

## **AGENDA**

Eau Claire County

• PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, February 23, 2021

**Time:** 7:00 p.m.

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eau Claire County.webex.com> Meeting ID: **145 633 2957** Password: **4wyBHYJVS42**

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: **1456332957##**

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@co.eau-claire.wi.us](mailto:Rod.Eslinger@co.eau-claire.wi.us) at least 30 minutes prior to the start of the meeting. You will be called on during the public comment period to make your comments.***

*\*Please mute personal devices upon entry*

1. Call to Order and confirmation of meeting notice
2. Roll Call
3. Public Comment **(15 minute maximum)**
4. Public Hearings
  - a. **Proposed Ordinance: File No. 20-21/113** “Amending the 1982 Zoning District Boundary Map for Town of Pleasant Valley (Daniel P & Patricia L Green) / Discussion – Action **PAGES 2 - 19**
  - b. A conditional use permit request for a duplex in the RH-Rural Homes district (Town of Pleasant Valley) CUP-0003-21 / Discussion – Action **PAGES 20 - 40**
  - c. A conditional use permit request for a 122-lot planned unit development in the RH and A1 Districts **PAGES (Town of Washington) CUP-0002-21 / \*Postponed from 01/26/2021 & Withdrawn by Applicant\* 41 - 42**
5. Preliminary for Orchard Hills Plat / **\*Postponed from 01/26/2021 & Withdrawn by Applicant\* PAGES 41 - 42**
6. Request to Amend “No Build Line”/“No Disturbance Area” on Lot 18 of recorded plat “Cedar Springs”. (Tunender/Gartmann) Town of Pleasant Valley / Discussion – Action **PAGES 43 - 64**
7. WCA Initial Summary of 2021-2023 Proposed State Biennial Budget – Discussion **PAGES 65 - 80**
8. Review/Approval of February 9, 2021 Meeting Minutes / Discussion – Action **PAGES 81 - 83**
9. Proposed Future Agenda Items / Discussion
10. Next scheduled meeting – March 23, 2021
11. Adjourn



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**REZONE NUMBER:** RZN-0004-21                      **COMPUTER NUMBER:** 018100405000

**PUBLIC HEARING DATE:** February 23, 2021

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**STAFF CONTACT:** Matt Michels, Senior Planner

**OWNER/AGENT:** Daniel & Patricia Green, E6295 Evergreen Rd., Eleva, WI 54738

**REQUEST:** Rezone 5.73 acres +/- of land from A-P (Agricultural Preservation) District to A-2 (Agriculture-Residential) District to provide a home site for one of the applicant's children

**LOCATION:** Southwest corner of Hillview Rd. and Evergreen Rd.

**LEGAL DESCRIPTION:** Portion of the SE¼ SE¼ of Section 1, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin (complete legal description attached).

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**RECOMMENDATION**                      Approval of request based on findings outlined on Page 5 of this report

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## BACKGROUND

### SITE CHARACTERISTICS:

- A portion of the property to be rezoned appears to be tilled for agricultural uses but is otherwise undeveloped
- The property is generally flat

### EXISTING ZONING DISTRICT:

A-P Agricultural Preservation District. The A-P Agricultural Preservation District is established to:

- Preserve and protect those areas best suited for agricultural, forestry or open space uses by minimizing fragmentation of contiguous agricultural or forest lands for the benefit and use of current and future generations;*
- Provide for a wide range of agricultural uses typically associated with the continued production of food and fiber while recognizing that such uses may involve noise, dust, odor, or operation of heavy equipment for long periods of time;*
- Strengthen and diversify a predominately agricultural and forestry-based economy by providing for a range of economic opportunities for property owners which are generally compatible with and supportive of agriculture or forestry operations as either permitted or conditional uses;*
- Comply with standards contained in Wis. Stat. ch. 91 to permit eligible landowners to receive tax credits under Wis. Stat. § 71.09, in conjunction with their agricultural operations;*
- Preserve rural character and promote the efficient use of public infrastructure and utilities by minimizing the adverse effects of urban sprawl along with its associated expense;*
- Promote environmental quality through the use of conservation practices designed to minimize erosion of productive soils and deter the delivery of sediment and nutrients to the waters of our state;*
- Minimize land use conflicts which occur when agricultural and non-agricultural uses are intermixed or not adequately separated; and*
- Provide for carefully regulated extraction of nonmetallic mineral resources through Eau Claire County's permitting processes to ensure compatibility with adjacent land uses, minimize impacts to*

*natural resources, and to restore lands to productive agricultural use consistent with locally approved reclamation plans.*

**REQUESTED ZONING DISTRICT:**

A-2 Agriculture-Residential District. *This district is established to “provide an area for limited residential and hobby farm development in a rural atmosphere.”*

**ZONING/LAND USE CONTEXT:**

LOCATION	ZONING	LAND USE
<b>Subject</b>	A-P	Undeveloped; Agricultural
<b>North</b>	A-P	Single-family Residence; Agricultural
<b>East</b>	A-2	Single-Family Residence; Agricultural
<b>South</b>	A-P	Agricultural
<b>West</b>	A-2	Undeveloped; Agricultural

**COMPREHENSIVE PLANS:**

The Eau Claire County Future Land Use Map includes the property in the Rural Lands (RL) planning area and the Town of Pleasant Valley Future Land Use Map includes the property in the Rural Preservation (RP) planning area. Following are descriptions of the intent of the applicable County and Town comprehensive plan future land use categories and applicable policies.

**Eau Claire County:**

- **Rural Lands Intent and Description:** *The primary intent of these areas is to preserve productive agricultural lands, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas.*
- **Applicable Policies:**
  1. *Farming and other agriculture uses, agricultural-related businesses, cottage industries, forestry, mineral extraction, open space, and utilities shall be established as the primary land uses within these areas. Other uses may be permitted if found to be compatible with these uses and existing uses adjacent to the property.*
  2. *The preferred housing density is one (1) unit per 20 or more acres; however, local comprehensive plans may be more or less restrictive than this guideline and generally range from one (1) unit per five (5) acres to one (1) unit per 35 acres.*
  3. *The following Eau Claire County Zoning Districts will be considered for approval within RL areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted below. The following additional policies shall apply to rezoning petitions:*
    - a. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm A-2 or A-3 parcels, unless rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*

**Town of Pleasant Valley:**

- Rural Preservation Comprehensive Plan Intent and Description: The primary intent of these areas is to, *“preserve productive agricultural lands in the long-term, protect existing farm & forestry operations from encroachment by incompatible uses, promote further investments in farming, maintain farmer eligibility for incentive programs, and to preserve wildlife habitat and open spaces. In other words, to preserve the rural character of these areas. However, the term rural preservation is not intended to imply that changes in land use will not occur in these areas.”*
  
- Applicable Policies:
  1. Farming and agricultural uses shall be established as the primary land uses within these areas. Non-farm development shall only be allowed if it will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take significant tracts of land suitable for cultivation or other agricultural use out of production.  
...
  3. *Proposals for any new non-farm residential development shall be consistent with the following policies:*
    - a. *The maximum gross density for non-farm residential lots shall be one unit per five (5) acres held in single ownership, except as otherwise provided below for conservation subdivisions. The minimum lot size for non-farm residential lots shall be one (1) acre. The balance of the land not included in the residential lots shall be placed in a permanent conservation easement for agriculture, forestry, and open space use.*
    - b. *Any new non-farm residential lot shall have a “Right to Farm” disclosure attached to it acknowledging that the potential non-farm owner has been informed that his lot has been established in an area where farming is the preferred land use, and stating that the owner understands that he must abide by the State of Wisconsin “Right to Farm” statute (WI Stat. 823.08). This language shall be recorded on the deed to the property, transferable to subsequent owners.*
    - c. *Non-farm residential development shall only occur on land that is marginal for agricultural productivity. At least 80% of any proposed new lot shall not contain Class I, II, or III soils. In addition, it is the preference of the Town of Pleasant Valley that new non-farm residential lots that are approved in accord with these policies be located adjacent to or near existing non-farm development.*  
...
  4. *The following Eau Claire County zoning districts will be considered for approval within RP areas: A-1 Exclusive Agricultural District, A-2 Agricultural-Residential District, A-3 Agricultural District, A-R Floating Agricultural-Residential District, F-2 Forestry District, F-1 Forestry District, and the proposed AC-R District noted above. The following additional policies shall apply to zoning petitions:*  
...
    - b. *Rezoning land to the A-2 Agriculture-Residential District or the A-3 Agriculture District is discouraged for new non-farm residential development, unless findings can be made that rezoning land to either of these districts will not interfere with, will not disrupt, or will not be incompatible with farming or agricultural use, and will not take land suitable for cultivation or other agricultural use out of production.*
    - c. *Rezoning land to the A-R Floating Agricultural-Residential District or the proposed AC-R Agricultural Compatible Residential District is preferred over additional non-farm residential A-2 or A-3 parcels.*

The application has been found to be generally consistent with the intent, description, and the applicable policies of the Eau Claire County Rural Lands Future Land Use and Town of Pleasant Valley Rural Preservation Future Land Uses.

**FARMLAND PRESERVATION PLAN:**

The property is included in the Farmland Preservation Plan Map, which allows the property owner to claim Farmland Preservation tax credits. The proposed A-2 District is not a certified farmland preservation district and the proposed lot would not qualify for Farmland Preservation tax credits.

**Comprehensive Plan Summary**

The proposed A-2 zoning district is consistent with the intent and description and the applicable policies of the Eau Claire County Comprehensive Plan Rural Lands Planning Area.

**ANALYSIS**

When rezoning land, a finding should be made that the purpose of the proposed zoning district and the uses that are allowed in that district are appropriate for the location; and that the rezoning will uphold the purpose of the zoning ordinance. A finding should also be made that the rezone is consistent with the County’s Comprehensive Plan.

**A-P Rezoning Standards**

In addition, there are four standards for approving a rezoning of land from the A-P Agricultural Preservation zoning district to any other district. The following provides an analysis of this rezoning petition based on those standards:

**Standard 1** - *The land is better suited for a use not allowed in the A-P Agricultural Preservation zoning district based on a review of soil types, historical productivity, location, and adjacent land uses.*

- **Soil Types** – There are three (3) different soil types on the property to be divided, only one of which is considered a prime agricultural soil.

Soil Type	Description	Capability Class
HnD2	Hixton loam, 12-20% slopes, eroded	4
La	Lows loam	6
HnC2	Hixton loam, 6-12% slopes, eroded	3

- **Historical Productivity** – The property appears to have been cultivated for agricultural; however, no data on historical productivity is available.
- **Site Location** – The property is located on Hillview Rd.
- **Adjacent Land Uses** – Uses in the area include a mixture of single-family residences, farmland, and scattered woodlands

**Standard 2** - *The rezoning is consistent with any applicable comprehensive plans.*

The proposed rezoning substantially conforms to the future land use intent, purpose, and policies for the Eau Claire County Comprehensive Plan, including policies related to limiting residential density in rural areas of the County. Note that the proposed rezoning may result in a small loss of farmland, which is discouraged by the comprehensive plan.

**Standard 3** - *The rezoning is substantially consistent with the certified Eau Claire County Farmland Preservation Plan. As discussed, some farmland may be impacted with this rezoning, which is generally discouraged by the Farmland Preservation Plan to limit conversion of productive farmland.*

**Standard 4** - *The rezoning will not substantially impair or limit current or future agricultural use of surrounding parcels of land that are zoned for or legally restricted to agricultural use.*

The proposed rezoning will not likely impair or limit current or future agricultural use, although non-farm residential development is intended to be limited in the Rural Lands (RL) Planning Area.

Town Board Action: The Pleasant Valley Town Board considered the rezoning petition on Monday, February 8, 2020, and recommended approval (2-0 vote).

The rezoning petition has been evaluated for consistency with the purpose of the A-2 District and the uses allowed in the district. The request is generally consistent with the purpose of the zoning code based on the following findings:

- The proposed rezoning is generally consistent with the intent and purpose of the Eau Claire County Future Land Use plan as the A-2 District promotes and facilitates agricultural activities.
- Existing uses in the area include agricultural fields, scattered single-family residences, and scattered woodlands.
- Zoning in the area is predominantly A-P, with A-2 zoning to the east and west of the parent parcel.

## CONCLUSION

The rezone petition has been evaluated for consistency with the following:

- Eau Claire County Comprehensive Plan future land use designation
- Eau Claire County Comprehensive Plan goals, objectives, and policies
- Eau Claire County Farmland Preservation Plan
- Eau Claire County Zoning Ordinance, including purpose of the zoning code and allowable uses in the A-2 District

In addition, the following factors have also been considered:

- Input of surrounding property owners. To date, no correspondence has been received.

## FINDINGS

Findings in Favor:

1. The request is generally consistent with the goals, objectives, and policies of the Eau Claire County Comprehensive Plan, as required by Section 19.01.020.B of the Eau Claire County Code; and Wisconsin Statutes §66.1001(1)(am) and §66.1001(3)(j), including the intent, description, and policies of the Rural Lands Future Land Use classification in Section 3.3 of the Eau Claire County Comprehensive Plan and Map 9 (Future Land Use) of the Eau Claire County Comprehensive Plan.
2. The property to be rezoned contains a mix of prime and non-prime soils and, according to the applicant, the majority of the property is not tillable.
3. There are other A-2 zoned agricultural-residential parcels adjacent to and near the subject property.
4. The proposed lot size is generally consistent with other existing lots in the area.

Finding Against:

1. The proposed rezoning may result in a small loss of agricultural land.

2  
3 -AMENDING THE 1982 OFFICAL ZONING DISTRICT BOUNDARY MAP FOR THE  
4 TOWN OF PLEASANT VALLEY-

5  
6 The County Board of Supervisors of the County of Eau Claire does ordain as follows:

7  
8 SECTION 1. That the 1982 Official Zoning District Boundary Map for the Town of  
9 Pleasant Valley, described as follows:

10  
11 A parcel of land being part of the Southeast ¼ of the Southeast ¼ , Section 1, Township  
12 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin  
13 described as follows:

14  
15 Commencing at the Southeast corner of said Section 1, thence N.00°29'23"E. along the  
16 East line of said Southeast ¼ a distance of 491.68 feet to the point of beginning;

17  
18 Thence N.89°31'18"W. 552.36 feet;

19  
20 Thence N.00°26'34"E. 476.02 feet more or less to the centerline of Evergreen Road;

21  
22 Thence S.84°34'25"E. along said centerline a distance of 554.81 feet to the said East line  
23 of the Southeast ¼;

24  
25 Thence S.00°29'23"W. along said East line a distance of 428.17 feet to the point of  
26 beginning.

27  
28 Said described parcel of land containing 5 acres +/-, land and is subject to the  
29 easements and restrictions of record to be reclassified from the A-P Agricultural  
30 Preservation District to the A-2 Agriculture-Residential District.

31  
32 SECTION 2. Where a certified survey map is required and may alter the above described  
33 property description, the official zoning district map for the town shall be automatically  
34 amended to reflect the property description of the certified survey map.

35  
36  
37 ENACTED:

38  
39 I Hereby certify that the foregoing correctly  
40 represents the action taken by the undersign  
41 Committee on February 23, 2021 by a vote of

42  
43 for, against.

44  
45  
46 \_\_\_\_\_  
47 Planning and Development Committee, Chairperson

48 SS

49 Dated this 23<sup>rd</sup> day of February, 2021.  
50 ORDINANCE 20-21/113



Eau Claire County, Wisconsin  
Rezone Request - County

RECEIVED

FEB 02 2021

COUNTY CLERK

<u>Permit Type:</u>	Land Use	<u>Application Fee:</u>	\$595.00
<u>Permit Number:</u>	RZN-0004-21		
<u>Issued To:</u>	DANIEL GREEN E6295 EVERGREEN RD ELEVA, WI 54738-9405		

<u>Site Address:</u>	E 6295 EVERGREEN RD
<u>Parcel Number:</u>	1801822509014409000
<u>Municipality:</u>	Town of Pleasant Valley

<u>Property Owner:</u>	DANIEL P & PATRICIA L GREEN E6295 EVERGREEN RD ELEVA, WI 54738- 9405
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Applicable Zoning District(s):

A-1, A-2

Summary of Rezone Request:

Rezone 5 acres +/- from A-1 to A-2 to provide a building site for the applicant's daughter

Area to be Rezoned:

5 acres +/-

<u>Signature:</u>	<u>Matt Michels</u>
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**Department of Planning and Development**  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741





**Department of Planning and Development**  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

Office Use Only Sup Dist 7: Steve Chilson

Application Accepted:	1/28/21
Accepted By:	JMM
Application Number:	RZN-0004-21
Town Hearing Date:	2/8/21
Scheduled Hearing Date:	2/23/21

**REZONING APPLICATION** receipt: 65742

Pursuant to the procedure described in Wisconsin Statutes Section 59.69(5), I hereby petition the Eau Claire County Board of Supervisors to amend the Zoning District from:

Existing Zoning District: <u>AI</u>	Proposed Zoning District(s): <u>A-2 5 ACRE</u>
Acres to be rezoned: <u>5</u>	

Property Owner Name: <u>DANIEL GREEN</u>	Phone# <u>715-577-9951</u>
Mailing Address: <u>E6295 EVERGREEN RD ELEVA WI 54738</u>	
Email Address: <u>GWHP@AOL.COM</u>	

Agent Name: <u>SAME</u>	Phone#
Mailing Address:	
Email Address:	

**SITE INFORMATION**

Site Address: <u>SAME, SW CORNER OF HILLVIEW RD. AND EVERGREEN</u>	
Property Description: <u>SE 1/4 SE 1/4 Sec. 1, T 26 N, R 9 W, Town of PLEASANT VALLEY</u>	
Zoning District: <u>AI</u>	Code Section(s):
Overlay District: <input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining	
PIN #(s): <u>018 - 1004 - 05 - 000</u>	
COMPUTER #(S): <u>018 - 1004 - 05 - 000</u>	

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

<input type="checkbox"/> Complete attached information sheet	<input type="checkbox"/> Contact the Town to coordinate a recommendation on the application
<input type="checkbox"/> Provide legal description of property to be rezoned	<input type="checkbox"/> Provide \$595.00 application fee (non-refundable), payable to the Eau Claire County Treasurer (\$525.00 application processing fee and \$75.00 mapping surcharge fee) Acceptable forms of payment are check or online payment. Visit the Planning & Development website to pay online.

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature  Date 1-27-21

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

SUPPLEMENTAL INFORMATION FOR A REZONING PETITION

In order to process your application as quickly as possible, please fill in all of the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

Describe the reason(s) for your rezoning request:

TO PROVIDE A HOME SITE FOR MY DAUGHTER.

When evaluating a rezoning petition, staff from the Eau Claire County Department of Planning and Development consider whether the purpose of the proposed zoning district and the uses allowed in the district are appropriate for the selected location. Staff also considers whether the change in zoning will uphold the purpose of the zoning ordinance, which is to separate incompatible land uses from one another, to maintain public health and safety, to protect and conserve natural resources, to prevent overcrowding, to preserve property values, and to maintain the general welfare of the citizens. Please describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance.

THERE ARE NOW SEVERAL A-2 SITES IN THAT AREA, (2)  
THAT ARE ADJACENT TO THE PROPOSED SITE. IT DOES  
FIT THE TOWN OF PERSANT VALLEY COMPREHENSIVE PLAN.  
IT IS A HILLTOP AREA WITH A GENTLE SLOPE TO THE  
SOUTH. THE MAJORITY OF THIS PARCEL IS NOT TILLABLE.  
IT HAS SEVERAL LARGE SANDSTONES AT THE SURFACE.



## REZONING APPLICATION CHECKLIST

Applications are due by Tuesday at 12:00 PM three weeks prior to the Committee on Planning and Development meeting. The application must include the items listed below. After a preliminary review, additional information may be needed. A hearing will not be scheduled until the application is deemed complete. Applications are considered complete when all materials and associated fees are received and approved by staff.

