



**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN that public hearings will be held before the Village of Weston Plan Commission, on Monday, July 11, 2022, at approximately, 6:00 p.m., or shortly thereafter, at the Weston Municipal Center, 5500 Schofield Avenue, Weston, WI 54476, to take testimony relative to the following:

1. **Project #20220188** – Hunter Sawitzke, 143612 County Road C, Mosinee WI, 54455, requesting a Conditional Use Permit to allow an expansion of a Personal Storage Facility within the LI (Limited Industrial) Zoning District, at 7804 Service Lane, Units 6 and 9 described as:
Units 6 & 9 of Wausau 29 Commercial Condominium Plat 1st Addendum – an Expandable Condominium, Section 23 T28N R8E, Village of Weston, Marathon County, Wisconsin (PIN 192-2808-233-0024)
2. **Project #20220213** – Matthew Wesenick, 3605 Howland Ave, Weston, requesting a Conditional Use Permit to allow a holding tank for a Single-Family Residence within the RR-5 (Rural Residential – 5 Acre) Zoning District, at 8902 Wesenick Street, per Section 94.3.03(13)c. The property is described as:
Lot 1 of CSM #19190 Doc #1856343, Part of the NE ¼ of the SE ¼ of Section 25 T28N R8E, Village of Weston, Marathon County, Wisconsin (PIN 192-2808-254-0993)
3. **Project #20220214** Matt Keeney, W17015 Maple Road, Wittenberg WI, 54499, requesting a Conditional Use Permit at 5102 Look St to allow for Section 94.4.02(1) G & H to be waived and modified, within the SF-S (Single Family Residential – Small Lot) Zoning District as described as:
Lot 12 of the Misty Pines Subdivision, Village of Weston, Marathon County, Wisconsin (PIN 192-2808-172-0059)
4. **Project #20220215** Mike Mohr, 4080 N 20th Ave, Wausau, WI, 54401, on behalf of DC Everest Area School District, requesting a Conditional Use Permit to allow a proposed principal structure where the structure would exceed the maximum allowed height of 45 feet (by 27.75 feet), on property known as 6400 Alderson St, described as Lot 1 of proposed CSM to be recorded in 2022 located in the NE ¼ of the NE ¼ and Part of the SE ¼ of the NE ¼ of Section 19, T28N, R8E, Village of Weston, Marathon County, Wisconsin. (PIN 192-2808-191-0999). The building is proposed to be 72.75 feet tall.

The hearing notice with application materials are available for public inspection on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony must be submitted to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or emailed to vparker@westonwi.gov, by noon on Tuesday, July 5, 2022, to be included in the Plan Commission Meeting Packet.

All interested persons wishing to provide testimony during the Public Hearing will be given an opportunity to be heard. Interested persons who are unable to attend the meeting in-person have the option to attend the meeting via a Zoom link that will be provided on the meeting agenda, where they can still participate and comment.

Any person with questions or planning to attend needing additional special accommodations in order to participate should call Valerie Parker, Planning Technician, Planning and Development Department, at 715-241-2607.

Dated this 23rd day of June 2022

Valerie Parker
Plan Commission Secretary

Published as a legal ad in the Wausau Daily Herald on Monday, June 27, 2022, and Sunday, July 3, 2022.

REQUEST FOR CONSIDERATION

Public Mtg/Date:	Plan Commission, July 11, 2022
Description:	Public Hearing – Project #20220213– Matthew Wesenick, 3605 Howland Ave, Weston, requesting a Conditional Use Permit to allow a Holding Tank, on a property within the RR-5 (Rural Residential 5 – 5 Acre) Zoning District at 8902 Wesenick Street (PIN 192 2808 254 0993).
From:	Emily Wheaton, Assistant Planner
Question:	Should the Plan Commission approve the Conditional Use Permit application as requested by Matthew Wesenick for a Holding Tank at 8902 Wesenick Street?

BACKGROUND

Matthew Wesenick has submitted a single family home at 8902 Wesenick Street. The accompanying Sanitary Permit from Marathon County listed the proposed septic system as utilizing a Holding Tank. The Village does not permit Holding Tanks within the Village of Weston except by conditional use permit, which has been applied for.

