



MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

Date & Time of Meeting: Tuesday, September 29, 2020 at 3:00 p.m.

Meeting Location: 212 River Drive, Room 5 Wausau 54403

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

Marathon County Mission Statement: *Marathon County Government serves people by leading, coordinating, and providing county, regional, and statewide initiatives. It directly or in cooperation with other public and private partners provides services and creates opportunities that make Marathon County and the surrounding area a preferred place to live, work, visit, and do business. (Last updated 12-20-05).*

Environmental Resources Committee Mission Statement: *Provide leadership for the implementation of the County Strategic Plan, monitoring outcomes, reviewing and recommending to the County Board policies related to environmental resource initiatives of Marathon County. (Revised: 04/17/12)*

Strategic Plan Goals 2018 - 2022: Objective 5.2 - Promote sound land use decisions that conserve and preserve natural resources in decisions with economic development and growth.

Objective 6.3 - Protect and enhance the quantity and quality of potable groundwater and potable surface water supplies.

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

Persons wishing to attend the meeting by phone may call into the **telephone conference beginning ten (10) minutes prior to the start time indicated above using the following number:**

Phone Number: 1-408-418-9388

Access Code: 146 616 5264

Attendee ID / Numeric Meeting Password: 1234

When you enter the telephone conference, PLEASE PUT YOUR PHONE ON MUTE!

1. **Call meeting to order**
2. **Public Comment (15 minute limit)**
3. **Approval of September 1, 2020 Committee minutes and September 16, 2020 Committee minutes**
4. **Operational Functions required by Statute, Ordinance, or Resolution:**
 - A. Public Hearings, Review, Possible Actions, and Possible Recommendations to the County Board for its Consideration (County Zoning changes)
 1. Tim Vreeland on behalf of Perry Hinrichsen – F-P Farmland Preservation to R-E Rural Estate – Town of Brighton
 2. Stacey VanHoy on behalf of Janice and Larry Brown – G-A General Agriculture to R-R Rural 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 Rib Mountain – 226609 Thornapple Rd
 - C. Review and Possible Recommendations to County Board for its Consideration - None
 - D. Review and Possible Action - None
5. **Educational Presentations/Outcome Monitoring Reports and Committee Discussion**
 - A. Department Updates: Conservation Planning and Zoning (CPZ)
 1. Golden Sands Species (AIS) Program Update
6. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration**
 - A. Land and Water Resource Management Plan
 1. Committee discussion in regards to Education at UW Marshfield, Chapter 3 and 4 along with community engagement.

**MARATHON COUNTY
ENVIRONMENTAL RESOURCES COMMITTEE
AGENDA**

- 2. Committee review and discussion of Chapter 5
- 3. Public input and comment

7. Next meeting November 3, 2020 3:00 pm Room 5 and future agenda items:

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

8. Adjournment

Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 at least one business day before the meeting.

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 22, 2020
Time: 8:15 a.m.
By: cek
Date/Time/By: _____

SIGNED *Paul Daigle*
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, September 29, 2020 at 3:00 p.m., 212 River Drive, Room 5, Wausau WI 54403, at which time the Committee will consider the following:

1. The petition of Tim Vreeland on behalf of Perry Hinrichsen to amend the Marathon County Zoning Ordinance to rezone lands from F-P Farmland Preservation to R-E Rural Estate described as part of the SW ¼ of the SE ¼ of Section 19, Township 27 North, Range 02 East, Town of Brighton. The area proposed to be rezoned is described as Lot 1 (5.00 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel Address 100706 State Highway 153, Spencer WI 54479, Part of parent parcel PIN# 010.2702.194.0996.
2. The petition of Stacey VanHoy on behalf of Janice and Larry Brown to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 03, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot 1 (2.216 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Part of parent parcel PIN# 026.2803.034.0997.

Written testimony may be forwarded prior to the hearing to: Jacob Langenhahn – Environmental Resource Committee Chair, Conservation, Planning and Zoning Department, 210 River Drive, Wausau, WI 54403-5449. All interested persons will be given an opportunity to be heard. Any person planning to attend this meeting who needs some type of special accommodation in order to participate should call the County Clerk's Office at 715-261-1500 at least one business day before the meeting.

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

Phone Number: 1-408-418-9388

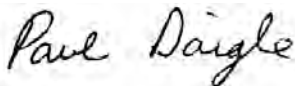
Access Code: 146 616 5264

Attendee ID / Numeric Meeting Password: 1234

Jacob Langenhahn



Jacob Langenhahn, Chairman
Environmental Resources Committee



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

Publish: September 14 and September 21, 2020

E-mailed to: Wausau Daily Herald (WDH-Legals@wdhmedia.com) on September 2, 2020 at 10:45 a.m.



**Marathon County
Environmental Resources Committee Minutes
Tuesday, September 1, 2020
212 River Drive, Room 5, Wausau WI**

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

Also present via Webex or phone: Paul Daigle, Dominique Swangstu, Rebecca Frisch, Jared Mader, Dave Decker, Lane Loveland and Cindy Kraeger– Conservation, Planning, and Zoning (CPZ); Jamie Polley Parks, Recreation and Forestry (PRF); Craig McEwen Vice Chair and Peter Weinschenk.

1. **Call to order** – Called to order by Chair Langenhahn at 3:08 p.m. via WEBEX.

2. **Public Comment** – None.

3. **Approval of August 4, 2020 Committee minutes**

Motion / second by Conway / Fifrick to approve of the August 4, 2020 Environmental Resources Committee minutes as distributed. Motion **carried** by voice vote, no dissent.

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

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

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

1. Town of Cassel 137040 Feed Lane Marathon

Discussion: Chair Langenhahn and Vogel abstained from the discussion due to business relationships with Marathon Feed and voting on this town rezone. Swangstu discussed the Town of Cassel is town zoned and submitted a zoning district change from A-1 to C-1 Lot 2 137040 Feed Lane Marathon. The committee asked Swangstu about specifics regarding the town rezone in question and the Town of Cassel Planning Commission vote of 3-1. Staff had indicated given the rezone is within a town zoned town (Town of Cassel), the Town Board and/or Town Planning Commission would be the appropriate entities to answer any specific questions regarding any meeting minutes or standards they may have intended to place on the rezone request. County staff are tasked with bringing the town rezones to the ERC given the county’s current procedure yet, Town Zoned Town rezones only require Town Board and County Board approval, per Wisconsin State Statute. The zoning change was approved at the town board meeting on July 13, 2020. Although the town is town zoned, County Board approval is still needed.

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

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

2. Town of Rib Mountain Lots 37 & 38 Royal View Estates Subdivision – William Shnowske

Discussion: The Town of Rib Mountain is town zoned and submitted a zoning district change on land consisting of 7.046 acres from MR-4 Mixed Residential to SR-2 Suburban Residential located northwest of the intersection of County Rd N and Bittersweet Rd. The zoning change was approved at the town board meeting on July 21, 2020. Although the town is town zoned, County Board approval is still needed.

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

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

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

D. Review and Possible Action

1. Proposed change to the Land Division Fee schedule

Discussion: Decker explained the proposed change to the Land Division Fee schedule for Condo Plat are designed to split buildings into units. The flat fee is currently \$500. Decker explained the need in which a simple fee would be charged for Condo plat of 2-4 units. Condo plat of 5 or more units would remain at \$500. The review process takes less time for a condo plat of 2-4 units.

Action: **Motion** / second by Guild / Seefeldt to recommend approval of the proposed change to the Land Division Fee Schedule for Condo plat units. Motion **carried** by voice vote, no dissent.

Follow through: CPZ will implement the updated Land Division fee schedule.

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion

A. Accomplishments of the Environmental Resources Committee: Strategic Plan

Discussion: McEwen reviewed the successes of the Committee/CPZ staff/Solid Waste/Park, Recreation and Forestry achieved in the past 18 months that was included in the meeting packet.

Action: **None.**

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

Action: **None.**

C. Discussion regarding County Board educational presentation on Implicit/Explicit Bias and institutional/structural discrimination and their impact on Marathon County's ability to achieve its goals (presentation available here - <https://www.youtube.com/watch?v=k6lxZiSeZJI>)

What opportunities do you see to improve our policies and practices to enhance diversity and inclusion and help us meet Objective 3.8 of the Comprehensive Plan?

Discussion: Daigle and Committee referenced the importance of Martin Luther King Jr day retreat day has helped staff build awareness, bias proofing ordinances allowing Committee and Corporation Counsel to review it for any bias and to have a proactive vision due to the evolving changes every day. Important to be of bias when updating comprehensive and strategic plans.

Action: **None.**

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

A. Land and Water Resource Management Plan

1. Chapter 4 – Plan Implementation and Coordination

Discussion: Daigle discussed Chapter 4 – Plan Implementation and Coordination with a powerpoint presentation discussing the following areas: Three keystone pieces: 1. Growing community engagement, 2. soil health principles, 3. NR151 agriculture performance standards. Priority Farm Strategy: consideration of highest priority of services, complaints or staff observations, medium/low priorities, enforcement and compliance, information and education and further considerations. Chapter 5, the last chapter, will be presented at the next committee meeting. A draft copy of the full plan will be available for Committee members by October 1st.

Action: **None.**

B. PRF- To expand .60 FTE Motorized Recreation Coordinator to .75 FTE

Discussion: Polley reviewed the extended position request which was included in the meeting packet. This position was anticipated to work more hours September – March and less hours April – August, however after one year of review of the new 0.6 position more time is required to manage the program grant contracts, manage grants and installation of new bridges, communicate with the 29 snowmobile clubs and prepare and update snowmobile trail maps and information on the County website.

C. Action: **Motion** / second by Seefeldt / Schlei to accept and forward .60 FTE Motorized Recreation Coordinator to .75 FTE request with the additional funding to come from the Parks Department to

Human Resources Finance and Property Committee as required.

Follow through: PRF will forward to Human Resources Finance and Property Committee for their consideration.

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

Tuesday, September 29, 2020 3:00 p.m. 212 River Drive Room 5 Wausau WI

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

B. Announcements/Requests/Correspondence

Discussion: Discussion on moving the date of the Marshfield Agricultural Research Station to another due to prior commitments of committee members for the County Board Size Task Force meeting. Frisch will check with John Robinson to see if an alternate date is available for the County Board Size Task Force meeting. Daigle will confirm with Committee members.

8. **Adjourn – Motion** / second by Seefeldt / Vogel to **adjourn** at 4:40 p.m. Motion **carried** by voice vote, no dissent.

Rebecca Frisch, CPZ Director

For Jacob Langenhahn, Chair

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

RF/cek



Marathon County
Environmental Resources Committee Minutes
Wednesday, September 16, 2020
Marshfield Agricultural Research Station 208356 Drake Ave Stratford 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
	Arnold Schlei	X	
	Dave Oberbeck.....	X	
	Marilyn Bhend		X
	Eric Vogel		X

Also present: Paul Daigle, Jana Suriano, Patrick Bula– Conservation, Planning, and Zoning (CPZ), Jason Cavadini UW-Marshfield, Matt Oehmichen farmer/EPPIC member, Tom Mueller farmer/EPPIC member/advisory committee member, Peter Arnold farmer/advisory committee member.

Guild called the meeting to order at 2:04 p.m.

1. **Educational Presentation and Committee Discussion**

A. Education in regards to Land and Water Resource Management Plan (LWRM) at UW-Marshfield Agriculture Research Station

Discussion: Tour of grounds. Conversation held regarding potential topics related to LWRM plan for full committee discussion at a future committee meeting.

2. **Adjourn – Motion** / second by Schlei / Drabek to **adjourn** at 5:31 p.m. Motion **carried** by voice vote, no dissent.

Paul Daigle, Land and Water Program Director
 For Jacob Langenhahn, Chair

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

PD/cek

PETITION FOR ZONE CHANGE
FROM FARMLAND PRESERVATION ZONING
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Ordinance (I) (we): (Name and mailing address)
Tim Vreeland 6103 Dawn St. Wauson

hereby petition to rezone property owned by: (Name and mailing address)
Perry Hinrichsen 312 Pacific St. Spencer

from the classification FP Farmland Preservation 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):
Lot 1 of attached CSM

Parcel Identification Number / PIN (can be found on tax bill): 010-2702-194-0996

3. The proposed change is to facilitate the use of the land for (be specific-list all proposed uses):
Selling home on lot 1. Neighbor farmer buying OL 1

4. Total acres in parcel (outside of right-of-way): 5.6 acres

5. Total acres zoned Farmland Preservation: FP 15.2 acres

6. Total acres in farm: Not farm 15.2 acres

7. How many acres/square feet are you requesting be changed? 5 (acres) / square feet

8. Are there improvements (structures) on this parcel in question? Yes No
What is the current use of the structure(s)? Residential

9. A. What is your reason for requesting this rezone? (Please check and fill in the blanks)
 Develop land for non-agricultural residential use Develop land for recreational use
 Develop land for industrial use Pre-existing use, substandard or nonconforming parcel
 Develop land for commercial use Other: _____

B. How far is the land from a city or village boundary? 3 miles / ~~feet~~ Unity

C. How far is the land from an existing area of similar use? 1/2 miles / ~~feet~~

D. Is the land served by public sewer? Yes No

E. Is the land served by public water? Yes No

F. Is the land within a sanitary district? Yes No

G. If more than one lot was developed: # of Lots: 1 Average lot size: outlet sold to neighbor

10. 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 serve the proposed development at present, or how they will be provided.
This is an existing home with standard utilities

B. Explain how the provision of these facilities will not be an unreasonable burden to local government.
No new development. No burden

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

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. No change to use.

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AUG 06 2020

- OVER -

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.

E. Explain any potential conflict with remaining agricultural uses in the area.

No conflict. Existing Home on a non conforming parcel.

F. Demonstrate the need for the proposed development in an agricultural area.

No development.

G. What is the availability of alternative locations? Be specific.

None. Existing home.

H. What is the productivity of the agricultural lands involved?

Somewhat productive.

I. Explain how the location of the proposed development has been selected to minimize the amount of agricultural land converted.

No development.

J. Explain how the proposed rezoned land is better suited for a use not allowed in the Farmland preservation zoning district.

This is a non conforming parcel. so with the rezone it becomes conforming.

K. Explain how the rezone is consistent with the Marathon County and town's comprehensive plans.

L. Explain how the rezone is substantially consistent with the Marathon County Farmland Preservation plan which is in effect at the time of the rezone.

The parcel is a non conforming. The majority of the farm land will remain intact.

M. Explain how the rezone will not substantially impair or limit current or future agricultural use of other protected farmland.

Ag use will continue on both parcels.

12. 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. Include the names of all property owners, existing land uses, and zoning classifications within 300 feet of the boundaries of the property on which the rezone is located. 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 direct mail of the public hearing notice.

If, at the public hearing for this zone change request, the Zoning Committee 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 CPZ Department 24 hours or more prior to the next regularly scheduled meeting (date and time to be announced at each regular meeting). Minimum of 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.

