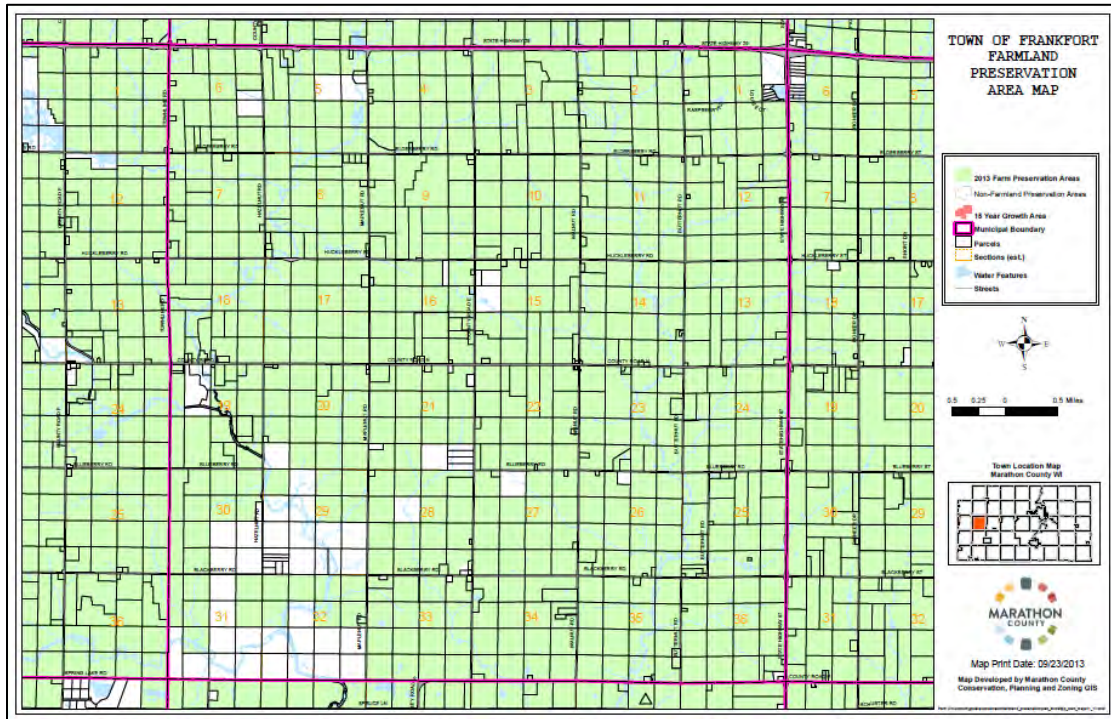
Existing Generalized Land Use/Land Cover Map – Town of Frankfort (Comprehensive Plan) The area proposed to be rezoned is shown as partially Single Family Residential, other agriculture, and crop land uses in the Town's Comprehensive Plan Existing Land Use/Land Cover Map (2000). Adjacent land uses are comprised of similar land uses including Crop Land, Single Family Residential, and Woodland uses.



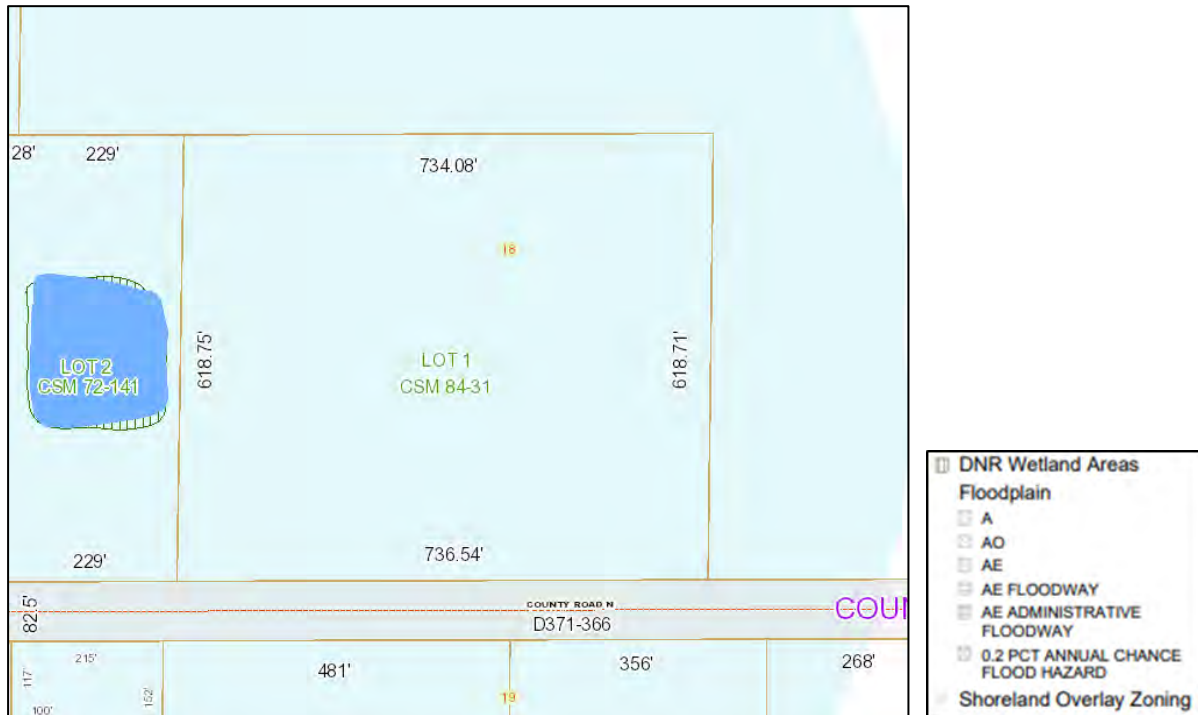
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006 Plan): The areas proposed to be rezoned is shown partially as Single Family Residential, other agriculture, and crop land uses in the Town's Comprehensive Plan Future Land Use/Land Cover Map. Adjacent land uses are comprised of similar land uses such as Single Family Residential, forest land, and Other Agricultural/Crop 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 Frankfort does not participate in Farmland Preservation zoning therefore there are no parcels within the town zoned farmland preservation.

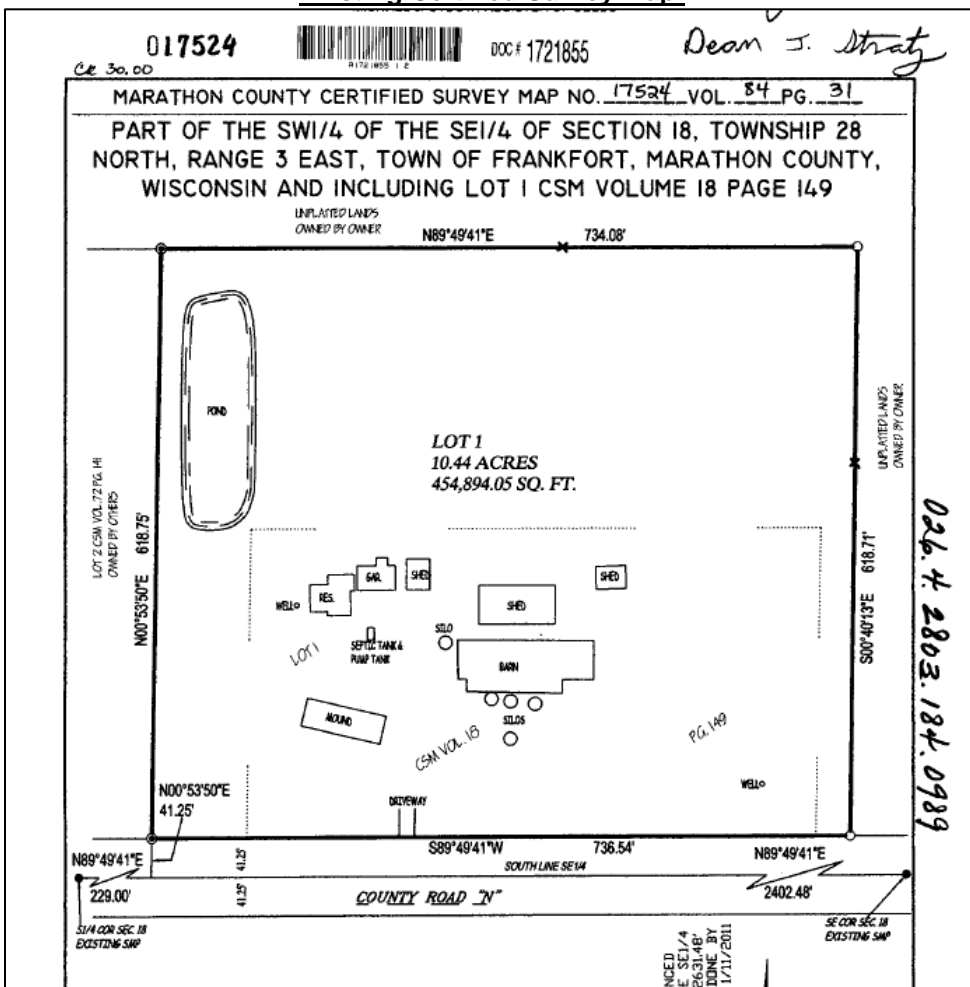


SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The areas proposed to be rezoned has no DNR mapped wetlands yet is completely covered by the shoreland overlay from a nearby pond (navigability unknown). Lastly, there are no FEMA floodplain areas.