Sec 14.2.02 Buildings and Addressing Regulations

- c. **Public Utility Service.** No principal building used for human habitation shall be issued a building permit unless it is, or will at the time of occupancy, be provided with functional connections to water, sanitary sewer, and electrical utilities. Where public water utility service is not available to an area in the determination of the village Director of Public Works, connection to a functioning private well in accordance with NR 812 of the Wisconsin Administrative Code shall suffice. Where sanitary sewer service is not available to an area in the determination of the village Director of Public Works, connection to a functioning private onsite wastewater treatment system approved by Marathon County shall suffice. The installation of holding tanks in the village shall not be permitted, except as provided in Section 94.3.03(13).

Sec 94.3.03 Standards Generally Applicable To Land Uses

13. **Utility Connections to Principal Buildings for Human Habitation.** All principal buildings used for human habitation shall be provided at all times with functional connections to water, sanitary sewer, and electrical utilities. Where public water utility service is not available to an area in the determination of the Village Public Works Director, connection to a functioning private well in accordance with Wis. Admin. Code NR § 812 shall suffice. Where sanitary sewer service is not available to an area in the determination of the Village Public Works Director, connection to a functioning private onsite wastewater treatment system approved by Marathon County shall suffice. The installation of holding tanks in the Village shall not be permitted, except in one of the following circumstances:
- As a replacement on a property where there was a legal holding tank as of March 18, 2015.
 - As a replacement system for a private on-site wastewater treatment system only if the Marathon County Conservation, Planning & Zoning Department determines that the property is unsuitable for any other type of private on-site wastewater treatment system, including any conventional or mound system.
 - In other circumstances if a conditional use permit is applied for and granted under Section 94.16.06.

Attached Docs:	Draft Determination, Current Zoning Map, and Draft Conditional Use Permit #20220213, Site Plan.
Committee Action:	None to date.
Fiscal Impact:	None
Recommendation:	Staff recommends approval of the Conditional Use Permit with the attached conditions.

RECOMMENDED LANGUAGE FOR OFFICIAL ACTION

REQUEST FOR CONSIDERATION

I move to [approve / deny] Conditional Use Permit #20220213, allowing a Holding Tank at 8902 Wesenick Street.

ADDITIONAL ACTION:

Notify applicant of [approval / denial] [Staff]

If approved, record CUP with the Marathon County Register of Deeds (MCROD) [Staff]



Application for Conditional Use Permit
**CONDITIONAL PERMIT DETERMINATION BY THE VILLAGE OF WESTON
PLAN COMMISSION**

Application/Petition No.: **20220213** Hearing Date: **July 11, 2022**
Applicant: **Matthew Wesenick, 3605 Howland Ave, Weston, WI 54476**
Location: **8902 Wesenick Street, Weston, WI 54476**
Description: **A conditional use permit application proposing the construction of a Holding Tank at the above stated property.**

The Department of Planning and Development of the Village of Weston, pursuant to the Village of Weston Zoning Code, Article 16 Processes, Section 94.16.06 Conditional Use Permits, hereby makes the following findings and evaluation to the Village of Weston Plan Commission:

GENERAL INFORMATION:

Zoning: **Rural Residential 5 Acres (RR-5) Zoning District**

Definition: The **RR-5** district is intended for mainly single family detached residential development on minimum five acre sized rural lots, along with compatible home occupations, small-scale institutional and recreational uses, and low-intensity agricultural uses. Development within this district may be served by private on-site wastewater treatment systems (POWTS), and roadways within a rural cross section. The RR-5 district is intended for areas planned for rural residential development within the Comprehensive Plan. (Predecessor districts: RR Rural Residential; SR Suburban Residential)

DETERMINATION (To be completed by the Plan Commission):

1. Is the proposed conditional use consistent with the Comprehensive Plan, this Chapter, and all other plans, programs, and ordinances adopted by the Village
2. The proposed conditional use, in its proposed location and as depicted on the required site plan, will not 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 be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or all other plans, programs, and ordinances adopted by the Village.
3. Does the proposed conditional use will maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
4. Is the proposed conditional use 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.
5. Do the potential public benefits of the proposed conditional use outweigh 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.

