

# PLANNING, RESOURCES AND DEVELOPMENT COMMITTEE PUBLIC HEARING

April 4, 2011  
County Board Room – Administrative Center  
6:00 p.m – 7:57 p.m

**MEMBERS PRESENT:** Marilyn Pedretti, Beverly Mach, Tina Wehrs, Robert Keil; Dennis Manthei  
**MEMBERS EXCUSED:** Donald Meyer  
**MEMBERS ABSENT:** None  
**OTHERS PRESENT:** Jeff Bluske, Charlie Handy, Bryan Meyer, Jonathan Kaatz, Nathan Sampson, Recorder

## CALL TO ORDER

The Recessed Meeting and Public Hearing of the Planning, Resources and Development Committee was called to order by Marilyn Pedretti, Vice-Chair, at 6:00 p.m. Let the record show that this meeting is called in full compliance with the requirements of the Wisconsin Open Meetings Law.

The procedures for tonight's meeting were explained to those gathered. This meeting is being recorded.

**ZONING PETITION NO. 1864** Rob Burgmeier; acting on behalf of Hot-Line Truckload Services, LLC, PO Box 205, West Salem, WI 54669. Petitions to rezone from the Exclusive Agriculture District and Agriculture District "A" to Commercial District "B", a 1.07 acre parcel for the existing trucking business which includes freight storage, semi tractor sales and service at W2197 County Road B, on land described as: Part of the NE-SE of Section 6, T16N, R5W; Commencing at the SE corner of the SE-SE, N26°40'31"W 2891.55' to POB, S89°43'00"E 279.05', S44°37'56"E 70.61', S00°29'59"W 100', S63°52'14"E 143.12', S00°29'59"W 251.19', S88°37'14"E 33', N00°29'59"E to the South R/W of County Road B, N81°54'52"W 100.88' along said R/W, S89°55'02"W 395.02' along said R/W, S00°29'59"W to POB. Except that portion which is currently zoned Commercial District "B". Town of Bangor.

Petitioner not present. Consensus of committee to hold this petition over until other agenda items have been heard.

**ZONING PETITION NO. 1865** Scott A & Christine J Kainz, N5589 Gray Horse Rd, West Salem, WI 54669. Petitions to rezone from the Transitional Agriculture District to Agriculture District "A", a 1.32 acre parcel to be added to an existing home site parcel at N5589 Gray Horse Rd, on land described as: Part of the SE-NE of Section 30, T17N, R6W, commencing at the East ¼ corner of Section 30, N34°28'47"W 1401.34' to the Northeast corner of Lot 1 of Certified Survey Map No. 62, Volume 5 and the POB, S86°5'6"W 586.02' to the Northwest corner of said Lot 1 and the West line of the SE-NE, along said West line N3°0'7"W 98.7' to the Northwest corner of the SE-NE, along the North line of said SE-NE N86°7'24"E 584.51', S3°52'38"E 98.29' to the POB. Town of Hamilton.

**Appearing in favor:** Scott Kainz, N5589 Gray Horse Rd, West Salem, WI 54669. Greg Hole approached me several years ago and told me "I own this piece of timber behind your lot and I think your septic system may be partially on my land," installed 15-20 years ago. Rather than getting in a legal ordeal whether the septic was one way or the other, he offered to sell it to me and I bought it, not knowing we'd have this zoning issue. I was in the zoning department recently to get a permit for a garage and they noticed I had two parcels zoned different, they said I was in violation. To clear it up we're going through this process.

QUESTION Pedretti: This is a housecleaning matter for the most part – you're trying to clear it up so you can build a garage?

ANSWER Kainz: Exactly. Either I get a fine or get it rezoned.

No one else appearing to speak in favor or opposition.

**Correspondence**, Bluske: A recommendation from the Town of Hamilton dated March 14, 2011 read into the record approving this rezone petition by the Town Board provided it remains a residential use.

**Staff Recommendation**, Bluske: Land use will not change. Recommend approval with the recording of deed restrictions that this stays single family residential and will not be further subdivided.

**Motion Wehrs/Mach to approve Zoning Petition No. 1865 from Transitional Agriculture to Agriculture District "A" conditional upon the recording of deed restrictions indicating the parcel is for one single family residence only and no further subdivision.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**CONDITIONAL USE PERMIT NO. 826** Edward & Diane Rohmeyer, W7218 Remus Rd, Onalaska, WI 54650. Petitions to operate a computer repair business from their home and in an office in a detached accessory building at W7218 Remus Rd, on land zoned Agriculture District "A" and described as: Part of the Frac. SW-SW of Section 18, T17N, R7W, described in tax parcel 10-393-0. Town of Onalaska.

**Appearing in favor:** Edward Rohmeyer, W7218 Remus Rd, Onalaska, WI 54650. I want to run a computer repair business out of a shed I remodeled. Low impact; maybe 2-3 customers per day. I live adjacent to the Holmen treatment plant, it's a fairly commercial area, we have trucks through there. This would not have a negative effect on the area, low impact.

QUESTION Pedretti: Would you run this out of your home or the small office?

ANSWER Rohmeyer: The small building on the property.

QUESTION Bluske: Could you explain to the committee a little more about the business? Is it software? Do you repair the computer and end up with parts?

ANSWER Rohmeyer: Software and hardware, mainly software. Mainly repairing jacks, motherboards on laptops, an occasional hard drive, install RAM; pretty routine stuff. Any stuff I would send back with the customer or dispose of at the recycling center. It would be disposed of properly, but it would be minimal, no large volumes.

No one else appearing to speak in favor or opposition.

**Correspondence**, Bluske: Correspondence from the Town of Onalaska Clerk dated March 28, 2011 stating they had no recommendation because the applicant had not attended a scheduled Town Planning Commission or Town Board meeting.

QUESTION Bluske: Maybe the committee could ask if he still plans on going?

QUESTION Pedretti: Could you explain that please?

ANSWER Rohmeyer: No, I didn't. I missed the meeting. It was my understanding they were going to reschedule that.

QUESTION Pedretti: Have you rescheduled that with them?

ANSWER Rohmeyer: I spoke with Mr. Paudler and he said they'd send me a schedule.

QUESTION Pedretti: And he would notify you?

ANSWER Rohmeyer: Yes, they would send something to me, or what should I do at this point? Should I go after them?

REMARK Pedretti: I would. It takes two "yeses" to make this work.

