

MINUTES
JACKSON COUNTY ZONING & LAND INFORMATION COMMITTEE
May 13 & 18, 2015

May 13, 2015: Committee Site Visits

Meeting called to order at 1:00 p.m., the Site Visits followed. Committee members in attendance are Gaylord Olson, Hoyt Strandberg, and Ray Ransom.

May 18, 2015: Committee Meeting and Public Hearing.

Meeting called to order at 9:30 a.m., committee members in attendance are Gaylord Olson, Hoyt Strandberg, John Chrest, Norm Stoker and Ray Ransom. Others present were April Schoolcraft, GIS Specialist; Ethan Remus, Surveyor Technician; Dustin McCune, Zoning Technician; Beth Storlie, Administrative Assistant; and Terry Schmidt, Zoning Administrator.

A Motion by Ray Ransom, to approve the minutes of April 18, 2015, seconded by John Chrest. Motion carried.

Diane Peterson – Personnel Director: Diane shared the proposed merit pay distribution recommendations for the Zoning, Surveyor and GIS Departments. She explained that at the time of the 2015 budget preparation, 2% was used and built into the proposed budget. The County Board authorized a 1.75% increase for 2015 and that was the percentage used for the merit pay calculations. Due to the method of merit pay distribution and current placement within the wage scale, there were some excess budgeted funds remaining within the Zoning and Surveyor budgets for this. Tim and Terry are suggesting that these excess funds transfer into the GIS merit pay for mid-point.

A Motion by John Chrest, to approve the fund transfer of the budgeted department fund balance from the Zoning Department and the Surveyor Department to the GIS Department for merit pay distribution if needed, seconded by Hoyt Strandberg. Motion carried.

A Motion by Ray Ransom, to approve the department merit pay distribution as presented, seconded by John Chrest. Motion carried.

A Motion by Ray Ransom, to approve the vouchers for payment, seconded by Norm Stoker. Motion carried.

SURVEYOR'S REPORT, see report:

- Busy with reestablishing corners north of Pray, missing corners in the Town of Franklin and in the Town of Komensky.
- Marked section and block corners in the City of Black River Falls for upcoming road construction.
- Continuing to do maintenance and tie sheets on section corners. It seems like when we go out to do maintenance on a corner, we find a couple more that need repair.

- Ethan shot some grade elevations for the UW Extension parking lot.
- Finished survey for a new monitoring well at the landfill.
- Will finish marking corners for Cty Rd P until fall as the construction is postponed until that time.
- Ayres and Associates is processing our LiDAR data and will be sending samples for review and quality checking. When we receive the samples, we will go out in the field and take some sample shots to check the quality.
- Once caught up on corner maintenance, we will begin surveying the County boundary.

GIS REPORT:

- 14 out of 27 municipalities have workbooks turned in and 5 of the 14 have had their Board of Review already.
- Worked with Ethan about updating tie sheets for better planning of monumentation updates.
- Traffic in the office from the public has increased, can tell its building season.
- Working on keeping up on addressing and splits.
- On June 4th, Tim and April will be attending the Spring WLIA meeting in Eagle River. They will drive up and back the same day as the agenda items of interest are all on that date.

ZONING REPORT:

- Gaylord Olson II and Terry met with Special Counsel, Kerry Sullivan-Flock to discuss issues with the Amish sect that is locating into the northern areas of the county. This group is refusing to obtain privy permits or animal licenses. They are even refusing to answer the door when Gaylord and Terry stop in to visit. Terry contacted one party in the area that has a good working relationship with these families to see if we could obtain the name of a bishop or elder to set-up a meeting. These are some basic permits that are required; if we don't get cooperation then we will have to start enforcement action.

Many of the townships in Jackson County are more lax on enforcement of the Uniform Dwelling Code than in Eau Claire County where it is administered by the county.

- This is a very busy spring with junk and garbage issued all around the county. We are not getting cooperation from landowners, citation action will begin shortly.

- A County Board member approached Terry about a countywide mining ordinance and moratorium. Terry is uncertain about this proposal, as its forcing townships that do not participate under the comprehensive zoning program into enforcement. This will probably be discussed more in the next few months.
- Pumping notices sent in mid-April are due back before June 30th. Only about ¼ have been submitted to date. Reminder notices are going out at the end of the week.
- Appliance and Electronics Round-up went well. Two semis went out and three extra gaylords are ready to be picked up. WI-DNR completed an audit and inspection of the e-recycling program last week.
- Clean Sweep is set for June 12 & 13 from 8:00 a.m. to noon. We are working once again with La Crosse County who applied for the grant and will bring their mobile unit to collect the material.
- Dolesy property update. Terry spoke with Tom Nehring again, who is the landowner that has all the material dumped onto his property. Terry will touch base with Badger Mining Corporation to see what their intentions are regarding the purchase of the Dolesy property.
- Damaged property updates. Rustic Mill property ownership is still in question so that's why the clean-up has not begun. The Sechlerville property has been taken on tax deed and sold already. The buyer purchased it as is and will be responsible for clean-up. The Green Meadows property is still hanging out there also, but a manufactured home(2) has been pulled onto the lot with an accumulation of farm equipment.
- Pelham property update. They have applied for a LOMA letter, which takes 6-8 months for processing and review by FEMA before a decision will be made.
- Recycling markets are down dramatically and very depressed right now. This impacts office paper and cardboard revenues and ultimately the revenue for the program.

