NOTICE
Village of Roberts
Plan Commission Meeting
Thursday, October 6, 2022 @ 7:00 PM
Agenda

The regularly scheduled Village of Roberts Plan Commission meeting and will begin at 7:00 PM on October 6, 2022, at the Roberts Village Hall located at 107 E Maple St, Roberts, WI.

Regular Plan Commission Agenda:

1. Call to order
2. Proper notification

Public Hearing:

3. Open the Public Hearing for an Ordinance Amending Chapter 70 of the Municipal Code of the Village of Roberts regarding regulation of the minimum building setback in districts Rd-1, Rd-2, Rt-1 and Rt-2 from 40 feet to 30 feet from the right of way of all public streets, roads or highways.
4. Call for public comments.
5. Adjourn Public Hearing.

6. Review/recommend approving the Ordinance Amending Chapter 70 of the Municipal Code of the Village of Roberts regarding regulation of the minimum building setback in district RD-1, Rd-2, Rt-1 and Rt-2 from 40 feet to 30 feet from the right of way of all public streets, roads or highways.
7. Approval of minutes from August 8, 2022 and September 1,2022 and Special Meeting on September 7, 2022
8. Building permits issued and the Building Inspectors Report
9. Discussion regarding the rezoning request for the St. Croix Central School District for the property located at 204 S. Division St. and the annexation needed for the land that the school is currently partially built on that is in the Town of Warren.
10. Discussion of side yard parking pad that was installed within four feet of the lot line located at 1132 Wyoming St
11. Items for future meetings.
12. Adjourn

Items on the agenda may not be presented in this order. There may be a quorum of Village Board members present during the meeting. Agenda may change up to 24 hours before meeting

Megan Dull,
Village Clerk

Please join my meeting from your computer, tablet or smartphone.
https://meet.goto.com/420702701
You can also dial in using your phone.
(For supported devices, tap a one-touch number below to join instantly.)
United States (Toll Free): 1 866 899 4679
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United States: +1 (571) 317-3116
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Access Code: 420-702-701

VILLAGE OF ROBERTS, WISCONSIN
Ordinance # 2022-06VB

ORDINANCE AMENDING CHAPTER 70 OF THE MUNICIPAL CODE OF THE VILLAGE OF ROBERTS

regarding regulation of the minimum building setback in districts Rd-1, Rd-2, Rt-1, and Rt-2

The Village Board of the Village of Roberts does ordain as follows:

(added language is underlined, deleted language is ~~struck through~~).

SECTION I. Chapter 70 Amendments.

Those sections of Chapter 70 listed below are hereby amended as follows:

§ 70-113(6)a – There shall be a minimum building setback of ~~40~~30 feet from the right-of-way of all public streets, roads, or highways.

§ 70-114(6)a – There shall be a minimum building setback of ~~40~~30 feet from the right-of-way of all public streets, roads, or highways.

§ 70-115(6)a – There shall be a minimum building setback of ~~40~~30 feet from the right-of-way of all public streets, roads, or highways.

§ 70-116(6)a – There shall be a minimum building setback of ~~40~~30 feet from the right-of-way of all public streets, roads, or highways.

SECTION II. SEVERABILITY

If any provisions of this ordinance amendment or any application of this ordinance amendment to any person or circumstance is found to be invalid or unconstitutional, such a finding shall not affect the other provisions or applications of this ordinance amendment which can be given effect without the invalid or unconstitutional provision or applications.

SECTION III. EFFECTIVE DATE

This Ordinance shall take effect as of the date following the date of publication.

Adopted this _____ day of _____, 2022.

_____
Willard Moeri, Village President

_____
Megan Dull, Village Clerk

Voted for: _____
Voted against: _____
Abstained: _____
Absent: _____
Date enacted: _____

Village of Roberts
Plan Commission Meeting
Thursday, August 4, 2022

The Village of Roberts Plan Commission meeting was called to order at 6:00 pm by Moeri.

Proper notification was placed in the designated locations.

Present: Steve Melby, Katy Kapaun, Willard Moeri, Helen Kusilek, Cheryl Johnson
Absent: Jerry Weiss,
Guest: see sign in sheet

Approval of minutes from July 7, 2022
Motion to approve the minutes from July 7, 2022 by Kapaun, seconded by C. Johnson. Motion carried.

Building permits issued and the Building Inspectors Report was

Review/recommend the extra territorial for Diane Triebold for a two-lot subdivision on 70th Avenue/107th Street – NW1/4 NE1/4 and part of Govt. Lot 1 Sec. 32 and part of Govt. Lot 1 Sec. 33, including a part of Lot 3 of CSM Vol. 23, Pg. 5530 Doc. #875384, Douglas Zahler, Auth Consulting & Assoc. Motion to recommend the extra territorial for Diane Triebold for a two-lot subdivision on 70th Avenue by Kapaun, seconded by Johnson.

Review/recommend the extra territorial for Jet Properties of Wisconsin, LLC, 1221 County Highway TT, 1 Lot CSM NE1/4NW1/4 Sec. 27, Douglas Zahler, Auth Consulting & Assoc.
This is the leftover parcel from the Deer Hills development and necessary paperwork to clean this up. Motion to approve the extra territorial for Jet Properties of Wisconsin, LLC by C. Johnson, seconded by P. Johnson. Motion carried.

Review/recommend extra territorial for Richard Krumm for a two-lot subdivision off of Trout Brook Drive located in Part of the Southwest Quarter of the Southeast Quarter of Section 2, Township 28 North, Range 18 West, Town of Kinnickinnic being Lot 4 of the Certified Survey Map Recorded in Volume 22, Page 5344, Doc # 842539, Ty Dodge, Auth Consulting & Assoc.
Motion to approve extra territorial for Richard Krumm by P. Johnson seconded by C. Johnson. Motion carried.

Discussion/recommendation on Steve Carlson's application for Zoning Board of Appeals to build a new detached garage at 305 N. Division Street to place a detached garage 7 feet from side yard and 8 feet from back property line.

Patty would like to see something in writing from the neighbors showing support of this project. Recommend moving Steve Carlson's application to Zoning Board of Appeals by Kapaun, seconded by Melby. Motion carried.

