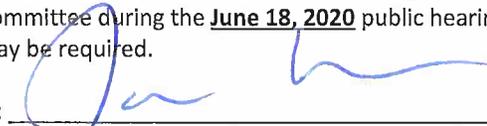


APPEAL NUMBER: 2017-0010
APPEAL DATE: 06-18-2020

CONDITIONAL USE REQUEST
Chippewa County Planning & Zoning Committee

The undersigned applicants state the following points of consideration/acknowledgement:

- (1) Jason Haas of Haas Inc. is requesting a **Conditional Use Permit is required to allow grading for a non-metallic mine (Gulich Pit) in accordance with Sections 55-18 and 55-50(c)(1) of the Chippewa County Shoreland Ordinance**, on the following parcels of land:
 - a. Haas Sons Properties LLC., 203 E Birch Street, Thorp, Wisconsin 54771 (Parcel #: 23206-1013-00020000)
 - b. Haas Sons Properties LLC., 203 E Birch Street, Thorp, Wisconsin 54771 (Parcel #: 23206-1042-00000000)
- (2) That these parcels are located within the **Shoreland** District.
- (3) That Conditional Use Permit 2017-0010 was granted on 09-21-2017 with an expiration date of 03-30-2020.
- (4) They are requesting the Chippewa County Planning & Zoning Committee grant a Conditional Use Permit for the project as shown on submitted documents with the same conditions and restrictions as approved in 2017.
- (5) That all attached information or any additional requested information is true, accurate and completed to the best of their knowledge. And that the Planning & Zoning Committee considers it all as part of the application.
- (6) We or our designated representative will have an opportunity to present to the committee in favor of this request.
- (7) We have the authority to allow the Planning & Zoning Department staff and/or committee access to the property to conduct necessary inspections related to the request.
- (8) We understand that we cannot direct any written communication about this application to a member of the Planning & Zoning Committee unless we also file a copy with the Department of Planning & Zoning and direct additional copies to each person who has registered an interest in this application.
- (9) We also understand that if we or our designated representative fails to appear in front of the Planning & Zoning Committee during the **June 18, 2020** public hearing our request may be **DENIED** and/or additional republication fees may be required.

Signed: 
Jason Haas, Agent

Date: 5-28-2020

Please sign and return by **May 27, 2020** utilizing one of the following:

Mailing Address: Chippewa County Department of Planning and Zoning 711 N. Bridge Street Chippewa Falls, Wisconsin 54729	Email Address: dclary@co.chippewa.wi.us
	Fax Number: (715) 726-4596

Conditional Use Request

Haas Inc is requesting a Conditional use permit for their existing Gulich pit in Chippewa county. Haas would like to continue to operate the pit as they have been for the last 3 years when they started mining the pit in 2017.

