

Minutes

Date: January 17, 2019

Roll Call:

Meeting was called to order at 7:00 P.M. by Chairman Gerry Schmitz. Board of Appeals members present were John Kuechenberg, Keith Peters, Denise Meyer, Gerry Schmitz and Tim Schaumberg.

Open Meeting Notice:

Chairman Gerry Schmitz confirmed that the meeting was posted in the Fond du Lac Reporter as well as the other posting sites in the township as required. Adjacent land owners were also informed of the meeting.

Presentation of the Application by Applicant:

Ron Engel spoke on behalf of Rademann Stone. Some of his remarks were as follows:

- The addition that they are presenting will add 52 acres to their quarry.
- The berms surrounding the addition will be 30 feet tall and 160 feet across at the base.
- Rademann Stone wishes to open it so they can fully quarry existing SUP 3 area as well as have future area for quarrying.
- There will not be any permanent structures in the quarry addition area.
- The addition will not require any additional equipment nor will it increase the amount of loads taken out of the quarry.
- Blasting will occur to break up and remove overburden.
- All maps presented are up to date for current property lines and boundaries.
- Rademann Stone is not requesting any other changes to the SUP 3.

After Ron Engel's presentation, the Town's Attorney Matt Parmentier, suggested a few updates that should take place in the existing SUP 3. These changes are as follows:

- On page 2 under the heading #8 Performance Standards, the current maps should be put in place.
- On page 3 under the heading #1 Scope of Operation, the hours of operation should be updated to 6:00 A.M. to 6:00 P.M. Monday through Friday and 6:00 A.M. to 12:00 noon on Saturday.
- On page 4 under the heading #3 Blasting Activity, the explosive used should be updated from black powder to the current explosive being used.
- On page 4 under the heading #6 Area Wells, the Town should check to make sure the bond is current for area wells.
- On page 5 under the heading #7 Insurances, the Town should make sure all insurances are up-to-date along with certifications.

- On page 5 under the heading Compensation to Persons for Diminution of Property Value, Paul Wood and Clemens Feucht can be dropped from the list and new residences within one half mile of the quarry should be added.

Public Comments

There were a number of public comments. Some of them included:

- Tim Kelley wanted Rademann Stone to do a walkthrough of the proposed quarry map with the neighboring property owners. Ron Engel explained Rademann Stone's plans.
- Dave Steffens commented that he would like to be put on the list for property diminution.
- Tim Kelley asked Rademann Stone why the berm on the old Feucht property was not finished yet. He stated it has not been finished for a couple of years. Rademann Stone stated the weather was not cooperating with their ability to finish the berm and that as soon as the weather cooperates, they will finish the berm. They expect it to be completed this year.
- Tim Kelley asked where the quarry would end and overburden start. He also wanted to know where the water from the current waterway through the farm field would go. Ron Engel stated that the southern part of the new quarry would be where they would store overburden. He used the current waterway as line to differentiate between what would possibly be quarried and where the overburden would be placed. He stated south of this line would not be quarried. He also said all the water inside the quarry would be run north to the holding ponds in the northeast corner of the property.
- Dennis Kelley asked about the real estate aspect if he chose to sell his house for a loss. Town Attorney Matt Parmentier summarized the property diminution agreement for Dennis and urged him to read the whole agreement for himself.
- Dave Steffens was concerned that his property is in a trust and wanted to know if it would still be covered by property diminution agreement. Town Attorney Matt Parmentier noted that all properties within one half mile would be added to list.

Discussion and Deliberation by the Board

- Keith Peters inquired with Tim Kelley to know where he wanted the water to run that flows through his field from the proposed quarry land. Tim Kelley agreed that they should run it north. He also wanted to know when the water would be redirected and it was decided that as soon as Rademann Stone begins the berm that will run north-south along Tim Kelly's field, a swale or other method must be used to then reroute the water north.
- Town Attorney Matt Parmentier read aloud a letter from Bob and Betty Narance about some issues they were having with Rademann Stone and a piece of property that they sold to them. Ron Engel acknowledged their concerns and said he talked to them and will be following up with them in the spring to try to rectify their concerns.

- The setbacks were discussed and it was decided that the start of the berms shall be 50 feet away from the property lines other than Dennis Kelly's property line where it will be 200 feet to the start of the berm.
- A decision was made to create a line from 200 feet north of the northwest corner of Dennis Kelley's property line to the northeast corner of the Rademann maintenance shed. No quarrying shall be allowed south of this line. It is to be used for overburden and topsoil. Quarrying is allowed north of this line.

Decision of the Board of Appeals:

John Kuechenberg made a motion to approve the proposed amendment with all of the noted stipulations. Gerry Schmitz seconded the motion and it passed.

Discussion of Possible Amendments to Zoning Ordinance Concerning Solar Energy Permits:

The Board received some options on changing the Town's solar permitting process from the Town's attorneys. It was purely informative and no action was taken. A future meeting will be set up with the Planning Committee to discuss possible changes and possibly take action with changes.

Discussion of Possible Amendments to Zoning Ordinance Concerning Accessory Structures:

The Board received some options on changing the Town's accessory structure permitting process from the Town's attorneys. It was purely informative and no action was taken. A future meeting will be set up with the Planning Committee to discuss possible changes and possibly take action with changes.

Adjournment:

Tim Schaumberg made a motion to adjourn the meeting. The motion was seconded by Denise Meyer. The meeting adjourned at 9:20 P.M.