REMARK Rohmeyer: I went to the Town meeting and missed one of the meetings I was supposed to be at. I talked to him after the meeting and he said he would notify me. I'll go down there and do whatever I need to do with them.

REMARK Pedretti: If we don't get that second "yes",

QUESTION Rohmeyer: Okay. Should I get to them tomorrow?

ANSWER Pedretti: I would get to them as soon as I can.

REMARK Bluske: They have ten (10) days, but the Town of Onalaska has another twenty (20) days. So if we don't hear anything within thirty (30) days, this will be held over for another month.

REMARK Pedretti: You need to be on their agenda and they need to take action within thirty (30) days.

REPLY Rohmeyer: Okay, I'll get on it.

QUESTION Pedretti: Was this previous to the new forms where the town signs off?

ANSWER Bluske: No, it was after.

**Staff Recommendation**, Bluske: Staff recommends approval, subject to the Town of Onalaska approving it as well, subject to the following seven (7) conditions:

1. The permit is granted to operate a computer repair business known as Prairie Computer Repair at W7218 Remus Rd in the home and a detached accessory building;
2. Hours of operation are from 8 AM to 5PM Monday through Friday;
3. Employees limited to one (1), the owner;
4. A tax ID number is required to report income;
5. A Zoning/Occupancy Permit is required for the change in occupancy of the shed;
6. One unlighted on premise sign is allowed max size is eight (8) square feet; and
7. This permit is non-transferable.

QUESTION Pedretti: Do you understand these conditions?

ANSWER Rohmeyer: Yes.

**Motion Bina/Keil to approve with the recommended conditions.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**CONDITIONAL USE PERMIT NO. 827** Tom Dummer; acting on behalf of Green Earth Compost Products, N6631 County Road XX, Holmen, WI 54636. Petitions to amend existing Conditional Use Permit No. 690 to include composting of vegetable waste products, compostable paper products and utensils, sheetrock/gypsum board and to include a scale, scale house and a new access road to County Road XX, on land zoned Exclusive Agriculture District and described as: Part of the SE-SE of Section 11, T17N, R8W in the Town of Holland; and part of the NE-NE of Section 14, T17N, R8W in the Town of Onalaska, Commencing at the Northeast corner of the NE-NE, East along the North line 120' to POB, Southerly 550', Southeasterly 870', North 540', Northwesterly 570', Southwesterly 620' to the south line of the SE-SE and the POB. Town of Holland & Town of Onalaska.

**Appearing in favor:** Tom Dummer, N6631 County Road XX, Holmen, WI 54636. Have composted yard waste and manure for many years. Had interest in taking food waste and sheet rock waste from the landfill. We need permission before I can compost that. Adding (inaudible) to the business we're already doing.

QUESTION Bluske: Can you explain how you get these products. And I wasn't of the understanding utensils are biodegradable. Can you tell us where you're getting this and the quantity you expect to get?

ANSWER Dummer: As of now I have nobody waiting to come and dump, I've had a lot of calls the past 2 years. I didn't think I wanted any part of composting the utensils because they don't break down in my wind row timeframe. But when I stack the overs and my overs age, it will break down in that time frame. At the organic conference they were saving the utensils as well as plate scrapings, and the pre-consumer waste as well. That's when I started to think maybe I should get changed to have that approved as well. The wind row time frame is 3 months from taking waste and turning it into a soil amendment. The utensils take longer.

QUESTION Bluske: Can you point out (on the aerial photo) where you'll put the sheet rock and gypsum board?

REMARK Pedretti: Just to clarify, the utensils are biodegradable, they're not plastic, they're a vegetable oil.

REPLY Dummer: Corn oil, correct.

QUESTION Bluske: Maybe show where the scale, road, and gypsum board will go?

ANSWER Dummer: Sheet rock will be here (refers to aerial photo on screen). We have wood waste there now. When we grind our wood waste, the sheetrock will be mixed with the wood, used for cattle bedding, then brought back out. Only new construction sheetrock: no tear-outs, no paint, no plaster, no insulation, no nothing; just new clean sheetrock. The road will go out right here.

QUESTION Pedretti: We were out there last week – it's right before the cattle pens as you come in from the south?

ANSWER Dummer: Yes.

QUESTION Bluske: Will the scale and weigh house be along side of that road?

ANSWER Dummer: I'm thinking it will be right in this area. I'm not sure of the exact location, but that's the general location.

QUESTION Bluske: If they access that new road, they've got to go on the scale, and when they leave they go on the scale?

ANSWER Dummer: Correct, but it would be more off to the side of the road. Once you establish empty weight for a truck, just weigh loaded and write your empty weight down. That way it saves time on the way out.

QUESTION Pedretti: I'm assuming you've spoken with the DNR and we'll get something from them?

ANSWER Dummer: That's the letter I just gave him (Bluske).

No else appearing in favor or opposition.

**Correspondence**, Bluske: Correspondence that Tom just handed me from Jill Schoen from the DNR dated 4/4/11 (temporary approval letter read into record). Correspondence from Town of Onalaska approving the Conditional Use Permit on March 29, 2001 presented.

**Staff Recommendation**, Bluske: Recommend approval subject to the following thirteen (13) conditions:

1. This permit is granted specifically to allow wholesale and retail sales of composted materials at N6595 County Road XX;
2. In order to perform composting this site is allowed to bring in grass clippings, leaves, wood and brush, animal manure, food scraps (no proteins), disposable plates and utensils and unpainted gypsum/sheet rock board;
3. The gypsum/sheet rock board will be stored adjacent to the brush and wood piles. The sheet gypsum/sheet rock board will either be ground and blended with the wood or ground and blended for animal bedding before composting;
4. To prevent odor and pest problems, the food scraps will be buried at least six (6) inches deep and left untouched for at least three (3) days to allow for heating before the compost turning process begins;
5. A commercial dumpster is required to accommodate plastics and other non-disposable items that turn up;
6. Hours of operation are seven (7) days a week;
7. Total number of employees is ten (10);
8. Maximum number of vehicles allowed on site is fifteen (15);
9. Erosion control measures shall be in place to prevent blowing and drifting of any compost;
10. A new 30-ft wide access driveway is allowed to create a more direct route to the site;
11. A scale and scale house for weighing trucks can be installed along the access road;
12. A 4-ft X 8-ft unlighted sign is allowed along the new access road; and
13. This permit replaces and terminates existing Conditional Use Permit No. 690 in its entirety.

