



CITY OF MARSHFIELD

MEETING NOTICE

**Plan Commission Agenda
City of Marshfield, Wisconsin
Wednesday, December 15, 2021
Council Chambers, City Hall, 207 West 6th Street
6:00 p.m.**

1. Call to Order. – Nick Poeschel – Council President.
2. Roll Call. – Secretary Miller.
3. Approval of Minutes – November 16, 2021 Meeting.
4. Identify potential conflicts of interest - Please be advised per City Policy 3.340, that any member of the body, shall declare a conflict if they have an interest, financial or otherwise, direct or indirect, or engage in a business or transaction or professional activity, or incur an obligation of any nature, that is in conflict with the proper discharge of the body's official duties.
5. Citizen Comments.
6. Conditional Use Request by Gerhard Braun for an exception to the height and opacity requirements for a fence within a front yard setback for the property located at 1709 Devine Drive (parcel 33-06792), zoned "SR-2" Single Family Residential. Presenter: Steven Wiley, City Planner
Public Hearing Required
7. Conditional Use Request by Cardell Potter for In-Vehicle Sales or Service and Outdoor Commercial Entertainment land uses, to allow for drive-through services and outdoor dining, with exceptions to the parking and landscape requirements in the "UMU" Urban Mixed-Use Zoning District for the properties located at 603 North Central Avenue (parcels 33-01547, 33-01549, 33-01550, 33-01551, 33-01552).
Presenter: Emmett Simkowski, Associate Planner
Public Hearing Required
8. Conditional Use Request by Robert Burrows Jr. to allow for a Salvage or Junkyard land use as a conditional use in the "GI" General Industrial zoning district, located at 2609 East 4th Street (parcel 33-03412AB).
Presenter: Emmett Simkowski, Associate Planner
Public Hearing Required
9. Staff Updates.
10. Adjourn.

Posted this 9th day of December, 2021 by 4:30 pm by Emmett Simkowski, Associate Planner.

For additional information regarding items on the agenda, please contact Emmett Simkowski, Associate Planner at 715.486.2077. This meeting can be viewed "LIVE" on the City of Marshfield website at www.ci.marshfield.wi.us, over-the-top platforms; Roku-TV, Amazon Fire-TV, Apple-TV and on Charter Spectrum Cable Channel 991. The meeting will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

NOTE

It is possible that members of and possibly a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact the Development Services Department at 207 West 6th Street or by calling (715) 486-2016.

CITY PLAN COMMISSION

November 16, 2021

PRESENT: Council President Nick Poeschel, Bill Penker, Alderperson Quentin Rosandich, Alen Johnson and Melissa Schmitt
ABSENT: John Kaprelian, Chris Golden
OTHERS: Emmett Simkowski, Associate Planner; Josh Miller, Development Services Director; and others.

Poeschel called the meeting to order at 7:01 p.m. in the City Hall Council Chambers.

PC21-56 Johnson moved and Rosandich seconded the motion to approve the minutes of October 19, 2021 Plan Commission meeting.

Motion carried.

Citizen Comments

Cheryl Isakson 2108 North Lincoln Avenue. This is about Veterans Parkway Subdivision. She has concerns that the trees were cut down two years ago and there's still a mess. The Marshfield Fire Department was called a couple of times because of the hazard of a fire from all the brush. As of to this date, nothing has been done. We would like to know how far the duplexes are from the property line and the drainage. The gutters go in the back of the duplex and they are going to be aimed at the back of the property line. How are those things going to be remedied?

PUBLIC HEARING – Rezoning Request by S.C. Swiderski, LLC to rezone a property (parcel 250-2603-333-0983) from “CMU” Community Mixed Use to “MR-24” Multi-Family Residential for the following legally described area: Lot 4 of Certified Survey Map #10927, volume 45, page 179, document #1186373, located in the southeast ¼ of the southwest ¼ of Section 33, Town 26 North, Range 3 East, City of Marshfield, Marathon County, Wisconsin.

Emmett Simkowski presented this item.

Public Comments: None.

Discussion: None.

PC21-57 Rosandich moved and Penker seconded the motion to approve the Rezoning Request by S.C. Swiderski, LLC to rezone the property (parcel 250-2603-333-0983), from “CMU” Community Mixed Use to “MR-24” Multi-Family Residential and direct staff to prepare an ordinance for Common Council consideration.

Motion carried.

PUBLIC HEARING – Preliminary Plat Review Request by Tim Vreeland, for the Green Acres 1st Addition Subdivision described as: all of vacated Grasslands Subdivision, part of block 4 of Green Acres Estates, all of outlot 1 of Wood County Certified Survey Map #5203, part of outlot 1 of Wood County Certified Survey #5202, being located in the southwest ¼ of the northwest ¼, southeast ¼ of the northwest ¼ and northwest ¼ of the southwest ¼ of section 16, Town 25 North, Range 3 East, City of Marshfield, Wood County, Wisconsin.

Josh Miller presented this item.

Public Comments: None.

Discussion: Rosandich asked if it gets approved now, what is next. Miller responded that the next step would be a Development Agreement between the Common Council and Developer. Then it would be to approve the final plat by resolution with the Common Council.

Penker asked about location of stormwater pond.

PC21-58 Penker moved and Rosandich seconded the motion to approve the Preliminary Plat of Green Acres Estates 1st Addition Subdivision with the following conditions:

1. The fee in lieu of dedicated parkland of \$200 per potential dwelling unit (\$11,000 total) is acceptable as part of the parkland dedication requirement, and should be submitted to the City at the time of final plat approval.
2. Exceptions to the maximum block length (exceeding 1,500 feet) for 21st Street and minimum block length (less than 600 feet) for Madi Circle and Herkert Drive are approved as presented.

Motion carried.

Concept Plan Review for proposed changes to the Veterans Parkway Subdivision Planned Unit Development.

Josh Miller presented this item. The Developer is looking to remove the hammer head street and move up one of the duplexes to line up along Shortess Drive. He's looking for feedback on this layout and concept.

Discussion: Poeschel would say that the neighbors to the north and east side of this have had great concerns about the lack of development in this location. He's happy to see that he is working to develop a workable plan and that he will work with the neighbors on addressing their concerns. Would like to see the new units along Shortess Drive moved to the south to provide some additional spacing provided the wetlands could be accommodated.

Rosandich asked about the runoff and what property is she talking about. Are we going to address the public comment question? Miller responded that she is likely talking about the entire development. The goal is to get the stormwater to the street. It won't all go there.

Rosandich asked if the City should get involved since the stormwater isn't draining properly and he's the cause of it. Miller stated the Developer needs to get approval from the DNR before cleaning up areas around the wetlands. The City can require the developer to address these issues as part of the Planned Unit Development so having the City getting involved with the cleanup at this time wouldn't be necessary.

Penker asked about stormwater drainage east of Shortess Drive. Miller stated the goal would be to get as much stormwater towards the street as practical. It's probably not practical to get all of it to go towards the street. The Developer will have to provide a stormwater management plan as part of this process.

Rosandich suggested that it's important that the next time this comes before the Plan Commission the developer needs to be in attendance.

Staff Updates:

None.

Next Meeting Date and Items for Future Agendas:

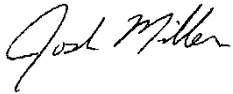
Simkowski stated we have already received applications for the December meeting. Staff recommended moving the meeting up a week to account for the Common Council moving their second meeting in December up a week.

PC21-59 Rosandich moved and Schmitt seconded the motion to approve setting the December meeting for Wednesday, December 15, 2021 at 6:00 pm.

Adjourn:

With no other business before the Commission, Rosandich moved and Johnson seconded to adjourn the meeting at 7:45 p.m.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Josh Miller".

Josh Miller, Secretary
CITY PLAN COMMISSION

TO: Plan Commission
FROM: Steven D. Wiley, AICP, City Planner
DATE: December 15, 2021

RE: Conditional Use Permit Request by Gerhard Braun to allow for an exception to the front yard fence height, opacity, and setback requirements for the property located at 1709 Devine Drive (parcel 33-06792), zoned “SR-2” Single-Family Residential.

Background

The subject property is located on the east side of Devine Drive and to the south of 17th Street. The properties immediately surrounding the subject parcel are single-family residential properties of similar scale and varying character. The greater surrounding neighborhood is mostly single-family residential with some multi-family properties to the northeast of the subject parcel. Wildwood Park & Zoo lie to the east of the subject site. The applicant approached the Development Services Department and spoke with staff regarding his plan to construct a six foot tall solid fence with a fifteen foot setback in the front yard. Staff informed the applicant that applicable ordinance allows a 4 foot, 50 percent opaque fence with a 30 foot setback. Staff explained that a Conditional Use Permit and exception were required to permit the height, type, and setback of fencing as proposed by the applicant.

