

GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

December 06, 2018

9:00 a.m.

Grant County Board Room (#264)

Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on December 06, 2018 at 9:00 a.m. by Dwight Nelson, the Conservation, Sanitation, and Zoning Committee Chairman, in the Grant County Board Room #264, 111 S. Jefferson St., Lancaster.

Board members present: Dwight Nelson, Lester Jantzen, Gary Northouse, Mike Lieurance, and Gabe Loeffelholz. Others present: Lynda Schweikert, Annette Lolwing, Justin Johnson, Bob Keeney, Joe Schmelz, Nathalie Schattner, Jason Friederick, Judy Welch, Missy Sutter, Tammy Sutter, Dave Roh, Alice Hubert, Dale Hagenston, Dale Allen Jr, Steven Kittel, Steve Hanson, Don Myers, and Greg Cerven.

Certification of Open Meeting Law

Annette Lolwing sent the amended agenda to Karla Schwantes and Linda Gebhard to post in the Courthouse and in the Administration Building, an amended agenda was sent to Bob Middendorf, WGLR, an amended agenda was also posted in front of the Ag Service Center Building. Media notices were sent to Karla Schwantes, Linda Gebhard, Herald Independent, Tri County Press, Platteville Journal, Muscoda Progressive, and the Boscobel Dial.

Approval of Amended Agenda

Motion by Mike Lieurance, seconded by Gary Northouse to approve the December 06, 2018 amended agenda. Motion carried.

Approval of the November Minutes

Motion by Gary Northouse, seconded by Gabe Loeffelholz to approve the November 01, 2018 minutes. Motion carried.

Review & Accept the Bills

Motion by Mike Lieurance, seconded by Gary Northouse to accept the bills. Motion carried.

Public Hearing for Rezones

Chairman Nelson opened the Public Hearing

#18-16 Jason Friederick, Harrison Twp. is requesting to change the zoning classification on PIN:

020-00693-0000 of +/- 5.0 ac. from FP to M1 to allow for the expansion of an existing excavation business.

In Favor: Harrison Twp. approved on May 8, 2018. Jason Friederick spoke in favor. Jason stated that he has no plans to expand or add on to his property.

In Opposition: Don Myers spoke in opposition of the request. Don adjoins Jason's property on the west and south. Don had a concern that some other operation may come in on Jason's property. Don was concerned that Jason was going to construct something closer to his farm. He stated that it is a little noisy at times with the equipment and backup beepers. Don has no issues of what Jason is currently doing.

In Interest: Is consistent with the comprehensive plan.

Committee Discussion: Lester Jantzen stated that Jason has expanded about all he can.

Dwight Nelson closed the Public Hearing

Motion by Lester Jantzen, that the items are concurrent with all the conditions on the Farmland Preservation Worksheet and to recommend approval of the rezone to the full County Board, seconded by Gary Northouse. Motion carried. See Attachment A Worksheet.

Chairman Nelson opened the Public Hearing

#18-17 David Roh, and Dale and Stacy Hagenston, Muscoda Twp. are requesting to change the zoning classification on PIN: 042-00460-0000, 042-00480-0000, 042-00478-0000, 042-00474-0000, and 042-00643-0000 of +/- 62.89 ac. from A2 to M2 to allow for the use of nonmetallic mining.

In Favor: Muscoda Twp. approved on October 9, 2018. David Roh spoke in favor of the rezone to extract material that will ultimately construct a ground water pond. DNR stated the he did not need a permit to construct the pond. Dale Hagenston registered in favor of the rezone. The remaining cropland that is not mined may be used by Dale for cropping and pasturing. Steve Hansen, Delta 3, registered in favor.

In Opposition: None

In Interest: There was a person that registered in that had a question as to how this is going to affect the taxes. Lynda stated that Zoning itself does not affect your taxes, it is the assessed use that affects the taxes. There were 2 people in attendance for informational purposes.

Committee Discussion: Mike Lieurance asked if this was a dugout pond fed by the water table? Yes, it is.

Dwight Nelson closed the Public Hearing

Motion by Gary Northouse, seconded by Gabe Loeffelholz to recommend approval of the rezone to the full County Board. Motion carried.

Public Hearing for Conditional Use Permits

Chairman Nelson opened the Public Hearing

CUP #18-019 Phyllis White, Boscobel Twp. is requesting a Conditional Use Permit on PIN: 006-00376-0000 +/- 40.0 ac. to allow for the use of a +/- 180' telecommunications tower, under Chapter 3.16 (1) (b) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Boscobel Twp. approved on November 20, 2018. This application was submitted before the cell tower ordinance therefore it fell under the comprehensive zoning ordinance. Steve Hanson with the North East Iowa Telecommunications registered in favor. Steve Hanson reported that this is a replacement of an existing tower that had been there since the late 1960's. They will be building the new tower next to the existing tower, then decommission the old tower and remove it.