Review/recommend site plan approval for VT&E Services, LLC located at 1244 70th Ave.
This is the former Luke Busker property that is now owned by VT&E Services. They are a landscaping company that will store their trucks at this location. Goodwin went thru her review memo. She noted that the zoning code for M-3 need specific approval from the plan commission for the storage of fuel on site. VT&E is only looking at 3,000 gallons total and the ordinance allows up to 10,000 gallons. Goodwin asked about sidewalks along 70th Avenue to the east of Highway 65. Kapaun said that with the amount of truck traffic on this road that this might not be a good idea but maybe to the park and ride would be appropriate.
At the Intersection will there be stop lights and cross lights to help and yes there will be a sidewalk. Goodwin recommends approval of site plan contingent on updated information on floor drain holding tank, water use and wastewater discharge, updated per technical comments noted, and Developers' Agreement to include tracking control with gravel parking areas, timing for connection to public sanitary and water, and impact fees and deferral of sanitary and water with staff review and information next month. Question was asked if this would delay the building. Fuel tank needs to be part of the approval tonight. Safe passage to Kwik Trip would be south on Division to Dollar General and cross there. It should at least expend past the park and ride. Leaning towards no sidewalk at this point but can be a special assessment in the future. Motion to approve the recommendation of fuel storage, bring back to next month's meeting information on floor drain holding tank, water use and wastewater discharge information, updates to technical comments and Developer's Agreement with tracking control, timing for connection to public sanitary and sewer and impact fees with staff review by C. Johnson, seconded by Kapaun, motion carried

Review/recommend Business Plan of Operation for VT&E Services, LLC.
Joe Valdes said that there would be three mechanics during the day at this location. Do you fence the yard and yes and pine trees? Yes, they do/will. Joe estimated high in case they expand. Motion to approve the Business Plan of Operation for VT&E Services, LLC by Kapaun, seconded by Kusilek. Motion carried.

Discussion/recommend Developer's Agreement for VT&E Services, LLC.
Motion to table the Developers Agreement for VT&E Services, LLC by Kapaun, seconded by C. Johnson. Motion carried.

Discussion/recommend Developer's Agreement for Kwik Trip.
Motion to table the Developer's Agreement for Kwik Trip by Kapaun, seconded by Melby. Motion carried.

Review/recommend Ordinance No 2022-06VB to change the minimum building setbacks from 40 to 30 feet in Chapter 70-113(6)a - RD-1 Two Family Residential District, 70-114(6)a, - Rd-2

Two-Family Residential District, 70-115(6)a - Rt-1 Split Two-Family Residential District and 70-116(6)a.- Rt-2 Split Two-Family Residential District.
Rolling meadows, etc. this was proposed and approved to move forward so this is to catch up the ordinances. Motion to recommend the by C. Johnson, seconded by Melby. Motion carried.

Public Hearing at 6:30 pm
The public hearing was called to order by President Moeri regarding the request by m Nature Energy US, LLC for a Conditional Use Permit, the provision of Section 70-131.A. (3) a. to allow storage, manufacture, or fabrication of chemicals, explosives, flammable liquids and gaseous or vaporous substances, other than permitted accessory uses, with volumes and quantities and time of operation to be set by the plan commission and (3) b. solid and other waste disposal, transfer and recovery uses on the following property: Portions of SEC 22, T29N, R18W SE NE EXC CSM 30-6798 and SEC 22, T29N, R18W PT NE SE N OF RR EZ-U-1406/207 EZ-U-1540-265 FKA 042-1062-95 Parcel #176-1070-30-001 & 176-1070-40-000 at 6:47.

Call for public comments – public comments will be limited to 2 minutes per person.
Nick Vivian, Attorney representing Nature Energy (known as NE going forward) spoke for Nature Energy on the project. There is a lot of information out there but also a lot of misinformation. Alexis Glick, CEO Nature Energy discussed who Nature Energy is. It was important to her to help the area farmers. Headquarter are in Minnesota. What NE has done in Denmark. They produce 35 to 40% of the power in Denmark. When you visit them, they are magnificent and there is no odor. How do we take the greenhouse gases off of the farm and reuse it? One of these items are the methane gas that is taken off. They also take digestate which are phosphorus rich, which provides a safety net for farmers. If we can help to protect farmers, we can help to protect our food supply. Vivian went over the project location which is on 130th Street and approximately 23 acres in size. This property is guided in the Comprehensive Plan as industrial use and zoned for this purpose. NE is not asking for any changes but they are asking to use the property that is currently allowed by the Comprehensive Plan Future Land Use Map.

Wellhead protection area of the industrial park and they take this as seriously as you do. Worked with Mark Toso to evaluate how we build our structures and protect the water systems. Mark has lived here for 25 years. Prior to Arcadis, he was at the Minnesota Pollution Control Agency and also helped write the above ground storage rules and secondary containment for large tanks. He has been a hydrologist for over 30 years. They develop these areas with the understanding that this contamination is at the same level as the wells. When it is from the ground it will take even longer to get to the well depth. If a spill happens it would migrate across the wells before it would ever get to the depth of the well. Nitrates are not a big problem in St. Croix County but they are increasing. They are coming from septic tanks and manure. This provides greater overall protection.

The raw materials have odor. It is unloaded inside the building. NE has technology which treats the air with engineer bio-filter and is released from the stack which because of this odor is not

an issue. Traffic management is also a consideration. There was a traffic study done and the study did not show any significant problems from this project. Noise study was done and was part of the CUP application. Does not generate a significant amount of noise. Property values it is part of the industrial park. When you look at the pictures you see what the facilities look like and where they are located and how they are orientated, this is not a heavy industrial use. The community planned for it and put them in the location. In 2019 St. Croix County commissioned a study regarding property values. There is no significant loss to value.
NE is required to get height approval from the Village Board on buildings over 35 feet. There are a number of buildings/tanks that are higher than this.

What is in it for the Village. Pilot payment or tax revenue for this project.

David Tolberg (Agronomist) has 30 years as a private consultant. Work with a lot of acres in St. Croix County. He is on the soil and water district board in Minnesota. Clean water is important to him. Western Wisconsin Conservation Council is/was a member of this board to help with clean water. Important to work with the farmers on nutrient management plans and following the rules that are put in place and managed. Nature Energy will only do business with farmers that have nutrient management plans.

Public:
Ryan Menter – Cool technology but in his backyard. Plant that was toured in Denmark appeared to be surrounded by fields and not schools and not by Jenni-O. Has there been any environmental studies on the emissions compared to the benefits of the biogas? How is Twin Lakes water being used at the plant and how is that a benefit. Where would this be located and who would pay for it. First type of this cool facility in the country, why here? Will the methane come back to our own community as a finished product? Potential use of future railroad spur? Safety risk/hazards been discussed for these facilities. Has 130th reconstruction been discussed and who will pay for this. What is actually going to be in the contents of the emissions?

Fred Harwell – Thank the board for the hard work but this should go to a vote to the people that are living in Roberts because they have the right to vote on this. What if something goes wrong?

Craig Dillion – supports economic development. Places a burden on the residents of Roberts, does not increase property tax values, improve quality of life or sustainable living. Will not attract future business opportunities but does the complete opposite. Producing methane gas in the backyards feels that there should be concern for this. NE states will wash every truck before it leaves but where does an antibiotic growth go after it is removed? Did you visit during off hours? Trucking hours will be 6:00 am to 8:00 pm Monday – Friday, not 6:00 am to – 6:00 pm. How many trucks are needed to spread manure? Per the law must use facts and are you introducing risk into our drinking water? Where was the property value assessment done? Why such a big smoke stack if there is no odor. What percentage of our population will benefit from eight employees?

