

# STAFF REPORT    LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,    November 2, 2022

Agenda Item 4

**Applicant:**    John Armstrong and Jo Ann Lincoln (owners), Ross Wegge, (agent)

**Request:**    Conditional Use Permit (CUP) – Tree Removal in the Kinnickinnic River Blufflands

**Background:** The applicants are applying for an after-the-fact CUP for tree removal that has already taken place on the property. Earlier this summer, the applicant started working with JCE tree service and Prairie Restorations, Inc. on tree removal and restoration activities within the Kinnickinnic river bluffline setback. The applicant was notified that a CUP was required for these types of activities and has since halted all tree removal and restoration activities. Additional tree removal is also being requested as part of this CUP request.

Land Management and Land Conservation staff visited the site earlier in the year after being informed of the unpermitted tree cutting. At that time Rod Webb, Land Conservation Director, recommended short term erosion control measures until the proper permits were obtained. The applicant has implemented those measures to the satisfaction of Mr. Webb.

On 9/29/1998, Pierce County Zoning Code amendments were adopted by Ordinance# 98-07 relating to the Kinnickinnic River Blufflands. The code amendments established a minimum lot width, bluffline setback for structures, and required CUP approval for tree removal and/or filling and grading activity within the bluffline setback.

## Issues Pertaining to the Request:

- This parcel is 7.16 acres and is located in the NE ¼ of the SE ¼ of Sec. 9, T27N, R19W, Town of Clifton. This property and the surrounding properties are zoned General Rural Flexible-8.
- PCC § 240-45F states, “Removal of trees from bluff faces and/or within the bluffline setback, other than the clearing of downed/diseased timber or as part of a permitted or conditional use activity, shall require a conditional use permit.”
- PCC § 240-86(A) states, “After-the-fact conditional use situation. If a building or structure or premises is used to establish a use which by this chapter requires issuance of a conditional use permit without a conditional use permit first being obtained, the responsible party may attempt to correct the violation by applying for a conditional use permit for the unauthorized use.”
- The applicant has submitted photos and a map where he separated the bluffline area into 5 zones (Exhibit A). All five zones have had some degree of tree cutting that has already taken place. Most of the tree cutting has been select cutting. However, a clear-cut area has taken place in Zone 1 as shown on the map. Two rows of coconut logs and silt fence are in place as a protective measure against erosion. Vegetation has covered the soil in the clear-cut area.
- The applicant has also submitted a writeup describing the current conditions of the trees and the proposed tree removal plan in each zone (Exhibit B). The writeup breaks down the number of trees in each zone based on species. The maximum and minimum diameter of each tree species along with the average diameter of each tree species is also shown within each zone. The additional tree removal is being requested in order to continue removing invasive species and thinning the forest. The goal is to restore the bluff/hillside to an oak savanna as described in the landscape plans submitted by Prairie Restorations, Inc (Exhibit C).

Applicant: Armstrong and Lincoln

August 17, 2022

CUP – Filling and Grading in the Kinnickinnic River Blufflands

- The Town of Clifton recommended approval of this request on 10-4-2022 with the following recommendations and corrective actions to consider.

Recommendations:

- Identify invasive species and removal process
- Professional erosion control plan to be approved by Pierce County Land Conservation.
- Identify trees 4in or greater for select removal/logging while maintaining erosion control.
- Identify if there is a need to plant new trees to replace any removed/logged trees.

Corrective actions to consider:

- Plant diverse assortment of native trees as recommended by Pierce County UW Extension Arborist.
- Need recommendation from Arborist on best method of replacing twenty-five 4 inch or greater trees removed.

- Land Management staff reached out to Rod Webb, Pierce County Land Conservation Director for input on the project including the town's recommendations/corrective measures. The questions asked and answers received are:

Question 1: "Do you think the erosion control actions described in the attached CUP application are adequate."

Answer 1: "I visited the site earlier this year, after concerns regarding activities within the kinni slope preservation areas were brought to my attention so I am familiar with the site. The plans describing the process to establish a native prairie on the site appear to be adequate. I still recommend that the grass buffer (existing alfalfa/grass cover) in between the building site and the wooded area that was cleared or is planned to be cleared should remain to provide additional erosion control. Once the area within the slope preservation zone is established with native prairie, then the buffer area could be seeded to prairie."

Question 2: The applicant is not proposing to plant any new trees. Could you describe the pros vs cons of planting replacement trees (town recommendation) vs native plantings (applicant recommendation) described by Prairie Restorations Inc."

Answer 2: "Planting scattered trees would provide some erosion control several years into the future when they develop a sizeable crown to reduce rainfall impact, the prairie planting will be much quicker erosion protection (still will be a couple of years before it is effective)."

Question 3: "If an assortment of native trees were required, would that be a detriment to the ultimate project goal of the applicant (Oak Savanna)"

Answer 3: "Planting an assortment of native trees may negatively effect the establishment of the prairie, depending on the size and species and may not necessarily assist in soil and water protection. If the trees are intended to provide a visual barrier in the future, incorporation of species that naturally co-exist with prairies could be used."

Question 4: "If replacement trees are required, what is the best method to replace those trees and does the size of the replacement trees have a direct impact from an erosion standpoint"

Applicant: Armstrong and Lincoln

August 17, 2022

CUP – Filling and Grading in the Kinnickinnic River Blufflands

Answer 4: “From an erosion standpoint, my concerns with planting large trees (using a tree spade mounted on a truck or similar) may cause significant soil compaction which would increase runoff potential. If trees are required, I recommend hand planting of root ball sized trees on the steep slopes to prevent heavy equipment further damaging the soil surface.”

- The applicant does not propose to plant any additional trees to replace the trees already removed.
- Three similar projects for were approved by the Land Management Committee back in 2007 for tree cutting in the Kinnickinnic River Blufflands. These projects were seeking to cut trees (many of which were exotic or invasive) from these sites to open them up to better sunlight penetration and restore the native prairie and oak savanna communities.

Project properties included:

- Erickson site – 4 acres total
- Anderson site – 10 acres total (3 different locations)
- Meyer site – 16 acres total (3 different locations)

### **Recommendation:**

Staff recommends the Land Management Committee consider the above and determine whether the proposed conditionally permitted activity (Tree Removal) at the proposed location would be contrary to the public interest, or detrimental or injurious to public health, safety, or character of the area. If found to be not contrary to the above, staff recommends that the LMC approve this conditional use permit with the following conditions:

1. All tree removal activities and initial seeding shall be completed within 12 months of CUP approval.
2. Activities shall be conducted as submitted in the application and as presented to the LMC. If plans are modified, the applicant shall go back to the Town for review and back to the LMC for reconsideration.
3. Best management practices shall be utilized to control excessive ground disturbance.
4. Applicants shall address any erosion control issues to the satisfaction of the Pierce County Land Conservation Department, including retaining the alfalfa/grass strip until vegetation on bluff face areas are adequately established.
5. Staff shall be notified once tree removal and planting has been completed to verify permit compliance.
6. \_\_\_\_\_ (#) replacement trees shall be hand planted. Applicant shall consult with UW-Extension arborist to determine the appropriate size and species of trees and with the Pierce County Land Conservation Department on the manner and timing of the planting. Staff shall be provided a copy of said recommendations prior to planting.

**Submitted By:** Adam Adank  
Zoning Administrator

# Land Management Committee




JoAnn Lincoln & John Armstrong  
(November 2, 2022)

