

# GRANT COUNTY CONSERVATION, SANITATION, & ZONING COMMITTEE MEETING

August 3, 2023

9:00 a.m.

Room #264, Grant County Board Room, Administration Building  
Lancaster, Wisconsin

The Grant County Conservation, Sanitation & Zoning Committee meeting was called to order on August 3, 2023, at 9:00 a.m. by Gary Northouse, the Conservation, Sanitation, Zoning Committee Chairman in Room #264, County Board Room of the Administration Building.

Board members present in the County Board room #264: Porter Wagner, Gary Northouse, Joe Mumm, Pat Schroeder, Brian Lucey, and Adam Day. Others present in the County Board room; Erik Heagle, Annette Lolwing, Robert Keeney, Justin Johnson, Brenda Martin, David Helmke, Joe Schwarzmann, Andrea Statz, Theresa Reiter, Greg Budack, and Julie Montgomery. On Zoom: Eheagle, Grant County Board Room, Robert Keeney, Wepkings, Mike Adams, Tonya White, and Emily Schildgen.

## **Certification of Open Meeting Law**

Annette Lolwing sent the Amended agenda to the County Clerk's office to post in the Administration Building, and on the county website. An Amended agenda was also posted in front of the Ag Service Center Building. An Amended agenda was also sent to Bob Middendorf, WGLR. Media notices were sent to the County Clerk's office, Herald Independent, Platteville Journal, Muscoda Progressive, Boscobel Dial, Fennimore Times, and Bob Middendorf.

## **Approval of August 3, 2023, Amended Agenda**

Motion by Pat Schroeder, seconded by Joe Mumm to approve the Amended agenda. Motion carried.

## **Approval of the July 6, 2023, Minutes**

Motion by Porter Wagner, seconded by Pat Schroeder to approve the July 6, 2023, minutes. Motion carried.

## **Review & Accept the Bills**

Motion by Pat Schroeder, seconded by Joe Mumm to accept the July bills. Motion carried.

## **Public Hearing for Rezones**

Chairman Northouse opened the Public Hearing

#RZ23-16 Silas & Julie Montgomery, Liberty Twp. are requesting to change the zoning classification on PIN: 028-00035-0000 of +/- 1.0 ac. from FP to A-2 to allow for the continued use of a nonfarm residence and proposed garage addition to the home.

In Favor: Liberty Twp. approved on July 11, 2023. Julie Montgomery.

In Opposition: None

In Interest: This home was split off in the last 2 years, therefore it would not have been included in the blanket rezone. The further we get from the blanket rezone we are going to see new splits come up. In this case the CSZD was never contacted when that split occurred.

Committee Discussion: None

Chairman Northouse closed the Public Hearing

Motion by Adam Day 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 Pat Schroeder. Motion carried. See Attachment A Worksheet.

Chairman Northouse opened the Public Hearing

#RZ23-17 Delton Horst, Fennimore Twp. is requesting to change the zoning classification on PIN:016-00197-0000 of +/- 1.73 ac. from FP and R-1 to A-2 to allow for the proposed use of a nonfarm residence and shed.

In Favor: Fennimore Twp. approved on July 10, 2023.

In Opposition: None

In Interest: The parcel split had occurred within the last 2 years. There is a portion of the property that is currently zoned as R-1 and when the property was split the landowner had purchased more property which was in the FP zoning district. There are currently 2 zoning districts on this parcel. The whole parcel will be rezoned into the A-2 zoning district.

Committee Discussion: Joe Mumm stated that he doesn't think that the landowners are informed at the time of the property sale. Is there a way that we can be more informative up front with new buyers of the potential of a rezone? Justin mentioned that letters have been sent to the local realtors. Bob Keeney stated that there is a realtor who sits on the land info committee, could discuss this with him how to get the information distributed to the other realtors. There are always new realtors coming into the realty business.

Chairman Northouse closed the Public Hearing

Motion by Porter Wagner, 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 Brian Lucey. Motion carried. See Attachment B Worksheet.

Chairman Northouse opened the Public Hearing

#RZ23-18 William & Ruth Rotramel, Liberty Twp. are requesting to change the zoning classification on PIN:028-00198-0000 of +/- 3.5 ac. from FP to M-1 to allow for the proposed use of a grain bin for Reddy Ag.

