



MARATHON COUNTY ENVIRONMENTAL RESOURCES COMMITTEE AGENDA

Date & Time of Meeting: Thursday, January 3, 2019 at 3:00 p.m.

Meeting Location: 212 River Drive, Room 5 Wausau 54403

Committee Members: Jacob Langenhahn - Chair ; Randy Fifrick -Vice-chair; Rick Seefeldt, Allen Drabek, Ashley Lange, Jim Bove, Sara Guild, Allen Opall, Kelly King - 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)*

1. **Call meeting to order**
2. **Public Comment (15 minute limit)**
3. **Approval of December 6, 2018 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)
 - B. Review and Possible Recommendation to the County Board for its Consideration (Town Zoning changes pursuant to §60.62(3) Wis. Stats.)
 1. Town of Wausau text amendments
 2. Town of Weston zone change
 - C. Review and Possible Action
 1. Certified Survey Map Approval – Town of Easton – Change of subdivision plat boundary (Fieri)
5. **Educational Presentations/Outcome Monitoring Reports**
 - A. Department Updates: Conservation, Planning, and Zoning, Parks, Recreation, and Forestry, and Solid Waste Department
 - B. Planned updates to the Private Sewage System Ordinance Chapter 15 and need for public hearing in February 2019
 - C. Review of topics relating to revisions to Land Division Code, Chapter 18, for future policy discussion
6. **Policy Issues Discussion and Committee Determination to the County Board for its Consideration**
 - A. Should Marathon County develop more restrictive standards for the application of manure during high risk times for farms licensed by the County?
Next Steps:
 1. Policy position paper (background, current situation, opportunity for a new approach, proposed changes)
 2. Seek guidance and authority from DNR and/or DATCP to exceed State Performance Standard
 3. Engage community stakeholders
7. **Next meeting date, time & location and 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 or e-mail infomarathon@mail.co.marathon.wi.us one business day before the meeting.

FAXED TO:

News Dept. at Daily Herald (715-848-9361), City Pages (715-848-5887),
Midwest Radio Group (715-848-3158), Marshfield News (877-943-0443),
TPP Printing (715 223-3505), CenterState Marketplace (715-446-2370)

Date: December 20, 2018
Time: 12:45 p.m.
By: cek

SIGNED _____

Rebecca J. Fusch
Presiding Officer or Designee

NOTICE POSTED AT COURTHOUSE:

Date: _____
Time: _____ a.m. / p.m.
By: County Clerk



**Marathon County
Environmental Resources Committee Minutes
Thursday, December 6, 2018
212 River Drive, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn.....	X	(arrived at 4:30)
<i>Vice-Chair</i>	Randy Fifrick	X	
	Rick Seefeldt	X	
	Jim Bove	X	
	Allen Drabek.....	X	
	Ashley Lange	X	
	Sara Guild.....	X	
	Allen Opall	X	
	Marilyn Bhend	(Via phone)	
	Kelly King	X	

Also present: Rebecca Frisch, Paul Daigle, Lane Loveland, Teal Fyksen, Dominique Swangstu– Conservation, Planning, and Zoning (CPZ); Jamie Polley, Tom Lovlien – Park Recreation and Forestry (PRF); Arnold Schlei; Tim Vreeland; Dave Kraus; Brian Kowalski – City Pages; Rick Christiansen; Keith Rahm; Greg Stark and Brian Sodke.

1. **Call to order** – Called to order by Vice Chair Fifrick at 3:00 p.m. at 212 River Drive – Room 5, Wausau, WI.
2. **Public Comment** – None.
3. **Approval of November 1, 2018 Environmental Resources Committee minutes with clarifications.**

Motion / second by King / Drabek to approve of the November 1, 2018 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. Application for petition for text amendment to Marathon County General Code of Ordinances Chapter 17 Section 17.204.42(E) fence and wall requirements for public or self-storage facilities

Discussion: Loveland was sworn in and reviewed the memo that was included in the meeting packet. The proposed text amendment is to remove the requirement of having a fence or wall for public or self-storage facilities. The text amendment process initiated by the property owner was also reviewed. CPZ staff will seek feedback from Towns with County Zoning and Town Zoning on proposed text amendment and compile a report with the results. CPZ will also review if there is any legal liability with not requiring a fence or wall for public or self-storage facilities.

Sodke was sworn in and explained the difficulty of the storage area being completely enclosed by a fence. Sodke explained the difficulty with snow removal.

Stark was sworn in and is in favor of keeping the ordinance as is. He stated the fence keeps animals and people from intruding.

There was no additional testimony if favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:23 p.m.

Action: Motion / second by King /Guild to recommend to recess the hearing for the text amendments to Chapter 17 Section 17.204.42(E) fence and wall requirements for public or self- storage facilities for 90 days with more information from County zoned and town Zoned Towns within Marathon County. Motion **carried** by voice vote, no dissent.

Follow through: CPZ staff will work with towns and Corporation Counsel and report back to the committee within 90 days.

2. Public testimony on text amendments to Marathon County General Code of Ordinances Chapter 13 Livestock Facilities Licensing Ordinance

Discussion: Daigle discussed the proposed changes which include a number of definitions and to develop language to ensure no lapse of license for facilities over the 1000 animal unit threshold to continue to maintain the Livestock Siting license through the County until a DNR permit is obtained. Language was enhanced to provide clear guidance on compliance monitoring and enforcement action, if needed. An appeal process for enforcement decisions was also added. Daigle discussed additional requirements needed to protect water quality. Daigle referenced the Comprehensive, Strategic (Objectives 5.2 and 6.3), Big Eau Pleine Reservoir and Land and Water Resource Management plans that Marathon County has adopted to tie in the need for enhanced water quality protection. Daigle is recommending additional requirements for livestock operations to restrict when operators can spread livestock manure during the highest risk times of the year. Staff is seeking approval to develop language to restrict spreading to time of the year when runoff risk is lower. This restriction would be very similar what is required by Department of Natural Resources (DNR) permitted livestock operations (CAFO's). Marathon County would also need approval from the DNR/ Department of Agriculture, Trade and Consumer Protection (DATCP) to put these safeguards and further restrictions in this ordinance. Committee discussed concerns with the farm economy but also our declining water quality. It was also mentioned that there are currently 11 farms under this ordinance, they are

Environmental Resources Committee Minutes
December 6, 2018

medium sized operations. Ordinance changes would not affect the majority of livestock farmers in the county, unless they were to grow. Agreed further discussion is needed on this matter. Testimony portion of the hearing was closed at 3:50 p.m.

Action: **Motion** / second by King /Lange to recommend to recess the hearing for the amendments to Chapter 13 Livestock Facilities Licensing Ordinance. Motion **carried** by voice vote, no dissent.

Follow through: CPZ staff to explore and engage with stakeholders/ DNR to bring back language to a future meeting.

3. Public testimony on text amendments to Marathon County General Code of Ordinances Chapter 21 Nonmetallic Mining Reclamation Ordinance

Discussion: Fyksen was sworn in and reviewed the memo that was included in the meeting packet. The nonmetallic fees would be removed from the Code and placed on a separate fee schedule. All language related to the Administrative Rule Natural Resources 340 (NR340)/WI Stats Chapter 30 has been removed from the code.

Marathon County has jurisdiction for all mine sites within the County, except those municipalities that have adopted their own nonmetallic mining reclamation code.

Testimony portion of the hearing was closed at 4:00 p.m.

Action: **Motion** / second by Opall / Bove to recommend approval of the text amendments to Marathon County General Code of Ordinances Chapter 21 Nonmetallic Mining Reclamation Ordinance to County Board. Motion **carried** by voice vote, no dissent

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

4. Tim Vreeland on behalf of Kolby Construction LLC – G-A General Agriculture to R-R Rural Residential – Town of Easton

Discussion: Swangstu was sworn in, noting that this request to rezone was recessed from the November 1, 2018 meeting due to the applicant reviewing the rezone with the town to clarify the rezoning application. CPZ staff and the applicant attended the Town of Easton December town board meeting at which time it was recommended by the town to change the request from LDR, low density residential to RR, rural residential. Swangstu reviewed the staff report, noting the decision sheet had been included in the meeting packet. The request to rezone the 38.5 acre parcel would allow for the creation of a new residential subdivision in a less dense zoning district, Rural Residential (R-R). CPZ staff would recommend approval of this rezone.