## CUP -Tree Removal in the Kinnickinnic River Bluffland Area

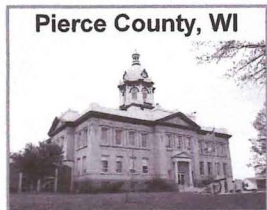
### Legend

-  Dwellings
-  CUP Parcel
-  Parcels
-  Bluffline Setback

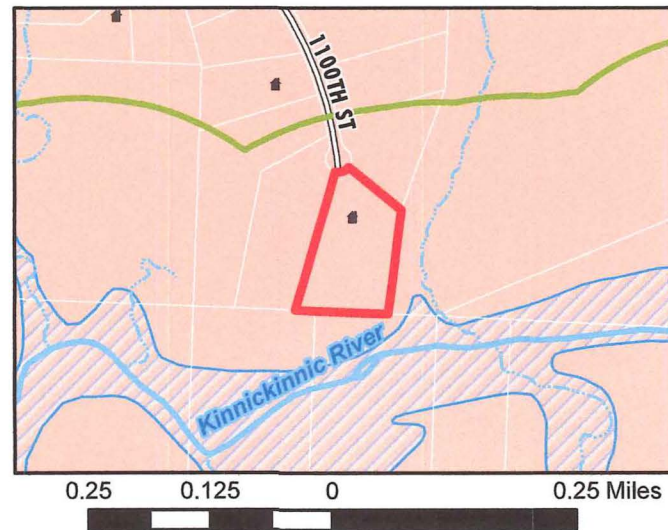
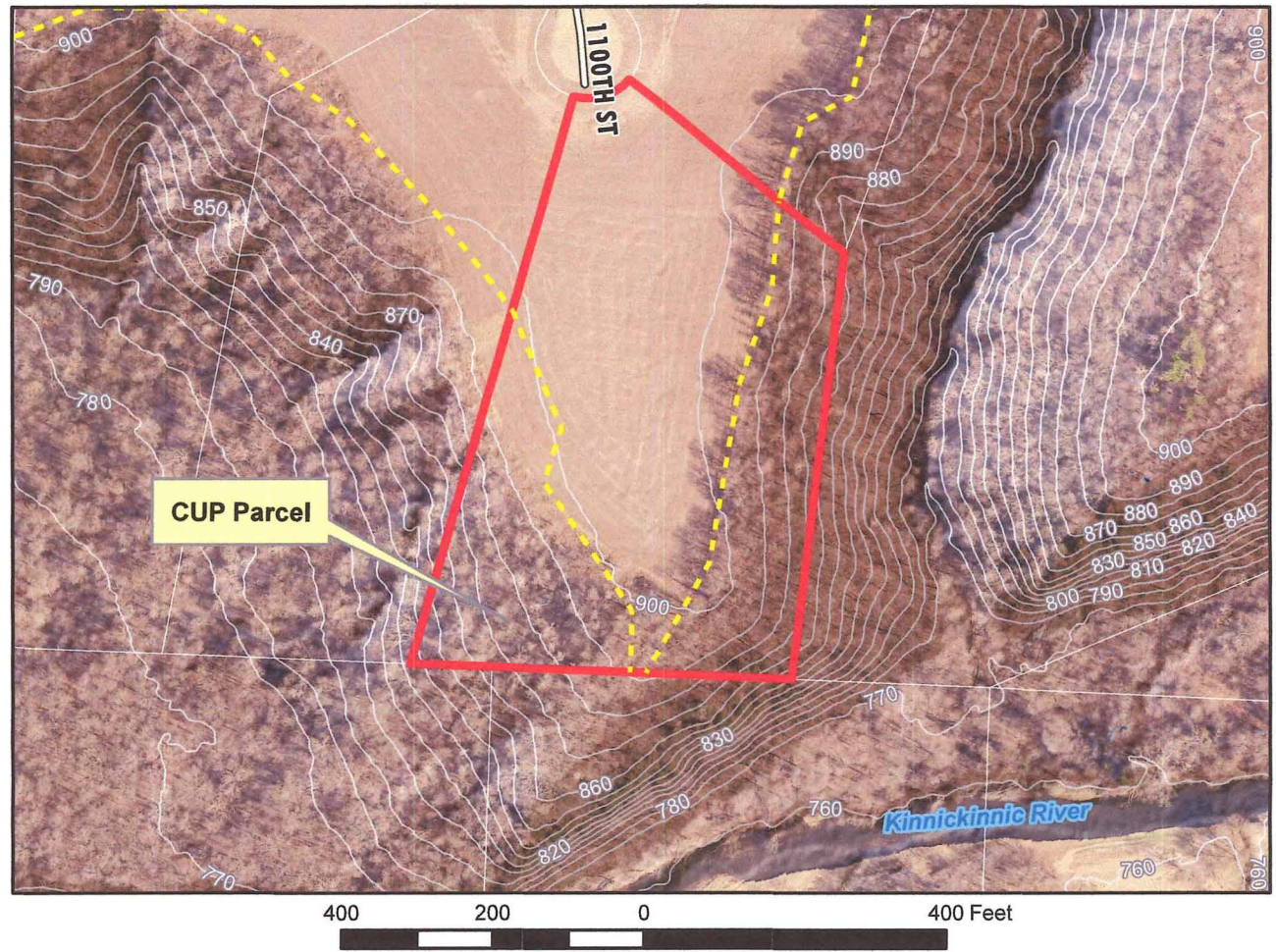
### Zoning

-  100 Yr Floodway/  
No Base Elev. Det
-  General Rural Flexible - 8
-  1320ft Kinni Bluff Line

Orthophotography - 2021 Pierce County

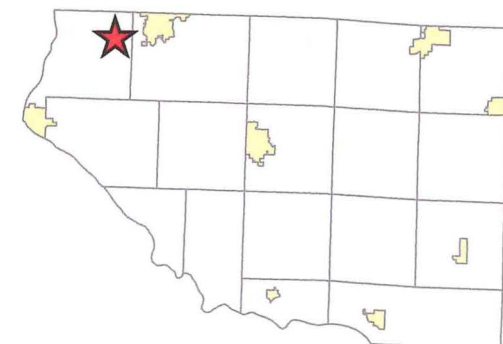


Prepared by the Department of Land Management



### Site Location

N8050 1100TH ST  
TOWN OF CLIFTON



CONTACT INFORMATION

CUPPH22.06

Property Owner JOHN ARMSTRONG

Contact/Agent (if not owner) ROSS WEGGE

Mailing Address 4377 PORTER GULCH RD.  
APTOS, CA 95003

Mailing Address 203 WALNUT HILL WAY  
RIVER FALLS, WI 54022

Daytime Phone (831) 247-3072

Daytime Phone (651) 261-0213

SITE INFORMATION:

Property Location: Lot 24, Block \_\_\_\_\_, Subdivision/CSM HIDDEN HILLS OF KINNI Phase 2 being part of the  
NE 1/4 of the SE 1/4 or Gov. Lot #24, Section 09, Town 27 N, Range 19 W, Town of CLIFTON

Pierce County, WI. Site address: XXX 1100th RIVER FALLS, WI 54022

Parcel # 002 - 01019 - 0824 Alternate Parcel # ~~002-01019-0824~~  
002227190941P295000024

ZONING INFORMATION:

7.156 Acres

Zoning District (Check one):

- Exclusive Agriculture
- General Rural Flexible
- Rural Residential-20
- Primary Agriculture
- General Rural Flexible-8
- Commercial
- Ag-Residential
- Rural Residential-8
- Light Industrial
- General Rural
- Rural Residential-12
- Industrial

Overlay District (Check one):

- Floodplain
- St. Croix Riverway
- Shoreland / Wetland
- Planned Residential District
- Kinnickinnic River Blufflands
- Not Applicable

Type of Conditional Use Permit (Check One):

- Agritourism (§240-35B)
- Direct Market Agriculture (§240-35B.2)
- Nursery (§240-35B.4)
- Orchard (§240-35B.5)
- Winery (§240-35B.6)
- Bed & Breakfast (§240-36A)
- Boardinghouse (§240-36B)
- Farm & Home Business (§240-36D)
- General Retail & Services (§240-36E)
- Home Business (§240-36F)
- Home Occupation (§240-36G)
- Kennels (§240-36I)
- Retreat Centers (§240-36M)
- Heavy Industrial Uses (§240-37E)
- Hydraulic Dredge Material Storage
- Light Industrial Uses (§240-37.1.A)
- Mining, Accessory Uses (§240-37B)
- Nonmetallic Mining (§240-37A)
- Recycling Collection Point (§240-37.1D)
- Recycling Facility (§240-37.1.C)
- Salvage Yards (§240-37C)
- Sawmills/Planing Mills (§240-37D)
- Warehouse & Storage (§240-37.1.B)
- Cemeteries
- Private Institutional (§240-38A)
- Campgrounds (§240-39A)
- Nature-Based Operations (§240-39C)
- Private Outdoor Recreation (§240-39E)
- Residential Parks (§240-39F)
- Resorts (§240-39G)
- Accessory Residence (§240-40A)
- Duplexes
- Manufactured Home Parks (§240-40B)
- Multiple-family Dwellings
- Airports (§240-41A)
- Airstrips (§240-41A)
- Filling & Grading (§240-41E)
- Large Solar Energy System (§240-41D)
- Large Wind Energy System (§240-41D)
- Sludge Disposal
- Solid Waste Facility
- Utility Facilities >1000 sq ft
- Temp Concrete/Asphalt Plant (§240-42F)
- Planned Res. Development (§240-51)
- Signs (§240-60N)
- Kinnickinnic River Bluff - Tree Removal (§240-45)
- Shoreland Vegetation Removal (§240-46)
- Nonconforming Structure Expansion (§240-67A.2)
- Adult-oriented entertainment business (§240-37G)
- St. Croix Riverway Uses or Structures (§239-8C) Describe: \_\_\_\_\_
- Other: \_\_\_\_\_

For specific information regarding Conditional Use Permits, read Pierce County Zoning Code section listed above. This chapter can be purchased at our office or reviewed on our website: [www.co.pierce.wi.us](http://www.co.pierce.wi.us) then select 'Pierce County Code.'

