



# MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

**Date & Time of Meeting:** Tuesday, December 1, 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 ten (10) minutes prior to the start time indicated above using the following number:**

**Phone Number: 1-408-418-9388**

**Access Code/Meeting Number: 146 270 5670**

**Please Note: If you are prompted to provide an “Attendee Identification Number” enter the # sign. No other number is required to participate in the telephone conference.**

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

1. Call meeting to order
2. Public Comment (15 minute limit)
3. Approval of November 3, 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. Rick Kersten (Central Wisconsin Lumber and Tie INC.) on behalf of Steve Dahlke – G-A General Agriculture to L-I Light Industrial– Town of Rib Falls
    2. The draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan: The LWRM Plan identifies the existing land and water resource concerns related to soil erosion, surface and ground water pollution with the greatest impacts to Marathon County. The plan also outlines the goals, objectives, strategies, and defined outcomes to address the highest priorities. This includes an implementation strategy and defined accountability, monitoring and tracking efforts.
  - B. Review and Possible Recommendations to County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.) - None
  - C. Review and Possible Recommendations to County Board for its Consideration
    1. Resolution: Approval of the 2021 County Forest Annual Work Plan (Lovlien)
    2. Resolution: Approval of the 2021 County Forest Acreage Share Loan Payment (Lovlien)

**MARATHON COUNTY  
ENVIRONMENTAL RESOURCES COMMITTEE  
AGENDA**

D. Review and Possible Action

1. Approval of a proposed public road – Town of McMillan (Decker)
2. Review recommended updates to Average Cost worksheet for land conservation practices.

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

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

1. Update on Town Comprehensive Plans (Pritchard)
2. McMillan Marsh Lease Amendment (Lovlien)

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

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

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


**8. Adjournment**

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

EMAILED AND/OR FAXED TO:

News Dept. at Daily Herald (715-848-9361), City Pages (715-848-5887),  
Midwest Radio Group (715-848-3158), Marshfield News (877-943-0443),  
TPP Printing (715 223-3505)

Date: November 24, 2020  
Time: 9:15 a.m.  
By: cek  
Date/Time/By: \_\_\_\_\_

  
SIGNED \_\_\_\_\_  
Presiding Officer or Designee  
NOTICE POSTED AT COURTHOUSE:  
Date: \_\_\_\_\_  
Time: \_\_\_\_\_ a.m. / p.m.  
By: County Clerk

## NOTICE OF PUBLIC HEARING

A public hearing will be held by the Environmental Resources Committee of the Marathon County Board of Supervisors on Tuesday, December 1, 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 Rick Kersten (Central Wisconsin Lumber & Tie INC.) on behalf of Steve Dahlke to amend the Marathon County Zoning Ordinance to rezone lands from G-A General Agriculture to L-I Light Industrial described as part of the S ½ of the SE ¼ of Section 24, Township 29 North, Range 05 East, Town of Rib Falls. The area proposed to be rezoned (approximately 4.975 acres) is described as part of Lot 1 (17.495 acres) on the Preliminary Certified Survey Map (CSM) submitted as a part of the rezone petition. Parcel address 136924 County Road U, Marathon WI 54448. Part of parent parcel PIN# 066.2905.244.0993.
2. The draft Marathon County 2021-2030 Land and Water Resource Management (LWRM) Plan: The LWRM Plan identifies the existing land and water resource concerns related to soil erosion, surface and ground water pollution with the greatest impacts to Marathon County. The plan also outlines the goals, objectives, strategies, and defined outcomes to address the highest priorities. This includes an implementation strategy and defined accountability, monitoring and tracking efforts. Further information regarding the plan can be obtained by visiting the county's website at <https://www.co.marathon.wi.us/lwrn>, contacting Paul Daigle, Land and Water Program Director 715-261-6000 or visiting any Marathon County library to checkout a copy of the plan.

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 ten minutes prior to the start time indicated above using the following number:**

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Jacob Langenhahn



Jacob Langenhahn, Chairman  
Environmental Resources Committee



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

**Publish: November 16 and November 23, 2020**

E-mailed to: Wausau Daily Herald ([WDH-Legals@wdhmedia.com](mailto:WDH-Legals@wdhmedia.com)) on November 11, 2020 at 8:15 a.m.



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

<b>Attendance:</b>	<b><u>Member</u></b>	<b><u>Present</u></b>	<b><u>Not present</u></b>
<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 Fifrick / 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 Fifrick / 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/lwrp](http://www.co.marathon.wi.us/lwrp)

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



PETITION FOR ZONE CHANGE  
BEFORE THE MARATHON COUNTY BOARD OF SUPERVISORS

25.  
10-20

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

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

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

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

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

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

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

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

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

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

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

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

(OVER)

- F. Demonstrate the need of the proposed development at this location. More lands are needed for the Saw mill.
- G. What is the availability of alternative locations? Be specific. No alternative.
- H. If cropland is being consumed by this Zone Change, what is the productivity of the agricultural lands involved? Croplands will be consumed, ~~is~~ Not much alternative if we want to expand the business.
- I. If cropland is being consumed by this zone change, explain how the proposed development will be located to minimize the amount of agricultural land converted. Only 5 Acres of the 113 acre farm will used.

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

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

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

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

Date Fee Received: \_\_\_\_\_

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

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

# CERTIFIED SURVEY MAP

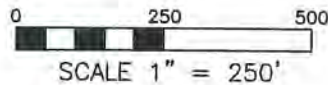
MARATHON COUNTY NO. \_\_\_\_\_

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

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

SHEET 1 OF 2 SHEETS

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

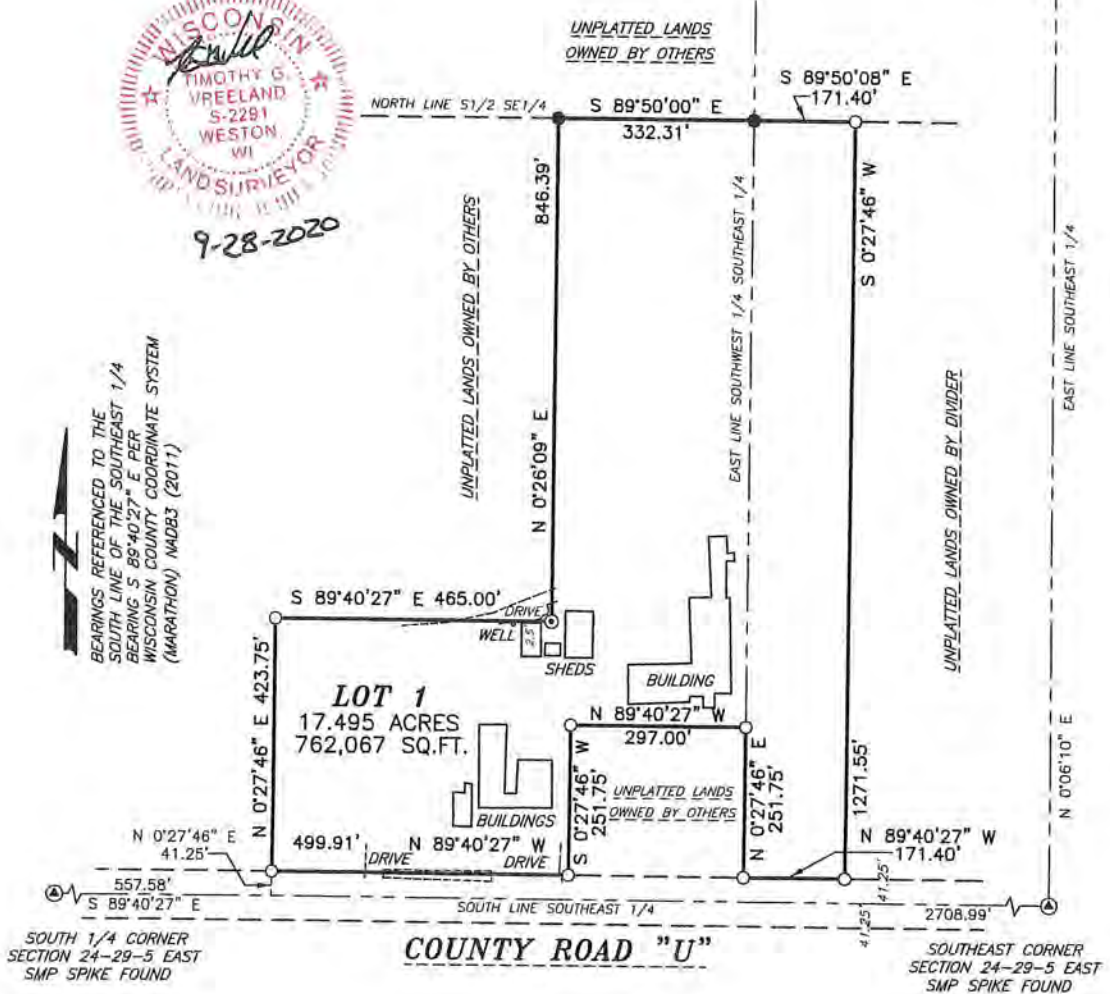


### LEGEND

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



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



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

COUNTY ROAD "U"

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

**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO.**

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

**SURVEYORS CERTIFICATE**

I, TIMOTHY G. VREELAND, PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RICK KERSTEN, I SURVEYED, MAPPED AND DIVIDED THAT PART OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 24, TOWNSHIP 29 NORTH, RANGE 5 EAST, TOWN OF RIB FALLS, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/2 CORNER OF SAID SECTION 24; THENCE S 89°40'27" E ALONG THE SOUTH LINE OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 332.31 FEET; THENCE S 89°50'08" E ALONG THE NORTH LINE OF THE NORTH LINE OF COUNTY ROAD "Q"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "Q" 171.40 FEET; THENCE N 0°27'46" E 251.75 FEET; THENCE N 89°40'27" W 297.00 FEET; THENCE S 0°27'46" W 251.75 FEET TO THE NORTH LINE OF COUNTY ROAD "Q"; THENCE N 89°40'27" W ALONG THE NORTH LINE OF COUNTY ROAD "U" 499.91 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

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

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE TOWN OF RIB FALLS, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.

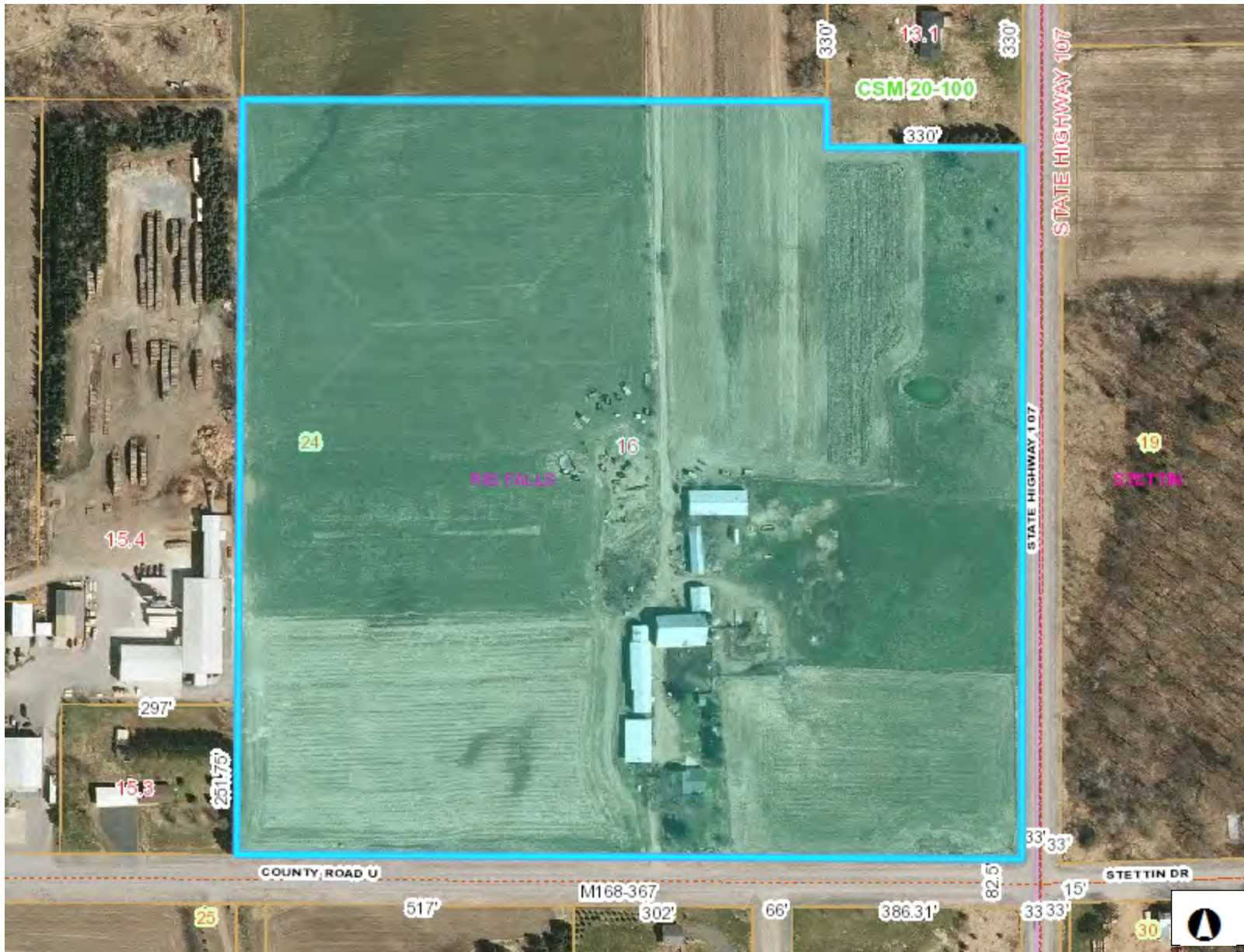


TIMOTHY G. VREELAND  
P.L.S. 2291

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



# Land Information Mapping System



## Legend

- Parcel Annotations
- Parcels
- Land Hooks
- Section Lines/Numbers
- Right Of Ways
- Municipalities
- 2015 Orthos
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

