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MINUTES - Pierce County Land Management Committee Meeting, March 1, 2023, in-person meeting for everyone along with the option of remote attendance.

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

Others: Andy Pichotta, Adam Adank, Emily Lund, Jesse Stenske and Anna Anderson

Absent: Joe Fetzer

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

Next meeting dates: March 15, 2023, April 5, 2023 & April 19, 2023.

Approve Minutes from the February 1, 2023 Land Management Committee meeting: **Sanden moved to approve the Land Management Committee minutes from February 1, 2023/Puhrmann seconded. All in favor. Passed.**

Public hearing to consider and take action on a request for a conditional use permit for a Retreat Center pursuant to Pierce County Code §240-36M in the General Rural Flexible-8 District for Belle Vineyard Weddings and Events LLC, owners on property located on Lot 2 CSM 16-46 part of the SW ¼ of the NW ¼ & SE ¼ of the NW ¼ of Section 3, T27N, R19W, Town of Clifton, Pierce County, WI.

Staff Report – Adam Adank: The applicants recently purchased the property known as “Belle Vinez” vineyard and winery. The property has an existing Conditional Use Permit (CUP) for a Winery with incidental food service. The existing commercial structure includes a tasting room, kitchen, dining area, restrooms and offices/conference rooms. An outdoor pavilion is also located onsite. Since buying the property, the applicants have approached Land Management with a revised business plan that no longer involves producing wine onsite. Because wine will no longer be produced onsite, the business cannot meet the requirements to be licensed as a winery by the State of Wisconsin, meaning the existing CUP for a winery is no longer a viable permit option. The new focus/use of the property is to build a high-end wedding and event venue. The changes in business operations are more representative of a retreat center and the change of use requires a new CUP. The business will be renamed to Belle Âme Vineyard. While high-end wedding and events are the primary focus, the applicants also intend to host the public for wine tasting and local food offerings. The applicants also plan to sell agricultural products, grapes, private-label wine, apparel and other alcohol in accordance with a valid liquor license from the Town of Clifton. The site currently has more than 2,500 grape vines and the applicants plan on continuing to use those grapes for off-site processing and bottling that will be shipped back to Belle Âme Vineyard for sale as authentic goods. Food will no longer be cooked or prepared onsite which is also a departure from the previous business plan. Food offerings will be catered to the site or available by food truck for events. As part of the new business plan, the applicants are proposing a two-fold building renovation/expansion that they are calling Phase 2 and Phase 3. Phase 2 includes interior building renovations, the addition of a 20’x26’ “groom’s area”, a building addition for a fireplace area, and an exterior wall addition to screen the trash area. Phase 2 is expected to be completed by summer/fall of 2023. Phase 3 is the addition of a 5,140 sq. ft main venue area that will accommodate up to 252 people. The applicants hope to start Phase 3 in 2024. Approval of this conditional use permit would authorize Phase 2 as presented. Approval of a new CUP for expansion/intensification would be required prior to the implementation of Phase 3. Site plan review would also be required prior to the implementation of Phase 3. Staff is proposing a 6-month status report in front of the LMC consistent with past practice. The LMC has historically requested periodic status reports when a conditionally permitted use is being established or expanded. This enables unanticipated needs or impacts to be