**PROPOSED USE:**


In the space below or in an attached narrative, describe the proposed use. Include information regarding present use of property, activities to be included, buildings and structures to be used, adjacent land uses, equipment to be operated, hours of operation, outside storage, number of employees, facilities to accommodate the public, and other information required by the Zoning Administrator.

REQUESTING TO REMOVE SOME TREES ON LOT 24 WITHIN HIDDEN HILLS OF KINNI DEVELOPMENT. THE FOREST IS CURRENTLY OVERGROWN WITH BUCKTHORN, BOX ELDER AND ASH. THERE IS ALSO A CONSIDERABLE AMOUNT OF WIND-FALL AND ORGANIC DEBRIS PREVENTING GROWTH OF NATIVE PLANTS AND NEW NATIVE TREES. THE PROPERTY HAS NUMEROUS PRAIRIE AND SAVANNA REMNANTS THAT ARE BEING OVERGROWN WITH INVASIVE PLANTS. THE PLAN IS TO REMOVE INVASIVE SPECIES AND THIN THE FOREST TO ALLOW A HEALTHIER FOREST AND PRAIRIE TO THRIVE.

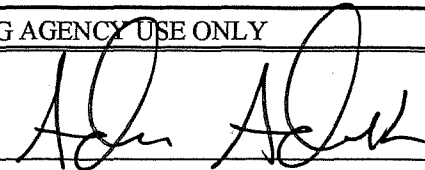
THE SITE WILL BE PLANTED WITH NATIVE PLANTS AND MANAGED BY PRAIRIE RESTORATION ON AN ANNUAL BASIS. THE SOUTH SIDE OF THE PROPERTY HAS EVIDENCE OF AN OAK SAVANNA. THIS AREA IS TO BE THINNED, REMOVE INVASIVE CEDARS, BUCKTHORN AND OTHER UNDESIRABLES. THIS AREA WILL BE RESTORED TO AN OAK SAVANNA WITH TALL PRAIRIE GRASSES. THE CURRENT FIELD OF ALPH ALFALFA <sup>WILL</sup> ALSO BE TRANSFORMED INTO A TALL GRASS PRAIRIE AND MANAGED BY PRAIRIE RESTO. ULTIMATELY WE ENVISION THE PROPERTY TO LOOK AS IT DID 200-300 YEARS AGO, EXCEPT FOR A HOME AND 1 ACRE OF LAWN.

SEE ATTACHED SITE PLAN

I hereby certify that the above application and all attachments are true, correct, and complete to the best of my knowledge and belief.

Signed:  Date: 5/20/22

Attachments include: Plot Plan; Site development plan, grading plan, erosion control plan (if applicable); Town Recommendation/Approval Statement; Affidavit, Authorization to Examine Premises, and Certification of Information Forms; and, Fee: \$300, cash or check payable to "Pierce County Zoning".

LEAVE BLANK - FOR RECEIVING AGENCY USE ONLY	
Date Filed: 10-11-22	 Signed: _____ (Zoning Administrator)
Fee: \$300.00	
Code Reference: 240-45	
Overlay District:	

## **Project Overview**

I'm requesting to remove trees beyond the Kinnikinnic River bluff line set back. The end result of this project will provide a habitat for wildlife; improve soil conditions, while protecting surface and ground water that flows into the Kinini. Similar projects which have occurred with-in the Canyon include Anderson site, Erickson site, Meyer site, Chambers site, Miller/Goode Site. (Kinnickinnic River Canyon Prairie and Oak Savanna Recovery Project by KRLT and The Prairie Enthusiasts – St. Croix Chapter. January 2006.) These sites were restored with the help of Federal Grant money.

Currently the forest has numerous old growth Pin Oak and Basswood on the East and West facing slopes. These trees and other desirable species are surrounded by dense Buckthorn thickets and windfall primarily composed of Ash and Boxelder trees. The large old growth Oaks are not to be removed. We would remove all thickets, "suckers" on Basswoods and clean up any/all windfall. There are 2 larger dead, hollow tree trunks that will stay in place for habitat.

The south end of the property has an Oak Savanna remnant. Here there are old growth Burr Oak being choked out by Buckthorn and American Elm. Buckthorn and Elm are to be removed. The smaller Burr Oak is to be thinned, allowing the canopy to open up and let the native grasses dominate the ground. This is to be done very carefully. Trimming and thinning of any Burr Oak will be done methodically to ensure the best results are possible for the Oak Savanna. (Example, If there are 3 Burr Oak in a 3 foot radius, I would remove 1 of those 3.)

Prairie Restorations will be responsible for managing the native vegetation planting after tree removal. All land with-in the forest will have ground cover of oats or winter rye along with using their Best Management Practices to control erosion. Prairie Restorations is under contract to manage the native vegetation in the forest and converted alfalfa field for a minimum of 5 years.

I would request this CUP be valid 1 year from the time of issue. I anticipate having this project completed by Spring of 2023, but would like to extend it in case we need to do any final work during the follow winter when the ground is frozen. This ensures minimal damage to soil and any native vegetation.

## **Clifton Township Recommendations**

They recommend I plant trees in the clear cut zone and have an arborist approve the species. They are recommending I plant 25 trees in the clear cut zone. I have not considered planting any trees in the clear cut zone.

Their explanation is to maintain a wild look in the canyon and protect the river from soil run off. I have Kayaked the Canyon twice in the last 2 months. There is zero evidence of any tree removal or alteration of the tree line/bluff line from the river. I have documented this and can provide pictures and video if requested. The only thing I can see in the vicinity that doesn't look wild is a wind turbine and home on a cliff, both of which have nothing to do with Lot 24. The clear cut has stable soil which is protected by 2 rows of straw/coconut logs secured in place and a silt fence near the bottom of the hill. The hill is fully vegetated with native sedges, oats and other native and non-native plants. There is zero evidence of any erosion.

###

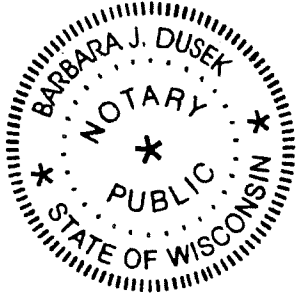
**AFFIDAVIT:**

**TO WHOM IT MAY CONCERN:**

This affidavit is to verify, to the best of my knowledge, that the conditional use permit requested in the attached application does not violate any Deed Restriction.

Owner(s) Notarized Signature(s):

Acknowledgement:

<p><u>[Signature]</u> Owner Signature</p> <p><u>Ross WEGGE</u> Owner Name - Printed</p> <p>_____ Co-Owner Signature (if applicable)</p> <p>_____ Please print Co-Owner Name (if applicable)</p>	<p>This instrument was acknowledged before me on this date <u>10/5/2022</u> by</p> <p><u>Barbara J Dusek</u> NOTARY PUBLIC Signature</p> <p><u>Barbara J Dusek</u> Notary Public Name - Printed</p> <p>State of Wisconsin, County of <u>Pierce</u></p> <p>My commission expires: <u>3/14/2025</u></p>	 <p>Affix seal</p>
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**AUTHORIZATION TO INSPECT PREMISES:**

I hereby authorize the Pierce County Department of Land Management staff to inspect premises at

Site Address: N8050 1100<sup>th</sup> ST. RIVER FALLS, WI 54022

Date: 10-5-22

[Signature]  
(Owner/Co-Owner Signature)

**CERTIFICATION:**

I hereby certify that I have been informed and understand that if I, my agent, or my attorney does not appear at the public hearing, and/or if I do not provide the information requested by the Zoning Administrator, the Committee or Board may dismiss the application or may dispose of the matter on the record before it.