In Opposition: None

In Interest: None

Committee Discussion: Mike Lieurance asked if the new tower will be a free-standing tower? Steve stated that yes, it will be a free standing, self-supporting, tower. Dwight asked if there are 2 towers on the property now? Yes, one tower is owned by US Cellular, and the other belongs to NEIC.

Dwight Nelson closed the Public Hearing

Motion by Lester Jantzen, seconded by Gary Northouse to recommend approval to the full County Board with a condition of the Conditional Use Permit that the second tower be removed after the first one is constructed and operational. Motion carried.

See Attachment B Worksheet.

Chairman Nelson opened the Public Hearing

CUP #18-020 Judy Welch, Jamestown Twp. is requesting a Conditional Use Permit on PIN:026-01375-0000 +/- 1.41 ac. to allow for the use of a non-agricultural related mobile home, under Chapter 3.06 (2) (j) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Jamestown Twp. approved on September 11, 2018. Judy Welch, Missy Sutter and Tammy Sutter all registered in favor.

In Opposition: None

In Interest: None

Committee Discussion: Lynda asked if there had currently been a mobile home on the site? Tammy Sutter, Judy Welch's daughter, stated that there had been a mobile home on the property 5 years ago. The previous mobile home has been removed and the location has been cleaned up. They are in the process of putting in a holding tank with Greg Kern.

Dwight Nelson closed the Public Hearing

Motion by Gabe Loeffelholz, seconded by Mike Lieurance to recommend approval to the full County Board. Motion carried. See Attachment C Worksheet.

Lynda reported that the Agenda Item, Public Hearing for Reclamation Plan for Grant County Ordinance #180 for Jeff Braudt is supposed to be an agenda item for the January 3, 2019 committee meeting. This will be removed from the December 6, 2018 amended agenda.

Zoning and Sanitation Report

Lynda presented the Sanitation and Zoning report. The 3-year maintenance sanitary citations were sent to 80 landowners. They also issued 2 citations for 2 landowners; Craig Brandt and the Lingel Property that have been under orders for correction for the deadline dates for this fall to get their sanitary systems installed. There is 1 court case pending, Levi Fischer, was given to December 3rd to rectify the situation. They met with the judge, and nothing has been done to alleviate the violation. Levi has asked for a trial of his case which is scheduled for December 17, 2019.

No BOA at this time.

The Zoning/Sanitation year to date report of comparisons, Conditional Use Permits had an increase of 14 from last year, 3-year maintenance were up 383 from last year, the Sanitary Permits were the same, and the Zoning permits were up 16 from last year. Motion by Lester Jantzen, seconded by Gabe Loeffelholz to accept the Zoning/Sanitation report. Motion carried.

Set Commodity Prices for WDACP – Greg Cerven

Greg Cerven provided the current commodity prices for Corn, Soybeans, Alfalfa Hay, and Mix Hay.

In 2017, the price of Corn was \$3.00/bu. Motion by Gary Northouse, seconded by Gabe Loeffelholz to approve the current market price of \$3.42/bu. Motion carried.

In 2017, the price of Soybeans was \$9.07/bu. Motion by Gary Northouse, seconded by Gabe Loeffelholz to approve the current market price of \$8.52/bu. Motion carried.

In 2017, the price of Alfalfa Hay was \$100/ton. Motion by Gabe Loeffelholz, seconded by Gary Northouse to approve the current market price of \$142/ton. Motion carried.

In 2017, the price of Mix Hay was \$67/ton. Motion by Gary Northouse, seconded by Mike Lieurance to approve the current market price of \$84.58/ton. Motion carried.

Set 80% Harvest Date for WDACP – Greg Cerven

Greg Cerven asked the committee to set a date as to when they thought that 80% of the crops would be harvested by. Motion by Gary Northouse, seconded by Lester Jantzen to approve November 20, 2018 for the deadline date that 80% of the crops would be harvested. Motion carried.

RC&D – Brandon Bleuer

No Report

Southwest Badger RC&D Dues

Lynda handed out an annual report from RC&D and what they have done in Southwest WI. Committee has approved \$200.00 in the 2018 budget for RC&D Dues. Motion by Lester Jantzen, seconded by Gary Northouse to approve the \$200.00 that is in the 2018 budget. Motion carried.

