

**LAND MANAGEMENT COMMITTEE
MEETING AGENDA**
Wednesday, March 7, 2018 – 6:00 p.m.
County Board Room, Pierce County Courthouse,
414 W. Main St. Ellsworth, WI 54011

#	Action	Presenter
1	Call to order	Chair
2	Next meeting dates: March 21 st , April 4 th & 18 th , all in 2018.	Chair
3	Approve minutes of the February 21, 2018 Land Management Committee meeting.	Chair
4	Public hearing to consider and take action on a request for a Map Amendment (Rezone) from General Rural Flexible to Commercial for Jared Murphy, agent for Ellsworth Community School District (Lindgren School), owners on property located in the NW ¼ of the SW ¼ of Section 12, T25N, R18W, Town of Trenton, Pierce County, WI.	Lund
5	Public hearing to consider and take action on a request for a conditional use permit for a Multi Family Dwelling in the Rural Residential 20 District, pursuant to Pierce County Code Chapter 240-17, for a senior living facility by Bernard Schoeder, agent for Ellsworth Community School District (Prairie View School), owners on property located in the NE ¼ of the NE ¼ of Section 1, T24N, R18W, Town of Trenton, Pierce County, WI.	Adank
6	Public hearing to consider and take action on a request for a conditional use permit for General Retail & Services (hosting weddings and events) in the General Rural Flexible 8 and Light Industrial Districts, pursuant to Pierce County Code Chapter 240-36E by Julie Jacques, agent for Neal Wallace, owner on property located in the SE ¼ of the SE ¼ of Section 35, T27N, R20W, Town of Clifton, Pierce County, WI.	Lund
7	Discuss take action on a request for renewal of a conditional use permit for CMC-Spring Valley LLC (County Materials) owner on property located in the SE ¼ of the SE ¼ of Section 9 and the NE ¼ and the NW ¼ of the SE ¼ of Section 16, all in T27N, R15W, Town of Spring Lake, Pierce County, WI.	Adank
8	Discuss take action on a request for renewal of a conditional use permit for a Nonmetallic Mining Operation in the General Rural Flexible 8, Agriculture Residential and Industrial Districts, pursuant to Pierce County Code Chapter 240-37A for Wisconsin Industrial Sand Company, agent for William McCusker, MOAP LLC, Troll King LLC, WTW Properties, Helen Holst Revocable Living Trust, William F. Holst III and William Holst IV, owners on property located in Sections 1, 2, 3, 4, 10, 11 and 12, all in T25N, R19W, Town of Diamond Bluff and agent for Big Acres Inc, William F. Holst III, Nancy J. Beeler and Leon W. & Donna L. Nesbitt, owners on property located in Sections 25, 33, 34, 35 and 36, all in T26N, R19W, Town of Oak Grove, Pierce County, WI.	Roy
9	Discuss take action on a request for renewal of a conditional use permit for Heavy Industrial Use for a proposed wash plant in the Industrial District pursuant to Pierce County Code Chapter 240-37E, for Wisconsin Industrial Sand Company, owner on property	Roy

	located on the West 10 acres of the SE ¼ of the NW ¼ of Section 12, T25N, R19W, Town of Diamond Bluff, Pierce County, WI.	
10	Discuss take action on Travel/Training Requests.	Pichotta
11	Future agenda items.	Pichotta
12	Adjourn	Members
Questions regarding this agenda may be made to the Department of Land Management at 715-273-6746.		
Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities requiring special accommodations for attendance at the meeting. For additional information or to make a request, contact the Administrative Coordinator at 715-273-6851.		

A quorum of County Board supervisors may be present.

(2/23/18)

STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

March 7, 2018

Agenda Item 4

Applicant: Ellsworth Community School District (owners), Jared Murphy (agent)

Request: Map amendment (rezone) from General Rural Flexible to Commercial

Background: The applicants are requesting to rezone the 8-acre parcel on which the Lindgren School is located. The School District accepted an offer from Hager City Glass to purchase the property contingent upon the property being rezoned to Commercial. Hager City Glass has outgrown their current facility and would like to move to this new location, but needs the property to be zoned Commercial to operate their business (General Retail and Services).

Issues Pertaining to the Request:

- The property is part of the NW ¼ of the SW ¼ of Sec. 12, T25N, R18W in the Town of Trenton.
- Current land use is institutional, undeveloped, and wooded. Adjacent land uses are agricultural, residential, and wooded.
- The current and adjacent zoning of this parcel is General Rural Flexible.
- Pierce County Zoning Code §240-15 Purpose and Intent of Zoning Districts states:

General Rural is established to maintain and enhance agricultural operations in the county. The district also provides for low-density residential development which is consistent with a generally rural environment and allows for nonresidential uses which require relatively large land areas and/or are compatible with surrounding rural land.

General Rural Flexible is established to achieve the same objectives as the General Rural District but to allow the greater density of residential development with the approval of the town board.

Commercial is established to provide for retail shopping and personal service uses to be developed either as a unit or in individual parcels to serve the needs of nearby residential neighborhoods as well as the entire county. The purpose of the district is to provide sufficient space in appropriate locations for certain commercial and other nonresidential uses while affording protection to surrounding properties from excessive noise, traffic, drainage or other nuisance factors.

- Pierce County’s adopted Comprehensive Plan states: “The County will approve re-zonings or map amendments only when the proposed change is consistent with an adopted or amended town comprehensive plan. In cases where a town has not adopted a comprehensive plan, rezoning will be approved only when consistent with the Pierce County Plan (encouraged vs. discouraged). In such cases, Pierce County will solicit a non-binding town recommendation regarding the proposed rezone.”
- The value of land for agricultural use according to the USDA Web Soil Survey is as follows:

New Name	Slope	% Area	New Capability Unit	New Farmland Classification
Seaton Silt Loam (115B2)	2-6%	42%	3e	All areas Prime Farmland.
Seaton Silt Loam (115C2)	6-12%	58%	3e	Farmland of Statewide Importance

Applicant: Ellsworth Community School District – Lindgren School
Map Amendment (Rezone)
March 7, 2018

- The Town of Trenton recommended approval of this request on 2-13-2018 and identified one goal and four objectives from Chapter 8: Land Use of their Comprehensive Plan in support of the recommendation:
 - ◆ Goal 3: Provide for orderly development.
 - ◆ Objective 1: Seek to enhance the Town's potential for quality growth and development without adversely affecting the existing services and facilities.
 - ◆ Objective 4: Maintain future land use activities that are compatible with existing natural resources and co-exist with agricultural activities.
 - ◆ Objective 5: To encourage non-residential development to balance the economic base.
 - ◆ Objective 6: Promote an organized development pattern that will minimize conflicting land uses and provide for controlled rate of development.

Staff Recommendation:


Given that the Trenton Town Board has determined that this proposed map amendment (rezone) of 8-acres from General Rural Flexible to Commercial is consistent with their Comprehensive Plan, staff recommends that the LMC approve this map amendment (rezone) and forward a recommendation to the County Board of Supervisors.

Submitted By: Emily Lund
Assistant Zoning Administrator



Land Management Committee

Ellsworth Community School District
 (March 7th, 2018)
Map Amendment (Rezone)
 from General Rural Flexible
 to Commercial

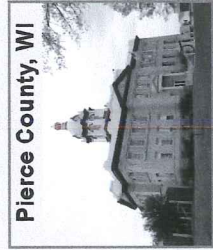
Legend

-  Dwellings
-  Rezone
-  Parcels
-  Contours (10ft)

Zoning

-  General Rural Flexible
-  Light - Industrial
-  Primary Agriculture

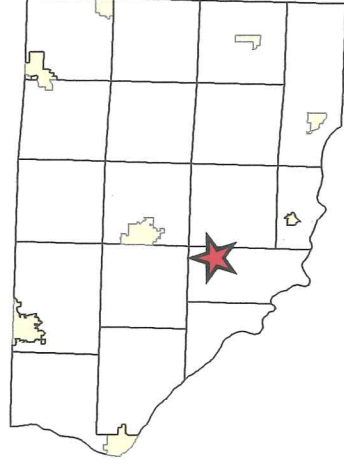
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location
 N3470 US HIGHWAY 63
 Town of Trenton



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

March 7, 2018

Agenda Item 5

Applicant: Bernard Schoeder

Request: Conditional use permit (CUP) for a Multiple-family dwelling.

Background: The Prairie View Elementary School was recently closed due to the construction of the new Hillcrest Elementary School in Ellsworth. Consequently the Prairie View Elementary School building is now vacant and has no current use. The applicant intends to convert the existing 1 story, 23,840 Sq. ft. school building into a senior living facility for adults age 55 and over. The applicant has stated that there will be no direct care or care for hire services provided. The building will be renovated to include 16 units total. Five of the proposed units will be 2 bedroom and the remaining eleven units will be 1 bedroom. Each unit will be approximately 31' x 32' and provided with a kitchen, bathroom, living area and its own interior and exterior entrance. The facility will also include a 40' x 60' community room and kitchen, an office area and a community restroom.

Issues Pertaining to the Request:

- The applicant plans to purchase a total of 9.00 acres located in the Weberg's Pine View Subdivision. The parcels are located in Lot 1,2,3,4,5,6,7, block A, Lot 1,2,3,4,5,6,7,8,9,10 Block B, and Lot 1,2, Block C of the Weberg's Pine View Addition all located in the NE ¼ of the NE ¼ of Sec 1, T24N, R18W, Town of Trenton. The property is zoned Rural Residential-20.
- Adjacent zoning districts are Rural Residential-20, Commercial, and General Rural Flexible. Adjacent land uses are agricultural and residential.
- PCC § 240-88 defines Multiple-Family Dwelling as, "A building containing three or more dwelling units."
- Pierce County Code (PCC) Table of Uses allows Multiple-Family Dwellings in the Rural Residential - 20 zoning district with the issuance of a CUP and does not reference any code provisions.
- The applicant proposes to utilize the existing exterior building shell and renovate the interior of the building. The footprint of the existing building will not change.
- The applicant has a building plan review appointment scheduled with the Department of Safety and Professional Services (DSPS) on March 22, 2018.
- The applicant was granted variance approval from the DSPS on December 12, 2017 to not install a sprinkler system due to lack of municipal water supply, and allow the construction/use of a corridor with increased fire ratings not normally allowed by code.
- The applicant anticipates a 6 month to 1 year construction schedule with hopes to start renting out the dwelling units by January 2019.
- Access to the site is off of 170th Avenue which is a town road.

