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**From:** Cunningham, Brian J - DNR <brian.cunningham@wisconsin.gov>  
**Sent:** Thursday, May 23, 2024 3:03 PM  
**To:** Hilbert, Hans  
**Cc:** Holloway, Rachel; Ramminger, Allen J - DNR  
**Subject:** RE: Request for comments on Maier rezone out of wetland petition

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Hi Hans,

The DNR has no further comments. A restoration plan has been submitted and approved by the DNR to address compliance with state wetland regulations. We encourage you to follow your Chapter 11 Dane County Code of Ordinance criteria for rezone petitions. Let me know if you have any questions.

Thanks

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**Brian J. Cunningham, CFM**

Southwest Waterways Field Supervisor  
Waterways Program/External Services Division  
Wisconsin Department of Natural Resources  
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**From:** Hilbert, Hans <Hilbert.Hans@danecounty.gov>  
**Sent:** Tuesday, May 14, 2024 11:48 AM  
**To:** Cunningham, Brian J - DNR <brian.cunningham@wisconsin.gov>; Ramminger, Allen J - DNR <Allen.Ramminger@wisconsin.gov>  
**Cc:** Holloway, Rachel <Holloway.Rachel@danecounty.gov>  
**Subject:** Request for comments on Maier rezone out of wetland petition

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Brian and Al,

As you're aware Pat Maier has applied for a rezone out of inland-wetland in an attempt to resolve the violation of tiling the wetland and pumping the drain water to the east side of Schumacher Rd. The application materials submitted can be viewed [here](#).

Chapter 11 of the Dane County Code of Ordinances provides the following criteria to be considered for such rezone petitions:

A wetland, or a portion thereof, in the shoreland-wetland or inland-wetland district shall not be rezoned if the proposed rezoning may result in 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.

In advance of the June 18th public hearing on the petition we are seeking any comments from DNR regarding any potential significant adverse impacts if the wetland zoning protections are removed from the property. Any comments we receive will be incorporated into our staff report and used to make a recommendation to the Zoning and Land Regulation Committee. Please submit any comments by June 13<sup>th</sup>.

Thank you,

Hans

Information, applications, and office hours can be found on our website: <https://danecountyplanning.com>

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**Mr. Hans Hilbert**  
Dane County  
Assistant Zoning Administrator

Primary Contact for:  
*Shoreland, Wetland, & Floodplain Zoning*  
*Board of Adjustment*  
**608.266.4993**  
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