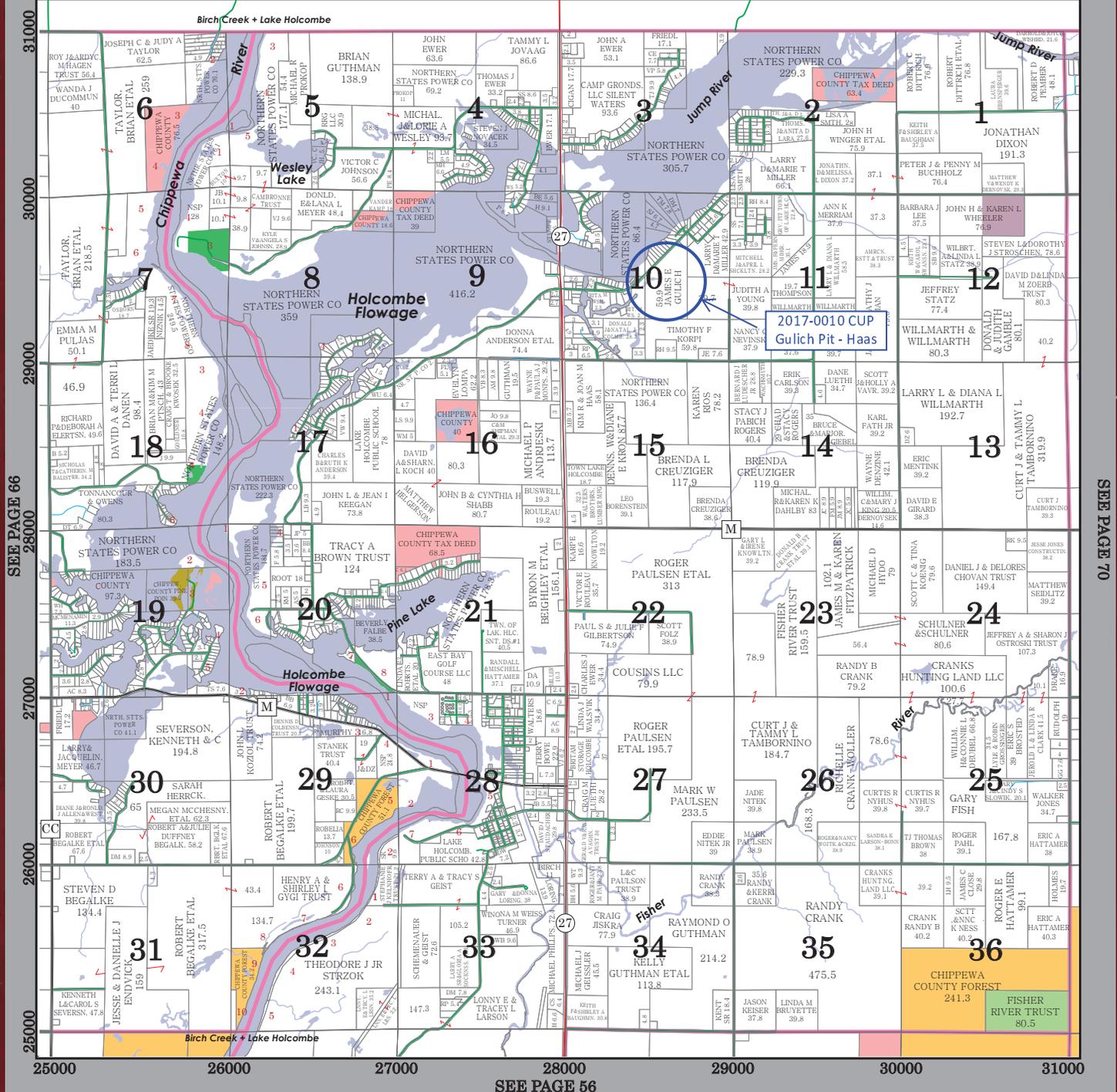
BIRCH CREEK (E), LAKE HOLCOMBE (N)



T32N R06W



RUSK COUNTY



SEE PAGE 56
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All acreages are computed & rounded to the closest acre, roadways are excluded from totals. All mapping is for reference only and is not intended, or to be used for any legal purpose.



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SEE PAGE 70

CHIPPEWA COUNTY
DEPARTMENT OF PLANNING & ZONING

• 711 North Bridge Street, Chippewa Falls, WI 54729 • Phone:715.726.7940 • Fax:715.726.4596 • www.co.chippewa.wi.us •

Land Management

Land Planning

Land Records & G.I.S.

POWTS & Wells

Date: May 28, 2020

To: Property Owner(s)

From: Douglas Clary, Director



Re: Public Meetings & Hearing

Dear Property Owner(s):

The Chippewa County Department of Planning & Zoning has received a conditional use petition on parcels of land that are located either adjacent to or in the vicinity of property owned by you. You are receiving this notice because your property has been determined to be within the legal public hearing notification distance per county and state requirements. I have enclosed a map identifying the location of the parcels associated with this conditional use petition. If you have any questions regarding this rezone petition, please contact me at (715) 726-7941.