Date: 10-5-22

[Signature]  
(Owner/Co-Owner Signature/Appellant)



**PIERCE COUNTY WISCONSIN**  
**DEPARTMENT OF LAND MANAGEMENT & RECORDS**  
Phone: 715-273-6747 or 715-273-6746  
Fax: 715-273-6864

Pierce County Courthouse  
414 W. Main S, PO Box 647  
Ellsworth, Wisconsin 54011  
www.co.pierce.wi.us

## Town Recommendation Form

Request:  Conditional Use Permit     Plat Approval – Concept, Preliminary, Final (Circle One)  
 Map Amendment (Rezone)     Other:

Applicant/Agent:

Name AGENT - ROSS WEGGE

Site Address (if applicable) N8050 1100<sup>th</sup> ST. RIVER FALLS, WI 54022

Property Description: Lot 24, Block \_\_\_\_\_, Subdivision/CSM HIDDEN HILLS OF KIRRI being part of the  
\_\_\_\_\_ 1/4 of the \_\_\_\_\_ 1/4 or Gov. Lot 24, Section 09, Town 27 N, Range 19 W, Town of CLIFTON 1

Parcel # 002 - 01019 - 0824 Zoning District GEN. RURAL FLEX - 8 Acres 7.156

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town's planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone/map amendment.

Pierce County will seek to further each town's planning goals and objectives when considering the establishment of conditionally permitted uses, and will consider adherence to established goals and objectives to be consistent with the "public interest" for that town. In cases where an adopted plan gives guidance regarding the establishment of a proposed conditional use, the specific portion of the plan relating to the request should be referenced. If a town plan is silent regarding the establishment of a proposed use, or a town has not adopted a comprehensive plan, the recommendation will be advisory in nature.

Pierce County will approve re-zonings (map amendments) within a given town only when the proposed amendment is consistent with that town's comprehensive plan. The specific portion of the plan which supports the rezone request should be referenced. It should be noted that if a town's comprehensive plan is silent on a proposed rezone, approval cannot be granted unless consistency is achieved through plan amendment. In cases where a town has not adopted a comprehensive plan, a rezoning request will be considered based upon its consistency with the Pierce County Comprehensive Plan. In such cases, a town's recommendation regarding the proposed rezone will be used to assist the Land Management Committee in evaluating applicable goal statements.

Questions regarding the need for a Town Recommendation and its generation or use should be directed to Land Management Department Staff at 715-273-6746.

Town Recommendation:      X   Approval    \_\_\_\_\_ Denial

Justification/Plan Reference: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Concerns/Suggested Conditions: see Attached  
\_\_\_\_\_  
\_\_\_\_\_

Please attach additional information as necessary.

Town Chair Signature: Le Roy Peterson Meeting Date: 10/4/22

Town of Clifton

Board Recommendations for Ross Wegge After the Fact Conditional Use Permit for Kinnickinnic River  
Bluff tree removal

- Identify invasive species and removal process
- Professional erosion control plan to be approved by Pierce County Land Conservation
- Identify trees 4in or greater for select removal/logging while maintaining erosion control
- Identify if there is a need to plant new trees to replace any removed/logged trees

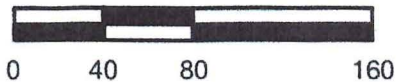
Corrective actions to consider

- Plant diverse assortment of native trees as recommended by Pierce County UW Extension Arborist
- Need recommendation from Arborist on best method of replace 25 4in or greater trees removed

# Exhibit A

OGDEN ENGINEERING CO.  
Civil Engineering & Land Surveying  
1234 S. Wasson Lane, River Falls, WI 54022  
(715) 425-7631

Scale In Feet



Contour Interval=2'

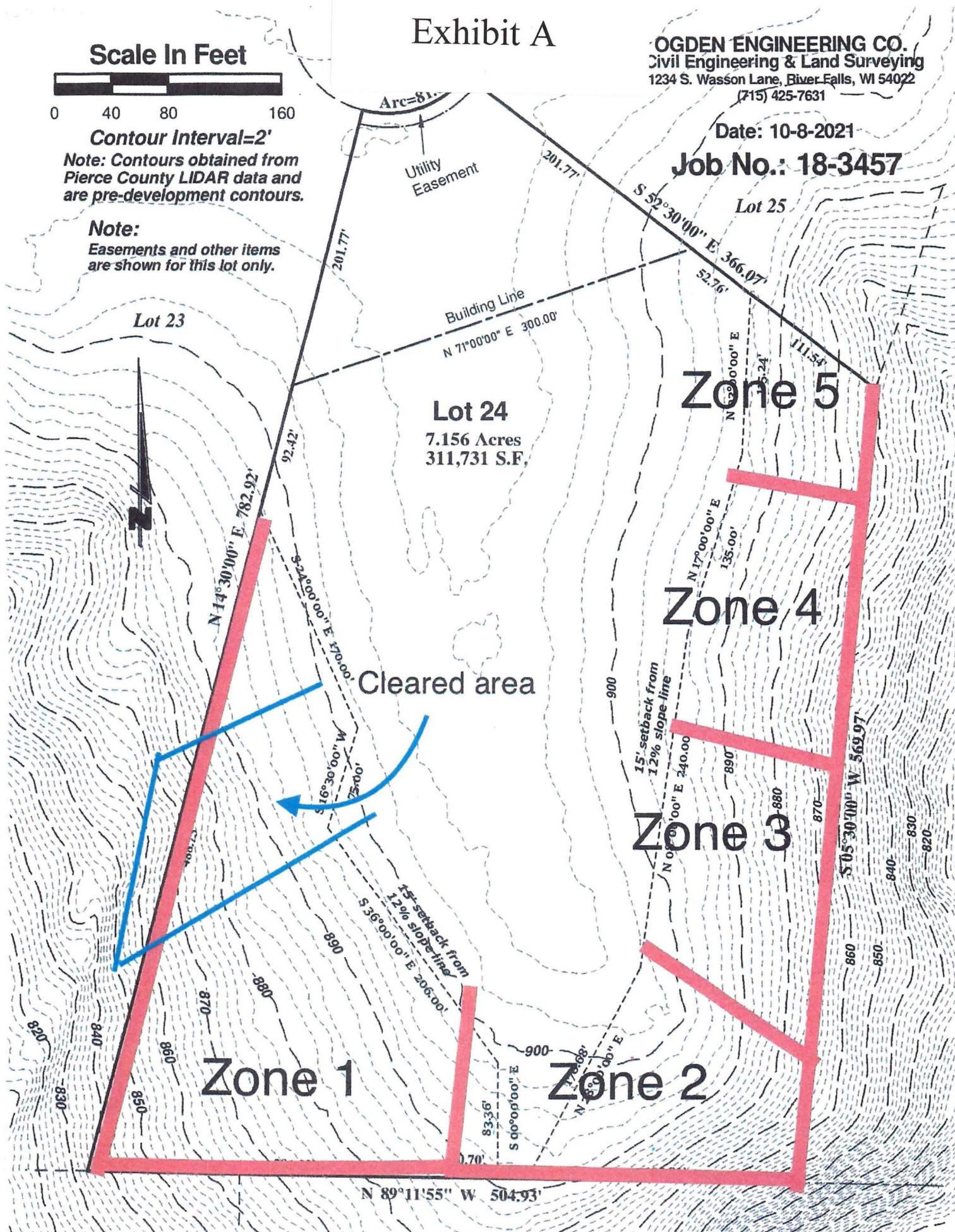
Note: Contours obtained from  
Pierce County LIDAR data and  
are pre-development contours.

Note:

Easements and other items  
are shown for this lot only.

Date: 10-8-2021

Job No.: 18-3457





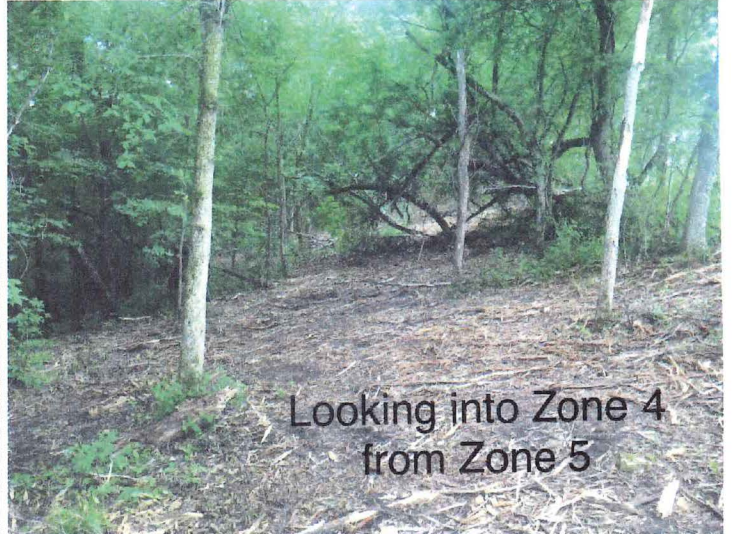
Zone 1 looking north



Zone 2 looking west



Zone 3



Looking into Zone 4  
from Zone 5



Zone 5

Zone 1				
Tree	Count	DIA Max	DIA Min	DIA Avg
Pin Oak	10	18"	3"	14"
Burr Oak	17	13"	5"	9"
Aspen	18	12"	8"	10"
Basswood	6	14"	3"	7"

**Current:** Lots of smaller trees remain including Ironwood, Cherry, Ash and Box Elder. Some are dead, dying or have considerable wind damage. There is an area with-in Zone 1 that has been clear cut. Vegetation has covered the soil, 2 rows of coconut logs and silt fence are in place as a protective measure against erosion.