Vreeland was sworn in and explained the rezone request and agreed that the minimum lot size for the future subdivision would be 2 acres as required in the RR zoning district.

Testimony portion of the hearing was closed at 4:06 p.m.

Action: **Motion** / second by Guild / King to recommend approval to County Board, of the Tim Vreeland on behalf of Kolby Construction LLC rezone request. Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is not in the Farmland Preservation Plan. Adequate facilities are present and providing public facilities will not burden local government. The rezone should not result in any adverse effect on natural areas. 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 the County Board for its Consideration

1. Approving an Application to Acquire State Funding Through the Knowles-Nelson Stewardship Grant Program

Discussion: Lovlien recommended forwarding the resolution to County Board for its consideration. It will allow the County to apply for State Knowles-Nelson Stewardship grant that would fund up to 50% of the purchase of 199.84 acres in the Town of Hewitt.

Action: **Motion** / second by Seefeldt / Opall to approve and forward to County Board for its consideration. Motion **carried** by voice vote, no dissent.

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

2. Approving an Application to Acquire State Funding Through the Knowles-Nelson Stewardship Grant Program

Discussion: Lovlien recommended forwarding the resolution to County Board for its consideration. It will allow the County to apply for State Knowles-Nelson Stewardship grant that would fund up to 50% of the purchase of 200 acres in the Town of Hewitt.

Action: **Motion** / second by Seefeldt /Opall to approve and forward to County Board for its consideration. Motion **carried** by voice vote, no dissent.

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

3. Resolution: Approval of the 2019 County Forest Annual Work Plan

Discussion: The annual resolution and 2019 Work Plan were included in the meeting packet and briefly reviewed. Both have been approved by the Forestry and Recreation Committee. Action is required to forward these to County Board for its consideration. County Board approval is necessary to be eligible for grant funds.

Action: **Motion** / second by Opall / Guild to approve the 2019 County Forest Work Plan and forward the resolution to County Board for its consideration. Motion **carried** by voice vote, no dissent.

Follow through: The resolution and work program will be forwarded to County Boards for its consideration.

4. Resolution: Approval of the 2019 County Forest Acreage Share Loan Payment

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

Action: **Motion** / second by King / Seefeldt to approve the 2019 County Forest Acreage Share Loan Payment and forward and resolution to County Board for its consideration. Motion **carried** by voice vote, no dissent.

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

C. Review and Possible Action

1. Stone Horizon County Plat Final Approval – Town of Rib Mountain

Discussion: Frisch reviewed the Stone Horizon Plat with the Committee. The preliminary plat was reviewed with the Committee previously and the conditions of the preliminary plat approval have been met. Frisch stated the final plat excludes some of the land in the northeast corner which is allowed through the approval process; if they were adding land, a new preliminary plat would need to be submitted. An approval letter from the Army Corporation of Engineers on the wetland delineation was received.

Action: **Motion** by King /Drabek to approve the Stone Horizon County Plat. Motion **carried** by voice vote, no dissent.

Follow through: The Town of Rib Mountain needs to finalize the financial assurances for the improvements with the developer and then signatures will be needed prior to recording the Stone Horizon County Plat.

D. Request for exemption from zoning permit fees for nonprofit organizations

Discussion: Daigle discussed the exemption fees for nonprofit organizations with Corporation Counsel and it is not recommended to exempt nonprofit organizations from the zoning permit fees.

Action: None needed. Informational purposes only.

Follow through: None.

E. Request to modify Schedule of Deposits 2019 to correct errors

Discussion: Daigle discussed the Schedule of Deposits that was adopted by the Committee on 09/27/18. Daigle discussed the corrections identified in the packet. Proposed changes were in blue.

Action: **Motion** by King / Guild to approve the Schedule of Deposits 2019 to correct errors. Motion **carried** by voice vote, no dissent.

Follow through: CPZ will implement all updated schedule of deposits on 01/01/2019.

Jacob arrives and resumes Chair position.

5. **Educational Presentations/Outcome Monitoring Reports**

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

Discussion: CPZ

Frisch provided an update on the uniform addressing. The eastern side of the County is complete. The western side south of Highway 29 is complete except the western most tier of towns and the northwestern portion north of Hwy. 29. These remaining towns will be completed in 2019. CPZ has mailed out notifications to the property owners informing them of the pause in implementation. Frisch stated CPZ is the lead department to work together with other departments on the Strategic Plan Objectives 5.2 and 6.3 and how to move these objectives forward.

PRF – Polley stated the Parks Recreation and Forestry Department is working on a new mission statement of the department. The department will be holding a retreat with all full time staff to discuss the mission statement, the direction of the department and how the department contributes to areas within the County Comprehensive Plan and Strategic Plan. The outcomes of the retreat will be utilized during the updated of the County Comprehensive Outdoor Recreation Plan.

Solid Waste Department – None.

Action: None.

Follow through: For informational purposes only.

B. North Central Area and Land Water Conservation (NCLWCA) need for Marathon County representative

Discussion: Daigle discussed the NCLWCA is a sub-committee of the state which meets 3 times a year that discusses land conservation issues; staffing and education. Jim Seefeldt was the past representative and is looking to fill this vacancy.

Action: **Motion** by Fifrick / Opall to appoint Ashley Lange as the Marathon County representative to the North Central Land and Water Conservation Committee. Motion **carried** by voice vote, no dissent.

Follow through: Ashley graciously accepted the appointment.

C. Wildlife Abatement and Claims

1. 2018 Crop Price Proposal

Discussion: Daigle discussed the 2018 Crop Price Proposal which was included in the meeting packet which was briefly reviewed. The proposed prices are based on a yearly average.

Action: **Motion** by King / Fifrick to accept the 2018 Crop Price Proposal as presented. Motion **carried** by voice vote,

Environmental Resources Committee Minutes
December 6, 2018

no dissent.

Follow through: None.

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

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

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

B. Announcements/Requests/Correspondence

1. The committee recommended the department heads provide written reports to the committee on a quarterly basis, specifically on the Strategic Plan objectives pertaining to their departments.

2. The committee recommended Staff complete the rezoning request decision reports with their recommendations to facilitate the committee's discussion and decision making process.

8. **Adjourn – Motion** / second by Fifrlick / King to **adjourn** at 5:00 p.m. Motion **carried** by voice vote, no dissent.

Rebecca Frisch, CPZ Director

For Jacob Langenhahn, Chair

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

RF/cek

STATE OF WISCONSIN)
COUNTY OF MARATHON) SS
TOWN OF WAUSAU)

RECEIVED

DEC 05 2018

MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT

RESOLUTION: R-2 - 2018


WHEREAS, the Town Board of Supervisors of the Town of Wausau has heretofore been petitioned to amend the Town Zoning Ordinance, and

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

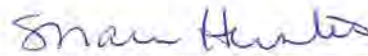
WHEREAS, the proposed amendments(s) has been given due consideration by the Town Board in open session,

NOW, THEREFORE, pursuant to §60.62(3) Wis. Stats., the Town Board of Supervisors of the Town of Wausau does hereby request review by the County Zoning Committee and subsequent recommendation for County Board approval of the attached Zoning Ordinance (and accompanying Zoning Map).