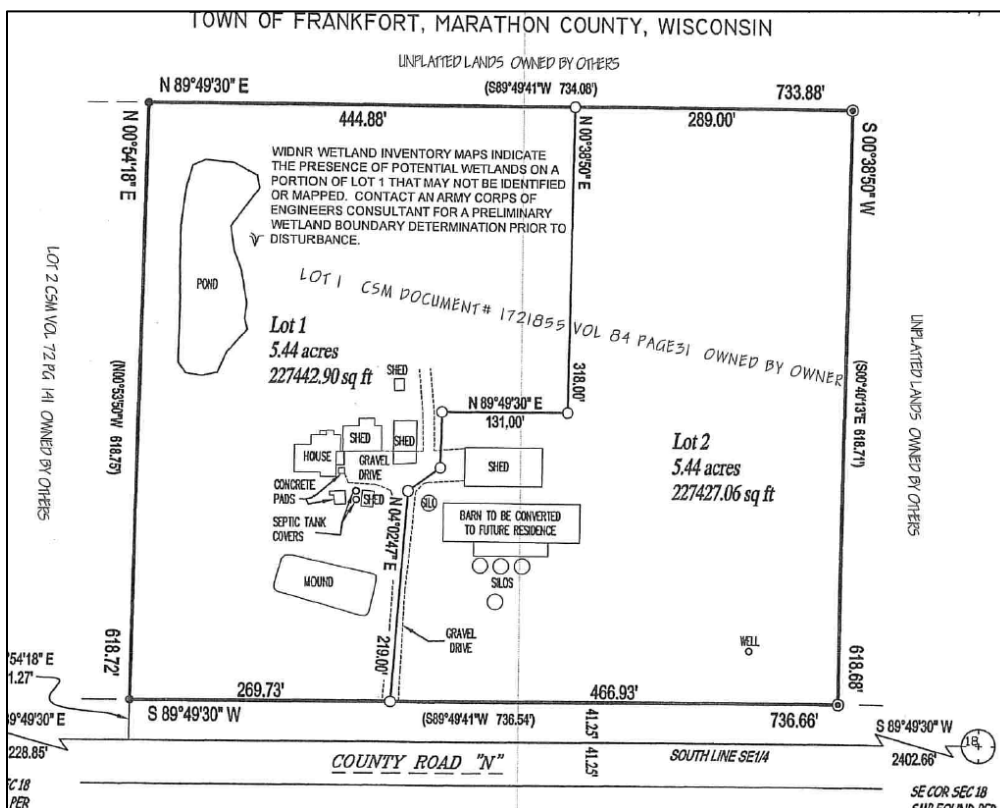


Red boundaries (above) indicates the approximate location proposed to be rezoned, see the preliminary CSM for more specific information and details.

Existing Certified Survey Map:



Preliminary Certified Survey Map:



Aerial Photo:



Red boundary (above) indicate the approximate locations proposed to be rezoned, see the preliminary CSM for more specific information and details.

TOWN RECOMMENDATION:

On September 13th, 2021 the **Town of Frankfort** 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?

No Yes Explain: _____

The Town of Frankfort 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 Kelly Johnson
Town Board [Signature]
Craig Wasson

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 parcel proposed to be rezoned is shown to be designated for other single family residential, crop land, and other agricultural land uses in the towns future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan. The area in question was designated as a farmland preservation area, yet the town does not participate in farmland preservation zoning.

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.
It appears no active crop land will be converted as a result of the proposed rezone.

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 parcel reconfiguration.
 - b. All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable)
 - c. No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

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

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

5. The Town has approved the proposed rezone of the property.
The Town of Frankfort 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 Town of Frankfort should update their comprehensive plan to reflect the proposed rezones. The future and existing land use maps already partially reflect the rezone in question, yet it should be revised to include the whole 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 recommendation/resolution, 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

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

Tim Vreeland Vreeland Associates
6103 Dawn St Wausau

hereby petition to rezone property owned by (Name & Address): Allen Drabek

116455 Chesak Rd Edgar WI

from the classification RR, Rural Residential to LPR, Low Density Residential.

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

*265
AD/12/21*

Parcel Identification Number (PIN): 026-2803-111-0997

(Proposed as Lot 1 on Preliminary CSM)

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

To divide off an existing home on a 1.454 acre parcel

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. This is an existing home on a public road served by existing public utilities

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

No burden. Just one new lot in the township.

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

No development. an existing home on a proposed 1.454 acre parcel.

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

No adverse affects.

E. Explain any potential for conflict with existing land uses in the area.

No conflict. Several like zoned parcels in the area.

RECEIVED

AUG 12 2021

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

(OVER)

- F. Demonstrate the need of the proposed development at this location. No development. dividing off an existing home
- G. What is the availability of alternative locations? Be specific. No Alternative.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? No Cropland
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. No Cropland

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 715-241-0947 Date 8-11-2021

8. Owner's Signature [Signature] Phone 715-297-6692 Date 8-6-21
(if different)

Date Fee Received: 08/12/21

RECEIVED
 Fee \$600.00 PAYABLE TO MARATHON COUNTY
 AUG 12 2021

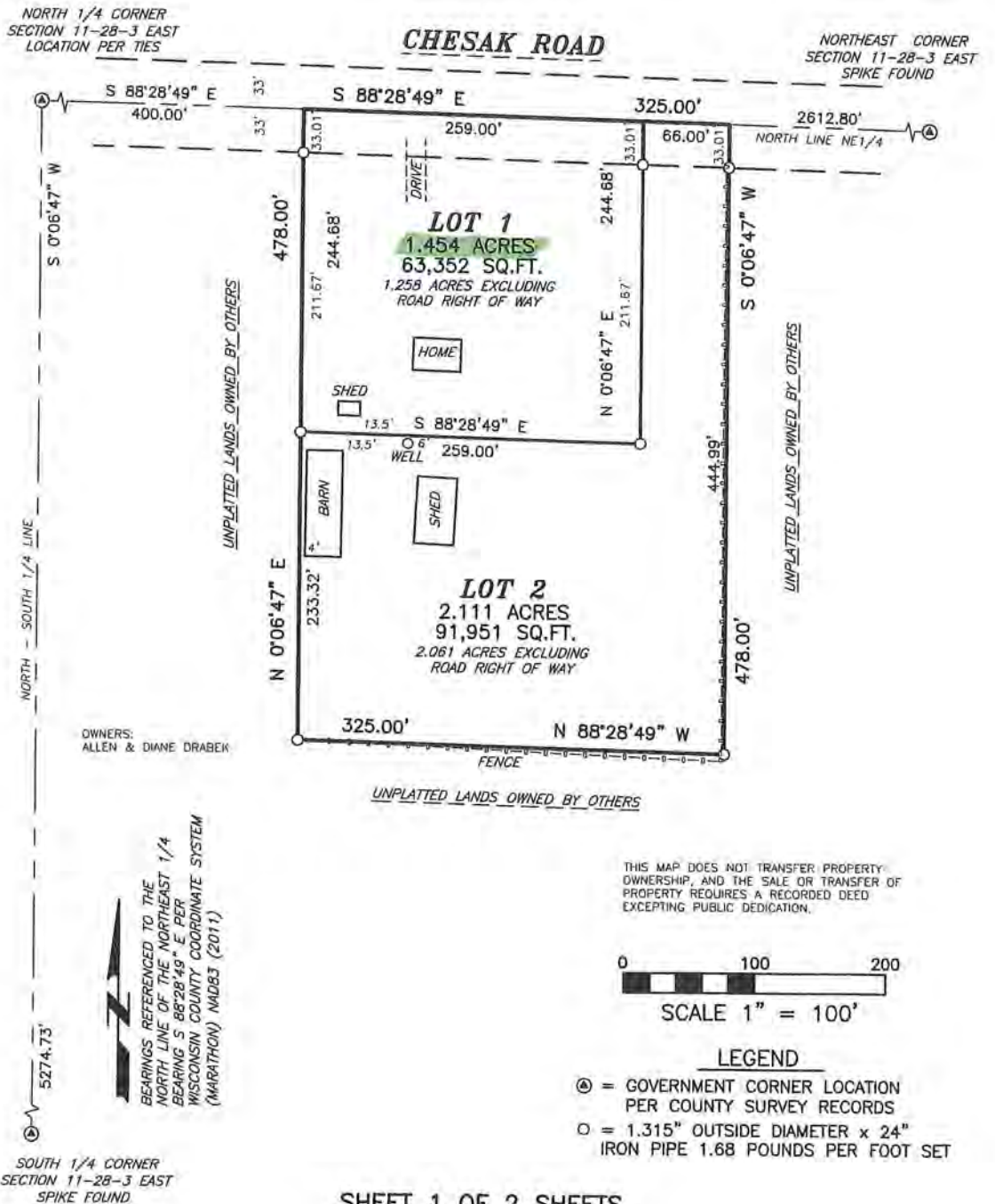
Attendance at the Public Hearing before the Marathon County Environmental Resources (ERC) Committee is not mandatory if you have appeared before the Town Planning Commission and/or the Town Board to present your proposal. If there was opposition to your proposal at the town level, attendance at the ERC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