125.59 0 125.59 Feet



NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

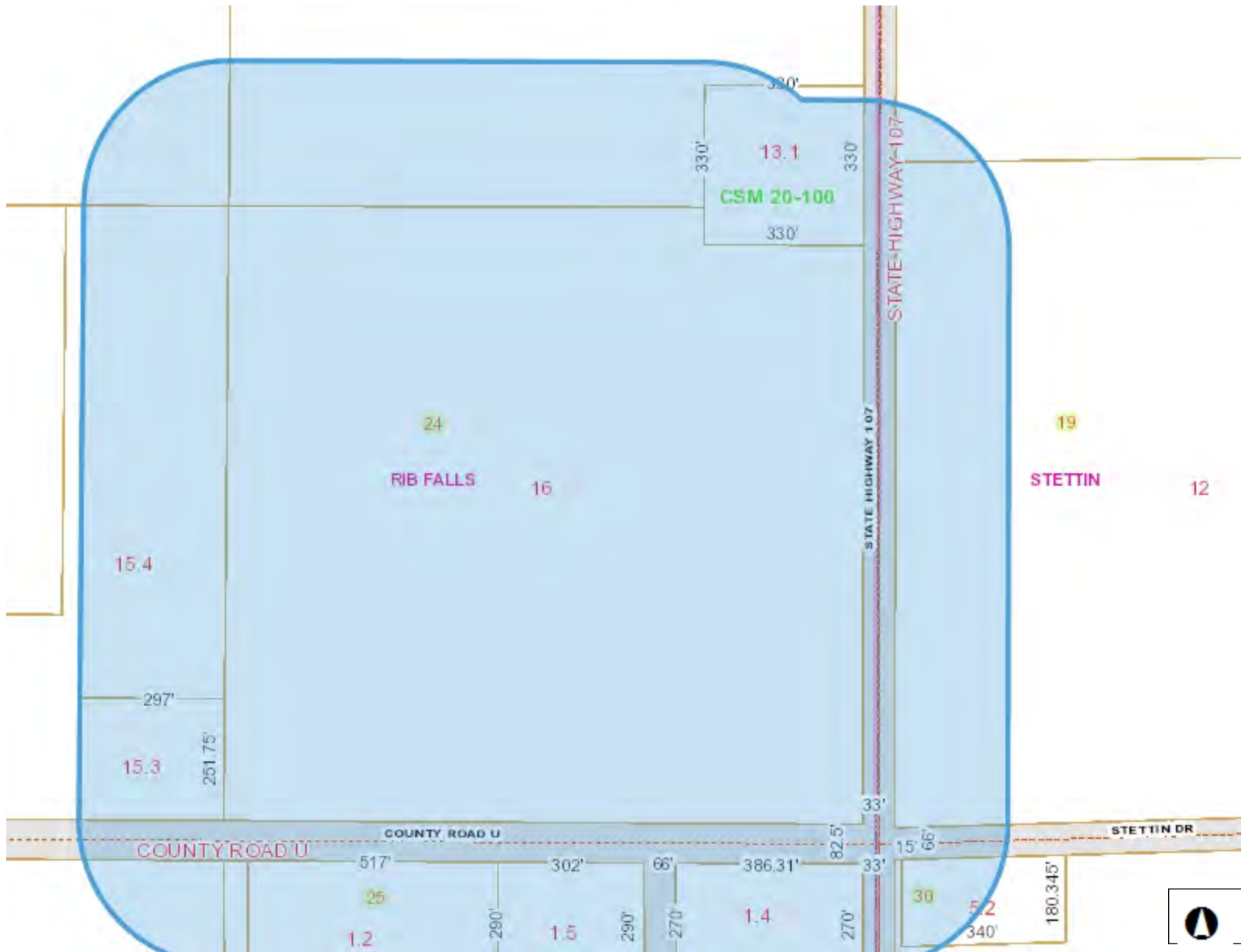
DISCLAIMER: The information and depictions herein are for informational purposes and Marathon County-City of Wausau specifically disclaims accuracy in this reproduction and specifically admonishes and advises that if specific and precise accuracy is required, the same should be determined by procurement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

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



# Land Information Mapping System



### Legend

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

153.77 0 153.77 Feet

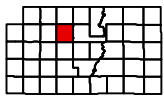


NAD\_1983\_HARN\_WISCRS\_Marathon\_County\_Feet

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**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

### Notes

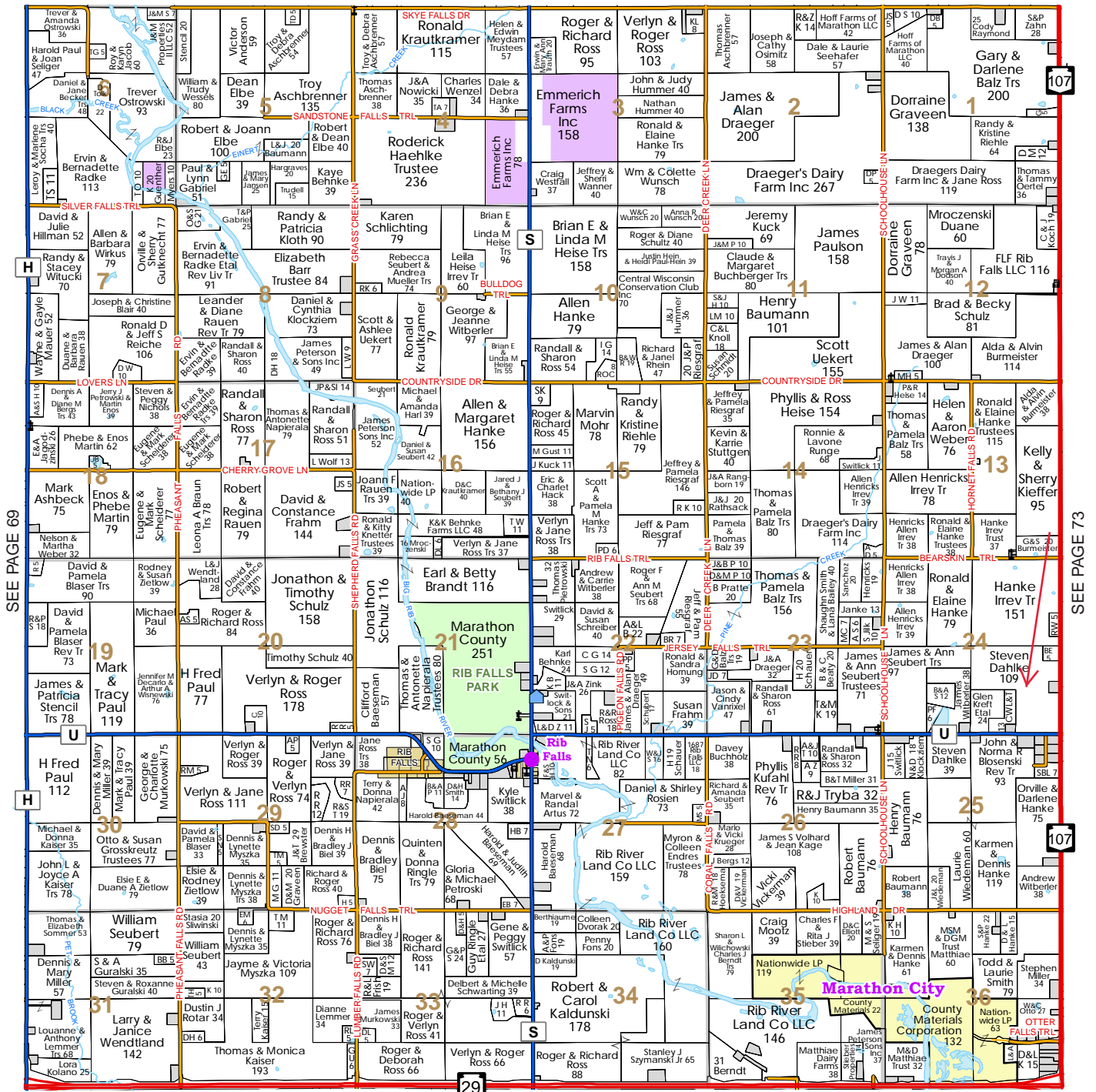


# Rib Falls

# Township 29N - Range 5E

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SEE PAGE 87



I AM

4-H PROUD

Volunteer Today

Inspire for a lifetime

4-H

GROWS HERE

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

STATE OF WISCONSIN  
MARATHON COUNTY  
TOWN OF RIB FALLS

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

TO THE MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE

I, Alysia Seliger, Clerk of the Town of Rib Falls, Marathon County, State of Wisconsin, do hereby certify that the following is a true and correct copy of a resolution adopted by the Town of Rib Falls Town Board at a meeting held on the 10<sup>th</sup> day of November 2020.

RESOLUTION

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

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

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

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

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

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



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

No  Yes  Explain: NA

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

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

Wetlands: No mapped wetlands

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

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

Bedrock; Commonly less than 5 ft below surface grade

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

No  Yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

X No  Yes Explain:

The Town of Rib Falls recommends: Approval Disapproval of the amendment and/or zone change.

OR

Requests an Extension\* for the following reasons:

\*Wis. Stats §59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing g. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.