SW Badger RC&D Letter of Support

Lynda reported that this letter of support is for, Jeff Jackson, the Aquatic Invasive Species Coordinator. Letter stating that we support the position and to commit to providing \$1,000 of in-kind support. Lynda stated that there has been a new invasive species called the Golden Creeper that has been found in the Green River. Motion by Mike Lieurance, seconded by Lester Jantzen to approve the Letter of Support. Motion carried.

County Cost Sharing – Starting Balance \$5,413.85/Ending Balance \$5,770.05.

Lynda presented a cancellation request for Kevin Hahn, Castle Rock Twp., \$240.00 for a well decommissioning project. Motion by Gabe Loeffelholz, seconded by Lester Jantzen to approve the cancellation request. Motion carried.

Lynda presented a final approval request for county cost sharing on a well decommissioning project for Robert VanNatta Estate, Potosi Twp., \$170.27. Motion by Lester Jantzen, seconded by Gabe Loeffelholz to approve payment. Roll Call: 5 Yes, 0 No, 0 Absent. Motion carried.

SWRM Cost Sharing

2017 DATCP Cost Sharing – Beginning \$9,137.95 /Ending Balance \$2.02

Lynda presented a final approval request for 2017 DATCP cost sharing on 2 grade stabilization structure projects for Carl Abing, Waterloo Twp. \$9,135.93. Motion by Gary Northouse, seconded by Mike Lieurance to approve the 2017 DATCP payment. Roll Call: 5 Yes, 0 No, 0 Absent. Motion carried.

2018 DATCP Cost Sharing – Beginning \$35,153.30/Ending Balance is \$31,271.75.

No Cancellation or Change Orders.

Lynda presented a final approval request for 2018 DATCP cost sharing on 2 grade stabilization structure projects for Carl Abing, Waterloo Twp. \$3,881.55. Motion by Gary Northouse, seconded by Mike Lieurance to approve the 2018 DATCP payment. Roll Call: 5 Yes, 0 No, 0 Absent. Motion carried.

Lynda reported that there were 5, 2018 SWRM projects that were not installed. Lynda is requesting an extension for those 5 contracts to 2019. Those landowners are; Richard Keene Jr., Waterway, \$7,000.00; Doug Schauff, Grade Stabilization Structure, \$7,172.20; Larry and Donna Haines, sink hole treatment, \$3,290.00; Darwin Anderson, streambank protection, \$10,000.00; and Shemak Farms LLC, streambank protection, \$3,809.55 for a total of the 5 projects is \$31,271.75. Motion by Lester Jantzen, seconded by Gabe Loeffelholz to approve the extension of \$31,271.75 to 2019. Motion carried.

Storage Permit Approval

Lynda reported that James Zimmerman, Lima Twp., is requesting to construct a concrete storage facility with a sub-liner for 92 dairy cows. Construction plan was designed by Austin engineering, approved by Dave Russell, DATCP engineer. He has also submitted a nutrient management plan and has paid his \$200.00 permit fee. Lynda tentatively approved the permit on November 15th. Motion by Lester Jantzen, seconded by Gary Northouse to concur with Lynda's permit approval. Motion carried.

Lynda reported that Majestic View Dairy, Terry Abing, North Lancaster Twp. is requesting to construct a 2,000-gallon concrete tank for 140 calves and to maintain the milkhouse wash water. NMP has been submitted. Construction plan was completed by REA, and approved by Bernie Shaw, WI DNR, that the storage facility meets standards and paid his \$200.00 permit fee. Motion by Mike Lieurance, seconded by Gary Northouse to approve the permit. Motion carried.

Multi Discharge Variance Discussion/Approval

Lynda spoke about the opportunity to participate in the Multi Discharge Variance Grant Program. For 2019 and 2020 we have the potential to receive \$15,000. The municipal waste treatment facilities that are under the 2010 rule for the phosphorus discharge to bring the phosphorus down to .0875. State of WI has this program that they would pay \$50.00 for each pound of phosphorus that they are over to the State level, and then the State will allocate those funds to the watersheds that they are in. There are 4 watersheds in our area that would be eligible for funding; the Pecatonica, Lower Wisconsin, Apple-Plum, and the Grant-Little Maquoketa. Lynda would like to participate in the Grant-Little Maquoketa which includes Bagley, Patch Grove, and Livingston in the amount of \$16,604.74. Grant County makes up for 96.9% of those watersheds which comes to \$15,000. To increase our eligibility we need committee aware of the program and your approval. In 2019 there would be a watershed plan established as to how we plan to allocate those funds. Motion by Mike Lieurance, seconded by Gary

Northouse to approve Lynda to participate in the Multi Discharge Variance Program in the Grant-Little Maquoketa watershed. Motion carried.