### Required Application Items:

- Application must be signed by the property owner(s)
- A legal description of land and address of land to be rezoned
- Complete the attached supplemental rezoning information sheet
  - Describe the reason for the request
  - Describe how the proposed zoning district and the uses allowed in that district are appropriate for the selected location, and how the proposed change in zoning will uphold the purpose of the zoning ordinance
  - Explain and justify why this particular property is under consideration for rezoning
    - For rezoning requests from A-P to any zoning district other than the AR district must consider the factors in Section 18.32.055 A. – D.
    - For rezoning requests from the A-P to the AR zoning district must consider the factors in Section 18.06.050 A. – D.
    - For rezoning requests out of the Shoreland-wetland district must consider Section 18.19.100 B

Re-zone Description:

Being part of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$ , section 1, Township 25 North, Range 9 West, Town of Pleasant Valley, Eau Claire WI, described as follows:

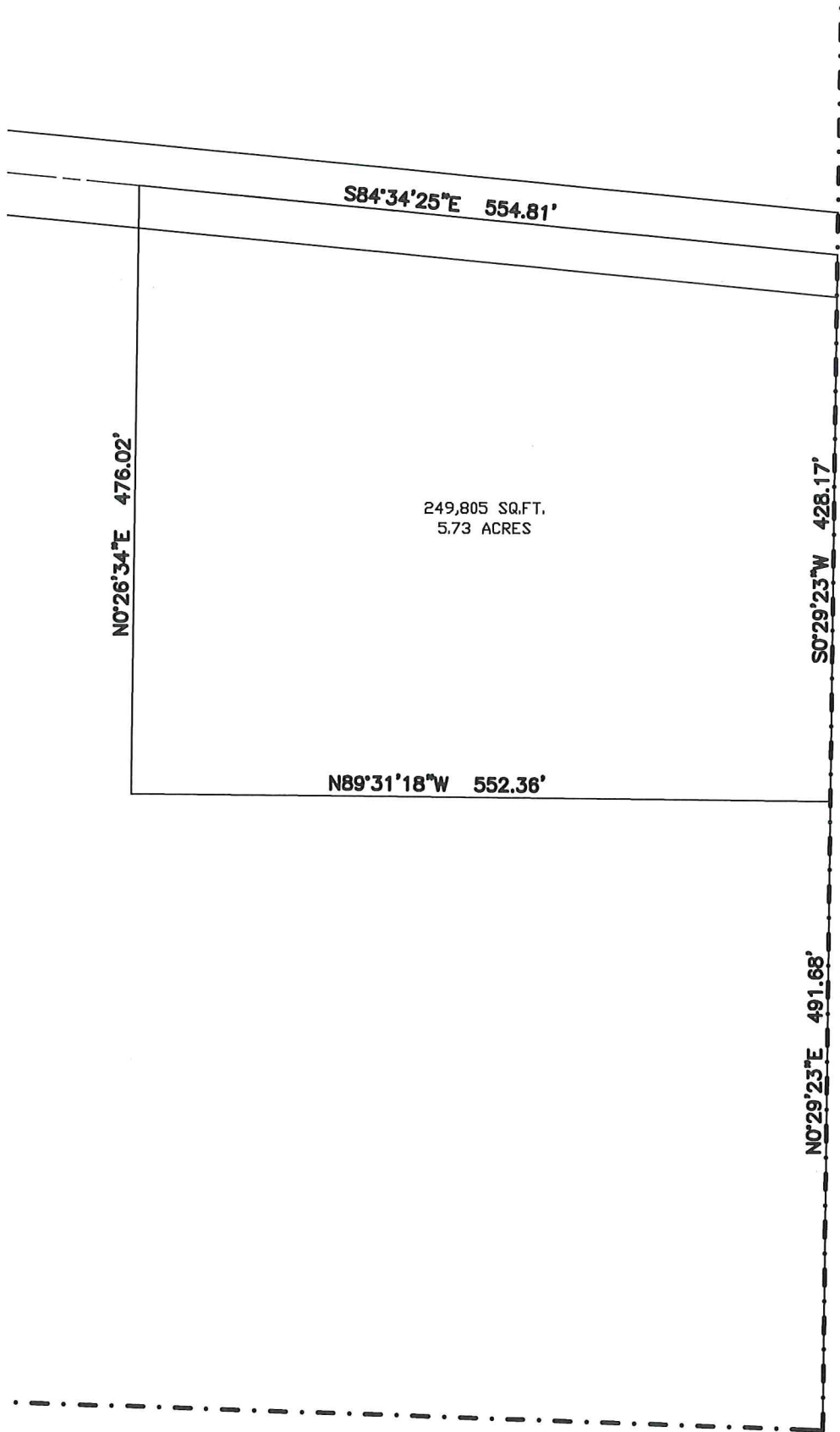
Commencing at the Southeast corner of said Section 1, thence N.00°29'23"E. along the East line of said Southeast  $\frac{1}{4}$  a distance of 491.68 feet to the point of beginning;

Thence N.89°31'18"W. 552.36 feet;

Thence N.00°26'34"E. 476.02 feet more or less to the centerline of Evergreen Road;

Thence S.84°34'25"E. along said centerline a distance of 554.81 feet to the said East line of the Southeast  $\frac{1}{4}$ ;

Thence S.00°29'23"W. along said East line a distance of 428.17 feet to the point of beginning.



# GREEN REZONE AERIAL-WETLAND-FLOODPLAIN MAP



**Legend**

- Parcels selection
- FEMA Flood Hazard Line

**FEMA Flood Hazard Area**

**Flood Zone**

- 0.2 PCT ANNUAL CHANCE FLOOD HAZARD
- A
- AE
- X
- Hydro Setback 75ft

**Parcel Mapping Notes:**

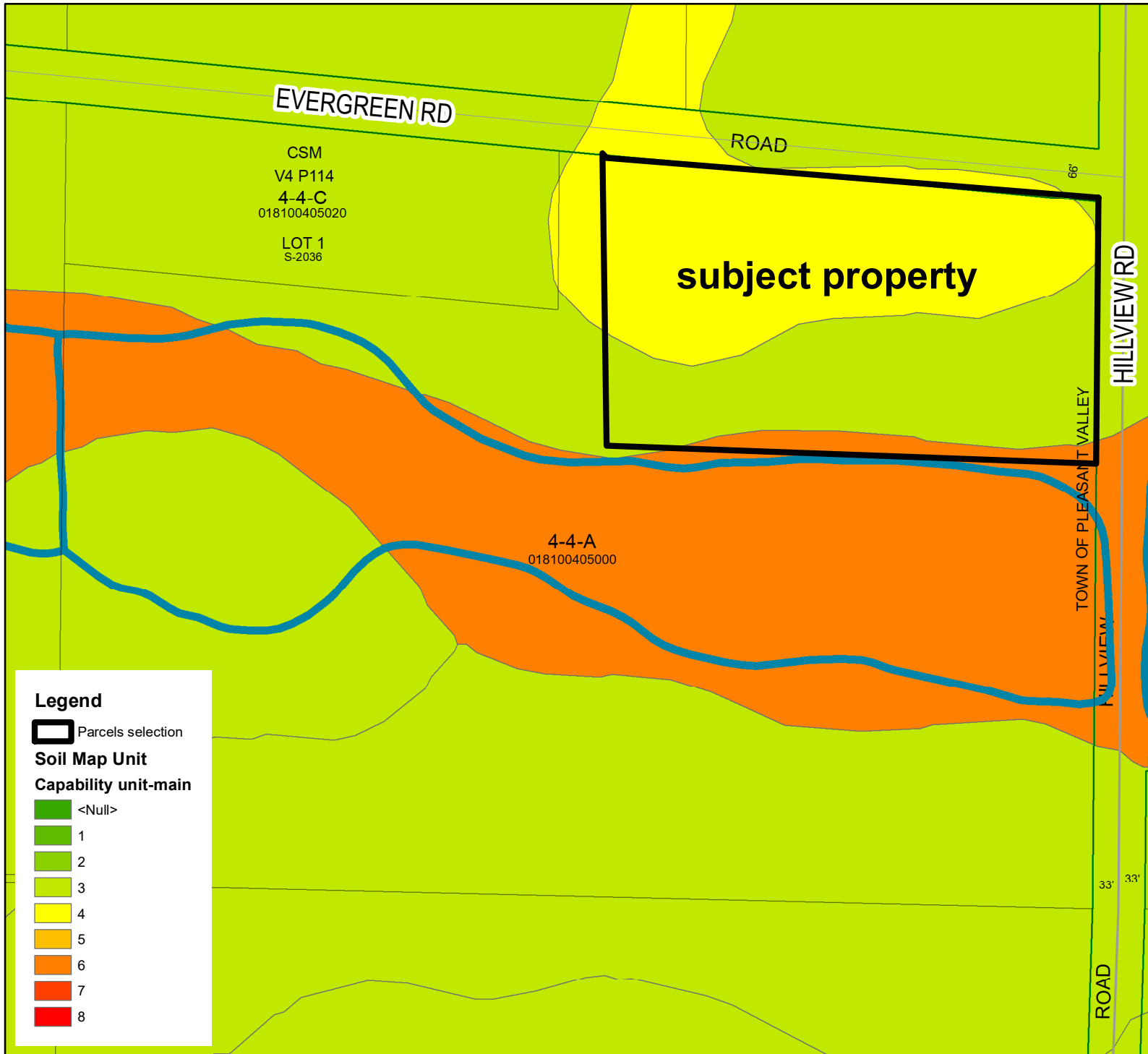
The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet

This map is a collection of public record information and was prepared as an ongoing commitment to provide quality and up-to-date information to the public. This map is intended for information use only. Although significant care has been exercised to produce maps that satisfy mapping accuracy standards, these maps are only as accurate as the source data from which they were compiled. These maps are intended to be advisory and are NOT designed or intended to be used as a substitute for an accurate field survey, as performed by a Wisconsin Credentialed Land Surveyor, to determine precise property location.

Eau Claire County does not warrant, guarantee or make any representations regarding the use of, or results from the use of the data in terms of correctness, accuracy, reliability, currentness, or otherwise; and the user relies on the map and results solely at their own risk.



# GREEN SOILS MAP







# Green Rezoning: RZN-0004-21

## Existing Zoning

1 inch = 666.666667 feet

## Future Land Use

1 inch = 667 feet

- Legend
- A1 - Exclusive Agricultural District
  - A2 - Agriculture-Residential District
  - A3 - Agricultural District
  - AP - Agricultural Preservation
  - AR - Floating Agricultural-Residential District
  - C1 - Neighborhood Business District
  - C2 - General Business District
  - C3 - Highway Business District
  - F1 - Exclusive Forestry District
  - F2 - Forestry District
  - I1 - Nonsewered Industrial District
  - I2 - Sewered Industrial District
  - R1L - Single-Family Residential District, Large Lot
  - R1M - Single-Family Residential District
  - R2 - Two-Family Residential District
  - R3 - Multiple-Family Residential District
  - RH - Rural Homes District

- Commercial Industrial
- County Forest
- Natural Resource Protection
- Park and Recreational
- Public Institutional
- Recreational Commercial
- Rural Commercial
- Rural Hamlet
- Rural Industrial
- Rural Lands
- Rural Residential
- Rural Residential - Mobile Home
- Rural Transition
- Urban Mixed Use



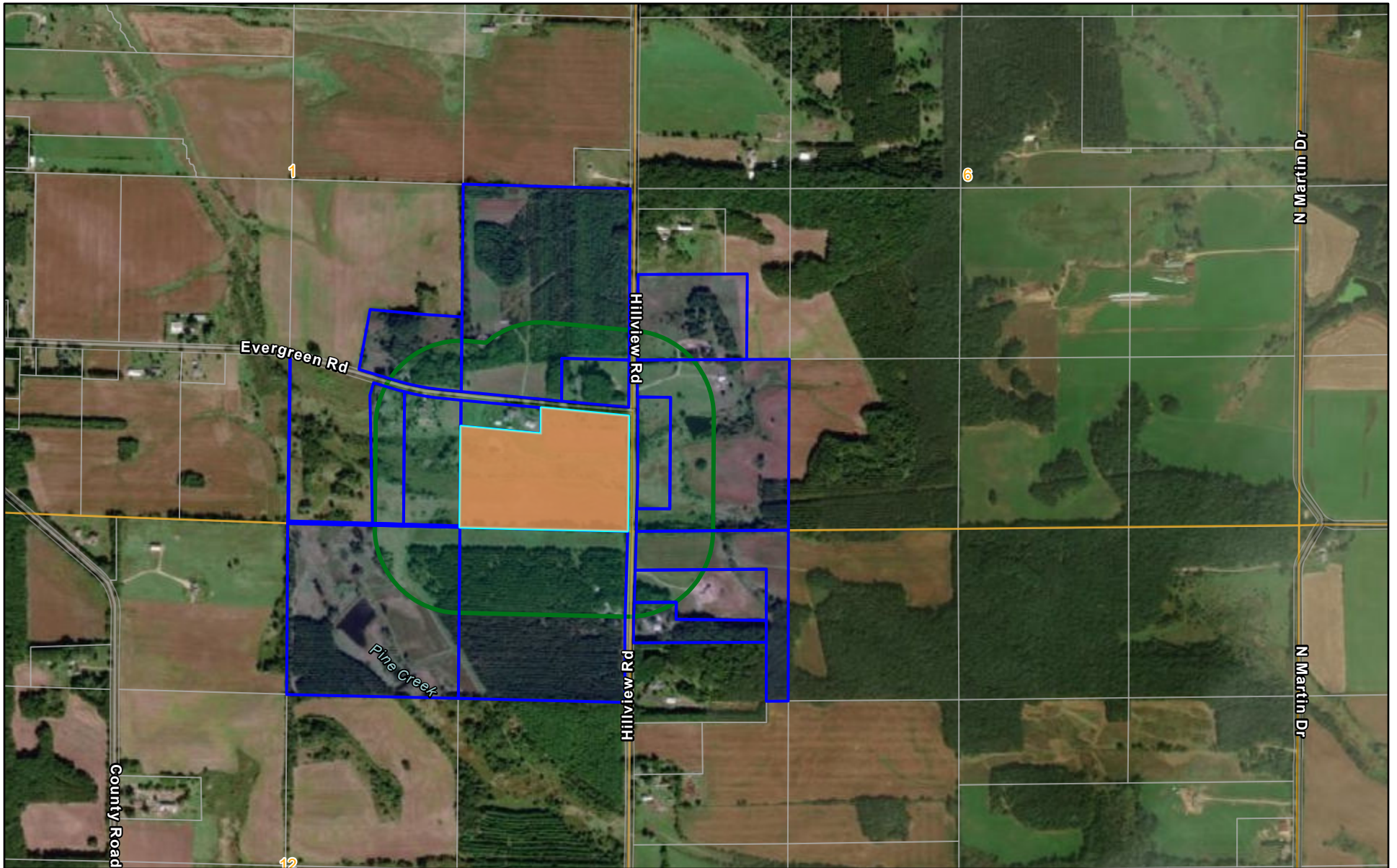
### Parcel Mapping Notes:

The horizontal datum is based on the Eau Claire County Coordinate System NAD\_1983\_HARN\_Adj\_WI\_EauClaire\_Feet




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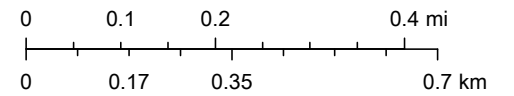
# Public Notification



2/2/2021, 1:54:58 PM

-  County Boundary
-  Tax Parcel
-  Section

1:18,056



USDA FSA, GeoEye, Maxar, Esri Community Maps Contributors, Esri,

Eau Claire County, WI

USDA FSA, GeoEye, Maxar | Esri Community Maps Contributors, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

FirstName LastName	Address	City State Zip
RACHEL ARFSTROM	S 10987 HILLVIEW RD	ELEVA WI 54738-2620
DANIEL P & PATRICIA L GREEN LEE WYSS	E 6295 EVERGREEN RD E 6322 EVERGREEN RD	ELEVA WI 54738-9405 ELEVA WI 54738-9129
DANIEL P & PATRICIA L GREEN	E6295 EVERGREEN RD	ELEVA WI 54738-9405
CHAD HOLLENBECK	E 6035 EVERGREEN RD	ELEVA WI 54738-9456
EDDIE A & KAREN L VENESS	S 11100 HILLVIEW RD	ELEVA WI 54738-9157
DANIEL P & PATRICIA L GREEN	E 6295 EVERGREEN RD	ELEVA WI 54738-9405
ROBERT ZILLMER	S 11101 HILLVIEW RD	ELEVA WI 54738-9157
WADE MORSE	S 10835 HILLVIEW RD	ELEVA WI 54738-9156
WADE MORSE	S10835 HILLVIEW RD	ELEVA WI 54738-9156
SCOTT A MCELROY	7244 S DOVER HILL CT	FRANKLIN WI 53132-9053
KATHRYN NULK TRUST	E 6070 EVERGREEN RD	ELEVA WI 54738-9129
PETER A & WYNDE K DAY	E 6125 EVERGREEN RD	ELEVA WI 54738-9418
CHAD M & MELISSA M GREEN	E 6272 EVERGREEN RD	ELEVA WI 54738-9129
EDDIE A & KAREN L VENESS	S 11100 HILLVIEW RD	ELEVA WI 54738-9157



# EAU CLAIRE COUNTY PLANNING STAFF RECOMMENDATION

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**CONDITIONAL USE PERMIT NUMBER:** CUP-0003-21

**COMPUTER NUMBERS:** 018-1153-03-030 & 018-1153-03-020

**PUBLIC HEARING DATE:** February 23, 2021

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**STAFF CONTACT:** Jared Grande, Land Use Manager

**OWNER:** James Scheffler and Tony Mosel, 17681 120<sup>th</sup> Ave, Chippewa Falls, WI 54729

**AGENT:** Chris Sebesta, 915 Gilbert St., Eau Claire, WI 54703

**REQUEST:** Duplex (Two-family housing)

**LOCATION:** Minnesota Drive, Eau Claire, WI 54701

**LEGAL DESCRIPTION:** LOT 2 CSM 3574 & LOT 1 CSM 3574, Section 34, T26N-R09W, Town of Pleasant Valley, Eau Claire County

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## SUMMARY

Duplex (Two-family housing) in the R-H District.

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## BACKGROUND

The applicant is requesting to build a duplex (two-family housing) on an existing lot that was surveyed via certified survey map (CSM). As part of the request, the applicant has indicated he would be doing a two lot CSM (reconfiguration) to conform to section 18.07.040.A.1 of the county code.

The application materials indicate there has been soil tests done by Ryan Plumbing and a conventional system could be installed; it is unclear if there would be two septic systems or one (shared); there was no information regarding number of wells and/or location. The application materials also outline three options for the development of the site. The options are predicated on whether the applicant does further site analysis on the mapped wetland by Wisconsin Department of Natural Resources (WDNR) and/or the development of the site. The area mapped as "environmentally sensitive area" on the site maps includes the mapped wetlands and approximately a 25-foot setback. The Land Conservation Division has determined a 50-foot setback is required per 17.05.085.2.b. of the county code.

The application materials include site plans (three options), building elevations and floor plan layout of the duplex.

## REQUEST CHARACTERISTICS:

- The request involves two lots: lot 1 = 1.29 acres, lot 2 = 1.96 acres.
- Property was surveyed via CSM and recorded on 6/16/2020.

- The wetlands mapped by WDNR are encompassed within the environmentally sensitive areas on the CSM.

**CURRENT ZONING:** The purpose of the R-H District is to, "provide for suburban large-lot development with individual on-site water and sewage disposal facilities".

**ADJACENT ZONING & LAND USES:**

	ZONING	LAND USE
North	R-H	Vacant
West	R-H	Single-Family/Vacant
South	A-1	Forested/Undeveloped
East	A-2	Undeveloped

**LAND USE PLANS:** The County Land Use Plan and Town of Pleasant Valley Comprehensive Plan include this property in a Rural Residential Use area.

**Rural Residential (RR)**

**Intent and Description:** The primary intent of this classification is to identify areas suitable for future non-farm residential development. Rural Residential areas include lands that are delineated as existing residential properties or vacant platted areas. In addition, some undeveloped land has been designated for RR development where subdivision expansion is likely to occur. These additional areas tend to be adjacent to existing rural subdivisions or where local roads and utilities exist to effectively and economically serve the area.

**Section 18.01.010 Purpose.** This section describes the purpose of the zoning code. Generally, the purpose of the zoning ordinance is as follows: to separate incompatible land uses from one another; to maintain public health and safety; to protect and conserve natural resources; to prevent overcrowding; to preserve property values; and to maintain the general welfare of the citizens.

**Section 18.02.020 A.49.b Definition of Dwelling, two family.** means a residential structure containing 2 dwelling units.

**Section 18.07.001 Purpose.** The R-H rural homes district is established to provide for suburban large-lot development with individual on-site water and sewage disposal facilities;

**Section 18.07.030 Conditional Uses** B. Two-family housing;

**Section 18.07.035 Structures allowed under conditional use permits** B. Duplexes;

**Section 18.07.035 Lot, height and yard requirements.** A. (1.) Lot area shall be a minimum of 1 acre, except where required by other code minimum standards, and for duplexes, which shall be a minimum of 2 acres.

**Chapter 18.21 Conditional Uses.** Standards for approval of conditional uses: 1) the use must be in conformance with the purpose of the zoning district it is located in; 2) the use will not be injurious to the use and enjoyment of other property in the immediate vicinity; 3) adequate utilities, access, drainage and other necessary facilities have been or are provided; 4) adequate off-street parking is provided; 5) adequate measures have been taken to prevent or control offensive odors, fumes, dust, noise and vibration so these will not constitute a nuisance, and lighting is controlled so that it does not result in disturbance to neighboring properties; 6) soil conditions are adequate to support the use; 7) access does not pose traffic congestion or hazards.

**ANALYSIS:** The following is an analysis of the request based upon the standards for approval of conditional use permits:

**Chapter 18.21 Conditional Uses.** Standards for approval of conditional uses:

It appears that findings can be made that the request meets the standards for two-family housing (duplex) in R-H Rural Homes district and the ordinances governing principal structures in the district are met. Items related to erosion control, utilities, access, soil conditions, and drainage will be addressed during the permitting process of the structure; Planning and Development oversee the Town of Pleasant Valley for both zoning and building codes. The proposal outlines a two lot CSM would be done to meet the two-acre minimum lot size requirement. This request does not appear to be injurious to the use and enjoyment of other properties in the immediate vicinity; its staff's understanding the applicant would be purchasing both proposed lot 1 and 2. It does not appear that the use of the structure will result in any nuisance factors such as noise, dust, or fumes.

**TOWN BOARD ACTION:** The Town Board for the Town of Pleasant Valley did not hold a public hearing on this matter, but the Town Board did provide a recommendation to NOT approve the request for the reasons below (3-0 motion carried according to the minutes):

1. The Town Comprehensive Plan does not support multi-family homes. Section 2.1.2 states the objective to "retain farm-based and single-family residence as the preferred types of housing in the Town of Pleasant Valley".
2. The Town Board has not allowed duplexes, twin homes or multi-family homes in the past and the Town Board does not wish to set precedence to allow for such homes in the future.