Clerk Alycia Seliger / ASD

Town Board [Signature]

Myron J. DeBoer

John J. Hammer

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

Please return this fom1 before November 20, 2020 to:

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



# Steven Dahlke Petition to Rezone Land Staff Report, December 1<sup>st</sup>, 2020 Environmental Resources Committee

## Findings of Fact

### PUBLIC HEARINGS/MEETINGS:

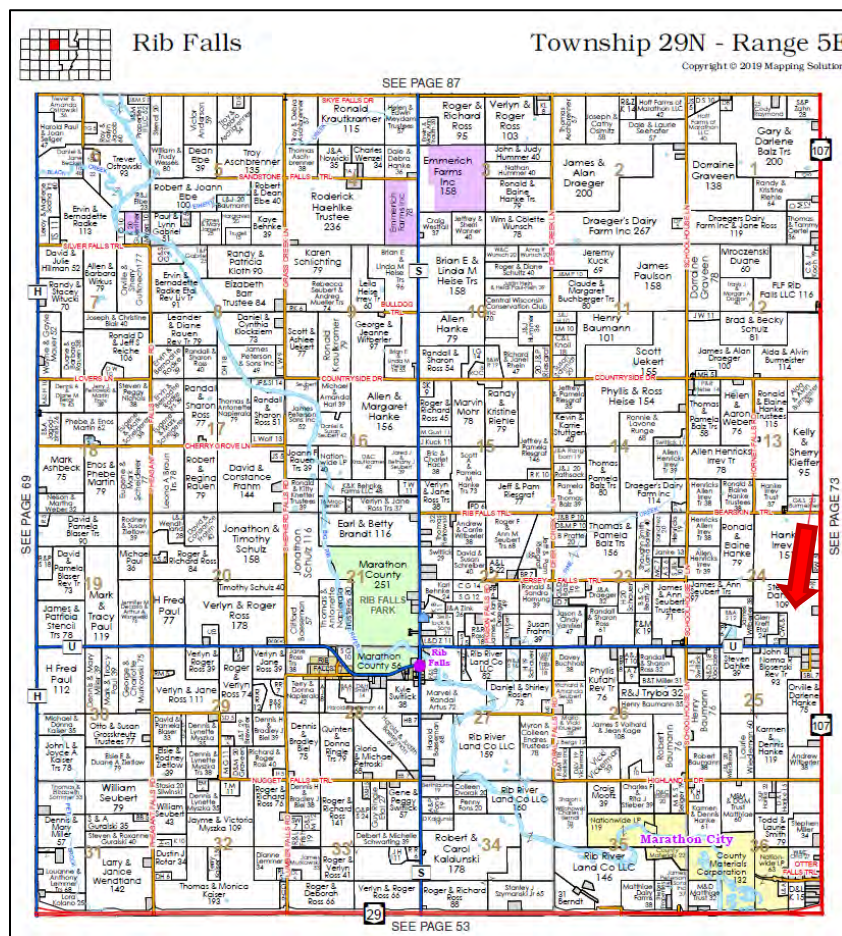
- Town of Rib Falls Town Board Meeting (November 10<sup>th</sup>, 2020)
- Marathon County Environmental Resources Committee Meeting (December 1<sup>st</sup>, 2020 at 3:00pm)

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

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

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

Map 1: Location of Rezone Request



## REQUEST:

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

**EXISTING ZONING DISTRICT:**

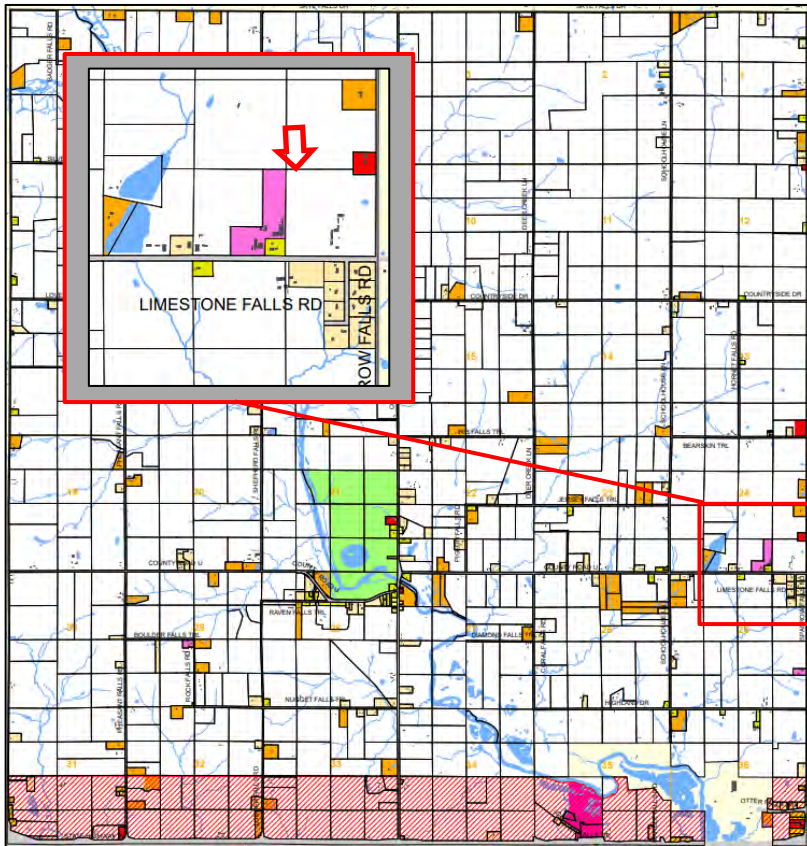
**G-A: General Agricultural.** The purpose of the G-A district is designed to foster the preservation and use of agricultural land related uses and to provide for limited residential uses in a rural environment but not the division of land as classified in 18.07(2) and (3) into five or more tracts, parcels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

**PROPOSED ZONING DISTRICT:**

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

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

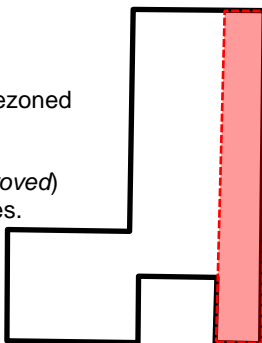
**EXISTING ZONING DISTRICT MAP:** Adjacent parcels are zoned General Agriculture (White), Low Density Residential (Yellow), and Light industrial (Pink). There are also Rural Residential and Rural Estate zoned parcels within close proximity to the area in question.



Map #2 Town of Rib Falls - Zoning District Map

4.975 Acres to be rezoned  
Shown in red

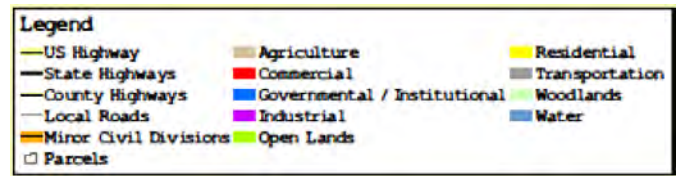
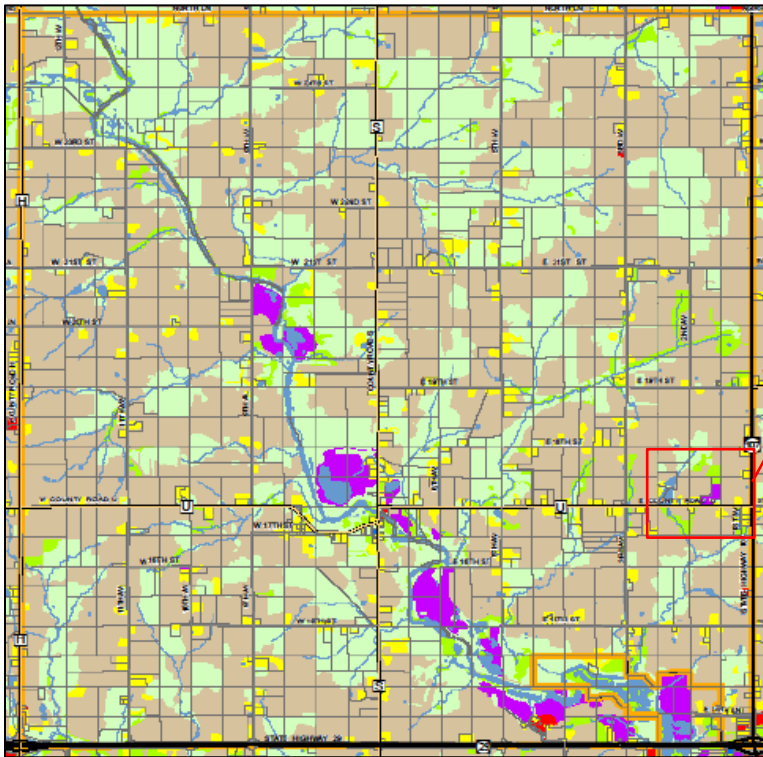
Final Parcel (if approved)  
to be 17.495 acres.



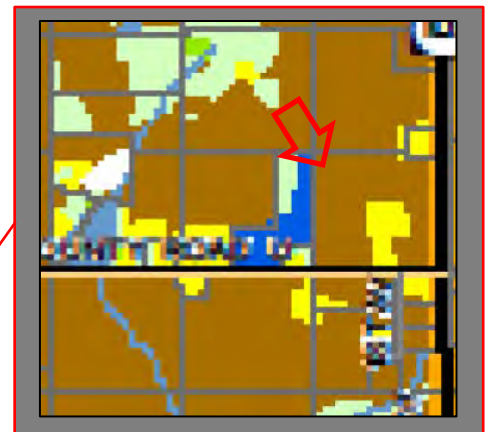
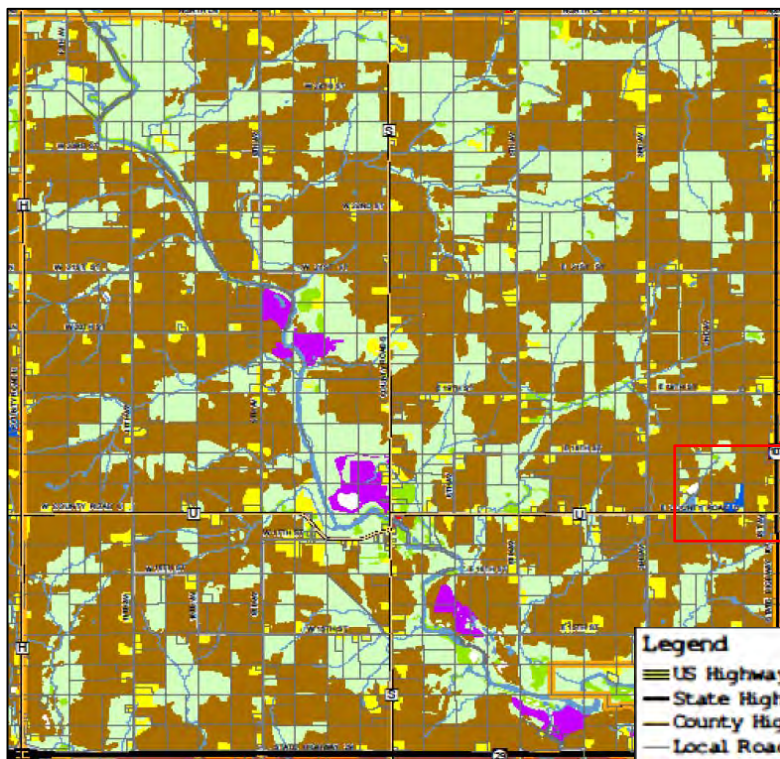
**Legal Notification:**

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

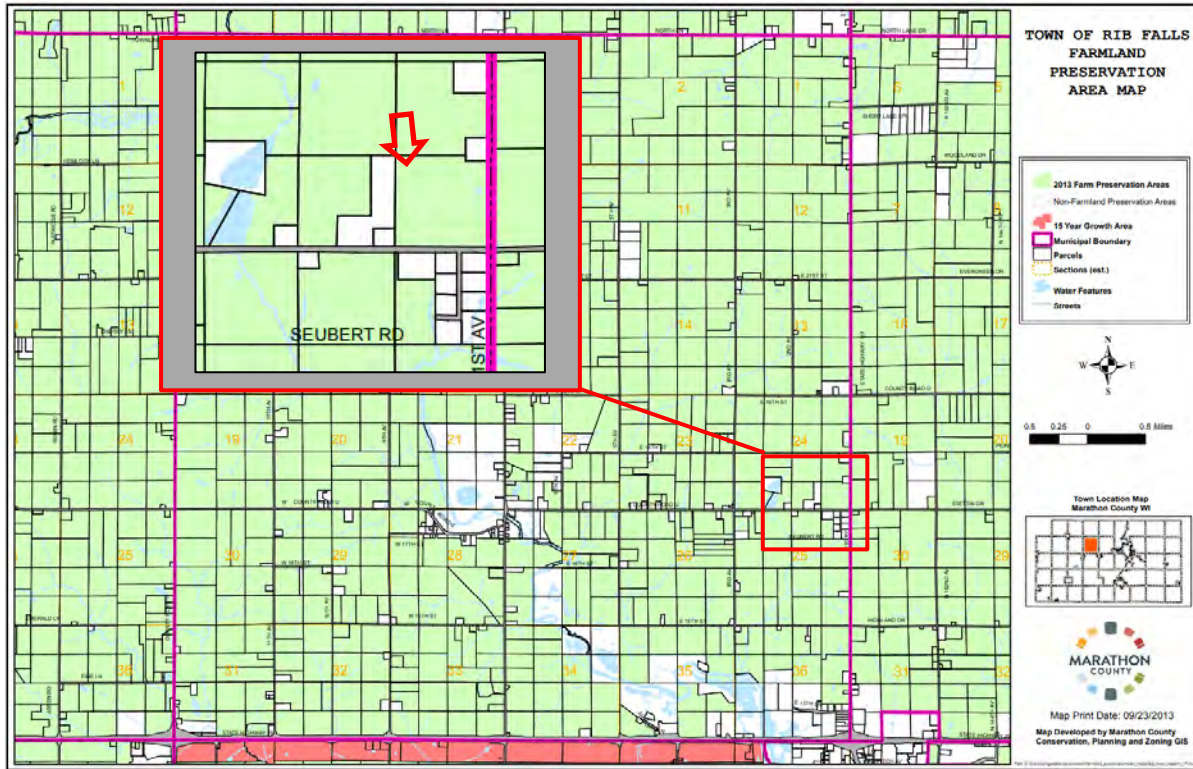
**Existing (2000) Land Use/Land Cover Map – Town of Rib Falls (2017 Comprehensive Plan)** The area proposed to be rezoned is shown as Agricultural land in the Town’s Comprehensive Plan Existing Land Use/Land Cover Map (2000). Whereas, adjacent land uses include Agricultural, Residential, and Industrial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