QUESTION Pedretti: Do you understand the conditions?

QUESTION Dummer: What do you mean by erosion control for the blowing and drifting of compost?

ANSWER Bluske: The staff talked a bit about that. If they bring in food scraps, we don't know if there are paper plates or if they dump and you're not there, we don't want the wind to catch it. We have some windy days – so it doesn't end up blowing in any direction. It's up to you how you want to control that. We want to make sure something is in place, so it doesn't end up in the fields.

REPLY Dummer: Understood.

REMARK Pedretti: You will need a driveway permit from La Crosse County Highway – you're aware of that?

QUESTION Bluske: You want that as a condition?

ANSWER Pedretti: That's a requirement. As an FYI, the Town of Holland is also a part of this. We meet next week, both the Planning Commission and Town Board. It will be within the ten (10) days.

QUESTION Dummer: When I contacted the Highway Department, they said you need to initiate the permit from this end. You forward that to them?

ANSWER Sampson: We need to know the location on (County Road) XX where that ingress/egress will be so we can enter that into the system.

QUESTION Dummer: How do I get you that information?

ANSWER Sampson: If you point it out (on the aerial photo), Jon and I will remember it.

QUESTION Bluske: Will it be parallel, straight out or at a right angle to the road and connect here?

ANSWER Dummer: It will come straight off the road....

REMARK Bluske: At the established angle. Okay.

QUESTION Bina: When you read the letter from the DNR, evidently the state has some kind of committee looking at making recommendations for some of this to happen. What happens to the Dummer's if they are negative in regards to some of the things you're doing. Do you want to invest in the scale until that state agency comes up with some recommendations?

ANSWER Dummer: The scale is unlikely to happen this year for financial reasons. The driveway itself will be a pretty good burden. We're looking at next year before that's put into place. The regulations they're looking at is simplifying language making it easier for organics to be taken out of landfills and composted. They're making things more friendly.

QUESTION Bina: So, they're not making it tougher?

ANSWER Dummer No. They're establishing grades of compost for the sale end, but what affects us tonight is that they'll simplify the regulations and paperwork for what it takes to compost organics.

QUESTION Pedretti: If the DNR doesn't have anything in another year, do we need to do anything for this?

ANSWER Bluske: That's up to them. If they don't extend his permit another year, then Tom doesn't take that in.

**Motion Manthei/Keil to approve with the thirteen (13) recommended conditions.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**SPECIAL EXCEPTION PERMIT NO. 2011-1** F.J. Robers Co. Inc., acting on behalf of C-M Robers LLC, 816 Bainbridge Street, PO Box 623, La Crosse, WI 54602-0623. Petitions to perform fill and grading work to the required fill elevation of 645.6' for the construction of an office building, parking lot and driveway at the old addresses of 120, 126 and 128 Usher Street on lands zoned Commercial District "C" and described as: Part of Block 8 Plat of West La Crosse and part of Gov't Lot 6 in Section 30, T16N, R7W, beginning at the intersection of the south R/W of Usher Street and the West R/W of Bainbridge Street, Westerly along South R/W of Usher Street 220.6', Southerly 160', Easterly 226.55' to the West R/W line of Bainbridge Street, Northerly along said West R/W 160' to the POB. Town of Campbell.

**Appearing in favor:** John Noyes, 816 Bainbridge Street, La Crosse, WI 54603. We're looking to fill the property to expedite building of an office building for Cottonseed, Inc. that currently occupies an office building south of there that J.F. Brennan Co. wants to acquire and they will build a new office there. Basically relocating two (2) companies. One thing – and I talked to Jeff about this – it said “perform fill and grading work to an elevation of 645.6-ft”. He said that’s a minimum – it should actually be 649.5-ft.

QUESTION Pedretti: Could you use the pointer and explain where things will drain?

ANSWER Noyes: I talked with Mary Jo and I think we'll probably go with permeable blacktop on all of the parking and driveways. I would say about 80% will stay on the property itself if we use the permeable asphalt. A certain amount will be contained on our own lot to the west. The slope coming off the east will drain to Bainbridge Street and the other section will drain to Usher Street, like it does now. The stuff to the north, and Mary Jo didn't really like that idea – was to have a containment pond to the west of the driveway, but if we use permeable asphalt we shouldn't have any issue with any of that run-off. The only concern we had was run-off from the River Steel building we own that's on the south side of that property because now all that water runs down onto that empty lot. We haven't addressed that at his point.

QUESTION Pedretti: I think we're concerned with the neighbors to the north in particular. We drove out there and if you built up this property, the neighbors to the north are rather low; there's concern to what this means to them. Will this water drain away from them? We noticed an inlet on Bainbridge, but nothing on Usher.

ANSWER Noyes: There is one on Usher, it's hard to see. There's an inlet here (refers to screen). It's hard to see – it's almost in the dirt. Because Usher isn't as wide as it's supposed to be, it's kind of in our property, covered up with dirt, and didn't work very well. When we finish this piece of property, then it will drain properly. That should take care of all the water going to Usher Street. The only other problem is in extremely high water, this lot (refers to screen) doesn't drain very well to this catch basin. This slope was higher, so we'll pitch all of this whole face both directions to that storm sewer. It wasn't right before, now it will be better when we're done regrading it. The center of the street is high enough to take the water, but it never drained properly to that catch basin.

QUESTION Pedretti: Is there any concern for the property to the immediate west? You used to have a shed there – is that going?

ANSWER Noyes: That will be gone. We own that property now.

QUESTION Pedretti: So when you build this up, that will not be a drainage problem for that house?

ANSWER Noyes: No.

QUESTION Mach: You mentioned something to the south – you're worried about that a little bit?

ANSWER Noyes: I never gave that much consideration, with water flow coming off the top of their roof. The water goes down their driveway into the storm sewer out on Bainbridge Street and that will continue. Our access road will come in below this, to the north of it, I think 6/10's below that elevation. That water should continue to go to that same drain. We shouldn't have an issue there – she wanted to make sure of that, Mary Jo. I looked at it later and on the prints. All that water should be contained. If we continued to fill that, then the back parking lot may become an issue with water. Might be something more we'll have to deal with later, if we decide to develop the rest of Usher Street. The water that comes off now, the fill is only catching the front part – there's one downspout here then it will go right down this road (refers to screen). It shouldn't affect it. She was more concerned with the whole building draining onto this property. It really doesn't – it drains into the road, through their driveway.