Applicant: B. Schoeder
March 7, 2018
CUP – Multiple Family Dwellings

- The site has 4 existing light posts near the front of the building along 170th Ave and an additional 2 existing light posts along the south east portion of the existing building as shown on the site plan drawing. The applicant proposes to place mounted lights on the exterior of the building at each private dwelling entrance.
- The school has an existing Private On-site Wastewater Treatment System (POWTS) sized large enough to accommodate the wastewater flows from the proposed 16 dwelling units. However, the existing drainfield is located on a 40 acre parcel that was sold to Larry, Adam, and Eric Swanson in July of 2017. The applicant has stated that he will be designing a new drainfield to be located on parcel 030-01163-0900 on the west side of the property as indicated on the site plan.
- The applicant proposes to put a sidewalk around the entire building that connects to each of the 4 main entrances. Vegetation between the building and sidewalk will be removed.
- Each private outdoor entrance will also have its own individual concrete apron as shown on the site plan.
- The applicant has stated that all basketball hoops and playground equipment will be removed from the site.
- The applicant has proposed to convert the two temporary classrooms on the west side of the building to residential uses and move to a vacant lot on the property at a future date.
- Off-street parking per Pierce County Zoning Code Ch. 240-54(A) requires 2 parking spaces per dwelling unit for residential uses. The proposed senior living facility will have 16 dwelling units requiring 32 parking spaces. The proposed site plan delineates 37 parking spaces on the north side of the facility with the option for an additional 27 parking spaces on the south end of the facility.
- The Wisconsin Department of Natural Resources requires an asbestos inspection for multi-family housing with five or more units.
- The Department of Health Services requires licensed inspectors and risk assessors to identify lead paint. When building surfaces or components are being renovated in any residential and child occupied buildings built before 1978, lead paint must be assumed present or identified through testing.
- The Trenton Town Board recommended approval of this request on 2-13-18 without any concerns or recommended conditions.

Recommendation:

Staff recommends that the Land Management Committee determine whether the proposed use at the proposed location is contrary to the public interest and whether it would be detrimental or injurious to public health, public safety, or the character of the surrounding area.

If found to be not contrary to the above, staff recommends the Land Management Committee approve this conditional use permit for multiple family dwellings with the following conditions:

1. Activities shall be conducted as submitted in the application and as presented to the LMC.
2. The applicant shall work with the State of Wisconsin Commercial building inspector, Joe Merchak, to ensure compliance with the Commercial Building Code requirements. Applicant shall receive all necessary permits from the Department of Safety and Professional Services (DSPS) and other agencies as required.
3. The applicant shall work with the Wisconsin Department of Natural Resources and Wisconsin Department of Health Services to ensure all lead paint and asbestos regulations are followed during renovation activities and any future building maintenance/repairs.
4. The applicant shall work with a certified soil tester and certified plumber to obtain a State Sanitary Permit and install a new POWTS drainfield prior to the rental of any dwelling units.
5. Any advertising signs shall comply with the zoning code standards and any necessary permits shall be secured prior to sign installation on or off property.
6. The proposed project shall be completed within 12 months of CUP approval. No renewal of this request will be necessary provided the use is established within 12 months of approval.
7. Applicant understands that expansion or intensification of this use will require modification to this permit or potentially, issuance of a new conditional use permit.

Submitted By: Adam Adank,
Zoning Specialist

CUPPH18.01

CONTACT INFORMATION

Property Owner Prospective owner
Pravie Dick Senior Swangle Contact/Agent (if not owner) Bernard Shreda
 Mailing Address 17250 170th Ave Mailing Address _____
Bay City, Wis
 Daytime Phone (651) 380-3368 Daytime Phone () _____

SITE INFORMATION:

Property Location: Lot 1, Block A, Subdivision/CSM Weberg's Pine View Add being part of the
NE 1/4 of the NE 1/4 or Gov. Lot #, Section 1, Town 24 N, Range 18 W, Town of Trenton,
 Pierce County, WI. Site address: W1375 170th Ave, Hager City
 Parcel # 030 - 01163 - 0900 Alternate Parcel # 03022418011P47500A 001

ZONING INFORMATION:

Zoning District (Check one):

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Exclusive Agriculture | <input type="checkbox"/> Primary Agriculture | <input type="checkbox"/> Ag-Residential | <input type="checkbox"/> General Rural |
| <input type="checkbox"/> General Rural Flexible | <input type="checkbox"/> General Rural Flexible-8 | <input type="checkbox"/> Rural Residential-8 | <input type="checkbox"/> Rural Residential-12 |
| <input checked="" type="checkbox"/> Rural Residential-20 | <input type="checkbox"/> Commercial | <input type="checkbox"/> Light Industrial | <input type="checkbox"/> Industrial |

Overlay District (Check one):

- | | | |
|---|---|--|
| <input type="checkbox"/> Floodplain | <input type="checkbox"/> Shoreland / Wetland | <input type="checkbox"/> Kinnickinnic River Blufflands |
| <input type="checkbox"/> St. Croix Riverway | <input type="checkbox"/> Planned Residential District | <input type="checkbox"/> Not Applicable |

Type of Conditional Use Permit (Check One):

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

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 then select 'Pierce County Code.'

\$ 300.00

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.

this property is presently being used as a school.

The proposed use is 16 units of senior housing 55 and older.

I attached in a set of plans not state approved. our review date is Feb 20th 2018.

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

Signed: *Bernard Schroeder* Date: *1-11-18*

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: <i>2-14-18</i>	Signed: <i>[Signature]</i> (Zoning Administrator)
Fee: <i>300.00</i>	
Code Reference: <i>CK# 5344</i>	
Overlay District:	


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>Bernard Schoeder</u> Owner Signature</p> <p><u>Bernard Schoeder</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>2-14-2018</u> by _____</p> <p><u>Tracie L. Albrightson</u> NOTARY PUBLIC Signature</p> <p><u>Tracie L Albrightson</u> Notary Public Name - Printed</p> <p>County of <u>Pierce</u>, State of Wisconsin.</p> <p>My commission expires: <u>11-3-2020</u></p>	 <p>Affix seal</p>
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AUTHORIZATION TO INSPECT PREMISES:

I hereby authorize the Pierce County Department of Land Management & Records to inspect premises at:

W 7375 170th Ave Hager City, Wis.
(Address)

Date: 1-11-18 Bernard Schoeder Prospective Owner
(Signature of Owner)

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 Board/Committee may dismiss the appeal or application or may dispose of the matter on the record before it.

Date: 2-14-18 Bernard Schoeder
(Signature of Applicant/Appellant)

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 Bernard Schoeler

Site Address (if applicable) W 7375 170th aveoger City, Wis

Property Description: NW 1/4 of the NE 1/4, or Gov. Lot # Section 1, T. 24 N, R. 18 W,

Lot , Block , Subdivision Town of Trenton

Parcel # - - Alternate Parcel #

Zoning District RR 20 Acreage 9 acres Prairie View School site

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 consider adherence to applicable goals, objectives, and policies, of an adopted or amended town comprehensive plan to be consistent with the "public interest" for decisions relating to 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: _____

Concerns/Suggested Conditions: None

Please attach additional information as necessary.

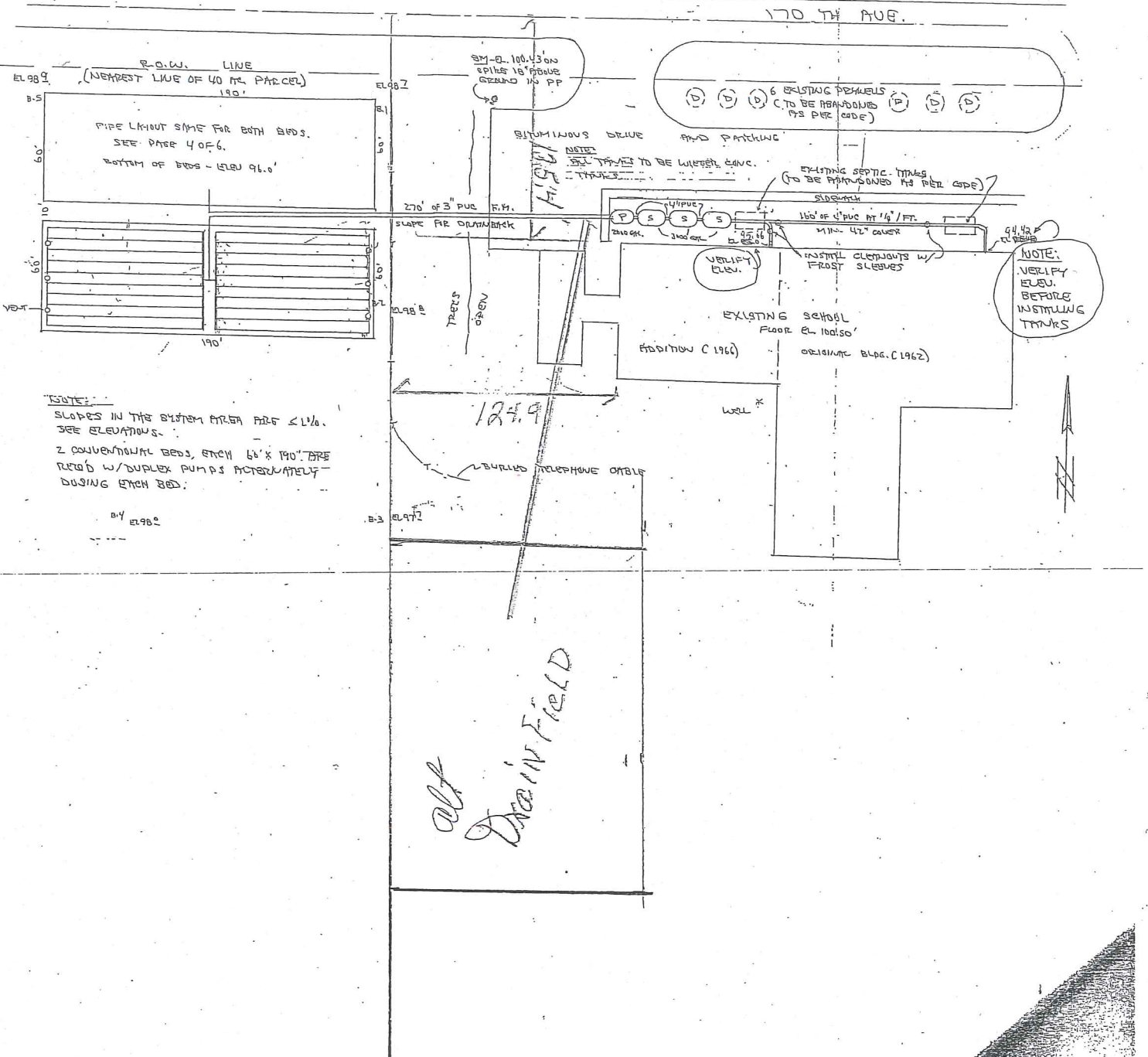
Town Chair Signature: Brian By Meeting Date: 2/13/2018

9 acre Parcel Sewer

PLAT PLAN
SCALE 1"=40'

PAGE 3 OF 6

0.3 mi E TO
COUNTY 'C'



NOTE:
SLOPES IN THE SYSTEM SHALL BE $\leq 1/4\%$.
SEE ELEVATIONS.
2 CONVENTIONAL BEDS, EACH 66' X 190' ARE
REQ'D W/ DUPLEX PUMPS INTERMITTENTLY
DRAINING EACH BED.

BY EL 982

alt
DRAINAGE FIELD

NOTE:
VERIFY
ELEV.
BEFORE
INSTALLING
TANKS

VERIFY
ELEV.