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addressed in a timely manner. Once a use is established, and its impacts understood, renewal is typically conducted administratively. The property is zoned in the Town of Clifton and the property is zoned General Rural Flexible-8. Adjacent properties are zoned General Rural Flexible-8 and adjacent land uses are residential, agricultural and wooded. The purposes of the zones are listed in the staff report. “Retreat Center” is defined as: A facility or facilities used for professional, educational, organizational, or religious meetings, conferences, or seminars and which may provide meals, housing, and recreation for participants and may include multiple related uses managed as one operation. Pierce County Code Chapter §240-75(A)(1) requires site plan approval for new construction or additions to existing structures and buildings for commercial, industrial, institutional or multifamily uses. The purpose of the review is to assure site designs which promote compatibility between land uses, create safe and attractive site layouts and structures, provide proper access to streets and transportation, protect property values and contribute to efficient land use in Pierce County. The proposed interior renovations/expansion described in Phase 2 will not increase the capacity of guests and will continue to allow for the accommodation of up to 120 guests indoors. The outdoor pavilion can accommodate up to 200 guests outdoors. Two separate Private Onsite Wastewater Treatment Systems (POWTS) exist onsite. The first system is a holding tank system that accepts wastewater from the kitchen, dishwasher, floor drains, and janitor mop sink. The other is a mound system that accepts waste from restroom use. The septic systems are sized adequately for indoor guests but do not account for increased wastewater flow from additional outdoor guests. Proposed event types include: Corporate events, executive meetings and retreats, local business special events, large family gatherings, large graduation celebrations, holiday events, wedding vendor events and trunk shows, engagement parties, professional photography sessions, wine tasting and marketing events. There are 2 access points off of 875th Ave, one for business and the other for customers. The tasting room would be open to the public on select days of each week. According to the CUP application, the tasting room is dedicated for wine and beer sales only; no other hard alcohol is to be served except for wedding and special events. The applicants have indicated that food will no longer be prepared onsite. The applicants are proposing to partner with local food vendors/caterers to have a limited appetizer menu available (e.g. charcuterie board) when the tasting room is open and strictly catered food for all weddings and events. The existing kitchen would be used only for pre-made food assembly. The applicants are also proposing to invite food trucks onsite for select events in the summer months when weddings or other larger events are not booked. Food trucks would be parked near the west side of the customer parking lot. Applicants are proposing hours of operation to be 10am to 10pm on Sunday, Monday, Tuesday, Wednesday, and Thursdays with vendors and guests leaving the premise by 10pm and lights out by 12am. Amplified music (<80 decibels) ending before 9pm. 10am to 11pm on Friday and Saturdays with vendors and guests leaving the premises by 11pm and lights out by 12am. Amplified music (<80 decibels) ending before 10pm. No parking is allowed on 875th Ave. Cars parked in the parking lot are to be removed by 9am the next morning per contract. The customer parking lot has 64 parking stalls with 3 being ADA compliant. The employee parking lot has 7 parking stalls on the west side of the building. Pierce County Code §240-54 specifies the minimum number of off-street parking spaces to be provided. Existing parking spaces were established using the following classifications from PCC §240-54: Indoor social area (classified as restaurant/tavern) – 40 parking spaces for a total of 120 guests/patrons. Tasting room (classified as restaurant/tavern) – 11 parking spaces for the estimated 5,500 sq. ft. outside plaza area. Pierce County Code Chapter §240-54 “Off-street parking” does not list retreat center as a use classification. Pierce County Code Chapter §240-54(4) states “uses not enumerated. In the case of uses, not specifically listed in this Subsection A, the minimum number of parking spaces shall be determined by the Zoning Administrator, based upon the requirements of similar uses.” Staff suggests that parking requirements are not an exact science and that it may be more appropriate and easier to enforce/administer the parking requirements based upon total number of guests/patrons allowed onsite at one time. Similar uses require 1 space per 3 seats/patrons. Based on 1 space per 3 seats/patrons, the existing 64 visitor parking spaces should be adequate for events up to 192 people. The Clifton Town Board recommended approval of this request on February 7, 2023. The Town did not list any concerns or suggested conditions and did not reference its comprehensive plan. The existing conditions of the Winery are shown in the staff report 1 – 18.

Staff Recommendation: The staff recommended 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 not to

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be contrary to the above, staff recommended the Land Management Committee approve the conditional use permit for a Retreat Center with the following conditions:

1. Activities shall be conducted consistent with the application unless modified by another condition of this approval.
2. Applicant shall obtain all necessary permits for any future structures or signs not presented in this plan from the Zoning Office.
3. No more than 120 guests/patrons shall be allowed onsite (Indoor & Outdoor)
4. An additional 150 guests/patrons (270 total) shall be allowed onsite (Indoor & Outdoor) if the existing Private Onsite Wastewater Treatment System (POWTS) is expanded or a new POWTS is installed to handle the increase in wastewater flow and additional parking is established (1 space/3 patrons) to accommodate the additional guests/patrons.
5. Any proposed increase in parking areas shall require site plan approval by the LMC.
6. There shall be no parking on the street. Applicant shall install signs indicating no parking on the street.
7. Hours of operation shall be: 10am to 10pm on Sunday through Thursdays with lights out by 12am and 10am to 11pm on Friday and Saturday with lights out by 12am.
8. All food shall be cooked offsite and be catered in. Food trucks shall be allowed in the customer parking area as long as adequate parking is available.
9. No liquor shall be served in the tasting room.
10. Lighting shall comply with the Land Management Department policy.
11. Sound systems shall only be within the structures.
12. No audio bird repellent shall be used onsite.
13. Fireworks shall not be utilized onsite.
14. A status review shall be presented to the LMC in 6 months and in one (1) year.
15. This Conditional Use Permit shall expire in 2 years.
16. Phase 3 (as indicated in the application) shall require site plan approval and a new CUP for expansion/intensification of the use.
17. Amplified sound shall be limited to no more than 80 decibels at the source.
18. Promoted access route shall be along County Road M.
19. Applicant shall contact the Town of Clifton Building Inspector to determine necessary permits.
20. Applicant may hold events up to 270 (120 maximum indoors) people in the short term (next 6 months) if adequate portable restrooms are brought onsite (1 per 50 additional guests/patrons over 120) and an event specific parking plan is approved by Land Management staff that specifically delineates where, on site, vehicles in excess of the 71 available parking spaces will be parked (one additional space per 3 persons over 120).

Chairperson Aubart asked Sasha Skendzel if she had anything else to add. Sasha stated that she is a critical care Nurse Practitioner and a Professor at the University of Minnesota in the Twin Cities. She fell in love with this property, so she wanted to carry on a similar mission as the previous owners. At the time that she was considering the property, there was another group considering making an offer that had a very different vision for its use that focused more on it being a brewery/campsite. In the process of the purchase of the vineyard, she did not acquire the processing unit where wine could be made. Since we are not mixing wine on site, we continue to be a vineyard but have to sell off our grapes for production off-site, and then sell the wine in our tasting room. Sasha said we really are not a winery, we are a vineyard at this point, so we have reached out to change some of the language in the conditional use permit. We are pursuing more of a Retreat Center; our goal is really very similar with what had evolved in terms of the business plan for the previous owners over time. They had many requests, since the site was so beautiful, for weddings, celebrations, birthdays, conferences, meetings, etc. In addition, the previous operation wasn't sustainable in terms of staff and economically, so the bank had to see that this would be a successful model. Unfortunately, I'm not sure anyone would have been able to move forward with a mission or a vision on that site without proving to a bank that it would at least break even or be profitable, so that is why we are focusing just a little bit more on the event aspect. We won't have the kitchen running, so there will not be my own kitchen stuff, we have had discussions to sign service level agreements or partnerships with other woman-owned businesses locally to support them. They would pre-

