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City of Ashland, Wisconsin

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City of Ashland – Plan Commission Meeting Minutes

A meeting of the Ashland Plan Commission was held on **Tuesday, August 17th, 2021 at 6:30 p.m.** via GoToMeeting.

Committee Members Present: David Mettille, Mayor Lewis, Laurie Gregor, Eric Lindell, John Beirl, Katie Gellatly

Committee Members Absent: Ana Tochterman

Staff Present: Megan McBride

Mayor Lewis opened the meeting at 6:30 p.m.

Agenda

1) Approval of Agenda

Motion to approve the agenda by Eric Lindell. Seconded by David Mettille. Passed unanimously.

2) Consent Agenda

a) Approval of minutes from the August 3rd, 2021 Plan Commission meeting

Motion to approve minutes from the August 3rd, 2021 Plan Commission meeting by David Mettille. Seconded by Eric Lindell. Passed unanimously.

3) Public Comment (non-agenda items)

None.

4) Action Items

a) Public Hearing and Vote on a request for a Conditional Use Permit (CUP) for a nonmetallic mine (sand pit) to be located on parcel #201-04924-0000.
Applicant: Ashland Sand & Gravel Properties, LLC

Motion to go into public hearing by Eric Lindell. Seconded by David Mettille. Passed unanimously.

Megan McBride summarized the Class 2 public hearing notice that was issued, and detailed the review criteria and staff recommendation as identified in the staff report.

Mayor Lewis asked Megan McBride to share any public comments which were provided before the meeting. Megan McBride shared all comments received prior to the meeting for the record.

Dan Bratley with Bratley Funeral Homes provided the following comments:

“Something to consider regarding the location of the proposed mining/sand pit. The location they are considering is adjacent to the Mt. Hope Cemetery, in fact the new expanded section of the cemetery would border the Sand Pit. As a local funeral director serving the Ashland Community you may be unaware of the frequency of services being held in the cemetery. As of today, there were 8 services in Mt. Hope in the month of August and June and July had much more than that. Due to COVID-19 and social distancing for services, the cemetery burial has become a place for not just interment but for the funeral itself. It is not unusual to have family and friends gathering for an hour or two. The thought of loud noise and the distraction of construction going on at the Sand Pit during these times would be frustrating. I hope you will consider this for all the families of Ashland when making this decision.”

Sally Simmons from Mount Hope Cemetery provided the following comments:

“The Mount Hope Cemetery’s main concern is the noise level that might be generated with the operation of some of the machinery in the sand pit. I noticed that they plan on some noise abatement, but if it is not enough, would they be willing to suspend operations temporarily during burial services?”

We typically do not have a burial every day. Although we had been extremely busy in June & July because of family members waiting for Covid restrictions to allow for gatherings.

If the operators of the sand pit would give us a name/number of someone to contact, we could give them a day or two notice of when a service was going to be held to allow for a ‘peaceful, tranquil’ service.”

Mayor Lewis asked if anyone had questions.

John Beirl acknowledged that this is a sensitive issue, and asked what the approval process moving forward will be.

Megan McBride explained that the Plan Commission will provide a recommendation to City Council regarding approval and any associated conditions for the development, and City Council will take final action on August 31, 2021.

John Beirl asked what surrounding property owners were notified prior to the meeting.

Megan explained that letters were sent to property owners within 300 feet, which would include the adjacent Maple Ridge residents, cemetery properties, the hospital, owners of surrounding vacant land, and residents located in Gingles just on the other side of Summit from the proposed development. She explained that the site maps and applicant cover letter were also provided to give additional details to neighbors before the meeting.

John asked who would be responsible for ongoing monitoring of site operations included depth of the mine, noise levels, and other activities.

Megan McBride explained that within the City it would be the Police Department responsible for monitoring noise levels and complaints, and that the Building Inspector would ensure compliance with depth and other site plan elements through the construction process. She pointed out that the WDNR will also be issuing permits for this project, so they would be an additional regulatory authority monitoring site activities.

Eric Lindell expressed concern for property values of neighboring properties.

Megan McBride explained that she consulted with Walt Hughes, the City Assessor, who stated that based on the berm and landscaping proposed he anticipates little to no negative impact on surrounding property values. This is based on his professional experience, as well as experience in working with other similar sand pits throughout Wisconsin.

Davie Mettillie asked if the cemetery is aware of the condition proposed related to ceasing noise-producing activities during funeral services, and any feedback they provided on the proposed condition.

Megan explained that the condition was created based on input from the cemetery, and the condition language was provided to them in advance for review.

Katie Gellatly asked who would be responsible for costs of improving the roadway to meet City standards as identified in the proposed condition.