124.9

ADDITION (1966)

ORIGINAL BLDG. (1962)

WALL

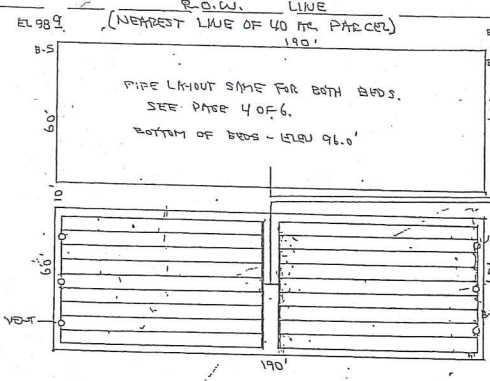
NOTE:
ALL TANKS TO BE W/ 1/4\"/>

EXISTING SEPTIC TANKS
(TO BE ABANDONED AS PER CODE)

6 EXISTING PERMITS
(TO BE ABANDONED AS PER CODE)

SM-0-100-4300
SPINS 10' ABOVE
GROUND IN PP

PIPE LAYOUT SAME FOR BOTH BEDS.
SEE PAGE 4 OF 6.
BOTTOM OF BEDS - ELEV 96.0'



270' OF 3" PVC F.I.P.

SLOPE FOR DRAINBACK

160' OF 4" PVC AT 1/4" / FT.
MIN. 42" COVER

2400 GAL. 300 GAL.

SIDWALK

INSTALL CLEANOUTS W/
FROST SLEEVES

94.425
EL. 98.0

EL 977

B-3

BURIED TELEPHONE CABLE

EL 982

EL 982

EL 982

EL 989

B-5

60'

60'

10'

60'

60'

60'

190'

60'

60'

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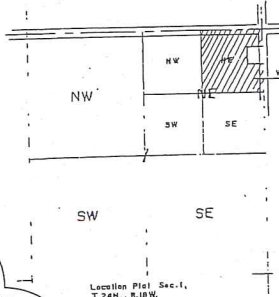
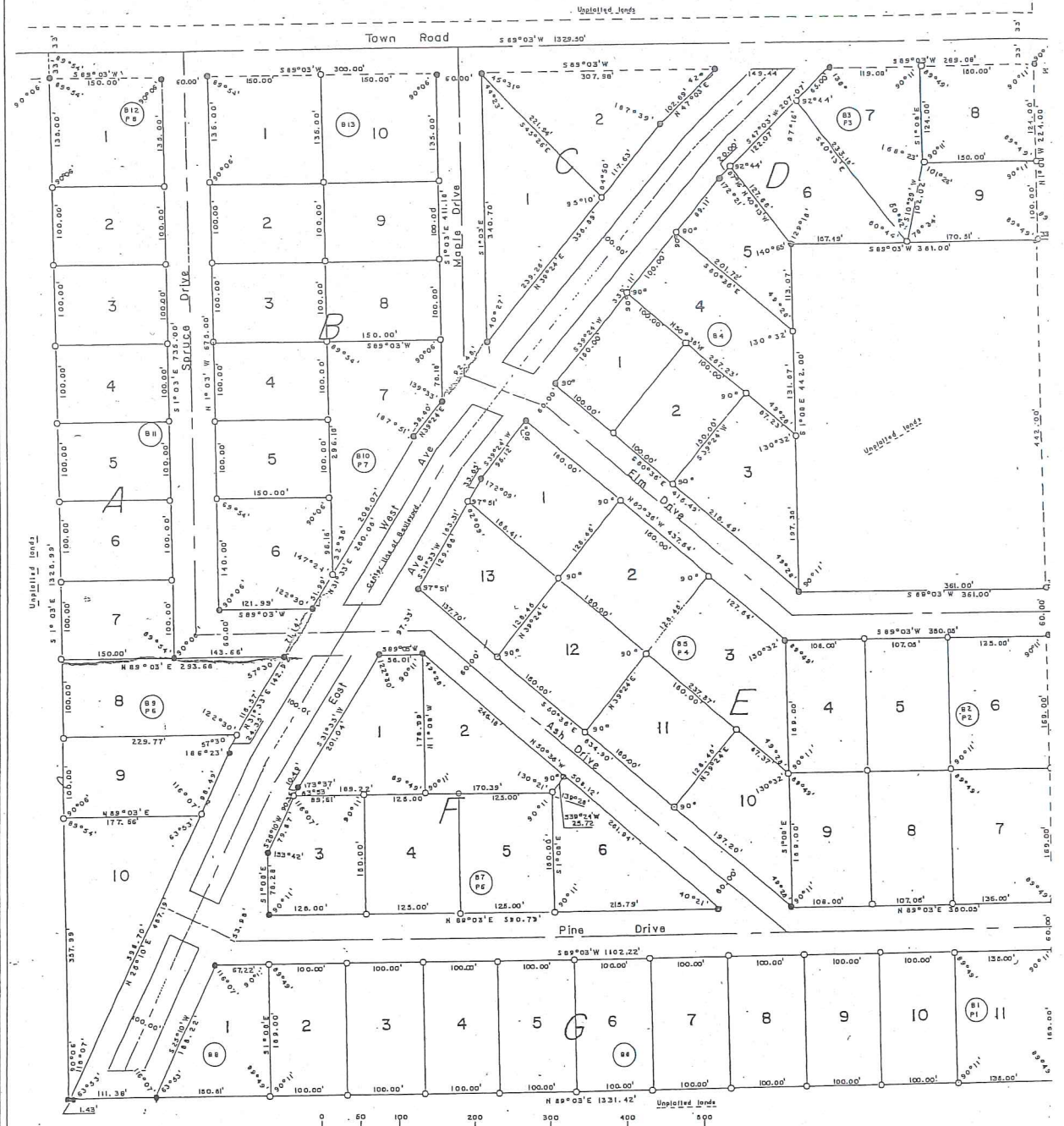
60'

60'

WEBERG'S PINE TO TOWN OF TRENTON

Located in the NE 1/4 - NE 1/4, S

188
180
170
160
150
140
130
120
110
100
90
80
70
60
50
40
30
20
10
0

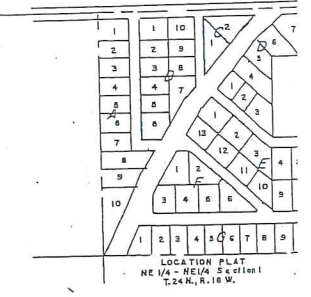


SCALE 1" = 100'

○ indicates 1" x 30" iron pipe (minimum weight 1.13 pds per lined foot)

● " 2" x 30" " " " 3.66 pds





This instrument drafted by Howard R. Kruee








Land Management Committee

Bernard Schoeder
(March 7th, 2018)
CUP - Multiple-family dwellings

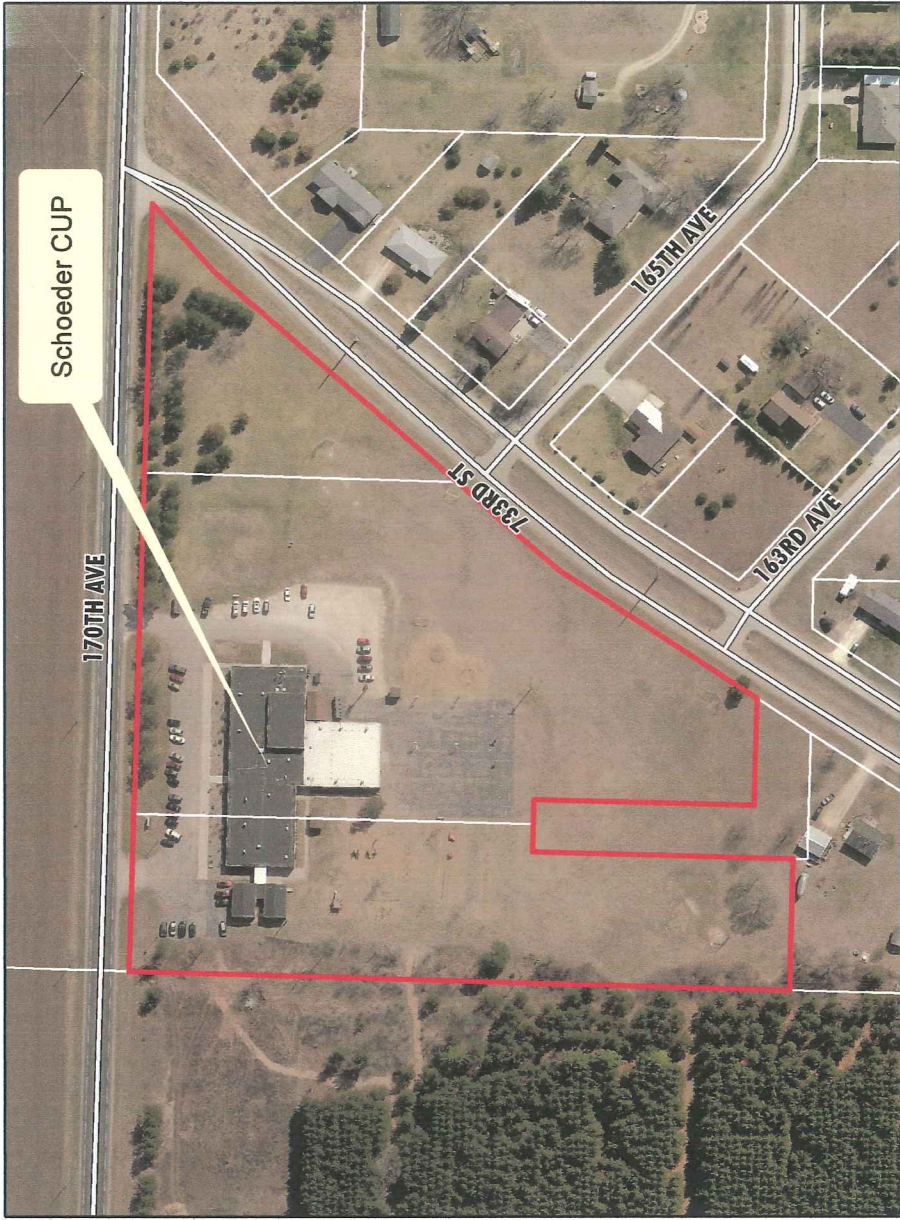
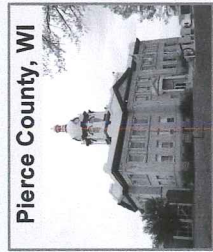
Legend

-  Dwellings
-  Schoeder CUP
-  Parcels
-  Contours (10ft)