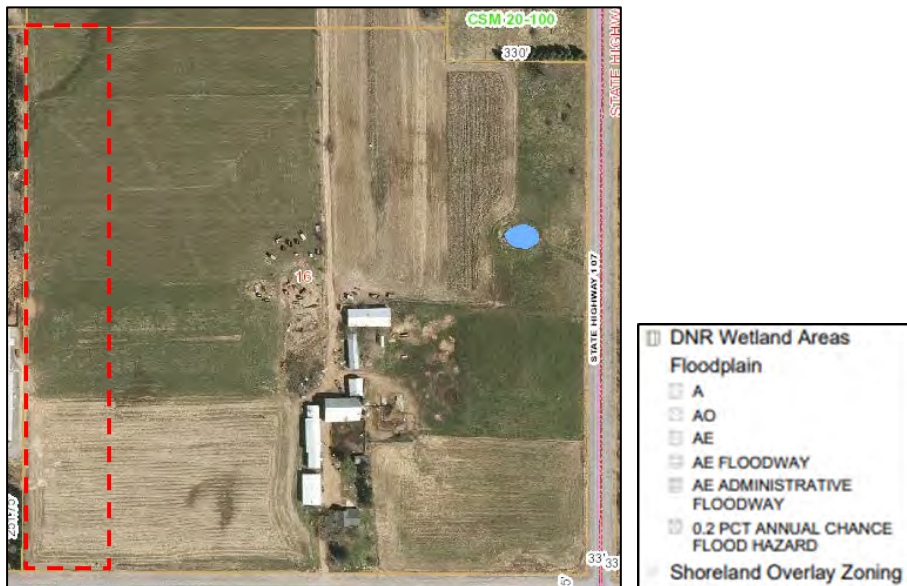
**TOWN COMPREHENSIVE PLAN (2017) FUTURE LAND USE MAP (2006):** The area proposed to be rezoned is shown as Agriculture in the Town’s Comprehensive Plan Future Land Use Map. Whereas, adjacent land uses include Residential, Forestry, and Industrial land uses. Area will be rezoned to be combined by Certified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



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



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

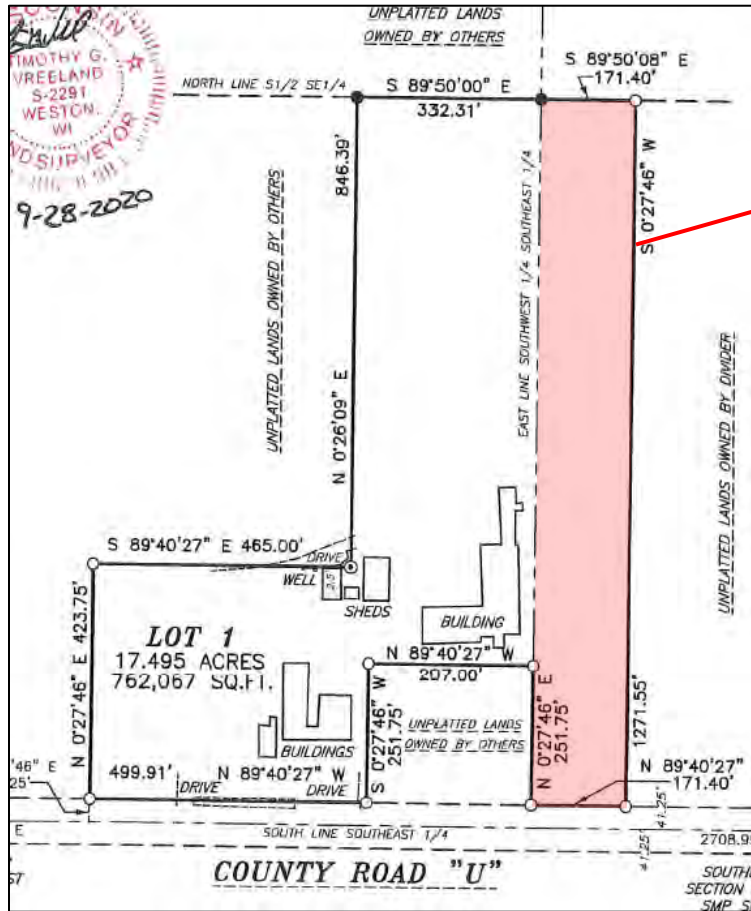


Red boundary shown above is approximate and should be used as a reference, for specific lot dimensions and location please see the preliminary CSM on the following page.

**Aerial Photo:**



**Preliminary Certified Survey Map:**



Area proposed to be rezoned (shown in red)

## **TOWN RECOMMENDATION:**

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

11. Is there anything else the Town wishes to present or comment on regarding this application to the Marathon County Environmental Resources (ERC) Committee?	
<input checked="" type="checkbox"/> No	Yes Explain:
The Town of Rib Falls recommends: <u>Approval</u> Disapproval of the amendment and/or zone change.	
OR	
Requests an Extension* for the following reasons:	
<small>*Wis. Stats 59.69(5)(e), (3), and (3m) authorizes Towns to extend the time to disapprove a zone change for a total of thirty (30) days beyond the date of the public hearing g. The extension must be by Town Board Resolution and remains in effect until the Town Board adopts a resolution rescinding the extension.</small>	
Clerk	<u>Alycia Selinger/MDW</u>
Town Board	<u>W. J. DeBoer</u> <u>John J. Hammer</u>

### **Staff Comments regarding ERC Conclusions of Law:**

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

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

### **Question #10 the Town Resolution:**

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

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



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

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

3. The applicant has demonstrated that...

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

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

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

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

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

Please read this into the record.

James M. Griesbach  
Marathon County Highway Commissioner

1430 West Street  
Wausau, WI 54401  
715.261.1801 office  
715.581.4756 cell

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

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

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

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

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

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

The above email (Question #3) was sent from the County Highway Department regarding access yet there doesn't appear to be any concerns at this time. The rezone in question appears to already be located in the area allowing for access to and from the Sawmill and Highway 107.

### **STAFF (CPZ) RECOMMENDATION(S):**

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

Based on the information provided above, findings of fact, conclusions of law, and the town's recommendation, it appears the rezone request meets all of the rezone criteria and standards for rezoning. Therefore, CPZ staff recommend that the Environmental Resources Committee recommend **Approval** to the Marathon County Board of Supervisors. Yet, staff would request the ERC consider all the previously discussed concerns and rezone standards to make an informed determination.



**Case: #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

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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

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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

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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

---

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

Agree       disagree       insufficient information

---

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**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:

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- 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:

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Signature:

Chairman: \_\_\_\_\_



## MEMORANDUM

DATE: November 11, 2020

TO: Environmental Resources Committee

FROM: Paul Daigle-Land and Water Program Director

SUBJECT: DRAFT Land and Water Resource Management (LWRM) Plan

I am excited to present the 2021-2030 draft of the LWRM Plan for the upcoming public hearing. The plan is critical to protect and improve our land and water resources of the county. The foundation of the Land and Water Resource Management Plan is to put in place an underlying full and honest assessment of the land and water resources with accompanying goals, objectives and strategies to achieve the county's overall goal to protect and improve our land and water resources. This must be done within the framework of protecting our community's land and environment because the economic strength and vitality of our community is dependent on the quality of our resources.

The work that needs to be done is urgent. Healthy land and water is not only critical for agriculture and the supporting industries, it is critical for the physical and well-being of the citizens of the county. There are direct positive impacts on the outdoor recreation and rural economies, when clean water is part of the equation.

This plan was developed utilizing committee input and two focus groups which included stakeholders including conservationists, elected officials, biologists, agency partners, lake groups, business owners, scientists and of course farmers and landowners. All of whom have come to consensus on recommending this plan to the Environmental Resources Committee for approval. Through leadership, accountability, engagement of community stakeholders and collaborative partnerships this plan will promote thoughtful and deliberate use of the natural resources and innovative solutions to ensure Marathon County has healthy people, a healthy economy and a healthy environment today and tomorrow.

**Conservation, Planning & Zoning Department**

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

[www.co.marathon.wi.us/lwrp](http://www.co.marathon.wi.us/lwrp)

RESOLUTION #R - \_\_\_\_\_ - 20

**TO APPROVE THE ANNUAL COUNTY FOREST WORK PLAN**

**WHEREAS**, Marathon County has lands enrolled in the Wisconsin County Forest Land Program commonly referred to as the Marathon County Forest; and

**WHEREAS**, the Marathon County Forest Comprehensive Land Use Plan requires an annual work plan to be approved by the Marathon County Board of Supervisors to be eligible for certain grant funding per §28.11(5)(b), Wis. Stats.; and

**WHEREAS**, the Forestry/Recreation Committee approved the 2021 Forestry Division Work Plan at its regular meeting held December 1, 2020; and

**WHEREAS**, the Marathon County Board of Supervisors adopted the 2021 Wausau and Marathon County Parks, Recreation and Forestry Department Budget at its budget meeting November 10, 2020.

**NOW, THEREFORE BE IT RESOLVED**, the County Board of Supervisors of the County of Marathon does hereby ordain and resolve as follows: To approve and adopt the attached 2021 Forestry Division Work Plan.

**BE IT FURTHER ORDAINED AND RESOLVED**, that the County Clerk is directed to issue checks pursuant to this resolution and the Treasurer to honor said checks.

Dated this 15<sup>th</sup> day of December, 2020.

FORESTRY/RECREATION COMMITTEE

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ENVIRONMENTAL RESOURCES COMMITTEE

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Fiscal Impact Estimate: No Budgetary Tax Levy Impact. If the Resolution is not approved, the County would lose \$64,791.00 State Grant Funds.

## Wausau and Marathon County Parks, Recreation, and Forestry Department Forestry Division 2021 Work Plan

<b>Personnel:</b>	Forest Administrator	1.00 FTE
	County Forester	0.80 FTE
	Director	0.06 FTE
	Department Clerical Support	0.50 FTE
	Maintenance Specialist (labor)	0.26 FTE
	Maintenance Technician (labor)	0.26 FTE
	Recreational Officer (Sheriff)	0.04 FTE
	DNR Cooperative Assistance (State Funded)	0.35 FTE
	 Total	 3.27 FTE

### A. Timber Management:

1. Evaluate a minimum of 5% of the forest (1550 acres) and update compartment reconnaissance.
2. Establish and advertise 625-675 acres of timber for sale. Timber sale acreage and locations are determined using the Wisconsin Forest Inventory and Reporting System (WisFIRS) and proposed long-term harvest goals chapter 2000 of the County Fifteen Year Comprehensive Plan. Specific locations and details about timber harvests scheduled for the coming year can be obtained by contacting the County Parks, Recreation and Forestry Office.
3. Administer the cutting and scaling of 30 timber sales on 2024 acres established on County Forest Land with an estimated stumpage value of \$1,288,537.69.
4. Administer the cutting and scaling of one timber sale on 23 acres at Mission Lake Park with an estimated stumpage value of \$7,381.96.
5. Allow forest succession to naturally convert some oak and aspen stands to hardwood.
6. Complete deer browse surveys at Big Eau Pleine Park and on County forest lands to determine to what extent tree regeneration is being affected.
7. Classify habitat types on a minimum of 1000 acres.
8. Calculate allowable harvest levels out 20 and 30 years to ensure sustainability.
9. Evaluate 35-40 year-old aspen stands to determine feasibility of harvesting stands early to improve age class distribution and stabilize harvest levels.
10. Issue approximately 25 firewood permits.
11. Release 2019 planting of white pine and white spruce at Kronenwetter Forest Unit.
12. Release 2020 plantings of red pine at the Miller and Nine Mile Forest Units.
13. Evaluate release needs for all acres of red pine planted since 2012. Release plantations by mechanical or herbicides as needed.



