

**MINUTES
MARATHON COUNTY BOARD OF ADJUSTMENT**

Members present in person: Richard Lawson, Pat Schreiner, Thomas Seubert, Mike Ritter, and Carolyn Optiz

Members present via WebEx / phone:

Member not present: Jim Servi, Kerry Brimmer

Also present remotely via phone / WEBEX or in person: Shad Harvey, Nicole Delonay, Laurie Miskimins, Garrett Pagel, Daniel Good, Wilbert Martin, Larry Brubacker, and Matt Eslinger

Called to order at 9:00 a.m., 500 Forest St, Wausau by Vice Chair Lawson, who explained the **rules of the hearing** and the reason for the establishment of the Board of Adjustment.

1. Approve March 23, 2023, minutes – Motion / second by Seubert/ Ritter to approve the March 23, 2023, minutes as distributed. Motion **carried by voice vote, no dissent.**

2. The application of Daniel M Good on behalf of Riverside Parochial School for a conditional use permit per Section 17.204.31 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning code to construct and operate a parochial school in the N-C Neighborhood Commercial District, Located in part of the Southwest ¼ of the Southeast ¼ of Section 11, Township 28 North, Range 2 East, Town of Hull. Parcel is described as Lot 1 of preliminary CSM. Parent Parcel PIN #044.2802.114.0997.

Harvey was sworn in and asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.31 for the purpose of operating a parochial school in the N-C Neighborhood Commercial District. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. Harvey stated the Town of Hull gave their approval to the petition at their March 13th, 2023, meeting.

Daniel Good was sworn in and indicated all the information provided by Harvey was accurate. The Parochial School will host approximately 40 students.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 9:17 am.

Motion/second by Seubert/ Ritter to **grant** the conditional use permit with conditions for Daniel M. Good as requested.

The Board deliberated and completed the *Conclusion of Law and Decision Sheet*.

Motion **carried** 5 yes, 0 no, roll call vote.

The application of American Asphalt of WI for a conditional use permit per Section 17.204.62 of the General Zoning Code of Ordinances under Marathon County Chapter 17 Zoning Code to construct and operate a temporary concrete and/or blacktop mix plant, processing, stockpiling, and recycling of road building materials facility located within the Farm Preservation District. Property is described as the Northeast ¼, Northwest Fractional ¼ of Section 3, Township 27 North, Range 3 East, Town of Eau Pleine; Pin#: 020.2703.032.0999.

Harvey asked the Board to use the determination worksheets in their decisions and cited the provisions of law which apply. Harvey reviewed the staff report and discussed Ordinance Section 17.204.62 for the purpose of constructing and operating a temporary concrete and/or blacktop mix plant, processing, stockpiling, and recycling of road building materials facility located within the Farmland Preservation zoning district. Harvey reviewed the sections of Chapter 17 that apply to this request and the information shared by the applicant to address the questions that apply. The property is currently an active mine and zoned Farmland Preservation. Harvey stated the Town of Eau Pleine gave their approval to the petition at their March 14, 2023, meeting.

Matt Eslinger was sworn in and is the representative for American Asphalt WI. This site will assist the projects planned for Highway 153 from Stratford to Spencer, and Highway 13 Colby to Abbotsford, with some municipal projects. Eslinger indicated this is a portable asphalt location.

There was no additional testimony in favor, opposed, or as interest may appear via in person, or virtually. Testimony portion of the hearing closed at 9:34 am.

Motion/second by Seubert/Schreiner to **grant** the conditional use permit with conditions for American Asphalt of WI.

Additional conditions below:

1. Dust control measures shall be consistent with the application.
2. Hours of operation shall be consistent with the application. (Monday-Saturday; 6:00 AM-7:00 PM)

April 27, 2023
9:00 a.m.

500 Forest St, Wausau WI

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3. The Conditional Use Permit shall expire if the operator of the mixing plant changes to anyone other than the applicant (American Asphalt).

The Board deliberated and completed the *Conclusion of Law and Decision Sheet*.

Motion **carried** 5 yes, 0 no, roll call vote.

3. Board education and training as needed

1. Chapter 17 Text Updates - Harvey provided updates to sections 17.401.02 and 17.204.57, that could possibly affect future CUP submittals. The Board asked questions and discussed changes. Lynn Markham, from the University of Wisconsin Center for Land Use Education has offered to come to the May 25, 2023, meeting to discuss variances. Staff will work to schedule this education.

4. Board Reappointments - None

5. Announcements and Requests

6. Next meeting date – May 25, 2023, at 9:00 am, 500 Forest Street

7. Meeting adjourned – **Motion/second** by Ritter/ Schreiner, Lawson adjourned the meeting at 10:22 am Motion **carried** by voice vote, no dissent.

Respectfully submitted,
Carolyn Opitz, Secretary
Marathon County Board of Adjustment

RL/nd

cc: Board of Adjustment (6), County Clerk, Town Clerk

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