Zoning

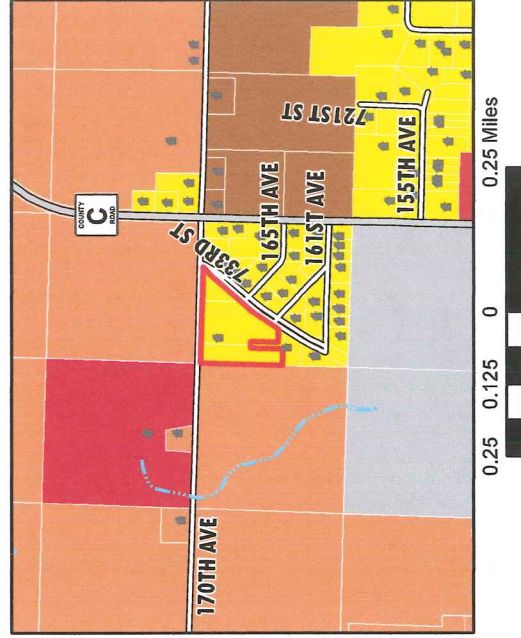
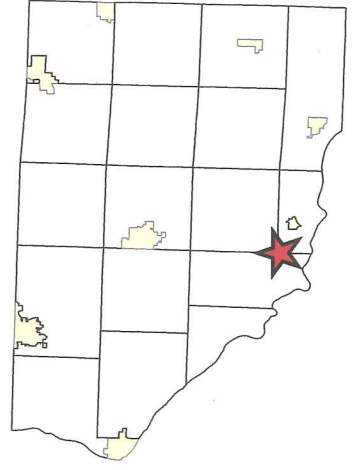
-  Commercial
-  General Rural
-  General Rural Flexible
-  Light - Industrial
-  Rural Residential - 20

Orthophotography - 2015 Pierce County



Site Location

W7375 170TH AVE
Town of Trenton



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, March 7, 2018

Agenda Item 6

Applicant: Neal Wallace (owner), Julie Jacques (agent)

Request: Conditional Use Permit (CUP) for a General Retail & Services

Background:

The applicant is requesting a CUP to begin hosting seasonal outdoor events (e.g. receptions, graduations, birthdays, farm-to-table meals, etc.) from April through October. Food and beverages will be catered to the site by vendors. No structures are proposed at this time; tents, tables and chairs would be brought to the site for use at an event.

The applicant obtained a CUP for General Retail & Services for a Greenhouse located on this site on 10-3-2012.

Issues Pertaining to the Request:

- The property is located in the SE ¼ of the SE ¼ of Section 35, T27N, R20W in the Town of Clifton, Pierce County, WI. The property is zoned General Rural-Flexible and Light Industrial.
- Pierce County Code Sec. 240-36(E) and Ch. 240 Attachment 1 Table of Uses allow General Retail and Services with a conditional use permit in the Light Industrial district. General Retail and Services is not a permitted use in the General Rural-Flexible district.
- Pierce County Code Sec. 240-88 defines ‘General Retail and Services’ as, “Establishments that provide goods and/or services to the consumer.”
- Adjacent zoning districts are General Rural-Flexible to the north and west; and Light Industrial to the east and south. Adjacent land uses are agriculture, light industrial, and wooded.
- The 7.69 acre property has multiple grain bins, pole sheds, storage sheds, and a greenhouse. The grounds will be utilized for event/gathering activities (e.g. weddings, receptions, etc.). The applicants want to keep the look and charm to enable farm-style events.
- The business will be located outside and operate seasonally from April to October. Hours of operation are proposed to be from 10 AM to 12 PM (Midnight), with tear down allowed to 1 AM. They propose to have 1 event per day and up to 2 events per week.
- Applicant proposes to build a new pergola for the events in the future. The pergola size has not yet been determined. The applicants will apply for a land use permit prior to construction. The applicants plan to explore the possibility of updating an existing pole shed for indoor events and to provide a permanent restroom.
- The applicants won’t be catering or providing alcohol. Food and beverages will be bought from off site and catered into the event by those individuals renting the site. Event holders will need to rent their own tents, tables and chairs from elsewhere, bring them to the site, set them up, and take them down. Event holders will also need to hire their own music or other entertainment.

Neal Watson / Julie Jacques
March 7, 2018
CUP – General Retail & Services

- The applicants will require that vendors performing services for the event holders supply copies of insurance and licenses.
- The applicants will not allow the use fireworks.
- The business will be operated by the applicant, agent, and 3 part-time employees.
- Access is north of State Highway 29 and west of 1250th Street.
- The applicants plan to landscape the property, including lining the main parking area with shrubs, flowers, and trees.
- The applicants plan to have ample space for a typical wedding (250 guests), up to a maximum of 500 guests per event. Pierce County Code § 240-54 specifies minimum parking provisions shall be 1 parking space per 3 guests and 2% of the total number of spaces shall be ADA approved. The plans submitted show ample parking area to fulfill this requirement, however, a portion of the proposed parking area is located in the General Rural Flexible 8 district, in which General Retail and Services is not a permitted use.
- The applicant is proposing to provide satellite toilets on site for customer use. The applicants propose to rent luxury restroom trailers from Onsite Companies. The typical ratio is 1 satellite toilet per 50 guests.
- Solid waste disposal bins are provided. P.I.G is hired to remove collected recycling and waste.
- No outdoor advertising signs are requested at this time.
- There is an existing light pole located north of the greenhouse. No additional lighting is proposed.
- The Clifton Town Board recommended approval of this request on 2-6-2018. The Town said it is consistent with their comprehensive plan and did not specify any concerns or suggested conditions in their recommendation.
- PCC § 240-76G discusses expiration of Conditional Use Permits and states, “All conditional use permits shall expire 12 months from the date of issuance where no action has commenced to establish the authorized use. If a time limit has been imposed as a condition for the permit, the permit shall expire at the end of the time limit.”

Recommendation:

Staff recommends the Land Management Committee determine whether the proposed use at the proposed location would be contrary to the public interest, detrimental or injurious to the public health, public safety or character of the surrounding area.

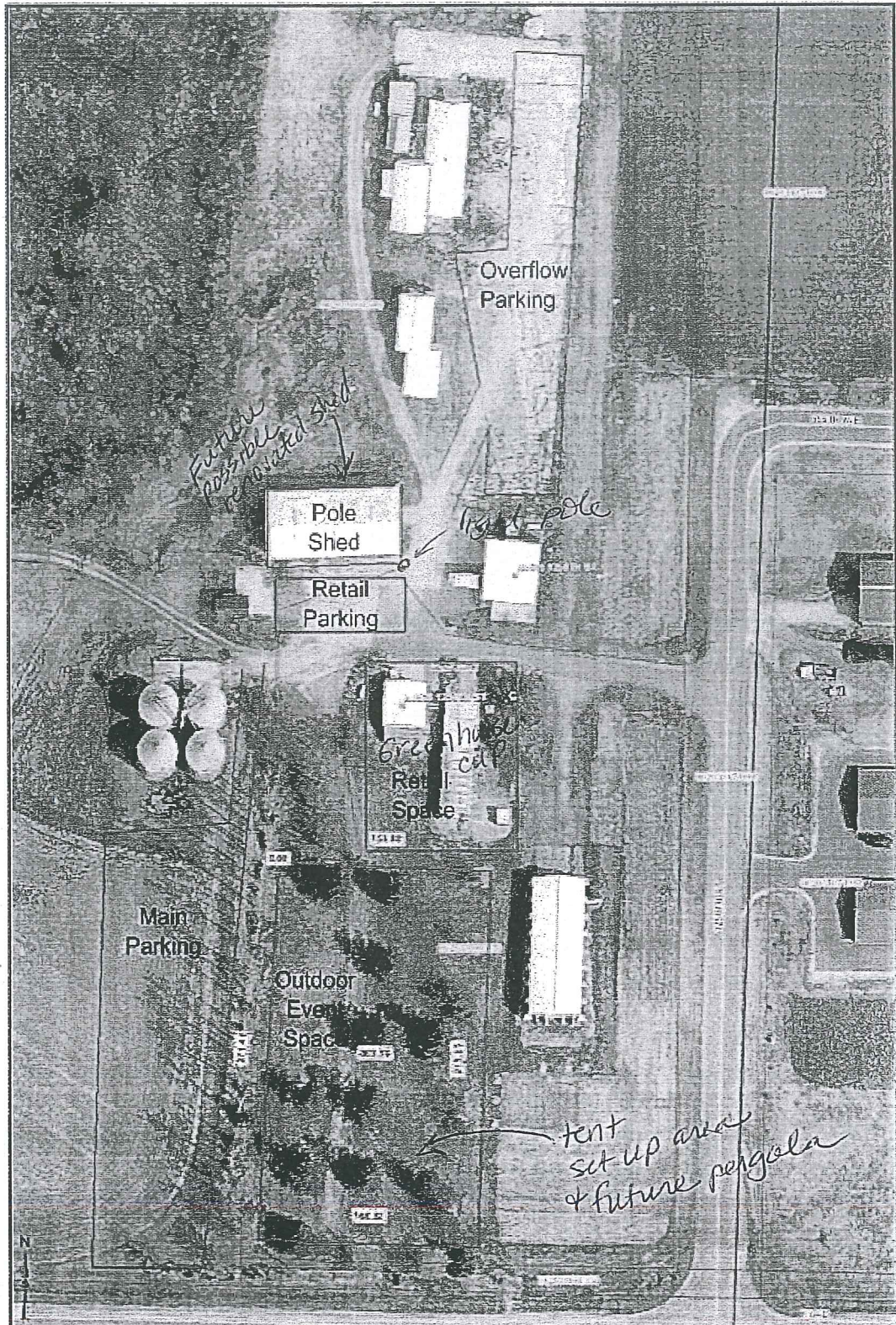
If found to be not contrary to the above, staff recommends the LMC approve the proposed use with the following conditions:

Neal Watson / Julie Jacques
March 7, 2018
CUP – General Retail & Services

1. Activities shall be conducted as presented in the application unless modified by a condition of this CUP.
2. All activities shall take place in the Light Industrial district.
3. Adequate portable outhouses (1 per 50 people), or other acceptable restroom facilities, shall be provided.
4. Hours of operation shall be April to October from 10 AM to 1 AM.
5. Applicant understands that expansion or intensification of this use will require issuance of a new conditional use permit. If applicant has questions as to what constitutes expansion or intensification, Land Management staff should be contacted.
6. Applicant shall secure a Land Use Permit for all future structures or signs prior to construction or installation. Applicant shall also comply with relevant local and state ordinances and regulations and secure all necessary permits and licenses (e.g. Department of Safety & Professional Services (DSPPS), Department of Health and Family Services, etc.).
7. Maximum occupancy shall be limited to 500 people, with 2 events per week, and 1 event per day.
8. There shall be at least 167 off-street parking spaces available. A minimum of 5 parking stalls shall be ADA compliant.
9. The use shall be established within 12 months of CUP approval. This CUP shall be renewed every 2 years. Permit may be renewed administratively if no compliance issues arise.

Submitted By: Emily Lund
Assistant Zoning Administrator

Plot Plan -



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance.



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting,

March 7, 2018

Agenda Item 7

Applicant: County Materials

Request: Request for renewal of Conditional Use Permit for Nonmetallic Mining

Background:

County Materials obtained a Conditional Use Permit for Nonmetallic Mining in April, 2007. Mining operations began in 2008. The Conditional Use Permit covers approximately 200 acres; County Materials intends to mine approximately 130 of those acres.

The original application presented a plan in which the entire operation would be conducted below grade within the extraction area. The operation has remained mostly on the surface which has contributed to issues of noise, dust and appearance. The applicant still intends to move the operation of the quarry floor below the surface elevation. Timing of the move is dependent on product demand.