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

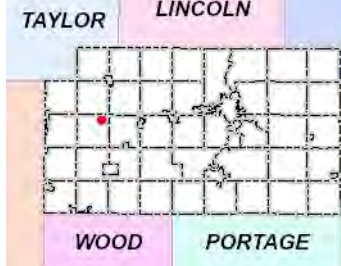
PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4
OF SECTION 11, TOWNSHIP 28 NORTH, RANGE 3 EAST,
TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947	tim@vreelandassociates.us
PREPARED FOR:	ALLEN DRABEK
FILE #:	21-0361 DRABEK
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	





Land Information Mapping System



Legend

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46.13 0 46.13 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

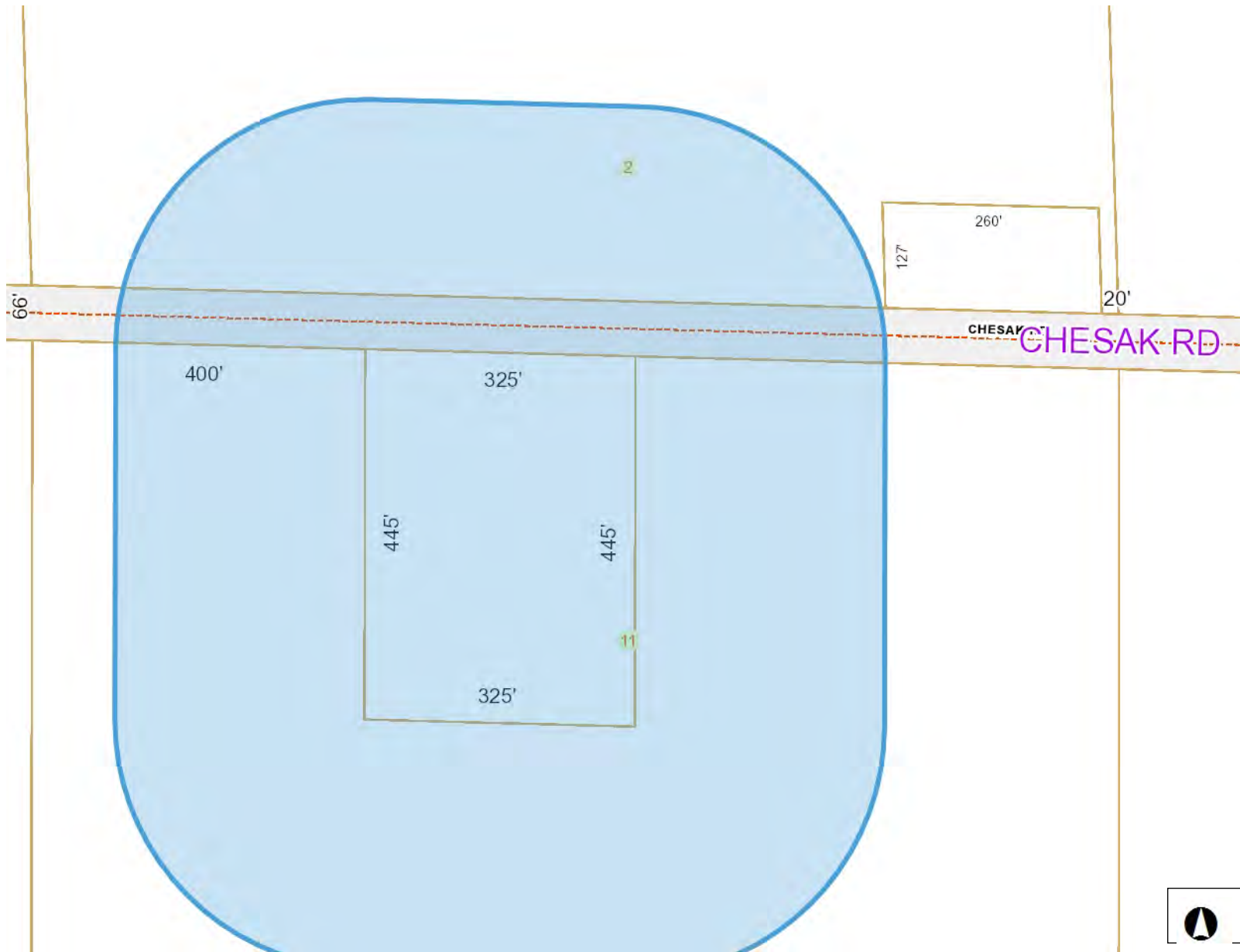
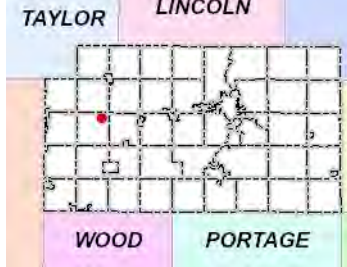
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities



89.29 0 89.29 Feet

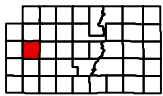


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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

