

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
FEBRUARY 23, 2023
CHIPPEWA COUNTY COURTHOUSE, RM 302
4:30 PM

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
David Eisenhuth	Chippewa County	District 15 (Chair)	Present	
Jason Bergeron	Chippewa County	District 7 (Vice-Chair)	Present	
Dean Gullickson	Chippewa County	District 5	Present	
Caden Berg	Chippewa County	District 13	Excused	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

None.

4. CONSENT AGENDA

Motion to Approve.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Jan 19, 2023 4:30 PM

3. Schedule Next Meeting Date - March 23, 2023 @ 4:30 PM

5. PUBLIC HEARINGS - FOR DISCUSSION AND ACTION

1. Revision to CUP 2022-0008 (OneEnergy Development LLC) - Extension Request For Solar Panel Installation - Town of Hallie
Clary explained the revision request.

Motion to allow the project to be fully constructed and operational by December 1, 2024.

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

February 23, 2023
4:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

6. BUSINESS ITEMS

General Discussion occurred on items 6.1 through 6.3. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP.

Motion to combine items 6.1 through 6.3 and approve the changes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

1. 1992-0066 Mike Dresel (Dresel Pit) - CUP Renewal - Eagle Point

General Discussion occurred on items 6.1 through 6.3. The updates will include property owner information and parcel information, if needed. The permits will be extended for 4 years with an expiration date of February 28, 2027.

Motion to approve changes to 6.1 through 6.3.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

2. 2005-0009 - Karen Schick Trust - CUP Renewal - Eagle Point

General Discussion occurred on items 6.1 through 6.3. The updates will include property owner information and parcel information, if needed. The permits will be extended for 4 years with an expiration date of February 28, 2027.

Motion to approve changes to 6.1 through 6.3.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

3. 2011-0014 A & B Materials (Frazer Pit) - CUP Renewal - Eagle Point

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

February 23, 2023
4:30 PM

General Discussion occurred on items 6.1 through 6.3. The updates will include property owner information and parcel information, if needed. The permits will be extended for 4 years with an expiration date of February 28, 2027.

Motion to approve changes to 6.1 through 6.3.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chuck Hull, District 19
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

7. AGENDA ITEMS FOR FUTURE CONSIDERATION

None.

8. ADJOURN

Motion to Adjourn.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Bergeron, District 7 (Vice-Chair)
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
EXCUSED:	Berg

CHIPPEWA COUNTY
PLANNING & ZONING COMMITTEE
REGULAR MEETING
JANUARY 19, 2023
CHIPPEWA COUNTY COURTHOUSE, RM 302
4:30 PM

1. CALL TO ORDER

2. ROLL CALL

Attendee Name	Organization	Title	Status	Arrived
David Eisenhuth	Chippewa County	District 15 (Chair)	Present	
Jason Bergeron	Chippewa County	District 7 (Vice-Chair)	Present	
Dean Gullickson	Chippewa County	District 5	Present	
Caden Berg	Chippewa County	District 13	Absent	
Chuck Hull	Chippewa County	District 19	Present	

3. MEMBERS OF THE PUBLIC WISHING TO BE HEARD

4. CONSENT AGENDA

Motion to Approve the Agenda: (1) Gullickson, (2) Bergeron: All in favor
 Motion to Approve the Minutes: (1) Bergeron, (2) Gullickson: All in favor.
 Motion to Approve the Next Meeting: (1) Gullickson, (2) Hull: All in favor.

RESULT: APPROVED [UNANIMOUS]
MOVER: Dean Gullickson, District 5
SECONDER: Jason Bergeron, District 7 (Vice-Chair)
AYES: Eisenhuth, Bergeron, Gullickson, Hull
ABSENT: Berg

1. Approve the Agenda

2. Approve the Minutes

Planning & Zoning Committee - Regular Meeting - Nov 17, 2022 4:30 PM

3. Schedule Next Meeting Date - February 23, 2023 @ 4:30 PM

5. BUSINESS ITEMS

1. Resolution to Authorize the Sale of Tax Deed Lands Acquired by Foreclosure of Tax Certificates In Rem
 Motion to Approve the Resolution.

Minutes Acceptance: Minutes of Jan 19, 2023 4:30 PM (Consent Agenda)

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

January 19, 2023
4:30 PM

RESULT:	FORWARD TO COUNTY BOARD [UNANIMOUS]	Next: 2/14/2023 6:00 PM
MOVER:	Dean Gullickson, District 5	
SECONDER:	Jason Bergeron, District 7 (Vice-Chair)	
AYES:	Eisenhuth, Bergeron, Gullickson, Hull	
ABSENT:	Berg	

2. 1981-0024 - Stelter Inc - CUP Renewal - Town of Lafayette

General Discussion occurred on items 5.2 through 5.6. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP. The updates will include property owner information and parcel information if needed. The permits will be extended to 4 years with an expiration date of January 31, 2027.

Motion to combine items 5.2 through 5.6 and approve the changes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

3. 2004-0010 - Charles & Cathy Morning Trust ETAL(Stelter Inc) - CUP Renewal - Town of Eagle Point

General Discussion occurred on items 5.2 through 5.6. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP. The updates will include property owner information and parcel information if needed. The permits will be extended to 4 years with an expiration date of January 31, 2027.

Motion to combine items 5.2 through 5.6 and approve the changes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

4. 2012-0006 - Charles & Cathy Morning (Stelter Inc) - CUP Renewal - Town of Woodmohr

General Discussion occurred on items 5.2 through 5.6. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP. The updates will include property owner information and parcel information if needed. The permits will be extended to 4 years with an expiration date of January 31, 2027.

Motion to combine items 5.2 through 5.6 and approve the changes as presented.

Minutes Acceptance: Minutes of Jan 19, 2023 4:30 PM (Consent Agenda)

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

January 19, 2023
4:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

5. 2015-0008 - Classic Rock Materials - CUP Renewal - Town of Wheaton

General Discussion occurred on items 5.2 through 5.6. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP. The updates will include property owner information and parcel information if needed. The permits will be extended to 4 years with an expiration date of January 31, 2027.

Motion to combine items 5.2 through 5.6 and approve the changes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

6. 2016-0016 - No Mercy Excavating - CUP Renewal - Town of Wheaton

General Discussion occurred on items 5.2 through 5.6. These items are all non-metallic mining permit renewals. The pit operators are not seeking any changes to the CUP. The updates will include property owner information and parcel information if needed. The permits will be extended to 4 years with an expiration date of January 31, 2027.

Motion to combine items 5.2 through 5.6 and approve the changes as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dean Gullickson, District 5
SECONDER:	Chuck Hull, District 19
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

6. **AGENDA ITEMS FOR FUTURE CONSIDERATION**

Discussion on Aerobic Treatment Units (ATU's)

7. **ADJOURN**

Motion to Adjourn.

Minutes Acceptance: Minutes of Jan 19, 2023 4:30 PM (Consent Agenda)

Planning & Zoning Committee

Minutes
Regular Meeting

Chippewa County Courthouse, Rm 302

January 19, 2023
4:30 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jason Bergeron, District 7 (Vice-Chair)
SECONDER:	Dean Gullickson, District 5
AYES:	Eisenhuth, Bergeron, Gullickson, Hull
ABSENT:	Berg

Minutes Acceptance: Minutes of Jan 19, 2023 4:30 PM (Consent Agenda)



STATEMENT OF EXPLANATION
REVISION TO CUP 2022-0008 (ONEENERGY DEVELOPMENT LLC) -
EXTENSION REQUEST FOR SOLAR PANEL INSTALLATION - TOWN OF
HALLIE

To revise the timeframe allowed to construct a solar panel field in the Agricultural District in accordance with Sections 70-71(b)(6) and 70-108 of the Chippewa County Zoning Ordinance. Parcels are located in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 20, Township 28 North, Range 08 West. Town of Hallie.

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for the construction a solar panel field in the Agricultural District

APPEAL NUMBER: # 2022-0008

APPEAL DATE: August 18, 2022

LAND OWNER(S):

Larry C. & Dianne M. Marquardt Trust
14728 County Highway OO
Chippewa Falls, Wisconsin 54729

Parcel Number:

22808-2022-00020000
22808-2021-00020000
Vacant Land

Buyers/Operators

OneEnergy Development, LLC, 848 E. Washington Avenue, Suite 257, Madison, Wisconsin 53703

To Whom It May Concern,

On August 18, 2022, the Planning & Zoning Committee considered your request for a Conditional Use Permit, which would all for the construction and operation of a solar panel field in the Agricultural District under sections 70-71(b)(6) and 70-108 of the Chippewa County Zoning Ordinance. The two parcels associated with this request are located in the NE ¼ of the NW ¼ & the NW ¼ of the NW ¼, Section 20, Township 28 North, Range 08 West, Town of Hallie.

DECISION:

The Planning & Zoning Committee has **GRANTED** the conditional use permit with the following conditions:

1. Solar field shall be installed as shown on the submitted plans with the extension of the vegetative buffer easterly along 40th Avenue.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

TERMINATION AND REVOCATION. The conditional use permit shall lapse and is void:

1. Twelve (12) months after approval by the Committee unless the use is fully established and improvement to the property described in the permit is implemented.
2. On the date of expiration set forth in the conditional use permit.
3. At such time as the conditional use for which the permit was granted shall cease or be abandoned for twelve (12) consecutive months.
4. If any condition of the permit is violated or if the conditional use is substantially detrimental to persons or property in the neighborhood, the Committee, following notice to all parties listed in 70-108(b)(2), shall hold a public hearing on the revocation of the conditional use permit. If, upon finding of facts, any material condition of the conditional use permit has been violated or if the character and quality of the area has been substantially and adversely affected by the continuation of the conditional use permit, the Committee may revoke or modify the conditional use. The Committee may thereafter direct counsel for the county to initiate such legal actions as are necessary to ensure compliance with this chapter.

EFFECTS OF REVOCATION

In the event of revocation or termination, the conditional use is void and the property shall be governed thereafter by the rules of the zoning district to which the property is zoned at the time of the termination.

Attachment: 2022-0008 OneEnergy - CUP_FINAL DECISION (7572 : OneEnergy Development LLC)

APPEAL NUMBER: # 2022-0008
APPROVAL DATE: 08-18-2022

BINDING EFFECT

The applicant shall acknowledge in their application and the conditional use permit shall recite that the use is conditional and binding upon the applicant, his successors, assigns and personal representatives and is a restriction that runs with the land.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this 8th day of December, 2022.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
Department of Planning & Zoning

CC: Larry Marquardt, Hallie Town Chair – via email
File

Attachment: 2022-0008 OneEnergy - CUP_FINAL DECISION (7572 : OneEnergy Development LLC)

Doug Clary

From: Doug Clary
Sent: Tuesday, January 17, 2023 8:33 AM
To: 'Eric Udelhofen'; Beth Esser
Cc: Larry Marquardt
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] CUP follow up

Eric,

That's a great suggestion for us to consider, but it would be conflict between the ordinance provisions for a CUP and the zoning permit. Thus, the most restrictive timeframe does prevail. When we get this in front of the PZC, we'll add a condition in regards to the timeframe to start and finish the project. I would most likely want to place a generic statement on the CUP in regards to "supply chain" issues, etc. that may effect the start and end dates of the project.

Douglas Clary, Director
 Department of Planning & Zoning
 Chippewa County, Wisconsin
 Telephone: (715) 726-7941

Courthouse Hours: Effective January 1, 2023

Monday – Thursday: 7:30 a.m. to 4:30 p.m.
 Friday: 7:30 a.m. to 11:30 a.m.

