

**TOWN OF OSCEOLA
PLAN COMMISSION MEETING
DECEMBER 15, 2008
MINUTES**

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Draft subject to final approval by Plan Commission at 1/26/09 meeting

The Plan Commission of the Town of Osceola met for a regular monthly meeting Monday, December 15, 2008 at 7:00 p.m. at Dresser Elementary, Dresser, Wisconsin.

The agenda for this meeting was published in The SUN newspaper and posted at the Town Hall, the Dresser Post Office, Rural American Bank and the Town of Osceola Website on Friday December 5, 2008.

CHAIRMAN STEVE STROSHANE CALLED THE MEETING TO ORDER AT 7:06 P.M.

ROLL CALL:

Present: Steve Stroshane, Bob Wright, Wally Neumann, Ron Strom, E. R. Lindholm and Amy Middleton and Keith Johnson.

Absent:

ALSO PRESENT: Lorraine Rugroden - Clerk/Treasurer, Nolan Wall from Stevens, Ryan Magana from DNR Spooner, Kyle Weaver from The Sun and 70 Town residents.

There WAS a majority of Plan Commission members present.

AGENDA APPROVAL:

MOVED, SECONDED BY LINDHOLM/NEUMANN TO APPROVE THE AGENDA FOR DECEMBER 15, 2008 MEETING. MOTION CARRIED UNANIMOUSLY.

MINUTES ACCEPTANCE:

MOVED, SECONDED BY WRIGHT/MIDDLETON TO ACCEPT THE NOVEMBER 17, 2008 REGULAR PLAN COMMISSION MEETING MINUTES, AS PRESENTED BY THE CLERK/TREASURER. MOTION CARRIED UNANIMOUSLY.

PUBLIC COMMENT:

Town resident Dan Burch gave a power point presentation introducing FORCE WI – Friends of Rural Communities and the Environment of Wisconsin. FORCE is a united group of concerned citizens who oppose the request to rezone the James Rochford property. At the Town Board meeting on April 11, 1981 Trollhaugen representatives requested that all Rochford land in Section 8 & 17 in Range 18 be re-zoned commercial. The Town approved the request and the Polk County Board approved the request in May of 1981 due to the proximity of other commercial land uses in the immediate area. This land is the annual Memorial Day 4-Wheel Drive campground which is used at various times during the year. Now they are asking the Town to re-zone the land agricultural. Dan said “spot zoning diminishes planned growth and affects surrounding land uses that are already in place”.

Nancy Knutsen is concerned with blasting and cracked plaster caused by blasting. She would like to have more time to gather information and stated that the group has hired legal counsel. She said that the letter sent by Kraemer's lawyer to the Town Chairman dated December 5, 2008 "was a bully letter and no one should do this".

Tom Leiskau from Lotus Lake Estates Developers re-read a letter from Mr. & Mrs. Louie Klocek, and Mr. & Mrs. Gerald Viebrock. The letter urged the Town not to allow the proposed quarry to proceed in any manner due to the large investments by developers and residents alike. The letter went on to say that the quarry would have immediate and unknown future negative impacts on the quality of life and that these impacts could not be calculated on lives of hundreds of people who settled in the area long before an idea of mining ever appeared.

Jerry Viebrock read a letter from Steve Martell Well Drilling, Inc. stating that he was "concerned about the Quarry going in so close to residential wells, as the Quarry will more than likely negatively impact the ground water in that area. I have been drilling for 35 years, and have found that the top 300' is fractured and 98% of the time that is where the water is found. Fracturing could be a direct vent to the Quarry floor and walls, and lead to contamination. To comply with the State Code for wells within a designated area, we would have to case wells below the Quarry floor to avoid cross contamination between the Quarry and the water wells".

Cindy Stimmler stated that the tone of the December 5, 2008 Kraemer Mining & Materials letter was condescending and intimidating and that the Town residents firmly stand behind the Town Board. She said that spot zoning would only enhance Kraemer Mining & Materials.

Marianna Schultz moved to Lotus Lake Estates a little over a year ago. She moved because she felt that Town officials were making poor choices and she did not want to send her children to schools that couldn't afford some of the necessities for her children to get a good education. She does not want the Town of Osceola to become a depressed area also.

Dodd Knutsen is concerned about transportation and roads not being sufficient to support the increased truck traffic.

Kent Lundholm is concerned with the additional truck traffic that would be going past his house every day from the proposed mine. He is also concerned about his children's safety.

Others said they would not have chosen to live here if they knew that a quarry was going into the neighborhood and only a few land owners will profit.

NEW BUSINESS:

Rochford Re-zoning Request – Commercial to Agricultural to accommodate Kraemer Quarry. Discussion and action.