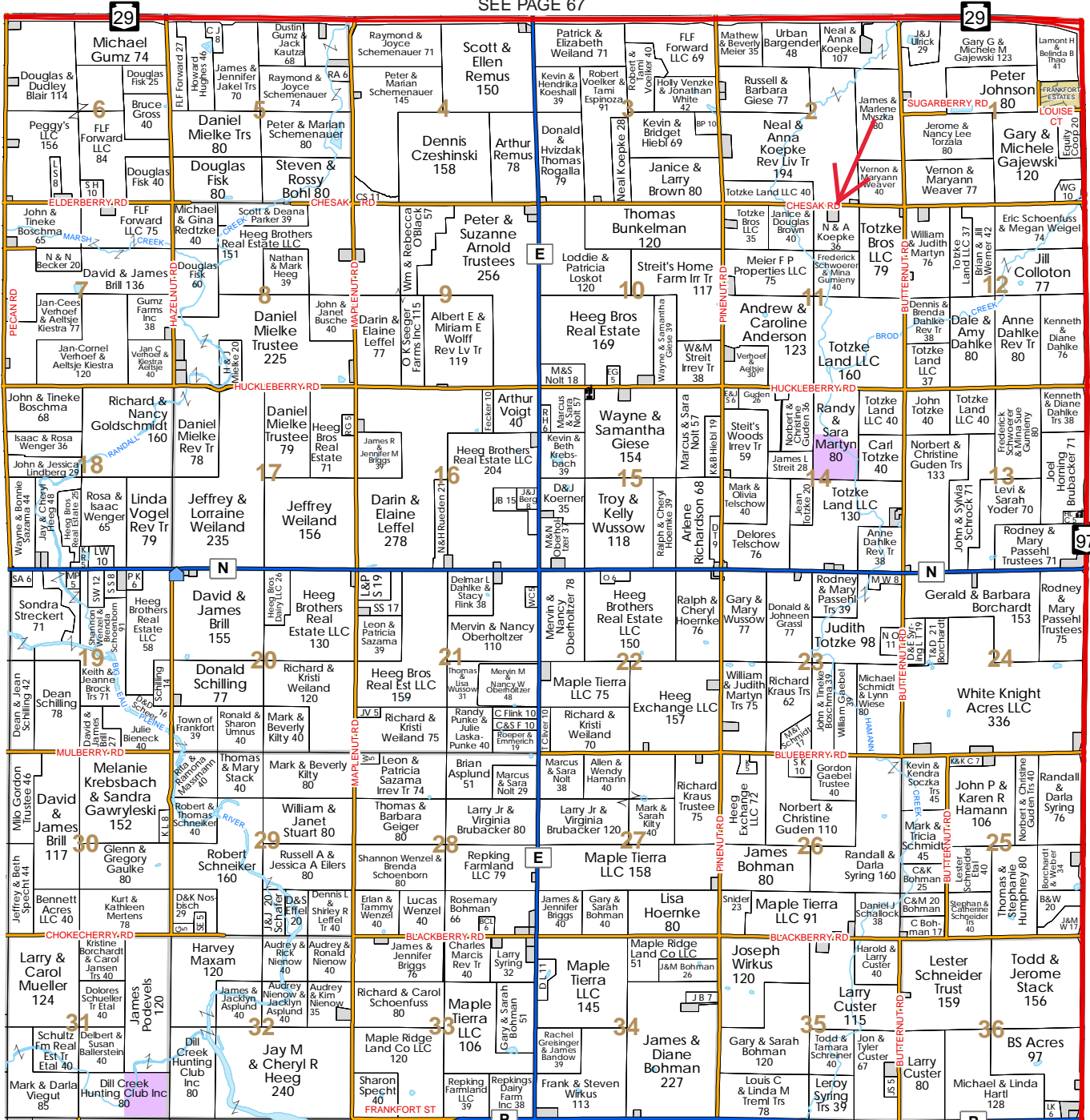


Frankfort

Township 28N - Range 3E

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SEE PAGE 67



SEE PAGE 31

Burnett Transit, Inc.

211025 Hwy 13 • Spencer, Wisconsin 54479
Terminals in Spencer, Colby and Dorchester

Phone:
715-659-4391 or 800-231-4391

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF FRANKFORT)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Kelly Wussow, Clerk of the Town of Frankfort, 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 Frankfort Town Board at a meeting held on the 12th day of September, 2021.

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 Frankfort Town Board considered on the 12th day of September, 2021, petition of Tim Vreeland on behalf of Allen and Diane Drabek to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to L-D-R Low Density Residential described as part of the NW ¼ of the NE ¼ of Section 11, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot# 1 on the preliminary Certified Survey Map (CSM) submitted with the rezone petition. Parent parcel is identified Parcel PIN# 026.2803.111.0997; Address 116455 and 116453 Chesak Road, Edgar WI 54426

The Town of Frankfort 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: N/A

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

No Yes Explain: N/A

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

No Yes Explain: Does not meet minimum land acreage requirements

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: There is no need to split up under our required minimum acreage
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: There is alternate land for sale in different locations.
- 8) Is cropland is being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: N/A
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: N/A
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: Comprehensive plan states all land under acreage amount grandfathered in or will have to be 2 acres. (21.6.A of zoning code)
- 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: Town of Frankfort discourages low density zoning in our township.

The Town of Frankfort 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 Kelly Munn
 Town Board [Signature]
Gary Wasson
[Signature]

NOTE: If you recommend disapproval of this request, please make every effort to send a representative to the Environmental Resources Committee Public Hearing. Town input at the hearing is always appreciated. Please return this form before September 15, 2021 to:

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

ORDINANCE NO. 2004-01
LAND DIVISION ORDINANCE

AN ORDINANCE TO REVISE AND CONSOLIDATE, AMEND, SUPPLEMENT AND CODIFY THE GENERAL ORDINANCES AND BY LAWS OF THE TOWN OF FRANKFORT.

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

SECTION 1. The code of ordinances in book form entitled, MUNICIPAL CODE OF THE TOWN OF FRANKFORT, MARATHON COUNTY, STATE OF WISCONSIN", having been placed on file and open to public inspection in the office of the town clerk for a period of two weeks, commencing September 9, 2003, in accordance with the procedure provided under Sec. 66.035 of WI. Stats., is hereby adopted as the general code of ordinances in and for the Town of Frankfort, Marathon County, State of Wisconsin, and all previously adopted general ordinances of the Town of Frankfort are hereby repealed, except as provided in Section 2 of this ordinance.

SECTION 2. The code of general ordinances hereby adopted shall not be deemed to repeal any ordinances of the Town of Frankfort or any general ordinance or part hereof relating to the following subject and not conflicting with any of the provisions of the "MUNICIPAL CODE OF THE TOWN OF FRANKFORT, MARATHON COUNTY, STATE OF WISCONSIN".

SECTION 3. This ordinance shall take effect upon passage and publication as required by law.

Adopted: March 1, 2004

Published: March 23, 2004

Approved by:

Dennis F. Czesinski
Dennis F. Czesinski, Chairman
Michael R. Sebold
Michael R. Sebold, Supervisor
John Hamann
John Hamann, Supervisor

Attested by:

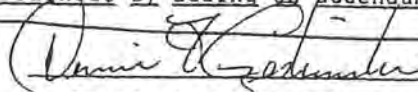
Marlene J. Carter
Marlene J. Carter, Clerk

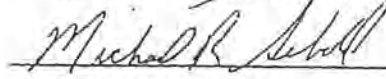
ADDENDUM TO "TOWN OF FRANKFORT LAND DIVISION ORDINANCE"
which was adopted March 1, 2004.

The plan commission members had decided at a meeting to recommend to the Frankfort town board to change the minimum lot size in the land division ordinance to correspond with the minimum lot size as the town is zoned A1/2, agriculture with a 2 acre minimum.

A Public Hearing was held on January 9th, 2006 regarding amending of the ordinance. There being no opposition, the Town Board decided at their regular monthly meeting held on February 13, 2006 to this change.

Motion by Gerald Borchardt /s/ Mike Sebold to change the TOWN OF FRANKFORT LAND DIVISION ORDINANCE MINIMUM ACREAGE TO READ (2) two acres throughout by adding an addendum page.


Dennis F. Czeshinski, Chairman


Michael R. Sebold, Supervisor


Gerald D. Borchardt, Supervisor

Attest:


Marlene J. Carter, Clerk

February 13, 2006

Dated



Allen & Diane Drabek Petition to Rezone Land Staff Report, October 5th, 2021 Environmental Resources Committee

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

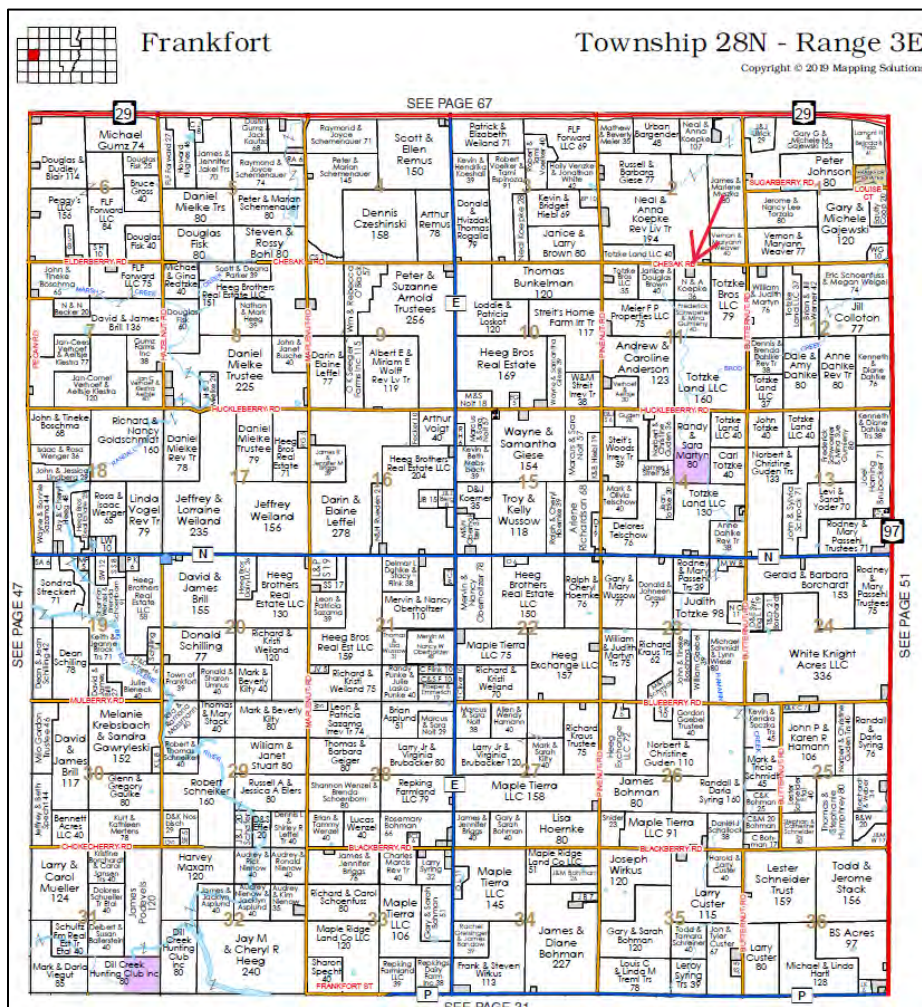
- Town of Frankfort Town Board Meeting (September 22nd, 2021)
- Marathon County Environmental Resources Committee Meeting (October 5th, 2021 at 3:00pm)

PETITIONER: Tim Vreeland (Vreeland Associates) – 6103 Dawn Street, Weston WI

PROPERTY OWNER: Allen Drabek – 116455 Chesak Rd Edgar WI 54426

LOCATION OF REZONE REQUEST: Areas proposed to be rezoned are located 1,800 feet west of the intersection of Butternut Road and Chesak Road.