Tom Dubois – was not aware of this until he saw the signs. Wanted to find out about this. Most questions have already been answered tonight. Works in Glenwood City and see the manure trucks go thru which is a stone age technology. This is real science. There were four days where the wind was just right to keep the smell away. He is not concerned about the smell. Likes the town and fell in love with it. When you open the door, the air will be coming in so any odor will stay in the building and go thru as designed, so you won't get the smell.

Ron Stave – read from Mike Bannie who is a local realtor. I have enjoyment with working with families in Roberts. External factors play a part in purchasing a home resulting in a lower price when selling.

Was it within 2,000 people or within the plant? Farms within 20 miles, you are talking Jenni-O which is 60 miles. What happens when the plant is full? Will there be other facilities that will be built. According to law, it feels like we don't have a choice and might be standing here for no reason.

Peter Tharp – His questions have to do with the well head protection ordinance. NE site is proposed to be within the wellhead projection area and this ordinance prohibits several items. Animal waste and hazardous materials use and storage. No authority to grant exceptions to the prohibited uses and therefor the projected project would seem to violate the wellhead protection ordinance.

Bev Denucci – will first responders have to have specialized training to take care of the accident that can happen out there? It is not a mile away from everything. Understand that it will be loaded out on railroad cars.

Rick Johnson – newer to Robert's area. Love the town as it has a small-town feel. The fact that you are proposing putting up a 20-story building and it will be an eyesore and effect property values. With 90 to 100 trucks per day who will maintain the roadway? NE in the event that you go out of business or have to close the plant who is responsible for the cleanup?

Gabby Lubich – what do you do with the manure in the winter? What do you do when the storage tanks are full? Lots of manure coming in means lots of people taking it. Analysis of manure out of the pit and back on the farm.

Bruce Emery – how much water will they use per day and where will the excess water go if there is nowhere for it to go? How does it come in? Wet or dry? How does it come out?

Chris and Nadine Wert – opposes digestor.

Shannon Winkelman – does anyone who wants this live in Roberts? How will they be affected.

Peter Chapin – opposes it.

Kathy Lowery – why are we doing this? Sounds like there are benefits to the farmers? Not clear on benefits to the residents of Roberts. They are being asked to bear the negative benefits. If there are 90 trucks per day that would be one every eight minutes and if you add going out that would be one every four minutes plus potentially the trucks to spread manure. They are not quiet. Lot of constant truck fumes from them going by. Wants noise clarified.

Howard Krueske – resident for 40 years. Can tell you about truck traffic in this area and it is not a residential street. How does this project make residential sense? Should be located close to the raw material or the end user of the product. Who is paying for this? Farmer or NE? This area has been approved for the rail park and why are we not pursuing business that would use the rail? By products (turkey litter, chicken manure) from the chemical background is ammonia and this is death to this process and how do you mitigate this. Hydrogen sulfite – you can smell it for a little bite but it can kill you. What is happening to the CO2? Why carbon credits from California? How much of the biogas is going to be used in the process? What benefit does Roberts get from this project? Looks like there is more to lose then to gain and reminds him of the biosolids plant that was proposed 25 years ago.

Kristin Quist is a fifth-generation dairy farmer and young farmer. Has same concerns about water quality like you. Starting a project on their farm that will be ready before NE is ready. It is an excruciating expense to get rid of the manure. Need to take this green product and make it greener. Excited about the project and would like welcome people to ask us why we are excited so that you can understand why this is important to our family.

Marg Weir – own a beautiful property. Why has this process been started but there is not much about this project? No decision made tonight. Have another meeting where the farmers can speak and say why it benefits them. What is traffic in year five or ten? How far will this be taken? How much tax revenue? Getting funding from green energy, where is the benefit to the Village and the farmer? What happens if this does not work? What if there are water issues? If there are water issues it could bring down property values. If it is the first here, people will come to learn more about it? Has a methane plant ever blown up? How far does this float? Have another meeting to give us time to digest the manure.

Mary Holle – fifth generation farmer raising the sixth generation. They have 680 acres but this gives them an avenue to look into to help her farm. They milk 100 cows' day and night. Three to five years she will not be allowed to spread manure and this will put her out of business. Will only get 3% of the benefit when it is applied. Cuts synthetic nitrogen by 40% which could buy many houses. She supports the project because it gives her boys a chance to be farmers.

Cam Freisinger- works with multiply farms in the area. He will be positively impacted by this. Milks 1,300 cows. What happens when the manure comes in. It is already going on the fields. So, the ability to have his manure come in to this facility and get a better product back is a huge impact to the water and area. Has other smaller farmers that don't know how this could impact them. Looking for more information on smaller farms and what is expected from them.

Wayne Miller – 25 years ago when they were spreading manure and almost put the Ag from here to Hudson is virtually dead. Why don't you build it where the farmers are? One of the costs that you have is transportation coming in and back. Proposed at Baldwin and Hammond and if we don't want it maybe Hudson will take it. Howard brought up building the facility where your raw product is? Why Roberts and not Barron? They can pump gas to Rice Lake.

Bill Rubin - Business development coordinator. This is proposed in an Industrial Park and is an industrial use in an industrial park where there are rolling meadows and farms so it will take on the look in the industrial park. UWRF agriculture is close by and suspects that there are PHD level students there and this is an opportunity to engage them into meaningful researchers

Tom Brunshidle – asked property values and how this will impact property values. Community development – final document written by the county for pleasant valley – Bruce Moll – granting the conditional use will have a negative impact on property values. (Several siting of this from a letter to Bruce Moll). Odor is the primary impact factor and turkey manure is the most ...Plant is bigger but the players are mostly the same. Could try to stop the air permit with the DNR.

Gerald Mueller – town of warren – dairy farmer – DNR is clamping down on regulations more and more. Have the daily rendering from Jenni-O and worried about the biosecurity here. Had aviation flu in Barron, what happens to local flocks? What happens if they take pig manure and there is swine flu? Three dairy farmers left in the area and they are not in favor of this. To make the plant work, you have to have the farmers take the product. Road is posted here until the first of May? Is the company looking to have on farm storage when the plant is full? Or a cement pad for dry product to be put on? What will the farmer need for the liquid storage of this on their farm? Thinks that there are a lot of things here and that the farmer is going to have to do more with record keeping. How will it be trucked? Will have a negative impact on the Town of Warren roads. Need to consider the township tax payers also.

Virginia Drath – Emerald Township – said she knows what it smells like and has some questions for the company. Will you have signed contracts with the owners of the land as well as the renter of the land? Important to know what the neighbors are putting on their land. CUP covers Roberts but does not cover the rural community. Concerned about the current CAFOs to expand producing more manure and odor, decrease property values. Six nights out of 10 she couldn't open windows because of the smell. Will the processed liquid be injected or sprayed into the land? Will it pool on the fields or in backyards? Who monitors the spreading? Are the spreading trucks separate from the ones gathering the manure?