Mr. Stroshane gave a power point presentation and noted that the Board would be determining if they had enough information to make a decision on the rezoning issue at the current meeting. He said that the lawyer for the citizens group had asked for an extension. The County said that they are willing to wait another month and that there is no time limit in the Comprehensive Land Use Ordinance. It was noted that the County must act separately to first hear the rezoning request and then the request for the special exception permit.

MOVED, SECONDED BY LINDHOLM/WRIGHT TO OPPOSE A ZONING CHANGE FROM COMMERCIAL TO AGRICULTURE FOR PROPERTY LOCATED IN SECTION 17 AS REQUESTED BY MR. ROCHFORD.

Discussion ensued:

Mr. Lindholm said the reasons were many:

1. A very large number of people living near a proposed basalt mine site do not want to suffer the blasting that would be necessary.
2. The continuous noise produced by a rock crusher
3. The dust
4. The increased traffic
5. possible damage to their private water wells

Mr. Lindholm went on to say that a “basalt mine would greatly degrade their quality of life. The homes were in place before the mine. The neighborhood atmosphere should remain quiet and dust free. A basalt mine is not compatible with present land uses in that area”.

Plan Commission member Bob Wright said that he needed more time and that the vote should be delayed a month to do the homework and present a well reasoned justification. Other Plan Commission members agreed that they should take more time to look at all aspects including spot zoning and document the facts before making a decision on the re-zoning request.

**MOVED, SECONDED BY WRIGHT/JOHNSON AND CARRIED TO TABLE MOTION REGARDING RE-ZONING REQUEST OF JAMES ROCHFORD PROPERTY UNTILL THE NEXT PLAN COMMISSION MEETING ON JANUARY 26, 2009.
VOTE BY SHOW OF HANDS 6 YES, 1 NO.**

Comprehensive Plan – Land Use

Nolan Wall from Stevens has been working with the Plan Commission to complete the Town’s Comprehensive Plan. A draft of the Land Use element and a Land Use map was provided by Stevens for review and updating. Land Use maps of the Villages of Osceola and Dresser were also provided. The Town would like to get input from area residents in planning for future smart growth. A current draft of the 2008 land use map that Stevens provided for the Town of Osceola will be available on the website at www.townofosceola.com for residents to view and comment on. The Plan Commission is trying to determine the best use of land for the future and will be planning a public input session at a future meeting.

Discuss (no action) Kraemer Mining & Materials Special Exception Permit Request

Update

- The Town has contracted with Cedar Corporation to review and give a written opinion on the existing permit application and information provided by Kraemer Mining & Materials.
- The DOT was contacted with regards to additional truck traffic on the 243 Bridge. They were not concerned if Gross Vehicle Weight was 40 tons or less.
- The Town is working on a Nonmetallic Mining Permit Ordinance.
- The Town’s assessor said that he has only had experience with mining facilities that were in existence before any development around them, instead of mining facilities coming in after the area has been developed.

Ryan Magana – DNR Presentation on Bedrock Glade

Ryan Magana, a Geologist for the Northern DNR Region in Wisconsin presented information on Bedrock Glades. Ryan said that he was contacted by residents in Osceola Township requesting information on occurrences of rare plants and animals in Section 16, which is the proposed nonmetallic mine site. Trollhaugen Glades contain unique natural features. The State Natural Area program has an approved State Natural Area project at this site although no land has been acquired to date. The Department is not able to make a land acquisition offer at this time but supports protection for the natural area. A letter has

been sent to 6 or 7 land owners within the last month expressing interest in acquiring their property for the proposed State Natural Area Program. Ryan did emphasize that it is a voluntary program.

Continued Discussion

Questions asked:

What is the economic impact to the Town and to Polk County with the addition of a quarry?

How close are residents in proximity to other quarries?

What is the noise level of blasting at 40 feet, rather than 400 feet?

Action Items:

- Contact James Rochford to find out what the intended use is in 2009 for the land that he is requesting to be rezoned agricultural.
- Ask the County what conditions have been placed on existing quarries.
- Contact Neil Soltis and Don Stocker to get feedback relating to noise from the quarry that is near the hospital at Osceola.
- Schedule meeting with Dresser Trap Rock for a tour.
- Contact Ryan Magana for a DNR review of the Kraemer report.

SUBSEQUENT MONTH'S AGENDA DISCUSSION:

Monday, January 26, 2009 regular monthly Plan Commission meeting

New Business:

Unfinished Business:

- Rochford Re-zoning Request - Discussion & Action
- Kraemer Mining & Materials Special Exception Permit Request Update

ADJOURNMENT:

MOVED, SECONDED BY STROM/MIDDLETON TO ADJOURN THE DECEMBER 15, 2008 PLAN COMMISSION MEETING. MOTION CARRIED UNANIMOUSLY.

Being no further business to come before the Plan Commission, the meeting was adjourned at 10:00 p.m.

APPROVED 1/26/09

Lorraine Rugroden, Clerk/Treasurer