BACKGROUND INFORMATION:

Matthew Wesenick has submitted a single family home at 8902 Wesenick Street. The accompanying Sanitary Permit from Marathon County listed the proposed septic system as utilizing a Holding Tank. The Village does not permit Holding Tanks within the Village of Weston except by conditional use permit.

CURRENT PROPERTY CONDITIONS:

The property is a currently vacant. There is a single family home permit in review at this moment. It is mostly field with some trees.

PLAN COMMISSION ACTION OPTIONS:**1) Approve the Conditional Use Permit for the use of a Holding Tank, at 8902 Wesenick Street, with the following conditions:**

1. The construction of the structure thereon shall be for those uses defined within, and shall be constructed per the attached site plan, as attached as "Exhibit A;"
2. Upon the use expanding beyond the terms listed within the site plan, attached as "Exhibit A," then the owner/applicant of said use shall resubmit a new Conditional Use Permit application;
3. The construction and maintenance of the Holding Tank shall be in accordance with Marathon County POWTS Maintenance Program.
4. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.
5. Should any paragraphs or phase of herein be determined by a court of competent jurisdiction to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the remainder of this conditional use and the remainder shall continue in full force and effect.

2) Deny the Conditional Use Permit for the use of a Holding Tank, at 8902 Wesenick Street.

VILLAGE OF WESTON, MARATHON COUNTY, WI
CONDITIONAL USE PERMIT #20220213

This CONDITIONAL USE PERMIT is issued as of 11th day of July 2022, by the PLAN COMMISSION of the VILLAGE OF WESTON to MATTHEW WESENICK of 3605 Howland Ave, Weston, Wisconsin, 54476.

WHEREAS, MATTHEW WESENICK is the owner of the property described below in the Village of Weston, and which property is subject to an agreement whereby MATTHEW WESENICK intends to build thereon a HOLDING TANK, related use. The said property upon which said activity is to take place is more particularly described as follows:

Lot 1 of CSM #19190 Doc #1856343, Part of the NE ¼ of the SE ¼ of Section 25 T28N R8E, Village of Weston, Marathon County, Wisconsin (192-2808-254-0993)

WHEREAS, the property described above is in the RR-5 RURAL RESIDENTIAL 5 ACRE Zoning District of the Village of Weston, which permits the use of a HOLDING TANK in said zoning district by conditional use permit; and

WHEREAS, MATTHEW WESENICK has requested a conditional use permit for the property, per Section 94.3.03(13) Standards Generally Applicable to Land Uses of the Village of Weston Zoning Ordinance, so as to allow the construction of a HOLDING TANK on said premise; and

WHEREAS, a petition for a conditional use permit having been duly filed with the Village Zoning Administrator, and placed on the Plan Commission agenda after first being assured by Village professional staff review that the application is complete, and following staff review and Plan Commission review, investigation and a public hearing which was held July 11, 2022, the Plan Commission after giving full consideration to the criteria and standards for granting a conditional use permit, as set forth in the Village Ordinance, including Section 94.16.06, approve said application in writing; and

WHEREAS, upon the discontinuance of the use of a HOLDING TANK on said premise for a period exceeding 365 days, the issuance of the conditional grant shall automatically become invalidated. The burden of proof shall be on the property owner to conclusively demonstrate that the conditional use was operating during this period; and

WHEREAS, all requirements of the approved conditional use permit shall be continued regardless of ownership of the subject property and shall run with the land, except where limited by the zoning code or by a specific condition attached to this conditional use grant herein.

NOW, THEREFORE, BE IT RESOLVED, the PLAN COMMISSION of the Village of Weston, in Marathon County, Wisconsin, here by grant MATTHEW WESENICK a conditional use permit for the property described above, for the use of a HOLDING TANK as defined in 94.3.03(13) of the Village Zoning Ordinance. The conditions for the issuance of the conditional use permit are as follows:

1. The construction of the structure thereon shall be for those uses defined within, and shall be constructed per the attached site plan, as attached as "Exhibit A;"
2. Upon the use expanding beyond the terms listed within the site plan, attached as "Exhibit A," then the owner/applicant of said use shall resubmit a new Conditional Use Permit application;
3. The construction and maintenance of the Holding Tank shall be in accordance with Marathon County POWTS Maintenance Program.
4. No use is hereby authorized unless the use is conducted in a lawful, orderly, and peaceful manner. Nothing herein shall be deemed to authorize any public or private nuisance or to constitute a waiver, exemption, or exception to any law, ordinance, order or rule by the Village, Marathon County, State of Wisconsin, United States or other duly constituted authority, except only to the extent that it authorizes the use of the Subject Property in any specific respects described herein.
5. Should any paragraphs or phase of herein be determined by a court of competent jurisdiction to be unlawful, illegal, or unconstitutional, said determination as to the particular phrase or paragraph shall not void the remainder of this conditional use and the remainder shall continue in full force and effect.