CONDITIONAL USE REQUEST #2017-0010

Petitioner: Haas Inc. – Jason Haas

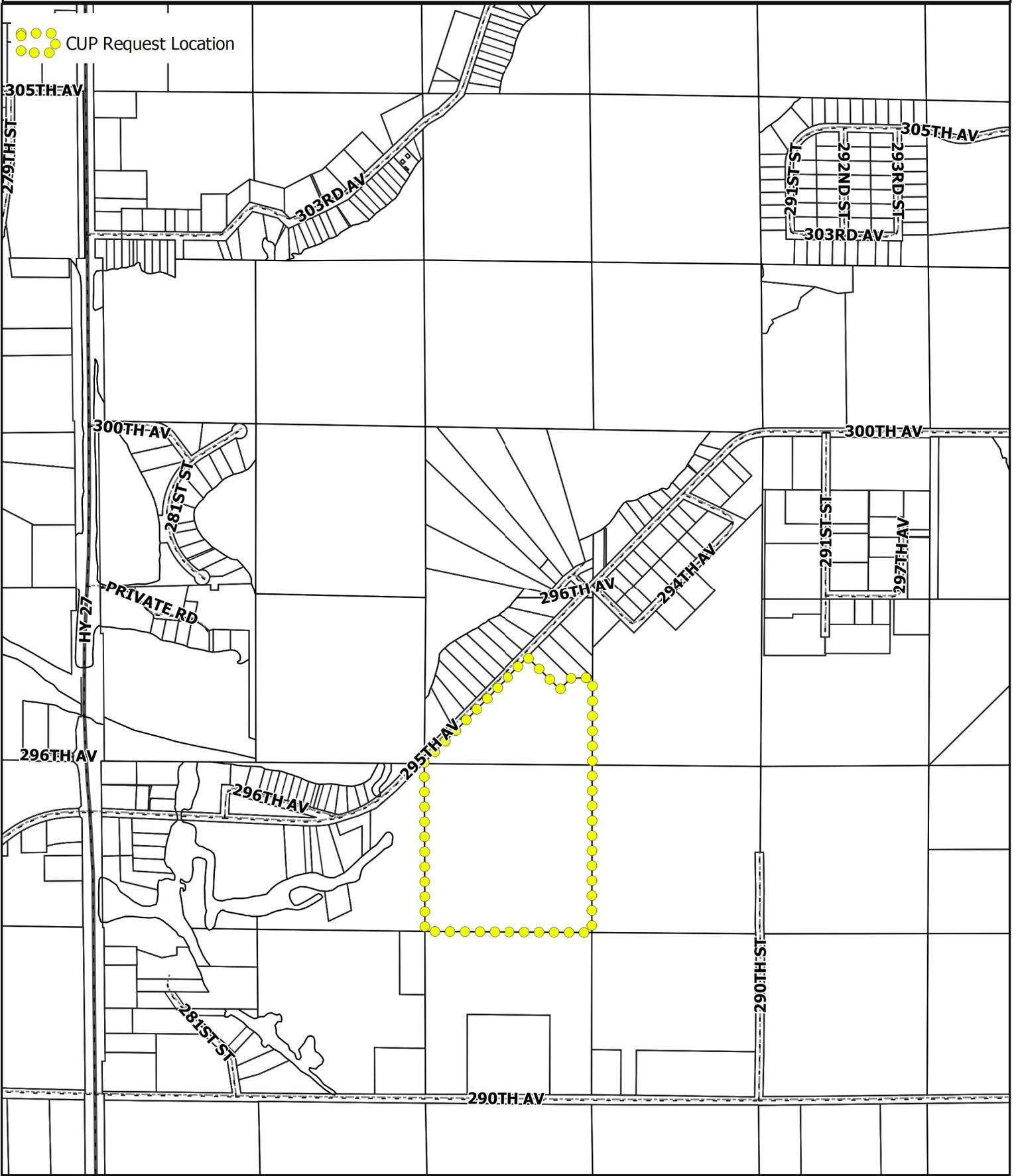
Property Owners: Haas Sons Properties LLC

Renewal of an expired permit to allow grading, filling and excavation for a non-metallic mine (Gulich Pit) in accordance with Sections 55-18 and 55-50(c)(1) of the Chippewa County Shoreland Ordinance on parcels which are located in the SW ¼ of the NE ¼ and the NW ¼ of the SE ¼, Section 10, Township 32 North, Range 06 West. Town of Lake Holcombe.

The Lake Holcombe Town Board will **REVIEW** this request on **June 11, 2020 at 7:30 PM**, at the Lake Holcombe Town Hall, 26194 276th St, Holcombe, Wisconsin 54745. The Town Board will forward an **ADVISORY** recommendation to the Chippewa County Planning & Zoning Committee to approve, disapprove or approve with modification(s) and/or condition(s).

