



# Staff Report

Public Hearing: **June 26, 2018**

Petition: **Petition 11296**

Zoning Amendment:  
**Amending wetland inventory maps under Chapter 11, Shoreland – Wetland Regulations**

Town/sect:  
**RUTLAND, Section 7**

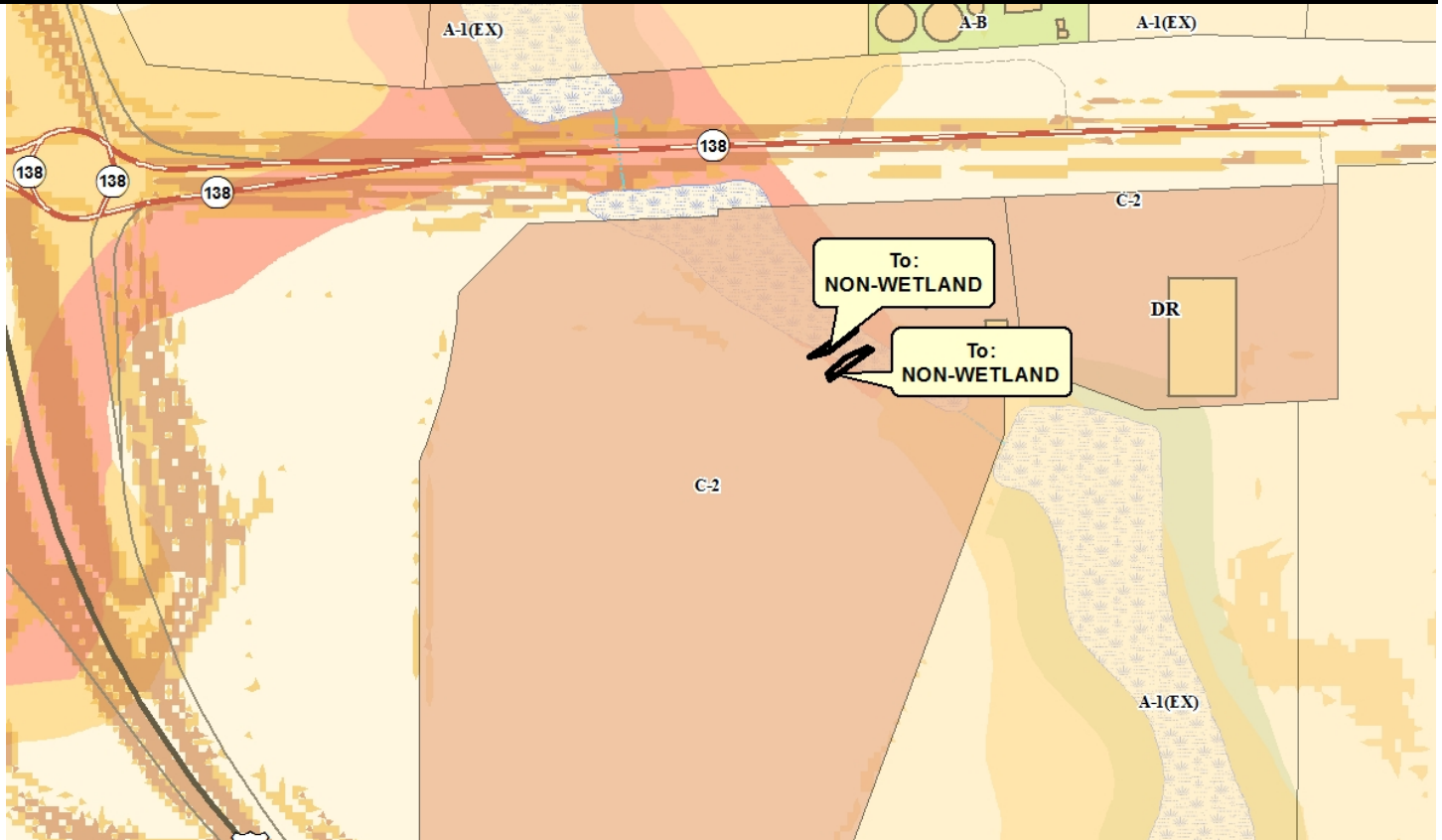
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Survey Req.

Applicant  
**WICOMPANYII LLC**

Reason:  
**Remove 1,482 square feet of wetlands from the adopted wetland inventory maps to allow commercial development**

Location:  
**4645 STH 138**

Zoning and Land Regulation Committee



**DESCRIPTION:** The applicant would like to declassify two small areas of wetlands totaling 1,482 square feet (.034 acres) on the C-2 zoned property. The proposed rezoning out of the county inland-wetland zoning district will facilitate driveway access to an area of the property planned and approved for commercial development. Wisconsin's Best and Wisconsin Cheese company proposes to relocate its local cheese and sausage warehousing and distribution business to the property. The C-2 zoning for the development was approved under recent zoning petition #11185.

**OBSERVATIONS:** There are two small inland-wetland areas proposed to be filled located on the north and south side of an intermittent stream that bisects the property. The applicant retained Taylor Conservation LLC, an assured Wetland Delineator under WI DNR guidelines, to perform a detailed wetland delineation report. The report documents the nature of the mapped wetland areas on the property and found them to be predominantly comprised of Sable Silty Clay Loam. The applicant has obtained a general permit from the Wisconsin Department of Natural Resources to fill the area.

**TOWN PLAN:** The property is located in a commercial development area as shown on the Future Land Use Map of the Town of Rutland Comprehensive Plan.

**RESOURCE PROTECTION:** An area of resource protection corridor associated with the intermittent stream and wetland area is located on the property.

**WI DNR:** The DNR has reviewed the proposed declassification and has no objection. Pursuant to its review, the DNR has issued a statewide general permit to allow the two wetland areas to be filled (permit GP-SC-2017-13-04270).

**STAFF:** The wetland inventory maps may be amended, or portions declassified if the Committee finds that the removal of wetland area will not have a significant adverse impact upon any of the following: (a) Storm and flood water storage capacity; (b) Maintenance of dry season stream flow, the discharge of groundwater to a wetland, the recharge of groundwater from a wetland to another area, or the flow of groundwater through a wetland; (c) Filtering or storage of sediments, nutrients, heavy metals or organic compounds that would otherwise drain into navigable waters; (d) Shoreline protection against soil erosion; (e) Fish spawning, breeding, nursery or feeding grounds; (f) Wildlife habitat; or (g) Areas of special recreational, scenic or scientific interest, including scarce wetland types.

As detailed in the wetland delineation report, the wetlands present on the property are mostly open, grassy habitats with scattered trees. The report documents that the wetlands are likely subject to inflows of nutrient-laden runoff from the surrounding agricultural watershed.

As part of the commercial development of the property, a storm water management plan and permit will be required. The proposed area to be rezoned out of the inland-wetland district is small in comparison to the larger surrounding wetland complex and located immediately adjacent to an existing access drive and culvert across the intermittent stream. Improvements to the existing culvert are planned and will likely improve flow of the intermittent stream and drainage of the surrounding area during rainfall events and spring snow melt. Based on the information submitted, staff believe that the proposal meets the standards found in Chapter 11 DCCO and should not result in any significant adverse impacts.

**TOWN:** The request of the removal of wetlands falls under the scope of Chapter 11, Shoreland, Shoreland-Wetland and Inland-Wetland Regulations. A town action report is not required for action.

The town has submitted an action report documenting their agreement with the declassification of the wetland areas.