13. Petitioner's Signature [Signature]

Phone 715-241-0947 Date 8-5-20

14. Owner's Signature [Signature]
(If different than Petitioner)

Phone 715-897-0493 Date 7/22/20

Fee \$ 600 - (Checks payable to Marathon County)

Date Fee Received: 8-7-2020

Attendance at the Public Hearing before the Marathon County Land Conservation and Zoning (LCZ) 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 LCZ Committee hearing is recommended.**

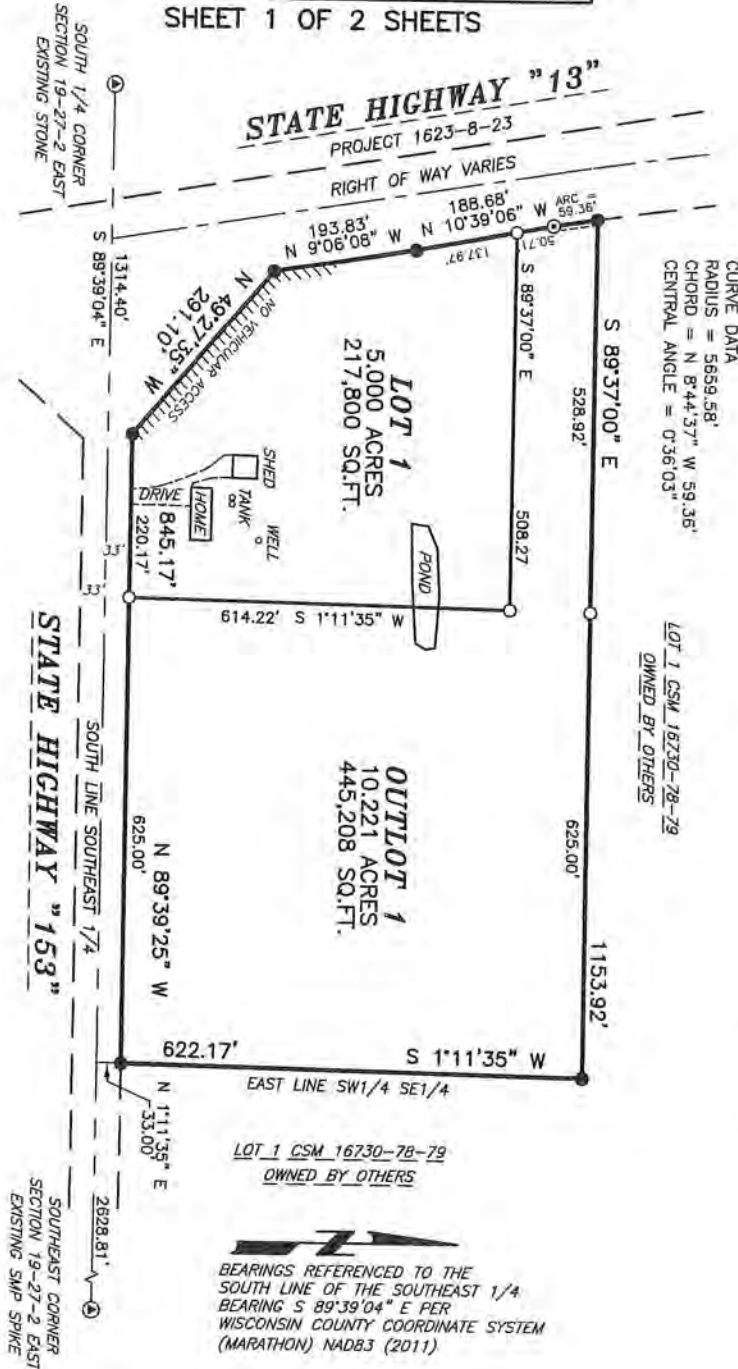
CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4
OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST,
TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947 tim@vreelandassociates.us	
OWNER: PERRY HINDRICHSEN	
FILE #: 20-0315 HINDRICHSEN	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

SHEET 1 OF 2 SHEETS



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

- LEGEND**
- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
 - = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET
 - ⊙ = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
 - = 3/4" REBAR FOUND IN PLACE
 - CSM = CERTIFIED SURVEY MAP

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST, TOWN OF BRIGHTON, 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 PERRY HINDRICHSEN, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST, TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 19; THENCE S 89°39'04" E ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 1314.40 FEET; THENCE; THENCE N 1°11'35" E ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 33.00 FEET TO THE NORTH LINE OF STATE HIGHWAY "153" AND TO THE POINT OF BEGINNING; THENCE N 89°39'25" W ALONG THE NORTH LINE OF STATE HIGHWAY "153" 845.17 FEET; THENCE N 49°27'35" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 291.10 FEET; THENCE N 9°06'08" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 193.83 FEET; THENCE N 10°39'06" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 188.68 FEET; THENCE 59.36 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WHOSE RADIUS IS 5659.58 FEET, WHOSE CENTRAL ANGLE IS 0°36'03" AND WHOSE CHORD BEARS N 8°44'37" W 59.36 FEET; THENCE S 89°37'00" E ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16730 1153.92 FEET; THENCE S 1°11'35" W ALONG THE WEST LINE OF SAID LOT 1 ALSO BEING THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 622.17 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 BRIGHTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 24TH DAY OF JULY, 2020
SURVEY PERFORMED JULY 22ND, 2020

TIMOTHY G. VREELAND P.L.S. 2291

OUTLOT RESTRICTION

OUTLOT 1 AS SHOWN ON THIS MAP, DOES NOT COMPLY WITH THE PROVISIONS OF CHAPTER 17 AND/OR CHAPTER 18 OF THE MARATHON COUNTY CODE OF ORDINANCES AND MAY NOT BE IMPROVED UPON UNTIL THE ENVIRONMENTAL RESOURCE COMMITTEE AND ZONING COMMITTEE WAIVES THE REQUIREMENTS OF THIS SECTION OR THE PARCEL IS LEGALLY COMBINED WITH AN ADJACENT PARCEL TO FORM ONE COMPLIANT PARCEL.

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

BY _____

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



Land Information Mapping System



Legend

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

94.86 0 94.86 Feet

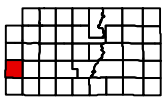


NAD_1983_HARN_WISCRS_Marathon_County_Feet

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

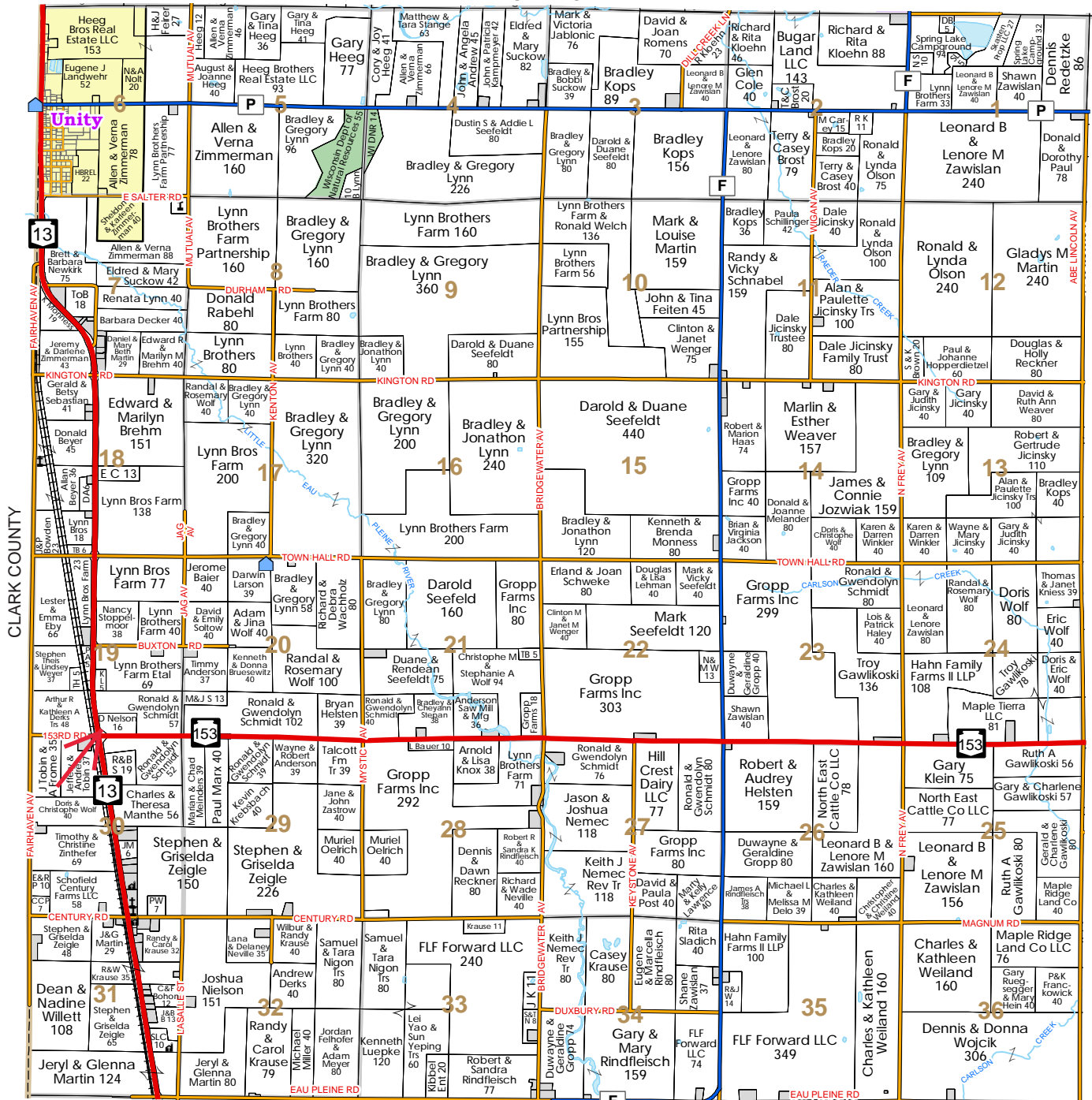


Brighton

Township 27N - Range 2E

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SEE PAGE 47



SEE PAGE 11

SEE PAGE 31



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Ken, Kim, Kelvin Heiman

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10898 US Hwy 10 West • Marshfield, WI 54449 • 715-676-2177

STATE OF WISCONSIN)
MARATHON COUNTY)
TOWN OF BRIGHTON)

RESOLUTION ON ZONING ORDINANCE AMENDMENT

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Arlyn Abegglen, Clerk of the Town of Brighton, 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 Brighton Town Board at a meeting held on the 8th day of September, 2020.

RESOLUTION

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

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

NOW, THEREFORE BE IT RESOLVED that the Town of Brighton Town Board considered on the 8th day of September, 2020, petition by Tim Vreeland on behalf of Perry Hinrichsen described as part of SW ¼ of the SE ¼ of Section 19, Township 27 North, Range 02 East, Town of Brighton. The area proposed to be rezoned is described as Lot 1 (5.0 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel Address 100706 State Highway 153, Spencer WI 54479, Part of parent parcel PIN# 010.2702.194.0996.

The Town of Brighton 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)



**Perry Hinrichsen
Petition to Rezone Land
Staff Report, September 29th, 2020
Environmental Resources Committee**

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

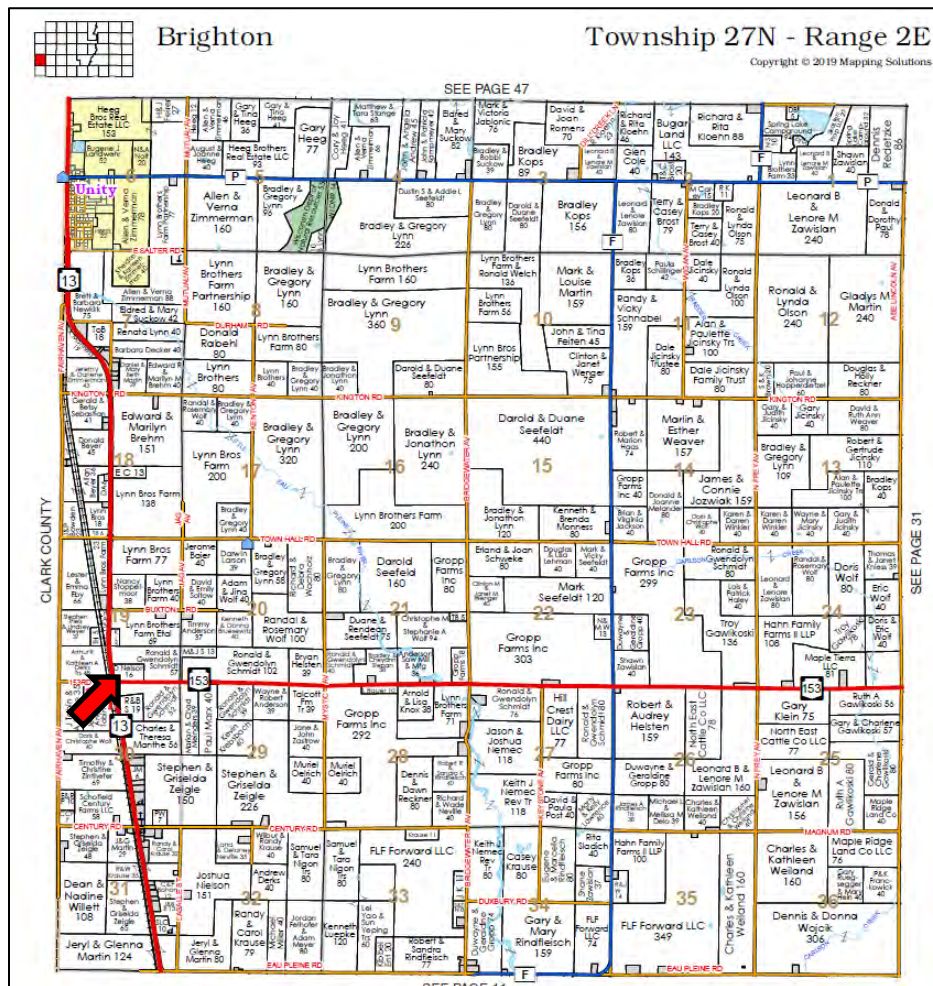
- Town of Brighton Town Board Meeting (September 8th, 2020)
- Marathon County Environmental Resources Committee Meeting (September 29th, 2020 at 3:00pm)

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

PROPERTY OWNER: Perry Hinrichsen – 312 S Pacific Street, Spencer WI

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located on the North Eastern corner of the intersection of State Highway 153 and State Highway 13. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Tim Vreeland on behalf of Perry Hinrichsen to amend the Marathon County Zoning Ordinance to rezone lands from F-P Farmland Preservation to R-E Rural Estate described as part of the SW ¼ of the SE ¼ of Section 19, Township 27 North, Range 02 East, Town of Brighton. The area proposed to be rezoned is described as Lot 1 (5.00 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel Address 100706 State Highway 153, Spencer WI 54479, Part of parent parcel PIN# 010.2702.194.0996.

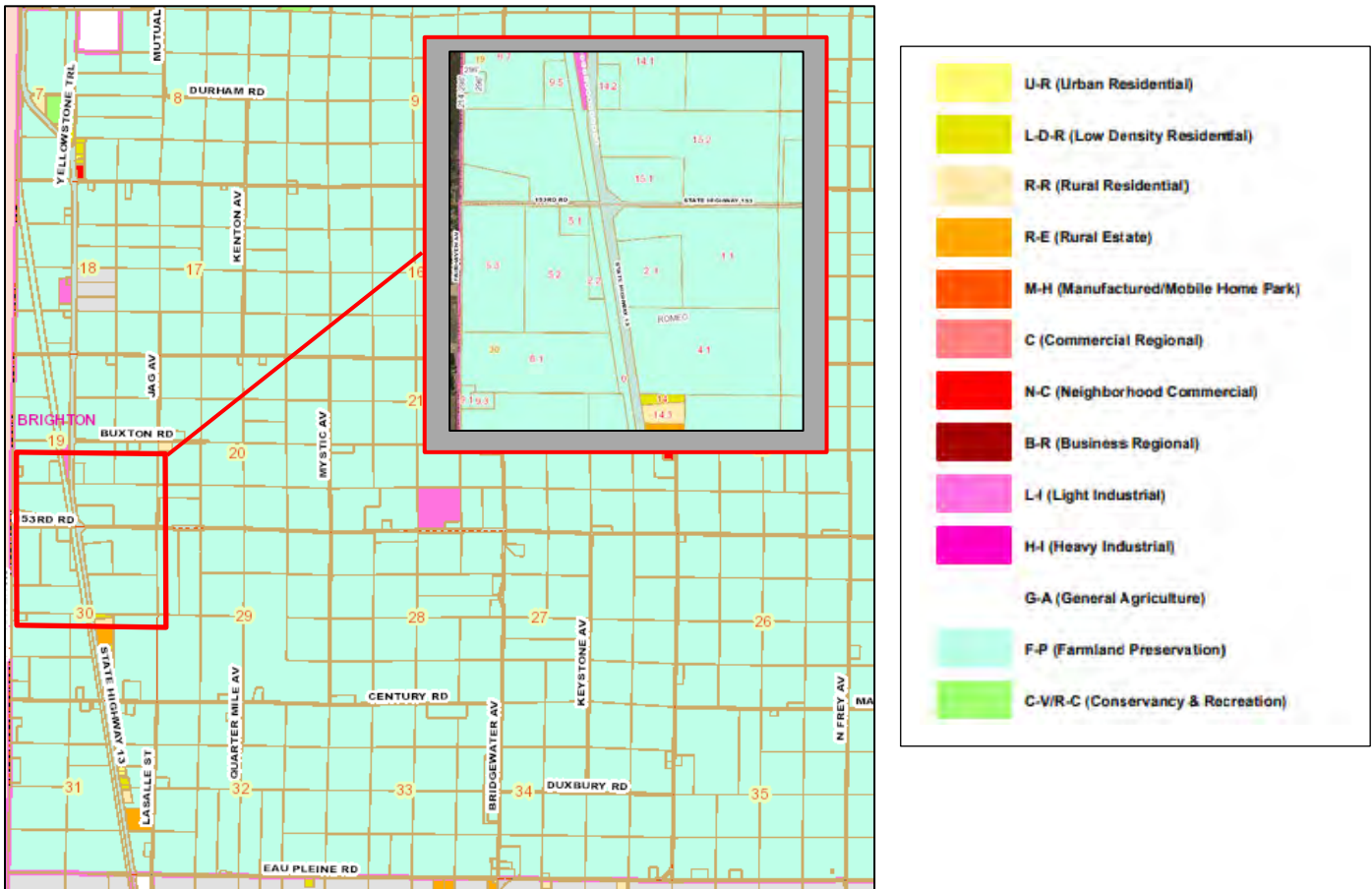
EXISTING ZONING DISTRICT:

F-P: Farmland Preservation Zoning. The intent of this district is to maintain highly productive agricultural lands in food and fiber production by effectively limiting encroachment of non-agricultural development and minimizing land use conflicts among incompatible uses. This district is not intended to accommodate non-agricultural growth.

