



**Marathon County  
Environmental Resources Committee Minutes  
Thursday, November 7, 2019  
212 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	
<i>Vice-Chair</i>	Randy Fifrick.....		X (excused)
	Rick Seefeldt .....		X (excused)
	Jim Bove .....	X	
	Allen Drabek .....	X	
	Sara Guild.....	X	
	Marilyn Bhend .....	X	
	Kelly King .....	X	

Also present: Rebecca Frisch, Dominique Swangstu, Paul Daigle, Jeff Pritchard, Teal Fyksen, Cindy Kraeger – Conservation, Planning, and Zoning (CPZ); Brian Kowalski, Kevin Williams, Gordon Stieber, Dustin Vreeland and Peter Weinschenk.

1. **Call to order** – Called to order by Chair Langenhahn at 3:00 p.m. at 212 River Drive Room 5, Wausau, WI.
2. **Public Comment** – None.
3. **Approval of October 3, 2019 Environmental Resources Committee (ERC) minutes.**

**Motion /** second by Drabek / King to approve of the October 3, 2019 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 Kenneth & Karen Seehafer – F-P Farmland Preservation to R-R Rural Residential – Town of McMillan

Discussion: Swangstu was sworn in, and reviewed the staff report, noting that the decision sheet had been included in the meeting packet. The request is to rezone .703 acres of land to be combined by CSM with an existing 1.67 acre R-R parcel to create a parcel 2.366 acres in size. No active farmland will be converted as a result of the rezone. The rezone and proposed parcel meets all the zoning district standards as it relates to size, frontage, access, and dimension. The remnant parcel will have contiguous ownership of lands greater than 35 acres which conforms to the F-P zoning district standards. The rezone will bring the existing 1.67 R-R lot into compliance with the minimum lot size standards when the rezone is approved and CSM is recorded. 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 3:15 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion /** second by King / Drabek to recommend approval to County Board, of the Tim Vreeland on behalf of Kenneth & Karen Seehafer rezone request. Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is 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.

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

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

2. Jordan & Elaine Weaver – F-P Farmland Preservation to G-A General Agriculture – Town of Hull

Discussion: Swangstu was sworn in, and reviewed the staff report, noting that the decision sheet had been included in the meeting packet. The parcel was created in 2017 with a deed and CPZ was unable to review the proposal and was only made aware of the non-conforming lot after the fact. There are two current violations onsite, the first of which was the creation of the lot which does not meet the F-P zoning district minimum lot size standards of 35 acres. The second is related to the use of an accessory structure which was turned into an Auto Body Shop. The use of which is not permitted or conditionally approved in the F-P district. The applicant is looking to get the existing 10.001 acre parcel rezoned to General Agriculture then pursue a Conditional Use Permit for the Auto Body Shop or discontinue the use. The proposed rezone appears to be consistent with the towns comprehensive plan future land use map and the area in question is not predominantly comprised of prime farm soils. No active agricultural lands will be converted as a result of the rezone. It was noted that the ERC may make their recommendation based on the information provide or wait till the Town of Hull has provided an official resolution, prior to making a recommendation to County

Board.

The Town of Hull was unable to meet and give a formal recommendation with the town resolution. A verbal approval of the petition was received by the Town Chair.

Discussion among the committee members regarding approving the rezone but the Town Resolution needs to be received before moving it forward to County Board.

There was no additional testimony in favor or opposed to this rezone request. Testimony portion of the hearing was closed at 3:26 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Guild / Bove to recommend approval to County Board, of the Jordan & Elaine Weaver rezone request after receiving the Town Resolution from the Town of Hull. Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans, and is 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 following the receipt of the Town Resolution.

### 3. Public testimony on text amendments to the Marathon County Code of Ordinance for Chapter 21 Nonmetallic Mining Reclamation Code

Discussion: Fyksen was sworn in and referenced the summary of the text amendments was included in the meeting packet. Fyksen explained the proposed revisions are intended to be in compliance and consistent with Administrative Rule NR135. The document is not more or less restrictive but to remain consistent with NR135 and to provide more clarity.