Dated this 5th day of November, 2018



Town Chairman



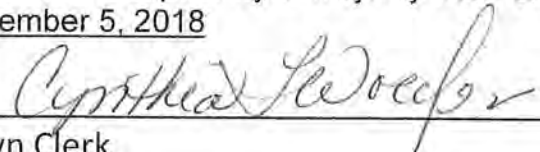
Town Supervisor



Town Supervisor

CERTIFICATION

I, Cynthia L Worden, Clerk of the Town of Wausau, Marathon County, State of Wisconsin of hereby certify that the attached is a true and correct copy of a Zoning Resolution adopted by a majority vote of the Town Board of the Town of Wausau on November 5, 2018



Town Clerk

11-5-18

Date

**TOWN OF WAUSAU
MARATHON COUNTY, WISCONSIN
ORDINANCE NO 2-2018 AMENDING THE CODE OF THE TOWN OF WAUSAU
CHAPTER 17 ZONING ORDINANCE,
ARTICLE III DISTRICTS AND MAPS,
CREATING NEW DEFINITIONS IN SECTION 17.08. ENTITLED DEFINITIONS
CREATING SECTION 17.48 ENTITLED "MF MANUFACTURING DISTRICT"
CREATING SECTION 18.22 ENTITLED "PARCEL COMBINATION"**

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

Sec.17.08. Definitions.

Metallic mining. The process used to extract nonferrous metallic minerals from the earth is called metallic mining or sulfide mining. Metallic nonferrous minerals include such minerals as copper, zinc, gold, silver, platinum, nickel, aluminum, and lead.

Non-metallic mining. Any pit or depression created by the removal of rock, gravel, clay, decomposed granite, sand, topsoil or other natural material from the earth by excavating, stripping, leveling, or any other process, whereby these materials are substantially removed from the site. This does not include preparation for building sites, landscaping or driveways. Non-metallic minerals does not include coal and petroleum.

Sec.18.22.Parcel Combination

1. Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels in the same zoning district who wishes to merge the parcels for municipal regulation and taxation purposes may do so by completing the Marathon a County Parcel Combination Application.
2. The application must be completed and submitted to the Town of Wausau Clerk.
3. The Town Clerk will present the application to the Town Board for review. Approval will be granted except if it would create a violation of then-current ordinances or regulations.
4. No public hearing or notice shall be required.
5. No new survey plat need be recorded.
6. Once the Town Board approves the request, the application will be returned to applicant to follow the directions listed on the form.
7. No such merged parcel shall thereafter be separately transferred without subdivision approval.
8. No city, town, county, or village district may merge preexisting subdivided lots or parcels except upon the consent of the owner.
9. The Marathon County Conservation, Planning and Zoning Department will determine the address that will be assigned to the lots being merged.

Sec. 17.48. MF Manufacturing District.

1. Purpose. This district is designed to provide for a limited range of retail stores and personal service establishments which cater to frequently recurring needs as well as manufacturing and mining. The regulations are designed to closely control offensive industry.
2. Permitted uses.
 - a. Bakery employing over eight (8) persons on the premises.
3. Conditional uses. The following are special uses permitted when the location of the use shall have had an opportunity for consideration by the planning commission and a conditional use permit is granted by the town board after a public hearing. Such approval shall be consistent with the general purpose and intent of this chapter and shall be based upon such evidence as may be presented at such public hearing.
 - a. Contractor's storage yards, when any such yard shall be so placed, fenced or screened by a planting so as not to be visible from a public highway or residential building other than of the owner of such yard, his agent or employee.
 - b. Light industrial plants such as required for production of millwork, machine tools, paper containers, patterns, die castings, light metal fabrication and similar small industries which do not require loud presses.

- c. Non-metallic mining.
 - d. Metallic mining. Also see Code Ch. 61, Mining Permits.
 - e. Metallic mining exploration, bulk sampling, or prospecting as those activities are defined under Wis. Stat. ch. 293.
 - f. Shooting range.
4. Height, yards, area and other requirements.
- a. Height. Except as otherwise provided in this chapter, no building or structure shall exceed a height of thirty-five (35) feet. See Code section 17.16.
 - b. Lot area. The minimum lot area shall be twenty thousand (20,000) square feet except that it is forty thousand (40,000) square feet with a combined residence and commercial building.
 - c. Floor area. The minimum floor area shall be one thousand (1,000) square feet.
 - d. Width. The minimum width shall be one hundred fifty (150) feet at the building line.
 - e. Side yards. Side yards shall be not less than fifteen (15) feet wide.
 - f. Rear yard. There shall be a rear yard of not less than thirty-five (35) feet in depth.
 - g. Setback lines. (Streets) See Code sections 17.17 and 17.18.
 - h. Off-street parking. See Code sections 17.70 - 17.72.

Adopted this 5 day of November, 2018.

TOWN OF WAUSAU

By: John A. Prah

John Prah, Chairperson

ATTEST:

By: Cindy Worden
Cindy Worden, Clerk

Adopted: 11/5/2018

Noticed: 11/7/2018

DAILY HERALD media

A GANNETT COMPANY

STATE OF WISCONSIN
BROWN COUNTY

WAUSAU TOWN OF

5203 N 69TH ST

WAUSAU

WI 544039507

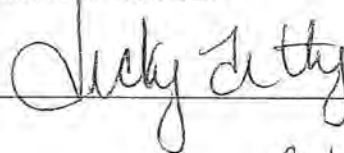
I, being duly sworn, doth depose and say I am an authorized representative of The Wausau Daily Herald, a newspaper at Wausau Wisconsin and that an advertisement of which the annexed is a true copy, taken from said paper, which published therein on:

Account Number: GWM-WAU770
Order Number: 0003202425
No. of Affidavits: 1
Total Ad Cost: \$30.28
Published Dates: 10/15/18, 10/23/18

(Signed)  (Date) 10/29/18
Legal Clerk



Signed and sworn before me



My commission expires 9-19-21

WAUSAU TOWN OF
Re: 11/5 pub hearing

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TOWN OF WAUSAU
MARATHON COUNTY, WISCONSIN
PUBLIC HEARING

The Town of Wausau Planning Commission shall hold a public hearing on Monday, November 5, 2018 at 6:00 p.m. at the Town of Wausau Municipal Building located at 161484 County RD Z, Wausau, Wisconsin for public comment on proposed amendments to the Town Of Wausau's Zoning Code of Ordinances, specifically CHAPTER 18 LAND DIVISION, SECTION 18.22 ENTITLED 'Parcel Combination' and CHAPTER 17.ZONING ORDINANCE, SECTION 17.08 DEFINITIONS Metallic Mining and Non-Metallic Mining. Full content of these proposed amendments and town zoning map are available from the Town of Wausau Clerk.

Dated this 11th day of October 2018
Cynthia L Worden, Town of Wausau
Clerk

Run: Oct. 15, 23 2018 WNAXLP

NOTICE

TOWN OF WAUSAU PLANNING COMMISSION WILL MEET
ON MONDAY NOVEMBER 5, 2018 AT 6:15 p.m. OR IMMEDIATELY
FOLLOWING A HEARING BEFORE THE COMMISSION STARTING AT 6:00
P.M. AT THE TOWN OF WAUSAU MUNICIPAL BUILDING LOCATED AT
161484 CTY. RD. Z WAUSAU, WI.

Cynthia L Worden
Town of Wausau Clerk

Agenda:

Agenda Item listed below are for discussion & possible action

Chairman Prahll call meeting to order

Review recommendation to the Town Board on amendment to the Town of Wausau Zoning Code of Ordinances specifically the creation of Chapter 17 Zoning Code, Article III Districts & Map, Section 17.48 Entitled 'MF manufacturing district

Review recommendation to the Town of Wausau Zoning Code of Ordinances specifically Chapter 18 Land Division creation of Section 18.22 ' Parcel Combination'

Review all Certified Survey Maps presented & make recommendation to Town Board
Brzezinski
Erickson
Prahll

Zoning Administrator: non-conforming structures

Town of Wausau Comprehensive Plan Update

Motion to adjourn

TOWN OF WAUSAU PUBLIC HEARING, MONDAY, NOVEMBER 5, 2018

Planning Commission Members present: Dick Lawson, Steve Schlei, Darrin Damrow, Roloef Stam, Sharon Hunter
Chairman John Prah call the public hearing to order and read the published public hearing notice. The purpose of the hearing was for public comment on proposed amendments to the Town of Wausau Zoning Code Ordinances, Chapter 17 Zoning Ordinance, Section 17.08 Definitions. Chapter 18 Land Division, Section 18.22 Parcel Combination.