**STAFF CONCLUSIONS AND RECOMMENDATION:** Staff concludes that the request for a conditional use permit for a duplex (two-family housing) in the RH District will meet all the standards for a duplex in the RH District; will meet all the standards for approval of conditional use permits, will be consistent with the purpose of the zoning code, and adheres to 2017 Wisconsin Act 67 and Wis. Stat. 59.69(5e).

Staff recommends approval of the conditional use permit with the following conditions:

1. The site plans, floor plan, and elevation drawings submitted with the application shall be attached to and made a part of the permit. The structure shall be constructed in accord with the drawings submitted and located on the property as shown on the site plans.
2. The structure shall adhere to option 1, 2, or 3 submitted with the application. Any change(s) to the options/site plans will require review by the department following condition #10.
3. A CSM shall be required to increase proposed lot 2 to a minimum of two (2) acres per 18.07.040.A.1 of the Eau Claire County Code.
4. Any outside lighting shall be shielded in a downward manner to reduce lighting pollution.
5. Prior to construction, the applicant shall obtain all necessary permits including but not limited to a land use permit from the Department of Planning and Development.
6. The applicant shall notify the Land Use Manager upon completion of the structure so that staff can verify compliance with the terms of this approval.
7. The Land Use Manager can approve minor alterations from the terms of the permit. A major change requires the approval of the committee at a public hearing.
8. The owners shall allow staff from the Department to enter the property at reasonable times to inspect the premises for compliance with the conditions of this permit.
9. The permit is subject to Sections 18.21.080 to 18.21.100 of the Zoning Code. These provisions establish

when a conditional use permit lapses, the conditions under which it can be revoked, and when a conditional use permit expires due to the abandonment of a use.

**Eau Claire County  
Conditional Use Permit - County**

Permit Type: Land Use

Town Meeting Date:  
N/A

Permit Number: CUP-0003-21

County Meeting Date:  
February 23, 2021

Applicant: Chris Sebesta

Permit Fee: \$525.00

Application Date: February 2, 2021

Site Address: No Address Available  
Parcel Number: 1801822609343309005  
Municipality: Town of Pleasant Valley

Property Owner: ANTHONY MOSEL  
6958 TOWER DR  
EAU CLAIRE, WI 54703-8779

Request:

	<u>Width (ft)</u>	<u>Length (ft)</u>	<u>Height (ft)</u>
Conditional Use      Other                      Duplex	0.00	0.00	0.00

Applicable Zoning District(s):

RH – Rural Homes District

Permit Issuer: Jared Grande

Signature: Jared Grande





**Department of Planning and Development**

Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

**Office Use Only**

Date Application Accepted:	
Accepted By:	
Receipt Number:	
Town Hearing Date:	
Scheduled Hearing Date:	

**CONDITIONAL USE PERMIT APPLICATION**

Property Owner Name: James Scheffler, Tony Mosel Phone# 715-308-3010  
 Mailing Address: 17681 120th Ave. Chippewa Falls, WI 54729  
 Email Address: Jim@SchefflerSurveying.com

Agent Name: Chris Sebesta Phone# 715-613-0196  
 Mailing Address: 915 Gilbert St. Eau Claire, WI  
 Email Address: Sebestabuilders11c@gmail.com

**SITE INFORMATION**

Site Address: NONE  
 Property Description: SW ¼ SW ¼ Sec. 34 T24 N, R 9 W, Town of Pleasant Valley  
 Zoning District: \_\_\_\_\_ Code Section(s): \_\_\_\_\_  
 Overlay District:  Shoreland  Floodplain  Airport  Wellhead Protection  Non-Metallic Mining  
 Check Applicable  
 PIN #(s): 18018 - 2 - 260934 330 - 9005 \_\_\_\_\_  
18018 - 2 - 260934 330 - 9006 \_\_\_\_\_

**GENERAL APPLICATION REQUIREMENTS**

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. Applications are due by 12:00 PM of the Tuesday three weeks prior to the Planning and Development Committee meeting. All information from the checklist below must be included.

<input checked="" type="checkbox"/> Complete attached information sheet	<input checked="" type="checkbox"/> Site Plan Drawn to Scale	<input checked="" type="checkbox"/> Contact the Town to coordinate a recommendation on the application	<input checked="" type="checkbox"/> Provide <b>\$525.00</b> application fee ( <b>non-refundable</b> ), payable to the Eau Claire County Treasurer. Forms of acceptable payment are check or <a href="#">online</a>
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I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature [Signature] Date 1-29-21

**NOTICE: PERMIT FEES DOUBLE WHEN WORK BEGINS PRIOR TO ISSUANCE OF PERMITS & APPROVALS.**

At the public hearing, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence, and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.

**SUPPLEMENTAL INFORMATION FOR A CONDITIONAL USE PERMIT**

In order to process your application as quickly as possible, please fill in all the sections below that are applicable to your request, and attach all appropriate maps or plans described below that are relevant to your request.

**WRITTEN DESCRIPTION OF THE PROPOSED USE:**

General description of the use (home occupation, accessory structure in excess of 1,200 square feet, filling in a floodplain, non-metallic mining, or any other listed conditional use in zoning districts).

Twin home - (2 home dwelling)  
Option 1 is desired however options 2 + 3  
May work better to achieve the 50' setback  
from the wetlands.  
See attachments for more details

**IF THE PROPOSED USE INVOLVED A BUSINESS ACTIVITY, DESCRIBE THE PROPERTY**

Description of the type of business activity:

Equipment used in the business activity:

Days and hours of operation:

Number of employees:

Nuisance abatement measures that will be implemented:

Noise abatement measures:

Vibration abatement measures:

Dust control measures:

Measures to control fumes or odors:

Visual screening measures (plants, fences, walls, etc.)

DESCRIPTION OF ANY OTHER FEATURES OR CHARACTERISTICS THAT MAY BE SUBJECT TO ZONING REGULATIONS

Exterior appearance of any structure, including a description of the building materials used, the height of eaves, the color of the structure, etc. (required for conditional use permit applications for accessory structures in excess of 1,200 square feet)

Any proposed excavation or fill, the amount of material that will be mined in a non-metallic mining operation, the amount of material that will be stockpiled, etc.

Other features or characteristics (signs, fences, outdoor display areas, etc.)

SCALED SITE PLAN

- |   |   |
|---|---|
| <input type="checkbox"/> Show parcel and building dimensions of all existing and proposed structures  | <input type="checkbox"/> Landscape and screening plans  |
| <input type="checkbox"/> Show all signs, fences and other features that may be regulated by zoning  | <input type="checkbox"/> Show the well and septic system  |
| <input type="checkbox"/> Site access, driveway, and nearest road (labeled)  | <input type="checkbox"/> Parking areas with spaces  |
| <input type="checkbox"/> Drainage plans including the erosion control plan  | <input type="checkbox"/> Show all navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property |
| <input type="checkbox"/> The layout of the use within the structure; if the use only occupies part of the structure, the floor plan should illustrate only the layout of that part of the structure occupied by the use and any access to the use through halls, doorways, etc. |   |
| <input type="checkbox"/> The location of any equipment that will be used  |   |

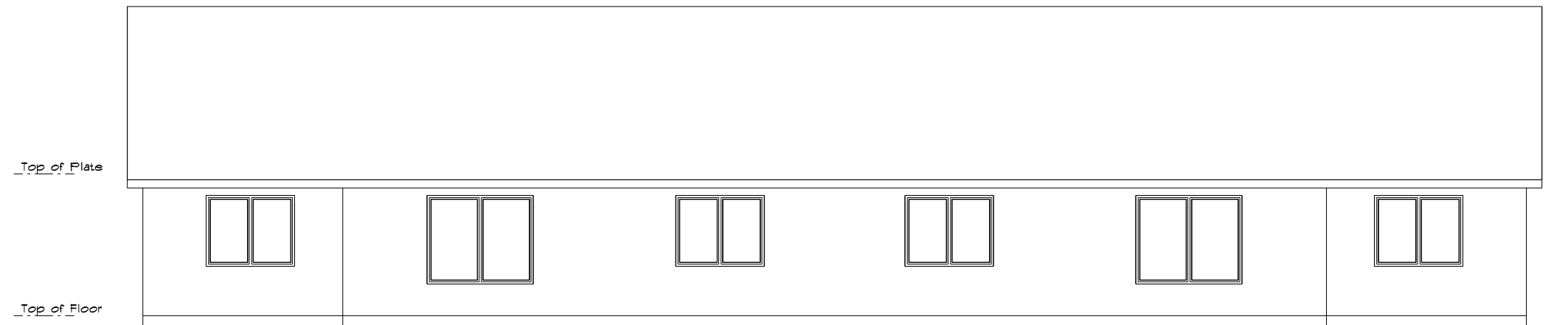
FOR ALL NON-AGRICULTURAL ACCESSORY STRUCTURES

- |  |
|--|
| <input type="checkbox"/> Show floor plan, including attics |
| <input type="checkbox"/> Show scaled building elevations   |
| <input type="checkbox"/> Show color scheme                 |

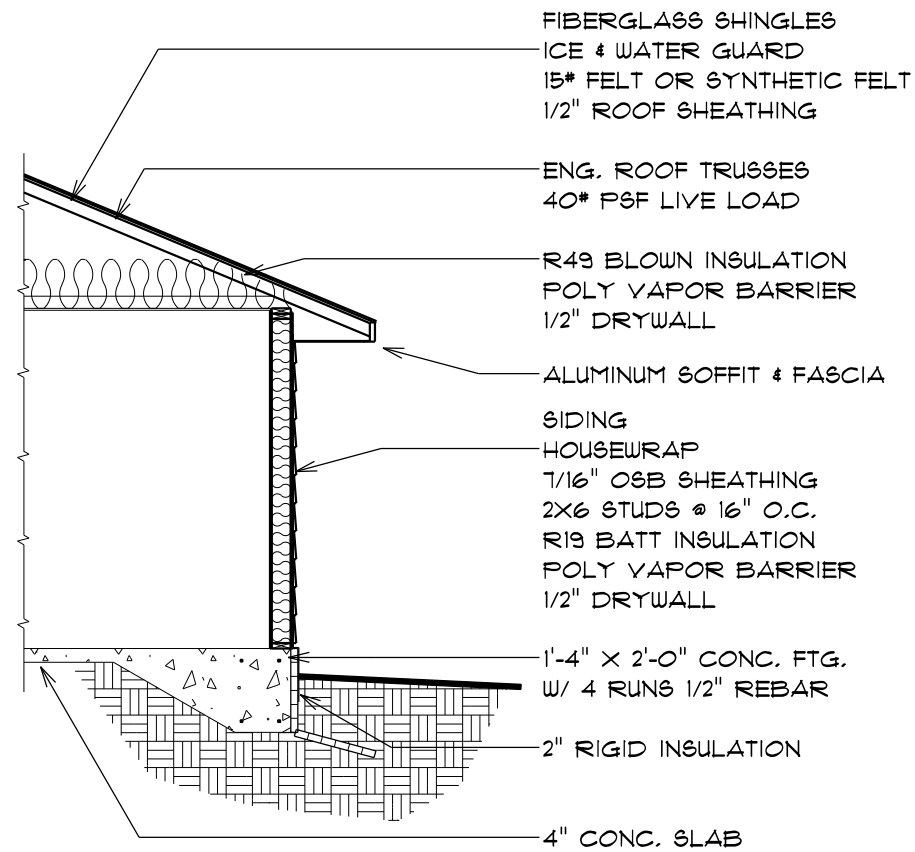
ARROW BUILDING CENTER OWNS ALL RIGHTS INCLUDING BUT NOT LIMITED TO COPYRIGHTS OF THE BLUEPRINTS OR FLOOR PLANS CREATED UNDER THIS AGREEMENT. ARROW BUILDING CENTER LICENSES THE BLUEPRINT OR FLOOR PLAN TO THE CUSTOMER FOR PURPOSES OF CONSTRUCTING THE STRUCTURE DEPICTED IN THE BLUEPRINT OR FLOOR PLAN. THE CUSTOMER SHALL NOT DUPLICATE, DISTRIBUTE TO THE PUBLIC, OR DISPLAY THIS BLUEPRINT OR FLOOR PLAN. THIS BLUEPRINT OR FLOOR PLAN IS NOT A WORK MADE FOR HIRE AS DEFINED UNDER U.S.C. SECTION §101. ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, CONTRACTOR/HOMESOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADER AND BEAM SIZES AND ALL OTHER DIMENSIONS AND SPECS AND BE RESPONSIBLE FOR THE SAME.



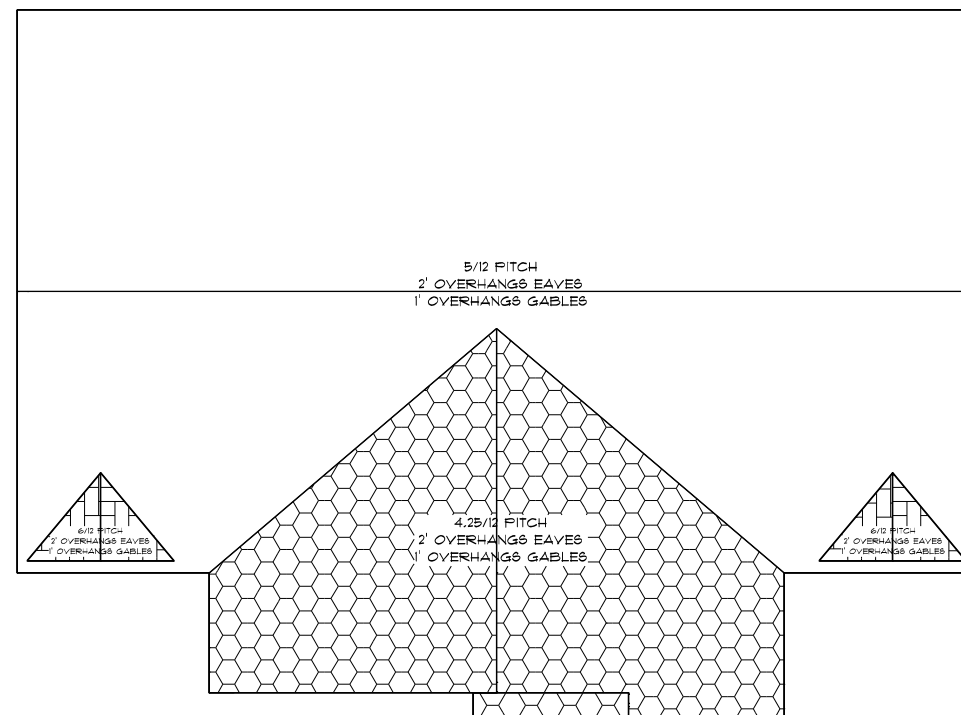
FRONT ELEVATION



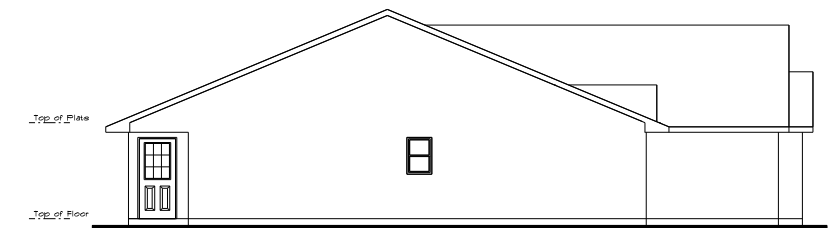
REAR ELEVATION



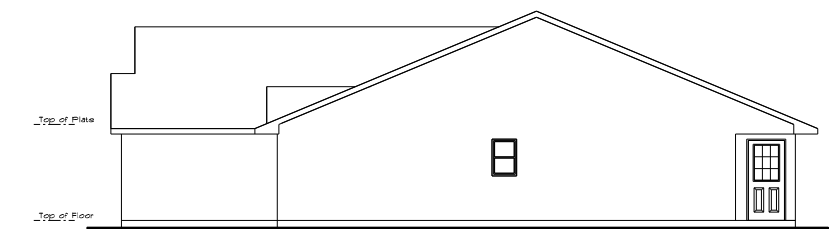
SECTION



BIRD'S EYE PLAN



LEFT ELEVATION



RIGHT ELEVATION

SEBESTA BUILDERS  
DUPLEX X

DRAWN BY:  
RANDY VOETMANN

FILE NAME:  
19-121

SCALE:  
1/4"=1'-0" IF PRINTED  
ON 36"x24" PAPER

1/8"=1'-0" IF PRINTED  
ON 17"x11" PAPER

DATE:  
9-11-19  
10-4-19  
10-15-19

SHEET NUMBER

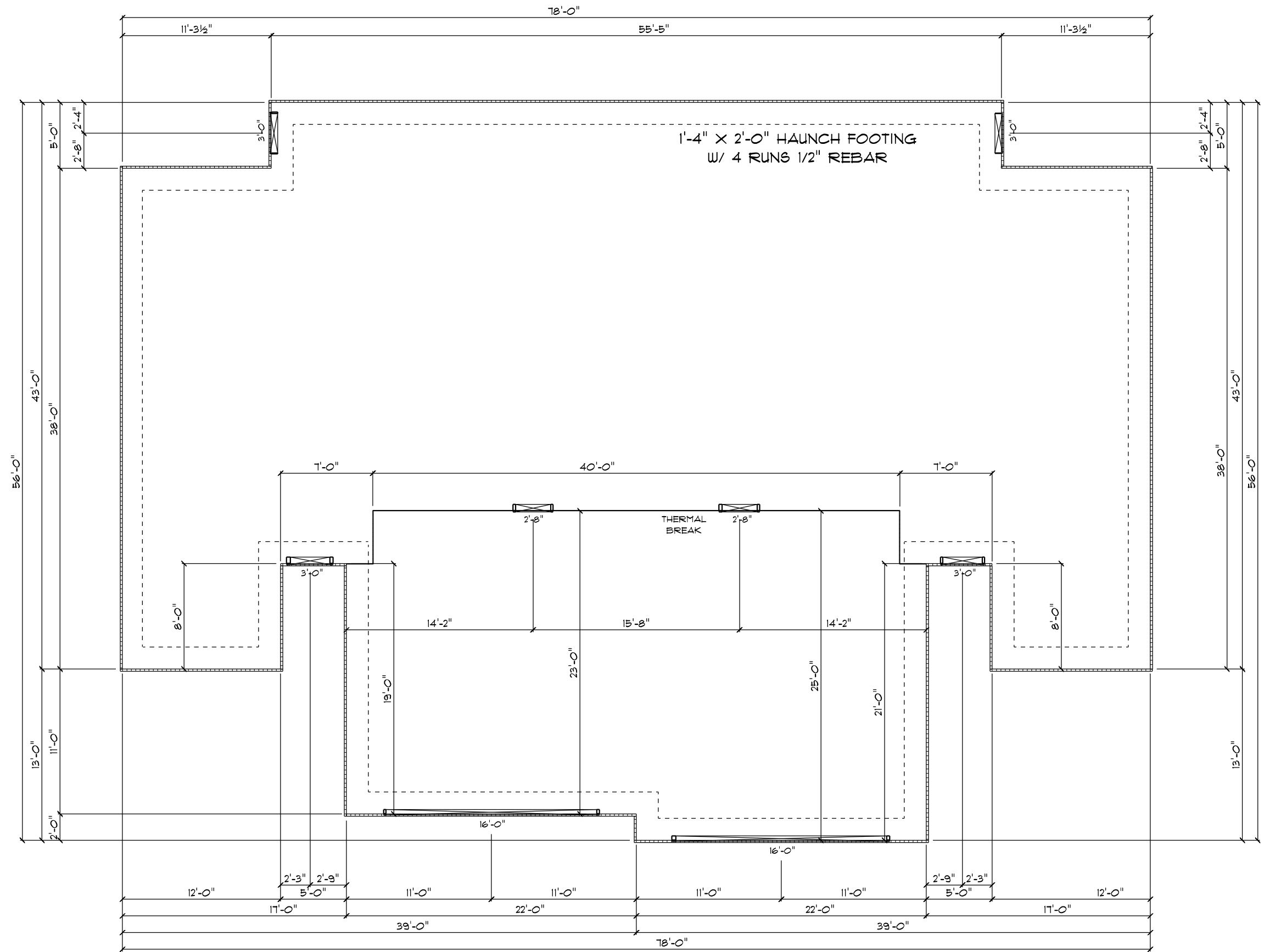
A1

28 SHEET 1 OF 4

ARROW BUILDING CENTER OWNS ALL RIGHTS, INCLUDING, BUT NOT LIMITED TO, COPYRIGHTS OF THE BLUEPRINTS OR FLOOR PLANS CREATED UNDER THIS AGREEMENT. ARROW BUILDING CENTER LICENSES THE BLUEPRINT OR FLOOR PLAN TO THE CUSTOMER FOR PURPOSES OF CONSTRUCTING THE STRUCTURE DEPICTED IN THE BLUEPRINT OR FLOOR PLAN. THE CUSTOMER SHALL NOT DUPLICATE, DISTRIBUTE TO THE PUBLIC OR DISPLAY THIS BLUEPRINT OR FLOOR PLAN. THIS BLUEPRINT OR FLOOR PLAN IS NOT A WORK MADE FOR HIRE AS DEFINED UNDER 17 U.S.C. SECTION §101.

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, CONTRACTOR/HOMEOWNER MUST VERIFY GRADES, FOOTING SIZES, ELEVATIONS, ROUGH OPENINGS, HEADER AND BEAM SIZES AND ALL OTHER DIMENSIONS AND SPECS AND BE RESPONSIBLE FOR THE SAME.

