



VILLAGE BOARD MEETING AGENDA

February 24, 2025 at 6:00 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

All Agenda Items Listed Are for Discussion and Possible Action

1. CALL MEETING TO ORDER

- A. Pledge of Allegiance
- B. Roll Call

2. ANNOUNCEMENT OF CLOSED SESSION

3. PUBLIC COMMENT

Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this Village that Public Comment will take no longer than 15 minutes with a three-minute time period, per person, with time extension per the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.

4. REPORTS FROM STAFF AND VENDORS

- C. Public Works Director Report
- D. Community Development Director Report

5. NEW BUSINESS

- E. Approval of Bids for Upgrades on Lift Stations 2 and 6
- F. Proposed Amendments to Chapter 520 - ZONING
ARTICLE IV. - LAND USE DESCRIPTIONS AND STANDARDS

6. CONSENT AGENDA

- G. February 10, 2025 Village Board Meeting Minutes
- H. Operator "Bartender" License – Michelle M. Gee

7. PREVIOUS MEETING MINUTES FROM COMMISSIONS AND COMMITTEES

- I. November 7, 2024 Special APC Meeting Minutes
- J. November 12, 2025 Utility Committee Meeting Minutes
- K. December 3, 2025 Utility Commission Meeting Minutes
- L. January 8, 2025 Plan Commission Meeting Minutes

8. CLOSED SESSION

Consideration of motion to convene into closed session pursuant to Wis. Stat. 19.85 (1)(c) for consideration of employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – to wit Hiring of village clerk

9. RECONVENE OPEN SESSION

Consideration of motion to reconvene into open session.

10. ACTION AFTER CLOSED SESSION

11. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

12. ADJOURNMENT

NOTE: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact the clerk's office, 1582 Kronenwetter Drivem WI 54455 (715)-692-1728

Posted: 02/21/2025 Kronenwetter Municipal Center and _

Faxed: WAOW, WSAU, City Pages, Mosinee Times | Emailed: Wausau Daily Herald, WSAW, WAOW, Mosinee Times, Wausau Pilot and Review, City Pages



Report to Village Board

Item Name: Director of Public Works and Utilities Report

Meeting Date: February 24, 2025

Referring Body:

Committee Contact:

Staff Contact: Greg Ulman

Report Prepared by: Greg Ulman

- Frost levels are pushing deeper into the ground with the recent cold snaps, we have up to 5 feet of frost on plowed surfaces, so far we've only had one lateral freeze up in the village.
- I am starting to work on the next garbage/recycling contract as our current one expires at the end of the year.
- Work on the 2025 MS4 report is continuing.
- Brad and myself are working on the list of projects for the upcoming year for parks and repairs to particular roads.
- Automated Logic fixed a software problem with the heating controls in the women's locker room in the police department on February 18.
- On February 12th we had the backflow testing and reports complete with copies sent to the State of Wisconsin. The testing was done by Complete Control, and is required on an annual basis by the state.
- We are seeing an uptick in fats, hair, and other unflushables being found in our lift stations. We put out a PSA about the costs with flushing items that do not belong in the sewer system.
- Public Works crews are continuing trimming trees between the snow and cold weather.
- We are getting the last few bugs out of the water filtration plant and expect an open house sometime in late March.

Community Development/Planning and Zoning Director Report

February 24, 2025

Peter S. Wegner, Community Development/Planning and Zoning Director

- Complaints/Enforcement.
- Correspondence Denyon Homes Inc. Subdivision Concept Plan.
- Correspondence possible rezone Kowalski Road.
- Correspondence Crossroads K-9 Rescue.
- Correspondence with Developer re: Industrial Rezone vs. General Commercial Rezone.
- Correspondence regarding possible sale of Village owned property off Kronenwetter Drive.
- Correspondence with American Asphalt regarding New CUP Application.
- Review TID #1 Project Plan.
- Correspondence with Developer re: CUP, Site Plan and Development Agreements.
- Preliminary Review Maple Ridge Commercial Animal Establishment CUP.
- Correspondence with Special Prosecutor re: Straub Enforcement.
- Review 520-90 Exterior Lighting Standards.
- POWTS Zoom Meeting.
- Correspondence with Ehlers re: Residential Land Uses (Multifamily Residence and Workforce Multifamily Housing).
- Correspondence Developer re: Old Hwy 51 Multifamily Development.
- Research § 520-27. - X. Residential greenhouse (for residential use) language.
- Correspondence and review of proposed upgrades to Communication Tower at 1898 Creek Rd.
- Correspondence re: Zoning Districts and Conditional and Permitted Land Uses Gardner Park Rd.
- Correspondence re: Denyon Homes Inc. Development Agreement Kronenwetter Drive.
- Research pole building constructed over the lot line in two different zoning districts.
- Correspondence with MD7 re: AT&T amended lease agreement.
- Research SPS 361.03. 520-28 Temporary Unscreened Outdoor Storage Accessory to Industrial Use, 520-122 Temporary Use Reviews and 520-125 Certificate of Occupancy Procedures.
- Meeting and preliminary review of proposed CSM/Rezone Wianecki Road and Sunny Court.
- Correspondence and review of proposed upgrades to Communication Tower at 3861 E. Nick Rd.
- Open Records request for Terracon, environmental assessment of property located at 1155 Gardner Park Rd.
- Meeting with property owners on Russell Street to discuss possible variance.



Report to Village Board

Agenda Item: Discussion and Possible Action: Award to Pember Companies, Inc. the Lift Station 2 and Lift Station 6 Upgrades for \$523,535.00

Meeting Date: February 24, 2025

Referring Body: Utility Committee

Committee Contact:

Staff Contact: Greg Ulman

Report Prepared by: Greg Ulman

AGENDA ITEM: Discussion and Possible Action: Award to Pember Companies, Inc. the Lift Station 2 and Lift Station 6 Upgrades for \$523,535.00

OBJECTIVE(S): To approve the bid for Lift station 2 and Lift Station 6

HISTORY/BACKGROUND: In December the Village opened bids for the upgrades to lift station #2 and Lift Station #6, we received two bids one being from Pember Companies, Inc. for \$498,535.00 with an alternate option of stainless steel piping in the valve vault for an additional \$25,000.00, which brings the total to **\$523,535.00**; and the other bid from August Winter & Sons, Inc. for \$596,300.00 with an alternate option of stainless steel piping in the valve vault for a deduction of \$7,000.00 for a total of **\$589,300.00**. The Utility Committee met on February 11, 2025 to discuss the bids. They recommend to the village board to award the contract to Pember Companies, Inc. That recommendation includes the stainless-steel option which will enhance the life of the piping as well as reduce future maintenance, such as re-painting in a confined space, which will pay for itself over the life of the lift station.

PROPOSAL: Award to Pember Companies, Inc. the Lift Station 2 and Lift Station 6 Upgrades for \$523,535.00

RECOMMENDED ACTION: Approve the Pember Companies, Inc. bid.

ATTACHMENTS: Bid analysis and summary.

FINANCIALS:

Sewer Utility Fund #650

Account Balance: \$621,278

Village of Kronenwetter				Contract #1 - Lift Station #2 and Liftstation #6 Upgrades			
Lift Station #2 and Lift Station #6 Upgrades				Bid Deadline: Friday, December 13, 2024 at 10:00 a.m.			
Item #	Bid Item Description	# of Units	Units	Bidder #1		Bidder #2	
				Pember Companies, Inc.		August Winters & Sons, Inc	
				Unit Price	Total	Unit Price	Total
1.1	Performance and Payment Bonds	1	LS	Lump Sum	\$4,000.00	Lump Sum	\$6,500.00
1.2	LS6. Material and Labor to replace 4” piping and valves in existing LS6 valve vault in accordance with plans/specifications & AWWA requirements, including temporary provisions to continue LS6 operation, reuse of existing stainless steel bolts. (2) Swing Check Valves, (2) Plug Valves, Bends, Fittings, Adjustable SS Pipe Cradle with SS Standpipe 2”, Bypass Extension Piping & Stainless Steel Camlock Termini (Male) with New Stainless Steel Pipe Attachments and Anchorments	1	LS	Lump Sum	\$51,000.00	Lump Sum	\$73,300.00
1.3	LS6. Material and Labor to clean and inspect Valve Vault Floor Drain	1	LS	Lump Sum	\$1,700.00	Lump Sum	\$2,500.00
1.4	LS6. Allowance for repairs to Valve Vault Floor Drain pending inspection	Allowance	LS	Allowance	\$1,000.00	Allowance	\$1,000.00
1.5	LS6. Labor to core sidewall from Valve Vault to WetWell, for sealed Bypass 4” pipe extension to Wetwell	1	LS	Lump Sum	\$7,000.00	Lump Sum	\$2,500.00
1.6	LS6. Material and Labor to replace existing exterior control panel system and instrumentation on existing LS6 in accordance with plans/specifications and NEC requirements, including VFD phase conversion system, including junction boxes, seals, and vents	1	LS	Lump Sum	\$129,000.00	Lump Sum	\$155,000.00
1.7	LS6. Material and Labor to replace 15 hp Shinmaywa pumps, pump motor cables, level sensor and cables, alarm floats and cables, within existing conduits to new panels, including replacement of existing guide rail caps	1	LS	Lump Sum	\$55,000.00	Lump Sum	\$88,000.00
1.8	LS6. Material and Labor for Complete Install of Light Fixture, Pole, Base, Sonotube, Breaker and Switch at New Panel	1	LS	Lump Sum	\$2,100.00	Lump Sum	\$7,000.00
1.9	LS6. Materials and Labor for Complete Install of Sonotube Base and Bracket for Fall Protection Tie-off	1	LS	Lump Sum	\$2,800.00	Lump Sum	\$3,500.00
1.10	LS6. Materials and Labor for Complete Retrofit of Fall Protection Leaf Grate for Wet Well Opening and Valve Vault Opening	1	LS	Lump Sum	\$2,750.00	Lump Sum	\$4,000.00
1.11	LS6. Start-up and Testing	1	LS	Lump Sum	\$2,850.00	Lump Sum	\$2,500.00
2.1	LS2. Material and Labor to clean and inspect Valve Vault Floor Drain	1	LS	Lump Sum	\$1,700.00	Lump Sum	\$2,500.00
2.2	LS2. Allowance for repairs to Valve Vault Floor Drain pending inspection	Allowance	LS	Allowance	\$1,000.00	Allowance	\$1,000.00
2.3	LS2. Material and Labor for Generator and Transformer Concrete Pads to suit generator/transformer size/configuration, Including Necessary Penetrating Conduits, Base, Compaction, and Coordination for Anchorments	1	LS	Lump Sum	\$9,000.00	Lump Sum	\$5,000.00
2.4	LS2. Generator, 80 KVA minimum	1	LS	Lump Sum	\$66,385.00	Lump Sum	\$72,000.00
2.5	LS2. Materials and Labor for Automatic Transfer Switch installation rated for generator system and exterior enclosure, including mounting, conduits & controls	1	LS	Lump Sum	\$7,400.00	Lump Sum	\$9,000.00
2.6	LS2. Material and Labor to replace existing exterior control panel system and instrumentation on existing LS6 in accordance with plans/specifications and NEC requirements, including disconnect, VFD motor starter system, junction boxes, seals, and vents	1	LS	Lump Sum	\$131,500.00	Lump Sum	\$140,000.00
2.7	LS2. Material and Labor to replace existing guide rail caps	1	LS	Lump Sum	\$7,750.00	Lump Sum	\$4,000.00
2.8	LS2. Material and Labor for Complete Install of Light Fixture, Pole, Base, Sonotube, Breaker and Switch at New Panel	1	LS	Lump Sum	\$2,100.00	Lump Sum	\$7,000.00
2.9	LS2. Materials and Labor for Complete Install of Sonotube Base and Bracket for Fall Protection Tie-off	1	LS	Lump Sum	\$2,850.00	Lump Sum	\$3,500.00
2.10	LS2. Materials and Labor for Complete Retrofit of Fall Protection Leaf Grate for Wet Well Opening and Valve Vault Opening	1	LS	Lump Sum	\$6,800.00	Lump Sum	\$4,000.00
2.11	LS2. Start-up and Testing	1	LS	Lump Sum	\$2,850.00	Lump Sum	\$2,500.00
	Total Base Bid Contract #1				\$498,535.00		\$596,300.00
A1	Addendum Number #1, December 10, 2024						
	LS6 - 316 Stainless Steel Piping in Value Vault, AWWA 312, ANSI B36			ADDITIONAL	\$25,000.00	DEDUCT	-\$7,000.00
	Total Contract #1 if Alternate A1 is Utilized				\$523,535.00		\$589,300.00



Engineering | Consulting | Design | Facilitation

COMMITTEE REPORT LS2 & LS6 UPGRADE PROJECT PROJECT BIDDING ANALYSIS

To: Village of Kronenwetter
Greg Ulman, DPW & Utility Committee

From: Robert J. Roth, PE
Project Engineer

Re: Review of Bids

Date: February 10, 2025

BID SUMMARY

The Village of Kronenwetter's LS2 and LS6 upgrade project was bid on December 13, 2024. The Village received two (2) bids as follows:

Lift Station #2 & Lift Station #6 Combined	
\$498,535.00	Pember Companies, Inc.
\$596,300.00	August Winter & Sons, Inc.

GENERAL SCOPE

The general scope of work for each station is as follows:

Lift Station #2 (LS2): New Generator, Automatic Transfer Switch, Transformer, 3-Phase Power Service, VFD, Panel, Controls, Area Light, and Appurtenances Including Safety Features

Lift Station #6 (LS6): New Panel Replacement, VFD for Phase Conversion, Panel, Controls, Valve Replacements, Addition of Bypass Pumping 4" with Quick Connect, Replacement Pumps, Floats/Cables, Area Light and Appurtenances Including Safety Features

BUDGET

LS#6	\$100,000
LS#2	\$150,000

The budget was based on a quote the Village received by B&M who frequently services the Village's lift stations. The Village provided us a LS6 quote for \$60,762 by B&M as of May 2024.

I believe the original quote for LS2 was generated in 2023 (I do not have a copy of that), but was updated in 2024 at my request to confirm 3-phase power options/costs for LS2.

In review and engineering of the project, additional decisions were made and added to the project when putting the entire package to be bid. These items were not reflected in the budget amounts.

ANALYSIS OF BIDS

Work that was not included in the estimate, but is included in the representative low bid, is listed as follows:

LS6	1.1	Performance & Payment Bonds	\$4,000	
	1.3	Floor Drain	\$1,700	
	1.4	Floor Drain Allowance	\$1,000	
	1.5	Add Sealed 4” Bypass	\$7,000	
	1.8	Area Light	\$2,100	
	1.9	Safety Feature New Tie-off	\$2,800	
	1.10	Safety Feature Gate Retrofit	\$2,750	
LS2	2.1	Floor Drain	\$1,700	
	2.2	Floor Drain Allowance	\$1,000	
	2.7	Guide Rail Caps	\$7,750	
	2.8	Area Light	\$2,100	
	2.9	Safety Feature New Tie-off	\$6,800	
	2.10	Safety Feature Retrofit	\$2,850	
		Total	\$43,550	

Items that were generally included in the budget are as follows:

LS6	1.6	Exterior Controls Panel & J-Boxes	\$129,000	
	1.7	Shinmaywa Pumps	\$55,000	
		Total	\$184,000	(3x Estimate)
LS2	2.4	Generator	\$66,385	
	2.5	ATS	\$7,400	
	2.6	Exterior Control Panel & J-Boxes	\$131,500	
		Total	\$205,285	(2x Estimate)

The work was setup under a capital cost bidding/contracting format so the entire scope of work would be included under the contract and to avoid piecemeal segregation of work scope items. This meant that B&M was not able to perform general contracting services to cover the broader scope of the bid, so they could not hold those numbers in this format. Also, it required the use of an electrician where a general contractor is utilized. This generally added labor, and overhead/profit (OH&P) that were not part of the quote/estimate.

In interviewing B&M on this topic, our conversations point to the following key differences:

- General contracting capital cost format versus repair quote (OH&P)
- Use of formal electrician versus B&M labor
- Higher cost of VFD's and panel equipment seen in the industry (and rising)
- Enhancements pursuant to specifications and standards

B&M also reported that there are numerous concerns in the industry as to the impact on likely tariffs, directly affecting materials and equipment prices.

I will be available at the meeting for further discussion and recommendation in concert with the financial guidance provided by Ehlers and the Utility Committee.

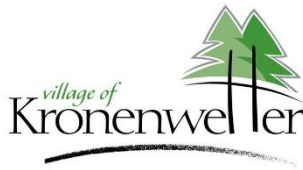
Sincerely,

ROTH PROFESSIONAL SOLUTIONS



Robert J. Roth, PE
Project Engineer





REPORT TO Village Board

ITEM NAME:	§ 520-20. - Residential land use types.
MEETING DATE:	February 24, 2025
PRESENTING COMMITTEE:	Planning Commission
COMMITTEE CONTACT:	Chris Voll
STAFF CONTACT:	Pete Wegner
PREPARED BY:	Peter Wegner

ISSUE: Staff received inquiries regarding the concept of Zero-Lot-Line Residences. A zero-lot-line residence is a piece of residential real estate in which the structure comes up to, or very near to, the edge of the property line. Some of the advantages are they cost less than homes with larger lots. They offer greater privacy than a condo since they share less or no walls. They maximize the use of available space and reduce maintenance responsibilities. Being in close proximity or sharing a common wall with your neighbors gives a sense of community, as residents are more likely to interact and develop closer relationships.

On 10/21/2024, the Planning Commission reviewed example language and diagrams from other municipalities. As a result, Staff was directed to draft ordinance language. On 1/20/2025, the Planning Commission reviewed proposed language and directed staff to schedule a public hearing. On 2/17/2025, the Planning Commission held a public hearing and directed staff to forward an ordinance amendment to the Village Board for review and approval.

OBJECTIVES: Review and approve Ordinance Amendment NO.: 25-03.

RECOMMENDED ACTION: Review and approve Ordinance Amendment NO.: 25-03, to allow Zero-Lot-Line Residences in the Village of Kronenwetter.

ATTACHMENTS (describe briefly): ORDINANCE AMENDMENT NO.: 25-03, § 520-20. - Residential land use types.

Proposed Zero-Lot-Line Structures Ordinance Language

Public Hearing Draft

ARTICLE IV. - LAND USE DESCRIPTIONS AND STANDARDS

§ 520-20. - Residential land use types.

B. Two-family residence.

(1) A two-family residence is a single structure containing two separate dwelling units, each unit having a private individual exterior access, and with no shared internal access within the building. Two-family residences can be constructed as attached side-by-side units each with a ground floor and roof (duplex), or as a two-story structure with one unit above the other (flats). Where side by side, both dwelling units must share the same lot; the individual units may not be on separate lots as a "zero lot line" structure.

(2) Performance standards:

(a) Each two-family residence constructed after June 20, 2016, shall meet the performance standards in subsection A(2)(a) through (f) above, except where otherwise allowed by conditional use permit.

(b) The structure must be in compliance with the Wisconsin Uniform Dwelling Code (UDC).