REMARK Mach: I'm still concerned about Usher Street to the north because you can tell those homes have had major problems with water.

REPLY Noyes: And they'll continue to have problems. I just evicted the tenant on the corner lots across the street from there because it's flooded so many times and this year I figured we'd get it again. All of those houses flood, everything on that side of Usher Street floods, on my side also.

REMARK Mach: So, it's not a new problem.

REPLY Noyes: Actually they had beam structural failure in the basement. I couldn't justify renting it anymore. The other houses across the street will also flood. That was another problem for May Jo – where

will that ground water go. It will go wherever it goes today. I'll be higher; I'm not displacing any water because it's ground water.

REMARK Handy: I think we should go back to the other map and just show where the building is – I'll try to do that. Here's Usher Street (refers to screen), this is Bainbridge. There's a front sidewalk coming in from Bainbridge to the building. The driveway will be coming in from Bainbridge along the south property line and into a parking lot, then you can see the parking stalls. The main access to the building would be here. From the contour lines, it goes down from the building to an area that will be a basin-type, which will then drain out. It doesn't look like there's driveway access from Usher Street. When John talked about things draining to the street (refers to topo map on screen). The rest drains to this temporary ponding area, then out. You've got a catch basin here in the street and there that currently are supposed to work as the stormwater facilities for the site.

QUESTION Pedretti: So will the one on Usher Street get cleaned out?

ANSWER Noyes: Yes. I'm surprised you didn't see it.

REMARK Pedretti: We looked.

REPLY Noyes: I had to go look for it myself. It's in the grass; it's not in the road. We discussed that if you wanted to curb and gutter it as a condition, we wouldn't have a problem with that. We know we need to get the water into that drain. That has to happen. I'll definitely have to do something around that drain. It's just dirt, not even a part of Usher Street, more part of our lot.

QUESTION Bluske: When we look at the elevations, I want to point out that the elevation of this floor is at 649.5-ft. That's about 8-ft higher than current ground elevation. When I prepared the legal notice I indicated the required fill elevation was 645.6-ft or about 4-ft higher than the ground is now. We only require 1-ft above base flood elevation. Base flood elevation out there is 644.6-ft (644.8-ft actual). We require 1-ft above that. We were assuming, maybe wrongly so, they would have a basement. It doesn't sound like you are – you'll just have footings and a slab. They want finished grade at 649.5-ft. That's actually about 4-ft higher than we require. Maybe you can indicate why you want that sitting up so high.

ANSWER Noyes: I know it looks real ugly. But we've built all that property on that end of French Island, and this year, we're pretty happy about it. The least expensive part of any of our building projects is fill – when it gets to be high water – we've lived through '65 – we tried to get the county to build Bainbridge Street above the '65 high-water and they wouldn't have anything to do with it. Now they sandbag it, except in front of our property. If you build in that area or anywhere in the City of La Crosse that can get inundated – if you're not at 650-ft with your floor elevation, it's not very comfortable. 100-200 year floods seem to be the norm. And, it looks bad, but if we're going to build it, it's gotta be that high or we just won't build it. We don't want it to flood. All of our other buildings around that are at that 649 to 649.5-ft. Then we don't worry so much. You can't get there but by airboat, but the building doesn't flood. It looks bad but if you build there, that's where you gotta be.

REMARK Bluske: Maybe some trees around the perimeter would cut that a little.

REPLY Noyes: They did that – I see all along Usher Street they put trees.

QUESTION Bluske: Maybe we could ask if he's gone to the Town of Campbell?

ANSWER Noyes: I went to the Town of Campbell with the whole plan. They worked on the rezoning, which we have it rezoned; based upon them amending their long term plan, which has not (been done). They're fully aware of the process, but they haven't changed their plan. I can't build it until they change that.

QUESTION Pedretti: Is this premature then?

ANSWER Noyes: We already have the letter for the zoning. It takes so long for them to change it.

QUESTION Pedretti: We don't need the Town's approval for Special Exception?

ANSWER Bluske: No – it's advisory.

REMARK Noyes: But they know about it, that's basically how I presented the zoning change.

No one else appearing in favor or opposition.

**Correspondence**, Bluske: No correspondence received.

**Staff Recommendation**, Bluske: Approval subject to the following six (6) conditions:

1. This permit is granted to perform filling and grading affecting approximately 32,500 square feet in the Shoreland District of the Black River for the purpose of constructing a one-story commercial building;
2. There is an existing residential use garage at 126 Usher Street that must be removed prior to any filling and grading;
3. An approved Erosion Control Plan & Stormwater Maintenance Plan shall be in place with copies submitted by the developer for this file;
4. The erosion potential for this site is high with the potential for blowing and drifting sand. Extreme measures should be in place to prevent blowing and drifting of materials brought in;
5. The Base Flood Elevation for this site is 644.8-ft (1929 adj.). Plans are to place fill to 649.5-ft, 1.7-ft higher than our minimum requirement of 647.8-ft (for first floor elevation) to accommodate a new building, parking lot, driveway and its drainage pursuant to revised plan dated 3/25/11, Project No. 11-013; and
6. This permit terminates the end of July, 2014.

{Brief discussion regarding Condition #6, project timeframe, and time needed for the Town of Campbell Land Use Plan amendment. Expiration date acceptable to the applicant}

**Motion Bina/Mach to approve Special Exception Permit No. 2011-02 with the six (6) recommended conditions.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**CONDITIONAL USE PERMIT NO. 828** Paul & Julie Larson; acting on behalf of Sunray Dairy LLP, W4260 County Road Q, Mindoro, WI 54644. Petitions to build and operate a farmstead creamery business in a proposed 80-ft X 108-ft building with a 24-ft X 60-ft receiving bay and 24-ft X 72-ft atrium which will be all attached to the existing milking parlor. Products will include skim, 2% and whole milk, drinkable yogurts and other dairy products in the future on land zoned Exclusive Agriculture District and described as: That part of the SW-SE of Section 5, T18N, R6W described in tax parcel 5-559-0. Town of Farmington.

**Appearing in favor:** Paul Larson, W4260 County Road Q, Mindoro, WI 54644. My wife and I are applying for a Conditional Use Permit (CUP) for a farmstead creamery. We're attempting to stabilize our milk price – we think there's a niche market opportunity to sell bottled milk and drinkable yogurt in the greater La Crosse area.