Analysis

Applicable Sections of the Municipal Code

- Section 18-26(7) requires that in the SR-2 zoning district a 30 foot setback for the front yard.
- Section 18-106(4)(c)(1)(c) requires that in all residential zoning districts fences may be no taller than 4 feet when a fence is located within the front yard.
- Section 18-106(4)(a)(1)(c) requires that any fence within the required or provided front yard, whichever is less shall be a maximum of 50 percent opaque (such as wrought iron or picket or wood rail fence).
- Section 18-106(3)(c) allows for exceptions to the requirements of the section to be granted through a conditional use permit.

The applicant is proposing to add approximately 76 linear feet of 6-foot tall vinyl privacy fence (100% opacity) running east-west along the northern property line. The fencing would start approximately 15 feet east of the front property line and run back to a point even with the front façade of the house. According to the ordinance definition of a front yard, the front yard is located along Devine Drive because Devine is the public street fronting the property. The Code requires that a fence in the front yard cannot be taller than 4 feet and must be 50% opaque, unless an exception is granted. Solid 6 foot tall fencing must also stay out of the required 30 foot front setback. The fencing proposed under this exception request is the only fencing currently

proposed by the applicant.

The intent of the ordinance is to have a shorter fence between the front façade of the house and the street, but in this case, the front façade is located approximately 92 feet back from the front property line. The applicant is proposing to have a 6 foot solid vinyl privacy fence starting 15 feet back from the front property line. The fence would be situated out of the required 10 foot by 10 foot driveway vision triangle and back from the public right-of-way. The final site plan should show the fence meeting the 10' vision triangle requirement prior to the approval of the fence permit. Staff is supportive of the Conditional Use Permit to allow an exception for the 6 foot fencing as proposed on the site plan provided as long as the applicant's final site plan shows the required driveway vision triangle and no other exceptions are required.

Conditional Use Decision Criteria of 18-161(6)(c):

(c) *The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:*

1. *Is in harmony with the recommendations of the Comprehensive Plan.*

Staff does not find any conflict with the proposed use and the Comprehensive Plan.

2. *Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.*

Allowing this exception shall not have an adverse impact on the surrounding neighborhood.

3. *Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.*

The consistency of the land use will not change.

4. *The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.*

The installation of a fence will not have an impact on utilities.

5. *The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.*

The purpose of the regulation is to have a smaller and open fence in front of the front façade of the home. In this case, the front façade of the house is set back considerably farther than the required 30 foot front setback. Given that the fencing would run along the rear property line of 1114 17th Street, stop 15 feet short of the public right-of-way, and remain well out of the required driveway vision triangle, staff is supportive of the exception request.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

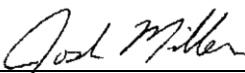
APPROVE the Conditional Use Permit Request by Gerhard Braun to allow for an exception to the front yard fence height, opacity, and setback requirements for the property located at 1709 Devine Drive (parcel 33-06792), zoned “SR-2” Single-Family Residential, with the following conditions/exceptions:

1. The applicant is permitted to have a 6-foot solid privacy fence located in the front yard along the north property line as shown in the site plan submitted.
2. The final site plan must show the fence meeting the driveway vision triangle and this may be approved administratively.
3. Minor adjustments to the site plan may be approved administratively provided no other exceptions are required.

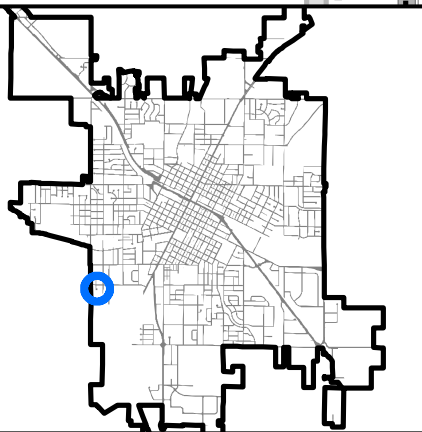
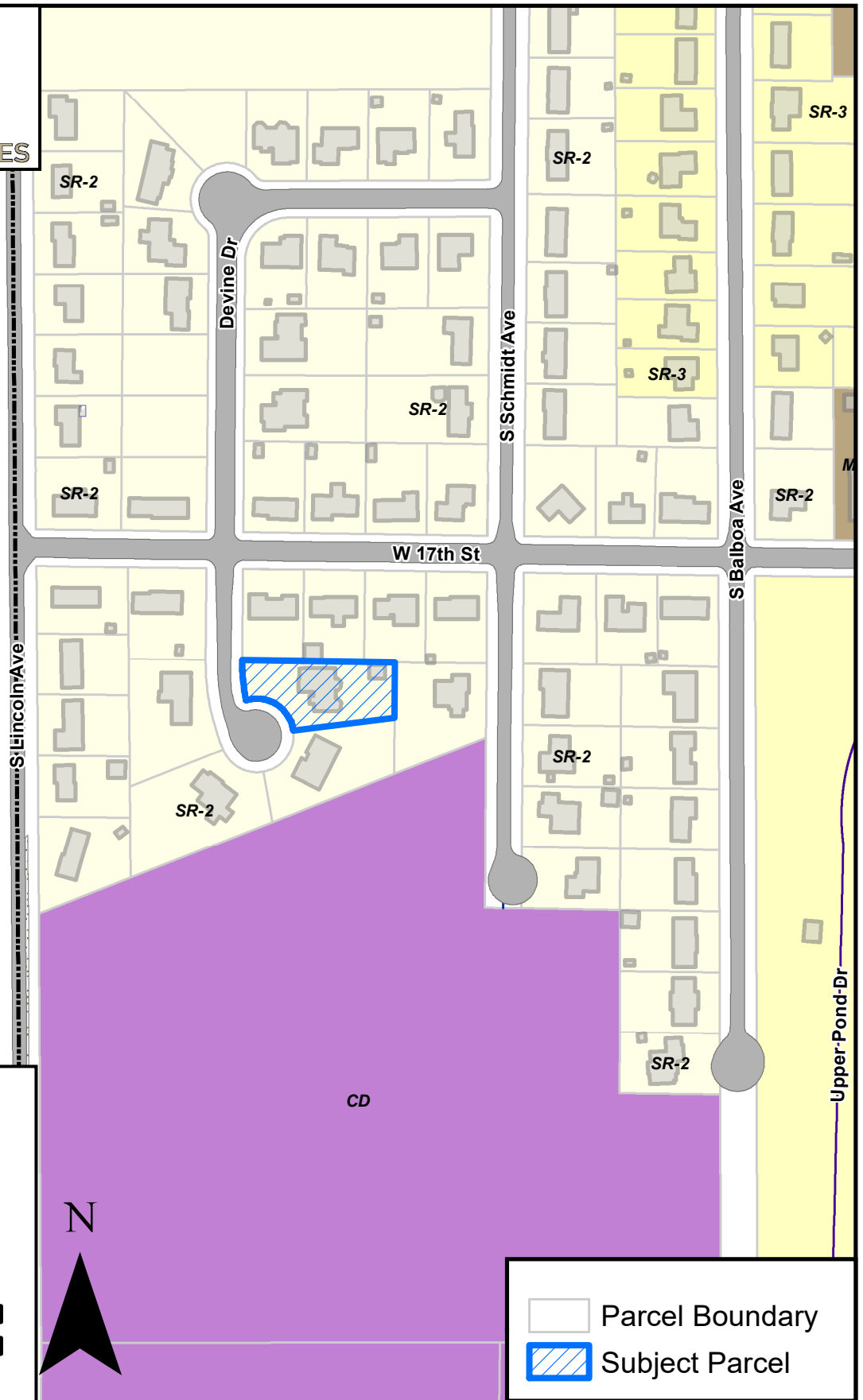
Attachments



1. Location Map
2. Site Plan
3. Fencing Materials

Concurrence:



