

**MINUTES
TOWN OF PLOVER PUBLIC HEARING
REGARDING A PROPOSED AMENDMENT TO THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP
MAY 23, 2024**

Chairman Garbe called the public hearing to order at 6:00 PM. Also present were Supervisors Bentley, Firkus, Pingel, and Rossier; Clerk/Treasurer Weller; Superintendent of Highways William Honaker; residents Priscilla Garbe, Donald Jochman, Cynthia Oligney, Douglas Ross, Susan Ross, Edward Sankey, Karissa Sankey, Debra Sniadajewski, and William Sniadajewski; Portage County Zoning Coordinator Christopher Mrdutt; Michael Kohlbeck of McMahon Associates, Inc. (representing Allied Cooperative), Michael Langlois and Zachary Langlois of Ridgewood Campground, Inc., and Halladay Properties, LLC, and Joseph Spinler of Allied Cooperative.

Chairman Garbe read aloud the public hearing notice which was published in the Stevens Point Journal and posted on all posting boards and the town website. Copies of the notice were mailed to neighboring landowners.

Chairman Garbe read aloud a letter submitted by Mark Anderson, Resources Manager for Consolidated Water Power Company. The company is supportive of most aspects of updating the 2021 Comprehensive Plan and Future Land Use Map but is opposed to changing 7.2 acres of Parcel 030-23-0725-03.01 from "Natural Areas Protected" to "Planned Development" on the Future Land Use Map. Anderson stated concerns about risks with the area falling within the floodplain, loss of wildlife habitat and aesthetically-pleasing undeveloped shoreline, and increased opportunities for erosion. As a result, Consolidated Water Power Company is not in favor of sharing flowage and riparian rights with a developer or future landowner of the parcel.

Michael Langlois and Zachary Langlois of Ridgewood Campground, Inc., and Halladay Properties, LLC, clarified that the change from "Natural Areas Protected" to "Planned Development" wouldn't result in conventional development that Mark Anderson seemed to be assuming. The 7.2 acres would be used as open space in any future planned development, allowing more land to be conventionally developed away from the shoreland area on Parcel 030-23-0725-03.01. Portage County Zoning Coordinator Christopher Mrdutt indicated that there are built-in shoreland protections in the creation of any zoning classification in a shoreland area, such as an increased buffer; he also noted that a future zoning change wouldn't affect Consolidated Water Power Company's flowage and riparian rights or its Federal Energy Regulatory Commission (FERC) licensing requirements. Mrdutt is willing to have a conversation with Mark Anderson to address his concerns, and Anderson may also provide feedback to the Portage County Planning and Zoning Committee regarding any unresolved issues.

Resident Edward Sankey questioned if the proposed amendment to the 2021 Comprehensive Plan and Future Land Use Map would have any impact on future annexations by the Village of Plover, and Chairman Garbe explained how annexation considerations are subject to the Intergovernmental Boundary and Utility Service Agreement. Resident Donald Jochman commented that he supports the future plans for commercial development along State Highway 54, with residential development farther off the roadway; he also appreciates the emphasis on green space. Christopher Mrdutt provided an overview of the concept of planned developments as well as their approval process.

Chairman Garbe closed the public hearing at 6:55 PM.

**MINUTES
TOWN OF PLOVER BOARD MEETING
MAY 23, 2024**

1. CALL TO ORDER:

Immediately following the public hearing, Chairman Garbe called the meeting of the Town of Plover Town Board to order at 6:56 PM with the Pledge of Allegiance. Also present were Supervisors Bentley, Firkus, Pingel, and Rossier; Clerk/Treasurer Weller; Superintendent of Highways William Honaker; residents Priscilla Garbe, Donald Jochman, Cynthia Oligney, Douglas Ross, Susan Ross, Edward Sankey, Karissa Sankey, Michael Schoenholz, Debra Sniadajewski, and William Sniadajewski; Portage County Zoning Coordinator Christopher Mrdutt; Michael Kohlbeck of McMahon Associates, Inc. (representing Allied Cooperative), Michael Langlois and Zachary Langlois of Ridgewood Campground, Inc., and Halladay Properties, LLC, and Joseph Spinler of Allied Cooperative.

2. CORRESPONDENCE AND COMMUNICATIONS:

Chairman Garbe reported on the completion of the asphalt overlay on 425 feet of Johnson Avenue and an upcoming generator repair at the Town of Plover Town Hall.

3. PUBLIC COMMENTS:

There were no public comments.

4. OFFER OF EMPLOYMENT:

Chairman Garbe indicated that the Town of Plover Town Board interviewed and offered employment to Bernard Klasinski at an earlier meeting.

5. HIGHWAY SUPERINTENDENT REPORT AND AUTHORIZATION FOR PURCHASES:

Superintendent of Highways William Honaker reported on downed trees, testing of the recently purchased Crafco Super Shot 60 melter/applicator, road patching, the individual caught doing burnouts on Biron Drive East, and park equipment maintenance. He asked if Portage Solar could install snow fencing on parts of the land in the solar project area; Chairman Garbe mentioned that snow fencing was not a provision in the joint development agreement with Portage Solar but is included in the joint development agreement with Vista Sands Solar. Supervisor Bentley questioned who maintains the remote display boxes that were purchased by the Town of Plover Tourism Commission; Honaker will look for keys for the boxes.