SEBESTA BUILDERS  
DUPLEX X



**FOUNDATION PLAN**  
DIMENSIONS TO OUTSIDE  
OF CONCRETE WITH  
2" EXTRUDED FOAM  
TO EXTERIOR

DRAWN BY:  
RANDY VOETMANN

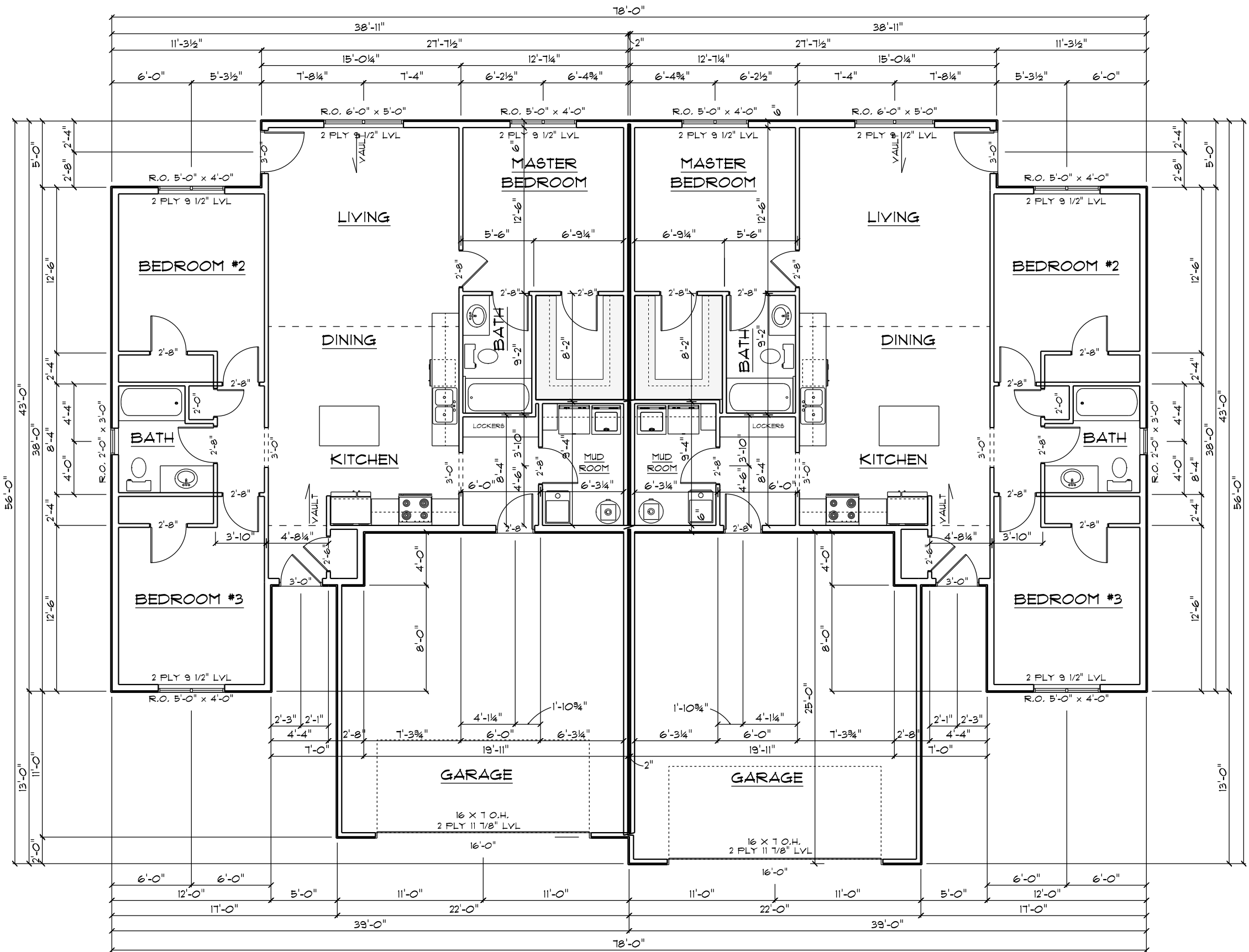
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ON 36"X24" PAPER

1/8"=1'-0" IF PRINTED  
ON 17"X11" PAPER

DATE:  
9-11-19  
10-4-19  
10-15-19

SHEET NUMBER  
**A3**  
29  
SHEET 3 OF 4



**MAIN FLOOR PLAN**  
8' WALLS THIS FLOOR

UNLESS NOTED ALL BEARING HEADERS TO BE 2 PLY 2X10

SEBESTA BUILDERS  
**DUPLEX**  
X

DRAWN BY:  
RANDY VOETMANN

FILE NAME:  
19-121

SCALE:  
1/4"=1'-0" IF PRINTED ON 36"X24" PAPER  
1/8"=1'-0" IF PRINTED ON 17"X11" PAPER

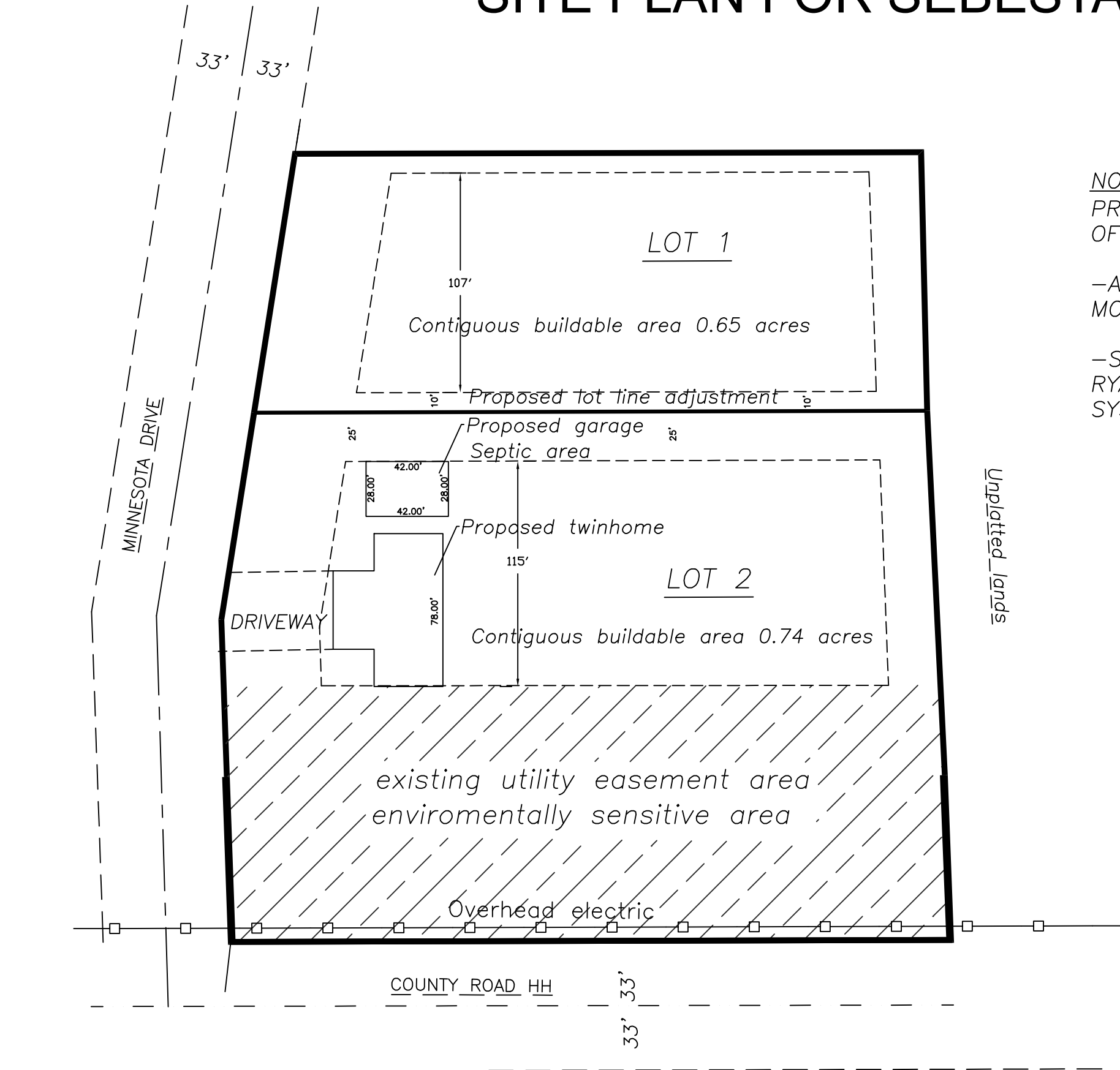
DATE:  
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10-4-19  
10-15-19

SHEET NUMBER

**A2**  
30 SHEET 2 OF 4

# OPTION 1

# SITE PLAN FOR SEBESTA PROPOSED HOME

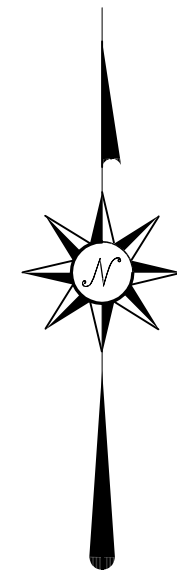


**NOTE:**

PROPOSED STRUCTURES MAY BE WITHIN 50' OF THE EXISTING WETLANDS

-A 2 LOT CSM WILL BE REQUIRED TO MOVE THE EXISTING LOT LINE.

-SOIL TESTS HAVE BEEN COMPLETED BY RYAN PLUMBING FOR CONVENTIONAL SYSTEMS



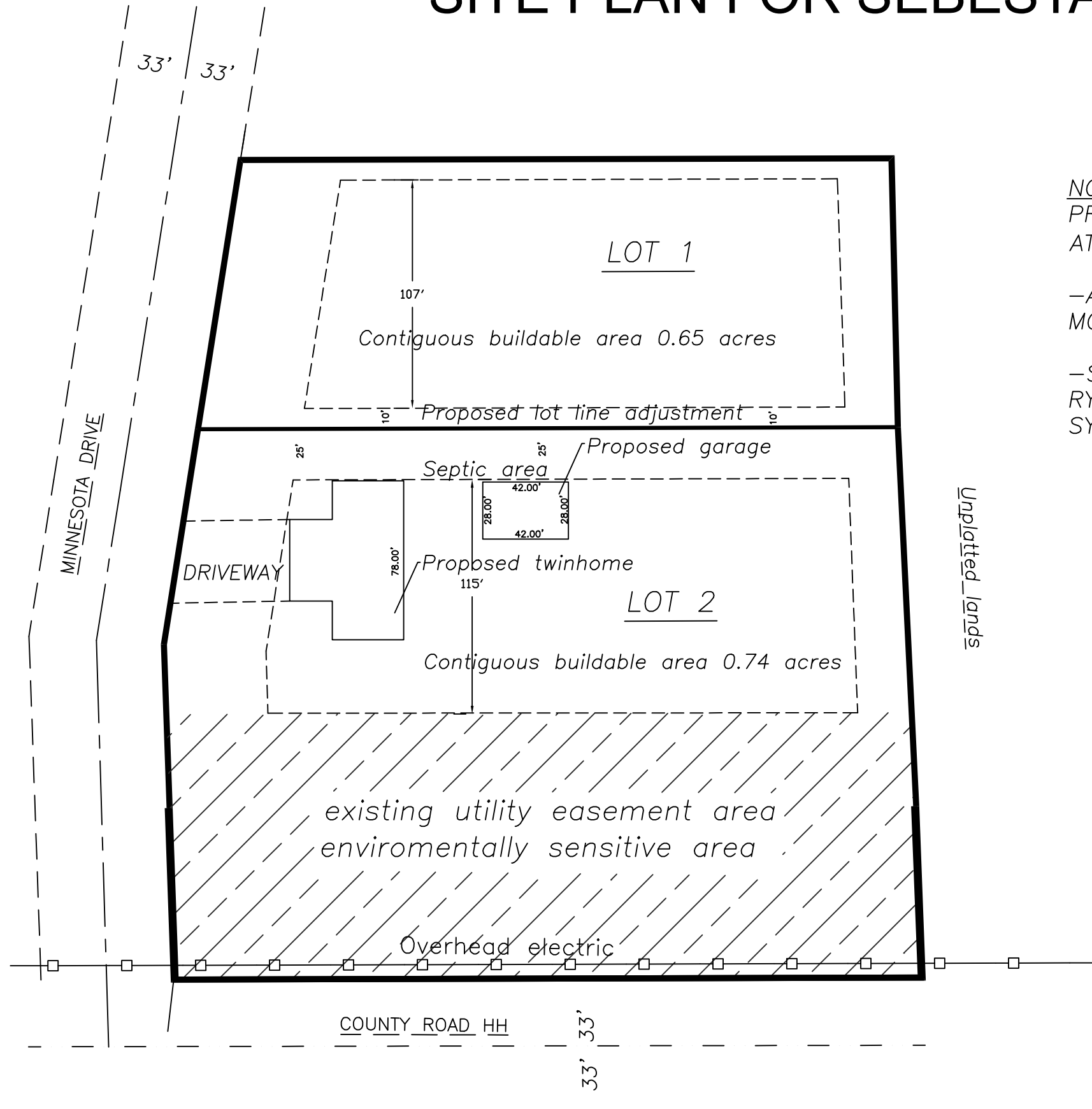
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SCALE 1" = 60'

# OPTION 2

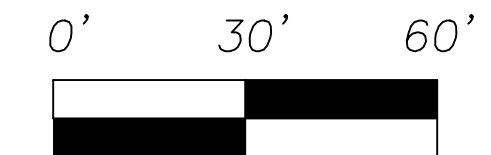
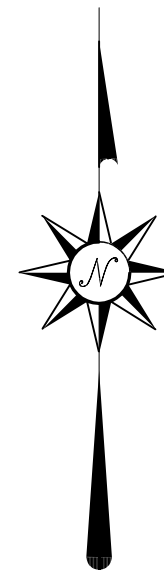
# SITE PLAN FOR SEBESTA PROPOSED HOME



**NOTE:**  
 PROPOSED STRUCTURES ARE  
 AT LEAST 50' FROM EXISTING WETLANDS

—A 2 LOT CSM WILL BE REQUIRED TO  
 MOVE THE EXISTING LOT LINE.

—SOIL TESTS HAVE BEEN COMPLETED BY  
 RYAN PLUMBING FOR CONVENTIONAL  
 SYSTEMS

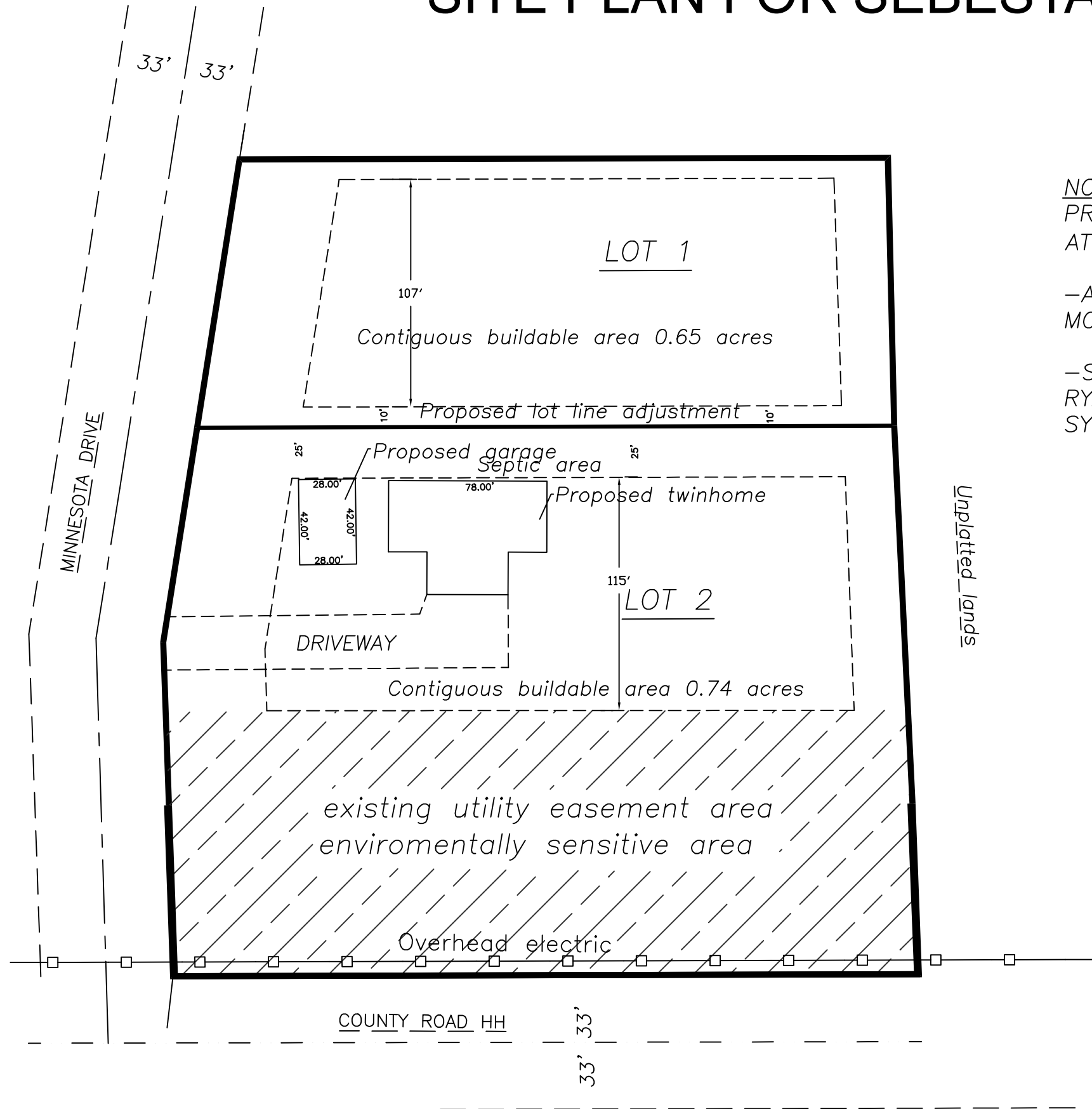


SCALE 1" = 60'



# OPTION 3

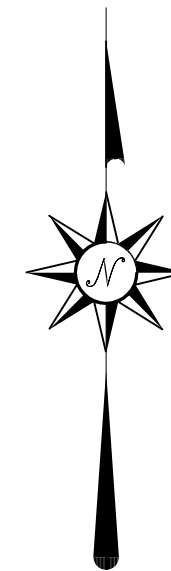
# SITE PLAN FOR SEBESTA PROPOSED HOME



NOTE:  
 PROPOSED STRUCTURES ARE  
 AT LEAST 50' FROM EXISTING WETLANDS

-A 2 LOT CSM WILL BE REQUIRED TO  
 MOVE THE EXISTING LOT LINE.