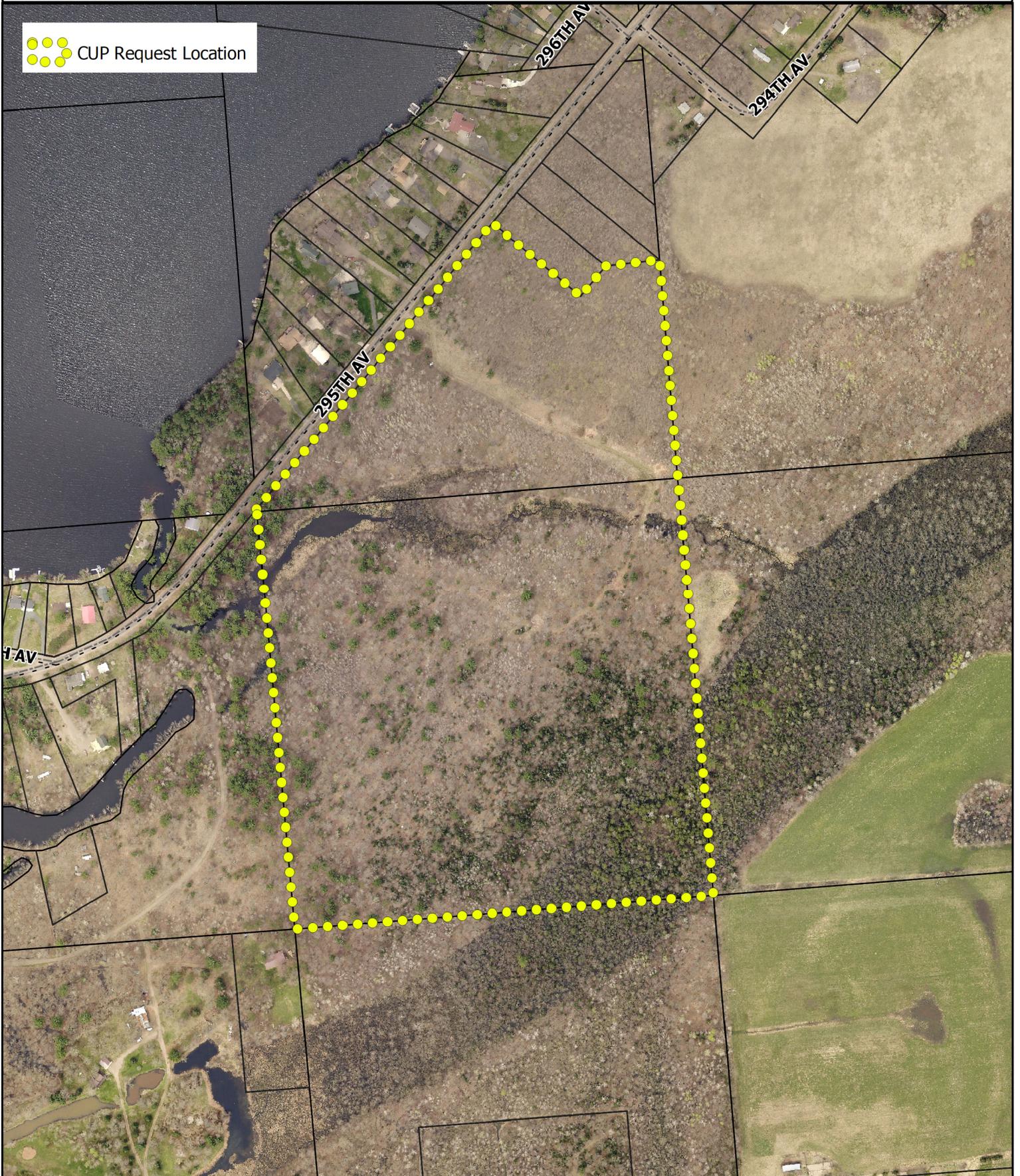
The Chippewa County Planning & Zoning Committee will hold a **PUBLIC HEARING** on **June 18, 2020 at 4:30 PM**, in room 003, of the Chippewa County Courthouse located at 711 N. Bridge Street, Chippewa Falls, Wisconsin. The Committee will make a final determination to approve or disapprove of the conditional use petition.