(c) Where side by side, a building-code-required, fire-rated wall must separate the two dwelling units from the lowest level to flush against the underside of the roof.

(d) Individual sanitary sewer and public water laterals and utility meters are required for each dwelling unit.

(e) The minimum gross floor area of each dwelling unit shall be 700 square feet, exclusive of attached garages, carports, and open decks/porches.

(f) Each unit within each new two-family residence shall be served by a separate driveway, or minimum driveway width for any shared driveway shall be not less than 30 feet at the front lot line.

(g) Minimum required off-street parking: two outdoor spaces per dwelling unit, such as in a driveway, plus spaces in garage(s). All motor vehicles shall be parked on a hard surface as defined in section 520-138, or on a graveled surface if such surface was legally established before January 1, 2015.

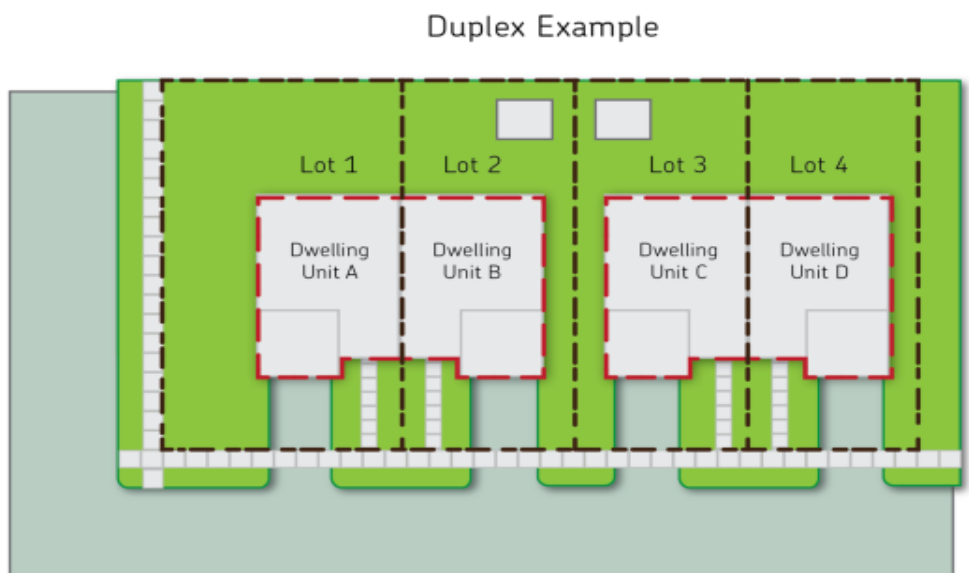
(h) Zero Lot Line Structures (see Figure 520-20C). For buildings containing two separate dwelling units constructed side-by-side, with each unit located on a

separate lot, having a private individual exterior access, and no shared internal access within the building, the following additional standards shall apply:

1. The duplex shall meet the front, side, and rear setbacks required for the applicable zoning district, except that the shared wall shall have no minimum setback requirement.

2. The builder shall provide, with the zoning permit or building permit application, an agreement or covenant specifying maintenance standards for the common wall, maintenance and replacement standards for exterior surfaces of the building to maintain a neat and harmonious appearance over time, maintenance standards for any other common features, and restrictions against construction of detached single family residences on any of the affected lots in the event either or all sides of the zero lot line construction dwelling are destroyed. Such agreement or covenant shall also provide that it may not be terminated, amended or otherwise altered without the approval of the Village Board. Such agreement shall be subject to Zoning Administrator approval, and then recorded by the builder against all affected properties prior to occupancy of the dwelling as a zero-lot line structure.

Figure 520-20C: Example of Zero Lot Line Structure



~~(H)~~ (i) For single-family detached residences utilizing driveways greater than 660 feet in length:

1. A turnout near the driveway's midpoint shall be required. In those instances where a driveway exceeds 1,320 feet in length, turnouts shall be provided no more than 660 feet apart.
2. A turnout shall also be provided within 100 feet of the structure.
3. The minimum turning radius shall be 45 feet.
4. A typical cross-section shall be submitted with the building permit application. A typical driveway cross-section example is depicted in figure 520-20A.
5. The driveway shall be constructed to be 14 feet wide at all points.
6. The driveway shall not exceed an eight percent grade.
7. The driveway shall be constructed with an adequate base to support 55,000 pounds during any weather.
 - a. This requirement can be met by having a certified engineer design a driveway and create a typical cross-section for that driveway. The design of any driveway will need to be stamped and/or signed by that engineer to certify the driveway will be constructed to meet this weight standard. A typical cross-section example is depicted in figure 520-20A.
 - b. This requirement can also be met by constructing the driveway to the standards outlined in figure 520-20B. A cross-section detailing the driveway construction will need to be submitted and certified that it will be constructed to satisfy the code requirements. Base course thickness is based on soil drainage class.

Figure 520-20A: Typical Driveway Cross-Section

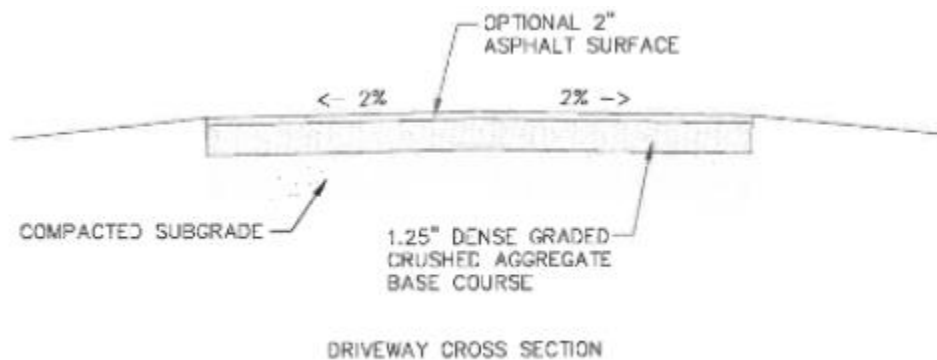


Figure 520-20B: Village of Kronenwetter Minimum Long Driveway Standards that Satisfy the Weight Standard During Any Weather

MINIMUM STANDARDS

MINIMUM BASE COURSE THICKNESS

EXISTING SUBGRADE SOIL TYPES	WITH 2" ASPHALT SURFACE	WITHOUT 2" ASPHALT SURFACE
WELL-DRAINED	8"	8"
POORLY-DRAINED	8"	10"

DRIVEWAYS NOT ALLOWED OVER PEAT, ORGANIC SILT, ORGANIC CLAY

KRONENWETTER LONG
DRIVEWAY STANDARDS

well-drained and poorly-drained soils will be determined through the Natural Resources Conservation Service Web Soil Survey. Excessively drained, somewhat excessively drained, well-drained, and moderately well drained will be classified as 'well-drained soils'. Somewhat poorly drained, poorly drained, very poorly drained, and subaqueous will be classified as 'poorly-drained soils'. If any part of the proposed driveway extends through a poorly-drained soil classification, the entirety of the driveway shall be constructed to the poorly-drained minimum driveway standard

8. The driveway shall maintain an overhead clearance of 15 feet and five feet of cleared brush on each side of the driveway.

9. Bridges and culverts shall be designed to support at least 55,000 pounds and should provide a minimum of 14 feet of unrestricted width and height.

(+) (i) For single-family detached residences utilizing private roads accessing three or more lots: Approval from the village public works director shall be required to ensure the roadway will meet village standards for a typical rural road section, except for the public right-of-way requirement. The width of the travel surface shall be 22 feet, with a three-foot shoulder on each side. Property owners shall sign a private roadway maintenance agreement.

ARTICLE XVI. – DEFINITIONS**§ 520-138. - Definitions.**

Zero Lot Line Structure: A structure that is built over the property line, where walls separating occupancy units follow lot lines, such as a zero-lot line duplex.

PART II: - GENERAL LEGISLATION
Chapter 520 - ZONING
- FIGURES
ATTACHMENT 3 RURAL LOT DIMENSIONS

Section 5, Item F.

PART II: - GENERAL LEGISLATION
Chapter 520 - ZONING
- FIGURES
ATTACHMENT 3 RURAL LOT DIMENSIONS

ATTACHMENT 3 RURAL LOT DIMENSIONS

Figure V(1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft) ^(a)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) ^(b, c)	Minimum Landscape Surface Ratio (LSR)
AR Agriculture and Residential	20 acres	600	200	N/A	10,000	N/A
RR-5 Rural Residential 5 Acres	5.0 acres	300	100	20%	5,000	N/A
RR-2 Rural Residential 2 Acres	2.0 acres	150	80	20%	3,000	N/A
PR Parks and Recreation	N/A	N/A	N/A	10%	N/A	50%
SF Single Family	20,000 square feet	100	50	30%	2,510 x lot area in acres ^(e, d)	50%
2F Two-Family Residential ^(d, b & e)	20,000 square feet	100	40	40%	2,510 x lot area in acres ^(e, d)	40%
MF Multifamily Residential ^(e, f)	5,000 square feet/dwelling unit	100	40	40%	10% of lot area	30%
MH Mobile Home	5,000 square feet/home ^(f, g)	50	N/A	40%	350	30%

PART II: - GENERAL LEGISLATION
Chapter 520 - ZONING
- FIGURES
ATTACHMENT 3 RURAL LOT DIMENSIONS

NOTES:

- (a) The minimum lot width shall be measured at the front of the building.
- (b) For zero lot line structures, each lot shall have a minimum lot area of 10,000 square feet per unit and must be of at least 40 feet in width within two family residential zoning districts.
- ~~(b)~~(c) Maximum accessory structure floor area may be increased by site plan approval under § 520-124 and per the standards in § 520-27.B.
- ~~(e)~~(d) The floor area shall not exceed 2,510 square feet, with a maximum of three accessory structures allowed on the same zoning lot over one acre and a maximum of two accessory structures allowed on the same zoning lot under one acre.
- ~~(e)~~(e) Single-family detached residences within the 2F District shall comply with the SF District requirements.
- ~~(e)~~(f) Single-family detached residences within the MF District shall comply with the SF District requirements. Two-family residences within the MF District shall comply with the 2F District requirements.
- ~~(f)~~(g) Total area of each mobile home community shall be a minimum of 10 acres.

(Ord. No. 16-07, 6-20-2016; Ord. No. 17-07, 4-11-2017; Ord. No. 17-20, 9-26-2017)

ATTACHMENT 4 RURAL SETBACK STANDARDS

Figure V(2): Rural, Open Space and Residential District Setback and Height Standards

Zoning District	Minimum Setbacks (ft) ^(b)								Minimum Principal Building Separation (ft)	Maximum Building	
	Principal Residential Building including Attached Garage				Detached Accessory Building ^(a)		Hard or Gravel Surface ^(d)			Principal Building	
	Front ^(a)	Street Side ^(a)	Interior Side	Rear	Interior Side ^(c)	Rear	Interior Side or Rear	Front or Street ^(a)		Feet	Floors
AR	50	30	20	40	12	12	0	0	10	35	2.5
RR-5	50	30	20	25	12	12	6	10	15	35	2.5
RR-2	50	30	20	25	12	12	6	10	15	35	2.5
PR	30	30	12	20	12	12	6	10	30	35	2.5
SF	50	25	12	12	5	5	6	10	20	35	2.5
2F(e)	30	30	8	12	5	5	6	10	20	35	2.5
MF(f)	30	30	8	12	5	5	6	10	20	40	3
MH	20(g)	20(g)	8	12	5	5	6	10	10	20	1

NOTES:

- (a) See section 520-27.B for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory buildings, and other standards associated with detached accessory structures.
- (b) Additional setbacks may be required along zoning district boundaries for buffer yards, if required for the particular land use under article IV or section 520-79.C(4).
- (c) Minimum streetside yard setbacks are equal to the minimum streetside setback for the principal structure.
- (d) Includes all gravel and hard surfaces as defined in section 520-138, along with recreational vehicles. This setback excludes intrusions required for driveway entrances and permitted or required for cross-access driveways and pedestrian ways; shared driveways; and shared parking lots.
- (e) Single-family detached residences shall comply with the requirements for the SF District. No interior side yard setbacks for zero lot line structures.
- (f) Single-family detached residences shall comply with the requirements of the SF District. Two-family residences shall comply with the requirements for the 2F District.
- (g) A minimum one-hundred-foot-wide buffer must be provided around the perimeter of each mobile home community.

(Ord. No. 16-07, 6-20-2016)

PART II: - GENERAL LEGISLATION
Chapter 520 - ZONING
- FIGURES
ATTACHMENT 4 RURAL SETBACK STANDARDS

Section 5, Item F.

VILLAGE OF KRONENWETTER
Marathon County, Wisconsin
An Ordinance Amending the Code of the Village of Kronenwetter
ORDINANCE NO.: 25-03 Chapter 520 - ZONING
Amending ARTICLE IV. - LAND USE DESCRIPTIONS AND STANDARDS
§ 520-20. - Residential land use types.

WHEREAS, the Village of Kronenwetter Planning Commission has recommended the Village Board adopt language to allow Zero-Lot-Line Residences

NOW, THEREFORE, BE ORDAINED by the Village of Kronenwetter Village Board, as follows:

**Proposed Amendments to Chapter 520 -
ZONING ARTICLE IV. - LAND USE DESCRIPTIONS AND STANDARDS**

§ 520-20. - Residential land use types.

B. Two-family residence.

(1) A two-family residence is a single structure containing two separate dwelling units, each unit having private individual exterior access, and with no shared internal access within the building. Two-family residences can be constructed as attached side-by-side units each with a ground floor and roof (duplex), or as a two-story structure with one unit above the other (flats). Where side by side, both dwelling units must share the same lot; the individual units may not be on separate lots as a "zero lot line" structure.

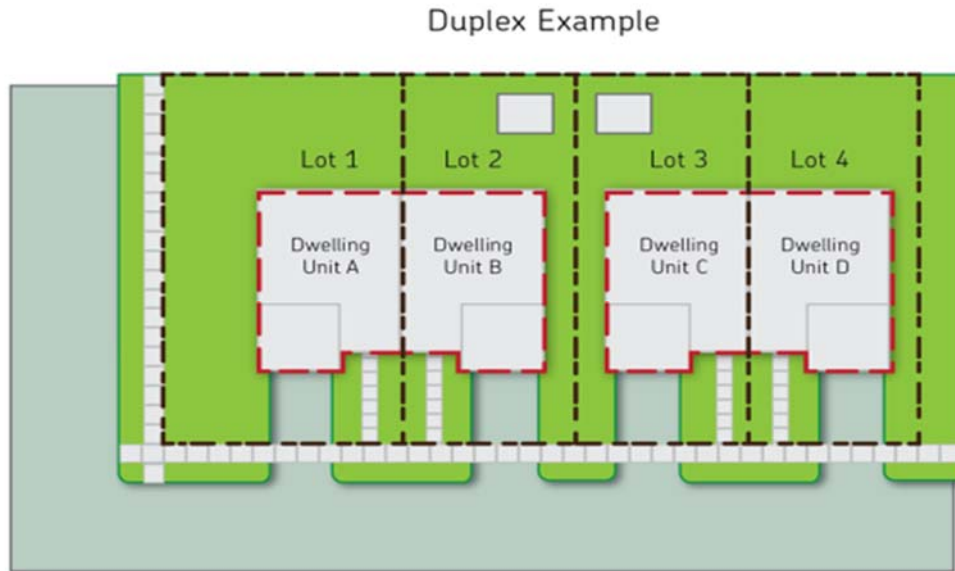
(2) Performance standards:

(a) Each two-family residence constructed after June 20, 2016, shall meet the performance standards in subsection A(2)(a) through (f) above, except where otherwise allowed by conditional use permit.

(b) The structure must be in compliance with the Wisconsin Uniform Dwelling Code (UDC).

-
- (c) Where side by side, a building-code-required, fire-rated wall must separate the two dwelling units from the lowest level to flush against the underside of the roof.
- (d) Individual sanitary sewer and public water laterals and utility meters are required for each dwelling unit.
- (e) The minimum gross floor area of each dwelling unit shall be 700 square feet, exclusive of attached garages, carports, and open decks/porches.
- (f) Each unit within each new two-family residence shall be served by a separate driveway, or minimum driveway width for any shared driveway shall be not less than 30 feet at the front lot line.
- (g) Minimum required off-street parking: two outdoor spaces per dwelling unit, such as in a driveway, plus spaces in garage(s). All motor vehicles shall be parked on a hard surface as defined in section 520-138, or on a graveled surface if such surface was legally established before January 1, 2015.
- (h) Zero Lot Line Structures (see Figure 520-20C). For buildings containing two separate dwelling units constructed side-by-side, with each unit located on a separate lot, having a private individual exterior access, and no shared internal access within the building, the following additional standards shall apply:
1. The duplex shall meet the front, side, and rear setbacks required for the applicable zoning district, except that the shared wall shall have no minimum setback requirement.
 2. The builder shall provide, with the zoning permit or building permit application, an agreement or covenant specifying maintenance standards for the common wall, maintenance and replacement standards for exterior surfaces of the building to maintain a neat and harmonious appearance over time, maintenance standards for any common sewer lateral and any other common features, and restrictions against construction of detached single family residences on any of the affected lots in the event either or all sides of the zero lot line construction dwelling are destroyed. Such agreement or covenant shall also provide that it may not be terminated, amended or otherwise altered without the approval of the Village Board. Such agreement shall be subject to Zoning Administrator approval, and then recorded by the builder against all affected properties prior to occupancy of the dwelling as a zero-lot line structure.

Figure 520-20C: Example of Zero Lot Line Structure



(i) For single-family detached residences utilizing driveways greater than 660 feet in length:

1. A turnout near the driveway's midpoint shall be required. In those instances where a driveway exceeds 1,320 feet in length, turnouts shall be provided no more than 660 feet apart.
2. A turnout shall also be provided within 100 feet of the structure.
3. The minimum turning radius shall be 45 feet.
4. A typical cross-section shall be submitted with the building permit application. A typical driveway cross-section example is depicted in figure 520-20A.
5. The driveway shall be constructed to be 14 feet wide at all points.
6. The driveway shall not exceed an eight percent grade.
7. The driveway shall be constructed with an adequate base to support 55,000 pounds during any weather.

- a. This requirement can be met by having a certified engineer design a driveway and create a typical cross-section for that driveway. The design of any driveway will need to be stamped and/or signed by that engineer to certify the driveway will be constructed to meet this weight standard. A typical cross-section example is depicted in figure 520-20A.
- b. This requirement can also be met by constructing the driveway to the standards outlined in figure 520-20B. A cross-section detailing the driveway construction will need to be submitted and certified that it will be constructed to satisfy the code requirements. Base course thickness is based on soil drainage class.