**Plan:** Continue clearing 8-10 <4" DBH Ironwood, Box Elder, Ash, Buckthorn. I do not see a need to remove any oak or basswood. 2-3 Aspen are in rough shape and may need to be removed.

Zone 2				
Tree	Count	DIA Max	DIA Min	DIA Avg
Pin Oak	21	24"	5"	15"
Burr Oak	36	19"	3"	8"
Am. Elm	6	9"	2"	5"
Basswood	10	12"	2"	8"
Red Cedar	12	9"	2"	5"

**Current:** Pin Oaks are mostly in SW corner. Burr Oaks start to populate as you move East. Buckthorn and Elm have created a thicket. Basswood starts to show in the Eastern corner. Far SE corner of property has a cedar thicket on a cliff face.

**Plan:** Remove all Buckthorn/Elm. Thin oak stand to create a Oak Savana enviroment. This would be a very careful select cut. No Oaks larger than 10" would be removed. I estimate 1/3 of the smaller Oaks to be removed. These would be mainly 7" or less. Possibly thin the Red Cedar thicket on cliff face.

Zone 3				
Tree	Count	DIA Max	DIA Min	DIA Avg
Pin Oak	10	24"	8"	15"
Burr Oak	6	8"	5"	7"
Basswood	23	24"	5"	15"

**Current:** Pin Oak and Burr Oak are located near field and near property line. Basswoods populate the center section.

**Plan:** Remove suckers, Buckthorn, brushy material. Remove dead or wind damaged trees. No large Oak are to be removed. Some Basswood may be thinned with the intention of leaving the larger mature trees, especially Oak.

Zone 4				
Tree	Count	DIA Max	DIA Min	DIA Avg
Pin Oak	2	24"	5"	15"
Cherry	2	15"	11"	13"
White Ash	18+	11"	3"	9"
Box Elder	20+	10"	3"	5"
Am. Elm	20+	8"	3"	6"

**Current:** This area has considerable windfall and snags remaining. Box Elder, Elm, Ash, Buckthorn make up the snags and windfall. This is a rough area of the woods.

**Plan:** Remove windfall and snags. This area may be more sparse than others of the property. No Oak are to be removed. Keep all Oak. Good examples of Ash and Elm will be kept.

Zone 5				
Tree	Count	DIA Max	DIA Min	DIA Avg
Pin Oak	7	24"	8"	15"
Cherry	3	12"	10"	11"

**Current:** Brushy area, undergrowth is bucktorn, mainly scrappy Ash and Elm.

**Plan:** Remove 5-6 undesirable trees, Keep all Oak. Keep Good Cherry.

## Exhibit B

# Exhibit C

Date: 3/22/2022

## Proposal to Create a Native Landscape at the Wegge Property River Falls, WI

**Prepared for:**

Ross Wegge  
203 Walnut Hill Way  
River Falls, WI 54022  
651-261-0213

[Ross.wegge@hotmail.com](mailto:Ross.wegge@hotmail.com)

**Site Address:**

Near N8463 1090<sup>th</sup> St (Lot 24)  
River Falls, WI 54022

**Prepared by:**

Nick Conrad  
Assistant Site Manager  
612-708-9432

[nconrad@prairieresto.com](mailto:nconrad@prairieresto.com)

**Project Area:**

~5.75 acres

**Prairie Restorations, Inc.** 

31646 128<sup>th</sup> St.  
Princeton, MN 55371  
[www.prairieresto.com](http://www.prairieresto.com)

**A. Company Background:**

Prairie Restorations, Inc. (PRI) has been dedicated to the restoration and management of native plant communities for over 40 years. We are fortunate to have worked with thousands of clients on a wide variety of projects in both the public and private sectors throughout the Upper Midwest.

The PRI staff currently consists of 54 full-time professionals and about an equal number of seasonal employees which operate out of six Minnesota locations. Most of the staff has B.S. degrees in natural resource related fields such as biology, forestry, horticulture or wildlife. As a full service restoration company, PRI is able to provide our clients expertise and service in all facets of native landscape restoration. Along with consulting, design, installation and land management services, we also produce our own local ecotype seed and plant materials which are used on all of our projects.

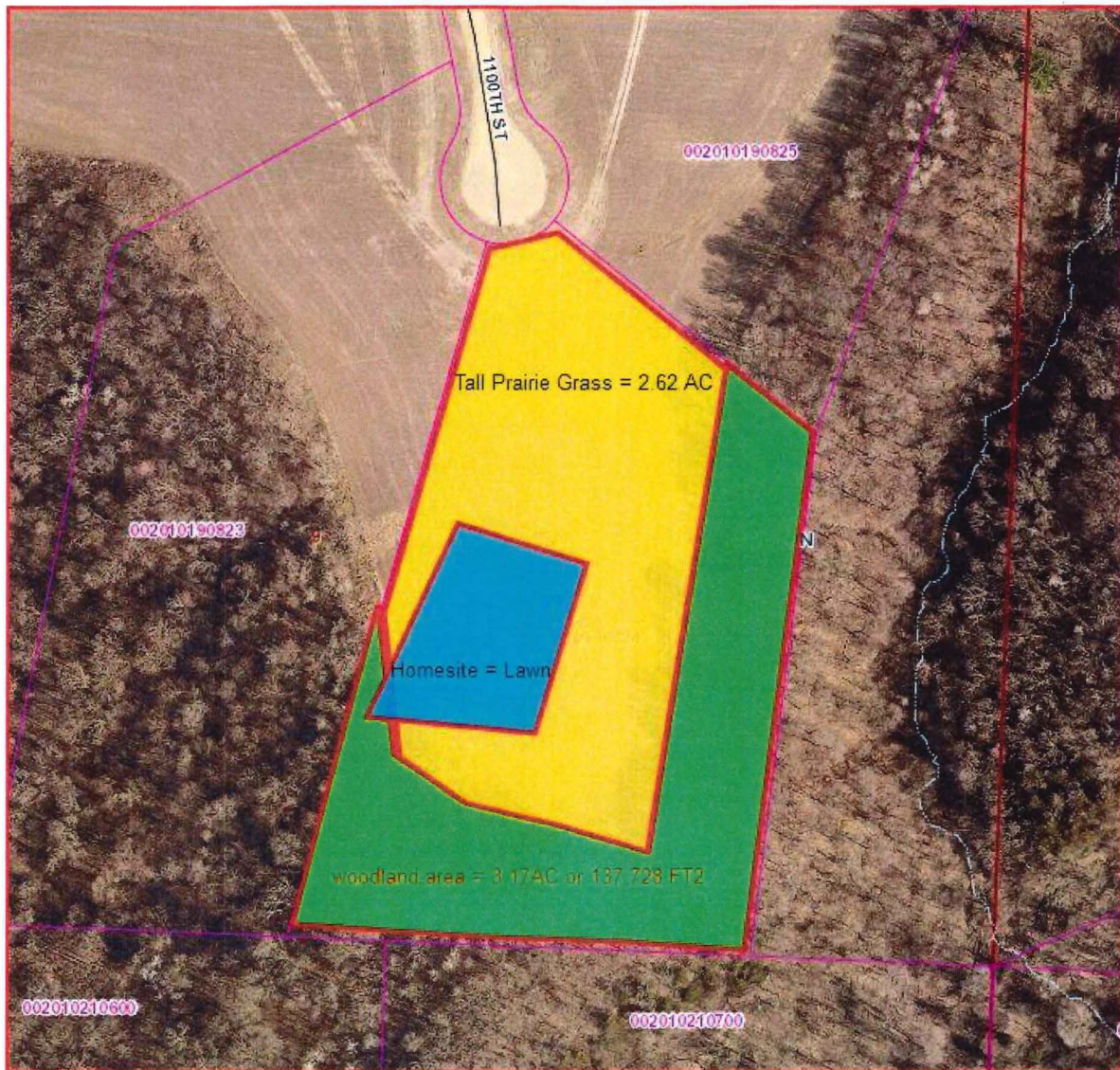
The PRI Team is committed to and passionate about protecting and enhancing our valuable natural resources. It is this dedication that is brought to each and every one of our projects. We are proud to offer the best expertise, services and products available in the industry and appreciate the opportunity to provide you with this proposal.