From: Eric Udelhofen <eric@oneenergyrenewables.com>
Sent: Tuesday, January 17, 2023 8:23 AM
To: Doug Clary <DClary@co.chippewa.wi.us>; Beth Esser <beth@oneenergyrenewables.com>
Cc: Larry Marquardt <larrymarquardt@hotmail.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] CUP follow up

***** [CAUTION - EXTERNAL EMAIL] DO NOT reply, click links, or open attachments unless you have verified the sender and know the content is safe *****

Doug,

Is it possible to change the language such that construction needs to have commenced within 12 months of issuance of the permit?

If not, can we extend the deadline such that we have 16 additional months to have the project fully constructed as shown in the site plan? We intend to build the project in spring and summer of 2024, meaning it would be fully constructed by approximately October of 2024.

Thanks,
 Eric

ERIC UDELHOFEN
 VP - DEVELOPMENT

608.514.5378 |C

eric@oneenergyrenewables.com

Attachment: Email String_Regarding Extension (7572 : OneEnergy Development LLC)



From: Doug Clary <DClary@co.chippewa.wi.us>
Sent: Tuesday, January 17, 2023 6:58 AM
To: Beth Esser <beth@oneenergyrenewables.com>
Cc: Eric Udelhofen <eric@oneenergyrenewables.com>; Larry Marquardt <larrymarquardt@hotmail.com>
Subject: RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] CUP follow up

Good Morning Beth,

Land Division: A certified survey map will needed to create the three-lots north of HWY 29/South of 40th Avenue. The CSM is reviewed and approved by my office (i.e. – it's an administrative function that does not require public hearings, committee approval, etc). Typical turn around time is about 2-3 weeks – assuming the surveyor has the map intact.

I will discuss with Larry the options for the remnant of parcel of 22808-2022-00020000.

CUP: In order to change the 12 months, we will need the Planning & Zoning Committee approval via a public hearing. While I do not think this will be a big deal, I do need to follow the public hearing process in order to have it changed. I'll just charge for the extra time, public notice, property owner notice, etc....it will be less than the \$350. But, I will not know the total cost until right around the meeting....so we can settle up after the meeting. Next meeting will be on February 23, 2022.

CUP: Name Change – Attached.

Douglas Clary, Director
 Department of Planning & Zoning
 Chippewa County, Wisconsin
 Telephone: (715) 726-7941

Courthouse Hours: Effective January 1, 2023

Monday – Thursday: 7:30 a.m. to 4:30 p.m.
 Friday: 7:30 a.m. to 11:30 a.m.

From: Beth Esser <beth@oneenergyrenewables.com>
Sent: Friday, January 6, 2023 2:02 PM
To: Doug Clary <DClary@co.chippewa.wi.us>
Cc: Eric Udelhofen <eric@oneenergyrenewables.com>; Larry Marquardt <larrymarquardt@hotmail.com>
Subject: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] CUP follow up

***** [CAUTION - EXTERNAL EMAIL] DO NOT reply, click links, or open attachments unless you have verified the sender and know the content is safe *****

Good afternoon Doug,

Happy New Year. We spoke with Larry, cc'd here, this morning about the project and exercising our option to purchase the property. We're hoping to close on the property by Aug. 2023 and to do so will need to have the subdivision of the land happen (the area south of HWY 29, the 150ft strip to the west and possibly ~4ac on the eastern side-Larry and Diane are considering retaining that). Larry will be following up with you more. We also just wanted to touch base with you early on so that we can get started on this process early enough to address all the items that will need to occur for the subdivision to get reviewed and approved. If you could please let us know what we need to consider, that would be great.

Also, I wanted to touch base on the status of the below request regarding extending the CUP approval to 24months and addressing the CUP to OneEnergy Development, LLC.

Have a nice weekend.

Thank you,
Beth

BETH ESSER
Project Manager + Development

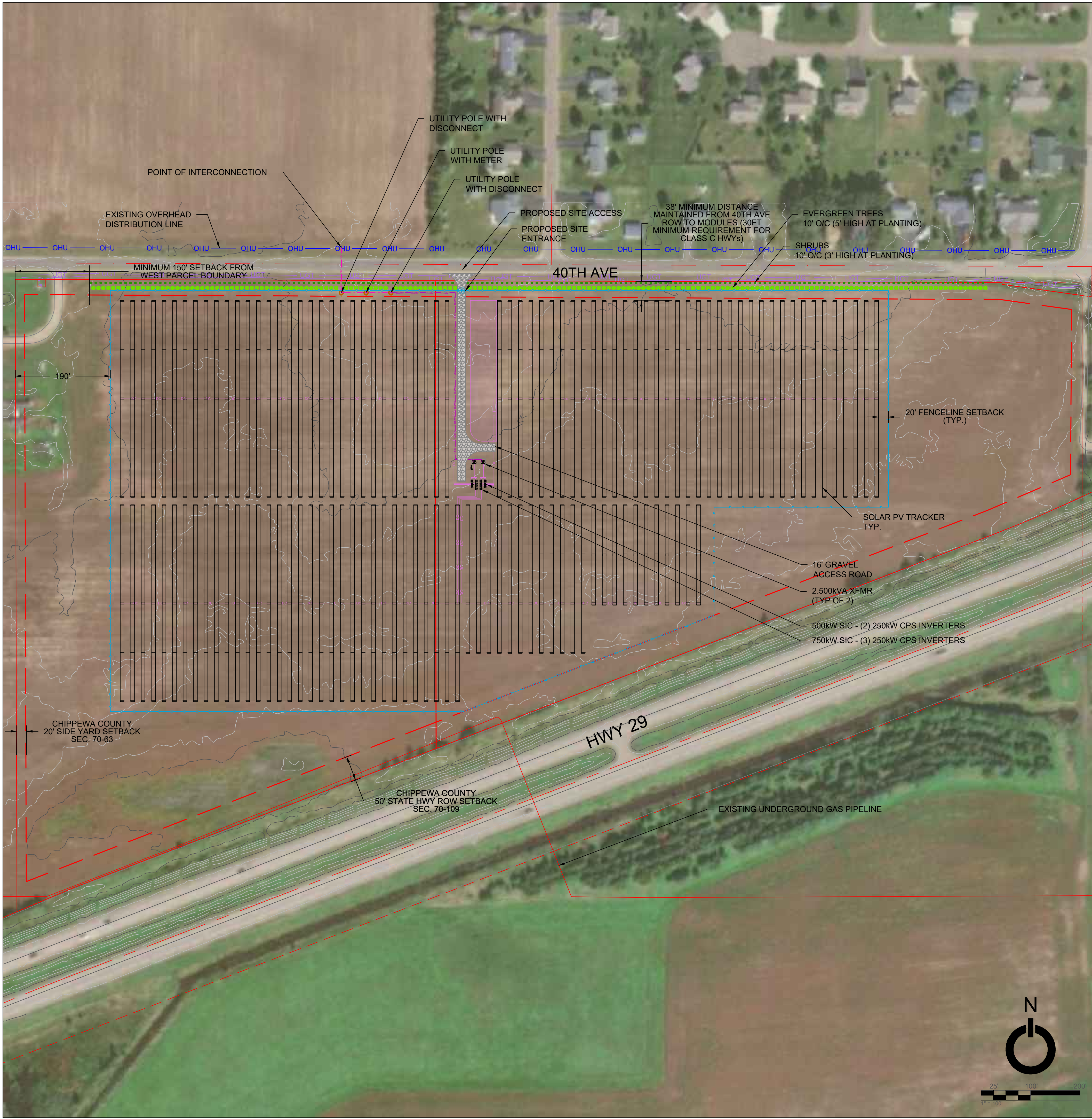
834 E. Washington Avenue, Suite 257
Madison, WI 53703

608.239.1353 |Direct

beth@oneenergyrenewables.com



Attachment: 2022.08.17 Lake Hallie 5% Site Layout vegetation updated (7572 : OneEnergy Development LLC)



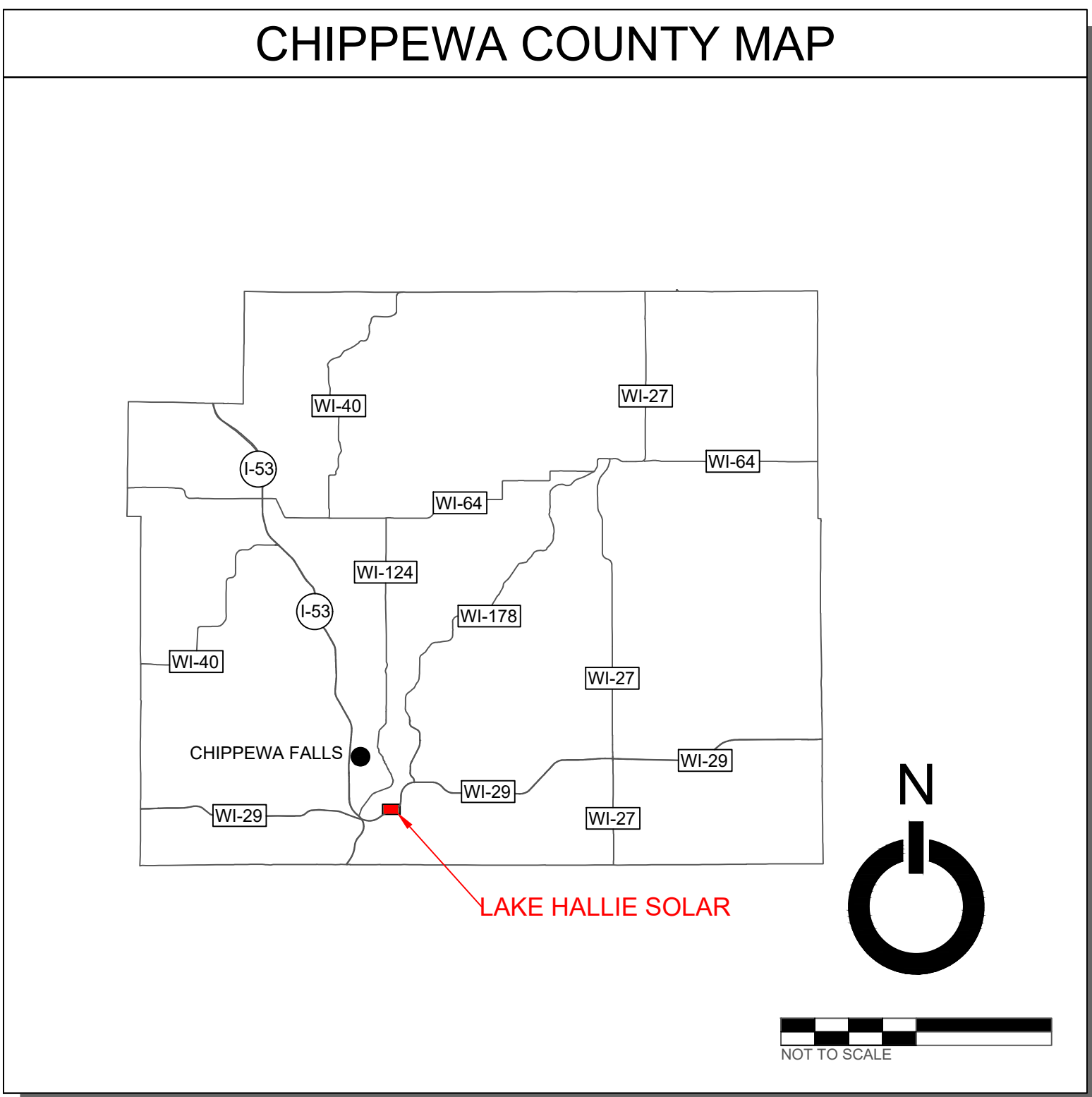
LAKE HALLIE SOLAR

CHIPPEWA COUNTY, WI 54729

SOLAR PV PROJECT
6.542 MWDC / 5.000 MWAC

LEGEND

- PROPOSED GRAVEL ACCESS ROAD
- NW WETLAND
- DNR WETLAND
- STAGING AREA
- PARCEL BOUNDARY
- PROJECT ZONING OFFSET
- PROJECT SECURITY FENCE
- NEIGHBOR PARCEL BOUNDARY
- EXISTING FENCE
- EXISTING UNDERGROUND GAS PIPELINE
- EXISTING UTILITY LINE
- UNDERGROUND GENERATION TIE
- OVERHEAD GENERATION TIE
- EXISTING UTILITY POLE
- NEW UTILITY POLE



PROJECT DETAILS

THIS PROJECT CONSISTS OF THE DESIGN AND INSTALLATION OF 5.000 MWAC SOLAR PHOTOVOLTAIC SYSTEM. MODULES ARE TO BE MOUNTED IN A SINGLE AXIS TRACKERS, WHICH FOLLOW THE SUN FROM EAST TO WEST THROUGHOUT THE DAY OR MOUNTED AT A FIXED TILT FACING SOUTH.