QUESTION Pedretti: How many head to you currently have?

ANSWER Larson: We currently milk about 300 cows, about 2,500 gallons of milk per day.

QUESTION Pedretti: We have a 2-page report, but it helps to have in the record what will happen on that site, do you have your own trucks? You have a receiving bay – is that for your own trucks?

ANSWER Larson: The bay is for the future – at this point we'll market our own milk. Our intent is to market this in the greater La Crosse area, and not here. We will have trucks that move it from our farm to La Crosse and Onalaska.

QUESTION Pedretti: But you're not shipping milk in?

ANSWER Larson: We may in the future and in order to take milk in, we need a receiving bay. The bay may not go up at this time.

QUESTION Mach: When do you think that might start happening?

ANSWER Larson: If I was to guess, I don't think we will. I think we'll do fine with our cows.

REMARK Bluske: Paul – you have one of the better impact statements I think I ever read.

REPLY Larson: Thank you – my wife wrote that.



REMARK Bluske: There's a lot of information in there, but don't automatically assume the committee knows about it. Describe the retail/wholesale, what you'll make, will you sell other items – all that. They have to picture this in their minds.

REPLY Larson: Right now we make milk and put it in a bulk tank. We sell it to a co-op, they haul it away and it goes into milk or cheese. We'll make a processing plant right in front of the dairy. Our intent is to bottle milk and make drinkable yogurts. We can use the same bottling equipment for both. In the long run we may make ice cream or custard and butter. In Wisconsin the majority of milk consumed is skim milk. Butterfat is a by-product, so an option is to sell it. My understanding is that if we sell it, we need a receiving bay, so do I spend \$30,000 on an ice cream machine or on a receiving bay? To start we can only do so much. We'll start with milk and yogurt; probably get into ice cream or butter, but not in the immediate future. Our thought at this time is to feed the cream back to the cows. We pay about \$1,100 per ton for fat. We can use our own cream if we can't sell it. On day one we won't be able to sell 100% of the milk we make, so we currently sell to AMPI. They'll take whatever milk we can't bottle or process.

QUESTION Pedretti: I know sometimes there's an issue with contaminants getting in the milk and you have to dump the milk, do you have a plan for that?

ANSWER Larson: We'll have it hauled away somewhere approved to take it.

QUESTION Pedretti: It won't be dumped on site?

ANSWER Larson: No.

QUESTION Pedretti: Not with that large of a herd?

ANSWER Larson: A thing we've learned about issues with odor is you've gotta keep milk out of the manure storage. If you can do that, 90% of the offensive odors are eliminated.

QUESTION Pedretti: Any hazardous wastes? Sometimes you need to give medications. You'll dispose of that how?

ANSWER Larson: There aren't any medications in the processing plant; they're all in the dairy.

QUESTION Pedretti: I shouldn't say medications; I mean chemicals in the processing plant, for cleaning out vats.

ANSWER Paul Larson: We should probably be talking to my wife about that. But we are working on a (inaudible) program and making a Green Tier application in the next month, so we'll have all kinds of emergency management systems that will be in place.

QUESTION Bina: You're not planning on making cheese, are you?

ANSWER Larson: No. You have to be an artist to do that.

QUESTION Bina: My question to Jeff is will he be allowed to sell his products to people coming on the farm?

ANSWER Bluske: I think he was going to finish talking about that....

ANSWER Larson: I'm sorry; I didn't even get to that part. I talked to Jack Miller with La Crosse Commercial Building Code. Farm buildings are exempt from commercial building codes as long as 90% of what you sell, you produced. Our intent is to sell our own beef, milk and yogurt. Our intent is also to market ourselves as a farmstead plant and we will sell other farmstead products there, as long as we keep it under 10%, we understand that we're okay. The retail outlets in town, there are no restrictions that way – we will sell other farmstead products.

REMARK Bina: Marilyn made a comment about contaminated milk. Usually, if you produce good quality milk, you don't have a problem because you're not taking in other people's milk. When you have a bunch of people bringing in products, you might get a contaminated load once in a while.

REPLY Larson: We've sold milk for 17 years and I don't think we've ever had a hot load. We test all of our milk as well. I visited the neighbors, there were 18 listed. Seven didn't live there, 10 of the 11 I knew signed a paper saying they were in support of this CUP.

QUESTION Bluske: When I took the committee to the site, there was a lot of mud and you were cleaning out the barns with a skid steer. Tell us about the plans to change the way you clean the barn – it doesn't look sanitary. The skid steer brings the manure out the south end.

ANSWER Larson: If we have a creamery there, all skid steer traffic will have to go out the other end, there will be no skid steer traffic.

QUESTION Bluske: Will there be green space out there?

ANSWER Larson: It will be all green space; there will be no farm traffic out front. The idea behind the creamery is that atrium where the consumer can see the cow eating, the milking, and see the milk being bottled.

QUESTION Bluske: In your plan it said the public will be able to get bulk milk – where would that happen?

ANSWER Larson: The public will not be able to get bulk milk. We'll have a farmstead stand, might be manned by an employee. In the Town of Farmington we live by the honor system, that's the way we intend to run it. We've been to other farmsteads that do this and have good luck with it. If it's an issue, it will have to change.

QUESTION Bluske: Will you have tours in the atrium?

ANSWER Larson: Yes, we do that already, that's part of the idea.

No one else appearing in favor or opposition.

{Mr. Larson presents signatures of neighbors in support of Conditional Use Permit No. 828}

**Correspondence**, Bluske: A letter from the Town of Farmington Planning Committee recommending approval to the Town Board, Town of Farmington read into the record. A letter from Town Clerk, Betty Sacia received March 3, 2011 regarding Town Board approval was read into the record. Correspondence from the Environmental Health Department regarding septic system requirements was read into the record. A letter from Bruce Olson of La Crosse County land Conservation Department to Paul Larson was read into the record. A letter dated March 9, 2011 from LeAnne Hinke of Wisconsin Department of Natural Resources read into the record.

QUESTION Bluske: Paul, have you had another contact with LeAnne?

ANSWER Larson: She's waiting for me – she wants a water sample from our plant, but we haven't built our plant yet. I'm trying to get information from the university and that's taking a while.

**Correspondence**, Bluske (cont.): A letter from Dave Geske regarding tire management and mosquito control read into the record.