**B. Project Overview:**

1. Establishing a native landscape in this area will provide a long term, ecologically sound landscape that is adapted to the existing conditions of the site. This native landscape will not require irrigation, black dirt or other soil amendments. It will add a distinctive look to the property as well as provide valuable habitat for songbirds, butterflies, bees and other pollinators.
2. The Tall Prairie Grass area will be seeded with native prairie grasses and wildflowers that are adapted to the well drained, sunny conditions. The Woodland area will be planted with savanna grasses and flowers that are adapted to the shady conditions.
3. To establish this planting, the tall prairie grass area will be treated twice with herbicide to kill existing weeds, harrowed to provide a smooth seedbed (if needed), seeded with native grasses and wildflowers. The woodland area will be seeded with native grass and cover crop, two broadleaf over sprays throughout the growing season and then a fall wildflower seeding.
4. An estimate for 4 years of Establishment Period Vegetation Management is included in this proposal.

**C. Project Dimensions and Planting Zones:**

1. For purposes of vegetation restoration, the project area is separated into two zones, the **Tall Prairie Grass Area** and the **Woodland Area**.
2. **The Tall Prairie Grass Area is approximately 2.62 acres.** This Area is full sun. The soil is mesic. This zone will be planted Mixed Height native seed mix.
3. **The Woodland Area is approximately 3.17 acres.** This Area is part shade to full shade. The soil is well drained. This zone will be planted with savanna and woodland native seed mixes.





**D. Site preparation:**

1. In the Tall Prairie Grass areas with actively growing vegetation, apply a glyphosate herbicide (Roundup® or equivalent) and a triclopyr herbicide (Garlon 3A® or equivalent) with appropriate surfactants, as per manufacturer's directions. Allow a minimum of 30 days before disturbing the vegetation with other procedures (Fall 2022).
2. In the Tall Prairie Grass area with actively growing vegetation apply a glyphosate herbicide (Roundup® or equivalent) as per manufacturer's directions. Allow a minimum of 10 days before disturbing the vegetation with other procedures (Spring 2022).
3. In the Woodland Area, two broadleaf herbicide application will be conducted to knock back woody regrowth. Spot mows will also be conducted if need

**E. Seed and Seeding (Tall Prairie Grass):**

1. Acceptable seeding dates for native species are in the spring or summer before August 10<sup>th</sup> or in the fall between September 20<sup>th</sup> and freeze-up.
2. All grass seed will be applied with a seed drill designed for native seeding (Truax® or equivalent).
3. All wildflower seed will be applied by broadcasting.
4. The seed mixes will consist of the following species and amounts:

**Grass Seed** **lbs./project area**

**PRI – Central Minnesota: Conservation Grass Mix**  
30% Little bluestem, 10% Side oats grama,  
25% Big bluestem, 8% Canada wild rye,  
22% Indian grass, 10% Virginia wild rye,  
5% Switch grass, all by PLS weight.....22 lbs.

**Note:** A cover crop will be sown along with the native grasses at a rate of approximately 25 lbs./acre. Cover crop is an annual grass species that germinates quickly and will reduce the risk of soil erosion on the site. Oats will be used for a spring or summer seeding, and winter wheat will be used for a fall seeding.

**Wildflower Seed** **oz./project area**

**PRI – Central Minnesota: Mixed Height/Dry Wildflower Mix**  
16% Purple prairie clover, 12% Black-eyed Susan, 13% Hoary vervain,  
4% Common ox-eye, 8% Leadplant, 1% Evening primrose,  
10% White prairie clover, 11% Golden Alexanders, 4% Bush clover,  
3% Butterfly milkweed, 3% Upland goldenrod, 4% Canada tick trefoil,  
4% Common milkweed, 4% Stiff goldenrod, 2% Smooth aster,  
1% Yarrow, all by PLS weight ..... 58 oz.

**F. Seed and Seeding (Woodland):**

1. Acceptable seeding dates for native species are in the spring or summer before August 10<sup>th</sup> or in the fall between September 20<sup>th</sup> and freeze-up.
2. The grass seed will be spread by hand broadcasting throughout the project area (Spring 2022).
3. All wildflower seed will be applied by broadcasting (Fall 2022).
4. The seed mixes will consist of the following species and amounts:

<b>Grass Seed</b>	<b>lbs./project area</b>
-------------------	--------------------------

**PRI – Central Minnesota: Savanna Grass Mix**

29% Little bluestem, 22% Side oats grama,  
10% Big bluestem, 5% Canada wild rye,  
10% Indian grass, 5% Bottlebrush grass,  
5% Kalm’s brome, 5% Silky wild rye,  
5% Plains oval sedge, 4% Switch grass, all by PLS weight. ....32 lbs.

**Note:** A cover crop will be sown along with the native grasses at a rate of approximately 25 lbs./acre. Cover crop is an annual grass species that germinates quickly and will reduce the risk of soil erosion on the site. Oats will be used for a spring or summer seeding, and winter wheat will be used for a fall seeding.

<b>Wildflower Seed</b>	<b>oz./project area</b>
------------------------	-------------------------

**PRI – Central Minnesota: Savanna Wildflower Mix**

13% Purple prairie clover, 12% Black-eyed Susan,  
10% Hoary vervain, 9% White prairie clover,  
6% Common ox-eye, 8% Leadplant, 12% Golden Alexanders,  
4% Bush clover, 4% Stiff goldenrod, 2% Smooth aster,  
4% Canada tick trefoil, 3% Common milkweed,  
3% Butterfly milkweed, 5% False solomon’s seal,  
1% Evening primrose, 3% Upland goldenrod  
1% Yarrow, all by PLS weight..... 72 oz.

**G. Erosion Control:**

1. Cover crop will be sown along with the native grasses.

**H. Management:**

5. Management (maintenance) plays a vital role in the eventual success of any native landscape installation, especially during the establishment period. Active management of your native landscape is highly recommended to give the project the best opportunity for long term success.
6. During the germination year, the project area may need to be mowed to control annual weed development. If a "closed" canopy of weed cover develops, it should be mowed to aid in the growth of the prairie seedlings by reducing competition. Mowing may also be necessary if the weeds are about to set seed. Optimum cutting height, depending on the wildflower species present, is typically 4 to 6 inches. It is important that the clippings are finely mulched in order to prevent smothering. PRI can provide the mowing services if desired. Please refer to the cost section of this proposal for a mowing quote.
7. In years following the first growing season, Integrated Plant Management (IPM) services are utilized to control annual, biennial and perennial weed species within the developing native landscape. Typical IPM services include spot herbicide spraying, spot mowing, herbicide wicking or hand weeding. These services are billed on a per trip cost agreed upon prior to the growing season. Rough estimates are provided in the cost section of this proposal for these future management activities.
8. Prescribed burning is a highly effective management tool and may be recommended for your project as it matures. Burning stimulates native species to grow more robustly and also help to deter the presence of many non-native and/or woody species. Prescribed burning, when recommended, will be provided as a separate lump sum cost.
9. In lieu of burning, or during years when the site is not burned, a Spring Dormant Mowing can be used to "clean up" previous year's growth and set the table for the new growing season. This mowing would occur early in the spring, as soon as conditions permit. Spring Dormant Mowing, when recommended, will be provided as a separate lump sum cost.

**I. Anticipated Management:**

The following table conveys the anticipated management procedures for your project during the first 4 growing seasons. Estimates for these procedures are provided in the cost section of this proposal.

<b>Year</b>	<b>Projected Management Procedures</b>
2023	Complete site mowing to control annual weed canopy (2 or 3 mowings as needed). Project monitoring
2024	Complete site mowing Integrated Plant Management (IPM) – includes spot spraying, spot mowing, wicking, hand weeding, and other techniques to control weeds and invasive species (3 to 4 visits are typical) Project monitoring
2025	Integrated Plant Management (IPM) – 3 to 4 visits are typical Project monitoring
2026	Spring burn to encourage native plant growth and to help deter the presence of non-native and woody species.