SITE DETAILS:		DESIGN SUMMARY:	
PARCEL ID	22808-2022-00020000 22808-2021-00020000	MODULE POWER:	540 W
OWNER:	LARRY C & DIANNE M MARQUARDT TRUST	MODULE COUNT:	12116
ACREAGE:	53.30	ARRAY DC VOLTAGE:	1500 V
EXISTING ZONE:	AGRICULTURAL	INVERTER SIZE:	250 kW
LAND USE SUMMARY:		INVERTER COUNT:	20
TOTAL PARCEL AREA (ACRES):	53.30	DC SIZE:	6.542 MWdc
TOTAL FENCED AREA (ACRES):	26.16	AC SIZE:	5.000 MWac
GRAVEL ACCESS ROAD (ACRES):	0.19	DC/AC RATIO:	1.309
STAGING AREA (ACRES):	0.34	GROUND COVERAGE RATIO:	35.0
		ASCE 7-10 GSL:	30 PSF
		ASCE 7-10 WIND SPEED:	100 MPH

ADDITIONAL NOTES:

- BASEMAP DEVELOPED FROM GIS DATA
- PARCEL DATA TAKEN FROM GIS DATA

2003 Western Ave, Suite 225
Seattle, WA 98121
oneenergyrenewables.com
206 922 7072

WRITTEN DIMENSIONS ON THIS PLAN SHALL SUPERCEDE SCALED DIMENSIONS. CONTRACTORS ARE RESPONSIBLE FOR FIELD VERIFYING ALL DIMENSIONS. THIS DRAWING, DESIGN, CONCEPT AND ARRANGEMENT REMAIN THE PROPERTY OF ONEENERGY RENEWABLES AND SHALL NOT BE COPIED, DISCLOSED OR REPRODUCED WITHOUT CONSENT.

REVISION LOG					
REV	DESCRIPTION	DATE	BY	CK'D	PM
A1	5% CONCEPTUAL LAYOUT	05.10.2021	LB	AB	FH
A2	5% CONCEPTUAL LAYOUT	05.16.2022	AK	IR	FH
A3	5% CONCEPTUAL LAYOUT	06.06.2022	IR	IR	FH
A4	5% CONCEPTUAL LAYOUT	07.15.2022	AK	IR	FH
A5	5% CONCEPTUAL LAYOUT	07.19.2022	AK	IR	FH
A6	5% CONCEPTUAL LAYOUT	08.17.2022	IR	IR	EU

PRELIMINARY

NOT FOR CONSTRUCTION

LAKE HALLIE SOLAR

CHIPPEWA, WI 54729
44.899592, -91.383754

SHEET TITLE: **DEV LAYOUT**

DATE: 08/17/2022
PM: FH ENG: IR

SHEET NO: **D-100**

Packet Pg. 14



STATEMENT OF EXPLANATION

6.1

1992-0066 MIKE DRESEL (DRESEL PIT) - CUP RENEWAL - EAGLE POINT

To renew a Conditional Use Permit for a non-metallic mine (Dresel Pit) in the Agricultural District in accordance with sections 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance on Lot 1, Certified Survey Map (CSM) 3132, which is located in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 25, Township 30 North, Range 08 West. Town of Eagle Point.

Chippewa County Zoning Department

711 N. Bridge Street * Room 9 * Chippewa Falls, WI 54729 * Telephone: (715) 726-7940 * Fax: (715) 726-4596

Tuesday, December 20, 2022

Mailing Address:

Michael Dresel
19927 138th Ave
Jim Falls, WI 54748

Property Address:

187th St
Town of Eagle Point

Dear Mr. Dresel

Our records indicate that Conditional Use Permit #1992-0066 for your non-metallic mine in the Town of Eagle Point will expire on 02/18/2023. To continue mining operations, **submit a letter and the necessary fee with the following information to the planning and zoning office by Friday, December 30, 2022**, in order to be on the February 23, 2023 planning and zoning committee meeting.

1. **Any modifications to the plans or the NR 135 Narrative will need to be submitted to the planning and zoning office by Friday, January 13, 2023. If you are changing the plans you will need to contact LCFM immediately.**

If there are no changes to the permit submit \$150.00 for the hearing. If you are expanding or making modifications you will need to submit \$350.00 for the public hearing. Make checks payable to Chippewa County Treasurer.

Failure to make these deadlines, will result in no mining activity or hauling from this site until a new permit has been issued.

If you have any questions, please contact the Planning and Zoning Office.

Sincerely

Renee Daken
Zoning Secretary

Attachment: 1992-0066 Dresel (Dresel Pit) CUP Renewal_Public Notices & Maps (7537 : 1992-0066 - Mike Dresel - CUP)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: February 06, 2023

To: Property Owner(s)

From: Doug Clary, Zoning Administrator

Re: Request for a Renewal
1992-0066 – Conditional Use Permit for a Non-Metallic Mine
Dresel Pit – Town of Eagle Point

Dear Property Owner(s):

On February 18, 2021, the Planning & Zoning Committee approved the renewal of Conditional Use Permit (CUP) 1992-0066, which allowed Mike Dresel a non-metallic mine referred to as the Dresel Pit. The CUP will expire on February 18, 2023. Section 70-184(d) of the Zoning Ordinance requires the non-metallic mine operators to submit a request for the renewal of a CUP at least 45 calendar days prior to the expiration date of the existing conditional use permit.

Mike Dresel renewal request indicates that he is not seeking any changes to the approved plans or requesting any changes to the conditions on the CUP. Thus, he is not required to include any items shown on previously submitted documents. A public hearing is not required on this CUP renewal request because there are no changes requested. However, a public informational hearing can be requested by a person who owns property within 660 feet of the proposed nonmetallic mining site.

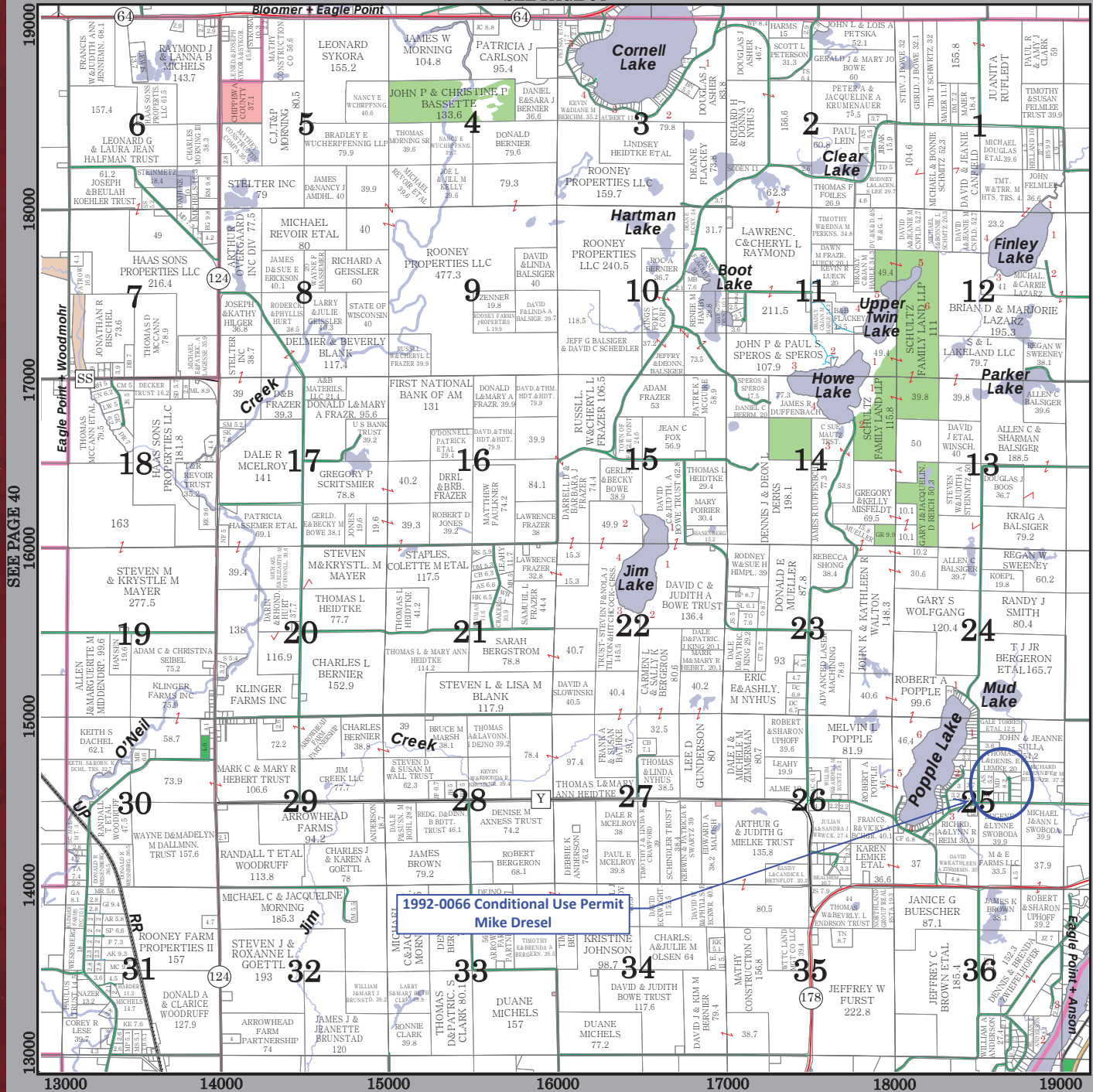
Please be advised that the Planning & Zoning Committee will be reviewing this CUP renewal request at their **February 22, 2023** meeting. If the Department does not receive a request for a public hearing prior to this date, then I anticipate the CUP will be renewed by the Planning & Zoning Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and of the zoning ordinance.

If you have any questions, please feel free to contact me at (715) 726-7941.

Attachment: 1992-0066 Dresel (Dresel Pit) CUP Renewal Public Notices & Maps (7537 : 1992-0066 - Mike Dresel - CUP)



SEE PAGE 54



SEE PAGE 30

© 2017 Chippewa County, WI

All acreages are computed & rounded to the closest tenth acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.