Figure 520-20A: Typical Driveway Cross-Section

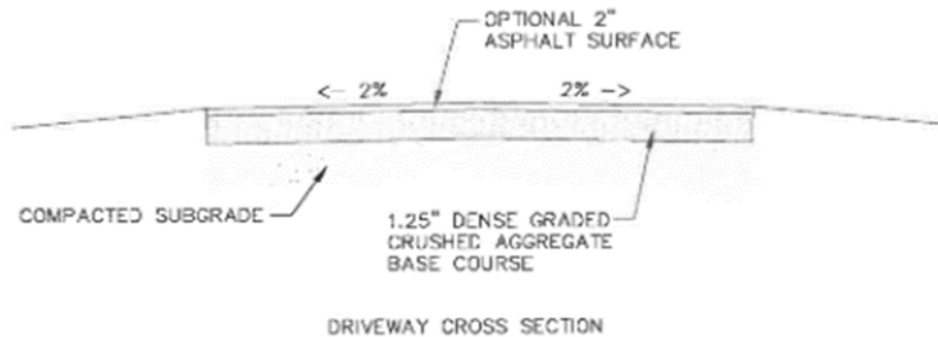


Figure 520-20B: Village of Kronenwetter Minimum Long Driveway Standards that Satisfy the Weight Standard During Any Weather

MINIMUM STANDARDS

MINIMUM BASE COURSE THICKNESS

EXISTING SUBGRADE SOIL TYPES	WITH 2" ASPHALT SURFACE	WITHOUT 2" ASPHALT SURFACE
WELL-DRAINED	8"	8"
POORLY-DRAINED	8"	10"

DRIVEWAYS NOT ALLOWED OVER PEAT, ORGANIC SILT, ORGANIC CLAY

KRONENWETTER LONG DRIVEWAY STANDARDS

well-drained and poorly-drained soils will be determined through the Natural Resources Conservation Service Web Soil Survey. Excessively drained, somewhat excessively drained, well-drained, and moderately well drained will be classified as 'well-drained soils'. Somewhat poorly drained, poorly drained, very poorly drained, and subaqueous will be classified as 'poorly-drained soils'. If any part of the proposed driveway extends through a poorly-drained soil classification, the entirety of the driveway shall be constructed to the poorly-drained minimum driveway standard

8. The driveway shall maintain an overhead clearance of 15 feet and five feet of cleared brush on each side of the driveway.

9. Bridges and culverts shall be designed to support at least 55,000 pounds and should provide a minimum of 14 feet of unrestricted width and height.

(j) For single-family detached residences utilizing private roads accessing three or more lots: Approval from the village public works director shall be required to ensure the roadway will meet village standards for a typical rural road section, except for the public right-of-way requirement. The width of the travel surface shall be 22 feet, with a three-foot shoulder on each side. Property owners shall sign a private roadway maintenance agreement.

ARTICLE XVI. – DEFINITIONS

§ 520-138. - Definitions.

Zero Lot Line Structure: A structure that is built over the property line, where walls separating occupancy units follow lot lines, such as a zero-lot line duplex.

ATTACHMENT 3 RURAL LOT DIMENSIONS

Figure V (1): Rural, Open Space and Residential District Lot Dimension and Intensity Standards

Zoning District	Minimum Lot Area	Minimum Lot Width (ft) ^(a)	Minimum Public Street Frontage (ft)	Maximum Total Building Coverage	Maximum Accessory Structure Floor Area (sf) (c)	Minimum Landscape Surface Ratio (LSR)
AR Agriculture and Residential	20 acres	600	200	N/A	10,000	N/A
RR-5 Rural Residential 5 Acres	5.0 acres	300	100	20%	5,000	N/A
RR-2 Rural Residential 2 Acres	2.0 acres	150	80	20%	3,000	N/A
PR Parks and Recreation	N/A	N/A	N/A	10%	N/A	50%
SF Single Family	20,000 square feet	100	50	30%	2,510 x lot area in acres (d)	50%
2F Two-Family Residential (b&e)	20,000 square feet	100	40	40%	2,510 x lot area in acres (d)	40%
MF Multifamily Residential (e&f)	5,000 square feet/dwelling unit	100	40	40%	10% of lot area	30%
MH Mobile Home	5,000 square feet/home (g)	50	N/A	40%	350	30%

NOTES:

- (a) The minimum lot width shall be measured at the front of the building.
- (b) For zero lot line structures, each lot shall have a minimum lot area of 10,000 square feet per unit and must be at least 40 feet in width within two family residential zoning districts.

PART II: - GENERAL LEGISLATION Chapter
520 - ZONING - FIGURES
ATTACHMENT 3 RURAL LOT DIMENSIONS

Section 5, Item F.

- (c) Maximum accessory structure floor area may be increased by site plan approval under § 520-124 and per the standards in § 520-27. B.
- (d) The floor area shall not exceed 2,510 square feet, with a maximum of three accessory structures allowed on the same zoning lot over one acre and a maximum of two accessory structures allowed on the same zoning lot under one acre.
- (e) Single-family detached residences within the 2F District shall comply with the SF District requirements.
- (f) Single-family detached residences within the MF District shall comply with the SF District requirements. Two family residences within the MF District shall comply with the 2F District requirements.
- (g) Total area of each mobile home community shall be a minimum of 10 acres.

(Ord. No. 16-07, 6-20-2016; Ord. No. 17-07, 4-11-2017; Ord. No. 17-20, 9-26-2017)

ATTACHMENT 4 RURAL SETBACK STANDARDS

Figure V (2): Rural, Open Space and Residential District Setback and Height Standards

Zoning District	Minimum Setbacks (ft) ^(b)								Minimum Principal Building Separation (ft)	Maximum Building Height			
	Principal Residential Building including Attached Garage				Detached Accessory Building ^(a)		Hard or Gravel Surface ^(d)			Principal Building		Accessory Building	
	Front ^(a)	Street Side ^(a)	Interior Side	Rear	Interior Side ^(c)	Rear	Interior Side or rear	Front or Street ^(a)		Feet	Floors	Feet	Floors
AR	50	30	20	40	12	12	0	0	10	35	2.5	35	2.5
RR-5	50	30	20	25	12	12	6	10	15	35	2.5	35	2.5
RR-2	50	30	20	25	12	12	6	10	15	35	2.5	35	2.5
PR	30	30	12	20	12	12	6	10	30	35	2.5	25	2
SF	50	25	12	12	5	5	6	10	20	35	2.5	15	1
2F (e)	30	30	8	12	5	5	6	10	20	35	2.5	15	1
MF (f)	30	30	8	12	5	5	6	10	20	40	3	15	1
MH	20 (g)	20 (g)	8	12	5	5	6	10	10	20	1	15	1

NOTES:

-
- (a) See section 520-27. B for standards related to detached accessory buildings located within front yard areas, minimum separation requirements associated with detached accessory buildings, and other standards associated with detached accessory structures.
 - (b) Additional setbacks may be required along zoning district boundaries for buffer yards, if required for the land use under article IV or section 520-79.C (4).
 - (c) Minimum streetside yard setbacks are equal to the minimum streetside setback for the principal structure.
 - (d) Includes all gravel and hard surfaces as defined in section 520-138, along with recreational vehicles. This setback excludes intrusions required for driveway entrances and permitted or required for cross-access driveways and pedestrian ways; shared driveways; and shared parking lots.
 - (e) Single-family detached residences shall comply with the requirements for the SF District. No interior side yard setbacks for zero lot line structures.
 - (f) Single-family detached residences shall comply with the requirements of the SF District. Two-family residences shall comply with the requirements of the 2F District.
 - (g) A minimum one-hundred-foot-wide buffer must be provided around the perimeter of each mobile home community.

(Ord. No. 16-07, 6-20-2016)

PASSED and ADOPTED this 10TH day of February 2025

By: _____
Chris Voll, Village President

(SEAL)

ATTEST:

Jennifer Poyer, Interim Clerk



REVISED VILLAGE BOARD MEETING MINUTES

February 10, 2025 at 6:00 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

Village President Chris Voll called the February 10, 2025 Village Board Meeting to order at 6 p.m.

A. Pledge of Allegiance

All those in attendance were invited to recite the Pledge of Allegiance.

B. Roll Call

PRESENT: *Village President Chris Voll, Trustee Chris Eiden, Trustee Ken Charneski, Trustee Kelly Coyle, Trustee Alex Vedvik, Trustee Aaron Myszk, Trustee Craig Mortensen*

STAFF: *Police Lt. Chris Smart, Fire Chief Theresa O'Brien, Public Works Director Greg Ulman, Community Development Director Peter Wegner, Interim Finance Director John Jacobs, Village Attorney Lee Turonie, Clerk Jennifer Poyer*

2. ANNOUNCEMENT OF CLOSED SESSION

3. PUBLIC COMMENT

Faye Buchburger- 824 W. Nelson Road, Kronenwetter, WI 54455 – Clerk Poyer read a submitted comment regarding a Facebook post by Holly Voll. Comment attached to minutes.

Sean Dumais – 839 Oak Road, Kronenwetter, WI 54455 – Clerk Poyer read a submitted comment regarding the “political theatrics” of Kronenwetter. Comment attached to minutes.

Joe Straub – 860 W. Nelson Road, Kronenwetter, WI 54455 – Straub spoke to legal investigations. Comment attached to minutes.

Holly Voll – 1944 Plantation Lane, Kronenwetter, WI 5445 – Clerk Poyer read a submitted comment regarding a Facebook post. Comment attached to minutes.

Bernie Kramer, 2150 Highway 153, Peplin, WI 54455 – Kramer commented on the ambulance service situation in the Village. He said he is happy with the Riverside service. He also spoke to the “crumbling” roads in Kronenwetter.

ITEM 9, 10, 11 CLOSED SESSION, ETC. WAS MOVED TO THIS POINT IN THE MEETING.

4. REPORTS FROM STAFF AND VENDORS

C. Police Chief's Report – Police Lt. Chris Smart presented the annual report. He said the officers were very involved in school events this year.

D. Interim Finance Director Report – Interim Finance Director John Jacobs introduced himself and presented the items he has been working on since he started. He said it has been helpful that he knows the CLA auditors and accounting software.

E. Village Attorney Report – Village Attorney Lee Turonie updated the board on the Straub complaint against Village staff and other legal happenings in the Village.

5. OLD BUSINESS

F. Ambulance Service Request for Proposal (RFP)

Motion by Charneski/Eiden to send this item back to CLIPP for an examination of how to change the current contract. Motion carried by roll call vote. 7:0.

Minutes prepared by Jennifer Poyer.

Approved by Village Board on

Discussed whether the previous motion was addressed by CLIPP; whether the Ambulance Subcommittee should be involved; problems with going out for RFP; billing issues; etc.

G. Kronenwetter 2026-2030 Outdoor Recreation Plan

Motion by Myszka/Vedvik to continue work with North Central Regional Planning Commission for the Outdoor Recreation Plan for \$6,000 which is budgeted. Motion carried by roll call vote. 7:0.
Discussed the benefit of having a third party prepare the plan versus doing it in-house; possible grants; intended survey; etc.

6. NEW BUSINESS

H. Attorney Request for Proposal (RFP)

NO ACTION TAKEN.

I. Driveway Access § 419-6. - Variance

Motion by Charneski/Eiden to approve the Driveway Access § 419-6. - Variance as presented with change to ordinance document from RECORDER to Interim Clerk. Motion carried by roll call vote. 7:0.
Discussed the background and reasoning regarding this ordinance change.

J. ATV/UTV Operating Hours § 496-7. - Operator and Rider Requirements

Motion by Charneski/Myszka to approve the ATV/UTV Operating Hours § 496-7 as presented with change to ordinance document from RECORDER to Interim Clerk. Motion carried by roll call vote. 7:0.
Discussed the operating hours of surrounding municipalities; advantages of change; etc.

7. CONSENT AGENDA

K. Appointment of Agent - Village Crossing

L. Operator "Bartender" License – Nicole M. Goetsch

M. December 2, 2024 CLIPP Committee Meeting Minutes

Motion by Vedvik/Charneski to approve the consent agenda. Motion carried by voice vote. 7:0.

8. PREVIOUS MEETING MINUTES FROM COMMISSIONS AND COMMITTEES

N. January 13, 2025 Village Board Meeting Minutes

Motion by Mortensen/Eiden to approve the January 13, 2025 Village Board Meeting Minutes. Motion carried by voice vote. 7:0.

O. January 27, 2025 Village Board Meeting Minutes

Motion by Eiden/Myszka to approve the January 27, 2025 Village Board Meeting Minutes. Motion carried by voice vote. 7:0.

9. CLOSED SESSION (Moved to follow Public Comment.)

Consideration of motion to convene into closed session pursuant to Wis. State. 19.85 (1) (c) for consideration of employment, promotion, compensation or performance evaluation date of any public employee over which the governmental body has jurisdiction or exercises responsibility - to wit hiring a village clerk.

Motion by Coyle/Myszka to convene into closed session. Motion carried by roll call vote. 7:0.

10. RECONVENE OPEN SESSION

Consideration of motion to reconvene into open session.

Motion by Coyle/Mortensen to reconvene into open session. Motion carried by voice vote. 7:0.

11. ACTION AFTER CLOSED SESSION

Motion by Coyle/Charneski to continue recruiting efforts for Village clerk position. Motion carried by voice vote. 7:0.

12. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

- *Budget amendment to improve financial condition of Village*
- *Chickens in Village*

13. ADJOURNMENT

Motion by Charneski/Voll to adjourn the February 10, 2025 Village Board Meeting. Motion carried by voice vote. 7:0.

Meeting adjourned at 8:07 p.m.

Minutes prepared by Jennifer Poyer.

Approved by Village Board on

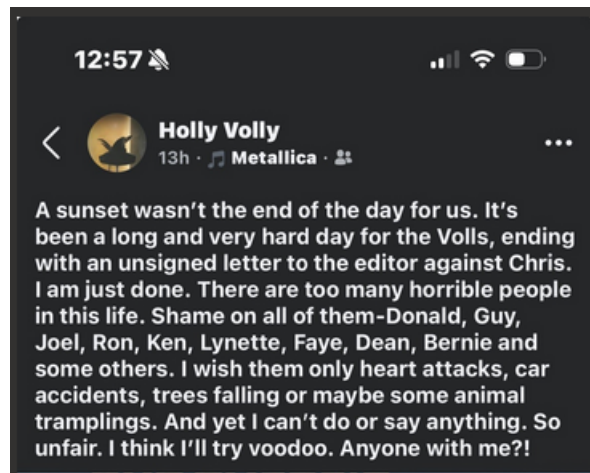
Board Meeting 2 10 2025

Mr. President.

Gentlemen of the Village Board

Faye Buchberger
824 W. Nelson Road
Kronenwetter, WI

I ask that this letter be read today because I am very concerned about the temperament of some of our residents.



The FB post printed for you is from the FB account of Holly Volly (Holly Voll's FB name). It has since been deleted. That does not negate its damage.

Apparently Mrs. Voll had a hard day. She was not happy about the opinion letter in the Wausau Pilot & Review. She posted the threat against the 9 of us on her private page. That does not matter. Anyone knows that there is NO such thing as privacy on social media. Your statements can never be retracted.

Then she accused Joel Straub of STALKING her FB page. I assure you that Joel Straub had nothing to do with the release of the post from Mrs. Voll's Facebook page. Rather, only someone that has access can see her posts, and all of the threatened individuals are BLOCKED and cannot see what Mrs. Voll posts. But others can, and it was leaked to a number of us, including Joel Straub.

That does not matter.

The letter to the editor WAS signed. By the Committee for Civil Discourse. It was and is not now, a secret whom is in this group. I'm sorry if somehow Holly Voll missed the post listing our names and our

purpose. We promote civil discourse; to encourage people to seek facts and support their opinions by factual data, not assumptions, and to treat each other with respect when discussing issues of concern regarding Kronenwetter.

This post is the farthest thing from CIVIL that I can imagine. It is no excuse that I had a bad day. It is no excuse that it was a private message.

It is clear that Holly Voll sees opposition to her views as 'horrible'. That Donald, Guy, Joel, Ron, Ken, Lynette, Faye, Dean, Bernie and some others are somehow worthless and therefore it is acceptable to threaten them with heart attacks, car accidents, trees falling, animal trampling, and voodoo!!

Sadly, this hateful attitude was reinforced by other Kronenwetter residents in response to her threats.

I am ashamed to say that I am a Kronenwetter resident. I am ashamed that 'Holly Voll' is our president's wife. I am ashamed that someone like Bernie Kraemer has had his life threatened!! I am disgusted. This threatening behavior from Holly, threats by Curt Cieslek and letters by 'Concerned Citizens of Kronenwetter' who a couple of years ago attacked people on the basis of their disabilities, is disgusting!!

You, Holly Voll, have crossed the line. God will hold you and your hateful supporters accountable. In the interim, I make this my mission to see that your term as our 'First Lady' ends.

Actions have consequences...

To: Village of Kronenwetter Board Members
 From: Sean Dumais
 839 oak road

Board Members,

As you all know I do not think very highly of showboating and political theatrics and I always try to approach situations with the least amount of public pomp and circumstance as humanly possible. Unfortunately I have learned that the internal corruption and negligent disregard for both the law, and the citizens of Kronenwetter, proves this is not the way to get action with this current Board. The time has come for the citizens to start to stand up and expose the nonsense that has become our village government. Last weeks board meeting was yet another disgusting display of individual trustees personal vendetta against other trustees that went completely unchecked by the presiding officer. The continued barrage of hateful disrespectful and absolutely off topic attacks directed at Trustee Charneski that consumed the meeting is unacceptable. For over two years the same group of disenfranchised self centered childish trustees who can think of nothing other than twisting every single conversation, no matter how off topic it may be, into some form of imaginary wrong that Trustee Charneski has done to hurt their feelings is sickening. The vilification of those you don't agree with and the deceitful venomous rhetoric spewed by those individuals for hours upon hours of board and committee meetings has paralyzed the village government to the point that we have once again lost employees and have millions, yes, I said millions, of missing dollars that this board doesn't even know is missing. When intern administrator Manley was here her report to the board on finances showed we had close to 3 million dollars in our undesignated funds and she even stated "this village is financially healthier than any village I have ever worked with". Here we are 2 years later and we don't even have enough money in our accounts to meet our minimum reserves? Where did the money go? I can tell you a whole lot of it was used on frivolous reports from law firms that were contracted against the boards direct vote not too. That's ok though, some board members are fine with spending whatever it takes to smear a board member they don't like. Just to clarify, Trustee Charneski has my respect as a board member and as someone who stands up for his community and doesn't buckle under the public propaganda generated by those that want their way. We may not agree on everything but he conducts himself like an adult which is far more than we can say for other trustees. Next we have all of the wasted tax payer dollars on adhoc committees that yielded zero results? There was a "committee on committees" a year ago that spent tax payer dollars to go where? Nowhere, the recommendations never even made it on a board agenda. There is a committee on the ambulance situation that seems to not be able to follow its directive and has delved into all sorts of random things and has yielded absolutely nothing. Now we end up with tonight's agenda, RFP for ambulance service. Last week the board made it very clear that CLIPP would look at the concerns that our fire chief, whom has also taken a beating because once again this board handled the entire ambulance situation incorrectly from day 1, had with the terms of our current contract being met. Somehow that committee was allowed to stray off of its board directed task into talks of RFPs for service and not address what it was tasked to do. Then, after the committee failed to perform its directed task, this issue somehow made it on to the board agenda for discussion. How did the committee chair allow the committee to stray away and how did the President of the village whom has been in that position for many years then allow it to make it onto the board agenda? Another example of not following the statutes, ordinances, and proper procedures by our board. Enough is enough. I for one am sick of it and I am going to start publicly posting every email I sent that was ignored, every email I received from staff members asking for help that I brought up that was ignored, and every other piece of evidence I have to show the village that the vilification of the singular trustee that has stood up for the citizens time and time again no matter how much hate and lies were hurled at

him is what has brought us to this breaking point, not him. I respectfully request that this board, even the lame duck members, take their oaths to the citizens seriously and stop generating this toxic nonsense and focus on doing what is right for the Village, not your ego or your FB popularity. We have enough venomous rhetoric being spewed by the citizens, do better.