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prepare food and bring it onsite when we are open to the public for our tastings. This would be located in the main lobby area. Sasha stated we did want blackout dates, days where we weren't operating the facility, just to be kind to the community, and also from an environmental standpoint, if we don't have the lights on and things running, that would be preferred. Several week days we won't be open at all. Tuesdays, we are hoping to have the tasting room open, we would close by 8pm, so we don't actually need to be open till 10pm. The reason we had originally gone with those hours was if we were to have some type of meeting or event inside the space that were to go later. The concerns that I was made aware of by staff are pretty consistent with what they had been in the past and so when we purchased the property, we had agreed to continue with the same noise restrictions. We do know we had some limited space as far as parking for what was approved in the original conditional use permit which was guests count of up to 270 at any one time. We did envision a mitigation plan for the parking and at this time we estimate we would have to add an additional 28 parking spaces. Our parking lot has 16 spaces per row, so that is roughly half the parking, we are working with an engineer. In terms of the building space itself, we wanted to have a small meeting room/groom's suite, so that is why the addition to the back. This was a request that small meetings had a place to go, if there were maybe only 5 people, or for groomsman to get ready. This would be Phase 2. Phase 1 is mostly renovations to the inside. Upstairs, we are adding a small bathroom for employee use, and downstairs we are remodeling flooring and taking down one wall that divided the back space, which was a nonstructural wall. In the future we had hoped to move forward with adding more to the building, it will take some re imagination of how that space would be set up. In Phase 3, if we were to add on, we would need to add a larger septic system, which we had already planned to do before heading into Phase 3. Sasha stated that she wanted to let it be known that she is a good person, caring, and a mother of three. Sasha said she has no intention of being a nuisance to the community, "my goal is to bring people in and support them". She knows of a couple larger charitable events that have booked through us, that we are hosting, they will be coming through in phases and we are requiring busing off site, so they are having to park at a separate winery and then bused back to that site, so there won't be parking in our lot. Chairperson Aubart asked if the committee had any questions. Sanden asked staff about the parking accommodating 192 people, then later it talks about 270 people, he asked if he was reading it right, that if they do exceed 192 people, that they would need a separate parking plan approval? Adank stated yes, that in condition #20, essentially, they could have 270 people onsite based on this condition. This is in the short-term phase of the next 6 months. So, if they have adequate restrooms and they come up with a parking plan for any number of guests that exceeds 120 on the premise, based on one parking space per three patrons, they should have sufficient parking. This forces them to look at any people onsite over 120, to come up with some type of a parking plan and at the 6-month renewal it would allow us to see how the parking was going. Sanden asked if we are just dealing with Phase 2. Adank stated yes. Gulbranson asked because they submitted Phase 3, we are not under liability or any condition to approve Phase 3 in the future by approving Phase 2. Pichotta stated that is correct. **Chairperson Aubart opened the hearing to the public.** Keith Getschel stated he is one of the neighbors adjoining the property in question and he thanked Sasha for coming and giving the overview. Getschel said it's good to put a face with the name. Getschel suggested that it would be good to have a neighborhood meeting to hear the plans rather than seeing it on paper. Getschel stated he would still be opposed to approving this conditional use permit because of the noise factor. The business plan on paper is substantially different than the previous one. The previous one was geared toward casual wine/dining and an occasional wedding event, and this one is geared more towards the large events and focusing more on weddings. There is a need for that, so I'm not disputing that the need isn't there. As a neighbor, I'm concerned about the surrounding rural area that its in because there are no other businesses, let alone large businesses anywhere close to this. This is a farming, wooded, rural area. We all have been to weddings before and we know the boisterous nature of how those proceed, especially the longer it goes into the evening, so the longer hours that are being proposed is also a concern. Most events will be Friday and Saturday nights and I think that impacts the neighborhood value and being part of that noise pollution. We could certainly hear the dialogue when the old winery was there and that was without a wedding style event going on. Matt Frisbie spoke and stated he lives two doors down to the south of the property. Frisbie stated he was the designer with the previous owner and in communicating with Adam over the last couple days, had a lot of clarification as to what was going on. Frisbie stated he was pretty nervous when he saw the last page in the packet of the big expansion. I am a little biased because I'm the original architect of the project and we made it cozy and it was a little Italian setting we were shooting for and tried to fit it in with the