Dick Lawson asked that the wording in Section 18.22 be changed to read, "Any owner of 2 or more contiguous preexisting approved or subdivided lots or parcels **in the same zoning district** who wishes to merge the parcels for municipal regulation and taxation purposes may do so by completing the Marathon County Parcel Combination Application.

It was pointed out that under 17.48 Manufacturing District 2b and 2c should be moved under conditional uses. Steve Buntin, 157277 Gravelstone Road, asked about the Manufacturing District and where the MF District would be located in the township.

Dick Lawson made a motion and Roloef Stam seconded to adjourn. Motion passed.

TOWN OF WAUSAU PLANNING COMMISSION MEETING, MONDAY, NOVEMBER 5, 2018

Planning Commission Members present: Dick Lawson, Steve Schlei, Darrin Damrow, Roloef Stam, Sharon Hunter

Chairman John Prah called the meeting to order.

Dick Lawson made a motion and Steve Schlei seconded to recommend to the Town Board to amend the Town of Wausau Zoning Ordinance to include Section 17.08 Definitions for metallic and non-metallic mining and Section 17.48 Manufacturing District. Motion passed.

Dick Lawson made a motion and Sharon Hunter seconded to recommend to the Town Board to amend the Town of Wausau Zoning Ordinance to include Section 18.22 Parcel Combination with the wording changes proposed at the public hearing. Motion passed.

George Brzezinski indicated that he is separating his lot into two parcels. One lot will be 5.01 acres where his home is located and the other parcel 2.824 acres. Chairman Prah asked if Mr. Brzezinski would deed the right of way to the town in case Distant Road would ever be widened to a 33 foot road. Mr. Brzezinski agreed and will contact his surveyor to adjust the CSM. If there is an additional cost to do this, the Town will be responsible for paying it. Steve Schlei made a motion to recommend to the Town Board to accept the CSM from George Brzezinski with the updated right of way being deeded to the Town of Wausau. Roloef Stam seconded. Motion passed.

A CSM for Arlan Erickson was submitted to combine two parcels into one lot of 6.031 acres. Darrin Damrow made a motion and Steve Schlei seconded to recommend to the Town Board to approve of the CSM for Arlan Erickson.

A CSM for Andrew Prah and Clifford Prah was presented. Clifford Prah is increasing the size of his lot to 4.351 acres and Andrew Prah is adding a lot of 4.011 acres from a 39 acre parcel. Steve Schlei made a motion to recommend to the Town Board that the CSM for Andrew Prah and Clifford Prah be approved. Roloef Stam seconded. Motion passed.

Discussion was held about a home located on Highway 52 that is adding 15 feet to the front of his garage. The home is located on a state highway, however, the garage will not extend beyond the front of the house. No action was needed.

Darrin Damrow made a motion to adjourn, Roloef Stam seconded. Motion passed.

NOTICE

Town of Wausau Board will meet on November 5, 2018 at approx. 7:00 P.M. or at the conclusion of a Town of Wausau Planning Commission Meeting immediately following a hearing before the Planning Commission beginning at 6:00 p.m. at the Town of Wausau Municipal Building located at 161484 Cty.Rd. Z Wausau, Wi. 54403.

Cynthia L Worden, Town of Wausau Clerk

AGENDA:

Agenda items listed below are for discussion and possible action

Call meeting to order

Review Town Board meeting minutes from 10-01-18 ✓

Recommendations from Planning Commission:

Certified Survey Maps: Brzezinski , Prahl, Erickson ✓

Chapter 17 Zoning Code Article III Districts & Map, Section 17.48 MF
Manufacturing District

Chapter 18 Zoning Code Section 18.22 Parcel Combination

Building / zoning permits & applications:

Update on Schiefelbein property on Chico Road

Public Safety Report by Chief Yolitz

Treasurer Borchardt's financial report

Review expenditure reports from 10/15/18 & 11/5/18

Roads & Streets:

Hwy. Superintendent Borelli report

Updates on equipment & roads/ projects

Other discussion pertaining to roads & streets

Plowing policy & snowplow disclaimer

Citizen input time

Motion to adjourn

TOWN OF WAUSAU BOARD MEETING 11-5-2018
161484 County Road Z
Wausau, WI 54403

Chairman Prah called the Town of Wausau Board meeting to order at 7 p.m. following the adjournment of Town of Wausau Planning Commission meeting. All elected officials were present.

A motion was made and seconded to approve Town Board meeting minutes as recorded from 10-1-2018. Glatczak / Hunter

A motion was made and seconded to accept the recommendation of the Planning Commission to approve certified survey maps for Arlan Erickson, Andy & Clifford Prah, and George Brzezinski upon Brzezinski deeding 0.314 acres (13,695.55 SQ.FT.) right-of-way for continuation of Distant Road should it ever be needed for road purposes. Hunter/Glatczak

Motion was made and seconded to accept the recommendation of the Planning Commission to approve Town of Wausau Zoning Ordinance amendments Chapter 17, Article III Districts & Maps, creating New Definitions in Section 17.08. entitled 'Definitions' and creating Section 17.48 entitled 'MF Manufacturing District', as amended by Planning Commission. Hunter/Glatczak

A motion was made and seconded to accept the recommendation of the Planning Commission to approve Town of Wausau Zoning Ordinance Section 18.22 entitled 'Parcel Combination' which includes changing of 5 words in #1. Glatczak/Hunter

There were three building permit applications to review. A motion was made and seconded to approve building permit application # 3172 for Marvin Lenzner for a car port, # 3173 for Matt Schulz for a garage, and to table # 3174 for Lance Lyon for a shed due to plans of storing salt in the building. Board has requested proof that Mr. Lyons has contacted the state about the storage of salt before application will be approved.

Zoning Administrator, Larry Vesely gave an update on Schiefelbein property on Chico Road. Mr. Schiefelbein told Larry that he will be required to drill a new well, put in a mound system, his heating & plumbing person had quit, and is waiting for the building inspector to come. Larry will check with him weekly.

Chief Yolitz gave his public safety report. In the month of October there were 4 fire related calls and 5 med calls.

Treasurer Borchardt gave a financial report stating that as of 10/15/2018 a balance of \$272,066.92 was in town accounts.

A motion was made and seconded to approve expenditures and reports from 10/15/2018 and 11/5/2018. Glatczak / Hunter

Road Superintendent, Jim Borelli reported that the grader brakes need to be replaced at a cost of \$18,000 and that some of the other equipment needs maintenance work. Crack filling has been completed doing all of the roads on the list. Some shoulder work was also finished up. All the paperwork is completed with the DNR for the well driller.

The snow plow policy is ok. Chairman Prah spoke to residents on the private road of 21st Street. They are going to maintain their own road starting this year.