February 10, 2025

Public Input

Why has the Dempsey Law Firm not announced its conflict of interest in matters concerning certain village staff members and myself? I contacted Dempsey Law about a month or so before they accepted the offer by Kronenwetter to serve as Kronenwetter's new Village Attorney. When a paralegal from Dempsey Law asked for details of my issues with the village, she was wowed by what I was telling her.

In April 2018, a neighbor got an area variance that went against the purpose and intent of our zoning ordinances. There has never been a legal explanation given by any law firm explaining how the neighbor is able to be exempted from complying with the law.

An open records request seeking a copy of the Wonsil Roadway Access Permit Application came back missing the second page. The village gave Mr. Wonsil their approval to put his roadway access 20' too close to ours. When this was pointed out to Mr. Fifrick, he quickly crafted a second page and applied a variance to an expired application from two years earlier.

At this point, the abuses and damages to our property warranted a criminal complaint to be reported to our local law enforcement.

I sat down with Chief McHugh and Lieutenant Smart in a conference room in the police station and showed them documentation of the various laws that were believed to have been violated. I provided my complaint in verbal form. My complaint was for an alleged violation of forgery, a Class H felony, against Mr. Fifrick and former Village Administrator/Interim Public Works Director Richard Downey.

When brought to Chief McHugh, he told me that he had a conflict of interest to pursue a criminal investigation into Mr. Fifrick and Mr. Downey's actions, and purportedly he crafted and delivered his written version of my complaint to the Marathon County Sheriff's Office instead. The Sheriff's Department claimed they had a conflict of interest, and they sent the investigation down to Det. Lepak of

the Stevens Point Police Department.

Chief McHugh opened up his own complaint against me and my behavior while I was serving as a Village Trustee. I was looking out for the people's best interest and providing insight into why was select "Cronyism" happening in our community. The complaint by Chief McHugh is referred to by Det. Lepak as a "United Concern". Those other names associated with the term "United Concern" are not known. Chief McHugh's report initiated an investigation into Misconduct in Office against me. Why Chief McHugh had a conflict of interest with staffers Randy Fifrick and Richard Downey, but no conflict of interest with Trustee Joel Straub still remains a mystery.

Det. Lepak made it known that he was investigating two complaints at the same time...my forgery complaint and Chief McHugh's "united concern" complaint. Det. Lepak's final report went through the Marathon County DA's Office first before finally ending up in the Lincoln County DA's Office. DA Kristopher Ellis recently wrote a memo saying that he saw nothing wrong with the action of Fifrick and Downey. In a text message I sent Det. Lepak that asked if the forgery complaint was ever conducted, he answered, "no it wasn't".

DA Ellis has drawn a conclusion based only on the complaint from a group of "united concern" unknowns, and he is totally unaware of my complaint. The criminal complaint by me that was ignored will need to be reopened by either Det. Lepak or someone else to finish the investigation. The case is not closed until the DA can review the updated investigative reports of all the facts in the matter, or from a judge who steps in to make a final ruling.

This is what happens in Kronenwetter. You go to the police with an honest complaint, and they start an investigation into you instead.

Joe Straub

To the people of Kronenwetter:

This letter is in response to the incredibly unbelievable attention that my Facebook post has gotten, with the overreaction that I want to kill people and have threatened their lives. That is such a ridiculous overreaction, that I have to speak out.

Yes, I was angry and being facetious on Facebook. I never said I was going to kill anyone or that I would harm anyone. I did not name last names and indeed, I know more than one Joe, Donald, Faye, and others. I dare anyone to put last names with every single of the 9 names listed. It is amazing that some people want to make such mountains out of molehills. No one was threatened with bodily harm. A police officer and lawyer have reviewed the post in question and there is no credible threat. And voodoo? How can anyone read that and believe I'm going to try voodoo on people or cause car accidents?!

Joel/Joe Straub isn't telling the truth either about most of the posts he continues to feed. It's a shame he's such an angry person. But I am not going to continue feeding his negativity. As my grandmother always said, consider the source.

I really am disgusted with some Kronenwetter residents too but I will not kill any of them. You have my solemn promise that I won't.

The letter to the editor in question is full to the brim of falsehoods and inaccurate information.

I'm proud of being a native of Kronenwetter and have done so many things to help make it better. I wonder, have all the others who are being so nasty and negative? Have you planted flowers in the parks? Picked up garbage? Created community events? If not, then do that and do better. As the First Lady of the United States Melania Trump says, Be Better!

Holly Voll



REPORT TO VILLAGE BOARD

ITEM NAME:	Operator “Bartender” License – Michelle M. Gee
MEETING DATE:	February 24, 2025
PRESENTING BODY:	Village Board
COMMITTEE CONTACT:	Chris Voll
STAFF CONTACT:	Jennifer Poyer
PREPARED BY:	Jennifer Poyer

OBJECTIVES: Issue Operator “Bartender” License to Michelle M. Gee

ISSUE BACKGROUND/PREVIOUS ACTIONS:
Application completed, background check completed and Gee has completed the Responsible Beverage Server Course. All qualifications have been met.

- Qualifications needed for an Operator “Bartender” License:
- Must be 18-years of age
 - Must meet criminal record requirements subject to the Fair Employment Act
 - Must complete Responsible Beverage Server Course

RECOMMENDED ACTION: Approval of Operator “Bartender” License for Michelle M. Gee

ATTACHMENTS (describe briefly): Operator License Application, Responsible Beverage Serve Course Certificate of Completion, Background check results



<input checked="" type="checkbox"/>	Operator's License ^{50.00} \$35.00 Expires on 6/30 in odd years
<input type="checkbox"/>	Operator's License Renewal \$35.00 Expires on 6/30 in odd years
<input type="checkbox"/>	Provisional Operator's License \$15.00 Expires in 60-days
<input type="checkbox"/>	Temporary Operator's License \$15.00 One time use only for nonprofits

FEE IS NON-REFUNDABLE

LICENSE APPLICATION FOR OPERATOR'S (BARTENDER'S) LICENSE

SECTION 1 - APPLICANT INFORMATION

Applicant Name (Last, First, MI) <u>Gee Michelle M.</u>		All former Names <u>Klatt</u>	
Street Address <u>2111 Cty Hwy X</u>	City <u>Mosinee</u>	State <u>WI</u>	Zip <u>54455</u>
Driver's License Number <u>G1000-5537-1586-06</u>	Date of Birth <u>03-06-1971</u>	Phone Number <u>715-297-5815</u>	

SECTION 2 - CONVICTION RECORD (Please make sure to list ALL convictions. Application may be denied if not listed)

1. The VILLAGE OF KRONENWETTER performs background checks on all applicants. The VILLAGE may suspend, revoke or deny a license issued upon this application if the applicant fails to provide requested information or is not truthful in completion of this application.
2. The VILLAGE OF KRONENWETTER does not issue licenses or permits related to alcohol beverages to any person who has habitually been a law offender or has been convicted of a felony that the VILLAGE determines, substantially relates to the licensing activity unless the person has been duly pardoned.
3. Even if your license has been granted, it will be held if you owe any outstanding fines, forfeitures or other debts to the VILLAGE.

Have you ever been arrested, or have charges pending or been convicted of any offenses, or violations of ANY federal, state, or municipal laws or ordinances here or any other municipality? ☒ NO ☐ YES (Complete arrest or conviction information below)

Date <u>12-24-23</u>	Nature of Offense <u>1st offense DWI</u>	Location of Offense <u>Kronenwetter</u>

List additional information regarding arrest / conviction information on the back of this application.

SECTION 3 - CERTIFICATION/LICENSE (You must have at least ONE of the items below)

Do you have a "Responsible Beverage Servers Training Course" certificate from within the last two years? <i>If yes please attach a copy of your certificate</i>	<input checked="" type="radio"/> Yes <input type="radio"/> No
Are you currently enrolled in a "Responsible Beverage Servers Training Course"? <i>If yes please attach a copy of your enrollment receipt</i>	<input type="radio"/> Yes <input checked="" type="radio"/> No
Do you currently hold an unexpired Operator's License from the Village of Kronenwetter or another municipality? <i>If yes, please attach a copy of your license</i>	<input type="radio"/> Yes <input checked="" type="radio"/> No

SECTION 4 - PENALTY NOTICE/OATH

I hereby apply for a license to serve fermented malt beverages and intoxicating liquors, subject to the limitations imposed by Section 125.32(2) and 125.68(2) of the Wisconsin Statutes and all acts amendatory and supplementary of those sections, and hereby agree to comply with all laws, resolutions, ordinances and regulations, Federal, State or Local, affecting the sale of such beverages and liquors if a license is granted to me.

Under penalty of law, I swear that the information provided in this application is true and correct to the best of my knowledge and belief.

Signature: Michelle Gee

FOR OFFICE USE ONLY

Date sent to KPD <u> / / </u>	Approved: Y / N	Date Payment Received: <u> / / </u>
Board Date: <u> / / </u>	Check # <u> </u> or Cash or CC	By: <u> </u>



CERTIFICATE OF COMPLETION

This certifies that
Michelle Gee
is awarded this certificate for

Wisconsin Responsible Beverage Server Training

 Completion Date
02/11/2025

 Expiration Date
02/11/2027

 Certificate #
WI-00634544

Official Signature

A handwritten signature in black ink, appearing to read 'Dustin M. [unclear]', written over a horizontal line.

This certificate is non-transferable and represents the successful completion of an approved Wisconsin Department of Revenue Responsible Beverage Server Course in compliance with secs. 125.04(5)(a)5., 125.17(6), and 134.66(2m), Wis. Stats.

6504 Bridge Point Parkway, Suite 100 | Austin, TX 78730 | www.360training.com



Kronenwetter Police Department

1582 Kronenwetter Drive
Kronenwetter, WI 54455
Phone: (715) 693-4215
Fax: (715) 693-4228

Section 6, Item H.

CHIEF OF POLICE

Christopher Smart
LIEUTENANT

MEMORANDUM

TO: JENNIFER POYER, INTERIM VILLAGE CLERK
FROM: CHIEF TERRY MCHUGH *TM*
SUBJECT: MICHELLE M. GEE BARTENDER APPLICATION
DATE: FEBRUARY 21, 2025

At your request, I did a background check of Michelle M. Gee (f/k/a Klatt) using the Circuit Court Access Program (CCAP).

Attached for both "Michelle M. Gee" and "Michelle M. Klatt" are municipal court summary pages showing Kronenwetter traffic citations and Rothschild traffic citations (from when Kronenwetter was a joint court with Rothschild), plus the CCAP 2020 cases and summary page.

ded
Enclosures



*"Community Focused, People
First"*

www.kronenwetter.org
police@kronenwe

Summary for Gee, Michelle M

2/21/2025

Kronenwetter
1582 Kronenwetter Drive
Kronenwetter, WI 54455
Phone number: 715-693-4219

Court Date	Adj. Date	Ruling	S	W	C	D	Citation	Charge/ Amended Charge	Dispo	Total	Payments	Balance
Kronenwetter												
4/19/2023	4/19/2023	Dismissed					BG911108-2	OPERATING WHILE UNDER INFLUENCE (1ST)	O	\$0.00	\$0.00	\$0.00
4/19/2023	4/19/2023	Guilty	S				BG911232-0	OPERATING W/PAC (1ST)	O	(\$735.00)	\$735.00	\$0.00
12/16/2009	12/16/2009	Guilty					M7376762	OPERATE AFTER REV/SUSP OF REGISTRATION	T	(\$88.80)	\$88.80	\$0.00
12/16/2009	12/16/2009	Guilty	S				M7376773	OPERATING AFTER SUSPENSION (4TH+)	T	(\$303.00)	\$303.00	\$0.00
Kronenwetter										(\$1,126.80)	\$1,126.80	\$0.00
Village of Rothschild												
10/22/2013	10/22/2013	Guilty	S				S295452-3	OPERATE MOTOR VEHICLE W/O INSURANCE	T	(\$114.00)	\$114.00	\$0.00
10/22/2013	10/22/2013	Guilty					S295453-4	NON-REGISTRATION OF AUTO, ETC	T	(\$88.80)	\$88.80	\$0.00
10/22/2013	10/22/2013	Guilty					S295454-5	OPERATING WHILE REVOKED (FORFEITURE)	T	(\$114.00)	\$114.00	\$0.00
Village of Rothschild										(\$316.80)	\$316.80	\$0.00
Grand Total:										(\$1,443.60)	\$1,443.60	\$0.00

Court Date	Adj. Date	Ruling	S Citation	W	C	D	Charge or amended charge	Total	Dispo	Payments	Balance
Kronenwetter											
1/16/2019	1/16/2019	Guilty	AC678002-3				OPERATING AFTER SUSPENSION (1ST)	(\$313.00)	T	\$313.00	\$0.00
Kronenwetter								(\$313.00)		\$313.00	\$0.00
Grand Total:								(\$313.00)		\$313.00	\$0.00

Marathon County Case Number 2020TR000505 County of Marathon vs. Michelle Marie Gee

Case summary

Filing date 02-04-2020	Case type Traffic Forfeiture	Case status Closed - Electronic filing
Defendant date of birth 03-1971	Address 2111 County Road X, Kronenwetter, WI 54455	DA case number

Charges

Responsible official Marcus, Sandra J.	Prosecuting agency District Attorney	Prosecuting agency attorney	Printable version
Defendant owes the court: \$0.00			
Count no. 1	Statute 343.44(1)(a)	Description Operating While Suspended	Severity Forf. U
			Disposition Guilty Due to No Contest Plea

Defendant

Defendant name Gee, Michelle Marie	Date of birth 03-1971	Sex Female	Race Caucasian
Address (last updated 02-04-2020) 2111 County Road X, Kronenwetter, WI 54455	JUSTIS ID	Fingerprint ID	

Citations

Citation AB3043095

Defendant name Gee, Michelle Marie	Date of birth 03-1971	Sex Female	Address (last updated 02-04-2020) 2111 County Road X, Kronenwetter, WI 54455
Bond amount \$200.50	Deposit type None	Appearance date and time 03-16-2020 10:00 am	Mandatory No
Plate number LL4518	State WI	Expiration 2020	VIN 1GNEK13ZX2R143561
Issuing agency Marathon County	Officer name	Violation date 02-04-2020	MPH over
Plaintff agency County of Marathon	Ordinance or statute Statute	Statute 343.44(1)(a)	Charge description Operating While Suspended
Severity Forf. U			

Court record

Date	Event	Court official	Court reporter	Amount
07-30-2020	Certificate of satisfaction of judgment/lien	Lang, Shirley		
07-30-2020	Full satisfaction			
07-30-2020	Reinstate drivers license			
06-25-2020	Suspension of drivers license for failure to pay	Marcus, Sandra J.		\$200.50
06-25-2020	Judgment for unpaid fine/forfeiture/other			\$200.50
03-18-2020	Notice of Default Judgment	Marcus, Sandra J.		
03-16-2020	Dispositional order/judgment	Marcus, Sandra J.		
03-16-2020	Default judgment entered	Marcus, Sandra J.	Tape recorder	
02-04-2020	Case initiated by electronic filing			
02-04-2020	Complaint filed			

Civil judgment details

Judgment for money

County
Marathon

Case number
2020TR000505

Caption
County of Marathon vs. Michelle Marie Gee

Judgment/lien date
06-25-2020

Total amount
\$200.50

Type of tax

Warrant number

Date and time docketed
06-25-2020 at 01:57 pm

Service/event date

Satisfaction
Full

Judgment status
Full satisfaction

Date
07-30-2020

Property/remarks

Civil judgment events

Date	Type	Amount
07-30-2020	Full satisfaction	

Judgment parties

Party type	Name	Dismissed	Status	Address	Attorney name
Debtor	Michelle Marie Gee	No	Active	2111 County Road X, Kronenwetter, WI 54455	
Creditor	Marathon County Clerk of Circuit Court	No	Active		

Costs / amounts

Description	Amount
Judgment amount	\$200.50

Total receivables

Court assessments	Adjustments	Paid to the court	Probation/other agency amount	Balance due to court	Due date
\$200.50	\$0.00	\$200.50	\$0.00	\$0.00	

Case search results

You searched for: Last name: KLATT, First name: MICHELLE, Middle name: M

Showing 1 to 20 of 20 entries

Case number	Filing date	County name	Case status	Name	Date of birth	Caption
2021CV000426	07-28-2021	Marathon	Closed	Klatt, Michelle		Shawn Klatt et al vs. Acuity, A Mutual Insurance Company et al
2019SC001590	05-13-2019	Marathon	Closed	Klatt, Michelle M		Valley Communités Credit Union vs. Michelle M Klatt
2016SC001874	10-13-2016	Marathon	Closed	Klatt, Michelle		Check and Cash vs. Michelle Klatt
2015SC001616	09-21-2015	Marathon	Closed	Klatt, Michelle		Cottonwood Financial Wisconsin, LLC vs. Michelle Klatt
2015SC001429	08-19-2015	Marathon	Closed	Klatt, Michelle M		Wausau Surgery Center of Wausau vs. Michelle M Klatt
2014SC002544	12-19-2014	Marathon	Closed	Klatt, Michelle		PLS Financial Solutions of Wisconsin, Inc PD397 vs. Michelle Klatt
2013SC002085	09-05-2013	Marathon	Closed	Klatt, Michelle M		Springleaf Financial Services of WI vs. Michelle M Klatt
2012SC003113	10-16-2012	Marathon	Closed	Klatt, Michelle M		Aspirus Wausau Hospital vs. Michelle M Klatt
2012SC000915	03-20-2012	Marathon	Closed	Klatt, Michelle M		Aspirus Wausau Hospital vs. Michelle M Klatt
2012SC000167	02-14-2012	Marinette	Closed	Klatt, Michelle M		Americredit Financial Services Inc vs. Michelle M Klatt
2011SC000472	02-14-2011	Marathon	Closed	Klatt, Michelle M		Back to Health Chiropractic Rehabilitation Center vs. Michelle M Klatt
2009SC004959	12-08-2009	Marathon	Closed	Klatt, Michelle M		Aspirus Clinics vs. Michelle M Klatt
2008SC000547	06-09-2008	Langlade	Closed	Klatt, Michelle M.		CoVantage Credit Union vs. Michelle M. Klatt
2008SC000051	01-03-2008	Marathon	Closed	Klatt, Michelle M		Aspirus Kronenwetter Clinic vs. Michelle M Klatt
2006SC000415	02-07-2006	Marathon	Closed	Klatt, Michelle M		Wisconsin Public Service vs. Michelle M Klatt
2005SC001223	05-31-2005	Eau Claire	Closed	Klatt, Michelle M.		Midelfort Clinic Ltd vs. Michelle M. Klatt
2005CV000196	03-28-2005	Eau Claire	Closed	Klatt, Michelle		Michelle Klatt vs. Hallie Chiropractic LLC
2005SC000456	01-28-2005	Marathon	Closed	Klatt, Michelle M		Marshfield Clinic vs. Michelle M Klatt
2004CV000588	09-02-2004	Eau Claire	Closed	Klatt, Michelle		Michelle Klatt et al vs. Jarred W. Gearing et al
1994FA000198	07-15-1994	St Croix	Closed	Klatt, Michelle		David A. Klatt vs Michelle Klatt



SPECIAL ADMINISTRATIVE POLICY COMMITTEE MEETING MINUTES

November 07, 2024 at 5:30 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

A. Pledge of Allegiance

B. Roll Call

PRESENT

Kelly Coyle

Chris Voll

Mary Solheim

Terry Lewis-Birkett

ABSENT

Jordyn Wadle-Leff

2. ANNOUNCEMENT OF CLOSED SESSION

NEW BUSINESS

Discussion & Action: Bauernfeind Maintenance Agreement

Motion by Coyle/Lewis-Birkett to recommend Village Board approve the contract with Bauernfeind Maintenance Agreement. Motion carried 4:0 by Voice Vote.

