



**Marathon County
Environmental Resources Committee Minutes
Tuesday, November 3, 2020
210 River Drive, Wausau WI**

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

Also present via Webex or phone: Paul Daigle, Dominique Swangstu, Diane Hanson, Lane Loveland and Cindy Kraeger– Conservation, Planning, and Zoning (CPZ); Jean Kopplin – City-County IT, Jason Hake – Deputy Administrator, Jamie Polley, Tom Lovlien – Park, Recreation and Forestry (PRF), Tim Vreeland, Duane Dahlke, Rose Marie Popp, Sean Montgomery and Peter Weinschenk – Record Review.

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. via WEBEX.
2. **Public Comment** – None.
3. **Approval of October 20, 2020 Committee minutes**

Motion / second by Seefeldt / Guild to approve of the October 20, 2020 Environmental Resources Committee minutes as distributed.

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

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

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

1. Tim Vreeland on behalf of Maple Tierra LLC - F-P Farmland Preservation to G-A General Agriculture – Town of Eau Pleine

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 22.412 acres shown as Lot 2 of the Preliminary Certified Map submitted with the petition. The rezone appears to be partially consistent with the Future Land Use Map of the Town’s Comprehensive Plan. The rezone in question is partially consistent with the Farmland Preservation Plan yet there are some concerns of fragmentation within an area of the town that is predominately zoned Farmland Preservation. Agricultural lands converted do not appear to have been minimized as approximately 12-15 acres on the eastern portion of the proposed lot will be rezoned, yet those lands are not comprised of prime farm soils. The rezone in question would be less impactful as it converts lands from one agricultural zoning district to another, which is far less concerning than rezoning these lands to a residential, commercial, or industrial zoning district. Although the proposed zoning district in question is agricultural, the allowable land uses and standards differ from the Farmland Preservation zoning district which may result in some unforeseen impacts on adjacent farm lands (current or future). Options were provided to the property owner and agent by the CPZ department in an effort to further minimize agricultural lands converted/rezoned yet the additional agricultural lands (on eastern portion of the proposed parcel) do not appear to be prime/highly productive and also contain DNR mapped wetlands. Three options were provided to the applicant and agent: 1) to create a parcel 35 acres or greater, 2) create a parcel around the existing farm buildings 2.00-4.99 acres in size through a farm consolidation 3) rezone only 10+ acres around the existing buildings yet the final CSM submission required the rezone in question. With all the information provided, findings of fact, conclusions of law, and the Town of Eau Pleine’s input, CPZ staff are recommending approval of the rezone request. Yet, staff request ERC

members consider all previously discussed concerns and the rezone standards to make an informed determination.

Daigle was sworn in and reiterated the concerns CPZ staff have regarding this rezone request as well as the possible implications this rezone may have on other rezone requests within Marathon County regarding Farmland Preservation.

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

Vreeland was sworn in and explained the rezone request for the above mentioned use. Vreeland explained the rezone and proposed parcel configuration was intended to allow the future owners to utilize the agricultural lands for grazing while allowing cattle to be housed in the existing agricultural buildings. Vreeland explained the other options provided by staff were not feasible given the proposed use of the parcel and existing crop land being farmed.

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:33 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrlick / Seefeldt to recommend approval to County Board, of the Tim Vreeland on behalf of Maple Tierra LLC rezone request. Noting the reasoning provided in the staff report and the conclusions of law. The Committee determined the rezone is partially consistent with the Marathon County and Town comprehensive plans as well as is partially consistent with the Farmland Preservation Plan. Although there were concerns regarding the parcels configuration and remnant parcel, the rezone appears to meet all applicable rezone standards.

Motion **carried** 4 yes, 2 no, roll call vote.

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

2. Jack Kautza and the Jack Kautza Revocable Trust – G-A General Agriculture to R-R Rural Residential – Town of Plover

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 3.49 acres Lot 1 on the Preliminary Certified Survey Map submitted along with the reasons why CPZ staff are recommending approval of the rezone request.

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

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 4:05 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

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

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

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

3. David Lau on behalf of Herbert Lau - F-P Farmland Preservation to G-A General Agriculture Town of McMillan

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 10.003 acres Lot 1 of the Preliminary Certified Map along with the reason CPZ staff are recommending approval of the rezone request.

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

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 4:10 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrlick / Guild to recommend approval to County Board, of the David Lau on behalf of Herbert Lau rezone request. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law described in the CPZ staff report included in the ERC packet.