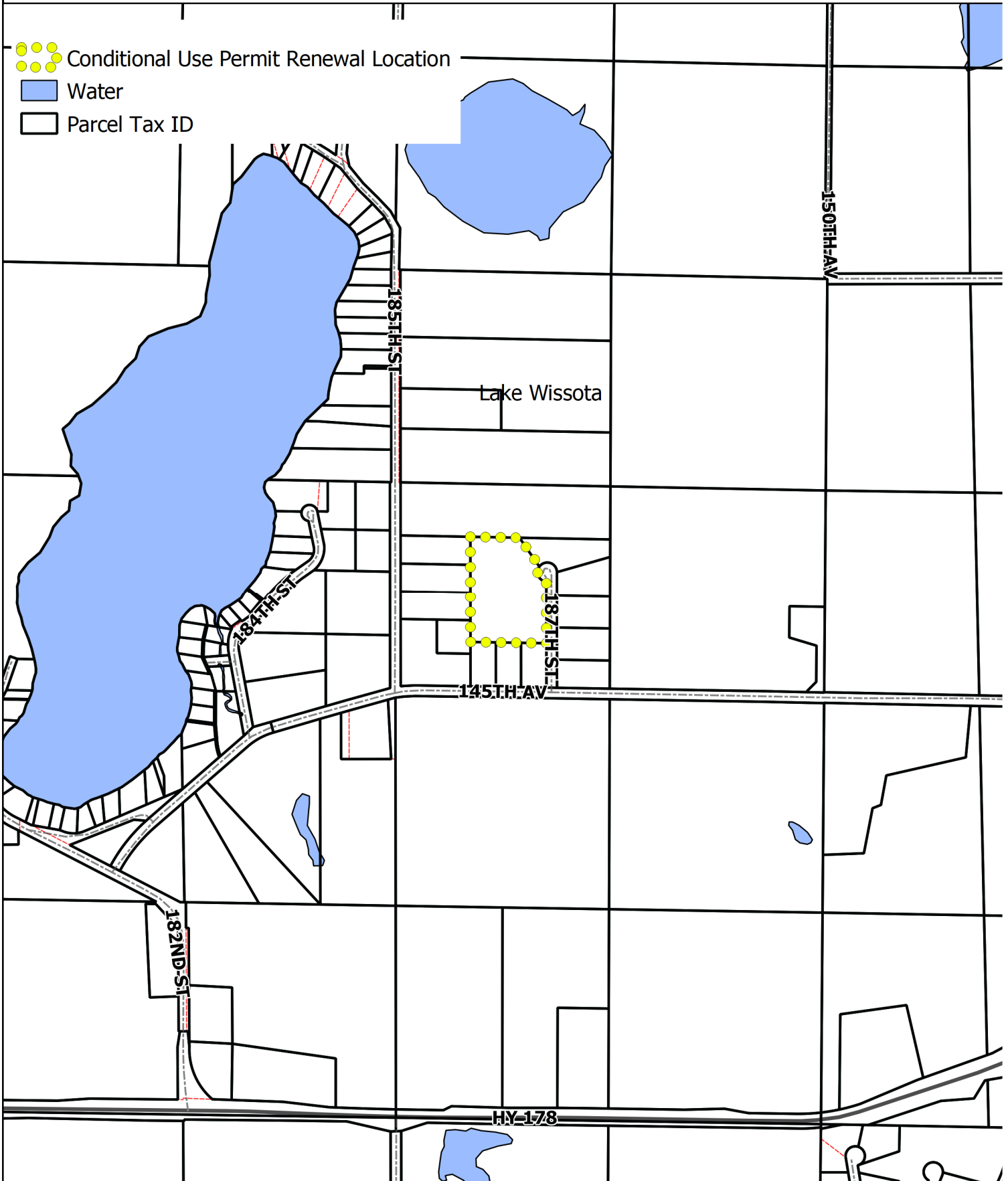


Cornell Flowage

Photo by Adam Johnson

SEE PAGE 44

1992-0066 - Mike Dresel (Dresel Pit) - Location Map



Attachment: 1992-0066 Dresel (Dresel Pit) CUP Renewal Public Notices & Maps (7537 : 1992-0066 - Mike Dresel - CUP)

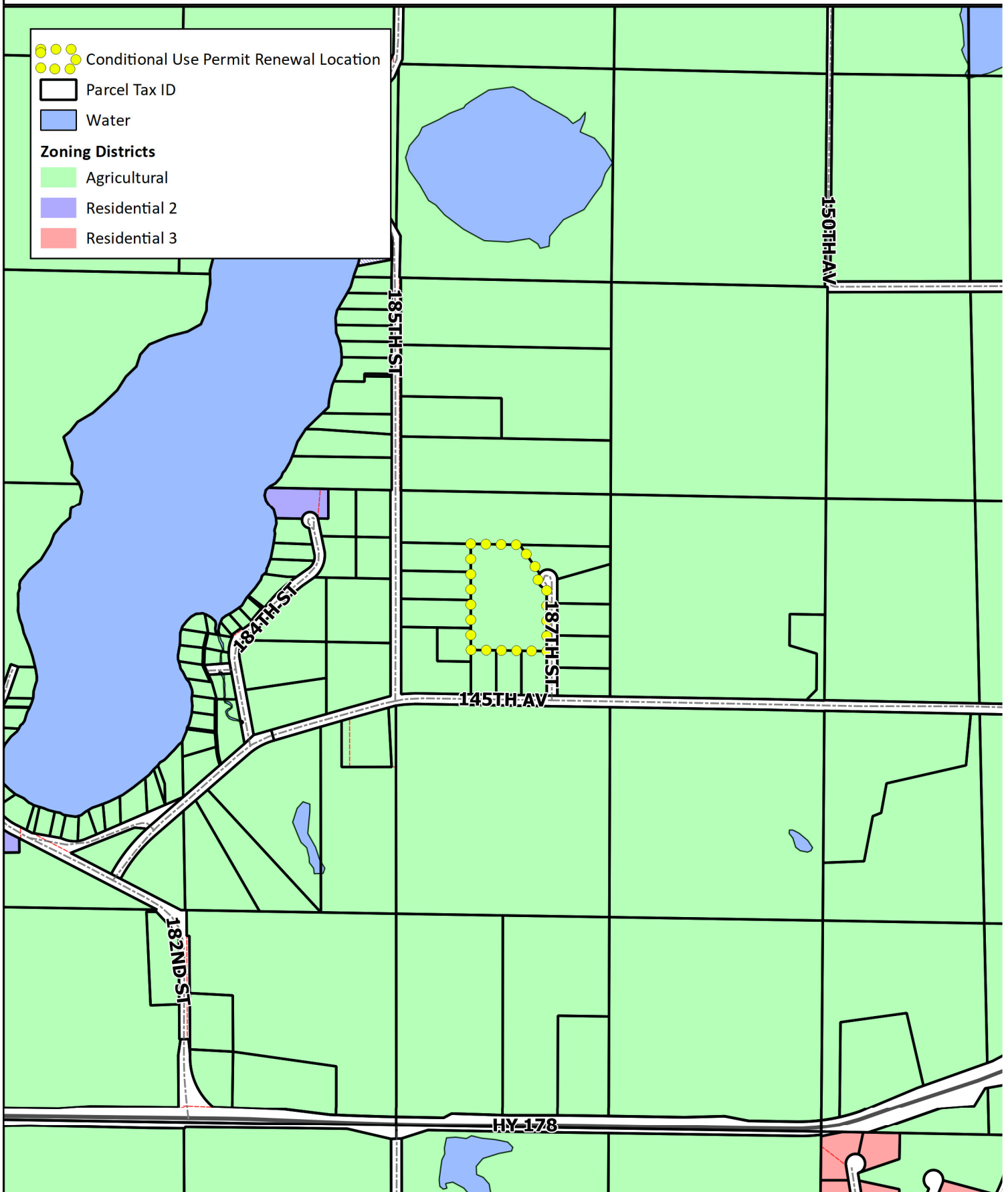
1992-0066 - Mike Dresel (Dresel Pit) - Conditional Use Permit Renewal - Aerial (2021)

-  Conditional Use Permit Renewal Location
-  Parcel Tax ID



Attachment: 1992-0066 Dresel (Dresel Pit) CUP Renewal_Public Notices & Maps (7537 : 1992-0066 - Mike Dresel - CUP)

1992-0066 - Mike Dresel (Dresel Pit) Conditional Use Permit Renewal - Zoning Districts



Attachment: 1992-0066 Dresel (Dresel Pit) CUP Renewal_Public Notices & Maps (7537 : 1992-0066 - Mike Dresel - CUP)

DRAFT: 2023-02-25

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for a Non-Metallic Mine Dresel Pit (Town of Eagle Point)

APPEAL NUMBER: 1992-0066

APPROVAL DATE: ~~02-18-2021~~02-23-2023

EXPIRATION DATE: ~~02-18-2023~~02-28-2027

LAND OWNER:

Michael C and Debra L Dresel, 19927 138th Avenue, Jim Falls, Wisconsin 54748

(Parcel #: 23008-2513-73132001)

OPERATOR-A:

Michael C. Dresel, 19927 138th Avenue, Jim Falls, Wisconsin 54748

Dear Mr. Dresel,

On February ~~1823~~, ~~2021~~2023, the Planning & Zoning Committee considered your request for renewal of a Conditional Use Permit, which ~~would allow~~ed for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit is Lot 1, Certified Survey Map 3132, located in the SW ¼ of the NE ¼, Section 25, Township 30N, Range 08W, Town of Eagle Point.

DECISION:

The Planning & Zoning Committee has **GRANTED** ~~at the renewal of this~~ conditional use permit with the following conditions:

- (1) This is a **24-year permit**, set for renewal prior to **February 1828**, ~~2023~~2027. No off-site hauling of material following permit expiration and in case of revocation.
- (2) Permit granted to allow mining within the proposed Non-Metallic Mine Boundaries as shown on the submitted information for this Conditional Use Permit.
- (3) Activities to be in compliance with WDNR WPDES Permit.
- (4) Washing of non-metallic mining materials is allowed as long as there is no discharge of water from the site.
- (5) At the request of the Town Board the hours of operation for mining shall be from 6:00 a.m. to 8:00 p.m. Monday through Friday. No Saturdays, Sundays or Holidays. All other hours to be brought before the Planning & Zoning Committee for special approval.
- (6) Allow on-site storage of demolition asphalt and concrete for recycling purposes only. Burying of asphalt and concrete is prohibited.
- (7) It is the responsibility of the landowner and/or lease holder to keep all permits current.
- (8) Operator to follow: 1) All provisions of the Chippewa County Non-metallic Mining Reclamation Ordinance and; 2) Wisconsin Administrative Rule NR 135.
- (9) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation "Plan Narrative" dated October 12, 1999 and the "Initial Site Map", "Site Operations Map", and "Final Site Map" all dated July 26, 1999.
- (10) Completion of restoration activities within one year of permit expiration.
- (11) Sign by entrance stating pit owner and operator as well as hours of operation.
- (12) A waiver has been granted for the well setback distance to the open mining operation for wells to be located on

Attachment: 1992-0066 Dresel - Dresel Pit - 2023 CUP RENEWAL_DRAFT - Eagle Point (7537 : 1992-0066 - Mike Dresel - CUP)

Lots 1-4 of CSM 3131. These lots were purchased by the Housing Authority with the knowledge that there is an existing gravel operation.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

RENEWAL OF THE CONDITIONAL USE PERMIT:

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'.
- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

TERMINATION:

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

TRANSFER OF PERMIT:

In the event an operator succeeds the interest of another at an uncompleted non-metallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

NONMETALLIC MINE SITE ENLARGEMENT:

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

APPEAL NUMBER: 1992-0066

APPROVAL DATE: February ~~1923, 2021~~2023

FAILURE TO OPEN AND OPERATE:

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

ABANDONMENT OF NONMETALLIC MINE OPERATIONS:

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this ~~19th~~-~~24th~~ day of February, 2021~~2023~~.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
Department of Planning & Zoning

CC: Dennis Ferstenou, Eagle Point Town Chair - *via email*
~~Dan Masterpole~~ Lynda Schweikert, County Land Conservationist Director of Land Conservation & Forest Management, DLCFM – *via email*
File

Attachment: 1992-0066 Dresel - Dresel Pit - 2023 CUP RENEWAL_DRAFT - Eagle Point (7537 : 1992-0066 - Mike Dresel - CUP)



STATEMENT OF EXPLANATION

6.2

2005-0009 - KAREN SCHICK TRUST - CUP RENEWAL - EAGLE POINT

To renew a Conditional Use Permit for a non-metallic mine (Schick Pit) in the Agricultural District in accordance with sections 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance on parcels which are located in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 02, Township 29 North, Range 08 West. Town of Eagle Point. Physical Address: 12643 170th St.