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 Farmland Preservation (Teal). There are also parcels zoned Rural Estate (Orange), Low Density Residential (Yellow), and General Agricultural (Grey) within close proximity to the parcel in question. If approved this rezone will change the zoning classification of 5 acres of the existing parcel and the remnant parcel will be created as an Outlot to be combined with the adjacent farmland.



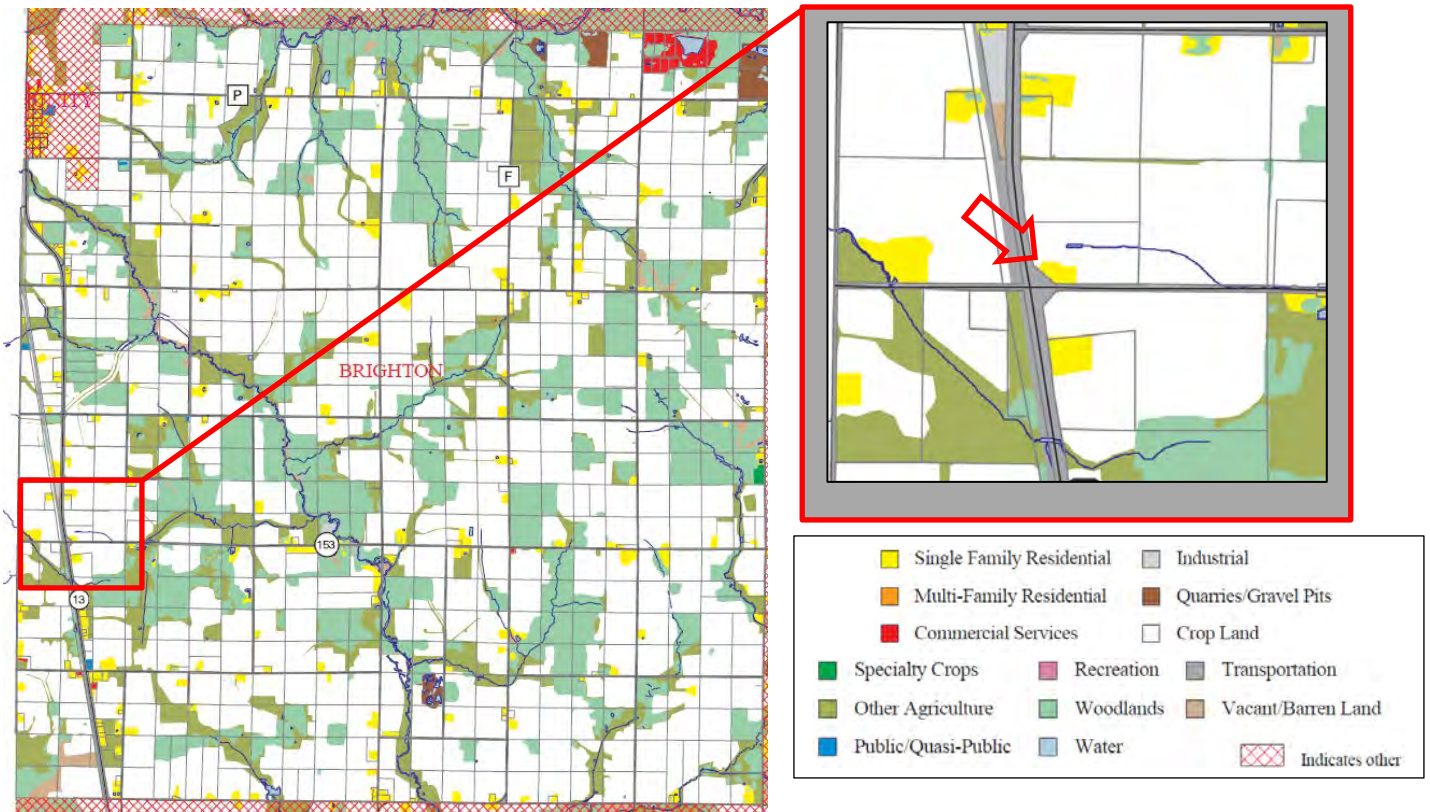
Map #2 Town of Brighton Zoning District

ACREAGE:
5.000 Acres

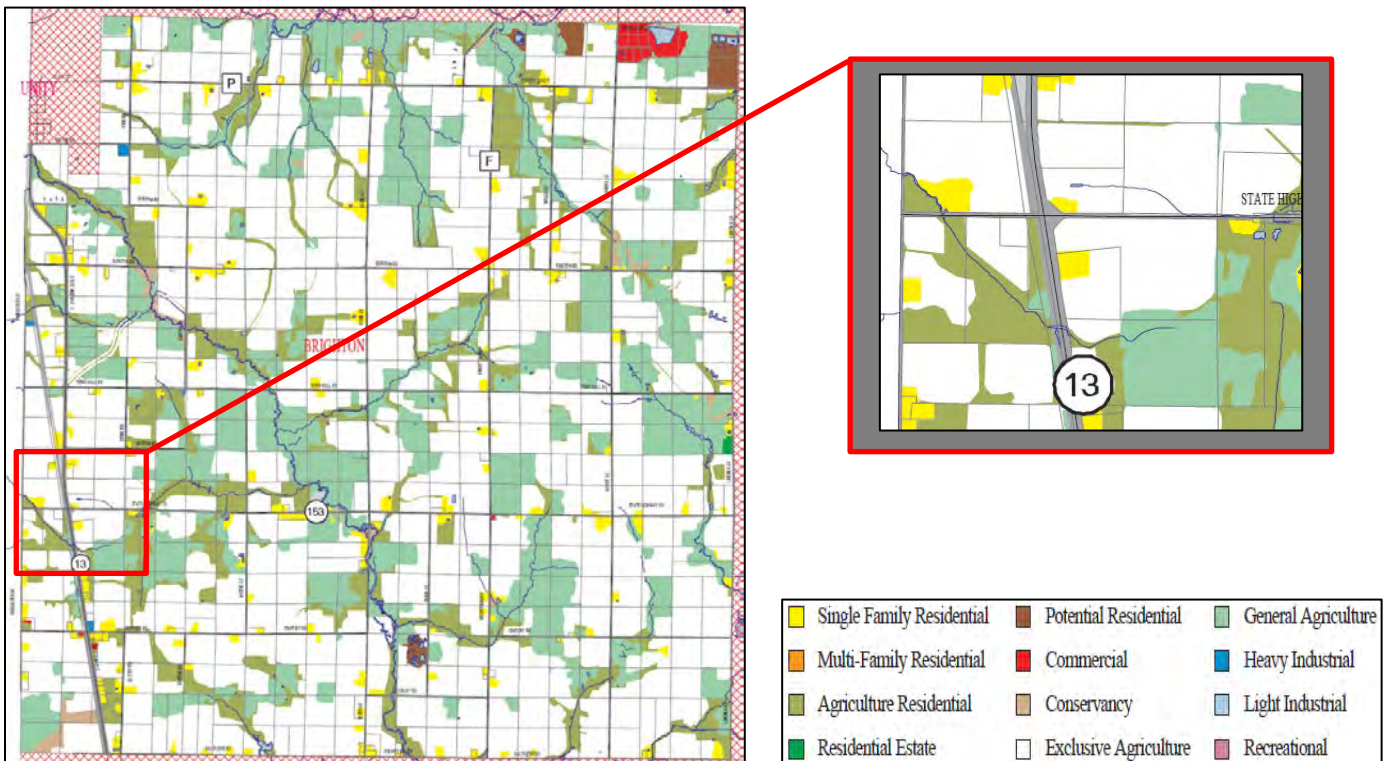
Legal Notification:

A legal advertisement was published in the *Wausau Daily Herald* on Monday, September 14th, 2020 and Monday, September 21st, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

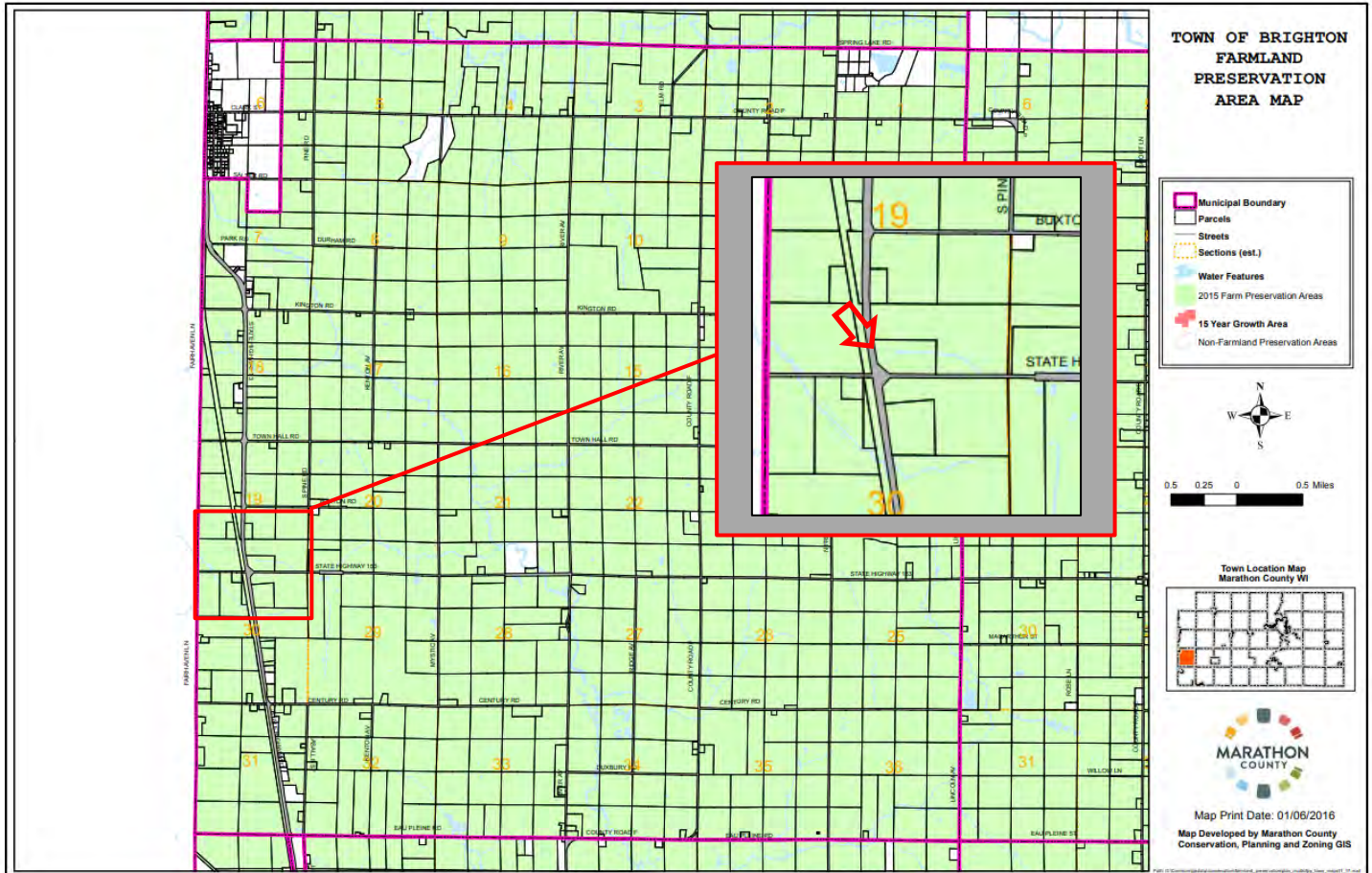
Existing (2000) Land Use/Land Cover Map – Town of Brighton (2006 Comprehensive Plan) The area proposed to be rezoned is shown primarily as Single Family Residential and partially as Crop Land in the Town’s Comprehensive Plan Existing Land Use Map. Whereas, adjacent land uses include Crop Land, Single Family Residential, Woodland, and Other Agricultural Land Uses.



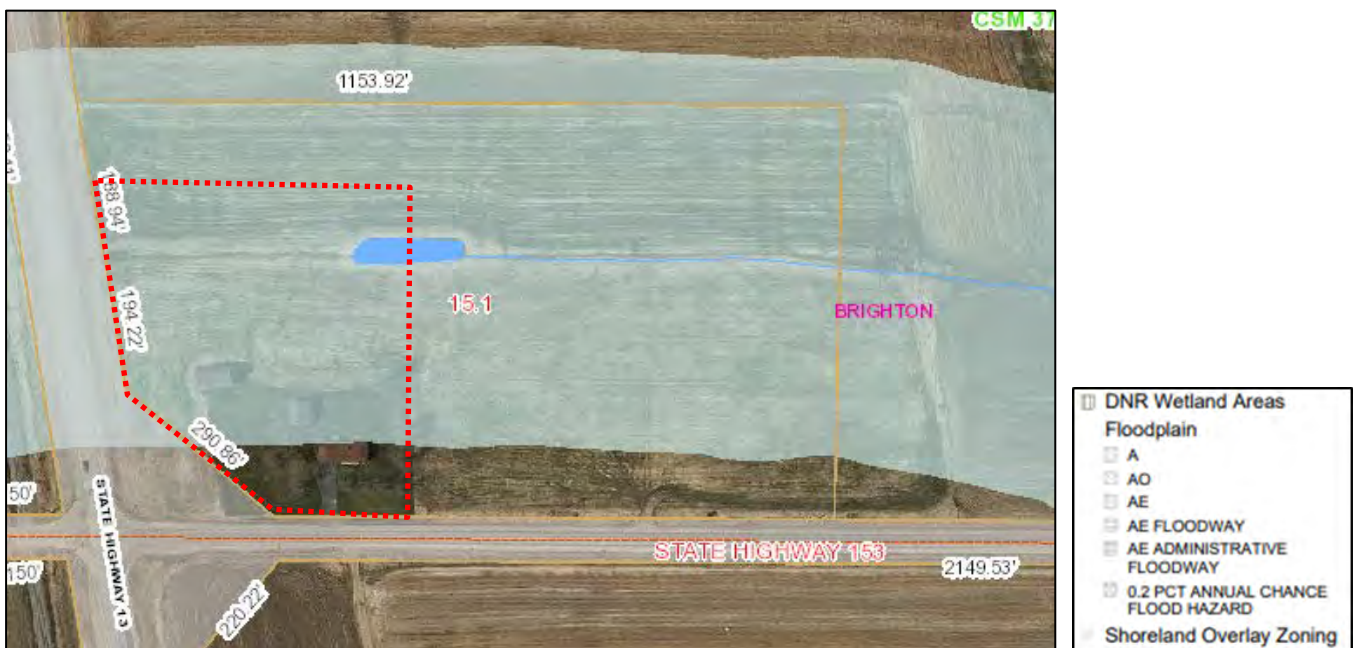
TOWN COMPREHENSIVE PLAN FUTURE LAND USE MAP (2006): The area proposed to be rezoned is shown primarily as Single Family Residential and partially as Crop Land in the Town’s Comprehensive Plan Future Land Use Map. Whereas as stated above the adjacent land uses include Crop Land, Single Family Residential,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



FARMLAND PRESERVATION PLAN: The area in question was designated as a **farmland preservation area** in the Farmland Preservation Plan. The majority of the Town of Brighton was designated as a Farmland Preservation Area in the farmland preservation plan regardless of the existing land uses onsite.