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

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

4. Sean and Kimberly Montgomery on behalf of J&B Grezenski Enterprises LLC – G-A General Agriculture to R-E Rural Estate Town of Knowlton

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of 5.403 acres Lot 1 of the Preliminary Certified Map along with the reason CPZ staff are recommending approval of the rezone request. The rezone is consistent with the towns comprehensive plan future land use map and should not have an unnecessary impacts on adjacent lands or land uses.

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

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 4:15 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

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

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

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

5. James and Rose Popp on behalf of O'BOYS LLC - G-A General Agriculture to R-E Rural Estate Town of Elderon

Discussion: Swangstu was sworn in and noted the staff report and decision sheet had been included in the packet. Swangstu reviewed the rezone request of .68 acres in size and is shown as part of Lot 1 (5.68 acres) on the Preliminary Certified Map along with the reason CPZ staff are recommending approval of the rezone request. The rezone request was proposed to add lands (.68 acres) and existing buildings already being utilized by the petitioner to their existing 5.00 acre parcel. The rezone is consistent with the towns' future land use map and the purpose and intent of the Towns Comprehensive Plan.

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

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 4:20 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Fifrlick / Drabek to recommend approval to County Board, of the James and Rose Popp on behalf of O'BOYS LLC rezone request. The Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is not located in the Farmland Preservation Zoning District. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. The committee made their recommendation of approval based on the information, findings of fact, and conclusions of law described in the CPZ staff report included in the ERC packet.

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

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

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

C. Review and Possible Recommendations to County Board for its Consideration

1. Approval of the County Forest Comprehensive Land Use Plan

<https://www.co.marathon.wi.us/Departments/ParksRecreationForestry/PlanningandDevelopment/FINALDraftMarathonCountyForestComprehensiveLandUsePlan20212035.aspx>

Discussion: Lovlien reviewed and updated the Committee on the County Forest Comprehensive Land Use Plan 2021-2035. Revisions began in August 2019; all counties followed a statewide template; plan addresses future management direction for sustainable timber harvests, recreation, land acquisition wildlife management, ecological protection, public uses and more. Lovlien stated this is not a static plan and can/will require amendments as new things emerge over the next 15 years. The County Forest Citizens' Advisory Subcommittee and Forestry/Recreation Committee unanimously recommends approval and asking the ERC Committee to forward its recommendation for approval to County Board.

Action: **Motion** / second by Seefeldt / Guild to recommend approval of the County Forest Comprehensive Land Use Plan 2021-2035 to County Board.

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

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

D. Review and Possible Action

1. Proposed 2021 meeting schedule

Discussion: The 2021 tentative meeting schedule was included in the meeting packet. All dates were acceptable as presented.

5. Educational Presentations/Outcome Monitoring Reports and Committee Discussion – None.

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

A. Land and Water Resource Management Plan and support materials

www.co.marathon.wi.us/lwrm

1. Public comment on plan

Discussion: Daigle discussed how to engage the public to provide comment on the plan. No public was available to comment on the plan.

2. Committee review and discussion of draft plan

Discussion: Daigle presented the plan to the Committee in Draft form and looking for feedback from the Committee. All materials are available on the website. Langenhahn commented on how aesthetically pleasing the plan is; document explains why we care about the environment; showcase community involvement. Guild commented on the plan is very pleasing visually – very well put together. Daigle thanked Brenda Iczkowski (CPZ) to learn the In-Design by herself without any training due to COVID-19; Jeff Pritchard and Gary Hetzer developed the maps. Daigle discussed the methods of engagement and social media avenues that were presented to the ERC in August. Informed committee engagement has begun and will be fully implemented. As a start, the postcards

will be sent out next week to landowners, stakeholders and lakeshore owners.

3. Set public hearing dates for Land Water Resource Management Plan
 - a. Tuesday, December 1, 2020 3:00 pm Room 5
 - b. Tuesday, January 5, 2021 3:00 pm Room 5

Discussion: The public hearing will be held on Tuesday, December 1, 2020 at 3:00 p.m. and Tuesday, January 5, 2021 at 3:00 p.m.

- B. Wisconsin Land and Water Conservation Association
 1. Organizational overview and association with Marathon County
 2. Historical staff/supervisor roles with association

Discussion: Daigle discussed that Marathon County is part of the Wisconsin Land and Water Conservation Association and shared a video with the Committee. Staff have been and will continue to be involved in various committees. He encouraged supervisors to become involved as well and to reach out to him on ways to be engaged in this association.

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

Tuesday, December 1, 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

Swangstu noted a memo will be sent to County Zoned Towns regarding the annual revisions to Chapter 17.

8. **Adjourn – Motion** / second by Seefeldt / Fifrick to **adjourn** at 5:20 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