In Favor: Liberty Twp. approved on July 11, 2023. David Helmke and Greg Budack.

In Opposition: None

In Interest: David Helmke stated that Reddy Ag is looking to expand its facility to the east side of the existing property. They are proposing to construct a grain bin to the North setback.

Committee Discussion: Porter Wagner asked how tall is the proposed grain bin going to be? Erik stated 80 ft. tall. Therefore, the setback is 1 and a half times the height of the structure. This bin will need to have a 120-foot setback. Bob Keeney asked if there were any intentions of having any access off County Road E? David Helmke stated that there are no intentions of having any access off County Road E.

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder 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 Adam Day. Motion carried. See Attachment C Worksheet.

### **Public Hearing for Conditional Use Permits**

Chairman Northouse opened the Public Hearing

#CUP23-016 Rock Church Cemetery Association, Clifton Twp. is requesting a Conditional Use Permit on PIN: 012-00313-0010 of +/- 13.99 ac. to allow for the proposed expansion of a cemetery under 3.07 (2) (b) of the Grant County Comprehensive Zoning Ordinance.

In Favor: Clifton Twp. approved on June 14, 2023. No conditions were placed on this request.

In Opposition: None

In Interest: Erik Heagle did disclose that the acreage difference from +/- 12.44 ac. in July and is now presented as 13.99 ac. The acreage change was presented to Corp Council. Corp Council stated that it is fine because it was posted as +/- 12.44 ac at the July 6, 2023, CSZD Committee Meeting. The rezone was presented and approved to change the zoning from FP to A-2 at the July 18, 2023, County Board meeting.

Committee Discussion: None

Chairman Northouse closed the Public Hearing.

Motion by Porter Wagner to recommend approval of the Conditional Use Permit, seconded by Joe Mumm.

Motion carried. See Attachment D Worksheet.

## **Zoning/Sanitation Report**

Sanitation - Sanitation permits issued in 2022 were 98 permits, in 2023 – 79 permits. 3-year maintenance forms; 2022-1155, and in 2023 – 1047.

Zoning - Erik reported that we have had 164 permits in 2022, compared to 180 zoning permits in 2023. In 2022, there were 35 public hearings compared to 32 public hearings this year.

There has been no time to work on enforcement.

Jim Bergles will be taking his POWTS test on Tuesday, July 11<sup>th</sup>.

## **FP Update**

The Farmland Preservation Update Public Hearing was posted in the Grant County Herald Independent on June 29<sup>th</sup>, 2023.

Erik gave a presentation on the Grant County Farmland Preservation Plan 2023-2033 Amendment. This will need to go to County Board for approval. Once approved, Erik can submit the grant reimbursement. This will need to go back to DATCP for final approval as well.

The Farmland Preservation Plan is a nonbinding guidance document that establishes a vision for the future of agriculture in Grant County. The Plan identifies the state of agriculture in the County, anticipates future trends, and maps lands that Grant County projects will stay in agricultural use for the next 10 years. In addition, the Plan makes municipalities and citizens eligible to participate in other parts of the farmland preservation program, including establishing Agricultural Enterprise Areas (AEAs), certifying farmland preservation zoning districts, and designating areas eligible for farmland preservation tax credits.

The proposed amendment to the FP Plan includes minor map changes to maintain conformity with existing and proposed local zoning ordinances. A draft of the proposed changes can be viewed on the Grant County website under the Conservation, Sanitation and Zoning Department page within the Farmland Preservation Program section. A hard copy of the FP Plan can also be viewed upon request at the Conservation, Sanitation and Zoning Department during normal business hours.

In Favor: None

In Opposition: None

Committee Discussion: Joe Mumm explained that not everyone that is in Farmland Preservation must have a Nutrient Management Plan, and not everyone that is in Farmland Preservation collects the tax credit. To be able to collect the tax credit your farmland must be zoned as Farmland Preservation.

In Interest: Adam Day asked if there will be a plan in place for Erik and the team that helped on this to make it so it's not such a burden in 10 years? Erik has assembled a file with everything that was done through the entire process. Gary Northouse would like to be kept updated with the solar panels and windmills to see if they can continue to receive FPP tax credits.