Chippewa County Zoning Department

711 N. Bridge Street * Room 9 * Chippewa Falls, WI 54729 * Telephone: (715) 726-7940 * Fax: (715) 726-4596

Wednesday, December 28, 2022

Land Owner:

Karen Schick Trust
12560 St Hwy 178
Chippewa Falls, WI 54748

Property Address:

12643 170th St
Town of Eagle Point

Operator:

Haas Sons
203 E Birch St
Thorp, WI 54771

Dear Mr. Haas & Ms. Schick

Our records indicate that Conditional Use Permit #2005-0009 for your non-metallic mine in the Town of Eagle Point will expire on 02/18/2023. To continue mining operations, **submit a letter and the necessary fee with the following information to the planning and zoning office by Friday, January 6, 2022**, in order to be on the February 23, 2023 planning and zoning committee meeting.

1. **Any modifications to the plans or the NR 135 Narrative will need to be submitted to the planning and zoning office by Friday, January 13, 2023. If you are changing the plans you will need to contact LCFM immediately.**

If there are no changes to the permit submit \$150.00 for the hearing. If you are expanding or making modifications you will need to submit \$350.00 for the public hearing. Make checks payable to Chippewa County Treasurer.

Failure to make these deadlines, will result in no mining activity or hauling from this site until a new permit has been issued.

If you have any questions, please contact the Planning and Zoning Office.

Sincerely

Renee Daken
Zoning Secretary

Attachment: 2005-0009 Haas - Schick Pit - Public Notices & Maps (7538 : 2005-0009 - Karen Schick Trust - CUP)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: February 06, 2023

To: Property Owner(s)

From: Doug Clary, Zoning Administrator

Re: Request for a Renewal
2005-0009 – Conditional Use Permit for a Non-Metallic Mine
Schick Pit – Town of Eagle Point

Dear Property Owner(s):

On February 18, 2021, the Planning & Zoning Committee approved the renewal of Conditional Use Permit (CUP) 2005-0009, which allowed Haas Sons Inc a non-metallic mine referred to as the Schick Pit. The CUP will expire on February 18, 2023. Section 70-184(d) of the Zoning Ordinance requires the non-metallic mine operators to submit a request for the renewal of a CUP at least 45 calendar days prior to the expiration date of the existing conditional use permit.

Haas Sons Inc renewal request indicates that they are not seeking any changes to the approved plans or requesting any changes to the conditions on the CUP. Thus, they are not required to include any items shown on previously submitted documents. A public hearing is not required on this CUP renewal request because there are no changes requested. However, a public informational hearing can be requested by a person who owns property within 660 feet of the proposed nonmetallic mining site.

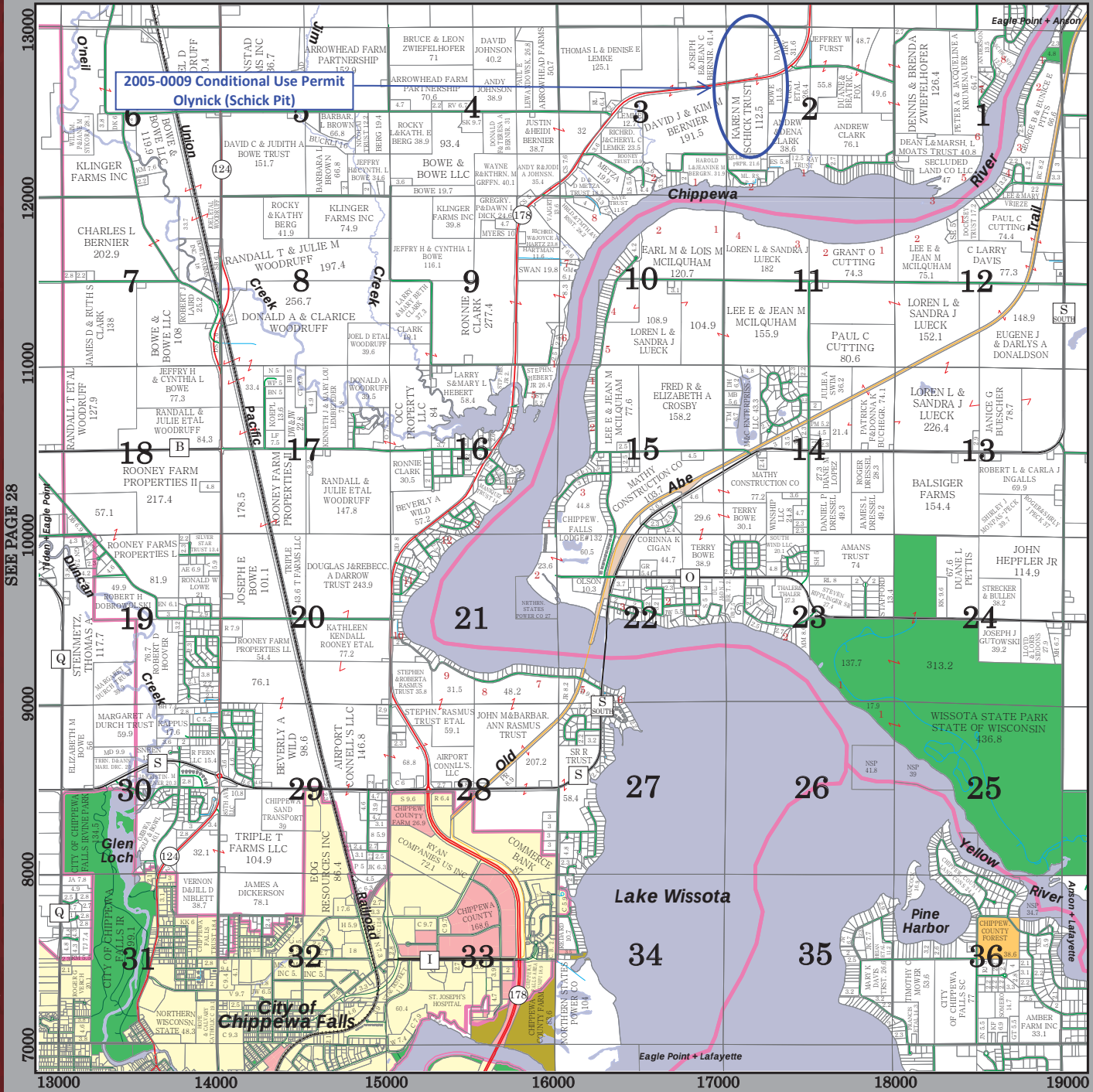
Please be advised that the Planning & Zoning Committee will be reviewing this CUP renewal request at their **February 22, 2023** meeting. If the Department does not receive a request for a public hearing prior to this date, then I anticipate the CUP will be renewed by the Planning & Zoning Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and of the zoning ordinance.

If you have any questions, please feel free to contact me at (715) 726-7941.

Attachment: 2005-0009 Haas - Schick Pit - Public Notices & Maps (7538 : 2005-0009 - Karen Schick Trust - CUP)



SEE PAGE 42



SEE PAGE 18

© 2017 Chippewa County, WI

All acreages are computed & rounded to the closest tenth acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.

Land Records Division / County Surveyor

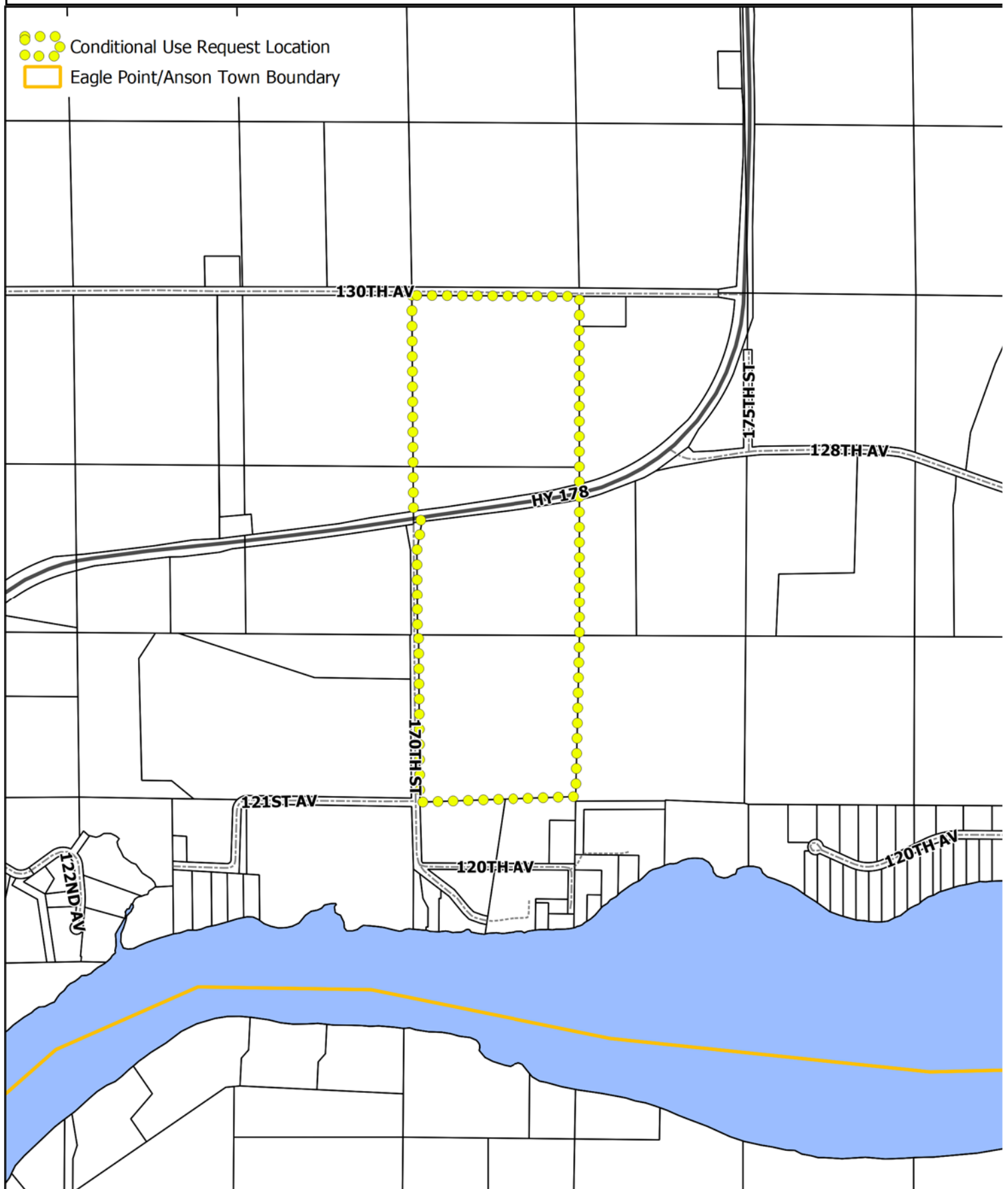
- Coordinates land records modernization in Chippewa County
- Files and records land record information pertaining to land corners, maps of survey and information relating to land parcels
- Prepares parcel maps for Chippewa County lands
- Maintains the Public Land Survey System
- Creates and maintains the County Geographic Information System (GIS)
- Determines the geodetic positions of locations for survey and mapping projects
- Publishes the plat book for Chippewa County