Josh Miller
Development Services Director



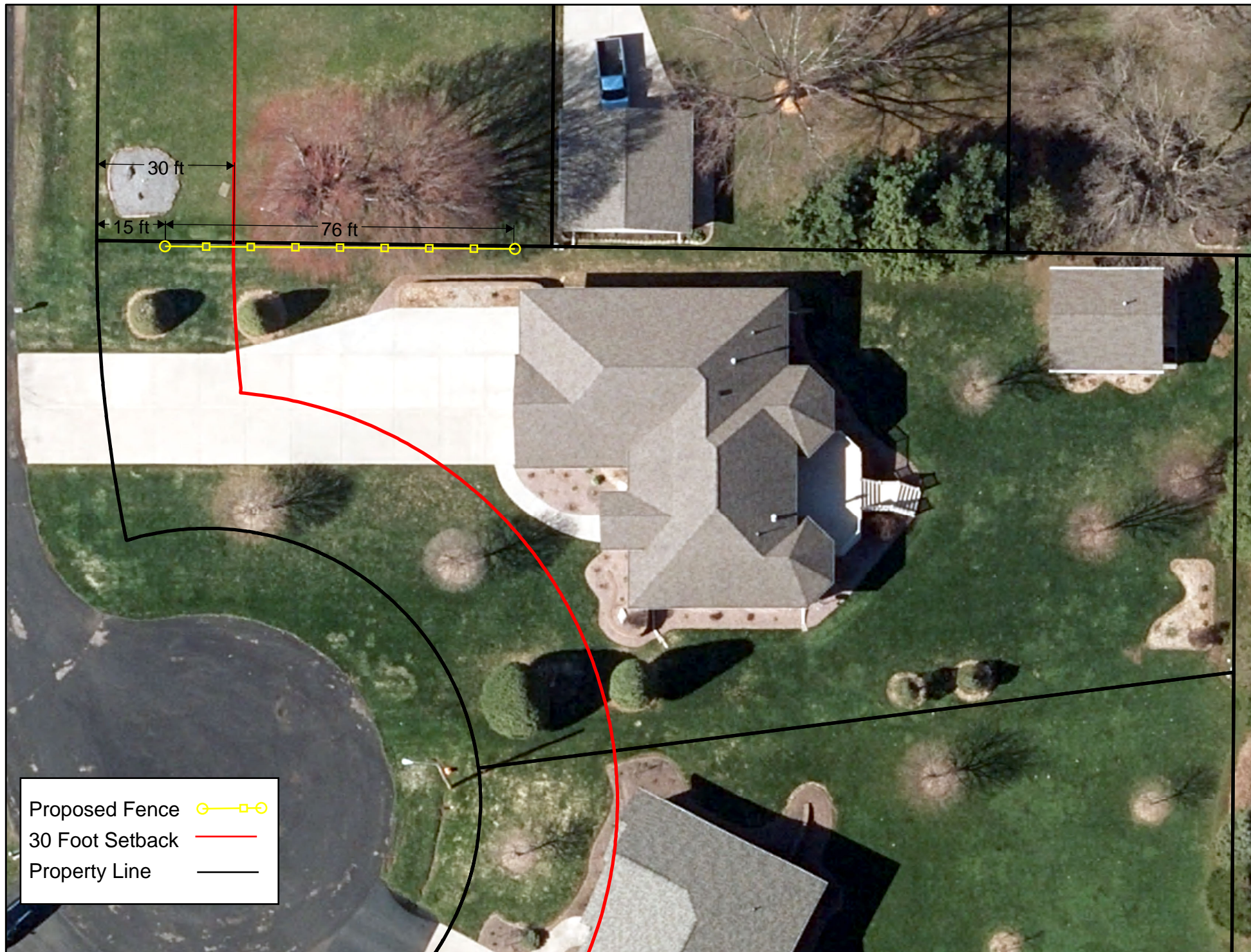
	Parcel Boundary
	Subject Parcel

CUP: Gerhard Braun - Exceptions to Front Yard Fence Requirements, 1709 Devine Drive
"SR-2" Single Family Residential Zoning District

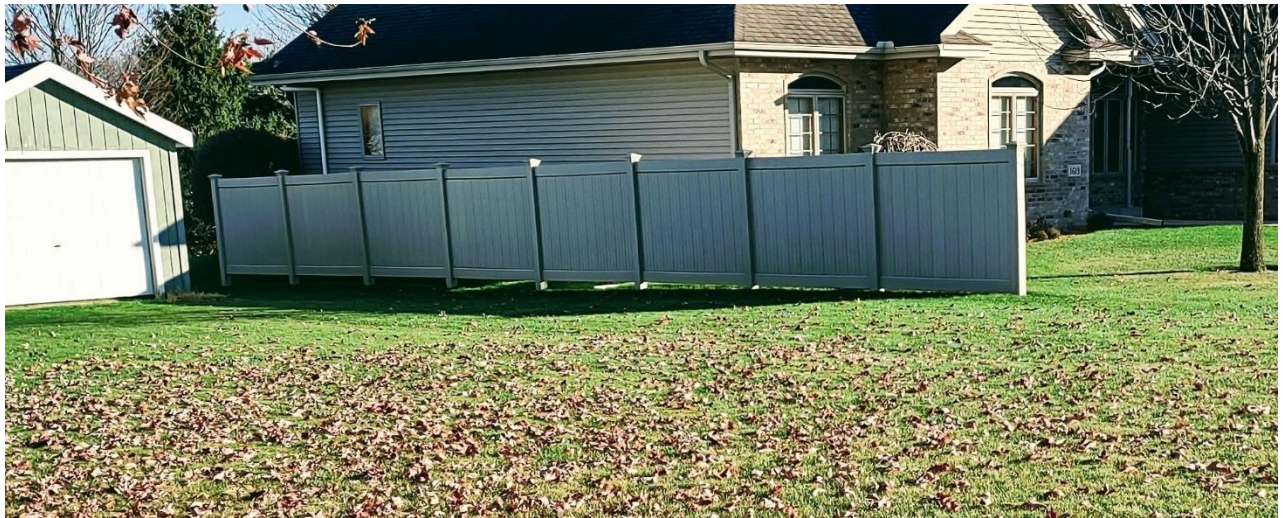
City of Marshfield - City Plan Commission
Meeting Date: December 15, 2021

Map Not To Scale
 For Reference Only

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Example of Fence Materials



TO: Plan Commission
FROM: Emmett Simkowski, Associate Planner
DATE: December 15, 2021

RE: Conditional Use Request by Cardell Potter for In-Vehicle Sales or Service and Outdoor Commercial Entertainment land uses, to allow for drive-through services and outdoor dining, with exceptions to the parking and landscape requirements in the “UMU” Urban Mixed-Use Zoning District for the properties located at 603 North Central Avenue (parcels 33-01547, 33-01549, 33-01550, 33-01551, 33-01552).

Background

In 2017 the current owner of this property was granted a conditional use permit to develop the entire half block on the east side of North Central Avenue with a multi-tenant building located at 603-613 North Central Avenue (late Hot ‘n Now property). The initial conditional use permit was approved in February of 2017 and had a period of 18 months to begin work. The project did not begin by August of 2018 and was granted a two-year extension from Common Council to have until August of 2020 to begin work. However, this project was never started and the timeframe to begin work for the conditional use permit has lapsed.

Currently, the owner has a buyer in line that is wishing to secure another conditional use permit to take on the project as approved prior. At this time the Applicant does not have any tenants fully committed to any of the spaces but they have the building designed to allow some flexibility to possibly allow up to two drive-through facilities and some outdoor seating/dining areas. In addition, depending on the tenants that commit to the individual spaces, this development may also need an exception to the parking standards.

Analysis

The Urban Mixed Use or “UMU” zoning district is a transitional district typically found on the fringe of the downtown and commercial areas that is intended to allow for a mixture of land uses that should complement the subject property as well as the surrounding properties and uses. The proposed property is located on a major thoroughfare (North Central Avenue) with side streets to the north and south (Edison and Franklin Street) and is separated from the residential dwelling units off of North Maple Avenue by a public alley. Because of the transitional purpose of this zoning district and the proximity to residential dwelling units, uses such as “in-vehicle sales” and “outdoor commercial entertainment” require a public hearing and a review and approval by the Plan Commission to grant a conditional use permit.

To expand on the uses stated above, “in-vehicle sales” is a land use where sales are conducted to a person in a vehicle such as a drive-through facility. Typically, a drive-through facility specific to a restaurant type use in this case would have amenities such as a menu board, a speaker to order food, and a pass-through window. The second use “Outdoor Commercial Entertainment” can mean a variety of specific services. In this case, again specific to a restaurant type use, the Applicant is proposing the option to allow for outdoor dining tables outside of a potential restaurant space. Each of these uses has specific regulations as listed in Chapter 18, the City’s Zoning Code and the relevant regulations to these uses are summarized below.

In-Vehicle Sales or Service

- Shall not impede or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian/vehicular conflicts.

- Shall not be permitted to operate which endangers the public safety.
- Any overhead canopy shall be setback a minimum of 10 feet from all street rights-of-way lines, shall be a minimum of 20 feet from all residentially-zoned property lines, and shall be a minimum of 5 feet from all other property lines.
- Shall provide a bufferyard with a minimum opacity of 0.50 along all property borders abutting (defined as a shared common boundary – properties separated by a public right-of-way shall not be considered abutting) residentially zoned property.
- Interior curbs shall be used to separate driving areas from menu boards or canopy supports and be a minimum of 6 inches in height.
- Each drive-up lane shall have a minimum stacking length of 100 feet behind the pass-through window and 40 feet beyond the pass-through window.