-SOIL TESTS HAVE BEEN COMPLETED BY  
 RYAN PLUMBING FOR CONVENTIONAL  
 SYSTEMS

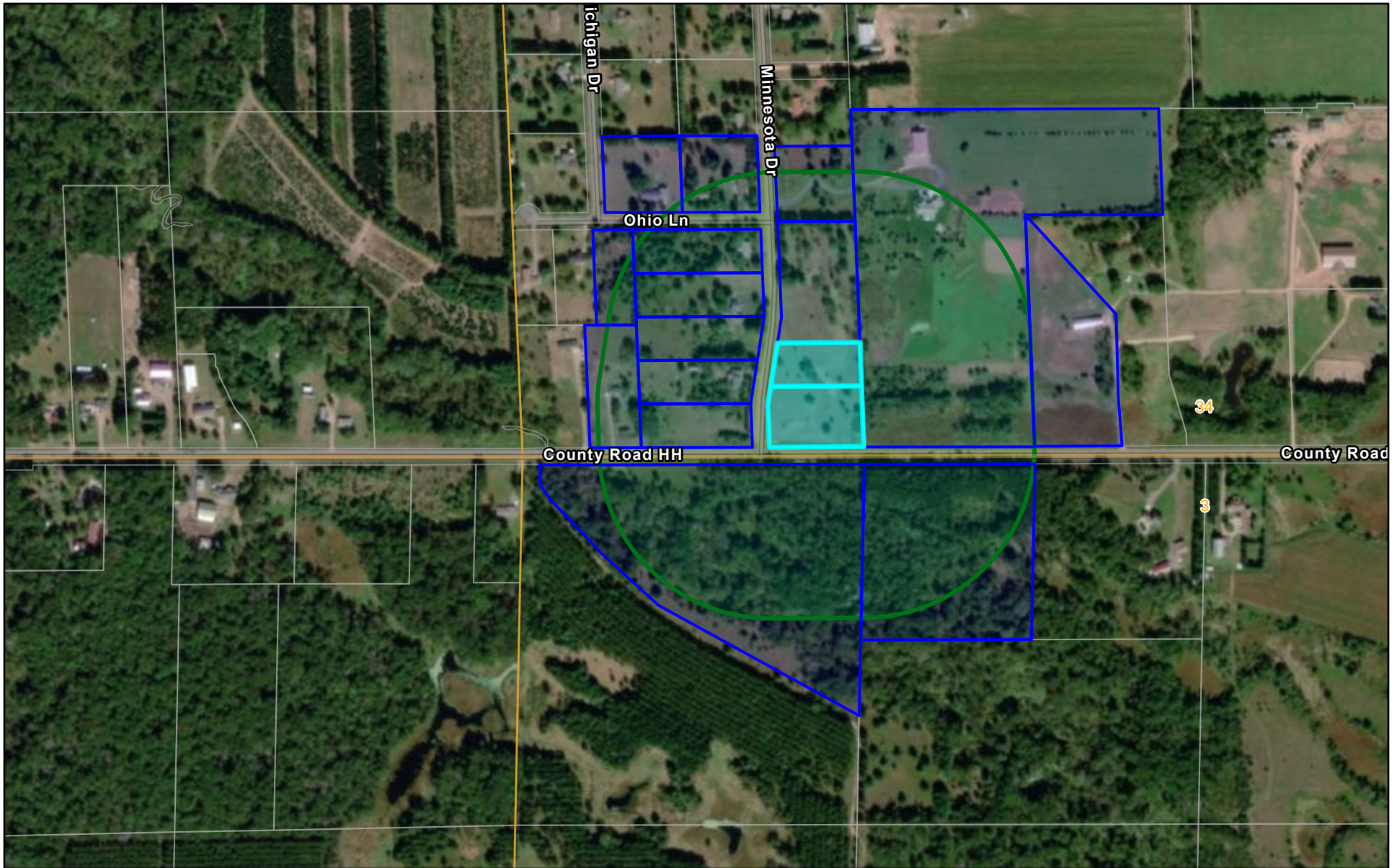


0' 30' 60'






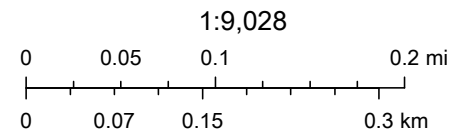
SCALE 1" = 60'

# Public Notification



2/2/2021, 2:59:17 PM

-  County Boundary
-  Tax Parcel
-  Section



USDA FSA, GeoEye, Maxar, Esri Community Maps Contributors, Esri,

Eau Claire County, WI

USDA FSA, GeoEye, Maxar | Esri Community Maps Contributors, BuildingFootprintUSA, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA |

FirstName LastName	Address	City State Zip
PAUL SLABY	729 S SOBOTTA CT	ARCADIA WI 54612-1822
CHRISTIAN FLATEN	S 10095 MINNESOTA DR	ELEVA WI 54738-2201
WILLIAM J & ADA KARNER	S 10160 MINNESOTA DR	ELEVA WI 54738-9056
JOSEPH KOPACZ	1926 11TH ST	EAU CLAIRE WI 54703-5052
ANTHONY MOSEL	6958 TOWER DR	EAU CLAIRE WI 54703-8779
ANTHONY MOSEL	6958 TOWER DR	EAU CLAIRE WI 54703-8779
BETH LARSON	3121 SUMMERFIELD DR	EAU CLAIRE WI 54701-5054
DEPT NATURAL RESOURCES STATE OF WISCONSIN	PO BOX 7921	MADISON WI 53707-7921
JEROLD W & AMY S MOLDENHAUER	S 10200 MINNESOTA DR	ELEVA WI 54738-9056
JEROLD W & AMY S MOLDENHAUER	S 10200 MINNESOTA DR	ELEVA WI 54738-9056
SARA GRYGLEWSKI	E 2450 OHIO LN	ELEVA WI 54738-9059
MARY JOHNSON	S10250 MINNESOTA DR	ELEVA WI 54738-9056
GEORGE M & BONITA A ICKSTADT	E 2552 OHIO LN	ELEVA WI 54738-9059
MARY JOHNSON	S10250 MINNESOTA DR	ELEVA WI 54738-9056
CHRISTIAN FLATEN	S 10095 MINNESOTA DR	ELEVA WI 54738-2201
MARY JOHNSON	S10250 MINNESOTA DR	ELEVA WI 54738-9056
JEFFREY A JACKSON	E3130 COUNTY ROAD HH	ELEVA WI 54738-9018

February 10, 2021

Eau Claire County Committee on Planning & Development  
Dept of Planning & Development  
Eau Claire County Courthouse - Room 3344  
721 Oxford Ave  
Eau Claire, WI 54703-5212

RE: CUP-0003-21

Legal Description: Part of the Southwest 1/4 and the Southwest 1/4,  
Section 34, Township 26 North, Range 9 West, Town of Pleasant Valley,  
Eau Claire County, WI

This letter is being wrote in **opposition** to the proposed CUP-0003-21. Development on the properties in the Minnesota Drive area was set out to be rural living with single family dwellings. With that idea, developers in the 1970's established generous lot size for single home dwelling.

The property in this CUP-0003-21 is adjacent to the author of this letter. Water tables in the CUP-0003-21 area are extremely high. With standing water many of the past years on east 1/2 of the combined property. I understand there has been test hole completed in 2020. In 2020, the area has received less moisture than many of the previous years. Grasses on the property do indicate that moisture area higher that much of the surrounding lands. As a point of reference in 2017, I placed an auger hole for a 5" fence post on my certified survey. This post was on the NE corner of the upper combined lots. That 6" auger hole was 5' deep; water filled the entire hole in 2 minutes.

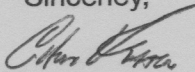
Having a conventional septic on any part of these combined properties seems to be a stretch. There are numerous septics in the area that are mound systems and are not in wet areas. Having a conventional septic at this latitude, elevation, and current water table does not seem to be a feasible decision. Failure to a great potential.

My current field that is adjacent to this property on the east side and at the same latitude is moist / wet well into the month of June. Soil conditions and typing was done by NRCS for planting. Seed type choices were much different that areas that are 50' to the north of the combined properties in this CUP-0003-21.

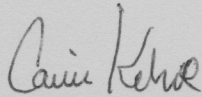
I understand that the Town of Pleasant Valley Board has wrote a letter of opposition as well. Township wishes to maintain the RH zoning and continue the community of single family dwellings.

I'm unable to attend meeting on February 23, 2021 due to prior commitments. Please have this letter available to all members of the EC Cty Comm. of Planning and Development.

Sincerley,



Chris Flaten  
S10095 Minesota Dr  
Eleva, WI 54738



Carrie Kehoe

February 11, 2021

Eau Claire County  
Department of Planning and Development  
Eau Claire County Courthouse – Room 3344  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5212

RE:CUP-0003-21

To whom it may concern:

This letter is to express our objection to the proposed conditional use permit request for a duplex in our subdivision.

This subdivision consists of all single-family homes and we feel that the proposed duplex does not conform to the type of homes that are in our subdivision. Duplex homes tend to be rental type homes and we do not want this to set a precedent for adding more rental property, or converting existing homes to rental homes. This duplex will be located at the one and only entrance to the subdivision. It will be the first thing people see and it will give the first impression. All the homes adjacent to this lot are single family homes. There are no other residential areas adjacent to our subdivision that are zoned for multifamily use, and we would prefer that this area not be zoned for multifamily zoning.

Sincerely,

George and Bonita Ickstadt  
E2552 Ohio Lane  
Eleva, WI 54738

William and Ada Karner  
S 10160 Minnesota Drive  
Eleva, WI 54738

George Ickstadt  
Bonita Ickstadt

William F. Karner  
Ada Karner

## TOWN OF PLEASANT VALLEY

February 8, 2021

### TOWN BOARD MEETING

#### CALL THE MEETING TO ORDER

Chairman Dan Hanson called a Town Board Meeting of the Town of Pleasant Valley to order on Monday, February 8, 2021 in the Pleasant Valley Town Hall in Cleghorn at 7:00 p.m.

#### PLEDGE OF ALLEGIANCE

Chairman Hanson called for the honoring of the flag with the Pledge of Allegiance. Chairman Hanson then read an excerpt from page 127-128 of "Pastoral Beginnings – Town of Pleasant Valley". The historical excerpt referred to the 3 original hamlets of Pleasant Valley: Shaw, Hadleyville and Cleghorn.

#### INTRODUCTION OF TOWN OFFICIALS

Board members present: Chairman Dan Hanson, Supervisor Dan Green (via Zoom) and Supervisor Doug Nelson. Staff members present: Jen Meyer, Clerk/Treasurer and Hwy Supervisor Wyatt Wathke.

#### REZONE PUBLIC HEARING – GREEN – A1 to A2 - 1801822509014409000

Daniel and Patricia Green, owners of said property, presented their application to the board to change approximately 5 acres from A1 to A2 as they would like to create a building site for their daughter. There is other A2 zoning in the area. No attendee spoke in favor or opposition of the rezone request.

**Motion(Hanson/Nelson)** to close the public hearing at 7:15pm.

Chairman announced the ayes carry 2-0 and the motion is carried.

#### REZONE - GREEN – A1 to A2 - 1801822509014409000

A rezone application was received from EC County Planning and Development for property owned by Daniel and Patricia Green. The board reviewed the application and indicated an A2 zoning does fit in that area.

**Motion(Nelson/Hanson)** to recommend A2 zoning of said property to EC County Planning and Development.

Chairman announced the ayes carry 2-0 and the motion is carried.

#### PROCEDURES

**Motion (Nelson/Green)** to dispense with the reading of the January 11, 2021 Town Board meeting minutes emailed to the board. Chairman announced the ayes carry 3-0 and the motion is carried.

**Motion (Nelson/Green)** to approve the Treasurers report for the month of January 2021 as presented and printed. Chairman announced the ayes carry 3-0 and the motion is carried.

#### LETTERS & REPORTS

##### Town Chairman

-Dan Hanson is serving on the Eau Claire County Library Committee. There will be a new County contract for library service in the near future.

-Township Fire Department is working through how to replace the dispatcher who is retiring in the near future. The services of the Eau Claire County Communication Center are being explored.

Town Supervisors (Sebesta CUP)

Doug Nelson and Dan Hanson received calls/emails from residents on Minnesota Drive who are concerned about the recent CUP application received by the County for a twin home to be built on a vacant lot in the Clear Creek Addition. Although the Town Board typically does not send a recommendation to the County regarding CUP applications, the Town Board does review each application when they are received. The Town Board has concerns regarding the CUP application submitted by Chris Sebesta to build a twin home on parcel #1801822609343309005. Said application was received by the Town Clerk on February 2, 2021.

**Motion(Nelson/Green)** to recommend the County does NOT approve CUP-0003-21 for the following reasons:

1. The Town Comprehensive Plan does not support multi-family homes. Section 2.1.2 states the objective to “retain farm-based and single-family residence as the preferred types of housing in the Town of Pleasant Valley”.
2. The Town Board has not allowed duplexes, twin homes or multi-family homes in the past and the Town Board does not wish to set precedence to allow for such homes in the future.

Chairman announced the ayes carry 3-0 and the motion is carried.

Town Highway Supervisor

-The last month has consisted of plowing and boom mowing. Brushing will continue as time and weather permit.

Town Clerk/Treasurer

-Kitelinger update: asbestos has been removed, septic has been pumped and power has been cut from the property. Demolition will occur in the near future.

-The property owner north of the Kitelinger property has received notice from the County regarding zoning violations and the un-working vehicles outside the property.

-A response was received from Weld Riley regarding the investigation into the County DHS and potential money mismanagement.

-Jen will email the Town Plan Commission to confirm their willingness to serve another three-year term. Appointments will need to be made in April.

-Road bids will be published soon with bid openings in March or April.

Park Committee/Lions Club (Frank Neibauer)

-Jen distributed the 2020 Park Report to the board which was authored by Frank Neibauer, park committee chair.

CITIZEN INPUT

-John Norby, owner of Hickory Hills Golf Course, has requested the speed limits be reduced to 35mph on the stretch of Hickory Road between Hwy I and Hwy 93. The traffic has increased dramatically in the last few years with the addition of Winterhaven. As Cambridge develops in the next couple of years, traffic will add to the daily volume. Many bikers and pedestrians use the stretch of roadway. Hickory Road divides the golf course and John estimates during golf season the golf course has between 150-400 crossings of the road per day. The Town will communicate with the County Highway Commissioner regarding lowering the speed limit in the area.

-John Norby, battalion chief of TFD station #4 shared with the board that the fire department has received enough donations to purchase the drone. After the drone is acquired and training is complete, the resource will also be available to other departments.

COMPLAINTS

-none

OLD BUSINESS

-none

NEW BUSINESS

Updating Fee Schedule - Resolution No 21-16-03

Updates to the fee schedule were presented to the board. The only change was the addition of fees for ball leagues.

**Motion (Green/Nelson)** to approve the updated fee schedule Resolution No. 21-16-03.

Chairman announced the ayes carry 3-0 and the motion is adopted.

Budget Amendment – Resolution No 21-16-04

An amendment updating the 2021 budget was presented. Amendments were made for the purchase of the F550 and associated loan.

**Motion (Nelson/Green)** to approve Resolution No 21-16-04.

Chairman announced the ayes carry 3-0 and the motion is adopted.

2021 Historical Committee – Resolution No. 21-16-05

The 2021 historical committee member list was presented to the board. All members are remaining the same.

**Motion (Nelson/Green)** to approve Resolution No. 21-16-05

Chairman announced the ayes carry 3-0 and the motion is adopted.

2020 Budget Review

The budget as of January 31, 2021 was presented and reviewed.

Operator Licenses

-none

REVIEW/APPROVE ORDERS

The bills /orders for the month of January 2021 and the alternative of claims paid report were presented by the clerk and approved by the town board for payment.

ADJOURNMENT

**Motion (Green/Nelson)** to move this meeting is adjourned.

Chairman announced the ayes carry 3-0 and the motion is adopted.

Adjourned at 8:05pm

Respectfully submitted,  
Jen Meyer, Clerk / Treasurer

Posted at town hall 3-5-2021  
Placed on Website 3-5-2021





**Eau Claire County**  
**DEPARTMENT OF PLANNING**  
**AND DEVELOPMENT**  
Eau Claire County Courthouse, Rm. 3344  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5481  
(715) 839-4741

Land Use Controls  
839-4743

Planning  
839-5055

Land Information  
839-4742

Land Conservation  
839-6226

Emergency Management Coordinator  
839-4736

# Memo

To: Committee on Planning and Development  
From: Jared Grande, Land Use Manager, Planning and Development  
Date: 2/9/2021  
Re: CUP-0002-21

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I am writing to inform the Committee on Planning and Development the applicant Craig Wurzer has withdrawn the application as of 02/09/2021.

February 9, 2021

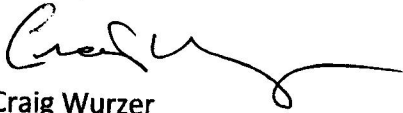
Mr. Jared Grande  
Eau Claire County  
Land Use Manager  
721 Oxford Avenue  
Eau Claire, WI 54703

Mr. Jared Grande,

The Orchard Hills Development Team would like to hereby withdraw materials previous submitted to Eau Claire County for the agenda items for the February 17 County Board Meeting with regards to rezoning. Plus, the February 23 Planning and Development Committee meeting for the Orchard Hills Subdivision with regards to the Preliminary Plat along with the associated CUP/PUD aspects of this project.

At this time, we are currently working on adjusting some elements of the project along with discussing the project more in depth with the neighborhood team.

Thank you,



Craig Wurzer  
Managing Member

CDPG Developers, LLC.  
1750 US-53 Business  
Chippewa Falls, WI 54729



**Eau Claire County**  
**DEPARTMENT OF PLANNING**  
**AND DEVELOPMENT**  
**Eau Claire County Courthouse - Room 3344**  
**721 Oxford Avenue**  
**Eau Claire, Wisconsin 54703-5212**  
**(715) 839-4741**

Building Inspection  
839-2944

Emergency Management  
839-4736

Geographical Information Systems  
839-4730

Land Conservation  
839-6226

Land Records  
839-4742

Land Use Management  
839-4743

Planning  
839-5055

Recycling  
839-2756

## REPORT:

TO: COMMITTEE ON PLANNING AND DEVELOPMENT

FROM: Jared Grande, Land Use Manager

DATE: February 18, 2021

RE: Request to amend "No Build Line"/ "No Disturbance Area" on Lot 18 of recorded plat Cedar Springs

Pete Gartmann, Professional Land Surveyor, has requested approval to amend the "No Build Line"/ "No Disturbance Area" as platted for Lot 18 in the recorded plat Cedar Springs in Section 28, T26N-R9W, Town of Pleasant Valley.

The Affidavit indicates the applicant is requesting amending of the "No Build Line"/ "No Disturbance Area" to align with the 921' above mean sea level determined by the flood analysis report.

Town of Pleasant Valley is required to approve the requested change as indicated in the Affidavit; the surveyor is required to obtain the Town of Pleasant Valley signature on the affidavit prior to final signature from Eau Claire County. The affidavit needs to be recorded in the Register of Deeds office before the change is effective.

**STAFF RECOMMENDATION:** Staff has reviewed this request and recommends that the committee approve the adjustments for "No Build Line"/ "No Disturbance Area" for Lot 18 of recorded plat Cedar Springs subject to the following conditions:

1. The new proposed "No Build Line"/ "No Disturbance Area" shall incorporate the wetland that was delineated as part of the recording of Cedar Springs (reference the map provided by Real Land Surveying).
2. Remove any verbiage within the affidavit or accompanying documents indicating the "No Disturbance Area" was done in error. These requirements were reviewed and approved by the Committee on Planning and Development per the plat of Cedar Springs.
3. Additional note on Exhibit A and within the affidavit stating, "Lowest floor of a habitable structure shall be placed at least 1-foot above the ground water elevation. This shall be determined prior to any permit(s) being issued for a habitable structure." Staff shall verify prior to the footings being poured.
4. Depict elevation of new established line within Exhibit A.
5. The affidavit shall be reviewed, and all changes/edits approved by the department prior to recording (the Director's signature would signify review and approval by the department).
6. After all certificates have been executed, the final affidavit shall be recorded in the Register of Deeds office.
7. A copy of the recorded correction affidavit shall be provided to the department for filing in the property file. In addition, the recorded affidavit shall be submitted with any permit applications for a habitable structure within Lot 18.

**LETTER OF TRANSMITTAL**  
Real Land Surveying



1360 International Drive, Suite 2, Eau Claire, WI 54701 - Telephone (715) 514-4116

**Date:** 02/16/21  
**To:** Eau Claire County Planning and Development  
**Project Name:** Tyler Tunender, Affidavit of Correction  
**RLS Project No:** 20379  
**Regarding:** Application and Materials for Committee Review

Enclosed       Under separate cover via

No. of Copies	Last Dated	Description
1	02/16/21	Exhibit "A"
1		Committee Review Application
1		Town Board Resolution
1		Project Narrative/Item To Be Reviewed
1		Eau Claire County Release
1		Affidavit of Correction
1		Final Drainage Report, Dated January 2006

Remarks:

Hi Jared,

Please include attachments for the Committee Review regarding Mr. Tunender's site in Cedar Springs.

Thanks

Pete / Jeremy

Copy to:



**Department of Planning and Development**  
 Eau Claire County Courthouse  
 721 Oxford Avenue, Room 3344  
 Eau Claire, Wisconsin 54703  
 (715) 839-4741

Application Accepted:	
Accepted By:	
Receipt Number:	
Town Hearing Date:	
Scheduled Hearing Date:	

### COMMITTEE REVIEW APPLICATION

Property Owner Name: TYLER TUNENDER	Phone# 715-471-0067
Mailing Address: 3211 OAK KNOLL DRIVE #4, EAU CLAIRE, WI 54701	
Email Address: ttndr@yahoo.com	

Agent Name: Real Land Surveying	Phone# 715-514-4116
Mailing Address: 1360 International Drive, Suite 2, Eau Claire, WI 54701	
Email Address: jskaw@rlswi.com	

#### SITE INFORMATION

Site Address: Lot 18 Cedar Springs	
Property Description: NW ¼ NE ¼ Sec. 28, T26 N, R9 W, Town of PLEASANT VALLEY	
Zoning District: A2	Code Section(s):
Overlay District: Check Applicable	<input type="checkbox"/> Shoreland <input type="checkbox"/> Floodplain <input type="checkbox"/> Airport <input type="checkbox"/> Wellhead Protection <input type="checkbox"/> Non-Metallic Mining
Computer #(s):	018 - 124 - 609 - 000

#### GENERAL APPLICATION REQUIREMENTS

Applications will not be accepted until the applicant has met with department staff to review the application and determine if all necessary information has been provided. All information from the checklist must be included.

- A detailed written statement that specifically identifies what is being requested for review.
- Written narrative that justifies the need for the request. When applicable, it is the applicant's responsibility to prove that an "unnecessary hardship" exists.
- The applicant may be required to flag/stake the property/project corners and label them accordingly (e.g. NE Lot corner, NE building corner).
- A scaled site plan of the site and surrounding area for a distance of 100 feet, including buildings and other structures. Also, include the proposed addition/structure/location of septic system, well, driveway, property lines, navigable water ways, wetlands, floodplains, slopes in excess of 20%, and any other unique limiting condition of the property. All maps and engineering data to be no larger than 11" x 17".
- Provide a \$215.00 application fee (non-refundable), make checks payable to the Eau Claire County Treasurer or online payment. \*\* Review by the committee is not a public hearing\*\*

I certify by my signature that all information presented herein is true and correct to the best of my knowledge. I give permission for the staff of the Eau Claire County Department of Planning and Development to enter my property for the purpose of collecting information to be used as part of the public hearing process. I further agree to withdraw this application if substantive false or incorrect information has been included.

Owner/Agent Signature 

Date 2-16-21

At the meeting, the applicant may appear in person or through an agent or an attorney of his/her choice. The applicant/agent/attorney may present testimony, evidence and arguments in support of the application. All site plans, pictures, etc. become the property of the Department, and will remain in the file.