Map 1: Location of Rezone Request



REQUEST:

The petition of Tim Vreeland on behalf of Allen and Diane Drabek to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to L-D-R Low Density Residential described as part of the NW ¼ of the NE ¼ of Section 11, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot# 1 on the preliminary Certified Survey Map (CSM) submitted with the rezone petition. Parent parcel is identified Parcel PIN# 026.2803.111.0997; Address 116455 and 116453 Chesak Road, Edgar WI 54426.

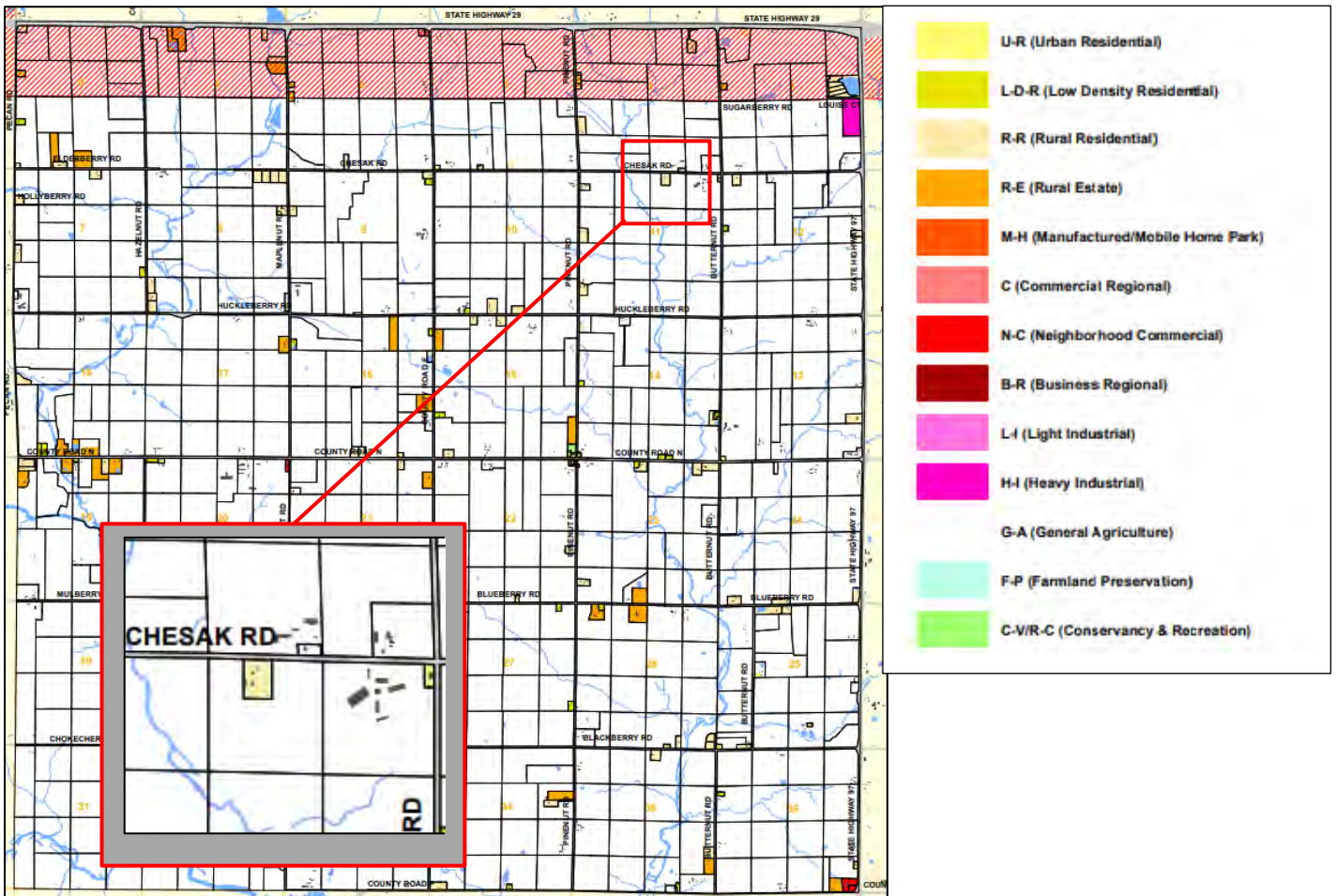
EXISTING ZONING DISTRICT:

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.

PROPOSED ZONING DISTRICT:

L-D-R Low Density Residential District. The purpose of the L-D-R district is to accommodate single-family residential use along existing streets and to promote single-family residential development (involving the extension of new streets) where sanitary sewer and municipal water may be available. The densities are intended to provide for areas of suburban character in the community and to prevent excessive demands on sewerage and water systems, streets, schools, and other community facilities. The districts are intended to avoid overcrowding by requiring certain minimum yards, open spaces, and site area while making available a variety of dwelling types and densities to serve a wide range of individual requirements and thereby providing a more orderly and efficient extension of public facilities.

EXISTING ZONING DISTRICT MAP: Adjacent parcels are zoned General Agriculture (White) with a few Rural Estate (Orange) and Rural Residential (Tan) zoned parcels within close proximity.

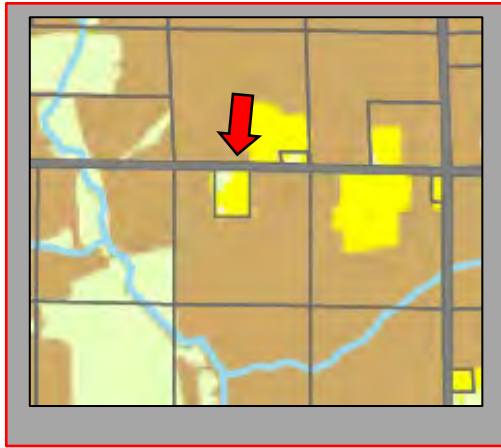
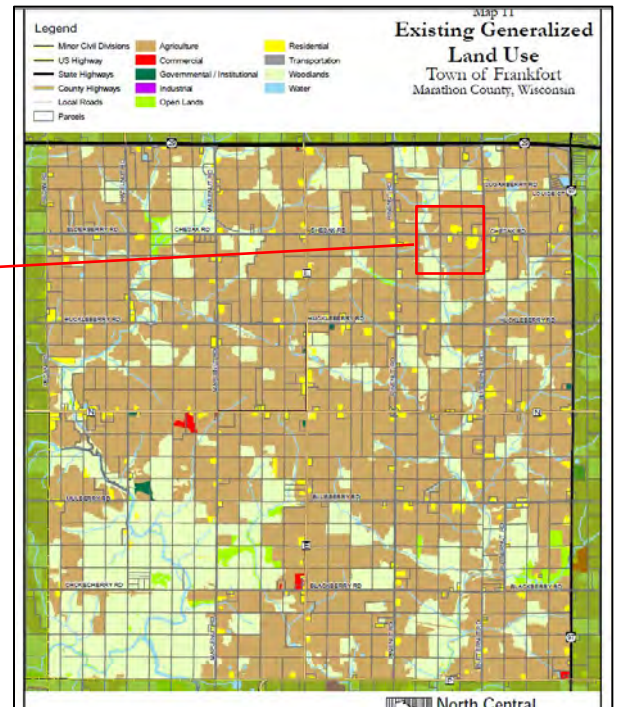