CLOSED SESSION

Consideration of motion to convene into closed session pursuant to Wis. Stat. 19.85 (1)(c) for consideration of employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility – to wit Interviewing Administrator Candidate Brian Della

Motion by Coyle/Lewis-Birkett to convene into close session. Motion carried 4:0 by roll call with the invitation to include Account Clerk-Sarah Fisher.

RECONVENE OPEN SESSION

Consideration of motion to reconvene into open session.

ACTION AFTER CLOSED SESSION

Continue to work with candidate.

3. ADJOURNMENT

Motion by Coyle/Voll to adjourn. Motion carried 4:0 by voice vote.

NOTE: Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made at least 24 hours in advance to the Village Clerk's office at (715) 693-4200 during business hours.

Posted: 11/05/2024 Kronenwetter Municipal Center and www.kronenwetter.org

Faxed: WAOW, WSAU, City Pages, Mosinee Times | Emailed: Wausau Daily Herald, WSAW, WAOW, Mosinee



UTILITY COMMITTEE MEETING MINUTES

November 12, 2024 at 5:45 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

@5:45PM

- A. Pledge of Allegiance
- B. Roll Call

2. PUBLIC COMMENT

Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this Village that Public Comment will take no longer than 15 minutes with a three-minute time period, per person, with time extension per the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.

3. APPROVAL OF MINUTES

- C. 2024 10 01 UC Meeting Minutes

PRESENT

Alex Vedvik
Craig Mortensen
Jim Buck
Bob Peterson

ABSENT

Cindy Lee Buchkowski-Hoffmann

4. REPORTS AND DISCUSSIONS

- D. Treasurer's Report
No questions
- E. Public Works and Utilities Monthly Report
Updated fee schedule. Submitted lead survey to DNR. Ditch Witch demo last week.

5. NEW BUSINESS

- F. Discussion & Possible Action: Becher Hoppe Drinking Water Treatment Facility Construction Update
Joe - Becher Hoppe- Filter vessels delivered and installed. Completion date changes. Asking for additional time for completion. New date of Jan 16, 2025. Kurita is the hold up on the date. Committee is requesting dates on when the orders were placed. No action until all information is gathered till Dec 3, 2024 Meeting.
Motion made by Peterson, Seconded by Mortensen.
Voting Yea: Vedvik, Mortensen, Buck, Peterson
- G. Discussion & Possible Action: RPS Update on Lift Station 2 & 6 Upgrade Projects

Robert Roth - LS 6 budget is \$100,00.00 general scope is electrical upgrade. Also valve and pipe upgrade with the bypass.

6. OLD BUSINESS

H. 2025 Proposed Water & Sewer Budget

Motion to approve sewer budget as is with a 4% sewer increase starting January 1.

Motion made by Buck, Seconded by Mortensen.

Voting Yea: Vedvik, Mortensen, Buck, Peterson by roll call vote

Motion to approve water budget as is with the fire hydrants be moved to capitol item

Motion made by Vedvik, Seconded by Buck.

Voting Yea: Vedvik, Mortensen, Buck, Peterson

7. NEXT MEETING: DECEMBER 3, 2024

8. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

1. Continued revisit budget and rate case.

9. ADJOURNMENT

Motion to Adjourn @ 7:53PM

Motion made by Peterson, Seconded by Mortensen.

Voting Yea: Vedvik, Mortensen, Buck, Peterson

WRITTEN COMMENTS: You can send comments on agenda items to kcoyle@kronenwetter.org

NOTE: *Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made at least 24 hours in advance to the Village Clerk's office at (715) 693-4200 during business hours.*

Posted: 11/11/2024 Kronenwetter Municipal Center and www.kronenwetter.org

Faxed: WAOW, WSAU, City Pages, Mosinee Times | Emailed: Wausau Daily Herald, WSAW, WAOW, Mosinee Times, Wausau Pilot and Review, City Pages



UTILITY COMMITTEE MEETING MINUTES

December 03, 2024 at 5:45 PM

Kronenwetter Municipal Center - 1582 Kronenwetter Drive Board Room (Lower Level)

1. CALL MEETING TO ORDER

@5:45PM

A. Pledge of Allegiance

B. Roll Call

PRESENT

Alex Vedvik

Jim Buck

Bob Peterson

ABSENT

Craig Mortensen

2. PUBLIC COMMENT

Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this Village that Public Comment will take no longer than 15 minutes with a three-minute time period, per person, with time extension per the Chief Presiding Officer's discretion. Be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments.

No Public Comment

3. REPORTS AND DISCUSSIONS

C. Utility Director Report

Overview by Greg Ulman - Water tower level has been lowered for the winter.

4. OLD BUSINESS

D. Discussion & Possible Action: Becher-Hoppe Update

Overview given by Joe from Becher Hoppe- Motion to table extension for 7 days to receive paperwork on when the order was placed with Kurita.

Motion made by Buck, Seconded by Peterson.

Voting Yea: Vedvik, Buck, Peterson

Becher Hoppe asked for \$8,000 in Admin cost to complete the project. Motion to authorize additional \$8,000 to be added to Construction services & request Becher Hoppe submit an itemized report of services rendered.

Motion made by Vedvik, Seconded by Buck.

Voting Yea: Vedvik, Buck, Peterson by roll

5. NEXT MEETING: JANUARY 7, 2025

6. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

Follow-up on Filtration plant

7. ADJOURNMENT

@7:33PM

Motion made by Peterson, Seconded by Vedvik.

Voting Yea: Vedvik, Buck, Peterson

WRITTEN COMMENTS: You can send comments on agenda items to kcoyle@kronenwetter.org

NOTE: *Requests from persons with disabilities who need assistance to participate in this meeting or hearing should be made at least 24 hours in advance to the Village Clerk's office at (715) 693-4200 during business hours.*

Posted: 12/2/2024 Kronenwetter Municipal Center and www.kronenwetter.org

Faxed: WAOW, WSAU, City Pages, Mosinee Times | Emailed: Wausau Daily Herald, WSAW, WAOW, Mosinee Times, Wausau Pilot and Review, City Pages



PLAN COMMISSION MEETING MINUTES

January 08, 2025 at 6:00 PM

Kronenwetter Fire Department Meeting Room

1. CALL MEETING TO ORDER

Village President Chris Voll called the January 8, 2025 Plan Commission Meeting to order at 6 p.m.

A. Pledge of Allegiance

Those in attendance were invited to recite the Pledge of Allegiance.

B. Roll Call

PRESENT: President Chris Voll, Trustee Ken Charneski, Dick Kvapil, Tony Stange (on phone), Bruce Sinkula, Rick Grundman, Dan Lesniak

STAFF: Community Development Director Peter Wegner, Clerk Jennifer Poyer

2. PUBLIC COMMENT

Guy Fredel, 2240 Ruby Drive, Kronenwetter, WI 54455 – Fredel reviewed the Village's five criteria for conditional use permits. He said each criterion requires a yes. He assessed each criterion to the Milestone Materials Conditional Use Permit Application and said it does not meet the criteria. (Documents distributed are attached to minutes.

Tom Burch, 833 State Hwy. 153, Mosinee, WI 54455 – Burch spoke to the possible Kowalski Road interchange and listed possibilities if it should happen in the future after the nonmetallic mining operation took place. Also talked of the necessity for the land to be raised because it is in the flood fringe.

Mitch Olsen – Milestone Materials Attorney – Olsen spoke to the current inactivity of TID 1. He said the nonmetallic mining operation would generate revenue and allow for future development. He said the issues regarding the TID are not sufficient to disallow the CUP.

3. APPROVAL OF MINUTES

C. 2024 10 21 PC Meeting Minutes

Motion by Kvapil, Charneski to approve the October 21, 2024 Plan Commission Minutes. Motion carried by voice vote. 7:0.

4. OLD BUSINESS

D. Discussion and possible action: Milestone Materials Conditional Use Permit Application for a Nonmetallic Mining Operation.

Motion by Charneski/Stange to deny the Milestone Materials Conditional Use Permit Application.

Motion carried by roll call vote. 6:1. Voting yea: Chris Voll, Ken Charneski, Dick Kvapil, Tony Stange, Bruce Sinkula, Dan Lesniak Voting nay: Rick Grundman

Discussed the nonmetallic mining operation's lack of meeting the Village's criteria for issuing conditional use permits. Discussed possible development opportunities after the completion of the mining operation. Discussed possibly adding conditions to the permit.

5. NEXT MEETING: January 20, 2025

6. CONSIDERATION OF ITEMS FOR FUTURE AGENDA

7. ADJOURNMENT

Motion by Lesniak/Voll to adjourn the January 8, 2024 Plan Commission Meeting. Motion carried by voice vote. 7:0.

Minutes prepared by Jennifer Poyer. Approved by the Plan Commission on February 17, 2025.

Meeting adjourned at 7:18 p.m.

The zoning administrator and building inspector shall issue no permits to enable commencement of building and other activities authorized by the conditional use permit and shall issue a stop-work order for any such activities already commenced.

- (2) The zoning administrator shall immediately notify the applicant and property owner of the appeal in writing and shall schedule the appeal for village board consideration.
- (3) The village board shall, by resolution, make a final decision to grant, with or without conditions, or to deny each application for a conditional use permit after receiving and reviewing the commission's findings and making its own findings as to whether or not the proposed use will satisfy the standards for approval set forth in subsection G and shall have all of the powers of the commission under this section. The village board's determination shall be final and subject to appeal to the circuit court under any procedure authorized by statute.

G. *Review criteria for conditional use permit.* Each requested conditional use permit shall meet the following criteria (achieve "yes" answers) to be approved:

- (1) Is the proposed conditional use in harmony with the comprehensive plan, this chapter, and any other plan, program, or ordinance adopted by the village?
- (2) The proposed conditional use does not, in its proposed location and as depicted on the required site plan, result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the comprehensive plan, or any other plan, program, map, or ordinance adopted by the village?
- (3) Does the proposed conditional use maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
- (4) Is the proposed conditional use located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities, or services provided by public agencies serving the subject property?
- (5) Do the potential public benefits of the proposed conditional use outweigh potential adverse impacts of the proposed conditional use, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts?

H. *Issuance and recording of permit.* Within 30 days following the granting of a conditional use permit, the zoning administrator shall issue to the applicant a written conditional use permit enumerating the details of the conditional use permit, including what land use(s) and/or development was approved and any conditions of approval. The zoning administrator shall record the conditional use permit against the property, assigning all costs thereof to the applicant.

LEGAL STATUS

Section 7, ItemL.

This site displays a prototype of a "Web 2.0" version of the daily Federal Register. It is not an official legal edition of the Federal Register, and does not replace the official print version or the official electronic version on GPO's govinfo.gov.

The documents posted on this site are XML renditions of published Federal Register documents. Each document posted on the site includes a link to the corresponding official PDF file on govinfo.gov. This prototype edition of the daily Federal Register on FederalRegister.gov will remain an unofficial informational resource until the Administrative Committee of the Federal Register (ACFR) issues a regulation granting it official legal status. For complete information about, and access to, our official publications and services, go to About the Federal Register on NARA's archives.gov.

The OFR/GPO partnership is committed to presenting accurate and reliable regulatory information on FederalRegister.gov with the objective of establishing the XML-based Federal Register as an ACFR-sanctioned publication in the future. While every effort has been made to ensure that the material on FederalRegister.gov is accurately displayed, consistent with the official SGML-based PDF version on govinfo.gov, those relying on it for legal research should verify their results against an official edition of the Federal Register. Until the ACFR grants it official status, the XML rendition of the daily Federal Register on FederalRegister.gov does not provide legal notice to the public or judicial notice to the courts.

LEGAL STATUS

Interstate System Access

A Rule by the Federal Highway Administration on 11/07/2024

PUBLISHED CONTENT - DOCUMENT DETAILS

Agencies: Department of TransportationFederal Highway Administration

Agency/Docket Number: Docket No. FHWA-2020-0006

CFR: 23 CFR 624

Document Citation: 89 FR 88118

Document Number: 2024-25757

Document Type: Rule

Pages: 88118-88128 (11 pages)

Publication Date: 11/07/2024

RIN: 2125-AF89

PUBLISHED DOCUMENT: 2024-25757 (89 FR 88118)

DOCUMENT HEADINGS

Department of Transportation

Federal Highway Administration

23 CFR Part 624

[Docket No. FHWA-2020-0006]

RIN 2125-AF89

Section 7, Item L.

AGENCY:

Federal Highway Administration (FHWA), U.S. Department of Transportation (DOT).

ACTION:

Final rule.

SUMMARY:

This final rule amends FHWA regulations governing changes in access to the Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System). As a condition of funding for Federal-aid highway projects, Federal law prohibits State departments of transportation (State DOT) from adding any point of access to or from the Interstate System **without the approval of the Secretary of Transportation**. This final rule codifies and clarifies existing policies and practices regarding State DOT requests for, and FHWA approval of, changes in access to the Interstate System.

DATES:

This final rule is effective December 9, 2024. Use of this new regulation is required for all State DOT requests for, and FHWA approval of, changes in access to the Interstate System documented in an Interstate Access Justification Report dated after December 9, 2025.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

Electronic Access and Filing

This document, as well as the notice of proposed rulemaking (NPRM) and all comments received, may be viewed online through the Federal eRulemaking portal at www.regulations.gov (<http://www.regulations.gov>) using the docket number listed above. Electronic retrieval help and guidelines are also available at www.regulations.gov (<http://www.regulations.gov>). An electronic copy of this document may also be downloaded from the Office of the Federal Register's website at www.FederalRegister.gov (<http://www.FederalRegister.gov>) and the U.S. Government Publishing Office's website at www.GovInfo.gov (<http://www.GovInfo.gov>).

Background and Legal Authority

It is in the national interest to preserve and enhance the Interstate System to meet the needs of the 21st century by ensuring that it provides the highest level of service in terms of safety and mobility. Full control of access along the Interstate mainline and ramps, along with control of access on the crossroad at interchanges, is critical to such service. Under 23 U.S.C. 111 (<https://www.govinfo.gov/link/uscode/23/111>) (section 111), **all agreements between the Secretary and State DOTs for the construction of projects on the Interstate System shall provide that the State will not add any points of access to, or exit from, the project in addition to those approved by the Secretary in the plans for such project, without the prior approval of the Secretary. Any change to an access point can potentially add or remove access from the Interstate System. Therefore, FHWA historically has interpreted the addition of an access point to include the addition of a new, or modification of an existing, interchange or access point along the Interstate System.**^[1]

The Secretary has delegated authority to administer section 111 to the Federal Highway Administrator pursuant to 49 CFR 1.85(a)(1) ([https://www.ecfr.gov/current/title-49/section-1.85#p-1.85\(a\)\(1\)](https://www.ecfr.gov/current/title-49/section-1.85#p-1.85(a)(1))). Section 111(e) allows FHWA to delegate to a State DOT authority to approve Interstate Access Justification Reports (IAJR) pertaining to certain changes in access to the Interstate System.

Statement of the Problem and Regulatory History

The FHWA published a NPRM on September 19, 2023 (88 FR 64388 (/citation/88-FR-64388)), seeking public comment on proposed amendments to its regulations to incorporate provisions governing changes in access to the Interstate System at new 23 CFR part 624 (<https://www.ecfr.gov/current/title-23/part-624>). The FHWA received 57

comments submitted to the docket from 19 commenters representing State DOTs, individuals, and planning organizations. After carefully considering the comments received in response to the NPRM, FHWA is promulgating final regulations with changes from the proposed regulatory text. The FHWA did not receive comments on the new information collection associated with this proposal, specifically the submittal of two reports that State DOTs have submitted to FHWA for years under the existing policy: the IAJR and the Programmatic Agreement (PA) annual report. (print page 88119)

To facilitate implementation of the statutory requirements regarding changes in access to the federally-funded Interstate System, FHWA recognizes a need to codify and clarify current practices, as set forth in FHWA policy, in regulations. When considering a request for a change in access to the Interstate System, FHWA examines the safety, operations, and engineering (SO&E) aspects of the requested change in access. Historically, FHWA has done this by relying on the information provided in an IAJR submitted by the State DOT. The IAJR contains the project layouts, technical analyses, and other information supporting the change in access request. To date, FHWA has determined whether to approve the request based on the factors listed in FHWA's policy on Access to the Interstate System (Policy).

The FHWA initially developed and published the Policy in October 1990 (55 FR 42670 (/citation/55-FR-42670)) due to numerous requests by States for additional clarity regarding the justification and documentation necessary to substantiate proposed changes in access to the Interstate System. The FHWA issued subsequent revisions in February 1998, August 2009, and May 2017. The February 11, 1998, revision (63 FR 7045 (/citation/63-FR-7045)) reflected the planning requirements of the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 (Pub. L. 102-240) as implemented in 23 CFR part 450 (<https://www.ecfr.gov/current/title-23/part-450>), to clarify coordination between the access request and environmental processes, and to update language. The FHWA issued the 2009 Interstate Access Policy (2009 Policy), published August 27, 2009 (74 FR 43743 (/citation/74-FR-43743)), to reflect the direction provided in Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59 (<https://www.govinfo.gov/link/plaw/109/public/59>)) to clarify the operational and safety analysis and assessment of impacts that provides the basis for proposed changes in access to the Interstate System. The 2009 Policy also updated language to reference Federal laws, regulations, and FHWA policies. Finally, FHWA issued the 2017 Interstate Access Policy (2017 Policy), dated May 22, 2017 (www.fhwa.dot.gov/programadmin/

fraccess.cfm (<http://www.fhwa.dot.gov/programadmin/fraccess.cfm>)), to reduce duplication with other project reviews. The 2017 Policy focused on the technical feasibility of any change in access in support of FHWA's determination of safety, operational, and engineering acceptability without including additional documentation related to other activities in the project development (i.e. planning, preliminary design, environmental analysis, final design, right-of-way acquisition, and construction) process. Codifying and clarifying current practices under the 2017 Policy in regulation facilitates implementation of the statutory requirements regarding changes in access to the Interstate System. This process is separate from the de-designation of Interstate segments that are processed through FHWA's Office of Planning, Environment, and Realty, and this rulemaking does not impact the separate de-designation process.