Outdoor seating/dining areas

- Shall provide a bufferyard with a minimum opacity of 0.50 along all borders of the property abutting residentially zoned property.
- Minimum parking is 1 stall for every 5 persons at the maximum capacity of the outdoor dining area.

Both of these uses stated above were operational on site as there is a vacant building on the property that was once used as a drive-through restaurant and outdoor seating. It is the Applicants plans to remove this structure from the site this winter and start on the development this coming spring. Similar to the existing use, the proposed outdoor seating would be located between the building and major thoroughfare minimizing any interaction with the residential properties. The drive-thru facilities on the other hand will slightly increase in intensity. First off, the Applicant is proposing two drive-thru facilities versus the 1 existing drive-thru. In addition, these services will be located on each end of the block with one of the pass-through windows directly on the back side of the building. Currently the one service is only on the far southern portion of the block.

Based upon the plans submitted and the alley separating the residential properties from directly abutting to this commercial development, all the above regulations and other zoning regulations have been or can be met with an exception to the parking requirements. Minimum parking requirements are based upon the individual land uses. For example, uses such as retail, office, and professional services requires 1 stall per every 350 square feet of gross floor area while restaurant spaces require 1 stall per every 150 square feet of gross floor area.

Reviewing the site plan, the building is a total of 13,094 square feet in area. The first tenant space with a floor area of 1,819 square feet located on the north end of the building is being designed as an eatery or restaurant space with a 10-12 person outdoor seating area. Based upon this one tenant space being a restaurant use and the rest of the space falling under a general commercial space, this development would be required to have 47 parking stalls. With one restaurant, the proposed development would meet the parking standards as there are 51 parking stalls shown on the plan. However, the Applicant is designing the building in such a way that potentially “Tenant E” as shown on the plan could also be a restaurant space. This would increase the minimum required parking from 47 stalls to 54 parking stalls making the development short by 3 parking stalls.

Section 18-103(8) of the Zoning Code does allow for a reduction of parking based upon cooperative parking of separate uses. A reduction of 5 percent in the number of required parking spaces is permitted for 2 separate uses. This reduction would put the number of required stalls just over 51 parking stalls. Besides the on-site parking, there is also on street parking on both side streets to the north and south.

In addition to potentially not meeting the minimum requirement for number of parking stalls, the Applicant is also requesting to exceed the maximum number of linear stalls in a single row. Per the City’s landscape requirements, parking spaces must be broken up by a landscape island/peninsula at the rate of one for each linear row of 12 parking spaces for a single row. The northern linear north-south parking row nearest North Central Avenue shows 13 linear parking stalls which exceeds our maximum by one stall. Enforcing this regulation would mean a loss of another stall which could potentially increase the requested exception to the number of stalls provided.

2017 Wis. Act 67 notes that decisions to approve or deny a conditional use permit, and to attach conditions to said permit, must be supported by substantial evidence. Substantial evidence includes facts and information, and does not include personal preferences or speculation.

Conditional Use Review Criteria of 18-161(6)(c)

(c) *The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:*

1. *Is in harmony with the recommendations of the Comprehensive Plan.*

The Comprehensive Plan mentions and encourages the utilization of vacant or underdeveloped parcels multiple times within the Plan, so as the development is compatible with adjacent land use and is adequately served by utilities. Staff does not find any conflict with the Comprehensive Plan to grant the conditional use request allowing for new business development on an infill site that is adequately served by utilities.

2. *Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.*

Staff does not believe the proposed use would result in a substantial or undue adverse impact on nearby properties, character of the neighborhood, environment, traffic, parking, public improvements or other matters as there is currently a restaurant space with outdoor seating and a drive through facility on premise and this development would act as a buffer between the residential properties and the major thoroughfare. Although the footprint of the development is larger than the present use, the proposal covers other vacant parcels that were not utilized by the prior development and is keeping the more intense use (outdoor seating area) on the North Central frontage.

3. *Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.*

The future land use map within the Comprehensive Plan identifies this area as “transitional mixed use”. The subject property is located in a heavy commercial through-fare with an automotive garage to the north, restaurant to the south and a gas station across the street. This type of development would maintain the desired consistency of land use and intensity and staff feels this development should not have negative impacts to the surrounding neighborhood.

4. *The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.*

The development will be adequately served by utilities as new sewer and water service was added to the property in 2019.

5. *The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.*

Based on the recommended conditions, the availability of on-street parking and the existing development that is currently present on-site, staff does feel that the public benefits of this proposal outweigh any potential adverse impacts of the proposed conditional use.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

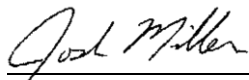
Staff recommends approval of the conditional use request to allow the construction of a new multi-tenant development with drive-thru facilities, an outdoor seating/dining area and exceptions to the parking and landscaping standards located at 603-613 North Central Avenue, zoned “UMU” Urban Mixed Use with the following conditions:

1. The proposed development is allowed up to 4,000 square feet of restaurant space.
2. The proposed development shall have no less than 51 on-site parking stalls.
3. All drive-thru facilities shall be closed no later than 10 p.m.
4. Refuse areas shall be completely screened from all property lines.
5. Landscaping and lighting standards found under Article VIII and Section 18-104 of the Zoning Code shall be met.
6. Construction shall start within 24 months and completed within 36 months of Common Council approval
7. Minor site changes may be administratively approved provided additional exceptions from Chapter 18 are not required.

Attachments

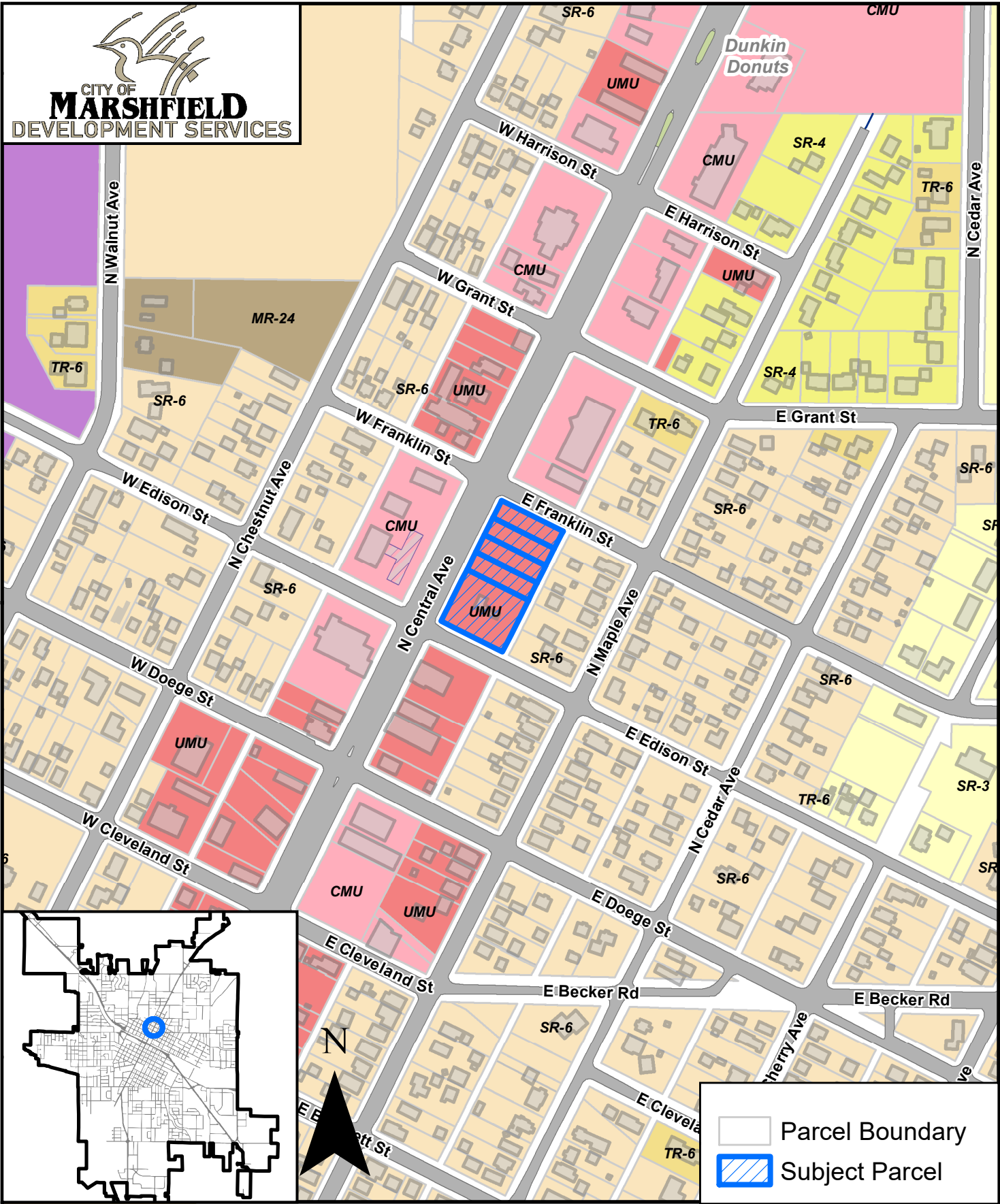
1. Location Map
2. Site Plan and Rendering