Hillary Tweed – Benson Mn – Representing Benson. They have 3,000 people like Roberts. Participated in the trip to Denmark. Seeing the facilities solidified that Benson was making the right decision. Nature Energy cares, they are well maintained and a tremendous community asset. This is an accurate depiction of what is in Denmark. Benson lost a big project years ago and this will help them recoup what was lost. Benson approved the conditional use for the project. Almost identical to what is being asked to do. Construction to start second quarter

2023. Village is known as the Good Neighbor Community and give NE a chance to be this neighbor.

Rob Wolfington – Benson Mn. From 2006 to 2018 they had a property purchased by Xcel and shutdown. 55-megawatt turkey litter plant. Combusted turkey litter to haul trucks from the farm with 100 trucks per day. Stored in large fuel haul and unloaded in a controlled environment. The trucks all came thru town and three main roads were used. Plant is located in the city limits. Facility operated 24 hours a day but not efficient in economics. Proud of the facility and appears on the outside of the city logo. NE will recycle this facility and will recycle the fuel haul and infrastructure. Plant paid about $980,000/year in taxes and they miss the tax base. Never as the city manager has, he received an official complaint about the facility. If something minor did occur it is not so much what the problem is but how it is taken care of. Impressed with the due diligence and attendance.

Kim Dupre – lived in Emerald Township for 20 years. Had a flashback when the digestor was proposed in Emerald 20 years ago. Will give you many promises, but at the end of the day you are holding the ball. Protect your water, property values, etc. Needed a CUP to go into Emerald Dairy. Nitrates are 52 in May. 10 is the limit so this is five times the limit. There were a couple of explosions and ended up going back to spreading manure. Prepare for the worst but hope for the best. Nutrient management is not written to protect water quality but to improve land quality for growing. If nutrient management plans worked, Emerald Townhall would not have high nitrates. Once the by-product goes out the door it is someone else domain. Make sure you have yourself protected in the conditional use permit. Farming has changed but what has not is our need for clean drinking water. What happens after five years (well-head)?

Greg Zwald – graduated from SCC and was a farmer and still is. Since 1974 was a farmer. 1996 made a decision to expand the dairy farm to a 600-cow dairy. One major issue is handling manure. Had liquid manure and what the nutrient management plan does is take a look at where your nutrients are and where you need to put them. They don't need to put manure next to the farm. They put a hose to pump it somewhere else. Most active farmers want to use it the best way they can. 10 years ago, he left dairy farming and started a new business and would love to have this product for his new business. There are a lot of local farmers that would use it.

Rod Larkins – lives in St. Croix County. Prices of natural gas and fertilizer have increased dramatically. Europe is a decade ahead of the US in technology. Auri (??) has a working agreement with NE for a portable anaerobic digestor system. Believes this project is a good investment and positions them as a national leader with this site.

Mark Jensen – born and raised in the village and worked for the Village of Roberts. Asked to talk to them about the wellhead protection area. Was told that we had to write this ordinance after traces of a chemical in a test. How do you over write the DNR who forced us to put this ordinance in place? Can you approve a variance for this? Contacted a local real estate person

and this will impact property values. It will take you longer to sell your property and will not get what you are asking. Have we talked to the Fire Department? Will they still require a retention pond, where will the pollution go if there is some? Good Neighbor policy and if this falls into this we have a problem.

Joan Heezen – 107th Street – most questions have been asked. Will the biproduct be sprayed? When she was growing up, they had to wear bandanna on their nose with perfume to help offset the smell.

Ron Pratt – Hammond Township – Pleasant Valley proposal was less than a mile from his house. Why is a direct payment being proposed instead of real estate taxes? Real estate taxes go up. What percent of manure will come from Barron County compared to Roberts and St. Croix County? How many spills has the company had? It is not a matter of will but when it happens. How many CAFOs in St Croix County that will benefit from this? How many contracts are there within St Croix County?

Jim Harsdorf – Beldenville – will be impacted by this facility. When he first heard he was skeptical about the project. Went over to Denmark and looked at the facility. Was more impressive than he was willing to believe. Would do a smell test and there was not odor. The economic impact dovetails with food security. Watch neighborhood go from growing crops to houses. Hauls manure closest to the farm. NE would give him the ability to get to land that he cannot get to. Farming, he spends $150,000 on fertilizer for the land that he cannot get to. Energy, everyone wants it. We want e-cars. Taking a product called manure and making an energy product. Can also go into pop. Thanks for giving both sides the opportunity to speak.

Dan Funk – 22-year resident of Town of Warren. July 28th letter from Deb Ryan from Wild River Conservancy. Doesn't make sense to allow the construction of a biosolids facility. Puts water quality in danger. 2019 SCC did not grant the project. NE has been extremely effective of keeping the experts of SCC from participating in this project. Please do not allow the facility to be built in our water shed. Talk about the wellhead protection area. 2021 waterworks consumer confidence report. 7.6 parts per million. Rise every year. 20 years will reach 10. Hammond is at 5. Roberts is twice the limit as St Croix County. There are no conditions in the conditional use permit upfront ways to control the company. Improve the drinking water quality but not putting this in water. 19 million pounds of phosphorus. There is no limit to the amount of animal waste that is imported into Roberts. Benson is in Swift County; they are almost the same size of St Croix County. St Croix County is almost 10 times the size of Benson.

Kim Bremer – Loyal WI – thanks for allowing everyone to come and speak tonight. To the credit of the community, it is great that you came and that NE can hear them and respond. Wanted to say met the team of NE a couple of years ago and they wanted her to listen to this company. After learning about NE and what made me want to defend them is they want to put the farmers first. It is real. Anything we can do to support our local farmers is critical. Hope you continue to ask the questions.

Clark Pauley – VP of Business development for NE. Impressed with the community. It is encouraging to see because they want to get thru this. Want to answer your questions and get off on the right foot.

Becky Brathal – Woodville – talked a lot about things happening now but what happens in the future. Lose 1,000 acres of cropland to development each year. What is our farmland going to be in the future? St Croix County didn't use the term ag in their plan. Love the rural way of life. Feels this facility might have a negative impact on this. If County board does not see Ag as a long-term benefit what happens to this company in 10 years?

Chris f. driver – pierce county – grew up as a farmer. Digestors have changed. 1.5% feed the world. We consume a lot of energy. Drive cars here, flip lights on, notice that the Midwest is in danger of rolling blackouts. Do you want your energy coming from counties that hate us? It is renewable. We are not pulling this out of the ground. Food insecurity is real. Owns the fish farm and 90% comes from outside the US. We take half of the nutrients and apply it to the land. This is a good thing and want to see this in our community. Don't know if this is the right place but you are consuming the energy and we need to figure out better ways to get there. Cannot reply on countries that hate us.

Dan Hanson – please vote no

Dmita Mataya asked do you anticipate issues with antibiotics in the feedstock and how do you plan to mitigate them?

Julie Young – would strongly encourage the board to look at St Croix County's website and look at the Town of Pleasant Valley for the meeting agenda dated 4/26/19. The meeting notes show that the same company was denied and would encourage you to take the time to read this.