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neighborhood and settle it in the area nicely. Frisbie said as this grows from the existing and into Phase 3, that really blows it out of proportion. Frisbie agreed that a neighborhood meeting would be nice. He said that Phase 3 just seems like a big jump. Frisbie stated we worked a lot with the county with the septic and storm water and the parking, there are just so many things that go into this type of conditional use permit, we wanted to make sure the applicant was going into this with their eyes wide open. **Chairperson Aubart asked for any other public comment.** Kendra Huston stated that her and Tyler live at the end of the road from the winery. She has concerns with the fact that 875th Ave is a private road, so when it comes to road maintenance, where does that fall? Huston stated when it comes to heavy traffic it feels like a heavy burden for the residential aspect of living in that area as well as the parking issue. Huston said that Sasha had mentioned increasing the parking spaces to accommodate for more parking, which would be appreciated, but there does come times when there are events and people would park all down the road and in the cul-de-sac. Huston stated that Pierce County Code Chapter §240-36 would allow them to have like bed and breakfast establishments and boarding houses, so I am concerned with people spending the night. Tyler Dusek, Kendra's partner, stated that it is a private road and the upkeep on the road, plowing, etc. is burdened on the residence, we have to pay that. What happens in 5-10 years when that road has to be replaced due to all the commercial traffic? Will that fall on us to replace? Dusek stated more traffic doesn't sound like a good idea to him. **Chairperson Aubart asked for any other public comment. Hearing none, Chairperson Aubart declared the public hearing closed.** Chairperson Aubart asked if Sasha wanted to respond to any of the concerns. Sasha stated she was grateful for the opportunity to gain insight as to what wasn't working well before. I think all of the concerns are understandable. I know that legally the way it is zoned that it is permitted, but she wants to be respectful. To address the noise, the 80-decibel limit was in the last conditional use permit, so one thing the other sites do is what is called a silent disco or move any type of music to the indoor space where it would be a little more buffered and then after a certain time, it would go to the silent disco and wouldn't be audible at all. It is also good to know that however they had the speaker system set up before was not great for the neighbors. She stated that knowing that, we will be really cognizant of that moving forward. Sasha stated that she agrees with the challenge of having that road be a private access, I have brought that up to the township, but she didn't know that at this time they were ready to move forward in acquiring the road. I am happy to pay more towards the maintenance of that, the upkeep, the plowing, etc. Chairperson Aubart asked if the committee had any further questions. Sanden asked would it be appropriate to look at the property line decibel limits? Pichotta stated as far as decibel limits, if you recall when we permitted Vino in the Valley, initially we had talked about decibels at the source and ultimately, we went to at the property lines, and in revisiting that, I'm more supportive of using the decibel limit at the source because then it guarantees that it won't be that at the property line. It is also easy to test. Sanden stated when you say source, I'm thinking the amplifiers, but what about the people being boisterous or loud? Pichotta said when we talk about decibel limits, we are talking about amplified music. Sanden stated that we will have a 6-month review, so that would be a great time for the neighbors to see if things aren't going as well as hoped for. Pichotta stated the 6-month review would be an opportunity for if there were some conditions that weren't working for the applicant, or if there were unanticipated impacts to the neighborhood that weren't being addressed, we can then amend conditions at that point. Pichotta stated as you may recall in the past, when we've got a use that's either been established or changed, we have brought folks in pretty frequently, at least initially, to try to make sure it fits well within the neighborhood. As those impacts are understood we are able to go to more administrative type of reviews. Sanden stated that it sounds like the applicant is aware of those concerns and is responsive to them. Speaking personally, I believe that will become important in that Phase 3 approval. Adank suggested that maybe it will be helpful to dispel some of the mystery of Phase 3, if Sasha could just touch on what that will look at in regards to the amount of people and the number of events you plan to hold if Phase 3 was approved. It says 252 guests, but we are not talking, in my discussions with her, 252 guests on top of the other 100-200 guests at the outdoor pavilion, or at the tasting room. Sasha stated the initial reason for the expansion was because people were requesting indoor options and we have a limited amount of time in this part of the country where we can have outdoor venues, so we wanted to be able to accommodate people in the winter months. The plan was not to increase in capacity so we could have extra-large events, it was to just increase capacity indoors. Sasha said she will not have over night guests, or anything of that nature. The only reason of re classifying as a Retreat is just because I'm not producing wine on-site due to my limited capacity to do so. Sasha stated she will have a better idea of traffic flow. The previous owners were very busy on the

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weekends, which is great, but I can see how that would be a lot of volume and traffic all throughout the day. The events we have in mind will be pretty controlled events, so if someone has a wedding booked that is a 100-person wedding, they have that Saturday booked for the whole day, but guests aren't on site till about 5pm and they would leave in the evening, so you would only have traffic during those two times. Gulbranson asked about the sound system if it could only be outside? Adank stated that was taken as an existing condition on Belle Vines original. Gulbranson said to me it boils down to the parking and sound, and he said I have sympathy with the neighbors. Sasha stated for clarification in terms of the noise, I know that they did have bands on the patio, they were allowing the DJ's to have their sound system speaker under the pavilion structure, so does that then count as a structure? Adank stated yes. Sasha stated also in terms of noise, we are requiring for large weddings in which there would be consumption of liquor that there would be our own staff member on site in addition to our beverage trained servers and that they would not be over serving. If they are I do have the right to eliminate that staff member. Our onsite staff will just be overseeing the wedding, they will be doing things like checking the noise, checking in with the DJ to make sure they aren't going over that 80 decibels and making sure people are being respectful. No further questions from the committee. **Sanden moved to approve the conditional use permit for a Retreat Center for Belle Vineyard Weddings and Events LLC in the General Rural Flexible-8 District, due to the fact that this is not contrary to the public interest, nor is it detrimental or injurious to the public health, public safety, or the character of the surrounding area with conditions #1 - #20/Gulbranson seconded. All in favor. Passed.**