A status report conducted in November, 2013 modified the CUP to allow nonproduction hours from 6pm to 8pm Monday through Friday for maintenance and preparation. At that time condition #4 was also modified to require County Materials to work with the Land Conservation Department to ensure that the site is internally drained.

Issues Pertaining to the Request:

- The legal description for this property is in the SE ¼ of the SE ¼ in Section 9, and the NW ¼ of the SE ¼ and the NE ¼ of the NE ¼ in Section 16, T26, R15W in the Town of Spring Lake. The property is zoned General Rural.
- When crushing equipment is placed onsite it is located within the quarry, below grade. The wash plant and other operational structures are located above the quarry. This makes the operation more noticeable visually and audibly. County Materials intentions are to place the structures within the quarry, as space allows, limiting the impacts to the surrounding areas. The dry screening plant has been moved to the quarry floor.
- The original operation plan states that excavation would create a floor elevation of 1050', where all activity would be conducted.

The average current floor elevation is 1100' and the processing area has an approximate elevation of 1160'. The average floor elevation of the quarry is 1100'. County Materials has begun to lower the floor to 1070'.

- The original CUP allowed no more than 30 unreclaimed acres at any given time. In April 2012 the number of allowable unreclaimed acres was increased to 40. This increase was supported by the Town of Spring Lake.

- During a site visit of the facility on February 26, 2018 operations manager Ted Peterson stated that the mine is currently at the maximum allowable unreclaimed acres and would like to increase the maximum allowable unreclaimed acres from 40 to 50 acres. Because of the short notice, staff recommended addressing this request as a CUP Modification at a future LMC meeting. This would allow for County Materials to get a recommendation from the Town of Spring Lake.
- A fugitive dust plan was developed and approved by the Town of Spring Lake and the LMC in June of 2012.
- In 2014 condition #4 stated, *stormwater measures shall be reviewed and internal drainage verified by the Pierce County Land Conservation Department as soon as practical. If determined to not be internally drained, engineered plans shall be submitted for Land Conservation review within 90 days. Failure will result in this issue being placed on the next available LMC agenda for potential suspension of the CUP.*
- The Land Conservation Department inspected the site soon after the 2014 renewal. It was determined that the mining area is internally drained. A small portion of the processing area (~2,500 square feet west of the scale) drains to the North and not into the quarry. The water runs to a small sediment basin. Land Conservation believed that the measures in place are adequate with proper maintenance of the basin and limiting the contributing area.
- In 2016 condition #4 was changed to read, *stormwater measures shall be implemented and maintained consistent with Land Conservation Department recommendations.*
- The operation has received numerous complaints when it began operation about noise, dust and appearance. Staff has not received any complaints since the last renewal.

Staff spoke with Town of Spring Lake Chairperson, Richard Johnson, regarding the renewal of this conditional use permit. Mr. Johnson stated that the town has not received any complaints since the last renewal and has no concerns at this time.

- The existing conditions of the permit are:
 1. Applicant shall follow all recommendations and receive all necessary permits from all relevant departments and agencies.
 2. Hours of operation shall be 6am to 6pm with nonproduction hours 6pm to 8pm, Monday through Friday and 8am to noon on Saturday. Operation shall be closed on holidays.
 3. Blasting shall be completed by a State licensed blaster. Blasting shall take place no more than 4 times per week and blasting times shall be between 11am and 2pm unless extenuating circumstances occur at which time a Town official shall be notified prior to any blasting.
 4. Storm water measures shall be implemented and maintained consistent with Land Conservation Department recommendations.
 5. Erosion control shall be installed prior to any mining. All erosion control measures shall be submitted to the Zoning Office for review and approval prior to any mining.
 6. Road access shall be permitted by WI DOT and a Uniform Address Number shall be obtained from the Zoning Office.
 7. Reclamation shall be submitted consistent with submitted plans.
 8. Mine operation and design shall be consistent with the approved plans. Zoning Office shall be notified of any deviation from the plans.
 9. Zoning Office shall be notified if groundwater is encountered.

10. All structures and signage shall be permitted by the Zoning Office.
11. An elevation benchmark shall be established.
12. The reclamation financial assurance information shall be reviewed and approved by Corporation Counsel before mining commences.
13. Applicant shall comply with NR 135 Annual Reclamation Permits.
14. Property owners located within 1000 feet shall be given reasonable notice of all planned blasting. This request shall be waived for landowners who request not to be given notice.
15. Well tests for nitrates, suspended solids, and dissolved solids shall be conducted for all existing wells within 1000 feet of the proposed mining operation to establish a baseline, and for all other properties agreed upon by County Materials (Jones, etc.). This shall be completed prior to blasting. Wells shall be tested annually thereafter. All results shall be provided to the Zoning Office.
16. A copy of the Storm Water Pollution Prevention Plan and Spill Prevention Control and Countermeasures shall be submitted to the Zoning Office.
17. The recycling of concrete products shall be allowed.
18. This CUP shall be reviewed for renewal in two years unless compliance issues arise.
19. County Materials Corporation shall conduct operations on the site consistent with the standards specified in the letter from CMC to Pierce County dated 3/13/07.
20. All loaded trucks shall be covered (tarp) prior to leaving the site.
21. The quarry shall have no more than 40 unreclaimed acres at given time. The storm water pond and processing area are to be included in the unreclaimed acres.
22. Applicant shall conduct decibel readings during mining operations at; the property line, 1320 ft from the property line, and at 1 ½ miles from property boundary, and shall submit results to the Land Management Department. Such readings shall be taken three times annually, and at locations agreeable to Land Management Department Staff and County Materials. An initial reading shall be made prior to operations to establish a baseline.
23. A four-strand barb-wire fence shall be placed around the active mining operation along with appropriate signage.
24. A lockbox with access key shall be made accessible to emergency personnel.
25. Applicant shall provide a status report to the LMC at the request of the Town of Spring Lake.
26. Stockpiles shall be a minimum of 10 feet below the height of the berm at all times.
27. The fugitive Dust Plan shall be implemented as approved.
28. Applicant is allowed to water anytime necessary to mitigate off-site dust impact.

Recommendation:

Staff recommends that the Land Management Committee determine whether any other additions or modifications to the established conditions are necessary to mitigate any impact on the public health, safety, the public interest and character of the area and renew this conditional use permit for a nonmetallic mining operation with the following conditions:

1. Applicant shall follow all recommendations and receive all necessary permits from all relevant departments and agencies.
2. Hours of operation shall be 6am to 6pm with nonproduction hours 6pm to 8pm, Monday through Friday and 8am to noon on Saturday. Operation shall be closed on holidays.

3. Blasting shall be completed by a State licensed blaster. Blasting shall take place no more than 4 times per week and blasting times shall be between 11am and 2pm unless extenuating circumstances occur at which time a Town official shall be notified prior to any blasting.
4. Storm water measures shall be implemented and maintained consistent with Land Conservation Department recommendations.
5. Erosion control shall be installed prior to any mining. All erosion control measures shall be submitted to the Zoning Office for review and approval prior to any mining.
6. Road access shall be permitted by WI DOT and a Uniform Address Number shall be obtained from the Zoning Office.
7. Reclamation shall be submitted consistent with submitted plans.
8. Mine operation and design shall be consistent with the approved plans. Zoning Office shall be notified of any deviation from the plans.
9. Zoning Office shall be notified if groundwater is encountered.
10. All structures and signage shall be permitted by the Zoning Office.
11. An elevation benchmark shall be established.
12. The reclamation financial assurance information shall be reviewed and approved by Corporation Counsel before mining commences.
13. Applicant shall comply with NR 135 Annual Reclamation Permits.
14. Property owners located within 1000 feet shall be given reasonable notice of all planned blasting. This request shall be waived for landowners who request not to be given notice.
15. Well tests for nitrates, suspended solids, and dissolved solids shall be conducted for all existing wells within 1000 feet of the proposed mining operation to establish a baseline, and for all other properties agreed upon by County Materials (Jones, etc.). This shall be completed prior to blasting. Wells shall be tested annually thereafter. All results shall be provided to the Zoning Office.
16. A copy of the Storm Water Pollution Prevention Plan and Spill Prevention Control and Countermeasures shall be submitted to the Zoning Office.
17. The recycling of concrete products shall be allowed.
18. This CUP shall be reviewed for renewal in two years unless compliance issues arise.
19. County Materials Corporation shall conduct operations on the site consistent with the standards specified in the letter from CMC to Pierce County dated 3/13/07.
20. All loaded trucks shall be covered (tarped) prior to leaving the site.
21. The quarry shall have no more than 40 unreclaimed acres at given time. The storm water pond and processing area are to be included in the unreclaimed acres.
22. Applicant shall conduct decibel readings during mining operations at; the property line, 1320 ft from the property line, and at 1 ½ miles from property boundary, and shall submit results to the Land Management Department. Such readings shall be taken three times annually, and at locations agreeable to Land Management Department Staff and County Materials. An initial reading shall be made prior to operations to establish a baseline.
23. A four-strand barb-wire fence shall be placed around the active mining operation along with appropriate signage.
24. A lockbox with access key shall be made accessible to emergency personnel.
25. Applicant shall provide a status report to the LMC at the request of the Town of Spring Lake.
26. Stockpiles shall be a minimum of 10 feet below the height of the berm at all times.
27. The fugitive Dust Plan shall be implemented as approved.
28. Applicant is allowed to water anytime necessary to mitigate off-site dust impact.





