



**Marathon County
Environmental Resources Committee Minutes
Tuesday, June 27, 2023
500 Forest Street, Wausau WI**

Attendance:	<u>Member</u>	<u>Present</u>	<u>Not present</u>
<i>Chair</i>	Jacob Langenhahn.....	X	
<i>Vice-Chair</i>	Allen Drabek.....	X	
	Rick Seefeldt.....	X	
	Dave Oberbeck	X	
	Andrew Venzke.....	X	
	Tony Sherfinski.....	X	
	Kim Ungerer	X	
	Mike Ritter.....	X	
	Marilyn Bhend.....	X	
	Rodney Roskopf.....	X	

Via in person,
Webex
Or phone

Also present via Webex, phone or in person: Kurt Gibbs, County Board of Supervisors Chair; Laurie Miskimins, Shad Harvey, Garrett Pagel, Dave Decker, Diane Hanson, Teal Fyksen– Conservation, Planning, and Zoning (CPZ); Jamie Polley, Tom Lovelin – Parks Department, Chris Holman – Deputy Administrator; Mike Puerner – Corporation Counsel, Tim Vreeland, Keith Walkowski, Kristopher Schumacher

1. **Call to order** – Called to order by Chair Langenhahn at 3:05 p.m.
2. **Pledge of Allegiance to the Flag**
3. **Public Comment** –
4. **Approval of May 30, 2023, Committee minutes**
Motion / second by Sherfinski/Ritter to approve of the May 30, 2023, Environmental Resources Committee minutes.
 Motion **carried** by voice vote, no dissent.
5. **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 George Harvanek, Personal Representative of Joyce Harvenak – R-E Rural Estate to R-R Rural Residential – Town of Guenther

Discussion: Pagel was sworn in and noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town Guenther has reviewed the application and recommends approval without any concerns or additional comments.

Tim Vreeland was sworn in and stated he was present for any questions from the Committee, and that the town had approved the rezone. There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:14 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.



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Action: **Motion** / second by Sherfinski/Drabek to recommend approval to County Board, of the Vreeland on behalf of Harvanek rezone request. Noting the reasoning provided in the staff report and conclusions of law, the Committee determined the rezone is consistent with the Marathon County and Town comprehensive plans. Adequate facilities are present or will be provided and providing any necessary public facilities will not burden local government. Based on the proposed land division and existing land uses onsite 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.

2. Kristopher Schumacher on behalf of Randy and Sara Martyn – G-A General Agriculture to R-R Rural Residential – Town of Frankfort

Discussion: Pagel was sworn in and noted the staff report and decision sheet had been included in the packet. Pagel reviewed the rezone request shown on the Preliminary Certified Survey Map (CSM) that was submitted with the petition. Pagel additionally reviewed the reasoning behind why Conservation Planning and Zoning (CPZ) staff are recommending approval of the rezone request, citing the rezone standards, requirements, and pertinent site characteristics. The Town Frankfort has reviewed the application and recommends approval without any concerns or additional comments. The committee asked staff to clarify if wetlands were present on the property.

Kristopher Schumacher was sworn in and confirmed there are no wetlands on the lot to be rezoned.

There was no additional testimony in favor or opposed to this rezone request virtually or in person. Testimony portion of the hearing was closed at 3:19 p.m. Committee deliberated and applied the standards for this request by reviewing and completing the decision sheet.

Action: **Motion** / second by Drabek/Sherfinski to recommend approval to County Board, of the Schumacher on behalf of Martyn rezone request. Noting the reasoning provided in the staff report and conclusions of law, 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. Based on the proposed land division and existing land uses onsite 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.



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

3. Updates to Chapter 16 and Chapter 19 of the Marathon County General Code – Parks & Forestry

Discussion: Director Polley presented updates on Chapter 16 and Chapter 19.

Chapter 16

- Not allowing animals on designated, groomed ski trails.
- Adding winter fat tire biking and snowshoes to trails at Nine Mile, meaning people cannot walk on these trails in winter.
- Updated definitions.
- Updated hunting restrictions at Bitzke Birdwalk Nature Trail based on changes in DNR policy.

Chapter 19

- Adding winter fat tire biking at Big Eau Pleine.
- Updating designated “no smoking” areas to make similar with other ordinances.
- Allowing deer archery hunting in Big Eau Pleine from November 15th through the Sunday nearest January 6th.

Supervisor Seefeldt summarized public comment related to these changes. The Committee and director Polley discussed options, safety measures, and implementation related to deer archery hunting.

Action: **Motion** / Second Motion by Seedfeldt/Roskopf to forward the updates to Chapter 16 and 19 to County Board, except for Chapter 19 updates to deer archery hunting, which should be forwarded back to the Park Commission for further edits.

Motion was withdrawn.

Action: **Motion** / Second Motion by Seedfeldt/Sherfinski to accept the updates to Chapter 16 and forward to County Board for approval and refer Chapter 19 back to Park Commission for further edits.

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

Follow through: Forward Chapter 16 to County Board for action at their next regularly scheduled meeting. Forward Chapter 19 back to the Park Commission.

- B. Review and Possible Recommendation 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 – None.
1. Potential Sale of County Parkland
This item was removed from the agenda.