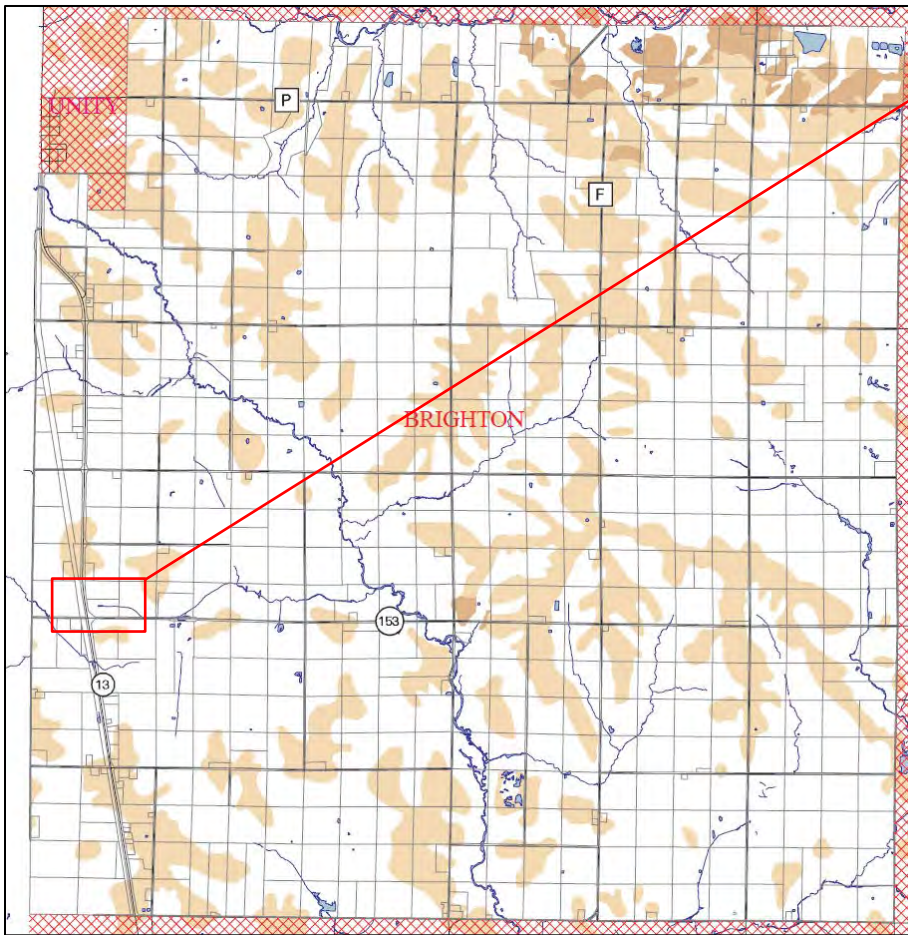


SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain or DNR mapped wetlands, yet the area in question is located partially within the shoreland overlay (300ft buffer from nearby stream/drainage way). Additionally, there appears to be a manmade pond on the parcel in question, yet the navigability of both the pond and stream/drainage shown below is not known at this time. Chapter 22 (Shoreland, Shoreland-Wetland, Floodplain Ordinance) would apply if the pond and/or stream is determined to be navigable and subject to shoreland regulations (navigability determination would be conducted by CPZ and/or the Wisconsin DNR).



Outline shown in red is approximate and shall be used as a reference only, see the preliminary CSM for specifics.

Prime Farm Soils Map: There are no prime farm soils from Group 1 or 2 shown for the parent parcel or area proposed to be rezoned as indicated in the prime farm soils map from the Town of Brighton's Comprehensive Plan.



This inset map provides a detailed view of a soil parcel outlined with a red dashed line. It shows the parcel's location relative to a road and other land parcels. Below the map is a legend with two entries:

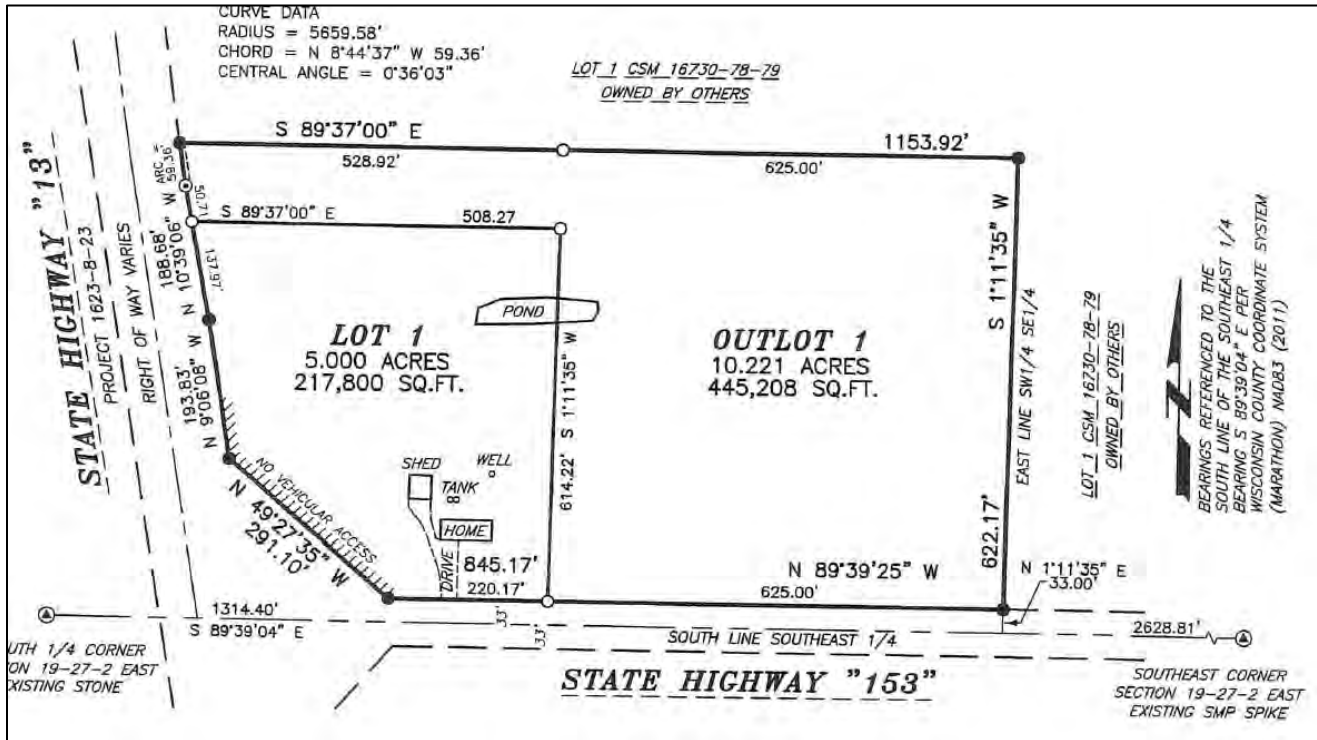
- Group 1:** The soils in this group are the very best in Marathon County. The USDA classification for these soils are prime farmland Class 2 due to climate and growing season length. They are well suited for growing all crops.
- Group 2:** The soils in this group are very good agricultural soils. They also are designated as prime farmland Class 2. These soils differ by having restricted drainage. In wet years they are more difficult to work and crops needing well drained condition (alfalfa, grasses) do very poorly.

Aerial Photo:



Preliminary Certified Survey Map:

Lot #1 = Parcel in question



Legal Land Discription and Outlot Restriction:

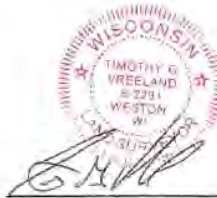
SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF PERRY HINDRICHSEN, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 19, TOWNSHIP 27 NORTH, RANGE 2 EAST, TOWN OF BRIGHTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 19; THENCE S 89°39'04" E ALONG THE SOUTH LINE OF THE SOUTHEAST 1/4 1314.40 FEET; THENCE; THENCE N 1°11'35" E ALONG THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 33.00 FEET TO THE NORTH LINE OF STATE HIGHWAY "153" AND TO THE POINT OF BEGINNING; THENCE N 89°39'25" W ALONG THE NORTH LINE OF STATE HIGHWAY "153" 845.17 FEET; THENCE N 49°27'35" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 291.10 FEET; THENCE N 9°06'08" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 193.83 FEET; THENCE N 10°39'06" W ALONG THE EAST LINE OF STATE HIGHWAY "13" 188.68 FEET; THENCE 59.36 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WHOSE RADIUS IS 5659.58 FEET, WHOSE CENTRAL ANGLE IS 0°36'03" AND WHOSE CHORD BEARS N 8°44'37" W 59.36 FEET; THENCE S 89°37'00" E ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16730 1153.92 FEET; THENCE S 1°11'35" W ALONG THE WEST LINE OF SAID LOT 1 ALSO BEING THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 622.17 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 BRIGHTON, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



DATED THIS 24TH DAY OF JULY, 2020
 SURVEY PERFORMED JULY 22ND, 2020

TIMOTHY G. VREELAND P.L.S. 2291

OUTLOT RESTRICTION

OUTLOT 1 AS SHOWN ON THIS MAP, DOES NOT COMPLY WITH THE PROVISIONS OF CHAPTER 17 AND/OR CHAPTER 18 OF THE MARATHON COUNTY CODE OF ORDINANCES AND MAY NOT BE IMPROVED UPON UNTIL THE ENVIRONMENTAL RESOURCE COMMITTEE AND ZONING COMMITTEE WAIVES THE REQUIREMENTS OF THIS SECTION OR THE PARCEL IS LEGALLY COMBINED WITH AN ADJACENT PARCEL TO FORM ONE COMPLIANT PARCEL.

Staff Comments regarding ERC Conclusions of Law:

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

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The Town of Brighton's Comprehensive Plan shows the area in question is intended to be single family residential and crop land uses in their future land use map. Additionally, there are no prime farm soils in the area proposed to be rezoned or area in question and the remnant parcel and farm land will continue to be farmed. Rezone appears to be consistent with the Future Land Use Map of the Town's Comprehensive Plan and Farmland Preservation Plan. Town has noted in their resolution that the rezone is not consistent with the Town Comprehensive Plan yet ultimately recommended approval of the rezone in question.

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

Some active farmland will be included in the 5.000 acres proposed to be rezoned, yet the remaining farmland will continue to be farmed. Additionally, there are no prime farm soils in the area in question and the large majority of the existing parcels active farm will not be converted as a result of this rezone. Therefore the rezone does appear to minimize the agricultural lands converted and should not limit current or future agricultural uses of other protected farmland. Lastly, the proposed zoning district being petitioned (Rural Estate: R-E), also accommodates for some agricultural uses and structures as it is the largest of the county's residential zoning classifications/districts.

3. The applicant has demonstrated that...

- a. There is a need for the proposed development,
 - b. Adequate public facilities are present or will be provided (*note impacts on roads, water, sewage, drainage, schools, emergency services, etc.*), and
 - c. Providing public facilities will not be an unreasonable burden to the local government.
- a. The need is related to a proposed and pending Certified Survey Map submitted to the CPZ department to create and sell the 5.000 acre lot. Given the home was not classified as a farm residents and the proposed parcel is greater than 4.99 acres a farm consolidation was not an option to create the lot in question, therefore the rezone is required.
- b. Proposed area to be rezoned already has a home on it with adequate public facilities.
- 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. Town noted in their resolution that there does not appear to be any potential conflict with existing land uses in the area (question #5). Although the applicant did not demonstrate how the rezone will not be an unreasonable burden to the local government the town ultimately recommended approval.

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

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

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

The Town of Brighton Town Board has recommended **Approval** of this rezone petition.

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

The county was not made aware of any concerns from other agencies.

TOWN RECOMMENDATION:

On September 8th, 2020 the **Town of Brighton** Town Board Recommended Approval to Marathon County's Environmental Resources Committee.

<p>11) Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?</p> <p><input checked="" type="checkbox"/> No <input type="checkbox"/> Yes Explain: _____</p> <p>The Town of Brighton recommends: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval of the amendment and/or zone change.</p> <p><i>OR</i> <input type="checkbox"/> Requests an Extension* for the following reasons: _____</p> <p><small>*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.</small></p> <p style="text-align: right;">Clerk <u>Therese Deeggen</u></p> <p style="text-align: right;">Town Board <u>Mark Kuan</u> <u>Steven Tropp</u> <u>Robert Haas</u></p>

STAFF (CPZ) RECOMMENDATION(S):

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone petition minimizes the agricultural lands converted as the majority of the agricultural land (active or otherwise) will continue to be farmed as a result of the rezone. If approved, the Brighton should update their comprehensive plan to reflect the proposed rezone to the Rural Estate (R-E) Zoning District from the Farmland Preservation (F-P) Zoning District. The future and existing land use maps should be revised to expand the current residential use on the parcel in question to reflect the approved rezone. The rezone also appears to be consistent with the purpose and intent of the Towns Comprehensive Plan and the area in question does not have any prime farm soils and is adjacent to a major highway intersection (State Highway 13 and State Highway 153).

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



Case: # 1
Environmental Resources Committee
Decision Form

Conclusions of Law

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

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

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

Agree disagree insufficient information

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

Agree disagree insufficient information

3. The applicant has demonstrated that...

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

Agree disagree insufficient information

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

Agree disagree insufficient information

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

Agree disagree insufficient information

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

Agree disagree insufficient information

Environmental Resources Committee Decision

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

- Approved Motion/ Second
- Denied, for the following reasons
- Tabled for further consideration

Specify reasons for denial, or additional information requested:

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

Describe recommended amendments:

Signature:

Chairman: _____

PETITION FOR ZONE CHANGE
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

1. As authorized by §17.91 of the Marathon County Zoning Code (I) (we) (Name & Address):
Stacey Van Hoy 118836 North St. Stratford WI

hereby petition to rezone property owned by (Name & Address): Janice Brown
227336 Pinenut Rd Edgar 54426

from the classification GA, General Ag to RR, Rural Residential

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

Parcel Identification Number (PIN): 026-2803-034-0997

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

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

A. In detail, explain what public facilities and services serve the proposed development at present, or how they will be provided. The proposed 2 Acres is on a public road with standard utilities.

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

C. What have you done to determine that the land is suitable for the development proposed?
The property is uplands and quite suitable for a well, septic + home.

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. None expected.
1 resident on 2 acres.

E. Explain any potential for conflict with existing land uses in the area. None expected.
Several like zone parcels in the area.

(OVER)

AUG 11 2020
MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT.

- F. Demonstrate the need of the proposed development at this location. This is my mothers property and would like to live closer to her.
- G. What is the availability of alternative locations? Be specific. None.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? It is a productive cropland, we are asking for the RA zoning so we don't disturb too much 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. only 2 Acres out of the 80 Acres is being rezoned.

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 Stacey Van Hoy Phone 715-506-0207 Date 8/4/20
8. Owner's Signature Janice Brown Phone 715-352-3056 Date 8/4/20
(if different)

Date Fee Received: 8-13-2020

Fee \$600.00 PAYABLE TO MARATHON COUNTY

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

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4
OF SECTION 3, 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	
OWNER:	JANICE BROWN
FILE #: 20-0332 VANHOY	
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

NORTH 1/4 CORNER
SECTION 3-28-3 EAST
LOCATION FROM SUMMARY BY
S-2954 DATED 1-11-11

5012.37'
5357.37'

NORTH - SOUTH 1/4 LINE

UNPLATTED LANDS OWNED BY DIVDER

S 89°57'23" E

280.00'

345.00'

305.00'

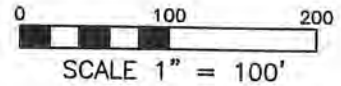
N 2°04'59" W

40.00'

IRON PIPE NOT SET AT 33' DUE TO A TREE AT THAT LOCATION.