Applicant: County Materials
March 7, 2018
CUP Renewal

Submitted By: Adam Adank,
Zoning Specialist

Land Management Committee

County Materials
(March 7th, 2018)
Renewal (Nonmetallic Mining)

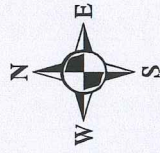
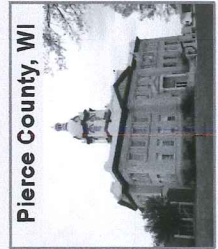
Legend

-  Dwellings
-  County Materials
-  Parcels
-  Contours (10ft)

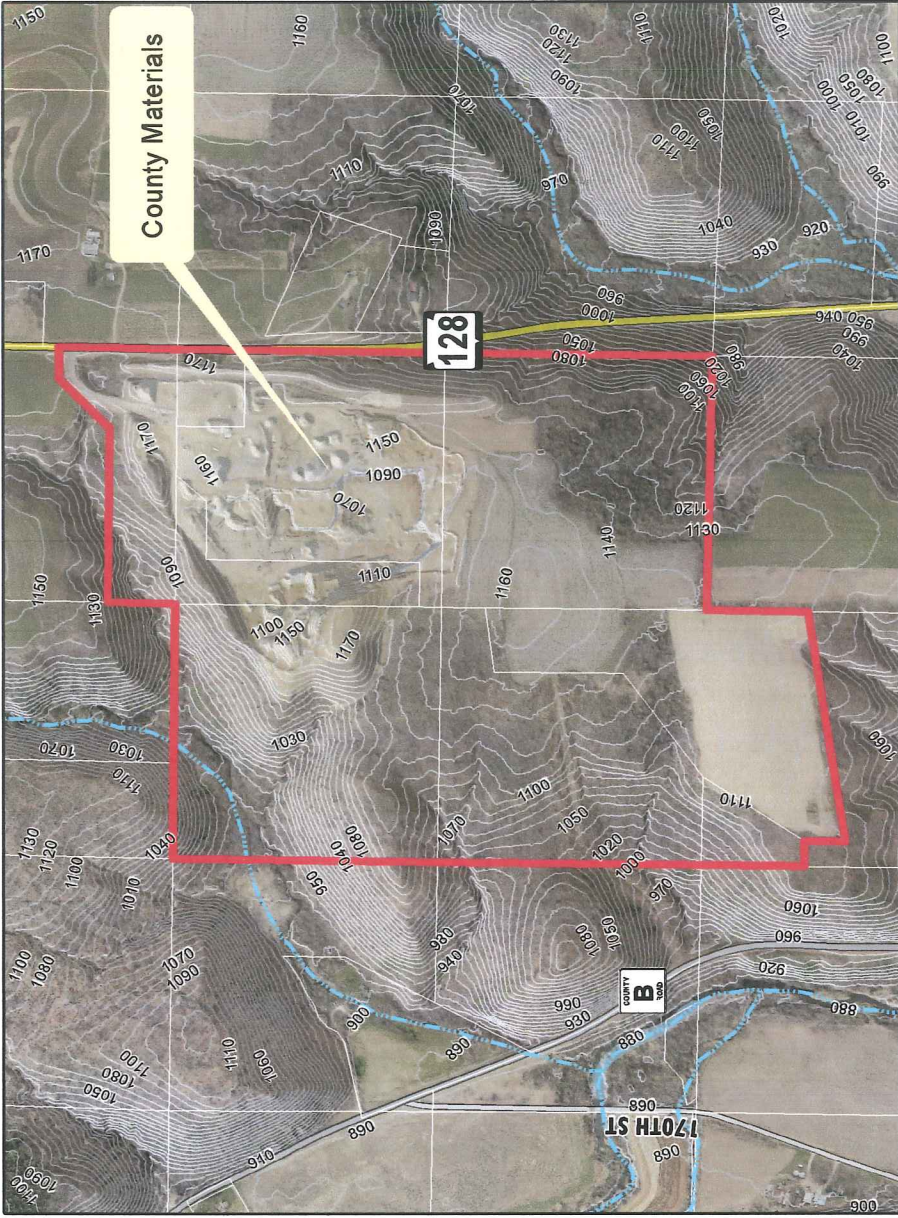
Zoning

-  General Rural
-  Spring Valley

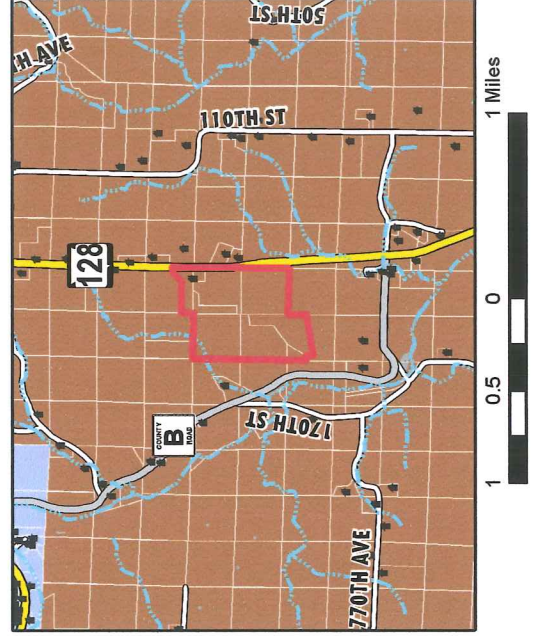
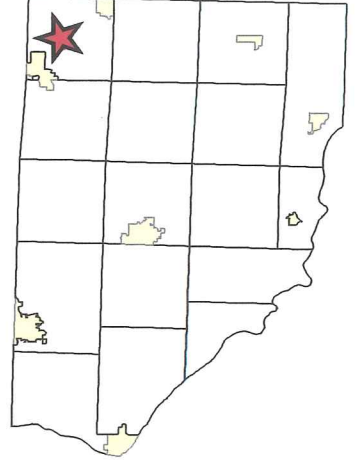
Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location
N8139 Hwy 128
Town of Spring Lake



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, March 7, 2018

Agenda Item 8

Applicant: Wisconsin Industrial Sand Company, LLC (WISC)

Request: Renewal of a Conditional Use Permit for Nonmetallic Mining

Background:

In 2012 WISC is obtained a Conditional Use Permit for a new underground mining operation in the Town of Diamond Bluff. On May 21, 2014 a Conditional Use Permit was obtained to expand the mine into the Town of Oak Grove. The mining process will be consistent to those at Maiden Rock and Bay City. The mined materials will be screened, trucked and conveyed in the tunnels. The sand will either be washed at a new proposed plant at the mine entrance in Diamond Bluff or in the proposed plant expansion at the existing Hager City processing plant. The washed sand will be dried and further processed in Hager City.

The mining permit encompasses 59 parcels totaling 1,867 acres in Diamond Bluff and 27 parcels totaling approximately 985 acres in Oak Grove. Activities on the site will include blasting and screening underground as well as stockpiling and loading on the surface.

The LMC, at the required 1 year status report on August 7, 2013 by WISC, found that "action" had commenced at the Diamond Bluff site within 12 months and that the "use" had been established.

Issues Pertaining to the Request:

- The properties are located in Sections 1, 2, 3, 4, 10, 11 and 12, T25N, R19W in the Town of Diamond Bluff. These properties are zoned Agriculture-Residential and Industrial. As well as Sections 25, 33, 34, 35 and 36, all in T26N, R19W, Town of Oak Grove. These properties are zoned General Rural Flexible 8.
- Access to the mine entrance site is off of 1005th St, WisDOT recommends that the intersection be upgraded to the B1 class. 1005th St. will need significant upgrades. A road agreement was reached with the Town of Diamond Bluff.
- The Wind River runs through the mine entrance site and the eastern edge of the site is in the General Floodplain District.
- The entire mining process takes place underground using room and pillar mining. The sandstone will be mined in parallel tunnels approximately 30-foot wide separated by 70-foot wide sandstone pillars. The mining is accomplished by drilling and blasting.
- The applicant is proposing to operate the facility 24 hours a day, seven days a week with up to 22 employees.
- WDNR regulates and monitors discharge water through the WPDES Permits. The WPDES permit ensures that water samples are collected and analyzed to demonstrate that water is not discharged that could negatively impact surface water.
- The mining operation is required to develop and implement a Storm Water Pollution Prevention Plan and a Spill Pollution Control and Countermeasures Plan.

Applicant: Wisconsin Industrial Sand
Renewal - Conditional Use Permit for Nonmetallic Mining
March 7, 2018

- Waste materials will be placed back in the mining tunnels.
- The WDNR Bureau of Air Management permits and monitors emissions of nonmetallic mining and processing operations. Their jurisdiction ranges from extraction to shipment.
- Wisconsin Department of Safety and Professional Services (DSPS) establishes uniform limits on permissible levels of blasting to reasonably assure that blasting does not cause injury, damage or unreasonable annoyance to persons or property outside any controlled blasting site area.
- A Fugitive Dust Plan has been developed for the operation. The plan details the measure to be taken to reduce roadway dust from stockpiles and roadways during periods of dry or windy conditions.
- A Land Use Permit for Filling and Grading in the Shoreland area was issued in September, 2017 for construction of the stormwater ponds. The applicants are currently completing a Hydraulic and Hydrologic Analysis of the ponds in the Floodplain.
- An archeologic study is also currently being completed with the DNR and Historical Society.
- The existing conditions are:
 1. Applicant shall submit verification of lease agreements before mining is conducted.
 2. Comprehensive water testing will be conducted annually for residential wells located within the boundaries of the mined area. Testing of the wells on properties within 1000' of mining activity shall be comprehensively tested, including for suspended solids, nitrates and dissolved solids and chlorides, two times each year. Test results and the base line data tests shall be provided to the Department of Land Management.
 3. A 100-foot buffer shall be maintained from the active mining to the boundaries of non-leased properties, Mining under a leased property shall be a minimum of 100' from any well. A 200-foot buffer shall be maintained around structures.
 4. Any intensification of use or change in approved plans will require the issuance of an amended conditional use permit.
 5. A map of mining activity and areas of future expansion shall be provided to the Zoning Office annually.
 6. Applicant agrees that any erosion issues that arise shall be addressed to the satisfaction of the county.
 7. Verification of an agreement with the Wisconsin DOT shall be submitted before mining extends under Hwy. 35.
 8. WISC shall develop a plan to respond to damage claims to wells or structures by surrounding land owners. WISC shall offer pre-blasting surveys to residents or owners of dwellings or other structures within 1500 feet (or as established by the applicable Town) and shall respond to claims of impacts/damage.
 9. A ground water response plan, including accurate determinations of the ground water level and which details resources to be used to protect the quality of groundwater beneath and adjacent to the extraction operation, and a proposed response to encountering groundwater, shall be provided. Groundwater elevation shall be monitored annually and the results submitted to the Zoning Office.
 10. Engineering analysis shall be conducted to demonstrate slope stability for the reclamation of the mine entrance area. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.

11. A formal road agreement for 1005th St. with the Town of Diamond Bluff shall be established and provided to the Zoning Office prior to any site disturbance. Road agreements shall be established with the appropriate municipality prior to any use of Town or County roads.
12. Applicant shall obtain all necessary permits for the proposed development within the Floodplain and Shoreland area.
13. Applicant shall pay the Nonmetallic Mining fee to the Zoning Office prior to site disturbance.
14. The financial assurance for reclamation shall be reviewed and approved by Corporation Counsel before mining commences.
15. WISC will be subject to control methods deemed adequate by the LMC for silica emissions if current or future studies suggest a significant public health threat exists from such emissions.
16. The operator shall provide notice to the County of any orders to cease and desist from MSHA.
17. All loaded trucks shall be tarped in a manner acceptable with the Town of Diamond Bluff.
18. Applicant shall submit to the Zoning Office a copy of the Storm Water Pollution Prevention Plan and a Spill Prevention, Control and Countermeasures Plan if these plans are required by other agencies. If they are not required, applicants shall submit verification from those agencies stating that the plans are not required.
19. Applicant shall implement Fugitive Dust Plan as presented. Modifications to the Fugitive Dust Plan may be required by the LMC if warranted.
20. Applicant shall identify blasting frequency and all blasting shall be done by a certified state licensed blaster. Notification to all surrounding landowners within 1500 feet shall be given notice of the blasting schedule. Blasting shall be restricted to six days a week.
21. Applicant shall follow all recommendations and receive all necessary permits from WI DNR, Department of Safety and Professional Services, WisDOT, MSHA and other agencies if required.
22. Applicant shall obtain all necessary permits for structures or signs not discussed in this plan from the Zoning Office.
23. An annual audit, detailing mining activities to date and demonstrating adherence to approved conditions shall be submitted to Pierce County Land Management Department by January 31st.
24. This permit shall expire in two years. Applicant shall come before the LMC for a status report in one year.
25. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.
26. Any polyacrylamide flocculants must be used consistent with WI DNR permit requirements.
27. Prior to beginning any mining activity within the Town of Oak Grove the applicant shall request to be placed on the agenda of the Oak Grove Town Board to review uses occurring in proximity to parcels authorized for mining. Concerns raised by the Town shall be presented to LMC for review and potential CUP modification.
28. No ventilation shafts shall be developed until after such time as the proposed location is reviewed by the applicable Town and approved by the LMC.
29. Any secondary access portal shall require issuance of a Conditional Use Permit for an expansion of this use.
30. Mining shall not occur on/under property zoned Light Industrial.
31. State Hwy 35/1005th Street Improvements shall be completed before operation begins.
32. Clearing and benching of portal sites shall be completed before operation begins.
33. Applicable permits must be continue to be pursued.