Dave June – local resident – Pleasant Valley Township and business owner that works with the dairy farms. Had opportunity to go to Denmark. When we got to see what NE is doing on the farms is very impressive. 400, 700, 2,500 cow farms. Misconception on truck traffic and how this product is handled. Grew up on 80 cow dairy farm in Baldwin, not even close to what the farmers are dealing with now. Farmers with NMP are regulated. By adding the nutrient back in and they will be putting on a quarter of what they are applying now. As a homeowner concerned about it too. When he went to Denmark, there was no smell. Everything sealed from the truck, went back into another sealed container. Would be glad to speak to any of you to discuss what the future is and agrees that we are relying on other countries and needs to start doing this locally. This company can produce it and the farmers need this back. This is a good thing for the fields. There are other reasons that our water is contaminated.

John Michaelson – New Richmond – lived here all his life. Thinks this is a good idea but the wrong place. It should be further over in the state. A couple of counties over where they have cows. Not many farmers that would benefit locally. New Richmond had the incinerator that was shut down. Would be concerned with what is coming out of the stack. Would like a better

guarantee about the well head protection. Irrevocable letter of credit (5,000,000) to help make this company stand up and bear the burden for what could happen. Slow down and listen to the comments.

Adjourn Public Hearing at 9:36 pm. Nature Energy can respond and the Plan Commission can ask questions.

Nick Vivian spoke for Nature Energy. There are a lot of folks that support and a lot that have questions. All of the people that had the history with going over to Denmark have shared the experiences and have had a positive experience with the visit. Nick will submit a 2-minute overview with the Plan Commission so that you get the best sense of how this will look and feel. Hard to believe that there was no odor because there is no odor. Secondly this is industrial land slated for industrial use. Nature Energy is here and a very green company. Impressed with the farmers that were here to discuss the challenges that come with manure management. They are here because generational farming is important. Need to adapt or we will not survive. Manure is already being spread in St. Croix County. They get 3% of the benefit of their manure. They could gain up to 60% of the benefit of their manure. Consider the firsthand accounts of the farmers who lives will be changed. Dairy farmers lend the manure to NE and is returned to the farmer. There is no pay or purchase involved. The farmer is getting a product back that is tailored to their farm. Coming from farms within a 20-mile radius. NE has talked to farmers that they are contracting with. There is sufficient farm land for this plant in this area. If there weren't viable resources, we wouldn't be here. Why Roberts? When you look at a project, there are a lot of things when locating a site. Proximity to the site. You take into the account all of the inputs and looks for the land that is suitable for this kind of project. If you try to put a more industrial use in a fully ag area the process is not productive. All of this points to the location of Roberts. You get there from Highway 12 or Highway 65 and down 130th Street. We will agree that no truck traffic will head south down 130th Street. All will go to the North and disburse from there. Works well for transportation, zoning, comp plan and the project fits. P. Johnson asked about the 20-mile radius. Dairy manure is coming from farms within a 20-mile radius and the turkey will be coming from Barron County. Ratio to dairy is 6 times as much dairy as turkey. 18 to 82%. 50% of this turkey is already coming into the county so this is not new. It is being spread here already. Food waste will come from local factories like the University of River Falls, cheese factories, etc. What is not answered tonight or are more complicated will be sent to the Plan Commission. As far as property values, you will get a different answer any given day on this. This is in the industrial park. There will be an industrial user on this land and other land. There will be users that will have some component of rail use. This is not going to be any different than any other user on this piece of land for home values. Not going to be discharging anything to the wastewater treatment plant except for the employee use. Other permits needed but the conditional use permit is really step one. Site plan, operating plan will be next, many permits that will need to be applied for will reference back to them. There is a retention pond that is part of this. Angi Goodwin has looked at this. Questions about the PILOT (payment in lieu of taxes) and the PILOT agreement. In Wisconsin, bio-gas and energy systems are exempt from real estate taxation. NE will pay this tax to be part of the community. Willing to pay their fair share for being part of the community. This is only

for the Village not the County, and Schools. Question about the rail spur and is it an intended use and it is for other sites but not our project. This is a Bill Derrick question not NE. They will have a safety response plan and there are a lot of conditions that we will work on. Energy production vs use – technical memo on energy used and this is about 20% net 80%. Productive operation. Well head requirements and asking for a bond for this. This use is not prohibited in this ordinance but allows us to impose certain conditions. Angi clarified that we have had discussions regarding well head protections but not that this was allowed. This is up to the Plan Commission.

Patty Johnson asked about the 90 trucks. Are they employees or independent of this number? Did a traffic impact analysis. NE will employ them so these are additional jobs. There will be 8 to 10 at the facility plus the truck drivers.

Helen Kusilek asked how many trucks will come from Barron County. Will get this number. Helen feels this will be noisy. 90 trips per day.

Katy Kapaun asked about the safety plans in Denmark? Reviewed this and there have been no spills no fires no explosions, and as far as safety, there might be minor incidents that they will look for this information for the Commission.
Katy asked the Village Attorney, Paul Mahler, if we were to grant the CUP and something happens are we responsible for this? Paul said not if they have a spill.

P. Johnson said the concept of this is exciting but not understanding is that you are bringing in manure every day and can only spread for a couple of months, where is the storage? Dean Doornick said that the vast majority will come from CAFO's they are required to have 6 months of storage on their farm. They will use their pits. They will need to be modified and hopefully have covers on them. If we don't put a cover on them, we lose the ammonium and nutrients.

They are taking the molecules out of the manure and giving back the remnants of the digestate.

P. Johnson asked is there any chance that we can do household composting and have it taken to the plant as a benefit to our community? There is food waste piece and they would be willing to explore it.

Happy to give the management reports on all facilities. Low in standard compared to manufacturing. The science behind this is so extraordinary and things we do that we have not even touched on. Can clean carbon to 99%. You are having beer with our CO2. If you look at the scientific now how they are the best in the world. You can have energy security in your backyard.

Discussion/recommendation for Wellhead Protection for Nature Energy.
Discussion/recommendation for height exception needed for Nature Energy.

Discussion/review of vision triangle for the railroad and Nature Energy.
Discussion/recommendation of water system impact for Nature Energy.
Discussion/review of the Conditional Use Permit conditions for Nature Energy.
Kapaun would like to see the responses from tonight before discussing the agenda items for Nature Energy. Motion to table all Nature Energy meeting items until the responses are back by Kapaun, seconded by C. Johnson. Motion carried.

Items for future agenda. None

Motion to adjourn at 10:15 PM by Melby, seconded by Kapaun. Motion carried.

Megan Dull
Village clerk

Village of Roberts
Plan Commission Meeting
Thursday, September 1, 2022

The Village of Roberts Plan Commission meeting was called to order at 7:00 pm by Moeri.

Proper notification was placed in the designated locations.

Present: Steve Melby, Katy Kapaun, Willard Moeri, Helen Kusilek, Cheryl Johnson
Absent: Jerry Weiss, Patty Johnson
Guest: see sign in sheet

Approval of minutes from August 8, 2022
Motion to table the August 8, 2022 minutes until next month by Kapaun, seconded by C. Johnson. Motion carried.