Chairman Northouse closed the Public Hearing

Motion by Pat Schroeder, seconded by Joe Mumm to approve taking the FP Plan to the full County Board for approval. Motion carried.

## **Bernard Vince Lease CREP Easement Cover Revision**

Annette Lolwing reported that Bernard Vince Lease signed his 2 fields into the CREP Perpetual Easement in 2002, which has since expired in 2016. Vince is not happy with the warm season grasses that he planted; it has turned into a cool season grass mix. Vince has requested to change the cover on his CREP Easement to a tree planting. There is no cost sharing to help pay for the expense. Vince needed to write a letter to the Conservation, Sanitation, and Zoning Committee explaining why he wanted to change the cover. He does have a tree planting plan that meets the NRCS and FSA standards and specs with the number of trees planted per acre and the specie type planted. If anyone that signed up for a perpetual easement would like to change the cover, it must start with the CSZD committee. If the CSZC approves the request, it is then sent to the state (DATCP) for their final decision. Annette was working with Brian Loeffelholz at DATCP on this process. Motion by Pat Schroeder, seconded by Adam Day to approve Bernard Vince Lease's CREP Easement Cover Revision and to send it on to DATCP. Motion carried.

### **Discussion on Letter to Legislators about PSC**

Pat Schroeder read a letter that he received from constituents of Liberty Twp. The citizens at the Liberty Twp. meeting have drawn up a letter to the legislature. Pat, as an elected official, wants the PSC to reconsider their guidelines. Windmills have increased in size and the setbacks have not changed. Pat would like for Corp Counsel to look at it and come up with a resolution. Adam Day suggested that this letter be taken to the full County Board to get recommendations. Adam Day would like it stated in the letter that this has been sitting on someone's desk since 2019 with no action taken. Erik thought that bringing the idea and this letter to the meeting mentioning that it should be used as a template to County Board for discussion and everyone's input from the other County Board members. Bob Keeney also thought that presenting this as a template to the full County Board is a good starting point. Adam Day made a motion, seconded by Pat Schroeder to use this as a template to the full County Board to prepare a resolution. Motion carried.

### **Farmland Preservation Program**

Erik reported that Cleo and Jeff Ware, sold their property. Wayne & Jaqueline Dieter's property is now under Dieter Farms. Andrew & Kaleena Fosselman, no NMP and have sold all the ground. Isaabel Manuel, sold her property and is now on another COC.

### **County Cost Sharing:** Beginning Balance \$36,975.21/Ending Balance \$30,307.71

Erik presented tentative approval request for county cost sharing on a waste facility closure for Dallas & Dena Dietzel, Paris Twp., \$3,000.00. Motion by Porter Wagner, seconded by Adam Day to approve the Dietzel's cost share request. Motion carried.

Erik presented tentative approval request for county cost sharing on a waste facility closure x2 for B&G Farms, Cassville Twp., \$5,000.00. Motion by Porter Wagner, seconded by Brian Lucey to approve B&G Farms cost share request. Motion carried.

Erik presented tentative approval request for county cost sharing on rye cover crop for Terry & Helen Adams, Watterstown Twp., \$667.50. Motion by Joe Mumm, seconded by Adam Day to approve the Adams's 3<sup>rd</sup> and final year to apply for rye cover crop through county cost share. Motion carried.

Erik presented tentative approval request for county cost sharing on a well decommissioning for Larry & Lucinda Horning, Clifton Twp., \$1,000.00. Motion by Joe Mumm, seconded by Adam Day to approve the Horning's cost share request. Motion carried.

### **SWRM Cost Sharing**

**2022 DATCP Cost Sharing:** Beginning Balance \$4,931.12/Ending Balance \$4,931.12

**2023 DATCP Cost Sharing:** Beginning Balance \$59,500.00/Ending Balance \$59,500.00

**2021 MDV Cost Sharing:** Beginning Balance \$0.00/Ending Balance \$0.00

### **Storage Permit Approval**

Erik Heagle issued and approved 2 waste storage closure permits for B&G Farms. He also approved and issued 1 waste storage closure permit for Dallas Dietzel.