Discuss take action on a Screening plan for a Resort in the General Rural and Commercial Districts for John Grabrick, Big Dog Daddy's Roadhouse LLC, owner on property located in part of Government Lot 3, Section 7, T24N, R17W, Town of Isabelle, Pierce County, WI

Staff Report – Jesse Stenske: A conditional use permit for a Resort on this property was approved on March 13, 2018. Subsequent CUP renewal have been approved on an annual basis but the resort use has not yet been established. The applicant has removed vegetation and prepared the resort for utility installations. Campsite utilities are planned to be installed soon with intent to open campsite operations this summer. Because the property to the west of the site is residential development, a condition of the CUP is that a Screening Plan be submitted to the Land Management Committee for approval. The required screening must also be established before the resort may begin operations. The property is located in the Town of Isabelle. The property is 5.45 acres and zoned General Rural and Commercial. Surrounding properties are zoned General Rural with the exception of a Commercial District that shares part of this property's west border. Surrounding land uses include residential to the west, DNR land to the east, and the Red Wing Airport to the north. The Land Management Minimum Landscaping Policy states *“vegetation, earthen berms, and or fencing shall be placed between nonresidential development and adjacent properties so as to render the development as visually unobtrusive, as is practical, from adjacent properties or from public view. Native vegetation should be utilized whenever practical. Vegetated screening buffers shall be maintained in good condition.”* The Screening Plan proposes 270' of 6' tall pressure treated dog ear panel fencing that will be constructed along the western property line. The fence will begin 100' from the southern property line. The owner has also proposed a pyramidal arborvitae hedge be planted in a single row extending from the northern end of the fence for additional screening. The trees will be planted about 3-4 feet apart for a total length of 30 feet. Pyramidal arborvitae has a growth rate of approximately 1-2 feet per year and matures around 18-25' tall and 3-5' wide. Initial plantings will be approximately 3-4 feet tall. The DNR recommends using red or white pine at 6 foot spacing instead because deer will eat arborvitae. The northern half of the neighboring property to the west is wooded and is zoned Commercial. No screening is proposed along this portion of the property. The intent of the submitted Screening Plan is to screen/buffer the resort cabins and campsites from the neighboring residential use of the property to the west.

Staff Recommendation: Staff recommends the Land Management Committee review the proposed Screening Plan and determine if it is sufficient to render the resort use “visually unobtrusive” from the adjacent residential use or whether changes or additions are warranted. If no changes or additions are warranted, the Screening Plan should be approved as proposed. Chairperson Aubart asked the applicant if they wanted to add anything. John Grabrick stated that the reason for the difference between the pine trees and the arborvitae was because the property to the west of us has a large concentration of pine trees that are starting to turn brown. Something is

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going on there, which is why I'm not doing pine trees, I'm doing something a little different. Grabrick stated that the fence that we are proposing basically blocks off the entire residence next door. I know it is intended to block the campground from the neighboring property, but, in this instance its for us to cut down on the noise from the neighbors as well. Grabrick said there is a lot of natural vegetation there, and eventually, we will put in probably 140-150 trees this year, along with some lilac bushes and other things, so we will spruce the property up. Chairperson Aubart asked the committee if they had any questions. Sanden stated he wasn't familiar with the country and deer in the area, but stated in just looking at the river, the road, the airport, you don't get a tremendous amount of deer in that location, do you? Grabrick stated he gets one doe and a couple of fawns every year, and they like to play out back of the campground, they don't eat vegetation a lot. Grabrick said if the arborvitae gets nibbled, we will replace that. **Gulbranson moved to approve the Screening Plan in the General Rural and Commercial Districts for John Grabrick, Big Dog Daddy's Roadhouse LLC, as presented/Puhrmann seconded. All in favor. Passed.**

Discuss take action on a Vegetative Management plan for a Large Solar Energy System in the General Rural Flexible District, for Pierce Pepin Solar, LLC, agent for Pierce Pepin Cooperative Services, owners on property located on Lot 1, certified Survey Map (CSM) V12, P20, part of the SW ¼ of the NW ¼ of Section 28, T25N, R18W, Town of Trenton, Pierce County, WI.