Building permits issued and the Building Inspectors Report
No questions or comments.

Discussion/recommendation for VT&E Services, LLC for secondary containment for fuel, water use and wastewater discharge.
Goodwin updated that the spill containment was sent to Mike Rutan and Glenn Hall for review. Asked for information on the holding tank because of future connection to the wastewater treatment plant. This has not been submitted. Water use is about 320 gallons per day. Not high-water user but will have additional water use for truck washing. Only the domestic water will go to the WWTP not the truck washing.

Discussion/recommendation for final plat for Deer Hills Residential / Trevor Bruce.
This is the final plat for phase one of the two phases. Goodwin had a short list of technical comments. Recommends approval based on comments. Preliminary plat was noted as green space and now it is Outlot One. If it is dedicated to public it needs to be marked. This will come with the developer's agreement with the board. Final plat matches the preliminary plat. This still need to get to Plan Commission, Village Board and State approval. Motion to approve the final plat for Deer Hills Residential / Trevor Bruce contingent on resolution to the technical changes with staff review by Kapaun, seconded by C. Johnson. Motion carried.

Discussion/recommendation for four-lot CSM for Deer Hills Residential / Trevor Bruce for lots along Division St. South.
This is four lots taken out of the final and put in a CSM. This does not have to go to the State for approval. Goodwin said she is fine with this process. Motion to approve the CSM for Deer Hills Residential / Trevor Bruce as presented with comments identified by Ayres by C. Johnson, seconded by Kusilek. Motion carried.

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Discussion/recommendation for Pleasant Valley Properties for changing setbacks in the mobile home park.
Pleasant Valley has asked to have this removed from the agenda until they can do some research on what they are asking for. Motion to table the request from Pleasant Valley Properties by Kapaun, seconded by C. Johnson. Motion carried.

Discussion/recommendation of AEM Construction LLC/Alex Miller site plan for the two-acre lot in Stewarts Addition.
Brought in a CSM with six four-plex units and a seven plex and eight plex unit. Site plan was only for the one lot. They want to proceed with the other lot. Does have all the information to review. You have seen the concept and big picture zoning items. Goodwin does not have any concerns and working to make sure the stormwater is correct. They have made the driveway wider and added fire hydrants as requested. Motion to approve the site plan for the two-acre lot contingent on final review by Ayres and Associates by Kapaun, seconded by Kusilek. Motion carried.

Discussion/recommendation of AEM Construction LLC/Alex Miller request for Zoning Board of Appeals for the seven plex and eight plex planned on the two-acre parcel in Stewarts Addition.
This is needed for the seven-plex and eight-plex approval because the ordinance only allows for three- and four-unit buildings. Motion to recommend the application to go to Zoning Board of Review for the seven and eight plex parcel in the Stewarts Addition by C. Johnson, seconded by Kapaun. Motion carried.

Discussion/recommendation for AEM Construction LLC/Alex Miller Developer's Agreement.
This will need a developer's agreement because of looping the watermain. Motion to table the developer's agreement as it is not completed yet by Kapaun, seconded by C. Johnson. Motion carried.

Discussion/recommendation for Kwik Trip's final CSM for the lot on the corner of Highway 65 and 70th Avenue
After researching the approvals for the CSM's that were already given to Kwik Trip this is not needed as it was already approved by the Village Board.

Discussion/recommendation for Kwik Trip Developer's Agreement.
We are still waiting for pricing from the DOT to add to the developer's agreement. Motion to table until we receive pricing by Kapaun, seconded by Kusilek. Motion carried.

Motion to adjourn at 7:30 pm by C. Johnson, seconded by Kusilek. Motion carried.

Megan Dull
Village Clerk

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Village of Roberts
Special Plan Commission Meeting
Wednesday, September 7, 2022

The Village of Roberts Plan Commission meeting was called to order at 6:04 pm by Moeri.

Proper notification was placed in the designated locations.

Present: Steve Melby (phone), Katy Kapaun, Willard Moeri, Helen Kusilek, Cheryl Johnson, Patty Johnson
Absent: Jerry Weiss,
Guest: see sign in sheet

Review Public Hearing questions/answers regarding Nature Energy.
Nick Vivian discussed the public hearing meeting and they did their best to answer every question that was asked. They updated the Environmental Study and digestate summary after the public hearing. Vivian brought subject matter experts to help answer questions and provide as much information as they can so that you can hear it directly from the source and experts. The Conditional Use Permit and height approvals are only the start of the approval process. There are 24 or 25 conditions that we have been working on as well as more permits and requirements that we will need to work thru.

Moeri asked the Plan Commission if they had any questions. Kapaun started the questions with significant concerns about being in the wellhead protection area. How did we get this far with our ordinance actually prohibiting this? Kapaun said we talked about a lot of assurances and this is great but once we know there is a problem it is there and we have to deal with it. Kapaun is hearing so many people express positive comments about the project but maybe this is not the right location for it. Vivian appreciates this comment and this is the number one priority. The Village has a wellhead protection ordinance that provides for permitted uses in the wellhead area. May request additional land uses and this right to request this in the wellhead protection area. There are 22 prohibited uses but doesn't know if these fit the project perfectly. Overall project is that there is not a prohibited use that perfectly fits what they are doing with the way you are constructing this plant. This means they get to have the conversation and the Village Board gets to decide if they operate in the wellhead protection area. The Industrial Park in this area sits almost entirely in the wellhead protection area. The ordinance gives the opportunity for the conversation. Kapaun asked if there has been specific conversation in a wellhead protection area. Mark contacted the DNR regarding this to find out current data and age data on wells. Wells have nitrates in them now and are coming from ag areas. Wellheads are oversimplified. If there was a spill in this area it probably wouldn't impact our wells but impact wells down further. Goodwin said there are two parts to this. One is the legal piece of it and is modeled after the DNR ordinance. Was the DNR asked if this facility was one of the prohibited items. Goodwin also stated that she has had someone at Ayres review this and that he does not feel that the facility poses a significant risk because of the leak

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containment, monitoring systems proposed, treating it, etc. Goodwin asked how much risk is there and are you comfortable with accepting this risk. Vivian said they would not ask the DNR this question because it is a Village ordinance. This is left to the Village consultants to go thru this. Mahler added that clearly the protection of the groundwater is part of our function. The ordinance does allow some flexibility to permit this and it is an ask. The commission and board need to be comfortable that the way the facility is built and how the conditions are written that the village and residents are protected. Moeri said that we want to do something that is right and do good by the community. Everyone gives up their time to make a decision on the projects that are put in front of them. Nature Energy is a good company with good credentials. There will be growth that will be coming and eventually we need to accept this. It won't stop at Hudson and we are next.