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D. Review and Possible Action

1. Stettin Acres Final Plat – Town of Stettin

Discussion: Decker discussed the Stettin Acres Final Plat submittal. Decker reviewed preliminary plat approvals. Based on the information provided CPZ staff recommend Committee approval.

The committee asked questions about the wetlands in the lots, and whether or not they are buildable. Keith Walkowski, the surveyor, confirmed that the lot layouts have been set-up to support houses and septic.

Action: **Motion** / Second Sherfinski/Ritter to approve final plat for Stettin Acres

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

Follow-through/Action: None. Final plats only require ERC approval.

6. Educational Presentations/Outcome Monitoring Reports and Committee

Discussion

- A. Department Updates: Conservation, Planning and Zoning (CPZ), Parks Recreation and Forestry (PRF), Solid Waste
1. Forthcoming petition from the Town of Knowlton for a text amendment to the Marathon County Code of Ordinance Chapter 17: Text amendment to 17.204.01(E, F &G)

Discussion: CPZ staff Harvey made the Committee aware a County Zoned Town has petitioned for a change in the Chapter 17 Zoning Code. It works like a rezone, and all County Zoned Towns have been notified to give input. The change being proposed is related to minimum lot size for chickens. The proposed changes have been posted to the CPZ website. The Committee asked clarifying questions related to what chickens and fowl are included in the code, and how the County Zoned Towns are being engaged.

Follow-through/Action: The links for the changes will be emailed to the Committee.

2. Marathon County Zoning Code Comprehensive Revision Process

Discussion: Supervisor Langenhahn and CPZ staff Harvey gave an overview of the comprehensive zoning code revision process.

Every 10 years there is a comprehensive update of the Chapter 17 Zoning Code. During this update, the County identifies zoning topics that need to be researched and discussed for consideration of adding, removing, or changing in the code. It is also the opportunity for current County Zoned Towns to opt out of County Zoning. The update



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involves extensive outreach with towns and other stakeholders. It is set to get underway in 2024, with the goal of adopting a new Chapter 17 by February of 2026.

The 2016 update was more extensive because the County was examining changing zoning districts too. The extent of the 2026 update would be driven by what the Committee feels needs to be addressed, but CPZ will start by gathering input in late 2024. Harvey also reminded the Committee that towns currently in County Zoning have up to a year to adopt the new code or opt out. This means that in 2026 there will be a period where we are likely operating under two codes.

Harvey also addressed that current lot sizes are partially driven by making sure the lot is large enough to have a septic system. Harvey also reminded the committee regardless of zoning district lot sizes, towns can also have their own land division ordinances dictating their minimum lot sizes.

Supervisor Langenhahn reminded the committee that the discussion of lot sizes came up at the last ERC meeting but is recommending waiting to take up the discussion of lot sizes during the comprehensive update. During the comprehensive update more stakeholders could be engaged. Seefeldt reminded the group that the EEED Committee is constantly working on affordable housing, and lot sizes are part of that discussion.

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

- A. Letter to Governor Evers and the Wisconsin Legislature in Support of more Local Environmental Control

Discussion: Chair Langenhahn explained reasoning behind bringing it back to Committee. Langenhahn had identified changes that needed to be made and did not want to take it to Executive Committee until getting approval from this Committee.

Action: **Motion/**Second by Sherfinski/Venzke to forward to Executive Committee to forward the letter to Executive Committee with the changes Chair Langenhahn outlined.

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

- B. Continue Discussion Regarding 2024 Annual Budget and Policy Recommendations from the Committee

Discussion: Chair Langenhahn revisited discussion on the budget, and asked Director Miskimins and Polley to speak to grant funded positions in their departments. Miskimins stated it was about 6.5 positions, and Polley stated it was about 1 position. Both directors indicated they are always on the lookout for grant funding.



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Chair Langenhahn discussed with the Committee and staff what this Committee needs to produce for the Finance Committee. The Committee would like to demonstrate that they have examined the priority of work within each department, by revisiting the Priority Based Budgeting exercise.

Follow-through/Action: CPZ, Parks, and Solid Waste were asked to bring back their summary spreadsheets from the Priority Based Budgeting exercise, and the criteria that went into that scoring exercise. Further, they were directed to provide updates or context to the final scoring exercise.

C. Wisconsin Legislature Updates

- Wisconsin Legislature: AB319: Bill Text: related to non-metallic mining reclamation
- Wisconsin Legislature: AB320: Bill Text: related to non-metallic mining reclamation
- Senate Bill 220/Assembly Bill 220: Regarding Fenwood Pilot
- Wisconsin Fund: related to funding of failing private onsite wastewater treatment systems

Discussion: CPZ staff Fyksen and Miskimins provided updates on a few bills making their way through the legislature. The Committee asked clarifying questions about the implications if the bills pass.

Follow-through/Action: Continue monitoring and bring updates to the committee as needed.

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

**Tuesday, August 1, 2023, 3:00 p.m. Marathon County Courthouse, Assembly Room
500 Forest Street Wausau WI**

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

9. Adjourn – Motion/ second by Seefeldt/Ritter to **adjourn at 5:05 p.m.**

Laurie Miskimins, CPZ Director
For Jacob Langenhahn, Chair

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

LM