Map #2 Town of Frankfort Zoning District Map

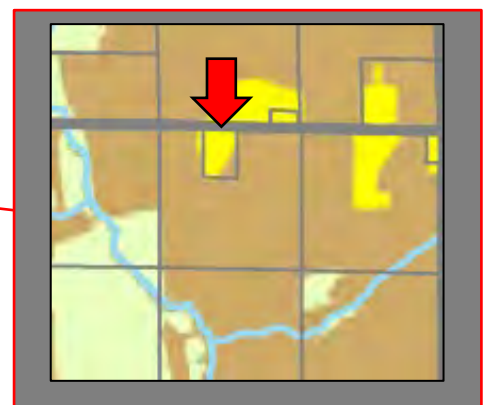
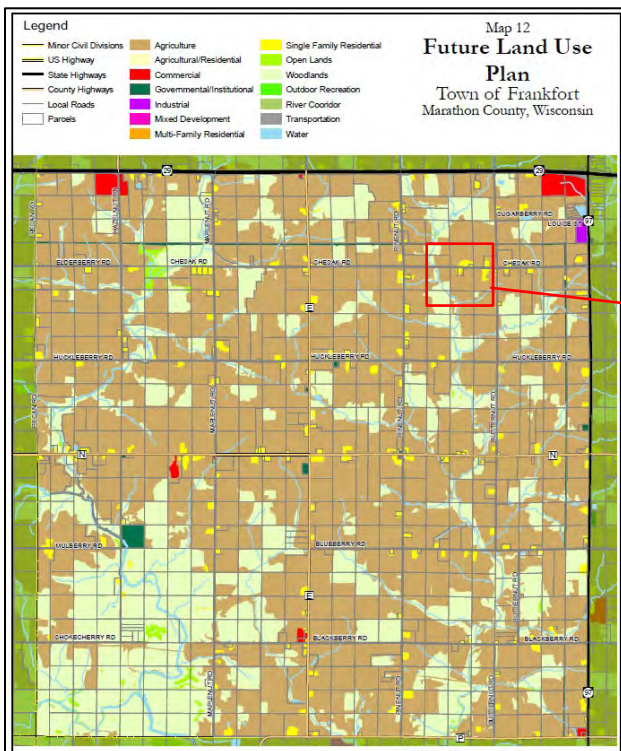
**1.454
Acres**

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

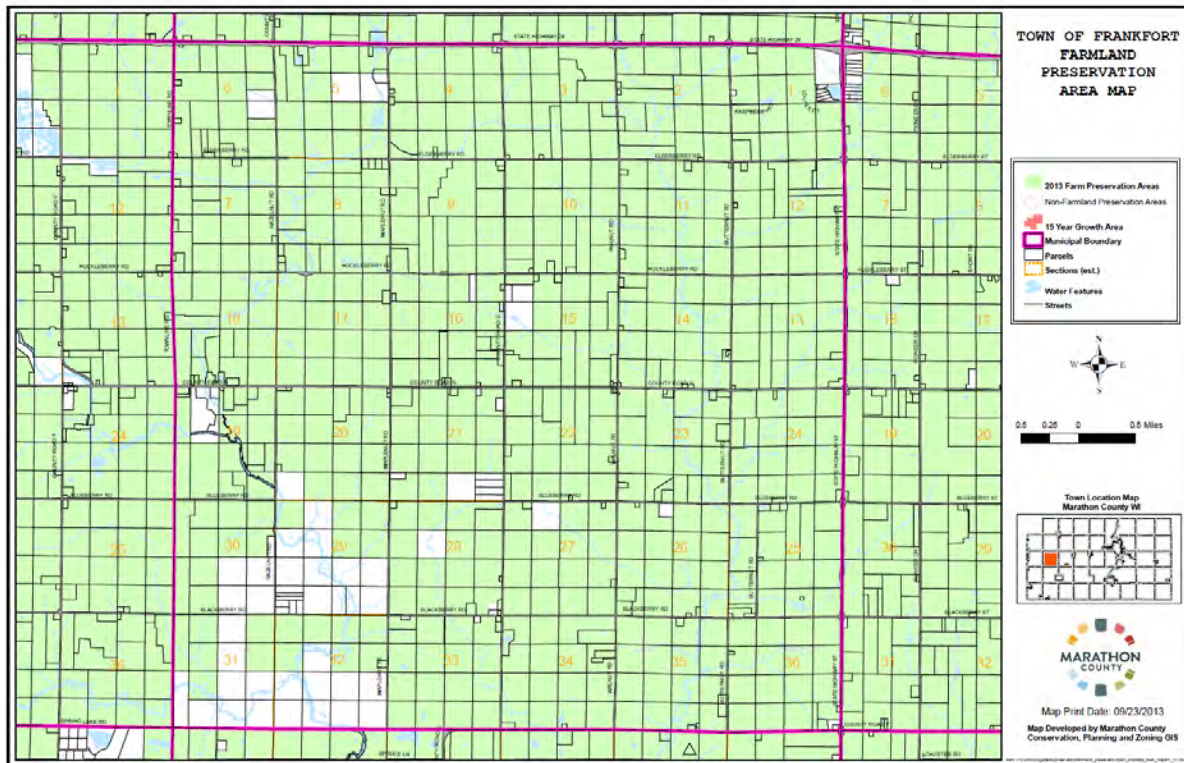
Existing Generalized Land Use/Land Cover Map – Town of Frankfort (Comprehensive Plan) The area proposed to be rezoned is shown as partially Single Family Residential and woodland land uses in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map. Adjacent land uses are comprised of similar land uses including Crop Land, Single Family Residential, vacant, and Woodland uses.



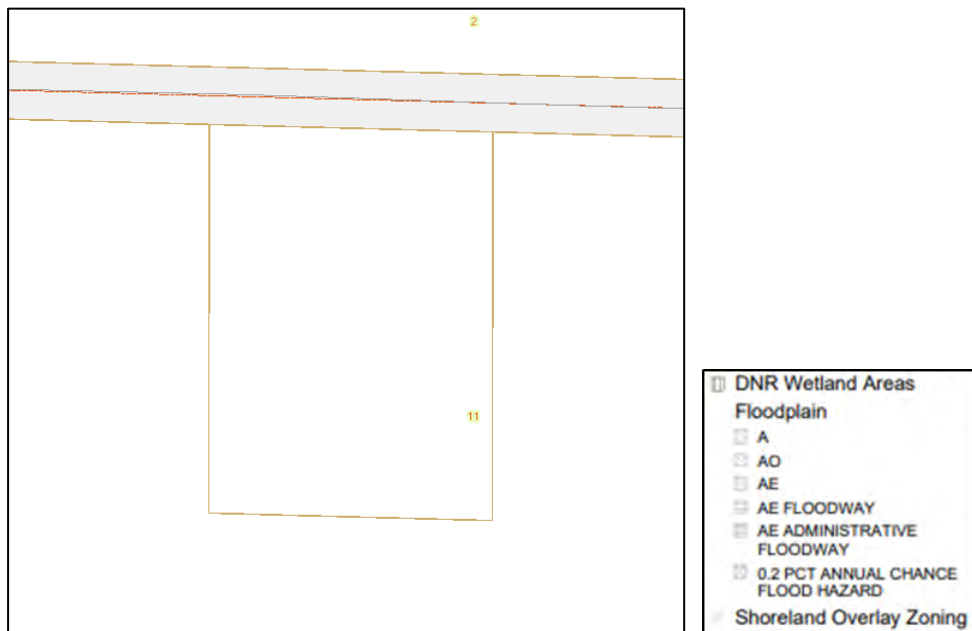
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2018 Plan): The area proposed to be rezoned is shown as Single Family Residential land uses in the Town’s Comprehensive Plan Future Land Use/Land Cover Map. Adjacent land uses are comprised of similar land uses such as Single Family Residential, forest land, and Other Agricultural/Crop 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 Frankfort does not participate in Farmland Preservation zoning therefore there are no parcels within the town zoned farmland preservation.



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



Preliminary Certified Survey Map(s):



Aerial Photo(s):



Red boundary (above) indicate the approximate locations proposed to be rezoned, see the preliminary CSM for more specific information and details.

TOWN RESOLUTION/RECOMMENDATION:

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 Frankfort Town Board considered on the ^{23rd} day of September, 2021, petition of Tim Vreeland on behalf of Allen and Diane Drabek to amend the Marathon County Zoning Ordinance to rezone lands from R-R Rural Residential to L-D-R Low Density Residential described as part of the NW ¼ of the NE ¼ of Section 11, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot# 1 on the preliminary Certified Survey Map (CSM) submitted with the rezone petition. Parent parcel is identified Parcel PIN# 026.2803.111.0997; Address 116455 and 116453 Chesak Road, Edgar WI 54426

The Town of Frankfort 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: N/A
- 2) Has the applicant demonstrated how the provision of the public facilities will not be an unreasonable burden to local government?
 No Yes Explain: N/A
- 3) Has the applicant determined that the land is suitable for the development proposed? Explain.
 No Yes Explain: Does not meet minimum land acreage requirements
- 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: _____
- 6) Has the applicant demonstrated the need for the proposed development at this location? Explain.
 No Yes Explain: There is no need to split up under our required minimum acreage
- 7) Has the applicant demonstrated the availability of alternative locations? Be specific
 No Yes Explain: There is alternate land for sale in different locations.
- 8) Is cropland being consumed by this zone change? What is the productivity of the agricultural lands involved?
 No Yes Explain: N/A
- 9) Has the applicant explained how the proposed development will be located to minimize the amount of agricultural land converted?
 No Yes Explain: N/A
- 10) Is proposed rezone request consistent with the town's adopted Comprehensive Plan? Explain.
 No Yes Explain: Comprehensive plan states all land under acreage amount granted featured in or will have to be 2 acres. (21.6.A of zoning code)
- 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: Town of Frankfort discourages Low density zoning in our township.