**Eau Claire County, WI**  
**Online Payment Service**

*Your transaction has been successfully completed!*

**Account Information**

**Payment Type:** Permit  
**Address:** 1360 International Drive Suite 2 Eau Claire WI 54701 US  
**Phone Number:** 17155144116  
**Email Address:** jskaw@rlswi.com  
**Permit Number:** Committee Review App  
**Phone Number:** 7155144116

**Payment Information**

**Amount:** \$215.00  
**Convenience Fee:** \$5.14\*  
**Total Amount:** \$220.14

**Card Number:** XXXXXXXXXXXXX8182  
**Expiration Date:** 11/2022  
Jeremy Skaw  
1360 International Drive Suite 2 Eau Claire WI 54701 US

Your confirmation number is:

**7338845**

Tuesday, 16 February 2021 09:25:02 [CST]

---

**DRINKMAN PROPERTY  
DRAINAGE REPORT**

**CLIENT:  
MIKE BENRUD**

**PREPARED BY:  
TEC DESIGN, INC.  
5828 ARNDT LANE  
EAU CLAIRE, WI 54701**

**January 2006**

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## **BACKGROUND**

The Drinkman Property is located in a portion of the NW ¼ of the NE ¼ of Section 28, Township 26 North, Range 9 West, Pleasant Valley, Eau Claire County. See Appendix A-1 for location map. The proposed site will be developed for construction of seventeen single-family residential lots and two common areas.

## **PRE-DEVELOPED SITE CONSIDERATIONS**

The existing site is characterized by steep slopes of moderately dense vegetation that drain to the northeast towards Lowes Creek. There is two distinct drainways that travel through this property. One drainage way will collect approximately 437 acres of run-off and pass through the center of the project site. The other drainage way collects approximately 680 acres of land and flows through the corner of the development and will have no impact on the subdivision. See Appendix A-2 for an aerial view. The United States Department of Agriculture Soil Conservation Service classifies the native soil as Plainfield, Tell, Billett, and Elkmound. The Plainfield, Tell, and Billett are loamy sands which is an excessively drained soil in Hydrologic Group A and B. These soils are found on the major of the site. The Elkmound soil is a loam with little water capacity and is a Hydrologic Group D soil. These soils are found along the drainways of the site. See Appendix A-3 for a soil survey map of the proposed project location. The storm run-off from this site is high due to the cultivated land and steep slopes. The pre-developed site was divided into three drainage basins. See Appendix A-4. Eau Claire County requires the volumetric difference between the pre-developed and post-developed 10-year storm event to be retained on-site. The 10-year recurrence run-off was calculated to be 2.49 acre-ft for all three drainage basins. HydroCad calculations are included in Appendix B-1.

**PRE-DEVELOPED RUN-OFF RATE TABLE**

BASIN	RECURRENCE	
	10-YR. (CFS)	10-YR. (AC-FT)
POST-SC1	4.33	0.624
POST-SC 2	5.01	0.893
POST-SC 3	8.99	0.974
<b>TOTALS</b>	<b>18.33</b>	<b>2.491</b>

## **POST-DEVELOPMENT DRAINAGE PLAN**

The proposed site will be developed for construction of seventeen single-family residential lots. The post-developed site was divided into four basins. See Appendix A-5. The proposed road will follow existing topography to minimize changes in peak flow runoff rates. Ground water elevation is approximately at 913.5. Wetlands will be delineated prior to the final plat. Wetlands shown are from the DNR Wetland Inventory maps.

**POST-DEVELOPED RUN-OFF RATE TABLE**

BASIN	RECURRENCE	
	10-YR. (CFS)	10-YR. (AC-FT)
POST-SC1	6.81	0.273
POST-SC 2	0.00	0.000
POST-SC 3	2.04	0.308
POST-SC 4	4.40	0.645
<b>TOTALS</b>	<b>13.25</b>	<b>1.226</b>

The residential area will collect storm water runoff via a ditch system to natural drainage ways and one detention pond. The residential area generates 1.226 acre-ft of storm water runoff. See Appendix B-4 for HydroCad calculations. This is significant less than the pre-development release of 2.49 acre-ft. No ponds will be required for this subdivision except to meet infiltration requirements. The collected storm water runoff will be retained to infiltrate into the ground.

**WATER QUALITY**

A water quality program was completed using P 8 software. The ditches and proposed pond will remove an average of 83.15% of the suspended solids. The ponds will also act as a sedimentation pond during construction and must be cleared after vegetation has been established. The table below shows the actual removal rates through the project.

**POST-DEVELOPED RUN-OFF RATE TABLE**

Station	REMOVAL RATE (%)
STATION 2+25 – 4+75	76.7
STATION 4+75 – 17+00	94.8
STATION 17+00 – 25+00	82.1
STATION 25+00 – 33+00	79.0
<b>AVERAGE REMOVAL (PROJECT)</b>	<b>83.15</b>

## **INFILTRATION**

Infiltration calculations were completed for this project. The DNR regulations requires that you infiltrate 90% of the average annual pre-developed infiltration volume or 25% of the 2-year, 24 hour storm. A 1% cap of total disturbed area is placed on the area need be reserved for infiltration.

Calculations indicate that 25% of the Post Developed 2-year storm would produce 0.454 ac-ft of runoff. See Appendix C-1. Assuming a 1' deep basin, this would require 0.348 acres (19,776 sq ft) of basin be used of infiltration. The total land disturbance to the entire subdivision is 4.24 acres. The cap of 1% would equal 0.0424 acres (1,845 sq.ft.) of area for infiltration basin.

The total area set aside for these basins is 0.385 acres (15,449 sq ft). This is more that the minimum requirement of the 2-year storm. See map in Appendix C for storm water pond configuration. The water entering these detention basins will be properly treated per NR 151 standards. The storm water pond is treated in excess of the 60% TSS removal required by code. See Appendix C-4 for calculations.

## **CULVERT DESIGN**

There is one drainage way that will run through the middle of the subdivision and drain to Lowes Creek. The existing pipe on the upstream side of the subdivision is 72 inches while the downstream pipe is 60 inches. All proposed pipes were calculated using the 25 year event. Based on calculations, the cross road pipe at station 25+00 will be a 72 inch pipe. The drainage area was also examined under the 100 year event. Water will accumulate in front of the proposed pipe at station 25+00 and be stored within the existing drainage area to an elevation of 921.01. This will be the high water elevation for the water passing through the subdivision.

## **EROSION AND SEDIMENTATION CONTROLS**

The Contractor will maintain erosion controls to protect the site and prevent sediment pollution of adjacent water courses and properties. Unless otherwise specified, erosion controls will comply with the planning, design, and maintenance provisions of Chapter 3 of the Wisconsin Department of Natural Resources *Wisconsin Construction Site Best Management Practice Handbook*. The erosion and sedimentation controls will be as follows:

- 1.) Install silt fence as shown on the site plan.
- 2.) Grade slopes to 3:1 or flatter to reduce erosion potential on the site.
- 3.) Control dust by applying water or dust control measures to minimize dispersion of dust and dirt during construction operations and to confine dust and dirt within the immediate area of construction.
- 4.) Dispose of building and waste materials in an approved manner.
- 5.) Seed and mulch graded areas to stabilize the exposed soil.

### **CONSTRUCTION SEQUENCE**

Construction activities will be completed in the following order:

- 1.) Obtain plan approval.
- 2.) Hold pre-construction meeting.
- 3.) Install silt fence as needed.
- 4.) Strip topsoil and stockpile in designated areas.
- 5.) Construct retention ponds and drainage ways.
- 6.) Rough grade roadway.
- 7.) Install culverts and riprap pads.
- 8.) Install erosion and turf reinforcement mat as needed.
- 9.) Seed and mulch disturbed areas.

### **EROSION AND SEDIMENT CONTROL MAINTENANCE PLAN**

The Contractor shall adhere to the following maintenance plan:

- 1.) Check the stability and operation of all erosion and sediment controls at least once weekly and following every runoff producing rainfall event. Any needed repairs shall be made immediately to maintain all practices as designed.
- 2.) Remove sediment from behind the silt fence when deposits reach approximately one-half the volume capacity of the fence.
- 3.) Remove any sediment accumulating on adjacent property or potential drainage ways at the end of each day.
- 4.) Fertilize and mulch all seeded areas to maintain a healthy vegetative cover and reseed as needed.
- 5.) Prepare weekly written reports that describe the condition of the erosion and sediment controls, describe any erosion and sediment control implementation and maintenance performed that week, and describe the present phase of construction at the site. When rainfall amounts exceed 0.5 inches, an inspection of the site must be done, and a report written, within 24 hours

### **POND MAINTENANCE PLAN**

At the end of construction, the contractor will remove all sediments that have accumulated in the ponds during construction. Once construction has been completed, the Homeowner Association will be responsible for maintenance of the ponds.

### **SUMMARY**

The residential area will collect storm water runoff via a ditch system to natural drainage ways and one detention pond. The residential area generates 1.226 acre-ft of storm water

runoff which is significantly less than the pre-development release of 2.49 acre-ft. Some of the collected storm water runoff will be retained to infiltrate into the ground.

There is one drainage way that will run through the middle of the subdivision and drain to Lowes Creek. All proposed pipes were calculated using the 25 year event. Based on calculations, the cross road pipe at station 25+00 will be a 72 inch pipe.

The drainage area was also examined under the 100 year event. Water will accumulate in front of the proposed pipe at station 25+00 and be stored within the area to an elevation of 921.01. This will be the high water elevation for the water passing through the subdivision.

The subdivision will meet all appropriate DNR regulations including NR151 and NR216.

## ITEM TO BE REVIEWED

The area depicted as the “No Disturbance Area” of lot 18 of Cedar Springs. The plat of Cedar Springs is document no. 973241.

---

## PROJECT NARRATIVE

In 2007, during the platting process of Cedar Springs, it was mandated by the County show the “No Disturbance Area” with an added two feet of freeboard above the calculated flood plain. The County approved the flood study (performed by TEC Design in 2007) that resulted in a base flood elevation (BFE) of 921’. The “No Disturbance Area” shown on the plat of Cedar Springs, notes the “flood protection line” is the 923’ contour, which coincides with the required two feet of freeboard the County required to be displayed on the plat.

Per County code, the lowest building opening (LBO) of a principle structure on a lot must be two feet higher than the established base flood elevation. Also, any accessory structure shall have an LBO at or above the base flood elevation. We recommend that Lot 18 must have an LBO at least two feet higher than the recognized flood plain elevation of 921’, which results as 923’.

No unnecessary hardship will be incurred due to the storage of flood waters will not be altered with the change of this area. Any 100-year flood event will still have the necessary storage required for the Cedar Springs development as no grading or filling will occur in this area. The removal of portions of the “No Disturbance Area” is fundamentally similar to the LOMA process of removing lands above the flood plain of a nearby river or creek. In both this instance and a LOMA process, lands that are above an established BFE can be removed from the mapped flood plain line.





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**TOWN BOARD RESOLUTION**

To release a portion of lands above the 921.5 contour within the "No Disturbance Area"  
restriction of Lot 18, the Plat of Cedar Springs,  
Town of Pleasant Valley, Eau Claire County, Wisconsin

Resolved that the Town hereby "No Disturbance Area" was in error and modified as shown on the Affidavit Exhibit and any new structures lowest building opening needs to above the 923 .

The Town of Washington hereby amends the restriction of "No Disturbance Area" Lot 18, Cedar Springs.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

**Town of Pleasant Valley**

By: \_\_\_\_\_  
Dan Hanson, Town Chair

By: \_\_\_\_\_  
Jennifer Meyer, Town Clerk

**AFFIDAVIT**

STATE OF WISCONSIN  
COUNTY OF EAU CLAIRE <sup>SS</sup>

I, PETER J. GARTMANN, Professional Land Surveyor No. 2279, hereby depose and say:

That I am a land surveyor registered in the State of Wisconsin:

That the Plat of Cedar Springs, Document #973241 is recorded at Eau Claire County Register of Deeds Office

Located in the Northwest ¼ of the Northeast ¼, Section 28, Township 26 North, Range 9 West, Town of Pleasant Valley, Eau Claire County, Wisconsin

That the purpose of this document is to amend the “No Disturbance Area” for Lot 18 of said Plat of Cedar Springs.

That the “No Disturbance Area” line was dimension to the County Flood protection freeboard line of 923 in error. The base flood elevation for Lot 18 is 921. That Lot 18 should have had a restriction requiring the lowest building opening of the structure to be 923 and not restricting the lands encompassed between the 923 freeboard line and the 921 base flood elevation.

Affidavit Exhibit shows the new restriction line of 921.5 and the required Lowest Building opening of 923.

That I make this Affidavit for the purpose of amending the “No Disturbance Area” of said Lot 18 of the Plat of Cedar Springs and for no other purpose.

\_\_\_\_\_  
PETER J. GARTMANN, P.L.S. 2279

Subscribed and sworn to before me  
this \_\_\_\_\_<sup>TH</sup> day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My commission expires \_\_\_\_\_.

This instrument drafted by:  
Peter J. Gartmann

### **Eau Claire County Release**

To release a portion of lands above the 921.5 contour within the "No Disturbance Area" restriction of Lot 18, the Plat of Cedar Springs, Town of Pleasant Valley, Eau Claire County, Wisconsin

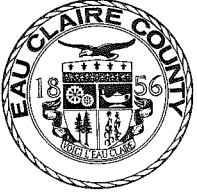
Resolved that the Eau Claire County hereby "No Disturbance Area" was in error and modified as shown on the Affidavit Exhibit and any new structures lowest building opening needs to above the 923 .

The Eau Claire County hereby amends the restriction of "No Disturbance Area" Lot 18, Cedar Springs.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2021.

By: \_\_\_\_\_  
Rodney J. Eslinger,  
Director Eau Claire County Planning and Development

EXHIBIT 1



**Eau Claire County**  
**DEPARTMENT OF PLANNING**  
**AND DEVELOPMENT**  
Eau Claire County Courthouse, Rm. 1510  
721 Oxford Avenue  
Eau Claire, Wisconsin 54703-5481  
(715) 839-4741

Housing and Community Development  
839-6240  
Emergency Services Management  
839-4736  
Land Information  
839-4742  
Land Use Controls  
839-4743  
Building Inspection  
839-2944  
Land Conservation  
839-6226  
Planning  
839-5055

**MEMO**

**TO:** Matt Janiak, County Surveyor  
**FROM:** Rod Eslinger, Supervisor, Land Use Controls Division  
**DATE:** June 21, 2006  
**RE:** **Review comments on the Cedar Springs final plat.**

Applicants: Mike Benrud, Leroy Drinkman  
Surveyor/Engineer: Pete Gartmann, Tec Design  
Location: Section 21 and 28, T26N, R9W, Town of Pleasant Valley  
County Requirements: 18.80 Final Plat  
Preliminary plat approval by the Committee: 3/28/06

I have reviewed the Cedar Springs final plat. Below are my review comments along with recommended conditions. I'm anticipating that the majority of the conditions/comments (1-14) below can and will be addressed before the committee meeting in July.

1. The committee approved the preliminary plat for Cedar Springs on March 28<sup>th</sup>. The committee amended staff's suggested conditions, specifically those conditions relating to the requirement for bearings and distances to locate wetlands and the conditions related to establishing low building openings, by creating a no build line at the 920-foot contour line. On lots 2, 3, 4, 5, 6, and 11 building is prohibited below an elevation of 920 feet above mean sea level (amsl). Any building development is still required to comply with all the requirements of the County Land Use and Building Codes.
2. Clearly delineate areas with slopes of 20 % and greater and drainage ways on the final plat. On the final plat it is not clear where slopes of 20 % and greater are located. In the legend separate the slopes from the drainage ways and wetlands. An easement shall be placed on the final plat covering all the designated areas with the restriction of "No Disturbance or Construction of Any Kind is Allowed Within this Area".
3. Outlots 1 and 2 shall be committed to remain in open space and development other than recreational is prohibited. Refer to CUP2006-02, condition 1 for types of outdoor recreational facilities that may be allowed in the outlots. The restriction of "No Construction of Any Kind Allowed Within this Area" except for approved maintenance procedures and recreational uses shall be placed on the final plat for

- these outlots. (Per committee amendment on March 28th, conditions 9 and 16 of report for the preliminary plat were combined.)
4. The surveyor is to provide the information required under 18.79.010 H. to the department before the final plat can be recorded. (List the adjacent landowners.) This was condition #19 of the preliminary plat staff report.
  5. The high water elevation of all Storm Water facilities and drainage areas shall be designated on the face of the final plat. The high water elevation as indicated in the drainage report dated January 2006 indicates an elevation of 921 feet amsl. This elevation is required to be placed on the plat. (18.80.020 B.)
  6. Provide two copies of the flood analysis report for the entire plat must be submitted to the Planning and Development Department for verification. The flood protection elevation shall be established for and noted on the plat. If the flood protection elevation exceeds the 920-foot no build contour line then the flood protection elevation shall become the no build contour line for those lots. On lots 17 and 18 building is prohibited below 923' amsl, the flood protection elevation. (18.80.020 B.)
  7. Indicate the drainage way running north to south on lot 12.
  8. There shall be a building restriction setback of 15 feet place on the plat from the limits of Storm Water easements.
  9. CORRECTION: In the County's certificate change subtitle II to subtitle III.
  10. CORRECTION: On sheet 1 of 2, in the lower right corner, under the Cedar Springs legal description, County is missing the "Y".
  11. CORRECTION: In the legend, the box for No Disturbance needs to represent the symbol used on the plat. The box is black.
  12. The Town of Pleasant Valley approves or conditionally approves the final plat. If there are concerns that are brought up by the Town in regards to the plat, that the solutions to these concerns will be submitted to the Town and to their satisfaction.
  13. A homeowners association shall be created with a description as to the propose use and maintenance of the Storm Water Retention Areas as noted in 18.83.040 E. of the Subdivision Code.
  14. A maintenance agreement shall be prepared for the Storm Water Management System as described in 18.83.040 D of the Subdivision Code.
  15. The Conditional Use Permit (CUP2006-02) to create a planned unit development for this subdivision shall be incorporated in the final plat approval.
  16. An onsite pre-construction meeting with the subdivider, engineer, surveyor, excavator, and staff from the Department of Planning and Development shall be held prior to commencing the earth moving activities for the development.
  17. No work may commence or shall the department sign the final plat without department approval of the erosion control and storm water management plans, the maintenance agreement and the financial assurance. The revised Storm Water Management and Drainage Report are still in the process of being reviewed.
  18. The subdivider and the committee shall agree upon a deadline for the completion of all required improvements not exceeding two years from the date of final plat approval (July, 2008). The schedule for construction shall be submitted for review and approval to the department. Extensions may be made only upon mutual agreement between the subdivider and the committee.
  19. No construction or installation of improvements shall commence and no land use permit shall be issued until the final plat has been approved by all reviewing

- authorities and recorded in the office of the register of deeds.
20. The developer shall submit an improvement guarantee for the construction of the storm water facilities to the Department of Planning and Development. The bond shall be release upon completion of the facility and accepted by the County. The committee shall establish the completion date for the storm water facility (July, 2008). The completion of the storm water facility shall not exceed two years from the date of final plat approval, unless an extension mutual agreement is made only between the developer and the committee.
  21. The subdivider shall submit an as-built plan prepared by a registered engineer, which identifies that the improvements have been constructed according to the approved plans for the improvement or other requirement made by the committee. The as-built plans will be of all constructed roadways, structures and water management improvements. If the work has been completed in a satisfactory manner, the committee and/or the town shall release any performance guarantees placed on the subdivision.
  22. The Final Plat conforms to 18.78.060 Final Plat Submittal, 18. 18.78.070 Final Plat Review and Approval, 18.78.080 Recording of the Final Plat, 18.80 Final Plat, 18.82 Design Standards, 18.83 Required Improvements, 18.84 Subdivision Improvement Guarantees and 18.85.030 Legal, Engineering and Inspection Fees which are requirements and procedures outlined within the Subdivision Control of the County Code that may not have specifically identified previously in detail.
  23. Final Plat will comply with s. 236 of Statutes and the Department of Administration has no objection and will certified to this by that Department.
  24. A condition of approval for the final plat the owner will furnish to the county an abstract of title or a policy of title insurance certified to date for examination as allowed in s. 236.21 (2) (b).