QUESTION Bluske: Are there any issues the committee should know about (re: mosquito control).

ANSWER Larson: No, I thought maybe someone would bring it up.

**Staff Recommendation**, Bluske: Approval subject to the following thirteen (13) conditions:

1. This permit is granted to allow Paul and Julie Larson a/k/a SunRay Dairy LLP to operate a farmstead dairy to process milk daily, making whole, 2% and skim milk plain and flavored; along with drinkable yogurts, plain and flavored, butter and ice cream;
2. Plans approved include the following attached to the existing milking parlor: atrium, receiving bay, work room, freezer, refrigerator, office, laboratories, restrooms and large storage areas. Overall building area is: 104-ft deep by 132-ft wide;
3. Hours of operation are 5 AM to 4 PM Monday through Friday; and Retail Hours are from 7 AM to 8 PM 7 days a week;
4. Employees: five (5), not including family;
5. Off street parking is required for all employees, visitors and deliveries, minimum of twenty (20) spaces;
6. A Commercial Driveway Permit is required from the county;
7. A La Crosse County Sanitary Permit is required to connect this business to the existing barn employee septic system;

8. A state tax ID number is required along with annual reporting of all personal property equipment to the local assessor;
9. Commercial dumpsters are required;
10. The current configuration for cleaning the cow barns and skid steer traffic is not conducive to a sanitary operation adjacent to a dairy routing to the north and adding green spaces to both sides of the dairy plan is required;
11. Since this operation is exempt from the requirement of Wisconsin Department of Commerce approved building plan, pursuant to Wisconsin Administrative Code Commission 61.02, which requires 90% of the commodities sold on the farm, were planted or produced on the farm premises; that at anytime this operation receives more than 10% of its commodities from off farm premises; this permit will call for a Manufacturing Zoning District along with state approved plans for all structures used commercially and for the manufacturing and storage of milk, ice cream and yogurt;
12. Any modifications or changes will require a new Conditional Use Permit; and
13. Permits are required before any construction is commenced.

QUESTION Pedretti: Do you understand the conditions?

REMARK Larson: I had the La Crosse County Highway Department out; we are going to extend the driveway. They said I didn't need a permit to do that. They said they'd contact you, but they must not have. That was Clements.

REPLY Bluske: I haven't gotten word from them. If that happens, you have satisfied #6. Sometimes they require a different permit. If it's a farm access road and it changes to commercial, that would be a different permit. We'll talk to Mr. Clements about that.

QUESTION Bina: You're assuming you'll take all of your production, 2,500 gallons, so he's limiting himself to his own production now. All the farms in the county are growing. If he puts on 30 or 50 more cows, he can't take his production under this now and be legal, because he'd produce more milk that he couldn't put into his own system.

ANSWER Pedretti: He can't take milk from another farmer.

REMARK Bina: I'm using the instance that if he puts 30 or 50 cows into his herd, he can't use that because he's at top production now. I don't know if you plan to expand, but if you do, your production on #1 should be higher than that, so you can use your own production in your processing plant.

REPLY Larson: I think Jeff said it's limited to our own production; he didn't put a ceiling on what our production is.

REMARK Bina: Read #1 to me again.

REPLY Bluske: To qualify what Paul said, they won't be able to use all of their milk anyway. He's hauling some to AMPI.

REMARK Bina: You are putting a top ceiling on it.

REPLY Bluske: No. This permit is granted to allow Paul and Julie Larson, also known as SunRay Dairy, LLP to operate a farmstead dairy to process an estimated 2,500 gallons of milk daily. Then I indicated what they'll make out of it. I can take off reference to the gallons.

REMARK Bina: I guess it would be nice to use all of his production, regardless of what it would be.

REMARK Sampson: If his herd would expand to a level that is 20% higher than the heard he kept on May 1, 2006, it would be considered an expanded livestock facility and he would have to come in for a Conditional Use Permit. A complete ATCP 51 application would be required.

REMARK Bina: Any time you go over 1,000 animal units you gotta go through the state process.

REPLY Sampson: Or an expansion of 20% or more than the level you had on May 1, 2006.

REMARK Bluske: I took out the reference to gallons in item 1.

**Motion Manthei/Bina to approve with the thirteen (13) recommended conditions. 6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**CONDITIONAL USE PERMIT NO. 829** Keith Mathison; acting on behalf of Milestone Materials, a division of Mathy Construction Co., 920 10<sup>th</sup> Ave N, Onalaska, WI 54650. Petitions to operate an existing rock quarry known as the Bendel & Starch Quarry and operated under Conditional Use Permit No. 511 and Non-Metallic Mining Permit No. 9 on land zoned Exclusive Agriculture District, Transitional Agriculture District and Agriculture District "A", being 57.18 acres described as: Part of the SE-NE and the N ½-SE of Section 32, T15N, R6W; Beginning at the southeast corner of the NE-SE, West along the South line to the Southwest corner of the E ½-NW-SE, North to the North line of said NW-SE, East to the Southwest corner of the SE-NE, N45°26'E 193.6', S73°36'E 227.36', S45°54'E 251.73', N76°21'E 78.7', N41°46'E 145.15', S78°29'E 130.87', S84°8'E 495' to the East line of Section 32, South along said East line to the POB. Except part in Volume 1077 Page 723. Town of Greenfield.

**Appearing in favor:** Keith Mathison, S891 State Road 162, Coon Valley, WI 54623. Mathy Construction recently purchased the Bendel/Starch quarry. A condition of the existing Conditional Use Permit (CUP) is that it is not transferable. We're here to ask for a CUP in Milestone Material's name.

QUESTION Pedretti: Are you expanding or changing anything from the original CUP?

ANSWER Mathison: No changes planned.

QUESTION Bluske: Keith, you guys did the original reclamation plan. Can you indicate to the committee what the lifespan of this quarry will be and what you plan to reclaim it to?

ANSWER Mathison: Estimated life span is 50 to 100 years, depending on market and sales. The economy has been down, so sales out of this quarry – there have been no sales the past three years. It will be reclaimed to passive recreation, back to grassland or woodland. The overburden and top soil on site will be put back and seeded back in.

QUESTION Bluske: Are you real familiar with the site? On the original CUP there was an issue over a power line. Has that been re-routed yet?

ANSWER Mathison: The power line was removed last summer when the power company ran new lines down Ober Road.