Chippewa County Land Records
711 North Bridge Street
Chippewa Falls, WI 54729

www.co.chippewa.wi.us/government/land-records-county-surveyor

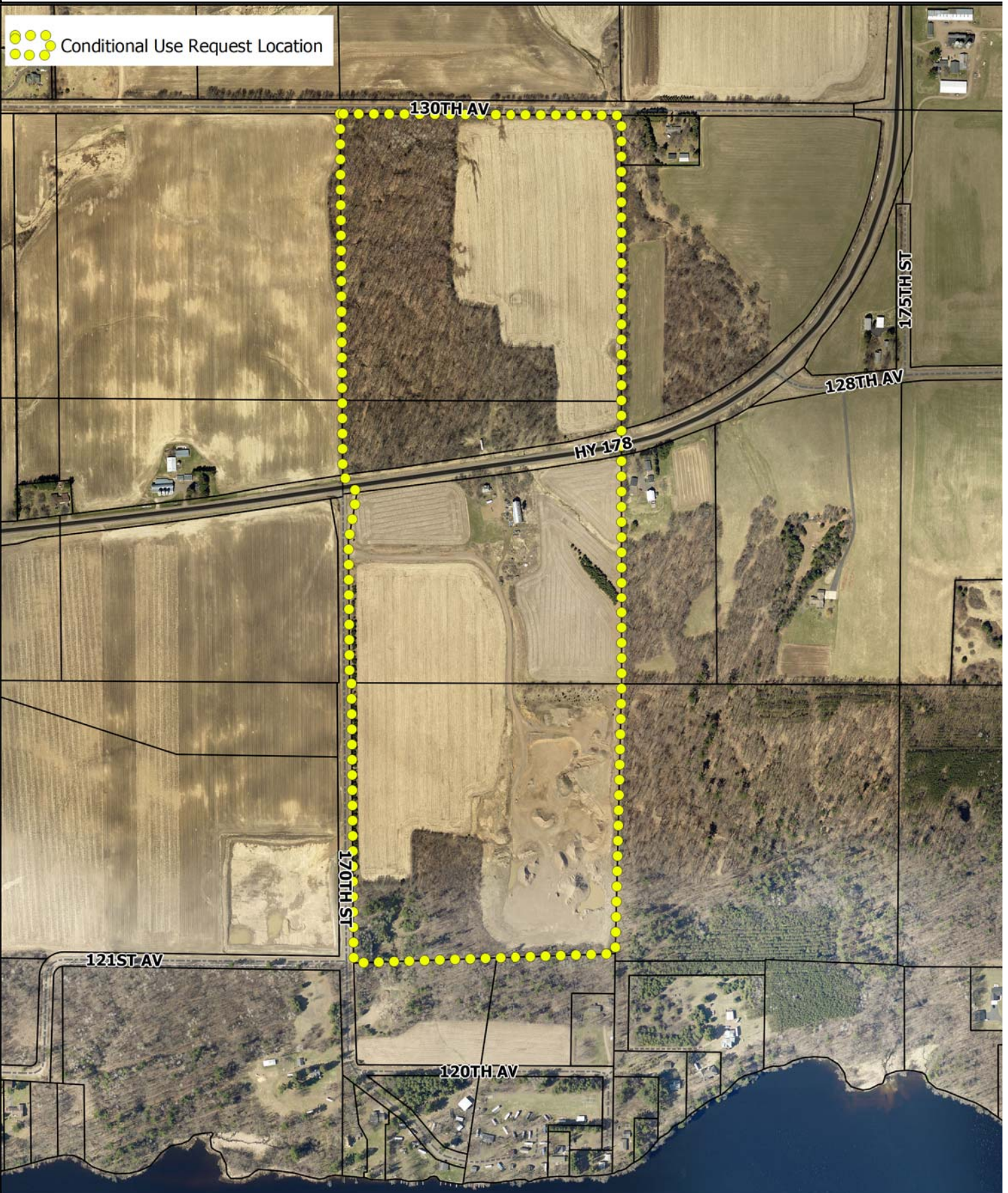


2005-0009 Olynick Inc (Schick Pit) - Conditional Use Permit - Location Map



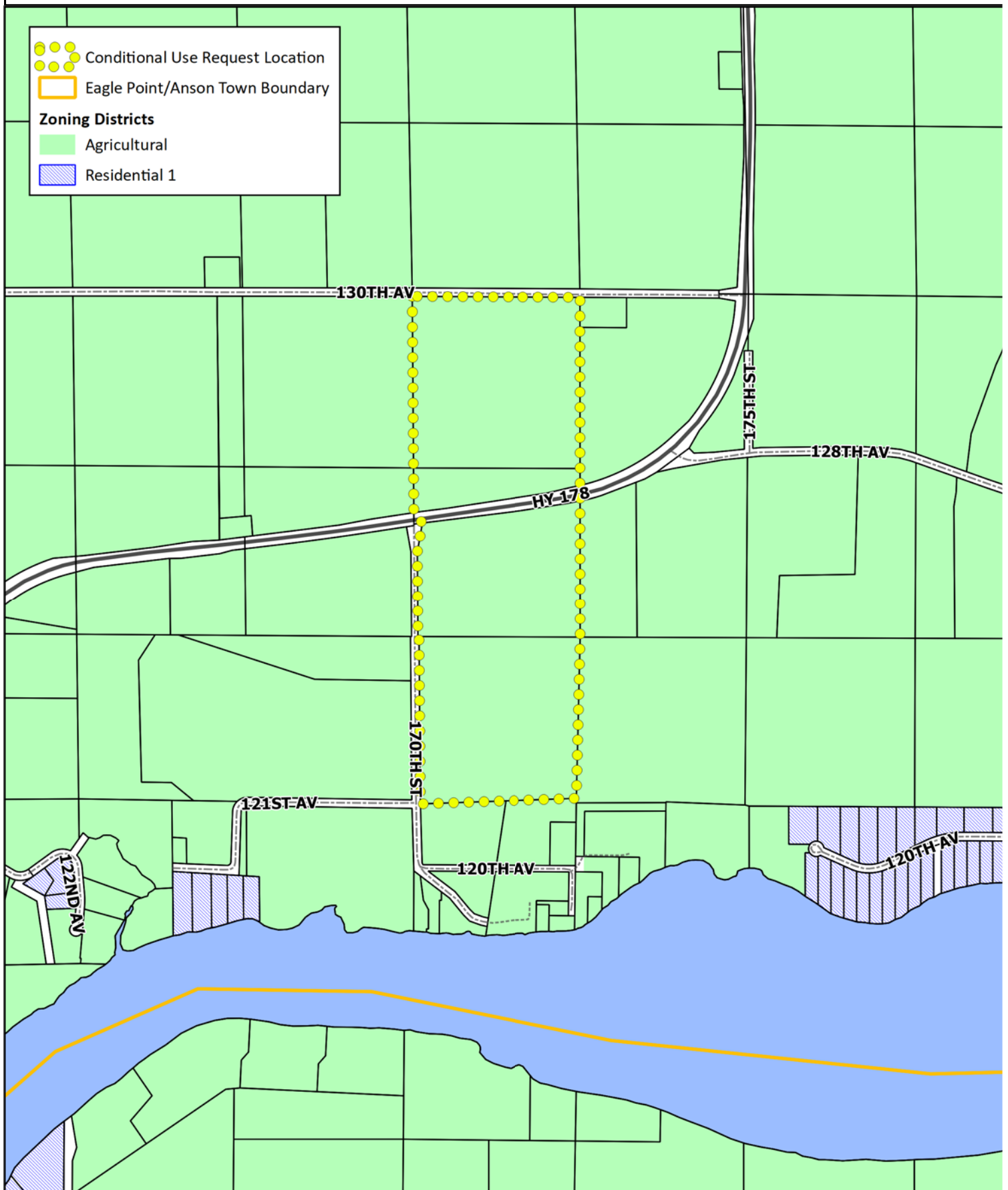
Attachment: 2005-0009 Haas - Schick Pit - Public Notices & Maps (7538 : 2005-0009 - Karen Schick Trust - CUP)

2005-0009 Olynick Inc (Schick Pit) - Conditional Use Permit - Aerial (2020)



Attachment: 2005-0009 Haas - Schick Pit - Public Notices & Maps (7538 : 2005-0009 - Karen Schick Trust - CUP)

2005-0009 Olynick Inc (Schick Pit) - Conditional Use Permit - Zoning Districts



Attachment: 2005-0009 Haas - Schick Pit - Public Notices & Maps (7538 : 2005-0009 - Karen Schick Trust - CUP)

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for a Non-Metallic Mine Schick Pit (Town of Eagle Point)

APPEAL NUMBER: 2005-0009

APPROVAL DATE: ~~02-18-2021~~ 02-23-2023

EXPIRATION DATE: ~~02-18-2023~~ 02-28-2027

LAND OWNER(S):

Karen M Schick Trust, 12560 State Hwy 178, Chippewa Falls, Wisconsin 54729	(Parcel #: 22908-0722-00000000)
Karen M Schick Trust, 12560 State Hwy 178, Chippewa Falls, Wisconsin 54729	(Parcel #: 22908-0723-00020000)
Karen M Schick Trust, 12560 State Hwy 178, Chippewa Falls, Wisconsin 54729	(Parcel #: 22908-0732-00000000)

OPERATOR:

~~John S Olynick, N7918 Highway 73, Gilman, Wisconsin 54433~~ Haas Sons Inc., 203 E Birch Street, Thorp, Wisconsin 54771

Dear Karen M Schick Trust & ~~Mr. Olynick~~ Haas Sons Inc:

On February ~~1823, 2021~~ 2023, the Planning & Zoning Committee considered your request for renewal of a Conditional Use Permit, which ~~would~~ allowed for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit is located in the W ½ of the NW ¼ and the NW ¼ of the SW ¼, Section 02, Township 29N, Range 08W, Town of Eagle Point.

DECISION:

The Planning & Zoning Committee has **GRANTED** ~~at~~ the renewal of this conditional use permit with the following conditions:

- (1) This is a **24-year permit**, set for renewal prior to **February 1828, 2023** 2027. No off-site hauling of material following permit expiration and in case of revocation.
- (2) Permit granted to allow mining within the proposed Non-Metallic Mine Boundaries as shown on the submitted information for this Conditional Use Permit.
- (3) Activities to be in compliance with WDNR WPDES Permit.
- (4) No discharge of water to be allowed from this site.
- (5) Hours of operation will be Monday thru Friday 6:00 a.m. to 9:00 p.m. and Saturday 6:00 a.m. to 3:00 p.m. No Sunday or holidays. All other hours to be brought before the Board of Adjustment for special approval.
- (6) Allow onsite storage of demolition asphalt and concrete for recycling purposes only. Burying of asphalt or concrete is prohibited.
- (7) It shall be the responsibility of the landowner and/or lease holder to keep all permits current.
- (8) Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance and; 2) Wisconsin Administrative Rule NR 135.
- (9) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation "Plan Narrative" date stamped received on April 7, 2005 and the "Initial Site Map", "Site Operations Map", and "Final Site Map" all dated February 21, 2005.
- (10) It shall be the responsibility of the land owner and/or the lease holder to keep all permits current.
- (11) Sign by the entrance stating pit owner and operator as well as hours of operation.

(12) Trees to be planted along cells #1, #2 and #5 and 170th St within 6 months.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

RENEWAL OF THE CONDITIONAL USE PERMIT:

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'.
- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

TERMINATION:

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

TRANSFER OF PERMIT:

In the event an operator succeeds the interest of another at an uncompleted non-metallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

NONMETALLIC MINE SITE ENLARGEMENT:

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

APPROVAL NUMBER: 2005-0009

APPROVAL DATE: February ~~1923~~, ~~2021~~2023**FAILURE TO OPEN AND OPERATE:**

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

ABANDONMENT OF NONMETALLIC MINE OPERATIONS:

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this ~~1924~~th day of ~~February~~, ~~2021~~2023.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
Department of Planning & Zoning

CC: Dennis Ferstenou, Eagle Point Town Chair - *via email*
~~Dan Masterpole~~ Lynda Schweikert, County Land Conservationist Director of Land Conservation & Forest
Management, DLCFM – *via email*
 File

Attachment: 2005-0009 Haas - Schick Pit - 2023 CUP RENEWAL_DRAFT - Eagle Point (7538 : 2005-0009 - Karen Schick Trust - CUP)



STATEMENT OF EXPLANATION
2011-0014 A & B MATERIALS (FRAZER PIT) - CUP RENEWAL - EAGLE
POINT

6.3

To renew a Conditional Use Permit for a non-metallic mine (Frazer Pit) in the Agricultural District in accordance with sections 70-71(b)(2), 70-108 and 70-180 through 70-187 of the Chippewa County Zoning Ordinance on parcels which are located in the W ½ of the NE ¼ and the NE ¼ of the NW ¼, Section 17, Township 30 North, Range 08 West. Town of Eagle Point. Physical Address: 16999 145th St.