Private Utilities

The Town of Frankfort does not provide public sewer or water service. All development is on private wells and septic systems. Depending on zoning Frankfort requires various minimum lot size for the installation of individual septic systems and wells, as outlines in the Marathon County zoning code.

Current Land Use Plans & Regulations

Land Use Plan

The Town of Frankfort completed a Comprehensive Plan in 2006 and this document is an update of the Comprehensive Plan.

Zoning

Marathon County regulates zoning within the borders of the Town of Frankfort. Many properties that do not currently meet minimum lot size standards in the Town, but have been "grandfathered" into current land use operations.

Implementation Tools

Having the appropriate tools to implement the recommendations in this comprehensive plan is critical. The most common implementation tools are the town official controls or regulatory codes. In particular, the **zoning** ordinance and subdivision (or land division) regulations comprise the principal regulatory devices used to protect existing development and guide future growth and development as identified in this comprehensive plan. There are also non-regulatory approaches to implementing the comprehensive plan; these generally involve decisions about how the community will spend its limited funding resources on capital improvements and staffing.

The state planning law requires that by January 1, 2010 certain programs and/or actions that affect land use must be consistent with the locally adopted comprehensive plan. The Town Board officially adopts these regulatory and land use control measures as ordinances (or as revisions to the existing ordinances).

- ♦ **Zoning Ordinance & Map:** Zoning is used to manage and control how land is used and developed. Zoning ordinances typically establish detailed regulations concerning how land may be developed, including setbacks, the density or intensity of development, and the height and bulk of building and other structures. The general purpose of zoning is to minimize undesirable side effects resulting from development by segregating and/or buffering incompatible uses and by maintaining standards that ensure development will not negatively impact the community's character or environment.

The establishment of zoning districts and the zoning map indicates where specific types of development can and should be located. Zoning districts shown on the zoning map should be coordinated with the land use plan and map. While the zoning map and land use map do not need to directly match at the time the land use map is adopted, the intent is that the land use map will serve as a guide indicating how the property should eventually be zoned.


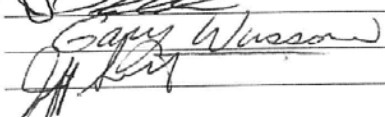
- ♦ **Subdivision (Land Division) Ordinance:**

Subdivision regulations serve as an important function by ensuring the orderly development of unplatted and/or undeveloped land. These regulations may set forth reasonable regulations for lot sizes, road access, street design, public utilities, storm water drainage, parks and open space, and other improvements necessary to ensure that new development will be an asset.

Marathon County's land division ordinance currently applies to the Town of Frankfort.

On September 22nd, 2021 the **Town of Frankfort** Town Board Recommended **Disapproval** to Marathon County's Environmental Resources Committee.

The Town of Frankfort recommends: <input type="checkbox"/> Approval <input checked="" type="checkbox"/> Disapproval of the amendment and/or zone change.
OR <input type="checkbox"/> 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: 

Staff Comments regarding ERC Conclusions of Law:

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

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The area proposed to be rezoned is shown to be designated for other single family residential land uses in the towns future land use map. CPZ staff rely on the towns to make these recommendations given the town board members and residents know their town and the true purpose and intent of the plan, yet there is a reference to a minimum acreage for the Town of Frankfort. CPZ staff were unable to confirm if there is an active Land Division Ordinance for the town or not (besides the County Ordinance). Additionally, staff were unable to locate the reference to a minimum lot size within the Towns Comprehensive Plan (2018). The rezone is consistent with the future land use map yet the town has indicated due to the proposed parcel not meeting the minimum lot size. It appears from the town resolution the rezone meets all rezoning criteria, yet state “ *Comprehensive Plan states all and under acreage amount grandfathered in or will have to be 2 acres. (21.6A of zoning code)*” as to the reasons why the rezone does not meet the Comprehensive Plan. Staff were unable to locate the section reference in the town resolution (either in the zoning ordinance nor the Comp Plan). The area in question was designated as a farmland preservation area, yet the town does not participate in farmland preservation zoning.

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.
It appears no active crop land will be converted as a result of the proposed rezone.

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 creation of a new parcel within an existing parcel.
 - b. All necessary public facilities are anticipated to be provided (if not already provided) given any proposed development would rely of private systems such as a private well and sanitary system (if applicable)
 - c. No anticipated burden on local government, all applicable building, construction, and use standards will be applied during the zoning and building permit review process.

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

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

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

The Town of Frankfort Town Board has recommended **Disapproval** 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.

Wis. Stat., 59.69(5)(e)3

3. Except as provided under subd. 3m., if a town affected by the proposed amendment disapproves of the proposed amendment, the town board of the town may file a certified copy of the resolution adopted by the board disapproving of the petition with the agency before, at or within 10 days after the public hearing. **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, or the town boards of a majority of the towns affected in the case of all other amendatory ordinances file such resolutions, the agency may not recommend approval of the petition without change, but may only recommend approval with change or recommend disapproval.**

3m. A town may extend its time for disapproving any proposed amendment under subd. 3. by 20 days if the town board adopts a resolution providing for the extension and files a certified copy of the resolution with the clerk of the county in which the town is located. The 20-day extension shall remain in effect until the town board adopts a resolution rescinding the 20-day extension and files a certified copy of the resolution with the clerk of the county in which the town is located.

STAFF (CPZ) RECOMMENDATION(S):

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The future and existing land use maps already reflect the rezone in question (consistent as shown to be designated as Single Family Residential in the Town of Frankfort Future Land Use Map (2018). Based on the information provided above, findings of fact, and conclusions of law it appears the rezone request meets the rezone criteria and standards for rezoning. Therefore, while taking into consideration Wis. Stat., 59.69(5)(e)(3), CPZ staff recommend that the Environmental Resources Committee either recommend **Approval with Change** to the Marathon County Board of Supervisors or **Postpone** the determination until the applicant and town have time to discuss available alternatives and options. A change in the zoning district, parcel size, parcel configuration, etc. could constitute a "Change" which could be included in a motion to recommend **Approval with Change**.

All things considered and given the town has already filed a resolution of disapproval, CPZ staff recommend the Environmental Resources Committee **Postpone** their determination until the next scheduled meeting to give the applicant, county, and town time to discuss alternatives and possible changes to the request specifically as it relates to the referenced minimum lot size for the Town of Frankfort. Staff will reach out to the town to definitively identify if there is indeed a town land division ordinance active within the Town of Frankfort that establishes a minimum lot size (2 acres).

THE STAFF RESERVE THE RIGHT TO AMEND THIS REPORT BASED ON NEW EVIDENCE PRESENTED PRIOR TO AND/OR DURING THE PUBLIC HEARING.

RESPECTFULLY SUBMITTED:



SIGNATURE

09/27/2021

DATE



Case: #4
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: _____

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 amend the Town Zoning Ordinance and accompanying Zoning Map, and;

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

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

WHEREAS, if a comprehensive plan has been adopted by the Town, the proposed amendments are or are not compatible with the adopted comprehensive plan [Town has not adopted a 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 12th of July, 20 21

Signed by the Board of the Town of Texas:

John Wirtz
Walter Barchardt
Aly Walker

CERTIFICATION

I, Lorraine F 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 July 12, 20 21.

Lorraine F Beyersdorff
Town Clerk (signature)

7/12/21
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

TOWN OF TEXAS
NOTICE OF A PUBLIC HEARING FOR
REZONING THE FOLLOWING PARCEL

Notice is hereby given that the Town of Texas Planning Commission will hear a request of RHP Investments LC (Location of Stainless Specialists Inc) to rezone the following parcel from M-1 Light Industrial to C-1 Commercial for the purpose of creating a parking lot. The legal description of property is: Part of the NE 1/4 of NE ¼ Section 2, T29N R7E described as Lot 2 of CSM Vol 60 pg 152 known as Parcel Number 078-2907-021-0977 in Marathon County, Town of Texas. The parcel is 2.713 acres This parcel is west across Steel Lane from Stainless Specialist Inc.