Staff Report – Emily Lund: The applicants obtained a Conditional Use Permit (CUP) for a Large Solar Energy System from the Land Management Committee (LMC) on January 4, 2023. The CUP is for the construction of a 2-megawatt alternating current (MWac), East-West tracking ground mounted solar generating facility. Pierce Pepin Solar, LLC is a fully owned subsidiary of OneEnergy Renewables and will develop, construct, own, and operate the project. The CUP was approved with 19 conditions. Two conditions related to this request are a minimum 50-foot vegetative buffer (consisting of existing trees and vegetation) shall be maintained between the facility and adjacent properties and road right-of-ways. If existing vegetation is inadequate to serve as a buffer, new plantings of trees, shrubs and grasses shall be established. The majority of the vegetative buffer shall have a minimum height of the project exterior fence. Initial plantings shall render the facility visually unobtrusive from adjacent properties and public view. Vegetative buffer requirement may be waived/modified with the consent of the adjacent property owner. Notice of content shall be submitted to the zoning office (CUP condition 3); and a vegetative management plan shall be developed for the site and it shall be reviewed and approved by the Land Management Committee. The applicant shall work with the Land Conservation Department in developing the plan. The plan shall include trees and shrubs, seed mixes, vegetation maintenance, and weed controls for the vegetative buffer, facility construction as well as facility operations (CUP) condition 5). The applicants submitted a Vegetation Establishment & Management Plan as part of the CUP condition approval and would like the LMC to discuss and take action on their plan. The property is in the Town of Trenton. The parcel is 16.033 acres and is zoned General Rural Flexible. Adjacent properties are zoned Industrial, Commercial, General Rural Flexible, and Agriculture-Residential. The applicants obtained a driveway permit from the Pierce County Highway Department. Then on 2-13-2023, they obtained a site address from the Land Management Department that is N2335 County Rd K. This parcel's land use was forested until approximately 2018 when the red pine timber was harvested. Since then, the land use changed to agriculture and corn was grown last year. Surrounding land uses are agricultural, woodland, and residential. The majority of the project area is located on Forkhorn sandy loam soils that are 2-6% slopes. There are no WI DNR mapped wetlands or floodplain in the project area. The Trimbelle River is located northwest of the parcel. Pierce County Code §240-31 regarding Landscape buffers are listed in the staff report, A – D. The Land Management Minimum Landscaping Policy was adopted on February 7, 2007 and addresses screening for nonresidential development. The policy states, "*Vegetation, earthen berms and or fencing shall be placed between nonresidential development and adjacent properties so as to render the development as visually unobtrusive, as is practical, from adjacent properties or from public view. Native vegetation should be utilized whenever practical. Vegetated screening buffers shall be maintained in good condition.*" The 50-foot vegetative buffer has been waived by the north and west adjacent property owners and documentation has been submitted to the Land Management Department. The attached site plan has an updated solar facility layout, vegetative buffer (CUP) condition 3), and setbacks to roads and lot lines (CUP condition 4). The ground mounted solar generation facility will be constructed with an 8' tall agricultural-style fixed knot wildlife exclusion fence to

Approved

surround the perimeter and provide security to the solar panels. After the solar facility is constructed, vegetation and screening will be established and maintained outside and inside the fenced perimeter. On the outside fenced area there will be a 50-foot vegetative buffer that extends 2,080 feet along State Hwy 35 and County Rd K. The applicants have proposed a staggered double-row vegetative buffer with 4-foot evergreen trees and shrubs that will be planted 30 feet apart. The first row near to the road will be North Star white spruce or equivalent evergreen tree. The second row will be a native shrub, such as highbush cranberry or Allegheny serviceberry. A mulch ring will be placed around the trees and shrubs to help retain moisture and prevent weed growth. The applicants will water trees when necessary during the first growing season. They will inspect the trees and shrubs annually to ensure they remain healthy. On the inside fenced area, the soil that surround the solar panels and devices will be planted with pollinator and pasture friendly vegetation. The following is proposed:

-Clearing: Existing site materials will be removed. An herbicide application may be necessary to remove undesirable vegetation. If residential herbicides are present from the agriculture use, a temporary cover crop (annual rye, winter wheat, oats, etc.) will be planted before permanent seeding based on the WDNR Technical Standard 1059 and the WisDOT seeding specification 630.