Interstate System Access Regulation at 23 CFR Part 624 (<https://www.ecfr.gov/current/title-23/part-624>)

This rule establishes requirements for the justification and documentation necessary for a State DOT to substantiate proposed changes in access to the Interstate System. These requirements are consistent with the existing policies and practices described above. It facilitates decisionmaking regarding proposed changes in access to the Interstate System in a manner that considers SO&E. Consistent with 23 U.S.C. 109(a)

(<https://www.govinfo.gov/link/uscode/23/109>) and (b)

(<https://www.govinfo.gov/link/uscode/23/109>) and 23 U.S.C. 111

(<https://www.govinfo.gov/link/uscode/23/111>), new or modified points of access to the Interstate System must be approved by FHWA if a Federal-aid project agreement has ever been executed on the segment of Interstate highway impacted by the proposal. To facilitate these approvals, such new or modified points of access must be developed in accordance with the requirements of this regulation. In addition, new or modified points of access must comply with the requirements in 23 CFR part 625

(<https://www.ecfr.gov/current/title-23/part-625>), Design Standards for Highways. As discussed in § 624.8, change in access requests will not be accepted from other parties besides a State DOT. Thus, for projects that do not include State DOT involvement, such as discretionary grants awarded directly to local government entities, any change in access requests must come from the appropriate State DOT.

The FHWA's decision to approve new or revised access points to the Interstate System must be supported by information justifying and documenting the proposed change in access. Therefore, the decision to approve a request is dependent on the IAJR demonstrating that the proposed change in access will not result in a significant adverse impact on the Interstate System traffic operations or the safety in the project's area of influence. In addition, the proposed access must connect to a public road, provide for all traffic movements, be designed to meet or exceed current standards, and demonstrate that the change in access can be clearly and adequately signed.


This regulation identifies the requirements for the change in access request and documentation necessary to substantiate any request that is submitted by a State DOT to FHWA for approval. Once the State DOT's analysis is completed, the analysis must be documented in the form of a standalone IAJR and submitted by the State DOT to FHWA for a SO&E determination. The FHWA expects that an IAJR will be clearly written for someone who is not familiar with the project, the area, or the State. The technical analysis presented in the IAJR enables FHWA to make an informed decision about safety and operational impacts of the change in access to the Interstate System and make the SO&E determination based on those impacts.

The regulation does not alter or restrict the option for FHWA to delegate approval authority for the determination of SO&E acceptability of IAJR to a State DOT pursuant to 23 U.S.C. 111(e) (<https://www.govinfo.gov/link/uscode/23/111>). Nor does it alter a State DOT's ability to assume FHWA environmental review responsibilities under 23 U.S.C. 326 (<https://www.govinfo.gov/link/uscode/23/326>) (State assumption of responsibility for categorical exclusions (CE)) or 23 U.S.C. 327 (<https://www.govinfo.gov/link/uscode/23/327>) (Surface Transportation Project Delivery Program). The FHWA may grant final approval of an Interstate System change in access request once a favorable SO&E determination has been made by FHWA, and the applicable transportation planning, conformity, and National Environmental Policy Act (NEPA) procedures have been completed. In addition, the alternative selected and approved in the NEPA decision must also be the subject of a favorable SO&E determination. The FHWA retains authority for final approval of changes in access to the Interstate System under the regulation, consistent with current practice.

The section-by-section analysis provides a detailed discussion of the final rule.

Section-by-Section Discussion

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The FHWA received 57 comments submitted to the docket from 19 commenters representing State DOTs, individuals, and planning organizations. The following summarizes the comments received and FHWA's responses to the most significant issues raised in the comments. This section discusses the changes to 23 CFR part 624 (<https://www.ecfr.gov/current/title-23/part-624>) that FHWA is making in this final rule. For each section, FHWA describes the final rule, explains how, if at all, it differs from the proposed change described in the NPRM, and states the reasons for any changes from the proposal. ( print page 88120)

General Comments

Comment: The commenters recommended that the name of the technical report required for the justification and documentation of requests for changes in access to the Interstate System be changed from “Interstate Justification Report” to a name that clearly identifies the purpose of the documentation that is provided in the report.

Response: Section 111(e), Title 23 U.S.C., uses the term, “Justification Report” when referring to the technical report developed for the purpose of justifying new or modified access to the Interstate System. States have used various names for these reports to more closely describe the purpose of the report. The FHWA does not propose to require States to use one name for the justification reports but agrees with the commenters that a name more consistent with the purpose of the report would be beneficial. The name of the report has been revised to “Interstate Access Justification Report” throughout part 624.

Comment: A commenter inquired if the 2010 Interstate System Access Informational Guide will be revised to accompany this new Federal Rule.

Response: The FHWA is examining the Interstate System Access Information Guide consistent with the provisions of this final rule.

Comment: One commenter recommended adding information to explain when the final rule will take effect and to which IAJRs it would apply.

Response: The effective date of this regulation is shown above under **DATES** . Use of this new regulation is required for all State DOT requests for, and FHWA approval of, changes in access to the Interstate System documented in an IAJR dated after December 9, 2025.

Comment: One individual recommended that the Policy be returned to the 2009 version of the Policy.

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Response: The streamlined Policy adopted in 2017 eliminated duplicative documentation with other project reviews and has been meeting the needs of the statute. No change was made in the final regulatory text.

§ 624.1 Purpose

Consistent with the proposed regulatory text contained in the September 19, 2023, NPRM, FHWA sets forth the purpose of Part 624 in § 624.1. No change was made in the final regulatory text.

§ 624.3 Applicability

Consistent with the proposed regulatory text, § 624.3 specifies the conditions under which proposed part 624 is applicable. Changes were made to the proposed regulatory text to add two more exceptions in § 624.3(d) and (e) based on comments received.

In § 624.3(d), an exception was added to exclude access to State maintenance facilities located within the Interstate right-of-way and not open to the public from this regulation. Section 111, Title 23 U.S.C., provides the statutory authority for the Interstate System Access rulemaking. The statute applies to added or modified connections from outside of the right-of-way or connections between Interstate highways. State maintenance facilities located within the right-of-way with no connections outside of the right-of-way are not subject to these requirements. Access to these facilities should be evaluated by the State DOT to ensure the design of access points will not have a significant adverse impact on safety and operations.

In § 624.3(e), an exception was added to exclude access points to non-freeway sections of the Interstate System located in Alaska or Puerto Rico with average daily traffic volumes less than 400 vehicles per day from this regulation. The Interstate System in Alaska and Puerto Rico are subject to different design standards under 23 U.S.C. 103 (<https://www.govinfo.gov/link/uscode/23/103>), therefore their Interstate System highways are sometimes two-lane rural highways. This exception applies to non-freeway Interstate System segments located in Alaska or Puerto Rico with average daily traffic volumes less than 400 vehicles per day. In such cases, the FHWA Division Administrator shall determine the level of analysis required to secure FHWA approval of the access modification.

Comment: Regarding the applicability of the regulation in § 624.3, a commenter recommended flexibility for Alaska to approve certain types of access that are less than interchange/freeway situations, noting that Alaska is permitted to follow geometric and construction standards that differ from other States and that much of their Interstate system are low volume roads. They requested clarification be added to § 624.3 Applicability or § 624.13 Programmatic Agreement.

Response: Section 111(e), Title 23 U.S.C., provides some flexibility for State DOTs to approve justification reports through the Interstate System Access PA process. The FHWA can provide assistance with exploring the PA process and how it pertains to Alaska's circumstances. The FHWA has revised § 624.3 to clarify an exception for low volume connections to non-freeway segments of the Interstate System located in Alaska or Puerto Rico.

Comment: A commenter requested clarification on whether the exemption in § 624.3(b) includes maintenance access to support facilities such as stormwater management ponds, and other maintenance installations, that are located within the Interstate System right-of-way.

Response: Maintaining stormwater management ponds and other supportive infrastructure would be treated similar to mowing grass along the Interstate, which does not require Interstate Access approval. State DOTs would follow their processes and procedures to ensure that current standards are applied to develop and implement a traffic control plan that maintains safety and operations along the Interstate when maintenance activities are performed. This rulemaking will not impact routine maintenance activities performed within the right-of-way to maintain Interstate facilities. No change was made in the final regulatory text. However, in response to another comment, a new exception was added to the regulatory text in § 624.3 to provide an exception for State maintenance facilities located within the Interstate right-of-way.

Comment: A commenter sought clarification on whether the exemption in § 624.3(b) applies to access to State DOT salt sheds or other maintenance facilities not open to the public and accessible to vehicles only to and from the Interstate System.

Response: Access to State DOT salt sheds or other State maintenance facilities within the Interstate System right-of-way that are not open to the public should be evaluated by the State DOT to ensure the design of access points will not have a significant adverse impact on safety and operations. The FHWA has added an exception to the applicability of this regulation in § 624.3(d) to provide an exception for State maintenance facilities located within the Interstate right-of-way and not open to the public.

Comment: Regarding the exception provision in § 624.3(c), a commenter noted that connection ramps between toll facilities and general-purpose lanes often have a significant impact on the operation and safety of the general-purpose lanes, particularly concerning merging and diverging movements. They recommended further clarification regarding this exception. (print page 88121)

Response: Section 111, Title 23 U.S.C., provides the statutory authority for the Interstate System Access rulemaking. The FHWA interprets that the statute applies to added or modified connections from outside of the right-of-way or connections between Interstate highways. The FHWA Policy has been to exclude changes in access between managed lanes and general purpose lanes from FHWA review and action, as noted in the 2010 *Interstate Access Informational Guide*, section 3.3.2. The guide is available at www.fhwa.dot.gov/design/interstate/pubs/access/access.pdf (<http://www.fhwa.dot.gov/design/interstate/pubs/access/access.pdf>). The FHWA agrees that it is important for State DOTs to carefully consider the safety and operational impacts of connections between managed lanes and general purpose lanes, but an IAJR is not required because no connections are provided from outside of the right-of-way or between Interstate highways. No change was made in the final regulatory text.

§ 624.5 Definitions

Changes to the proposed regulatory text were made based on comments received pertaining to the definitions in § 624.5. The definition for *Access Point* was revised to include connections to managed lanes, such as high-occupancy vehicle (HOV) lanes, value priced lanes, high-occupancy toll (HOT) lanes, or exclusive or special use lanes, since they are part of the Interstate System and access to them must be controlled. While connections between managed lanes and general purpose lanes on the same Interstate highway are exempted from this regulation under § 624.3(c), inclusion here clarifies that other connections to managed lanes are subject to this regulation. A definition for *Final Approval* was added for clarity. The name for the technical report submitted by the State

was changed to *Interstate Access Justification Report (IAJR)* to clarify that the report addresses access to the Interstate System, not justification for the Interstate overall. Consistent with the revised definition of *Access Point*, the definition of the *Interstate System* was revised to include managed lanes because these are a critical part of the Interstate System. The definition of the *Interstate System* was also revised to include portions of frontage roads that function as part of an interchange by providing movements to and from the crossroad. Since publishing the proposed rule, FHWA has fielded technical assistance questions regarding frontage roads and determined it important to clarify this point in the definition, consistent with guidance found at www.fhwa.dot.gov/planning/national_highway_system/interstate_highway_system/frontage.cfm (http://www.fhwa.dot.gov/planning/national_highway_system/interstate_highway_system/frontage). Access to frontage roads should be fully controlled in the vicinity of ramp gores, as described in the American Association of State Highway and Transportation Officials *A Policy on Design Standards—Interstate System*, 2016, which has been adopted by FHWA as a standard in § 625.4(a)(2). New or modified access to the frontage road is controlled by the State DOT and an IAJR under this regulation is not required. Therefore, the reference to a portion of frontage roads has not been added to the definition of *Access Point* in the final regulatory text. The definition for *safety rest area* was modified to limit the scope of the definition for the purposes of this regulation to safety rest areas located within the Interstate System right-of-way.

Comment: One individual suggested that the definition of “Access Point” in § 624.5 was not precise enough and could cause some ambiguity in the interpretation of what constitutes an access point to the Interstate System. They suggested FHWA specify the type and configuration of the access point, such as whether it is a ramp, a lane, a road, or a bridge, and how it connects to the Interstate mainline or crossroad.

Response: The definition of “Access Point” is centered on connections to Interstate System elements such as through lanes or shoulders, managed lanes, collector-distributor roads, or ramps that would provide direct access to the Interstate System consistent with the 1990 and 1998 policies. It is not specific to the type and configuration of the access point. Consistent with changes to the definition of “Interstate System” in § 624.5, the definition for *Access Point* was revised to include connections to managed lanes, such as HOV lanes, value priced lanes, HOT lanes, or exclusive or special use lanes, since they are part of the Interstate System and access to them must be controlled. While connections

between managed lanes and general purpose lanes on the same Interstate highway exempted from this regulation under § 624.3(c), inclusion here clarifies that other connections to managed lanes are subject to this regulation.

Comment: A commenter recommended expanding the definition of “Change in Access” in § 624.5 to exclude modification of an entrance or exit ramp location by less than 200 ft with no change in the number of access points or interchange configuration.

Response: The FHWA has determined that establishing a specific distance is not appropriate because each location is unique. The 2010 *Interstate Access Informational Guide*, section 3.3.2 lists some project types that may not require FHWA review and action, including shifts in a ramp's location within the same interchange configuration when the resulting ramp spacing will meet FHWA's design criteria adopted in § 625.4. No change was made in the final regulatory text.

Comment: A commenter recommended providing a definition in § 624.5 for “Final Approval” because it is unclear to what the final approval applies.

Response: The FHWA agrees with the suggestion and has added a definition for “Final Approval” in § 624.5.

Comment: One individual recommended that the definition of “Interstate System” be modified to include managed lanes (HOV lanes, etc.).

Response: The FHWA agrees that managed lanes within the Interstate right-of-way function as part of Interstate and impact the operations of the Interstate facility. The definition for the “Interstate System” in § 624.5 was modified to include managed lanes (including HOV lanes, value priced lanes, HOT lanes, or exclusive or special use lanes).

Comment: A commenter inquired whether a State DOT can install locked gate access for maintenance of the Interstate System without FHWA approval.

Response: The change in definition of an “Access Point” in § 624.5 allows State DOTs to install locked gate access without FHWA approval if the access does not provide a connection to the through lanes or shoulders, managed lanes, collector-distributor roads, or ramps on the Interstate System. No change was made in the final regulatory text.

Comment: A commenter inquired in § 624.5 about the definition of “Access Point” differentiating between locked gate access for vehicular use versus an access point for bikes and pedestrians.

Response: Locked gate access that provides a connection to through lanes or shoulders, managed lanes, collector-distributor roads, or ramps on the Interstate System will require an IAJR documenting an analysis to determine the safety, operations, and engineering aspects of the change. There is no distinction based on the mode of travel. Access points for pedestrians and bicyclists that do not connect to the roadways that comprise the Interstate System are not subject to this part. Coordination with FHWA is required to determine if a right-of-way use agreement is required in accordance (□ print page 88122) with 23 CFR 710.405 (<https://www.ecfr.gov/current/title-23/section-710.405>) and to evaluate any potential impact to the Interstate System safety or operations. No change was made in the final regulatory text.

Comment: Several commenters recommended amending the definition of “Safety Rest Area” in § 624.5 to include language that specifies the safety rest areas are within the Interstate right-of-way.

Response: Part 624 provides requirements for consideration of changes in access to the Interstate System. Safety Rest Areas located outside of the Interstate right-of-way with no connection to the Interstate System are not subject to the requirements of part 624. To clarify this point, FHWA revised the definition in § 624.5 of the final regulatory text to clarify that “Safety Rest Area” means a safety rest area that is located within the Interstate System right-of-way.

Comment: A commenter recommended clarifying the applicability of this part 624 to facilities serving active transportation users such as pedestrians, bicyclists, and micromobility users; and clarifying the intent of the NPRM language as it relates to all road users. A commenter also recommended clarifying the intended user application in the definitions or clarifying the steps required for bike/pedestrian/etc. facilities only.

Response: “Access point” is defined in § 624.5 as a permanent connection to facilities comprising the Interstate System, such as the through lanes or shoulders, managed lanes, collector-distributor roads, or ramps. There is no distinction based on the mode of travel. Access points for pedestrians and bicyclists that do not connect to the roadways that

comprise the Interstate System are not subject to this part. Coordination with FHWA required to determine if a right-of-way use agreement is required in accordance with 23 CFR 710.405 (<https://www.ecfr.gov/current/title-23/section-710.405>) and to evaluate any potential impact to the Interstate System safety or operations. No change was made in the final regulatory text.

Comment: Several commenters asked for additional clarity on the definition of area of influence and recommend expanding the definition to include more detail.

Response: The definition of “Area of Influence” (AOI) in § 624.5 provides a basic understanding how the AOI extents are determined. Section 624.11(b)(3) provides the framework for determining the minimum extent of the AOI. The safety and operational impacts of the proposed change in access impel the need to extend the limits, as necessary, to support making an informed decision based on the consequences of the project. The FHWA should be consulted early in this process to ensure the proposed limits are adequate to evaluate the request for a change in access to the Interstate System. No change was made in the final regulatory text.

§ 624.7 Interstate System Access Requirements

Consistent with the proposed regulatory text, § 624.7 specifies the requirements applicable to Interstate System access. The phrase “safety for all roadway users” was replaced with “safety for all users of the transportation system” to be consistent with Agency guidance and clarify that this statement applied to all users of the transportation system, including trail users, rather than only users of the roadway. This change is also consistent with BIL language regarding Complete Streets. In addition, changes were made based on comments received. In § 624.7(a), the requirements regarding the currency for the operational and safety data used in the analysis have been separated to clarify that the safety analysis shall include the most recent 3 years of available safety data. The FHWA did not intend to limit safety data to 5 years. If the State DOT believes the older data is relevant based on the context of the project, it can be included in the safety data set for the project, as long as the most recent safety data is included. In § 624.7(f)(4), FHWA added an additional scenario where FHWA may grant an exception to the requirements in paragraphs (b) through (d) for locked gate access to a safety rest area from a local public road for the limited purpose of providing access to safety rest area employees, deliveries, and emergency vehicles.

Comment: A commenter recommended in § 624.7 that FHWA provide a time limitation guideline for microsimulation data so that there is no misunderstanding when agencies use microsimulation.