### **CSZD Administrator Report**

#### **Meetings**

- July 10<sup>th</sup> – DATCP, farmland preservation tax update
- July 11<sup>th</sup> – Executive Committee
- July 11<sup>th</sup> – Catalis, permitting software upgrade, met with Shane and the IT team along with Tiffany.  
Waiting to hear from Shane if we will go forward with it.

- July 13<sup>th</sup> – WL+W Tech Committee Meeting
- July 13<sup>th</sup> & July 14<sup>th</sup> – County Con meeting in Stevens Point
- July 18<sup>th</sup> – County Board
- July 26<sup>th</sup> – Erik and Justin went on a tour of the Red Barn facility.

### **Information**

- On July 24, Jim spoke with Jacob Stoltzfus, and it looks like the Amish communities have started a committee to help their members apply for zoning permits and to help clear up processes.
- Preliminary numbers from DATCP for staffing and cost share allocations for 2024 are out. Preliminary amounts are: Cost Sharing in 2023 was at \$70,000, is to increase to \$71,020. Erik asked for \$220,720 for Staff & Support in 2023 and only received shy of \$130,000, 2024 preliminary amount for staff & support is to decrease to \$127,784. WL+W asked for \$15 to \$18 million and the legislature only approved \$10 - \$11 million.
- Reposting for the sanitation position. 1 applicant so far.
- Farmland Preservation changes starting in 2024.
- NMP class is coming back. Some classes in September & January. Partnering with Southwest Tech. UW Platteville is interested as well. Need to organize for next year.
- SAA is on August 17<sup>th</sup> in Dodgeville

### **Continuous Improvement**

No Report.

### **NRCS Report: Mike Adams**

- Working on CRP emergency haying and grazing. CRP sign ups. They have completed over 100 haying/grazing requests.
- NRCS had a pasture walk out at the Cliff Wachter farm. Had around 20 people that attended. Looked at a rotational grazing operation.
- The week of August 7<sup>th</sup> there will be soil judging in Potosi with around 50 kids attending.
- EQIP – not doing much.
- Cover Crops – EQIP cover crops are down as well.

### **FSA Report: Emily Schildgen**

- Emily reported that she has 3 new employees that started on Monday.
- CRP was released for Emergency Haying and Grazing. Because it is a D3 level drought, it is different than the program in 2021. With having a D3 level drought it reduces the number of acres that somebody can hay. They can only cut up to 50% of their maximum acres. They are keeping an inquiry list of when people call. There are over 200 people on the inquiry list so far. There are around 120 that are in the process of some form that came in through July 28<sup>th</sup>. FSA received 80 inquiries since Monday.
- With having the D3 level drought, there is the livestock forage disaster program or LFP. This program is for pastures. It is to help offset the cost of supplement feed that the pasture can't provide during the drought. Grant County has not had LFP since 2012. FSA is waiting for a letter from the state office to send out to the producers that reported pastures during crop reporting. CRP emergency haying sign up needs to be completed by August 31<sup>st</sup> for the producer to have time to get the CRP cut and the hay made.

The next meeting is scheduled for September 7, 2023, at 9:00 a.m. in the County Board room. Motion by Joe Mumm, seconded by Adam Day. Motion carried.

Respectfully Submitted by Annette Lolwing for Porter Wagner

Attachment A Worksheet

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 8/3/23 Landowner: Silas + Julie Montgomery

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning 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:

Parcel size is 1 ac and has been developed already

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: per Township Participation Form on 7/11/23

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

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

Prime soil is present but only takes up +/- .5 ac.

3.2 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

Reiter farm operation remained + there's no shoreland/floodplain

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

1 ac. was split

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

Not a sanitary district and/or subdivision.

3.5 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  N/A

No ag related development being proposed

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

- 4.1 Located in a Farmland preservation zoning district
- 4.2 Covered by a Farmland Preservation Agreement
- 4.3 Covered by an agricultural conservation easement
- 4.4 Otherwise legally protected from nonagricultural development

Yes or  No

Explain: home already exists on parcel that was split from farm.

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

Adam Pitt

Review of Standards for Rezoning Land out of Farmland Preservation

Date: 8/2/23 Landowner: Delton Horst

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning 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: Proposed shed is on non prime farmland soil

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: Per Township Form dated 7/10/23

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

3.1: Non-farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development. No prime farmland soil present where shed would be built.