14. Continue to assist the Wisconsin Department of Natural Resources with an oak wilt study to confirm the frill-girdle-herbicide method to stop the disease from spreading through interconnected root systems.
15. Complete forest inventories and management recommendations on park properties.
16. Continue implementing the policy on annosum root rot disease requiring contractors to spray conifer stumps with fungicide to prevent infection according to DNR recommendations.
17. Establish a timber sale at Big Eau Pleine Park.
18. Monitor timber sales for unauthorized timber removal using the video detection system.
19. Monitor, evaluate, and treat oak wilt pockets in Nine Mile and other Forest Units.
20. Monitor, evaluate, and treat invasive species on the forest.
21. Apply techniques that reduce the ash component in forest stands on County forest and Park lands according to DNR recommendations due to Emerald Ash borer being found in the County for the first time in 2017.

**B. Road, Trail, and Facility Construction and Maintenance:**

1. Continue the contract with APHIS for beaver control.
2. Inspect county forest and park boundaries as needed to control encroaching uses from neighboring private land owners.
3. Contract with professional land surveyors to complete surveys where needed to facilitate administration between County Forest and private lands.
4. Mow 50 miles of hunter walking trails and associated wildlife openings.
5. Mow all forest road ditches in the County Forest.
6. Maintain pit toilets at Bitzke Nature Trail, Burma Road and Nine Mile Forest Units.
7. Continue to assist law enforcement for illegal tree stands, unauthorized motorized use, and dumping on County Forest property.
8. Continue to assist law enforcement to enforce seasonal closures and ordinance violations at Nine Mile and other Forest Units.
9. Resurface up to 2 miles of trails in Nine Mile and Burma Forest Units.
10. Maintain 6.48 miles of certified County Forest Roads.
11. Fabricate and install gates where needed.
12. Place granite on roads and trails in Forest Units to patch holes as needed.
13. Check the National Heritage Inventory Database (NHI) and the Wildlife Action Plan for endangered resources on any project that occurs on the County Forest.
14. Complete a County Conservation Aids project at Duane Corbin Shooting Range Park that replaces archery shooting platforms and targets.
15. Complete a County Conservation Aids Project at DC Everest County Park that replaces boat planks and asphalt near the landing.
16. Replace culverts in Leathercamp, Kronenwetter, Nine Mile and Burma Forest Units as needed.
17. Continue mitigation of the 2010 flood using a FEMA grant at the Bern Forest Unit.
18. Complete an Archeological search on any proposed project on County Forest lands.

**C. Land and Equipment:**

1. Negotiate the purchase of additional lands to enter as County Forest that will improve blocking, facilitate management and aligns with the Marathon County Strategic and County Forest Comprehensive Land Use Plans.
2. Maintain all vehicles and equipment.

**D. Developed Recreation (Non-Motorized):**

1. Participate in the planning, administration and approval of all trail construction, expansions, relocations, and maintenance on County Forest Lands.
2. Monitor reconstruction of 2 km of the Nine Mile ski trail to improve trail profile and surface characteristics.
3. Assist park facilities division in administering intensive recreation at Nine Mile.
4. Utilize volunteers to brush up to 20 km of ski trail.
5. Monitor the non-motorized recreation on County Forest Land.

**E. Developed Recreation (Motorized):**

1. Participate in the planning, administration, and approval of all trail construction, expansions, relocations, and maintenance on County Forest Lands.
2. Monitor and approve reconstruction of the Burma Road Forest ATV/UTV trails.
3. The Central Wisconsin Trailblazers ATV/UTV club will maintain 11 miles of ATV/UTV trail in the Burma Road Forest to include brushing, grading, signing, and mowing.
4. Assess all trails and land in the Burma Road Forest to protect the resource from excessive soil erosion and to prevent illegal off-trail use.
5. Volunteers will brush up to 42 miles of snowmobile trail on County Forest Land.
6. Monitor the snowmobile program on County Forest Land.
7. Monitor and enforce ordinances pertaining to the unauthorized motorized use (ATV/UTV) on all County Forest Units.

**F. Wildlife Management (Partially Grant funded):**

1. Complete work identified in the DNR annual wildlife work plan. (See attached plan).
2. Mow flowage dikes, forest trails and select openings for brush control.
3. Seed select forest trails following timber sales to enhance wildlife habitat.
4. Improve forest opening condition through mechanical and chemical applications.
5. Cooperate with the DNR on identifying tag alder to shear in the Harrison-Hewitt and Leathercamp Forest Units.
6. Cooperate with the Ruffed Grouse Society and the United States Fish and Wildlife Service on tag alder shearing in Harrison-Hewitt Forest Unit.

## **G. Administration and GIS:**

1. Implement the 2021-2035 County Forest Comprehensive Land Use Plan.
2. Develop and improve the Forestry Division portion on the Department's web page.
3. Continue to work with the Forest Citizen's Advisory Subcommittee for county forests to address issues of concern including use conflicts at Nine Mile during the fall season, the sustainability of mountain biking, equestrian user needs, and the impact of forest management on hunting.
4. Amend the County Forest Comprehensive Land Use Plan to reflect ordinance, boundary, and policy changes.
5. Continue implementing marking guidelines, Best Management Practices for Invasive Species and Biomass Harvesting guidelines on the County Forest.
6. Attend the Annual DNR integrated planning meeting to evaluate, maintain, and improve the County/DNR partnership.
7. Develop interpretive displays explaining the benefits of sustainable forest management for display at recreation areas.
8. Monitor and administer all road use, land use, and other agreements/leases currently on County Forest Lands. Develop new agreements or leases when appropriate.
9. Implement and monitor third party Sustainable Forestry Initiative (SFI) forest certification on the Marathon County Forest.
10. Coordinate integration of the County Forest Comprehensive Land Use Plan with the Marathon County Comprehensive and Strategic Plans.
11. Continue to implement the DNR Wisconsin Forest Inventory Reporting System (WisFIRS).
12. Follow the Bern Flowage emergency action plan, if required, due to flooding.
13. Review county zoning to ensure alignment with the County Forest Comprehensive Land Use Plan.
14. Apply for grants and permits that accomplish County Forest and Park land improvements.
15. Supervise the County Forester and other seasonal employees.
16. Continue to be part of the senior administration team working on strategic planning and other initiatives to meet Department and County goals.
17. Work with next County Forest Liaison Forester to ensure a smooth transition following the transfer of the current liaison to another DNR position.

## **H. Public Outreach/Professional Development (Public Outreach dependent on Covid)**

1. Participate in school career programs and make at least two classroom presentations on forestry and natural resource management.
2. Attend County sponsored training including IDEAS, inclusivity and other management as required.
3. Participate in job shadows introducing students into the forestry profession.
4. Continue to assist the public with insect, disease, and timber management information.

5. Give tours on the County Forest including UW-Stevens Point and the Forestry/Recreation Committee as time allows.
6. Attend appropriate professional development training.
7. Maintain membership in the Society of American Foresters.
8. Attend Forest Certification training as required.
9. Continue to work with the Wisconsin County Forests Association (WCFA) by serving as a member of the Legislative/Forest Certification Committee on issues affecting County Forests.
10. Continue involvement on numerous WCFA committee's advancing the practice of forestry.
11. Participate in the revision of the WCFA strategic plan 2022-2027.
12. Continue updating maps to be included in new Forest Unit brochures and website for the public.
13. Revise and develop recreational maps for the public including cross country skiing, snowmobiling, equestrian and single track mountain biking for County Park and Forest lands.

# 2021 MARATHON COUNTY FOREST WILDLIFE WORK PLAN

This represents the 2021 Annual Wildlife Work Plan, pursuant to the fifteen-year Comprehensive Plan for the Marathon County Forest.

## Personnel

Assistance to the County Forest Administrator and DNR Liaison Forester will be provided in all wildlife matters concerning the County Forest. The DNR Wildlife Biologist and Wildlife Technician positions assigned to Marathon County were filled throughout 2020. However, Covid related work restrictions throughout the spring and early summer restricted DNR staff's ability to accomplish some of the planned work.

## Flowage Management

Flowages were managed to keep water levels stable throughout the year. Waterfowl production and sightings were variable on Marathon County flowages. Beaver issues and damage were down from previous years, but their presence in some flowages prevented water manipulation activities.

### **Dike Maintenance:**

Muskrat and beaver holes on the flowage dikes are usually patched to maintain their integrity. The dikes were checked in 2020, but rodent damage was minimal, and repairs were not needed. Nienow, Lower Nienow, Leo, Lower Leo, Swamp and Whiskey flowage dike tops in the Harrison-Hewitt unit were mowed during the summer.

The USDA-Wildlife Services was not contracted to trap and remove problem beaver in 2020 on flowages due to funding constraints. The USDA did remove beaver at East Flowage and Steinke Pond at Bitzke Refuge during their normal trapping efforts on County Forest. A private trapper also removed several beaver out of Birch flowage during the fall of 2020. In 2021, DNR plans to contract with USDA-Wildlife Services to trap beaver on the flowages due to increasing beaver damage.

### **Bern Flowage:**

Bern flowage is chronically affected by floating cattail masses that have moved to the Northeast side of the flowage. These cattail masses occasionally plug the dam. Contractors have removed cattails for several years along the dike and weir with an excavator. This technique has proven to be effective at keeping the water flowing and water levels stable. There are still cattails that need to be removed from the flowage as they move closer to the weir. A contractor removed cattails during November of 2020 and will continue to remove cattails in 2021 as needed. Additional options of removing cattail are being explored by DNR wildlife management and County Forestry staff.

### **Wild Rice:**

Wild rice production was down on Lower Nienow flowage compared to previous years. Patches of rice were seen at Nienow, Leo and Swamp flowages in the Harrison-Hewitt unit and the East #2 and Birch flowages at Nine Mile. Rice production at Lower Leo was excellent following a 2019 planting.

In October of 2020, managers purchased 109 lbs. of wild rice and seeded Lower Leo, Nienow, Lower Nienow and Swamp flowages.

### **Flowage Management:**

Planned flowage management for 2021 includes a continuation of the flowage drawdown rotation. All the flowages will benefit from being drawn down periodically (~ every 5 years). Drawdowns reduce undesirable plant species, allow desirable plant species to germinate and return nutrients to the soil. The drawdown plan for 2020 called for drawdowns on Steinke, Nienow and Nine Mile East #2 flowages. All the boards were left pulled at Steinke flowage and was drawn down most of the year after the beaver dam was removed. Nienow flowage and Nine Mile East #2 were not brought down due to beaver and Covid work restrictions. In 2021, managers plan to draw down Nienow flowage and Nine Mile East #2.

### **Herbicide treatments:**

No herbicide treatments took place by DNR wildlife management staff in 2020.

## **Forest Management**

### **Openings Management:**

Maintaining early successional habitat, such as grass openings, is an important part of Central Wisconsin forest management. In 2020, 13 forest openings were mowed in the Harrison-Hewitt, Ringle and Leather Camp units. Twenty-seven openings were scheduled to be managed in 2020. The openings not managed will be added to future work plans.



Openings mowed in Ringle in 2020

In 2021, wildlife staff plan to manage twenty-one openings in the Harrison-Hewitt and Nine Mile units. We were also awarded a \$2,500 grant from the Ruffed Grouse Society that will allow for renovations of twenty degraded openings in Kronenwetter and Leather Camp over a two-year period. This renovation project will enhance 15-20 acres of wildlife openings in those two units.

### **Trails:**

Several forest trails (~ 1 mile) on the Harrison-Hewitt, Ringle and Leather Camp units were seeded with a clover/grass mix in the summer of 2020. Seeding trails post-logging prevents erosion and provides a valuable food source for ruffed grouse and other game and non-game species. Trails and log landings will be seeded in Marathon County in 2021 as requested by Marathon County Forestry staff.

