

PIERCE COUNTY WISCONSIN
DEPARTMENT OF LAND MANAGEMENT & RECORDS
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MINUTES - Pierce County Land Management Committee Meeting, October 19, 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, and Shari Koehler

Absent: Joe Fetzer

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

Next meeting dates: November 2nd & 16th, December 7th & 21st, all in 2022.

Approve Minutes from the October 5, 2022 Land Management Committee meeting: **Sanden moved to approve the Land Management Committee minutes from October 5, 2022/Puhmann seconded. All in favor. Passed.**

Public hearing to consider and take action on a request for a Map Amendment (Rezone) from General Rural District to General Rural Flexible District for Dennis Sorenson, owner, by Tom Sorenson, agent on approximately 10.4 acres, located in part of the SW ¼ of the SE ¼ of Section 1, T27N, R16W, Town of Gilman, Pierce County, WI.

Staff Report – Andy Pichotta: This is a request for a map amendment (rezone) from General Rural to General Rural Flexible. The applicants are proposing to rezone 10.4 acre parcel to enable a proposed land division. The property is located in Section 1 on the north side of County Road B in the Town of Gilman. The 10.4 acres is currently in the General Rural zoning district. Adjacent zoning districts are General Rural, Primary Agriculture, and the Village of Spring Valley. Current land uses and neighboring land uses are agriculture, residential, forested, and undeveloped. Pierce County Zoning Code §240-15 Purpose and Intent of Zoning Districts states: General Rural (GR) is “established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.”

General Rural Flexible (GRF) is “established to achieve the same objectives as the General Rural (GR) District but to allow a greater density of residential development with the approval of the town board.”

The Pierce County Comprehensive Plan states, “The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan.” The Gilman Town Board recommended approval of this request on 9-13-2022. They supported the approval by citing the following from the *Town of Gilman Comprehensive Plan*

- Goal 1: Encourage and support a variety of affordable housing choices in the Town of Gilman.
- Objective 1: Support affordable housing options to attract future residents and first-time home buyers.
- Objective 2: Support alternative housing options to meet the future needs of current residents.
- Recommendation 4: Support increased residential density in appropriate locations such as along the highways 29 and 63 corridors, along County Highways, and primary town roads.

The Town of Gilman Planning Commission stated, “Because of the nature of this property and location on County Road B and proximity to much higher density in the neighboring Village, we believe this rezone is appropriate and consistent with the objectives of the Comprehensive Plan.” The Gilman Town Board stated, “Approval is consistent with Goals, Objectives and Recommendations from Page 10 of Gilman Comprehensive Plan, most notably Objective 2 and Recommendation 4.” The value of land for agriculture is shown in the staff report.

Staff Recommendation: Given that the Town of Gilman Board of Supervisors has recommended approval of this proposed map amendment and has determined that the request is consistent with the Town of Gilman's adopted Comprehensive Plan, staff recommends the LMC approve this map amendment (rezone) of 10.4 acres from General Rural to General Rural Flexible and forward a recommendation to the County Board of Supervisors.

Chairperson Aubart asked Tom Sorenson if he had anything else to add. Mr. Sorenson stated no. Sanden stated that the map shows it pretty close to the Village of Spring Valley, how far is it? Pichotta stated it's just across the road.

Chairperson Aubart opened the hearing to public comment. Dennis & Claudia Gilbertson, they live directly across and they are officially in the Village of Spring Valley. It's not necessarily that they are opposed to this, but their concern is that there is no drainage plan in place. They are currently in discussion with the Highway Department because the County Road B Highway re-do added a large culvert in the middle of their front yard. Since that has been added, they have experienced large amounts of runoff both water and garbage. They just don't know, because there is no drainage plan, how this will affect that runoff. Until they are somewhat comfortable on how this will affect their runoff, they don't feel they can support this. Pichotta stated basically a rezone makes it possible for someone to do a land division. In the course of doing a land division, as well as when a home is permitted and subject to Uniform Dwelling Code, one of the elements that is looked at in that is stormwater management. Ms. Gilbertson stated the other question that they had was that rural flexible doesn't define how much more density is possible. It says it allows for a higher density and she asked the question, how many possible houses could be built on the 10.4 acre plot and at one time she was told two and at one time she was also told one. Pichotta stated two total, one additional to the one that is there. Ms Gilbertson stated so they are just looking at one additional house and one additional driveway. Pichotta stated that is correct. Ms Gilbertson stated she guessed that they still have the concern with the drainage. Pichotta stated he certainly understands their perspective and he will reach out to Highway and encourage them to respond to you.

Chairperson Aubart stated unfortunately for you, that's not going to be resolved as we take up this particular issue. Ms Gilbertson stated no, but this could add to this issue because there is no public hearing. She wished there was a public hearing once they knew what the drainage situation is going to be. Pichotta stated that it seems that your drainage issue is likely not due to this particular property. It's certainly draining through there but the issue was likely caused by the addition of a larger culvert. Chairperson Aubart stated until such time that there is even an additional house proposed, we aren't going to have that answer. It may be just rezoned and then it just sits there. We don't know at this point. **Chairperson Aubart asked for any other public comment.**

Hearing none he declared the public hearing closed. Gulbranson stated that he thinks that's a good idea to get ahold of Highway, that was engineered. He doesn't know the engineering firm off hand but if they could get in touch with each other that would be good. Puhmann stated when Land Conservation does waterways, they would know where the flooding comes from. So Land Conservation might be an option to help them.

Gulbranson moved to approve the Map Amendment (Rezone) for Dennis Sorenson from General Rural District to General Rural Flexible District by Tom Sorenson, agent, on approximately 10.4 acres, and forward a recommendation to the County Board of Supervisors/Sanden seconded. All in favor. Passed.

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

Future agenda items: Pichotta stated we have two items for the November 2nd meeting. The first is a public hearing for a CUP for tree removal in the Kinni River Bluffland area. This is that Lot 24 issue out in the Town of Clifton. Then we have a public hearing on a CUP for a Nursery in the Primary Agriculture District in the Town of Ellsworth. We are hoping to not have a second meeting in November but we have another request coming from Lot 24. If you recall when he was here for filling and grading awhile back, he mentioned that they are also going to do a swimming pool and because that is filling and grading in the setback area, that too requires a conditional use permit. We are going to encourage him to not submit that right away so we can group things and not have a meeting just with one or two items.

Motion to adjourn at 6:14pm by Puhmann/Gulbranson seconded. Motion passed.

Respectfully submitted by S. Koehler