Response: The purpose of this requirement is to provide a general limitation on the age of data used in a traffic analysis. The FHWA provides guidance for applying microsimulation modeling software in the FHWA Traffic Analysis Toolbox Volume III. (

<https://ops.fhwa.dot.gov/publications/fhwahop18036/index.htm>

(<https://ops.fhwa.dot.gov/publications/fhwahop18036/index.htm>)). Coordination with FHWA is recommended when developing State specific guidance for traffic analysis tools. No change was made in the final regulatory text.

Comment: Several commenters expressed concern about references in § 624.7 of the preamble to the 3-year travel demand model update timeframe, noting that while there is a 3-year requirement for the development of the Metropolitan Transportation Plans in non-attainment areas, no baseline requirement for this frequent of a model update exists for areas in attainment with National Ambient Air Quality Standards.

Response: The FHWA is not imposing new requirements for updating travel demand models on a 3-year cycle. The intent of § 624.7(a) is to ensure that reasonably current traffic data is being used in the operational analysis for justification reports since these reports provide the basis for decisionmaking. No change was made in the final regulatory text.

Comment: A commenter sought clarification on whether the traffic data requirement in § 624.7 applies outside of the metropolitan planning organizations (MPO).

Response: The traffic data requirement in § 624.7 applies to all requests for new or modified access to the Interstate System. No change was made in the final regulatory text.

Comment: A commenter sought clarification on what constitutes a partial interchange, particularly where a single interchange serves more than one crossroad in § 624.7.

Response: A partial interchange is an interchange that does not provide all of the basic movements, as defined in § 624.5. Movements can be accomplished utilizing more than one crossroad in close proximity where those crossroads are connected by frontage roads

without being considered a partial interchange. For example, a split diamond interchange configuration can reduce the number of movements within each interchange and serve multiple crossroads. No change was made in the final regulatory text.

Comment: A commenter sought clarification regarding the § 624.7 preamble discussion on existing and projected land uses that should be examined as part of the proposed access modification.

Response: Section 624.7(a) requires that proposals for modified access consider the traffic operations and safety for all users of the transportation system in the project's area of influence, both now and in the future. Examining existing and projected land uses are a critical factor in these analyses. The scope of the review should include local future land use plans and approved developments. The design should be compatible with the communities' goals and needs that are demonstrated in their plans and policies which ensures a design that fits land use contexts of the (print page 88123) community. No change was made in the final regulatory text.

Comment: A commenter recommended in § 624.7 that FHWA consider specifically mentioning the Highway Safety Manual methodologies.

Response: There are several safety analyses tools and techniques (quantitative or qualitative) that can be deployed to analyze build and no-build configurations of a proposed access modification. The FHWA does not require the use of any specific tool. The FHWA encourages the use of appropriate tools in a scope commensurate with the project complexity. No change was made in the final regulatory text.

Comment: Commenters suggested in § 624.7 that FHWA include more clarity on the definition of a significant adverse impact and asked whether State DOTs should work with FHWA to determine the significance of impacts. Two individuals suggested that FHWA provide objective and quantifiable criterion for determining the significance of an impact and provide more requirements in metro areas for determining whether a proposed change in access has a significant adverse impact on the safety or operations of the Interstate System.

Response: Defining a threshold for significant adverse impact is difficult without understanding the context of the unique project conditions and the users impacted. Based on the safety and operations analyses, judgement is used to determine whether an adverse impact is significant and employ mitigation to address concerns identified. State DOTs are encouraged to coordinate with FHWA to assist with determining the significance of impacts. No change was made in the final regulatory text.

Comment: A commenter is concerned that in § 624.7(a) adding "safety for all users within the project's area of influence" would add time to project scoping to define area of influence for each individual Interstate Access Point Approval project.

Response: The DOT is committed to the long-term goal of reaching zero roadway fatalities and has adopted the Safe System Approach to help address the crisis on our roadways. The Safe System Approach is the guiding paradigm of the National Roadway Safety Strategy (NRSS), and we are dedicated to implementing the actions outlined in the NRSS to move us closer to our zero deaths goal. Safety for all users, rather than focusing only on motor vehicle operators, must be our focus to reach this goal. This provision of § 624.7(a) ensures that proposals to modify access examine the impacts to all users of the transportation system and seize opportunities to improve the safety for vulnerable users when developing an access request. To that end, the existing and projected land use along the crossroad should be examined and opportunities to improve connectivity for pedestrian and bicycle travel should be considered as part of the access modification. This ensures the proposed design fits the land use contexts in the community in which the project is built. No change was made in the final regulatory text.

Comment: Regarding § 624.7(a), several commenters asked for clarification on whether data sets that include crash data more than 5 years old may be utilized in the safety evaluation.

Response: The purpose of this requirement is to ensure the most recent crash data available is being used to support the analysis. Using crash data that is outdated would not provide an accurate assessment of the safety performance of the facility because there may have been significant changes to travel patterns and conditions as evidenced by the need for the proposed access modifications. If the data collection includes data that is more than 5 years old and the State DOT believes the older data is relevant based on the context of the project, it can be included in the data set for the project, as long as the most

recent data is also included. Coordination with FHWA in these situations would be recommended to discuss the justification for using older data in addition to recent data. The FHWA agrees that clarification is needed and revised § 624.7(a) to require the use of at least the most recent 3 years of available safety data.

Comment: Commenters recommend extending the time period in § 624.7(a) for which traffic and safety data is accepted for analysis beyond 5 years with a traffic validation.

Response: In FHWA's experience, the 5-year window will generally allow State DOTs to utilize the latest model developed by the MPO in which the project falls, if applicable. If the State DOT is performing an analysis and the MPO data is more than 5 years old, the State may develop their own data suitable for the analysis. It is critical for FHWA to evaluate a proposed access modification based on reasonably current data, keeping in mind that the State DOT may not begin construction for up to another 5-year period following an affirmative SO&E determination, in accordance with § 624.9(e). No change was made in the final regulatory text.

Comment: Commenters recommend in § 624.7(a) that FHWA clarify when the 5-year time period will be applied, specifically at the time of submission to FHWA.

Response: This requirement applies to the time period when the IAJR is submitted to FHWA. However, if there are significant delays in addressing initial FHWA comments and resubmitting the report to FHWA, then there may be a need for the State DOT to verify the data. State DOTs are encouraged to coordinate with FHWA early in the process when developing requests for Interstate System access to avoid significant delays to the review and approval processes.

Comment: A commenter recommended adding language to § 624.7(a) to suggest that safety hotspots identified within the area of influence but outside of the project limits should be communicated to the jurisdiction responsible for that roadway.

Response: The intent of the area of influence is to determine the comprehensive safety and operational impacts of the proposed access modification. If it is determined that the project is significantly impacting safety within the area of influence, then the project

should mitigate for the impacts. The State DOT may need to coordinate with other jurisdictions to ensure local impacts are addressed. No change was made in the final regulatory text.

Comment: A commenter recommended in § 624.7(a) replacing the “or” with an “and”, and inserting the “20-year” traffic projection.

Response: The FHWA uses “or” to indicate that both the operations of the Interstate System and safety for all users in the projects area of influence are important and should be considered when developing a project. If there is a significant impact to either, the project would need to adequately address the impacts identified. Regarding future traffic projections, the 20-year traffic projection requirement is contained in 23 U.S.C. 109(b) (<https://www.govinfo.gov/link/uscode/23/109>) and must be addressed as part of the analysis, but is not the focal point of this regulation. No change was made in the final regulatory text.

Comment: A commenter sought clarification on whether § 624.7(b) would prohibit a private road or commercial entrance from being located directly across a public roadway from the access point.

Response: The intent of this provision is to prevent access point connections that connect directly to private developments, parking lots, or private roads to ensure that the access point connection will remain open to the public and receive routine maintenance. A private connection across the public roadway from the terminus of the ramp (□ print page 88124) at a crossroad is not expressly prohibited. However, as stated in *A Policy on Design Standards—Interstate System* published by the American Association of State Highway and Transportation Officials in 2016, which is the adopted standard under § 625.4(a)(2), controlling access on crossroads in the vicinity of interchanges can provide significant benefits to traffic operations and safety performance through the interchange area. For example, if a connection is made opposite an exit ramp terminus, the design needs to mitigate the potential for wrong way movements on the exit ramp. No change was made in the final regulatory text.

Comment: A commenter recommends adding language that would allow gated access for rest area employees and deliveries via local roads without direct access to the Interstate.

Response: The FHWA has determined that allowing a locked gate access for the limited purpose of providing access to safety rest area employees, deliveries, and emergency vehicles via local roads would be in the public interest by removing this traffic from the Interstate System. The FHWA has revised § 624.7(f) to add an exception for this purpose.

§ 624.9 Approval Process

Consistent with the proposed regulatory text, § 624.9 sets out the approval process for a change in access to the Interstate System. The phrase “congestion management process” was removed from § 624.9(d)(1) because this process is covered in the transportation planning regulations at 23 CFR part 450 (<https://www.ecfr.gov/current/title-23/part-450>)—Planning Assistance and Standards. A minor change to the proposed regulatory text was made to change the reference to the technical report from IJR to IAJR, consistent with the revised definition.

Comment: A commenter recommended including an appeal process for when the FHWA's decision differs from the State DOT's recommendation.

Response: The FHWA is supportive of State DOTs when it comes to developing and building projects. Early coordination between the State DOT and FHWA can help ensure that FHWA concerns are addressed early in the process. In the event FHWA's decision differs from the State DOT's recommendation, FHWA is open to having discussions with the State DOT to work on finding a path forward to ensure the project meets the safety and operational needs of the Interstate System Access process. No change was made in the final regulatory text.

Comment: Commenters recommended in § 624.9 that FHWA provide timeframes for the review and the steps involved in the approval process.

Response: Section 624.9 provides the framework of the process to receive approval for a proposed change in access. The State DOT is responsible for developing their policies and procedures as related to submitting requests for proposed changes in access. The State DOT may coordinate with FHWA to determine specific timeframes based on their policies and procedures. No change was made in the final regulatory text.

Comment: A commenter seeks clarification in § 624.9(d) on whether the SO&E determination can be made after a favorable NEPA decision.

Response: The SO&E determination can be made before or after receiving an approval from the State DOT. No change was made in the final regulatory text.

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Comment: A commenter seeks clarification on whether the NEPA decision or the SO&E determination can occur independently from one another. They also seek to clarify, if a State DOT can decide to advance the NEPA process or the IAJR first.

Response: In § 624.9(d), FHWA provides the conditions that must be met for a State DOT to receive Final approval for a proposed change in access. The FHWA does not determine the order in which a State DOT advances the transportation planning, conformity, and NEPA requirements or seeks a SO&E determination for a proposed change in access. A State DOT can decide to advance either the NEPA process or the IAJR first or in parallel. No change was made in the final regulatory text.

Comment: In § 624.9(e), a commenter recommended extending the time period in between affirmative SO&E determination and proceeding to construction to 6 years while keeping a maximum of 10 years from the time the data was collected.

Response: The 5-year time period commencing after an affirmative SO&E determination for proceeding to construction provides up to 10 years to develop and begin construction on a project, but the 10-year window is not specified in the regulation, as proposed. If the project has not progressed to construction within 5 years of receiving an affirmative SO&E determination, FHWA has flexibility to allow the project to proceed to construction based on verification from the State DOT demonstrating that the requirements of § 624.7 are still met. No change was made in the final regulatory text.

Comment: Several commenters expressed support for extending the time period for projects to commence construction from 3 to 5 years in § 624.9(e). Several commenters would also welcome a further increase to the 8 years previously allowed under the 2009 Policy.

Response: In FHWA's experience, 5 years strikes the right balance of moving forward with projects based on reasonably current data versus requiring repetitive updates of access modification proposals by State DOTs. No change was made in the final regulatory text.

§ 624.11 Interstate Access Justification Report

Section 7, ItemL.

Consistent with the proposed regulatory text, § 624.11 sets out the minimum requirements for the technical report submitted by the State for a change in access to the Interstate System. A minor change to the proposed section title and regulatory text was made to change the name of the technical report to *Interstate Access Justification Report (IAJR)*, consistent with the revised definition.

Comment: A commenter seeks clarification in § 624.11(a) on what “other documents” means.

Response: “Other documents” means any document other than the IAJR that are often referenced in the IAJR but may not be available to the FHWA reviewer. As noted in the parentheses, these include feasibility studies, NEPA documents, or preliminary engineering reports that were developed by a State DOT during their project development process. No change was made in the final regulatory text.

Comment: In § 624.11(b)(3), a commenter recommended revising the minimum limits of the Area of Influence to an adjacent interchange within 2 miles of the proposed change in access, rather than the adjacent interchange with no limit on the distance.

Response: Section 624.11(d) provides FHWA with flexibility to determine the extent of the safety and operational analysis based on the complexity of the project. The State DOT can coordinate with FHWA to discuss and provide justification for proposed analysis limits for a project. No change was made in the final regulatory text.

Comment: A commenter recommended that § 624.11(b)(3) provide flexibility to shrink as well as expand the analysis limits based on the project complexity.

Response: Section § 624.11(b)(3) provides flexibility to extend the analysis to ensure that the limits are appropriate to fully understand the (print page 88125) impact of the proposed changes in access on the Interstate System and local road network. Section § 624.11(d) provides flexibility to determine the extent of the analysis (shrink the limits, if justified) based on the complexity of the project. The State DOT can coordinate with FHWA to discuss and provide justification for proposed analysis limits for a specific modification

request. In addition, the 2010 *Interstate Access Informational Guide*, section 3.3.2 lists some project types that may not require FHWA review and action. No change was made in the final regulatory text.

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Comment: A commenter suggested that § 624.11(c) include more detailed language on wrong way movements to focus on isolated exit ramps without a corresponding entrance ramp.

Response: Section 624.11(c) provides the requirements and considerations that must be addressed when seeking approval for a partial interchange. The proposed regulatory text requires that the potential for wrong-way movements be addressed as part of the justification for a partial interchange, while allowing State DOTs to provide the justification appropriate for each specific proposal. No change was made in the final regulatory text.

§ 624.13 Programmatic Agreement

Consistent with the proposed regulatory text, § 624.13 specifies the provisions a State DOT must follow if they wish to enter into a PA with FHWA that would delegate to the State DOT responsibility for making SO&E determinations on behalf of FHWA in accordance with 23 U.S.C. 111(e) (<https://www.govinfo.gov/link/uscode/23/111>) and section 1318(d) of the Moving Ahead for Progress in the 21st Century Act (MAP-21). No change was made in the final regulatory text.

Rulemaking Analyses and Notices

Executive Order 12866 (/executive-order/12866) (Regulatory Planning and Review), Executive Order 13563 (/executive-order/13563) (Improving Regulation and Regulatory Review), and DOT Rulemaking Policies and Procedures

The Office of Management and Budget (OMB) has not designated this rule a significant action under section 3(f) of Executive Order (E.O.) 12866. Accordingly, OMB has not reviewed it. This action complies with E.O.s 12866 and 13563 to improve regulation. This final rule codifies existing policy, processes and procedures relating to new or modified access to the Interstate System. The FHWA anticipates that this rule does not adversely affect, in any material way, any sector of the economy. In addition, the rule does not interfere with any action taken or planned by another agency and does not materially alter the budgetary impact of any entitlements, grants, user fees, or loan programs. The rule

also does not raise any novel legal or policy issues. The FHWA anticipates that the economic impact of this rulemaking will be minimal; therefore, a full regulatory evaluation is not necessary.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 601-612 (<https://www.govinfo.gov/link/uscode/5/601>)), FHWA has evaluated the effects of this rule on small entities, such as local governments and businesses. Based on the evaluation, FHWA has determined that this action is not anticipated to have a significant economic impact on a substantial number of small entities. The rule codifies the processes that are currently in-use by State DOTs when changes in access to the Interstate System are sought, and States are not included in the definition of small entity set forth in 5 U.S.C. 601 (<https://www.govinfo.gov/link/uscode/5/601>). The FHWA has determined that the projected impact upon small entities that utilize Federal-aid highway program funding for the development of highway improvement projects on the National Highway System is expected to be negligible. Therefore, FHWA certifies that the action will not have a significant economic impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

The FHWA has determined that this rule does not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4 (<https://www.govinfo.gov/link/plaw/104/public/4>), 109 Stat. 48) (UMRA). The actions in this final rule will not result in the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector, of \$168 million or more in any one year (when adjusted for inflation). In addition, the definition of "Federal Mandate" in the UMRA excludes financial assistance of the type in which State, local, or Tribal governments have authority to adjust their participation in the program in accordance with changes made in the program by the Federal Government. The Federal-aid highway program permits this type of flexibility.

Executive Order 13132 (/executive-order/13132) (Federalism Assessment)

The FHWA has analyzed this final rule in accordance with the principles and criteria contained in E.O. 13132 (/executive-order/13132). The FHWA has determined that this action does not have sufficient federalism implications to warrant the preparation of a

federalism assessment. The FHWA has also determined that this action does not pre-empt any State law or State regulation or affect the States' ability to discharge traditional State governmental functions.

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Executive Order 12372 (/executive-order/12372) (Intergovernmental Review)

The regulations implementing E.O. 12372 (/executive-order/12372) regarding intergovernmental consultation on Federal programs and activities apply to this program. This E.O. applies because State and local governments are directly affected by the regulation, which is a condition on Federal highway funding. Local entities should refer to the Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction, for further information.

Paperwork Reduction Act

The FHWA identified a paperwork burden and published the required notices at <https://www.federalregister.gov/documents/2023/09/19/2023-20218/interstate-system-access> (<https://www.federalregister.gov/documents/2023/09/19/2023-20218/interstate-system-access>). The OMB control number for the information collection is 2125-0679.

National Environmental Policy Act

The FHWA has analyzed this final rule for the purposes of the NEPA (42 U.S.C. 4321 (<https://www.govinfo.gov/link/uscode/42/4321>), et seq.) and has determined that it qualifies for a CE under 23 CFR 771.117(c)(20) ([https://www.ecfr.gov/current/title-23/section-771.117#p-771.117\(c\)\(20\)](https://www.ecfr.gov/current/title-23/section-771.117#p-771.117(c)(20))), which applies to the promulgation of regulations, and that no unusual circumstances are present under 23 CFR 771.117(b) ([https://www.ecfr.gov/current/title-23/section-771.117#p-771.117\(b\)](https://www.ecfr.gov/current/title-23/section-771.117#p-771.117(b))). Categorically excluded actions meet the criteria for CEs under the Council on Environmental Quality regulations and under 23 CFR 771.117(a) ([https://www.ecfr.gov/current/title-23/section-771.117#p-771.117\(a\)](https://www.ecfr.gov/current/title-23/section-771.117#p-771.117(a))) and normally do not require any further NEPA approvals by FHWA. This rule would not affect the NEPA process for Interstate access requests and FHWA will not grant a project final approval until the NEPA process was completed.

Executive Order 13175 (/executive-order/13175) (Tribal Consultation)

Section 7, ItemL.