LOT 1
2.216 ACRES
96,534 SQ.FT.
2.004 ACRES EXCLUDING ROAD RIGHT OF WAY

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 BEARING N 89°57'23" W PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) MAD03 (2011)



LEGEND

- ⊕ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 1.315" OUTSIDE DIAMETER x 24" IRON PIPE 1.68 POUNDS PER FOOT SET

UNPLATTED LANDS OWNED BY OTHERS

UNPLATTED LANDS OWNED BY DIVDER



280.00'

N 89°57'23" W

SOUTH LINE SOUTHEAST 1/4

33'
33'

2353.48'
2633.48'

SOUTH 1/4 CORNER
SECTION 3-28-3 EAST
1.25 REBAR FOUND

SOUTHEAST CORNER
SECTION 3-28-3 EAST
SPIKE FOUND

CHESAK ROAD

CERTIFIED SURVEY MAP
MARATHON COUNTY NO. _____

PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP
28 NORTH, RANGE 3 EAST, TOWN OF FRANKFORT, 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 MARK VANHOY, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 3 EAST, TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3; THENCE N 2°04'59" W ALONG THE NORTH - SOUTH 1/4 LINE 345.00 FEET; THENCE S 89°57'24" E 280.00 FEET; THENCE S 2°04'59" E 345.00 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4; THENCE N 89°57'24" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 280.00 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 FRANKFORT, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



Timothy G. Vreeland

DATED THIS 6TH DAY OF AUGUST, 2020
SURVEY PERFORMED JULY 31ST, 2020

TIMOTHY G. VREELAND P.L.S. 2291

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

BY _____

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



Land Information Mapping System



Legend

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

139.67 0 139.67 Feet



NAD_1983_HARN_WISCRS_Marathon_County_Feet

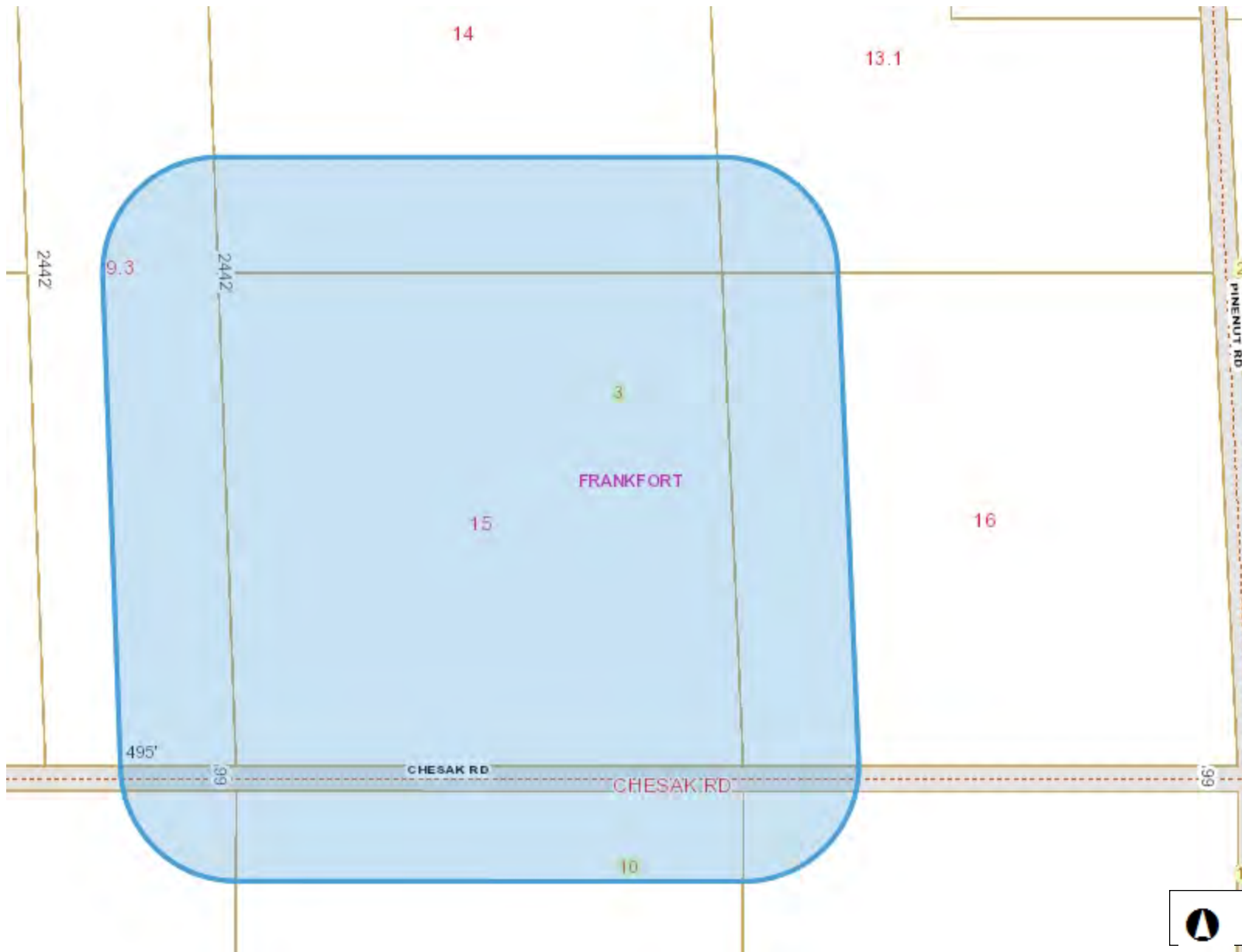
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes



Land Information Mapping System



Legend

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

193.19 0 193.19 Feet



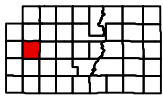
NAD_1983_HARN_WISCRS_Marathon_County_Feet

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Notes



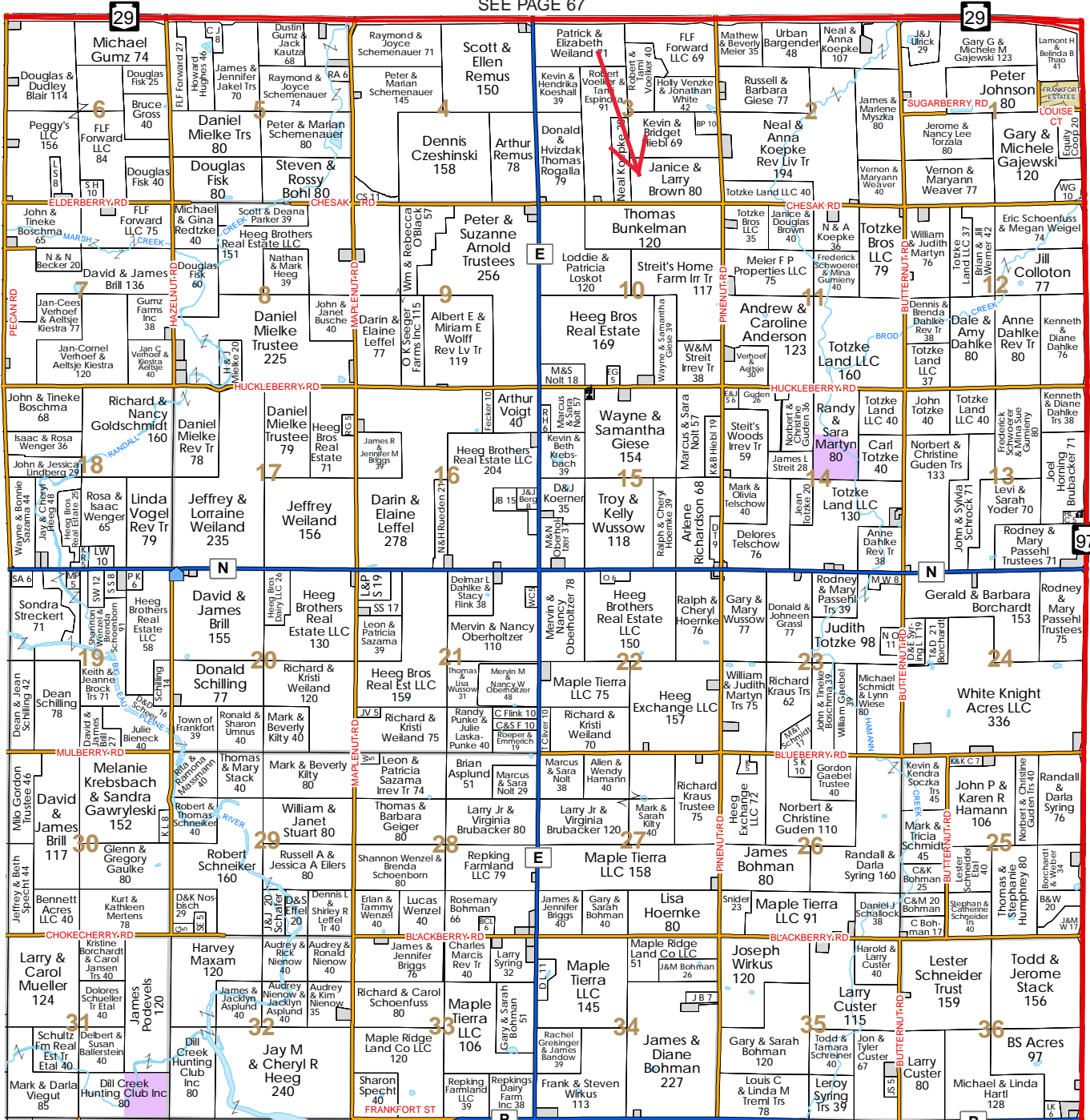


Frankfort

Township 28N - Range 3E

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SEE PAGE 67



SEE PAGE 31

SEE PAGE 47

SEE PAGE 51

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 17th day of August, 2020.

RESOLUTION

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

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

NOW, THEREFORE BE IT RESOLVED that the Town of Frankfort Town Board considered on the 17th day of August, 2020, petition by Stacey Vanhoy on behalf of Janice and Larry Brown to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 03, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot 1 (2.216 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Part of parent parcel PIN# 026.2803.034.0997.

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)

applicant demonstrated the availability of alternative locations? Be specific

Yes Explain: _____

land is being consumed by this zone change? What is the productivity of the agricultural lands involved?

Yes Explain: _____

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

Yes Explain: _____

is the rezoned area consistent with the town's adopted Comprehensive Plan? Explain.

Yes Explain: _____

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

Yes Explain: _____

The Town of Frankfort recommends: **Approval** **Disapproval** of the amendment and/or zone change.

Requests an Extension* for the following reasons: _____

Section 59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty days from 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

[Handwritten signatures]

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 complete this form before September 23, 2020 to:



Janice and Larry Brown Petition to Rezone Land Staff Report, September 29th, 2020 Environmental Resources Committee

Findings of Fact

PUBLIC HEARINGS/MEETINGS:

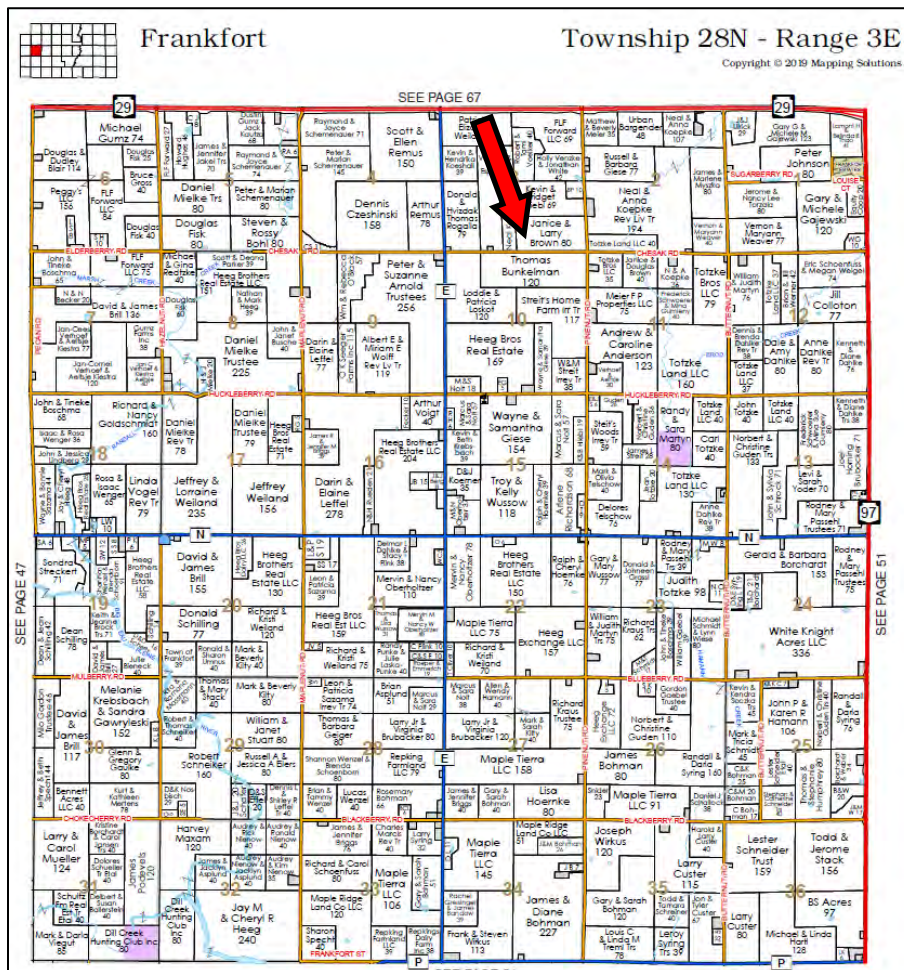
- Town of Frankfort Town Board Meeting (August 17th, 2020)
- Marathon County Environmental Resources Committee Meeting (September 29th, 2020 at 3:00pm)

PETITIONER: Stacey VanHoy – 118836 North Street, Stratford WI 54426

PROPERTY OWNER: Janice and Larry Brown – 227336 Pinenut Road, Edgar WI 54426

LOCATION OF REZONE REQUEST: Area proposed to be rezoned is located approximately 2,600 feet east of the intersection of County Road E and Chesak Road along Chesak Road. (See Map #1)

Map 1: Location of Rezone Request



REQUEST:

The petition of Stacey VanHoy on behalf of Janice and Larry Brown to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to R-R Rural Residential described as part of the SW ¼ of the SE ¼ of Section 03, Township 28 North, Range 03 East, Town of Frankfort. The area proposed to be rezoned is described as Lot 1 (2.216 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Part of parent parcel PIN# 026.2803.034.0997.

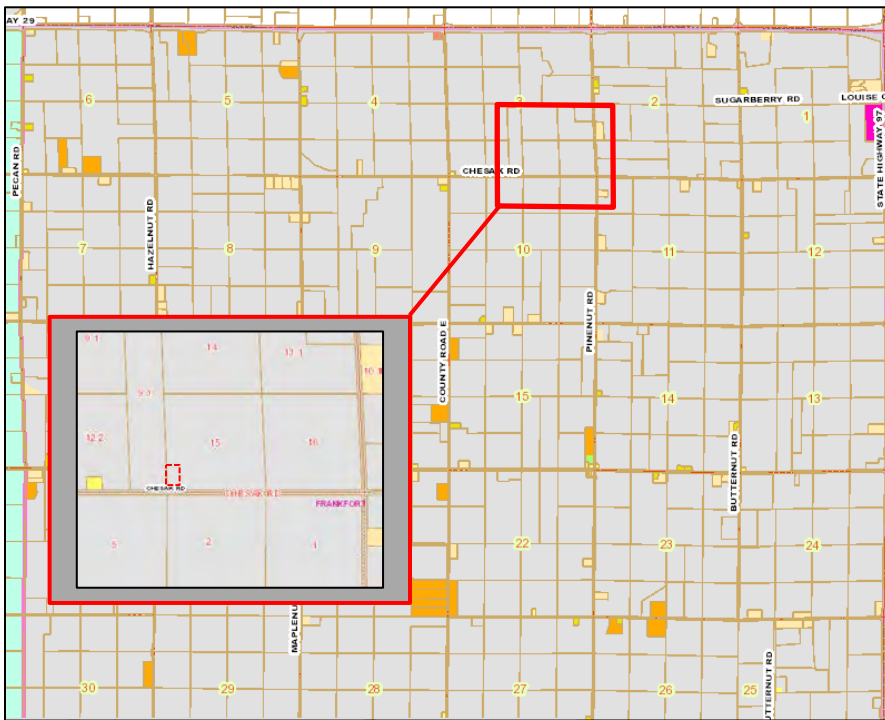
EXISTING ZONING DISTRICT:

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

PROPOSED ZONING DISTRICT:

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

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

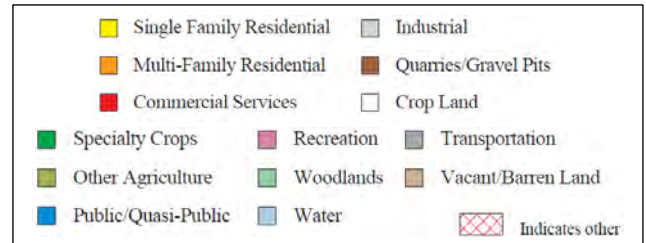
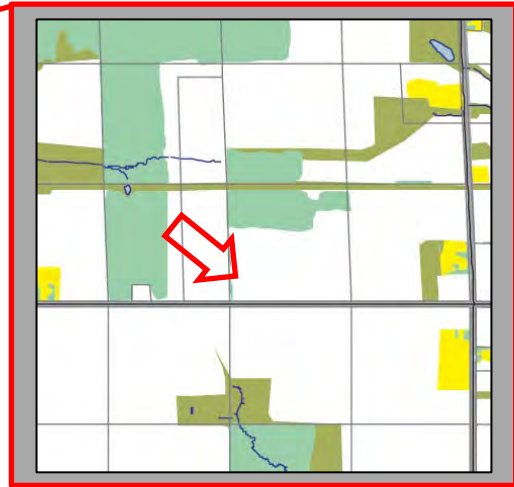
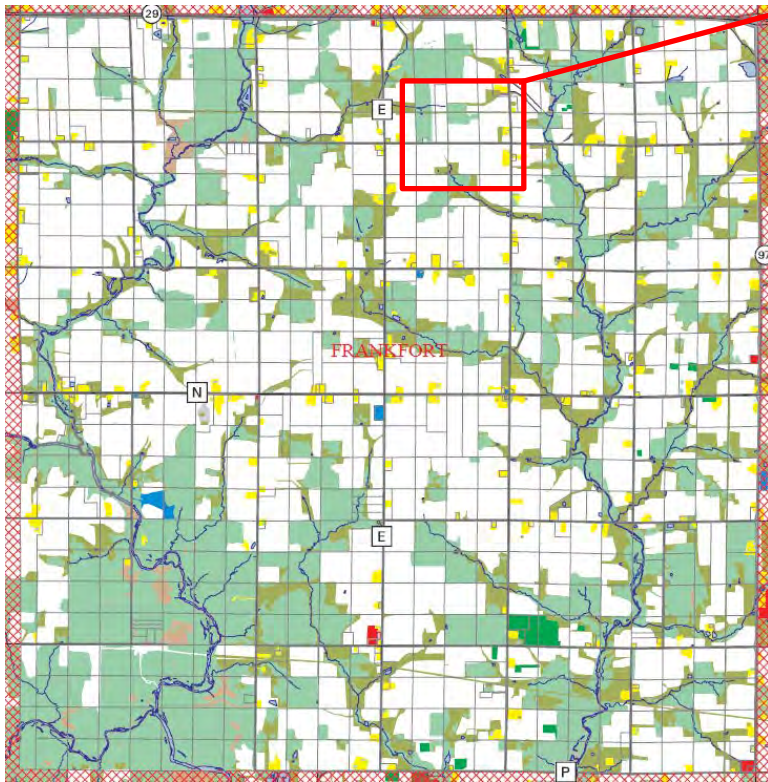


Map #2 Town of Frankfort Zoning District

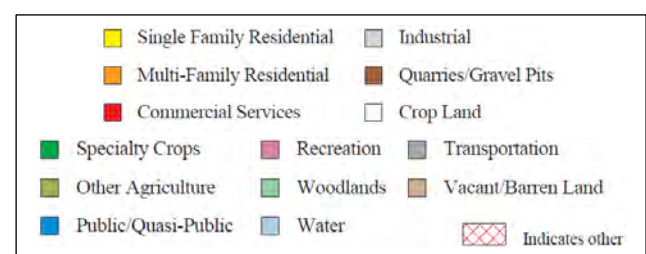
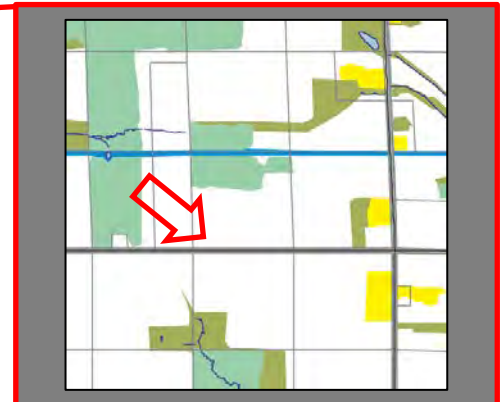
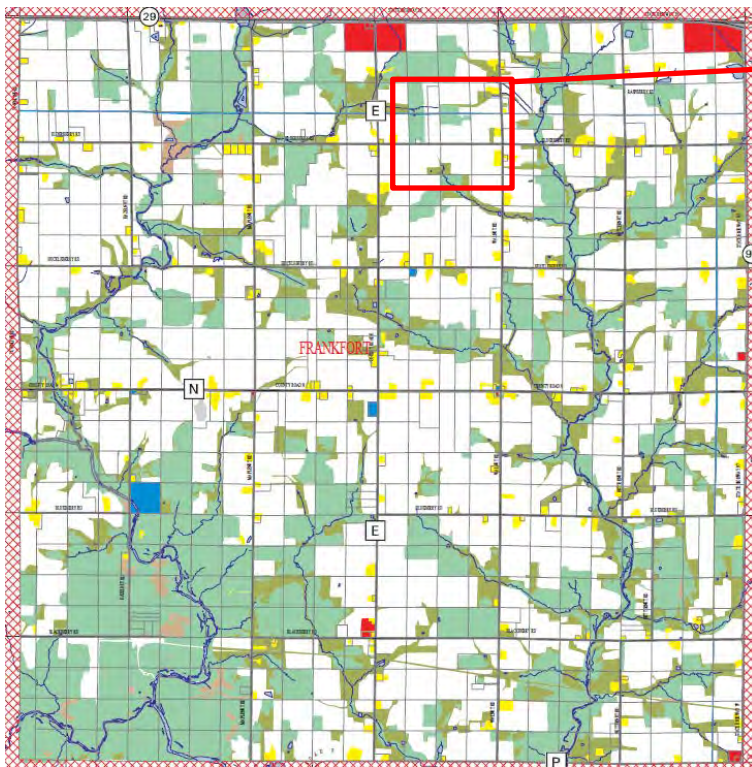
ACREAGE:
2.216 Acres

Legal Notification:
A legal advertisement was published in the *Wausau Daily Herald* on Monday, September 14th, 2020 and Monday, September 21st, 2020. Notice of the zoning change request was also sent by regular mail to adjacent property owners within 300 feet of the subject property.

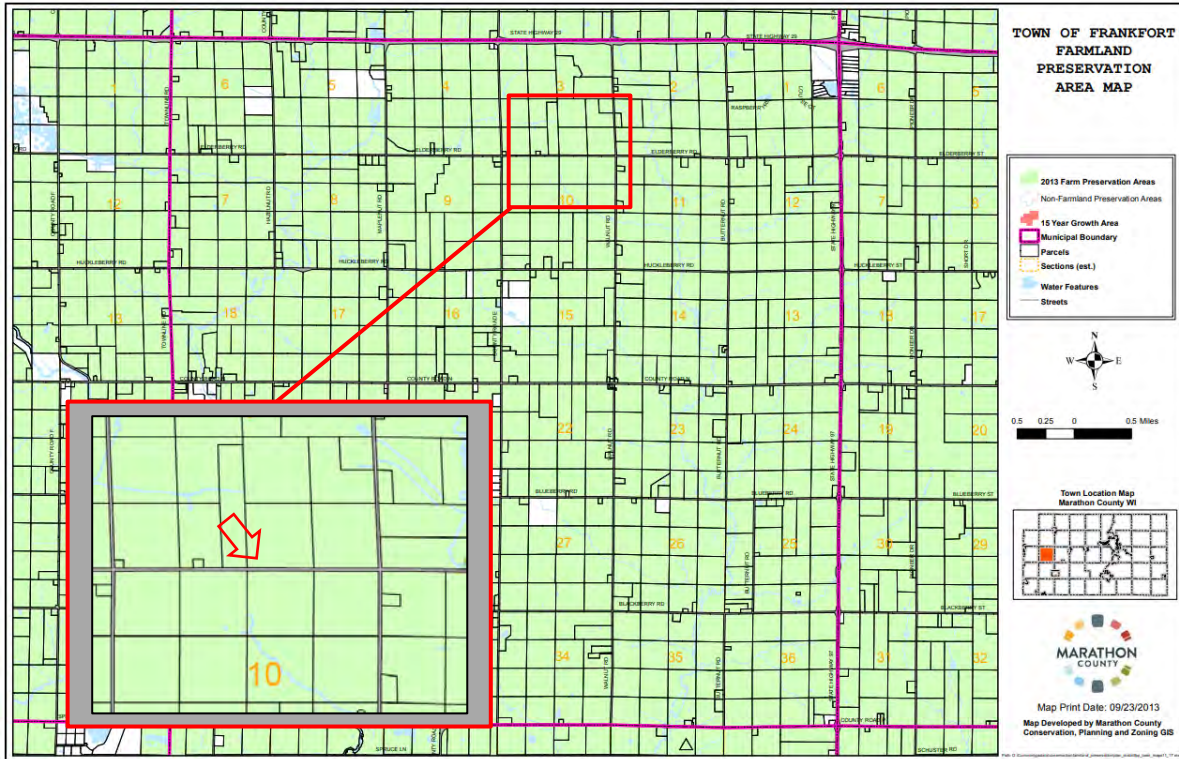
Existing (2000) Land Use/Land Cover Map – Town of Frankfort (2006 Comprehensive Plan) The area proposed to be rezoned is shown primarily as Crop Land in the Town’s Comprehensive Plan Existing Land Use Map with some Woodlands shown along the western property line. Whereas, adjacent land uses include Crop Land, Single Family Residential, Woodland, and Other Agricultural Land Uses.



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

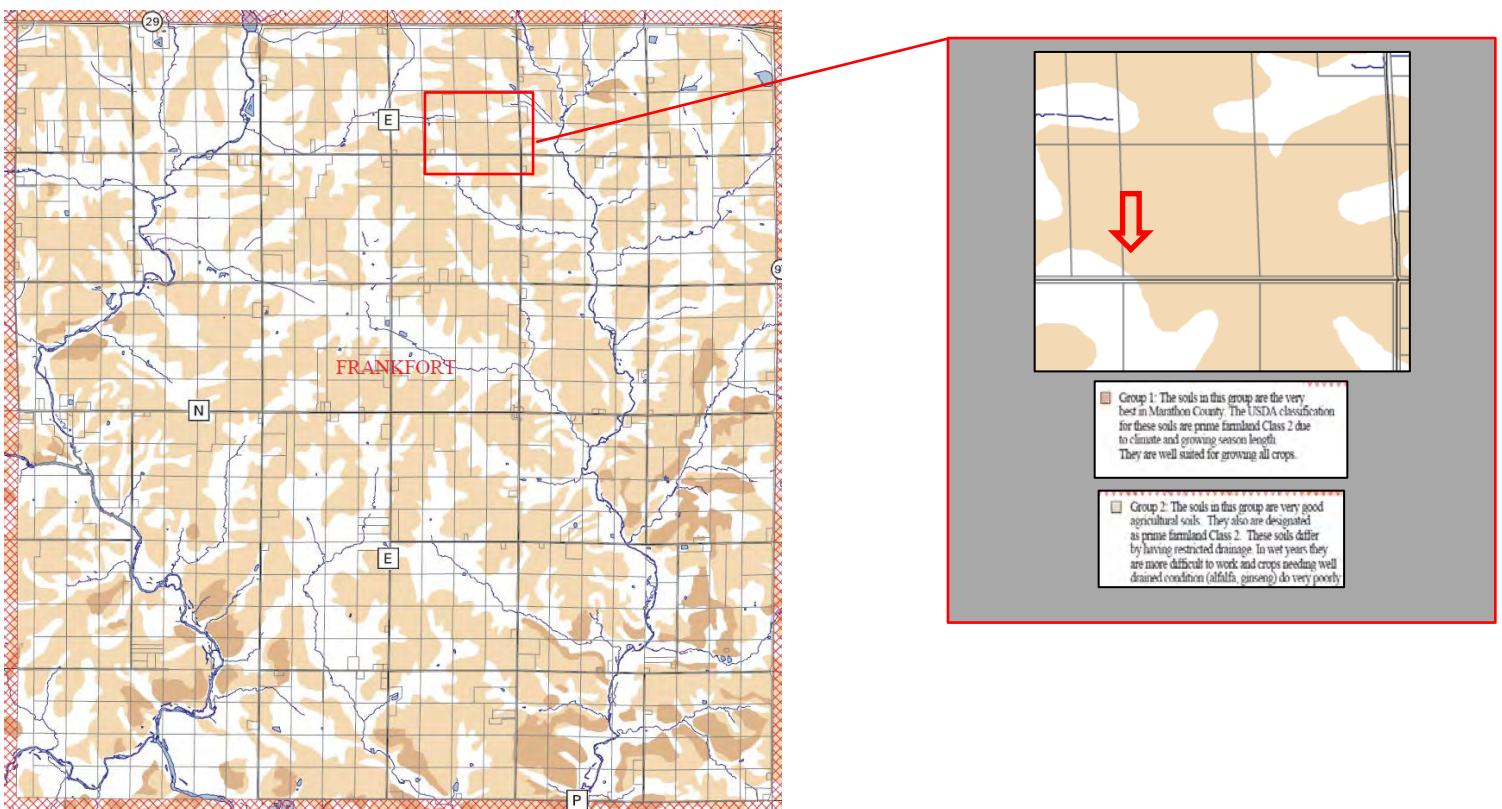


FARMLAND PRESERVATION PLAN: The area in question was designated as a **farmland preservation area** in the Farmland Preservation Plan. Yet, the Town of Frankfort does not participate in the farmland preservation program and has no parcels zoned F-P within the town.

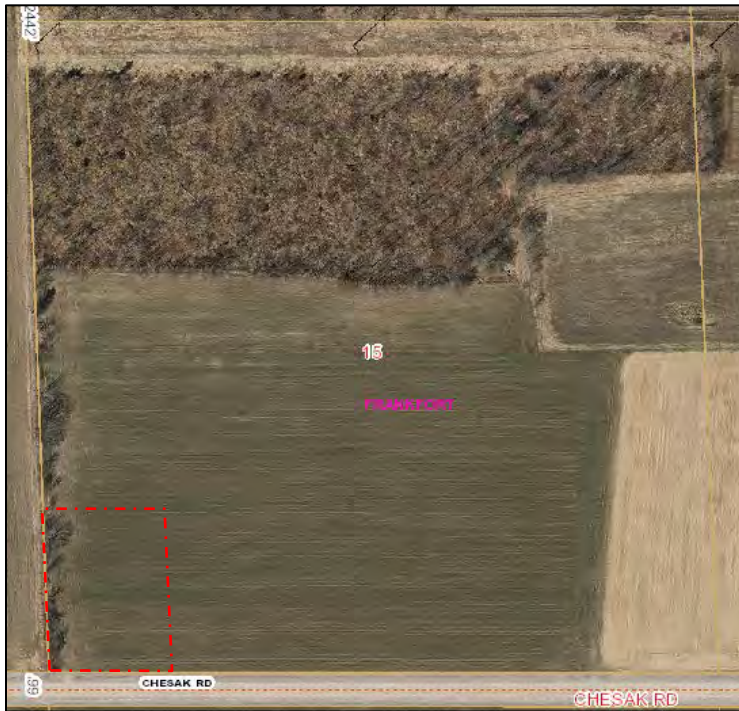


SIGNIFICANT PARCEL LIMITATIONS OR NATURAL FEATURES: The area proposed to be rezoned has no mapped floodplain, DNR mapped wetlands, waterways or any area within the shoreland overlay.