PUBLIC HEARINGS

- **ZONE CHANGE PETITION # 2015-17** as requested by John Scholze, Andrea Eswein and Sharon R Schleife, owners and Milestone Materials, applicant on property located in the NE1/4-SE1/4, the NW1/4-SE1/4, the SW1/4-NE1/4, and the west ten acres of the SW1/4-NE1/4, all in Section 6, T21N, R3W, Town of Brockway, Jackson County, WI. The request is to change 120.0 acres of the Official Zoning Map from the A-2 (Forestry and Limited Agriculture) District and R-2 (Residential) District to the M-2 (Industrial Extractive) District for non-metallic mining.

Milestone Materials requests the continued postponement of this request until the June meeting.

- **CONDITIONAL USE PERMIT PETITION # 2015-22** as requested by Badger Mining Corporation on property located in the NW1/4-NE1/4, the SW1/4-NE1/4, the NE1/4-NW1/4, the SE1/4-NW1/4 and the NW1/4-NW1/4, all in Section 6, T21N, R6W, Town of Springfield, Jackson County, WI. The request is to allow for non-metallic mineral extraction from the M-2 (Industrial Extractive) District.

Township supports the request with the stipulation that a 3rd party independent pre-mining/pre-blasting inspections of homes and private wells within ½ mile of property boundary, all Land Conservation Department requirements are met and the 100 foot buffer zone with the Taylor Frac property maybe waived. This is contrary to what the Zoning Ordinance establishes and Terry Schmidt does not recommend varying the setback.

A Motion by Ray Ransom, to approve conditional use permit petition # 2015-22 for Badger Mining Corporation with the stipulations as detailed in Addendum A, seconded by Hoyt Strandberg. Motion carried.

- **CONDITIONAL USE PERMIT PETITION # 2015-23** as requested by Davis and Hagen LLC, owners and Marcia Hagen, agent on property known as the E1/2 of Lot 22, Lots 23 & 24, Block 4 of Woodford's Addition to Pleasant View located in the NW1/4-SE1/4, Section 23, T21N, R4W, Town of Brockway, Jackson County, WI. The request is to allow for a bait and tackle shop out of an existing garage and also allow the existing pole shed to be rented out for storage all within the R-1 (Residential) District.

The petitioner was not present at the hearing.

A Motion by John Chrest, to postpone conditional use permit petition # 2015-23 for Davis and Hagen, seconded by Norm Stoker. Motion carried.

- **ZONE CHANGE PETITION # 2015-24** as requested by Thur Properties LLC, owner and Wayne Berg, agent on property located in the NW1/4-NE1/4, Section 9, T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change 6.0 acres of the Official Zoning Map from the A-2 (Forestry & Limited Agriculture) District to the R-6 (Rural Residential) District for the construction of a single family home.

No township position as there is no sitting town board at this time.

A Motion by John Chrest, to approve zone change petition # 2015-24 for Wayne Berg with the stipulation to work with the Land Conservation Department for animal siting, if interested, seconded by Hoyt Strandberg. Motion carried.

- **ZONE CHANGE PETITION # 2015-25** as requested by Bruce McBain on property known as Lot 8 of CSM 2907 located in the SW1/4-NE1/4, Section 3, T22N, R3W, Town of Adams, Jackson County, WI. The request is to change 2.21 acres of the Official Zoning Map from the R-1 (Residential) District to the B-1 (Central Business) District.

The petitioner also requests a conditional use permit to allow for expansion of the existing campground. The request is for nine (9) additional camp sites.

Township took no position as they want to view site prior to their June meeting.

A letter of opposition was read into the minutes. Terry Schmidt stated that Susie West, Department of Health and Human Services said that they are approved for 15 sites. License fees will increase with the additional 9 sites and the petitioner will need to update their license with DHHS for the expansion.

A Motion by Gaylord Olson, to approve zone change petition # 2015-25 for Bruce McBain, seconded by Hoyt Strandberg. Motion carried.

A Motion by John Chrest, to approve conditional use permit petition # 2015-25 for Bruce McBain with the stipulation that all Department of Health and Human Services requirements for license issuance are met, seconded by Hoyt Strandberg. Motion carried.

- **ZONE CHANGE PETITION # 2015-26** as requested by Michael R Gilbertson on property located in the SE1/4-NE1/4, Section 32, T22N, R4W, Town of Adams, Jackson County, WI. The request is to change 4.9 acres of the Official Zoning Map from the A-1 (Agriculture) District to the R-6 (Rural Residential) District. The petitioner also requests a conditional use permit to allow for a woodworking shop within the R-6 District.