**J. Costs:**

**Project Installation:**

Project set up and mobilization ..... \$375

**Tall Prairie Grass Area:**

**Site preparation**

Spraying (Fall 2022)..... \$800  
Respray (Spring 2023) ..... \$650

Site Preparation (Spring 2023)..... \$650

\*If Needed

Seed and seeding as specified (Spring/Summer 2023) ..... \$2,055

**Total ..... \$4,155**

**Woodland Area:**

Seed and seeding as specified (Spring 2022) ..... \$1,850  
Broadleaf Spraying (Summer 2022) ..... \$1,200  
Broadleaf Respray (Summer 2022) ..... \$1,000  
Seed and seeding as specified (Fall 2022)..... \$1,400

**Total ..... \$5,450**

The work as outlined above  
can be completed for the **lump sum** of..... **\$9,980**

**Vegetation Management:**

**Tall Prairie Grass Area:**

**Germination year management quote:**

Complete site mows as needed (1 to 3 mows are typical)..... \$635/mow

**Future Management Estimates:**

Growing season 2024 (assumes 3 IPM visits)..... \$2,100

Growing season 2025 (assumes 3 IPM visits)..... \$2,100

Growing season 2026 (assumes 3 IPM visits and a prescribed burn)..... \$3,600

**Woodland Area:**

**Germination year management quote:**

Complete site mows as needed (1 to 3 mows are typical)..... \$1,500/mow

**Future Management Estimates:**

Growing season 2024 (assumes 3 IPM visits)..... \$3,000

Growing season 2025 (assumes 3 IPM visits)..... \$3,000

Growing season 2026 (assumes 3 IPM visits and a prescribed burn)..... \$5,000

**Please note:** The *Future Management Estimates* are meant to convey typical management costs for projects of similar size and characteristics. Prior to each growing season, you will receive a specified quote from your project manager detailing the recommended management strategies and associated costs for your project.

*PRI will provide a follow-up consultation approximately 1 month after the completion of the project (if the project was seeded in the fall, the consultation will occur the following spring). The Restorationist (or salesperson) will meet with the project owner to assess the status of the project, answer any questions, and provide any necessary recommendations. This follow-up consultation will be provided at no additional cost.*

**Guarantee:** Prairie Restorations, Inc. (PRI) has a great tradition of successfully installing native landscapes throughout the Upper Midwest. We feel our expertise in this industry is second to none and we stand behind every one of our projects. Because we are confident in our abilities to provide you with the best possible materials and services, we are proud to offer the following guarantee:

On projects installed by PRI crews within the specified dates, and with annual management provided under our land management services, we will guarantee successful establishment within three full growing seasons, given the following conditions:

1. That PRI materials and PRI installation services are used on the project.
2. That the failure of the project is not due to the actions of others.
3. That PRI staff has been hired to provide the maintenance of the project (direct utilization of PRI management services) from the time of germination until the end of the third growing season (i.e. mowing, spot spraying, and controlled burning).

This outline provides a step-by-step plan for accomplishing the restoration of this site. If successful establishment does not occur following three full growing seasons, all reasonable measures will be taken to ensure the eventual success of the project, at no additional charge. For purposes of this guarantee, successful establishment is defined as follows: That the presence of at least 75% of the original seeded or planted species can be found on site, and that the overall density of vegetation is comprised of no less than 75% native species.

**K. Contract:**

If you accept the proposal as written and want to proceed with the project, please sign the contract below.

**Owner:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signed:** \_\_\_\_\_

**Project:** Wegge, Ross Project

**Contract Value:** \$9,980

**Contractor:** *Prairie Restorations, Inc.*

**Signed:** \_\_\_\_\_

**Date:** 3/22/2022

Nick Conrad – Restorationist/sales  
Prairie Restorations, Inc.  
31646 128<sup>th</sup> Street  
Princeton, MN 55371

A 20% down payment is required at this time. Please return a copy of the signed contract, along with payment for 20% of the total project cost. The remainder of the contract will be billed upon completion.

- L. Notes:** Please note that this proposal is valid for 3 months (from the date on the proposal). If the proposal is accepted after the 3 month period, PRI reserves the right to modify the proposal based on cost fluctuations and material availability.

# STAFF REPORT    LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting

November 2, 2022

Agenda Item 5

**Applicant:** James & Carrie Larson

**Request:** Conditional Use Permit (CUP) for a Nursery

**Background:** The applicants built a greenhouse earlier this year, where they grew and sold annual flowers, vegetable plants, planted containers, and potting soil. The applicants were not aware a permit was necessary for the structures and advertising signs for their new nursery business called “Sunflowers on 63.”

## Issues Pertaining to the Request:

- The property is located in part of the NE ¼ of the NE ¼ of Sec. 3, T26N, R17W, Town of Ellsworth, Pierce County, WI.
- The applicants own 17.13-acres, where 14.13-acres is for crop production and 3-acres is for their home, lawn, buildings, and the nursery business.
- The property is zoned Primary Agriculture.
- The adjacent land uses are agricultural, residential, and forested.
- A nursery is conditionally permitted per Pierce County Code (PCC) §240-35C(4).
- PCC §240-88 defines ‘nursery’ as “a facility or facilities used primarily to raise trees, shrubs, flowers, produce and other plants for sale, of which at least 50% are grown on site. Landscaping and horticultural services may be offered along with the sale of garden products such as rakes, shovels, and pots. The sales of garden products shall not occupy more than 25% of the sales area. [Added 6-26-2012 by Ord. No. 12-07]”
- PCC §240-15B states the purpose and intent of the Primary Agriculture zoning district as, “established to maintain, preserve and enhance prime agricultural lands historically utilized for crop production but which are not included within the Exclusive Agriculture District. This district is also intended to provide farmland owners with additional management options by allowing limited residential development but with residential density limits set so as to maintain the rural characteristics of the district.”
- They have a 17’ x 30’ (510 sq. ft.) temporary greenhouse on a 4” gravel pad. They intend to build another 7’ x 28’ (196 sq. ft.) temporary greenhouse for the extra overflow of plants. The applicants grow and sell annual flowers, vegetable plants, potted plants, and potting soil. Adjacent fields may be used to grow perennials, shrubs, or trees someday in the future. They primarily heat the greenhouse with propane, but also have an electric heater and fans.
- Applicants manage the business themselves and do not have any employees at this time.
- Seasonal hours of operation are February – July for daily care of the plants. Customer hours are April – June from 9 am to sunset.

- PCC § 240-54 off-street parking requirements state 1 parking space per 200 feet of primary floor area for retail stores and personal service establishments and outside retail sales require 1 space per 500 square feet of display area. The applicants have ample parking space to meet these requirements. There is ample parking for at least 8 vehicles.
- No special equipment is needed, except hand tools, fans for ventilation, sprayers for fungicide and insecticide, water, heat, and the greenhouse.
- PCC § 240-61C(1)(b) allows the applicants with a CUP to have a maximum of 2 advertising signs located on their parcel that do not exceed 32 square feet in sign face area. Signs shall be located out of the road right-of-way and at least 5 feet from all side lot lines. Off-premise signs are limited to specific zoning districts, need a separate permit, and special review and approval.
- The Ellsworth Town Board recommended approval of this conditional use permit on 7-5-2022. The Town Board justified their approval by stating, “The nursery/greenhouse is an agriculture business and fits within our Comp. Plan that encourages agriculture in our Town. The Larson’s also own acreage that is rented for agricultural purposes (crops). This greenhouse is a seasonal business open 6 weeks in the spring offering plants, flowers, and vegetables. There is plenty of room for parking and turning around. She was encouraged to get her business signs out of Hwy 63 Right-of-Way and make sure next year they are on her property.”

**Recommendation:**

Staff recommends that the Land Management Committee (LMC) 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 determined to be not contrary to the above, staff recommends the LMC approve this request with the following conditions:

1. Activities shall be conducted as presented in the application, including hours of operation.
2. Applicants shall work with the Town of Ellsworth Building Inspector to determine if a building permit is necessary.
3. Adequate portable outhouses (1 per 50 people), or other acceptable restroom facilities, shall be provided and maintained.
4. A maximum of 2 on-premise advertising signs that do not exceed 32 square feet in sign face area are allowed on this parcel. All advertising signs shall comply with the zoning code standards.
5. The CUP shall be renewed every 2 years. Renewal may be completed administratively if no compliance issues arise.
6. Applicant understands that expansion or intensification of this use may require modification to this conditional use permit, or potentially, the issuance of a new conditional use permit.