-Permanent seeding: Grasses will be seeded and raked. Then wildflowers will be seeded and raked. The pasture grasses, clover, and native prairie species grow at or below 30 inches so the solar panels are not shaded. The CUP supplemental information stated the pollinator seed would be planted approximately 10.5 lbs./ac (61.4 seeds/ft²). Appendix B lists the specific plant species used.

-Vegetation management: After vegetation is established, rotational sheep grazing is proposed instead of mowing. The fenced area will be divided into paddocks. The sheep grazing is proposed instead of mowing. The fenced area will be divided into paddocks. The sheep will graze 3-5 days per paddock and removed for a 45-day rest period for vegetation regrowth. From 1-5 years after vegetation growth, each paddock will be grazed 2 or 3 times per year to control invasive species and new plant competition. The site will be inspected 3 times a year to monitor vegetation growth and competition. Hand weeding, herbicide spot spraying, or spot mowing with a flail mower may occur to control weeds and invasive plants. From 6-25 year, the pollinator meadow should be well established. The site will be inspected annually each spring. The site will be mowed or grazed 1 time per year late summer or early fall. Land Conservation Department Director Rod Webb met with a representative from OneEnergy Renewables and reviewed their draft Vegetation Establishment & Management Plan. Mr. Webb noted that the northwest portion of the property is a sensitive area for protecting the Trimble River with sediment erosion control measures and early plant establishment. The Land Conservation Department will visit this property in Spring 2023 to identify any potential direct conduits to the Trimble River and may recommend installing a cool season grass buffer adjacent to the Trimble River. The Land Management Department staff contacted the WI DNR Forester, Justin Kania, to review their proposed Vegetative Management Plan. He stated, "We have a bad spruce disease in the county. Only Norway Spruce, which is non-native, is disease resistant. I would plant red pine instead."

Staff Recommendations: Staff recommends the LMC review the proposed Vegetation Establishment & Management Plan to determine whether the vegetative buffer plan provides sufficient screening to render the use "visually unobtrusive" and whether the vegetation management plan provides sufficient details for vegetation establishment and maintenance or whether additions or modifications are necessary. If no additions or modifications are warranted, the Vegetation Establishment & Management Plan should be approved as proposed. Chairperson Aubart asked if the applicant had anything to add. Beth Esser stated she has Sarah Glover with her tonight, who is our Land Steward & Community Engagement staff. Esser stated they followed up with Reuver's Nursery in regards to the spruce disease, and we got their recommendation and information in regards to the disease. Glover stated that Reuver's Nursery said that the white pine has done well in the area, but they also suggested mugo pine, so they may go with that option. Esser said red pine would grow to a height that would be detrimental to the production of the solar panels, it could shade some of them out. **Sanden made motion to approve the Vegetative Establishment & Management plan for Pierce Pepin Solar, LLC, agent for Pierce Pepin Cooperative Services, as proposed/Purhmann seconded. All in favor. Motion approved.**

Discuss take action on Travel/Training Requests. Pichotta stated he has one traveling/training request for Emily Lund to attend the WCZA meeting in Wausau on 3/9/2023, she would take the county car and not stay overnight. **Gulbranson made motion to approve/Purhmann seconded. All in favor. Motion approved.**

Approved

Future agenda items: Pichotta stated we don't have anything for March 15th, so we won't be having a meeting. We don't have anything specifically yet for April 5th, but there are two possible Rezones out there, both in the Town of Oak Grove, and if you recall the Wrisky Ranch, which has a Private Outdoor Recreation CUP, they are looking at an expansion and they are working their way through the Town of Clifton now.

Motion to adjourn at 7:19pm by Purhmann/Sanden seconded. Motion passed.

Respectfully submitted by A. Anderson