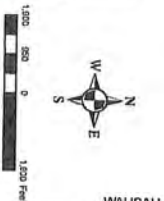
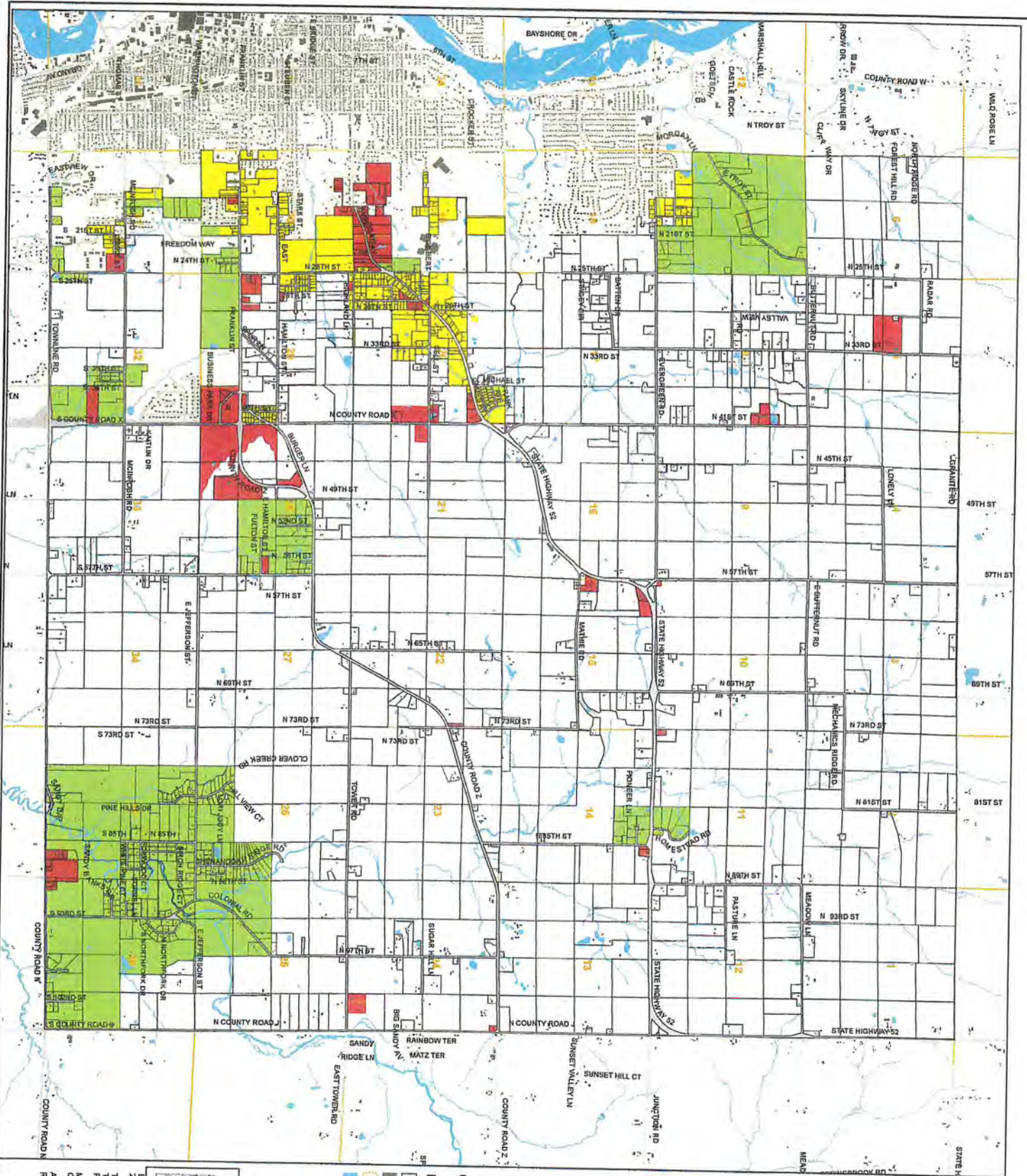
Citizen input time: Questions were asked about storage facility along County Rd. Z and near County Road X. They felt the required fencing material should have been different. Also, questions about what ReVi is doing in the back of their property.

Motion to adjourn. Hunter/Glatczak

Minutes taken and recorded by Cynthia L Worden, Town of Wausau Clerk



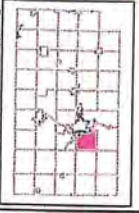
TOWN OF WAUSAU - ZONING



WAUSAU

- CLASSIFICATIONS**
- A-180 AG
 - AT-140 TRANSITIONAL AG
 - R-1/20 RESIDENTIAL
 - MULTIFAMILY RES
 - CM-1 COMM-MANUFACTURE

- Other Zoning**
- Parcels
 - Buildings 2015
 - Sections Lines (est)
 - Water Features
 - Other Municipally



Base Map Features from Map 2009/05/25/10 Final Placemaps. This is NOT a Legal Survey Document. This is current interpretation of Tax Parcel Status.

Map Developed by Marathon County Conservation, Planning & Zoning Dept.

APPROVAL DATE: 10/24/2017

REVISION DATE: AUG-22-2017

Map Print Date: 08/22/2017

Map Print Date: 08/22/2017

1106/28/8



TOWN OF WESTON, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 2018-004

AN ORDINANCE TO APPROVE THE REZONING OF A PORTION OF LAND FROM AR AGRICULTURAL AND RESIDENTIAL TO RR-2 RURAL RESIDENTIAL AND A PORTION OF LAND FROM RR-5 RURAL RESIDENTIAL-5 ACRE TO AR AGRICULTURE AND RESIDENTIAL; LOCATED APPROXIMATELY A QUARTER MILE WEST OF THE INTERSECTION OF COUNTY ROAD J AND KERSTEN ROAD, TOWN OF WESTON, MARATHON COUNTY, WISCONSIN.

WHEREAS, the Plan Commission of the Town of Weston having held a public hearing on the 18th day of December 2018, on the application described below for the zoning of the property described herein; and

WHEREAS, the Plan Commission having thereafter filed its written recommendations and findings with the Town Board of Supervisors, and the said Board having received and approved the recommendation of said Committee;

NOW THEREFORE, the Town Board Supervisors of the Town of Weston do ordain as follows:

SECTION 1: On the application (Project 20180044) of Dennis M Wierzba and Linda C Wierzba, 164017 Kersten Road, Weston, WI 54476, for the following territories now comprising a part of the AR Agriculture and Residential and Rural Residential-5 Acre zoning districts, located in Section 12, Township 28 North, Range 8 East, Town of Weston, Marathon County, Wisconsin, is hereby designated to be and become hereafter part of the following zoning district:

Rural Residential-2 Acre: The area to be rezoned is described as that part of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 12, Township 28 North, Range 8 East, Town of Weston described as follows: commencing at the north $\frac{1}{4}$ of said section 12; thence S $89^{\circ}05'44''$ E along the north line of the northeast $\frac{1}{4}$ 372.25 feet; thence S $2^{\circ}07'38''$ E 33.04 feet to the south line of Kersten Road and to the point of beginning; thence S $2^{\circ}07'38''$ E 296.41 feet; thence N $89^{\circ}05'44''$ W 240.67 feet; thence N $3^{\circ}44'13''$ W 296.97 feet to the point of beginning; containing 1.664 acres; PIN 08228081210995; and

Agriculture and Residential: The area to be rezoned is described as parcel 2 of certified survey map number 11246 filed with the Marathon County Register of Deeds on Page 108 of Volume 47; part of the northwest $\frac{1}{4}$ of the northwest $\frac{1}{4}$ of Section 12, T28N R8E, Town of Weston, Marathon County, Wisconsin; containing 2.51 acres; PIN 08228081210987.

BE IT FURTHER RESOLVED that the foregoing amendment to the zoning district designation shall take effect upon the publication of this ordinance. If the rezoning of any lands by this Ordinance does not take effect within 180 days of the date hereof, this Ordinance shall become null and void and the zoning for such lands shall remain unchanged.

SECTION 2: The Clerk shall make necessary alterations upon the official map of the Town of Weston to reflect the changes in the zoning classifications of the property described herein.

SECTION 3: SEVERABILITY. If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE. This ordinance shall take effect upon approval and publication.

Dated the 18th day of December 2018.

BOARD OF SUPERVISORS

By: Milton Olson
Milton Olson, its Chairman

Attest:

Robin Huempfer
Robin Huempfer, its Clerk

APPROVED: 12/18/18

PUBLISHED: _____

STATE OF WISCONSIN)
COUNTY OF MARATHON)
TOWN OF WESTON)

**RESOLUTION #TW-2018-007
COUNTY REVIEW RESOLUTION**

WHEREAS, the Town Board of Supervisors of the Town of Weston has heretofore amended the Town Zoning Ordinance and accompanying Zoning Map, and;

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

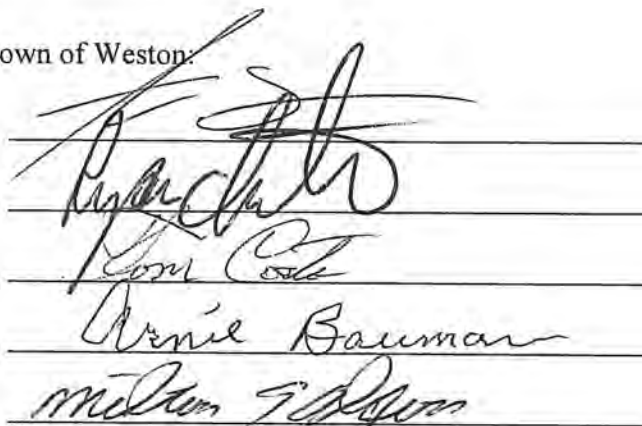
WHEREAS, the proposed amendment(s) has been given due consideration by the Town Board in open session, and;

WHEREAS, the proposed amendments are compatible with the adopted comprehensive plan for the Town;

NOW, THEREFORE BE IT RESOLVED, that pursuant to §60.62(3) Wis. Stats, the Town Board of Supervisors of the Town of Weston does hereby request review by the County Zoning Committee and subsequent recommendation for County Board approval of the attached Zoning Ordinance and accompanying Zoning Map.