Megan said that based on Comp Plan recommendations for the City to not invest public funds in building out additional infrastructure within this conservation buffer area, the costs for improving the roadway would be the responsibility of the developer.

Eric Lindell asked if a shared maintenance agreement or other similar condition could be used for cost sharing of ongoing maintenance costs.

Megan said that a shared maintenance plan could be evaluated, and/or language could be added to the current condition.

Eric Lindell asked what environmental concerns may be associated with this development and the proposed reclamation plan, and if an end date has been identified for mining activities.

Megan explained that the reclamation plan has to be approved by the WDNR and the County Highway Department. In terms of environmental concerns, they explored and provided documentation that groundwater would not be impacted by proposed activities. No closing date/timeline have been established for mining operations.

Mayor Lewis asked what size of trees will be planted, what size the berm will be, and how soon after planting will the project start. She expressed concerns that these buffering and screening features will not be in place until significantly after mining activities commence on site.

Scott Weyandt explained that the berm will be constructed using onsite materials and overburden, so this will be in place prior to activities starting. The trees are meant as a visual improvement, and to ensure that trees will remain as a buffer for future reclamation activities and possible housing development. He explained that the trees initially would be too small to help with noise deflection.

Mayor Lewis asked for clarification regarding on site groundwater.

Scott Weyandt explained that there is no surface water on site, and the only identified wetland has already been classified as non-jurisdictional.

Mayor Lewis noted that the major concerns she hears regarding the existing sand pit in town is related to dust and mud on the street. She asked how the applicants plan to address these types of concerns with their sand pit.

Mike Pagac (Representing Ashland Sand & Gravel Properties, LLC) explained that there are measures including watering the roadway, using approved chemicals, or using equipment such as tracking pads or steel grates to remove the majority of mud from vehicles before they'd leave the site.

Mayor Lewis pointed out that there are 34 other pits in Ashland County, and asked if there is research to show a need for another.

The applicant responded that having sand available locally for construction projects is important because transportation of sand is typically the largest expense.

Motion to go out of public hearing by Eric Lindell, seconded by David Mettille. Passed unanimously.

Katie Gellatly mentioned that she recently had a family funeral at the cemetery adjacent to the sand pit, and even two motorcycles were distracting so she does understand concerns for noise levels disrupting services.

Eric commended Megan and the developer on their work. He noted that he is struggling to see if there is a need for this development, particularly based on the incompatibility with the City's Comprehensive Plan recommendations for this area.

John Beirl said that he is surprised by the level of public input, as he thought there would be more.

Mike Pagac explained that they want to be stewards to the land and good neighbors to Ashland. He also explained that there is a bond in place to ensure the reclamation activities continue as planned regardless of the success or duration for which the sand pit is operated.

David Mettille also commended the applicant on the level of planning and detail put into this proposal.

Mike Furtak spoke in favor of the proposed project, and explained the variety of ways they prioritized neighborhood compatibility and took measures to lessen impacts. He also offered that the berm can be made higher if needed to provide a better sound buffer, as they are willing to do anything reasonable to ensure compatibility of the project.

Mike Pagac agreed, and commented that they would agree to stop during funeral services. He reiterated that they want to be good neighbors, and will do whatever they need to in order to be in compliance.

Mayor Lewis asked the applicant if they have any issues with the proposed conditions.

Scott answered that they may have concerns regarding the road condition, and will discuss further with the Public Works Department to come to an agreement on what is needed.

Mayor Lewis asked if they have done any outreach to neighboring properties.

Mike Pagac explained that they did quite a bit of outreach three years ago when the sand pit was originally explored, but not additional outreach has been completed recently.

Laurie asked what will happen if the developer does not agree to the conditions proposed.

Megan McBride explained there is still time to work out conditions before final approval by Council, and whatever conditions City Council approves through the final resolution will need to be followed in order to operate a sand pit on the property.

Motion to approve the request by John Beirl, seconded by Laurie Gregor. No discussion. Passed unanimously.
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5) Announcements/Reports/Comments/Questions

Megan McBride updated the Plan Commission that the Timeless Timber residential and commercial development projects are moving forward with finalizing their state approved plans, and are anticipated to move forward in spring 2022. Additionally, the Housing Committee will be workshopping the Request for Proposals for residential development of the Beaser Avenue Redevelopment site, and the RFP will likely be released in winter 2021 based on interest that developers have contacted the Planning Department about recently.

Mayor Lewis informed the committee that a Conditional Use Permit request for a homeless shelter would be coming forward in September.

6) Adjournment

Motion to adjourn by David Mettelle. Seconded by Eric Lindell. Passed unanimously.
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Meeting was adjourned at 8:03 pm. Minutes done by Megan McBride.