Patty Johnson asked about how this looks visually. She cannot visually imagine the 85-foot silos that will be there. Could there be better pictures in 3D that could be done? Looking at truck traffic and reading that there was a 1% increase is hard to understand what this means because we don't know what the number is now. Have to rely on the professionals because we don't know all this information. How much more is 90 trucks compared to what is there. What are we doing to our view. Katelyn responded to the renderings and the two updated images. Patty asked where is it compared to the tree tops. As far as traffic, attachment 7 this was done by Swing. Patty does not understand the numbers in the packets. Figure 5 – look at 2009, 2015 & 2018 and applied a 1% increase to these numbers. These are the anticipated traffic counts that will naturally happen. Figure 7 includes traffic counts if the project is done and the impact on the various roadways. Cheryl Johnson asked if there is a closure plan in the developer's agreement if one is needed? Developer's agreement will include the improvements that need to be made, monitoring security, and closure. There is a section specifically to closure in the environmental summary. State of WI has statutes for how this happens. Expect that this is not going to happen but will address in section 1.10 in environmental summary page 11. Moeri said that the developer's agreement is the most important document with the company and land owners. This will spell everything out for what we want to happen. C. Johnson also asked that you provided the maximum amount of material the system could handle but what is the minimum amount to be operatable? Jesper said this is a difficult question to answer because of what is coming in. Suspect the number to be 60% of the number but it is somewhere in this range. Difficult number at this point because Dean Doornick is working to secure farmers and acreage to this facility. On the other hand, what are the percentages of inputs there is a threshold. There must be some idea based on what happens in Denmark. Jesper said they have not had issues filling the locations in Denmark. The price to transport (cost) and other figures come into this. What they see in Denmark the farmers get out and contact them to get into our company and have a waiting list. The heights are a typical question that they are seeing with the views. Typical that there is a concern about this.

Patty Johnson asked about the comment about CO2 maybe being captured or not being captured. Jesper said when producing green gas one of the byproducts is CO2 it would make sense to capture it. They are looking to capture this and sell it to one of the main feed stock suppliers and they will put it back to their plant to use for rendering the birds, etc. if not, available they will release it but they are not adding CO2 because it is already there.

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Cheryl Johnson asked about the PILOT on where we are at or what this will encompass to the Village of Roberts? Vivian said a payment in lieu of taxes will pay property taxes on the land but the facility is tax exempt on buildings and equipment. Nature Energy has proposed a voluntary payment to the Village. Real estate tax is split between the other entities and 100% of this payment will go to the Village. They are working on the appropriate number and expect it to be significant or more than a recently valued business. They understand that we have infrastructure needs and this will be negotiated with the Village Board. This property is located in a TID district. A developer might come in and ask for support for public improvement. Nature energy is not asking for any money from the Village. Improvements will need to be made to 130th Street and they will be responsible for making these improvements. There is no subsidy being asked for and they are willing to pay tax and want to pay tax based on an agreement. Patty Johnson is bothered by the schools not getting money as part of this project. Vivian said any company coming in proposing to install an energy system would not be paying tax on building and equipment so the school would not see these. Nature Energy has a long history of working with the schools in terms of programing, etc. From a financial aspect, they are not losing money from this project or change the structure. Nature Energy also has plans with working with the schools on local scholarships in the future. Internships to partner with the local schools. Also are very pro-education at Nature Energy.

It would be easier if we had a facility across the road or down the road that we could look at but we don't have it here. How do they overcome the questions that everyone has about these facilities? Don't want to lose out on something that could be good for the community but at the same time don't want to condemn it.

If there is a leak and chemicals go down the well who is responsible for the cleanup. Vivian said that this would be part of the Nature Energy and the conditions that we impose on the project. Mahler added that the idea is to construct so there is not a problem but the ordinance specially requires that there is financial security maintained long-term for the village to fall back on to correct the problem.

Patty Johnson has a question on how the process works with the boards. The Plan Board makes a recommendation to the Village Board and they make a decision. Paul said one of the key parts is the development agreement because we need the input from this body and conditions for the conditional use permit. One of the conditions is the developer's agreement and this will be finalized once the input from the board comes along.

Melby commented that he agrees with Katy and maybe this is not the right spot for it. The public hearing was clear that residents did not want it and for it are the farmers.

Mahler said that we are at the point now that if the commission is comfortable making a decision or ask for more information but the process needs to be moved along. Cheryl Johnson asked what this means. Mahler said recommending to the board to approve with conditions or if you don't think that is possible then you recommend denial based on it being in the well head protection area. Conditions do not need to be decided tonight this is just a recommendation. This is one of the requirements that needs to be met for the project to continue.

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Discussion/recommendation for Wellhead Protection for Nature Energy.
Motion to deny Nature Energy's application due to its location in our Wellhead Protection area by Kapaun, seconded by Kusilek. Roll call: Kusilek -yes, Kapaun – yes, C. Johnson – no, P. Johnson – no, Melby – yes, Moeri – no. Vote ends in a tie.

Typically, what will happen is if the Commission cannot make a decision it should go to the board with no recommendation

Motion to pass this to the full Village Board for action by Kapaun, seconded by Kusilek. Roll call: Melby – yes, Kusilek – yes, Kapaun – yes, Moeri – yes, C. Johnson – yes, P. Johnson – yes. Motion carried.

Discussion/recommendation for height exception needed for Nature Energy.
Height exception and the way the zoning code for this district states that this building can be 35 feet high but higher could be higher with board approval. Goodwin said that the ordinance was increased from 35 to 60 feet last year with an ordinance change and Nature Energy is asking for 85 feet for the structures and 197 feet for the smoke stack. This is also a discretionary ask with decision by the Village Board.

Goodwin went thru her memo with the Plan Commission. Development is consistent with other properties in Industrial Park. The Comprehensive Plan and the future land use plans have the property to the South designated as medium density residential and is the compatible with what is planned. Goodwin had a question regarding the facilities in Denmark and the location to housing. In the google map that was sent over and reviewed it looks like none of these are in a municipal area or municipal residential area. There were two that came up in municipalities but it looks like they were office buildings. Do you have facilities that are directly in a municipality and directly by a residential area? Vivian said no but there are a handful within a mile or so. Two comments on the look and feel questions. The Comp Plan only land in the village right now is the industrial park. The land being discussed in the town and that is what the plan guides you for. This is being reviewed now and pointed out the comp plan is important and should look at the timeline to be there. This property is in the industrial park. Understand that this is a little different with look and fee. Bill Derrick to develop the rest of this property in the future.

Kapaun asked for discussion. Is anyone feeling any different with the agenda items? If we are moving one on, should they all be moved forward without recommendation? It is going to come down to the Village Board approval anyway, why not let them decide? Motion that the Plan Commission not make a recommendation and pass to the Village Board by Kapaun, seconded by C. Johnson. Motion carried. Roll call: Melby – no, Kusilek – no, Kapaun – yes, Moeri – yes, C. Johnson – yes, P. Johnson – yes. Motion carried.