Recommendation:

Applicant: Wisconsin Industrial Sand
Renewal - Conditional Use Permit for Nonmetallic Mining
March 7, 2018

Staff recommends the Land Management Committee consider whether any other additions or modifications to the established conditions are necessary to help mitigate impacts on public health, safety, the public interest and character of the area and renew the permit with the following conditions:

1. Applicant shall submit verification of lease agreements before mining is conducted.
2. Comprehensive water testing will be conducted annually for residential wells located within the boundaries of the mined area. Testing of the wells on properties within 1000' of mining activity shall be comprehensively tested, including for suspended solids, nitrates and dissolved solids and chlorides, two times each year. Test results and the base line data tests shall be provided to the Department of Land Management.
3. A 100-foot buffer shall be maintained from the active mining to the boundaries of non-leased properties, Mining under a leased property shall be a minimum of 100' from any well. A 200-foot buffer shall be maintained around structures.
4. Any intensification of use or change in approved plans will require the issuance of an amended conditional use permit.
5. A map of mining activity and areas of future expansion shall be provided to the Zoning Office annually.
6. Applicant agrees that any erosion issues that arise shall be addressed to the satisfaction of the county.
7. Verification of an agreement with the Wisconsin DOT shall be submitted before mining extends under Hwy. 35.
8. WISC shall develop a plan to respond to damage claims to wells or structures by surrounding land owners. WISC shall offer pre-blasting surveys to residents or owners of dwellings or other structures within 1500 feet (or as established by the applicable Town) and shall respond to claims of impacts/damage.
9. A ground water response plan, including accurate determinations of the ground water level and which details resources to be used to protect the quality of groundwater beneath and adjacent to the extraction operation, and a proposed response to encountering groundwater, shall be provided. Groundwater elevation shall be monitored annually and the results submitted to the Zoning Office.
10. Engineering analysis shall be conducted to demonstrate slope stability for the reclamation of the mine entrance area. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.
11. A formal road agreement for 1005th St. with the Town of Diamond Bluff shall be established and provided to the Zoning Office prior to any site disturbance. Road agreements shall be established with the appropriate municipality prior to any use of Town or County roads.
12. Applicant shall obtain all necessary permits for the proposed development within the Floodplain and Shoreland area.
13. Applicant shall pay the Nonmetallic Mining fee to the Zoning Office prior to site disturbance.
14. The financial assurance for reclamation shall be reviewed and approved by Corporation Counsel before mining commences.
15. WISC will be subject to control methods deemed adequate by the LMC for silica emissions if current or future studies suggest a significant public health threat exists from such emissions.
16. The operator shall provide notice to the County of any orders to cease and desist from MSHA.
17. All loaded trucks shall be tarped in a manner acceptable with the Town of Diamond Bluff.
18. Applicant shall submit to the Zoning Office a copy of the Storm Water Pollution Prevention Plan and a Spill Prevention, Control and Countermeasures Plan if these plans are required by other agencies. If they are not required, applicants shall submit verification from those agencies stating that the plans are not required.

Applicant: Wisconsin Industrial Sand
Renewal - Conditional Use Permit for Nonmetallic Mining
March 7, 2018





19. Applicant shall implement Fugitive Dust Plan as presented. Modifications to the Fugitive Dust Plan may be required by the LMC if warranted.
20. Applicant shall identify blasting frequency and all blasting shall be done by a certified state licensed blaster. Notification to all surrounding landowners within 1500 feet shall be given notice of the blasting schedule. Blasting shall be restricted to six days a week.
21. Applicant shall follow all recommendations and receive all necessary permits from WI DNR, Department of Safety and Professional Services, WisDOT, MSHA and other agencies if required.
22. Applicant shall obtain all necessary permits for structures or signs not discussed in this plan from the Zoning Office.
23. An annual audit, detailing mining activities to date and demonstrating adherence to approved conditions shall be submitted to Pierce County Land Management Department by January 31st.
24. This permit shall expire in two years. Applicant shall come before the LMC for a status report in one year.
25. Reclamation shall be according to submitted plans and shall be completed within one year of ceasing mining operations.
26. Any polyacrylamide flocculants must be used consistent with WI DNR permit requirements.
27. Prior to beginning any mining activity within the Town of Oak Grove the applicant shall request to be placed on the agenda of the Oak Grove Town Board to review uses occurring in proximity to parcels authorized for mining. Concerns raised by the Town shall be presented to LMC for review and potential CUP modification.
28. No ventilation shafts shall be developed until after such time as the proposed location is reviewed by the applicable Town and approved by the LMC.
29. Any secondary access portal shall require issuance of a Conditional Use Permit for an expansion of this use.
30. Mining shall not occur on/under property zoned Light Industrial.
31. State Hwy 35/1005th Street Improvements shall be completed before operation begins.
32. Clearing and benching of portal sites shall be completed before operation begins.
33. Applicable permits must be continue to be pursued.

Submitted By: Brad Roy,
Zoning Administrator







Land Management Committee

Wisconsin Industrial Sand Company
(March 7, 2018)
CUP Renewal-Nonmetallic Mining

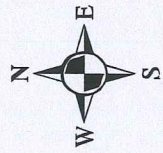
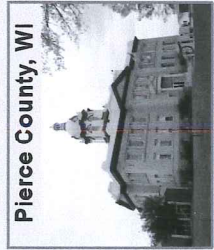
Legend

-  Dwellings
-  WISC
-  Parcels
-  100 Yr Floodway

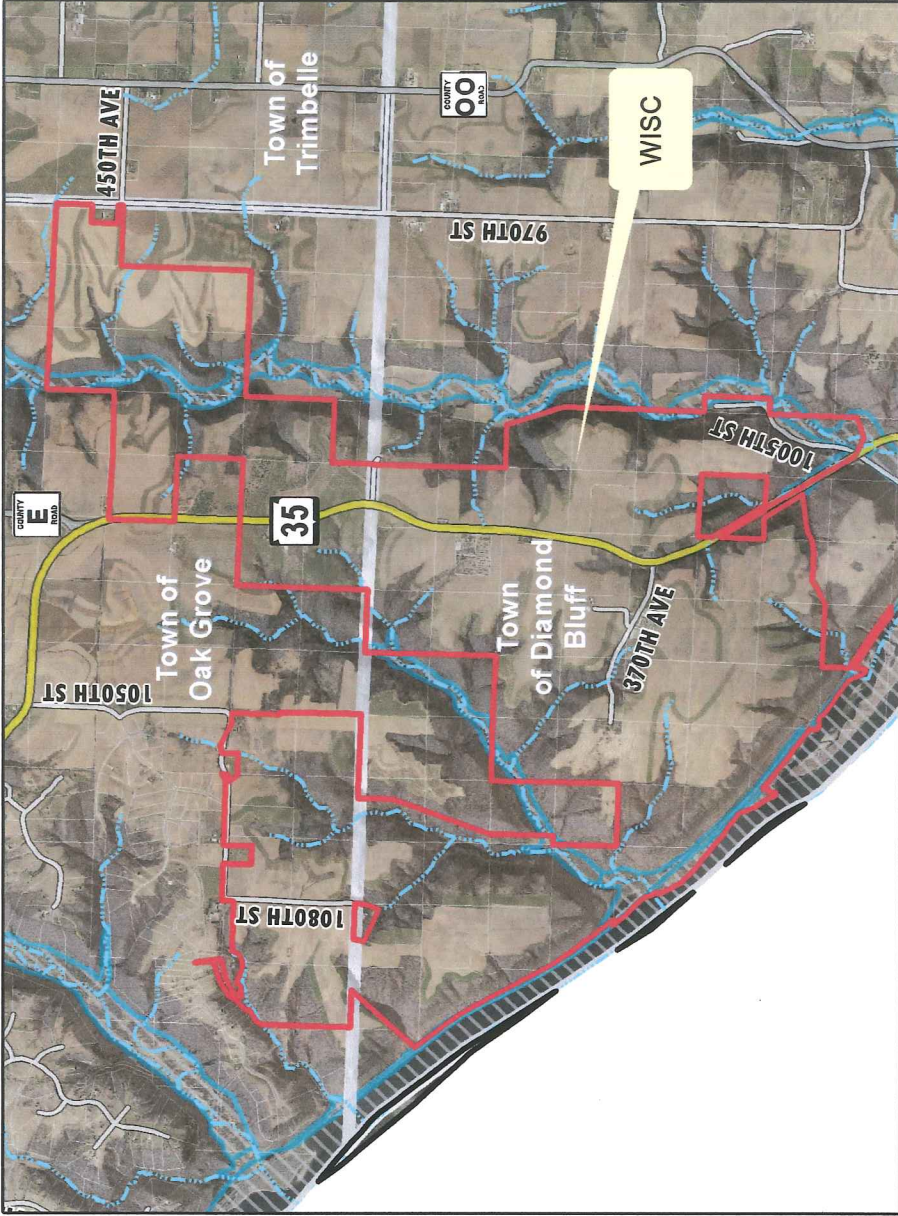
Zoning

-  Agriculture - Residential
-  General Rural Flexible - 8
-  Industrial
-  Light - Industrial
-  Primary Agriculture
-  Rural Residential - 12

Orthophotography - 2015 Pierce County

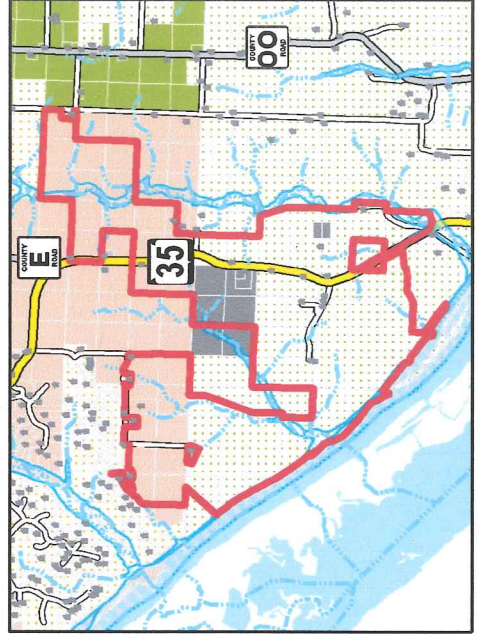
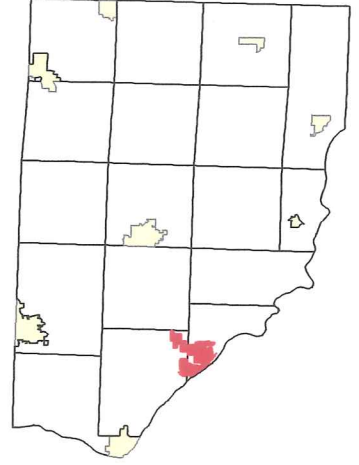


Prepared by the Department of Land Management



Site Location

Town of Diamond Bluff / Oak Grove



STAFF REPORT LAND MANAGEMENT COMMITTEE

Land Management Committee Meeting, March 7, 2018

Agenda Item 9

Applicant: Wisconsin Industrial Sand Company, LLC (WISC)

Request: Renewal of Conditional Use Permit for Heavy Industrial Use (Sand Wash Plant)

Background:

In 2012, WISC obtained a Conditional Use Permit for a new underground mining operation in the Town of Diamond Bluff. The mining application stated that no washing would be done on site.