6. REPAIR/RESTORATION OF ELECTRICAL POWER TO THE SHED/REMOTE SIGN:

Power is not getting to the small shed north of the shop or the lights which illuminate the Town of Plover sign along State Highway 54; there appears to be an issue with the underground wire between the shop and the small shed north of the shop. Employees discovered that the wire was not buried in conduit as it broke when pulled. Chairman Garbe will gather quotes for repair work and also explore solar lighting options for the sign.

7. APPROVAL OF ORDINANCE 20240523 REGARDING CHANGES TO CHAPTER 8 OF THE COMPREHENSIVE PLAN AND CHANGES TO THE FUTURE LAND USE MAP FOR PARCELS 030-23-0725-03.01 AND 030-23-0725-13.02:

Chairman Garbe read aloud Ordinance 20240523. Board members suggested that Mark Anderson could address any unresolved concerns of Consolidated Water Power Company with Portage County.

Supervisor Pingel made the motion to adopt Ordinance 20240523 to amend the Town of Plover Comprehensive Plan text and Future Land Use Map as presented. Supervisor Firkus seconded the motion, the question was called, and the motion carried unanimously in a roll call vote.

8. ZONING CHANGE OF 3.13 ACRES OF PARCEL 030-23-0725-03.01 FROM A4 "GENERAL AG" TO PD2 "PLANNED DEVELOPMENT 2" AS REQUESTED BY HALLADAY PROPERTIES, LLC, AS AGENT FOR WORZELLA & SONS, INC.:

Supervisor Pingel made the motion to approve the zoning change of 3.13 acres of Parcel 030-23-0725-03.01 from A4 "General Ag" to PD2 "Planned Development 2" as requested by Halladay Properties, LLC, as agent for Worzella & Sons, Inc. Supervisor Rossier seconded the motion, the question was called, and the motion carried unanimously.

9. APPROVAL OF PD2 DEVELOPMENT PLAN:

Portage County Zoning Coordinator Christopher Mrdutt noted that the certified survey map to create the new parcel (3.13 acres of Parcel 030-23-0725-03.01) is part of the PD2 Development Plan.

Supervisor Pingel made the motion to approve the PD2 Development Plan as amended and recommended by the Town of Plover Plan Commission. Supervisor Firkus seconded the motion, the question was called, and the motion carried unanimously.

10. SPECIAL EXCEPTION AND VARIANCE FOR ALLIED COOPERATIVE REGARDING NEW FACILITIES AT 4809 MONROE AVENUE:

Michael Kohlbeck of McMahon Associates, Inc. (representing Allied Cooperative) and Joseph Spinler of Allied Cooperative shared plans for the construction of a new dry fertilizer warehouse and mixing facility within the Industrial Zoning District on Parcel 030-23-0830-07.02 and answered questions from board members. Supervisor and Town of Plover Plan Commission Chairman Pingel reported on the Plan Commission meeting held on May 22. The Plan Commission supported Allied Cooperative's requests for a special exception and two variances, one variance for a structure to have a setback of one foot from the north property line abutting the railroad and another variance for the silo which will stand 122 feet high to have a setback from the south property line that is a distance less than the silo's height. At the encouragement of the Portage County Planning and Zoning Department, the Town of Plover Plan Commission also suggested adding conditions to require Allied Cooperative to obtain a Portage County Zoning and Stormwater/Erosion Control Permit for all structures and impervious surfaces, install all exterior lighting on structures to be downcast and directed away from residences, and adhere to all required permits from local, state, and federal agencies; minor site plan changes may be administratively approved provided no variances or special exceptions are needed. Portage County Zoning Coordinator Christopher Mrdutt explained that the variance for the silo is an inadvertent result of cell tower siting issues and is not a fall zone issue.

Board members and residents expressed concerns about the dust created by the truck traffic around the facilities, as did meeting attendees at the Plan Commission meeting held on May 22; Joseph Spinler indicated that Allied Cooperative will take action to address the problem. Neighboring landowner Donald Jochman asked that the company do everything possible to ensure that chemical spills and groundwater contamination don't happen in the future; Spinler emphasized that the new expansion would be safer than the old facilities.

Supervisor Rossier made the motion to approve Allied Cooperative's construction plans for a new dry fertilizer warehouse and mixing facility as presented to the Town of Plover Plan Commission on May 22, thereby approving the special exception, the variance for a structure to have a setback

of one foot from the north property line abutting the railroad, the variance for the silo to have a setback from the south property line that is a distance less than the silo's height, and the conditions outlined in item seven of the draft minutes of the May 22 Town of Plover Plan Commission meeting. Supervisor Firkus seconded the motion, the question was called, and the motion carried in a roll call vote. Chairman Garbe abstained.