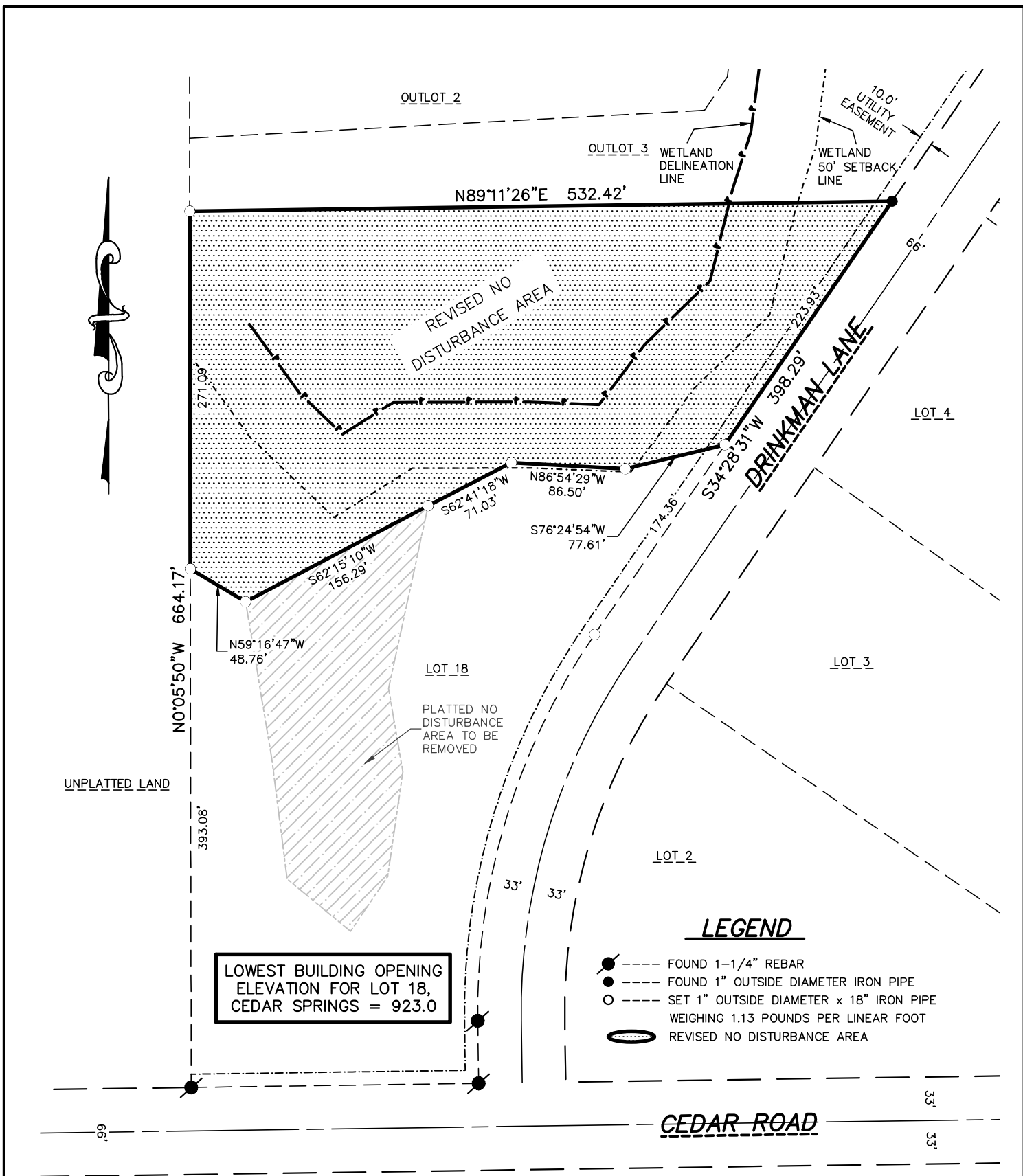
The Department requests that the Developer's surveyor provide the County with Digital CAD files of the approved final plat for its use.

Section 18.26.020 C. 1 allows one freestanding sign of not more than 32 sq. feet for the development.

CUP2003-19 issued May 13, 2003 for non-metallic mining to construct a wildlife pond and excavate topsoil on this site remains in effect.

Cc: Pete Gartmann, Tec Design, via e-mail

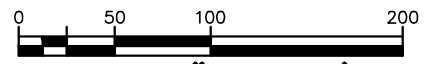




LOWEST BUILDING OPENING  
ELEVATION FOR LOT 18,  
CEDAR SPRINGS = 923.0

**LEGEND**

- --- FOUND 1-1/4" REBAR
- --- FOUND 1" OUTSIDE DIAMETER IRON PIPE
- --- SET 1" OUTSIDE DIAMETER x 18" IRON PIPE  
WEIGHING 1.13 POUNDS PER LINEAR FOOT
- --- REVISED NO DISTURBANCE AREA



SCALE: 1" = 100'

**EXHIBIT "A"**

LOCATED IN THE NORTHWEST 1/4 OF THE NORTHEAST 1/4,  
SECTION 28, TOWNSHIP 26 NORTH, RANGE 9 WEST,  
TOWN OF PLEASANT VALLEY, EAU CLAIRE COUNTY, WISCONSIN  
BEING PART OF LOT 18 OF CEDAR SPRINGS



*Updated as of February 17, 2021*

## **2021-23 WISCONSIN STATE BIENNIAL BUDGET SUMMARY**

On February 16, 2021, Governor Tony Evers released his 2021-23 Executive Budget proposal (2021 Senate Bill 111) before a joint session of the Wisconsin State Legislature. County-related highlights of the Governor's two-year spending plan include:

- 0.5% sales tax option for counties, subject to voter referendum
- 2% increase in 2021 and 2% increase in 2022 in Shared Revenue
- 2% General Transportation Aids (GTA) increase in each year of the biennium
- \$75 million for reauthorization of the Multi Modal Supplement Program (MLS Program)
- 2.5% increase in General Transit Aids
- \$3 million for county GIS grants and \$7.5 million in second year of the biennium for county 911 grants
- 10-year renewal of the stewardship program
- \$12.7 million for full funding of County Conservation Staffing and Cost Sharing Grants
- \$15 million in increased TAD funding
- \$10 million in increased funding for local health departments
- Significant investment in mental health crisis services, including emergency detention
- \$1.5 million for child welfare worker training
- \$11.8 million in additional funding for county child support agencies
- \$10 million increase in each calendar year for the Children and Family Aids appropriation
- Grant program for community based juvenile services
- Expansion of dementia care specialists statewide
- \$18.8 million increase in youth aids for elimination of the serious juvenile offender program
- \$10 million sum sufficient appropriation to counties for responsibility of 17-year old juvenile offenders.
- \$200 million broadband investment
- \$300,000 annual broadband grant to local governments

The following pages represent the Wisconsin Counties Association's (WCA) initial summary of the Governor's budget, separated by WCA issue area. As additional budget information is released, the document will be updated, and the most recent version will be available on the WCA website at [www.wicounties.org](http://www.wicounties.org).

If you have any questions about county-related items included in the budget summary, please contact the WCA Government Affairs Team.

## AGRICULTURE, ENVIRONMENT AND LAND USE

**Stewardship Reauthorization:** The Governor’s budget extends the Warren Knowles-Gaylord Nelson Stewardship 2000 Program until fiscal year 2031-32 at \$70 million per year. The proposal also provides \$700 million in bonding authority for the program.

**Tipping Fee Exemption:** The Governor’s budget includes an exemption from tipping fees for up to 30% of tonnage received for Waste to Energy facilities in both Barron and La Crosse counties.

**Grants for Local Organizations that Coordinate Grazing:** The Governor’s budget requires the Department of Trade Agriculture and Consumer Protection (DATCP) to promote the dairy industry by providing grants to local organizations that coordinate grazing.

**PFAS:** Provide \$1 million SEG in fiscal year 2021-22 for the collection and disposal of firefighting foam that contains PFAS.

**Soil and Water Resource Management Bond Authority and Cost Share Grants:** The Governor’s budget provides \$7 million in bonding for grants to counties for implementation of land and water resource management plans, including cost-share grants to landowners through the Soil and Water Resource Management.

**Snowmobile Trails:** The Governor’s budget provides \$200,000 SEG in each year for snowmobile trail mapping.

**All-Terrain Vehicles and Utility Terrain Vehicles:** The Governor’s budget provides funding for all-terrain vehicle and utility terrain vehicle trail maintenance, trail development, and recreational projects by \$250,000 SEG in each year. The proposal also increases the funding for county and local all-terrain vehicle and utility terrain vehicle trail projects and support facilities by \$617,500 SEG in each year.

**Deer Carcass Disposal:** The Governor’s budget provides \$1 million SEG in one-time funding in fiscal year 2021-22 to issue grants for the purchase of deer carcass disposal sites.

**Dam Repair and Removal:** The Governor’s budget provides \$6 million in GPR-supported general obligation bonds for grants to be used for dam repair, reconstruction and removal projects. This is an increase of \$2 million from the 2019-21 proposal.

**Climate Change Policy:** The Governor’s budget requires a comprehensive plan be developed by municipalities to address climate change, requires that local hazard mitigation plans include climate change, and requires communities throughout the state to include climate change in their community health improvement assessment and plans.

**Concentrated Animal Feeding Operations (CAFO's):** The Governor's budget increases the annual fee assessed to operators of a CAFO and establishes an application fee for new operators of a CAFO.

**Sealants:** The Governor's budget prohibits the sale and use of sealants that contain coal tar, coal tar pitch, coal tar volatiles, or high concentrations of polycyclic aromatic hydrocarbons.

**County Conservation Staffing and Cost Sharing Grants:** The Governor's budget provides a \$3,708,000 annual increase in grant funding to counties for county conservation staff to support land and water conservation activities. The annual base funding allocation for the program will increase from \$8.96 million annually in the 2019-21 biennium to \$12,668,000 million annually in both years of the 2021-23 biennium.

**Climate Change:** The Governor's budget provides \$1.8 million GPR in each year for grants to counties for additional county conservation staff to support climate change resiliency efforts.

**Invasive Species:** The Governor's budget provides \$961,400 for local cooperative invasive species management areas to support the control of terrestrial invasive species.

**County Forest Acreage Share Payments:** The Governor's budget increases the County Forest Acreage share payment from \$0.30 per acre to \$0.63 per acre as a "payment in lieu of taxes."

**Pierce County Islands Wildlife Area Restoration:** The Governor's budget provides one-time funding in the amount of 3,000,000 for the Pierce County Wildlife Area restoration project.

**Private On-site Wastewater Treatment System Replacement or Rehabilitation Program (Wisconsin Fund):** The Governor's budget eliminates the sunset date (June 30, 2021) for the Private On-Site Wastewater Treatment System Replacement or Rehabilitation Program. The proposal provides for \$840,000 in both years of the biennium. The program seeks to assist residence owners and small commercial establishments meeting certain income and eligibility criteria to repair or replace eligible failing private on-site wastewater treatment systems.

**Targeted Runoff Management:** The Governor's budget authorizes \$6.5 million in bonding for grants to counties for capital projects that implement land and water resource management plans under the Targeted Runoff Management program.

**Clean Energy Projects:** The Governor's budget requires the Public Service Commission to create a model ordinance for counties to establish a property assessed clean energy (PACE) financing program. The proposal also authorizes the Focus on Energy program to allocate funds to market PACE programs across the state. In addition, the proposal also authorizes regulated utilities to offer inclusive on-bill financing for energy efficiency improvements.

## **COUNTY ORGANIZATION AND PERSONNEL**

**Elections:** The Governor's budget includes several provisions impacting Wisconsin elections.

- The budget includes GPR for the Wisconsin Elections Commission (WEC) to work with the Department of Transportation to begin automatic voter registration.
- Allow a municipal clerk the option to canvass absentee ballots on the day prior to the election after working with the WEC to ensure it will be conducted fairly and appropriately (aka Monday legislation).
- Expanding voting access by eliminating the restriction of how soon a person may complete an absentee ballot in person and further recommending that a person may complete an absentee ballot in person no later than 7:00 p.m. on the Friday preceding the election.
- Modify the scheduling of special elections to ensure they are scheduled with sufficient time to comply with federal requirements for sending ballots to military and overseas voters.
- Authorizing the WEC to reimburse counties and municipalities for certain costs incurred in the administration of special primaries and special elections.
- Modifying the WEC recount appropriation to allow local units of government and petitioners to be reimbursed in a timely manner.

**Broadband:** The Governor’s budget provides a \$200 million investment in broadband. The main focus of this investment is an increase in the funding for the Broadband Expansion Grant Program at the Public Service Commission (PSC). The Governor’s budget provides \$151.7 million over the biennium comprised of GPR with the exception of the statutory requirement of \$2 million annually from the state’s Universal Service Fund.

Further, the budget eliminates restrictions that certain municipalities defined as “underserved” or “unserved” to directly invest in broadband infrastructure and provide service to residents. These communities would apply directly for broadband grants from the PSC.

Finally, a Broadband Line Extension Grant Program would be created and funded at \$1.75 million GPR in FY22 and \$3.5 million in FY23. Line extensions are often seen as cost-prohibitive and service providers have no legal obligation to provide the service. This grant would provide financial assistance to the household, with a cap of \$4,000, to help subsidize the cost of connecting to the broadband infrastructure.

**UW-Extension:** The Governor’s budget includes \$2 million and 15 county-based agriculture positions for UW-Extension.

**Equity Grants:** The Governor’s budget creates three equity grant programs to provide funding for public, private, and nonprofit entities to advance equity initiatives. The Department of Administration, Department of Children and Families, and Department of Health Services will administer \$50 million GPR in equity grants.

**Open Records Location Fee:** The Governor’s budget increases the threshold that a governmental entity may charge an open records location fee from \$50 to \$100.

**County Veterans Service Office:** The Governor’s budget includes a 5 percent increase to grants for CVSOs across Wisconsin.

**Labor Changes:** The Governor’s budget makes several modifications to labor practices including:

- Repealing the prohibition on contracts between labor unions and employers that specify the employer may only hire unionized workers. Also repeal the prohibitions on the following as a condition of obtaining or continuing employment: 1) refraining or resigning from membership in a labor organization; 2) becoming or remaining a member of a labor organization; 3) paying dues to a labor organization; or 4) paying a third party amounts in place of dues to a labor organization.
- Reinstate the requirements of prevailing wage at both the state and local level.
- Establish collective bargaining rights for state and local government front-line workers and their bargaining units to provides workers the opportunity to negotiate together.
- Eliminate the annual recertification requirement for state and local government bargaining units, as well as the provision that approval by a majority of bargaining unit members is required to certify.

**Wisconsin Arts Board Grants:** The Governor’s budget provides \$250,000 GPR in one-time funds to the Wisconsin Arts board for grants to businesses and local governments to provide products or services that have an artistic, cultural or aesthetic content; promote job creation; enhance economic development; promote arts education; and incorporate workforce training and development.

**Domestic Partnership:** The Governor’s budget reinstates domestic partnership benefits for all state and local government employee insurance programs administered by the Department of Employee Trust Funds. These benefits were eliminated as part of the 2017-19 state budget.

**Redistricting:** The Governor’s budget requires that the Legislature take up maps drawn by the People’s Maps Commission and that all records on redistricting by the legislature be retained for ten years.

## **HEALTH AND HUMAN SERVICES**

### Department of Health Services (DHS)

**Medicaid Expansion:** The Governor’s budget expands Medicaid under the federal Affordable Care Act by covering all low-income Wisconsin residents who earn incomes between 0 percent and 138 percent of the federal poverty level.

**Medicaid Investment:** The Governor’s budget:

- Provides \$26 million to expand Medicaid benefits to include community health worker services, group physical therapy, doula services, a new psychosocial rehabilitation benefit (will serve medium acuity individuals and services could be provided by noncounty providers), room and board costs for residential substance use disorder treatment, and acupuncture services.
- Provides \$88 million in rate increases for speech-language pathology, audiology, Medication-Assisted Treatment (also expanding availability in areas of the state with

unmet needs through initiatives such as additional treatment centers and mobile providers), suicide treatment and prevention services, autism treatment, and emergency physicians.

**Repeal of BadgerCare Reform:** The Governor’s budget recommends repealing the childless adult demonstration project under the Medicaid program. The budget also repeals work requirements, premium payments, health risk assessment, and copayments for nonemergency use of an emergency room.

**FoodShare Work Requirement Repeal:** The Governor’s budget repeals the work requirement for able-bodied adults participating in the FoodShare program.

**FSET Drug Screening Requirement Repeal:** The Governor’s budget repeals the drug screening, testing and treatment requirement for able-bodied adults without dependents participating in the FSET program.

**Postpartum Medicaid:** The Governor’s budget seeks a waiver from the federal CMS to extend the postpartum Medicaid eligibility for women receiving coverage through CHIP up to 306 percent of the FPL. The waiver will extend eligibility from approximately two months postpartum to 12 months postpartum.

**State Administered Public Option Health Plan:** The Governor’s budget invests \$1.8 million to fund the development of a state-administered public option health plan to be offered no later than 2025 or 2022 if the federal Affordable Care Act is no longer enforceable.

**Health Disparities:** The Governor’s budget:

- Creates a Medicaid community health benefit that invests \$25 million for nonmedical services to reduce and prevent health disparities that result from economic and social determinants of health. Services include housing referrals, nutritional mentoring, stress management, and other services that would positively impact an individual’s economic and social condition.
- Address health disparities in Wisconsin by strategically investing in health equity initiatives, including grants for community organizations and local public health departments to implement health equity action plans. The five initiatives included as part of the plan are funded with \$10,166,200 in FY22 and \$25,726,100 in FY23.

**Public Health:** The Governor’s budget provides \$14 million for the following communicable disease items:

- 23.0 FTE GPR positions for DHS’ Bureau of Communicable Diseases to sustain the state’s COVID-19 response and be prepared to respond to future communicable disease outbreaks.
- 3.0 FTE GPR positions to create a communicable disease harm reduction strike team.
- 2.0 FTE GPR positions to create a data analytics and predictive modeling team in the Office of Health Informatics.
- Grant funding for local and tribal public health departments to support communicable disease control and prevention activities (\$5 million annually).

**Lead Poisoning:** The Governor's budget:

- Provides additional funding for lead screening and outreach grants.
- Provides ongoing funding for the Windows Plus Program.
- Provides ongoing funding for the Lead Safe Homes Program.
- Expands Birth to 3 services to additional children that are lead poisoned (lowers the blood lead level criteria).

These initiatives are funded with \$4,311,800 in FY22 and \$7,704,800 in FY23.

**Tobacco and Vapor Products:** The Governor's budget:

- Increases the age to purchase tobacco and vapor products from age 18 to 21.
- Prohibits the use of a vapor product indoors.
- Prohibits the use of a vapor product on school grounds.
- Provides \$2 million to fund a public health campaign related to tobacco and vapor product use.

**Income Maintenance:** The Governor's budget adjusts funding to reflect a reestimate of the caseload and updated program requirements for the income maintenance consortia: \$3,613,200 GPR/FED in FY22 and \$5,292,400 GPR/FED in FY23.

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**FoodShare Healthy Eating Pilot:** The Governor's budget provides \$425,000 GPR in each year to implement a Healthy Eating Incentives Pilot Program that will provide up to 2,000 FoodShare households with discounts on fresh produce and other health food options.

**Children's Long-Term Support Waiver Program:** The Governor's budget ensures every child in need of long-term supports receives the services they require.

**Mental Health Services:** The Governor's budget:

- Provides \$12.3 million GPR in FY23 to establish up to two regional crisis response centers, with each offering a crisis urgent care and observation center, a 15-bed crisis stabilization facility and at least two inpatient psychiatric beds, to improve the crisis response system, expand crisis bed access, and alleviate the need for long distance emergency detention transportation. These centers would assume custody of emergency detention cases and conduct medical clearances. The budget supports 2.0 FTE GPR human services program coordinator positions to develop and evaluate the centers on an ongoing basis.
- Provides \$5 million GPR in FY23 to establish five crisis stabilization facilities across the state for adults seeking voluntary crisis treatment. Each facility would offer up to 16 crisis stabilization beds.
- Expands bed tracking capabilities by tracking inpatient psychiatric, crisis response, and peer-respite beds and making this data openly available to all entities involved in identifying placement options.
- Provides \$1.2 million GPR in each year to support the staffing needs of county crisis programs and peer-run respite centers for their telephone services that provide aid to individuals in crisis.

- Creates a \$1.9 million GPR grant in FY23 to establish a behavioral health treatment program for those who are deaf, hard of hearing, or deaf-blind.
- Creates a \$1.25 million GPR grant in each year for municipalities and counties to establish behavioral health and police collaboration programs to increase behavioral health professional involvement in emergency response situations.
- Provides \$375,000 GPR in each year for additional crisis intervention trainings to local law enforcement.
- Provides \$850,000 GPR in each year to expand Milwaukee County’s Mobile Crisis Team.
- Provides funding to implement a forensic assertive community treatment program, which is intended to be an intervention that bridges the behavioral health and criminal justice systems.
- Provides 7.0 FTE GPR positions to expand the Veterans Outreach and Recovery Program.
- Provides \$100,000 annually to promote suicide prevention and awareness in veteran communities by conducting improved outreach to traditionally underserved veteran populations.
- Provides \$280,000 GPR in each year of the biennium to create a program that expands the capacity of behavioral crisis lines that provide an alternative to 911 for nonemergency behavioral health issues.
- Expands the Child Psychiatry Consultation Program statewide.

**Caregiving:** The Governor’s budget:

- Provides \$40.4 million in FY22 and \$37.4 million in FY23 to fund rate increases for personal care direct care services.
- Creates a nonrefundable individual income tax caregiver credit for qualified expenses incurred by a family caregiver to assist a qualified family member.
- Establishes mandatory initial training requirements for guardians.

**Aging and Disability Resource Centers:** The Governor’s budget invests in Aging and Disability Resource Centers to:

- Expand caregiver support services to address the needs of caregivers of adults with disabilities who are age 19 to 59.
- Expand the tribal aging and disability resources specialist program.
- Expand the tribal disability benefit specialist program.

The budget provides \$2,425,800 in FY22 and \$4,634,500 in FY23.

**Dementia Care Specialists:** The Governor’s budget expands the dementia care specialists program to all aging and disability resource centers - \$1,175,000 in Fy22 and \$2,350,000 in FY23.

**Alzheimer’s Family Caregiving Support Program:** The Governor’s budget expands eligibility for the Alzheimer’s Family Caregiving Support Program by increasing the income limit from \$48,000 to \$55,000 and providing \$1 million during the biennium for the program.