2017-0010 Gulich Pit (Haas) - CUP Request - Location Map



2017-0010 Gulich Pit (Haas) - CUP Request - Aerial (2017)

 CUP Request Location



Produced on May 22, 2020 by the Chippewa County Department of Planning & Zoning and is for reference purposes only.

Scale: 1" = 400'

CHIPPEWA COUNTY – PLANNING & ZONING COMMITTEE
NOTICE OF ACTION

**Conditional Use Permit to allow grading, filling and excavation for a non-metallic mine
Gulich Pit (Town of Lake Holcombe)**

APPEAL NUMBER: # 2017-0010

APPEAL DATE: 09-21-2017

EXPIRATION DATE: 03-30-2020

LAND OWNER(S):

James E Gulich, PO Box 193, Holcombe, Wisconsin 54745

(Parcel #: 23206-1013-00020000)

James E Gulich, PO Box 193, Holcombe, Wisconsin 54745

(Parcel #: 23206-1042-00000000)

OPERATOR:

Haas Sons Inc., 203 E Birch Street, Thorp, Wisconsin 54771

Dear Haas Sons Inc, and Mr. Gulich;

On August 24 and September 21, 2017, the Planning & Zoning Committee considered your request for a Conditional Use to allow grading, filling and excavation for a non-metallic mine in accordance with Sections 55-18 and 55-50(c)(1) of the Chippewa County Shoreland Ordinance on parcels of land located in the SW ¼ of the NE ¼, and the NW ¼ of the SE ¼, Section 10, Township 32 North, Range 06 West, Town of Lake Holcombe.

DECISION:

The Planning & Zoning Committee has **GRANTED** the conditional use permit with the following conditions:

1. Shoreland Filling, Grading and Excavation Requirements:

- a. The smallest amount of bare ground shall be exposed for as short a time as feasible.
- b. Temporary ground cover shall be used and permanent vegetative cover shall be established.
- c. Diversion berms or bales, silting basins, filter fabric fencing and other methods shall be used to prevent erosion.
- d. Lagoons shall be constructed to avoid fish traps.
- e. Fill shall be stabilized according to accepted engineering standards.
- f. Fill shall comply with any local floodplain zoning ordinance and shall not restrict a floodway or destroy the flood storage capacity of a floodplain.
- g. Channels or artificial watercourses shall be constructed with side slopes of two units horizontal distance to one unit vertical or flatter which shall be promptly vegetated, unless bulkheads or riprap are provided.

2. Flood Plain Filling, Grading and Excavation Requirements:

- a. The fill or deposition of materials does not encroach on the channel area between the ordinary high-water mark on each bank of the stream unless a permit has been granted by the DNR pursuant to Wisconsin State Statutes Chapter 30, and a permit pursuant to Section 404 of the Federal Water Pollution Control Act, Amendments of 1972, 33 U.S.C. 1344 has been issued, if applicable, and the other requirements of this section are met.
- b. The fill or other materials will be protected against erosion by riprap, vegetated cover, sheet piling or bulkheading.
- c. Such fill is not classified as solid waste or hazardous waste.

