

Town of Somerset Plan Commission

June 20, 2007

Minutes 7 pm 10:50 pm

Present: Larry Rauch, Chairman, Sherrill Schottler, Secretary, Paul Boerger, Lenny Germain Craig Letourneau, Doug Plourde, Miles Wittig

Absent: Peter Johnson

Meeting called to order 7:00 pm

Wittig moved, Plourde seconded motion to approve agenda. Motion approved. Minutes of May 30, 2007 were reviewed. Letourneau moved, Boerger seconded motion to approve. Motion passed.

There were no concerned township residents.

Old Business

Report from Town Board meeting. Much of the Board meeting time was taken up with discussion of impact fees, driveway access and a request by Mr. Bemis to store fireworks on his property on Lakeside Lane. Rauch indicated that the PC was planning to have the Land Division Ordinance before the Board by the end of the summer. Stevens Engineering was hired to do a Comprehensive Park and Recreation Master Plan. This will take approximately six months.

Report from Parks and Rec Committee: Boerger gave additional details from the Committee meeting.

Peebles was not here by 7:10 so next discussion was on Town Land Division Ordinance

Rauch reviewed site visit possibilities of local conservation design developments in our area; specifically the one in Hammond called Rolling Hills at 160th Ave and County RdJ. In addition PC members are reminded to look at other developments as listed in the email sent out by Rauch last week. Rauch reviewed what was accomplished with his visits with Ellen Denzer when reviewing the Somerset Land Division Ordinance n Conservation Design. Rauch will edit the current draft 3 that the PC has been working on and will send the PC members a 4th draft for review. This 4th draft will have wording referencing the County Ordinance.

New Business

The Wisconsin State Ordinance creating Plan Commissions was amended (in 2002-2003) and it will be necessary to amend the current Somerset Town Ordinance which created the Plan Commission to bring it into compliance with the State statute.

Returning to Old Business

Suzanne Peeples, Stevens Engineers appeared at 7:30 to discuss the draft of the Public Facilities Needs Assessment. Peeples informed PC that the Town needs to have their attorney review this document and include a letter of attorney opinion with the document. The PC then reviewed the included draft ordinance in order to make a recommendation to the Board in time for the July meeting. Several questions were raised about specific wording in the ordinance. Peeples suggested that since this is the wording that has already been reviewed and used in other needs assessment reports it would be appropriate to use this as is, recommend the report to the Board and have the Board attorney review it. At that time if the Board wishes to make changes to the Ordinance it would do so then with the attorney reviewing it further. Plourde moved, Schottler seconded motion to recommend acceptance of the public facilities needs assessment draft as provided with corrections. Unanimously accepted. Any changes the PC members need to submit should be sent to Peeples by July 6 in time for the July 10 Town Board meeting. Email [speeples@ Stevensengineers.com](mailto:speeples@Stevensengineers.com).

8:00 Land Divisions, Rezoning and Special Requests

1 lot CSM 3 acres for Bob and Jenny Nagel 481 180th Ave Somerset 247 3477 by Humphrey Engineering 2211 OyNeil Road Hudson 531 0525. It was noted that there are several important items missing from the information presented by Mr. Nagel. Humphrey Engineering did not represent Mr. Nagel. Missing is a copy of the letter sent to adjacent landowners, a list of the adjacent landowners and a complete and accurate worksheet with appropriate items checked. Nagel submitted a copy of a worksheet generated by Humphrey rather than the worksheet supplied by the Town. The copy of the worksheet Humphrey submitted had no items checked. Mr. Nagel needs to return to the July meeting with this CSM and needs to bring the following: The list of adjacent property owners, the original worksheet provided by the Town with the correct items checked, a copy of the letter sent to adjacent landowners, and on the CSM map removal of the 100 ft setback, show an outline of the CBA with the correct acreage indicated and driveway separation to the east and west showing distances to adjacent driveways east and west. Schottler will send a copy of the minutes to Mr. Nagel so he will have the list of needed items. Nagelbj@tds.net. Schottler will automatically put Nagel on July agenda. Plourde moved, Letourneau seconded motion to table the Nagel CSM. *Motion passed.*