In 2014, the applicant modified the plan and obtained a CUP to construct a wash plant to wash the sand from the mine. The washed sand will be trucked to the WISC dry plant in Hager City. The proposal included the construction of a wash plant building, conveyors and a new load out tank building. The application also stated that a temporary wash plant may be constructed for use during the construction of the permanent wash plant or the material may be trucked offsite and brought back for processing after the plant is operational. The mining application detailed the conversion of the existing residence into an office and construction of a maintenance building. The proposed hours of operation of the plant are 24 hours per day, seven days per week. Front end loaders, trucks, mining equipment and conveyors will be routinely operated outside of the mine. The site plan for the plant was approved by the LMC on June 18, 2014.

The Wind River runs through the mine entrance site and the eastern edge of the site is in the General Floodplain District.

On January 7, 2015 the LMC approved an expansion of the existing WISC processing facility in Hager City, which, it was stated at that time, would remove the need for the proposed wash plant in Diamond Bluff. In the past, WISC has wanted to maintain the flexibility of having each option for the location of a wash plant. Clarification of WISC's future plans should be requested.

Issues Pertaining to the Request:

- The property is located in Sections SE ¼ of the NW ¼ of Section 12, T25N, R19W in the Town of Diamond Bluff. The property is zoned Industrial.
- Pierce County Code §240-15K. states: the Industrial District is established for the purpose of allowing those industrial uses that are more intensive than those uses allowed in the Light Industrial District. The purpose of the district is to accommodate a heavy volume of traffic, the potential need for rail access to parcels and the presence of noise and other factors which could pose a nuisance in other districts. The intensity and use of land as permitted in this district is intended to facilitate the total range of industrial uses.
- The mined sand will be conveyed to a scalp screen to remove coarse sand and water will be added creating slurry. The material will then be pumped to the wash plant through a slurry pipe.
- The wash plant will remove clays and fine material from the sand. Flocculants will be used to remove the clays and fines and will remain in the material which will be placed in the tunnels. The wash sand is conveyed to storage bins. Trucks will be loaded inside a new load out tank building. The process, when fully implemented, has been designed so that the sand will not be exposed to the open-air.
- Two high capacity wells will be needed for the wash plant. The WDNR permits high capacity wells. The proposed system will reuse 90-95% of the water.

Applicant: Wisconsin Industrial Sand
Renewal - Conditional Use Permit for Heavy Industrial Use
March 7, 2018

- The proposed operation will include the need to develop and implement a Storm Water Pollution Prevention Plan and a Spill Pollution Control and Countermeasures Plan.
- WDNR regulates and monitors storm water and process water through the WPDES permits. WISC will obtain the WPDES permit if necessary.
- A Fugitive Dust Plan has been developed for the operation.
- There may be some temporary storage of mined sand as the adits to the mine are being constructed. Once mining operations are in full production outside storage will not be needed.
- Access to the mine and processing facility site entrance is off of 1005th St, WisDOT recommends that the intersection be upgraded to the B1 class. 1005th St. will need significant upgrades. A road agreement has been reached with the Town of Diamond Bluff.
- A Land Use Permit for Filling and Grading in the Shoreland area was issued in September, 2017 for construction of the stormwater ponds. The applicants are currently completing a Hydraulic and Hydrologic Analysis of the ponds in the Floodplain.
- An archeologic study is also currently being completed with the DNR and Historical Society.
- The existing conditions are:
 1. Activities shall be conducted consistent with the submitted plan, unless modified by another condition of this CUP.
 2. Applicant shall follow all recommendations and receive all necessary permits from WI DNR, Department of Safety and Professional Services, MSHA and other agencies as required.
 3. Any unforeseen dust, erosion, and/or stormwater issues that arise shall be addressed to the satisfaction of the county.
 4. Applicant shall obtain all necessary permits for construction and signage for the site.
 5. WISC shall be subject to control methods deemed adequate by the LMC for silica emissions if current or future studies suggest a significant public health threat exists from such studies.
 6. The operator shall provide notice to the County of any orders to cease and desist from MSHA.
 7. The Fugitive Dust Plan shall be adhered to.
 8. All polyacrylamide flocculants must be used consistent with WI DNR permit requirements.
 9. The applicant shall complete the WisDOT recommended upgrades to STH 35 and receive all necessary permits and approvals.
 10. Applicant understands that any expansion or intensification of this use will require CUP modification or potentially issuance of a new Conditional Use Permit.
 11. This permit shall expire in two years. Applicant shall come before the LMC for a status report in one year.

Recommendation:

Staff recommends that the Land Management Committee determine whether or not the established conditions are adequate to protect the public interest, public health and safety, and the character of the area. If no additions or modifications are deemed necessary, staff recommends the Land Management Committee to renew this CUP with the following conditions:

1. Activities shall be conducted consistent with the submitted plan, unless modified by another condition Activities shall be conducted consistent with the submitted plan, unless modified by another condition of this CUP.

Applicant: Wisconsin Industrial Sand
Renewal - Conditional Use Permit for Heavy Industrial Use
March 7, 2018





2. Applicant shall follow all recommendations and receive all necessary permits from WI DNR, Department of Safety and Professional Services, MSHA and other agencies as required.
3. Any unforeseen dust, erosion, and/or stormwater issues that arise shall be addressed to the satisfaction of the county.
4. Applicant shall obtain all necessary permits for construction and signage for the site.
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10. Applicant understands that any expansion or intensification of this use will require CUP modification or potentially issuance of a new Conditional Use Permit.
11. This permit shall expire in two years. Applicant shall come before the LMC for a status report in one year.

Submitted By: Brad Roy,
Zoning Administrator

Land Management Committee

Wisconsin Industrial Sand Company
(March 7, 2018)
Heavy Ind. Use (Sand Wash Plant)
CUP Renewal

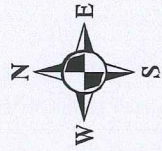
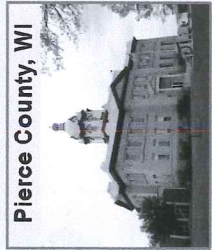
Legend

-  Dwellings
-  WISC
-  Parcels
-  100 Yr Floodway/
No Base Elev. Det

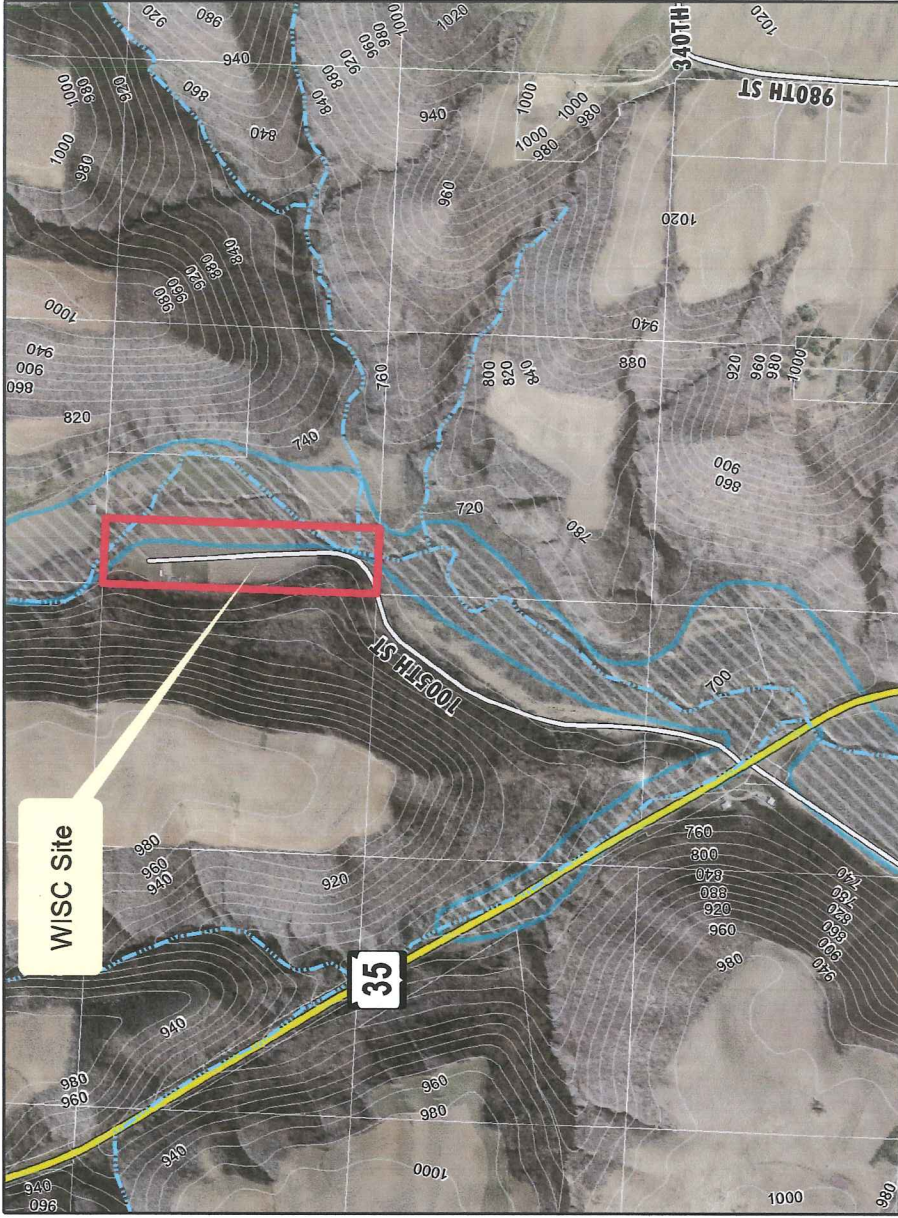
Zoning

-  Agriculture - Residential
-  Industrial

Orthophotography - 2015 Pierce County



Prepared by the Department of Land Management



Site Location
N3588 1005TH ST
Town of Diamond Bluff