Concurrence:



Josh Miller

Development Services Director



CUP: Cardell Potter - In Vehicle Sales and Service, Outdoor Commercial Entertainment
"UMU" Zoning District. 600 Block, North Central Avenue

City of Marshfield - City Plan Commission
Meeting Date: December 15, 2021

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SLOPED WALK (2' OVER 40')

FRONT ELEVATION - OPTION 'A'

SLOPED WALK (1' OVER 20')

SLOPED WALK (2' OVER 40')

DESIGN UNLIMITED - DAN HEWING - ARCHITECT A.I.A.

TO: Plan Commission
FROM: Emmett Simkowski, Associate Planner
DATE: December 15, 2021

RE: Conditional Use Request by Robert T. Burrows Jr. to allow for a Salvage or Junkyard land use as a conditional use in the “GI” General Industrial zoning district, located at 2609 East 4th Street (parcel 33-03412AB).

Background

In June of 2020 the applicant applied for a conditional use permit to utilize this site for a salvage yard. Conditions on the conditional use permit were to have all driveways which exit on East 4th Street, within 50 feet be hard surfaced one year from the approval of the conditional use permit (June 23rd 2020) and to have the property screened. That timeframe has now been exceeded and the conditional use permit is now expired. The applicant’s statement for the delay is:

“Unforeseen labor shortages have been the main factor for the delay in meeting condition #1; contractors have limited availability and are booked 6 to 12 months out; building and material prices have increased significantly; and large equipment is limited in supply and availability for purchase along with an overall increase in prices.”

The applicant has since purchased the former Panther Creek Sand property located at 2609 East 4th Street with the same plans to develop a secondary scrap yard for the collection of ferrous and non-ferrous metals and auto salvage operations, similar to their existing sites in Brokaw and Marinette. A Salvage or Junkyard land use is allowed as a Conditional Use in the “GI” General Industrial zoning district and no site plans have changed since the original conditional use in 2020.

The subject property is located on the east side of the city and is located near the intersection of Galvin Avenue and 4th Street. The site used to consist of 4 buildings on the site, but recently 2 of the buildings on the west side of the property were removed but the concrete pads remain. The applicant intends to use the concrete slabs for storage piles. The applicant would like to begin work on their property in the upcoming building season and is requesting the original condition, regarding the time frame to have the driveway hard surfaced, to be amended to two years from issuance of the conditional use. Staff will be recommending that the exits be hard surfaced prior to the operation of the facility or two years from the approval of the conditional use, whichever is sooner.

Operations will consist primarily of acceptance and unloading of scrap from citizens along a variety of local commercial accounts. The applicant plans to remove the existing office building in the upcoming building season and eventually replace it with a new one. The site includes several existing structures and conveniences that made the property attractive for a scrap yard, according to the applicant.

Analysis

Location

The property is a triangle shape, bounded by railroad right of way to the north, prior CARBO Ceramics (fract sand processing, zoned “GI” General Industrial) to the west, and 4th Street to the south. The properties across 4th Street are zoned “LI” Light Industrial and primarily consist of mini-storage units and a building that at one point was a retail and office space. The property area is 5.68 acres in size and only has access off of 4th Street.

Land Use Requirements

A Salvage or Junkyard land use is defined in Section 18-63(4) as:

“Salvage or Junkyard: Land or structure used for a salvaging operation including but not limited to: the above-ground, outdoor storage and/or sale of waste paper, rags, scrap metal, and any other discarded materials intended for sale or recycling; and/or the collection, dismantlement, storage, or salvage of unlicensed and/or inoperable vehicles intended for scraping or recycling. Recycling facilities involving on-site outdoor storage of salvage materials are included in this land use. This shall not include Vehicle Repair.”

Regulations:

- (a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all property borders abutting residentially zoned property.
- (b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 50 feet from all roads and lot lines.
- (c) In no instance shall activity areas be located within a required frontage landscaping or bufferyard areas.
- (d) Any on-site holding, storage, or disposal of hazardous materials shall meet all local, state, and federal requirements and the business shall acquire and maintain all necessary permits, licenses, and registrations.
- (e) Minimum required parking: One space for every 20,000 square feet of gross storage area, plus one space for each employee on the largest work shift.

The property is not abutting any residentially zoned properties. Some of the existing structures are within 50 feet of the north and south property lines. Both the existing buildings and some activity areas are proposed to be within the 50 foot setback requirement. The applicant has submitted a variance request to allow for a zero foot setback for buildings, structures, outdoor storage areas, and other activity areas. The Zoning Board of Appeals reviewed and approved that request on Wednesday, June 10, 2020. The existing buildings do not meet the required setbacks for the underlying zoning district (10 foot rear yard and 50 foot front yard); however, they are existing structures and would be considered grandfathered in as the applicant doesn't plan on adding on to the buildings.

The only potentially handling of hazardous materials will be related to auto salvage operations when draining vehicles before they are scrapped. The previous Zoning Code prohibited the handling of hazardous materials within this land use. The City Attorney stated that there were inconsistencies in the Zoning Code since the auto salvage operations are allowed, but the process to drain and handle the fluids, which could be considered hazardous materials, is prohibited. Since then, the code was amended to allow the handling of these materials but require the business to meet any local, state, and federal requirements and acquire and maintain all necessary permits, licenses, and registrations for the handling of these materials.

Operations

The applicant has submitted the following operations plan:

“Once the site is operating, operating hours will likely be Monday through Friday from 7:30 am to 4:00 pm, with possible limited hours on Saturday. Operations will consist primarily of acceptance and unloading of scrap from citizens along with a variety of local commercial accounts. The scrap materials will be received directly at the facility when incoming loads are weighed at the scale house. Vehicles will then be directed to the appropriate unloading/storage area on the property. Commercial vehicles with ferrous metals typically unload outdoors in segregated scrap areas on the west side of the property (refer to attached figure, area marked as "Concrete Slab/Outdoor Storage Piles"). The scrap is either placed on the ground on paved surfaces, or placed directly in dumpsters (if the threat of stormwater contamination is apparent). Residential vehicles with non-ferrous metals will be directed indoors to a Customer Drop-off Area (in the "Car Bay/Non-ferrous Building") where individual materials are unloaded and sorted into containers.

Ferrous metals accepted include the following:

- Farm Machinery
- Demolition steel
- Prepared Foundry Steel
- Sheet Iron/Appliances
- Stove, Motor, Auto Cast & Brake Drums
- Baling Wire/Fencing
- Electric Motors
- Automobiles
- Obsolete Manufacturing Equipment

Non-Ferrous metals accepted include the following:

- Aluminum
- Die Cast
- Lead
- Magnesium
- Radiators
- Brass
- Copper
- Stainless
- Zinc
- Auto Batteries

The following items are NOT accepted:

- Light bulbs
- Tires
- Small household batteries
- Dishwashers
- Electronics (certain types)
- Precious Metals
- Treadmills
- New all plastic microwaves
- Any and all hazardous materials
- Any sealed containers
- General garbage & refuse

Other unique items that are also accepted includes the following:

- Appliances (any refrigerant remaining in appliances is removed indoors in a Refrigerant Removal Area by qualified technicians)
 - Air Conditioners
 - Dehumidifiers
 - Freezers
 - Refrigerators
- Grills
- Propane tanks (only if obvious holes are present)
- Snow blowers and lawn mowers (if all fluids are drained and tires removed)
- Bikes (with tires removed)

For commercial accounts, TerX also offers lugger and roll off boxes and/or trailers. Covers for lugger boxes will be provided upon request. They also provide forklift boxes and self-dumping hoppers to use inside facilities. In addition, they also provide semi-trailers and large containers for large amounts of scrap from major scrap clean ups, and can pick up large obsolete machines and equipment. The luggers, roll- off boxes and trailers will be placed on gravel on the east side of the property.

The facility also plans to accept vehicles for recycling. Upon arrival, vehicles will be temporarily parked to the east of the *"Car Bay/Non-Ferrous Building"* in the location marked as *"Vehicle Storage"* on the attached figure.