**Submitted By:** Emily Lund  
Assistant Zoning Administrator



PIERCE COUNTY WISCONSIN  
DEPARTMENT OF LAND MANAGEMENT & RECORDS  
Zoning: 715/273-6747  
Planning: 715/273-6746 Fax: 715/273-6864

Pierce County Courthouse  
414 W. Main Street P.O. BOX 647  
Ellsworth, Wisconsin 54011  
www.co.pierce.wi.us

## Town Recommendation Form

Request:  Conditional Use Permit \_\_\_\_\_ Plat Approval – Concept, Preliminary, Final (Circle One)  
 Map Amendment - (Rezone) \_\_\_\_\_ Other- \_\_\_\_\_

### Applicant/Agent:

Name James + Carrie Larson  
Site Address (if applicable) N6405 US Hwy 63, Beldenville, WI 54003  
Property Description: NE 1/4 of the NE 1/4, Section 3, T 26 N, R 17 W, Lot —, Block —,  
Subdivision — Town of ELLSWORTH  
Computer # 006-01005-0810 Parcel # 006226170311037A  
Zoning District Primary Ag. Acreage 17.13Ac

A town recommendation is required as part of the application for a rezone (map amendment) or a conditional use permit. This recommendation is necessary whether a town has adopted a comprehensive plan or has not. Pierce County will seek to further each Town's planning goals when considering the establishment of conditionally permitted uses and when considering approval of a request for a rezone/map amendment.

Pierce County will seek to further each town's planning goals and objectives when considering the establishment of conditionally permitted uses, and will consider adherence to established goals and objectives to be consistent with the "public interest" for that town. In cases where an adopted plan gives guidance regarding the establishment of a proposed conditional use, the specific portion of the plan relating to the request should be referenced. If a town plan is silent regarding the establishment of a proposed use, or a town has not adopted a comprehensive plan, the recommendation will be advisory in nature.

Pierce County will approve re-zonings (map amendments) within a given town only when the proposed amendment is consistent with that town's comprehensive plan. The specific portion of the plan which supports the rezone request should be referenced. It should be noted that if a town's comprehensive plan is silent on a proposed rezone, approval cannot be granted unless consistency is achieved through plan amendment. In cases where a town has not adopted a comprehensive plan, a rezoning request will be considered based upon its consistency with the Pierce County Comprehensive Plan. In such cases, a town's recommendation regarding the proposed rezone will be used to assist the Land Management Committee in evaluating applicable goal statements.

Questions regarding the need for a Town Recommendation and its generation or use should be directed to Land Management Department Staff at (715) 273-6746.

Town Recommendation:  Approval \_\_\_\_\_ Denial \_\_\_\_\_

Justification/Plan Reference: This nursery/greenhouse is an agricultural business and fits within our Comp plan that encourages agriculture in our town. The Larson's also own acreage that is rented for agricultural purposes (crops). This greenhouse is a seasonal business open 6 weeks in spring offering plants - flowers, vegetables. There is plenty of room for parking and turning around.

Concerns/Suggested Conditions: She was encouraged to get her business signs out of Hwy 63 Right of Way and make sure next year they are on their property.

Please attach additional information as necessary.  
Town Chair Signature: Roger Billeter Meeting Date: July 5, 2022

# Land Management Committee

Carrie & James Larson  
(November 2, 2022)

CUP - Nursery

## Legend


 Dwellings

 Nursery Parcel

Parcels

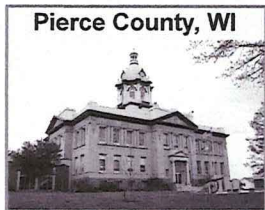
## Zoning

 General Rural Flexible

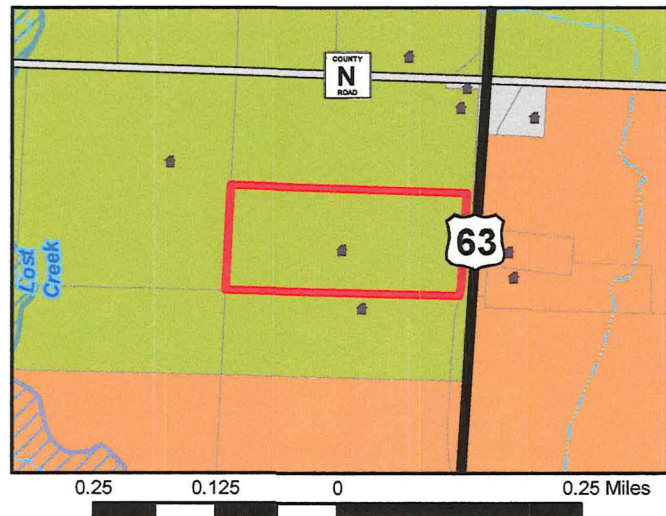
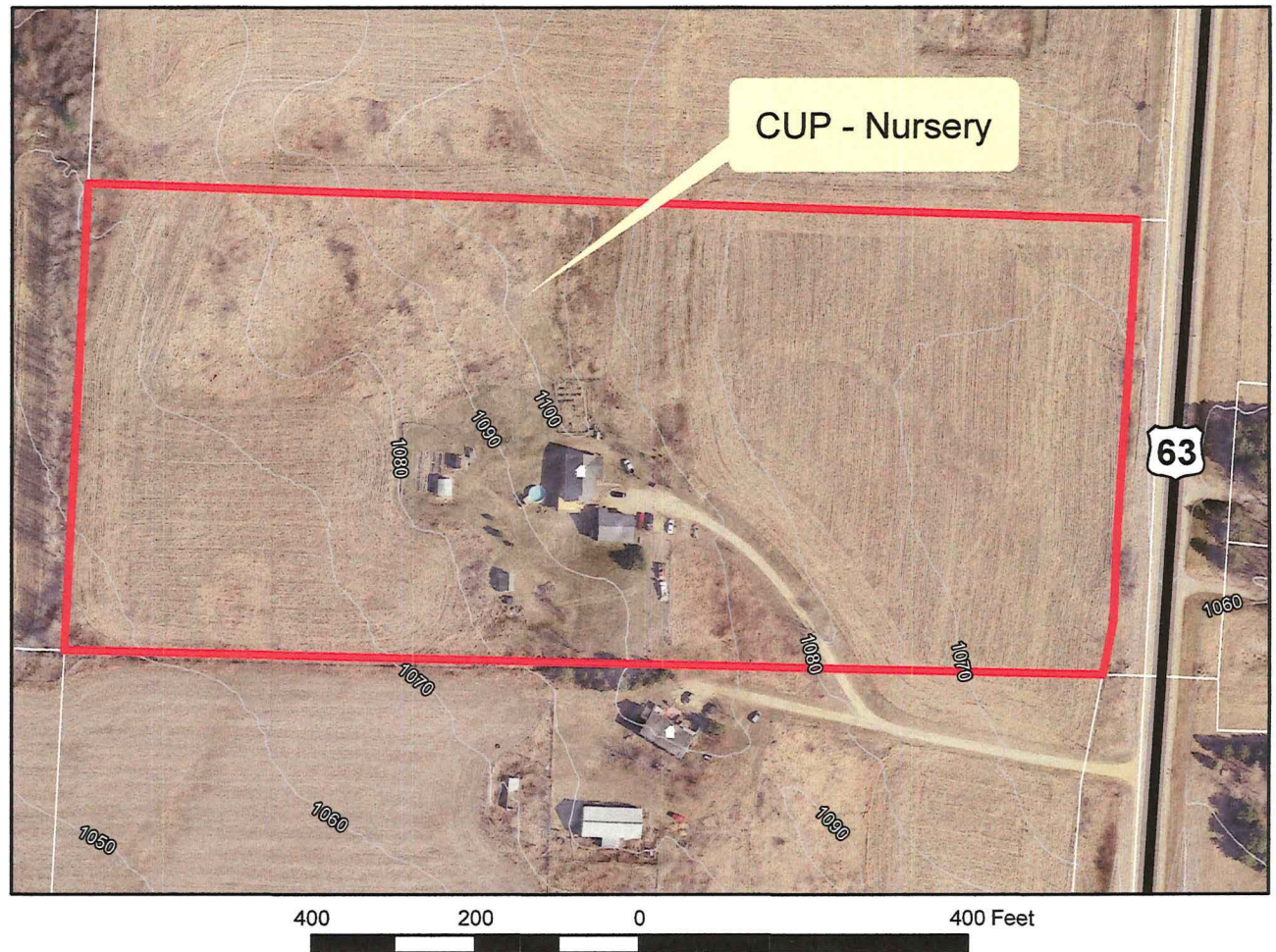
 Light - Industrial

 Primary Agriculture

Orthophotography - 2021 Pierce County



Prepared by the Department of Land Management



**Site Location**  
N6405 U S HIGHWAY 63  
Town of Ellsworth