3. Additional Conditions:

- a. This conditional use permit will expire on March 30, 2020, unless it is renewed prior to this date. Off-site hauling of any material following permit expiration and in the case of revocation would be prohibited.
- b. Permit will allow filling, grading and excavating activities for a non-metallic mine, including the reclamation activities.
- c. Activities to be in compliance with the Wisconsin Department of Natural Resources (WDNR) Wisconsin Pollutant Discharge Elimination System (WPDES) Program permit.
- d. Discharge of stormwater runoff or processing water from the non-metallic mine is prohibited from the non-metallic mining boundary.
- e. The submitted plans indicate the site will be internally drained and that mining into the water table will occur on the south side of the intermittent stream. The ground water elevation is approximately 1,046 feet above mean sea level (MSL). The pond elevation is proposed to be at 1,022 MSL.
- f. The regional flood elevation (RFE) has been estimated at 1,047' MSL for Lake Holcombe. No mining or placement of berms shall be allowed between the intermittent stream and the 1,050' contour elevation as shown on the County's Contour Data, except that all portions of a proposed berm or non-metallic mining shall not occur within 75' of the intermittent stream.
- g. Hours of operation 6:00 a.m. to 7:00 p.m. Monday through Friday. Hours of operation on Saturdays shall be 6:00 a.m. to 3:00 p.m. Saturdays and are limited to hauling only. No Sundays or holidays. Transportation Projects shall be allowed outside of these hours under the following circumstances.
 1. Special Projects with Limited Night-time Hours. Projects specifically related to the construction or reconstruction of local, county, state or federal roadways shall be allowed outside of the permitted hours. Written notification shall be sent via certified mail to least 30-days prior to the start of special projects with limited night-time hours to all property owners within 660' feet of the proposed non-metallic mining site boundaries, to the Town Board Chair and to the Department of Planning & Zoning. The written notification shall confirm the intended project, the expected hours of operation, the anticipated start date, the approximate number of days the project is projected to occur and the expected non-metallic mining activities within the permitted boundaries.
- h. Landscaping and Screening. Unless an alternative landscaping and screening plan is approved by the County, all nonmetallic mining operations shall install a berm around the perimeter of the proposed nonmetallic mining boundaries, except for entrances and exits. Berms shall be in compliance with the following:
 1. Prior to construction of said berm, the operator shall submit and obtain approval from the Department of Planning & Zoning for a detailed berm, landscaping and related drainage and erosion control plan.
 2. The berm shall be installed within 14 calendar days of stripped overburden and topsoil becoming available from the proposed nonmetallic mining site or from suitable outside sources. The berm may be constructed in phases as material becomes available.
 3. Berms shall not be placed closer than 5' to an exterior property line, except for the berm along 295th Avenue. The berm along 295th Street shall be placed no closer than 83' to the center line of the road. Any existing trees and/or vegetation between the centerline and the road shall remain until the site is closed.
 4. Only clean topsoil, subsoil or overburden from the proposed nonmetallic mining site or suitable outside sources shall be used in constructing the berm.
 5. The placement of a 15' tall berm must be constructed in order to provide screening from 295th Street. The top of the berm shall be a minimum of 4' wide.
 6. The outward-facing slopes of the berm shall not be steeper than 3 horizontal units to 1 vertical unit. The inner-facing slopes may be steeper, but must be stabilized and maintained to remain stable.

7. The berm shall be constructed in a manner that does not result in flooding, concentrated runoff, inadequate drainage or excessive erosion or sedimentation
 8. The exterior of the berm shall be kept free of noxious weeds, trash and debris.
- i. Completion of restoration activities within one (1) year of permit expiration.
 - j. The sale of topsoil from the site is prohibited until the site is closed.
 - k. Dust control and sediment control shall be required on ingress/egress to 295th Avenue.
 - l. Operator to follow: 1) All provisions of Chippewa County Non-Metallic Mining Reclamation Ordinance and 2) Wisconsin Administrative Rule NR 135.
 - m. Activities are to be conducted in compliance with the approved Non-Metallic Mining Reclamation Plan Narrative and the "Initial Site Map", "Site Operation Map" and "Final Site Map" all date stamped August 26, 2017.
 - n. The burying of any items that are not raw nonmetallic mining minerals is prohibited on the property.
 - o. Chemicals or flocculants shall not be utilized on the property and as part of this permit would be prohibited.
 - p. An Asphalt Plant shall not be allowed under this permit.
 - q. The existing driveway on the north side of the property shall be removed.
 - r. Termination and Revocation: Where the conditions of this conditional use permit are violated, the conditional use permit may be terminated or revoked or modified after notice by certified mail to the parties of interest and a public hearing is held by the Planning & Zoning Committee.

A complete record of the hearing and the decision of the Planning & Zoning Committee are available for inspection in the Chippewa County Planning & Zoning Department, Room 009, 711 N. Bridge Street, Chippewa Falls, Wisconsin. Information can be reviewed and/or requested between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding Holidays.

WRIT OF CERTIORARI

Any person or persons jointly or severally aggrieved by this decision of the Planning & Zoning Committee or any taxpayer, or any officer, department, board or bureau of the County, may commence an action in the circuit court for writ of certiorari to review the legality of such decision.

Dated this 11th day of December, 2017.

By the Order of the Planning & Zoning Committee.



Douglas Clary, Director
Department of Planning & Zoning

CC: Monte Bowlin, Lake HolcombeTown Chair – *via email*
Dan Masterpole, Land Conservationist, Chippewa County DLCFM – *via email*
File