From there they are moved via forklift indoors into the "Car Bay/Non-Ferrous Building." This large warehouse area will be completely covered and not exposed to weather or precipitation. Vehicles will be drained of their fluids (e.g., gasoline/diesel fuel; antifreeze; used oil), and other materials (e.g., batteries; radiators; mercury switches; tires) are removed. All fluids and materials are temporarily stored indoors until disposal. All vehicles are stored within indoor warehouses adjacent the vehicle processing area until they are removed and loaded on trucks for transportation to B&B Metals in Newton, WI for further processing (i.e., run through metal shredder)."

A combination of registrations, licenses, and permits are required for the operations of this facility. Most of the recommended conditions pertaining to the operations of the facility are based on State of Wisconsin guidelines and requirements.

Anticipated Site Modifications

The applicant has submitted the following plan for anticipated site modifications:

"The former Panther Creek Sand operations has several existing structures and conveniences that made this property attractive for a scrap yard. It is the Burrows' goal to begin scrap operations as soon as possible, and make site improvements over time as income is produced."

Buildings

The following buildings currently exist at the property:

- Office Building
 - This building will be removed and replaced with a new office building; likely a steel building with metal siding.
 - The new building will be approximately the same size as the current one (approximately 10,000 square feet).
 - If a separate permit and request to the city is required this will be completed prior to the demolition and new building construction.
- Car Bay/Non-Ferrous Building
 - This structure will remain but will need some upgrading.
 - The siding will need to be removed and replaced on all four sides.
 - The garage door entrance will need to be replaced and widened.
 - The floor will need to be concrete.
 - If a separate permit and request to the city is required this will be completed prior to the demolition and new building construction.

Scale

An industrial truck scale will need to be installed, likely just west of the Office Building. The exact location will depend on the current location of underground utilities.

Vehicles/Machinery and Parking

Employee parking will be just south and adjacent the Office Building. Site machinery will be parked just east of the Office Building or inside the Car Bay/Non-Ferrous Building. To enable full operations at the site the machinery will consist of the following:

- Cranes (2)
- Payloader (1)
- Skid steer (1)
- Forklifts (2)

A single 1,000-gallon off-road diesel aboveground storage tank used to fuel site machinery will be located between the Office Building and the Car Bay/Non-Ferrous Building.

Lighting

There will need to be lighting at the site for safety and to deter vandalism. At this time, all lighting is planned to be building mounted on the Office Building the Car Bay/Non-Ferrous Building. If a separate permit and request to the city is required this will be completed prior to the installation of any lights.

Landscaping and Site Resurfacing

There is no required frontage landscaping or bufferyard area for this use since there is no abutting residential and the property is not across the street to commercially zoned property.

The two large areas of industrial machinery on the west site of the property are being removed and disposed of. What will remain at that location are two large concrete slabs. These will remain, and will act as a storage pad for piles of segregated scrap materials. The piles are typically:

- Unprepared material (e.g., farm machinery, construction debris)
- Appliances and tin
- New construction steel (e.g., laser cut-outs)
- General miscellaneous

Just east of the Car Bay/Non-Ferrous Building the plan is to install a layer of gravel to facilitate the parking of roll-off boxes, luggers and trailers.

The site has more than enough hard surface area to accommodate the required parking. There are currently three driveways that access the property. Only the middle driveway appears to have been hard surfaced at one point. Staff would recommend requiring all drives where traffic will exit the property onto the street to be hard surfaced within two years or prior to beginning operations, whichever is sooner.

Site Perimeter and Fencing

A site fence will be installed around the entire perimeter of the facility, to deter vandalism and theft. The fence will be a professionally manufactured and installed steel fence, approximately 8 feet high with barbed wire. For aesthetics, a heavy duty green tarp will be affixed to the interior of the fence thus eliminating the general public from having to view the active scrap yard as they drive by. All entrances will be equipped with lockable gates.

Specific Areas of Operation as Referenced on Figure

- Commercial unloading area
 - Just west of Office Building
- Residential unloading area
 - Inside Car Bay/Non-Ferrous Building
- Car drop-off area; awaiting processing
 - Just east of Car Bay/Non-Ferrous Building
- Metal roll-off boxes, luggers and trailers
 - East of Car Bay/Non-Ferrous Building
- Processing of vehicles (e.g., draining of fluids; removal of battery)
 - Inside Car Bay/Non-Ferrous Building
- Storage of used gasoline, used oil, used anti-freeze/washer fluid, used batteries,
 - Inside Car Bay/Non-Ferrous Building
 - Storage tanks will be purchased and installed
 - All handling of these used products will be completed in accordance with state and federal regulations

Miscellaneous Storage

- Miscellaneous 55-gallon drums or totes of various oils, greases, motor oil, etc., will be stored inside the Car Bay/Non-Ferrous Building”

Staff does not have concerns with the anticipated site modifications. Demolition of building and new structures such as a new office and fencing will require local permits. There is enough room for over 20 vehicles to be parked, exceeding the minimum required parking.

2017 Wis. Act 67 notes that decisions to approve or deny a conditional use permit, and to attach conditions to said permit, must be supported by substantial evidence. Substantial evidence includes facts and information, and does not include personal preferences or speculation.

Conditional Use Criteria

The following information is based on the specific requirements outlined in Section 18-161(6) Conditional Use Review Criteria for Plan Commission consideration.

Conditional Use Review Criteria of 18-161(6)(c)

(c) *The Zoning Administrator shall review the complete application and evaluate whether the proposed amendment:*

1. *Is in harmony with the recommendations of the Comprehensive Plan.*

Staff does not find any conflict with this proposed Salvage and Junkyard land use and the Comprehensive Plan. A recycling and processing land use such as this is not in conflict with the surrounding properties. The area is a heavy industrial area and with access to rail, and is just as suitable as any location for this type of operation. The Future Land Use Map in the 2017-2037 Comprehensive Plan, shows this area to be General Industrial. Although this is an entrance into the community from County Highway H to the east, only about 3,000 vehicles per day go past this property. In terms of the conditional use, the Comprehensive Plan does not address this use specifically, but does encourage expansion of recycling opportunities, although that was primarily focused on municipal services. This would be a good adaptive reuse of a former frac sand processing facility.

2. *Will result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future.*

Allowing this request should not result in substantial or undue adverse impacts on nearby property, or the character of the neighborhood. This is an industrial area and typically where you would locate these types of services/businesses. The closest residential use is east of Galvin Avenue, in the Town of Marshfield. To the north of the railroad tracks, there is an area designated as New Neighborhood Mixed Use, which would be ideal for future residential, but that is in a Stage 2 of the Growth Staging Plan and would require significant investment in infrastructure to open that property up for development. Additionally, there would be opportunities to provide a buffer between uses. City Staff does not anticipate this proposed land use resulting in undue or adverse impacts to neighboring properties, the environment, public right-of-way, or the health, safety, and general welfare of the public.

3. *Maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.*

The proposed Salvage or Junkyard use would be fitting in the same general area as the sand processing facility to the west in the “GI” General Industrial zoning district. Given the industrial development adjacent to the subject property, and located along east 4th Street, the proposed conditional use would maintain the desired industrial land use of this area.

4. *The conditional use is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.*

The conditional use itself would not impose a burden on utilities. The property is already served by sanitary sewer, water, gas, and electric services.

5. *The potential public benefits outweigh any and all potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts.*

Staff does not anticipate any adverse impacts arising if the Plan Commission recommends approving this Conditional Use request. There is a potential for noise, but the proposed hours of operation are from 7:30 am – 4:00 pm, Monday through Friday and possible limited hours on Saturday.

Plan Commission Options

The Plan Commission can make the following recommendations:

1. Approval of the request with any exceptions, conditions, or modifications the Commission feels are justifiable and applicable to the request.
2. Denial of the request with justification stated by the Plan Commission.
3. Table the request for further study.

Recommendation

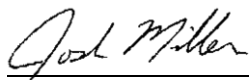
APPROVE the Conditional Use Request by Robert T. Burrows Jr. to allow for a Salvage or Junkyard land use as a conditional use in the “GI” General Industrial zoning district, located at 2609 East 4th Street (parcel 33-03412AB), with the following conditions:

1. Any driveway used for exit traffic onto 4th Street, shall be hard surfaced from the edge of 4th Street for a distance of 50 feet north of the south property line within two years of approval of the Conditional Use Permit or prior to operating the facility, whichever is sooner.
2. Proper entrance and exit signage shall be posted on the property near the access driveways.
3. Material piles may not exceed a height of 30 feet when measured from the ground.
4. All activity areas must be screened by a 6-8 foot security and privacy fence or screened with existing structures. All fencing must adhere to the Zoning Code Requirements for fences.
5. Smelting and open burning are not permitted.
6. Applicant must obtain and maintain all required registrations (refrigerant), licenses (Auto Salvage Dealer), and permits (building, fence, storm water, wastewater) from the City, Wisconsin Department of Natural Resources, and Wisconsin Department of Transportation for their operations, including, but not limited to those listed in parentheses.
7. Applicant must implement Fugitive Dust Emissions Best Management Practices.
8. Any handling, disposing, or storing of hazardous materials shall meet all local, state, and federal regulations.
9. Operations may not begin before 7:00 am or end after 7:00 pm.
10. Minor site plan changes may be approved administratively, provided they do not need additional exceptions from the Zoning Code, or from any conditions approved with this Conditional Use permit.

