

PIERCE COUNTY WISCONSIN
DEPARTMENT OF LAND MANAGEMENT & RECORDS
PLANNING, ZONING, SURVEYING & GIS
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MINUTES - Pierce County Land Management Committee Meeting, July 6, 2022, in-person meeting for everyone along with the option of remote attendance.

Present: Jon Aubart, Neil Gulbranson, Dan Puhmann, and Eric Sanden

Others: Andy Pichotta, Adam Adank, and Shari Koehler

Excused: Joe Fetzer

Acting Chairperson Jon Aubart called the Pierce County Land Management Committee meeting to order at 6:00pm in the County Boardroom.

Next meeting dates: July 20th, August 3rd & 17th, all in 2022.

Approve Minutes from the June 15, 2022 Land Management Committee meeting: **Sanden moved to approve the Land Management Committee minutes from June 15, 2022/Puhmann seconded. All in favor. Passed.**

Public hearing to consider a request for a conditional use permit for a Utility Facility > 1,000 Sq Ft, pursuant to Pierce County Code Chapter 240-41E, in the General Rural District for Town of Trimble, owner, by Xcel Energy, agent, on property located in the SW ¼ of the SW ¼ of Section 14, T26N, R18W, Town of Trimble, Pierce County, WI.

Staff Report – Adam Adank: Xcel Energy is planning to replace a transmission line cable running from Ellsworth to Prescott. They would like to use the Town of Trimble's property as a temporary contractor storage area to place materials and equipment for the project. If the CUP is approved, material deliveries are expected to begin mid-July. Preparatory project activities are expected to occur beginning in August and the project is expected to begin in October of 2022. The project schedule may need to be adjusted to later dates in materials get delayed. The project is planned to be completed in December of 2022. The proposed storage area will likely be in use for a total of 4-6 months including restoration activities. Xcel Energy anticipates the storage area will be around 35,000 sq ft. Storage area equipment includes: storage trailers containing tools and materials for work, an office trailer (320 sq ft, 8' x 40' connex style trailer), a portable toilet, 7-10 contractor trucks, and personal employee vehicles located onsite during the workday. Xcel has indicated that equipment can be moved as necessary to meet the needs and operations at the town shop/hall for elections, public meetings, etc. The property is zoned General Rural. Surrounding properties are zoned Primary Agriculture, Agriculture-Residential and Commercial. Pierce County Code (PCC) Chapter 240, Attachment 1, Table of Uses lists Utility Facilities (>1,000 sq ft) as being allowed in the General Rural Zoning District with an approved Conditional Use Permit. PCC Ch 240-41E states Utility Facilities are subject to the following:

1. No land use permit shall be required for any installation that is at or below grade elevation nor for electrical distribution poles, towers and wires.
2. Those structures which are four feet or less above grade elevation need not meet setback requirements nor need they be placed on conforming lots.
3. Electrical substations shall be enclosed by a chain link fence at least 10 feet high. Such structures shall additionally be located at least 75 feet from a dwelling unit and 50 feet from any residential lot line.
4. Utility Facilities where the land area bounded by the location of such structure or equipment is less than 1,000 square feet shall be exempt from the permit requirements of this chapter and shall not require a land use permit.
5. Utility facilities in the Exclusive Agriculture District shall be consistent with agriculture use per 91.01(10) Wis. Stats. PCC Ch 240-42C states a contractor's office shall be permitted subject to the following:
 1. Structure shall not exceed 2,000 square feet in floor area.

2. Structure shall be removed within 10 days of completion or ceasing of development activity.
3. Such project office that is to be in place for more than 365 days shall require a conditional use permit.

PCC 240-27H references vision clearance triangle standards, which are shown in the staff report and the vision clearance triangle area can also be seen on the attached map.