Township supports the request.

A Motion by Ray Ransom, to approve zone change petition # 2015-26 for Michael Gilbertson, seconded by Hoyt Strandberg. Motion carried.

A Motion by Norm Stoker, to approve conditional use permit petition # 2015-26 for Michael Gilbertson, seconded by Hoyt Strandberg. Motion carried.

- **ZONE CHANGE PETITION # 2015-27** as requested by Fred J Silver on property located in the NE1/4-SE1/4, Section 33, T20N, R1E, Town of Bear Bluff, Jackson County, WI. The request is to change 3.0 acres of the Official Zoning Map from the R-2 (Residential) District to the R-4 (Residential) District for the placement of a manufactured home (2) (mobile home). The remaining five (5) acres will remain in the A-2 (Forestry and Limited Agriculture) District.

Township supports the request.

A Motion by John Chrest, to approve zone change petition # 2015-27 for Fred Silver, seconded by Hoyt Strandberg. Motion carried.

- **CONDITIONAL USE PERMIT PETITION # 2015-28** as requested by Disco Community Club Inc., owners and Roger Kaufman, agent on property located in the NE1/4-NE1/4, Section 32, T21N, R5W, Town of Albion, Jackson County, WI. The request is to allow for the construction of a park with shelter building within the R-2 (Residential) District.

The petitioner was not present at the hearing.

A Motion by John Chrest, to postpone conditional use permit petition # 2015-28 for Disco Community Club Inc., seconded by Norm Stoker. Motion carried.

- **CONDITIONAL USE PERMIT PETITION # 2015-29** as requested by David Quarne on property located in the NW1/4-NW1/4 and the SW1/4-NW1/4, Section 18, T21N, R6W, Town of Springfield, Jackson County, WI. The request is to allow for the operation of a “borrow site” for the removal of sand or gravel and the replacement with clay and top soil within the A-1 (Agriculture) District and the A-2 (Forestry and Limited Agriculture) District.

Township supports the request with the stipulation of two rural, commercial driveway entrances constructed to the township standards, right-of-way restoration to meet WI-DOT standards, hours of operation from 6:00 a.m.-6:00 p.m. Monday through Friday with no hauling on Sunday or holidays. Gaylord Olson II stated that since this is not a non-mineral operation, a formal detailed reclamation plan and permit will not be required.

A Motion by John Chrest, to approve conditional use permit petition # 2015-29 for David Quarne with the stipulations as detailed on Addendum A, seconded by Hoyt Strandberg. Motion carried.

- **ZONE CHANGE PETITION # 2015-30** as requested by Joan Will, Michael & Patricia Griesbach and Clifford & Richard Boullion, owners and Fairchild Rail LLC, agents on property located in the NW1/4-NW1/4, the SW1/4-NW1/4 except that portion lying east of the railroad right-of-way and except the SW five acres of said forty, the NE1/4-SW1/4 except that portion lying east of the railroad right-of-way, the SE1/4-SW1/4 except that portion lying east of the railroad right-of-way, Section 2, and the NE1/4-NE1/4 except that portion lying west of Primus Rd, Section 3, all in T24N, R5W, Town of Cleveland, Jackson County, WI. The request is to change approximately 70 acres of the Official Zoning Map from the A-1 (Agriculture) District to the M-2 (Industrial Extractive) District for the operation of a railway siding and transloading facility.

No position from the township was available at the time of the hearing. Letters of opposition and support were read into the minutes. Summary of operations was detailed by Travis Adams and Matt Sergerstrom, Fairchild Rail LLC. Public comment was received in support and opposition of the request. After receiving public testimony, the committee took a 5 minute recess at 12:35. They returned at 12:40.

Rebuttal comments were received by Fairchild Rail LLC. Terry Schmidt stated that the

wetland maps indicate that the wetland is less than five acres in size. Mr. Adams stated that Quest Engineering identified about 3.5 acres of wetlands on the parcel. The committee commenced their discussion. Several questions or comments were brought forward:

1. Does this request require a conditional use permit as well? Yes.
2. What will the proposed hours of operation be? The petitioner stated 5:00 a.m. to 9:00 p.m., Monday through Friday with no weekends or holidays.
3. Do we respect the request from the Town Chairman for a 30 day postponement since we do not know how long a pending appeal in the circuit court regarding election results?
4. Comprehensive plans can be changes and updates as needed.
5. In regards to the appeal to the election in the courts, what is the due process for the petitioner?
6. This request was previously approved by this committee even though the town board had denied the request.

A Motion by John Chrest, to approve zone change petition # 2015-30 for Joan Will, Michael & Patricia Griesbach and Clifford & Richard Boullion, seconded by Hoyt Strandberg. Motion carried 4 -1 with Ray Ransom in opposition.

A Motion by Norm Stoker, to adjourn the meeting, seconded by Ray Ransom. Motion carried. Meeting adjourned at 1:15 p.m.