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

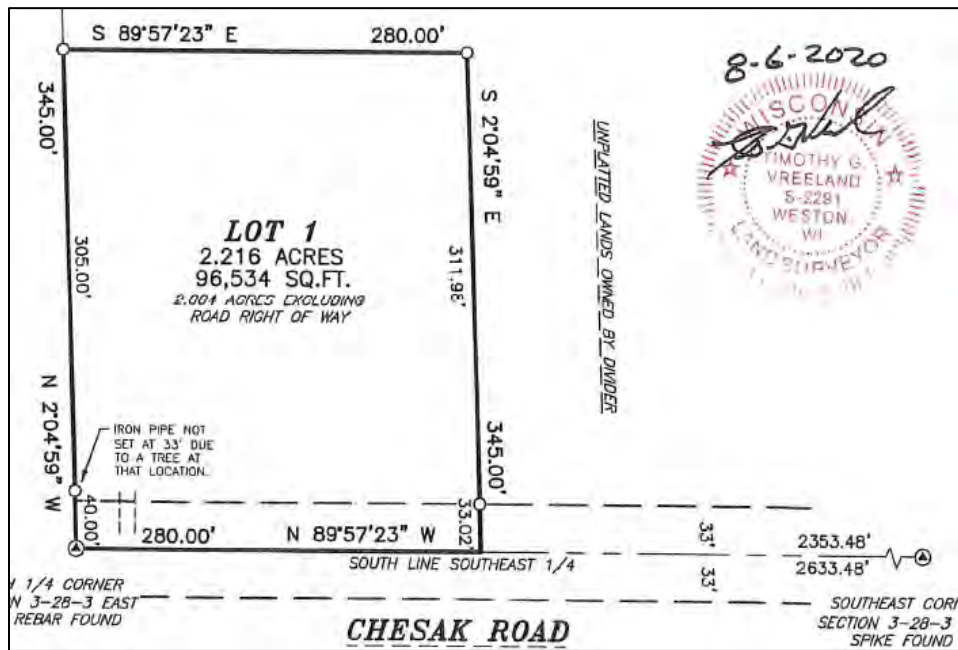


Aerial Photo:



Preliminary Certified Survey Map:

Lot #1 = Parcel in question



SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF MARK VANHOY, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 3, TOWNSHIP 28 NORTH, RANGE 3 EAST, TOWN OF FRANKFORT, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 3; THENCE N 2°04'59" W ALONG THE NORTH - SOUTH 1/4 LINE 345.00 FEET; THENCE S 89°57'24" E 280.00 FEET; THENCE S 2°04'59" E 345.00 FEET TO THE SOUTH LINE OF THE SOUTHEAST 1/4; THENCE N 89°57'24" W ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 280.00 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 FRANKFORT, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

Staff Comments regarding ERC Conclusions of Law:

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

The Marathon County Comprehensive Plan relies on the Town Comprehensive Plan regarding specific land uses and zoning districts for individual parcels. The Town of Frankfort's Comprehensive Plan shows the area in question is intended for Crop land uses in their future land use map. Additionally, there are no prime farm soils from Group 1 in the area proposed to be rezoned and the remnant parcel and farm land will continue to be farmed. As indicated in the Town of Frankfort's town resolution, the rezone appears to be consistent with the purpose and intent of the Town's Comprehensive Plan.

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

Some active farmland will be included in the 2.216 acres proposed to be rezoned, yet the remaining farmland (37.784 acres) will continue to be farmed. Proposed area to be rezoned is abutting a road as well as a tree line to the west which provides a buffer between the area in question and the adjacent farm lands. Rezone appears to minimize the agricultural lands converted.

3. The applicant has demonstrated that...

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

a. The need is related to a proposed and pending Certified Survey Map submitted to the CPZ department to create the 2.216 acre lot for residential construction.

b. Proposed area to be rezoned will need a uniform address and is located along Chesak road which has a "Good" road surface rating as seen in the Town of Frankfort's comprehensive plan. Adequate public facilities will be provided for any proposed development yet a private well and septic will be required given the parcel does not have access to city sewer and water. There also is an existing driveway in place to access the proposed parcel (improvements may be needed).

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

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

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

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

The Town of 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.

TOWN RECOMMENDATION:

On August 17th, 2020 the **Town of Frankfort** Town Board Recommended **Approval** to Marathon County's Environmental Resources Committee.

Frankfort recommends: <input checked="" type="checkbox"/> Approval <input type="checkbox"/> Disapproval of the amendment and/or zone	
<input type="checkbox"/> Requests an Extension* for the following reasons: _____	
<small>59.69(5)(c), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty the date of the public hearing. The extension must be by Town Board Resolution and remains in effect until the adopts a resolution rescinding the extension.</small>	
Clerk	
Town Board	

STAFF (CPZ) RECOMMENDATION(S):

The rezone meets all the zoning district standards as it relates to size, frontage, access, and dimension. The rezone petition minimizes the agricultural lands converted as only 2.216 acres of the active farmland will be converted as a result of the rezone. If approved, the Frankfort should update their comprehensive plan to reflect the proposed rezone to the Rural Residential (R-R) Zoning District from the General Agricultural (G-A) Zoning District. The future and existing land use maps should be updated to reflect the proposed residential use on the parcel in question. The Town of Frankfort Town Board has indicated in their resolution that the rezone is consistent with the Towns Comprehensive Plan. Yet, the towns comprehensive plan should be updated as the plan is over 14 years old and revisions are required every 10 years. Any future comprehensive revision or mapping adjustments should reflect the proposed rezoning in question if approved.

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: _____



TOWN OF RIB MOUNTAIN

Where Nature, Family & Sport Come Together

REZONE DETERMINATION REPORT

FROM:	Jared Wehner, Zoning Administrator		
DOCKET No.	2020-014	HEARING DATE:	August 26, 2020
APPLICANT:	Megan & Alex Kurth, 2094 Pasque Flower Place, Kronenwetter, WI 54455		
OWNER:	Thomas P. & Lynn O'Malley, 4416 Sequoia Drive, Stevens Point, WI 54481		
LOCATION:	226609 Thornapple Road; a 15.6 acre parcel described as west 32 rods thereof excluding the north 2 rods of the southwest ¼ of the northwest ¼ of Section 7, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin.		
DESCRIPTION:	Rezoning 226609 Thornapple Road from Rural Residential (RR-35ac) to Countryside Residential (CR-5ac), bringing the 15.6-acre parcel into conformance, allowing for the construction of a single-family house.		

The Department of Community Development of the Town of Rib Mountain, pursuant to the Town of Rib Mountain Zoning Code, Subchapter 11 Processes, Section 17.223 Amendment of Official Zoning Map Procedures, hereby makes the following findings and evaluation to the Town of Rib Mountain Plan Commission:

GENERAL INFORMATION

CURRENT ZONING: **RR-35ac Rural Residential**

DEFINITION:
17.035(2)(B)

This district is intended to permit development which is solely of a rural community character. The land use standards for this district permit very low density single-family residential development at a density of 1 dwelling unit for every 35 gross acres, as well as a variety of rural residential land uses. Density and intensity standards for this district are designed to ensure that development which requires even a minimum of urban services does not occur until such services are available. As such, the Rural Residential (RR) District shall either serve as a designation which preserves and protects residential activities, or as a "holding zone" which provides for an interim land use (low density residential) that will easily permit further development (with rezoning to another district) at the appropriate time.

Rationale: This district is used to provide for the protection of low density residential activities, and a very low density residential area for those who want to live in a rural environment and who retain enough land with their residence to ensure that the rural environment is maintained as long as the Rural Residential (RR) District designation is retained. In this manner, even if all property were developed in a given area with the Rural Residential (RR) District designation, the rural community character of that area would still be maintained.

PROPOSED ZONING: **CR-5ac Countryside Residential**

DEFINITION:
17.035(2)(E)

This district is intended to permit development which has a very low density, countryside community character. Unlike the case for the Rural Agricultural (RA-35ac) District, the land use standards for this district permit primarily single-family detached residential development and a variety of related institutional land uses, and are not oriented to a wide range of agricultural activities. Density and intensity standards for this district are designed to ensure that the Countryside Residential (CR-5ac) District shall serve as a designation which preserves and protects the countryside community character of its area. A variety of residential development

options are available in this district, with a Maximum Gross Density (MGD) of one dwelling unit for every 5 gross acres.

Rationale: This district is used to provide for the permanent protection of a very low density residential area for those who want to live in a countryside environment and who retain enough land with their residence, or in their development, to ensure that the countryside community character is maintained as long as the Countryside Residential (CR-5ac) District designation is retained, regardless of how much development occurs within that area.

FUTURE LAND USE Rural Neighborhood

FLU DESCRIPTION: Large lot, low-density residential development, home occupations, recreational and limited agricultural uses served by private on-site wastewater treatment systems (POWTS) and private wells. This area is outside of the 2040 sewer service boundary.

TYPICAL IMPLEMENTATION OF STANDARD ZONING DISTRICT:

- CR-5ac Countryside Residential
- ER-1 Estate Residential
- SR-2 Suburban Residential

DENSITY: Maximum of 1 dwelling unit per ½ acre on a conventional or mound wastewater system, or as permitted by the designated zoning district.

DEVELOPMENT POLICIES:

1. Limit development in environmentally sensitive areas by:
 - Discouraging the use of holding tanks;
 - Discouraging driveways longer than 1,000 feet;
 - Discourage the construction and use of private roads.
2. New development occurs in a manner that does not impede future, orderly development, or subdivisions.
3. Encourage cluster development or conservation subdivisions.
4. Encourage use of group wastewater treatment systems.
5. Promote the interconnection of the road and trail networks within and among neighborhoods.

REVIEW OF DENSITY STANDARDS AND BULK REGULATIONS

LOT STANDARDS	REQUIREMENTS	PROPOSED	STATUS
Minimum Lot Area:	5 acres	15.6 acres	Meets Requirements.
Minimum Lot Width:	150 Ft.	1,287 Ft.	Meets Requirements.
Min. Landscape Surface Rat.	0.7 [10.92 acres min]	1.0 currently	Meets Requirements.
Max. Floor Area Ratio:	0.1 [67953.6 sq. ft. max]	N/A	Meets Requirements.

DETERMINATION / FINDING OF FACT

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
Yes, the CR-5 zoning district is explicitly described as being a typical zoning district for the rural neighborhood future land use designation.
2. Does the rezoning further the purpose and intent of this Chapter?
Chapter 17 is written to implement the Comprehensive Plan to the extent possible under zoning and this proposed map amendment is within the scope of that intent.
3. Does rezoning address any of the following that are not properly addressed on the current Official Zoning Map?

1. A mistake was made in mapping on the Official Zoning Map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the Village may intend to stop an undesirable land use pattern from being perpetuated.
2. Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.
3. Growth patterns or rates have changed, thereby creating the need for a rezoning.

This lot was created by deed, accepted by the Marathon County Register of Deeds without the consent of the Town of Rib Mountain, thus creating an illegal non-conforming, substandard parcel.

4. Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?

Yes, the overall development shall maintain the desired consistency of rural residential land uses in this area of the Town.

BACKGROUND INFORMATION

This parcel is currently zoned for a 35-acre minimum, thus the parcel is non-conforming and is unbuildable at this time. The lot was created by deed by prior ownership. Due to the description being over 10 acres, Marathon County Register of Deeds recorded it and created an illegal non-conforming parcel. Prior to a policy change, MCROD recorded deeds of newly created parcels 10 acres or larger without determining if the parcel met local zoning and subdivision ordinances. The applicants wish to purchase the parcel to build a home and have a small hobby farm to garden and raise livestock for their own personal consumption. They are aware that husbandry requires a conditional use, which will be applied for in the future.

CURRENT PROPERTY CONDITIONS

There is no home on the property. There is a collapsed shed. Currently the property is idle.

STAFF COMMENTS

Although this parcel was created illegally, staff does not foresee any issues with rezoning this property to allow for its development, as it is consistent with the Town's vision for this area of the Town.

POSSIBLE ACTIONS TO BE TAKEN

RECOMMEND APPROVAL: Plan Commission recommends approval of the rezone request, forwarding the recommendation on to the Town Board for the September 1, 2020 meeting.

DEFER ACTION: Defer action on the request based on insufficient material/evidence provided by the applicant or uncertainty among the commissioners based on evidence presented at the public hearing. A recommendation shall be made within 60 days of submittal of the application (September 23, 2020). If the Plan Commission chooses not to make a recommendation or fails to make a recommendation to the Town Board within 60 days of the submittal of the application, then the Town Board shall hold the public hearing without a Plan Commission recommendation.

RECOMMEND DENIAL: Plan Commission recommends denial of the rezone request, forwarding the recommendation on to the Town Board for the September 1, 2020 meeting.

RESOLUTION 20-12
TOWN OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN

A resolution rezoning a portion of land consisting of 15.6 acres of land from RR-35a Rural Residential to CR-5ac Countryside Residential; located at 226609 Thornapple Road, Town of Rib Mountain, Wisconsin; and amending the Official Zoning Map to reflect said change.

WHEREAS, Megan and Alex Kurth, perspective buyers, petitioned to amend a portion of land on the Official Zoning Map of the Town of Rib Mountain from RR-35ac Rural Residential to CR-5ac Countryside Residential; and

WHEREAS, the Plan Commission of the Town of Rib Mountain having held a public hearing on the 26th day of August 2020, on the application described above for the zoning of property described herein, and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Town Board of Supervisors, and after careful considerations, said Board having received and approved the recommendations of Said Commission; the petition is consistent with the adopted Rib Mountain Comprehensive Plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Town of Rib Mountain, Marathon County, Wisconsin, hereby amends the Rib Mountain Zoning Map as follows:

Section 1: On the application (2020-014), property owner Thomas P. & Lynn O'Malley for the following territory now comprising as part of the RR-35ac Rural Residential zoning district, located in Section 7, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin; is hereby designated to be and become hereafter part of the following zoning district:

CR-5ac Countryside Residential: the 15.6 acre parcel is described west 32 rods thereof excluding the north 2 rods of the southwest ¼ of the northwest ¼ of Section 7, Township 28 North, Range 7 East, Town of Rib Mountain, Marathon County, Wisconsin; more commonly known as 226609 Thornapple Road.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designations shall take effect only upon approval of the Marathon County Board of Supervisors. If the rezoning of any lands by this Resolution does not take effect within 180 days of the date hereof, this Resolution shall become null and void and the zoning for such lands shall remain unchanged.

Section 2: The Zoning Administrator shall make necessary alterations upon the Official Zoning Map of the Town of Rib Mountain to reflect the changes in the zoning classification of the property described herein.

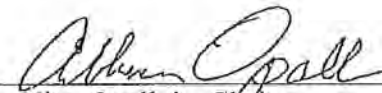
Section 3: **SERVABILITY.** If any section, clause, provision, or portion of this Resolution is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Resolution shall not be affected thereby. If an application of this Resolution to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to

any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Resolution is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other resolutions or ordinances whose terms are in conflict with the provisions of this resolution are hereby repealed as to those terms that conflict.

Section 4: EFFECTIVE DATE. This resolution shall take effect upon approval and signature.

Adopted this 1st day of September 2020

BOARD OF SUPERVISORS


Allen Opall, its Chair

Attest:


Joanne Ruechel, Town Clerk

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

WHEREAS, the Town Board of Supervisors of the TOWN OF RIB MOUNTAIN 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, the proposed amendments are compatible with the adopted comprehensive plan;

NOW, THEREFORE BE IT RESOLVED, that pursuant to Wis. Stat. §§60.62(3), the Town Board of Supervisors of the TOWN OF RIB MOUNTAIN does hereby request review by the County Environmental Resources Committee (formerly the Land Conservation and Zoning Committee) and subsequent recommendation for County Board approval of the attached Zoning Ordinance Amendment (and accompanying Zoning Map).

Dated this 1st day of September, 2020

Signed by the Board of Supervisors of the TOWN OF RIB MOUNTAIN:


Allen Opall, Town Chairman

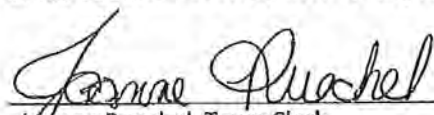

Brad Conklin, Supervisor


Dan Fiorenza, Supervisor


Gerry Klein, Supervisor

NOT PRESENT
Fred Schaefer, Supervisor

I, Joanne Ruechel, Clerk of the TOWN OF RIB MOUNTAIN, 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 Supervisors of the TOWN OF RIB MOUNTAIN on September 1, 2020.