### **Alder Management:**

Poor conditions prevented planned alder management from being accomplished during the winter of 2019-20. Managers have set a goal of mowing 10-20 acres of alder during the winter of 2020-21. Meeting these goals will rely on acceptable weather conditions as well as having equipment and an operator available. A contractor will likely be hired to accomplish this work. Multiple sites in Leather Camp County Forest Unit have been identified for alder mowing.

### **Grasslands/ Hoffman Farm**

In 2020, managers planned to conduct a prescribed burn on the Hoffman Farm unit south of County Road G. Due to very wet conditions and burn priorities, this burn was not accomplished.

The large burn unit south of County Road G is recommended to be burned during the fall of 2021. The firebreak will need to be installed during the summer of 2021 to accomplish this burn.

### **2020/2021 Nickel-an-Acre Budget**

The following table lists the 2020 Nickel-an-Acre project budgets and expenses. It also includes proposed 2021 projects and the associated spending plan.

<b>Project Activity</b>	<b>2020 Budgeted</b>	<b>2020 Expended</b>	<b>2021 Budgeted</b>
Flowage Maintenance (dikes, spillways, structures)	\$500	\$278.70	\$300
Flowage Maintenance (brush/cattail removal-dikes)	\$500	\$0	\$300
Wildlife Opening Maintenance	\$500	\$446.21	\$900
Trail Seeding	\$100	\$0	\$100
Wild Rice Seeding	\$400	\$529.28	\$500
Alder Management	\$500	\$0	\$500
<b>Totals</b>	<b>\$2,500</b>	<b>\$1254.19</b>	<b>\$2,600</b>

After all expenses are subtracted, the Nickel-an-Acre account balance at the end of 2020 should be \$2228.88. This will increase to \$3,639.95 after deposit of the 2021 allotment.

Submitted by:

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Brandon Stefanski, DNR Wildlife Biologist, Marathon County

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Paul Napierala, DNR Wildlife Technician, Marathon County

Approved by:

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Tom Lovlien, Marathon County Forest Administrator

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Arnold Schlei, Chairperson, Marathon County Forestry/Recreation Committee

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Chad Keranen, DNR Forestry Liaison, Wausau



**APPLICATION FOR COUNTY FOREST ACREAGE SHARE LOAN PAYMENT**

**WHEREAS**, Counties having lands entered as “County Forest Lands”, under the provisions of Sec. 28.11(4)(b), Wis. Stats., annually receive from the state a non-interest bearing loan to be used for the purchase, development, preservation and maintenance of such lands; and

**WHEREAS**, said loan monies are repaid through a 20% severance tax on timber revenue coming from County Forest Lands unless a higher rate is mutually agreed to by the County and the department; and

**WHEREAS**, the current provisions of Sec. 28.11 (8)(b)1 make it possible for the County, at its option to receive not more than 50 cents per acre to meet the needs identified in its County Forest Comprehensive Land Use Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Marathon, in consideration of meeting the needs identified in its County Forest Comprehensive Land Use Plan hereby request the Department of Natural Resources to provide the 2021 payment to the County on the basis of 50 cents for each acre of Marathon County Forest Lands; and

**BE IT FURTHER ORDAINED AND RESOLVED** that the Clerk is hereby authorized and directed to file this request with the Department of Natural Resources prior to December 31<sup>st</sup> preceding the year in which said payment is being requested to be made.

Dated this 15th day of December, 2020.

FORESTRY/RECREATION COMMITTEE

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\_\_\_\_\_

ENVIRONMENTAL RESOURCES COMMITTEE

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Fiscal Impact: Wausau and Marathon County Parks, Recreation, and Forestry Department will receive \$14,911.16 as an interest free loan to be used for forest maintenance, development and land acquisition.



**Certified Survey Map (CSM)**  
**Town of McMillan**  
**Staff Report**  
**Environmental Resources Committee**  
**December 1, 2020**

**CSM REQUIREMENTS**

- **Survey**
  - CSM complies with Chapter 236.34 of the Wisconsin Statutes and Chapter A-E7 of the Wisconsin Administrative Code.
  - Developer is proposing a dedicated public road with a temporary cul-de-sac that is longer than 850'. The proposed public road is approximately over 2,800' long to the end of the temporary cul-de-sac. The Town of McMillan plans to eventually extend the proposed road to County Road "T".
- **Zoning**
  - CSM is located in McMillan and is town zoned with RR (Rural Residential) zoning. The proposed CSM meets all of the zoning requirements for RR zoning district.

**ORDINANCE LANGUAGE**

- **18.007.02(D)(1)** A road utilizing a cul-de-sac shall not be longer than 850 feet, unless, by reason of topography or other circumstances beyond the control of the developer, the Committee, upon the recommendation of the Administrator, finds a greater length to be justifiable. In commercial/industrial parks cul-de-sacs shall not be longer than 1,320 feet. The length shall be measured on its centerline from the connecting centerline intersection to the center of the cul-de-sac.

**PREVIOUS APPROVALS**

- **November 9, 2020** – The Town of McMillan Board approved and signed the proposed CSM. Please see the proposed CSM with signatures for approval from the Town of McMillan.

**RECOMMENDATION**

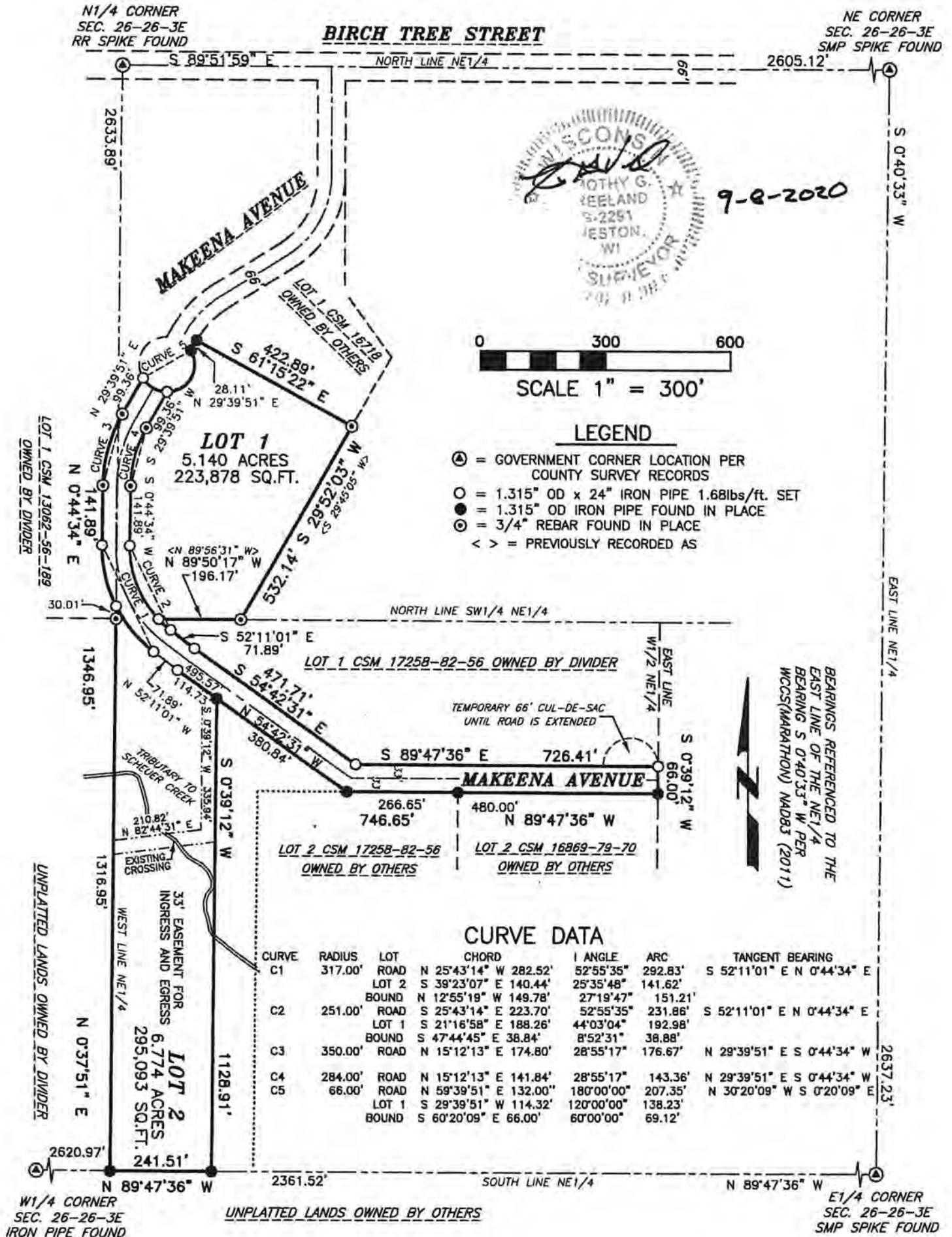
Based on the information provided, CPZ staff recommend that the Environmental Resources Committee approve the proposed Certified Survey Map allowing for the proposed town road to exceed the maximum allowable length of a dead end road with a cul-de-sac.

# CERTIFIED SURVEY MAP

## MARATHON COUNTY NO. \_\_\_\_\_

PART OF LOT 1 OF CSM 17258-82-56 AND LOT 1 OF CSM 13062, LOCATED IN THE NW1/4 NE1/4, SW1/4 NE1/4 AND NW1/4 NE1/4 OF SECTION 26, TOWNSHIP 26 NORTH, RANGE 3 EAST, TOWN OF MCMILLAN, MARATHON COUNTY, WISCONSIN.

SHEET 1 OF 3 SHEETS



# CERTIFIED SURVEY MAP

## MARATHON COUNTY NO. \_\_\_\_\_

PART OF LOT 1 OF CSM 17258-82-56 AND LOT 1 OF CSM 13062, LOCATED IN THE NW1/4 NE1/4, SW1/4 NE1/4 AND NW1/4 NE1/4 OF SECTION 26, TOWNSHIP 26 NORTH, RANGE 3 EAST, TOWN OF MCMILLAN, MARATHON COUNTY, WISCONSIN.

<b>VREELAND ASSOCIATES, INC.</b> 6103 DAWN STREET WESTON, WI. 54476 PH (715) 241-0947 tim@vreelandassociates.us	PREPARED FOR OWNER: <h3 style="text-align: center;">RUSS WEICHEL</h3>	
FILE #: W-352	DRAFTED BY: TIMOTHY G. VREELAND	DRAWN BY: TIMOTHY G. VREELAND

SHEET 2 OF 3 SHEETS

### SURVEYORS CERTIFICATE

I, TIMOTHY G. VREELAND, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF RUSS WEICHEL, I SURVEYED, MAPPED AND DIVIDED PART OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 17258, RECORDED IN VOLUME 82 OF SURVEYS ON PAGE 56 AND PART OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 13062, RECORDED IN VOLUME 56 OF SURVEYS ON PAGE 189, LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4, SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 26, TOWNSHIP 26 NORTH, RANGE 3 EAST, TOWN OF MCMILLAN, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 26; THENCE N 89°47'36" W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 2361.52 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N 89°47'36" W ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 241.51 FEET; THENCE N 0°37'51" E ALONG THE WEST LINE OF THE NORTHEAST 1/4 1346.95 FEET; THENCE 151.21 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WHOSE RADIUS IS 317.00 FEET, WHOSE CENTRAL ANGLE IS 27°19'47" AND WHOSE CHORD BEARS N 12°55'19" W 149.78 FEET; THENCE N 0°44'34" E 141.89 FEET; THENCE 176.67 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WHOSE RADIUS IS 350.00 FEET, WHOSE CENTRAL ANGLE IS 28°55'17" AND WHOSE CHORD BEARS N 15°12'13" E 174.80 FEET; THENCE N 29°39'51" E 99.36 FEET; THENCE 207.35 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST WHOSE RADIUS IS 66.00 FEET, WHOSE CENTRAL ANGLE IS 180°00'00" AND WHOSE CHORD BEARS N 59°39'51" E 132.00 FEET; THENCE N 29°39'51" E ALONG THE EAST LINE OF MAKEENA AVENUE 28.11 FEET; THENCE S 61°15'22" E ALONG THE SOUTH LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 16718 422.89 FEET; THENCE S 29°52'03" W ALONG THE EAST LINE OF SAID LOT 1 532.14 FEET; THENCE N 89°50'17" W 196.17 FEET; THENCE 38.88 FEET ALONG THE ARC OF A CURVE CONCAVE TO THE EAST WHOSE RADIUS IS 251.00 FEET, WHOSE CENTRAL ANGLE IS 8°52'31" AND WHOSE CHORD BEARS S 47°44'45" E 38.84 FEET; THENCE S 52°11'01" E 71.89 FEET; THENCE S 54°42'31" E 471.71 FEET; THENCE S 89°47'36" E 726.41 FEET; THENCE S 0°39'12" W ALONG THE EAST LINE OF LOT 1 OF CERTIFIED SURVEY MAP NUMBER 17258 66.00 FEET; THENCE N 89°47'36" W ALONG THE SOUTH LINE OF SAID LOT 1 746.65 FEET; THENCE N 54°42'31" W ALONG THE SOUTH LINE OF SAID LOT 1 380.84 FEET; THENCE S 0°39'12" W ALONG THE EAST LINE OF SAID LOT 1 1128.91 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

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

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF THE TOWN OF MCMILLAN, ALL TO THE BEST OF MY KNOWLEDGE AND BELIEF IN SURVEYING, DIVIDING AND MAPPING THE SAME.