Village of Weston Marathon County, WI



ZONING MAP



Map Date: 6/28/2022
Adoption Date: 2/14/2022



LEGEND

8902 Wesenick Street

MUNICIPAL FEATURES

Village of Weston Incorporated Boundary

Right-of-Way

Wetland Presence

Surface Water

ZONING DISTRICTS

AR - Agriculture and Residential

RR-2 - Rural Residential-2 Acre

RR-5 - Rural Residential-5 Acre

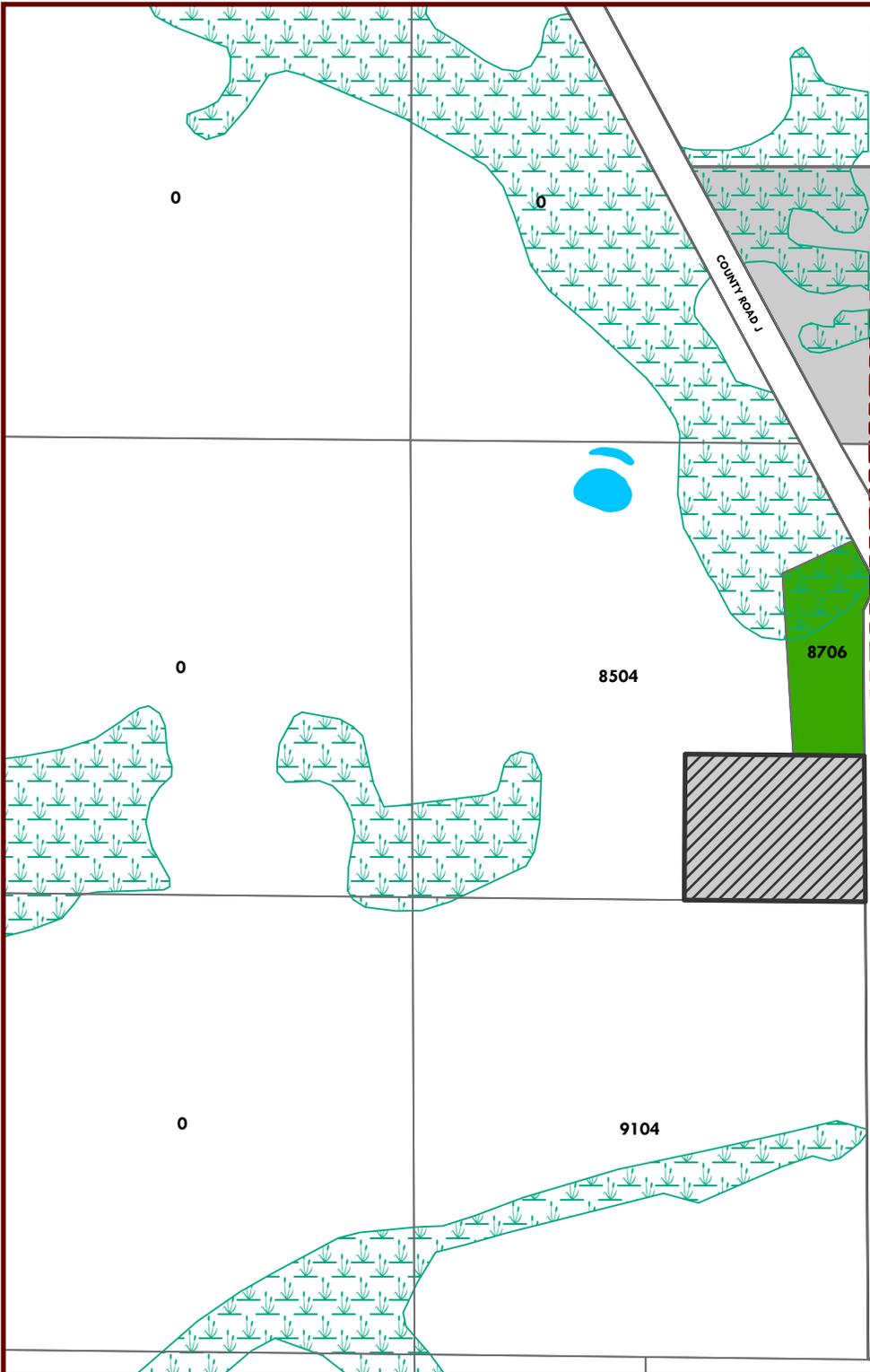
OVERLAY DISTRICTS

D-CO

D-R

D-RT

D-WM



Town
of
Ringle

8902 Wesenick Street



Marathon County CPZ Department
 210 River Drive, Wausau, WI 54403-5449
 (715) 261-6000

1 _____
 2 _____
 3 _____

Marathon County Application for Sanitary Permit

Sanitary permits expire two years after the date of issuance unless the permit is renewed prior to expiration. All renewals are subject to the State codes in effect on the date of renewal. The CPZ department shall inspect all systems before covering.

Current Owner Matt R Wesenick
 Mailing Address 3605 Howland Avenue
Schofield, WI 54476

Site Address South of 8706 Wesenick St
Wesenick Street

Home and Cell # _____
 Email Address _____
 Parcel # (PIN#) Parent 192-2808-254-0994
 Municipality Village of Weston

Pt of NE 1/4, SE 1/4, Sec. 25 T. 28 N., R. 8 E.
 Subdivision/CSM Planned 5.01 Acres
 Lot 1 Blk _____

Structure: New Existing
 POWTS: New Replacement Reconnect Yes No

Certified Soil Tester Zoromski Soil Consult, Tim Zoromski
 Plumber KEMPF PLUMBING

Zip Code: 54476

Driving Sketch

Email Plans Yes No Mail Plans Yes No

DO NOT WRITE BELOW THIS LINE

DO NOT WRITE BELOW THIS LINE

State Trans. ID# 2022-SAN-0144 County ID# 2022-SAN-0144 Permit # 2022-SAN-0144

FEES	DATE	AMOUNT
