



**Marathon County
Environmental Resources Committee Minutes
Tuesday, November 30, 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	
	Randy Fifrick	X	
	Dave Oberbeck	X	
	Marilyn Bhend	X	
	Eric Vogel.....	X	

} via Webex or phone

Also present via Webex, phone or in person: Laurie Miskimins, Dominique Swangstu, Robert Hoffman, Andrew Lynch, Matt Repking, Teal Fyksen, Nicole Fehl and Cindy Kraeger – Conservation, Planning, and Zoning (CPZ); Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF); Craig McEwen –County Board Vice Chair; Meleesa Johnson – Solid Waste Department; Travis Ostrowski, Dan Day, Kim Polley 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 November 2, 2021 Committee minutes**

Motion / second by Drabek / Seefeldt to approve of the November 2, 2021 Environmental Resources Committee minutes as distributed.

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

4. **Operational Functions required by Statute, Ordinance, or Resolution:**

A. **Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)**

1. Larry Zarnke – F-P Farmland Preservation to R-R Rural Residential – Town of Eau Pleine
Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the rezone request of Outlot #1 (3.735 acres) shown on the Certified Survey Map (CSM) that was submitted with the petition. The area in question was designated as a Farmland Preservation area, yet the area in question has no prime farm soils from Group 1 nor Group 2. The rezone is partially consistent with the existing and future land use maps within the town comprehensive plan. It appears no active cropland will be converted as a result of the proposed rezone. The need is related to a parcel combination with a lot adjacent to the outlot in question, if and when the rezone is approved the parcel will be combined with the northern parcel to create a lot that is buildable. Following the rezone and parcel combination the owner will pursue a zoning permit for an accessory structure onsite to replace an existing building that crosses property lines.

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

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:14 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: Motion / second by Fifrick / Seefeldt to recommend approval to County Board, of the Larry Zarnke rezone request. Noting the reasoning provided in the staff report and conclusions of law. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plan and is located in the Farmland Preservation Zoning District. The area proposed to be rezone was designated as farmland preservation in the Farmland Preservation Plan, yet there are no prime farm soils on the area in question. The rezone appears to meet all applicable rezone standards.

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

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

2. Kenyon & Sue Ann Rose – N-C Neighborhood Commercial to R-R Rural Residential – Town of Elderon

Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the rezone request of Parcel #2 (2.445 acres) shown on the CSM that was submitted with the petition. The rezone request is related to a proposed change in use - conversion of the existing bar into a home. Hoffman additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

The Town of Elderon 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 3:21 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrick / Drabek to recommend approval to County Board, of the Kenyon & Sue Ann Rose 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.

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

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

3. Kim & Gwen Sandley – R-R Rural Residential to G-A General Agriculture – Town of Spencer

Discussion: Hoffman was sworn in and noted the staff report and decision sheet had been included in the packet. Hoffman reviewed the proposed rezone of Lot #1 (4.99 acres) shown on the CSM that was submitted with the petition. The rezone request is related to rezoning the existing area to be consistent with the existing zoning district of the majority of the parcel in question with future uses to include the construction of a new accessory structure onsite. Wetland delineation has been done or will need to be done prior to permit issuance and construction onsite. Hoffman additionally reviewed the reasoning behind why CPZ staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics.

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

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 3:27 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Seefeldt / Conway to recommend approval to County Board, of the Kim & Gwen Sandley 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.

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

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

4. Travis & Lydiah Ostrowski and Daniel & Kristy Day – L-D-R Low Density Residential to G-A General Agriculture and G-A General Agriculture to L-D-R Low Density Residential – Town of Elderon

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the proposed rezone to LDR shown as part of Lot #1 (the area shown below the south line) of Parcel 2 CSM Number 15079 on the preliminary Certified Survey Map that was submitted with the petition, whereas the area proposed to be rezoned to G-A is shown as Outlot #1 on the preliminary Certified Survey Map. The rezone request is related to meeting an applicable side yard setback for a residential addition to a Single Family home. The transfer of land is equal in size. 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 Elderon has reviewed the application and recommends approval without any concerns.

Travis Ostrowski and Daniel Day were sworn in. No discussion.