**Appearing in favor:** Al Lorenz, W4927 Hoeth St, La Crosse, WI 54601. I'm an abutting landowner. I don't wish to speak in favor or opposition, but have a number of questions. When the CUP was approved back in 2000, there were issues raised then concerning seismic readings when the quarry is enlarged, because of the distance to existing buildings, wells. There was also concern about drainage. Our farm is immediately to the southwest of this – maybe the other slide will show it better (refers to screen). Our farm buildings are down in this area here. This is Ober Road that goes down through Chipmunk Coulee. There is a drainage ditch along the quarry down Ober Road then down through our property. There's also a second drainage ditch that comes down this area and down through our property. Back in 2000 we had a concern about the amount of water that came down through the quarry since the entire farm drains down those two drainage ditches and through our property. What conditions were placed at that time on the permit acquired by Bendel/Starch concerning seismic readings when the quarry is expanded into Phase 2 or Phase 3? Also, what about the drainage concerns? I understand new laws have been passed since that time perhaps because of reclamation plans that must be submitted for approval prior to the quarry being expanded, that is taken into account. I understand after talking with Mary Jo today that County ordinances require that a 25-year storm to be maintained. In August of 2007 and June of 2008 we experienced, I don't know, maybe 200 or 300 year storms and we got a tremendous amount of water down both ditches, except the ditches were not able to contain them so a lot of debris and rocks were carried out across the property. I don't wish to speak in favor or opposition. I just have a concern, since we are an adjoining property, that if conditions could be placed.....

QUESTION Pedretti: Do we have conditions on that Mr. Bluske?

ANSWER Bluske: I will answer that by reading all conditions placed on it in 2000.

1. Quarry operation open 6 days a week. No Sundays.
2. 6:00 a.m. – 6:00 p.m. only.
3. Permit is nontransferable
4. Two seismograph readings required at time of blasting.
5. 15-year operations plan to be provided.
6. A new Erosion Control Plan is required for expansion area (Phase I & II) of operational plan.
7. Power line to be relocated prior to start of Phase II.
8. Quarry to be contained between Ober Rd and Bendel Rd.
9. A minimum 200' strip and berm required between Bendel Rd and quarry face.
10. No washing of rock without Land Conservation Department approval for ponding and processing of water.

QUESTION Pedretti: So, the seismic readings are in there. The erosion control question he had on the two drainage easements, they're in there?

ANSWER Bluske: That was in there.

QUESTION Bluske: The seismic readings – it doesn't indicate where they should be placed. Was one placed at your residence, or did you want one there?

ANSWER Lorenz: One was placed at the intersection of Ober Road and Lorenz Road. I remember that, but it's been 12 years. But there's two properties: Nancy Lorenz at the base of the hill and then ours.

QUESTION Bluske: So, that was the intent to have them at the bottom of the hill?

ANSWER Lorenz: Right.

QUESTION Lorenz: In that bottom area (refers to the screen) it refers to a drainage catch basin. I don't know what that is. I expect it's a retention dam of some sort. I was curious what the intent of that was. Is that a watershed damn to be built to contain the flow coming down through that?

REMARK Bluske: May be Keith can rebut that when everybody else is done.

QUESTION Mach: It says the DNR or someone must maintain things for the 25 year storm, did they do the seismic...

ANSWER Bluske: The seismic is for the blasting

QUESTION Mach: Did they check drainage (issues) after these storms? We do have heavy rains.

ANSWER Bluske: Our Land conservation Department visits these sites twice per year as part of the reclamation process. Once is to GPS the area that has not been reclaimed yet because the operators are charged a fee of \$160 per acre for anything unreclaimed, except anything old (that was there) prior to the law going into effect. They visit the sites with retention ponds. Keith will address the need for this one. If you take a look at where this is, it's on the Mathy property line, but Al's question is that it drains down to his farm. If we go back to the aerial photo you can see where that retention pond would be. So it will probably be a dam of some kind. I'd have concerns too, if that did break, it would wash through the corner of Mathy's property, ending up on Al's property. We'll have Keith address how they maintain that so it doesn't blow out. That's reviewed every year by Land Conservation.

REMARK Bina: It was my understanding with these quarries that the rain that fell in the quarry had to be retained within that quarry, it can't run out the side and they can't pump it out either. The rain falling outside the property limits is causing the flooding and high water. We've had some heavy rains.

REMARK Bluske: To answer your question, I'm trying to remember what year non-metallic mining went into effect....

REMARK Sampson: 2001.

REMARK Bluske: When we approved this prior to that, there was nothing indicating we could do that on the old quarry. We were probably dealing with a little bit here from the original quarry (refers to aerial

photo). The floor of that did drain out. You'll hear the town still has an issue with draining from the old quarry. They don't have to reclaim that – they might if they have enough overburden, but they're not required to. They have to do that for the new portion. You can see they have a pretty good pond. They're taking care of that now. You can have Keith address that too.

No one else appearing in favor.

**Appearing in opposition:** Tom Poellinger, W4295 County Road MM, Coon Valley, WI 54623. Our property is directly to the west and overlooks this quarry site. My concerns are hours of operation. I've been told by Steve Mader the conditions from back in 2000 will apply to the new operations. I was involved with the seismic thing. I remember there was going to be one up by our property – at that time it was John Richards. Our property is west of Ober Road up here (refers to screen); we pretty much look down into this thing. You have a 100 year plan – do we forever look down into this thing or does it get dressed up as they move forward with the project and clean up as it goes? The noise and problems with our foundation and well would be our...we're not home when the blasting happens. It's a concern – we have a lot invested in our house and well, I'm not necessarily against, I'd just like more information on how it will proceed and what will happen.

No one else appearing in opposition.

REMARK Pedretti: Would you please come up and address the concerns the neighbors have. Start with the sediment pond in the lower corner.

REPLY Mathison: The sediment pond is shown on the map. It's a requirement of Land Conservation when we go into Phase 3 & 4. As we disturb the soil, we want to catch the sediment that may come down that slope when it rains. This will be a dry basin with stand pipes that drain it out in a controlled manner. There will be emergency over-flow built into it, if we keep having large rains like we've had. We want to catch any sediment that comes off the land as we disturb it.

QUESTION Pedretti: So people concerned about having a dam there that might break.....