Attachments

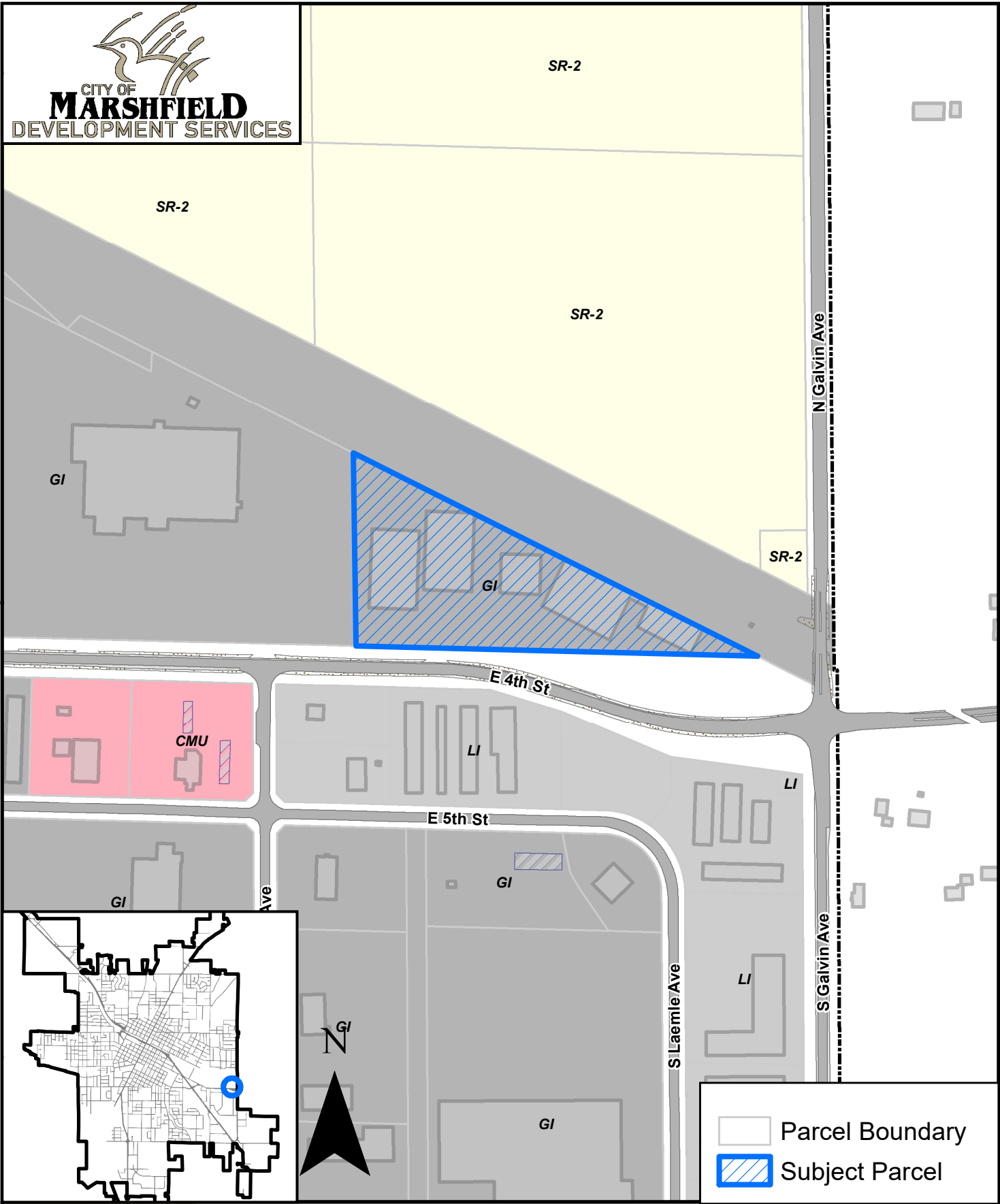
1. Location Map
2. Operations Plan



Concurrence:



Josh Miller

Development Services Director



 Parcel Boundary
 Subject Parcel

CUP: Robert Burrows Jr. - Salvage Yard, 2609 E 4th Street
"GI" General Industrial Zoning District

City of Marshfield - City Plan Commission
Meeting Date: December 15, 2021

Map Not To Scale
 For Reference Only

ATTENTION: The representation of data presented herein is intended for reference purposes only; the City of Marshfield assumes no responsibility for the accuracy of the information provided. Any duplication without consent is prohibited.

Variance Request Application Conditional Use Permit (CUP) Application

Business Plan, Conceptual Site Plan, and Additional Pertinent Information

The following information is provided as a supplement to the City of Marshfield Variance Request and Conditional Use Permit Applications prepared by:

***Burrows West, LLC
2609 E. 4th Street
Marshfield, WI***

Enclosed with this written Business Plan, outline of site operations, and description of anticipated changes, we have also attached the following:

- Site Figure depicting future land use
- ALTA Land Title Survey, prepared by MSA Professional Services, July 26, 2010

Introduction

The owners of Burrows West, LLC (Robert, Theodore and Eric Burrows) have an accepted offer to purchase (Offer) dated April 20, 2020 for the above-referenced property. The Offer is contingent upon several items, including the Buyers obtaining all applicable government permits, approvals and licenses, rezoning (if needed), building and occupancy permits, including the City of Marshfield issuance of any variance or CUP. The deadline for these contingencies is June 19, 2020.

The purpose of this Variance/CUP addendum is to provide the City of Marshfield the information needed to make a Variance/CUP determination.

Background

Robert, Theodore and Eric Burrows currently own and operate the following scrap metal businesses in Wisconsin:

- B&B Metals Processing Company, Inc., 14520 Pioneer Rd, Newton, WI
 - Licensed WDOT Motor Vehicle Salvage Dealer or Recycler
 - Permits: WDNr Air Operation Permit; WDNr Industrial Stormwater Discharge Permit
 - The facility is the primary scrap yard for the processing and recycling of ferrous and non-ferrous metals.
 - Receives scrap and metal from other two facilities, with additional plans to receive from Burrows West, LLC site in Marshfield.
 - Site includes a secondary aluminum furnace, a metal/auto shredder., and a fluff recycling system.
 - Property was formerly an agriculture site prior to construction which began in 1970.
 - Facility is fenced on all sides with locking gates.
- TerX Shredding and Recycling Company, LLC, 107 Everest Avenue, Brokaw, WI
 - Licensed WDOT Motor Vehicle Salvage Dealer or Recycler
 - Permits: Industrial Stormwater Discharge Permit
 - The facility is a secondary scrap yard for the collection of ferrous and non-ferrous metals.

- Ships all metals collected to B&B Metals Processing Company in Newton, WI
- Property was formerly an inactive industrial site (former paper mill) prior to purchase in 2013.
- Facility is fenced on all sides with locking gates.
- Sal B Scrap Metal Recycling Co. ,LLC, W1311 & W1323 Highway 64, Marinette, WI
 - WDOT Motor Vehicle Salvage Dealer or Recycler (license applied for)
 - Permits: Industrial Stormwater Discharge Permit
 - The facility is a secondary scrap yard for the collection of ferrous and non-ferrous metals.
 - Ships all metals collected to B&B Metals Processing Company in Newton, WI
 - Property was an active scrap metal recycling facility prior to purchase in 2020.
 - Facility is fenced on front and two sides with locking gates; rear portion is wooded

Based on the number of locations in Wisconsin, and the volume of scrap generated, it is clear that the Burrows have quite an operation in place. Initially starting from scratch in 1970, they are a hard-working family that wants to be a good business and a good neighbor in the areas their yards are located. All locations are compliant with federal, state and local codes and regulations; the Burrows retain a national consulting firm (Stantec Consulting Services Inc.) to assist.

Intended Site Operations

The Burrows intend to purchase the former Panther Creek Sand property at 2609 E. 4th Street in Marshfield from Cambrian Products, LLC. The goal is to develop a secondary scrap yard for the collection of ferrous and non-ferrous metals, similar to their existing sites in Brokaw, WI and Marinette, WI.