The Trimble Town Hall and Town Garage are located onsite. PCC 240-76G discusses expiration of Conditional Use Permits and states, "All conditional use permits shall expire 12 months from the date of issuance where no action has commenced to establish the authorized use. If a time limit has been imposed as a condition for the permit, the permit shall expire at the end of the time limit." The Town of Trimble recommended approval of this request on 6/14/2022 stating *"the project is to replace a cable on an Xcel Energy transmission line running from Ellsworth to Prescott. This is necessary safety maintenance that directly affects our town and community."*

Staff Recommendation: Staff recommends the Land Management Committee determine whether the proposed use at the proposed location would be contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area. If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit with the following conditions:

1. Activities shall be conducted as submitted in the application and as presented to the LMC, unless modified by these conditions.
2. The applicants shall maintain a 10ft setback from all lot lines and the US Hwy 10 and 800th Street road right-of-ways to the storage yard.
3. No structures, equipment, or vehicles shall be placed in the vision clearance triangle of US Hwy 10 and 800th Street.
4. Applicant shall submit a Land Use Permit application and appropriate fees for a temporary contractor's office if a contractor's office is to be brought onsite.
5. Contractor's office shall not exceed 2,000 square feet in floor area.
6. Applicant shall submit contact information for onsite foreman.
7. The proposed use shall cease in 12 months after CUP approval, unless an extension/renewal is requested and granted.

Chairperson Aubart opened the public hearing. Mike Jennings, whose family owns the adjoining property, north of the Trimble Town Hall and his mother received the notice in the mail. It was very vague and that's why they were concerned about it. When he went to the website this morning, he kind of figured it out a little bit better and printed out a map and got the basics about what was being proposed. What they were mainly worried about was when it says a facility that maybe a building was going to be built by Xcel and they didn't want a transfer station there. They have the adjoining property and he uses it a lot for hunting. Cameron Bump, from Xcel Energy, stated that in the application, it shows on the second map shows boxes where we will place the materials and he does believe it gets pretty close or it is inside the vision clearance triangle, as stated in the conditions. He just wanted to note those things can be moved around on the property as per their discussion with the Town shop personnel. They can insure that they don't block that area. The purpose of this is for a project, it's a contractor storage yard. There are no permanent structures being proposed. It's simply temporary materials for their project and equipment. A place for their contractor employees to show up, get in their equipment and go to the project sites. Chairperson Aubart stated he thought this was more of a staging area and activity is going to be away from the site. Mr. Bump stated that is correct. Activity that would be heard, would be in the morning when our employees show up and start the equipment and head out to the job site. We strategically located this site and another site that is in the Village of Ellsworth on the transmission line that they are working on, near highways that make it more efficient and less impact to residences. Being on Highway 10 is advantageous for that. What he will do, in regard to the access, he will work with Adam to make sure that access is not blocked, and the land owner's access is clear at all times. If there are any other questions, he can answer those as well. Chairperson Aubart asked for any other public comment. **Chairperson Aubart closed the public hearing.** Sanden asked if they are planning on putting a contractor's office on the site. Mr. Bump stated they are leaning towards doing that as a place for their foreman to keep things organized. He understands that would be an additional submittal which he will work with Adam on that. If for some reason they decide to not have a contractor office there, again, he will work with Adam on that directly. Puhmann

asked if the transmission lines are all overhead. Are they just adding a line overhead or are you taking a line off and adding one later? Mr. Bump stated yes, what you see on the transmission line that runs along Highway 10, that is the line that they are addressing. It goes further between Ellsworth and Prescott. What you see is, you'll have three conductors and they will be hanging on insulators and there is a wire on the very top pole. That is called the shield wire and it's a ground wire and helps protect the line from objects falling on it, some lightning mitigation. They are replacing that with a fiber optic cable and that fiber optic is going to enable their substations to talk to each other. Their communication gives them a better response and better reliability in service.

Sanden moved to approve the conditional use permit for a Utility Facility >1,000sq ft for Town of Trimble, by Xcel Energy, agent, finding that this use is not contrary to the public interest, nor detrimental or injurious to public health, public safety or the character of the surrounding area, with conditions #1 - #7/Gulbranson seconded. All in favor. Passed.

Discuss take action on Travel/Training Requests. Pichotta stated he has no travel/training request tonight.

Departmental Update and Future Agenda Items

Pichotta stated he had suggested we try to have one meeting a month and he will continue to try to do that but it looks like we will need to meet the next meeting on July 20th and probably two times in August. There are a lot of renewals and then the budget. At the next meeting we will have a request for modification of a CUP by County Materials. We also potentially have the Phil Symes project that was an equine facility in the Town of Diamond Bluff that was accessed through Trenton. We will likely have a status report for that. That was due in August but we are looking to move him up, so we don't have just a single item on the agenda. In August we have a number of mine renewals that are mandated by the ordinance.

Motion to adjourn at 6:20pm by Puhrmann/Gulbranson seconded. Motion passed.

Respectfully submitted by S. Koehler