Soil Ver.	<u>5-3-22</u>	<u>16 0.00</u>
Permit Fee	<u>6-2-22</u>	<u>650.00</u>
Plan Review		
Recording Fee		
Plumber Transfer		
Renewal		
Reconnect		

Design Criteria	
System Type	<u>HT</u>
# Bedrooms	<u>2</u>
Non-res. Des.	

Tanks	#	Total Vol.
Pump		
Septic		
Holding	<u>1</u>	<u>5000</u>

Other ID# _____
 Review Date _____
 By _____
 2nd Review Date _____
 By _____
 Date Issued 6/15/2022
 By WAH
 Notification Date _____
 Acceptance Date _____

Pump _____ FM Lgth x Dia. _____ Vert. Lift. _____
 Cell Size _____ Sq.ft. _____ Min. Req'd. _____ Depth _____
 # of Lines _____ Dia. _____ Lgth _____ Orf. Spacing _____ Orf. Dia. _____
 Manifold Lgth x Dia. _____ Sys. Elevation _____ ISD _____
 Mound or At-Grade Dimensions: W _____ L _____ I _____ K _____

Abatement Orders _____ [] Yes No
 County Zoning _____ [] Yes No
 Shoreland _____ [] Yes No
 HT Agreement # 1862683
 Other _____

Date 05/11/2022 Inspector SS Inspection/Remarks Soils approved with onsite: HT

RECEIVED

MAY 03 2022

MARATHON CO. CONSERVATION,
 PLANNING & ZONING DEPT



Industry Services Division
4822 Madison Yards Way
Madison, WI 53705
P.O. Box 7302
Madison, WI 53707

County
Marathon
Sanitary Permit Number (to be filled in by Co.)

2022-SAN-0144

Sanitary Permit Application

In accordance with SPS 383.21(2), Wis. Adm. Code, submission of this form to the appropriate governmental unit is required prior to obtaining a sanitary permit. Note: Application forms for state-owned POWTS are submitted to the Department of Safety and Professional Services. Personal information you provide may be used for secondary purposes in accordance with the Privacy Law, s. 15.04(1)(m), Stats.