SW WI Groundwater Study Update

Lynda reported that the water sampling dates were on November 9th and 10th. There were 550 landowners that were selected to sample their wells. There were 147 responded back to say that they will participate. There were 120 that actually participated. Of those 120 wells there were a few that tested positive for E. Coli in Grant County. Those landowners were contacted immediately to inform them of the detection. Those landowners will retest their water samples to make sure that it wasn't a false positive.

WI Land+Water Resolution Discussion/Possible Action

Lynda stated that these resolutions are for the Land+Water Conference in March. She brought them up for discussion to get an idea of what the committee thought of the resolutions. One resolution was to increase Farmland Preservation Tax Credits from \$7.50 to \$10.00 per acre. Consensus from the committee would be in favor of that resolution. The 2nd resolution is for Reforming Eminent Domain Law, for personal gain. No comments received on this resolution.

CSZD Administrator Report

Lynda reported on the 2018 Staff and Support Request. To date we have expended \$177,455.17 but received \$98,267. Showing that the State is not fully funding their staffing formula.

Lynda gave a building report. Dave Bainbridge has replaced all 3 furnaces in the building and has cleaned out all the duct work. Dave is planning to replace the air conditioners next spring. Gutters still need to be sealed.

Lynda gave a vehicle report. Oxygen sensors have gone out on, Randy and Kevin's truck and on the Jeep. Randy's truck to cost around \$500.00 and will also need new tires next year. Kevin's truck is estimated to cost \$200.00, it has a leaking shock, and will need new rear brakes. Both vehicles need over \$1000.00 work of repairs in 2019.

Lean Update

Lynda reported that as she is working on her Continuity of Work Project. She mentioned that she has a total of 44 processes to be mapped out and currently she has 16 processes completed.

FPP Report

Annette reported that the 2019 Tree Sale order forms are ready and would like the committee to review them.

NRCS Report – Joe Schmelz

Joe reported that they are making CSP payments on existing contracts. CSP will be on hold until the Farm Bill gets settled. There were 7 people that wanted to renew their contracts and needed their contracts modified, setting the expiration date to 05/31/2019. CSP contracts cannot have any lapse to them.

Joe reported that they have 57-59 EQIP applications, they usually have around 40 applications. The average for EQIP money coming into the County was around \$700,000. There are 2 screening dates; December 14, 2018 for 19-1, and the 19-2 will have a screening date of February 8, 2019.

- NRCS is working on modifications for existing CRP contracts.
- NRCS will be getting a pathway student this summer.
- Continuing resolution on the Farm Bill was to expire on December 7th, it has been extended for 2 weeks.
- The operational agreement has expired. Joe will be checking on the status of this.

FSA Report – Nathalie Schattner

- Nathalie reported that the MFP (Market Facilitation Program) is going on and the landowners need to at least sign up by January 15th. This is to certify half of your production and eligible commodities for ag payment due to the tariff retaliation. If there is a 2nd half of the payment it should be announced in December.
- Still no news about the Farm Bill.

Forestry Report – None

RC&D – None

Motion by Lester Jantzen, seconded by Mike to adjourn to January 3, 2019 at 9:00 a.m. Motion carried.

Respectfully Submitted by Annette Lolwing for Lester Jantzen.

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 11/20/18 Landowner: Jason Friederick

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Planning and Sanitation Committee finds all of the following in writing, after public hearing, as part of the official record of the rezoning:

1. The rezoned land is better suited for a use not allowed in the farmland preservation zoning district.

Yes or No Explain:

No prime farmland present on building site

2. The rezoning is consistent with any comprehensive plan, adopted by the Grant County Board which is in effect at the time of the rezoning.

Yes or No or N/A

Explain: See Township Participation Form dated 5/18/18

3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.

5.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. Yes No

No prime farmland soil present where building site is

5.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. Yes No

No farm operation or environmentally sensitive areas present

5.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. Yes No

No farmland present on property

5.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Yes No N/A

Not a platted subdivision

5.5 Agriculturally-related development, while not discouraged in rural areas, will still comply with other policies set forth in this section, consistent with being located where it will be a maximum benefit to agriculture. Yes No

No ag related development proposed at this time

5 The rezoning will not substantially impair or limit current or future agricultural use of other protected farmland.

6.4 Located in a Farmland preservation zoning district

6.5 Covered by a Farmland Preservation Agreement

6.6 Covered by an agricultural conservation easement

6.7 Otherwise legally protected from nonagricultural development

Yes or No

Explain: No ag use present on property

7 The CSZC recommends/does not recommend approval to the Grant County Board of Supervisors (Circle one)

Lester / Gary

BEFORE GRANT COUNTY
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR PHYLLIS WHITE
17034 RILEY ROAD BOSCOBEL, WI 53805