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Discussion/review of vision triangle for the railroad and Nature Energy.
Vision triangle for the rail road refer to trees and vegetation. If you look at the current intersection that is there this has not been enforced. Does not state that a building cannot be in the vision triangle. Vivian added that they understand the statute and by state law they will keep the vision triangle clean and comply with the statute with the best of their ability.

Discussion/recommendation of water system impact for Nature Energy.
Goodwin discussed her memo. Nature Energy is a high-water user but low discharge user. Correction to calculation on residential units not 70 gallons per person per day but 40 gallons per person per day. These figures are adjusted. There previous was xx per year and this is a pretty significant water use expected to be 12,000,000 per year or 33,000 per day or the equivalent of 306 residential units coming on board and pretty high impact on water supply. Well capacity can serve 740 residential units. There have been a number of other projects approved totaling 185 residential units and getting down to around 200 residential units that you could still serve before you need that third well to keep up with the needs. There should be a looped water main to serve this site so that there is available water for fire protection. This has been built, approved and budgeted maybe in all three TID districts. This has been planned and this needs to be considered and significant dollars that need to be put in and coordinated with the opening. Water tower provides for fire protection and we should have a second tower at 3,500 gpm for two hours. The usage for Nature Energy has big water impacts to the Village. When we implemented a growth management plan and was adopted the eye was more towards sewer capacity and this definitely expedites the need to our water system. The expenses for this could come from impact fees, loans with the TID paying it back or the PILOT money if that is enough. Melby asked if we move this, we are also recommending a new water tower or can we legally get by without fire protection? We are already below standard for insurance rating. By having a lower rating, we are paying more for insurance. Moeri added that any substantial growth of any type is going to require some type of water tower addition. We have made it work but not a long-range plan that we haven't looked at. Kapaun asked if we can in good conscious approve this without that other tower because of the risk of this type of facility? Goodwin's recommendation would be to construct the looped water main and water tower concurrent with Nature Energy. This would also include securing the site for a third well. Where would the third well be located? No sighting has been done on this yet. Targeting to be a second 600 per minute well. The water towers would need some separation between them and has been discussed to have a site South of TT.

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Motion to move on to the Village Board without recommendation by C. Johnson, seconded by Kapaun. Roll call: Melby – no, Kusilek – no, Kapaun – yes, Moeri – yes, C. Johnson – yes, P. Johnson – yes. Motion carried.

Discussion/review of the Conditional Use Permit conditions for Nature Energy.
Mahler discussed the final item being the conditional use conditions. If you are comfortable doing this tonight, we can review to add to the conditions. They have to relate to the project,

mitigate potential negative impacts to the project, defined and measured not just ambiguous thoughts. Kapaun would like time to review this. This is an important document and would guide the project. Vivian pointed out that if the board recommends a list of conditions and Nature Energy agrees to abide by those then the conditional use permit would be granted and the project would move forward. If the Village Board is going to deny based on the items moving forward then we could not get to the conditional use conditions. This could be tabled so that the Plan Commission has time to review conditions in it

Motion to table the Conditional Use Permit conditions for Nature Energy until it is decided they are needed by Kapaun, seconded by C. Johnson. Roll call: Melby – yes, Kusilek – yes, Kapaun – yes, Moeri – yes, C. Johnson – yes, P. Johnson – yes. Motion carried.

Motion to adjourn at 7:48 PM by C. Johnson, seconded by P. Johnson. Roll call: Melby – yes, Kusilek – yes, Kapaun – yes, Moeri – yes, C. Johnson – yes, P. Johnson – yes. Motion carried

Megan Dull
Village Clerk

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PROCEDURES FOR AMENDING THE ZONING MAP

TO: Village of Roberts Plan Commission and Village Board

The undersigned do(es) hereby petition the Village Plan Commission and Village Board of the Village of Roberts, St. Croix County, Wisconsin to rezone:

From: Rs-5 District(s)

To: I-1 District(s)

The following described property: (Include legal description and common description or location. Use supplemental page if necessary). This information can be transmitted electronically also.

SEC 22 T29N R18W PRT NE SW COM SW CORNER UNION FREE HIGH SCHOOL GROUNDS AND RUNNING S 5 RDS ALG HWY, TH E 20 RDS N 5 RDS, W 20 RDS POB

Address of Property: 204 S DIVISION ST

Parcel I.D. Number: 176100310000

Dated this 21 day of September, 2022

Owner of described property

Received at Village Hall _____ Date

Fees Paid _____

Created on 10/24/2007 9:32 AM

Sec. 54-5. - Driveways.

(a) *Permit required.* No person shall construct or maintain any driveway across any sidewalk or curbing without first obtaining a driveway permit from the director of public works.

(b) *Construction specifications.*

(1) *Width.* No driveway shall exceed 24 feet in width at the outer or street edge of the sidewalk unless special permission is obtained from the village board.

(2) *Interference with intersections prohibited.* At street intersections a driveway shall not provide direct ingress or egress to or from the street intersection area and shall not occupy areas of the roadway deemed necessary by the village board for effective traffic control or for highway signs or signals.

(3) *Interference with street.* No driveway apron shall extend out into the street further than the face of the curb, and under no circumstances shall such driveway apron extend into the gutter area. All driveway entrances and approaches shall be so constructed that they shall not interfere with the drainage of streets, side ditches or roadside areas or with any existing structure on the right-of-way. When required by the director of public works to provide for adequate surface water drainage along the street, the property owner shall provide any necessary culvert pipe at his own expense.

(4) *Number of approaches limited.* No more than one driveway entrance and approach shall be constructed for any lot or premises except where deemed necessary and feasible without undue impairment of safety, convenience and utility of the street by the director of public works. Any two approaches shall be at least ten feet apart.

(5) *Workmanship and materials.* All driveway entrances and approaches which are constructed across sidewalks shall be paved in accordance with the requirements for sidewalk construction in section 54-4(c), Municipal Code of the Village of Roberts insofar as such requirements are applicable, including thickness requirements in section 54-4(c)(4), Municipal Code of the Village of Roberts.

(6) *Permittee liable for damage or injury.* The permittee shall assume all responsibility for any injury or damage to persons or property resulting directly or indirectly during construction or repair of driveway approaches or entrances. When curb or gutter is removed, the new connection shall be of equivalent acceptable material and curb returns provided or restored in a neat, workmanlike manner. Driveway surfaces shall connect with the street pavement and sidewalk in a neat, workmanlike manner. Any sidewalk areas which are damaged or are inadequate by reason of vehicle travel across the sidewalk shall be replaced in accordance with the requirements of section 54-4(c), Municipal Code of the Village of Roberts.

(7) *Location of water shut off valve.* No water standpipe or other water service shut off valve shall be located or constructed in the driveway area.

(8) *Off driveway parking.* Sideyard parking areas shall be permitted provided the following conditions are all complied with.

a. The sideyard parking area must be of a hard surface, such as concrete, bituminous or brick.

b. Any sideyard parking area must be at least four feet from the property line.

c. Any such sideyard parking area must be immediately adjacent to and connected to the hard surface driveway.