The FHWA has analyzed this final rule under E.O. 13175 (/executive-order/13175) and anticipates that it will not have substantial direct effects on one or more Indian Tribes, will not impose substantial direct compliance costs on Indian Tribal governments, and will not preempt Tribal law. This final rule will not impose any direct compliance requirements on Indian Tribal governments nor will it have any economic or other impacts on the viability of Indian Tribes. Therefore, the funding and consultation requirements (□ print page 88126) of E.O. 13175 (/executive-order/13175) do not apply and a Tribal summary impact statement is not required.

Executive Order 12898 (/executive-order/12898) (Environmental Justice)

The E.O. 12898 (/executive-order/12898) requires that each Federal Agency make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minorities and low-income populations. The FHWA has determined that this proposed rule does not raise any environmental justice issues.

Rulemaking Summary, 5 U.S.C. 553(b)(4) (<https://www.govinfo.gov/link/uscode/5/553>)

As required by 5 U.S.C. 553(b)(4) (<https://www.govinfo.gov/link/uscode/5/553>), a summary of this rule can be found in the Abstract section of the Department's Unified Agenda entry for this rulemaking at [<https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202310&RIN=2125-AF89>].

Regulation Identifier Number

A RIN is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 624 (<https://www.ecfr.gov/current/title-23/part-624>)

- Grant programs—transportation
- Highways and roads
- Reporting and recordkeeping requirements

Issued under authority delegated in 49 CFR 1.81 (<https://www.ecfr.gov/current/title-49/section-1.81>) and 1.85 (<https://www.ecfr.gov/current/title-49/section-1.85>).

Kristen R. White,

Acting Administrator, Federal Highway Administration.

In consideration of the foregoing, FHWA amends title 23 of the Code of Federal Regulations (<https://www.ecfr.gov/current/title-23>), by adding part 624 to read as follows:

PART 624—INTERSTATE SYSTEM ACCESS

Sec.

- 624.1 Purpose.
- 624.3 Applicability.
- 624.5 Definitions.
- 624.7 Interstate System access requirements.
- 624.9 Approval process.
- 624.11 Interstate Access Justification Report.
- 624.13 Programmatic Agreement.

Authority: 23 U.S.C. 109(a) (<https://www.govinfo.gov/link/uscode/23/109>) and (b) (<https://www.govinfo.gov/link/uscode/23/109>) and 111 (<https://www.govinfo.gov/link/uscode/23/111>); 23 CFR 1.32 (<https://www.ecfr.gov/current/title-23/section-1.32>); 49 CFR 1.85 (<https://www.ecfr.gov/current/title-49/section-1.85>).

§ 624.1 Purpose.

To prescribe requirements and procedures for State requests for, and FHWA consideration of, changes in access to the Interstate System.

§ 624.3 Applicability.

(a) Except as provided in paragraphs (b) through (e) of this section, this part is applicable to all segments designated as part of the Dwight D. Eisenhower National System of Interstate and Defense Highways (Interstate System) for which Federal-aid highway funds or other funds administered under title 23, United States Code, have been used in the past or are used to develop a project.

(b) This part is not applicable to ramps providing access to safety rest areas, information centers, weigh stations, and truck inspection stations located within the Interstate right-of-way when such areas are accessible to vehicles only to and from the Interstate System. Connections from other public facilities to facilities within the Interstate System right-of way, if an exception is granted in accordance with § 624.7(f), are subject to the requirements of this part.

(c) This part is not applicable to connections between managed lanes and general-purpose lanes on the same Interstate highway.

(d) This part is not applicable to State maintenance facilities that are located within the Interstate System right-of-way and not open to the public.

(e) This part is not applicable to access points to non-freeway Interstate System segments located in Alaska or Puerto Rico with average daily traffic volumes less than 400 vehicles per day. In such cases, the provisions of 23 U.S.C. 111 (<https://www.govinfo.gov/link/uscode/23/111>) apply and the FHWA Division Administrator shall determine the level of analysis required to secure FHWA approval of the access modification.

§ 624.5 Definitions.

The following terms used in this part are defined as follows:

Access point. Any permanent connection (including those metered or closed at times) to the through lanes or shoulders, managed lanes, collector-distributor roads, or ramps on the Interstate System, including “locked gate access”.

Area of influence. The geographic extent to which a proposed change in access will affect traffic operations and safety.

Change in access. The addition of a new, or modification of an existing, interchange or access point along the Interstate System.

Final approval. Acceptance for the proposed change in access granted by FHWA upon completion of the appropriate transportation planning, air quality conformity, and environmental review requirements under National Environmental Policy Act (NEPA) and receiving concurrence on the Safety, Operations, and Engineering (SO&E) determination.

Interchange. A system of interconnecting roadways in conjunction with one or more grade separations that provides for the movement of traffic between two or more roadways or highways on different levels.

Interstate Access Justification Report (IAJR). A technical report that documents the safety, operations, and engineering aspects of a proposed change in access to the Interstate System and demonstrates that the proposal meets the provisions of this part.

Interstate System. The term "Interstate System" as defined in 23 U.S.C. 101 (<https://www.govinfo.gov/link/uscode/23/101>), and includes mainline lanes; shoulders; existing, new, or modified ramps; collector-distributor roads; managed lanes (including high-occupancy vehicle lanes, value priced lanes, high-occupancy toll lanes, or exclusive or special use lanes); ramp termini; and portions of frontage roads that function as part of an interchange. For purposes of this part, the Interstate System shall be limited to those routes for which Federal-aid highway funds or other funds administered under title 23, United States Code, have been used in the past or will be used to develop a project.

Partial interchange. An interchange that does not provide for each of the eight basic movements (or four basic movements in the case of a three-legged interchange).

Programmatic Agreement (PA). Agreement between FHWA and a State DOT under 23 U.S.C. 111(e) (<https://www.govinfo.gov/link/uscode/23/111>) to allow a State to review and make the Safety, Operations, and Engineering (SO&E) determination.

Public road. The term “public road” as defined in 23 U.S.C. 101 (<https://www.govinfo.gov/link/uscode/23/101>).

Safety, Operations, and Engineering (SO&E) determination. Technical determination of whether the proposed location, configuration, geometric design, and signing related to the proposed change in access may be reasonably expected to serve the anticipated traffic of the Interstate System in a manner that is conducive to safety, durability, and economy of maintenance.

Safety rest area. The term “safety rest area” as defined in 23 CFR 752.3(a) ([https://www.ecfr.gov/current/title-23/section-752.3#p-752.3\(a\)](https://www.ecfr.gov/current/title-23/section-752.3#p-752.3(a))) that ([print page 88127](#)) is located within the Interstate System right-of-way.

§ 624.7 Interstate System access requirements.

(a) The proposed change in access to the Interstate System shall not result in a significant adverse impact on the Interstate System traffic operations or the safety for all users of the transportation system in the project's area of influence, as demonstrated by operational and safety analyses based on both the current and future traffic projections using traffic data that is no more than 5 years old and at least the most recent 3 years of available safety data.

(b) Interstate System access points shall connect only to a public road. Connections directly to private developments, parking lots, or private roads are prohibited.

(c) Connections from outside of the Interstate System right-of-way to safety rest areas, information centers, weigh stations, and truck inspection stations located within the Interstate System right-of-way are prohibited.

(d) Each interchange shall provide for all traffic movements.

(e) A proposed change in access shall be designed to meet the standards in accordance with 23 CFR part 625 (<https://www.ecfr.gov/current/title-23/part-625>) or have approved exceptions and shall comply with 23 CFR part 655 (<https://www.ecfr.gov/current/title-23/part-655>).

(f) On a case by case basis, FHWA may grant exceptions to the requirements paragraphs (b) through (d) of this section for:

- (1) Locked gate access to private property for purposes of public safety;
- (2) Locked gate access from an information center, weigh station, and truck inspection station to a local road for the purposes of public safety;
- (3) Access from a safety rest area to an adjacent publicly owned conservation and recreation area if access to this area is available only through the safety rest area as allowed under 23 CFR 752.5(d) ([https://www.ecfr.gov/current/title-23/section-752.5#p-752.5\(d\)](https://www.ecfr.gov/current/title-23/section-752.5#p-752.5(d)));
- (4) Locked gate access from a local public road to the safety rest area for the limited purpose of providing access to safety rest area employees, deliveries, and emergency vehicles; or
- (5) A partial interchange where necessary to provide special access, such as to managed lanes or park and ride lots, or where factors such as the social, economic, and environmental impacts of a full interchange justify an exception.

§ 624.9 Approval process.

- (a) To propose a change in access to the Interstate System, the State DOT shall submit electronically to FHWA a request letter and an IAJR complying with § 624.11 demonstrating that the proposed change in access meets the requirements of this part. Change in access requests will not be accepted from other parties besides a State DOT.
- (b) Approval of a change in access to the Interstate System requires a SO&E determination and a final approval.
- (c) The SO&E determination shall be based on the safety, operations, and engineering aspects of the request as documented in an IAJR meeting the requirements of this part. The FHWA shall make the SO&E determination, except where FHWA has delegated to a State DOT the authority to make the SO&E determination on behalf of FHWA by entering into a PA that meets the requirements of § 624.13.

(d) If a favorable SO&E determination is made, FHWA will consider whether final approval is appropriate for the proposed change in access to the Interstate System. Final approval may only be granted by FHWA and constitutes a major Federal action under NEPA. Final approval may be granted if the following conditions are met:

(1) Applicable transportation planning, conformity, and NEPA procedures have been completed.

(2) The alternative covered by the favorable SO&E determination is of the same scope and design as the alternative selected and approved in the NEPA decision.

(e) If the project has not progressed to construction within 5 years of receiving an affirmative SO&E determination, FHWA may require the State DOT to provide verification that the requirements of § 624.7 continue to be met based on current and projected future conditions.

§ 624.11 Interstate Access Justification Report.

(a) The IAJR shall be a standalone report. Relevant information from other documents (such as feasibility studies, NEPA documents or preliminary engineering reports) must be included in the appropriate section of the IAJR.

(b) At a minimum, an IAJR submitted to FHWA shall include all of the following, except as provided under paragraph (d) of this section.

(1) A description and overview of the proposed change in access including a project location map and distances to adjacent interchanges.

(2) Preliminary design documents sufficient to demonstrate the geometric viability of the proposal. The design documents shall include the design criteria, existing geometry overlaid with clearly labeled proposed geometric plan views, lane configuration schematics, typical sections, control-of-access lines, interchange spacing, ramp spacing, and other design features necessary to evaluate the proposed design.

(3) Operational and safety analyses that evaluate the impact of the proposed change in access on the Interstate System and local road network extending to the following area of influence limits at a minimum:

(i) Along the Interstate System, and interchanging freeway if applicable, to the adjacent existing or proposed interchange on either side of the proposed change in access, extending further as needed to ensure the limits of the analysis are appropriate to fully understand the impact of the proposed change in access on the Interstate System.

(ii) Along each crossroad to the first major intersection on either side of the proposed change in access, extending further as needed to demonstrate the safety and operational impacts that the proposed change in access and other transportation improvements may have on the local road network.

(4) A conceptual plan showing the type and location of the signs proposed to support the proposed design.

(c) The IAJR for a proposed partial interchange shall meet the following additional requirements.

(1) The IAJR shall include a full-interchange option with a comparison of the operational and safety analyses to the partial interchange option. The IAJR shall justify the necessity for a partial interchange alternative.

(2) The IAJR shall describe why a partial interchange is proposed and include the mitigation proposed to compensate for the missing basic movements, including wayfinding signage, local intersection improvements, mitigation of driver expectation leading to wrong-way movements on ramps, and other proposed strategies as necessary.

(3) The IAJR shall describe whether future provision of a full interchange is precluded by the proposed design.

(d) FHWA will consider the complexity of a change in access when determining the extent of the safety and operational analysis and the format of the IAJR.

§ 624.13 Programmatic Agreement.

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A State DOT may submit to FHWA a written request to enter into a PA with FHWA that delegates to the State DOT the authority to make the SO&E determination on behalf of FHWA in accordance with 23 U.S.C. 111(e) (<https://www.govinfo.gov/link/uscode/23/111>) and the requirements of this part.

(a) A PA may allow a State DOT to make the SO&E determination for all or (print page 88128) any part of the following types of change in access requests:

- (1) New freeway-to-crossroad (service) interchanges;
- (2) Modifications to existing freeway-to-crossroad (service) interchanges; and
- (3) Completion of basic movements at freeway-to-crossroad (service) interchanges.

(b) The State DOT request to enter into a PA with FHWA shall include:

(1) The types of changes in access listed in paragraph (a) of this section for which the State DOT would like to make SO&E determinations; and

(2) A discussion of controls the State DOT has implemented, resources available, and actions that would be taken if the PA is approved, as needed to address the considerations outlined in paragraph (c) of this section.

(c) Upon receipt of the request, FHWA will:

(1) Verify that appropriate controls and processes have been developed and implemented by the State DOT, and that the State DOT has the necessary resources and commits to conduct future actions in compliance with the terms of the requested PA. The FHWA will examine:

(i) State DOT policies, standard operating procedures, and processes, either in place or modified as needed to carry out the requirements of the PA;

(ii) Documentation demonstrating the processes and guidance that have been developed and implemented to support the development, analysis, documentation, review, and potential processing of each type of proposed change in access to the Interstate System to which the terms of the PA would apply;

(iii) Documentation demonstrating the process, guidance, assistance, and oversight the State DOT will provide to support local agencies (e.g., cities, counties, toll authorities, MPOs) that may propose or submit requests to the State DOT for changes in access to the Interstate System to which the terms of the PA would apply;

(iv) Documentation demonstrating that the State DOT has the expertise and resources (e.g., training, analysis tools) needed to carry out the requirements of the PA;

(v) Documentation of State DOT procedures to provide the necessary oversight, monitoring, and annual reporting to FHWA to ensure the changes in access to the Interstate System are processed consistent with the terms of the PA; and

(vi) Any other factors deemed necessary by the Secretary.

(2) Establish, with input from the State DOT, the scope and conditions for the State DOT's review of change in access requests and the process by which the State DOT will make the SO&E determination.

(d) A PA shall require that the State DOT submit electronically an annual report to FHWA summarizing its performance under the PA. The report shall, at a minimum:

(1) Include the results of all changes in access to the Interstate System that were processed and received a SO&E determination under the terms of the PA for the previous calendar year;

(2) Summarize the changes in access to the Interstate System that the State DOT plans to process in the coming calendar year;

(3) Assess the effectiveness of and verify that all changes in access to the Interstate System processed through this agreement were evaluated and processed in a manner consistent with the terms of this PA;

(4) Identify any areas where improvements are needed and what actions the State DOT is taking to implement those improvements; and

(5) Include actions taken by the State DOT as part of its quality control efforts.

(e) When all concerns have been addressed to the satisfaction of the Secretary, the PA may be executed.

Footnotes

1. See, e.g., *2017 Interstate Access Policy*, dated May 22, 2017 (<https://www.fhwa.dot.gov/programadmin/fraccess.cfm> (<https://www.fhwa.dot.gov/programadmin/fraccess.cfm>)).

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[FR Doc. 2024-25757 (/d/2024-25757) Filed 11-6-24; 8:45 am]

BILLING CODE 4910-22-P

PUBLISHED DOCUMENT: 2024-25757 (89 FR 88118)

Public notice. Notice of the plan commission public hearing shall be sent by regular mail to the applicant, each landowner adjoining the subject property and each landowner within 500 feet of the

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subject property. Notice of the planning commission public hearing shall be sent at least ten calendar days prior to the planning commission public hearing. The notice shall be prepared and mailed by the village. The failure of any person required by this section to receive the notice shall not invalidate or otherwise have any effect upon a public meeting or public hearing or action taken on the application.

(3) *Local government notice.* The village shall send one copy of the application at least ten calendar days prior to the plan commission public hearing to the adjoining local government for review and comment when the project affects another municipality, or the primary access to the affected property is through an adjoining municipality.

(4) *Village website.* Notice of the plan commission public hearing shall be posted on the village webpage.

F. *Public hearing and recommendation.* The plan commission shall hold a public hearing on all proposed amendments to the official zoning map. Following the public hearing, and after consideration of comments provided therein, the plan commission shall review the proposed amendment to the official zoning map and shall within 45 days of the public hearing make a recommendation to the village board that the application be granted as requested, modified, or denied. If the commission fails to make a recommendation within this time frame, the proposed amendment shall be forwarded to the village board without recommendation. Such deadline may be extended by written or electronic agreement from the applicant.

G. *Review criteria for amendments to official zoning map.* The plan commission and village board shall utilize the following criteria when reviewing each application to amend the official zoning map:

- (1) Is the proposed rezoning consistent with the comprehensive plan, as is required by Wisconsin Statutes?
- (2) Does the rezoning further the purpose and intent of this chapter?
- (3) Does the rezoning address any of the following that are not properly addressed on the current official zoning map?
 - (a) A mistake was made in mapping on the official zoning map. That is, an area is or has developed in a manner and purpose different from that for which it is mapped. If this reason is cited, it must be demonstrated that the discussed inconsistency between actual land use and designated zoning is not intended, as the village may intend to stop an undesirable land use pattern from being perpetuated.
 - (b) Factors have changed, such as the availability of new data, the presence of new roads or other infrastructure, additional development, annexation, or other zoning changes, making the subject property more appropriate for a different zoning district.



(c) Growth patterns or rates have changed, thereby creating the need for a rezoning.

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- (4) Does the proposed zoning district maintain the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property?
- (5) Does the rezoning meet the minimum requirements for frontage or parcel size? A lot, lots, or parcel of land shall not qualify for a zoning map amendment unless it possesses 200 feet of frontage or contains 25,000 square feet of area, or adjoins a lot, lots, or parcel of land which bears the same zoning district classification as the proposed zoning map amendment.
- (6) For applications to rezone land to a multifamily, commercial or industrial zoning district, is, or will there be, adequate public infrastructure available to accommodate the range of uses allowed in that zoning district?

H. *Village board action.*

- (1) The zoning administrator shall schedule the proposed amendment for potential village board action. After careful consideration of all comments, the village board shall, within 120 days of submittal of a complete application, act to approve or reject the proposed amendment, unless extended by written or electronic agreement of the applicant. Failure of the board to act within 120 days of submittal of a complete application (unless said deadline is extended by agreement of the applicant) shall constitute approval of the application as presented.
 - (2) The village board may approve an amendment by a simple majority of a voting quorum, except that when an official protest against the proposed amendment to the official zoning map is signed and acknowledged by the owners of 20 percent or more either of the areas of the land included in such proposed amendment or by the owners of 20 percent or more of the area of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20 percent or more of the land directly opposite thereto extending 100 feet from the street frontage of such opposite land, then approval of the amendment to the official zoning map shall require a favorable vote from three-quarters of the members of the village board voting on the proposed change.
- I. *Effect of denial.* No application that has been denied shall be resubmitted for a period of 12 months from the date of said order of denial, except on grounds of new evidence or proof of change of factors found valid by the zoning administrator.
 - J. *Fee.* The village may require a fee as established by the village board and stated in the village's fee schedule.

(Ord. No. 16-07, 6-20-2016; Ord. No. 21-11, 7-27-2021)

§ 520-119. - Zoning permits.