FINDINGS OF FACT

The agency finds that:

1. Phyllis White owns the property located within the NW ¼ of the SE ¼ of Section 35, T8N, R3W, Town of Boscobel, Grant County, WI. Such property consists of tax parcel number 006-00376-0000.
2. On October 15th, 2018, Steve Hanson, Director of Business Development for Northeast Iowa Telephone Company, requested that zoning staff review their proposal and provide a determination as to what zoning process would be required for replacing an existing telecommunications tower with a new one that is +/- 180' in height. This proposal requires a conditional use permit under 3.16 (1) (b) of the Grant County Comprehensive Zoning Ordinance.
3. On October 18th, 2018, the department received an application for a CUP request under 3.16 (1) (b) of the Grant County Comprehensive Zoning Ordinance.
4. On November 20th, 2018 the Boscobel Township Town Board recommended approval for the Conditional Use Permit request to allow for the use of a +/-180 telecommunications tower.
5. On November 22nd and November 29th, 2018, a public notice was published in the County's official newspaper for the rezone request.
6. On December 6th, 2018, the CSZC reviewed the CUP request through a public hearing and determined findings **approving** or **denying** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZC finds that the conditional use **does** or **does not** meet the following criteria:
2. The agency under 3.27 (5) (c) shall consider the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

- (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- (6) That adequate prevention and control of water pollution including sedimentation are being provided;
- (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
- (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
- (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
- (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source.
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
- (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Planning and Zoning Committee; and
- (12) In the case of nonmetallic mining, the Planning and Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.

BEFORE GRANT COUNTY
CONSERVATION, SANTIATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT
FOR JUDY WELCH
3607 HWY 11, HAZEL GREEN, WI 53811

FINDINGS OF FACT

The agency finds that:

1. Judy Welch owns the property located within the NE ¼ of the NW ¼ of Section 34, T1N, R2W, Town of Jamestown, Grant County, WI. Such property consists of tax parcel number 026-01375-0000.
2. On June 6th, 2018, Judy Welch requested that zoning staff review her proposal and provide a determination as to what zoning process would be required for replacing an existing mobile home. This proposal requires a conditional use permit under 3.06 (2) (j) of the Grant County Comprehensive Zoning Ordinance.
3. On July 31st, 2018, the department received an application for a CUP request under 3.06 (2) (j) of the Grant County Comprehensive Zoning Ordinance.
4. On September 11th, 2018 the Jamestown Township Town Board recommended approval for the Conditional Use Permit request to allow for the use of a non-agricultural related mobile home. Four members were in favor and one member was in opposition.
5. On November 22nd and November 29th, 2018, a public notice was published in the County's official newspaper for the rezone request.
6. On December 6th, 2018, the CSZC reviewed the CUP request through a public hearing and determined findings **approving** or **denying** the CUP application.

FINDINGS OF FACT AND CONCLUSION

1. The CSZC (hereinafter referred to as the agency) has the authority pursuant to the Grant County Comprehensive Zoning Ordinance Ch. 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make findings of fact based on evidence presented, issue a determination whether the standards of the ordinance are met, and require additional conditions, as needed. Based upon the above findings and information provided at the public hearing, the CSZC finds that the conditional use **does** or **does not** meet the following criteria:
 - (1) That the establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - (2) That the conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - (3) That the establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
2. The agency under 3.27 (5) (c) shall consider the following criteria:

- (4) That adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided;
- (5) That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
- (6) That adequate prevention and control of water pollution including sedimentation are being provided;
- (7) That adequate measures will be taken to sustain existing topographic and drainage features and vegetation cover on the site;
- (8) That adequate location of the site with respect to flood plains and floodways of bodies of water;
- (9) That adequate consideration of erosion potential of the site based upon degree and direction of slope, soil type and vegetation cover;
- (10) That location factors are considered which address:
 - (a) Domestic uses shall be generally preferred;
 - (b) Uses not inherently a source of pollution within an area shall be preferred over uses that are or may be a pollution source.
 - (c) Use locations within an area tending to minimize the possibility of pollution shall be preferred over use locations tending to increase the possibility.
- (11) That the conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Planning and Zoning Committee; and
- (12) In the case of nonmetallic mining, the Planning and Zoning Committee shall also consider any reclamation plan submitted for the property and the reclamation plan's provisions for maintaining lateral support and for depth of the quarry pursuant to the standards set forth in Wisconsin Administration code Chapter NR 136.