**Nursing Home Rate Increases:** The Governor’s budget provides \$78.3 million in FY22 (11.5 percent increase) and \$163.7 million in FY23 (11.7 percent increase) for a rate increase for nursing homes, of which \$40.4 million in FY22 and \$37.4 million in FY23 is targeted to the direct care workforce. The budget also amends the rate-setting process for acuity-specific billing rather than using resource utilization groupings. Of this rate increase, \$77.8 million over the biennium must be invested in direct care staff in nursing homes.

Department of Children and Families (DCF)

**Children and Family Aids:** The Governor’s budget increases funding for Children and Family Aids by \$10 million beginning in CY22, appropriating \$15 million GPR over the biennium to provide additional support to the child welfare system.

**Child Welfare New Worker Training:** The Governor’s budget provides \$1,000,000 in FY22 and \$500,000 in FY23 to design and support a new training program for child welfare workers to improve preparedness and reduce the time that workers are trained.

**Family First Prevention Services Act:** The Governor’s budget creates an in-home prevention services program:

- Includes \$3,870,300 GPR and \$2,084,100 federal IV-E in each fiscal year to create a full prevention-service network of evidence-based service providers statewide, including provider training, travel costs, licensing, and certification, and incentive supplements for rural areas.
- Includes an additional \$4,613,000 GPR and \$1,575,000 IV-E in each fiscal year for counties to use for direct family support services that are most directly and immediately needed to prevent children from being removed from their homes. These services will include support mentors, respite care, or rental assistance.
- Provides \$130,000 GPR and \$70,000 IV-E in each year to provide training and technical assistance to local child welfare agency staff to shift practices which currently focus on child removal toward prevention.

**Foster Care and Kinship Care Rate Increases:** The Governor’s budget increases foster care age-based rates by 2.5 percent in CY22 and an additional 2.5 percent in CY23. The budget also includes an 18 percent increase to foster care level 1 and kinship care rates from \$254 to \$300 per month, beginning in CY22.

Age Group	CY21 Base Rate	CY22 Rate	CY23 Rate
Kinship Care	\$254	\$300	\$300
Foster Care Level 1	\$254	\$300	\$300
Foster Care Ages 0-4	\$420	\$431	\$442
Foster Care Ages 5-11	\$460	\$472	\$484
Foster Care Ages 12-14	\$522	\$535	\$548
Foster Care Ages 15+	\$545	\$559	\$573

**Independent Living:** The Governor’s budget extends Independent Living services to teenagers who have been in a court-ordered qualifying placement for at least six months after the age of 16, regardless of at which age and from which placement type they exit their order. The budget also increases the maximum age for services from 21 to 23.

**Driver Education for Youth in Foster Care:** The Governor’s budget includes funding to help teenagers who are in the foster care system pay for driver education classes.

**Child Support:** The Governor’s budget increases funding by \$4,000,000 GPR and \$7,764,700 FED in each fiscal year to child support agencies to improve collection of delinquent child support in the state.

**Child Care:** The Governor’s budget:

- Creates the Child Care Strong program to increase quality, affordable, and accessible child care for all Wisconsin children by annually providing \$53,016,400 GPR and repurposing \$17,637,000 TANF by delinking YoungStar incentive payments to providers from Shares authorizations.
- Provides \$500,000 TANF in each fiscal year to expand the REWARD program.
- Includes \$1,327,200 TANF in FY22 and \$1,963,900 TANF in FY23 for early social emotional training and technical assistance.

## Youth Justice

**Youth Justice:** The Governor’s budget:

- Creates a sentence adjustment procedure for youth under 18 who commit a crime.
- Eliminates the serious juvenile offender program in DOC and moves responsibility for caring for future young offenders to the counties (see funding under youth aids). Replaces the SJOP with an extended jurisdiction juvenile blended sentencing model. The new model would allow the court to sentence an individual to both a juvenile disposition and an adult disposition.
- Eliminates life without the possibility of extended supervision for juvenile offenders.
- Limits the use of detention sanctions or holds.
- Prohibits the use of restraints on anyone under the age of 18 when appearing in court in most cases.
- Eliminates automatic original adult court jurisdiction for all youth under the age of 18.
- Modifies the conditions under which a youth under the age of 18 may be waived into adult court.
- Increases the age of delinquency from 10 years of age to 12 years of age.
- Enhances youth justice services by creating 3.0 FTE GPR positions, program improvements, grants for community-based and out-of-home care services, and budgets \$417,000 GPR in FY22 and \$11,087,200 GPR in FY23 for these purposes.
- Provides statewide youth justice foundational training, (using PDS) quality assurance training, and best practice research and technical assistance that will provide a baseline of knowledge and quality for youth justice agencies throughout the state.

- Creates a new community grant program for counties to significantly elevate their case management practices and use of intensive, evidence-based treatment services.
- Creates a new residential care grant program for out-of-home care providers – one congregate care setting and one or more treatment foster home providers – to provide intensive services specifically for justice-involved youth who require treatment services in an out-of-home setting.
- Includes \$8,859,100 GPR in FY23 for a new pilot community-based services grant program whose targeted population will be moderate- and high-risk youth, as determined by the YASI risk assessment tool. Counties will select an evidence-based treatment model and partner with community clinical service providers trained in the treatment model.
- Includes funding for two types of residential services grants to provide alternatives to youth entering the deepest end of the juvenile justice system. The first is \$1,268,800 GPR in FY23 for a residential care facility to help keep kids in their community. The target population would be moderate- to high-risk delinquent male youth from anywhere in the state with aggressive behaviors and/or sexual offenses.
- Includes \$250,000 GPR in FY23 for a child placing agency grant that would help find treatment foster care placements for medium-to high-risk delinquent youth who require out-of-home care placement, but are particularly unsuited for a congregate care setting, such as those who have experienced sex trafficking. Providers would be required to provide or coordinate provision of clinical treatment services either in the home or the community.
- Eliminates state-run Type 1 facilities.
- Allows both the state and counties to operate Secured Residential Centers for Children and Youth.
- Closes Lincoln Hills and Copper lake as soon as all juveniles have been transferred to a suitable replacement facility.
- Reduces the use of detention for juvenile offenders who commit minor offenses. Eliminates placement of a juvenile offender in a juvenile detention facility as a sanction or for short-term detention unless the juvenile court finds that the juvenile poses a threat to public safety and the underlying offense would be an offense if committed by an adult.

**17-Year-Olds:** The Governor’s budget:

- Raises the age of adult jurisdiction to 18 years of age.
- Creates a new sum sufficient appropriation and provides \$10 million GPR in each fiscal year to reimburse counties for the increased cost associated with raising the age.

**Youth Aids:** The Governor’s budget:

- Modifies the youth justice statutes and appropriations to provide more flexibility in allocating youth aids funding and enhancing systems improvements.
- Authorizes DCF to distribute an additional \$5,327,500 GPR in FY22 and \$13,529,700 in FY23 to ensure counties can meet an increase in youth offender services that arise from the elimination of the Serious Juvenile Offender Program.

Other

**Workforce Development:** The Governor’s budget:

- Provides \$8 million GPR for pandemic recovery grants to local workforce development boards to fund local training programs to return workers to the labor market – funding can be subgranted to local businesses or organizations for pandemic relief.
- Provides \$200,000 GPR for local workforce development boards to hold hiring events throughout the state for health care-related careers and career exploration courses to increase interest in health care employment.

**Department of Safety and Professional Services:** The Governor’s budget provides \$900,000 PR in FY22 and \$1,269,200 PR in FY23 and 14.0 FTE permanent PR positions and 2.0 FTE project PR positions at the Department of Safety and Professional Services to investigate professional regulations violations and decreasing processing times for professional licenses. In addition, the Governor’s budget increases expenditure authority in the department’s LTE budget by \$100,000 PR in each year of the biennium.

**Equity and Opportunity:** The Governor’s budget establishes “Wisconsin for All” Diversity, Equity, and Inclusion initiatives that promote and advance equity within all of state government and state programs.

- Creates a cabinet-level chief equity officer within the Department of Administration and agency equity officers at 18 state agencies and commissions.
- Establish and provide funding for a Governor’s Fellowship Program, Governor’s Progress Summit, and a state-sponsored annual diversity, equity, and inclusion conference for state and local government employers.
- Create three equity grant programs to provide funding for public, private, and nonprofit entities to advance equity initiatives. (\$50 million to DOA, DCF, DHS; GPR funded in FY22 and funded with funds from the new Community Reinvestment Fund in FY23 and beyond).

## **JUDICIAL AND PUBLIC SAFETY**

**911 and Public Safety Answering Points (PSAPs):** The Governor’s budget includes funds to support PSAPs and the need to upgrade equipment at the local level. The Department of Military Affairs originally requested \$2.5 million to support a state grant program. The Governor included in his budget \$7.5 million starting in FY23 for PSAP grants which can be used for equipment and software expenses as well as training costs.

Further, the Governor is supporting the ongoing work of DMA to create the emergency services IP network (ESInet) which is critical in the advancement of 911 from an analog system to a digital platform. The Governor provides \$1.7 million in FY22 and \$9.8 million in FY23. Also as part of the DMA request, the Governor provided \$3 million for county grants in FY23 for geographic information systems (GIS) data grants.

**WISCOM:** The Governor’s budget includes \$6.5 million GPR for the design and implementation of a new statewide interoperable communications system which is a shared land mobile radio system.

**Treatment Alternatives and Diversion (TAD):** The Governor’s budget includes an additional \$15 million GPR for TAD in FY 2022-23 for expansion of the program.

**Opening Avenues to Reentry Success (OARS):** The Governor’s budget includes \$2.2 million GPR in FY22 and \$3 million in FY23 for the expansion of the OARS program. This program was expanded in the previous budget and is currently operating in 51 counties.

**District Attorneys:** The Governor’s budget includes the option for counties with a population between 200,000 and 750,000 to appoint up to four deputy district attorneys.

**Private Attorney Bar Rate:** The Governor’s budget includes the recommendation to index the private bar rate to the consumer price index beginning in FY23. The rate would adjust biennially by a percentage equal to the average consumer price index over the preceding 12-month period.

**Circuit Courts:** The Governor’s budget provides expenditure and position authority for four circuit court branches beginning August 1, 2021 and four branches beginning August 1, 2022. 2019 Wisconsin Act 184 provided 12 additional circuit court branches to be allocated by the director of state courts.

## **TAXATION AND FINANCE**

**Local Option Sales Tax:** The Governor’s budget allows counties to increase their sales tax by 0.5% with approval from voters via referendum. The 0.5% sales tax is in addition to a county’s current 0.5% sales tax authority via ordinance.

**Shared Revenue:** The Governor’s budget provides successive 2 percent increases in funding for the county and municipal aid program to take effect in 2021 and again in 2022.

**Levy Limits:** The Governor’s budget provides counties with a 2 percent minimum growth factor for levy limit purposes. Currently, county levy limits are tied to the change in property values due to net new construction.

**Transferred Services/Levy Limit Adjustment:** The Governor’s budget eliminates the negative adjustment to county and municipal levy limits for services transferred from one local government to another local government.

**Regional Planning Commissions/Levy Limit Adjustment:** The Governor’s budget exempts amounts levied for regional planning commissions from the county’s applicable levy limit.

**Cross Boundary Transit Corridors:** The Governor’s budget provides a levy limit exemption for cross-boundary transit corridors that meet specified statutory criteria.

**Dark Stores Assessments:** The Governor’s budget implements reforms to assessment practices to close the dark store assessment loophole.

**TIF Districts:** The Governor’s budget modifies TIF law by lifting the current law limitation on what share of a mixed-use district’s area can be used for newly-platted residential developments from 35 percent to 60 percent if the additional 25 percent is comprised of workforce housing.

**Debt Issuance:** The Governor’s budget allows counties to issue debt to replace revenue lost due to a disaster or public health emergency declared by the Governor or the county board itself.

**Sales Tax Exemptions:** The Governor’s budget provides a sales tax exemption for landscape planning and counseling services that pertain to the restoration, reclamation, or revitalization of prairie, savanna, or wetlands if such services are provided under a separate fee distinct from other services (estimated tax reduction is \$500,000 over the biennium). The Governor’s budget also provides a sales tax exemption for diapers (estimated tax reduction is \$16.1 million over the biennium), property used primarily to store renewable energy (estimated tax reduction is \$8.2 million over the biennium), and sweetened dried fruit (estimated tax reduction is \$900,000 over the biennium). The Governor’s budget repeals the current law sales tax exemptions for game birds (estimated tax increase of \$350,000 over the biennium) and farm-raised deer (estimated tax increase of \$210,000 over the biennium).

**Tribal Land Transfers:** The Governor’s budget allows the sale of certain county property acquired due to delinquent taxes and the sale of county forest land be excluded from public sale requirements if the sale is to a federally recognized tribe or band.

**County Forest Acreage Share Payments:** The Governor’s budget increases the county forest acreage share payments from \$0.30 per acre to \$0.63 per acre.

## **TRANSPORTATION AND PUBLIC WORKS**

**General Transportation Aids (GTA):** The Governor’s budget increases county GTA from \$122,203,200 in the 2019-21 budget cycle to \$124,647,266 in FY21 and to \$127,140,211 in FY22. This amounts to a 2 percent increase in GTA payments in each year of the biennium.

**General Transportation Aids (Late Submission):** The Governor’s budget recommends reducing the penalty for the late submission of the required expenditure data for GTA calculations from the local and county governments to not more than \$100 per day.

**Routine Maintenance Agreements:** The Governor’s budget maintains funding and preserves recent increases for Routine Maintenance of the State Trunk Highway System (STH) performed by counties. The Governor’s budget increases funding within the state highway maintenance program to account for the increasing cost of road salt. An additional \$12,510,900 is provided in FY22 and 13,118,100 in FY23.

**General Transit Aids:** The Governor’s budget increases annual funding for General Transit Aids by 2.5 percent, both in the first and second year of the biennium. Mass Transit Systems with operating expenses of:

- A. Greater than \$80,000,000: Funding is increased in the first year of the biennium from \$70,613,300 to \$72,378,633 in the first year of the biennium and to \$74,188,098 in the second year of the biennium.
- B. Between \$20,000,000 and \$80,000,000: Funding is increased from \$18,554,800 to \$19,018,670 the first year of the biennium and to \$19,494,136 in the second year of the biennium.
- C. Less than \$20,000,000 and a serving population of at least 50,000: Funding is increased from \$26,935,400 to \$27,608,785 in the first year of the biennium and \$28,299,004 in the second year of the biennium.
- D. Mass Transit Systems serving an area with a population of less than 50,000: Funding is increased from \$5,707,800 to \$5,850,495 in the first year of the budget and 5,996,757 in the second year of the biennium.

**Local Bridge Improvement Assistance:** The Governor’s budget maintains current funding for the Local Bridge Improvement Program, resulting in \$22.9 million in both years of the biennium.

**Local Road Improvement Program (LRIP):** The Governor’s budget maintains current funding levels for the Local Road Improvement Program (LRIP). Funding for the county component of LRIP, the County Highway Improvement Program (CHIP), (Discretionary Program funding) will be funded at \$5,569,400 in FY21 and \$5,688,400 in FY22.

**Majors Projects:** The Governor’s budget provides \$565.6 million in total funding for the Major Highway Development Program in the 2021-23 biennium. The total funding level for the program was \$558 million in the 2019-21 biennium. This is a funding increase for the program of approximately \$7.6 million.

**State Highway Rehabilitation Funding:** The Governor’s budget provides an increase in the program of approximately \$66.6 million in 2021-23. The program has been funded at \$1.7 billion.

**Project Labor Agreements (PLA):** The Governor’s budget restores a local unit of government’s ability to require that a bidder enter into a Project Labor Agreement (PLA).

**State Prevailing Wage Requirements:** The Governor’s budget restores prevailing wage requirements for projects using state dollars.

**Local Government Use of Eminent Domain Authority for Bicycle and Pedestrian Facilities:** The Governor’s budget restores the ability of local governments to use eminent domain authority for the installation of bike and pedestrian paths.

**Local Multimodal Transportation Program:** The Governor’s budget provides \$75 million for local multimodal transportation projects to address the significant need for supplemental

infrastructure funding as evidenced by the \$1.47 billion in projects submitted by local governments under a similar program in the 2019-21 biennium.

**Local Roads for Critical Infrastructure Pilot Program:** The Governor's budget provides \$15 million in bonding for a Local Roads for Critical Infrastructure pilot program to combat the increased frequency of roadway destruction from flooding events.

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## MINUTES

Eau Claire County

### • PLANNING & DEVELOPMENT COMMITTEE •

**Date:** Tuesday, February 9, 2021

**Time:** 7:00 p.m.

\*Event link below can be used to connect to meeting and interact (by the chair) from computer or through the WebEx Meeting smartphone app.

**Join WebEx Meeting:** <https://eauclairecounty.webex.com> Meeting ID: **145 963 5737** Password: **339CNeJiq3f**

\*Meeting audio can be listened to using this Audio conference dial in information.

**Audio conference:** 1-415-655-0001 Access Code: **1459635737##**

***For those wishing to make public comment, you must e-mail Rod Eslinger at [Rod.Eslinger@co.eau-claire.wi.us](mailto:Rod.Eslinger@co.eau-claire.wi.us) at least 30 minutes prior to the start of the meeting. You will be called on during the public comment period to make your comments.***

*\*Please mute personal devices upon entry.*

Members Present: Gary Gibson, Robin Leary, Nancy Coffey, James A. Dunning, Dane Zook

Members Absent:

Ex officio Present: Nick Smiar

Staff Present: Rodney J. Eslinger, Matt Michels, Tina Pommier

#### 1. Call to Order and confirmation of meeting notice.

Chairperson Gibson called the meeting to order at 7 pm and confirmed that the meeting was properly noticed.

#### 2. Public Comment **(15 minute maximum)**

None

#### 3. Public Hearings

- a. **Proposed Ordinance: File No. 20-21/104** “Amending the 1982 Zoning District Boundary Map for Town Seymour (Gary & Laurel Wehling Trust) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County, presented the staff report for the request. The applicant has petitioned to rezone 5 acres of land from the from A-P, Agricultural-Preservation District to the A-2 Agricultural Residential District to allow the property owners to sell the farm to one of their children and construct a residence for themselves on the 5-acres. The 5 acres will be required to be surveyed upon completion of the rezoning process. The remaining parcel will remain zoned A-P and mostly in ag. production. The land uses in this area consist mainly of a few farmsteads, active ag. practices, and a few single-family residences. The property is accessed off St. Bridget Drive. Matt reviewed an aerial map with the topography overlay, site plan, and the current zoning and planning designations with the committee.

Mr. Michels reviewed staff findings with the committee and gave his recommendation of approval for the rezoning petition. The town board met on December 14, 2020 and recommended approval of the request with findings.

Laura Wehling, owner, spoke in favor of the request.

No one else spoke in favor or against the request.

**Action:** Motion by Nancy Coffey to approve the Proposed Ordinance: File No. 20-21/104.  
Motion carried on a roll call vote: 5-0-0.

- b. **Proposed Ordinance: File No. 20-21/106** “Amending the 1982 Zoning District Boundary Map for Town of Brunswick (Kevin D & Nichole M Mayer) / Discussion – Action

Matt Michels, Senior Planner for Eau Claire County, presented the staff report to the committee. He gave the location of the proposed site within the Town of Brunswick. Matt reviewed an aerial map, site plan, the current zoning and planning designations, and adjacent land uses. He indicated the petitioner is requesting to amend the zoning of the current property from AP District to the A1 District to allow for the construction a single- family home.

Matt reviewed staff findings with the committee and gave his recommendation to approve the rezoning. He noted that the town board met on January 12<sup>th</sup> and recommended approval of the request on a vote of 3-0.

Kevin Mayer, property owner, spoke in favor of the request. He clarified for the committee he and his wife plan to build a single-family residence onsite and they plan to establish a large garden to raise vegetables to sell at local farm markets.

No one else spoke in favor or against the request.

**Action:** Motion by James A. Dunning to approve the Proposed Ordinance: File No. 20-21/106.  
Motion carried on a roll call vote: 5-0-0.

4. Authorization to Replace One (1.0 FTE) Administrative Associate III with One (1.0 FTE) Administrative Associate IV within the Register of Deeds Department / Discussion – Action

Tina Pommier, Register of Deeds, reviewed the fact sheet and the resolution with the committee. She noted that the position salary increase will be covered by revenue from a recent contract her office signed with Zillow to acquire copies of R.O.D. documents. Tina did not anticipate any levy impacts because of the Zillow contract. The request will be reviewed by the HR committee.

**Action:** Motion by Robin Leary to approve authorization to Replace One (1.0 FTE) Administrative Associate III within the Register of Deeds Department. Motion carried on a roll call vote: 5-0-0.

5. Fourth quarter Fiscal update / Discussion

Rod Eslinger, Director of Planning and Development, presented the fourth quarter fiscal report to the committee.

6. Review of December bills / Discussion

The committee review the December bills.

7. Violation Status Report / Discussion

Rod Eslinger reviewed the current violation report with the committee.

8. Review/Approval of January 26, 2021 Meeting Minutes / Discussion – Action

The committee reviewed the January 26, 2021 committee meeting minutes.

**Action:** Motion by Nancy Coffey to approve January 26, 2021 Meeting Minutes as presented. Motion carried on a roll call vote: 5-0-0.

9. Proposed Future Agenda Items / Discussion

- a. Next scheduled meeting – February 23, 2021

10. Adjourn

**Action:** Meeting adjourned by unanimous consent at 8:05 p.m.

Respectfully Submitted,

Rodney Eslinger  
Clerk, Committee on Planning & Development