Waiver to Land Division Design Standards, for Brian Meyer Osceola for property at 431 Polk St. Croix Rd. Somerset. The PC reviewed the application that was submitted to the County which included justification for this request with drawings of the plan. Plourde moved, Wittig seconded motion to recommend a setback reduction for Brian and Theresa Meyer from 100 ft to 50 ft at 431 Polk St. Croix Rd. Somerset. *Motion passed.*

Special Request Renewal of Special Exception Permit n Mining for Rivard Stone Quarry Hwy 35 Somerset by Benny Stenner, Kramer Co Plain, Wisconsin. Also represented by Roger Osegard, Area Sales Superintendent, Kraemer Co and Mike Rivard representing Rivard Stone. Original permit was granted Sept 26, 2002.

Kraemer presented list of adjacent landowners who were notified with certified, return receipts. Initial permit was good for 5 years. Changes being requested from 5 years ago when original permit was granted (1) condition # 2 in permit states that Kraemer will notify county 6 months prior to renewal and change requested is to have that language removed (2) increase hours of operation from 7 am to 6 am Monday through Friday. All other items from original permit will remain the same. (The portable concrete plant is no longer there)

Mike Rivard spoke: he is satisfied with the operation and willing to have Kraemer renew.

Comments: Schottler read a letter from Kelly Davis 1700 38th St Somerset about his concern with the back up noise level of the equipment and his desire to have hours of operation changed to 8 am to 5 pm. See enclosed letter. Mr. Davis had sent his comments via email to Schottler because Mr. Davis could not be at this meeting. Stenner indicated that the governing body of the mining operations does not allow for the vehicle back up noise to be turned off and they are currently operating at the lowest volume. MSHA does not allow the back up indicators to be the type that are activated only when a vehicle gets too close; that is, the noise activation is required to be on all the time. Kraemer is attempting to find other noise devices that will be less annoying but they will also have to be approved by MSHA before they can be used.

Larry Wolf 294 165th Ave Somerset: (1) Addressed issue of the back up noise from the beepers. (2) He requested that the hours of operation not be increased. (3) Wolf has a water run off concern and would like to see wording in the renewed permit to address mitigation of potential runoff damage. Make sure there is no runoff problem as they continue to go deeper in the quarry and as the restoration process is started.

Rivard indicated that the runoff that is occurring is from the farm fields and not created by the quarrying. This has been a problem long before Kraemer started quarrying. (According to the neighbors, the worst runoff ever occurred in 2005)

Mark Hoffman 298 165th Ave Somerset. Knew that Rivard quarry existed but was surprised to learn of the Kraemer operation. (November 2006) His request is that the permit is not renewed. But if permit is renewed he is hoping for three provisions:

He presented an April 2007 photo showing the piles of stuff from the quarry which are obvious from the St. Croix River and he is upset at all the noise that can be heard on the river from the quarry. (This stuff is the berm that is required by the County to prevent runoff into the river) If permit is renewed Hoffman is hoping for three provisions: (1) to move the quarry further back so the piles cannot be seen from the St. Croix River (2) limit hours of operation n not expand them (3) doing something more to mitigate the annoying beeping.

Craig Bursch 272 165th Ave. (1) Hours, wants to see them reduced. (2) NW berm - wants to see it strengthened because concern is for run off down to his property. Kraemer assured Bursch that that particular area is where the fill is going to be started.

(3) West berm adjoining the Bursch property n it is supposed to be put back to native restoration but all Bursch is seeing are weeds so he wants to see it replanted.

Some Plan Commission members expressed their opinions on these points: Letourneau sees no reason to expand the hours and feels County should address the language issue. Schottler sees no reason to expand the hours and in fact would like to see the hours decreased and sees no reason to change the language. Rauch would like to see reseeding of the area brought up by Bursch.

Rauch called for a motion: Letourneau moved, Wittig seconded motion that the permit be renewed with the hours of operation not be changed (7 am to 6 pm) and the language not be changed, keep the 6 month notification wording as is. Additional Discussion followed about changing hours to 8 to 5 or some other combination. *Motion passed with Schottler opposed. Schottler prefers hours be reduced. to 8-5 to give adjoining neighbors some additional noise relief.*

There being no further business Plourde moved, Schottler seconded motion to adjourn. Meeting adjourned 10:50 pm.

Respectfully submitted

Sherrill Schottler, Secretary