Once the site is operating, operating hours will likely be Monday through Friday from 7:30 am to 4:00 pm, with possible limited hours on Saturday. Operations will consist primarily of acceptance and unloading of scrap from citizens along with a variety of local commercial accounts. The scrap materials will be received directly at the facility when incoming loads are weighed at the scale house. Vehicles will then be directed to the appropriate unloading/storage area on the property. Commercial vehicles with ferrous metals typically unload outdoors in segregated scrap areas on the west side of the property (refer to attached figure, area marked as "*Concrete Slab/Outdoor Storage Piles*"). The scrap is either placed on the ground on paved surfaces, or placed directly in dumpsters (if the threat of stormwater contamination is apparent). Residential vehicles with non-ferrous metals will directed indoors to a Customer Drop-off Area (in the "*Car Bay/Non-ferrous Building*") where individual materials are unloaded and sorted into containers.

Ferrous metals accepted include the following:

- Farm Machinery
- Demolition steel
- Prepared Foundry Steel
- Sheet Iron/Appliances
- Stove, Motor, Auto Cast & Brake Drums
- Baling Wire/Fencing
- Electric Motors
- Automobiles
- Obsolete Manufacturing Equipment

Non-Ferrous metals accepted include the following:

- Aluminum
- Die Cast
- Lead
- Magnesium
- Radiators
- Brass
- Copper
- Stainless
- Zinc
- Auto Batteries

The following items are NOT accepted:

- Light bulbs
- Tires
- Small household batteries
- Dishwashers
- Electronics (certain types)
- Precious Metals
- Treadmills
- New all plastic microwaves
- Any and all hazardous materials
- Any sealed containers
- General garbage & refuse

Other unique items that are also accepted includes the following:

- Appliances (any refrigerant remaining in appliances is removed indoors in a Refrigerant Removal Area by qualified technicians)
 - Air Conditioners
 - Dehumidifiers
 - Freezers
 - Refrigerators
- Grills
- Propane tanks (only if obvious holes are present)
- Snow blowers and lawn mowers (if all fluids are drained and tires removed)
- Bikes (with tires removed)

For commercial accounts, TerX also offers lugger and roll off boxes and/or trailers. Covers for lugger boxes will be provided upon request. They also provide forklift boxes and self-dumping hoppers to use inside facilities. In addition, they also provide semi-trailers and large containers for large amounts of scrap from major scrap clean ups, and can pick up large obsolete machines and equipment. The luggers, roll-off boxes and trailers will be placed on gravel on the east side of the property.

The facility also plans to accept vehicles for recycling. Upon arrival, vehicles will be temporarily parked to the east of the "*Car Bay/Non-Ferrous Building*" in the location marked as "*Vehicle Storage*" on the attached figure. From there they are moved via forklift indoors into the "*Car Bay/Non-Ferrous Building*." This large warehouse area will be completely covered and not exposed to weather or precipitation. Vehicles will be drained of their fluids (e.g., gasoline/diesel fuel; antifreeze; used oil), and other materials (e.g., batteries; radiators; mercury switches; tires) are removed. All fluids and materials are temporarily stored indoors until disposal. All vehicles are stored within indoor warehouses adjacent the vehicle processing area until they are removed and loaded on trucks for transportation to B&B Metals in Newton, WI for further processing (i.e., run through metal shredder).

Anticipated Site Modifications

The former Panther Creek Sand operations has several existing structures and conveniences that made this property attractive for a scrap yard. It is the Burrows goal to begin scrap operations as soon as possible, and make site improvements over time as income is produced. However, as noted below, many of the improvements will occur during summer 2020.

Buildings

The following buildings currently exist at the property:

- Office Building
 - This building will be removed in 2020, and replaced with a new office building; likely a steel building with metal siding.
 - The new building will be approximately the same size as the current one.
 - If a separate permit and request to the city is required this will be completed prior to the demolition and new building construction.
- Car Bay/Non-Ferrous Building
 - This structure will remain but will need some upgrading in 2020.
 - The siding will need to be removed and replaced on all four sides.
 - The garage door entrance will need to be replaced and widened.
 - The floor will need to be concrete.
 - If a separate permit and request to the city is required this will be completed prior to the demolition and new building construction.

Scale

An industrial truck scale will need to be installed, likely just west of the Office Building. The exact location will depend on the current location of underground utilities.

Vehicles/Machinery and Parking

Employee parking will be just south and adjacent the Office Building. Site machinery will be parked just east of the Office Building or inside the Car Bay/Non-Ferrous Building. To enable full operations at the site the machinery will consist of the following:

- Cranes (2)
- Payloader (1)
- Skid steer (1)
- Forklifts (2)

A single 1,000-gallon off-road diesel aboveground storage tank used to fuel site machinery will be located between the Office Building and the Car Bay/Non-Ferrous Building.

Lighting

There will need to be lighting at the site for safety and to deter vandalism. At this time, all lighting is planned to be building mounted on the Office Building the Car Bay/Non-Ferrous Building. If a separate permit and request to the city is required this will be completed prior to the installation of any lights.

Landscaping and Site Resurfacing

The two large areas of industrial machinery on the west site of the property is being removed by the prior property owner. What will remain at that location are two large concrete slabs. These will remain, and will act as a storage pad for piles of segregated scrap materials. The piles are typically:

- Unprepared material (e.g., farm machinery, construction debris)
- Appliances and tin
- New construction steel (e.g., laser cut-outs)
- General miscellaneous

Just east of the Car Bay/Non-Ferrous Building the plan is to install a layer of gravel to facilitate the parking of roll-off boxes, luggers and trailers.

Site Perimeter and Fencing

A site fence will be installed around the entire perimeter of the facility, to deter vandalism and theft. The fence will be a professionally manufactured and installed steel fence, approximately 8 feet high with barbed wire. For aesthetics, a heavy duty green tarp will be affixed to the interior of the fence thus eliminating the general public from having to view the active scrap yard as they drive by. All entrances will be equipped with lockable gates.

Specific Areas of Operation as Referenced on Figure

- Commercial unloading area
 - Just west of Office Building
- Residential unloading area
 - Inside Car Bay/Non-Ferrous Building

- Car drop-off area; awaiting processing
 - Just east of Car Bay/Non-Ferrous Building
- Metal roll-off boxes, luggers and trailers
 - East of Car Bay/Non-Ferrous Building
- Processing of vehicles (e.g., draining of fluids; removal of battery)
 - Inside Car Bay/Non-Ferrous Building
- Storage of used gasoline, used oil, used anti-freeze/washer fluid, used batteries,
 - Inside Car Bay/Non-Ferrous Building
 - Storage tanks will be purchased and installed
 - All handling of these used products will be completed in accordance with state and federal regulations

Miscellaneous Storage

- Miscellaneous 55-gallon drums or totes of various oils, greases, motor oil, etc., will be stored inside the Car Bay/Non-Ferrous Building

Comments Regarding Marshfield Zoning Ordinance

The following additional comments are provided regarding restrictions for salvage/junk yards is excerpted from a section entitled "Extraction and Disposal Land Uses."

4) Salvage or Junkyard: Land or structure used for a salvaging operation including but not limited to: the above-ground, outdoor storage and/or sale of waste paper, rags, scrap metal, and any other discarded materials intended for sale or recycling; and/or the collection, dismantlement, storage, or salvage of unlicensed and/or inoperable vehicles intended for scraping or recycling. Recycling facilities involving on-site outdoor storage of salvage materials are included in this land use. This shall not include Vehicle Repair.

Regulations:

- (a) Facility shall provide a bufferyard with a minimum opacity of 1.00 along all property borders abutting residentially zoned property.
Response: This is not applicable since this property does not abut residential property.
- (b) All buildings, structures, outdoor storage areas, and any other activity areas shall be located a minimum of 50 feet from all roads and lot lines.
Response: There are a few locations where existing buildings and former site operations are currently within 50 feet of the property lot lines. Thus, we cannot change these locations.
- (c) In no instance shall activity areas be located within a required frontage landscaping or bufferyard areas.
Response: We intend to maintain current landscaping at the front (south) of the property, and install a fence around the perimeter of the property (previously described).
- (d) Shall not involve the storage, handling, or collection of hazardous materials as defined by State Statutes.
Response: Please note that under federal definitions that certain wastes generated from salvaged vehicles (e.g., used gasoline, batteries) are considered hazardous wastes. Please note that these wastes are managed in accordance with federal and state regulations.
- (e) Minimum required parking: One space for every 20,000 square feet of gross storage area, plus one space for each employee on the largest work shift.
Response: This will be met.

