

REPORT OF THE PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE TO THE COUNTY BOARD ON A HEARING FOR A CONDITIONAL USE PERMIT

TO THE COUNTY BOARD OF SUPERVISORS OF LA CROSSE COUNTY:

The La Crosse County Planning, Resources and Development Committee, having considered the application filed by:

TERESA L SCHNITZLER, VILLAGE ADMINISTRATOR, VILLAGE OF WEST SALEM, 175 LEONARD ST S, WEST SALEM, WI; ACTING IN BEHALF OF ERVIN NUTTLEMAN AND THE NUTTLEMAN TRUST, N5840 COUNTY ROAD DE, BANGOR, WI

and having held a public hearing on the 29th day of June 2009 for a Conditional Use Permit for an after-the-fact permit to store tree limbs, brush, leaves and grass clippings and to perform Department of

Natural Resources approved composting on a 4.8 acre site zoned

EXCLUSIVE AGRICULTURE

in the TOWN of

HAMILTON

Part of the NE-SE of Section 4, T16N, R6W as shown on the drawing on file for this petition. Town of Hamilton.

And pursuant to s. 59.69 Wis. Stats. and s. 17.36 Zoning Code: the Committee did publish and receive proof of a Class II notice of the hearing; did receive receipts of mailing of the notices to the affected Town Clerk(s); did hold a public hearing to hear testimony or correspondence from the people; and, did receive and consider action from the affected Town Board(s). The Committee and the affected Town Board(s), under s. 17.36(4), have the authority to approve the application with integral conditions or to disapprove of the application. Having considered the entire record the Committee's recommendation is to: Approve with 12 conditions.

By unanimous vote, the Committee recommends approval of this Conditional Use Permit subject to 12 conditions:

(See back of this sheet for conditions)

Any deviation or alteration of the conditions set forth in this permit shall constitute a violation of the terms of this Conditional Use Permit and shall be subject to prosecution and penalties under the terms of this Ordinance. A new public hearing and permit must be granted to extend or alter any of the conditions set forth herein.

Dated this 8th day of July, 2009

ZONING, PLANNING AND LAND INFORMATION DEPARTMENT

BY Jeff Bluske, Director Zoning, Planning and Land Information Department

LA CROSSE COUNTY PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE

BY Donald Meyer, Chairman

THE COUNTY BOARD took the following action this 16 day of July 2009 Approved subject to conditions as outlined

-Disapproved the application

STATE OF WISCONSIN COUNTY OF LA CROSSE

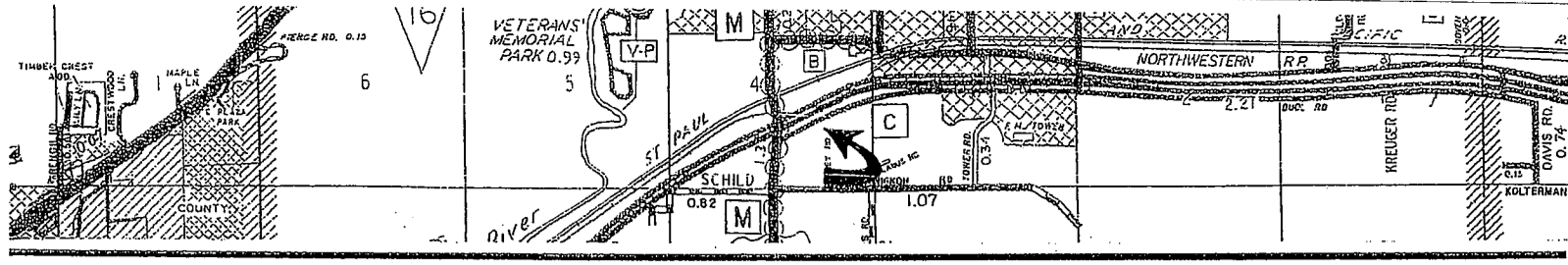
I, Linda A. Stone, County Clerk of La Crosse County do hereby certify that this document is a true and correct copy of the original Conditional Use Permit required by law to be in my custody and which the County Board of Supervisors of La Crosse County approved at a meeting held on the 16th day of July, 2009.