11. AUTHORIZATION FOR ATTENDANCE AND EXPENDITURES REGARDING ZONING AND LAND USE WORKSHOP FOR TOWN BOARD AND PLAN COMMISSION MEMBERS:

Supervisor and Town of Plover Plan Commission Chairman Pingel and Town of Plover Plan Commission member Michael Schoenholz expressed interest in attending a fundamentals of zoning and land use decision-making workshop hosted by the University of Wisconsin - Stevens Point Center for Land Use Education on June 12.

Supervisor Bentley made the motion to approve payment of registration fees for attendees of the workshop on June 12 but to forgo paying per diems for the training session. Supervisor Firkus seconded the motion, the question was called, and the motion carried. Supervisor Pingel abstained.

12. CURRENT COMMUNICATION REGARDING MEEHAN DRIVE SOUTH RAILROAD CROSSING:

Chairman Garbe reported that Attorney Shane VanderWaal has not argued any cases before the Office of the Commissioner of Railroads, but VanderWaal mentioned that fighting the closure of the Meehan Drive South railroad crossing would require hiring a highway safety engineer. Supervisor Pingel spoke with the Commissioner of Railroads and learned that the possible closure of the crossing wouldn't happen until that stretch of State Highway 54 is reconstructed; the Office is primarily concerned with the safety of crossings and is also considering the installation of crossing gates on County Road F.

13. VISTA SANDS SOLAR JOINT DEVELOPMENT AGREEMENT:

Chairman Garbe previously shared the revised draft Joint Development Agreement between Town of Plover, Town of Grant, Town of Buena Vista, Village of Plover, Portage County, and Vista Sands Solar LLC; the latest version was sent earlier in the week to Attorney Eric Callisto, representing Vista Sands Solar. Board members and residents also discussed the intervenor status of various parties, Vista Sands Solar's proposed project changes presented to the Public Service Commission of Wisconsin, intervenor and approval timeframes now that the Vista Sands Solar Certificate of Public Convenience and Necessity application has been deemed complete, and conflicts between the project and the Town of Plover Solar Overlay.

14. MINUTES OF TOWN BOARD MEETINGS AND ANY OTHER MINUTES TO BE PRESENTED:

Supervisor Pingel made the motion to approve the minutes of the April 23, 2024, town board meeting as presented, and to approve the minutes of the May 2, 2024, town board meeting as presented with the change of the phrase "his pickleball club" to the phrase "the Heart of Wisconsin Pickleball Association" under agenda item two. Supervisor Firkus seconded the motion, the question was called, and the motion carried unanimously.

15. STATUS OF UNPAID PERSONAL PROPERTY TAXES:

Clerk/Treasurer Weller reported that she has received another payment for unpaid personal property tax and has made follow-up phone calls to representatives of two businesses that she has contact information for.

16. RECONCILED BANK STATEMENTS AND CASH SUMMARY:

- **RECONCILED BANK STATEMENTS OF APRIL 30, 2024:**

Clerk/Treasurer Weller previously distributed copies of the Portage County Bank statement and reconciliation to board members. The Portage County Bank NOW checking account reconciled at \$37,553.98 on April 30, 2024. **Supervisor Pingel made the motion to approve the Portage County Bank statement reconciliation as presented, Supervisor Bentley seconded, the question was called, and the motion carried unanimously.**

- **CASH SUMMARY AS OF MAY 23, 2024, AT 4:20 PM:**

COMMITTED FUNDS: \$ 203,600.95

UNCOMMITTED FUNDS: GENERAL ACCOUNT \$ 1,015,200.73

NOW CHECKING \$ 5,555.20

TOTAL UNCOMMITTED FUNDS: \$ 1,020,755.93

TOTAL CASH FOR TOWN OF PLOVER: \$ 1,224,356.88

Supervisor Pingel made the motion to approve the cash summary as presented, Supervisor Bentley seconded, the question was called, and the motion carried unanimously.

17. BUDGET ADJUSTMENTS:

There were no budget adjustments presented.

18. APPROVAL OF VOUCHERS FOR PAYMENT, SIGNING OF VOUCHER LIST, AND AUTHORIZATION OF TRANSFER OF FUNDS:

Supervisor Pingel made the motion to approve the payment of \$26,362.37 to cover Checks 27264 through 27289 and electronic funds transfers EFT042Q24 and EFTETF0324. Supervisor Rossier seconded the motion, the question was called, and the motion carried unanimously.

19. FUTURE MEETING DATES AND AGENDA ITEMS:

The next regular town board meeting is scheduled for June 4 at 6:00 PM. Future agendas will include issuance of a fireworks permit for Golden Sands Speedway, approval of merchant seller's permit applications for sales of fireworks, liquor licensing, and the auditor's financial report.

20. ADJOURNMENT:

Supervisor Firkus made the motion to adjourn the meeting at 8:54 PM, Supervisor Bentley seconded, the question was called, and the motion carried unanimously.

Respectfully Submitted By:

Patricia Weller, Clerk/Treasurer

Approved: 06/04/24