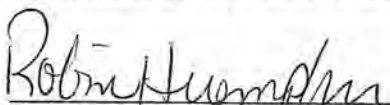
Dated this 18 of December 18, 2018

Signed by the Board of Supervisors of the Town of Weston:



CERTIFICATION

I, Robin Huempfer, Clerk of the Town of Weston, Marathon County, State of Wisconsin, do hereby certify that the attached is a true and correct copy of a Zoning Resolution adopted by a majority vote of the Town Board of Supervisors of the Town of Weston on Dec 18, 2018.



Town Clerk (signature)

12/18/18

Date

Town of Weston

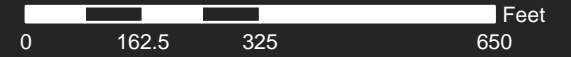


Marathon County, WI

OFFICIAL ZONING MAP



Map Date: 11/12/2018
Adoption Date: 4/18/2018



LEGEND

MUNICIPAL FEATURES

- ETZ Extra-territorial Zoning Boundary
- Town of Weston Unincorporated Boundary
- Right-of-Way
- Wetland Presence

ZONING DISTRICT

- AR
- RR-2
- RR-5
- SF-L
- Marathon County Shoreland Overlay

CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____

VOLUME _____ PAGE _____

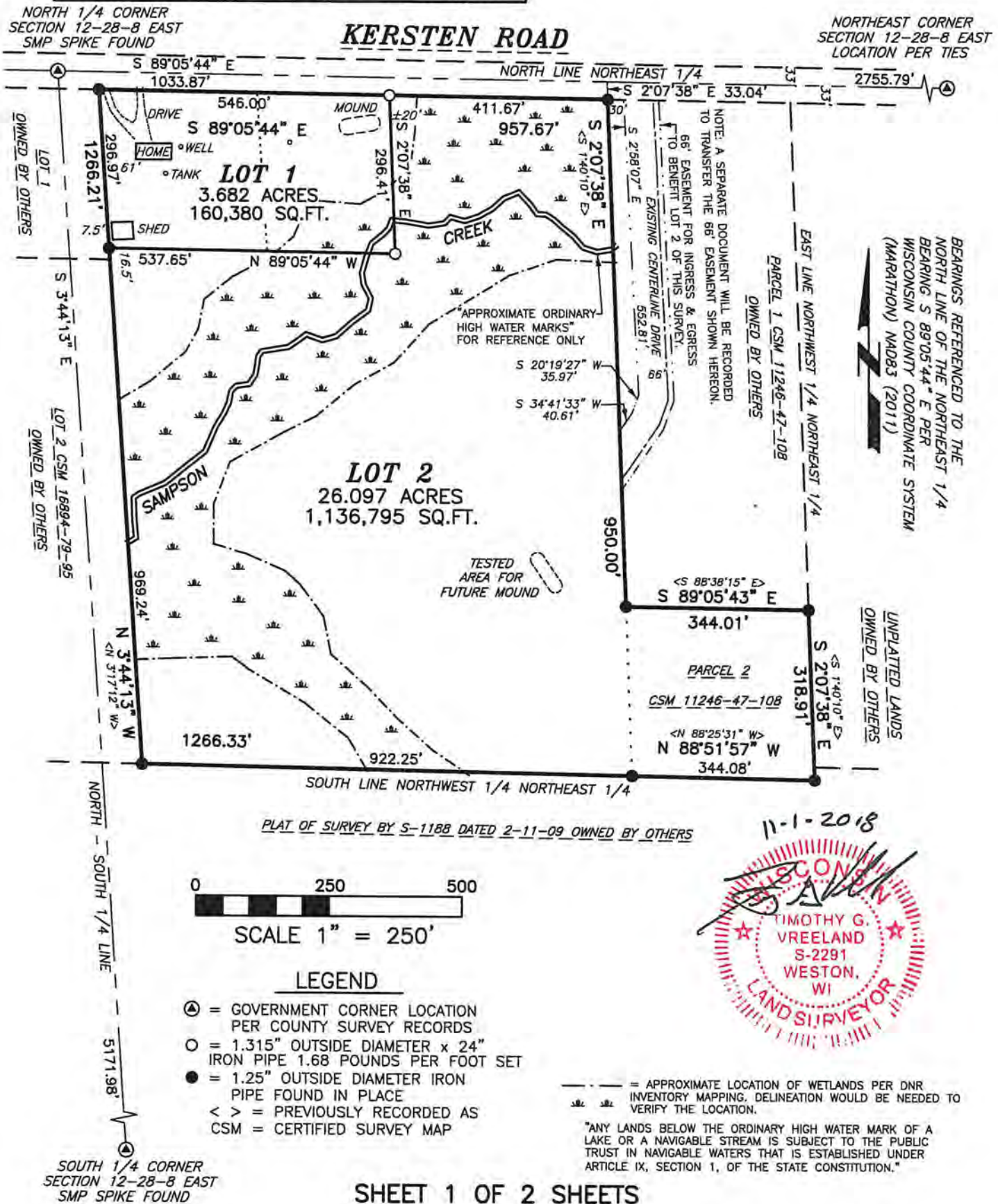
ALL OF PARCEL 2 OF CSM 11246-47-108 AND THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 8 EAST, TOWN OF WESTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.
 6103 DAWN STREET WESTON, WI. 54476
 PH (715) 241-0947 OR TOLL FREE (866) 693-3979
 FAX (715) 241-9826 tim@vreelandassociates.us

OWNER: DENNIS WIERZBA

FILE #: W-428-18 WIERZBA

DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND



CERTIFIED SURVEY MAP

MARATHON COUNTY NO. _____ VOL. _____ PAGE _____

ALL OF PARCEL 2 OF CSM 11246-47-108 AND THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 8 EAST, TOWN OF WESTON, 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 DENNIS WIERZBA, I SURVEYED, MAPPED AND DIVIDED ALL OF PARCEL 2 OF CERTIFIED SURVEY MAP NUMBER 11246, RECORDED IN VOLUME 47 OF SURVEYS ON PAGE 108 AND THAT PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 28 NORTH, RANGE 8 EAST, TOWN OF WESTON, MARATHON COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 12; THENCE S 89°05'44" E ALONG THE NORTH LINE OF THE NORTHEAST 1/4 1033.87 FEET; THENCE S 2°07'38" E 33.04 FEET TO THE SOUTH LINE OF KERSTEN ROAD AND TO THE POINT OF BEGINNING; THENCE CONTINUING S 2°07'38" E ALONG THE WEST LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NUMBER 11246 950.00 FEET; THENCE S 89°05'43" E ALONG THE SOUTH LINE OF SAID PARCEL 1 344.01 FEET; THENCE S 2°07'38" E ALONG THE EAST LINE OF PARCEL 2 OF CERTIFIED SURVEY MAP NUMBER 11246 318.91 FEET; THENCE N 88°51'57" W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 1266.33 FEET; THENCE N 3°44'13" W ALONG THE EAST LINE OF CERTIFIED SURVEY MAP NUMBER 16894 1266.21 FEET TO THE SOUTH LINE OF KERSTEN ROAD; THENCE S 89°05'44" E ALONG THE SOUTH LINE OF KERSTEN ROAD 957.67 FEET TO THE POINT OF BEGINNING. SUBJECT TO ALL EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD AND USE.