Chippewa County Zoning Department

711 N. Bridge Street * Room 9 * Chippewa Falls, WI 54729 * Telephone: (715) 726-7940 * Fax: (715) 726-4596

Tuesday, December 20, 2022

Mailing Address:

A & B Materials
21322 180th Ave
Jim Falls, WI 54748

Property Address:

16999 145th St
Town of Eagle Point

Dear Mr. Frazer

Our records indicate that Conditional Use Permit #2011-0014 for your non-metallic mine in the Town of Eagle Point will expire on 2/18/2023. To continue mining operations, **submit a letter and the necessary fee with the following information to the planning and zoning office by Friday, December 30, 2022**, in order to be on the February 23, 2023 planning and zoning committee meeting.

1. **Any modifications to the plans or the NR 135 Narrative will need to be submitted to the planning and zoning office by Friday, January 13, 2023. If you are changing the plans you will need to contact LCFM immediately.**

If there are no changes to the permit submit \$150.00 for the hearing. If you are expanding or making modifications you will need to submit \$350.00 for the public hearing. Make checks payable to Chippewa County Treasurer.

Failure to make these deadlines, will result in no mining activity or hauling from this site until a new permit has been issued.

If you have any questions, please contact the Planning and Zoning Office.

Sincerely

Renee Daken
Zoning Secretary

Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - Public Notices & Maps (7539 : 2011-0014 - A & B Materials - CUP)

CHIPPEWA COUNTY DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone: 715.726.7940 • Fax: 715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: February 06, 2023

To: Property Owner(s)

From: Doug Clary, Zoning Administrator

Re: Request for a Renewal
2011-0014 – Conditional Use Permit for a Non-Metallic Mine
A & B Materials – Town of Eagle Point

Dear Property Owner(s):

On February 18, 2021, the Planning & Zoning Committee approved the renewal of Conditional Use Permit (CUP) 2011-0014, which allowed A & B Materials LLC a non-metallic mine referred to as the A & B Materials Pit. The CUP will expire on February 18, 2023. Section 70-184(d) of the Zoning Ordinance requires the non-metallic mine operators to submit a request for the renewal of a CUP at least 45 calendar days prior to the expiration date of the existing conditional use permit.

A & B Materials LLC renewal request indicates that they are not seeking any changes to the approved plans or requesting any changes to the conditions on the CUP. Thus, they are not required to include any items shown on previously submitted documents. A public hearing is not required on this CUP renewal request because there are no changes requested. However, a public informational hearing can be requested by a person who owns property within 660 feet of the proposed nonmetallic mining site.

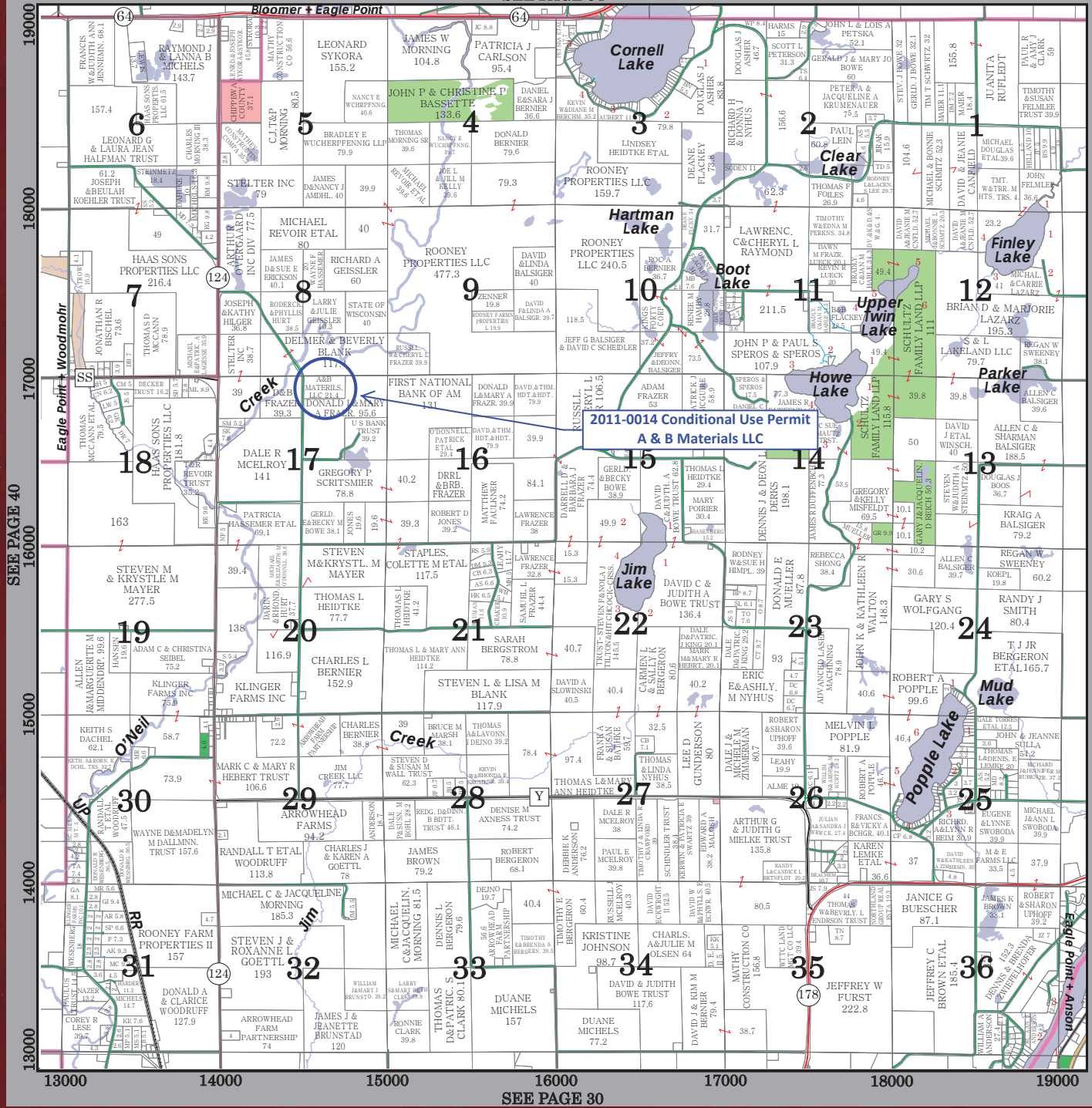
Please be advised that the Planning & Zoning Committee will be reviewing this CUP renewal request at their **February 22, 2023** meeting. If the Department does not receive a request for a public hearing prior to this date, then I anticipate the CUP will be renewed by the Planning & Zoning Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and of the zoning ordinance.

If you have any questions, please feel free to contact me at (715) 726-7941.

Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - Public Notices & Maps (7539 : 2011-0014 - A & B Materials - CUP)



SEE PAGE 54

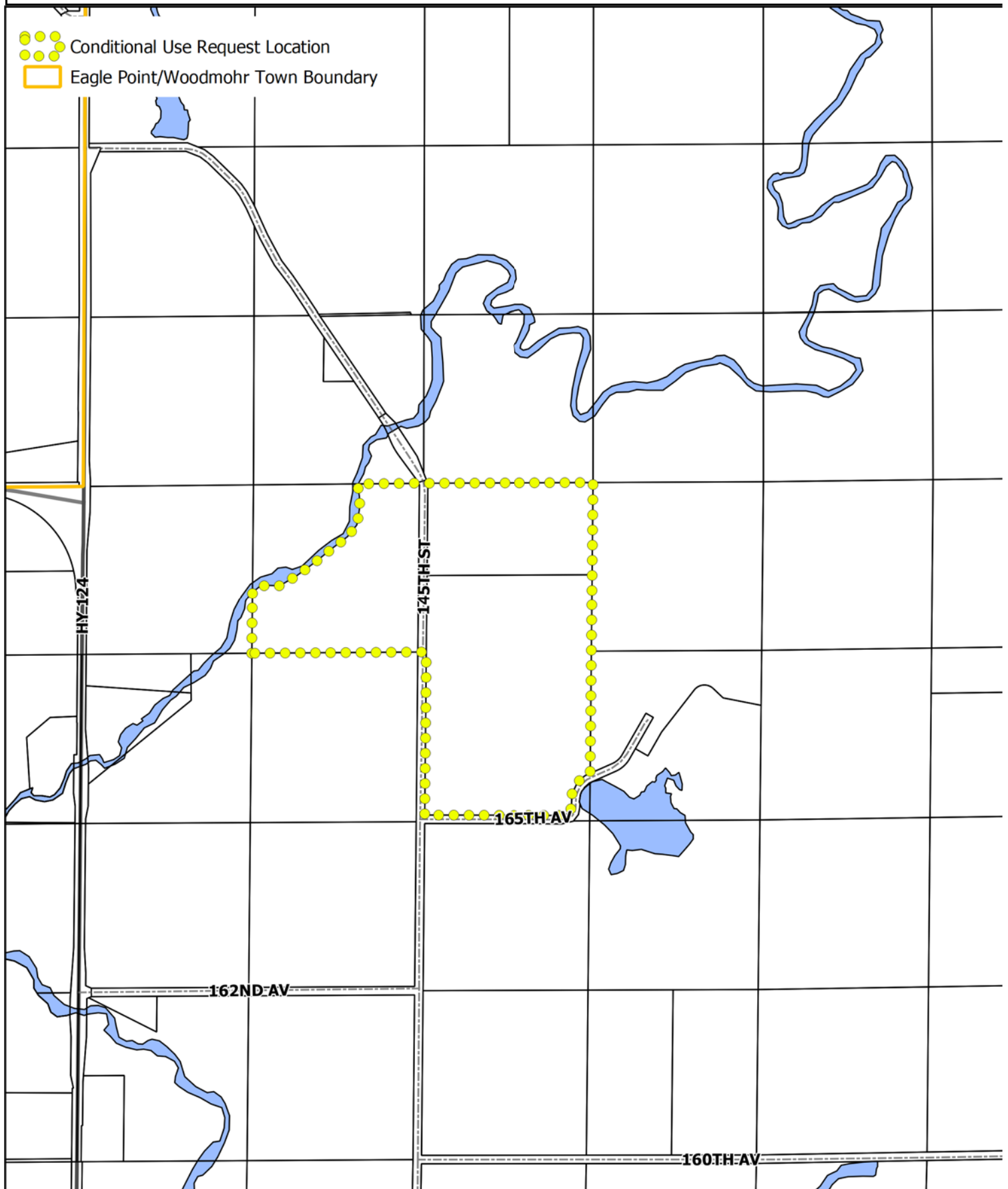


SEE PAGE 30

© 2017 Chippewa County, WI

All acreages are computed & rounded to the closest tenth acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.