Joanne Ruechel, Town Clerk

September 1, 2020
Date

Rib Mountain:
 "Where Nature, Family, and
 Sport Come Together"

Prepared by:



www.mitech.us

Map Printed: 8/17/2020

Parcels Outline
 Zoning Districts
 (Sept 2017)

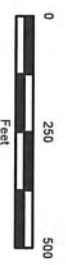
CR-5ac
 Country/side
 Residential
 EO Estate Office
 EO Estate
 Residential
 ER-1 Estate
 Residential
 MR-4 Mixed
 Residential

NC Neighborhood
 Commercial
 OR Outdoor
 Recreation
 RA-1 Rural
 Agricultural
 RA-2 Rural
 Agricultural

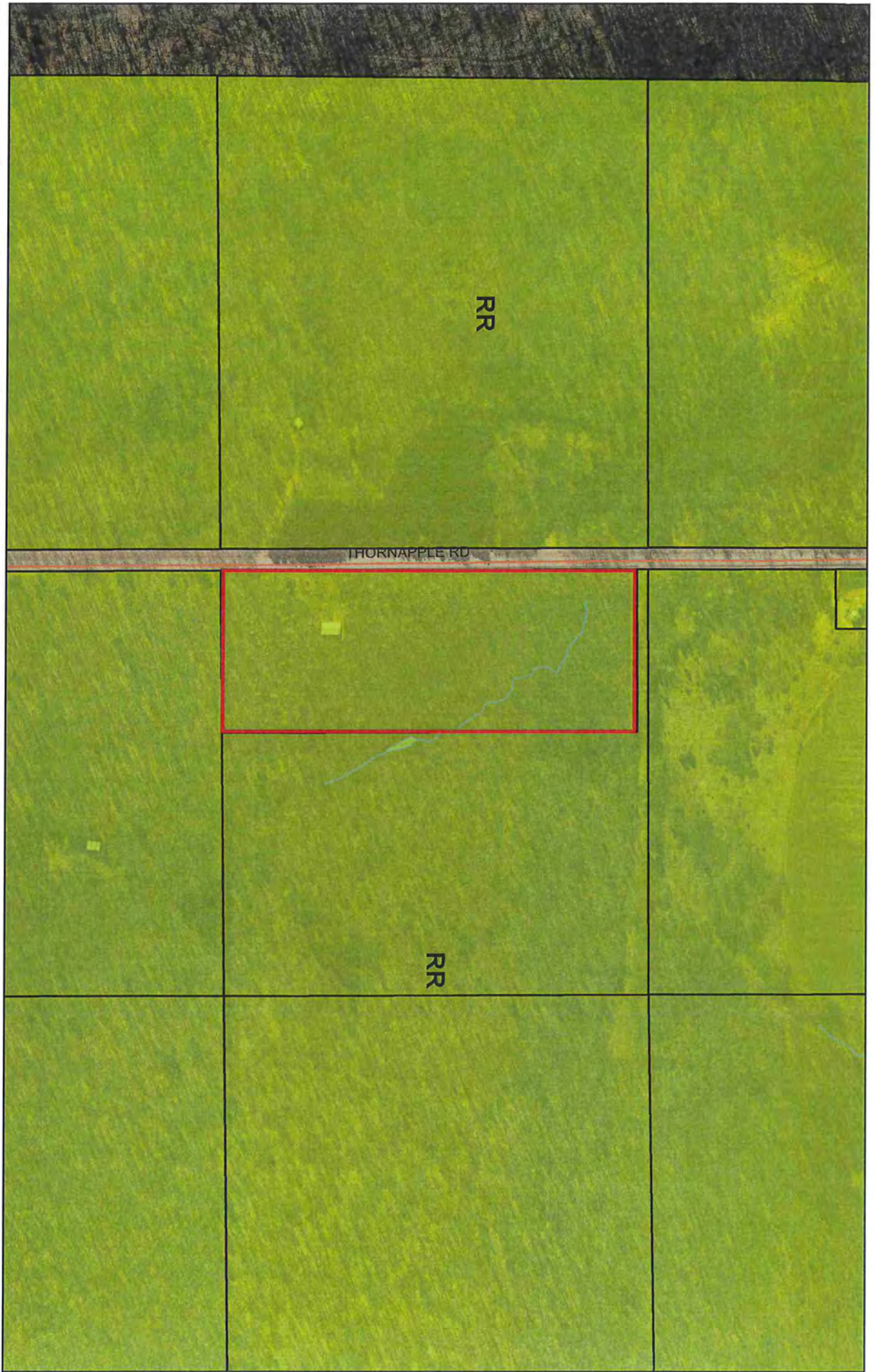
ROW
 RR Rural
 Residential
 SC Suburban
 Commercial
 SI Suburban
 Industrial
 SO Suburban
 Office

SR-2 Suburban
 Residential
 SR-3 Suburban
 Residential
 UC Urban
 Commercial
 UDD Unified
 Development

UR-8 Urban
 Residential
 Labels
 Building Outline
 Road Centerline
 Water Feature
 Water Feature



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**Regional Aquatic Invasive
9/4/2020**

Species (AIS) Program update

Golden Sands RC&D AIS program has been ongoing since 2004. Funding for our AIS program comes through WI Department of Natural Resources AIS Education Planning and Prevention (AEPP) grants as well as local donations. This current AIS program is funded through December 31, 2021. Golden Sands RC&D looks forward to being chosen as Marathon County's designated agent for future AIS funding. The following is a summary of AIS work completed in Marathon County during the 2020 field season. Questions or followup can be directed to chris.hamerla@goldensandsrccd.org or 715-343-6215 ext 704.

AIS early detection surveys were completed on Mud, Rice, Bass and Lily Lakes. Early detection surveys are completed using a specific DNR protocol and are intended to assess a lake in a timely fashion to determine if any new AIS are present. These lakes were chosen because they hadn't been surveyed since 2012. No new AIS findings were recorded. Wadley Lake didn't receive a PI (point intercept aquatic plant survey) in 2020 but did have one in 2019.

AIS Coordinator Hamerla assisted WPS (WI Public Service) Jess Roloff with AIS surveys upstream of the Wausau Dam (Bridge St up to Brokaw). No new AIS were observed. This survey was completed as part of WPS's FERC requirements. PLS (purple loosestrife) was recorded along the way. One distinct observation was made in relation to the 2019 drawdown which allowed for maintenance on the Wausau Dam. Shallow sandbars which were exposed commonly started to have PLS growing on them. With the water levels back to normal, PLS was growing as an emergent. These areas will be resurveyed in 2021 and removal efforts will be made if the plants are still there.

PLS is very abundant in Marathon Co and has been very noticeable with the last couple of "wet" years. Volunteers on the north side of Marshfield maintain a mass rearing cage for PLS biocontrol Galerucella beetles. They had over 100 potted plants this summer and released beetles locally. AIS Coordinator Hamerla raised 16 pots which were used by WPS to meet FERC requirements. Typically other volunteers and Marathon Co partake in PLS biocontrol but COVID restricted much of this work.

CBCW (Clean Boats Clean Waters) watercraft inspections were completed but had a later start due to COVID restrictions. Beans Eddy, Chuck's Landing, River Park Mosinee, Big Bass, Mission, Bluegill Landing and Kort Street Landing were staffed through the AIS program. Big Bass Lake also paid extra to have a person at their landing three additional days. This additional effort was partly in response to zebra mussels which were found in nearby Lake Helen, Portage Co in 2019.

Due to COVID restrictions several events were canceled. These include Wausau Youth Heritage Sporting Days (Wausau School Forest), Rich Cronquist Youth event (Mead), school and school forest presentations. Marathon School requested a video presentation. Hamerla produced an informational video for the classes. It may be viewed as a private Youtube video, <https://www.youtube.com/watch?v=P7ULFs6iAAE&feature=youtu.be> The annual Fern Island buckthorn removal with Wausau East High School is to be determined at this time.

One AIS article was included in the Eastern Lakes spring newsletter. The fall issue was full but plans are to include an AIS article for the winter issue. One TV interview was completed with Channel 7. They helped cover the July 4th Landing Blitz and Drain Campaign Clean CBCW events. One interview was completed with Channel 9. It helped remind lake property owners to check for AIS while removing docks and boats for the season.

Assisted Shoreland Specialist Mader with AIS Plan and information to update Marathon's 2010 LWRM plan.

CHAPTER 5. MONITORING & EVALUATION

According to the Wisconsin River Basin TMDL, the primary source of nonpoint pollution is from rural areas whose major land use is agriculture. As a result, agricultural stormwater runoff from fields carries animal waste, pesticides, nutrients, sediment, and phosphorus. The TMDL has identified phosphorus as the primary nonpoint source pollutant, and will be the focus of conservation staff and efforts.

The evaluation and monitoring of water quality and habitat along riparian and wetland areas will be critical to improving overall water quality in designated impaired watersheds within Marathon County, as well as coordinating with adjacent units of government where areas of impaired watersheds are located outside of the county. Land cover using the Wiscland 2.0 digital database will enable staff to examine GIS land cover data to further examine physical land cover attributes that may exacerbate nonpoint source pollution on a sub-basin scale and on a more refined analysis along riparian corridors.

The Marathon County LWRM Plan is intended to be a flexible document that will review progress toward goals, objectives, and measurable outcomes on an annual basis. CPZ staff will align annual work program efforts to ensure effective favorable progress.

Agricultural Nonpoint Source Monitoring

1. Agricultural Performance Standards and Prohibitions Monitoring and Evaluation

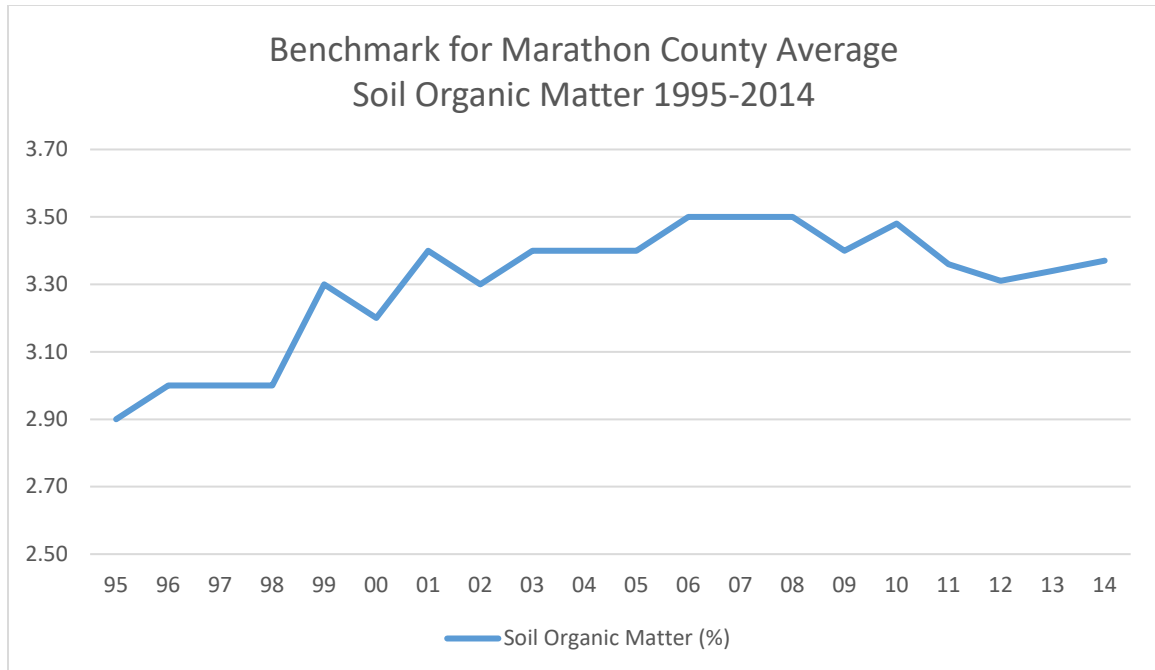
GIS technology, SnapPlus nutrient management planning software, remote sensing, and on-site evaluations are currently being used as tools to evaluate, track and monitor landowner compliance with the agricultural performance standards and prohibitions. Animal lot manure discharges are monitored using the BARNY runoff model.

2. Soil Transect Survey

A biennial Soil Erosion Transect Survey conducted by conservation staff, and farm-level soil conservation assessments via SnapPlus nutrient management planning software are the main tools used to monitor the erosion of croplands within the county, along with changes in land use.

3. Monitoring Soil Organic Matter Levels

Soil health is monitored by analyzing annual aggregate county-wide soil test data for organic matter levels based upon data from thousands of soil test results from various DATCP-approved labs and reported by the UW soil testing lab.



4. *Wetland monitoring through partners*

The Wisconsin DNR provides, updates and maintains the official wetlands mapping of the State. CPZ depends on these maps along with site specific delineation when needed to identify wetlands.

5. *35 Feet Tillage Setback*

This LWRM Plan calls for an inventory of 35 feet Shoreland buffers. This will begin an effort to track, evaluate and increase buffers along surface waters and wetlands of the county.

6. *Agricultural Runoff*

The reduction of agricultural runoff to surface water is outlined in Objective 2.1 and success will be determined by monitoring the outcome measurements in chapter 3. Monitoring will be done with a variety of tools including site specific evaluation tools, watershed modeling and monitoring by the WI DNR.

7. *Phosphorus*

Phosphorus loading from agricultural croplands and pastures is currently modeled using the Wisconsin Phosphorus Index (PI) planning and assessment tool that is part of the SnapPlus nutrient management planning software program.

As part of tracking the outcomes over the life of this LWRM Plan, conservation staff will conduct a biennial survey of farmers to assess which forms they prefer to receive their information and measure if they have successfully used or implemented the information. Public awareness and educational opportunities to enhance agricultural practices will be promoted events through

educational demonstrations such as on-farm field days, and through courses such as nutrient management farmer education classes.

Surface Water Quality Monitoring

Phosphorus loading

The need for water quality monitoring and assessment for phosphorus loading is characterized by the data results found in the Wisconsin River Basin TMDL report. Clearly, the most significant element of this LWRM Plan is to achieve and reduce surface water phosphorus levels to recommended TMDL phosphorus criterion for 303(d) impaired waters in Marathon County. The county will rely upon the WI DNR for their prescribed role in water quality monitoring within the county. In addition, the Wisconsin Valley Improvement Company will continue to monitor various waterways within its control, and has agreed to share the data with CPZ. This includes monitoring the Fenwood Creek.

Additional water quality monitoring will include lakes and streams testing through volunteer efforts and the Wisconsin Valley Improvement Company (WVIC). Responsible agencies, local government, volunteer groups and WVIC will collaborate to monitor water resources.

Lake Districts

Marathon County in cooperation and partnership with citizens, communities and the University of Wisconsin Stevens Point developed 10 Management Plans and 11 Lake Studies to protect, enhance, and improve long-term water quality. Marathon County will continue to assist, promote and monitor the implementation of the plans.

Aquatic Invasive Species

Marathon County has entered into a working relationship with the Golden Sands Resource Conservation & Development Council to conduct ongoing inventories, monitoring and management of lakes and reservoirs.

Citizen Monitoring

Raise public awareness, especially among the watersheds' residents, of the pollution sources and solutions in and out of Marathon County. Take a more proactive approach of Water Action Volunteers, citizens and citizen groups to monitor natural resources.

Project Tracking

Conservation staff and partners will continue to meet annually over the next 10 years following plan adoption. Conservation staff will be responsible for demonstrating and assessing progress toward the stated goals, to allow both staff and partners to target projects and revise/amend the strategies if a realignment is required to better achieve the overall protection of natural resources.

Overall Plan Evaluation

Important aspects of the LWRM Plan include tracking progress, maintaining contact with partner communities/organizations, and amending/updating the plan to reflect newly identified opportunities, needs, and gaps. It is planned that the partners will revisit goals, objectives, action steps, and outcomes annually to determine necessary program adjustments.

The partners will continue to meet following plan adoption over the life of this plan to assess progress toward the stated goals, to allow partners to better target projects and revise/amend the plan at its 5-year interval. The list of actions allows key stakeholders to assess progress in the following manner:

- Limited sampling is proposed along the Big Eau Pleine Reservoir and tributaries.
- Use of some BMPs assumes typical pollutant reduction and often does not involve monitoring. Conservation staff will document the amount, location, and type of BMPs installed relative to the plan items, which will allow pollutant load reductions to be modeled.
- Select projects will be monitored for effectiveness (e.g., pollutant reduction), as part of the project or as a separate monitoring effort.

This data will be compiled yearly. Partners will meet approximately quarterly to coordinate on projects and share results. Each year, partners will review progress and assess whether revised goals are needed.

Plan Update/Annual Work Plan Revision

To assess progress and update partners, conservation staff will:

- Track progress using summary tables;
- Hold meetings with partners and discuss plan progress, pending projects, and newly identified project needs at least four times a year or as appropriate to manage projects;
- Maintain contact with partners by telephone, e-mail, newsletter, or other methods; and
- Present updates at meetings, e.g. ERC, EPPIC, other pertinent groups.

CPZ will retain the LWRM Plan document and use its web page to post updates, information, discussion materials, upcoming events/coordination, and contact information.