ANSWER Mathison: You're looking at a structure that might be 8-ft high that will hold back a 25 year event, like Mary Jo had asked for. You've got to remember a 25 year event is 2 inches of rain. We've been seeing 5 plus lately. There will be an emergency over-flow because once it fills up, water's gotta go somewhere. The pipes will only drain it out so fast.

QUESTION Pedretti: Does that address your concern?

ANSWER Lorenz: I think it does, but as I understand it, as Phase 3 is quarried...What Mr. Bina said about this retention requirement in the law – I think what he explained was that as overburden is removed, they'll have a 25 year retention structure built on the upper end of that ditch. It sounds to me like there's no requirement for them to do any more than that. In 2007 we had 14 inches. When that happens there isn't much you can do but get out of the way. I guess that answers my question and that whatever gets built in there is approved by the DNR or the county.

REMARK Mathison: Mary Jo reviews our site, reviews our plan. I'll have to give her an engineered design before we can build it. That's a requirement of Land Conservation. The rain coming down this valley is what's falling on undisturbed ground. When we cut the slopes for the quarry, it's all going into the quarry.

REMARK Pedretti: It will stay on site...

REMARK Mathison: It will stay on site; we're trying to address what's falling on the ground outside the quarry.

QUESTION Pedretti: You want to address the hours of operation?

ANSWER Mathison: Hours of operation will 6:00 (am) to 6:00 (pm) as in the old plan, 6 days a week.

QUESTION Pedretti: Seismic readings?

ANSWER Mathison: I have an expert with us from Olson Explosives – he can explain it more. We've set them on various sites over the years as we've blasted. The last time we shot was in '06 when we had four different blasts. Prior to that it was in 1999. Seismographs were set on all these shots. Usually it's set at

the closest residence. In the past it was at the house that sat here (refers to aerial on screen). We have set at this place and at other places in the past in '99 and '98.

QUESTION Bina: Isn't it true you're using a different type – it isn't dynamite. I live pretty close to a quarry and my house used to rattle all the time, but I don't feel it anymore.

ANSWER Mathison: The new technology is where they control how each individual hole goes off in a shot – there's 30-40 holes. They control the order they go off and they get them to counter-act each other so the vibrations are actually cancelling as much as we can get them. You'll still feel them but they are a lot less than they were 20 years ago.

QUESTION Pedretti: The questions about "dressing up" – when do you have to reclaim – will this be open for a long time?

ANSWER Mathison: It's 50-100 years of reserves on this site. We generally try to reclaim as we move forward. As we strip a new area we move that dirt behind us.

QUESTION Pedretti: Do you plant it back to prairie grasses...

ANSWER Mathison: We plant as we go. But since this is such a small footprint, we've got to wait until we develop more floor space before some of the area behind us gets reclaimed. As we move to the east through Phases 1 & 2, Phase 1 will start to get reclaimed behind us, as we move the dirt from the new areas to the old.

QUESTION Pedretti: Can you address the noise issue? Do you take readings on the noise level?

ANSWER Mathison: We take readings on the crushers when we set them up. Right around the plant you have readings of 85 to 100 decibels. As you double the distance away noise levels drop in half in decibel reading. A thousand feet away you'll have readings in 60 to 70 decibels which is basically normal conversation. You'll hear it because it's different than the background noises. But as for being loud, you have to be within 1,000-ft of it.

QUESTION Pedretti: Are there any properties within 1,000-ft?

ANSWER Mathison: There are no residences within 1,000-ft. There's property adjacent to it within that.

QUESTION Pedretti: And the final issue I heard from Mr. Poellinger – the wells.

ANSWER Mathison: Again – Olson Explosives can explain any possible damage to wells from blasting. There's one other issue the town has brought up about water leaving the quarry at the gate. In our smaller storm events of 3 inches or less we have it going into a culvert on the north side of the driveway and under Ober Road. When we get 5-10 inch rains it over-fills the culvert and goes down the road ditch along Ober (Road), undermines it a little bit. We'll make a highway agreement with the town that will take care of the damage that may result from it. We're trying to control the water on site, but when you get these large events like in '07 and '08, it's impossible to build for them.

QUESTION Pedretti: And you've been discussing this with the town?

ANSWER Mathison: Yes. It's one of the conditions they've forwarded on.

**Town Recommendation**, Bluske: Town Chairman, Steve Mader has submitted these conditions: We've discussed and have restrictions on this new permit.

1. Stormwater discharge must contain eight (8) inches of stormwater and exit designed with a slow release over 24-36 hours.
2. The operation shall be designed to limit damage to the road and shoulders downstream of discharge points and the owner to provide bank replacement materials at no cost for existing and future damages.

**Staff Recommendation**, Bluske: Approval subject to the following nine (9) conditions:

1. This permit is granted specifically to allow Mathy Construction and any successor in title to operate and reclaim the limestone quarry known as the Bendel/Starch Quarry on Ober Rd;
2. Hours of Operation of crushing and screening are 6 AM – 6 PM Mon – Sat; and  
Hours of Operation for sale of products are daylight hours Mon – Fri and emergencies;

3. Life expectancy is estimated between fifty (50) and one hundred (100) years based on current use of rock;
4. Mathy Construction has an existing Stormwater Management Plan with the Town of Greenfield requiring an additional plan to handle 8 inches of stormwater with a slow release over 24-36 hours;
5. Mathy Construction or subsequent owner is required to limit damage to the road and shoulders of Ober Rd and to repair road bank replacement caused by the quarry operation;
6. A minimum of 50-ft setback shall be maintained along all property lines;
7. Non-Metallic Mining Reclamation Plan No. 9 is still in full force and effect;
8. Two seismograph readings are required at the time of blasting; and
9. This permit replaces and terminates Conditional Use Permit No. 511 in its entirety.

**Motion Manthei/Keil to approve Conditional Use Permit No. 829 with the nine (9) recommended conditions.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

Pedretti: {Three calls for Zoning Petition No. 1864, no one present} The procedure is to.....

REMARK Bluske: To hold over and they have to pay the fee again.

REMARK Pedretti: I'm sorry to all of the people who had to sit and wait for that, but we'll have to hold this over.

**Motion Bina/Keil to hold Zoning Petition No. 1864 over until next month or until we get a request and someone is present.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

**Motion Keil/Manthei to adjourn at 7:57 PM.**

**6 Aye, 0 No, 1 excused (Meyer). Motion carried.**

Hearing adjourned at 7:57 p.m.

*Approved: 5/2/11  
Nathan Sampson, Recorder.*