Date: June 7, 2021

Time: 7:00 PM

Place: Town of Texas Municipal Center

Lorraine I Beyersdorff, Clerk

Town of Texas

Applicant-RHP Investments- Roger Prochnow

Party of Interest-Dale Lindwall

Party of Interest- Crystal Vilter

Party of Interest-John David Parker

Zoning Inspector-Duane Dittmar

Members of Planning Commission-

Paul Anderson-Chair

James Palmer

Tom Domka

Keith Plautz

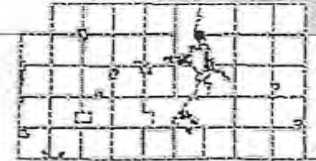
Janet Sann

Glen Carmichael

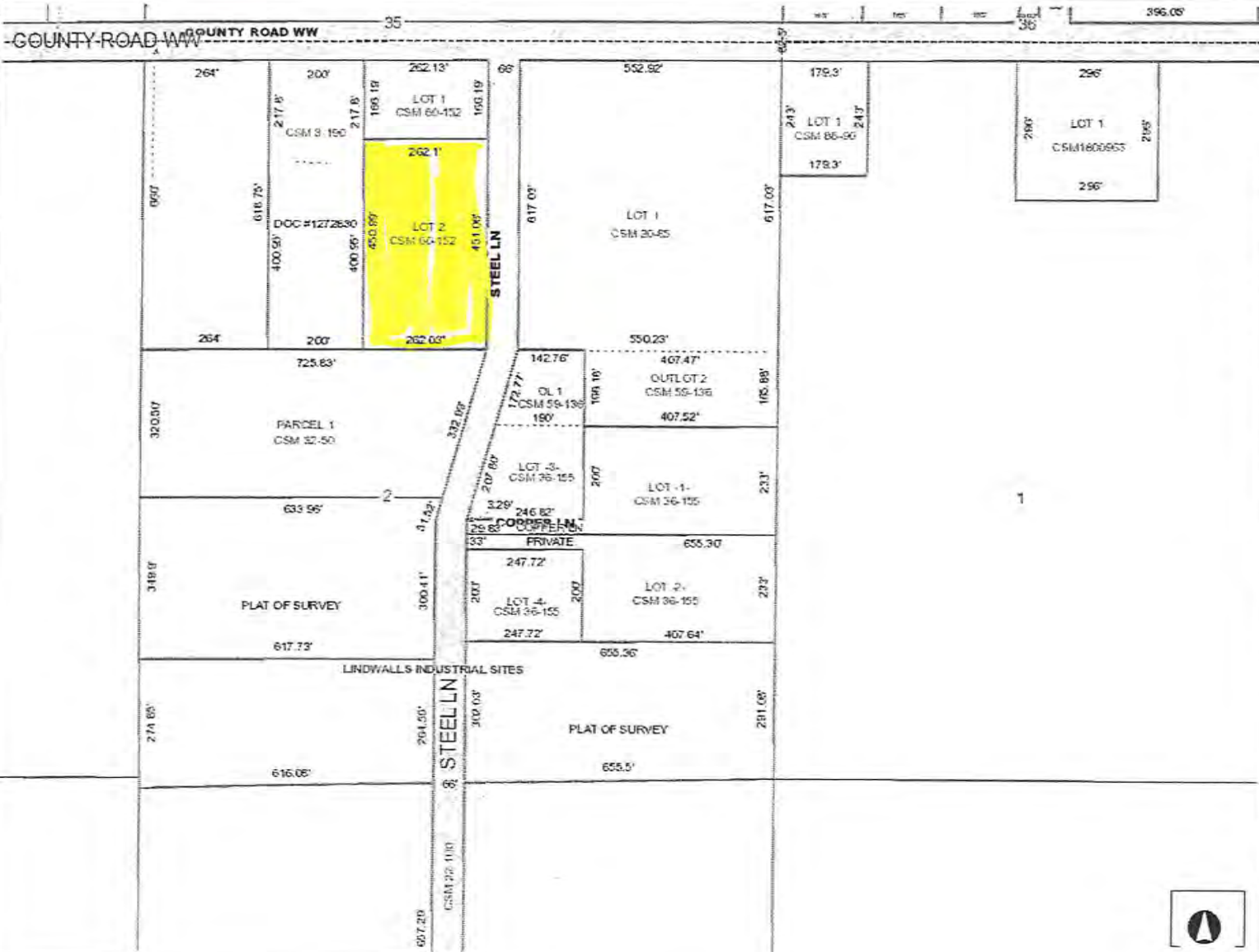


Land Information Mapping System

TAYLOR LINCOLN



WOOD PORTAGE



- ### Legend
- Road Names
 - Parcels
 - Parcel Lot Lines
 - Land Hooks
 - Section Lines/Numbers
 - Right Of Ways
 - Named Places
 - Municipalities

159.05 0 159.05 Feet



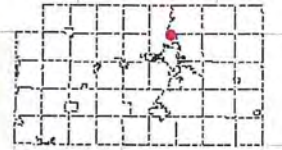
NAD_1983_HARN_WISCRS_Marathon_County_Feet

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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes





Legend

- Road Names
- Parcels
- Parcel Lot Lines
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Named Places
- Municipalities
- 2020 Orthos Countywide
- Red: Band_1
- Green: Band_2
- Blue: Band_3

Notes



165.75 0 165.75 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION



MARATHON COUNTY RESOLUTION FOR SOIL AND WATER RESOURCE MANAGEMENT GRANTS

WHEREAS, Marathon County is interested in acquiring grants from the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP), the Wisconsin Department of Natural Resources (DNR) and the Natural Resource Conservation Service (NRCS) for the purpose of implementing soil and water resource protection activities as identified in the Marathon County Land and Water Resource Management Plan, as pursuant to s. 92.14 NR 151, NR 153 and ATCP 50; and

WHEREAS, the grant funding provides additional financial resources to allow Marathon County to carry out the Land and Water Resource Management program and implement projects;

WHEREAS, Marathon County grant applications contain valid and accurate statements/information and that if funded, Marathon County CPZ will meet any and all financial obligations necessary to fully and satisfactorily complete the grant projects; THEREFORE, BE IT RESOLVED, that Marathon County hereby authorizes and empowers the County Conservationist (Conservation Program Manager), in the Conservation, Planning and Zoning Department to act on behalf of Marathon County to:

- Sign and submit grant applications to the State of Wisconsin DATCP and DNR for any financial assistance that may be available;
- Enter into and sign any grant agreement between the local government and landowners, the DATCP, the DNR and or the NRCS;
- Submit quarterly and/or final reports, as required by the grant agreement and as requested by the grantor;
- Sign and submit reimbursement requests along with necessary supporting documentation by dates specified in the grant agreement;
- Sign and submit any other necessary documents to the grantor as requested; and
- Take necessary action to direct, implement and document completion of any approved grants or projects.

BE IT FURTHER RESOLVED that Marathon County shall comply with all local, state and federal rules, regulations, ordinances and permit requirements pertaining to implementation of this program, associated projects, and grant agreements. .

Adopted this 5th day of October, 2021.

I hereby certify that the foregoing resolution was duly adopted by the Marathon County Environmental Resources Committee at a legal meeting on 5th day of October, 2021.

Authorized Signature:

Jacob Langenhahn, Chair

Marathon County Environmental Resources Committee

Conservation, Planning and Zoning Department

210 River Drive • Wausau, Wisconsin 54403-5449

Phone 715-261-6000 • Marathon County 800-236-0153 • Fax 715-261-6016
cpz@co.marathon.wi.us



Environmental Resources

Committee Meeting, October 5th

Progress on River and Lake Projects- Aquatic Invasive Plants, Restorations, and Future Goals

Jared Mader

Water Resources Technician

Marathon County CPZ

Updates on past shoreland projects as a well as future goals for improving water quality in Marathon County.

- Past Projects
 - Restoration Plans
 - Public Demonstration Projects
 - Lake Management Plans
- Future Goals
 - Reduce phosphorous loading by 50-90% in the Fenwood Creek Watershed
 - Improve and protect riparian areas of local waterbodies, primarily the Big Eau Pleine and Lake Wausau
 - Provide county-wide targeted water resource education and technical assistance

Chris Hamerla

Regional Aquatic Invasive Species Coordinator

Golden Sands Resource Conservation & Development Council, Inc.

Golden Sands Aquatic Invasive Species (AIS) work and how their involvement helps Marathon County reach its Land and Water Plan Goals (Objective 2.5)

- Continued Citizen Training and Education
- Events, Press Releases, and Surveys
- Communication with Riparian Owners and County Staff
- Early Detection and Identification Education

Conservation, Planning & Zoning Department

210 River Drive | Wausau, WI 54403-5449 | Tel 715.261.6000 | Fax 715.261.6016 | Call 800.236.0153 if within Marathon County
cpz@co.marathon.wi.us | www.co.marathon.wi.us