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

THAT I HAVE FULLY COMPLIED WITH SECTION 236.34 OF THE WISCONSIN STATUTES IN SURVEYING, MAPPING AND DIVIDING THE LANDS, CHAPTER A-E 7 OF THE WISCONSIN ADMINISTRATIVE CODE AND THE LAND DIVISION ORDINANCE OF MARATHON COUNTY AND THE TOWN OF WESTON, 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 1ST DAY OF NOVEMBER, 2018
SURVEY PERFORMED OCTOBER 19TH, 2018

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

BY _____

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

REVIEWED AND APPROVED FOR
RECORDING BY THE TOWN OF
WESTON.

DATE: 12/19/18

TOWN OF WESTON



Application for Rezone
**REZONE DETERMINATION BY THE TOWN OF WESTON
 PLAN COMMISSION**

Project Number: **20180099 / ORD 2018-04** Hearing Date: **DECEMBER 18, 2018**
 Applicant: **Dennis M Wierzba & Linda C Wierzba, 164017 Kersten Road, Weston, WI 54476**
 Location: **164017 Kersten Road, Weston, WI 54476**
 Description: **Lot 2 of the proposed Certified Survey Map to be recorded by the Register of Deeds of Marathon County, Wisconsin lying in part of the northwest ¼ of the northeast fractional 1/1 of Section 1, Township 28, Range 8 East, Town of Weston, Marathon County, Wisconsin; more commonly known as 9805 Townline Road.**

The Department of Planning and Development of the Town of Weston, pursuant to the Town of Weston Zoning Code, Article 16 Processes, Section 94.16.03 Amendments to the Official Zoning Map (Rezoning), hereby makes the following findings and evaluation to the Town of Weston Plan Commission:

GENERAL INFORMATION:

Current Zoning: **AR Agriculture & Residential / RR-5 Rural Residential-5 Acre**
 Definition: 94.2.02(1)(b) The AR district is primarily intended to preserve agricultural, forested, and other open lands until ripe for non-agricultural development, including residential, commercial, and industrial development, and to allow for very low-density residential development.
 Definition: 94.2.02(1)(d) The RR-5 district is intended for mainly single family detached residential development on minimum five acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section.
 Proposed Zoning **RR-2 Rural Residential-2 Acre / AR Agriculture & Residential**
 Definition: 94.2.02(1)(c) Lot 1 The RR-2 district is intended for mainly single family detached residential development on minimum two acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section.
 Definition: 94.2.02(1)(b) Lot 2 The AR district is primarily intended to preserve agricultural, forested, and other open lands until ripe for non-agricultural development, including residential, commercial, and industrial development, and to allow for very low-density residential development.
 Future Land Use: **Agriculture and Rural**
 FLU Description: Agricultural, forested, and other open lands. Also includes and is intended to accommodate farmsteads, limited non-farm housing in accordance with associated zoning policies, associated home occupations and family businesses, and other uses allowed in implementing zoning districts.

DETERMINATION:

1. Is the proposed rezoning consistent with the Comprehensive Plan, as is required by Wisconsin Statutes?
Yes, the rezone is correcting a lot with a non-conforming septic system, which currently crosses property lines (Lot 1 of the proposed CSM), as well as combining a non-conforming lot with the adjacent lot to the west, creating a 26.097-acre lot (Lot 2 of the proposed CSM).
2. Does the rezoning further the purpose and intent of this Chapter?
Yes, this rezoning is furthering purposes:

- (2) Implementing the Comprehensive Plan to the extent possible under zoning;**
- (6) Encouraging the protection of natural resources;**
- (7) Preventing the overcrowding of land and undue concentration of population;**
- (8) Preserving and enhancing property values;**
- (11) Managing growth and the impacts of land development; and**
- (12) Preserving and enhancing community appearance and quality of life.**

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

The rezone and CSM are correcting setback issues on the property and creating a lot that fits within the Future Land Use Map designation of Future Agriculture & Residential of the Town of Weston Comprehensive Plan.

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

Yes. This rezone will maintain the density of development. The proposed CSM is adjusting lot lines to create a larger residential lot and removing a non-conforming lot.

BACKGROUND INFORMATION:

The owners of 164017 Kersten Road are reconfiguring the residential lot due to the encroachments the septic system on the neighboring parcel. They are also combining a non-conforming lot, due to not having any street frontage, with the adjacent lot to the west. This correction will address these issues as well as further the Comprehensive Plan by maintaining the density of this area of the Town, as shown in the Future Land Use Map.

The applicant is intending to sell Lot 1 and build a new home on Lot 2 of the proposed CSM. As a side note, unrelated to the approval of the rezone, an easement is proposed on Parcel 1 of CSM 11246-47-108, which is owned by a relation to the applicant. That easement would need to be granted, recorded and a copy of the recorded document submitted with the residential building permit in order for the permit to be issued.

STAFF ANALYSIS AND COMMENT:

Staff is in favor of this rezone and the corrective actions of the proposed Certified Survey Map.

The zoning request is considered a “Down Zoning Ordinance” under Wis. Stat. §§66.10015(1)(as), as “By decreasing the development density of the land to be less dense than was allowed under its previous usage.” An ordinance may be enacted by the Town [a political subdivision] by a two-thirds majority, except if the request is initiated by the land owner [Dennis Weirzba], which then only requires a simple majority.

CURRENT PROPERTY CONDITIONS:

PLAN COMMISSION ACTION OPTIONS [Process is outlined in Sec. 94.16.03(6)]:

- 1) Plan Commission recommends approval of the rezone request and forwards the recommendation on to the Town Board at the December 18, 2018 meeting.
- 2) Plan Commission recommends denial of the rezone request and forwards the recommendation on to the Town Board at their December 18, 2018 meeting.

- 3) Plan Commission takes no action and the request moves on to the Town Board at their December 18, 2018 meeting with no recommendation.

ACTIONS TAKEN:

Town Plan Commission Determination – 12/18/2018:	RECOMMEND / NO RECOMMENDATION
Town Board of Supervisors Action – 12/18/2018:	APPROVE / DENY
County Board of Supervisors Action – 1/22/2018:	APPROVE / DENY

CERTIFIED SURVEY MAP

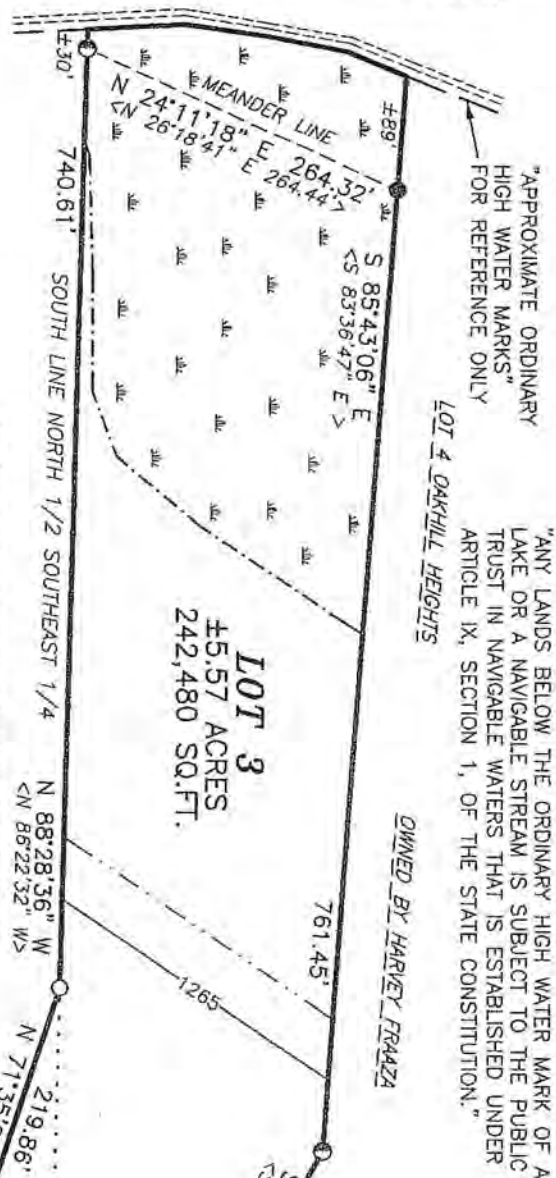
MARATHON COUNTY NO. _____

VOLUME _____ PAGE _____

ALL OF LOT 3 OF OAKHILL HEIGHTS, LOCATED IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, NORTHEAST 1/4 OF THE SOUTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 29 NORTH, RANGE 9 EAST, TOWN OF EASTON, MARATHON COUNTY, WISCONSIN.