3.2 Non-farm development will be directed to areas where it will cause minimum disruption of established farm operations or damage to environmentally sensitive areas. Site contains +/- 1.73 ac -> Shoreland zoning standards will be met.

3.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels. Surrounding farm is still remaining.

3.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts. Not a platted subdivision + sanitary district.

3.5 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. No ag related development is proposed.

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

- 4.1 Located in a Farmland preservation zoning district
4.2 Covered by a Farmland Preservation Agreement
4.3 Covered by an agricultural conservation easement
4.4 Otherwise legally protected from nonagricultural development

Yes or No

Explain: Shed would be built on non prime farmland soil.

5. The CSZC recommends does not recommend approval to the Grant County Board of Supervisors

(Circle one) Porter/Brian



### Review of Standards for Rezoning Land out of Farmland Preservation

Date: July 7, 2023 Landowner: William and Ruth Rotramel pending sale to Reddy Ag Service, Inc.

The Grant County Board may not rezone land out of a farmland preservation zoning district unless the Grant County Zoning 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: The rezoning to a light industrial zoning district will make the zoning for this parcel consistent with the zoning for the other lands owned by Reddy Ag Service Inc directly to the west of this parcel. Additionally, this parcel is adjacent to County Highway E and residential property on the southern portion.

The rezoned land is going to continue to be used in a manner that is allowed in the farmland preservation zoning district. The land is going to be used for agriculture related warehousing, specifically a grain bin.

- 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: A similar rezone of land owned by Reddy Ag Service, Inc. has been found to be consistent with the comprehensive plan in the past.

- 3. The rezoning is substantially consistent with the Grant County farmland preservation plan policy.
  - 3.1: Non- farm development will be directed to non-agricultural soils or less productive agricultural soils, consistent with the needs of the development.  Yes  No
  - 3.2 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
  - 3.3 Non-farm development will be encouraged to locate so as to leave a maximum amount of farmland in farmable size parcels.  Yes  No
  - 3.4 Non-farm residential development will be directed to existing platted subdivisions and sanitary districts.  Yes  No  
\*There is no residential development associated with this rezone request.
  - 3.5 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

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

- 4.1 Located in a Farmland preservation zoning district
- 4.2 Covered by a Farmland Preservation Agreement



BEFORE GRANT COUNTY  
CONSERVATION, SANITATION AND ZONING DEPARTMENT

CONDITIONAL USE PERMIT  
FOR ROCK CHURCH CEMETERY ASSOCIATION  
ROCK CHURCH ROAD, CLIFTON TOWNSHIP, GRANT COUNTY, WI

FINDINGS OF FACT

The agency finds that:

1. Rock Church Cemetery Association owns property located within the E ½ of the SE ¼ of Section 15, Township 5 North, Range 1 West, Clifton Township, Grant County, WI. Such property consists of tax parcel number PIN:012-00313-0010
2. On June 15<sup>th</sup>, 2023 the Conservation, Sanitation and Zoning Department (CSZD) received a rezone application and conditional use permit application to allow for the proposed expansion of an existing cemetery.
3. On July 18<sup>th</sup>, 2023 the Grant County Board of Supervisors approved the rezone request from Farmland Preservation to Agricultural-2
4. On June 14<sup>th</sup>, 2023, the Clifton Township Town Board recommended approval for the CUP request to allow for the proposed expansion of a cemetery. 3 were in favor and 0 opposed. No conditions were placed by the Town Board on the permit.
5. On July 20<sup>th</sup>, 2023 and July 27<sup>th</sup>, 2023, a public notice was published in the County's official newspaper for the CUP request.
6. On August 3<sup>rd</sup>, 2023, the CSZC reviewed the CUP request through a public hearing and determined the findings of fact to **approve** or **deny** the CUP application.

## Attachment E Worksheet

### 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. 315 Subsection 3.27 (5) to issue or deny conditional use permits. Prior to granting or denying a conditional use, the agency shall make a 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 CSZD finds that the conditional use **does or does not** meet the following criteria:
2. The agency under Ch. 315 Subsection 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; and
    - (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 Conservation, Sanitation & Zoning Committee; and
  - (12) In the case of nonmetallic mining, the Conservation, Sanitation, & 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.