State Transaction Number
2022-SAN-0144
Project Address (if different than mailing address)
Wesenick Rd.

I. Application Information – Please Print All Information

Property Owner's Name
Matt R. Wesenick

Parcel #
192-2808-254-0993

Property Owner's Mailing Address
3605 Howland Ave.

Property Location
Govt. Lot _____

City, State
Schofield, WI

Zip Code
54476

Phone Number

NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section **25**

II. Type of Building (check all that apply)

1 or 2 Family Dwelling – Number of Bedrooms **2**

T **28** N R **8** E or W

Public/Commercial – Describe Use _____

Subdivision Name

State Owned – Describe Use _____

City of _____

Lot #
1

Block #

CSM Number
#19190, Doc. #1856343

Village of **Weston**

Town of _____

III. Type of POWTS Permit: (Check either "New" or "Replacement" and other applicable on line A. Check one box on line B. Complete line C if applicable.)

A. New System Replacement System Other Modification to Existing System (explain) _____ Additional Pretreatment Unit (explain) _____

B. Holding Tank In-Ground (conventional) At-Grade Mound Individual Site Design Other Type (explain) _____

C. Renewal Before Expiration Revision Change of Plumber Transfer to New Owner

List Previous Permit Number and Date Issued

IV. Dispersal/Treatment Area and Tank Information:

Design Flow (gpd) **300** Design Soil Application Rate (gpd/sf) _____ Dispersal Area Required (sf) _____ Dispersal Area Proposed (sf) _____ System Elevation _____

HOLDING TANK ONLY

Tank Information	Capacity in Gallons		Total Gallons	# of Units	Manufacturer	Prefab Concrete	Site Constructed	Steel	Fiber Glass	Plastic
	New Tanks	Existing Tanks								
Septic or Holding Tank	5000		5000	1	Crest Precast	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dosing Chamber						<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

V. Responsibility Statement- I, the undersigned, assume responsibility for installation of the POWTS shown on the attached plans.

Plumber's Name (Print) **DAVID Kempf** Plumber's Signature *David Kempf* MP/MPRS Number **221230** Business Phone Number **715-574-9957**

Plumber's Address (Street, City, State, Zip Code)
159789 Goetsch Rd WAUSAU WI 54403

VI. County/Department Use Only

Approved Disapproved Owner Given Reason for Denial _____

Permit Fee \$ **650.00** Date Issued **6/15/2022** Issuing Agent Signature **Wanara A. Hohn**

Conditions of Approval/Reasons for Disapproval

APPROVED

By Hohn at 8:45 am, Jun 15, 2022

HOLDING TANK MUST BE SERVICED AS REQ'D BY LICENSED PUMPER.

RECEIVED

JUN 02 2022

**MARATHON CO. CONSERVATION,
PLANNING & ZONING DEPT**

Attach to complete plans for the system and submit to the County only on paper not less than 8 1/2 x 11 inches in size

Approx. North P/L 518.18'

Matt R Wesenick
Pt. of NE1/4 SE1/4 Sect.25, T28N,R8E
Village of Weston, Marathon County
Parent Parcel ID# 192-2808-254-0998
Proposed Lot 1
5.01 Acres

Legend
* Bench mark top of iron pipe elev. 100.00

Approx. West P/L 421.10'

260 FT

approx. drainage ditch
approx. old road

Vegetation
The new planned well must be > 25 ft. from the new holding tank

Trees

Approx. East P/L 421.10'

WESENICK STREET

The holding tank manhole covers to be < 25 ft. from the driveway and > 25 ft. from the new well

360 FT

All sewer pipe must meet DSPS Table 384 code

4" pvc approved sewer pipe

approx. planned 2 bed home

garage

approx. planned drive

100 FT

Scale 1" = 60'

Unless noted otherwise

NOTE: This plot plan is not a Certified Survey Map, approx. features are shown



5000 gallon Crest Precast Inc. Holding tank State Approved 28" min. soil cover needed and 84" max. depth of bury allowed

Vegetation 100 FT

Approx. South P/L 518.18'

Bench mark

14'