2011-0014 A & B Materials LLC (Frazer Pit) - Conditional Use Permit - Location Map



Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - Public Notices & Maps (7539 : 2011-0014 - A & B Materials - CUP)

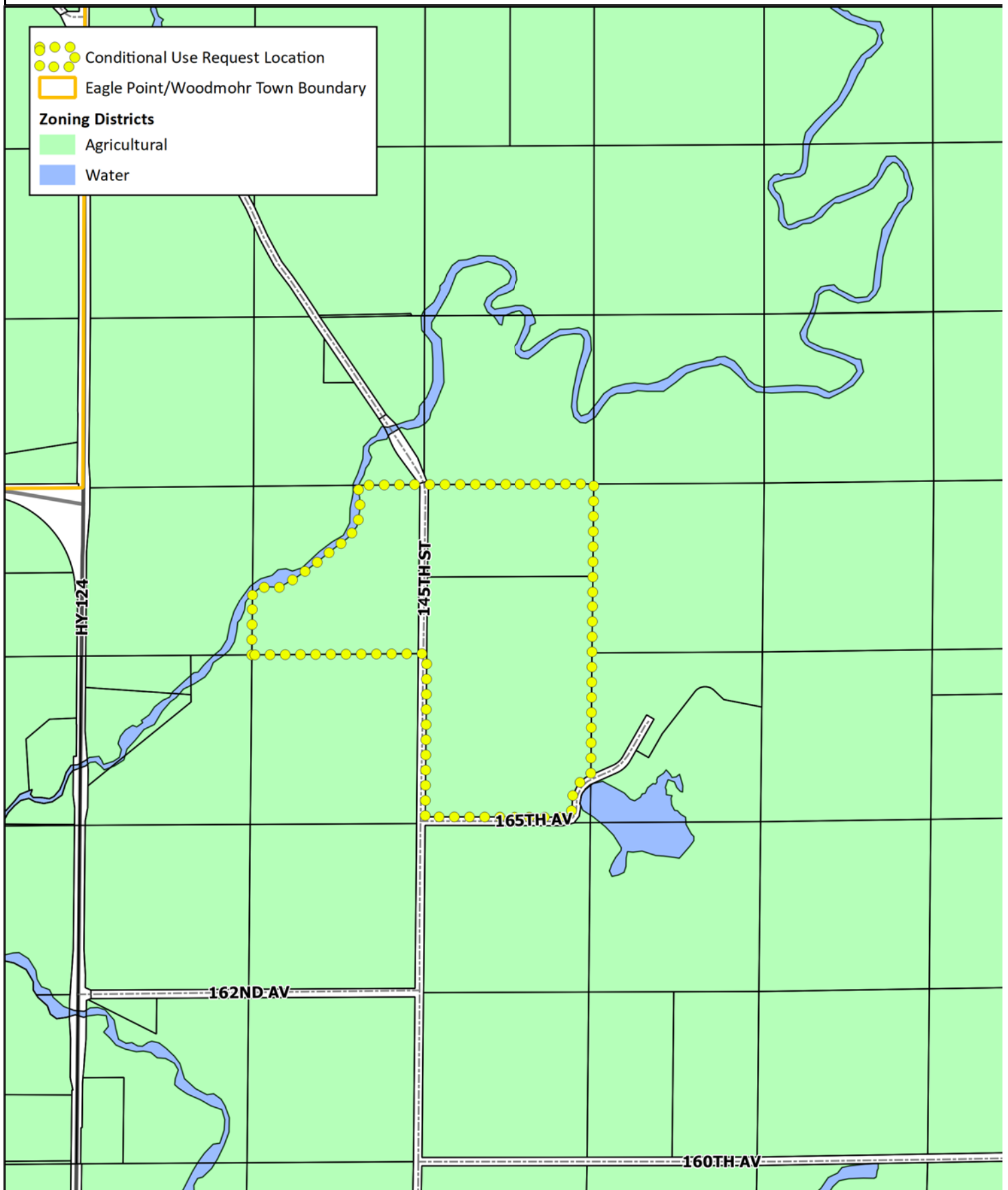
2011-0014 A & B Materials LLC (Frazer Pit) - Conditional Use Permit - Aerial (2020)

Conditional Use Request Location



Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - Public Notices & Maps (7539 : 2011-0014 - A & B Materials - CUP)

2011-0014 A & B Materials LLC (Frazer Pit) - Conditional Use Permit - Zoning Districts



Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - Public Notices & Maps (7539 : 2011-0014 - A & B Materials - CUP)

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE

NOTICE OF ACTION

Conditional Use Permit for a Non-Metallic Mine Frazer Pit (Town of Eagle Point)

APPEAL NUMBER: 2011-0014

APPROVAL DATE: ~~02-18-2021~~ 02-23-2023

EXPIRATION DATE: ~~02-18-2023~~ 02-28-2027

LAND OWNER(S):

A & B Materials LLC, 16317 160th Street, Bloomer, Wisconsin 54724

(Parcel #: 23008-1712-00210000)

Donald L & Mary A Frazer, 16783 145th Street, Bloomer, Wisconsin 54724

(Parcel #: 23008-1713-00000001)

Donald L & Mary A Frazer, 16783 145th Street, Bloomer, Wisconsin 54724

(Parcel #: 23008-1721-00000000)

OPERATOR:

A & B Materials LLC, 16317 160th Street, Bloomer, Wisconsin 54724

Dear Mr. & Mrs. Frazer and A & B Materials LLC,

On February ~~1823~~, 2021-2023, the Planning & Zoning Committee considered your request for renewal of a Conditional Use Permit, which ~~would allow~~ ed for the extraction of natural minerals and resources in the Agricultural District pursuant to 70-71(b)(2), 70-108 and sections 70-180 through 70-187 of the Chippewa County Zoning Ordinance. The land associated with this particular conditional use permit are located in the W ½ of the NE ¼ and the NE ¼ of the NW ¼, Section 17, Township 30N, Range 08W, Town of Eagle Point.

DECISION:

The Planning & Zoning Committee has GRANTED the renewal of this conditional use permit with the following conditions:

- (1) This is a ~~24~~-year permit, set for renewal prior to ~~February 1828~~, 2023-2027. No off-site hauling of material following permit expiration and in case of revocation.
- (2) Permit granted to allow mining within the proposed Non-Metallic Mine Boundaries as shown on the submitted information for this Conditional Use Permit.
- (3) Activities to be in compliance with WDNR WPDES Permit.
- (4) Separation distance of 50' from all property lines must be maintained unless agreement in writing is obtained from the property owners.
- (5) No discharge of water is allowed from the site.
- (6) Mining activities cannot be any closer than 250' to a residence and/or well.
- (7) Plans show that several ponds will be included in the site reclamation with a bottom elevation at approximately 958'. Non-metallic mining is requested below the water table, which is estimated to be between 988' – 922' msl.
- (8) Hours of operation 6:00 a.m. to 9:00 p.m. Monday through Friday. Saturday 6:00 a.m. to 3:00 p.m. No Sundays or holidays. All other hours to be brought before the Planning & Zoning Committee for special approval.
- (9) A sign must be placed by the entrance stating the property owners name and the operator as well as hours of operation. A driveway permit and 911 number will be required.
- (10) Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance and; 2) Wisconsin Administrative Rule NR 135.

- (11) Activities to be conducted in compliance with the approved Non-Metallic Mining Reclamation Plan Narrative date stamped received on September 29, 2011 and the "Initial Site Map", "Site Operations Map" and "Final Site Map" all date stamped received September 29, 2011.
- (12) Off-site hauling of material following permit expiration and in case of revocation will be prohibited. It is the responsibility of the land owner and/or operator to keep all applicable permits current.
- (13) Onsite hauling of material following permit expiration and in case of revocation will be prohibited. It is the responsibility of the landowner and/or operator to keep all applicable permits current.
- (14) Onsite temporary storage of recycled asphalt and/or concrete is allowed.
- (15) No burying of any materials will be allowed onsite.
- (16) Grade soil piles to a 3 to 1 slop & mulch with seeding.
- (17) The washing & crushing of sand and gravel will occur onsite, but is limited to the site specific material. The operator will not have a well for washing as the operation will be mining below the water table.
- (18) Operator has agreed that no chemicals or flocculants will be utilized and as part of this permit would be prohibited.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

RENEWAL OF THE CONDITIONAL USE PERMIT:

The Planning & Zoning Committee may renew conditional use permits authorizing nonmetallic mining activities subject to the following:

- (1) Applications for the renewal of a conditional use permit must be submitted at least 45 calendar days prior to the expiration date of the existing conditional use permit. Applications are not required to include any items shown on previously submitted applications, unless the information has changed. Renewal applications may merely indicate no change in such items. Any proposed changes from prior applications shall be required to submit the applicable required information under this division.
- (2) Unless a public informational hearing is requested by a person who owns property within 660 feet of the proposed nonmetallic mining site, no public hearing shall be required to be held with the respect to the conditional use permit renewal application. However, if the application provides for an enlargement of a permitted nonmetallic mining site, or otherwise provides for an alteration or change in the method of operations or reclamation previously approved, a new conditional use permit shall be required and approved by the Committee only after finding such change will not adversely properties within 660'.
- (3) Conditional Use Permit renewals may be conditioned upon correction of any unanticipated environmental impacts, which occurred during the term of initial or renewal permits.
- (4) The conditional use permit may be renewed by the Committee for up to an additional 4 years based on the operators compliance with the requirements of the conditional use permit and this division. To ensure compliance, the Department shall bi-annually inspect the nonmetallic mining operation.

TERMINATION:

This conditional use permit shall not be terminated or denied without first providing the operator with a notice of a public hearing and a public hearing at which the operator shall be given the right to respond to any alleged noncompliance of the conditions of the permit and this division. Termination or non-renewal shall occur only in the event of an operator's failure to comply with any material term of the initial or renewed conditional use permit, the Reclamation Plan, the performance standards incorporated herein, or upon a significant change, as determined by the Committee, in material circumstances rendering continued operation under the conditional use permit to be contrary to the health, safety, or welfare of the County.

APPROVAL NUMBER: 2011-0014

APPROVAL DATE: February ~~1923~~, ~~2021~~2023**TRANSFER OF PERMIT:**

In the event an operator succeeds the interest of another at an uncompleted non-metallic mine site, the former operator shall be released of the responsibilities imposed by the current permit issued to the former operator upon satisfaction of the following conditions.

- (1) The nonmetallic mine site is in compliance with the requirements of this division and the permit for the operation of the nonmetallic mine site.
- (2) The new operator assumes the responsibility of the former operator to complete the reclamation of the entire permitted nonmetallic mining site by a written, signed and notarized document and provides adequate financial assurance for approved reclamation of the nonmetallic mine site.

NONMETALLIC MINE SITE ENLARGEMENT:

Any proposed nonmetallic mining site enlargement shall be processed as a new application pursuant to this division. All provisions of this division shall apply to the proposed enlargement.

FAILURE TO OPEN AND OPERATE:

Failure of an operator to take substantial steps to open and operate a nonmetallic mining site within 1 year of the initial permit issuance shall invalidate the permit. A new permit application shall be required for any future nonmetallic mining activity.

ABANDONMENT OF NONMETALLIC MINE OPERATIONS:

Any nonmetallic mine site on which no nonmetallic mining activity has taken place for 24 consecutive months shall be determined to be abandoned. If the abandonment of a nonmetallic mine site occurs, the conditional use permit shall be terminated and all applicable reclamation standards and bonds shall be enforced or executed. Nonmetallic mining operations shall not be conducted within the boundaries of the previously permitted nonmetallic mine site, unless a new nonmetallic mine permit has been issued under this division.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this ~~1924~~th day of ~~February~~, ~~2021~~2023.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
Department of Planning & Zoning

CC: Dennis Ferstenou, Eagle Point Town Chair - *via email*
~~Dan Masterpole~~ ~~Lynda Schweikert~~, ~~County Land Conservationist~~ Director of Land Conservation & Forest Management, DLCFM – *via email*
 File

Attachment: 2011-0014 A & B Materials LLC - Frazer Pit - 2023 CUP RENEWAL_DRAFT - Eagle Point (7539 : 2011-0014 - A & B Materials - CUP)