VREELAND ASSOCIATES, INC.	
6103 DAWN STREET WESTON, WI. 54476	
PH (715) 241-0947 OR TOLL FREE (866) 693-3979	
FAX (715) 241-9826 tim@vreelandassociates.us	
OWNER:	HARVEY FRAAZA
FILE #:	M-589-18 CSM
DRAFTED AND DRAWN BY: TIMOTHY G. VREELAND	

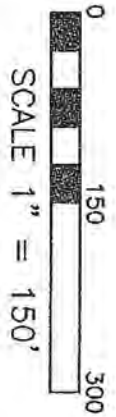
EAU CLAIRE RIVER



"APPROXIMATE ORDINARY HIGH WATER MARKS" FOR REFERENCE ONLY

"ANY LANDS BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1, OF THE STATE CONSTITUTION."

"1265" = STRUCTURE RESTRICTION LINE IS THE 1265' CONTOUR. NO GRADING OR STRUCTURES (STEDS, GAZEBOS, DWELLINGS, GARAGES, ETC.) SHALL BE CONSTRUCTED OR ALLOWED TO SIT UPON LANDS THAT HAVE AN ELEVATION LOWER THAN THE 1265' CONTOUR, NOR SHALL A WALKOUT BASEMENT BE ALLOWED BELOW THE 1265' CONTOUR. THE STRUCTURE RESTRICTION LINE HAS BEEN ESTABLISHED IN LIEU OF A REGIONAL FLOOD STUDY BEING COMPLETED. IF FLOOD PLAN ENGINEERING IS CONDUCTED AND A REGIONAL FLOOD ELEVATION IS ESTABLISHED, THE ENGINEERED FLOOD PLAN ELEVATION SHALL HAVE PRECEDENCE OVER THE RESTRICTION LINE SHOWN HEREON.



LEGEND

- ⊙ = GOVERNMENT CORNER LOCATION PER COUNTY SURVEY RECORDS
- = 3/4" x 24" REBAR 1.502 POUNDS PER FOOT SET
- = 1.315" OUTSIDE DIAMETER IRON PIPE FOUND IN PLACE
- ⊙ = 1 3/16" IRON ROD FOUND IN PLACE
- < > = PREVIOUSLY RECORDED AS CSM = CERTIFIED SURVEY MAP

LINE TABLE

L1 =	N 0°40'28" E 16.91'
L2 =	N 88°23'02" W 29.01'
L3 =	N 0°42'08" W 22.20'
L4 =	N 60°54'43" W 34.54'
L5 =	N 88°28'36" W 27.38'

CURVE DATA

LOT	RADIUS	CHORD	CENTRAL ANGLE	ARC
3	202.20'	S 52°00'59" E 240.35'	72°55'45"	257.37'
"	"	S 17°52'29" E 16.39'	4°38'45"	16.40'
"	"	S 29°38'38" E 66.37'	18°53'32"	66.67'
"	"	S 63°47'08" E 168.96'	49°23'28"	174.30'

BEARINGS REFERENCED TO THE SOUTH LINE OF THE SOUTHEAST 1/4 BEARING S 88°20'48" E PER WISCONSIN COUNTY COORDINATE SYSTEM (MARATHON) NAD83 (2011)

SOUTH 1/4 CORNER SECTION 33-29-9 EAST SMP SPIKE FOUND

S 88°20'48" E 1512.30'

SOUTH LINE SOUTHEAST 1/4

SOUTH 1/4 CORNER SECTION 33-29-9 EAST SMP SPIKE FOUND

SHEET 1 OF 3 SHEETS



MEMORANDUM

DATE: January 3rd, 2019
TO: Environmental Resources Committee (ERC)
FROM: Chris Fieri – County Surveyor
SUBJECT: Land Division Ordinance Revisions/Possible Policy Questions

At the January 3, 2019 ERC meeting, staff will be providing education on the following topics which may require future policy discussions by the committee:

- 1) Subdivision Plat Review Process
 - a. Concept Plat Meetings (staff review process)
 - I. Old Process - Each approving authority/objecting authority reviewed individually.
 - II. New Process – Inviting all parties involved to attend a concept plat meeting.
 - Possible attendees: Developer, Surveyor/Engineer, Town Officials, County Highway Dept./WISDOT, Sanitary District, School District.
 - Meeting is scheduled to discuss the scope of the project, effects of the project on the parties involved, and what will be required.
 - Informs all as to the timelines, meeting dates, and expectations.
 - Allows for a front loaded and high quality preliminary plat.
 - Opens lines of communication to work with the towns and help set up maintenance agreements, bonding, etc. for roads being dedicated.
 - b. Earlier Submittal of Preliminary Plat
 - I. Current code requires that CPZ receives a complete application and copy of the plat 5 working days prior to the scheduled committee meeting (This is not enough time for review, resubmittals, and second reviews).
 - II. New code requires that we receive the complete application and copy of the plat 25 days prior to the committee meeting. This gives time to distribute to objecting authorities, perform a thorough review of the plat and supporting engineering documentation, contact/meet with the surveyor to address any deficiencies, and get the committee a clean, approvable product. (Final Plat is entitled to approval if it is substantially conforming to the preliminary plat).
- 2) Certified Survey Map (CSM) Review – Sale & Exchange Between Adjoining Land Owners
 - I. Old Process - CSMs for sale and exchange were reviewed by zoning staff only (Complying with State Statutes).
 - II. New Process – CSMs for sale and exchange will be reviewed by zoning staff, but will also be reviewed by the County Surveyor for compliance with CH. 236 Wis. Stats.

- Per Department of Administration, the County Surveyor cannot review for the county (local) land division ordinance, but can review for CH. 236 and can charge for the review.
 - It has been a reoccurring pattern that CSMs not going through survey review are being sent back to our office by the Real Property Lister due to errors and difficulties of listing the new parcels in the assessment roll. We also find many aren't compliant with statutes.
 - This will help lessen the amount of correction affidavits and CSMs having to be re-recorded in the Register of Deeds office.
- 3) Minimum Lot Size
- I. Currently there is no county wide minimum lot size for town zoned and towns with no zoning. (No requirements in the Wis. Stats. or the Marathon County Land Division Code)
 - II. It is proposed we establish a county wide minimum lot size of 1 acre.
 - This will help to create pre-planned buildable lots.
 - This will assure enough buildable area to install septic systems & wells with enough room for replacement septic systems & wells.
- 4) Differentiating Access
- I. Old Ordinance – Shared Driveways/Private Roads/Easements/Access Strips are not well defined and are used interchangeably.
 - II. New Ordinance – These situations are better defined and are handled individually with separate regulation on when and how they will be allowed.
 - Shared driveways have never had a minimum number of lots that it could serve. We have examples of shared driveways that kept getting extended with CSMs (Essentially becoming private roads).
 - This creates issues with title, poorly built roadways, maintenance, and access. The new code proposes a shared driveway can only serve two lots (with easements recorded with possible maintenance agreements).
 - If a shared driveway provides access to more than two lots it gets elevated to a private road that would be surveyed, and have shared ownership with recorded maintenance agreements.
 - **Possible Policy Question?** – Can we require a town to accept roadways for dedication after a certain amount of residents are served by a private road?
 - It is proposed that a minimum of 66' of ownership of road frontage be required for access in the creation of new buildable lots. The current code requires 33' which is inconsistent with the zoning code.

Additional diagrams and information will be provided to committee members for this discussion.