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 3:36 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ffrick / Seefeldt to recommend approval to County Board, of the Travis & Lydiah Ostrowski and Daniel & Kristy Day 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 **Motion carried** by voice vote, no dissent.

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

5. Kim Polley – R-R Rural Residential to G-A General Agriculture – Town of Hewitt

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 an area of land previously described as Lot #1 (2.8630 acres) shown on the Certified Survey Map #1403072 that was submitted with the application. The request is related to rezoning the existing area that is zoned RR to be consistent with the majority of the parcel zoned GA. The pin number reference in the public hearing notice no longer exists given the area in question was combined with the larger G-A zoned parcel with the Combination Affidavit Doc #1847784, yet the area to be rezoned is consistent with the description in the public hearing notice.

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

Kim Polley was sworn in and is the owner of the parcel.

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 3:44 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Ffrick / Drabek to recommend approval to County Board, of the Kim Polley 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
Motion **carried** by voice vote, no dissent.

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

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

1. To approve the Annual County Forest Work Plan

Discussion: The annual resolution and 2022 Work Plan were included in the meeting packet and briefly reviewed. Both have been approved by the Forestry and Recreation Committee. Action is required to forward these to County Board for its consideration. County Board approval is necessary to be eligible for grant funds.

Action: **Motion** / second by Seefeldt / Drabek to approve the Annual County Forest Work Plan and forward the resolution to County Board for its consideration.

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

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

2. Application for County Forest Acreage Share Loan Payment

Discussion: The annual resolution was included in the meeting packet; if adopted, the interest free loan may be used for the purchase, development, preservation, and maintenance of forest lands.

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

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

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

- D. Review and Possible Action

1. Consider additions to the Nonmetallic Mining Fee Schedule (Minor Revision)

Discussion: Fyksen discussed the potential fees of the permit transfer flat fee and reclamation plan revision flat fee that would be added to the fee schedule.

Action: **Motion** / second by Seefeldt / Fifrick to approve the recommended nonmetallic mining fee schedule adjustment.

Follow through: The new nonmetallic mining fee schedule will be posted to the CPZ website, along with other department fees.

2. Environmental Repair Fund Status

Discussion: The Environmental Repair Funds can only be accessed if there is a legislative change. Langenhahn will contact County Board Chair Gibbs to have discussion regarding these funds at a future meeting.

Action: None needed, for informational purposes only.

Follow through: None.

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

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

1. Review draft language for the Animal Waste Management Ordinance / Open house details for public engagement <https://bit.ly/3kXDjNc>

Discussion: Repking discussed the memo that was included in the meeting packet and timeline of proposed policy revisions related to the Animal Waste Management Ordinance.

Follow through: CPZ will hold an open house on December 6, 2021 3pm – 7pm and December 7, 3 pm – 7pm at the Stratford Library and finalize the draft ordinance to bring back to the Committee in January.

2. Strategic Plan Update

Discussion: Miskimins discussed updates to the action item table related to the Strategic Plan Objective strategies. The table was included in the meeting packet. There may be other actions to add in the coming months, but this is where it stands now. One action, related to the POWTS MCDEVCO loan program, was discussed by the Committee as needing more information on what is being accomplished. Staff will meet with MCDEVCO in December and bring back to the Committee to discuss at a future meeting date. McEwen thanked the staff for the update on the strategies and stated that December of 2022 is when they will wrap up this 4-year cycle of the Strategic Plan. The Committee should start thinking about what future strategies and actions might consist of.

Follow through: None.

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, January 4, 2022 3:00 p.m. Marathon County Courthouse, Assembly Room 500 Forest Street Wausau WI

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

- Miskimins thanked Dominique Swangstu for his years of service to the ERC and his knowledge of the rezone process and text amendment revisions. Robert Hoffman was welcomed to the Committee and will be taking over the rezone process of the ERC.
- Chair Langenhahn thanked Dom for his work with the ERC and thanked him for keeping everyone informed /on track on difficult rezones.
- Eric Vogel term expires at the end of December 2021. Chair Langenhahn thanked Vogel for his two years of service on the Committee.
- Bhend commented on the knowledge and the work the Committee performs.

8. **Adjourn – Motion** / second by Drabek / Vogel to **adjourn** at 4:40 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