WISCONSIN  
TIMOTHY G. VREELAND  
S-2291  
WESTON, WI

*[Signature]*

TIMOTHY G. VREELAND S-2291

DATED THIS 8TH DAY OF SEPTEMBER, 2020  
SURVEY PERFORMED SEPTEMBER 8TH, 2020

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

BY \_\_\_\_\_  
DATE \_\_\_\_\_  
MARATHON CO. CONSERVATION,  
PLANNING & ZONING DEPT.  
CPZ TRACKING NO. \_\_\_\_\_

**CERTIFIED SURVEY MAP**  
**MARATHON COUNTY NO. \_\_\_\_\_**

PART OF LOT 1 OF CSM 17258-82-56 AND LOT 1 OF CSM 13062, LOCATED IN THE NW1/4 NE1/4, SW1/4 NE1/4 AND NW1/4 NE1/4 OF SECTION 26, TOWNSHIP 26 NORTH, RANGE 3 EAST, TOWN OF MCMILLAN, MARATHON COUNTY, WISCONSIN.

SHEET 3 OF 3 SHEETS

OWNERS CERTIFICATE OF DEDICATION

AS OWNER, I RUSSELL WEICHEL, DO HEREBY CERTIFY THAT I CAUSED THE LAND DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED, MAPPED AND DEDICATED AS REPRESENTED ON THE MAP. I ALSO CERTIFY THAT THIS MAP IS REQUIRED BY s.236.10 OR s.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: TOWN OF MCMILLAN.

WITNESS THE HAND AND SEAL OF SAID OWNER ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2020.

\_\_\_\_\_  
RUSSELL WEICHEL

STATE OF WISCONSIN) SS  
MARATHON COUNTY)

PERSONALLY CAME BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020, THE ABOVE NAMED RUSSELL WEICHEL TO ME KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

\_\_\_\_\_  
NOTARY PUBLIC, MARATHON COUNTY, WISCONSIN

MY COMMISSION EXPIRES \_\_\_\_\_

TOWN BOARD RESOLUTION

RESOLVE, THAT THIS MAP IN THE TOWN OF MCMILLAN, RUSSELL WEICHEL OWNER, IS HEREBY APPROVED BY THE TOWN BOARD.

DATE Nov 9, 2020

APPROVED *Debra Dreyfus*  
TOWN CHAIRMAN

DATE Nov 9, 2020

SIGNED *Debra Dreyfus*  
TOWN CHAIRMAN

I HEREBY CERTIFY THAT THE FOREGOING IS A COPY OF A RESOLUTION ADOPTED BY THE TOWN BOARD OF THE TOWN OF MCMILLAN.

DATE Nov 9, 2020

*Jatti Kaku*  
TOWN CLERK



RECOMMENDED MARATHON COUNTY 2021 AVERAGE COST FOR COST SHARE REIMBURSEMENT

DESCRIPTION OF WORK

	Units	Proposed Average Cost/Unit	Current Average Cost/Unit (2018)
<b>Earth and Excavation Work</b>			
On-site excavation (dike, lagoon, pond)	/cu yd	\$3.80	\$3.55
Borrow on site with haul truck	/cu yd	\$5.65	\$4.71
Borrow off site (5-10 miles)	/cu yd	\$10.65	\$6.50
Clay liner - load, haul, place, & compact	/cu yd	\$14.88	\$9.31
Equipment rates: Bulldozer – med size (Case 850 or equiv.)	/hour	\$113.50	\$107.00
Bulldozer – large size (D-9 or equiv.)	/hour	\$159.00	\$150.00
Backhoe – large size	/hour	\$145.00	\$135.00
Sand/granite backfill, or extra fill below sub-base - Delivered, spread & compacted	/cu yd	\$9.80	\$9.25
Grassed Waterway construction with netting	/lin ft	\$3.25	\$2.65
Final grading, drainage, prep site for seeding	/hour	\$102.00	\$96.25
<b>Manure Storage Abandonment</b>			
Strip, stockpile and re-spread topsoil	/cu yd	\$3.75	\$3.50
Agitate, pump and empty waste storage facility	/gal	\$0.014	\$0.0131
Scrape, haul, spread organic/contaminated mineral soil	/cu yd	\$4.15	\$3.90
Push & compact mineral soil into waste storage facility	/cu yd	\$3.50	\$2.55
Break-up concrete (slab or walls) in pit & bury within	/sq ft	\$2.15	\$2.00
<b>Concrete Work Details</b>			
5" slab with no reinforcement with 6" subbase	/ sq ft	\$3.20	\$3.00
5" slab reinforce with # 3 rebar 18" o.c. with 6"sub-base	/sq ft	\$4.15	\$3.91
5" slab reinforce with #4 rebar 18" o.c. with 6"sub-base	/sq ft	\$4.50	\$4.25
Installed waterstop: 6" X 3/8" pvc bulb-type waterstop	/lin ft	\$4.30	\$4.06
Walls: 1' wall and footing	/lin ft	\$28.25	\$26.63
18" feeder wall	/lin ft	\$32.75	\$30.89
2' wall and footing	/lin ft	\$38.70	\$36.50
2' slotted wall and footing (slots for lot drainage)	/lin ft	\$40.15	\$37.88
4' T-wall	/lin ft	\$62.30	\$58.75
6' T-wall	/lin ft	\$101.50	\$82.01
8' T-wall	/lin ft	\$146.50	\$116.25
10 T-wall	/lin ft	\$188.25	\$143.60
6" speed bump	/lin ft	\$8.20	\$7.70
8" curb wall	/lin ft	\$20.50	\$18.33
Saw Cutting	/lin ft	\$7.05	\$6.65
4' Huffcutt U-shaped Channel w/lid	/lin ft	\$148.00	\$139.40
8'X8'X8' Tank w/lid	job	\$5,000.00	\$4,660.00
<b>Manure Transfer (in place)</b>			
2" dia. Sump pump	each	\$1,600.00	\$1,500.00
3" dia. Regular and high pressure pump	each	\$7,300.00	\$3,500.00
4" dia. Regular and high pressure pump (Hog Pump)	each	\$5,300.00	\$5,000.00
Chopper Pump	each	\$11,700.00	\$11,000.00

Piston Pump	each	\$15,400.00	\$14,500.00
Houle Aggitator	each	\$5,500.00	\$5,200.00
Houle Electromix Verticle Piston Pump	each	\$20,500.00	\$19,400.00
Houle Blowout System for sand	each	\$2,650.00	\$2,500.00
Houle Cleanout Risers	each	\$1,600.00	\$1,500.00
18" HDPE	/lin ft	\$19.60	\$18.50
24" HDPE Q-Seal	/lin ft	\$28.90	\$27.26
12" PVC D-3034	/lin ft	\$18.05	\$17.02
12" PVC D-1785, schedule 40	/lin ft	\$19.35	\$15.14
8" PVC D-3034	/lin ft	\$13.40	\$12.51
6" PVC D-1785, schedule 40	/lin ft	\$11.20	\$10.34
6" PVC D-3034	/lin ft	\$8.30	\$7.80

<b>Miscellaneous</b>			
6" K-style gutters (standard fascia) with 2 downspouts (4"X5"X15')	/lin ft	\$11.55	\$10.89
6" K-style gutters (with strapping) with 2 downspouts (4"X5"X15')	/lin ft	\$14.50	\$13.65
Critical area seeding and stabilization	/acre	\$530.00	\$500.00
Fencing - cattle panels and T-post, or 3 strand barbed wire	/lin ft	\$3.55	\$3.35
Safety fence for waste storage facility	/lin ft	\$6.10	\$5.75
7' long 3" dia. Steel post with caps (set in conc. wall)	/post	\$47.70	\$45.00
Fence attachment to wall	/lin ft	\$8.75	\$8.23
2' dia Storm water catch basin with grate - concrete	each	\$1,275.00	\$1,200.00
6"X6"X8' treated post (installed)	each	\$51.00	\$48.00
4"X4"X8' treated lumber (installed)	each	\$36.00	\$33.87
6"tile	/lin ft	\$3.80	\$3.59
Rock rip-rap (D50=6") hauled to site only	/cu yd	\$47.45	\$44.24
3/4" washed stone (spread and placed)	/cu yd	\$33.00	\$32.00
Silt fence	/lin ft	\$2.38	\$2.25
2" insulation Board (placed)	each	\$34.00	\$32.00
12' Steel Gate	each	\$238.50	\$225.00
Roof and post building only	/sq ft	\$10.10	\$9.50
<b>Grazing Items (in place)</b>			
Raised earth lane (typically 12" wide)	/lin ft	\$1.63	\$1.60
Raised earth lane (14' wide)	/lin ft	\$2.25	\$2.20
Raised earth lane (16')	/lin ft	\$3.13	\$3.07
Raised earth lane with screenings 12' wide	/lin ft	\$4.79	\$4.70
Raised earth lane with screenings 16' wide	/lin ft	\$5.43	\$5.32
Reinforced raised cattle lane 12' wide	/lin ft	\$10.20	\$10.00
Reinforced raised cattle lane 16' wide	/lin ft	\$13.26	\$13.00
Clearing fence line (removal of old fence/brush etc.)	/lin ft	\$0.56	\$0.55
3 or 4 strand high tensil fence (includes energizer, DVM, ground rods, surge protection & lightning protection)	/lin ft	\$1.36	\$1.33
1 strand fence (includes 30 step-in post & 3 geared reels w/polywire)	/lin ft	\$0.77	\$0.75
Non Electrified Wooven Wire	/lin ft	\$1.99	\$1.95
1" waterline (includes 2 portable tanks w/ float and hose)	/lin ft	\$0.89	\$0.87
Portable water tank with float	each	\$229.50	\$225.00
Winter watering system (waterer, excavating, concrete, No Waterline, No Hydrant, curb-stop, electrical outlet & Steel gate)	each	\$6,528.00	\$6,400.00
Buried 1" waterline below frost line	/lin ft	\$4.08	\$4.00
New pasture seeding	/acre	\$219.30	\$215.00
Interseeding or pasture renovation	/acre	\$61.20	\$60.00

Previous Average costs updated and accepted by LCZ on 1-3-2018

Costs are reflective of Marathon County and 12 County area  
Landowner labor and equipment rates are based on the current WI Custom Rate Guide by DATCP when done independent of contractor.



# Comprehensive Planning: Guidance Document for Towns

## **Wisconsin's Comprehensive Planning Legislation (State Law):**

66.1001(2)(i) *Implementation Element*: Comprehensive Plans must be updated at least once every 10 years.

66.1001(3) *Ordinances that must be consistent with Comprehensive Plan*:

- ⇒ County/Town Zoning District Map
- ⇒ Local Land Division and Surveying Regulations
- ⇒ County Zoning Regulations
- ⇒ Town Zoning Regulations
- ⇒ Shoreland, Shoreland-Wetlands & Floodplain Regulations
- ⇒ Sewer Service Area Plan

## **Comprehensive Plan Elements (State Law)**

- Conditions & issues
- Natural resources
- Land use
- Transportation
- Utilities
- Housing
- Cultural resources
- Community facilities
- Parks, recreation, and forestry
- Economic development
- Intergovernmental cooperation
- Implementation

## **Comprehensive Plan Development**

### **Planning Committee and Town Board Meetings:**

- ⇒ Facilitate a discussion so that the comprehensive plan is meaningful, useful, and relevant to each department
- ⇒ Understand the comprehensive vision of your Town as a collective unit.
- ⇒ Identify goals, objectives, and priorities.
- ⇒ Recognize interconnections and opportunities to work together in order to accomplish specific town goals or needs.