Linda A. Stone, La Crosse County Clerk

Conditional Use Permit No. 796

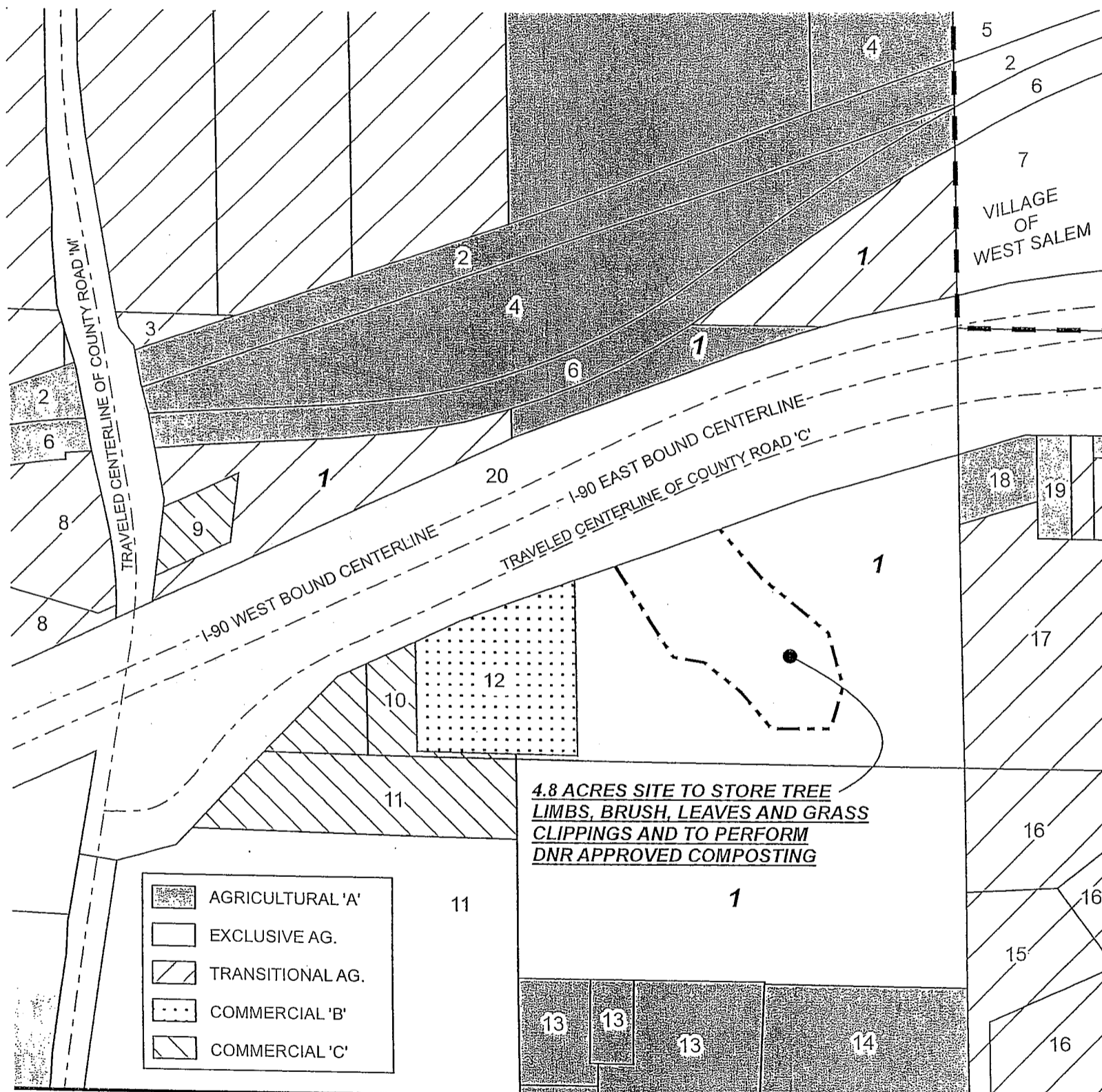
Staff recommends approval subject to 12 conditions:

1. Permit is granted to use 4.8 acres at W3779 County Road C as the Village of West Salem's composting site.
2. The site can be used to store tree limbs, brush, leaves, saw dust, grass clippings and garden debris only. No food products, manure, municipal sludge or animal carcasses are allowed.
3. The site can be used for brush chipping after which the wood chips could be hauled back out of this site to another designated site in the Village for public use.
4. The site can also be used to mix grass clippings, leaves and wood chips to make composting which can also be hauled to a designated site in the Village for public use.
5. The Village of West Salem is required to obtain a DNR license for composting and to follow DNR rules and technical requirements for reporting.
6. No burning is allowed.
7. Hours of operation: Normal hours for Village staff
8. In case of an emergency, the site may be opened to other communities until the event is cleaned up.
9. The site may be graded to allow for enlargement of the sand pit floor but no mining is allowed.
10. The site must be gated and locked when not in use by Village staff.
11. Zoning & DNR have permission to perform site visits to check for compliance with these conditions and to review operation for smell and no water ponding in pit.
12. This permit is non-transferable.



SCALE: 1" = 400'

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|--|----------------------------|
| 1. NUTTLEMAN TRUST | 11. CAL-WEST SEEDS INC |
| 2. CP RAIL | 12. EVANS |
| 3. DOVENBERG INVESTMENTS LLC | 13. PRALLE |
| 4. TREMAIN, MEIER, KOHLMEIER, REEDICH, PEREZ | 14. WANG |
| 5. PETERSON | 15. SWEET |
| 6. STATE OF WISCONSIN DNR | 16. ALLEN |
| 7. INDUS REAL ESTATE ENTERPRISES | 17. SCHOMBURG |
| 8. NUTTLEMAN TRUST (ROBERT NUTTLEMAN) | 18. WERNER |
| 9. JUSTSAVA LLC | 19. CROW |
| 10. BECKER | 20. STATE OF WISCONSIN DOT |



CONDITIONAL USE PERMIT #796

TERESA SCHNITZIER, VILLAGE ADMINISTRATOR, VILLAGE OF WEST SALEM O.B.O.

ERVIN NUTTLEMAN AND THE NUTTLEMAN TRUST
4.8 ACRES TOWN OF HAMILTON

SOIL DATA
CLASS V-VIII 100%

LAND CLASS
IDLE 100%

FARMLAND PRESERVATION 91.77 Ordinance Revisions 1) A county, city, village or town may approve petitions for rezoning areas zoned for exclusive agriculture use only after findings are made based upon consideration of the following: (a) Adequate public facilities to accommodate development either exist or will be provided within a reasonable time. (b) Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of affected local units of government to provide them. (c) The land proposed for rezoning is suitable for development and development will not result in undue water or air pollution, cause unreasonable soil erosion or have an unreasonably adverse effect on rare or irreplaceable natural areas. (2) Land which is rezoned under this section shall be subject to the lien provided under s. 91.19 (8) to (10) for the amount of tax credits paid on the land rezoned. If the rezoning occurs solely as a result of action initiated by the governmental unit, any lien required under s. 91.19 (8) to (10) shall be paid by the governmental unit initiating this action. (3) The department shall be notified of all rezonings under this section. History: 1977 c.29,169; 1983 a.311.