There was no testimony in favor or opposed to the text amendments to the Marathon County Code of Ordinance for Chapter 21 Nonmetallic Mining Reclamation Code.

There was no additional testimony in favor or opposed to this text amendments. Testimony portion of the hearing was closed at 3:42 p.m.

Action: **Motion** / second by Drabek / King to approve the text amendments to the Marathon County Code of Ordinance for Chapter 21 Nonmetallic Mining Reclamation Code. Motion **carried** by voice vote, no dissent.

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

## B. Review Possible Action

### 1. Memorandum of Agreement for Storm Water Phase II WPDES Permit

Discussion: The resolution and memorandum of agreement (MOA) was included in the meeting packet. The agreement will run from January 1, 2020 to December 31, 2026 which will be compliant with the Wisconsin Pollutant Discharge Elimination System (WPDES) permit.

Action: **Motion** / second by King / Drabek to approve the resolution approving the Memorandum of Agreement between Marathon County, The City of Wausau, The Villages of Weston, Kronenwetter and Rothschild and the Town of Rib Mountain.

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

### 2. Proposed 2020 meeting schedule

Discussion: The 2020 tentative meeting schedule was included in the meeting packet. All dates were acceptable as presented.

### 3. 2020-2025 Comprehensive Outdoor Recreation Plan

Discussion: Polley informed Langenhahn to remove this item from the agenda and will bring back in December.

### 4. Participation in State Motorized Recreation Trail Aid Programs

Discussion: The WI DNR is requiring the County approve a current resolution to allow the new Coordinator of Motorized Recreation to manage the ATV and Snowmobile grants.

Action: **Motion** / second by King / Guild to approve Participation in the State Motorized Recreation Trail Aid Programs. Motion **carried** by voice vote, no dissent.

Follow through: Parks Department will forward to County Board for action at their next regularly scheduled meeting.

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

A. **Land and Water 10 year update: Overview of WI DNR Wisconsin River Total Maximum Daily Load report**

Discussion: Pritchard presented the power point which was included in the meeting packet. Pritchard discussed the goals of the Clean Water Act and how the dairy and agricultural industry is at risk if impaired waters are not addressed.

Action: **None**, for informational purposes only.

Follow through: CPZ will provide more information in the upcoming months of the new Land and Water Resource Management Plan.

B. **Department Updates: Conservation, Planning, and Zoning (CPZ)**

CPZ

1. **Land Division Ordinance**

Discussion: Frisch stated the draft ordinance was sent to the Towns and Surveyors. CPZ held an open house yesterday in which comments were received from surveyors which will be incorporated into the code. A public hearing will be held at the next Committee meeting.

Action: **None**.

Follow through: Public hearing will be held on December 5, 2019.

2. **Zoning Ordinance Text Amendments**

Discussion: Swangstu distributed the memo that was sent out to the County Zoned towns regarding input from the Towns on any suggested changes to the Zoning Code and the timeline of the adoption of the Ordinance.

3. **Recent Animal Waste discharge violations**

Discussion: Daigle discussed the three recent animal waste overflow incidents from mismanaged manure storage facilities. He also discussed how CPZ is working with the farmers that have full storage facilities can make plans to minimize the impact of spreading on frozen ground. A newsletter will be sent out within the upcoming weeks.

Action: **None**.

4. **Fenwood Creek Update**

Discussion: Daigle provided an update about the newspaper article suggesting the Fenwood Creek failed to meet standards. Daigle provided more insight and background, stating that only the third year of the 10 year project is completed, CPZ now has dedicated staff to implement the project, and that additional funds can now be directed towards conservation practices within the Fenwood.

Action: None.

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

A. **Legislative and Budget Report: current and future legislative initiatives**

Discussion: Fyksen distributed the legislative report. CPZ will monitor the federal budget and update the Committee of any impacts.

Action: **None**, for informational purposes only.

Follow through: CPZ will continue to monitor legislative actions.

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

Thursday, December 5, 2019 3:00 p.m. 212 River Drive, Room 5 Wausau WI

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

- CPZ grant funded position request – Conservation Specialist

B. Announcements/Requests/Correspondence

8. **Adjourn – Motion** / second by Drabek / Bove to **adjourn** at 4:55 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