# Town Planning Process Include developing the following:

Community vision...

Health of community...

Challenges....

Collaborative governance...

Partnerships...

Responsibility...

Cooperation...

## The Comprehensive Plan IS:

A guide for future development

A reflection of the community's long-term vision, goals and priorities for the County/  
Town as a whole

A supporting document to the zoning code when making critical decisions

A flexible document that can be updated as conditions and trends change

## The Comprehensive Plan is NOT:

A change in existing zoning

A legally-binding document

A permanent document

An exact outline of every future project

## Town Comprehensive Plan Status

Bergen	Berlin	Bern	Bevent*	Brighton	Cassel	Cleveland*	Day
Easton	Eau Pleine	Elderon	Emmet	Frankfort	Franzen*	Green Valley	Guenther
Halsey	Hamburg*	Harrison	Hewitt	Holton	Hull	Johnson	Knowlton
Marathon	McMillan	Mosinee	Norrie NZ with CP	Plover	Reid	Rib Falls	Rib Mountain
Rietbrock	Ringle	Spencer	Stettin*	Texas	Wausau	Weston	Wien

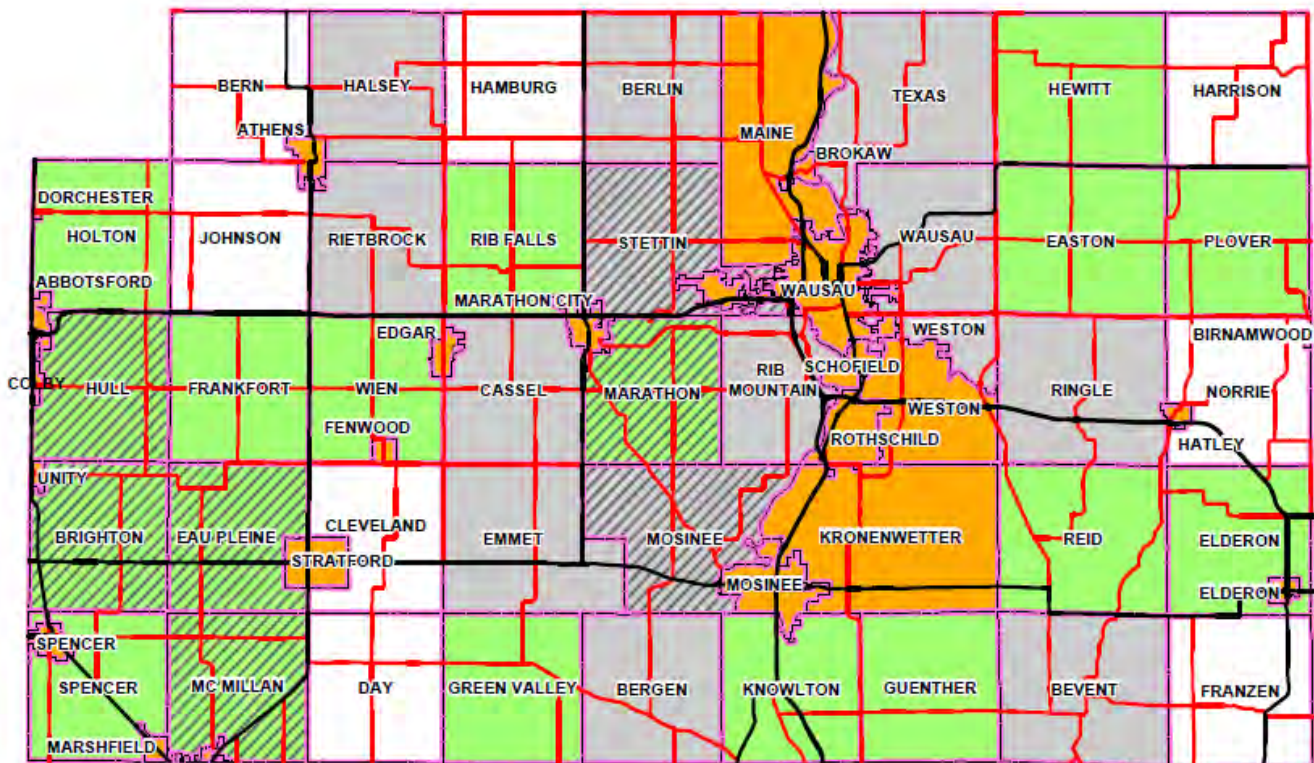
- \* Towns with no adopted or approved comprehensive plan - 5
- Towns with no zoning - 8
- Towns with updated comprehensive plan - 12
- Towns currently in process of updating their comprehensive plan - 1
- Towns without updated comprehensive plan - 22
- Grey shading - town zoned

## CPZ services to Towns

CPZ provides the following technical assistance to towns regarding comprehensive planning:

- Town Planning Committee and Town Board roles and responsibilities
- Discussion of process and procedure and applicable Wisconsin State Statutes
- Data sources
- Comprehensive Plan elements
- How the comprehensive plan should be used in Town decisions
- Comprehensive plan updates
- How the comprehensive plan relates to other issues such as land division, zoning, farmland preservation, land use, and future development.

## MARATHON COUNTY ZONING STATUS



Town Status as of:  
November 2020

Zoning Status

Orange	Municipal	Black line	State & US Highways
Light Green	County New	Red line	County Roads
Grey	Town	Pink line	Municipal Boundary
Hatched	Farmland Preservation Zoning		



**For more assistance:**



## North Central Wisconsin Regional Planning Commission

The NCWRPC offers technical assistance in the areas of:

- Land Use,
- GIS
- Economic Development,
- Transportation, and
- Intergovernmental Cooperation.

**[www.ncwrpc.org](http://www.ncwrpc.org)**

### **Planning Services Offered**

- Comprehensive Plans
- Bicycle and Pedestrian Plans
- Redevelopment Plans
- Hazard Mitigation Plans
- Outdoor Recreation Plans
- Natural Resource Plans
- Economic Development
- GIS and Mapping
- Zoning
- Transportation Assistance
- Grant Assistance

## Questions?

Please feel free to contact Jeff Pritchard, Planning Analyst with the Conservation, Planning, and Zoning Department

Phone: 715.261.6042

Email: [jeff.Pritchard@co.marathon.wi.us](mailto:jeff.Pritchard@co.marathon.wi.us)

Document Number

Document Title

State of Wisconsin  
Department of Natural Resources  
Box 7921  
Madison, WI 53707-7921

**Third Amendment to Lease and  
Agreement**

Recording Area

Return:

Department of Natural Resources  
Bureau of Facilities and Lands – LF/6  
P.O. Box 7921  
Madison, WI 53707-7921  
Attn: Bill Peterson (L 75)

**THIS THIRD AMENDMENT TO LEASE AND AGREEMENT** is entered into by and between the State of Wisconsin Department of Natural Resources ("Department") and Marathon County ("County").

**RECITAL**

**THIS INDENTURE** amending the Lease and Agreement entered into this 3rd day, of November, 2020, between the State of Wisconsin, Department of Natural Resources, hereinafter referred to as the Department, and Marathon County, hereinafter referred to as the County;

**NOW, WHEREAS**, the Department, formerly known as the State Conservation Commission of Wisconsin, and the County, entered into a written "Lease and Agreement" on April 20, 1966, and recorded as Document #682603 in Vol. 208 MR, Page 285 of the Marathon County records; and

**WHEREAS**, the "Lease and Agreement" is for a period of ninety-nine (99) years on a large contiguous tract of land, consisting of approximately 1,642 acres located in Marathon County and owned by the County; and

**WHEREAS**, said "Lease and Agreement" was amended in August, 1980, to increase annual rental paid by the Department from 30 cents per acre to 90 cents per acre; and

**WHEREAS, paragraph 6** of said "Lease and Agreement" provides the opportunity for additional lands owned or acquired later by the County to be included within the terms of said "Lease and Agreement", if approved by both the County and the Department; and

**WHEREAS**, the County has acquired the following described real property by tax deed dated July 11, 1988, and recorded as Document #891877 in Vol. 483 MR Page 474, then corrected and rerecorded as Document #892798 in Vol. 484 MR Page 794 of the Marathon County Records:

1. The 100 foot R/W across Section 17 and parts of Blocks 4 and 5 of the Plat of McMillan in Section 17 located in Township 26 North, Range 3 East, Town of McMillan, County of Marathon, State of Wisconsin, **except** land described in Vol. 364 MR Page 1181 of the Marathon County Records, and **except** the N1/2 of said Section 17; consisting of 7.4 acres.
2. The R/W across Section 20 and parts of Blocks 4 and 5 of the Plat of McMillan in Section 20 located in Township 26 North, Range 3 East, Town of McMillan, County of Marathon, State of Wisconsin, **except** that part in the SE 1/4 of the SW 1/4 of said Section 20; consisting of 12 acres; and

**WHEREAS**, the Department and the County have agreed to the addition of the above described real property into the Second Amendment to the "Lease and Agreement", which was recorded at the Marathon County Register of Deeds Office on May 19<sup>th</sup>, 1997 as Document # 1102491.

**WHEREAS**, it was recently brought to the Department's attention that the Department had inadvertently left out six, 40 acre parcels from previous legal descriptions that were attached to either of the two previous

**Amendments to Lease and Agreements.**

**WHEREAS, THIS THIRD AMENDMENT TO THE "Lease And Agreement" includes the following six, 40 acre parcels. The SE1/4 of the NE1/4, the NW1/4 of the SE1/4, the NE1/4 of the SE1/4, the SW1/4 of the SE1/4, the SE1/4 of the SE1/4 and the SE1/4 of the SW1/4, all in Section 14, Township 26 North, Range 2E, Town of Spencer, Marathon County, Wisconsin.**

**NOW, THEREFORE, WITNESSETH:** That the terms and conditions of the "Lease and Agreement" dated April 20, 1966, and amended in August of 1980 and in May of 1997 are further amended as follows:

1. An amended Exhibit "A" (attached hereto and incorporated herein by reference) shall be recorded in the Office of the Marathon County Register of Deeds to reflect addition of the above described real property.
2. Forty percent of the rental fee payable under the "Lease and Agreement", as amended in August, 1980, shall be paid to the Town of McMillan for the above described property. Sixty percent of the amount shall be placed into the Segregated Land Purchase account Number 8221 Rev Object to be used for the improvement of the County forests.

**END OF TERMS AND CONDITIONS**

IN WITNESS WHEREOF, the Department has caused this instrument to be executed on its behalf this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

State of Wisconsin  
Department of Natural Resources  
For the Secretary

By \_\_\_\_\_ (SEAL)  
Terry H. Bay  
Facilities and Lands Bureau Director

State of Wisconsin     )  
                                  ) ss.  
Dane County             )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2020, the above named, Terry H. Bay, Facilities and Lands Bureau Director, State of Wisconsin Department of Natural Resources, to me known to be the person who executed the foregoing instrument and acknowledged that he executed and delivered the same as for the act and deed of said Department of Natural Resources.

\_\_\_\_\_  
\*  
Notary Public, State of Wisconsin  
My Commission (expires)(is) \_\_\_\_\_





# Amended Exhibit "A"

## Township 26 North, Range 2 East, Town of Spencer, Marathon County, Wisconsin

Section 11: Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , the South 30 feet of the Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  and

Section 13: Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and

Section 14: Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , North 30 feet of the Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  and

Section 23: Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and

Section 24: Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$ , Northeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  and

Section 25: Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Northwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southwest  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$ , Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  and

## Township 26 North, Range 3 East, Town of McMillan, Marathon County, Wisconsin

The 100-foot railroad right-of-way across Section 17 and parts of Blocks 4 and 5 of the Plat of McMillan in Section 17 located in Township 26 North, Range 3 East, Town of McMillan, County of Marathon, State of Wisconsin, *except* land described in Vol. 364 MR Page 1181 of the Marathon County Records, and *except* the N  $\frac{1}{2}$  of Section 17; consisting of 7.4 acres and

The railroad right-of-way across Section 20 and part of Blocks 4 and 5 of the Plat of McMillan in Section 20 located in Township 26 North, Range 3 East, Town of McMillan, County of Marathon, State of Wisconsin, *except* that part in the Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 20, consisting of 12 acres